

CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for April 25, 2011

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

Members in Attendance: Lucy Bisson, Bruce Damon, Paul Robinson, Kevin Morissette, Trinh Burpee and Eric Potvin

Members Absent: Denis Fortier

Associate Member Present: Michael Marcotte and Sandra Marquis

Staff Present: David Hediger, City Planner, Gil Arsenault, Director of Planning & Code and Cathy Lekberg, Administrative Assistant, Economic & Community Development

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

- III. **CORRESPONDENCE:** None

- IV. **PUBLIC HEARINGS:**

A proposal by White Rock Distilleries for the construction of a 6,000 square foot concrete spill containment structure and up to sixteen 25,000 gallon steel tanks and one 100,000 steel tank to contain ethanol at the rear of their property at 21 Saratoga Street.

The following motion was made:

MOTION: by **Trinh Burpee** to table this item until the May 9, 2011 meeting.
Second by **Bruce Damon**.

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

- V. **OTHER BUSINESS:**

- a. Discussion regarding Atwood Street rezoning.

David stated he would like to get direction from the Board on what uses they want to be permitted for the Atwood Street rezoning. The Board discussed the 48 uses and let David know which uses would be permitted or conditional uses.

They also discussed the space and bulk standards. The Board discussed front, side and rear setbacks in this area.

Lucy stated that on Sabattus Street there should be at least 10 ft. front setback. She stated there should be a minimum setback on these arterials. Bruce asked if they wanted to have a range with a minimum and a maximum. Lucy suggested setting a range of 10 ft. to 30 ft. for a

setback. Gil stated that businesses usually like parking in the front of the building.

Lucy stated that she does not want to allow a commercial business along Atwood unless they have egress from Sabattus Street. Bruce stated that the best use would be if the front and rear lots were combined. Lucy stated she thought they wanted to try and avoid traffic on Atwood Street.

Michael Marcotte entered meeting at 6:45 p.m.

Lucy asked for consensus from the Board.

Eric stated he did not think there should be a minimum setback. If someone wants to put it closer or further it should be their choice. He asked what is the situation with the setback off the road. Eric stated typically he believes there should be a minimum but with Atwood Street, 10 ft. would be a fine. Paul stated he agreed with Eric in that it may be determined by what type of business would go in. Kevin stated he did not think there should be a minimum. Lucy asked the Board if they want to stick with a maximum 30 ft. setback.

Gil suggested that the setbacks should be relaxed in this area. Lucy stated she would be more inclined to relax the front and side setback and not relax the rear setbacks or the setbacks that are affected by residential uses. Gil stated we are talking about rezoning the Sabattus Street side of Atwood Street so that it will become non-residential highway business and we are trying to protect those residences as well. Gil stated we have to be mindful about relaxing those setbacks to the greatest extent possible because the lots are so small and the owners need to have utility. He stated over time properties on Atwood Street on the Sabattus Street side will probably not be single family homes. He stated when a resident wants to cash out of those homes, they will probably sell to commercial.

Bruce stated the highest and best use would be to combine the front and rear lots and have the frontage on the arterial and have the rear setback be 30 ft. of Atwood Street. Even though there is street frontage on Atwood Street, it would be considered a rear setback and this would be only if they own frontage on both streets.

Bruce stated that if you own frontage on both streets that the front setback could be ruled by the arterial not the back street. David stated that is fine but asked what setback does the Board want to have happen along the back street. Lucy stated we want to have a fixed rear setback and call Atwood Street the rear of the property. Bruce stated that the rear setbacks would only apply if it is a rear setback from a residential street, not from an abutter. Gil stated this could be done. Bruce stated he could relax the front setback and have it at 10 ft. Bruce stated if it is considered a rear setback directly connected to a residential street we would want to maintain the 30 ft. buffer.

Mike stated that he lives on O'Connell Street which has Shaw's Supermarket as an abutter. He stated Shaw's planted trees and shrubs with a 20 ft. buffer and it works well.

Lucy stated she thinks that the commercial applications that have frontage on Sabattus Street and rear on Atwood Street should have only access on Sabattus Street and those locations that are on Atwood that do not have frontage on Sabattus Street have no choice but to access from Atwood Street. She stated it will probably not be a big issue.

Bruce stated he agrees with Lucy. He stated that Dan Cote has a combined lot and a garage which has a curb cut on Atwood Street. We should have conditions that could say the curb cut should be sustained and that buffering would have to exist between the garage and the Goyettes so he can still park his truck in his garage from Atwood Street. He stated Dan has been able to put his vehicle in his garage since he owned the land. He has a grandfathered existing use. We are trying to restrict all the commercial traffic through there. If the lots are combined, we will have to change the language to establish a buffer to protect Atwood Street but still protect the people that are already there.

Gil asked the Board whether or not they want to allow access from Atwood Street and would they be willing to accept the use of existing curb cuts on Atwood Street.

Sandra stated she would be willing to allow the existing curb cuts but would not want new access on Atwood Street and that buffers be required.

Kevin stated the current curb cuts are fine but no new ones and if a new business comes in, they would have to follow new buffer requirements. He stated that if a current commercial property was sold to a new owner, they would also have to follow new requirements. David stated that the new owners of existing businesses would be grandfathered.

Eric stated he agreed with Kevin and remained concerned with limiting access if you don't own land on Sabattus Street.

Trinh stated also she agreed with Kevin and Eric and she would like to see a limit on vehicle size on Atwood Street. David stated that this would be hard to enforce and Lucy agreed.

Kevin stated that even if there were additional commercial businesses on Atwood, there would still not be a lot more traffic there.

Lucy stated access should be limited to Sabattus Street unless Atwood Street is the only point of access available.

Bruce stated he agreed with Lucy but also stated it was kind of tricky. Dan Cote has a garage on Atwood Street and to limit him to access only on Sabattus would be a sensitive issue. He stated that the curb cut for the garage should be allowed. He stated that Dan Cote should not be told he cannot use his access. He stated that existing properties should be able to continue using Atwood Street. He stated they should establish a buffer on Atwood Street to protect the existing residential owners.

Paul agreed with Lucy that there should be no access to Atwood Street.

Mike stated he agreed with Lucy that there should be no access to Atwood Street or that maybe the area should not be rezoned.

David stated he would draft up another document with the suggestions of the Board. He asked the Board if they should meet again before scheduling the workshop and the Board agreed.

Bruce stated that under the Additional Standards, No. 9 did not make sense and David stated he would revise or it could be deleted. David stated that they would probably schedule the workshop at the end of May.

b. Discussion about possible rezoning of St. Joseph's Elementary School.

David stated he would like to get some feedback from the Board. He had a developer approach him about reusing St. Joseph's Elementary School for multi-family housing. It is zoned Community Business but there is a density requirement in the CB where you have to have 1,500 square feet of lot area per dwelling unit. In order for this project to work for this developer, the numbers would have to be 30 units. There is not enough lot area there to meet the CB standards. It would be a senior housing project. He told the developer there are possibly three options. The first option is that it does not happen. A second option would be to amend the CB district. The CB district allows multi-families but it caps it at 3,000 sq. ft. per dwelling unit. He stated amending the CB district so there is no lot requirement, the number of units would be driven by lot size and parking demand so you could put as many units on the property as the lot can accommodate. The third option is a conditional rezoning that basically allows multi-families but does not have lot area requirement and could include whatever other conditions the Board may feel is appropriate.

Gil stated any suggestions would be helpful. David stated the Diocese had no interest on this property and were considering demolishing it.

Bruce asked if they would be adding onto the structure or only using the existing structure and David stated they will use only the existing structure.

Lucy stated this would be an excellent reuse of the property and they have parking underneath. David stated they would be grandfathered for parking based on the educational use there. Lucy stated if it is senior housing

there would be fewer cars anyway. David stated if we amend the CB, we are looking at the entire CB district throughout the City so it would not apply to just this area.

Kevin asked if they really need 30 or 31 units to make it economical and David stated yes.

Bruce questioned how they can fit 30 units in that building. David stated it would be a unique project because they will have their own kitchen facility where the meals are being prepared there. He stated it would be similar to a Seniors Plus facility.

Lucy stated we have to tread carefully in amending the CB everywhere but the density requirements are not realistic and she would be in favor of lessening the density requirements of all of the CB because this is a better use of that area.

Bruce asked if in the Centreville District if a developer came before us and said they want to reuse a church and the rectory and there is no density there, if they wanted to do something with units there could they just do that. David stated there would be parking requirements. Bruce stated at St. Joseph's, there is plenty of parking. David stated they also want to add some green space. Lucy stated this would be nice because all there is there is building and tar.

Lucy asked what the consensus is for the Board, citywide or a conditional rezoning.

Eric asked if there is a time crunch because it will take a little bit to look at CB citywide. David stated the ball is in the Diocese's court and they are looking for some direction. Eric stated he thinks this is a great potential project and agreed it should happen but will we get caught up for weeks looking at CB citywide. Gil stated he is not a big fan of density requirements. Bruce asked what would happen if this particular property became NCB. David stated it would not work. Bruce asked if they could extend the CV and David stated he had not thought about that.

David stated he had enough information to share with the applicant.

- c. Any other business Planning Board Members may have relating to the duties of the Lewiston Planning Board.

David stated that he spoke with Eric Cousins regarding a joint meeting with the Auburn and Lewiston Planning Boards. Eric thought it was a great idea and would bring it up to the Planning Board at their next meeting. David stated they would like to have Jonathan Labonte attend and talk about the Land Trust and Riverland Coalition for about a half hour.

David asked the Board if they had any suggestions for topics for the meeting and Bruce stated he would like to discuss the Riverfront District and development strategies. Gil stated they should find out how Auburn review projects and their procedures. Eric stated they should find out about Auburn's zoning maps and districts and why they do not have more parking garages.

David stated he would share those topics with Eric.

Bruce stated that the Lewiston Auburn Community Forestry Board is looking to get ordinances established to prepare the two cities to set a municipal forestry ordinance that will establish community forest and allow for sustainable forestry practices to be carried out and stop what happened in Worcester, MA with the Asian longhorn beetle and the solution was that they cut down 35,000 trees in a 16 square mile area and took every tree in the City of Worcester down basically. We do not have a mechanism currently to deal with this and we will be coming before the Board to approve an ordinance.

VI. UNFINISHED BUSINESS:

- a. Zoning and Land Use Updates/Matrix:
- b. Discuss proposed open space revisions, consolidation of the SR district, and adoption of the matrix (recommendation to table the matter to future date).

VII. READING OF MINUTES:

There was no action taken for the draft minutes for the March 28, 2011 meeting.

The following motion was made:

MOTION: by **Paul Robinson** to accept the April 11, 2011 minutes as presented. Second by **Bruce Damon**.

VOTED: **7-0 (Passed)**

VIII. ADJOURNMENT: The following motion was made to adjourn.

MOTION: by **Eric Potvin** that this meeting adjourns at 8:20 p.m. Second by **Paul Robinson**.

VOTED: **7-0 (Passed).**

The next regularly scheduled meeting is for Monday, May 9, 2011 at 5:30 p.m.

Respectfully Submitted:

Denis E. Fortier, Secretary