

City of Biddeford
Planning Board
May 02, 2018 6:00 PM City Hall
Council Chambers,

1. PLEDGE OF ALLEGIANCE

2. DECLARATION OF QUORUM/VOTING MEMBERS

3. ADJUSTMENTS TO THE AGENDA

4. PLANNER'S BUSINESS

5. CONSENT AGENDA

- 5.A. A. Consideration of Minutes: April 4, 2018
[April 4, 2018.doc](#)

6. UNFINISHED BUSINESS

7. NEW BUSINESS

- 7.A. A. 2018.06 Final Site Plan Review for Bedard's Roofing Company, LLC to construct a 7,500 sf building and parking for five rental units for mixed uses located on Digital Drive (Tax Map 15, Lot 7-4) in the I-1 zone.
[2018.06 Bedard Digital Dr Final SR 050218.docx](#)
- 7.B. B. 2018.01 Public Hearing, take comments, and make recommendations to the City Council: To amend the Limited Residential (LR) Shoreland District for a portion of 11 Hills Beach Road (Tax Map 52, Lot 4) for the University of New England along the Saco River to provide for a 75' structure setback for an area roughly between Town Landing and Featherman Hall as opposed to the current 100' structure setback for that area
[Map 11x17.docx](#)
[2018.02 UNE SZ Amendment for PH 050218 Final.docx](#)

8. OTHER BUSINESS

9. 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 DEPARTMENT

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PLANNING BOARD MINUTES

Date: Wednesday, April 4, 2018
Time: 6:00 PM
Location: Council Chambers, City Hall

1. PLEDGE OF ALLEGIANCE
2. DECLARATION OF QUORUM/VOTING MEMBERS

A. Quorum Present: William Southwick (Acting Chair), Richard Potvin II, Clement Fleurent, Roch Angers (Alt voting member), Sean Tarpey (Alt voting member).

3. ADJUSTMENTS TO THE AGENDA
4. PLANNER'S BUSINESS
5. CONSENT AGENDA

A. Consideration of Minutes: March 21, 2018

MOTION:

- Angers – Motion: to Approve the Consent Agenda.
- Potvin – Second.
- Southwick, Acting Chair- Call for Vote – Unanimous Approval (4-0) all in favor.

6. UNFINISHED BUSINESS
7. NEW BUSINESS

A. 2018.10 Amendment to a Previously Approved Subdivision for Gervais Dube Properties, Inc. to add two residential lots, one on Harold Ave and one on West St (Tax Map 30, Lots 30 & 31), in the SR-1 and R1-A zones.

Greg Tansley, City Planner: Brief report. Mentioned he had some emails regarding the project and that each Board member had copies of the substantive e-mails in front of them. He contacted the Engineer and Applicant about the issues and we have a new set of mylars reflecting the changes.

Bill Thompson, BH2M Engineers: Gave a brief presentation.
Discussion between the Board, Staff and Applicant.

MOTION:

- Angers – Motion: to approve the amendment to a previously approved subdivision for Gervais Dube Properties related to Harold Avenue Terrace, approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated March 28, 2018.
- Fleurent – Second.

- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.
- B. 2017.15 Final Subdivision/Conditional Use Permit Review and Amendment to a Previously Approved Subdivision (Riverview Farms) for Jason Labonte who is proposing a 7-lot Residential Cluster Subdivision located at 34 Buzzell Road (Tax Map 6, Lot 43) in the RF zone.

Greg Tansley, City Planner: Brief report.
 Andy Morrell, BH2M Engineers: Gave a brief presentation.
 Discussion between the Board, Staff and Applicant

MOTION:

- Angers – Motion: to grant the waiver to Article VI, Section 70 (Wildlife Study).
- Potvin – Second.
- Southwick, Acting Chair – Call for Vote – Approved (3-1) Potvin, Fleurent and Angers in favor and Tarpey opposed.

MOTION:

- Angers – Motion: to approve the Final Subdivision and Conditional Use Permit for Buzzell Road Estates for a 7-Lot Cluster Subdivision off Buzzell Road (Tax Map 6, Lot 43) in the RF zone, approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated March 28, 2018.
- Fleurent – Second.
- Southwick, Acting Chair – Call for Vote – Approved (3-1) Potvin, Angers and Fleurent in favor and Tarpey opposed.

- C. 2018.04 Final Site Plan Review for the University of New England to construct a turf softball field, grandstand, bleachers and lighting located at 630 & 634 Pool Street (Tax Map 9, Lots 14 & 15) in the IN zone.

Greg Tansley, City Planner: Brief report.
 Alan Thibeault, VP of Planning for UNE: Gave a presentation.
 Discussion between Board, Staff and Applicant.

MOTION:

- Angers – Motion: to approve the Site Plan Application for the University of New England to construct a new athletic field at Tax Map 9, Lot 14 & 15, approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated March 28, 2018.
- Fleurent – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

MOTION:

- Angers – Motion: to add waivers for a. Article VI, Section 26, F. – 2:1 Fill Slopes and Steeper Slopes in Ledge. B. Article XI, II, Section 5.B.1.e.3 – 2:1 Fill Slopes and Steeper Slopes in Ledge.
- Fleurent – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

- D. 2018.03 Final Site Plan/Conditional Use Permit for Grace Point Church to relocate to 329 South Street (the former Rochambeau Club) (Tax Map 7, Lot 14) in the R-3 zone.

Greg Tansley, City Planner: Brief report.
 Andrew Ward, Pastor Grace Point Church: Spoke briefly.
 Discussion between Board, Staff and Applicant.

MOTION:

- Potvin – Motion: to waive Full Site Plan Review.
- Angers – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

MOTION:

- Southwick, Acting Chair – read of the motion to say. Motion: to approve the project based on the conditions recommended by Staff.
- Angers – First.
- Potvin – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

- E. 2018.01 Public Hearing, take comments, and make recommendations to the City Council to create a new General Development (GD-2-IN) Shoreland Zone for the University of New England at 3, 9, and 11 Hills Beach Road (Tax Map 51, Lot 12; Tax Map 51, Lot 13; and Tax Map 52, Lot 4) along the Saco River which provides for different standards such as a 75' structure setback, 45% lot coverage maximum, and alternate Land Uses than currently allowed in the Limited Residential (LR) Shoreland Zone.

Greg Tansley, City Planner: Spoke briefly.

Alan Thibeault, University of New England: Gave a presentation.

Steve Ryder, Secretary of the Biddeford Conservation Commission: Read a letter.

Kyle Noble, Hills Beach Rd: Is against the project.

Paul Smith, 12 Pleasant Ave: Read a list of birds that have been seen in the area. Thinks the shoreline should be protected.

Chris Stone, 272 Hills Beach Rd: Keep zoning as is.

Dennis Letellier, 264 Guinea Rd: Talked about the history of St. Francis College and how good UNE is for Biddeford.

Susan Amons, 8 Heather Ln: Handed out a list of residents who are against the project. Read a statement.

Pat Boston, Hills Beach Rd: Against Shoreland Zone change and talked about a compromise.

Ken Beauchs, Ward 1: Talked about the different zoning in Biddeford. Is against the change.

Nancy Drapeau, Ward 6: Against the zone change.

Crystal Tropeano, 12 Long Ave: Being a tax payer in Biddeford, I cannot make any changes to my property.

Kyle Noble, Hills Beach Rd: Talked about the IN zone.

William Southwick, Acting Chair: Closed the Public Hearing.

Alan Thibeault, University of New England: Addressed some of the issues the public had.

Discussion between Board, Staff and Applicant

MOTION:

- Angers – Motion: to table until April 18th at 6PM.
- Potvin – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

8. OTHER BUSINESS

9. ADJOURN

MOTION:

- Southwick, Acting Chair – Motion: to Adjourn.
- Angers – First.
- Potvin – Second.
- Southwick, Acting Chair – Call for Vote – Unanimous Approval (4-0) all in favor.

Planning Board Chair

Date

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



CITY OF BIDDEFORD
PLANNING DEPARTMENT

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PLANNING BOARD REPORT

TO: Larry Patoine, Chair & Members of the Biddeford Planning Board

FROM: Greg Tansley, AICP, City Planner

DATE: April 25, 2018

RE: NEW BUSINESS ITEM #B – 2018.06 Final Site Plan Review for Bedard's Roofing Company, LLC to construct a 7,500 sf building and parking for five rental units for mixed uses located on Digital Drive (Tax Map 15, Lot 7-4) in the I-1 zone.

MEETING DATE: May 2, 2018 @ 6:00 PM

1. INTRODUCTION

The applicant proposes the construction of a 7,500 square foot multi-tenant building off Digital Drive (Tax Map 15, Lot 7-4) in the I-1 Zone. The project would create a total of 22,691 square feet of impervious. It is located in the Thatcher Brook Watershed which is why the applicant is proposing soil filter BMP's to provide some water quality treatment.

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	SUBJECT	DATA/INFORMATION
1.	Applicant:	Bedard's Roofing Company, LLC 62 Beaulieu Drive Lyman, ME 04002
2.	Owner of Property:	Bedard's Roofing Company, LLC 62 Beaulieu Drive Lyman, ME 04002
3.	Agent:	Paul Gadbois, P.E.

		PO Box 327 Saco, ME 04072
4.	Project Location:	Digital Drive
5.	Project Tax Map #/Lot #:	Tax Map 15, Lot 7-4
6.	Existing Zoning:	I-1
7.	Overlay Zoning:	None
8.	Existing Use:	Vacant Lot
9.	Proposed Use:	7,500 square foot multi-tenant building
10.	City Approvals Required:	Site Plan Review
11.	Uses in the Vicinity:	Commercial
12.	Parcel Size:	2.18 acres
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	None None
15.	Frontage Required: Provided:	50 feet. More than 50 feet
16.	Front Setback Required: Provided:	40 feet 40 feet
17.	Side Setbacks Required: Provided:	25 feet 25 feet
18.	Rear Setback Requires: Provided:	25 feet 25 feet
19.	Height Requirements: Provided:	Maximum 60 feet Less than 60 feet in height
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	Private Sewer in Digital Drive connected to City Sewer
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:	9
28.	Parking Spaces Provided (total): # Handicapped Spaces:	17 1
29.	Ownership of Road:	Digital Drive is a Private Road.
30.	Impervious Surface Area	Proposed total 22,691 SF.
31.	Total Disturbed Area:	TBD
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	Not yet submitted.
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 (Maine DEP Possibly)
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	Yes
41.	Planning Board Review History:	
	Conceptual Review:	March 7, 2018 Meeting Date (Posted in City Hall February 21, 2018; Journal Tribune posting February 23, 2018; Mail Notices to all abutters within 250' sent February 21, 2018 - 9 notices sent).
	Final Review:	May 2, 2018 Meeting Date (Posted in City Hall April 23, 2018; Journal Tribune posting April 25, 2018; Mail Notices to all abutters within 250' sent April 23, 2018 - 9 notices sent).

3. EXISTING CONDITIONS

The lot is currently vacant with a 100' CMP Right-of-Way running along the rear of the lot and along the eastern boundary of the lot. The net developable acreage of the lot is approximately 1 acre.

4. PROJECT PROPOSAL

See attached application package and Final Plan for more information.

5. PUBLIC COMMENT

Concept Review:

Posted in City Hall February 21, 2018; Journal Tribune posting February 23, 2018; Mail Notices to all abutters within 250' sent February 21, 2018 - 9 notices sent.

As of the date of this report the following Public Comments have been received regarding the public hearing notice regarding the proposed project:

- No Public Comments have been received.

Final Review:

Posted in City Hall April 23, 2018; Journal Tribune posting April 25, 2018; Mail Notices to all abutters within 250' sent April 23, 2018 - 9 notices sent.

As of the date of this report the following Public Comments have been received regarding the public hearing notice regarding the proposed project:

- No Public Comments have been received.

6. STAFF REVIEW

A. ZONING: The proposed use is permitted in the I-1 Zone.

B. REVIEW STANDARDS: Site Plan Review.

C. WAIVERS: None.

D. OUTSTANDING ITEMS TO BE ADDRESSED WITH THE SUBMISSION OF A FINAL APPLICATION PACKAGE:

1. On note 14 add "In Route 1" at the end of the sentence after sewer system.
2. Please provide labeling of ponds and POA on drainage report plans.
3. Does sub area Pre 1 drain to the road or to the wetland in the rear? Reach 1 post says "wetland" but shows the pond discharging out of the westerly corner of the site? Will the post activity affect the road culvert or does the flow go in a northerly direction to the rear? If to the road culvert. Has an analyses be done?
4. Fix Erosion Control leader on plan, show line for berm.
5. Show dumpster and enclosure as noted on plan, fix leader.
6. Sewer cleanout manhole looks to be half in ROW, is this intended?
7. Identify solid line that is 50' offset from property lines.
8. Lighting:
 - a) Show lighting fixtures on site plan.
 - b) Are there any building lights?
 - c) Need photometrics to verify footcandles at property lines.
9. Locate 1 handicap space.
10. Detention pond detail seems to be incorrect, needs to be corrected.
11. Impervious area total quantities of 22,691 and 29,000 square feet listed. Please confirm correct total.
12. Required dripline filter uses assumed building width of 28 feet, plan shows building as 50' wide. Pervious areas where dripline indicated have total length of 82 feet. What is correct?
13. Will any signs be located on site? Provide sign designs and materials.
14. Building elevations and materials need to be provided.
15. Has the Fire Department reviewed the plans?
16. Provide Financial Capacity Letter.
17. Provide Performance Guarantee Cost Estimate on City Form.

18. Provide a response to the above-mentioned comments and a complete Mylar Set and Paper Set no later than Tuesday, May 2, 2017 @ 4:00 PM, amended based on comments.

7. NEXT STEPS/SUGGESTED ACTIONS

- Listen to any public comment and consider granting final approval of the Site Plan for the proposed project.

8. STAFF RECOMMENDATION

If the Board approves the project, Staff recommends doing so with the following Conditions of Approval attached:

1. Prior to any ground disturbance or issuance of any permits:
 - a. A pre-construction meeting with the contractor needs to be held with the Engineering Department to discuss inspection requirements.
 - b. An Erosion and Sedimentation Control Performance Guarantee (acceptable to the Planning Department) in an amount to be determined by the Planning Department shall be submitted to the Planning Department.
 - c. Stabilized Construction Access shall be constructed.
 - d. A copy of all Maine DEP and permitting approvals required must be provided to the Planning Department.
2. Prior to issuance of any occupancy permits:
 - a. A compliance inspection needs to occur by the Engineering Department to determine that all site improvements as shown on the submitted plan were constructed in accordance with the approved plans.
 - b. A performance guarantee (acceptable to the Engineering Department) in the amount of 150% of any remaining site improvements shall be submitted to the Planning Department. Amount to be determined based on City inspections and the recommendation of the Engineering Department.
3. Best management practices shall be adhered to during all ground disturbance operations.
4. All blasting requires a Blasting Permit from the City.
5. All erosion and sediment control measures need to be installed. Applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.
6. Copies of the maintenance logs for the stormwater facilities shall be submitted to the City for each calendar year no later than January 15th of the following year. If the Engineering Department does not receive these copies within 30 days after the deadline, the applicant may be required to return to the Planning Board for further review.
7. 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.

8. Once completed, as-built drawings of the site shall be provided to the Planning Department.
9. Upon completion of the work the project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans.
10. Standard Conditions of Approval apply.

8. NEXT STEPS/SUGGESTED ACTIONS

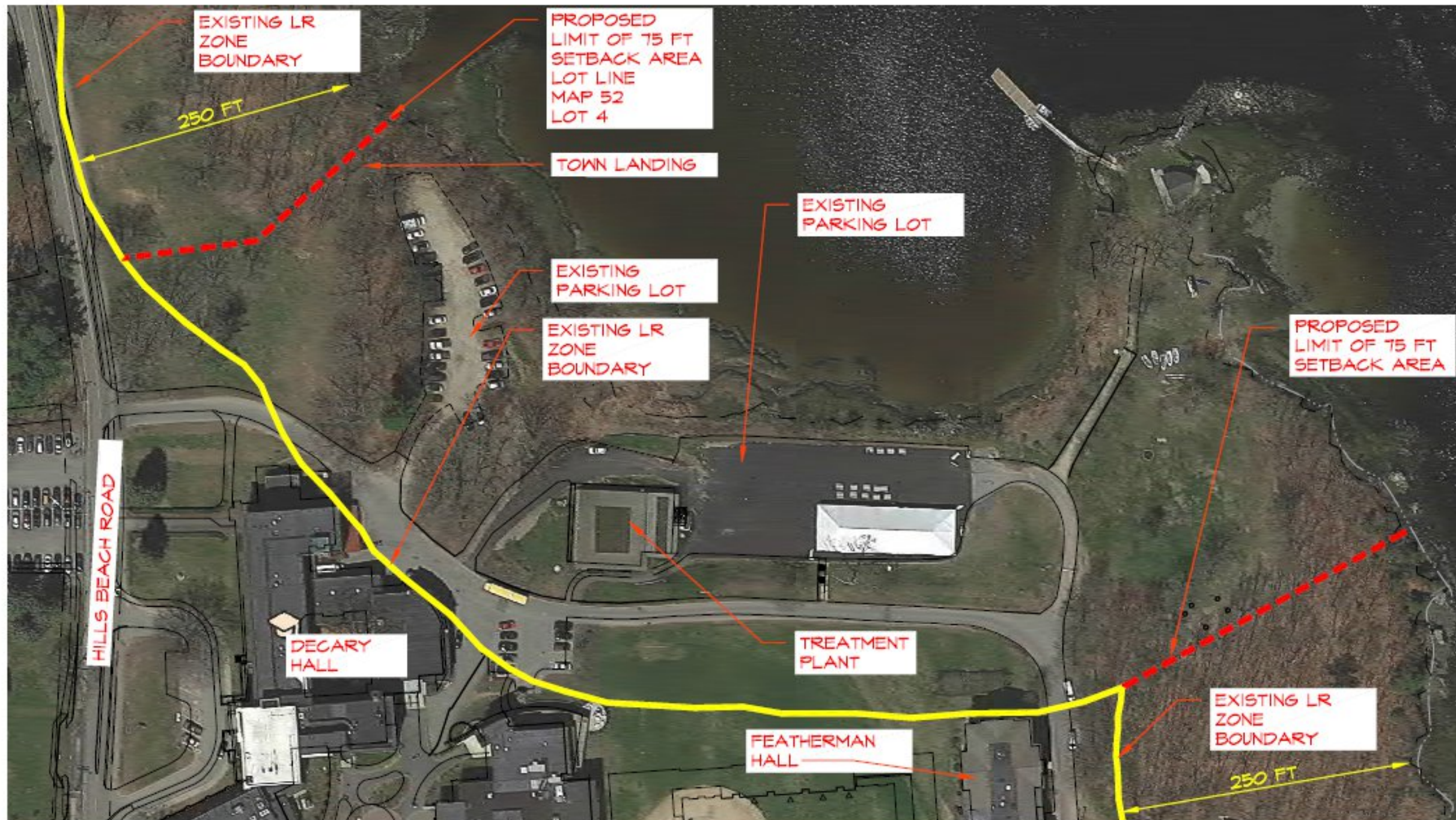
- Listen to any public comment and consider granting final approval of the Site Plan for the proposed project.

9. SAMPLE MOTIONS

- A. *Motion to approve the Site Plan Application for the Bedard's Roofing Company at Tax Map 15, Lot 7-4, approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated April 25, 2018.*
- B. *Motion to table to allow the applicant to address the outstanding issues identified by Staff and the Board.*
- C. *Motion to deny the Site Plan Application of the Bedard's Roofing Company based upon the following reasons:*
 - a) _____
 - b) _____

ATTACHMENTS

1. Application Package and Plans
2. Draft Findings of Fact and Conclusions of Law



GRAPHIC SCALE



(IN FEET)
1 inch = 100 ft.



UNIVERSITY OF NEW ENGLAND
11 HILLS BEACH ROAD
PROPOSED ZONING AMENDMENT
APRIL 13, 2018

A Request to Amend the Limited Residential (LR) Shoreland District for a portion of 11 Hills Beach Road (Tax Map 52, Lot 4) for the University of New England

Biddeford Code of Ordinances Part III (Land Development Regulations), Article XIV (Shoreland Zoning):

Section 15. Land Use Standards.

B. Principal and Accessory Structures.

1. All new principal and accessory structures shall be set back at least 100 feet, horizontal distance from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and 100 feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development District the setback from the normal high-water line of the wetland shall be at least 25 feet, horizontal distance, ~~and in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback, and the setback for structures from the normal high-water line of the wetland shall be at least 75 feet, horizontal distance, in that portion of the Institutional (IN) Zone subject to the Limited Residential (LR) Shoreland District described as follows:-~~

A certain lot or parcel of land situated on the easterly side of Hills Beach Road, in the City of Biddeford, County of York, State of Maine, and being more specifically bounded and described as follows:

BEGINNING at a point marking the northerly end of the property line between Map 52 Lot 4 and Map 51 Lot 13 as shown on City of Biddeford Official Tax Map 52, revision April 1, 2017;

THENCE: southerly along said property line between Map 52 Lot 4 and Map 51 Lot 13 as shown on City of Biddeford Official Tax Map 52, revision April 1, 2017, a distance of 282 feet more or less to the intersection of said property line with the city of Biddeford Limited Residential (LR) zone boundary;

THENCE: easterly along said LR zone boundary a distance of 1035 feet more or less to a point;

THENCE: northeasterly 280 feet more or less to a point on the upland edge of the coastal wetland adjacent to the Saco River.

Meaning and intending to encompass a portion of Lot 4, as shown on City of Biddeford Official Tax Map 52.

Within that portion of the Institutional (IN) Zone subject to the LR District, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows: The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.

Biddeford Code of Ordinances Part III (Land Development Regulations), Article V Establishment of Zones), Table A (Table of Land Uses), Note 20:

20. Within that portion of the institutional zone subject to the Limited Residential (LR) Shoreland District ~~shoreland zoning provisions of the Shoreland Protection Zone~~, existing buildings, structures, and roads may be maintained, modified, or replaced but no new buildings shall be built or located and no existing buildings shall be enlarged (including the replacement of existing buildings) except as follows:- The existing buildings and roads may be modified to the extent necessary to meet the requirements of applicable local, state, or federal codes or regulations, the existing sewage treatment plant may be expanded or replaced, and the existing Marine Science Center may be expanded through the construction of one additional building, provided that such changes meet all shoreland requirements and the performance standards of Article XIV.