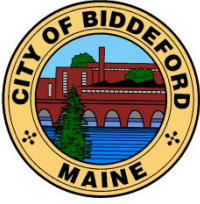


City of Biddeford
City Council
October 17, 2017 6:00 PM Council Chambers

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Public Hearing**
 - 4.a. Rte111-Mill Redevelopment Municipal Development and Tax Increment Financing District/Development Program - "Seventh Amendment"
[10-17-2017 Lincoln Mill TIF-PUBLIC HEARING NOTICE.doc](#)
- 5. Consideration of Minutes:**
 - 5.a. October 3, 2017 Council Meeting Minutes
[10-03-2017 Council Meeting Minutes.docx](#)
- 6. Orders of the Day:**
 - 6.a. 2017.111) Approval/Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District - Development Program "Seventh Amendment"
[10-17-2017 Rte 111 TIF-Seventh Amendment-ORDER.docx](#)
[10-17-2017 Rte 111 TIF-Seventh Amendment-document.pdf](#)
 - 6.b. 2017.112) Approval/Amendment to Alfred Road Business Park Covenants
[10-17-2017 Alfred Rd Business Park Covenant Amendment-ORDER.doc](#)
[10-17-2017 Alfred Rd Business Park Covenant Amendment-MEMO.docx](#)
[10-17-2017 Alfred Rd Business Park Covenant Amendment-MAPS.pdf](#)
 - 6.c. 2017.113) Amendment/Land Development Regulations/Art. VI-Performance Standards/Section 59-Signs/Electronic Message Centers
[10-17-2017 Electronic Message Centers-ORDER.docx](#)
[10-17-2017_Electronic_Message_Centers-ORDER \(Redline Ver\)](#)
[10-17-2017 Electronic Message Centers-MEMO.pdf](#)
 - 6.d. 2017.114) 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](#)
 - 6.e. 2017.115) Approval/J. Richard Martin Community Center Boiler Project
[10-17-2017 Community Center Boiler Project-ORDER.docx](#)
[10-17-2017 Community Center Boiler Proj-MEMO-backup docs.pdf](#)
 - 6.f. 2017.116) Approval/Change November 7, 2017 Council Meeting Date
[10-17-2017 Postpone of Nov 7th council meeting.docx](#)
- 7. Appointments:**
 - 7.a. William Denyer...Biddeford Fire Advisory Committee
[10-17-2017 Appt-Denyer-BFAC.docx](#)
[10-17-2017 Comm App-Denyer-BFAC.pdf](#)
 - 7.b. Victoria Foley...Biddeford-Saco-Old Orchard Beach Transit Committee
[10-17-2017 Appt-Foley-Tri-City Transit Committee.docx](#)
- 8. City Manager Report**

- 9. Public Addressing the Council..(3 minute limit per speaker; 30 minute total time limit)**
- 10. Other Business**
- 11. Council President Addressing the Council**
- 12. Mayor Addressing the Council**
- 13. Adjourn**



CITY OF BIDDEFORD

ECONOMIC IMPROVEMENT COMMISSION

205 Main Street
PO Box 586
Biddeford, ME 04005

Daniel B. Stevenson, ED Director
Brad Favreau, ED Coordinator
James Plamondon, Chairman 12/2018
Richard Potvin, II 12/2023
Leo Simard 12/2018
Joyce Locke 12/2017
Robert Letellier 12/2021
Marc Fournier 12/2022

CITY OF BIDDEFORD PUBLIC HEARING NOTICE

Date: October 17, 2017
Time: 6:00 PM
Location: Council Chambers, City Hall

On behalf of the City Clerk, the Biddeford City Council will consider approving an amendment to the Municipal Tax Increment Financing District known as the "Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District" (the "District") and the Development Program therefor (such amendment shall be referenced as the "Seventh Amendment"). Notice is hereby given that the City of Biddeford will hold a public hearing at its City Council Meeting on Tuesday October 17, 2017 at 6:00 p.m. The Hearing will be held at City Hall at 205 Main Street in the Council Chambers on the second floor. The purpose of the public hearing is to receive public comments on the Seventh Amendment to the District and the Development Program therefore, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The District consists of certain property some of which is located in the southwestern part of the City bordering Interstate 95 and some of which is located in the center of the City's downtown area. If approved, the Seventh Amendment would authorize increasing the captured assessed value for a portion of the District known as the Lincoln Mill and would authorize a credit enhancement agreement between the City and the developer of such portion of the District. A copy of the proposed Seventh Amendment for the District will be on file with the City's Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

**COUNCIL MEETING
OCTOBER 3, 2017**

Mayor Casavant called the meeting to order at 6:09 p.m.

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

Laura Seaver was excused.

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

There were no adjustments to the agenda.

Recognition & Proclamation: Haley's Metal Shop – 100 Year Anniversary

Mayor Casavant read the proclamation and presented the Haley Family with a plaque to recognize 100 years of service in Biddeford.

Proclamation: Extra Mile Day – November 1, 2017

Mayor Casavant read the proclamation, which will be forwarded to the Extra Mile America Foundation.

Presentation: Biddeford's Emergency Preparedness

Biddeford's Emergency Preparedness Director, Roby Fecteau gave an overview of emergency preparedness in Biddeford. The responsibilities of Emergency Preparedness are: preparedness, response, recovery and mitigation. He also talked about Biddeford's evacuation routes and shelters in the case of disaster.

Special Projects Officer for the York County Emergency Management, Steve Jacobson addressed the numerous emergency management activities and programs offered to support municipalities in an emergency.

John Cannon, with the National Weather Service in Gray, Maine was also present and spoke about how they monitor and work with municipalities on beach erosion, coastal flooding and splash-over. He noted that a couple of the more troublesome areas in Biddeford are Granite Point Road and Fortunes Rocks Beach/Road.

Presentation: Heart of Biddeford Update

Director of the Heart of Biddeford, Delilah Poupore gave an update on how well the recent RiverJam event went. This year was the first year it was done as a 2-day event, starting with Fringe Fest on Friday night right on Main Street in Biddeford. Saturday of the event featured a 5K Run, a kayak race, a Makers Market, activities for children, and ended with the Battle of the Bands on Saturday night.

With RiverJam behind them, the Heart of Biddeford is now busy planning and organizing the Downtown Halloween/Trick or Treat; the Veterans' Day Parade; WinterFest; and possibly increasing the holiday lighting display in the downtown this holiday season.

Game of Chance Application: St. Louis Alumni

Motion by Councilor McCurry, seconded by Councilor Lessard to recommend the issuance of the Game of Chance permit to St. Louis Alumni.

Vote: 7/1; Councilor Swanton opposed.

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

Motion carries.

Consideration of Minutes: September 19, 2017

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

Vote: Unanimous.

Second Readings:

{For a copy of the ordinance amendments and first readings, see the September 19, 2017 Council Meeting minutes}

2017.101) Amendment/LDR, Art. III-Official Zoning Map/Rezone part of Main Street from R-2 Zone to B-1 Zone

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

Vote: Unanimous.

2017.103) Amendment/Ch. 34, Environment/Add New Article II-A – Delivery of Unsolicited Printed or Written Items

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

Vote: Unanimous.

Orders of the Day:

2017.108

IN BOARD OF CITY COUNCIL.OCTOBER 3, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the quote from Greenwood Emergency Vehicles in North Attleboro, MA for corrosion repair, body work and re-painting of Fire Engine 28, which is a 2005 E-One Typhoon in the amount of \$34,980.00. This expenditure was included in the FY18 CIP budget, account 21203-609810.

NOTE: The Finance Committee will review this item at their October 3, 2017 meeting and vote to send to the full Council with a recommendation.

Motion by Councilor Ready, seconded by Councilor St. Cyr to grant the order.

Vote: 5/3; Councilors Lessard, Quattrone and McCurry opposed.

Councilors Swanton, St. Cyr, Foley, Belanger and Ready in favor.

Motion carries.

2017.109

IN BOARD OF CITY COUNCIL...OCTOBER 3, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the necessary documents to sell the vacant property located at **32 Maple Street, Map 40, Lot 38**, at the bid price of \$16,000 to C.D. Armstrong, New Dam, LLC of Biddeford, Maine.

NOTE: The Finance Committee will review this item at their October 3, 2017 meeting and vote to send to the full Council with a recommendation.

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

Vote: Unanimous.

2017.110

IN BOARD OF CITY COUNCIL..OCTOBER 3, 2017

BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve a “blanket letter of approval” for the renewals of State Beano/Bingo applications and State Game of Chance applications for all applicable local organizations, to cover the calendar year of 2018.

NOTE: This Blanket Letter of Approval eliminates the need to obtain Councilors’ signatures each time an application is filed with the City Clerk. However, the City Council still needs to consider and approve each application.

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

Vote: 7/1; Councilor Swanton opposed.

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

Motion carries.

Appointment:

IN BOARD OF CITY COUNCIL...SEPTEMBER 19, 2017

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

**Al Shinkel
716 Pool Street
Ward 1**

to the *Biddeford Housing Authority*, replacing Donald Guillerault, for a term to expire in December 2019.

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

City Manager Report:

City Manager, James Bennett gave the following updates:

- 1) The Auditors have completed their on-site work and the City is expecting the final audit report in November or December.
- 2) The City has received noticed that the Feds are going to start the work for the permitting and design of the dredge work out to Wood Island. Also, the contract has been signed for the dredge work in the Saco River, so that should begin within the next month.
- 3) He recognized that most of the Councilors attended the Employee & Volunteer Banquet last week. He announced that Carl Walsh was recognized as this year's Employee of the Year; and he also noted that three new awards were institute this year and those awards and the recipients are:
 - Customer Service Team Member Award – Marina Gagne
 - Technical & Service Team Member Award – Alex Buechner
 - Management Team Member Award – Paul Labrecque
- 4) The FEMA contracts have been signed for the appeal of the FEMA flood maps.
- 5) Finally, the contract has been signed with LHL Holdings, LLC for the Joint Development Agreement of Lincoln Mill.

Public Addressing the Council..3 minute limit per speaker; 30 minute total time limit
There were no public comments.

Other Business:

Councilor Ready: would like to see the Joint Biddeford and Saco Committee meet and start working on some of the items that have been left unresolved – including the discussion about Harbor Masters.

Councilor Swanton: noted that the City Manager has sent an email to the Council regarding the upcoming annual Goal Setting meeting; and he reminded his fellow Councilors to start thinking and coming up with ideas of what those goals should be.

Councilor Swanton informed the Council that the Solid Waste Management Commission has discussed ways to generate more revenue. At this point, the Commission has voted to make no changes to the current policy; however, Councilor Swanton reminded folks that the Council can always vote to institute fees if that is what they want to do.

Councilor McCurry: asked City Solicitor, Keith Jacques if Time Warner being taken over by Spectrum was an acquisition or a merger. Mr. Jacques is going to look into this and report back.

Councilor Foley: asked if there are any updates on the Downtown Improvement District. The City Manager answered that he is working with Delilah of the Heart of Biddeford to cultivate working relationships with the downtown businesses. He is under the impression that the businesses in the Downtown Improvement District are hoping to have a Workshop with the Council in the near future. Councilor Foley asked that a written update on the DID be provided to the Chair of the Downtown Development Commission.

On that note: Councilor McCurry stated that the Downtown Improvement District needs to be finalized by the end of the calendar year since the Council will need to know what funds will need to be budgeted for the DID in the FY19 budget. Councilors Ready and Lessard also

weighed in on the importance of coming up with a policy sooner rather than later. They cautioned that these types of decisions should not be part of the budget process, but should be solidified prior to budget discussions.

Council President Addressing the Council: Councilor McCurry noted that the Council will soon be making a decision on the boiler replacement at the Community Center. He is hoping to have more information on this at the next Finance Committee meeting.

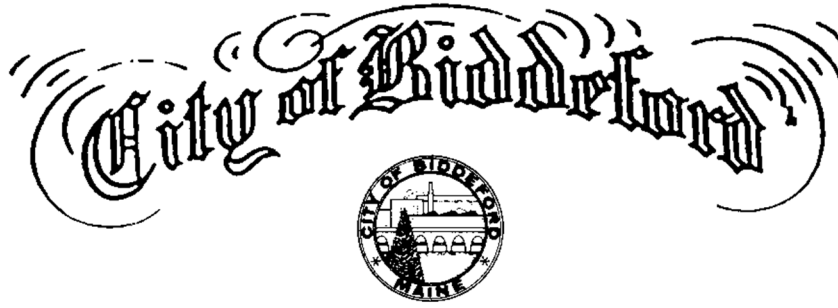
Mayor Addressing the Council: Mayor Casavant reminded folks of the upcoming Biddeford-Saco Mayoral Gala & Fundraiser, which is scheduled for Friday, October 20th from 8:00 – 11:00 p.m. at the Pepperell Center. The Easy Money Band will be performing, local breweries will be showcased and the Chef & the Gardener will be providing the food. Proceeds from this event will go to local food pantries in Biddeford and Saco. He encouraged all to attend.

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

Vote: Unanimous.

Time: 7:24 p.m.

Attest by: _____
Carmen J. Morris, City Clerk



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

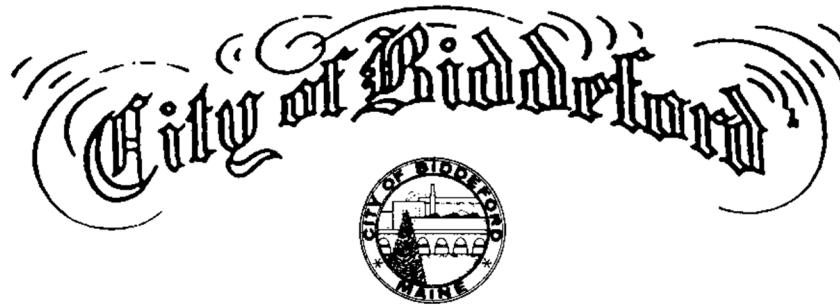
WHEREAS, it is expected that approval will be obtained from the State of Maine Department of Economic and Community Development (the "Department"), approving this ***Seventh Amendment to the Rte 111 – Mill Redevelopment Municipal Development and Tax Increment Financing District Development Program.***

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.

**ECONOMIC DEVELOPMENT
CITY OF BIDDEFORD, MAINE**

An Application for a Municipal Development and Tax Increment Financing District

**SEVENTH AMENDMENT TO
RTE 111-MILL REDEVELOPMENT MUNICIPAL DEVELOPMENT AND TAX
INCREMENT FINANCING DISTRICT DEVELOPMENT PROGRAM**

[Authorizing Increased Captured Value Percentage and Credit Enhancement Agreement for
Lincoln Mill Project]

*Presented to:
BIDDEFORD CITY COUNCIL*

October 17, 2017

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A. Introduction/Summary of the Amendment to the Rte 111-Mill Redevelopment TIF Development Program.....	1
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C. Seventh Amendment	3
II. Evidence of Public Hearing and Vote for Amendment	3
A. Notice of Public Hearing	3
B. Minutes of Public Hearing.....	3
C. Authorizing Votes.....	3
III. DECD Forms	3
A. Application Cover Sheet & Employment Goals	3
B. Statutory Requirements & Threshold form	3

EXHIBITS:

EXHIBIT A	DEPICTION OF 100% CAPTURE PARCEL & SPECIFIC PROJECTIONS REGARDING 100% PARCEL
EXHIBIT B	NOTICE OF PUBLIC HEARING
EXHIBIT C	CERTIFIED COPY OF THE PUBLIC HEARING MINUTES
EXHIBIT D	CITY COUNCIL ORDER
EXHIBIT E	APPLICATION COVER SHEET & EMPLOYMENT GOALS
EXHIBIT F	STATUTORY REQUIREMENTS AND THRESHOLDS FORM

I. Development Program Amendment Narrative

A. Introduction/ Summary of the Amendment to the Rte 111-Mill Redevelopment TIF Development Program

The City seeks an amendment to the Rte 111-Mill Redevelopment Tax Increment Financing District (together with subsequent amendments thereto, the “District”) and Development Program (the “Amendment” and, together with subsequent amendments thereto, the “Development Program”). This Amendment increases the captured value percentage for one parcel located within the District from 65% to 100% and authorizes a credit enhancement agreement to be executed with the developers of such parcel, known locally as the Lincoln Mill. The project is expected to include approximately \$40 million of new investment in the Lincoln Mill including the creation of apartments, meeting spaces, a restaurant, and a fitness club. The City is projecting that such investment will result in approximately \$20 million of new increased assessed value. Through this change to the District, the City intends to further encourage and facilitate economic development within the Mill area of the City and in the City at large. This Amendment is structured and proposed pursuant to Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

B. The Existing District and Development Program

In June 2004, the City of Biddeford (the “City”) designated the Alfred-Andrews Development and Tax Increment Financing District and adopted the Development Program for the District. The Department of Economic and Community Development (“DECD”) approved the original District and the original Development Program in August 2004. The City created the District in order to capture new taxable investment primarily from commercial development occurring along portions of Route 111 and to fund a variety of public facilities and improvements as well as City economic development projects and activities. The original term of the District was twelve (12) years. The original acreage of the District was 229.12 acres and the initial original assessed value of the District was \$4,986,100.

The *First Amendment* to the District and Development Program, approved by DECD on March 14, 2007, included the following:

- (1) Extending the term from twelve (12) to fourteen (14) years, through and including the City’s fiscal year 2018;
- (2) Adding seven (7) properties to the District, increasing the number of parcels to 32; and
- (3) Adding certain projects to the approved project list.

The addition of the new property in the District resulted in a new total District acreage of 258.31 acres and a new original assessed value of \$7,518,900.

The *Second Amendment* to the District and Development Program, approved by DECD on July 23, 2008, included the following:

- (1) Officially renaming the District to the “**Rte 111-Mill Redevelopment TIF District;**”
- (2) Extending the term from fourteen (14) years to twenty-five (25) years;
- (3) Adding and deleting some of the District parcels resulting in a net 50 parcels totaling 206.18 acres and a higher original assessed value of \$21,192,100;
- (4) Adding the ability of the City to utilize credit enhancement agreements in conjunction with the District; and
- (5) Adding certain projects to the approved project list.

The acreage of the District from the Second Amendment until the Fifth Amendment was 206.18 acres and the original assessed value of the District from the Second Amendment until the Fifth Amendment is \$21,192,100. No changes to the physical District were made in the Third Amendment or the Fourth Amendment.

The *Third Amendment* to the District Development Program, also approved by DECD on July 23, 2008, included the following:

- (1) Adding certain projects to the approved project list; and
- (2) Adding a particular credit enhancement agreement concept whereby North Dam, LLC would be provided payments of TIF revenues with a cap of \$2,077,361 in order to assist the company with its mixed-use redevelopment project.

The *Fourth Amendment* to the Development Program, approved by DECD on August 17, 2013, extended the term of the TIF District to the maximum term of years (30) and expanded the list of approved project costs, allowing, among other things, the use of TIF revenues to pay for the transfer of ownership of the Maine Energy Recovery Company, LP (MERC) to the City.

The *Fifth Amendment* to the Development Program, approved by DECD on September 6, 2013, reduced the acreage of the District to create two new Municipal Affordable Housing Development and Tax Increment Financing districts, specifically the *Lofts at Saco Falls Municipal Affordable Housing Development and Tax Increment Financing District*, 0.83 acres, and the *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District*, 0.39 acres, reducing the District to 204.96 acres. Prior to the Fifth Amendment, the District had an Original Assessed Value of \$21,192,100. The Fifth Amendment reduced the Original Assessed Value of the District to \$20,336,192 with both the *Lofts at Saco Falls* (\$560,184.00) and the former *Laconia House* area (\$295,724) removed.

The *Sixth Amendment* to the District, reduced the District acreage by a small amount, and was approved in conjunction with termination of the existing *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District* and the designation of the **New** *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District*. In effect, the City relocated the prior *Laconia House Municipal Affordable Housing Development and Tax Increment Financing District*, an affordable housing TIF district that is located completely within the District. The Sixth Amendment reduced the District acreage to 204.55 acres and reduced the original assessed value of the District to \$20,260,315.

C. Seventh Amendment

This proposed *Seventh Amendment* to the District is expected to facilitate and encourage the redevelopment of the Lincoln Mill. This proposal would increase the captured value percentage for this particular parcel only from 65% to 100% and provide a credit enhancement agreement to the developers of the parcel for a maximum of \$150,000 in reimbursed property taxes per year for five (5) years. The parcel is identified on City tax maps as 71-5 and is depicted on Exhibit A attached hereto for convenience. Exhibit A also includes a set of projections relating to this parcel. All other aspects of the District and Development Program not specifically mentioned in this Amendment shall remain consistent with the existing Development Program.

II. Evidence of Public Hearing and Vote for Amendment

A. Notice of Public Hearing

Attached as Exhibit B, is a copy of the Notice of Public Hearing published in the *Journal Tribune*, a newspaper of general circulation in the City, a date at least ten (10) days prior to the public hearing. The public hearing was held on October 17, 2017, in accordance with the requirements of 30-A M.R.S.A. § 5226(1).

B. Minutes of Public Hearing

Attached as Exhibit C, is a certified copy of the minutes of the public hearing held on October 17, 2017, at which time the proposed District was discussed by the public.

C. Authorizing Votes

Attached as Exhibit D is an attested copy of the City of Biddeford Council Order, which was approved by the City Council at a City Council meeting duly called and held October 17, 2017, adopting the Amendment to the Development Program.

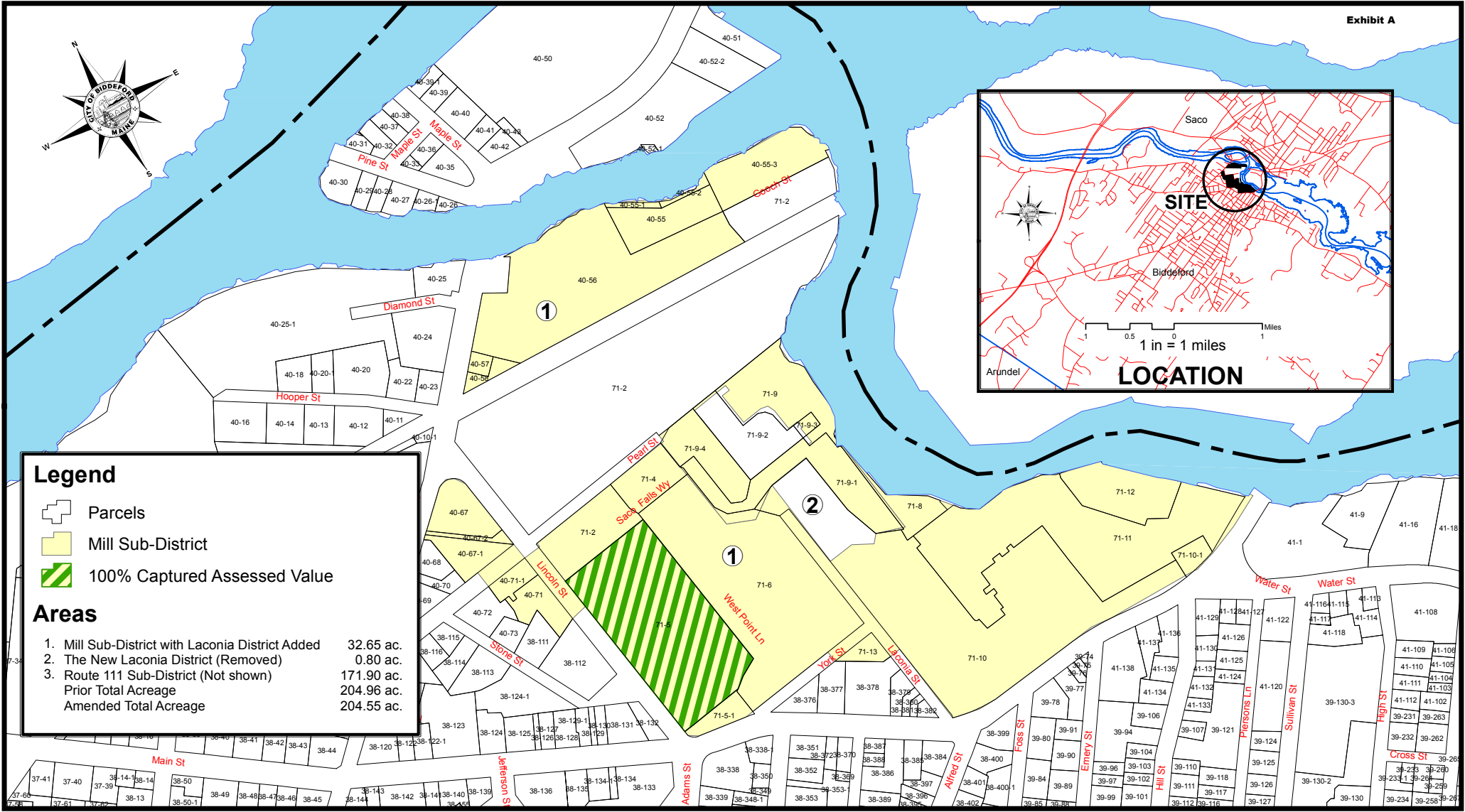
III. DECD Forms

A. Application Cover Sheet & Employment Goals

Attached as Exhibit E, is a completed application cover and employment goals form for the District.

B. Statutory Requirements & Thresholds form

Attached as Exhibit F, is a completed statutory requirements and thresholds form for the District.



Legend

- Parcels
- Mill Sub-District
- 100% Captured Assessed Value

Areas

1. Mill Sub-District with Laconia District Added	32.65 ac.
2. The New Laconia District (Removed)	0.80 ac.
3. Route 111 Sub-District (Not shown)	171.90 ac.
Prior Total Acreage	204.96 ac.
Amended Total Acreage	204.55 ac.

The City of Biddeford, Maine
Engineering Department - GIS Mapping
 205 Main Street P.O. Box 586 Biddeford, Maine 04005-0586
 Tel. 207 284-9118 Fax 207 286-9388

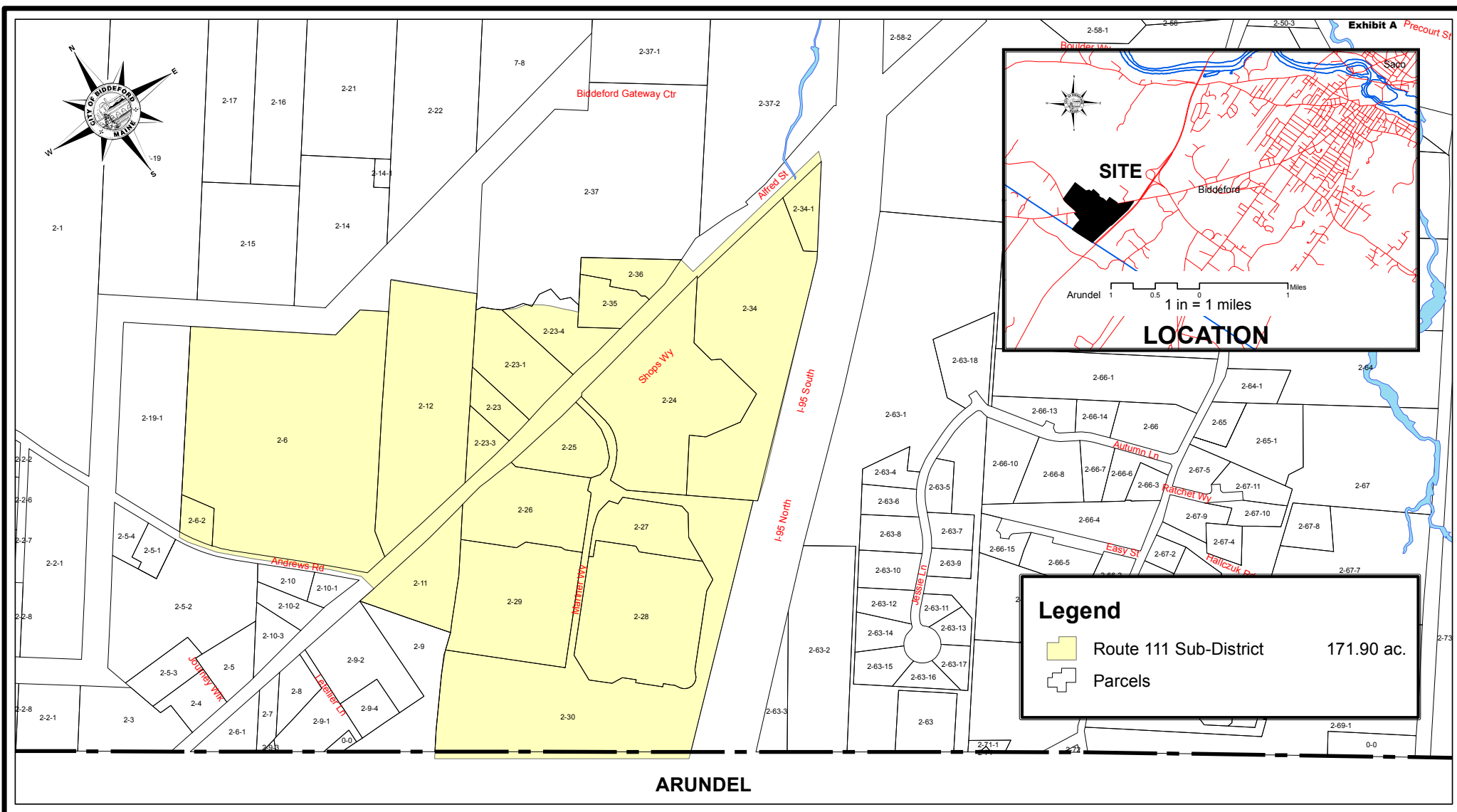
Route 111 - Mill District
Showing 100% Captured Assessed Value
(Mill Sub-District)

250 0 250 500

 Feet
 1 inch = 250 feet

Special Achievement
 In GIS Winner
 2007
 1

EXHIBIT A 9



The City of Biddeford, Maine
 Engineering Department - GIS Mapping
 205 Main Street P.O. Box 586 Biddeford, Maine 04005-0586
 Tel. 207 284-9118 Fax 207 286-9388

Route 111 - Mill Area TIF District Route 111 Sub-District

250 0 250 500 750 1,000 1,250
 Feet
 1 inch = 500 feet



Exhibit A | Captured Assessed Value & TIF Revenue Projections

Seventh Amendment to Route 111-Mill Redevelopment TIF District - Lincoln Mill Parcel Only

Tax Year Start Date	Fiscal Year	TIF Year	Projected Increased Assessed Value	Percent of Value Captured in TIF	Projected Captured Assessed Value	Projected Mil Rate FY2017 20.07	Projected Tax Increment Financing Revenues	TIF Revenue to Developer (annual max. \$150,000)	TIF Revenue to City
April 1, 2018	2019	15	\$1,000,000	100%	\$1,000,000	20.07	\$20,070	\$0	\$20,070
April 1, 2019	2020	16	\$15,000,000	100%	\$15,000,000	20.07	\$301,050	\$0	\$301,050
April 1, 2020	2021	17	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$150,000	\$251,400
April 1, 2021	2022	18	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$150,000	\$251,400
April 1, 2022	2023	19	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$150,000	\$251,400
April 1, 2023	2024	20	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$150,000	\$251,400
April 1, 2024	2025	21	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$150,000	\$251,400
April 1, 2025	2026	22	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2026	2027	23	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2027	2028	24	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2028	2029	25	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2029	2030	26	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2030	2031	27	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2031	2032	28	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2032	2033	29	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
April 1, 2033	2034	30	\$20,000,000	100%	\$20,000,000	20.07	\$401,400	\$0	\$401,400
Totals:					\$296,000,000		\$5,940,720	\$750,000	\$5,190,720

Assumptions:

1. Assumes an assessed value for the 100%-capture parcel known as the "Lincoln Mill" of \$20 million following the first two ramp-up years for the future years of the 30-year term District. Assumes a Credit Enhancement Agreement of 5 years starting at substantial completion of the project in Fiscal Year 2021 of a maximum of \$150,000 per year, capped at a total of \$750,000. This projection shows anticipated captured assessed values, and TIF revenues.
2. Assumes mil rate of 20.07 (mil rate for FY 2017) remains constant for the duration of the District. Does not factor in a revaluation into the projections, but the City may perform a revaluation during the term of the TIF which would reduce the projected mil rate (but would also likely increase the projected property values).
3. Assumes 100% of the increased assessed value is captured in the District and available for municipal project costs and a credit enhancement agreement with the entity
4. Data sources include the 2017/2018 mil rate and commitment reported by the City, the State Treasurer's Office Revenue Forecasting Committee Revenue Sharing subsidy projections dated 03/10/17, and York County's FY2018 County Tax Assessment.
5. Projections are much less likely to be accurate farther into the future and are for demonstrative purposes only.

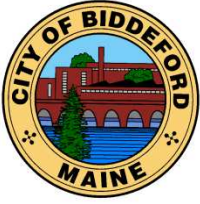
Exhibit A | Tax Shift Benefits

Seventh Amendment to Route 111-Mill Redevelopment TIF District Lincoln Mill Parcel Only

Fiscal Year	TIF Year	State Aid to Education Benefit	County Tax Benefit	State Revenue Sharing Benefit	Total Tax Shift Benefits
2019	15	-	-	-	-
2020	16	-	-	-	-
2021	17	-	\$506	\$761	\$1,267
2022	18	\$8,190	\$7,580	\$11,350	\$27,120
2023	19	\$122,850	\$10,105	\$15,101	\$148,057
2024	20	\$163,800	\$10,105	\$15,101	\$189,007
2025	21	\$163,800	\$10,105	\$15,101	\$189,007
2026	22	\$163,800	\$10,105	\$15,101	\$189,007
2027	23	\$163,800	\$10,105	\$15,101	\$189,007
2028	24	\$163,800	\$10,105	\$15,101	\$189,007
2029	25	\$163,800	\$10,105	\$15,101	\$189,007
2030	26	\$163,800	\$10,105	\$15,101	\$189,007
2031	27	\$163,800	\$10,105	\$15,101	\$189,007
2032	28	\$163,800	\$10,105	\$15,101	\$189,007
2033	29	\$163,800	\$10,105	\$15,101	\$189,007
2034	30	\$163,800	\$10,105	\$15,101	\$189,007
2035		\$163,800	\$10,105	\$15,101	\$189,007
2036		\$163,800	\$10,105	\$15,101	\$189,007
2037		\$163,800	-	-	\$163,800
Totals:		\$2,424,240	\$149,560	\$223,531	\$2,797,331
Averages:		\$151,515	\$9,348	\$13,971	\$164,549

Assumptions:

1. Data sources include the 2017/2018 mil rate and commitment reported by the City, the State Treasurer's Office Revenue Forecasting Committee Revenue Sharing subsidy projections dated 03/10/17, the Maine Department of Education 04/24/17 2016-2017 ED 279 form for Biddeford Public Schools and York County's FY2018 County Tax Assessment.
2. Tax shift losses are comprised of declining subsidies in revenue sharing and increasing obligations to pay county taxes. Tax shift losses occur a couple of years following the year in which the new assessed value is first recognized in the assessment. No tax shift losses occur when a TIF captures all of the new value.
3. These projections assume that the formulas and general inputs for state subsidies and county taxes do not change over time and they assume that all other values in other communities are static relative to one another except for the new value assessed. The projections are less likely to be accurate farther into the future.
4. Assumes the assessment ratio in the City is 100% when new property value arrives, such that the market value of new property is used for assessment purposes.



CITY OF BIDDEFORD

ECONOMIC IMPROVEMENT COMMISSION

205 Main Street
PO Box 586
Biddeford, ME 04005

Daniel B. Stevenson, ED Director
Brad Favreau, ED Coordinator
James Plamondon, Chairman 12/2018
Richard Potvin, II 12/2023
Leo Simard 12/2018
Joyce Locke 12/2017
Robert Letellier 12/2021
Marc Fournier 12/2022

CITY OF BIDDEFORD PUBLIC HEARING NOTICE

Date: **October 17, 2017**
Time: **6:00 PM**
Location: **Council Chambers, City Hall**

On behalf of the City Clerk, the Biddeford City Council will consider approving an amendment to the Municipal Tax Increment Financing District known as the "Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District" (the "District") and the Development Program therefor (such amendment shall be referenced as the "Seventh Amendment"). Notice is hereby given that the City of Biddeford will hold a public hearing at its City Council Meeting on Tuesday October 17, 2017 at 6:00 p.m. The Hearing will be held at City Hall at 205 Main Street in the Council Chambers on the second floor. The purpose of the public hearing is to receive public comments on the Seventh Amendment to the District and the Development Program therefor, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

The District consists of certain property some of which is located in the southwestern part of the City bordering Interstate 95 and some of which is located in the center of the City's downtown area. If approved, the Seventh Amendment would authorize increasing the captured assessed value for a portion of the District known as the Lincoln Mill and would authorize a credit enhancement agreement between the City and the developer of such portion of the District. A copy of the proposed Seventh Amendment for the District will be on file with the City's Economic Development Office during normal business hours of 8:00 am – 5:00 pm. All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

Carmin Mow
CITY CLERK

Journal Tribune

classifieds

call 282-1535 | fax 282-3138 | email classads@journaltribune.com

PUBLIC NOTICES

NOTICE OF PUBLIC SALE
Notice is hereby given that in accordance with the Judgment of Foreclosure and Sale entered June 23, 2017 in the action entitled Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2005-R3 v. Carolyn J. Lord et al., by the Maine District Court, Division of Springvale, Docket No. SPRDC-RE-16-19, wherein the Court adjudged the foreclosure of a mortgage granted by Carolyn J. Lord to Ameriquest Mortgage Company dated February 12, 2005 and recorded in the York County Registry of Deeds in Book 14378, Page 347, should the period of redemption have expired without redemption of the property by the mortgagor(s), a public sale of the property described in the mortgage will be conducted on November 2, 2017 commencing at 10:30 AM at Office of Shechtman Halperin Savage LLP, 190 U.S. Route One, 2nd Floor-Rear, Falmouth, Maine. The property is located at 57 Maple Crest Road, Parsonsfield, York County, Maine, reference as described in said mortgage. The sale will be by public auction. All bidders for the property will be required to make a deposit of \$5,000.00 in cash, certified or bank check at the time of the public sale made payable to Shechtman Halperin Savage, LLP, which deposit is non-refundable as to the highest bidder. The balance of the purchase price shall be paid within thirty (30) days of the public sale. In the event a representative of Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Certificates, Series 2005-R3 is not present at the time and place stated in this notice, no sale shall be deemed to have occurred and all rights to reschedule a subsequent sale are reserved. Additional terms will be announced at the public sale. Deutsche Bank National Trust Company, as Trustee for Ameriquest Mortgage Securities Inc., Asset-Backed Pass-Through Cer-

PUBLIC NOTICES

tificates, Series 2005-R3, by its attorneys, Shechtman Halperin Savage, LLP, James M. Garnet, Esq., 1080 Main Street, Pawtucket, RI 02860 (401) 272-1400 (LORD 9/29,10/6,10/13/17)

Agenda
Saco Planning Board
October 17, 2017
City Hall Conference Room
5:00 p.m.
Regular Meeting
1. Minutes of September 19, 2017

2. Public Hearing: proposed amendment of the Mill Brook Business Park subdivision plan. Applicant is City of Saco. Tax Map 45. Zoned I-3.
3. Public Hearing: site plan and final subdivision review of a proposed five unit warehouse condominium. Applicant is Industrial Park B.C., LLC. Tax Map 69, Lot 7. Zoned I-2.

4. Public Hearing: proposed amendments to the existing site plan and Site Location of Development permit, and review under Section 230-504-E of the Zoning Ordinance of a proposed building demolition and relocation at 10 Fairfield Street. Applicant is Thornton Academy. Tax Map 39, Lot 199. Zoned R-1b.

5. Public Hearing: contract zone review of a request to allow a single family residential building permit to be issued for Lot 202, Ocean-side Drive. Applicants are J. George and Nancy S. Driscoll. Tax Map 11, Lot 116. Zoned R-1c and Shoreland Overlay.

6. Public Hearing: review of a proposed amendment to the subdivision and site plan for Saco Island West, Building 3. Applicant is Saco Island West, LLC. Tax map 37, Lot 1. Zoned B-4.
7. Public Hearing: conditional use, site plan and preliminary subdivision review of a proposed six unit residential condominium at 64 Ocean Park Road. Applicant is Plowman Development Group, LLC. Tax Map 34, Lot 18. Zoned B-2c.

No new business will be taken up after 9:00 p.m. No business shall be conducted by the Board after 10 p.m. (10/6/17)

PUBLIC NOTICES

City of Biddeford
Public Hearing Notice
Date: October 17, 2017
Time: 6:00 PM
Location: Council Chambers, City Hall
On behalf of the City Clerk, the Biddeford City Council will consider approving an amendment to the Municipal Tax Increment Financing District known as the "Rte 111-Mill Redevelopment Municipal Development and Tax Increment Financing District" (the "District") and the Development Program therefor (such amendment shall be referenced as the "Seventh Amendment"). Notice is hereby given that the City of Biddeford will hold a public hearing at its City Council Meeting on Tuesday October 17, 2017 at 6:00 p.m. The Hearing will be held at City Hall at 205 Main Street in the Council Chambers on the second floor. The purpose of the public hearing is to receive public comments on the Seventh Amendment to the District and the Development Program therefor, pursuant to the provisions of Chapter 206 of Title 30-A of the Maine Revised Statutes, as amended.

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110 AUTOMOBILES FOR SALE

2012 SPORTY GENESIS COUPE, 2dr, black w/red interior buckets, California car, low miles, powerful 6 cyl. great on gas, \$10,500, call 282-1055

320 HELP WANTED

CRMA F/T or P/T, PSS F/T or P/T will train for up to 20 hrs. per wk w/ potential for 40 hrs per wk w/certification, 3pm-11pm or 11pm-7am, The Shaw House 257 South St. Biddeford or call 283-1600

MAINE STAFFING Group, 321 Elm Street, Biddeford, ME 283-6528

510 MERCHANDISE FOR SALE

2 MICHELIN TIRES, 235/75/15 in good condition, 2 Nokia tires 195/65/15, 2 1/2 ton floor jack \$100 for everything. Call anytime 207-332-1332

FRENCHMAN'S Creek by Daphne du Maurier hardcover 1942 \$20 call 284-8744.

HALLOWEEN COSTUMES- tote full of adult costumes in original packages & a Sants Suit also, \$50 for tote, call 294-1324

TREK cruiser hybrid bike, asking \$120, call 494-8535

691 ROOM FOR RENT

ROOM for rent \$110/ 30 years or older Per wk, includes everything, tv, internet, heat & lights, 467-1518

760 BUSINESS PLACES FOR RENT

WATERBORO-OFFICE retail space avail for lease at 1168 Main St. approx. 1000 sqft. heat & plowing incl. call 207-247-5065

810 SEASONAL RENTALS

STUDIO UNITS- Oct-May 21, \$650 plus security, credit & background check req., no pets, no smoking, 934-7434



yard sales

SPRINGVALE

MOVING SALE

6 Canterbury Court
Springvale

Fri & Sat. October 6 & 7
8 am-2 pm

Kids items, some furniture, household items and much more!

BIDDEFORD

YARD SALE

155 Hill St. Biddeford

Something for everyone!

BIDDEFORD

YARD SALE

6 Round Hill St.
Biddeford

Sat. Oct. 7
8 am-3pm

Kids clothes, furniture, bedding, toys and much more!
Rain or shine!

320 HELP WANTED

320 HELP WANTED

Residential Care Director

Southridge Rehabilitation and Living Center, a progressive 108-bed Skilled, Long Term Care and Residential Care facility, is seeking a dynamic and customer service oriented individual to join our team.

Candidate must have proven clinical supervisory experience. An RN or LPN with a minimum of 3 years experience in long term care or assisted living is preferred. Others with outstanding experience and/or leadership potential may be considered.

North Country Associates offers a competitive salary and excellent benefits with ongoing professional development and advancement opportunities.

Please submit resume and cover letter to:
Eric Pooler, Administrator
Southridge Rehabilitation & Living Center
10 May Street - Biddeford, ME 04005
Ph. (207) 282-4138 Fax: (207) 571-3022
Email: epooler@ncalc.com
www.northcountryassociates.com E.O.E.

CNAs ~ 7am-3pm & 3pm-11pm
** \$2,000 Sign On Award (evenings only) **

CNA-Ms ~ Full Time ~ Evenings
** \$3,000 Sign On Award **

Southridge Rehabilitation & Living Center is a facility with high staff to resident care staffing

We are looking for CNAs & CNA-Ms to join our team of committed professionals. Must possess current CNA certification and have excellent customer service skills.

Apply to Paula Chizmar, RN DNS
Southridge Rehab & Living Center
10 May Street
Biddeford, ME 04005

320 HELP WANTED

320 HELP WANTED

320 HELP WANTED

320 HELP WANTED

I found it in the Classified Ads!

Exhibit C

Certified Copy of the Minutes of the Public Hearing (PLACEHOLDER)

CITY COUNCIL ORDER

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 a 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, deem 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.

Dated: October 17, 2017

APPLICATION COVER SHEET

MUNICIPAL TAX INCREMENT FINANCING

A. General Information

1. Municipality Name: City of Biddeford, Maine		
2. Address: 205 Main Street; Biddeford, ME 04005		
3. Telephone: 207-284-9307	4. Fax: 207-571-0701	5. Email: jbenet@biddefordmaine.org
6. Municipal Contact Person: James Bennet		
7. Business Name: LHL Holdings, LLC		
8. Address: 2 Livewell Drive, Suite 201, Kennebunk, ME 04043		
9. Telephone: 207-985-5132	10. Fax: 207-985-5136	11. Email: timharrington@atlanticholdings.net
12. Business Contact Person: Tim Harrington		
13. Principal Place of Business: 2 Livewell Drive, Suite 201, Kennebunk, ME 04043		
14. Company Structure (e.g. corporation, sub-chapter S, etc.): limited liability company		
15. Place of Incorporation: State of Maine		
16. Names of Officers: Timothy Harrington – Sole Member and Manager		
17. Principal Owner(s) Name: Tim Harrington		
18. Address: 2 Livewell Drive, Suite 201, Kennebunk, ME 04043		

B. Disclosure

1. Check the public purpose that will be met by the business using this incentive (any that apply):		
job creation X	job retention	capital investment
training investment	tax base improvement X	public facilities improvement
other (list):		
2. Check the specific items for which TIF revenues will be used (any that apply):		
real estate purchase	machinery & equipment purchase	training costs
debt reduction	other (list): credit enhancement agreement reimbursements	

C. Employment Data

List the company's goals for the number, type and wage levels of jobs to be created or retained as part of this TIF development project (*please use next page*).

EMPLOYMENT GOALS
Company Goals for Job Creation and Job Retention

<i>A. Job Creation Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	7	0	\$ 35-60k
2. Administrative Support, Inc. Clerical	9	11	\$13-16/hr
3. Sales & Service	15	10	\$8-18/hr
4. Agriculture, Forestry & Fishing	0	0	\$
5. Maintenance, Construction, Production, & Transportation	1	0	\$50k
<i>B. Job Retention Goals</i>			
<i>Occupational Cluster*</i>	<i>Full-time</i>	<i>Part-time</i>	<i>Wage Level</i>
1. Executive, Professional & Technical	0	0	\$
2. Administrative Support, inc. Clerical	0	0	\$
3. Sales & Service	0	0	\$
4. Agriculture, Forestry & Fishing	0	0	\$
5. Maintenance, Construction, Production, & Transportation	0	0	\$
<i>*Please use the Occupational Cluster descriptions on the next page to complete this form.</i>			

INSTRUCTIONS

A. Job Creation Goals. Please list the number, type and wage level of jobs created as a result of the economic development incentive. NOTE: For this form, “full-time” employment means 30 hours or more; “part-time” employment means less than 30 hours. “Wage level” means the average annual wage paid for jobs created within an occupational cluster, e.g. either their annual salary, or their hourly wage times their annual hours. Also, “type” means “occupational cluster” which refers to the 12 categories defined below. Please include the number of your employees (both full-time and part-time) working within the category that most closely reflects their job duties.

B. Job Retention Goals. Please list the number, type and wage level of jobs retained as a result of the economic development incentive. Part B should be completed using same definitions in Part A.

OCCUPATIONAL CLUSTERS

1. EXECUTIVE, PROFESSIONAL & TECHNICAL

Executive, administrative and managerial. Workers in executive, administrative and managerial occupations establish policies, make plans, determine staffing requirements, and direct the activities of businesses and other organizations. Workers in management support occupations, such as accountant and auditor or underwriter, provide technical assistance to managers.

Professional specialty. This group includes engineers; architects and surveyors; computer, mathematical, and operations research occupations; life, physical, and social scientists; lawyers and judges; social, recreational, and religious workers; teachers, librarians, and counselors; health diagnosing, assessment, and treating occupations; and communications, visual arts, and performing arts occupations.

Technicians and related support. This group includes health technologists and technicians, engineering and science technicians, computer programmers, tool programmers, aircraft pilots, air traffic controllers, paralegals, broadcast technicians, and library technicians.

2. ADMINISTRATIVE SUPPORT, INCLUDING CLERICAL

Administrative support, including clerical. Workers in this group prepare and record memos, letters and reports; collect accounts; gather and distribute information; operate office machines; and handle other administrative tasks.

3. SALES AND SERVICE

Marketing and sales. Workers in this group sell goods and services, purchase commodities and property for resale, and stimulate consumer interest.

Service. This group includes a wide range of workers in protective, food and beverage preparation, health, personal, private household, and cleaning and building services.

4. AGRICULTURE, FORESTRY AND FISHING

Agriculture, forestry and fishing. Workers in these occupations cultivate plants, breed and raise animals, and catch fish.

5. MAINTENANCE, CONSTRUCTION, PRODUCTION & TRANSPORTATION

Mechanics, installers, and repairers. Workers in this group adjust, maintain, and repair automobiles, industrial equipment, computers, and many other types of machinery.

Construction trades and extractive. Workers in this group construct, alter, and maintain buildings and other structures or operate drilling and mining equipment.

Production. These workers set up, adjust, operate, and tend machinery and/or use hand tools and hand-held power tools to make goods and assemble products.

Transportation and material moving. Workers in this group operate the equipment used to move people and materials. This group also includes handlers, equipment cleaners, helpers, and laborers who assist skilled workers and perform routine tasks.

STATUTORY REQUIREMENTS AND THRESHOLDS
Seventh Amendment to Rte 111 – Mill TIF District & Development Program

SECTION A. Acreage Caps		
1. Total municipal acreage;	14,838	
2. Acreage of proposed Municipal TIF District;	204.55	
3. Downtown-designation ¹ acres in proposed Municipal TIF District;	0	
4. Transit-Oriented Development ² acres in proposed Municipal TIF District;	0	
5. Total acreage [=A2-A3-A4] of proposed Municipal TIF District counted toward 2/ limit;	204.55	
6. Percentage [=A5÷A1] of total acreage in proposed Municipal TIF District (CANNOT EXCEED 2/).	1.38/	
7. Total acreage of all <u>existing/proposed</u> Municipal TIF districts in municipality including Municipal Affordable Housing Development districts: ³ Biddeford Industrial Park TIF – 82.6 The Lofts at Saco Falls – 0.83 Mission Hill – 2.3 Airport Industrial Park TIF – 6.36 Laconia House – 0.39 Emery School – 1.0	Existing	93.48
	Proposed	0
	Total:	93.48
30-A § 5223(3) EXEMPTIONS⁴		
8. Acreage of an <u>existing/proposed</u> Downtown Municipal TIF district;	0	
9. Acreage of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:	0	
10. Acreage of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:	0	
11. Acreage in all <u>existing/proposed</u> Municipal TIF districts common to ⁵ Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such acreage also factored in Exemptions 8-10 above:	0	
12. Total acreage [=A7-A8-A9-A10-A11] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5/ limit;	298.03	
13. Percentage of total acreage [=A12÷A1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5/).	2/	
14. Real property in proposed Municipal TIF District that is:	ACRES	/ [=Acres÷A2]
a. A blighted area;	0	0/
b. In need of rehabilitation, redevelopment or conservation;	0	0/
c. Suitable for commercial or arts district uses.	204.55	100/
TOTAL (except for § 5223 (3) exemptions a., b. <u>OR</u> c. must be at least 25/)		100/

¹ Before final designation, the Commissioner will seek advice from MDOACF and MDOT per 30-A § 5226(2).

² For Transit-Oriented Development (TOD) definitions see 30-A § 5222 sub-§§ 19-24.

³ For AH-TIF acreage requirement see 30-A § 5247(3)(B). Alternatively, Section B. must exclude AH-TIF valuation.

⁴ Downtown/TOD overlap nets single acreage/valuation caps exemption.

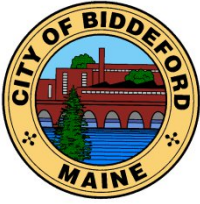
⁵ PTZ districts approved through December 31, 2008.

STATUTORY REQUIREMENTS AND THRESHOLDS
Seventh Amendment to Rte 111 – Mill TIF District & Development Program

SECTION B. Valuation Cap			
1. Total TAXABLE municipal valuation—use most recent April 1;		\$2,263,350,000	
2. Taxable Original Assessed Value (OAV) of proposed Municipal TIF District as of March 31 preceding municipal designation—same as April 1 prior to such March 31;		\$20,260,315	
3. Taxable OAV of all <u>existing/proposed</u> Municipal TIF districts in municipality excluding Municipal Affordable Housing Development districts: Biddeford Industrial Park TIF - \$30,375,700 Airport Industrial Park TIF - \$1,718,800		Existing	\$32,094,500
		Proposed	\$20,260,315
		Total:	\$52,354,815
30-A § 5223(3) EXEMPTIONS			
4. Taxable OAV of an <u>existing/proposed</u> Downtown Municipal TIF district;		0	
5. Taxable OAV of all <u>existing/proposed</u> Transit-Oriented Development Municipal TIF districts:		0	
6. Taxable OAV of all <u>existing/proposed</u> Community Wind Power Municipal TIF districts:		0	
7. Taxable OAV of all <u>existing/proposed</u> Single Taxpayer/High Valuation ⁶ Municipal TIF districts:		0	
8. Taxable OAV in all <u>existing/proposed</u> Municipal TIF districts common to Pine Tree Development Zones per 30-A § 5250-I (14)(A) excluding any such OAV also factored in Exemptions 4-7 above:		0	
9. Total taxable OAV [=B3-B4-B5-B6-B7-B8] of all <u>existing/proposed</u> Municipal TIF districts counted toward 5/ limit;		\$52,354,815	
10. Percentage of total taxable OAV [=B9÷B1] of all <u>existing/proposed</u> Municipal TIF districts (CANNOT EXCEED 5/).		2.34/	

COMPLETED BY	
NAME :	Shana Cook Mueller
DATE :	10/10/2017

⁶ For this exemption see 30-A §5223(3)(C) sub-§§ 1-4.



CITY OF BIDDEFORD

ECONOMIC IMPROVEMENT COMMISSION

Daniel B. Stevenson
Economic Development Director
205 Main Street
Biddeford, ME 04005
dstevenson@biddefordmaine.org
207-282-7119

MEMO

TO: Mayor Casavant;
Council President McCurry and Members of the City Council; and
James A. Bennett, City Manager

FROM: Daniel Stevenson, Economic Development Director

DATE: October 11, 2017

SUBJECT: Alfred Road Business Park Covenants Proposed Amendment

Background

The Alfred Road Business Park (ARBP) has nine (9) lots and is located off Route 111 near Southern Maine Health Care (SMHC). The ARBP is essentially full. There are three primary structures having addresses at 6, 8 and 10 Pomerleau Street that are located on one lot (Map 2, Lot 86 – see attached parcel map). The owner of the lot is Eastern Mechanical Realty, LLC (Donald Dube).

Proposal

Eastern Mechanical Realty, LLC is proposing to subdivide the single lot into three (3) lots so that one or all may be sold. Attached is a conceptual lot design. As part of the proposal, one of the lot boundary lines located between 8 (Building B) and 10 (Building C) Pomerleau Street creates non-conforming building setback lines for the existing structures. The proposal does not include any changes to existing structures nor to construct any new structures. It simply places new lot lines creating three (3) individual lots. City Ordinance allows this proposal to take place under a functional subdivision provision, but the ARBP Covenants do not currently allow this.

The proposed amendment to the ARBP Covenants addresses the building setback inconsistency issue and, if approved, would allow the proposal to move forward. This is a de minimis change and fully supported by Codes, Planning and Development staff. On October 4, 2017, the Economic Improvement Commission met and voted unanimously to send a favorable recommendation to the Council on the proposed amendment to the ARBP Covenants as presented in the Council Order.

GRAPHIC SCALE
(1" = 100')
1 inch = 20' ft.

DATE: 10/1/54
BY: J. W. B. & S. J. B.
CHECKED BY: J. W. B. & S. J. B.
REVISION: 10/1/54

Dow & Coulombe, Inc.
PLAN SHOWING A SURVEY AND TOPOGRAPHIC SURVEY
MADE FOR

No. 10
Revision
Date

- NOTES:
1. THIS SURVEY WAS MADE TO DETERMINE THE LOCATION OF THE PROPOSED HIGHWAY AND TO ESTABLISH THE CORNER POINTS OF THE TRACT.
 2. THE SURVEY WAS MADE BY THE METHOD OF TRIANGULATION AND THE DISTANCES WERE MEASURED BY THE METHOD OF PACE SURVEYING.
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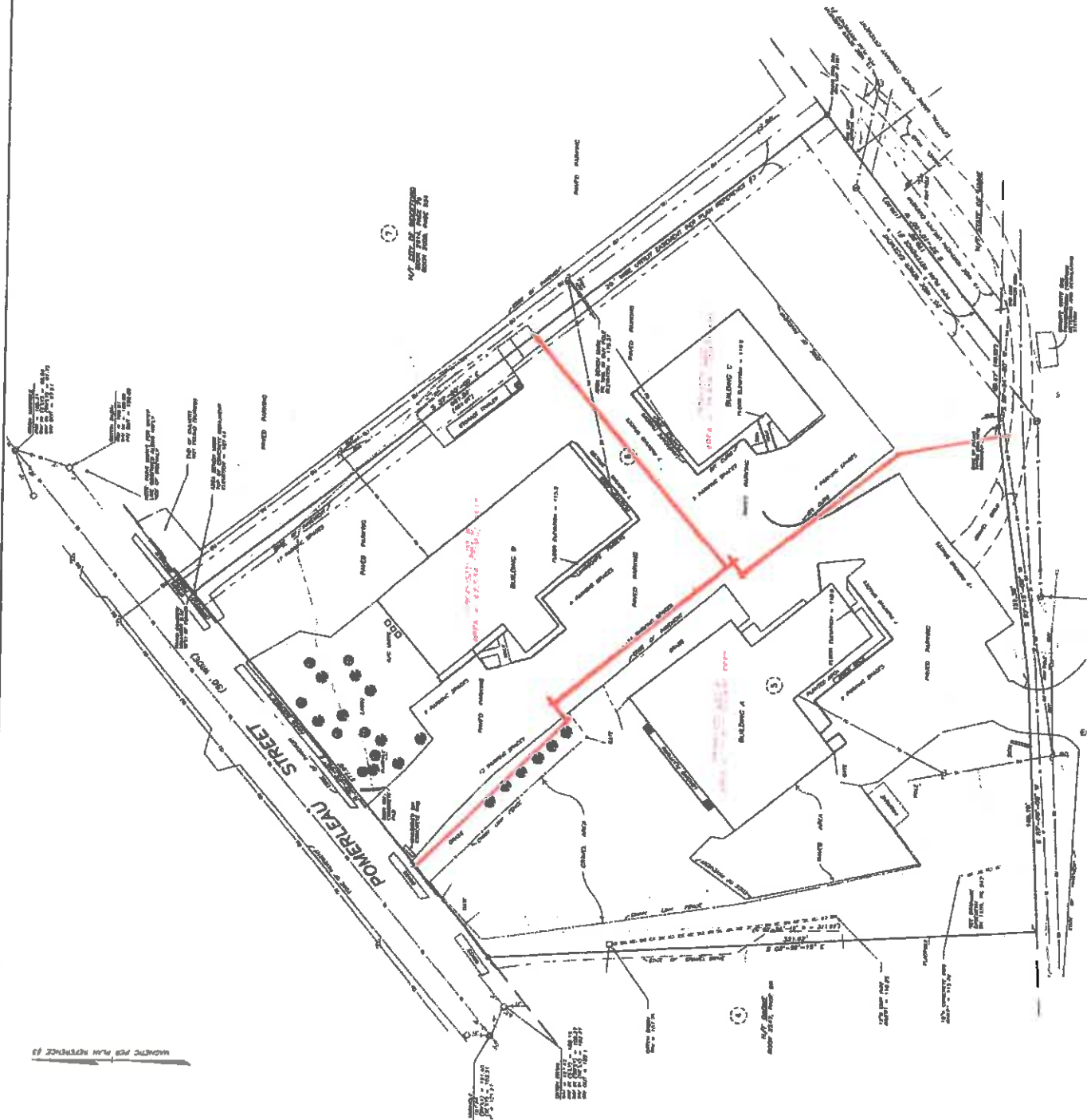
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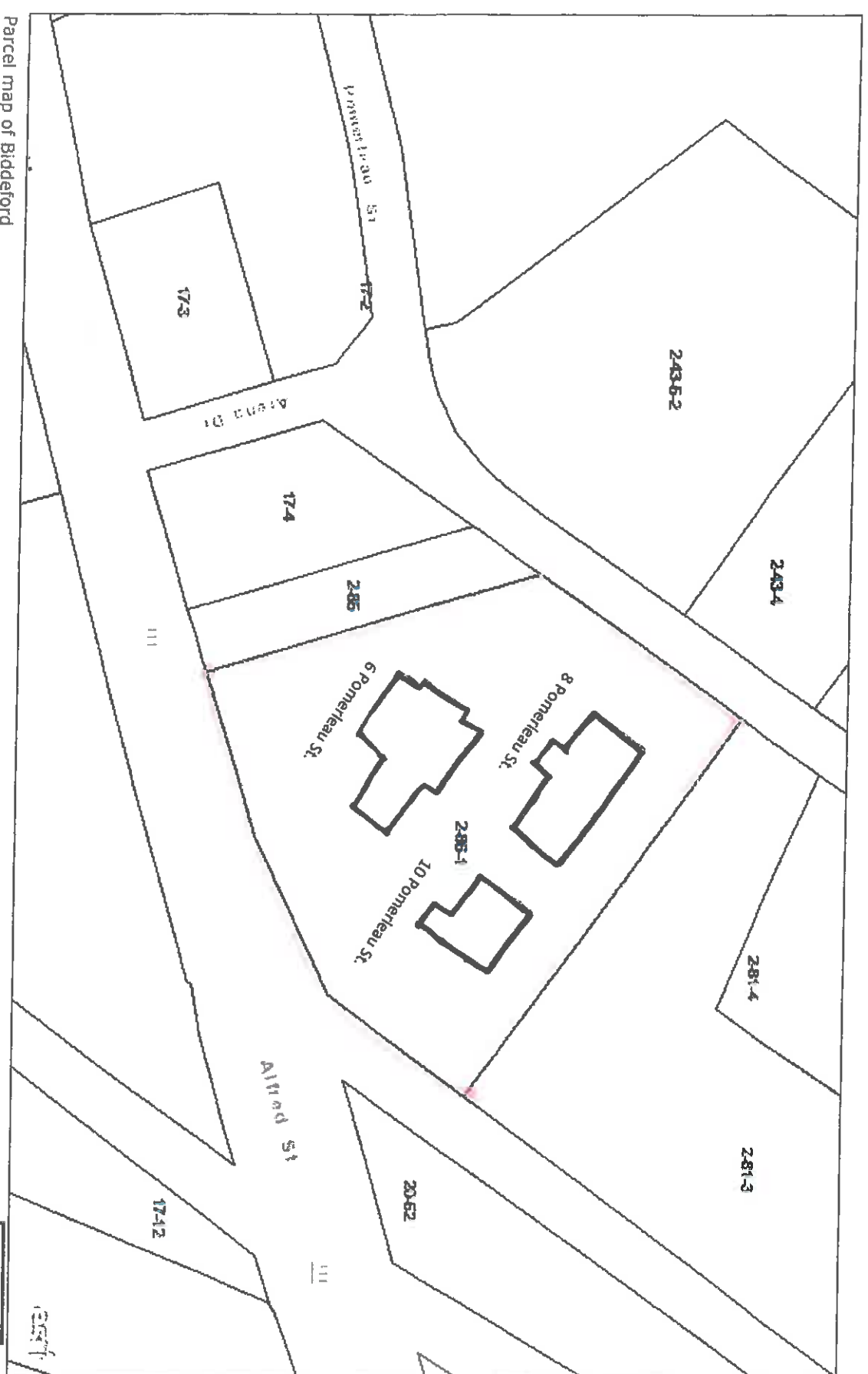
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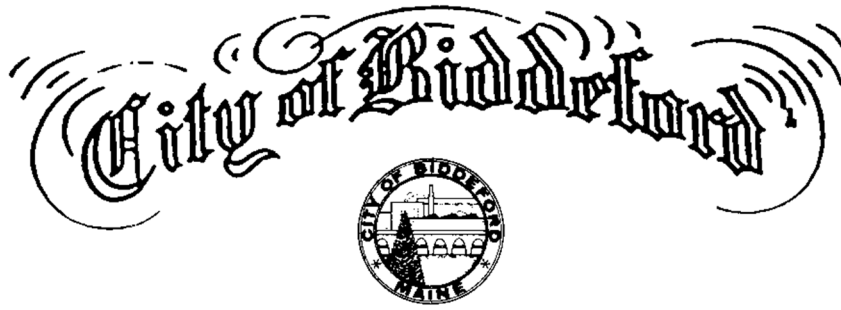
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Parcels





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:

Section 59. Signs. [Ord. of 8-17-1991; Ord. of 9-3-1996; Ord. of 3-4-1997; Ord. of 2-3-1998(2); Ord. of 6-1-1999(2); Ord. No. 2001.90, § 10, 10-16-2001; Ord. No. 2003.66, 7-1-2003; Ord. No. 2003.77, 7-15-2003; Ord. No. 2006.49, 8-1-2006; 4-16-2013 by Ord. No. 2013.26]

- 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 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.

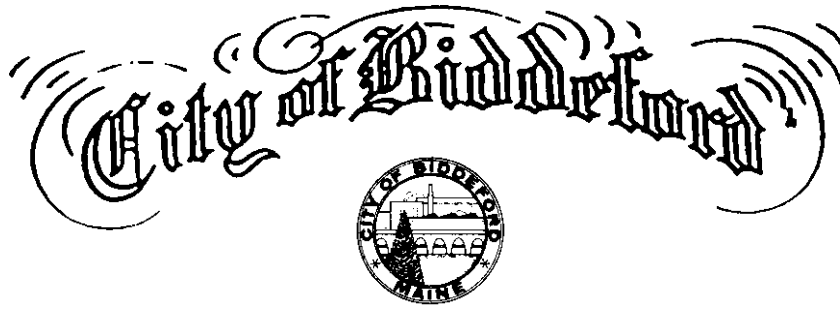
- (4) No more than one such sign shall be located on a lot, regardless of the number of businesses operating on said lot.
 - h. Electronic message centers are permitted subject to the regulations herein.
 - i. All signs shall conform to M.R.S.A. Title 23 except as provided in Subsection B16a, relating 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, 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.



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:

Section 59. Signs. [Ord. of 8-17-1991; Ord. of 9-3-1996; Ord. of 3-4-1997; Ord. of 2-3-1998(2); Ord. of 6-1-1999(2); Ord. No. 2001.90, § 10, 10-16-2001; Ord. No. 2003.66, 7-1-2003; Ord. No. 2003.77, 7-15-2003; Ord. No. 2006.49, 8-1-2006; 4-16-2013 by Ord. No. 2013.26]

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](#)~~B14~~.

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, ~~P~~public schools and government facilities may install EMCs in any zoning district in accordance with the regulations herein.
- d. Gas stations may install EMCs 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 ~~single-color~~ 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](#)~~Section B16~~.
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](#)~~Section B16~~.
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.

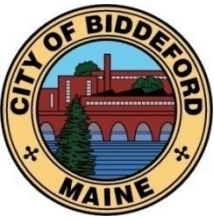
- (4) No more than one such sign shall be located on a lot, regardless of the number of businesses operating on said lot.
- h. Electronic message centers are permitted subject to [the regulations herein](#)~~Subsection B16~~.
- i. All signs shall conform to M.R.S.A. Title 23 except as provided in Subsection 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](#)~~Subsection B16.f~~.
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](#) ~~Subsection B16~~.
6. Additionally in the MSRD-1, MSRD-2 and MSRD-3 Districts, the following shall apply:
- a. ~~(1)~~ 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. ~~(2)~~ 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. ~~(3)~~ Businesses above the first floor shall not have a sign greater than 12 square feet.
 - d. ~~(4)~~ Internally illuminated signs are not permitted [except as provided in C.2.f, C.3.h, and C.5.d herein](#). All new sign illumination shall be from shielded external sources.
 - e. ~~(5)~~ Signs shall be made of wood, metal, or stone, except that awnings may be made of fabric or canvas, ~~and~~ window signs, [and gas station EMC fuel price readerboards \(the electronic portions of the signs\)](#) may made of any material.
 - f. ~~(6)~~ 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.



CITY OF BIDDEFORD

PLANNING DEPARTMENT

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

Greg.Tansley@biddefordmaine.org

MEMORANDUM

To: Mayor Casavant
Council President McCurry & Members of City Council
J. Bennett, City Manager

From: Greg Tansley, AICP, City Planner

A handwritten signature in black ink, reading "Greg Tansley", is written over the "From:" line.

Date: October 10, 2017

Re: **Proposed Amendments Related to Electronic Message Centers (EMCs)**

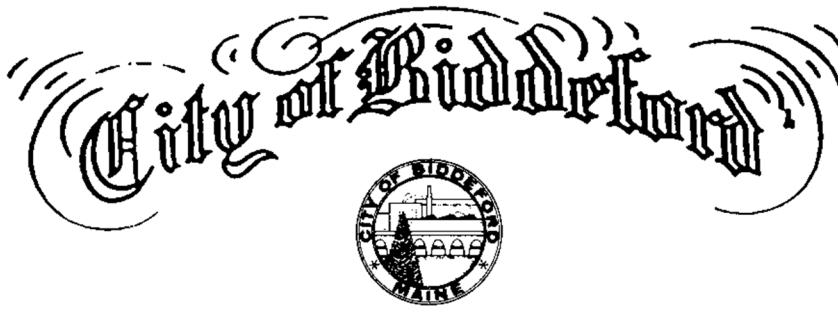
Councilor Swanton, in discussion with Sea Star Market on Pool Street, identified that gas stations in residential zones are not permitted to have Electronic Message Centers to display fuel pricing. He requested that I consider presenting some amendments to the Sign Ordinance to the Planning Board that would change this. I did present to the Planning Board the concept of solving this situation and the Board agreed to hold a Public Hearing regarding the issue.

It should be noted that I also realized that that aside from Sea Star Market, other gas stations such as Paul's Variety and 7-Eleven also could not have such EMCs under the current Ordinance.

The Planning Board held a Public Hearing on October 4, 2017 regarding amendments that would solve this situation. The Board voted unanimously to send the amendments to the City Council with a positive recommendation for approval. The amendments would allow gas stations in any zone (other than the Institutional Zone) to have EMCs for fuel pricing with displays of up to nine (9) square feet in the aggregate.

Please let me know if you have any questions about this item before the October 17, 2017 City Council meeting.

Cc: File



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):

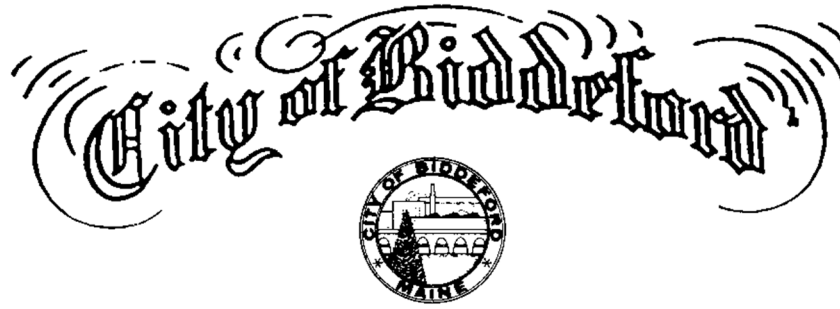
Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
MSRD-2	2,000 <u>B</u>	N/A	N/A	N/A

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.



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 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:

1. The City of Biddeford expects to incur debt to reimburse expenditures to pay the cost of the Equipment;
2. The City of Biddeford reasonably expects that the maximum principal amount of the debt, including for reimbursement purposes, is \$255,000.00.
3. 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;
4. The City Manager is authorized to advance money from the General Fund of the City for payment of the costs of the Equipment; and
5. 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.



City of Biddeford

Chief Operating Officer/Technology Dept/IPP
P.O. Box 586 • 205 Main Street
Biddeford, ME 04005
Phone: (207) 571-0032 • Fax: (207) 571-0656

Briefing Memo

TO: Mayor Alan Casavant, Council President John McCurry and Members of the City Council

CC: James Bennett, City Manager
Cheryl Fournier, Finance Director
Phil Radding, Facilities Manager

FROM: Brian S. Phinney, COO/Technology/IPP

DATE: October 11, 2017

RE: Request for Approval of Funds for J. Richard Martin Community Center Boiler Replacement Project

In early August, one of the two fuel oil-fired boilers at the J. Richard Martin Community Center went offline. Upon inspection it was determined that the bottom of the boiler essentially rusted out resulting in a catastrophic failure. A picture of the point of failure is provided in Attachment A – Project Pictures, *Picture 1*.

The failure triggered a review of all feasible options. The intent of this review is to ensure that information is available to make an informed short-term and long-term decision on the facility given the significant investment needed to address the boiler failure. Due to the investment needed, if a long-term approach is selected it should be understood that the commitment to maintaining the building will likely be a minimum of 10-15 years. If a short-term decision is selected the related and continued building “problems” will remain. To avoid significant future investment, including planned replacement of the newly replaced boiler within a period of three years or less, this options may signal a desire to mothball the building and construct or relocate to a new community center.

Background

The J Richard Martin Community Center began as a public school in 1888. An addition was added for the gymnasium in the 1930’s. The facility encompasses three floors and contains approximately 43,000 square feet of usable space. Approximately 129 years after being constructed the facility serves as the hub of the City’s recreation program. Use estimates are provided in Attachment C – *J. Richard Martin Community Center Use Estimates 2017*. The

summary provides a general overview of the uses and trackable building users. It should be noted that the totals provided do not account for overall throughput, only registrations and tenant use. For example, the youth gym programs have 1,016 registered users however the number of games for each program and the number of spectators that may attend each game are not included in the estimate.

In 2005, the City commissioned Oak Point Associates to perform a building evaluation. The J Richard Martin Community Center was including is the evaluation. Rather than retype the entire section of the report, the J Richard Martin Community Center section has been included as Attachment D – *Excerpt from 2005 Oak Point Associates Facility Assessment Report*. The report recommended a number of improvements in three categories:

High Priority Items (A): structural/mechanical ventilation/heating system	\$1,786,867.50
Medium Priority Items (B): building codes/building finishes/energy efficiency	\$ 730,235.00
Low Priority Items (C): ADA/life safety/ building codes	\$ <u>65,037.50</u>
In total the investment recommendation in 2005 was:	\$2,582,140.00

A portion of the recommended work has been addressed through planning and by necessity as with the gym floor and ADA ramp. Approximately \$1,675,094 worth of the recommended issues remain uncorrected. This information is provided here to assist with illustrating that the building is aging and significant investment may be needed to ensure the long-term use of the facility. One issue that was not identified in the Oak Point report but will be required by law is the replacement of the existing 3,000 underground fuel tank. Tank installation occurred in 1994 and must be removed or replaced prior to 2024, unless natural gas becomes available in the area. The tank can be removed at any time prior to 2024 if natural gas becomes available.

Current Conditions

The current heating system consists of two low-pressure steam boilers providing steam heat to the building through a network of circa 1950 pipes supplying steam to radiators. The current boilers were installed in 1998 and 1999 making both boilers 18-plus years old. The 1999 boiler is the one that failed in August. The failed boiler serves the 2nd floor and attic space - attic space is heated to protect the wet sprinkler system - and the remaining boiler services the ground and 1st floors. The remaining boiler is likely experiencing corrosion similar to that contributing to the failure in August. Although some of the steam piping and condensate returns are exposed in ceiling chases and at traps, the majority is inaccessible. Inspection and steam trap repairs over the years have provided a glimpse of the condition of the piping. In several cases, the interior of the 1.5-inch diameter pipe has been reduced to ¾-in. This significantly reduces efficiency and heating capability.

With an understanding of building use, relative investment required to maintain the facility in the long-term, and current conditions, the boiler failure may warrant a decision on the continued use of the building. It should be understood that selection of a long-term solution may warrant a financial commitment to invest in needed repairs and that selection of a short-term “fix” may warrant consideration of a plan to invest funds in a completely new building-wide heating system compatible with natural gas or if desired planning for a new facility as either a relocation or new construction.

Options

Upon failure of the boiler, the facilities manager contacted J Godbout Plumbing, the current service provider. Mr. Godbout offered a short-term option and a long-term option.

Option 1 -The short-term option is a straight replacement of the existing boiler (\$35,000 budget with \$5,000 contingency) and does not address any issues related to the existing steam distribution system. Mr. Godbout highlights his concerns and suggests that selecting this option should be considered a short-term approach to buy 1-3 years. Mr. Godbout’s narrative is provided as Attachment B1 – *J Godbout Boiler Replacement Evaluation*. If the direct boiler replacement is selected to buy time for additional planning the City may (a) use the time to design a complete heating system for the entire building risking failure of the remaining boiler within that period of time, (b) use the time to plan for relocation or construction of a new facility, or (c) set aside reserve funding to address system repairs as needed.

Option 2 - Mr. Godbout’s long-term solution recommends moving away from #2 fuel oil to propane and away from steam to forced hot water with air circulators. This reduces the potential for steam distribution system failures for the 2nd floor and attic space given the age and condition of the steam distribution system. Due to the heating capabilities of the proposed units and the uninsulated nature of the attic space, Mr. Godbout also recommends converting the wet sprinkler system to a dry system (attic only) to eliminate the need to heat the attic. If implemented, the building will have a propane-based system heating the upper floor and the current fuel oil-based system heating the ground and 1st floors. The attic space will no longer need to be heated thus reducing overall energy costs.

The facilities manager used the J Godbout design recommendations to obtain system pricing. Project quotes are included in Attachment B – Project Pricing. Table 1 provides a summary of the pricing. As designed, the direct boiler replacement is estimated at \$40,000 with contingency and the propane-based heating system with sprinkler conversion is estimated at \$246,350. Given the age and condition of the current system staff recommends carrying a contingency of \$8,650 or approximately 3.5% bringing the total to \$255,000. Finance has confirmed that a heating

system can be financed as a lease purchase for a period not to exceed seven (7) years. The annual payment on a principal of \$255,000 at 4% is \$42,485.

Utilizing the information provided in the 2005 report from Oak Point, the Council may anticipate investment in the following projects within the next 1-5 years if the building is retained:

- Window replacement \$320,000
- Second boiler \$35,000 - \$500,000
- Estimated total \$355,000 to \$820,000

Table 1 - Price Summary

Option 1 - Replace Boiler Only

J Godbout P&H, Inc	\$ 35,000
--------------------	-----------

Option 2 - Propane Heating System

J Godbout P&H, Inc	\$ 219,850
John Scott P&H	\$ 228,000
Provencher Fuels, Inc	\$ 235,000

Additional Services - Convert Wet Spinkler to Dry
(to remove heating from attic)

Eastern Fire	\$ 26,500
--------------	-----------

Short-Term Total

Boiler Replacement	\$ 35,000
Contingency	\$ 5,000
	<u>\$ 40,000</u>

Long-Term Total

Propane Heating System	\$ 219,850
Sprinkler Conversion	\$ 26,500
Contingency	<u>\$ 8,650</u>
	\$ 255,000

*The long-term option does not include replacement of the second functioning boiler.

This items is on the agenda for the Finance Committee. The Finance Committee decision will be presented.

Attachment A
Project Pictures

Picture #1 – View of Boiler at Point of Failure



Picture #2 – View of Ceiling Radiator Corrosion



Picture #3 – Proposed Interior “Boiler Room” Adjacent to Auditorium



Picture #4 – Proposed Boiler Room Interior



Attachment B

Project Pricing

Jim Godbout Plumbing & Heating Inc.

P.O. Box 365

48 Elm st.

Biddeford, Maine 04005

207-283-1200 fax 207-283-2739

www.jimgodbout.com

October 3, 2017

City of Biddeford

Biddeford Community Center

189 Alfred Street

Biddeford, Maine

pradding@biddefordmaine.org

Steam boiler replacement

Existing steam system in very poor condition, one boiler has failed beyond repair, condensate return lines have failed underground allowing much fresh water into steam system introducing much oxygen and promoting corrosion in system.

Steam boilers were sized to small when replaced years ago, barely keep up with entire building load in current condition.

Steam piping, and return piping leaking in many areas, return piping in slab probably non existent causing much fresh water to enter system, traps need replacement.

Installing new steam boiler to replace one that has failed not good solution, the current system will eat this boiler from inside out in 1-3 years.

Spending money on this does not make much sense.

Heat pumps could be an option to help reduce cost of heating building, but building has no insulation and very poor windows causing immense heat loss, the attic is also being heated to prevent freezing of fire protection system, which is uninsulated.

Heat pumps need some sort of secondary system in colder weather to address major heat loss in building.

Budget to replace one series 9 Burnham steam boiler with controls and welded steam piping. Monitoring once put in operation, **Budget cost \$35,000.00**

No work to be done on returns or condensate leaks.

Jim Godbout Plumbing & Heating Inc.
P.O. Box 365
48 Elm st.
Biddeford, Maine 04005
207-283-1200 fax 207-283-2739
www.jimgodbout.com

September 12, 2017

City of Biddeford
Biddeford Community Center
189 Alfred Street
Biddeford, Maine
pradding@biddefordmaine.org

Heating system proposal for second level of Community center.

Existing steam system in very poor condition, one boiler has failed beyond repair, condensate return lines have failed underground allowing much fresh water into steam system introducing much oxygen and promoting corrosion in system.

We propose to remove and cap second level and attic space off existing steam system by installing new Hydronic gas fired system to service second level, along with changes to current wet sprinkler system which must be done by others in order for this project to happen, building is currently heating extremely large un insulated attic space to protect sprinkler system. This is extremely costly and should be protected with dry system. Basement and first floor will be able to stay online off existing steam system for short period of time but will need to be replaced in future.

We shall install three Viessmann CU3-57 high efficiency condensing propane boilers piped reverse return over to existing hydraulic separator in closet space on second level. Boilers can be converted to natural gas when available.

http://www.viessmann-us.com/en/Residential/Products/gas/Vitocrossal_300_CU3A.html

These boilers will be installed over new floor system providing sealed boiler room rubber floor with drain.

We shall install Viessmann Vitotronic 300 K cascade control system to modulate boilers on outside reset control with proper coding cards and Lon cables. <http://www.viessmann-us.com/en/Residential/Products/controls/vitotronic.html>

These boilers shall be vented through sidewall of building. Possibly eliminating one of the older windows.

Boilers shall be provided with fresh air.

We shall install all near boiler piping and insulate when completed to reduce overheating in boiler room

We shall install new black iron gas main to new boilers with proper shut offs and safety equipment. **Propane Fuel source to be by others.**

Boilers shall be equipped with low water cut offs, boiler feeder system, and expansion tank.
https://www.taco-hvac.com/products/air_elimination_control/expansion_tanks/cx/index.html

Install new hot water circulation pumps with new low energy Grundfos Magna 40-120 pumps to provide energy efficiency and sustainable hydronic system
<https://us.grundfos.com/products/find-product/magna-upe.html>

Install Hydronic alternatives radiators in each room on second level with thermostatic heads, auditorium will also have two hydronic ducted air handlers installed under stage to help heat this space. Each radiator shall have thermostatic control.
<http://www.hydronicalternatives.com/products/radiators>

Heating mains will be exposed running down hallways and into room, these mains shall be insulated.

We shall install all boiler condensate to neutralizer piped to building drains to meet code.
<http://www.neutrasafe.com/>

All piping shall be copper and black iron with exception of venting which shall be CPVC.

Fill and test all systems, show maintenance staff operations and controls.

We shall treat boiler water with Fernox boiler treatment to prevent corrosive aggressive water in system.
<http://www.fernox.com/products/water+treatment+chemicals/inhibitors/protector+f1+express>

We shall provide line and low voltage wiring for project.

All work to conform to state and local codes

No abatement or removal of old radiators in this proposal.

Total proposal \$219,850.00



Proposal submitted City Of Biddeford Phone: _____ Date: 09/26/2017
Street 189 Alfred St Job _____
City, State & Zip Code Biddeford, ME 04005 Biddeford Community Center

New heating system for top floor of Community Center

- Existing steam system in very poor condition, condensate return lines have failed underground, one boiler has failed beyond repair
- We shall not remove any asbestos or cast iron radiators
- Heating space in attic not reasonable, must make sprinkler system dry or insulate attic space

We propose to remove and cap second level and attic space off existing steam system at each riser on upper floor.

First floor and sub grade shall still be serviced by old steam boiler, but should be replaced completely in near future

- Install three (3) Viessmann Condensing Propane Boilers on second level
- We need boiler room built with water tight floor for installation NOT PART OF THIS SCOPE
- These boilers shall be vented through sidewall of building
- We shall install all boiler condensate to drains with neutralizer
- Piping shall all be insulated upon completion
- Boiler shall have all safety devices and new pumps
- Install Biasi Panel radiators in each room on second level with thermostatic heads, auditorium <http://www.qhtinc.com/ecostyle/ecostyle-radiators/>
- Heat lines will be exposed
- Gas piping shall be black iron
- Wiring shall be completed by Provencher Fuels
- All work to conform to state and local codes
- Test all systems

Total Proposal \$235,000.00

Terms: 35% to be paid upon acceptance of the proposal. Progress payments upon presentation with, the balance to be paid upon request at the completion of the job

ACCEPTANCE OF PROPOSAL – The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature: _____

Date of acceptance _____

Signature: _____



**73 Warren ave. Westbrook, Me. 04092
207-854-9500**

September 30, 2017

**City of Biddeford
Biddeford Community Center
Alfred Street
Biddeford, Maine**

RE: Heating work Community center

Steam system change over

Sprinkler system in attic being drained by others.

Cap all steam lines that feed second floor and attic space.

Install three CU3-57 Viessmann condensing propane boilers.

These will be on pads.

Controls will be Viessmann

Boiler room must be built by others not part of bid.

These boilers shall be vented with poly pro pipe.

Install boiler condensate to drains with neutralizer per code.

Install Approx 35 Biasi Panel radiators, this services each room on second level with TT heads.

Variable speed Grundfos pumps will service this system.

All exposed heat pipe in hallways shall be insulated

Abatement and iron removal must be by others.

Gas tanks must be by others, piping shall be megapress with iron.

John Scott Plumbing & heating shall do wiring for project.

All work to conform to state and local codes

Test all systems.

Total proposal \$228,000.00

Please note: due to skilled labor shortage we may not be able to complete project in timely manner.

Home Office
170 Kityhawk Ave.
P.O. Box 1390
Auburn, ME 04210-1390
207-784-1507

EASTERN FIRE
FIRE PROTECTION CONTRACTORS AND ENGINEERS
www.easternfiregroup.com

Satellite Office
408 Harlow St.
Bangor, ME 04401
207-942-8014

QUOTATION

DATE: September 21, 2017 **FROM:** Frank P. Welch, Jr.

TO: J. Richard Martin
Community Center
189 Alfred Street
Biddeford, ME 04005 **SUBJECT:** J. Richard Martin Community
Center-Biddeford-Convert Attic
Space to Dry Sprinkler System

ATTENTION: Phil Radding **EMAIL:** pradding@biddefordmaine.org

PHONE: (207) 571-1602

CELL: **QUOTATION:** ***\$26,500.00-NTE***

SCOPE

Convert the attic space from a wet sprinkler system to a dry sprinkler system. A TYCO 4" model DPV-1 dry pipe valve, trim and components will be installed at the second floor corridor of the facility at the 5" sprinkler system riser piping. A closet (by others) will need to be constructed to protect the dry valve and components. The air compressor will be installed in the attic space. The attic space wet system piping will be disconnected and reattached as part of the dry sprinkler system. Some attic space piping will be reconfigured to prevent it from freezing. Low point drains (drum drips) will be installed in the closets at the left and right corners of the stage. A 2" main drain will be installed and will discharge to the exterior of the building at the basement level. ***Please Note:*** You will need to provide an electrician to wire the air compressor to a dedicated breaker in the electrical panel and to wire the flow, low air and tamper switches to the fire alarm panel.

The ***NTE*** after the quotation indicates that this work is done on a cost "Not to Exceed" basis (assuming no change in scope) so that if the total final cost comes in under the total estimated cost the savings will be passed back to the owner.

Should you find this quotation acceptable please return one signed and dated copy of this quotation along with your purchase order (if applicable) at your earliest convenience.

Your scheduling contact will be Tom Vining.

Thank you for contacting us and please do not hesitate to call should you have any questions or concerns.

Accepted By: _____

Date: _____

Attachment C

J. Richard Martin Community Center Use Estimates 2017

**J. Richard Martin Community Center
Use Estimates 2017**

<i>Recreation Community Center Users/Registrants (does not include spectators)</i>				Total
	Youth	Adult	Seniors	
Gym Programs	1,016	2,156	2,400	5,572
Other	445	397	10,424	11,266
Total Recreation				16,838

Tenants

Adult Education/Literacy Program (spring and summer sessions)	1,312
National Guard	152
*Biddeford Support Center	1,250
**Meals on Wheels	30
***LaKermesse	626
Totals	20,208

*Includes shared space by; SARSM, CPPC, Hospice, My Sisters Keeper, Kids Free to Grow

**Serve approximately 207 per week with 20 volunteers and 3 staff in the facility.

*** Space also serves St. Jeans, Biddeford Heritage Cultral Center.

Community Group, numbers vary depending on the frequency of use by individual users

		Rental
AA	Ross Ctr	Y
AARP Tax Service	Ross Ctr	N
Adoptive and Foster Families	MR	Y
Back to Basics	MR	Y
Biddeford LAX Meeting	MR	N
Biddeford High School Cheering	Gym	N
Biddeford Soccer Club Meetings	MR	N
Biddeford Youth Football Meetings	MR	N
Birthday Parties	Various	Y
Caring Unlimited	Various	N
Community Partners	Various	N
Daisies Troop	MR	N
Drum Circle	MR	Y
Girl Scouts of America Troop 1126	MR	N
LaKermesse Holiday Party	MR	N
Maine Behavioral Health	Various	Y
People Ready	MR	Y
Project Sunrise Meetings	MR	N
Red Hats	MR	N
Rotary Auction	Gym	N
Secure Child Visits	MR	N
Special Olympic Training	Gym	N
Transform Ministries	MR	Y
Volleyball Unlimited	Gym	Y
Work Opportunities	MR	N

MR=Meeting Room, Various= MR, Gym and or Auditorium, Ross Ctr=Ross Center Cafeteria

Attachment D

Excerpt from 2005 Oak Point Associates Facility Assessment Report

Implementation of Recommendations

BIDDEFORD COMMUNITY CENTER

PROJECT A

The items included in this project are upgrades to meet egress requirements, upgrades to meet structural requirements, and upgrades to the mechanical ventilation and heating system. These items are a high priority and should be further investigated as soon as possible.

PROJECT A

Recommendation	Cost
Enclose gym mezzanine stair	\$4,500.00
Swing of egress doors	\$2,000.00
Boiler room door	\$2,500.00
Piping for roof drain leaders	\$20,000.00
Roof hold-down anchors	\$4,000.00
Chimney repointing	\$3,500.00
Corroded stair beams	\$10,000.00
Floor joist support connections	\$3,000.00
Lateral connections	\$30,000.00
Floor/roof diaphragm	\$80,000.00
Boiler safety switch*	\$200.00
Heating system	\$450,000.00
Ventilation system	\$400,000.00
Chimney lining	\$75,000.00
Range hoods	\$75,000.00
Modify sprinkler system	\$8,000.00
GFI outlets*	\$100.00
Replace fuse type electrical panel	\$3,000.00
Rusted electrical enclosures	\$1,000.00
Exit signs	\$7,000.00
Magnetic door holders	\$2,600.00
 Subtotal	 \$1,181,400.00
Design Contingency (10%)	\$118,140.00
Subtotal	\$1,299,540.00
Overhead/Profit and Bond (25%)	\$324,885.00
Subtotal	\$1,624,425.00
Construction Contingency (10%)	\$162,442.50
Project Total	\$1,786,867.50

Items with an (*) could be removed from a project and completed separately by a contractor hired by the City.

BIDDEFORD COMMUNITY CENTER

PROJECT B

The following project items are included to meet current building codes, repair building finishes and provide a more energy efficient building.

PROJECT B

Recommendation	Cost
Stair handrails and guardrails	\$9,000.00
Gym hardwood flooring	\$70,000.00
Boiler room exterior door and stair	\$3,000.00
Exterior window system	\$320,000.00
Repaving parking	\$55,000.00
Exterior emergency lights	\$10,000.00
Exterior lighting	\$600.00
Upgrade fire alarm	\$15,200.00
 Subtotal	 \$482,800.00
Design Contingency (10%)	\$48,280.00
Subtotal	\$531,080.00
Overhead/Profit and Bond (25%)	\$132,770.00
Subtotal	\$663,850.00
Construction Contingency (10%)	\$66,385.00
Project Total	\$730,235.00

Items with an (*) could be removed from a project and completed separately by a contractor hired by the City.

BIDDEFORD COMMUNITY CENTER

PROJECT C

These project items include upgrades to ADA, life safety and building code recommendations.

PROJECT C

Recommendation	Cost
ADA door hardware	\$8,000.00
Exterior doors	\$9,000.00
Exterior ramp handrail	\$15,000.00
Attic flooring	\$3,000.00
Electrical panel height	\$8,000.00
Subtotal	\$43,000.00
Design Contingency (10%)	\$4,300.00
Subtotal	\$47,300.00
Overhead/Profit and Bond (25%)	\$11,825.00
Subtotal	\$59,125.00
Construction Contingency (10%)	\$5,912.50
Project Total	\$65,037.50

Items with an (*) could be removed from a project and completed separately by a contractor hired by the City.

Existing Conditions

ARCHITECTURAL

The Emery School in the City of Biddeford was constructed around 1900 as a public school and is currently used as a day care facility. The building is approximately 27,000 square feet and consists of three stories. The ground floor houses a kitchen, cafeteria, boiler room, storage and two abandoned toilet rooms. There are classrooms and offices on the first and second floors. There is a small auditorium on the second floor that has been separated and converted into two classrooms. The stage has also been separated and made into an office.



Circulation and egress through the building is provided by four sets of stairs. There are two main stairs that provide access from the exterior entry level to all three floors. Two opposite stairs provide access from the exterior ground level to the first floor. The current tread and rise configuration at all stairs meets current building codes. The existing guards and handrails at the stairs are constructed of wood and metal. The current configurations of these handrails and guards do not meet building code requirements for height, mounting locations, profile, or sizes. A wheelchair lift has been installed that provides access from one entrance landing to the first floor level. In the cafeteria, a ramp and exit door have been provided at a window location in an attempt to provide a code compliant, direct means of egress.

The Emery School roof is a traditional mansard style roof, consisting of a center flat area and a steeply pitched perimeter. The flat roof consists of a "Firestone," EDPM membrane roof system. The manufacturer's stamp on the membrane is dated 1992, so it can be assumed installation was completed around that time. It appears there is no insulation at the flat roof area. The flat area has been tapered for drainage by sloping the roof structure. The pitched area of roof around the perimeter of the building has no insulation and is covered with asphalt shingles that are in a seriously deteriorated condition. Portions of this roof are leaking and daylight can be seen from the attic space.

Interior walls on the first and second floors are mostly painted plaster on lath with wood framing. The ground floor has painted brick walls that are load bearing and support the structure above. Newer partitions are constructed of painted gypsum board and studs. Floor finishes consist mostly of strip wood flooring with a wood base throughout. Wood chair rails are provided in the corridors. Various carpet, resistant floor tiles, and sheet goods have been provided in spaces that vary in condition and age. Most floor finishes are worn and should be repaired or replaced. The ground floor has areas of painted concrete floors, as well as resilient sheet goods. The ceiling finishes are a combination of painted plaster on lath and suspended acoustical ceiling systems.

The exterior windows consist mostly of units made of an aluminum frame with upper translucent fiberglass panels and lower operable awning windows. The installation date of these windows is not known, but is similar to windows at the Community Center that were installed in the 1970's. Windows on the ground floor have been boarded over with painted plywood or wire mesh due to vandalism over the years.

Exterior doors consist of aluminum doors and frames. These doors have single-pane glazing at the doors and transoms, and have become opaque with age. The exterior door at the ground floor cafeteria is a custom sized 6'-0" x 3'-0" hollow metal door and frame. The 6'-0" height of this door does not meet code. All exterior egress doors have panic hardware, closers, and weather stripping. Interior doors at the stairwells are 1-1/2 hour rated, hollow metal doors and frames, with wire glazing, closers and panic hardware. Other interior doors consist of a

combination of wood doors and frames and hollow metal doors and frames. Many interior doors throughout have half-glazed lights and wood thresholds. Door hardware is a mixture of code compliant levers and non-code compliant knobs.

Toilet rooms for the Emery School are mostly of the single-user type, with the exception of a small gang toilet room on the first floor used for the day care children only. This gang toilet area has toilet partitions and child size fixtures. Areas at each classroom, labeled as "cloak room" on the original floor plans, have been converted into a children's single toilet room with the addition of a partition. These spaces consist of a children's size toilet fixture and few to no accessories. Two adult, single user toilet rooms are located on the first floor and one on the second floor. Located on the ground floor are two abandoned toilet rooms with CMU and wood partitions. Most fixtures have been removed. None of the toilet rooms in the building are ADA accessible.

CODE ANALYSIS

The following code review is based on the 2003 edition of the International Building Code (IBC) and the 2003 edition of the Life Safety Code NFPA 101 (NFPA).

OCCUPANCY CLASSIFICATION

Use	IBC Classification	NFPA Classification (6.1.1)
Offices	B (304)	Business
Daycare	I-4 (308)	Day-care
Cafeteria	A-3 (303)	Assembly

HEIGHT AND AREA LIMITATIONS

IBC (Table 503) - Height and area limitations for occupancies with Noncombustible/Combustible - Unprotected construction: Type III-B

Occupancy	Allowable Stories	Actual Stories	Allowable Height (ft)	Actual Height (ft)	Allowable Area per Floor (SF)	Actual Area per Floor Max. (SF)
B	4	3	55	50	19,000	9,000
I-4	2	3	55	50	13,100	9,000
A-3	2	3	55	50	9,500	9,000

1. There is no sprinkler or fire suppression system in this building.
2. A (Assembly) is the most restrictive of the occupancies and will be used to determine the allowable height and area requirements.
3. The actual number of stories exceeds that allowed by building code. The addition of an automatic sprinkler system would increase the allowable stories to three. No part of the building exceeds the allowable area.

FIRE RESISTANCE RATINGS

TYPE OF CONSTRUCTION

Noncombustible/Combustible - Unprotected Construction, IBC Type III-B (Table 601) and NFPA (Table A.8.2.1.2):

Building Component	Fire Resistance Requirement
Structural Frame	no requirement
Bearing Exterior Walls	2 hour
Bearing Interior Walls	no requirement
Exit Stair	1 hour
Corridor Wall	1/2 hour
Floor Construction	no requirement
Roof Construction	no requirement

1. There is no automatic sprinkler or fire suppression system in this building.
2. Exterior masonry walls and exit stair walls meet fire resistance requirements.
3. The existing plaster and lath walls at the corridor can be considered 1/2 hour rated, provided they are in good condition and have sealed penetrations.

SPECIFIC OCCUPANCY AREAS

IBC (Table 302.1.1)

1. One hour separation for boiler and furnace rooms. The existing fire doors do not meet code.
2. One hour separation for storage rooms > 100 SF. The abandoned toilet rooms on the ground floor are being used for storage and are not separated.
3. (903.2.5) An automatic sprinkler system shall be provided throughout buildings with a Group I occupancy.

NFPA

Additional separations per NFPA 8.7:

1. Smoke partitions for boiler and furnace rooms, unless rooms enclose only air-handling equipment.

Location and Construction Type Limitations Per NFPA Table 17.1.6:

1. The type of construction does not permit the location of a day care occupancy on any level except the level of discharge. Since an occupant of this building must travel up or down half a flight of stairs from the entry, none of the building's floor levels are on the level of discharge. If a sprinkler system was added, a day care occupancy could occupy the first floor level only.

MEANS OF EGRESS REQUIREMENTS

Occupant Load: (IBC Table 1004.1.2)

MAXIMUM DESIGN LOAD

Space	Usable Area (SF)	Occupant Load Factor	Occupant Load
Ground Floor		(IBC/NFPA)	
Assembly	1,200	7	171
1st Floor			
Business	700	100	7
Daycare	4,900	20/35	245/140
2nd Floor			
Business	800	100	8
Daycare	5,970	20/35	298/170
TOTAL	13,570		729/496

Number of Exits: (IBC Table 1018.1)

1. Two exits are required for an occupant load of 0-500. This building has the requirement of two (2) exits per floor.

REQUIRED WIDTHS

Required Widths per Occupant

Egress Component	IBC - Table 1005.1 (inches)	NFPA - Table 7.3.3.1 (inches)
Stairs	0.3	0.3
Doors	0.2	0.2
Corridor	0.2	0.2

1. The calculated required widths are less than the minimum required widths.

Minimum Required Widths

Egress Component	IBC (inches)	NFPA (inches)
Stairs	44	44
Doors	32	32
Corridor	44	44

1. The existing egress components meet the minimum required widths.

Travel Distances

Egress Travel	IBC	NFPA (Table A 7.6)
Travel Distance:	(1015.1)	
Business	200'	200'
Assembly	200'	150'
Institutional (I-4)	150'	150'
Common Path of Travel:	(1013.3)	
Business	75'	75'
Assembly	75'	75'
Institutional (I-4)	75'	75'
Dead Ends:	(1016.3)	
Business	20'	50'
Assembly	20'	20'
Institutional (I-4)	20'	20'

1. No travel distances appear to exceed those allowed by code.

ADA REVIEW

The review of the building for accessibility by persons with disabilities is based on the Code of Federal Regulation, 28 CFR Part 36, Nondiscrimination on the Basis of Disability by Public Accommodation and in Commercial Facilities, including Appendix A, ADA Accessibility Guidelines for Building and Facilities.

The main entrances have steps leading from the grade level to the entrance landing. No accessible entrance has been provided. A wheelchair lift has been provided at one entrance landing to the first floor level, but there is no means of accessing this lift from the exterior. There is no elevator to provide accessible access to the different floor levels.

There are no accessible toilet rooms located in the building.

Handrails throughout the building do not meet ADA requirements.

Door hardware throughout the building consists of non-ADA compliant knobs. Many of the interior doors have wood thresholds that exceed the allowed height by ADA guidelines and building code.

CIVIL

The Emery School site is bounded by Summer Street on the west, Birch Street on the south, Hill Street on the east, and a residential property on the north. The building occupies most of the northern part of the site, with a small playground and paved area situated between the building and north property line. The play area and surrounding chain link fence appear in good condition, although the use is presently restricted due to a structural issue with the chimneys on the roof of the building.

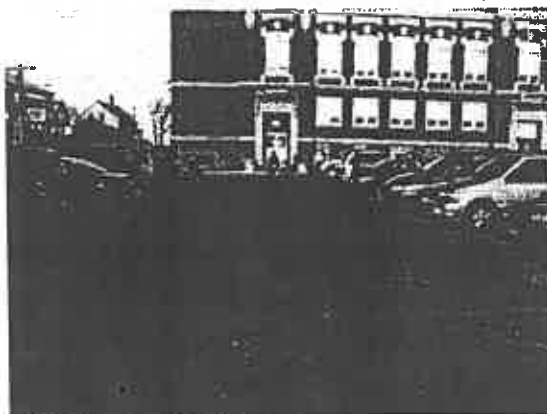


Playground on north side of building

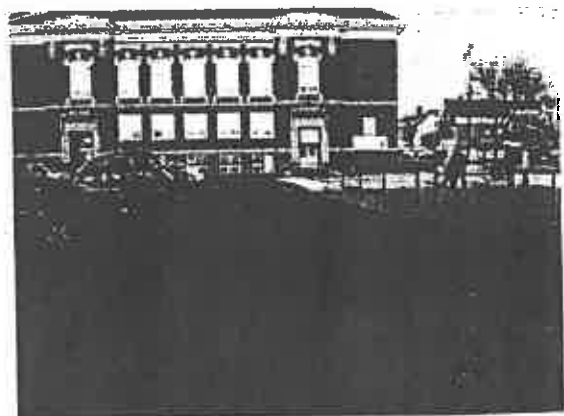


Hill Street (east) side of the building

The southern part of the site consists of an asphalt concrete pavement parking area with approximately 33 spaces to the west and a play area to the east. The play area is bounded by a 4 foot high chain link fence, as is the west and south sides of the parking area. The chain link fencing is in fair condition, with some rusting and misshapen fabric due to pushing snow against the fence.

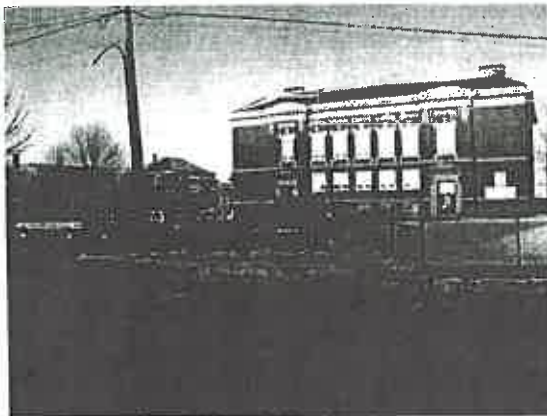


Western side of parking area



East side of parking area and play area

Access to the parking area is available via an entrance drive off Birch Street, with a one-way egress onto Summer Street. A second access drive off Hill Street was closed off with a chain across it. The asphalt concrete pavement parking area is in fair to good condition, with some block cracking of the surface present.



The site as viewed from Birch Street



Egress drive viewed from Summer Street

A flush granite curb delineates the northern edge of the travel lane along the south side of the building, where two building entrances exist. A strip of deteriorated pavement exists between the curb and the face of the building. The finish floor is approximately three feet above the adjacent exterior grade, so visitors must climb four or five granite steps to access the building. There is no handicapped accessible route into the building, nor is there any accessible parking spaces delineated in the parking area.



Southeast entrance.



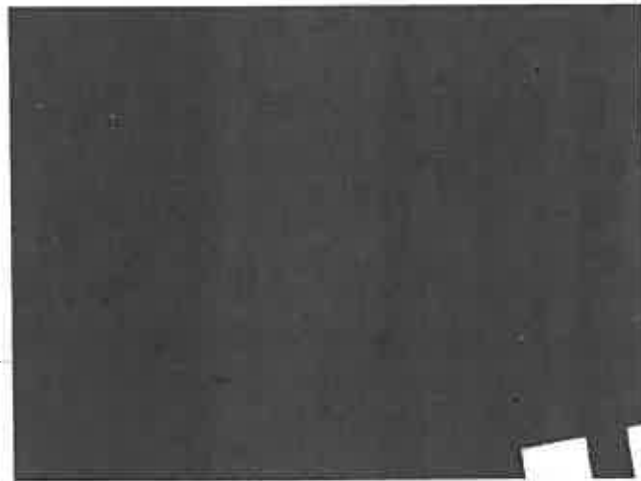
Southwest entrance

STRUCTURAL

The existing structural is a combination of wood framing, structural steel, and unreinforced brick masonry and concrete foundations. The following are structural system descriptions and are based on visual inspections and a review of limited existing structural plans. Structural calculations and determination of design forces and loads were done in accordance with the International Building Code 2003 (IBC 2003), which is the current building code for the City of Biddeford.

Roof Structure

The existing roof structure consists of a combination of flat and slope roof framing. Framing consists of 2x9 wood joists that are supported by timber beams and exterior load bearing walls. The timber beams are supported by 8x8 timber columns, which are supported by timber beams and columns below or by wide flange steel beams. The wide flange steel beams are in turn supported by timber beams. Steel beams were generally used to span over what was once the assembly room on the south side of the building.



Based on the lack of insulation in the roof, it is not believed that the structure has been subjected to the full design snow loads. The structure has most likely not been subjected to the full design wind uplift forces.

There are inadequate connections of the wood joists to supporting members. Wind uplift forces will exceed the strength of the toe-nailed connections that were used. There is evidence of water damage to members due to inadequate roofing materials.

Many of the timber columns have noticeable twisting at the top of the columns, and there are inadequate connections to resist wind uplift forces. Likewise, there are no adequate connections at the base of the columns at the attic level to resist wind uplift forces.

Steel beams over the assembly have no bracing of the compression flange over the entire length, and there is also no lateral restraint provided at the beam supports either. The lack of the lateral bracing could cause the beam to fail due to lateral torsional buckling. Should the beam fail in this mode, it would most likely cause a lateral displacement of the base of the timber columns and the subsequent failure of the timber columns. Failure of any timber column could cause sections of the roof to collapse.

Chimneys

Visual inspections of the chimneys were performed and significant deterioration of the chimneys was identified. The City of Biddeford was previously notified of these conditions in letters from Oak Point Associates dated November 10, 2005 and November 15, 2005.

Attic Framing

Framing for the attic consists of 2x14 wood joists with wood board sheathing over the joists. There were many holes and loose pieces of sheathing that were observed.

The wood joists were analyzed and it was determined that the attic floor framing does not have sufficient strength to support current building code design loads.

First/Second Floor Framing

The first and second floor framing is of similar construction as the attic framing. The floor was analyzed and it was determined that the floor structure does not have adequate strength to support the current code mandated design loads, except in the current corridor locations.

Lateral Force Resisting System

The structure may be subject to wind and seismic forces. Like most buildings of this age, there was no consideration given to the resistance of lateral forces. Therefore, existing elements of the building must be counted on to provide this resistance, if possible. Both horizontal and vertical elements must be provided.

The only horizontal resisting elements would be the wood board floor sheathing acting as a diaphragm to transfer lateral forces to vertical resisting elements. This type of construction has limited strength and stiffness to act as a diaphragm to transfer lateral forces. The effectiveness of any diaphragm is also dependent on adequate connections. Based on limited drawings and visual inspections, it was determined that there are insufficient connections or mechanisms to tie the exterior walls to the floor structure and transfer forces. Based on the mass of the building, it is anticipated that the seismic forces would be greater than the wind forces.

Adequate connections at the floor and roof level are also needed to brace the unreinforced brick walls at each level. Failure of any floor/roof-to-wall connection would increase the effective length of walls, as well as significantly increase the flexural stresses in the wall.

Vertical resisting elements consist of the perimeter unreinforced brick walls and concrete stair towers. These elements would only resist lateral forces assuming there were adequate diaphragms in place. Based on the lack of reinforcing, it is anticipated that the vertical resisting elements would not have sufficient strength to resist the maximum design lateral forces.

Foundations

The foundation system consists of concrete foundation walls. Visual inspections did not indicate any evidence of failure or differential settlement.

MECHANICAL

The building is currently heated by a recently installed Peerless LC-06 cast iron steam boiler, which has a capacity of approximately 700,000 Btu per hour. A vertical steel tank with duplex pumps provides boiler feedwater. Two oil tanks in the boiler room provide fuel storage. A rough calculation suggests that this boiler is inadequate to heat the building in extreme weather, which is consistent with comments made by building occupants during the walk-through. Also, the 600 gallons of oil storage is barely adequate, as the building needs to be supplied with oil weekly or more in cold weather. There is a second, much-older boiler still attached to the system which is unusable due to age and deterioration. Combustion air for the boiler is via a perforated panel in a portion of one boiler room window. The remaining boiler room windows have been bricked in. The boilers are both connected to a common breaching, which is connected to the building's original single-flue chimney. The chimney is unlined, and inspection at the top showed the masonry to be in very poor condition. Terminal units throughout the building are cast-iron radiators.

The Emery School has no mechanical ventilation. An old ventilation system of steam-heated shafts remains, but most of the heated panels are inoperable, and the openings to the shafts from most rooms, originally chain-operated, are either closed or plated over. The dampers in the attic are apparently set closed permanently, although their actual position could not be visually verified. A few of the toilet rooms have individual fans, apparently ducted to some of the building's original shafts.

The only special-use equipment in the building is in the basement kitchen, which is used for food preparation for the day care students. There is a gas range with a six-burner cooktop and griddle with an oven. The LP gas is stored in a 100-gallon tank near the southwest entrance to the building. A hood above the range and attached ductwork with an inline fan, all of galvanized construction, exhaust steam and smoke from the cooking range. The kitchen also is equipped with a small vertical commercial dishwasher with integral electric water heater, a double basin commercial sink, a commercial refrigerator, a residential refrigerator, and a residential clothes washer.

The water supply for the building is a 2-inch entrance at the southwest corner of the building, in the same room as the electrical service entrance. The water entrance has a 2-inch backflow preventer and an electronic meter with a remote reader. Hot water for the building is provided by a 30 gallon electric water heater in the boiler room.

The original toilet fixtures in the two large toilet rooms in the basement have been completely removed. On the first floor, there are two small toilet rooms for staff, plus a total of seven child-

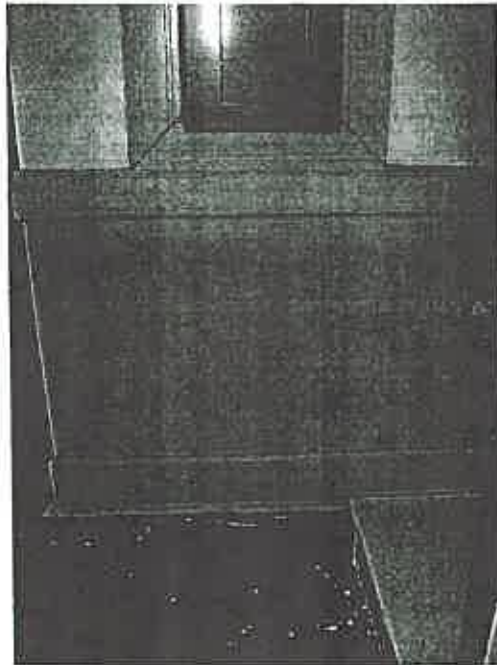
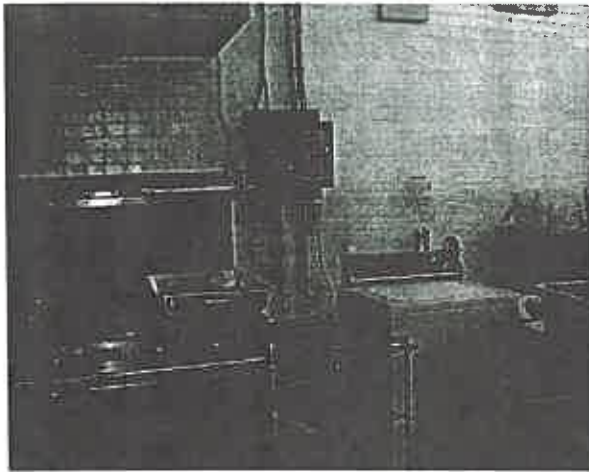
size toilets. There is a single restroom on the second floor for staff use. All toilet rooms are unisex, and none are fully handicapped-accessible. There are no working drinking fountains in the building. Building domestic piping is a mix of copper, brass and galvanized steel.

The building is not protected by a sprinkler system. However, there are apparently a few utility spaces which are protected by sprinklers, as evidenced by the small extra sprinkler cabinet near the water entrance. There is a 2-inch standpipe with hose connections at the first and second floors, but it was noted that some of the piping leading to the standpipe is only 1-1/2 inches, so its effectiveness would be limited for firefighting.

ELECTRICAL

Power

The service to the building is 120/240 volts, single-phase, 400 amperes from a pole-mounted transformer. Panelboards are circuit breaker and plug-fuse type. One plug-fuse panel is missing the cover and the wiring is exposed. Most panelboards do not have the code required working clearances. Items are too close to the panels and items are stored in front of panels.



Lighting

Lighting consists of mostly T12 fluorescent fixtures with some incandescent and HID type fixtures. Lighting in the stairwell appeared adequate during the day time, but probably is dark at night. There are battery-powered emergency lights in the building, but coverage is spotty. There are exit signs at the exits, except for three in the basement. One exit sign was not working. There are no outside lights at the exits. There is only one light in the attic.

Fire Alarm

The fire alarm/security system is a Notifier SGL-404. There are smoke detectors in the corridors and in some rooms. There are no smoke detectors at the top of the stairs. There are magnetic door holders on the stairwell doors. Smoke detectors are required on both sides of the doors and currently they are only on one side of the doors. There are manual pull stations at some exits, but coverage is inadequate. There are ADA horn/strobe units in the corridors, as well as in some rooms and some toilet rooms. Coverage is spotty and mounting height is above ADA 80-inch requirements. Some are above 96 inches.

Conclusions, Recommendations, and Cost Estimates

ARCHITECTURAL

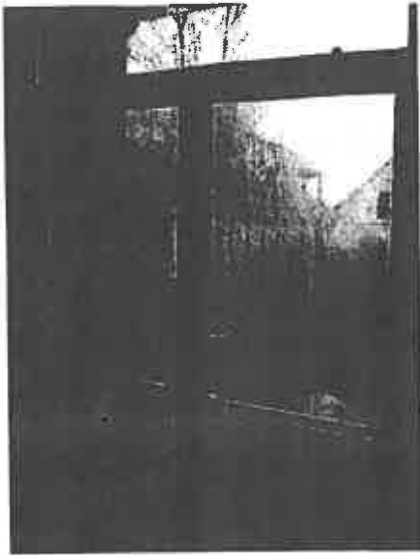
Egress stairs in the building have existing handrails that do not meet building code or ADA requirements. All existing handrails at egress stairs should be replaced or be provided on each side: \$5,000

The existing guards at the stairs do not meet current building codes. Existing guards should be replaced with 44-inch high guards to meet code: \$3,000

The existing windows are nearing the end of their expected useful life and because of the glazing and use of fiberglass panels, little area of the windows are transparent. This existing system is also less energy efficient than a newer one. It is recommended that the windows be replaced with units that are energy efficient and with a larger area of transparent glazing: \$190,000

Door knob hardware used in the building does not meet building code or ADA requirements. Knob hardware should be replaced with levers: \$3,000

The existing wood floors in the building have become damaged in areas due to roof leaks. The water damage has caused cupping of the boards and overall unevenness of the floor. The finish is also worn throughout. Damaged areas of the floor system should be replaced and the entire floor should be sanded and refinished to protect the wood: \$60,000



The existing exterior aluminum doors are not energy efficient and have single pane glazing. This glazing has also become opaque due to age. These doors and frames should be replaced in the near future and should include an energy efficient door, frame and insulated glazing: \$10,000

The existing fire doors into the boiler room do not meet current building code and should be replaced with a rated door and frame: \$4,000

The exterior boiler room door and stair are in a deteriorated condition and do not meet the current building code. Both items should be replaced to meet codes: \$5,000



Day care facilities are required, by the life safety code, to have one (1) egress window per room. The existing awning windows do not meet the required open area to be considered an egress window. (See window replacement or sprinkler installation for costs.)

The asphalt roof shingles at the pitched roof area are in a seriously deteriorated condition. The roof is leaking because of this condition and causing possible damage to the structure and interior finishes. It is recommended that all the shingles be replaced to prevent further damage to the building: \$30,000

The metal roofing at the entrances has rusted through leaving many holes and has exposed the wood decking. This condition is allowing water to penetrate the building, causing damage to the structure and interior finishes. The metal roofing, which appears to be original, should be replaced to prevent further damage to the building: \$5,000



Though accommodations have been made to provide a direct means of egress from the ground floor cafeteria, it does not meet code. The current door does not provide the required height, the ramp has a steeper slope than is allowed, and the ceiling height at the top landing of the ramp is not adequate.

There is no means of accessible access to each floor level. An elevator should be provided: \$150,000



The interior doors have a wood threshold that does not meet current building code or ADA guidelines. These thresholds should be removed and, if necessary, replaced with ones that have a lower profile, meeting code: \$4,000

There are no ADA accessible toilet rooms in the building. One accessible toilet room should be provided per floor. No estimate can be given because of the possible extensive renovation that could be required.



CIVIL

Crack sealing of the paved parking area is recommended to prevent infiltration of surface water to prolong the life of the pavement. The estimated cost for crack sealing is \$3,600.

Removal of the deteriorated pavement adjacent to the building and resetting the granite curb is also recommended. Landscape planting along the south side of the building would improve the appearance. The estimated cost for this work is \$4,500.



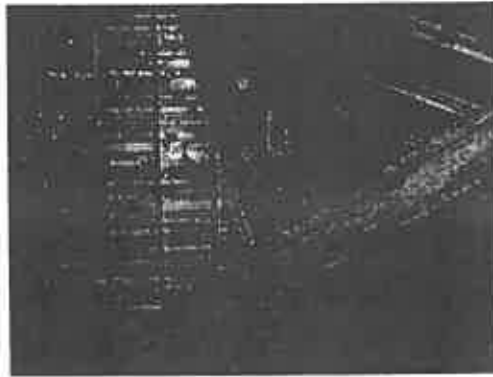
Deteriorated pavement and curb at southwest entrance

Construction of an accessible ramp to the southeast doorway is necessary to comply with the Americans with Disabilities Act. The estimated cost for provision of a concrete ramp is \$17,500. The estimated cost for a wood ramp is \$7,500.

STRUCTURAL

Roof Hold-down Anchors

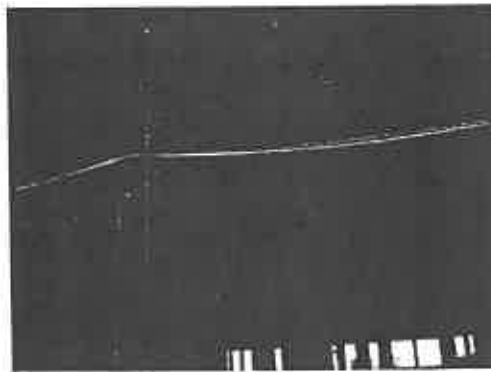
Provide roof joist and roof column hold down anchors: \$8,000



Lack of column hold down anchors

Deformed Timber Columns

Replace deformed timber columns: \$20,000



Deformed timber column

Steel Beam Compression Flange Bracing

Provide compression flange bracing for the steel beams over the assembly room: \$3,000

Attic Framing

Attic framing should be replaced with higher strength members capable of supporting current design loads. Broken floor boards in the attic should be replaced. Required holes should be provided with guardrails at the perimeter of the openings. Loose boards should be connected to the joists below in accordance with IBC 2003: \$20,000

First and Second Floor Framing

The first and second floor framing does not support the current design loads. This framing should be replaced with higher strength members capable of resisting these design loads: \$30,000

Lateral Connections

Provide connections to transfer lateral forces from wind and seismic loads from the horizontal lateral resisting elements to the vertical lateral resisting elements: \$30,000

New Floor/Roof Sheathing

Replace floor and roof sheathing to provide sufficient diaphragm strength required for the horizontal lateral force resisting elements: \$60,000 (additional costs for flooring)

MECHANICAL

The building's mechanical systems are in need of complete replacement. There is no working ventilation in the main spaces, the boiler capacity is inadequate, the heating distribution piping is in marginal-to-poor condition, the chimney is in an advanced state of decay, and there are no effective heating controls. Similarly, the plumbing fixtures are in universally poor condition, are not handicapped accessible, and are not numerous enough.

Heating

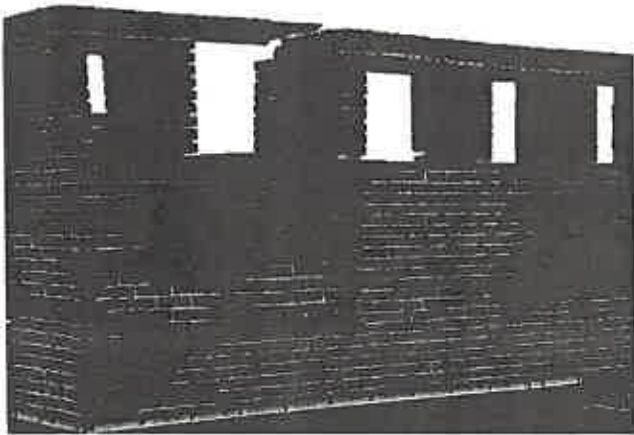
The existing boiler is in good condition, being only a few years old. However, it is connected to a chimney which should be repaired and relined as soon as possible. The boiler's capacity is less than what is required to heat the building under design conditions. If the building were to be renovated, an additional boiler or boilers would need to be added. In the short term, if the chimney continues to be used, an investigation of the condition of the shaft walls should be done to determine if there are cracks, since the adjacent ventilation shafts are still marginally active, and a potential exists for chimney gases contaminating habitable spaces via any leaks in the shaft walls. It may be possible to use a power-vent on the existing boiler, or on additional boilers installed in the future, instead of refurbishing the chimney. However, an engineering study would be required, and the resulting installation would be more maintenance-intensive than a chimney.

Estimate to reline existing chimney with cementitious lining: \$60,000

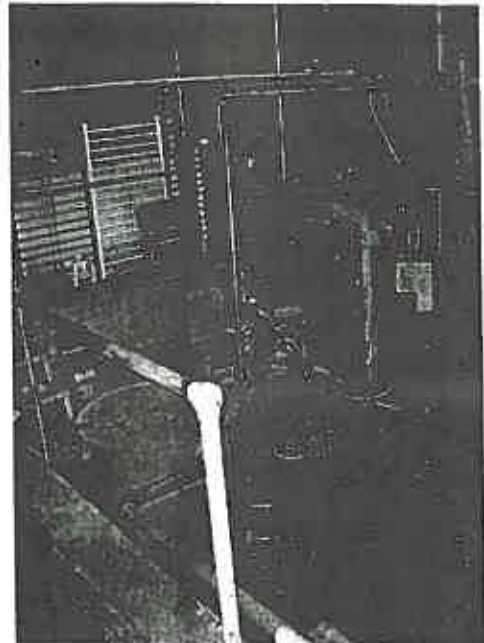
(Does not include re-pointing or other required structural repairs.)

The combustion-air intake is not large enough, nor of the correct configuration.

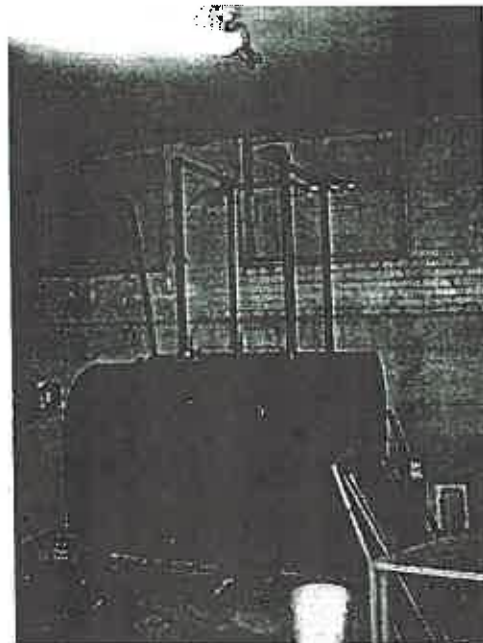
Estimate to provide combustion air intake: \$1,500



Chimney Condition at Roof



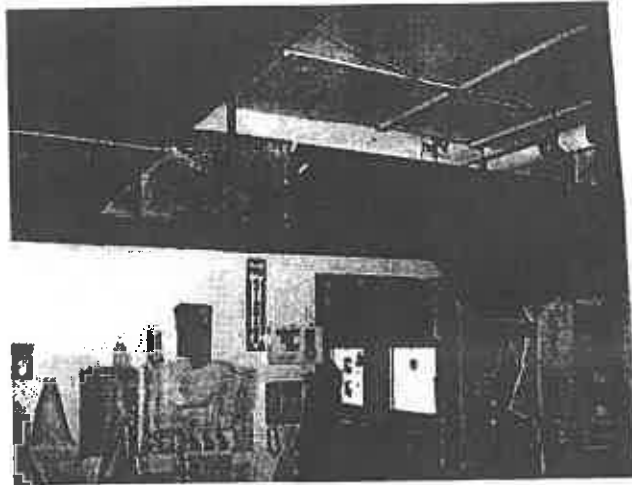
Abandoned Steam Boiler



Oil Tanks and Combustion Air Opening

The boiler room is very warm due to uninsulated piping and equipment, causing significant standby losses.

Estimate to insulate piping and steam specialties: \$3,000



Kitchen Range Exhaust System

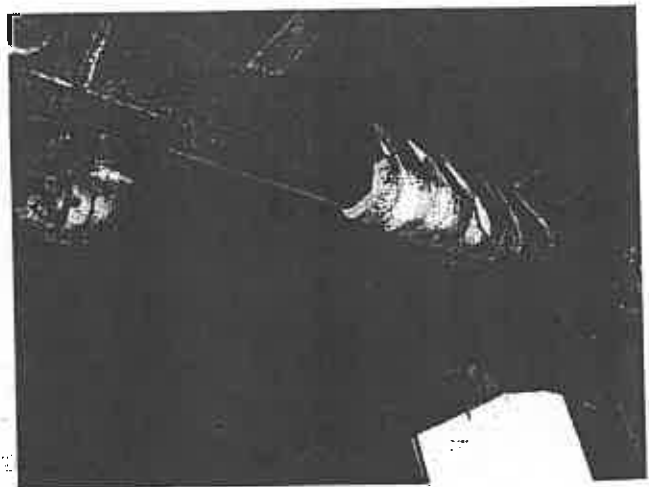
The kitchen on the ground floor has a makeshift exhaust canopy with ductwork and fan, exhausting through a ground-floor window. Commercial cooking appliances in commercial buildings are required to have exhaust appliances and fire suppression in accordance with the requirements of NFPA 96.

In this case, the termination requirements would be somewhat difficult to meet, as the current location of the exhaust discharge is too close to windows, doors, and grade. Completely addressing the code deficiencies would be difficult given the location of the kitchen. It would require routing the ductwork in a non-combustible shaft, or up the side of the building exposed.

Estimate for kitchen hood with suppression and make-up air: \$35,000

Ventilation

The building has no mechanical ventilation. The original system of steam heated shafts is deteriorated, and should be removed and sealed up, or re-used as part of a new system. A ventilation-only (no cooling) system consisting of equipment in the attic and small ductwork



Typical Original Steam Ventilator Panel

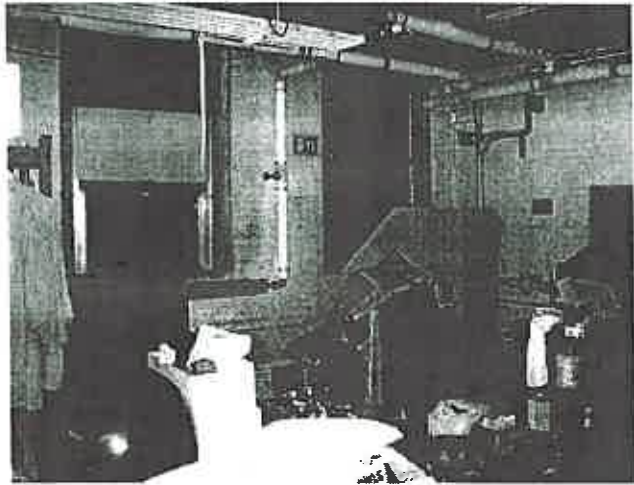
throughout the building, routed through the existing shafts where possible, is recommended as the most energy-efficient and cost-effective approach.

Estimate to remove steam shaft heaters and piping, dampers, plenums, etc and provide building-wide ventilation using energy-recovery ventilators, ductwork, registers, limited controls: \$225,000

The building should be provided with a system of automatic sprinklers. A wet system for the three main floors and a dry system for the attic are assumed here. The water entrance would also need to be enlarged for this purpose.

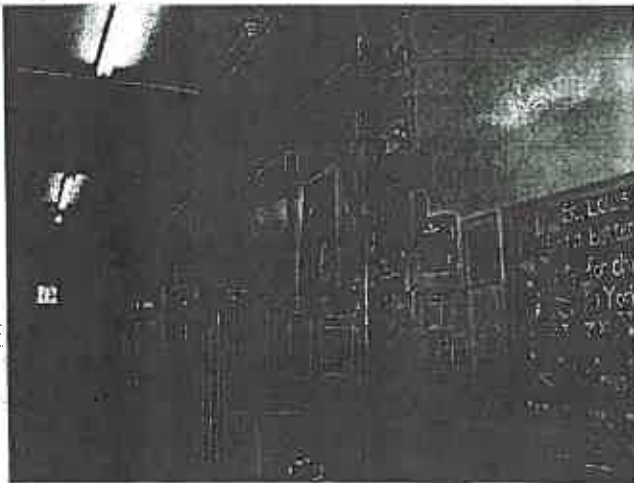
Estimate for building sprinklers: \$150,000

Estimate for new 6-inch water entrance: \$20,000



Existing 2-inch Building Water Entrance

The backflow preventer is inaccessible behind items in storage. Backflow preventers are required to be tested yearly. The access to the water entrance should be cleared, and the backflow preventer tested: \$200



Existing Standpipe at First Floor

The existing 2-inch standpipe is connected to a 1-1/4-inch water pipe in the boiler room, which it shares with other cold water connections in the building. This is apparently due to renovations and changes over the years. The standpipe does not meet requirements for standpipe water supply, and should be removed or capped. As a minimum, the fire department should be informed that its use in the event of a fire emergency should not be relied upon. Alternatively, the standpipe should be removed.



Typical Building Plumbing Fixture

Although the deteriorated condition of the building's plumbing fixtures and the lack of handicapped accessible facilities warrants their upgrade and/or replacement, such work would presumably be part of some future larger renovation. Replacement of the existing fixtures in-kind estimate: \$40,000. Note that, should the building's use change, additional fixtures would also likely be required.

ELECTRICAL

Power

Replace the plug-fuse panels. \$5,000

Remove or relocate items blocking panels. Maintenance item.

Lighting

Provide exterior emergency lights at exits and additional units throughout the building. \$12,000

Provide additional lighting in the stairs:

\$4,000

Provide additional exit signs: \$3,000

Provide additional lights in the attic: \$3,000

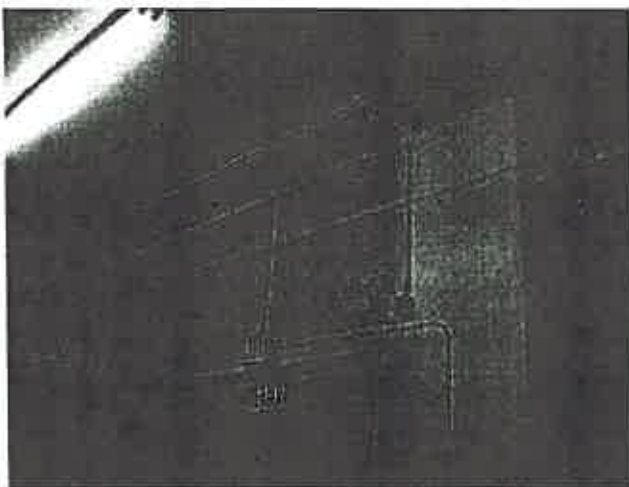
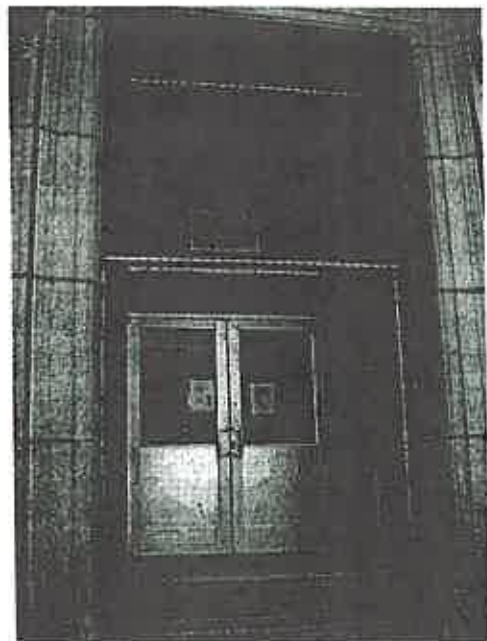
Provide exterior lights at exits: \$4,000

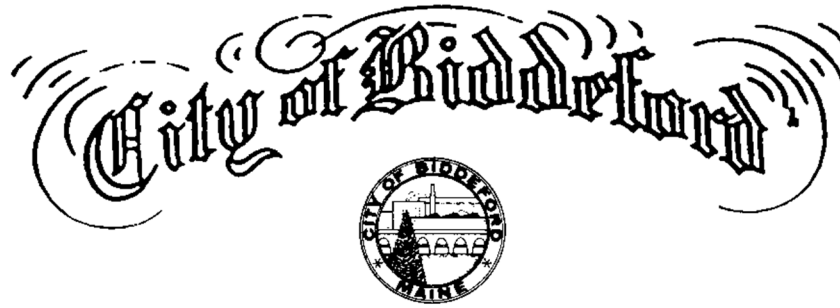
Fire Alarm

Provide additional smoke detectors in stairs,
corridors and rooms: \$5,000

Provide additional horn/strobes and relocate
existing units: \$5,000

Provide additional manual pull stations:
\$3,000

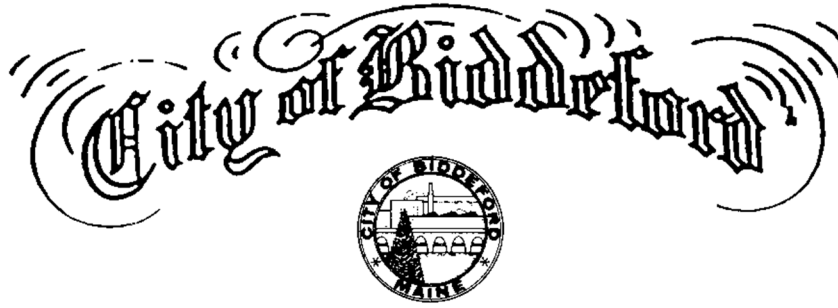




2017.116

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.



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.

CITY OF BIDDEFORD

Application for
City Committees, Commissions and BoardsDate: 10/9/17Name: William J. DenyerStreet Address: 12 Pinewood CircleMailing Address:
(if different) Biddeford, ME 04005Phone Number(s): 207-282-9372Email Address: Wdenyer@maine-crr.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 Advisory Committee |
| ☐ • Capital Projects/Operations Committee | ☐ • Policy Committee |
| ☐ • Conservation Commission | ☐ • Project Canopy |
| ☐ • Downtown Development Commission | ☐ • Recreation Commission |
| ☐ • Economic Improvement Committee | ☐ • Saco River Corridor Commission |
| ☐ • Environmental Board | ☐ • Shellfish Conservation Committee |
| ☒ • Fire Advisory Committee | ☐ • Solid Waste Management Commission |
| | ☐ • Wastewater Management Commission |
| | ☐ • 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)

*Board of Assessment Review
(MAY 2013 - 2014)*

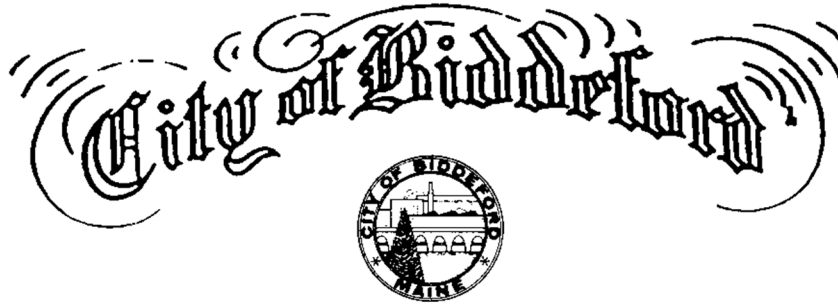
Please list any other experience that may be pertinent to the Board or Committee in which you are requesting to serve on.

*Former Chairman - S.M.A.C.
Former President - Biddeford Savings Bank
Former Chairman of Board - Biddeford Savings.*

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

*Reside in Biddeford - since 1977 - own a
Property on 12-Pinewood Circle*

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



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.