



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 284-9115

Planning Board Meeting Minutes

Date: November 2, 2022
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (Chair), Roch Angers, Sean Tarpey, Larry Patoine (Alternate) & Susan Deschambault (Alternate)
Patoine & Deschambault voting this evening.
Staff Present: Matt Grooms, Eric Freeman & Nan Whitten
Chair Southwick opened the meeting at 6:00 PM
3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
Consideration of Meeting Minutes from 10-5-22 & 10-19-22
MOTIONS: 6:05 PM
Patoine-Motion- Motion to approve the Consent Agenda as presented.
Angers-Second
Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)
6. Unfinished Business
7. New Business
2022.41 Public Meeting and take comments to review a Sketch Plan for 24 Cutts St. LLC. This property is located at 24 Cutts Street (Tax Map 38, Lot 54) in the MSRD-2 Zone. The applicants would like to convert the three-unit building into a six-unit building utilizing the bonus density provision in the ordinance. This change will add three new living units to the city, within the existing building envelope. All 6 of the new units will be completely renovated to include new heat, hot water, interior finishes, kitchens, bathrooms and more. These units will be brand new one and two bedroom ranging in size from 674sf to 773sf. Additionally; this building will receive a full fire suppression system, as required by code that will make it safer for the residents.
 - Mr. Freeman introduced the project
 - David Douglass represented himself as applicant beginning by thanking the Planning Board members.
 - He purchased the home 2 years ago.

- He has very long term tenants whom he intends to keep, even during the construction.
- He requested the Planning Board approve combining his Preliminary & Final Hearing into 1 meeting.
- Mr. Douglass mentioned there is not a lot of parking on Cutts Street but there is ample parking in the area.
- Andrew Ouellette of 24 Cutts Street spoke from the public
- These will be market rate apartments with the exception of 1 being 80% of FMR.

MOTIONS: 6:23PM

Patoine-Motion- Motion to designate the application for a 3-unit expansion of 24 Cutts Street (Tax Map 38, Lot 54) as a Minor Subdivision

Tarpey-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

7. B. 2022.17 Public Hearing & Take Comments to review a Preliminary Subdivision for Peter & Susan McPheeters. The property is located at 81 Guinea Road (Tax Map 76, Lot 37 & Map 77, Lot 35) in the SR1 & RF zones with the Shoreland Overlay. The applicants wish to subdivide their 20-acre parcel of land into four residential house lots. Access to the property is from a 50-foot strip of land requiring the construction of a private road. The property will be serviced by public water, underground utilities, and on-lot septic. The project is located in the SR-1 Zone requiring 100 foot of street frontage and a minimum lot size of 20,000 square feet.

- Eric Freeman introduced the project, mentioning the stream protection; the portion of the land in the RF zone is not being developed. Mr. Freeman told the Board that the applicant would be filling approximately 9,400 sf.
- The applicant is requesting a waiver for the performance guarantee.
- Paul Gadbois represented the applicant
- He told the Board that the setbacks are more in line with IF&W's policies.
- There are no historic structures or Native American artifacts on the site.
- Speakers from the Public:

Matt Haas-36 Meetinghouse Road

Richard Rhames-10 West Loop Road

- Mr. Gadbois spoke to the Board in order to correct some statements made or clear up confusion:
The building envelopes show that the applicant is exceeding required setbacks.
97 Guinea Road is NOT part of this subdivision.
The developers/applicant is using "Smart Stream Crossing"
- Mr. McPheeters spoke to confirm that 97 Guinea Road is not part of this project.

MOTIONS: 7:02PM

Patoine-Motion- Motion to find the application 'complete' for review purposes.
Deschambault-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

Patoine-Motion- Motion to approve the preliminary subdivision plan for a 4-lot residential subdivision at 81 Guinea Road (Tax Map 76, Lot AND Map 77/Lot 35).
Angers-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

7. C. 2022.11 Public Hearing and take comments to review a preliminary subdivision application for Tom Watson & Co. The property is located at 10, 20 & 30 Upper Falls Way formerly known as Gooch Street (Tax Map 40, Lots 55, 55-3, & 56-1) in the MSRD-3 Zone and in the Shoreland Zone GD-1. The applicants propose to construct a 6-story building containing 55 residential units with a restaurant space on 10 Upper Falls Way, a 5-story, 16-unit residential building on 20 Upper Falls Way, 11 townhome units on 26 Upper Falls Way, and a partial demolition and redevelopment of the existing building located at 30 Upper Falls Way to accommodate a commercial use (potentially a brewery/taproom/restaurant). The project will include associated parking and landscaped areas.

- **Representing the Applicant:**
John Laliberte-Tom Watson & Co.
Mike Barton-Tom Watson & Co.
Peter Heil-Acorn Engineering
Ryan Senatore-Ryan Senatore Architects
- **Gooch Street has been renamed to Upper Falls Road**
- **Full utilities will be underground**
- **This project is dependent upon the Shoreland Zoning Ordinance being amended.**
- **T.Y. Lin is creating the Traffic reports.**
- **They are aware of the Traffic Impact Fee**
- **All buildings are at least 1 foot above the 100-year flood level.**
- **They will be reducing impervious surface and increasing green space.**
- **This project will include shoreland stabilization.**
- **No Public Comments**
- **The Board asked about the Amtrak Connection and if the City property used for off-street parking will be used for this development. The answer is yes.**
- **The planned restaurant(s) will have 45-49 seats.**
- **There are EV Charging Stations but anticipate adding more.**
- **The applicant is working with flood zone experts for the placement of structures.**
- **The apartments will be market rate.**

MOTIONS: 8:10PM

Patoine-Motion- Motion to determine the application is “complete” for review purposes.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

Patoine-Motion- Motion to approve the Preliminary Subdivision and Site Plan application for the proposal at 10, 20, and 30 Upper Falls Way (Tax Map 40, Lots 55, 55-3, and 56-1) with conditions of approval as presented by staff.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

7. D. 2022.02 Public Hearing and take comments regarding a Preliminary Subdivision Application for 3 Lincoln, LLC. The property is located at 3 Lincoln Street (Tax Map 71, Lot 2) in the MSRD-3 Zone and within the Shoreland Zone. The applicant proposes to formally subdivide the larger 3 Lincoln Street parcel into four (4) separate lots and construct three (3) buildings on Lot 3 including a residential/mixed use building (Building A) with approximately 85-units, a residential building (Building B) with approximately 129-units, and a commercial/restaurant building (Building C).

- Mat Grooms introduced the project.
- He explained that it is lot 3 of the former MERC site; the stack is on lot 4.
- This project also depends on the amendments to the Shoreland Zoning Ordinance.
- The project is consistent is the MSRD 3 zone and triggers permits from the Saco River Corridor Commission, DEP, & MDOT.
- There will be a 3rd party review for the traffic movement permit.
- The applicant is requesting an off street-parking waiver.
- Representing the applicants:
Marika Thornman-Fathom
Peter Heil-Acorn Engineering
- Mr. Heil told the Board all utilities would be underground.
- The Saco River Corridor Commission approved new standards the previous week.
- There will be a reduction of impervious surface and an increase in green space.
- No Public Comments
- The Board asked about the restaurant(s) being a 290-seat capacity.
- They asked about acoustic testing due to their proximity to the tracks.
- The site is located outside of the 100-year flood zone.
- The 3rd party traffic review will include all of the new projects in the area.

MOTIONS: 9:17 PM

Patoine-Motion- Motion to determine the application is “complete” for review purposes.

Deschambault-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault).

Patoine-Motion- Motion to approve the Preliminary Subdivision and Site Plan application for the proposal at 3 Lincoln Street (Tax Map 71, Lot 2) with conditions of approval as presented by staff.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed Unanimously (Angers, Tarpey, Patoine & Deschambault)

8. Other Business

9. Adjourn

Meeting adjourned at 9:22 PM

Planning Board Chair/Vice Chair

Date

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