



CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.

City Planner

205 Main Street

P.O. Box 586

Biddeford, ME 04005

(207) 282-7119 or (207) 284-9115

Greg.Tansley@biddefordmaine.org

Planning Board Meeting Minutes

Date: Wednesday, August 5, 2020

Time: 6:00 PM

Location: REMOTE ACCESS MEETING (1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

For Information on how to access and participate in the meeting go to <https://www.biddefordmaine.org/2478/Video-Agendas-Minutes> and select the August 5, 2020 Planning Board agenda.

1. Pledge of Allegiance - Dispensed of the Pledge of Allegiance due to COVID-19 Remote Meetings.
2. Declaration of Quorum/Voting Members
 - Quorum Present: Vice-Chair Roch Angers, Bruce Benway, Sean Tarpey, Michael Cantara (Alternate Voting Member).
3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
 - A. Minutes of July 1, 2020 Planning Board Meeting.

MOTION:

- Benway – Motion: to approve the consent agenda.
- Cantara – Second.
- Chair Angers – Roll Call for vote – Unanimous Approval (3-0) all in favor (Tarpey, Benway, Cantara).

6. Unfinished Business
7. New Business
 - A. 2020.20 Shoreland Zone/Determination of Greatest Practical Extent for John Campbell and Susanna Peyton at 26 Sea Spray Drive (Tax Map 67, Lot 33) in the CR and LR (shoreland) zones.
 - City Planner Tansley introduced the project.

- Mr. Jesse Thompson and Ms. Danielle Foisy representing the applicant gave a brief summary of the project.

Mr. Russ La Porte, 19 Sea Spray Drive asked:

- How is the height of the building determined?
- Asked where the 7.4' contour figure come from, was it an estimated elevation or is the HAT line determined by the staining of the rocks

City Planner Tansley addressed his comments:

- Planner Tansley explained the height of building and elevation are not Planning Board issues and referred him to the Code Enforcement Officer Robby Fecteau.

J. Lyons, 27 Sea Spray Drive, sent an electronic message (Zoom Chat) saying his questions were the same as Mr. LaPorte and had no further questions.

MOTIONS:

- A. Benway – Motion: *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely.*

Chair Angers declared Motion dead without a second.

- B. Cantara- Motion: *Table the item until August 19, 2020 in order to give the public time to weigh in on the project.*

Tarpey – Second.

Chair Angers – Roll Call for vote – Approval 2-1 with Tarpey and Cantara in favor, Benway against. Motion to table passed.

- B. 2019.24 The Final Subdivision Review and Conditional Use Permit for Peter A. Mourmouras to create a 6-lot Cluster Subdivision off River Road (Tax Map 6, Lot 49) in the R-F zone.

- City Planner Tansley described how this was tabled at the last meeting due to Conservation easement issues. The issues have been cleared up. The applicant's attorney (David Jones) submitted the documents to the City for

its Attorney to review. Upon review, the City Attorney had no comments except to note a typographic error.

MOTIONS:

- A. Benway. Motion: *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan given that public convenience, safety, health and welfare will not be affected adversely, and motion to approve the Final Subdivision and Conditional Use Permit for Eagle River Run Estates off River Road (Tax Map 6, Lot 49) in the RF zone and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 30, 2020.*

Cantara – Second.

Chair Anger – Roll Call for vote – 2-1 Approval (Benway and Cantara in favor, Tarpey against). Motion to approve passed.

- C. 2020.04 The Final Amended Subdivision/Private Way for Dale Wilkinson to create two new lots off a new Private Road off South Street (Tax Map 1, Lot 50) in the R-F zone.
- Rick Hull, attorney for the Applicant, and Andy Morrell of BH2M, represented the applicant. Mr. Hull explained the creation of the original lots and creating new lots of the old plan. Mr. Morrell explained the changes made to the plan and other documents submitted on behalf of the applicant.

There were no public comments

MOTIONS:

- A. Benway. Motion: *Motion that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency and a statewide stay at home order, the Planning Board pursuant to Chapter 66-9 hereby authorizes the City Planner to sign the final plan on behalf of the Planning Board and the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of*

the final plan given that public convenience, safety, health and welfare will not be affected adversely, and motion to approve the amendment to the Sandybrook Subdivision and Private Road for Dale Wilkinson off South Street (Tax Map 1, Lot 50) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 30, 2020.

Cantara – Second.

Chair Anger – Roll Call for vote – Unanimous approval (Benway, Tarpey, Cantara). Motion to approve passed.

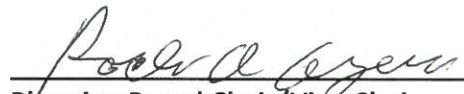
9. Other Business

8. Adjourn

A. Benway. Motion: *Motion to adjourn.*

Cantara – Second.

Meeting Adjourned at 7:45 PM.


Planning Board Chair/Vice-Chair

11/4/2020
Date

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