



CITY OF BIDDEFORD

PLANNING DEPARTMENT

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PLANNING BOARD REGULAR AGENDA

Date: Wednesday, May 17, 2017
Time: 6:00 PM
Location: Council Chambers, City Hall

1. **PLEDGE OF ALLEGIANCE**
2. **DECLARATION OF QUORUM/VOTING MEMBERS**
 - A. Quorum Present: Chair Larry Patoine, Matthew Boutet, Jennifer Burke, Clement Fleurent (Alt Voting Member), Roch Angers (Alt Voting Member).

3. **ADJUSTMENTS TO THE AGENDA**

4. **PLANNER'S BUSINESS**

5. **CONSENT AGENDA**

- A. Consideration of Minutes: April 5, 2017

MOTION:

- **Boutet**
- Motion: to Approve Consent Agenda.
- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Unanimous approval (4-0) passed.

6. **UNFINISHED BUSINESS**

7. **NEW BUSINESS**

- A. **2017.18 Public Hearing/May take Action on amendments related to Accessory Dwelling Units (ADU's) and Nonconforming Residential Uses:** to consider allowing pre-existing nonconforming single-family dwellings not located in residential zones to have ADU's in compliance with Part III (Land Development Regulations), Article VI (Performance Standards), Section 77 (Accessory Dwelling Units (ADUs)). The full text of the amendments is available at www.biddefordmaine.org/video and the Biddeford Planning Office at 205 Main Street, 2nd Floor, Biddeford City Hall.

Mike Ready, Kennedy Drive, Ward 7 Councilor: Thanks Mr. Tansley for all his work on this and hopes to see it pass tonight.

Discussion between Board and Staff.

MOTION:

- **Boutet**
- Motion: to send this to the City Council with a favorable recommendation on the Amendments.

- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Unanimous Approval (4-0) passed.
- B. 2017.14 Conditional Use Permit:** for Luke Morong for a medical marijuana cultivation facility at 414 Hill Street (Tax Map 74, Lot 5) in the I-2 zone.
- Greg Tansley, Planner:** Brief Report.
- Nancy Garnache, Abutter:** Concerns are odor, safety, signage and lighting, Would like a privacy fence installed.
- Luke Morong:** Will be installing a state of the art air control system and already spoke to codes. Will be installing camera's.
- Susan Johnson, Marcel Ave:** Odor and safety with it being so close to schools.
- Discussion between Board, Staff and Applicant.**

MOTION:

- **Boutet**
- Motion: to waive Full Site Plan Review.
- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Approval (3-1) passed.

MOTION:

- **Boutet**
- Motion: to approve the Conditional Use Permit for the applicant to add a medical marijuana caregiver growing facility at 414 Hill Street, Tax Map 74, Lot 5, and approve the Findings of Fact based on the conditions recommended by Staff in its revised report dated May 17, 2017.
- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Approval (3-1) passed.
- C. 2017.16 Conditional Use Permit:** for Shoreline Development Group, LLC for a medical marijuana cultivation facility located at 412 Hill Street (Tax Map 13, Lot 53) in the I-1 zone.

Marc Sylvester, Elm Street: Where does it say you can't grow a Cannabis plant in your back yard.

Paul Tyson, Owner of 412 Hill Street: Just want to clarify the delivery fee out there for cannabis is a way for people to get around the recreational use.

Nancy Garnache: Just want to reinforce what I said earlier and make sure you remember.

Discussion between the Board and Staff.

MOTION:

- **Boutet**
- Motion: to waive Full Site Plan Review.
- **Boutet**
- Withdrew his motion.

- **Burke**
- Motion: to table so we may review data.
- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Approved (3-1) passed.
- D. 2017.17 Conceptual Site Plan/Subdivision Review:** for Water Lofts, LLC to convert the old Maine Water Company building into 11 apartments located at 181 Elm Street (Tax Map 38, Lot 148) in the MSRD-1 zone.
- Greg Tansley, Planner:** Brief Report.
- Dan Adams, Center Street:** What kind of apartments?
- Marc Sylvester, Abutter:** What are the plans for the vacant lot?
- Discussion between Board, Staff and Applicant**

MOTION:

- **Boutet**
- Motion: to determine the proposed subdivision is a major subdivision.
- **Angers**
- Second.
- **Chair Patoine – Call for Vote**
- Unanimous Approval (4-0) passed.

MOTION:

- **Boutet**
- Motion: to waive the full Subdivision Review process to allow Final Approval of Subdivision/Site Plan upon submission of a complete and satisfactory subsequent application given the Board determines that such variation will not adversely affect public convenience, safety, health and welfare.
- **Angers**
- Second.
- **Chair Patoine –Call for Vote**
- Unanimous Approval (4-0) passed.
- E. 2017.12 Final Site Plan Review:** for the University of New England to construct 168 new parking spaces for the existing turf field and Harold Alfond Forum located off Pool Street (Tax Map 9, Lot 15) in the IN zone.
- Greg Tansley, Planner:** Brief report.
- Alan Thibeault, Assist. Vice President of Planning @ UNE:** Brief statement.
- Discussion between Board, Staff and Applicant.**

MOTION:

- **Boutet**
- Motion: to approve the Site Plan Application for the University of New England to expand the Alfond Arena parking lot at Tax Map 9, Lot 15, approve the findings of fact, and sign the mylar based on the conditions recommended by Staff in its report dated May 10, 2017.
- **Angers**
- Second.

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