



CITY OF BIDDEFORD

Planning and Development Department

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Planning Board Meeting Minutes

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

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (Chair), Roch Angers, Sean Tarpey, Michael Cantara, & Susan Deschambault
Staff Present: Matt Grooms (City Planner), Greg Mitchell (Director of Planning & Economic Development), Eric Freeman (Assistant City Planner) & Nan Whitten
Chair Southwick opened the meeting at 6:01 PM
3. Adjustments to the Agenda
4. Planner's Business
 - Matt Grooms introduced the new Assistant City Planner, Eric Freeman
 - Mr. Grooms told the Board that he had been approached by the applicants of Hidden Hills to do a Site Walk. The feedback from the Board was favorable about going on a Site Walk of Hidden Hills.
5. Consent Agenda
Approval of Meeting Minutes from August 3, 2022 & August 17, 2022
MOTIONS: 6:05 PM
Angers-Motion-To approve the meeting minutes from August 3 & 17, 2022
Tarpey-Second
Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara, & Deschambault)
6. Unfinished Business
7. New Business
 7. A. 2022.33 Review an application to determine the Greatest Practical Extent for Dan & Kathy Hutchens to replace and expand a structure in the Coastal Residential, Shoreland Overlay Zone at 111 Mile Stretch Road (Tax Map 59, Lot 3-1).
 - Mr. Grooms introduced the project and showed the Board the new plans that were brought in by the applicant that evening.
 - The applicants represented themselves
 - There were no public comments
 - The Board gave the applicants some guidance
They would like to see a new plan that has more detail and easier to read. The submitted plan has small print and is very light. The new plan should be in the

name of the applicants with a report from the engineer, and include the deed to the property.

- Mr. Grooms will look into whether the applicants need more frontage or where this is a continuation of a non-conforming lot they are all set.

MOTIONS: 6:18PM

Anger-Motion-To table the application until the meeting of September 21, 2022. Staff will answer the question about frontage and the applicant will bring a more detailed plan that is larger and easier to read.

Cantara-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara, & Deschambault)

7. B 2022.34 Application to determine the Greatest Practical Extent for James & Story Leonard to remove and reconstruct a structure in the Coastal Residential, Shoreland Overlay Zone at 10 Lester B. Orcutt Boulevard (Tax Map 59, Lot 23).

- Mr. Freeman introduced the project telling the Board that this project would result in a reduction of building envelope and impervious surface.
- The property is separated from the water by Yates Street
- Mike Morse from Archipelago Engineering & Design, LLC represented the applicants.
- Mr. Morse told the Board that the existing non-conforming structure, built in 1920 is less than a foot from the easterly property line.
- Once completed, the new structure would be 19.75' from the road and 10' from the property lines.
- The new home will be smaller and will be an aesthetic improvement to Biddeford Pool; it will sit back 193.56' from the shore.
- The original structure is a 2 unit dwelling, the new house will be a single family.
- The neighbors have been contacted and the applicants received nothing but favorable comments.
- There were no public comments
- The Board commented that the plan and presentation were both excellent.

MOTIONS: 6:36PM

Tarpey-Motion- to approve the Determination of Greatest Practical Extent for James & Story Leonard based upon the approved plan for 110 Lester B. Orcutt Boulevard and approve the Findings of Fact and Conclusions of Law based on the Conditions outlined in the Staff Report dated September 1, 2022.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara, & Deschambault)

Tarpey-Motion- Due to the coronavirus pandemic the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey Cantara & Deschambault)

7.C. 2022.36 Review a Shoreland Zoning Application by Scott Strynar, Landscape Architect, LLC for Richard Hogan dba Pool Ghoul, LLC to build a permanent pier, stabilize the coastline and replace steps at 15 St. Martins Lane in the Coastal Residential, Shoreland Overlay Zone (Tax Map 57, Lot 5).

- Mr. Freeman introduced the project
- Mr. Grooms added that because this is a permanent dock in tidal waters, the applicant had to come to the Planning Board for approval and will need a DEP permit.
- Scott Strynar-Landscape Architect represented the applicants.
- The applicants will be getting a permit from the Army Corps of Engineers as they will be stabilizing the embankment and creating new stairs in the embankment.
- The pier will be pinned to existing granite and have 3 posts on each side for stabilization.
- There were no public comments
- The Board wanted to know who is designing the dock-Custom Floats from Portland.

MOTIONS: 6:47PM

Tarpey-Motion- approve the shoreland zone permit (after the address on the plan has been corrected) for a permanent dock at 15 St. Martins Lane (Tax Map 57/Lot 5) subject to the draft condition of approval presented in the report dated September 1, 2022.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara & Deschambault)

Tarpey-Motion- Due to the coronavirus pandemic the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board.

Angers-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara & Deschambault).

7. D. 2021.08 Review of a Final Subdivision Application for E & R Development Corp to establish 19 Lot Cluster Subdivision (West Brook Subdivision) on an 8.31-acre lot off Winding Creek Lane (Tax Map 8, Lots 3-1 and a portion of lot 3) in the R1-A Zone.

- Mr. Grooms introduced the project; he also introduced Greg Mitchell, Director of Planning & Development to speak about the land swap.
- The applicant is requesting a waiver of minimum space separating buildings from 30' to 20'.
- Greg Mitchell spoke regarding the land swap.

- Chrystina Gastelum, Chair of the Conservation Commission, advisors to the Board, gave the Board their comments regarding the project.
 - Mike Eon spoke on his own behalf. He talked about the changes he and his team have made in order to appease comments and concerns. He addressed the critter fence being installed, the wildlife corridor, and his consultations with IF& W.
 - In addition to Mr. Eon, the following are representing the applicant in this project: William Thompson, BH2M, Tracy Tarr, GZA & Chris MacDonald, BH2M
 - Mr. Grooms reminded the Board that this project does not trigger Maine Site Law. Additional spurs being added to this development may trigger Site Law and when and if that happens the City has been authorized to handle that in-house.
 - Mr. Eon explained how the critter fence works and the jump out gate for it so that turtles can't get over it.
 - IF&W recommended the critter fence and told the team that they have no jurisdiction over this site.
 - All comments including those from Milligan & Saucier have been addressed.
 - Chris Mac Donald showed a video explaining the land and area.
 - Speaking from the public are as follows:
 Catherine Mayo-179 Hill Street
 Nathanael Beisiegel-29 Winding Creek Lane
 Loren McCready-29 Winding Creek Lane
 Charlie Gould-22 Winding Creek Lane
 Maya Atlas-5 Raymond Street
 Jonathan Ruby-5 Raymond Street
 Samantha Wolfe-103 Granite Street
 Laura Siciliano-3 Winding Creek Lane
 Greg Gall-145 Main Street
 Denis Rioux-677 South Street
 Ken Buechs-10 Seal Lane
 Richard Rhames-10 West Loop Road
 Chrystina Gastelum-58 Pike Street
 Jess Muise-4 Wilson Street
 Maya Atlas-See Above
 Loren McCready-See Above
 Jonathan Ruby
 Charlie Gould-See Above
 - The Board discussed whether they could make the approval contingent upon the City Council putting a Conservation Easement on the land they are receiving. It was decided to make a formal request to Council but it cannot be used as a Condition of Approval.
 - The Board discussed with the applicant tabling the project in order to go through documents received earlier in the day and to make a strong recommendation to the City Council for a Conservation Easement
- MOTIONS: 9:29PM**
Tarpey-Motion-To postpone voting on the project until the meeting of September 21, 2022

Cantara-Second

Chair Southwick-roll call for vote-Motion Passed 3-1 (Angers, Tarpey, Cantara in favor, Deschambault against).

Cantara-Motion-For the Planning Board to send a strong recommendation using clear and concise language to the City Council to put a Conservation Easement on all of the land being obtained in this land swap in order to prioritize the wild life and recreation.

Tarpey-Second

Chair Southwick-roll call for vote-Motion Passed 4-0 (Angers, Tarpey, Cantara & Deschambault).

- Chair Southwick reiterated that only new information needs to be submitted.
- All information must be submitted by Thursday, September 15th at noon, otherwise it will not be included in the Planning Board Packet for discussion.

8. Adjourn

Meeting adjourned at 9:36 PM

Planning Board Chair/Vice Chair

Date

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