



CITY OF BIDDEFORD

Planning and Development Department

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Planning Board Meeting Minutes

Date: August 17, 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, Alexa Plotkin, Michael Cantara, Larry Patoine, & Susan Deschambault

Staff Present: Matt Grooms (City Planner), Greg Mitchell (Director of Planning & Economic Development) & Nan Whitten

Chair Southwick opened the meeting at 6:01 PM

3. Adjustments to the Agenda

4. Planner's Business

- Matt Grooms gave an update on the schedule for the Comp Plan.
- Mr. Grooms commented that the schedule is ambitious and this is a top priority for Planning & the Board
- Unfortunately, the Comp Plan has been derailed by COVID and then staffing changes but things are settling down now.
- He shared a Plan Gantt Chart
- Two tasks to focus on are cleaning up the data & the chapters
- Grooms feels the heaviest lifts of the process are done.
- There will be a working draft to be sent to Council in a couple of months
- December is the goal date for the Public Hearing to send the final plan onto Council.
- There will be a Workshop for the Comp Plan on Wednesday, September 21, 2022

5. Consent Agenda

6. Unfinished Business

7. New Business

2022.32 Public Hearing regarding the following proposed zoning amendment:

Amendment to Article V, Table B, Footnote B (Dimensional Requirements) to implement changes to the City's density bonus regulation, to clarify applicability of the regulation, affordability requirements and enforcement protocols.

- Matt Grooms introduced and explained the proposal
- The purpose of the proposed change is to make the policy cleaner, easier and more user friendly
- The 10-year Time Frame is a suggested time, which can be discussed.

Public Comments:

Patricia Boston-asked for clarification on the documents

Guy Gagnon-Director of the Biddeford Housing Authority

Does not want a timeframe or the timeframe extended

Mr. Gagnon suggests the City use the FMR published by the Biddeford Housing Authority. The 80% is based on a formula, which HUD lags behind in publicizing.

- **Public Hearing Closed, back to Board**
- **The Board members discussed leaving the time with no end, leaving the 10 years, going 20 years or structure the item to the time is tiered until it is gone.**
- **They discussed the economic benefit to the homeowners and that it is 99 years with Maine Housing.**

MOTIONS: 6:44 PM

Cantara-Motion-Motion to recommend the zoning text amendment to Article V, Table B, Footnote B.1 as drafted with the condition of using 80% of the published Biddeford Housing Authority rate and a 20-year agreement with the City of Biddeford when sent to the City Council for approval.

Angers-Second

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

7.B. 2022.24 Public Hearing for a proposed Contract Zone for Devine Capital, LLC at 558 & 590 Alfred Street (Tax Map 2, Lots 6 & 12) to construct up to 216 residential units in 9 multi-family residential buildings, with up to 24 dwelling units per building, the units will range from studios to 1, 2 & 3 bedroom units.

- **Mr. Grooms introduced the project and told the Board that at this time, the applicant is not requesting a Contract Zone. This item is for Sketch Plan Review only.**
- **The applicant will appear before the Board for a Contract Zone later. A Contract Zone is necessary for this project, as it is not allowed in the B2 zone.**
- **The applicant is aware that additional permits are required such as MDOT, Traffic Movement, DEP, Stormwater & SLODA.**
- **The Board's only decision is to determine whether this is a minor or major subdivision.**
- **Representing the applicants:**
Bill Fletcher, Fletcher, Selser & Devine
Rick Meek, Terradyne Engineering
John Devine, Devine Capital, LLC
Ben Devine, Devine Capital, LLC
- **Mr. Fletcher made a presentation showing other projects the Devines have completed much like the proposal in Biddeford.**
- **He showed the project in Scarborough, which is a mixture of 1, 2 & 3 bedroom units located off the Haigis Parkway.**
- **Mr. Fletcher told the Board that the team made a presentation the Biddeford City Council in January.**
- **These will be market rate units.**

- The applicants are giving \$500,000.00 to the City for affordable housing.
- The Council stipulated that they would like to see a Family Area, Playground, Day Care and a Conservation Easement.
- Ben Devine gave the Board a breakdown of the proposed housing mix of 27 studio apartments, 18-1 bedroom apartments, 36-1 bedroom apartments with a den that can be used as a second bedroom, 108-2 bedroom apartments and 27-3 bedroom apartments.
- Mr. Devine told the Board they would like to have the Contract Zone approved in September with the other permits coming along and begin construction in the spring.
- **Public Comments:**
 Jim Boyle-abutter on Andrews Road, after seeing the proposal, he is excited for the development
 Guy Gagnon-Biddeford Housing Authority, he supports this development but he would like the applicants to build one more unit with 24 units at an affordable housing rate. He doesn't feel the \$500,000.00 will go very far to help with the affordable housing issue.
- Chair closed Public Comment Session
- The Board asked what the current rates are being charged in the applicant's other developments. Mr. Fletcher did not know but will provide that information at a later date.
- The Board asked about affordable housing, space for school transportation and a bus stop.
- The Board would like sidewalks throughout the project and bike lanes on Route 111.
- Mr. Devine told the Board that there would be public trails; the project is on public water and sewer. They have been working with the Maine Turnpike Authority and the City and have very good relationships with both.
- He told the Board that they are not affordable housing developers and the money they give the state for affordable housing is to be leveraged and matched by the state.
- Mr. Devine told the Board that all of the garages at the Scarborough project are 100% rented at \$100 per month. The garages are for cars but are sure some people use them for storage.
- The Board discussed various ways of having the tenants cross Route 111 for shopping an underground tunnel and a footbridge over 111 were both suggested.

MOTIONS: 7:37 PM

Angers-Motion- to designate the application for a 216-unit multifamily residential subdivision at 588 and 590 Alfred Street (Tax Map 2, Lots 6 & 12) as a Major Subdivision.

Cantara-Second

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

7.C. 2022.23 Review of a Shoreland Zoning Application for Nicola Shannon at 29 Twin Island Drive (Tax Map 47, Lot 34-1) in the Suburban Residential 1 Zone with Limited Residential Overlay. The proposed project is to construct a recreational dock consisting of a landing, steps, a 6' X 16' pier, a 3' X 40' ramp, and a 12' X 24' float.

- Mr. Grooms introduced the project; he told the Board that because this is to be a permanent dock it must have Planning Board approval.
- This project must complete 11 performance standards.
- Tim Forrester of Atlantic Environmental represented the applicant.
- Mr. Forrester told the Board about changes made to the plan in order to accommodate the Harbor Master's comments. The applicant has made some changes such as the angle of the docks.
- Public Comments:
Ray Lemay-the abutter to the North, he has seen 3 different sets of plans but nothing from the Army Corp of Engineers or the DEP. He is very concerned about the channel being blocked.
- Public Comment Session Closed
- The Board asked about the specifics of the docks and float and measurements. They also asked about approvals from the Saco River Corridor Commission, which Mr. Forrester said was not necessary per the Commission.
- It was determined that the float is 12' X 12' and the dock is less than 6' wide.

MOTIONS: 7:57 PM

Cantara-Motion-to waiver full site plan review

Plotkin-Second

Chair Southwick-roll call for a vote-Motion passed 4-0 (Angers, Tarpey, Plotkin & Cantara)

Cantara-Motion-to approve the Shoreland Zoning Permit for Nicola Shannon at 29 Twin Island Drive and approve the Findings of Fact and Conclusions of Law dated August 10, 2022, with the condition that any permits required from the DEP, Saco River Corridor Commission, or Army Corp of Engineers are presented to the Planner and found to be acceptable to him.

Angers-Second

Chair Southwick-roll call for vote-Motion passed 3-1 (Angers, Plotkin & Cantara for, Tarpey against).

8. Other Business

- Mr. Grooms announced that the next meeting would be September 7 and due to the number of submissions, there will be an interim Planning Board Meeting on September 14 to finish all projects and September 21 will be a Comp Plan Workshop.
- There is a seminar on Planning Boards on August 24 by the MMA, let the Chair know if you would like to attend.
- A new Assistant Planner has been hired who will start August 22, 2022.

9. Adjourn

Meeting adjourned at 8:02 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.