



CITY OF BIDDEFORD

Planning and Development Department

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Planning Board

Date: Wednesday, July 1, 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 July 1, 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: Chair William Southwick, Bruce Benway, Sean Tarpey, Spiros Droggitis, Roch Angers, Michael Cantara (Alternate).

3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
 - A. Minutes of June 17, 2020 Planning Board Meeting.

MOTION:

Benway – Motion: to approve the consent agenda.

Droggitis – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers). Mr. Canatara was absent for this vote.

6. Unfinished Business
7. New Business
 - A. 2020.16 An Amendment to a Previously Approved Subdivision (Cathedral Oaks Subdivision) for the conveyance of 5,750 s.f. of land from Charles Sherman at 56 Cathedral Oaks Drive (Tax Map 85, Lot 67) to James Gallant at 52 Cathedral Oaks (Tax Map 85, Lot 97) in the R-3 zone.

City Planner Tansley introduced the project.

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.*

Angers – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- B. Benway. Motion: *Motion to approve the amendment to the Cathedral Oaks Subdivision for James Gallant to allow Charles Sherman to convey 5,750 s.f. of land to Mr. Gallant at 52 and 56 Cathedral Oaks Drive (Tax Map 85, Lots 95 and 67) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 1, 2020, and 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 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 – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- 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 introduced the project.

Mr. Vafiades representing the applicant provided a brief summary of the project.

Public comments included the following:

Mr. Fred Tardiff, 165 River Road, asked about three issues of concern:

1. Blasting and impacts on his well.
2. Sale price/value of the new homes.
3. The use of the open space.

Vafiades addressed Mr. Tardif's comments:

1. Not a lot of blasting is anticipated but will be needed for some foundations. They will follow state requirements for blasting. Regarding possible septic system contamination of his well, the design of septic systems largely takes away much of that risk since the septic is treated before discharge.
2. \$350,000-\$400,000's.
3. Biddeford's Ordinance regulates what can and cannot do on the property, and certainly no permanent structures or structures that will create noise. The intent is recreation and agriculture.

Gagne and Wood (155 River Road) echoed Mr. Tardif's questions/concerns. They also asked if the open space intended to allow public use of the land?

Vafiades – No it would be restricted to one or all of the residents of the subdivision.

Board Member Tarpey also said he felt the use of the open space needs to be better defined/restricted.

MOTIONS:

- A. Benway. Motion: Motion to table to allow the applicant to address the uses of the open space property included in this plan and return in August to the Board.

Droggitis – Second.

Tansley suggested that something should be provided to us by July 15 for the August Meeting.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- B. Benway – Motion. Motion that the previous motion be amended to specify the next meeting date as August 5.

Droggitis – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- 1
- C. 2020.02 The Final Site Plan Review for David Dube to construct a 3,200 square foot building for storage and office space and site infrastructure at 9 Digital Drive (Tax Map 15, Lot 7-5) in the I-1 zone.

City Planner Tansley introduced the project and provided a brief summary of changes staff's review of the project. He requested that the Board add a Financial Capacity Letter condition of approval to be required prior to any site disturbance.

Mr. Gadbois, the applicant's Engineer, provided a brief summary of the project and once Mr. Dube has final costs for the building he can provide that.

There were no public comments.

MOTIONS:

- A. Benway. Motion: To add that a Financial Capacity Letter be submitted prior to prior to construction as a condition of approval.

Angers – Second.

Chair Southwick – Roll Call for vote – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- B. Benway. Motion. Motion to approve the Site Plan for David Dube at 9 Digital Drive (Tax Map 15, Lot 7-5) and approve the Findings of Fact based on the conditions recommended by Staff in its report dated July 1, 2020, and 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 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 – Unanimous Approval (4-0) all in favor (Droggitis, Tarpey, Benway, Angers).

- D. 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.

Item removed from the agenda.

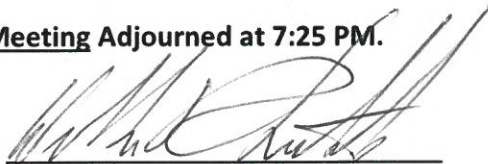
8. Other Business

9. Adjourn

A. Benway. Motion: Motion to adjourn.

Angers – Second.

Meeting Adjourned at 7:25 PM.



Planning Board Chair/~~Vice-Chair~~

10-22-2020
Date

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