

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for June 10, 2013

- I. **ROLL CALL:** The meeting was held in the City Council Chambers of City Hall and was called to order at 5:30 p.m. Chairperson, Bruce Damon, chaired the meeting.

Members in Attendance: Bruce Damon, Kevin Morissette, Paul Robinson, Walter Hill, Sandra Marquis and Michael Marcotte

Members Absent: Eric Potvin

Associate Member Present: Paul Madore

Staff Present: David Hediger, City Planner and Cathy Lekberg, Administrative Assistant, Economic & Community Development

Bruce appointed Paul Madore full voting member for this meeting.

- II. **ADJUSTMENT TO THE AGENDA:** None

- III. **CORRESPONDENCE:** None

- IV. **PUBLIC HEARINGS:**

- 1) Application submitted by Harriman Associates on behalf of the City of Lewiston for improvements and modifications to the recreational fields at Franklin Pasture, including the installation of new turf fields.

The following motion was made:

MOTION: by **Paul Robinson** to consider an application submitted by Harriman Associates on behalf of the City of Lewiston for improvements and modifications to the recreational fields at Franklin Pasture, including the installation of new turf fields.
Second by **Paul Madore**.

VOTED: **6-0 (Passed).**

David read staff comments to the Board. John Kuchinski of Harriman Associates showed the Board a site plan and explained that in the first phase of the project they would be excavating the main field and installing crushed stone and artificial turf. They also would begin construction of the concession stand addition and add bleachers that would add 1,200 more seats. Also in attendance were School Athletic Director, Jason Fuller and Finance Director, Heather Hunter.

Bruce asked about total seating capacity at the primary football field and John said they were adding 1,200 seats. Paul Madore asked what they have now and John said about 1,600.

Paul Madore asked why they were switching from grass to artificial turf and Jason Fuller told him that the field was overused and they were unable to grow grass due to the overuse activities. He said the field was being destroyed and there were design flaws with the field where the middle of the field would not absorb water.

Bruce said he was disappointed that this work had to be done. He remembered when this area was first completed in 1995 and it was supposed to be a state-of-the-art facility and would last a very long time. Paul Madore asked about the budget and Heather said that it has already gone before the School Committee and City Council. She said the total project would cost \$3.6 million but the first phase will be \$1.6 million. Paul Robinson asked if the work has been prioritized and Heather said yes, and the main complex is their first priority. Paul Madore asked for a breakdown on the bonds and Heather gave him a breakdown.

Michael asked since \$400,000 has been raised privately, and the City has committed to \$374,000 for the turf, and \$100,000 for the track, would there be enough funding currently to do the turf? Heather said that was correct. Michael asked if they were not going to borrow the money until next spring, and were they planning on doing the work next summer, and Heather said that was correct. Michael also asked about the tennis courts and was that part of the same phase, and Heather said yes. Michael asked if there was anything else with the tennis courts that would be happening, and Heather said they are doing some lining, and as a later priority, they have talked about adding fencing sunscreens, wind screens, bathrooms, seating and a small storage facility, but that was not as high a priority right now.

Bruce said with the additional seating, bathrooms would not meet plumbing codes and Jason said they have portable toilets and use of the high school to make up the difference in the number of toilets. Bruce also said he has seen the lighting at the tennis courts on in the middle of the night and thought this was wasteful. Jason said the sensors were not working properly and they would be repairing them. Jason also said by installing artificial turf, they would have the possibility of renting the facility to outside teams.

Paul Madore asked what the lifespan of the artificial turf would be and Jason said 10 – 15 years but replacing it again would not cost as much as the first time because excavating site work would not be necessary.

Bruce mentioned the storm water system and asked if there would be a performance guarantee and David said that was required under DEP's rule.

Walter Hill arrived at the meeting at 6:15 a.m.

Public Comment – None

Kevin said that sports are an important part of school activities for many students. He said he was in favor of the project.

Bruce was concerned the estimates for the work might be too low. He also said the first phase makes sense, but he would want all of the other phases to come before the Planning Board.

Paul Madore asked about the bidding process in getting this work done. Heather said they have not reached that point yet. They just received the construction plans now. Part of that will be contingent upon in-kind service donations. Paul asked who is doing the work now. Heather said Harriman has provided the estimation through their contacts of vendors who provide these things as well as Jason and the Public Works Department.

Michael asked if at any time would the School Department make their purchases separately from the City, and Heather said it will likely be a 50-50 split and will likely follow the city purchasing policy and Procurement Process and they will later bill the School Department for their share of it. Michael also mentioned that since it was said there would be cost savings by freeing up people from having to provide maintenance on the field, which department is responsible for that maintenance. Heather said it would be the Public Works Department.

The following motion was made:

MOTION: by **Michael Marcotte** finds that the application meets all of the necessary criteria contained in the Zoning and Land Use Code, including Article XIII, Section 4 of the Zoning and Land Use Code and grants approval to the City of Lewiston for improvements and modifications to the recreational fields at Franklin Pasture, including the installation of new turf fields, subject to any concerns raised by the Planning Board or staff and subject to the following conditions:

1. No construction activity commence until a performance guarantee is provided to the City's satisfaction in accordance with Article XIII, Section 15(e)(3) of the Zoning and Land Use Code.
2. The Planning Board review and approval of additional improvements prior to construction.

Second by **Kevin Morissette**.

VOTED: **6-1 (Passed).**
Paul Madore - Opposed

- 2) Proposed amendment to Appendix A, of the Zoning and Land Use Code, Article VI, Section 4(c) Nonconforming uses, Abandonment, which would exempt single-family detached dwelling on individual lots and two-family dwelling on individual lots from becoming nonconforming uses upon abandonment.

Bruce thought that there should be a clearer definition for abandonment and Walter agreed. Walter thought this item should be put on hold until there is a better definition.

Michael brought up 299 Webster Street and asked what the zoning district was there. David stated NCA Neighborhood Conservation A. Michael said he did not like the amendment with that particular building and he believed if a building was abandoned for that length of time there was a reason for the abandonment language to begin with. He said he was not in support of this change.

Paul Madore thought this change was minor and was in favor of it. After further discussion of this amendment, the Board decided to make a motion. They also asked David to draft a clearer definition of abandonment for a later meeting.

The following motion was made:

MOTION: by **Paul Robinson** pursuant to Article VII, Section 4(c) and Article XVII, Section 5 of the Zoning and Land Use Code to send a favorable recommendation for the City Council consideration to adopt the proposed amendment to Appendix A, of the Zoning and Land Use Code, Article VI, Section 4(c) Nonconforming uses, Abandonment, which would exempt single-family detached dwelling on individual lots and two-family dwelling on individual lots from becoming non-conforming uses upon abandonment. Second by **Walter Hill**.

VOTED: 6-1 (Passed)
Michael Marcotte - Opposed

V. OTHER BUSINESS:

- a) Disposition of City Properties: 1 Acorn Lane, 6 Galina Lane, 8 Galina Lane, 6 Marie Circle Rear, and 48 River Street.

Heather Hunter explained that these five city-owned properties were acquired by tax liens and these liens have matured. They want to put them out to bid and sell them.

Michael asked if there were any other attachments on the Galina Lane properties other than the City lien and Heather said we have first position. We are not aware of any other encumbrances, and there are no other lienholders.

Paul Madore asked if these were the only city-owned properties and Heather said no. She explained that these properties are only vacant land parcels in which the tax liens have matured. She said they were acquired because the owners were not willing to pay back taxes.

Bruce asked if 48 River Street had a building on it and Heather said no. Bruce asked if this was one of the fire buildings and David said yes. He also said 47 River Street also does not have a structure on it.

Michael asked about 47 River Street and stated it was interesting that City Council already made the decision to keep it. He said he thought the Planning Board did the planning in the community and David stated for the purpose of tax acquisition it lies with the City Council to acquire it. Michael said these are the things that fall under the purview of planning. Heather said the motion that was made by Council was to tax acquire them only. Once the Planning Board does the disposition, we will move forward with that piece and then once the bids go out, it goes back to Council to award the sale and disposition of it. She said it is a two step process at the Council level. Michael asked if they are asking the Board to sell six parcels and Heather said they want to sell five parcels because it was with the recommendation of the Planning staff that the Council chose not to sell 47 River Street.

Michael said that looking back at planning board minutes of January 24, 2005 there was a city-owned property disposition of about 20 properties and on January 26, 2009 there were 13 properties. He said the City put them out to bid and there were only two that were purchased. He asked why those unsold properties have not come back to the Board. Heather said without having the specific information, she could not speak to that right now. Michael said that some of the properties were difficult properties for anybody to develop. However, there are more properties out there for interest in the community. He mentioned 192 Bartlett Street had interest and if he understood correctly could be bought at market price as opposed to giving it away for \$100.00.

Public Comment Open:

Carol Caron said she was the co-owner of Jim's Auto Body and attempted to purchase 192 Bartlett Street, a vacant lot adjacent to their business to expand their parking lot. She said she tried to get in touch with City staff and got no response. Heather said she could check on it and give her a call. Heather took her name and number.

Public Comment Closed

Michael noted the in reviewing the January 26, 2009 Planning Board minutes, there was a proposed di minimus change request to the Gloria Nye subdivision that he believed included two of the properties at Galina Lane. He asked if Gloria Nye were walking away from two really nice parcels in a nice section of town that could command good prices or is there something wrong with what we required for what could be built on them. He quoted David as stating that the di minimus request was to eliminate Note 13b which reads the minimum square footage of living area for any lot should be a minimum of 1,500 feet. David stated without knowing all the details, the property owner has not been well with health issues and believe that may be part of the reason he was losing the property. These are lots that can be developed and are desirable. Michael said we are going to take \$44,000 worth of land for \$3,300 worth of tax money for somebody who has been a good taxpayer until the issues arose. Bruce said that is what the law allows.

The following motion was made:

MOTION: by **Walter Hill** to pursuant to Article VII, Section 4(h) of the Zoning and Land Use Code to send a favorable recommendation to the City Council for the disposition of the following properties: 1 Acorn Lane, 6 Galina Lane, 8 Galina Lane, 6 Marie Circle Rear, and 48 River Street. Second by **Paul Robinson.**

VOTED: **6-1 (Passed)**
Michael Marcotte - Opposed

b) Discussion on Comprehensive Plan and Planapalooza

David asked the members how their interviews went with Brian Wright and there was mixed comments by the members. Bruce said Brian asked questions that were not relevant and thought he was rushed. Paul Madore thought Brian was very patient and thorough. He enjoyed the meeting and thought he was a good listener. Bruce said that he told Brian that he was skeptical of the whole process and the first meeting of the comprehensive plan members was a disaster. He also told him he would hold him accountable to the taxpayers of Lewiston and for the moment he was not impressed.

David stated that everyone needs to participate in the process for it to be successful and they need to get the word out about the planapalooza. He mentioned attending as many meetings as possible would be to the plan's benefit.

c) Any other business Planning Board Members may have related to the duties of the Lewiston Planning Board. **None.**

VI. READING OF MINUTES: Adoption of the April 22, 2013 minutes

The following motion was made:

MOTION: by **Walter Hill** to accept the April 22, 2013 as presented Second by **Sandra Marquis.**

VOTED: **5-0-2 (Passed).**
Paul Robinson & Michael Marcotte - Abstained

- VII. **ADJOURNMENT:** The following motion was made to adjourn.
MOTION: by **Kevin Morissette** that this meeting adjourns at **8:00 p.m.**
Second by **Paul Madore.**
VOTED: **7-0 (Passed).**

The next regularly scheduled meeting is for Monday, June 24, 2013 at 5:30 p.m.

Respectfully Submitted:


Paul Robinson Secretary 