



City of Biddeford Planning Board

September 4, 2024 at 6:00 PM
City Hall Council Chambers & Zoom

[Join Zoom Meeting Online](https://biddeford.zoom.us/j/91621088534?pwd=Tk5yRGtIbIZ0eHEzTElSdGhKb3VuQT09)

<https://biddeford.zoom.us/j/91621088534?pwd=Tk5yRGtIbIZ0eHEzTElSdGhKb3VuQT09>

Or call in by phone: +1 312 626 6799

Meeting ID: 916 2108 8534

Passcode: 276637

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
3. Adjustment(s) to Agenda
4. Planner's Business
5. Consent Agenda
 - 5.a Approval of meeting minutes from 8-21-24
6. Open Public Hearing
 - 6.a 2024.47 Amendment to Part III Land Development Regulations, Article II Definitions, the Back-Lot Ordinance.
7. Close Public Hearing
8. Unfinished Business
9. New Business
 - 9.a 2024.41 The Planning Board will review a Conditional Use Permit request from Cecile Loranger to open a day care called Caterpillar Clubhouse for the children of teachers in the Biddeford School system. The applicant will be licensed by the State if Maine and plans to take up to 6 children between the ages of 6 weeks and 5 years old. The day care will be at the applicant's home located at 77 Waco Drive (Tax Map 88, Lot 24) in the R1-A zone.
 - 9.b 2024.44 The Planning Board will review a Conditional Use Permit request for New Life Christian Fellowship to have a Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone. The purpose of the Community Center is to provide a

hub of help and hope for the Biddeford community.

- 9.c 2024.45 The Planning Board will review a Shoreland Permit request determining Greatest Practical Extent from Saco Bay Builders who represent Richard Patenaude. The cottage (building #2 on the enclosed survey by Dow & Coulombe) sustained significant damage in the January storms and must be rebuilt in the same footprint. The location of the property is 119 Hills Beach Road (Tax Map 54, Lot 65) in the Coastal Residential/Resource Protection zones.

10. Other Business

11. Adjourn

The Board reserves the right to halt official business at 9:30 p.m. Items not heard at tonight's meeting shall be rescheduled to the next meeting of the Board. All materials pertaining to items on the agenda are available for public review at the Biddeford Planning Department, second floor, Biddeford City Hall during normal business hours.



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 284-9115

Special Planning Board Meeting Meeting Minutes

DRAFT

Date: August 21, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members: Larry Patoine (Chair), Roch Angers, Alexa Plotkin, Steve Beaudette (Excused at 6:45 PM) & Matt Dubois (Alternate Member)
Staff Present: David Galbraith, Adi Iriqat & Nan Whitten
Matt Dubois will be voting tonight in place of Sue Deschambault

3. Adjustments to the Agenda-none
4. Planner's Business-none
5. Consent Agenda

Approval of Meeting Minutes from August 7, 2024

- Dubois asked that the expiration date for the Notice of Approval for Westbrook Development Corp be amended to 8-7-26.
- Correction made

MOTIONS: 6:01

Motion- Angers-Motion to approve the Consent Agenda with previously mentioned correction

Second-Beaudette

Vote: Motion passed 3-0-1 (Plotkin, Beaudette, Dubois in favor; Angers abstained)

6. Open Public Hearing 6:01 PM

6.a 2024.38 Proposed Zoning Text Amendment – Marijuana Establishments City of Biddeford Code of Ordinances, Part III – Land Development Regulations, Article VI – Performance Standards, Section 77 Marijuana Establishments.

- Galbraith introduced the amendment he noted that it was asked to be brought up by the City Council
- Now it is 500' between storefronts
- The proposal is 500' from lot lines away from schools, daycares, public facilities and residential.
- Galbraith wanted to know if the Board wanted residential used, use or zoned.
- Public Comments
Patrick Donahue from 5 Star Properties-he warns the Board against over regulating, he feels to property line is overly regulating and not the answer
- Back to the Board
- Plotkin asked what the trigger is for this amendment request, should we be looking more to enforcement of issues?

- Galbraith answered that he is not sure what the trigger is but he is willing to go back and get clarification.
- Plotkin would like clarification and better enforcement.
- Angers feels that the City Council President should be able to answer the Board's questions. Angers does not feel 500' is enough and would prefer 1,000'. Getting more information from the Council President would help.
- Patoine commends the Council President for bringing this issue up. As Patoine goes around town he fields many complaints about the smells of marijuana and that many times people step out of the store and light right up and others have to suffer the smell.

MOTIONS: 6:14 PM

Motion-Angers-Motion to table Proposed Zoning Text Amendment – Marijuana Establishments City of Biddeford Code of Ordinances, Part III – Land Development Regulations, Article VI – Performance Standards, Section 77 Marijuana Establishments, until the next meeting when they have gotten more information from the City Council President.

Second-Dubois

Vote: Motion Passed Unanimously

7. Close Public Hearing-6:15 PM

8. Unfinished Business-None

9. New Business

9.a 2024.35 The Planning Board will review a Conditional Use Application for Christine Biyoga to open a day care for up to 12 children between the ages of 6 weeks and 12 years old at 26 Green Street (Tax Map 9, Lot 38 in the MSRD-2 Zone. The subject property is owned by Biddeford Housing Authority. The name of the proposed daycare is Arc-En-Ciel Peaceful Place to Grow and Learn LLC.

- Iriqat introduced the project
- Christine Biyoga represented the application

Public Comments:

Pamela Miller of 41 Crescent Street, is concerned about parking. The street is 25' wide and due to cars parking along the street they fear an emergency vehicle would not be able to get down the street. There is no place for the children to be dropped off in spring and summer, let alone winter with snow banks. She feels it is a dangerous situation.

Ron McKee of 41 Crescent Street, is not against the theory but does not feel this is the correct location for the business. There are times he cannot get down the street due to where cars are parked. This is a very congested area causing several safety issues, there is no room for the employees to park. Quite often cars are double parked and he feel this situation needs to be looked at more closely.

Guy Gagnon of the Biddeford Housing Authority, wanted to clear up a few things that have been said. This building never burned down, the previous building burned. This is a fairly new building that has a sprinkler system. The original structure had 10 units, this one only has 5 units so he feels he freed up at least 5 parking spaces. This project is partnering with the United Way and priority is being given to low income families who he does not think will have cars so there will be no issues with drop off.

Gagnon believes there will be only 2 staff members. The Housing Authority plans on creating a drop off area out front. There are 6 spaces (1 spot is not striped) behind the building, there are 5 units in the structure but there is always parking available out back. There will be an area fenced in out front for a play yard.

Emma Richardson from Coastal Enterprises, said that parking was on her mind as well but feels as it has been addressed. The child/staff ratios depends on the enrollment and ages of the children and staff would be phased in as needed.

- Back to comments from the Board
- Beaudette asked about a plan for greatest capacity, parking is a concern
- Plotkin agreed that there is little to no parking and the streets in that area are tight. Workers can park out back or find alternative areas for parking, there are other parking options.
- Angers went to the site Friday and Saturday of last week and agrees with the comments from the local residents. The day of the meeting he asked to look at the property and the parking in back. The drop off idea bothers him because of the traffic and people backing out or in with children in the car. Angers stated that he was chair of the Biddeford Housing Authority (BHA) and stepped down 2 or 3 years ago. He was the Chair when the BHA went to obtain that property it was decided there would be 5 units and an open room for the community to use at no fee. It bothers Angers that this has become a "for profit" project for the housing authority. The Planning Board gave BHA for 5 parking spaces and now they want to use it for profit. Angers wants a letter from the BHA Board approving the use of the Community Room as a "for profit" day care. Angers: "As a Planning Board, we agreed to 5 spaces, where did the 6th one come from?" Angers asked Gagnon to answer his questions.
- Plotkin asked Gagnon if he was getting any Federal Funding to have a Community Room.
- *Guy Gagnon*-He is not getting funding for the Community Room, and it was not being used so they thought this would be a better way to help the community. He is sure residents will use it for day care and they will not need a drop off spot. The situation at St. James is ten times worse. He feels the traffic is being overstated and that a crosswalk with lighting would help.
- Plotkin mentioned that drop off times for day care would vary.
- Patoine clarified that with the new drop off area people would pull in and back out into traffic? He said he is hearing a lot of words like may not and rarely and the Board needs facts not opinions to make a decision.
- Galbraith stated that there is parking out back but it is not utilized and it has to be cleaned out.
- Angers asked if a fire truck could get down the road, he does not think this is the right place for a day care. Angers feels it is asking for trouble.
- Galbraith asked if the Board would like him to check with the Fire Department about their opinion.
- *Emma Richardson* stated that the State Fire Marshall will make sure this is a safe location for the facility, they will check the flow of traffic and the slot for pick up and drop off.
- Patoine would like to hear from the Fire & Codes Department.

- Beaudette said he is leaning toward tabling the project until the parking issue has been addressed.

MOTIONS: 6:53 PM

Motion-Beaudette - Motion to Table Case # 2024.35 The Conditional Use Permit, Findings of Facts and Conclusions of Law for Home Day Care facility called Arc-En-Ciel Peaceful Place to Grow and Learn LLC located at 25 Green Street (Tax Map 38, Lot 263) until there has been input obtained from the Fire & Codes Departments on the parking situation.

Second-Plotkin

Vote-Motion Passed 3-1-0 (Plotkin, Beaudette, Dubois in favor, Angers against)

9.b 2024.42 The Planning Board will review a Shoreland Zoning Permit (Greatest Practical Extent) request for David Blanchette to rebuild a seawall, house foundation, and make repairs to the existing house due to storm damage from the storms in January. The property is located at 67 Fortunes Rocks Road (Tax Map 64, Lot 43) in the CR zone.

- Iriqat introduced the project
- Angela Blanchette P.E. represented the applicant
- Blanchette explained that the house needs to be raised in order to be safe for additional storms.
- The sea wall needs to be rebuilt due to storm damage
- The lot allows limited options.
- No public comments
- Angers confirmed that the house will be on piles and the water will flow under the house going forward.
- Dubois confirmed the sea wall is replacing an existing sea wall and the sea wall goes past abutting properties down to the public portion of the beach.

MOTIONS: 7:05PM

Motion-Plotkin -Motion to Approve Case # 2024.42 Shoreland Zoning / Greatest Practical Extent Determination for 67 Fortunes Rocks Road (Tax Map 64, Lot 43) in the CR Zoning District Determination, with the above listed Conditions of Approval.

Second-Angers

Vote-Motion passed unanimously

9.c 2023.29 The Biddeford Planning Board will review and take comments regarding Phase I of a Preliminary Subdivision Plan Application for One Diamond Development, LLC to construct 477 residential units, multi-unit buildings and commercial space at 1 Diamond Street (Tax Maps 40 & 37, Lots 25-1,25-2,24,25,34 & 35) in the B1 & GD1 and in the shoreland overlay zone.

- Galbraith re-introduced the project
- He told the Board that there are changes in process and there will be no vote tonight.
- Dan Riley of Sebago Technics represented the application
- Riley explained the applicant went through a complete cost review after approval of 2023
- Phase III is now Phase I
- He showed changes through a Power Point presentation

- No public comments
- Plotkin went through the JDA of 2021 asked about an update. There has been an extension but no amendment
- Plotkin stressed that the Riverwalk must be completed. It needs to be safe, well lit and inviting. The changes and JDA need to marry up and be straightened out.
- Plotkin requested less one bedrooms and studios and more family size units
- Patoine would like to see and updated Master Plan
- Angers asked how they will be heated-heat pumps. Angers is worried about the electric grid. He asked if they are using solar panels-none at this time. He also said they will need to install EV stations.
- Patoine said we ask for ability to serve letters for water, and sewer, should be add CMP?
- Dubois is generally in favor of for sale units but is there a market for studios?
- Patoine asked if there will be bike lanes on the roads-no road is too narrow

10. Other Business

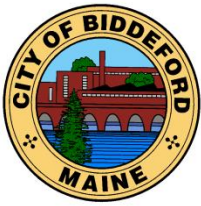
- The City Council approved both Contract Zones
- There is another potential housing project coming to Planning Board at 5 Points.

11. Adjourn 7:57 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.



CITY OF BIDDEFORD

Planning and Development Department

David C.M. Galbraith
Deputy Director/City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 284-9115
David.Galbraith@biddefordmaine.org

PLANNING BOARD STAFF REPORT

TO: Chair Patoine and Members of the Biddeford Planning Board

FROM: David C.M. Galbraith, Deputy Director/City Planner

DATE: August 28, 2024

RE: **2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City's R1-A Zoning District.**

MEETING DATE: September 4, 2024 at 6:00 PM

1. INTRODUCTION

Cecile Loranger is seeking a Conditional Use Permit (CUP) approval for a home day care called Caterpillar Clubhouse to be located within her home located at 19 Waco Drive, which is located within the City's R1-A zoning district. As proposed Caterpillar Clubhouse would care for 2-6 children, ages 6 weeks old to five years old. As licensed through the State and City regulations, a home day care could operate up to 12 children coming to the facility.



19 Waco Drive – Front Elevation

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City's R1-A Zoning District.

Hearing Date: September 4, 2024



19 Waco Drive highlighted in red outline

The subject property is located at the intersection of Birchwood Lane and Waco Drive, which dead-ends at the next property to the east of the subject property. The Loranger driveway can accommodate 4+ vehicles, not including the vehicle parking within the 2 car attached garage. On street parking is also allowed. The neighborhood would be classified as a quiet residential community and the subject property more so due to being located adjacent to a dead end roadway.

The property is approximately 0.29-acres in area and it is located in the City's R1-A Zoning District, which classifies "home day cares" (up to 12 children) as a "Conditional Use" which requires Planning Board review and approval. The subject property is an existing single-family residential property and the proposal seeks to operate a home day care operation from her residence.

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District.

Hearing Date: September 4, 2024



Caterpillar Clubhouse - 19 Waco Drive (Tax Map 88, Lot 24) Existing Play-scape

2. PROJECT DATA/INFORMATION

1.	Applicant:	Cecile Loranger (dba Caterpillar Clubhouse) 19 Waco Drive (Tax Map 88, Lot 24)
2.	Owner of Property:	Cecile and Michael Loranger
3.	Agent:	Same as applicant
4.	Engineer:	N/A
5.	Project Location:	19 Waco Drive
6.	Project Tax Map #/Lot #:	Tax Map 88, Lot 24
7.	Lot Size:	0.29
8.	Base Zoning:	R1-A
9.	Overlay Zoning:	N/A
10.	Existing Use:	Residential
11.	Proposed Use:	Addition of a home child-care facility
12.	Approvals Required:	Conditional Use Permit
13.	Uses in the Vicinity:	Residential
14.	Number of Lots/Units in Subdivision:	N/A
15.	Minimum Lot Size Required: Provided:	10,000 S.F 12,632 S.F +/-
16.	Frontage Required: Provided:	100' 105'+
17.	Front Setback Required:	25'

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City's R1-A Zoning District.

Hearing Date: September 4, 2024

	Provided:	25'+
18.	Side Setbacks Required: Provided:	10' 10'+
19.	Rear Setback Required: Provided:	10' 10'+
20.	Height Requirements: Provided:	35 feet or 3 stories 2 stories
21.	Water Supply:	Public Water
22.	Sewage Disposal:	City of Biddeford
23.	Solid Waste Disposal:	City of Biddeford
24.	Fire Protection:	City of Biddeford
25.	Floodplain Status:	Property is not within a NFIP Zone A or V flood zone
26.	Wetland/Surface Water Impacts:	None
27.	Soil Study Provided:	N/A
28.	Parking Spaces Required:	1 Space for every 4 Children Facility is Licensed to Care = 4 parking stalls
29.	Parking Spaces Provided (total): # Handicapped Spaces:	4 +/- on-site on driveway, plus on-street parking allowed
30.	Ownership of Road:	Waco Drive is a Public Road
31.	Impervious Surface Area:	0 SF Change
32.	Total Disturbed Area:	0 SF of Previously Undisturbed Area
32.	Estimated Site Development Costs:	N/A
33.	Financial Capacity Letter:	N/A
34.	Waivers Needed:	N/A
35.	Waivers Granted:	N/A
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	N/A
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required:	None
40.	Fees Paid:	Yes
41.	Planning Board Review History:	September 4, 2024-Conditional Use Permit

3. EXISTING CONDITIONS

The existing building is a two-story, single-family structure.

4. PROJECT PROPOSAL

Home Day-Care Facility

5. STAFF REVIEW

REVIEW STANDARDS: The project is subject to Conditional Use Standards Listed below:

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City's R1-A Zoning District.

Hearing Date: September 4, 2024

Section 6 Standards:

- A. Applications for conditional use permits must meet the standards specified in Article VI of this ordinance as well as the standards of subdivision or site review. In addition, because of the unique nature and particular concern that the general public may have relating to a conditional use in a particular zone, the Planning Board shall consider each of the applications in light of the guidelines presented below.
- B. The Planning Board shall approve, approve with conditions, or deny all applications for a conditional use permit. The applicant shall have the burden of proving that his or her application is in compliance with the requirements of this ordinance and that none of the conditions listed below would result from the approval of the conditional use permit. Failure of the applicant to submit required information shall constitute a basis for denial without a review of the remainder of the application. After the submission of a complete application and a review of the required submissions, the Planning Board shall approve the application or approve it with conditions if the application meets the following standards:
1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws; The proposed use will comply with all State and local Codes and Ordinances;
 2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;
 3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;
 4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;
 5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;
 6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;
 7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;
 8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties which could be avoided by reasonable modification of the proposal;
 9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal;
 10. The proposed use would be in compliance with Biddeford's Comprehensive Plan;
 11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District.

Hearing Date: September 4, 2024

- 12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;
- 13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;
- 14. Adequate provision has been made to control erosion or sedimentation;
- 15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;
- 16. The proposed water supply would meet the demands of the proposed use for fire protection purposes;
- 17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;
- 18. The proposed use would not have an adverse impact on scenic vistas or on significant wildlife habitat or wetland areas and water bodies which could be avoided by reasonable modification if the proposal;
- 19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

C. WAIVERS REQUESTED / REQUIRED:N/A

6. NEXT STEPS/SUGGESTED ACTIONS

Recommend that if the Planning Board approves the Conditional Use Permit it be approved with the following minimum conditions of approval:

- 1. Standard Conditions of Approval apply.
- 2. The applicant shall obtain all other pertinent local, state and federal permits / licenses / insurance such as building, electrical, plumbing, etc., prior to commencing business.

7. SAMPLE MOTIONS:

A. Motion to approve Case # 2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District, with the Findings of Fact (FOF) and Conditions of Approval as written.

B. Motion to Table 2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District, based upon the following reasons:

a)_____

b)_____

2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District.

Hearing Date: September 4, 2024

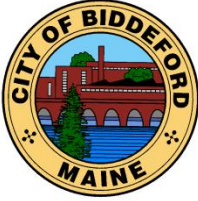
c) _____

C. **Motion to Deny** 2024.41 Conditional Use Permit for Cecile Loranger (dba Caterpillar Clubhouse) for a home daycare facility proposed at 19 Waco Drive (Tax Map 88, Lot 24) located within the City’s R1-A Zoning District, based upon the following reasons:

a) _____

b) _____

c) _____



CITY OF BIDDEFORD

Planning and Development Department

Adi Iriqat
Assistant City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207)-284-9115
adi.iriqat@biddefordmaine.org

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Conditional Use Permit

Home Day Care Facility

19 Waco Drive (Tax Map 88, Lot 24), Biddeford, ME

Case # 2024.41 – September 4, 2024

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Article VI (Performance Standards), Section 22 –Day Care Facilities, the Biddeford Planning Board has considered the application of Cecile Loranger to open a home child care facility in a residential building, including supportive data, public hearing testimony and related materials contained in the record. Based on Public Comment and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

1. PROJECT DATA/INFORMATION

1.	Applicant:	Cecile Loranger (dba Caterpillar Clubhouse) 19 Waco Drive (Tax Map 88, Lot 24)
2.	Owner of Property:	Cecile and Michael Loranger
3.	Agent:	Same as applicant
4.	Engineer:	N/A
5.	Project Location:	19 Waco Drive
6.	Project Tax Map #/Lot #:	Tax Map 88, Lot 24
7.	Lot Size:	0.29
8.	Base Zoning:	R1-A
9.	Overlay Zoning:	N/A
10.	Existing Use:	Residential
11.	Proposed Use:	Addition of a home child-care facility
12.	Approvals Required:	Conditional Use Permit
13.	Uses in the Vicinity:	Residential
14.	Number of Lots/Units in Subdivision:	N/A
15.	Minimum Lot Size Required:	10,000 S.F
	Provided:	12,632 S.F +/-
16.	Frontage Required:	100'
	Provided:	105'+
17.	Front Setback Required:	25'
		25'+

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Conditional Use Permit
Home Day Care Facility
19 Waco Drive (Tax Map 88, Lot 24), Biddeford, ME
Case # 2024.41 – September 4, 2024

	Provided:	
18.	Side Setbacks Required:	10'
	Provided:	10"+
19.	Rear Setback Required:	10'
	Provided:	10'+
20.	Height Requirements:	35 feet or 3 stories
	Provided:	2 stories
21.	Water Supply:	Public Water
22.	Sewage Disposal:	City of Biddeford
23.	Solid Waste Disposal:	City of Biddeford
24.	Fire Protection:	City of Biddeford
25.	Floodplain Status:	Property is not within a NFIP Zone A or V flood zone
26.	Wetland/Surface Water Impacts:	None
27.	Soil Study Provided:	N/A
28.	Parking Spaces Required:	1 Space for every 4 Children Facility is Licensed to Care = 4 parking stalls
29.	Parking Spaces Provided (total):	4 +/- on-site on driveway, plus on-street parking allowed
	# Handicapped Spaces:	
30.	Ownership of Road:	Waco Drive is a Public Road
31.	Impervious Surface Area:	0 SF Change
32.	Total Disturbed Area:	0 SF of Previously Undisturbed Area
32.	Estimated Site Development Costs:	N/A
33.	Financial Capacity Letter:	N/A
34.	Waivers Needed:	N/A
35.	Waivers Granted:	N/A
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	N/A
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required:	None
40.	Fees Paid:	Yes
41.	Planning Board Review History:	September 4, 2024-Conditional Use Permit

2. EXISTING CONDITIONS

The existing building is a two-story single-family residential structure.

3. PROJECT PROPOSAL

Home Day-Care Facility (up to 12 children)

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Conditional Use Permit
Home Day Care Facility
19 Waco Drive (Tax Map 88, Lot 24), Biddeford, ME
Case # 2024.41 – September 4, 2024

A. **Performance Standards:** The Board made the following conclusions in their review standards of Article VI (Performance Standards), Section 22 (Day Care Facilities) states as follows:

1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws; The proposed use will comply with all State and local Codes and Ordinances;
2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;
3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;
4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;
5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;
6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;
7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;
8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties which could be avoided by reasonable modification of the proposal;
9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal;
10. The proposed use would be in compliance with Biddeford's Comprehensive Plan;
11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Conditional Use Permit
Home Day Care Facility
19 Waco Drive (Tax Map 88, Lot 24), Biddeford, ME
Case # 2024.41 – September 4, 2024

12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;
13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;
14. Adequate provision has been made to control erosion or sedimentation;
15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;
16. The proposed water supply would meet the demands of the proposed use for fire protection purposes;
17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;
18. The proposed use would not have an adverse impact on scenic vistas or on significant wildlife habitat or wetland areas and water bodies which could be avoided by reasonable modification if the proposal;
19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

APPROVAL GRANTED: Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the Conditional Use Permit for the proposed project summarized above, located at 19 Waco Drive in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

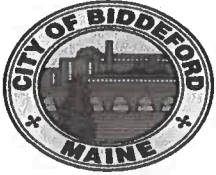
1. The material provided for the proposed project has been reviewed only for general conformance to the City technical requirements. The applicant(s) and/or their technical consultant shall be responsible for the actual design details and completeness of their work. It is incumbent upon the applicant(s) to ensure that the project is in conformance and complies with all City Codes, ordinances and regulations as well as with all state regulations, including, but not limited to, space and bulk standards, performance standards, use standards and other zoning type requirements.
2. All work shall be in conformance with the approved plans and submission documents. No deviations from the approved plans are permitted without prior approval from the Planning Board for major changes, and from the City Planner and City Engineer for minor changes. The City Planner shall make the determination of major or minor.
3. The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc. prior to commencing business.

FINDINGS OF FACT AND CONCLUSIONS OF LAW
Conditional Use Permit
Home Day Care Facility
19 Waco Drive (Tax Map 88, Lot 24), Biddeford, ME
Case # 2024.41 – September 4, 2024

4. At the completion of the project the owner/applicant shall request a final inspection. This request shall be directed to the Code Enforcement Office and Fire Department. A Certificate of Occupancy shall not be issued until the project is in compliance with the approval and all applicable City Ordinances.
5. The applicant shall obtain all other pertinent local, state and federal permits / licenses / insurance such as building, electrical, plumbing, etc., prior to commencing business.
6. Should the day care facility be required, by the State of Maine, to install fencing around the outside play area outdoor play area, it will require, at minimum approval from the City Planner after consultation with the City's Staff Review Committee (SRC).

Date: _____

Mr. Larry Patione
Planning Board Chairman



City of Biddeford – Planning Department

Planning Board Application

P.O. Box 586, 205 Main Street Biddeford, Maine 04005

207-284-9115

CWP. 2024.41

Type of Application:

- ☒ Shoreland Zoning Permit ☐ Site Plan Review ☐ Extraction
☒ Conditional Use Permit ☐ Subdivision ☐ Private Way
☒ Other: permission to open a licensed home daycare

Applicant Information:

Name: Cecile Loranger
 Mailing Address: 19 Waco Dr
 Telephone: (207) 229-8668
 Email: mloranger@westbrook.me.us
 What is your legal interest in the property?

☒ Owner ☐ Potential Buyer with Contract ☐ Lease/Rental Agreement

Owner's Information:

Name: Michael + Cecile Loranger
 Mailing Address: 19 Waco Dr
 Telephone: (207) 229-8668
 Email: mloranger@westbrook.me.us

Agent's Information:

Name: n/a
 Mailing Address: _____
 Telephone: _____
 Email: _____

Engineer/Surveyor's Information:

Name: n/a
 Mailing Address: _____
 Telephone: _____
 Email: _____

Project Location and Lot Information:

Street Address: n/a 19 Waco Drive
 Tax Map: 88 Lot: 24
 Current Zoning: R1-A Shoreland Zoning: _____
 Size of Lot: .29 Acres () s.f. Lot Frontage: _____
 Existing Use of Property: _____

Property currently serviced by:

☐ City Road ☒ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Slope Conditions in Area of Construction (if applicable):

☐ Flat (0-3% slope) ☐ Rolling (3-8% slope) ☐ Hilly (8-15% slope) ☐ Steep (15%+ Slope)

Are there any wetlands or waterbodies on the site? ☐ (Yes) ☒ (No) if yes attach information

Is the project within the 100-year floodplain? ☐ (Yes) ☐ (No) if yes attach information

Do you plan to bring fill onto the lot? ☐ (Yes) ☐ (No) If yes attach information

Description of proposed use of property:

Project/Proposed Use:

I'd like to open a home daycare for the children of teachers.

Property to be Serviced by:

☒ City Road ☒ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Limits of Disturbance: _____ () acres () s.f.

Net change in impervious cover: _____ () acres () s.f.

Is this project part of a larger project? ___(Yes) ☒ (No)

Is the project proposing a new Private or Public Road? ___(Yes, Private) ___(Yes, Public) ☒ (No)

Is this project within the Urbanized Area/MS4 (see City Drainage Map) ___(Yes) ___(No)

Is the project proposing any Stormwater facilities/BMPs? ___(Yes) ___(No)

Will a Traffic Movement Permit (TMP) be required?: ___(Yes) ☒ (No)

___ If in a Shoreland Zone:

Percent of residential lot coverage (Max 20%): _____

Percent of structure expansion (Max 30%): _____

___ If Subdivision Review, number of lots proposed: _____

___ If a Private Way is proposed, number of lots served: _____

If Site Plan Review, you must provide the following information:

Total new square feet footprint of structure: n/a

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____
2. _____
3. n/a
4. _____
5. _____

Required Submittal Attachments:

A. Letters of Approval

___ Fire Department – Contact Chief or Deputy Chief – 282-9986

n/a ___ Ability to Serve for Water Service – Maine Water – 282-1543

___ Ability to Serve for Sewer Service – Engineering Department – Tom Milligan 284-9118

___ Police Department – e-911 Road Name Designation – Contact Joanne Fisk 282-5127

B. Letter to Planning Board describing project, Waiver requests, proposed improvements, addressing permit requirements, etc.

C. Photographs of Site.

D. Architectural renderings/drawings of proposed buildings, as required.

E. Engineering Plans, as required.

F. Stormwater Management Report, as required.

Fees (Due at time of Submission):

- \$75 Nonrefundable Administration Fee is required for every application.
- Refer to “Attachment A Fees and Charges” of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

Will the proposed project cause 1 acre or more of site disturbance?: __ (Yes) X (No)

- If Yes, applicant is responsible for any required Maine Construction General Permits and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of Applicant:

Cecile Granger

Date

8.5.23

Signature of Property Owner:

Cecile Granger

Date

8.5.23

DIGITAL SUBMITTAL REQUIREMENTS FOR ALL SUBMITTALS:

- A) PDF OF SIGNED APPLICATION
- B) PDFs OF ALL DRAWING SETS AND OTHER REQUIRED SUBMITTAL ATTACHMENTS NOTED ABOVE

HARD-COPY SUBMITTAL REQUIREMENTS FOR PLANNING BOARD APPLICATIONS:

- A) SEVEN (7) FULL-SIZE PAPER COPIES OF DRAWING SETS

DIGITAL SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) INDIVIDUALLY NAMED PDFs OF EACH DRAWING (NOT A COMBINED PDF SET)
 - Individual Drawing PDF Naming Format: 'PROJECT/SHEETSET NAME_INDIVIDUAL DRAWING NAME.pdf'
- B) PDF COPIES OF ALL PERMIT APPROVALS, APPLICATIONS, REPORTS, NARRATIVES, LETTERS, ETC.
- C) FINAL CAD REFERENCE FILES IN DWG FORMAT (SURVEY & PROPOSED DESIGN LINEWORK)
 - All drawings & CAD reference files must be to-scale and within the following coordinate systems:
 - MAINE STATE PLANE WEST NAD83 (Horizontal Datum) & NAVD88 (Vertical Datum)

HARD-COPY SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) THREE (3) FULL-SIZE PAPER COPIES OF INDIVIDUAL DRAWINGS REQUIRING BOARD SIGNATURE
- B) ONE (1) FULL-SIZE PAPER COPY OF ENTIRE DRAWING SET FOR ENGINEERING RECORDS

PLEASE CONFIRM WITH PLANNING STAFF FOR CLARIFICATION

COMPLIANCE WITH LOCAL ZONING AND BUILDING ORDINANCES

CHILD CARE PROVIDER:

Name: Cecile Loranger

Address: 19 Waco Dr

Business Name/DBA: Caterpillar Clubhouse Clubhouse

Number and ages of children served: 2-6, ages 6 weeks - 5 years

LOCAL CODE COMPLIANCE CONTACT INFORMATION:

Township or City: _____

Zoning or Compliance Officer (or other elected official): _____

Date: _____

The above-named business owner has contacted the appropriate individual with responsibility for assuring compliance with local codes and ordinances.

☐ This child care program is operating in compliance with all established with zoning laws, building, and plumbing, sanitation, electrical and other ordinances of the municipality in which the site is located.

Or

☐ There are no local codes or ordinances for child care facilities in the town/city.

Signature of Zoning or Compliance Officer

Date

Printed Name

Cecile Loranger

19 Waco Drive Biddeford

207-229-8668

To whom it may concern,

I'm hoping to start a home daycare that specializes in providing care for teacher's children. We have the best teachers here in Biddeford and it's my hope that by offering quality childcare, close to where they live and work, it will enable them to be even better.

I've been a mother for 21 years and have 8 children of my own. With 2 in college, 5 school age, and 1 too young to attend, I know the value of quality childcare and a good education. Here at Caterpillar Clubhouse I will meet the social, emotional, physical, and intellectual needs of the children while they are in my care.

Warm regards,

Cecile Loranger



STATE OF MAINE
DEPARTMENT OF HEALTH AND HUMAN SERVICES
Children's Licensing and Investigation Services
Child Care Licensing Application

License #:

SECTION 1: Provider/Facility Information

1. Facility Name:

2. Provider/Owner Name: Cecile Loranger **Date of Birth:** 03.07.1980

Former Names (i.e. maiden name, aliases): Cecile Sonne **Driver's License #:**

3. Director Name (Facility/Nursery School only): **Date of Birth:**

Former Names (i.e. maiden name, aliases): **Driver's License #:**

4. Physical Address of Child Care Program:

Street Address: 19 Waco Dr

City: Biddeford **State:** ME **Zip:** 04005 **County:** York

5. Mailing Address of Child Care Program:

Street Address or Post Office Box: 19 Waco Dr

City: Biddeford **State:** ME **Zip:** 04005

Telephone No.: () - **Cell No.:** (207) 229-8668 **Fax No.:** () -

Email Address: mloranger@westbrook.me.us

SECTION 2: Services

What is the largest number of children to be in your care at any time:

☒ Family Child Care: ☐ 3-6 ☒ 7-12

☐ Child Care Facility / Nursery School / Occasional Care Program:

☐ 3-12 (Small Facility) ☐ 13-20 ☐ 21-49 ☐ 50 ☐ more than 50 (indicate requested capacity):

What age ranges of children do you intend to serve? Check all that apply:

☒ 6 weeks – 2 years ☒ 2 – 5 years of age ☐ 5-12 years of age

Source of Water Supply: ☒ Municipal ☐ Well - Private Water Source ☐ Other:

Reminder: Submit the results with your application

Building Information: Year the structure was built? 1978

Section 3: Fees

Program Type: ☒ Family Child Care ☐ Child Care Facility ☐ Nursery School

NOTE: NO FEE REQUIRED for licenses that expire after July 1, 2020 through June 30, 2022.

Fee Calculation Section

Application Type:	Program Type:	Family Child Care	Child Care Facility	Nursery School	Total
☒ New application (May take 3 or more months)		\$160	\$120	\$10	\$ 160.00
☐ Renewal (Due 60 days prior to expiration)		\$160	\$240	\$10	\$
☐ Change in Capacity		\$10			\$
☐ Change in Director (Facility/Nursery Only)		\$10			\$
Total check/money order enclosed:					\$

Make check or money order payable to "Treasurer, State of Maine". Do not send cash. Credit card payments are not accepted. Application fees are non-refundable.

SECTION 4: Background

Are you now, or have you ever been, licensed, registered, or certified to provide services for children or adults?

☒ No

☐ If "yes", please indicate the type of care, approximate dates of service, and name(s) under which you are or were licensed, registered, or certified to provide services for children or adults:

Have you had any prior license or certificate sanctions issued to you, such as a conditional license/certificate, license/certificate suspension, denial of an application for a license/certificate, fine, or revocation regarding a child or adult care license, certificate, or approval issued to you?

☒ No

☐ Yes, please explain:

Have you, or has anyone employed by you, (or, for family child care providers has anyone living in or frequenting your home) been:

- | | | |
|--|--|------------------------------|
| 1) Convicted of a crime, including OUI and vehicle offenses? | ☒ No | ☐ Yes |
| 2) Investigated by Child Protective Services or the Out of Home Investigations Unit? | ☒ No | ☐ Yes |
| 3) Named as a defendant in a Protection from Abuse Order? | ☒ No | ☐ Yes |
| 4) Named in a court order resulting in removal of children from care or custody? | ☒ No | ☐ Yes |

If you checked yes to any of the above, please explain:

Failure to provide accurate and/or complete information may be grounds for denial and/or constitute a Class D crime.

Have you ever received treatment for drug and/or alcohol use?

☒ No

☐ Yes, please explain:

Have you ever received mental health services?

☒ No

☐ yes, please explain:

Is there any other information that would be useful in assessing your ability to provide care for children?

☒ No

☐ Yes, please explain:

SECTION 5: Submission Attachments

Please submit the following documents with your completed application.

NOTE: NO FEE REQUIRED for licenses that expire after July 1, 2020 through June 30, 2022.

☒ A non-refundable check or money order made payable to "Treasurer, State of Maine"

☒ Authorization for Release of Information (Must be signed by all adult household members and/or staff/volunteers for Family Child Care)

Applications for increase in capacity must also include:

☐ Documentation of zoning/code approval from the municipality where the program is physically located.

New applications (ONLY) must also include the following documents:

☐ Three (3) references (Child Care Facility/Nursery School **ONLY**)

☒ Floor plan

☐ Documentation of zoning/code approval from the site municipality

☐ Director's transcript and proof of training (Child Care Facility / Nursery School **ONLY**)

☐ Proof of Insurance (Child Care Facility / Nursery School **ONLY**)

Incomplete applications will be returned.

SECTION 6: Legal Structure**Type of Operation:**

☐ Sole Proprietorship ☐ Partnership ☐ For-profit Corporation ☐ Non-profit Corporation
☐ Limited Liability Company ☐ Association ☐ Trust
Other (describe): _____

SECTION 6: Declaration

I/We have received, read and understand the Rules governing the type of child care program for which I am/we are applying:

- ☐ Rules for the Licensing of Child Care Facilities (effective 8.27.08)
☐ Rules for the Licensing of Nursery Schools (effective 9.27.04)
☒ Family Child Care Provider Licensing Rule (effective 7/05/18)

I/We understand that this application authorizes representatives of the Department of Health and Human Services and the State Fire Marshal's Office to make such visits and inspections as may be necessary to ensure that the facility is in compliance with the laws and rules pertaining to the operation of child care programs.

I/We also understand that the signing of this application effectively serves as a release of information and gives permission to the Department of Health and Human Services to obtain any criminal, child protective, Out of Home Investigation, and motor vehicle records for owner/operator/director which may be on file in any Country, State or Federal Office.

I/we understand that failure to disclose any criminal convictions, including operating under the influence (OUI), may result in denial of this application.

I/We certify that all information contained in this application is complete and accurate and understand any falsification of statement may be grounds for denial and may be Unsworn Falsification, a Class D crime under 17-A M.R.S. §453.

<u>Cecile Loranger</u> Print name of Provider/Owner	<u>Cecile Loranger</u> Signature of Provider/Owner	<u>6-2-22</u> Date
_____ Print name of Director/Co-Applicant	_____ Signature of Director/Co-Applicant	_____ Date

For questions regarding this program and/or application, please contact the following:

Department of Health and Human Services
Office of Child and Family Services
Children's Licensing and Investigation Services
2 Anthony Avenue
11 State House Station
Augusta, ME 04333-0011

Tel: (207) 287-5020

Fax: (207) 287-9304

Toll Free: 1-800-791-4080 TTY users call Maine relay 711

Email: info.dhhs@maine.gov

Web: <https://www.maine.gov/dhhs/childcare>

Authorization for the Release of Personal History Information
Provider, Adult Members of Household, Employees, and Volunteers of Family Child Care Providers

THIS PAGE IS FOR FAMILY CHILD CARE PROVIDERS ONLY

Provider:

By signing below, I authorize the release of confidential records or information regarding any criminal record, child protection record, Out of Home Investigation record, and/or motor vehicle record to the Department of Health and Human Services, Children's Licensing and Investigation Services. I understand that any information obtained as a result of this release of information will remain confidential, as required by law, and will be used solely for the purpose of determining whether a license to operate a child care should be granted or renewed. This consent may be revoked by me, in writing, at any time, excepting information that has already been obtained.

If any criminal record, child protection record, Out of Home Investigation record, or motor vehicle record indicates that a prior conviction or substantiated finding exists, the provider will need to provide evidence to Children's Licensing and Investigation Services that any prior history has been addressed and the individual will not compromise or threaten the safety of any children in care.

I understand that each adult member (18 years and older) of my household, employee(s), and volunteer(s) must complete the lower portion of this form, and that failure to do so is a violation of the child care licensing rules and may result in licensing action.

Provider Name: Cecile Loranger Family Child Care License Number: _____

Familiar Names (i.e. maiden name, aliases): Cecile Sonne

Address: 19 Waco Dr Biddeford ME 04005

Telephone: (207) 229-8668 Driver's License #: _____

Date of Birth: 03-07-1980

Signature: Cecile Loranger

Date: 06-02-2022

Adult Household Members, Staff, and Volunteers:

By signing below, adult household members and staff/volunteers authorize the Department of Health and Human Services, Children's Licensing and Investigation Services to obtain and disclose confidential records or information regarding that person's criminal record, substantiated Child Protection Services record, substantiated and indicated Out of Home Investigation record, and/or motor vehicle record to the provider named above. Failure to disclose any criminal convictions, including operating under the influence (OUI), may result in licensing action.

Full Name: Michael Loranger

Street Address: 19 Waco Dr

City, State & Zip: Biddeford ME 04005

Telephone #: 207-239-7828

Date of Birth: 06-18-1971

Former/Maiden Name(s): _____

Driver's License #: _____

Signature: _____

Full Name: Paige Sonne-Loranger

Street Address: 19 Waco Dr

City, State & Zip: Biddeford ME 04005

Telephone #: _____

Date of Birth: 09-09-2004

Former/Maiden Name(s): _____

Driver's License #: _____

Signature: _____

Full Name: _____

Street Address: _____

City, State & Zip: _____

Telephone #: _____

Date of Birth: _____

Former/Maiden Name(s): _____

Driver's License #: _____

Signature: _____

Full Name: _____

Street Address: _____

City, State & Zip: _____

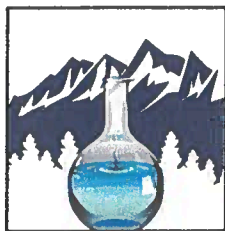
Telephone #: _____

Date of Birth: _____

Former/Maiden Name(s): _____

Driver's License #: _____

Signature: _____



A & L LABORATORY

A DIVISION OF GRANITE STATE ANALYTICAL SERVICES, LLC.

155 Center Street, Building C, Auburn, Maine 04210
Phone (207) 784-5354 website www.allaboratory.com

Laboratory Report

Cecile Loranger
19 Waco Drive
Biddeford, ME 04005

Date Printed: 03/28/2023
Work Order #: 2303-04386
Client Job #:
Date Received: 03/25/2023
Sample collected in: Maine

Attached please find results for the analysis of the samples received on the date referenced above.

Unless otherwise noted in the attached report, the analyses performed met the requirements of the analyzing laboratory's Quality Assurance Plan, Standard Operating Procedures and State Accreditation. This certificate shall not be reproduced, except in full, without the written approval of the analyzing laboratory. The results presented in this report relate to the samples listed on the following pages in the condition in which they were received. Accreditation for each analyte is identified by the * symbol following the analyte name. Location of our analyzing laboratory is identified by the code in the Analyst Column.

A & L Laboratory:
Identified by ME in Analyst Column
155 Center Street, Auburn, Maine 04210
www.allaboratory.com

Granite State Analytical Services LLC:
Identified by NH in Analyst Column
22 Manchester Road, Derry, NH 03038
www.granitestateanalytical.com

Nashoba Analytical:
Identified by MA in the Analyst Column
31A Willow Road, Ayer, MA 01432
www.nashobaanalytical.com

ANALYSIS RELATED NOTES:

- RL: "Reporting limit" means the lowest level of an analyte that can be accurately recovered from the matrix of interest.
- DF: "Dilution factor" means the ratio of the volume of the sample to the volume of the final (dilute) solution.
- MDL: "Minimum Detection Limit" means the minimum result which can be reliably discriminated from a blank with a predetermined confidence level.
- A & L Laboratory / Granite State Analytical Services LLC / Nashoba Analytical. accreditation lists can be found on our websites listed above.
- Subcontracted samples will be identified by the Accreditation number of the subcontract laboratory in the analyst field for each analyte and the appropriate laboratory will be listed here. **None**
- Data Qualifiers (DQ) Flags provide additional information in regards to the receipt, analysis or quality control of a sample. These are indicated under the DQ Flags Column on your report and listed here if necessary: **Data Qualifier (DQ) Flags: None**

SAMPLE STATE SPECIFIC NOTES:

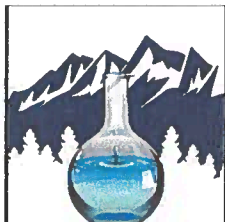
- The thermal preservation requirement of 4°C for nitrate & nitrite has been waived by the Maine CDC for all samples submitted to the Drinking Water Program.

Additional Narrative or Comments: **None**

We appreciate the opportunity to provide you with laboratory services. If you have any questions regarding the enclosed report, please contact the laboratory and we will be happy to assist you.

Rebecca L. Labranche
Laboratory Director

A & L Laboratory: Accreditations: Maine ME00021, New Hampshire 2501, Maine Radon Registration ID # SPC20
Granite State Analytical Services, LLC: Accreditations: New Hampshire 1015; Maine NH00003;
Massachusetts M-NH0003; Rhode Island 101513; Vermont VT-101507
Nashoba Analytical: Accreditations: Massachusetts M-MA1118



A & L LABORATORY

A DIVISION OF GRANITE STATE ANALYTICAL SERVICES, LLC.

155 Center Street, Building C, Auburn, Maine 04210
Phone (207) 784-5354 website www.allaboratory.com

CERTIFICATE OF ANALYSIS FOR DRINKING WATER

DATE PRINTED: 03/28/2023
CLIENT NAME: Cecile Loranger
CLIENT ADDRESS: 19 Waco Drive
Biddeford, ME 04005
SAMPLE ID #: 2303-04386-001
SAMPLED BY: Cecile Loranger
SAMPLE ADDRESS: Loranger
19 Waco Drive
Biddeford ME 04005
MORE LOC INFO: Bath

Legend	
Passes	✓
Fails EPA Primary	⊗
Fails EPA Secondary	▽
Fails State Guideline	✕
Attention	⚠

DATE AND TIME COLLECTED: 03/18/2023 06:30AM
DATE AND TIME RECEIVED: 03/25/2023 09:15AM
ANALYSIS PACKAGE: A & L First Draw Lead-ME
RECEIPT TEMPERATURE: 19° CELSIUS

CLIENT JOB #:

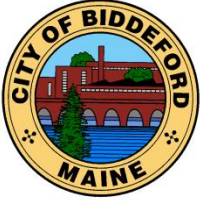
Test Description	Result	Test Units	Pass /Fail	DQ Flag	RL	Limit	Method	Analyst	Date - Time Analyzed
First Draw Lead*	<0.001	mg/L	✓		0.001	0.015 mg/L	EPA 200.8	JLR-NH	03/27/2023 06:11PM

Rebecca L. Labranche
Laboratory Director









CITY OF BIDDEFORD

Planning and Development Department

Adi Iriqat
Assistant City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207)-284-9115
adi.iriqat@biddefordmaine.org

PLANNING BOARD STAFF REPORT

TO: Chair Patoine and Members of the Biddeford Planning Board

FROM: Adi Iriqat, Assistant City Planner

DATE: Aug 27, 2024

RE: **2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.**

MEETING DATE: September 4, 2024 at 6:00 PM

1. INTRODUCTION

118 Alfred St is located in the MSRD-2 Zone and is currently vacant. The applicant, New Life Church, has identified this location as a candidate for a new Community Center. The applicant realizes this site is strategic because it is surrounded by other community resources and will be a complementary addition to the nearby community resources. As such, the Community Center will serve as an outreach extension of New Life Church and aims to increase the quality of life for the residents of the City of Biddeford. The existing structure is .37 acres or 16,117 sf and is part of a lot with one building owned by Tiffini S. Ruszenas (see Figure 1 below).

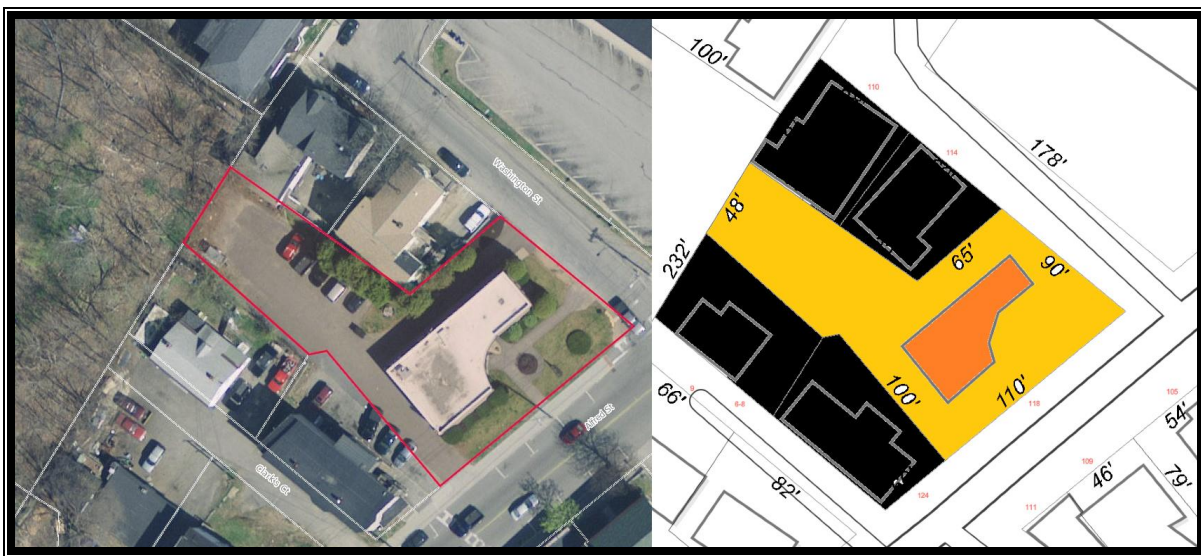


Figure 1: On the right, the lot in question is colored in gold while on the left is a bird's-eye view of the delineated lot using real web imagery.

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

The project idea was the result of the reveling efforts of a New Life Church Committee that conducted a Needs Assessment Survey. The participants identified the significant need for a Community Center for the following reasons:

- A safe and accessible space for parenting and family resources
- Help with connecting next steps for those that are unhoused
- Connecting people to resources for those struggling with addiction and mental health

The applicant is respectfully requesting the approval of a Conditional Use Permit to proceed with the development.



Figure 2: Existing conditions of 118 Alfred Street (Tax Map 38, Lot # 303-1)

It was noted by the City Planner, Mr. Galbraith, that a site plan for this property is unavailable in the city's files. The Code Office and Engineering Departments were also not able to locate a site plan. Therefore, due to the application not proposing any site changes, the City Planner agreed that the applicant could use GIS mapping as a site plan and provide it to the Planning Board application.

2. PROJECT DATA/INFORMATION

1.	Applicant:	Sr. Pastor Justin Sweeney of New Life Christian Fellowship 551 Alfred Rd Biddeford, ME 04005
2.	Owner of Property:	Tiffini S. Ruszenas of Biddodom, LLC 10 Aspen Ln Kennebunk, ME 04043
3.	Agent:	Roz Anton of Exp Realty, LLC Think Tank Coworking, 40 Maine St Biddeford, ME 04005
4.	Engineer:	N/A
5.	Project Location:	118 Alfred Street

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

6.	Project Tax Map #/ Lot #:	Tax Map 38, Lot 303-1
7.	Lot Size:	.37 acres or 16,117 sf
8.	Base Zoning:	MSRD-2
9.	Overlay Zoning:	N/A
10.	Existing Use:	Vacant Commercial
11.	Proposed Use:	Community Center
12.	Approvals Required:	Conditional Use Permit
13.	Uses in the Vicinity:	Mixed-use
14.	Number of Lots/Units in Subdivision:	N/A
15.	Minimum Lot Size Required: Provided:	2000 sf 16,117 sf
16.	Frontage Required: Provided:	50' 110' on Alfred Street & 90' on Washington Street
17.	Front Setback Required: Provided:	15' 24' -/+
18.	Side Setback Required: Provided:	10' 21' -/+
19.	Rear Setback Required: Provided:	10' 20' -/+
20.	Height Requirement: Provided:	35 feet or 3 stories 10'
21.	Water Supply:	Public Water
22.	Sewage Disposal:	Public Sewer
23.	Solid Waste Disposal:	Public Trash
24.	Fire Protection:	City of Biddeford
25.	Floodplain Status:	N/A
26.	Wetland/Surface Water Impacts:	N/A
27.	Soil Study Provided:	N/A
28.	Parking Spaces Required:	N/A
29.	Parking Spaces Provided (total): # Handicapped Spaces:	10-15
30.	Ownership of Road:	Alfred St is a Public Road
31.	Impervious Surface Area:	0 SF Change
32.	Total Disturbed Area:	0 SF of Previously Undisturbed Area
33.	Waivers Needed:	N/A
34.	Waivers Granted:	N/A
35.	Variances Needed for Approval:	None
36.	Other Permits Obtained:	N/A
37.	Other Non-City Permits Required:	None
38.	Fees Paid:	Yes
39.	Planning Board Review History:	September 4, 2024-CUP

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

3. EXISTING CONDITIONS

Once a sales and services office, 118 Alfred Street has been sitting vacant for years. The property is currently zoned MSRD-2 rezone but the use (Community center) is currently not permitted in that zone. The immediate area would best be described as a mixed-use neighborhood primarily made up of multi-family residential buildings and commercial buildings.

4. PROJECT PROPOSAL

New Life Church is proposing to change the current use of the property to accommodate establishing a Community Center. The applicant is hoping to include multiple different spaces for different uses: (1) a large multi-purpose room for events, gatherings, classes, and recreational activities and (b) office space for small group meetings and counseling. The facility will operate primarily between 9 AM and 5 PM and be available for evening meetings during the week and on weekends. A full-time director will be responsible for the community center with the help of a rotating volunteer staff of 2-4 per day. The applicant is not planning any changes to the outside of the building or site other than general maintenance and a sign change.

The applicant stressed on the importance of distinguishing their mission and identifying the purpose of the Community Center. New Life Church Community Center hopes to be perceived as a *centralized liaison hub* that works closely with individuals. Individuals will receive help based on the organization's three pillars: (a) connection, connecting individuals to existing resources; support, (b) supporting individuals in taking the next steps towards sobriety and mental health and (c) education; providing educational programs as well as recreational opportunities to parents and families.

REVIEW STANDARDS: The project is subject to Conditional Use Standards Listed below:

Section 6 Standards:

- A. Applications for conditional use permits must meet the standards specified in Article VI of this ordinance as well as the standards of subdivision or site review. In addition, because of the unique nature and particular concern that the general public may have relating to a conditional use in a particular zone, the Planning Board shall consider each of the applications in light of the guidelines presented below.
- B. The Planning Board shall approve, approve with conditions, or deny all applications for a conditional use permit. The applicant shall have the burden of proving that his or her application is in compliance with the requirements of this ordinance and that none of the conditions listed below would result from the approval of the conditional use permit. Failure of the applicant to submit the required information shall constitute a basis for denial without a review of the remainder of the application. After the submission of a complete application and a review of the required submissions, the Planning Board shall approve the application or approve it with conditions if the application meets the following standards:
 - 1. The proposed use meets specific requirements set forth in this ordinance and would be in compliance with applicable state or federal laws; The proposed use will comply with all State and local Codes and Ordinances;
 - 2. The proposed use would not create fire safety hazards by providing adequate access to the site, or to the buildings on the site, for emergency vehicles and would not create hazards through the storage of chemicals and wastes;

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

3. The proposed exterior lighting, where allowed, would not create hazards to motorists traveling on adjacent public streets or is adequate for the safety of occupants or users of the site or would not damage the value and diminish the usability of adjacent properties;
4. The provisions for buffers and on-site landscaping provide adequate protection to neighboring properties from detrimental or unsightly features of the development;
5. The proposed use would not have a significant, detrimental effect on the use and peaceful enjoyment of abutting property as the result of noise, vibrations, fumes, odor, dust, glare, hours of operation, or other causes;
6. The provisions for vehicular loading and unloading and parking and for vehicular and pedestrian circulation on the site and onto adjacent public streets would not create hazards to public safety or traffic congestion;
7. The proposed use would generate a volume of traffic that can reasonably be accommodated by the existing road network, or would not create unreasonable traffic hazards or would not exacerbate an existing traffic hazard, or would not create unreasonable traffic congestion;
8. The proposed use would not have a significant, detrimental effect on the value of adjacent properties which could be avoided by reasonable modification of the proposal;
9. The proposed use would not have an adverse impact on the privacy of the residents of the immediate area (within 500 feet) which could be avoided by reasonable modification of the proposal;
10. The proposed use would be in compliance with Biddeford's Comprehensive Plan;
11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;
12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;
13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;
14. Adequate provision has been made to control erosion or sedimentation;
15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;
16. The proposed water supply would meet the demands of the proposed use for fire protection purposes;

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;
18. The proposed use would not have an adverse impact on scenic vistas or on significant wildlife habitat or wetland areas and water bodies which could be avoided by reasonable modification if the proposal;
19. When located in the Shoreland Zone, the proposed use would meet the purposes of Shoreland Zoning as identified in Article XIV, Section 1 (Purposes) of this ordinance.

C. WAIVERS REQUESTED / REQUIRED: N/A

5. Staff Review

Staff Comments are in italics; the Applicants are underlined.

• Planning

1. *In your application, under Project Description, you mention that evening meetings will be held. Does it also include weekends as well?*

Yes

2. The property has existing downspouts which currently connect to the City's sewer line. The stormwater from such needs to be separated from the sewer line.

• Engineering

1. *There will be provision of several spaces proposed for use as offices and leisure activities. Will there be any changes in the fixed interior count plan to accommodate the proposed uses? If not, we need a floor plan that reflects these spaces/changes. We also expect the floor plan to reflect fixture counts, e.g., the number and location of toilets and sinks.*

We are not planning on making any changes to the interior or exterior of the building. The floor plan will remain the same as it currently is.

2. *There was also a concern about the total number of maximum occupancy. Hypothetically, if the center were to host an AA meeting, how many individuals can the "multi-purpose large room" safely accommodate?*

I would expect the "multi-purpose large room" to accommodate 25-30 people for a larger group meeting.

3. *What is the daily staff count? You did indicate that there will be a director plus 2-4 volunteers. Does that mean the staff count will not exceed 5 individuals?*

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

I would say that this would reflect a normal day of paid/volunteer staffing. There will be days/hours where they may be only two.

- **Emergency Services – E-911**

This is for Police, Fire, and Medical services. It is very important that you place your street number on your house or building in a location visible from the street or driveway. The height of each number in your address should be a minimum of 4 inches. The color of the numbers should contrast with the color of building. We strongly recommend the numbers be made of reflective materials to enhance nighttime viewing.

6. NEXT STEPS/SUGGESTED ACTIONS / RECOMMENDED CONDITIONS OF APPROVAL.

If the applicant has addressed the outstanding items to the satisfaction of the Planning Board, and the Planning Board approves the project, Staff recommend doing so with the following Conditions of Approval:

- A. All signage for the property shall meet the standards of the City's Sign Ordinance and shall include a street address with the height of each number within the address being a minimum of 4" in height. City Staff further recommends that the street number be reflective materials for easy identification for E-911 services.
- B. The property has existing downspouts which currently connect to the City's sewer line. The stormwater from such, needs to be separated from the sewer line.
- C. The properties refuse and recycling containers shall be fully screened on all sides by a dumpster enclosure, including fully operational screened access doors.

7. SAMPLE MOTIONS

A. Motion to approve Case # 2024.44 Conditional Use Permit for a Community Center to be located at 118 Alfred Street (Tax Map 38, Lot 303-1), which is located in the MSRD-2 Zoning District with the above-listed Conditions of Approval.

B. Motion to Table Case # 2024.44 Conditional Use Permit for 118 Alfred Street (Tax Map 38, Lot 303-1), in the MSRD-2 Zoning District Determination, based upon the following reasons:

- a) _____
- b) _____
- c) _____

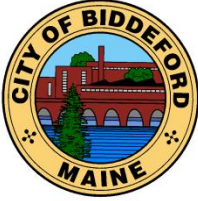
C. Motion to Deny Case # 2024.44 Conditional Use Permit for 118 Alfred Street (Tax Map 38, Lot 303-1), in the MSRD-2 Zoning District Determination, based upon the following reasons:

2024.44 Request for Conditional Use of Property for Community Center at 118 Alfred Street (Tax Map 38, Lot 303-1) in the MSRD-2 Zone / Conditional Use Permit.

a) _____

b) _____

c) _____



CITY OF BIDDEFORD

Planning and Development Department

Adi Iriqat
Assistant City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207)-284-9115
adi.iriqat@biddefordmaine.org

FINDINGS OF FACT AND CONCLUSIONS OF LAW

**Conditional Use Permit
Community Center
118 Alfred Street, Biddeford, ME
Case # 2024.44 – August 27, 2024**

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Article VI (Performance Standards), Section 53 – Primary and secondary schools, fraternal organizations, and not-for-profit clubs, the Biddeford Planning Board has considered the application of New Life Church to open a Community Center, including supportive data, public hearing testimony and related materials contained in the record. Based on Public Comment and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

1. PROJECT DATA/INFORMATION

Applicant:	Sr. Pastor Justin Sweeney of New Life Christian Fellowship 551 Alfred Rd Biddeford, ME 04005
Owner of Property:	Tiffini S. Ruszenas of Biddodom, LLC 10 Aspen Ln Kennebunk, ME 04043
Agent:	Roz Anton of Exp Realty, LLC Think Tank Coworking, 40 Maine St Biddeford, ME 04005
Engineer:	N/A
Project Location:	118 Alfred Street
Project Tax Map #/ Lot #:	Tax Map 38, Lot 303-1
Lot Size:	.37 acres or 16,117 sf
Base Zoning:	MSRD-2
Overlay Zoning:	N/A
Existing Use:	Vacant Commercial
Proposed Use:	Community Center
Approvals Required:	Conditional Use Permit
Uses in the Vicinity:	Mixed-use
Number of Lots/Units in Subdivision:	N/A
Minimum Lot Size Required: Provided:	2000 sf 16,117 sf

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Conditional Use Permit

Community Center

118 Alfred Street, (Tax Map 38, Lot 303-1)

Case # 2024.44 – August 27, 2024

Frontage Required:	50'
Provided:	110' on Alfred Street & 90' on Washington Street
Front Setback Required:	15'
Provided:	24' +/-
Side Setback Required:	10'
Provided:	21' +/-
Rear Setback Required:	10'
Provided:	20' +/-
Height Requirement:	35 feet or 3 stories
Provided:	10'
Water Supply:	Public Water
Sewage Disposal:	Public Sewer
Solid Waste Disposal:	Public Trash
Fire Protection:	City of Biddeford
Floodplain Status:	N/A
Wetland/Surface Water Impacts:	N/A
Soil Study Provided:	N/A
Parking Spaces Required:	N/A
Parking Spaces Provided (total):	10-15
# Handicapped Spaces:	
Ownership of Road:	Alfred St is a Public Road
Impervious Surface Area:	0 SF Change
Total Disturbed Area:	0 SF of Previously Undisturbed Area
Waivers Needed:	N/A
Waivers Granted:	N/A
Variances Needed for Approval:	None
Other Permits Obtained:	N/A
Other Non-City Permits Required:	None
Fees Paid:	Yes
Planning Board Review History:	September 4, 2024-CUP

2. EXISTING CONDITIONS

Once a sales and services office, 118 Alfred Street has been sitting vacant for years. The property is currently zoned MSRD-2 rezone but the use (Community center) is currently not permitted in that zone. The immediate area would best be described as a mixed-use neighborhood primarily made up of multi-family residential buildings and commercial buildings.

3. PROJECT PROPOSAL

New Life Church is proposing to change the current use of the property to accommodate establishing a Community Center. The applicant is hoping to include multiple different spaces for different uses: (1) a large multi-purpose room for events, gatherings, classes, and recreational activities and (b) office space for small group meetings and counseling. The facility will operate primarily between 9 AM and 5 PM and be available for evening meetings

FINDINGS OF FACT AND CONCLUSIONS OF LAW

Conditional Use Permit

Community Center

118 Alfred Street, (Tax Map 38, Lot 303-1)

Case # 2024.44 – August 27, 2024

during the week and on weekends. A full-time director will be responsible for the community center with the help of a rotating volunteer staff of 2-4 per day. The applicant is not planning any changes to the outside of the building or site other than general maintenance and a sign change.

The applicant stressed on the importance of distinguishing their mission and identifying the purpose of the Community Center. New Life Church Community Center hopes to be perceived as a *centralized liaison hub* that works closely with individuals. Individuals will receive help based on the organization's three pillars: (a) connection, connecting individuals to existing resources; support, (b) supporting individuals in taking the next steps towards sobriety and mental health and (c) education; providing educational programs as well as recreational opportunities to parents and families.

Performance Standards: The Board made the following conclusions in their review standards of Article VI (Performance Standards), Section 53 (Community Center) states as follows: Schools, fraternal organizations, and not-for-profit shall be permitted as a conditional use in accordance with the provisions below:

1. The buffer standards of this ordinance shall be met.
2. No building shall be closer than 50 feet from any property line.
3. When adjacent to residential properties, parking areas and outdoor activity areas shall be effectively screened from view by a continuous vegetative barrier, or stockade fence, not less than six feet in height.

APPROVAL GRANTED: Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the Conditional Use Permit for the proposed project summarized above, located at 118 Alfred Street in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

- A. All signage for the property shall meet the standards of the City's Sign Ordinance and shall include a street address with the height of each number within the address being a minimum of 4" in height. City Staff further recommends that the street number be reflective materials for easy identification for E-911 services.
- B. The property has existing downspouts which currently connect to the City's sewer line. The stormwater from such, needs to be separated from the sewer line.
- C. The properties refuse and recycling containers shall be fully screened on all sides by a dumpster enclosure, including fully operational screened access doors.

Date: _____

Mr. Larry Patione
Planning Board Chairman

**New Life Christian Fellowship
Request for Conditional Use of Property
118 Alfred Street, Biddeford, Maine**

New Life Christian Fellowship
Application for Request for Conditional Use of Property
for Community Center
118 Alfred Street, Biddeford, Maine

Table of Contents

- Planning Board Application
- Narrative by Pastor Justin Sweeney
- Contract for the Sale of Commercial Real Estate with Attached Warranty Deed
- Letters of Approval (Fire Department, Maine Water, Police Department, Public Works (sewer)
- Photos of the Site
- Site Plans (Aerial GIS Map)

Revised: May 17, 2022



City of Biddeford – Planning Department
Planning Board Application
P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

Type of Application:

☐ Shoreland Zoning Permit ☐ Site Plan Review ☐ Extraction
☒ Conditional Use Permit ☐ Subdivision ☐ Private Way
☐ Other: _____

Applicant Information:

Name: New Life Christian Fellowship - Justin Sweeney Sr. Pastor
Mailing Address: 551 Alfred Rd, Biddeford, ME 04005
Telephone: (207) 284-4840
Email: Justin.Sweeney@newlife.maine.org
What is your legal interest in the property?
☐ Owner ☒ Potential Buyer with Contract ☐ Lease/Rental Agreement

Owner's Information:

Name: Biddodam, LLC owner: Tiffini S. Ruszenas
Mailing Address: 10 Aspen Ln, Kennebunk, ME 04043
Telephone: (207) 641-3133
Email: Tiffani.Ruszenas@gmail.com

Agent's Information:

Name: ROZ Anton EXP Realty LLC
Mailing Address: EXP c/o Think Tank Co Working 40 Main Street
Telephone: (207) 450-3230 Biddeford ME 04005
Email: ROZ@ROZanton.com

Engineer/Surveyor's Information:

Name: NONE
Mailing Address: _____
Telephone: _____
Email: _____

Project Location and Lot Information:

Street Address: 118 Alfred Street Drainage Watershed: No
Tax Map: 38 Lot: 303-1
Current Zoning: MSRD 2 Shoreland Zoning: NO
Size of Lot: 137 (X) acres () s.f. Lot Frontage: 110'
Existing Use of Property: Previously office space ATX Consulting firm
since 2019

Property currently serviced by:

☒ City Road ☒ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Slope Conditions in Area of Construction (if applicable):

☒ Flat (0-3% slope) ☐ Rolling (3-8% slope) ☐ Hilly (8-15% slope) ☐ Steep (15%+ Slope)

Are there any wetlands or waterbodies on the site? ☐ (Yes) ☒ (No) If yes attach information

Is the project within the 100-year floodplain? ☐ (Yes) ☒ (No) if yes attach information

Do you plan to bring fill onto the lot? ☐ (Yes) ☒ (No) If yes attach information

Description of proposed use of property:

Project/Proposed Use:

Community Center

Property to be Serviced by:

☒ City Road ☒ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Limits of Disturbance: 0 () acres () s.f.

Net change in impervious cover: 0 () acres () s.f.

Is this project part of a larger project? ☐ (Yes) ☒ (No)

Is the project proposing a new Private or Public Road? ☐ (Yes, Private) ☐ (Yes, Public) ☒ (No)

Is this project within the Urbanized Area/MS4 (see City Drainage Map) ☒ (Yes) ☐ (No)

Is the project proposing any Stormwater facilities/BMPs? ☐ (Yes) ☒ (No)

Will a Traffic Movement Permit (TMP) be required?: ☐ (Yes) ☒ (No)

N/A If In a Shoreland Zone:

Percent of residential lot coverage (Max 20%): _____

Percent of structure expansion (Max 30%): _____

N/A If Subdivision Review, number of lots proposed: _____

N/A If a Private Way is proposed, number of lots served: _____

If Site Plan Review, you must provide the following information:

Total new square feet footprint of structure: N/A

Total new square feet paving/parking: N/A

Waiver Requests (attach details):

1. N/A
2. _____
3. _____
4. _____
5. _____

Required Submittal Attachments:

- A. Letters of Approval
 - ☒ Fire Department – Contact Chief or Deputy Chief – 282-9986
 - ☒ Ability to Serve for Water Service – Maine Water – 282-1543
 - ☒ Ability to Serve for Sewer Service – Engineering Department – Tom Milligan 284-9118
 - ☒ Police Department – e-911 Road Name Designation – Contact Joanne Fisk 282-5127
- B. Letter to Planning Board describing project, Waiver requests, proposed improvements, addressing permit requirements, etc.
- C. Photographs of Site.
- D. Architectural renderings/drawings of proposed buildings, as required.
- E. Engineering Plans, as required.
- F. Stormwater Management Report, as required.

Fees (Due at time of Submission):

- \$75 Nonrefundable Administration Fee is required for every application.
- Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

Will the proposed project cause 1 acre or more of site disturbance?: ☐ (Yes) ☒ (No)

- If Yes, applicant is responsible for any required Maine Construction General Permits and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

DocuSigned by: Justin Sweeney Date 8/12/2024
 Signature of Applicant: Justin Sweeney
 2507456A9BB5423
 Signature of Property Owner: Tiffani Ruszenas Date 8/12/2024
 0F9200310D0145B...

DIGITAL SUBMITTAL REQUIREMENTS FOR ALL SUBMITTALS:

- A) PDF OF SIGNED APPLICATION
- B) PDFs OF ALL DRAWING SETS AND OTHER REQUIRED SUBMITTAL ATTACHMENTS NOTED ABOVE

HARD-COPY SUBMITTAL REQUIREMENTS FOR PLANNING BOARD APPLICATIONS: *

- A) SEVEN (7) FULL-SIZE PAPER COPIES OF DRAWING SETS

DIGITAL SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) INDIVIDUALLY NAMED PDFs OF EACH DRAWING (NOT A COMBINED PDF SET)
 - Individual Drawing PDF Naming Format: "PROJECT/SHEETSET NAME_INDIVIDUAL DRAWING NAME.pdf"
- B) PDF COPIES OF ALL PERMIT APPROVALS, APPLICATIONS, REPORTS, NARRATIVES, LETTERS, ETC.
- C) FINAL CAD REFERENCE FILES IN DWG FORMAT (SURVEY & PROPOSED DESIGN LINEWORK)
 - All drawings & CAD reference files must be to-scale and within the following coordinate systems:
 - MAINE STATE PLANE WEST NAD83 (Horizontal Datum) & NAVD88 (Vertical Datum)

HARD-COPY SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) THREE (3) FULL-SIZE PAPER COPIES OF INDIVIDUAL DRAWINGS REQUIRING BOARD SIGNATURE
- B) ONE (1) FULL-SIZE PAPER COPY OF ENTIRE DRAWING SET FOR ENGINEERING RECORDS

PLEASE CONFIRM WITH PLANNING STAFF FOR CLARIFICATION

Narrative for Conditional Use Permit

118 Alfred Street
Biddeford, Maine 04005

Project Overview

New Life Church proposes to establish a community center at 118 Alfred Street. The objective is to provide a hub of help and hope to individuals and families in Biddeford. This community center will be an outreach extension of New Life Church and aims to enhance the quality of life for all residents. The choice of this site is strategic because it is within walking distance of so many community resources.

Project Description

The proposed community center facility will include:

- A large multi-purpose room for events, gatherings, classes, and recreational activities.
- Offices for small group meetings and counseling.
- The hours of operation will primarily be from 9am-5pm with evening meetings throughout the week.
- We plan on staffing a full time director with a rotating volunteer staff of 2-4 per day.

Community Need and Benefit

A committee of New Life Church conducted a needs assessment survey which highlighted a significant demand for a community center. Residents expressed a need for:

- A safe and accessible space for parenting and family resources
- Help with connecting next steps for those that are unhoused
- Connecting people to resources for those struggling with addiction and mental health

We endeavor to work hand in hand with local resources, connecting individuals to existing resources, supporting individuals in taking next steps towards sobriety and mental health, and provide educational programs as well as recreational opportunities to parents and families. To be clear, we are not proposing a soup kitchen, food pantry, shelter, licensed counseling center, or daycare/childcare facility. We are here to help people connect with those resources.

Conclusion

This community center will be a valuable asset to Biddeford, providing essential services and opportunities. We believe that this project is in line with the vision and purpose of the City of Biddeford's Comprehensive Plan regarding mobility, resilience, sustainability, and equity. We respectfully request the approval of this conditional use permit to proceed with the development of this important community resource.

CONTRACT FOR THE SALE OF COMMERCIAL REAL ESTATE

RECEIVED from New Life Church, Justin Sweeney, whose mailing address is 551 Alfred Rd, Biddeford, ME 04005 (hereinafter called "Purchaser"), this 18th day of July, 2024, the sum of Ten Thousand Dollars (\$10,000.00) as earnest money deposit toward purchase and sale of certain real estate owned by Biddodm, LLC, Tiffani Ruszenas (hereinafter called the "Seller") and located at 118 Alfred Street in the city/town of Biddeford, County of York, State of Maine, described as follows: commerical building located on city tax map 38 lot 303-1, that is approximately 2300sf and sitting on .37 acres.

and being more fully more described at said County Registry of Deeds in Book 19425, Page 918, upon the terms and conditions indicated below.

1. PERSONAL PROPERTY: The following items of personal property are included in this sale (if applicable):
water cooler, generator, electric car charging station
2. PURCHASE PRICE/EARNEST MONEY: In consideration for such deed and conveyance Purchaser agrees to pay the total purchase price of \$ 10,000.00. Purchaser ☐ has delivered; or ☒ will deliver to the [Agency] / [Escrow Agent] (cross out one) within 4 days of the Effective Date (as defined herein), a deposit of earnest money in the amount of \$ 10,000.00. Purchaser agrees that an additional deposit of earnest money in the amount of \$ n/a [NONE IF BLANK] will be delivered n/a. If purchaser fails to deliver the initial and/or additional deposit in compliance with the above terms, then Seller may terminate this Contract. This right to terminate ends once Purchaser has delivered said deposit(s). The remainder of the purchase price shall be paid by Purchaser in immediately available funds at closing.
3. EARNEST MONEY/ACCEPTANCE: _____ ("Escrow Agent") shall hold the earnest money in a non-interest bearing account and act as escrow agent until closing. This offer shall be valid until July 18, 2024 at 5:00 (☐ AM ☒ PM). In the event of Seller's non-acceptance of this offer, the earnest money shall be returned promptly to Purchaser.
4. TITLE: Within 20 days of Effective Date (the "Title Review Period"), Purchaser shall notify Seller in writing (the "Title Objection Notice") of any matters affecting title to the property that are objectionable to Purchaser in Purchaser's sole discretion ("Title Defects"). Purchaser shall be deemed to have waived the right to object to any matter affecting title as of the Effective Date, except for any mortgage, tax lien, mechanics' lien, judgment lien, or other liens encumbering the property (for which no objection is required), if Purchaser fails to specifically identify such matters in the Title Objection Notice (each matter not objected to being a "Permitted Encumbrance"). Within seven (7) days of Seller's receipt of the Title Objection Notice, Seller shall notify Purchaser in writing whether or not Seller elects to cure any of the matters identified in the Title Objection Notice. If Seller elects to cure certain Title Defects, Seller shall use good faith efforts to cure such Title Defects and shall have a period of not more than thirty (30) days after notice of Seller's election within which to cure any such Title Defects (the "Title Cure Period"), and the Closing Date shall be extended until five (5) days after the expiration of the Title Cure Period. Seller agrees that, after the Effective Date, it shall not permit or suffer encumbrance of the property with any liens, easements, leases or other encumbrances without Purchaser's prior written consent, except that Purchaser shall not unreasonably withhold or delay its consent to new leases. On or before the Closing Date, Seller shall remove at its sole cost any such matters affecting the title to the property suffered or created by or consented to by Seller after the Effective Date that are not approved in writing by Purchaser. If Seller elects not to cure any Title Defects or if Title Defects which Seller elects to cure are not cured within the Title Cure Period, then Purchaser shall elect, by written notice to Seller on or before the Closing Date, as the same may be extended, either (i) to accept title to the property, subject to such uncured Title Defects without reduction of the purchase price and without any liability on the part of Seller therefor, in which case such Title Defects shall be Permitted Encumbrances, or (ii) to terminate this Contract, whereupon the earnest money immediately shall be returned to Purchaser and neither party shall have any further obligations under this Contract.
5. DEED: In return for payment in full of the purchase price, Seller shall convey the property on August 16, 2024 (the "Closing Date") to Purchaser by Maine Statutory Short-Form Warranty Deed (the "Deed"), and the parties agree to execute and deliver on the Closing Date such other documents that are customary and/or reasonably necessary to complete the conveyance. It is a condition to Purchaser's obligations hereunder that title to the property shall be free and clear of all liens and encumbrances except for the following matters and otherwise in compliance with the requirements of this Contract: (i) zoning restrictions and land use laws and regulations and permits and approvals issued pursuant thereto; (ii) current taxes and assessments attributable to periods from and after the Closing, which Purchaser shall be liable to pay; (iii) leases and occupancies disclosed to Purchaser pursuant to Section 11 below; and (iv) any Permitted Encumbrance.

Page 1 of 5 Purchaser's Initials JS Seller's Initials TR

6. LEASES/TENANT SECURITY DEPOSITS: Seller agrees at closing to transfer to Purchaser, by proper assignment thereof, all Seller's rights under the current leases to the property and any and all security deposits held by Seller pursuant to said leases.
7. POSSESSION/OCCUPANCY: Possession/occupancy of property shall be given to Purchaser on the Closing Date subject only to the leases and tenancies disclosed to Purchaser pursuant to Section 11 below, unless otherwise agreed by both parties in writing.
8. RISK OF LOSS: Until transfer of title, the risk of loss or damage to the property by fire or otherwise is assumed by Seller unless otherwise agreed in writing. The property shall be in substantially the same condition at closing as it was on the Effective Date, excepting reasonable use and wear. If the property is materially damaged or destroyed prior to closing, Purchaser may either terminate this Contract and be refunded the earnest money deposit, or close this transaction and accept the property in its as-is condition together with an assignment of the Seller's right to any insurance proceeds relating thereto.
9. PRORATIONS: The following items shall be prorated as of the date of closing:
 - a. Real Estate Taxes based on the municipality's tax year. Seller is responsible for any unpaid taxes for prior years;
 - b. Any other municipal fees, levies or liens;
 - c. Fuel;
 - d. Metered utilities, such as water and sewer, shall be paid by the Seller through the date of closing;
 - e. Purchaser and Seller shall each pay one-half of the transfer tax as required by the laws of the State of Maine;
 - f. Rents due by n/a, actual and estimated monthly common area maintenance charges, actual and estimated monthly property tax payments, and all other additional revenue received by Seller pursuant to leases of the property, in each case whether such amounts have been received by Seller or are due and payable pursuant to the relevant agreement(s); and
 - g. n/a

10. DUE DILIGENCE: Purchaser is advised to seek information from professionals regarding any specific issue of concern. Purchaser acknowledges receipt of property disclosure form attached hereto. Neither Seller nor the Licensees identified below make any representations or warranties regarding the condition, permitted use or value of Seller's real or personal property. Purchaser's obligation to close under this Contract is conditioned upon Purchaser's satisfaction with its investigations of the property, which may without limitation include survey, environmental assessment, engineering studies, wetlands or soils studies, zoning compliance or feasibility, and code compliance, all within 15 days of Effective Date.

All investigations will be done by professionals chosen and paid for by Purchaser. If the result of any investigation is unsatisfactory to Purchaser, Purchaser may declare this Contract null and void by notifying Seller in writing within the specified number of days set forth above and the earnest money shall be returned to Purchaser. If Purchaser does not notify Seller that Purchaser's investigation(s) is unsatisfactory within the time period set forth above, this contingency is waived by Purchaser. In the absence of any investigations(s) mentioned above, Purchaser is relying completely upon Purchaser's own opinion as to the condition of the property. Purchaser agrees to restore any disturbance to the property caused by Purchaser's investigations, and Purchaser agrees to indemnify and hold Seller harmless for any claims, damages, losses or costs, including without limitation reasonable attorneys' fees incurred or suffered by Seller as a result of Purchaser's investigations of the property, which indemnification obligation shall survive termination or closing under this Contract.

11. REVIEW OF LEASES AND INCOME AND EXPENSE INFORMATION: Seller represents: (a) that below is a complete list of all tenants occupying the property under leases or other tenancy arrangements or agreements (the "Leases"), (b) that the Leases are in full force and effect, (c) that to Seller's knowledge, all tenants under the Leases are in full compliance therewith and (d) that Seller is not in violation of its obligations under the Leases. Seller agrees to provide Purchaser within five (5) days of the Effective Date of this Contract complete copies of all leases, including any amendments, and income and expense information concerning the property. Purchaser shall have n/a days from the date Purchaser has been provided all Leases and income and expense information to review same, and if the result of the review is unsatisfactory to Purchaser, Purchaser may declare the Contract terminated and the earnest money shall be immediately refunded to Purchaser and thereafter neither party shall have any further obligation under this Contract. Seller represents and warrants that income and expense information provided to Purchaser will be true, accurate and complete in all material respects when given. Seller shall use reasonable efforts to obtain a tenant estoppel certificate and a subordination, non-disturbance and attornment agreement in form reasonably satisfactory to Purchaser and/or Purchaser's lender for each lease within n/a days from delivery of forms therefor. Purchaser shall also on a rolling basis have n/a days from date of actual receipt of fully-executed written tenant estoppel certificates in which to terminate this Contract pursuant to this Section 11 due to unsatisfactory information contained therein and upon such termination the earnest money shall be immediately refunded to Purchaser and thereafter neither party shall have any further obligation under this Contract. Between the Effective Date and the closing, Seller shall not modify, voluntarily terminate or enter into new leases or tenancy arrangements or agreements and shall obtain Purchaser's written consent to any modification or termination of Leases and to any new lease that Seller proposes to enter into with respect to the property, Purchaser's consent not to be unreasonably withheld, conditioned or delayed. In the event that Seller modifies or terminates any Leases or enters into a new Lease without Purchaser's consent, Purchaser's sole remedy shall be to terminate this Contract and receive an immediate refund of the earnest

~~money and thereafter neither party shall have any further obligation under this Contract. Failure of Purchaser to timely notify Seller of its termination of the Contract pursuant to any of its foregoing rights to do so under this Section 11 shall be deemed a waiver of the applicable right under this Section 11 to terminate this Contract. At the closing, Seller shall deliver written notice to the tenants and occupants of the property of the transfer of the property, and of the tenants' security deposits, to Purchaser.~~

List tenants:

Property to be conveyed free of occupants and tenants.

12. ~~FINANCING: Notwithstanding anything to the contrary contained in this Contract, Purchaser's obligation to close hereunder is conditioned upon Purchaser's obtaining within _____ (_____) days from the Effective Date of this Contract (the "Commitment Date") a written commitment (the "Commitment") from a lender for a mortgage loan of not less than _____ % of the purchase price at an initial interest rate not to exceed _____ % per annum, amortized over a period of not less than _____ (_____) years and otherwise on terms reasonably acceptable to Purchaser. In the event the Purchaser is unable to obtain the Commitment and Purchaser notifies Seller thereof by the Commitment Date, then Escrow Agent shall return the earnest money to Purchaser, this Contract shall terminate, and neither party shall be under any further obligation under this Contract. It shall be a further condition of Purchaser's obligation to close hereunder that the Commitment shall not lapse, be terminated and/or withdrawn prior to the Closing Date for any reason whatsoever, including but not limited to the property failing to appraise at or above the Purchase Price, or any such other level acceptable to Purchaser and Purchaser's lender sufficient to support the Commitment. In the event the Commitment shall lapse, be terminated and/or withdrawn by Purchaser's lender for any reason (other than at the request of Purchaser) at any time prior to the Closing Date, Purchaser shall, within _____ (_____) days of Purchaser's receipt of notice of lapse, termination and/or withdrawal, notify Seller of same, and upon such notification Purchaser may, at Purchaser's option, elect to terminate this Contract and thereafter the earnest money shall be returned to Purchaser and neither party shall have any further obligation under this Contract. If Purchaser does not timely notify Seller that it has failed to obtain the Commitment or that the Commitment has lapsed, terminated and/or been withdrawn, then Purchaser shall be in default of this Contract at the election of Seller. This contingency benefits Purchaser only, and only Purchaser may waive it by providing written notice to Seller specifically waiving this condition and contingency or any part thereof.~~

13. BROKERAGE DISCLOSURE: Purchaser and Seller acknowledge they have been advised of the following relationships:

<u>none</u> Licensee	of	<u>none</u> Agency
is a ☐ Seller Agent ☐ Purchaser Agent ☐ Disc Dual Agent ☐ Transaction Broker		
<u>Roz Anton</u> Licensee	of	<u>EXP Realty</u> Agency
is a ☐ Seller Agent ☒ Purchaser Agent ☐ Disc Dual Agent ☐ Transaction Broker		

If this transaction involves Disclosed Dual Agency, the Purchaser and Seller acknowledge the limited fiduciary duties of the agents and hereby consent to this arrangement. In addition, the Purchaser and Seller acknowledge prior receipt and signing of a Disclosed Dual Agency Consent Agreement.

14. DEFAULT: If the sale of the property as contemplated hereunder is not consummated solely by reason of Purchaser's default hereunder, provided that Seller is then ready, willing and able to consummate the sale of the property as contemplated by this Contract and provided further that all conditions to Purchaser's obligation to consummate such purchase have been satisfied or waived by Purchaser, Seller shall be entitled to either (i) pursue any and all legal and/or equitable remedies; or (ii) terminate this Contract and receive the earnest money as full and complete liquidated damages for the breach of this Contract, it being agreed between the parties that the actual damages to Seller in the event of such breach are difficult to ascertain and/or prove and the earnest money is a reasonable estimate and forecast of such actual damages. The parties acknowledge that the payment of the earnest money is not intended as a forfeiture or penalty, but is intended to constitute liquidated damages to Seller. In the event of an undisputed default by either party, the Escrow Agent may return the earnest money to the party entitled to it under this Contract, with written notice to both parties pursuant to Maine Real Estate Commission regulations. If a dispute arises between Purchaser and Seller as of the existence of a default hereunder and said dispute is not resolved by the parties within thirty (30) days, the Escrow Agent may elect to file an action in interpleader and deposit the earnest money in the court to resolve said dispute, or otherwise disburse the earnest money pursuant to Maine Real Estate Commission regulations. Purchaser and Seller, jointly and severally, shall indemnify Escrow Agent for all costs, losses, expenses, and damages, including reasonable attorneys' fees, incurred by the Escrow Agent in connection with said action and/or in connection with any dispute relating to this Contract and/or the earnest money.

15. **MEDIATION:** Any dispute or claim arising out of or relating to this Contract or the property addressed in this Contract shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules of the Maine Association of Dispute Resolution Professionals or its successor organization. This clause shall survive the closing of this transaction.
16. **PRIOR STATEMENTS:** This Contract sets forth the entire agreement between the parties, and there are no other representations, agreements or understandings with respect to the subject matter of this Contract. This Contract shall be construed according to the laws of the State of Maine.
17. **HEIRS/ASSIGNS:** This Contract shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of Seller and successors and assigns of Purchaser.
18. **COUNTERPARTS:** This Contract may be signed on any number of identical counterparts, including telefax copies and electronically transmitted copies with the same binding effect as if all of the signatures were on one instrument.
19. **EFFECTIVE DATE:** This Contract is a binding contract when signed by both Seller and Purchaser and when that fact has been communicated to all parties or to their agents. Time is of the essence of this Contract. Seller or Licensees are given permission by the parties to complete the Effective Date blank below with the date of the last signature of the parties, and that date shall be the Effective Date for all purposes under this Contract, and if that blank is not completed, then the Effective Date shall be the date of the last signature of the parties. Except as expressly set forth to the contrary, in this Contract, the use of the term "days" in this Contract, including all addenda made a part hereof, shall mean calendar days. Deadlines in this Contract, including all addenda, expressed as "within x days" or the like shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 pm, Eastern Time, on the last day counted.
20. **CONFIDENTIALITY:** Purchaser and Seller authorize the disclosure of the information herein to the Licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Purchaser and Seller authorize the lender and/or closing agent preparing the closing statement to release a copy of the closing statement to the parties and their Licensees and attorneys prior to, at, and after the closing date.
21. A copy of this Contract is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, consult an attorney.
22. Seller acknowledges that the laws of the State of Maine provide that every buyer of real property located in Maine must withhold a withholding tax equal to 2 1/2 % of the consideration unless Seller furnishes to Purchaser a certificate by the Seller stating, under penalty of perjury, that Seller is a resident of the State of Maine or the transfer is otherwise exempt from withholding.
23. **ADDENDA:** This Contract has addenda containing additional terms and conditions. Yes ☐ No ☒ . Explain: none

24. **OTHER PROVISIONS:**

This is a cash sale not subject to financing.

Seller to remove all possession and debris from the property prior to closing or as agreed by both Buyer and Seller.

The parties agree that none of the above are collateral agreements. It is the intent of the parties that, except as expressly set forth in this Contract, all covenants, representations, statements and obligations of both parties herein shall not survive closing.

SIGNATURES APPEAR ON NEXT PAGE

New Life Church
 Legal Name of Purchaser
 By: Justin Sweeney 7/18/2024
 DocuSigned by: 2507456A9BB5421... Signature
Justin Sweeney @
 Legal Name of Purchaser

01-0404207
 Tax ID #
Justin Sweeney, Lead Pastor
 Name/Title, there unto duly authorized
 Tax ID #

By: _____
 Signature

 Name/Title, there unto duly authorized

Seller accepts and agrees to the terms and conditions set forth in this Contract and agrees to pay the Licensees the commission for services according to the terms of the listing agreement or if there is no listing agreement, the sum of _____. In the event the earnest money is forfeited by Purchaser, it shall be evenly distributed between (1) Licensees and (2) Seller; provided, however, that the Licensees' portion shall not exceed the full amount of the commission specified.

Signed this 18th day of July, 20 2024.

Biddoddom, LLC
 Seller
 By: _____
 Signature
Tiffani Ruszenas
 Seller

85-1137024
 Tax ID #
Tiffani Ruszenas, Manager
 Name/Title, thereunto duly authorized
 Tax ID #

By: Tiffani Ruszenas 7/18/2024
 DocuSigned by: 0F9200310D0145B... Signature

 Name/Title, thereunto duly authorized

EFFECTIVE DATE OF THIS CONTRACT: July 18, 20 24.

By signature hereof, Escrow Agent agrees to perform the obligations of Escrow Agent in accordance with applicable law, the applicable provisions of the rules of the Maine Real Estate Commission, and the terms and conditions set forth in this Contract.

EXP Realty LLC
 Legal Name of Escrow Agent
 By: Roz Anton
 DocuSigned by: A29A65DEE3C247E... Signature

Roz Anton
 Name/Title, thereunto duly authorized



Maine Commercial Association of REALTORS®/Copyright©2024
 All Rights Reserved. Revised 2022

Page 5 of 5

Purchaser's Initials

JS

Seller's Initials

TR

DLN: 1002440271587

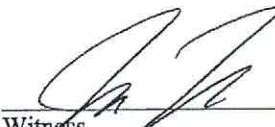
WARRANTY DEED

MB POST ROAD PROPERTY, LLC, a Maine limited liability company having a mailing address of 43 Landry Street, Biddeford, Maine 04005, for consideration paid, hereby grants to **BIDDODOM, LLC**, a Maine limited liability company having a mailing address of 10 Aspen Lane, Kennebunk, Maine 04043, with **WARRANTY COVENANTS**, the premises situated in the City of Biddeford, County of York and State of Maine, bounded and described as follows:

*SEE EXHIBIT "A" ATTACHED HERETO
AND INCORPORATED HEREIN BY REFERENCE.*

IN WITNESS WHEREOF, the said **MB POST ROAD PROPERTY, LLC** has caused this instrument to be signed and sealed this 29 day of April, 2024.

Maine R.E. Transfer Tax Paid


Witness


Witness

MB POST ROAD PROPERTY, LLC


By: Brendan Abbott
Its: Member


By: Mark DiGiovanni
Its: Member

STATE OF MAINE
YORK, ss.

April 29, 2024

Then personally appeared the above-named **BRENDAN ABBOTT** and **MARK DiGIOVANNI** in their said capacity, and acknowledged the foregoing instrument to be their free act and deed and the free act and deed of said **MB POST ROAD PROPERTY, LLC**.

Before me,

Notary Public/Attorney-at-Law

JEFFREY S. ZDUNCZYK
Notary Public, State of Maine
My Commission Expires Mar. 20, 2030

DS
TX

DS
JS

EXHIBIT A

A certain lot or parcel of land, with the buildings thereon, situated in Biddeford, County of York and State of Maine, and bounded as follows, to wit: BEGINNING at the corner of Alfred and Washington Street; thence running Northwesterly by said Washington Street to land formerly of Charles A. Shaw to a point eighteen inches beyond the stone wall; thence Southwesterly on a line parallel with said wall to land now or formerly of Mildred D. Smith; thence Southeasterly by said Smith land to said Alfred Street; thence Northeasterly by said Alfred Street to said Washington Street and point begun at.

Also another certain lot or parcel of land with the buildings thereon, situated in Biddeford, County of York and State of Maine, bounded as follows, to wit: Beginning on Alfred Street at the Northeasterly corner of land now or formerly of James A. Dresser; thence running Northeasterly by said Alfred Street to land now or formerly of James G. Garland and others; thence Northwesterly by said Garland land to land formerly of one Mason; thence Southwesterly by said Mason land to land now or formerly of said James A. Dresser; thence Southeasterly by land of said Dresser to said Alfred Street and point begun at.

Also another certain lot or parcel of land, with the buildings thereon, situated on the Northwesterly side of Alfred Street in Biddeford, County of York and State of Maine, bounded and described as follows, to wit:

BEGINNING at a point located at the Northeasterly corner of a stone post set in the ground on the Northwesterly side of said Alfred Street; thence Northeasterly (sic) [Northwesterly] 82.92 feet to an iron rod set in a stone in the wall; thence Southwesterly at right angles three (3) feet; thence Northwesterly at right angles 14 ½ feet distant from land formerly of Irving W. Mason; thence Northeasterly 1.15 feet to said Mason land; thence Northwesterly by said Mason land and land formerly of one Lane, 96.65 feet, more or less, to land of "Servants of the Immaculate Heart of Mary;" thence Southeasterly (six) [Southwesterly] by land of said "Servants of the Immaculate Heart of Mary" 48 3/5 feet, more or less, to land now or formerly of E. C. Luques; thence Southeasterly by land of said Luques, 81 ¼ feet, more or less, to a corner, thence turning and running in a general Northeasterly direction a distance of approximately nine (9) feet to a corner; thence turning and running in a general Southeasterly direction a distance of approximately 100 feet to the sideline of Alfred Street, the last described line for a portion of its distance being the former Southwesterly wall of the building formerly located on the within conveyed lot; thence turning and running in a general Northeasterly direction along the sideline of said Alfred Street a distance of approximately 43 feet to

DS
17

DS
JS

the point of beginning; all of said lines and distances being more exactly set out and delineated on the sketch annexed to deed of Tyna Merdek, et al, to Laconia Federal Credit Union, dated August 22, 1974 and recorded in the York County Registry of Deeds in Book 2050, Page 835.

Also conveying to the Grantee herein, all of my right, title and interest in and to the driveway located between the conveyed premises and premises now or formerly owned by one Jack Simensky. The use of said driveway herein conveyed is joint with the owners and occupants of the said building now or formerly owned by the said Jack Simensky as the same has been heretofore enjoyed by all parties.

Being the same premises conveyed from Richard W. Cressey and Brenda M. Cressey to MB Post Road Property, LLC by deed dated June 14, 2019 and recorded in the York County Registry of Deeds in Book 17974, Page 807.

tt\\server\\Data\\Lis\\Documents\\Real\\MB Post Road Properties (118 Alfred St, Biddeford) SALE 4.24\\Deed.doc

DS
TR

DS
JS



**CITY OF BIDDEFORD
FIRE DEPARTMENT**

152 Alfred Street
Biddeford, Maine 04005
Tel: 207-282-6632
Fax: 207-283-8243

Chief of Department Lawrence D. Best

Assistant Chief Edward Dexter

Deputy Chief Kenneth Thorpe

08/08/2024

Roz Anton

118 Alfred Street

Biddeford, Maine 04005

Subject: Ability to Serve

Dear Ms. Anton:

It is the position of the Biddeford Fire Department that we will provide emergency services for the property located at 118 Alfred Street as long as the department is available at the time of the request. It is of the understanding that the Biddeford Fire Department may request assistance from mutual aid departments in the event the fire department is not available due to other emergencies in the city.

Please contact the Biddeford Fire Department if you have any questions or concerns.

Respectfully,

Edward Dexter

Assistant Fire Chief

"The Biddeford Fire Department will promote public safety and community well-being while preserving life and protecting property"



August 12, 2024

Justin Sweeney
New Life Christian Fellowship
551 Alfred Street
Biddeford, ME 04005

Re: Ability to Serve Determination – 118 Alfred Street, Biddeford

Greetings,

The Maine Water Company (MWC) has received your request on the behalf of your client, New Life Christian Fellowship, for an Ability to Serve Determination for the above-referenced project. The request specifies a plan to use the existing structure as office space for a community center. No changes to the structure, fixtures, or associated utility infrastructure are proposed. The expected peak domestic service demand will not change from the existing use. The expected fire service demand is currently unknown.

Domestic water is available for your project from the existing 1-inch service line extension from the 12-inch ductile iron main in the Alfred Street Right-of-Way to serve the project. Based on the criteria provided by the developer's agent, the expected increase in water usage is within the Biddeford Saco Division of MWC's available system capacity. The static pressure in the area is approximately 50 psi. Additional infrastructure improvements may be required at the expense of the developer to meet the overall needs of this project.

Conditions of Service

- MWC has the understanding that fire service demand is unknown at this time, are not be included in this request, or accounted for in this Ability to Serve Determination.
- If fire service is required, a hydrant flow test at the nearest available hydrant will need to be conducted and analyzed by the sprinkler designer to ensure that adequate flows can be met during a peak fire demand event.
- The developer is required to pay for the cost of any modification, renewal of impacted service lines, and retirement of unused or discontinued services to MWC standards of best practice.
- Additional plan approval, paperwork, and fees associated with this project will require proper coordination with MWC. MWC requires upfront payment for inspection and paperwork to be fully completed before any construction on waterworks materials.
- Service lines must comply with MWC Cross Connection Control Program.
- Allow up to 30 days for the MWC utility review process once final plans are ready to be completed before any construction on waterworks materials will be approved.

Should a request for service or completion of the project not be executed within one year of the date of this letter, MWC reserves the right to reevaluate its ability to serve this project.

All work must be completed in accordance with MWC Terms and Conditions as well as material specifications. All appropriate paperwork must be completed, and deposit paid prior to the start of construction. Please forward all design plan revisions as the project develops to prevent construction delays. Water service will be provided in accordance with Maine Public Utility Commission rules. If you have any additional questions, please do not hesitate to contact our office at 1-800-287-1643 or by email at Patrick.Gere@mainewater.com. We look forward to working with you throughout design and construction.

Sincerely,
The Maine Water Company

A handwritten signature in blue ink, appearing to read "P. Gere".

Patrick Gere, PE
Project Engineer



CITY OF BIDDEFORD

REGIONAL COMMUNICATIONS CENTER

Division of Biddeford Police Department

39 Alfred Street, Biddeford, ME 04005



AUGUST 08, 2024

JUSTIN SWEENEY
551 ALFRED STREET
Biddeford, ME 04005

The address shown below is the physical E-911 emergency response address for your property.

Property Address: **118 ALFRED ST. BIDDEFORD, ME 04005**

Identifying Your Property / Building

This is for Police, Fire, and Medical services. It is very important that you place your street number on your house or building in a location visible from the street or driveway. The height of each number in your address should be a minimum of 4 inches. The color of the numbers should contrast with the color of building. We strongly recommend the numbers be made of reflective materials to enhance nighttime viewing.

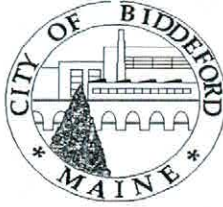
In addition, if your house or building is located further than 75 feet back from the road or otherwise not visible from the road, your street number(s) is required to be placed at the beginning of your driveway/private way. Acceptable methods for display include the use of your mailbox, placement of a plaque on a post, etc.

If you have any questions or concerns, I may be reached at (207) 571-1657 or dylan.martin@biddefordmaine.org. Thank you in advance for your cooperation.

Regards,

A handwritten signature in black ink, appearing to read "D Martin".

Dylan D. Martin
RCC Supervisor / E-911 Addressing Officer
Biddeford Regional Communications Center
Division of Biddeford Police Dept.



City of Biddeford, Maine

Public Works/Wastewater Department

371 Hill Street Biddeford, Maine 04005

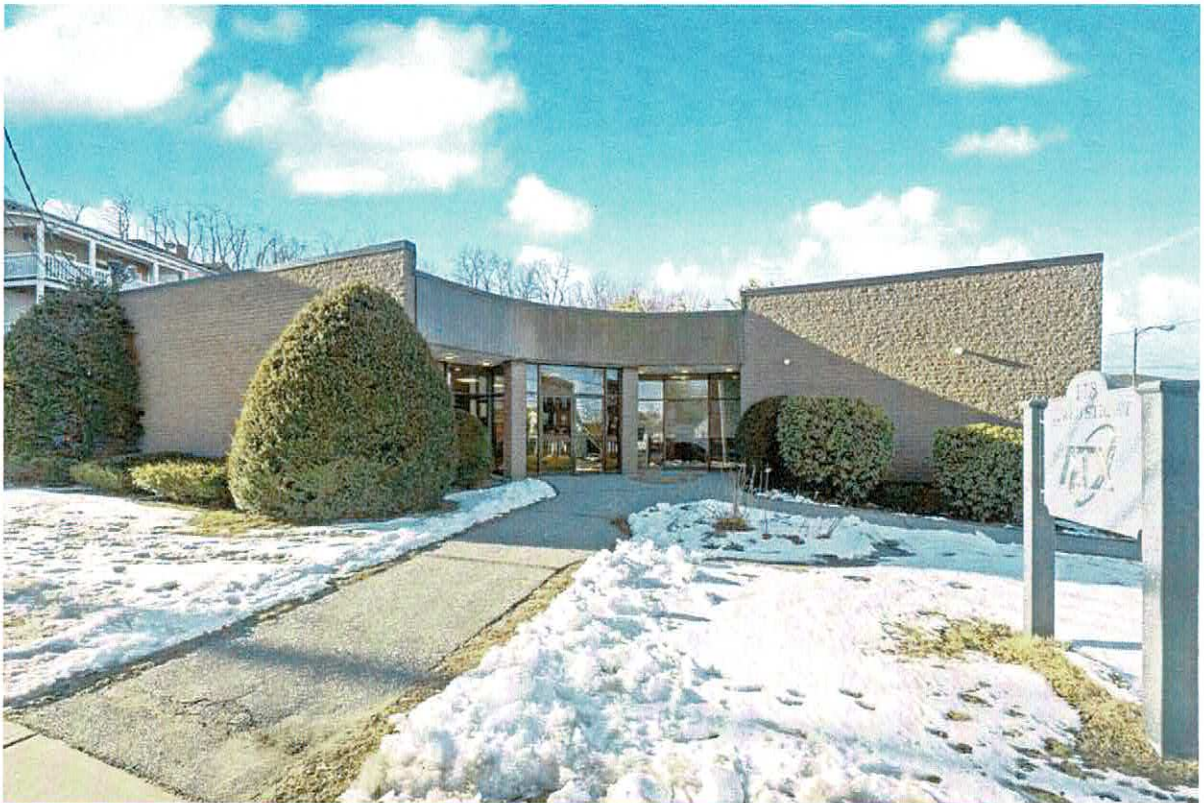
Phone: (207) 282-1579 Fax: (207) 286-9395

8/13/2024

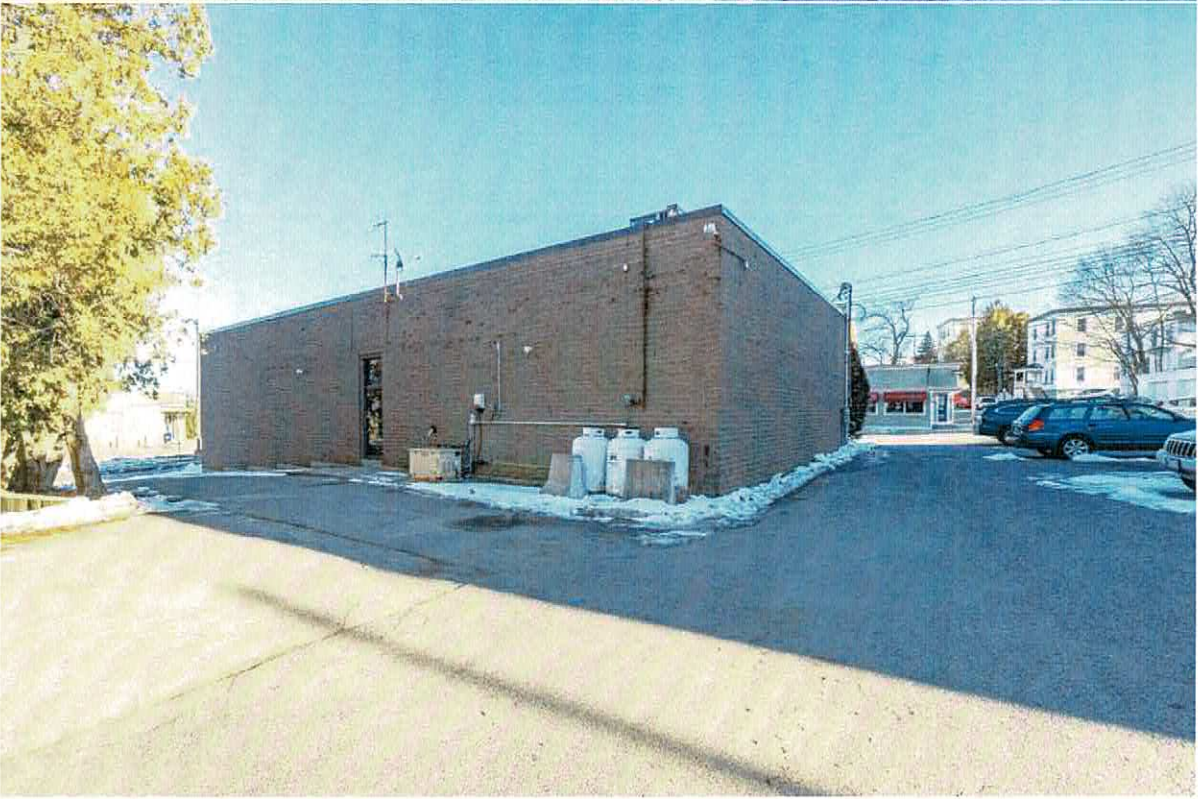
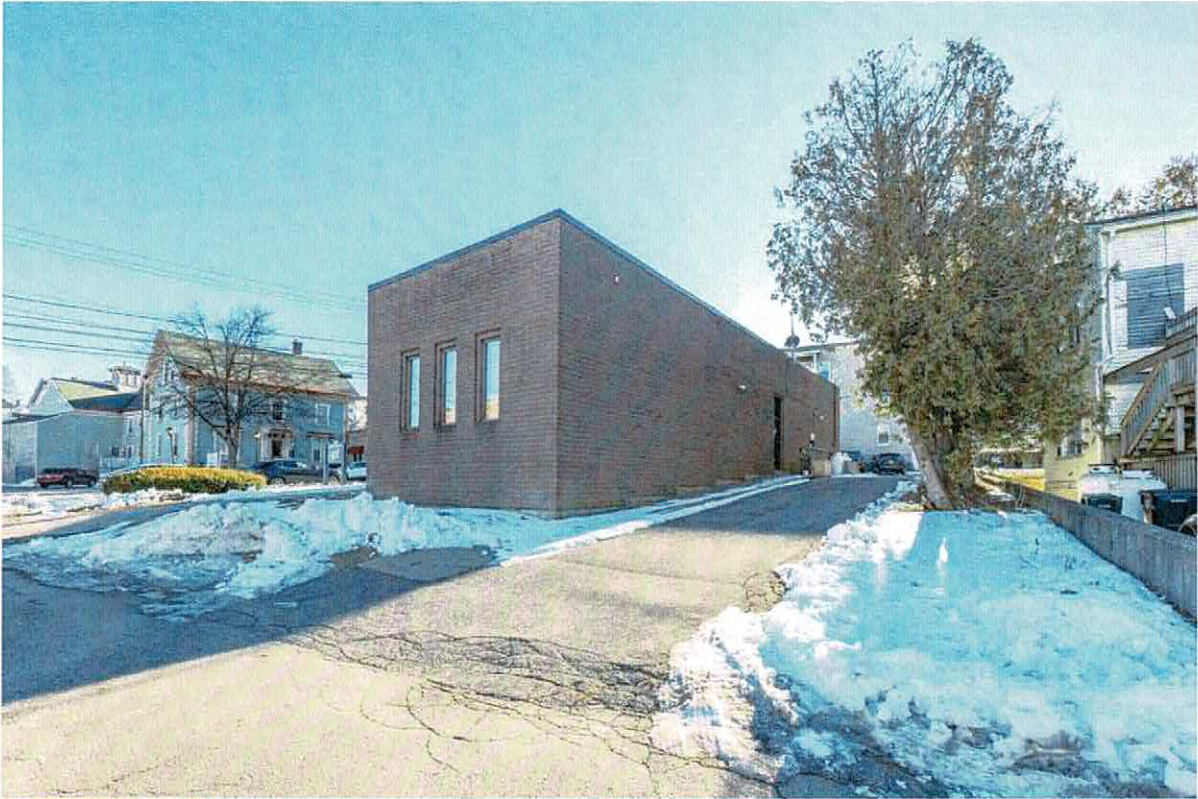
This letter is to confirm that 118 Alfred Street is on public sewers.
Please feel free to contact us if there are any further questions.

Alex Buechner
City of Biddeford
Wastewater Superintendent
207-282-1350
Alex.buechner@biddefordmaine.org

118 Alfred Street, Biddeford



Side Entrance from Washington Street





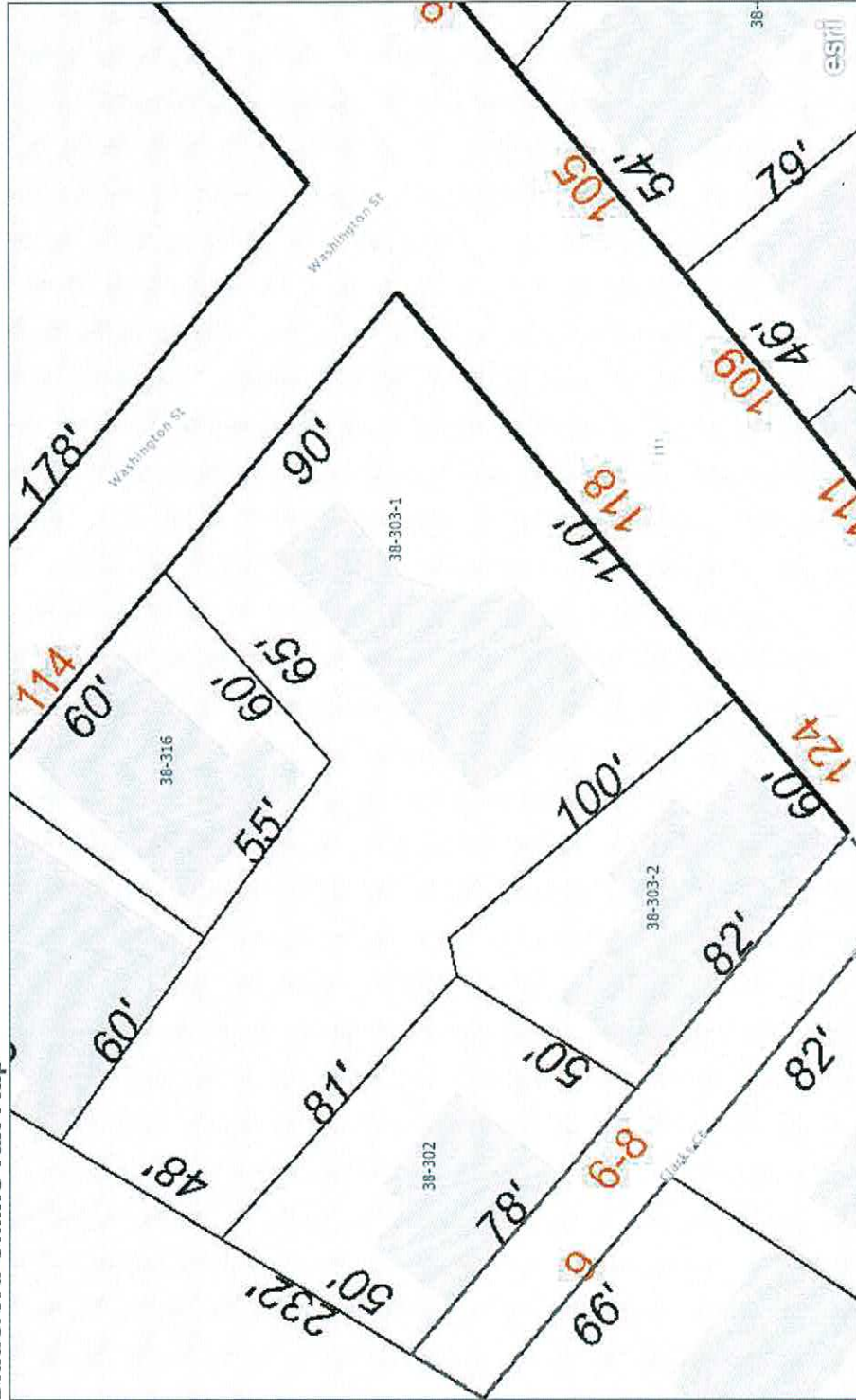
Biddeford Online Tax Map



Online Tax Map

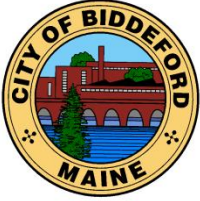
Maine GeoLibrary, Maxar, Microsoft

Biddeford Online Tax Map



Online Tax Map

Esri Community Maps Contributors, City of Biddeford, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS | Esri Community Maps Contributors, City of Biddeford, © OpenStreetMap, Microsoft, Esri, TomTom, Garmin, SafeGraph, GeoTechnologies, Inc, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA, USFWS



CITY OF BIDDEFORD

Planning and Development Department

Adi Iriqat
Assistant City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207)-284-9115
adi.iriqat@biddefordmaine.org

PLANNING BOARD STAFF REPORT

TO: Chair Patoine and Members of the Biddeford Planning Board

FROM: Adi Iriqat, Assistant City Planner

DATE: Aug 7, 2024

RE: **2024.45 Shoreland Zoning Permit for 119 Hills Beach Rd Bldg. #2 (Tax Map 54, Lot 65) in the Coastal Residential (CR) Zone / Greatest Practical Extent Determination.**

MEETING DATE: September 4, 2024 at 6:00 PM

1. INTRODUCTION

The project site is located within the Resource Protection overlay (RP) of the Shoreland Zone and the Coastal Residential (CR) base zone. The applicant, Mr. Cavino of Saco Bay Builders, is requesting the Planning Board's consideration of a Shoreland Zone Permit application to rebuild building # 2; a 340 sf. cottage. The existing cottage is part of a lot that has 3 (three) structures on it owned by the same owner (see Figure 1 below).

The cottage sustained major damage in the storms of January 2024 which pushed the Biddeford Code Office to deem the structure as unsafe and thus in need of removal (see images on pages 4 & 5). The owner is complying with the request and intends to rebuild the cottage on the same footprint. For that to happen, the owner is requesting approval of the "Greatest Practical Extent" to commence construction to avoid damage from winter storms.

2024.45 2024.45 Shoreland Zoning Permit for 119 Hills Beach Rd Bldg. #2 (Tax Map 54, Lot 65) in the Coastal Residential (CR) Zone / Greatest Practical Extent Determination.



Figure 1: A bird's-eye view of 119 Hills Beach Road (Tax Map 54, Lot 65)

It is important to note that the current survey submitted by the applicant belongs to the previous owners **Robert and Catherine Duffy** dated July 17, 2011. Dow & Coulombe Inc. is currently in the process of updating the owner's name to the document to reflect the current owners Richard and Lauren Pattenauode.

2. PROJECT DATA/INFORMATION

1.	Applicant:	Tony Cavino of Saco Bay Builders 128 Hills Beach Rd Biddeford, ME 04005
2.	Owner of Property:	Richard Pattenauode 119 Hills Beach Rd Biddeford, ME 04005
3.	Agent:	Tony Cavino of Saco Bay Builders 128 Hills Beach Rd Biddeford, ME 04005
4.	Engineer:	N/A
5.	Project Location:	119 Hills Beach Rd
6.	Project Tax Map #/Lot #:	Tax Map 54, Lot 65
7.	Lot Size, Bldg. #2:	340 sf
8.	Base Zoning:	Coastal Residential (CR)
9.	Overlay Zoning:	Limited Residential & Resource Protection
10.	Existing Use:	Private Residential

2024.45 2024.45 Shoreland Zoning Permit for 119 Hills Beach Rd Bldg. #2 (Tax Map 54, Lot 65) in the Coastal Residential (CR) Zone / Greatest Practical Extent Determination.

11.	Proposed Use:	Foundation Repair
12.	Approvals Required:	Greatest Practical Extent
13.	Uses in the Vicinity:	Residential
14.	Number of Lots in Subdivision:	2
15.	Minimum Lot Size Required: Provided:	30,000 sf 8276 sf
16.	Frontage Required: Provided:	150' 78' +/-
17.	Front Setback Required: Provided:	40' 10' +/-
18.	Side Setback Required: Provided:	25' 25'
19.	Rear Setback Required: Provided:	25' 30' +/-
20.	Height Requirements: Provided:	35 feet or 3 stories 25'
21.	Water Supply:	Public Water
22.	Sewage Disposal:	Private Septic
23.	Solid Waste Disposal:	Public Trash
24.	Fire Protection:	City of Biddeford
25.	Floodplain Status:	Located in the Flood Zone VE
26.	Wetland/Surface Water Impacts:	N/A
27.	Soil Study Provided:	N/A
28.	Parking Spaces Required:	N/A
29.	Parking Spaces Provided (total): # Handicapped Spaces:	N/A
30.	Ownership of Road:	Hills Beach Road is a Public Road
31.	Impervious Surface Area:	0 SF Change
32.	Total Disturbed Area:	0 SF of Previously Undisturbed Area
33.	Waivers Needed:	N/A
34.	Waivers Granted:	N/A
35.	Variances Needed for Approval:	None
36.	Other Permits Obtained:	N/A
37.	Other Non-City Permits Required:	None
38.	Fees Paid:	Yes
39.	Planning Board Review History:	September 4, 2024-Greatest Practical Extent

3. EXISTING CONDITIONS

The existing property is part of a lot with 3 structures on it located in the Flood Zone VE and within the 100-foot setback from the Highest Annual Tide (HAT). Building #2 is a cottage that consists of a 1-story structure that has a footprint of 340 sf. The applicant is not seeking any additional impervious area as part of this permit application.

4. PROJECT PROPOSAL

Looking over Hills Beach, the property location renders the cottage vulnerable to future storms and floods. In addition to the lack of enough solid foundation to support the structure (see the image below). Mr. Covino did consider jacking up the structure temporarily which would have allowed him to maintain the integrity of the cottage while working under it. Due to the limited space and room under the structure, this option was not feasible. The existing cottage will be torn down and rebuilt to the existing conditions with the provision of a full foundation. This will make the cottage resilient in difficult weather conditions. However, there will be changes to the overall height of the structures from 12 ft. to 15 ft.



Figure 2: An illustration of the existing failed foundation

The applicant stated that the owners were hopeful to make some interior and exterior changes to the cottage. Due to limitations by the Biddeford Code Office and the Department of Environmental Protection, their request was denied.



Figure 3: Exterior damage sustained as a result of the water.

5. NEXT STEPS/SUGGESTED ACTIONS

If the applicant has addressed the outstanding items to the satisfaction of the Planning Board, and the Planning Board approves the project, Staff recommend doing so with the following Conditions of Approval:

- 1. The raised building shall not be relocated closer to any of the existing property lines as noted on the approved plan.**
- 2. The Code Enforcement Officer shall review and approve conformance to Section 15 of the Shoreland Zoning Ordinance.**
- 3. Obtain all required permits from the Maine Department of Environmental Protection and the Biddeford Code Enforcement Office.**
- 4. This approval shall expire one year from the date below if a substantial start is not made in construction. If a substantial start is made within one year of the date below, the applicant shall have one additional year to complete the project, thereafter this approval shall expire.**

6. SAMPLE MOTIONS

A. Motion to approve Case # 2024.45 Shoreland Zoning / Greatest Practical Extent Determination for 119 Hills Beach Road, Bldg. #2 (Tax Map 54, Lot 65) in the CR Zoning District Determination, with the above-listed Conditions of Approval.

B. Motion to Table Case # 2024.45 Shoreland Zoning / Greatest Practical Extent Determination for 119 Hills Beach Road Bldg. #2 (Tax Map 54, Lot 65) in the CR Zoning District Determination, based upon the following reasons:

2024.45 2024.45 Shoreland Zoning Permit for 119 Hills Beach Rd Bldg. #2 (Tax Map 54, Lot 65) in the Coastal Residential (CR) Zone / Greatest Practical Extent Determination.

a) _____

b) _____

c) _____

C. Motion to Deny Case # 2024.45 Shoreland Zoning / Greatest Practical Extent Determination for 119 Hills Beach Road Bldg. #2 (Tax Map 54, Lot 65) in the CR Zoning District Determination, based upon the following reasons:

a) _____

b) _____

c) _____

To: Biddeford Planning Board –

Project Description

Project Address: 119 Hills Beach Rd

Referring to the Tax card. Building #2 is a 340 square foot cottage located on Tax Map 54/65. This cottage sustained major damage in the storms of January 2024. The building was tagged unsafe by the Biddeford Code Office and needs to be removed.

The owners intend to rebuild the cottage on the same footprint with no expansion.

Dow & Coulombe provided the survey they prepared for the prior owner Robert & Catherine Duffy dated July 17, 2001, and is in the process of updating the owners name on the document to reflect the current owners

The owners are requesting an approval of "Greatest Practical Extent" to complete the building replacement in the allowed 18 Months.

Shoreland Greatest Practical Extent Criteria

1 Lot Size: **.19 Acre**

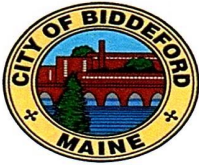
2. Slope: **Flat**

3. Potential Soil Erosion: **None**

4. Location of Structures on Property: **SEE Survey**

5. Location of Septic System: **Side of Buildings #1 & #2**

6. Vegetation to be Removed: **None**



City of Biddeford – Planning Department

Planning Board Application

P.O. Box 586, 205 Main Street Biddeford, Maine 04005

207-284-9115

Revised: May 17, 2022

Type of Application:

☒ Shoreland Zoning Permit ☐ Site Plan Review ☐ Extraction
☐ Conditional Use Permit ☐ Subdivision ☐ Private Way
☐ Other: GREATEST PRACTICAL EXTENT

Applicant Information:

Name: SACO BAY BUILDERS (Tony Covino, Owner)
Mailing Address: 128 Hills Beach Rd Biddeford
Telephone: 207-281-3442
Email: tonycovino@aol.com
What is your legal interest in the property?
☐ Owner ☐ Potential Buyer with Contract ☐ Lease/Rental Agreement

Owner's Information:

Name: RICHARD PATENAUNE
Mailing Address: 119 Hills Beach Rd Biddeford
Telephone: 207-283-1866
Email: PATENAUNE@MAINE.EDU

Agent's Information:

Name: TONY COVINO SACO BAY BUILDERS
Mailing Address: } SAME AS ABOVE
Telephone: } SAME AS ABOVE
Email: } SAME AS ABOVE

Engineer/Surveyor's Information:

Name: _____
Mailing Address: _____
Telephone: _____
Email: _____

Project Location and Lot Information:

Street Address: _____ Drainage Watershed: _____
Tax Map: 54 Lot: 65
Current Zoning: CR1RA Shoreland Zoning: CR1RA
Size of Lot: _____ () acres () s.f. Lot Frontage: _____
Existing Use of Property: Residential

Property currently serviced by:

☒ City Road ☐ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☒ Septic System ☐ Private Well ☐ Private Hauler

Slope Conditions in Area of Construction (if applicable):

☒ Flat (0-3% slope) ☐ Rolling (3-8% slope) ☐ Hilly (8-15% slope) ☐ Steep (15%+ Slope)

Are there any wetlands or waterbodies on the site? ☐ (Yes) ☒ (No) if yes attach information

Is the project within the 100-year floodplain? ☐ (Yes) ☒ (No) if yes attach information

Do you plan to bring fill onto the lot? ☐ (Yes) ☐ (No) If yes attach information

Description of proposed use of property:

Project/Proposed Use:

SAME → Residential

Property to be Serviced by:

☐ City Road ☐ Public Sewer ☐ Public Water ☐ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Limits of Disturbance: _____ () acres () s.f.

Net change in impervious cover: _____ () acres () s.f.

Is this project part of a larger project? ☐ (Yes) ☐ (No)

Is the project proposing a new Private or Public Road? ☐ (Yes, Private) ☐ (Yes, Public) ☐ (No)

Is this project within the Urbanized Area/MS4 (see [City Drainage Map](#)) ☐ (Yes) ☐ (No)

Is the project proposing any Stormwater facilities/BMPs? ☐ (Yes) ☐ (No)

Will a Traffic Movement Permit (TMP) be required?: ☐ (Yes) ☐ (No)

If in a Shoreland Zone:

Percent of residential lot coverage (Max 20%): _____

Percent of structure expansion (Max 30%): _____

If Subdivision Review, number of lots proposed: _____

If a Private Way is proposed, number of lots served: _____

If Site Plan Review, you must provide the following information:

Total new square feet footprint of structure: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____
2. _____
3. _____
4. _____
5. _____

Required Submittal Attachments:

- A. Letters of Approval
 - ☐ Fire Department – Contact Chief or Deputy Chief – 282-9986
 - ☐ Ability to Serve for Water Service – Maine Water – 282-1543
 - ☐ Ability to Serve for Sewer Service – Engineering Department – Tom Milligan 284-9118
 - ☐ Police Department – e-911 Road Name Designation – Contact Joanne Fisk 282-5127
- B. Letter to Planning Board describing project, Waiver requests, proposed improvements, addressing permit requirements, etc.
- C. Photographs of Site.
- D. Architectural renderings/drawings of proposed buildings, as required.
- E. Engineering Plans, as required.
- F. Stormwater Management Report, as required.

Fees (Due at time of Submission):

- \$75 Nonrefundable Administration Fee is required for every application.
- Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

Will the proposed project cause 1 acre or more of site disturbance?: ☐ (Yes) ☐ (No)

- **If Yes, applicant is responsible for any required Maine Construction General Permits and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.**

Signature of Applicant:

Date

8/9/24

Signature of Property Owner:

Date

8/9/24

DIGITAL SUBMITTAL REQUIREMENTS FOR ALL SUBMITTALS:

- A) PDF OF SIGNED APPLICATION
- B) PDFs OF ALL DRAWING SETS AND OTHER REQUIRED SUBMITTAL ATTACHMENTS NOTED ABOVE

HARD-COPY SUBMITTAL REQUIREMENTS FOR PLANNING BOARD APPLICATIONS:

- A) SEVEN (7) FULL-SIZE PAPER COPIES OF DRAWING SETS

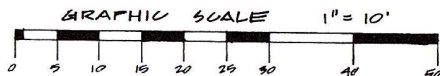
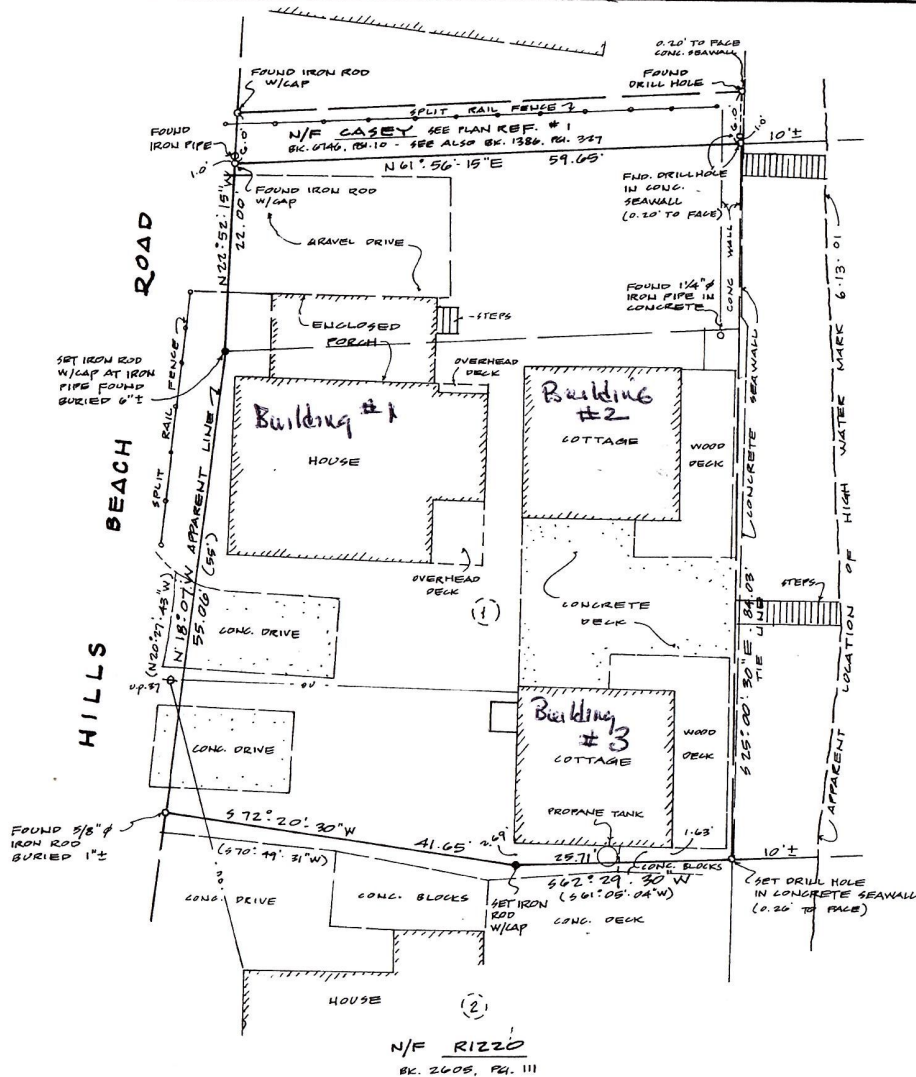
DIGITAL SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) INDIVIDUALLY NAMED PDFs OF EACH DRAWING (NOT A COMBINED PDF SET)
 - Individual Drawing PDF Naming Format: 'PROJECT/SHEETSET NAME_INDIVIDUAL DRAWING NAME.pdf'
- B) PDF COPIES OF ALL PERMIT APPROVALS, APPLICATIONS, REPORTS, NARRATIVES, LETTERS, ETC.
- C) FINAL CAD REFERENCE FILES IN DWG FORMAT (SURVEY & PROPOSED DESIGN LINEWORK)
 - All drawings & CAD reference files must be to-scale and within the following coordinate systems:
 - MAINE STATE PLANE WEST NAD83 (Horizontal Datum) & NAVD88 (Vertical Datum)

HARD-COPY SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) THREE (3) FULL-SIZE PAPER COPIES OF INDIVIDUAL DRAWINGS REQUIRING BOARD SIGNATURE
- B) ONE (1) FULL-SIZE PAPER COPY OF ENTIRE DRAWING SET FOR ENGINEERING RECORDS

PLEASE CONFIRM WITH PLANNING STAFF FOR CLARIFICATION



NOTES :

- 1 - THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS.
- 2 - SEE ACCOMPANYING REPORT.
- 3 - INFORMATION IN PARENTHESES COPIED FROM DEEDS AND PLANS.
- 4 - AREA EQUALS 6,075 SQUARE FEET ± TO THE APPARENT LOCATION OF THE HIGH WATER MARK.
- 5 - LOT NUMBERS (2) REFER TO PLAN REFERENCE #2.

LOCUS DEED REFERENCE :

ROBERT G. DUFFY & CATHERINE M. BELLI TO
ROBERT G. DUFFY & CATHERINE M. BELLI
SEPTEMBER 27, 1997 BOOK 8460, PG. 72

PLAN REFERENCES :

- 1 - "PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR WILLIAM V. & RITA E. CASEY" DATED DECEMBER 1, 1987 BY DOW & COULOMBE, INC.
- 2 - "PLAN OF SUBDIVISION OF LAND OF GERMAINE HOULE" AUGUST 20, 1979 BY OAK POINT ASSOCIATES.

LEGEND :

N/F - NOW OR FORMERLY
φ - DIAMETER

PLAN SHOWING LAND SURVEYED FOR
ROBERT G. DUFFY & CATHERINE M. BELLI - DUFFY
MAILING ADDRESS & LOCATION OF PARCEL : 119 HILLS BEACH ROAD
HILLS BEACH - BIDDEFORD - MAINE
SCALE 1" = 10' JULY 17, 2001
DOW & COULOMBE, INC.
LAND SURVEYORS & PLANNERS
13 PARK ST., SACO, MAINE 04072

DLN: 1002040125854

AFTER RECORDING RETURN TO:

Lauren S. Pattenau
Richard L. Pattenau
174 Eckford Street

(space above is reserved for recording information)

WARRANTY DEED
JOINT TENANCY
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **Greg Beamon and Lori Beamon**, both having a mailing address of 21 Turtlerock Road, Windham, NH 03087, for consideration paid, grant to **Lauren S. Pattenau and Richard L. Pattenau**, both having a mailing address of 174 Eckford Street, Brooklyn, NY 11222, with ***WARRANTY COVENANTS***, AS JOINT TENANTS, the land in Biddeford, in the County of York and State of Maine, described as follows:

PARCEL ONE:

A certain lot or parcel of land, with the buildings thereon, situated at Hills Beach, in the City of Biddeford, County of York and State of Maine, and bounded and described as follows:

BEGINNING at a point in the northeasterly sideline of the Hills Beach Road in Biddeford, Maine. Said point being the westerly corner of the lot herein described and the southerly corner of land now or formerly of Basil Emery;

THENCE North 61° 05' 04" East by land now or formerly of said Emery, fifty-eight and eighty-seven hundredths (58.87) feet to an iron pipe;

THENCE along the same course of North 61° 05' 04" East by land of said Emery, thirty-four (34) feet, more or less, to the high water mark of the Atlantic Ocean;

THENCE southeasterly along the high water mark of the said Atlantic Ocean sixty-two (62) feet, more or less, to a point. Said point being the easterly corner of the lot herein described and the northerly corner of Lot #2 as shown on "Plan of Subdivision of Land of Germaine Houle" by Oak Point Associates, dated August 20, 1979;

THENCE South 61° 05' 04" West by said Lot #2 sixty-two (62) feet, more or less, to an iron pipe;

Maine R.E. Transfer Tax Paid

CL
But

THENCE South 70° 49' 31" West by said Lot #2 forty-one and sixty-five hundredths (41.65) feet to a point in the northeasterly sideline of the said Hills Beach Road. Said point being the southerly corner of the lot herein described and the westerly corner of said Lot #2 as shown on said Plan;

THENCE North 20° 27' 43" West along the northeasterly sideline of said Hills Beach Road fifty-five and no hundredths (55.00) feet to the point of beginning.

The lot herein described being Lot #1 on said Plan, contains 5,907 square feet, more or less. Bearings are based on a magnetic observation in August of 1979.

PARCEL TWO:

A certain lot or parcel of land situated at said Hills Beach and being more particularly bounded and described as follows:

BEGINNING at an iron stake on the northeasterly side of the road leading from the Pool Road through "Goldthwait's Pines", so-called, said stake being seventy-four and 2/10 (74.2) feet northeasterly from the easterly corner of the piazza of said Emery's house and sixty and 42/100 (60.42) feet easterly from the northerly corner of said piazza and forty-two and 85/100 (42.85) feet southeasterly from the center of a hydrant standing on the southwesterly side of said road;

THENCE from said stake northwesterly by said road, twenty (20) feet or to land now or formerly of Harold Bonser;

THENCE northeasterly by said Bonser's land to the Atlantic Ocean;

THENCE Southeasterly by the ocean twenty-eight (28) feet;

THENCE S 75° W or by line parallel with said Bonser line and twenty-eight (28) feet distant southeasterly therefrom to said road;

THENCE northwesterly by said road eight (8) feet to the point of BEGINNING.

EXCEPTING from the above a five foot strip of land from the northwesterly side of said parcel conveyed by said Emery to Ralph Wentworth, et al., by deed dated September 10, 1957, recorded in the York Registry of Deeds in Book 1386, Page 159.

The above described property is conveyed subject to and together with the benefit of a right of way as set forth in the deed from Robert G. Duffy and Catherine M. Belli to Anthony C. Covino and Virginia E. Covino dated November 1, 1997 and recorded in the York Registry of Deeds in Book 8506, Page 118.

Being the same premises conveyed to Greg Beamon and Lori Beamon by virtue of a deed from Robert G. Duffy and Catherine M. Belli-Duffy, formerly known as Catherine M. Belli dated April 26, 2004 and recorded in York Registry of Deeds in Book 14059, Page 28.

WITNESS our hands this 16th day of December, 2020.

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF:

[Signature]
Witness

[Signature]
Greg Beamon

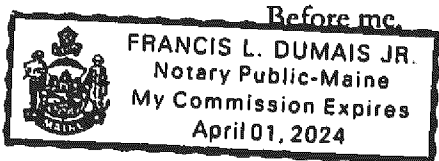
[Signature]
Witness

[Signature]
Lori Beamon

STATE OF MAINE
YORK, ss.

December 16, 2020

Personally appeared the above named Greg Beamon and Lori Beamon and
acknowledged the foregoing instrument to be their free act and deed.

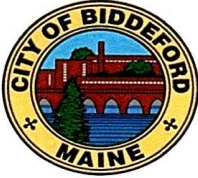


[Signature]
Notary Public/~~Maine Attorney At Law~~

Print Name _____

My Commission Expires _____

Z:\drive\clients\camden119\wdced\km

**City of Biddeford – Planning Department****Planning Board Application**

P.O. Box 586, 205 Main Street Biddeford, Maine 04005

207-284-9115

Type of Application:

☒ Shoreland Zoning Permit ☐ Site Plan Review ☐ Extraction
☐ Conditional Use Permit ☐ Subdivision ☐ Private Way
☐ Other: GREATEST PRACTICAL EXTENT

Applicant Information:

Name: SACO BAY BUILDERS (Tony Covino, Owner)
 Mailing Address: 128 Hills Beach Rd Biddeford
 Telephone: 207-281-3442
 Email: tonycovino@aol.com
 What is your legal interest in the property?
☐ Owner ☐ Potential Buyer with Contract ☐ Lease/Rental Agreement

Owner's Information:

Name: RICHARD PATENAUNE
 Mailing Address: 119 Hills Beach Rd Biddeford
 Telephone: 207-283-1866
 Email: PATENAUNE@MAINE.EDU

Agent's Information:

Name: TONY COVINO SACO BAY BUILDERS
 Mailing Address: } SAME AS ABOVE
 Telephone: } SAME AS ABOVE
 Email: } SAME AS ABOVE

Engineer/Surveyor's Information:

Name: _____
 Mailing Address: _____
 Telephone: _____
 Email: _____

Project Location and Lot Information:

Street Address: _____ Drainage Watershed: _____
 Tax Map: 54 Lot: 65
 Current Zoning: CR1RA Shoreland Zoning: CR1RA
 Size of Lot: _____ () acres () s.f. Lot Frontage: _____
 Existing Use of Property: Residential

Property currently serviced by:

☒ City Road ☐ Public Sewer ☒ Public Water ☒ Public Trash
☐ Private Road ☒ Septic System ☐ Private Well ☐ Private Hauler

Slope Conditions in Area of Construction (if applicable):

☒ Flat (0-3% slope) ☐ Rolling (3-8% slope) ☐ Hilly (8-15% slope) ☐ Steep (15%+ Slope)

Are there any wetlands or waterbodies on the site? ☐ (Yes) ☒ (No) if yes attach information

Is the project within the 100-year floodplain? ☐ (Yes) ☒ (No) if yes attach information

Do you plan to bring fill onto the lot? ☐ (Yes) ☐ (No) If yes attach information

Description of proposed use of property:

Project/Proposed Use:

SAME → Residential

Property to be Serviced by:

☐ City Road ☐ Public Sewer ☐ Public Water ☐ Public Trash
☐ Private Road ☐ Septic System ☐ Private Well ☐ Private Hauler

Limits of Disturbance: _____ () acres () s.f.

Net change in impervious cover: _____ () acres () s.f.

Is this project part of a larger project? ☐ (Yes) ☐ (No)

Is the project proposing a new Private or Public Road? ☐ (Yes, Private) ☐ (Yes, Public) ☐ (No)

Is this project within the Urbanized Area/MS4 (see [City Drainage Map](#)) ☐ (Yes) ☐ (No)

Is the project proposing any Stormwater facilities/BMPs? ☐ (Yes) ☐ (No)

Will a Traffic Movement Permit (TMP) be required?: ☐ (Yes) ☐ (No)

If in a Shoreland Zone:

Percent of residential lot coverage (Max 20%): _____

Percent of structure expansion (Max 30%): _____

If Subdivision Review, number of lots proposed: _____

If a Private Way is proposed, number of lots served: _____

If Site Plan Review, you must provide the following information:

Total new square feet footprint of structure: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____
2. _____
3. _____
4. _____
5. _____

Required Submittal Attachments:

- A. Letters of Approval
 - ☐ Fire Department – Contact Chief or Deputy Chief – 282-9986
 - ☐ Ability to Serve for Water Service – Maine Water – 282-1543
 - ☐ Ability to Serve for Sewer Service – Engineering Department – Tom Milligan 284-9118
 - ☐ Police Department – e-911 Road Name Designation – Contact Joanne Fisk 282-5127
- B. Letter to Planning Board describing project, Waiver requests, proposed improvements, addressing permit requirements, etc.
- C. Photographs of Site.
- D. Architectural renderings/drawings of proposed buildings, as required.
- E. Engineering Plans, as required.
- F. Stormwater Management Report, as required.

Fees (Due at time of Submission):

- \$75 Nonrefundable Administration Fee is required for every application.
- Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

By signing this application, as the foresaid applicant or authorized agent:

- I certify that I have read and completely understand the application;
- I certify that the information contained in this application and its attachments are true and correct;
- I understand that all information provided on this form and all other documents submitted as part of my proposal is a matter of public record;
- I understand that copies of this information may be supplied upon request to an interested party.
- I understand that additional funds may be required through the course of the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an application I am not guaranteed a place on any particular agenda. I further understand that the City Planner will place me on an agenda for review when the application is deemed substantially complete.

Will the proposed project cause 1 acre or more of site disturbance?: ☐ (Yes) ☐ (No)

- **If Yes, applicant is responsible for any required Maine Construction General Permits and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.**

Signature of Applicant: _____

Date

8/9/24

Signature of Property Owner: _____

Date

8/9/24

DIGITAL SUBMITTAL REQUIREMENTS FOR ALL SUBMITTALS:

- A) PDF OF SIGNED APPLICATION
- B) PDFs OF ALL DRAWING SETS AND OTHER REQUIRED SUBMITTAL ATTACHMENTS NOTED ABOVE

HARD-COPY SUBMITTAL REQUIREMENTS FOR PLANNING BOARD APPLICATIONS:

- A) SEVEN (7) FULL-SIZE PAPER COPIES OF DRAWING SETS

DIGITAL SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) INDIVIDUALLY NAMED PDFs OF EACH DRAWING (NOT A COMBINED PDF SET)
 - Individual Drawing PDF Naming Format: 'PROJECT/SHEETSET NAME_INDIVIDUAL DRAWING NAME.pdf'
- B) PDF COPIES OF ALL PERMIT APPROVALS, APPLICATIONS, REPORTS, NARRATIVES, LETTERS, ETC.
- C) FINAL CAD REFERENCE FILES IN DWG FORMAT (SURVEY & PROPOSED DESIGN LINEWORK)
 - All drawings & CAD reference files must be to-scale and within the following coordinate systems:
 - MAINE STATE PLANE WEST NAD83 (Horizontal Datum) & NAVD88 (Vertical Datum)

HARD-COPY SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) THREE (3) FULL-SIZE PAPER COPIES OF INDIVIDUAL DRAWINGS REQUIRING BOARD SIGNATURE
- B) ONE (1) FULL-SIZE PAPER COPY OF ENTIRE DRAWING SET FOR ENGINEERING RECORDS

PLEASE CONFIRM WITH PLANNING STAFF FOR CLARIFICATION

To: Biddeford Planning Board –

Project Description

Project Address: 119 Hills Beach Rd

Referring to the Tax card. Building #2 is a 340 square foot cottage located on Tax Map 54/65. This cottage sustained major damage in the storms of January 2024. The building was tagged unsafe by the Biddeford Code Office and needs to be removed.

The owners intend to rebuild the cottage on the same footprint with no expansion.

Dow & Coulombe provided the survey they prepared for the prior owner Robert & Catherine Duffy dated July 17, 2001, and is in the process of updating the owners name on the document to reflect the current owners

The owners are requesting an approval of "Greatest Practical Extent" to complete the building replacement in the allowed 18 Months.

Shoreland Greatest Practical Extent Criteria

1 Lot Size: **.19 Acre**

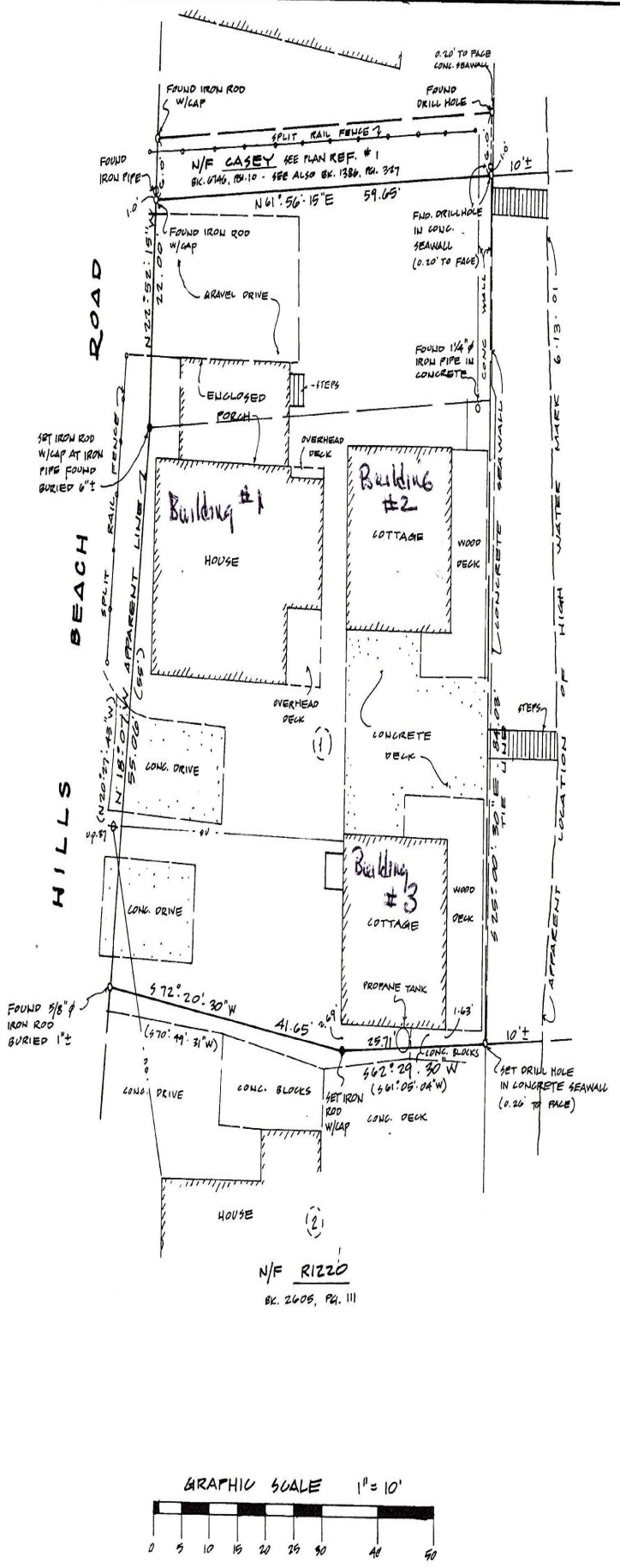
2. Slope: **Flat**

3. Potential Soil Erosion: **None**

4. Location of Structures on Property: **SEE Survey**

5. Location of Septic System: **Side of Buildings #1 & #2**

6. Vegetation to be Removed: **None**



NOTES :

- 1 - THIS SURVEY CONFORMS TO STATE OF MAINE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS STANDARDS.
- 2 - SEE ACCOMPANYING REPORT.
- 3 - INFORMATION IN PARENTHESIS COPIED FROM DEEDS AND PLANS.
- 4 - AREA EQUALS 6,075 SQUARE FEET ± TO THE APPARENT LOCATION OF THE HIGH WATER MARK.
- 5 - LOT NUMBERS (2) REFER TO PLAN REFERENCE #2.

LOCUS DEED REFERENCE :

ROBERT G. DUFFY & CATHERINE M. BELL TO
 ROBERT G. DUFFY & CATHERINE M. BELL
 SEPTEMBER 27, 1997 BOOK 8460, PG. 72

PLAN REFERENCES :

1. " PLAN SHOWING A STANDARD BOUNDARY SURVEY MADE FOR WILLIAM V. & RITA E. CASEY" DATED DECEMBER 1, 1987 BY DOW & COULOMBE, INC.
2. " PLAN OF SUBDIVISION OF LAND OF GERMAINE HOULE" AUGUST 20, 1979 BY OAK POINT ASSOCIATES.

LEGEND :

N/F - NOW OR FORMERLY
 φ - DIAMETER

PLAN SHOWING LAND SURVEYED FOR
ROBERT G. DUFFY & CATHERINE M. BELL - DUFFY
 MAILING ADDRESS & LOCATION OF PARCEL : 119 HILLS BEACH ROAD
HILLS BEACH - BIDDEFORD - MAINE
 SCALE 1" = 10' JULY 17, 2001
DOW & COULOMBE, INC.
 LAND SURVEYORS & PLANNERS
 13 PARK ST., GACO, MAINE 04072

