

City of Biddeford
Conservation Commission
December 15, 2022 6:00 PM Second Floor Conference Room & Zoom
<https://biddeford.zoom.us/j/91471537435?pwd=b2FmcFlOaFVkbzN2bDUwOVhTazdSUT09>
Webinar ID#914 7153 7435 Passcode #805049

Status: Conservation Commission-Second Floor Conference Room, 12-15-22 6:00 PM

1. Call to Order

2. Consent Agenda

- 2.1. Consideration of Meeting Minutes from September 15, 2022 & October 20, 2022

[BCC_Meeting Notes 9.15.22.pdf](#)

[BCC_Meeting Notes 10.20.22.pdf](#)

3. Secretary's Report

4. Adjustments to the Agenda

5. Discussion

- 5.1. Devine Capital Andrews Road Project at 588 & 590 Alfred Street (Tax Map 2, Lots 6 & 12).

Review and Discuss feedback related to draft conservation easements

[Biddeford Residential. Draft Conservation Easement.pdf](#)

[Andrews Road project \(draft\).pdf](#)

[Biddeford Residential.CC response letter.2022.12.13.pdf](#)

- 5.2. Biddeford Comprehensive Plan 2022 Update-Greg Mitchell & Eric Freeman

Review and feedback on Draft Future Land Use Plan, Map attached Draft Chapter

[__COVER_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[1_VISION_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[4_REGIONAL_COORDINATION_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[5_FUTURE_LAND_USE_PLAN_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[5A_FUTURE_LAND_USE_MAP_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[5B_FUTURE_LAND_USE_MAP_ANNOTATED_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[6_ECONOMY_Dec. Comprehensive Plan Draft.pdf](#)

[7_HOUSING_December 2022 Comprehensive Plan Draft.pdf](#)

[15_CLIMATE_CHANGE_Dec. 2022 Comprehensive Plan Draft.pdf](#)

[COMP PLAN PB Memo_Revised_12.07.22.pdf](#)

- 5.3. Planning Board Items:

Hidden Hills-Mark Ward Report, Planning Board Update

McPheters-81 Guinea Road, Haas Comments

[Hidden Hills Site Visit report \(final\).pdf](#)

[Guinea Road Project Memo \(draft\) \(002\).pdf](#)

[Peter McPheters CC comments.pdf](#)

- 5.4. Updates:

Route 111 South Street Feasibility Study 3rd Meeting Update

Thatcher Brook-Mike Lowell
Climate Change Task Force-Council Resolve
[2022.88 Adopting Race to Zero Pledge - RESOLUTION_1.pdf](#)

6. Adjourn

Biddeford Conservation Commission

Thursday, September 15, 2022

6:05 PM - 8:39 PM

Attendees: C. Gastelum, R. Rhames, D. Rioux, B. Hadler, E. Heumiller

Absent: M. Atlas, M. Lowell

Guests: M. Grooms (City Planner; Staff Liaison), Mark Ward (Consulting Ecologist)

-
1. Meeting called to order at 6:05 PM
 2. Meeting minutes discussion
 - a. R. Rhames requested printed materials to be on-hand for future meetings
 3. South Street Village (SSV) updates from Planning Board (PB) meeting - C. Gastelum
 - a. Discuss acreage
 - b. PB is requesting site law approval
 - i. To be determined if this is for any/all land owned or the proposed "front half" to be developed at this time
 4. R. Rhames motion to table approval of the minutes at 6:18 PM
 - a. Second by D. Rioux
 - b. No discussion
 - c. Unanimous approval
 5. Mark Ward joins to quickly talk through SSV draft report
 - a. MW met w/ environmental consultant from SSV in August (Mr. Lima)
 - b. Highlights from the draft report
 - i. Forest cutting activity 2017-2020 has majorly altered property
 - ii. Measured buffers mostly fall short of requirements
 - iii. Vernal pools - revisited two sites, there is cutting in and around sites and cuttings have been dumped in the pools
 - iv. MW is confused by the survey data provided; the summary did not include where it took place and the acreage does not coincide with tax maps
 - v. MW recommends a summer visit to evaluate plants
 - vi. R. Rhames identified that the setback for Thatcher Brook is inadequate
 1. MW unsure whether additional cutting is happening along the brook
 - vii. R. Rhames requested the mention of prior clear-cutting fines be included in the report
 - viii. Discussion of the "impaired urban stream" status of Thatcher Brook
 1. Sunlight will increase temperatures and less oxygen will be able to dissolve (MW)
 2. DEP monitors periodically, though the stakeholder process is not clear on its affect

- ix. The vernal pool report seems lacking
 - 1. The application should contain egg mass test information, but it does not
- x. Cutting creates habitat for invasive species to thrive
 - 1. E. Heumiller suggests the current invasive species be cataloged to create a baseline for measuring future impact to the site as well as to request suggestions for mitigating spread of invasive species
- xi. MW inquires about what Wetland Delineation has been done, and would like to see maps.
- xii. R. Rhames suggest Mr. Lima should evaluate rare plants
- c. M. Grooms explanation of DEP site law review to be initiated
 - i. This is a 6-month +/- process
 - ii. Any BCC requests should be sent to developers
 - iii. The back parcel of the property is under common scheme, the city has no purview over how DEP handles review
 - iv. M. Grooms notes the DEP should evaluate the property beyond the borders of the proposed development for broader ecological impacts
- 6. Mark Ward left at 7:05 PM
- 7. Summary of Hidden Hills (HH) updates from 9/14 PB meeting
 - a. M. Grooms notes that some info is still missing from applicant
 - b. PB took no action
 - c. City lawyer asked to weigh in on the net land density calculations
 - d. The nature of the project has changed since the original application, now is a 55+ community
 - i. Suggested this will reduce traffic and wildlife interactions due to lifestyle differences in older populations
 - e. R. Rhames recaps the initial clear cut discovery on SSV properties
 - f. C. Gastelum to request the develop provide a more detailed vernal pool report
 - i. BCC would like to request the PB request funding (from applicant?) for independent analysis
 - g. M. Grooms suggests the SSV applicant speak w/ BCC
 - i. B. Southwick suggested an offsite meeting
 - h. Discussion of next steps for Hidden Hills
 - i. C. Gastelum to request independent vernal pool report
 - ii. C. Gastelum to request wetland delineation maps
 - iii. C. Gastelum to request a rare plant evaluation to be done
 - i. R. Rhames discusses agricultural soils and development
 - j. Motion to approve next steps for HH by R. Rhames
 - i. Second B. Hadler
 - ii. Unanimous vote
- 8. Discussion of Winding Creek Development (WC)
 - a. Introduction to Nathanael Beisiegel, StopWestbrook.com organizer
 - b. Current status of WC by C. Gastelum
 - i. Land swap to be put into easement if approved

- ii. Waiting on PB to approve the BCC letter send to City Council
 - iii. BCC understanding is that City Council will be doing a follow up discussion of WC
 - iv. BCC's opinion is that the current land swap and development is in opposition to Dube's original intention of the land swap
 - v. B. Hadler inquiring about next steps
 - vi. C. Gastelum suggested to write a letter to City Council to request a CC review of the land swap w/ BCC serving as advisory council and PB in attendance
 - vii. D. Rioux motion to write letter with BCC recommendation that the city not move forward with the land swap, and discuss the development in depth
 - 1. R. Rhames second
 - 2. Unanimous approval
- 9. Discussion of BCC website content updates
 - a. BCC to perform independent reviews of initial draft suggestions
 - b. E. Heumiller to begin scheduling 1-on-1s with BCC to review feedback prior to making edits and writing/collecting content updates
- 10. BCC email status updates
 - a. R. Rhames still unable to access his city email
 - i. To schedule time with Jerry prior to next meeting on 10/20
 - b. D. Rioux to set up his city email before the next meeting on 10/20
- 11. Discussion of next meeting
 - a. C. Gastelum will not be in attendance
 - b. R. Rhames to write the agenda for the 10/20 meeting
- 12. Discussion of Biddeford Neighborhood Groups
 - a. R. Rhames posed concerns over host locations and purpose of the groups
- 13. Meeting called to a close by C. Gastelum at 8:39 PM

Biddeford Conservation Commission

Thursday, October 20, 2022

6:09 - pm

Attendees: R. Rhames, D. Rioux, E. Heumiller, M. Lowell

Absent: C. Gastelum, B. Hadler

Guests: M. Grooms (City Planner; Staff Liaison)

1. Meeting Called to order at 18:09
2. Secretary's Report
3. Adjustments to agenda
 - a. n/a
4. Staff Announcements:
 - a. Shoreland Zone (Saco River Corridor) – no major updates
 - Future powerpoint will be provided when the time comes
 - Anticipated in October
 - Currently in Sketplan review with the planning board
 - R. Rhames concern –
 - b. City is preparing future land use map – **draft will be presented at the Planning Board September meeting**
5. Consent Agenda
 - a. *Motion to accept July and August meeting minutes as submitted - D. Rioux 6:12p*
 - *Second – M. Lowell 6:12*
 - *No discussion*
 - *Unanimous approval*
6. Planning Board Items
 - a. Hidden Hills
 - M. Grooms: Chamberlain reports that they hired a forester but they submitted the incorrect permit
 - M. Grooms: As part of their next report, they are expected to respond to the PB findings and the Mark Ward Report
 - Site walk took place earlier in the month -
 - **Pending request: Vernal Pool Analysis and Rate Plant Analysis @ C. Gastelum**
 - Elements of the report that speak to portions of the parcel that won't be developed need to be removed from the report
 - Mark to update report so that the waypoints that are in the report that speak to parts of the parcel that are not in the development be removed
 - Hidden Hills will resubmit preliminary approval in November to be seen by the Planning Board in December
 - Site law review was triggered in September, estimated completion is 6 months
 - "Having site law review completed prior to the planning board accepting a final application"
 - *Motion to make a primary recommendation to delay approval of any proposals before the DEP Site Law report has been completed. At a minimum, we recommend delaying final approval pending DEP report findings. - E. Heumiller 6:35*

- *Second - M. Atlas 6:35*
- Discussion:
 - M. Lowell question - why can't we get a site walk?
 - Site walk on 11/2 at 4:30p – M. Grooms will setup a meeting so we can all attend if we wish to
 - Access to Thatcher Brook and enhanced protections of the Brook – how can access to the Brook become more open to the public
- *Unanimous approval*
- Attorneys finding – state statute takes precedent on the density question of the site. The current layout is acceptable
- Manufactured housing is a building type, it is not related to “affordability”
- Under this plan, homeowners would own the home and rent the land
- Motion to pay Mark Green \$646.10 for his current work on the report – D. Rioux 7:09
 - *Second - E. Heumiller 7:09*
 - No discussion
 - *All in favor*
- b. Andrews Road
 - M. Groom Project context:
 - Proposed: 216 residential units
 - Currently undeveloped, a road exists, mostly vegetated
 - Triggers permit needs:
 - Triggers traffic movement permit (Maine DOT will have to issue a permit for this project; likely a signal intersection)
 - DEP Stormwater Permit
 - Site Law Review, but won't be referred to DEP because it's in a priority growth area
 - Property is zoned as a business zone, this means they must pursue a contract zone so the city can set up an independent zone for this site to accommodate housing
 - \$500,000 have been put towards city's Affordable Housing Fund
 - Request has been made to add sidewalks or something to help make the area more accessible (walking or otherwise)
 - “Resort Style living”
 - Dog park, club house, pool etc
 - This has been to the Planning Board on 2 occasions (sketch plan review and initial proposal)
 - BCC Recommendations (needed by December):
 - Water pooling and runoff – look into groundwater contamination
 - What are the plans with the wetland areas? Will there be trails or other means for recreation?
 - HOA – limit the types of salt used in property management, request a “no-mow” buffer
 - Engage Mark Ward – what would you look into on this property?
 - *Motion to approve up to \$400 to solicit the advice of Mark Ward on this development project – E. Heumiller 7:50p*
 - *Second - M. Atlas*
 - No discussion
 - *Unanimous Approval*

- c. 81 Guinea Road
 - Plan overview
 - 20 acre parcel
 - Right of way between 2 single family homes
 - Create 4 new buildable lots in suburban residential zone
 - Environmental impacts
 - Developer will be constructing a private roadway between the two properties
 - Stream crossing Moors Brook)
 - Wetlands and vernal pools on the property
 - Prime ag soils and soils of statewide significance
 - Questions:
 - Non significant vernal pool
 - What our requests are for minimal clearing
 - Limitations on fertilizers, etc
- d. 37 Newtown Road
 - Vernal pools, turtles and poor soil
 - Road record required
 - Well water, individual or communal?
- e. Comp Plan update – getting close
 - Planning meeting on land use plan has taken place
 - Removing coastal areas from priority growth area and changing to limited growth area
 - Driven by LD 2003; so effectively we are limiting the development of more units along the coast
 - Request from city staff to make sure that housing units are available across all Biddeford needs
 - South Street Connector
- f. City's role in DEP Site Law permits
 - The email in the agenda packet lists what the restrictions and rules are around local land use being used to analyze Site Law Review – only in projects within Priority Growth Zones
 - “Priority Growth Zones” – same as “designated growth area”
- g. Pool Road Subdivisions
 - They have been working with the saco river group to develop appropriately
 - They require frontage on each lot – spaghetti lots (have been disallowed by the state)
 - 3-5 lots, developer wants 5 lots
 - Easements on the neighboring lot, and lawsuits between neighbors
 - City has told developer that they cannot have spaghetti lots, have determined that there is no way to build 5 lots with frontage so they have changed the design
 - 2 unbuildable lots will be in the plan and listed as “unbuildable” unless saco river changes their law
- h. Thatcher brook
 - Brook is too close to the buildings, lots of asphalt lots – trying to slow the runoff
 - No more chop and drop (70 acres behind kohls)
 - 26 morin street, requires site law review
 - 90 feet with no-mow

- Sterling Rope
 - Waiting for bids
- Barret Outdoor Living
 - Construct and install buffers
 - No Mow signage
 - Biddeford will get invoiced (?)
-

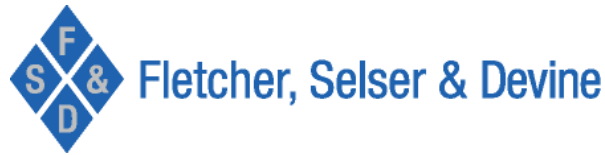
7. Other Business:

a. *Motion to approve Mark Ward's proposal for comments on 81 Guinea Road and 37 Newtown Road - 8:17*

- *Second - 8:18*
- *No discussion*
- *Unanimous*

8. *Motion to adjourn - R. Rhames 9:06*

a. *Unanimous*



MEMORANDUM

To: Chrystina Gastelum, Chair & Members of the Biddeford Conservation Commission

From: William M. Fletcher, Esq.

cc: David C.M. Galbraith, Interim Deputy Director / City Planner; Greg Mitchell, Planning and Development; Bernard M. Devine, Devine Capital; John D. Devine, Devine Capital; Rick Meek, Terradyn Consultants

Date: December 12, 2022

Re: Submission of Draft Conservation Easement – Proposed Biddeford Residential Project

On behalf of Devine Capital, LLC, I have enclosed a draft conservation easement, including a depiction of the conservation area, in connection with the above-referenced 216 unit multi-family residential project at 588 and 590 Alfred Street in Biddeford (Tax Map 2, Lots 6 & 12) (the “Multi-family Project”).

The City of Biddeford and Devine Capital entered into a Joint Development Agreement dated May 19, 2022, in connection with Devine Capital’s proposed Multi-family Project (the “JDA”). Pursuant to the terms of the JDA, Devine Capital agreed to a number of public benefits, including the grant of a conservation easement over certain wetland areas. Specifically, the JDA states as follows:

(c) Devine Capital, its successors and assigns, at the time of the initial building permit issuance, shall grant to the City, or its designated nonprofit conservation organization, a conservation easement over certain wetland areas as then agreed upon by the parties and upon terms and conditions satisfactory to the City, in good faith in order to preserve such wetland areas in their natural and undeveloped state (the “Wetlands Conservation Easement”); and

At the Biddeford Planning Board meeting on December 7, 2022, the Planning Board granted preliminary subdivision and site plan approval for the Multi-family Project, and City staff directed us to submit a draft conservation easement to the Biddeford Conservation Commission for formal input.

We look forward to discussing this draft conservation easement with you at the Commission’s upcoming meeting on December 15, 2022.

CONSERVATION EASEMENT

Devine Capital, LLC, a Massachusetts limited liability company, with a mailing address c/o Fletcher, Selser & Devine, LLC, 30 Milk Street, Third Floor, Portland, Maine 04101 (hereinafter "Grantor"), for consideration paid,

GRANTS, without covenants, this Conservation Easement in perpetuity, pursuant to 33 M.R.S. §476 et seq., as amended, to _____ **[Name of easement holder]**, a nonprofit corporation organized and operating in the State of Maine and whose mailing address is _____, its successors and permitted assigns (hereinafter referred to as the "Holder"), the following described Protected Property: over, through, under and across certain parcels of land adjacent to or near Andrews Road, in the City of Biddeford, County of York, and State of Maine, being more particularly described in Exhibit A, and depicted in the site plan entitled Exhibit B, both attached hereto and made a part hereof (hereinafter referred to as the "Property" or the "Protected Property"), exclusively for conservation purposes as follows:

A CONSERVATION EASEMENT which shall run with the Protected Property and be binding in perpetuity upon Grantor, and its successors and assigns, pursuant to the Maine Uniform Conservation Easement Act, Title 33 M.R.S. §476 et seq., as amended and successor provisions thereof, for the benefit of the general public, consisting of the following purposes, recitals, terms, and affirmative rights of Grantor herein, and the exhibits attached hereto; all as hereinbelow set forth:

WHEREAS, the Protected Property consists of approximately 3.4 acres of undeveloped wetlands in its natural condition; and

WHEREAS, the Protected Property is part of a larger parcel which is being developed by Grantor for use as a multi-family residential apartment development (the “Apartment Development”); and

NOW THEREFORE, it is the purpose of this Conservation Easement to provide significant public benefit by protecting and preserving in perpetuity the undeveloped nature of the wetlands and overall ecological character of the Protected Property to preserve its scenic, habitat and ecological values, as follows:

EXISTING CONDITIONS.

As of the date of this grant, there are no structures on the Protected Property, and no surface alterations. The Protected Property consists of wetlands, vernal pools and natural open areas important to wildlife habitat.

LAND USE RESTRICTIONS.

The Protected Property shall be used for conservation, education and nature observation and study by the Holder; and shall not be used for any other purpose without the prior written consent of Grantor.

Except as otherwise expressly provided herein to the contrary, no structures may be placed or constructed on the Protected Property except for boundary markers, commemorative or memorial plaques, and other minor and rustic structures designed to enhance the opportunity for nature observation and study and to preserve the conservation values of the Protected Property, such as

minor habitat improvements; observation blinds; and rustic trail improvements as necessary to minimize erosion, discourage unauthorized use by the general public, and protect fragile areas from over use.

Except as otherwise expressly provided herein to the contrary, no excavation, filling, dredging, grading or other alteration may be made to the surface of the Protected Property except those caused by the forces of nature.

No standing timber or live vegetation may be cut or removed on the Protected Property except cutting necessary to remove hazards to human safety and control active fire; and cutting necessary and appropriate to enhance habitat and opportunities for wildlife observation, enhance the health of the wetlands, and to prevent or treat disease or exotic intrusion or reduce fire danger, which may include the removal of blowdowns and diseased or damaged vegetation, the establishment of firebreaks, and the natural regeneration or replanting and cultivation to of indigenous plant species. Holder shall endeavor in all such cutting and vegetation management activities to preserve the scenic landscape of the Protected Property, and to avoid disturbance of or intrusion into streams and vernal pools.

No dumping, storage, or burial of waste materials of any nature is permitted on the Protected Property, except that slash and debris from permitted activities may be left on the Protected Property and other waste resulting from permitted uses shall be stored in appropriate containment for removal at reasonable intervals.

Grantor and Holder claim all of the rights and immunities against liability for injury to the public to the fullest extent of the law under Title 14 M.R.S. §159-A, et seq. as amended and successor provision thereof (the Maine Recreational Use Statute), the Maine Tort Claims Act, and under any

other applicable provision of law and equity. Nothing herein shall be construed to grant the general public or any member thereof standing to enforce this conservation easement.

Grantor shall not grant permission to use the Protected Property for motorized vehicular use, except for their own and Holder's management purposes, wheelchair access, for Grantor's use in connection with Grantor's reserved rights within the Retained Access Area, and for access in emergency circumstances.

AFFIRMATIVE RIGHTS GRANTED TO HOLDER

Holder shall have the right to prohibit or limit any use of the Protected Property, otherwise permitted hereby, that is conducted in a manner detrimental to the conservation purposes of this Easement.

Holder shall have the right to enter the Protected Property by any reasonable means, at any time, for the purposes of monitoring the condition and uses of the Protected Property for compliance with this Conservation Easement. Holder shall have the right to enforce this Conservation Easement at law or in equity, including the right to require restoration in the event of a breach, subject to naturally occurring changes.

Holder shall have the right, after notice to Grantor and an opportunity to cure, to assign its rights and interests under this Conservation Easement to another qualified holder, defined at Title 33 M.R.S., § 476(2), as amended, that commits to carrying out the purposes of this Easement.

Holder shall have the right to have its name and its conservation role in preserving the Protected Property acknowledged in any signs or publicity identifying the Protected Property, or part thereof, as a nature preserve open to the public. Holder may install such signs, as reasonably approved by

Grantor, at the entrance to the Protected Property and at the entrance to Andrews Road, or at Grantor's request, may reasonably approve signs installed by Grantor.

After consultation with and written notice to Grantor, and at reasonable times, Holder has the right, but not the obligation, to (1) conduct ecological and other natural resource inventories to identify occurrences of rare, threatened, endangered, or listed species, and exemplary natural communities, (2) conduct research studies and establish scientific monitoring plots or equipment, and (3) manage invasive or nuisance non-native species and improve wildlife habitat.

AFFIRMATIVE RIGHTS RESERVED BY GRANTOR

NOTWITHSTANDING ANY CONTARY PROVISION HEREIN, Grantor hereby reserves the right for ingress and egress for pedestrian and motor vehicle access, together with use for utility crossing, over, under and across the Protected Area, to and from the upland area shown on Exhibit A and the Apartment Development (the "Retained Access Area"). Grantor further reserves the right, but not the obligation, to construct, install, repair, maintain, and replace, any such accessway improvements necessary and appropriate in connection with such reserved access and utility crossing rights, including but not limited to an accessway(s) of a reasonable width and location, together appropriate erosion control devices such as culverts, water bars, and water crossings (collectively, "Accessway Improvements"). Any Accessway Improvements constructed or maintained by Grantor shall comply with the following requirements:

1. Grantor may improve the surface located in Retained Access Area, provided that no impervious surfaces are permitted (rock and gravel are acceptable). All such surface

alteration activity must be conducted in a manner to minimize erosion and run-off into the wetland area and any vernal pools, and the disturbed surrounding area must be restored to a condition that blends with the undisturbed surrounding land;

2. Grantee shall comply with all applicable best management practices in connection with any use of the Retained Access Area; and

3. Grantor shall be responsible for any maintenance or repairs to the Accessway Improvements, and all improvements, maintenance, repair, and other work performed by Grantor within Retained Access Area shall be at Grantor's sole cost and expense.

GENERAL TERMS AND PROVISIONS.

Holder is not responsible for control, maintenance and upkeep of the Protected Property nor for payment of taxes or any other charges attributable to the Protected Property, and Grantor shall defend and Indemnify Holder therefrom.

If uncertainty should arise in the interpretation of these easements and restrictions, judgment should be made in favor of preserving the Protected Property in its natural condition as an undeveloped wetland.

Holder and Grantor have the right to amend this conservation easement in accordance with Title 33 M.R.S., section 477-A(2).

By execution and delivery of this Conservation Easement, the Grantor agrees to be bound by its terms.

By acceptance of this deed, _____, on behalf of itself, its successors and permitted assigns, to accept the rights and obligations as Holder thereof, pursuant to Title 33 M.R.S.A. §476 et seq. and successor provisions.

IN WITNESS WHEREOF, Devine Capital, LLC, has caused this Conservation Easement to be signed in its name, by _____, its Manager, duly authorized.

DEVINE CAPITAL, LLC

By: _____

Print Name: _____

Its: _____

HOLDER ACCEPTANCE

The above and foregoing Conservation Easement was authorized to be accepted by the _____ and _____ does hereby accept the foregoing Conservation Easement, by _____ and through _____, its _____, this _____ day of _____, 2022.

By: _____

Print Name: _____

Its: _____

ACKNOWLEDGMENT

STATE OF MAINE

COUNTY OF YORK

_____, 2022

Personally appeared _____, the _____ of the above-named _____ and acknowledged the foregoing instrument to be his free act and deed in his said capacity, and the free act and deed of said corporation.

Notary Public

EXHIBIT A

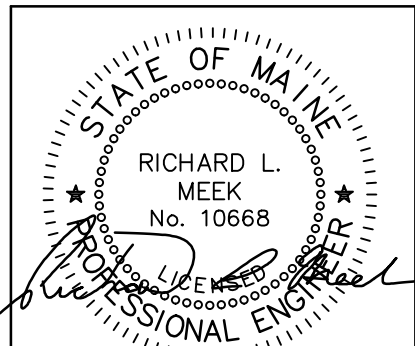
Legal Description of the Protected Property

The Protected Property is a certain lot or parcel of land situated in the City of Biddeford, County of York and State of Maine, bounded and described as follows:

EXHIBIT B

Depiction of Protected Area

Preliminary Draft



DATE: 12-9-2022
P.E.: RICHARD L. MEEK, P.E. 10668

NO.	DATE	REVISIONS
A	12-09-2022	SUBMIT CONSERVATION AREA PLAN TO CITY OF BIDDEFORD

565 CONGRESS STREET
SUITE 201
PORTLAND, ME 04102
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradync consultants.com



PERMIT DRAWING
NOT FOR CONSTRUCTION

PROJECT: BIDDEFORD RESIDENTIAL ANDREWS ROAD, BIDDEFORD, MAINE	CLIENT: DEVINE CAPITAL, LLC 30 MILK STREET, THIRD FLOOR PORTLAND, MAINE 04101
SHEET: CONSERVATION AREA PLAN	
DATE: 12-09-2022	SCALE: 1" = 80'
DESIGNED: RLM	JOB NO.: 2149
FILE: 2149.S	SHEET C-1.0

Ecological Considerations for Project at Andrews Road

Submitted

November 2022

by

Mark Ward

Ecological Consultant

28 Poor Farm Road

Bristol, ME 04539

207-350-6537

akamward@gmail.com

Background

This report considers potential impacts to sensitive ecological features for a proposed project (Figure 1) on two parcels that comprise just under 50 acres at the corner of Andrews Road and Alfred Road in western Biddeford: Tax Map 2, lot 6 and Tax Map 2, lot 12.

I have conducted surveys to assess ecological features in western Biddeford on behalf of the Biddeford Conservation Commission in 2007 and 2020. I did not visit these parcels during either of those efforts. On October 9, 2020, I noted in my field notebook that the Map 2, Lot 6 parcel was posted as No Trespassing, but no landowner contact information was provided on the signs.

The following assessment is based on my review of the application materials submitted to the Biddeford Planning Board for the proposed project and my experience on nearby lands that I have visited.



Figure 1. Two parcels at the corner of Andrews Road and Alfred Road that are the subject of a proposed development.

Significant Vernal Pools

In the application documents, there were references to “no significant vernal pools” being present on the subject parcels. The document referenced is a letter from the Maine Department of Inland Fisheries and Wildlife (IFW) to Flycatcher LLC dated April 2021. This letter is based on a review of the existing IFW database with regard to rare animal species and significant wildlife habitat mapped at the site. The letter should not be construed as a confirmation that there are no significant vernal pools at the site. In fact, states that a statewide inventory for significant vernal pools has not been completed and recommends that surveys for significant vernal pools be conducted at the site prior to final project design. Such surveys would need to be conducted in April and/or May.

In his report on wetland delineation dated Oct 2021, Mark Cenci of Geologic, Inc., states that there are no Significant Vernal Pools present on the property. But Mr. Cenci's site visit for wetland delineation was conducted in August 2021—at a time of year when the absence of significant vernal pools would be difficult to field verify. Mr. Cenci's report references the IFW letter to Flycatcher LLC as his evidence that no significant vernal pools are present on the property. That report was however only a database check. It does not appear as though any dedicated field visits to assess significant vernal pool assessment have been conducted at the appropriate time of year. Given that significant vernal pool habitat has been documented nearby on City land (Tax Map 2, Lot 1), it seems prudent to conduct an assessment for these habitats on the parcels in the springtime survey window.

Wetland Delineation

The wetland delineation report dated Oct 2021, by Mark Cenci of Geologic, Inc., refers only to the Tax Map 2, Lot 6 parcel. But the report also states that the area covered was about 50 acres, which suggests that the wetland delineation report also include Tax Map 2, Lot 12 as well. However, no map of wetland delineation at the site was provided in the application. The only Wetlands of Special Significance that Mr. Cenci identified in the delineation were associated with a “perennial stream drainage in the northeast corner of the property.” But again, because no map of the perennial stream drainage or other delineated wetlands is provided in the application it is difficult to evaluate the potential impacts to this resource. Clarification of the area covered and the boundaries of the Wetlands of Special Significance documented would be helpful here.

Rare Plants and Rare/Exemplary Natural Communities

As was the case with the letter from IFW, a letter to Flycatcher LLC from the Maine Natural Areas Program (MNAP) and dated April 2021, regarding no rare or unique botanical features on the subject parcels was based on a review of the existing MNAP database. The letter should not be construed as a confirmation that there are no rare or unique botanical features at the site and notes that the lack of data may indicate a lack of survey. The letter encourages the idea of a site inventory by a qualified field biologist as the best way to ensure that no rare or unique botanical features on the subject parcels are harmed. Given that there is an exemplary natural community located only a short distance away across the powerline from the subject parcels, it would be prudent to conduct a field survey of this site for rare plants and rare/exemplary natural communities at this site. We recommend that a qualified biologist, conduct a field survey for rare plants and rare/exemplary natural communities at this site in the summertime when one would have greatest likelihood of finding rare plants (if present). A winnowed down rare plant list created by Basswood Environmental in a report for the nearby Hidden Hills project could serve as a good working list of potential rare plants to look for at this site.

Soils

Natural Resources Conservation Service (NRCS) maps of soils for the parcels (Fig. 2) include the following soils types: Brayton and Westbury very stony, fine sandy loams (BsB), Chocorua

Peat (Ch), Hermon sandy loam (HmB), Lyman-Rock Outcrop Complex (LyC and LyE), Skerry fine sandy loam (SrB), and human modified gravel pits (Pg). Of these soil types, the Skerry fine sandy loam on less than 8% slopes (SkB) is considered a *Prime Farmland Soil* and the Hermon sandy loam (HmB) is considered a *Farmland Soil of Statewide Importance*. According to NRCS maps (Fig 2), these soils constitute more than 60% of the site.



Figure 2. Map of approximate parcel boundaries with NRCS mapped soil types.

Sixteen soil bores taken at the site by Mark Hampton of Mark Hampton Associates Inc. in 2021 included Brayton and Westbury, Hermon, Skerry, Man-made, and Adams soil types. Although not listed on the NRCS maps, Adams loamy sand soils of slope less than 8% (AdB) are also considered a *Farmland Soil of Statewide Importance* in Maine. The two soil bores of Adams soils taken at the site by Mr. Hampton were on 3% and 6% slopes putting them into this category. Regardless of the source considered, the proposed project will likely significantly decrease the amount of high-quality farmland soil available in Biddeford.

Prime farmland, as recognized by U.S. Department of Agriculture (USDA), is important in meeting the Nation's short- and long-range needs for food and fiber and has the best combination of physical and chemical characteristics for these uses. Because the supply of high-quality farmland is limited, the USDA recognizes that governments, as well as individuals, should encourage and facilitate the wise use of prime farmland soils. A recent land use trend has been the loss of prime farmland to industrial and urban uses, which puts agricultural pressure on marginal lands that are generally more erodible, droughty, less productive, and not easily cultivated.

Many states, including Maine, have designated land as *farmland soils of statewide importance* for its agricultural production potential. In Maine, this land includes soils that nearly meet the requirements for *prime farmland* and that may, under favorable conditions, be as productive if appropriately managed.

The importance of protecting these valuable agricultural soils in Maine is illustrated by two recent examples: 1) guidelines developed for the siting of solar projects, and 2) the role that natural and working lands play in carbon sequestration. In May 2020 the Maine Department of Agriculture, Conservation and Forestry developed guidelines for solar projects that require no more than 10% of the affected area be considered *prime farmland soils* or *farmland soils of statewide significance*. The Natural and Working Lands Work Group of the Maine Climate Council called attention to the important role that natural and working lands play in carbon sequestration and the offset of greenhouse gas emissions. They emphasized that the protection of farmland, especially *prime farmland soils* and *farmland soils of statewide significance*, is one action that can help Maine achieve its goal of carbon neutrality by 2045.

Recommendations

- Have a qualified biologist conduct surveys for significant vernal pools in April/May at this site and submit results to IFW for final determination of significance.
- Clarify whether the area covered by the wetland delineation includes both parcels and include a map of the Wetlands of Special Significance documented.
- Have a qualified biologist conduct a field survey for rare plants and rare/exemplary natural communities at this site in the summer months when finding rare plants (if present) is maximized.
- Minimize the conversion of Prime Agricultural Soils (Skerry fine sandy loam, SkB) and Farmland Soils of Statewide Importance (Hermon sandy loam—HmB and Adams loamy sand—AdB) on the subject parcels in order to maintain the availability of limited high quality agricultural soils in Biddeford.

**Pineland**

Cumberland Hall
41 Campus Drive, Suite 301
New Gloucester, ME 04260

Portland

565 Congress Street, Suite 201
Portland, ME 04101

December 13, 2022

21-49

Chrystina Gastelum, Chairperson
City of Biddeford Conservation Commission
205 Main Street
Biddeford, ME 04005

**Re: Draft Conservation Easement - Devine Capital, LLC
Andrews Road Project
588 & 590 Alfred Street (Tax Map 2, Lots 6 & 12)**

Dear Chairperson Gastelum and Members of the Conservation Commission,

On behalf of the applicant, Devine Capital, LLC, we are providing the enclosed supplemental information to assist with the Conservation Commission's review of the proposed conservation easement referenced above. Please note that the applicant only received the Ecological Considerations report prepared by Mark Ward (the "Report") yesterday and may have further input but wanted to provide our initial review comments in the interest of time and in hopes of furthering our discussion at the Commission's upcoming meeting on December 15th. While the applicant believes the scope of the Report and its recommendations, to the extent intended to apply to the area of land outside of the intended conservations areas, are outside of the scope of the applicant's Joint Development Agreement with the City, the applicant hopes the following additional information is helpful.

The Report's recommendations are repeated below and are followed by our corresponding response statements in bold font.

- Have a qualified biologist conduct surveys for significant vernal pools in April/May at this site and submit results to IFW for final determination of significance.

A vernal pool survey was conducted by Rich Jordan, professional wetland scientist, in the spring of 2021. Maine State Vernal Pool Assessment forms for four (4) potential vernal pools were completed and filed with IFW. IFW confirmed that the identified vernal pools were not significant.

- Clarify whether the area covered by the wetland delineation includes both parcels and include a map of the Wetlands of Special Significance documented.

A wetland delineation was performed in the Fall of 2021 by Mark Cenci, certified geologist, and Erik Lema, botanist. The field delineation was inclusive of both parcels up to and including the southeastern edge of proposed conservation easement.

There were two areas identified as potential Wetlands of Special Significance. Neither is located within the proposed Conservation Easement.

The first includes the flood plain associated with the unnamed stream located along the eastern property boundary of the overall project site. The stream has incised into the embankment and flows at a relatively steep slope, generally northwest to southeast. As such, there are no appreciable floodplain wetlands associated with the stream and therefore a Wetlands of Special Significance is not present.

The second is a water feature located in the southwestern portion of the overall project site. Based upon historic photographic evidence, the water body formed as a result of excavation, and therefore is a constructed pond. Per legislation including: *Natural Resources Protection Act and 35-A-MR.S.A. ssss 3452 38 MR.SA ss 480A to 480-HH Statute. Subsection 480-Q. Activities for which a permit is not required. 20. Constructed ponds states: Alteration of legally created constructed ponds that are not considered part of a great pond, coastal wetland, river, stream or brook, as long as the constructed pond is not expanded beyond its original size.*

Since the constructed pond is not part of a great pond, coastal wetland, river, stream or brook and will not be expanded, it is not a Wetland of Special Significance.

- Have a qualified biologist conduct a field survey for rare plants and rare/exemplary natural communities at this site in the summer months when finding rare plants (if present) is maximized.

The required level of review to satisfy Site Location of Development application standards for Wildlife & Fisheries, Historic Sites and Unusual natural areas (including rare plants & rare/exemplary natural areas) was completed by Maine IF&W, Maine Historic Preservation Commission (MHPC), and Maine Department of Agriculture, Conservation & Forestry (MACF), respectively. With the exception of MHPC's recommendation to perform a Phase 1 Archaeological Survey, no additional studies of this project site were recommended. The Archaeological Survey was completed in November 2022 and MHPC approval of the findings is anticipated in the coming weeks.

- Minimize the conversion of Prime Agricultural Soils (Skerry fine sandy loam, SkB) and Farmland Soils of Statewide Importance (Hermon sandy loam—HmB and Adams loamy sand—AdB) on the subject parcels in order to maintain the availability of limited high quality agricultural soils in Biddeford.

As noted previously, to the extent this comment is intended to apply to the area of land outside of the intended conservations areas, the applicant believes it is outside of the scope of the applicant's Joint Development Agreement with the City as well as City staff's request for Applicant to seek formal input regarding the conservation easement from the Commission. Nonetheless, we are providing the following additional information:

- The project site has been historically used for gravel extraction and limited quarrying of stone.
- The project site is located in a Highway Business District and is identified as a growth area by the City.
- This project is subject to the existing zoning requirements and performance standards for site plan and subdivision review and has recently received preliminary approval. By agreeing to subject a portion of the wetland areas to a conservation easement, the applicant does not intend to subject the project to additional requirements or performance standards for the areas outside of the conservation easement area.

Please call if you have any questions or require additional information. Thank you for your consideration.

Sincerely,

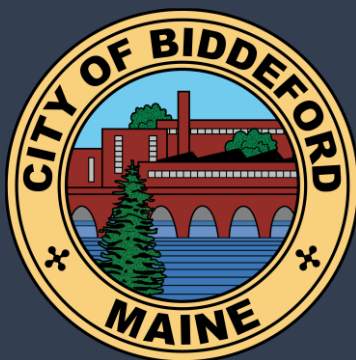
TERRADYN CONSULTANTS, LLC



Richard Meek, P.E.
Sr. Project Engineer

cc: Devine Capital, LLC

BIDDEFORD'S COMPREHENSIVE PLAN



2022



1 Vision (12/22 Draft)

Our City Today

From scenic oceanfronts to a historic downtown core to timeless farmland and forests, Biddeford is a diverse, growing and thriving city with a strong sense of community, rich history and high quality of life. Biddeford has seen many changes over its 400 year history. From its origins as a small seasonal logging camp, Biddeford grew to become one of the nations preminent industrial centers in the 19th century, with textile mills attracting immigrants from many different countries and cultures. Today, those same textile mills are once again bringing vitality and opportunity to Biddeford, and been a catalyst for our city to thrive in the 21st century.

The city of Biddeford adopted its current comprehensive plan in 1999, which has served as the guiding planning framework for our city for over 20 years. Since then, our city has seen a tremendous amount of growth and change, particularly in our downtown core and historic mill district. In addition, we have seen an increasingly urgent need to address emerging challenges and ensure that our city remains sustainable, equitable and resilient in the face of a statewide housing crisis, sea level rise and climate change.

To help meet those challenges, our city is moving forward with a new comprehensive plan that celebrates our past and creates a bold vision for our future.

What is a Comprehensive Plan?

The State of Maine regulates the manner in which communities plan for and regulate growth and development through the Growth Management Program (Title 30-A §4312 et seq.), that was adopted in 1988 along with the Comprehensive Planning and Land Use Act.

This law establishes the State's policies and establishes the rules by which communities may engage in land use planning and regulation. Through this law, the State overrides each community's home-rule authority and mandates compliance with an overall set of goals, procedures and standards for community comprehensive plans. Aside from the

requirement to have a plan, it just makes sense for towns to plan for the future. The process of preparing a comprehensive plan provides an opportunity for residents, community officials and other stakeholders to share ideas about what is important in the community, to identify issues and desirable responses, and to coordinate a town-wide approach to dealing with change. Ideally, the comprehensive plan will reflect consensus views about town policy.

As circumstances change and the community considers changes in its local policies, it is important to frame these considerations in terms of the comprehensive plan. New policies must strive to fit within current and future State requirements plus mesh with other local policies.

Our City Tomorrow

From the beginning, the goal of Biddeford's new comprehensive plan was to celebrate the city's many strengths and preserve what makes our city special while creating a strong vision for our community's future. The development of Biddeford's new comprehensive plan has been guided by extensive community engagement and collaboration. Well over 1,500 community members shared their thoughts on the future of our city throughout the year-long public outreach process.

Workshops and surveys engaged with the community on:

- Housing
- Natural Resources
- Public Facilities
- University of New England
- The downtown and mill district
- Neighborhood
- Climate change
- Youth and schools

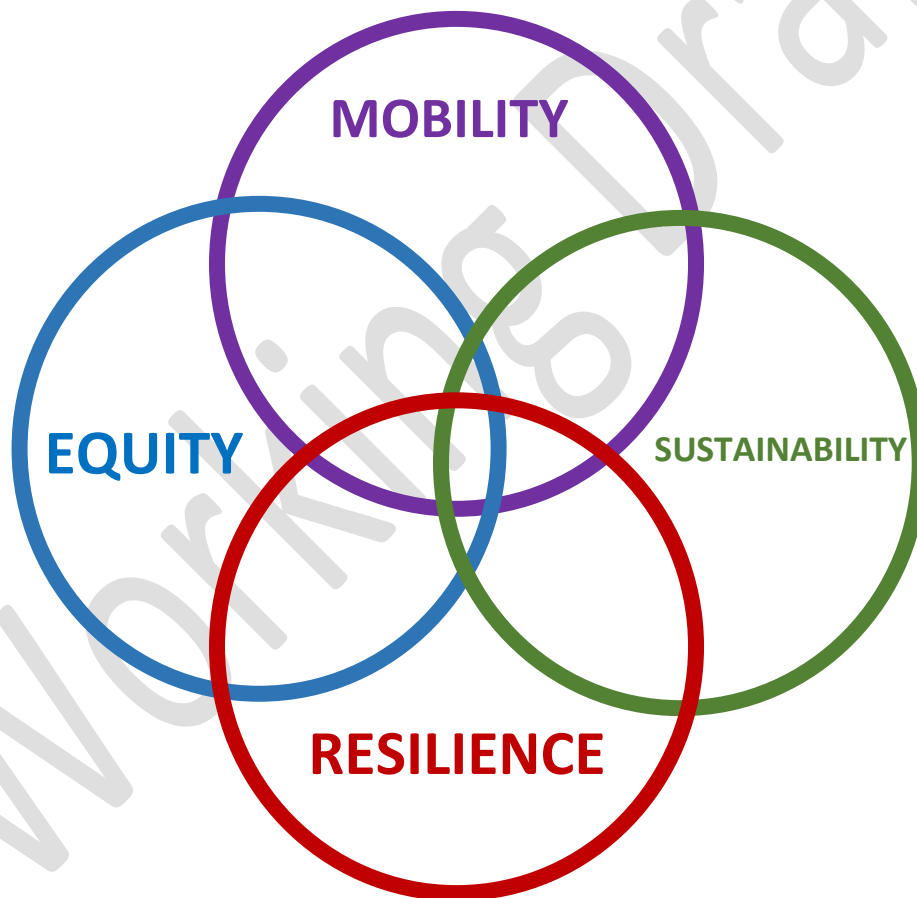
The 2022 comprehensive plan recognizes that Biddeford has many unique characteristics that our community values and wants to preserve. Community feedback strongly emphasized the need to protect and enhance access to open space, protect natural resources and respond to the increasing threat of climate change and sea level rise. There was also a strong emphasis on ensuring that our public facilities and services are able to meet the needs of a growing population.

The comprehensive respects the wide array of diverse environments and neighborhoods within Biddeford, each with their own unique set of characteristics and needs. The plan builds off of the voices of the community and aims to incentivize future growth in areas where it can be more easily accommodated. Additionally, the plan emphasizes the need to ensure that more growth occurs in areas where it can be

served by public transit, bicycle and pedestrian infrastructure. These steps will not only help ensure that future growth in Biddeford is forward-thinking and accessible, but will also help guide future growth to be more equitable, resilient and sustainable.

The 2022 comprehensive plan is built around four key goals to help guide planning, investment and decision making in the community.

BIDDEFORD STRIVES FOR...



Mobility

A city where residents are able to freely and easily access their basic needs throughout society regardless of income, wealth, occupation, class, race, religious, or personal belief

Resilience

A city that can resist and adapt to such risks as economic downturns, housing shortages, traffic congestion, disease, hunger, and natural phenomena such as coastal flooding and winter storms.

Sustainability

A city that can meet the needs of the present without compromising the ability for future generations to meet their own needs. For Biddeford to be sustainable, it must focus on maintaining and improving its environmental, economic, and social well-being today to ensure that Biddeford is in a better place in the future

Equity

A city where all people have the resources they need to access the same opportunities as others. For Biddeford, equity recognizes that each person or entity has different circumstances and needs, and that different policies and actions at the local level may be needed for different people in order for them to have the same opportunities as others

4 Regional Coordination

What's happening?

As the largest city in York County, Biddeford serves as an important regional service center, employment center. Biddeford's needs are closely linked with those of its surrounding communities and the Southern Maine region. Biddeford works closely with a number of regional and state partners on a wide range of issues including public safety, resource management, conservation, housing, economic development, climate change and transportation. Working closely with communities and organizations in our area helps Biddeford address regional challenges effectively and creates new opportunities for everyone in our region.

Biddeford is a key partner in these regional organizations and planning efforts:

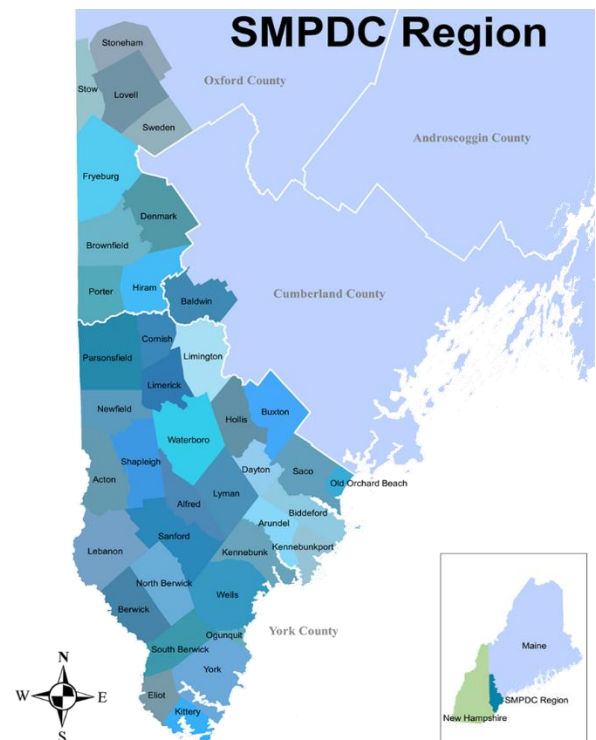
1. Regional Planning & Transportation

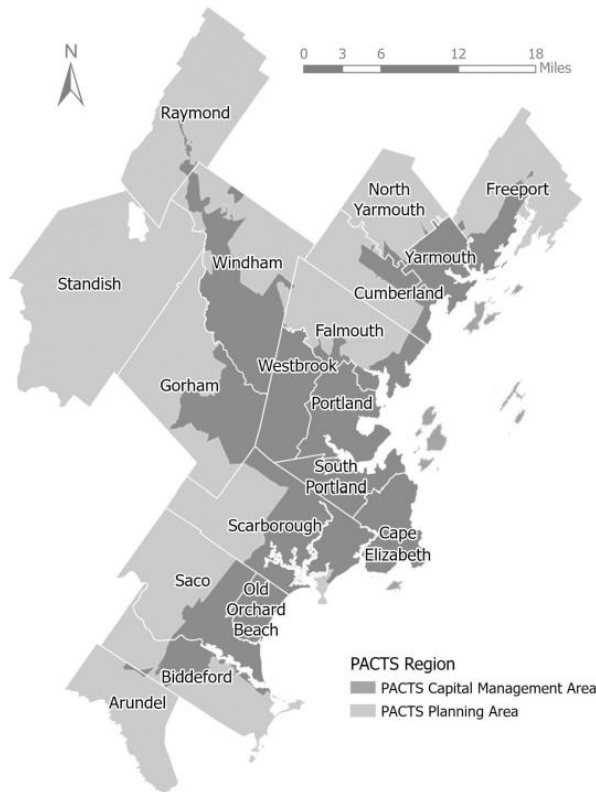
Southern Maine Planning & Development Commission (SMPDC)

SMPDC is non-partisan nonprofit organization that cultivates thriving, sustainable communities and strengthens local governments by leading planning and economic development for 39 member towns in Southern Maine.

SMPDC Provides a wide range of planning services to communities in York and Southern Oxford counties.

The city of Biddeford works closely with SMPDC on a wide range of planning and Development issues including transportation, brownfield development, conservation and climate resilience.





PACTS Planning Area, PACTS Capital Management Area

Portland Area Comprehensive Transportation System (PACTS)

The Portland Area Comprehensive Transportation System (PACTS) is a federal metropolitan planning organization that coordinates transportation planning and investment decisions with the state, municipalities and public transportation partners. It directs the spending of more than \$25 million in transportation funding each year.

Since 2020, PACTS is fully affiliated with the Greater Portland Council of Governments (GPCOG) and utilizes GPCOG staff and resources.

Within the federally designated urban area, PACTS is also responsible for capital management and determining eligible locations for transportation capital improvements.

Eastern Trail Alliance

The Eastern Trail is a 65 + mile signed bike route that passes through Biddeford on its route from in Kittery to South Portland. It is part of U.S. Bike Route One. Although a majority of the trail is

Together with the Eastern Trail Alliance, the City of Biddeford has worked to explore opportunities for improving the corridor through Biddeford, which has significant segments of on-street trail through Biddeford's urban core. The Eastern Trail Alliance is advancing plans to create new off-street trail alignments and improve connectivity between the trail and local Bicycle & Pedestrian routes.



Eastern Trail Alliance Communities

Biddeford-Saco-Old Orchard Beach Transit

Biddeford-Saco-Old Orchard Beach Transit (BSOOB) provides bus transit service throughout its namesake communities as well as intercity bus services to Portland. BSOOB Transit operates three fixed-route transit services within Biddeford serving key corridors and destinations.

City staff work closely with BSOOB transit on short and long-range planning and funding needs.

2. Conservation and Resource Management

Saco River Corridor Commission (SRCC)

As the largest community along the Saco River, Biddeford works closely with the Saco River Corridor Commission on key issues impacting the Saco River.

The SRCC is responsible for managing water resources, land use and development along the entire 170-mile river corridor reaching from the White Mountains in New Hampshire all the way to the mouth of the river at Biddeford Pool.

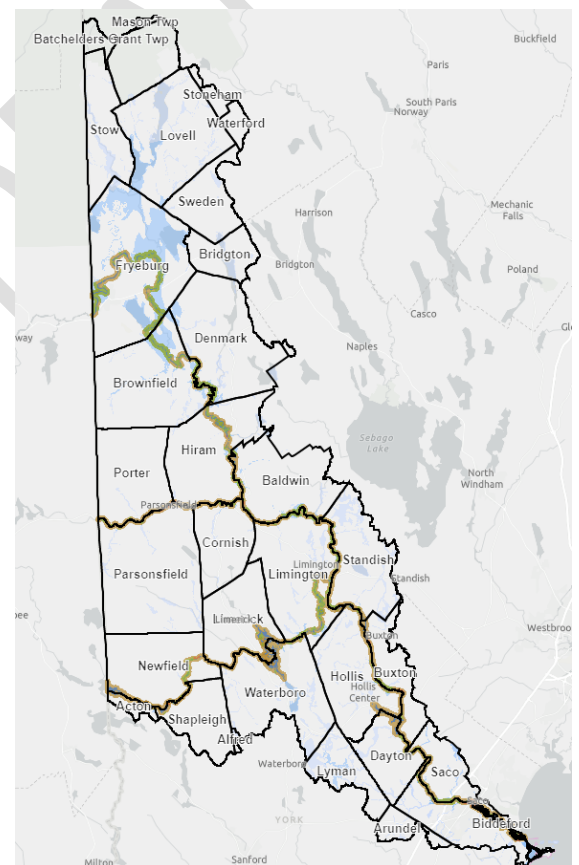
The SRCC's direct jurisdiction includes the Saco River watershed and all development and land use changes within 250 feet of the river corridor.

Maine Water

The majority of Biddeford is served by the Maine Water Company, which draws directly from the Saco River. In 2022, MWC opened a new, state-of-the-art water treatment facility on South Street to serve parts of Biddeford, Saco and Old Orchard Beach.

Kennebunk, Kennebunkport & Wells Water District (KK&W)

Coastal areas of Biddeford are served by the KK&W Water District.



*Saco River Corridor Commission
Management Area*



Rachel Carson National Wildlife Refuge

Biddeford hosts approximately 105 acres of the Rachel Carson National Wildlife Refuge, a conservation trust which was established in 1966 in cooperation with the State of Maine to protect valuable salt marshes and estuaries for migratory birds. Scattered along 50 miles of coastline in York and Cumberland counties, the refuge consists of ten divisions between Kittery and Cape Elizabeth. It will contain approximately 7,600 acres when land acquisition is complete.

3. Public Safety

Biddeford is one of the twenty-four Public Safety Answering Points (PSAP) in Maine. The PSAP serves all of Biddeford's public safety departments and six other communities 24 hours a day. The PSAP answers and transfers Saco's E-911 calls and dispatches Fire and EMS for Alfred, Arundel, Dayton, Hollis, Lyman, and Waterboro.

Fire / EMS

Biddeford Fire Department has automatic mutual aid agreements with Saco, Goodwin's Mills, Arundel and Kennebunkport to assist with needed personnel and resources in the event of emergency. Additional resource sharing and incident readiness coordination occurs with the Saco Fire Department

Police

Biddeford Police Department works closely with police departments in Saco, Arundel, Kennebunkport and Dayton. Biddeford is also a participant in the Regional Tactical Team, which serves all of York County.

WORKING DRAFT

5 Future Land Use (12/22 Draft)

1. What's happening?

The Future land use plan identifies needs and opportunities for managing growth and development within the community. To align with the goals of the Comprehensive Plan, as well as ongoing local planning and development projects.

The Future Land Use Plan serves to:

- **Identify areas where growth and development are encouraged (Priority Growth Areas)**
- **Identify areas where growth should be limited or entirely prohibited (Limited Growth Areas)**
- **Create a vision for land use, housing, and transportation**
- **Determine what types of uses are appropriate where, and to what intensity.**

2. Key Goals

The key goals of the Future land use plan have been laid out based on feedback from the community survey and workshops, as well as extensive input from the Planning Board and City Council.

The key goals of the 2022 Future Land Use plan are:

- **Support higher density 'missing middle' infill housing proximate to downtown as naturally occurring affordable housing.**

- Conserve Biddeford's significant natural resources
- Concentrate housing, employment, services and amenities in close proximity to reduce automobile dependence and establish vibrant complete neighborhoods.
- Invest in developing a complete streets network, which allow for safer and more enjoyable experiences as pedestrians, bicyclists, and transit users.
- Account for the public infrastructure costs necessary to support new growth.

3. Challenges and Opportunities

Infill

Creating new housing within existing urban residential neighborhoods through added density.

- Duplex / Fourplex Homes
- Accessory Dwelling Units (ADUs)
- Other "Missing Middle" Housing types

Infill housing allows communities to grow in a way that minimizes sprawl and helps preserve open space elsewhere.

Infill also helps to create vibrant, walkable neighborhoods and allows more people to access businesses and services without a car.



"Missing Middle" Housing Types

LD 2003

LD 2003 is state legislation sponsored by Rep. Ryan Fecteau (D-Biddeford) and signed into law in April of 2022. LD 2003 aims to address Maine's housing crisis by creating new allowances for duplex and fourplex homes in most areas.

- **Allows up to four (4) units per lot by-right in most existing growth areas**
- **Allows for two (2) units per lot by-right in other areas**
- **Density bonuses for certain affordable housing projects**
- **Phased implementation**

LD 2003 is likely to have an impact on how our community develops and where growth occurs

Downtown Smart Growth

"Smart growth" development ideas promote walkable, Mixed-use development that prioritizes creating a dense, accessible and vibrant urban core. In order to enhance our downtown and create these vibrant spaces, we can:

- **Continued redevelopment of the Mill District**
- **Transit-Oriented Development**
- **Reduce or eliminate parking requirements for some downtown projects.**

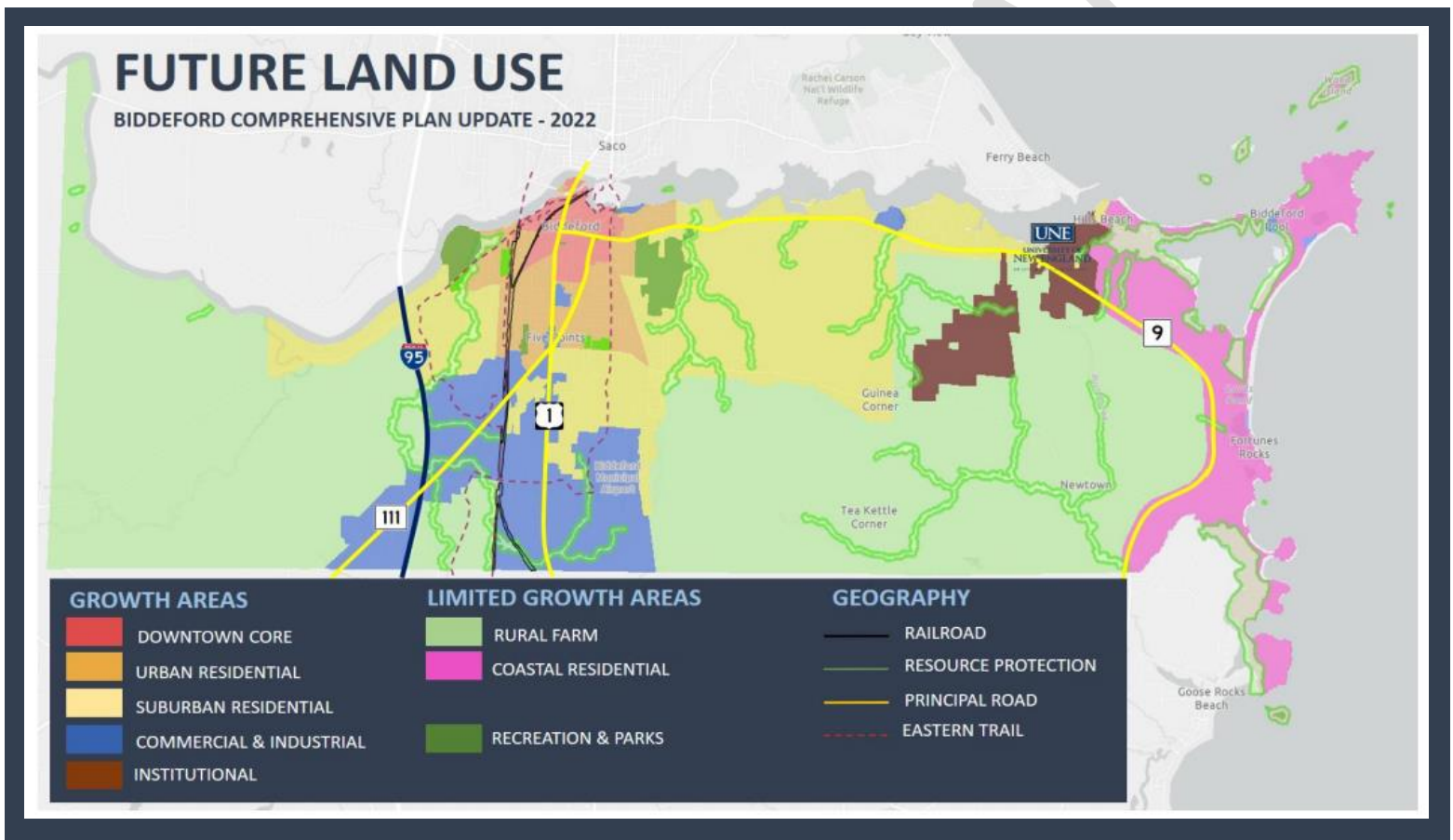
Focusing on higher-density, mixed-use development in Biddeford's downtown core will help create a vibrant downtown that supports a wide range of local businesses and allows residents to access goods and services without needing a car. Emphasizing smart growth and urban infill also helps preserve open space elsewhere.

Rural Areas and Open Space

Preserving Biddeford's significant and unique rural and undeveloped areas are a core component of the 2022 Future Land Use Plan. The current plan

- Balancing the needs of working landscapes, conservation and development.
- Where possible, prioritize protection of prime agricultural soils and vulnerable ecosystems
- Identify areas within the Rural Farm zone where any new development should be strongly discouraged
- Explore creating a hierarchy of uses for the Rural Farm zone to guide future land use and development needs

4. 2022 Future Land Use Map



5. Growth Areas:

The 2022 Future Land Use Plan creates five land use categories within the growth area. The growth area boundaries are defined by existing zoning, land use patterns and infrastructure. The Future Land Use Plan envisions a majority of growth and development occurring within the growth area.

The five land use categories included in the growth area are:

DOWNTOWN CORE

High-Intensity, Mixed-Use Development
Continued redevelopment of the Mill District
Transit-Oriented Development
Multifamily Infill development in residential areas
Reduce or eliminate parking requirements for some downtown areas
Complete Streets and Shared Streets



URBAN RESIDENTIAL

Biddeford's dense, in-town residential. A mix of multifamily and single-family housing interspersed with commercial and retail

GOALS:

Focus on "Complete Neighborhoods"
Small-scale neighborhood retail and commercial
Improved bicycle and pedestrian accessibility



SUBURBAN RESIDENTIAL

A mix of multifamily and postwar single-family housing. Lower density

GOALS:

Focus on “Complete Neighborhoods”

Targeted density increases for multifamily housing

Improved bicycle and pedestrian accessibility



COMMERCIAL & INDUSTRIAL

Lower density, suburban commercial and industrial areas predominantly west of the Five Corners area

GOALS:

Higher density housing and mixed-use development along key corridors (Route 1, Route 111)

Plan for emerging commercial and industrial land uses

Improved transit access



INSTITUTIONAL

All land owned by the University of New England (UNE)

GOALS:

Work with UNE to better integrate the campus into the community

Improve transit access

Responsible campus growth



6. Limited Growth Areas:

The 2022 Future Land Use Plan creates two land use categories within the limited growth area. This area does not have the existing infrastructure or land use to support robust amounts of new growth. Future development in these areas is intended to be small-scale and low intensity. Development in these areas should also be closely examined for its impact on critical resources and conservation

The two land use categories included in the limited growth area are:

RURAL FARM

Biddeford's least-developed areas. Predominantly a mix of undeveloped forest and wetland, agriculture and low-density, single-family housing

GOALS:

- Identify areas where conservation should be prioritized
- Support working landscapes and limit ultra-low density sprawl
- Create a hierarchy of uses to guide future development



COASTAL RESIDENTIAL

Coastal residential areas between Route 9 and the ocean. Including the Biddeford Pool and Fortunes Rocks Beach area

GOALS:

- Prepare for the impacts of sea level rise and climate change
- Improve public access to the ocean and natural resources
- Promote climate-resilient redevelopment

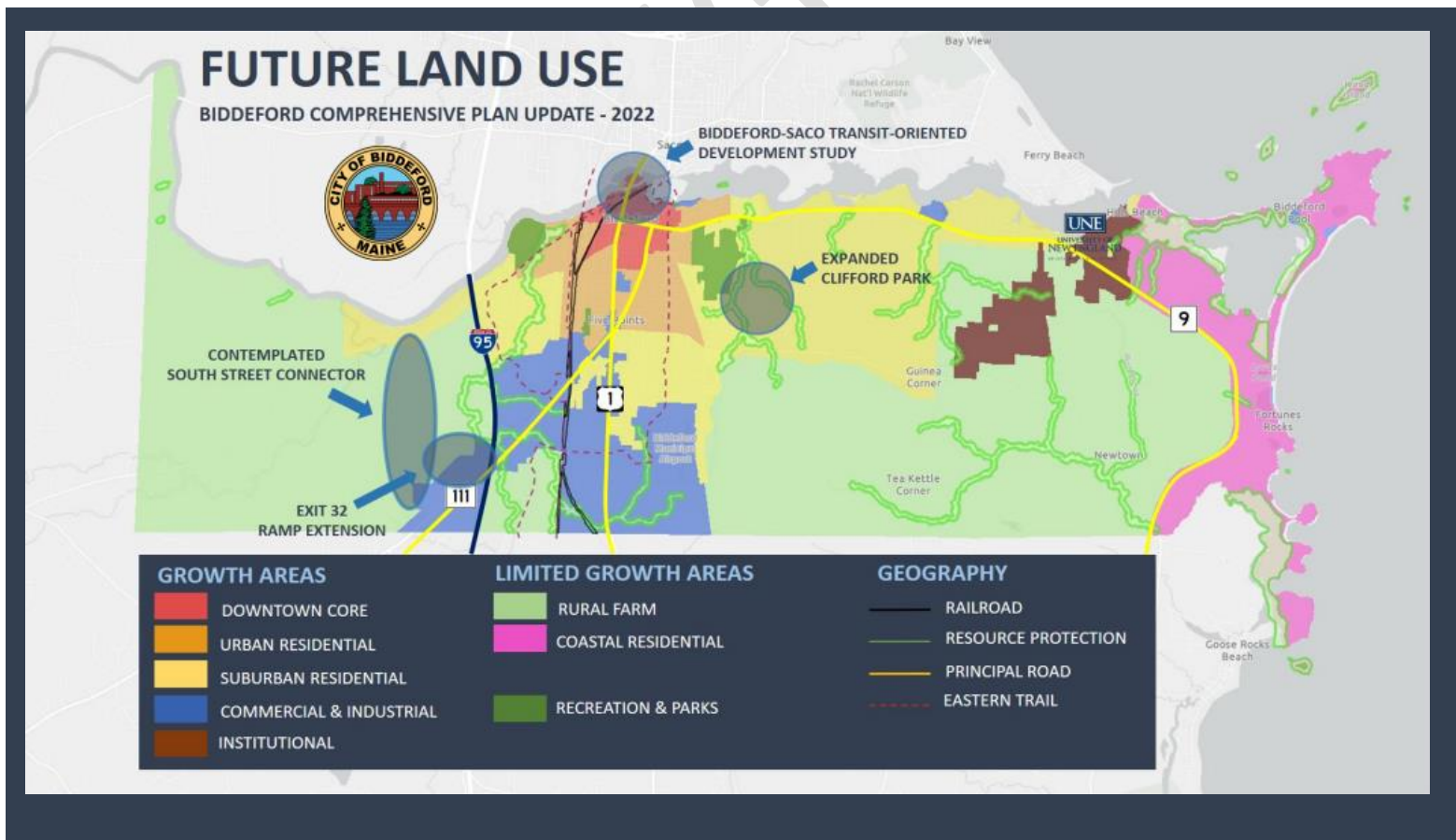


7. Looking Ahead

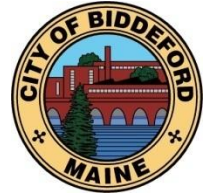
The 2022 Future Land Use plan serves as a foundation for guiding future growth and investment in Biddeford. Although the Future Land Use plan is **not** a zoning map, it will serve as a foundation for future zoning and ordinance changes that will allow our community to achieve the visions laid out in both the Future Land Use Plan and the Comprehensive Plan as a whole. As Biddeford continues to grow and develop, guiding growth is critical to preserving and enhancing our community's strengths and unique identity.

There are several key ongoing initiatives and planning processes that the Future Land Use plan incorporates and anticipates.

- **Downtown Transit-Oriented Development Study**
- **Exit 32 Changes**
- **LD 2003**
- **New conservation and recreation areas**
- **Possible new areas of Suburban Residential growth**
- **Potential South Street connector**

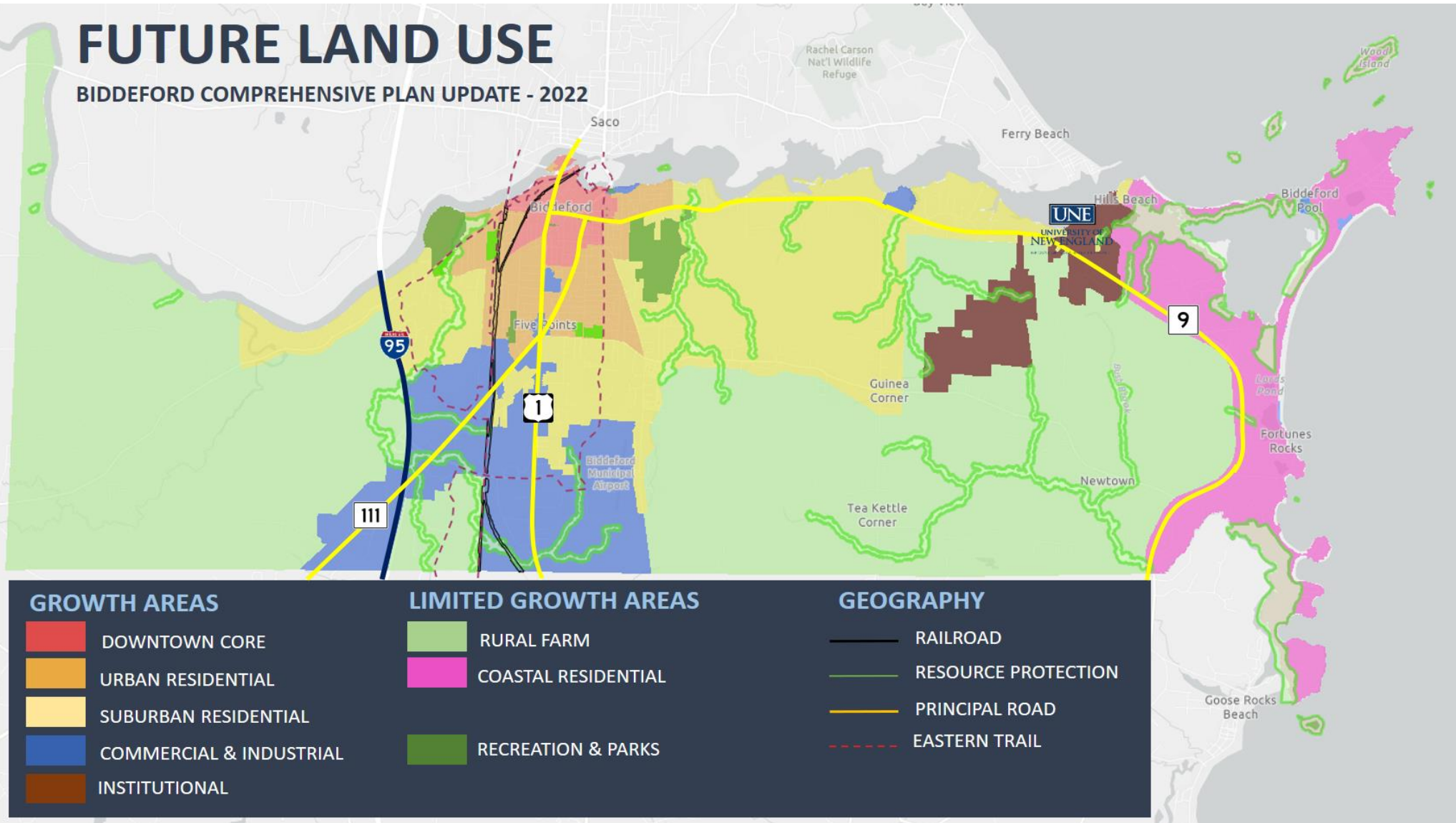


WORKING DRAFT



FUTURE LAND USE

BIDDEFORD COMPREHENSIVE PLAN UPDATE - 2022



FUTURE LAND USE

BIDDEFORD COMPREHENSIVE PLAN UPDATE - 2022



BIDDEFORD-SACO TRANSIT-ORIENTED DEVELOPMENT STUDY

EXPANDED CLIFFORD PARK

CONTEMPLATED SOUTH STREET CONNECTOR

EXIT 32 RAMP EXTENSION

GROWTH AREAS

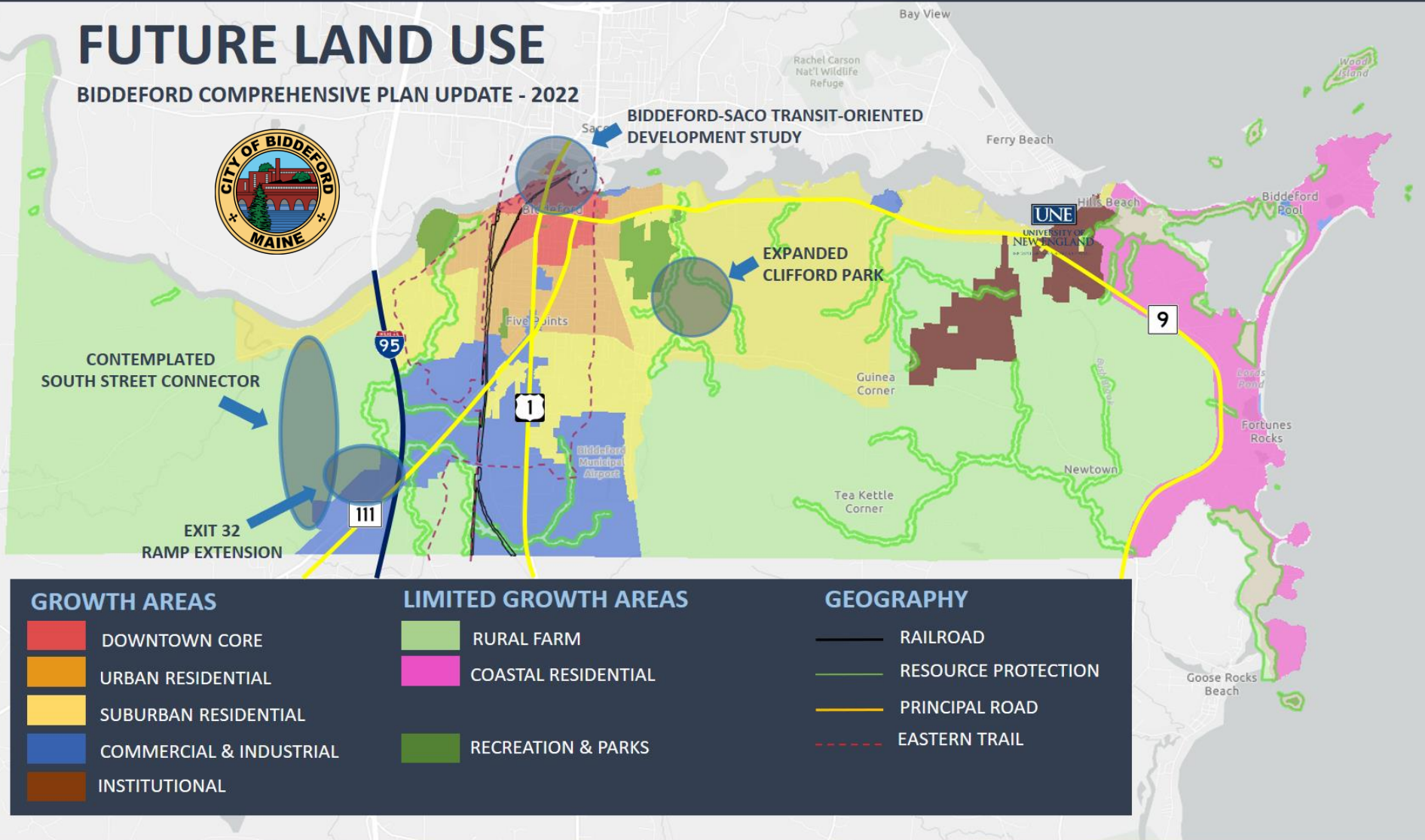
- DOWNTOWN CORE
- URBAN RESIDENTIAL
- SUBURBAN RESIDENTIAL
- COMMERCIAL & INDUSTRIAL
- INSTITUTIONAL

LIMITED GROWTH AREAS

- RURAL FARM
- COASTAL RESIDENTIAL
- RECREATION & PARKS

GEOGRAPHY

- RAILROAD
- RESOURCE PROTECTION
- PRINCIPAL ROAD
- EASTERN TRAIL



6 Economy (12/22 Draft)

*"The time to repair the roof is when the sun is shining."
John F. Kennedy- State of the Union Address – January 11, 1962*

1. What's happening?

The relationship between available raw materials and the labor force has always been an important factor in Biddeford's economy. Timber, waterpower and a safe harbor were the basis of the early shipbuilding and sawmilling industries. This drew farm labor from the surrounding area into the City. As America began to industrialize in the 1800s, Biddeford became a leading manufacturing center of textiles supported by the available waterpower and a coincident surge of immigrants, first from Ireland and later from Quebec, Canada and elsewhere.

Textile manufacturing continued to be part of Biddeford's economic base well into the next century but at a reduced scale. As the industry declined in the 1950s, Biddeford's unemployment rose and people left the City in search of other employment. Downtown Biddeford flourished with activity during its manufacturing heyday. With the decline in activity in the mills, a drop in population and the development of suburban shopping centers and commercial strip development, the downtown area experienced a decline from its high point in the 1950s and 1960s.

Since then, the City's economic well-being has varied, rising and falling with the times, between and within the following the sectors:

- Mixed-uses within the Downtown and the Mill District;
- Industry outside of the Mill District;
- Retail;
- Offices;
- Institutions;
- The Creative Economy; and
- Lodging.

2. What the Community is Saying

"Support and encourage locally owned and operated businesses within Downtown Biddeford."

"Work to attract a large indoor space for downtown functions such as conferences, weddings, etc."

"Ensure locally produced foods and goods are available in the Downtown through the creation and support of a farmers/makers market."

"Ensure any new City business park development complements area businesses and uses in design, type, and use."

"Work with partners (Business Park companies, University of New England, Biddeford School Department, etc) to identify collaborations and business sectors to develop and support."

"Explore starting a "buy local" program, possibly with neighboring communities, to promote the purchase of locally-produced farm products in and around Biddeford."

"Continue to support and fund efforts that enhance the promotion and marketing of the Downtown and Mill District through festivals and events."

"Support transit priority initiatives to improve access to employment and services along the Route 111 corridor and business parks."

"Work with partners (Business Park companies, University of New England, Biddeford School Department, etc) to identify collaborations and business sectors to develop and support."

"Develop a local network of partners to provide resources and guidance to emerging entrepreneurs/makers."

3. Biddeford's Economy Today

11,700

Total Jobs

Sept., 2022

\$991

Avg. Weekly Wage

First Quarter, 2022

3.1%

Unemployment Rate

Sept., 2022

1,608,580

Total Square Feet

In Mill District

SMHC

Southern Maine Health Care

Biddeford's Largest Employer

60 +

New Businesses Opened

since 2018

KEY ECONOMIC DATA

Table 6-1 presents general housing characteristics for Biddeford between the years 2010 and 2020. For this period, the population of Biddeford has increased by 5.9%. While the overall population has grown, the number of housing units has grown at a slightly slower rate of 5%. For this same period, the number of households increased by 9.5%). As a result of relatively stable population increase and the number of households, with more units added as a percentage than either, the average household size has fallen slightly.

Table 6-1. Population and Civilian Labor Force, Biddeford, 2015 and 2020

	2015	2020	% Change 2015-2020
Population	21,277	21,502	6.0%
Population Age 16 and Over	17,745	18,755	5.7%
Civilian Labor Force	12,221	12,740	4.2%
Civilian Labor Force Percent	68.9%	67.9%	(1.5%)

Source: U.S. Census Bureau, American Community Survey 5 Year Estimates

Table 6-2. Employment and Wages, Biddeford, 2015 and 2020

	2015	2020	% Change 2015-2020
Number of Employers	726	723	(0.41%)
Number of Jobs (all industries)	10,677	11,097	3.9%
Avg Weekly Wage	\$738	\$900	22.0%

Source: Maine Dept of Labor, Center for Workforce Research and Information 2015 Q1 and 2020 Q1

Table 6-3. % Leading Employment Sectors by Jobs, 2015 and 2020

Sector	2015	% of Total Jobs	2020	% of Total Jobs	% Chg. '15 – '20
Health Care & Social Assistance	2,269	21.3%	2,473	22.3%	9.0%
Retail Trade	1,906	17.9%	1,855	16.7%	(2.7%)
Manufacturing	1,416	13.3%	1,592	14.3%	12.5%
Educational Services	1,314	12.3%	1,386	12.5%	5.5%

Source: Maine Dept of Labor Center for Workforce Research and Information

Table 6-4. Top Employers 2019

Employer name	Sector	Number of Employees
Southern Maine Health Care	Health Care	1,423
University of New England	Educational Services	606
Market Basket	Retail Trade	400
AVX Tantalum	Manufacturing	247
Fiber Materials, Inc.	Manufacturing	226
Wal Mart	Retail Trade	170
Hannaford	Retail Trade	160
Home Depot	Retail Trade	150
Target	Retail Trade	150
Southridge Rehabilitation	Health Care	100

Source: Biddeford Planning and Development Department

Figure 6-1. Inflow and Outflow of Labor for Biddeford

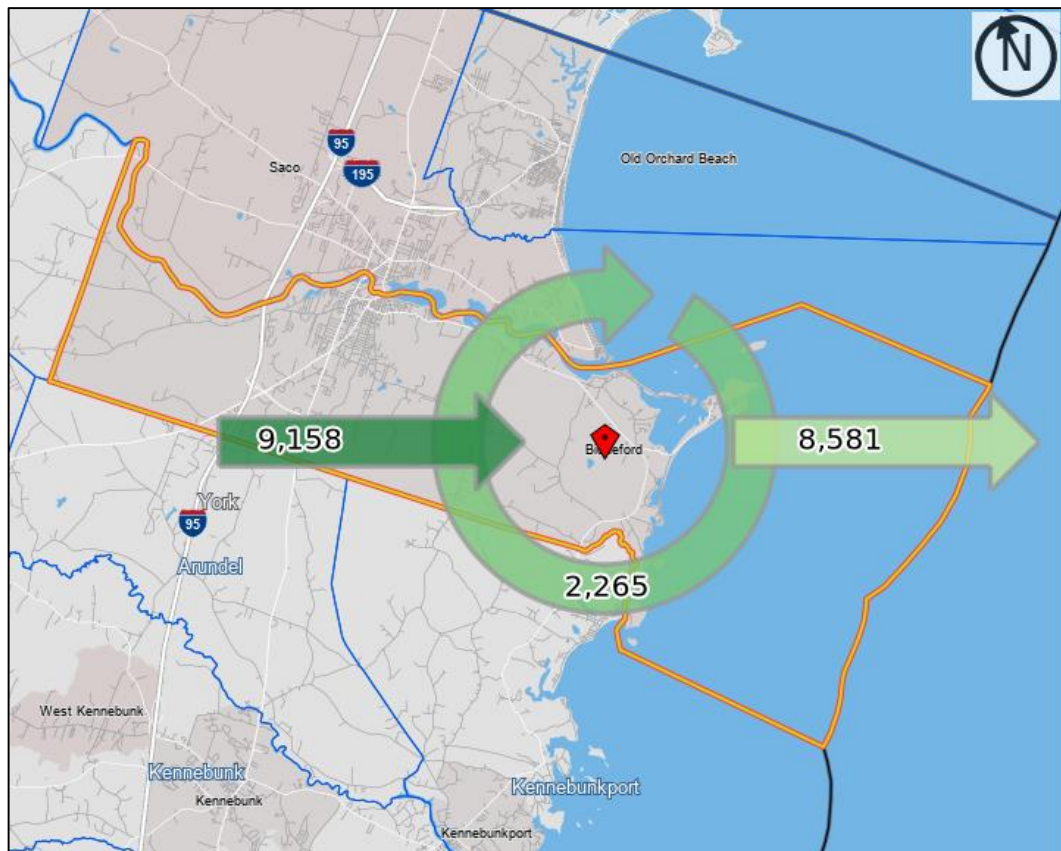


Figure 5-6 describes inflow and outflow of workers for Biddeford in 2019. Only 2,265 workers that live in Biddeford stayed in Biddeford for work. Almost 4 times as many (8,581) that live in Biddeford commute elsewhere for employment. As a service center community, Biddeford experiences a significant inflow in comparison, with 9,158 workers living outside of Biddeford coming to Biddeford for employment.

4.Challenges and Opportunities

Downtown and Mill District

The Downtown and Mill District have both experienced significant redevelopment over the past 10-15 years, but are both poised for significant further economic growth through such opportunities presented with the 3 Lincoln Street property (former MERC site) and vacant or underutilized mill and downtown space. The continued residential and mixed use development in these areas present perhaps the best opportunities for sustainable and resilient economic growth moving forward.

More and more companies around the world are embracing the work-from-home and work-remotely mentality to attract and retain new employees and provide some flexibility to employees. Biddeford, with its burgeoning development in the downtown and Mill District can attract workers from outside Maine who have this flexibility.

York County Consolidated Courthouse

the planned consolidated York County Courthouse on Route 1/Elm Street at the former Pate parcel, Route 1 between Five Points and the Arundel Townline is positioned well for significant redevelopment. Land uses to complement the Courthouse are a focal point of Biddeford's priority for this area. The land use ordinances should be updated to reflect this area as a redevelopment corridor and the potential for quality, higher density commercial, service, and mixed use development.

Arts and Culture Tourism

Tourism to this point has not been a major economic force in Biddeford. There are many seasonal homes on the Coast but they are just that – family seasonal homes. However, it is a goal to make the City more destination-oriented. There are a number of critical attributes that can serve that transition:

- The continued development of the Biddeford Mills Museum, with tours to take advantage of the tremendous history and experience of the canals;

- The expansion of the theater and its experience;
 - The continued growth and housing of the cultural heritage experience here in Biddeford and York County;
 - The growth of the arts and foodie industries within the downtown and mill district;
 - The development of transit and trail systems to connect the downtown urban experience with the natural resources of the community; including:
 - The Riverwalk,
 - The Eastern Trail,
 - Biddeford Pool and the preservation areas,
 - Rachel Carson
 - The growth and expansion of UNE as a division 1-2 University;
 - The Recreation Section of this plan (Section 8) discusses many of the special events that occur in Biddeford, through the recreation department and the Ice Hockey Arena;
 - See also the Historic, Archaeological, and Cultural Resources Section of this Plan (Section XX) for a detailed discussion of those resources contributing to economic growth and sustainability in Biddeford.
-

Industrial and Commercial space

While industries in the Biddeford area are trending towards 5-6 clusters, the place to do that work is running out. The arts, creative economy and small manufacturing can continue to re-use the mill space. Industries that are growing or are in need of more modern commercial or industrial space, however, will not find much available in Biddeford. As mentioned above, the four parks are essentially full. The Robert G. Dodge Business Park is nearing capacity and the Airport Industrial Park (Phase 1 and 2), the Biddeford Industrial Park, and the Alfred Road Industrial Park are all fully built out. Most of the land available for future commercial and industrial development is marginal or is not currently serviced by public sewer and/or water (i.e., Alfred Road west of the Shops at Biddeford Crossing). The greatest potential for new industrial and commercial development is the redevelopment of existing built parcels along Route 1 and Route 111 south and west of 5-Points, where public utilities currently exist, as well as the development of the “Maggie Mae” parcels and the potential for new mixed use development off Andrews Road along the Turnpike towards South Street.

Public Facilities

Public Facilities in Biddeford are discussed in detail and Section 7 of this Plan. In general, as mentioned above, the B-2 Zone west of Biddeford Crossing is not currently serviced by sewer and water. Three-phase power runs throughout Biddeford as does broadband and fiber networks. The main lines for fiber include Elm Street from Precourt Street south, Hill Street, West Street, Route 111 and Alfred Street, and Elm Street from 5-Points north to the Saco City line. The community shares access to the “3 Ring Binder”. One real advantage that the community could make use of is the fact that the Mill District and hence a portion of the downtown, exist as a public utility in and of itself and exist off the grid.

Economy: What Comes Next?



Biddeford remains the service center community for its labor market region and for this part of southern Maine. As such, it both imports and exports workers and is required to maintain an infrastructure in support of business development. In this role, the community houses six significant economic clusters from which to build (health and education, retail, manufacturing, arts, entertainment and food, and professional management (followed closely by construction). Each has a key role to play, whether it as at Biddeford Crossing, the four business parks, including the hospital, or with the downtown and Mill District.

This, of course, requires a financial commitment to maintain infrastructure support. The community does this through the creative use of TIFs, which will require monitoring and adjustments and the establishment of a capital improvement program. Outside of the community, both for-profit and non-profit development will continue and will, from time to time, need the assistance of the community to coordinate the acquisition of funds for future development.

Biddeford operates within the context of a larger regional center that includes the City of Saco. Together, Biddeford and Saco combine to make the third largest regional center in the state. They are in turn heavily influenced by the Portland and Portsmouth markets, who at this time are growing at phenomenal rates. As a result, Biddeford has become a very attractive, affordable solution to locating within those markets. At the time of this Comprehensive Plan update, Biddeford and Saco, together, can play a very crucial role in their regional success and the redevelopment of their respective downtowns and Mill Districts.

Goal 1

Promote an economic climate that increases job opportunities and overall economic well-being within the State and Biddeford, recognizing Biddeford's role in the region as a Service Center community.

How We Get There:

- Continue to promote and support Downtown Biddeford, including the Mill District, as the historic, cultural, commercial, and the mixed-use core of the City.

- Explore lowering or removing parking requirements for development and redevelopment projects in the downtown and Mill District while augmenting public transit connections and active transport (walking, biking) accommodations.
- Continue to promote and support the Route 111 Corridor from Five Points to Arundel as a regional commercial and service focus area of the City.
- Establish a “Tech Place” business incubator program that utilizes Biddeford’s existing institutional structure, manufacturing and development clusters, and City network to support Biddeford as a “maker” community to develop in.
- Encourage and support the redevelopment of the existing uses along Route 1 (Elm Street) from Five Points to the Arundel Town Line, especially in context of the new York Judicial Courts on Route 1/Elm Street.
- Focus economic development initiatives that support Biddeford’s capacity to continue to build upon and thrive as a regional service center community.
- Support the Biddeford Municipal Airport as a valuable infrastructure asset in the City.
- Support efforts to strengthen neighborhoods in and around the Downtown area (West Brook to May Street, and Downtown to Five-Points) and their relationship to the Downtown and Mill District. Examples being the Bacon Street area, May Street, and the Five-Points area.
- Support Biddeford’s Working Waterfront economy.
- Support the rural resource-based economy, including, but not limited to, forestry and agriculture.
- Enhance opportunities in the creative economy through the support of arts and culture throughout the community.
- Continue to engage in regional economic development and planning initiatives where regional approaches are most appropriate, such as through the work of the Southern Maine Planning and Development Commission (SMPDC) and/or neighboring towns and cities.

Economy - Appendix



Background

1. Mixed-uses within the Downtown and the Mill District:

Until the 1950s, Downtown Biddeford, including the Mill District, was truly a mixed-use environment. As industry thrived in the Textile and Manufacturing Mills, Downtown was busy with retail and banking, and employees (much of the population) lived in either Downtown itself or in close proximity to Downtown. Beginning in the 1950s, however, several things began to influence Biddeford Downtown and Mill District towards decline. Manufacturers such as the Saco-Lowell Shops and York (Bates) Manufacturing began looking south for cheaper labor and materials and by 1960 both had closed their shops.

A few manufacturers did remain, however. Most notably the Westpoint-Pepperell Mill that produced the Vellux blanket finally shut its doors and in 2009, the last of the large manufacturers in the Mill District, was gone.

As the decline in manufacturing and textiles was occurring, other things were occurring both within Biddeford and beyond. Within Biddeford, the rise of the automobile from the 1950s on increased citizen mobility and both residential and commercial suburbanization began to occur. Strip retail plazas began to develop along Routes 1 and 111, and subdivisions were built to attract families to locations outside of the Downtown area, as did employment opportunities.

In 1970, the United States Post Office relocated to Alfred Street where it remains today. Aside from the Biddeford Pool Post Office, the Alfred Road Post Office is the only Post Office in Biddeford and draws a considerable amount of activity into the Downtown Area.

In 1975, the City re-established attention to its Downtown and established the Downtown Development Commission (DDC) which had a principal function to "Encourage and promote the expansion and development of existing commercial firms downtown and to promote and encourage the location of new

commercial firms downtown”. The DDC has and continues to be a City Commission, members of which can only be Biddeford Residents.

In 1978, a Downtown Action Plan was adopted which took into consideration such issues as parking, aesthetics, historic preservation, economic trends and revitalization, traffic and building conditions.

As early as 1990, Biddeford’s Zoning Ordinance contained provisions for a Biddeford Historical Zone and established a Biddeford Historic Zone Commission which reviewed and approved projects that needed a “building or another permit” within that zone.

Sometime between 1990 and 1999, however, the Historical Zone Commission’s role had become only that of an Advisory Body and the Commission itself had effectively been dismantled. In 1999, the City’s new Comprehensive Plan outlined that Historic Zones should be created and that a new Historical Zone Commission should be appointed. By early 2002, a new Historic Preservation Commission was appointed, but the Historic Preservation Ordinance still only gave the Commission advisory powers when reviewing projects that needed building or other permits.

In December of 2003 Biddeford Blankets, in what is now known as North Dam Mill, closed its doors leaving approximately 200 people out of work. The closure, however, did make available approximately 230,000 SF of vacant mill space available for purchase and re-use, which subsequently has redeveloped into a nearly fully occupied mixed-use development.

In 2004, Reny’s, Biddeford’s last downtown department store, announced it would be relocating to a shopping plaza in Saco, a signal to many of an end to what had once been a vibrant retail center serving the workers and residents of Downtown and the Biddeford Mills.

In many ways, however, the loss of Biddeford Blankets and Reny’s served as a launching pad for the retooling of Biddeford’s Downtown into a growing place with modern residences, unique restaurants, boutiques, artists, and niche (boutique) manufacturing.

In 2004, the Heart of Biddeford (HoB) was founded as a 501(c)(3) devoted to revitalizing Downtown Biddeford. In 2006 HoB was designated a *Main Street Community* by the Maine Downtown Center (a program of the Maine Development Foundation). The HoB is managed through a four-pillar system that includes design (Historic Preservation), economic change, events, and organization. A principal characteristic that distinguishes HoB from the DDC is that members of the HoB do not have to be Biddeford residents, allowing building and business owners who live elsewhere a way in which to influence

downtown efforts. The DDC also tends to focus on physical improvement projects that are developed and funded by the City.

In June 2004, the City adopted the Alfred-Andrews Road Municipal Development and Tax Increment Financing District and adopted a development program under that District directing future property taxes generated by “The Shops at Biddeford Crossing” and other nearby development projects (see “Retail” below) to the Biddeford Downtown Area for economic development related activities.

In December 2008 the Biddeford-Saco Mills Historic District was added to the National Register of Historic Places thus enabling eligible properties to access Historic Tax Credits as a financing tool for redevelopment projects within the District. Subsequently, in December 2009 the Biddeford Main Street Historic District was added to the National Register of Historic Places.

In June 2009 West Point Stevens, Inc., the last large textile manufacturer in Biddeford’s Mill District, closed its doors, leaving approximately 120 more mill workers suddenly jobless. Similar to the closure of Biddeford Blankets, the West Point Stevens closure made available a significant amount of floor area (approximately 674,055 SF) vacant and available for redevelopment, which is currently occurring under the name of the Pepperell Mill Campus.

In 2009, Biddeford completed a Mill District Master Plan, funded in part by the U.S. Economic Development Agency. This Plan was timely in that as noted above, West Point Stevens, Inc., ceased operating that same year. The Plan was created in order to develop significant City and private redevelopment initiatives in the Mill District. Numerous state and federal grants have been awarded for various community development projects, many of which were offspring from the 2009 Mill District Master Plan.

In summer 2011, a 4-year process was completed resulting in an end product *Downtown Master Plan*. The plan was a joint project of the City of Biddeford, the Heart of Biddeford, and the Orton Family Foundation. Although the Plan covers many elements that are discussed throughout this Comprehensive Plan, the overarching Vision for Downtown is of a center where people live, work, and shop.

In 2014, the City of Biddeford purchased and closed the Maine Energy Recovery Facility (MERC), located in the Mill District since the 1980s, which had long been seen as an impediment for further Downtown and Mill District redevelopment. Following its closure and demolition, the City enlisted *Camoine Associates* to conduct a Market Analysis and Feasibility Study for the redevelopment of 3 Lincoln Street, which formerly housed MERC.

Currently, Biddeford is experiencing a resurgence of what could be considered niche or boutique manufacturing in the Mill Buildings. Textiles, for example, has returned to the Mills in *Angelrox*, a clothing design and manufacturing firm that has relocated from Brooklyn, NY. As another example, *Hyperlite Mountain Gear* has also located in the Mills, manufacturing ultralight backpacks, shelters, tents, and equipment.

2. Industry Outside of the Mill District:

As discussed above, from the 1800's on, aside from farming and forestry and related industries such as shipbuilding, industry in Biddeford was largely focused within the large mills in Downtown Biddeford along the Saco River. With a decline in the Mills beginning in the 1950s, Biddeford began to adjust and look for ways to attract other industries. In the 1960s, Biddeford formed an Economic Improvement Commission to encourage new industrial activity in the City. This Commission is still active today (2017).

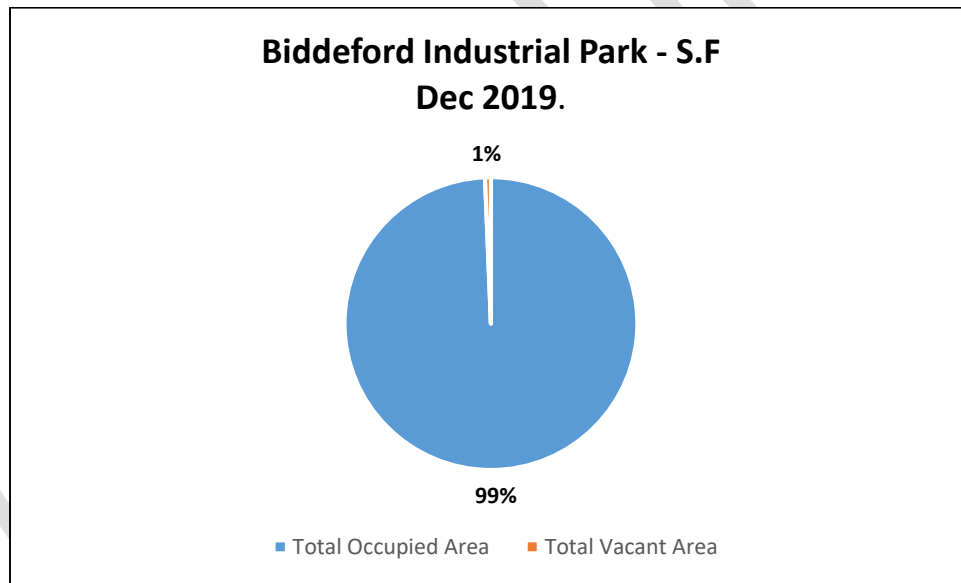
The first City-owned industrial park was established in 1967 (the Biddeford Industrial Park). Two other Industrial Parks were constructed through the 1970s: The Alfred Road Industrial Park and the Airport Industrial Park (constructed in 3 phases). Currently, all 3 Industrial Parks are nearly fully built out, without much available space to accommodate new industrial and business uses. Currently, the bulk of Biddeford's industrial uses and employment are located in the Industrial Parks, although other industrial uses do exist in areas, generally in close proximity to these Parks.

The Biddeford Industrial Park:

The Biddeford Industrial Park (BIP) is the City's first industrial park and comprises approximately 92 acres of land. As of December 2019, the status of the BIP was as follows:

- 13 buildings
- 16 business firms
- Approximately 400 full or part-time jobs
- 1% vacancy rate

Figure 5-1. Occupied and Vacant Floor Area (Square Feet) in the Biddeford Industrial Park as of December 2019.



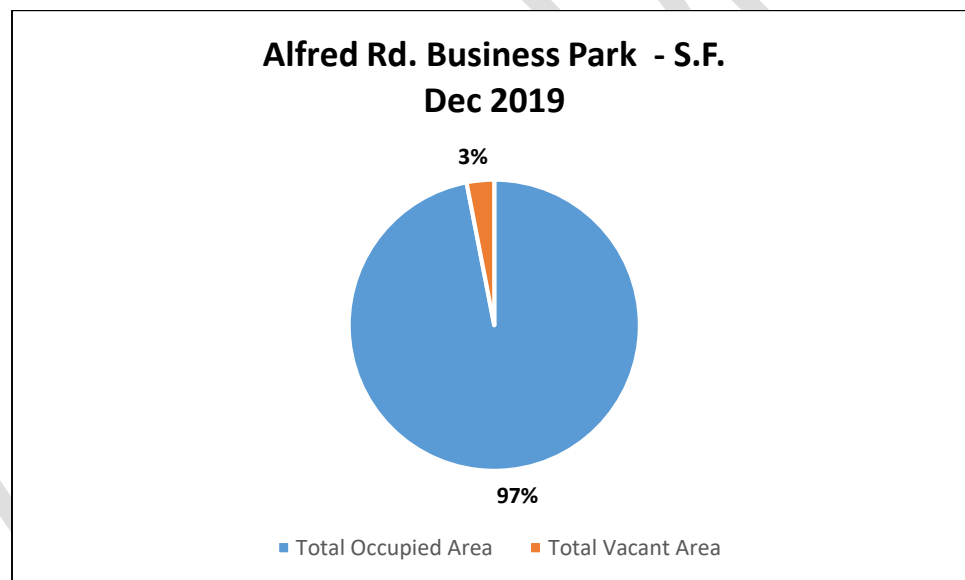
Source: Biddeford Economic Development Department, December 2019

The Alfred Road Industrial Park:

The Alfred Road Industrial Park is primarily composed of properties on Pomerleau Street, off Barra Road and Arena Drive. It is built on approximately 34 acres of land and houses a mix of uses, not all purely “industrial”. For example, the Biddeford-Saco-Old Orchard Beach Transit Committee’s (Shuttlebus-ZOOM) offices, maintenance facility, and bus yard are located in the Park. The current status of the Alfred Road Industrial Park is as follows:

- 13 buildings
- 20 business firms
- Approximately 225 full or part-time jobs
- 3% vacancy rate

Figure 5-2. Occupied and Vacant Floor Area (Square Feet) in the Alfred Road Industrial Park as of December 2019.



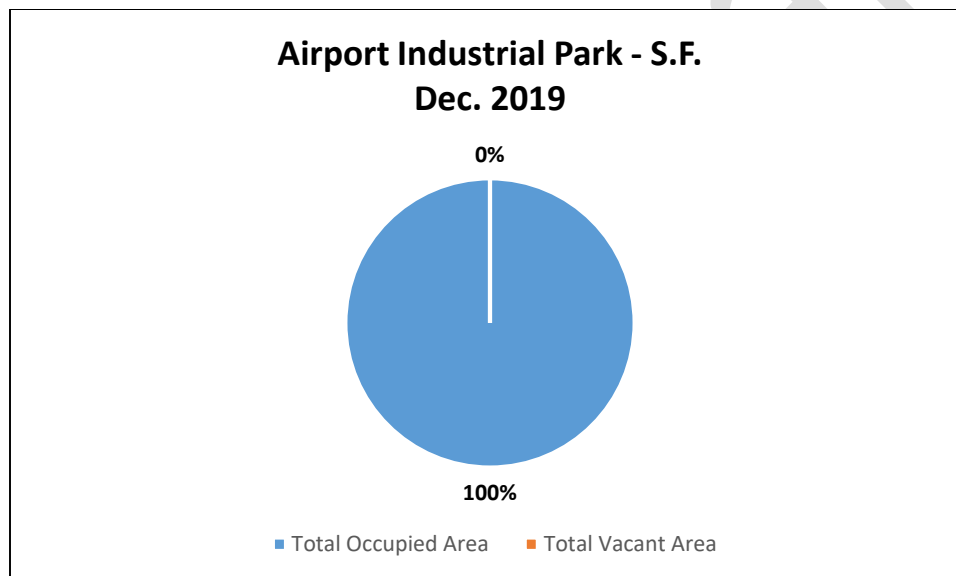
Source: Biddeford Economic Development Department, December 2019.

The Airport Industrial Park:

The Airport Industrial Park The city's largest and most active business park and is located on 168 acres of land. Currently, there are:

- 25 buildings
- 26 business firms
- Approximately 900 full or part-time jobs
- 0% vacancy rate

Figure 5-3. Occupied and Vacant Floor Area (Square Feet) in the Airport Industrial Park as of December 2019.



Source: Biddeford Economic Development Department, December 2019.

J.J. Nissen Baking Company:

In 1998, J.J. Nissen Baking Company (later Interstate Brands Corporation, then Hostess Brands, and then Flowers Baking Company) constructed a 260,000 square foot manufacturing facility off of the Biddeford Connector (Precourt Street) to the Maine Turnpike. Operating as Interstate Brands Corporation the bakery went through bankruptcy beginning in 2004, emerging in 2009 as Hostess Brands. In November 2012, however, following bankruptcy, Interstate Baking Company shut down leaving approximately 370 people out of work. Hostess Brands was acquired by Flowers Foods in 2013 but has not re-opened the manufacturing facility in Biddeford.

This facility was purchased in 2016 by Stag, Biddeford LLC and now a large portion of the building and site is leased out to FedEx Ground as a distribution facility employing approximately 36 full- and part-time workers.

For the most part, the parks are full and thriving. There are very limited areas to attract new manufacturing or business development other than the mills, nor are there areas that these mill manufacturing companies can expand to, should they desire.

3. Retail/Services outside of the Downtown (including Restaurants):

Until the 1950's Downtown was the center of retail activity in Biddeford. With the rise of the automobile, suburbanization, and the beginning of the decline of the Mills, retail began to move outside of Downtown in the typical form of strip plazas along the Route 1 (Elm Street) and Route 111 (Alfred Street) corridors. In chronological order, major retail centers/business that came into Biddeford include: Five Points Shopping Plaza at the corner of Elm Street and Alfred Street (1950), Mardens (1967), Five Points Shopping Center on Alfred Street (1978), Hannaford (1983), Shaw's (1997), Wal-Mart (1995) Biddeford Gateway Plaza (Home Depot, Kohls, and Applebees) (2000) and the Shops at Biddeford Crossing (2007). The following is a detailed list of the larger retail centers constructed in Biddeford from 1950 on, including each centers floor area and assessed value (Table 6-1).

Table 6-1. Larger Retail Centers/Facilities in Biddeford constructed between 1950 and 2014 (approximately).

Commonly Known As Name	Address	Approximate Year Built	Assessed Value (2016)	Approximate Square Feet (Gross)
Five Points Shopping Plaza	380 Elm Street (Corner of Elm St. and Alfred St.)	1950	\$ 2,124,100	23,539
Mardens	435 Elm Street	1967	\$ 2,757,700	65,800
Five Points Shopping Center	416-420 Alfred Street	1978	\$ 9,634,000	153,000
Hannaford	313 Elm Street	1983	\$ 5,180,200	62,025
Home Depot	50 Gateway Plaza	2000	\$ 9,004,800	119,500
Kohls/Applebees	25-75 Gateway Plaza	2014/2000	\$ 8,587,000	71,015
Target	430 Mariner Way	2007	\$11,349,700	136,033
Biddeford Crossing	Shops Way and Mariner Way	2007	\$40,761,700	351,303

Indicating the relative strength of these commercial centers and retail in the City of Biddeford, some of the above have undergone significant renovations/redevelopment since their initial construction:

- In 2008-2009 Five Points Shopping Plaza went through a major face-lift renovation project, including some demolition, and made way for the construction of a new CVS Pharmacy pad site.
- In 2004 Five Points Shopping Center added a Ninety-Nine Restaurant pad in its parking lot. Similarly, in 2008 a Tim Horton's pad site and a Kennebunk Savings Bank pad site were also constructed within the center's parking lot adjacent to Route 111 (Alfred Street). Both of these pad sites are now occupied by different tenants than those that originally occupied the buildings.
- Following a general recession in 2008 Biddeford Crossing saw several stores and restaurants close, including the major anchor Lowe's, as well as secondary anchors Best Buy and Linen's N' Things. However, in 2013 the Shops at Biddeford Crossing saw a significant change as Demoulas purchased the center from the existing owners and filled the vacant Lowe's space with Maine's first Market Basket Supermarket. Market Basket opened in August 2013 and currently has approximately 315 full and part-time employees (55 Full-time, 260 Part-time).
- Most recently, due to structural issues with the development site, Kohl's Department Store was demolished and rebuilt. It reopened summer 2014 with a smaller floor area (approximately 65,000 square feet) on the same parcel of land in a slightly different location.

Other smaller retail projects have occurred from 2000 on. Examples include:

- Advance Auto Parts on Alfred Street
- NAPA Auto Parts off Route 1/Elm Street at Digital Drive
- Party Plus/Taylor Rental on Elm Street
- Biddeford Savings Bank/Ply It again Sports on Alfred Street
- Taco Bell/Jiffy Lube on Alfred Street
- The reconstruction of Rite Aid at the corner of Elm Street and Alfred Street (Five-Points)
- CVS Pharmacy at Five-Points
- Starbucks at Five-Points
- Five Star Auto Sales on Alfred Street (Biddeford's largest Auto Sales business)
- Cumberland Farms and Town Fair Tire on Alfred Street across from the Shops at Biddeford Crossing
- Biddeford Savings Bank plaza located at the corner of Alfred Street and West Cole Road.

In 2016, a new strip plaza, called Biddeford Shoppes, opened on Alfred Road across from Biddeford Crossing and now offers Dunkin Donuts, Five Guys

restaurant, Mattress Firm, Firehouse Subs, U.S Cellular, GameStop, and SportsClips.

4. Offices:

Downtown Biddeford has traditionally been the focal point for businesses including financial and insurance institutions, law offices, and other professional offices. In fact, unlike the shifts in industry and retail to more suburban locations, with recent adjustments back into the Mill District and Downtown, the downtown area remains the center of office activity with one exception: medical offices.

Although many of the financial institutions have changed names over time, in Downtown Biddeford there remains Biddeford Savings Bank, Bangor Savings Bank, People's United Bank, and Ocean Communities Federal Credit Union. Just outside of Downtown is TD Bank, at Five Points (the corner of Alfred Street and Elm Street) is People's Choice Credit Union, and on Alfred Street near Southern Maine Health Care (formerly Southern Maine Medical Center) Biddeford Savings Bank has a branch office.

Downtown Biddeford is the home of York County District Court, which continues to draw the legal profession to Downtown due to its proximity. Currently, there are approximately 15 persons employed in Downtown Biddeford working in the legal sector. This will be changing as the State moves forward with anticipated plans to consolidate all York County Courthouse operations onto Elm Street at the former Pate parcel recently purchased from the City of Biddeford by the State of Maine:

In 2017, the Maine State Administrative Office of the Courts completed a purchase and sale agreement with the City of Biddeford for a 12.7-acre parcel of land located at 511 Elm Street. This parcel, along with a 15-acre adjacent parcel at 384 Hill Street will be used to construct a new consolidated York County Courthouse, a \$65 million project. When completed, the new courthouse will employ approximately 70 workers. More than 500 persons will visit the courthouse each workday. These parcels have now been sold for the York County Courthouse project.

Another particularly notable professional office in Downtown Biddeford is Oak Point Associates, an Engineering and Architectural design firm that employs approximately 75 workers in Downtown Biddeford. Oak Point Associates has been in Biddeford since 1979.

Southern Maine Health Care:

As noted above, the medical field employment cluster has moved out of the downtown, for the most part, and has consolidated out in the Route

111/interchange area. It has, in turn, driven the development in the Robert Dodge business park. In Biddeford, the largest of these medical offices is Southern Maine Health Care (SMHC) who is Biddeford's largest employer with approximately 1,887 jobs (1,478 Full-time, 409 Part-time). Taken from their website (<http://www.smhc.org/about-smhc>), SMHC's history dates back to 1906 when Webber Hospital was originally formed.

Southern Maine Health Care (SMHC) is a nationally accredited, award-winning not-for-profit healthcare system based in Biddeford offering a comprehensive array of services including:

- A full-service medical center and 24-hour emergency department in Biddeford;
- A full-service medical center and 24-hour emergency department in Sanford;
- More than 20 offices located in Biddeford, Kennebunk, Old Orchard Beach, Saco, Sanford and Waterboro;
- An active medical staff of 172 physicians and an affiliated medical staff of 122 physicians;
- A multi-specialty physician services group, SMHC Physicians, comprising more than 125 physicians providing comprehensive primary and specialty services in communities throughout southern Maine;
- Non-emergency Walk-In Care centers in three communities – Kennebunk, Saco, and Waterboro;
- Centers for Breast Care, Sleep Disorders and Wound and Ostomy Care;
- Behavioral health services;
- Eldercare services;
- A full range of diagnostic services, including radiologic, nuclear medicine, interventional radiology, ultrasound, computerized chromatography scanning, and MRI; and
- Extensive rehabilitation services from physical, occupational and speech therapy to sports performance enhancement.

SMHC was formed on January 1, 2014, when Southern Maine Medical Center in Biddeford, which has provided medical care to the Biddeford communities since 1906, merged with Goodall Hospital in Sanford to become Southern Maine Health Care, the fifth largest healthcare system in Maine. SMHC is a member of MaineHealth, a family of leading high-quality healthcare organizations working together to make Maine communities the healthiest in America.

Today, SMHC has an extensive footprint in the Biddeford community with the Biddeford Medical Center at 1 Medical Center Drive, SMHC Physicians at 9 Healthcare Drive, the new Edward J. McGeachey Medical

Office Building at 46 Barra Road, the Partial Hospitalization Program at 235 Main Street in downtown Biddeford, SMHC Dermatology at 26A West Cole Road and TravelWell at 2 Medical Center Drive.

SMHC has a significant economic impact on Biddeford and the communities of southern Maine, paying more than \$154 million annually for salaries and wages and employing 2200 people, many of them residents of Biddeford. With total operating revenues of almost \$249 million, SMHC is the largest employer in York County, Maine's southernmost county.

SMHC's care has been recognized as among the state's and nation's best, achieving the state's highest rating for patient safety, and national recognition as the Top Performer on Key Quality Measures® by The Joint Commission. SMHC's nurses were nationally recognized for nursing excellence by the American Nurses Credentialing Center. SMHC's Cancer Program also achieved Accreditation with Commendation, the highest level awarded.

Robert G. Dodge Business Park:

Many other medical offices and services have chosen to locate in close proximity to SMHC, located at 1 Medical Center Drive, close to the Maine Turnpike (I-95). Of particular interest has been the development of the Robert G. Dodge Business Park (RGDBP), named after the late longtime Economic Development Director for the City of Biddeford. The RGDBP is located on 51 acres of land off Alfred Road and is convenient to the SMHC hospital itself that is on the south side of Alfred Road. The RGDBP was built in the early 2000s and was envisioned as a multi-sector higher-end business park. Instead, aside from the Holiday Inn Express, all development so far has been medical-related.

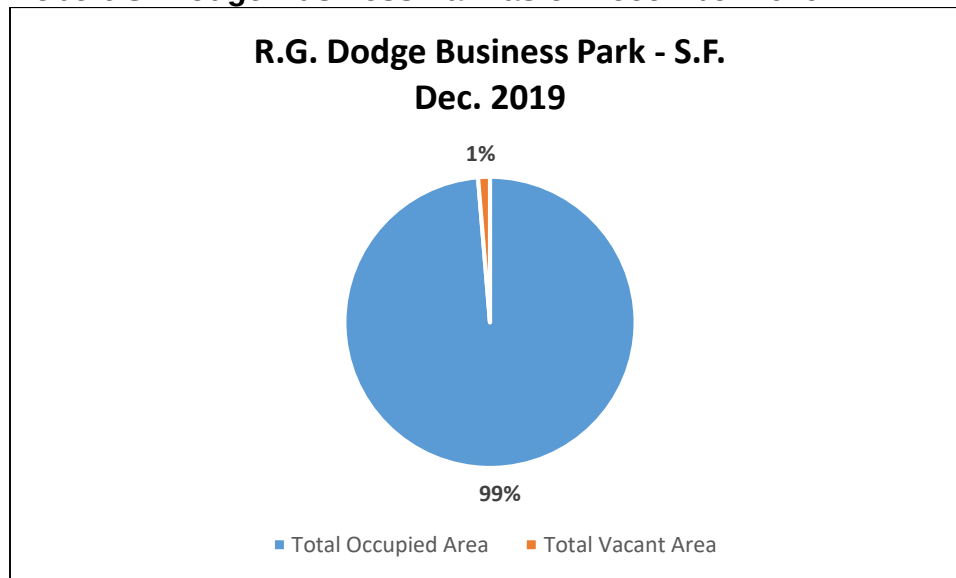
SMHC has recently opened a 42,000 SF medical office facility in the RGDBP and leases another 51,000 SF facility in the Park. Counseling Services, Inc. occupies a 14,000 SF medical office building and owns another vacant lot for possible future expansion. Martin's Point Health Care has constructed a 7,800 SF facility in the RGDBP as well. Finally, another lot in the park houses a 12,000 SF medical office with four (4) separate medical office spaces.

What was originally envisioned as a multi-sector business park has turned into a medical office park, seemingly in large part to its proximity to SMHC's facilities.

- 7 buildings
- 8 firms/organizations

- Approximately 250 full or Part time jobs
- 1% vacancy rate (of built property)

Figure 3-4. Occupied and Vacant Floor Area (Square Feet) in the Robert G. Dodge Business Park as of December 2019.



Source: Biddeford Economic Development Department, December 2019

5. Institutions:

The University of New England (UNE):

The University of New England (UNE) is the key educationally-based institution in Biddeford (other than the local school district). Formerly St. Francis College, UNE has seen continued growth in its facilities, faculty, and students since 2000. Reflecting on the continued growth of the campus through the 1980s and 1990s, and anticipating future growth moving forward, the 1999 Biddeford Comprehensive Plan recommended that the City of Biddeford adopt a new Institutional Zone Ordinance that would require the UNE to develop a 5-Year Master Plan for review and approval by the City. Only development projects included in the Master Plan can be executed by UNE. The Ordinance was adopted and UNE submitted its first Campus Master Plan.

In 2019, UNE employed about 1,100 workers in Biddeford, serving more than 2,000 students here. It is also a direct pipeline in terms of workforce development, capable of filling many positions at Southern Maine Healthcare.

6. The Creative Economy:

What is the “Creative Economy”? Although there are varied definitions for the term, this section will focus on the “Creative Economy” as it pertains to cultural resources. The New England Foundation for the Arts commissioned a research paper entitled *The Creative Economy: A New Definition* in 2007¹. This research paper redefined the Creative Economy to represent what the authors refer to as “the cultural core”:

*Therefore, our definition of the creative economy is represented by the “cultural core”. It includes occupations and industries that focus on the production and distribution of cultural goods, services and intellectual property. Excluded are products or services that are a result of non-culturally-based innovation or technology.*²

The authors break down the cultural core into occupations and industries. The report Appendix provides an extensive list of what they deem qualifies as core occupations, those being occupations that directly produce and/or

¹ DeNatale, Douglas and Gregory H. Wassall. “The Creative Economy: A New Definition”. New England Foundation for the Arts. 2007.

² Ibid. Page 10.

distribute cultural goods, regardless of industry. For example, core occupations include architects, historians, history teachers, librarians, craft artists, fashion designers, actors, dancers, musicians and singers, music directors and composers, editors, photographers, desktop publishers, watch repairers, bookbinders, jewelers, makeup artists, and radio operators.

Industries include those that are involved in the production and/or distribution of cultural goods and services. The report Appendix provides an extensive list of what they deem qualifies as core industries, but by way of example this category includes: screen printing, book printing, audio and video equipment manufacturing, jewelry manufacturing, jewelry wholesalers and stores, radio and television stores, bookstores, art dealers, museums, newspaper publishers, sound recording studios, interior design services, architectural services, commercial photography, dance companies, historical sites, and theater companies.

In 2018 the Maine Department of Labor estimated that of the total employment in Maine (605,550 employed), 11,300 were employed in the Creative Economy if using the Standard Occupational Classification (SOC) Codes identified as reflecting the Creative Economy. The SOC codes used reflect those identified by the New England Foundation for the Arts (NEFA) as being part of (or related to) the Creative Economy. These SOC Codes and their title are presented in Table 6-2.

Table 6-2: Occupational Employment Estimates based on Standard Occupational Classification (SOC) Codes for Creative Economy Employment, 2018.

SOC Code	Employment Description
11-2011	Advertising and Promotions Managers
11-2031	Public Relations and Fundraising Managers
17-1011	Architects, Except Landscape and Naval
17-1012	Landscape Architects
17-3011	Architectural and Civil Drafters
25-1061	Anthropology and Archeology Teachers, Postsecondary
25-1062	Area, Ethnic, and Cultural Studies Teachers, Postsecondary
25-1121	Art, Drama, and Music Teachers, Postsecondary
25-1122	Communications Teachers, Postsecondary
25-1123	English Language and Literature Teachers, Postsecondary
25-1124	Foreign Language and Literature Teachers, Postsecondary
25-1125	History Teachers, Postsecondary
25-4011	Archivists
25-4012	Curators
25-4013	Museum Technicians and Conservators
25-4021	Librarians

25-4031	Library Technicians
25-9011	Audio-Visual and Multimedia Collections Specialists
27-1011	Art Directors
27-1012	Craft Artists
27-1014	Multimedia Artists and Animators
27-1021	Commercial and Industrial Designers
27-1022	Fashion Designers
27-1023	Floral Designers
27-1024	Graphic Designers
27-1025	Interior Designers
27-1026	Merchandise Displayers and Window Trimmers
27-1027	Set and Exhibit Designers
27-2012	Producers and Directors
27-2099	Entertainers and Performers, Sports and Related Workers, All Other
27-3011	Radio and Television Announcers
27-3022	Reporters and Correspondents
27-3031	Public Relations Specialists
27-3041	Editors
27-3042	Technical Writers
27-3043	Writers and Authors
27-3099	Media and Communication Workers, All Other
27-4011	Audio and Video Equipment Technicians
27-4012	Broadcast Technicians
27-4014	Sound Engineering Technicians
27-4021	Photographers
27-4031	Camera Operators, Television, Video, and Motion Picture
27-4032	Film and Video Editors
27-4099	Media and Communication Equipment Workers, All Other
39-3021	Motion Picture Projectionists
41-3011	Advertising Sales Agents
43-4121	Library Assistants, Clerical
43-9031	Desktop Publishers
49-2097	Electronic Home Entertainment Equipment Installers and Repairers
49-9061	Camera and Photographic Equipment Repairers
51-5113	Print Binding and Finishing Workers
51-9071	Jewelers and Precious Stone and Metal Workers
51-9123	Painting, Coating, and Decorating Workers
51-9151	Photographic Process Workers and Processing Machine Operators

Source: New England Foundation for the Arts (NEFA). *"The Jobs in New England's Creative Economy and Why They Matter"*. June 2017.

Table 6-3 provides the latest estimates data for those employed in the

Creative Economy (using the above SOC codes) as estimated by the Main Department of Labor for 2018. Although employment in the Creative Economy in the Portland-South Portland (including Biddeford) Metropolitan Area and Cumberland County as a proportion of total employment are fairly consistent with those for the State of Maine as a whole (2.0%, 2.2%, and 1.9% respectively). York County appears to have a relatively low proportion (0.8%) of estimated Creative Economy employment.

Table 6-3. Occupational Employment Estimates based on Standard Occupational Classification (SOC) Codes for Creative Economy Employment, 2018.

2018 Maine DOL Estimates	Total Employment	Estimated Employment in Creative Economy	% Estimated Employment in Creative Economy
State of Maine	605,550	11,300	1.9%
Bangor Metropolitan Area	65,080	850	1.3%
Lewiston-Auburn Metropolitan Area	48,540	320	0.7%
Portland-South Portland-Biddeford Metropolitan Area	208,520	4,150	2.0%
Cumberland County	186,700	4,100	2.2%
York County	73,460	610	0.8%

Source: *Maine Department of Labor. "Occupational Employment and Wage Estimates, 2018". <https://www.maine.gov/labor/cwri/oes.html>. Accessed 06/18/2019.*

At this time City Staff has been unable to locate data for the City of Biddeford alone in order to provide a relative comparison in order to place Biddeford in context with these other geographic areas. It is suspected that Biddeford's contribution to the Creative Economy may be higher in terms of employment than that estimated for York County as a whole.

When examining employment clusters, a key sister of this industry is the emerging food-based industry. This industry, in conjunction with arts, culture, and entertainment, is actually a key part of the workforce. Programs that encourage their joint marketing and cooperation are critical to downtown's future.

7. Lodging:

At the time of this Plan Biddeford does not have a significant amount of lodging facilities (i.e., hotels, motels, and bed and breakfasts) available:

- Holiday Inn Express – 45 Barra Road – 69 Rooms
- D'Alaires – 528 Elm Street – 8 Rooms, 15 Cottages
- Sleepy Hollow – 297 Elm Street – 25 Rooms
- America's Best – 2 Pomerleau Street – 19 Rooms
- Biddeford Motel – 560 Elm Street – 17 Rooms, 2 Cottages

In total, there are 138 Rooms and 17 Cottages available for rent in Biddeford.

Currently approved is a new Downtown Mixed-Use project in the Lincoln Mill. As proposed, phase one will include 180-luxury apartments. Phase two will be an adjacent, stand-alone approximately 30-room boutique-style hotel. Other possibilities, including the redevelopment of the Thatcher building, are possible to serve this visitor group.

B. Size of Labor Force:

The size of the labor force (civilian), those persons working or seeking work, can be used to shed in light into the relative proportion of a total population that is participating in the workforce. It can also be used to gauge unemployment levels. The following section uses American Community Survey 5-Year Estimates to information to describe both of these conditions, comparing Biddeford to York County and State, comparing Biddeford to its 15-Mile Labor Market Area, and comparing Biddeford to its Peer Group. The 15-Mile Labor Area communities and the Peer Group communities were defined in Section 4: Population and Demographics, of this Plan.

1. Civilian Labor Force as a Percent of Total Population:

According to the U.S. Census American Community Survey Biddeford estimated Civilian Labor Force 16 years old and over for the years 2013 - 2017 at 12,278 (Table 6-4). The total population for Biddeford considered "working age" (16 years and over) is estimated at 18,126 for 2013-2017. This translates to 67.7% of Biddeford's working-age population in the Civilian Labor Force. This is a higher percent compared to both York County (66.3%) and the State of Maine (63.0%).

For comparison purposes, the Civilian Labor force rate for the United States estimated for 2013-2017 was 63.0%, which coincidentally is the same as for the State of Maine.

Table 6-4. Civilian Labor Force Estimates Compared to Total Population Estimates for Biddeford, York County, and the State of Maine – 2013-2017 5-Year Estimate

Geography	Estimated Total Population	Population 16 Years and over	Civilian Labor Force	% of Pop. 16 years and over in the Civilian Labor Force
Biddeford	21,413	18,126	12,278	67.7%
York County	201,454	167,015	110,674	66.3%
State of Maine	1,330,158	1,104,528	695,483	63.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Table 6-5 compares the Civilian Labor force as a percentage of those people 16 years old and over for Biddeford (67.7%) and the LMA communities and the LMA as a whole (68.5%). As shown, Biddeford's labor participation rate is lower than that of the LMA as a whole, but not by much. Biddeford is near the median within the LMA at 67.7%. The span between the highest (Hollis at 80.9%) and the lowest in the LMA (Wells at 56.3%) is pronounced with a spread of 24.6%.

Table 6-5. Civilian Labor Force Estimates Compared to Total Population for Biddeford's 15-Mile Labor Market Area Communities – Ranked by Percent of Population 16 Years and Over in the Civilian Labor Force – 2013-2017 5-Year Estimate

Geography	County	Estimated Total Population	Population 16 Years and Over	Civilian Labor Force	% of Pop. 16 years and over in the Civilian Labor Force
Dayton	York	1,961	1,564	1,191	76.2%
Buxton	York	8,158	6,794	4,972	73.2%
Gorham	Cumberland	17,147	13,766	9,925	72.1%
Saco	York	19,127	15,549	11,079	71.7%
South Portland	Cumberland	25,431	21,399	15,141	70.8%
Portland	Cumberland	66,715	56,825	40,715	70.7%
Hollis	York	4,473	3,827	2,660	69.5%
Scarborough	Cumberland	19,620	15,788	10,912	69.1%
Waterboro	York	7,747	6,001	4,093	68.2%
Biddeford	York	21,413	18,126	12,278	67.7%
Westbrook	Cumberland	18,156	15,252	10,265	67.3%
Kennebunkport	York	3,548	2,973	1,997	67.2%
Cape Elizabeth	Cumberland	9,235	7,442	4,997	67.1%
Arundel	York	4,186	3,439	2,284	66.4%

Old Orchard Beach	York	8,745	7,949	5,116	64.4%
Sanford	York	20,920	16,724	10,709	64.0%
Kennebunk	York	11,223	9,493	5,948	62.7%
Lyman	York	4,396	3,571	2,222	62.2%
Alfred	York	3,060	2,614	1,603	61.3%
Wells	York	10,048	8,719	4,910	56.3%
Total LMA		285,309	237,815	163,017	68.5%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Finally, Table 6-6 compares Biddeford (67.7%) to its Peer Group of Service Center Communities. Based on Table 6-6, the indication is that Biddeford has a higher percentage of the total population in the Civilian Labor Force than does the Peer Group average (64.1%). There are two Peer Group communities that have higher percentages than Biddeford, being Saco (71.7%), South Portland (70.8%).

Table 6-6. Civilian Labor Force Estimates Compared to Total Population for Biddeford's Peer Group Communities – Ranked by Percent of the Population 16 Years and Over in the Civilian Labor Force – 2013-2017 5-Year Estimate

Geography	County	Estimated Total Population	Population 16 Years and Over	Civilian Labor Force	% of Pop. 16 years and over in the Civilian Labor Force
Saco	York	19,127	15,549	11,079	71.7%
South Portland	Cumberland	25,431	21,399	15,141	70.8%
Biddeford	York	21,413	18,126	12,278	67.7%
Westbrook	Cumberland	18,156	15,252	10,265	67.3%
Auburn	Androscoggin	22,941	18,341	12,119	66.1%
Sanford	York	20,920	16,724	10,709	64.0%
Lewiston	Androscoggin	36,211	29,883	18,453	61.8%
Brunswick	Cumberland	20,523	17,629	10,813	61.3%
Bangor	Penobscot	32,237	27,406	16,723	61.0%
Augusta	Kennebec	18,626	15,640	9,478	60.6%
Waterville	Kennebec	16,374	13,974	7,521	53.8%
Total Peer Group		251,959	209,923	134,579	64.1%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

2. Civilian Labor Force Estimates and Employment:

According to the U.S. Census American Community Survey, Biddeford's estimated Civilian Labor Force was at 12,278, of which 11,621 were employed and 657 were unemployed. This represents a noticeably larger unemployment rate compared to York County, but virtually the same as for the State of Maine as a whole (Table 6-7).

Table 6-7. Civilian Labor Force Estimates for Biddeford, York County, and the State of Maine – 2013-2017 5-Year Estimate

Geography	Civilian Labor Force	Employed	Unemployed in Labor Force	% of Labor Force Unemployed
Biddeford	12,278	11,621	657	5.4%
York County	110,674	105,307	5,367	4.8%
State of Maine	695,483	658,693	36,790	5.3%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-8 presents Biddeford's 15-Mile LMA communities. Biddeford, with estimated unemployment of 5.4%, falls slightly higher than that of the LMA as a whole (4.9%). The LMA percentage unemployment ranges greatly, from a high of 7.1% in Waterboro to 0.9% in Cape Elizabeth. The two communities with the highest estimated percentage unemployed are Waterboro and Sanford (7.1% and 6.7% respectively).

Table 6-8. Civilian Labor Force Estimates for Biddeford's 15-Mile Labor Market Area Communities – Ranked by % Unemployed – 2013-2017 5-Year Estimate

Geography	County	Civilian Labor Force	Employed In Labor Force	Unemployed In Labor Force	% of Labor Force Unemployed
Waterboro	York	4,093	3,804	289	7.1%
Sanford	York	10,709	9,994	715	6.7%
Hollis	York	2,660	2,497	163	6.1%
South Portland	Cumberland	15,141	14,223	918	6.1%
Portland	Cumberland	40,715	38,265	2,450	6.0%
Old Orchard Beach	York	5,116	4,824	292	5.7%
Alfred	York	1,603	1,514	89	5.6%
Westbrook	Cumberland	10,265	9,714	551	5.4%
Biddeford	York	12,278	11,621	657	5.4%
Buxton	York	4,972	4,712	260	5.2%
Kennebunk	York	5,948	5,648	300	5.0%
Lyman	York	2,222	2,120	102	4.6%
Wells	York	4,910	4,715	195	4.0%
Saco	York	11,079	10,641	438	4.0%
Gorham	Cumberland	9,925	9,604	321	3.2%
Dayton	York	1,191	1,164	27	2.3%
Scarborough	Cumberland	10,912	10,748	164	1.5%
Arundel	York	2,284	2,250	34	1.5%
Kennebunkport	York	1,997	1,971	26	1.3%
Cape Elizabeth	Cumberland	4,997	4,953	44	0.9%
Total LMA		163,017	154,982	8,035	4.9%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

When comparing Biddeford to the Peer Group (Table 6-9), however, Biddeford at 5.4% estimated unemployed civilian labor force is relatively low compared to the Peer Group as a whole (5.9%). Waterville, with a much higher rate than other Peer communities, significantly skews the Peer Group total higher and there is no community with an exceptionally low rate (Saco being the lowest at 4.0%) which can balance the overall Peer Group rate.

Table 6-9. Civilian Labor Force Estimates for Biddeford's Peer Group Communities – Ranked by % Unemployed – 2013-2017 5-Year Estimate

Geography	County	Civilian Labor Force	Employed In Labor Force	Unemployed In Labor Force	% of Labor Force Unemployed
Waterville	Kennebec	7,521	6,898	623	8.3%
Bangor	Penobscot	16,723	15,493	1,230	7.4%
Augusta	Kennebec	9,478	8,789	689	7.3%
Sanford	York	10,709	9,994	715	6.7%
South Portland	Cumberland	15,141	14,223	918	6.1%
Lewiston	Androscoggin	18,453	17,413	1,040	5.6%
Westbrook	Cumberland	10,265	9,714	551	5.4%
Biddeford	York	12,278	11,621	657	5.4%
Brunswick	Cumberland	10,813	10,308	505	4.7%
Auburn	Androscoggin	12,119	11,581	538	4.4%
Saco	York	11,079	10,641	438	4.0%
Total Peer Group		134,579	126,675	7,904	5.9%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

C. Employed Labor Force by Industry:

The following three tables (Tables 5-10, 5-11, and 5-12) present employment by industry. Biddeford is compared to York County, the State of Maine, Biddeford's 15-Mile Labor Market Area, and Biddeford's Peer Group. These tables show not only the number of workers employed in each industry but also the share each industry makes up in the overall economy of each geography. In Biddeford, the strongest industry is Educational Services, Health Care and Social Assistance, where 24.9% of workers are employed. This is understandable; as shown later in this chapter, Southern Maine Health Care and the University of New England are Biddeford's largest two employers. This industry also has a similar share of the labor force in York County, the State of Maine, the LMA, and the Peer Group. However, the manufacturing and retail sectors also remain important sectors to the community. The arts and food industry is strong as well, offering a base on which to build upon. These six industry groups are ones in which Biddeford should look to further strengthen.

Table 6-10. Civilian Labor Force Estimates by Industry for Biddeford, York County, and the State of Maine – 2013-2017 5-Year Estimate

Geography	Civilian Employed Population 16 Years and Older	Agriculture, Forestry, Fishing and Hunting, and Mining	Constructio n	Manufacturing	Wholesale Trade	Retail Trade	Transportation and Warehousing	Information	Finance and Insurance, and Real Estate and Rental and Leasing	Professional, Scientific, and Management, and Administrative and Waste Management Services	Educational Services, and Health Care and Social Assistance	Arts, Entertainment, and Recreation, and Accommodation and Food Services	Other Services, except Public Admin.	Public Admin.
Biddeford	11,621	54	785	1,178	430	1,558	459	285	727	796	2,889	1,667	421	362
York County	105,307	1,090	7,471	12,890	2,796	13,407	3,478	2,270	7,287	9,396	26,294	10,172	4,226	4,530
State of Maine	658,693	16,670	44,995	60,167	14,776	86,841	24,306	11,847	40,099	57,940	183,400	58,892	30,488	28,272
Biddeford Industry %		0.5%	6.8%	10.1%	3.7%	13.4%	3.9%	2.5%	6.3%	6.8%	24.9%	14.3%	3.6%	3.1%
York County Industry %		1.0%	7.1%	12.2%	2.7%	12.7%	3.3%	2.2%	6.9%	8.9%	25.0%	9.7%	4.0%	4.3%
State of Maine Industry %		2.5%	6.8%	9.1%	2.2%	13.2%	3.7%	1.8%	6.1%	8.8%	27.8%	8.9%	4.6%	4.3%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Table 6-11. Civilian Labor Force Estimates by Industry for Biddeford’s 15-Mile Labor Market Area Communities (No Ranking) – 2013-2017 5-Year Estimate

Geography	County	Civilian Employed Population 16 Years and Older	Agriculture, Forestry, Fishing and Hunting, and Mining	Construction	Manufacturing	Wholesale Trade	Retail Trade	Transportation and Warehousing	Information	Finance and Insurance, and Real Estate and Rental and Leasing	Professional, Scientific, and Management, and Administrative and Waste Management Services	Educational Services, and Health Care and Social Assistance	Arts, Entertainment, and Recreation, and Accommodation and Food Services	Other Services, except Public Admin.	Public Admin.
Alfred	York	1,514	0	131	245	99	115	91	27	107	112	384	56	75	72
Arundel	York	2,250	124	140	215	44	221	100	83	159	164	664	179	54	103
Biddeford	York	11,621	54	785	1,178	430	1,558	459	285	727	796	2,889	1,667	421	362
Buxton	York	4,712	0	268	620	177	830	215	113	216	688	870	286	270	159
Cape Elizabeth	Cumberland	4,953	85	253	458	149	371	61	146	626	832	1,251	305	309	107
Dayton	York	1,164	9	122	164	53	154	47	23	82	78	264	81	26	61
Gorham	Cumberland	9,604	36	673	571	140	1,213	263	241	1,030	1,121	2,882	904	242	288
Hollis	York	2,497	7	259	406	53	366	77	69	193	201	610	100	74	82
Kennebunk	York	5,648	34	358	657	161	534	137	246	502	576	1,487	519	177	260
Kennebunkport	York	1,971	33	179	120	22	111	58	118	197	242	450	310	119	12
Lyman	York	2,120	81	313	283	51	111	138	0	108	230	561	141	31	72
Old Orchard Beach	York	4,824	50	245	458	130	571	126	165	588	321	1037	756	210	167
Portland	Cumberland	38,265	240	1,376	2,812	696	4,445	1065	1,135	3,007	4,999	10,526	5,224	1,818	922
Saco	York	10,641	105	685	812	148	1,475	309	323	865	991	3,097	1,234	274	323
Sanford	York	9,994	109	646	1,745	210	1,451	298	172	442	701	2,276	1068	488	388
Scarborough	Cumberland	10,748	64	443	774	455	1,816	311	227	1,436	1,390	2,443	662	400	327
South Portland	Cumberland	14,223	122	493	941	278	2,033	393	469	1,247	1,859	3,680	1,792	699	217
Waterboro	York	3,804	13	230	525	193	531	175	64	224	269	1,036	203	80	261
Wells	York	4,715	0	238	601	34	604	118	18	506	381	1,211	525	203	276
Westbrook	Cumberland	9,714	101	417	679	377	1,583	289	222	948	980	2,452	927	503	236
Total LMA		154,982	1,267	8,254	14,264	3,900	20,093	4,730	4,146	13,210	16,931	40,070	16,939	6,473	4,695
Biddeford Industry %			0.46%	6.76%	10.14%	3.70%	13.41%	3.95%	2.45%	6.26%	6.85%	24.86%	14.34%	3.62%	3.12%
LMA Industry %			0.82%	5.33%	9.20%	2.52%	12.96%	3.05%	2.68%	8.52%	10.92%	25.85%	10.93%	4.18%	3.03%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Table 6-12. Civilian Labor Force Estimates by Industry for Biddeford’s Peer Group Communities (Not Ranked) – 2016-2020 5-Year Estimate

Geography	Civilian Employed Population 16 Years and Older	Agriculture, Forestry, Fishing and Hunting, and Mining	Construction	Manufacturing	Wholesale Trade	Retail Trade	Transportation and Warehousing	Information	Finance and Real Estate and Rental and Leasing	Professional, Scientific, and Management, and Administrative and Waste Management Services	Educational Services, and Health Care and Social Assistance	Arts, Entertainment, and Recreation, and Accommodation and Food Services	Other Services, except Public Admin.	Public Admin.
Auburn	11,831	102	623	1,193	250	1,533	428	186	953	1,610	3,022	1,134	448	349
Augusta	8,952	67	367	311	278	1,339	383	184	422	708	2,053	1,203	372	1,265
Bangor	15,676	138	977	460	267	2,154	420	303	501	919	5,952	2,063	551	971
Biddeford	12,167	0	751	1,086	347	1,895	786	233	1,054	750	3,406	1,011	427	421
Brunswick	10,616	65	516	780	88	1,364	403	163	659	1,182	3,602	1,161	543	90
Lewiston	17,007	47	812	1,317	262	2,055	687	431	1,517	1,824	5,445	1,559	700	351
Saco	11,568	163	467	1,021	281	1,617	370	297	999	1,133	3,056	1,262	593	309
Sanford	10,670	31	608	1,749	220	1,685	450	112	739	739	2,373	1,001	494	469
South Portland	14,928	0	529	792	282	1,864	853	434	1,281	1,453	4,400	2,221	498	321
Waterville	7,339	20	330	380	49	1,375	143	162	205	591	2,987	624	280	193
Westbrook	10,950	35	710	934	251	1,363	464	324	1,256	1,389	2,755	838	485	146
Total Peer Group	131,704	668	6,690	10,023	2,575	18,244	5,387	2,829	9,586	12,298	39,051	14,077	5,391	4,885
Biddeford Industry %	–	0.0%	6.2%	8.9%	2.9%	15.6%	6.5%	1.9%	8.7%	6.2%	28.0%	8.3%	3.5%	3.5%
Peer Group Industry %	–	0.5%	5.1%	7.6%	2.0%	13.9%	4.1%	2.1%	7.3%	9.3%	29.7%	10.7%	4.1%	3.7%

Source: U.S. Census Bureau, American Community Survey 2016-2020 Estimate.

D. General Description of Major Employers in Biddeford and Local Area:

The top employers in Biddeford reflect industry by employment as shown in the previous tables. As of 2019, the top ten employers here (shown above) are all in the three industries, 'Education Services, Health Care and Social Assistance,' 'Manufacturing,' and 'Retail Trade,' which employ the greatest share of the total Civilian Labor Force in Biddeford.

Table 6-13. Largest Biddeford Employers (non-City), September 2019.

Employer Name	Type of Employer	Total Number of Employees
Southern Maine Health Care	Health Care	1,423
University of New England	Institution	606
Market Basket	Retail	400
AVX Tantalum	Manufacturing	247
WalMart	Retail	170
Hannaford	Retail	160
Southridge Rehabilitation	Health Care	100
Fiber Materials Inc.	Manufacturing	226
Home Depot	Retail	150
Target	Retail	150

Source: Telephone Survey by Brad Favreau the week of June 30, 2019

With approximately 726 workers, the City of Biddeford employs approximately 5.7% of the labor force, as broken out in Table 6-14.

Table 6-14. Biddeford Employees by Location as of November, 2022.

City of Biddeford	Total Number of Employees
City Hall (Includes Cable Access)	68
School Department	388
Public Works	72
Recreation	5 FT/ Seas/P/T 95
Police	83
Fire	45

Source: Human Resources Department, November 2022

E. Taxable Retail Consumer Sales:

Figure 5-4 on the following page provides an indication of Taxable Retail Sales for Biddeford for the five-year period from fourth-quarter 2011 to the third quarter of 2016. Figure 5-4 clearly indicates that Personal Taxable Retail Sales far exceed any other category of retail sales for every quarter. It also indicates a clear pattern in lower sales in the 1st quarter than in any other quarter.

Figure 5-5 removes Personal Retail Sales from the chart in order to allow better visualization of the other categories. For most quarters within this time period, General Retail Sales surpassed Building Retail Sales and has remained the strongest since (other than Personal Retail Sales).

Figure 5-4. Taxable Retail Sales in Biddeford from 2004 to the 2nd Quarter of 2014.

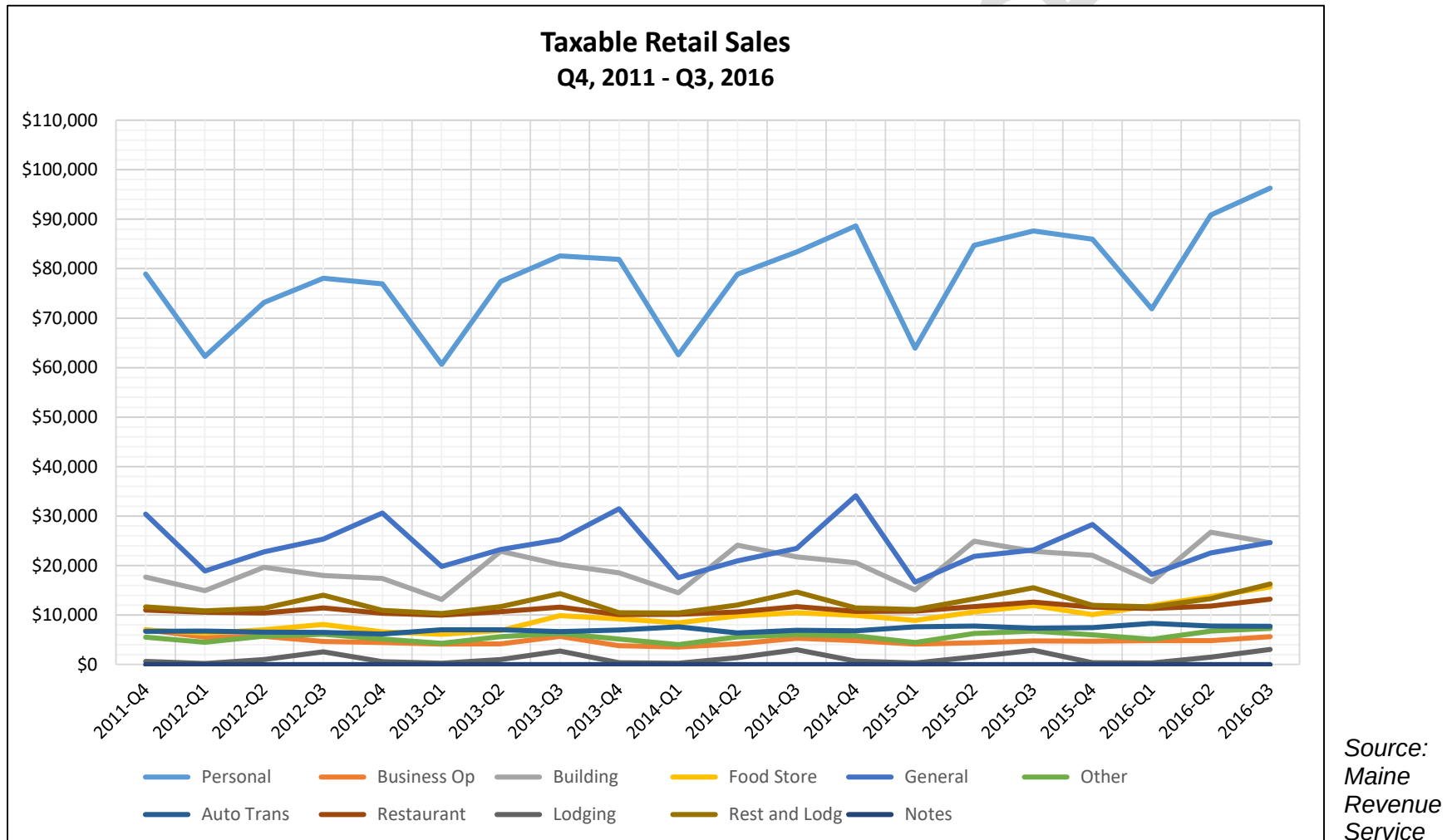
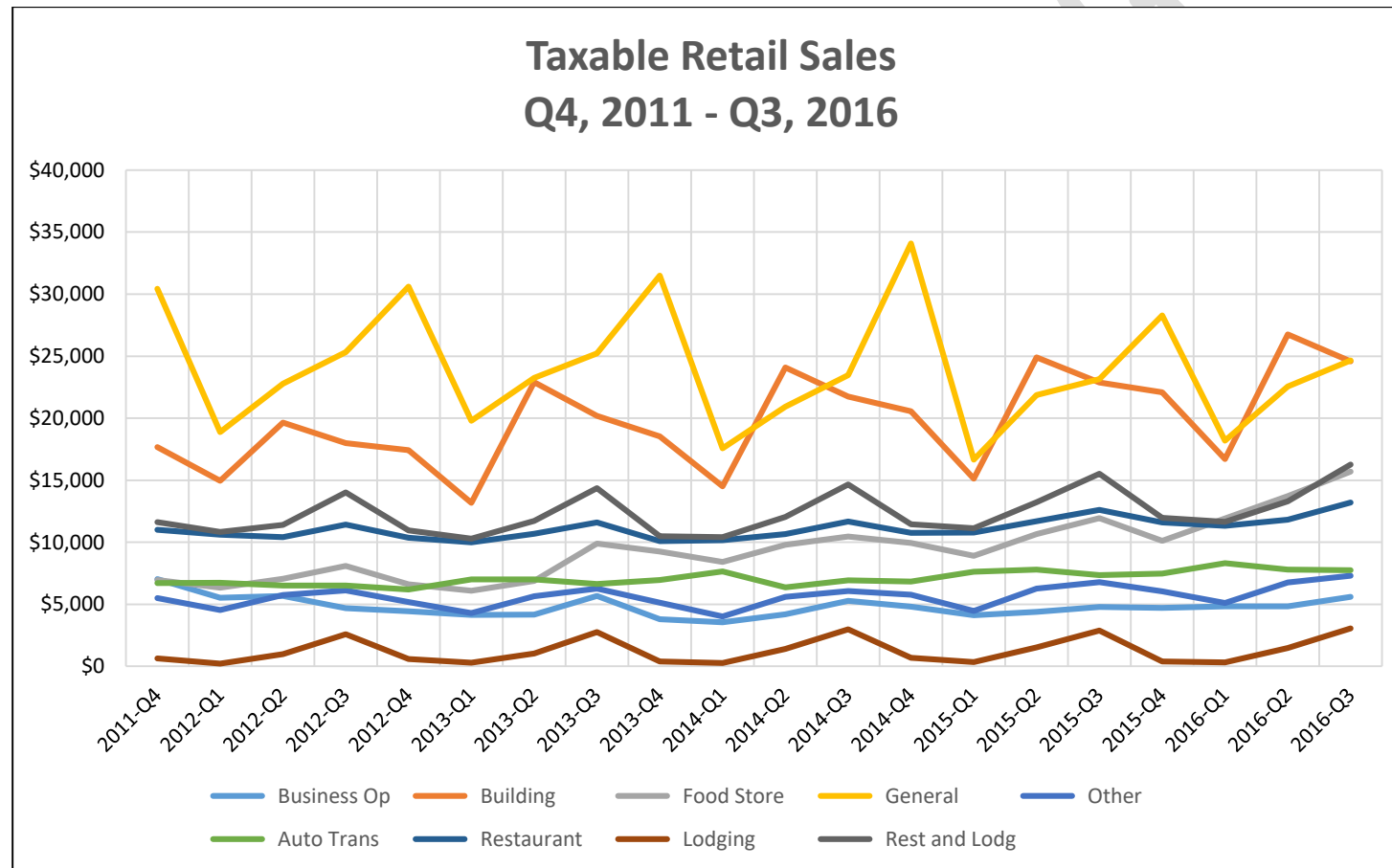


Figure 5-5. Taxable Retail Sales in Biddeford from 2004 to the 2nd Quarter of 2014 (Not Including Personal Retail Sales).



Source: Maine Revenue Service

F. Commuter Patterns:

In examining commuting information, it can first be helpful to understand how Biddeford residents commute (i.e., by what means of transportation). The U.S. Census Bureau American Community Survey provides 5-Year Estimates of this information for 2013-2017.

Table 6-15 compares Biddeford to the State and York County. Biddeford's Mean Travel Time (22.6 minutes) is estimated to be slightly below that of the State as a whole (23.8 minutes), and significantly below that of York County (28.0 minutes).

Most marked, however, is Biddeford has a relatively low percent (72.7%) of those driving alone to work compared to York County (80.1%) and the State as a whole (78.5%). In contrast, Biddeford has a relatively high percentage (8.8%) of people walking to work than York County (2.4%) and the State (3.9%)

Compared to the Labor Market Area (Tables 5-17 and 5-18), Biddeford has a relatively higher median travel time (22.6 minutes) and lower incidence of people driving alone to work (72.7%). This may be representative of the relatively high percentage of people walking to work (8.8%) in Biddeford which may take more time than driving.

Among the Peer Group communities (Tables 5-19 and 5-20), Biddeford has a relatively high mean travel time (22.6 minutes) than many of the other communities.

Table 6-15. Commuting Means of Transportation for Biddeford, York County, and the State of Maine – 2013-2017 5-Year Estimate

Geography	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van - Carpooled	Public Transportation	Walked	Other Means	Worked At Home	Mean Travel Time (Minutes)
Biddeford	11,225	8,155	1,112	92	989	411	466	22.6
York County	103,520	82,964	9,883	692	2,479	1,649	5,853	28.0
State of Maine	645,333	506,626	62,820	4,142	25,317	10,015	36,413	23.8

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-16. Commuting Means of Transportation (%) for Biddeford, York County, and the State of Maine – 2013-2017 5-Year Estimate

Geography	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van - Carpooled	Public Transportation	Walked	Other Means	Worked At Home
Biddeford	11,225	72.7%	9.9%	0.8%	8.8%	3.7%	4.2%
York County	103,520	80.1%	9.5%	0.7%	2.4%	1.6%	5.7%
State of Maine	645,333	78.5%	9.7%	0.6%	3.9%	1.6%	5.6%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-17. Commuting Means of Transportation for Biddeford's 15-Mile Labor Market Area Communities – Ranked by Estimated Mean Travel Time (Least to Greatest) – 2013-2017 5-Year Estimate

Geography	County	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van - Carpooled	Public Transportation	Walked	Other Means	Worked At Home	Mean Travel Time (Minutes)
South Portland	Cumberland	14,037	10,958	1,490	300	378	317	594	18.8
Portland	Cumberland	37,828	24,944	3,344	1,188	4,686	1,410	2,256	19.1
Scarborough	Cumberland	10,584	8,607	793	65	99	105	915	19.1
Westbrook	Cumberland	9,456	7,897	652	337	102	164	304	21.9
Biddeford	York	11,225	8,155	1,112	92	989	411	466	22.6
Kennebunk	York	5,431	4,466	327	20	27	28	563	22.9
Cape Elizabeth	Cumberland	4,872	3,813	223	22	39	82	693	23.4
Arundel	York	2,215	1,822	164	15	12	95	107	23.6
Saco	York	10,480	8,579	1,233	21	142	149	356	23.6
Gorham	Cumberland	9,455	7,176	1,244	35	398	104	498	25.5
Wells	York	4,456	3,885	324	16	74	0	157	27.0
Lyman	York	2,097	1,723	181	38	0	10	145	27.3
Sanford	York	9,850	7,785	158	96	197	172	442	28.1
Old Orchard Beach	York	4,705	3,686	514	46	58	74	327	28.8
Dayton	York	1,158	1,018	45	3	9	4	79	29.3
Buxton	York	4,716	3,943	443	0	21	18	291	29.8
Kennebunkport	York	1,964	1,635	64	36	17	7	205	30.0
Hollis	York	2,478	2,041	273	0	20	30	114	32.5
Alfred	York	1,477	1,190	130	4	33	11	109	33.1
Waterboro	York	3,757	3,006	430	0	30	15	276	42.2
Total LMA		152,241	116,329	13,144	2,334	7,331	3,206	8,897	N/A

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-18. Commuting Means of Transportation (%) for Biddeford's 15-Mile Labor Market Area Communities – Ranked by % “Car, Truck or Van – Drove Alone” Greatest to Least – 2013-2017 5-Year Estimate

Geography	County	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van - Carpooled	Public Transportation	Walked	Other Means	Worked At Home
Dayton	York	1,158	87.9%	3.9%	0.3%	0.8%	0.3%	6.8%
Wells	York	4,456	87.2%	7.3%	0.4%	1.7%	0.0%	3.5%
Buxton	York	4,716	83.6%	9.4%	0.0%	0.4%	0.4%	6.2%
Westbrook	Cumberland	9,456	83.5%	6.9%	3.6%	1.1%	1.7%	3.2%
Kennebunkport	York	1,964	83.2%	3.3%	1.8%	0.9%	0.4%	10.4%
Hollis	York	2,478	82.4%	11.0%	0.0%	0.8%	1.2%	4.6%
Arundel	York	2,215	82.3%	7.4%	0.7%	0.5%	4.3%	4.8%
Kennebunk	York	5,431	82.2%	6.0%	0.4%	0.5%	0.5%	10.4%
Lyman	York	2,097	82.2%	8.6%	1.8%	0.0%	0.5%	6.9%
Saco	York	10,480	81.9%	11.8%	0.2%	1.4%	1.4%	3.4%
Scarborough	Cumberland	10,584	81.3%	7.5%	0.6%	0.9%	1.0%	8.6%
Alfred	York	1,477	80.6%	8.8%	0.3%	2.2%	0.7%	7.4%
Waterboro	York	3,757	80.0%	11.4%	0.0%	0.8%	0.4%	7.3%
Sanford	York	9,850	79.0%	1.6%	1.0%	2.0%	1.7%	4.5%
Old Orchard Beach	York	4,705	78.3%	10.9%	1.0%	1.2%	1.6%	7.0%
Cape Elizabeth	Cumberland	4,872	78.3%	4.6%	0.5%	0.8%	1.7%	14.2%
South Portland	Cumberland	14,037	78.1%	10.6%	2.1%	2.7%	2.3%	4.2%
Gorham	Cumberland	9,455	75.9%	13.2%	0.4%	4.2%	1.1%	5.3%
Biddeford	York	11,225	72.7%	9.9%	0.8%	8.8%	3.7%	4.2%
Portland	Cumberland	37,828	65.9%	8.8%	3.1%	12.4%	3.7%	6.0%
Total LMA		152,241	76.4%	8.6%	1.5%	4.8%	2.1%	5.8%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-19. Commuting Means of Transportation for Biddeford's Peer Group Communities – Ranked by Estimated Mean Travel Time (Least to Greatest) – 2013-2017 5-Year Estimate

Geography	County	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van – Carpooled	Public Transportation	Walked	Other Means	Worked At Home	Mean Travel Time (Minutes)
Bangor	Penobscot	15,141	11,268	1,977	227	796	231	642	16.0
Waterville	Kennebec	6,757	4,494	736	0	1148	102	277	16.6
Augusta	Kennebec	8,568	7,006	619	24	415	229	365	17.5
South Portland	Cumberland	14,037	10,958	1,490	300	378	317	594	18.8
Brunswick	Cumberland	10,187	7,601	660	11	1,017	236	662	19.9
Lewiston	Androscoggin	16,792	12,253	2,119	43	1,277	485	615	20.4
Auburn	Androscoggin	11,226	8,853	1,181	26	539	190	437	20.9
Westbrook	Cumberland	9,456	7,897	652	337	102	164	304	21.9
Biddeford	York	11,225	8,155	1,112	92	989	411	466	22.6
Saco	York	10,480	8,579	1,233	21	142	149	356	23.6
Sanford	York	9,850	7,785	158	96	197	172	442	28.1
Total Peer Group		123,719	94,849	11,937	1,177	7,000	2,686	5,160	

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Table 6-20. Commuting Means of Transportation for Biddeford's Peer Group Communities – Ranked by % “Car, Truck or Van – Drove Alone” Greatest to Least – 2013-2017 5-Year Estimate

Geography	County	Workers 16 Years and Older	Car, Truck, or Van - Drove Alone	Car, Truck, or Van - Carpooled	Public Transportation	Walked	Other Means	Worked At Home
Westbrook	Cumberland	9,456	83.5%	6.9%	3.6%	1.1%	1.7%	3.2%
Saco	Kennebec	10,480	81.9%	11.8%	0.2%	1.4%	1.4%	3.4%
Augusta	Cumberland	8,568	81.8%	7.2%	0.3%	4.8%	2.7%	4.3%
Sanford	York	9,850	79.0%	1.6%	1.0%	2.0%	1.7%	4.5%
Auburn	Androscoggin	11,226	78.9%	10.5%	0.2%	4.8%	1.7%	3.9%
South Portland	York	14,037	78.1%	10.6%	2.1%	2.7%	2.3%	4.2%
Brunswick	Cumberland	10,187	74.6%	6.5%	0.1%	10.0%	2.3%	6.5%
Bangor	Penobscot	15,141	74.4%	13.1%	1.5%	5.3%	1.5%	4.2%
Lewiston	Androscoggin	16,792	73.0%	12.6%	0.3%	7.6%	2.9%	3.7%
Biddeford	York	11,225	72.7%	9.9%	0.8%	8.8%	3.7%	4.2%
Waterville	Kennebec	6,757	66.5%	10.9%	0.0%	17.0%	1.5%	4.1%
Total Peer Group		123,719	76.7%	9.6%	1.0%	5.7%	2.2%	4.2%

Source: U.S. Census, American Community Survey 2013-2017 Estimate

Figure 5-6 describes inflow and outflow of workers for Biddeford in 2019. Only 2,265 workers that live in Biddeford stayed in Biddeford for work. Almost 4 times as many (8,581) that live in Biddeford commute elsewhere for employment. As a service center community, Biddeford experiences a significant inflow in comparison, with 9,158 workers living outside of Biddeford coming to Biddeford for employment.

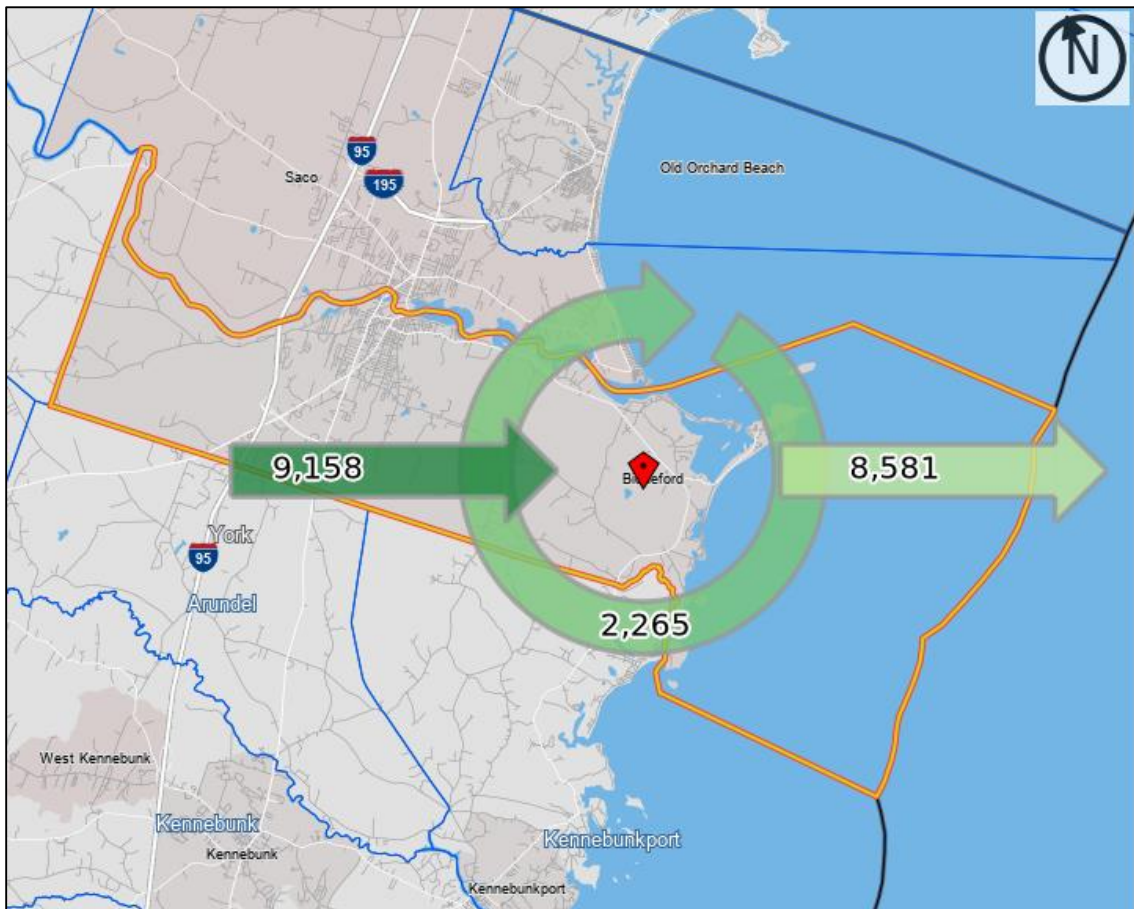


Figure 5-6. Inflow and Outflow of Labor for Biddeford, Maine, 2019.

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics, 2019.

Table 6-21 includes all 2018 employment in Biddeford and where people originated who worked in Biddeford. As might be expected, the majority of those workers coming from outside of Biddeford live in Saco, but a significant number also come from Portland, Sanford, and Old Orchard Beach.

Table 6-21. Origin of Commuting to/within Biddeford, 2018

Origin Location	County	# of Workers	%
Biddeford	York	2,291	20.9%
Saco	York	1,101	10.0%
Portland	Cumberland	682	6.2%
Sanford	York	524	4.8%
Old Orchard Beach	York	282	2.6%
South Portland	Cumberland	281	2.6%
Westbrook	Cumberland	183	1.7%
Kennebunk	York	146	1.3%
Lake Arrowhead	Cumberland	98	0.9%
Lewiston	York	83	0.8%
All Other Locations		5,309	48.4%
Total		10,980	100%

Source: U.S. Census Bureau, OnTheMap Application and LEHD Origin-Destination Employment Statistics, 2018.

G. Home Occupations/Working from Home/Working Remotely:

Home Occupations are scattered throughout Biddeford with difficulty in quantifying. This difficulty is exacerbated by people who telecommute or work out of their home, all or part of a given workweek.

7 HOUSING

"A house is a home when it shelters the body and comforts the soul." Phillip Moffitt

1. What's happening?

The home is the foundation of any community. It is the physical structure that ties people to place more than any other building type. The availability of decent and affordable housing, for people of all income levels, is a fundamental requirement of a thriving community. Assessing a community's housing stock in a comprehensive plan ensures that future housing needs are addressed before issues of supply, quality and cost become problematic. The availability of a wide diversity of housing types contributes to a community's vibrancy and economic success.

Housing is intricately linked to the local economy in several ways. Demographics help to determine the type and price range of a community's housing stock, but employment opportunities also play a key role. Prospective businesses seek new locations where good quality housing, contributing to the quality of life, is readily available. Also, people from outside a community are drawn in if available homes, either for sale or rent, are considered good values. Finally, a stable housing stock provides a stable property tax base, upon which so many local services, like schools and infrastructure needs, depend. Some economic goals in the comprehensive plan that are tied to housing include supporting mixed-use re-development in the City's Mill District and supporting both market-rate and workforce housing initiatives.

Yet affordability continues to be a problem in Biddeford and throughout Maine. In recent years housing costs have risen faster than household incomes, despite the fact that housing values (rent and ownership) remain below the regional market. Higher land prices, excessive lot sizes, low-density zoning, stringent infrastructure requirements and increasing housing value markets to the north and south of Biddeford have driven up the cost of housing, excluding many people of limited means.

This chapter examines the existing condition of housing in Biddeford, its affordability and availability, especially for lower-income households. The inventory of housing is divided into three sections: first, an overview of Biddeford's demographic and housing tenure profile; second is a look at the

number and type of housing units available, and third is an assessment of affordability.

2. What the Community is Saying

"I've been looking for months and I still can't find an apartment"

"I would love to see more housing for students and families"

"Seniors should be able to live close to the services they need"

"My rent has increased so much. I'm struggling to make ends meet"

3. Housing Today

10,064

Housing Units

Includes 636 Seasonal Homes

3.7%

Rental Vacancy Rate

Lower than the rest of York County

1952

Median Year Built

Older than the rest of York County

1 in 4

Housing Units

Are in below average condition

1. Housing Units and Household Size.

Table 7-1 presents general housing characteristics for Biddeford between the years 2010 and 2020. For this period, the population of Biddeford has increased by 5.9%. While the overall population has grown, the number of housing units has grown at a slightly slower rate of 5%. For this same period, the number of households increased by 9.5%). As a result of relatively stable population increase and the number of households, with more units added as a percentage than either, the average household size has fallen slightly.

Table 7-1. Population, Housing Units, Households, Household Size, and Occupancy Characteristics, Biddeford, 2000-2010

	2010	2020	% Change 2010-2020
Population	21,277	22,552	5.9%
Housing Units	10,064	10,576	5.0%
Households	8,598	9,431	9.5%
Average Household Size	2.30	2.15	-6.2%
Owner Occupied Rate	49.2%	47.8%	-2.8%
Renter Occupied Rate	50.8%	52.2%	2.7%

Source: U.S. Census, 2010, 2020

Table 7-2. % Housing Units per Structure for Biddeford, York County, and the State of Maine - Ranked by % Multi-family (3 or more units) - 2013-2017 5-Year Estimate

Municipality	Total Housing Units	1-Unit	2+ Units	Multi-family	Mobile Home	Boat, RV, Van, Etc.
Biddeford	9,815	49.1%	16.5%	30.8%	1.3%	0.0%
York County	108,609	72.7%	6.4%	14.1%	6.7%	0.1%
State of Maine	735,711	72.7%	4.9%	14.0%	8.4%	0.0%

Source: US Census: American Community Survey 2013-2017 5-year Estimates

Geography	# of Occupied Housing Units	Owner Occupied Housing Units	% Owner Occupied	Renter Occupied Housing Units	% Renter Occupied
Biddeford	8,545	4,196	49.1%	4,349	50.9%
York County	83,324	62,076	74.5%	21,248	25.5%
State of Maine	554,061	398,924	72.0%	155,137	28.0%

Source: US Census: American Community Survey 2013-2017 5-year Estimates

4. Challenges and Opportunities

Housing Demand.

After decades of minimal population growth, Biddeford is now poised for noticeable increases in the number of people who live here. By 2022, Biddeford's population is expected to grow by more than 5%. This magnitude of growth is striking, since Biddeford has essentially the same size population as in 1950. This level of growth has not been experienced in Biddeford within such a short period of time since the mid-twentieth century.

The number of new housing units will likely grow accordingly, especially in the Downtown area and Mill District conversions will add hundreds of new housing units in coming years. The number of new households created may nevertheless place strain on the availability of housing. The trend in recent decades is of smaller household size. One- or two-person households vastly outnumber larger households in Biddeford as elsewhere; therefore, more housing units may be needed to shelter Biddeford's growing population than ever before, especially for smaller household sizes. Anecdotally, housing in the Portland, Maine area is growing costlier and many households are being driven south to the Saco/Biddeford area by unaffordability. This trend will only drive demand for housing here, and the supply and demand of good housing will likely drive housing costs higher in Biddeford over the next five or more years.

Housing Affordability

"Affordable housing" means decent, safe and sanitary dwelling, apartment or other living accommodation of a household whose income does not exceed 80% of the median income for the area as defined by the United States Department of

Housing and Urban Development under the United States Housing Act of 1937, Public Law 412, 50 Stat. 888, Section 8, as amended.

In simplest terms, affordability is a question of household income as compared to the cost of housing. A review of the issue in Biddeford must track and compare trends in income levels and the cost of housing, both owned and rented. For some Biddeford residents, the cost of housing can consume an inordinate amount of their income.

One of the more pressing policy level concerns regarding housing in Biddeford is affordability. In March 2018 the Planning and Development Department completed a Housing Assessment and Market analysis. This analysis forms the basis for a housing affordability discussion within this comprehensive Plan and is presented in the appendix of this section.

Affordable Housing Task Force

The Affordable Housing Task Force has worked since 2020 to study and analyze ways to preserve and improve access to affordable housing in Biddeford. In December of 2022, the Task Force released its interim report, which outlines a series of recommendations and policy actions to be pursued by the City Council. The Task Force has shared several key findings in its interim report:

Recommendations developed in the interim report include:

1. Unhoused Involvement: The task force considered the multiple of complexities that cause individuals to be unhoused. The nation-wide issue exists in Maine and in Biddeford. With the lack of a national, state and/or regional plan(s) to compliment local efforts, outcomes vary. The task force is recommending that the City Council:

- a.** Take immediate action to change the existing policy of doing essentially the state minimum required; so that unhoused does not face a winter night on the street.
- b.** Develop and implement a city wide unhoused strategy that provides complete services to assist the unhoused so they may break the cycle of being unhoused. With the complexity of the issue, the Task Force encourages community outreach and engagement during the process. The policy should be adopted by Spring of 2023.
- c.** Seek additional technical assistance in developing options for the City Council to explore as they develop a new policy for unhoused

2. Adopt an Inclusionary Zoning (IZ) Ordinance: Inclusionary zoning will require new housing projects to actively participate in the creating of new affordable housing units. While the details are still to be worked out, IZ will require all projects over a certain size to either build a percentage of the units to meet the City's affordable housing goals. In some cases, it will allow a cash

payment into the affordable housing fund instead of creating the units.

3. Affordable Housing Fund: The Task Force will be making a recommendation to create a special account for affordable housing initiatives. Funds that are generated for affordable housing would go into the account. The account would include any affordable housing TIF proceeds, the donation from the Devine project, IZ payments, grants or other funds. Annually, the fund would seek proposals for affordable housing projects.

4. Rent Control: The TF will be making a recommendation that any sort of rent control is not a desired solution to address affordable housing units within the community.

5. Targeted Affordable Housing Definitions: The committee has identified that the main goal of affordable housing work will be at the 80% of AMI (annual median income).

6. Modify the amount of the affordable housing goal: The TF is recommending that the current Council goal of creating/preserving 450 affordable units over a five-year period (beginning in 2021). The new goal that the TF has voted on is to create and/or preserve 900 affordable rental units from 2023 to 2028. In addition, the TF is recommending an additional goal that 12.5% of all rental units will be affordable by 2028.

LD 2003

LD 2003 is state legislation sponsored by local Rep. Ryan Fecteau (D-Biddeford) that aims to address Maine's housing crisis by creating new allowances for duplex and fourplex homes in most areas.

- Allows for up to four (4) units per lot by-right in most existing growth
- Allows for two (2) units per lot by-right in other areas
- Density bonuses for certain affordable housing projects
- Signed into law in April of 2022

Phased Implementation LD 2003 is likely to have an impact on how our community develops and where growth occurs. At time of writing, the rulemaking for LD 2003 is ongoing

LEAD PAINT

In 2019, the City of Biddeford received a \$3.2 million grant from HUD's Office of Lead Hazard Control and Healthy Homes to establish the *Safe and Affordable Homes for Healthy Families Program*. Designed to prevent lead poisoning in young children (Biddeford has Maine's 4th highest burden of lead-poisoned youth under age of 6), improve overall housing conditions for families, and maintain affordable rents for a period of at least 3 years, SAHHF pays to abate lead paint hazards and correct other health/safety issues in pre-1978 multifamily units where the majority of households qualify as low income. The Program's target area is the downtown core, which is home to the City's oldest multifamily housing stock, much of it built before 1950, often poorly maintained, and ranging in size from duplexes to 25-unit structures

TRANSIT ORIENTED DEVELOPMENT

The City of Biddeford has worked in coordination with the City of Saco and the Greater Portland Council of Governments (GPCOG) to study opportunities for transit-oriented housing development for downtown Biddeford and the Mill District, as well as Factory Island and downtown Saco.

This study envisions a more dense, connected and mixed-use urban downtown supported by improved transit service by bus and rail, as well as safe, convenient bicycle and pedestrian connectivity.



**Biddeford-Saco Transit-Oriented Development study area
(2021)**

Housing: What Comes Next?



Like many other communities in southern Maine, Biddeford is at a critical juncture when it comes to housing access and affordability. Access to abundant and affordable housing of all varieties is vital to creating a healthy community, attracting new residents and developing a thriving local economy. In the coming years, Biddeford is well suited to leverage its location, historic mill district, and dense urban framework to create new housing opportunities that will make our community a vibrant and equitable place to live and work. In coming years, we aim to work collaboratively to:

Increase housing availability of all types, with an emphasis on ensuring new housing is affordable and equitable. mixed-use housing in walkable and accessible neighborhoods.

Enable transit-oriented development and promote dense, mixed-use housing in key areas of the city

Preserve Biddeford's existing housing stock and ensure that legacy housing is safe and resilient.

Goal 1

Increase the supply of safe and adequate affordable housing for low- to moderate-income persons (i.e., Biddeford's "workforce" population)

How We Get There:

- Consider revisions to the City's zoning and land use standards that would provide incentives (e.g., density bonuses) for the development of affordable housing with a goal of a minimum of 1 in every 10 units constructed be affordable
- Continue to re-examine growth area land use regulations to increase density and decrease lot size, setbacks and road widths to encourage the development of affordable/workforce housing.

- In partnership with other public/private entities, such as the Biddeford Housing Authority, explore the adaptive re-use and redevelopment of non-residential properties, e.g. mills and churches, into affordable and sheltered housing
- Maintain and promote Biddeford's Accessory Dwelling Unit (ADU) Ordinance to provide affordable housing throughout Biddeford.

Goal 2

Enable Housing that allows residents to live car-free and easily access local businesses and services via walking, biking and transit

How We Get There:

- Consider revisions to the City's zoning and land use standards that would reduce or remove parking requirements for housing projects in certain zones.
- Maintain and promote Biddeford's Accessory Dwelling Unit (ADU) Ordinance to provide infill housing throughout Biddeford.
- Work with the City of Saco to implement elements of the 2021 Transit-Oriented Development plan for Saco Island and the mill district.
- Collaborate with other public/private entities such as BSOOB Transit to ensure new large-scale housing development can be served by transit.
- Work to enhance bicycle and pedestrian facilities downtown and create complete streets.

Goal 3

Preserve and upgrade the city's housing stock

How We Get There:

- Consider establishment of low interest loan programs to help finance the rehabilitation of the City's downtown housing stock
- Undertake a systematic and concentrated program of code enforcement to ensure life safety standards are met and to prevent blighting influences on neighborhoods

Housing: Appendix

Table 7-2 demonstrates that compared to the State (75.3%) and York County (76.7%), Biddeford has a relatively high occupancy rate of estimated housing units in the City at 87.1%. a relatively stable population increase of 2.8 % percent is expected to be noted within the observed period of time

Table 7-2. Occupancy Rates for Biddeford, York County, and the State of Maine, 2020 Census Estimates

Geography	# of Total Housing Units (Margin of Error +/-)	Occupied Housing Units	% Occupied Housing Units	Vacant Housing Units	% Vacant Housing Units
Biddeford	10,576	8,545	87.1%	1,270	12.9%
York County	113, 413	86,919	76.7%	23,274	23.3%
State of Maine	745,334	554,061	75.3%	181,650	24.7%

Source: U.S. Census, 2020 Estimates

Table 7-3 presents estimated data regarding the proportion of occupied housing units that are either owner-occupied or renter-occupied. The Biddeford rate of renter-occupancy is significantly higher than that of the State of Maine and York County. More than half of Biddeford occupied housing units are estimated to be renter-occupied.

Table 7-3. Occupancy Characteristics (Housing Tenure) for Biddeford, York County, and the State of Maine, 2013-2017 5-Year Estimate

Geography	# of Occupied Housing Units (Margin of Error +/-)	Owner Occupied Housing Units	% Owner Occupied	Renter Occupied Housing Units	% Renter Occupied
Biddeford	8,545 (348)	4,196	49.1%	4,349	50.9%
York County	83,324 (818)	62,076	74.5%	21,248	25.5%
State of Maine	554,061 (2,330)	398,924	72.0%	155,137	28.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Table 7-4 compares owner-occupied units to renter-occupied units for Biddeford 15-Mile Labor Market Area (LMA). Within Biddeford's LMA, Biddeford has the lowest percentage of owner-occupied units compared to renter-occupied units other than Portland.

Table 7-4. Housing Tenure % for Biddeford's 15-Mile Labor Market Area Communities – Ranked by % Owner Occupied - 2013-2017 5-Year Estimate

Municipality	County	% Owner Occupied	% Renter Occupied
Lyman	York	92.9%	7.1%
Waterboro	York	90.1%	9.9%
Dayton	York	89.9%	10.1%
Cape Elizabeth	Cumberland	88.5%	11.5%
Alfred	York	87.5%	12.5%
Hollis	York	85.7%	14.3%
Kennebunkport	York	85.3%	14.7%
Gorham	Cumberland	84.6%	15.4%
Buxton	York	83.6%	16.4%
Wells	York	83.1%	16.9%
Arundel	York	81.8%	18.2%
Scarborough	Cumberland	79.9%	20.1%
Kennebunk	York	76.6%	23.4%
Old Orchard Beach	York	66.9%	33.1%
Saco	York	66.2%	33.8%
Westbrook	Cumberland	62.5%	37.5%
South Portland	Cumberland	61.6%	38.4%
Sanford	York	59.6%	40.4%
Biddeford	York	49.1%	50.9%
Portland	Cumberland	44.00%	56.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Compared to the other Peer Group Service Center Communities in the State (Table 7-5), Biddeford also has a low percentage of owner-occupied units.

Table 7-5. Housing Tenure % for Biddeford's Peer Group Service Center Communities – Ranked by % Owner Occupied - 2013-2017 5-Year Estimate

Municipality	County	% Owner Occupied	% Renter Occupied
Brunswick	Cumberland	69.1%	30.9%
Saco	York	66.2%	33.8%
Westbrook	Cumberland	62.5%	37.5%
South Portland	Cumberland	61.6%	38.4%
Sanford	York	59.6%	40.4%
Auburn	Androscoggin	56.5%	43.5%
Augusta	Kennebec	52.8%	47.2%
Lewiston	Androscoggin	50.2%	49.8%
Biddeford	York	49.1%	50.9%
Bangor	Penobscot	47.4%	52.6%
Waterville	Kennebec	46.3%	53.7%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

1. Housing Stock.

Tables 7-6, 7-7, and 7-8 present housing unit data by structure. As can be seen, Biddeford has a relatively high percentage of multi-family housing structures compared to the State, York County, its LMA communities (other than Old Orchard Beach and Portland), and a majority of its Peer Group of Service Center communities.

Table 7-6. % Housing Units per Structure for Biddeford, York County, and the State of Maine - Ranked by % Multi-family (3 or more units) - 2013-2017 5-Year Estimate

Municipality	Total Housing Units (Margin of Error +/-)	1-Unit	2 Units	Multi-family	Mobile Home	Boat, RV, Van, Etc.
Biddeford	9,815 (381)	49.1%	16.5%	30.8%	1.3%	0.0%
York County	108,609 (236)	72.7%	6.4%	14.1%	6.7%	0.1%
State of Maine	735,711 (452)	72.7%	4.9%	14.0%	8.4%	0.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Table 7-7. % Housing Units per Structure for Biddeford's 15-Mile Labor Market Area Communities – Ranked by % Multi-family (3 or more units) - 2013-2017 5-Year Estimate

Municipality	Total Housing Units (Margin of Error +/-)	1-Unit	2 Units	Multi-family	Mobile Home	Boat, RV, Van, Etc.
Portland	33,785 (490)	43.1%	10.4%	46.3%	0.1%	0.0%
Old Orchard Beach	6,854 (284)	52.2%	7.2%	32.1%	8.1%	0.2%
Biddeford	9,815 (381)	53.2%	13.1%	32.0%	1.7%	0.0%
South Portland	11,346 (350)	62.5%	9.4%	28.1%	0.0%	0.0%
Westbrook	8,566 (308)	57.8%	11.6%	27.5%	4.0%	0.1%
Sanford	9,982 (332)	58.3%	13.1%	22.4%	6.1%	0.0%
Saco	8,429 (317)	63.4%	11.6%	21.5%	3.6%	0.0%
Kennebunk	6,044 (247)	79.5%	3.4%	16.8%	0.3%	0.0%
Scarborough	8,584 (256)	81.8%	4.4%	10.9%	2.8%	0.0%
Wells	8,930 (327)	70.4%	5.2%	10.6%	13.6%	0.2%
Alfred	1,263 (125)	69.7%	2.1%	7.7%	20.4%	0.0%
Cape Elizabeth	4,116 (160)	91.4%	2.2%	6.3%	0.0%	0.0%
Gorham	6,499 (253)	81.5%	7.8%	6.0%	4.7%	0.0%
Hollis	2,127 (140)	84.4%	3.4%	4.6%	7.7%	0.0%
Buxton	3,430 (195)	82.1%	2.5%	4.4%	11.0%	0.0%
Kennebunkport	2,944 (162)	91.6%	4.0%	3.3%	1.1%	0.0%
Arundel	1,927 (128)	77.7%	3.9%	2.8%	15.6%	0.0%
Dayton	793 (81)	87.9%	1.6%	1.5%	9.0%	0.0%
Waterboro	3,857 (198)	88.2%	3.1%	0.0%	8.8%	0.0%
Lyman	2,096 (187)	87.4%	0.0%	0.0%	12.6%	0.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimates

Table 7-8. % Housing Units per Structure for Biddeford's Peer Group Service Center Communities – Ranked by % Multi-family (3 or more units) - 2013-2017 5-Year Estimate

Municipality	Total Housing Units (Margin of Error +/-)	1-Unit	2 Units	Multi-family	Mobile Home	Boat, RV, Van, Etc.
Bangor	15,709 (559)	46.9%	8.6%	39.2%	5.3%	0.0%
Lewiston	17,231 (474)	46.4%	12.0%	38.5%	3.2%	0.0%
Augusta	9,836 (384)	52.0%	6.0%	37.8%	4.3%	0.0%
Waterville	8,112 (342)	48.1%	15.6%	33.5%	2.8%	0.0%
Biddeford	9,815 (381)	53.2%	13.1%	32.0%	1.7%	0.0%
Auburn	10,857 (310)	55.9%	12.5%	29.7%	1.8%	0.0%
South Portland	11,346 (350)	62.5%	9.4%	28.1%	0.0%	0.0%
Westbrook	8,566 (308)	57.8%	11.6%	27.5%	4.0%	0.1%
Sanford	9,982 (332)	58.3%	13.1%	22.4%	6.1%	0.0%
Saco	8,429 (317)	63.4%	11.6%	21.5%	3.6%	0.0%
Brunswick	9,235 (371)	63.3%	6.0%	17.5%	13.2%	0.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

The 2013-2017 5-year estimates indicate that approximately 1/3 of the housing units in Biddeford are estimated to be in multi-family housing sites (Table 7-8). Although single-family housing construction continues in Biddeford at a relatively slow pace, multi-family housing development continues steadily. As many as 200 new multi-family units in the Mill District may become available by 2020-2021 based on the Biddeford Planning and Development Department estimates. Further, a proposed 250-unit residential project on Barra Road is also positioned to add a significant number of new residential rental units to the City's housing stock.

3. Housing Age and Condition.

According to Table 7-9, of Biddeford's 2013-2017 5-Year estimate of 9,815 total housing units, 2% were built in or after 2010 and only 6.7% were built in the 2000s. A great deal of new residential development created within the past five years, however, which may not be reflected in the most recent estimates available (Table 7-9). Of particular note, much of the recent development not accounted for in the American Community Survey 5-Year estimate has taken place downtown within the Mill District.

The same table (Table 7-9) also indicates that Biddeford has a relatively high proportion of older housing stock than does York County and the State of Maine as a whole. Biddeford sees an estimated 43.3% of its housing stock

built before 1940, whereas York County estimates at 22.1% and the State of Maine estimates at 24.5%. Newer housing stock (constructed in 2010 and after) is only slightly below as an estimated percentage of total housing stock for Biddeford (2.0%) compared to York County (2.6%) and the State of Maine (2.3%).

Table 7-9. Age of Housing Stock 2013-2017 5-Year Estimate, Biddeford, York County, and the State of Maine.

Year Structure Built	# Housing Units Biddeford	% of Total Units	# Housing Units York County	% of Total Units	# Housing Units State of Maine	% of Total Units
Built 1939 or earlier	4,254	43.3%	24,009	22.1%	180,455	24.5%
Built 1940-1949	854	8.7%	5,638	5.2%	35,472	4.8%
Built 1950-1959	676	6.9%	6,382	5.9%	52,079	7.1%
Built 1960-1969	757	7.7%	6,281	5.8%	53,402	7.3%
Built 1970-1979	946	9.6%	14,826	13.7%	102,983	14.0%
Built 1980-1989	960	9.8%	18,764	17.3%	106,230	14.4%
Built 1990-1999	512	5.2%	13,038	12.0%	89,559	12.2%
Built 2000-2009	662	6.7%	16,865	15.5%	98,634	13.4%
Built 2010-2013	183	1.9%	2,099	1.9%	13,011	1.8%
Built 2014 or later	11	0.1%	707	0.7%	3,886	0.5%
Total	9,815	100.0%	108,609	100.0%	735,711	100.0%

Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

As an indicator of “substandard” housing, the American Community Survey 2013-2017 5-Year Estimate provides an estimate of the presence of complete bathrooms and kitchens (Table 7-10). Compared with York County and the State of Maine, Biddeford does not have a significant issue with substandard housing if substandard housing is considered to be that which lacks complete kitchen and/or plumbing facilities.

Table 7-10. Condition of Housing Stock 2013-2017 5-Year Estimate, Biddeford, York County, and the State of Maine

Substandard Indicator	Biddeford	% of Total Units	York County	% of Total Units	State of Maine	% of Total Units
Lacking complete plumbing facilities	9	0.1%	291	0.3%	4,000	0.7%
Lacking complete	9	0.1%	740	0.9%	5,535	1.0%

kitchen facilities						
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Source: U.S. Census, American Community Survey 2013-2017 5-Year Estimate

Homelessness

In 2019 a point-in-time homelessness survey was conducted in the City of Biddeford. This information is presented in the City of Biddeford Consolidated Plan and Action Plan under the Community Development Block Program. The results are presented as follows:

POINT IN TIME SURVEY OF BIDDEFORD'S HOMELESS 2019

The Point in Time Survey of the homeless in our nation is conducted annually on a specific night in January. The U.S. Department of Housing and Urban Development uses the count to establish data on homelessness in our region and across the country, and then determines the needs in solving this issue.

Historically, Biddeford has participated in the count for the past four years and the data collected is included in our Consolidated Plan and Annual Action Plan. In 2016 there were a total of 13 unsheltered persons in Biddeford and 21 couch surfers, or people who had no shelter of their own but were staying with friends, relatives, in hotels, motels, etc. In 2017, the number of unsheltered persons increased to 17 and those couch surfing to 26. In 2018 there were 18 people unsheltered and 22 people couch surfing.

In Biddeford, the survey took place on January 23rd, 2019. At the end of the day on January 23rd the survey revealed that 11 people are currently unsheltered in Biddeford and 21 people are couch surfing. Approximately 2 people refused to fill out the survey and it was suspected that they are also chronically homeless and do not want anyone to discover where they are sheltering. The survey was conducted at the Stone Soup Food Pantry, Biddeford Food Pantry, Seeds of Hope Neighborhood Center, In a Pinch, Bon Appetite Soup Kitchen, and on the street. The Sanford Vet Center brought their mobile van and assisted veterans, and passed out blankets, clothing, and other items. In addition, resources and information were provided for people in need. The following is some important data from the survey:

11 adult unsheltered

- *9 Male and 2 Female*
- *There were 0 children*

- 2 stayed in their vehicles
- 2 in church, or hallway of building
- 5 in the street
- 1 under bridge or overpass
- 1 other
- Of these 11 people who answered:
 - 4 had physical disabilities
 - 3 had chronic health problems
 - 5 had mental health problems
 - 2 had developmental problems
 - 6 were victims of domestic violence at some time in their lives
 - 1 had or in the past had alcohol abuse problems
 - 3 had or in the past had drug abuse problems
 - 6 were between the ages of 33 and 41
 - 4 were between the ages of 47 and 57
 - 1 were between the ages of 64

18 adults including 3 youths are couch surfing or are in unstable housing

- 12 Male and 5 Female and 1 Bisexual
- There were 8 children staying with adults (young children are in addition to the number of total homeless)
- 1 stayed at motel/hotel
- 0 at emergency shelter
- 16 at a friend or relative's house
- 0 Other/undefined
- Of the 18 Adults and Youths that answered:
 - 5 had physical disabilities
 - 6 had chronic health problems
 - 10 had mental health problems
 - 5 had developmental problems
 - 8 were victims of domestic violence at some time in their lives
 - 4 had or in the past had alcohol abuse problems
 - 7 had or in the past had drug abuse problems
 - 9 were between the ages of 20 and 33
 - 6 were of 37 plus years of age

15 Climate Change

(12/22 Draft)

1. What's happening?

Climate Change is the most pressing issue of our time. It will dictate how we live and work over the coming decades. Mitigation and adaptation strategies to climate change will be essential to meet the challenges that lie ahead. The City of Biddeford recognizes the great work that must be done to meet these challenges, and is developing a Climate Action Plan for Biddeford that outlines our specific vulnerabilities and recommends strategies to mitigate and adapt to the impacts of climate change.



Sea level rise is one of the most recognized consequence of climate change, and as a coastal community, Biddeford faces severe consequences if this issue is not addressed. Sea level has risen 7.4 inches since 1912, as measured in Portland.¹ The Gulf of Maine has warmed faster than 99% of the rest of the world's oceans.² But our coastline is not the only vulnerability we face as a community. Northern New England is becoming warmer faster than most of the United States, with the state of Maine already observing 3.2°F of warming since 1895.³ Our climate will become not only warmer, but less predictable and more extreme – with observed increases in heavy rainfall events and extended heat waves expected to worsen in the future.⁴ When we do experience droughts, higher temperatures may increase the chances of wildfires.⁵ These climate changes will impact our our daily weather, the

¹ Barndollar, Hadley. "NOAA Says New England's Temps are Warming, Sea Levels Rising Faster Than the Global Average." The Providence Journal, February 18, 2022. Accessed November 28, 2022.

² *Ibid.*

³ Maine Climate Council. 2020. Scientific Assessment of Climate Change and Its Effects in Maine. A Report by the Scientific and Technical Subcommittee (STS) of the Maine Climate Council (MCC). Augusta, Maine. pp 370.

⁴ *Ibid.*

⁵ *Ibid.*

The City first recognized the importance of taking action in October of 2020 when Council declared by Resolution a Climate Emergency. This declaration

led to the immediate creation of the Biddeford Climate Task Force, which has a mandate to develop a Climate Action Plan for Biddeford. Through the Task Force, the City joined the international organization ICLEI – Local Governments for Sustainability, an organization that provides technical assistance to our action planning. Using ICLEI’s resources, the City conducted its first ever greenhouse gas emission inventory in the summer of 2021.

City Council again displayed leadership in climate action by approving a resolution in March of 2022 to participate in the Governor’s Office of Policy, Innovation, and the Future’s Community Resilience Partnership. This partnership supports community-driven leadership and action in Maine to reduce greenhouse emissions and build Biddeford’s resilience to the impacts of climate change.

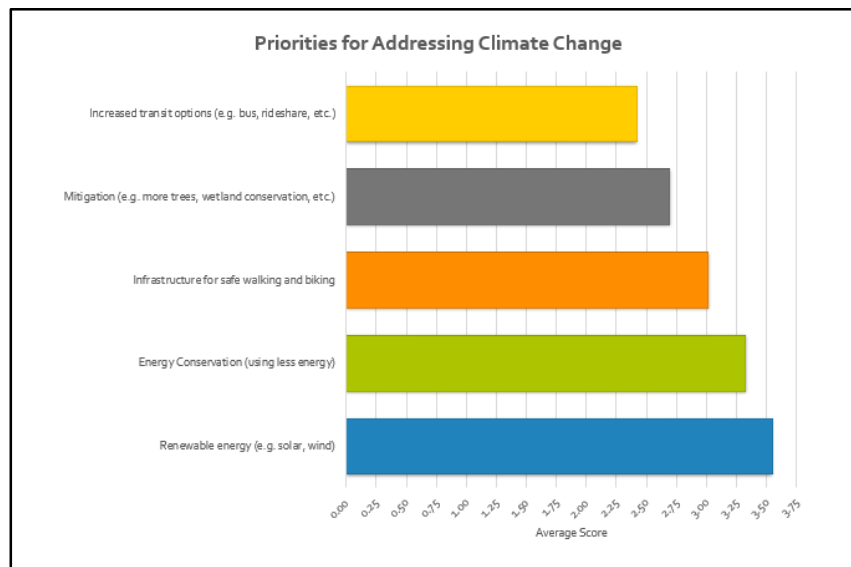
Participating in this partnership has allowed the City to join Southern Maine Planning and Development Commission (SMPDC) and the communities of Kennebunk, Kennebunkport, and Kittery to develop a climate action plan as a cohort. Creating a plan in this manner allows economies of scale, providing a resource-intensive, cost-efficient method of producing a plan that meets the specific needs and vulnerabilities unique to Biddeford.

But a completed climate action plan is just the beginning of the work that must be done in the coming years. Through rigorous public engagement, the plan will enumerate Biddeford’s vulnerabilities and present strategies for reducing greenhouse gas emissions and adapting to climate impacts that are already underway and expected to increase. Hard work and investment will be required to make Biddeford a resilient community as we move into the middle of the 21st century.

Biddeford’s Climate Action Plan is expected to be completed by September, 2023.

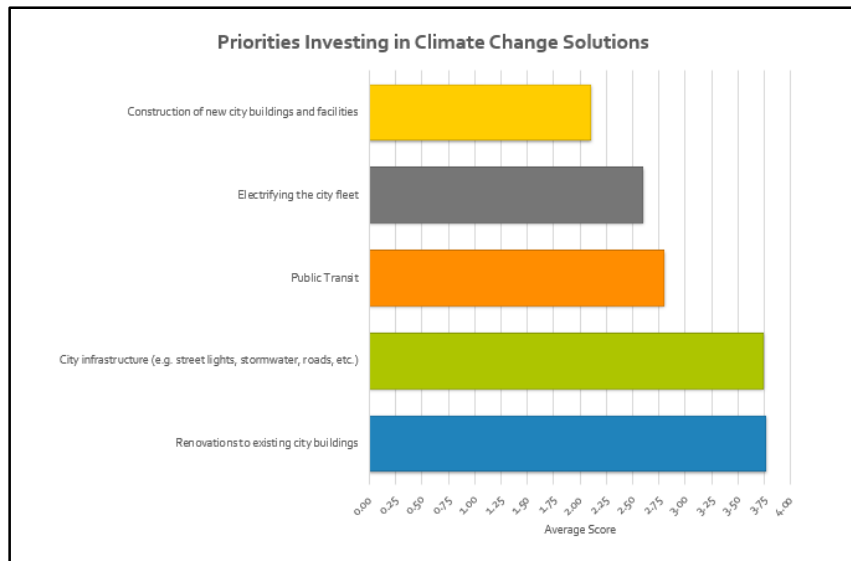
2. What the Community is Saying

The Comprehensive Plan public engagement survey asked the several questions regarding climate change, including about residents' priority actions and investments toward addressing climate change. The responses were put in graphic form (see below).



Please rank the following ways to address climate change from 1 to 5, with 1 being the area the city should focus on most.

The city plans to invest in climate change solutions. Please rank these in order of important from 1 to 5, with 1 being the most important.



Based on this survey, residents top three priorities for climate action are: renewable energy, energy conservation, and walking and biking infrastructure. The top three priorities for climate-related investments were: renovating existing city buildings, city infrastructure, and public transit.

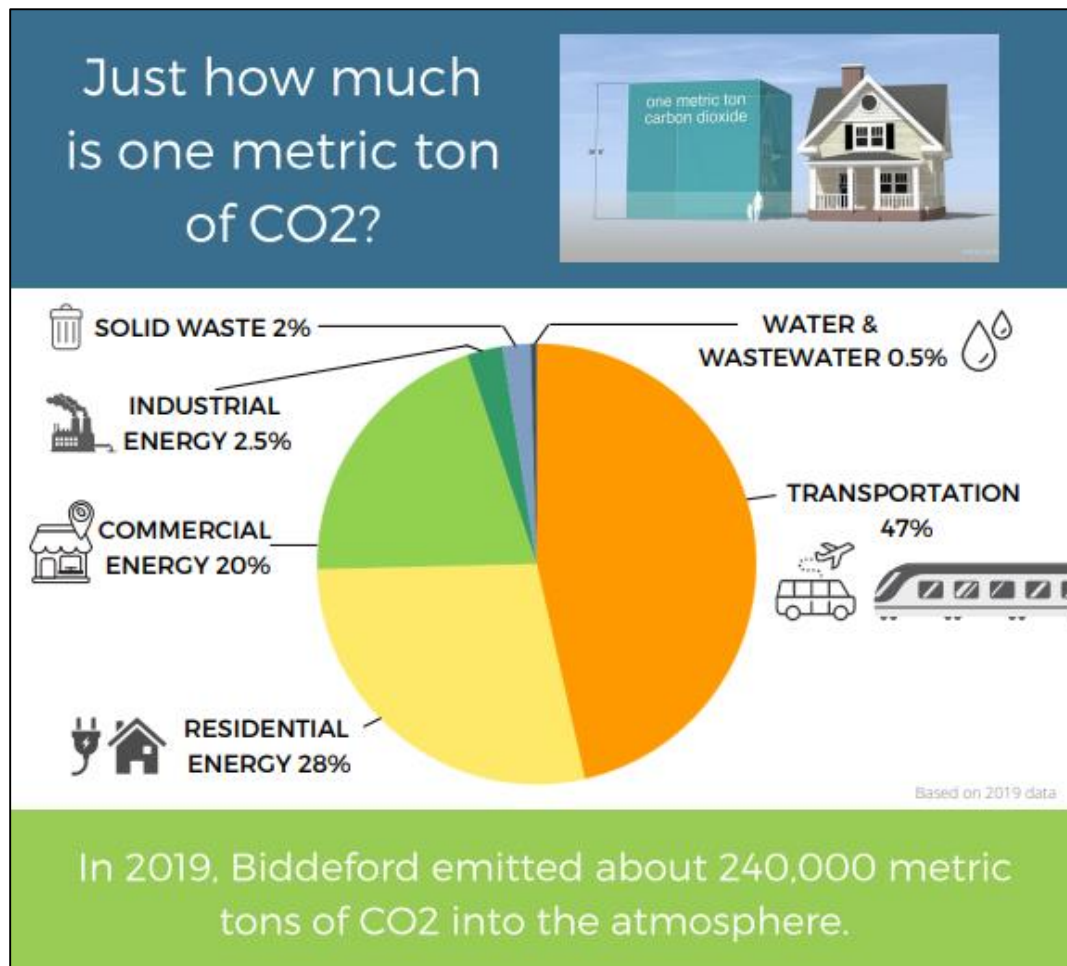
In addition to the Comprehensive Plan survey, the Climate Task Force also conducted a public workshop in February 2022 as part of the State of Maine's Climate Resilience Partnership program, whereby residents were asked to share their perspectives on climate action priorities. During the workshop, attendees prioritized strategies for: enhancing renewable energy; reducing vehicle miles traveled; increasing access to electric vehicles and related infrastructure; and improving infrastructure, especially for stormwater, wastewater, and drinking water; protecting public health.

Through the Climate Action Plan process, the Biddeford Climate Task Force will undertake rigorous public engagement so that residents' perspectives and priorities are what drive the plan and its implementation. This will include a series of public workshops, as well as multiple interactive events that will be designed to enhance opportunities for harder-to-reach groups to participate in the planning process.

3. Biddeford's Greenhouse Gas Emissions

In 2019 the City conducted its first greenhouse gas emission inventory, under the technical guidance of ICLEI. The results mirror those of the State of Maine overall: the greatest source of greenhouse gases is transportation (46%), followed by residential energy (28%). In total, the City emitted 240,000 metric

tons of carbon dioxide (CO₂) into the atmosphere. To gain perspective, a metric ton is about equivalent to a small two-story house.



Conducting this inventory provides important information about how Biddeford can take the most effective action to reduce its carbon emissions, while also serving as a baseline dataset against which future progress in reducing emissions can be measured.

4. Challenges and Opportunities

Public Engagement

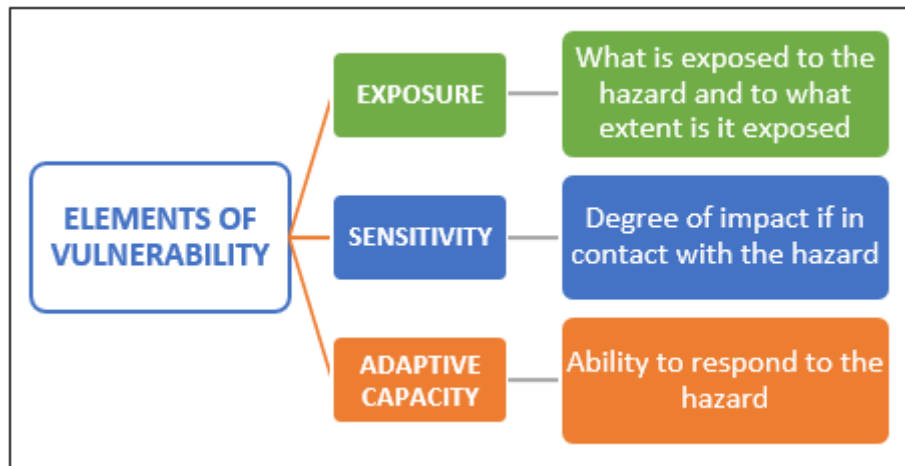
Stakeholder and community engagement is a critical component of developing our climate action plan. Reaching groups of people that are often under-represented in public decision-making is especially important, as these people may face the greatest vulnerabilities to climate change. But once the plan is completed, Biddeford residents must be involved in all aspects of climate

mitigation and adaptation policy for successful implementation of the final action plan's goals and strategies. This work will be ongoing over the coming years as the effects of climate change become ever more apparent. Because climate change can be an overwhelming issue for some, it is important that public engagement focus on opportunities for action at both the individual- and community-level.

Biddeford's Climate Vulnerabilities

When completed, Biddeford's Climate Action Plan will provide a detailed outline of our climate-related vulnerabilities. Our city's vulnerability is determined not only by our physical exposure to climate hazards, but also by how sensitive people and places are to these impacts and the available capacity to respond (see figure below).

Our vulnerability analysis will include a comprehensive analysis of physical climate threats (exposure) resulting from flooding, extreme storms, extreme temperatures, drought, and changing marine conditions.



Importantly, some individuals and groups within Biddeford may experience greater vulnerability to the physical impacts of climate change due to socio-economic factors. As such, the vulnerability analysis will also assess differing levels of susceptibility to climate hazards (sensitivity) and abilities to respond (adaptive capacity).

Some characteristics that can shape sensitivity and adaptive capacity to climate impacts include: income level, age, educational attainment, and level of linguistic isolation. For example, young children (below age 5) and elderly adults (age 65 or older) living alone may be more sensitive to floods and extreme heat events. Households with lower incomes or higher linguistic isolation may have less

capacity to adapt to climate risks. Therefore, attention must especially be paid to Biddeford's low- to moderate-income residents, as well as other vulnerable groups, to ensure that they are not disproportionately affected by the impacts of climate change.

Transportation

The Greenhouse Gas Emission Inventory has shown that transportation is the leading sector of greenhouse gas emissions in Biddeford. In addition to encouraging transition to electric vehicles (EVs), reducing overall vehicle miles travelled (VMT) here is an important mitigation strategy. There are many opportunities to reduce VMT in Biddeford, and in turn reduce carbon emissions. As outlined in the chapter entitled *Transportation*, adopting local Complete Streets policies is an important step toward emission reduction in the transportation sector. Too often, streets are designed primarily for motor vehicles, especially single occupancy vehicles. Employing Complete Street principles make streets safer and more accessible for all users: pedestrians, bicyclists, and bus riders.

New investment in mass transit infrastructure, especially, and incentives to encourage greater ridership is another important step toward reducing emissions in the transportation sector. Biddeford Saco Old Orchard Beach Transit is now transitioning to electric buses, with two electric vehicles in service now. An additional 2 electric buses are planned. BSOOB's goal is to have a zero-emission fleet in service by 2045. Continual improvement in mass transit service and infrastructure is both an opportunity and a challenge in the effort for emission reductions.

Mixed-Use Development and Redevelopment

Land use can have strong influence over reducing reliance on transportation. With a very dense downtown and adjacent Mill District, Biddeford is well positioned to take advantage of mixed uses development to lower carbon emissions.. Over the past 15 years, former mill buildings have been redeveloped into mixed uses where residences and places of employment are in proximity.

With Main Street nearby, most daily activities can take place without reliance on a vehicle.

Continued redevelopment of mixed uses in the Mill District (i.e. Pearl Street and Upper Falls Road) and other development opportunities in the downtown will

strengthen the walkability of Biddeford's urban core, and reduce dependence of single-occupancy vehicle use.

Climate Change: What Comes Next?



Biddeford's upcoming Climate Action Plan will outline Biddeford's climate vulnerabilities and will propose actions that can be taken for mitigation (reducing greenhouse gas emissions) and adaptation (actions that can manage the risks of climate change impacts).

A robust and comprehensive public engagement process for planning climate action will achieve multiple objectives: it will educate the public about the causes and impacts of climate change, it will inform them of the work that the Biddeford Climate Task Force is doing with regard to this serious issue, and it will inform the final Climate Action Plan and help with implementation of the plan.

Climate Change will undoubtedly bring increased risk of flooding to the vulnerable coastal areas of Biddeford Pool, Hills Beach, and Fortunes Rocks among other places. For these areas, it is important to strengthen existing infrastructure and make other improvements to protect and defend the coastal development from flooding. Also, discouraging new development in the most vulnerable coastal areas will improve Biddeford's overall resilience.

Other areas of the city will be affected as well. Situated along the Saco River, some parts of downtown are as vulnerable to flooding as the coast. Extreme storms, temperatures and drought can be expected to affect all parts of Biddeford. Working within the city, or in a regional capacity with other communities and/or organizations, there are many measures that can be taken to mitigate and adapt to climate change. This is long-term work.

Every every resident, worker, or visitor of Biddeford bears some responsibility in the fight against climate change.

Goal 1

Plan for, mitigate, and adapt to climate change impacts to Biddeford's natural and built environment, including its shoreline and adjacent land uses from rising sea levels.

How We Get There:

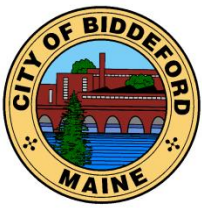
- Adopt a Biddeford Climate Action Plan that recommends strategies to mitigate and adapt to the impacts of climate change, especially those related to sea level rise.

- Monitor available information from federal, State, regional (such as Southern Maine Planning and Development Commission) and local sources on rising sea levels along Biddeford's coastline.
- As part of the Climate Action Plan, develop a public engagement program to enhance the awareness of climate change and sea level rise impacts on particularly vulnerable populations and groups.
- Continue to support local and regional cooperation for emergency response, the protection of water supply and sewer systems, adaptation measures, and other climate related hazard prevention and preparedness.
- Implement strategies that protect Biddeford's shoreline and enhance Biddeford's resilience to impacts from sea level rise.
- Evaluate existing infrastructure located in vulnerable areas to reduce the potential impacts from sea level rise, including but not limited to, in-place improvements and relocation of infrastructure outside of vulnerable areas.
- Evaluate all proposed new infrastructure investments by the city within the context of climate change and sea level rise before design and implementation.
- Encourage private property owners to implement measures to protect against the impacts of climate change and sea level rise in vulnerable areas.
- Reduce Vehicle Miles Travelled in the City by internal combustion engine vehicles, particularly for single-occupancy personal vehicles.

Climate Change

Appendix





CITY OF BIDDEFORD

Planning and Development Department

Eric Freeman
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PLANNING BOARD MEMO

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Eric Freeman, Assistant City Planner

DATE: December 7th, 2022

RE: **Comprehensive Plan Draft**

I. BACKGROUND:

The City of Biddeford has been engaged in an ongoing effort to create a new Comprehensive Plan for our community. The Comprehensive Plan is an important and influential long-term visioning document. It serves as the "blueprint" for the next 10 to 15 years, and provides policy guidance for a host of elements and goals from guiding growth and development to addressing ongoing local and regional challenges facing our community.

The development of the city's new Comprehensive Plan has been informed by a robust, yearlong community engagement process as well as direct input from the Planning Board, City Council, local stakeholders and city staff. The Planning Board, with staff, developed the "Goals, Policies and Strategies" framework as well as the city's core values statement.

The Planning Board was presented with the new Future Land Use Plan in late September of 2022. The Future Land Use Plan was revised based on Planning Board feedback and presented to a joint session of the City Council and Planning Board on October 11th, 2022. Following that, another Planning Board workshop was held on November 16th, 2022 to discuss the Vision Statement and core values of the Comprehensive Plan. Included in this release are the following draft chapters of the Comprehensive Plan:

- Cover Page
- Vision Statement
- Future Land Use Plan and Map
- Regional Coordination
- Economy
- Housing
- Climate Change

Staff anticipates that all remaining Comprehensive Plan Draft Chapters will be presented at a January 2023 Planning Board meeting.

II. PAST WORK AND COMMUNITY ENGAGEMENT

As part of the development of the Comprehensive Plan, Biddeford pursued a robust, transparent, and inclusive civic engagement process. The Planning Board, with staff, developed a Public Engagement Plan (PEP), as well as a PEP Advisory Committee to facilitate the civic engagement program.

Together with staff, the Planning Board identified eight major topics, and each topic was assigned a Planning Board member, a City staff member, and a member of a City Committee/Commission. The eight topics include:

- Housing
- Neighborhoods
- Downtown,
- Climate Change,
- Youth and Schools
- UNE Integration
- Natural Resources, and
- Public Facilities.

For each topic, a fast fact sheet, an overview video, and a survey were developed. The Fast Fact sheets and the overview video gave a brief introduction to the topic.

From all the feedback received on these topics, a Community Survey was compiled to go into more detail and to get feedback from a broader section of the community.

The survey was available online and on paper in September 2021. Paper copies were mailed to every address in Biddeford. There were 1,212 responses to this survey. There was a follow-up presentation of the results, including an analysis of the differences between Biddeford's population and those who took the survey.

The survey was not intended to be representative of the population, but the information was shared in order to contextualize the responses.

From all the information gathered, the existing Goals, Policies, and Strategies for each section were updated, and there were three public sessions in April 2022 to determine level of support and interest in the identified strategies.

III. FUTURE LAND USE

A core component of the Comprehensive Plan is the Future Land Use Plan. The Future Land Use Plan is intended to serve as a framework for guiding growth and development, as well as identifying opportunities for conservation and resource protection. The draft Future Land Use Plan is based upon land use patterns as a foundation for guiding future growth. All areas of the city where existing land uses and infrastructure are conducive to support future growth are considered a part of the "growth area". These are areas of the city where future development is encouraged and supported by public infrastructure such as road, sewer, electrical utilities and public water. There are five distinct land use categories within the city's growth areas, each with its own characteristics.

The five growth areas are:

- **Downtown Core:** Biddeford's downtown and Mill District
- **Urban Residential:** Dense, in-town residential. A mix of multifamily and single family housing
- **Suburban Residential:** A mix of postwar single-family housing and multifamily housing
- **Business and Industrial:** Low-density commercial and industrial areas
- **Institutional:** Land owned by UNE

Additionally, there are two land use categories that fall within the **limited growth area**. These are areas where less intensive development and smaller-scale development should be encouraged.

The two limited growth areas include:

- **Coastal Residential** : Biddeford Pool, Fortunes Rocks Beach and other coastal areas
- **Rural Farm**: Low-density housing, farmland and undeveloped forest and wetland.

The Draft Future Land Use Plan was presented to a joint session of the Planning Board and City Council on October 11th, 2022. Based on feedback received in the October 11th meeting and subsequently, the revised Future Land Use Plan incorporates several key changes:

- The Coastal Residential Zone has been removed from growth area and given its own land use category to discourage intensive development and address climate change issues.
- UNE has been given its own “institutional” land use category. This includes UNE-owned land to the west of Route 9 that is included in the institutional Zone but has been put in conservation status by UNE.
- Suburban Residential Zone is not exclusively limited to single-family development

Additional changes to the Future Land Use Plan may be made based upon feedback from the community, Planning Board and City Council.

IV. NEXT STEPS

Following the December 14th Planning Board workshop, planning staff will work to revise the current draft chapters based on feedback from the Board, stakeholders and the community. Drafting of the remaining Comprehensive Plan chapters will continue throughout late December and January, with additional Planning Board workshops held during that time.

Additional chapters are expected to be released in late January, to be followed by additional revision based on feedback. It is the goal of city staff to finalize the Comprehensive Plan with the Planning Board and City Council adoption by April 2023.

Rapid Reconnaissance Survey of Two Parcels in Western Biddeford, 2022

submitted to the Biddeford Conservation Commission

October 2022

by

Mark Ward

Ecological Consultant

28 Poor Farm Road

Bristol, ME 04539

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Background

On August 22, 2022, I met Erik Lema of Basswood Environmental and together we walked the grounds of two parcels, Tax Map 7, Lot 8 and Tax Map 2, Lot 38 in western Biddeford (Figure 1). I had visited both of these parcels in 2007 on behalf of the Conservation Commission as part of a broad ecological assessment of lands located west of I-95 in western Biddeford. The Commission asked me to revisit these lands in 2020 and to report on interim changes. Access to these two parcels was not granted at that time, although I was able to cursorily assess the impact of timber harvesting on the parcels from the boundaries of adjacent parcels. The objective of my 2022 visit was to conduct a rapid reconnaissance, photo document any observed changes, and report on current condition.

Prior to the site visit, I reviewed two documents that had been provided to me by Terradyn Consultants, LLC that relate to recent survey work conducted on the Map 7, Lot 8 parcel. The first was a Rare Plant Habitat Assessment conducted by Mr. Lema of Basswood Environmental dated January 9, 2022. The report included a review of potential rare plant and rare or exemplary natural community occurrences on the parcel (based on data provided by the Maine Natural Areas Program) as well as the results of a site visit conducted by Mr. Lema in either December 2021 or January 2022. The second document was a one-page Vernal Pool Assessment dated May 18, 2020 by Mark Hampton of Mark Hampton Associates Inc. that was based on two site visits “over the course of six weeks beginning the first week of April” presumably in 2020; this report stated that “no vernal pools were found on the property.” These documents were labelled as Appendices 9 and 10 respectively and were apparently part of a larger project application put together by Terradyn Consultants.

The acreages referenced in the two documents differed somewhat. The Rare Plant Habitat Assessment refers to an approximately 160-acre site while the Vernal Pool Assessment references a “175-acre portion of parcel on South Street.” I found these acreage references confusing since the actual acreage of the Map 7, Lot 8 parcel is about 314 acres. The photo point locations included in the Rare Plant Habitat Assessment Report indicate that the majority of the Map 7, Lot 8 parcel was visited during the survey. No map or descriptive content was provided in the Vernal Pool Assessment making it difficult to evaluate what area was actually included in that survey.



Figure 1a. Aerial imagery of the subject parcels as they were in 2007.



Figure 1b. Aerial imagery of the subject parcels in 2022.

Mr. Lema and I were met at the site by Matthew Chamberlain and Chico Potvin, who made sure that I understood that the offer to walk the grounds was extended only to Mr. Lema and myself and not to members of the Conservation Commission. The encounter provided the opportunity to ask about the timing of the logging operations at the site. Mr. Chamberlain informed me that the logging had taken place over the course of several years, beginning in either 2017 or 2018 and continuing through 2020. Mr. Chamberlain also mentioned that a Mr. Milligan (affiliation unclear) was soon intending to drop some additional trees into Thatcher Brook to enhance water quality.

Methods

Mr. Lema and I walked a good portion of the two parcels (Figure 2), which collectively comprise about 333 acres (314 acres for Map 7, Lot 8 and 19 acres for Map 2, Lot 38). While a one-day site visit did not allow a comprehensive inventory of the site, I got a good sense of the condition of these parcels fifteen years later. The overall amount of field time spent on these parcels in 2022 was comparable to the amount of time I spent on them in 2007.

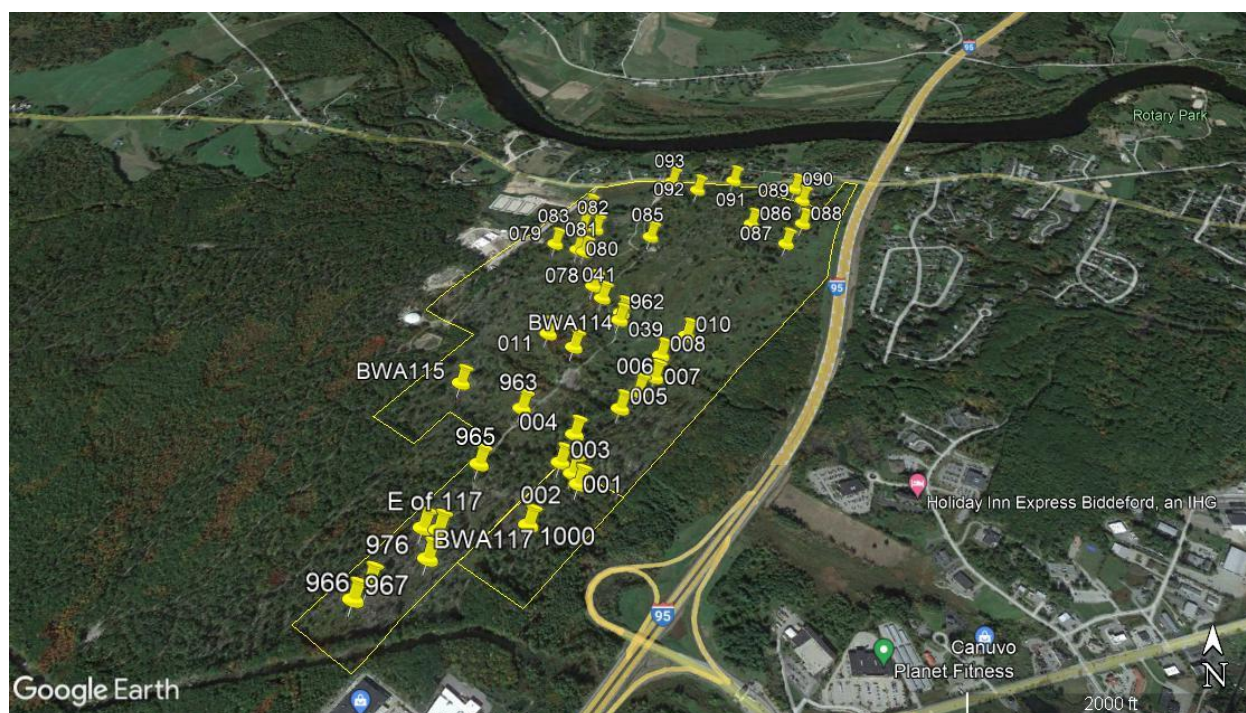


Figure 2. Map of waypoints taken at locations on the subject parcels indicating the approximate terrain covered during the Aug 22, 2022 rapid reconnaissance.

Results

Site Description

The subject parcels include a variety of upland and wetland habitats characterized by rocky upland rises punctuated by lowland swales and wetland basins. There are both perennial and intermittent streams at the site. A powerline corridor runs more or less parallel to South Street about one quarter of the way south at the site (Figure 1a). The southern two thirds of the site drain primarily to the east into Thacher Brook, while the northern third of the site drains north into tributary streams of the Saco River.

Conditions at the site were unusually dry at the time of the visit owing to the drought of 2022.

Timber Harvesting

The most obvious change in the condition of these parcels since my visit in 2007 was the timber harvesting that has taken place. As noted in Mr. Lema's report, the infrequently used ATV trail that I had observed in 2007 running from north to south through the parcel has now become an approximately 25-ft wide logging road. While a significant portion of the northern third of the site was open field or early successional in 2007, the southern two thirds was primarily forested (Figure 1a). Recent aerial imagery (Figure 1b) illustrates the extent to which the formerly wooded land on these parcels has been largely cleared of trees. It appears to have been the same logging operation that occurred on both parcels as there was no indication of any difference between treatments on the two parcels (the parcels are indistinguishable from one another on the ground). These parcels now have a relatively low number of scattered standing trees, except in a few areas that: border perennial or intermittent streams, were difficult to access because of rocky slopes, or were presumably deemed to be low value. The heavy cutting on these parcels is in sharp contrast with uncut, or selectively, cut forested parcels that they abut (Figure 1b). The cutting operation on these parcels has left sections of exposed bedrock on shallow-to-bedrock Lyman soils (Figure 3). The sparse array of remaining trees has made them more susceptible to blowdown (Figure 4). Early successional pioneer species such as blackberry (*Rubus allegheniensis*) and sweet fern (*Comptonia peregrina*) were common in upland areas.

The Maine Forest Service, in a press release dated October 19, 2021, reported that this logging operation had been conducted in violation of Maine's Forest Practices Act, by having created a clearcut of greater than 75 acres without first having submitted the required written harvest plan for approval to the Service. The landowner, South Street Village, LLC agreed to a civic settlement penalty of \$30,000 to address this violation. While cutting operations seem largely to have concluded at this site, earth-moving machinery was still present at site at the time of my visit (Figure 5).

Thacher Brook

Land located to the east of Thacher Brook on the Map 7, Lot 8 parcel was also cut during the logging operation in what appeared to be a series of strip cuts. This section of the site was apparently accessed by a temporarily constructed bridge that allowed machinery to cross the brook during the operation (Figure 6). Thacher Brook has a history as an impaired stream with

water quality issues to which the City of Biddeford has devoted significant monetary and human resources to restore. With the help of Mr. Lema and a 100ft measuring tape, I measured the forested buffer along Thacher Brook at several locations (Figure 7). City ordinance requires a 75-ft forested buffer be maintained on streams to maintain water quality. I found measurements of the forested buffer along Thacher Brook on these parcels to routinely fall short of this threshold. Measured buffer widths at five different locations ranged from 0-75 ft, with only one measurement approaching 75 feet and most falling in the 35-50 ft range. For an impaired waterway, such as Thacher Brook, extra caution should have been taken to assure that, at a minimum the required 75-ft forested buffer condition was met. This does not appear to have been the case. The failure to provide an adequate buffer on Thacher Brook was not mentioned in the press release issued by the Maine Forest Service as a component of the violation. It should be considered an additional consequence of a poorly executed cutting operation.

An inadequate forested buffer can subject Thacher Brook to additional sediment input during heavy rainfall events. Increased solar inputs caused by an inadequate forest buffer can raise water temperatures, which can in turn reduce dissolved oxygen levels and further the cycle of impairment.

Discussions of dropping additional trees in this already under-allocated forested buffer to “improve stream habitat” seems ill-advised. If the desired goal is put trees in the stream channel for structural purposes to enhance pool formation, then I would recommend using some of the already downed wind-thrown trees on the property rather than felling additional trees in an inadequate forest buffer.

There was plenty of water in Thacher Brook at the time of the site visit. The clay banks of Thacher Brook often make it cloudy as sediments remain in suspension in the water column (Figures 6 & 7). The floodplain along the margins of the brook is typically occupied by shrubby or tall herbaceous plants (Figure 8), but at one location we came across a floodplain pool (Figure 8) covered with duckweed (*Lemna* sp.) that is probably a remnant livestock pond. Two unidentified waterfowl flew up from a nearby section of Thacher Brook as we approached the floodplain pool.

Wetland Delineation

This site appears to have more wetlands than were indicated on the National Wetland Inventory paper maps based on 1998 data that I consulted prior to visiting. At numerous locations on the parcels, the presence of obligate wetland plant indicator species such as cattail (*Typha* sp.) suggest that wetlands are widespread in swales and lowland basins at this site (Figure 9). At the southern end of the site, formerly forested wetlands had been heavily cut and were characterized by large numbers of sprouting red maple stumps (Figure 10). There was a surprising amount of cattail (and other floral indicators of wetland habitat) present on the west side of the Map 7, Lot 8 parcel in swales that occupy low areas at the base of upland rises with shallow to bedrock soils.

There was little indication at the site (such as extant flagging) that a thorough wetland delineation has been completed on the subject parcels. The only location where we observed

flagging to suggest that some wetland delineation may have occurred was along a wooded stream channel at the northern edge of the site (Figure 11).

I was not provided with a report of wetland delineation for this site by Terradyn Consultants. Wetland delineation is presumably a requirement for any project application on the scale being contemplated at this site. Conducting a wetland delineation prior to the cutting operation would have been a much easier undertaking for a wetland scientist. As Mr. Lema's report suggests the disturbances associated with the harvesting operation has likely expanded habitat that would now be delineated as wetland at this site.

Based on my observations of obligate wetland species throughout the site, I would suggest that the wetland map produced by the Maine Natural Areas Program (MNAP) and included as page 15 of Mr. Lema's report, is a much better proxy for wetland delineation at this site than the NWI maps that I consulted before visiting. The MNAP map (Figure 12) includes a category for "additional NWI wetlands" that more than doubles the amount of wetland habitat at this site. An inquiry to MNAP staff clarified that the "additional NWI wetlands" data are the result of a US Fish and Wildlife Service digital update to NWI maps conducted in 2007. These data are unfortunately not currently available through the Maine Office of GIS (MEGIS) for download, but do constitute the most up-to-date version of NWI mapping for this site. These data should be considered to be the best available wetland data for this site in the absence of an on-the-ground wetland delineation. If a wetland delineation of the site has already been completed, I would be interested to know when it was done and what it includes.

Potential Vernal Pools

I revisited two potential vernal pools on Map 7 Lot 8 (Waypoints BWA115 & BWA117), where I had conducted egg mass counts in early May 2007. I was able to confirm that both of these potential vernal pools were natural basins in surrounding bedrock (a fact that I had neglected to record in my original notes from this site). Both pools had seen heavy cutting in them and in their immediately adjacent uplands. Both potential vernal pools had significant amounts of logging slash deposited in their deeper portions (Figure 13). Although these wetlands lacked standing water at the time of my visit, both included obligate wetland indicator plant species, such as cattail, bur-reed (*Sparganium* sp.), and wild calla (*Calla palustris*) that suggest them as semi-permanent wetlands (Figure 14)—in other words wetlands that retain standing water throughout the summer in some, if not most, years. In combination with the natural basin setting, these indicators should suggest to a trained eye the need for their assessment as potentially "significant vernal pools." During my single day visit to these wetlands in May 2007, one of these wetlands (Waypoint#BWA117) easily exceeded the thresholds for both wood frog and spotted salamander egg mass counts to suggest it as a likely candidate for significant vernal pool designation. Other wetland basins at the site also suggest that they should have been deemed worthy of egg mass counts.

The one-page Vernal Pool Assessment by Mark Hampton in 2020 did not contain a map of the area assessed although it referenced a "175+/- acre portion" of what was presumably Map 7, Lot

8 (a 314-acre parcel). The one-page report did not include any data on potential vernal pools that were visited and/or egg mass counts at assessed pools. If data showing the area assessed, the locations of potential vernal pools investigated, and egg mass counts tallied or species observed exist, I would be very interested to see these. The report implies that there no wetlands at the site were worthy of egg mass counts in the assessed area, which seems questionable. However, without knowing the area that the Vernal Pool Assessment covered it is impossible to evaluate the reasonableness of this claim. If either of the two potential vernal pools that I revisited in 2022 were located within the 175 +/- acre area covered by the 2020 vernal pool assessment, then they should have at least had egg mass counts conducted at them.

The 2020 vernal pool survey was apparently conducted after logging operations were well under way (if not mostly completed). Vernal pool assessments on both parcels should ideally have been conducted prior to the logging operations that took place. The heavy-handed logging has undoubtedly altered both upland and wetland habitats for pool-breeding amphibians on these parcels by dramatically decreasing the amount of forest cover in and around potential vernal pools. The resulting loss of forest cover not only increases exposure of pool-breeding amphibians on their springtime journeys to and from surrounding uplands to breeding pools, it also may decrease the hydroperiod of breeding pools and render them less able to support metamorphosis of amphibian larvae to adults. Cutting within and adjacent to potentially significant vernal pools was not explicitly mentioned in the press release issued by the Maine Forest Service as a component of the violation, but should be considered an additional consequence of a poorly executed cutting operation.

Invasive Species

This site hosts a laundry list of invasive plant species; among the invasive species observed here include bull thistle (*Cirsium vulgare*), Japanese barberry (*Berberis thunbergia*), Morrow's honeysuckle (*Lonicera morrowii*), Japanese knotweed (*Fallopia japonica*), multiflora rose (*Rosa multiflora*), spotted knapweed (*Centaurea* sp.), Asiatic bittersweet (*Celastrus orbiculatus*), glossy buckthorn (*Frangula alnus*), and purple loosestrife (*Lythrum salicaria*). In addition to a range of invasive plant species at this site, they are also widely distributed. The greatest abundance of invasive plants is currently found in the areas closest to South Street, that have had the longest history of human disturbance. There were, however, large dense stands of 8-10 ft high glossy buckthorn found along the floodplain of Thatcher Brook. Some of these invasive plant species were certainly here when I visited the site in 2007, but I did not note any in my report. The severity of the recent cutting operation and the accompanying soil disturbance that it entailed will undoubtedly facilitate the spread of invasive plants at this site by opening up formerly wooded areas and subjecting them to occupancy by these tenacious invaders, yet another consequence of a poorly executed cutting operation that went unmentioned by the Maine Forest Service.

Rare Plant Surveys

This site visit was a rapid reconnaissance, but would benefit from dedicated rare plant survey effort. I collected a small number of plants at the site. None were determined to be rare species. Erik Lema of Basswood Environmental is an experienced and knowledgeable botanist. His rare plant assessment report of January 2022 was thorough for a wintertime assessment. He did a commendable job of winnowing existing information provided by the Maine Natural Areas Program down to a dozen rare plant species that have the highest potential to be found at this location and identifying the best window to survey for each of those species. I found his report beneficial for my own visit to the site and it was nice to have his trained eye at the site in August when it was actually feasible to find rare plants there. It's unfortunate that the only apparent reason for his presence at the site on the date of my visit was to serve as my minder. If this project were truly interested in conducting a thorough rare plant assessment at this site, it would have had him out at the site conducting botanical surveys on its behalf earlier in 2022 during the most appropriate survey windows as recommended in his report.

Conclusions and Recommendations

The overall condition of these parcels in 2022 has been diminished significantly primarily because of a poorly executed logging operation that was conducted from 2017-2020. The most egregious issues associated with the cutting include leaving an inadequate forested buffer on an impaired waterway (Thacher Brook), indiscriminate cutting in and adjacent to a variety of wetlands including likely significant vernal pools, extensive cutting on shallow to bedrock uplands that increased the vulnerability of remaining trees to windthrow, and opening up formerly wooded sections of the site to invasive plant species. Ideally, vernal pool survey work, wetland delineation, and rare plant assessments should have been conducted at this site prior to carrying out this cutting operation. The findings of such survey work could have informed a more ecologically sensitive cutting operation than the one that was undertaken here.

I recommend against dropping additional trees in the already inadequate forested buffer left along Thacher Brook. If putting downed trees in the stream channel is intended to enhance pool formation, then I would recommend using already-downed, wind-thrown trees on the property rather than felling additional trees in the insufficient forest buffer.

I recommend that the Conservation Commission seek details of any wetland delineation work that may have been conducted at this site to find out when the work was done and the extent of the site that it covers. The Maine Natural Areas Program map (Figure 12), which includes the most up-to-date NWI wetland data, should be considered the best available wetland information for this site, in the absence of on-the-ground wetland delineation, and could be useful as a course tool to assess the thoroughness and quality of a wetland delineation.

I recommend that the Conservation Commission seek additional details of the Vernal Pool Assessment conducted in 2020 to determine the area assessed and to seek any data on potential vernal pools that were visited and/or egg mass counts at assessed pools.

Any future field work conducted at the site should clearly identify the area assessed (e.g. does it encompass the entirety of Map 7, Lot 8 or only a portion of it?). This will allow for a better evaluation of the comprehensiveness of the work.

I recommend that the project provide Mr. Lema of Basswood Environmental the opportunity to conduct botanical surveys on its behalf during the most appropriate seasonal survey windows as recommended in his Rare Plant Assessment Report.



Figure 3. Sections of exposed bedrock from the logging operation. (Waypoint#966)



Figure 4. Windthrown trees uprooted after logging operations. (Waypoint#976)



Figure 5. Earth moving machinery observed at site on Aug. 22, 2022 (Waypoint#085).



Figure 6. The location at which a temporary bridge was constructed across Thacher Brook for logging access. The horizontal remains of bridge materials are visible in the distance. (Waypoint#007)



Figure 7. A narrow, forested buffer along Thacher Brook showing cut stumps on a steep bank (left) and a location where felled trees left no forested buffer at all along Thacher Brook (right). (Waypoints#1000 & #006)



Figure 8. A typical section of tall herbaceous vegetation in the floodplain along Thacher Brook (left) and a duckweed covered pool in the floodplain of Thacher Brook (right). Waypoints #004 & #008.



Figure 9. An example of cattails (*Typha* sp.), an obligate wetland plant species, suggesting an area that would be delineated as a wetland. (Waypoint#041).



Figure 10. Purple loosestrife, an invasive wetland plant species, in front of stump sprouting red maples in a formerly forested wetland. (Waypoint#967)



Figure 11. Yellow flagging on a tree along a streambed at the northern edge of the property was the only on the ground indication of potential wetland delineation observed at the site. (Waypoint #091)

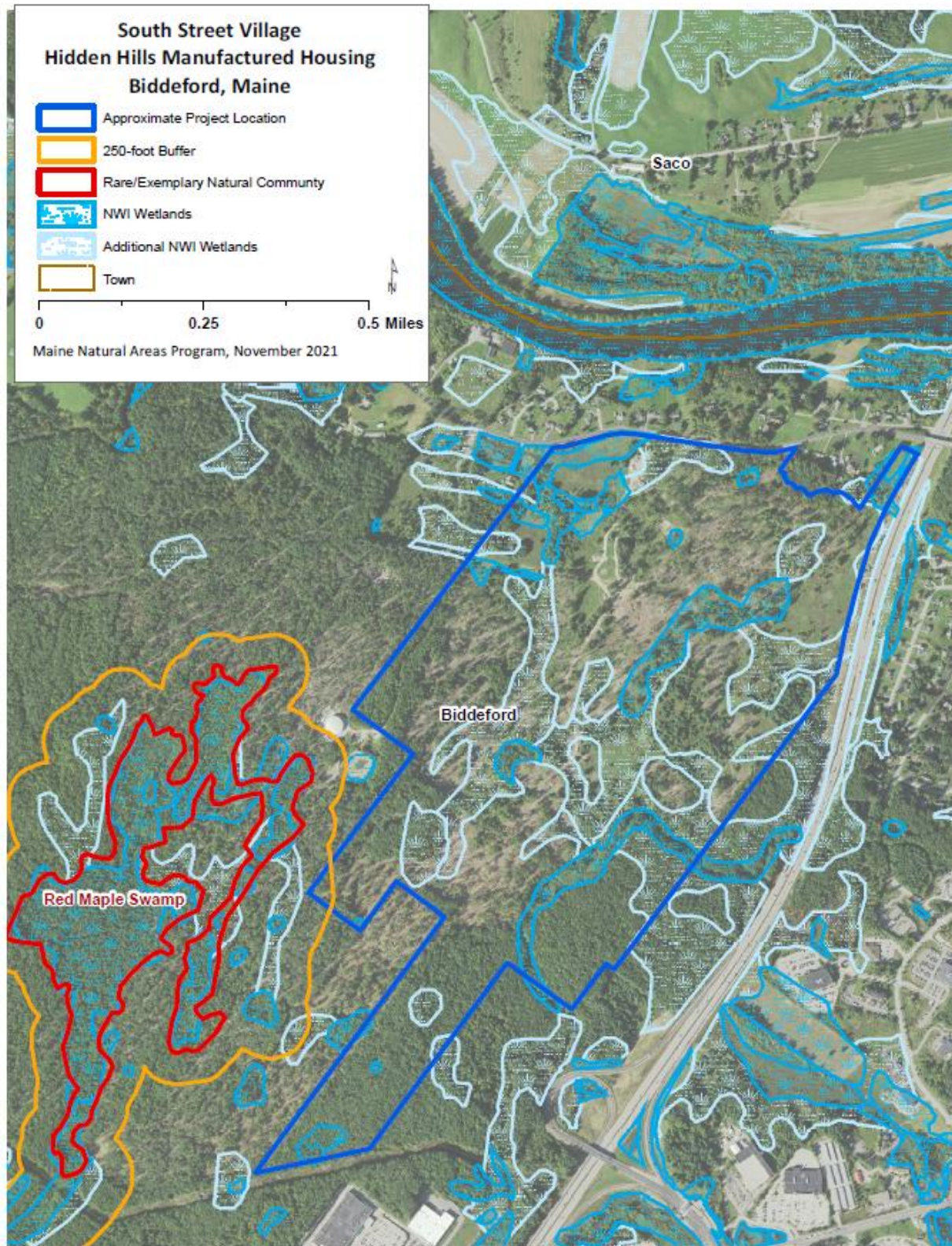


Figure 12. Map of NWI wetlands at the site provided by the Maine Natural Areas Program to Basswood Environmental in November 2021.



Figure 13. Logging slash deposited in a deep section of a potential vernal pool at which a critical threshold of egg masses had been counted in 2007 to suggest its designation as significant wildlife habitat. (Waypoint# BWA117)



Figure 14. A relatively unvegetated section of a potential vernal pool with wild calla (*Calla palustris*) suggesting the longer hydroperiod of a semi-permanent pool. (Waypoint #BWA117)

Appendix I. Coordinate data for Waypoints taken on Aug 22, 2022

Waypoint #	Latitude	Longitude
962	43.48942	-70.50076
963	43.48588	-70.50398
965	43.48413	-70.50513
BWA117	43.48231	-70.50652
East of BWA117	43.48225	-70.50605
966	43.48089	-70.50777
967	43.48053	-70.50813
976	43.48153	-70.50624
1000	43.48245	-70.50344
001	43.48394	-70.50221
002	43.48362	-70.50201
003	43.48424	-70.50261
004	43.48516	-70.50222
005	43.48593	-70.50076
006	43.48661	-70.50016
007	43.48703	-70.49960
008	43.48789	-70.49937
010	43.48851	-70.49845
011	43.48852	-70.50332
BWA115	43.48661	-70.50607
039	43.48915	-70.50082
041	43.48988	-70.50146
078	43.49030	-70.50179
079	43.49210	-70.50332
080	43.49192	-70.50246
081	43.49182	-70.50220
082	43.49298	-70.50180
083	43.49313	-70.50231
084	43.49397	-70.50209
085	43.49252	-70.49966
086	43.49295	-70.49570
087	43.49228	-70.49442
088	43.49320	-70.49364
089	43.49420	-70.49351
090	43.49485	-70.49371
091	43.49519	-70.49619
092	43.49456	-70.49772
093	43.49516	-70.49872

Ecological Considerations for Guinea Road Project

Submitted

November 2022

by

Mark Ward

Ecological Consultant

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Background

This report considers the potential impacts to sensitive ecological features for the proposed project along Guinea Road in eastern Biddeford on Tax Map 76, Lot 37—an approximately 20-acre parcel. This proposed project is located within the Biddeford-Kennebunkport Vernal Pool Complex—a Focus Area of Statewide Significance whose designation is largely driven by its importance as wildlife habitat for Rare, Threatened, and Endangered wildlife species.

The focus area is known to provide habitat for two rare turtle species in Maine, the state-endangered Blanding's turtle and the state-threatened spotted turtle. Both species use a variety of wetland and upland habitats over the course of the year. They move between wetlands crossing through upland habitat to do so. Females of both species also seek out upland sites to lay eggs during the month of June. Adults of both species may spend considerable periods of time estivating (a type of summertime hibernation) in uplands during the hottest times of year in July and August. Both species therefore use a variety of different wetland and upland areas over the course of the year. A given individual of either species may not use the exact same set of wetlands (or upland habitat) from one year to the next. Taken together, these considerations make the protection of habitat for these species' especially challenging, which is why extant populations in Maine tend to be found only in relatively large unfragmented areas that contain both uplands and a variety of wetland types.

I have reviewed existing data available to the Biddeford Conservation Commission and the planned site proposal binder. The most immediate potential ecological impacts of the proposed project concern Moors Brook and tributary streams associated with it. The subject parcel abuts Moors Brook and its tributaries (Figure 1). More than half of the parcel's boundaries coincide with Moors Brook or tributaries and associated riparian habitat. The proposed project also requires a road crossing of an unnamed tributary of Moors Brook to access the building lots.

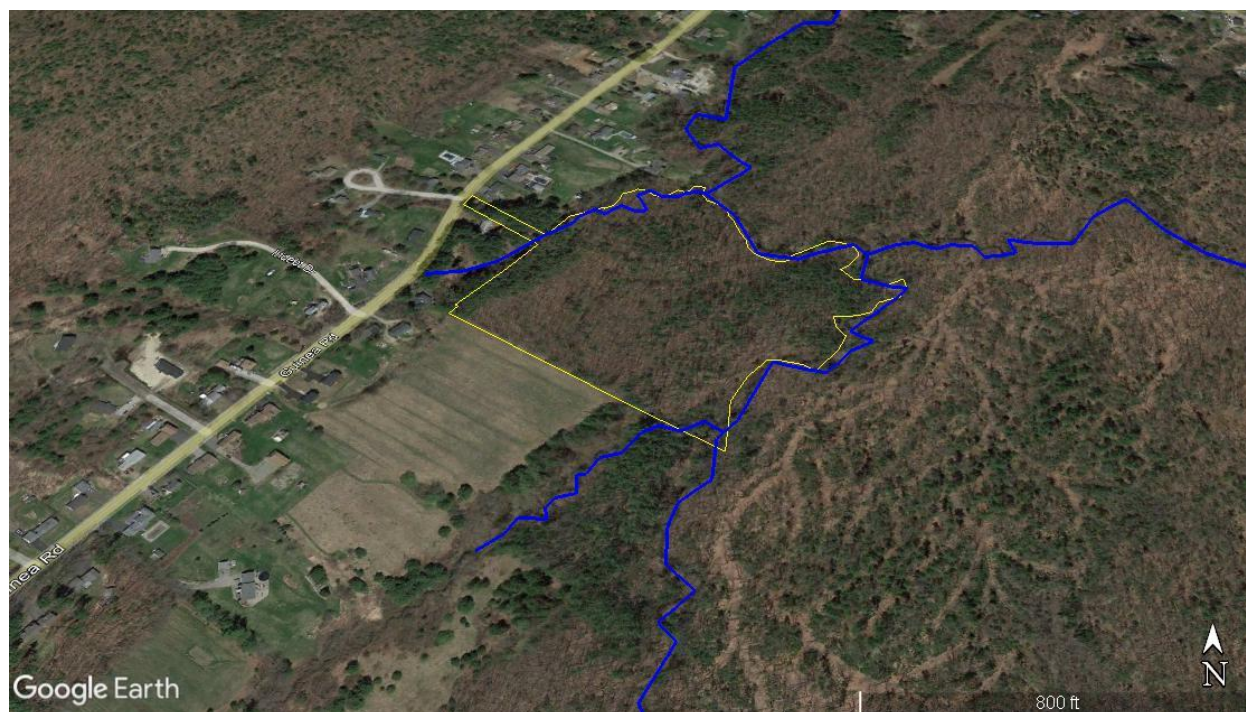


Figure 1. The approximate location of subject parcel and Moors Brook and its tributaries.

The importance of stream riparian habitat for wildlife species has been well-documented. These habitats serve a wide variety of wildlife species. Maintaining the integrity of these ecosystems for wildlife requires not just minimizing disruption to the stream proper, but also minimizing impacts to adjacent riparian habitat. Broadly speaking, more riparian habitat protection will maintain functioning ecosystems for more species.

Rare Animals

In 2012, I surveyed a tributary stream of Moors Brook located east of the proposed project for the Biddeford Conservation Commission and documented two rare dragonfly species (southern pymgy clubtail and arrowhead spiketail) associated with this tributary and its riparian habitat (Figure 2). Both species are considered species of special concern in Maine. Therefore, tributary streams of Moors Brook are known to provide habitat for rare wildlife species. I did not, at that time, conduct surveys for these rare dragonfly species on Moors Brook proper or on any of its other tributaries.

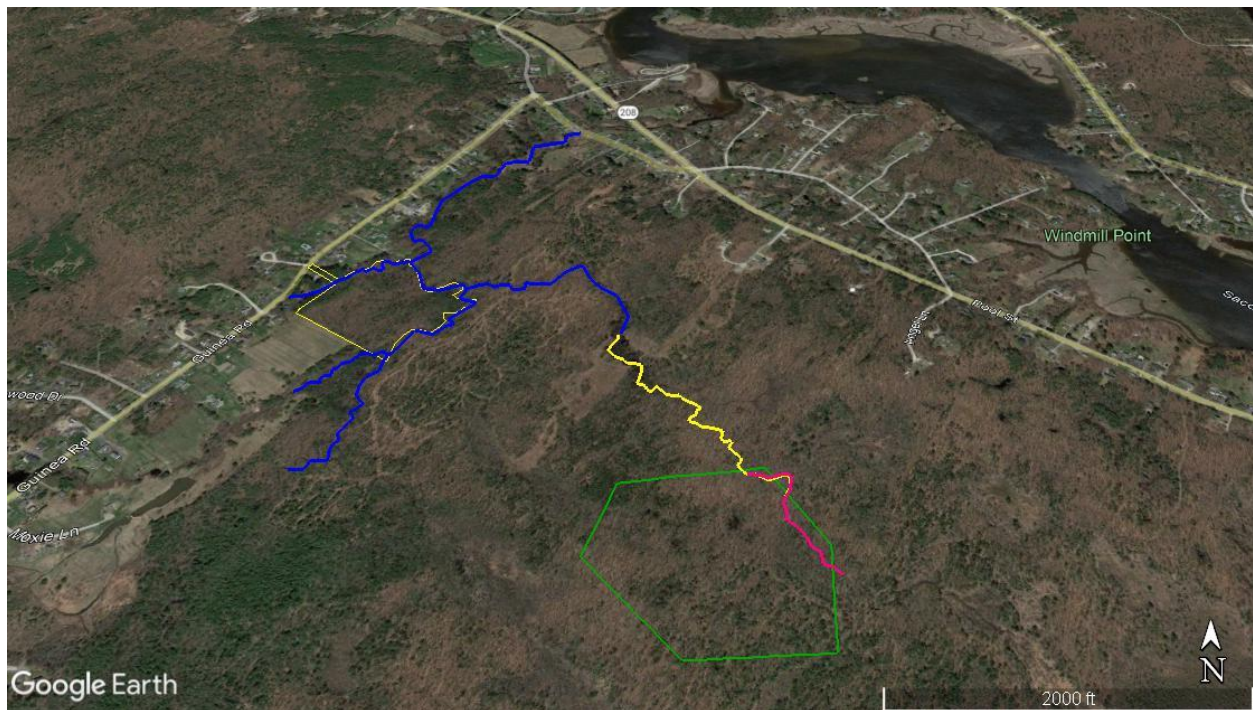


Figure 2. The subject parcel and documented occurrences of rare dragonflies (yellow and pink) and the approximate documented habitat location for spotted turtles (green polygon).

The Moors Brook Habitat Block also provides known occurrences and habitat for the state-threatened spotted turtle. While the nearest documented occurrences of spotted turtles are several hundred meters away (Figure 2), any diminishment of existing unfragmented habitat in this block will further isolate this population of spotted turtles from populations that are present across Guinea Road (in the West Brook Habitat Block). Such isolation will make each population more susceptible to localized extinction.

The proposed plan includes an access road across one of the unnamed tributaries of Moors Brook. This access road would undoubtedly alter the riparian habitat associated with this tributary.

Generally, riparian habitat protection measures fall into 3 tiers: Narrow riparian habitat protection (75-250 ft), Medium riparian habitat protection (250-600 ft), and Wide riparian habitat protection (>600 ft). Current plans provide for a 100-foot Streamside Protection Zone, which is on the lower end of the Narrow riparian habitat protection window.

Soils

Natural Resource Conservation Service (NRCS) soil survey maps indicate that a significant portion of the soils on the subject parcel are mapped as Buxton Silt Loam soils. Buxton soils with less than 15% slope (BuB or BuC) are considered *Farmland Soils of Statewide Importance* in Maine. According to NRCS maps, Buxton soils on mild slopes (BuC) comprise about 40% of the subject parcel and are concentrated along the lowlands associated with Moors Brook and its tributaries (Figure 3).

Test pits conducted at the site by Mark Hampton of Mark Hampton Associates Inc. in 2022 classified the soils found at eight pits on the subject parcel as Elmwood soils with slopes ranging from 2 to 4%. Like Buxton soils, Elmwood soils with less than 15% slope (EmB or EmC) are considered Farmland Soils of Statewide Importance in Maine. Whether the soils are classified as Buxton or Elmwood, those on slopes of less than 15% are likely considered soils of Statewide Importance. The test pits were completed on sections of the parcel that are relatively flat. The test pit locations seem to correspond to sections of the parcel mapped by NRCS as Scantic (Sc) or steeply-sloped Buxton (BuD). Regardless of the source considered, the proposed project will likely decrease the amount of prime farmland soil in Biddeford.

Prime farmland, as recognized by U.S. Department of Agriculture (USDA), is important in meeting the Nation's short- and long-range needs for food and fiber and has the best combination of physical and chemical characteristics for these uses. Because the supply of high-quality farmland is limited, the USDA recognizes that governments, as well as individuals, should encourage and facilitate the wise use of prime farmland soils. A recent land use trend has been the loss of prime farmland to industrial and urban uses, which puts agricultural pressure on marginal lands that are generally more erodible, droughty, less productive, and not easily cultivated.

Many states, including Maine, have designated land as *farmland soils of statewide importance* for its agricultural production potential. In Maine, this land includes soils that nearly meet the requirements for *prime farmland* and that may, under favorable conditions, be as productive if appropriately managed.

The importance of protecting these valuable agricultural soils in Maine is illustrated by two recent examples: 1) guidelines developed for the siting of solar projects, and 2) the role that natural and working lands play in carbon sequestration. In May 2020 the Maine Department of Agriculture, Conservation and Forestry developed guidelines for solar projects that require no more than 10% of the affected area be considered *prime farmland soils* or *farmland soils of statewide significance*. The Natural and Working Lands Work Group of the Maine Climate

Council called attention to the important role that natural and working lands play in carbon sequestration and the offset of greenhouse gas emissions. They emphasized that the protection of farmland, especially *prime farmland soils* and *farmland soils of statewide significance*, is one action that can help Maine achieve its goal of carbon neutrality by 2045.

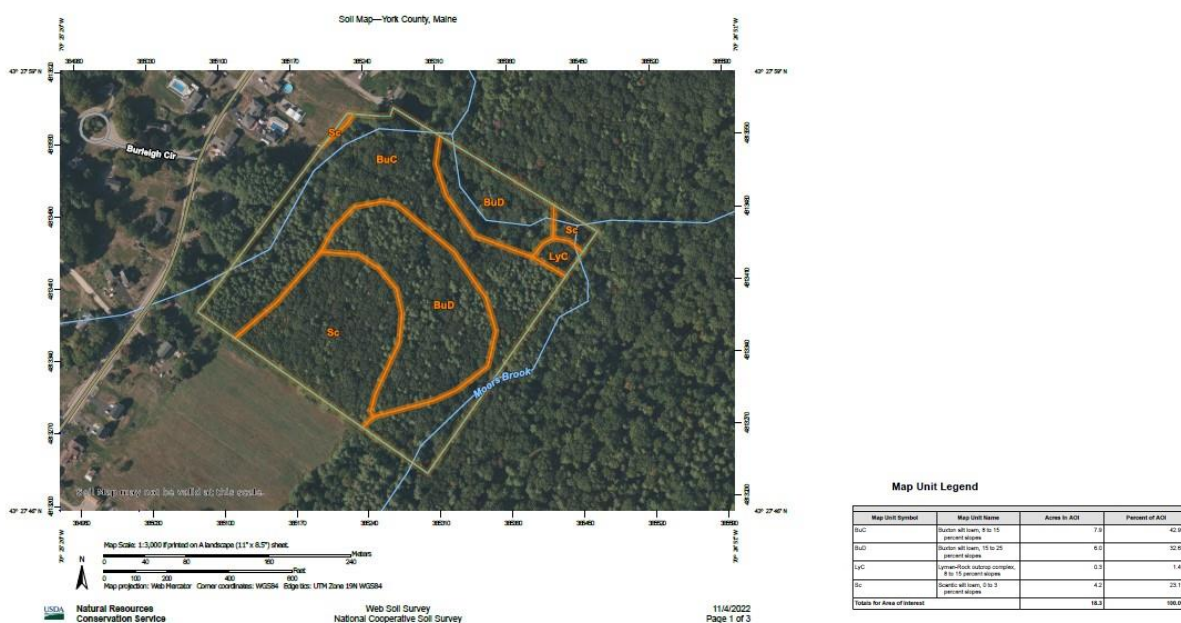


Figure 3. Map of approximate parcel boundaries with NRCS mapped soil types.

In light of considerations for agricultural soils at the site and rare animal species known to occur nearby we make the following recommendations.

Recommendations

- Conduct surveys for rare dragonflies on Moors Brook and its tributary streams that are located on, or that abut, this parcel (especially the tributary to be crossed by the access road). To be meaningful, these surveys would need to be conducted when adult dragonflies are likely to be active (late June-July)
- Maximize the maintenance of riparian habitat by reducing the number of houses, clustering houses as closely as possible to the center of the parcel (farther away from streams), or by adopting a broader riparian habitat protection zone for Moors Brook and tributary streams at the site
- Minimize the conversion of Farmland Soils of Statewide Importance (Buxton or Elmwood Soils with slopes of less than 15%) on the subject parcel in order to maintain the availability of limited high quality agricultural soils in Biddeford

11/14/2022

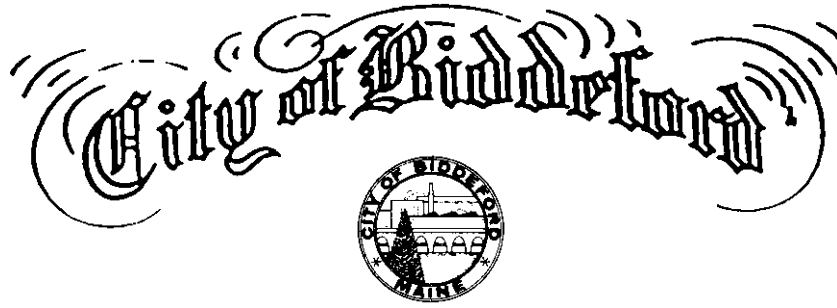
I am writing regarding the major subdivision application submitted by Peter McPheters. Specifically, I want to request clarification of what I believe are several significant errors and omissions in the current application.

1. The road being proposed would cross the stream protection overlay zone, but this is not identified in the application package. The planner reports confirm that a variance from the zoning board will be required.
2. The application needs to include all relevant information, including the recent admission by the applicant's agent made at the 11/2/2022 planning board meeting that they intend to "cut down all the trees" in the overlay zone. This is in the public record.
3. The application review needs to address the lack of mitigation related to cutting of trees as well as the filling of over 9,000 sq ft of wetlands and other environmental impacts related to said application
4. The road also crosses the floodplain. Per the Floodplain Management Ordinance, any development in the floodplain requires a flood hazard development permit.
5. The application, environmental assessment, and planning board report dated 10/27 reference all lot 81 and lot 97. Although it was stated this major subdivision is only for lot 81, the comingling of information makes the scope of the project review vague. This can lead to errors when assessing development options and alternatives. It also makes the public record unclear.
6. The road as proposed will be within 17.5' of an abutter's residence and require a waiver due to the excessive slopes required to squeeze the road into the non-conforming road width. There is no justification for the requested waiver
7. As the planning board pointed out there are several technical errors related to conflicting north arrows, blacked out comments, lot designations, etc.
8. The constructability of these slopes has not been demonstrated in a way that will ensure no impact to the wetlands due to erosion.

9. There is no way of preventing further development of this site, which as stated by the applicants' agent can accommodate up to 9 house lots, nor is their consideration for cluster housing or other lower impact development alternatives.
10. The environmental report stated that an additional visit would be required due to the time of year when the initial assessment was done. It is not clear that the follow up was completed, if the follow up was done during the unique drought we all experienced, and if completed during the drought, whether it is representative of typical conditions at the site.
11. The Conservation Commission and Planning Board or their agent(s) should do a site walk to better appreciate the impact this road will have on the environment and abutters.
12. Findings by the Conservation Commission should be provided to the Army Corp of Engineers and DEP prior to their review of this project.

In summary, this project requires a variance from the ZBA, waivers from the planning board, and numerous ACoE and DEP permits all related to environmental impacts, and there is no mitigation being proposed. There is also no means to ensure further development or encroachment on the setbacks.

Matthew Haas



2022.88

IN BOARD OF CITY COUNCIL...October 18, 2022

Resolution Requesting the Endorsement of ‘Race to Zero’ Pledge to Reduce Carbon Emissions in Biddeford

WHEREAS, climate change is a global issue with severe local ramifications; and

WHEREAS, addressing climate change is critical to the health of the people, the economy, and the planet; and

WHEREAS, limiting overall global warming to 1.5 degrees Celsius will avert the worst impacts of climate change, and

WHEREAS, the City declared a Climate Emergency in October, 2020, creating the Biddeford Climate Task Force, and

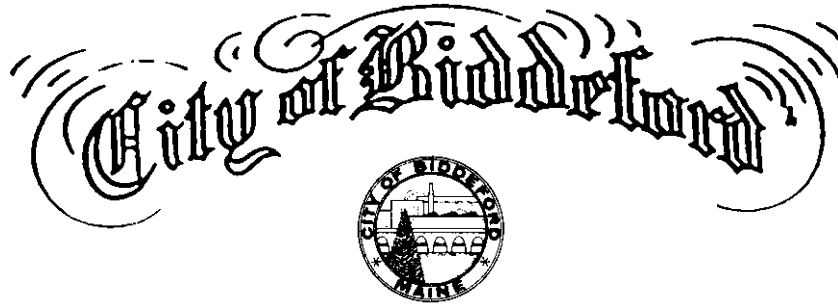
WHEREAS, ICLEI is an international non-profit organization that provides technical support to local governments’ efforts toward sustainable development; and

WHEREAS, ICLEI’s Race to Zero is a global campaign established by United Nations Climate and UK COP26 Climate Champions during Fall 2020 in order to rally ambitious leadership from all sectors of society — businesses, cities, regions, investors — in order to secure a future of warming that exceeds no more than 1.5 °C.

WHEREAS, the Biddeford Climate Task Force is working with ICLEI and Southern Maine Planning and Development Commission and the towns of Kennebunk, Kennebunkport, and Kittery to prepare a climate action plan by September, 2023 that will set forth measureable goals and actions related to climate mitigation, climate adaptation, and climate resilience to an immediate, just transition and urgent effort to restore a safe climate;

WHEREAS, The Maine Climate Council developed the State’s climate action plan, *Maine Won’t Wait* commits to reducing greenhouse gas emission in the State by 45% below 1990 levels by 2030 and 80% below those levels by 2050, achieving net-zero emissions by 2045; and

NOW, THEREFORE, BE IT RESOLVED that in accordance with the ICLEI’s Race to Zero campaign, the City of Biddeford does hereby adopt a community-wide goal of net-zero emissions by 2050, with a reduction of 62.6% below the 2019 emissions baseline by 2030.



BE IT FURTHER RESOLVED that the Biddeford City Council intends to adopt a Climate Action Plan, when such is presented by the Biddeford Climate Task Force, subject to such amendments deemed advisable after public comment and thoughtful deliberation such Plan to include specific policies and implementation actions aimed to achieve the interim goal of 62.6% emission reduction by 2030 and the net-zero 2050 goal.