



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
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Biddeford, ME 04005
(207) 284-9115

Planning Board Meeting Meeting Minutes

Date: May 1, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Larry Patoine, Chair, Susan Deschambault, Alexa Plotkin, Stephen Beaudette & Dylan Doughty, Alternate Member
Dylan Doughty will be voting tonight for Roch Angers
Staff Present: David Galbraith & Nan Whitten
Chair Patoine opened the meeting at 6:04 PM
3. Adjustments to the Agenda-None
4. Planner's Business
 - AVESTA Housing numbers were distributed
5. Consent Agenda
5. A. Approval of Meeting Minutes from 4-17-24
MOTIONS: 6:06PM
Motion-Plotkin -Motion to approve minutes as presented
Second-Deschambault
Motion passed unanimously
6. Unfinished Business-Open Public Hearing
6. A. 2024.17 The Biddeford Planning Board will have a continuation of the FIRST READING in a Public Hearing to review and discuss a proposed change of zone from MSRD 2 to MSRD 1. This item was tabled at the April 17, 2024 Planning Board meeting. The property is located at 118 Alfred Street (Tax Map 38, Lot 303-1)
MOTION: 6:07 PM
Motion-Deschambault-Move to remove from the table item #2024.17
Second-Doughty
Vote-Motion passed unanimously
 - Galbraith re-introduced the proposal
 - Owner wants to stay in the same area as this is the most profitable store for her
 - PUBLIC
 - Chico Potvin from Ward 6, saw confusion in the last meeting wanted to help. Thinks the purpose of the use is very good. Dominos is being asked to vacate to help the traffic in Biddeford. Residential won't go in there and it is

surrounded by commercial businesses. He does not feel it will make a negative impact on the area.

BOARD:

- Doughty wanted more clarity on the other sites looked at, clarified that the City is assisting this Business Owner.
- Deschambault- this business has to move this was not there choice. The state and City will be taking this location and it will no longer be standing. There are 19 spaces in the back. Does not feel there will be a negative impact on the neighborhood. This is to make the corner MSRD 1 not the entire neighborhood. This is not a far stretch due to the other businesses in the area. If this is to change to another business it would have to go to Planning Board. She will be advocating for this proposal.

MOTION: 6:20 PM

Motion-Deschambault- To send this proposal to the Council for review with a positive

Second-Doughty

Vote: Motion passed 2-1 (Deschambault & Doughty in favor, Plotkin against)

7. Close Public Hearing 6:22 PM

8. New Business

- 8. A. 2024.22** The Biddeford Planning Board will hold a public meeting to review and discuss a Conditional Use Permit request for Pine Tree Maine 2, LLC to open an adult-use cannabis retail store at 588 Elm Street, (Map 21, Lot 2-1) in the I-1 & B-2 zones.

- Galbraith introduced the project
- There is a split zoning through the middle of the building. The applicant will be using the industrial portion for their business.
- PUBLIC
- Lindsay Holden partner at Pine Tree 2 LLC
- BOARD

MOTION: 6:25 PM

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

Second-Doughty

Vote: Motion passed unanimously

Motion-Doughty-Motion to approve the Conditional Use Permit and the Findings of Fact and Conclusions of Law for Pine Tree Maine 2, LLC for an adult-use recreational marijuana retail facility at 588 Elm Street (Tax Map 21, Lot 2-1).

Second-Deschambault

Vote: Motion passed unanimously

- 8. B. 2021.42** The Biddeford Planning Board will hold a Public Meeting and take comments regarding the Final Site Plan Subdivision Application for South Street Village, LLC to create a 195 Unit over 55 Manufactured Housing Park called Hidden

Hills at 413 South Street, (Tax Map 7, Lot 8) in the SR1 & RF Zones with the MHP Overlay.

- Galbraith re-introduced the project
- Galbraith explained all the staff and applicant have done to make this project approvable.
- Matthew Chamberlain and Rick Meek of Terradyne Consulting represented the application.
- No public comments
- Galbraith-Mr. Chamberlain did offer \$25,000.00 per phase but Mr. Angers suggested a higher number.
- Chamberlain mentioned that they have gone back and forth on the FOF. He went through the discrepancies discussed on the FOF.
- Patoine asked what the Board wants the dollar amount should be
- Doughty-did the applicant know of the change in dollar amount prior to the meeting? Chamberlain said just heard about it Thursday.
- Deschambault confirmed that she remembers discussing this at the workshop and is reluctant to change it.
- The Board agreed to keep the dollar amount as is, Chamberlain agreed.
- Galbraith explained the portion of the phases and escrows going for 10 years.
- Beaudette fine with it as presented.
- Funds would be returned after 10 years from last payment received
- Each phase is proposed to take 1 year.
- Engineering Division would like a new plan with each phase, Galbraith is recommending keeping #8 as written. They would not be coming back to the Planning Board but to the engineering staff for internal review.
- Board agrees to keep #8 as written.
- #9 phases would go in numerical order, applicant would like to open other phases not necessarily in order. No more than 2 phases are to be open at a time. Planner can change the wording so that phases do not have to go in numerical order.
- Chamberlain asked about a master escrow to cover all phases. Planner is fine with that.
- #3 Waterworks Drive Chamberlain wants clarity. Waterworks drive will be the act grade sidewalk. Galbraith-the City Council must accept Waterworks as City road.
- #7 will be removed this will not be on sewer.
- No TPM needed.
- Patoine, street names are different on plans. Names will be Chamber Lane
- Engineer will correct the plan and resubmit.
- Deschambault-20 units in the first phase, how long to build out 20 units-6-8 weeks to order & deliver, easily 12 months.

MOTION: 6:55 PM

Motion-Plotkin- Motion to APPROVE Case # 2021.42: Hidden Hills Housing Park - Final Plan and Subdivision Review for 195-unit manufactured housing park subdivision at 413 South Street (Tax Map 7/Lot 8) in the RF, SR-1 zones and MHP

Overlay Zone, with the adoption of the Findings of Fact (FOF) and Conditions of Approval (COA) as will be amended.

Second-Beaudette

Vote: Motion passed unanimously.

8. C. 2023.33 The Biddeford Planning Board will hold a public meeting and take comments regarding a Final Subdivision Application for Beachwood Development, LLC to create an 8-lot residential single-family subdivision at 781 Pool Street (Tax Map 5, Lot 17-2) in the Coastal Residential & Shoreland Overlay zone. Other Business

- Michael Tadema-Weilandt from Terradyne Consulting introduced and updated the Board on the progress they have made since receiving Preliminary Approval.

PUBLIC

- Pete McGuirk 755 Pool Street
- Nancy Irving 11 Maddox Pond Road
- Leah Schaffer-Ward 5

BOARD

- Tadema-Weilandt Answered questions from the public including the 3 pages of questions from Mrs. Irving
- Peter McGuirk again, fire hydrants? fire hydrants determined by Fire Chief
- Galbraith-Conditions of Approval-Jeff Bowley-Single Family homes as covenant on Conditions of Approval. If and when ADU is added the stormwater report will be updated so that the calcs would include the extra usage. Owner-no issue
- Deschambault-will this trigger an amendment to the ordinance-yes
- Bowley wants to look at the FOF again so that the homeowners can do that which is authorized by the state
- Doughty-would the association have to approve ADUs, the HOA could not preclude the homeowners to do what the City allows.
- Plotkin-is there anything in there about additional structures
- Patoine-Mr. Parks' water line goes under Peter Pond in the future would houses on the other side of Peter Pond have access to those water lines, unfortunately no. The developer looked into it but the PUC does not allow it. Pool Street residents can connect.
- Plotkin-Item #4 on the question list from Irving for the Planner to answer

MOTIONS: 7:41 PM

Motion-Plotkin- Motion to Approve: I motion to APPROVE Case # 2023.33 Site Plan and Subdivision Review for Beachwood Development LLC at 781 Pool Street (Tax Map 5, Lot 17-2) in the Coastal Residential and partially within the Limited Residential Coastal Overlay District, with the adoption of the attached Findings of Fact (FOF) amended to address ADUs and stormwater runoff and recommended Conditions of Approval (COA) as written

Second-Deschambault

Vote: Motion passed unanimously

8. D. 2024.01 The Biddeford Planning Board will have a public meeting to review and discuss Final Site Plan request for the proposed expansion of the Biddeford Primary School located at 320 Hill Street (Tax Map 82, Lot 32) in the R-1A Zone.

- Galbraith updated the Board on the progress of the project
- Leah Schaffer of Mobile Studio Design represented the applicant
- Fire Chief recommended drop down bollards which they will use.
- There were no public comments
- Patoine-parking exceeds the ordinance-Schaffer-they are over what the ordinance requirements.
- Plotkin-is this number a minimum-Schaffer-yes
- Deschambault does this add to handicapped parking? Schaffer-No

MOTION: 7:48 PM

Motion-Deschambault- Motion to approve Case # 2024.01 Final Plan Review for Biddeford School Department to create a two-story building addition at the Primary School located at 320 Hill Street (Tax Map 82, Lot 32) / Final Review, with the attached Findings of Fact (FOF) and Conditions of Approval (COA), as written.
Second-Plotkin

Vote: Motion passed unanimously

9. Other Business

10. Adjourn 7:49 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.