

City of Biddeford
City Council
November 09, 2017 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
 - 3.a. City Manager Report for November 9, 2017
[11-09-2017 City Manager Memo.pdf](#)
- 4. Public Hearing**
 - 4.a. Liquor License Application: Louis Pizza
[11-09-2017 Louis Pizza Liquor License Application.pdf](#)
- 5. Liquor License Consideration**
 - 5.a. Louis Pizza - 42 Franklin Street
[11-09-2017 Louis Pizza Liquor License Application.pdf](#)
- 6. Presentation:**
 - 6.a. Downtown Task Force - Submittal of Final Report
[11-09-2017 Downtown Task Force Report.pdf](#)
 - 6.b. FY19 CIP
- 7. Consideration of Minutes:**
 - 7.a. October 17, 2017 Council Meeting Minutes
[10-17-2017 Council Meeting Minutes.docx](#)
- 8. Orders of the Day:**
 - 8.a. 2017.117) Approval/Contract w/P&G Masonry Restoration, Inc./Masonry Wall & Foundation Repairs at Biddeford Police Department
[11-09-2017 Masonry Wall Repair at BPD-ORDER.doc](#)
[11-09-2017 Masonry Wall Repairs-RFP.doc](#)
[11-09-2017 Masonry Work at BPD-BIDS.pdf](#)
 - 8.b. 2017.118) Approval/Purchase of Replacement TASERS for Biddeford Police Department/Axon Enterprises, Inc.
[11-09-2017 Purchase of TASERS for BPD-ORDER.docx](#)
[11-09-2017 Taser Replacement-BPD - backup docs.pdf](#)
 - 8.c. 2017.119) Approval/Transfer of Funds to Police Department for Contribution in a Criminal Case
[11-09-2017 Transfer of Fund-PD Criminal Case.doc](#)
 - 8.d. 2017.114) Remove from table: Directive to Planning Board/Amendments to Land Development Regulations/Art. V-Establishment of Zones, Table B - Dimensional Requirements
[10-17-2017 Directive to PB-Density Requirements.docx](#)
 - 8.e. Committee-of-the-Whole: Façade Improvement Ordinance
[11-09-2017 Facade Improvements.docx](#)
 - 8.f. 2017.120) Directive to Planning Board/R2 Zone Density Requirements

- [10-17-2017 Directive to PB-Density Requirements.docx](#)
 - 8.g. 2017.121) Authorization/RiverWalk Preliminary Design Work/Wright-Pierce
 - [11-09-2017 RiverWalk Preliminary Design Work-ORDER.doc](#)
 - [11-09-2017 RiverWalk Design Proposal.pdf](#)
 - 8.h. 2017.122) Council Instruction to City Staff/Hills Beach Fire Station
 - [11-09-2017 Hills Beach Fire Station-ORDER.doc](#)
 - [11-09-2017 Hills Beach Fire Station-backup docs.pdf](#)
 - 8.i. 2017.123) Authorization/Establishment of Ambulance Revenue Fund
 - [11-09-2017 Ambulance Revenue Account.doc](#)
 - [11-09-2017 Ambulance Fund - MEMO.docx](#)
- 9. **Appointments:**
 - 9.a. Roch Angers...Biddeford Housing Authority
 - [11-09-2017 Appt-Angers-Bidd Housing Authority.docx](#)
 - [11-09-2017 Comm App-Angers-Bidd Housing Authority.pdf](#)
 - 9.b. Issiah Smith...Recreation Commission
 - [11-09-2017 Appt-Smith-Recreation Commission.docx](#)
 - [11-09-2017 Comm App-Smith-Recreation Comm.pdf](#)
- 10. **City Manager Report**
- 11. **Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit)**
- 12. **Other Business**
- 13. **Council President Addressing the Council**
- 14. **Mayor Addressing the Council**
- 15. **Adjourn**

The Office of
City Manager
James A. Bennett
Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Honorable Mayor Casavant Honorable City Council
FROM:	James A. Bennett, City Manager
DATE:	November 2, 2017
RE:	November 9 Meeting

Please find the following introductory comments regarding the upcoming meetings (including the Finance Committee).

Finance Committee

- 4.1. This project was bid in three phases. The available funds are not enough to complete all three phases. Given the other yet to be specifically allocated adjustments that have been made to the budget (net of \$242,207 not including the \$234,295.32 overlay), my suggestion would be that we either hold off on that which has not been budgeted, seek a specific reduction in another capital item or use part of the contingency funds to authorize the work. To complete all three sides about \$36,000 is needed. The budgeted amount is \$20,000.
- 4.2. The recommendation is to approve the purchase. Between the grant funds that has been obtained and the budgeted capital allocation, the purchase is within budget.
- 4.3. The request for abatement is included in the package. Also in the package is the section of the ordinance that guides the Finance Committee on the standards it must apply in order to consider the abatement. As a reminder, it shall (as noted on page 4 of the policy that is included in your package) *"approve the recommendations of the Wastewater Commission unless it (Finance Committee) finds that it is arbitrary, capricious or unsupported by substantial evidence."*
- 4.4. Same as above.
- 4.5. Staff is not recommending the low bid for this project. The rationale for a higher bidder (about \$400 higher) is because of the additional features that will be included. The amount is within the budgeted amount. The ongoing costs is less than the current cost. Approval as submitted is requested.
- 4.6. As you are aware, the confusion on the 'accounting' of the ambulance billing was, at best, difficult to understand. It clearly was not easy to understand for staff and certainly not for the purposes of transparency. Cheryl has reviewed the process and we are recommending a change in the process of how we handle the billing. This will not change the financial position of the City but does make it much easier to understand. Passage is requested.
- 4.7. Included in the package is the engagement quote from Wright-Pierce to continue the work on the river walk. We are requesting the funding to proceed with the next steps for the preliminary design of the walk from Laconia Plaza to Route 1 as well as the pedestrian connections from Lincoln and Main Streets. These funds will allow the work to be done to such a level that we can proceed with securing the easements necessary for the project to proceed to the next level.

It will also allow us to seek grant and other non-city funding for the project. All funds are to come from the TIF account.

City Council

- *Liquor License:* staff is not reporting any concerns with the proposed license application.
- *Downtown Report:* the final report is included in the package for your advance reading. The committee members will do a presentation to outline the highlights of their work and report.
- *FY19 CIP:* On Thursday evening, we will hand out the CIP document. It is expected that the document will be workshopped in the future by either the capital projects committee, the finance committee or the Council as a whole. I will do a brief overview of the document as well.

Orders of the Day

- 2017.117 This will be discussed and voted on by the Finance Committee. Please see the notes above, in particular the higher than budgeted bid.
- 2017.118 This will appear on the Finance Committee agenda. There is nothing unusual about the bids or funding.
- 2017.119 This is a standard item. Approval is requested.
- 2017.114 Please see the additional information that is included in the package. This item appears at the request of Councilor Foley. As a reminder, the action before the Council is to simply send the request to the Planning Board for their review and recommendation.
- 2017.120 This item appears on the agenda at the request of Councilor Lessard. This is the suggestion by staff on how best to deal with the combining of smaller lots in a very specific section of the community. Like item 2017.120, affirmative action on this item will only send the item to the Planning Board for their review and recommendation.
- *Committee of the Whole:* This item appears at the request of Councilor Lessard. As you may be aware, he has requested that staff work on a 'façade' ordinance. In order to get a better sense of the Council members prior to staff working on the ordinance, staff has prepared a white paper on the issue. We are requesting that you read the paper prior to the meeting. Staff will be available to lead a quick process to obtain opinions of the members. Once completed, staff will work on a draft ordinance to present back to the Council.
- 2017.121 This item will be considered by the Finance Committee. Please see the comments earlier.
- 2017.122 The City has not used this building as a fire station for a number of years. While there was at one point an active Hills Beach Volunteer Fire Department, it no longer exists. While the building belongs to the City, the land is not owned by the City. The City does have a need for a manned substation in the area, this location is not the correct location for such a station. The building has only been used for cold storage for the last few years for several reasons, including: the lack of a call company, the capital investment needed to the building and the unfavorable location. It is staff's recommendation that we proceed over the next year to discontinue the use of the structure for cold storage and turn the ownership of the building back to the Hills Beach Association.
- 2017.123 This item will be considered by the Finance Committee. Please see the notes above reference to the item.

\$10.00 application fee is applicable to all NEW businesses

\$60.00 advertising fee for new liquor license applications is an up-front charge

9/25/17 - per additional \$25 (vict)
and \$40 (advert)

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: Louis Pizza

Business Address: 42 Franklin St Map Lot

Mailing Address: Biddeford ME 04005

Business Telephone Number: 282-2662

Email Address: rrobittaille13@gmail.com

OWNER/OPERATOR: Ricky Robittaille

Home Physical Address: 9 Lunt St

Home Mailing Address: Biddeford, ME 04005

Home Telephone Number: 710-3222

Applicant(s) Date of Birth: 10-01-1976


Applicant's Signature

9-25-17
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☐ Exhibitions (live performances)
- ☐ Circus/Carnival

☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| ☒ RESTAURANT (Class I,II,III,IV) | ☐ RESTAURANT/LOUNGE (Class XI) | ☐ CLASS A LOUNGE (Class X) |
| ☐ HOTEL (Class I,II,III,IV) | ☐ HOTEL, FOOD OPTIONAL (Class I-A) | ☐ BED & BREAKFAST (Class V) |
| ☐ CLUB w/o Catering (Class V) | ☐ CLUB with CATERING (Class I) | ☐ GOLF COURSE (Class I,II,III,IV) |
| ☐ TAVERN (Class IV) | ☐ QUALIFIED CATERING | ☐ OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name:		Business Name (D/B/A)	
Lais Pizza Inc.		Louis Pizza Inc.	
APPLICANT(S) --(Sole Proprietor)	DOB:	Physical Location:	
Ricky Robitaille	10-1-76	Biddeford MAINE 04005	
DOB:		City/Town	State Zip Code
9 Lunt St.		42 Biddeford	42 Franklin St.
Address		Mailing Address	
Biddeford Maine 04005		Biddeford Maine 04005	
City/Town	State Zip Code	City/Town	State Zip Code
710-3222		2822662	
Telephone Number	Fax Number	Business Telephone Number	Fax Number
20-2086429			
Federal I.D. #	Seller Certificate #:		
rrobitaille13@gmail.com	or Sales Tax #: 1080917		
Email Address:	Website:		
Please Print			

If business is NEW or under new ownership, indicate starting date: November 1st (new location)

Requested inspection date: 11-3 - 11-6 Business hours: 11A-5P

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ new
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
 If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
 If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

 License # Name of Business (Use an additional sheet(s) if necessary.)

 Physical Location City / Town

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: _____

7. Business records are located at: Louis - home

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
<u>Ricky Robitaille</u>	<u>10-1-76</u>	<u>Biddeford</u>
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
<u>Biddeford, ME.</u>		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: Ricky Robitaille Date of Conviction: 1997

Offense: OUE Location: Biddeford

Disposition: guilty (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Eugene + Gloria Robitaille

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? within a 1/4 mile

Which of the above is nearest? church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: North Star leasing - new booths, equipment for new location.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford, Maine on 9-20-17, 20 17
Town/City, State Date

Please sign in blue ink


Signature of Applicant or Corporate Officer(s)
Ricky Robitaille
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications) \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00
CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

8 writecheck 450.00
to
Treasurer STATE OF Maine - address on 1st page

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-

license that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]
[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]
[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

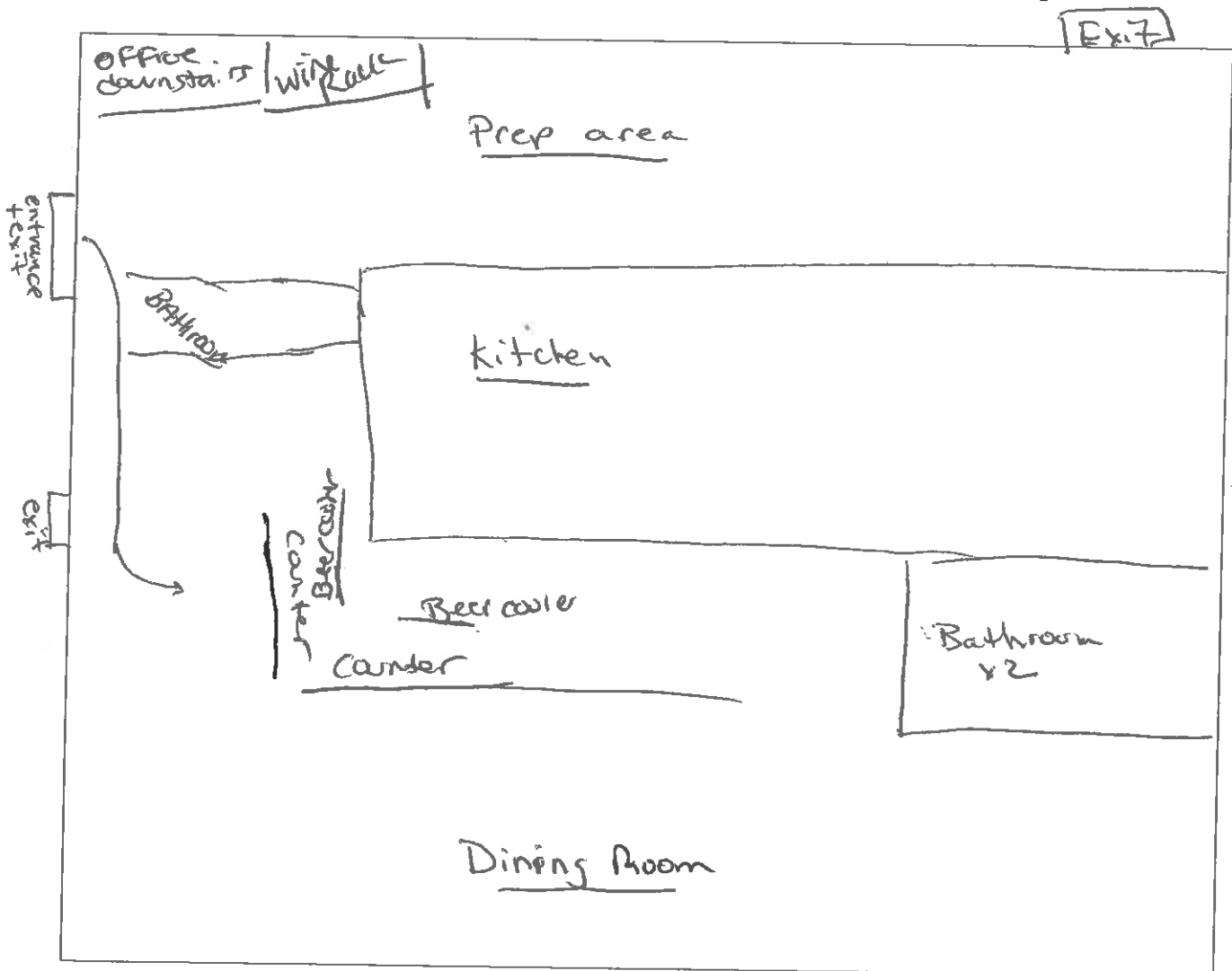
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
☐	Approved
☐	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Louis Pizza Inc.
2. Doing Business As, if any: Louis Pizza Inc.
3. Date of filing with Secretary of State: 1-12-05 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Ricky Robitaille	9 Lunt St.	10-1-76	President	100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐ O.U.E. over 20 years +1- ago

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: Rickey Robitaille

Date of Conviction: 1997 +1-

Offense: O.U.E.

Location of Conviction: Biddeford

Disposition: guilty

Signature:



9-20-17

Signature of Duly Authorized Person

Date

Rickey Robitaille

Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, Me 04333-0008 (Regular address)
10 Water Street, Hallowell, ME 04347 (Overnight address)
Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@Maine.gov

9/25/17 - per additional \$25 (viet) and \$40 (advert)
\$10.00 application fee is applicable to all NEW businesses
\$60.00 advertising fee for new liquor license applications is an up-front charge

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: Louis Pizza
Business Address: 42 Franklin St **Map** **Lot**
Mailing Address: Biddeford ME 04005
Business Telephone Number: 282-2662
Email Address: rrobittaille13@gmail.com
OWNER/OPERATOR: Ricky Robittaille
Home Physical Address: 9 Lunt St
Home Mailing Address: Biddeford, ME 04005
Home Telephone Number: 710-3222
Applicant(s) Date of Birth: 10-01-1976



Applicant's Signature

9-25-17

Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☐ Exhibitions (live performances)
- ☐ Circus/Carnival

☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

BUREAU OF ALCOHOL BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT
8 STATE HOUSE STATION, AUGUSTA, ME 04333-0008
10 WATER STREET, HALLOWELL, ME 04347
TEL: (207) 624-7220 FAX: (207) 287-3434
EMAIL INQUIRIES: MAINELIQUOR@MAINE.GOV

DIVISION USE ONLY	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Cash Ck Mo:	

NEW application: ☒ Yes ☐ No

PRESENT LICENSE EXPIRES _____

INDICATE TYPE OF PRIVILEGE: ☒ MALT ☒ VINOUS ☐ SPIRITUOUS

INDICATE TYPE OF LICENSE:

- | | | |
|--|---|--|
| ☒ RESTAURANT (Class I,II,III,IV) | ☐ RESTAURANT/LOUNGE (Class XI) | ☐ CLASS A LOUNGE (Class X) |
| ☐ HOTEL (Class I,II,III,IV) | ☐ HOTEL, FOOD OPTIONAL (Class I-A) | ☐ BED & BREAKFAST (Class V) |
| ☐ CLUB w/o Catering (Class V) | ☐ CLUB with CATERING (Class I) | ☐ GOLF COURSE (Class I,II,III,IV) |
| ☐ TAVERN (Class IV) | ☐ QUALIFIED CATERING | ☐ OTHER: _____ |

REFER TO PAGE 3 FOR FEE SCHEDULE

ALL QUESTIONS MUST BE ANSWERED IN FULL

Corporation Name: <u>Louis Pizza Inc.</u>		Business Name (D/B/A) <u>Louis Pizza Inc.</u>	
APPLICANT(S) --(Sole Proprietor) <u>Ricky Robitaille</u>		DOB: <u>10-1-76</u>	
Address <u>9 Lunt St.</u>		Physical Location: <u>Biddeford MAINE 04005</u>	
City/Town <u>Biddeford</u>		State <u>MAINE</u>	
Zip Code <u>04005</u>		City/Town <u>42 Biddeford</u>	
Telephone Number <u>20-2086429</u>		Fax Number <u>2822662</u>	
Federal I.D. # <u>rrobitaille13@gmail.com</u>		Seller Certificate #: or Sales Tax #: <u>1080917</u>	
Email Address: Please Print		Website:	

If business is NEW or under new ownership, indicate starting date: November 1st (new location)

Requested inspection date: 11-3 - 11-6 Business hours: 11A-5P

- If premise is a Hotel or Bed & Breakfast, indicate number of rooms available for transient guests: _____
- State amount of gross income from period of last license: ROOMS \$ _____ FOOD \$ _____ LIQUOR \$ new
- Is applicant a corporation, limited liability company or limited partnership? YES ☒ NO ☐
If Yes, please complete the Corporate Information required for Business Entities who are licensees.
- Do you own or have any interest in any another Maine Liquor License? ☐ Yes ☒ No
If yes, please list License Number, Name, and physical location of any other Maine Liquor Licenses.

License # _____ Name of Business _____ (Use an additional sheet(s) if necessary.)
 Physical Location _____ City / Town _____

5. Do you permit dancing or entertainment on the licensed premises? YES ☐ NO ☒

6. If manager is to be employed, give name: _____

7. Business records are located at: Louis - home

8. Is/are applicants(s) citizens of the United States? YES ☒ NO ☐

9. Is/are applicant(s) residents of the State of Maine? YES ☒ NO ☐

10. List name, date of birth, and place of birth for all applicants, managers, and bar managers. Give maiden name, if married:
Use a separate sheet of paper if necessary.

Name in Full (Print Clearly)	DOB	Place of Birth
<u>Ricky Robitaille</u>	<u>10-1-76</u>	<u>Biddeford</u>
Residence address on all of the above for previous 5 years (Limit answer to city & state)		
<u>Biddeford, ME.</u>		

11. Has/have applicant(s) or manager ever been convicted of any violation of the law, other than minor traffic violations, of any State of the United States? YES ☒ NO ☐

Name: Ricky Robitaille Date of Conviction: 1997

Offense: OUE Location: Biddeford

Disposition: guilty (use additional sheet(s) if necessary)

12. Will any law enforcement official benefit financially either directly or indirectly in your license, if issued?
Yes ☐ No ☒ If Yes, give name: _____

13. Has/have applicant(s) formerly held a Maine liquor license? YES ☐ NO ☒

14. Does/do applicant(s) own the premises? Yes ☐ No ☒ If No give name and address of owner: _____

Eugene + Gloria Robitaille

15. Describe in detail the premises to be licensed: (On Premise Diagram Required) _____

16. Does/do applicant(s) have all the necessary permits required by the State Department of Human Services?
YES ☒ NO ☐ Applied for: _____

17. What is the distance from the premises to the NEAREST school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel? within a 1/4 mile

Which of the above is nearest? church

18. Have you received any assistance financially or otherwise (including any mortgages) from any source other than yourself in the establishment of your business? YES ☒ NO ☐

If YES, give details: North Star leasing - new booths, equipment for new location.

The Division of Liquor Licensing & Enforcement is hereby authorized to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also such books, records and returns during the year in which any liquor license is in effect.

NOTE: "I understand that false statements made on this form are punishable by law. Knowingly supplying false information on this form is a Class D offense under the Criminal Code, punishable by confinement of up to one year or by monetary fine of up to \$2,000 or both."

Dated at: Biddeford, Maine on 9-20-17, 20 17
Town/City, State Date

Please sign in blue ink

Ricky Robitaille
Signature of Applicant or Corporate Officer(s)

Ricky Robitaille
Print Name

Signature of Applicant or Corporate Officer(s)

Print Name

FEE SCHEDULE

FILING FEE: (must be included on all applications) \$ 10.00

Class I Spirituous, Vinous and Malt \$ 900.00

CLASS I: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers; OTB.

Class I-A Spirituous, Vinous and Malt, Optional Food (Hotels Only) \$1,100.00
CLASS I-A: Hotels only that do not serve three meals a day.

Class II Spirituous Only \$ 550.00
CLASS II: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; and Vessels.

Class III Vinous Only \$ 220.00
CLASS III: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.

Class IV Malt Liquor Only \$ 220.00
CLASS IV: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Clubs; Hotels; Indoor Ice Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.

Class V Spirituous, Vinous and Malt (Clubs without Catering, Bed & Breakfasts) \$ 495.00
CLASS V: Clubs without catering privileges.

Class X Spirituous, Vinous and Malt – Class A Lounge \$2,200.00
CLASS X: Class A Lounge

Class XI Spirituous, Vinous and Malt – Restaurant Lounge \$1,500.00
CLASS XI: Restaurant/Lounge; and OTB.

UNORGANIZED TERRITORIES \$10.00 filing fee shall be paid directly to County Treasurer. All applicants in unorganized territories shall submit along with their application evidence of payment to the County Treasurer.

8 writecheck 450.00
to
Treasurer STATE OF Maine - address on 1st page

All applications for NEW or RENEWAL liquor licenses must contact their Municipal Officials or the County Commissioners in unincorporated places for approval and signatures for liquor licenses prior to submitting them to the bureau.

All fees must accompany application, make check payable to the Treasurer, State of Maine.

This application must be completed and signed by the Town or City and mailed to:
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station, Augusta, ME 04333-0008.
Payments by check subject to penalty provided by Title 28A, MRS, Section 3-B.

TO STATE OF MAINE MUNICIPAL OFFICERS & COUNTY COMMISSIONERS:

Hereby certify that we have complied with Section 653 of Title 28-A Maine Revised Statutes and hereby approve said application.

Dated at: _____, Maine _____
City/Town (County)

On: _____
Date

The undersigned being: ☐ Municipal Officers ☐ County Commissioners of the
☐ City ☐ Town ☐ Plantation ☐ Unincorporated Place of: _____, Maine

Hereby certify that we have given public notice on this application and held public hearing thereon as required by Section 653 Title 28A, Maine Revised Statutes and hereby approve said application.

THIS APPROVAL EXPIRES IN 60 DAYS

NOTICE – SPECIAL ATTENTION

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms. [1993, c. 730, §27 (AMD).]

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located. [1995, c. 140, §4 (AMD).]

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises li-

cence that has been extended pending renewal within 120 days of the filing of the application. [2003, c. 213, §1 (AMD).]

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant. [1995, c. 140, §5 (NEW).][2003, c. 213, §1 (AMD) .]

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime; [1987, c. 45, Pt. A, §4 (NEW).]

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control; [1987, c. 45, Pt. A, §4 (NEW).]

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner; [1993, c. 730, §27 (AMD).]

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises; [1989, c. 592, §3 (AMD).]

E. A violation of any provision of this Title; [2009, c. 81, §1 (AMD).]

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and [2009, c. 81, §2 (AMD).]

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages. [2009, c. 81, §3 (NEW).]
[2009, c. 81, §§1-3 (AMD) .]

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. [1993, c. 730, §27 (RP).]

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause. [1993, c. 730, §27 (AMD) .]
[1995, c. 140, §6 (AMD) .]

4. No license to person who moved to obtain a license. [1987, c. 342, §32 (RP) .]

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

[1995, c. 140, §7 (AMD); 1999, c. 547, Pt. B, §78 (AMD); 1999, c. 547, Pt. B, §80 (AFF) .]

Please be sure to include the following with your application:

Completed the application and sign the form.

Signed check with correct license fee and filing fee.

Your local City or Towns signature(s) are on the forms.

Be sure to include your ROOM, FOOD and LIQUOR gross income for the year (if applicable).

Enclose diagram for all businesses, auxiliary locations, extended decks and storage areas.

Complete the Corporate Information sheet for all ownerships except sole proprietorships.

If you have any questions regarding your application, please contact us at (207) 624-7220.

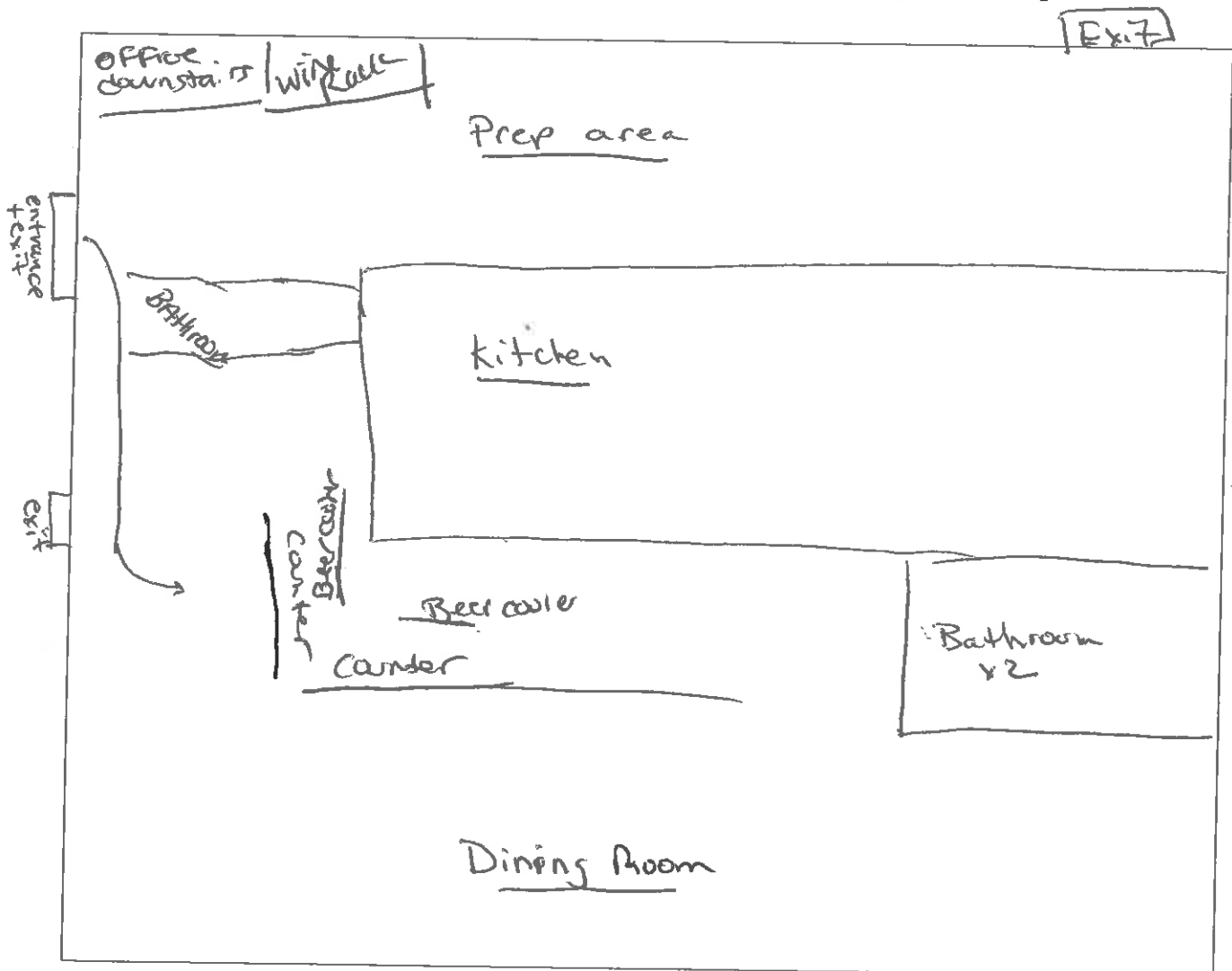
Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing & Enforcement
8 State House Station, Augusta, ME 04333-0008
10 Water Street, Hallowell, ME 04347
Tel: (207) 624-7220 Fax: (207) 287-3434
Email Inquiries: MaineLiquor@maine.gov

DIVISION USE ONLY	
☐	Approved
☐	Not Approved
BY:	

ON PREMISE DIAGRAM

In an effort to clearly define your license premise and the area that consumption and storage of liquor is allowed. The Division requires all applicants to submit a diagram of the premise to be licensed in addition to a completed license application.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the areas of your diagram including entrances, office area, kitchen, storage areas, dining rooms, lounges, function rooms, restrooms, decks and all areas that you are requesting approval from the Division for liquor consumption.





Division of Alcoholic Beverages and Lottery
Operations
Division of Liquor Licensing and Enforcement

**Corporate Information Required for
Business Entities Who Are Licensees**

For Office Use Only:

License #: _____

SOS Checked: _____

100% Yes ☐ No ☐

Questions 1 to 4 must match information on file with the Maine Secretary of State's office. If you have questions regarding this information, please call the Secretary of State's office at (207) 624-7752.

Please clearly complete this form in its entirety.

1. Exact legal name: Louis Pizza Inc.
2. Doing Business As, if any: Louis Pizza Inc.
3. Date of filing with Secretary of State: 1-12-05 State in which you are formed: MAINE
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors and list the percentage ownership: (attach additional sheets as needed)

NAME	ADDRESS (5 YEARS)	Date of Birth	TITLE	Ownership %
Ricky Robitaille	9 Lunt St.	10-1-76	President	100%

(Stock ownership in non-publicly traded companies must add up to 100%.)

6. If Co-Op # of members: _____ (list primary officers in the above boxes)

7. Is any principal person involved with the entity a law enforcement official?

Yes ☐ No ☒ If Yes, Name: _____ Agency: _____

8. Has any principal person involved in the entity ever been convicted of any violation of the law, other than minor traffic violations, in the United States?

Yes ☒ No ☐ O.U.E. over 20 years +1- ago

9. If Yes to Question 8, please complete the following: (attached additional sheets as needed)

Name: Rickey Robitaille

Date of Conviction: 1997 +1-

Offense: O.U.E.

Location of Conviction: Biddeford

Disposition: guilty

Signature:



9-20-17

Signature of Duly Authorized Person

Date

Rickey Robitaille

Print Name of Duly Authorized Person

Submit Completed Forms to:

Bureau of Alcoholic Beverages

Division of Liquor Licensing and Enforcement

8 State House Station, Augusta, Me 04333-0008 (Regular address)

10 Water Street, Hallowell, ME 04347 (Overnight address)

Telephone Inquiries: (207) 624-7220 Fax: (207) 287-3434

Email Inquiries: MaineLiquor@Maine.gov

Downtown Action Plan

Prepared by:
Downtown Task Force

November 9, 2017

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Executive Summary

The downtown area is increasingly important to the vitality of the broader community it serves because a genuine downtown experience is becoming more highly valued than in past decades. The Biddeford City Council has asked the Downtown Task Force to recommend ways to facilitate downtown Biddeford's ongoing improvement. After much study, the Task Force has determined that providing a pleasing and unique pedestrian experience is an effective way to ensure the continued success of existing downtown businesses, develop new business, and create additional downtown housing units. People like to go where other people already are and drawing new visitors and residents into downtown will encourage many others to follow.

Biddeford has made great progress in recent years nurturing the downtown area. The most transformative action was, of course, the purchase of the Maine Energy Recovery Company in 2012. Without a doubt, the closure of this facility changed the general attitude about and in downtown. The level of new investment directed downtown, both public and private, has accelerated and people from the Southern Maine region and "from away" now see Biddeford as a real opportunity. There has been an increasing degree of positive publicity about Biddeford and it is probably not an exaggeration to say that Biddeford is now the most talked about place in Maine.

To capitalize on the progress already made, the Task Force is recommending a set of new actions that will continue the positive momentum we are now experiencing. Capturing pedestrians and increasing the number of "feet on the street" is the common thread that runs through these recommendations. Emphasis here is on moving people out of their cars and providing an experience found nowhere else. Among these recommendations are:

- Completing the RiverWalk
- Constructing a parking garage
- Designing gateways into downtown
- Continuing downtown beautification
- Nurturing art in public spaces

The actions suggested here give the pedestrian something to do, something interesting to look at and something new to experience. They paint a picture of Biddeford using fresh colors. They demonstrate new pride in this city. These actions, if executed thoughtfully, will be great attractions in Biddeford that in turn will draw in new residents, stimulate new business, and increase property values. If people want to go where people already are, the suggestions will make people want to be in Biddeford.

This report was prepared by the members of the Downtown Task Force:

Bruce Benway	Mark Robinson
Steve Beaudette	Julian Schlaver
Pete Lamontagne	Bill Southwick
Delilah Poupore	Brad Favreau

Introduction



Downtown is for people. It is an interesting place that encourages the desire to linger. Downtown is for walking, to shops and restaurants or other venues and amenities. It is an enjoyable pedestrian experience that unfolds with every step. Downtown is an adventure, with ample things to see and do. Downtown is a place people want to *be*.

The vision of the Downtown Task Force for Biddeford encompasses these traits, but in a way that can only happen here. Biddeford's unique qualities, for example, the Mill District, with its imposing buildings set against the backdrop of the Saco River, and Main Street with its variety of 19th century architecture, already provide the necessary ingredients to fulfill this vision. Emphasizing our strengths and seizing opportunities will draw us closer to this vision.

Communities grow and evolve naturally, as market conditions and demographic shifts bring about change. City Council has asked this ad hoc committee to suggest ways to guide this natural evolution to lead to the most beneficial outcomes for Biddeford.

Why is downtown important?

Downtown is the heart of a city. The downtown defines the greater community by providing a visual identity of the area, often through iconic buildings and other place-making elements. Here, Biddeford City Hall is perhaps the most iconic image of our downtown.

The 'flavor' of the overall city is the direct result of what takes place in the downtown. Is there a strong arts community downtown? Is downtown a tourist destination? How do residents and visitors use the downtown? Downtown sets the theme of the community for both residents and visitors.



Downtown embodies the history of the community. History often begins downtown. Downtown offers a rich and varied account of the community's foundation. The falls here on the Saco River and the Mill District define what Biddeford has been in the past and point to where it may go in the future.

Walkable, pedestrian friendly communities are becoming more important in the 21st century as age cohorts on both sides of the adult spectrum (i.e. young adults and seniors) are beginning to prefer living in a densely populated downtown that offers a unique urban experience. This lively and convenient kind of experience is becoming more valuable and is likely to be the driver of future economic development.

Characteristics of a Great Downtown

First, a successful downtown is an easy and enjoyable place for pedestrians and has many features people want to explore on foot. Historic buildings give downtown a unique presence. Public art, interesting water features and other distinctive characteristics add aesthetic value to a downtown area. Effort to maintain both public and private spaces is evidence of the pride that all members of the community take in the downtown area. Aside from being pleasing to the eye, a great downtown also includes strong infrastructure that supports flow of both pedestrians and vehicular traffic. Reliable public transportation aids moving people in and out of downtown and the supply of parking is sufficient to meet development requirements. Both of these must be easy and convenient to use. Lastly, a strong arts community, in conjunction with successful civic organizations keeps downtown vibrant and engaging.



Remarkable City Hall Investment in Biddeford's Future

Listen to long-time Biddeford residents and you will hear stories about downtown from years ago. National chain stores like Woolworth's and JC Penney anchored Main Street. Local shops flourished in the spaces between. Going shopping in Biddeford meant going to Main Street. However, America was a different place then. These days shopping is an entertainment activity that likely takes place in a regional mall or big-box retailer, or increasingly, online. Main Street may no longer be the commercial center of Biddeford, but the flavor of what once was can be recaptured using a 21st century vernacular.

That flavor is people. People attract other people, and enhancing Biddeford's existing downtown attributes and creating new destination venues will spark greater pull of people downtown. A great deal of private investment has been made downtown in recent years that was invigorated by public spending on infrastructure. The city has leveraged millions of dollars not only to upgrade and repair vital infrastructure such as streets and sidewalks, but also to improve downtown in other meaningful ways. Spending time downtown has never been more pleasant. Some of these projects include:

Purchase of the Maine Energy Recovery Company (MERC) – This transformative event at the end of 2012, taking the stink out of downtown, sparked millions of dollars of new investment downtown.

Main Street sidewalk reconstruction (2012) – Hill Street to Alfred Street. This project included new sidewalks, streetlights and upgraded electrical service.

Main Street sidewalk reconstruction (2017) – Alfred Street to Lincoln and Adams Street. The project included new sidewalks, streetlights, street trees and crosswalks of laid pavers and cobblestones. Decorative cobblestone accents also now adorn Main Street.

Street reconstruction (2016) – Main Street from Elm to railroad tracks. This project included sewer separation and new street surface.

Elm Street repaving (2015) – “Mill-and-fill” street resurfacing.

Adams/Jefferson Street repaving (2015) - A “Mill-and-fill” street resurfacing.

Main Street repaving (2017) – Elm Street to Alfred Street – Another “Mill-and-fill” street resurfacing.

Mill District “elevated platform” (2016) – Here, the city repaired sewer lines and the “platform” they are suspended from adjacent to Building 15. City took ownership of the area.

Pilot downtown beautification project (2017) - Infrastructure is of course important, but great downtowns also are visually interesting. Biddeford is fortunate to have many fine and architecturally significant buildings, but a little seasonal color adds “atmosphere.” This spring the city embarked on a pilot beautification program along Main Street. Now over 100 planters and hanging baskets add the color of many varieties of flowers. The response throughout the summer months has been overwhelmingly positive.



Downtown wifi (2017) – A new downtown wifi hot spot was installed here at City Hall. This is a public/private partnership initiated by the City’s Downtown Development Commission with the generous help of Bangor Savings Bank, GWI, and Axiom Technologies of Machias. The DDC is currently seeking new sponsors for three additional hotspots to cover Main Street completely from Mechanic’s Park to Elm Street.

Investment in Heart of Biddeford – The Heart of Biddeford is a National Main Street Center organization that works on business enhancement, downtown design, and special events. The City recognizes the great contribution made by the dedicated staff and volunteers of HoB and has supported its efforts with dedicated funding since 2005.

As a result of these ongoing public improvements and maintenance projects, the cost of which is more than \$11 million, the commercial properties downtown are selling at 58.59% above assessed value, and valuation overall has increased by more than \$38 million, yielding an additional \$716,000 of property tax revenue. Also because of these public investments, businesses both old and new thrive in downtown Biddeford. Over the past five years, many new businesses have opened on Main Street, and while some have lasted only a short time, those that have endured have established a strong presence in Biddeford. Some examples are Elements, Biscuits & Company, Trillium, Sugar, Cow Bell Burger Bar and Uncorked. A new martini bar is opening soon.

Each of these businesses is, in part, experiential and provides distinctive products. These are true destination-oriented enterprises that entice people downtown repeatedly. Also, proprietors of these establishments are eager to establish a personal relationship with their patrons, adding a warm, small town feel to shopping and dining downtown.

Along with Main Street and the adjacent streets, retail is also taking hold in the Mill District. The benefit of plentiful space in the Mill District has expanded retail presence beyond traditional Main Street storefronts. In particular, new enterprise is burgeoning in Pepperell Mill Campus, where Portland Pie,

Sweetcream Dairy, Tulu Salon and Spa and Banded Horn are flourishing. Over the past decade, not only has this space been absorbed by retail and office users, but manufacturing has taken root in the very soil that was cultivated a century and a half ago when the first mills began operation. Hyperlite and Angelrox are examples of two manufacturers now carrying on Biddeford's historic legacy. Pepperell Mill Campus has been very successful attracting and nurturing small businesses of all kinds, as well as professionals and artists. See Appendix 4 for a directory of Pepperell Mill.

Additional Public Investment on the Way

The success that the City of Biddeford, private investors, and community organizations have accomplished in just a few short years is remarkable. Still there is much to do to achieve Biddeford's full potential. Further infrastructure projects, business enhancement and a continued focus on downtown will strengthen Biddeford's position as a destination place that will be the envy of neighboring communities. Projects that are key to reaching this goal require public funding and support:

RiverWalk – The RiverWalk is a very important project for downtown Biddeford. When fully completed, it will provide a special attraction that will draw new visitors, and therefore additional economic activity, to the City. The Saco River has always been a significant asset for Biddeford. Crossing the “barrier” between downtown and the river that the many mill buildings now pose will open up the drama of the river to pedestrians. That was the idea behind the conception of the RiverWalk several years ago. The first phases have created a path from Mechanic's Park past the Overlook and through North Dam Mill to Laconia Plaza, with a new pedestrian bridge leading to Saco Island. Conceptual designs now in place for future work to take the RiverWalk far beyond North Dam Mill. The RiverWalk, once fully completed, will trace the edge of the river past the Mill District across Elm Street to the future Diamond Match Park. Indeed, the RiverWalk will help define Biddeford as a destination community. This project is a very good example of the kind of amenity that helps make downtown successful: pedestrian experience and connections to important transportation links. The master plan prepared by Wright Pierce in late December 2016 will guide future phases as funding is acquired. Citizen support and involvement are both crucial for future phases of the RiverWalk to become reality.



Parking Garage – If pedestrians are essential to a lively downtown, getting people out of their cars is the first step, and all those cars must be parked somewhere. Parking has been a problem here for decades, and pressure on the existing parking supply is growing. Therefore, this committee strongly supports the construction of a structured parking facility. For a new garage to be successful, however, convenient and clear pedestrian connections and intuitive wayfinding are also important considerations, and if implemented thoughtfully, can only enhance the downtown pedestrian experience. This group made recommendations in January of 2017 (see Appendix 1) regarding a proposed parking garage earlier this

year. Council has engaged Desman Associates to recommend a site (from among those suggested by this group) and to design the facility. However, a parking garage must be *one* part of a comprehensive parking management strategy that together balances parking supply and demand to make car-storage as efficient as possible. A parking facility is a significant part of infrastructure needed to support future growth downtown.

Main Street sidewalks – As mentioned earlier, the new sidewalks, lighting and street trees from Lincoln Street down to Hill Street have brightened the character of Main Street. However, the sidewalks from Lincoln and Adams Streets west to Elm Street are also in need of replacement.

Re-design of the Main, Hill and Water Streets intersection – This very busy intersection at the foot of Main Street is badly in need of redesign and reconstruction due to its difficult existing configuration and to increased levels of traffic. This project is currently in design phase and should be completed during the 2018 – 2019 construction season.

Lincoln Street re-construction – This project will include Lincoln Street repaving, burying overhead electrical lines, and rebuilding the retaining wall adjacent to Lincoln Mill. This work is essential to the success of the Lincoln Hotel & Lofts project.

Ongoing downtown beautification project for 2017 and has been an unqualified success. Main Street is brighter and livelier because of the colorful flowering plants that line the streets this season and because of the efforts to keep sidewalks and streets clean. Continuing this project annually, whether funded by the proposed Downtown Improvement District or by the City, sends an important message about the pride we all take in Biddeford.

City Hall Clock Tower – Wind your way up the stairs of the City Hall tower to the clock mechanism and you will find the names and dates of countless workers penciled or painted on the broad wooden beams. These are, no doubt, the men who over more than a century cared for the tower, keeping the clock good working order for the benefit of all city residents and visitors. Today, the clock no longer operates. The hands of its four faces are frozen in place. The repair and continued maintenance of the clock and repairs to the tower's exterior is an excellent way for the city to demonstrate to residents and to the private sector its renewed commitment to the maintenance of municipal property.

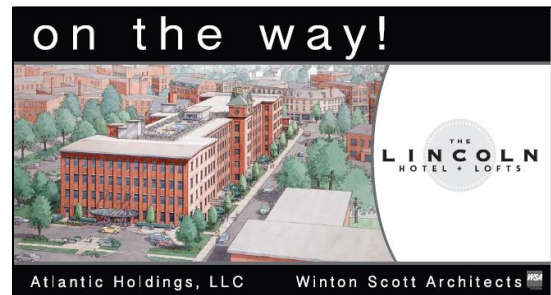
City Square Park – This small park next to the bank building at 208 Main Street is a leafy oasis with mature trees and nicely trimmed hedges. However, an iron fence surrounds it on all sides with an inconspicuous opening near the rear of the bank building. Opening the fence park along Main Street will allow greater enjoyment of the park, particularly if benches are added. This park might also be an excellent venue for street performers. Bangor Savings, the new owner of 208 Main Street, will play an important role in the upkeep of this park.

Upcoming Private Investments

New private investment in the downtown will supplement public funds described above to create a complement of places and spaces that reinforce the pedestrian experience here.

3 Lincoln Street Redevelopment – The purchase of the MERC facility by the City in late 2012, and its subsequent demolition, was a transformative event for downtown Biddeford. This six-acre site is now ready for redevelopment. The feasibility study conducted by Camoin Associates of Saratota Springs, New York suggested mixed-use, campus-like development. City staff is actively marketing the site to both Maine and out-of-state developers.

Lincoln Mill – Perhaps the most exciting new development downtown is about to begin at 17 Lincoln Street. This highly anticipated project called The Lincoln Hotel & Lofts will include 180 residential rental units, commercial space, and special roof top amenities. A stand-alone boutique hotel is planned as a second phase. A project of this magnitude will certainly have a dramatically positive effect downtown as hundreds of new residents and visitors will be only steps away from Main Street. Construction is expected to begin before the end of 2017.



208 Main Street – this purpose-built bank building dating from 1921 has been occupied by several financial institutions over the years. Bank of America operated a branch here until 2015, when it was sold to a local developer. Bangor Savings Bank now owns the building and will move its downtown branch here by early fall.

27 Washington Street – Impressed by the direction downtown Biddeford has taken in recent years, developer James Brady purchased the former post office/courthouse on Washington Street this year. This beautiful period building sat empty for several years, slowly becoming dilapidated as a leaky roof caused a mold problems. In spite of the expense to rehabilitate such a structure, Brady has nevertheless felt that the investment to bring it back to near original condition, plus a reasonable rate of return, will be provided by the building. His positive outlook is based largely on the many other investments he sees now being made in downtown Biddeford. Brady's plans for the historic building are to convert it to Class A office space, something currently lacking downtown.

Action Plans

Defining Downtown through Gateways

Successful downtowns have clearly visible indications that one is entering the central business district. We call these indications "gateways." Gateways can serve several functions in support of Biddeford's downtown:

- Provide recognizable entry points to downtown

- Create an identifiable brand for downtown by using consistent design language and place-making elements (public art, plantings, hardscaping, and signage as part of a gateway scheme)
- Emphasize neighborhoods adjacent to the downtown area that in turn become “gateway districts,” and create stronger identity for these neighborhoods
- Assist with wayfinding in the downtown and adjacent neighborhoods

Seven locations around the perimeter of downtown Biddeford have been proposed as formal gateways (shown as squares on the “Proposed Downtown Boundary and Proposed Downtown Gateway” map). These are geographic points (mainly street intersections) that already hint at transition from outlying areas into the downtown and need only the addition of place-making elements to become true gateways. These gateways are:

- Elm Street at the Saco City line (Spring Island)
- Elm Street at the railway overpass
- Main Street at Elm Street
- South Street at Elm Street
- Alfred Street at Birch Street
- Pool Street at Hill Street
- Water Street at Main Street

(see Appendix 3 for map.)

Using gateways to establish a new brand for downtown will enhance the downtown experience and help to reset the existing image of downtown Biddeford. The proposed gateways encompass an area bounded roughly by Elm Street, the Saco River, Hill Street and Birch Street. These boundaries define downtown experientially, and delineate the downtown area from other parts of Biddeford. A gateway design must incorporate common elements to achieve a meaningful and evident transition into the downtown area. One way to achieve this is to use Biddeford’s long history as a mill town to set up a thematic design vernacular. Also, the area inside the invisible boundary defined by the seven gateways should be somehow experientially different than the rest of the city, in such a way that the gateways are not just isolated markers, but true thresholds into downtown.

Importantly, creating downtown gateways cannot rely on signage alone to mark this transition, although signs may be one part of a larger gateway design. Among the elements that might be considered for a strong gateway presence are industrial parts that hint at Biddeford’s past, water elements or water art, plantings, a common color palette, hardscaping, and, of course, signage. Whatever elements are chosen for the design, they must indicate strong visual continuity among the seven gateways that states unmistakably, “you are entering downtown” to residents and visitors alike.

All gateways need not be implemented simultaneously. In fact, some gateways warrant higher priority than others. There are gateway areas in the city that have not yet reached a level of improvement that would be amenable to the addition of a formal gateway. For example, it may be more appropriate to wait until the Saco Lowell building at 59 Elm Street is under renovation before a gateway on Springs Island is implemented. Conversely, The gateway at the foot of Main Street near Mechanic’s Park appears ready

for a gateway design and perhaps might be the first gateway fully implemented as part of the redesign of the nearby intersection.

As a part of the Capital Improvement Program for fiscal year 2019, the Economic Development Department has requested \$225,000 to design and implement downtown gateways (See Appendix 5).

Pedestrian Access

Wayfinding is an essential element of providing a positive pedestrian experience. Clear, concise and engaging signage in the downtown area offers assurance to visitors who may be unfamiliar with Biddeford. Another important element is a large map of downtown, perhaps mounted as part of a kiosk, that can be easily updated. Such a map, perhaps located in Shevenell Park, would identify shops, restaurants, performance venues and other amenities to assist pedestrians find their way.

Business retention and attraction is part of access. More people walking from business to business augments street activity, which, in turn, increases the perception of safety.

The final location of a parking garage has yet to be identified. However, if it is located some distance from Main Street, the MERC site for example, it is critical not only to install wayfinding signs, but also find ways to make the path between the two engaging for pedestrians. Greater activity along this path will stimulate use of the parking structure and assist Main Street businesses gain and keep customers.

Pedestrian Amenities

[The Project for Public Spaces](#) (PPS) describes "The Power of 10," in which communities should strive to offer pedestrians ten or more things to do or see. "The idea behind this concept is that places thrive when users have a range of reasons (10+) to be there. These might include a place to sit, playgrounds to enjoy, art to touch, music to hear, food to eat, history to experience, and people to meet. Ideally, some of these activities will be unique to that particular place, reflecting the culture and history of the surrounding community. Local residents who use this space most regularly will be the best source of ideas for which uses will work best" (from the PPS website).

New, thoughtful pedestrian amenities for downtown can further enhance its character and create an rich and varied ambiance amid our beautiful downtown buildings that will encourage people to pause and linger. This, of course, is the overarching goal of improving downtown: creating an environment where pedestrians feel safe, relaxed and entertained.



Water elements can be interactive or just for viewing, and can reflect history and culture, like the Pepeprell Mill Campus' wheel at 40 Main Street.



Public art, sculptures, murals, and art in empty storefront windows can reflect Biddeford's history and show how the values of a thriving community attract the artistic types.



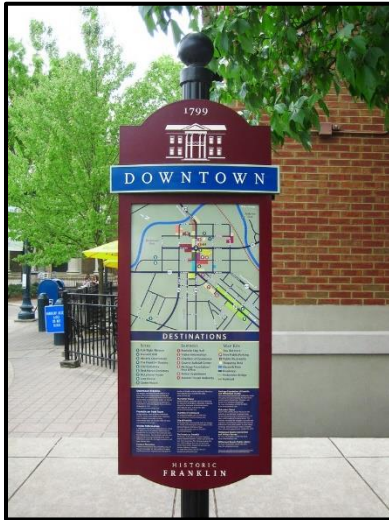
Professional public performances and arts events such as Music in the Park, Fringe Fest, and Art Walk, as well as more informal "busking" (performers on street corners) can add drama and interest to our already busy streets.



Restaurants with outdoor seating, even those using on-street parking spaces increase the supply of seating and add visual interest to the streets.



Immersive holiday lighting, making walking tours of the downtown just as exciting in the winter as in the warmer months.



Interesting and engaging wayfinding signage, used to direct visitors to shops, restaurants, parking, and other points of interest, orients people and can help define the downtown area.

Business Attraction: Restaurant Sector

Biddeford is well poised to become a serious food and eatery destination. Already there is a good selection of restaurants downtown, with plenty of room for growth in this sector. Dining is a sector that benefits from close proximity of many different establishments. Food is an excellent way to attract visitors to Biddeford and to keep them here awhile, visiting shops, strolling the RiverWalk, or seeing a play at City Theater. There are concrete ways to encourage and nurture the restaurant scene:

- Brand Biddeford as a restaurant destination by building on previous success of Restaurant Week activities.
- Establish an annual restaurant convention, inviting successful restaurateurs to speak about new trends in the restaurant business and best practices in creating a thriving restaurant destination. Incorporate a tasting tour of local establishments. Invite well-known food critics, and promote this event widely via local television and radio stations, as well as of course, social media.
- Consult with the Maine Restaurant Association, existing regional restaurateurs, and restaurant experts to assess what other restaurant options are needed to form a complete and comprehensive restaurant destination in Biddeford.
- Broaden the Façade Improvement Program to include expenses related to restaurant build-out.
- Allow food trucks downtown, amending the City code if needed.
- Incent property owners to partner with restaurateurs and assist with often costly built-out of new restaurants.
- Find out what is missing in restaurant options for people in the 25 mile radius, and have HOB recruit that restaurant

Continually Re-assess Action Items

Finally, it is important to review downtown progress on a periodic basis. Downtown is in a constant state of change and improvement and the the suggestions made here, as part of a thoughtful analysis of downtown by the Downtown Task Force, can influence that change. While not intended as a comprehensive and exhaustive “to-do” list, this report offers a a set of practical items that fulfills the overall goal of this report: making downtown Biddeford a place that attracts foot traffic. As stated at the beginning of this report, downtown is for people, and attracting only cars into downtown will severely limit the growth and development of downtown businesses. Pedestrians are needed for that. It will become the purview of other groups or individuals to execute the proposals made here, and regular and consistent review of this central goal, and devising new ways to achieve that goal is critical to the success of downtown. Citizen involvement is crucial, both in reaching the goals set out here, and reviewing progress regularly. Careful and reflective oversight, over time, is needed to transform Biddeford into the destination place we all wish it to be.

Come enjoy a tour of downtown Biddeford with me. The year is 2023

What a familiar place: the aroma of donuts and bread coming from Reilly's bakery, the beautiful bones of the historic architecture. Over here, the roaring of the waterfalls. Down there, the quiet of Mechanics Park. With just the right light, you will swear you can see the shadows of millworkers and their families who, for decades, filled these streets on a Friday night. You know you belong here because this city was built by immigrants, fought for with hours of hard work, maintained through innovation, and preserved by its own people who cared so much about their downtown, the very heart of the city.

While familiar and comforting, the downtown is not locked in the past, and that is why we see a group of medical students walk out of their second story apartments to check out Banded Horn and a few other breweries that now join dozens of successful businesses in the mills.

The retail shops in Main Street, many of them flagship stores that are stocked with goods created in the mills, stay open late to accommodate the restaurant crowd, made up of young local families as well as retirees and tourists here from the Kennebunks and Biddeford Pool. ArtWalk and another sold out show at City Theater showcase Biddeford's creative spirit. Buskers play on the street corners while a free concert welcomes all to the quaint bandstand in Shevenell Park. The trees and plantings, charming cobblestone crosswalks, ample benches, and interactive play spaces along the full length of Main Street demonstrate that this town is still proud to welcome locals and visitors to its city center.

Following clear signage, we see another gateway to the river. It is an easy stroll from Main Street, down though the thriving mill district, to Laconia plaza on the River Walk. On this early evening walk along the Saco, we see kayakers and casual fishermen enjoy this clean and mighty river.

It is easy to be impressed with the diversity of the crowd enjoying the downtown. New hotels in the downtowns of both Biddeford and Saco, not only draw curious visitors, but they also add to the employment opportunities offered in the mills' manufacturing businesses. With more economic opportunity, young families have found their place within the fabric of downtown Biddeford.

In 2023, it is striking the unpretentious beauty of this place, where the City, local developers, business owners, and thriving community organizations collaborate to preserve this city's authentic natural beauty and history while cultivating entrepreneurship and economic opportunity that makes Biddeford better for all its members.

Appendix 1

Structured Parking in Downtown Biddeford: A Consideration of Potential Sites

Downtown Task Force Subcommittee:

Bruce Benway
Steve Beaudette
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Delilah Poupore
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January, 2017

Executive Summary

Downtowns are important in many ways. They are the heart of a community, and serve as centers for services, employment, and civic interaction. They symbolize a community to its residents, and to people throughout the region.

Community pride is not isolated to the impact of a downtown, but a downtown is clearly a cornerstone of that pride. Long-time Biddeford residents are acutely sensitive to this reality, and still lament an article that appeared on the front page of the Maine Sunday Telegram on February 27, 2000. Written by reporter Kelley Bouchard, the article was entitled “MERC: A Point of Reckoning for ‘Trash Town USA.’” Unfortunately, the article led a number of media stories in the subsequent decade that perpetuated that unfortunate label.

Then, however, the tide turned dramatically. Tangible, significant, and historic changes have occurred in Biddeford since the community made the strategic decision in 2012 to remove a trash-to-energy facility from its downtown. That positive momentum should continue.

The Downtown Task Force Subcommittee is charged with making recommendations to the Mayor and the City Council to help improve the downtown, and thus help improve what symbolizes Biddeford, a City that is diligently revitalizing itself with energy and imagination. As its mission applies to downtown parking, the Subcommittee has recognized that highly qualified experts have studied that issue in particular detail. Those experts have concluded that continuing the positive trends in downtown Biddeford depends on addressing a documented shortage of parking in the City’s downtown district.

The Subcommittee concurs. It reviewed the parking challenges intensely, as outlined in this report, and it used a detailed process to arrive at its recommendations. Throughout the Subcommittee’s process, it viewed the Mill District as an integral part of Biddeford’s downtown, not as a distinct and separate area. Together, the downtown and Mill District make up a single vibrant neighborhood, the future of which increasingly depends on its supply of parking.

The Subcommittee recommends:

1. Build a structured parking facility downtown.
2. Finance the facility in such a manner that will not burden taxpayers.
3. Locate the facility in one of two possible locations:
 - On city-owned property at 3 Lincoln Street;
 - Behind Lincoln Mill and adjacent to Pepperell Building 10, with access available from York Street and Saco Falls Way, identified here as Lot D/E.

Introduction

The City Council appointed the Downtown Task Force Subcommittee in May, 2016. The Subcommittee functions as an advisory body to the Mayor and the City Council. The Subcommittee's purpose is to examine issues of particular importance to the downtown area of the city, and then to provide comment or make recommendations to Council. To date, this group has submitted two recommendations to the City Council.

First, the Subcommittee stated its full support of the future phases of the RiverWalk, as an integral part of the redevelopment of the downtown and Mill District. This recommendation is in recognition of clear national trends in downtown revitalization, which place the very highest premium on attracting pedestrian traffic, on creating walk-able downtown configurations, and on enhancing natural community gathering spaces.

Second, in September of 2016, the Subcommittee issued a recommendation that the City initiate a far more robust communications strategy to inform the community of the many positive changes in downtown Biddeford. In recent years, policy decisions by the City Council, and economic development strategies pursued by city staff, have produced tangible and very positive results that can be measured with hard, quantifiable data. That progress is not as widely known as it might be and typically does not factor into community discussions as city leaders and citizens jointly discuss planning initiatives for the coming years. Biddeford residents should be made more aware of these positive changes. In summary, the City Council can be challenge when it makes policy decisions, because its constituents have not fully absorbed the direct connection between visionary policy decisions that must be made, and the actual and quantifiable economic progress that such decisions have been shown to yield. Briefly, below are some examples of quantifiable forward progress that recent policy decisions have produced. This progress supports the need for more parking downtown:

- The latest U.S. Census data shows that Biddeford is now the fastest-growing community in Maine for people under 30. The median age in Biddeford is 34, significantly lower than the median ages of 42.7 for Portland and 43.5 for the state as a whole. In a state well known for its rapidly aging population and a well-documented, decades-long exodus of young people, this is an outstanding and much-envied indicator that Biddeford is successfully transforming itself into "the place to be."
- Downtown commercial buildings are selling, on average, nearly 59 percent above assessed value, generating \$38.3 million in new value and \$716,000 in additional property tax.
- Residential properties are selling for 12 percent above assessed value, adding \$14.5 million in additional value and \$287,000 in taxes.
- On a routine basis, Biddeford now garners a large share of regional press exposure on the topic of downtown revitalization in Maine. As an example, an article in the Boston Globe, one of the nation's most respected newspapers, doesn't even mention the City of Saco. All the attention is on Biddeford.

This is extraordinary progress in just a few short years.

And so, after issuing recommendations on RiverWalk completion and City communications about progress in economic development, the Downtown Task Force Subcommittee has focused on parking in the downtown and the Mill District. The Subcommittee now offers its observations and recommendations regarding options for structured parking in downtown Biddeford.

For several years no topic, except perhaps the purchase and closure of the solid waste incinerator, has been more debated among Biddeford citizens and public policy officials. And yet, since 2006, many professional parking studies commissioned by the City have reinforced the need to build a parking structure in Biddeford. In the “Biddeford Mill District Master Plan” published in October, 2009, it was estimated that there will be a need for as many as 3,000 parking spaces when the Mill District is fully built-out. This projected need for parking spaces is in part based on the expectation that the former waste incinerator site at 3 Lincoln Street would be redeveloped into commercial, residential, and office spaces. This Subcommittee has determined that in order to successfully build out the existing vacant space in the Mill District, accommodate new development, and maximize its taxable value, additional structured parking is essential.

Independent of elected officials, the Subcommittee has studied the issue of parking in depth, and now offers its insight to the Mayor, the City Council and to city staff. Although differences of opinion among members of the Subcommittee do exist on minor issues, the Subcommittee is largely unified on major policy issues in regard to structured parking. The Subcommittee is hopeful that its conclusions will provide a useful reference for further investigation into this important matter.

Assumptions

The Subcommittee began studying the issue of structured parking with the understanding that certain conditions surround the issue of parking here in Biddeford. These conditions are:

1. Revitalization of the city’s downtown area is very important. A city’s downtown is a large part of its identity. The state and condition of downtown defines the perception of its citizens regarding the overall health and vitality of the city. New development, stimulated by additional parking, helps ensure a thriving downtown.
2. According to the “Downtown Parking Study” conducted by Rich & Associates in 2012, municipalities should control at least 50% of the available parking supply in accordance with the industry’s “best practices” standards. This allows the municipality to better manage the city’s supply of parking and to react to changing demands. As of the date of that report, Biddeford controlled just 45%.
3. Additional parking is needed in the downtown/Mill District area in order to sustain the existing growth rate and to stimulate new development. The present supply of parking is critically insufficient. The present shortage of adequate and reliable parking in

downtown Biddeford is not only hampering development, it is also an obstacle to attracting major new job creators.

4. The Subcommittee offers its recommendations here based on the assumption that financing structured parking can be accomplished through revenue generated by an overall downtown parking management plan and with some funding available through an existing tax increment financing (TIF) district. The Subcommittee believes that property taxes in Biddeford can remain unaffected by the construction of a parking structure.

Methodology

Having begun this investigation with basic assumptions, the Subcommittee entered into this study with no preconceived notion of an optimal site for structured parking. It was only through field work and inquiry that the group reached some consensus of what sites would be proper to consider. Then through analysis, study, and discussion, the Subcommittee evaluated these sites and reached a strong consensus. The Subcommittee applied both quantitative and qualitative metrics in its evaluation.

The group began the investigation with a walking tour of downtown and the Mill District. By covering the area on foot, the Subcommittee gained a useful and practical perception of pedestrian distances, as well as the important role that pedestrian connections and state-of-the-art “way-finding techniques” will play in the proper siting of any garage. This field investigation was conducted during inclement weather, highlighting the importance of proper distances and good connections. Also, in a general way, the Subcommittee identified the properties that are available for redevelopment. It also reviewed the RiverWalk and how it, and its future expansion, factor into any decision to build a structured parking facility.

Next, the Subcommittee adopted an evaluation scoring sheet, a detailed process in which 44 criteria --- organized in five distinct categories --- established the important factors for the proper siting of a garage. In contemplating these criteria, the group began to formulate overall objectives that structured parking must achieve. Optimal sites must:

- Support Mill District redevelopment & optimization
- Serve and support existing businesses downtown
- Encourage convenient access to the RiverWalk, and promote the Saco River as a defining feature of downtown Biddeford
- Meet present needs, but perhaps more important, anticipate future growth in the next 2-5 years.

The Subcommittee believes very strongly that downtown growth will continue along Lower Main Street, then proceed to the northeast, toward the Saco River.

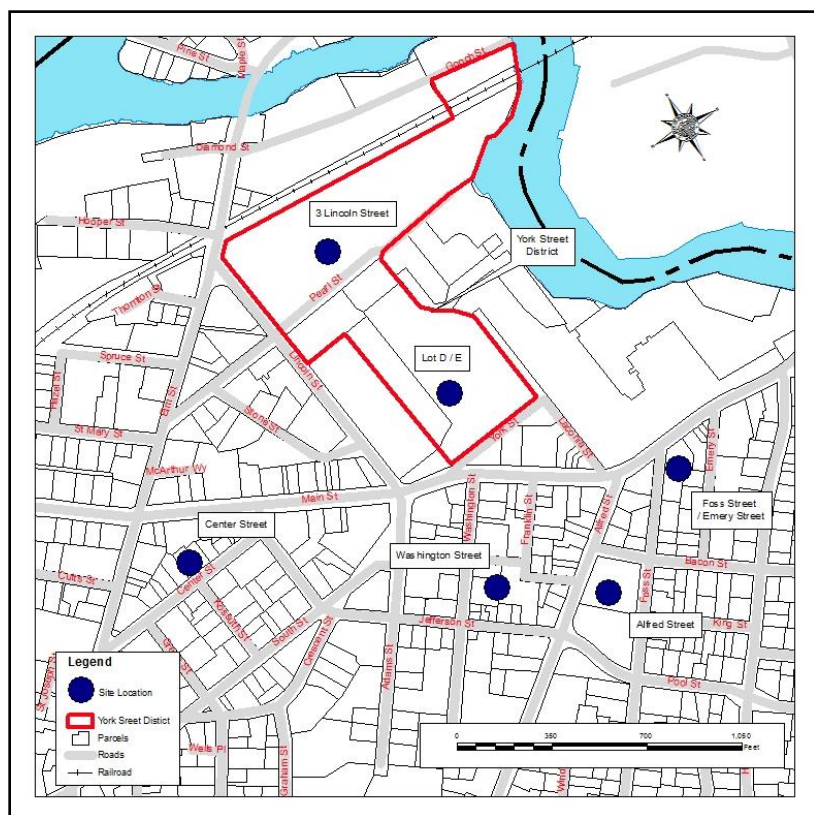
The Subcommittee assigned a weighted value to each criterion; naturally, some of the criteria carried greater importance and influence than did others. Throughout this process, the Subcommittee recognized its strong conviction that structured parking is absolutely necessary,

given the undeniable advances that the City of Biddeford has been making in its downtown district. Furthermore, the Subcommittee is firm in its conclusion that although the City should build structured parking in the near future, the City must remain aware, during the planning process, not only on what is perceived to be happening in 2017, but also on the growth that is anticipated.

The five categories of criteria used in the evaluation sheets were: Site Considerations, Revenue Streams, Impacts on Property Values, Proximity Considerations, Downtown Enhancement, and Other Considerations. (See the Appendix for Evaluation Sheet.)

With the site walk and evaluation sheet completed, and with an understanding of the over-arching goals that structured parking must achieve, potential sites began to reveal themselves. In all, the Subcommittee evaluated six sites. They are, in no particular order:

- **3 Lincoln Street** (former incinerator site) – a portion of this site was considered, allowing other development to take place on the site as appropriate. Presently this area is used temporarily for surface parking that is leased to tenants of the Lofts at Saco Falls. If selected as the site for a garage, more than 80 of new structured parking spaces would be “pre-leased” at market rate (same rate as others) to these residents and would provide an immediate revenue stream. This site is city-owned.



- **Lot D/E** (York Street adjacent to Pepperell Building 10, Lincoln Mill, and the Bugbee Brown Building) – This site has very good proximity to both the Mill District and downtown. The size and configuration of the parcel allows great flexibility in siting and orienting a garage, either fronting York Street, or nearer 3 Lincoln Street.
- **Washington Street** – This area at Washington Street and Federal Street offers excellent proximity to existing downtown businesses. As part of an overall parking management plan, it may provide revenue to the City and help to mitigate costs. Bangor Savings Bank presently uses almost 20% of the available surface spaces, and may provide a reliable market for paid parking.

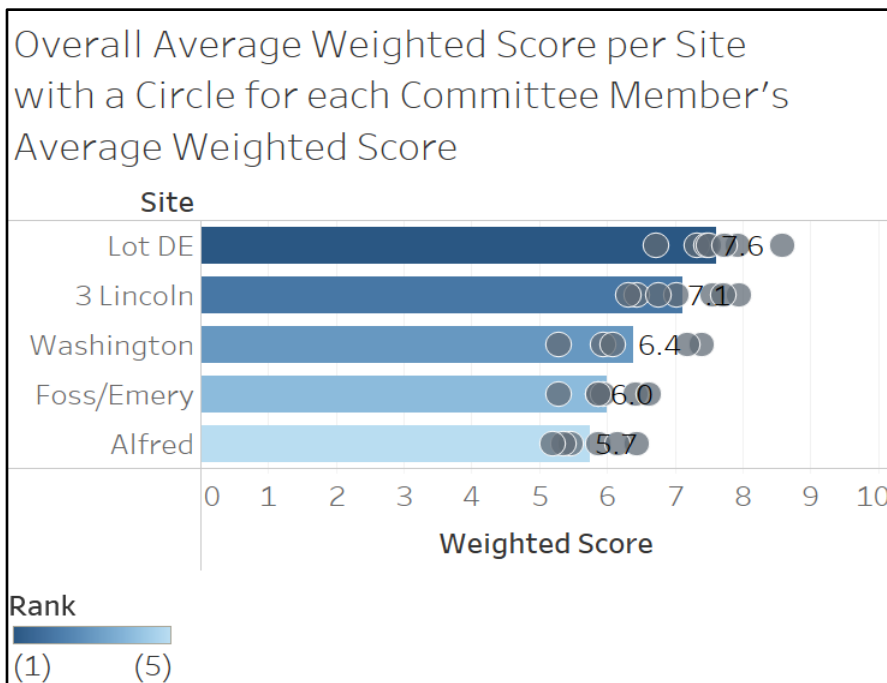
- **Alfred Street** (adjacent to police station) – This site, near the Washington Street site, may create a good gateway to downtown from outer Alfred Street and help eliminate blight in nearby residential neighborhoods.
- **Foss and Emery Streets block** – Like the previous two options, this block presently is the site of surface parking. With excellent proximity to both Pepperell Center and Buildings 19 and 20, the potential to spur new development there is high. It offers good proximity to North Dam Mill. However, this option is also the site of multiple existing residential structures.
- **Center Street** – Considered in the past for surface parking, a garage here may eliminate significant blight along Center Street. This site offers excellent proximity to upper Main Street, but is poorly situated to stimulate new development in the Mill District of further east on Main Street.

Impacts on Property Values

Positive impacts on the property values in close proximity to the location is desired. With the possible sites in hand to study, an analysis of projected property values was conducted. This analysis provided data for the category of ‘Impacts on Property Values’ in the evaluation sheets. With the help of the GIS Mapping Division all properties within three concentric distances from the proposed sites were identified and sorted according to property type (i.e commercial, single family residential, etc.). According to parking industry standards, 350 feet from structured parking is a comfortable pedestrian distance drivers will walk to his or her final destination. Therefore property within this distance would be most greatly affected by a new parking structure. Seven hundred feet is the maximum reasonable pedestrian distance from structured parking, and will have noticeable impact on values, and 1,000 feet is generally thought to be the farthest acceptable distance, but property values are nevertheless likely to be at least somewhat affected by structured parking. The Assessing Department provided multipliers based on the three concentric distances as well as by property type (e.g. commercial, residential, raw land, unfinished mill space). These multipliers were applied to the present value of each property surrounding the sites to arrive at an estimate of how values would change given new structured parking nearby. The multipliers included both positive and negative impacts, depending on the types of properties. A list of the multipliers used is included in the appendix along with the results.

Finally, a simple matrix of pros and cons was devised to illustrate the numerous points that came up during the course of discussion. This matrix provided a qualitative analysis of the potential sites under review. (See the Appendix for Parking Sites Pros and Cons.)

Findings



Each member scored the sites according to the criteria in the evaluation sheet. The mean scores for each site were then calculated. Reviewing these scores, the Subcommittee eliminated the Center Street site from further consideration due to its low final average. Scores for the Lot D/E site were highest, with an averaged 7.6 on a 10-point scale. All other things being equal, this site offers the right blend of proximity to downtown and the Mill

District that can promote new development in both areas. New pedestrian connections are straightforward with a small amount of additional way-finding needed. Its location also can easily serve the RiverWalk, both existing and future phases.

Next, 3 Lincoln Street scored closely behind Lot D/E with an average score of 7.1. This site is presently city owned, requires minimal initial site work, has a partial revenue stream already in place (Lofts at Saco Falls), and would likely induce important new development on site (along with new jobs). It also provides excellent proximity to the RiverWalk, and is a good choice as a location for a multi-mode transportation hub (where cars, buses, trains, bikes, and pedestrians converge), which is a consideration of growing importance for attracting future development. Proper way-finding would be necessary, especially toward the downtown area.

The Washington Street site, while it supports existing businesses downtown very well, may not stimulate new development in the Mill District. The site is constricted somewhat by existing buildings which limits its potential for future expansion. As such, it rated an average of 6.4. Both the Foss/Emery Block and the Alfred Street site offer some advantages, but each poses significant challenges which held down their scores. The Foss/Emery site is well positioned for new development along lower Main Street, but the number of structures now there make it costly to acquire. The Alfred Street site is not near enough to the heart of the Mill District to reliably serve build-out there.

Conclusion

Lot D/E and 3 Lincoln Street scored high in this analysis, and have been put forth as viable sites for structured parking by others. They both provide good proximity to the areas of the downtown and Mill District areas of Biddeford in most need of a greater supply of parking. These two sites would require minimal initial site work, and both would provide good access to the RiverWalk. While each one has some drawbacks (mainly acquisition in the case of Lot D/E, and proximity to downtown in the case of 3 Lincoln Street) they both meet the principal goals of spurring development, meeting the existing needs of businesses, supporting the present and future expanded RiverWalk, and being flexible enough to meet uncertain future needs in the City. Of all the sites considered by the Subcommittee, these two sites consistently and reliably rated highly. The high scores of 3 Lincoln Street and Lot D/E indicate that either would be an excellent choice for structured parking. Because of this, and because of the proximity of the two sites to each other, it would be appropriate to consider each option both individually and together as a single “district”, where a parking structure may be sited and oriented within this district for maximum benefit. This “district” might also include portions of the parcel at 17 Lincoln Street, allowing even greater flexibility. This site may then be accessible from York St., Lincoln St., Pearl St., and Saco Falls Way.

Washington Street, Foss/Emery Block, and Alfred Street each offer some positive attributes, but because these benefits are not great enough to counter each one’s shortcomings, the Subcommittee feels that they be considered as “second tier” potential sites for parking.

Average Weighted Scores & Rankings per Category and Site with Overall
- Sorted by Per Site Weighted Score

Site	Category										Grand Total
	Site Issues	Revenue Stream	Impacts on Property Valuation	Proximity Considerations	Downtown Enhancement	Other Considerations					
Lot DE	7.8 (2)	7.1 (1)	8.0 (2)	7.5 (1)	7.8 (1)	7.6 (2)					7.6
3 Lincoln	8.4 (1)	6.2 (2)	8.3 (1)	6.7 (3)	6.1 (5)	7.8 (1)					7.1
Washington	6.6 (3)	6.1 (3)	5.6 (4)	5.8 (4)	6.8 (2)	7.1 (3)					6.4
Foss/ Emery	4.5 (5)	5.8 (4)	5.9 (3)	7.0 (2)	6.5 (3)	6.1 (5)					6.0
Alfred	5.2 (4)	5.4 (5)	5.2 (5)	5.6 (5)	6.4 (4)	6.6 (4)					5.7
Grand Total	6.6	6.2	6.8	6.6	6.7	7.1					6.6

(1) (5)

After a thorough investigation, the Downtown Task Force Subcommittee, therefore recommends that Lot D/E and 3 Lincoln Street sites most strongly merit further investigation as

per Criteria Comparison of Lot DE and 3 Lincoln
(darker color indicates larger difference)

Category	Criteria	Site	
		Lot DE	3 Lincoln
Site Issues	Site preparation costs	6.7	7.9
	Ease of garage expansion	8.9	8.9
	Impact on ideal efficient design (minimizes wasted space and cost)	8.4	8.3
	Impacts on construction costs of structure (unique to site)	7.7	8.0
	Acquisition costs	7.8	9.4
	Demolition costs to prepare site	8.3	9.1
	Impacts caused during construction (parking, other)	7.7	7.9
	Legal and/or other impediments to site	7.4	8.3
	Impacts on exiting use of site	6.7	7.7
Category Score		7.8	8.4
Revenue Stream	Hourly parking revenues: short term	5.7	2.9
	Hourly parking revenues: long term	6.9	5.1
	Monthly pass revenues: short term	7.7	6.9
	Monthly pass revenues: long term	8.6	8.1
	Impact on other parking revenue potentials	5.7	6.0
	Potential for other non-property tax revenues (rent, other)	7.9	8.0
	Volatility (predictability) of revenues	7.5	6.5
	Category Score	7.1	6.2
Impacts on Property Valuation	Influence on increase of valuation of existing properties	9.4	9.2
	Influence on new construction	7.6	8.3
	Any reduction in existing property tax valuation	6.7	7.3
	Quality of valuation growth	8.4	8.6
	Category Score	8.0	8.3
Proximity Considerations	Mill District (occupied space)	9.1	7.4
	Mill District (unoccupied space)	9.7	9.1
	Water Street	3.6	2.4
	Western Main St corridor (Elm to Adams)	6.6	5.2
	Central Main St corridor (Adams to Alfred)	8.9	6.6
	Eastern Main St corridor (Alfred to Bridge)	5.4	3.7
	Access to Riverwalk & Saco River	8.8	9.1
	Ease of vehicle entrance/exit to major transportation routes	7.4	9.1
	Access to other transportation systems (rail, bus, pedestrian connection..)	7.7	7.7
Category Score		7.5	6.7
Downtown Enhancement	Impact of vehicle traffic on Main St	5.0	7.0
	Impact of pedestrian friendliness perception	8.5	4.6
	Likelihood to increase downtown population day (employees)	8.5	6.9
	Likelihood to increase downtown population night and/or weekends	9.2	6.3
	Supports creation of downtown housing units	8.3	7.3
	Supports redevelopment of existing housing in immediate neighborhood..	5.7	5.1
	Strength of retail growth creation	8.9	5.8
	Strength of high end job creation	7.0	6.4
	Support of existing downtown businesses	9.1	5.4
	Quality of jobs created	7.4	6.3
Category Score		7.8	6.1
Other Considerations	Visual impact	7.7	7.5
	Potential for multi-transportation hub	7.4	9.8
	Impact on perception of safety and security	8.4	7.8
	Additional investments needed to fully integrate site into downtown area	8.1	6.1
	Other (specify) – Future Adaptability	6.4	8.0
Category Score		7.6	7.8



0.0 3.8

Site Evaluation

Criteria	
Site Issues	Weight
Site preparation costs	0.95
Ease of garage expansion	1.05
Impact on ideal efficient design (minimizes wasted space and cost)	1
Impacts on construction costs of structure (unique to site)	1
Acquisition costs	1.05
Demolition costs to prepare site	1
Impacts caused during construction (parking, other)	1
Legal and/or other impediments to site	1
Impacts on exiting use of site	0.9

Criteria	
Revenue Streams	Weight
Hourly parking revenues: short term	1
Hourly parking revenues: long term	1
Monthly pass revenues: short term	1
Monthly pass revenues: long term	1
Impact on other parking revenue potentials	1
Potential for other non-property tax revenues (rent, other)	1
Volatility (predictability) of revenues	1.05

Criteria	
Impacts on Property Valuation	Weight
Influence on increase of valuation of existing properties	1.05
Influence on new construction	1
Any reduction in existing property tax valuation	0.95
Quality of valuation growth	1

Criteria	
Proximity Considerations	Weight
Mill District (occupied space)	1
Mill District (unoccupied space)	1.05
Water Street	0.95
Western Main St corridor (Elm to Adams)	0.95
Central Main St corridor (Adams to Alfred)	1.05
Eastern Main St corridor (Alfred to Bridge)	1
Access to Riverwalk & Saco River	1.05
Ease of vehicle entrance/exit to major transportation routes	1.05
Access to other transportation systems (rail, bus, pedestrian connections)	1.05

Criteria	
Downtown Enhancement	Weight
Impact of vehicle traffic on Main St	0.95
Impact of pedestrian friendliness perception	1.05
Likelihood to increase downtown population day (employees)	1.05
Likelihood to increase downtown population night and/or weekends	1.1
Supports creation of downtown housing units	1
Supports redevelopment of existing housing in immediate neighborhoods to downtown	1
Strength of retail growth creation	1.05
Strength of high end job creation	0.95
Support of existing downtown businesses	1.05
Quality of jobs created	1

Criteria	
Site Issues	Weight
Visual impact	1.05
Potential for multi-transportation hub	1.05
Impact on perception of safety and security	1.1
Additional investments needed to fully integrate site into downtown area	1.1
Other (specify) – Future Adaptability	1

II. Pros and Cons

<u>3 Lincoln Street</u>	
Pro	Con
Site is presently city-owned - no acquisition cost required	Low proximity to Main Street
Minimal initial site work is required	Minimal impact on redevelopment of North Dam Mill Campus i.e. Building 15
Will induce quicker re-development of site	Poses potential traffic movement problem for <u>Elm Street</u>
Excellent proximity to RiverWalk and future green space	Careful way-finding and pedestrian connections needed
High potential to induce absorption of vacant Mill District space: PMC 10 & 11, RiverDam, Saco Lowell, Lincoln Mill	Low short-term hourly revenue potential
Highest projected property valuation increase: <u>83%</u>	
High potential as a multi-modal transport hub	
High short-term monthly revenue potential (LaSF)	
High long-term monthly revenue potential	
High potential to induce quality incremental employment	
High potential for future expansion	
Creates downtown 'gateway' potential for 3 Lincoln St.	

<u>Lot D/E</u>	
Pro	Con
High proximity to PMC and downtown	Not city-owned.
Fair proximity to 3 Lincoln St	Some legal impediments may exist
Minimal initial site work needed	York Street is not a city thoroughfare
High potential for future expansion	Poses potential traffic movement problem for <u>Main Street and Elm Street</u>
High potential to induce quality incremental employment (PMC Buildings 10 and 13)	
Proximity to Lincoln Mill increases viability of boutique hotel	
May induce quicker redevelopment of Buildings 10, 11	
High long-term monthly revenue potential	
High long-term hourly revenue potential	
High projected property valuation increase: <u>70%</u>	

<u>Foss/Emery Street</u>	
Pro	Con
May reduce blight in surrounding residential neighborhood	Low proximity to upper Main Street
May Induce redevelopment of PMC Buildings 13, 19, 20	Low proximity to re-develop-able areas of Mill District, e.g. 3 Lincoln, River Dam, Saco Lowell
High long-term monthly revenue potential	Poses potential traffic movement problem for <u>Main Street</u>
Medium projected property valuation increase: <u>60%</u>	Impacts re-design of Main/Hill/Water Street intersection
	Low potential for job creation
	Involves costly acquisition of multiple private properties
	Requires costly demolition of existing structures
	Requires costly re-location of existing residents
	Low potential for future expansion
	Low potential for wide-spread future re-development
	Design must consider context of site and repurpose-ability - see note

<u>Washington Street</u>	
Pro	Con
Presently city-owned - no acquisition cost required	Low proximity to re-develop-able areas of Mill District, e.g. 3 Lincoln, River Dam, Saco Lowell
Requires minimal initial site work	Low potential for future expansion
May induce quicker redevelopment of 25 Adams - present District Courthouse	Low impact on employment and jobs
High long-term monthly revenue potentention: Bangor Savings Bank	Low potential to induce significant re-development
	May pose traffic movement problem on <u>Washington</u> , <u>Franklin</u> , and <u>Main Streets</u>
	Low proximity to RiverWalk
	Careful way-finding and required
	Lower projected property valuation increase: <u>44%</u>
	Design must consider context of site and repurpose-ability - see note

<u>Alfred Street</u>	
Pro	Con
May reduce blight in surrounding neighborhoods	Low proximity to upper Main Street
Can become a gateway to downtown	Low proximity to Mill District
May increase available retail space	Low proximity to RiverWalk
	Careful way-finding required
	May pose traffic movement problem at Alfred and Main Streets
	Low potential for job creation
	Requires acquisition of existing commercial property.
	Low potential for widespread re-development
	Lower projected property valuation increase: <u>47%</u>
	Low long-term monthly revenue potential
	Low short-term monthly revenue potential
	Design must consider context of site and repurpose-ability - see note

III. Structured Parking Site Property Valuation Analysis

Multipliers used to estimate future property values were:

	350'	700'	1000'
Commercial	1.3	1.2	1.1
Rental Residential	1.1	1.05	1.0
Single Family Residential	.9	.95	1.0
Undeveloped land	4.0	3.0	2.0
Finished Mill Space	1.3	1.2	1.1
Unfinished Mill Space	*	*	*

*Unfinished Mill Space was reviewed by the Assessor on a case-by case basis using multipliers ranging from 1.69 to 7.5.

Results of the analysis:

1 3 Lincoln Street

		<u>Present Value</u>		<u>Projected Value</u>	<u>Change</u>
1000' radius	\$	35,439,400	\$	42,927,858	
700' radius	\$	13,453,200	\$	21,553,521	
350' radius	\$	11,619,200	\$	46,099,926	
	\$	60,511,800	\$	110,581,305	83%

2 Lot D/E

		<u>Present Value</u>		<u>Projected Value</u>	<u>Change</u>
1000' radius	\$	22,785,200	\$	26,120,330	
700' radius	\$	36,188,300	\$	55,369,917	
350' radius	\$	16,858,300	\$	47,272,836	
	\$	75,831,800	\$	128,763,083	70%

3 Foss St.

		<u>Present Value</u>		<u>Projected Value</u>	<u>Change</u>
1000' radius	\$	31,049,000	\$	61,706,118	
700' radius	\$	31,058,200	\$	38,134,669	
350' radius	\$	24,985,600	\$	39,149,814	
	\$	87,092,800	\$	138,990,601	60%

4 Wash St.

		<u>Present Value</u>		<u>Projected Value</u>	<u>Change</u>
1000' radius	\$	55,541,900	\$	62,926,848	
700' radius	\$	32,357,900	\$	64,161,779	
350' radius	\$	20,304,100	\$	28,583,770	
	\$	108,203,900	\$	155,672,397	44%

5 Alfred St.

		<u>Present Value</u>		<u>Projected Value</u>	<u>Change</u>
1000' radius	\$	43,977,300	\$	74,528,160	
700' radius	\$	37,458,700	\$	47,054,865	
350' radius	\$	14,901,200	\$	20,066,410	
	\$	96,337,200	\$	141,649,435	47%

Appendix 2

Recommendations to council
August 31, 2016

The City's river walk addresses two of the universally accepted important factors for successful downtowns, namely pedestrian generators and a sense of place. It is for these reasons, the Downtown Task Force is recommending that the City Council move forward with elevating the planning and construction of the entire Riverwalk.

It is also recommended that the Riverwalk be connected to a series of other pedestrian ways throughout the downtown. These additional ways should be constructed with the same design feel as the riverwalk so that citizens may transition from one to the other without a conscious observation that they have. In addition, the pedestrian ways should connect with the adjacent neighborhoods.

Each major parking location should be connected to the riverwalk by one of the 'other' pedestrian ways. In addition, available parking should be designed for users of the riverwalk, especially Biddeford residents, at the major beginning/ending locations.

To achieve this recommendation, the Downtown Task Force is recommending the following specific steps of action:

Complete the conceptual design and location of the riverwalk from Mechanics Park to the planned connection of the Eastern Trail (the railroad bridge north of the Diamond Match property).

Complete the pre-designed cost estimate for the entire riverwalk project.

Secure all the necessary legal permissions and/or ownership to construct the riverwalk.

Identify the 'other' pedestrian ways throughout the downtown area and work to secure the legal permissions and/or ownership issues associated with the ways.

Seek in the very near future, the pre-design cost estimates for each additional 'other' pedestrian way.

Separate recommendation

The lack of understanding of the changes happening in the downtown is a source of much of the misinformation that exists. The Downtown Task Force recommends the City work to reach the public with real information about what is occurring in the downtown as well as the community as a whole. We recommend that it be on a regular basis.

Appendix 3



Appendix 4



THIRD FLOOR

301 - A Big Brothers Big Sisters

**301 - E Mill Management & Leasing
Offices (207-282-5577)**

301 - H Cara Matchmaking
301 - I Brainstorm Business Services
301 - K Robert Fralley
302 - M Law Office of Joe Mekonis
302 - N Brady Construction
302 - O Fieldstone Marketing
302 - P Asclepius Research Services
302 - Q Retro Giraffe Studio
302 - R Law Office of Scott Houde
302 - S Eastern Trail Alliance
302 - U Prudential Financial
302 - V HERE North America

FOURTH & FIFTH FLOORS: Apartments

NORTH DAM BLDG 15

FIRST FLOOR

101 Woodworking Co-Op
103 Oak and Laurel Inc.
107 LAW Calibration
110 Port Living Co.

SECOND FLOOR

201 Michael Molarsky
202 Maine Salt Water Creations
204 Maine Juice Co.
205 Sarah Hoag Violin / Viola Studio
206 Alec Wall
207 Twenty Sauce
210 Quality Upholstery
213 North Dam Quilts
215 C2 Graphics
217 Next Gen Beverage
219 HMH Vises
225 207 Pole Fitness
226 Peter Greene Photography
228 Empath Healing
230 Sreenitech

NORTH DAM BLDG 35

FIRST & SECOND FLOORS: Apartments



PEPPERELL CENTER

FIRST FLOOR

101 Portland Pie Company
109 Angelox
114 Al's Goldfish Lure Co.
116 CRECO
120 Hyperlife Mountain Gear
123 Impact Fitness Center
124 The Maine Pie Company
127 Hands Free Vehicle Technologies
131 Equilibrium Balancing Health
136 The Yard
138 Sweetcream Dairy
140 Think Tank Bladeform
144 Mckenney Photography
150 Trident Marketing Solutions

WING - FIRST FLOOR

102 Banded Horn Brewing Co.
103 Round Turn Distilling

SECOND FLOOR

201 Tulu Salon & Spa
206 Rain Boots Records
216 Foreside Home & Garden

SPENCER BUILDING

FIRST FLOOR

101 Maine DOC
102 Independents of America
103 Flux Integration
106 The Counseling and Psycho
108 Golway Bay Transport

SECOND FLOOR

201 Spurwink Services
202 YCCAC
203 Biddeford School Department

BUILDING 30

101 Rebuild Ministries

BUILDING 37

101 Barn Fresh Classics

NORTH DAM BLDG 18

FIRST FLOOR

101 Dance House Productions
104 Maine Photography Studio
107 Capstone Marketing
110 Margaret Gerding Studios
112 Erin Donovan
114 Integral Pipeline Technologies
115 Chasing The Sun Photography
116 Cottage Linens
117 Bottom of the River Sound
126 Irvin Serrano Photography
127 Flash Forward Communications
128 Maine Marine Trades Association

SECOND FLOOR

201 Back To Basics
203 Four Corners Frame Shop
204 Business Communications of ME
205 Vervacious
208 Four Star Fresh
209 Stacey Kane Photography
214 Rabelais
216 Photo Italia Studio & Gallery
217 Van Meer & Belanger
218 The Jacman Group
221 Union Church

NORTH DAM BLDG 17

FIRST FLOOR

101 Kairos Art
103 Mainely Motorsports
115 Saco River Auction Co.

SECOND FLOOR

203 Growlin' Gourmet
204 Retro Girl's Attic
205 Burn Heart
206 Mullenberg Designs
209 Apilite
215 Support Solutions
220 Kymara Gallery
221 Local Technique
223 Engineered Drafting and Design
225 Hobson & Company
227 Sanweco Inc.
228 Out of The Ark Studio
229 Vutty Sim Designs
230 Old Mill Violins

THIRD, FOURTH & FIFTH FLOORS: Apartments

223 Mindful Soul Counseling Center
224 Indigo North Counseling
226 Kinney Shores Trading Co.
230 Heartwood College of Art
230 Wholly Crow Gallery

Appendix 5

FY2019 BIDDEFORD CAPITAL IMPROVEMENT PROGRAM

Project Description Form

DEPARTMENT: Planning & Development	PROGRAM:
Est. Total Cost: \$225,000	Estimated Cost FY2020-2023:
Estimated Cost FY2019 \$225,000	
City Share FY2019: \$225,000	City Share FY2020-2023:

1. Description of Project: Downtown Gateways Beautification
2. Need for and impact of Project: Recommendation of Downtown Task Force
3. Consistency with the adopted plans or other related planning documents:
4. Years previously on the BIDDIP; funding received in each of the past five (5) years (if applicable): FY2014- \$; FY2015 - \$; FY2016 - \$; FY2017 - \$; FY2018 - \$
5. New personnel, equipment, or supplies required:
6. How project originated and how cost estimates were obtained: Preliminary Staff Estimates
7. Any related department or City Projects: Downtown Sidewalks, Façade Improvement
8. Financing possibilities or potential grants: State Grants
9. Justification of timing of project and segments (if applicable):
10. Other information:

IMPLEMENTATION SCHEDULE (Fiscal Years)

	2019	2020	2021	2022	2023	Future
TOTAL PROJECT COST	\$125,000	\$100,000	\$	\$	\$	
NON-CITY SHARE	\$	\$	\$	\$	\$	
CITY SHARE	\$125,000	\$100,000	\$	\$	\$	

Attach on separate page(s) additional information (if needed).

CHJ

**COUNCIL MEETING
OCTOBER 17, 2017**

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

Roll Call: Michael Swanton, John McCurry, Jr., Stephen St. Cyr, Robert Quattrone, Jr., Victoria Foley, Norman Belanger, Michael Ready, Laura Seaver, Marc Lessard

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

Adjustments to the Agenda:

- Add Appointment: Victoria Foley...Biddeford-Saco-Old Orchard Beach Transit Committee
- Add Executive Session: 1 MRSA 405(6)(E)..Consultation with Legal Counsel

Public Hearing: Rte 111-Mill Redevelopment Municipal Development & Tax Increment Financing District – Development Program “Seventh Amendment”

The Chair opened the Public Hearing at 6:02 p.m.

There were no public comments.

The Public Hearing was closed at 6:02 p.m.

Consideration of Minutes: **October 3, 2017**

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

Vote: Unanimous.

Orders of the Day:

2017.111

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

WHEREAS, the City of Biddeford (the "City") is authorized pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended, to amend the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District (the “District”) Development Program (as amended, the "Development Program"); and

WHEREAS, there is a need for economic development in the City of Biddeford, in the surrounding region, and in the State of Maine; and

WHEREAS, there is a need to improve and broaden the tax base of the City of Biddeford; and to improve the general economy of the City of Biddeford and the surrounding region; and

WHEREAS, implementation of the Development Program will help to improve and broaden the tax base in the City of Biddeford and improve the economy of the City of Biddeford and the region by attracting business development to the District; and

WHEREAS, there is a need to implement continued economic development initiatives in the District through the amendment of the Development Program in accordance with the provision of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended; and

WHEREAS, the City desires to amend the Development Program; and

WHEREAS, the City held a public hearing and voted to approve the seventh amendment to the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program on October 17, 2017; and

WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the “Department”), approving this ***Seventh Amendment to the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program***.

ORDERED AS FOLLOWS:

Section 1. The City of Biddeford hereby approves the Seventh Amendment to the Rte 111- Mill Redevelopment TIF District Development Program; such amendment to be pursuant to the following findings, terms, and provisions:

Section 2. The City Council hereby finds and determines that:

a. This amendment to the Development Program will not result in the District falling out of compliance with any of the conditions of 30-A M.R.S.A. Section 5223(3); and

b. The District and the Development Program will make a contribution to the economic growth and well being of the City of Biddeford and the surrounding region, and will contribute to the betterment of the health, welfare and safety of the inhabitants of the City of Biddeford, including a broadened and improved tax base and economic stimulus, and therefore constitutes a good and valid public purpose. The City has considered all evidence, if any, presented to it with regard to any adverse economic effect on or detriment to any existing business and has found and determined that such adverse economic effect on or detriment to any existing business, if any, is outweighed by the contribution expected to be made through the Seventh Amendment to the Development Program.

Section 3. Pursuant to the provisions of 30-A M.R.S.A. § 5227, the percentage of increased assessed value to be retained as captured assessed value in accordance with the Development Program is hereby established as set forth in the Development Program.

Section 4. The City Manager, or his duly appointed representative, is hereby authorized, empowered and directed to submit the proposed Seventh Amendment to the Development Program for the District to the Department for review and approval pursuant to the requirements of 30-A M.R.S.A. § 5226; and further is authorized to execute the credit enhancement agreement with the developer consistent with the Development Program as presented and approved herein, and to create accounts and take all the actions described in such agreement.

Section 5. The foregoing adoption of the Seventh Amendment to the Development Program for the District shall automatically become final and shall take full force and effect upon receipt by the City of approval of the by the Department, without requirement of further action by the City, the City Council, or any other party.

Section 6. The City Manager, or his duly appointed representative, is hereby authorized and empowered, at his discretion, from time to time, to make such revisions to the Seventh Amendment to the Development Program for the District as the City Manager deems reasonably necessary or convenient in order to facilitate the process for review and approval of the District by the Department, or for any other reason, so long as such revisions are not inconsistent with these resolutions or the basic structure and intent of the Development Program.

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

Vote: 8/1; Councilor Swanton opposed.

Councilors McCurry, St. Cyr, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.

Motion carries.

2017.112 IN BOARD OF CITY COUNCIL...OCTOBER 17, 2017

BE IT ORDERED that the Covenants governing properties located in the Alfred Road Business Park be amended as follows:

To adopt the following language under Part 4. BUILDING SET-BACK LINES provision to read:

4. **BUILDING SET-BACK LINES:** The front set-back for buildings shall be forty (40) feet from the street line; side and rear yard set-back to be twenty-five (25) feet from the boundary line or as otherwise provided in the Biddeford Zoning Ordinance.

Note: The highlighted area is the only proposed language amendment.

Motion by Councilor Ready, seconded by Councilor Swanton to grant the order.

Vote: Unanimous.

2017.113 IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

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

Part III (Land Development Regulations), Article VI (Performance Standards), § 59 (Signs) is amended as follows:

A. Purposes. The purposes of these sign regulations are to encourage the effective use of signs as a means of communication in the City; to maintain and enhance the aesthetic environment and the City's ability to attract sources of economic development and growth; to improve pedestrian and traffic safety; to minimize the

possible adverse impacts of signs on nearby public and private property; and to enable the fair and consistent enforcement of these sign regulations.

B. General regulations for all districts.

1. Sign permits. No signs, other than exempt signs as listed in Subsection B13 and B14 below, shall be erected, altered, enlarged, or replaced except as provided in this ordinance. No person, firm, corporation, or organization shall erect, enlarge, or replace a sign without a sign permit issued by the Code Enforcement Office in accordance with the provisions of this ordinance. All sign permit applications shall include a drawing showing dimensions, types of materials to be used, and type and intensity of illumination (if applicable). If the applicant for a sign permit is not the owner of the property on which the sign is to be located, the owner's approval must be obtained prior to submission of a permit application.
2. Nonconformity. Any sign existing at the time of adoption of this ordinance but exceeding the specified standards or otherwise not meeting these requirements shall be considered a nonconforming sign. No sign shall be altered, changed, enlarged or replaced unless it is in conformance with existing regulations, except as permitted in Subsection B3. A nonconforming sign damaged or destroyed by fire, wind, or any cause other than the willful act of the owner or agent may be reconstructed as before if such construction is performed within six months of such casualty.
3. Modification, replacement, or relocation. A permit may be obtained from the Code Enforcement Office to modify existing nonconforming signs. Except for landmark signs, which are given special consideration Subsection B18 of this ordinance, the Code Enforcement Office shall be limited in its power to issue permits under this heading in that:
 - a. No sign shall be altered such that it is not in compliance with this section, except that:
 - (1) A sign may be repaired and maintained to preserve its function and attractiveness; and
 - (2) Sign boards may be changed out to reflect changes in the business for which the sign serves or change of occupancy for which the sign serves.
 - b. No existing nonconforming sign shall be increased in size.
 - c. No sign shall be relocated unless the sign is in conformance with the requirements outlined herein for such location.
4. Maintenance.
 - a. All signs and sign structures shall be properly maintained and kept in a neat and proper state of appearance. Signs found with missing letters or otherwise indicating a lack of maintenance or upkeep shall be considered "in a state of disrepair."
 - b. Where permits are required, sign permits are issued upon the assumption of complete liability in writing by the person or firm for any damage resulting from the sign.
 - c. All signs of any type which are found by the Code Enforcement Office to be in a state of disrepair or are considered dangerous shall be repaired or removed on order from the Code Enforcement Office. Upon failure to comply with this order within the time specified in the order, the Code Enforcement Office is hereby authorized to cause removal of this sign, and any expense resultant thereto shall be borne by the owner of the business or, if the business owner cannot be reasonably located, by the owner of the building to which the sign is attached. In any case where the Code Enforcement Office must notify a business operator that a sign is in disrepair, the property owner shall be notified.
5. Unused signs.
 - a. In order to maintain public safety and avoid visual blight, signs advertising, or otherwise announcing, activities or products no longer on site shall be removed.
 - b. Signboards for businesses which have closed or relocated shall be removed by the property owner within 30 days from the date the accompanying use is. A nonconforming, unused sign with no signboard advertising a bona fide occupancy, or any portion of the sign structure or support thereof that is nonconforming, shall be removed within one year of nonuse.
 - c. Signs which are not used may be taken down by the City, or designated agents of the City, provided that the property owner has not first reutilized the sign. The cost of such notification and removal by the City or its designated agents shall be billed to the property owner.
6. Construction and installation.
 - a. Signs to be securely fastened. All signs and any other awnings, shades, marquees or other structures extending over a sidewalk or public road or way shall be constructed in a structurally sound manner and, if erected above ground level, shall be securely fastened or supported in a manner satisfactory to the Code Enforcement Office to restrain swinging, oscillation or other movement that would endanger people or property.

- b. Professional installation. Where permits are required, construction and installation of all signs shall be by qualified professional sign makers with experience in the trade. Qualifications and examples of work may be required to be submitted at the Code Enforcement Office's discretion.
- 7. On-premises signs. All signs shall relate to the premises on which they are located and shall only identify the occupant of such premises or advertise the services available within said premises, except for those exempted in Subsection B13.
- 8. Prohibited signs and displays. The following signs and displays are prohibited in the City of Biddeford:
 - a. Off-premises signs, except those signs specifically exempted in Subsection B14.
 - b. Moving signs: signs with visible moving, revolving, or rotating parts or visible movement of any description, except for so-called "barber poles."
 - c. Optical illusions: signs which create the effect of optical illusion.
 - d. Roof signs: signs mounted wholly or in part on any roof or above the highest exterior point of any building. This does not include signs that are an integral part of the roof structure or are part of the roofing material.
 - e. Fluorescent or phosphorescent painted signs: signs using any kind of paint which causes the sign to glow in the dark.
 - f. Temporary and/or portable signs which fail to meet standards for setback, size, lighting, and use requirements of the district in which they are located, except those signs otherwise exempted in Subsection B13 and 14 and as provided for in Subsection C, below.
 - g. Neon signs, unshielded, except for permitted window signs.
 - h. Blinking, flickering, flashing, or rotating signs other than those that conform to Section B16 of this ordinance as electronic message centers.
 - i. Animated-type signs, being any sign that uses movement or change of lighting to depict action or create a special effect or scene.
 - j. Strings of lights: strings of lights, with the exception of special occasions be they religious, civic or national, and not to exceed 45 days with the approval of the Code Enforcement Office.
 - k. Bare bulbs: bare bulbs, with the exception of time/temperature signs and theater marquees.
 - l. Large window signs: signs posted in windows (including door windows) covering more than 20% of window area, but in any event not to exceed four square feet. See Subsection A15 below for additional window sign regulations.
 - m. Inflatable signs.
 - n. Sexually explicit signs, being any sign that, by way of images, words or otherwise, is obscene as defined by M.R.S.A. Title 17, Section 2911, or which depicts a nude or seminude male or female, meaning a state of dress in which genital, pubic area, buttocks, anal cleft, or nipple and areola of the female breast are less than completely and opaquely covered, are prohibited.
- 9. Measurement of sign area: Use the area of the smallest plane rectangle, circle, triangle or combination thereof that will wholly contain the sign, including any material or color forming an integral part of the background of the sign, or used to differentiate the sign from the structure against which it is placed, but does not include supporting posts or any structural elements outside the limits of such perimeter which do not form an integral part of the display.
 - a. Wall signs: The above method shall also be used to measure wall signs, which are signs painted on the surface of a wall, or attached parallel to and are no more than 15 inches from a wall. Note: When extending over sidewalks or public ways, wall signs shall not extend more than eight inches from a wall.
 - b. Hanging signs (double-faced), which are signs attached to and projecting from a building other than a wall sign. Use the above method for only one side of the sign.
 - c. Three-dimensional signs: Using the above method, calculate the projected area of both the front view and one side view of the sign; then use 1/2 of the total of these areas.
 - d. Awning signs:
 - (1) For opaque awnings, sign area is measured using the above method and shall be considered part of the allowable sign area, except that only those sections which incorporate writing, symbols,

emblems or other types of graphics used for the purposes of identification or advertisement shall be included in computing sign area. Street names and numbers shall not be considered to be signs for the purposes of this section, unless a business located within the building has the street name and/or street number as its name.

- (2) For awnings that are translucent and internally illuminated and that incorporate any message, trademark or symbol, the sign area shall be computed as the two-dimensional projection of the awning onto the face of the building on which the awning is to be installed. Such awnings which wrap around the building corner(s) shall be treated as separate awnings on each respective building face and shall be considered as signs if they include any message, trademark or symbol. Internally illuminated bands shall be permitted across the building face without being included in the calculations under this subsection, provided such bands do not include any message, trademark or symbol and that the bands do not exceed three feet in height.
 - (3) Where only a portion of the awning is translucent and internally lit, only the area of the translucent, illuminated portion shall be included in computing sign area, unless any message, trademark or symbol appears on the opaque portion(s) of the awning. Opaque portions of these awnings shall be computed in accordance with Subsection B9d(1) above.
10. External illumination. In all zones where externally lit signs are allowed the illumination shall be by steady, stationary, shielded light sources directed solely on the sign in such a manner as to not cause glare for motorists, pedestrians, or neighboring premises.
11. Visibility to public ways. For traffic safety, where vision may be obscured entering a public way, the whole of the signboard or display elements of any sign shall be either:
 - a. Below three feet in height above the street grade; or
 - b. Above 10 feet in height above the street grade.
12. Extension over sidewalks and public ways. Except as specifically stated below, no sign, or part/component thereof, shall extend over or into public ways, rights-of-way or sidewalks.
 - a. Ground signs, except as permitted in Subsection B12e and exempted in Subsection B14.
 - b. Hanging signs. Hanging signs attached to the structure by way of a frame or bracket which overhangs a pedestrian walkway or public sidewalk are permitted, provided that they do not project more than five feet from the building or 2/3 of the width of the sidewalk, whichever is less, and have a vertical height clearance of 10 feet between the bottom of the sign and the ground.
 - c. Wall signs. Wall signs attached parallel to the structure surface are permitted, provided that they do not project more than eight inches from the building.
 - d. Awnings and canopies. Awnings and canopies projecting over a public right-of-way with or without signs shall project no further than five feet from the building or two-thirds of the width of the sidewalk, whichever is less, and have a vertical clearance of 10 feet. Signs on awnings shall be considered part of the allowable sign area.
 - e. Separate signage. Temporary signs (not including those signs permitted as exempt on-premises and off-premises signs in Subsection B13 and 14), such as sandwich boards, may be allowed on sidewalks or other areas beyond the edge of a public street, where no private land exists between the building and the right-of-way, provided they are permitted as separate signage each year by the Code Enforcement Office in accordance with the following conditions:
 - (1) The signage shall not be affixed to any building or structure, including but not limited to fences, poles and other signs, as well as other fixed objects such as trees;
 - (2) The signage will not exceed 24 inches in width or 36 inches in overall height;
 - (3) The signage shall be displayed during business hours only;
 - (4) The signage shall be of a design which is not offensive to abutters or passersby;
 - (5) The signage shall not block or hinder visibility of vehicular traffic on the adjacent and/or nearby roadways;
 - (6) The signage shall not block or hinder pedestrian traffic;
 - (7) No more than one temporary sign per establishment for each street frontage having a public entrance shall be allowed; and
 - (8) The signage shall only be allowed on the street frontage having a public entrance and shall only be located between the lot lines of the parcel on which the establishment is located.

13. Exempt on-premises signs. The following on-premises signs may be erected and maintained without the approval of the Board of Appeals or Code Enforcement Office:
- a. Real estate: on-premises signs erected for the purpose of advertising the sale of real estate; provided, however, that no such sign shall exceed eight square feet in size and that no person shall erect more than two such signs on any parcel of land. All such signs shall be removed within 15 days after the sale of the premises.
 - b. Subdivision real estate: The Planning Board may approve a sign advertising land in a subdivision but only after the subdivision has received final Planning Board approval. Such sign shall not exceed 64 square feet in size.
 - c. Rental use of buildings, or portions thereof, may be advertised by one temporary sign containing not more than two square feet of area, without artificial lighting, and located on the premises.
 - d. Holiday decorations: temporary decorative materials in place for a holiday or celebration.
 - e. Nameplates: signs indicating the owner or occupant of a residential building, provided that such sign does not exceed two square feet.
 - f. No trespassing signs: signs prohibiting hunting, fishing, or trespassing, provided that such signs are not more than two square feet in size.
 - g. Home occupations: signs erected according to the home occupations standards of this ordinance (Article VI, Section 38).
 - h. Construction signs: signs erected during construction, provided they are not larger than 16 square feet. There shall be no more than one such sign per lot, and such signs shall not be in place longer than six months. The Code Enforcement Office may authorize an extension of this time period upon request and with adequate justification by the applicant.
 - i. Directory signs for commercial establishments not on street level, not larger than four square feet.
 - j. Door signs not larger than two square feet.
 - k. Restaurant menus posted in windows and not larger than two square feet.
 - l. Official plaque or historic markers obtained from the Maine Historic Preservation Commission or other like organizations.
 - m. Signs indicating awards honoring achievements from the state or federal governments or their agencies. Such signs will be limited to no more than two per property, and will be no larger than 32 square feet in size, and will not be displayed for more than two years. The Building Inspections Office will be notified of the proposed signage, and award documentation will be provided along with the letter of notification
 - n. Temporary signs, including banners, advertising or announcing a new business or occupant of a building where the intent of the new business or occupant is to receive approval for, fabricate, and install a permanent sign subject to the following:
 - (1) The temporary sign is permitted for no more than 45 days from the date it was initially installed, whether or not it remains installed for a consecutive forty-five-day period. Under no circumstances shall a temporary sign be installed or reinstalled for the same business/occupant at the same premises for at least another 30 days.
 - (2) Where a permanent sign is subject to approval of a certificate of appropriateness outlined in Article XV (Historic Preservation), within 15 days of the initial installation of the temporary sign an application for a certificate of appropriateness shall be submitted for review to the Planning Department. Upon approval of the certificate of appropriateness, the temporary sign shall remain for no more than an additional 30 days. If the sign subject to the certificate of appropriateness has not been installed within the 30 days, the temporary sign shall be removed and no other temporary sign shall be permitted on the premises for the same business and/or occupant.
 - (3) Signs identified and meeting the standards as "categorical signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1913-A), Section 2 (Types of signs outside the right-of-way).
14. Exempt off-premises signs. The following off-premises signs may be erected and maintained without the approval of the Board of Appeals or Code Enforcement Office:
- a. Those signs identified and meeting the standards as "categorical signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1913-A), Section 1 (Types of signs).

- b. Those signs identified and meeting the standards as "publicly owned bus stop outdoor advertising signs" in the Maine Travelers Information Services Act (23 M.R.S.A. § 1908-A), subject to compliance with Subsection B17 below. "Publicly owned bus stop outdoor advertising signs" are only affixed to bus shelters and are subject to Subsection B17 of this ordinance.
 - c. Common carriers: signs on the rolling stock of common carriers or on registered and inspected motor vehicles, except those determined by the Code Enforcement Office to be circumventing the intent of this ordinance, including but not limited to signs which are continuously or repeatedly in the same location.
 - d. Temporary sales: temporary unlit signs, excluding real estate signs and mobile/portable signs, erected and maintained for a period of not more than 48 hours to advertise sales of goods which are not ordinarily undertaken by the person so advertising as a regular course of business, including but not limited to so-called lawn sales and garage sales; provided, however, that no such sign shall exceed 10 square feet in size, no such sign shall contain any commercial message, and that no person shall erect more than one such sign on any parcel of land. Said signs shall be removed within 24 hours of completion of the sales of goods, except that no such sign may be erected for more than five consecutive days or five days within a one-week period, whether or not the temporary sale continues.
 - e. Public events: signs to be maintained for not more than three weeks announcing an auction, public supper, lawn sale, fair, exposition, or any other public event, campaign, drive or like event of a public, civic, philanthropic or religious organization. The date of this event shall be conspicuously posted on such signs. No such sign shall be erected within any traffic or median island located within any publicly travelled way. No such sign shall be erected within any City park without the approval of the Code Enforcement Office, Recreation Department, and Department of Public Works.
 - f. Legal notices and identification, information, or directional signs required by governmental bodies.
 - g. Flags and insignia of government.
 - h. Signs directing traffic and parking on private property but bearing no advertising matter.
 - i. Official plaques or historic markers obtained from the Maine Historic Preservation Commission or other like organizations.
 - j. Signs indicating awards honoring achievements from the state or federal governments or their agencies. Such signs will be limited to no more than two per property and will be no larger than 32 square feet in size and will not be displayed for more than two years. The Building Inspections Office will be notified of the proposed signage, and award documentation will be provided along with the letter of notification.
 - k. Political signs: signs erected for the purpose of promoting or opposing the election of a candidate for public office, a pending public referendum, or other public policy matter; provided, however, that such signs may not be placed within the right-of-way prior to six weeks before the election, primary, referendum, vote, hearing or meeting to which they relate and must be removed by the candidate or political committee not later than one week thereafter (Title 23 M.R.S.A. § 1913-A). Further:
 - (1) No such sign shall be erected within any traffic islands or medians on public ways in the City of Biddeford that interfere with a driver's free and unobstructed view of other vehicular or pedestrian traffic.
 - (2) Political signs shall be set back from the edge of the sidewalk so as not to obstruct its use or any part thereof. Where there are no sidewalks, such sign(s) shall be set back five feet from the curbs or the edge of the road.
 - (3) No political sign(s) shall be placed in such a manner as to interfere with a motorist's unobstructed view of other vehicular or pedestrian traffic or placed in such a manner as to otherwise create a safety hazard.
 - (4) The Police Department or Code Enforcement Office may remove political signs that are found in violation of this section.
 - (5) Political signs bearing political messages relating to an election, primary or referendum are not permitted in or on any of the City's parks. Parks and Recreation staff or the Department of Public Works may remove a sign that is placed in violation of this subsection.
 - l. Traffic control signs and construction signs erected by or on behalf of the Maine Turnpike Authority, Maine Department of Transportation, or the City of Biddeford.
 - m. Directional signage erected by the City of Biddeford for the purposes of wayfinding.
15. Window sign regulations.
- a. Window signs (including those on doors) are limited to 20% of a window area.

- b. Of the allowable 20% of the window area, up to four square feet may be illuminated, including unshielded neon.
 - c. Signs advertising business information related to hours of operation, open/closed, and/or vacancy/no vacancy are not included in the allowable window sign area so long as they are in the aggregate no larger than 10 square feet in area. Any such signage above 10 square feet in area counts towards the allowable window sign area. All corporate sponsors/commercial messages shall count towards the maximum allowable window sign area, regardless of size.
 - d. Restaurant menus are not included in the allowable window sign area so long as they are no larger than two square feet in area. Anything above two square feet in area counts towards the allowable window sign area.
16. Electronic message centers (EMCs). Where permitted, electronic message centers are subject to the district regulations in which they are located as well as the following:
- a. EMCs may change messages no more than once every five minutes. EMCs shall not have scrolling, rolling, blinking, or intermittent lighting. EMCs displaying time and/or temperature are exempt from these requirements.
 - b. EMCs are permitted as any sign type (e.g., freestanding, wall, window, or projecting) except that EMCs may make up no more than 50% of the allowable sign area, and time and temperature displays may make up no more than 50% of the allowable EMC display. In no case shall the EMC portion or element of a sign be larger than 40 square feet.
 - c. Gas stations, public schools and government facilities may install EMCs in any zoning district in accordance with the regulations herein.
 - d. Gas stations may install EMCs **solely for** advertising fuel prices in any zoning district except for the Institutional (IN) Zone. EMC readerboards (the electronic portions of the sign) shall in no case total more than nine (9) square feet in the aggregate. Gas station pumps may not have EMCs affixed to them.
 - e. Permitted illumination shall conform to the following criteria:
 - (1) EMC illumination shall be single-color only except that gas stations advertising fuel prices may have up to two (2) colors, each **of which** advertising a different price of fuel for sale. .
 - (2) The illuminance shall be measured with an illumination meter set to measure footcandles accurate to at least two decimals. Illuminance shall be measured with the EMC off and again with the EMC displaying a solid message for a EMC. All measurements shall be taken perpendicular to the face of the EMC at the distance determined by the total square footage of the EMC as set forth in the Sign Area versus Measurement Distance Table below.
 - (3) The difference between the off and solid-message measurements using the EMC measurement criteria shall not exceed 0.3 footcandle and shall not exceed 0.5 footcandle at any abutting residential property line.
 - (4) All permitted EMCs shall be equipped with a sensor or other device that automatically determines the ambient illumination and shall be programmed to automatically dim according to ambient light conditions, or that can be adjusted to comply with the 0.3 footcandle measurements.
 - (5) Sign Area Versus Measurement Distance Table:

Area of Sign (in square feet)	Measurement Distance (in feet)
10	32
15	39
20	45
25	50
30	55
35	59
40	63
45	67
50	71
55	74
60	77
65	81
70	84
75	87
80	89
85	92
90	95

95	97
100	100
110	105
120	110
130	114
140	118
150	122
160	126
170	130
180	134
190	138
200	141
220	148
240	155
260	161
280	167
300	173

17. Publicly owned bus stop outdoor advertising signs in the Maine Travelers Information Services Act (23 M.R.S.A. § 1908-A). Where affixed to a bus shelter, said signs shall be limited in number to six and may be no larger than the sides of the shelter itself. EMCs are permitted on bus shelters where EMCs are permitted in the zone where the shelter is located.
 18. Landmark signs. Landmark signs are signs existing as of the adoption of this ordinance that the City of Biddeford has determined has special significance in the City of Biddeford. The City of Biddeford has determined that these signs, although they may be nonconforming for a variety of reasons, should have special considerations and should be able to be removed and either reconstructed off-site and reinstalled at their original location or be removed and replaced with a replica sign in its original location. The City of Biddeford has identified the following signs as landmark signs. There is no statute of limitations in which these landmark signs can be removed, repaired, and reinstalled or removed and replaced with a replica.
 - a. "Alex's Pizza" projecting sign located at: 93 Alfred Street (Tax Map 38, Lot 428).
 - b. The Lincoln Mill clocktower, located at: 17 Lincoln Street (Tax Map 71, Lot 5).
 - c. The Biddeford City Hall clocktower, located at: 205 Main Street (Tax Map 38, Lot 133).
- C. District regulations.
1. In the Suburban Residential, R-1-A, C-R, W-1, and W-3 Districts, only the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. Permitted nonresidential uses may display one nonilluminated sign. No sign shall be larger than four square feet or located on the roof of a building.
 - c. Any sign may be located within the front setback but shall not be closer than 10 feet to the street right-of-way and shall be no closer than 10 feet to either of the side lot lines.
 - d. Permanent project signs identifying a specific housing, subdivision or project. These signs shall be limited to:
 - (1) One sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - e. Unless otherwise permitted, no sign shall exceed eight feet in height.
 - f. Electronic message centers are not permitted except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein.
 2. In the MSRD-2, R-2, R-3, and OR Districts, the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).

- b. In the R-2 and R-3 Districts, permitted nonresidential uses may display one nonilluminated sign not exceeding eight square feet in area, except as provided in C.2.f below, nor located on the roof of a building. Any sign may be located within the front setback but shall not be closer than 10 feet to the street right-of-way and shall be no closer than 10 feet to either of the side lot lines.
 - c. In the MSRD-2 District, permitted nonresidential uses may display one externally illuminated sign not exceeding eight square feet in area, except as provided in C.2.f below, nor located on the roof of a building. In the OR District, permitted nonresidential uses may display one externally illuminated sign not exceeding 12 square feet in area, except as provided in C.2.f below, nor located on the roof of a building. Where an existing principal building is within 15 feet of the street right-of-way, a ground sign may be located within 10 feet of the street right-of-way if it can be demonstrated to the Code Enforcement Office that there is no other location on the lot that could accommodate a sign to meet the ten-foot setback.
 - d. No signs shall be taller than 10 feet in height.
 - e. Permanent project signs identifying a specific housing subdivision or project. These signs shall be limited to:
 - (1) One sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - f. Electronic message centers are not permitted, except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein.
3. In the B-2, MSRD-3, and Industrial Districts, only the following signs shall be permitted:
- a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. On each premises there is permitted one sign affixed to the exterior of a building for each occupancy therein. Affixed signs shall not be placed on the roof of a building. In cases where the building fronts on two or more streets, or is visible to traffic on roadways or streets other than the street on which the building fronts, one additional sign per occupancy may be affixed to each side visible. The combined size of affixed signs shall not exceed 25% of the total frontal facade area of the building or storefront. Frontal facade area shall be computed as follows: width of front x height of sales area (the rectangle formed by the width of the building/storefront and the distance between the floor and the ceiling of the top floor of the sales area) x 0.25 = maximum size of sign allowable.
 - c. Ground, or pole, signs are limited in number to one per lot, except as provided in this section. The top edge of any such freestanding sign shall not be higher than 20 feet vertical measured above the grade of the street nearest the sign support(s).
 - (1) Any sign may be located within the front setback, but in the B-2 and Industrial Districts said signs shall not be closer than 10 feet to the street right-of-way, and shall be no closer than 10 feet to either of the side lot lines.
 - (2) Where an existing principal building is within 15 feet of the street right-of-way, a ground sign may be located within 10 feet of the street right-of-way.
 - (3) One additional ground or pole sign is permitted on a lot that is immediately adjacent to I-95 right-of-way and where a principal building on said lot is located within 500 feet of I-95 right-of-way. Said sign shall be located no further than 500 feet from the I-95 right-of-way and shall be located within 50 feet of a principal building and shall be located for the purpose of gaining visibility to travelers on I-95.
 - d. No freestanding sign shall have a signboard area (or display area, if no signboard) exceeding 72 square feet in gross area. The gross area is the measure of the area within a line connecting and completely enclosing the extreme-most points of the sign.
 - e. Where more than one business sign is attached to a single pole, there shall be a limit of 72 square feet per business, up to a maximum sign size of 210 square feet.
 - f. Unless otherwise permitted, no sign shall exceed 20 feet in height.
 - g. Temporary or portable signs may be used, provided the following requirements are met:

- (1) Signs must meet the setback and size requirements outlined in Subsection C3(1) through (3) above.
 - (2) Signs shall conform to the requirements in Subsection B12 of this section.
 - (3) A permit has been obtained from the Code Enforcement Office. Such permit shall be displayed in the store office at all times. The permit shall be for no more than 30 days and shall not be renewed within six months of initial issue or more than twice within a calendar year.
 - (4) No more than one such sign shall be located on a lot, regardless of the number of businesses operating on said lot.
- h. Electronic message centers are permitted subject to the regulations herein.
- i. All signs shall conform to M.R.S.A. Title 23 except as provided in Subsection B16a, relating to the changing of messages on EMCs.
4. In the Rural-Farm and Limited Rural-Farm Districts, only the following signs shall be permitted:
 - a. A home occupation may display a sign as permitted under the home occupation standards of this ordinance (Article VI, Section 38).
 - b. Permitted nonresidential uses may display one nonilluminated sign not exceeding eight square feet in area nor located on the roof of a building.
 - c. Any sign may be located within the front setback, but shall not be closer than 10 feet to the street right-of-way, and shall be no closer than 10 feet to either of the side lot lines.
 - d. Permanent project signs identifying a specific housing subdivision or project.
 - (1) These signs shall be limited to one sign per project or subdivision.
 - (2) Such sign shall be no more than 32 square feet in size.
 - (3) Such sign shall be no more than four feet in height.
 - (4) Such sign shall be located in such a manner as to not interfere with traffic safety or cause a hazard regarding sight distance for automobile traffic.
 - e. Unless otherwise permitted, no sign shall exceed 20 feet in height.
 - f. Electronic message centers are not permitted, except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein.
5. In the B-1, MSRD-1, and W-2 Districts, only the following signs shall be permitted:
 - a. No establishment shall have more than two signs.
 - b. Street level businesses shall not have a sign or signs with a combined aggregate surface area greater than two square feet for each linear foot of building frontage up to a maximum of 100 square feet total nontemporary signage.
 - c. Businesses above the first floor shall not have a sign greater than 12 square feet.
 - d. There shall be no freestanding signs or electronic message centers except in the B-1 and MSRD-1 Zones along Elm Street in the following defined area: From the Biddeford City line with Saco (northerly-most point of Elm Street) to the northerly side of Center Street, and except that gas stations, public schools and government facilities may install EMCs in accordance with the regulations herein.
6. Additionally in the MSRD-1, MSRD-2 and MSRD-3 Districts, the following shall apply:
 - a. The Historic Preservation Commission (HPC), or its designee, shall review all sign applications within this district. The Code Enforcement Office shall not issue a sign permit unless the HPC has issued a certificate of appropriateness or one has been issued by the appropriate reviewing authority.
 - b. It shall be the responsibility of the property owner to remove all business signs within 30 days from the date the accompanying use is discontinued.
 - c. Businesses above the first floor shall not have a sign greater than 12 square feet.
 - d. Internally illuminated signs are not permitted except as provided in C.2.f, C.3.h, **C.4.f**, and C.5.d herein. All new sign illumination shall be from shielded external sources.

- e. Signs shall be made of wood, metal, or stone, except that awnings may be made of fabric or canvas, window signs, and gas station EMC fuel price readerboards (the electronic portions of the signs) may be made of any material.
 - f. Corporate sponsors/commercial messages are not permitted on any sign except for allowable window signs. The area of corporate sponsors in window signs contributes towards the total allowable sign area. See Subsection B15 of this ordinance.
7. In the IN Zone, the following signs shall be permitted, provided that no individual sign shall be larger than 32 square feet and that all signs shall be consistent with the design standards set forth in the approved institutional master plan:
- a. Institution sign: one sign identifying the institution in the center of the campus or at a key location within the campus. This sign shall be ground mounted, located within a landscape area, or attached to a landscape feature such as a wall, boulder or similar object. An institution sign may be externally lit with a shielded light source.
 - b. Gateway signs: one sign identifying the institution located at each principal entrance to the campus from the major road network. Gateway signs shall be ground mounted, located within a landscape area, or attached to a landscape feature such as a wall, boulder or similar object. Gateway signs may be externally lit with a shielded light source.
 - c. Building and facility signs: Each building or facility may be identified by a sign at the principal entrance and at each additional major entrance to the building or facility. Building or facility signs shall be attached to the building or facility or shall be ground mounted or attached to a landscape feature. Building and facility signs may be externally lit with a shielded light source.
 - d. Directional signs: Signs providing directions to buildings or facilities may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Directional signs may be externally lit with a shielded light source.
 - e. Public safety and regulatory signs: Signs setting forth public safety regulations, parking regulations, or other public informational signs may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Safety and regulatory signs may be externally lit with a shielded light source.
 - f. Informational kiosks: Facilities for the posting of temporary notices or campus information such as kiosks and bulletin boards may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan. Kiosks and bulletin boards may be externally lit with a shielded light source.
 - g. Temporary signs and banners: Temporary signs and banners related to campus events may be placed at appropriate locations within the campus in accordance with the sign standards contained in the institutional master plan, provided that such signs and banners do not remain in place for more than 10 days.
- D. Administration. In cases where there is an actual or perceived hardship, an applicant for a sign permit may apply for an administrative appeal to the decision of the Code Enforcement Office. Such appeal shall be submitted in accordance with Article IX of this ordinance. In reviewing administrative appeals under this section the Zoning Board of Appeals shall consider the following as the guiding criteria for the City's attempt to regulate signs:
- 1. The purpose of this ordinance as outlined in Subsection A1 above.
 - 2. The City is attempting to avoid a "neon jungle" along the major roadways of the City.
 - 3. The City is attempting to maintain the rural and residential character of the several zoning districts where residential use is the primary land use, while trying to ensure that permitted commercial/industrial activities are able to identify their locations.
 - 4. In light of the above criteria, the City has adopted the standards set forth herein.

Motion by Councilor Ready, seconded by Councilor Swanton to grant the first reading of the ordinance amendment.

Motion by Councilor Belanger, seconded by Councilor Swanton to amend the ordinance as follows:

- Section B, #15 (d) – *Gas stations may install EMCs **solely for** advertising....*
- Section B, #15 (e)(1) - *...except that gas stations advertising fuel prices may have up to two(2) colors, each **of which** advertising a different price of fuel for sale.*
- Section C, #6 (d) - *...except as provided in C.2.f., C.3.h., **C.4.f.** and C.5.d....*

Vote on amendments: Unanimous.

Vote on ordinance, as amended: Unanimous.

Motion by Councilor McCurry, seconded by Councilor Swanton to suspend the rules to allow for an immediate second reading so that a local business that is directly impacted by this ordinance amendment may become compliant with State Law.

Vote: 7/2; Councilors Lessard and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

Motion by Councilor Belanger, seconded by Councilor McCurry to grant the second reading of the ordinance amendment.

Vote: 7/2; Councilors Lessard and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

Motion by Councilor McCurry, seconded by Councilor Swanton to suspend the 30-day waiting period of the ordinance amendment to go into effect.

Vote: 7/2; Councilors Lessard and Ready opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

2017.114 **IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017**
BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
MSRD-2	2,000 B	N/A	N/A	N/A

B. ~~(Reserved)~~In order to promote higher quality housing facilities and condominium forms of housing in certain Zoning Districts and/or areas the minimum density requirements may be relaxed as follows:

1. Redevelopment of rental housing:
 - a. Prior to the effective date of this amendment, and thereafter each new fiscal year, no later than August 15 of that fiscal year, the City Assessor shall determine the median quality grade rating (e.g., “Average”, “Average +10”, “Good”, etc.) for the applicable zoning district.
 - b. If a property is proposed for redevelopment/renovation and is currently at or below the established fiscal year quality grade rating according to the City Assessor’s records and it will be redeveloped/renovated in such a manner as to bring the quality grade rating above the established median, the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing “living space” as defined on the City Assessing Department’s current tax records.
 - c. In order to receive this density bonus, an applicant must provide complete redevelopment/renovation plans to the Code Enforcement Officer who will in turn coordinate the review of such plans with the City Assessor. Prior to the Code Enforcement Officer allowing the density bonus, the City Assessor shall certify in writing that the redevelopment/renovation project presented will result in a quality grade rating above the established median when complete. If the project is provided a density bonus the Code Enforcement Officer shall document the allowable density and number of units in writing for the Code Enforcement Office files.
 - d. An applicant provided a density bonus for rental housing shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as certified resulting in a quality grade rating above the established median in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

- e. At the completion of the project and prior to the issuance of any Occupancy Permits the City Assessor shall certify in writing that the project was substantially completed as originally certified and that the facility is now classified as having a grade rating above the established median.

2. Condominium conversions/development:

- a. If a property is proposed for redevelopment/renovation into condominiums the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing "living space" as defined on the City Assessing Department's current tax records.
- b. An applicant provided a density bonus for condominiums shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as condominiums to be offered for sale upon or before completion of the project in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

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

Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the next meeting so that more information can be provided, as requested by the Council.

Vote: 8/1; Councilor Belanger opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready, Seaver and Lessard in favor.
Motion carries.

2017.115

IN BOARD OF CITY COUNCIL.....OCTOBER 17, 2017

BE IT ORDERED, that the City Manager be authorized to enter into a contract for the purchase of a heating system at the J. Richard Martin Community Center as per a bid dated September 12, 2017 (the "Equipment") from Jim Godbout Plumbing & Heating (the "Vendor") and may pay the Vendor an amount not to exceed \$255,000 for the Equipment as follows:

The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;

The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$255,000.00.

The City Manager, on behalf of the City of Biddeford, is authorized to enter into a lease purchase, loan or other financing agreement for the Equipment provided that (a) the principal amount of such agreement will not exceed \$255,000.00, (b) the term of such agreement will not exceed eighty-four (84) months and (c) any obligation of the City of Biddeford to make lease or loan payments pursuant to such agreement is subject to annual appropriation by the City Council of the City of Biddeford;

The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and

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

NOTE: The Finance Committee will review this item on October 17, 2017 and make a recommendation to the City Council.

Motion by Councilor Ready, seconded by Councilor Foley to grant the order.

Motion by Councilor McCurry, seconded by Councilor Ready to amend the order to allocate \$40,000 to deal with the stop-gap by replacing the one boiler that has failed; with the intention to deal with the long-term problem with the Community Center building.

Vote: Unanimous.

Vote on motion, as amended: Unanimous.

2017.116

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

BE IT ORDERED, that the regularly scheduled Council Meeting of November 7, 2017 be re-scheduled for **Thursday, November 9th at 6:00 p.m. in the Council Chambers** due to the State Referendum and Municipal General Election on November 7, 2017.

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

Vote: 8/1; Councilor St. Cyr opposed.

Councilors Swanton, McCurry, Quattrone, Foley, Belanger, Ready, Seaver and Lessard in favor.
Motion carries.

Appointments:

IN BOARD OF CITY COUNCIL...OCTOBER 17, 2017

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

**William Denyer
12 Pinewood Circle
Ward 7**

to the *Biddeford Fire Advisory Committee (BFAC)*, for an initial term to expire in December 2022.

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

IN BOARD OF CITY COUNCIL...OCTOBER 17, 2017

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

**Victoria Foley, City Councilor
26 Mason Street**

to the *Biddeford-Saco-Old Orchard Beach Transit Committee*.

Motion by Councilor McCurry, seconded by Councilor Swanton to confirm the appointment.
Vote: Unanimous.

City Manager Report: City Manager, James Bennett, had no report.

Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit)
One person addressed his comments to the Council.

Other Business:

Councilor Lessard: is glad that the ordinance amendment regarding density of areas was on tonight's council agenda. This is sure to open up a much-needed discussion of the density of areas in the downtown; as well as the possibility of re-looking at the ordinance of splitting certain lots. He would also like to see what the façade ordinance looks like.

Councilor St. Cyr: congratulated the Biddeford-Saco Chamber of Commerce on recently celebrating their 90th Anniversary. He also noted that the Chamber's Director, Craig Pendleton was awarded 2017 Executive of the Year.

Mayor Addressing the Council: Mayor Casavant reminded folks of the Mayoral Gala coming up this Friday, October 20th. The event is being held at the Pepperell Campus from 8:00-11:00 p.m. and tickets are available in both Biddeford and Saco City Clerks' Office; the Chamber of Commerce and online through Eventbrite.

Mayor Casavant mentioned that he and City Manager, Jim Bennett met with the Mayor's Coalition last Friday and had discussions about the issues for the upcoming Legislative session.

Mayor Casavant also congratulated the Chamber of Commerce and is grateful for the partnership that the City shares with the Chamber. He went on to recognize that the Biddeford Education Foundation held their annual event last Saturday and presented awards to Bonita Pothier and Lucien Chantigny.

Executive Session: 1 MRSA 405(6)(E)...Consultation with Legal Counsel

Motion by Councilor McCurry, seconded by Councilor Seaver to move into Executive Session.
Vote: Unanimous. Time: 7:13 p.m.

Motion by Councilor McCurry, seconded by Councilor Foley to move out of Executive Session.
Vote: Unanimous. Time: 7:40 p.m.

Motion by Councilor Belanger, seconded by Councilor Swanton to delay the implementation of the “***Delivery of Unsolicited Printed and Written Material***” ordinance until December 31, 2017; and further, that legal counsel work with the newspaper companies to come to a mutual resolution.

Vote: 6/3; Councilors McCurry, Ready and Lessard opposed.

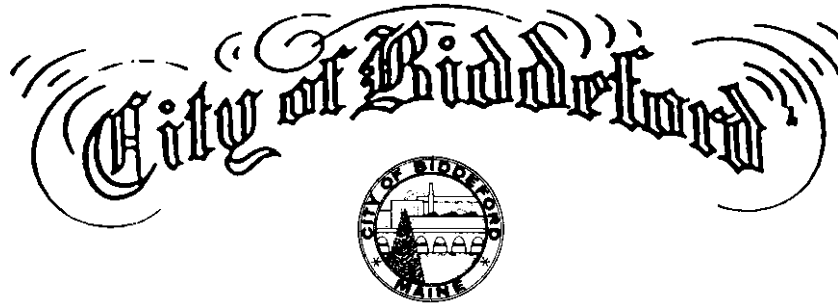
Councilors Swanton, St. Cyr, Quattrone, Foley, Belanger and Seaver in favor.

Motion carries.

Motion by Councilor McCurry, seconded by Councilor Lessard to adjourn.

Vote: Unanimous. Time: 7:48 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



2017.117

IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does here approve contracting with P & G Masonry Restoration, Inc. of Old Orchard Beach, Maine for masonry wall repairs and foundation repairs at the Biddeford Police Department located at 39 Alfred Street, Biddeford in the amount of \$36, 300.00. Funds for this project are partially budgeted in the Police Department Building Maintenance & Repair account, 21146-60450.

NOTE: The Finance Committee will consider this item at their November 9, 2017 meeting and make a recommendation to the full Council.

REQUEST FOR PROPOSAL FOR:
MASONRY WALL REPAIRS AND FOUNDATION REPAIRS

October 4, 2017

PURPOSE:

The purpose of this REQUEST FOR PROPOSAL is for the repair and restoration of exterior brick walls and exterior foundation, at the Biddeford Police Department facility, located at 39 Alfred Street, Biddeford, Maine, and to seal coat exterior brick and cement foundation as identified in the Scope of Work.

VENDOR CERTIFICATIONS

The vendor who is awarded the contract must either be duly registered as a vendor authorized to conduct business in the State of Maine or if not, will need to submit a completed Alternate W-9 form (no fee) with contract and must be willing to comply with all terms and conditions of the State of Maine.

MAINE SECRETARY OF STATE REGISTRATION

A person or persons conducting business under any name other than his/her own legal name must register with the Maine Secretary of State.

CONTRACT TERM:

The term of any resulting contract shall begin on the date of approval by the Finance Committee of the City of Biddeford.

The City of Biddeford shall have the right to terminate the contract at any time by giving the Contractor a thirty-(30) day written notice.

PAYMENT AND COMPENSATION:

Payment terms: 100% due within 30 days after satisfactory completion of work invoiced, receipt of the invoice, approval, and acceptance by the City of Biddeford.

SCOPE OF SERVICES:

Provide the following services:

Grind smooth any brick where facing is delaminated, and grind out any cracked or spit mortar joints ¾" deep, clean these areas and re-point. Once brick is done, remove all loose and unsound material on foundation walls, grind all cracks out, install epoxy into these areas and grind smooth. Patch all areas, let cure and grind smooth. The restoration wash clean all brick and foundation areas with power washer and let dry, and apply one (1) primer coat of Block Surfer then apply two (2) coats of 100% Elastomeric Acrylic Coating. Clean the site and remove all debris once work is completed.

Contractor is responsible for erection and removal of staging, man lifts, scaffolding and other equipment used on project. Contractor is also responsible to ensure coverage of power lines or disconnection from main power source before project begins.

SITE VISITATION:

A pre-bid site visit may be arranged with our facility maintenance person. By contacting Philip Ouellette

Bidders are responsible for having ascertained pertinent local conditions, such as equipment conditions, locations, accessibility and general character of the sites knowledge of conditions affecting the work.

The act of submitting a bid is to be considered full acknowledgment that the bidder inspected the site and is familiar with the conditions and requirements of these specifications.

Contact person is Phil Ouellette @ (207) 282-5127.

ADDITIONAL INFORMATION:

The City of Biddeford reserves the right to make a written request for additional information in writing from a Contractor/Vendor to assist in understanding or clarifying a Bid Proposal.

The City reserves the right to accept or reject any or all of the proposals. Required MSDS's for material brought on site by the successful bidder must be available on site at all times.

All local, state and federal regulations are to be followed. Any fines assessed to the City of Biddeford due to the lack of these regulations being followed will be the responsibility of the successful bidder.

Any fines, damages, etc. assessed to the City of Biddeford due to failure to obtain any permit will be the responsibility of the successful bidder.

All unused material brought on site by the successful bidder must be removed by the bidder.

Shirts are required to be worn at all times on the work site, smoking is allowed only in designated smoking areas, no radios or headsets are allowed, bathrooms are available in the building.

INSURANCE:

The vendor awarded the contract will need to furnish an insurance certificate with a minimum of 250,000.00 per occurrence and 2,000,000.00 aggregate for general liability.

The bidder shall, at its sole expense, obtain said insurance and maintain in force, and shall require any sub-contractor or assignee to obtain and maintain in force, both for the benefit of the State. The certificates shall contain a clause prohibiting cancellations or modifications of the policy earlier than 10 days after written notice thereof has been received by the State.

The policies described above shall be the standard form employed in the State of Maine, issued by underwriters acceptable to the State, and authorized to do business in the State of Maine.

ADDENDUM:

In the event it becomes necessary to add to or revise any part of this RFP prior to the scheduled submittal date, the City of Biddeford will fax addenda. Before your submission, always check for any addenda or other materials that may have been issued, which would affect the RFP.

SEALED BIDS:

All bids must be sealed and marked "Masonry Wall Repairs at BPD" on the outside envelope, and sent to the attention of Chief Roger P. Beaupre at 39 Alfred Street, Biddeford, Maine 04005. All bids must be received not later than 3:00 p.m. on October 24, 2017, at which time they will be opened in the Chief's Office.

Jason Demoss
d/b/a DEMACON
P.O. BOX 277
N. Waterboro ME, 04061
c: 207-590-8934

PROPOSAL

Date 10/23/2017

TO:	The City of Biddeford
ATT:	Chief Roger P. Beaupre
RE:	Masonry Wall Repairs at BPD
FAX:	
FROM:	Jason DeMoss

* This price is to provide all necessary labor, materials, equipment and supervision to perform the following;

Exterior Repairs and Coatings

Exterior wall repairs as described in RFP. Repairs to cast in place concrete to include removal of all loose coatings and debris, epoxy injection repairs to cracks, prep and patching of corroded areas with repair mortar and grinding smooth. Brick work repairs to include spot pointing to cracked and deteriorated mortar joints and grinding smooth faces of damaged brick. Upon completion of repairs all areas to be washed, allowed sufficient drying time, then primed and two coats of elastomeric coatings. Contractor to carry any needed permitting and all coordination with cmp and fair point regarding line coverages and temporary relocation. Project to commence in spring 2018 with a completion date prior to July 1st 2018.

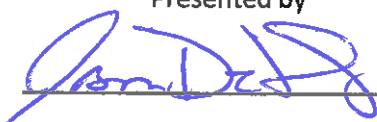
Total \$59,562.00

Modifications

Acceptance of Proposal

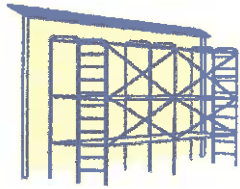
date

Presented by



date 10-23-2017

*Received / opened
3:02 pm
10/24/17*



MASONRY RESTORATION, INC.

P.O. Box 729, Old Orchard Beach, ME 04064-0729

TEL: (207) 934-8584

FAX: (207) 934-2073

www.pandgmasonryandscaffold.com

October 2, 2017

Biddeford Police Dept.
Alfred Street
Biddeford, ME 04005
ATTN: CHIEF ROGER BEAUPRE

**SUBJECT: MASONRY WALL REPAIRS AND FOUNDATION REPAIRS
TWO SIDES APPROX 160' LONG X 28' HIGH
ONE SIDE APPROX 60' LONG X 28' HIGH**

P&G Masonry Restoration, Inc. is pleased to provide you with pricing for your masonry repairs at the site listed above. P&G to access all repairs using P&G man lift. When this is set P&G to begin repairs.

P&G to grind smooth any brick where facing is delaminated. Then, P&G to grind out any cracked or split mortar joints $\frac{3}{4}$ " deep, clean these areas, and re-point. When this is completed, P&G to remove all loose and unsound material on foundation walls, grind all cracks out, install epoxy into these areas, and grind smooth. P&G will then patch all these areas, let cure, and grind smooth. P&G will then restoration wash clean all brick and foundation areas with power washer and let dry and apply one (1) primer coat (**Loxon Block Surfacers**) then apply two (2) coats of (**Conflex XL 100% Elastomeric Acrylic Coating**) color to be owner's choice. When all work completed, P&G will clean the site and demob.

1. Labor, Materials, Equipment (Rear Side/Left Side Approx 6200SF)
\$21,000.00
2. Labor, Materials, Equipment (Parking Lot Side Approx 4500 SF)
\$15,300.00

All scaffold erected and completed and used by P&G meets or exceeds all OSHA requirements and are strictly enforced. P&G utilizes the highest grade materials available to us for our projects to ensure longevity of our restoration and masonry projects.

\$36,300

*10/24/2017
3:05 pm*

NOTE:	This quote is intended solely for the use of the individual(s) or entity names above. Please note that any disclosure, copying distribution, using in a bid process, or other use of this information is strictly prohibited unless prior written authorization is obtained from P&G Masonry Restoration, Inc. P&G strictly enforces this disclosure.
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NOTE: All work to be done on weekends: (2) men and P&G man lift. Approximately, two weekends.

NOTE: P&G only authorized users of man lifts, scaffolding, and other equipment used on project.

NOTE: Price to erect/dismantle scaffolding for the entire project is included in ALL pricing.

NOTE: Power lines which will interfere with scaffold erection or project in any way which will be dangerous to P&G Masonry Restoration Inc workers shall be the responsibility of owner to ensure coverage of power lines or disconnection from main power source before project begins.

NOTE: Labor rates are based on regular time only (40 hours/week). Overtime will be billed out at time and a half accordingly.

NOTE: Power and Water to be supplied by Owner.

NOTE: P&G Masonry Restoration, Inc. not responsible for any damages or losses due to any alterations being done by owner to scaffolding AFTER P&G Masonry Restoration has completed erecting scaffolding and has left job site. Owner agrees to NOT use the equipment without written authorization from P&G Masonry Restoration, Inc. Owner agrees to indemnify and hold harmless P&G from any medical costs associated with an injury and accept full responsibility for any risks of loss, property damage, or personal injury, including death; that may be sustained to property owned by P&G as a result of equipment being used by untrained people using the equipment according to OSHA Standards, and moving of the equipment without P&G signed authorization during the duration of the project.

NOTE: Owner agrees not to move scaffolding from indicated site without written authorization from P&G Masonry Restoration, Inc. other than what is outlined above.

Biddeford Police Dept.

Page 3 of 3

October 2, 2014

NOTE: Owner agrees that he will NOT have access to the scaffolding during the Duration of the project and will not allow any other residents, guests, etc. to gain access to the scaffolding as well.

NOTE: Any permits, ie sidewalk, etc. to be obtained by owner prior to start of project.

NOTE: Payment terms upon receipt. Payments made later than 3 days after invoice date are subject to interest of 1-1/2 percent per month equaling 18 percent per annum on the unpaid balance. Further, the owner of the property is liable for any reasonable collection costs, court costs, and attorney's fees incurred by P&G MASONRY RESTORATION, INC. in collecting unpaid balances.

Invoice as follows:

First Invoice.....One-Third Upon Arrival on Site

Second Invoice.....One-Third Upon 50% Completion

Third Invoice.....Final One-Third Upon Completion of Project

Best regards,
Gregory S. Toher, Sr.

Please sign below as your acceptance of the terms and conditions which will constitute a Contract between you the owner of the property on which the work and materials are to be provided, and P&G MASONRY RESTORATION, INC. Please send one copy by fax, and original in mail. **PLEASE NOTE THAT IF CONTRACT IS NOT SIGNED WORK WILL NOT BE SCHEDULED AND PROJECT WILL NOT BEGIN WHICH COULD DELAY YOUR PROJECT FURTHER.**

Authorized Signature

Purchase Order #

Date

Print Name and Title of Signature

Proposal

273 Presumpscot Street
P.O. Box 1838
Portland, Maine 04104



Phone: (207) 775-1481
1-800-464-1481
Fax (207) 773-5727



www.hascallandhall.com

PROPOSAL SUBMITTED TO City of Biddeford, Police Department	DATE October 23, 2017	
STREET 39 Alfred Street	JOB NAME Masonry Wall Repair at the Biddeford Police Department	
CITY, STATE AND ZIP CODE Biddeford, Maine 04005	SITE ADDRESS 39 Alfred Street, Biddeford, Maine	
ATTENTION Chief Roger P. Beaupre	PHONE 207-571-0700	EMAIL

We hereby submit specifications and estimates to complete the following scope of work at the Site (the "Work"):

- All labor, equipment and material, except utilities, to complete the following scope of work on the above-mentioned building.
- On a spot point basis, cut to 3/8" depth or to sound mortar all deteriorated brick mortar joints and re-point with mortar matching the existing as closely as possible (approximately 2,479 square feet).
- Remove and replace all badly spalled, cracked, or deteriorated brick with new brick to match existing as closely as possible (approximately 900 brick).
- Remove all deteriorated concrete on foundation down to a sound substrate then repair using a rapid setting repair material (approximately 18 cubic feet).
- Rout all cracks in concrete foundation then seal with urethane sealant (approximately 400 linear feet).
- Clean and caulk all sash and door perimeter joints with a high-grade elastomeric sealant (approximately 120 linear feet).
- Prepare substrate of three (3) walls for new coating. Once walls are dry, apply two (2) coats of a high grade elastomeric breathable masonry coating (approximately 14,311 square feet).
- Clean up and dispose of spent debris properly.

NOTES:

1. This proposal is for the two (2) sides and rear of building. No work has been figured for the front.
2. Our price is based on work being performed in the spring of 2018.
3. Work scope was estimated from bid invitation dated October 4, 2017.
4. Color to be chosen from a standard color chart.
5. The Owner is responsible for notifying tenants of proposed work.
6. This proposal is based on no hazardous material being present.
7. All testing and/or permits, if required, are the responsibility of others.
8. This proposal is based on the work being performed on one (1) mobilization.
9. Owner will be responsible for getting power lines covered, de-energized, and/or rerouted to create a safe work area.
10. This proposal does not include bonds, Davis-Bacon rates or prevailing wages.

Thank you for the opportunity to submit this proposal.

*opened 3:03 PM
10/24/2017*

Terms and Conditions

Acceptance of Proposal – By countersignature on this Proposal, Owner accepts this Proposal provided by Hascall & Hall ("Contractor") and creates a binding contract between Owner and Contractor (the "Contract") incorporating the terms of this Proposal, including the prices, specifications, terms, and conditions contained in this Proposal and Owner authorizes Contractor to complete the Work as specified in the Contract.

Contractor warrants that the Work shall be materially free from any defects in materials or workmanship for a period of one (1) year from completion of Contractor's work. Contractor makes no other warranty and all implied warranties of quality, merchantability and fitness for a particular purpose are hereby disclaimed and waived by Owner. Under no circumstances shall Contractor be liable to Owner for special, indirect or consequential damages, including but not limited to lost profits. The Owner waives any claims for special, indirect or consequential damages arising out of or relating to this Contract or the Work. This waiver includes but is not limited to damages incurred by Owner for rental expenses, for losses of use, income, profit, financing, and business and reputation. Contractor's sole liability under any warranty and Owner's exclusive remedy for breach of any warranty shall be the repair or replacement of defective work or materials by Contractor at Contractor's expense, provided that Contractor may substitute comparable materials for materials no longer available. Contractor shall not be responsible for any damage to the work resulting from Owner's failure to care for, maintain or utilize finished product in the manner in which it was intended and in accordance with instruction provided for use of product. Contractor makes no warranty, explicit or implicit, as to the adequacy, accuracy, or quality of any designs or drawings provided by anyone else, including but not limited to an architect, engineer, or other designer. Any claim for breach of warranty shall be deemed waived by Owner unless Owner gives Contractor written notice of such claim within thirty (30) days of discovery of any defect and unless Owner shall allow Contractor reasonable access to the property to inspect the allegedly defective work and repair or replace any defective work. **CONTRACTOR MAKES NO EXPRESS OR IMPLIED WARRANTIES OF ANY KIND OTHER THAN THOSE LISTED ABOVE.**

Any changes to the Work shall be accomplished by written signed change order by the parties. The additional cost arising from any alteration or deviation from the above specifications and scope of Work will become an extra charge payable by Owner to the Contractor.

If Contractor encounters underground rock or ledge, or utilities, debris, ground water, or other concealed and unknown conditions, Contractor will immediately notify Owner and will stop work until Contractor and Owner have reached an agreement as to equitable compensation to be paid to Contractor for dealing with such conditions. If Contractor encounters a hazardous material or substance, including, but not limited to, asbestos or polychlorinated biphenyl (PCBs), Contractor shall, upon recognizing the condition, immediately stop work and report the condition to Owner. Owner shall obtain the services of a licensed laboratory to verify the presence or absence of the material or substance reported by Contractor. If a hazardous substance is present, the Contract shall terminate and Owner shall pay Contractor for all work performed to date with a 15 percent allowance for overhead and profit, unless Owner and Contractor are able to negotiate an agreement to resolve the presence of the hazardous material.

Contractor shall not be liable for failure to perform for any cause beyond Contractor's control including, but not limited to, strikes, lockouts, industrial disturbances, floods, accidents, fire and the elements, war, rebellion, civil strife, transportation, condition of ground, or acts of God, or for delay in performing this Contract.

Owner will pay for the building permits, and any other necessary permits for the work. Owner will pay all other fees, charges, reimbursements, hook-up charges, facility fees, revolving fees, and other exactions of public agencies and utilities for financing the activities of such agencies and utilities.

Owner shall be responsible for maintaining all risks property insurance on the Site and waives all claims and rights of subrogation against Contractor for damage covered by such insurance. Contractor shall maintain Worker's Compensation Insurance to the extent required by law.

Payment will be made by Owner to Contractor as set forth herein. Owner agrees to pay interest at the rate of 1.5% per month on any unpaid balance due under this Contract. In the event Owner breaches its payment obligations under this Contract, Owner agrees to pay all costs of collection incurred by Contractor, including without limitation reasonable attorneys' and paralegals' fees.

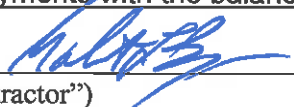
This Contract shall be governed by the laws of the State of Maine. If the parties become involved in a dispute arising out of, connected with, or resulting from the Proposal, the Contract, the Work, or the interpretation thereof, they shall first attempt to resolve the dispute in mediation. If the parties are unable to resolve the dispute within 30 days after one of them requests mediation, then the dispute will be resolved exclusively by binding arbitration between the parties. In no event shall a demand for arbitration be made after the date when institution of legal or equitable proceedings based on such a dispute would be barred by the applicable statute of limitations. The parties will attempt to agree on an arbitrator and procedure for arbitration. If the parties cannot agree, then the arbitration shall be conducted in accordance with the rules of the American Arbitration Association. The arbitrator shall award attorney fees and costs to the prevailing party. Nothing in this section, however, prevents or prohibits Contractor from filing mechanics liens in the Registry of Deeds, and complaints in court related to such liens. Contractor reserves the right to file and perfect a lien related to the Work and agrees to stay such proceeding pending the outcome of mediation and/or arbitration.

We propose hereby to furnish material and labor – complete in accordance with above specifications for the sum of:

Ninety Four Thousand Nineteen dollars (\$94,019.00).

Payment to be made as follows:

Monthly progress payments with the balance due upon completion.

Authorized Signature 
Hascall & Hall, ("Contractor")
By: Robert L. Bergeron, President

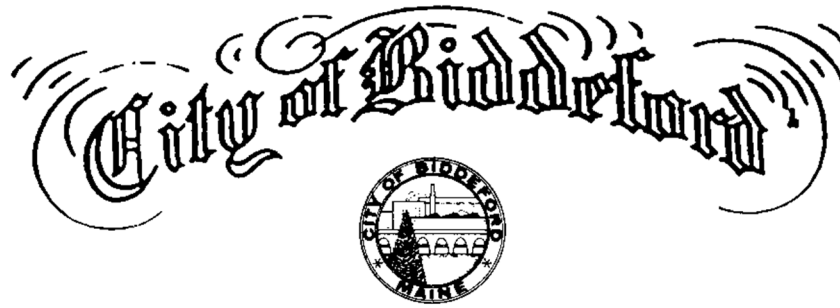
This proposal may be withdrawn by us if not accepted within 15 days.

Authorized Signature _____ ("Owner")

By: _____

Its: _____

Date of Acceptance: _____



2017.118

IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does here approve the purchase of replacement TASERS, or Conducted Electrical Weapons (CEW) from Axon Enterprises, Inc. of Scottsdale, Arizona for the Biddeford Police Department; with a total purchase price of \$67,071.90. This purchase is funded as follows: \$37,519.00 from a Federal JAG Grant, and the remaining \$29,552.90 to be funded through CIP.

Axon Enterprises, Inc. is the exclusive manufacturer of the TASER unit, and the purchase will be factory direct.

NOTE: The Finance Committee will consider this item at their November 9, 2017 meeting and make a recommendation to the full Council.

Axon Enterprise, Inc.

Protect Life.

17800 N 85th St.
Scottsdale, Arizona 85255
United States
Phone: (800) 978-2737
Fax:



Bill Buhelt
(207) 282-5127
william.buhelt@biddefordmaine.org

Quotation

Quote: Q-129297-1
Date: 8/10/2017 10:48 AM
Quote Expiration: 9/30/2017
Contract Start Date*: 8/10/2017
Contract Term: 1 year

AX Account Number:
234884

Bill To:
Biddeford Police Department - ME
39 ALFRED ST
BIDDEFORD, ME 04005
US

Ship To:
Bill Buhelt
Biddeford Police Department - ME
39 ALFRED ST
BIDDEFORD, ME 04005
US

SALESPERSON	PHONE	EMAIL	DELIVERY METHOD	PAYMENT METHOD
Zachary Gallagher	(480)463-2202	zgallagher@taser.com	Fedex - Ground	Net 30

*Note this will vary based on the shipment date of the product.

Hardware

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
46	11003	HANDLE, YELLOW, CLASS III, X26P	USD 964.05	USD 44,346.30	USD 0.00	USD 44,346.30
46	11501	HOLSTER, BLACKHAWK, RIGHT, X26P	USD 57.04	USD 2,623.84	USD 0.00	USD 2,623.84
46	11010	XPPM, BATTERY PACK, X26P	USD 68.02	USD 3,128.92	USD 0.00	USD 3,128.92
92	44203	CARTRIDGE - 25' HYBRID	USD 29.30	USD 2,695.60	USD 0.00	USD 2,695.60
Hardware Total Before Discounts:						USD 52,794.66
Hardware Net Amount Due:						USD 52,794.66

Extended Warranties

QTY	ITEM #	DESCRIPTION	UNIT PRICE	TOTAL BEFORE DISCOUNT	DISCOUNT (\$)	NET TOTAL
46	11004	WARRANTY, 4 YEAR, X26P	USD 297.75	USD 13,696.50	USD 0.00	USD 13,696.50
Extended Warranties Total Before Discounts:						USD 13,696.50
Extended Warranties Net Amount Due:						USD 13,696.50

Subtotal	USD 66,491.16
Estimated Shipping & Handling Cost	USD 580.74
Grand Total	USD 67,071.90

Hardware Shipping Estimate

Typically, hardware shipment occurs between 4 – 6 weeks after purchase date. Product availability for new or high demand products may impact delivery time.

Axon Enterprise, Inc.'s Sales Terms and Conditions for Direct Sales to End User Purchasers

By signing this Quote, you are entering into a contract and you certify that you have read and agree to the provisions set forth in this Quote and Axon's Master Services and Purchasing Agreement posted at <https://www.axon.com/legal/sales-terms-and-conditions>. You represent that you are lawfully able to enter into contracts and if you are entering into this agreement for an entity, such as the company, municipality, or government agency you work for, you represent to Axon that you have legal authority to bind that entity. If you do not have this authority, do not sign this Quote.

Signature: _____ Date: _____
 Name (Print): _____ Title: _____
 PO# (if needed): _____

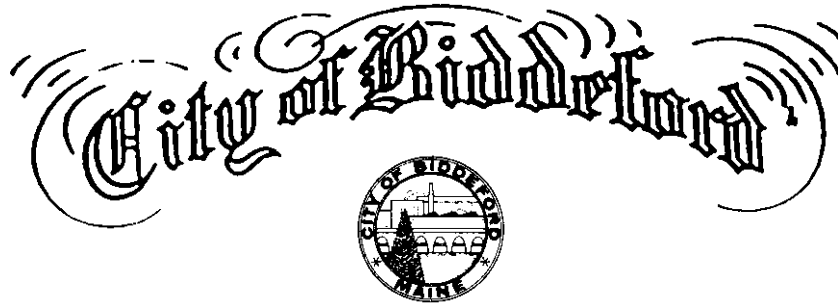
Quote: Q-129297-1

Please sign and email to Zachary Gallagher at zgallagher@taser.com or fax to

THANK YOU FOR YOUR BUSINESS!

'Protect Life'© and TASER® are registered trademarks of Axon Enterprise, Inc, registered in the U.S.
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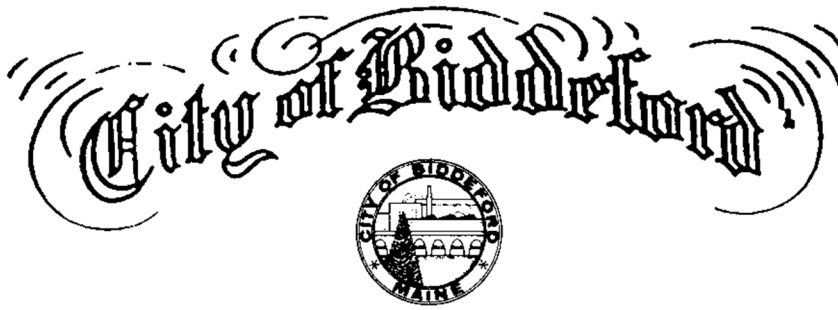
37,549.00



2017.119

BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the Biddeford City Council does hereby grant approval pursuant with Title 15 M.R.S.A. §5824(3) & §5822(4)(A) to the transfer of \$1,442.00 in U.S. Currency, or any portion thereof, and; \$47,010.00 in U.S. Currency, or any portion thereof, on the grounds that the City of Biddeford Police Department did make a substantial contribution to the investigation of this or related criminal case.CR-16-656. These funds shall be transferred to the City of Biddeford, Asset Forfeiture Account 3119-40576.



2017.114

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

BE IT ORDERED that the City Council does hereby request the Planning Board to conduct a Public Hearing and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance as outlined below.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
MSRD-2	2,000 <u>B</u>	N/A	N/A	N/A

B. ~~(Reserved)~~ In order to promote higher quality housing facilities and condominium forms of housing in certain Zoning Districts and/or areas the minimum density requirements may be relaxed as follows:

1. Redevelopment of rental housing:

- a. Prior to the effective date of this amendment, and thereafter each new fiscal year, no later than August 15 of that fiscal year, the City Assessor shall determine the median quality grade rating (e.g., "Average", "Average +10", "Good", etc.) for the applicable zoning district.
- b. If a property is proposed for redevelopment/renovation and is currently at or below the established fiscal year quality grade rating according to the City Assessor's records and it will be redeveloped/renovated in such a manner as to bring the quality grade rating above the established median, the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing "living space" as defined on the City Assessing Department's current tax records.

- c. In order to receive this density bonus, an applicant must provide complete redevelopment/renovation plans to the Code Enforcement Officer who will in turn coordinate the review of such plans with the City Assessor. Prior to the Code Enforcement Officer allowing the density bonus, the City Assessor shall certify in writing that the redevelopment/renovation project presented will result in a quality grade rating above the established median when complete. If the project is provided a density bonus the Code Enforcement Officer shall document the allowable density and number of units in writing for the Code Enforcement Office files.
- d. An applicant provided a density bonus for rental housing shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as certified resulting in a quality grade rating above the established median in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.
- e. At the completion of the project and prior to the issuance of any Occupancy Permits the City Assessor shall certify in writing that the project was substantially completed as originally certified and that the facility is now classified as having a grade rating above the established median.
- 2. Condominium conversions/development:
 - a. If a property is proposed for redevelopment/renovation into condominiums the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing "living space" as defined on the City Assessing Department's current tax records.
 - b. An applicant provided a density bonus for condominiums shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as condominiums to be offered for sale upon or before completion of the project in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

October 17, 2017

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

Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the next meeting so that more information can be provided, as requested by the Council.

Vote: 8/1; Councilor Belanger opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready, Seaver and Lessard in favor.
Motion carries.

FACADE IMPROVEMENT OPTIONS FOR THE CITY OF BIDDEFORD

FACADE: THE EXTERIOR WALLS OF A BUILDING EXPOSED TO PUBLIC VIEW OR THAT WALL VIEWED BY PERSONS NOT WITHIN THE BUILDING.

FACADES, PRINCIPAL: EXTERIOR WALLS OF A BUILDING OR STRUCTURE THAT ARE ADJACENT TO OR FRONT ON A PUBLIC STREET, PARK, OR PLAZA.

PART 1: INTRODUCTION

The City of Biddeford has a historic downtown with a varied history of its existing structures and buildings. Looking up above street level one can see the variety of different architectural styles representing the different periods of construction and architecture as downtown built out.

Looking only at street level, often the facades do not necessarily reflect the architectural style of buildings. Some facades have been significantly improved over time, sometimes solely due to owner/developer initiatives, and other times due to City incentive programs (discussed below). Other facades have been maintained over time have neither deteriorated nor been improved. Some facades, however, have deteriorated and now present a negative and/or neglected image of buildings and Downtown.

The purpose of this report is to present options and ideas for discussion amongst the Council about what approaches, if any, the Council would like to pursue that we are not already doing.

PART 2: GOAL OF THE COMMITTEE OF THE WHOLE (COTW)

The goal of this COTW is as follows:

- For Staff to better understand what else the City Council would like to pursue (if anything) with respect to façade improvements Downtown.

PART 3: QUESTION

- Knowing what we are currently doing, what else does the City Council want us to do with respect to facade improvements Downtown?

BACKGROUND:

1. SUMMARY OF DIFFERENT APPROACHES USED IN THE PAST AND CURRENTLY USED IN BIFFEFORD

A. Property owner/developer/tenant self-supported initiatives

- Privately funded or non-governmentally assisted projects to improve facades
- Require Historic Preservation Commission Approval (see below)
- Relatively uncommon in Downtown Biddeford
 - o Bangor Savings Bank is currently renovating the facade at the former Fleet Bank/Bank of America site across from City Hall.
 - o 215 Main Street is another example:



B. City-assisted (funded) projects:

- i. Façade Improvement Programs (i.e., Matching grant programs)
 - Programs where the City matches private investment in façade improvements
 - The matching ratio can vary, but most often the government match is 100% (i.e., 50/50) with a maximum cap per project
 - City funding can be through TIF (see below) or the General Fund.
 - Very common throughout North America due to level of success
 - Municipalities contribute to the façade improvements, and as such, incentivize private investment to the benefit of the public space and ultimately, economic development.
 - A “carrot” rather than a “hammer” approach which tends to be more politically acceptable to property owners and tenants.
 - Has been successful in Biddeford. Over many rounds of programming since 2007, approximately \$300,000 has been awarded by the City, with much more than that by grant receivers, totaling approximately 40-50 projects.
 - Examples of successful projects include:

41 Franklin Street:



116 Main Street:



140 Main Street:



113 Main Street:



48 Alfred Street:



17 Alfred Street:



165 Main Street:



238 Main Street:



23 Alfred Street:



- ii. Credit Enhancement Tax Increment Financing (TIF)
 - In Biddeford, Credit Enhancement TIFs have assisted in the redevelopment of large mill projects.
 - Typically only a part of a larger financial package which results in significant façade improvements/rehabilitation.
 - Often coupled with Historic Preservation Tax Credits, Maine State Housing Affordable housing projects (Workforce or Elderly), Brownfields grants and/or loans, private loans, and private capital.
 - Examples include the Mills at Pepperell, the Mill at Saco Falls, The Lofts at Saco Falls, and Mission Hill (St. Andres).

C. Historic Preservation Ordinance

- The new Ordinance was adopted in 2013 by the City. Unlike previously where Historic Preservation Commission (HPC) review was required but was only advisory, approval is now required.
- HPC review and approval is required for all exterior alterations to buildings and structure visible to the public. HPC approval has also been a prerequisite of receiving Façade Improvement Program grant funds.
- The HPC reviews under the Department of the Interior Standards for Rehabilitation and only approves a project if it is deemed appropriate based on the history of the building or structure and/or its surrounding context.

D. Anti-Blight Ordinance

- Adopted in early 2017, the Anti-Blight Ordinance's purpose is to: "(a) Define, prohibit and abate blighted premises; (b) Protect, preserve and promote public health, safety, general welfare and economic well-being; and (c) Preserve and protect property values and promote development within the downtown and the City of Biddeford."
- Defines a "blighted premises as having one or more characteristics including, but not limited to:
 - "(1) It is a substantial factor causing obvious depreciation to property values in the downtown;
 - (2) It is not being maintained and/or has been unoccupied for at least 90 days and contributes to downtown decay/blight as evidenced by the existence of one or more of the following conditions in ordinary public view:
 - (a) Missing or boarded windows or doors;
 - (b) Collapsing or missing walls, roof or floor;
 - (c) Seriously damaged or missing siding of four square feet or more;
 - (d) Buildings in need of painting or sealing;
 - (e) Fire damages;
 - (f) A structurally faulty foundation or foundations; and/or
 - (g) Physical hazards, rodent harborage and infestation, garbage, or trash;
 - (3) It is a factor creating a substantial and unreasonable interference with the reasonable and lawful use and enjoyment of other space within the building or of other premises within the downtown as documented by neighborhood complaints."
- This is an approach that does not necessarily result in improved facades such as other initiatives may achieve. For example, painting a wall or restoring broken windows may only bring a façade to a certain level. It does not necessarily result in what is being

discussed this evening which is how to significantly improve facades to bring things forward (i.e., it may only bring dilapidated facades back to poor or mediocre facades) and not facades that positively attract the public's (and investors) attention.

E. Property Maintenance Code

- The general requirement under the *2009 International Property Maintenance Code* is that “The exterior of a structure shall be maintained in good repair, structurally sound and sanitary so as not to pose a threat to the public health, safety, and welfare.”
- There are many conditions that qualify a structure or building as unsafe, such as:
 - o “10. Veneer, cornices, belt courses, corbels, trim, wall facings and similar decorative features not properly *anchored* or that are *anchored* with connections not capable of supporting all nominal load's and resisting all load effects.”
- The property maintenance code, like the anti-blight ordinance, is not meant to improve facades, but instead “maintain” safe conditions.

2. OPTIONS FOR CONSIDERATION NOT CURRENTLY USED IN BIDDEFORD

A. Design Guidelines

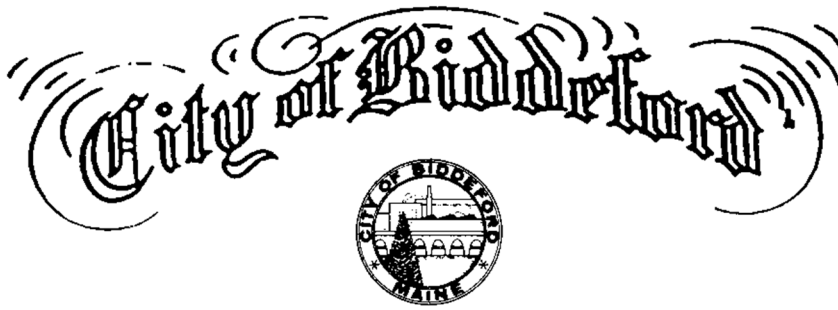
- Design Guidelines are most often used in areas where there is new “ground-up” construction or tear-downs and rebuilds occurring.
- Corridor zoning, for example, may include design guidelines, as may neighborhood zoning.
- In areas where historic preservation is a focus, design guidelines may not significantly contribute to façade improvements.

B. “Date-Certain” Façade Improvement Ordinance

- “Date-Certain” façade improvement ordinances typically require property owners to improve facades to a certain standard by a date certain, such as in 5-years of enactment or citation. They typically set a standard to be met and then all facades identified as not meeting those standards become subject to the Ordinance.
- Politically, these types of Ordinances may be unfavorable, especially if they are not combined with a “carrot” such a Façade Improvement Program with matching grants.

C. Façade Inspection/Improvement Programs

- These programs are grounded in public health, safety, and welfare and are typically only in very large cities such as Boston, Detroit, Philadelphia, and Chicago.
- They require periodic inspections (e.g., every 5 years) of high-rise portions of buildings (e.g., above 5 stories, 70 feet, etc.) to ensure glass, bricks, etc. is not in danger of coming loose and falling to the ground where it may injure life or property.
- They are not intended to improve street level facades in any way, and only intend to ensure those areas above a certain height are intact and safe.



2017.114

IN BOARD OF CITY COUNCIL..OCTOBER 17, 2017

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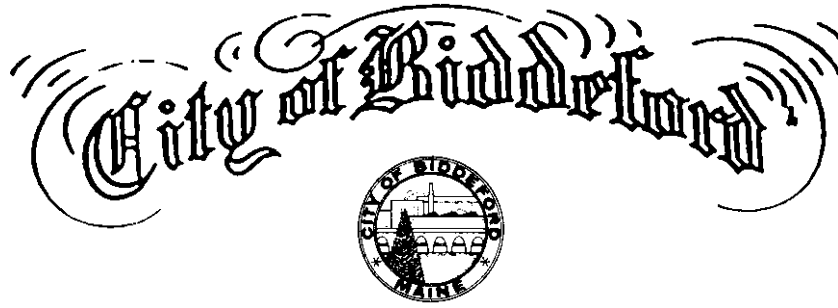
October 17, 2017

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

Motion by Councilor Lessard, seconded by Councilor McCurry to table the order until the next meeting so that more information can be provided, as requested by the Council.

Vote: 8/1; Councilor Belanger opposed.

Councilors Swanton, McCurry, St. Cyr, Quattrone, Foley, Ready, Seaver and Lessard in favor.
Motion carries.



2017.121

IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to enter into a contract with Wright-Pierce for the RiverWalk Preliminary Design Work, for a total cost of \$194,568; (\$169,568 for project, \$10,000 for out of pocket reimbursements and \$15,000 for contingency);, all to be funded from the Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District.

November 1, 2017

W-P Project No. MCVME

Attn: Greg Tansley
Planning Director
City of Biddeford
205 Main Street
Biddeford, ME 04005

Re: Proposal for Engineering Services for the Biddeford Riverwalk

Dear Mr. Tansley:

Wright-Pierce is pleased to submit this proposal for assisting the City of Biddeford with the final planning, design, permitting and bidding for completion of future phases of the Biddeford Riverwalk (extending from Laconia Plaza to Elm Street) as detailed in the Riverwalk Concept Update finalized December 2, 2016.

The 2016 Master Plan update was prepared to support future redevelopment efforts and update cost discussions in support of the continued goal of providing pedestrian friendly connection from Main Street to the Diamond Match site with interconnection to the City of Saco RiverWalk. The Plan divides the total route into nine (9) Individual segments (as listed below) and detailed in the 2016 Master Plan update, with the inclusion of overland connections from the Riverwalk to Main Street and Lincoln Street.

- Segment B – Saco Falls Boardwalk
- Segment C – Falls Plaza
- Segment D1 – Riverdam Boardwalk
- Segment D2 – Riverdam Connector
- Segment E – Pearl Plaza
- Segment F – Spring Island Boardwalk and Connector
- Segment G – Elm Street Crossing
- Segment H – Diamond Street Connector and Boardwalk
- Overland Connections – Riverwalk to Main Street and Lincoln Street

While the 2016 Master Plan contemplates a total of nine segments, there are invariably some logical segments and interconnectivity among portions of the project where design, engineering and construction would need to be thought thru professionally to ensure the projects will come together. To ensure this cohesiveness, we would in general recommend that preliminary design (including survey and utility data collection) be completed concurrently. This would allow a complete assessment of

grades, full understanding of existing facilities that may need modification and determine benchmarks for constructability full use.

To this end, in preparation of the proposal, we have made the following assumptions:

- Survey work to assess existing conditions and utility information will, at a minimum, be in logical segments to accommodate adequate information outside of the project area for connectivity.
- At a minimum, the design of the Saco Falls Boardwalk and RiverDam boardwalk, along with the Falls Plaza (Segment B to E) are recommended to be completed concurrently, as grades and access of these areas will be critical to reconnect back to infrastructure associated with the Laconia Plaza and Pearl Plaza.
- Additionally, permitting packages will also be prepared and submitted in logical segments to each permitting agency, limiting the need for separate pre-application or meeting attendance for each separate segment.

Scope of Work

This letter of engagement has been prepared to cover key milestones in the design, engineering and bidding phase services associated with the future phases of the Riverwalk, as currently defined. These milestones are broken down into preliminary design, final design and permitting, bidding phase services and limited construction administration (C/A).

Task 1 - Preliminary Design

This effort will consist of building on the conceptual designs provided in the 2016 Riverwalk Master Plan update. The effort will include refining alignments and developing detailed cross-sections for the improvements, and conducting initial structural analysis associated with the boardwalk and cantilevered walkway sections. Deliverable for preliminary design will be the preparation of design plans and details for review and discussion with City staff and local stakeholders and holding key stakeholder and public meetings discussing design elements associated with the project.

Key tasks for this effort would include:

Task 1A – Topographic Survey

A topo/utility survey will be completed to develop baseline drawings showing existing conditions within the proposed areas of work. The topo/utility survey will include survey of pertinent manmade features within the project area, including obtaining the existing rim and invert elevations for sanitary sewer and storm drain infrastructure and location of existing water structures, driveways, poles, trees, signs, fences, edge and centerline of pavement, sidewalks, curbing, and other existing features. Buried infrastructure will be surveyed as marked by the City and utilities.

Mr. Greg Tansley
 November 1, 2017
 Page 3 of 5

It is our understanding that boundary surveys have been completed for the parcels covered under this project, and that this information will be available during final design to establish permanent and temporary easements.

Task 1B – Subsurface Explorations

A limited subsurface exploration program to define subsurface characteristics within certain portions of the proposed improvements. A report summarizing the findings, including logs of the explorations, will be provided, for use in the design.

Task 1C – Public Meeting and Stakeholder Meetings

As with prior sections of the Riverwalk, it is anticipated that the design effort should include a component of public involvement and stakeholder involvement. We envision conducting either one or two public meetings to present the preliminary designs, discuss aspects of the work (including project cost and schedule) and solicit input (as appropriate) regarding certain aspects of the design. We have also included in our budget time for up to four (4) smaller, more focused meetings with specific property owners/stakeholders to discuss the project.

Task 2 – Final Design and Permitting

Following receipt of input from the Public Meeting and stakeholder meetings, as well as review comments from City Staff, we will further refine the design drawings and develop technical specifications associated with the proposed improvements, as well as move forward with regulatory approvals.

Key tasks for this effort would include:

Task 2A – Bidding and Construction Documents

Upon receipt of the final review comments on the 100% design documents from the City, City's legal counsel, other advisors, and regulatory and financing agencies, as applicable, bidding documents will be prepared and an updated estimate of probable construction cost will be provided to the City. It is assumed that each project will be bid separately; therefore, a set of bid documents (construction drawings and technical specifications) as well as estimate of probably construction cost will be developed for each segment defined above.

Task 2B – Regulatory Approvals

Using the completed final design drawings, we will prepare applications for the required regulatory approvals. We have assumed that the work will require approval from the City of Biddeford Planning Department, Maine DEP under the Natural Resources Protection Act (NRPA) and permitting thru the Saco River Corridor Commission due to its proximity to the river. Based on the current concepts, we have presumed that the work will not require approval from the Corps of Engineers under Section 404 of the Clean Water Act or Section 10 of the Rivers and Harbors Act.

Mr. Greg Tansley
November 1, 2017
Page 4 of 5

Our budget includes time to prepare application materials, meet with the regulators to discuss the permit application materials, and to respond to their questions during the permit review period, and presentation at the Planning Board meeting.

Task 2C – Easement Development Support

Using the survey information noted above, including boundary survey work completed by others, we will prepare permanent and temporary easements for the proposed Riverwalk.

Task 3 – Bidding Services

Based on available funding, we will support the City during advertisement and procurement of bids for construction. As noted above, it is assumed that each segment will be bid separately at this time, but further refinement of this is recommended.

Bidding services will include:

- Advertising for bids in appropriate newspapers and bidding services
- Distributing drawings and specifications to prospective bidders
- Maintaining a record of prospective bidders to whom bidding documents were issued
- Responding to bidders' questions
- Preparing for and attending a pre-bid conference (if requested)
- Preparing and issuing addenda to the bid documents
- Attending the bid opening
- Preparing a tabulation of bids
- Evaluating bids
- Preparing a letter of recommendation regarding award of the contract

Schedule

It is our understanding that the City is currently evaluating budgets to move forward with design and engineering for portions of the Riverwalk master plan, with the goal of having shovel ready projects prepared as construction funding becomes available. In assessing schedule, we have looked at this project as complete, as similar timing and elements would be required for project segments.

The following summarizes a typical timeframe/schedule, with an assumption that portions of the project would be available to move forward in mid-November. As always, this schedule will be reviewed and refined based on City input and looking holistically at the segments, funding opportunities and timing to meet individual goals of the community.

Mr. Greg Tansley
November 1, 2017
Page 5 of 5

Task	Approximate Timing
Kick-Off Meeting	Early December 2017
Survey and Utility Coordination* <i>Note: Survey data collection may be impacted by winter conditions</i>	December 2017 – January 2018
Preliminary Design	January 2018 – May 2018
Permit Submission, Review and Approval	June 2018 – September 2018
Final Design and Bidding Document Preparation	July 2018 – November 2018
Project Bidding	December 2018 – January 2019

Project Budget

The design, engineering and bidding phase services have been evaluated for each of the nine segments. The enclosed spreadsheet summarizes the Planning Level Pre-Design Cost Estimates and the Design, Engineering and Bidding allocation, as detailed in the 2016 Master Plan Update.

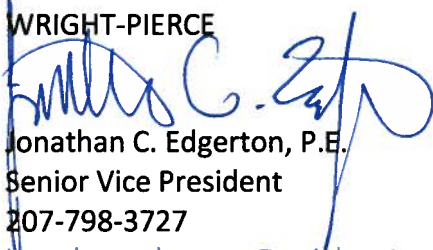
Both the preliminary engineering (Task 1) and final design and permitting (Task 2) have been further refined and budget estimates noted. For bidding phase services (Task 3), we would recommend the City budget between \$3,000 to \$5,000 for each project bid, with the final cost dependent on the number of segments included and complexity of the segment being bid.

In the 2016 Master Plan Update, the Design, Engineering and Bidding allocation also contemplated limited construction administration (C/A) services. The need for C/A services is highly variable and based on project intricacy, contractor selected, funding requirements, etc. That being said, this budget review does include a placeholder for limited C/A.

Thank you for affording us this opportunity to demonstrate the skills and value that we can bring to these projects. Please feel free to call or e-mail us at any time if you have any questions regarding our qualifications.

Sincerely,

WRIGHT-PIERCE


Jonathan C. Edgerton, P.E.
Senior Vice President
207-798-3727

jonathan.edgerton@wright-pierce.com



Stephanie A. Hubbard, P.E.
Project Manager
207-798-3770

stephanie.hubbard@wright-pierce.com

Riverwalk Engineering Budget
October 19, 2017

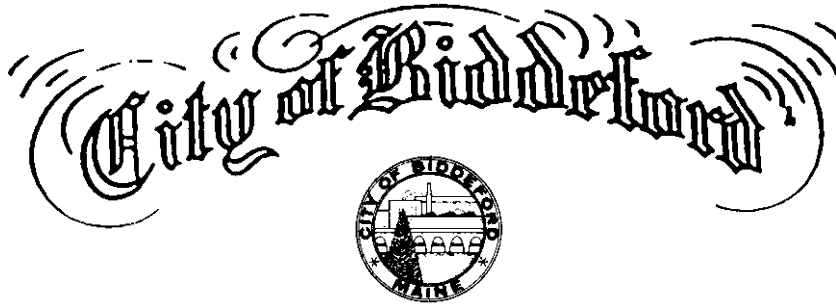
<u>Segment</u>	<u>Planning Level Pre-Design</u>		<u>Design</u>		<u>Task 1</u>		<u>Task 2</u>		<u>Task 3</u>	
	<u>Const (Low)</u>	<u>Const (High)</u>	<u>Engineering and Bidding</u>		<u>Preliminary Design</u>	<u>Final Design/Permitting</u>			<u>Bidding</u>	
Segment B – Saco Falls Boardwalk	\$ 525,000	\$ 575,000	\$ 51,720		\$ 23,274	\$ 15,516				
Segment C – Falls Plaza	\$ 310,000	\$ 350,000	\$ 29,160		\$ 11,664	\$ 8,748				
Segment D1 – Riverdam Boardwalk	\$ 500,000	\$ 550,000	\$ 49,440		\$ 24,720	\$ 14,832				
Segment D2 – Riverdam Connector	\$ 340,000	\$ 390,000	\$ 34,680		\$ 15,606	\$ 10,404				See Note **
Segment E – Pearl Plaza	\$ 280,000	\$ 305,000	\$ 16,500		\$ 6,600	\$ 4,950				below
Segment F – Spring Island Boardwalk and Connector	\$ 900,000	\$ 950,000	\$ 85,890		\$ 47,240	\$ 25,767				
Segment G – Elm Street Crossing	\$ 120,000	\$ 150,000	\$ 12,906		\$ 4,517	\$ 3,872				
Segment H – Diamond Street Connector and Boardwalk	\$ 475,000	\$ 550,000	\$ 50,550		\$ 22,748	\$ 15,165				
Overland Connections - Riverwalk to Main Street/Lincoln Street	\$ 275,000	\$ 300,000	\$ 33,000		\$ 13,200	\$ 9,900				
Total:	\$ 3,725,000	\$ 4,120,000	\$ 363,846		\$ 169,568	\$ 109,154			\$ -	

*The Planning Level Pre-Design Construction Estimates are based on estimates prepared as part of the 2016 RiverWalk Master Plan Update.

Breakdown and cost determination are further detailed in the Master Plan Update

*Permitting budget assumes the filling fees charged by agencies for submission of permit applications to be paid directly by the City

**For bidding phase services, we would recommend the City budget \$3,000 to \$5,000 per project bid. Project is considered to be a group of segments identified above



2017.122

IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby instruct City Staff to proceed over the next year to discontinue the use of the Hills Beach Fire Station, located on Hills Beach Road, and eventually turn the building over to the Hills Beach Association.



**CITY OF BIDDEFORD
FIRE DEPARTMENT**

152 Alfred Street
Biddeford, Maine 04005
Tel: 207-282-6632
Fax: 207-283-8243

Chief Scott R. Gagne
Assistant Chief Paul R. LaBrecque
Deputy Chief Kevin D. Duross

City Council,

Attached you will find a power point presentation talking about the future of the Hills Beach Fire Station. This station has not been staffed by a call company since 2003. It is currently just used for FD storage of seasonal and spare equipment.

This property is owned by the City and the building is owned by the Hills Beach Volunteer Firefighters Association and Hills Beach Association.

This station is in need of repair, the exterior porches are not safe, the roof needs to be replaced and the second floor does not meet code for occupancy. The water, heat and electricity have been shut to the building for a few years.

As the requests for service for the FD continues to rise and the calls to our coastal district increase, this location does not serve as a good location for a coastal fire station. It is located 1.5 miles from Pool Street and you must drive through the UNE campus to reach the station. It is an average drive of 4 minutes from Pool Street to this station.

At this time we would like to see what your wishes would be with the future of this building. Here are a few options that could be considered depending on your wishes:

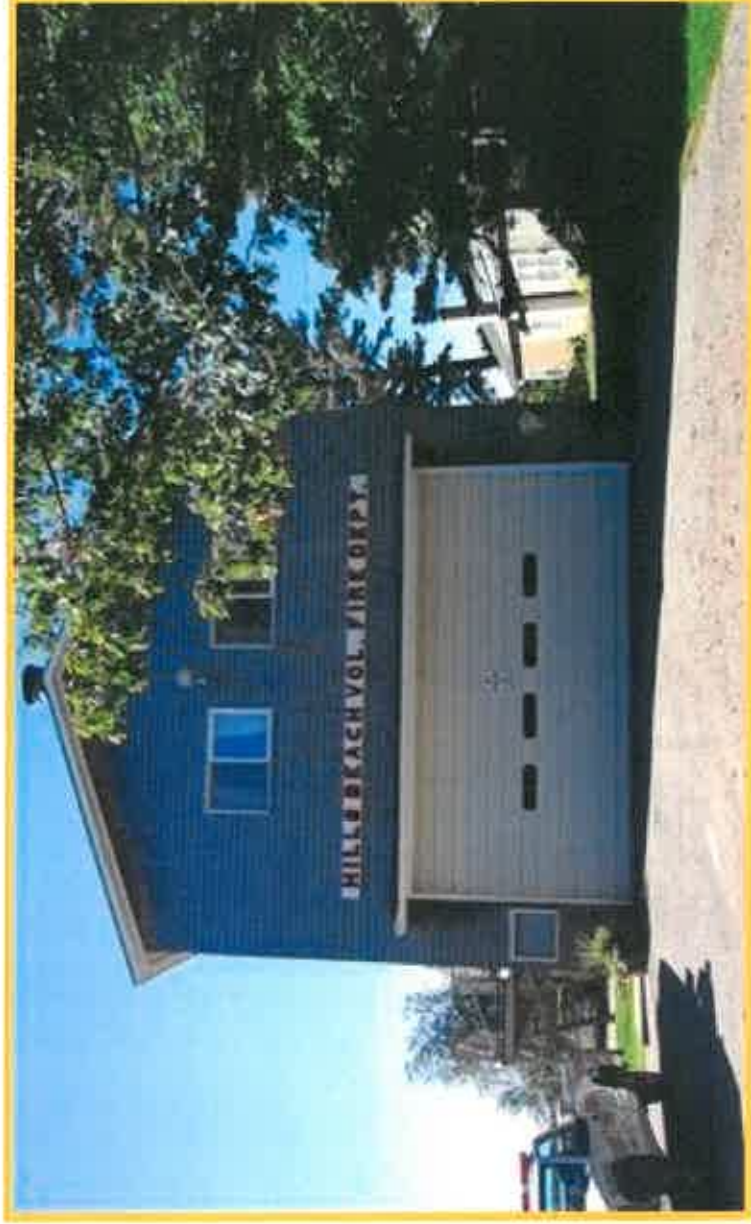
- Turning the building over to the associations.
- Keeping things as they currently are with the current partnership.
- Potential sale of the property?

Please contact me if you need any additional information.

Thank you

Chief Gagne

The Future of Hills Beach Station



History

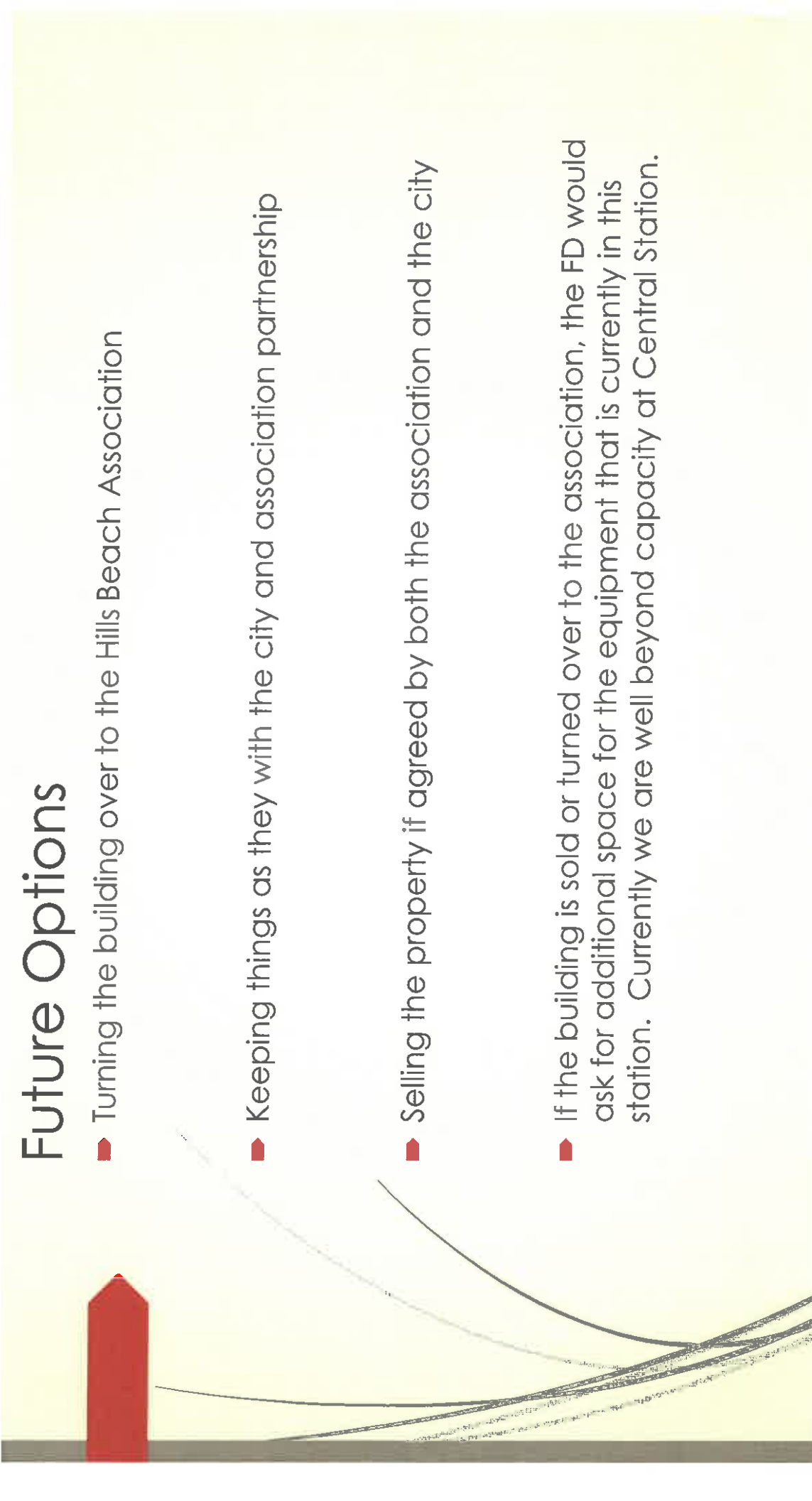
- Staffed by a call company up until 2003
- Staffed during the day by career personnel from 2004 for about six months
- Currently used for storage of FD equipment
- Building is owned by the Hills Beach Association
- Land is owned by the city
- Current station does not provide a good location for a coastal station and does not provide the needed space for a fire station.
- Power, water, and heat have been shut off to the building

Current Use

■ Annual Hills Beach Association meeting

■ FD Storage for seasonal and surplus equipment





Future Options

- ▶ Turning the building over to the Hills Beach Association
- ▶ Keeping things as they with the city and association partnership
- ▶ Selling the property if agreed by both the association and the city
- ▶ If the building is sold or turned over to the association, the FD would ask for additional space for the equipment that is currently in this station. Currently we are well beyond capacity at Central Station.

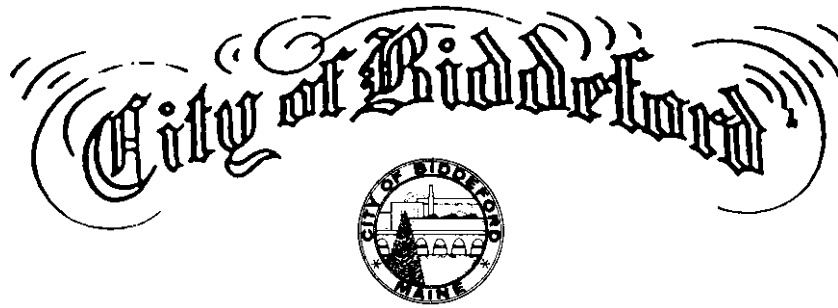
Current Location of this station is not good for coastal response.

- 4 minute drive from Pool Street to the Station (1.5 miles through the UNE Campus)
 - Largest Coastal district call volume is not located in Hills Beach.
- The building is in need of roof repairs, unsafe outside decks, second floor does not meet code of occupancy
- The building has not had heat, water or power for a few years
- Does not allow for future FD expansion



Potential Storage Option for the FD if Hills Beach Station is Sold or Turned Over

- Outside storage container / looking at options to see if the antique jeep could be put at Biddeford Pool Station??.
- Building a storage garage at Central Station
- ? Of potential future FD coastal station with storage space



2017.123

IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the establishment of an Ambulance Special Revenue Fund.



City of Biddeford

Finance Department - (207) 284-9333

205 Main Street, P O Box 586

Biddeford, ME 04005

November 1, 2017

To: Finance Committee and Council

From: Cheryl Fournier, Finance Director

Re: Handling of Ambulance Revenue

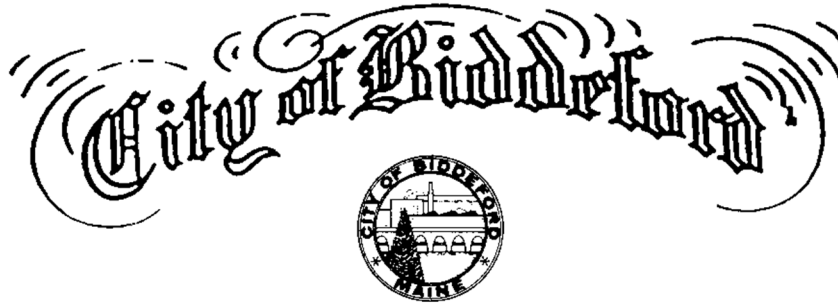
Upon my starting, Jim asked me to look into the ambulance revenue. As you may recall, there were few individuals that truly understood how the City was 'accounting' for the actual revenue being earned through this activity. In an effort to make reporting more transparent and easier to understand, staff is recommending an adjustment to the process. We are recommending the creation of a special revenue fund for ambulance revenue. This will allow us to complete a budgeted transfer to the General Fund for what is budgeted, and show in more detail the revenue and expense in the special revenue fund.

Using a Special Revenue Fund will allow us to post the revenue and expenses in more detail and allow us to post them according to the activity; however, allow the General Fund to have a revenue equal to budget. Currently, revenue and bad debt are not posted in the same area, which makes it more difficult to give you a full picture of the activity. Moving to an Ambulance Fund would allow for better reporting and greater transparency.

The only difference this will truly make, is now you will see the activity in the Fund 200s (Special Revenue Funds) portion of the financial statements. It will give you a balance sheet and statement of revenue/expenditures. One of the expense lines will be the transfer to the General Fund. Being able to see the revenue and expenses all in one report will allow you to know how much the Ambulance Fund is contributing to the bottom line.

Knowing how much the Ambulance Fund is contributing to the bottom line, will allow easier budget process in the future.

I will be glad to address any questions that you might have.



IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
re-appoint:

Roch Angers
26 Cathedral Oaks Drive
Ward 6

to the *Biddeford Housing Authority* with a term to expire December 2022.

CITY OF BIDDEFORD

Application for City & School Committees, Commissions and Boards

Date: NOVEMBER 18, 2017

Name: ROCK A. ANGERS

Street Address: 26 CATHEDRAL OAKS DRIVE

Mailing Address:
(if different)

Phone Number(s): 207-282-7274

Email Address: angers.rock@gmail.com

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

☒ YES

☐ NO

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

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

CITY OF BIDDEFORD
Committee Application

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

FORMER CITY COUNCILOR, PRESENTLY PLANNING BOARD MEMBER, SOUTHERN
MAINE HOUSING, MACARTHUR LIBRARY BOARD OF TRUSTEE AND CHAIRMAN,
BIDDEFORD HOUSING + MANY OTHER BOARDS + COMMISSION IN
THE CITY -

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

HAVING BEEN A MEMBER OF BIDDEFORD HOUSING FOR OVER
30 YEARS, I WOULD LIKE TO CONTINUE TO SERVE

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

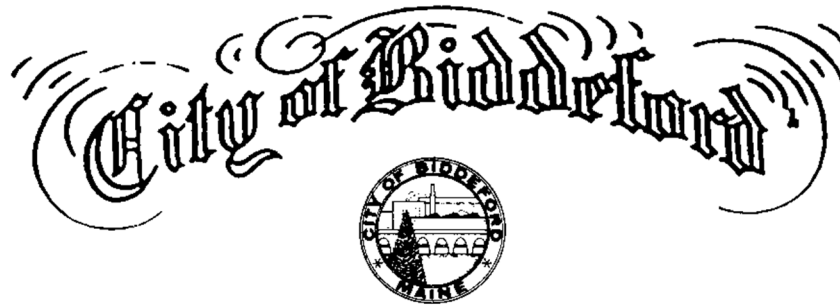
I HAVE ALWAYS SERVED IN SOME CAPACITY OR ANOTHER FOR THE
CITY. WILLING TO SERVE TO THE BEST OF MY ABILITY.
WAS NOMINATED CHAIR OF BIDDEFORD HOUSING BY MY PEERS.

ENVIRONMENTAL BOARD only:

This board will consist of seven voting members: one shall represent business, one shall represent
the engineering profession, one shall represent the environmental community and one shall be a
member (through education or by employment) of the legal profession.

List Professional Qualifications: _____

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



IN BOARD OF CITY COUNCIL..NOVEMBER 9, 2017
ORDERED, that I, Alan M. Casavant, Mayor of the City of Biddeford, do hereby
appoint:

Issiah Smith
63 Western Ave, Apt. 1
Ward 6

to the *Recreation Commission* with a term to expire December 2022.

CITY OF BIDDEFORD

Application for City Commissions, Committees and Boards

Date:	9/11/17
Name:	Issiah Smith
Street Address:	63 Western ave apt 1
Mailing Address: (if different)	N/A
Phone Number(s):	(207) 502-2579
Email Address:	Smith.issiah@yahoo.com

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

YES ☐

NO ☒

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

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

☐ Other:
☐ Other:

☐ Other:
☐ Other:

Issiah Smith

09/11/2017

City of Biddeford – Committee Application

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

I sat on the Teen Center Committee as President for 2 school years (2015-2016, 2016-2017). In this time as President I was allowed to be youth advocate on the Recreational Commission (2017).

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

As stated I was President of the Teen Center Committee, which provided me with the knowledge of how these meetings function. I am familiar working with group which require voting to pass things/get things done. Which is a skill that pertains to the Recreational Commission. I have experience advocating for the youth of Biddeford. In addition to the above I have also volunteered in community events hosted by the Recreational department, giving me the experience directly with the youth and teens of Biddeford.

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

I have interest serving the city of Biddeford because I believe this city has the potential to be extraordinary. I personally like the fact of how much the youth can engage in city government. So if I can help make the bridge even closer between the youth of Biddeford and the city itself I know we can make Biddeford more amazing than it already is.