



CITY OF BIDDEFORD

Planning and Development Department

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Planning Board Meeting Minutes

Date: July 7, 2021
Time: 6:00 PM
Location: City Hall Council Chambers & REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

1. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (Chair), Sean Tarpey, Spiros Droggitis, Roch Angers, Bruce Benway, Michael Cantara & Alexa Plotkin.
Chair Southwick opened the meeting at 6:02 PM
 2. Adjustments to the Agenda
 3. Planner's Business
 4. Consent Agenda
 4. A. Approval of Planning Board Meeting Minutes from June 16, 2021
MOTIONS: 6:05 PM
Benway-Motion- Motion to approve the Consent Agenda for June 16, 2021.
Angers-Second
Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Droggitis, Tarpey, Angers Benway)
 5. Unfinished Business
 6. New Business
 6. A. 2020.39 -To revise the Historic Preservation Ordinance to provide a process for the Nomination and addition of historic buildings, landmarks, and sites, and to clarify the responsibilities of the Historic Preservation Commission. This amendment is the first step in the process of attaining "Certified Local Government" status through the Maine Historic Preservation Commission, opening new grant opportunities for historic preservation purposes.
 - Brad Favreau, Economic Development Coordinator updated the Board on changes made to the proposed ordinance at the request of the State.
 - There were no public comments on this item.
 - The Board discussed the ordinance revision with Mr. Favreau.
- MOTIONS: 6:18 PM
Benway-Motion- Motion to recommend the amendments be forwarded to the City Council with a positive recommendation.
Angers-Second

**Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0
(Droggitis, Tarpey, Angers & Benway)**

6. B. 2021.29--To revise Table A (Table of Land Uses) to allow “Public and private schools” in the Industrial-3 (I-3), zone as a Permitted Use (P).

- City Planner, Greg Tansley, introduced the proposal to the Board & Public
- The following commented from the public:
Ken Buechs & Sterling Roop
- Chair Southwick brought the item back to the Board. The Board discussed the topic with Planner Tansley.

MOTIONS: 6:33 PM

Benway-Motion-Motion to recommend the amendments be forwarded to the City Council with a positive recommendation.

Droggitis-Second

Chair Southwick-Roll Call for Vote-Motion Passed, 3-1 (Benway, Tarpey, Droggitis for and Angers against).

6.C. 2021.27- To amend 565 Elm Street (Tax Map 13, Lot 43) for 565 Elm Street, LLC to change the zoning for this parcel from Business-2 (B-2) to Industrial-1 (I-1).

- Planner Tansley introduced the project.
- The applicant, Joe Engelken, spoke on the project.
- Ken Bucci, owner of 561 Elm Street, spoke from the public
- The Board discussed the proposal as well as different options.

MOTIONS: 6:57 PM

Benway-Motion- to recommend that the zoning for 565 Elm Street be changed from B-2 to I-1 based on the reasons outlined in the applicant’s letter dated May 27, 2021.

Droggitis-Second

Chair Southwick-Roll Call for Vote Motion Failed, 3-2 (For: Benway, Droggitis; Against: Anger, Tarpey, Southwick breaking the tie)

Benway-Motion-Not recommend the lot be changed from a B-2 to I-1 for the reasons that it may have a negative impact on abutting businesses, the Board has not completed the Comprehensive Plan and there may be changes in that area that may need to be considered.

Anger-Second

Chair Southwick-Roll Call for Vote Motion Passed 3-1 (For: Benway, Anger, Tarpey; Against: Droggitis)

6.D. 2021.25--To amend Contract Zone #19 for the York Judicial Center at n/f Tax Map 88, Lot 5 and Lot 44, and Tax Map 3, Lot 66-1 to allow solar panel arrays in the parking lots of the York Judicial Center located off Elm Street (Route 1).

- Planner Tansley introduced the project
- The applicant was represented by:
Phil Johnston
Clair Colburn

Doug Reynolds
Dylan Hanscom

- Sterling Roop spoke from the public
- The Board discussed the proposal with the applicant's team, involving lighting, glare, completion time and solar designs.

MOTIONS: 7:41 PM

Benway-Motion- to approve the amended site plan and conditional use application and Findings of Fact to allow for the installation of solar arrays in the parking lots at the new York Judicial Center off Elm Street as reflected in the application materials as approved by the Planning Board and that Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board subsequent to Board approval of the actual array installation and other fencing and screening as maybe necessary 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 evidencing approval of the final plan and the final array arrangements.

Anger-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

Benway-Motion-to recommend that the Amendment to the York Judicial Courts Contract Zone #19 be amended to allow solar panels in the parking lots of the facility as reflected in the application materials as approved by the Planning Board to recognize and complement the applicant using Zero Net Energy meeting the City's Climate Control Goals.

Angers-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

6. E. 2021.21-Shoreland Zoning Determination of Greatest Practical Extent for Maria Schultz at 5 Surf Avenue (Tax Map 55, Lot 30-2) Coastal Residential Zone.

- Consulting City Planner, Christopher Di Matteo introduced the project.
- Maria Schultz spoke as applicant
- No public comments
- Board discussed the project with Mr. Di Matteo & Mrs. Schults.

MOTIONS: 7:56 pm

Benway-Motion-to approve the Determination of Greatest Practical Extent for Maria Shultz based on the materials submitted and that 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 evidencing approval of the final plan.

Angers-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

6. F. 2021.11-Shoreland Zoning Determination of Greatest Practical Extent for Sumi Dolben at 25 Mile Stretch Road (Tax Map 62, Lots 24 & 24-1) in the Coastal Residential Zone.

- Mr. Di Matteo introduced the project
- Mike Morse from Morse Environmental represented the applicant
- The Board discussed the project including septic designs standing up to seawater going over them. A dwelling versus a garage, consulting with the City Attorney and the DEP Shoreland Community Coordinator were discussed.
- The following spoke from the public:

Ken Buechs as a member of the Conservation Commission

Thomas Bean, Trustee of the SBB Realty Trust of 28 Mile Stretch Road

Peter Hess of 21 Mile Stretch Road

MOTIONS: 8:52 PM

Benway-Motion-to table the item to allow the Planner time to review the application with the EPA, City Attorney and the CEO on placement of the septic.

Angers-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

6. G. 2021.30-Conceptual Subdivision Application for 6 Lot Subdivision for Ginger Hill Design + Build at 158 Oak Ridge Road (Tax Map 4, Lot 57) in the Rural Farm Zone.

- Mr. Di Matteo introduced the project
- Bill Walsh from Walsh Engineering represented the applicants
- Emily & Robert Ingwersen from Ginger Hill Design spoke as applicants
- Bob Fortier of Oak Ridge Road spoke from the public
- The Board and applicants discussed the project, including cluster subdivisions

MOTIONS: 9:26 PM

Benway-Motion- proposed subdivision on 158 Oak Ridge Road is a major subdivision

Angers-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

Benway-Motion-to extend the time of the meeting

Angers-Second

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

6. H. 2021.31-Conceptual Subdivision Application for 6 Lot Subdivision for Ginger Hill Design + Build at 918 Pool Street (Tax Map 4, Lot 48) in the Coastal Residential and Rural Farm Zones.

- Mr. Di Matteo introduced the project
- Bill Walsh from Walsh Engineering represented the applicants
- Emily & Robert Ingwersen from Ginger Hill Design spoke as applicants
- No comments from the public
- The Board discussed the project with the applicants

MOTIONS: 9:36 PM

**Benway-Motion-proposed subdivision at 918 Pool Street is a major subdivision.
Angers-Second**

Chair Southwick-Roll Call for Vote Motion Passed 4-0 (Benway, Anger, Tarpey & Droggitis)

7. Other Business

8. Adjourn

MOTIONS: 9:36 PM

- **Benway-Motion-to adjourn**
- **Angers-Second**

**Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0
(Droggitis, Tarpey, Angers & Benway)**

Meeting adjourned at 9:55 PM

Planning Board Chair/Vice Chair

Date

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