

City of Biddeford
Planning Board
April 03, 2024 6:00 PM City Hall
Council Chambers, & Zoom
<https://biddeford.zoom.us/j/91621088534?pwd=Tk5yRGtlblZ0eHEzTElSdGhKb3VuQT09>
Webinar ID 916 2108 8534
Passcode 276637

STATUS: PLANNING BOARD MEETING, WEDNESDAY, APRIL 3, 2024, 6:00 PM, CITY COUNCIL CHAMBERS & ZOOM

- 1. PLEDGE OF ALLEGIANCE**
- 2. DECLARATION OF QUORUM/VOTING MEMBERS**
- 3. ADJUSTMENTS TO THE AGENDA**
- 4. PLANNER'S BUSINESS**
- 5. CONSENT AGENDA**
 - 5.A. Approve Meeting Minutes from March 20, 2024
[3-20-24-Meeting Minutes-DRAFT.pdf](#)
- 6. UNFINISHED BUSINESS**
- 7. NEW BUSINESS**
 - 7.A. 2024.15 Shoreland Zoning Review for David & Mary Rosewater who would like to remove and reconstruct an existing non-conforming structure located at 59 Granite Point Road, further described as lot 12-1 on tax map 67. This location is in the Coastal Residential and Shoreland Overlay Zone.
[2024.15 Rosewater 59 Granite Point Road Shoreland Zoning Permit 4-3-24.pdf](#)
[Planning Board Appl Binder_Rosewater.pdf](#)
[59 Granite Pt Plans.pdf](#)
 - 7.B. 2023.10 Final Subdivision/Site Plan Review for Travis and Lisa Wing at 1 Moxie Lane, further described as lot 22 on tax map 77 in the SR1 & RF and shoreland overlay zones. Mr. & Mrs. Wing would like to reconstruct a private way to accommodate 3 additional house lots.
[Final Plan Review Memo 4-3-24 PDF Copy .pdf](#)
[Final Binder.pdf](#)
- 8. OTHER BUSINESS**
 - 8.A. 2024.01 Workshop for the Biddeford School Department to expand the Biddeford Primary School. This school is located at 320 Hill Street (Tax Map 82, Lot 32) in the R1A zone. The purpose of the workshop is to discuss materials and designs for the proposed expansion.
[24.04.01_Planning Board Letter.pdf](#)
[BPS_24.04.03_PLANNING BOARD PRESENTATION.pdf](#)
- 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 and Development Department

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

Planning Board Meeting Meeting Minutes

DRAFT

Date: March 20, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Susan Deschambault (Vice Chair), Roch Angers, Alexa Plotkin, Stephen Beaudette & Dylan Doughty
Dylan Doughty will be voting in place of Susan Deschambault
Staff Present: David Galbraith & Nan Whitten
Vice Chair Deschambault opened the meeting at 6:10 PM
3. Adjustments to the Agenda- Item 7B has requested to be postponed until April 17, 2024.
4. Planner's Business
Galbraith announced two projects that are coming to the Planning Board, both needing Public Hearings: Change of zone for 118 Alfred Street & AVESTA Housing project needing a contract zone.
5. Consent Agenda
5. A. Approval of Meeting Minutes from 3-6-24
MOTIONS: 6:19 PM
Motion-Angers -Motion to approve minutes as presented
Second-Doughty
Motion passed unanimously
6. Unfinished Business-None
7. New Business
7.A. 2024.13 The Planning Board will hold a public meeting to review and discuss a Shoreland Zoning Permit Application for Samuel P. Brady to repair an existing ramp to the beach at 3 Sea Spray Drive (Tax Map 67, Lot 41-1) in the Coastal Residential Zone and Shoreland Overlay. Existing ramp was damaged in the storms recently.
 - Galbraith introduced the project and gave an overview.
 - Samuel Brady represented the application
 - No public commentsMOTIONS: 6:30 PM
Motion-Plotkin-Motion to approve Case # 2024.13 a Shoreland Zoning Permit request for Samuel P. Brady to repair an existing ramp leading to the beach located at 3 Sea Spray Drive (Tax Map 67, Lot 41-1) / in the Coastal Residential Zone and Shoreland Overlay.
Second-Angers

Motion passed unanimously

7. B. ITEM POSTPONED AT REQUEST OF APPLICANT 2024.14 The Planning Board will hold a public meeting to review and discuss a Site Plan Application for BVH Biddeford, LLC for an internal change of use at 420 Alfred Road (Tax Map 20, Lot 26-1) in the I-3 Zone.

7. C. 2024.01 The Planning Board will hold a public meeting to review and discuss a Preliminary Site Plan Application for the City of Biddeford School Department to expand the primary school located at 320 Hill Street (Tax Map 82, Lot 32) in the R1A Zone

- Galbraith gave a summary of the project
- There will be a stormwater review due to this being a school
- The Chair sent a message that he continues to be concerned about the materials being used.
- Leah Schaffer of Haley Ward represented the applicant
- No public comments
- Angers commented that he does not like the addition at all, it looks like a warehouse. It needs to blend.
- Plotkin can see the improvements made and where the architect made changes according to the previous comments, however, they would like the building to look less institutional and more whimsical.
- Schaffer answered that a school is an institute and that the front has the details and the back is more like a box. She said they take into consideration the original façade and topography and incorporate what is remaining with the least amount of disruption.
- Beaudette commented that it looks utilitarian there are no decorative aspects to it.
- Deschambault does not think it looks inviting and it looks more like a prison. She asked about the outdoor classroom noted on the plan
- Schaffer explained that is 15' x 30' to be used as a break-out space.
- It was decided that this project will be discussed at a Workshop on April 3, 2024 and the Board would like the School Superintendent there as well.

MOTIONS: 7:24 PM

Motion- Plotkin -To approve Case # 2024.01 Preliminary 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) / Preliminary Review.

Second- Doughty

Motion passed unanimously

8. Other Business

9. Adjourn 7:26 PM

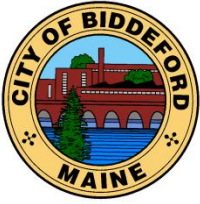
Meeting adjourned at PM

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.

DRAFT



CITY OF BIDDEFORD

Planning and Development Department

David C.M. Galbraith
Deputy Director/City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 284-9115

David.Galbraith@biddefordmaine.org

PLANNING BOARD STAFF REPORT

TO: Chair Patoine and Members of the Biddeford Planning Board

FROM: David C.M. Galbraith, Deputy Director/City Planner

DATE: March 19, 2024

RE: **2024.15 Shoreland Zoning Permit request for David & Mary Rosewater to remove and reconstruct an existing non-conforming residence at 59 Granite Point Road (Tax Map 67, Lot 12-1) in the Coastal Residential and Shoreland Overlay Zone.**

MEETING DATE: April 3, 2024 at 6:00 PM

1. INTRODUCTION

The City is in receipt from David & Mary Rosewater who is seeking a Shoreland Zoning Permit for the removal and reconstruction of an existing non-conforming house located at 59 Granite Point Road.



59 Granite Point Road (Tax Map 67, Lot 12-1)

The Applicants are being represented by Ms. Sandra Guay, Partner of Archipelago Law of Portland Maine. Ms. Guay has represented clients in Biddeford in similar situations and is well versed in the City's land use and shoreland zoning regulations. As such, Ms. Guay's narrative has been included in its entirety, and is below in italics.

2024.15 Shoreland Zoning Permit request for Mary & David Rosewater to remove and reconstruct an existing non-conforming structure located at 69 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay.

Planning Board Meeting Date: April 3, 2024

Project Description:

The applicants purchased the subject property in July 2020. The parcel is developed with a residential dwelling, with detached garage, walkways, customary lawn and landscaped areas, and a driveway. The dwelling structure is located 31.90 feet from the Normal High-Water Line (NHWL) as delineated by Lower Village Survey Co. on January 31, 2024, and therefore is considered a non-conforming structure under the Code. According to City Assessor records, the original structure was constructed in 1880.

City Code, Article XIV, Section 12(C)(4), Reconstruction or Replacement:

The project proposes to remove the existing non-conforming structure and reconstruct it in a more conforming location. Such projects are allowed, subject to City Code, Article XIV, Section 12(C)(4), Reconstruction or Replacement. Specifically, the Code allows the removal and reconstruction of a non-conforming structure within the shoreland zone provided that the structure's footprint is relocated to be in conformity with the shoreline setback to the greatest practical extent, as determined by the Planning Board. Greatest practical extent relocation determination by the Planning Board is the exclusive purpose of this application.



59 Granite Point Road – Situated between tidal marsh and Atlantic Ocean

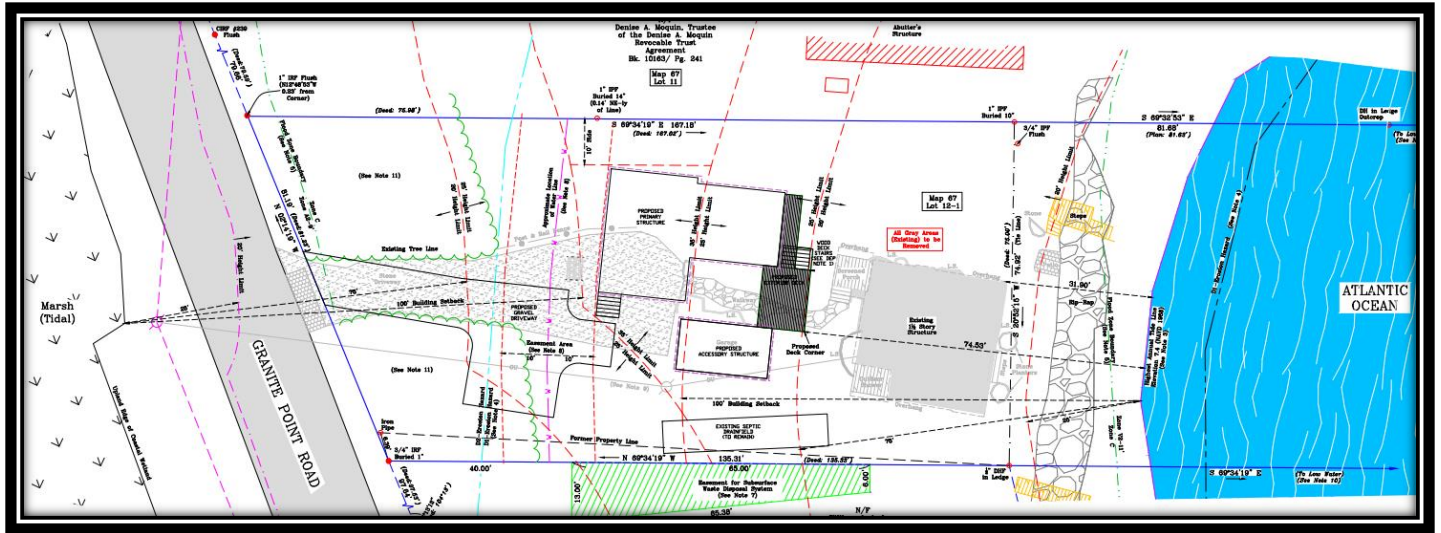
Pursuant to the City's Code, when relocating a non-conforming structure in compliance with the shoreline setback to the greatest practical extent, the Planning Board shall consider 6 specific criteria (see Article XIV, Section 12 (C)(3)). These criteria include, and are limited to the following:

- 1) Size of the lot*
- 2) Slope of the land*
- 3) Potential for soil erosion*
- 4) Location of other structures on the property and on adjacent properties*
- 5) Location of the septic system and other on-site soils suitable for septic systems*
- 6) The type and amount of vegetation to be removed to accomplish the relocation*

2024.15 Shoreland Zoning Permit request for Mary & David Rosewater to remove and reconstruct an existing non-conforming structure located at 69 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay.

Planning Board Meeting Date: April 3, 2024

The subject lot is 13,797 square feet and approximately 82 feet wide. The existing and proposed structure location are affected by the minimum shoreline setback requirements both from the NHWL and from the wetland/marsh across Granite Point Road, as well as by the minimum lot line setback requirements.



59 Granite Point Road – Proposed House Removal and Reconstruction – Greatest Practical Extent

Greatest Practical Extent Criteria:

With respect to the 6 relocation criteria outlined in the Code, we provide the following:

- 1) Size of the lot: Considering the modest lot size and multiple minimum setback restrictions, there is a limited location for the structure footprint to be relocated. In the attached plan prepared by Mobile Design Studio dated February 29, 2024, we propose to relocate the structure in a northwesterly direction, parallel to the existing garage/accessory structure. This maintains conformity with the 10-foot side lot line setback for both structures and moves the primary structure further back from the NHWL. Due to the location of the 100-foot set back from the marsh on the easterly side of Granite Point Road and the existing water line cutting across the lot, the structure footprint has been relocated back to 75.53 feet from the NHWL. Moving the footprint any further back will result in the structure encroaching into the 100' setback from the marsh, as well as onto the existing water line easement area.*
- 2) Slope of the land: The slope of the land in the area of the lot that is subject to this proposal is not prohibitive to construction and does not interfere with the structure relocation as proposed.*
- 3) Potential for soil erosion: There are no unique soil conditions or other soil features such that the relocation of the structure footprint would create risk of soil erosion from the lot.*
- 4) Location of other structures on the property and on adjacent properties: The location of the water line easement limits how far back toward the road the structure can be relocated. There are no other structures that are located on the property that would affect the proposed relocation. There are structures located on the adjacent properties to the north and south, however, the locations of those structures do not limit footprint relocation on the subject lot.*

2024.15 Shoreland Zoning Permit request for Mary & David Rosewater to remove and reconstruct an existing non-conforming structure located at 69 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay.

Planning Board Meeting Date: April 3, 2024

5) Location of the septic system and other on-site soils suitable for septic systems: The property is currently served by a subsurface wastewater disposal system that is working properly.

6) The type and amount of vegetation to be removed to accomplish the relocation: Vegetation removal does not impede structure footprint relocation under the City Code. The existing location from where the structure will be relocated will be replanted with grass vegetation as specified in the Code.

Relocation Summary: Due to the relatively small lot size, narrow lot width, minimum setback requirements established in the Code, and as otherwise discussed above, it is our opinion that the proposed footprint relocation of the non-conforming structure establishes the minimum shoreline setback to the greatest practical extent. Accordingly, the applicant respectfully requests the Planning Board's concurrence that the structure footprint's greatest practical extent relocation on the lot is 74.53 feet from the NHWL

2. PROJECT DATA/INFORMATION

1.	Applicant:	David & Mary Rosewater 30 Heathcote Road Scarsdale, NY 10583
2.	Owner of Property:	David & Mary Rosewater
3.	Agent:	Sandra L. Guay, Esq. Archipelago Law Firm 1 Dana Street Portland, ME 04101
4.	Surveyor:	L & L Structural Engineering Services 6 Q Street South Portland, ME 04106
5.	Project Location:	59 Granite Point Road
6.	Project Tax Map #/Lot #:	Tax Map 67, Lot 12-1
7.	Lot Size:	13,797 SF
8.	Base Zoning:	CR
9.	Overlay Zoning:	Shoreland
10.	Existing Use:	Single Family
11.	Proposed Use:	Same
12.	Approvals Required:	Shoreland Zoning Permit
13.	Uses in the Vicinity:	Residential
14.	Waivers Needed:	a. None
18.	Waivers Granted:	a. None
22.	Other Non-City Permits Required:	
23.	LDR Attachment A: Fees Paid:	All Paid
25.	Planning Board Review History:	Shoreland Zoning Permit 4-3-24

3. REVIEW PROCESS

Per City ordinance, this application is subject to Shoreland Zoning Permit (Land Development Regulations, Shoreland Zoning Ordinance, Article XIV) review and approval by the Planning Board.

4. STAFF RECOMMENDATION

2024.15 Shoreland Zoning Permit request for Mary & David Rosewater to remove and reconstruct an existing non-conforming structure located at 69 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay.
Planning Board Meeting Date: April 3, 2024

This application is for removal and reconstruction of an existing non-conforming structure within the shoreland zoning district. Staff is supportive of the proposal as it brings the property into further compliance and as it will reduce a hazardous condition.

5. SAMPLE MOTIONS:

A. Motion to approve Case # 2024.15 a Shoreland Zoning Permit request for David & Mary Rosewater to remove and reconstruct an existing non-conforming structure located at 59 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay.

B. Motion to Table Case # 2024.15 Shoreland Zoning Permit request for David & Mary Rosewater to remove and reconstruct an existing non-conforming structure located at 59 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay, based upon the following reasons:

a) _____

b) _____

c) _____

C. Motion to Deny Case # 2024.15 Shoreland Zoning Permit request for David & Mary Rosewater to remove and reconstruct an existing non-conforming structure at 59 Granite Point Road (Tax Map 67, Lot 12-1) / in the Coastal Residential Zone and Shoreland Overlay, based upon the following reasons:

a) _____

b) _____

c) _____



Sandra L. Guay
Partner
sguay@archipelagolaw.com

1 Dana Street
Portland, Maine 04101
(207) 558-0102

March 7, 2024

Planning Board
City of Biddeford
P.O. Box 586
Biddeford, ME 04005

Re: David and Mary Rosewater, 59 Granite Point Road
Non-Conforming Structure Relocation

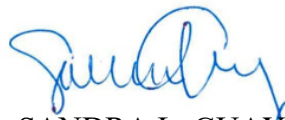
Dear Members of the Biddeford Planning Board:

On behalf of my clients David and Mary Rosewater, please find our enclosed application for the Board's relocation determination of a non-conforming structure located at 59 Granite Point Road. We respectfully request that this application be placed on the Planning Board's April 3rd agenda for its full consideration of the matter.

Pursuant to Article XIV, Section 12(C)(4) of the City of Biddeford Code of Ordinances, whenever a non-conforming structure is removed by more than 50% of its market value and is proposed for reconstruction, such reconstruction is allowed provided that the Board determines that the footprint of the structure meets the coastal wetland setback to the greatest practical extent. Accordingly, the enclosed application requests the Board's determination.

Thank you in advance for your consideration of this matter. I look forward to discussing this with you in the near future.

Very Truly Yours,



SANDRA L. GUAY

SLG/lb

Copy to: David & Mary Rosewater

CITY OF BIDDEFORD PLANNING BOARD

Non-Conforming Structure **Relocation Review**

APPLICANT: David and Mary Rosewater

PROPERTY: 59 Granite Point Road

AGENT: Sandra L. Guay, Esquire
Archipelago Law, LLP
1 Dana Street
Portland, ME 04101

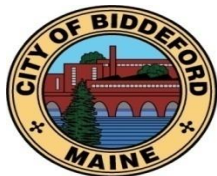
BIDDEFORD PLANNING BOARD

Non-Conforming Structure Relocation Review

59 Granite Point Road, Biddeford

1. Planning Board Application
2. Authorization
3. Location Map
4. Project Description
5. Photographs / Aerial View
6. Site Plan
7. Deed/RTI

1

**City of Biddeford – Planning Department****Planning Board Application**

P.O. Box 586, 205 Main Street Biddeford, Maine 04005
207-284-9115

Type of Application:

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

Applicant Information:

Name: David and Mary Rosewater
Mailing Address: 30 Heathcote Road, Scarsdale, NY 10583
Telephone: (914) 725-4229
Email: rosewatermary@gmail.com

What is your legal interest in the property?

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

Owner's Information:

Name: David and Mary Rosewater
Mailing Address: 30 Heathcote Road, Scarsdale, NY 10583
Telephone: (914) 725-4229
Email: rosewatermary@gmail.com

Agent's Information:

Name: Sandra L. Guay, Esq.
Mailing Address: 1 Dana Street, Portland, ME 04101
Telephone: (207) 558-0102
Email: sguay@archipelagolaw.com

Engineer/Surveyor's Information:

Name: L&L Structural Engineering Services
Mailing Address: 6 Q Street, South Portland, ME 04106
Telephone: (207) 767-4830
Email: jleasure@ll-eng.com

Project Location and Lot Information:

Street Address: 59 Granite Point Road Drainage Watershed: Saco Bay
Tax Map: 67 Lot: 12-1
Current Zoning: CR Shoreland Zoning: LR
Size of Lot: 13,797 () acres ☒ s.f. Lot Frontage: 82 ft
Existing Use of Property: Residential dwelling and improvements

Property currently serviced by:

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

Is the project within the 100-year floodplain? ☐ (Yes) ☒ (No) if yes attach information

Do you plan to bring fill onto the lot? ☒ (Yes) ☐ (No) If yes attach information
(incidental fill for house construction
only-eg. backfill, loam for lawn)

Description of proposed use of property:

Project/Proposed Use:

Project proposes to remove and reconstruct an existing non-conforming structure. City Code requires Planning Board review to determine where the structure footprint can be relocated to meet the shoreline setback to the greatest practical extent. This review is the sole request for this application.

Property to be Serviced by:

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

Limits of Disturbance: n/a () acres () s.f.

Net change in impervious cover: n/a () acres () s.f.

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

Is the project proposing a new Private or Public Road? ☐ (Yes, Private) ☐ (Yes, Public) ☒ (No)

Is this project within the Urbanized Area/MS4 (see [City Drainage Map](#)) ☐ (Yes) ☒ (No)

Is the project proposing any Stormwater facilities/BMPs? ☐ (Yes) ☒ (No)

Will a Traffic Movement Permit (TMP) be required?: ☐ (Yes) ☒ (No)

☒ If in a Shoreland Zone:

Percent of residential lot coverage (Max 20%): Existing : 25.17% Proposed: 22.56%

Percent of structure expansion (Max 30%): N/A

 If Subdivision Review, number of lots proposed:

 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 structure: _____

Total new square feet paving/parking: _____

Waiver Requests (attach details):

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

Required Submittal 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 Department – 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. Engineering Plans, as required.
- F. Stormwater Management Report, as required.

Fees (Due at time of Submission):

- \$75 Nonrefundable Administration Fee is required for every 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 its 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 the review for special studies, legal review costs, and/or engineering review.
- I understand that by submitting an 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.

Will the proposed project cause 1 acre or more of site disturbance?: ☐ (Yes) ☒ (No)

- If Yes, applicant is responsible for any required Maine Construction General Permits and shall comply with the requirements of DEP Chapter 500 Stormwater Regulations, as they apply.

Agent
Signature of Applicant:

Sarah D. [Signature]

Date 3/7/2024

Signature of Property Owner:

Date

DIGITAL SUBMITTAL REQUIREMENTS FOR ALL SUBMITTALS:

- A) PDF OF SIGNED APPLICATION
- B) PDFs OF ALL DRAWING SETS AND OTHER REQUIRED SUBMITTAL ATTACHMENTS NOTED ABOVE

HARD-COPY SUBMITTAL REQUIREMENTS FOR PLANNING BOARD APPLICATIONS:

- A) SEVEN (7) FULL-SIZE PAPER COPIES OF DRAWING SETS

DIGITAL SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) INDIVIDUALLY NAMED PDFs OF EACH DRAWING (NOT A COMBINED PDF SET)
- Individual Drawing PDF Naming Format: 'PROJECT/SHEETSET NAME_INDIVIDUAL DRAWING NAME.pdf'
- B) PDF COPIES OF ALL PERMIT APPROVALS, APPLICATIONS, REPORTS, NARRATIVES, LETTERS, ETC.
- C) FINAL CAD REFERENCE FILES IN DWG FORMAT (SURVEY & PROPOSED DESIGN LINEWORK)
- All drawings & CAD reference files must be to-scale and within the following coordinate systems:
- MAINE STATE PLANE WEST NAD83 (Horizontal Datum) & NAVD88 (Vertical Datum)

HARD-COPY SUBMITTAL REQUIREMENTS FOR FINAL APPROVAL:

- A) THREE (3) FULL-SIZE PAPER COPIES OF INDIVIDUAL DRAWINGS REQUIRING BOARD SIGNATURE
- B) ONE (1) FULL-SIZE PAPER COPY OF ENTIRE DRAWING SET FOR ENGINEERING RECORDS

PLEASE CONFIRM WITH PLANNING STAFF FOR CLARIFICATION

2



Sandra L. Guay
Partner
sguay@archipelagolaw.com

22 Free Street, Ste 403
Portland, Maine 04101
(207) 558-0102

AUTHORIZATION

We, David and Mary Rosewater, hereby authorize Sandra Guay and the firm of Archipelago in Portland, Maine, to sign any and all State of Maine or City of Biddeford permit and appeal applications on our behalf with regard to our property located at 59 Granite Point Road, Biddeford, Maine (Tax Map 67 Lot 12-1). We further authorize any member of that firm to appear on our behalf and to represent us before any department, board, committee or agency of said State or City, including, but not limited to, the Maine Department of Environmental Protection, Planning Board and the Zoning Board of Appeals.

DATED: March 27, 2022


David Rosewater


Mary Rosewater

3



Project Location

67 Tax Map	Other Maps in Progress 2 Bk The City of Biddeford, Maine Technology Department GIS Division 201 Main Street, 2nd Floor, Biddeford, Maine 04005 207.283.1000 www.biddefordmaine.org 	The City of Biddeford, Maine OFFICIAL TAX MAP Office of the Tax Assessor Nicholas D. Desjardins, CMA Assessor	 UPDATED THROUGH APRIL 1, 2023 FOR ASSESSMENT PURPOSES ONLY NOT TO BE USED FOR CONVEYANCES	 Visit www.biddefordmaine.org for more information or call 207.283.1000 Updated: December 11, 2023
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Sandra L. Guay
Partner
sguay@archipelagolaw.com

1 Dana Street
Portland, Maine 04101
(207) 558-0102

Mary & David Rosewater
Non-conforming Structure Relocation Review
59 Granite Point Road, Biddeford

Project Description

The applicants purchased the subject property in July 2020. The parcel is developed with a residential dwelling, with detached garage, walkways, customary lawn and landscaped areas, and a driveway. The dwelling structure is located 31.90 feet from the Normal High-Water Line (NHWL) as delineated by Lower Village Survey Co. on January 31, 2024, and therefore is considered a non-conforming structure under the Code. According to City Assessor records, the original structure was constructed in 1880.

The project proposes to remove the existing non-conforming structure and reconstruct it in a more conforming location. Such projects are allowed, subject to City Code, Article XIV, Section 12(C)(4), Reconstruction or Replacement. Specifically, the Code allows the removal and reconstruction of a non-conforming structure within the shoreland zone provided that the structure's footprint is relocated to be in conformity with the shoreline setback to the greatest practical extent, as determined by the Planning Board. Greatest practical extent relocation determination by the Planning Board is the exclusive purpose of this application.

Pursuant to the City's Code, when relocating a non-conforming structure in compliance with the shoreline setback to the greatest practical extent, the Planning Board shall consider 6 specific criteria (see Article XIV, Section 12 (C)(3)). These criteria include, and are limited to the following:

- 1) Size of the lot
- 2) Slope of the land
- 3) Potential for soil erosion
- 4) Location of other structures on the property and on adjacent properties
- 5) Location of the septic system and other on-site soils suitable for septic systems
- 6) The type and amount of vegetation to be removed to accomplish the relocation

Discussion

The subject lot is 13,797 square feet and approximately 82 feet wide. The existing and proposed structure location are affected by the minimum shoreline setback requirements both

from the NHWL and from the wetland/marsh across Granite Point Road, as well as by the minimum lot line setback requirements.

With respect to the 6 relocation criteria outlined in the Code, we provide the following:

- 1) Size of the lot: Considering the modest lot size and multiple minimum setback restrictions, there is a limited location for the structure footprint to be relocated. In the attached plan prepared by Mobile Design Studio dated February 29, 2024, we propose to relocate the structure in a northwesterly direction, parallel to the existing garage/accessory structure. This maintains conformity with the 10-foot side lot line setback for both structures and moves the primary structure further back from the NHWL. Due to the location of the 100-foot set back from the marsh on the easterly side of Granite Point Road and the existing water line cutting across the lot, the structure footprint has been relocated back to 75.53 feet from the NHWL. Moving the footprint any further back will result in the structure encroaching into the 100' setback from the marsh, as well as onto the existing water line easement area.
- 2) Slope of the land: The slope of the land in the area of the lot that is subject to this proposal is not prohibitive to construction and does not interfere with the structure relocation as proposed.
- 3) Potential for soil erosion: There are no unique soil conditions or other soil features such that the relocation of the structure footprint would create risk of soil erosion from the lot.
- 4) Location of other structures on the property and on adjacent properties: The location of the water line easement limits how far back toward the road the structure can be relocated. There are no other structures that are located on the property that would affect the proposed relocation. There are structures located on the adjacent properties to the north and south, however, the locations of those structures do not limit footprint relocation on the subject lot.
- 5) Location of the septic system and other on-site soils suitable for septic systems: The property is currently served by a subsurface wastewater disposal system that is working properly.
- 6) The type and amount of vegetation to be removed to accomplish the relocation: Vegetation removal does not impede structure footprint relocation under the City Code. The existing location from where the structure will be relocated will be replanted with grass vegetation as specified in the Code.

Relocation Summary

Due to the relatively small lot size, narrow lot width, minimum setback requirements established in the Code, and as otherwise discussed above, it is our opinion that the proposed footprint relocation of the non-conforming structure establishes the minimum shoreline setback to the greatest practical extent. Accordingly, the applicant respectfully requests the Planning Board's concurrence that the structure footprint's greatest practical extent relocation on the lot is 74.53 feet from the NHWL.

5





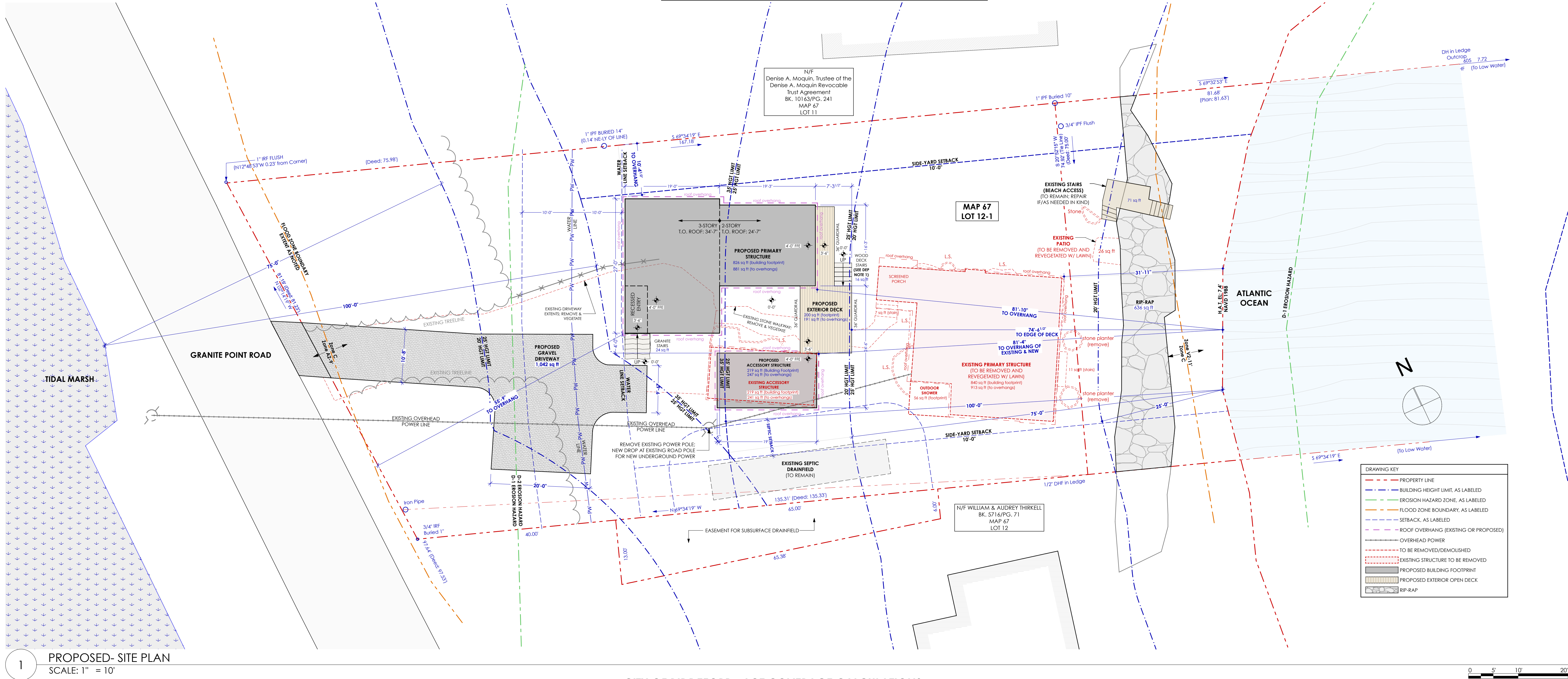




**Overhead Photograph
(Google Earth)**

6

ISSUED FOR BIDDEFORD PLANNING BOARD REVIEW 2/29/24



ZONING CONSIDERATIONS

ZONE: COASTAL RESIDENTIAL (CR)
WITH LIMITED RESIDENTIAL (LR) SHORELAND OVERLAY ZONE

FLOOD ZONE:
CURRENT: ZONE C, NO RESTRICTIONS

PROPOSED (2017 FEMA MAPS)

AE ZONE ELEV 13, 14

- REQUIRES LOWEST F.F. INCLUDING BASEMENTS TO BE 1'-0" ABOVE NOTED ELEVATION. GARAGES/STORAGE ARE ALLOWED PROVIDED THEY HAVE THE REQUIRED FLOOD RESISTANT CONSTRUCTION.

VE ZONE ELEV 17

- REQUIRES LOWEST HORIZONTAL STRUCTURE TO BE 1'-0" ABOVE NOTED ELEVATION. NOTE DEP RESTRICTIONS PROHIBIT ANY NEW CONSTRUCTION WITHIN A V-ZONE

DEP: LOT IS WITHIN EROSION HAZARD AREA OF FRONT DUNE (D1) AND BACK DUNE (D2)

GENERAL SITE PLAN NOTE: THIS ARCHITECTURAL SITE PLAN IS NOT INTENDED FOR ANY OFFICIAL RECORDING FOR REGISTRY OF DEEDS, SEE LOWER VILLAGE SURVEY CO. SITE DEVELOPMENT SURVEY

DIMENSIONAL REQ. MOST RESTRICTIVE	ALLOWABLE	PROPOSED *
FRONT SETBACK	40'-0"	+/- 55'-9"
SIDE YARD SETBACKS	10'-0" ³	+/- 10'-4 1/2"
SETBACK FROM H.A.T. (BLDG)	100'-0"	+/- 81'-10"
SETBACK FROM H.A.T. (DECK)	100'-0"	+/- 74'-4 1/2"
MAXIMUM HGT	35'-0" - 25'-0"	SEE ELEVATIONS 34'-7 1/2"
MIN LOT SIZE	30,000 SQ FT	13,797 SQ FT
MAX LOT COVERAGE	25.56% EXIST.	22.56% PROP. (BY CALCULATED MAX FOR 100%)
MIN SHORE FRONTAGE	150'-0"	+/- 75'-0"

BIDDEFORD DIMENSIONAL REQUIREMENT NOTES:

³ PER BIDDEFORD ZONING ORDINANCE, ESTABLISHMENT OF ZONE TABLE B DIMENSIONAL REQUIREMENTS NOTE O, SIDEYARD SETBACKS CAN BE REDUCED TO 10 FT

⁴ ALL DIMENSIONS LISTED IN PROPOSED ARE TO EDGE OF ROOF OVERHANG OR OUTER-MOST EDGE

CITY OF BIDDEFORD - LOT COVERAGE CALCULATIONS

EXISTING LOT COVERAGE		
PRIMARY STRUCTURE TO OVERHANGS	913 SQ FT	
ACCESSORY STRUCTURE TO OVERHANGS	241 SQ FT	
DRIVEWAY	1,353 SQ FT	
WOOD STEPS/STAIRS	89 SQ FT	[11 ps step + 71 beach stair + 7 ps step]
EXTERIOR OPEN DECKS	56 SQ FT	[OUTDOOR SHOWER] ²
HARDSCAPE (PATHS + STAIRS)	122 SQ FT	
MISC. IMPERVIOUS	63 SQ FT	[LOOSE STONE]
RIP-RAP	636 SQ FT	
		Lot Coverage %
TOTAL LOT COVERAGE	3,473 SQ FT	25.17%¹
TOTAL LOT AREA³	13,797 SQ FT³	

LOT COVERAGE NOTES:

⁰ LOT AREA IS CALCULATED TO HIGHEST ANNUAL TIDE LINE AS SHOWN

¹ ALLOWABLE IS 20%, OR GRANDFATHERED EXISTING NON-CONFORMING. NEW DEVELOPMENT SHALL REDUCE LOT COVERAGE TO THE GREATEST PRACTICAL EXTENT AND SHALL NOT EXCEED THE EXISTING NON-CONFORMING LOT COVERAGE PERCENTAGE

² CALCULATION REFLECTS EXTERIOR DECK OR SURFACE AREA NOT COVERED BY, OR UNDER, ROOF OVERHANGS; THOSE AREAS ARE CALCULATED AND INCLUDED IN THE APPLICABLE ROOF OVERHANG AREA(S)

CITY OF BIDDEFORD - FOOTPRINT CALCULATIONS

EXISTING STRUCTURE FOOTPRINT					
ELEMENT	TOTAL STRUCTURE FOOTPRINT ^	PORTION OF STRUCTURE LOCATED <25' FROM H.A.T.	PORTION OF STRUCTURE LOCATED <75' FROM H.A.T.	PORTION OF STRUCTURE LOCATED <100' FROM H.A.T.	PORTION OF STRUCTURE LOCATED >100' FROM H.A.T.
EXISTING STRUCTURE ^	1,283 SQ FT	61 SQ FT	982 SQ FT	203 SQ FT	37 SQ FT

PROPOSED STRUCTURE FOOTPRINT					
ELEMENT	TOTAL STRUCTURE FOOTPRINT ^	PORTION OF STRUCTURE LOCATED <25' FROM H.A.T.	PORTION OF STRUCTURE LOCATED <75' FROM H.A.T.	PORTION OF STRUCTURE LOCATED <100' FROM H.A.T.	PORTION OF STRUCTURE LOCATED >100' FROM H.A.T.
PROPOSED STRUCTURE ^	1,430 SQ FT	61 SQ FT	18 SQ FT	735 SQ FT	616 SQ FT

FOOTPRINT CALCULATION NOTES:

^A FOR THE PURPOSES OF THE CALCULATIONS SHOWN ABOVE, AND PER THE CITY OF BIDDEFORD'S DEFINITION OF FOOTPRINT, "FOOTPRINT" INCLUDES DECKS, PORCHES, EXTERIOR STAIRS, STRUCTURES, AND ASSOCIATED ROOF OVERHANGS, AS CALCULATED IN HORIZONTAL SURFACE AREA

PROPOSED LOT COVERAGE		
PRIMARY STRUCTURE TO OVERHANGS	881	SQ FT
ACCESSORY STRUCTURE TO OVERHANGS	247	SQ FT
DRIVEWAY	1,042	SQ FT
WOOD STEPS/STAIRS	87	SQ FT (71 beach chair + 16 new deck stair)
EXTERIOR OPEN DECKS	191	SQ FT ²
HARDSCAPE (PATHS + STAIRS)	24	SQ FT (ENTRY STEPS) ²
MISC. IMPERVIOUS	0	SQ FT
RIP-RAP	636	SQ FT (NO CHANGE)
		Lot Coverage %
TOTAL LOT COVERAGE	3,108	SQ FT 22.53%¹
TOTAL LOT AREA	13,797	SQ FT

**PRELIMINARY
FOR PERMITTING
NOT FOR CONSTRUCTION**

SUBMISSIONS:	
ID	ISSUE DATE
01	2/9/24


 ISSUE NUMBER
 CHANGE ID

ROSEWATER RESIDENCE
MARY & DAVID ROSEWATER
59 GRANITE POINT
Biddeford, ME 04005

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.494.8102

DATE OF ISSUE: 3/1/24
PROJECT STATUS: SD
PROJECT MANAGER:
Randy Smith
571.581.5454
randy@mobilestudiodesign.com

CONSULTANTS:

LANDSCAPE ARCH:

SURVEYOR:

STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

ORIGINAL SHEET SIZE: 24"x36"

RECONSTRUCTION &
RELOCATION PLAN

A-001 B

mobile
studio
design

7

After recording return to:

Mary Rosewater
David Rosewater
30 Heathcote Road
Scarsdale, NY 10583

DLN: 1002040102903

(space above is reserved for recording information)

WARRANTY DEED
Joint Tenancy
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS, That **THERESA J. COLE**, having a mailing address of 10 Breakwater Way, Saco 04072, for consideration paid, grants to **MARY ROSEWATER** and **DAVID ROSEWATER**, both having a mailing address of 30 Heathcote Road, Scarsdale, NY 10583 with ***WARRANTY COVENANTS, AS JOINT TENANTS***, the land in Biddeford in the County of York and State of Maine, described as follows:

A certain lot or parcel of land, together with the buildings thereon, situated at Fortunes Rocks in the City of Biddeford, County of York and State of Maine, and lying on the southeasterly side of the Granite Point Road, formerly referred to as the road from Fortunes Rocks Road to Curtis Point, and being bounded and described as follows:

BEGINNING at a point on the southeasterly side of Granite Point Road, at the westerly corner of land now or formerly of Staples, now or formerly of Haeuber;

THENCE southeasterly by said land now or formerly of Haeuber, a distance of one hundred sixty-seven and two hundredths (167.02) feet to an iron pipe driven into the ground;

THENCE turning and running by a line which makes an included angle of 89° 43' with the last described line a distance of seventy-five (75.00) feet to another iron rod driven into the ground and land described in a deed from Ruth F. Larrabee to Thomas M. Harrington and Jane C. Harrington dated January 24, 1985 and recorded in the York County Registry of Deeds in Book 3558, Page 53 ("land of Harrington);

THENCE northwesterly by said land of Harrington on a line which makes an included angle of 90° 17' 00" with the last described line a distance of one hundred thirty-five and thirty-three hundredths (135.33) feet to a point on the southeasterly side of said Granite Point Road marked by an iron pipe driven into the ground which lies eighty-one and twenty-three hundredths (81.23) feet in a southwesterly direction from the point of beginning;

THENCE northeasterly by said Granite Point Road on a line which makes an included angle of 112° 40' 00" with the last described line a distance of eighty-one and twenty-three hundredths (81.23) feet in a southwesterly direction from the point of beginning;

ALSO hereby conveying all the grantors' right, title and interest in and to that parcel of land lying between the southeasterly boundary of the above-described premises and low water mark of the Atlantic Ocean and lying between the southwesterly and northeasterly boundary lines of the above described premises extending in a southeasterly direction for so far as the Grantors may own, subject, however, to such rights as exist in others.

Said premises are conveyed subject to the burdens and together with the benefits/appurtenances as set forth in deed from Paul F. Larrabee, et al., dated September 3, 1997 and recorded in the York County Registry of Deeds in Book 8427, Page 349.

The above described premises are conveyed subject to and together with the rights and easements contained in deed from William A. Thirkell and Audrey M. Thirkell to Edward O. Cole and Theresa J. Cole, as joint tenants, being dated January 23, 2004 and recorded in the York County Registry of Deeds in Book 13883, Page 268, and reserved easements rights set forth in deed of Ruth Larabee to Thomas M. Harrington dated June 24, 1985 and recorded in the York County Registry of Deeds in Book 3558, Page 53.

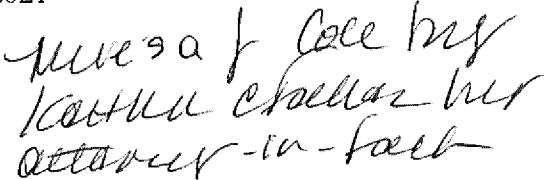
Being the same premises as described in deed to Theresa J. Cole from Edward O. Cole and Theresa J. Cole being recorded on March 14, 2005 and recorded in the York County Registry of Deeds in Book 14409, Page 328 and deed from Theresa J. Cole and Kathleen Cole Fallon, Trustees the Edwards O. Cole Irrevocable Family Trust to Theresa J. Cole dated February 12, 2018 and recorded in the York County Registry of Deeds in Book 17665, Page 74.

WITNESS my hand this 17th day of July, 2021

SIGNED, SEALED AND DELIVERED
IN PRESENCE OF:



Witness



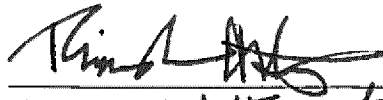
Theresa J. Cole, by Kathleen C. Fallon
her Attorney-In-Fact under Power of
Attorney dated 4/16/2012
to be duly recorded in the York
County Registry of Deeds

STATE OF MAINE
County of York, ss.

July 17, 2020

Personally appeared the above named Kathleen C. Fallon, Attorney-in-Fact for Theresa J. Cole and acknowledged the foregoing instrument to be her free act and deed in her said capacity and the free act and deed of Theresa J. Cole.

Before me,

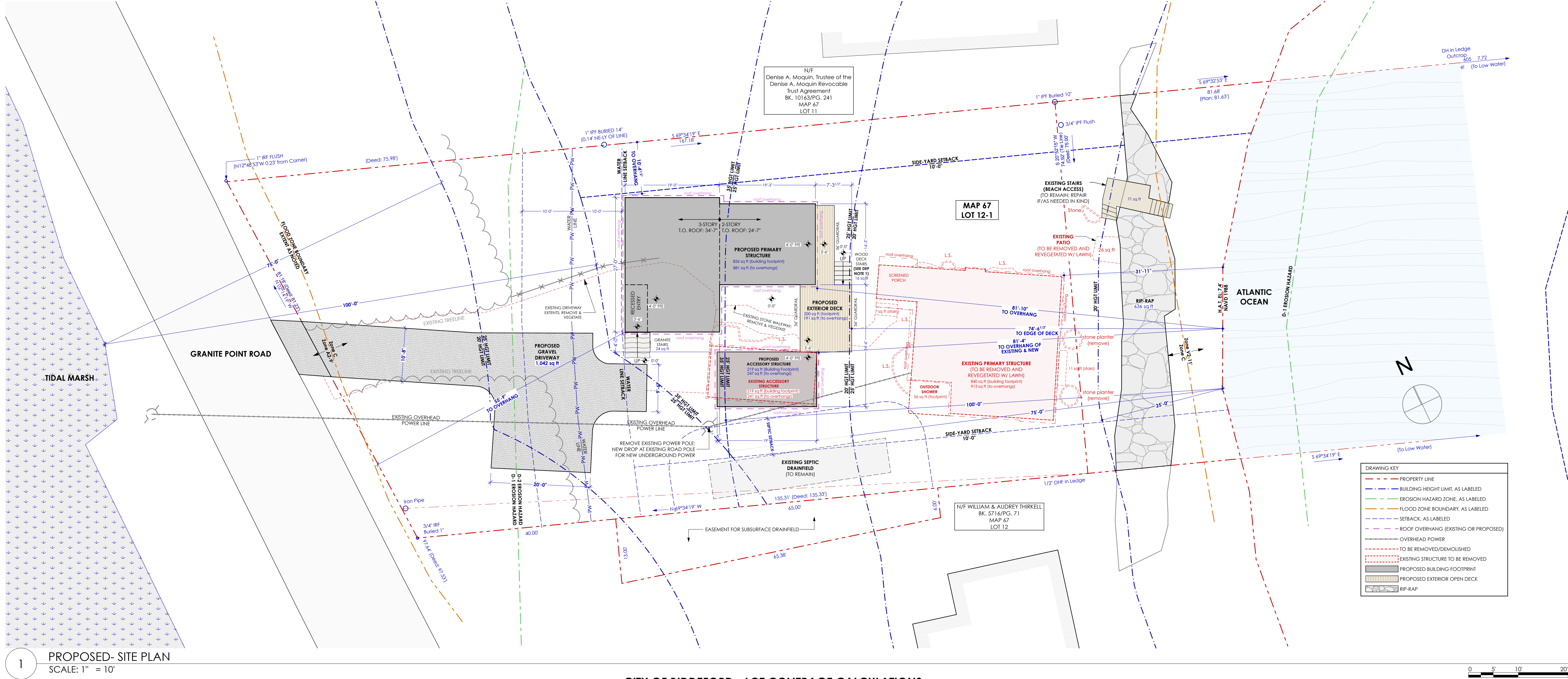

~~Notary Public~~ *Athy - at the*

Print Name RICHARD A. HULL III

My Commission Expires

Richard A. Hull, III

Volumes/Mobile Studio Server/PROJECTS/CURRENT/Rosewater/Rosewater 11/DRAWINGS/3. DD/ARCHICAD/240107_ROSEWATER_DEP_Shifted ADU.pln



1 PROPOSED- SITE PLAN
SCALE: 1" = 10'

ZONING CONSIDERATIONS

ZONE: COASTAL RESIDENTIAL (**CR**)
WITH LIMITED RESIDENTIAL (**LR**) SHORELAND OVERLAY ZONE

FLOOD ZONE:
CURRENT: ZONE C, NO RESTRICTIONS

PROPOSED (2017 FEMA MAPS)
AE ZONE ELEV 13, 14
- REQUIRES LOWEST F.F. INCLUDING BASEMENTS TO BE 1'-0" ABOVE NOTED ELEVATION. GARAGES/STORAGE ARE ALLOWED PROVIDED THEY HAVE THE REQUIRED FLOOD RESISTANT CONSTRUCTION.
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GENERAL SITE PLAN NOTE: THIS ARCHITECTURAL SITE PLAN IS NOT INTENDED FOR ANY OFFICIAL RECORDING FOR REGISTRY OF DEEDS. SEE LOWER VILLAGE SURVEY CO. SITE DEVELOPMENT SURVEY

DIMENSIONAL REQ. MOST RESTRICTIVE	ALLOWABLE	PROPOSED ⁴
FRONT SETBACK	40'-0"	+/- 55'-9"
SIDE YARD SETBACKS	10'-0" ³	+/- 10'-4 1/2"
SETBACK FROM H.A.T. (BLDG)	100'-0"	+/- 81'-10"
SETBACK FROM H.A.T. (DECK)	100'-0"	+/- 74'-6 1/2"
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MIN LOT SIZE	30,000 SQ FT	13,797 SQ FT
MAX LOT COVERAGE	25.16% EXIST.	22.56% PROP. (PER ADJUDICATED SETBACKS)
MIN SHORE FRONTAGE	150'-0"	+/- 75'-0"

BIDDEFORD DIMENSIONAL REQUIREMENT NOTES:

³ PER BIDDEFORD ZONING ORDINANCE. ESTABLISHMENT OF ZONE TABLE B DIMENSIONAL REQUIREMENTS NOTE O, SIDEYARD SETBACKS CAN BE REDUCED TO 10 FT

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ISSUED FOR BIDDEFORD PLANNING BOARD REVIEW 2/29/24

CITY OF BIDDEFORD - LOT COVERAGE CALCULATIONS

EXISTING LOT COVERAGE			PROPOSED LOT COVERAGE		
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RIP-RAP	636 SQ FT		RIP-RAP	636 SQ FT (NO CHANGE)	
		Lot Coverage %			Lot Coverage %
TOTAL LOT COVERAGE	3,473 SQ FT	25.17% ¹	TOTAL LOT COVERAGE	3,108 SQ FT	22.53% ¹
TOTAL LOT AREA ⁰	13,797 SQ FT ⁰		TOTAL LOT AREA	13,797 SQ FT	

LOT COVERAGE NOTES:

⁰ LOT AREA IS CALCULATED TO HIGHEST ANNUAL TIDE LINE AS SHOWN

¹ ALLOWABLE IS 20%, OR GRANDFATHERED EXISTING NON-CONFORMING. NEW DEVELOPMENT SHALL REDUCE LOT COVERAGE TO THE GREATEST PRACTICAL EXTENT AND SHALL NOT EXCEED THE EXISTING NON-CONFORMING LOT COVERAGE PERCENTAGE

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CITY OF BIDDEFORD - FOOTPRINT CALCULATIONS

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**PRELIMINARY
FOR PERMITTING
NOT FOR CONSTRUCTION**

SUBMISSIONS:		CHANGES THIS ISSUE	
ISSUE	DATE	DESCRIPTION	DESCRIPTION
01	2/29/24	ISSUED FOR PERMITTING	

ROSEWATER RESIDENCE
MARY & DAVID ROSEWATER
59 GRANITE POINT
Biddeford, ME 04005

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.494.8102

DATE OF ISSUE: 3/11/24

PROJECT STATUS: SD

PROJECT MANAGER:
Randy Smith
571.581.5454
randy@mobilestudiodesign.com

CONSULTANTS:

LANDSCAPE ARCH:

SURVEYOR:

STRUCTURAL ENGINEER
TBD

CONTRACTOR:
TBD

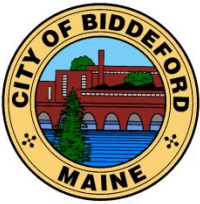
ORIGINAL SHEET SIZE: 24"x36"

RECONSTRUCTION &
RELOCATION PLAN

A-001 B

mobile
studio
design

APPROVAL			
APPROVED BY BIDDEFORD PLANNING BOARD			
MEMBER	DATE	MEMBER	DATE
MEMBER	DATE	MEMBER	DATE
MEMBER	DATE	MEMBER	DATE
CHAIR	DATE	MEMBER	DATE



CITY OF BIDDEFORD

Planning and Development Department

David C.M. Galbraith
Deputy Director/City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 284-9115

David.Galbraith@biddefordmaine.org

PLANNING BOARD STAFF REPORT

TO: Chair Patoine and Members of the Biddeford Planning Board

FROM: David C.M. Galbraith, City Planner / Deputy Director of the Planning & Development Dept.

DATE: March 28, 2024

RE: **2023.20 Final Plan Application for Travis and Lisa Wing to build a private way for 3 new single family home lots and the existing house lot (4 in total). The property is located at 1 Moxie Lane (Tax Map 77, Lot 22) in the SR1 & RF zones and the shoreland overlay district.**

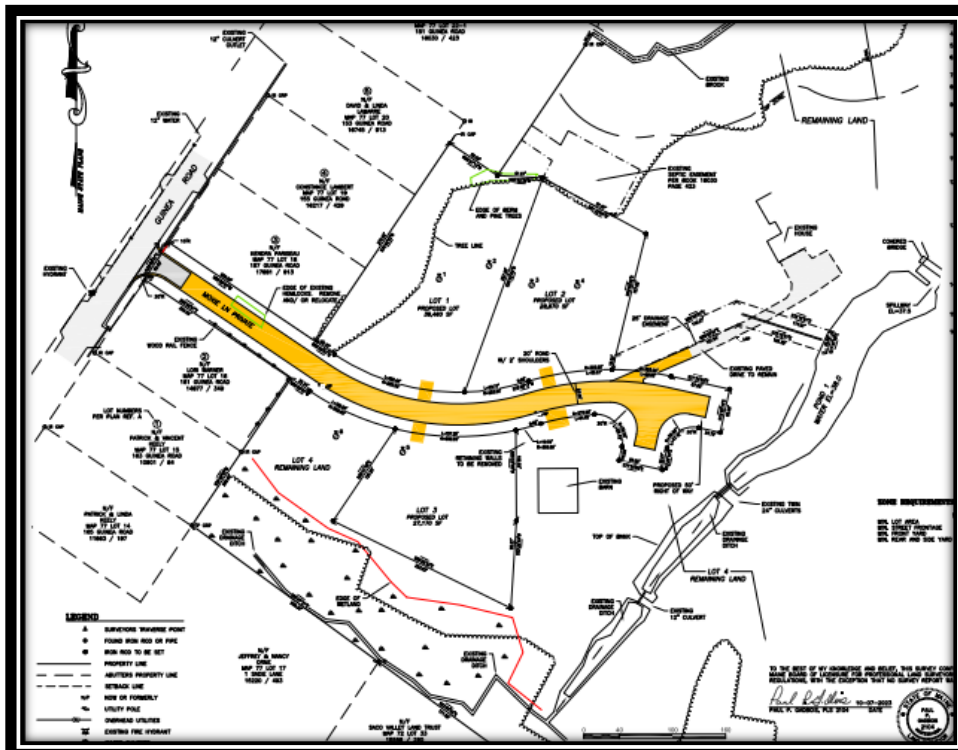
MEETING DATE: April 3, 2024

1. INTRODUCTION

This project originally came before the Planning Board as a Sketch Plan on May 3, 2023. The project was last before the Planning Board, for Preliminary Plan review, at the December 6, 2023 regular meeting. The Applicants and property owners, Travis and Lisa Wing with their agent Paul Gadbois, Project Engineer is

seeking Final Plan approval for the creation of three (3) new lots for the development of single-family homes. Moxie Lane is currently a paved driveway serving the a single house (1 Moxie Lane) however, the existing driveway is proposed to be improved to a four lot subdivision roadway standard. The subject property is 21 acres in area and the three proposed lots will be;

- 1) Lot # 1 = 38,460 square feet;
- 2) Lot # 2 = 28,870 square feet and;
- 3) Lot # 3 = 27,170 square feet in area. The balance of the 21 acres will remain with the existing house lot, identified as "Lot 4 remaining land".



2023.20 Final Plan Application for Travis and Lisa Wing to build a private way for 3 new single family home lots and the existing house lot (4 in total). The property is located at 1 Moxie Lane (Tax Map 77, Lot 22) in the SR1 & RF zones and the shoreland overlay district.

Planning Board Meeting Date: April 3, 2024

As proposed the lots will be served by public water, underground utilities to the lots from existing overhead utilities, and and private septic systems serving each lot. As previously mentioned, the existing driveway is proposed to be improved to a four lot subdivision roadway standard. The City of Biddeford will not be responsible for the construction, roadway maintenance, snow removal or trash collection. Property owners will be responsible for transporting their trash to Guinea Road for collection. A note (#13) has been added to the subdivision plan outlining this private ownership responsibility. A roadway maintenance agreement shall be recorded in the York County Registry of Deeds outlining homeowner responsibilities. A note of this nature (#14) has been included on the final subdivision plan that will be revcorded upon approval.



Moxie Lane Existing Conditions

2. PROJECT DATA/INFORMATION

1.	Applicant:	Travis & Lisa Wing 1 Moxie Lane Biddeford, ME 04005
2.	Owner of Property:	Same as Applicant
3.	Agent:	Paul Gadbois PO Box 327 Saco, ME 04072
4.	Surveyor:	Same as above
5.	Project Location:	1 Moxie Lane

2023.20 Final Plan Application for Travis and Lisa Wing to build a private way for 3 new single family home lots and the existing house lot (4 in total). The property is located at 1 Moxie Lane (Tax Map 77, Lot 22) in the SR1 & RF zones and the shoreland overlay district.

Planning Board Meeting Date: April 3, 2024

6.	Project Tax Map #/Lot #:	Tax Map 77, Lot 22
7.	Lot Size:	21 Acres
8.	Base Zoning:	SR1 & RF
9.	Overlay Zoning:	SP-Moora Brook
10.	Existing Use:	Single Family Home
11.	Proposed Use:	4 Single Family Homes with a private way
12.	Approvals Required:	Subdivision
13.	Uses in the Vicinity:	Residential
14.	Waivers Needed:	a. None
18.	Waivers Granted:	a. None
22.	Other Non-City Permits Required:	
23.	LDR Attachment A: Fees Paid:	Application Fees Paid
25.	Planning Board Review History: Sketch Plan - May 3, 2023; Preliminary December 6, 2023; Final April 3, 2024.	

3. REVIEW PROCESS

Per City ordinance, this application is subject to Site Plan (Land Development Regulations, Article XI) review and Subdivision Review (Chapter 66 – Subdivisions) and approval by the Planning Board.

4. Departmental Review Comments:

A. Planning:

1. None

B. Code Enforcement:

1. None

C. Engineering Peer Review:

The City's peer reviewer is completing their final review of this project. We do not believe that these comments, which are generally technical in nature, will significantly impact the overall design concept, and that they will be satisfactorily addressed at the time of the final plan recording.

D. Police Department:

1. No Comments received.

E. Fire:

1. The alternative hammer-head turn-around plan (SP2) as requested has been amended on revised plan sets.

F. Traffic Peer Review:

1. Due to the small scale of the proposed three (3) lot subdivision, a Peer Traffic review is not warranted.

5. STAFF REVIEW

2023.20 Final Plan Application for Travis and Lisa Wing to build a private way for 3 new single family home lots and the existing house lot (4 in total). The property is located at 1 Moxie Lane (Tax Map 77, Lot 22) in the SR1 & RF zones and the shoreland overlay district.

Planning Board Meeting Date: April 3, 2024

- **APPLICATION COMPLETENESS:** This application is for final plan approval so the purpose of this memorandum is to help identify missing submittal requirements and / or items Staff believes are important and necessary Conditions of Approval (CEO) for this project.
- **ZONING:** The proposed use of the three (3) proposed lots is for the construction of a single family on each of the three (3) identified lots which are permitted uses within the SR-1 Zoning District. As proposed, each of the lots would meet the required dimensional standards including building height, building setback, frontage, and lot coverage requirements.
- **REVIEW STANDARDS:**

Staff found the final plan application to satisfy City subdivision and site plan requirements.

- **WAIVERS:** The applicant is not seeking any waivers at this time.

6. **STAFF RECOMMENDATION**

Staff recommends the Board approve the Final Subdivision Plans. Should the Board wish to formally make a motion sample motions are provided below:

7. **SAMPLE MOTIONS**

- A. Motion to Approve: I motion to APPROVE the Final Plan application for the proposal located 1 Moxie Lane (Tax Map 77, Lot 22), within the Suburban Residential & Rural Farm (SR 1 & RF) zones, as well as shoreland overlay zone.
- B. Motion to Deny I motion to DENY Final Plan approval for the proposal located 1 Moxie Lane (Tax Map 77, Lots 22), within Suburban Residential 1 and Rural Farm (SR1 & RF) zoning districts, for the following reasons:
- 1) _____.
- 2) _____.
- 3) _____.
- C. Motion to Table: I motion to TABLE the Final Subdivision and Site Plan approval for the proposal to be located 1 Moxie Lane (Tax Map 77, Lots 22), within the Suburban Residential 1 & Rural Farm (SR1 & RF) zoning districts, for the following reasons:

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



PAUL P. GADBOIS PE, PLS

Civil Engineering, Surveying, Land Planning
Structural Engineering, DEP Permitting

P.O. Box 327
Saco, ME 04072
Phone & Fax (207) 283-3980
Email: pgadbois53@gmail.com

January 25, 2024

David Galbraith, Planner
City of Biddeford
205 Main Street
Biddeford, Maine 04005

Re: Moxie Lane, Tax Map 77, Lot 22.

Dear Mr. Garnham,

The following is my response to the Planning Board Staff Report dated 11-29-2023.

ENGINEERING COMMENTS:

General

1. The existing ponds are man-made, I and we have submitted a PBR to DEP for construction adjacent to protected natural resources. DEP website shows the PBR_ID-78543 to be accepted January 25, 2024.
2. What stormwater maintenance agreement? Did you mean the Road Maintenance Agreement? The Road maintenance agreement is an example the actual will be executed by the client's attorney. See note #14 on Subdivision Plan.
3. The fire department visited the site and approved the proposed access and radius to the site. We have submitted a turning radius showing that the 10-foot radius will provide adequate access for the fire department. (See waiver request). This project is not proposed for acceptance by the city, therefore per Sec. 62-87 we are proposing 5/8" rebar which meets the Land Surveyors Standards of Practice.
4. The owners are offering the lots to be sold.
5. Ok. I spoke to Pat Perron and his intent is to remove the existing gravel to subgrade.

Drawings

- a. The culverts along Guinea are existing. The 12" culvert installed by the city extends 250 feet and outlets to a low point and shown on Subdivision Plan Sheet #2.
- b. Showed the existing culvert on profile as requested.
- c. The 12" culvert installed by the city does not allow us to achieve greater cover over the existing culvert. This situation is not unique as similar projects were approved off Guinea Road.
- d. I have added a grading plan showing spot elevations along the ditch line. I have revised the cross section to show ditch grade varies see spot grades.
- e. Added additional spot grades at turnaround.
- f. Added a note at proposed connection to water line "Directional Bore and saw cut pavement as required for connection. See typical details for public roadway cross section.



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- g. Added grading at end of private way.
- h. Added erosion control mix to back up proposed silt fence. Added erosion control mix at inlet to the existing 12" culvert under existing driveway. Added stone check dam at end of proposed swale.
- i. Added a stone check dam has been to dissipate the energy. The swale is constructed at a slope of .004 therefore the velocities will be quite slow.
- j. We have added riprap at the end of the existing culvert. Based on conversations with the owner the existing culvert has never been an issue and is more than adequate.
- k. Added benchmark. PK nail in driveway pavement adjacent to site power pole #3.

Details

- a. We are not proposing any riprap slopes. The maximum height of the proposed slopes is less than 3 ½ feet. Changed cross section to state slopes less than 2:1 loam and seed.
- b. Added crown to cross section.
- c. Revised public way section material thickness. Added note stating match existing.

Waiver Request:

Per Sec. 62-104. Intersections.

Curb radius. Intersecting curb lines shall be not less than 25 feet. The applicant has agreed to lengthen the turn around legs at the hammerhead from 40 feet to 60 feet. The fire department has visited the site and determined that the 10-foot radius is adequate for turning movements.

Based on the above we are requesting a waiver from the 25-foot required to the 10-foot proposed for the left curb entrance. We are proposing a 30-foot radius for the right-side entrance.

Sincerely,

Paul P. Gadbois, P.E., P.L.S.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
PERMIT BY RULE NOTIFICATION FORM**

(For use with DEP Regulation, Natural Resources Protection Act - Permit by Rule Standards, Chapter 305)

APPLICANT INFORMATION (Owner)				AGENT INFORMATION (If Applying on Behalf of Owner)			
Name:	Travis and Lisa Wing			Name:	Paul P. Gadbois		
Mailing Address:	1 Moxie Lane			Mailing Address:	P.O. Box 327		
Mailing Address:				Mailing Address:			
Town/State/Zip:	Biddeford, Maine 04005			Town/State/Zip:	Saco, Maine 04072		
Daytime Phone #:	(207) 205-9092	Ext:		Daytime Phone #:	(207) 283-3980	Ext:	
Email Address:	stumblinfarm@gmail.com			Email Address:	pgadbois53@gmail.com		
PROJECT INFORMATION							
Part of a larger project? (check 1):	☐ Yes ☒ No	After the Fact? (check 1):	☐ Yes ☒ No	Project involves work below mean low water? (check 1):	☐ Yes ☒ No	Name of waterbody:	Unnamed stream to Moors Brook
Project Town:	Biddeford	Town Email Address:	robby.fecteau@biddefordmaine.org			Map and Lot Number:	77 / 22
Brief Project Description:	Owner wishes to upgrade an existing private way (Moxie Lane) in order to create 3 new residential house lots. The grading for the proposed turn around is located 47 feet from a man made pond which discharges to an unnamed stream. The roadway fill section is located 60 feet from the edge of the man made pond. 						
Project Location & Brief Directions to Site:	From Pool Street turn right onto Meeting House Road in approximately 0.3 miles turn right onto Guinea Road, proceed on Guinea Road approximately 1.1 miles and turn left onto Moxie Lane.						

PERMIT BY RULE (PBR) SECTIONS (Check at least one): I am filing notice of my intent to carry out work that meets the requirements for Permit-by-Rule (PBR) under DEP Rules, [Chapter 305](#). I and my agent(s), if any, have read and will comply with all of the standards in the Sections checked below.

- | | | |
|--|--|---|
| ☒ Sec. (2) Act. Adj. to Prot. Natural Res. | ☐ Sec. (9) Utility Crossing | ☐ Sec. (16) Coastal Sand Dune Projects |
| ☐ Sec. (3) Intake Pipes | ☐ Sec. (10) Stream Crossing | ☐ Sec. (16-A) Beach Nourishment |
| ☐ Sec. (4) Replacement of Structures | ☐ Sec. (11) State Transportation Facilities | ☐ Sec. (17) Transfer/Permit Extension |
| ☐ Sec. (6) Movement of Rocks or Veg. | ☐ Sec. (12) Restoration of Natural Areas | ☐ Sec. (18) Maintenance Dredging |
| ☐ Sec. (7) Outfall Pipes | ☐ Sec. (13) F&W Creat./Water Qual. Improv. | ☐ Sec. (19) Act. Near SVP Habitat |
| ☐ Sec. (8) Shoreline Stabilization | ☐ Sec. (15) Public Boat Ramps | ☐ Sec. (20) Act. Near Waterfowl/Bird Habitat |

NOTE: Municipal permits also may be required. Contact your local code enforcement office for information. Federal permits may be required for stream crossings and for projects involving wetland fill. Contact the Army Corps of Engineers at the Maine Project Office for information.

NOTIFICATION FORMS CANNOT BE ACCEPTED WITHOUT THE NECESSARY ATTACHMENTS AND FEE

- ☒ **Attach** all required submissions for the PBR Section(s) checked above. The required submissions for each PBR Section are outlined in Chapter 305 and may differ depending on the Section you are submitting under.
- ☒ **Attach** a location map that clearly identifies the site (U.S.G.S. topo map, Maine Atlas & Gazetteer, or similar).
- ☒ **Attach Proof of Legal Name** if applicant is a corporation, LLC, or other legal entity. Provide a copy of Secretary of State's registration information (available at <http://icrs.informe.org/nei-sos-icrs/ICRS?MainPage=x>). Individuals and municipalities are not required to provide any proof of identity.

FEE: Pay by credit card at the [Payment Portal](#). The Permit-by-Rule fee may be found here <https://www.maine.gov/dep/feeschedule.pdf> and is currently \$307.

- ☒ **Attach** payment confirmation from the Payment Portal when filing this notification form.

Signature & Certification:	
- I authorize staff of the Departments of Environmental Protection, Inland Fisheries & Wildlife, and Marine Resources to access the project site for the purpose of determining compliance with the rules. - I understand that this PBR becomes effective 14 calendar days after receipt by the Department of this completed form, the required submissions, and fee, <i>unless the Department approves or denies the PBR prior to that date.</i>	
By signing this Notification Form, I represent that the project meets all applicability requirements and standards in Chapter 305 rule and that the applicant has sufficient title, right, or interest in the property where the activity takes place.	
Signature of Agent or Applicant (may be typed):	Paul P. Gadbois Date: 12/30/2023

Keep a copy as a record of permit. Email this completed form with attachments to DEP at: DEP.PBRNotification@maine.gov. DEP will send a copy to the Town Office as evidence of DEP's receipt of notification. No further authorization will be issued by DEP after receipt of notice. A PBR is valid for two years, except Section 4, "Replacement of Structures," are valid for three years. **Work carried out in violation of the Natural Resources Protection Act or any provision in Chapter 305 is subject to enforcement.**



PAUL P. GADBOIS PE, PLS

Civil Engineering, Surveying, Land Planning
Structural Engineering, DEP Permitting

P.O. Box 327
Saco, ME 04072
Phone & Fax (207) 283-3980
Email: pgadbois53@gmail.com

December 30, 2023

Department of Environmental Protection
312 Canco Road Suite 4
Portland, Maine 04103

Re: Travis and Lisa Wing, 1 Moxie Lane, Tax Map 77, Lot 22.

Dear DEP Staff,

The owners / applicants Travis and Lisa Wing wish to subdivide a portion of their 21-acre parcel of land and create 3 new single-family house lots ranging in size from 27,000 to 38,000 square feet.

The project proposes to upgrade the existing private way to a 4-lot standard.

The proposed lots are not located in the stream protection zone.

Wetlands were delineated by Mark Hampton and are not considered wetlands of special significance. See wetland delineation report dated January 23, 2023. No wetland fill is proposed for this project.

According to Maine Historic Preservation Officer there will be no historic properties affected by the proposed development. Also, according to the director of Maine Natural Areas Program there are no rare botanical features documented with the project area.

The project drains to an existing drainage ditch and into (2) man-made ponds which outlets via a spillway to an unnamed stream which flows into Moors Brook. Moors Brook is not listed as an Urban Impaired Stream. No state or federal permits is required for this project.

The hammerhead was designed to meet the performance standards for private ways and roads. However, the Fire Department is asking that we meet an alternate design which adds approximately 18.5 feet to the hammerhead legs.

NO PRACTICABLE ALTERNATIVE

The hammerhead location was chosen to meet the required setbacks from the barn while still allowing access to the existing drive. Most importantly in order to provide for



PAUL P. GADBOIS PE, PLS

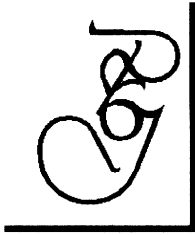
Civil Engineering, Surveying, Land Planning
Structural Engineering, DEP Permitting

P.O. Box 327
Saco, ME 04072
Phone & Fax (207) 283-3980
Email: pgadbois53@gmail.com

drainage we need to create a swale to elevation 42 which is located 47 feet from the edge of the man-made pond #1.

Sincerely,

Paul P. Gadbois, P.E., P.L.S.



PAUL P. GADBOIS PE, PLS

Civil Engineering, Surveying, Land Planning
Structural Engineering, DEP Permitting

P.O. Box 327
Saco, ME 04072
Phone & Fax (207) 283-3980
Email: pgadbois53@gmail.com

March 12, 2023

Paul P. Gadbois, P.E., P.L.S.
Paul P. Gadbois Engineering
P.O. Box 327
Saco, Maine 04072

Re: 1 Moxie Lane Tax Map 77, Lot 22.

Dear Paul,

This letter will serve as authorization for Paul P. Gadbois Engineering to act as agent on the above referenced project with regards to various land use permitting requirements for the property in Biddeford. This will include any submissions to the DEP, ACOE, and the City.

Very Truly Yours,

Lisa Wing



MARK HAMPTON ASSOCIATES, INC.

SOIL EVALUATION • WETLAND DELINEATIONS • SOIL SURVEYS • WETLAND PERMITTING

7248

January 23, 2023

Mr. Travis Wing
1 Moxie Lane
Biddeford, ME 04005

Re: Wetland Delineation, 2+ acre portion of Property at 1 Moxie Lane Biddeford, ME

Dear Travis,

I have completed a delineation of wetlands on the 2+ acre portion of the parcel located 1 Moxie Lane Biddeford, ME. The wetland delineation was completed in accordance with the 1987 U.S. Army Corps of Engineers Wetland Delineation Manual and the Regional Supplement to the Corps of Engineers Wetland Delineation Manual for the Northcentral and Northeast Regions dated January 2012. These manuals require the presence of three parameters for a wetland to be present, wetland hydrology, hydrophytic vegetation, and hydric soils.

The wetlands I found on the parcel were flagged with yellow flagging. The flagging was labeled in an alphanumeric sequence. The wetland flags were located by GPS equipment capable of locating a point to within three feet. The wetland GPS data has been forwarded to Paul Gadbois to be incorporated into the project plans. The wetlands found on the property are forested wetlands. The wetlands on the property do not meet the definition of wetlands of special significance as defined by Maine Department of Environmental Protection.

If you have any questions or require additional information, please contact me.

Sincerely,

Mark J. Hampton C.S.S., L.S.E.
Certified Soil Scientist #216
Licensed Site Evaluator #263

QUITCLAIM DEED
Maine Statutory Short Form

KNOW ALL MEN BY THESE PRESENTS,

THAT **LISA M. WING AND TRAVIS D. WING**, of the City of Biddeford, County of York, State of Maine,

for no consideration paid, interfamily gift

grant to **LISA M. WING** of the City of Biddeford, County of York, State of Maine, whose mailing address is 1 Moxie Lane, Biddeford, ME 04005 with **quitclaim covenants**, the land in the City of Biddeford, County of York, State of Maine, described as follows:

A certain lot or parcel of land, together with any improvements thereon, situated in the City of Biddeford, County of York and State of Maine, bounded and described as follows:

Beginning on the southeasterly side of the Guinea Road, so called, at the northerly corner of land now or formerly of Louis H. Staples, et al;

Thence southeasterly along land now or formerly of said Staples about sixty-five (65) rods to the easterly corner of land now or formerly of said Staples and to a lot of land conveyed by Raoul E. Labbe and Anita Labbe to said Staples, et al;

Thence northeasterly by said lot now or formerly of said Staples, by another lot now or formerly of said Staples, by land formerly of Nathaniel Emery and by land of owners unknown about ninety four and two thirds (94 2/3) rods to land now or formerly of one Lehouillier;

Thence northwesterly by land now or formerly of said Lehouillier to the brook;

Thence southwesterly, westerly and northwesterly by the brook to the said Guinea Road;

Thence southwesterly by said Road about six hundred sixty two (662) feet to the point of beginning.

Excepted and reserved from the above description are the following;

1. Deed from Ralph L. Lachance and Rachel Lachance to Richard R. Nolette and Dorothy Nolette, dated May 8, 1972 and recorded in said Registry of Deeds in Book 1946, Page 107.
2. Deed from Ralph L. Lachance and Rachel Lachance to Joseph O. Papineau and Maxine Papineau, dated May 4, 1974 and recorded in said Registry of Deeds in Book 2034, Page 621.
3. Deed from Ralph L. Lachance and Rachel Lachance to C & S Development, dated July 19, 1974 and recorded in said Registry of Deeds in Book 2047, Page 266.
4. Deed from Ralph L. Lachance and Rachel Lachance to C & S Development dated July 19, 1974 and recorded in said Registry of Deeds in Book 2047, Page 268.
5. Deed from Ralph L. Lachance and Rachel Lachance to Richard P. Lambert and Constance Lambert, dated September 26, 1974 and recorded in said Registry of Deeds in Book 2054, Page 433.
6. Deed from Fernand Payer, Clair Payeur and Lisa Payeur to Fernand Payeur and Claire Payeur, dated December 16, 2001 and recorded in said Registry of Deeds in Book 11230,

No R.E. Transfer Tax Paid

Page 326.

7. Deed from Lisa Payeur, Fernand Payeur and Claire Payeur to Fernand Payeur and Claire Payeur, dated June 26, 2002 and recorded in said Registry of Deeds in Book 11784, Page 157.

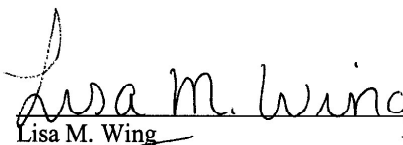
Reference is also made to the Plan of Lots of Ralph L. and Rachel Lachance, dated November 4, 1969 and recorded in said Registry of Deeds in Plan Book 51, Page 14.

The property is subject to a septic sewage easement as described in the deed from Lisa Payeur, Fernand Payeur and Claire Payeur to Fernand Payeur and Claire Payeur dated June 26, 2002 and recorded in said Registry of Deeds in Book 11784, Page 157.

Being the same premises conveyed to Lisa M. Wing and Travis D. Wing by deed of Lisa M. Wing dated April 23, 2008 and recorded in the York County Registry of Deeds in Book 15482, Page 566.

IN WITNESS WHEREOF, We, the said **Lisa M. Wing and Travis D. Wing**, have hereunto set our hands and seals, this 27th day of October, 2010.

**SIGNED, SEALED AND DELIVERED
IN PRESENCE OF**


Lisa M. Wing

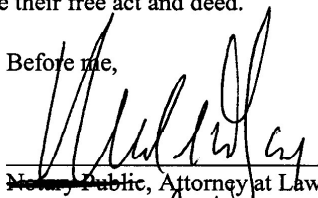

Travis D. Wing

**STATE OF MAINE
YORK, ss.**

October 27, 2010

Then personally appeared the above named **Lisa M. Wing and Travis D. Wing** and acknowledged the foregoing instrument to be their free act and deed.

Before me,


Notary Public, Attorney at Law

Print Name

Richard J. Dutzi

My Commission Expires _____

RETURN RECORDED DOCUMENT TO:

Lisa and Travis Wing
1 Moxie Lane
Biddeford, ME 04005

BRYCE W. INGRAHAM, ESQ.
338 Main Street
Saco, ME 04072

→ judy/my deeds wing to wing /lisa and travis to lisa

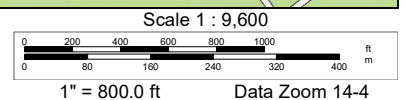
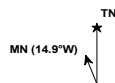
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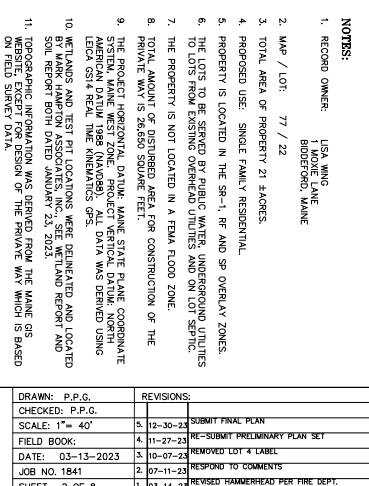




Proposed Turn Around Location



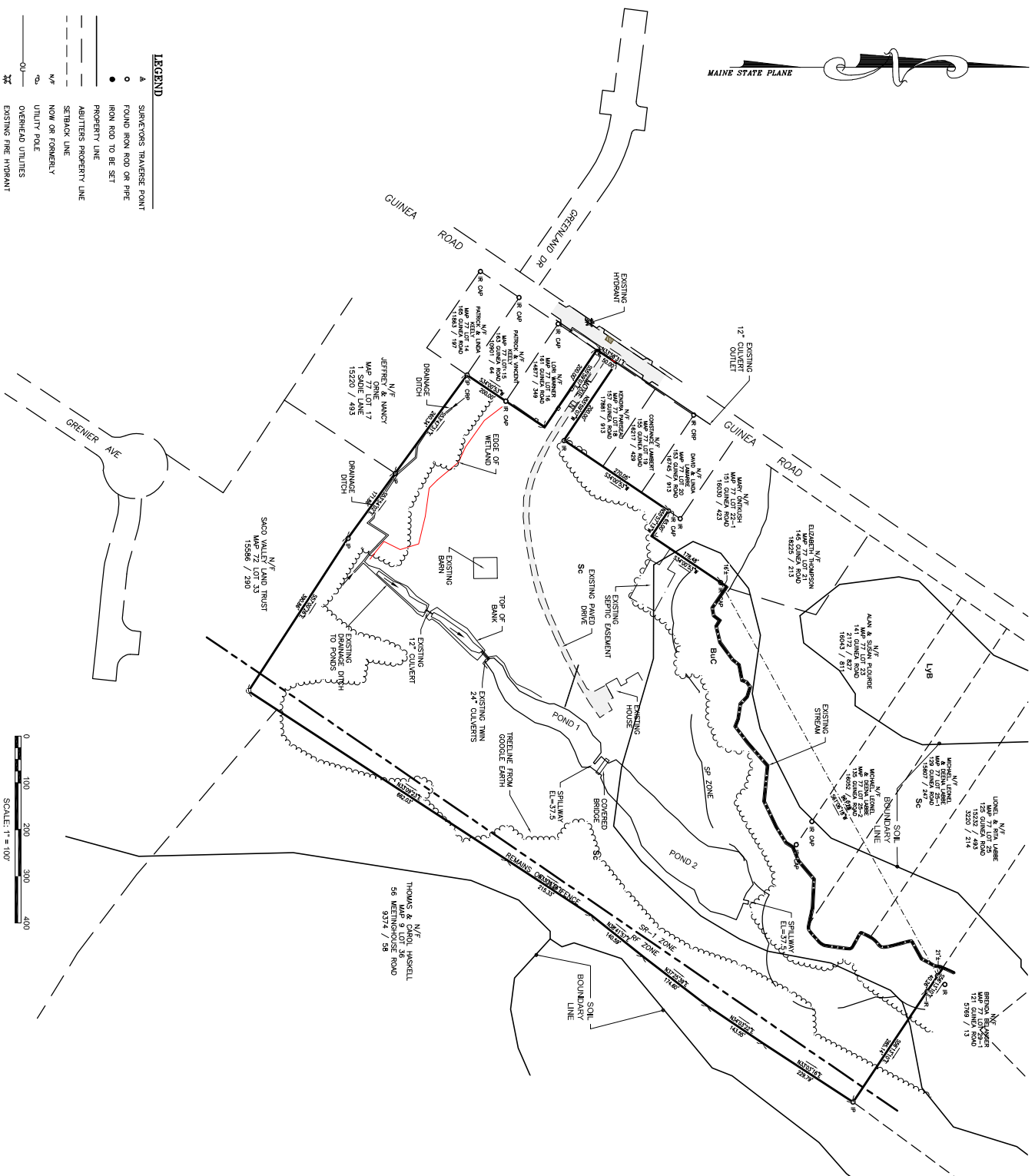
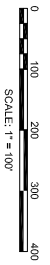
Pond 1



55



- LEGEND**
- A SURVEYORS TRAVERSE POINT
 - FOUND IRON ROD OR PIPE
 - IRON ROD TO BE SET
 - PROPERTY LINE
 - ADJUTERS PROPERTY LINE
 - SETBACK LINE
 - N/F NOW OR FORMERLY
 - UTILITY POLE
 - OVERHEAD UTILITIES
 - EXISTING FIRE HYDRANT
 - WATER SHUTOFF

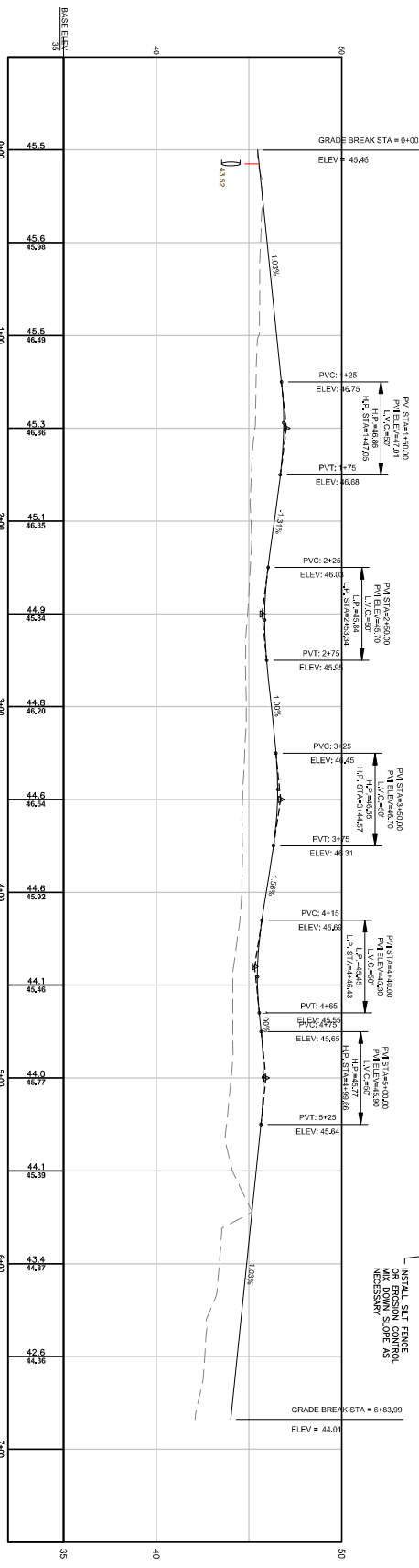
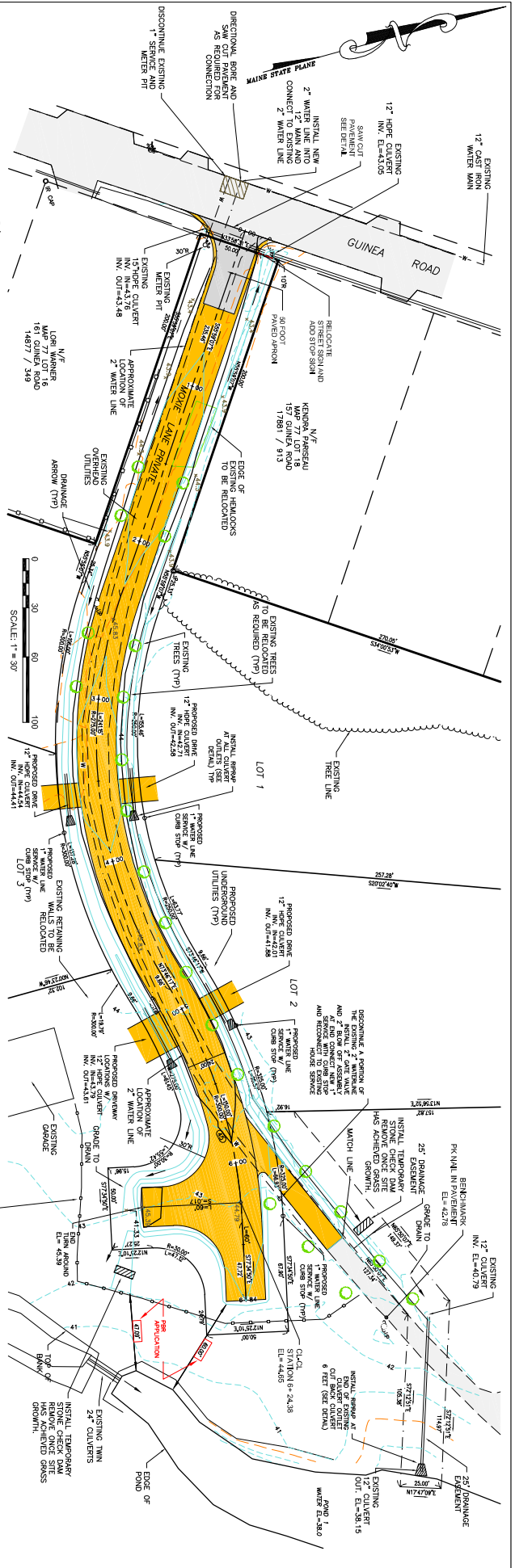


PAUL P. GADBOIS
ENGINEERING SURVEYING
LAND PLANNING
P.O. BOX 327, SAGO, MAINE 04072
(207) 283-3980

EXISTING CONDITIONS PLAN
LISA & TRAVIS WING
1 MOXIE LANE
BIDDEFORD, MAINE

RECORD OWNER
LISA WING
1 MOXIE LANE
BIDDEFORD, MAINE 04005

DRAWN: P.P.G.	REVISIONS:
CHECKED: P.P.G.	
SCALE: 1" = 100'	
FIELD BOOK:	
DATE: 05-13-2023	3 12-30-23 RE-SUBMIT TO CITY
JOB NO. 1841	2 11-27-23 RE-SUBMIT PRELIMINARY PLAN SET
SHEET 4 OF 8	1 07-11-23 RESPOND TO COMMENTS



PROFILE: PCL (1)

PRIVATE WAY NOTES:

1. THE PROPOSED RIGHT OF WAY IS TO BE A PRIVATE ROAD. THE CITY OF BIDDEFORD WILL NOT BE RESPONSIBLE FOR THE CONSTRUCTION AND MAINTENANCE OF ANY ROAD, SNOW REMOVAL, OR OTHER PUBLIC WORKS. THE PRIVATE WAY SHALL BE CONSTRUCTED AND MAINTAINED AT THE OWNER'S EXPENSE.
2. NO NEW STREET LIGHTS ARE PROPOSED FOR THIS PROJECT.
3. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE EROSION PREVENTION PROVISIONS AS OUTLINED IN THE MAINE EROSION CONTROL AND SEDIMENTATION HANDBOOK FOR CONSTRUCTION, BEST MANAGEMENT PRACTICES, "LATEST EDITION".
4. DRIVEWAY ARROWS MUST COMPLY WITH CHAPTER 62 SECTION 82-111 OF THE BIDDEFORD ORDINANCE.
5. IN LIEU OF A FULL PERFORMANCE GUARANTEE, THE APPLICANT SHALL NOT RECEIVE A

WATER MAIN NOTES:

1. MAINTAIN 5' SEPARATION FROM PROPERTY LINES AND MAIN MADE STRUCTURES.
2. MAINTAIN 5' OF COVER OVER THE LINE WITH NO MORE THAN 4.5 FEET.
3. MAINTAIN 10' OF SEPARATION FROM OTHER UTILITIES.
4. MAINTAIN 3' SEPARATION FROM EXISTING WATER INFRASTRUCTURE, UNLESS CONNECTING.
5. MAINTAIN 18 INCHES OF VERTICAL SEPARATION AT CROSSINGS WITH OTHER UTILITIES.
6. RUN WITH TRACER WIRE WHERE NON-METALLIC AND BONDED FOR CONTINUITY FROM MAIN TO METER.
7. MUST COMPLY WITH ALL OTHER MAINE WATER SPECIFICATIONS.

PROGRESS PLAN
NOT FOR CONSTRUCTION
FOR INFORMATION PURPOSES ONLY
THIS PLAN IS SUBJECT TO REVISION
1. OWNER CARRY OUT THE INFORMATION SHOWN
HEREON IN ACCORDANCE WITH THE BEST OF HIS
KNOWLEDGE.

- LEGEND
- ▲ SURVEYORS TRAVELER POINT
 - ROAD IRON ROD OR PIPE
 - IRON ROD TO BE SET
 - ABUTTERS PROPERTY LINE
 - SETBACK LINE
 - NOW OR FORMERLY
 - UTILITY POLE
 - OVERHEAD UTILITIES
 - EXISTING FIRE HYDRANT
 - WATER SHUTOFF
 - DRAINAGE DIRECTION
 - PROPOSED SPOT GRADES

PAUL P. GADBOIS
ENGINEERING SURVEYING
LAND PLANNING
P.O. BOX 327, SACO, MAINE 04072
(207) 283-3980

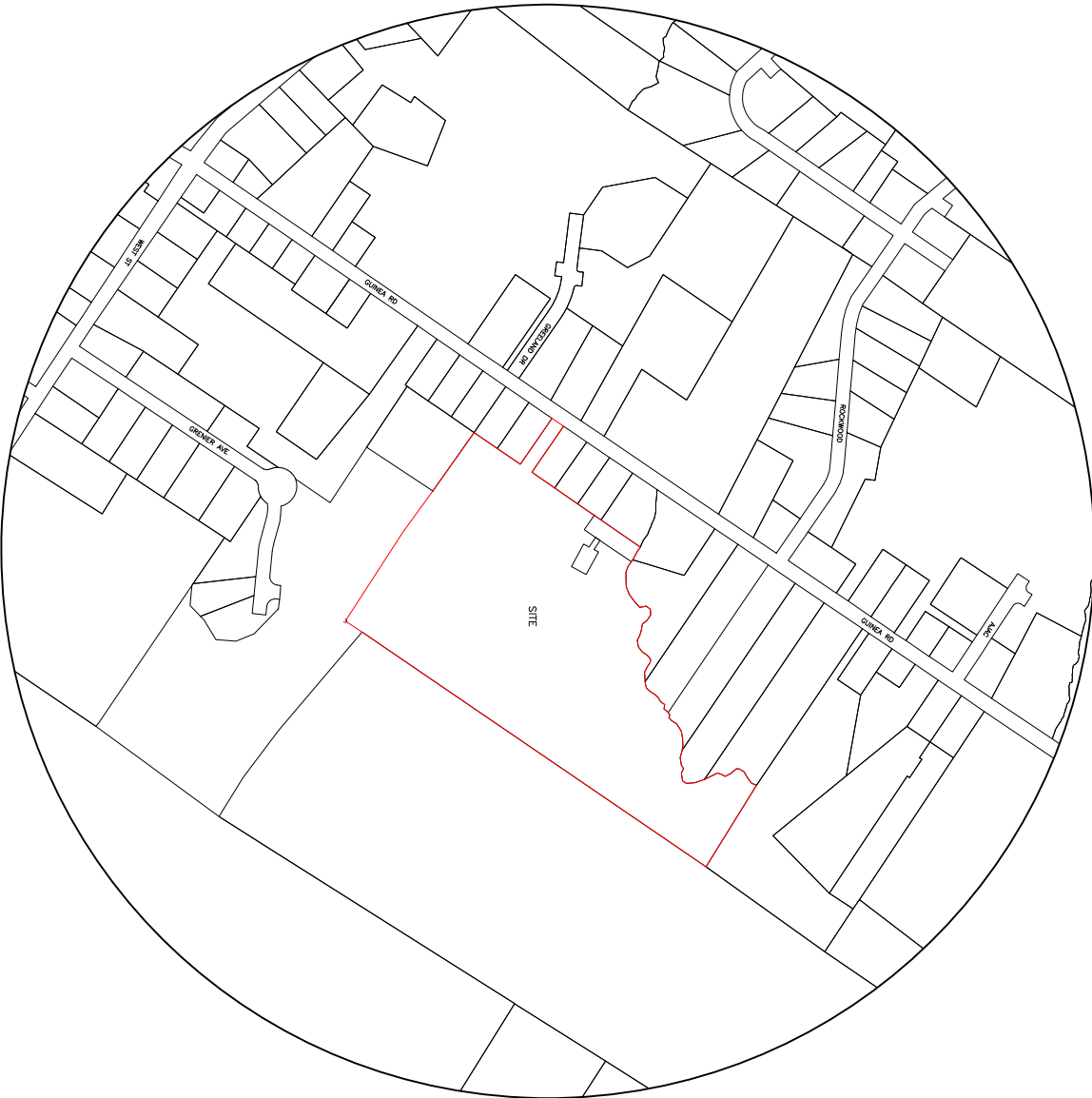
PLAN AND PROFILE
LISA AND TRAVIS WING
1 MOXIE LANE
BIDDEFORD, MAINE

RECORD OWNER
LISA WING
1 MOXIE LANE
BIDDEFORD, MAINE 04005

DRAWN: P.P.G.	REVISIONS:
CHECKED: P.P.G.	
SCALE: 1" = 30'	
FIELD BOOK:	
DATE: 05-13-2023	1. 12-30-23 RESPOND TO STAFF REPORT DATED 11-29-23
JOB NO. 1641	2. 11-27-23 PER COMMENTS RECEIVED FROM SITE DESIGN
SHEET 5 OF 8	3. 07-11-23 RESPOND TO COMMENTS



LOCATION MAP
1" = 200'



- PLAN INDEX
1. COVER SHEET
 2. SUBDIVISION PLAN
 3. BOUNDARY SURVEY
 4. EXISTING CONDITIONS PLAN
 5. PLAN AND PROFILE
 6. GRADING PLAN
 7. EROSION CONTROL AND DETAILS
 8. EROSION CONTROL

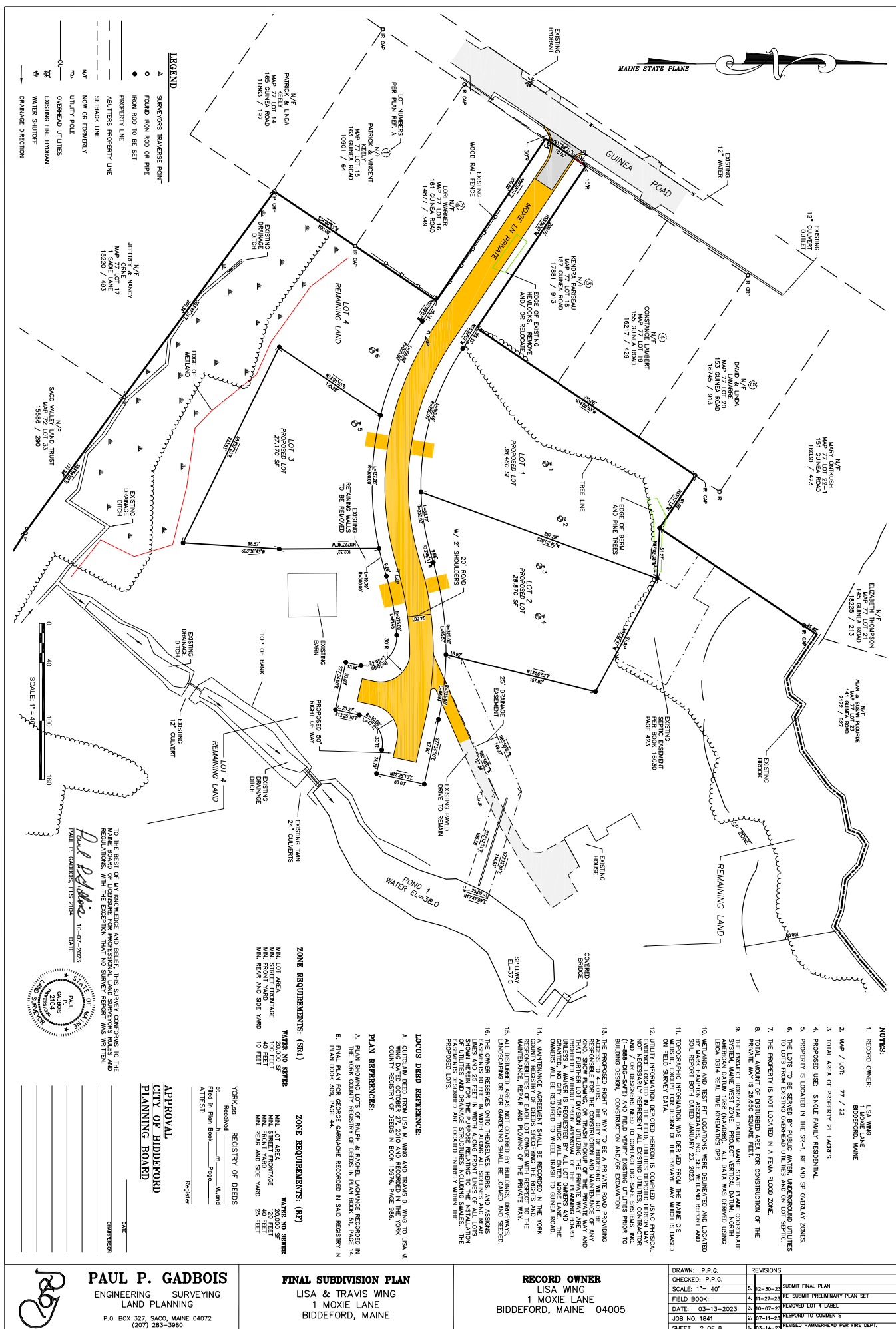


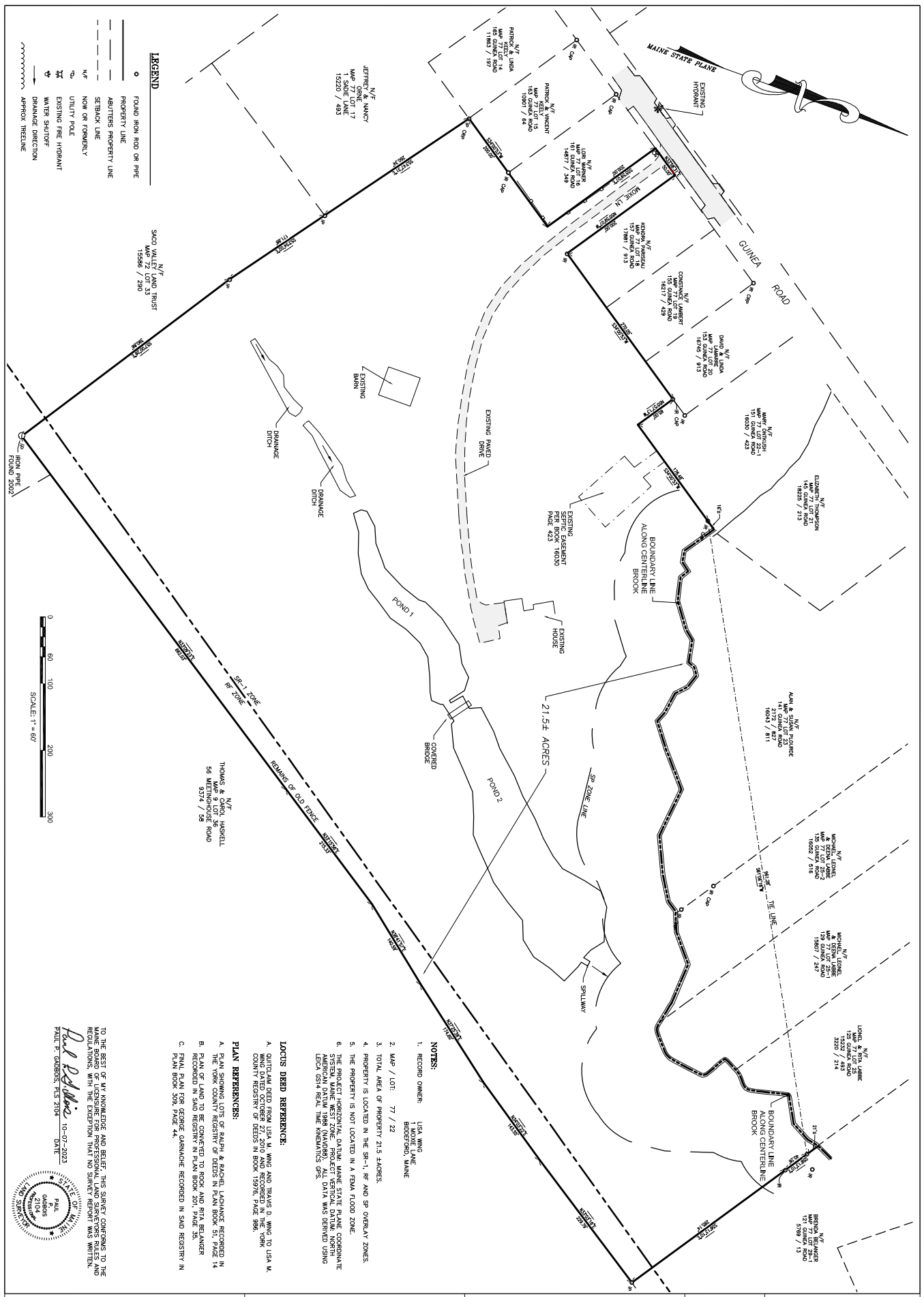
PAUL P. GADBOIS
ENGINEERING SURVEYING
LAND PLANNING
P.O. BOX 327, SACO, MAINE 04072
(207) 283-3980

COVER SHEET
LISA & TRAVIS WING
1 MOXIE LANE
BIDDEFORD, MAINE

RECORD OWNER
LISA WING
1 MOXIE LANE
BIDDEFORD, MAINE 04005

DRAWN: P.P.G.	REVISIONS:
CHECKED: P.P.G.	
SCALE: 1" = 200'	
FIELD BOOK:	
DATE: 03-13-2023	3. 12-30-23 FINAL PLAN SET
JOB NO. 1841	2. 11-27-23 REVISED PRELIMINARY PLAN SET
SHEET 1 OF 8	1. 07-11-23 PRELIMINARY PLAN SET





LEGEND

- FOUND IRON ROD OR PIPE
- PROPERTY LINE
- ADJUTERS PROPERTY LINE
- SETBACK LINE
- NON OF POWER
- UTILITY POLE
- EXISTING FIRE HYDRANT
- WATER SHUTTER
- DRAINAGE DIRECTION
- APPROX BRETLINE

0 60 100 200 300
SCALE: 1" = 60'

TO THE BEST OF MY KNOWLEDGE AND BELIEF, THIS SURVEY CONFORMS TO THE
MAINE BOARD OF LICENSED PROFESSIONAL LAND SURVEYORS RULES AND
REGULATIONS, WITH THE EXCEPTION THAT NO SURVEY REPORT WAS WRITTEN.

Paul P. Gadbois
PAUL P. GADBOIS, P.E. 2104 DATE 10-07-2023

PAUL P. GADBOIS, P.E. 2104

LOCUS DEED REFERENCE:

A. QUILTAM DEED FROM LISA M. WING AND TRAVIS D. WING TO LISA M. WING DATED OCTOBER 27, 2010 AND RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS IN BOOK 15976, PAGE 386.

PLAN REFERENCES:

A. PLAT SHOWING LOTS OF SAUNDY & MARINE, LICENSE RECORDED IN THE YORK COUNTY REGISTRY OF DEEDS IN PLAN BOOK 51, PAGE 14.

B. PLAT OF LAND TO BE CONVEYED TO ROCK AND GITA BELANGER RECORDED IN SAO REGISTRY IN PLAN BOOK 201, PAGE 35.

C. FINAL PLAN FOR GEORGE CANNACE RECORDED IN SAO REGISTRY IN PLAN BOOK 309, PAGE 14.

NOTES:

1. RECORD OWNER: LISA WING, BIDDEFORD, MAINE

2. MAP / LOT: 71 / 22

3. TOTAL AREA OF PROPERTY 21.5 ACRES.

4. PROPERTY IS LOCATED IN THE SR-1, IF AND SP OVERLAY ZONES.

5. THE PROPERTY IS NOT LOCATED IN A FEMA FLOOD ZONE.

6. THE PROJECT HORIZONTAL DATA: MAINE STATE PLANE COORDINATE SYSTEM, DATUM 1989 (NAD83). ALL DATA WAS DERIVED USING LEICA GSH REAL TIME KINEMATIC GPS.

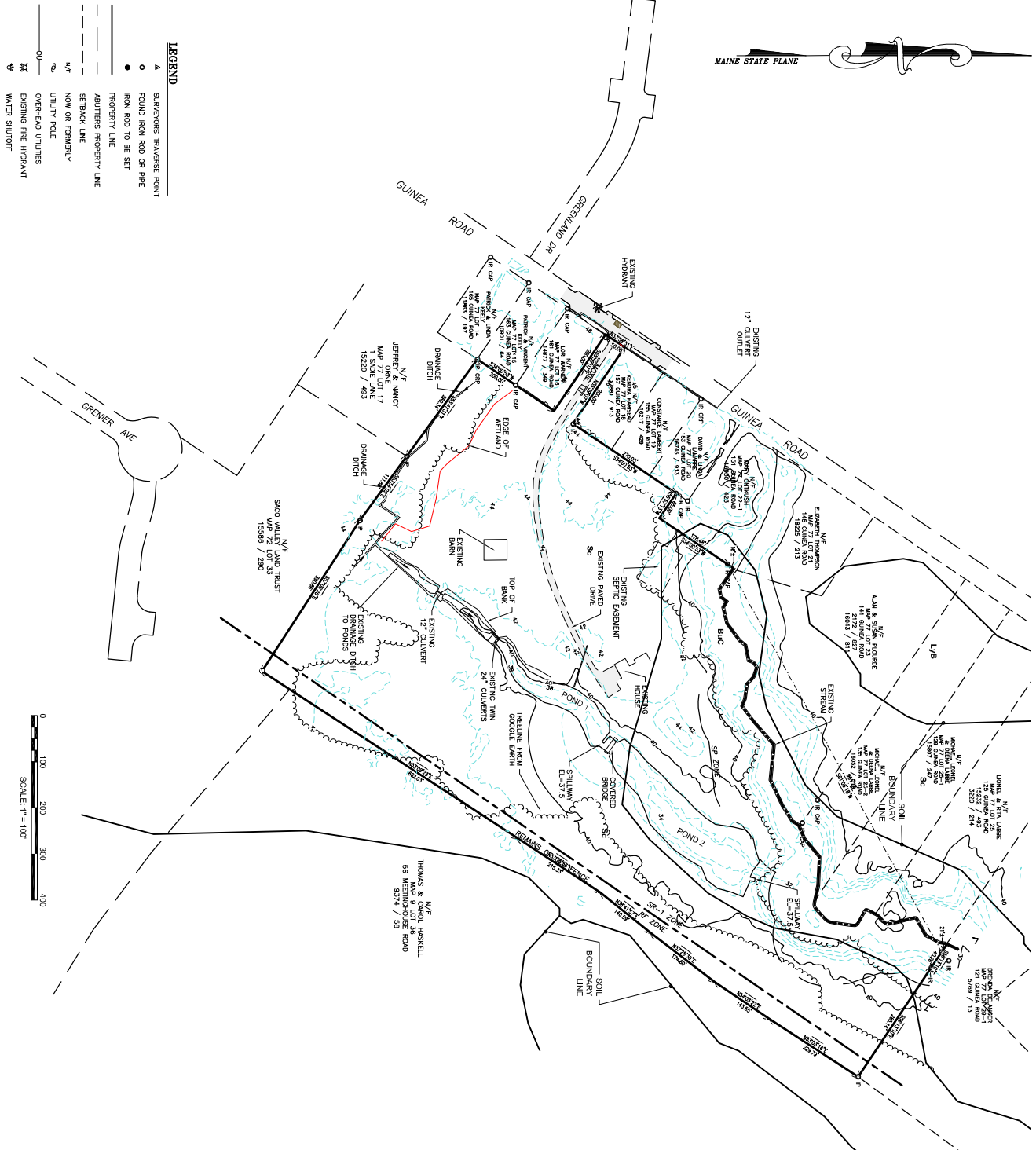


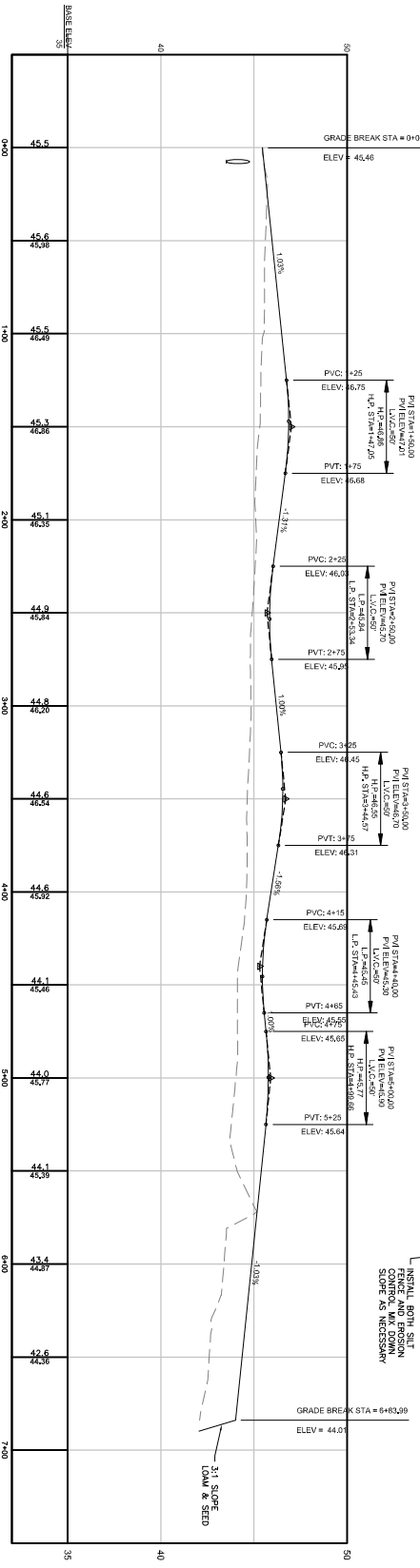
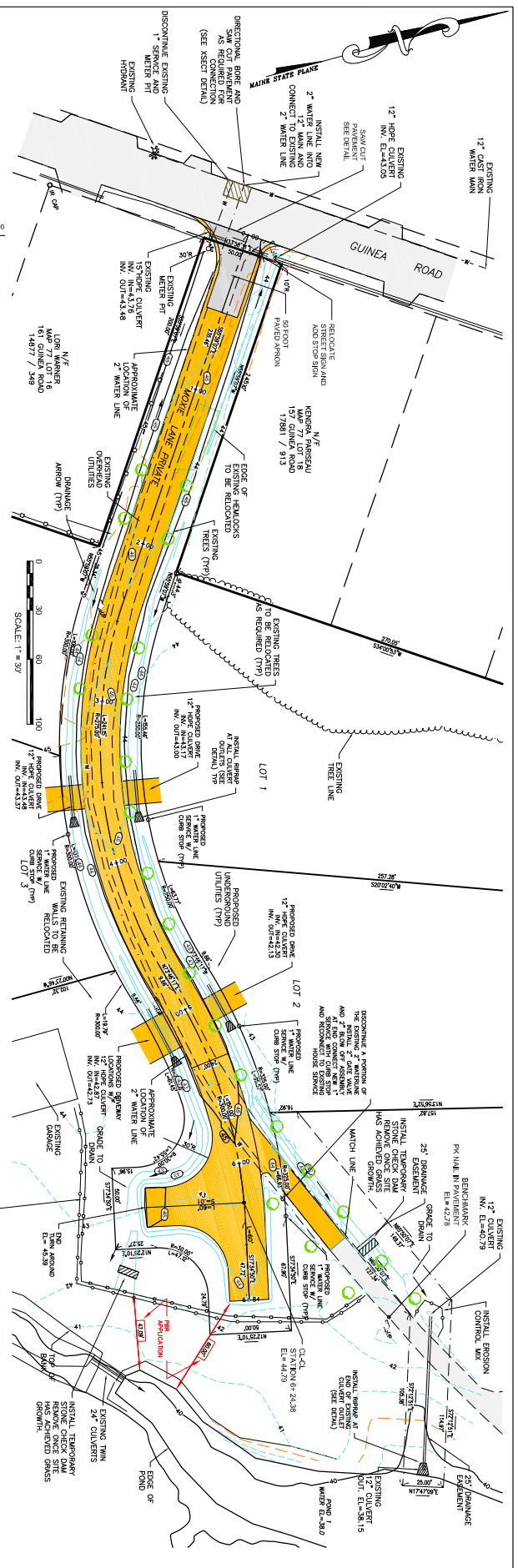
PAUL P. GADBOIS
ENGINEERING SURVEYING
LAND PLANNING
P.O. BOX 327, SACO, MAINE 04072
(207) 283-3980

BOUNDARY SURVEY
LISA & TRAVIS WING
1 MOXIE LANE
BIDDEFORD, MAINE

RECORD OWNER
LISA WING
1 MOXIE LANE
BIDDEFORD, MAINE 04005

DRAWN: P.P.G.	REVISIONS:
CHECKED: P.P.G.	
SCALE: 1" = 60'	
FIELD BOOK:	
DATE: 10-07-2023	2. 12-30-23 RE-SUBMIT TO CITY
JOB NO. 1841	1. 11-27-23 ADDED TO PLAN SET
SHEET 3 OF 8	





- ### PRIVATE WAY NOTES:
1. THE PROPOSED RIGHT OF WAY IS TO BE A PRIVATE ROAD, THE CITY OF BROWARD WILL PLANNING OF THIS PROJECT WILL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT. PLANNING OF THIS PROJECT WILL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT. PLANNING OF THIS PROJECT WILL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT.
 2. NO NEW STREET LIGHTS ARE PROPOSED FOR THIS PROJECT.
 3. ALL CONSTRUCTION AND SITE ALTERATIONS SHALL BE DONE IN ACCORDANCE WITH THE ORDINANCES AND REGULATIONS OF THE CITY OF BROWARD. THE PLANNING DEPARTMENT WILL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT. THE PLANNING DEPARTMENT WILL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT.
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 7. THE PRIVATE WAY PLAN SHALL BE RECORDED IN THE BROWARD COUNTY RECORDS WITHIN 30 DAYS OF THE DATE OF THE PLANNING BOARD APPROVAL. IF THE PLANNING BOARD DOES NOT APPROVE THE PLAN, THE PLANNING BOARD SHALL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT.
 8. EXCAVATION SHALL BE PERFORMED IN ACCORDANCE WITH MOST STANDARD EXCAVATION AND SHALL BE THE RESPONSIBILITY OF THE PLANNING DEPARTMENT.
 9. NO LOT MAY BE ACCESSED FROM EITHER ENDS OF THE HAMMERHEAD.
- IN LIEU OF A TOLL PERFORMANCE GUARANTEE, THE APPLICANT SHALL NOT RECEIVE A

- 3
OF
FOOTING
REQUIRED

0

3
FEET

3
FEET

0

3
FEET

WATER MAIN NOTES:

 1. MAINTAIN 5' SEPARATION FROM PROPERTY LINES AND MAIN MADE STRUCTURES.
 2. MAINTAIN 5' OF COVER OVER THE LINE WITH NO MORE THAN 5.5 FEET.
 3. MAINTAIN 10' OF SEPARATION FROM OTHER UTILITIES.
 4. MAINTAIN 7' SEPARATION FROM EXISTING MAIN WATER INFRASTRUCTURE, UNLESS CONNECTING.
 5. MAINTAIN 18 INCHES OF VERTICAL SEPARATION AT CROSSESS WITH OTHER UTILITIES.
 6. RUN WITH TRACER WHEN WHERE NON-METALLIC AND BENDED FOR CONTINUITY FROM MAIN TO WELTER.
 7. MUST COMPLY WITH ALL OTHER MAIN WATER REGULATIONS.

- 1000 ROAD 101 BE. S41
 PROPERTY LINE
 ABUTTERS PROPERTY LINE
 SETBACK LINE
 NOW OR FUTURE
 UTILITY POLE
 OVERHEAD UTILITIES
 EXISTING FIRE HYDRANT
 WATER SUTTOFF
 DRAINAGE DIRECTION
 PROPOSED SPOT GRADES
 +3.9

PROFILE: PCL (1)

LEGEND

PROGRESS PLAN

NOT FOR CONSTRUCTION



Paul F. Dorie

 DRAINAGE DIRECTION

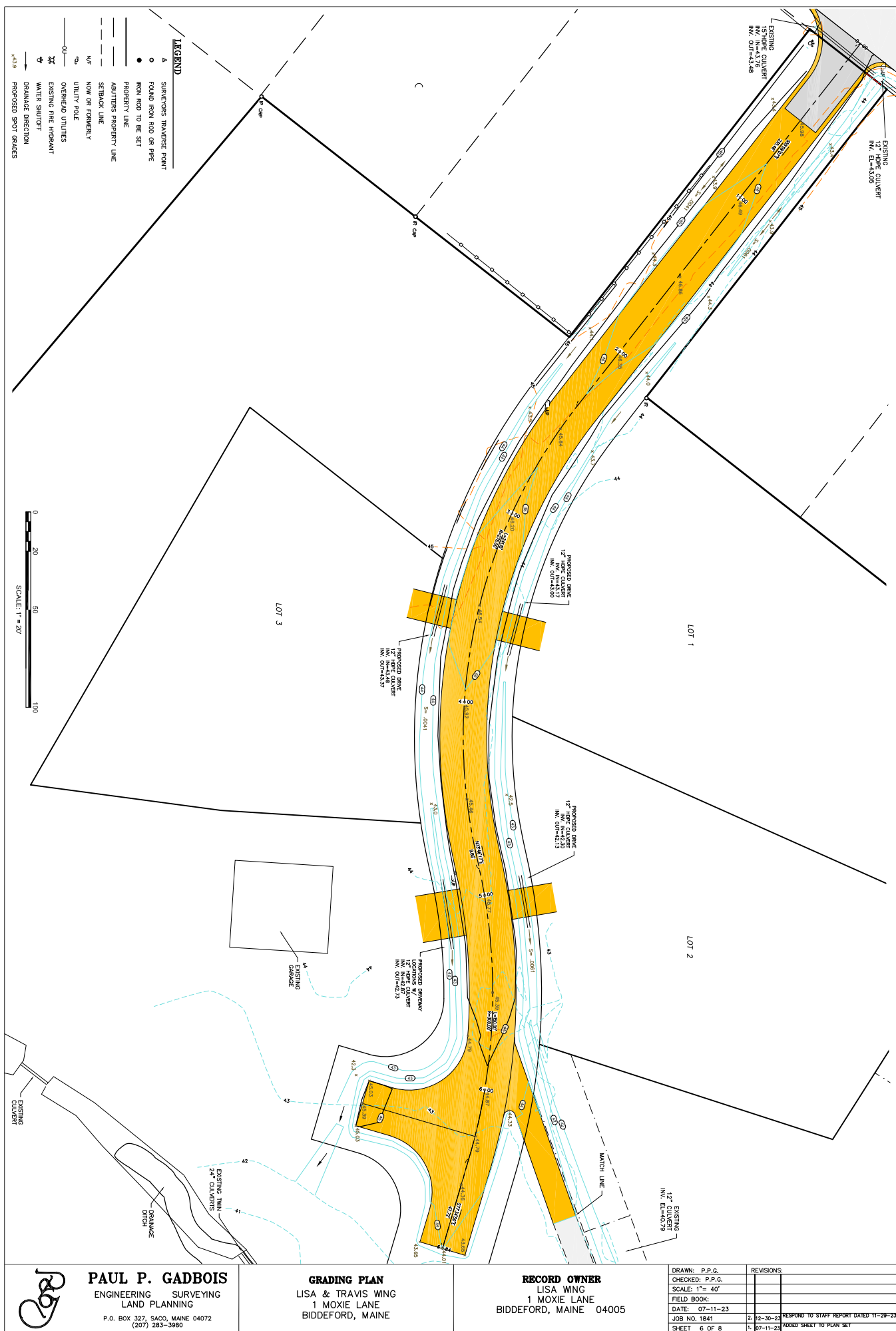
PAUL P. GADBOIS
ENGINEERING SURVEYING
LAND PLANNING

P.O. BOX 327, SACO, MAINE 04072
(207) 283-3980

PLAN AND PROFILE
LISA & TRAVIS WING
1 MOXIE LANE
BIDDEFORD, MAINE

RECORD OWNER
LISA WING
1 MOXIE LANE
BIDDEFORD, MAINE 04005

DRAWN: P.P.G.	REVISONS:	
CHECKED: P.P.G.		
SCALE: 1" = 30'		
FIELD BOOK:		
DATE: 03-13-2023	3. 12-30-23	RESPOND TO STAFF REPORT DATED 11-29-23
JOB NO. 1841	2. 11-27-23	PER COMMENTS RECEIVED FROM SITE DESIGN DATED AUGUST 8, 2023
SHEET 5 OF 8	1. 07-11-23	RESPOND TO COMMENTS



mobile studio design

4.1.24

To: Biddeford Planning Board

From: Leah Schaffer, NCARB, Project Architect

Subject: Biddeford Primary School Addition

David Galbraith and the Biddeford Planning Board,

In response to previous comments received at the last Planning Board meeting we have been working with Biddeford School Department staff to review and update the proposed exterior material palette. In looking at the design for the addition the goal is to provide a lively and engaging building design to both the interior and exterior spaces for younger students, while balancing overall project cost and material maintenance.

In the attached drawing updates we have extended the brick veneer to include the front of the first floor of the new addition. The pattern around the existing windows of darker brick with glazed teal blocks has continued with the new addition. The darker banding, soldier courses, and accent around the windows help ground the building and provide visual playfulness to the facade. We are proposing to use ground faced blocks as the accent feature which provides additional texture. The exposed aggregate will have hints of blues and orange within. This material will also be used at the brick corners which balances the teal banding at the Early Education wing.

The 2nd floor is separated from the base with a continuous concrete sill that transitions to large scale metal siding. The split in materials references the Early Education wing with the large metal roof and lower brick facade. For both the 2nd floor and rear of the addition accents of teal fiber cement panels will sit between the windows. These are proposed to be various shades of teal creating a playful mosaic texture that ties back to the colors of the existing school.

The fiber cement clad entry way to the new wing is designed to provide cover and a small seating area while not drawing too much attention to itself. This may be used for ½ day Pre-K dismissal but will not serve as the primary building entry. The underside of the ceiling will be natural wood to bring in additional warmth.

Mobile Studio Design, Inc.
128 Main Street, Unit 201
Biddeford, Maine 04005
207.494.8102

mobile studio design

I look forward to reviewing these updates with you and please reach out with any questions.
Thank you again for your time reviewing this project.

Sincerely,

A handwritten signature in black ink, appearing to read 'Leah Schaffer', with a stylized, flowing script.

Leah Schaffer, NCARB, Project Architect



BPS EXISTING PHOTOS



BPS EXISTING PHOTOS

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design

Precedents



BPS Addition- Exterior Cladding



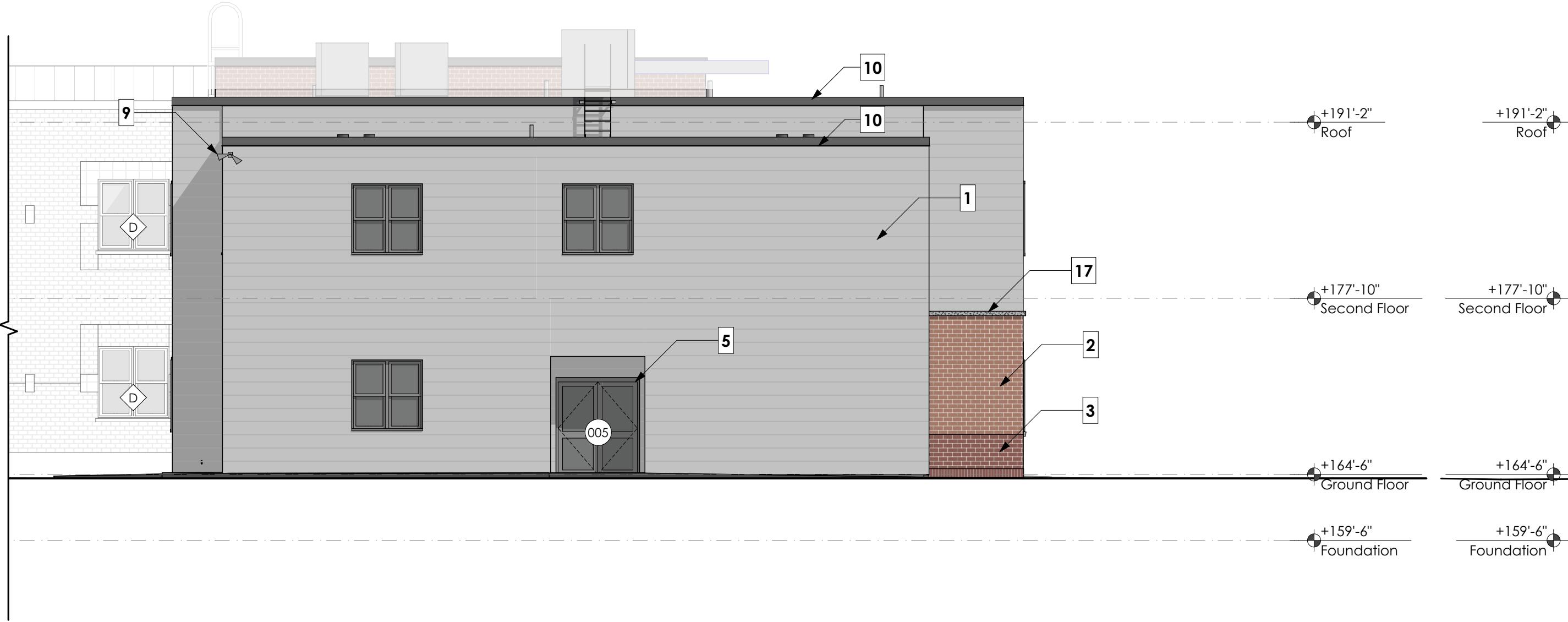
BPS ADDITION
Approach View

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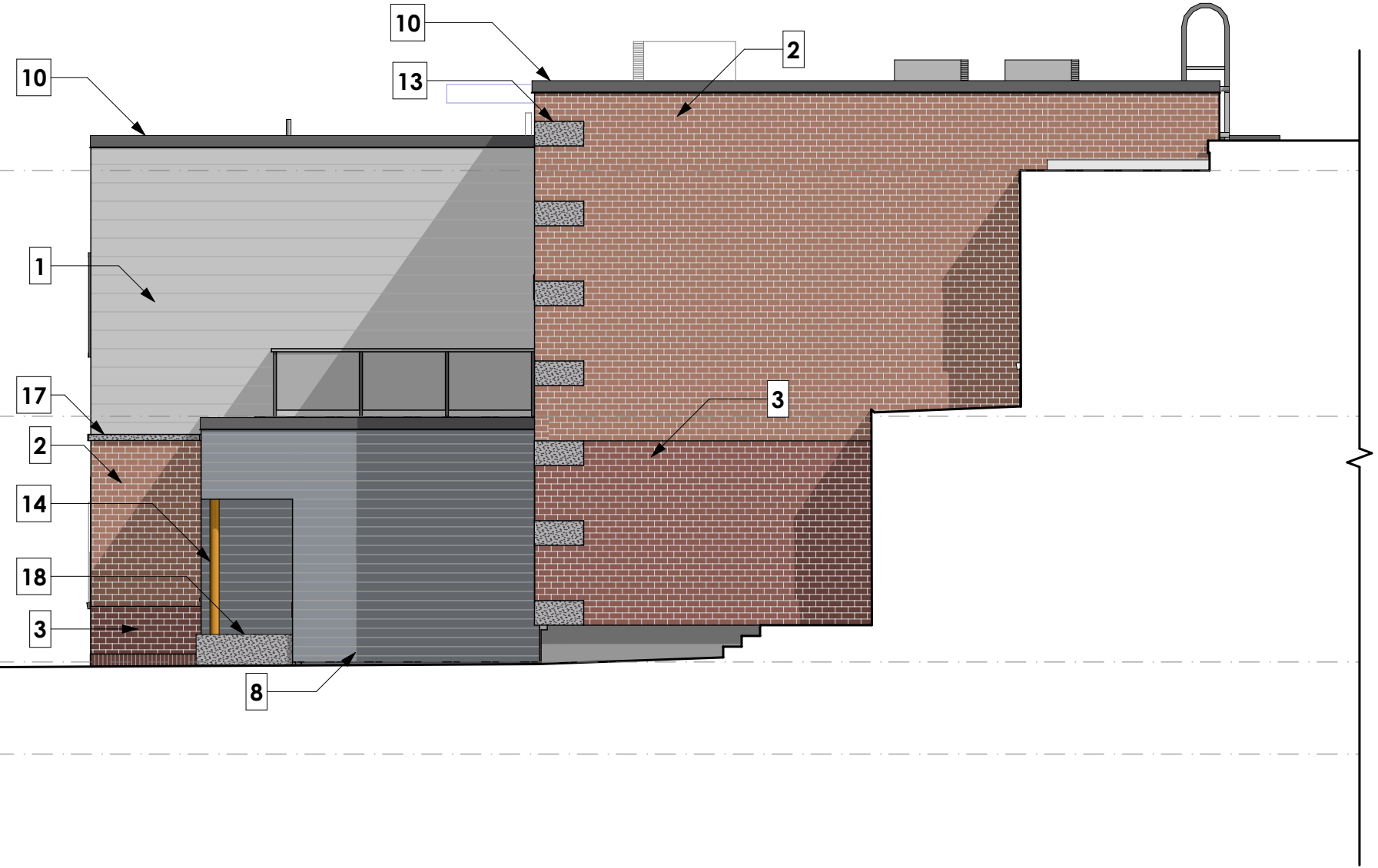
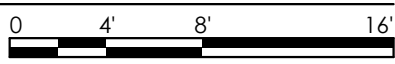


BPS ADDITION
West Elevation

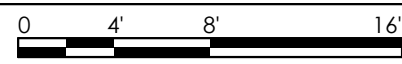
J:\Volumes\Mobile Studio Server\PROJECTS\CURRENT\BPS Addition\DRAWINGS\4_CD\ARCHICAD\24.03.21_BPS_OPTION 2.pn



1 PROPOSED- SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 PROPOSED- NORTH ELEVATION
SCALE: 1/8" = 1'-0"



EXTERIOR MATERIAL LEGEND	
ID	NOTES/SPEC
1	HORIZONTAL METAL PANELING WITH CONCEALED FASTENERS BASIS OF DESIGN: MORIN MX6, COLOR: TO BE SELECTED FROM STANDARD COLORS
2	BRICK VENEER BASIS OF DESIGN: MATCH TO EXISTING, MORIN
3	BRICK VENEER ACCENT BASIS OF DESIGN: MATCH TO DARKER BRICK AT EXISTING, MORIN OLD PORT NARROW FLASHED RANGE ECONO
4	ALUMINUM WINDOWS BASIS OF DESIGN: KAWNEER AA 5450 ULTRA THERMAL WINDOW
5	ALUMINUM STOREFRONT BASIS OF DESIGN: KAWNEER TRIFAB VG 451T
6	HM STL DOORS
7	GLASS RAILING SYSTEM
8	HORIZONTAL FIBER CEMENT SHIPLAP TO BE PAINTED BASIS OF DESIGN: HARDIE PLANK NICKEL GAP SIDING 1X6
9	EXTERIOR LIGHTS SEE ELECTRICAL
10	ALUMINUM FASCIA TRIM BASIS OF DESIGN: HICKMAN TERMIN EDGE EX: FASCIA, COLOR TO BE SELECTED FROM STANDARD COLORS
11	HORIZONTAL FIBER CEMENT PANELS BASIS OF DESIGN: EQUITONE PANELS, SEE ELEVATION DETAILS FOR SIZES AND COLORS
13	GROUND FACE CMU VENEER BASIS OF DESIGN: GENEST
14	POWDER COATED STL COLUMN
15	STEEL FIRE RATED WINDOW BASIS OF DESIGN:
16	PRECAST CONCRETE SILLS
17	PRECAST CONCRETE COPING

GENERAL ELEVATION NOTES

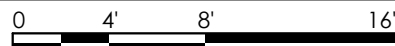
- ALL WORK IS TO BE COMPLETED IN CONFORMANCE W/ ALL LOCAL, STATE AND FEDERAL CODES.
- SIDING TO BE INSTALLED TO ALIGN W/ WINDOWS, DOORS AND OTHER OPENINGS TO THE GREATEST PRACTICAL EXTENT, AVOID CUTS & JOGS LESS THAN 3" WIDE.

CHANGE THIS ISSUE:
NO. 1
DATE 1/25/24

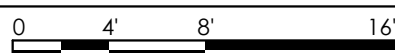
PRELIMINARY
NOT FOR
CONSTRUCTION



3 PROPOSED- EAST ELEVATION
SCALE: 1/8" = 1'-0"



4 PROPOSED- WEST ELEVATION
SCALE: 1/8" = 1'-0"



**BIDDEFORD PRIMARY
SCHOOL ADDITION**
BIDDEFORD SCHOOL DEPARTMENT
320 Hill Street Biddeford, ME 04005

MOBILE STUDIO DESIGN
128 Main Street, Suite 201
Biddeford, ME 04002
office: 207.499.4208

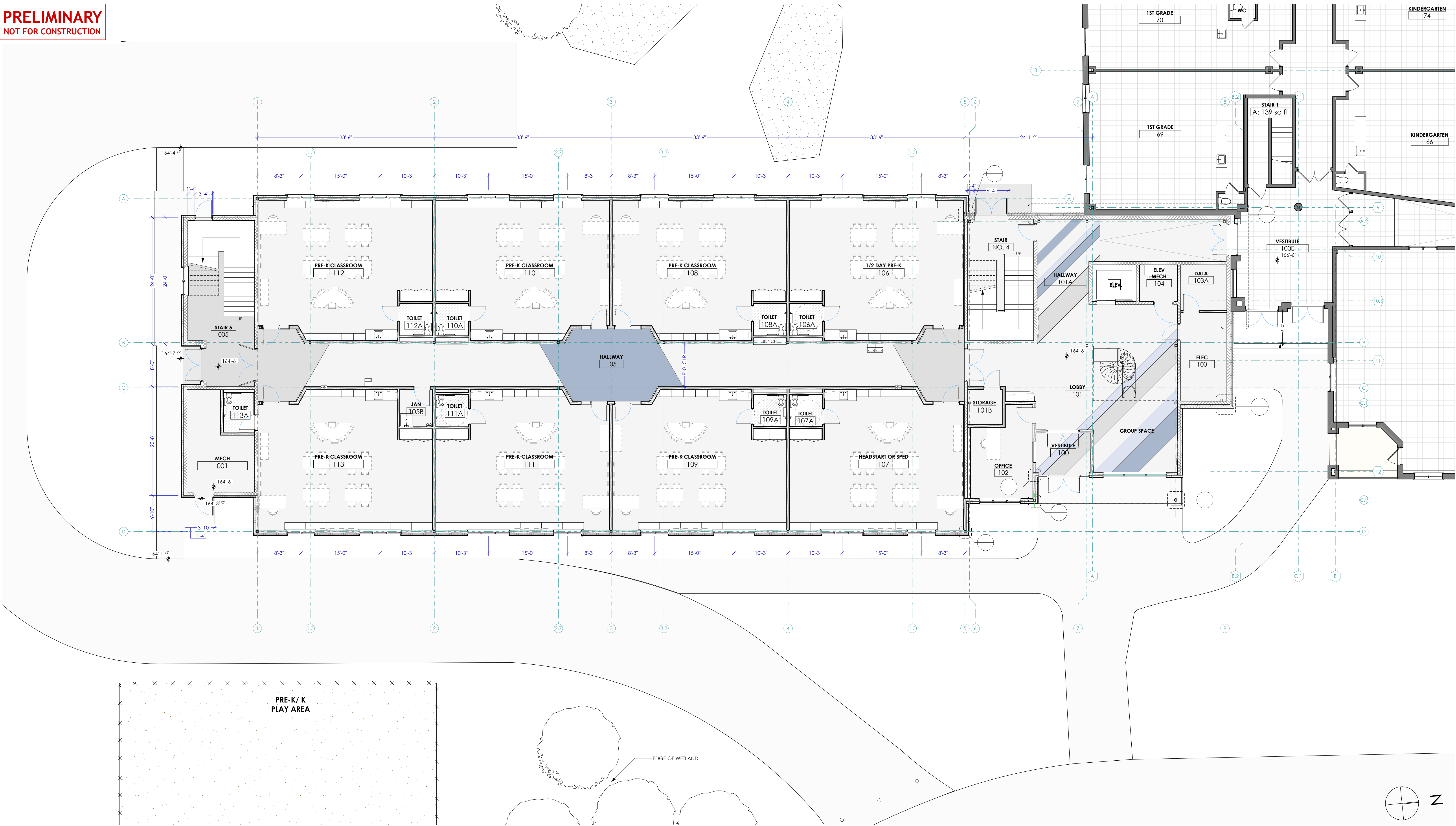
DATE OF ISSUE: 1/25/24
PROJECT STATUS: CD
ARCHITECT: Leah Schaffer
leah@mobilestudiodesign.com
757-927-5324
ORIGINAL SHEET SIZE: 30X42

CONSULTANTS:
CIVIL ENGINEER:
HALEY WARD
207-989-4824
Drew Olechowski
dolechowski@haleyward.com
STRUCTURAL ENGINEER
HALEY WARD
207-989-4824
Scott Kibler, P.E.
skibler@haleyward.com
MEP ENGINEER
HALEY WARD
207-989-4824
Ron Wiley, P.E.
rwiley@haleyward.com
GEOTECHNICAL ENGINEER
Summit Engineering
210 Maine Ave, Farmingdale, ME 04344
207-576-3313
CONTRACTOR:
TBD

BUILDING
ELEVATIONS
A-201

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studio
design

PRELIMINARY
NOT FOR CONSTRUCTION



1 PROPOSED ADDITION- 1ST FLOOR
SCALE: 1/8" = 1'-0"

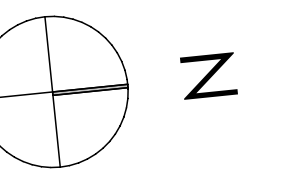
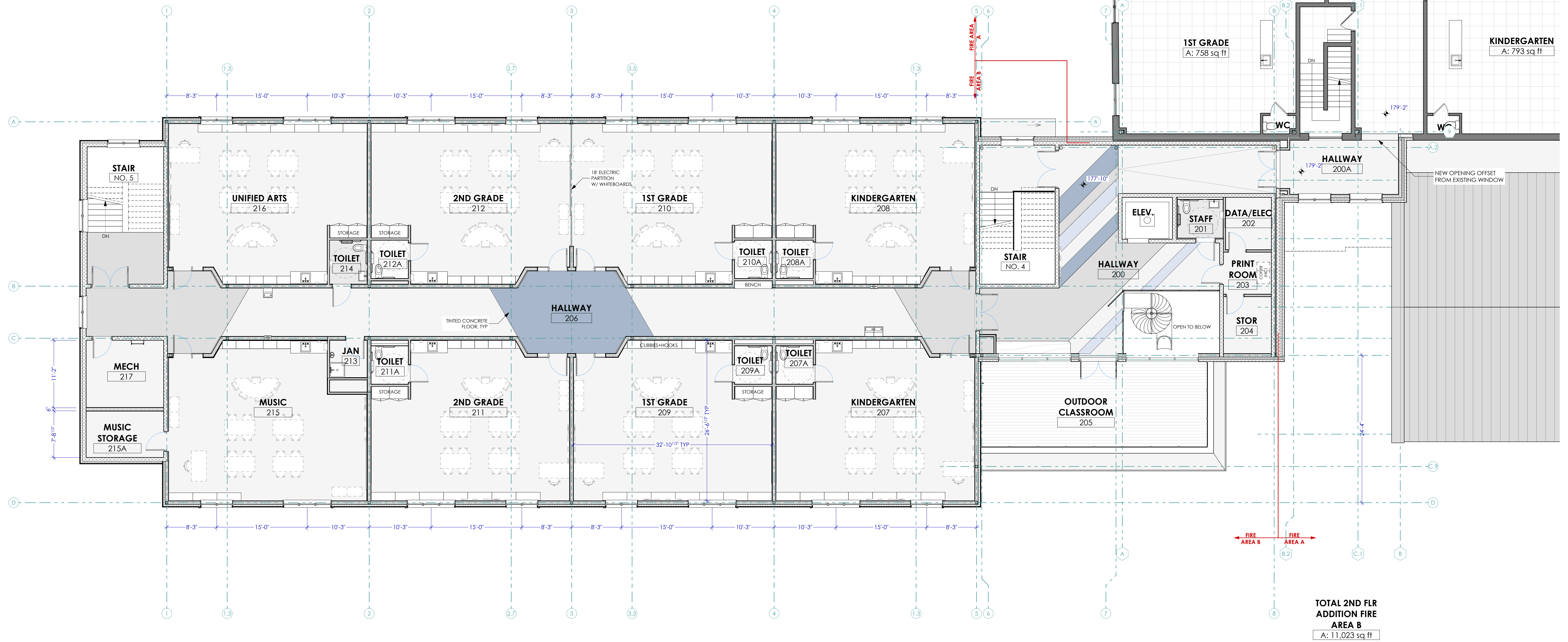
0 4' 8' 16'

BIDDEFORD PRIMARY SCHOOL ADDITION

320 Hill Street Biddeford, ME 04005

DATE OF ISSUE: 3/31/24

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studio
design



1 PROPOSED ADDITION- 2ND FLOOR
SCALE: 1/8" = 1'-0"

BIDDEFORD PRIMARY SCHOOL ADDITION

320 Hill Street Biddeford, ME 04005

DATE OF ISSUE: 3/31/24

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