



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
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Biddeford, ME 04005
(207) 284-9115

Planning Board Meeting Minutes

Date: December 7, 2022
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (Chair), Sean Tarpey, Alexa Plotkin, Michael Cantara, Larry Patoine (Alternate who will vote tonight), Susan Deschambault (Alternative)
Staff Present: Greg Mitchell & Nan Whitten
Interim Planner: David Galbraith
Chair Southwick opened the meeting at 6:00 PM
3. Adjustments to the Agenda
4. Planner's Business
The Mayor & City Manager honored chair Bill Southwick for his terms as Planning Board Member & Chair. Mr. Southwick's term will expire December 2022.
5. Consent Agenda
5. A. Consideration of Minutes of 11-2-22, 11-8-22 & 11-16-22
MOTIONS: 6:09 PM
Cantara-Motion- To approve the Consent Agenda as presented.
Patoine-Second
The chair did a roll call for vote, Motion Passed unanimously (Tarpey, Plotkin, Cantara & Patoine)
6. Old Business
7. New Business
7. A. 2022.24 Public Hearing and take public comments regarding a revised Preliminary Site Plan approval for Devine Capital LLC. The project is to construct 216 residential units at 588 & 590 Alfred Street (Tax Map 2, Lots 6 & 12).
 - Mr. Galbraith introduced this project citing changes made to the plan to accommodate MTA's plans.
 - Ben Devine represented Devine Capital
 - Mr. Devine feels that this is a better plan than before; it reduced wetland impact to zero.
 - He had hoped to reduce impervious surface but unfortunately, was unable to do so.
 - The residents can get in and out of the site safely.
 - There are no changes to the DOT permit

- These changes were definitely more expensive for the developer, but he feels it was worth it.
- The developers want to break ground by April 2023; they are shooting for final approval in January 2023.
- Bill Fletcher also represented the applicant. He had a power point presentation showing the changes made due to the project for MTA.
- These changes have reduced parking spaces from 497 to 474, which is still adequate.
- These changes have resulted in better access for the Fire Department.
- The hiking trail to Route 111 has been shortened but it will be lit.
- DEP & DOT permits should be resolved by January.
- Public Comments:
Richard Rhames 10 West Loop Road
Mr. Rhames asked about the JDAs and whether or not the City has a stake in the project. He also asked whether the City would be getting a third party environmental review.
- Cantara asked about whether the sidewalks will connect to Route 111 and go throughout the project.
- Rick Meek from the applicant team said the stormwater permit request and NRPA have been sent to DEP but are on hold until the end of the month until they can see final plans resulting from MTA project. The application team plans to meet with the Conservation Commission on Thursday, December 15th.
- Tarpey questioned MTAs plans and figuring out the changes of entrances to the site. The MTA project will begin in 2028.
- Devine said the project works whether MTA builds or not and the entire site meets code.
- Tarpey questioned the Fire Department's position with the single point of access.
- Meek told the Board that the Fire Department has no issues with this plan and the single point of access.
- Mitchell reminded the Board that they had already given Preliminary Approval with 1 access road.

MOTIONS: 6:40 PM

Cantara-Motion- To grant Preliminary Subdivision and Site Plan Approval for the proposal located at 588, 590 Alfred Street (Tax Map 2, Lots 6 and 12) conditioned on a Final Application and Plan Set shall not be submitted to the Planning Board until:

The 3rd Party Engineer and City Staff have completed their reviews of the Preliminary Plan Submission package. This includes providing all comments to the Applicant and the applicant responding to Staff satisfactorily.

A DRAFT Contract Zone Agreement has been agreed to between the Applicant and Staff, including the completion of a legal review by the City Attorney.

Patoine-Second

The chair did a roll call for vote, Motion Passed unanimously (Tarpey, Plotkin, Cantara & Patoine)

7. B. 2021.42 Public Hearing and take comments for the 3rd preliminary request for

Site Plan & Subdivision for South Street Village, LLC. The applicant intends to create a 195 Unit over 55 Manufactured Housing Park called Hidden Hills at 413 South Street, (Tax Map 7, Lot 8) in the SR1 & RF Zones with the MHP Overlay.

- Galbraith introduced the project
- He noted that there are 2 points of access on Water Works Drive, eliminating the South Street access. The applicants have been focusing on pedestrian safety and they are open to City comments.
- The applicants have been working with Planning Staff, Police and Fire.
- The plan is to make Water Works Drive a public road.
- Jeff Amos from Terradyn represented the applicants.
- He has received nothing from DEP yet because of DEP's heavy workload.
- Public Comments:
Anthony Curro-182 May Street-he is concerned about the impact this subdivision will have on May St. He would like to see a new Traffic Study to include May Street.
Richard Rhames-10 West Loop Road-Mr. Rhames asked if this was a "Legacy Road", he said that land used to be a big dairy farm.
- The Environmental Report conducted by Mark Ward for the Conservation Commission was addressed. The Board would like the entire report.
- They would also like a Third Party Environmental Report and an expanded traffic study.
- Tarpey questioned where the easement deed is and whether someone from Codes was there to witness the test pits being dug.
- Staff made a note to compare Standard Operating Procedures to Ordinance for the rewrite.
- Patoine asked about the sidewalks
- Jeff Demers, Director of Public Works addressed the plans for sidewalks. He talked about the difference between the raised sidewalk and the walking path, which is flush with the ground. He also said he would be attending a meeting in the following week to discuss planned adjustments to May Street.
- Patoine then asked about sidewalks-that will be covered in the future.

MOTIONS: 7:55 PM

Cantara-Motion-To approve the Preliminary Subdivision and Site Plan for 416 South Street, Hidden Hills Manufactured Housing Park, a 195-unit manufactured housing park (Tax Map 7/Lot 8) in the Rural Farm (RF) and Suburban Residential (SR-1) zones and Manufactured Housing Park (MHP) overlay zone. With the following conditions:

There be a third party environmental study chosen by the City but paid for by the client.

Complete another traffic study to encompass May Street.

The application for Final Approval be compliant with the City of Biddeford Code of Ordinance.

Tarpey-Second

Chair conducted a roll call for vote-Motion Failed 2-3 (Tarpey & Cantara in favor, Southwick, Plotkin & Patoine against).

Plotkin-Motion- To approve the Preliminary Subdivision and Site Plan for 416 South Street, Hidden Hills Manufactured Housing Park, a 195-unit manufactured housing park (Tax Map 7/Lot 8) in the Rural Farm (RF) and Suburban Residential (SR-1) zones and Manufactured Housing Park (MHP) overlay zone. With the following conditions:

There be a third party environmental study chosen by the City but paid for by the client.

The application for Final Approval be compliant with the City of Biddeford Code of Ordinance.

Patoine-Second

The chair conducted a roll call for vote-Motion Passed 3-1 (Tarpey, Plotkin & Patoine in favor, Cantara against).

8. Other Business

Mr. Tarpey mentioned that he does not think the CMP substation complies with the approved plans.

Mr. Mitchell will look into it and update the Board on the 14th.

9. Adjourn

Meeting adjourned at 8:02 PM

Planning Board Chair/Vice Chair

Date

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