

CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
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Biddeford, ME 04005
(207) 284-9115

Planning Board Meeting Minutes

Date: August 16, 2023
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Larry Patoine (Chair), Roch Angers, Sean Tarpey, Alexa Plotkin, & Susan Deschambault
Staff Present: Greg Mitchell, David Galbraith & Nan Whitten
Chair Patoine opened the meeting at 6:00 PM
3. Adjustments to the Agenda-None
4. Planner's Business
 - FOAA Training for all members of the Planning Board
 - Backlot Ordinance was passed by the City Council
 - The Council would like the Planning Board to look at minor reductions in frontage in certain zones
 - The Traffic Movement Permit for 10, 20, 30 Upper Falls Road is in the works but not finalized due to no fault of the applicant's. This is keeping the developer from moving on with his project, as this was a condition of approval. Mr. Galbraith would like to seek a modification of the conditions of approval to extend this condition so that the developer may begin construction.MOTIONS: 6:05 PM
Plotkin-Motion-To grant a modification to this condition of approval that would require the MDOT signed TMP to be submitted prior to the issuance of the Occupancy permits being issued for the 20 Upper Falls Road building.
Angers-Second Motion passed unanimously
5. Consent Agenda
5. A. Approval of Meeting Minutes from July 26, 2023
MOTIONS: 6:09 PM
Plotkin-Motion-To approve the meeting minutes from July 26, 2023 with the previously discussed corrections.
Deschambault-Second Motion passed unanimously
6. Unfinished Business
6. A. Continued Conversation on Contract Zone information for 608 New County Road.
 - Mr. Galbraith began the conversation by reminding the Board that it would be Contract Zone #22.

- He would like to begin drafting the document of the Contract Zone for the Council.
- Mr. Galbraith asked the Board to look at the Conditions of Approval for items they would like to add or eliminate.
- Mr. Tarpey asked about the previously discussed survey.
- Mr. Galbraith would like to get the proposal for the Contract Zone document prior to getting into the site plan request.
- Mr. Tarpey stated that he is not in favor of this project because of the comp plan.
- Public:
John Braley III 616 New County Road
- One of the applicants-Peter Valencourt addressed Mr. Braley's concerns.
- There will be an on-site caretaker and they have a contract with the former owners to stay on-site and run the campground for one year after closing.
- The stadium lighting is where the new barn is going. The stadium lighting will be replaced with down facing lighting to avoid light pollution.
- The barn will be facing away from Mr. Braley's house with the music being in the structure only.
- The capacity for the barn is 200 people; they are keeping the rural look and feel. They will be trying to keep all trees and will have a small pond for the sprinkler system.
- There will be a catering kitchen in the back of the barn but there will be no cooking on site.
- Mr. Galbraith clarified that the Contract Zone is a legal document through the City Council and the Site Plan is through the Planning Board only.
- Mr. Galbraith directed the Board to concentrate on the Contract Zone.
- Mr. Galbraith asked the Board to look and decide on Draft 1 or 2.
- He then asked them to decide whether the Board wants to send a positive or negative recommendation.

MOTIONS: 6:41PM

Deschambault-Motion-To send Draft #1 to the City Council with a positive recommendation.

Angers-Second Motion passed 3-2 (Patoine, Deschambault, & Angers in favor; Tarpey & Plotkin against)

7. New Business

7. A. 2023.39 Public Meeting and take comments regarding Phase I of a Preliminary Subdivision Plan Application for One Diamond Development, LLC to construct 477 residential units, multi-unit buildings and commercial space at 1 Diamond Street (Tax Maps 40 & 37, Lots 25-1, 25-2, 24, 25, 34 & 35) in the B1 & GD1 and in the shore land overlay zone.

- Tim Harrington introduced himself and his business partner Kevin Ward.
- Dan Riley from Sebago Tech and Phil Chaney from SMRT represented the applicant.
- Mr. Riley & Mr. Chaney gave a slide show presentation on the overall development.

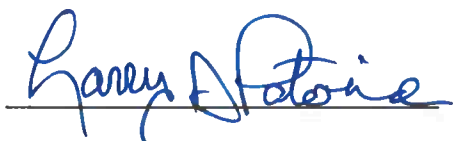
- Guy Gagnon of the Biddeford Housing Authority was the only commenter from the public.
- Mr. Angers is concerned about the request for parking waivers. He feels that in that development there should be enough space for everyone to park. The alternative of parking across the street in the parking garage is not a good solution as crossing the street in this area will be very dangerous.
- Mr. Tarpey is concerned about the use of Natural Gas but was told the gas is only used for heating the swimming pool and emergency generators. Heat pumps will be used in each apartment. The hot water and stoves will all be electric.
- Mr. Tarpey then asked about EV charging stations and the applicants will discuss that further.
- This will be a bike and pedestrian friendly area. The roads are 30' wide with sidewalks on at least one side and the sidewalk for the river walk is 10' wide so that people with strollers and wheel chairs can walk it.

MOTIONS: 7:48PM

Plotkin-Motion- Approve Case # 2023.29 for One Diamond Street Development, LLC. for the submitted Master and Phasing Plan and preliminary Plan of Phase I of the development. This application involves redevelopment of property at 1 Diamond Street, located within Business 1 (B1), High Density/Mixed Use (MSRD-3) and Waterfront Renaissance (WR) Districts.

Angers-Second Motion passed unanimously

7. B. 2023.04 Public Hearing-Presentation by Greg Mitchell of the Planning and Economic Development Department of the proposed Inclusionary Zoning Ordinance.
 - Greg Mitchell gave a presentation on the development and changes of the proposed Inclusionary Zoning Ordinance.
 - The changes encompass adding the Land Use Code, Exceptions to the code and fixing some typographical errors that were in the earlier presentation. This was the second presentation of this ordinance to the Planning Board. It was presented on July 26 also and to the City Council June 12 & 20.
 - Guy Gagnon of the Biddeford Housing Authority spoke from the public.
 - Mr. Mitchell noted that the regulations need more work and he is hearing that the sunset provision needs to be longer, there should be incentives for the contractors to participate such as bonus density and for the IZ to be used where homes will be owned also such as condominiums and single-family homes.
 - The Board and staff are encouraged to talk to contractors about this in order to get their feedback.
8. Other Business-This was Greg Mitchell's last Planning Board meeting with the City of Biddeford and the Board thanked him for all of his work and dedication. Mr. Mitchell also thanked the Board saying he enjoyed his time in Biddeford.
9. Adjourn
Meeting adjourned at 8:40 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.