

CITY OF BIDDEFORD

Planning and Development Department

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Biddeford, ME 04005
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Planning Board Meeting Meeting Minutes

Date: June 5, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members: Larry Patoine (Chair), Susan Deschambault, Alexa Plotkin & Dylan Doughty (Alternate Member) Dylan Doughty will be voting in place of Roch Angers
Staff Present: David Galbraith, Adi Iriqat & Nan Whitten
Chair Patoine opened the meeting at 6:01 PM
3. Adjustments to the Agenda-Indian Cliff Development (9F) will be presented before AVESTA (9E)
Discussion of Holiday meetings at the end of meeting
4. Planner's Business-introduction of Adi Iriqat
5. Consent Agenda
5. A. Approval of Meeting Minutes from 5-15-24
MOTIONS: 6:03 PM
Motion-Plotkin -Motion to approve minutes as presented
Second-Doughty
Vote: Motion passed by unanimous vote
6. Open Public Hearing 6:03 PM
6. A. 2024.26 Biddeford Planning Board will have the SECOND READING for an amendment to Article XII-Floodplain Management Ordinance
 - Galbraith introduced the item and reminded the Board that this is a state mandate.
 - Will go to City Council next with the Board recommendation
 - No public commentsMOTION: 6:06 PM
Motion-Deschambault-Motion to APPROVE the proposed Zoning Ordinance Text Amendment: Code of Ordinances, Part III: Land Development Regulations, Article XII Floodplain Management Ordinance – SECOND READING, as written, and upon adoption replace the City's existing Floodplain Management Ordinance.
Second-Doughty
Vote: Motion passed unanimously
7. Close Public Hearing 6:07 PM
8. Unfinished Business-None

9. New Business

9. A. 2024.10 The Biddeford Planning Board will review and discuss a Final Site Plan Application for UNE to build Tennis Courts at 16 Old Pool Road (Tax Map 9, Lot 13) in the IN Zone.

- Galbraith introduced the item, nothing major with stormwater report
- Andrew Philippe from UNE represented the application with Tom Saucier of Site Design
- Project is to meet NCAA rules
- Public
 - Jill Fink to get questions from yesterday answered music will not be played during warm ups and practices.
 - Lisa Smith email questions to be answered.
- Pickleball will be moved to 8:00 AM
- They are notifying people no court usage prior to 8:00 AM
- Security will monitor the court.
- If still not adhered to court will be locked up.
- Speakers in PA System has been reduced from 4 to 2
- Lights are for UNE sanctioned events only.
- Lights will be controlled by athletic department
- Two 75 seat bleachers being added
- Increased traffic-no parking on Old Pool Rd, parking is being encouraged to go to parking lots on campus
- They cannot control people speeding that will be a job for the police department
- No further questions from the public
- Deschambault encourages UNE to continue good communication
- UNE has provided the link for events to the Hills Beach Association.
- Lisa Smith 90 Old Pool Road-communication piece critical include a few streets over, the lights are bright and the PA system is loud, she is concerned about the gate and wants that information.
- Galbraith UNE changed plans to install a path for emergency personnel and vehicles to get in.

MOTION: 6:28 PM

Motion-Plotkin-Motion to approve the slopes waiver steeper than 2:1 in ledge Article XI.5.B.1.e.3

Second-Doughty

Vote: Motion passed unanimously

Motion-Plotkin-Motion to approve Case # 2024.10 Final Plan Review for UNE to expand their tennis courts located at 16 Old Pool Road (Tax Map 9, Lot 13), with the recommended Conditions of Approval.

Second-Deschambault

Vote: Motion passed unanimously

9. B. 2023.28 The Biddeford Planning Board will review and discuss a request from Tom

Watson & Co for an amendment to the Conditions of Approval for 10, 20, 30 Upper Falls Way (Tax Map 40, Lots 55,55-3,56-1) in the MSRD-3 Zone.

- Galbraith introduced the amendment to Conditions of Approval
- Developer is moving at a much faster pace than the state therefore needs this amendment
- Peter Heil of Acorn Engineering represented the applicant
- Heil added to Galbraith's comments
- No public comments
- Plotkin asked when the table for the TMP was done-has been updated to included increase in units

MOTION: 6:38 PM

Motion-Beaudette- Motion to approve the proposed amendment to the project's Conditions of Approval Item 1b to read " The Applicant must provide a Maine DOT Traffic Movement Permit to the City prior to the issuance of Occupancy Permits for the commercial portions of the development", and the inclusion the Staff recommended Conditions of Approval (COA) listed above

Second-Doughty

Vote: Motion passed unanimously

- 9. C. 2024.27 The Biddeford Planning Board will review and discuss a Sketch Plan submission by Josh Cushman for a subdivision located at Pepperell Mill Buildings 19 & 20 (Tax Map 71, Lots 10-4, & 10-1) in the MSRD-3 Zone.**

- Galbraith introduced the project
- Staff has been working with the applicant for a couple of months
- Parking will be in the parking garage
- Must go through HPC & SRCC
- Josh Cushman and Marieke Thormann of Fathom represented the application
- No public comments
- Plotkin everyone is excited for the project but worried the parking garage will fill up, what is plan b, what are the requirements for parking in the ordinance-parking needs to be within 1500 feet of the structure, which this building is. Applicant has met with the parking garage management to secure the spaces for the residents.
- Units are studio, 1 & 2 bedroom units
- Plotkin feels there is sufficient street parking as well.
- Beaudette asked about the demolished building for parking, is there an effort to see how many spaces can be created in the campus? There has been a parking study done for the entire campus that has been presented to the Board. Designated spaces for office workers and others for residents. The City is paying attention to make sure there is sufficient parking.
- Plotkin is this part of the Pepperell Mill Campus-yes but not the same owners.
- These 2 buildings are part of the campus which are being sold off to the applicants. Some of the buildings are getting sold off.

- Plotkin is concerned we are keeping track of what is being sold off so that there is sufficient parking.
 - Part of the transfer includes working with Presidium to be in compliance for parking.
 - Deschambault asked Galbraith about the Mills and the Lofts they are not considered part of Pepperell? That is correct they are not.
 - Deschambault is the housing going to be top 2 or 3 floors? Entire building. Is this building different than others where we have seen the first floor ceilings are not high enough for residential homes? Yes, all ceilings have sufficient height for residential living.
 - Deschambault is there going to be handicapped parking. Yes there will be 7 spots adjacent to the building 2 of which will be handicapped.
 - Deschambault the need of handicapped parking is growing and not all disabilities can be seen those numbers may need to be increased.
 - Doughty wants to know about the rates for rent-6 units will be the required affordable and the rest will be market rate.
 - There are plans for a roof top deck for the building looking over the falls.
 - Will there be an elevator-yes
 - Plotkin how will the building be heated and cooled-heat pumps
 - They are working with the parks service for tax credits
 - Waiver for drainage will be addressed at preliminary.
9. D. 2024.29 The Biddeford Planning Board will review and discuss a Sketch Plan Application for Site Plan/Affordable Housing Subdivision for Westbrook Development Corporation at 37 Barra Road (Tax Map 2, Lot 42) in the I3 zone.
- Galbraith introduced the project
 - Proposal of 2 low income buildings
 - Project has been reviewed by SRC at conception plan
 - Tyler Norad of Westbrook Development Corp represented the applicant
 - Norad shared a power point presentation
 - This will be 80 units
 - Maine needs 80,000 units by 2030 at this time
 - Proposing a senior and family option
 - More senior specific projects are needed
 - Contract zone will be needed
 - Utilities will be part of the rent, trash & snow taken care of by management company
 - Would like approvals this summer for applying to MSHA for a grant
 - No public comments
 - Beaudette this was originally designed as an office park, does the need for housing trump the need for commercial uses?
 - Galbraith the site has been vacant for 20 years, there is residential in the area, we have council support
 - Doughty speak about scoring high for MSHA, extremely competitive process, MSHA tax funding if you don't get granted money by MSHA you don't have a project. Scoring is by MSHA they want you to be on a bus

line, near amenities, which town, near services, Biddeford is on top tier, acquisition cost, municipalities in the project, experienced developers, highly regulated, scores change every 2 years

- Doughty what happens if a project does not get funding, they have to wait another year to apply.
- Patoine asked about their experience in Cumberland and asked to explain the tax credit.
- A member of the public (Dean on Zoom) asked about this being a business park. Galbraith explained why this is being used for residential.
- Plotkin was thankful that they are bringing this project to Biddeford. Will there be a play area for the families with children-we hope to do playgrounds and picnic areas but are not on that level yet so will work with the City on fitting these areas in.
- Galbraith once this has been finalized a bit to know parking demands it can be more creative
- Beaudette opportunities for corporate sponsorships for playgrounds and open areas.
- Deschambault how will you handle smoking and pets? People are looking for storage, air conditioners, outside hoses. Children need a place to walk with mom, baby, and stroller, get people outside.
- Norad: AC is included heat pump based, Maine Housing required, storage spaces is regulated by Maine Housing, there will be rocking chairs on the porches and walking routes.
- Deschambault SMAA is right down the street and is perfect for the elderly housing.
- UNE students will be coming for PT to the residents
- YMCA is close and a discounted rate for families would be perfect.
- Patoine-electric grid? Norad this is a MSHA requirement it is being studied. Patoine this needs to be looked into. Galbraith to find answer on this.
- Plotkin-get an ability to serve letter from electric company.
- Beaudette this is a tricky question as electricity comes from burning fossil fuels.

9. E. 2024.21 The Planning Board will review and discuss a Preliminary Plan presented by Indian Cliff Development Corp for an 8-lot subdivision on Barra Road (Tax Map 7, Lot 15) in the R-3 & R-1 zones.

Dylan Doughty recused himself from this project and the AVESTA Housing project.

- Galbraith introduced the project
- Goes hand in hand with the AVESTA Housing project.
- Subdivision is straight forward
- Public Works and the Fire Department have been involved with the design of these projects in order to be in compliance.
- Chris McDonald of BH2M represented the applicant with Mike Eon of Indian Cliff Development.
- McDonald explained the changes that have happened since Sketch Plan.

- Eon wants to make sure we check the deed covenant on the WDC project.
- The first lot is dedicated to a pond for stormwater due to Thatcher Brook watershed. Eon has worked with the Director of Public Works to make sure the wastewater and driveways are where BPW wants it.
- They are working very closely with the Eastern Trail Association.
- They have to have the project done within 18 months of the Reveler Project.
- Working with the City on the sewer issues in the area.
- No furnaces so that there is no chance of them breaking and linking into Thatcher Brook
- 9 lots in all
- No public comments
- Patoine pretty straight forward

MOTION: 8:14 PM

Motion-Plotkin- Motion to approve 2024.21 Preliminary 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-Beaudette

Vote: Motion passed unanimously

- 9. F. 2024.18** The Planning Board will review & discuss a Preliminary application by AVESTA Housing to create a 46-unit elderly affordable housing project on Barra Road (Tax Map 7, Lot 15) in the R-3 zone.

- Galbraith introduced the project
- Applicant has increased the landscaping
- Per Tom Milliken, sewer for AVESTA is sufficient.
- Turn around is being relocated to accommodate public works
- Chris McDonald from BH2M and Ryan Fecteau from AVESTA represented the applicant
- Parking, access drive, driving aisles have not changed since Sketch Plan
- Reviewed comments from 3rd party engineers and staff, no significant changes proposed.
- Mike Eon spoke on connections to the Eastern Trail
- Zoom ended at 8:24 PM
- 25-40 acres going into preservation
- Eon spoke about the connectivity of the Riverwalk and the Eastern Trail
- Public
Maryline Rosignal-effect of extra traffic how it will be dealt with
Galbraith talked about plans for handling the traffic increase
- Eon has worked for years on cleaning up Thatcher Brook where it is an impaired stream

MOTIONS: 8:37 PM

Motion-Beaudette- Motion to approve Case # 2024.18 Preliminary 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.

Amended Motion to use Trailside Way
Second-Plotkin

Vote: Motion passed unanimously

10. Other Business

Changes in Planning Board schedule due to holidays

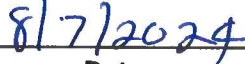
June 26th at 5:00 PM

Back to normal on July 17th

11. Adjourn 8:46 PM



Planning Board Chair/Vice Chair



Date

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