

City of Biddeford
City Council
December 20, 2016 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Presentation:**
 - 4.a. Biddeford's Age Friendly Community Designation
- 5. Consideration of Minutes:**
 - 5.a. December 6, 2016 Council Meeting Minutes
[12-06-2016 Council Meeting Minutes.docx](#)
- 6. Second Reading:**
 - 6.a. Amendment/Land Development Regulations/Art. III-Official Zoning Map/Rezoning of 360 Alfred Street
[12-06-2016 Five Star Holdings 360 Alfred Zone Change.docx](#)
[12-06-2016 City Planner Packet-Zoning Changes.pdf](#)
[12-06-2016 Five Star Holdings Letter to Council.pdf](#)
- 7. Orders of the Day:**
 - 7.a. 2016.113 - Amendment/Land Development Regulations/Art. VI-Performance Standards/Section 12-Buffers
[12-20-2016 LDR-Performance Standards-Buffers-ORDER.docx](#)
[12-20-2016 Buffers Amendments Memo.docx](#)
 - 7.b. 2016.114 - Amendment/Land Development Regulations/Art. II-Definitions and Art. VI-Performance Standards/Hotels-Motels-Inns
[12-20-2016 LDR-Hotel Amendments-ORDER.docx](#)
[12-20-2016 Hotels Amendments Memo.docx](#)
 - 7.c. 2016.115 Approval/Purchase of Ambulance/Sugarloaf Vehicles and Purchase of Two-Way Radios/Dirigo
[12-20-2016 Purchase of Ambulance-ORDER.docx](#)
[12-20-2016 Purchase of Ambulance-backup.docx](#)
 - 7.d. 2016.116 Authorization/Quitclaim Deed (Easement)/41 Franklin Street to John R. Lamb
[12-20-2016 Franklin Street Easement-ORDER.doc](#)
[12-20-2016 Franklin St-Signed Quitclaim Deed.pdf](#)
[12-20-2016 Franklin St-Boundary Survey.pdf](#)
 - 7.e. 2016.117 Confirmation/City Manager Appointments of City Department Heads (per recent Charter revision)
[12-20-2016 Confirmation of Dept Heads.doc](#)
 - 7.f. 2016.118 Amendment/Ch. 2-Administration/Add Sec. 2-326 et al. - Biddeford Fire Advisory Committee (BFAC)
[12-20-2016 Fire Advisory Committee.doc](#)
 - 7.g. 2016.119 Amendment/Ch. 2-Administration/Add Sec. 2-341 et al. - Biddeford Police

- Advisory Committee (BPAC)19
[12-20-2016 Police Advisory Committee.doc](#)
- 7.h. 2016.120 Approval/Extension of Medical Marijuana Dispensaries and/or Growing Facilities Moratorium
[12-20-2016 Medical Marijuana Moratorium Extension.docx](#)
- 7.i. 2016.121 Approval/Moratorium on Retail Marijuana Stores Facilities and Social Clubs
[12-20-2016 Retail Marijuana Moratorium.doc](#)
- 8. Appointments:**
- 8.a. Gerald Bernier...Airport Commission
[12-20-2016 Appt-Bernier-Airport Commission.docx](#)
[12-20-2016 Appt-Bernier-Comm App.pdf](#)
- 8.b. Appointment: Rick Laverriere...Airport Commission
[12-20-2016 Appt-Laverriere-Airport Comm.docx](#)
[12-20-2016 Appt-Laverriere-Comm App.pdf](#)
- 8.c. Michael Ready...Biddeford Housing Authority
[12-20-2016 Appt-Ready-Bidd Housing Authority.docx](#)
[12-20-2016 Appt-Ready-Comm App.pdf](#)
- 8.d. Michael Tremblay...Cable T.V. Committee
[12-20-2016 Appt-Tremblay-Cable TV Comm.docx](#)
[12-20-2016 Appt-Tremblay-Comm App.pdf](#)
- 8.e. Emma Bouthillette...Downtown Development Commission
[12-20-2016 Appt-Bouthillette-DDC.docx](#)
[12-20-2016 Appt-Bouthillette-Comm App.pdf](#)
- 8.f. Victoria Foley...Downtown Development Commission
[12-20-2016 Appt-Foley-DDC.docx](#)
[12-20-2016 Appt-Foley-Comm App.pdf](#)
- 8.g. Richard Potvin, II...Economic Improvement Commission
[12-20-2016 Appt-Potvin-EIC.docx](#)
[12-20-2016 Appt-Potvin-Comm App.pdf](#)
- 8.h. Matthew Boutet...Planning Board
[12-20-2016 Appt-Boutet-Planning Board.docx](#)
[12-20-2016 Appt-Boutet-Comm App.pdf](#)
- 8.i. William Southwick...Planning Board
[12-20-2016 Appt-Southwick-Planning Board.docx](#)
[12-20-2016 Appt-Southwick-Comm App.pdf](#)
- 8.j. Michael Swanton...Shellfish Conservation Committee
[12-20-2016 Appt-Swanton-Shellfish Comm.docx](#)
[12-20-2016 Appt-Swanton-Comm App.pdf](#)
- 8.k. Susan Driscoll...Zoning Board of Appeals
[12-20-2016 Appt-Driscoll-ZBA.docx](#)
[12-20-2016 Appt-Driscoll-Comm App.pdf](#)
- 9. City Manager Report**
- 9.a. City Manager Memo for December 20, 2016 Council Meeting
[12-20-2016 City Manager Memo.docx](#)
- 10. Other Business**

- 11. Council President Addressing the Council**
- 12. Mayor Addressing the Council**
- 13. Adjourn**

**COUNCIL MEETING
DECEMBER 6, 2016**

Mayor Casavant called the meeting to order at 6:00 p.m.

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Bob Mills, Rick Laverriere, Michael Ready, Laura Seaver

Marc Lessard was excused.

The Council, and all who were present, recited the Pledge of Allegiance.

Adjustment to the Agenda:
Remove Order 2016.109

Presentation: 2017 Capital Improvement Projects Plan

City Manager James Bennett gave a brief overview of the 2017 Capital Improvement Projects Plan, stressing that the projects included in the plan still need to be funded in the FY18 Budget and future budgets. CIP binders were distributed to the Council.

Consideration of Minutes: November 15, 2016

Motion by Councilor McCurry, seconded by Councilor Laverriere to accept the minutes as printed.

Vote: Unanimous.

Orders of the Day:

2016. 105

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

BE IT ORDERED, that the City Manager be authorized to purchase one (1) 2017 John-Deere 410L Backhoe/Loader as per bid of November 23,2016 (the "Equipment") from Nortrax Equipment (the "Vendor") and may pay the Vendor an amount not to exceed \$120,500.00 (before trade-in valued at \$28,000.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$120,500.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$120,500.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee reviewed this item on December 6, 2016 and voted to recommend it to the City Council for approval. The lease-purchase of this item is included in the FY17 Wastewater budget, with a down payment of \$9,000.00

Motion by Councilor McCurry, seconded by Councilor Laverriere to grant the order.

Vote: Unanimous.

2016.106

IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016

BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from Richard and JoAnn Pion to accept the extension of Westland Avenue as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of the extension of Westland Avenue as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Laverriere, seconded by Councilor Quattrone to grant the order.
Vote: Unanimous.

2016.107 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from Indian Cliff Development Corp. to accept the extension of McKenney Drive as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of the extension of McKenney Drive as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Mills, seconded by Councilor Quattrone to grant the order.
Vote: Unanimous.

2016.108 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager be authorized to receive, execute, and record a deed from John and Susan Dee to accept Cornerstone Drive as a public way subject to the conditions outlined in the City Engineer's memo of November 29, 2016.

NOTE: The Capital Projects Committee discussed this item November 15, 2016, and voted to forward on to City Council for consideration the acceptance of Cornerstone Drive as a public way with conditions as outlined in the City Engineer's memo of November 8, 2016.

Motion by Councilor Mills, seconded by Councilor Seaver to grant the order.
Vote: Unanimous.

2016.110 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone 360 Alfred Street (Tax Map 27, Lot 167) from R-1-A to B-2.

Note: This Zoning Amendment was recommended by the Planning Board by a 3-0 vote. As such, a majority vote in the affirmative by the City Council is required to pass this Amendment.

Motion by Councilor Mills, seconded by Councilor Laverriere to grant the first reading of the ordinance amendment.

Vote: 6/2; Councilors Seaver and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills and Laverriere in favor.

Motion carries.

2016.92 **IN BOARD OF CITY COUNCIL..OCTOBER 4, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Human Resource Policies, Procedures and Benefits Manual, SICK LEAVE, as attached.

Motion by Councilor Swanton, seconded by Councilor Quattrone to remove the order from the table.

Vote: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Laverriere to grant the order.

Motion by Councilor Laverriere, seconded by Councilor Ready to table the proposed policy language back to the Personnel Committee for further review and recommendation.
Vote: 4/4; Councilors St. Cyr, Mills, Swanton and McCurry opposed.
Councilors Quattrone, Laverriere, Ready and Seaver in favor.
Mayor Casavant voted in favor of tabling to break the tie.

2016.111 **IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016**
BE IT ORDERED, that the City Manager is hereby authorized to enter into an agreement with Systems Engineering for an Exchange Server Upgrade, in the amount of \$42,453.00 in accordance with the Systems Engineering bid dated November 7, 2016. The funding source shall be from the approved FY2017 CIP under 21201-60963.

NOTE: The Finance Committee will review this item for approval on December 6, 2016.

Motion by Councilor McCurry, seconded by Councilor Swanton to grant the order.
Vote: Unanimous.

2016.112 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby amend the Human Resource Policies, Procedures and Benefits Manual, HEALTH BENEFITS, as follows:

The City of Biddeford will offer group health insurance to its regular full time employees. If it is desirous to change insurance carriers, the City will provide equal or better coverage.

- A. Beginning September 6, 2001, regular employees will pay 15 percent of the cost of health insurance coverage. Beginning January 1, 2017, the employee contribution amount will increase to twenty (20%). Payment will be made through payroll deduction and will be based on the number of payroll deductions during the calendar year. Beginning January 1, 2017, the City will continue to offer employees three health coverage options, the HMO, POS and HMO LO, however, if the employee elects the higher priced plan coverage (POS) the employee shall be responsible for 100% of the premium difference between the HMO and POS plan.
- B. The City shall provide employees with an insurance buyout program. If an employee can demonstrate that he has appropriate health insurance coverage elsewhere, the employee will be allowed to cash in coverage from the City for a family plan for \$1,500.00 per year, payable quarterly.
- C. For employees who retire after September 6, 2001, the City shall pay for the medical insurance only, at the same percentage of current employees, to employees who retire between the ages of 62 and 65, until said employee reaches the age of 65, providing said employee has a minimum of ten years of service with the City. Medical insurance coverage for the employee's dependents shall be at the expense of said employee. When the retiree reaches the age of 65, all insurance for said employee and dependents will terminate.
- D. For employees who retire before July 1, 1995, the City shall continue to pay the cost of medical insurance for a retired employee between the ages of 62 and 65. Beyond the age of 65, the retired employee may enroll in the City's Medicare companion plan at his own expense.
- E. As an exception to the above, if a retiring employee has a dependent (husband/wife only) who is younger and currently enrolled on the City's health plan, then the City will continue to pay the cost of the Medicare companion plan for the retiree until the dependent reaches age 65. The retiree will be responsible for the cost of dependent coverage. When both the retiree and the dependent have reached age 65, they may both continue in the City's Medicare companion plan at their own expense. At the time when the retired employee becomes responsible for the cost of medical coverage, payment will be made to the City on a monthly basis at the current rate.
- F. If an employee has to retire prior to age 62 because of medical reasons and is eligible for social security disability income, he may continue on the group medical coverage at his own expense. If the retired employee carried dependent coverage, that will also be continued at the retired employee's own expense.
- G. For employees who retire prior to July 1, 1995, and, if the retiree has continuous employment with the City for a period in excess of ten years, the City shall pay the insurance expense for the employee for a period not to exceed 24 months or whenever Medicare becomes applicable. Subsections (E) and (F) of this section shall also apply.

H. Employees hired after January 1, 1997 are not eligible for Sections C through G above. Said employees shall contribute \$15 per week to retirement health savings (RHS) which will be matched by the City. The employer matched contribution amount shall have a ten year (10) vesting period, to coincide with the employees original date of hire, as follows:

0 to 2 years:	Zero percent (0%)
Over 2 years	Ten percent (10%)
Over 3 years	Fifteen percent (15%)
Over 4 years	Twenty percent (20%)
Over 5 years	Thirty five percent (35%)
Over 6 years	Fifty percent (50%)
Over 7 years	Sixty five percent (65%)
Over 8 years	Eighty percent (80%)
Over 9 years	Ninety percent (90%)
Over 10years	One hundred percent (100%)

Motion by Councilor McCurry, seconded by Councilor Laverriere to grant the order.
Vote: Unanimous.

Appointments:

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Aurelie Dyer Wallach
31 Granite Point Road
Ward 1**

to the Historic Preservation Commission with a term to expire December 2019.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Richard Potvin, II
150 Guinea Road
Ward 1**

to the Planning Board with a term to expire December 2019.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Leo Letendre
2 Meetinghouse Road
Ward 1**

to the Project Canopy Committee with a term to expire December 2021.

Motion by Councilor Ready, seconded by Councilor Mills to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Rebecca Henry
5 Forest Street
Ward 7**

to the *Project Canopy Committee* with a term to expire December 2021.

Motion by Councilor Mills, seconded by Councilor Laverriere to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**David Gagnon
29 Harding Street
Ward 4**

to the *Project Canopy Committee* with a term to expire December 2021.

Motion by Councilor Mills, seconded by Councilor Laverriere to confirm the appointment.
Vote: Unanimous.

IN BOARD OF CITY COUNCIL...DECEMBER 6, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Francois Blais
26 Westland Avenue
Ward 4**

to the *Solid Waste Management Commission* with a term to expire December 2019.

Motion by Councilor Laverriere, seconded by Councilor Ready to confirm the appointment.
Vote: Unanimous.

Other Business:

Councilor McCurry: asked those Councilors who are opposed to the proposed amendment to the Employee Sick Leave policy to bring forward their recommended revisions.

Councilor Quattrone: noted that Mr. Prescott Powell, who has served as a volunteer at Southern Maine Health Care for many years recently gave up his position. Mr. Powell has contributed thousands of volunteer hours to SMHC and Councilor Quattrone wanted to recognize that.

Councilor Mills: appreciates the fact that the LaKermesse organization volunteers their time to put up the Christmas lights in the downtown; however, he noted that the lights could have been hung better and less sparsely.

Council President Addressing the Council: Councilor McCurry stated that he had attended the last School Committee meeting, and he was surprised that nobody showed up voice their comments/concerns about the Waterhouse Field renovation project. He encouraged folks who do care about this facility to get involved and let the School Committee know that there is a real desire to keep the Waterhouse Field in its current location, with bleachers and lights.

Councilor McCurry noted that the Council recently had tours of local businesses and were able to meet business owners and employees and get a feel for what their issues are. Most prevalent of the issues were finding help and the condition of the City's roads. While the issue of roads can be dealt with in the budget process; he feels the City could coordinate with State and Federal officials to come up with some sort of work program for inmates. This could benefit businesses who need the help and the inmates who will need employment upon their release from jail.

Mayor Addressing the Council: Mayor Casavant agrees with the comments made by Councilor McCurry regarding the Waterhouse Field renovation project. He also encouraged folks to get involved and show they do care about this facility.

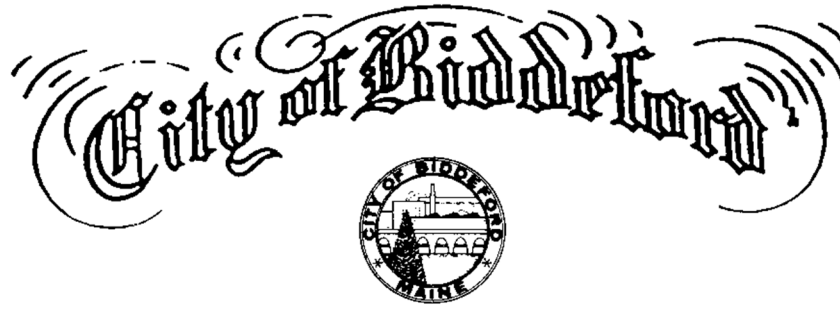
Mayor Casavant announced that Biddeford has been officially accepted as an Age-Friendly Community, meaning that the City offers programs to all citizens of all age groups. He noted that CDBG Coordinator, Linda Waters was instrumental in gaining this recognition.

Mayor Casavant shared that he and his wife spent Thanksgiving weekend in Quebec City, and while there, they visited with Mayor Morin of St. Georges – a sister City to Biddeford. Mayor Morin extended an invitation to all the Councilors to visit St. Georges.

Mayor Casavant recently attended a meeting with members of UNE and Project Alliance to discuss the issues around drug, alcohol and opiate addictions. His hope is that this is a start to moving forward with needed programs and assistance around these issues.

Motion by Councilor Swanton, seconded by Councilor Mills to adjourn.
Vote: Unanimous. Time: 7:20 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2016.110 **IN BOARD OF CITY COUNCIL..DECEMBER 6, 2016**
BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article III (Official Zoning Map), is amended to rezone 360 Alfred Street (Tax Map 27, Lot 167) from R-1-A to B-2.

Note: This Zoning Amendment was recommended by the Planning Board by a 3-0 vote. As such, a majority vote in the affirmative by the City Council is required to pass this Amendment.

December 6, 2016

Motion by Councilor Mills, seconded by Councilor Laverriere to grant the first reading of the ordinance amendment.

Vote: 6/2; Councilors Seaver and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Mills and Laverriere in favor.

Motion carries.



CITY OF BIDDEFORD PLANNING DEPARTMENT

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
gtansley@biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

From: Greg Tansley, A.I.C.P., City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "From:" line.

Date: November 18, 2016

Re: **Proposed Zoning Amendments – Zone Change of 360 Alfred Street (Tax Map 27, Lot 167) and 4 Summit Street (Tax Map 27, Lot 166) from R-1-A to B-2**

Attached is a map depicting two lots where an applicant has requested a zoning change from R-1-A to B-2. Also enclosed is a *conceptual* development plan for the properties and the adjacent D'Angelo's site (owned by Five Star Holdings, LLC). The zone change request was initiated by Five Star Holdings, LLC. Five Star Holdings own 360 Alfred Street and have an option to purchase 4 Summit Street.

The Planning Board held a duly noticed Public Hearing on the proposal on November 2, 2016. Although it closed the Public Hearing on November 2, it also allowed further public comment on November 16 when it deliberated and decided on its recommendation. Rather than notifying abutters within the standard 250' of the proposed change, this office decided to go further and notify abutter's within 1,000' for both meetings.

In summary, the abutting neighborhood seemed most concerned about two things:

- Potential traffic impacts from the originally proposed access to and from Summit Street for a new Starbucks and commercial building.
IMPORTANT NOTE: THE APPLICANT REMOVED ANY PROPOSED ACCESS TO AND FROM THE PROJECT ON SUMMIT STREET IN RESPONSE TO NEIGHBORHOOD CONCERNS.
- Encroachment into the neighborhood of commercial uses by rezoning 4 Summit Street.
NOTE: The neighborhood appeared accepting of the rezoning of 360 Alfred Street.

Planning Board Recommendation:

360 Alfred Street: The Planning Board voted unanimously to recommend the City Council approve the requested zone change.

4 Summit Street: The Planning Board voted unanimously to **not** recommend the City Council approve the requested zone change.

Please let me know if you have any questions before the December 6, 2016 City Council Meeting.

Cc: P. Donahue, Five Star Holdings, LLC (via e-mail)
B Thompson, BH2M Engineers (via e-mail)
D. Stevenson, Economic Development Director (via e-mail)

Encl: Letter of Zoning Change Request dated September 29, 2016 from Bill Thompson of BH2M Engineers
Property Map of 360 Alfred Street and 4 Summit Street
Conceptual Site Plan labeled "Concept D"



Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors

28 State Street, Gorham, Maine 04038
207 839-2771

Greg Tansley
Biddeford City Planner
P.O. Box 586
Biddeford, Maine 04005

Re: Rezoning Application
Five Star Holdings LLC
Tax Map 27 Lots 166 & 167

Dear Greg;

On behalf of the applicant, Five Star Holdings LLC, we are preparing an application to rezone two parcels of land, one recently purchased and the second is under contract to purchase.

The two parcels are currently in the R1-A Zone and abut the B2 Zone. The first parcel is on the corner of Alfred Road (Route 111) and Summit Street. The second parcel is contiguous to the first parcel and has its frontage on the easterly side of Summit Street. These two parcels at the Five Points intersection share a common boundary line with the recently closed DeAngelo's restaurant and the property of McDonald's restaurant.

If this rezoning request is accomplished the applicant wishes to site a small building with the potential being a bank or credit union. The primary vehicle access would be from Route 111 with the potential of an internal traffic connection thru the McDonalds site to the existing signalized intersection at Route 1.

Our request of a rezoning to an abutting zone is common and would not be constituted as spot zoning. This would simply be moving the B2 zone line 100 feet westerly to an existing roadway intersection.

We appreciate your attention to this request. Our submission includes a site plan of the area, copies of the Deeds to support right, title or interest on the subject parcels and the application fee. We would look forward to presenting this application at the November 2, 2016 planning board meeting.

Sincerely,

William A. Thompson
Project Manager

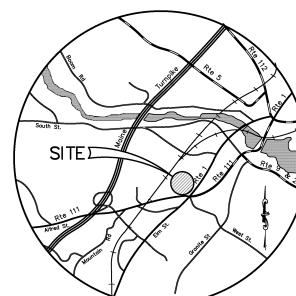
encl.
cc: Five Star Holdings

LESTER S. BERRY
WILLIAM A. THOMPSON
ROBERT C. LIBBY, Jr.
WALTER E. PELKEY
ANDREW S. MORRELL
STEVEN J. BLAKE

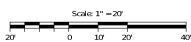
September 29, 2016

RECEIVED
10/4/16





LOCATION MAP
SCALE: 1" = 2 MILES



1. OWNER/APPLICANT: FIVE STAR HOLDINGS, LLC
452 ALFRED ROAD
BODEFORD, MAINE
2. ENGINEER: STEVEN BLAKE, PE#1695
BI/2M
28 STATE STREET
CORHAM, MAINE
3. SURVEYOR: ROBERT C. LIBBY JR., PLS #2190
BI/2M
4. DEED REFERENCE: BK. 17080, PG. 237
BK. 17173, PG. 489
BK. 17175, PG. 489
5. TAX MAP REFERENCE: MAP 27, LOTS 167, 168 AND 169
6. ZONING: B2
7. PROJECT AREA: 32,849 S.F.
8. PROPOSED USE: COMMERCIAL BUILDING
9. MINIMUM STANDARDS: B2
LOT SIZE - 1,000 S.F.
FRONTAGE - 32' MAJOR, 25' OTHER
SETBACKS - 10' FRONT, SIDE AND REAR
10. SEWER SERVICE: PUBLIC
11. WATER SERVICE: PUBLIC
12. ELECTRIC/TELEPHONE: UNDERGROUND
13. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE ZONING PROVISIONS OUTLINED IN THE MAINE EROSION CONTROL AND SEDIMENTATION HANDBOOK FOR CONSTRUCTION: BEST MANAGEMENT PRACTICES, LATEST REVISION.

THIS PLAN REVIEWED AND APPROVED BY THE CITY
OF BIDDEFORD PLANNING BOARD.

DATE _____

CHAIN

ROBERT C. LIBBY JR

PLS #2190

REVISION		DESCRIPTION
	DATE	
1	9-14-16	Add Summit St. Building
2	9-22-16	Traffic Submission



 **BH2M**
Berry, Huff, McDonald, Milligan Inc.
Engineers, Surveyors
Tel. (207) 839-2777
Fax (207) 839-8256
28 State Street
Canaan, Maine 04978

FOR
Five Star Holdings, LLC
451 Alfred Street
Biddeford, Maine

CONCEPT D
COMMERCIAL SITE
ROUTE 111
BRIDGEPORT, MAINE

DESIGNED W. Thompson	DATE Sept. 2016
DRAWN Dept.	SCALE As Noted
CHECKED S. Blake	JOB. NO. 16066

SHEET

1

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FiveStarHoldings LLC

451 Alfred st. Biddeford, ME 04005 207-400-2707

November 29, 2016

Biddeford City Council
205 Main Street
Biddeford, ME 04005

Dear Councilors:

We would like to thank you for taking the time to consider our application to rezone two parcels of land situated at the corner of Alfred Road and Summit Street. From the beginning, we have recognized that transparency and collaboration with the surrounding neighbors are key elements to the success of our project. With this in mind, we would like to offer some additional details that we hope will better inform your decision whether to approve our application.

Our initial application was submitted to the Biddeford City Planner on September 29, 2016. On October 20th, our representatives met with members of the Summit Street neighborhood to discuss and address any concerns regarding our project. At this meeting, three areas of concern stood out to us: 1) our proposed traffic exit on Summit Street, 2) existing and ongoing issues relating to McDonald's, and 3) the current use for our property situated at 360 Alfred Street.

First, following the neighborhood meeting we revisited our site plan with both our engineer and the City Planning Department. In consideration of the input we received at the meeting, together with additional concerns raised by the Planning Department, we decided the best solution was to eliminate any traffic entrance or exit on Summit Street.

Second, although the actions and decisions of McDonald's are beyond our control, we reached out to McDonald's management and expressed many of the neighbors' concerns regarding that location. McDonald's indicated to us that they are willing to meet with the neighbors and work through any problems they may have.

The final concern was the current use of our apartment building located at 360 Alfred Street. At the neighborhood meeting, it was brought to our attention that there were frequent fights between tenants and incidences of police being called to the building. Upon learning of these issues, we began the process of evicting the current tenants in an effort to minimize any ongoing negative impacts on the surrounding neighbors. We believe the majority of the neighborhood recognizes that the transition from residential to commercial use is a natural one for 360 Alfred Street.

Prior to our meeting with the Planning Board on November 16th, we received information from Greg Tansley indicating that the neighborhood did not want a commercial building to be placed on Summit Street. He suggested that we concede to not building a commercial unit on the 4 Summit Street lot as a condition of approval for our rezoning application. Though we had been under the impression that our prior concessions resolved any outstanding issues with the neighborhood, we again opted to compromise and agreed to the condition. Later that evening at the planning board meeting, several of the neighbors acknowledged all of the concessions we made and expressed their appreciation for alleviating their concerns. It was at this time, however, that we learned the property owners at 6 Summit Street felt our project would have an adverse impact on their property value. As of the date of this letter, we are working directly with the property owners to address their worries.

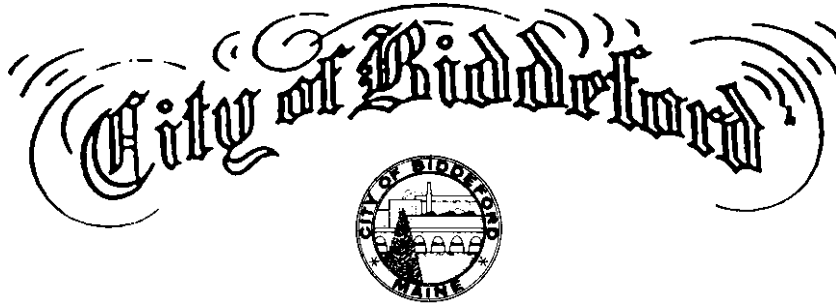
Further, based on our conversations with local realtors as well as the City Economic Development Department, we strongly believe that any negative impact from our project on the neighboring lot would be minimal, if at all. We have made every effort to acknowledge, review and address all of the concerns that have been raised since this project began, however, we struggle with this final matter relating to 6 Summit Street. In our view, it is fair to say that a potential homebuyer looking to purchase the property would consider the presence of commercial properties already in the area and would not be deterred from buying because of our project.

Given the concerns we've heard from the neighbors, Councilor Ready and the Planning Department, we believe that our proposed project and zone change would be a far better fit for the neighborhood than other potential uses that would conform to present zoning regulations. We sincerely hope that the Council will recognize and consider the great lengths we have gone to and the compromises we have made in an effort to make this project work for everyone.

Best Regards,

A handwritten signature in black ink, appearing to read 'Patrick Donahue', with a stylized, flowing script.

Patrick Donahue
Five Star Holdings, LLC



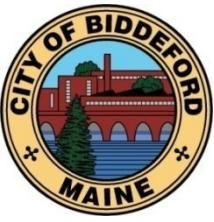
2016.113

IN BOARD OF CITY COUNCIL..DECEMBER 20, 2016

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article VI (Performance Standards), Section 12 (Buffers) as follows:

- A. *No structure shall be erected or any use permitted in nonresidential districts, which abut residential districts, unless a buffer strip at least 30 feet wide is provided and maintained between any adjoining residential district or use and the nonresidential structure or use. Such buffer area shall be for the purpose of eliminating or minimizing any adverse effects upon the environmental or esthetic qualities of abutting properties or any type of nuisance affecting the health, safety, welfare and property values of the residents of Biddeford. This requirement may be waived by the Planning Board upon request of the applicant if it can be demonstrated that the waiver is warranted or necessary due to existing conditions and/or if other means of eliminating or minimizing any adverse impacts on residential structures or uses can achieve the same purpose, such as, but not limited to, the installation of stockade fencing or noise barriers.*
- B. *No building, structure, or parking shall be erected, provided, or enlarged or use permitted within the institutional zone which abuts or is adjacent to a Suburban Residential (SR-1), Coastal Residential (CR), or Rural-Farm (R-F) Zone unless a buffer at least 50 feet wide is provided and maintained between the adjoining zone and the building, structure, parking, or use in the institutional zone. Such buffer area shall be for the purpose of eliminating or minimizing any adverse effects upon the environmental or aesthetic qualities of abutting properties or any type of nuisance affecting the health, safety, welfare and property values of the residents of Biddeford, especially the residents of the surrounding neighborhoods. The buffer standards related to this subsection (Article VI,12.B) pertaining to the institutional zone may not be waived.*
- C. *Required bBuffer areas shall not include parking or loading areas, and shall consist of coniferous or deciduous trees.*



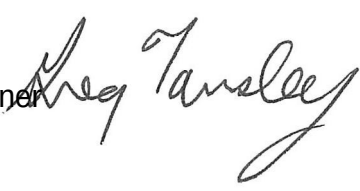
CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
gtansley@biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

From: Greg Tansley, A.I.C.P., City Planner 

Date: December 9, 2016

Re: Proposed Zoning Ordinance Amendments related to "Buffers"

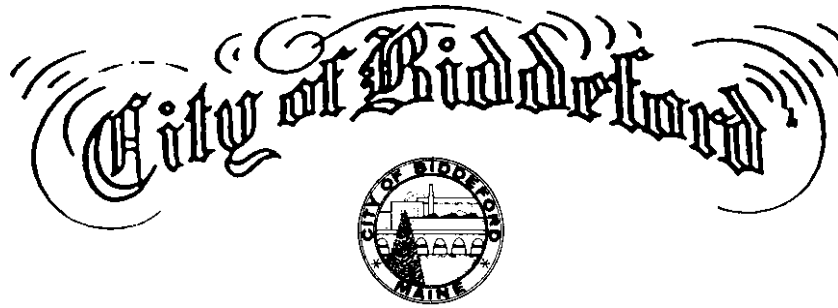
The purpose of this amendment is to provide a waiver provision to Part III (Land Development Regulations), Article VI (Performance Standards), Section 12 (Buffers) allowing the Planning Board to waive the requirement for a vegetated buffer strip of at least 30 feet wide between nonresidential districts which abut residential districts where it can be demonstrated that the waiver is warranted or necessary due to existing conditions and/or if other means of eliminating or minimizing any adverse impacts on residential structures or uses can achieve the same purpose, such as, but not limited to, the installation of stockade fencing or noise barriers. The concept behind this is that a "one size fits all" requirement of this nature does not provide the Planning Board, applicants, and property owners any flexibility to consider alternatives or site context on a case-by-case basis. This would provide such flexibility.

The Planning Board held a duly noticed Public Hearing on the proposal on December 7, 2016. The only public comment provided was from Ms. Pat Boston from Hills Beach. Her comment related to the potential confusion regarding subsection B related to the institutional zone buffer requirements and whether or not they could be waived. The Planning Board then voted that subsection B be amended to include the language that is in the attached order identifying that the requirements of subsection B could not be waived.

The Planning Board voted unanimously (4-0) to recommend the City Council approve this zoning amendment.

Please let me know if you have any questions about this item before the December 20, 2016 Council meeting.

Cc: File



2016.114

IN BOARD OF CITY COUNCIL..DECEMBER 20, 2016

BE IT ORDAINED by the City Council of Biddeford, Maine to amend the Code of Ordinances of the City of Biddeford as follows:

Part III (Land Development Regulations), Article II (Definitions) as follows:

DWELLING

5. DWELLING UNIT

A room or group of rooms designed and equipped exclusively for use as permanent, seasonal, or temporary living quarters for only one family at a time, and containing cooking, sleeping and toilet facilities, and be designed for and used or held ready for use as a permanent residence by one family. The term shall include mobile homes and rental units that contain cooking, sleeping and toilet facilities regardless of the time-period rented. Recreational vehicles are not residential dwelling units.

Part III (Land Development Regulations), Article VI (Performance Standards), Section 40 (Hotels/motels and inns) as follows:

~~A. Design requirements.~~

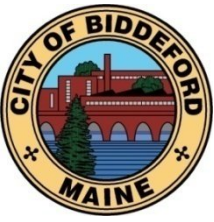
~~1. For traffic safety on and immediately adjoining each motel, hotel or inn and to assure the health, safety and welfare of the occupants and of the neighborhood generally, the following land, space, building, traffic, utility, and service design requirements shall be complied with. For the purposes of this section, the terms hotel, motel and inn, and rental cabins, cottages and housekeeping units are used interchangeably.~~

~~(a) The minimum lot size for any hotel, motel, or inn shall contain not less than one acre of total area and not less than 200 feet lot width at the street and throughout the first 200 feet of depth of said lot back from the street.~~

~~(b) No part of any building on a motel lot shall be closer than 40 feet to the front lot line, rear lot line or either side line of such lot. A green space, not less than 20 feet wide, shall be maintained open and green with grass, bushes, flowers or trees all along each side lot line, the rear lot line, and the front line of such lot, except for~~

~~entrance and exit driveways. The green space shall not be used for automobile parking.~~

- ~~(c) Buildings on a hotel lot shall not cover more than 15% of the area of the lot.~~
- ~~(d) If cooking or eating facilities are provided in hotel rental units, each rental unit shall be considered a dwelling unit and the hotel shall be required to meet all the standards for multifamily developments in this ordinance including the residential density requirements of the appropriate district.~~
- ~~(e) Each motel rental unit shall contain not less than 250 square feet of habitable floor area enclosed by walls and roof, exclusive of any adjoining portions of roofed or covered walkways. Each motel rental sleeping room shall not be less than 12 feet by 15 feet horizontal dimensions, exclusive of baths. Each rental unit shall include private bathroom facilities.~~
- ~~(f) On each hotel lot, one apartment may be provided for a resident owner, manager, or other responsible staff person, provided that it shall meet the standards for a unit in a multifamily dwelling unit.~~
- ~~(g) Hotel building construction plans shall be reviewed and approved by the State Fire Marshal's office.~~
- ~~(h) Each motel structure shall contain not less than five, nor more than 10 individual motel rental units, unless each section of 10 units is separated from any additional sections by an unbroken firewall. Each motel structure may be connected with other similar structures by a covered walkway, if the walkway is constructed of fire resistive materials. Whether or not so connected, the nearest parts of the walls or corners of such structure shall be separated by an open, undeveloped land area, of not less than 30 feet, and in which there shall be no automobile parking or loading.~~
- ~~(i) All hotels shall be connected to the public sewer and water systems.~~
- ~~(j) All hotels shall be subject to the parking standards of this ordinance.~~



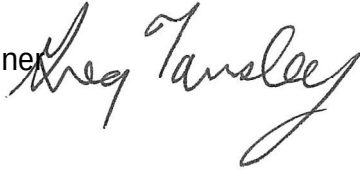
CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
gtansley@biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

From: Greg Tansley, A.I.C.P., City Planner 

Date: December 9, 2016

Re: Proposed Zoning Ordinance Amendments related to "Hotels, motels and inns"

In reviewing the performance standards related to "Hotels, motels and inns" staff identified that the standards were not only outdated but simply not conducive to allow a new such uses or the expansion of existing such uses throughout the city. Staff is of the opinion that through Site Plan Review on a case-by-case basis all such issues can be adequately addressed.

The most glaring concern staff had in reviewing these standards was that they would effectively inhibit the ability for new such facilities to locate in the downtown area which is something that I believe the city is trying to achieve.

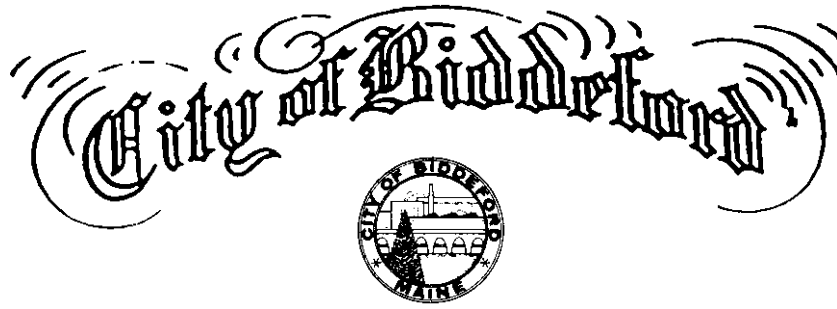
This amendment also clarifies that rooms in "Hotels, motels and inns" are not considered "Dwelling Units" since they are not intended as permanent residences.

The Planning Board held a duly noticed Public Hearing on the proposal on December 7, 2016. There was no public comment for or against this amendment.

The Planning Board voted unanimously (4-0) to recommend the City Council approve this zoning amendment.

Please let me know if you have any questions about this item before the December 20, 2016 Council meeting.

Cc: File



2016.115

IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

BE IT ORDERED, that the City Manager be authorized to purchase one (1) PL Customs ambulance as per bid of November 12, 2015 (the "Equipment") from Sugarloaf Vehicles (the "Vendor") and may pay the Vendor an amount not to exceed \$222,146.00 (before discounts valued at \$5,500.00) for the Equipment as follows:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$222,146.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$222,146.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

BE IT FURTHER ORDERED, that the City Manager be authorized to purchase new two-way radios from from Dirigo (Vendor) for an amount not to exceed \$4,733.00.

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the two-way radios;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$4,733.00;
3. The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the two-way radios provided that (a) the principal amount of such agreement will not exceed \$4,733.00, (b) the term of such agreement will not exceed one hundred and twenty (120) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the two-way radios; and

5. The City Manager, on behalf of the City of Biddeford, is authorized to negotiate, enter into, execute, deliver and cause to be performed, and to approve, any and all agreements, instruments, certificates and other documents, and to grant security interests in the Equipment, upon such terms, conditions, limitations and undertakings, which the City Manager determines are necessary and proper for the acquisition and financing of the Equipment, provided that any lease purchase, loan or other financing agreement will be countersigned by both the Mayor and the Treasurer of the City of Biddeford. Without limiting the foregoing, the City Manager, on behalf of the City of Biddeford, in connection with the acquisition of the Equipment, is authorized to sell, transfer, trade in or otherwise dispose of any equipment, which the City Manager determines is no longer useful to the City of Biddeford.

NOTE: The Finance Committee reviewed these items on December 20, 2016 and voted to recommend them to the City Council for approval. The lease-purchase of these items are included in the FY17 CIP budget, with a down payment of \$30,000.00.

Approval for Ambulance Purchase

Last year we went out to bid to purchase a new ambulance and the bid that was approved was a PL Custom from Sugarloaf Vehicles. In that bid there was a discount of \$4,500.00 if we purchased a second ambulance within 5 years and a \$1,000.00 discount if we prepay the chassis when it is delivered to the factory. We have been using the new Ambulance since October and we are very satisfied with that unit. We are now ready to purchase a new one under that bid with the same discounts. Sugarloaf Vehicles has also offered \$7,500.00 trade in for the rescue being replaced. We are recommending keeping the trade and using the truck throughout out the City.

This year's price:

\$222,146.00

-\$1,000.00 Prepay chassis

- \$4,500.00 Discount

\$216,646.00 Total

Last Year's price:

\$222,292.00

-

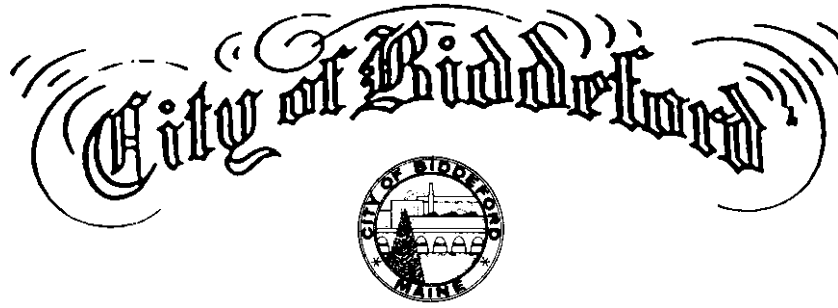
-\$1,000.00 Prepay chassis

-\$4,500.00 Discount

-\$3,500.00 Trade in

\$213,292.00 Total

We also need to replace the two-way radios in this new ambulance because of their age. They will be bought from Dirigo Wireless in the amount of \$4,733.00; this ambulance was budgeted in the FY 17 CIP budget line item 21204-60603 as a lease.



2016.116

IN BOARD OF CITY COUNCIL..DECEMBER 20, 2016

BE IT ORDERED, that the City Council of the City of Biddeford does hereby affirm the easement authorization for 41 Franklin Street, as executed by the City Manager.

(SPACE ABOVE FOR RECORDING INFORMATION)

Quitclaim Deed

(Easement)

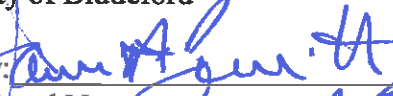
The **CITY OF BIDDEFORD**, a body politic, located at Biddeford in the County of York and State of Maine, for consideration paid, grants to **JOHN R. LAMB**, his heirs and assigns, having a mailing address of P. O. Box 1758, Saco, Maine 04072, **with QUITCLAIM Covenants**, an easement for the maintenance, repair, replacement, use and inspection of the fire escape and any appurtenances thereto located on and above the property described in a deed from Chris M. Rizeakos and Katina Rizeakos to the City of Biddeford dated October 30, 1998 and recorded in the York County Registry of Deeds in Book 9142, Page 288; which easement shall burden said land of the Grantor below Grantee's fire escape and along and near Grantor's rear boundary line where abutting and adjacent to the rear boundary line of John R. Lamb, his heirs and assigns, situated at 41 Franklin Street. The height, width and length of said easement to be reasonably related to the constructed fire escape.

The said City of Biddeford has caused this instrument to be signed in its corporate name by James Bennett, its City Manager duly authorized this 13th day of December, 2016.

Witness



City of Biddeford

By: 

Printed Name: James A. Bennett

Its: City Manager

STATE OF MAINE
COUNTY OF YORK

December 13th, 2016

Personally appeared the above named James A. Bennett, in their capacity as City Manager of the City of Biddeford, and acknowledged the foregoing instrument to be their free act and deed in this said capacity and the free act and deed of the City of Biddeford.

Before me,


Notary Public

SHANNON M. HALL

Notary Public, State of Maine

My Commission Expires Dec. 11, 2021

After recording return to:

John R. Lamb

P. O. Box 1758

Saco, Maine 04072

THIS IS NOT A BOUNDARY SURVEY

This copyrighted document expires 01-20-17. Reproduction and/or dissemination after this date is unauthorized.

MORTGAGE INSPECTION OF: DEED BOOK 16828 PAGE 58 COUNTY York
 PLAN BOOK --- PAGE --- LOT ---

ADDRESS: 41 Franklin Street, Biddeford, Maine

Job Number: 913-80-R

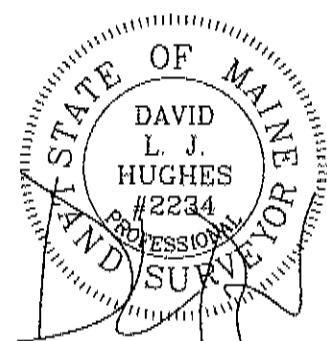
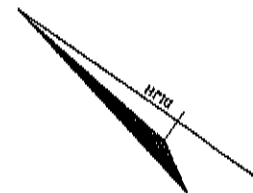
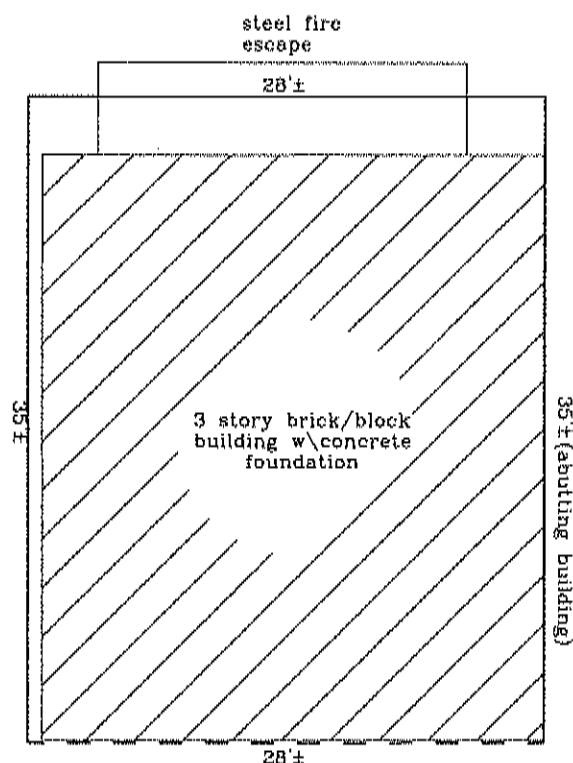
Inspection Date: 10-19-16

Buyer: James J. Rathbun

Scale: 1" = 10'

File No: 16NORTHPOINT42

Seller: John R. Lamb



I HEREBY CERTIFY TO: H&D Title and Closing Services, LLC, NorthPoint

APPARENT EASEMENTS AND RIGHTS OF WAY ARE SHOWN. OTHER ENCUMBRANCES, RECORDED OR NOT, MAY EXIST. THIS SKETCH WILL NOT REVEAL ABUTTING DEED CONFLICTS, IF ANY.

copyright©

Monuments found did not conflict with the deed description.

The dwelling setbacks do not violate town zoning requirements.

As delineated on the Federal Emergency Management Agency Community Panel 230145-0004B:

The structure does not fall within the special flood hazard zone.

The land does not fall within the special flood hazard zone.

A wetlands study has not been performed.

Livingston-Hughes

Professional Land Surveyors

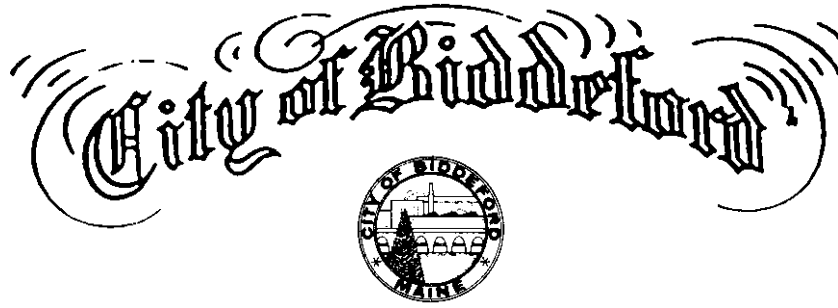
88 Guinea Road

Kennebunkport, Maine 04046

207-967-9761 phone 207-967-4831 fax

www.livingston-hughessurveyors.com

THIS SKETCH IS FOR MORTGAGE PURPOSES ONLY



2016.118 **IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, ADMINISTRATION, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 11, BIDDEFORD FIRE ADVISORY COMMITTEE (BFAC), is amended by adding new Sections to read as follows:

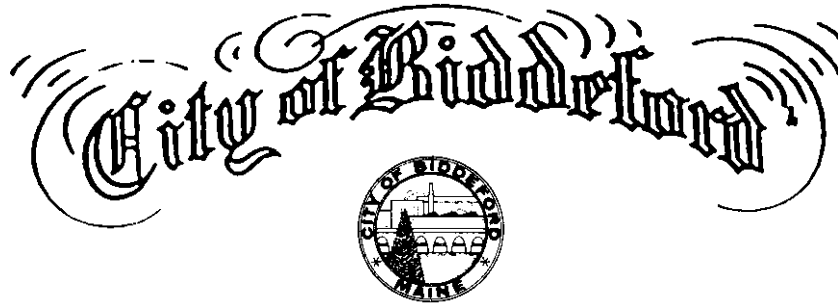
Sec. 2-326. Establishment.

There is hereby created and established the Biddeford Fire Advisory Committee, herein after BFAC, comprised of five (5) members and a member of the Biddeford Fire Department to serve as an ex-officio member. All members shall be citizens and reside within the corporate limits of the City of Biddeford, with the exception of the ex-officio member who may reside outside of the City. In appointing members to the BFAC, the Mayor and City Council shall seek to appoint members from a cross-section of all citizens. The BFAC is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council

Sec. 2-327. Purpose.

The purpose of the committee is to provide and organized forum for two-way communication between the Biddeford Fire Department and the community. Responsibilities shall include:

- (1) Where appropriate, make recommendations to the city council and Fire department on substantive issues, with the goal of improved Fire services. For the purpose of this article, "substantive" issues are defined as matters of major or practical importance to all concerned. It shall not include personnel issues involving individual members or officers of the Fire department, or daily Fire operations and implementation.
- (2) Assist in identifying potential Fire department community partnerships to address public safety related issues within the community.
- (3) Identify community resources and support for public safety activities (such as parking, and traffic); and give input to the city council and the Fire department regarding perceived effectiveness.



(4) Receive information and comments from citizens at the Committee's open and public meeting forum regarding public safety issues.

(5) Make reports to the City Council at such times as may be requested by the City Council or as the BFAC determines is necessary.

Sec. 2-328. Membership.

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered three-year terms. All subsequent appointments, except to fill a vacancy, shall be for three-year terms. A vacancy is created upon the death or written resignation to the BFAC Chair, or upon the vote of the City Council to remove a member. Members of the committee shall serve without pay and at the discretion of the City Council. The Biddeford Fire Chief, or his designee, shall serve as the administrator, advisor and ex-officio member, and shall provide assistance to the BFAC.

Sec. 2-329. Organization of the Fire Advisory Committee.

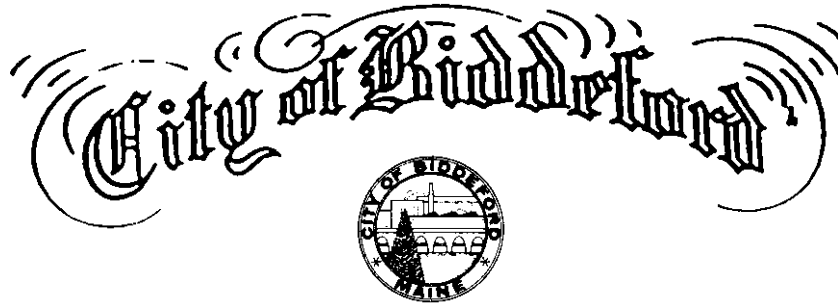
The Mayor shall appoint a Chair and a Vice Chair. The Chair shall serve a two-year term. A quorum shall consist of three (3) members. The Chair shall be counted in determining a quorum and shall have one (1) vote.

The Vice Chair shall serve a two-year term. The Vice Chair shall serve as Chair upon the death or resignation of the Chair, or upon the office of the Chair becoming vacant. The Vice Chair shall discharge the powers of the office of the Chair at any meeting at which the Chair is absent. The Vice Chair shall be counted in determining a quorum and shall have one (1) vote.

The ex-officio member of the BFAC is a nonvoting member and shall serve in an advisory capacity.

The duties of a secretary responsible for recording meeting minutes shall be rotated sequentially among the Committee's membership for each meeting. The Chair shall be excluded from this responsibility. A roster for secretarial duties shall be established by the Committee.

A quorum consisting of three (3) members shall be necessary to take any BFAC action authorized or required by this article. An issue shall carry by a majority of those voting.



Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate and the City Council shall confirm all appointments to fill expired terms and/or vacancies. The City Council may remove any member for misconduct or nonperformance of duty.

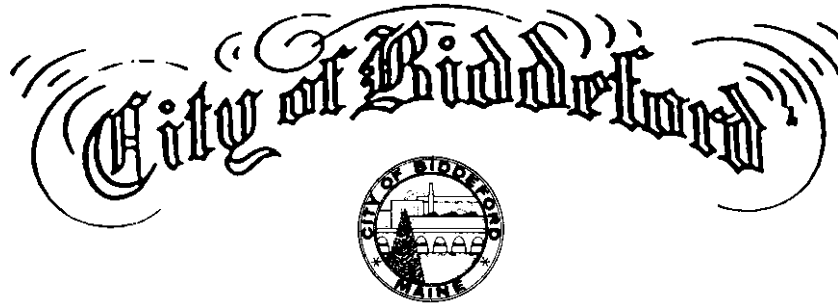
The BFAC may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provisions of this article.

Sec. 2-330. Meetings.

Meetings of the Biddeford Fire Advisory Committee shall be established by the BFAC. Meetings shall be held at the Biddeford City Hall or at a suitable municipal public location. Prior notice of any change in meeting date, time or place shall be provided to all members, the public, and the administrative staff forty-eight (48) hours in advance of said meeting.

All regularly scheduled and special meetings shall have an agenda approved by the Chair.

Sections 2-331 to 2-340 reserved.



2016.119 **IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016**
BE IT ORDAINED, by the City Council of the City of Biddeford that the Code of Ordinances, Chapter 2, ADMINISTRATION, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 12, BIDDEFORD POLICE ADVISORY COMMITTEE (BPAC), is amended by adding new Sections to read as follows:

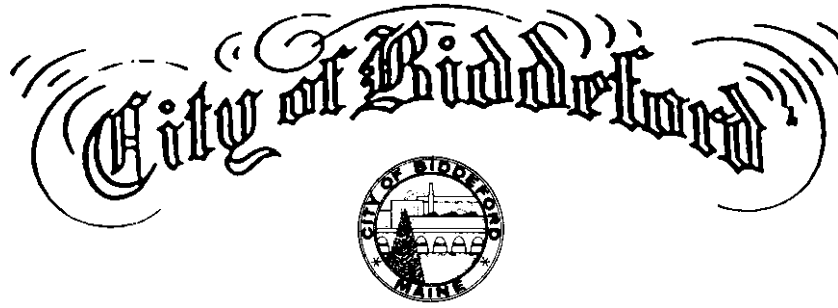
Sec. 2-341. Establishment.

There is hereby created and established the Biddeford Police Advisory Committee, herein after BPAC, comprised of five (5) members and a member of the Biddeford Police Department to serve as an ex-officio member. All members shall be citizens and reside within the corporate limits of the City of Biddeford, with the exception of the ex-officio member who may reside outside of the City. In appointing members to the BPAC, the Mayor and City Council shall seek to appoint members from a cross-section of all citizens. The BPAC is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council

Sec. 2-342. Purpose.

The purpose of the committee is to provide and organized forum for two-way communication between the Biddeford Police Department and the community. Responsibilities shall include:

- (1) Where appropriate, make recommendations to the city council and police department on substantive issues, with the goal of improved police services. For the purpose of this article, "substantive" issues are defined as matters of major or practical importance to all concerned. It shall not include personnel issues involving individual members or officers of the police department, or daily police operational enforcement and implementation.
- (2) Assist in identifying potential police department community partnerships to address public safety related issues within the community.
- (3) Identify community resources and support for public safety activities (such as parking, and traffic); and give input to the city council and the police department regarding perceived effectiveness.



(4) Receive information and comments from citizens at the Committee's open and public meeting forum regarding public safety issues.

(5) Make reports to the City Council at such times as may be requested by the City Council or as the BPAC determines is necessary.

Sec. 2-343. Membership.

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered three-year terms. All subsequent appointments, except to fill a vacancy, shall be for three-year terms. A vacancy is created upon the death or written resignation to the BPAC Chair, or upon the vote of the City Council to remove a member. Members of the committee shall serve without pay and at the discretion of the City Council. The Biddeford Police Chief, or his designee, shall serve as the administrator, advisor and ex-officio member, and shall provide assistance to the BPAC.

Sec. 2-344. Organization of the police advisory committee.

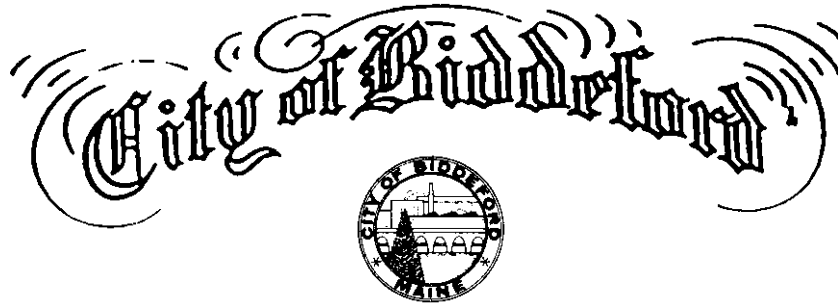
The Mayor shall appoint a Chair and a Vice Chair. The Chair shall serve a two-year term. A quorum shall consist of three (3) members. The Chair shall be counted in determining a quorum and shall have one (1) vote.

The Vice Chair shall serve a two-year term. The Vice Chair shall serve as Chair upon the death or resignation of the Chair, or upon the office of the Chair becoming vacant. The Vice Chair shall discharge the powers of the office of the Chair at any meeting at which the Chair is absent. The Vice Chair shall be counted in determining a quorum and shall have one (1) vote.

The ex-officio member of the BPAC is a nonvoting member and shall serve in an advisory capacity.

The duties of a secretary responsible for recording meeting minutes shall be rotated sequentially among the Committee's membership for each meeting. The Chair shall be excluded from this responsibility. A roster for secretarial duties shall be established by the Committee.

A quorum consisting of three (3) members shall be necessary to take any BPAC action authorized or required by this article. An issue shall carry by a majority of those voting.



Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate and the City Council shall confirm all appointments to fill expired terms and/or vacancies. The City Council may remove any member for misconduct or nonperformance of duty.

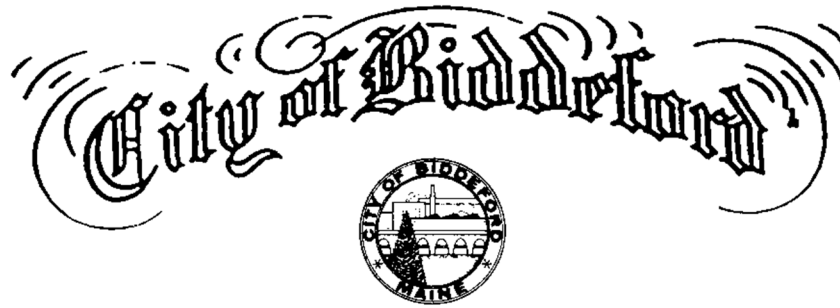
The BPAC may adopt and amend from time to time rules to govern the conduct of its administrative business, consistent with the provisions of this article.

Sec. 2-345. Meetings.

Meetings of the Biddeford Police Advisory Committee shall be established by the BPAC. Meetings shall be held at the Biddeford City Hall or at a suitable municipal public location. Prior notice of any change in meeting date, time or place shall be provided to all members, the public, and the administrative staff forty-eight (48) hours in advance of said meeting.

All regularly scheduled and special meetings shall have an agenda approved by the Chair.

Sections 2-346 to 2-350 reserved.



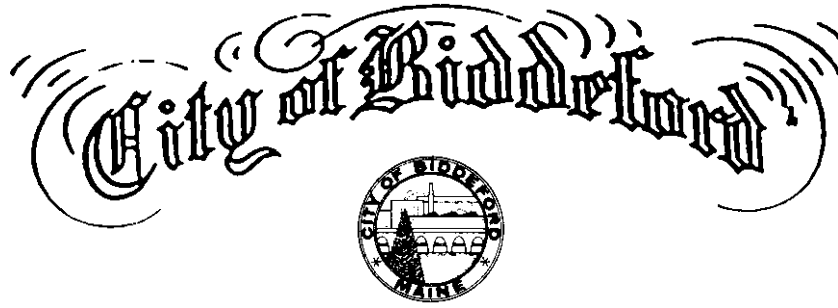
2016.120 IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

WHEREAS, the City of Biddeford's Land Use Regulations set forth certain land use regulations applicable to the location, development and regulation of medical marijuana dispensaries and growing facilities within the City; and

WHEREAS, the City Council is concerned that the current Land Use Regulations do not adequately protect the public interest; and

WHEREAS, the City Council wishes to continue to amend its Land Use Regulations to include additional regulations and standards applicable to such use to insure the protection of the public interest;

The City Council hereby implements a ninety (90) day extension, which will go to March 20, 2017, to the previously enacted nine (9) month moratorium on the establishment of any new medical marijuana dispensaries and/or growing facilities within the City to provide adequate time for new Land Use Regulations to take effect once adopted by the City Council.



2016.121

IN BOARD OF CITY COUNCIL..DECEMBER 20, 2016

**MORATORIUM ORDINANCE ON RETAIL MARIJUANA STORES,
FACILITIES, AND SOCIAL CLUBS**

BE IT ORDAINED, that the City of Biddeford, Maine hereby adopts the following Moratorium Ordinance on retail marijuana stores, facilities, and social clubs:

WHEREAS, a ballot initiative to legalize, regulate and tax marijuana for non-medicinal purposes known as the “Marijuana Legalization Act,” proposed to be codified in the Maine Revised Statutes in Title 7, chapter 417, was voted on by a State-wide referendum election on November 8, 2016; and

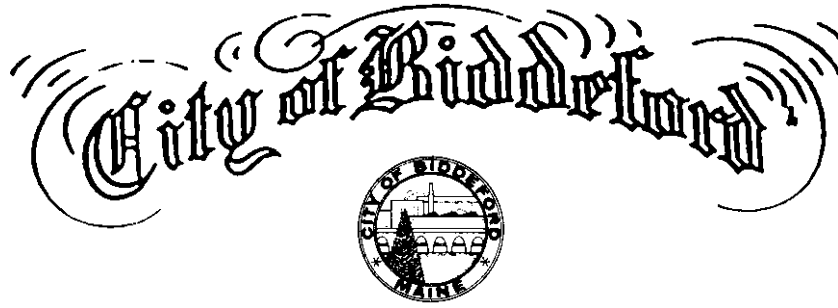
WHEREAS, while it was reported that the voters approved the proposed Act, a recount of the referendum ballots will be conducted, and

WHEREAS, the proposed Act authorizes municipalities to regulate the number of retail marijuana stores and the location and operation of retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined in the proposed Act, as well as providing the option to prohibit the operation of retail marijuana social clubs and retail marijuana establishments, including stores, cultivation facilities, manufacturing facilities and testing facilities, within their jurisdiction; and

WHEREAS, the proposed Act will not limit the privileges or rights afforded by the Maine Medical Use of Marijuana Act (22 M.R.S.A. §§ 2421 – 2430-B) to qualifying patients, primary caregivers, or registered dispensaries, including cultivation facilities associated with any of those classifications;

WHEREAS, the outcome of the State-wide referendum vote is yet to be finally determined and the City’s current Code of Ordinances does not include any regulations related to retail marijuana establishments or retail marijuana social clubs under the proposed new Act; and

WHEREAS, the unregulated location and operation of retail marijuana establishments and retail marijuana social clubs within the City of Biddeford raises legitimate and substantial questions about the impact of such establishments and social clubs on the City, including questions about the compatibility of retail marijuana



establishments and social clubs with existing uses and development in residential, commercial and industrial zoning districts; the potential adverse health and safety effects of retail marijuana establishments and social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the new law; potential criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medicinal purposes and the potential increased burden on the City's Police Department and Fire Rescue Department; and the adequacy of the City's streets and infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments or social clubs; and

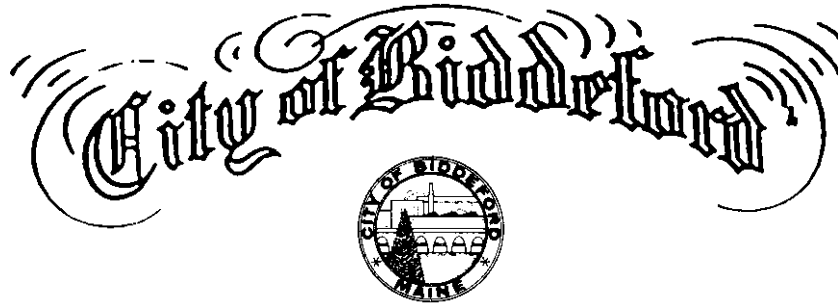
WHEREAS, the possible effect of the location and operation of retail marijuana establishments and/or retail marijuana social clubs within the City has potentially serious implications for the health, safety and welfare of the City and its residents; and

WHEREAS, the City needs time to review the proposed Act and to review its own Code of Ordinances to determine the implications of future proposed retail marijuana establishments and/or social clubs to develop reasonable ordinances governing the location and operations of such establishments and social clubs to address the concerns cited above; and

WHEREAS, the City's current ordinances are insufficient to prevent serious public harm that could be caused by the unregulated development of retail marijuana establishments and social clubs and other uses authorized by the proposed changes in law voted on in the November 8, 2016 referendum election, thereby necessitating a moratorium; and

WHEREAS, the City Council, the Administration and the Planning Board, with the professional advice and assistance of the Police Department, shall study the City's current Code of Ordinances to determine the land use and other regulatory implications of retail marijuana establishments and social clubs and consider what locations, if any, and conditions of approval, if any, might be appropriate for such uses; and

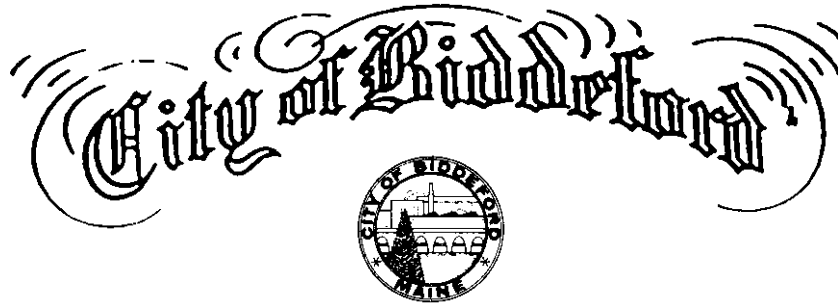
WHEREAS, a moratorium is necessary to prevent an overburdening of public facilities that is reasonably foreseeable as the result of retail marijuana establishments and social clubs and other uses authorized by the proposed changes in law, voted on in the November 8, 2016 referendum election, being located in the City; and



WHEREAS, it is anticipated that such a study, review, and development of recommended ordinance changes will take at least one hundred and eighty (180) days from the date the City enacts this Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Biddeford, that the following Moratorium Ordinance on Retail Marijuana Establishments and Retail Marijuana Social Clubs be, and hereby is, enacted, and, in furtherance thereof, the City Council does hereby declare a moratorium on the location, operation or licensing of any retail marijuana social clubs and any retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, within the City. This Moratorium Ordinance shall take effect, once enacted by the City Council, in accordance with the provisions of the City Charter and Code of Ordinances, but shall be applicable as of December 6, 2016, as expressly provided below. The moratorium shall remain in effect for one hundred and eighty (180) days from the date of applicability of this Ordinance, unless extended, repealed, or modified by the City Council, for the express purpose of drafting an amendment or amendments to the City's current Code of Ordinances to protect the public from health and safety risks including, but not limited to, compatibility of retail marijuana establishments and social clubs with existing and permitted uses in residential, commercial and industrial zoning districts; the correlation of retail marijuana establishments and social clubs with medical marijuana cultivation facilities and dispensaries, all as defined in the proposed "Marijuana Legalization Act;" the potential adverse health and safety effects of retail marijuana establishments and social clubs on the community if not properly regulated; the possibility of illicit sale and use of marijuana and marijuana products to minors and misuse of marijuana and marijuana products by those who would abuse the uses authorized under the new law; criminal activity associated with the cultivation, manufacturing, sale and use of marijuana and marijuana products for non-medicinal purposes and the potential increased burden on the public safety agencies serving the City in responding to the same; and the adequacy of the City's infrastructure to accommodate the additional traffic and/or population that may result from the presence of retail marijuana establishments or social clubs in the City.

BE IT FURTHER ORDAINED, that this Ordinance shall apply to retail marijuana social clubs and retail marijuana establishments, including retail marijuana stores, retail marijuana cultivation facilities, retail marijuana products manufacturing facilities and retail marijuana testing facilities, as those terms are defined by the proposed "Marijuana Legalization Act" to be codified, if passed, at 7 M.R.S.A. §§ 2442 (36), (38),



(39), (40) (41), that may be proposed to be located within the City on or after the December 6, 2016 applicability date of this Ordinance; and

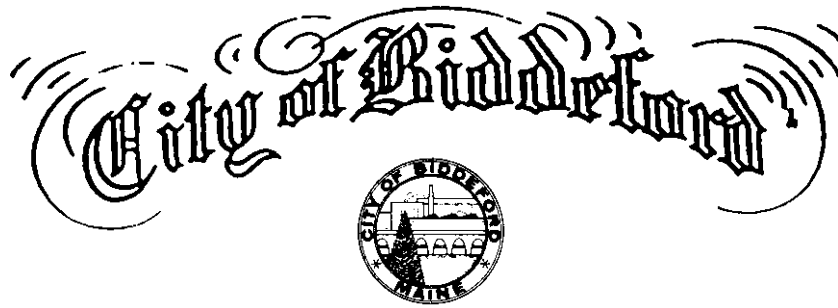
BE IT FURTHER ORDAINED, that notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, this Ordinance, when enacted, shall govern any proposed retail marijuana establishments or social clubs for which an application for a building permit, Certificate of Occupancy, site plan or any other required approval has not been submitted to and granted final approval by the Code Enforcement Officer, Planning Board or other City official or board prior to December 6, 2016, the applicability date of this Ordinance; and

BE IT FURTHER ORDAINED, that no person or organization shall develop or operate a retail marijuana establishment or social club within the City on or after the December 6, 2016 applicability date of this Ordinance without complying with whatever ordinance amendment or amendments the City Council may enact as a result of this Moratorium Ordinance; and

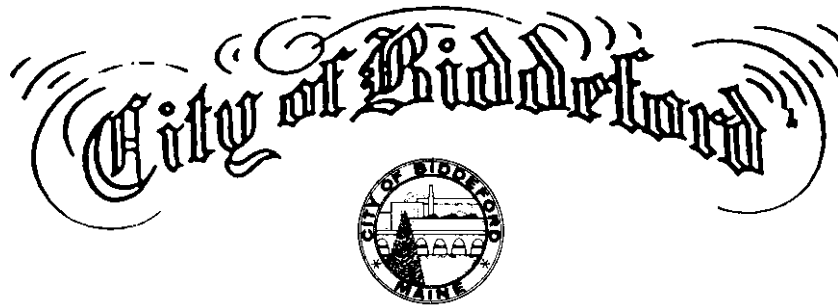
BE IT FURTHER ORDAINED, that during the time this Moratorium Ordinance is in effect, no officer, official, employee, office, administrative board or agency of the City shall accept, process, approve, deny, or in any other way act upon any application for a license, building permit or any other type of land use approval or permit and/or any other permits or licenses related to a retail marijuana establishment or retail marijuana social club; and

BE IT FURTHER ORDAINED, that those provisions of the City's current Code of Ordinances that are inconsistent or conflicting with the provisions of this Ordinance, are hereby repealed to the extent that they are applicable for the duration of the moratorium hereby ordained, and as it may be extended as permitted by law, but not otherwise; and

BE IT FURTHER ORDAINED, that if retail marijuana establishments or retail marijuana social clubs are established in violation of this Ordinance, each day of any continuing violation shall constitute a separate violation of this Ordinance, and the City shall be entitled to all rights available to it in law and equity, including, but not limited to, fines and penalties, injunctive relief, and its reasonable attorney's fees and costs in prosecuting any such violations; and



BE IT FURTHER ORDAINED, that should any section or provision of this Ordinance be declared by any court of competent jurisdiction to be invalid, such a declaration shall not invalidate any other section or provision.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Gerald J. Bernier
30 Beacon Avenue
Ward 7**

to the *Airport Commission* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 11/30/2014
Name: GERALD J BERNIER
Street Address: 30 BEACON AVE
BIDDEFORD, MAINE 04005
Mailing Address: 19 TAYLOR STREET
(if different) BIDDEFORD, MAINE 04005
Phone Number(s): 207-229-5508
Email Address: G.BERNIER@MAINE.PR.COM

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☐ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Commission

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☐ Police Commission
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☐ Zoning Board of Appeals

☒ Other AIRPORT COMMISSION

CITY OF BIDDEFORD
Committee Application

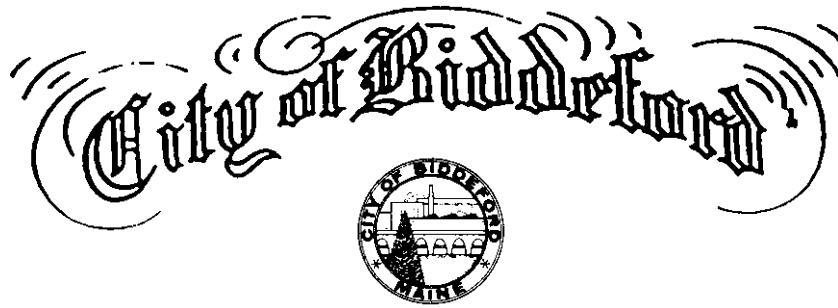
| Please list any prior experience serving on any Public Boards, Commissions or Committees
(and approximate dates)

I AM PRESENTLY ON THE AIRPORT COMMISSION

| Please list any other experience that may be pertinent to the Board or Committee in which you
are requesting to serve on.

| Please provide a brief statement describing your interest in serving the City of Biddeford.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Rick Laverriere
371 South Street
Ward 6**

to the *Airport Commission* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

12/14/2016

Name:

RICK LAVERRIER

Street Address:

371 SOUTH STREET

Mailing Address:
(if different)

SAMU
5

Phone Number(s):

207-282-5272

Email Address:

RLAVERRIER@BIDDEFORDMAINE.ORG

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- Ad Hoc Comprehensive Plan Comm.
- Biddeford Housing Authority
- Board of Assessment Review
- Cable T. V. Committee
- Capital Projects/Operations Committee
- Conservation Commission
- Downtown Development Commission
- Economic Improvement Committee
- Environmental Board
- Fire Commission

- Harbor Commission
- Historical Preservation Commission
- Planning Board
- Police Commission
- Policy Committee
- Project Canopy
- Recreation Commission
- Saco River Corridor Commission
- Shellfish Conservation Committee
- Solid Waste Management Commission
- Wastewater Management Commission
- Zoning Board of Appeals

☒ Other AIRPORT COMMISSION

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

NOW SERVING AS CHAIR OF THE AIRPORT COMMISSION

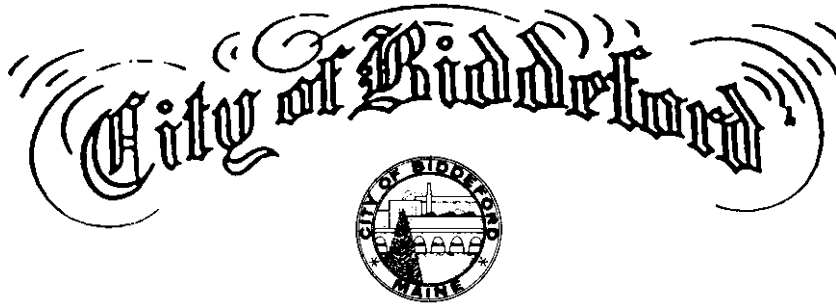
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

CITY COUNCILOR.

Please provide a brief statement describing your interest in serving the City of Biddeford.

HAVE BEEN ~~WORKING~~ VOLUNTEERING AND BEING A CITY COUNCILOR FOR BETTER THAN 20 YEARS

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Michael Ready
6 Kennedy Drive
Ward 7**

to the *Biddeford Housing Authority* with a term to expire December 2021.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 11/30/2016

Name: MICHAEL READY

Street Address: 6 KENNEDY DR

BIDDEFORD

Mailing Address:
(if different) _____

Phone Number(s): 207-710-2013

Email Address: mikeready53@gmail.com / mready@biddefordmaine.org

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|---|
| ☒ • Ad Hoc Comprehensive Plan Comm. | ☐ • Harbor Commission |
| ☐ • Biddeford Housing Authority | ☐ • Historical Preservation Commission |
| ☐ • Board of Assessment Review | ☐ • Planning Board |
| ☐ • Cable T. V. Committee | ☐ • Police Commission |
| ☐ • Capital Projects/Operations Committee | ☐ • Policy Committee |
| ☐ • Conservation Commission | ☐ • Project Canopy |
| ☐ • Downtown Development Commission | ☐ • Recreation Commission |
| ☐ • Economic Improvement Committee | ☐ • Saco River Corridor Commission |
| ☐ • Environmental Board | ☐ • Shellfish Conservation Committee |
| ☐ • Fire Commission | ☐ • Solid Waste Management Commission |
| | ☐ • Wastewater Management Commission |
| | ☐ • Zoning Board of Appeals |
| | ☐ • Other _____ |

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

SEE PREVIOUS APPLICATION

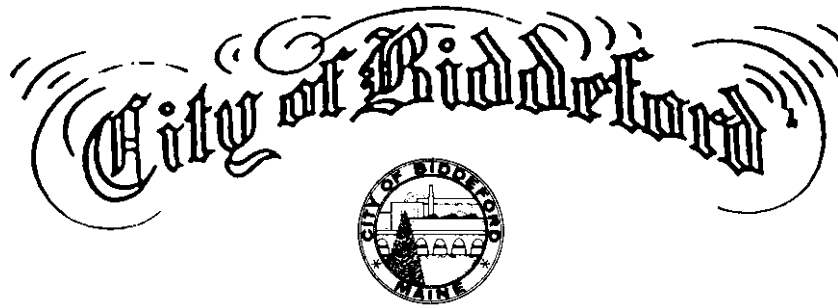
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

HAVE SERVED ON HOUSING AUTHORITY BOARD SINCE 2011

Please provide a brief statement describing your interest in serving the City of Biddeford.

SEE PREVIOUS APPLICATION

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Michael Tremblay
19 Mason Street, Apt. A
Ward 5**

to the *Cable T.V. Committee* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 11-30-16

Name: MICHAEL P. TREMBLAY

Street Address: 19 MASON ST. APT A

BIDDEFORD, ME 04005

Mailing Address:
(if different) _____

Phone Number(s): 494-8628

Email Address: ENGINE24@MAINE-RR.COM

Please indicate whether you would like your contact information posted on the City's website:

☐ YES

☒ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☒ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee

- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☒ Fire Commission

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☒ Police Commission
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☐ Zoning Board of Appeals
- ☐ Other _____

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

2 YRS CABLE COMMITTEE 10 YEARS PRODUCER
4 1/2 YEARS POLICE OFFICER BIDDEFORD PUBLIC ACCESS PROGRAM
JAN. MARTIN

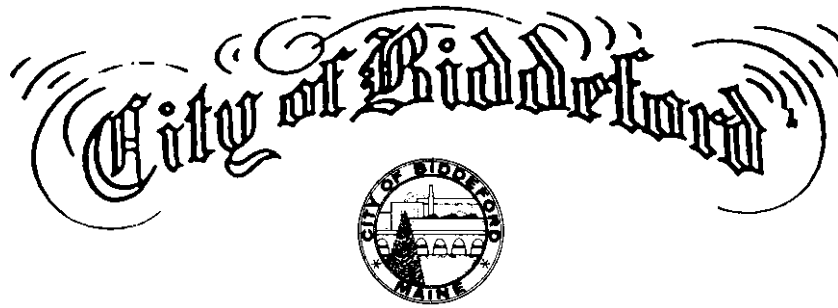
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

4 1/2 YEARS SACO POLICE DEPT
37 YEARS SACO FIRE RESCUE
MEMBER OF MANY CIVIC GROUPS LOCAL & NATIONAL

Please provide a brief statement describing your interest in serving the City of Biddeford.

I AM A LIFE LONG RESIDENT OF BIDDEFORD
I AM INVOLVED IN MANY ORGANIZATIONS
I WANT TO MAKE BIDDEFORD A BETTER PLACE

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Emma Bouthillette
36 George Street, Apt. 1
Ward 2**

to the *Downtown Development Commission* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Commissions, Committees and Boards

Date:	12-06-2016
Name:	Emma Bouthillette
Street Address:	36 George Street Apartment 1 Biddeford, ME 04005
Mailing Address: (if different)	
Phone Number(s):	207-468-9617
Email Address:	emmabouthillette@gmail.com

Please indicate whether you would like your contact information posted on the City's website:

YES ☒

NO ☐

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|---|
| ☐ Airport Commission
☐ Comprehensive Plan Committee
☐ Biddeford Housing Authority
☐ Board of Assessment Review
☐ Cable T.V. Committee
☐ Capital Projects/Operations Committee
☐ Conservation Commission
☒ Downtown Development Commission
☐ Economic Improvement Commission
☐ Environmental Board
☐ Fire Commission
☐ Harbor Commission | ☐ Historic Preservation Commission
☐ Planning Board
☐ Police Commission
☐ Policy Committee
☐ Project Canopy
☐ Recreation Commission
☐ Saco River Corridor Commission
☐ Shellfish Conservation Committee
☐ Solid Waste Management Commission
☐ Wastewater Management Commission
☐ Zoning Board of Appeals |
|---|---|

☐ Other:

☐ Other:

☐ Other:

☐ Other:

1. Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates):

Heart of Biddeford, volunteer 2012-present
Heart of Biddeford, board member & chair of organization committee March 2012-March 2014

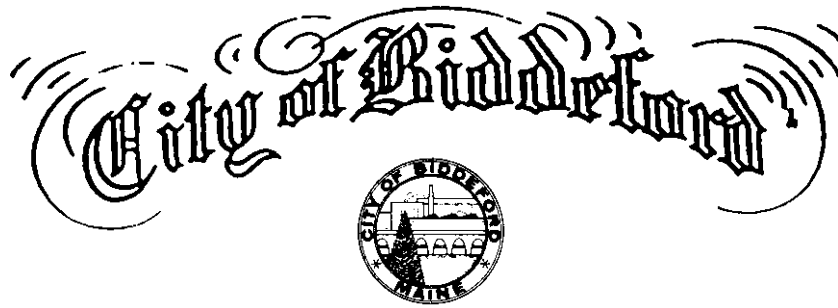
2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on:

I am a life-long Biddeford resident who has spent the past year writing a book about the city's history. My knowledge regarding the city's history and current trajectory will surely help the Downtown Development Commission in guiding city officials to do what is best for the continued revitalization of the city. Additionally, my experience in marketing and social media could also benefit the Commission in helping promote the city.

3. Please provide a brief statement describing your interest in serving the City of Biddeford:

When it comes down to it, I have been a cheerleader for Biddeford in the past decade. I recall my grandparents telling me how Biddeford used to be a bustling downtown with people filling the streets on a Saturday night. I've dreamed that Biddeford will return to that glory; the revitalization that has occurred in the past decade is bringing the city closer to that dream. I feel that my knowledge of the city, my past participation with Heart of Biddeford and my ongoing interest in revitalizing the downtown best suits me to serve on the Downtown Development Commission.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby appoint:

**Victoria Foley
26 Mason Street
Ward 5**

to the *Downtown Development Commission* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for
City Commissions, Committees and Boards

Date:

December 5, 2014

Name:

Victoria Foley

Street Address:

26 Mason Street
BiddefordMailing Address:
(if different)

Phone Number(s):

207-409-5115

Email Address:

victoria.foley@gmail.com

Please indicate whether you would like your contact information posted on the City's website:

YES ☐NO ☒

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|--|
| ☐ Airport Commission | ☐ Historic Preservation Commission |
| ☐ Comprehensive Plan Committee | ☐ Planning Board |
| ☐ Biddeford Housing Authority | ☐ Police Commission |
| ☐ Board of Assessment Review | ☐ Policy Committee |
| ☐ Cable T.V. Committee | ☐ Project Canopy |
| ☐ Capital Projects/Operations Committee | ☐ Recreation Commission |
| ☐ Conservation Commission | ☐ Saco River Corridor Commission |
| ☒ Downtown Development Commission | ☐ Shellfish Conservation Committee |
| ☐ Economic Improvement Commission | ☐ Solid Waste Management Commission |
| ☐ Environmental Board | ☐ Wastewater Management Commission |
| ☐ Fire Commission | ☐ Zoning Board of Appeals |
| ☐ Harbor Commission | |

☐ Other: ☐ Other: ☐ Other: ☐ Other:

1. Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates):

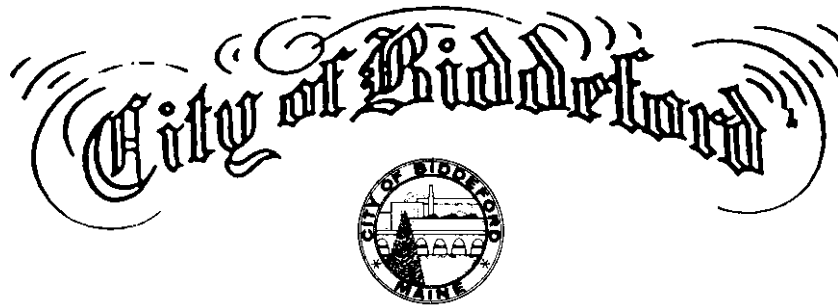
I have served on a variety of non-profit boards & committees, including Maine Track Club (VP), Greater Portland Health (June 2013 - present, currently Board Chair), organizing committee for the Maine Marathon (2013-2016), Girls on the Run - Maine Special events committees (2012-present).

2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on:

I have experience as an entrepreneur, was raised by small business owners, and have worked for small businesses as well as corporations.

3. Please provide a brief statement describing your interest in serving the City of Biddeford:

As a new homeowner in Biddeford, I am excited to be of use to the community. I hope to serve on a city committee in order to listen thoughtfully and help shape the future of the city in a way that respects and preserves the values of the past while planning in a smart way for the changes of the future!



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Richard Potvin, II
150 Guinea Road
Ward 1**

to the *Economic Improvement Commission* with a term to expire December 2023.

CITY OF BIDDEFORD

Application for
City Commissions, Committees and Boards

Date: 11/30/16

Name: Richard Potvin II

Street Address: 150 GUINER RD
Biddeford, ME 04005Mailing Address:
(if different)

Phone Number(s): 207-294-1431

Email Address: APOTVIN@MAINE-RR.COM

Please indicate whether you would like your contact information posted on the City's website:

YES ☒NO ☐

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|---|--|
| ☐ Airport Commission | ☐ Historic Preservation Commission |
| ☐ Comprehensive Plan Committee | ☐ Planning Board |
| ☐ Biddeford Housing Authority | ☐ Police Commission |
| ☐ Board of Assessment Review | ☐ Policy Committee |
| ☐ Cable T.V. Committee | ☐ Project Canopy |
| ☐ Capital Projects/Operations Committee | ☐ Recreation Commission |
| ☐ Conservation Commission | ☐ Saco River Corridor Commission |
| ☐ Downtown Development Commission | ☐ Shellfish Conservation Committee |
| ☒ Economic Improvement Commission | ☐ Solid Waste Management Commission |
| ☐ Environmental Board | ☐ Wastewater Management Commission |
| ☐ Fire Commission | ☐ Zoning Board of Appeals |
| ☐ Harbor Commission | |

☐ Other: ☐ Other: ☐ Other: ☐ Other:

1. Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates):

ERIC OVER 20 YRS
PLANNING BOARD 3 YRS

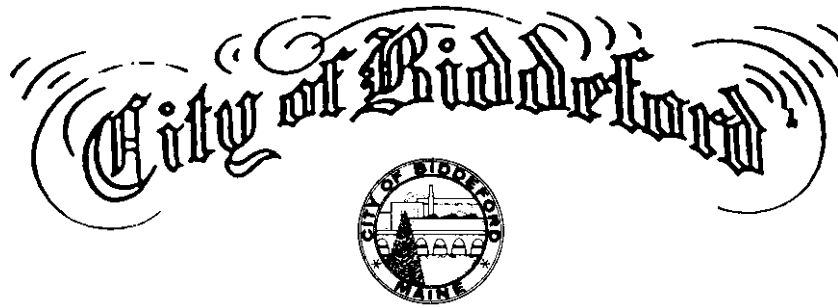
2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on:

LAND DEVELOPMENT SINCE 1987

3. Please provide a brief statement describing your interest in serving the City of Biddeford:

"I LOVE MY CITY"

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Matthew Boutet
43 Old Pool Road
Ward 1**

to the *Planning Board* with a term to expire December 2019.

CITY OF BIDDEFORD

**Application for
City Commissions, Committees and Boards**

Date:	12/1/16
Name:	Matthew Boutet
Street Address:	43 Old Pool Road Biddeford, ME 04005
Mailing Address: (if different)	
Phone Number(s):	207-590-3431
Email Address:	mattboutet@gmail.com

Please indicate whether you would like your contact information posted on the City's website:

YES ☒

NO ☐

Which City Committee, Board or Commission do you request to be appointed to:

- | | |
|--|--|
| ☐ Airport Commission | ☐ Historic Preservation Commission |
| ☐ Comprehensive Plan Committee | ☒ Planning Board |
| ☐ Biddeford Housing Authority | ☐ Police Commission |
| ☐ Board of Assessment Review | ☐ Policy Committee |
| ☐ Cable T.V. Committee | ☐ Project Canopy |
| ☐ Capital Projects/Operations Committee | ☐ Recreation Commission |
| ☐ Conservation Commission | ☐ Saco River Corridor Commission |
| ☐ Downtown Development Commission | ☐ Shellfish Conservation Committee |
| ☐ Economic Improvement Commission | ☐ Solid Waste Management Commission |
| ☐ Environmental Board | ☐ Wastewater Management Commission |
| ☐ Fire Commission | ☐ Zoning Board of Appeals |
| ☐ Harbor Commission | |

☐ Other:
☐ Other:

☐ Other:
☐ Other:

1. Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates):

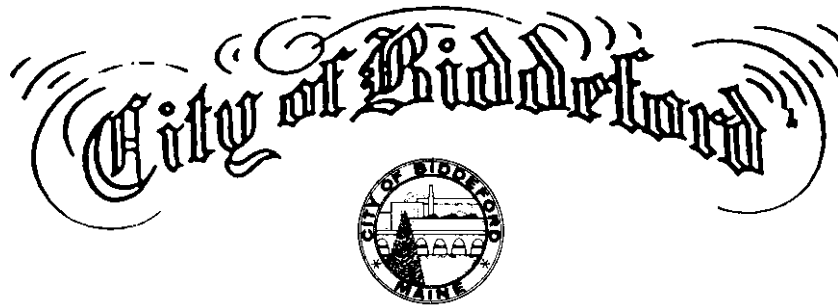
I'm a current member of the planning board.

2. Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on:

3. Please provide a brief statement describing your interest in serving the City of Biddeford:

I've enjoyed my time on the planning board, and look forward to continuing to serve

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**William Southwick
16 Congress Street
Ward 4**

to the *Planning Board* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date:

12/1/2016

Name:

William Southwick

Street Address:

16 Congress St.

Biddeford, ME 04005

Mailing Address:
(if different)

Phone Number(s):

207-229-1544

Email Address:

Southwick@MAINE-RR.COM

Please indicate whether you would like your contact information posted on the City's website:

☐ YES

☒ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☐ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Commission

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☒ Planning Board
- ☐ Police Commission
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☐ Zoning Board of Appeals
- ☐ Other _____

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

Planning Board

Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

40 years of Business Experience
and exposure to Communities
across The Country.

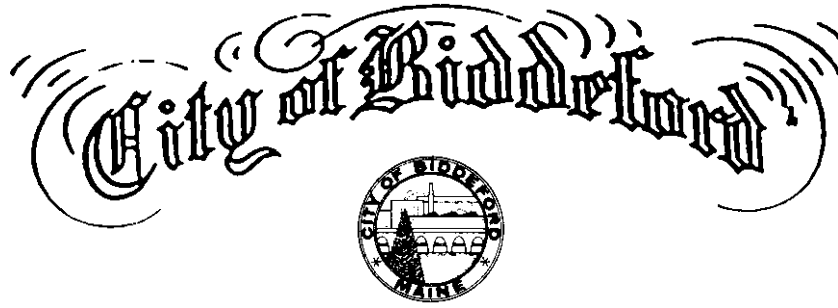
Please provide a brief statement describing your interest in serving the City of Biddeford.

I was born in Biddeford in 1949 and
have raised my family here since 1980.

My daughter's family has made Biddeford
their home and my granddaughter is
currently a 4th Grader at Biddeford Intermediate
School.

I care about how Biddeford grows for
my kids + Grand Kids.

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Michael Swanton
110 Old Pool Road
Ward 1**

to the *Shellfish Conservation Committee* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: 11/30/16

Name: Mike Swanton

Street Address: 110 Old Pond Rd

Biddeford

Mailing Address:
(if different)

Phone Number(s): 207 282 6387

Email Address: mswanton@biddefordmike.org

Please indicate whether you would like your contact information posted on the City's website:

☒ YES

☐ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☐ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Commission

- ☐ Harbor Commission
- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☐ Police Commission
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☒ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☐ Zoning Board of Appeals
- ☐ Other _____

CITY OF BIDDEFORD
Committee Application

Please list any prior experience serving on any Public Boards, Commissions or Committees (and approximate dates)

COUNCIL 12/11 - present

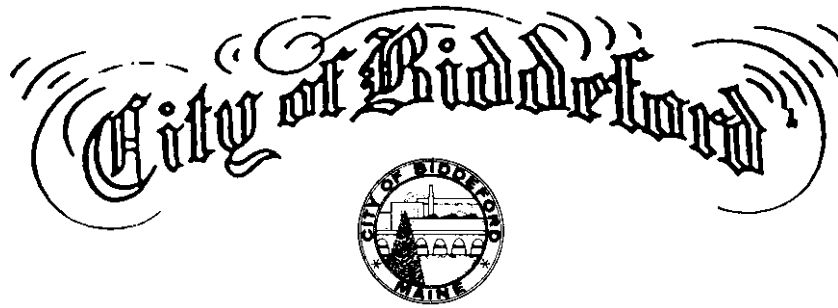
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

I am a published Author on the subject.

Please provide a brief statement describing your interest in serving the City of Biddeford.

The Mayor asked if I would serve on the committee

Attach any additional information to this application and return it to the City Clerk's Office.



IN BOARD OF CITY COUNCIL...DECEMBER 20, 2016

ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby re-appoint:

**Susan Driscoll
11 Ferry Lane
Ward 1**

to the *Zoning Board of Appeals* with a term to expire December 2019.

CITY OF BIDDEFORD

Application for City Committees, Commissions and Boards

Date: Dec 5 2016

Name: SUSAN DRISCOLL

Street Address: 11 Ferry Lane

Biddeford ME 04005

Mailing Address:
(if different) _____

Phone Number(s): (207) 468-9914 (cell)

Email Address: sdriscoll@bergenparkinson.com

Please indicate whether you would like your contact information posted on the City's website:

☐ YES

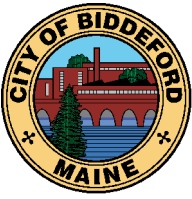
☒ NO

Which City Committee, Board or Commission do you request to be appointed to:

- ☐ Ad Hoc Comprehensive Plan Comm.
- ☐ Biddeford Housing Authority
- ☐ Board of Assessment Review
- ☐ Cable T. V. Committee
- ☐ Capital Projects/Operations Committee
- ☐ Conservation Commission
- ☐ Downtown Development Commission
- ☐ Economic Improvement Committee
- ☐ Environmental Board
- ☐ Fire Commission

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- ☐ Historical Preservation Commission
- ☐ Planning Board
- ☐ Police Commission
- ☐ Policy Committee
- ☐ Project Canopy
- ☐ Recreation Commission
- ☐ Saco River Corridor Commission
- ☐ Shellfish Conservation Committee
- ☐ Solid Waste Management Commission
- ☐ Wastewater Management Commission
- ☒ Zoning Board of Appeals
- ☐ Other _____

City of Biddeford, Maine



The Office of
City Manager

James A. Bennett

Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Honorable Mayor Casavant Honorable City Council
FROM:	James A. Bennett, City Manager
DATE:	December 15, 2016
RE:	December 20, 2016 Agenda

Please find the following introductory comments for the upcoming agenda.

Second readings:

16-110. There is no additional information that is being provided since first reading.

Orders of the Day:

16-113. This amendment has been heard through the Planning Board process. The Board has forwarded the amendment with a unanimous recommendation. Details are contained within the package.

16-114. Same as above.

16-115. This item will be considered by the Finance Committee prior to the meeting. Staff is recommending the replacement. Details are contained within the package.

16-116. This item deals with a very small easement to deal with part of a fire escape that is approximately two feet on the city property. Passage is recommended.

16-117. The voters changed the charter to require the City Manager to nominate the department heads for confirmation approval. The Charter change goes into effect January 1, 2017. As a precaution to any issues down the road, it was recommended by legal counsel that this item be acted on prior to the first of the year. In addition, the charter limited that no one person could serve in more than one position. Currently, the Finance Director also serves as the Treasurer. After consultation with legal, we are commending that you confirm that I serve as the Treasurer effective January 1 in order to be in compliance.

16-118. Consistent with another charter change, the attached ordinance has been considered by the Policy Committee to replace the former Fire Commission. It is unanimous by that committee for enactment.

16-119. Same as above except it is for the Police Commission.

16-120. The extension is being recommended as result of the positive vote by the voters on question 2.

16-121. Same as above.