

City of Biddeford
Planning Board
May 05, 2021 6:00 PM Zoom: May 5, 2021 06:00 PM Eastern Time (US and Canada)
Topic: Planning Board

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1. **DECLARATION OF QUORUM/VOTING MEMBERS**
2. **ADJUSTMENTS TO THE AGENDA**
3. **PLANNER'S BUSINESS**
4. **CONSENT AGENDA**
 - 4.A. Approval of Planning Board Meeting Minutes from March 24, 2021
[PB Minutes 032421-DRAFT .pdf](#)
 - 4.B. Approval of Planning Board Meeting Minutes from March 31, 2021
[PB Minutes 033121-DRAFT.pdf](#)
 - 4.C. Approval of Planning Board Meeting Minutes from April 7, 2021
[PB Minutes 040721-DRAFT.pdf](#)
 - 4.D. Approval of Planning Board Meeting Minutes from April 21, 2021
[PB Minutes 042121-DRAFT.pdf](#)
5. **UNFINISHED BUSINESS**
 - 5.A. 2020.42 Conditional Use Permit for Biddeford Christian Ministries to reoccupy space as a place of worship at 12 St. Mary's Street (Tax Map 38, Lot 28) in the MSRD 2 Zone.

[Board Report- Bddfrd Christian Min. - St.Marys St.pdf](#)
[Biddeford Christain Ministries Standard Application Form 2015.pdf](#)
[Letter from BCM Addressing Questions of the Board dated 4-13-21 received 4-20-21.pdf](#)
[DRAFT FOF Christian Ministries.pdf](#)
6. **NEW BUSINESS**

- 6.A. 2021.20 Public Hearing take comments and make recommendations to the City Council regarding proposed amendments to the Zoning Ordinance that would (1) Encourage both additional and affordable residential units in the R-1A, R-1-B, R-2, R-3, MSRD-2 and OR Zones; (2) Allow duplex/two-family uses as permitted in the R-1-A and R-1-B zone where they are currently prohibited; (3) Clarify the dimensional requirements in the Office Residential (OR) Zone; (4) Allow Accessory Dwelling Units (ADU's) in the Coastal Residential (CR) zone along Route 9 (Pool Road); and (5) Change duplex/two-family uses from Conditional Uses ('C') to Permitted Uses ('P') in the RF and SR-1 Zones.

[2021.20 LDR Residential Amendments PH Memo 050521.pdf](#)

[2021.20 LDR Residential Amendments for Public Hearing 050521.pdf](#)

[2021.20 LDR Proposed Affected Area for Note B - Affordable Housing Bonus.pdf](#)

- 6.B. 2021.24 3 Lot Subdivision for Pine Point Heights, LLC at 253-255 Hill Street (Tax Map 29, Lot 73) in the R-2 Zone.

[Board Report - Hill St Subdivision Sketch Plan.pdf](#)

[Application Package.pdf](#)

[Sketch Plan 4-12-21.pdf](#)

- 6.C. 2021.17 Site Plan & Subdivision for Southern Maine Affordable Housing at 69 Adams Street (Tax Map 38, Lot 296) in the MSRD 2 Zone.

[Board Report - Adams Point Housing Sketch Plan.pdf](#)

[Tansley Concept Plan Transmittal 04-14-2021.pdf](#)

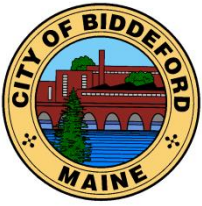
[Site Plan Review Application Package \(PDF\) Concept Plan.pdf](#)

[Adams Point Sketch Plan 11x17 4-14-2021.pdf](#)

7. OTHER BUSINESS

8. ADJOURN

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



CITY OF BIDDEFORD

Planning and Development Department

Greg Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

Planning Board Workshop Meeting Minutes (DRAFT)

Date: March 24, 2021
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

Planning Board Attendees: Chairman Bill Southwick, Spiros Droggitis, Bruce Benway, Roch Angers, Michael Cantara, Alexa Plotkin, Sean Tarpey

City Staff: Mathew Eddy, Greg Tansley, Abigail Smallwood

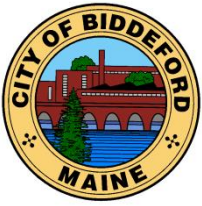
Guests: Chrystina Gastelum, Conservation Commission Chair; Meaghan Daly, Conservation Commission Subcommittee

- Chair Southwick brought the meeting to order at 6:00 PM
- Chrystina Gastelum introduced the Position Paper prepared by the Conservation Commission Sub-Committee on the proposed VMU Ordinance.
- Meaghan Daly presented the Position Paper followed by a discussion.
- Abigail Smallwood gave an update on the Public Engagement Process followed by a discussion.
- Meeting adjourned at 8:10 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.



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Planning Board Workshop Meeting Minutes (DRAFT)

Date: March 31, 2021
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

Planning Board Attendees: Chairman Bill Southwick, Spiros Droggitis, Bruce Benway, Roch Angers, Michael Cantara, Alexa Plotkin, Sean Tarpey

City Staff: Mathew Eddy, Greg Tansley

- Chair Southwick brought the meeting to order at 6:00 PM
- The Board discussed Residential Zoning Amendments

MOTIONS: 7:07 PM

Benway: Motion-To schedule a Public Hearing for May 5th

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0
(Benway, Droggitis, Angers, & Tarpey)

Benway: Motion-To adjourn

Angers: Second

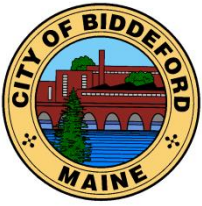
Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0
(Benway, Droggitis, Angers, & Tarpey)

- Meeting adjourned at 7:08 PM

Planning Board Chair/Vice Chair

Date

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Biddeford, ME 04005
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Greg.Tansley@biddefordmaine.org

Planning Board Meeting Minutes (DRAFT)

Date: April 7, 2021
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

1. Declaration of Quorum/Voting Members
Quorum Present: Chair William Southwick, Sean Tarpey, Bruce Benway, Spiros Droggitis, Roch Angers, Michael Cantara (Alternate Voting Member).
2. Adjustments to the Agenda
3. Planner's Business
4. Consent Agenda
 4. A. Approval of Planning Board Meeting Minutes of March 17, 2021
MOTIONS:
 - Benway-MOTION: To approve Meeting Minutes for March 17, 2021
 - Angers-SECOND
 - Chair Southwick-Roll Call for Vote-Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)
5. Unfinished Business
 5. A. 2020.11 Site Plan Review for Westfield, Inc. to create multiple office/storage/commercial spaces at 20 Pomerleau Street (Tax Map 2, Lot 81) in the I-3 zone.
 - Consulting Planner DiMatteo updated the Board on the project.
 - Bill Thompson of BH2M also gave an update, he feels they have covered everything in the comments from the staff and Board. He mentioned that when adding additional plantings in one area they must be mindful of a storm pipe drain.
 - Chair Southwick asked the public for comments, there were none. The item went back to the Board for questions and discussion.

MOTIONS:

Benway: MOTION: Motion to approve the Site Plan for Westfield, Inc. at 20 Pomerleau Street (Tax Map 2, Lot 81) and approve the Findings of Fact based on the conditions recommended by Staff in its Draft Findings of Fact provided for April 7, 2021, and that due to the coronavirus pandemic and the Governor's

declaration of a civil state of emergency the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.

Angers-SECOND then asked if the landscaping design should be added to the motion.

Mr. Cantara shares Mr. Angers point and notes that it was flagged last meeting. Mr. Benway understands from Mr. Thompson that the applicant has agreed to the landscaping design and Mr. Benway was satisfied with that, but he will amend the motion if the Board wants.

Consulting Planner DiMatteo advised the Board that as part of the conditions on the Findings of Fact for Site Plan Approval they have #2 "All outstanding engineering peer-review comments shall be addressed to the satisfaction of the City Planner." He thought the Board could piggy-back off that saying it is engineer peer review as well as planner comments.

Chair Southwick asked if they needed a modification of the motion.

Consulting Planner DiMatteo answered that they could modify the motion to approving the Findings of Fact as amended.

Mr. Benway asked if we need to move the amendment? Mr. DiMatteo answered that yes, he needed to move the amendment.

MOTIONS:

Benway-MOTION: To move to add that landscaping be included for review and approval by the City Planner as part of the original motion.

Angers-SECUNDED so the motion as amended stands for vote.

Chair Southwick-Roll Call for Vote-Unanimous Approval as amendmed (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

6. New Business

6.A. 2021.15 Conditional Use Permit-Stoner & Co. to operate an Adult Use Marijuana Cultivation Facility at 419 Hill Street (Tax Map 74, Lot 9) in the I-2 Zone.

- Consulting Planner DiMatteo did an overview of the project for the Board.
- Mr. Droggitis asked Mr. DiMatteo if they have ever operated as a medical use.
- Mr. DiMatteo answered no he does not believe so but to ask the applicant
- Morgan Stoner co-owner of Stoner & Co. represented the applicant. He gave a brief introduction telling the Board that his business is changing with the laws. They have just begun in this location. There is no cultivation yet and they are building out to open their medical marijuana portion of the business. The medical marijuana business is slated to open in late June, early July.
- Chair Southwick asked for public comments, there were none.
- Chair Southwick opened the floor up to the Board.
- Mr. Cantara told the Board that he was approached by a citizen who was concerned about odors becoming a nuisance in the area and he felt it was important the Board hear that concern.

- Mr. Stoner acknowledged the citizen's concern and told the Board he has operated in this field for 4 years in Biddeford. They have not had an odor complaint yet. They have a very strong high tech odor mitigation plan. They have insulated rooms within rooms and have worked with the City consistently to stay in compliance.
- Mr. Droggitis asked about the adequacy of parking, he read from an undated letter to the Board and cited Exhibit B where it says they have 38 employees. He talked to Mr. Stoner about adding 50-75 employees.
- Mr. Stoner told Mr. Droggitis that he is in the middle of reworking that. Right now they have 38 employees at 414 Hill Street. There will be no storefront at 419. The staff they are adding will not be there all at the same time. 15-25 people will be hired within the next year for gardening, trimming and distribution. They will also be redoing the parking lot to accommodate more staff.
- Mr. Droggitis asked about the sprinkler system and asked if it was required by City or State.
- Mr. Stoner answered yes by both. There was no sprinkler system before and they added it this month.

MOTIONS

Benway-MOTION: To approve the Conditional Use Permit for Stoner & Co. at 419 Hill Street (Tax Map 74, Lot 9) and approve the Findings of Fact based on the conditions recommended by Staff in its Draft Findings of Fact provided for April 7, 2021 and that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.

Angers-SECOND

Mr. DiMatteo called a Point of Order he wanted to make sure that the Board knew that he had as a provision to waive the Site Plan Review as part of this review process.

Planner Tansley acknowledged that this is correct.

Chair Southwick confirmed why this was the case and said that the approval will be with waiving the Site Plan Review as part of the review.

Mr. Benway amended his original motion to include a waiver of full site plan review.

Angers seconded the amendment to the motion. No vote required on a "friendly amendment".

Chair Southwick-Roll Call for Vote-Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

5.B 2021.16 Conditional Use Permit-Curaleaf Maine Adult Use, Inc. to operate an Adult Use Marijuana Cultivation and Extraction Laboratory at 5 Drapeau Street (Tax Map 12, Lot 22) in the I-1 Zone.

- Consulting Planner DiMatteo did an overview of the project for the Board.

- The following represented the applicant:
- Bethanie Cardner Business Manager for Curaleaf
- Scott Reed President
- Jenna McDonald Compliance Manager
- Steve Kitz Director of Mechanical Engineering
- Heather Sullivan Licensing Manager
- Ms. McDonald did an introduction of the company and project
- Chair Southwick shared the concern of the community about odor.
- Mr. Kitz talked about their two fold steps to mitigate the odor which is very aggressive. The first step is to control the building pressure the second is to kill air born pathogens.
- Chair Southwick asked if this is new science
- Mr. Kitz answered that it is fairly new
- Mr. Tarpey commented that one entity holds the lease, there is a sublease, as a City they should only deal with 1 entity for odor. They should put the onus on the lease holder.
- Mr. Cantara reiterated the concerns of the citizen who already approached him with their concerns regarding odor and nuisance issues.
- Mr. Angers asked Mr. Kitz what would happen in the case of a black out situation, do they have back up to continue operating.
- Mr. Kitz answered that they have an emergency generator and back up if need be. Regardless they always have power.
- Mr. Angers commented that they need to protect their interest. He asked how long the filtration of air would keep working on a generator.
- Mr. Kinz said the building would be neutral, the plants may have a mild odor but it would not exfiltrate from the building. Once the power is reestablished the filtration system would restart again. Their goal is to have power back on within 30 minutes.
- Mr. Angers asked about losing power for 3 days, what would happen to the odor and the product.
- Mr. Kinz said the generator would cover at 100%.
- Mr. Angers asked how long they could run it for.
- Mr. Kinz answered indefinitely.
- Mr. Cantara asked rather than power the need for WIFI.
- Mr. Kinz answered that none of the filtration system needs WIFI, they do have a small generator that is constantly online to back up the security system & WIFI.
- Mr. Cantara asked if they had back up for that.
- Mr. Kinz said they have several layers to go through before they would be out of WIFI/power.
- Mr. Angers asked what could possibly happen that the odor is not controlled?
- Mr. Kinz answered that they have redundant systems in every room, filtration systems, backups, WIFI, he said nothing comes to mind.
- Ms. McDonald introduced Heather Sullivan their licensing manager to address the Board's concerns about having only 1 entity.

- Ms. Sullivan introduced herself as a resident and Planning Board member of Hollis. She talked about her role and the structure of the company. All companies come under the umbrella company of Curaleaf.
- Chair Southwick asked if anyone in the Public wanted to talk. No public comments. He brought the meeting back to the Board.

MOTIONS

Benway-MOTION: To waive the regulations of Article 11 Site Plan Review in its entirety as permitted in Section 9.b.2 waivers of the City Land Development Regulations

Angers-SECOND

Chair Southwick-Roll Call for Vote on amendment-Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

Benway-MOTION: To approve the Conditional Use Permit for Curaleaf Maine Adult Use, Inc. at 5 Drapeau Street (Tax Map 12, Lot 22) and approve the Findings of Fact based on the conditions recommended by Staff in its Draft Findings of Fact provided for April 7, 2021

Angers-SECOND

Chair Southwick-Roll Call for Vote-Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

7. Other Business

8. Adjourn

MOTIONS

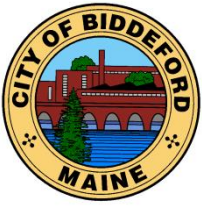
- Mr. Benway-Motion-to adjourn
- Mr. Angers-Second
- Chair Southwick-Roll Call for Vote-Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

Meeting was adjourned at 6:52 PM

Planning Board Chair/Vice Chair

Date

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Planning Board Meeting Minutes (DRAFT)

Date: April 21, 2021
Time: 6:00 PM
Location: REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

1. Declaration of Quorum/Voting Members
Quorum Present: Chair William Southwick, Sean Tarpey, Bruce Benway, Spiros Droggitis, Roch Angers.
2. Adjustments to the Agenda
3. Planner's Business
 - City Planner Greg Tansley announced that the Zoning Amendment the Planning Board sent to the Council for 5 Star was not approved by Council. The applicant will most likely come back to Planning Board for approval of different uses.
4. Unfinished Business
5. New Business
 - 5.A 2021.12 Public Hearing, take comments and make recommendations to the City Council regarding a proposed amendment to the Zoning Ordinance that would alter the fees for certain applications.
 - Planner Tansley talked about the need to adjust some of the Planning Board fees, as they have remained the same since 2005. He reiterated the reason for the fees are to cover costs, not to make a profit.
 - Chair Southwick mentioned to the Board that in the last paragraph of the letter Planner Tansley sent the Board he asked for additional input from the Board. He asked the Board members to make some notes and send them to the Planner.
 - Planner Tansley spoke about his recommendations to the Council. He said his memos to the Council need to provide enough information to enlighten the Council about the Board's rationale for moving the item onto Council and recommending approval. This is when the input from the Board becomes crucial. The more information they provide to the Planner the more he can incorporate into his memo to the Council without feeling that he is putting words in the Board's mouth.
 - Mr. Droggitis brought up that not enough information was the problem with 5 Star Holdings. He said he usually sends a briefing memo to the Board before the meeting and said there was no memo for that item. The Board felt like they were

on their own to ask questions and probe for issues. Mr. Droggitis remembers he asked about changing zones, if this was a common practice and the only thing told to the Board was that the staff was concerned about odor. He would like to know what the Council is looking for. He wants to know if the Board should come to a position as to why they are making the decision. Answer: No. He mentioned the bullet points indicating why the staff feels the fees need to be raised. He said it looked like it could go to the Council now and wondered if he is missing something.

- Planner Tansley answered this is generally what he does to send items onto the Council. If there is additional information that someone from the Board wants to add for the Council's information that is what should be sent to Planner Tansley. In the case of 5 Star, Planner Tansley feels he did not add enough information to the Council to give them proper guidance.
- Mr. Droggitis stated that they are all available to give additional information.
- Chair Southwick asked for comments from the public.
- Amy Clearwater, City Counselor, said she was the Councilor who asked for more information. Sometimes the Council gets too much info and other times not enough. She asked for bullet points for recommendations.
- Richard Rhames noted the fees had not been addressed in 15 years. Inflation and other towns and cities were mentioned, he would have liked to have seen the fees for the other municipalities. He feels it is well past times to raise rates. He spoke about a cemetery that was lowest in rates. He wants to know if the Planning Board members would like to see the fees for the other cities as he thinks it would be interesting. He did not see impact fees and thinks that should be looked at.
- With no other public comments, Public Hearing is closed; Chair Southwick brings the meeting back to Board for discussion.
- Mr. Droggitis asked how the proposal for Biddeford compares to other towns.
- Planner Tansley answered that it varies, not all charge fees the same way. He talked about the formula used to determine proposed fees. He talked about pre application fees in other towns charging \$300 fees just to meet with staff and get a feel for the project. He does not feel a charge like that is prudent for Biddeford.
- Mr. Droggitis asked about Page 9 #1 site plan review new #D plan review for \$2700 2,000-2,999, and then the next tier is lower in fee but larger lot?
- Planner Tansley answered that is a typo, great catch.
- Mr. Droggitis asked about fees that have been over charged and refunded, could that money go to the taxpayers.
- Planner Tansley said we do not order third party work until we have cash on hand. If the applicant does not provide additional money needed for projects the work stops, so extra money is rarely the case.
- Mr. Droggitis asked about setting up accounts for affordable housing and he has not seen that on the proposal.
- Planner Tansley said he and Director Eddy have talked about it and there are many legalities with that so it has not been recommended yet, those fees and accounts must be legally defensible.

- Mr. Benway spoke about impact fees and would not use them in his motions as they take a lot of research so that they are fair and honest.
- Mr. Tarpey asked about the top of page 8, B is that supposed to have a value associated with it.
- Planner Tansley answered it is a formatting issue and he will correct that.
- Mr. Tarpey asked about the bottom of page 10 9B invoice from Legal Fine should be Legal Firm. He asked if it was necessary to limit photocopier costs. He endorses the proposal.
- Mr. Angers said the document is going to the Council; it is the Council who will make the determination on the fees. After all the time Planner Tansley has spent on it, he has no problems sending it onto the Council. They can endorse whatever they want but it will be the City Council who will decide. He always worries about the little guy. He would be very interested on being well versed on impact fees. It is time to take a hard look on what else the tax payers can take on, he wants to be fair and honest.
- Chair Southwick reminded the Board that they are charged with the responsibilities of the Public Hearing, they cannot just defer the due diligence to the City Council. The Planning Board must do the due diligence and make recommendations on their actions.
- Mr. Benway concurs with the Chair, he cannot think of a revenue stream that has gone to the City Council that has not go through some level of recommendations. This includes the property tax, he feels making the recommendations is their job.
- Chair Southwick asked about the cap on photocopier fees, if this is to be changed now is the time to do so.
- Mr. Benway asked the Planner if the changes need to be higher.
- Planner Tansley said he does not feel a cap is needed.

MOTIONS

Benway: Motion-Motion to recommend zoning amendment 2021.12 be forwarded to the City Council with a recommendation that it ought to pass for the following reasons:

To address inflationary changes that have occurred

To recognize the level of fees charged by other communities

To cover the costs of the Planning Department

To recognize any costs incurred by third party engineering reviews

Angers: Second

Benway: Motion-Amendments Site Review page 8 page 9 Site Plan Review increase \$2400 to \$2700; Page 10 under 9 there be no cap on photocopier fees.

Angers: Second

Chair Southwick-Roll Call for Vote on Amendments-Motion Passed, Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

Chair Southwick-Roll Call for Vote on Primary Motion-Motion Passed, Unanimous Approval (4-0) all in favor (Tarpey, Benway, Angers & Droggitis)

5. B 2021.14 Shoreland Zoning Permit - Determination of Greatest Practical Extent for Brian Anderson at 49 Mile Stretch Road (Tax Map 62, Lot 29, 30, 31, 32) in the Resource Protection (RP) Shoreland Zone.

- Consulting Planner Chris DiMatteo introduced the project.
- Norm Chamberlain from Walsh Engineering represented the applicant. Mr. Chamberlain showed the plans and spoke about the project.
- Mr. Benway commented that he is very familiar with the site and has seen the crack in the foundation.
- Mr. Chamberlain added that it is in the back dune area.
- Chair Southwick opened the meeting to the public for comments; there were none so the meeting was brought back to the Board for discussion.
- Mr. Droggitis asked the age of the septic.
- Mr. Chamberlain told him he did not have the specific age but was told by the CEO that it is new. He thinks within the last 5 years for a 4-bedroom house.
- Mr. Droggitis asked if the garage will be replaced.
- Mr. Chamberlain said it will become a bedroom and has a flow through foundation.
- Mr. Droggitis asked if the house has to be replaced due to the defective basement.
- Mr. Chamberlain answered that it is a Code issue due to the defective foundation. It has to be replaced completely.
- Mr. DiMatteo said it has to do with the front yard setback.
- Mr. Chamberlain agreed.

MOTIONS

Benway: Motion- Motion to approve the Determination of Greatest Practical Extent for Brian Anderson based on the plans submitted by Walsh Engineering Associates entitled "49 Mile Stretch Road", Sheet C1.0, at Tax Map 62, Lots 29 through 32 and approve the Draft Findings of Fact and Conclusions of Law dated 04/21/2021, with the conditions contained therein, and that due to the coronavirus pandemic and the Governor's declaration of a civil state of emergency the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board evidencing approval of the final plan.

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

5. C 2021.18 Conditional Use Permit for Hightech Labs, LLC to operate an Adult Use and Medical Marijuana Products Manufacturing Facility at 5 Drapeau Street (Tax Map 12, Lot 22) in the I-1 Zone.

- Consulting Planner DiMatteo introduced the project.
- Bethanie Cardner & Noel Holmes represented the applicant and spoke on the project as well.

- Chair Southwick opened the meeting to the public for comments.
- Leonard Nemon is an abutter and told the Board he has no objection to the project.
- No other comments from the public, therefore the meeting went back to the Board.

MOTIONS

Benway: Motion- Motion to waive Article XI, Section 5 (Full Site Plan Review).

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

Benway: Motion- Motion to approve the Conditional Use Permit for Hightech Labs, LLC at 5 Drapeau Street (Tax Map 12, Lot 22) and approve the Findings of Fact based on the conditions recommended by Staff in its Draft Findings of Fact provided for April 21, 2021.

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

5. D 2021.22-Conditional Use Permit for Cloud Manufacturing Holdings LLC to operate an Adult Use and Medical Marijuana Products Manufacturing Facility at 5 Drapeau Street (Tax Map 12, Lot 22) in the I-1 Zone.

- Consulting Planner DiMatteo introduced the project.
- Steve Pica represented the applicant.
- Chair Southwick asked for comments from the public.
- Mrs. Leonard Nemon asked if there would be retail sales out of the facility.
Answer No
- Leonard Nemon and his wife said they have no objections to this project.
- No other comments from the public, the meeting went back to the Board for discussion.
- Mr. Tarpey asked if there are odor issues, who do they call.
- Ms. Cardner answered the odors are limited it is a closed system.
- Mr. Pica spoke on the kitchen, saying there would be minimal odors.
- Mr. Tarpey asked if they were using the same filtration system as the other businesses in the building.
- Steve answered that they have their own filtration system.

MOTIONS

Benway: Motion- Motion to waive Article XI, Section 5 (Full Site Plan Review).

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

Benway: Motion- Motion to approve the Conditional Use Permit for Cloud Manufacturing Holdings, LLC at 5 Drapeau Street (Tax Map 12, Lot 22) and approve

the Findings of Fact based on the conditions recommended by Staff in its Draft Findings of Fact provided for April 21, 2021.

Angers: Second

Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

6. Other Business

7. Adjourn

MOTIONS

- Mr. Benway-Motion-to adjourn
- Mr. Angers-Second
- Chair Southwick-Roll Call for Vote-Motion Passed, Unanimous Approval 4-0 (Benway, Droggitis, Angers, & Tarpey)

Meeting adjourned at 7:18 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.

PLANNING BOARD
REPORT

April 29 2021

Biddeford Planning Board
Greg Tansley, City Planner
City of Biddeford
205 Main Street
Biddeford, Maine 04005

Application: Place of Worship Use – Biddeford Christian Ministries
12 St Mary's Street (Tax Map 38 Lot 28)

Conditional Use Permit Review

Review Status: Application continued.

(updated comments in red)

Planning Board members and Mr. Tansley,

The following application information has been provided for review:

1. Application form dated 12/16/2020
2. Cover letter with pictures regarding certificate of occupancy, prepared by Caleb Johnson Studio, dated 12/4/2020.
3. Letter from the applicant (Gerry Lachance) dated 4/13/2021 in response to City Planner's letter from 3/5/2021.

With review of the above information and the City's Land Development Regulations, I offer the following comments on compliance with the Town's ordinances.

PROJECT DESCRIPTION

The applicant proposes to reoccupy the former St. Mary's Church at 12 St. Mary's Street in the City's MSRD-2 zone. The site includes a 9,000 ± sf building with associated parking. No new site improvements proposed. The application received approval from the Staff Review Committee for a Conditional Use Permit (Chinese Christian Church) in 2017, however, no work was completed, and the permit expired.

COMPLIANCE WITH THE CITY'S ORDINANCES

The Staff Review Committee reviewed and approved this proposal in 2017 as a minor development review under Article XI. There does not appear to be any changes to the proposal since then. The applicant has stated that the State Fire Marshal's office has inspected the building this past fall and have identified issues to be addressed. The Planning Board, per Sec. 4.C.1 Article XI Site Plan Review, may conduct minor development review if recommended by the City Planner or Staff Review Committee.

WAIVER REQUESTS

None requested. A waiver for parking spaces was contemplated but after review of the ordinance, Article IV, Section 4. Nonconforming structures, subsection C. Lack of required parking or loading space, it appears without an enlargement, addition or alteration, the current parking regulations do not apply. Essentially, the parking for the building is grandfathered at this point in time.

CONCLUSION

The submitted application for Conditional Use Permit to allow the reoccupation of the former St. Mary's Church does not appear to have changed since the Staff Review Committee approved it in 2017. If the Board is inclined to approve the application a suggested motion is provided for its consideration. **For suggested motions see Planning Board Packet Summary and draft Findings of Fact for suggested conditions of approval.**

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
Contract Planner for the City of Biddeford
cdimatteo@longmeadowpla.com
207.604.4245

CITY OF BIDDEFORD, MAINE
PLANNING BOARD
P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

APPLICATION FORM

Type of Application:

☐ Shoreland Zoning Permit

☐ Site Plan Review

☐ Extraction

☒ Conditional Use Permit

☐ Subdivision

☐ Private Way

☐ Other: _____

Applicant Information:

Applicant's Name: Biddeford Christain Ministries c/o Gerry Lachance

Applicant's Mailing Address: 115 Salt Rock Road, Baltic CT 06330

Applicant's Telephone: 860-235-6203

What is Applicant's legal interest in the property?

☒ Owner

☐ Potential Buyer with Contract

☐ Lease/Rental Agreement

Owner's Name: Biddeford Christain Ministries c/o Gerry Lachance

Owner's Address: 115 Salt Rock Road, Baltic CT 06330

Owner's Telephone: 860-235-6203

Agent's Name: Caleb Johnson Studio c/o Patrick Boothe (Architect)

Agent's Address: 110 Exchange Street, 2nd Floor, Portland ME 04101

Telephone: 207-283-8777 or 740-418-5475

Engineer/Surveyor: NA

Engineer/Surveyor's Address: _____

Telephone: _____

Project Location and Lot Information:

Street Address: 12 St Marys Street

Tax Map: 38 Lot: 28

Current Zoning: MSRD2 Shoreland Zoning: _____

Size of lot: 0.82 ☒ acres ☐ s.f. Lot Frontage: 123' +/-

Existing Use of Property: Place of Worship

Property currently serviced by:

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

Slope Conditions in Area of Construction (if applicable): NA

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

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

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

Description of proposed use of property:

Project/Proposed Use Description: _____

The former space was used as a church as part of the Roman Catholic Diocese of Portland. It was built in 1922 and closed in 2009. It sat vacant for a number of years until it was purchased by the Fouzhou Zhong Zhou Christian Church (Biddeford Christain Ministries) in 2016. A conditional use permit was obtained in 2017 but no work was performed on the space. The intention is to re-occupy the space as a place of worship and this is a re-application.

Property to be serviced by:

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

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

NA ☐ If in a Shoreland Zone:

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

Percent of structure expansion (Max. 30%): _____

NA ☐ If Subdivision Review, number of lots proposed: _____

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

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

Total new square feet footprint of structures: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. None _____
2. _____
3. _____
4. _____
5. _____

Attachments:

NA A. Letters of Approval

☐ Fire Department - Contact - 282-9986

☐ Ability to Serve – Maine Water - 282-1543

☐ Ability to Serve - Engineering Department (Sewer) - Contact - 284-9118

☐ Police Department - E-911 Road Name Designation - Contact - 282-5127

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

✓ C. Photographs of site.

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

NA E. Engineered Plans, as required.

Fees (due at time of application):

Refer to “Attachment A Fees and Charges” of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

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

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

NA ☐ Project proposed to have 1 acre or more of site disturbance:

-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of applicant:

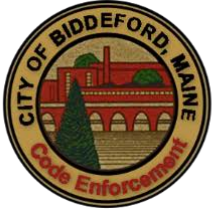


Patrick Boothe, AIA of Caleb Johnson Studio

Date: 12/16/2020

Signature of owner of property:

Date: _____



BIDDEFORD CODE ENFORCEMENT

205 MAIN STREET, BIDDEFORD, MAINE 04005

Phone (207) 284-9236 • Fax (207) 286-9382 • P.O. Box 586 • biddefordmaine.org

Online Building / Demolition Permit Application Instructions

This application form is a fillable PDF file and it is best to download to your computer and then open the file using either Adobe Acrobat or Adobe Reader when completing it. If needed, you can get the free Adobe Reader by [clicking here](#).

Application Instructions:

- 1) Please fully fill out the application to the best of your ability.
- 2) If you do not know the correct information please leave the box blank.
- 3) When the form is complete, please click the yellow box near the signature line on page two, it will send the application to us via email.

PLEASE NOTE: *The \$60.⁰⁰ Building Permit application fee must be received prior to review (see payment section below).*

Building Permit Plan submittal instructions:

- 1) Please attached the drawings in PDF file format to the same email as application.
- 2) If you do not have PDF drawings, please drop hard copies off at the Code office, 205 Main Street, Suite 104 (*located on Main Street next to city clerk's office*).

Payment:

- 1) Checks for \$60.⁰⁰ made payable to City of Biddeford can be submitted via USPS, FedEx, UPS or the Drop Box located outside our office door.
- 2) The City also accepts credit or debit cards; a 2.5% surcharge is added to the \$60.⁰⁰ permit fee however.

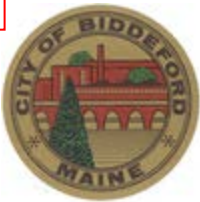
This application can also be downloaded, printed, manually completed, and then faxed to our office at (207) 286-9382. Please contact us at (207) 284-9236 if you have any questions or need assistance.

APPLICATION FEE

\$60.00

Due at time of application

WORKSITE ADDRESS:



BUILDING/DEMOLITION PERMIT APPLICATION

Code Enforcement Office

205 Main Street
Biddeford, Maine 04005
(207)284-9236 FAX (207) 286-9382

For Office Use

Date:

Fee: \$

Issued By:

Permit #:

Per City Ordinance, all permit fees are NONREFUNDABLE

Date of Application:

Construction Address:

Map/Lot:

Zone:

OWNER NAME:

ADDRESS:

CITY:

STATE : ZIP:

TELEPHONE #:

EMAIL:

Type of Permit Requested: (Check all that apply)

- ☐ New structure
- ☐ Change of use
- ☐ Addition
- ☐ Change of occupancy
- ☐ Demolition
- ☐ Swimming Pool
- ☐ Remodel interior
- ☐ Move structure(s)
- ☐ Remodel exterior
- ☐ Commercial
- ☐ Sign
- ☐ Other:

Year of building being renovated:

CONTRACTOR NAME:

OR Same as owner

ADDRESS:

CITY, STATE & ZIP:

Erosion control required: YES NO

Site contractor erosion control Cert #

Complete Description of Work and Construction Cost of Project: \$

Present land use: Proposed land use:

ARE THERE ANY ASBESTOS CONTAINED MATERIALS? YES NO

IS THERE A PRESENCE OF LEAD YES NO CONTRACTOR CERT #:

Required Property Line Setbacks

FRONT: BACK:

LEFT: RIGHT:

Lot coverage

Allowed:

Proposed:

Water Setbacks

WETLAND: STREAM:

TIDAL: POND:

RIVER:

This property has: Town water or Well Driveway opening DPW Yes or No

Septic or Sewer Sewer fee paid Yes or No

Plumber: Same as applicant

NAME:

ADDRESS:

CITY, STATE & ZIP

TELEPHONE:

SEPARATE PERMITS ARE REQUIRED FOR ELECTRICAL AND PLUMBING WORK

Electrician: Same as applicant

NAME:

ADDRESS:

CITY, STATE & ZIP:

TELEPHONE:

PLEASE NOTE: Prior to ground disturbance erosion control must be in place.

Every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 180 days after its issuance, or if the work authorized on the site by such permit is suspended or abandoned for a period of 180 days after the time the work commenced.

2009 IBC, Section 105.5

Notes:

DOCUMENTATION REQUIREMENTS

- ☐ **Floor Plans and Elevations** of new construction
 - Include floor plan of existing structure as well as new construction for alterations and additions
 - Detail removal of all partitions and sizing of any new structural beams
 - Detail any new walls or permanent partitions
- ☐ **Cross Sections** with material description and framing details
 - Stair details including dimensions of: rise/run, head room, guards/handrails, baluster spacing
- ☐ **Window and Door Schedules** (Indicate windows that meet egress requirements of 5.7 sq ft clear openable area, clear openable width of 20", and clear openable height of 24")
- ☐ **Foundation Plan** indicating soil type, footer dimensions, required drainage and foundation wall dimensions
- ☐ **Deck Construction** including: pier layout, framing, fasteners, guards stair dimensions
- ☐ **Plot Plan** including:
 - Shape and dimension of the lot
 - Footprint of existing and proposed structure with distance from actual property lines
 - Other structures including decks, porches, sheds ,pools, and garages
 - Location and dimensions of parking areas and driveways
 - THIS DATA MUST BE ACCURATE! PROPERTY LINE LOCATIONS AND SETBACKS ARE THE APPLICANT’S RESPONSIBILITY.
- ☐ **Sewer Impact fee Receipt or New Septic Design** (when required)
- ☐ **Street opening permit (from DPW)**

****ALL DRAWINGS MUST BE TO SCALE OR HAVE DETAILED DIMENSIONS****

I certify that the information contained in this application and any related submissions to be true and accurate to the best of my knowledge. I understand that I am responsible for compliance with all applicable town, state and federal regulations and that failure to comply may result in the imposition of fines, legal fees, and the abatement of any violations to include abandonment of use and occupancy and corrective action such as the removal or modification of improvements if setbacks or other requirements have not been met and satisfied. I understand that this is an application and that I shall not begin any improvements until the appropriate permit (s) is/are issued nor will I make use of the improvements without first having obtained an occupancy permit. I further understand that any associated plumbing, electrical, and heating work to be undertaken in connection with this request requires separate permits. In addition, I understand that if this project involves the creation of a new lot, a subdivision, as defined in Title 30-MRSA, Section 4401(4), as amended, has not been created without first obtaining the required approvals

Press To Email

Signature of Owner/Applicant (type name)

Date

Signature of Building Inspector (type name)

Date

*****BELOW HERE FOR OFFICE USE ONLY*****

Other information:

1. Flood hazard development permit

Yes ☐ No ☐

2. Coastal dune

Yes ☐ No ☐

3. Historic preservation district

Yes ☐ No ☐

4. Resource protection area

Yes ☐ No ☐

5. Other permits:

Yes ☐ No ☐

6. Shoreland overlay district

Yes ☐ No ☐

7. Subdivison

Yes ☐ No ☐

8. Fire Marshall

Yes ☐ No ☐

9. DEP

Yes ☐ No ☐

10. Army Corps

Yes ☐ No ☐

INSPECTION SCHEDULE

It is understood that the applicant or his/her representative will notify the Building Inspector for the following inspections at least 24 hours in advance of the required inspections

FOOTINGS AND BASEMENT WALLS

Approved by:

Date:

Do not back-fill until signed above

ROUGH PLUMBING

Approved by:

Date:

ROUGH ELECTRICAL

Approved by:

Date:

FRAMING

Approved by:

Date:

INSULATION

Approved by:

Date:

FINAL PLUMBING

Approved by:

Date:

FINAL ELECTRICAL

Approved by:

Date:

FINAL BUILDING

Approved by:

Date:

Erosion control inspection

☐

Date:

☐

Date:

☐

Date:

☐

Date:

☐

Date:

☐

Date:

☐

Date:

☐

Date:

Do not occupy until above has been signed and Certificate of Occupancy has been issued by the Building Inspector

CALEB JOHNSON

STUDIO

12/04/2020

Roby Fecteau
Code Enforcement Director
City Hall
205 Main Street
Biddeford, ME 4005
Office # 207-284-9236
roby.fecteau@biddefordmaine.org

RE: 12 St Mary Street, Biddeford, ME (MSRD-2 Zone)
Biddeford Christain Ministries, Certificate of Occupancy

Mr. Fecteau,

Caleb Johnson Studio has been hired by the owner representative of the former St Mary Church, Biddeford Christain Ministries, in order to assist them in their efforts to reoccupy the building as a house of worship. Please refer to the below written life safety analysis of the existing building and the proposed use.

On 10/08/2020, Scott Welton and Daryen Granata of the State Fire Marshal's inspectors office walked through the building and identified some life safety issues to be addressed. These items are included in the analysis below.

Regards,

Patrick Boothe, AIA
Caleb Johnson Studio
ME Licensed Architect ARC #4204

Code References

- 2018 NFPA 101
- 2015 International Building Code (IBC)
- 2015 International Existing Building Code (IEBC)

Existing Building Information in its Current Condition

- Building Area: 1 story plus mezzanine with 9,035sf are on the first floor with 264sf of below grade mechanical space. The majority of the space is the sanctuary which includes an area of approximately 4000sf of pew seating space in sanctuary.
- 5 existing exits
- Calculated Occupancy: 727 occupants (653 in Sanctuary, 23 in Support Areas and 49 in Choir Balcony)

- Exterior Masonry Walls, Concrete and Wood floors, Type III-B or III-000 Construction
- No existing sprinkler system or fire alarm system exists

Use and Occupancy

The former space was used as a church as part of the Roman Catholic Diocese of Portland. It was built in 1922 and closed in 2009. It sat vacant for a number of years until it was purchased by the Fouzhou Zhong Zhou Christian Church in 2016. A conditional use permit was obtained in 2017 but no work was performed on the space. The intention is to re-occupy the space as a place of worship.

- NFPA: Existing Assemblies
- IBC: A-3 Assembly Group A-3 “Places of Worship”

Existing Building Code

Scope: No interior reconfigurations of walls or other similar work proposed other than repair of water damage and other deferred maintenance.

- NFPA 101: The project scope would be considered a “Renovation” without a change of use and is required to follow the provisions of Section 43.4. The general requirement being that the work shall not make the building less conforming of the code.
 - In addition, section 13.1.1.4.2 of Existing Assembly Occupancies states : An existing building housing an assembly occupancy established prior to the effective date of this Code shall per permitted to be approved for continued use if...in the opinion of the authority holding jurisdiction, reasonable life safety against the hazards of fire, explosion, and panic is provided and maintained.
- IEBC: The project scope would be considered a Level 1 Alteration without a change of use. As a result, the occupancy shall comply with Chapter 7 of the IEBC. The provisions of the IEBC Chapter 7 limit requirements in this situation to fire protection and means of egress to be done in a manner that “maintains the level of protection” of the existing building.

There are no prescriptive provisions that would require the building to have a sprinkler system or fire alarm system installed.

Issues to be addressed before re-occupancy:

Below is a list of required action items to be implemented before a certificate of occupancy is issued:

- Repair the existing boiler, or install a new heating system to provide heat to the building.
- Bring existing electrical up to NFPA 70 standards, such as repairs to open junction boxes, exposed wiring etc. This would require a walkthrough with an

licensed electrician who will be performing the work and the local electrical inspector

- Repair various areas of water damage
- Install a door closer at the existing mechanical room door to compartmentalize a potential fire in that space.
- Per Daryen Granata → *May require repair to the bottom of the stairs leading to the mechanical room where there is rust damage. At a minimum, the city may ask that a structural engineer certify the stair to be safe.
- Per Daryen Granata →. *May require removing pews to limit occupancy to be less than 300 persons.
- Per Daryen Granata → *May require a heat detection and notification system up to the sanctuary (light and audible alarm) from the basement and mechanical room in order to notify occupants in the event of a fire in those lower level spaces
- Inspections and any other items as requested by Biddeford Code Enforcement Department

Photos of Existing Building:



Exterior from St Mary Street



Sanctuary



View Towards Exit Discharge #1



View Towards Exit Discharge #1



Balcony



Conference Room



Existing Boiler



Stairs at the bottom of the Mech room

Biddeford Christian Ministries
7 Willey Creek Road – Unit 404
Exeter, NH 03833

April 13, 2021

City of Biddeford
Planning and Development Department
205 Main Street
Biddeford, ME. 04005

Attention: Mr. Greg D. Tansley A.I.C.P.
City Planner

RE: 2020.42 Conditional Use Permit-Biddeford Christian Ministries at 12 St. Mary's Street (Tax Map 38, Lot 28)

Dear Mr. Tansley:

As requested in your letter dated March 5, 2021, I wish to address all of the questions raised by the Board Members during the March 3, 2021 meeting.

I offer the following responses:

1. The photos provided in the packet were taken just prior to the time when the application was submitted - December 16, 2020. The photos are an accurate reflection of the existing conditions of the facility.
2. Questions about the fire suppression and alarm systems within the building (existing and proposed). Our architect Patrick Boothe of the Caleb Johnson Studio provides the following reply:
The building does not have either an existing sprinkler system or a fire alarm system. Given that there is no change of use (it remains an A-3/Assembly use) and no reconfiguration of walls are proposed, a new sprinkler system or fire alarm is not required prescriptively by code. The NFPA 101 further states that an existing building housing an assembly occupancy established prior to the effective date of this Code shall be permitted to be approved for continued use, if in the opinion of the authority holding jurisdiction, reasonable life safety against the hazards of fire, explosion, and panic is provided and maintained. In my code review letter, provided to the city, dated 10/15/2020, all existing exit doors had panic doors and met min. size requirements for the calculated occupancy.
3. The two bicycles locked to the fence have been removed.
4. The Board Members of the Biddeford Christian Ministries recognize the need to maintain safety and proper appearance to the neighborhood. Accordingly, the board has engaged the services of a property manager and landscaper to maintain the needs of the facility.

Biddeford Christian Ministries
7 Willey Creek Road – Unit 404
Exeter, NH 03833

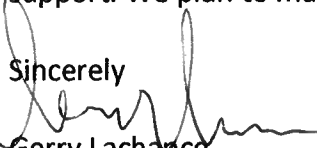
Those services will be provided by Mr. Avery Schrock, a resident of Biddeford. These services will commence on April 19, 2021. Mr. Schrock has been made aware of all of your member's comments and will resolve each one. In addition, he will maintain a physical presence of the facility on a continuous basis.

5. Operational Plan for the facility --- Once a Certificate of Occupancy is granted by the City of Biddeford, the Biddeford Christian Ministries will re-occupy the space as a place of worship – the same use as originally granted to St. Mary's Church. The Ministry will begin to hold worship meetings on a weekly basis. It is estimated that initially the worship meetings will be attended by a small number of people—10 to 25.

We hope that this information will answer all of the board member's concerns and accordingly we request that our application be placed on the next available Agenda for the Planning Board meeting.

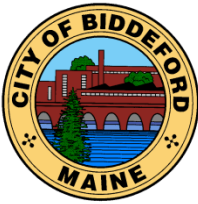
The Biddeford Christian Ministries wishes to thank you for your continued guidance and support. We plan to make a significant contribution to the City of Biddeford community.

Sincerely



Gerry Lachance

Biddeford Christian Ministries. --- Treasurer
cc. P. Boothe, Caleb Johnson Architects
R. Fecteau, Director of Code Enforcement
C. DiMatteo, Long Meadow Planning



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street

P.O. Box 586

Biddeford, ME 04005

(207) 282-7119 or (207) 284-9115

FINDINGS OF FACT AND CONCLUSIONS OF LAW CONDITIONAL USE PERMIT

Pursuant to the provisions of the City of Biddeford Land Development Regulations, Articles XI (Site Plan Review) and Article VII (Conditional Uses), the Biddeford Planning Board has considered the application of the **Biddeford Christian Ministries** to re-occupy the former St. Mary's Church located at 12 St. Mary's Street, including supportive data, public hearing testimony and related materials contained in the record. Based on the materials submitted, Public Comment, and Staff's review and recommendation, the Planning Board makes the following Findings of Fact and Conclusions of Law:

Findings of Fact:

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Biddeford Christian Ministries c/o Gerry Lachance
2.	Owner of Property:	Biddeford Christian Ministries 115 Salt Rock Road Baltic CT 06330 860-235-6203
3.	Agent:	Caleb Johnson Studio Patrick Boothe, architect. 110 Exchange Street, 2 nd Floor Portland, ME 04101 207-283-8777 or 740-418-5475
4.	Project Location:	12 St. Mary's Street
5.	Project Tax Map #/Lot #:	Tax Map 38, Lot 28
6.	Existing Zoning:	MSRD-2
7.	Overlay Zoning:	None
8.	Existing Use:	Vacant Church
9.	Proposed Use:	Chinese Christian Church
10.	City Approvals Required:	Conditional Use Permit (Reviewed under Article XI (Site Plan Review))
11.	Uses in the Vicinity:	Restaurant, Residential
12.	Parcel Size:	.9 Acres +/-
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	2,000 SF .9 Acres +/-

15.	Frontage Required: Provided:	50 feet. 125' on St. Mary's Street, 200' on Spruce Street
16.	Front Setback Required: Provided:	15 feet N/A – Preexisting Condition
17.	Side Setbacks Required: Provided:	10 feet N/A – Preexisting Condition
18.	Rear Setback Requires: Provided:	10 feet N/A – Preexisting Condition
19.	Height Requirements: Provided:	Maximum 3 Stories, or 35 feet N/A – Preexisting Condition
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	City of Biddeford
22.	Solid Waste Disposal:	Private Hauler
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	N/A
27.	Parking Spaces Required:	N/A – Existing site
28.	Parking Spaces Provided (total): # Handicapped Spaces:	45 (Plus provisions for an additional 5) 2
29.	Ownership of Road:	St. Mary's Street is a City Road
30.	Building Footprint Existing: Proposed: Net Change:	0 SF 5,718 SF 5,718 SF
31.	Building Floor Area Existing: Proposed: Net Change:	0 SF 5,718 SF 5,718 SF
32.	Estimated Site Development Costs:	N/A
33.	Financial Capacity Letter:	N/A
34.	Waivers Needed:	a. None
35.	Waivers Granted:	a. None
36.	Variances Needed for Approval:	None.
37.	Other Permits Obtained:	None.
38.	Other Non-City Permits Required:	None.
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None.
40.	LDR Attachment A: Fess Paid:	Yes

41.	Review History: Conditional Use Review: - March 3, 2021 Meeting (Continued) - May 5, 2021 Meeting.
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Conclusions of Law:

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

10. The proposed use would be in compliance with Biddeford's comprehensive plan;
11. The proposed use would not have an adverse impact on the immediate neighborhood or the community relative to architectural design, scale, bulk and building height, identity and historical character, or visual integrity, which could be avoided by reasonable modification of the proposal;
12. The design of the site would not result in significant flood hazards or flood damage or would be in conformance with applicable flood hazard protection requirements;
13. Adequate provision has been made for disposal of wastewater or solid waste or for the prevention of ground or surface water contamination;
14. Adequate provision has been made to control erosion or sedimentation;
15. Adequate provision has been made to handle stormwater runoff or other drainage problems on the site; and the proposed development will not unduly burden off-site surface water systems;
16. The proposed water supply would meet the demands of the proposed project (and for fire protection purposes, if applicable.)
17. Adequate provision has been made for the transportation, storage, and disposal of hazardous substances and materials as defined by state law;
18. The proposed use would not have an adverse impact on scenic vistas, historic sites, archeological resources, or on significant wildlife habitat or wetland areas and water bodies, which could be avoided by reasonable modification of the proposal;

Approval Granted:

Based on the evidence available and the conclusions above, the Biddeford Planning Board approves the Conditional Use Permit for the proposed project summarized above, located at 12 St. Mary's Street (Tax Map 38, Lot 28) in accordance with the submitted application, supporting data, representations made, other related materials on file, and the following Conditions of Approval:

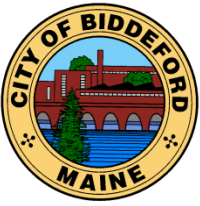
- 1. Prior to issuance of any occupancy permits:**
 - a. Any roof drains connected to the sewer system shall be disconnected.**
 - b. The parking areas shall be re-striped.**
 - c. Signage shall be installed to indicate that parking is permitted only in the designated parking spaces.**

2. Prior to the issuance of any sign permits any signage must be approved by the Historic Preservation Commission.
3. The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc prior to commencing business, unless authority issuing said permit allows for such actions.
4. Standard Conditions of Approval apply.

Planning Board Chairperson

Date

DRAFT



CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

PLANNING BOARD MEMO

TO: William Southwick, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner
Mathew Eddy, Planning and Development Director

DATE: April 30, 2021

RE: **Residential Amendments Proposal – For Public Hearing May 5, 2021**

The City Council (Order 2021.9) had requested the Board revisit the Density Bonus provisions for the MSRD-2 Zone with a specific desire to incorporate affordability into the program as well to look for other zones it could be expanded to.

Further, the City Council (Order 2021.10) asked that we explore allowing additional unit(s) in other areas surrounding the Downtown, suggesting that lots within 90% of the required lot size be provided an additional unit for being “close” so long as the new units are kept affordable. Staff have been unable to find a way for this to work both in a *practical* and a *legal* sense, but are providing a proposal that we think largely accomplishes the same, and possibly more.

Not specifically requested by the City Council, but supported by Staff who feel this is consistent with the Council goals for housing, are also amendments to streamline the creation of two-family/duplexes in the RF and SR-1 Zones, to clarify and refine the OR zone requirements, and to expand Accessory Dwelling Units (ADUs) to those areas in the CR Zone along Route 9/Pool Road.

In summary, the amendments presented for the Public Hearing provide the following:

- Encourages additional residential units in Biddeford between West Brook and Interstate-95, from Downtown to the Industrial Parks. See Note B in the DRAFT amendments. The focus has now been transitioned into affordability and would apply to the R-1-A, R-1-B, R-2, R-3, MSRD-2, and OR Zones. To make this approach work for the R-1-A and R-1-B, need to allow duplex/two-family which they currently do not.
- Relaxes (and clarifies) the dimensional requirements in the OR Zone along Route 1 between Downtown and Five-Points. This is an issue Code Enforcement and Planning have dealt with for some time, and we believe that the amendments will create an OR more reflective of its intent and the intent of the City Council with respect to housing.

- Allow ADU's in the CR Zone ONLY along Route 9/Pool Road.
- Simplifies the review process for Duplex/Two-family in the RF and SR-1 Zones by changing them from Conditional Uses ("C") to Permitted Uses ("P").

We believe that the proposal before you generally represents a move forward towards the goals of the City Council with respect to Housing, while at the same time addressing some specific concerns raised regarding ADU's along Pool Road and clarifying/refining the OR Zone requirements.

On March 31, 2021 the Planning Board scheduled a Public Hearing on this item for May 5, 2021.

Part III (Land Development Regulations), Article V (Establishment of Zones), Section 2 (General description of zones and allowed uses):

The following section provides a brief general description and philosophy for each specific zone or district.

- b. Coastal Residential Zone (CR): This zone was created to identify coastal areas with significant environmental or visual significance. The area is limited to single-family residential uses, [accessory dwelling units in close proximity to Route 9/Pool Road](#), and some home offices under special circumstances. The zone is characterized by varying lot sizes dependent upon soils types.
- c. Residential Zones:
 - R-1-A: These areas are limited to single-family [and duplex/two-family](#) residential uses ~~similar to the SR-1 Zone. The lot size is smaller.~~ These areas are served by water and sewer. These districts are best characterized as in-town single-family [and duplex/two-family](#) neighborhoods.
 - R-1-B: These areas are limited to single-family [and duplex/two-family](#) residential uses ~~similar to the R-1-A Zone. The lot size and setbacks are generally smaller.~~ These areas are served by water and sewer. These districts are best characterized as in-town single-family [and duplex/two-family](#) neighborhoods.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table A (Table of Land Uses):

- Add “Duplex/2-Family” as a Permitted Use (“P”) in the R-1-A and R-1-B zones.
- Change “Duplex/2-Family” from a Conditional Use (“C”) to a Permitted Use (“P”) in the SR-1 and R-F zones.
- Add “Accessory dwelling units* 27)” as a Permitted Use (“P”) in the C-R Zone and amend Footnote 27 for Table A as follows:

27. [Accessory dwelling units are only permitted in the C-R Zone within five-hundred feet \(500’\) of the edge of right-of-way of Route 9/Pool Road.](#) Accessory dwelling units may also be permitted in nonresidential zones where there exists a nonconforming (as to use) single-family dwelling on a lot that was in existence as of January 1, 2017. See Article VI, Section 78.

Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
R-1-A, single family <u>B</u>	10,000 <u>B</u>	20,000	10,000	20,000
R-1-B, single family <u>B</u>	5,000 <u>B</u>	20,000	5,000	20,000
R-2 <u>B</u>	4,500 <u>B</u>	N/A	N/A	N/A
R-3, duplex <u>B</u>	7,500 <u>B</u>	30,000	N/A	N/A
MSRD-2	2,000 B	N/A	N/A	N/A

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	Frm Major R.O.W.	From other R.O.W.	Side	Rear	Stories	Feet
OR	See Note Q				See Note Q			See Note Q				See Note Q	
OR	<u>4,500</u> <u>B</u>	<u>N/A</u>	<u>N/A</u>	<u>N/A</u>	<u>75</u>	<u>N/A</u>	<u>N/A</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>10</u>	<u>3</u>	<u>35</u>

- B. In order to promote ~~higher quality housing facilities,~~ 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 ~~minimum~~ 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 square feet of living space within an existing structure, provided the applicant present 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 contractual agreement with the City of Biddeford requiring obligating that at least thirty percent (30%) of the units created shall be leased such that they do not exceed eighty percent (80%) of the Fair Market Rent (FMR) per bedroom size, as established annually by the U.S. Department of Housing and Urban Development (HUD). ~~them to complete the project in accordance with Maine housing quality standards and that those units are certified as such prior to granting an occupancy permit.~~ The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which 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. 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 provided to the Code Enforcement Office, prior to the issuance of any building permits.
 - 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.

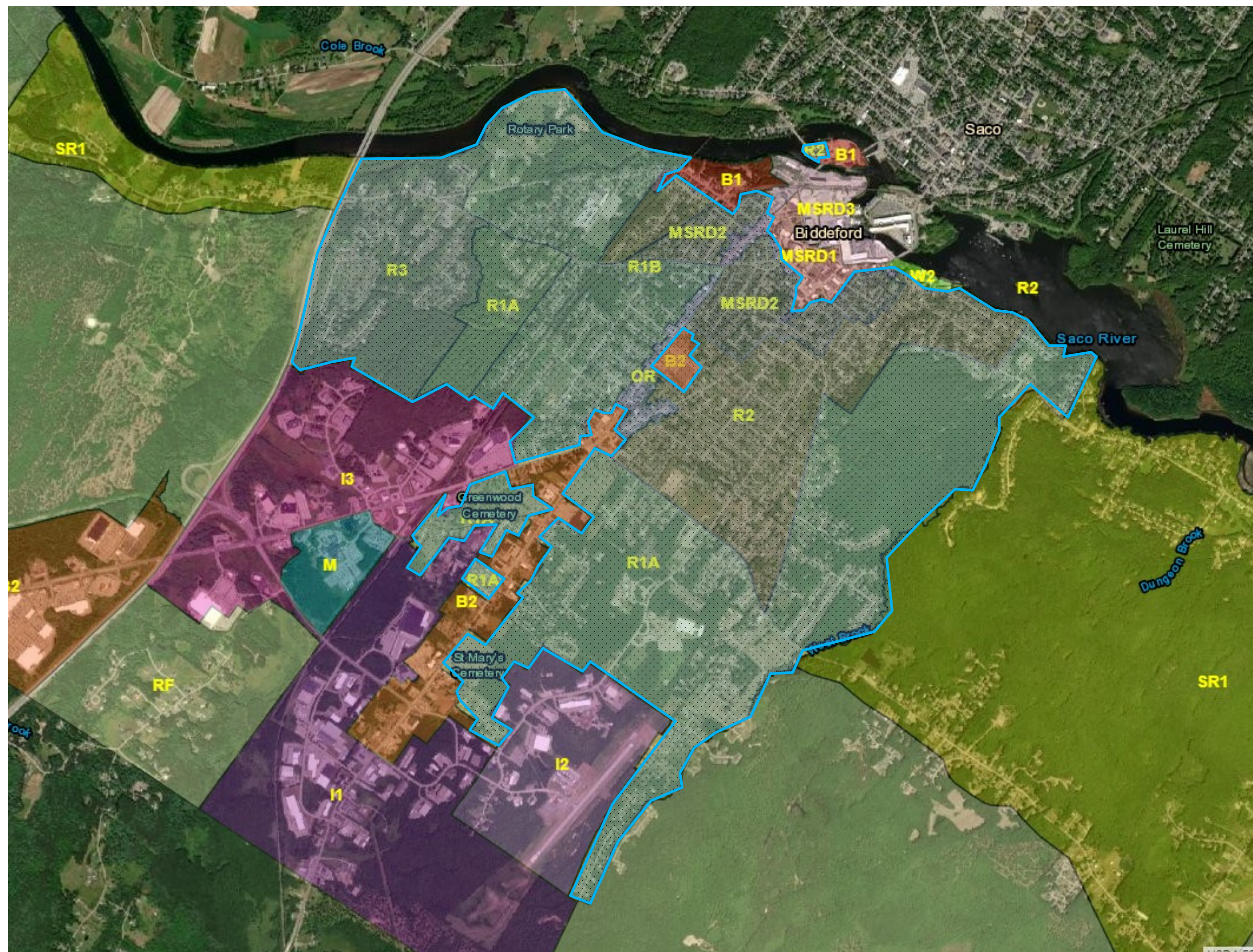
- Q. ~~Lots in existence prior to the effective date of this ordinance are regarded as existing lots of record. In many cases, minimum lot size, road frontage and setbacks are not consistent with current standards. It is the intent of this section that properties in the OR Zone for which non-residential conversion is proposed shall not be handicapped by the nonconforming nature of such a lot or structure. Therefore, existing lots or structures that are nonconforming under the provisions of, Article IV Existing non-conforming 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.~~

~~The following minimum standards shall apply for newly created lots within the OR Zone~~

- ~~1. Minimum lot size: 10,000 square feet.~~
- ~~2. Minimum frontage: 75 feet.~~
- ~~3. Minimum setbacks:~~
 - ~~Front: 10 feet.~~
 - ~~Side: 10 feet.~~
 - ~~Rear: 10 feet.~~
 - ~~From other streets: 15 feet.~~
- ~~4. Maximum setbacks: Front: 25 feet.~~
- ~~5. Maximum height: 35 feet~~

Part III (Land Development Regulations), Article VI (Performance Standards), Section 78 (Accessory dwelling units (ADUs):

- B. Procedural requirements.
1. Review procedure:
 - a. One ADU is permitted per residentially zoned parcel identified in (See Article V, Table A, Table of Land Uses.), except within ~~the Coastal Residential (CR) Zone, including the RP and LR shoreland zoning overlay districts within the CR Zone,~~ where ADUs are not permitted. ADUs are also permitted on nonresidentially zoned parcels containing a single nonconforming (as to use) dwelling unit which was in existence as of January 1, 2017. A permit for an ADU may be issued by the Code Enforcement Office so long as all of the standards in this section are met.



Proposed Zones for Note B:
Affordable Housing Bonus
Density

PLANNING BOARD
REPORT

April 29, 2021

Biddeford Planning Board
Greg Tansley, City Planner
City of Biddeford
205 Main Street
Biddeford, Maine 04005

Application: 253-255 Hill Street – Pine Point Heights., LLC
(Tax Map 29 Lot 73)

Subdivision Sketch Plan Review

Review Status: New application.

Board members and Mr. Tansley,

The following application information has been provided for review:

1. Application form dated 4/14/2021.
2. Cover letter and submittal application information prepared by Matthew Chamberlain, Pine Point Heights, LLC, and includes: 1947 Subdivision, 4/8/21 letter from Maine Water Co., 4/12/21 letter from City of Biddeford Wastewater Department, 3/10/21 email correspondence with Code Enforcement Director, and Purchase and Sales agreement dated 3/8/21.
3. Plan set entitled: *Sketch Plan, Pine Point Heights, LLC, 253-255 Hill Street, Biddeford, Maine.* Date: 4/12/2021. Prepared by Paul P. Gadbois.

With review of the above information and the Land Development Regulations, I offer the following comments on compliance with the City's ordinances.

PROJECT DESCRIPTION

The project site, located in the Residential-2 Zone, includes an existing two-family building on a 16,570 SF lot fronting Hill Street, along with Rtiz and Hubert Streets. The applicant is seeking approval to create two additional lots behind the existing building and convert it from a duplex to a single family.

COMPLETENESS REVIEW

The application is before the Planning Board as required by Chapter 66 (Subdivisions) subject to Subdivision review and approval. Per the City's Subdivision ordinance (66-26), all applications have a three tier approval process beginning with a Sketch plan review.

The applicant has prepared and submitted information that is adequate for a Sketch Plan review. With an eye on the preliminary/final plan review the applicant will need to identify in the application how applicable standards are met, presumably for a minor subdivision. Determination of those standards that

REVIEW PROCESS

Per Section 66-33 Review of major and minor subdivision plans, the Planning Board review and approve simultaneous preliminary and final plan approvals. The applicant and the Board should discuss this and determine if this is the expectation for subsequent application review.

COMPLIANCE WITH THE CITY'S ORDINANCES

When considering the review at this point, it is intended by the process to be general in nature. The applicant should take the opportunity to introduce the project and the Board should ask questions and provide feedback. The following are comments that Board and the applicant may consider in the discussion:

1. Street trees along Ritz Street. On the plan (faintly depicted) and from aerial images, it is evident that there are three fairly mature trees along the property/ROW line along Ritz Street. The applicant should elaborate on the status of these trees as it relates to future driveway access. Any tree removals within the ROW will need approval by Public Works.
2. Driveway access. The final plan will need to depict proposed driveway locations for the new lots. A 15-foot setback from the adjacent property line is required and Public Works may have comments on the location as it relates to traffic and utilities.
3. The Police Department with regards to E-911 compliance should be contacted to confirm addressing for the new lots.
4. Additional street trees may be required by the Board per Sec. 66-77. This may be an item the Board may want to discuss.
5. The final plan should include dimensions on the setbacks shown, metes and bounds (appears to be missing on Hubert St.), all waivers granted, conditions of approval, and recording and approval signatory blocks.

WAIVER REQUESTS

The application indicates two waiver requests that include: traffic and Site walk. The applicant should review compliance with all applicable standards and provide a list of those standards they seek a waiver from along with a rationale for the Board to grant it.

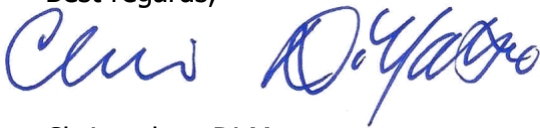
CONCLUSION

The submitted application provides enough information for the Board to comment on and ask questions about and familiarize themselves with the project. The scope of the application appears to be aligned with the definition of a minor subdivision and limited enough to simultaneously review preliminary and final plans.

The Planning Board, after it has completed the conceptual review and provided feedback to the applicant, can consider voting to determine the major/minor classification (per Sec. 66-30(b)) and direct the applicant to prepare and submit, presumably, a final plan application. **For suggested motions see Planning Board Packet Summary.**

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
City of Biddeford Contract Planner.
cdimatteo@longmeadowpla.com
207.604.4245

CITY OF BIDDEFORD, MAINE
PLANNING BOARD
P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

APPLICATION FORM

Type of Application:

☐ Shoreland Zoning Permit

☐ Site Plan Review

☐ Extraction

☐ Conditional Use Permit

☒ Subdivision

☐ Private Way

☐ Other: _____

Applicant Information:

Applicant's Name:

Pine Point Heights LLC

Applicant's Mailing Address:

762 Main St So Portland Me 04106

Applicant's Telephone:

207 450 7653

What is Applicant's legal interest in the property?

☒ Owner

☒ Potential Buyer with Contract

☐ Lease/Rental Agreement

closing date is 4/16/21

Owner's Name:

~~Hersey Enterprises LLC~~ Hersey Enterprises LLC

Owner's Address:

4 Halczyk Rd Biddeford

Owner's Telephone:

mhlhersey@yahoo.com

Agent's Name:

Matthew Chamberlain

Agent's Address:

762 Main St So Portland

Telephone:

207 450 7653

Engineer/Surveyor:

Paul Gadbois

Engineer/Surveyor's Address:

Po Box 327 Saco Maine

Telephone:

207 283 3980 Ricker Rd Saco

Project Location and Lot Information:

Street Address:

253-255 Hill St

Tax Map:

29

Lot:

73

Current Zoning:

R-2

Shoreland Zoning:

no

Size of lot: 0.41 ☒ acres ☐ s.f. Lot Frontage: 364 Ft

Existing Use of Property: Duplex

Property currently serviced by:

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

Slope Conditions in Area of Construction (if applicable):

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

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

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

Description of proposed use of property:

Project/Proposed Use Description: Convert duplex into a single family house and create two more lots.

Property to be serviced by:

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

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

☐ If in a Shoreland Zone:

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

Percent of structure expansion (Max. 30%): _____

☒ If Subdivision Review, number of lots proposed: _____

3

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

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

Total new square feet footprint of structures: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

1. _____

2. _____

3. _____

4. _____

5. _____

Traffic
Site walk

Attachments:

A. Letters of Approval

☐ Fire Department - Contact Chief or Deputy Chief - 282-9986

☒ Ability to Serve for Water Service – Maine Water - 282-1543

☒ Ability to Serve for Sewer Service- Engineering Dept (Sewer) - Tom Milligan 284-9118

☐ Police Department - E-911 Road Name Designation - Contact Joanne Fisk - 282-5127

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

C. Photographs of site.

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

E. Engineered Plans, as required.

Fees (due at time of application):

Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

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

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

☐ Project proposed to have 1 acre or more of site disturbance:

-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of applicant:



Date:

4/14/21

Signature of owner of property:

Date:

**IF PLAN APPROVAL IS ANTICIPATED, PROVIDE 2 FULL SIZE MYLARS & 2 FULL SIZE PAPER COPIES FOR BOARD SIGNATURE (AS APPLICABLE).
CHECK WITH PLANNING STAFF FOR CLARIFICATION.**

CHECKLIST FOR *SITE PLAN* REQUIREMENTS

YES NO

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☐ | Be on sheet size of 24 by 36 inches. |
| ☒ | ☐ | The scale of said plan shall be not less than one inch equals 50 feet and shall be indicated on the plat by use of a bar scale. |
| ☒ | ☐ | The plan shall bear the date, title, north point. |
| ☐ | ☐ | The plan shall contain a location or vicinity sketch (suggested scale one inch equals 800 feet). |
| ☒ | ☐ | The plan shall contain the name and address of the developer and applicant. |
| ☒ | ☐ | All appropriate dimensional requirements. |
| ☒ | ☐ | Existing and proposed easements. |
| ☒ | ☐ | Plan of the site showing existing watercourses and water bodies, seasonal wet areas. |
| ☐ | ☒ | Plan of the site showing soil type and location of test borings. |
| ☒ | ☐ | Location of all existing and proposed utilities. |
| ☒ | ☐ | Topographic contours (every five percent for zero to three percent slope; or every two feet for steeper areas). |
| ☐ | ☒ | Plan should include preservation and supplementation of existing dominant vegetation. |
| ☐ | ☒ | Plan shall indicate which features are to be retained and which are to be removed or altered. |
| ☒ | ☐ | Location of stone walls, graveyards, fences, stands of trees, and other important unique natural areas and site features, including but not limited to floodplains, deer wintering areas, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with description of such features. |
| ☒ | ☐ | Plan view of all buildings with their use, size, location, and first-floor elevation in respect to grade. |
| ☒ | ☐ | Standard elevation view of existing and proposed buildings or structures on-site. |

YES NO

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☒ | ☐ | Outline of any buildings located within 200 feet of such existing or proposed buildings or structures indicating their shape, size, location, heights and volume. |
| ☒ | ☐ | Existing use of abutting properties shall be identified with approximate location of any structures thereon including access roads. |
| ☒ | ☐ | Location, width, curbing, and paving of access ways, egress ways, and streets within the site for both pedestrian and vehicular use. |
| ☒ | ☐ | The location of off-street parking and loading spaces with a layout of the parking indicated. |
| ☒ | ☐ | The size and proposed location of water mains and sanitary sewerage facilities will all necessary engineering data. |
| ☒ | ☐ | The size and location of all other existing and proposed public service connections including, without limitation, gas lines, power lines, telephone lines, and fire alarm connections and locations, indicating whether above or below ground. |
| ☐ | ☒ | The type, nature, and composition of all solid, liquid, and gaseous waste, industrial or otherwise, and the location, type, and design criteria of the storage and disposal facilities dealing with such waste. |
| ☐ | ☒ | A landscape plan and open space areas indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening; plus size, location, purpose and type of vegetation. |
| ☐ | ☒ | A drainage plan including location, elevation, layout of catch basins and other surface and subsurface drainage features. |
| ☐ | ☒ | Location, size and design of proposed signs and other advertising or instructional devices. |
| ☒ | ☐ | Existing and proposed contours and finished grade elevations as well as the type, extent, and location of existing and proposed landscaping and open space areas which will be retained. |
| ☐ | ☒ | Location and type of lighting for outdoor facilities. |
| ☐ | ☒ | Lines of existing and proposed abutting streets showing width. |
| ☒ | ☐ | Surveyed property lines showing their bearing and distances and monument locations. |
| ☐ | ☒ | If subdivision is involved, the lines and names of all proposed streets, lanes, ways, or easements intended to be dedicated for public or private use. |

YES **NO**

- | | | |
|-------------------------------------|-------------------------------------|---|
| ☐ | ☒ | Provide copies of any covenants or restrictions that are intended to cover all or part of the land area to be developed. |
| ☐ | ☒ | Indicate limits of the wetland areas on the property. |
| ☐ | ☒ | Delineate existing zoning boundaries within 1,000 feet of the site. |
| ☐ | ☒ | Stamp and signature of either a Maine licensed land surveyor, professional engineer, or architect responsible for said plan. |
| ☒ | ☐ | Any other exhibits or data deemed necessary by the Planning Board to evaluate the proposed development for site plan review purposes. |

Pine Point Heights LLC
Proposal for a 3 lot subdivision at 253-255 Hill St Biddeford
Cover Letter

To the Biddeford Planning Board and related parties;

I am proposing to convert 253-255 Hill st that is currently a duplex on 16570 sf lot in the R-2 zone. The zone allows for 4500sf lots with 45 feet of road front. This property is part of a subdivision created in the 1940s and was then 3 lots, please see attached original subdivision map. I would like to convert the duplex that is 2 beds and 1 bath per side to a 4 bed 2 bath ranch and create two additional lots for single family homes. The project will create 3 single family homes intown for home ownership with adding any new infrastructure and only using what is currently there.

Sincerely

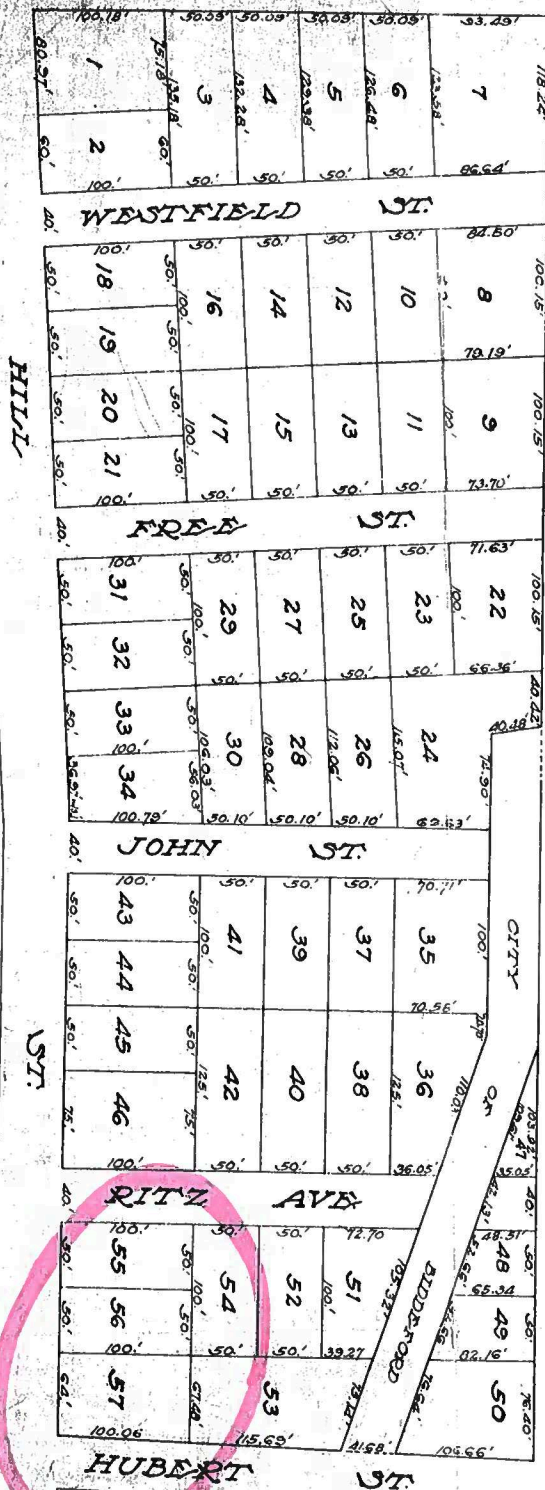
Matthew Chamberlain

Pine Point Heights LLC

PLAN OF THE CIRCUS FIELD

OWNED BY JOHN W. RITZ
BIDDEFORD - MAINE
Scale 1 in. = 50 ft. July 17, 1947
Libby & Dow - Biddeford
Maine

Surveyed by
John W. Ritz
Libby & Dow
Maine





April 8th, 2021

Pine Points Heights, LLC
ATTN: Matthew Chamberlain
762 Main Street
South Portland, ME

Re: Ability to Serve – 253 & 255 Lot 2 and Lot 3 Subdivision – Biddeford Maine

Dear Mr. Chamberlain,

The Maine Water Company (MWC), has received your request for an Ability to Serve Determination for the property located on 253 & 255 Hill Street, Biddeford, Maine for the above referenced project. The request indicates that two additional lots will be split for single family homes as shown on the Sketch Plan for Matt Chamberlain and drawn by Paul P. Gadbois. The static pressure in the area is approximately **45psi**. Based on the criteria that has been presented, MWC does have sufficient capacity in the area from the existing 8-inch mains on Hubert and Hill Streets and the 2-inch main on Ritz Ave to serve this project with 1-inch domestic water service connections. Additional infrastructure improvements may be required at the expense of the developer to meet the overall needs of this project.

Conditions of Service

- New services to these lots will require additional MWC coordination, paperwork and fees.
- Additional changes to this location would require further review from MWC.
- Additional coordination with MWC is required before construction on any waterworks infrastructure.
- Coordination with MWC with 30 days of advance notice before any water works construction is required.

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

All work must be completed in accordance with MWC material and installation specifications. All appropriate paperwork must be completed and deposit paid prior to the start of construction. Please forward all design plan revisions as the project develops.

Water service will be provided in accordance with our standard terms and conditions as well as Maine Public Utilities Commission rules. If you have any additional questions, please do not hesitate to contact our office at 1-800-287-1643 or by email at Marcus.Knipp@mainewater.com. We look forward to working with you throughout design and construction.

Sincerely,
The Maine Water Company

A handwritten signature in black ink, appearing to read "Marcus Knipp".

Marcus Knipp, E.I.T.
Engineer

City of Biddeford, Maine
Wastewater Department
205 Main Street · PO Box 586 · Biddeford, Maine 04005-0586
Telephone 207 284-9118

Letter of Wastewater Treatment Plant Capacity to Serve

Hill Street

Matt Chamberlain
DB/OWNER/BROKER
Regency Realty Group
762 Main Street
South Portland, ME 04106

April 12, 2021

Brief description of project: Three lot subdivision at 253-255 Hill Street. Estimated increase in flows: **500 gpd** (2 new lots)

Determination

The City of Biddeford Wastewater Department has reviewed the request to serve the above-described project. It has been determined that at this time the City has sufficient capacity at the City's Wastewater Treatment Facilities to serve the above described project. It is estimated that 500 gpd of additional flows will be added from the project. Changes to the project from that presented to this department may require a new review of the request for ability to serve. This determination will be effective for a period of one year from the date above.

Upon approval of the Planning Board, the applicant must make application for sewer service. Flow amounts for the project will be determined at the time application is made and may or may not be the amount stated above. The applicant will be required to pay all fees based on the flow amount calculated at the time application is made and prior to the issuance of any building permits.

This Capacity to Serve Letter is intended only to indicate that the City of Biddeford Wastewater Treatment Facilities has the ability to handle and treat the flow from the above stated project once it is received at the treatment facility. The Planning Department, Engineering Department or other persons from the Wastewater Department may require further studies, calculations or documentation to determine any actions that may need to be taken to address any impacts/capacity issues this project may have on the City's sewer collection and conveyance system(s) or its components.

Thomas Milligan, PE
City Engineer
City of Biddeford Engineering Department
Tom.milligan@biddefordmaine.org
207-284-9118

CC: Jeff Demers, Public Works/Wastewater Director
Roby Fecteau, Code Enforcement
Greg Tansley, City Planner
Alex Buechner, Superintendent

PURCHASE AND SALE AGREEMENT

("days" means business days unless otherwise noted, see paragraph 23)

March 8, 2021
Offer Date

MARCH 8, 2021 Effective Date
Effective Date is defined in Paragraph 23 of this Agreement.

1. PARTIES: This Agreement is made between Pine Point Heights LLC

Hersey Enterprises

("Buyer") and
("Seller").

2. DESCRIPTION: Subject to the terms and conditions hereinafter set forth, Seller agrees to sell and Buyer agrees to buy ☒ all part of (if "part of" see para. 26 for explanation) the property situated in municipality of Biddeford, County of YORK, State of Maine, located at 253-255 Hill St and described in deed(s) recorded at said County's Registry of Deeds Book(s) 17852, Page(s) 16

3. FIXTURES: The Buyer and Seller agree that all fixtures, including but not limited to existing storm windows, screens, shades and/or blinds, shutters, curtain rods, built-in appliances, heating sources/systems including gas and/or kerosene-fired heaters and wood/pellet stoves, sump pump, electrical fixtures, hard-wired generators, landscaping, and n/a are included with the sale except for the following: no exceptions
Seller represents that all mechanical components of fixtures will be operational at the time of closing except: no exceptions

4. PERSONAL PROPERTY: The following items of personal property as viewed on March 6, 2021 are included with the sale at no additional cost, in "as is" condition with no warranties: n/a

5. PURCHASE PRICE/EARNEST MONEY: For such Deed and conveyance Buyer agrees to pay the total purchase price of \$250,000.00. Buyer ☐ has delivered; or ☒ will deliver to the Agency within 3 days of the Effective Date, a deposit of earnest money in the amount \$ 2,500.00. Buyer agrees that an additional deposit of earnest money in the amount of \$ n/a will be delivered n/a.
If Buyer fails to deliver the initial or additional deposit in compliance with the above terms Seller may terminate this Agreement. This right to terminate ends once Buyer has delivered said deposit(s). The remainder of the purchase price shall be paid by wire, certified, cashier's or trust account check upon delivery of the Deed.

This Purchase and Sale Agreement is subject to the following conditions:

6. ESCROW AGENT/ACCEPTANCE: Regency Realty Group ("Agency") shall hold said earnest money and act as escrow agent until closing; this offer shall be valid until March 9, 2021 (date) 12 ☐ AM ☒ PM; and, in the event of non-acceptance, this earnest money shall be returned promptly to Buyer.

7. TITLE AND CLOSING: A deed, conveying good and merchantable title in accordance with the Standards of Title adopted by the Maine Bar Association shall be delivered to Buyer and this transaction shall be closed and Buyer shall pay the balance due and execute all necessary papers on April 15, 2021 (closing date) or before, if agreed in writing by both parties. If Seller is unable to convey in accordance with the provisions of this paragraph, then Seller shall have a reasonable time period, not to exceed 30 calendar days, from the time Seller is notified of the defect, unless otherwise agreed to in writing by both Buyer and Seller, to remedy the title. Seller hereby agrees to make a good-faith effort to cure any title defect during such period. If, at the later of the closing date set forth above or the expiration of such reasonable time period, Seller is unable to remedy the title, Buyer may close and accept the deed with the title defect or may terminate this Agreement in which case the parties shall be relieved of any further obligations hereunder and any earnest money shall be returned to the Buyer.

8. DEED: The property shall be conveyed by a Warranty deed, and shall be free and clear of all encumbrances except covenants, conditions, easements and restrictions of record which do not materially and adversely affect the continued current use of the property.

9. POSSESSION, OCCUPANCY, AND CONDITION: Unless otherwise agreed in writing, possession and occupancy of premises, free of tenants and occupants, shall be given to Buyer immediately at closing. Said premises shall then be broom clean, free of all possessions and debris, and in substantially the same condition as at present, excepting reasonable use and wear. Buyer shall have the right to view the property within 24 hours prior to closing.

10. RISK OF LOSS, DAMAGE, DESTRUCTION AND INSURANCE: Prior to closing, risk of loss, damage, or destruction of premises shall be assumed solely by the Seller. Seller shall keep the premises insured against fire and other extended casualty risks prior to closing. If the premises are damaged or destroyed prior to closing, Buyer may either terminate this Agreement and be refunded the earnest money, or close this transaction and accept the premises "as-is" together with an assignment of the insurance proceeds relating thereto.

11. FUEL/UTILITIES/PRORATIONS: Buyer ☐ shall ☒ shall not pay Seller at closing for all fuel in any tanks remaining on the property calculated as of the closing date or such earlier date as required to comply with lender requirements, if any. The amount owed, if any, shall be determined using the most recently available cash price of the company that last delivered the fuel. Metered utilities such as electricity, water and sewer will be paid through the date of closing by Seller. The following items, where applicable, shall be prorated as of the date of closing: collected rent, association fees, (other) n/a. The day of closing is counted as a Seller day. Real estate taxes shall be prorated as of the date of closing (based on municipality's fiscal year). Seller is responsible for any unpaid taxes for prior years. If the amount of said taxes is not known at the time of closing, they shall be apportioned on the basis of the taxes assessed for the preceding year with a reapportionment as soon as the new tax rate and valuation can be ascertained, which latter provision shall survive closing. Buyer and Seller will each pay their transfer tax as required by State of Maine.

12. DUE DILIGENCE: Neither Seller nor Licensee makes any warranties regarding the condition, permitted use or value of Sellers' real or personal property, or any representations as to compliance with any federal, state or municipal codes, including, but not limited to, fire, life safety, electrical and plumbing. Buyer is encouraged to seek information from professionals regarding any specific issue or concern.

☐ Buyer's obligation to close under this Agreement is not subject to any due diligence investigations. Buyer is relying completely upon Buyer's own opinion as to the condition of the property.

☒ Buyer's obligation to close under this Agreement is subject to Buyer's satisfaction with the results of any due diligence investigations undertaken. Buyer shall have 10 days from the Effective Date of this Agreement to perform such due diligence investigations as Buyer deems necessary which may include, but are not limited to, any or all of the following:

General Building	Square Footage	Zoning	Survey/MLI	Habitat Review/Waterfowl
Sewage Disposal	Code Conformance	Pests	Lead Paint	Shoreland Septic
Water Quality	Registered Farmland	Pool	Flood Plain	Energy Audit
Water Quantity	Environmental Scan	Insurance	Chimney	Lot Size/Acreage
Air Quality	Smoke/CO Detectors	Mold	Tax Status*	Arsenic Wood/Water (see par. 13)

All investigations will be done at Buyer's expense by persons chosen by Buyer in Buyer's sole discretion. Seller agrees to cooperate with Buyer and shall give Buyer and Buyer's agents and consultants reasonable access to the property and its systems and fixtures in order to undertake the above investigations. Buyer agrees to take reasonable steps to return the property to its pre-inspection condition. If the result of any investigation is unsatisfactory to Buyer in Buyer's sole discretion, Buyer may terminate this Agreement by notifying Seller in writing within the specified number of days, and any earnest money shall be returned to Buyer. If the result of any investigation is unsatisfactory to Buyer, and Buyer wishes to pursue remedies other than voiding the Agreement, Buyer must do so to full resolution within the time period set forth above; otherwise this contingency is waived. If Buyer does not notify Seller that an investigation is unsatisfactory within the time period set forth above, or if any investigation under this paragraph is not performed or completed during the period specified in this paragraph, this contingency and the right to conduct an investigation are waived by Buyer.

* If the property is enrolled in the Maine Tree Growth Tax program, Seller agrees to provide Buyer with the current Forest Management and Harvest Plan within n/a days. ☐ Yes ☐ No

13. PROPERTY DISCLOSURE FORM: Buyer acknowledges receipt of Property Disclosure Form and the information developed by the Maine Center for Disease Control and Prevention regarding arsenic in private water supplies and arsenic in treated wood.

14. FINANCING: Buyer's obligation to close:

Not Subject to Financing

- ☐ is not subject to a financing contingency. Buyer has provided Seller with acceptable proof of the funds.
- ☒ is not subject to a financing contingency. Buyer shall provide proof of the funds acceptable to Seller within 2 days. If such proof is unacceptable to Seller, Seller may terminate this Agreement no later than 2 days from receipt. If proof of funds is not provided within such time period, Seller may terminate this Agreement which right shall end once such proof is received, however Seller retains the agreed upon time period to terminate if such proof is unacceptable. If Seller terminates in either case, the earnest money shall be returned to Buyer.

- ☐ Buyer's ability to purchase ☐ is ☒ is not subject to the sale of another property. See addendum ☐ Yes ☒ No.

Subject to Financing

- ☐ Buyer's obligation to close is subject to financing as follows:

- a. Buyer's obligation to close is subject to Buyer obtaining a loan of % of the purchase price, at an interest rate not to exceed % and amortized over a period of years. Buyer is under a good faith obligation to seek and obtain financing on these terms. If such financing is not available to Buyer as of the closing date, Buyer is not obligated to close and may terminate this Agreement in which case the earnest money shall be returned to Buyer.
- b. Buyer to provide Seller with letter from lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested within days from the Effective Date of the Agreement. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
- c. Buyer hereby authorizes, instructs and directs its lender to communicate the status of the Buyer's loan application to Seller, Seller's licensee and Buyer's licensee.
- d. After (b) is met, if the lender notifies Buyer that it is unable or unwilling to provide said financing, Buyer is obligated to provide Seller with the written documentation of the loan denial within two days of receipt. After notifying Seller, Buyer shall have days to provide Seller with a letter from another lender showing that Buyer has made application for loan specified in (a) and, subject to verification of information, is qualified for the loan requested. If Buyer fails to provide Seller with such letter within said time period, Seller may terminate this Agreement and the earnest money shall be returned to Buyer. This right to terminate ends once Buyer's letter is received.
- e. Buyer agrees to pay no more than points. Seller agrees to pay up to \$ toward Buyer's actual pre-pays, points and/or closing costs, but no more than allowable by Buyer's lender.
- f. Buyer's ability to obtain financing ☐ is ☐ is not subject to the sale of another property. See addendum ☐ Yes ☐ No.
- g. Buyer may choose to pay cash instead of obtaining financing. If so, Buyer shall notify Seller in writing including providing proof of funds and the Agreement shall no longer be subject to financing, and Seller's right to terminate pursuant to the provisions of this paragraph shall be void and Seller's obligations pursuant to 14e shall remain in full force and effect.

15. BROKERAGE DISCLOSURE: Buyer and Seller acknowledge they have been advised of the following relationships:

<u>Sandy OConner</u> (<u>002495</u>) of <u>The Bean Group</u> (<u>2722</u>)	
<u>Licensee</u>	<u>MLS ID</u> Agency <u>MLS ID</u>
is a ☒ Seller Agent ☐ Buyer Agent ☐ Disc Dual Agent ☐ Transaction Broker	
<u>Matthew Chamberlain</u> (<u>003161</u>) of <u>Regency Realty Group</u> (<u>2438</u>)	
<u>Licensee</u>	<u>MLS ID</u> Agency <u>MLS ID</u>
is a ☐ Seller Agent ☒ Buyer Agent ☐ Disc Dual Agent ☐ Transaction Broker	

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

16. DEFAULT/RETURN OF EARNEST MONEY: Buyer's failure to fulfill any of Buyer's obligations hereunder shall constitute a default and Seller may employ all legal and equitable remedies, including without limitation, termination of this Agreement and forfeiture by Buyer of the earnest money. Seller's failure to fulfill any of Seller's obligations hereunder shall constitute a default and Buyer may employ all legal and equitable remedies, including without limitation, termination of this Agreement and return to Buyer of the earnest money. Agency acting as escrow agent has the option to require written releases from both parties prior to disbursing the earnest money to either Buyer or Seller. In the event that the Agency is made a party to any lawsuit by virtue of acting as escrow agent, Agency shall be entitled to recover reasonable attorney's fees and costs which shall be assessed as court costs in favor of the prevailing party.

17. MEDIATION: Earnest money or other disputes within the jurisdictional limit of small claims court will be handled in that forum. All other disputes or claims arising out of or relating to this Agreement or the property addressed in this Agreement (other than requests for injunctive relief) shall be submitted to mediation in accordance with generally accepted mediation practices. Buyer and Seller are bound to mediate in good faith and to each pay half of the mediation fees. If a party fails to submit a dispute or claim to mediation prior to initiating litigation (other than requests for injunctive relief), then that party will be liable for the other party's legal fees in any subsequent litigation regarding that same matter in which the party who failed to first submit the dispute or claim to mediation loses in that subsequent litigation. This clause shall survive the closing of the transaction.

18. PRIOR STATEMENTS: Any representations, statements and agreements are not valid unless contained herein. This Agreement completely expresses the obligations of the parties and may only be amended in writing, signed by both parties.

19. HEIRS/ASSIGNS: This Agreement shall extend to and be obligatory upon heirs, personal representatives, successors, and assigns of the Seller and the assigns of the Buyer.

20. COUNTERPARTS: This Agreement may be signed on any number of identical counterparts with the same binding effect as if the signatures were on one instrument. Original or faxed or other electronically transmitted signatures are binding.

21. SHORELAND ZONE SEPTIC SYSTEM: Seller represents that the property ☐ does ☒ does not contain a septic system within the Shoreland Zone. If the property does contain a septic system located in the Shoreland Zone, Seller agrees to provide certification at closing indicating whether the system has/had not malfunctioned within 180 calendar days prior to closing.

22. NOTICE: Any notice, communication or document delivery requirements hereunder may be satisfied by providing the required notice, communication or documentation to or from the parties or their Licensee. Only withdrawals of offers and counteroffers will be effective upon communication, verbally or in writing.

23. EFFECTIVE DATE/BUSINESS DAYS: This Agreement is a binding contract when the last party signing has caused a paper or electronic copy of the fully executed agreement to be delivered to the other party which shall be the Effective Date. Licensee is authorized to fill in the Effective Date on Page 1 hereof. Except as expressly set forth to the contrary, the use of the term "days" in this Agreement, including all addenda made a part hereof, shall mean business days defined as excluding Saturdays, Sundays and any observed Maine State/Federal holidays. Deadlines in this Agreement, including all addenda, expressed as "within x days" shall be counted from the Effective Date, unless another starting date is expressly set forth, beginning with the first day after the Effective Date, or such other established starting date, and ending at 5:00 p.m. Eastern Time on the last day counted. Unless expressly stated to the contrary, deadlines in this Agreement, including all addenda, expressed as a specific date shall end at 5:00 p.m. Eastern Time on such date.

24. CONFIDENTIALITY: Buyer and Seller authorize the disclosure of the information herein to the real estate licensees, attorneys, lenders, appraisers, inspectors, investigators and others involved in the transaction necessary for the purpose of closing this transaction. Buyer and Seller authorize the lender and/or closing agent preparing the closing disclosure and/or settlement statement to release a copy of the closing disclosure and/or settlement statement to the parties and their licensees prior to, at and after the closing.

25. ADDENDA: Lead Paint - ☒ Yes ☐ No ; Other - ☒ Yes ☐ No Explain: Multi Family Addenda

The Property Disclosure Form is not an addendum and not part of this Agreement.

26. OTHER CONDITIONS: n/a

Buyer is a licensed Real Estate Agent in Maine

27. GENERAL PROVISIONS:

- A copy of this Agreement is to be received by all parties and, by signature, receipt of a copy is hereby acknowledged. If not fully understood, contact an attorney. This is a Maine contract and shall be construed according to the laws of Maine.
- Seller acknowledges that State of Maine law requires buyers of property owned by non-resident sellers to withhold a prepayment of capital gains tax unless a waiver has been obtained by Seller from the State of Maine Revenue Services.
- Buyer and Seller acknowledge that under Maine law payment of property taxes is the legal responsibility of the person who owns the property on April 1, even if the property is sold before payment is due; If any part of the taxes is not paid when due, the lien will be filed in the name of the owner as of April 1 which could have a negative impact on their credit rating. Buyer and Seller shall agree at closing on their respective obligations regarding actual payment of taxes after closing. Buyer and Seller should make sure they understand their obligations agreed to at closing and what may happen if taxes are not paid as agreed.
- Buyer acknowledges that Maine law requires continuing interest in the property and any back up offers to be communicated by the listing agent to the Seller.
- Whenever this Agreement provides for earnest money to be returned or released, agency acting as escrow agent must comply with the Maine Real Estate Commission rules which may require written notices or obtaining written releases from both parties.

28. ELECTRONIC SIGNATURES: Pursuant to the Maine Uniform Electronic Transactions Act and Digital Signature Act, the parties authorize and agree to the use of electronic signatures as a method of signing/initialing this Agreement, including all addenda. The parties hereby agree that either party may sign electronically by utilizing an electronic signature service.

Buyer's Mailing address is

BUYER Pine Point Heights LLC

3/8/21
DATE

BUYER

DATE

BUYER

DATE

BUYER

DATE

Seller accepts the offer and agrees to deliver the above-described property at the price and upon the terms and conditions set forth and agrees to pay agency a commission for services as specified in the listing agreement.

Seller's Mailing address is

SELLER Hersey Enterprises

3-8-2021
DATE

SELLER

DATE

SELLER

DATE

SELLER

DATE

COUNTER-OFFER

Seller agrees to sell on the terms and conditions as detailed herein with the following changes and/or conditions:

The parties acknowledge that until signed by Buyer, Seller's signature constitutes only an offer to sell on the above terms and the offer will expire unless accepted by Buyer's signature with communication of such signature to Seller by (date) _____ (time) _____ ☐ AM ☐ PM.

SELLER

DATE

SELLER

DATE

SELLER

DATE

SELLER

DATE

The Buyer hereby accepts the counter offer set forth above.

BUYER

DATE

BUYER

DATE

BUYER

DATE

BUYER

DATE

EXTENSION

The closing date of this Agreement is extended until

DATE

SELLER

DATE

SELLER

DATE

SELLER

DATE

SELLER

DATE

BUYER

DATE

BUYER

DATE

BUYER

DATE

BUYER

DATE

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253-255 HLD 81



mgchamberlain48@gmail.com

From: Fecteau, Roby <robby.fecteau@biddefordmaine.org>
Sent: Wednesday, March 10, 2021 12:11 PM
To: mgchamberlain48@gmail.com
Cc: Meghan Fenton
Subject: RE: 253-255 Hill St

Okay the setback for existing is fine

From: mgchamberlain48@gmail.com <mgchamberlain48@gmail.com>
Sent: Wednesday, March 10, 2021 10:06 AM
To: Fecteau, Roby <robby.fecteau@biddefordmaine.org>
Cc: Meghan Fenton <meghan.fenton@biddefordmaine.org>
Subject: RE: 253-255 Hill St

Roby, I will not be demolishing the existing building but only changing it from a two unit to a single family home. Its only the existing building that has a set back issue currently. The new construction will meet the required setback once built.

From: Fecteau, Roby <robby.fecteau@biddefordmaine.org>
Sent: Wednesday, March 10, 2021 9:50 AM
To: mgchamberlain48@gmail.com
Cc: Meghan Fenton <meghan.fenton@biddefordmaine.org>
Subject: RE: 253-255 Hill St

Matthew,

Looking at the surrounding area the setbacks are pretty much equal for existing buildings. That said, would you be demolishing it? We would need a survey to document the average set back in the area for new construction.

Roby

From: mgchamberlain48@gmail.com <mgchamberlain48@gmail.com>
Sent: Tuesday, March 9, 2021 11:30 AM
To: Fecteau, Roby <robby.fecteau@biddefordmaine.org>
Subject: 253-255 Hill St

Roby, I spoke with Greg in Planning and he said to talk with you. I want to subdivide 253-255 Hill St and take the existing two unit building and make it a single family home. The current two unit appears to be about 20 feet from Hill st and being an R-2 zone it needs t be 25 feet off the road. Since the structure was built in the 40s will it be grandfathered so I don't have to move the house back 5 feet? I have until Thursday to move forward or kill the deal. Thanksin advance.

Matthew Chamberlain
450-7653

The contents of this e-mail message and any attachments are confidential and are intended solely for addressee. The information may also be legally privileged. This transmission is sent in trust, for the sole purpose of delivery to the intended recipient. If you have received this transmission in error, any use, reproduction or dissemination of this transmission is strictly prohibited. If you are not the intended recipient, please immediately notify the sender by reply e-mail or phone and delete this message and its attachments, if any.

PLANNING BOARD
REPORT

April 29, 2021

Biddeford Planning Board
Greg Tansley, City Planner
City of Biddeford
205 Main Street
Biddeford, Maine 04005

Application: Adams Point Housing – Southern Maine Affordable Housing
69 Adams Street (Tax Map 38 Lot 296)

Site Plan/Subdivision Sketch Plan Review

Review Status: New application.

Board members and Mr. Tansley,

The following application information has been provided for review:

1. Application form dated 4/14/2021.
2. Letter Requesting Contract Zone from Southern Maine Affordable Housing dated 3/18/2021.
3. Engineering Concept Plan set entitled: *Adams Point Housing, Biddeford, Maine*. Date: 4/14/2021. Prepared by Oak Point Associates. (includes Existing Conditions, Site Plan, Utility Plan, Grading Plan, East Drive Profile, and 3D Views)
4. Architectural Floor Plans entitled: *Adams Point Multi Family Housing*. Dated 4/6/2021. Prepared by CHA Architecture.
5. Landscape Plan entitled Adams Point dated April 2021, prepared by Carroll Associates.

With review of the above information and the Land Development Regulations, I offer the following comments on compliance with the City's ordinances.

PROJECT DESCRIPTION

The project site, located on an approx. 1.5 AC vacant lot in the MSRD-2 Zone between. The property has access to Adams Street to the north and, via a 15-foot wide water easement, access to Birch Street to the south. The site is located behind the current Parish Place Apartments, and the St. James School and Ledgewood Apartments (Graham Street). The applicant is seeking approval, in conjunction with a contract zone, for 39 affordable housing units in a new five story building.

COMPLETENESS REVIEW

The application is before the Planning Board as required by Article XI (Site Plan Review) of the Land Development Regulations and Chapter 66 (Subdivisions) subject to Site Plan and Subdivision review and approval. Per the City's Subdivision ordinance (66-26), all applications have a three tier approval process beginning with a Sketch plan review.

The applicant has prepared and submitted information that is adequate for a Sketch Plan review. With an eye on the preliminary plan review and considering the scale of the proposal and that it is subject to both site plan and subdivision standards and requirements, it would be helpful for the applicant to provide a narrative(s) that address how the application conforms to the various applicable standards and identify all requested waivers, and in this case, identify those factors addressed by the proposed contract zone.

REVIEW PROCESS

The Planning Board and City Planner may consider the process moving forward since this application is subject to both subdivision and site plan. Per Section 66-4(b) the Planning Board, at its discretion, may decide to use the Site Plan Review procedures (Article XI, Part II) for application review instead of what is required under Chapter 66. The Board should discuss this with the applicant and determine what the expectation is for the next application submission. Whatever the process, the application is subject to all applicable site plan and subdivision standards. The primary difference is that under Chapter 66 there are two additional reviews after Sketch Plan; preliminary and a final plan reviews, while under Site Plan there is only a single final plan review after approval of the Sketch Plan (per Sec.3.C.3 Major Project Development Review).

COMPLIANCE WITH THE CITY'S ORDINANCES

When considering the review at this point, it is intended by the process to be general in nature, the applicant should take the opportunity to introduce the project and the Board should ask questions and provide feedback. The following are comments that Board and the applicant may consider in the discussion:

1. Proposed sidewalk. At first glance it appears the proposed sidewalk along the entrance drive ends abruptly at Adams Street. With closer examination, the applicant may be assuming that simply terminating it at the public ROW is sufficient to connect with the public sidewalk. The Planning Board and the applicant should discuss the expectation here concerning pedestrian connections the two existing public sidewalks along Adams Street. Perhaps the applicant, in consultation with Public Works, should propose a design for appropriate crosswalks and sidewalk ramps within the ROW.

2. Parking design. It is assumed that the proposed number of parking spaces is based on the requested (March 18, 2021 letter from the applicant) parking requirement of .75 spaces per housing unit, rather than the 2 spaces per unit required. It is stated that this has been found to be the average for the other affordable housing developments the applicant manages. Considering the 33 dwelling units referenced in the 3/18 letter (the application includes 39 proposed units, the applicant should clarify), and the reduced ratio, 25 parking spaces would be required. This would include the required single van accessible handicap parking space. Is there a need for the 10 other accessible spaces proposed?
3. Site design. The applicant should discuss constraints of the site and the proposed building location. Has there been any consultation with the Fire Department that has been informed the current site design? With consideration of what appears to be a 17-foot-high wall in the vicinity of the first parking space to the left coming up the driveway, and the potential for less parking and need for closer fire access to the building, perhaps the location of new parking proposed as close as it is along the steep southeast slope of the property should be reconsidered. Other items that might be considered for discussion/elaboration include: the need for a vehicular drop-off and type of open space (see landscape plan) being proposed.
4. In addition to the general site development and subdivision standards, the applicant should review Section 47 Multifamily developments (Article VI Performance Standards under the Land Development Regulations (LDR)). The Planning Board should provide input early on one provision in particular, Sec.47.D.3 concerning the Board's discretion on requiring more than one street access for development containing more than 15 dwelling units.
5. The Board may want the applicant to elaborate on the building's architectural design and how it will appear among the neighboring buildings adjacent to the site and in the area. The Board should share their expectations on what architectural information is to be included in subsequent submittals.
6. A parking plan with bicycle and pedestrian components is required for all development within the MSRD districts, per Sec. 49 Off-street parking and loading.

WAIVER REQUESTS

None requested. The applicant should review compliance with standards and provide a list of those standards they seek a waiver from along with a rationale for the Board to grant it.

CONCLUSION

The submitted application provides a enough information for Board members to comment on and ask questions and begin to familiarize themselves with the project. Depending on the review process the Board determines to follow, the Planning Board, after it has completed the conceptual review and provided feedback to the applicant, can consider voting to approve/approve with conditions the sketch plan application (per Sec.3.C.4.A under Procedure for Site Development) or

direct the applicant to prepare and submit a preliminary plan application (per Sec. 66-35 through 66-38). The Board can also continue the application to another meeting if the Board wants to see a revised plan and/or additional information. **For suggested motions see Planning Board Packet Summary.**

Feel free to contact me with questions.

Best regards,



Christopher Di Matteo
City of Biddeford Contract Planner.
cdimatteo@longmeadowpla.com
207.604.4245



OAK POINT
ASSOCIATES

architecture
engineering
planning

April 14, 2021

Greg Tansley
Biddeford Planning Department
P.O. Box 586
205 Main Street
Biddeford, Maine 04005

Re: Concept Plan Submission
Adams Point Housing
25 Tiger Drive
Biddeford, Maine 04005

Dear Greg,

Please find enclosed 10 copies of the application, and concept plan drawings for the above referenced project. The application fee will be submitted by the applicant under separate cover. We are seeking to be placed on the May 5 agenda.

The project location is at the end of Adams street in the former location of the Convent building that was lost in a fire around 1995. The property is approximately 1.4 acres and currently has small driveway and remains of a carriage house foundation.

Southern Maine Affordable housing also owns Parish Place on Birch Street which abuts this property. Parish Place will grant an easement to this property to allow utility and pedestrian connection to Birch street. 69 Adams street also has the benefit of a water line easement on the St James school property that may be used for water service.

The proposed project consists of 39 unit of affordable family housing and has started the contract zone process by a successful vote by the City Council to proceed to the Planning Board stage. It is our understanding that after the Planning Board process is complete, the project will be required to go before the City Council for final contract zone approval. The request for contract zone is for density (39 units), height (5 stories/60 feet), and Parking (0.75 spaces per unit).

Utilities are anticipated to be all underground and will be connected either on Birch street or Adam's street depending on capacities.

We look forward to presenting the Sketch plan submission to the planning board for initial comments and feedback. Please contact me to let me know if you have any questions.

Jacques L Gagnon Jr., PE, LEED AP
Associate

Encl.

CITY OF BIDDEFORD, MAINE
PLANNING BOARD
P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

APPLICATION FORM

Type of Application:

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

Applicant Information:

Applicant's Name: Southern Maine Affordable Housing

Applicant's Mailing Address: 22 South Street Biddeford, ME 04005

Applicant's Telephone: 207-415-2939

What is Applicant's legal interest in the property?

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

Owner's Name: Same as Above

Owner's Address: _____

Owner's Telephone: _____

Agent's Name: Jacques Gagnon Jr. P.E, LEED AP

Agent's Address: 231 Main Street Biddeford, ME 04005

Telephone: 207-283-0193

Engineer/Surveyor: Oak Point Associates

Engineer/Surveyor's Address: same as agent

Telephone: _____

Project Location and Lot Information:

Street Address: 69 Adams Street

Tax Map: 38 Lot: 296

Current Zoning: MSRD-2 Shoreland Zoning: N/A

Size of lot: 1.44 ☒ acres ☐ s.f. Lot Frontage: 85.18

Existing Use of Property: Vacant (former convent burned in 1995)

Property currently serviced by:

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

Slope Conditions in Area of Construction (if applicable):

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

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

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

Description of proposed use of property:

Project/Proposed Use Description: Construct 39 unit family housing

Property to be serviced by:

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

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

☐ If in a Shoreland Zone: **N/A**

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

Percent of structure expansion (Max. 30%): _____

☒ If Subdivision Review, number of lots proposed: **39 dwelling units**

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

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

Total new square feet footprint of structures: **9,050 sf**

Total new square feet paving/parking: **24,050 sf**

Waiver Requests (attach details):

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

Attachments: **N/A for Concept Plan**

A. Letters of Approval

- ☐ Fire Department - Contact Chief or Deputy Chief - 282-9986
- ☐ Ability to Serve for Water Service – Maine Water - 282-1543
- ☐ Ability to Serve for Sewer Service- Engineering Dept (Sewer) - Tom Milligan 284-9118
- ☐ Police Department - E-911 Road Name Designation - Contact Joanne Fisk - 282-5127

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

C. Photographs of site.

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

E. Engineered Plans, as required.

Fees (due at time of application): \$4,800

Refer to "Attachment A Fees and Charges" of the Land Development Regulations for more information. Consult with Planning Staff if you have questions.

Required Signatures:

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

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

☒ Project proposed to have 1 acre or more of site disturbance:

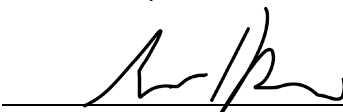
-Project may need to apply for a Maine Construction General Permit and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Signature of applicant:



Date: 4-14-2021

Signature of owner of property:



Date: 4-12-2021

**IF PLAN APPROVAL IS ANTICIPATED, PROVIDE 2 FULL SIZE MYLARS & 2 FULL SIZE PAPER COPIES FOR BOARD SIGNATURE (AS APPLICABLE).
CHECK WITH PLANNING STAFF FOR CLARIFICATION.**

**CHECKLIST FOR
SITE PLAN
REQUIREMENTS** **N/A for Concept Plan**

YES **NO**

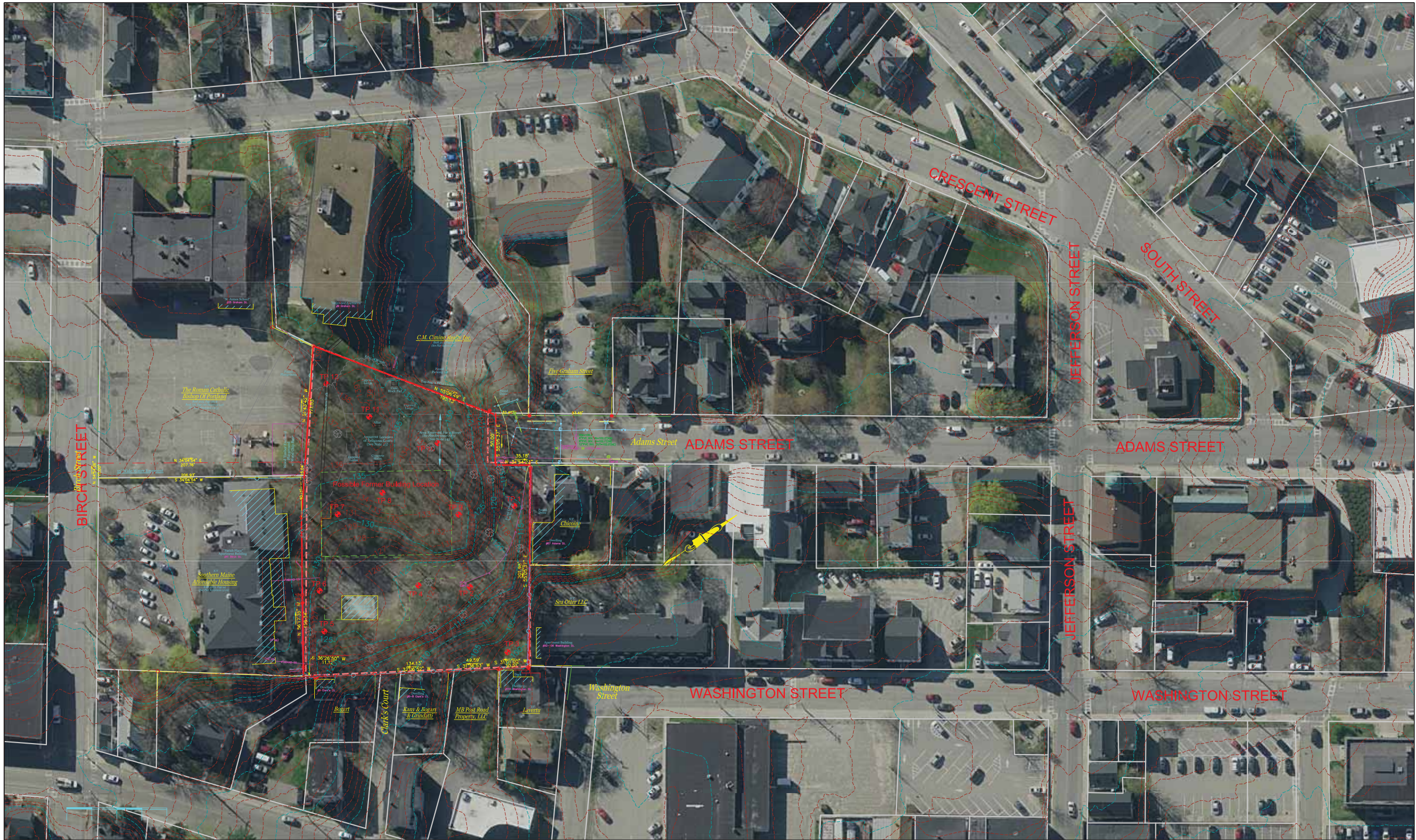
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|--------------------------|--------------------------|--|
| ☐ | ☐ | Be on sheet size of 24 by 36 inches. |
| ☐ | ☐ | The scale of said plan shall be not less than one inch equals 50 feet and shall be indicated on the plat by use of a bar scale. |
| ☐ | ☐ | The plan shall bear the date, title, north point. |
| ☐ | ☐ | The plan shall contain a location or vicinity sketch (suggested scale one inch equals 800 feet). |
| ☐ | ☐ | The plan shall contain the name and address of the developer and applicant. |
| ☐ | ☐ | All appropriate dimensional requirements. |
| ☐ | ☐ | Existing and proposed easements. |
| ☐ | ☐ | Plan of the site showing existing watercourses and water bodies, seasonal wet areas. |
| ☐ | ☐ | Plan of the site showing soil type and location of test borings. |
| ☐ | ☐ | Location of all existing and proposed utilities. |
| ☐ | ☐ | Topographic contours (every five percent for zero to three percent slope; or every two feet for steeper areas). |
| ☐ | ☐ | Plan should include preservation and supplementation of existing dominant vegetation. |
| ☐ | ☐ | Plan shall indicate which features are to be retained and which are to be removed or altered. |
| ☐ | ☐ | Location of stonewalls, graveyards, fences, stands of trees, and other important unique natural areas and site features, including but not limited to floodplains, deer wintering areas, significant wildlife habitats, fisheries, scenic areas, habitat for rare and endangered plants and animals, unique natural communities and natural areas, sand and gravel aquifers, and historic and/or archaeological resources, together with description of such features. |
| ☐ | ☐ | Plan view of all buildings with their use, size, location, and first-floor elevation in respect to grade. |
| ☐ | ☐ | Standard elevation view of existing and proposed buildings or structures on-site. |

YES NO

- | | | |
|--------------------------|--------------------------|---|
| ☐ | ☐ | Outline of any buildings located within 200 feet of such existing or proposed buildings or structures indicating their shape, size, location, heights and volume. |
| ☐ | ☐ | Existing use of abutting properties shall be identified with approximate location of any structures thereon including access roads. |
| ☐ | ☐ | Location, width, curbing, and paving of access ways, egress ways, and streets within the site for both pedestrian and vehicular use. |
| ☐ | ☐ | The location of off-street parking and loading spaces with a layout of the parking indicated. |
| ☐ | ☐ | The size and proposed location of water mains and sanitary sewerage facilities will all necessary engineering data. |
| ☐ | ☐ | The size and location of all other existing and proposed public service connections including, without limitation, gas lines, power lines, telephone lines, and fire alarm connections and locations, indicating whether above or below ground. |
| ☐ | ☐ | The type, nature, and composition of all solid, liquid, and gaseous waste, industrial or otherwise, and the location, type, and design criteria of the storage and disposal facilities dealing with such waste. |
| ☐ | ☐ | A landscape plan and open space areas indicating grade change, vegetation to be preserved, new plantings used to stabilize areas of cut and fill, screening; plus size, location, purpose and type of vegetation. |
| ☐ | ☐ | A drainage plan including location, elevation, layout of catch basins and other surface and subsurface drainage features. |
| ☐ | ☐ | Location, size and design of proposed signs and other advertising or instructional devices. |
| ☐ | ☐ | Existing and proposed contours and finished grade elevations as well as the type, extent, and location of existing and proposed landscaping and open space areas which will be retained. |
| ☐ | ☐ | Location and type of lighting for outdoor facilities. |
| ☐ | ☐ | Lines of existing and proposed abutting streets showing width. |
| ☐ | ☐ | Surveyed property lines showing their bearing and distances and monument locations. |
| ☐ | ☐ | If subdivision is involved, the lines and names of all proposed streets, lanes, ways, or easements intended to be dedicated for public or private use. |

YES **NO**

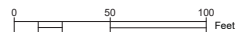
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| ☐ | ☐ | Provide copies of any covenants or restrictions that are intended to cover all or part of the land area to be developed. |
| ☐ | ☐ | Indicate limits of the wetland areas on the property. |
| ☐ | ☐ | Delineate existing zoning boundaries within 1,000 feet of the site. |
| ☐ | ☐ | Stamp and signature of either a Maine licensed land surveyor, professional engineer, or architect responsible for said plan. |
| ☐ | ☐ | Any other exhibits or data deemed necessary by the Planning Board to evaluate the proposed development for site plan review purposes. |



ADAMS POINT HOUSING - BIDDEFORD, ME

EXISTING CONDITIONS

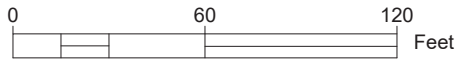
April 14, 2021

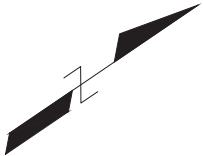




ADAMS POINT HOUSING - BIDDEFORD, ME
SITE PLAN

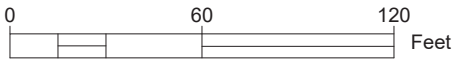
April 14, 2021





ADAMS POINT HOUSING - BIDDEFORD, ME
UTILITY PLAN

April 14, 2021

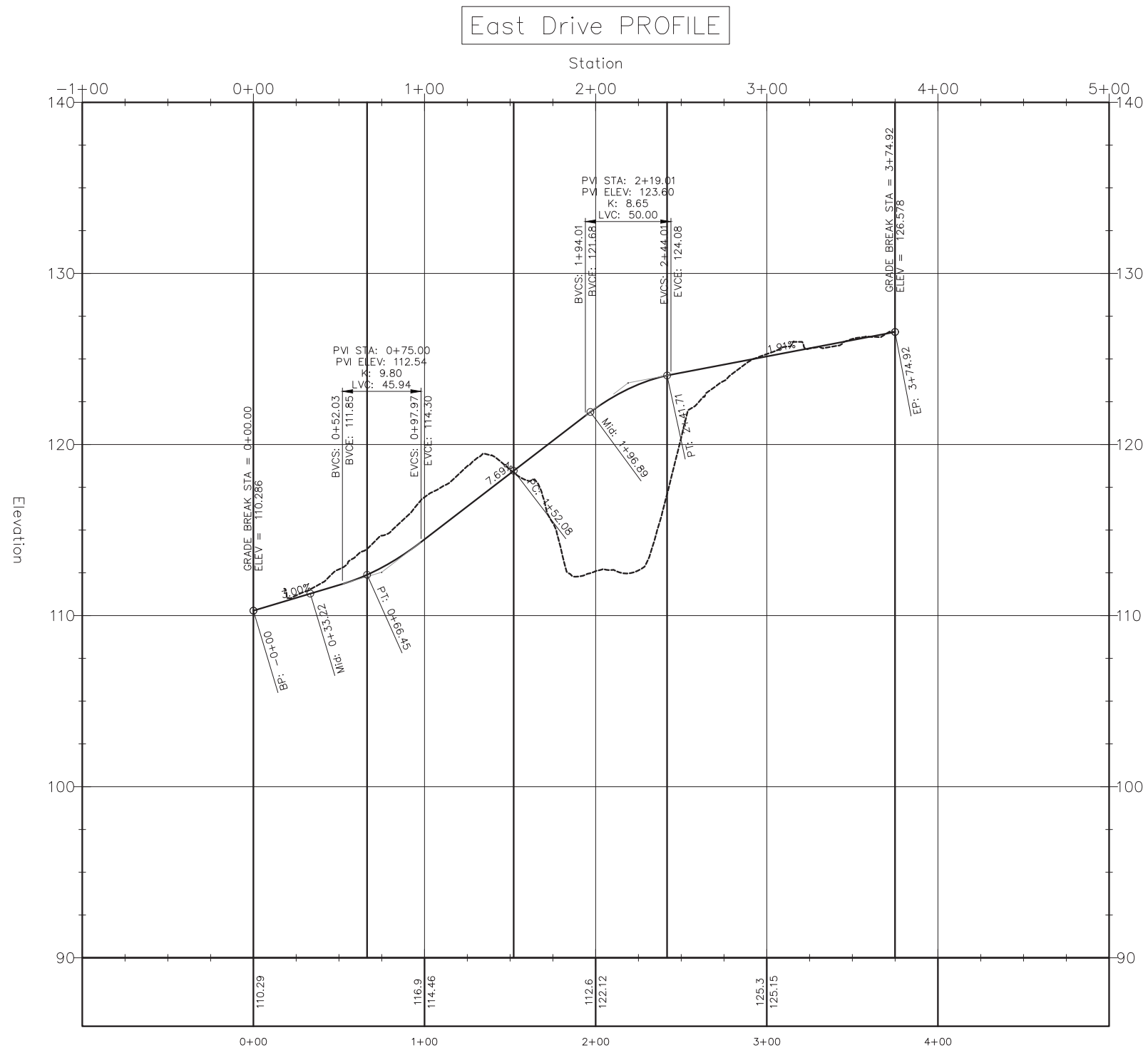




ADAMS POINT HOUSING - BIDDEFORD, ME
GRADING PLAN

April 14, 2021

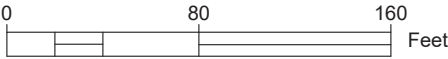


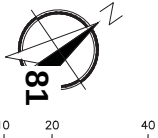


ADAMS POINT HOUSING - BIDDEFORD, ME

EAST DRIVE PROFILE

April 14, 2021

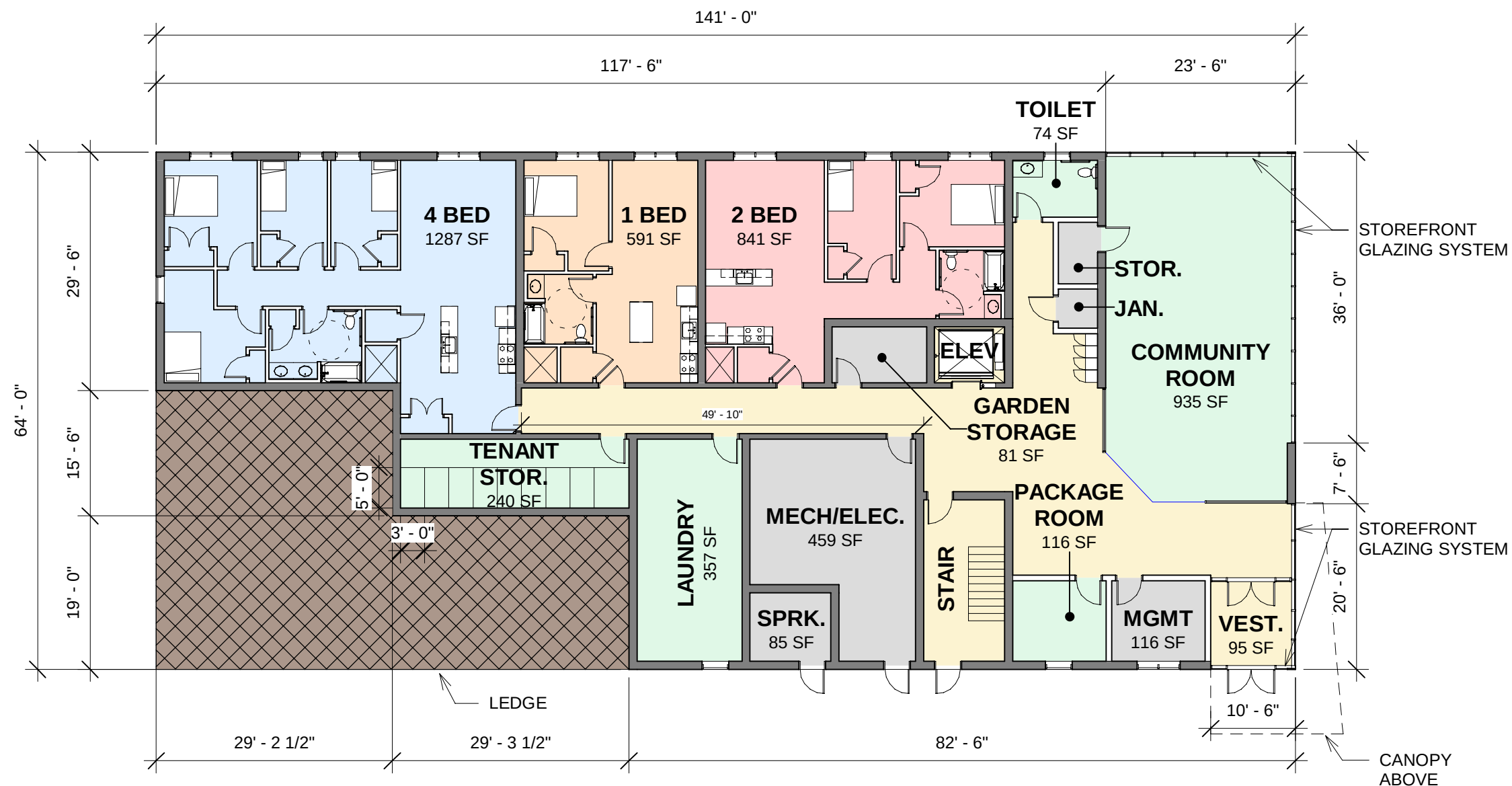




- | TEXTURAL CLASS | % OF TOTAL WEIGHT | AVERAGE % |
|-----------------------|-------------------|-----------|
| SAND (0.05- 2.0 MM) | 45 TO 75% | 60% |
| SILT (0.002- 0.05 MM) | 15 TO 35% | 25% |
| CLAY (< 0.002 MM) | 5 TO 25% | 15% |

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	NATIVE
5	AL	Amelanchier laevis 'Spring Flurry'	Serviceberry	2-2.5"	B+B, SINGLE STEM	X
1	AR	<i>Acer rubrum</i> 'Northwood'	Red Maple	2-2.5"	B+B	X
3	GT	<i>Gleditsia triacanthos</i> 'Street Keeper'	Honeylocust	2-2.5"	B+B	
1	LT	<i>Liriodendron tulipifera</i> 'Little Volunteer'	Tulip tree	2-2.5"	B+B	X
2	PS1	<i>Prunus sargentii</i> 'Pink Flair'	Sargent Cherry	2-2.5"	B+B	
4	PS2	<i>Prunus sargentii</i> 'Columnaris'	Sargent Cherry	2-2.5"	B+B	

QTY	SYM	BOTANICAL NAME	COMMON NAME	SIZE	REMARKS	NATIVE
13	CS	Cornus sericea 'Farrow'	Red Twig Dogwood	#5		X
31	CP	Comptonia peregrina	Sweetfern	#7		X
42	DL	Diervilla lonicera	Northern Bush Honeysuckle	#5		X
33	FG	Fothergilla gardenii	Dwarf Bottlebrush Bush	#5		
5	MP	Myrica pensylvanica 'Bobee'	Northern Bayberry	#7		X
56	RA	Rhus aromatica 'Gro-Low'	Fragrant Sumac	#5		X
11	RB	Rhododendron 'Boule-de-neige'	Rhododendron	3-3.5' HT	B+B	
7	VC	Viburnum cassinoides	Witherod Viburnum	3-3.5' HT	B+B	X



① GROUND FLOOR PLAN - CONCEPT
1/16" = 1'-0"

GROUND FLOOR PLAN SUMMARY

UNITS:

- (1) - 4 BED ROOM UNIT
- (1) - 2 BED ROOM UNIT
- (1) - 1 BED ROOM UNIT

AREA:

FLOOR FOOTPRINT: 7,450sf
FLOOR PLATE (EXCLUDES STAIRS, ELEV.
AND MECHANICAL SHAFTS): 7,360sf

BUILDING INTERIOR FINISHES SUMMARY

FLOORING

CARPET:

- CORRIDORS
- MANAGEMENT OFFICE

VINYL SHEET FLOORING W/ BACKING:

- LAUNDRY, BATHROOMS

SOLID VINYL FLOOR TILE:

- THROUGHOUT LIVING UNITS
(EXCLUDING BATHROOMS)

LUXURY VINYL FLOORING:

- COMMUNITY ROOM
- MAIL ROOM

WALK-OFF MATT

- VESTIBULE

RUBBER

- STAIRS AND LANDINGS

SEALED CONC.

- MECH/ELEC.
- SPRINKLER ROOM
- JANITOR
- STORAGE SPACES

WALLS

PAINT:

- ASSUME SINGLE COLOR (ZERO-VOC)
THROUGHOUT LIVING UNITS
- ASSUME (2) COLORS FOR SHARED SPACES

FIBERGLASS REINFORCED PLASTIC:

- JANITOR
- GARDEN STORAGE
- GRND FLR. TOIL.
- PACKAGE ROOM

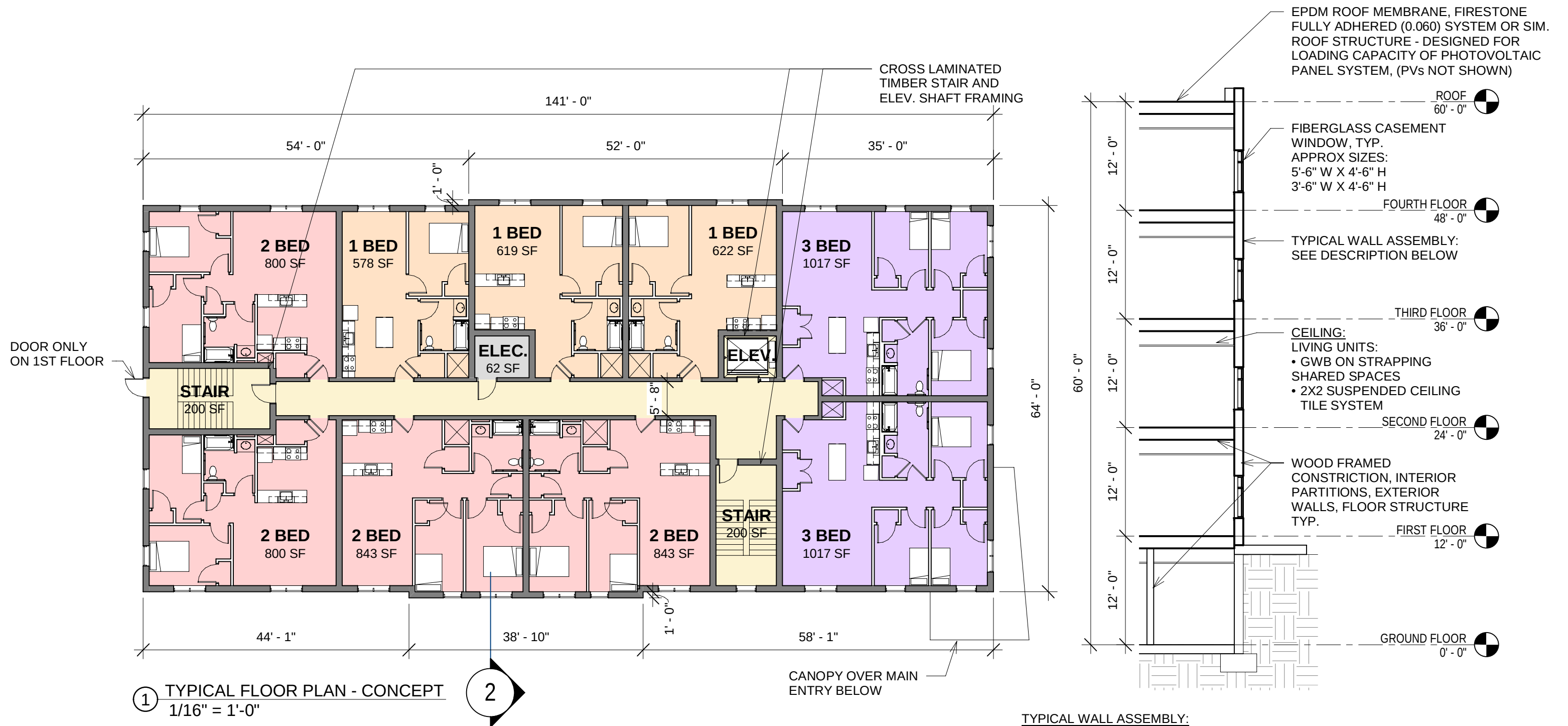
COUNTERTOPS

LAMINATE:

- LIVING UNIT KITCHENS

QUARTZ:

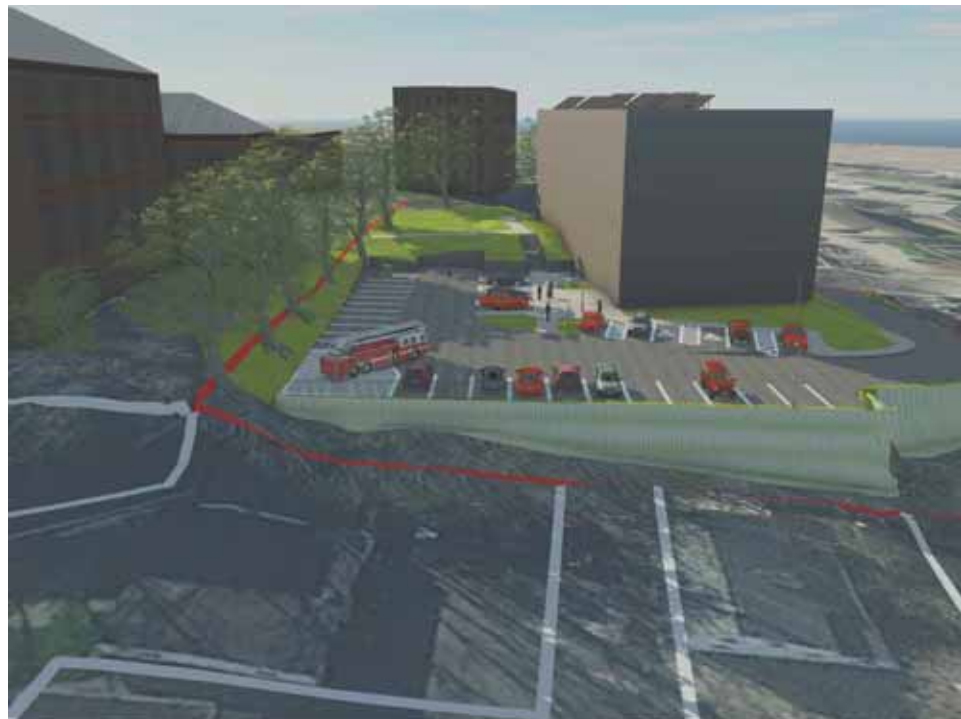
- BATHROOMS





ADAMS POINT HOUSING - BIDDEFORD, ME
3D VIEWS

April 14, 2021



ADAMS POINT HOUSING - BIDDEFORD, ME

3D VIEWS

April 14, 2021