



CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

Greg.Tansley@Biddefordmaine.org

Planning Board Minutes

Date: Wednesday, November 6, 2019
Time: 6:00 PM
Location: Council Chambers, City Hall

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
 - A. Quorum Present: Chair William Southwick, Bruce Benway, Roch Angers, Spiros Droggitis, Michael Cantara (alt-voting member).

3. Adjustments to the Agenda

4. Planner's Business

Greg Tansley, City Planner: It looks like we will have another meeting on November 20 to review more applications.

5. Consent Agenda
 - A. Consideration of Minutes: October 2 and 16, 2019

MOTION:

Benway- Motion: Move to adopt the Consent Agenda with a note that there are three spelling errors.

Droggitis- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

6. Unfinished Business
7. New Business
 - A. 2019.38 Determination of Greatest Practical Extent for Eric Lubiner to construct a new single family home at 122 Hills Beach Road (Tax Map 54, Lot 76) in the CR and RP zones.

Greg Tansley, City Planner: Spoke briefly.
Teresa Telander, Caleb Johnson Studio: Went over the project briefly.
Discussion between the Board and Staff.

MOTION:

Benway- Motion: to approve the Determination of Greatest Practical Extent for Eric and Jill Lubiner based on the approved plans for 122 Hills Beach Road (Tax Map 54, Lot 76), approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated October 31, 2019.

Angers- Second.

Discussion between Board and Staff: Error in the findings of fact that needs to be corrected. The findings of fact say Krista Evans not the Lubiner's.

MOTION:

Benway- Motion: to amend the findings of fact to replace Krista Evans with Lubiner Poolside, LLC.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

- B. 2019.12 Preliminary Subdivision Review and Conditional Use Permit for Jason Labonte of Home Innovations, LLC for a 7-lot Cluster Subdivision located at 30 Buzzell Road (Tax Map 6, Lot 43) in the RF zone.

Greg Tansley, City Planner: Spoke briefly.

Austin Fagan, BH2M: Gave a presentation.

Jacob Pierson, 24 Buzzell Road: has issues with Wetlands, septic soils, drainage, traffic and development in the RF zone.

Austin Fagan, BH2M: Addressed some of the concerns.

Fred Tardif, 165 River Road: Questioned how many lots. Has issues with wetlands, septic, buffer zone. He also has concerns about the taxes.

Austin Fagan, BH2M: Addressed some of the concerns.

Greg Tansley, City Planner: Addressed the Rural Farm zone.

Discussion between the Board and Staff.

MOTION:

Benway- Motion: to waive Article VI, Section 70 requiring a Wildlife study based on the submittal of being no known significant wildlife habitat exists on or near the property based on Maine Department of Inland Fisheries and Wildlife information submitted by the applicant.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous approval (4-0) all in favor.

Greg Tansley, City Planner: Willing to work with the City Assessor on different tax scenarios for the Board and Public.

MOTION:

Benway- Motion: to approve the Preliminary Subdivision Plan for Jason Labonte for a proposed 7-lot subdivision off Buzzell Road (Tax Map 6, Lot 44) in the R-F zone.

Angers- Second.

Discussion between Board and Staff.

Chair Southwick- Call for Vote- Unanimous approval (4-0) all in favor.

- C. 2018.23 PUBLIC HEARING: Contract Zone and Final Subdivision Review/Site Plan Review for Mike Eon Associates, LTD and Saxon Partners to develop 250 residential rental units located off Barra Road (Tax Map 2, Lots 43-1 & 42-1, Tax Map 7, Lot 15) in the I-3 and R-3 zones.

Greg Tansley, City Planner: Spoke briefly.

Bill Thompson, BH2M: Spoke briefly.

Mike Eon: spoke about the Contract Zone.

Bill Thompson, BH2M: Gave a presentation.

Chris McDonald, BH2M: Discussed stormwater.

Mike Eon: Went over the height study that was done with balloons.

Open Public Hearing.

None

Close Public Hearing.

Discussion between Board, Staff and Applicant.

MOTION:

Benway- Motion: to grant the waiver to Article VI, Section 26.F – Steep slopes greater than 3:1 and grading within 10' of a property line.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

MOTION:

Benway- Motion: to approve the Final Subdivision and Site Plan for Saxon Partners to develop 250 residential rental units located off Barra Road (Tax Map 2, Lots 43-1 & 42-1, Tax Map 7, Lot 15) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated October 31, 2019.

Angers- Second.

Discussion between Board and Staff.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

- D. 2019.01 Final Site Plan Review for Landmatters, LLC to construct 14 storage units located at 23 Marcel Avenue (Tax Map 74, Lot 11) in the I-2 zone.

Greg Tansley, City Planner: Spoke briefly.

Austin Fagan, BH2M: Gave a presentation.

Discussion between Board and Staff.

MOTION:

Benway- Motion: to grant the waivers to

- LDR, Article VI, Section 26.F- cut/fill slopes within 10' of a property line and steeper than 3:1;
- LDR, Article VI, Section 49, 5 & 10 – screen parking from adjacent residential properties and public roads.
- LDR, Article XI, II.5.B.4f.1- no parking or paving within rear or side setbacks;

- LDR, Article XI, 5.B.4.i.3- 30% maximum lot coverage for paving.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

MOTION:

Benway- Motion: to approve the Site Plan Application and Conditional Use permit for Landmatters, LLC at Tax Map 74, Lot 11, approve the findings of fact, and sign the mylar based on the conditions recommended by Staff in its report dated October 31, 2019.

Angers- Second.

Discussion between Board and Staff: adding financial capacity to previous motion.

Benway- Motion: to amend previous motion to add line 1E to include a financial capacity letter be provided to the City.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

- E. 2019.31 Final Site Plan Review for Eastwoods Development Corp. to construct a 30' x 60' structure (1,800 sq. footprint) with access to two levels. This includes 3,600 sq. ft. office space with 18 parking spaces located at 8 Wellspring Road (Tax Map 2, Lot 47-4) in the I-3 zone.

Greg Tansley, City Planner: Spoke briefly and went over with the board an email from an abutter.

James Bernard, Eastwoods Development Corp.: Spoke briefly.

Paul Gadbois, Surveyor/Engineer: Gave a presentation.

Discussion between the Board and Staff.

MOTION:

Benway- Motion: to grant the waivers to

1. LDR, Article VI. Section 26.F – cut/fill slopes within 10' of a property line and steeper than 3:1;
2. LDR, Article XI, II.5.B.4.f.1 – no parking or paving within rear or side setbacks:

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

- F. 2019.25 Final Subdivision/Site Plan/Conditional Use/Shoreland Zoning for Draft Room, LLC for the redevelopment and renovation of two existing buildings within the Riverdam Mill complex into mixed use with the upper levels having 71 one-bedroom apartments located at 24 Pearl Street (Tax Map 71, Lot 9) in the MSRD-3 zone.

Greg Tansley, City Planner: Spoke briefly.

John Laliberte: Spoke briefly.

Will Savage, Acorn Engineering: Gave a presentation.

John Tarbox, 22 Pearl Street: Has issues with parking.

Greg Tarbox, 22 Pearl Street: Timing?

Will Savage, Acorn Engineering: Addressed those concerns.

Discussion between Board, Staff, Applicant and Public: Regarding parking.

MOTION:

Benway- Motion: to grant the waivers identified in the Staff Report dated October 31 regarding parking and lighting/photometrics and amending condition of approval 1.F for \$104,721.00 to replace XXXXX.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

MOTION:

Benway- Motion: to approve the Final Subdivision and Site Plan, including necessary conditional use permits and shoreland zoning permits, for DRAFT ROOM, LLC for a mixed-use development project, including 71 residential units, at 24 Pearl Street (Tax Map 71, lot 90 in the MSRD-3 zone and approve the Findings of Fact based on the conditions recommended by Staff in its report dated October 30, 2019.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous (4-0) all in favor.

8. Other Business

9. Adjourn

MOTION:

Benway- Motion: to adjourn.

Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

○ 
○ Planning Board Chair

11-30-19
Date

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

