

City of Biddeford
City Council
May 07, 2024 6:00 PM Council Chambers & Zoom

Please click this URL to join:

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Status:

- 1. Roll Call**
- 2. Pledge of Allegiance**
- 3. Adjustment(s) to Agenda**
- 4. Recognition:**
 - 4.a. Swearing in of Adam Scheppard for Fire Department Lieutenant/Paramedic
[Fire Department Lieutenant-Paramedic Adam Scheppard](#)
- 5. Proclamation:**
 - 5.a. Proclamation National Bike Week
[20240507 National Bike Month - PROCLAMATION](#)
 - 5.b. Proclamation National Day of Prayer
[20240507 2024 National Day of Prayer -PROCLAMATION](#)
- 6. Public Hearing**
 - 6.a. Public Hearing Liquor License Brickyard Hollow Brewing Co
[Brickyard Hollow May 2024](#)
 - 6.b. Public Hearing FY25 City of Biddeford Budget
[City Budget May 2024](#)
- 7. Liquor License Consideration**
 - 7.a. Liquor License Brickyard Hollow Brewing Co.
[Brickyard Hollow 4-9-24](#)
[Brickyard Hollow Liquor 4-9-24](#)

- 8. Appointments:**
- 8.a. 2024.58 Approval/Mayoral Council and Citizens Appointment to Ad Hoc John F. Kennedy School Building Re-Use Committee
[20240507 Ad Hoc John F. Kennedy School Building Re-Use Committee- Appointment](#)
 - 8.b. 2024.59 Approval/Mayoral Council Appointment to the Veteran's Committee
[20240507 Veteran's Committee- Appointment](#)
 - 8.c. 2024.60 Approval/Mayoral Appointments to Citizen Committees
[20240507 Mayoral Appointment to Citizens Committee- ORDER](#)
[20240507 Alex King-Wastewater Management Commission-Application](#)
[20240507 Rudolph Brooks Recreation -Application](#)
 - 8.d. 2024.88 Approval/Appointment of 2024/2025 Election Clerks
[Account Clerk order](#)
[2024 2025 Election Workers](#)
- 9. Presentation: - None**
- 10. Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes)**
- 11. Consideration of Minutes:**
- 11.a. Minutes 4-16-24
[Council minutes 4-16-24](#)
- 12. Second Reading:**
- 12.a. 2024.49 Approval/Amend Density Bonus Ordinance
[2024.04.16 Amend Land Use Regulation Density Bonus BRIEF 4.16.2024](#)
[2024.04.16 Density Bonus.Ordinance.Adoption ORDER 2](#)
[Amend_Land_Use_Regulation_-_Density_Bonus_-_Order from Nov 21 2023](#)
[City Council Meeting Transcribed 10m 11-21-24](#)
[Full Text passed by Planning Board and provided to Council Nov 21 2023](#)
 - 12.b. 2024.52 Approval/Zoning Ordinance Text Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet.
[Policy Brief MSRD2 side and rear yard setbacks 4-16-2024](#)
[MSRD2 side - rear setbacks Ordinance Council Order 4-16-24 2](#)
[2-21-24 CEO TO Chair Fire Code Considerations](#)
[2-21-24 Signed Meeting Minutes](#)
[MSRD2 side and rear yard setback reduction PB MEMO 1-31-2024](#)
 - 12.c. 2024.53 Approval/Zoning Ordinance Text Amendment: Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority.
[Policy Brief SRC Composition and Rules 4-16-2024](#)
[SRC Composition and Rules Ordinance Council Order 4-16-24 2](#)
[2-21-24 Signed Meeting Minutes](#)
[Bennett Policy Memo to CC 6-20-23 IZ incentive](#)
[Staff Review Committee Composition 1st reading DCMG PB Report 1-31-24](#)
[Staff Review Committee Composition 2nd reading DCMG 2-21-24](#)
- 13. Orders of the Day:**

- 13.a. 2024.61 Approval/RFQ for Engineering Services to design/permit temporary stabilization and analysis for permanent work from January 2024 Coastal Storm Damage
 - [Briefing storm damage](#)
 - [Council order January storm damage](#)
 - [2024-01-30_Biddeford Winter Storm Coastline Damage Exhibit](#)
 - [Biddeford Storm Damage Repair RFQ 2024](#)
 - [President Joseph R Biden Jr Approves Major Disaster Declaration for Maine](#)
 - [PROPOSAL - Biddeford Coastal Storm Damage_FINAL_REVII](#)
 - [WestonSampson_RFQ Response_Engineering Consulting Services for Storm Damage Repair](#)
- 13.b. 2024.62 Approval/Lead Hazard Reduction Bid: 61 Jefferson Street
 - [2024.62 Council Brief--Lead Hazard Reduction Work at 61 Jefferson St](#)
 - [ORDER 2024.62--Lead Hazard Reduction Bid Award 61 Jefferson St](#)
 - [BID TAB --61 Jefferson St](#)
- 13.c. 2024.67 Approval/Monarch Pledge/No Mow May Order
 - [20240507 Mayors' Monarch Pledge 2024-ORDER](#)
- 13.d. 2024.63 Approval/Authorize City Manager to proceed with RFP for Naming Rights of Biddeford Ice Arena
 - [20240507 Naming Rights- Biddeford Ice Arena- BRIEF](#)
 - [20240507 Approval to Proceed with an RFP for Naming Rights to the Biddeford Ice Arena-ORDER](#)
 - [Colisée Naming Rights RFP](#)
 - [11-20-2018 Ice Arena Management Agreement-SIGNED](#)
- 13.e. 2024.65 Approval/Authorize City Manager to engage Berry Dunn for Finance Department work.
 - [20240507 Berry Dunn -BRIEF](#)
 - [20240507 Approval to Authorize the City Manager to Engage Berry Dunn -ORDER](#)
 - [City of Biddeford - Engagement Letter FINAL](#)
 - [City of Biddeford Project Proposal and Price Plan_FINAL](#)
- 13.f. 2024.66 pending future meeting.
- 13.g. 2024.68 Approval/Acceptance of Resignation of Council Member Julian Schlaver, Ward 5
 - [20240507 Accept Resignation of City Councilor Julian Schlaver- Ward 5-ORDER](#)
- 13.h. 2024.69 to 2024.83 First Reading of the Full FY25 Budget
 - [2024.69\) City Government Appropriations FY25 - ORDER](#)
 - [2024.70\) Revenues - City FY25 - ORDER](#)
 - [2024.71\) Airport Operations Fund FY25 - ORDER](#)
 - [2024.72\) Ambulance Fund FY25 - ORDER](#)
 - [2024.73\) Mooring Fund FY25 - ORDER](#)
 - [2024.74\) Pool Beach Permit Fund FY25 - ORDER](#)
 - [2024.75\) Recreation Programs Fund FY25 - ORDER](#)
 - [2024.76\) Sewer Operations Fund FY25 - ORDER](#)
 - [2024.77\) Property Tax Dates and Interest FY25 - ORDER](#)
 - [2024.78\) School Essential Programs and Services FY25 - ORDER](#)

2024.79) School Construction Projects FY25 - ORDER
2024.80) School Additional Funds Raised FY25 - ORDER
2024.81) School Appropriations FY25 - ORDER
2024.82) School Adult Education FY25 - ORDER
2024.83) School Food Service FY25 - ORDER

- 13.i. 2024.64 Approval/Authorize City Manager to execute the proposed Public Works
Non-Supervisor Unit Contract

[20240507 Approval of Public Works Non-Supervisor Unit Contract](#)

14. Public Addressing the Council..(5 minute limit per speaker)

15. City Manager Report

16. Other Business

17. Council President Addressing the Council

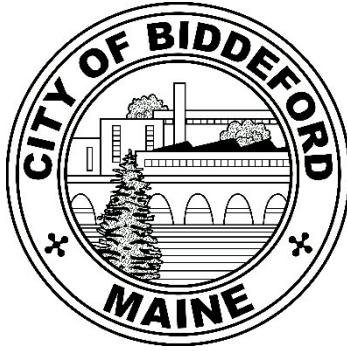
18. Mayor Addressing the Council

19. Executive Session

- 19.a. Executive Session 1 MRSA 405 6 (d) Labor Negotiations

- 19.b Executive Session 1 MRSA 405 6 (c) Real Estate Matters

20. Adjourn



OATH CERTIFICATE

Municipality of Biddeford

County of York

State of Maine

I, Adam Scheppard, do solemnly swear that I will faithfully discharge to the best of my ability the duties incumbent on me as a Fire Department Lieutenant/Paramedic of the City of Biddeford, in accordance with the Constitution of the United States and of the State of Maine; and in accordance with the Charter and Ordinances of the City of Biddeford. So help me God.

Signed: _____

I, Robin Patterson, certify that Adam Scheppard personally appeared before me on this 7th day of May, 2024 and took the oath necessary to qualify for office and perform the duties thereof.

Robin Patterson, City Clerk

City of Biddeford



PROCLAMATION

Whereas, National Bike Month was established in 1956 by the League of American Bicyclists as a chance to showcase the many benefits of bicycling and to encourage Americans to try biking; and

Whereas, As an avid cyclist, I encourage residents across the City to recognize National Bike to Work Week, May 13-17, 2024; and

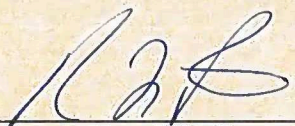
Whereas, Biddeford residents are encouraged to bike to work at least one day during the week of May 13 to May 17; and,

Whereas, Employers throughout the City are encouraged to promote biking to work during the week of May 13 to May 17; and,

Whereas, Biking to work has many proven benefits for both employees and employers such as reduced health care costs, decreased absenteeism, reduced stress, saves at the gas pump, and reduces parking costs; and,

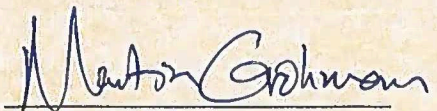
Now, Therefore I, Martin Grohman, Mayor of Biddeford, Maine do hereby proclaim National Bike Month in the City of Biddeford for the month of May and I look forward to seeing fellow residents out on their bikes either commuting or for fun and family time.

*In Witness Whereof, We the undersigned have herewith affixed
our signatures this 7th day of May 2024.*

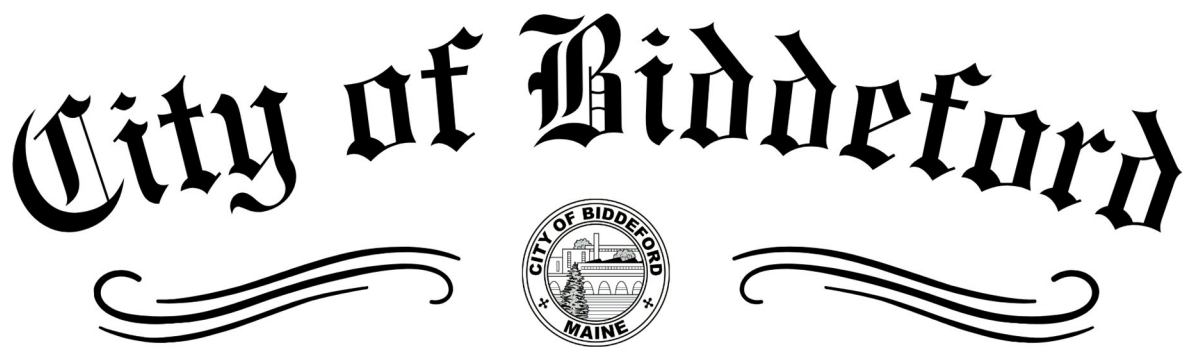


City Clerk





Mayor



PROCLAMATION

Whereas, Since the founding of our nation, Americans have turned to prayer for inspiration, Strength and guidance; and

Whereas, our nation’s leaders have historically called on the prayers of the people, without regard to their religious affiliation, to meet the crises that have faced our nation; and

Whereas, The National Day of Prayer was first proclaimed by the Continental Congress in 1775 and later President Abraham Lincoln proclaimed Thursday, April 30, 1863 as a day of prayer calling prayer “an effective remedy for national ills for all people in all nations”; and

Whereas, the Congress of the United States, by Legislative action in 1952- and amended in 1988-declared the first Thursday of May to be a National Day of Prayer, affirming that it is essential for us as a nation to pray and directing the President of the United States to set aside and proclaim the first Thursday of May annually as a National Day of Prayer; and

Whereas, The theme for the 2024 National Day of Prayer is, “Lift Up the Word, Light Up the World,” based on the verses found in 2 Samuel 22:29-31, “For you are my lamp, O Lord, and my God lightens my darkness ... This God—his way is perfect; the word of the Lord proves true; he is a shield for all those who take refuge in him.”; and

Now Therefore I, Martin Grohman, Mayor of the City of Biddeford, Maine, do hereby proclaim that May 2, 2024 was a Day of Prayer throughout the City of Biddeford.

**In Witness Whereof, We the undersigned have herewith affixed
our signatures this 7th day of May 2024.**

City Clerk

Mayor

NOTICE OF PUBLIC HEARING

CITY OF BIDDEFORD

Regarding: Liquor License, Brickyard Hollow Brewing Co.

Notice is hereby given that the City of Biddeford will hold a public hearing regarding this application at its City Council Meeting on

Tuesday, May 7, 2024 at 6:00 pm

at the City Council Chambers, City Hall, 205 Main Street, Biddeford, Maine.

The purpose of the public hearing is to receive public comments on the following liquor license:

Brickyard Hollow Brewing Co.

Restaurant: Beer, Wine and Spirits

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

NOTICE OF PUBLIC HEARING

CITY OF BIDDEFORD

Regarding: City of Biddeford's City Government Budget as presented by the City Manager.

Notice is hereby given that the City of Biddeford will hold a public hearing regarding this application at its City Council Meeting on

Tuesday, May 7, 2024 at 6:00 pm

at the City Council Chambers, City Hall, 205 Main Street, Biddeford, Maine.

The purpose of the public hearing is to receive public comments on the following:

The City of Biddeford's City Government Budget as presented by the City Manager. Copies of the complete proposed budget are available on the City's website for public inspection.

The budget files can be found at: www.biddefordmaine.org/fy25budget

All interested persons are invited to attend the public hearing and will be given an opportunity to be heard at that time.

New

PD 500
CC
4/9/24

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

City of Biddeford
BUSINESS LICENSE APPLICATION

BUSINESS NAME: Brickyard Hollow Brewing Co

Business Address: 180 Main St Unit 3 Biddeford ME 04005 Map Lot

Mailing Address: 10 Swan St Portland ME 04102

Business Telephone Number: 207-747-8065

Email Address: Brendon@Brickyardhollow.com

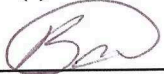
OWNER/OPERATOR: Brendon Medeiros

Home Physical Address: 10 Swan St Portland ME 04102

Home Mailing Address: SAME

Home Telephone Number: 207-747-8065

Applicant(s) Date of Birth: 02/03/1991


Applicant's Signature

04/09/2024
Date

Any information provided in this application, which is found to be false, will result in the denial or revocation of this license – per 1 M.R.S.A. 17-A §453.

TYPES OF ENTERTAINMENT:

\$150.00 (single/multiple events)

- ☐ Concert
- ☒ Exhibitions (live performances)
- ☐ Circus/Carnival

☐ Playhouse/Play

- ☐ Indoor Skating Rink
- ☐ Bowling Lanes
- ☐ Theater/Movie House
(plus \$25.00 per screen)
- ☐ Billiard Room(s)

\$150.00 (annual)

- ☐ Public Firing Range
- ☐ Bottle Club

AUTOMOBILE REPAIR AND/OR GRAVEYARD:

- ☐ Automobile Repair Garage for maintenance
- ☐ Automobile Graveyard

\$75.00

\$200.00

PLACES/DEALERS IN PRODUCTS:

\$200.00

- ☐ Secondhand Dealers
- ☐ Dealers in gold jewelry, etc.
- ☐ Antique Dealer

- ☐ Flea Market (for 20 tables; \$5 per add'l table)
- ☐ Junk Dealer/Recycling

For New Businesses and Businesses with Liquor Licenses: Please be sure to contact the Code Enforcement Office to schedule an inspection (207) 284-9236

PAWNBROKER:	\$200.00
VENDOR ON A PUBLIC PLACE:	\$50.00
ICE CREAM TRUCK VENDOR (need to show proof of at least \$500,000 liability insurance)	\$75.00
VENDING ON WATERWAYS	\$100.00
OPERATING LICENSE:	
☐ Victualer (no alcohol)-State Cert. Required	\$75.00
☐ Victualer serving beer and/or wine-State Cert. Required	\$100.00
☒ Victualer serving beer, wine and/or liquor State Cert. Required	\$150.00
☐ Taxicab, motorbus, public automobile (plus \$20.00 per vehicle)	\$50.00
☐ Massage Establishment/Therapist	\$100.00
☐ Combined Massage Establishment/Massage Therapist	\$150.00
☐ Adult Business	\$2,000.00
☐ Sludge Disposal	\$50.00
MISCELLANEOUS:	
☒ Advertising (for liquor licenses)	\$200.00
☐ Newspaper Vending Machines (per machine)	\$10.00
☐ Video Game Devices (up to a max of \$50.00)	\$10.00 (each machine)

New Business License Application Disclosure: By submitting, signing and paying the applicable \$10.00 application fee (and \$200.00 advertising, when applicable), the issuance of business license in the City of Biddeford is not guaranteed. You will be required to pay the full business license fee(s) once departmental reviews have been completed and an Occupancy Permit has been issued by the Code Enforcement Office.

CITY COUNCIL APPROVAL DATE (if applicable): _____

CODE ENFORCEMENT APPROVAL: _____
(Occupancy Permit Issued)

CITY CLERK ISSUED: _____ **DATE:** _____



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

TELEPHONE: (207) 624-7220
FAX: (207) 287-3434
EMAIL INQUIRIES: maineliqor@maine.gov

Thank you for your interest in becoming a licensed establishment to sell and serve alcoholic beverages in Maine. To avoid any delay in the processing of your application and the subsequent issuance of your liquor license, please use the following checklist to assist you in completing the application. If you are renewing your license, this checklist is useful as well.

- ☐ Your application has been completed in its entirety and is legible. For a renewal, please submit your application 30 days prior to the expiration date of your liquor license.
- ☐ Your application is signed and dated by a duly authorized person.
- ☐ The application is signed and approved by the Town or City Municipal Officers or County Commissioners.
- ☐ The license fee submitted is for the correct fee for the license class for which you are applying and includes the **\$10.00 filing fee**.
 - ☐ The check must be made payable to "Treasurer, State of Maine"; both the license and filing fees can be submitted on one check.
 - ☐ If the licensee/applicant(s) is in an unorganized township, the application must be approved by the County Commissioners and the \$10.00 filing fee must be paid to them. Please be sure to include a copy of the receipt of payment with your application.
- ☐ For a renewal, the dollar amount of your gross income for food, liquor and guest rooms, if applicable must be completed – see Section I.1
- ☐ A diagram of the facility to be licensed must accompany **all** applications whether for a new license or the renewal of an existing license
- ☐ If you are a registered business entity with the Maine Secretary of State's office like a corporation or a limited liability company, you must complete Section VII of the application. This does not need to be completed if you are a sole proprietor.
- ☐ Have you applied for other required licensing from other state and federal agencies? See attached list.

Important – all applications whether for a new license or to renew an existing license for an on-premises liquor license must contact their Municipal Officials or the County Commissioners in unincorporated places to have their application approved and signed prior to submitting it to the Bureau for further consideration.

The address to send your completed application to:

1. **Mailing address:**

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
8 State House Station
Augusta, ME 04333-0008

2. Courier/overnight address:

Bureau of Alcoholic Beverages and Lottery Operations
Division of Liquor Licensing and Enforcement
19 Union Street, Suite 301-B
Augusta, ME 04330

The following licenses/permits may be required prior to be licensing as an on-premises licensee with the Bureau

Obtained ✓	License/Permit	State/Federal Agency to Contact	Telephone Number	Physical Location
	Seller Certificate or Sales Tax Number	Maine Revenue Services www.maine.gov/revenue	(207) 624-9693	51 Commerce Dr, Augusta
	Health License	Health and Human Services www.maine.gov/dhhs	(207) 287-5671	286 Water St, 3 rd floor, Augusta
	Victualer's License	Municipality where premise is located.	Contact your town office or county office	Contact your town office or county office
	Shellfish License	Marine Recourses www.maine.gov/dmr	(207) 624-6550	• 32 Blossom Lane, Augusta • 194 McKown Point Rd, West Boothbay Harbor • Lamoine State Park, Lamoine • 650 State St, Bangor • 317 Whitneyville Rd, Jonesboro
	Dance or Entertainment License	Fire Marshall's Office www.maine.gov/dps/fmo	(207) 626-3882	45 Commerce Drive, Suite 1, Augusta
	Federal I.D. Number	www.irs.gov	(800) 829-4933	
	Legal business names for corporations and limited liability companies and "Doing Business As" Names (assumed names)	Secretary of State, Bureau of Corporations, Elections and Commissions www.maine.gov/sos/cec	(207) 624-7752	111 Sewall St, 3 rd Fl, Augusta
	Retail Beverage Alcohol Dealers Permit	Alcohol and Tobacco Tax and Trade Bureau (TTB) https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers	(877) 882-3277	



STATE OF MAINE
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
BUREAU OF ALCOHOLIC BEVERAGES AND LOTTERY OPERATIONS
DIVISION OF LIQUOR LICENSING AND ENFORCEMENT

Application for an On-Premises License

All Questions Must Be Answered Completely. Please print legibly.

**Section I: Licensee/Applicant(s) Information;
Type of License and Status**

Division Use Only	
License No:	
Class:	By:
Deposit Date:	
Amt. Deposited:	
Payment Type:	
OK with SOS: Yes ☐ No ☐	

Legal Business Entity Applicant Name (corporation, LLC): Biddeford Brickyard, LLC	Business Name (D/B/A): Brickyard Hollow Brewing Company
Individual or Sole Proprietor Applicant Name(s):	Physical Location: 180 Main Street, Biddeford, Maine 04005
Individual or Sole Proprietor Applicant Name(s):	Mailing address, if different: 10 Swan Street, Portland, Maine 04102
Mailing address, if different from DBA address:	Email Address: brendon@brickyardhollow.com
Telephone # Fax #: 207 747-8065	Business Telephone # Fax #: 207 747-8065
Federal Tax Identification Number: 93-4822546	Maine Seller Certificate # or Sales Tax #: 7018424
Retail Beverage Alcohol Dealers Permit:	Website address: info@brickyardhollow.com

1. New license or renewal of existing license? ☒ New Expected Start date: 05/01/2024
☐ Renewal Expiration Date: _____

2. The dollar amount of gross income for the licensure period that will end on the expiration date above:

Food: _____ Beer, Wine or Spirits: _____ Guest Rooms: _____

3. Please indicate the type of alcoholic beverage to be sold: (check all that apply)

☒ Malt Liquor (beer) ☒ Wine ☒ Spirits

4. Indicate the type of license applying for: (choose only one)

- | | | |
|--|---|---|
| ☐ Restaurant
(Class I, II, III, IV) | ☒ Class A Restaurant/Lounge
(Class XI) | ☐ Class A Lounge
(Class X) |
| ☐ Hotel
(Class I, II, III, IV) | ☐ Hotel – Food Optional
(Class I-A) | ☐ Bed & Breakfast
(Class V) |
| ☐ Golf Course (included optional licenses, please check if apply)
(Class I, II, III, IV) | ☐ Auxiliary | ☐ Mobile Cart |
| ☐ Tavern
(Class IV) | ☐ Other: _____ | |
| ☐ Qualified Caterer | ☐ Self-Sponsored Events (Qualified Caterers Only) | |

Refer to Section V for the License Fee Schedule on page 9

5. Business records are located at the following address:

10 Swan Street, Portland, Maine 04102

6. Is the licensee/applicant(s) citizens of the United States? ☒ Yes ☐ No
7. Is the licensee/applicant(s) a resident of the State of Maine? ☒ Yes ☐ No

NOTE: Applicants that are not citizens of the United States are required to file for the license as a business entity.

8. Is licensee/applicant(s) a business entity like a corporation or limited liability company?

☒ Yes ☐ No If Yes, complete Section VII at the end of this application

9. For a licensee/applicant who is a business entity as noted in Section I, does any officer, director, member, manager, shareholder or partner have in any way an interest, directly or indirectly, in their capacity in any other business entity which is a holder of a wholesaler license granted by the State of Maine?

☐ Yes ☒ No

☐ Not applicable – licensee/applicant(s) is a sole proprietor

10. Is the licensee or applicant for a license receiving, directly or indirectly, any money, credit, thing of value, endorsement of commercial paper, guarantee of credit or financial assistance of any sort from any person or entity within or without the State, if the person or entity is engaged, directly or indirectly, in the manufacture, distribution, wholesale sale, storage or transportation of liquor.

☐ Yes ☒ No

If yes, please provide details: _____

11. Do you own or have any interest in any another Maine Liquor License? ☒ Yes ☐ No

If yes, please list license number, business name, and complete physical location address: (attach additional pages as needed using the same format)

Name of Business	License Number	Complete Physical Address
See Attached Supplement		

12. List name, date of birth, place of birth for all applicants including any manager(s) employed by the licensee/applicant. Provide maiden name, if married. (attach additional pages as needed using the same format)

Full Name	DOB	Place of Birth
Brendon Medeiros	02/03/1991	Fall River, MA
Christopher Treantos	05/24/1989	Cambridge, MA
Residence address on all the above for previous 5 years		
Name Brendon Medeiros	Address: 10 Swan Street, Portland, ME	
Name Christopher Treantos	Address: 813 Brighton Ave, Portland, ME	
Name	Address:	
Name	Address:	

Attachment 1

List of Maine Liquor Licenses

Brickyard Hollow Brewing Co.	RES 2023-15565	1 Stephen King Drive, Suite 10, Augusta, ME
Brickyard Hollow Brewing Co.	CARL 2022-14746	123 Madison Avenue, Skowhegan, ME
Otto Auburn	CAR 2022-14555	730 Center Street, Auburn, Maine
Otto Gorham	RES 2021-13742	109 Main Street, Unit C, Gorham, ME

13. Will any law enforcement officer directly benefit financially from this license, if issued?

☐ Yes ☒ No

If Yes, provide name of law enforcement officer and department where employed:

14. Has the licensee/applicant(s) ever been convicted of any violation of the liquor laws in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

15. Has the licensee/applicant(s) ever been convicted of any violation of any law, other than minor traffic violations, in Maine or any State of the United States? ☐ Yes ☒ No

If Yes, please provide the following information and attach additional pages as needed using the same format.

Name: _____ Date of Conviction: _____

Offense: _____ Location: _____

Disposition: _____

16. Has the licensee/applicant(s) formerly held a Maine liquor license? ☒ Yes ☐ No

17. Does the licensee/applicant(s) own the premises? ☐ Yes ☒ No

If No, please provide the name and address of the owner:

4A Property LLC - 109 Pleasant Hill Rd, Scarborough, ME 04074

18. If you are applying for a liquor license for a Hotel or Bed & Breakfast, please provide the number of guest rooms available: _____

19. Please describe in detail the area(s) within the premises to be licensed. This description is in addition to the diagram in Section VI. (Use additional pages as needed)

One side of ground floor in a two story building on Main Street in Biddeford. Complete renovation of
2,461 sqft space for brewpub/restaurant. Will include additional 825 sqft outdoor patio with seasonal
seating for 40 patrons.

20. What is the distance from the premises to the **nearest** school, school dormitory, church, chapel or parish house, measured from the main entrance of the premises to the main entrance of the school, school dormitory, church, chapel or parish house by the ordinary course of travel?

Name: Saint Dometrios Serbian Orthodox Church

Distance: 400.00 Distance is in feet

Section II: Signature of Applicant(s)

By signing this application, the licensee/applicant understands that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.

Please sign and date in blue ink.

Dated: 04/03/2024

Brian Medeiros
Signature of Duly Authorized Person

Brendan Medeiros
Printed Name Duly Authorized Person

Signature of Duly Authorized Person

Printed Name of Duly Authorized Person

Section III: For use by Municipal Officers and County Commissioners only

The undersigned hereby certifies that we have complied with the process outlined in 28-A M.R.S. §653 and approve this on-premises liquor license application.

Dated: _____

Who is approving this application? ☐ Municipal Officers of _____

☐ County Commissioners of _____ County

- ☐ **Please Note:** The Municipal Officers or County Commissioners must confirm that the records of Local Option Votes have been verified that allows this type of establishment to be licensed by the Bureau for the type of alcohol to be sold for the appropriate days of the week. Please check this box to indicate this verification was completed.

Signature of Officials	Printed Name and Title

**This Application will Expire 60 Days from the date of
Municipal or County Approval unless submitted to the Bureau**

Included below is the section of Maine's liquor laws regarding the approval process by the municipalities or the county commissioners. This is provided as a courtesy only and may not reflect the law in effect at the time of application. Please see <http://www.mainelegislature.org/legis/statutes/28-A/title28-Asec653.html>

§653. Hearings; bureau review; appeal

1. Hearings. The municipal officers or, in the case of unincorporated places, the county commissioners of the county in which the unincorporated place is located, may hold a public hearing for the consideration of applications for new on-premises licenses and applications for transfer of location of existing on-premises licenses. The municipal officers or county commissioners may hold a public hearing for the consideration of requests for renewal of licenses, except that when an applicant has held a license for the prior 5 years and a complaint has not been filed against the applicant within that time, the applicant may request a waiver of the hearing.

A. The bureau shall prepare and supply application forms.

B. The municipal officers or the county commissioners, as the case may be, shall provide public notice of any hearing held under this section by causing a notice, at the applicant's prepaid expense, stating the name and place of hearing, to appear on at least 3 consecutive days before the date of hearing in a daily newspaper having general circulation in the municipality where the premises are located or one week before the date of the hearing in a weekly newspaper having general circulation in the municipality where the premises are located.

C. If the municipal officers or the county commissioners, as the case may be, fail to take final action on an application for a new on-premises license or transfer of the location of an existing on-premises license within 60 days of the filing of an application, the application is deemed approved and ready for action by the bureau. For purposes of this paragraph, the date of filing of the application is the date the application is received by the municipal officers or county commissioners. This paragraph applies to all applications pending before municipal officers or county commissioners as of the effective date of this paragraph as well as all applications filed on or after the effective date of this paragraph. This paragraph applies to an existing on-premises license that has been extended pending renewal. The municipal officers or the county commissioners shall take final action on an on-premises license that has been extended pending renewal within 120 days of the filing of the application.

D. If an application is approved by the municipal officers or the county commissioners but the bureau finds, after inspection of the premises and the records of the applicant, that the applicant does not qualify for the class of license applied for, the bureau shall notify the applicant of that fact in writing. The bureau shall give the applicant 30 days to file an amended application for the appropriate class of license, accompanied by any additional license fee, with the municipal officers or county commissioners, as the case may be. If the applicant fails to file an amended application within 30 days, the original application must be denied by the bureau. The bureau shall notify the applicant in writing of its decision to deny the application including the reasons for the denial and the rights of appeal of the applicant.

2. Findings. In granting or denying an application, the municipal officers or the county commissioners shall indicate the reasons for their decision and provide a copy to the applicant. A license may be denied on one or more of the following grounds:

A. Conviction of the applicant of any Class A, Class B or Class C crime;

B. Noncompliance of the licensed premises or its use with any local zoning ordinance or other land use ordinance not directly related to liquor control;

C. Conditions of record such as waste disposal violations, health or safety violations or repeated parking or traffic violations on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises or other such conditions caused by persons patronizing or employed by the licensed premises that unreasonably disturb, interfere with or affect the ability of persons or businesses residing or located in the vicinity of the licensed premises to use their property in a reasonable manner;

D. Repeated incidents of record of breaches of the peace, disorderly conduct, vandalism or other violations of law on or in the vicinity of the licensed premises and caused by persons patronizing or employed by the licensed premises;

D-1. Failure to obtain, or comply with the provisions of, a permit for music, dancing or entertainment required by a municipality or, in the case of an unincorporated place, the county commissioners;

E. A violation of any provision of this Title;

F. A determination by the municipal officers or county commissioners that the purpose of the application is to circumvent the provisions of section 601; and

G. After September 1, 2010, server training, in a program certified by the bureau and required by local ordinance, has not been completed by individuals who serve alcoholic beverages.

3. Appeal to bureau. Any applicant aggrieved by the decision of the municipal officers or county commissioners under this section may appeal to the bureau within 15 days of the receipt of the written decision of the municipal officers or county commissioners. The bureau shall hold a public hearing in the city, town or unincorporated place where the premises are situated. In acting on such an appeal, the bureau may consider all licensure requirements and findings referred to in subsection 2.

A. Repealed

B. If the decision appealed from is an application denial, the bureau may issue the license only if it finds by clear and convincing evidence that the decision was without justifiable cause.

4. Repealed

5. Appeal to District Court. Any person or governmental entity aggrieved by a bureau decision under this section may appeal the decision to the District Court within 30 days of receipt of the written decision of the bureau.

An applicant who files an appeal or who has an appeal pending shall pay the annual license fee the applicant would otherwise pay. Upon resolution of the appeal, if an applicant's license renewal is denied, the bureau shall refund the applicant the prorated amount of the unused license fee.

Section IV: Terms and Conditions of Licensure as an Establishment that sells liquor for on-premises consumption in Maine

- The licensee/applicant(s) agrees to be bound by and comply with the laws, rules and instructions promulgated by the Bureau.
- The licensee/applicant(s) agrees to maintain accurate records related to an on-premise license as required by the law, rules and instructions promulgated or issued by the Bureau if a license is issued as a result of this application.
 - The licensee/applicant(s) authorizes the Bureau to obtain and examine all books, records and tax returns pertaining to the business, for which this liquor license is requested, and also any books, records and returns during the year in which any liquor license is in effect.
- Any change in the licensee's/applicant's licensed premises as defined in this application must be approved by the Bureau in advance.
- All new applicants must apply to the Alcohol and Tobacco Tax and Trade Bureau (TTB) for its Retail Beverage Alcohol Dealers permit. See the TTB's website at <https://www.ttb.gov/nrc/retail-beverage-alcohol-dealers> for more information.

Section V: Fee Schedule

Filing fee required. In addition to the license fees listed below, a filing fee of \$10.00 must be included with all applications.

Please note: For Licensees/Applicants in unorganized territories in Maine, the \$10.00 filing fee must be paid directly to County Treasurer. All applications received by the Bureau from licensees/applicants in unorganized territories must submit proof of payment was made to the County Treasurer together with the application.

Class of License	Type of liquor/Establishments included	Fee
Class I	For the sale of liquor (malt liquor, wine and spirits) This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Vessels; Qualified Caterers	\$ 900.00
Class I-A	For the sale of liquor (malt liquor, wine and spirits) This class includes only hotels that do not serve three meals a day.	\$1,100.00
Class II	For the Sale of Spirits Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; and Vessels.	\$ 550.00
Class III	For the Sale of Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class IV	For the Sale of Malt Liquor Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Taverns; Pool Halls; and Bed and Breakfasts.	\$ 220.00
Class III and IV	For the Sale of Malt Liquor and Wine Only This class includes: Airlines; Civic Auditoriums; Class A Restaurants; Clubs with catering privileges; Dining Cars; Golf Courses; Hotels; Indoor Ice-Skating Clubs; Indoor Tennis Clubs; Restaurants; Vessels; Pool Halls; and Bed and Breakfasts.	\$ 440.00
Class V	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Club without catering privileges.	\$ 495.00
Class X	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Class A Lounge	\$2,200.00
Class XI	For the sale of liquor (malt liquor, wine and spirits) This class includes only a Restaurant Lounge	\$1,500.00

Section VI Premises Floor Plan

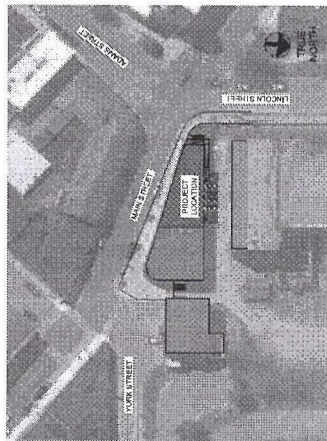
In an effort to clearly define your license premise and the areas that consumption and storage of liquor authorized by your license type is allowed, the Bureau requires all applications to include a diagram of the premise to be licensed.

Diagrams should be submitted on this form and should be as accurate as possible. Be sure to label the following areas: entrances, office area, coolers, storage areas, display cases, shelves, restroom, point of sale area, area for on-premise consumption, dining rooms, event/function rooms, lounges, outside area/decks or any other areas on the premise that you are requesting approval. Attached an additional page as needed to fully describe the premise.

See attached drawings

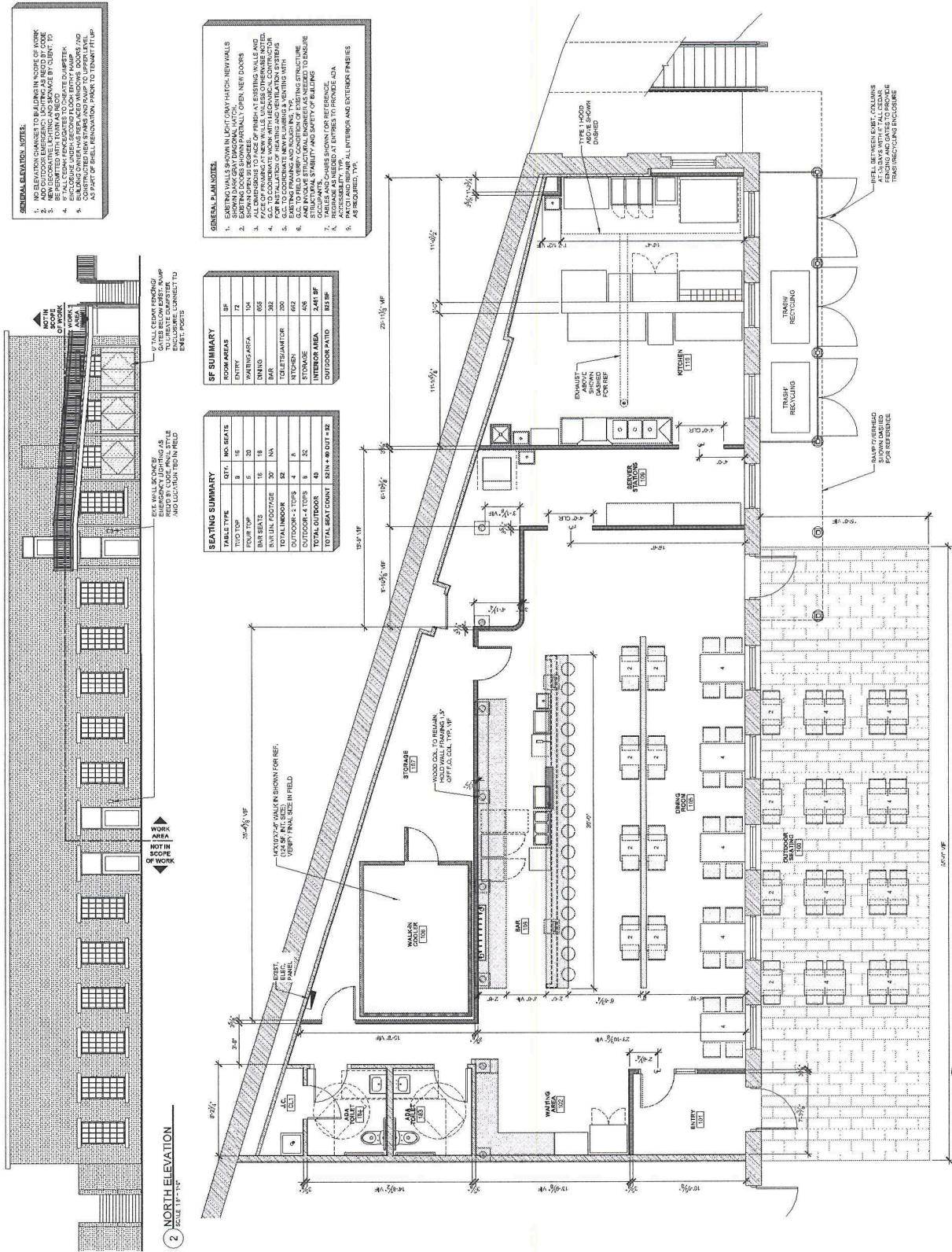
SITE PLAN

C100



PROJECT SUMMARY

25



Section VII: Required Additional Information for a Licensee/Applicant for an On-Premises Liquor License Who are Legal Business Entities

Questions 1 to 4 of this part of the application must match information in Section I of the application above and match the information on file with the Maine Secretary of State's office. If you have questions regarding your legal entity name or DBA, please call the Secretary of State's office at (207) 624-7752.

All Questions Must Be Answered Completely. Please print legibly.

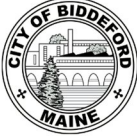
1. Exact legal name: Biddeford Brickyard, LLC
2. Doing Business As, if any: Brickyard Hollow Brewing Company
3. Date of filing with Secretary of State: 10/31/2023 State in which you are formed: Maine
4. If not a Maine business entity, date on which you were authorized to transact business in the State of Maine:

5. List the name and addresses for previous 5 years, birth dates, titles of officers, directors, managers, members or partners and the percentage ownership any person listed: (attached additional pages as needed)

Name	Address (5 Years)	Date of Birth	Title	Percentage of Ownership
Brendon Medeiros	10 Swan Street, Portland, Maine	02/03/1991	Owner	50.0000
Christopher Treantos	813 Brighton Ave, Portland, ME	05/24/1989	Owner	50.0000

(Ownership in non-publicly traded companies must add up to 100%.)

City of Biddeford



2024.58

IN BOARD OF CITY COUNCIL...May 7, 2024

BE IT ORDERED, that I, Martin Grohman, Mayor of the City of Biddeford do hereby appoint:

Marc Lessard
Councilor At-Large

Norman Belanger
Councilor Ward 6

Rebecca Henry
Ward 7

Max Zakian
Ward 7

Carolyn Schmidtke
Ward 7

Paulette Bonneau
Ward 3

To the Ad Hoc John F. Kennedy School Building Re-Use Committee for a term to expire in March 2025.

Attest by: _____
Robin Patterson, City Clerk

City of Biddeford



2024.59

IN BOARD OF CITY COUNCIL...May 7, 2024

BE IT ORDERED, that I Martin Grohman, Mayor of the City of Biddeford, do hereby appoint:

Councilor Roger P. Beaupre
Ward 3

As Chair of the Veteran's Committee.

Attest by: _____
Robin Patterson, City Clerk

City of Biddeford



2024.60 **IN BOARD OF CITY COUNCIL...May 7. 2024**
BE IT ORDERED, that I, Martin Grohman, Mayor of the City of Biddeford do hereby
appoint:

Rudolph Brooks
Ward 7
Recreation Committee
For a term to expire December 2028

Alex King
Ward 2
Wastewater Management Commission
For a term to expire December 2026

Attest by: _____
Robin Patterson, City Clerk

Committee, Board, and Commission Application Form

Application

Name	Alex King
------	-----------

Ward	2-1
------	-----

Need to find your Ward?

[Click here](#) to find your Ward on a map or a list of streets.

(Section Break)

Which City Committee, Board or Commission do you request to be appointed to?	Wastewater Management Commission
--	----------------------------------

If other, please list below.	<i>Field not completed.</i>
------------------------------	-----------------------------

Why are you interested in serving the City of Biddeford?	I have been a resident for 7 years and would like to be more involved in the community.
--	---

Please list any experience that may be pertinent to the Board or Committee in which you are requesting to serve.	I have worked in wastewater for 5 years between the towns of Kennebunk and Sanford.
--	---

Please list any prior experience serving on any public Boards, Commissions or Committees (and approximate dates).	N/A
---	-----

Committee, Board, and Commission Application Form

Application

Name Rudolph "Rick" Brooks

Ward 7

Need to find your Ward?

[Click here to find your Ward on a map or a list of streets.](#)

(Section Break)

Which City Committee, Board or Commission do you request to be appointed to? Recreation
Commission

If other, please list below. Field not completed.

Why are you interested in serving the City of Biddeford? to fulfill my need to contribute to my
community

Please list any experience that may be pertinent to the Board or Committee in which you are requesting
to serve. My wife has been a parks and recreation professional for over 30 years and I have been
volunteering for most of her special events during that time frame

Please list any prior experience serving on any public Boards, Commissions or Committees (and
approximate dates). representative town meeting- Sanford- late 80's

recreation committee- Standish- 2015-16

parish council- Our Lady of Perpetual Help church- early 1990's

City of Biddeford



2024.88 IN BOARD OF CITY COUNCIL... May 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the City Clerk's nominations for Election Clerks for the 2024 and 2025 elections.

Note: The City Clerk may include other Election Clerks not on the attached list, as necessary.

Attest by: _____

City of Biddeford Election Clerks for 2024/2025

Claudette Allee

Andrea Angers

Linda Bennet

Richard Bennet

Katharine Bell

Jo Ann Boisvert

Alida Ciampa

Colombe Cote

Bill Cuddy

Diane Cyr

Joan Cyr

Kim Ege

Robert Ege

Steven Ellis

Martine Eon

Pauline Fitzgerald

Alicia Forcier

Victor Forsley

Mona Grandbois

Beth Graziadei

Odette Gornick

Patricia Grondin

Diane Labbe

Matt Legarde

Diane Martel

Sarah McKeown

Catherine McMahon

Anna Morissette

Clair Paul

Priscille Paul

Benjamin Pratt

Deanne Robertson

Suzanne Ross

Diane Saucier

Anne Strout

Tina Turgeon

City of Biddeford
City Council
April 16, 2024 6:00 PM Council Chambers & Zoom

Status:

1. Roll Call

Council President LaFountain
Councilor Lessard
Councilor Ortiz
Councilor Emhiser - excused
Councilor Whiting
Councilor Mills - absent
Councilor Beaupre
Councilor Schlaver - absent
Councilor Belanger

2. Pledge of Allegiance

3. Adjustment(s) to Agenda

Will start with Order 12.i. first and then go in sequence

4. Recognition:

4.a. Recognition Public Works Sustainability Leadership Award

5. Proclamation:

5.a. Proclamation Eid-al-Fitr
[20240416 Eid-al-Fitr-PROCLAMATION](#)

Mayor Grohman read the proclamation

6. Presentation:

6.a. Fathom Update & Presentation regarding 3 Lincoln Development
[Fathom - 3 Lincoln Update- Presentation Brief 4.16.2024](#)
[Pearl Street Riverside District - City of Biddeford - Site Concept Plan Presentation](#)

7. Public Hearing

7.a. Public Hearing Liquor License Pho-Ly Vietnamese Restaurant
[Pho-Ly Vietnamese Restaurant 4-16-24](#)

Opened at: 7:02 pm
Public Comments: none
Closed at: 7:03 pm

8. Liquor License Consideration

- 8.a. Liquor License Approval - Phy Lo Vietnamese Restaurant
[Pho-Ly Vietnamese Restaurant 4-2-24](#)
[Pho-Ly Vietnamese Restaurant Liquor 4-2-24](#)

Motion: Councilor Belanger
Second: Councilor Beaupre
Vote: Unanimous in favor.
Motion passed.

9. Appointments:

- 9.a. 2024.45 Approval/Mayoral Appointments to Citizen Committees
[2024.45 Approval Mayoral Appointments to Citizen Committee-ORDER](#)
[20240416 William MacKeil -Harbor Commission-Application](#)
[20240416 Dan Boucher Capital Committee -Application](#)

Motion: Councilor LaFountain
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

10. Public Addressing the Council...(3 minute limit per speaker for up to a total of 15 minutes) none

11. Consideration of Minutes:

- 11.a. Approval of minutes 4-2-24
[Council Minutes 4-2-24](#)

Motion: Councilor Belanger
Second: Councilor Whiting
Vote: Unanimous in favor.
Motion passed.

12. Orders of the Day:

- 12.a. 2024.46 Approval/Mayoral Appointments to Ad Hoc Sustainability Committee
[2024.46 Approval Mayoral Appointments to Ad Hoc Sustainability Committee](#)

Motion: Councilor Whiting
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

Councilor Lessard: Motion to go into Executive Session for Real Estate Matters
MRSA 405 6 (c) at 7:12pm
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

Councilor LaFountain motion to come out of Executive Session at 7:40pm
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

- 12.b 2024.47 Approval/Authorize Creation of Ad Hoc John F. Kennedy School Building Re-Use Committee
[2024.47 Creation of Ad Hoc John F. Kennedy School Building Re-Use Committee -ORDER](#)
Motion: Councilor LaFountain
Second: Councilor Belanger

Councilor LaFountain motion to amend to change the report date to December of 2024.
Second: Councilor Lessard
Vote on the amendment: Unanimous in favor.
Amendment passed.

Councilor Belanger – motion to amend the order to add up to 2 additional members for a total of 7.
Second: Councilor Lessard
Vote on the amendment: Unanimous in favor.
Amendment passed.

Vote on the order as amended: Unanimous in favor.
Motion passed.

- 12.c. 2024.48 Approval/CSO Projects Engineering Services RFP
[2024-04-16_CS0 Projects Engineering Services RFP - Council Order](#)
[2024-04-16_CS0 Projects Engineering Services RFP - Council Brief](#)
[1 - RFP](#)
[2 - BH2M Submittal](#)
[3 - Latest DRAFT CSO Master Plan](#)

Motion: Councilor LaFountain
Second: Councilor Lessard.

Councilors Lessard and LaFountain spoke in favor.

Vote: Unanimous in favor.
Motion passed.

- 12.d 2024.49 Approval/Amend Density Bonus Ordinance
[2024.04.16 Amend Land Use Regulation Density Bonus BRIEF](#)
[2024.04.16 Density Bonus.Ordinance.Adoption ORDER](#)
[Amend_Land_Use_Regulation_-_Density_Bonus_-_Order from Nov 21 2023](#)

Motion: Councilor Belanger
Second: Councilor Lessard
Vote: Unanimous in favor.
Motion passed.

- 12.e. 2024.50 Approval/Avesta Housing CZ
[Application for Contract Zone](#)
[City Council Order - Avesta Housing Contract Zone 23 4-16-24 first reading](#)
[Policy Brief AVESTA Housing CZ 23 4-16-2024](#)

Motion: Councilor Belanger
Second: Councilor Lessard

Councilor LaFountain – motion to amend the name to Indian Cliff Development Corp
Second: Councilor Belanger
Vote on the amendment: Unanimous in favor.
Amendment passed.

City Manager Jim Bennett explained that this is to send the Contract Zone to the Planning Board, they will go through their process and then send it back to Council with a recommendation.

Vote on the order as amended: Unanimous in favor.
Motion passed.

- 12.f. 2024.51 Approval/Adams Point Affordable Housing Development Project Extension
[Policy Brief Adams Point Funding Extension 4-16-2024](#)
[City Council Order - Adams Point funding extension 4-16-24](#)
[2-26-24 Final NOD](#)
[10-17-23 City Council Meeting Minutes](#)
[20231017_2023.131_Approval_BHA_Adams_Point_Funding_Request_-_ORDER](#)
[Adams point extendtrustfund.040824](#)
[Adams Point Reapproval Request PB MEMO 2-21-2024](#)
[BHcityadamsrequest.100523](#)

Motion: Councilor LaFountain
Second: Councilor Whiting

Director Gagnon explained the reasons for the extension request and the process with the HUD review.

Vote: Unanimous in favor.
Motion passed.

- 12.g 2024.52 Approval/Zoning Ordinance Text Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet.

[2-21-24 CEO TO Chair Fire Code Considerations.pdf](#)

[2-21-24 Signed Meeting Minutes.pdf](#)

[MSRD2 side - rear setbacks Ordinance Council Order 4-16-24 attest first reading.docx](#)

[MSRD2 side and rear yard setback reduction PB MEMO 1-31-2024.pdf](#)

[MSRD2 side and rear yard setback reduction PB MEMO 2-21-2024.pdf](#)

[Policy Brief MSRD2 side and rear yard setbacks 4-16-2024.docx](#)

Motion: Councilor Beaupre

Second: Councilor Whiting

Vote: Unanimous in favor.

Motion passed.

- 12.h 2024.53 Approval/Zoning Ordinance Text Amendment: Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority.

[Policy Brief SRC Composition and Rules 4-16-2024](#)

[SRC Composition and Rules Ordinance Council Order 4-16-24](#)

[2-21-24 Signed Meeting Minutes](#)

[Bennett Policy Memo to CC 6-20-23 IZ incentive](#)

[Staff Review Committee Composition 1st reading DCMG PB Report 1-31-24](#)

[Staff Review Committee Composition 2nd reading DCMG 2-21-24](#)

Motion: Councilor Beaupre

Second: Councilor Lessard

Councilor LaFountain – motion to amend to add 2.a.4.e. “Public Hearing minutes will be posted to the City website within 14 days.”

Second: Councilor Whiting

Vote on the amendment: Unanimous in favor.

Amendment passed.

Councilor Belanger motion to amend line 2.a.1. to change “precede” to “serve” and line 2.a.4.b. to change “or” to “and/or”

Second: Councilor Whiting

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

- 12.i. 2024.54 Approval/Purchase of three 2024 Law Enforcement Dodge Durango Pursuit vehicles
[2024 Police Department Cruiser BRIEF- Council](#)
[2024.54 Council order cruisers](#)
[PD vehicle mileage](#)
[Two dealer bids Quirk Motors Marc Motors](#)

Motion: Councilor LaFountain
Second: Councilor Lessard

Chief Fisk explained the bids and the trade ins.

Vote: Unanimous in favor.
Motion passed.

Councilor Beaupre motion to accept the resignation of Councilor Mills
Second: Councilor Belanger
Vote: Unanimous in favor.
Motion passed.

- 12.j. 2024.55 Approval/Authorize Special Shortened Nomination Process
[2024.55 Special Shortened Nomination Papers order](#)

Motion: Councilor Whiting
Second: Councilor Beaupre
Vote: Unanimous in favor.
Motion passed.

- 13. Public Addressing the Council..(5 minute limit per speaker)**
None

- 14. City Manager Report**
City Manager Bennett gave the Council an update on budget documents that will be ready for the next meetings. The documents will indicate changes and choices.

- 15. Other Business**
None

- 16. Council President Addressing the Council**
Council President LaFountain did not address the Council

- 17. Mayor Addressing the Council**

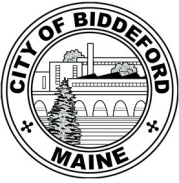
Dennis Walton of Biddeford High School has been named Maine's Athletic Administrator of the Year.
Heart of Biddeford is having a park clean up and seed planting this Sunday.

18. Adjourn

Motion to adjourn by Councilor LaFountain at 8:55 pm

Second: Councilor Lessard

Meeting adjourned.



City Council

Meeting Date: April 16, 2024

Meeting Time: 6:00PM

Agenda Item No: 12.d.

Item Description: Density Bonus Language Adoption

Submitted by: George Gervais

Supporting Information/Documentation:

1. City Council Order 2024.49
2. Transcription of related City Council Discussion from November 21, 2023
3. Copy of City Council Order 2023.147 passed on November 21, 2023
4. Document: "Full Text passed by Planning Board and provided to Council Nov 21 2023"

Key Terms:

[N/A]

Executive Summary:

At the November 21 City Council meeting the council discussed proposed language to adopt the "Density Bonus Ordinance" (11.21.2023 Agenda Item No. 10.m).

The language that was clearly discussed and agreed to by the council at the November 21, 2023 Council meeting did not match the language that was in Order no 2023.147 provided to the council under Agenda Item No. 10.m. The language that was discussed on November 21, 2023 is attached to this Order and can also be found in the November 21, 2023 City Council Agenda Packet as filename: "20231115 Plannig Board – Public Hearing Recommendation - Table B Amendment – Full Text – REFERENCE UPDATE". (NOTE: Spelling error is intentional as the file it represents the actual filename posted on the November 21, 2023 Council Agenda Packet)

The recommended action seeks to capture what was intended from Nov 21, 2023

Detailed Review:

At the November 21 City Council meeting the council discussed proposed language to adopt the "Density Bonus Ordinance" (11.21.2023 Agenda Item No. 10.m).

The language that was clearly discussed and agreed to by the council did not match the language that was in Order no 2023.147 provided to the council under Agenda Item No. 10.m. The language that was discussed on November 21, 2023 is attached to this Order and can also be found in the November 21, 2023 City Council Agenda Packet as filename: "20231115 Plannig Board – Public Hearing Recommendation - Table B Amendment – Full Text – REFERENCE UPDATE". (NOTE: Spelling error is intentional as the file it represents the actual filename posted on the November 21, 2023 Council Agenda Packet)

At the November 21, 2023 Council Meeting, after the Council discussed and agreed to the language as provided to the council, a motion was made to pass the Order, which passed unanimously.

Although it was the clearly the intent of the council to pass the language discussed and agreed to, the formality of the vote and procedure actually passed the Order 2023.147 on November 21, 2024, and again for the 2nd reading on December 19th, 2024.

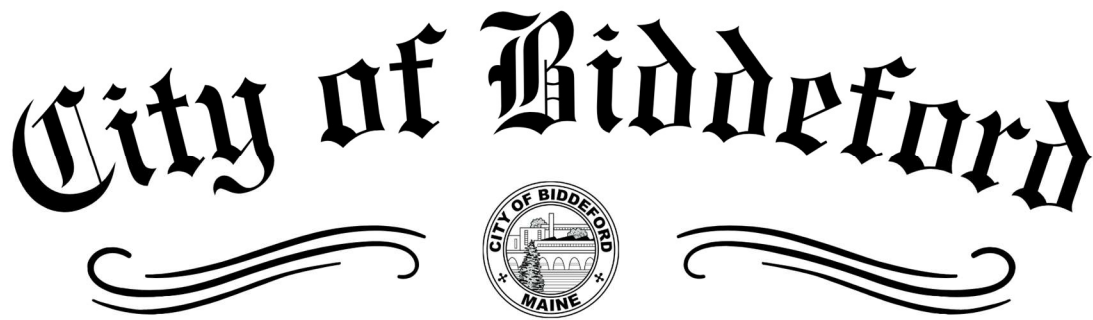
A vote on April 16th is intended to formerly adopt the exact language the Council discussed and assumed they were passing on November 21, 2024.

Funding Source:

[N/A]

Staff Recommendation:

Staff recommends passing this Order to adopt language the as originally intended on November 21, 2023.



2024.49

IN BOARD OF CITY COUNCIL...APRIL 16, 2024

BE IT ORDAINED, by the City Council of the City of Biddeford, that the Code of Ordinances, Part III: Land Development Regulations, Article V – Dimensional Requirements, NOTES for Table B be amended as follows:

B.1.a. The Planning Board, or other appropriate approval authority, shall consider granting a density bonus of one residential unit for every 500 square feet of gross building living space floor area, excluding unfinished basements, within an existing structure, ~~excluding unfinished basement areas,~~ provided the applicant presents redevelopment/renovation plans to the Code Enforcement Officer demonstrating how the redevelopment project will result in the number of residential units with two or more bedrooms being at least, if not more than, the number of units with two or more bedrooms before the density bonus was granted.

B.1.c. An applicant provided a density bonus for rental housing shall enter into a thirty (30) year contractual agreement with the City of Biddeford requiring that at least ~~30~~51% of ~~the additional~~ units created shall be leased such that they do not exceed 70% of the fair market rent (FMR) per bedroom size, as established annually by the U.S. Department of Housing and Urban Development (HUD). The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which shall be provided to the Code Enforcement Office prior to the issuance of any building permits. Rent-restricted units will be annually monitored by the Planning and Development Department for contract compliance.

B.1.d. For projects proposing to demolish and rebuild an existing building, the existing approved density may be re-utilized within the redevelopment.

B.3. Vacant Land Development: For vacant lots located within the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, utilizing the density bonus standards within Section B, for low/moderate income (LMI) housing developments, may increase the base density by up to a multiple of 2.5%times of the particular zoning district where the lot is located.

B.4. The developer may elect to utilize either the 500 square feet of gross building living space floor area calculation outlined in Section 1.A, or increasing the base density by up to a multiple of 2.5, as outlined in Section 3, providing it equates to more affordable housing being provided.

B.~~4~~5. Condominium conversions/development:

5.P.5.c. The existing student housing park located on the south side of the Hills Beach Road may be replaced with new low-impact academic or support facilities. Low impact is defined as meeting the following standards:

- ◆1. The replacement has been approved as part of the institutional master plan. The replacement has been approved as part of the institutional master plan.
- ◆2. The total footprint area of all replacement buildings and structures shall not exceed 14,400 square feet.
- ◆3. The amount of nonvegetated area after redevelopment shall be not more than the amount of nonvegetated area existing at the time of adoption of this provision.
- ◆4. No buildings, structures, parking, or other impervious surfaces shall be located closer to any adjacent wetland or the external boundary of the Institutional Zone than the existing facilities being replaced and, where possible, the setback from wetlands shall be increased.
- ◆5. The architectural design of the low-impact academic or support facilities shall be compatible with the adjacent residential character, consistent with the approved University Master Plan Architectural Design Standards, and shall be limited to a maximum height of 35 feet.
- ◆6. The low-impact academic or support facilities shall have no greater impact on the adjacent wetlands, than did the development existing at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a wetlands delineation plan and stormwater management plan submitted as part of the application for site plan approval.
- ◆7. The low-impact academic or support facilities shall have no greater light intrusion, noise or traffic impact (both vehicular and pedestrian) on adjacent residential properties, than did the development existing on the site at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a noise mitigation plan and traffic study submitted as part of the application for site plan approval.

April 16, 2024

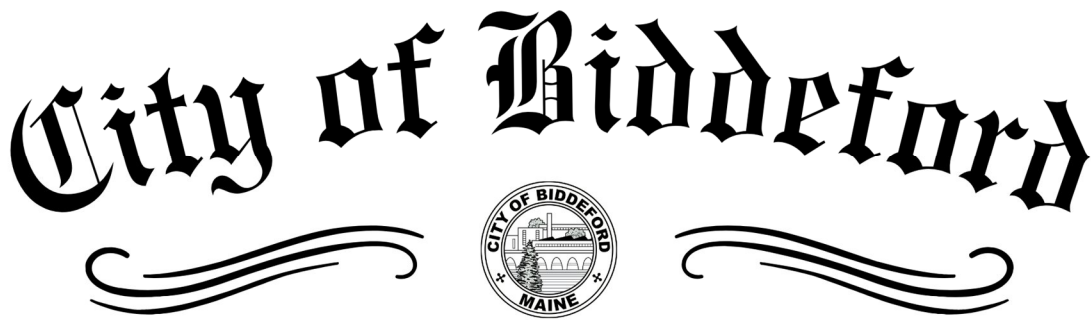
Motion: Councilor Belanger

Second: Councilor Lessard

Vote: Unanimous in favor.

Motion passed.

Attest by: _____
Robin Patterson, City Clerk



From the Nov 21, 2023
Council Meeting

2023.147

IN BOARD OF CITY COUNCIL...NOVEMBER 21, 2023

BE IT ORDAINED, by the City Council of the City of Biddeford, that the Code of Ordinances, Part III: Land Development Regulations, Article V – Dimensional Requirements, NOTES for Table B, Item B be amended by amending B.1.a. and B.1.c., adding a new B.2.a and B.2.b, adding a new B.3., and renumbering existing B.2. to B.4 by adding and ~~deleting~~ text as follows:

- B. In order to promote condominium forms of housing and affordable housing in close proximity to downtown and services, in the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, the density requirements may be relaxed as follows:
1. Redevelopment of existing structures:
 - a. The Planning Board, or other appropriate approval authority, shall consider granting a density bonus of one residential unit for every ~~650~~ 500 square feet of living space within an existing structure, excluding unfinished basement areas, provided the applicant presents redevelopment/renovation plans to the Code Enforcement Officer demonstrating how the redevelopment project will result in the number of residential units with two or more bedrooms being at least, if not more than, the number of units with two or more bedrooms before the density bonus was granted.
 - b. If the project is provided a density bonus, the Code Enforcement Officer shall document the allowable density and number of units, in writing, for the Code Enforcement Office files.
 - c. An applicant provided a density bonus for rental housing shall enter into a thirty (30) year contractual agreement with the City of Biddeford requiring that at least 30% of the additional units created shall be leased such that they do not exceed 70% of the fair market rent (FMR) per bedroom size, as established annually by the U.S. Department of Housing and Urban Development (HUD). The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which shall be provided to the Code Enforcement Office prior to the issuance of any building permits. Rent-restricted units will be annually monitored by the Planning and Development Department for contract compliance.

2. Density Bonus Review Process: Expansions of low/moderate income (LMI) projects shall be reviewed as followed:

- a. Where expansions of affordable housing units under this provision are being utilized, up to a maximum of eight (8) or less units being created, shall be reviewed and approved by the City's Staff Review Committee (SRC). Projects exceeding eight (8) units shall be reviewed by the Planning Board for Site Plan and Subdivision review.
 - b. Parking standards for affordable housing projects of this nature, shall provide a minimum of one parking space for every two (2) low/moderate income (LMI) housing units created. For units exceeding the low/moderate income (LMI) threshold, parking shall be provided as required within the City's parking standards.
3. Vacant Land Development: For vacant lots located within the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, utilizing the density bonus standards within Section B, for low/moderate income (LMI) housing developments, may increase the base density by 2.5% of the particular zoning district where the lot is located.
24. Condominium conversions/development:

Attest by:_____

City Council
Meeting Transcription
11-21-23
Portion 10m

Mayor-2023.147 Introduced Ordinance Change Proposal

Motion: Mills

Second (off camera)

LaFountain question 2.5% 250% or 2.5

Galbraith Line 3 & 4 should say 2.5 times, amendments to be added wrong one added, he brought the correct ones, minor in nature.

Bennett-Corrections have been uploaded

LaFountain-Do we need to make an amendment to the order

Center-No it is a scrivener's error

LaFountain-the other thing he would like to amend is density bonus, going to create denser areas, challenging, we have limited lots. I would like to see an increase in height, so the zones max 3 stories we increase it to 4 stories if they are taking advantage of the bonus density program

Grohman-Second

No public comments

Bennett if you expand the opportunity and the public doesn't have the opportunity to address it you run the risk of being challenged. You can pass it but you may have trouble with the second reading. It hasn't gone through the other areas such as public hearing, someone may not be happy with a 4 story next door to them.

LaFountain-this order has been 2 public hearings

Bennett what you have has been through 2 public readings but not the amendment the public doesn't have an opportunity to see how that will impact them.

LaFountain-I can remove my amendment if the second does

Grohman-I remove

Lessard would like to see the height listed as feet instead of stories. Stories can vary.

Grohman-Density Bonus has the biggest impact over the different zones, more impactful than IZ. Creates a lot of opportunity

Galbraith-yes this one gets us more bang for our buck.

Vote-Unanimous

ESTABLISHMENT OF ZONES

**V Attachment 2
City of Biddeford
Table B**

Updated 11/21/23
3:40 pm

**DRAFT Amendments – Density Bonus Ordinance
Planning Board Public Hearing: November 1, 2023**

BIDDEFORD CODE NOTES for Table B:

N/A: Not allowed.

* A new structure may be permitted to be built with less than the required setback, provided that the following are met:

1. The setback will be equal to the average front yard setback of the existing houses on the immediately adjacent lots; and
2. The setback shall be at least 15 feet; and
3. These provisions shall apply only along existing residential streets which were developed prior to the enactment of the present front yard setback requirements.

** The Building Inspector may allow a lessening of setback requirement for access structures, as necessary, to facilitate reasonable handicapped accessibility. This provision shall apply to existing structures only. Any access structure built under this provision shall be temporary to facilitate the handicapped or disabled occupant and shall be removed when no longer needed.

+ Maximum height is exclusive of chimneys, antennae, and roof-mounted, building-integrated, building-mounted or architectural wind systems when attached to a structure. Chimneys and antennae shall not be higher than 12 feet above the structure. Roof-mounted, building-integrated, building-mounted or architectural wind systems shall not be higher than 15 feet above the maximum allowed building height in the zone.

A. Minimum land area per dwelling unit.

B. In order to promote condominium forms of housing and affordable housing in close proximity to downtown and services, in the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, the density requirements may be relaxed as follows:

1. Redevelopment of existing structures:

- a. The Planning Board, or other appropriate approval authority, shall consider granting a density bonus of one residential unit for every 500 square feet of gross building living space floor area, excluding unfinished basements, within an existing structure, provided the applicant presents redevelopment/renovation plans to the Code Enforcement Officer demonstrating how the redevelopment project will result in the number of residential units with two or more bedrooms being at least, if not more than, the number of units with two or more bedrooms before the density bonus was granted.
- b. If the project is provided a density bonus, the Code Enforcement Officer shall document the allowable density and number of units, in writing, for the Code Enforcement Office files.

ESTABLISHMENT OF ZONES

V Attachment 2 City of Biddeford Table B

DRAFT Amendments – Density Bonus Ordinance Planning Board Public Hearing: November 1, 2023

- c. An applicant provided a density bonus for rental housing shall enter into a thirty (30) year contractual agreement with the City of Biddeford requiring that at least ~~51%~~ 30% of the additional units created shall be leased such that they do not exceed ~~80%~~ 70% of the fair market rent (FMR) per bedroom size, as established annually by the U.S. Department of Housing and Urban Development (HUD). The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which shall be provided to the Code Enforcement Office prior to the issuance of any building permits. Rent-restricted units will be annually monitored by the Planning and Development Department for contract compliance.
 - d. For projects proposing to demolish and rebuild an existing building, the existing approved density, may be re-utilized within the redevelopment.
2. Density Bonus Review Process: Expansions of low/moderate income (LMI) projects shall be reviewed as followed:
- a. Where expansions of affordable housing units under this provision are being utilized, up to a maximum of eight (8) or less units being created, shall be reviewed and approved by the City's Staff Review Committee (SRC). Projects exceeding eight (8) units shall be reviewed by the Planning Board for Site Plan and Subdivision review.
 - b. Parking standards for affordable housing projects of this nature, shall provide a minimum of one parking space for every two (2) low/moderate income (LMI) housing units created. For units exceeding the low/moderate income (LMI) threshold, parking shall be provided as required within the City's parking standards.
3. Vacant Land Development: For vacant lots located within the R-1-A, R-1-B, R-2, R-3, OR, and MSRD-2 Zoning Districts, utilizing the density bonus standards within Section B, for low/moderate income (LMI) housing developments, may increase the base density by 2.5% of the particular zoning district where the lot is located.
4. The developer may elect to utilize either the 500 square feet of gross building living space floor area calculation outlined in Section 1A, or increasing the base density by 2.5%, as outlined in Section 3, providing it equates to more affordable housing being provided.
- ~~2.~~ 5. Condominium conversions/development:
- a. A property may be proposed for redevelopment/renovation from apartments into condominiums in accordance with 1 above.
 - b. An applicant provided a density bonus for condominiums shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as condominiums to be offered for sale upon or before completion of the project in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which shall be provided to the Code Enforcement Office prior to the issuance of any building permits.

ESTABLISHMENT OF ZONES

V Attachment 2 City of Biddeford Table B

DRAFT Amendments – Density Bonus Ordinance Planning Board Public Hearing: November 1, 2023

- c. The applicant agrees that if the project is converted to condominiums, said units shall not be sold for a price that exceeds 125% of the York County median home price affordable to median-income households as set annually by HUD for the City of Biddeford.
- C. Applies only to dwelling units. All other uses shall have a minimum of 10,000 square feet.
- D. (Reserved)
- E. All buildings and structures shall be set back at least 50 feet from any zone in which residential dwellings are an allowed use, except as otherwise provided in this table.
- F. (Reserved)
- G. (Reserved)
- H. Roadside stands may be 10 feet from the major access road.
- I. This is the density limit for the expansion of existing residential dwelling units.
- J. Applies to all uses.
- K. Hospital height limit shall be 110 feet.
- L. Does not apply to cluster development.
- M. The number of accessory structures shall meet setback requirements; and shall be limited to no more than three per lot; and shall not exceed the height of the primary structure; and any plumbing, if necessary, shall be limited to a utility sink. Structures associated with bona fide working agricultural uses are not subject to these limits.
- N. Any use not serviced by a public water supply must show evidence that it is serviced by a potable water supply meeting minimum state standards for safe drinking water.
- O. Any residential structures in existence prior to December 20, 1990, may be expanded or added to as long as they meet minimum setbacks (from major access, 40 feet; from other streets, 25 feet; from side and rear property lines, 10 feet).
- P. The location of new or expanded buildings and structures including the replacement of existing buildings in the Institutional Zone shall conform to the approved Institutional Master Plan and the following dimensional standards:
 - 1. Maximum height. The maximum height of buildings in the Institutional Zone shall be 35 feet, 50 feet, or 65 feet depending upon in which building height subdistrict the building is located. The building height subdistricts and maximum building heights are shown on the Institutional Zone Subdistrict Map dated September 6, 2001, and described in boundary descriptions prepared by an independent registered land surveyor licensed to practice in the State of Maine which are made a part of this ordinance. Notwithstanding the maximum building height provision, the tallest point of any building

ESTABLISHMENT OF ZONES
V Attachment 2
City of Biddeford
Table B

DRAFT Amendments – Density Bonus Ordinance
Planning Board Public Hearing: November 1, 2023

or structure, including appurtenant structures, in the Institutional Zone shall not exceed 115 feet above sea level based upon the national geodetic vertical datum (NGVD), unless a higher elevation is mandated as part of a state or federal environmental approval or permit.

2. Minimum building setbacks from public streets. All buildings in the Institutional Zone shall conform to the following minimum setbacks from public streets:

- South side of Hills Beach Road from intersection with Old Pool Road east to a point 250 feet west of the zone boundary/property line: 25 feet.
- South side of Hills Beach Road from a point 250 feet west of the zone boundary/property line east to the zone boundary: 50 feet with a provision that it can be reduced to 25 feet if replacement buildings at the housing park are located further from the wetland.
- North side of Hills Beach Road from intersection with Old Pool Road east to the zone boundary: 50 feet.
- Both sides of Hills Beach Road from intersection with Old Pool Road west to the zone boundary at Route 9: 50 feet with a provision that it can be reduced to 25 feet when a Hills Beach bypass is built that conforms to the following standards and is approved as part of the Institutional Master Plan.
- Both sides of Old Pool Road: 50 feet.
- Both sides of Pool Road (Route 9): 50 feet.
- Both sides of Newtown Road: 40 feet.
- Both sides of the Hills Beach bypass road when built: 50 feet.

The reduced setback along the westerly portion of Hills Beach Road shall be effective only if a Hills Beach bypass road has been constructed that meets the following standards:

- a. The road shall be designed and located to allow traffic to Hills Beach to travel directly from Route 9 to the approximate vicinity of the intersection of Old Pool Road and Hills Beach Road without using campus roads.
- b. The intersection with Route 9 will be located at an appropriate location for this use.
- c. The road shall be designed as a limited access facility with not more than one curb cut on each side providing campus access through internal campus streets. These curb cuts shall be in addition to any intersections with public streets or roads.
- d. No buildings or parking lots shall have direct access to or from the bypass road.
- e. A landscaped street buffer shall be established as provided for in Section 43 of Article VI.

ESTABLISHMENT OF ZONES
V Attachment 2
City of Biddeford
Table B

DRAFT Amendments – Density Bonus Ordinance
Planning Board Public Hearing: November 1, 2023

3. Minimum building setback from the perimeter of the Institutional Zone. All buildings shall be setback a minimum of 50 feet from the external boundary of the Institutional Zone where such zone boundary abuts a Suburban Residential (SR-1), Coastal Residential (CR), or Rural-Farm (R-F) Zone. The area along the zone boundary shall be maintained as a landscaped buffer in accordance with the provisions of Article VI, Section 12.
4. Maximum lot coverage. The maximum lot coverage shall be as follows:
 - a. Within the area south of Route 9 and west of the Newtown Road: 10%.
 - b. Within the area South of Route 9 and east of the Newtown Road: 30%.
 - c. Within the area North of Route 9: No maximum except as provided for in 5, Restricted Development Areas.
- 5.-Restricted development areas. Within the areas identified as “No Build Zones” on the Institutional Zone Subdistrict Map dated September 6, 2001, and described in boundary descriptions prepared by an independent registered land surveyor licensed to practice in the State of Maine which are made a part of this ordinance, the following additional requirements shall apply:
 - a. No new buildings, parking, roads, or access drives shall be constructed except for the construction of a Hills Beach bypass road and connections to the bypass road from existing public streets.
 - b. Existing buildings, parking, roads, and access drives may be maintained and may be improved with Planning Board approval but may not be relocated or expanded except as provided for in a.
 - c. The existing student housing park located on the south side of the Hills Beach Road may be replaced with new low-impact academic or support facilities. Low impact is defined as meeting the following standards:
 - ~~1).~~ 1). The replacement has been approved as part of the institutional master plan.
 - ~~2).~~ 2). The total footprint area of all replacement buildings and structures shall not exceed 14,400 square feet.
 - ~~3).~~ 3). The amount of nonvegetated area after redevelopment shall be not more than the amount of nonvegetated area existing at the time of adoption of this provision.
 - ~~4).~~ 4). No buildings, structures, parking, or other impervious surfaces shall be located closer to any adjacent wetland or the external boundary of the Institutional Zone than the existing facilities being replaced and, where possible, the setback from wetlands shall be increased.
 - ~~5).~~ 5). The architectural design of the low-impact academic or support facilities shall be compatible with the adjacent residential character, consistent with the approved University

ESTABLISHMENT OF ZONES
V Attachment 2
City of Biddeford
Table B

DRAFT Amendments – Density Bonus Ordinance
Planning Board Public Hearing: November 1, 2023

Master Plan Architectural Design Standards, and shall be limited to a maximum height of 35 feet.

- ~~6).~~ The low-impact academic or support facilities shall have no greater impact on the adjacent wetlands, than did the development existing at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a wetlands delineation plan and stormwater management plan submitted as part of the application for site plan approval.
- ~~7).~~ The low-impact academic or support facilities shall have no greater light intrusion, noise or traffic impact (both vehicular and pedestrian) on adjacent residential properties, than did the development existing on the site at the time of the approval of the 2003-2007 Master Plan (approved May 7, 2003), as demonstrated by a noise mitigation plan and traffic study submitted as part of the application for site plan approval.
- d. No new athletic fields or athletic facilities shall be constructed.
- e. Existing athletic fields may be maintained and improved but may not be expanded.
Improvements to the existing fields shall be limited to items such as fencing, buffering, portable grandstands, scoreboards, lighting, temporary rest room facilities, storage sheds with less than 300 square feet of floor area, and similar facilities.
- f. The areas not currently used for athletic fields, parking or the student housing park shall be maintained as naturally vegetated areas and shall not be converted to lawns or other improved open space. Existing vegetation shall be maintained subject to sound management practices relative to cutting, thinning, pruning, and similar activities.
- Q. Existing nonconforming lots or structures may be considered for conversion to nonresidential uses allowed in the OR Zone, provided that neither structure nor lot are made more nonconforming as a result of the conversion.
- R. The setback may be reduced to the average of the lots immediately adjacent to the lot, as determined by the Code Enforcement Officer.
- S. The Building Inspector may allow a lessening of setback requirements, to no less than 10 feet, for utility buildings and structures to facilitate utility infrastructure improvements. Any such buildings or structures built under this provision shall be removed when no longer used for such necessary utility infrastructure.



City Council

Meeting Date: April 16, 2024

Meeting Time: 6:00 PM

Agenda Item No: 12.f

Item Description: Zoning Ordinance Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet.

Submitted by: David C.M. Galbraith, City Planner

Supporting Information/Documentation:

Attached are copies of the following:

1. Planning Board Report, dated January 31, 2024
2. Planning Board Report dated February 21, 2024
3. Meeting minutes dated February 21, 2024
4. Email from Roby Fecteau, Code Enforcement Director to Larry Patoine, Planning Board Chair regarding construction considerations, dated February 21, 2024.

Key Terms:

N/A

Executive Summary:

Staff is recommending a Zoning Ordinance text amendment to reduce the side and rear setbacks within the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet.

Detailed Review:

City Staff continues to review our land use policies / zoning to create additional housing opportunities within the downtown. As such, numerous Ordinance amendments have been presented to the Planning Board and the public, which resulted in the amendments being adopted by the City Council.

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer	Water and Sewer	Water or Sewer	Neither Water Nor Sewer	From Major R.O.W.	From Other R.O.W.	Side	Rear	Stories	Feet
MSRD-1	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet; Max. 60 feet	
MSRD-2	2,000 B	N/A	N/A	N/A	50	N/A	N/A	15 R	15 R	10	10	3	35
MSRD-3	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet	

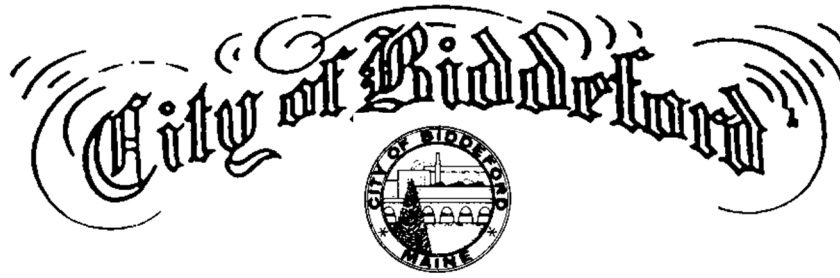
The above spreadsheet is taken directly from Table B “Dimensional Requirements”. The MSRD-1 and MSRD-3 zoning districts have zero (0) side and rear yard setbacks. Staff originally recommended reducing the side and rear yard setbacks down to five (5) feet but when the amendment was being reviewed by the Planning Board, the Board modified the request to eliminating the side and rear yard setbacks in the MSRD-2 zoning district, which allows to increased development within the downtown.

Funding Source:

N/A

Staff Recommendation:

The Planning Board has forwarded the proposed text amendment to the City Council to adopt the amendment as written. The proposed amendment would reduce the side and rear building setbacks from ten (10) feet to zero (0) feet. The Board and City Staff are recommending that the City Council adopt the proposed amendment as written.



2024.52 IN BOARD OF CITY COUNCIL BE IT ORDERED, that the attached Zoning Ordinance Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet, as written and recommended for adoption by the Planning Board and as shown below:

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**			Maximum Heights+		
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer	Water and Sewer	Water or Sewer	Neither Water Nor Sewer	From Major R.O.W.	From Other R.O.W.	Side	Rear	Stories	Feet
MSRD-2	2000 B	N/A	N/A	N/A	50	N/A	N/A	15 R	15 R	10 None	10 None	3	35

April 16, 2024
 Motion: Councilor Beaupre
 Second: Councilor Whiting
 Vote: Unanimous in favor.
 Motion passed.

Attest by: _____
 Robin Patterson, City Clerk

Whitten, Nan

From: Fecteau, Roby
Sent: Wednesday, February 21, 2024 9:38 AM
To: Larry Patoine; Galbraith, David
Cc: Whitten, Nan
Subject: MSRD 2

Good morning Larry,

Something has come up at home that I need to tend to this evening so I won't be able to make the planning board meeting.

I wanted to take a moment and give you my thoughts on the reduced setbacks related to the MSRD zone. The current setback allows the code office to reduce the front yard setbacks pursuant to "The setback may be reduced to the average of the lots immediately adjacent to the lot, as determined by the Code Enforcement Officer." If the front yard setback is greater than 15' on the immediately lots than the front setback can be at 15'

The side and rear are currently at 10'. Years ago staff reviewed the District and it was clear that most properties had average setback of 5' or less. The codes office is not opposed to a lesser setback of 5' but I wanted to inform the board that building less than 10' away from buildings has a design/construction method that needs to be considered. For development of additions or new buildings, there is an element of fire separations to be considered. Construction of walls, gables, windows and doors will need to be fire rated. It's not impossible but there is a financial piece that should be considered.

The building code allows certain buildings on certain lots to be closer together. This is accomplished by increasing the fire rating so the spread of fire is limited. This code doesn't necessarily need to be in the land use code because its handled through the code office permitting

Thanks

Roby Fecteau
Director of Code Enforcement &
Emergency Management
City of Biddeford
205 Main St. Suite 104
207-284-9236
robby.fecteau@biddefordmaine.org

Monday & Tuesday – 7:00 a.m. to 5:00 p.m.
Wednesday & Thursday – 8:00 a.m. to 4:00 p.m.
Closed on Fridays



CITY OF BIDDEFORD

Planning and Development Department

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

Planning Board Meeting Meeting Minutes

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

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Larry Patoine (Chair), Susan Deschambault, Roch Angers, Alexa Plotkin, Stephen Beaudette & Dylan Doughty (Alternate Member)
Staff Present: David Galbraith & Nan Whitten
Chair Patoine opened the meeting at 6:00 PM
3. Adjustments to the Agenda-none
4. Planner's Business-none
5. Consent Agenda
5. A. Approval of Meeting Minutes from 2-7-23
Motion-Deschambault -Motion to approve minutes as presented
Second-Angers Motion passed unanimously
Motion passed unanimously
6. New Business
6. A. 2021.17 The Biddeford Planning Board will hold a Public Meeting to discuss and ask questions regarding a request for Site Plan & Subdivision Preliminary & Final Approval for Southern Maine Affordable Housing for 39 residential units at 69 Adam's Street (Tax Map 38, Lot 296).
 - Galbraith gave a brief overview of the project and approval/extension history
 - No changes to request from previous case
 - No comments from the public
 - Patoine, this is a technicality
 - Applicant would like preliminary and final approval tonightMOTIONS: 6:04 PM
Motion-Angers - To Reapprove Case # 2021.04 A Final Subdivision and Site Plan Re-approval request for Adams Point Housing – Southern Maine Affordable Housing / 69 Adam's Street (Tax Map 38, Lot 296) for 39 residential units, with the provided Conditions of Approval as written.
Second- Deschambault Motion passed unanimously
6. B. 2023.36 The Biddeford Planning Board will hold a public meeting regarding a Preliminary Review Application submitted by Riverbend Reserve, LLC for Homestead by

the River. The request is to erect a 6,000 square foot pole barn, 1,950 square foot lean, and a 2,504 square foot 16-foot-wide gravel drive at Homestead by the River Campground located at 608-610 New County Road further described as Tax Map 6, Lot 35-2 in the Rural Farm District (RF) and Shoreland Overlay.

- Galbraith introduced the project and history of attempted projects for these applicants.
- Applicants would like Sketch Plan and Preliminary Approval tonight
- Peter Valcourt represented the application
- No public comments
- Patoine asked about the stop work permit, "only moved dirt around."
- Patoine asked about need of stormwater report needed-no
- Galbraith stated solar panels ok on roof, no ground mounted allowed
- Angers will that policy be reviewed, down the road
- Angers do we need two different motions-no mentioned in motion as sketch and preliminary

MOTIONS: 6:16 PM

Motion- Deschambault- Motion to waive Article XI, Full Site Plan Review. I motion to waive Article XI, full site plan review, as no site improvements are being made.

Second-Angers Motion passed unanimously

Motion-Deschambault - Motion to approve, the sketch & preliminary site plan approval for the construction of a 6,000 square foot storage building for the storage of RV's used at the facility at 608-610 New County Road (Property ID# Map 6, Lot 35, Sub-lot 2).

Second- Angers Motion approved unanimously

7. Open Public Hearing

9. A. 2024.05 Ordinance Amendment-SECOND READING Update Staff Review Committee Membership Composite

- Galbraith re-introduced amendment, notated changed requested
- Angers happy with what he has seen
- Patoine clarified wording in the order
- Deschambault concerned about quick turn around with notifications-10 days for notification in posting and abutters within 250'

MOTIONS: 6:21 PM

Motion-Angers -Motion to approve a positive recommendation to the City Council to adopt the proposed amendment to update the staff review committee membership composite as presented

Second-Deschambault Motion passed unanimously

9. B. 2024.07 SECOND READING to amend V Attachment 2 Table B Dimensional Requirements to change the side setbacks in the MSRD-2 zone from 10' to 0'

- Galbraith described proposed changes and discussion previously held
- Codes has stated there may be some fire prevention involved with setbacks of 0'
- Galbraith read an email from CEO Fecteau regarding fire separations with setbacks down to 0'

- Patoine wants footnote added to chart explaining fire separations needed with the reduced setback
- Plotkin wondered about the necessity of the footnote, suggested date of change
- Beaudette effect of pre-existing structure-not with ordinances, how do egress windows get affected, Codes will tell them what can and cannot be done

MOTIONS: 6:32 PM

Motion-Deschambault- Motion to approve a positive recommendation to the City Council to adopt the proposed Amendments to Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to zero (0) feet. Additional footnote

Second- Angers **Motion passed unanimously**

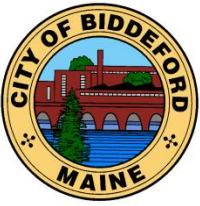
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- Angers 5 Points Shopping Center in Courier, anything going on? Galbraith has contacted them and told them they have to go to Planning Board. Applicant is aware of it and preparing for submittal
- Diamond National still working on it
- Galbraith updated Board on upcoming projects

Meeting adjourned at 6:42 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

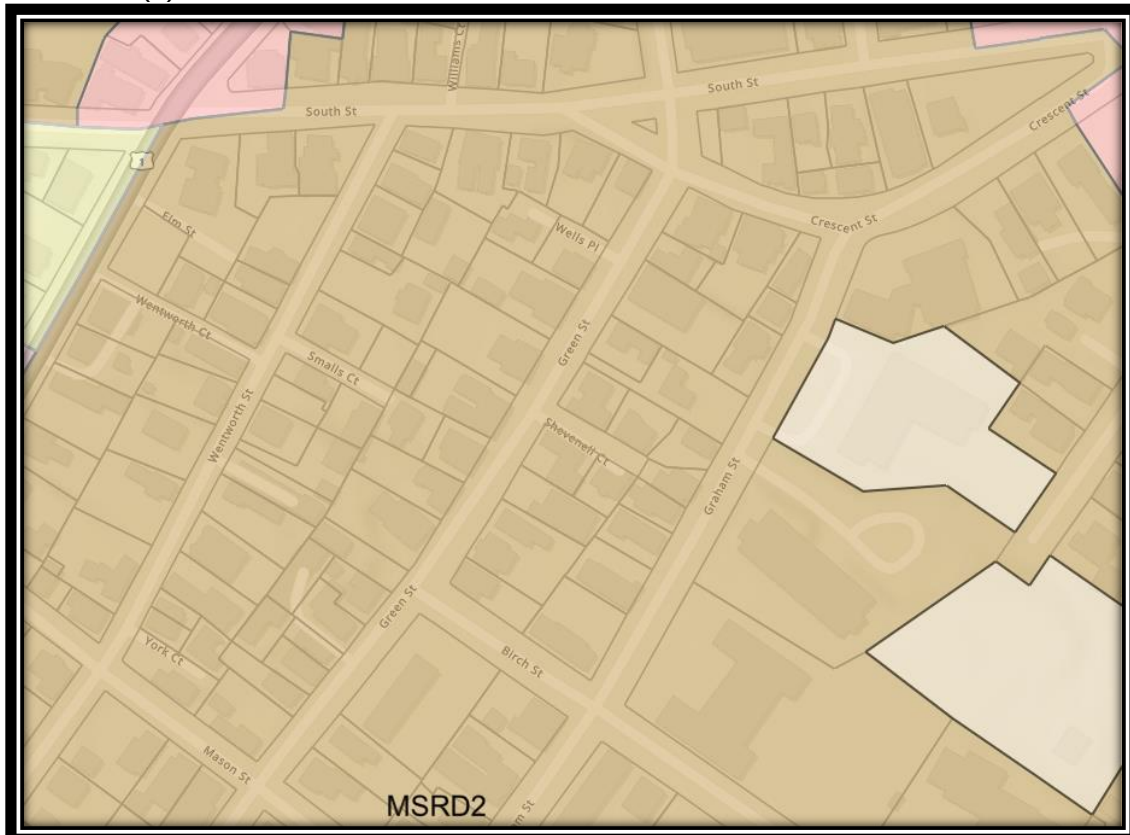
DATE: January 31, 2024

RE: Zoning Ordinance Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet – FIRST READING

MEETING DATE: November 15, 2023

Overview:

This item was first introduced and discussed with the Planning Board at the 1-17-2024 regular Board meeting under “Planner’s Business”. The proposed zoning text amendment is to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the MSRD-2 zoning district from ten (10) feet to five (5) feet.



Zoning Ordinance Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet – FIRST READING

Planning Board Meeting: February 3, 2024 – FIRST READING

As the Board is aware, Staff has been reviewing a number of ordinances and has been recommending a number of amendments related to the housing demands the City has been experiencing. When reviewing the MSRD-2 zoning district Staff realized that a large number of existing residential buildings within the MSRD-2 district didn’t meet the required ten (10) foot side and rear setbacks. The proposed five (5) foot setback reduction would allow additional room / flexibility when working with clients on housing rehabilitation projects. In addition, the reduction would bring properties with non-conforming setbacks into closer conformity. When discussing this matter with Roby Fecteau, Director of Code Enforcement he informed me that this Ordinance amendment had previously been discussed with prior City Planners but they never brought the amendment forward for consideration.

When evaluating the dimensional requirements of the MSRD-2 zoning district compared to the MSRD-1 & MSRD-3 (see below excerpt) you will notice that the MSRD-1 & 3 districts require no dimensional setback requirements.

Zoning District	Minimum Lot Size, Square Feet Per Unit A				Frontage			Minimum Setback, Feet**				Maximum Heights+	
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer	Water and Sewer	Water or Sewer	Neither Water Nor Sewer	From Major R.O.W.	From Other R.O.W.	Side	Rear	Stories	Feet
MSRD-1	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet; Max. 60 feet	
MSRD-2	2,000 B	N/A	N/A	N/A	50	N/A	N/A	15 R	15 R	10	10	3	35
MSRD-3	None	N/A	N/A	N/A	None	None	None	None	None	None	None	Min. 2 stories or 26 feet	

Staff Recommendations:

Staff is supportive of this amendment and requests that the Planning Board forward a positive recommendation for adoption of the proposed amendments to the City Council to formally adopt:

SAMPLE MOTION #1 – Table A:

- A. Motion to Approve: I motion to APPROVE the proposed Amendments to Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet, as written.
- B. Motion to Deny I motion to DENY the proposed Amendment to Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet, for the following reasons:
 - 1) _____.
 - 2) _____.
 - 3) _____.
- C. Motion to Table: I motion to TABLE the proposed Amendments to Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional

Zoning Ordinance Amendment: Code of Ordinances, Part III: Land Development Regulations, Article V – Establishment of Zones, Amendment to Table B “Dimensional Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet – FIRST READING

Planning Board Meeting: February 3, 2024 – FIRST READING

Requirements” to reduce the side and rear yard setback requirements in the City’s MSRD-2 zoning district from ten (10) feet to five (5) feet, for the following reasons:

- 1) _____.
 - 2) _____.
 - 3) _____.
- _____.



City Council

Meeting Date: April 16, 2024

Meeting Time: 6:00 PM

Agenda Item No: 12.g.

Item Description: Zoning Ordinance Text Amendment - Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority.

Submitted by: David C.M. Galbraith, City Planner

Supporting Information/Documentation:

Attached are copies of the following:

1. Proposed text amendment, dated January 31, 2024
2. Proposed text amendment, dated February 21, 2024
3. Meeting minutes dated February 21, 2024
4. Bennett memo to Policy Committee, titled “Incentives to Create More Dedicated Affordable Housing Units”, dated February 1, 2024

Key Terms:

Staff Review Committee (SRC)

Executive Summary:

The proposed amendments would include the Planning Board Chair as a member of the Staff Review Committee (SRC) and also the proposed changes establish formal procedures for how the SRC meetings and hearings will be conducted and the notifications of such.

Detailed Review:

The proposed amendment would include the Planning Board Chair, or their official designees to be a member of the Staff Review Committee (SRC) for consistency and transparency. The impetus for this amendment stemmed from the February 1, 2024 memorandum to the City’s Policy Committee from the City Manager which stated:

“Create a process where the expansion of affordable housing units under this provision would go through an accelerated process. That process would be to grant authority of approval at the Staff Review Committee (SRC) level instead of the Planning Board level. No other changes to the project would be allowed, otherwise the project would need to go through the normal Planning Board process. As part of this change, a conversation with the Planning Board should occur to discuss if a member of the Planning Board be added to the SRC process”. (Emphasis added)

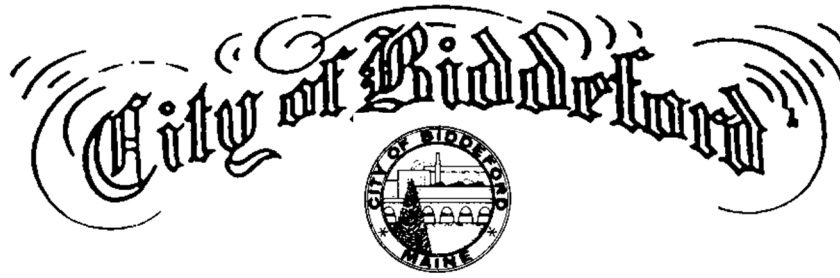
The Planning Board discussed this concept and agreed that having a representative of their Board on the SRC would provide additional consistency and transparency. While reviewing the SRC duties, Staff and the Board determined that specific policies, rules and procedures should be included in the SRC responsibilities. The proposed amendments also include / establish standards and procedures on how the Committee will conduct business and notifications of meetings / hearings. The Board and City Staff are recommending that the City Council adopt the proposed amendment as written.

Funding Source:

N/A

Staff Recommendation:

The Planning Board has forwarded the proposed text amendment to the City Council to adopt the amendment as written.



2024.53 IN BOARD OF CITY COUNCIL BE IT ORDERED, that the attached Zoning Ordinance Amendment: Code of Ordinances, Part III: Zoning Ordinance Text Amendment - Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority, as written and recommended for adoption by the Planning Board and as shown below in blue underline for text additions:

C. Delegation of Planning Board review authority.

The authority of the Planning Board to review certain minor development projects is hereby delegated to the Staff Review Committee (SRC) in accordance with the provisions of this section. Whenever such delegation occurs, the term "Planning Board" shall also refer to the Staff Review Committee.

1. Planning Board responsibilities. The Planning Board is responsible for the review of all major projects and of any minor project for which Planning Board review is requested by the applicant. The Planning Board may conduct minor development review if recommended by either the City Planner or the Staff Review Committee.

2. Staff ~~f~~Review ~~e~~Committee (SRC) responsibilities.

a. The Staff Review Committee shall consist of the City Planner, City Engineer, Public Works Director, Code Enforcement Officer, Economic Development Director, Recreation Director, Fire Chief, Police Chief, Assessor, the Planning Board Chair, Superintendent of the Biddeford Water District, and the Wastewater Department head of the Biddeford Sewer District, or their official designees.

1) The City Planner shall precede as the Staff Review Committee's Chairperson and the Director of Code Enforcement shall act as the Vice Chair.

2) The Committee members shall meet informally on a regular basis, as determined by the City Planner, to discuss any project / issue impacting the City.

3) Any member of the Committee may request a group meeting and all participants may bring topics for discussion.

4) Hearings: All Staff Review Committee hearings shall be:

- a) Conducted following Robert's Rules of Order
- b) Open to the public in person or remotely
- c) Publicly posted on the City's web-site and include abutter notification
- d) Publicly noticed and abutting property owners notified

April 16, 2024

Motion: Councilor Beaupre

Second: Councilor Lessard

Councilor LaFountain – motion to amend to add 2.a.4.e. “Public Hearing minutes will be posted to the City website within 14 days.”

Second: Councilor Whiting

Vote on the amendment: Unanimous in favor.

Amendment passed.

Councilor Belanger motion to amend line 2.a.1. to change “precede” to “serve” and line 2.a.4.b. to change “or” to “and/or”

Second: Councilor Whiting

Vote on the amendment: Unanimous in favor.

Amendment passed.

Vote on the order as amended: Unanimous in favor.

Motion passed.

Attest by: _____
Robin Patterson, City Clerk



CITY OF BIDDEFORD

Planning and Development Department

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

Planning Board Meeting Meeting Minutes

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

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Larry Patoine (Chair), Susan Deschambault, Roch Angers, Alexa Plotkin, Stephen Beaudette & Dylan Doughty (Alternate Member)
Staff Present: David Galbraith & Nan Whitten
Chair Patoine opened the meeting at 6:00 PM
3. Adjustments to the Agenda-none
4. Planner's Business-none
5. Consent Agenda
5. A. Approval of Meeting Minutes from 2-7-23
Motion-Deschambault -Motion to approve minutes as presented
Second-Angers Motion passed unanimously
Motion passed unanimously
6. New Business
6. A. 2021.17 The Biddeford Planning Board will hold a Public Meeting to discuss and ask questions regarding a request for Site Plan & Subdivision Preliminary & Final Approval for Southern Maine Affordable Housing for 39 residential units at 69 Adam's Street (Tax Map 38, Lot 296).
 - Galbraith gave a brief overview of the project and approval/extension history
 - No changes to request from previous case
 - No comments from the public
 - Patoine, this is a technicality
 - Applicant would like preliminary and final approval tonightMOTIONS: 6:04 PM
Motion-Angers - To Reapprove Case # 2021.04 A Final Subdivision and Site Plan Re-approval request for Adams Point Housing – Southern Maine Affordable Housing / 69 Adam's Street (Tax Map 38, Lot 296) for 39 residential units, with the provided Conditions of Approval as written.
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the River. The request is to erect a 6,000 square foot pole barn, 1,950 square foot lean, and a 2,504 square foot 16-foot-wide gravel drive at Homestead by the River Campground located at 608-610 New County Road further described as Tax Map 6, Lot 35-2 in the Rural Farm District (RF) and Shoreland Overlay.

- Galbraith introduced the project and history of attempted projects for these applicants.
- Applicants would like Sketch Plan and Preliminary Approval tonight
- Peter Valcourt represented the application
- No public comments
- Patoine asked about the stop work permit, "only moved dirt around."
- Patoine asked about need of stormwater report needed-no
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- Angers will that policy be reviewed, down the road
- Angers do we need two different motions-no mentioned in motion as sketch and preliminary

MOTIONS: 6:16 PM

Motion- Deschambault- Motion to waive Article XI, Full Site Plan Review. I motion to waive Article XI, full site plan review, as no site improvements are being made.

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Second- Angers Motion approved unanimously

7. Open Public Hearing

9. A. 2024.05 Ordinance Amendment-SECOND READING Update Staff Review Committee Membership Composite

- Galbraith re-introduced amendment, notated changed requested
- Angers happy with what he has seen
- Patoine clarified wording in the order
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Second- Angers **Motion passed unanimously**

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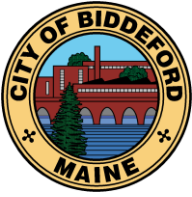
Meeting adjourned at 6:42 PM


 Planning Board Chair/Vice Chair


 Date

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City of Biddeford, Maine



The Office of
City Manager

James A. Bennett

Email: jbennett@biddefordmaine.org

MEMORANDUM

TO:	Policy Committee
FROM:	James A. Bennett, City Manager
DATE:	February 1, 2024
RE:	Incentives to Create More Dedicated Affordable Housing Units

Below you will find recommendations that staff is supporting in order to create additional incentives for property owners to voluntarily create additional dedicated affordable housing units within the community. The following is the list of those recommendations. They are not listed in any particular order.

Major changes to every community in housing policy via the state preempting a community's local control. During the last legislative session, a sweeping land use changes were enacted in what is being referred to as 'LD2003'. Modifications to the law occurred in this session, which included the delaying of the implementation dates. For Biddeford (and other communities that do not have a Town Meeting form of government), compliance has been delayed by six months (January 1, 2024).

Final rule making by the State is not expected for least another four months. Staff has prepared these recommendations based on the assumptions of what we reasonably believe the rules will be. The most significant of those assumptions are the hurdles that a project must meet in order to be in compliance.

There are two major categories of incentives within LD2003. Relaxation of parking standards as well as the creation of additional units on a property are allowable, if the project achieves the standards established for new affordable housing units. That standard requires that 51% of all of the new units must be affordable. The State's definition of affordability is the units must rent for no more than 80% of the AMI (average median household income) for a thirty year period.

Staff has concerns that the threshold put forth by the state will be economically challenging for most projects, unless the areas have extremely high AMI. In developing the incentives, much like the balance of IZ conversation, our attempted was to offer levels that we believe are obtainable. Further restricted that our incentives cannot be more restrictive than that of the state, we are offering the following:

1. Allowing a City incentive of 30% of the new units if the units are held at 70% of the AMI for a thirty year period. The City incentives would be similar to the state's.
 - a. Lowering the parking standards to one per every two units created;
 - b. Lowering the living space per unit to 500 square feet of gross space (excluding basement);
2. These incentives would be allowed in the current MSRD 1, MSRD 2, MSRD 3, B1, GD1 and OR zones in the City.

3. Allow a portion of the R2 and R1A zones to also benefit from the affordable housing incentives. The simplest way would be to convert these areas to MRSD2. The areas are in the downtown and currently adjacent to the current MRSD2 zone. A map is included.
4. Create a process where the expansion of affordable housing units under this provision would go through an accelerated process. That process would be to grant authority of approval at the Staff Review Committee (SRC) level instead of the Planning Board level. No other changes to the project would be allowed, otherwise the project would need to go through the normal Planning Board process. As part of this change, a conversation with the Planning Board should occur to discuss if a member of the Planning Board be added to the SRC process.

Staff is suggesting that we take these steps as the initial consideration for the incentives. Further, evaluation on the impacts should be considered before expanding into areas outside of the immediate downtown area. Also, any consideration of changes to lot coverage, setbacks, lot frontage requirements should be considered outside of the affordable housing incentives based on Council feedback.

As always, staff is prepared to assist the Committee in working through these challenging discussions.

Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority.

Planning Board First Reading February 3, 2024

C. Delegation of Planning Board review authority.

The authority of the Planning Board to review certain minor development projects is hereby delegated to the Staff Review Committee in accordance with the provisions of this section. Whenever such delegation occurs, the term "Planning Board" shall also refer to the Staff Review Committee.

1. Planning Board responsibilities. The Planning Board is responsible for the review of all major projects and of any minor project for which Planning Board review is requested by the applicant. The Planning Board may conduct minor development review if recommended by either the City Planner or the Staff Review Committee.

2. Staff review committee responsibilities.

a. The Staff Review Committee shall consist of the City Planner, City Engineer, Public Works Director, Code Enforcement Officer, Economic Development Director, Recreation Director, Fire Chief, Police Chief, Assessor, [the Planning Board Chair](#), Superintendent of the Biddeford Water District, and the Wastewater Department head of the Biddeford Sewer District, or their official designees.

b. The Staff Review Committee, in its development review capacity, shall exercise all of the powers exercised by the Planning Board and the power to approve, approve with conditions, or deny applications for site plan approval.

c. Actions by the Staff Review Committee to approve an application, with or without conditions, shall require the approval of a majority of those members present and voting. A quorum shall consist of three members.

d. The Staff Review Committee shall set forth the reason for its decisions and make findings of fact, in writing, within seven days of the meeting. Such findings of fact shall be sufficient to apprise the applicant and any interested member of the public of the basis for the decision.

e. All appeals to a Staff Review Committee decision shall be heard by the Planning Board.

f. The Staff Review Committee shall provide recommendations to the Planning Board for any project undergoing major development review. Individual members of the committee may in addition submit letters of recommendations to the Planning Board.

3. These regulations shall apply, as necessary, to alterations and/or additions to structures existing on the effective date of these regulations.

4. Upon request by the applicant, all or specific standards and considerations that are part of this site review process may be waived or amended by the Planning Board.

5. No building permit shall be issued for any building or structure within the purview of these regulations until such approval has been secured and presented to the Building Inspector.

6. No certificate of occupancy (CO) shall be issued for any building or structure or use of land within the purview of these regulations unless or until the building, structure, development, land or use is constructed, developed, altered, installed or used in conformity with an approved site development plan or an amendment to any such plan.

Part III: Land Development Regulations, Article XI – Site Plan Review, Section 4 – Applicability, Subsection C – Delegation of Planning Board review authority.

Planning Board Second Reading February 21, 2024

NOTE: Text deletions shown as ~~red strikethrough~~, text additions in blue underline.

C. Delegation of Planning Board review authority.

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1. Planning Board responsibilities. The Planning Board is responsible for the review of all major projects and of any minor project for which Planning Board review is requested by the applicant. The Planning Board may conduct minor development review if recommended by either the City Planner or the Staff Review Committee.

2. Staff ~~R~~Review ~~e~~Committee (SRC) responsibilities.

a. The Staff Review Committee shall consist of the City Planner, City Engineer, Public Works Director, Code Enforcement Officer, Economic Development Director, Recreation Director, Fire Chief, Police Chief, Assessor, the Planning Board Chair, Superintendent of the Biddeford Water District, and the Wastewater Department head of the Biddeford Sewer District, or their official designees.

1) The City Planner shall precede as the Staff Review Committee's Chairperson and the Director of Code Enforcement shall act as the Vice Chair.

2) The Committee members shall meet informally on a regular basis, as determined by the City Planner, to discuss any project / issue impacting the City.

3) Any member of the Committee may request a group meeting and all participants may bring topics for discussion.

4) Hearings: All Staff Review Committee hearings shall be:

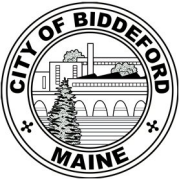
a) Conducted following Robert's Rules of Order

b) Open to the public in person or remotely

c) Publicly posted on the City's web-site and include abutter notification

d) Publicly noticed and abutting property owners notified

- b. The Staff Review Committee, in its development review capacity, shall exercise all of the powers exercised by the Planning Board and the power to approve, approve with conditions, or deny applications for site plan approval.
 - c. Actions by the Staff Review Committee to approve an application, with or without conditions, shall require the approval of a majority of those members present and voting. A quorum shall consist of three members.
 - d. The Staff Review Committee shall set forth the reason for its decisions and make findings of fact, in writing, within seven days of the meeting. Such findings of fact shall be sufficient to apprise the applicant and any interested member of the public of the basis for the decision.
 - e. All appeals to a Staff Review Committee decision shall be heard by the Planning Board.
 - f. The Staff Review Committee shall provide recommendations to the Planning Board for any project undergoing major development review. Individual members of the committee may in addition submit letters of recommendations to the Planning Board.
3. These regulations shall apply, as necessary, to alterations and/or additions to structures existing on the effective date of these regulations.
4. Upon request by the applicant, all or specific standards and considerations that are part of this site review process may be waived or amended by the Planning Board.
5. No building permit shall be issued for any building or structure within the purview of these regulations until such approval has been secured and presented to the Building Inspector.
6. No eCertificate of eOccupancy (CO) shall be issued for any building or structure or use of land within the purview of these regulations unless or until the building, structure, development, land or use is constructed, developed, altered, installed or used in conformity with an approved site development plan or an amendment to any such plan.



City Council

Meeting Date: May 7, 2024

Meeting Time: 6:00 pm

Agenda Item No: 13.a

Item Description: Storm Damage Engineering Services

Submitted by: Roby Fecteau, Director of Code Enforcement & Emergency Management

Supporting Information/Documentation:

Key Terms:

N/A

Executive Summary:

City of Biddeford sustained extensive infrastructure damage from the January coastal storms on January 10th and 13th. All the damaged areas have all sustained a level of damage from past storms. City staff published a request of qualification for engineering services to review these areas and assist us in designing/ building more sustainable infrastructure. Three firms submitted proposals and city staff interviewed all three firms.

Detailed Review:

N/A

Funding Source:

Finance created a special expenditure account

Staff Recommendation:

Based on the interviews, City Staff is recommending Weston and Sampson

City of Biddeford



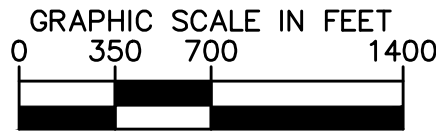
2024.61 IN BOARD OF CITY COUNCIL... May 7, 2024

BE IT ORDERED, that that the City Manager or his designee be authorized to sign a not to exceed contract (\$240,633.00) with Weston & Sampson for the survey, design of emergency protective measures and Alternative Analysis for the Jaunary 10, 2024 and January 13, 2024 storm damage.

BE IT FURTHER ORDERED, The costs associated with this contract will be reimbursed at a 75% Federal share and 15% State share. The remaining 10% is the city's local share

Attest by:_____

Plotted By: Chekan, Craig Sheet Set: WINTER STORM COASTLINE DAMAGE Layout: DAMAGE INVENTORY PLAN January 18, 2024 08:33:12am X:_Task Directory\2024\2024-004 - Winter Storm Coastline Damage CAD\Sheets\C-100 - Damage Inventory Plan - Coast.dwg



DAMAGE INVENTORY PLAN
SCALE: 1" = 700'



- NOTE:**
- HORIZONTAL DATUM: NAD83 MAINE STATE PLANE, WEST, US FOOT (ME83-WF)
 - VERTICAL DATUM: NAVD88

SHEET NUMBER C-100		WINTER STORM COASTLINE DAMAGE PREPARED FOR CITY OF BIDDEFORD		BIDDEFORD MAINE		DAMAGE INVENTORY PLAN		DRAWING INFO DATE 01/18/2024 SCALE AS SHOWN DESIGNED BY ORC DRAWN BY CHECKED BY		 CITY OF BIDDEFORD, MAINE ENGINEERING DEPARTMENT 205 MAIN STREET, P.O. BOX 586 BIDDEFORD, MAINE 04005 PHONE: 207-284-9118 WWW.BIDDEFORDMAINE.ORG																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																			
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CITY OF BIDDEFORD, MAINE
REQUEST FOR QUALIFICATIONS
ENGINEERING CONSULTING SERVICES FOR
STORM DAMAGE REPAIR
PROJECT NO. 00001

I. Introduction

The City of Biddeford is seeking Qualifications from qualified firms as they relate to providing consulting engineering services during a Presidential Disaster Declaration process with the Federal Emergency Management Agency (FEMA) and repair to city infrastructure that sustained storm damage in January 2024.

Qualifications are to be electronically submitted to Roby Fecteau, Director of Code Enforcement and Emergency Management for the City of Biddeford, at robby.fecteau@biddefordmaine.org, no later than 4:00pm on February 13, 2024

II. Project Background and Description

City roads and seawalls in coastal areas sustained significant damage as a result of storm surges during precipitation events on January 10 and 13, 2024. These areas are identified on the Damage Inventory Plan provided in Damage Inventory Plan. Locations that require engineering services as part of this RFQ include Areas #1, #2, #4, **#5** and #7.

III. Scope of Services

The following is a summary of the anticipated services in the areas designated above associated with this project:

- A. Review and evaluate pre-disaster and current conditions.
- B. Provide consulting services during FEMA disaster relief funding negotiations including cost estimating and documentation of restoring the damaged areas up until the time FEMA approves the proposed scope of work.
- C. Evaluate and design temporary repair and stabilization of the damaged areas so that the roadways and beach areas can be safely opened prior to final design repair.
- D. Evaluate cost-effective repair alternatives considering resiliency to future storm events, prepare cost estimates, and summarize the repair alternatives and cost estimates in an engineering report. Include all services necessary to complete a detailed cost-effective repair alternatives analysis.
- E. Provide permit outreach to all applicable environmental regulatory agencies, prepare and submit any and all permit applications needed for temporary repair and stabilization, and evaluate permits needed for final design construction and their approximate approval timelines.

IV. Project Schedule

The scope of services detailed above shall be completed by April 30, 2024

V. Qualifications of Applicants

Project teams must possess the following minimum qualifications:

- A. The Firm's Key Personnel should demonstrate experience with similar disaster, roadway and seawall repair, resiliency, and public works related projects.
- B. Staff experience: Firm must commit a project manager or project management team with at least ten (10) years of relevant project experience, five (5) of them managing similar design projects comparable in size and complexity.
- C. Team Experience: Firm must commit a team of engineers and permitting specialists who have worked together on similar projects, specifically projects with FEMA negotiation support and resiliency design.

VI. Contents of Qualifications Package

The City of Biddeford is requesting that interested firms submit Qualifications to provide professional services as outlined herein. The following information must be submitted with the Qualifications package and will be utilized for the selection of the firm:

- A. Cover letter including a statement of ability to complete the project on schedule given current workload.
- B. Overview and background of the firm, including qualifications and relevant project experience. Provide contact information for similar project experiences.
- C. Project team chart for key staff and subconsultants to be assigned to this project and their defined roles. Provide resumes for key staff.
- D. Technical approach to the project.

VII. Selection Criteria

The Qualifications package shall be evaluated based upon the following:

- A. Prior experience of identified key staff to be assigned to the project in terms of supporting, evaluating, and designing similar projects.
- B. Qualifications and past performance of key staff in the development of similar FEMA storm damage, negotiation support, and resilience design.
- C. Applicant's understanding of the project requirements and the technical approach to achieving completion of the project.
- D. Project manager's availability.
- E. Applicants demonstrated ability to prepare, support, and implement an effective project as well as to estimate costs, meet schedules, and monitor the quality of the work performed.
- F. Capacity and capability of the firm to perform the work on schedule.

VIII. Process

- A. The City may elect to conduct interviews with some, all, or none of the submitting firms.
- B. The City will identify a top ranked firm and seek to negotiate a scope of work, schedule, and compensation terms.
- C. If the City is unable to reach an agreement with the top ranked firm, they have the right to negotiate with the next highest ranked firm until an agreement is reached.
- D. The City reserves the right to negotiate directly with the selected firm for additional services including preliminary and final design services, permitting, bidding, construction administration, and/or other services as deemed necessary, subject to approval by the City.

IX. Questions

Technical questions regarding this RFQ should be directed to Roby Fecteau, robby.fecteau@biddefordmaine.org, no later than February 7, 2024. Any changes to this RFQ shall be made by written addendum issued no later than 7 days before the submittal deadline.

President Joseph R. Biden, Jr. Approves Major Disaster Declaration for Maine

Release Date: March 21, 2024

WASHINGTON-- FEMA announced that federal disaster assistance has been made available to the [state of Maine](#) to supplement recovery efforts in the areas affected by severe storms and flooding on Jan. 9-13, 2024.

The president's action makes federal funding available to affected individuals in Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo, Washington and York counties.

Federal funding also is available to state, tribal and eligible local governments and certain private nonprofit organizations on a cost-sharing basis for emergency work and the repair or replacement of facilities damaged by the severe storms and flooding in Cumberland, Hancock, Knox, Lincoln, Sagadahoc, Waldo, Washington and York counties.

Federal funding is also available on a cost-sharing basis for hazard mitigation measures statewide.

Robert V. Fogel has been named the Federal Coordinating Officer for federal recovery operations in the affected areas. Additional designations may be made at a later date if requested by the state and warranted by the results of further assessments.

Individuals and business owners who sustained losses in the designated areas can begin applying for assistance by registering online at www.DisasterAssistance.gov, by calling 1-800-621- 3362 or by using the [FEMA App](#). If you use a relay service, such as video relay service (VRS), captioned telephone service or others, give FEMA the number for that service.



Page 1 of 1

March 14, 2024 (Revised April 19, 2024)

150 Dow Street, Tower 4, Suite 350, Manchester, NH 03101
Tel: 603.263.9296

Roby Fecteau
Director of Code Enforcement & Emergency Management
City of Biddeford
roby.fecteau@biddefordmaine.org

Re: **Proposal for Consulting Engineering Services - REVII
Storm Damage Repair, Biddeford, Maine**

Dear Roby,

Weston & Sampson Engineers, Inc. (Weston & Sampson) is pleased to submit this proposal to provide the City of Biddeford ("City") with consulting engineering services in support of repairs to critical roadway and seawall infrastructure that sustained damage during storm events in January 2024. The scope of services requested for this project were detailed in a January Request for Qualifications (RFQ) document and in a February 27, 2024 email, both prepared by the City. Our project understanding, proposed approach to the requested scope of service, and project fee are provided herein. This proposal revises our April 8, 2024 REVI proposal to include updates to the proposed scope included in Task 3 and related fee based on discussions with the City.



Project Understanding

City infrastructure along coastal areas, including roadways and seawalls, sustained significant damage due to storm surges during storm events on January 10th and 13th, 2024. Damaged areas that will require engineering services as part of this proposal are identified as Areas #1, #2, #5, and #7 on the Damage Inventory Plan included as part of the January RFQ. The roadways in these damaged areas were paved and the seawalls were mainly comprised of stacked stone riprap and boulders. Areas #1, #2, and #7 are characterized by small beaches and bedrock outcrops along the ocean side of the roadways and residential structures on the land side. Area #5 is characterized by a sandy beach on the ocean side of the roadway and a pond on the land side.

Weston & Sampson engineering staff visited these areas to observe conditions and damage extents. Roadway damage was observed to include localized pavement surface buckling, loss of pavement subgrade support, shoulder erosion, and failure of roadway edges. Seawall damage was observed to include loss of entire sections of stone seawall, localized loss and displacement of large stone riprap and any pre-existing choke stone material, and apparent settlement of sections of seawall. Many sections of the damaged areas remain closed to vehicular traffic.

We understand that the City has retained the services of a contractor to complete temporary roadway repairs and to shift sections of displaced seawalls so that the roadways can be opened to vehicular traffic. Roadway repairs are likely to include debris removal, pavement reclaiming, and localized backfilling of depressions. The full extent of the temporary repairs is not known at the time of the preparation of this proposal.

The City plans to complete mitigation repair to the damaged roadways and seawalls so that they will be resilient to future storm surge events. The intent of the consulting engineering services included as part of this proposal, as detailed below, is to develop temporary repair and stabilization approaches so that the roadways and beaches can be safely reopened and to develop permanent storm resilient roadway and seawall repair alternatives. It is possible that the damaged areas noted above may have different temporary and permanent repair alternatives.

Proposed Scope of Services

Phase A – Site Observations

1. **Project Kick-Off and Site Observations:** Attend an in-person kick-off meeting between Weston & Sampson and the City to discuss our approach and scope of work. Following this meeting, we will visit each of the four (4) damaged areas to document conditions and further discuss specific site details with the City. We assume that

temporary repair work completed by the City's contractor will be completed prior to our site visit. This meeting will be attended by up to two (2) Weston & Sampson engineering staff.

Phase B – Temporary Repair and Stabilization

1. Wetland Delineation: Conduct a field-delineation of wetland resource areas to characterize and identify areas within the jurisdiction of the Maine Natural Resources Protection Act (NRPA) and U.S. Army Corps of Engineers. Resource areas will be field verified by a qualified wetland scientist trained in wetland delineations using the methods described in the "Corps of Engineers Wetlands Delineation Manual" (1987). This work will include:
 - a. Site walk approximately 75 feet from the edges of pavement in the damaged project areas.
 - b. Identification of wetland resource areas based on vegetation, soils, and hydrology.
 - c. Flagging and documentation of resource areas including type of wetland, vegetation encountered, soils encountered, and types of hydrology present.
 - d. Locate flags using handheld GPS unit.

The field work will be documented with a Wetland Delineation Report. Included with the memo will be any utilized Army Corps of Engineers (ACOE) field data forms.

2. Survey & Base Maps: Complete field survey at each of the four (4) damaged areas to collect existing information and to produce base maps for the project. The topographic survey will include the roadways and walls in the damaged areas and areas within up to approximately 50 feet beyond the edge of roadway or to edges of City easements (whichever is further) on the land side and approximately 80 feet off the face of walls on the ocean side. Along the roadways, the survey will extend approximately 50 feet beyond the noticeable damaged limits. Field mapping will be sufficient to develop topographic plans of each damaged area with two-foot contours that are suitable to provide the topographic information needed for repair design evaluation and to develop permitting and construction plans. Locations of relevant features and wetland flags will also be recorded and shown on the base mapping.

The survey will be tied into the North American Vertical Datum of 1988 (NAVD88) and the State Plane Coordinate System using GPS-based technology. Right-of-Way lines will be ascertained however, property lines that intersect the Right-of-Way will be shown as approximate.

3. Temporary Repair and Stabilization:
 - a. *Design*: Based on our observations completed in Task 1 and survey data collected in Task 3, we will evaluate the resiliency of the temporary repair work completed by the City's contractor to temporarily withstand future damage from storms, wave action, and other events. This evaluation will consider the expected timeframe the temporary repair is expected to remain in place before permanent repair construction is expected to start. Based on our evaluation, and as necessary, we will design additional temporary repair and stabilization methods needed in each damaged areas to resist further damage. Since the nature and extent of additional temporary repair and stabilization efforts will not be known until we complete observations and evaluations, we assume for cost estimating purposes, that the repair for the seawall at each damaged area will include installation of additional large riprap protection on the ocean side of the roadways and installation of crushed stone or small riprap on the land side of the roadways. For the roadway repair, we assume that the work will include grading and installation of pavement binder course.

We will prepare a document that includes a narrative scope of additional temporary repair and stabilization work required inclusive of the four (4) damaged areas, a single plan with typical cross-sections/details and intended repair areas, and an estimate of quantities with cost for the additional items required to complete the work. We assume the preparation of bid/contract documents for construction of additional temporary repair and stabilization will not be required.

- b. *Construction Administration*: Weston & Sampson engineering staff will attend one (1) preconstruction meeting with the contractor and City, We will also observe and document the completed additional temporary repair and stabilization work for conformance with our requirements since FEMA will typically

require documentation of all aspects of construction receiving disaster relief funding. Our services do not include observation of construction work. For budgeting purposes, we assume one (1) day to complete our observation and documentation of the completed work. We will prepare a brief letter summarizing our observations and opinion on conformance of the work with repair requirements. We assume that we will review and respond to up to two (2) submittals and up to one (1) RFI from the contractor. We also assume attendance of up to two (2) 1-hour phone conferences by the Weston & Sampson project manager.

We will prepare and submit permit applications for additional temporary repair and stabilization construction as detailed in Task B.4 below.

4. Temporary Repair Permitting: The level of effort for permitting and the types of applications required for temporary repair and stabilization construction are not fully known at this time. Permitting applications could be required from some or all of the agencies indicated below depending on the nature and extent of the temporary repair and stabilization at each damaged project area. Once permitting requirements are known, we will prepare permit applications for the environmental agencies indicated below. The fee for temporary repair and stabilization included in this proposal assumes all permitting agencies included below require permit applications, which may not be the case depending on the level of impacts from temporary repair and stabilization. Our fee will be adjusted once the level of impacts is evaluated.
 - a. Natural Resources Protection Act (NRPA) Individual Permit: Prepare and submit a Natural Resources Protection Act (NRPA) Individual Permit to Maine DEP for the proposed project. The project team will attend one (1) public hearing to discuss the project with the City, other stakeholders, and any abutters to the property. The NRPA Application task will include:
 - i. Prepare forms and notifications for the NRPA IP.
 - ii. Develop project narrative.
 - iii. Include support documentation of the project.
 - iv. Functional Assessment.
 - v. Statement of Avoidance and Minimization.
 - vi. Alternatives Analysis.
 - vii. Identify and notify abutters in accordance with filing requirements.
 - viii. Provide distribution of NRPA IP filing as required.
 - ix. Present project at public hearing.
 - x. Provide additional information as may be requested by ME DEP.
 - xi. Provide coordination throughout review and approval process.
 - b. Mandatory Shoreline Zoning Act (MSZA): Prepare and submit a Shoreland Zoning Ordinance Application to the City. The Mandatory Shoreland Zoning Act (MSZA) requires municipalities to adopt, administer, and enforce local ordinances that regulate land use activities in the shoreland zone. The Weston & Sampson project manager and permitting specialist will attend one public hearing to discuss the project with the City, other stakeholders, and any abutters to the property. The Shoreland task will include:
 - i. Prepare forms and notifications for Shoreland Zoning Ordinance.
 - ii. Develop project narrative.
 - iii. Include support documentation of the project.
 - iv. Identify and notify abutters in accordance with filing requirements.
 - v. Provide distribution of filing as required.
 - vi. Present project at public hearing.
 - vii. Provide coordination throughout review and approval process.
 - c. Section 404 Permit: Prepare and submit to the U.S. Army Corp of Engineers a Pre-Construction Notification (PCN) under Section 404 of the Clean Water Act. This permit is a federal permit required for work within waterways or wetlands. The ACOE permit has several thresholds, including bank and shoreline stabilization. This application will include:

- i. Prepare application, plans, narrative, justification for filling and structures.
 - ii. Submission based on PCN filing.
 - iii. Provide support documentation of material sampling and testing.
 - iv. Provide coordination throughout review and approval process.
- d. *Coastal Zone Management (CZM) Application*: Prepare and submit a CZM application. This is required for any work in a coastal community that is receiving federal funding and/or submitting a federal permit:
 - i. Prepare application, plans, narrative, justification for proposed project.
 - ii. Provide support documentation.
 - iii. Provide coordination throughout review and approval process.
- e. *Federal Section 7 Endangered Species Act*: Prepare and submit a permit application to the U.S. Fish and Wildlife Service (USFWS) and to NOAA Fisheries Service for coastal projects. This is required for any project with a federal nexus (federal permitting, federal funding, or on federal land). Online mapping will be used to inform the online USFWS and/or NOAA submission. We that the online submission alone will be sufficient for approval. Additional consultations with USFWS and NOAA past the initial online submission are not included as part of this proposal.
- f. *Maine's Marine Endangered Species Act*: Prepare and submit a permit application to the Maine Department of Marine Resources (MDMR) for coastal projects. Online mapping will be used to inform MDMR submission. We assume that the online submission alone will be sufficient for approval. Additional consultations with MDMR past the initial submission are not included as part of this proposal.
- g. *Maine Historic Preservation Commission Project Review*: Prepare and submit a permit application to the Maine Historic Preservation Commission/State Historic Preservation Officer (SHPO). Online mapping will be used to inform the historic submission. We assume that the online submission alone will be sufficient for approval. Additional consultations past the initial submission are not included as part of this proposal.

Permitting Assumptions:

- We have assumed the impacts will not be large enough to trigger higher level permitting efforts (Individual Permit through ACOE).
- Our permitting fee does include costs for studies or other design work that may be requested by the reviewing agencies once permits have been submitted.
- Fees for a SWPPP or USEPA NPDES Construction General Permit Notification are not included.
- We assume permit application feed will be paid by the City.
- The City will file at the Registry of Deeds if required.
- Our fee assumes only one round of response to comments for each reviewing agency.
- Additional consultations with USFWS and NOAA past the initial online submission are not included as part of the federal Endangered Species Act review. Additional consultations will require additional fee.
- We assume that the project will not require a “take” of any protected species or habitat.
- We assume that the project will not impact any historical resources.

Phase C – Permanent Repair Alternatives Analysis

1. Subsurface Explorations: Complete one (1) day of subsurface explorations in Area #5 (Fortunes Rock Road) to collect information of soil, groundwater, and bedrock properties/conditions along the roadway embankment. This information will be used to evaluate repair alternatives. Our opinion is that subsurface explorations are not needed at this stage of the project to evaluate repair alternatives in the other damaged areas since it appears that the bedrock profile is likely shallow below the roadways and along the seawall alignments.

We will retain the services of a drilling subcontractor to complete up to four (4) borings to depths up to approximately 20 feet with a truck-mounted drill rig along Fortunes Rock Road. Rock coring and groundwater monitoring well installation are excluded. Weston & Sampson engineering staff will observe the borings in the field, locate the borings based on taped distances from existing site features, and prepare boring logs.

The drilling subcontractor will contact DIGSAFE to mark below-grade public utilities following pre-marking of the boring locations by Weston & Sampson staff at the time of our project kick-off meeting. As this service is limited to public utilities, we will need the City to mark all private utilities (if any) in the boring areas. Weston & Sampson does not accept any responsibility for disruption to underground structures or utilities that have not been marked or have been marked incorrectly. The service of a private utility locator and/or vacuum rig can be provided for an additional cost.

The borings will be backfilled with drill cuttings and patched with asphalt cold patch in existing paved areas. Restoration of areas disturbed as a result of the fieldwork beyond backfilling and patching is not included. Excess drill cuttings will be disposed on-site. Permits, bonds, environmental services, special drilling methods, decontamination, off-site cutting/soil disposal, police details, and snow clearing are not included.

2. Alternatives Analysis Study: Complete analysis to evaluate up to three (3) mitigation repair alternatives for the roadways and embankments in each of the four (4) damaged areas. The analyses will consider cost-effectiveness (in terms of FEMA disaster relief funding), completion timeline, aesthetics, and project resiliency to damage from future extreme events and flooding.

*Depending on the nature and type of mitigation repairs alternatives considered from the damaged areas, support from our structural engineering group and our teaming partner, **Woods Hole Group**, may be needed to provide valuable input on the feasibility and the effectiveness of the alternatives. Support that could be needed include evaluation of type(s) of structural elements appropriate for mitigation repair and information on expected future flood elevations and wave heights. The breadth of support is not known at this time and will not become evident until we began our analysis. **For budgeting purposes, however, our proposed fee includes up to \$10,000 for structural engineering support and up to \$47,250 for Woods Hole Group consultation. These fees are included in our total project fee described in the next section of this proposal, but we will not initiate work on these items without the City's advance authorization. Additionally, if approved, we will bill only actual time accrued, similar to all scope items.***

We will prepare and Alternatives Analysis Report that will include the following:

- a. Summaries of pre-failure and existing site conditions, topographic survey, and subsurface conditions encountered in explorations.
 - b. Our alternatives analysis with mitigation repairs alternatives.
 - c. Cost estimates.
 - d. Recommended mitigation repair alternative to be implemented at each damaged area.
 - e. Expected regulatory agency permits needed and review timelines.
 - f. Our recommended mitigation repair alternative for each damaged area based on costs, its resilient effectiveness, and City input.
3. FEMA Consulting Services: We will prepare detailed cost estimates for the selected temporary and permanent mitigation repair alternatives. Our experience is that FEMA will require that the costs estimates be prepared using raw (without considering overhead and profit) unit costs for each element of construction from RSMeans or other sources acceptable to FEMA, such as recent costs from local contractors or the Maine Department of Transportation. For budgeting purposes, we assume up to four (4) cost estimates total (one for each damaged area). We will prepare a summary memorandum for each cost estimate that will include a scope of work narrative and construction method sketches.

The disaster relief funding and approval process with FEMA can be an iterative and lengthy process that requires frequent meetings, clarification emails and memorandums, and adjustments to cost estimates

based on FEMA reviews. Our budget for this task assumes the following will be required outside of our initial cost estimates and summary memorandums:

- a. The Weston & Sampson project manager and up to two (2) technical staff will attend up to six (6) 1-hour phone conference meetings with FEMA and the City to discuss mitigation repair and cost estimates.
 - b. The Weston & Sampson project manager and up to two (2) technical staff will attend up to two (2) in-person meetings with FEMA and the City in Biddeford to discuss mitigation repair and cost estimates. We assume four (4) hours for each meeting including travel.
 - c. The Weston & Sampson project manager and up to two (2) technical staff will attend up to ten (10) 1-hour phone conference meetings with the City to discuss FEMA disaster relief funding progress.
 - d. The Weston & Sampson project manager and up to two (2) technical staff will attend up to one (1) in-person meeting with the City in Biddeford to discuss FEMA disaster relief funding progress. We assume four (4) hours for this meeting including travel.
 - e. Preparation of up to four (4) memoranda providing clarifying information for the cost estimates.
 - f. Preparation of up to two (2) revisions of each cost estimate.
4. Permitting Evaluation for Permanent Repairs: We will contact applicable environmental permitting agencies once the permanent repair alternatives are selected and the approximate environmental impacts are known to evaluate permit applications that will be required for permanent repair construction and approximate application review timelines. For budgeting purposes, we assume that the permitting agencies listed in Section B.4 of this proposal will need to be contacted.

Proposed Fee

We propose to conduct the proposed scope of services for a not-to-exceed fee as described in the following table. The estimated fee for each phase and task described in this proposal is summarized in the table below.

Phase and Task	Task Fee	Total Phase Fee
Phase A – Site Observations		
Task 1 - Project Kick-Off and Site Observations	\$6,890	\$6,890
Phase B – Temporary Repair and Stabilization		
Task 1 – Wetland Delineation	\$8,882	
Task 2 – Survey & Base Maps	\$35,740	
Task 3 – Temporary Repair and Stabilization		
• Design	\$17,120	
• Construction Administration	\$7,997	
Task 4 – Temporary Repair Permitting (includes fees for all possible permits, to be adjusted once impacts from temporary repair and stabilization is known)	\$30,420	\$100,159
Phase C – Permanent Repair Alternatives Analysis		
Task 1 – Subsurface Explorations	\$7,366	
Task 2 – Alternatives Analysis Study (Base)	\$34,580	\$76,334 Base
• <i>Discretionary Structural Engineering Budget</i>	<i>\$10,000</i>	
• <i>Discretionary Woods Hole Group Budget</i>	<i>\$47,250</i>	
Task 3 – FEMA Consultation Services	\$24,388	
Task 4 – Permitting Evaluation for Permanent Repairs	\$10,000	\$133,584 Including Discretionary Items
Total Fee		\$183,383 Base
		\$240,633 Including Discretionary Items

We recommend establishing a total contract fee of **\$240,633** for this project. As discussed previously, we will only initiate work on structural engineering and Woods Hole Group tasks if granted advance authorization from the City. In this respect, we would not have to provide amendment requests if these tasks are needed.

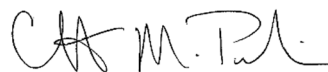
We look forward to working with you on this project. If you have any questions, please contact me by phone at 603-570-6312 or by e-mail at perkinsc@wseinc.com.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.



Thomas J. Strike, PE
Team Leader



Christopher M. Perkins, PE
Vice President



City of Biddeford
MAINE

QUALIFICATIONS

February 2024

Engineering Consulting Services for Storm Damage Repair

PROJECT No. 00001



westonandsampson.com

100 International Drive, Suite 152, Portsmouth, NH 03801

Weston & Sampson 95

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Section D	PROJECT APPROACH

February 13, 2024

100 International Drive, Suite 152, Portsmouth, NH 03801
Tel: 603.431.3937

Roby Fecteau, Director of Code
Enforcement and Emergency Management
City of Biddeford
robby.fecteau@biddefordmaine.org

Re: **Request For Qualifications | Engineering Consulting Services For Storm Damage Repair**

Dear Roby:

Committed to continue working collaboratively with the City of Biddeford, Weston & Sampson is pleased to provide our qualifications to provide engineering consulting services in support of repairs to critical roadway and seawall infrastructure that sustained damage during storm events in January 2024. Our highly qualified team is already familiar with the city's infrastructure and impacted areas through our preliminary work on behalf of the city and is currently working on similar projects elsewhere in Maine.

Familiarity with Biddeford & Understanding of the City's Needs: In addition to our preliminary assessment of the recent storm damage, Weston & Sampson is familiar with the city through our continued work on the Riverwalk Retaining Wall Replacement project, recent wastewater pump station upgrade designs, and the plant water system design at the wastewater treatment facility. Through these experiences, and our recent discussions with you regarding the city's specific needs, we offer an experienced team that knows your infrastructure, has established valuable relationships with city personnel, has demonstrated our ability to respond to emergency issues, is intimately familiar with the FEMA negotiation process, and understands the importance of implementing stabilization measures and completing temporary repairs prior to the summer season.

We offer the following information in response to the Minimum Qualifications and Selection Criteria in your RFQ:

Minimum Qualifications

- A. The Firm's Key Personnel should demonstrate experience with similar disaster, roadway and seawall repair, resiliency, and public works related projects.** Weston & Sampson's proposed team has supported clients in Maine and throughout the Northeast with many similar disaster, roadway and seawall repair, resiliency, and public works related projects. We highlight a selection of our recent relevant work in Section B, *Firm Overview | Background, Qualifications & Experience*.
- B. Staff experience: Firm must commit a project manager or project management team with at least ten (10) years of relevant project experience, five (5) of them managing similar design projects comparable in size and complexity.** Our seasoned team of engineers and environmental permitting specialists has the skills and expertise necessary to accomplish the city's goals and objectives for this project. Principal-in-charge **Chris Perkins, PE**, has 30 years of experience in the permitting, study, design, and construction management of municipal infrastructure engineering projects. A southern Maine resident for decades, Chris has managed dozens of projects throughout the state. Project Manager **Tom Strike, PE**, has more than 25 years of relevant experience and has managed **numerous FEMA-supported projects**. Both Chris and Tom are currently serving in these same roles for the **Retaining Walls Replacement Project along the Riverwalk in Biddeford**.
- C. Team Experience: Firm must commit a team of engineers and permitting specialists who have worked together on similar projects, specifically projects with FEMA negotiation support and resiliency design.** Weston & Sampson commits to the City of Biddeford a dedicated and diverse team with the comprehensive expertise needed to efficiently and effectively support this project. Our proposed personnel have successfully worked together on similar resiliency and infrastructure efforts for FEMA-supported projects, offer staff continuity, and require no learning curve. Please refer to Section C, *Project Team & Resumes*, for details regarding the qualifications and experience of our key staff

Selection Criteria

- A. Prior experience of identified key staff to be assigned to the project in terms of supporting, evaluating, and designing similar projects.** In addition to **Principal Chris Perkins** and **Project Manager Tom Strike**, our competent team offers wide-ranging experience and includes qualified experts in roadway, structural, and geotechnical engineering; environmental permitting and wetlands delineation; resiliency design and modeling; wave studies,

and grant funding assistance. Further, our in-house team will be supported by expert staff from **Woods Hole Group**, who offer specialized coastal modeling and design expertise. **A long-time collaborator with Weston & Sampson, Woods Hole Group offers unparalleled experience, which includes assessment and modeling services in support of the State of Maine's Coastal Flood Risk Model.** Our team of regional leaders in infrastructure engineering, climate resilience, and coastal engineering is well equipped to complete every aspect of this project.

- B. Qualifications and past performance of key staff in the development of similar FEMA storm damage, negotiation support, and resilience design.** The Weston & Sampson team has received national recognition for our flood adaptation and climate resilience work, and we invite you to contact the client references included in Section B of this submittal to discuss our team's capabilities and past performance. Additionally, our team has experience preparing FEMA cost estimates and supporting plans and reports and preparing applications and submissions in support of grants/loans, and permits. Communicating with regulators frequently our staff maintains excellent working relationships with MEDEP, ACOE, EPA, FEMA, and other regulatory agencies, having consulted with government agencies and municipalities on various environmental and infrastructure improvement projects. **We have helped our clients receive more than \$19 million in resilience grant funding since 2018.**
- C. Applicant's understanding of the project requirements and the technical approach to achieving completion of the project.** As part of our commitment to the City of Biddeford, Weston & Sampson has completed preliminary work for the project that has included observing and documenting damaged areas and assessing potential repair costs. We are therefore intimately familiar with the breadth of work required to meet the city's goals. Our technical approach will be established with the intent to complete a repair design that produces a resilient project within the disaster relief funding budget established during the FEMA negotiation process.
- D. Project manager's availability.** Upon notice to proceed, **Project Manager Tom Strike** and other key personnel identified herein will be available to assist Tom by providing additional leadership on individual project tasks. **We have demonstrated our dedication to the City of Biddeford through our ongoing work, and are committed to meeting the City of Biddeford's needs on this assignment as well.**
- E. Applicants demonstrated ability to prepare, support, and implement an effective project as well as to estimate costs, meet schedules, and monitor the quality of the work performed.** With the majority of our work in the public sector, Weston & Sampson consistently meets regulatory-driven and expedited deadlines and is responsive to client needs or changes in scope that result in new deadlines. Our team has a proven reputation for completing high quality projects on time and on budget. As your project progresses, we will continuously monitor our performance to verify our compliance with the project schedule and cost constraints.
- F. Capacity and capability of the firm to perform the work on schedule.** Given the interdisciplinary nature of our firm, Weston & Sampson is prepared and appropriately staffed to undertake this project in a timely manner with respect to our other ongoing projects. With more than 850 professional and technical staff, Weston & Sampson has the capacity and depth of resources to assure the assignment of highly qualified personnel for all anticipated project tasks. We have structured our team for depth of technical competence and the capacity to successfully meet your project requirements and schedule. In organizing and scheduling our staff for this project, we have taken into account their commitments for other projects to ensure their availability.

The Weston & Sampson team fully understands the required scope of work and the need to complete this project on schedule. With the knowledge, skills, and commitment to deliver seamless, cost-effective services, we look forward to continuing our work with you and welcome the opportunity to meet with you to further discuss our specific project approach. Please contact me directly at 207-450-2899 or by email at perkinsc@wseinc.com.

Sincerely,

WESTON & SAMPSON ENGINEERS, INC.



Christopher M. Perkins, PE, Vice President

FIRM OVERVIEW | BACKGROUND, QUALIFICATIONS & EXPERIENCE

Firm Overview

Founded in 1899, Weston & Sampson has been providing municipalities, public agencies, and private sector clients with cost-effective and innovative solutions to infrastructure and environmental challenges for 125 years. Our professionally trained staff of more than 850 engineers, designers, environmental professionals, and construction specialists provides quality environmental consulting services to communities throughout New England. Municipal clients comprise the majority of our business. As such, we fully understand the needs and challenges of New England cities and towns, including available technologies, regulatory requirements, cost analysis and funding, and operational issues.

We specialize in providing multi-disciplined support to clients throughout the Northeast and along the Eastern Seaboard. Some of our principal areas of expertise include bridge and roadway design, structural, geotechnical, and traffic engineering, environmental science/permitting, urban and environmental planning, resiliency, civil engineering; water and wastewater utility design/treatment; hydraulic modeling; stormwater design and drainage; landscape architecture/design; architecture; electrical; mechanical; aquatic facility design; solid waste services; and construction administration.

Nationally ranked among the top design firms in the United States, according to *the Engineering News Record*, Weston & Sampson is proud of our steady record of growth and the ability of our project management staff to understand our clients' needs, develop appropriate solutions, and provide comprehensive engineering and landscape architecture services on time and on budget. Weston & Sampson has also been widely recognized for our excellence in engineering by the American Public Works Association (APWA) and the American Council of Engineering Companies (ACEC), in further testimony of our creativity and performance. All of this has contributed to a consistently high company-wide client return rate.

Qualifications

Below, we summarize our firm's relevant capabilities and qualifications.

TRANSPORTATION | ROADWAY

Weston & Sampson has provided transportation and traffic engineering services for a multitude of projects of varying complexity for municipal clients throughout New England. These services have included funding applications, new roadway design, roadway reconstruction, intersection and roadway capacity analyses, traffic signal design, traffic impact studies, circulation and parking studies, origin and destination studies, corridor improvement plans, preparation of contract bid documents, and construction support (administration and resident engineering) for roadway projects.

restore



enhance



sustain



maintain



Weston & Sampson assists communities in developing and implementing plans for roadway and intersection projects, including traffic signals, roundabouts, ADA-compliant sidewalks, drainage, stormwater management, and related infrastructure. This work has involved roadway improvements, utility system designs, geometric and traffic controls modifications at intersections, roadway reconstruction and widening, parking lot design, enhanced streetscape and crosswalk treatments, traffic calming measures, stormwater management system design, integrated infrastructure planning and engineering, pavement design, ADA compliance, interpretive signage and wayfinding, and street lighting. We have provided roadway design services on every type of roadway throughout New England and along the East Coast, from improvements and upgrades to existing rural dirt roads, to historic downtown urban areas, to interstate highway and interchange improvements.

Over the past decade, Weston & Sampson has completed projects for hundreds of municipal clients, designing roadway rehabilitation/repair and related projects, and providing bidding and construction administration services for many of these construction/reconstruction projects. Our engineers are fully conversant with local, state (MaineDOT) and federal (AASHTO, FHWA) design policies and procedures and understand the importance of incorporating those standards to meet the needs of the community. Our designs are sensitive to the environment and respectful of impacts on adjacent properties while providing a safe and cost-effective facility for all users including motorists, pedestrians, bicyclists, and transit.



Our staff is fully trained to field review existing roadways, sidewalks and accessible ramps for compliance Americans with Disabilities Act (ADA) requirements. In fact, we are currently working with the City of Boston to design and provide construction observation for ADA accessible sidewalk ramps at over 50 intersections in downtown Boston.

Our roadway projects provide a complete design approach that looks at all roadway features, including roadway vertical and horizontal alignments, stormwater considerations, pavement design, needs assessment for guardrails using AASHTO Roadside Design Guide criteria and Manual for Assessing Safety Hardware (MASH) criteria and the review and design of roadway signage and pavement markings for consistency, accuracy, and conformance with MaineDOT and Manual of Uniform Traffic Control Devices (MUTCD) requirements.

Every highway, road, and bridge construction project, whether it be new construction or rehabilitation of existing infrastructure, requires some level of transportation management to address and mitigate the effects of the construction operations on the motoring public and pedestrians. We understand that transportation management goes beyond traditional traffic control plans and looks at strategies for work zones that include temporary traffic control measures and devices (i.e., the traffic control plans), public information and outreach, and operational strategies such as travel demand management, signal retiming, detours and diversions, and traffic incident management.

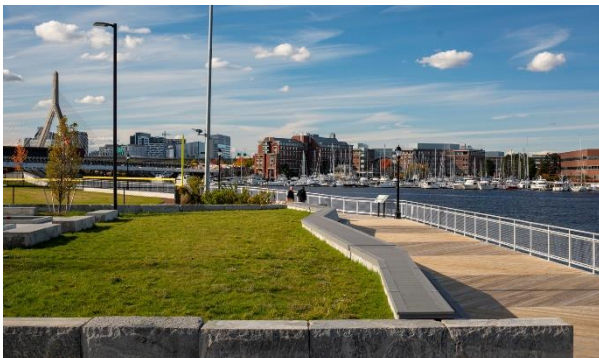
Based on the size and complexity of a given project, the emphasis placed on each of these strategies will vary. Our team has worked on numerous projects of various sizes and complexities and will bring this expertise to each assignment to develop an overall plan that minimizes impacts to the traveling public, accounts for all users, and improves safety for workers. As part of the design process, we will prepare project construction plans and specifications that include comprehensive detailing of the required phasing and staging of construction activities and operations and their impact on all users. Our team has worked on a variety of roadway, bridge, and structures projects that included full or partial vehicular, bicycle, and pedestrian detours, diversions, staged construction under live traffic, alternating one-way traffic, and temporary signalization.

GEOTECHNICAL ENGINEERING

Weston & Sampson is a leader in geotechnical engineering services, providing our clients with practical, cost-effective solutions. Our geotechnical engineering services typically span from initial site feasibility studies through final design and construction. We are well-versed in developing, planning, and performing subsurface investigation programs to determine critical project parameters and develop accurate estimates.

Our geotechnical engineers routinely work in close collaboration with our in-house structural and hydrologic/hydraulic engineers to develop cost effective repairs and improvements to dams, waterfront and revetment structures, retaining walls, facilities, bridges, and other infrastructure.

Our geotechnical engineers have significant experience working in Maine and who understand the chief importance of collecting high-quality data and adhering to a “Best Practices” approach. Our team can support the wide range of geotechnical engineering needs expected for this project.



The foundation of any geotechnical engineering project is built upon the quality of the data obtained from subsurface exploration and geotechnical laboratory testing programs. Our geotechnical staff routinely plan, coordinate, and implement subsurface exploration programs for complex, infrastructure, resilient, waterfront structure, and transportation related projects. As such, the subsurface exploration program as part of this project will be carefully planned to collect the appropriate data to efficiently meet the project needs. We will utilize the diverse technical expertise of our team to properly scope the exploration program to gather necessary information to design and construct this damage repair project. Weston & Sampson is committed to the high quality of service and value we provide to our clients. Our geotechnical engineers and team members will deploy a “Best Practices” approach on all assignments and will scope and perform the work to meet our quality standards. Our team includes professional engineers registered in the State of Maine with extensive experience on waterfront, roadway, bridge, and slope stability projects.

Weston & Sampson has completed more than 50 waterfront and transportation infrastructure projects involving geotechnical engineering over the last four years, including deep and shallow foundation, retaining wall, and slope and embankment repair/stabilization projects. After subsurface explorations and laboratory testing are complete, geotechnical design and construction recommendation reports are produced for submission. These reports typically include, details of the subsurface explorations, subsurface profile

interpretation, groundwater conditions, laboratory/in-situ test results, interpretation and analysis of data, alternatives analysis, development of geotechnical design parameters, analysis methods and assumptions, geotechnical design and construction recommendations for shallow and deep foundations and slope repair/improvements, anticipated challenges and proposed solutions, and other construction considerations as applicable to the project. Depending on the project, geotechnical engineering staff will complete cost estimating and prepare construction documents.

Weston & Sampson routinely provides construction administration services for our projects by reviewing Shop Drawings, issuing necessary interpretations and clarifications of the Contract Documents, reviewing submittals and RFIs, and supporting the preparation of necessary materials for change orders. We provide full-time resident engineering or part-time observations during construction as needed to document work completed, provide on-site support, review and document quantities, and confirm work is being performed consistent with the intent of the Contract Documents.

ENVIRONMENTAL PERMITTING

Weston & Sampson's permitting team is experienced in assisting clients with a wide range of permitting services to comply with federal, state, and local regulations. **Last year, our team permitted 95 projects with varying levels of complexity.** Our environmental scientists have demonstrated experience working with the Army Corps of Engineers (ACOE), Coastal Zone Management (CZM), the Maine Department of Environmental Protection (MEDEP), National Oceanic and Atmospheric Association (NOAA), Shoreland Zoning, Maine River Corridor Commissions, the United States Fish and Wildlife Service (USFW), and on infrastructure improvement projects that include inland and coastal water resources.

Weston & Sampson's environmental services also include wetland delineations and assessments, arboriculture assessments, and native / invasive species assessments. Our staff can perform all aspects of environmental services for construction projects, including wetland flagging, soil analysis, groundwater monitoring, and permitting.

Our multi-disciplinary experience includes providing riverbank and stream bank restoration and protection. Our team has been assessing, designing, and restoring riparian and shoreline systems with degraded streams to address various water quality impairments, invasive species along the banks, and excessive flooding. Erosion and stabilization problems along rivers, streams, lakes, and ponds are as varied and dynamic as their structural and ecological systems. Their repair requires a unique combination of ecological and engineering skills.



Working together, our environmental scientists, permitting experts, and geotechnical engineers routinely deliver successful, context-specific solutions for the restoration and/or stabilization of land along the water's edge. Our river/stream bank design services include evaluation of surface and subsurface conditions in the eroded bank, hydraulic analysis of the brook to determine design flood elevations, and alternatives evaluation for bank stabilization methods, including the use of live-twig stabilization.

CLIMATE CHANGE ASSESSMENT & RESILIENCY SERVICES

Weston & Sampson has made a professional commitment to planning and designing resilient, sustainable communities. Our resiliency workgroup has been actively designing resilient and low-impact components for our infrastructure and building projects. Our capabilities support clients in creating resilient infrastructure that can adapt, thrive, and survive changes in the natural environment, including chronic and catastrophic natural events.



We have provided climate resilience and interdisciplinary services for notable projects, including:

- NHDES Climate Change Vulnerability Assessment for nine New Hampshire cities and towns
- City of Boston's Climate Resilient Infrastructure Design Standards/Guidelines
- Technical Support for MA EOEEA's Resilient Massachusetts Action Team (RMAT)
- DCAMM's Statewide Resilience Master Plan (SRMP)
- Design, Permitting, and Construction of a Resilient Langone Park and Puopolo Playground in Boston
- DOER's Risk and Vulnerability Assessment for Health Care Facilities
- Draw Seven Park in Somerville implementing DCR's Climate Design Standards/Guidelines
- MBTA's Aquarium Station Flood Vulnerability Assessment
- 52 Municipal Vulnerability Program (MVP) Planning and Action Projects

To support this project for Biddeford, **Weston & Sampson is teaming with our long-time collaborator Woods Hole Group (WHG) to lead coastal modeling tasks.** WHG solves environmental engineering problems worldwide with a focus on serving clients along the coast. With nearly 100 engineers, scientists, and technicians, WHG offers a broad range of services and expertise to benefit its clients and teaming partners. WHG designs coastal resiliency projects through an understanding of the storm surge that influences the site under both

existing, and future, conditions. This includes detailing elements for key considerations in developing cost-effective design approaches expected to function for current conditions, and perhaps more importantly, conditions occurring in a changing climate. This information has allowed WHG to design resilient green, gray, or hybrid solutions.

With more than 30 years of experience, WHG has supported vulnerability assessments by measuring, modeling, and forecasting flooding due to storms, sea level rise, climate change influences, and combined effects. A complete vulnerability assessment recognizes the dynamic physical processes and timing associated with storms, along with increasing risks of sea level rise and climate change. In this project, WHG will play a critical role in coordinating data sharing between the Maine Coastal Flood Risk Modeling effort.

TECHNICAL CLIMATE RESILIENCE SPECIALTIES & TOOLS

Our team of experts uses many tools when we conduct climate risk vulnerability assessments.

- For the Seabrook WWTP and for Prescott Park in Portsmouth, New Hampshire, we employed the NH Coastal Flood Risk Summary, Part II.
- For the State of Massachusetts, we developed the Climate Resilience Design Standards Tool: https://resilientma.org/rmat_home/designstandards/
- For the MBTA, we developed a real-time flooding viewer for the MBTA rail lines that officials use to manage extreme flooding impacts to operations in real-time.

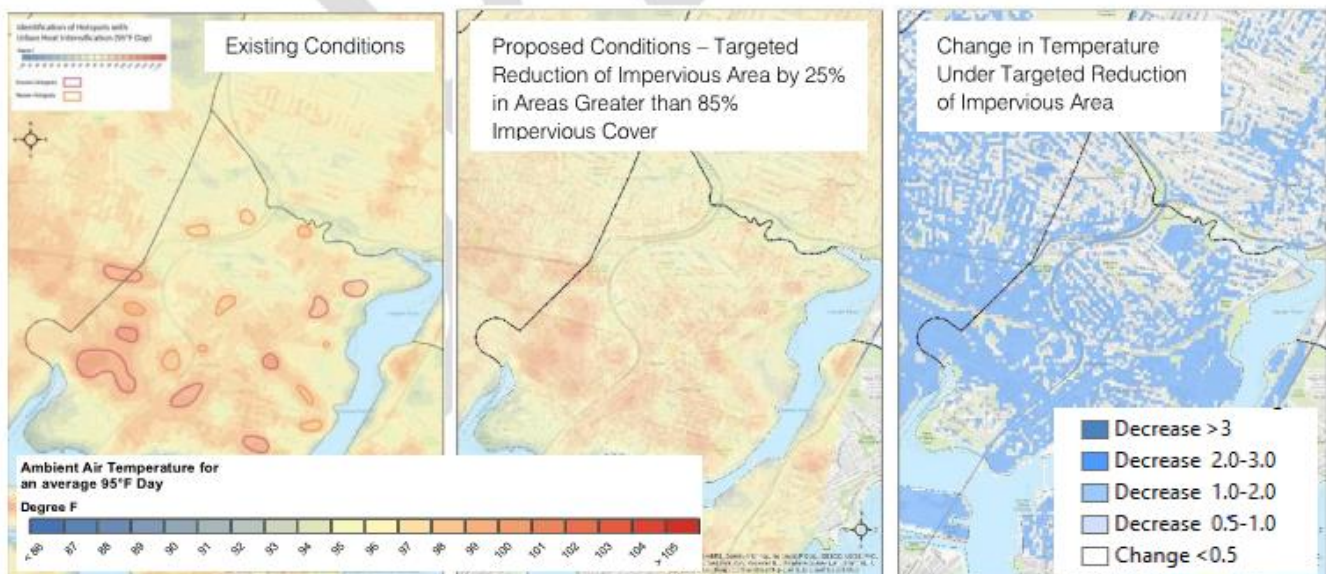


Figure 4.2 Cooling Benefits from Targeted Reduction of Impervious Area

- For the Charles River Watershed Association, we developed the first comprehensive flood model of the watershed and created an interactive on-line viewer for the 19 communities to evaluate current and future flooding threats: <https://crwa.maps.arcgis.com/apps/webappviewer/index.html?id=4649d032ebb74cafb20767e4f3e369df>



Screen shot from MBTA Tropical Storm Henri Response Application (2021)

EMERGENCY RESPONSE SERVICES

As part of our standard operating procedures, Weston & Sampson routinely provides 24/7 Emergency Response Services, with supporting emergency repairs, to municipal clients throughout New England. Examples of these services include responding dam breaches and during storms and power outages to alarm conditions at municipally owned water and wastewater treatment facilities and pumping stations. Weston & Sampson maintains a fleet of service vehicles, which are individually assigned to our staff and go home with them on nights and weekends. Our staff is equipped with high technology communication devices to ensure they can be reached during storms and power outages. Our typical emergency call response time, from time of call to arrival at site, is under 90 minutes.

Weston & Sampson has the capacity to respond to multiple locations under the most severe conditions. For example, the Massachusetts Department of Corrections contacted Weston & Sampson for emergency response when one of its dams (Industries Drive Dam) failed on Christmas Eve 2020 during a period of significant precipitation. A sinkhole that developed above the dam outlet pipe caused failure of the downstream slope, requiring emergency response. Our staff arrived on-site shortly after the call and remained on-site over Christmas Eve night until the situation was stabilized.



Emergency Response of Dam Breach with Bypass System in-place



Finishing Emergency Repairs to Industries Drive Dam, Norfolk, MA

Weston & Sampson staff managed the dam's emergency response with the Massachusetts Department of Corrections, Massachusetts Department of Transportation, Massachusetts Office of Dam Safety, the Town of Norfolk, and the response contractor. Emergency efforts included creating a temporary water cutoff system to isolate the impoundment from the outlet system, preparing the dam and upstream assets for two inches of rain on Christmas Day, and designing an emergency outlet replacement plan and rehabilitation of the dam.

Weston & Sampson was able to pull from its in-house interdisciplinary team of engineers and scientists, including structural engineers, hydrogeologists, and permitting specialists to respond to this emergency project. Throughout the project, Weston & Sampson provided construction administration services, held construction meetings, and kept the Department of Corrections and the Office of Dam Safety abreast of the project plans and progress.

CONSTRUCTION INSPECTION / ADMINISTRATION

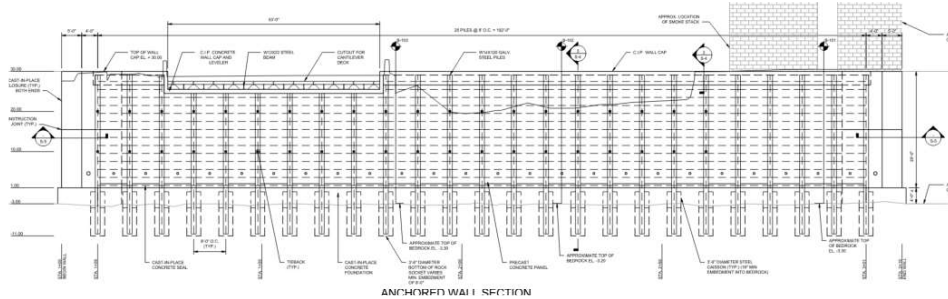
In response to the increased volume and complexity of construction projects, Weston & Sampson maintains a Construction Services group composed of experienced construction managers and inspection personnel that evaluate and respond to the challenges of project construction in a timely and cost-effective manner. Experienced in working with either consultants or contractors, our construction services staff provides invaluable insight to the construction process. Weston & Sampson offers both full- and part-time resident engineering services across New England, for any type or size project.

RELEVANT PROJECTS & REFERENCES

The attached project examples demonstrate our team's wide-ranging capabilities, including [specific experience with infrastructure repairs and resiliency improvements](#) following major storm events. We invite you to contact the clients listed with these project descriptions to discuss our ability to meet schedule and budget constraints, commitment to client service, and overall past performance on similar initiatives.

RIVERWALK RETAINING WALL REPLACEMENT

city of biddeford, maine



Weston & Sampson was retained by the City of Biddeford to complete design, permitting, and FEMA support services for the Riverwalk Retaining Wall Replacement project, as well as construction support and resident engineering services during construction. Federal disaster relief funding will be used to fund the project.

Retaining walls up to approximately 33 feet tall are located along the Biddeford side of the Saco River in the area of the Saco River Riverwalk. An approximately 80-foot-long section of retaining wall failed on October 31, 2021, during a period of significant rainfall and Saco River flow. The failure occurred between an approximately 250-foot-tall historic smokestack/boiler house building and the riverwalk overlook structure/MSE wall. The failed section of wall and backfill material, along with features immediately behind the wall, collapsed into the Saco River. The failure left a steep, sloughed soil slope along the failed wall section. Failure of the retaining wall caused significant damage to the adjacent MSE wall and overlook structures and sections of rubble retaining wall along the smokestack and boiler house building.

Temporary stabilization and flow diversion measures were implemented soon after failure. These measures included placement of large riprap over the sloughed slope to stabilize the slope and installation of a stone access in the Saco River to divert flow away from the sloughed slope and damaged wall sections.

Our services have included evaluation of the existing site, retaining wall, and structure conditions, subsurface explorations, topographic survey, environmental assessment, permitting, and engineering evaluation and design of retaining wall replacement. Engineering evaluations indicated that replacement of the failed and damaged sections of retaining walls with a soldier pile and lagging retaining wall is the most cost-effective approach. The wall will measure approximately 210 feet long and 33 feet tall. Lagging will be comprised of precast concrete panels with a veneer finish that will aesthetically blend with surrounding historic structures.

We have worked diligently with the city, permitting agencies, and FEMA to develop a cost-effective project that will satisfy engineering and agency requirements. Saco River Corridor Commission, Maine Historic Preservation Commission, and Shoreline Zoning approvals have been received. Maine Department of Environmental Protection approval is expected in early 2024, with construction anticipated in summer/fall of 2024.

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HARRISON AVENUE SLOPE FAILURE REPAIR

city of gardiner, maine



Weston & Sampson was retained by the City of Gardiner to provide design, permitting, and FEMA support services for the Harrison Avenue Slope Failure Repair project. Weston & Sampson will also provide construction support services during project construction. Federal disaster relief funding will be used to fund the project.

The south end of Harrison Avenue is located along and above the west bank of Cobbosseecontee Stream. Soil slopes up to approximately 44 feet tall are present between the roadway and the stream. Approximately 80 linear feet (LF) of soil slope failed in May 2023 after a period of heavy precipitation. The failure caused most vegetation and surficial organic soils to slide into the stream, exposing sloughed embankment soils. The failure also undermined sections of roadway closest to the slope crest and caused rotation of utility poles and guardrails towards the failed slope.

Services that have been or will be completed for the project include evaluation of the existing site conditions, subsurface explorations, topographic survey, permitting, cost estimating, FEMA support, and geotechnical engineering evaluation and design of slope failure repair. Preliminary engineering evaluations indicate that slope repair with riprap will be the most-cost effective approach for this project. Mitigation efforts could extend slope repair beyond the failed slope section. Additional project elements could include installation of stormwater collection/diversion improvements along the south end of Harrison Avenue. Permitting coordination and approvals are expected with Maine Historic Preservation Commission, Army Corps of Engineers, and Maine Department of Environmental Protection.

Weston & Sampson is working diligently with the city and FEMA, including attending in-person meetings, to help develop a cost-effective project that will satisfy engineering and agency requirements. We anticipate construction to begin in summer 2024.

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RING'S ISLAND FLOOD PREPAREDNESS

town of salisbury, massachusetts



The Ring's Island neighborhood of Salisbury, Massachusetts, lies on the north bank of the Merrimack River near its mouth. Coastal flooding during storms and extreme high tides floods roads and causes damage to homes and businesses due to the low elevation and undersized culverts. Eight to ten times each year, flooding in the area leaves only one evacuation route, stranding residents and making it difficult for emergency vehicles to reach the neighborhood. Seeking to increase the resilience of the neighborhood, the Town of Salisbury retained the team of Weston & Sampson and Woods Hole Group to help them apply for funding under the Massachusetts Municipal Vulnerability Preparedness (MVP) Action Grant program. Their ultimate goal is to provide final design services to raise the elevation of the access/egress roads and improve tidal flushing through culvert replacements.

Once funding was obtained, our team held a kick-off meeting with local stakeholders to discuss the proposed approach, conducted a site visit to review recommendations and project goals, and provided preliminary survey services to tie in the proposed roadway elevations with existing conditions. Final design services included simulation modeling to update the previous model and a wind-wave analysis to determine the wave conditions during storm events. We also included mitigation design on either side of the culvert. Using this information, our team's final design included a concrete block retaining wall to raise the grades of the two main access and egress roads by roughly three feet. This will provide added assurance that, during storms and extreme high tides, residents and emergency personnel will have more than one way in and out of the Ring's Island neighborhood. Our team also designed and prepared permits for the enlargement of several culverts under the roads in question to allow additional tidal flushing and preventing the high storm tides from backing up onto the roads and into the surrounding neighborhood.

The use of appropriately sized culverts will also promote re-establishment of a healthy wetland and provide improved aquatic habitat, water quality, and carbon sequestration. The reduction in flooding and associated damage will also reduce clean-up efforts and costs on access roads. The Town of Salisbury to date has received a grant for preliminary and final design of about \$400,000 to move forward with the project.

- preliminary and final design
- flooding reduction
- culvert enlargement
- improved tidal flushing
- reduced emergency response and flood cleanup costs

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BLACK BROOK ROAD RECONSTRUCTION AND SLOPE STABILIZATION

town of savoy, massachusetts



Black Brook Road and the banks of Black Brook in Savoy experienced extensive damage during Tropical Storm Irene in the fall of 2011. The resulting storm flows within the brook overtopped culverts and destroyed large sections of the roadway. Following the storm, Weston & Sampson assisted with an evaluation of the roadway and river banks.

The project includes over one mile of roadway in various states of disrepair, seven slope failures, one major culvert replacement, and miscellaneous storm drainage improvements. Due to the magnitude of the required work, several funding sources were obtained in order to ensure the project moved forward. Weston & Sampson worked closely with the town and was instrumental in obtaining funding for this vital project. In the end, the town was able to obtain funding from five different funding sources, including FEMA, MassWorks, Community Development Block Grant Disaster Relief, and Massachusetts Department of Transportation (MassDOT).

The repair of the slopes and roadway along Black Brook Road is important to the Town of Savoy, surrounding communities and most importantly, emergency response services within Savoy and surrounding communities.

Weston & Sampson's work for the project included an evaluation of alternatives and the final design of the new roadway and culvert. The recommended plan included the installation of soldier pile and lagging walls, which limited impact to natural resources, while providing a mechanism to restore the roadway. The final design included the stabilization of the failed portions of the slope between Black Brook and Black Brook Road, replacement of a 36-inch diameter CMP culvert that was unable to pass flood flows during Tropical Storm Irene, and the reconstruction of the existing roadway and stormwater drainage collection systems.

Final design was completed in Spring of 2015 and construction began in Fall of 2015. The project was completed in Spring 2017.

- **ACEC of MA 2018 Bronze Award for Engineering Excellence**
- **APWA Project of the Year for Disaster or Emergency Construction Repair**
- **roadway and river banks evaluation and roadway repair**
- **storm drainage improvements & hydraulic analysis**
- **slope stabilization**
- **geotechnical and subsurface investigations culvert replacement**
- **pavement design**
- **cost estimating**
- **environmental permitting**
- **contract documents and specifications**
- **funding assistance**

client contact

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EMERGENCY ENGINEERING SERVICES (HURRICANE IRENE)

town of cavendish, vermont



Weston & Sampson provided the Town of Cavendish with emergency engineering services following the catastrophic damage caused by river and stream flooding from Tropical Storm Irene. Many of the town's 44 bridges and culverts were unsafe and could not be used, and major roads were all or partially destroyed by the flood waters, leaving the town a virtual island. In addition, the town's water and sewer systems at the largest of these washouts were severed, causing the water system to fail, water storage tanks to drain, and raw sewage to flow into rivers and streams.

The morning after the storm, Cavendish town officials contacted Weston & Sampson, and by mid-afternoon, civil, structural, and geotechnical staff from our Vermont and Connecticut offices responded. They began assessing damage immediately, as water and food were being flown into the town by the Vermont Air Guard. Subsequently, Weston & Sampson provided the following services:

- Structural inspections of over 40 bridges including abutments, wing walls, headwalls, H-piles, girders, trusses, concrete and timber decking, channel lining and culverts.
- Emergency design and construction oversight for repairs to the Winery Road Bridge approach
- Follow-up design services on two bridges and one culvert including geotechnical exploration and development of base mapping used by the town to develop bid packages for design-build
- Design and construction services on Davis Road Bridge including geotechnical investigations, site survey, and hydrologic and hydraulic analyses
- Rainfall runoff modeling, HEC-RAS modeling, and use of ArcGIS software to develop cross sections and interpret modeling results for use in designing Davis Road Bridge
- Hydraulic analyses and flood mitigation for the Carlton Road bridge, culvert, and surrounding properties

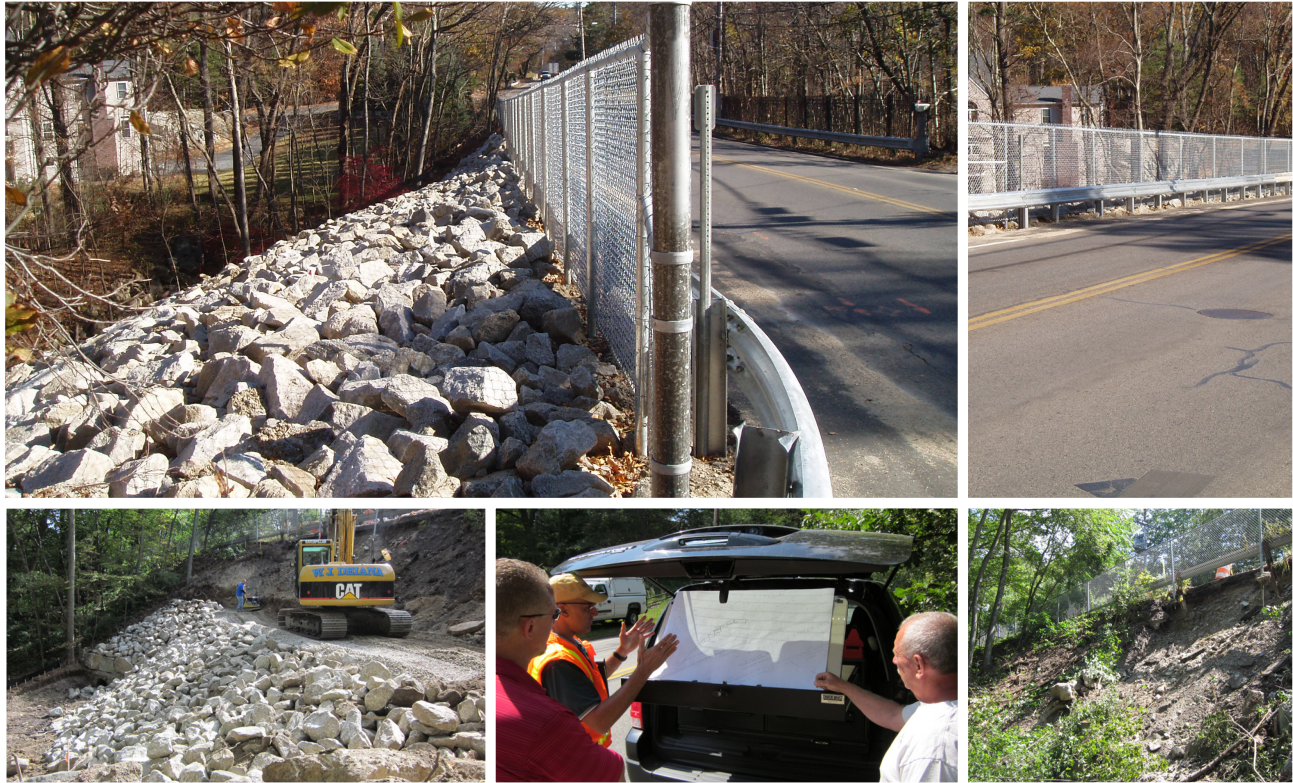
- emergency response
- multi-disciplined services
- FEMA program administration
- Vermont ANR coordination
- VTrans coordination

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EAST MAIN STREET EMERGENCY SLOPE STABILIZATION

town of hopkinton, massachusetts



Weston & Sampson provided geotechnical services for emergency design and repair of a slope failure on East Main Street (Route 135) in Hopkinton, Massachusetts. Failure of the approximately 25-foot tall embankment slope occurred as a result of Tropical Storm Irene on August 28, 2011. The failure damaged a fence and guardrail along the top of the slope and eroded and undermined the edge of the roadway by as much as 2 feet. Expeditious stabilization of the slope was critical to maintaining two lanes of traffic on East Main Street, a major thoroughfare through the center of Hopkinton.

Weston & Sampson was contacted by the town and visited the site the day after Tropical Storm Irene. Site clearing and access preparation to the bottom of the slope began on September 2, 2011 by a contractor hired by the town. Concurrent with site clearing and access preparation, Weston & Sampson completed slope stability analyses and prepared drawings and details of the proposed repair, a suggested sequence of work, material specifications, and a material quantity estimate. Construction of the slope stabilization began on September 9, 2011.

Weston & Sampson geotechnical engineers were on-site to assist the contractor with layout of the top and bottom of slope, slope inclinations, construction of a key trench along the bottom of the slope, and modifications of the stabilization design to accommodate existing conditions. Weston & Sampson continued to observe and document construction of the slope repair through completion on October 7, 2011.

client contact

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EMERGENCY RIVERBANK STABILIZATION AND ROAD RESTORATION, EAST RIVER ROAD

town of chester, massachusetts



Weston & Sampson was retained by the Town of Chester to provide field survey, engineering, permitting assistance, and construction administration for a portion of an eroded bank section of the West Branch of the Westfield River that has resulted in the undermining of a portion of East River Road in Chester, Massachusetts.

The West Branch of the Westfield River bank was eroded during a rain event that occurred on October 8th and 9th of 2005. Following this rain event, the Town of Chester installed temporary barriers along the roadway, since a portion of the roadway was undermined and no longer passable.

During October of 2007, the Town of Chester closed the roadway and declared an emergency. Weston & Sampson completed a field survey, prepared design drawings, and prepared the emergency authorization requests to Massachusetts Department of Environmental Protection (MADEP), USACOE, Natural Heritage, and the National Park Service. New England Environmental of Amherst, Massachusetts assisted Weston & Sampson with the permitting and inspection of the project.

All bank restoration design work was approved by the National Park Service for work along a designated wild and scenic river. Native stone was used to blend the restoration work with the surrounding river, root wads were installed along the toe of the slope to provide fish habitat, and the riverbank was planted with native vegetation.

client contact

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FLOOD PROTECTION AND CLIMATE RESILIENCY STUDY OF COLUMBIA, SC WWTP

city of columbia, south carolina



The City of Columbia's Metro Wastewater Treatment Plant (WWTP) is located immediately at the land side toe of the Congaree River levee. Built in the 1960s and 70s, the levee is classified as non-accredited for the National Flood Insurance Program (NFIP). In October 2015, historic rainfall led to widespread flooding in the region and a section of the levee just downstream of the WWTP breached. Since the WWTP is higher in elevation than surrounding areas, it did not flood, but it was inaccessible to vehicular traffic for more than three days, employees had to be transported to and from the facility by boat, and the plant could not receive supplies.

The City of Columbia was awarded a grant by the Federal Emergency Management Agency (FEMA), which they used to retain Weston & Sampson as their prime consultant to conduct a geotechnical, climate resiliency, and flood protection study to evaluate alternative methods to protect the plant, its planned expansion, and its supply route from future flood conditions. Our study involves inspection of the existing levee, regional hydraulic and hydrologic analyses, breach analyses, subsurface explorations, and stability and seepage analyses for the existing levee in future flood conditions. Due to the high flood levels expected for the area, our recommendations include a new ring levee around the WWTP, raising the existing supply route to the facility, and building a new bridge off the highway as a secondary supply route.

When our study is complete, the city will have a series of solid, science-based recommendations for next steps to be undertaken to help protect this currently vulnerable infrastructure from flooding. Our recommendations will be critical in building resiliency into the plant and levee to better withstand threats from flooding from today's as well as future storm events that are predicted to be more frequent and more severe due to climate change. Our study will include proposed additional studies and projects, as well as a path to getting the existing levee section to be accredited by the NFIP.

- flood protection for vulnerable civil infrastructure
- climate resiliency
- sea level rise response
- geotechnical engineering

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ORLANDO DRIVE EMERGENCY CULVERT REPLACEMENT

town of enfield, connecticut



Weston & Sampson was contracted by the Town of Enfield to provide emergency design services for a slope failure associated with a culvert that washed out over an unused dirt road in January 2019. An old corrugated metal pipe culvert failed with an exposed sewer pipe hanging between the washed out slopes of embankments.

Weston & Sampson performed an emergency site inspection, provided temporary solutions, and diligently worked on design and permitting within 2-3 weeks. Design involved hydraulic analysis of the stream using HEC-RAS program, slope stability analysis, and providing scour countermeasure design. Scour countermeasures involved providing riprap at appropriate slopes and grading to prevent any future erosion. Sewer crossing was protected by a metal sleeve with additional structures on the embankments. This project also involved permitting through local inland wetlands and army corps engineers on an emergency basis. CTDEEP Flood Management Certification (FMC) requirements were discussed with CTDEEP and we demonstrated an FMC was not required by showing no adverse impacts within a FEMA floodplain.

This project was completed in February 2019.

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CLIMATE ADAPTATION ROADMAP ALTERNATIVES ANALYSIS FOR THE HAMPTON CIRCLE AREA

town of hull, massachusetts



WHY A CLIMATE ADAPTATION ROADMAP?

- Past flood events have impacted the neighborhood
- Future flood projections indicate high vulnerability for this area
- “Everyday flooding” due to tides is likely

January 28, 2022 Event

What

A roadmap that is not a single option but a set of adaptation alternatives for the community to explore together

Join us for a workshop!
On Climate Adaptation Solutions for the Hampton Circle Area

December 7, 2022
7-8:30pm
Doors open at 6:30
Hull High School
Exhibition Room

Register here!

<https://tinyurl.com/HullClimate>

*Have you experienced flooding?
We want to hear your concerns and ideas for the future of the neighborhood.*

Join us!
Resiliency Workshop
Hampton Circle Area

December 7, 2022
7-8:30pm
Doors open at 6:30
Hull High School
Exhibition Room

Register here!

<https://tinyurl.com/HullClimate>

We need your...
Feedback • Concerns • Ideas • Questions • Creativity!

Join us!
Climate Adaptation Workshop

The Town of Hull Climate Adaptation and Conservation Department and Sewer Department are exploring potential options to adapt the Hampton Circle Area to frequent and future flooding. This workshop will provide an overview of flood vulnerability based on climate change projections, introduce adaptation options, and provide an opportunity for conversation and feedback from residents.

December 7, 2022
7-8:30pm
Doors open at 6:30
Hull High School
Exhibition Room

Do you live on Marginal Road, Moreland Avenue, Hampton Circle, or Bay Street?

RSVP Here!

<https://tinyurl.com/HullClimate>

We need your feedback!
The project is funded by the Municipal Vulnerability Preparedness (MVP) program from the Massachusetts Governor's Office of Energy and Environmental Affairs.

OPTIONS FOR FLOOD ADAPTATION

Home Elevations

OPTIONS FOR FLOOD ADAPTATION

Home Elevations

Town Role
The 2022 Home Elevation Grant Program is administered by the Town of Hull through a multi-department committee of Town staff. Its purpose is to assist eligible residents raise their homes in the 100-year floodplain so the risk for flooding is reduced. Funding is from FEMA Pre-Disaster Mitigation Program.

Resident Role
• Residents must apply for Town support.

Potential Benefits
• Home elevation will potentially reduce damages to structures due to tidal or storm surge flooding.

Potential Trade-offs
• Stairs or ramps may be required for vertical accessibility.
• Temporary flooding may be needed during construction.
• Older structures may need some retrofit to handle elevation.
• Some cost required from property owner upfront.
• Takes 1-2 years for application process.

The Town of Hull's Climate Adaptation and Conservation Department and Sewer Department are exploring potential options for the Hampton Circle Area to adapt to frequent and future flooding. The neighborhood will likely experience everyday tidal impacts in the future due to sea level rise, and more than 70 residential properties may be impacted by flooding.

This project includes robust community engagement through an educational video, focus groups, two visioning workshops, a site walk, and a survey. As part of this effort, we are also exploring design alternatives for the area to reduce the impacts of sea level rise, storm surge, and precipitation-based flooding. Design alternatives may include physical interventions such as raising roadways, extending sea walls, or residential property changes through home elevations or managed retreat.

All alternatives considered are informed by an analysis of climate data and feasibility of implementation. Weston & Sampson is providing climate data assessment, managed retreat program consideration, community engagement support, design development, and feasibility analysis. This project is one of the first to consider managed retreat in Massachusetts through the Municipal Vulnerability Preparedness (MVP) Program. The coordinated roadmap that results from the project will inform next steps for the Hampton Circle neighborhood and the Town of Hull.

- climate adaptation roadmap: alternatives analysis
- MVP program coordination
- resilient design alternatives
- robust community engagement

client contact

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CLIMATE CHANGE VULNERABILITY ASSESSMENTS OF PUBLIC WASTEWATER & DRINKING WATER INFRASTRUCTURE

new hampshire department of environmental services



The New Hampshire Department of Environmental Services recently contracted Weston & Sampson to provide climate change vulnerability assessments (CCVAs) for NHDES-selected publicly owned wastewater and drinking water infrastructure within New Hampshire.

Communities across the State of New Hampshire are experiencing increased flooding, drought, excessive heat, severe winters, and other extreme weather events that threaten the functionality of their critical infrastructure. Unpredictable weather and weather events endanger the proper function and operation of wastewater and drinking water infrastructure.

As part of this contract, Weston & Sampson is responsible for conducting CCVAs in select communities across the state to help the NHDES better understand the current and future impacts of climate change on their infrastructure, including wastewater treatment facilities (WWTFs), pump stations, and collection systems, as well as drinking water treatment plants (WTPs), water supply mains, booster stations, and water supplies. Our team is working to identify current and projected freshwater flooding; coastal flooding, sea level rise, storm surge, and groundwater rise as applicable to coastal systems; impacts from extended periods of extreme heat; and impacts from drought.

Our team will evaluate each community and determine a vulnerability score based on a uniform approach and infrastructure sensitivity. Vulnerabilities will be incorporated into the community's Hazard Mitigation Plan and, more critically, into each community's existing Asset Management platform. This last step best ensures that vulnerabilities can be aligned with capital improvement projects and applicable funding in the future.

- climate change vulnerability assessments
- identification of mitigation measures
- protection plans for critical infrastructure
- community-specific hazard mitigation plan reviews/updates
- background data collection
- report development
- community outreach and presentations
- preparation of an ArcGIS story map

client contact

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WASTEWATER TREATMENT FACILITY CLIMATE RESILIENCE ASSESSMENT

town of seabrook, new hampshire



The **Town of Seabrook** identified several critical wastewater treatment components vulnerable to the anticipated changes in sea level rise under projected future climate scenarios in the Town Master Plan Chapter on Coastal Hazards and Adaptation. The focus of this project was the town's critically important wastewater treatment infrastructure, which collects and treats domestic, commercial, and industrial wastewater from most of the town.

The wastewater treatment facility (WWTF) and other system treatment components are all located on Wright's Island, a small upland area within the salt marsh that straddles the New Hampshire/ Massachusetts border south of Route 286. Vehicular access to Wright's Island is via a single-lane causeway from Route 286. The isolated nature of the WWTF makes it particularly susceptible to sea level rise (SLR) and coastal surge, and any disruptions to WWTF operation quickly becomes a public health risk. The project involves assessing the specific vulnerabilities at the site and identifying/assessing up to four options for improving resiliency.

The project also involves identifying effective communication and outreach methods, building upon successful efforts of regional organizations to continue the conversation about climate change in Seabrook and engage the public in the results of the WWTF assessment. It is expected that our outreach process will be easily replicated by other New Hampshire coastal communities.

Key objectives of this project included:

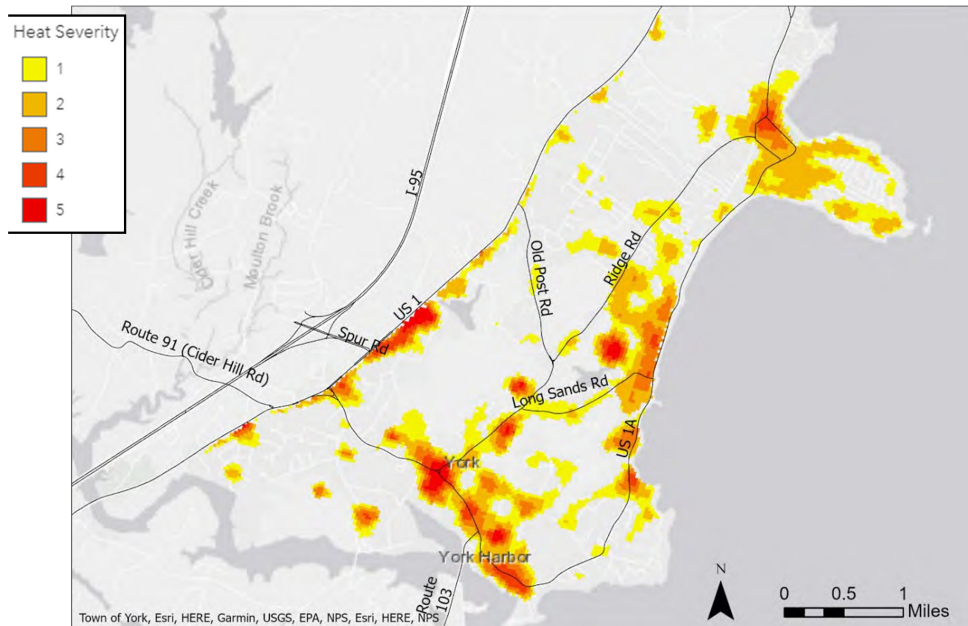
- Identify current/projected flooding from SLR/storm surge and impacts
- Include new site-specific SLR and storm surge evaluations
- Incorporate new science on groundwater rise projections
- Identify and create design concepts, permit strategy, and costing for four options for improving the climate resiliency of the WWTF
- Engage over 50 residents through the development of public engagement strategy on climate threats and emergency procedures

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COMPREHENSIVE MASTER PLAN UPDATE & CLIMATE ACTION PLAN

town of york, maine



As a subconsultant to Civic Moxie, Weston & Sampson assisted in the execution of an integrated project that included development of an update to the Town of York's existing Comprehensive Plan as well as development of the town's first-ever Climate Action Plan.

Our efforts included:

- Preparing the Public Facilities, Transportation, and Water Supply sections of the Comprehensive Plan
- Assessing existing conditions, consensus-building with focus groups, and preparing recommendations for an implementation plan
- Assisting in the preparation of a Comprehensive Plan that meets criteria the State of Maine Planning Office uses to review community comprehensive plans for consistency with the goals and guidelines of the Growth Management Act (30-A M.R.S.A. §§ 4312 - 4350) and for certification under §4347-A(2)
- Establishing an overall vision for the future of the town and concrete goals for achieving this vision
- Incorporating plan elements that are reflective of town goals of social equity, economic development, and public health and safety
- Developing concrete, data-driven strategies to realize the town's goals and clear metrics to measure success in the coming years
- Assisting in the preparation of the Climate Action Plan

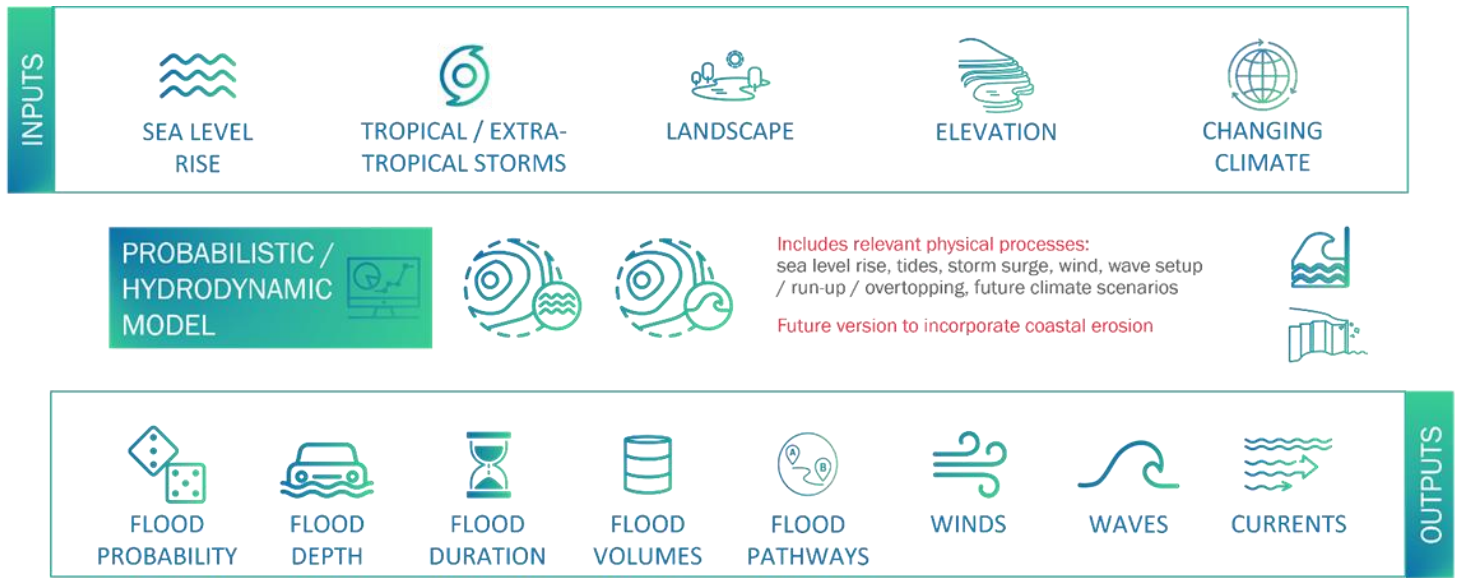
- user-friendly, concise, and graphic comprehensive master plan update
- climate action plan development
- social equity, economic development, and public health and safety considerations

client contacts

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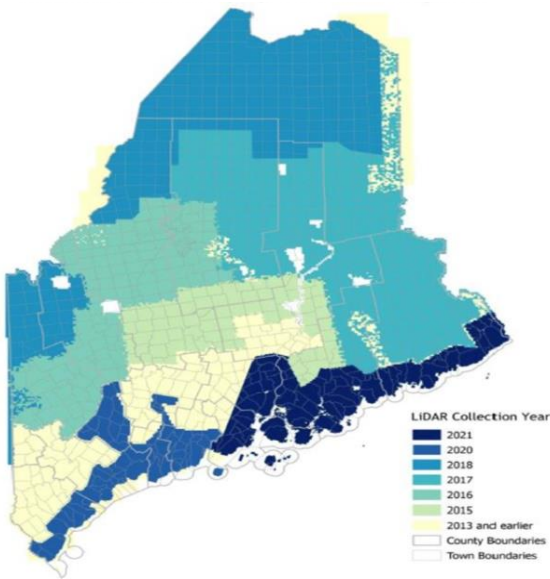
The Maine Coast Flood Risk Model



PROJECT CHARACTERISTICS

- Probabilistic Flood Modeling
- Combined Sea Level Rise and Storm Surge Risk to critical infrastructure and Assets
- Assessment of spatial variability in tidal datums under changing climate conditions
- Integration of important tidal crossings
- Integration of wave-driven run-up and overtopping processes

Woods Hole Group (WHG) is working with the Maine Department of Transportation (Maine DOT) to evaluate coastal flood risks under a changing climate. The project will utilize a dynamic, physics driven approach, within a probabilistic framework, to create geospatial risk data for coastal and estuarine areas throughout the State. The geospatial probabilistic data created as part of this project are intended to form a foundation for understanding and assessing climate-induced coastal risk and resilient project design for Maine's coastal communities.



The centerpiece of the project will be the results of a highly resolved numerical hydrodynamic model. The model will incorporate the combined impacts of sea level rise, storm events (both tropical and extra-tropical), winds, tides, riverine discharge, as well as waves. Tropical and extra-tropical events will be simulated using an ensemble Monte Carlo approach to develop probabilistic distributions of flooding. The Maine Coastal Flood Risk Model (MEC-FRM) will draw on lessons learned and build upon the methodology previously utilized to create the Massachusetts Coastal Flood Risk Model (MC-FRM).

Woods Hole Group's approach to dynamic flood modeling includes a more accurate representation of current and future flood risk for a number of reasons, including, but not limited to:

- The Woods Hole Group FRM approach is a dynamic model that includes the critical processes associated with storm induced flooding (winds, waves, wave-setup, storm surge, wave run-up and overtopping, etc.).



- The Woods Hole Group FRM approach includes wave run-up and overtopping flow, and the physical based spreading inland of that water, in areas where waves intermittently overtop major coastal structures (e.g., seawalls, revetments).
- The Woods Hole Group FRM approach is calibrated to historical storm events that impacted Maine, using observed high-water data and measurements to ensure that storm propagation and conditions are reasonably represented.
- The Woods Hole Group FRM approach is high enough resolution to capture flood pathways in complex urban topographies such that site-specific flood risk can be analyzed and used to develop design parameters and conditions.
- The Woods Hole Group FRM approach includes both hurricanes (tropical cyclones) and nor'easters (extra tropical cyclones) under changing climate conditions, capturing the net effects of varying storm types, magnitudes, and frequencies. The Monte Carlo approach simulates 1000s of storm events to arrive at a full probabilistic flood risk result.

LOCATION

State of Maine

CLIENT

Maine Department of Transportation

00-0000

Prouts Neck Resiliency Planning

Prouts Neck, ME

PROJECT CHARACTERISTICS

- Climate change planning
- Sea level rise and storm surge vulnerability assessment
-
- Adaptation and resilience recommendations
- Infrastructure assessment
- Natural resources assessment
- Adaptation responses

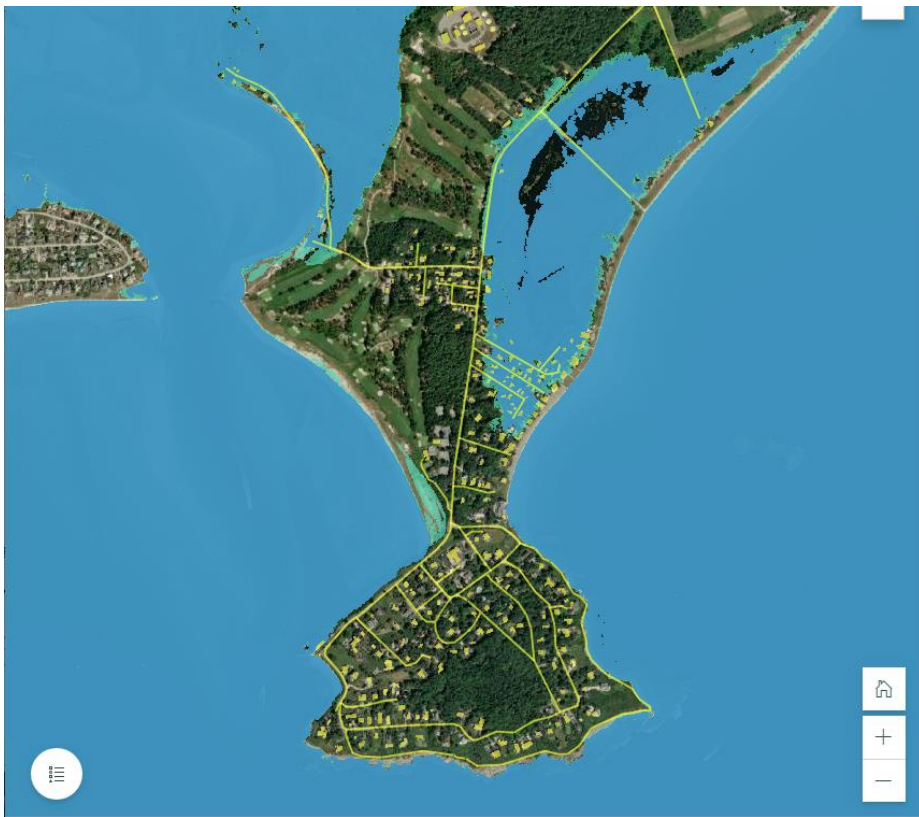


Prouts Neck is a community rich in history and family traditions. Generations of families have spent summers at Prouts Neck enjoying the sandy beaches at the Bathing Association, the tennis courts and golf course at the Country Club, boating from the Yacht Club, rowing and paddling from the Nonesuch Oar and Paddle Club, and enjoying the sights from the Cliff Walk. Over time, Prouts Necks has experienced increased population and housing density, while also witnessing land-use changes to nearby coastlines and the Scarborough Marsh.

The Prouts Neck Environmental Planning Committee (PNEPC), a special committee of the Prouts Neck Association, PNEPC was interested in better understanding the overall vulnerability of the Prouts Neck community to storm flooding and damage, especially as those vulnerabilities may intensify with a changing climate. In mid-2022, the PNEPC engaged the Woods Hole Group, an international environmental, scientific, and engineering consulting organization headquartered in Bourne, Massachusetts, to conduct a screening-level vulnerability assessment of the present and future climate conditions for Prouts Neck.

Prouts Neck is susceptible to coastal shoreline change, especially the impacts associated with waves, storm surge, erosion, and other coastal hazards. Storm surge flooding and wave action have led to extensive erosion and damage along Scarborough Beach and the Prouts Neck Bathing Association. Impacts from past storms have included damage to the PNBA and private homes, erosion along the beaches and Cliff Walk, and flooding of the lanes and the golf course.

As recently as December 2022, the Prouts Neck area experienced the damaging impacts of the large storm which hit the area just before Christmas. This storm had 60-70 mph winds from the south easterly direction, sustained precipitation, and rolled through the area during an astronomical high tide resulting in large waves and higher water levels. Additionally, this storm reached a surge elevation of 8.46 ft NAVD88 which is approximately equivalent to a FEMA 50-year (2% annual chance) storm event in present day or a 10-year (10% annual chance) storm event in 2030.



Clear Data

10% and 1% SS Present Day

10% and 1% SS + Sea level
Rise 2030

10% and 1% SS + Sea level
Rise 2050

10% and 1% SS + Sea level
Rise 2070

10% and 1% SS + Sea level
Rise 2100

You can use the buttons on the lower right corner of the map to interact with the viewer. **Click the + or - buttons to zoom in.** **Click and hold the map and drag your mouse pan in any direction**



Possible adaptation responses to existing vulnerabilities were developed for the following key assets:

- Prouts Neck Yacht Club Building
- Buildings along Ferry Beach
- Prouts Neck Bathing Association
- Prouts Neck Country Club
- The Lanes Neighborhood
-

For a full report on the assessment please visit:

<https://storymaps.arcgis.com/stories/16d11d09fd22443c8c693866a4a8f1f6>

In the summer of 2022, the PNEPC worked with Woods Hole Group to conduct a screening-level vulnerability assessment to investigate the potential exposure of roads and buildings within the Prouts Neck community to flooding caused by nuisance and storm surge flooding for current and future climate conditions.

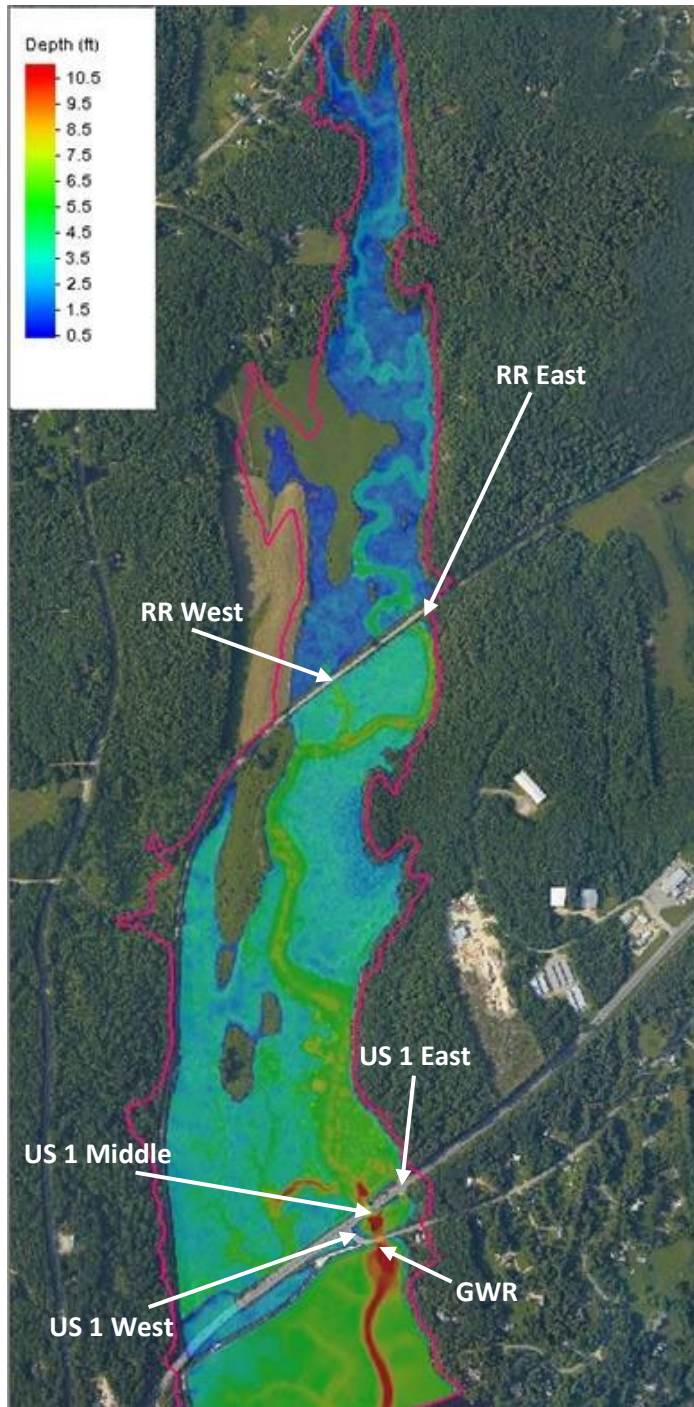
LOCATION

Prouts Neck, Maine

CLIENT

Prouts Neck Association

Back River Marsh Restoration: Hydraulic & Hydrology Study, Woolwich, ME



PROJECT CHARACTERISTICS

- Field data collection
- Topographic and bathymetric surveying
- Marsh Restoration
- Sediment transport
- Culvert/Bridge opening optimization
- Infrastructure assessment
- Hydrology and Hydraulics study

Back River Marsh, a 140+ acre wetland upstream of Pleasant Cove and the Sassanoa River in Woolwich, has experienced impaired tidal exchange due to road crossings at the downstream end of the estuarine system. Additionally, the Route 1 and George Wright Road crossings have been subject to flooding in recent storm events. To investigate the potential for restoration of the Back River salt marsh and increased resiliency of roadways, Woods Hole Group conducted Hydrology & Hydraulics (H&H) study. The study included a field data collection program to develop an understanding of the Back River Marsh estuarine dynamics under existing conditions. Data collected in support of the study were then applied to a develop a two-dimensional Sedimentation and River Hydraulics (SRH-2D) model.

The model allowed for simulations of alternative road crossings and the selection of a preferred hydraulic opening and roadway profile for the Route 1 crossing.



Recurring flooding at Rte. 1/George Wright Rd.



Existing undersized culvert

The Back River Marsh Restoration H&H study combined efforts from our Coastal Measurements & Sediments and Coastal Engineering & Modeling teams to develop a data acquisition and implementation plan to provide understanding of the degraded estuarine dynamics. Conductivity, Temperature, and Depth (CTD) instruments were deployed at key locations within the system to measure the existing tidal exchange under Route 1 and George Wright Road into the estuary. In addition to collecting tidal measurements, Woods Hole group conducted a survey to provide recent topographic and bathymetric data for developing the H&H model.

After implementing the data collection phase of the project, Woods Hole Group analyzed the data and used it to develop a calibrated SRH-2D model of the system under existing conditions.

The calibrated SRH-2D model was then applied to simulate a variety of restoration alternatives and develop recommendations for optimizing potential tidal exchange to the upstream marsh.

The alternatives were evaluated under multiple tidal and storm conditions to assess the restoration potential and any adverse impacts associated with the proposed hydraulic openings including both the Route 1 Station 46 bridge and the Pleasant Cove stream crossing. Simulations included typical tidal forcing, riverine, and coastal storm event together with sea level rise projected to occur over the lifespan of the project. The model simulations allowed for the selection of a preferred alternative for the Pleasant Cove crossing: an open span bridge with an increased roadway elevation that would tie-in with the Station 46 Route 1 crossing.

The project involved coordination and engagement with Back River Restoration Partnership Team, MaineDOT, and its design consultant to ensure that restoration goals were addressed together with reducing roadway flooding and providing increased resilience of both the marsh and surrounding infrastructure in the years ahead.

LOCATION

Woolwich, ME

CLIENT

Kennebec Estuary Land Trust

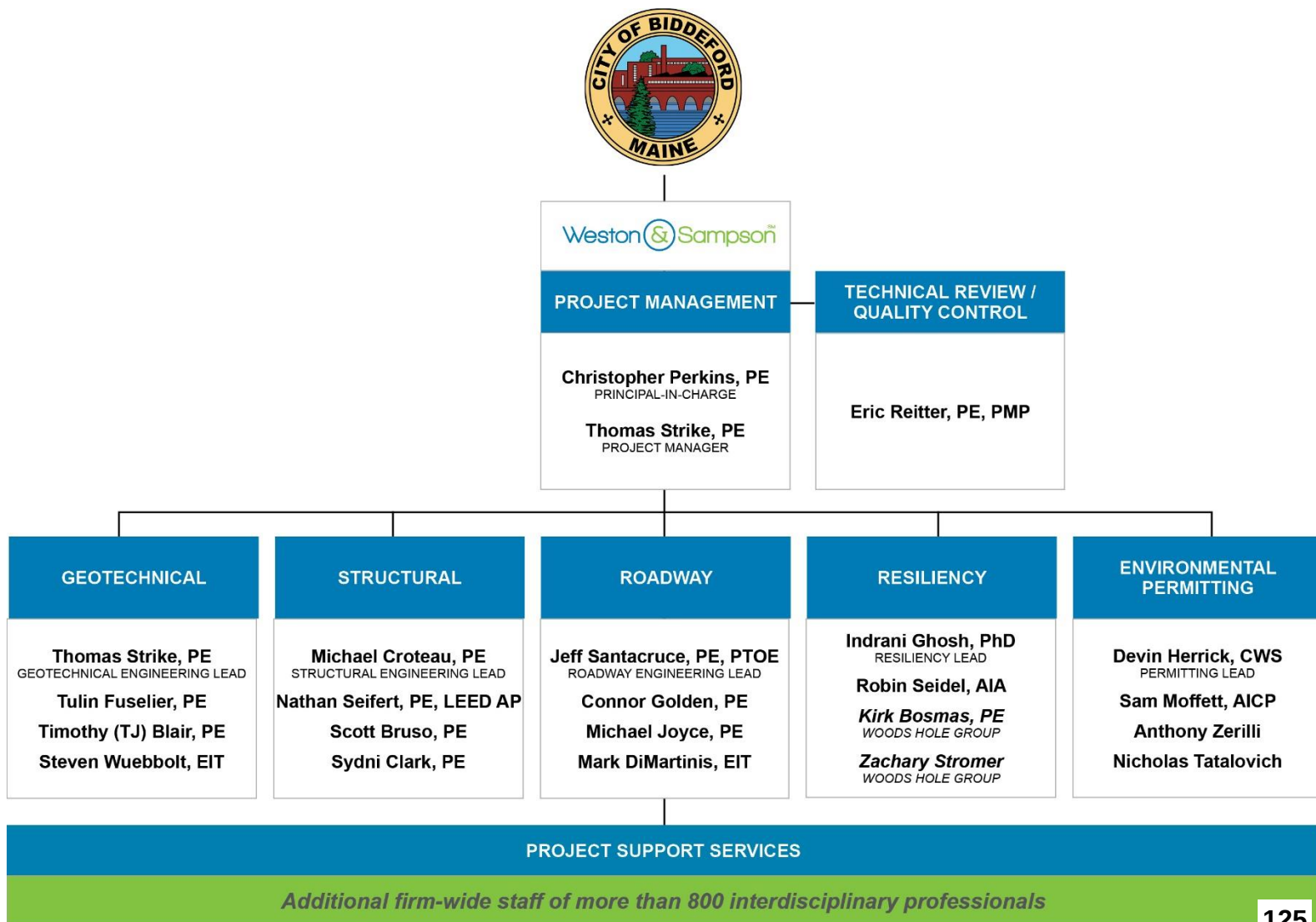
PROJECT TEAM & RESUMES

Weston & Sampson's expert team for this project includes highly qualified professionals and technical/support specialists who have successfully completed projects for the City of Biddeford and similar communities over the past several years. With the interdisciplinary nature of our team, we can address important project issues efficiently and seamlessly using in-house staff familiar with the unique challenges facing your community.

Our team of engineers, planners, environmental scientists, and resiliency specialists offers the appropriate skills required to successfully complete this project for the City of Biddeford. **Principal-in-Charge Chris Perkins, PE**, and **Project Manager Tom Strike, PE** have successfully worked together on numerous complex infrastructure improvement projects.

The below team chart outlines the lines of communication among all our team members, as well as their respective roles and responsibilities.

On the following pages, we highlight the qualifications of our project management team and lead staff who will have overall responsibility for the delivery of services. Resumes for these key staff conclude this section.



Key Personnel

Christopher Perkins, PE Principal-In-Charge

As principal-in-charge, Chris will commit the corporate resources necessary to cost-effectively complete projects under this contract. Chris leads the firm's business operations in Maine and New Hampshire and is a member of our corporate Board of Directors. A Maine registered Professional Engineer and longtime Maine resident, Chris has extensive experience with all facets of civil engineering, including the planning, design, and construction of dams and stormwater, water distribution, and wastewater collection, treatment, and disposal facilities. He currently serves as the principal-in-charge of multiple infrastructure and planning projects, including multi-street roadway and utility reconstruction projects through New England. In addition, **Chris currently serves as the principal-in-charge for the Retaining Walls Replacement Project along the Riverwalk in Biddeford.**



Thomas Strike, PE Project Manager & Geotechnical Lead

As project manager, Tom will be responsible for the day-to-day progress of your project and will serve as **the primary contact** with the city. Tom will monitor the performance of the project team, review budgets, ensure technical quality, monitor personnel assignments and allocations, and lead all design tasks. Tom brings to this project more than 25 years of experience in geotechnical engineering design for municipal projects. His specific areas of expertise include dam safety engineering, foundation design, and retaining wall and slope stability analyses. **Tom has worked on numerous FEMA projects, including the on-going Retaining Walls Replacement Project in Biddeford.**



Michael Croteau, PE Structural Engineering Lead

Mike has more than 20 years of civil and structural engineering experience, including more than two dozen municipal projects constructed across the Northeast. This experience includes design and construction phase services for numerous bridge projects in Maine, New Hampshire, and Massachusetts. In addition, Mike has experience with foundation and retaining wall design, including his work on the recent Boston City Hall Project. **Mike is assisting Tom with structural design support for the Retaining Walls Replacement Project in Biddeford.**



Jeffrey Santacruce, PE, PTOE Roadway Engineering Lead

A Maine registered Professional Engineer, Jeff has nearly 30 years of civil and roadway engineering experience, including several roadway reconstruction projects in Vermont and New Hampshire after Tropical Storm Irene. His experience includes roadway design and reconstruction projects throughout the Northeast. Jeff has worked on roadway, bridge, and dam projects with both Mike and Tom. **Currently Jeff is managing two projects for NAVFAC, including roadway reconstruction along the coastline for a facility in Cutler, Maine that considers sea level rise and wave modeling and a project at a facility in Rangeley, Maine that involves culvert replacement and roadway restoration due to recent storm damage along a stream that looks at resilient solutions to reduce future damage.**



Indrani Ghosh, PhD Resiliency Lead

Indrani has nearly 20 years of experience as a water resource engineer and is the climate resilience technical leader at Weston & Sampson. She guides interdisciplinary teams and stakeholders through the risk-based prioritization of adaptation solutions. Indrani has industry-leading experience in translating climate change projections to engineering design criteria for infrastructure and modeling climate impacts for vulnerability assessment/adaptation planning for projects throughout the Northeast. Her experience also includes serving as technical lead working with the multi-agency RMAAT to provide Climate Resilience Design Standards and Guidelines and providing technical support and advice related to the incorporation of resilient design strategies as part of the implementation of the master plan for historic waterfront Prescott Park and Four Tree Island in Portsmouth, New Hampshire.



Devin Herrick, CWS Environmental Permitting Lead

Devin has more than six years of experience working on environmental conservation and permitting projects for a wide variety of projects throughout New England, including resilient coastal projects for Ring's Island in Salisbury, Massachusetts; and Prescott Park in Portsmouth, New Hampshire. Devin is experienced in wetland conservation, restoration, and mitigation projects that include data collection, site assessments, vegetation, water, soil and hydrologic evaluations, functional assessments, habitat identification, natural resource surveys, living shoreline installation, and critical habitat restoration. Devin has also been involved in grant writing, data configuration, and report preparation. She has experience effectively communicating with numerous state and federal agencies regarding permitting and environmental issues. **Devin is assisting Tom with environmental permitting support for the Retaining Walls Replacement Project in Biddeford.**



Samuel Moffett, AICP Permitting Specialist

Sam is a senior principal planner and experienced regulatory permitting expert with a track record spanning 25 years of successfully managing the development and timely implementation of NEPA, MEPA, and permitting strategies for his clients. **He has recently supported the Town of Chebeague Island; the City of Boston; and the United States Navy with coastal projects for which resiliency and sea level rise have presented significant constraints.** Sam has developed strong working relationships with regulatory agencies that will likely have jurisdiction over elements of this project, including the National Oceanic Atmospheric Administration and the United States Army Corps of Engineers.



Kirk Bosma, PE Climate Modeling Specialist

Kirk is a senior coastal engineer and innovation director at WHG, responsible for advancing the firm's climate change planning cross-disciplinary practice. He manages projects and develops engineering solutions related to climate change planning, coastal structure design, beach nourishment, beach management, inlet stabilization, water quality, environmental permitting, impacts of offshore dredging, marsh restoration, and coastal processes data collection. Kirk offers expertise in habitat restoration, shoreline protection, and climate change planning projects and specializes in applying numerical models to optimize engineering designs and reduce overall project life cycle costs. He has developed and applied the latest data and numerical methods toward capturing current and future flooding risk for climate change vulnerability assessments; and developed comprehensive coastal flood risk assessments that incorporate storm surge risk coupled with increased precipitation and sea level rise; developed gray, green, and hybrid coastal engineering adaptations for fostering urban and rural resiliency in a cost-effective approach.



BACKGROUND

2015-Present
Vice President
Weston & Sampson

2011-2015
Program Manager
Weston & Sampson

2003-2011
Project Manager
Weston & Sampson

1999-2003
Senior Engineer
Weston & Sampson

1996-1999
Engineer
Weston & Sampson

1994-1996
Environmental Engineer
DeFeo, Wait & Pare, Inc.

EDUCATION

1993
Bachelor of Science
Civil Engineering
University of Massachusetts-
Lowell

PROFESSIONAL REGISTRATION

Professional Engineer:
Maine No. 11150
Massachusetts No. 41460
New Hampshire No. 12004

PROFESSIONAL AWARDS

Alfred E. Peloquin Award
2022 New Hampshire recipient

PROFESSIONAL SOCIETIES

New Hampshire Water Pollution
Control Association
Permit Committee
Chair, 2017-Present

Maine Water Environment
Association

Water Environment Federation

New England Water
Environment Association

Chris leads the firm's business operations in New Hampshire and Maine. He has extensive experience with all facets of environmental engineering, including the planning, design, and construction of water distribution, and wastewater and stormwater collection, treatment, and disposal facilities.

Chris currently serves as the principal-in-charge of multiple infrastructure and planning projects in New Hampshire and Maine. He has recently provided water and wastewater infrastructure support for projects in Exeter, Derry, Durham, Groveton, Hudson, Keene, Lebanon, Newmarket, and Rochester, New Hampshire; Auburn, Bethel, Biddeford, and York, Maine; and Falmouth, Newburyport, and Salisbury, Massachusetts, among others.



SPECIFIC PROJECT EXPERIENCE

Riverwalk Retaining Wall Replacement, Biddeford, Maine. Principal-in-charge for replacement of approximately 200 linear feet of retaining wall along the Saco River in Biddeford. Sections of retaining wall failed and were significantly damaged after a period of heavy precipitation in October 2021. Work has included inspection of failed and damaged sections of wall, temporary stabilization evaluation, subsurface explorations, survey of the damaged areas, FEMA support services, evaluation of replacement alternatives and report preparation, cost estimating, permitting, and design of an approximately 33-foot tall, 200-foot long soldier pile and lagging wall replacement. Summer 2024 construction is anticipated.

Secondary Clarifier Replacement, Biddeford, Maine. Principal for investigation and design of the rehabilitation and replacement of an 85-foot diameter, organ-pipe, secondary clarifier. Project included structural repairs to the concrete basin and replacement of all mechanical clarifier internals. Responsibilities included coordination and vetting of clarifier manufacturers, preparation of design drawings and specifications, and bidding of project.

Recreation & Parks Master Plan, Biddeford, Maine. Provided corporate oversight/support of the development of a city-wide master plan for 20 public, city-controlled and operated outdoor playing field venues located at nine properties to serve as a guide for the future development of park and recreation amenities, as well as a tool to secure funding from various sources.

Wastewater Treatment Facility (WWTF) Climate Resilience Assessment, New Hampshire Department of Environmental Services (NHDES), Seabrook, New Hampshire. Principal for this project that focused on the town's critically important wastewater treatment infrastructure, which collects and treats domestic, commercial, and industrial wastewater from most of the town. The WWTF and other system treatment components are all located on Wright's Island, making it particularly susceptible to sea level rise and coastal surge. Project work involves assessing the specific vulnerabilities at the site and identifying/evaluating up to four options for improving resiliency, as well as identifying effective communication and outreach methods.

PRESENTATIONS

April 2023
 “Current and Anticipated PFAS
 Regulatory Impacts on WWTF
 Management”
 Trade Fair Tech Session Presenter
 | New Hampshire Water Pollution
 Control Association

December 2020
 “10,000,000 Linear Feet of
 Condition Assessment & Counting:
 Infiltration/Inflow Insights & Lessons
 Learned”
 presented as a NHDES training
 webinar

February 2017
 “Emerging Contaminants PFAS,”
 presented at MWUA

April 2016
 “Topics in Stormwater: Nutrients –
 Current Status, Perspectives and
 Trends”
 Maine Water Environment
 Association (MEWEA)
 Spring Conference

September 2015
 “Nutrients, Nitrogen and
 Phosphorus”
 MEWEA
 Fall Conference

April 2014
 “GIS: Why? How? What?” &
 “Data Collection to Establish GIS”
 presented at MWWCA

September 2013
 “Tools and Techniques for Asset
 Management”
 MEWEA
 Carrabassett Valley, ME

April 2013
 “GIS, Data Collection & CCTV to
 Manage Assets,” presented at
 Maine JETCC

Resilient Rings Island Preliminary Design, Salisbury, Massachusetts. Principal for the preliminary study and design of culverts and roadway improvements in the Rings Island community. Overall project study methods included hydraulic modeling of sea level rise impacts projected out to the year 2070, geotechnical investigations, permitting strategy analysis and wetland delineations. Team responsibilities include GPS surveying of the project area, preparation of preliminary design drawings for culvert and roadway improvements, as well as compiling all findings and recommended improvements into a basis of design report.

Hood Pond Dam, Derry, New Hampshire. Principal for the rehabilitation of Hood Pond Dam, a 560-foot-long, 31-foot-tall High Hazard earthen embankment dam. Work included wetland delineation, topographic survey, subsurface investigations, visual assessment of dam conditions, hydrologic and hydrology analyses, alternative repairs analysis, and development of design plans and specifications. The project also included the development of a hydrologic and hydraulic model of the Hood Pond watershed to develop inflow hydrographs to the pond and evaluate the hydraulic capacity of the dam in its existing condition as well as several conceptual-level alternative designs.

Upper Reservoir Dam, Goffstown, New Hampshire. Principal for the evaluation of the 345-foot-long High Hazard earth embankment dam with a concrete core wall constructed circa 1930. Repairs were required to manage a washout/sinkhole in the downstream slope abutment contact and an accumulation of eroded sand at the toe of the downstream slope. Conducted exploratory work with the use of an excavator and test pits to evaluate subsurface conditions, concrete core wall, and the evidence of seepage. The project included the design of recommendations to repair the downstream slope, install a mineral filter, and provide means for upper stormwater diversion as well as preparation of a reservoir refilling monitoring plan.

Wastewater Treatment Facility Diffuser Replacement, York Sewer District, York, Maine. Designer for the replacement of an outfall tee diffuser with a 24-inch HDPE multi-port diffuser located 1,600 feet off shore in the Atlantic Ocean. Work included development and modification to the WWTF plant hydraulic computer model, diffusion calculations, permitting, review of underwater investigation, and construction technique design.

Southern New Hampshire Regional Water Initiative (SNHRWI) Study, New Hampshire Department of Environmental Services (NHDES). Principal for the preliminary design and preliminary costing of water main extensions and water system improvements for the SNHRWI. A study was conducted to transmit over 3 million gallons per day (MGD) of water from Manchester Water Works water system to Plaistow, New Hampshire. Existing water systems in Atkinson, Derry, Hampstead, Londonderry, Salem, and Plaistow were assessed and preliminary recommendations were made to improve the capacity of each system, as necessary, to allow the transmission of water to each intended user. In addition, water main extensions in Derry, Windham, Salem, Atkinson and Plaistow, to connect the existing water systems, were also reviewed. The existing hydraulic model of each water system was combined into a cohesive regional water model and utilized to conduct multiple hydraulic analyses. Various demand conditions and water main options were assessed during the analysis.

BACKGROUND

2022-Present
Team Leader
Weston & Sampson

2018-2022
Senior Project Manager
Weston & Sampson

2015-2018
Project Manager
Weston & Sampson

2013-2015
Project Engineer
Weston & Sampson

2005-2013
& 1999-2004
Staff Engineer
Miller Engineering & Testing, Inc.

2004-2005
Geotechnical Engineer
PSI, Inc.

1998-1999
Field Engineer
SMW Seiko, Inc.

EDUCATION

2005
Master of Science
Geotechnical Engineering
University of Massachusetts, Lowell

1998
Bachelor of Science
Civil & Environmental Engineering
University of Massachusetts,
Amherst

PROFESSIONAL REGISTRATION

Professional Engineer:
Massachusetts No. 50328
New Hampshire No. 13858

Tom is a team leader in the firm's environmental and geotechnical program. He has more than 25 years of experience with geotechnical engineering design and has been responsible for managing multiple ongoing construction projects. His specific areas of expertise include foundation design, retaining wall and slope stability analyses, and dam safety engineering.



SPECIFIC PROJECT EXPERIENCE

Riverwalk Retaining Wall Replacement, Biddeford, Maine. Project manager and design engineer for replacement of approximately 200 linear feet of retaining wall along the Saco River. Sections of retaining wall failed and were significantly damaged after a period of heavy precipitation in October 2021. Work included inspection of failed and damaged sections of wall, temporary stabilization evaluation, subsurface explorations, survey of the damaged areas, FEMA support services, evaluation of replacement alternatives and report preparation, cost estimating, permitting, and design of an approximately 33-foot tall, 200-foot long soldier pile and lagging wall replacement. Construction is anticipated for Summer 2024.

Harrison Avenue Slope Repair, Gardiner, Maine. Project manager and design engineer for repair to an approximately 80-foot long by 44-foot tall section of soil slope along Harrison Avenue and the Cobbosseecontee Stream that failed after a period of heavy precipitation in May 2023. Work included inspection of the failed slope, FEMA support services, survey of the damaged area, evaluation of repair alternatives and report preparation, cost estimating, subsurface exploration, and repair design. Construction is anticipated for Fall 2024.

Beach Revetment, Manchester-by-the-Sea, Massachusetts. Geotechnical engineer for the revetment efforts at Singing Beach in this coastal town to improve the existing revetment structure and to preserve and protect the shoreline at Singing Beach against erosion and sea level rise. Responsible for coordination with the Conservation Agent and the contractor.

VTrans Route 279 East Slope Stabilization and Capping Plan, Bennington, Vermont. Geotechnical engineer responsible for field work and data analysis related to an earthen capping system and slope stabilization on an EPA Superfund site. Work included geotechnical drilling, slope stability analysis, preparation of construction plans and cost estimating.

Massasoit State Park Dam Rehabilitations, Taunton, Massachusetts. Project manager and dam safety engineer for rehabilitation of five earthen embankment dams in Massasoit State Park (Intermediate Size, High Hazard Structures ranging from 180 to 365 feet long and 10.5 to 18.5 feet tall). Work included coordination with Massachusetts DCR Office of Dam Safety, environmental permitting, repair of concrete outlet structures, raising the crest of one of the dams, and embankment improvements (including slope armoring), and mineral filter construction. Coordinated and completed engineering analyses; prepared drawings and specifications; coordinated environmental permit preparation and presentations; and provided bidding assistance.

Upper Reservoir Dam, Goffstown, New Hampshire. Project manager and dam safety engineer responsible for evaluating the 345-foot-long High Hazard earth embankment dam with a concrete core wall constructed circa 1930. Repairs were required to manage a washout/sinkhole in the downstream slope abutment contact and an accumulation of eroded sand at the toe of the downstream slope. Conducted exploratory work with the use of an excavator and test pits to evaluate subsurface conditions, concrete core wall, and the evidence of seepage. Designed recommendations to repair the downstream slope, install a mineral filter, and provide means for upper stormwater diversion. Also prepared a reservoir refilling monitoring plan. Design work is currently underway for complete dam rehabilitation.

Hood Pond Dam, Derry, New Hampshire. Project manager and dam safety engineer for rehabilitation of Hood Pond Dam, a 560-foot-long, 31-foot-tall High Hazard earthen embankment dam. Work included wetland delineation, topographic survey, subsurface investigations, visual assessment of dam conditions, hydrologic and hydrology analyses, alternative repairs analysis, and development of design plans and specifications.

Babson Reservoir Dam Rehabilitation, Gloucester, Massachusetts. Project manager and engineer for the rehabilitation of Babson Reservoir Dam, which involved modifications to the 630-foot-long earthen embankment including vegetation removal and flattening of the downstream slope to 2H:1V; concrete repair of the core wall, discharge channel walls, and gatehouse walls; construction of vertical and horizontal extensions to the concrete core wall and spillway walls; repair and modification to the spillway slab; construction of new stilling basin walls and foundations, and of a new discharge channel pipe and headwalls; and installation of downstream mineral filters. Prepared drawings for construction and managed office and field activities during construction, including review of pay requisitions and contractor submittals.

State Bridge #02677 Replacement, Guilford, Connecticut. Geotechnical engineer for replacement of the existing bridge culvert structure and elevating an approximate 600-foot-long earthen roadway embankment through a tidal area. Coordinated geotechnical fieldwork and laboratory testing, completed engineering analyses, and prepared a technical report including design recommendations for the bridge culvert and roadway embankment. Recommended elevating the embankment with lightweight fill or with conventional fill and deep foundation support to reduce consolidation-related settlement and to increase the factor of safety against global stability failure. Recommended support of the bridge culvert on steel H-piles driven to bedrock.

Sound Beach Avenue State Bridge #03954 Replacement, Greenwich, Connecticut. Geotechnical engineer for replacement of the bridge over Laddins Brook. Work included removal of the bridge and replacement with either a precast concrete arch bridge system, a three-sided precast concrete bridge frame, or a precast concrete box culvert. Work also includes full-depth pavement reconstruction to the surrounding roadways. Coordinated geotechnical fieldwork and laboratory testing, completed engineering analyses, and prepared a technical report including geotechnical earthwork and design recommendations. The box culvert was supported by compacted structural fill or a concrete mud mat and support of the abutments, wing-walls, and/or headwalls on conventional shallow spread footings on compacted structural fill or a concrete mud mat installed on the native sand deposits was recommended. Designed new pavements for surrounding roadways based on provided traffic data.

BACKGROUND

2022-Present
Senior Project Manager
Weston & Sampson

2020-2021
Project Manager
Weston & Sampson

2000-2020
Project Professional
Kleinfelder

1998-2000
Project Engineer
SFC Engineering Partnership, Inc.

EDUCATION

1998
Bachelor of Science
Civil Engineering
University of New Hampshire

PROFESSIONAL REGISTRATION

Professional Engineer
New Hampshire No. 12193

CERTIFICATIONS

Local Public Agency (LPA)
Certification Training, No. 1178,
DOT, New Hampshire

TRAINING

OSHA 10-Hour Construction Safety
and Health

PROFESSIONAL AFFILIATIONS

Structural Engineers of New
Hampshire

American Institute of Steel
Construction

Michael, a senior project manager in Weston & Sampson's transportation group, has over 20 years of civil and structural engineering experience, primarily focusing on the design and rehabilitation of bridges. His experience includes short, medium, and long bridges; simple-span bridge rehabilitation and replacement projects with steel girder; precast concrete beams; and precast concrete system and elements under the NHDOT Municipally Managed State Bridge Aid Program. Michael also has bridge preservation experience involving deck repairs, concrete repairs, and expansion joint replacements. In addition, Michael has successfully led the design and management of numerous projects from conceptual studies through preliminary plans, final design plans, and contract bid documents. He is proficient with NHDOT standards and procedures, and has led numerous bridge projects with construction administrative and inspection services.



SPECIFIC PROJECT EXPERIENCE

Ring's Island Flood Preparedness, Salisbury, Massachusetts. Assisting with this resiliency project, which included obtaining funding under the Massachusetts Municipal Vulnerability Preparedness (MVP) Action Grant program with the ultimate goal of providing preliminary design services to look at raising the elevation of the access/egress roads and improve tidal flushing through culvert replacements to address coastal flooding. Final design services will include simulation modeling to update the previous model and a wind-wave analysis to determine the wave conditions during storm events.

Interstate 95 Bridges, Maine Department of Transportation, Waterville, Maine. Worked on the design and construction phases for the deck replacement and substructure rehabilitation of six bridges including northbound and southbound structures at I-95 over County Road (four spans), over Messalonskee Stream (eleven spans), and over Main Street (three spans). Services included site inspection and condition evaluation; life cycle cost comparisons of rehabilitation and replacement alternatives; superstructure and pier analysis for the new widened deck and concrete parapets; elimination of a majority of the deck joints by running concrete deck continuously; and design and specification of concrete pier rehabilitation. (with former employer)

Backpack Bridges, Auburn, Maine. Structural engineer for preliminary design of the Auburn bridge, using bridge-in-a-backpack composite technology, as part of the Governor's Composites Initiative to support the use of structural composite technology in the state of Maine. Worked closely with Advanced Infrastructure Technologies, LLC (AIT), who provided the design of the superstructure. Developed concepts for cost-effective substructure units, headwalls, retaining walls, and foundations by working closely with AIT and MaineDOT. (with former employer)

Main Street Enhancements, University of New Hampshire, Durham, New Hampshire. Project engineer for improvements to 2,600 feet of the Main Street corridor in the core of the UNH campus. Work involved reconstruction and realignment of sidewalks throughout the corridor, revised traffic lane assignments to accommodate bicycle lanes in both directions, and the installation of four new bus turnouts. Responsible for structural engineering computations, field investigations, design calculations, and plan production for the reconstruction of the sidewalk structural slabs and utility vault roofs to allow for pedestrian ramps, crosswalks and a new drive entrance.

Construction Inspection Services, Plymouth, New Hampshire. As a field representative, provided construction observation services under the on-call construction services contract with the Town of Plymouth. Provided oversight on public and private roadways, drainage, and utility construction. Coordinated field activities with the Town staff, processed bond estimates and reductions, communicated with contractors, made recommendations for final acceptance, and documented record information.

Fort Revere Water Tower, Conditions Assessment, Hull, Massachusetts. Led a site inspection team and prepared a condition assessment report for the 110-year-old historic concrete water tower at Fort Revere, the first phase in the restoration effort, which was followed by recommended material testing analysis and design construction documents for rehabilitation of the significantly deteriorated concrete structure. Provided a range of probable construction costs for specific levels of repair. (2013 – 2013)

East Side Interceptor Relocation, Melrose, Massachusetts. Served as the lead structural engineer for relocation of a 30-inch diameter sewer interceptor serving one-third of the city's sewer system. Work required relocation to accommodate a synthetic turf football field planned above the existing sewer. Design challenges to address included the poor condition of the sewer, desire to avoid excavation in the future synthetic field (constructed above former wetlands), and protection of the interceptor from settlement given the presence of organic silt (peat) more than 20 feet below ground surface. Selected option consisted of pairs of helical piles with a precast concrete pipe cradle along a 700-foot length, providing a cost-effective solution to long-term pipe support. Work included a custom structural designed, cast-in-place concrete manhole structure at the downstream connection to the regional sewer system enabling a very old, brick arch sewer to remain in service, and use of horizontal elliptical precast concrete sewer pipe to pass under another old, oval brick sewer owned by the regional sewer authority. Work was completed under budget and allowed the football field construction to meet its deadline. (with former employer)

Yankee Gas LNG Facility, Concrete Rehabilitation Project, Waterbury, Connecticut. Provided technical expertise in the design and preparation of concrete rehabilitation and preservation contract documents for the LNG tank on the Yankee Gas facility in Waterbury. Work involved material sampling, cores, and visual condition assessment of the concrete tank followed by plan preparation for the concrete repairs and preservation details. (with former employer)

BACKGROUND

2023-Present
Practice Leader
Weston & Sampson

2022-2023
Senior Team Leader
Weston & Sampson

2018-2022
Senior Project Manager
Weston & Sampson

2011-2018
Project Manager
McFarland Johnson, Inc.

2010
Project Engineer
Kleinfelder/SEA

2002-2009
Project Manager
Greenman-Pedersen, Inc.

1997-2002
Access and Utility Supervisor
New Hampshire DOT Highway
Maintenance District 5

EDUCATION

1994
Bachelor of Science, *cum laude*
Civil Engineering
University of New Hampshire

PROFESSIONAL REGISTRATION

Professional Engineer:
Massachusetts No. 50065
New Hampshire No. 10650
Connecticut No. 0030580
Vermont No. 91133
Maine No. 13637
Florida No. PE85994
South Carolina No. 36732
North Carolina No. 048917
Delaware No. 24804

Professional Traffic Operations
Engineer #4394

Traffic Control Supervisor
Florida #46880

Local Public Agency Certification
Training (#1038) NHDOT

Jeff has nearly 30 years of transportation and traffic engineering, design, management, and permitting experience on a wide variety of public and private projects. He has worked on rural, urban, and interstate roadway and traffic design projects, roadway reconstructions, traffic calming strategies, roundabouts, safety improvements, and Complete Streets. He also has experience in the management of interdisciplinary projects, cost estimating, QC/QA, constructability reviews, construction administration, and is adept at communicating and developing consensus with community stakeholders the during public engagement process.



SPECIFIC PROJECT EXPERIENCE

On-Call Utility Engineering & Design Services A/E, Naval Facilities Engineering Command Mid Atlantic. Project manager responsible for the execution of roadway/resiliency engineering task orders totaling \$2 million in contract value. Specific task orders include:

- Perimeter Security Road Repairs, Cutler, Maine – Developing conceptual design alternatives for the restoration of eroded coastline and reconstructing perimeter roadway to resist changing climate and sea level rise. Designing elevation of roadway based upon combined effect of projected sea level rise, storm surges, and wave action.
- Redington/Valley Road Study, Takedown and Big Y Culverts, Rangeley, Maine – Preparing 75% design plans, specifications and estimates, and environmental permits for the replacement of two culverts along Navy Road. Performing a study of a portion of Redington/Valley Road to address existing flooding and erosion issues along Redington Stream. Evaluating alternatives for long-term roadway protection against future storm events, including slope stabilization, roadway relocation, and stream relocation.

Vermont Route 100A, Plymouth, Vermont. Project manager for the design of roadway and drainage improvements along Vermont Route 100A in Plymouth Notch where a section of the roadway was washed out during Tropical Storm Irene and required emergency repairs to reopen for traffic. Work included permanent improvements to the existing guardrail and a closed drainage system that used beehive style grates. Oversaw the design of grates to intercept more stormwater runoff in the roadside ditch, reducing bypass flow over traditional drainage style grates and requiring fewer catch basins to handle the same flow rate. Additional work included slope stabilization designed by a subconsultant using a wire mesh anchoring system. (with former employer)

Resilient Masterplan and Open Space and Recreation Plan, Westhampton, Massachusetts. Lead transportation engineer for preparation of a resilient local plan of development as well as an open space and recreation plan. Development of the plan includes sections on agriculture, forestry, mining, climate change, economic development, energy, facilities and services, historic and cultural resources, housing, natural resources, open space, recreation, and transportation.

PROFESSIONAL AFFILIATIONS

Institute of Transportation
Engineers, New England Section
(Junior Director of the Executive
Board, 2019-Present)

New Hampshire Institute of
Transportation Engineers
(Past President, 2016-2017)

Hanover Street Improvements, Lebanon, New Hampshire. Project manager responsible for providing preliminary design and engineering services for roadway improvements along a 2,300-foot stretch of Hanover Street. Work included evaluating the operations and geometric layout of three existing intersections. This evaluation was based on Complete Street techniques that can accommodate all users, including pedestrians, bicyclists, vehicles, and transit riders. Project efforts also include reviewing the existing underground utilities for repair, upgrade, or replacement, and providing improvements to the existing stormwater system.

Lahaye Drive at Mount Support Road, Lebanon, New Hampshire. Project manager responsible for overseeing the design of a conversion of the existing signalized intersection into a modified two-lane roundabout to improve operations and safety. The project also includes the design of a 1,500 linear feet of new shared use path. Project includes utility coordination for relocation of overhead utilities, environmental permitting, and public outreach.

Route One Corridor Study, Westerly, Rhode Island. Lead transportation engineer for development of a strategic plan to revitalize the Route One Corridor in Westerly. This major study of a five-mile commercial and residential corridor was completed on an expedited six-month schedule. It included several major public engagement events, a website, a public survey, stakeholder engagement and analysis of transportation, housing, economic development, aesthetics, and zoning.

Consulting Services for the American Rescue Plan Act (ARPA) Local Fiscal Recovery, South Kingstown, Rhode Island. One of two lead transportation engineers responsible for development of a strategic plan to revitalize five areas of the town and develop ARPA programming. Slated to receive \$8.95 million over two years under ARPA, South Kingstown hired Weston & Sampson to provide specialized project development, design, and grant management services to maximize the town's use of the ARPA funds to support their COVID-19 disaster response to economic recovery. These services include supporting the town with project management oversight and ensuring accountability, transparency, and compliance with all federal requirements.

Hanscom Drive at Old Bedford Road – Vandenberg Gate Complex, Hanscom Air Force Base, Lincoln, Massachusetts. Project manager responsible for overseeing the design, permitting, and construction of a \$15M design-build project to construct a new Entry Control Facility at the base entrance. Work includes the relocation of approximately 1,500 feet of Hanscom Drive, construction of a new single lane roundabout at the intersection of Hanscom Drive and Old Bedford Road, and construction of three new buildings. Project efforts also include the design of major drainage improvements to provide infiltration and improved water quality, as well as coordination with several federal and state agencies including ACOE, National Parks, and MassDOT.

Beacham Street and Williams Street Roadway Improvements, Chelsea, Massachusetts. Traffic engineer responsible for the analysis and design of improved operations and safety including revisions to horizontal and vertical alignments, redesign of several unsignalized intersections to improve access and safety and upgrading the existing traffic signal at the intersection of Spruce Street and Williams Street to include new equipment, lane assignments and refined geometry to improve operations and safety. Work along this corridor also includes the construction of a shared use path and improvements to the existing sidewalks and crosswalks including ADA compliant ramps, improved streetscape, landscaping, street lighting, and the upgrade and replacement of the existing drainage system.

BACKGROUND

2023-Present
Associate/Senior Technical Leader
Weston & Sampson

2022-2023
Senior Technical Leader
Weston & Sampson

2019-2022
Technical Leader
Weston & Sampson

2010-2019
Senior Professional
Kleinfelder

2005-2010
Teaching and Research Assistant
Department of Civil and
Environmental Engineering
Northeastern University

2004-2005
Design Engineer
Thermax India Ltd.

2002-2004
Research and Teaching Assistant
Department of Civil Engineering
Indian Institute of Technology

EDUCATION

2010
Doctor of Philosophy
Environmental Engineering
Northeastern University

2004
Master of Science
Environmental Engineering
Indian Institute of Technology

2002
Bachelor of Science
Materials & Metallurgical
Engineering
Jadavpur University

CERTIFICATION

Municipal Vulnerability
Preparedness (MVP) Certified
Provider

AWARDS & HONORS

Clean Charles Award
Charles River Watershed
Association
2022

Indrani has nearly 20 years of experience as a water resources engineer and as technical lead in climate change resiliency projects, specializing in leading interdisciplinary teams and stakeholders through risk-based prioritization of adaptation solutions. She has industry-leading experience in translating climate change projections to engineering design criteria for new and existing infrastructure and modeling climate impacts for the purposes of vulnerability assessment and adaptation planning for many projects in the Northeast. She has worked with numerous municipalities and public agencies to model their exposure to coastal and stormwater flooding using the best available and most appropriate sea level rise, storm surge, and rainfall projections. She has extensive experience integrating climate projections in hydrologic/hydraulic models of urban storm and sanitary sewer systems. Indrani is frequently invited to be part of panel discussions on climate risk and resiliency at New England universities, and has won national awards for her contributions to the engineering profession. In addition, Indrani is fluent in Bengali, English, and Hindi.



SPECIFIC PROJECT EXPERIENCE

Wastewater Treatment Facility (WWTF) Climate Resilience Assessment, New Hampshire Department of Environmental Services (NHDES), Seabrook, New Hampshire. Provided resiliency services for this project that focused on the town's critically important wastewater treatment infrastructure, which collects and treats domestic, commercial, and industrial wastewater from most of the town. The WWTF and other system treatment components are all located on Wright's Island, making it particularly susceptible to sea level rise and coastal surge. Project work involves assessing the specific vulnerabilities at the site and identifying/evaluating up to four options for improving resiliency, as well as identifying effective communication and outreach methods.

Implementation of the Master Plan for Prescott Park, Portsmouth, New Hampshire. Technical lead responsible for translating the most recent climate change projections for New Hampshire into design criteria for both stormwater and coastal flood mitigation strategies. Providing technical support and advice related to the incorporation of resilient design strategies as part of the implementation of the master plan for historic waterfront Prescott Park and nearby Four Tree Island.

Coastal Climate Change Vulnerability Assessments and Adaption Plans, Various Locations. Served as technical lead for projects in Duxbury, Gloucester, Hingham, Hull, Marshfield, Oak Bluffs, Scituate, and Swampscott, Massachusetts, and Waterford, Connecticut. Led coastal flood modeling and mapping tasks, including the development of appropriate sea level rise and storm surge scenarios for present, medium-, and long-term time horizons. The resulting models and maps were used to assess the vulnerability of public infrastructure and natural resources and prioritize adaptation planning efforts. (with former employer)

AWARDS & HONORS (CONT.)

Clemens Herschel Award
Boston Society of Civil Engineers
and American Society of Civil
Engineers, 2014

Engineering News Record (ENR)
“Top 20 under 40” in the New
England Region, 2015

Cities4Tomorrow Award
Bloomberg Philanthropies
C40 Cities, 2017

Silver Award
ACEC/MA Engineering Excellence
Competition, 2015

Bronze Medal Excellence Award
Kleinfelder’s Annual Technical
Seminar, 2013

Don Douglas Award
Kleinfelder’s Annual Technical
Seminar, 2012

Ranked second in Environmental
Engineering and Management
Master’s Program
Indian Institute of Technology, 2004

Sankar Kumar Das Memorial
Silver Medal
Metallurgical and Materials Science
Engineering Examination
Jadavpur University, 2002

PROFESSIONAL AFFILIATIONS

Water Environment Federation
New England Water Environment
Association
American Society of Civil Engineers

PUBLICATIONS & PRESENTATIONS

“The Climate Response—
Government Leaders Take Action,
Evaluate Vulnerabilities Due to
Climate Change”
Informed Infrastructure
2016

“Driving through the pouring rain:
How to plan, prepare and adapt
America’s transportation networks
for climate change”
Informed Infrastructure
2015

“Effects of spatial resolution in
urban hydrologic simulations”
Journal of Hydrologic Engineering
2012

Resilient Stormwater Management and Implementation Plan, Waltham, Massachusetts. Technical Lead for current and future climate projection modeling and UHI modeling as part of a comprehensive assessment of the stormwater drainage system and flooding impacts. Work focused within the sub-watersheds of six major stream and culverts including future climate projections, rainfall volumes, urban heat island assessment and identification of nature-based solutions (NBS) to reduce flooding. Green Infrastructure (GI) opportunities were incorporated into H&H and UHI modeling scenarios, defining their effectiveness and impact on flooding and urban heat reduction.

East Boston Resilience Technical Analysis, Boston Planning & Development Agency (BPDA), East Boston, Massachusetts. Provided climate/coastal resiliency support, working in collaboration with the design team and the City of Boston to identify practicable solutions at two vulnerable locations along East Boston’s waterfront: Carlton Wharf and Lewis Mall. Helped identify technical considerations and strategies that emphasized accessible open space while providing critical flood protection for East Boston, including the MBTA Maverick Station. The project resulted in schematic designs for both locations that illustrated conceptual early concepts, practicable design alternatives, cost estimates, and next steps.

Building Resilience into the Design and Construction of Transportation Infrastructure, North Carolina Department of Transportation (NCDOT). Advise NCDOT on integrating resilience into ongoing planning and design projects, especially regarding frequent hurricane and coastal storm events. As owner’s representative, reviewing design criteria for proposed/upcoming projects across the state, developing resiliency design criteria and guidelines for transportation projects, and assisting in updating relevant standards and criteria based on most recent climate change projections.

Neponset River Watershed Regional Adaptation Strategy & Flood Model, Dedham, Massachusetts. Technical Lead for the development of a watershed-wide flood model for the Neponset River watershed that was funded through the Municipal Vulnerability Preparedness (MVP) Action Grant program. The project included the development of an integrated hydrologic and hydraulic (H&H) flood model of both the entire Neponset River Watershed as well as the Dedham Manor Neighborhood Area using PCSWMM software. The project also included a robust community engagement program, which involved a stakeholder mapping process to create an expanded database of stakeholder groups and community-based organizations, preparation of outreach materials for public meetings and environmental justice focus groups, and creation of a project website and GIS story map.

Resilient Massachusetts Action Team (RMAT) – Climate Resilience Guidelines and Standards, Massachusetts Executive Office of Energy and Environmental Affairs (EOEEA), Statewide, Massachusetts. Responsible as technical lead for working with the multi-agency RMAT and an interdisciplinary team to implement the State Hazard Mitigation Climate Adaption Plan (SHMCAP) and develop clear, consistent guidance on the selection of climate design standards, standardize implementation of climate standards in existing practices, and create metrics and a web-based tool to evaluate climate resilience in capital planning.

BACKGROUND

2024-Present
Senior Project Environmental
Scientist
Weston & Sampson

2022-2024
Project Environmental Scientist
Weston & Sampson

2020-2022
Environmental Scientist III
Weston & Sampson

2019-2020
Environmental Scientist I
Weston & Sampson

2017-2019
Assistant Project Manager
Stoney Ridge Environmental LLC

2014-Present
Graduate Student
University of New Hampshire

EDUCATION

Master of Science (in progress)
Environmental Conservation
University of New Hampshire

2011
Bachelor of Science
Environmental Science and
Anthropology
Minor in Biology
Franklin Pierce University

**PROFESSIONAL
REGISTRATION**

NH Certified Wetland Scientist
(CWS) #300

Certified Erosion, Sediment,
Stormwater Investigator (CESSWUI)
(application under review)

MACC Fundamentals for
Conservation Commissioners (in
progress)

**PROFESSIONAL
AFFILIATIONS**

New Hampshire Association of
Natural Resource Scientists

Massachusetts Association of

Devin is a New Hampshire Certified Wetland Scientist (CWS) with six years of experience focused on environmental conservation and permitting in Massachusetts and New Hampshire. She is familiar with local vegetation, identification of hydric soils, and indicators of hydrology. She is also experienced in conducting peer reviews in Massachusetts and New Hampshire.

SPECIFIC PROJECT EXPERIENCE

Resilient Ring's Island Design & Permitting, Salisbury, Massachusetts. Environmental scientist for this effort to increase the resilience of the Ring's Island neighborhood, which becomes isolated during extreme flooding events. Responsible for supporting the design and permitting efforts related to raising the road by 2.5 feet and widening culverts to reduce upland flooding in current and future climates and enhance the resiliency of over 30 acres of salt marsh.

Charles River Riverbank Vegetation Management Plan, Massachusetts Department of Conservation and Recreation. Environmental scientist responsible for supporting the development of the Charles Riverbank Vegetation Management Plan (RVMP), which utilizes an ecological-functions approach and incorporates parts of four communities (Boston, Cambridge, Newton, and Watertown) that play a role in permitting the plan. RVMP development included a complex public participation element involving interagency stakeholders and permit hearings. A key element of this process included funding review, economics, and resource availability for implementation.

Wetland Delineation Projects, Various Locations. Conducted numerous wetland delineation efforts throughout Massachusetts and New Hampshire using vegetation, soil, and hydrology indicators. Addressed wetland resource limits using required wetland delineation methods specified in the US Army Corps of Engineers' Wetlands Delineation Manual.

Medfield State Hospital Remediation, DCAMM, Medfield, Massachusetts. Wetlands scientist supporting long-term maintenance and monitoring efforts for the C&D Remediation Area capping system and associated restored wetlands. Responsible for assessing condition of wetlands vegetation, rain garden plantings, invasive species and other wetland-related items as part of bi-annual wetlands inspection requirements. Also responsible for wetlands permitting submittals for the site including Notice of Intent filings/hearings and Request for Certificate of Compliance.

Monson Developmental Center Landfill, DCAMM, Monson, Massachusetts. Wetlands Scientist responsible for conducting wetland delineation efforts using vegetation, soil, and hydrology indicators. Also responsible for wetlands permitting submittals for this site demolition, remediation, and landfill capping project which includes restoration of approximately 4,000 square feet of wetland resource area adjacent to the Quaboag River. Permitting efforts included preparation of Notice of Intent filings, attending site walks and local Conservation Commission hearings, and filing a Request for Certificate of Compliance.



Vegetative Management Plan for the Head of the Charles Regatta® Reunion Village Hospitality Area, Cambridge, Massachusetts. Environmental scientist responsible for supporting the preparation of a vegetation management plan (VMP) on behalf of the HOOCR and in cooperation with the Massachusetts Department of Conservation and Recreation (DCR). Supported VMP development on an accelerated schedule to address the need for vegetation/species management by targeting selective invasive and noxious plants along the riverbank at the location of the Reunion Village.

Invasive Species Management Plan, Boston, Massachusetts. Identified invasive species on site. Prepared and implemented a management plan through permitting and field work consistent with the species lists compiled by the Massachusetts Invasive Plant Advisory Group (MIPAG). Followed up with post removal monitoring and reporting.

Prescott Park Phase 1 Improvements, Portsmouth, New Hampshire. Environmental scientist for the enabling engineering/permitting phase of work following the approval of the Prescott Park Master Plan. Work includes developing a research-based approach to resiliency design that can improve flooding conditions for the neighborhood in the future.

1 Pleasant Street Peer Review, Cohasset, Massachusetts. Conducted wetlands review for the proposed redevelopment of 1 Pleasant Street (also known as the James Brook Building). This multi-disciplinary peer review involved bylaw compliance, review of commercial/retail space, site plan layout, traffic and circulation, architectural features, landscaping, and affordable housing. The peer review included presentation at five public hearings and development of conditions of approval on behalf of the town.

Various Projects, Stoney Ridge Environmental LLC, Alton, New Hampshire. Responsible for state and local wetland/shoreland permitting, wetland delineations, sediment and erosion control inspections, vernal pool assessments, rare/endangered species surveys, and proposed conservation easement reports. Conducted fieldwork and provided technical guidance on permitting and environmental needs. Experienced in communicating with the New Hampshire Department of Environmental Services, Massachusetts Department of Environmental Protection, the Massachusetts Division of Marine Fisheries, and the local branch of the Army Corps of Engineers. (with former employer)

Various Projects, The University of New Hampshire, Durham New Hampshire. Participated in wetland conservation, restoration and mitigation projects that included data collection, site assessments, vegetation, water, soil and hydrologic evaluations, functional assessments, habitat identification, natural resource surveys, living shoreline installation, and critical habitat restoration. Work also involved grant writing, data configuration, report preparation, as well as educational outreach to the local community and professionals on various wetlands topics. Provided instruction of material to undergraduate and graduate students in several courses that covered topics such as the structure and functions of major wetland ecosystems, current issues in wetland management and methods commonly used to assess water resources. (with former employer)

BACKGROUND

2022-Present
Principal Planner
Weston & Sampson

2010-2022
Senior Principal
TRC

2002-2010
Environmental Planner/
Environmental Permitting Manager
URS Corporation

1998-2001
Environmental Planner
Earth Tech, Inc.

1997-1998
Intern
Massachusetts Port Authority
Environmental Management Unit

Sam is a senior principal planner at Weston & Sampson with a track record spanning 25 years of successfully managing the development and timely implementation of NEPA, MEPA, and permitting strategies for his energy, environmental, and transportation clients. These clients have included the City of Boston, the Massachusetts Department of Transportation Highway Division, the Massachusetts Bay Transportation Authority, Eversource, the Massachusetts Army National Guard, the Massachusetts Port Authority, CSX, The Port Authority of New York and New Jersey, ConocoPhillips, El Paso Corporation, and General Electric, among many others.



EDUCATION

1998
Master of Arts
Urban and Environmental Policy
Tufts University

1992
Bachelor of Liberal Arts,
cum laude
Government Harvard University
Extension School

PROFESSIONAL REGISTRATION

American Institute of Certified
Planners (AICP), American Planning
Association, No. 020158

PROFESSIONAL AFFILIATIONS

American Planning Association
(APA)

Environmental Business Council
of New England - Member
of Infrastructure Committee
Leadership Team

American Council of Engineering
Companies-Massachusetts (ACEC-
MA) Member of TALC Committee
and MassDOT Highway Partnering
Subcommittee

Construction Industries of
Massachusetts (CIM)

SPECIFIC PROJECT EXPERIENCE

Climate Resiliency Regulations Development, Boston Environment Department, Boston, Massachusetts. Principal environmental planner supporting the Boston Environment Department (BED) in drafting regulatory language to implement regulation of new resource areas established under the Boston Wetlands Ordinance. Resource areas included Land Subject to Coastal Storm Flowage, Vernal Pools, Expanded Riverfront, Coastal Floor Resiliency Zone, and Inland Flood Resiliency Zone. Working in close coordination with BED staff and The Rose Law Firm (Prime consultant for this assignment), served as a team member drafting regulatory language including resource area definitions, performance standards, and review thresholds. Also oversaw preparation of GIS based mapping products delineating the approximate locations and extents of new resources. The Phase II regulations developed by the project team were adopted by Boston in early 2022, and draft Phase III regulations are now in review with the public and stakeholders. (with previous employer)

12 Bridges Rehabilitation Program, MBTA, Gloucester, Cambridge, and Boston, Massachusetts. QA/QC oversight for environmental reviews and permitting of the bridge replacement projects in Gloucester, Cambridge, and Dorchester, including federal, state and local wetland/waterway regulatory programs, including NEPA Categorical Exclusions (CEs), US Coast Guard Bridge Permits, US Army Corps of Engineers Massachusetts General Permits, MassDEP 401 Water Quality Certification, MA Wetlands Protection Act Orders of Conditions, and guiding the projects through historical reviews under Section 106 of the National Historic Preservation Act (NHPA). (with previous employer)

Belden Bly Bridge Replacement, Massachusetts Department of Transportation, Lynn, Massachusetts. Environmental permitting project manager in support of project engineer. Services provided included NEPA Categorical Exclusion support, US Coast Guard permit support, US Army Corps of Engineers support, and MassDEP 401 Water Quality Certification support. Additional services provided during the design phase included preparation of an Essential Fish Habitat study, and sediment study, a pre-demolition hazardous materials survey of the existing bridge, MCP reporting, and wetlands/high tide line delineation services. (with previous employer)

PROFESSIONAL AFFILIATIONS
(CONT.)

Massachusetts Association of
Consulting Planners (MACP)

American Public Transportation
Association (APTA)

New England Commerce and
Energy Association (NECA)

Coastal Oil Terminal Site Remediation, El Paso Corporation, South Boston, Massachusetts. Environmental permitting manager responsible for selected aspects of environmental permitting strategy and implementation associated with groundwater remediation and demolition of remaining oil terminal infrastructure at the Coastal Oil Terminal Site located on East First Street in South Boston prior to conveyance of the property to Massport. (with previous employer)

Glenwood Avenue Footbridge Rehabilitation Project, Boston, Massachusetts. As senior principal planner and environmental permitting lead, provided professional environmental permitting support services for the rehabilitation of the Glenwood Avenue footbridge over the Neponset River in the Hyde Park neighborhood of Boston. Working closely with Boston Public Works Department staff and the project designer, secured project authorization from the Boston Conservation Commission, and represented the City of Boston during engagement with the US Army Corps of Engineers (ACOE) resulting in a determination that no project authorization was required from the US ACOE under Section 404 of the US Clean Water Act. The project is currently under construction.

STA 385 Shunt Reactor and Harborwalk Extension Project, Eversource, South Boston, Massachusetts. Senior principal responsible for managing MEPA, Chapter 91 Permitting, Boston Conservation Commission and NPDES permitting/construction phase environmental oversight for the construction of a new shunt reactor and Harborwalk Extension located at STA 385 in South Boston. Also managed work to design the planned Harborwalk extension to meet MassDEP and City of Boston design standards as required under the Chapter 91 License issued by MassDEP. Specific responsibilities have included facilitation of Eversource communications with MassDEP waterways, Boston Conservation Commission (BCC) staff, and management/QA of the MEPA ENF for the project. (with previous employer)

Camp Edwards Small Arms Ranges, Massachusetts Army National Guard, Sandwich, Massachusetts. Environmental permitting manager responsible for managing MEPA review and other selected aspects of environmental permitting associated with the Massachusetts Army National Guard effort to re-open multiple small arms ranges located at Camp Edwards to support in-state training of Massachusetts soldiers prior to overseas deployments associated with the Global War on Terror. (with previous employer)

Logan International Airport Equipment Storage and Maintenance Facility, Massport, Boston, Massachusetts. Environmental permitting task manager responsible for preparation of environmental permitting scope and strategy components of Program Definition Report (PDR). Served as task manager for development of FAA NEPA documentation for the project. (with previous employer)

Dana Avenue Bridge Replacement Project, Boston Public Works Department, Boston, Massachusetts. Senior principal responsible for design coordination and Boston Conservation Commission permitting, permitting strategy development and managing construction phase compliance oversight services for the replacement of the Dana Avenue Bridge over the Neponset River in Hyde Park. The NOI filing developed and presented to the BCC was approved after a single public hearing and the project entered construction in Spring 2019. (with previous employer)

Kirk F. Bosma, M.C.E., B.S., P.E.
Senior Coastal Engineer/Innovation Director

EXPERTISE

Kirk F. Bosma, PE, is a Senior Coastal Engineer and Innovation Director at Woods Hole Group. He manages projects and develops engineering solutions related to climate change planning, coastal structure design, beach nourishment, beach management, inlet stabilization, water quality, environmental permitting, impacts of offshore dredging, marsh restoration, and coastal processes data collection. He holds expertise in habitat restoration, shoreline protection, and climate change planning projects for a diverse client base and specializes in applying numerical models to optimize engineering designs and reduce overall project life cycle costs. Has developed and applied the latest data and numerical methods toward capturing current and future flooding risk for climate change vulnerability assessments; developed comprehensive coastal flood risk assessments that incorporate storm surge risk coupled with increased precipitation and sea level rise; developed gray, green, and hybrid coastal engineering adaptations for fostering urban resiliency in a cost-effective approach; and been the project manager for both large coastal restoration and marsh restoration projects that have included evaluation of a variety of restoration alternatives and included the implementation of a comprehensive data collection and physical processes modeling programs.

QUALIFICATION SUMMARY

- More than 20 years of diverse professional experience in the fields of coastal sciences and engineering, specializing in the areas of project management, coastal flood risk modeling, shoreline protection design, marsh restoration, sea level rise and extreme storms, climate change adaptations, sediment transport, and littoral processes
- Leader in coastal flooding risk under a changing climate, including development of storm climatology for probabilistic flooding risk
- Implemented technically advanced storm assessments under a changing climate; sea level rise and extreme storm numerical modeling techniques to assess climate change adaptations
- Managed multi-disciplinary coastal and marine projects requiring team management, scientific analysis, environmental sensitivity, diverse coordination, and cost-effective solutions
- Developed various hydrodynamic and hydraulic models for water quality assessment, marsh restoration projects, discharge and mixing design, bridge scour, dredging impacts, and contaminated sediment fate and transport
- Numerical model experience with FVCOM, REF/DIF S, SWAN, STWAVE, ACES, BOUSS2D, GENESIS, RMA-Series, MIKE 21, CMS-Flow/Wave, EFDC, SED-2D CGWAVE, , CORMIX, WAVAD, XBEACH, ADCIRC and EDUNEKey Projects
- Key Projects (continued)



Education

1996– M.C.E.
Civil Engineering
University of Delaware
1994 – B.S.
Civil Engineering
Calvin College

Licenses and Registrations

P.E., Professional Engineer,
Massachusetts License #45849

Professional Affiliations

- Member, Association of Coastal Engineers (ACE)
- Member, Coasts, Oceans, Ports, and Rivers Institute (COPRI)
- Associate Member, American Society of Civil Engineers (ASCE)

Publications & Presentations

32

Work Experience

2001-Present Coastal
Engineer/Team Leader, Woods Hole
Group
1997-2001 Coastal Engineer,
Woods Hole Group
1994-1996 University of
Delaware (Teaching and Research
Asst.)

KEY PROJECTS

Assessing the Vulnerability of MassDOT's Coastal Transportation Systems to Future Sea Level Rise and Coastal Storms, and Developing Adaptation Strategies, MassDOT – Project Manager/Senior Coastal Engineer

Mr. Bosma led the vulnerability assessment of all MassDOT's coastal transportation systems in MA to sea level rise and extreme weather events. A key product of the project was the Massachusetts Coast Flood Risk Model (MC-FRM) - a highly resolved, numerical processes model developed to assess the combined impact of sea level rise, storm events, winds, tides, and waves. Results from the model, including probability of flooding, inundation depth levels, wave parameters, flood pathways, flood volumes, flood duration, and wind speeds, among others, have been adopted as the State standard for assessing risks and designing resilient projects.

Climate Change Vulnerability and Risk Assessment and Adaptation Study, Town of Duxbury, MA – Senior Engineer

Mr. Bosma was a key team project member for a coastal flooding vulnerability assessment focused on municipal infrastructure, facilities, and natural. Mr. Bosma used MC-FRM to analyze coastal flooding risks for present and future scenarios (2030, 2050, and 2070) and led the development of flexible, cost-effective engineering recommendations for the shoreline and vulnerable infrastructure to address sea level rise and storm surge.

Assessing Socio-Economic Impacts for the National and Emergency Coastal Resilience Funds, National Fish and Wildlife Foundation (NFWF) – Senior Coastal Engineer

Mr. Bosma is leading the development and implementation of a numerical modeling approach that compares the expected impacts from specified storm and sea-level rise scenarios on flood extent and depth, wave energy, and erosion risk with and without coastal resilience projects recently funded by NFWF. The outputs of the modeling will serve as the basis for measuring the avoided damages and socioeconomic benefits of the projects.

Hydrodynamic Characterization and Sediment Transport Potential at The Former Callahan Mine Property, Brooksville, ME, Maine Department of Transportation – Project Manager/Coastal Engineer

Managed and conducted a field data collection program, developed a numerical hydrodynamic model, and performed a sediment transport evaluation for a Superfund Site in Brooksville, ME. Goose Pond Estuary is a site of environmental concern and is classified as a Superfund site on the National Priorities List by the Environmental Protection Agency (EPA). The site is the former location of a zinc/copper open-pit mine where mining operations were conducted adjacent to and beneath the tidal estuary. When mining operations ceased, the property was flooded and it is now hydraulically influenced by the tides of Penobscot Bay, as well as a small upland stream. Utilizing the data collected, a 3-D hydrodynamic model was implemented, calibrated, and verified to characterize the circulation within the Goose Pond Estuary system. The model was used to simulate a range of surge events within Goose Pond. Finally, a sediment transport model was developed to determine the fate and transport of contaminated material within the estuarine system and Penobscot Bay.

The Maine Coast Flood Risk Model, ME, Maine Department of Transportation – Project Manager

Leading the development of the Maine Coast Flood Risk Model. Woods Hole Group (WHG) is working with the Maine Department of Transportation (Maine DOT) to evaluate coastal flood risks under a changing climate. The project, currently in progress, utilizes a dynamic, physics driven approach, within a probabilistic framework, to create geospatial risk data for coastal and estuarine areas throughout the State. The geospatial probabilistic data created as part of this project are intended to form a foundation for understanding and assessing climate-induced coastal risk and resilient project design for Maine's coastal communities. The centerpiece of the project will be the results of a highly resolved numerical hydrodynamic model. The model will incorporate the combined impacts of sea level rise, storm events (both tropical and extra-tropical), winds, tides, riverine discharge, as well as waves. Tropical and extra-tropical events will be simulated using an ensemble Monte Carlo approach to develop probabilistic distributions of flooding.

Zachary D. Stromer, M.S.

Coastal Scientist

EXPERTISE

Modeling and analysis of coastal hydrodynamics, waves, and sediment transport processes. Expertise in coastal, estuarine, fluvial geomorphology, geochemistry, and sedimentology. Experience utilizing programming languages and software packages to present, analyze, and solve a variety of engineering and scientific problems. Climate change vulnerability assessment and adaptation planning.



QUALIFICATION SUMMARY

- Coastal numerical modeling experience with ADCIRC, SRH-2D, SWAN, CMS-Wave, WHAFIS, EFDC, HEC-RAS, SLOSH, ACES, & XBeach.
- Programming experience with MATLAB, R, and Python3
- ArcGIS and QGIS data processing and visualization
- Strong skills in data analysis and interpretation
- Strong research, technical writing, and presentation skills
- Experience navigating HPC linux environments

Education

2016 – M.S.
 Geology
University of Massachusetts – Amherst
 2014 – B.S.
 Environmental
 Geology/Chemistry
Northeastern University

WORK EXPERIENCE

2016-Present Woods Hole Group, Inc. (Coastal Scientist)
 2014-2016 University of Massachusetts - Amherst (Teaching Assistant)
 2014-2016 University of Massachusetts – Amherst (Research Assistant)
 2013 Woods Hole Oceanographic Institute (Field/Lab Technician)

Publications & Presentations

3

KEY PROJECTS

Back River Salt Marsh Restoration Hydraulics and Hydrology Study, Woolwich, ME

Coastal Modeler on project to evaluate the potential structure replacement at the Route 1 crossing of the Back River Estuary in Woolwich, ME. A Hydraulics and Hydrology (H&H) study was conducted to assess restoring salt marsh, as well as to provide habitat and infrastructure resiliency in the face of rising sea levels. The study included a field data collection program, development of a two-dimensional hydrodynamic model (SRH-2D) together with model simulations for a range of environmental conditions, and an alternatives analysis for the culvert replacement at US-1.

Wave Modeling for Assessing Possible Resiliency Options for The Boston Harbor Islands

Developed regional-scale and local SWAN wave models of Boston Harbor to assess the impact of Harbor Islands on the wave climate within Boston Harbor. Results were utilized to develop conceptual designs for possible island enhancements with the goal of improving wave protection for both the Harbor and the Islands, as well as improving habitat and recreational opportunities.

KEY PROJECTS (CONT.)

MassDOT Massachusetts Coast Flood Risk Model, MA

Worked to expand Woods Hole Groups previous award-winning effort, the Boston Harbor Flood Risk Model, to encompass the entire state. The coupled ADCIRC/SWAN model was utilized to simulate both extra-tropical and tropical cyclone events using an ensemble Monte Carlo approach. Probabilistic results are being utilized to identify road and infrastructure risk around the state. The large state-wide grid has also been utilized to analyze tidal conditions across the state, including refining tidal datums and assessing tidal flushing rates for estuaries. Outputs from the model will be made available for use in a variety of applications, such as planning, regulation, and risk analysis. In the process of producing standardized flood risk products for across the state including probabilistic flood water levels, wave levels, as well as design flood elevation levels for use in future resiliency efforts.

Climate Adaptations for East Boston, MA

Developed conceptual designs for climate resiliency of several vulnerable sites throughout East Boston. Vulnerable sites were identified utilizing results from the MassDOT Boston Harbor Flood Risk Model (BH-FRM); an ADCIRC/SWAN coupled model incorporating a large suite of storm simulations and SLR scenarios to assess flooding risk throughout Boston. Proposed projects were incorporated into the BH-FRM model, and multiple storm scenarios of varying intensity were simulated to assess project effectiveness. Results from the modeling efforts will be utilized as part of a larger scale, multi-disciplinary project to assess the effectiveness and differences of green and/or grey adaptations for climate resiliency.

Multi-Hazard Mitigation Plan Update for Marshfield, MA

Performed an update to the Multi-Hazard Mitigation Plan for the Town of Marshfield to be in compliance with MEMA/FEMA guidance and meet CRS Program requirements. Additional and updated data were acquired on all natural hazards addressed in the plan and added hazards to match those highlighted by the State. Conducted a vulnerability assessment for Town-identified critical facilities, as well as Town-wide property and assets. Conducted an online survey to incorporate public goals and feedback on specific mitigation actions. Information was provided about the location, extent, frequency, past occurrences and likely impacts of all hazards.

The Maine Coast Flood Risk Model, ME

Lead modeler and technical development for the Maine Coast Flood Risk Model. Woods Hole Group (WHG) is working with the Maine Department of Transportation (Maine DOT) to evaluate coastal flood risks under a changing climate. The project, currently in progress, utilizes a dynamic, physics driven approach, within a probabilistic framework, to create geospatial risk data for coastal and estuarine areas throughout the State. The geospatial probabilistic data created as part of this project are intended to form a foundation for understanding and assessing climate-induced coastal risk and resilient project design for Maine's coastal communities. The centerpiece of the project will be the results of a highly resolved numerical hydrodynamic model. The model will incorporate the combined impacts of sea level rise, storm events (both tropical and extra-tropical), winds, tides, riverine discharge, as well as waves. Tropical and extra-tropical events will be simulated using an ensemble Monte Carlo approach to develop probabilistic distributions of flooding. The Maine Coastal Flood Risk Model (MEC-FRM) will draw on lessons learned and build upon the methodology previously utilized to create the Massachusetts Coastal Flood Risk Model (MC-FRM).

PROJECT APPROACH

As an interdisciplinary firm, Weston & Sampson will provide the majority of technical services for your project using experienced in-house staff who have successfully worked together on similar efforts throughout New England, as detailed in *Section A, Cover Letter*. **Principal-in-Charge Chris Perkins, PE**, and **Project Manager/Design Engineer Tom Strike, PE**, have worked together on many successful projects. They will effectively communicate with each other and with the City of Biddeford and will **coordinate and direct staff on tasks quickly** to bring the project in on time and within budget.

In this section, we summarize our **staff capacity and management approach**, including organizational capacity, schedule and cost control, and communications plan, followed by our detailed **technical approach**. Please refer to the organizational chart provided in *Section C, Project Team & Resumes*, for information regarding the roles and experience of our individual team members.

Capacity & Management Approach

Weston & Sampson's management approach to all projects is to work closely with our clients to develop the most feasible, cost-effective solutions. We focus on keeping projects on schedule and within budget, and we will ensure that the City of Biddeford is involved in the decision-making process at all stages of the project. As overall project manager, **Tom Strike, PE** will be responsible for monitoring task budgets and team member assignments and will meet regularly with our team members to discuss project progress and eliminate potential problems.

In organizing our project team and scheduling our staff for your project, we considered the commitments of our team members for other projects currently underway and the proposed project schedule. Weston & Sampson is committed to the City of Biddeford and will perform the scope of work utilizing the appropriate staff levels to meet your required schedule and budget.



Schedule Control: Upon authorization to proceed, our team members will be immediately available. In organizing and scheduling our key personnel for your project, we consider their commitments for other projects underway to ensure their availability throughout your project tasks. At key intervals, our staff will be 100% available, as necessary, to achieve project deliverable goals. As a multidisciplinary firm with more than 850 professional and technical staff, Weston & Sampson has the capacity and depth of resources to respond to your needs and assure the assignment of highly qualified personnel for all your project tasks.

Weston & Sampson has the depth of resources to respond to your needs and assure the assignment of highly qualified personnel for your project. During critical points, these personnel will devote 100% of their time, as needed, to complete the work within your timeframe.

We will make your project a priority within our firm, further ensuring thorough and timely completion of tasks. **Tom Strike, PE** will monitor the project schedule regularly and compare it to the target schedule. This, together with frequent communication and regular in-house progress meetings will ensure proper planning and coordination of the work, assignment of all necessary staff resources, timely execution, and quick response to any issues that may arise in any phase of the project.

Budget Control: Weston & Sampson is committed to utilizing sound financial management on your project and tracks accounts using the Vision project management and accounting software program. Vision allows project managers to access pertinent financial information at any time so that they may monitor the financial progress of their projects. Vision also allows project managers to check the time and expenses that are charged to a project during any given time period and project to date, the total money already billed to the client, and the project aging information (accounts receivables). **Tom Strike, PE**, will review all invoices prior to submitting them to you to check for accuracy and identify potential errors, such as incorrect time sheet entries.

Communications Plan: We believe that good communication will be essential to keeping your project on schedule. While **Tom Strike, PE** will be

your primary point of contact, **Chris Perkins, PE**, and the rest of the team will also be fully engaged with the progress and status of the work to keep the project progressing expeditiously and provide backup points of contact to ensure that you can always reach someone knowledgeable about the project to get answers to critical questions. As the project proceeds, Tom will regularly update the city on progress and supply information through email and by phone. Tom and Chris, and other staff on our team will attend in-person and/or virtual meetings to discuss and review critical items as appropriate.

Quality Control: To provide clients with quality engineering products and deliverables, we assign a technical review team of senior engineers, led by **Eric Reitter, PE, PMP**, to provide quality assurance/quality control (QA/QC). Eric will not be directly involved in the project design so he can provide an objective review of the overall work product and its constructability. We encourage the City of Biddeford to have staff participate in our key internal QA/QC meetings/reviews, providing valuable “on the spot” comments. This team approach will ensure quality engineering at each milestone and critical review of the technical, institutional, environmental permitting, and cost estimating components of the project. Weston & Sampson maintains a detailed internal QA/QC procedure and policy implementation program that is formally documented.

Technical Approach

SITE VISIT & KICK-OFF MEETING

Staff from our geotechnical, structural, and roadway engineering groups will begin the project by attending an in-person kick-off meeting with the City of Biddeford to discuss our approach and scope of work. Following this meeting, we will visit each of the four project site areas to document conditions and further discuss specific site details with the city.

TEMPORARY REPAIR & STABILIZATION

Roadways and seawalls in the project site areas sustained significant damage as a result of the January storm events. Roadway damage included localized surface buckling, loss of pavement subgrade support, shoulder erosion, and failure of roadway edges. Seawall damage included loss of entire sections of sea wall, localized loss and displacement of large stone riprap and any pre-

existing choke stone material, and apparent settlement of sections of seawall. Debris materials remain scattered across sections of the affected roadway areas. As a result of damage and presence of scattered debris, most roadways in the project site areas have been closed to vehicular traffic since the storm events as they are unsafe and impassible. Additionally, sections of the seawalls have been significantly displaced such that they are in a configuration that pose a safety hazard to the public.

We understand that the city intends to retain the services of a contractor to complete temporary roadway repairs and to shift sections of displaced seawalls so that the roadways can be opened to vehicular traffic. Roadway repairs are likely to include debris removal, pavement reclaiming, and localized backfilling of depressions. FEMA requires that damaged infrastructure, such as the project roadways and seawalls, be sufficiently protected from further damage while repair design is being completed. Costs to repair additional damage would not be covered by FEMA.

It is critical that the damaged areas, even though temporarily repaired as discussed above, be sufficiently protected from further damage. After temporary repair is complete, Weston & Sampson engineering staff will observe and document these areas. At this stage of the project, we will also retain the services of a professional surveying firm to complete topographic survey of each project site area, including the temporary repair measures. Our team of engineers and resiliency and coastal modeling specialists will use results of our field observations, topographic survey, and hydraulic data to evaluate how resilient existing and temporary repaired conditions are to withstand future damage from storms, wave action, or other events. Based on



our evaluation, and as necessary, we will design additional temporary repair and stabilization methods needed to resist further damage. Depending on the extent of repair and stabilization needed and procurement requirements, we will prepare plans and specifications that can be used to bid this portion of the project. We fully understand that this stage is critical to protect existing infrastructure and to maintain open roadways, and we will strive to complete all tasks needed for additional temporary repair and stabilization design in an agreeable timeframe.



FEMA will typically require documentation of all aspects of construction receiving disaster relief funding. Weston & Sampson will therefore provide construction administration services during temporary repair and stabilization work. These services will include full-time observations by engineering staff, attendance at meetings as required, and review and response to submittals and RFIs.

ALTERNATIVES ANALYSIS STUDY

We understand that the City of Biddeford intends to implement mitigation repair to the damaged areas so that the roadways and seawalls will be more resilient to future storm events. We also understand that the city will use disaster relief funds from FEMA to cover design and construction costs for mitigation repair. FEMA requires that mitigation repair meet a cost-effective requirement, which is 100 percent of the estimated, FEMA accepted replace in-kind costs. Therefore, mitigation repair costs will need to stay below the cost-effective value, which could limit the repair types possible for this project.

Weston & Sampson, together with team member Woods Hole Group and their work on the Maine Coast Flood Risk Model, has the expertise and institutional knowledge to evaluate the most effective mitigation repairs to storm damaged infrastructure.

We intend to evaluate several feasible alternatives for mitigation repair of each site area. These alternatives will consider available disaster funding, completion timeline, aesthetics, and, most importantly, project resiliency to damage from future extreme events and flooding. Our team member, [Woods Hole Group](#), is a regional leader in coastal modeling and is currently developing a [Statewide Maine Coast Flood Risk Model \(MEC-FRM\)](#) working with the Maine Department of Transportation (Maine DOT) to evaluate coastal flood risks under a changing climate. For this model, they are developing Maine coast specific design parameters for sea level rise/storm surge information on expected water surface elevation, wave heights, duration/frequency of overtopping, as well as future tidal datums. Information from the model for the City of Biddeford, which is not yet publicly available, will be used to provide design flood elevation for the alternatives for mitigation repair, as well as quantify the level of effective risk reduction for each mitigation repair alternative considered. In addition, the Maine Coast Flood Risk Model is using best available and most recent LiDAR data for Biddeford, which can also be used to supplement and confirm elevations for locations that may not be picked up or is outside the area of topographic survey.

Subsurface condition characteristics in the project site areas, including bedrock profile variability, need to be considered since they will have an impact on the evaluation of feasible mitigation repair

alternatives and the sustainability effectiveness of the alternatives. For example, areas with a relatively shallow bedrock profile might require different mitigation repair approaches than those with relatively thick deposits of sand or cohesive materials. We will therefore retain the services of a geotechnical drilling subcontractor to complete borings in each project site area to provide the necessary information on soil and bedrock.

We will communicate with the city during our analysis to provide timely updates, discuss alternatives being considered and their pros and cons, and facilitate feedback from the city. Ultimately, our alternatives analysis will produce cost-effective mitigation alternatives that will provide resiliency against future storm events. Given the unique nature of each project site area that sustained storm damage, different alternatives could be considered for each of these areas. Cost estimates will be prepared that will consider construction, permitting, and engineering design and construction administration services for each alternative in a format acceptable to FEMA.

We will summarize pre-failure and existing site conditions, topographic survey, subsurface conditions encountered in explorations, our alternatives analysis with mitigation repairs alternatives, cost estimates, and recommended mitigation repair alternative to be implemented at each project site area in an Alternative Analysis Report. Each recommended mitigation repair alternative will be selected based on costs and its resilient effectiveness.

FEMA CONSULTING SERVICES

Weston & Sampson has been working with the City of Biddeford during the FEMA negotiation process for the Riverwalk Retaining Wall Replacement project since 2021 and is also assisting the City of Gardiner, Maine through a similar process for a slope failure along the Cobbosseecontee Stream. We are therefore intimately familiar with this unique process and the rigorous tasks required by FEMA so that they will accept the scope of work and costs needed to complete necessary repairs. We have already assisted the city with cost estimates to restore a portion of the project to pre-failure conditions (replace in-kind estimate), which is the first step to receive funding for mitigation repair.

The next step in the FEMA negotiation process will be to provide a detailed cost estimate for the selected mitigation repair alternative(s). We will prepare this estimate using raw (without considering overhead and profit) unit costs for each element of construction from RSMeans or other sources acceptable to FEMA, such as recent costs from local contractors. We will provide backup information needed for the cost estimate that could include a scope of work narrative and construction method sketches. We anticipate that several remote and in-person meeting with FEMA and the city will be needed to finalize a mitigation cost estimate that will be accepted by FEMA. Weston & Sampson will attend these meetings and will be readily available to discuss issues as they arise during this rigorous process.

PERMITTING

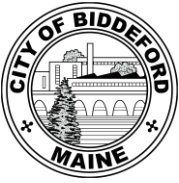
Temporary repair/stabilization and mitigation work will be completed along the coastal plain, within areas of mapped dunes, and in environmentally sensitive areas. Efforts to complete this work will likely result in temporary and permanent impacts to these areas that will need to be considered when evaluating repair alternatives. These impacts will likely require preparation and approval of permit applications to complete the work. Based on our experience, it will be critical at the onset of the project

to reach out to applicable environmental permitting agencies to understand any and all agency restrictions and the types of permits required since they could have an impact on the types of temporary and permanent mitigation repair considered for this project.

We will contact each applicable permitting agency, including MEDEP, ACOE, CZM, NOAA, and MDMR, prior to the design of any temporary repair/stabilization and request pre-application phone conferences to discuss the project, confirm permit application requirements, and review any restrictions to temporary and permanent work. We will prepare and submit permit applications required to complete temporary repair/stabilization work on behalf of the city after permit-level design plans are complete. We anticipate that any permit application preparation and restrictions on work for temporary repair/stabilization will be minimal.

Once mitigation repair alternatives have been fully evaluated, we will again contact each permitting agency and request phone conferences to discuss the alternatives, types of permit application required, permit review timelines, and any restrictions that could impact our alternative designs. Results of these discussions will be included in the Alternatives Analysis Report.





City Council

Meeting Date: May 7, 2024

Meeting Time: 6:00 PM

Agenda Item No: 13.b; Order No. 2024.62

Item Description: HUD Lead Hazard Reduction Bid Award—61 Jefferson St

Submitted by: Gail Wilkerson, HUD Housing Programs Director

Supporting Information/Documentation: *Bid Tabulation—61 Jefferson St*

Key Terms:

HUD: US Department of Housing & Urban Development

Executive Summary:

Staff recommends awarding the HUD bid for lead hazard reduction and health/safety improvements at 61 Jefferson St to contractor **Ray Corp** for **\$34,630**. The independent cost estimate is \$41,250. Two contractors attended the bid walk, but only Ray Corp submitted a bid. The bid and City estimate are available for review upon request. Since the property is under an emergency order to abate and the bid has come in under the cost estimate, staff recommends not re-bidding the project and instead beginning work as soon as possible. The contractor has other City work under contract, including the properties at 22 Jefferson & 197 Alfred St. Awarding this work to Ray Corp will create efficiency in completing all these properties, as the crew can easily float among jobs.

Detailed Review:

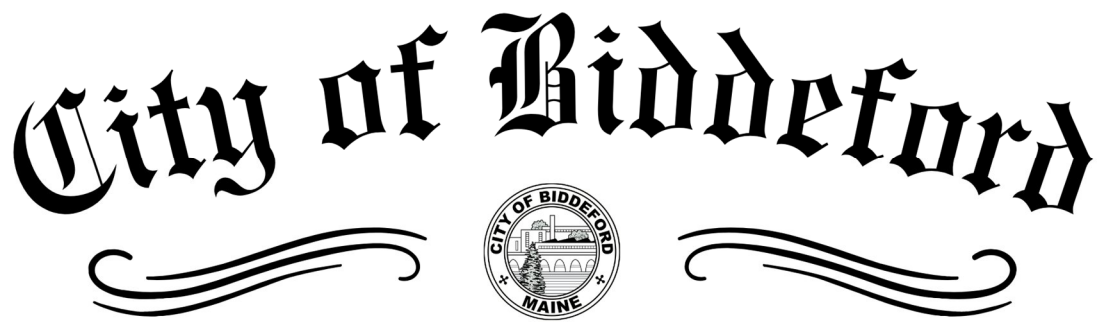
The property has 2 residential units, and a child under age 6 was found to have an elevated blood lead level while living here, which makes the project a top priority. Inspections for lead & other hazards occurred in Oct 2023 and Feb 2024 and revealed the need for interior abatement, including: removal/replacement, enclosure, or encapsulation of doors, jambs, and casings, flooring, baseboards, window casings, and interior stairs. The health/safety work involves installing 2 fire doors and repairing walls. The owner is eligible for HUD funding to remove all these hazards. At project completion and for 3 years after, the owner must make the units available to households earning no more than 80% of area median income (AMI).

Funding Source:

100% funded by the HUD Lead Hazard Reduction & Healthy Homes Grant Program

Staff Recommendation:

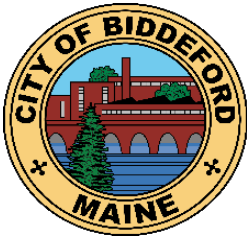
Award bid to Ray Corp of Lewiston in the amount of \$34,630, with the project to begin asap.



2024.62 IN BOARD OF CITY COUNCIL... May 7, 2024

BE IT ORDERED, that the award for the HUD Lead Hazard Reduction and Healthy Homes project at 61 Jefferson Street, as detailed in RFB#2024-04-22-01-LEAD, be awarded to Maine-licensed abatement contractor Ray Corp of Lewiston in the amount of \$34,630. Work is projected to begin as soon as possible and conclude in 4 weeks. Contractor has satisfactorily performed this type of work for the City's CDBG & Lead Programs in the past and is a firm in good standing with the Maine Department of Environmental Protection and the federal government, as confirmed by a check of the System for Award Management (sam.gov) on 5/2/24.

Attest by:_____



City of Biddeford Bid Summary

Lead Hazard Reduction & Other Related Rehab: 61 Jefferson Street			
RFB# 2024-04-22-01 LEAD Contractors' Bid Submittals		Bid Open: 5/2/24 1:00 PM	
	Ray Corp	G Painting	City Cost Est.
Unit 2 Lead Total	\$ 1,650.00	\$ 0	\$ 2,200.00
Unit 3 Lead Total	\$ 29,480.00	\$ 0	\$ 35,550.00
Healthy Homes Total	\$ 3,500.00	\$ 0	\$ 3,500.00
Total Bid	\$ 34,630.00	\$ 0	\$ 41,250.00

Staff Present:

Lisa Shultz x

Gail Wilkerson x

Proposed Start: July 2024

Proposed Start: 4 weeks

City of Biddeford



2024.67 IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that that the City Council of the City of Biddeford does hereby endorse Biddeford's Mayor, Martin Grohman, to take the National Wildlife Federation Mayors' 2024 Monarch Pledge on behalf of the City of Biddeford.

In doing so, the City of Biddeford joins other mayors and heads of local and tribal governments in supporting action to help save the Monarch Butterfly, an iconic species, whose eastern populations have declined by 90% and western populations by 99% in recent years.

In joining these efforts, the City of Biddeford will promote the importance of the Monarch butterfly and other pollinators to the health of our community.

Through the Mayors' Monarch Pledge, the city of Biddeford is committed to creating habitat for the monarch butterfly and other pollinators, and to educate residents about how they can make a difference at home and in their community.

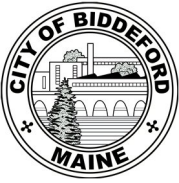
As part of this national program, the City of Biddeford supports efforts like the national No Mow May month in which residents and businesses are encouraged to wild their lawns and refrain from mowing until June 1, each year, to allow Monarchs and other pollinators sufficient time for vital early spring feeding.

The City also encourages schools to plant wildflower gardens, including milkweed and other native flowering plants and trees, and to include the importance of pollination in their curriculums.

The City of Biddeford continues to have ongoing discussions about reducing the use of pesticides and herbicides in and around city properties and parks and the surrounding landscape.

In order to actively engage residents of the city, the City of Biddeford will continue to work with Biddeford Community Gardens to support Monarch butterfly habitat.

Attest by: _____
Robin Patterson, City Clerk



City Council

Meeting Date: May 7, 2024

Meeting Time: 6:00 PM

Agenda Item No: 13.D

Item Description: Authorize the City Manager to proceed with RFP for Naming Rights for Biddeford Ice Arena

Submitted by: James Bennett, City Manager

Supporting Information/Documentation:

Lease agreement between the City and York County Arena Association

RFP for Naming Rights for Lewiston's Collis  

Key Terms:

[List key terms with definitions if introducing new topics. "N/A" if not applicable]

Executive Summary:

There has been some discussion about selling the name rights to the Biddeford Ice Arena for a few years. The City currently leases the facility to a non-profit board York County Arena Association (YCAA). When representatives from the Board have approached the City about the concept, City officials took the position that the current lease does not allow the YCAA to sell the naming rights. While the proposed order would authorize this office to proceed with the formal process of releasing an RFP under a City process, there are also other outcomes/decisions the Council could consider. These include:

1. Authorizing the RFP as proposed in the order.
2. Determine that the YCAA would have the authority to release the RFP.
3. Determine the uses of any funds that would be gained from the sale of the naming rights.

Detailed Review:

Before the Council is a recommendation by the Mayor to proceed with an RFP in order to sell naming rights for the Biddeford Ice Arena. There are a couple of policy issues that are interwoven into the recommendation that the Council will be making. Those decisions may be implicit within the order if the Council does not explicitly discuss them.

The City leases the arena to the non-profit board to operate the facility. The lease is non-traditional, in that it does not require a lease payment to the City. In my experience, sheets of ice generally are not profitable in Maine. I am not aware of any privately owned facilities. In most cases, ice arenas require tax subsidies to operate. In Biddeford's case, the city does not support the arena with general taxes for day to day operation. I believe the City had

supported the arena years ago with capital investment. It has not done so in the last eight years. The City has however, supported debt for capital investment.

In an effort to increase revenues to the facility, YCAA has approached the City with the idea of selling the naming rights to the building. Naming rights will include certain performance standards for the building. The entity that buys the naming rights is using the building as a part of their branding and marketing of their product/service. Those standards can have financial impacts on the operations. It has been the informal position of City administration any building naming rights needs to be under the control of the City. In part, to make sure it knows exactly what commitments are being made within the contract. The naming rights contract will be tied to the building, regardless whether the current structure stays in place.

While naming rights have been used for some time outside of Maine, the first known municipal facility to sell naming rights occurred in 2006. Lewiston put out the RFP when it took over the ownership of the former Central Maine Civic Center. The City of Bangor followed with the naming of the new facility they built. This was followed by Cumberland County. I was employed as Lewiston's City Administrator during the RFP process and was significantly involved with the process. The City did use an outside consultant to assist in the process.

A copy of that RFP has been included in the package as an example. A review of the document will give you a flavor of the types of decisions that should be considered when developing the RFP.

Before you is a general order to authorize the City to move forward with the RFP. The Council may elect to move forward with that order. It may also consider other alternatives. These might include making the decision to let YCAA move forward, subject to approval of the City (including the RFP details).

Should the Council endorse the selling of the naming rights, other decisions should be considered. A decision should be made about how the proceeds from the sale of the naming rights would be used. The Council may decide that they want to play a significant role in the details of the RFP. It could also decide to be more hands off in the development of the RFP.

Staff and I are prepared to assist the Council as requested.

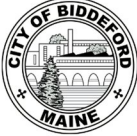
Funding Source:

None needed.

Staff Recommendation:

While there is a general order to move forward, there is no specific recommendation on this issue beyond strongly encouraging careful consideration of the terms of the contract. The strong potential that performance standards could require financial exposures is the reason for this recommendation.

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on a rocky shore with trees. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. The seal is flanked by two decorative, symmetrical scroll-like flourishes.

2024.63

IN BOARD OF CITY COUNCIL...May 7, 2024

BE IT ORDERED, that the City Council hereby directs the City Manager to draft and release an RFP for comprehensive naming rights to the Biddeford Ice Arena

Attest by: _____
Robin Patterson, City Clerk

FIRST AMENDED AND RESTATED MANAGEMENT AGREEMENT

1. **Parties.** This Management Agreement (“Agreement”) is made and entered into as of _____, 2019 by and between the Inhabitants of the City of Biddeford, a municipal corporation organized and existing under the laws of the State of Maine, situated in York County, Maine (the “City”), and York County Arena Association, a nonprofit corporation organized and existing under the laws of the State of Maine, with a principal place of business in Biddeford, Maine (the “Association”).

2. **Background.** The City owns a recreational and sports facility, consisting of certain real property, a building with a total floor area of approximately 45,759 square feet and certain personal property and equipment, known as the Biddeford Ice Arena, all of which is located at or near 16 Pomerleau Street in the Alfred Road Business Park in Biddeford and which is used for ice skating, ice hockey, boxing matches, trade shows, City events, craft fairs and roller skating, among other purposes, events and activities, and includes facilities and equipment for the sale of food, beverages and ice skating and ice hockey equipment (the “Arena”). The Association has been operating and managing the Arena for the benefit of the City pursuant to a Management Agreement, dated as of December 1, 2001, the term of which expired on June 30, 2018 and which the parties hereby agree has been terminated. The City has caused to be made certain substantial improvements of and renovations to the Arena and issued its tax exempt revenue obligation securities dated July 20, 2010 (the “2010 Bonds”) to finance the costs of such improvements and renovations and the City expects to cause to be made certain additional substantial improvements of and renovations to the Arena and is issuing its tax exempt revenue obligation securities (the “2018 Debt” and, collectively with the 2010 Bonds, the “Bonds”) to finance the costs of such improvements and renovations and to prepay in full the outstanding principal balance of the 2010 Bonds. Pursuant to this Agreement, the Association will continue to operate and manage the Arena for the benefit of the City.

3. **Operation.** The Association shall be fully responsible for the maintenance, repair and operation of the Arena including, without limitation, the care and maintenance of the grounds surrounding the Arena including lawn care, cleaning of walkways and parking areas and general grounds maintenance, painting, usual and ordinary repairs, garbage removal, cleaning, supplies, scheduled maintenance of heating, ventilating and air conditioning and other building systems and of the ice making equipment, security, employment and staffing, collection of user charges and payment of utility charges, wages, insurance premiums and other costs and expenses of operation and maintenance.

4. **No Private Use; No Preferential Use.** The Association understands and acknowledges that federal rules applicable to the Bonds limit the use of the Arena in a trade or business of a nongovernmental person. A nongovernmental person includes without limitation a natural person, a nonprofit corporation, a club, a team, an association, an instructor, a camp, a school (except for a governmentally owned public school), a store or a shop. Any activity carried on by a person other than a natural person is treated as a trade or business. The Association agrees that it will not license or permit the use of the Arena by any nongovernmental person for a period, including renewals, longer than thirty (30) days without the prior written approval of the City Manager of the City based upon the advice of the City’s bond counsel, any such approval not to be unreasonably withheld. The City Manager of the City is authorized in accordance with federal rules applicable to the Bonds to enter into a lease of approximately six hundred (600) square feet of the Arena for use as a shop for the sale and servicing of ice skating

and ice hockey equipment and for other purposes (the "Skate Shop Lease"). The City Manager of the City is authorized in accordance with federal rules applicable to the Bonds to enter into a lease of approximately six hundred (600) square feet of the Arena for use as a snack bar (the "Snack Bar Lease").

The use of the Arena shall be open to the general public on the basis of rates and requirements that are generally applicable and uniformly applied to such classes of users as the Association shall establish with the approval of the City ("User Classes"), provided that the Association shall make a reasonable effort to assure that the Arena will be available to residents of the City. As required pursuant to section 6 of this Agreement, the Association shall provide for the City's review and approval a schedule of days and hours of operation of the Arena and a schedule of fees, prices and other charges to User Classes for the use of the Arena and its associated services in accordance with this Agreement.

5. Transfers to the City and Compensation of the Association. As soon as practical after the end of each fiscal quarter of each fiscal year, commencing with the fiscal quarter ending December 31, 2018, and in any event within forty-five (45) days thereafter, the Association shall turn over to the Finance Department of the City, earmarked for fund 76 (Ice Arena Capital Expenditures and Surplus from Operations) Net Earnings From Operations adding back all non-cash expenditures for depreciation and/or amortization, and allowing for a reasonable operating reserve for future Operating Expenses (hereafter defined) as detailed in the quarterly budget as approved for the current fiscal year. The City expects that all revenues from the operation of the Arena will be allocated to said fund 76, regardless of whether any such revenues arise with respect to this Agreement or with respect to one or more other actions of the City.

The parties agree that the only compensation to be paid by the City to the Association for services rendered by the Association to the City shall be (a) reimbursement of actual and direct expenses paid by the Association to unrelated parties in accordance with the budget of the Association which has been approved in writing by the City ("Reimbursable Expenses") and (b) an amount not to exceed the amount set forth in Schedule A hereto (including any revision or replacement of said Schedule) for documented salary, benefit and other compensation expenses with respect to employees of the Association in accordance with the budget of the Association which has been approved in writing by the City and the amount set forth in Schedule A hereto (including any revision or replacement of said Schedule) with respect to lease revenue from the Skate Shop Lease and the Snack Bar Lease (the "Management Fee"). The term "Operating Expenses" means an amount equal to Reimbursable Expenses plus the Management Fee.

6. Records and Reports. The Association shall keep full, complete and proper books, records and accounts of its operation of the Arena including, without limitation, employment agreements, invoices, service contracts, receipts and expenditures with respect to the Arena. All such books, records and accounts, and the Arena, shall at all times be open to inspection by the Finance Director of the City, any auditor acting on behalf of the Finance Director or any other person acting on behalf of the Finance Director or the City Council of the City. The Association will maintain a standard system of accounting, established and administered in accordance with generally accepted accounting principles consistently followed throughout the periods involved.

The Association will deliver to the City, as soon as practical after the end of each fiscal quarter of each fiscal year, except the last quarter, commencing with the fiscal quarter ending

September 30, 2010, and in any event within forty-five (45) days thereafter, a financial statement for such quarter, certified as complete and correct by the principal financial officer of the Association, subject to changes resulting from year-end adjustments. As soon as practical after the end of each fiscal year, commencing with the fiscal year ending on June 30, 2010, and in any event within one hundred twenty (120) days thereafter, the Association will deliver to the City a statement of condition of the financial operations of the Arena as of the end of such year and statements of cash flows and changes in financial position and/or changes in fund balances for such year, setting forth in each case in comparative form the figures for the previous fiscal year, all in reasonable detail and certified as complete and correct by the principal financial officer of the Association, accompanied by a report showing that such financial statements have been reviewed by independent certified public accountants of recognized standing, selected by the Association and satisfactory to the City.

Together with the financial statements for the third fiscal quarter ending March 31, the Association will deliver to the City projected balance sheets, projected income statements and an operating budget (such budget by months), including Reimbursable Expenses and Management Fee, and a capital expenditure budget for the Arena for the next fiscal year. The budgets shall be subject to review and approval by the City Council of the City and, in addition to providing for the costs of operation and maintenance of the Arena in accordance with this Agreement, shall also provide for revenues sufficient for depreciation, obsolescence, uncollectible accounts and debt service on the 2010 Bonds or other financing issued or provided or to be issued or provided by the City for the Arena. As part of the operating budget and projection of future income and expenses, the Association shall provide a schedule of days and hours of operation of the Arena and a schedule of fees, prices and other charges to the public, broken down by user classes, for the use of the Arena and its associated services in accordance with this Agreement.

Promptly upon receipt thereof, the Association will deliver to the City copies of all other written reports provided to the Association by independent accountants in connection with any annual or interim review of the books of the Association. With reasonable promptness, the Association will deliver to the City such other data and information as from time to time may be requested by the City.

7. Insurance. During the term of this Agreement, the Association shall carry and maintain comprehensive public liability insurance, including property damage, insuring the City and the Association against liability for injury to persons or property occurring in or about the Arena, or arising out of the ownership, maintenance or use of the Arena. The liability under such insurance shall not be less than One Million Dollars (\$1,000,000) for personal injury or death and not less than Fifty Thousand Dollars (\$50,000) for property damage. All policies of insurance shall name both the City and the Association as insured. The Association shall procure such insurance from reputable insurers subject to the approval of the City Manager of the City. The Association shall provide the City with a certificate of insurance evidencing the coverage required pursuant to this Agreement and providing that no policy shall be subject to cancellation until after the end of thirty (30) days from notice to the City.

8. Indemnification. The Association hereby indemnifies the City against, and holds the City harmless from, any and all liability, loss, damage, expense, cause of action, suit, claim or judgment, including without limitation reasonable legal expenses in connection with any of the foregoing (other than a negligent or intentional act of the City or any of its agents, servants or

employees while in, on or about the Arena), in any manner arising out of the ownership, use, management or operation of the Arena.

9. Special Events. The Association may schedule special events at the Arena, such as trade shows, craft fairs and boxing matches, subject to the prior written approval of the City Manager of the City, any such approval not to be unreasonably withheld. The City reserves the right to schedule special events at the Arena, upon reasonable prior written notice to the Association and not in conflict with events or activities scheduled by the Association with City approval.

10. Notice. All notices to be given to the Association shall be in writing and shall be deposited in the United States mail, certified or registered, postage prepaid and addressed to Clerk, York County Arena Association, P.O. Box 297, Biddeford, Maine 04005. All notices to be given to the City shall be in writing and shall be deposited in the United States mail, certified or registered, postage prepaid, and addressed to the City, c/o the Finance Director, P.O. Box 586, 205 Main Street, Biddeford, Maine 04005. Notice shall be deemed delivered when deposited in the United States mail. If the address of a party changes, the party shall give notice of such change to the other party as provided in this section.

11. Assignment. This Agreement may not be assigned by the Association and the Association shall not subcontract any substantial portion of its obligations hereunder without the prior written approval of the City Manager of the City. This Agreement may not be assigned by the City except that the City may assign this Agreement to secure payment of principal of and interest on the 2018 Bonds and the Association agrees to execute and deliver such acknowledgments, confirmations or other instruments with respect to any such assignment as the holder of the 2018 Bonds may require.

12. Applicable Law. The Association shall comply with all laws, regulations, codes and governmental standards as may be applicable to the performance of its duties under this Agreement and shall obtain all licenses and approvals as may be required for the operation and maintenance of the Arena pursuant to this Agreement. This Agreement shall be interpreted in accordance with the laws of the State of Maine.

13. Alterations and Major Repairs. The Association will not make any alteration to the Arena without the City's prior written approval. The Association shall not make any expenditure of a capital nature in excess of Twenty Thousand Dollars (\$20,000) in any one fiscal year without the prior written approval of the City Council of the City.

14. Term. This Agreement shall continue for and during the period beginning and ending on the dates set forth in Schedule A hereto (including any revision or replacement of said Schedule), and shall be renewed thereafter every year as of December 1 of each such year for an additional term of one year, unless specifically amended or terminated by either party. A party proposing amendment or termination of this Agreement at the end of a term shall give notice of such amendment or termination in writing to the other party at least ninety (90) days prior to the end of such term, except that any amendment of the Management Fee may be presented within the period for submitting the budget pursuant to section 6 of this Agreement and except that, in any case of termination of this Agreement by the City for cause, no notice shall be necessary. "Cause" includes breach of this Agreement, willful or wanton misconduct, gross neglect or matters involving moral turpitude. If an amendment is not acceptable to a party, then this

Agreement will terminate at the end of such term. Except as otherwise expressly provided herein, the obligations of each party hereto shall cease on the effective date of any termination. Upon termination of this Agreement, the Association shall immediately turn over to the City all books, records, equipment and other property used or useful in the operation and management of the Arena.

IN WITNESS WHEREOF, each of the City and the Association has caused this Agreement to be signed and delivered by its duly authorized representative as of the date set forth above.

Witness

CITY OF BIDDEFORD



By: 
Name: James Bennett
Its: City Manager

YORK COUNTY ARENA ASSOCIATION



By: 
Name: Rich Reissfelder
Its: President

MANAGEMENT AGREEMENT
between
CITY OF BIDDEFORD, MAINE
and
YORK COUNTY ARENA ASSOCIATION
Dated as of December 1, 2018

SCHEDULE A

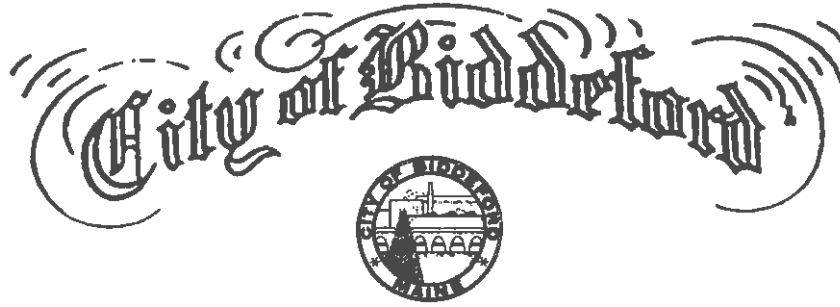
Management Fee (Section 5):

\$ 36,000.00	2010 Bond
TBD	2018 Bond
\$	Total Management Fee

Term of Agreement (Section 14):

Beginning Date: December 1, 2018

Ending Date: December 1, 2021

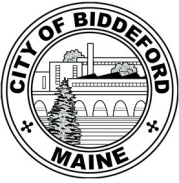


2018.134 **IN BOARD OF CITY COUNCIL..NOVEMBER 20, 2018**
BE IT ORDERED, that the City Council of the City of Biddeford does hereby approve
the Management Agreement with York County Arena Association to manage the Ice
Arena.

November 20, 2018

Motion by Councilor Ready, seconded by Councilor McCurry to grant the order.
Vote: Unanimous.

Attest by: _____
Carmen J. Morris, City Clerk



City Council

Meeting Date: May 7, 2024

Meeting Time: 6:00 PM

Agenda Item No: 13.e

Item Description: Authorize the engagement of Berry Dunn to assist the Finance Department

Submitted by: James Bennett, City Manager

Supporting Information/Documentation:

Berry Dunn Engagement Letter

Berry Dunn Project Proposal

Executive Summary:

In order to complete the FY23 Audit, I am requesting the assistance of an outside auditing firm. The conditions that were left with the nearly complete turn over within the Finance Department prevents the necessary work for the audit to be completed without outside expertise. Our current auditors cannot perform the work and also audit the results. This authorization will not only assist with specific tasks but will also take a look at any weaknesses within the internal controls, processes as well as perform a fraud risk assessment.

Detailed Review:

As has been reported publicly for a few months, a significant backlog of work (over 1 year) was left when the top two leaders of the Finance Department left within a few weeks of each other in August/September last year. Since their departure, two other staff members have also left.

The backlog of work has made it impossible to complete that audit for FY23. While, there have been gains in the work, it has panned out to be far more complicated and intensive than originally anticipated. The recommended firm not only has the knowledge, experience and expertise to complete the work, it also has the ability to immediately go to work. The selected firm is also endorsed by our current auditors.

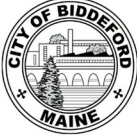
Funding Source:

The funds will be charged to the General Administrative budget. There is \$10,000 allocated for other consultants (budget line 21111-60306). The cost exceeds the \$10,000. The recommendation is to overspend the line understanding the overall budget for General Administration is expected to come in below budget.

Staff Recommendation:

These services are needed to finally clean up the issues that exist within the Finance Department.

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on an island, with a ship in the water. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. The seal is flanked by two decorative, symmetrical scroll-like flourishes.

2024.65

IN BOARD OF CITY COUNCIL... May 7, 2024

BE IT ORDERED, that the City Council does hererby authorize the City Manager to engage Berry Dunn for Finance Department work.

Attest by: _____
Robin Patterson, City Clerk



April 29, 2024

City of Biddeford, Maine
Attn: James A. Bennett, City Manager
205 Main Street
Biddeford, Maine 04005

Dear Mr. Bennett:

We are pleased to confirm our understanding of the terms of our engagement and the nature and limitations of the services we will provide to the City of Biddeford, Maine (the City). We are independent certified public accountants with respect to the City within the meaning of the American Institute of CPA's (AICPA) Consulting Standards.

Berry Dunn McNeil & Parker, LLC (BerryDunn) will provide consulting services assisting management with technical accounting issues, including audit readiness. BerryDunn will also provide general accounting assistance and advice as requested. These services are further outlined in our Project Plan and Price Proposal dated April 30, 2024.

Since the procedures to be performed will not constitute an audit made in accordance with auditing standards generally accepted in the United States of America, we will not express an opinion on any of the items specified in the reports issued or on the financial statements of the City taken as a whole. The work will be performed in accordance with AICPA's Statement on Standards for Consulting Services.

In rendering these services, we will be relying on the accuracy and reliability of historical financial information or other financial data of the City provided by management. We will not, as a part of this engagement, audit, compile, or review such information, and we will not express an opinion or any form of assurance on it. You and your representatives will provide to us promptly, upon request, all information and documentation reasonably deemed necessary or desirable by us in connection with the services described herein. You and your representatives represent and warrant that all information and documentation provided or to be provided is true, correct and complete, to the best of your knowledge and belief, except as you may otherwise advise us at the time you provide us the information. We are authorized to rely upon such information and documentation without independent investigation or verification.

Our working papers, including any copies of your records that we choose to make, are our property and will be retained by us in accordance with our established records retention policy.

Either party may cancel this agreement at any time by providing written notice of cancellation to the other party. Upon termination, BerryDunn will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed. Disputes will be handled by a process of arbitration, mediation, or other means provided by law for resolving problems and for determining who bears the cost of consequential damages arising from errors, omissions, or negligence.

We will not perform management functions, make management decisions, or act or appear to act in a capacity equivalent to that of a member of management or an employee and, if applicable, will comply with AICPA or regulatory independence guidance.

The City agrees to the following:

1. Management of the City shall make all management decisions arising out of, or in connection with, these services, including the following general activities:
 - a. Authorizing, executing, or consummating all transactions.
 - b. Preparing all source documents in electronic or other form evidencing the occurrence of a transaction.
2. The City will designate an appropriate individual to oversee the nonaudit services.
3. The City will evaluate the adequacy and results of the services.
4. The City accepts responsibility for the results of the services.
5. The City shall establish and maintain appropriate internal controls related to the subject matter of these services, including monitoring ongoing activities.

The scope of this engagement does not constitute the provision by BerryDunn, its principals, or staff of any legal advice. Moreover, because our engagement is limited in nature, it cannot be relied upon to discover all documents and other information or provide all analyses which may have importance to this matter.

We are committed to providing you with a fee that is reasonable and fair for the high quality of service you will receive. Our billings will be rendered during the engagement and are payable upon receipt. We anticipate our work will be completed remotely. However, should on-site time be required, our billings will include travel time, travel costs and other out of pocket costs. A late charge is added on all unpaid bills in excess of 30 days at an annual rate of 18% (1½% per month). This engagement includes only those services specifically described in this letter. Appearances before judicial proceedings or government agencies such as the Internal Revenue Service or other regulatory bodies, arising out of this engagement, will be billed to you separately.

We may stop work at any time in the event of any unpaid balance. We may resign from this engagement at our sole discretion at any time.

Each party hereto agrees that any electronic signature is intended to authenticate a written signature, shall be valid, and shall have the same force and effect as a manual signature. For purposes hereof, "electronic signature" includes, but is not limited to, a scanned copy of a manual signature, an electronic copy of a manual signature affixed to a document, a signature incorporated into a document utilizing touchscreen capabilities, an electronic sound symbol or process attached to or logically associated with a contract or other record and executed or adopted by a person with an intent to sign the record, or a digital signature.

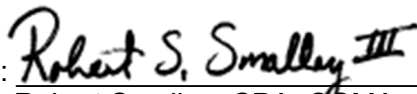
If you are in agreement with the terms of this letter, please sign one copy and return it for our files. We appreciate the opportunity to work with you.

We look forward to our continued relationship to contribute to the City's future success.

James A. Bennett, City Manager
City of Biddeford, Maine
April 29, 2024
Page 3

Very truly yours,

BERRY DUNN McNEIL & PARKER, LLC

By: 
Robert Smalley, CPA, CGMA, CFE
Principal

Acknowledgement:

The above accurately reflects our understanding of the engagement and is accepted by us.

CITY OF BIDDEFORD, MAINE

By: _____
James A. Bennett, City Manager

Date



PROJECT PLAN AND PRICE PROPOSAL

City of Biddeford, Maine

TO PROVIDE

**Accounting Assistance and Forensic
Accounting Services**

BerryDunn Headquarters

2211 Congress Street
Portland, Maine 04102
207.541.2200

Robert Smalley, CPA, Principal

rsmalley@berrydunn.com

Katharine Balukas, CPA, Senior Manager

kbalukas@berrydunn.com

Proposal Submitted On:

April 29, 2024

April 29, 2024

Mr. James Bennett
City Manager
City of Biddeford, Maine
205 Maine Street
Biddeford, Maine 04005

Sent by email to: james.bennett@biddefordmaine.org

Dear James:

Thank you for reaching out regarding your interest in obtaining services to assist the City of Biddeford (the City) to prepare for the fiscal year 2023 financial statement audit including technical accounting assistance and outsourced accounting services. It is our understanding that in addition to audit readiness services, the City seeks to obtain BerryDunn's financial process-improvement expertise to review and evaluate forensic risks and areas for improvement. Robert Smalley, the principal who leads our Government Accounting Standards Board (GASB) team, and I are pleased to submit the following overview of services we can provide in support of the City's overall goals.

Our approach is simple: **consistently produce high-quality services, strive for unparalleled client satisfaction, and deliver both at a reasonable cost.** You can feel confident working with BerryDunn—we have the expertise, proven methodology, and resources to lead this project and fulfill your objectives.

As you evaluate our proposal, please consider the following points that position BerryDunn as the firm that is best qualified to perform the engagement:



Maine is our home, and we are committed to the success of our region. BerryDunn was founded 50 years ago in Maine, and we remain headquartered in Portland. Although we have grown steadily over the years, we have stayed true to our roots. We pride ourselves on being large enough to offer a broad range of technical and specialized services, but small enough for principals and staff to engage personally with each of our clients.



The City will benefit from our extensive experience working with governmental agencies. Our team specializes in governmental work, which means you will be served by a team of specialists who understand your ever-changing challenges and who give our undivided attention to the issues that matter. We understand that government agencies encounter a variety of accounting and regulatory issues that require significant experience in this specialized environment. Our long history of working with governmental agencies allows us to add value through expertise and knowledge sharing.



Timeliness throughout the engagement. We take the quality of our work seriously and will endeavor to exceed the City's expectations of the value and timeliness of our communications, service delivery, and final work products. We strive to do this by understanding your expectations, developing a reasonable and achievable engagement approach, gaining concurrence on tasks and timing, and selecting knowledgeable team members who are experienced and sensitive to your needs and concerns.



We deliver a high level of principal and manager participation. Our principals and managers are heavily involved during the entire engagement process. You will see our managers and principals during each phase of the engagement to address questions as they arise and review the engagement progress. This approach gives you continuous, hands-on involvement from professionals who have expertise in your industry and allows us to not only execute efficient engagements, but also serve as valuable advisors.



We value relationships with current clients like the City. We are not just interested in getting the job done; we care about how we get the job done. The people we work with matter to us, as expressed in several of our firm's core values, such as "respect for others," and "ethical behavior and fair dealing in all we do." We believe this is reflected in the fact that we are regularly invited back to conduct more work with our clients.

We would be glad to work with the City and contribute to your success. If I may clarify any information in this proposal, please do not hesitate to contact me directly.

We look forward to continuing the conversation with your team soon.

Sincerely,

Robert S. Smalley, CPA, CFE | Principal
rsmalley@berrydunn.com | 603.518.2627

Katharine Balukas, CPA | Senior Manager
kbalukas@berrydunn.com | 603.518.2648

Firm Overview

Qualifications Earned Through 50 Years of Service

BerryDunn was founded 50 years ago in Maine by three principals who sought to embrace a client focus, an entrepreneurial spirit, and a commitment to the communities where we live and work. Now, we are the largest independently owned accounting firm headquartered in New England. We offer the breadth and depth needed to provide the quality audit, accounting, and tax support provided by a national firm, but with the price structure, responsiveness, and efficiencies of a regional firm.



Founded in **1974**



Sarah Belliveau,
CEO



Employees in
40+ states



850+ Employees

Office locations



Portland
ME



Bangor
ME



Manchester
NH



Boston
MA



Hartford
CT



Charleston
WV



Phoenix
AZ



San Juan
PR

We are proud to be a recognized leader in our industry. BerryDunn is the **top ranked** CPA and management consulting firm headquartered in New England and was ranked **#46** on *Accounting Today's* Top 100 Firms for 2023. The firm is also ranked in the Top 50 Firms by *INSIDE Public Accounting*. Additionally, we are regularly recognized as one of the “Ten Best Accounting Firms for Women” by the American Society of Women Accountants and the American Women’s Society of Certified Public Accountants.

Services Comply with Limitations
and Regulations of the AICPA and
Public Company Accounting
Oversight Board (PCAOB)

BDO Independent Member
firm of the BDO Alliance

Top
50

“Top 100” ranking from
Accounting Today in 2023,
and “Top 100” ranking since
2011

#1

**#1 CPA Firm in New
England** ranking from
Accounting Today in 2023

BerryDunn is an independent member of the BDO Alliance USA, a nationwide association of independently owned accounting, consulting, and service firms with similar client service goals. Through this membership, clients like the City gain access to a wider range of services without impairing our professional independence.

We believe that these commendations, combined with our continued growth during challenging economic times, speak to the valued services and expertise we bring to our clients as well as the quality and integrity of our firm culture.



BerryDunn is organized along industry group lines; for the services the City has requested, we have assembled an engagement team that specializes in working with government entities and organizations that report their financial statements in accordance with GASB. Our experienced governmental accountants partner with municipalities, agencies, and state departments to strengthen internal controls, create operational efficiencies, help them meet reporting deadlines, implement and understand new accounting pronouncements, and offer ongoing accounting support as needed. Working collaboratively with governments, we can provide an array of customized services to support your individual needs.

Great Work for Great Clients

Each year, BerryDunn solicits feedback through a client satisfaction survey independently conducted by Portland Research Group. The results of our most recent client satisfaction survey show we continue to meet or exceed expectations:



As evidenced by the client feedback below, we consistently surpass industry standards in areas like planning and collaboration with our clients, the quality of our deliverables, timeliness, communication, identifying and addressing critical issues, and overall client satisfaction.



Governmental Audit and Accounting Experience

Professional auditing services have been a core service for BerryDunn and our commitment to consulting with governmental entities began in the mid-1990s with a regional focus that has since expanded. Our auditors and consultants now serve more than 600 public-sector clients from all over the country with wide-ranging audit, assurance, and consulting projects. The breadth and depth of our experience specializing in serving government clients gives us a unique understanding of government operations and the regulations with which municipalities must comply.

Because of our commitment to specialization, we are well-versed in how to run an efficient and effective engagement. You will benefit from having a team of specialists who understands the complex accounting and regulatory issues of GASB clients, and who enjoys working in this multifaceted, ever-changing environment. Governmental organizations encounter a variety of challenging accounting and regulatory issues that require significant experience in the area, particularly with the current economic challenges. We help our clients address these issues efficiently and feel they appreciate a relationship with professionals who are up to date on current and emerging developments in their environment, such as:

- Financial statement audits
- Uniform Guidance audits
- Programmatic audits
- Consultation on the design and implementation of accounting systems and related internal control
- Review and analysis of systems of internal control and accounting procedures
- Grants management
- Technical accounting assistance
- Audit readiness
- Annual Comprehensive Financial Report (ACFR) preparation
- Implementation with new GASB pronouncements
- Forensic reviews
- Operational reviews
- Business process improvement, and long-range business and financial planning
- Change management
- Organization development
- Leadership training and mentoring

With our deep bench of more than 300 auditors and consultants, we are confident that we can provide the expert guidance and services requested by the City.

Audit Readiness

With our extensive audit and accounting experience, we are able to provide clients with assistance in preparing for their financial statement and Uniform Guidance audits. Our work includes 1) providing assistance in the development of analyses, schedules, worksheets, summaries, and other work papers that are responsive to audit requests; 2) consultation with finance and accounting staff relative to audit expectations and documentation of audit trail; 3) reviewing work performed by the finance team for accuracy and appropriateness. Our audit readiness engagements include a varying level of the three services to be provided based on their specific needs. Your engagement will be led by individuals that work on financial statement and Uniform Guidance audits throughout the year. This allows us to truly partner with our clients as we understand the audit requirements and can better prepare our clients for the upcoming requests and questions that may arise. We are well-versed in the documentation and requirements to complete audits.

Internal Controls

At BerryDunn, we understand the importance of having a sound internal control structure to protect the assets of your organization. BerryDunn helps clients navigate the complexities and challenges of a constantly changing internal control environment. We start with an assessment of each client's existing internal control program, and then work closely with stakeholders to identify strengths and vulnerabilities.

Internal controls are intertwined with many of our engagements whether they are financial statement audits or consulting engagements. We initiate each engagement by asking thoughtful questions about the client's business, control environment and activities, risk assessment, monitoring, and communication. This process allows us to evaluate the current state of effectiveness while we find and close gaps and build a stronger overall control system. After we deliver our recommendations, we can also provide monitoring support to help make sure any new control environment is ready to meet any current and future concerns. We can provide a list of our internal control clients upon request.

GASB Pronouncement Implementation

At BerryDunn, we take a collaborative approach with our clients when it comes to implementing new accounting standards. We begin by providing insight to new accounting pronouncements in advance of their effective dates. We do this through periodic articles on our website, annual trainings, pre-planning meetings with management and those charged with governance, and communicating within an “Emerging Issues Letter,” provided as a by-product to the annual audit.

In recent years, we have issued formal “white papers” that can be used as implementation guides for the Leases under GASB standards. These guides include systematic guidance for implementation in addition to various example statements and disclosures. We have also developed a tool to track and calculate software contracts that meet the requirements of GASB Statement No. 96.

BerryDunn has significant experience with states and local governments to implement new accounting standards including performing calculations, proposing journal entries, and drafting the required footnote disclosures.

Annual Comprehensive Financial Reports

We have significant experience in preparing Annual Comprehensive Financial Reports (ACFR) for municipalities including cities, towns, counties, and component units of states in addition to assisting with the implementation of new GASB pronouncements.

We understand the commitment and dedication that it takes to receive the Government Finance Officers Association’s (GFOA’s) Award for Excellence in Financial Reporting. We are fully aware of the categories that the GFOA grades the ACFR on including the introductory section, basic financial statements, and the statistical section. Our professionals serve as members of the GFOA Certificate of Achievement for Excellence in Financial Reporting Program Special Review Committee and reviews ACFRs from government agencies across the country.

We are confident our depth of expertise can support any of your strategic changes in the future. We can proactively identify and address complicated and sometimes rapidly evolving issues, so you have time to develop strategies to respond to the changing landscape.

Forensic Audits

Our Government Assurance Practice Group specializes in forensic accounting and forensic fraud examinations. For more than seven years, this practice group has been providing information security fraud risk assessments and financial fraud detection to government agencies, higher education institutions, and private organizations.

Forensic auditing requires specific training in fraud detection. Our team includes professionals who are Certified Public Accountants (CPAs), Certified Fraud Examiners (CFEs), and Master Analysts in Financial Forensics® (MAFFs®). Members of our team have distinguished backgrounds in cost accounting, business controls assessment, and project management. Those services include forensic accounting and auditing, and fraud investigations, evaluation of security compliance and risk management practices against state and federal standards; and identifying, planning, and developing policies and procedures. We are able to provide a tailored approach to forensic projects in accordance with applicable standards such as Codes of Professional Conduct and CFE Code of Professional Standards.

Financial Statement Audits

Industry specialization and a commitment to client education differentiate our financial statement audit services from those of other firms. We set ourselves apart by taking a team approach to the way we manage our engagements. Through consistent principal and manager engagement, and open lines of communication, financial leaders in your organization receive timely and accurate deliverables while gaining insight into the latest guidance that will affect compliance and reporting. Our service approach includes a deep understanding of industry-specific applications of audit and accounting standards.

Uniform Guidance Audits

Our approach for the financial statements and the Uniform Guidance compliance audits is integrated, utilizing the same audit team to maximize audit efficiencies. This testing is coordinated with our fieldwork to help ensure there is minimal disruption for finance and program personnel. If an issue should arise, coordination with the financial statement process gives you time to address the issue in a timely manner before it potentially impacts the next fiscal year's compliance audits.

Our testing is done in compliance with the most recent modifications to federal compliance audit requirements and provides for an approach that is both value-added and risk-sensitive.

Our Uniform Guidance client base includes government and quasi-government entities, as well as a wide variety of not-for-profit organizations, including housing agencies, public housing authorities, community action agencies, economic development organizations, healthcare organizations, behavioral health agencies, institutions of higher education, and others that receive federal and state grants and are subject to the compliance requirements of Uniform Guidance. We perform more than 150 Uniform Guidance audits a year, and therefore, have developed a deep expertise in performing audits under these requirements.

Additional Advisory Capabilities

We are confident BerryDunn has the resources to serve almost any consulting needs that may arise for the City, and we will be available to provide your organization with financial, accounting, regulatory, and other consulting services throughout the year. Due to our wide range of experience in auditing and consulting, we have developed expertise in governmental accounting and financial management systems, including assisting our clients with budgeting, design, selection, and implementation of computerized accounting systems, and reviews of internal controls for the purpose of submitting detailed recommendations. In accordance with independence requirements and BerryDunn's quality control policies, any such non-audit service may not involve performing management functions or making management decisions.

The main reasons our clients have selected us are our consistent responsiveness to their needs and the capability and varied expertise of our people. We offer a variety of advisory services to government clients including, but not limited to, the following:

- Operational reviews
- Financing strategies
- Information security
- Indirect cost rate development
- Employee benefit plan guidance
- Enterprise risk management projects
- Reorganization strategies / strategic planning
- Computer systems and software consultation
- Business process improvement, and long-range business and financial planning
- Consultation on the design and implementation of accounting systems and related internal control

Our Work with Similar Agencies

We have significant experience providing GASB-compliant audit and/or consulting services to municipalities, authorities, and state entities, including:

Client	
Audit Readiness and Technical Accounting Assistance including GASB Implementation Assistance	
• Biddeford Saco Old Orchard Beach Transit • City of Burlington, Vermont • City of Portland, Maine School Department • City of Portsmouth, New Hampshire • Massachusetts Bay Transportation Authority (MBTA)	• Nehalem Bay Health District, Oregon • New Hampshire Liquor Commission • Town of Danvers, Massachusetts • Town of Lincoln, Maine • Town of Veazie, Maine • Ventura County Transportation Commission
Financial Statement Audits in Accordance with GASB	
• Anson-Madison Sanitary District • Auburn Housing Authority • Brewer Housing Authority • Brunswick Housing Authority • Caribou Hospital District • Cary Medical Center • Casco Bay Island Transit District (CBITD) • Child Development Services (State of Maine) • Community College System of New Hampshire • City of Manchester Employees Contributory Retirement System • HealthSource RI • Houlton Water Company • Housing Authority of the City of Old Town • Maine Community College System • Maine Public Employee Retirement System	• Maine Technology Institute • Maine Veteran's Home • Mayo Regional Hospital • Minnesota Health Benefits Exchange (MNSure) • Mount Desert Island & Ellsworth Housing Authority • Portland Water District • Pease Development Authority • Silver State Health Insurance Exchange • Rhode Island Student Loan Authority • Vermont Economic Development Authority • Vermont Health Connect • Vermont Student Assistance Corporation • Washington Health Benefit Exchange • Waterville Housing Authority • York Housing Authority

Client	
Internal Controls, Operational Assessments, and/or Internal Audits	
• Connecticut Health and Educational Facilities Authority • Martha's Vineyard Airport • New Hampshire Judicial Council • Town of Blackstone • Metropolitan Government of Nashville and Davidson County	• New Hampshire Liquor Commission • New Hampshire Public Defender Office • Vermont Agency of Education • Vermont State Colleges • Minnesota Management Analysis and Development • Maricopa County
Grants Management Services	
• Androscoggin County, Maine • City of Ann Arbor, Michigan • City of Boise, Idaho • City of Meridian Idaho • City of Stonecrest, Georgia • Kennebec County, Maine	• Lewis County, Washington • New Hampshire Secretary of State • Outagamie County, Wisconsin • State of Delaware, Governor's Office • State of North Carolina, Office of Budget

Approach to Consulting Services

Scope of Work

We will provide hands-on assistance to the City's staff to prepare for the fiscal year 2023 financial statement audit and provide forensic accounting services.

We expect activities to fall into the following categories:

1. Assistance with monthly reconciliations including cash, fixed assets, payables, receivables and other accounts, as needed.
2. Assistance with development of analyses, schedules, worksheets, summaries, and other work papers that are responsive to audit requests, minimize ongoing preparation time, and provide analytical value to the City.
3. Consultation with finance and accounting staff relative to audit expectations; documentation of audit trail; management of data requests; efficient use of internal and external resources in maintaining auditable records; assessment of reasonableness and materiality in decision-making; and prioritization of audit preparation tasks.
3. Performing a fraud risk assessment to identify areas of heightened risk. We will analyze the results of our assessment and perform testing over the identified high-risk areas. These services will specifically include reviewing wire transactions that occurred from July 1, 2022 to March 30, 2024 among other areas. As a by-product of the risk assessment, we will develop recommendations for improvement in relation to the City's internal controls.

The work will be performed in accordance with the American Institute of Certified Public Accountants (AICPA)'s Statement on Standards for Consulting Services.

Since the procedures to be performed will not constitute an audit made in accordance with auditing standards generally accepted in the United States of America, we will not express an opinion on any of the items specified in the reports issued or on the financial statements of the City as a whole.

Service Approach, Timeline, and Fees

Approach and Timeline

We proposed a three-phase approach:

- **Phase 1 - Project Planning**

This first phase of the engagement includes performing an overall assessment of the City and the status of the reconciliations performed to date. We will perform various fact-finding meetings with key members of the City, discuss current internal control structures, review organizational charts, and policies and procedures, and perform walkthroughs over key accounting functions. These inquiries and documentation reviews will be dual purpose as they will assist to develop the overall status of the City and be the basis for our fraud risk assessment. We will also meet with the auditors to understand the current status of the engagement, pain points, and any templates they would like the City to utilize.

We will use the information gained from inquiries and reviewing accounting records to develop an overall project work plan and schedule. Our overall project plan will include an inventory the tasks and projects requiring our assistance and categorize the tasks between areas that need direct account reconciliation assistance, those needing review and oversight services, and areas in which pre-audit work will be necessary. With the project plan and timeline, we will be able to provide an overall budget for the work to be completed. We will present the project plan and timeline to key members of the City to determine the specific needs of the City, priority areas or items, and resources available within the City to assist with the reconciliation process.

We will also utilize the results of our fact-finding activities and documentation review to document a formal fraud risk assessment. We will use this risk assessment to develop a formal project plan to perform testing over high risk areas identified. We anticipate our work will include reviewing wire transactions that occurred from July 1, 2022 to March 30, 2024, among other areas.

- **Phase 2 – Testing, Analysis and Reporting**

During this phase, we will be performing testing identified as part of our fraud risk assessment. We will document the results of our detailed testing and opportunities for improvement in a report format. We will also be performing the various reconciliations through June 30, 2023 to assist with catching the City up in their overall reconciliation process.

- **Phase 3 – Audit Preparation**

During this phase, we will work with the key City personnel to develop schedules, analyses and workpapers in response to audit requests. We will also be available to address questions from the auditors as they arise.

Use of Technology in the Engagement

Our work is highly automated and incorporates new technology, which saves you time and money while making our work more efficient.

- ➔ **Secure Data Transfer:** We have the option to utilize an **encrypted** client portal called *BerryDunn KnowledgeLink* to provide an interactive communication tool that serves as a **secure** mechanism for you to transfer files to the engagement team. *BerryDunn KnowledgeLink* features a document repository to store deliverables and maintain live open request items, along with a calendar view to capture on-site visits and major project milestones. Our clients have told us that this tool dramatically reduces email traffic discussing status of outstanding items.
- ➔ **Videoconferencing:** Our team uses videoconferencing to allow us to meet with clients more often, saving you both time and travel expenses while keeping an open line of communication. We regularly use both *Zoom* and *Microsoft Teams* based on our clients' preferences.
- ➔ **Protecting Client Data:** BerryDunn places significant emphasis on information security, confidentiality, and integrity of customers' data. As a CPA and consulting firm, we handle large amounts of confidential client information. For over 10 years, our consultants have conducted security risk assessments for state and local governments and assisted clients with updating their policies, processes, procedures and implementing new security controls. We utilize these same practices internally, including contracting a third-party vendor to provide an independent security assessment on an annual basis.

Fees

One of the factors that differentiates BerryDunn from our competitors is our deep commitment to customer service. We build strong relationships with our clients, resulting in long-term engagements and a culture of open communication. The individuals chosen to work with you as your dedicated team are selected based on their depth of expertise.

Our services are provided with a 30-day termination clause. We want our clients to continue their professional relationship with BerryDunn because we continue to be consultants of choice, not because they are contractually obligated.

Our estimated fees represent the cost of completing the engagement in a hybrid manner and any direct travel costs will be billed in addition to the overall not-to-exceed fees stated below. We are well-equipped to perform the requested services on a remote basis, but do value and recognize the need to be in person for certain tasks.

BerryDunn is focused on providing long-term strategic value. We partner with you to design processes and infrastructure that will add value and continue with the organization even after our engagement is completed.

Due to the unique nature of the engagement, our fees are as follows:

- ✓ Assessment of the current state of the City and the fraud risk assessment: **an initial not-to-exceed fee of \$35,000**. This fee includes:
 - Performing an assessment over the current state of the City's accounting processes and reconciliations.
 - Developing a formal inventory of task to be completed.

- Developing a formal project plan and timeline for the accounting assistance and audit readiness for approval of the City.
- Developing a formal project plan and timeline for the forensic accounting services.
- Developing an initial report including opportunities for improvement to either strengthen existing internal controls and/or create operational efficiencies.

With the varying levels of effort needed for the reconciliation work, we will be able to provide a formal quote on the work requested after the assessment period. We will use the project plans and timelines created through the assessment period to work with the City to create formal budgets for the work to be completed. We have worked with governments in the past through not-to-exceed contracts, weekly rate maximum fees and/or fixed fees. We encourage open dialogue to work through the levels of services requested by the City and working to stay within prescribed budgets.

Throughout the engagement we will provide status updates at the frequency requested by the City (weekly, biweekly or monthly) on the work completed, work to be completed, and the remaining fees to date.

We strive to keep our fees to a minimum, even in light of the many changes imposed by regulatory authorities and others. We are excited about this opportunity to partner with the City for accounting related services. To demonstrate our commitment to the City, we have discounted our standards rates by 25% for the fee structure.

Position	Base Rate	Discounted Rate
Principal	\$525	\$390
Senior Manager	\$390	\$290
Manager	\$320	\$240
Senior	\$290	\$220
Staff	\$200	\$150
Admin. Assistants	\$70	\$50

In performing our services, management is responsible for the substantive outcomes of the subject matter of the services and, therefore, has a responsibility to be in a position in fact and appearance to make an informed judgment on the results of the services. Management will also be responsible for the following:

- Designating an individual who possesses suitable skill, knowledge, or experience to oversee any accounting services.
- Establishing and monitoring the performance of the service to help ensure that it meets management's objectives.
- Making all management decisions arising out of, or in connection with, these services.
- Evaluating the adequacy of the services performed and any findings that result.

Approach to Cost Savings

The most effective tool in the process is communication. There is no substitute for open communication at all levels to help assure the success of a timely and efficient engagement. We will meet regularly with management to make sure issues are identified and solutions are discussed. We will communicate with management to effectively plan and conclude the consulting engagement.

Our Proposed Engagement Team

Our proposed team brings decades of experience auditing government entities under the applicable auditing standards, including, but not limited to, the Yellow Book guidelines. We also help ensure that our CPAs meet or exceed the continuing professional education (CPE) requirements set forth by AICPA, the Yellow Book, and the states in which they are licensed.

We do not expect our clients to train our staff. In addition to a rigorous training program upon starting at BerryDunn, the firm's annual training calendar includes robust training to help ensure that the engagement professionals are well-versed in the specific issues that are important to our clients. Our fully trained and engaged staff—as well as our experience with similar organizations—will lead to less time required of the City's staff.

Our project team's experience with organizations like the City means members can quickly orient themselves to your processes and environment while bringing knowledge of industry best practices from our other engagements.

Biographies for our proposed team are presented on the following pages.

Engagement Team Biographies



Robert S. Smalley

Engagement Principal | CPA, CFE, CGMA

Rob has spent his entire career providing audit, accounting, and consulting services to governmental clients. As the Governmental Audit practice lead, Rob leverages his deep experience working with large and diverse government organizations when advising BerryDunn's government clients. His experience includes advising clients with all aspects of governmental accounting, financial reporting, proper internal control structure and single audit compliance. In addition, Rob also leads a substantial portfolio of financial institution audits all over New England for both public and private banks.

Location

Manchester, NH

Education

BBA, Accounting, University of Maine

MS, Accounting, University of Maine

Years of Experience

19

Memberships

American Institute of Certified Public Accountants

Association of Certified Fraud Examiners

Financial Managers Society

New Hampshire Society of Certified Public Accountants

Community Service

Greater Manchester Family YMCA, Audit Committee

Experience Highlights

Rob helps clients with a variety of challenges, including:

- Governmental and higher education accounting
- Consulting on fraud risk and mitigation
- Internal control audit and consulting
- GASB Accounting Standards

Publications and Presentations

- *GASB Releases Guidance for Organizations Receiving Relief from the CARES Act*
- *Hidden Danger in Choosing a College*
- *New Accounting Pronouncements and Proposals*
- *Fair Value and Financial Instruments: Past, Present, and Future*
- *Accounting for Other Real Estate Owned*
- *Recent Accounting Developments*
- *The Materiality Box – GASB*
- *Fraud: What's New and What To Do About*



Leah Shanahan

Outsourced Accounting Group Principal | CPA

Leah is a principal in the Outsourced Accounting Group acting in outsourced chief financial officer (CFO) and controller roles, where she offers emerging businesses strategies to improve clients' day-to-day financial operations and provide business value. She brings entrepreneurial innovative business ideas with extensive experience in a diverse array of industries. She provides strategic consulting for improving business operations based on key performance indicators, and clients rely on her proactive collaboration on tax planning and tax compliance needs.

In addition, Leah offers accounting software consulting, training, and implementation services. She is passionate about accounting technology and brings extensive expertise to assist clients to streamline and automate accounting processes and procedures.

Location

Boston, MA

Education

BS, Accounting,
Management, *summa cum
laude*, Fitchburg
State University

Years of Experience

17

Memberships

American Institute of
Certified Public Accountants

Massachusetts Society of
Certified Public Accountants

Family Office Exchange

Certifications

Certified Public Accountant
(CPA)

QuickBooks Certified
ProAdvisor

Sage Intacct Implementation
Specialist

Experience Highlights

Leah provides clients with a range of services, including:

- Outsourced accounting services
- CFO services
- Controller services
- Back-office support
- Accounting software consulting and conversion
- Accounting processes and procedures
- Financial statement and compilation preparation
- Interim financial reporting requirements
- Strategic business consulting
- Budgeting, forecasting, and cash flow management
- Tax planning and tax compliance
- Bookkeeping services

Publications and Presentations

- *An Introduction to Outsourced Accounting: More Than Just Bookkeeping*, a BerryDunn podcast, September 14, 2023



Yoko McCarthy

Forensic Accounting Services Principal | MBA, CFE, CGFM, CISA

Yoko is a principal in BerryDunn's Government Assurance Practice Group. She leads the Compliance and Risk Management practice, which focuses on compliance assurance services. Yoko has assisted various states and municipalities strengthen their internal controls to protect their resources from waste, abuse, and fraud and to improve operational efficiency while maintaining compliance.

Location

Waltham, MA

Education

BA, Economics, Kobe College,
Hyogo Japan

MBA, University of
Massachusetts

Years of Experience

20

Memberships

Executive committee member of
the AGA Boston Chapter

DEI Committee member of the
Association of Local Government
Auditors (ALGA)

Member of the Association of
Certified Fraud Examiners and
ISACA

Certifications

Certified Fraud Examiner

Certified Government Financial
Manager

Certified Information Systems
Auditor

Experience Highlights

Yoko helps clients with a variety of challenges, including:

Yoko helps clients with a variety of challenges, including:

- Audit readiness
- Compliance examinations/reviews
- Data analytics
- Financial process improvement
- Forensic accounting
- Fraud risk assessment
- Generally Accepted Government Auditing Standards (GAGAS) audits
- Internal audit services
- Internal controls review
- Operational assessments and process improvement
- Program integrity/assessment
- Programmatic audits

Publications and Presentations

- *Better Together: Compliance, Internal Audit and the Case for Independently Collaborative Work Plan Development*, Presented at Annual Compliance and Audit Conference of New England Healthcare Internal Auditors Healthcare Financial Management Association on November 30, 2023
- *Diversity, Equity, and Inclusion: reflection from an auditor*, published in Fall 2022 Quarterly magazine, Association of Local Auditors



Katharine Balukas

Engagement Senior Manager | CPA

Katharine is a senior manager for BerryDunn and has spent her entire career working with governmental and not-for-profit. As part of Katharine's expertise in assurance, she has provided clients advice on improving their internal controls and processes, and she assists her governmental clients with the unique challenges surrounding compliance with federal and state grant requirements. She has extensive experience assisting her clients with implementation of new accounting assistance. In 2015, Katharine received national recognition by being selected to participate in the AICPA's prestigious Leadership Academy.

Experience Highlights

Katharine helps clients with a variety of challenges, including:

- Financial statement audits and reviews
- Compliance audits for Uniform Guidance
- Federal and State grant compliance
- Programmatic audits and compliance examinations
- Yellow Book audits
- Grants Management
- Reviews and compilations
- Audit readiness
- Operational assessments and process improvement
- Internal control reviews
- Internal audit services

Publications and Presentations

- *Update for GASB-Governed Organizations: Lease Accounting, LIBOR Transition, SBITA, and Section 457 Plans*
- *Beyond Right Now*, presented at the New Hampshire Society of CPAs Leadership Program
- *Uniform Guidance Overview* – Human Services Finance Officer (HSFO) 2018 Annual Conference

Location

Manchester, NH

Education

BA, Accounting, Saint
Anselm College

Years of Experience

14

Memberships

American Institute of
Certified Public Accountants
New Hampshire Society of
Certified Public Accountants

Community Service

New Hampshire Society of
Certified Public Accountants
Young Professionals
Committee, Chair 2013-2015
AICPA Leadership
Academy, Graduate



Alan Goodwin

Manager | MS

Location

Manchester, NH

Education

BS, Accounting, Roger Williams University

MSA, Accounting, Southern New Hampshire University

Years of Experience

14

Memberships

New Hampshire Finance Officers Association (NHGFOA)

New England States Government Finance Officers Association (NESGFOA)

GFOA Certificate of Achievement for Excellence in Financial Reporting Program Special Review Committee (SRC)

Massachusetts Society of Certified Public Accountants

Alan is a manager in BerryDunn's Not-for-Profit practice area working exclusively with governmental clients performing accounting and consulting services. With a master's degree in accounting, he has spent his entire career performing financial statement and Uniform Guidance audits for governmental organizations including cities in New England. He leverages his extensive experience to help clients navigate GASB standards, Uniform Guidance, and internal control improvements. In 2014, Alan was appointed to the Treasurer role for the City of Brookline, New Hampshire.

Alan is passionate about collaborating with clients and helping them find and implement solutions that meet their unique needs. Prior to joining BerryDunn, Alan spent over 10 years at a public accounting firm serving governmental clients throughout the Northeast. The majority of his 10 years of public accounting experience includes working with Massachusetts municipalities that comply with UMAS standards.

Experience Highlights

Alan helps clients with a variety of challenges, including:

- Financial statement audits and reviews
- Compliance audits for Uniform Guidance
- Federal and State grant compliance
- Programmatic audits and compliance examinations
- Yellow Book audits
- Grants Management
- Reviews and compilations
- Audit readiness
- Operational assessments and process improvement
- Internal control reviews
- Internal audit services



Justin Horr

Manager | CPA, MSA

Justin is a Manager in BerryDunn's Outsourced Accounting Services Practice Group and works directly with small and mid-sized businesses. He specializes in preparation and analysis of financial statements, compilations, and accounting and controller services for improving business operations, day-to-day accounting services.

His personal approach to client service helps him gain deeper understanding of client needs, and enables him to become an integral part of their teams. He also focuses his energy internally by developing the team, supervising accounting and advisory work, as well as implementing policies and procedures for the department.

Experience Highlights

Justin helps clients with a variety of challenges, including:

- Accounting processes and procedures best practices
- GAAP readiness
- CFO and controller services
- Interim financial reporting requirements
- Preparing financial statements and compilation services
- Accounting software system conversion and consultation
- Internal controls

Location

Waltham, MA

Education

BS, Accounting, University of Massachusetts Dartmouth

MSA, Bridgewater State University

Years of Experience

8

Memberships

American Institute of Certified Public Accountants

Massachusetts Society of CPAs

Certifications

QuickBooks Online Certified ProAdvisor

Sage Intacct Implementation Specialist



Sarah Mongeau

Manager | MSA, CPA, CGFM, CFE

Recently joining BerryDunn, Sarah is an experienced Government Accounting and Auditing professional with more than 20 years of experience working for the Commonwealth of Massachusetts. She has conducted performance audits for independent authorities, educational institutions, and judiciary agencies, ensuring that all audit activities adhere to Generally Accepted Auditing Standards (GAAS) and Generally Accepted Government Auditing Standards (GAGAS). Sarah previously served as an Audit Director for the Massachusetts Office of the State Auditor and the University Controller of the University of Massachusetts System.

Experience Highlights

Sarah helps clients with a variety of challenges, including:

- Compliance examinations/reviews
- Financial process improvement
- Forensic accounting
- Fraud risk assessment
- Generally Accepted Government Auditing Standards (GAGAS) audits
- Internal audit services
- Internal controls review
- Operational assessments and process improvement
- Program integrity/assessment
- Programmatic audits

Location

Waltham, MA

Education

BA, Business Management
Emmanuel College

MS, Accountancy, Bentley
University

Years of Experience

20

Memberships

American Institute of Certified
Public Accountants

Massachusetts Society of CPAs

Certifications

Certified Public Accountant
(CPA)

Certified Government Financial
Manager (CGFM)

Certified Fraud Examiner



Gurpreet Kaur

Government Accounting and Auditing Consultant | CPA, MBA

As a governmental accounting and auditing consultant in BerryDunn's Not-for-Profit Practice Group, Gurpreet provides audit, accounting, and assurance expertise to governmental clients. She leverages her experience to help clients navigate GASB standards, Uniform Guidance, and internal control improvements.

Gurpreet is passionate about collaborating with clients and helping them find and implement solutions that meet their unique needs. Prior to joining BerryDunn, Gurpreet spent five years at a local government working on multiple accounting and auditing roles and four years in the travel industry as an accountant.

Experience Highlights

Gurpreet helps clients with a variety of challenges, including:

- Federal and state grant compliance
- Audit readiness service
- Internal audit services
- Governmental accounting assistance
- American Rescue Plan Act (ARPA) funding
- Reviews and compilations
- Operational assessments and process improvement
- Performance, Financial and Compliance Audits
- Agreed Upon Procedures

Location

Bethlehem, PA

Education

Bachelor's Accounting,

Kurukshetra University, India

MBA Finance,

Jaipur National University,
India

CPA, Pennsylvania Institute of
Certified Public Accountants
(PICPA)

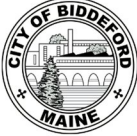
Years of Experience

9

Memberships

Pennsylvania Institute of
Certified Public Accountants
(PICPA)

City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on a rocky shore with trees. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. The seal is flanked by two decorative, symmetrical scroll-like flourishes.

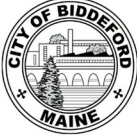
2024.68

IN BOARD OF CITY COUNCIL...MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the resignation of Julian Schlaver as the Councilor representing Ward 5.

Attest by: _____
Robin Patterson, City Clerk

City of Biddeford



2024.69

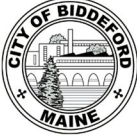
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$44,832,901 for the CITY GENERAL FUND budget excluding Schools, Adult Education, TIF Funding and County Tax for the fiscal year commencing on July 1, 2024 and ending June 30, 2025, broken down as follows:

GENERAL GOVERNMENT:	\$13,882,466
PUBLIC SAFETY:	\$14,208,173
PUBLIC WORKS:	\$5,924,730
PUBLIC SERVICES:	\$3,624,795
DEBT SERVICE:	\$4,420,737
CAPITAL OUTLAY:	\$2,200,000
CONTINGENCY:	\$500,000
TOTAL:	\$44,832,901

Attest by: _____

City of Biddeford



2024.70

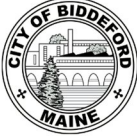
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby adopt the following estimated REVENUES and APPROPRIATIONS from fund balance in support of the general fund budget for the fiscal year commencing July 1, 2024 and ending June 30, 2025 as follows:

OTHER NON-PROPERTY TAX REVENUE:	\$10,616,967
STATE REVENUE SHARING:	\$3,325,000
USE OF FY24 OPERATIONAL SURPLUS:	\$500,000
HOMESTEAD:	\$799,402
BETE:	\$303,292
TOTAL ESTIMATED REVENUES AND APPROPRIATIONS:	\$15,544,661

Attest by: _____

City of Biddeford



2024.71

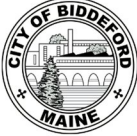
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of, \$170,978 for the Biddeford Airport comprised of \$170,978 for the AIRPORT OPERATIONS FUND and \$0 in reimbursable grant expenses for the AIRPORT REIMBURSABLE IMPROVEMENT FUND for the fiscal year commencing on July 1, 2024 and ending June 30, 2025, and

BE IT FURTHER ORDERED, that estimated revenues to the Biddeford Airport Fund in the sum of \$153,050 comprised of \$153,050 for the AIRPORT OPERATIONS FUND and \$0 for the AIRPORT REIMBURSABLE IMPROVEMENT FUND be hereby adopted in support of the Biddeford Airport appropriation

Attest by: _____

City of Biddeford



2024.72

IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$1,817,327 for the AMBULANCE FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025; and

BE IT FURTHER ORDERED, that the sum of \$1,435,000 in estimated revenues to the Ambulance Fund be hereby adopted in support of the Ambulance Fund appropriation

Attest by: _____

City of Biddeford



2024.73

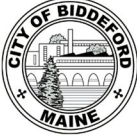
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, , that the City Council of the City of Biddeford does hereby appropriate the sum of \$44,546 for the MOORING FEES FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025; and

BE IT FURTHER ORDERED, that the sum of \$56,600 in estimated revenues to the Mooring Fees Fund be hereby adopted in support of the Mooring Fees Fund appropriation.

Attest by: _____

City of Biddeford



2024.74

IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$159,789 for the POOL BEACH PERMITS FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025; and

BE IT FURTHER ORDERED, that the sum of \$130,280 in estimated revenues to the Pool Beach Permits Fund be hereby adopted in support of the Pool Beach Permits Fund appropriation.

Attest by: _____

Note: Pool Beach revenues are dependent on the condition of the facilities at the beach. The Council has authorized temporary facilities pending replacement of the permanent structure and parking facilities damaged by the winter storm events. Revenues are projected to be lower because of this situation. The revenue projection reflects this condition. If facilities and parking are available through the entire season revenue is expected to increase above current projections.

City of Biddeford



2024.75

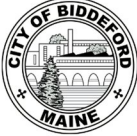
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of **\$1,108,218** for the RECREATION PROGRAMS FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025; and

BE IT FURTHER ORDERED, that the sum of **\$1,144,545** in estimated revenues to the Recreation Programs Fund be hereby adopted in support of the Recreation Programs Fund appropriation.

Attest by: _____

City of Biddeford



2024.76

IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby accept the recommendation of the Budget Committee for expenses within the WASTEWATER FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025, as follows:

Sewer Operations:	\$3,380,332
Industrial Pretreatment:	\$45,548
Maintenance:	\$1,182,572
Depreciation:	\$1,202,210
Total:	\$5,810,662

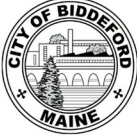
BE IT FURTHER ORDERED, that the City Council of the City of Biddeford does hereby accept the recommendation of the Budget Committee for revenues within the WASTEWATER FUND for the fiscal year commencing July 1, 2024 and ending June 30, 2025, as follows:

Sewer User Fees:	\$4,171,450
Other Revenue:	\$175,148
Transfer from General Fund:	\$275,000
Total:	\$4,621,598

Note: The overall financial condition of the WASTEWATER FUND is defined on so-called Statement 08 and Statement 09

Attest by:_____

City of Biddeford



2024.77

IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that in accordance with 36 M.R.S. §505(1), the tax lists specified in 36 M.R.S. §709 shall be committed for collection on or before September 1, 2024; and

BE IT FUTHER ORDEDRED, that in accordance with 36 M.R.S. §505(2), the City Council of the City of Biddeford establishes that property taxes shall be payable in two equal installments on November 1, 2024 and April 1, 2025 with any odd amount to be due on the first installment; and,

BE IT FURTHER ORDERED, that in accordance with 36 M.R.S. §505(4) property taxes shall be delinquent if not paid by November 1, 2024 for the first installment and April 1, 2025 for the second installment and that interest shall be collected at the rate of 8.00% per annum on any taxes remaining unpaid (delinquent) after each respective date; and,

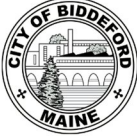
BE IT FURTHER ORDERED, in accordance with 36 M.R.S. Section §506, the Tax Collector/Treasurer is authorized to accept prepayment of taxes not yet committed and to pay interest on those payments at a rate of 0.00% , and any excess paid over the amount finally committed must be repaid, with the interest due on the whole transaction commencing on the date that the tax finally committed is due and payable; and,

BE IT FURTHER ORDERED, that in accordance with 36 M.R.S. §506-A any overpayment of taxes in an amount in excess of that finally assessed must be repaid in the amount of the overpayment plus interest from the date of overpayment at a rate of 4.00% per annum.

Note: 36 M.R.S. §506 specifies a municipality may pay interest at a rate not to exceed 8% per annum on prepaid taxes but is not obligated to pay such interest. 36 M.R.S. §506-A further specifies that overpayments must be repaid in full and the interest rate for overpayments may not exceed the interest rate established for delinquent taxes nor may it be less than that rate reduced by 4 percentage points.

Attest by:_____

City of Biddeford



2024.78

IN BOARD OF CITY COUNCIL... MAY 7, 2024

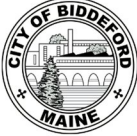
WHEREAS, the Maine Dept. of Education has determined the total cost of funding public education from kindergarten to grade 12, for Biddeford, as described in the Essential Programs and Services Funding Act to be \$35,352,760.

THEREFORE, BE IT ORDERED, that the City Council of the City of Biddeford does appropriate and will raise the sum of \$21,013,756 for the Biddeford School Department's contribution to the total cost of funding public education for kindergarten to grade 12 as described in the Essential Programs and Services Funding Act in accordance with the Maine Revised Statutes, Title 2-A, section 15688.

***Note:** The Biddeford School Department's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act is the amount of money determined by state law to be the minimum amount that a municipality must raise in order to receive the full amount of state dollars.*

Attest by: _____

City of Biddeford



2024.79

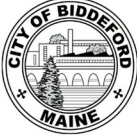
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council does appropriate and will raise the sum of \$0 for the annual payments on debt service previously approved by the City Council for non-state-funded school construction projects, non-state-funded portions of school construction projects and minor capital projects in addition to the funds appropriated as the local share of the City of Biddeford's contribution to the total cost of funding public education from kindergarten to grade 12.

Note: *Non-state-funded debt service is the amount of money needed for the annual payments on the municipality's long-term debt for major capital school construction projects and minor capital renovation projects that are not approved for state subsidy. The bonding of this long-term debt was approved by the voters*

Attest by: _____

City of Biddeford



2024.80

IN BOARD OF CITY COUNCIL... MAY 7, 2024

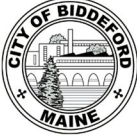
BE IT ORDERED, that the City Council will raise and appropriate \$3,455,901 in additional local funds, which exceeds the State's Essential Programs and Services allocation model by \$3,455,901 as required to fund the budget recommended by the Biddeford School Committee.

The Biddeford School Committee recommends \$3,455,901 for additional local funds and gives the following reasons for exceeding the State's Essential Programs and Services funding model by \$3,455,901.

Note: *The additional local funds are those locally raised funds over and above the school administrative unit's local contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act and local amounts raised for the annual payment on non-state funded debt service that will help achieve the Biddeford budget for educational programs.*

Attest by: _____

City of Biddeford



2024.81

IN BOARD OF CITY COUNCIL... MAY 7, 2024

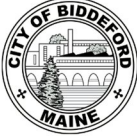
BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the Biddeford School Committee to expend \$47,281,723 for the fiscal year commencing July 1, 2024 and ending June 30, 2025 from the City of Biddeford's contribution to the total cost of funding public education from kindergarten to grade 12 as described in the Essential Programs and Services Funding Act, non-state-funded school construction projects, additional local funds for school purposes under the Maine Revised Statutes, Title 20-A, section 15690, unexpended balances, tuition receipts, state subsidy and other receipts for the support of schools, as follows:

Regular Instruction:	\$16,805,330
Special Education:	\$9,212,670
Career & Technical Education:	\$3,629,733
Other Instruction:	\$831,203
Student & Staff Support:	\$3,258,014
System Administration:	\$1,362,057
School Administration:	\$1,764,729
Transportation & Buses:	\$2,223,857
Facilities & Maintenance:	\$4,946,397
Debt Service & Other Commitments:	\$3,201,442
All Other Expenditures:	\$46,291
Total School Budget:	\$47,281,723

BE IT FURTHER ORDERED, that the School Department is authorized to accept grant funds during the fiscal year and to expend such funds for the purposes for which they are intended.

Attest by: _____

City of Biddeford



2024.82

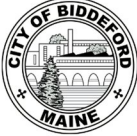
IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum of \$769,622 for ADULT EDUCATION for the fiscal year commencing July 1, 2024 and ending June 30, 2025, and does hereby appropriate and will raise the local share for ADULT EDUCATION in the amount of \$445,690.

BE IT FURTHER ORDERED, that Biddeford Adult Education is authorized to expend any additional, incidental or miscellaneous receipts in the interest of and for the wellbeing of the Adult Education Program.

Attest by: _____

City of Biddeford



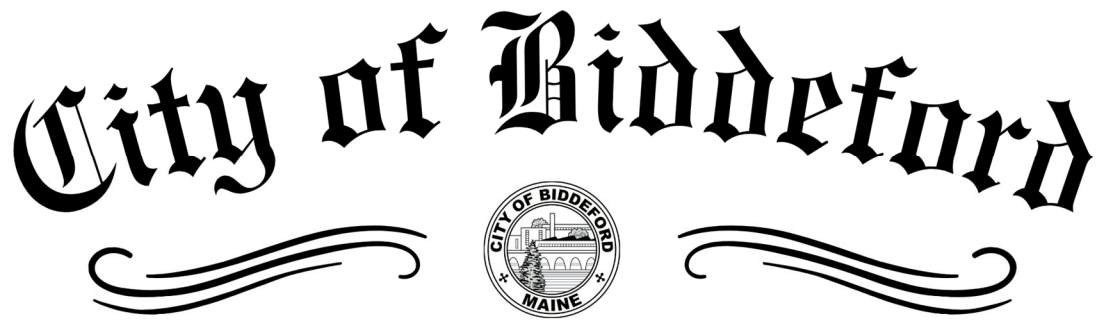
2024.83

IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby appropriate the sum **\$1,717,977** for School FOOD SERVICE (“Hot Lunch”) for the fiscal year commencing July 1, 2024, and ending on June 30, 2025, and

BE IT FURTHER ORDERED, that the sum of **\$1,717,977** in estimated revenues is adopted in support of FOOD SERVICE, with a local share for FOOD SERVICE in the amount of **\$0.**

Attest by: _____



2024.64 IN BOARD OF CITY COUNCIL... MAY 7, 2024

BE IT ORDERED, that the City Council of the City of Biddeford does hereby authorize the City Manager to execute the proposed Public Works Non-Supervisor Unit Contract, substantially in the form presented.

Attest by: _____
Robin Patterson, City Clerk