CITY OF BIDDEFORD

Planning and Development Department

Greg Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

Planning Board
Meeting Minutes

Date: **December 9, 2020**
Time: **6:00 PM**
Location: **REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).**

1. **Declaration of Quorum/Voting Members**
   - **Quorum Present: Chair William Southwick, Roch Angers, Sean Tarpey, Spiros Droggitis, Bruce Benway, Alexa Plotkin (Alternate Voting Member).**

2. **New Business**

   2A. Public Input Session-Village Mixed Use Ordinance-Working Draft
   - **Chair Southwick explained that there is no application with the Planning Board that began the VMU Ordinance. The Council was approached by someone regarding this proposal and the Council asked the Planning Board to go over such a zone.**
   - **Chair Southwick then went over the rules for the public input session: the Conservation Commission will begin with 15 minutes, when the BCC is through the public will be welcome to comment limited to 5 minutes each.**
   - **Ken Buechs from the Conservation Commission explained the sub-committee he chairs that was created a few months ago. The sub-committee has been meeting weekly for the last month or so. He feels 15 minutes is too short to get the sub-committee's points across and have asked for a special meeting with the Planning Board but they will distill the information and present tonight and present the Planning Board with a Position Paper at a later date. He introduced tonight's speakers from the sub-committee: Meaghan Daly, Denis Rioux, and Richard Rhames. Their presentation was accompanied by slides directed by Meaghan Daly.**
   - **Meagan Daly presented on growth of the City of Biddeford and that it is important we know how and where we want to grow and use National, State and City level guidance. She spoke of SmartGrowth and showed EPA guidelines, spoke of the Maine State Growth Act and the 1999 Comp Plan that is active now.**
   - **Richard Rhames spoke about the report by Mark Ward and the recent update in the area. He spoke of the limitations in the RF zone and said they still need to obtain wetland information. He spoke of the process for the**

Comp Plan and Evan Reichart and that the work has not been done for the Comp Plan yet. He wants us to know that where the VMU Zone is proposed there are vernal pools and it is near Thatcher Brook he would like the setbacks at Thatcher Brook extended. The area in question is Maple Swamp with Tupelo Trees that has been there since the 1700's where there used to be Goshawks. There should be no easement on wetlands and is concerned about the density bonus.

- **The sub-committee's 15 minutes had expired however they still had more to present therefore the Chair gave them 5 more minutes.**
- **Denis Rioux spoke about AG soil and that the City Council wants to increase housing units, the developer wants to add 500 house units and we need a Comp Plan. There is still some open land with good soils in the FF preserved. The Comp Plan should have AG soils deducted in the net density calculations. He wants to have cluster subdivisions. There is no more farming or working landscapes, there is one dairy farm left with 25 cows producing 20,000 gallons of milk a year.**
- **The sub-committee used up the extra 5 minutes so the Chair gave them 2 more minutes.**
- **Ken Buechs said they will continue to work on this project and would like to come back and be allotted more time.**
- **Chair Southwick opened the meeting to the public reminding them that they each will get 5 minutes to talk. If the point you want to make has already been made please choose another point or allow their neighbor to speak.**
- **Planner Tansley interjected that a question was presented as to how people could see what information was presented to the Planning Board by the sub-committee via dropbox and Planner Tansley said the goal is to get the information on the web by the weekend.**
- **Amy Clearwater introduced herself as a City Counselor and was happy to hear from the Conservation Commission, she wanted explain that the City Council asked the Planning Board to research a VMU Zone, what it would be like, where it would be and would there be any benefit at all. The meetings are now public but this is not a done deal at all, however she is very concerned about the draft that was presented to the City Council. She felt it was very thin, the developers may have some very good ideas but the ordinance does not go far enough, there needs to be more detail, more topics & requirements, tying it into public transportation. The more detail and clarity protects the City.**
- **Chair Southwick commented that part of the framework is the public input.**
- **Cat Bates stated that he would like to see the Comp Plan first. He made the point that in calculating affordable housing to keep in mind that Biddeford median income is 25% less than the York County median income. If the York County Median income is used a fair amount of residents would not be able to afford to live in Biddeford. Please think about adjusting the numbers to make things affordable to the workforce and low income using the Biddeford median income. The ideal place would have public transportation available making the residents a mix, discourage income encourage diversity as well as visual diversity.**

- **Stephanie Edwards spoke of her areas of concern being the Comp Plan and the VMU. Is the VMU a model for Biddeford as a whole or the I-95 area. She is concerned about the economic impacts, she is not against growth but to consider historic preservation, the arts the core of downtown. She sees huge gaping holes in the proposal.**
- **Sterling Roop is on the Board of the Heart of Biddeford where the proposed VMU Zone is raising alarm bells. He wants to know how much of the VMU was proposed by the developer, they know at least part of it was part of the UNE Ordinance. As a City we need to know where we are going. Do not give preference to the developer give deference to the community.**
- **Chair Southwick stated that the draft is for consideration it is not a completed document and it is independent of a developer, it is only a draft.**
- **Chrystina Gastelum is concerned that the draft does not address climate change, it is designed for people who work in other communities, is that the target market, how do we get them to participate in the community. The community now is full of volunteers but she never walks to downtown as she does not feel safe. She does not want private septic in this development but is there a way to have septic composting? She also mentioned that Thatcher Brook is an impaired water body and is vulnerable to all elements including storms.**
- **Leah Schaffer is a concerned citizen who understands the process of ordinance change and knows it is coming from the top down but we are looking at 1 specific area of the entire city, there is room for growth while preserving character. When in VA they solved a need for residential but in turn the businesses suffered. We need to look at and preserve the downtown core, she encourages the Board to look at the entire city and it's needs both business and residential.**
- **Katie Pinard would like an economic impact study performed. She too is concerned about the downtown core and need more people to shop the businesses are suffering not only downtown but in other areas of Biddeford and other areas.**
- **Ken Buechs is concerned about the water quality:**
  1) **Thatcher Brook is an improving water shed, we need someone on the Planning Board to be the champion of Thatcher Brook. We also need to increase the setbacks around Thatcher Brook, we cannot go closer than DEP standards but we can exceed them.**
  2) **Water treatment, he would like someone to look into the break point where we have to convert to public sewer at the developer's expense. Tom Milligan mentioned that there are new septic tanks but we won't know if they really work or not for 20 years.**
- **Erin Sheehan believes in the Comp Plan which should be a vision for the town and how developers will work with it going forward.**
- **Richard Rhames worked on the previous Comp Plan, look at the Reichart Document, Biddeford is not like Portland or South Portland. Biddeford changed because of years of work. This process has been frustrating to watch, he cannot participate, there is no opportunity for his contribution. The City is supposed to do an economic impact study for the Comp Plan and**

every project, he feels the City is flying blind. He does not like a reply to a question of "it depends" he does not feel substantive issues are being addressed.

- **Meaghan Daly-the VMU can be placed anywhere for small parcels and looking at other places. The City is risking a messy sprawl of incompatible uses, be deliberate, where we place them, have climate considerations, solar power is not sufficient.**
- **Denis Rioux the VMA Master Plan Template can go anywhere in town, limit where it can go. The RF zone has agricultural resources, good soils productive farm & forest. The businesses are worried about urban core other business centers would compete with downtown. Put an emphasis on public input and if the public does not want the VMU zone then abandon the project.**
- **Chair Southwick then asked for comments from the Board thanking the public for all the comments which will be taken into consideration.**
- **Alexa Plotkin echoes the comments from the majority of the public.**

3. **Other Business**

3A. Comprehensive Plan Update

- **Planner Tansley thanked everyone for their comments. Questions will be answered after the staff goes through all the comments and digest them then talk with the Board about what happens next.**
- **He talked about how there is an aggressive yet realistic goal of completing the Comp Plan by April. He went over the outline that was provided to the City Council on a month by month plan of activities designed to complete the Comp Plan. The Council wants the Comp Plan done but they also want it done well with no short cuts.**
- **Roch Angers suggested different ways to get public input and assistance by tapping former councilors, planning board members, school board members. Reach out and ask them to volunteer for 3 months taking advantage of their vast amount of knowledge. He reminded everyone that the Planning Board only wants to do what is best for the City.**

4. **Adjourn**

Benway-<u>Motion</u> to adjourn

Angers-<u>Second</u>

Chair Southwick-Roll Call for Vote-Unanimous Approval (4-0) all in favor (Angers, Tarpey, Droggitis, Benway)

Meeting Adjourned at 7:50 PM

Planning Board Chair/Vice Chair **Date**

These minutes are summary and are not intended to be verbatim. Archived meetings are viewable on the City's website: www.biddefordmaine.org.