



CITY OF BIDDEFORD

Planning and Development Department

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Special Planning Board Meeting Meeting Minutes

Date: August 7, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members: Larry Patoine (Chair), Roch Angers, & Matt Dubois (Alternate Member)
Staff Present: David Galbraith, Adi Iriqat & Nan Whitten
Matt Dubois will be voting tonight in order to make a quorum
3. Adjustments to the Agenda- Items 9A & 9B have been tabled or postponed
4. Planner's Business-None
5. Consent Agenda
Approval of Meeting Minutes from July 17 & 24, 2024
MOTIONS: 6:01
Motion-Angers-Motion to approve the Consent Agenda as presented
Second-Dubois
Vote: Motion passed unanimously
6. Open Public Hearing 6:01 PM
6.a 2024.43 Ordinance Amendment to the City Code of Ordinances, Part III: Land Development Regulations, Article V: Establishment of Zone, Section 11-Establishment of Zones-Item V Attachment 1, Table A-Modification to allow Multi-family Developments, with conditions, within the I-3 zoning District.
 - Galbraith introduced the proposal and changes of allowing multi-unit housing with the IZ stipulation.
 - Only 1 reading is needed
 - No public comments
 - Angers needed clarification on the proposalMOTIONS: 6:06 PM
Motion-Angers-I motion to approve the proposed Zoning Ordinance Text
Amendment: Code of Ordinances, Part III: Table A - Table of Land uses, as written with the addition of letter D.
Second-Dubois
Vote: Motion passed unanimously
7. Close Public Hearing
8. Unfinished Business-None
9. New Business

9.c 2024.17 The Biddeford Planning Board will review and discuss a Final Plan submitted by Indian Cliff Development for an 8 lot subdivision. The project is located on Barra Road (Tax Map 7, Lot 15) in the R-3 zone. One lot of this project is for AVESTA Housing.

- Galbraith re-introduced the project
- Chris MacDonald from BH2M represented the applicant
- The applicants are asking for 2 waivers which were discussed.
- One waiver is for slope to reduce the impact to wetlands
- The other waiver is for pre-construction stormwater run-off which balances off with post-construction stormwater
- MacDonald talked about the change in the hammer head at the end of Trail Side Way and the position of Lot J.
- Other changes made are in response to 3rd party comments.
- The Contract Zone changes are to be consistent with the building setbacks of 25/10/10 instead of 25/25/25
- The Contract Zone obtained preliminary approval by the City Council on the previous night. It will go for final approval on August 20th.
- Patoine confirmed that Contract Zone 23 has gone through staff and peer review. Galbraith responded in the affirmative and handed out copies of the final Contract Zone Agreement
- The applicant, Mike Eon explained the process of the final contract zone agreement and that they made changes at the request of Councilor Belanger.
- Eon explained the waivers being requested
- Galbraith explained that the final agreement has been reviewed by himself, George Gervais, Eon, Belanger and City Attorney Harry Center.
- Galbraith clarified that what they are asking for tonight is approval for the Contract Zone, 2 waivers, subdivision and site plan.
- Changes were made earlier in the day and brought to the Board that night.
- Angers confirmed that the change was only 1 word.
- No public comments
- Angers asked about the impact the waivers would have, it would be erosion control. The slope must be stabilized using an erosion control blanket. Engineering approved this slope.
- MacDonald explained that a 3-1 slope is 3' ahead and 1' down, 2-1 is 2' ahead and 1' down.
- Dubois said he heard it was a very rocky area, MacDonald answered that it has some ledge.

MOTIONS: 6:33 PM

Motion-Dubois- Motion to Approve Waiver Request to Article VI, Section 26. F, for slopes greater than 3:1 and grading within 10' of property lines.

Angers-Second

Vote-Motion Passed Unanimously

Motion-Dubois- Approve Waiver Request to Article XI .Article II.5.B.1.e.1 of the City Code, exceeding pre-development stormwater run-off rates in post-development conditions.

Angers-Second

Vote-Motion passed unanimously

Motion-Angers-Motion to approve Contract Zone #23

Second-Dubois

Vote-Motion passed unanimously

Motion-Angers- Motion to approve Case # 2024.21 Final Subdivision Plan for Indian Cliff Development Corp for a 9-lot subdivision on Barra Road (Tax Map 7, Lot 15) in the R-3 & R-1 zones, with the recommended Conditions of Approval.

Second-Dubois

Vote-Motion passed unanimously

9.d 2024.17 The Biddeford Planning Board will review and discuss a Final Plan submitted by AVESTA Housing for a 46 unit affordable housing project for the elderly. The project is located on Barra Road (Tax Map 7, Lot 15) in the R-3 zone. The lot for this project is one of the proposed lots in the subdivision for Indian Cliff Development.

- **Galbraith introduced the project**
- **Chris MacDonald of BH2M & Ryan Fecteau of AVESTA represented the applicant.**
- **The changes noted are to comply with 3rd party comments.**
- **There is a change in the turning area to accommodate the Fire Department, an additional hydrant has been added with another being re-located on the side of Trail Side Way.**
- **AVESTA is also asking for 2 waivers: slope is 2:1 on the road, most likely ledge because it is rock face; the other waiver is for parking, there is steep slope which they are grading going into the easement areas & proximity.**
- **Bulk & space requirements have been changed for the Contract Zone.**
- **Galbraith mentioned that the language is the same on both Westbrook Development Corp and AVESTA. The approval is good until 12-31-2027 to give the developers more time with Maine State Housing Authority (MSHA).**
- **Angers questioned being able to grant an approval that far out, after research it was found that the furthest the approval could go would be 8-7-26.**
- **There were no public comments**

MOTIONS: 6:46 pm

Motion-Dubois-Motion to Approve Waiver Request to Article VI, Section 26. F, for slopes greater than 3:1 and grading within 10' of property lines.

Second-Angers

Vote-Motion passed unanimously

Motion-Dubois-Motion to Approve Waiver Request to Article XI .Article II.5.B.1.e.1 of the City Code, exceeding pre-development stormwater run-off rates in post-development conditions.

Second-Angers

Vote-Motion passed unanimously

Motion-Dubois-Motion to send Contract Zone #23 to the City Council with a positive recommendation

Second-Angers

Vote-Motion passed unanimously

Motion-Dubois-Motion to approve Case # 2024.18 Final Plan Application for AVESTA Housing to build a 46 unit low income housing project for the elderly. Property is located at Barra Road (Tax Map 7, Lot 15) in the R-3 zone, Findings of Fact (FOF) and Conditions of Approval (COA) as written.

Second-Angers

Vote-Motion passed unanimously

9.e 2024.29 The Biddeford Planning Board will review and take comments for a Final application for Site Plan/Subdivision for Westbrook Development Corporation. The property is 37 Barra Road (Tax Map 2, P/O Lot 42) in the I3 Zone.

- **Galbraith introduced the project**
- **Tyler Norod of Westbrook Development Corp represented the applicant**
- **The applicant had heard about some changes the City would like to see today therefore these changes will be on the plan to be signed by the Planning Board.**
- **Galbraith outlined the changes as adding a pedestrian crosswalk, the traffic counts are very high and this is a high crash location therefore there will be a protected left hand turn lane at the corner of Barra Road and Route 111.**
- **There were no public comments**
- **Patoine asked if Saucier's comments have been addressed-answer-yes**
- **Angers would like to compliment Galbraith and staff for working so cohesively with the applicants and other staff members on these projects.**

MOTIONS: 7:01 PM

Motion-Dubois-Motion to approve the waiver for Article VI Section 26 for slopes greater than 3:1 in grading within 10' of property lines.

Second-Angers

Vote-Motion passed unanimously

Motion-Dubois-Motion to send Contract Zone #24 as amended to the City Council with a positive recommendation.

Motion-Dubois-Motion to approve Case # 2024.29 Final Site Plan and Subdivision Review for Westbrook Development Corporation (WDC) for the proposed construction of a 76-unit affordable housing development at 37 Barra Road (Tax Map 2, Lot 42), within the I-3 Zone with the attached Findings of Fact (FOF) and Conditions of Approval (COA), as written.

Second-Angers

Vote-Motion approved unanimously

10. Other Business-None

11. Adjourn 7:04 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.