

**CITY OF LEWISTON
PLANNING BOARD MEETING
MINUTES for February 13, 2001 - Page 1 of 7**

- I. ROLL CALL:** This meeting was held in the City Council Chambers, was called to order at 7:04 p.m., and was chaired by Dennis Mason.
- **Members In Attendance:** Mark Paradis, Dennis Mason, John Cole, Muriel Minkowsky, Roger Lachapelle, Rob Robbins, and Planning Board Student Member Ethan Chittim.
 - **Staff Present:** Gregory Mitchell, Director of Development; James Lysen, Planning Director; James Fortune, Planning Coordinator; and Doreen Asselin, Administrative Secretary.
 - **Member Absent:** Lewis Zidle.
- II. ADJUSTMENTS TO THE AGENDA:** It was decided to move Section VII., Other Business, Item A., New Business, No. 2, *Property acquisition proposals concerning several parcels of land on Lincoln Street and Lower Main Street, for the Bates Mill Complex redevelopment, including: 53 and 65 Main Street; 14, 14, 16, and 40 Lincoln Street; and 50 Railroad Alley and make a recommendation to the City Council, after Section V., Final Hearing, and then continue the other agenda items in sequence.*
- III. CORRESPONDENCE:** The following were items distributed at the Planning Board Meeting:
- A. Letter dated January 9, 2001 from **Frank Hample**, Planner II from the State of Maine Executive Department, State Planning Office to **Kathleen Montejo**, Clerk, City of Lewiston in regards to the proposed Comprehensive Plan for the Town of Durham and its submission to the State Planning Office for review and comment.
 - B. Letter dated February 12, 2001 from **William C. Eaton**, P.E., from Eaton Traffic Engineering to **Jan Wiegman**, P.E., Taylor Engineering Associates in regards to Traffic Generation Associated with the Proposed Department of Human Services (DHS) Building Expansion.

The following motion was made on the above correspondence.

MOTION: *by Mark Paradis, seconded by John Cole that the Planning Board moves to accept this correspondence, place it on file, and that it be read later on at the appropriate time.*

VOTED: 6-0.

Courthouse Plaza. The following was not listed on this agenda, however, this item pertains to the proposed Courthouse Plaza. **Joseph Paradis** said that he is very interested in the City of Lewiston's downtown initiatives, including the conversion of the Lewiston Hardware Building to the District Court and the Courthouse Plaza. With the opening up of this area, there is a great view to the St. Peter's and Paul's Church. He said that this park will need a name. He would like to see this park named in honor of all the veterans. He is proposing that this park be named, "Veteran's Park". He continued by saying that the Mayor has received over 100 requests that that park be named in honor of all our veterans. Dennis Mason mentioned that the Planning Board will see the design for that park at the Planning Board's next meeting, which is scheduled for February 27, 2001. Dennis Mason's suggestion to Joseph Paradis was to keep in touch with the City Clerk's Office.

IV. PUBLIC HEARING: Public Hearing concerning the FY2002 Lewiston Capital Improvement Program (LCIP) and make a recommendation to the City Council. Jim Fortune read his memorandum dated February 5, 2001. This item was brought to the Planning Board to receive input and make a recommendation to the City Council. The Planning Board Members are in receipt of copies that were delivered to them on January 16, 2001. Included in this Planning Board packet was a copy of the Executive Summary of the FY2001 LCIP, which was requested by Dennis Mason. The FY2002 LCIP will be presented to the City Council at their February 20, 2001 Meeting.

Also mentioned in James Fortune's memorandum was a response to Dennis Mason's previous issue concerning the statement "Purchased with payment", as referenced in Section II of the LCIP, Page No. 98. **Chris Branch** informed James Fortune that the "Purchase with payment" means that money is put aside for each fiscal year (usually for two years) for the purchase of a certain piece of equipment. The first years money is used for a down-payment on the equipment, which is then received by the City. The remainder of the purchase is financed, the details of which are handled by the Finance Department and is usually through either the equipment dealer or a bank, whichever is more cost-effective.

Gregory Mitchell, Director of Development arrived at 7:12 p.m.

Dennis Mason opened this item to the public. Since there were no public comments, this item was brought back to the Planning Board for further discussion or a motion. Dennis Mason commented to Mark Paradis, the Planning Board Member who participated in the Review Committee Meetings, that a very good job was done on this. John Cole said he is relying on the LCIP Committee, including Mark Paradis' and their input. Roger Lachapelle commented that the LCIP was easy to read and follow, and commended Planning Board Staff on the document. The following motion was made.

MOTION: *by John Cole, seconded by Mark Paradis that the Planning Board send a favorable recommendation to the City Council to adopt the proposed FY2002 Lewiston Capital Improvement Program (LCIP).*

VOTED: 6-0.

John Cole recused himself from the Planning Board due to a conflict of interest on the following item.

V. FINAL HEARING: A Final Hearing concerning the proposed expansion of the Department of Human Services (DHS) building, 200-214 Main Street. Enclosed in the Planning Board packets was the final plan for RPM Realty Trust for the renovation and expansion of the Department of Human Services (DHS) office building at 200-214 Main Street. Taylor Engineering Associates made this submission and Jan Wiegman, P.E., was present at this meeting from that firm. Also present at this meeting was **Guy Labrecque** from Curtis Walter Stewart Architects and **Roger Michaud** from R.P.M. Realty Trust (the owner).

Site improvements include a 24,659 square foot building addition on the current site of the bus depot (214 Main Street), expansion of the parking lot, utility improvements, regrading of the parking lot, new storm drain structures, and new landscaping. DHS will occupy the space in the new addition as well as most of the existing building (the former Sears building), currently occupied by DHS. The remaining floor space, in what is the old J.C. Penney building, will be vacated by DHS and eventually renovated and leased to new tenants. Because there will be no increase in the number of employees and clients, and the traffic from the bus depot has been eliminated, there will be a net decrease in the number of vehicle trips, as a result of this project.

Jan Wiegman briefly described what changes have resulted since the last Planning Board Meeting. He said that the plans now include the incorporation of the Callahan parcel at the corner of Lowell and Chapel Streets into the site. He said that the resultant parking will have 235 spaces and will accommodate the re-occupation of the J.C. Penney building upon completion of the renovation of the DHS office building. Jan Wiegman went on to say that enhancements will be made to the entrances. Jan Wiegman made reference to the letter distributed at this meeting from Eaton Traffic Engineering dated February 12, 2001. An evaluation was done on the traffic generation associated with the 24,659 square foot expansion of the existing DHS building located at 214 Main Street and the existing AM and PM peak hour traffic to/from the Bus Station on the site. The conclusion summarized in this letter was that net peak hour traffic generation does not exceed 100 passenger car equivalents and a Traffic Permit from the Maine Department of Transportation (MDOT) would not be required.

Also included in the Planning Board packets was a memorandum from **David Hediger**, Land Use Inspection Officer, City of Lewiston. Comments made by David Hediger were for the inclusion on the Site Plan, a note, that the developer work with the City of Lewiston in planting street trees along the right-of-way of Middle and Lowell Streets and that the right, title, or interest be shown regarding the Callahan parcel. Jan Wiegman's response to this request is shown on the Site Plan (Drawing No. C-1), which he showed to the Planning Board Members and said that a note has been added to reflect the above request pertaining to the planting of streets trees as Note No. 9 on the plan. Note No. 9 states, "*The owner will purchase 5 street trees for Lowell Street and 8 street trees for Middle Street which will be installed by the City of Lewiston in the roadway right-of-way. The trees will be installed as part of the municipal improvements consistent with the Lowell Street reconstruction plans now under development by the City. The trees will be maintained by the City.*" The right, title, and interest is reflected in the notes section on the drawing entitled, "Standard Boundary Survey and Topographic Survey of the Lewiston-Auburn Transit Committee parcel, the Callahan Parcel, and the RPM Realty Trust Parcel.

There were no concerns expressed by the Fire Department or the Public Works Department, as represented by **Michael Paradis**, P.E., City Engineer. There, being no public audience available for questions or comments, this item was then turned back to the Planning Board and the following motion was made.

MOTION: *by Roger Lachapelle, seconded by Mark Paradis that this application meets all the requirements set forth under Article XIII, Section IV and that the Planning Board grants final approval on the expansion of the Department of Human Services (DHS) building, 200-214 Main Street.*

VOTED: *5-0-1 (Cole).*

John Cole rejoined the Planning Board.

VII. OTHER BUSINESS:

A. New Business:

- 2. *Property acquisition proposals concerning several parcels of land on Lincoln Street and Lower Main Street, for the Bates Mill Complex redevelopment, including: 53 and 65 Main Street; 12, 14, 16, and 40 Lincoln Street; and 50 Railroad Alley.*** The following is a summarization of James Fortune's memorandum

dated February 9, 2001. The following property acquisitions are needed to support the redevelopment of the Bates Mill Complex: a. 12-16 Lincoln Street, including half interest in the vacant parcel at 50 Railroad Alley (formerly F.W. Webb property) at a cost of \$235,000;

b. 53-65 Main Street (former Radio City property) at a cost of \$65,000; and c. 38-40 Lincoln Street (Marcel Morin property) at a cost of \$60,000. Acquisition of these properties is critical for future parking and the beautification of the Bates Mill Complex. These buildings will be demolished in order to redevelop the property as parking and for beautification of one (1) of the two (2) major gateways to Lewiston. Enclosed in the Planning Board packets were an appraisal summary for each group of properties, a map of the area with property boundaries and corresponding street numbers, a list of the assessed values for each property, and other information, including City Department comments.

This item was presented by **Gregory A. Mitchell**, Director of Development. Greg Mitchell said that the property in question is behind Mill No. 5. Greg Mitchell went on to say that the City has been purchasing property along Lincoln Street in support of development along Lincoln Street to Main Street. This focuses on the need for property acquisition for parking investment and to clean up a major gateway as you proceed across the Longley Bridge from Auburn. Greg Mitchell then stated that a four- (4-) level, 600-car parking garage is slated for completion on November 1, 2001 at the corner of Chestnut Street and Lincoln Street. Greg Mitchell presented a wall map to the Planning Board members and showed the three (3) areas, which include the Radio City property; F.W. Webb (Lincoln Street Associates), including the vacant parcel at 50 Railroad Alley; and the Marcel Morin apartment building. The LA Pizzeria and Tadoo Parlor will remain. This is a three- (3-) year approach to acquisition and will be the first major investment in this area. Greg Mitchell continued his presentation by saying that F.W. Webb has voluntarily agreed to relocate to the American Stabilis building and within the next 30-60 days they will be completely out of their building. Radio City will shut down. The City will be responsible for the relocation of the two (2) tenants on the Marcel Morin property, including relocation assistance. Greg Mitchell said that acreage is needed to support the Bates Mill Complex redevelopment. This area will be maximized for surface parking and will give more exposure to the Bates Mill Complex.

This is a realistic, financial approach. The funding to support these acquisitions comes from a \$500,000 financial appropriation from last year and a programmed appropriation from the Lewiston City Council this year, which is included in the FY2002 Lewiston Capital Improvement Program (LCIP) in the amount of \$750,000. These property acquisitions will occur after City regulatory approval and after additional financial appropriation has been authorized.

As stated earlier and in closing his presentation, Gregory Mitchell reiterated the appraisal values on these properties (see first paragraph on this issue.) Since there were no audience present on this item, this was turned back to the Planning Board and the following motions were made.

MOTION: by **John Cole**, seconded by **Muriel Minkowsky** to send a favorable recommendation to the City Council to approve the acquisition of the property located at 12-16 Lincoln Street (former F.W. Webb property).

VOTED: 6-0.

MOTION: by **John Cole**, seconded by **Muriel Minkowsky** to send a favorable recommendation to the City Council to approve the acquisition of the property located at 53-65 Main Street (former Radio City property).

VOTED: 6-0.

John Cole recused himself from the final vote, due to a conflict of interest.

MOTION: by **Rob Robbins**, seconded by **Muriel Minkowsky** to send a favorable recommendation to the City Council to approve the acquisition of the property located at 38-40 Lincoln Street.

VOTED: 5-0-1 (Cole).

VI. PRE-APPLICATION AND DETERMINATION OF COMPLETION HEARINGS: Pre-Application and Determination of Completion concerning a proposal regional Dunkin Donuts Bakery and Distribution Center, 20 Forrestal Street, Lewiston Industrial Park. James Fortune read his memorandum dated February 7, 2001. An application was submitted by Mid-Maine C.P.L., LLC, represented by **Norm Boulay** to construct a regional Dunkin' Donuts bakery at 20 Forrestal Street in the Lewiston Industrial Park. This proposed bakery will serve a region-wide area encompassing a 30-mile radius. This facility is proposed to be 16,800 square feet of bakery and distribution plant and related parking and loading areas.

The only remaining concern for Public Works is the need for an erosion and sedimentation control plan and the possibility that a wetlands alteration permit may be needed for a prior filling done on the property. As stated in James Fortune's memorandum, the one (1) remaining issue that will have to be resolved before any building permits are issued is the wetlands alteration and fill. It appears that the lot was a fill site and that some of the adjacent wetlands may have been filled, although it does appear that the wetlands that were filled amount to less than 4,300 square feet. If this is the case, then all that may be needed is a Permit-By-Rule from the Maine D.E.P., for building within 25 feet of an adjacent wetland. According to James Fortune's memorandum, it states that it is estimated that at least 1,000 cubic yards of fill was dumped and that the lot was graded, loamed, and seeded. James Lysen also stated that it is likely that the construction of the road in the industrial park created the wetland area.

Both the fire and police departments had no concerns with this project.

Also included in the Planning Board packets was a memorandum from David Hediger, Land Use Inspection Officer, dated January 30, 2001. This memorandum outlined a number of items that needed to be addressed before this project receives final approval. Norm Boulay is in receipt of this memorandum and believes the revised Site Plan addresses these issues. James Lysen said that this is a relatively difficult site and that it contains a power line easement. This pushes the building to the side. However, James Lysen said he is confident that the Site Plan will be in order before the next meeting. A wetland survey is needed, but it is difficult to do it now with the snow cover. He also mentioned that the DEP permits can be made a condition of approval.

Norm Boulay was present at this meeting. He explained this project to the Planning Board Members. He stated that this is a regional bakery for Dunkin Donuts. They are planning to do away with the separate kitchens that they now have at each bakery and are proposing to consolidate all their kitchens to this proposed facility. This will cut their labor force in half. Norm Boulay stated that everything will be extremely sanitary. He assured the Planning Board Members, as stated in his correspondence included in the Planning Board packets dated January 31, 2001, that the strictest sanitation procedures will be observed, there will be no smell, pollution, or infestation from this proposed plant. They currently have seven (7) owners, totaling over 200 years in business as part of the ownership. They currently have facilities located in Lewiston, Brunswick, five (5) being located in the South Paris/Rumford area, Rockland, Augusta, etc. They also have some facilities located in the states of Connecticut and New Hampshire.

Norm Boulay continued his presentation stating that the price is right. He also said that there will be no room for any additional expansion. The size of this building will handle 35-40 stores. Muriel Minkowsky asked, "Is there adequate parking?" Norm Boulay responded with, "Yes". At this point in his presentation, Norm Boulay showed the building outline and parking

layout on the plan (included in the Planning Board packets). Norm Boulay explained that there is an emergency egress in the back. There will be a total of 20-25 employees. There will be two (2) shifts. Fifteen (15) employees will use the parking during the night, with eight (8) employees during the morning shift. James Fortune stated that a building of this size requires 20 parking spaces and, therefore, there is adequate parking for this project. Norm Boulay said that this project will blend in with Jim MacDonald's property (a neighbor). They will maintain a "good neighbor" relationship.

Norm Boulay stated that there will be no backing of trucks on Forrestal Street. Their trucks consist of 10-wheelers. There will be ten (10) deliveries per week, twice per week. There is no noise associated with this.

It was mentioned that there will be two (2) curb cuts. This will be highlighted at the Final Hearing.

In closing his presentation, Norm Boulay stated again that they are going to be "good neighbors". This facility will eliminate baking at their other shops. And, overall, this is a good project for the Lewiston-Auburn area.

There, being no public available on this project for comments or questions, and no further discussion from the Planning Board, the following motion was made.

MOTION: by **John Cole**, seconded by **Muriel Minkowsky** that the Planning Board approves the waivers and modifications for the application for a Dunkin Donuts bakery at 20 Forrestal Street, Lewiston Industrial Park; determines that the application is complete; and that the Planning Board schedule this project for a Final Hearing at their next meeting of February 27, 2001.

VOTED: 6-0.

VII. OTHER BUSINESS:

A. New Business:

1. *Review a diminimus change for V.I.P. Discount Auto Center warehouse and distribution facility, 12 Lexington Street and authorize the Chair to sign the revised mylar.* James Fortune summarized his memorandum dated February 5, 2001. He stated that at the June 27, 2000 Planning Board Meeting, the Planning Board approved an amendment to the Site Plan for the V.I.P., Inc. warehouse and distribution facility at 12 Lexington Street, in the Lewiston Industrial Park, to construct a 30' x 94' loading dock addition. At that meeting, the Planning Board approved the loading dock addition, a paved access drive, and an adjacent parking area with five (5) parking spaces. The changes shown on the "as-built" Site Plan show the five- (5-) space parking lot off Trident Street as having been slightly modified and that the paved access drive on the Trident Street side of the loading dock addition having been eliminated. This issue was brought to the Planning Board with Staff's recommendation that the Planning Board find that these changes to the approved Site Plan are of a "diminimus" nature and for the Chairman to sign the mylar. James Fortune said that currently V.I.P., Inc. is seeking a Certificate of Occupancy from Code Enforcement. This Site Plan needs to be brought into compliance. There being no public audience available, the Planning Board took the following motion.

MOTION: by **Rob Robbins**, seconded by **Muriel Minkowsky** that the Planning Board finds the changes to the approved Site Plan for V.I.P, Inc., 12 Lexington Street to be of a "diminimus" nature; that the Site Plan meets the criteria in Article XIII, Section IV of the Zoning and Land Use Code; and authorizes the Planning Board Chairman to sign the mylar.

VOTED: 6-0.

At this point in the meeting, Chairman Dennis Mason made reference to the article of correspondence distributed at this meeting, which was the letter written to Kathleen Montejo, Clerk, City of Lewiston from Frank Hample, Planner II, State of Maine, Executive Department, State Planning Office dated January 9, 2001. James Lysen said that they are looking for input and that written comments on the Comprehensive Plan for the Town of Durham are due on February 23, 2001. There are ten (10) days remaining left to respond. It was decided that if there are any problems he would speak directly to Dennis Mason.

Also mentioned, at this time, was to adjust the meeting agenda for February 27, 2001. There is a full meeting scheduled for the 27th. The Lewiston Sun-Journal will be doing a presentation on their expansion, including their Master Plan and Phase I expansion. They will not be asking for any action. No public comments will be taken, however, minutes will be taken. It was decided that the meeting will start at its usual start time of 7:00 p.m. James Lysen then read other items pending for upcoming Planning Board Meetings.

Also mentioned was a "thank you" to Staff on the update to the Planning Board Meeting Protocol sheet, as requested by Mark Paradis, Secretary.

VIII. READING OF THE MINUTES: *Draft of the Minutes from the January 23, 2001 Planning Board Meeting.*

The following changes were made to the minutes:

- On Page No. 6, Item III, Correspondence, second paragraph, fourth line, delete the word, "may".
- On Page No. 7, Item B. Old Business, Item Nos. 1 and 2, second paragraph, delete the entire last sentence of that paragraph.

After the above changes, the following motion was made.

MOTION: by **John Cole**, seconded by **Muriel Minkowsky** to accept the Planning Board Minutes dated January 23, 2001, as amended.

VOTED: 5-0-1 (Robbins).

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

MOTION: by **Mark Paradis**, seconded by **Muriel Minkowsky** to adjourn this meeting at 8:12 p.m.

VOTED: 6-0.

Bates of Maine Reception Invitation. After this meeting adjourned, James Lysen extended an invitation to the Planning Board Members to join **Congressman John Baldacci** and Mayor Kaileigh Tara for a thank you/farewell reception in honor of Bates of Maine to be held at Lewiston City Hall in the City Council Chambers on Friday, February 23, 2001, from 5:00-7:00 p.m. This is being held to say "thank you" to the Bates of Maine employees for all of the contributions that Bates of Maine has made to this community. He asked that anyone interested should e-mail **Debra Humason**, Mayor Assistant, at dhumason@ci.lewiston.me.us or by contacting her at 784-2951, Ext. 112.

Respectfully submitted,

Mark Paradis, Secretary

