

City of Biddeford
Planning Board
March 01, 2017 6:00 PM City Hall
Council Chambers,

- 1. PLEDGE OF ALLEGIANCE**
- 2. DECLARATION OF QUORUM/VOTING MEMBERS**
- 3. ADJUSTMENTS TO THE AGENDA**
- 4. PLANNER'S BUSINESS**
- 5. CONSENT AGENDA**
 - 5.A. A. Consideration of Minutes: February 1, 2017
[February 1, 2017.doc](#)
- 6. UNFINISHED BUSINESS**
- 7. NEW BUSINESS**
 - 7.A. A. 2017.05 Determination of Greatest Practical Extent: for Matthew & Robin Freeman to reconstruct a house and garage at 14 Mile Stretch Road (Tax Map 62, Lot 16) in the CR and LR zones.
[2017.05 Freeman GPE SR.docx](#)
 - 7.B. B. 2017.08 Determination of Greatest Practical Extent: for Thomas & Mary Hatch to reconstruct a garage at 187 Hills Beach Road (Tax Map 55, Lot 26) in the CR and RP zones.
[2017.08 Hatch GPE SR.docx](#)
 - 7.C. C. 2017.09 Determination of Greatest Practical Extent: for Kathryn Gay to remove her existing home and replace it with a new structure located at 115 Hills Beach Road (Tax Map 54, Lot 63) in the CR and RP zones.
[2017.09 Gay GPE SR.docx](#)
 - 7.D. D. 2016.25 Site Plan Review: for Five Star Holdings, LLC to construct a 1,800 SF building to house a Star Bucks Coffee Shop on Alfred Road (Tax Map 27, Lots 167, 168 and 169) in the B-2 zone.
[2016.25 Starbucks Site Plan SR 030117.docx](#)
 - 7.E. E. 2017.10 Conceptual Site Plan Review: for Westfield Inc. for the construction of two truck docks and the expansion/reconstruction of impervious surface to accommodate truck parking at 20-26 Pomerleau Street (Tax Map 2, Lot 81) in the I-3 zone.
[2017.10 Westfield Concept SR 030117.docx](#)
 - 7.F. F. 2015.19 Conceptual Site Plan Review: for Van Hertel, Jr. for a proposed 8 lot subdivision at 226 Guinea Road (Tax Map 78, Lot 1) in the RF and SR-1 zones.
[2015.19 Van Hertel Concept SR 030117.docx](#)
 - 7.G. G. 2017.11 Conceptual Site Plan Review: for University of New England to construct a new multi-purpose turf athletic field and associated amenities located off Pool Street (Tax Map 9, Lot 15) in the IN zone.
[2017.11 UNE Sokokis Field Concept SR 030117.docx](#)
 - 7.H. H. 2017.12 Conceptual Site Plan Review: for University of New England to construct 168 new parking spaces for the existing turf field and Harold Alfond Forum located off

Pool Street (Tax Map 9, lot 15) in the IN zone.

[2017.12 UNE Alford Forum Parking Concept SR 030117.docx](#)

8. OTHER BUSINESS

9. ADJOURN

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

Planning Board Agenda Item Report

Agenda Item No. 2016-642

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

A. Consideration of Minutes: February 1, 2017

Recommendation:

ATTACHMENTS

- [February 1, 2017.doc](#)



CITY OF BIDDEFORD

PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115

gtansley@biddefordmaine.org

PLANNING BOARD MINUTES

Date: Wednesday, February 1, 2017
Time: 6:00 PM
Location: Council Chambers, City Hall

1. PLEDGE OF ALLEGIANCE
2. DECLARATION OF QUORUM/VOTING MEMBERS
 - A. Quorum Present: Larry Patoine-Chair, Richard Potvin II, William Southwick, Jennifer Burke, Clement Fleurent (Alt voting member).
3. ADJUSTMENTS TO THE AGENDA
4. PLANNER'S BUSINESS
5. CONSENT AGENDA
 - A. Consideration of Minutes: January 4, 2017MOTION:
 - o Southwick
 - Motion: to approve Consent Agenda.
 - o Potvin
 - Second.
 - o Chair Patoine – Call for Vote
 - Unanimous Approval (4-0) passed.
6. UNFINISHED BUSINESS
7. NEW BUSINESS
 - A. 2017.04 Determination of Greatest Practical Extent: for Orr & Elizabeth Shepherd to remove the existing structure and reconstruct a new home at 2 Hansons Lane (Tax Map 56, Lot 9) in the CR and LR zone.

Greg Tansley, Planner: Brief report.

Orr Shepherd, Owner of 2 Hansons Lane: I have nothing more to add but will answer any questions.

Discussion between the Board, Applicant and Staff.MOTION:
 - o Southwick
 - Motion: to approve the Determination of Greatest Practical Extent for Orr & Elizabeth Shepherd based on the approved plans for 2 Hansons Lane (Tax Map 56, Lot 9) approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated January 25, 2017.

- o Potvin
- Second.
- o Chair Patoine – Call for Vote
- Unanimous Approval (4-0) passed.
- B. 2016.25 Site Plan Review: for Five Star Holdings, LLC to construct a 1,800 SF building to house a Star Bucks Coffee Shop on Alfred Road (Tax Map 27, Lots 167, 168 and 169) in the B-2 zone.
 Greg Tansley, Planner: Brief report.
 Bill Thompson, BH2M: Gave a presentation.
 Kevin King, Prompto- Traffic
 Maureen Glidden, 367 Alfred Street- Traffic
 Discussion between the Board, Staff and Applicant.

MOTION:

- o Southwick
- Motion: to grant the waiver to Article XI, Section 5.B.4.f.2 – To allow paving and/or parking within 25 feet of any front property line.
- Motion: to grant the waiver to Article XI, Section 5.B.4.i – Maximum non-vegetated areas greater than 75% and parking/paving greater than 30%.
- Motion: to grant the waiver to Article VI, Section 12, A (Buffers) – To waive the required 30' foot vegetated buffer requirements in lieu of 6' stockade fencing as shown on the submitted plans.
- Motion: to grant the waiver to Article XI, Section 5.A. (m) and Section B.4.I. – Final sign locations and signs designs.
- Motion: to grant the waiver to Article XI, Section 5.B.4.f.1 – To allow paving and/or parking within the required setback of any side or rear property line.
- o Burke
- Second.
- o Chair Patoine – Call for Vote
- Unanimous Approval (4-0) passed.
- C. 2017.02 Public Hearing/May take Action on a Minor Amendment on Shoreland Zoning: To address a condition of approval by the Maine Department of Environmental Protection related to Biddeford's Shoreland Zoning Ordinance amended and adopted by the City Council on October 18, 2016 to delete the words "but greater than 25 feet" from the first sentence of Section 12(C)(1)(c)(i).
 Greg Tansley, Planner: As I mentioned before there was a condition of approval by the DEP. It's just a minor detail. This will clarify things and we felt it should be changed now before September.

MOTION

- o Southwick
- Motion: to recommend City Council the recommendations on the Shoreland Zoning Ordinance Amendment.
- o Potvin
- Second.
- o Chair Patoine – Call for Vote
- Unanimous Approval (4-0) passed.

D. 2017.03 Public Hearing/May take Action on Accessory Dwelling Units: To add new definitions pertaining to Accessory Dwelling Units (ADUs), to allow ADUs as Permitted (P) uses in the SR-1, R-1-A, R-2, R-3, W-1, W-3, R-F, OR, and MSRD-2 Zones, and to establish Performance Standards that apply to ADUs.

Greg Tansley, Planner: I think we addressed any concerns the Code Officer had and your concerns. Its up to the Board to decide if you send it to City Council for recommendation of approval.

Discussion between Board and Staff

MOTION:

o Potvin

- Motion: to strike Section O item (i) A detached ADU shall not exceed the height of the principal residential structure or twenty (20) feet, whichever is less. In no case shall the highest point of the roof or the detached ADU exceed the highest point of the roof of the principal residential structure.

o Southwick

- Second.

o Chair Patoine – Call for Vote

- Unanimous Approval (4-0) passed.

Discussion between Board and Staff

MOTION:

o Southwick

- Motion: to strike Section M item (i) Internal ADUs shall be located on one level.

o Potvin

- Second.

o Chair Patoine – Call for Vote

- Unanimous Approval (4-0) passed.

MOTION:

o Southwick

- Motion: to send the proposed Accessory Dwelling Units to City Council with the adjustments approved this evening.

o Burke

- Second.

o Chair Patoine – Call for Vote

- Unanimous Approval (4-0) passed.

8. OTHER BUSINESS

Chair Patoine: We need to elect a Vice Chair and Secretary.

MOTION:

o Potvin

- Motion: to elect Bill Southwick as Vice Chair.

o Burke

- Second.

o Chair Patoine – Call for Vote

- Unanimous Approval (3-0) passed.

o Fleurent

- Motion: to elect Jennifer Burke as Secretary.
- o Southwick
- Second.
- o Chair Patoine – Call for Vote
- Unanimous Approval (3-0) passed.
- Discussion between Board and Staff

9. ADJOURN

MOTION:

- o Potvin
- Motion: to Adjourn.
- o Southwick
- Second.
- o Chair Patoine – Call for Vote
- Unanimous Approval (4-0) passed.

o **Planning Board Chair**

Date

o

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

Planning Board Agenda Item Report

Agenda Item No. 2016-643

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

A. 2017.05 Determination of Greatest Practical Extent: for Matthew & Robin Freeman to reconstruct a house and garage at 14 Mile Stretch Road (Tax Map 62, Lot 16) in the CR and LR zones.

Recommendation:

ATTACHMENTS

- [2017.05 Freeman GPE SR.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2017.05

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
gtansley@biddefordmaine.org

PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "FROM:" line.

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #A – 2017.05 Determination of Greatest Practical Extent:
Matthew and Robin Freeman to remove the existing structure and reconstruct a new
home at 14 Mile Stretch Road (Tax Map 62, Lot 16) in the CR and LR zone.

MEETING DATE: March 1, 2017

1. INTRODUCTION

The applicant is proposing a tear down and reconstruction of a house and garage 14 Mile Stretch Road. Reason the structures are nonconforming is due to the setback from “the Pool” as opposed to the Atlantic Ocean.

The Board is required to determine if the structure to be rebuilt is the “Greatest Practical Extent” from the Resource. The existing structures are within the 250’ Resource Protection (RP) Zone of “the Pool”. The relevant section of the Shoreland Zoning Ordinance is Section 12.C.3 (Reconstruction or Replacement). The relevant considerations for Greatest Practical Extent are as follows (Section 12.C.2):

The Planning Board shall consider:

- o the size of the lot,*
- o the slope of the land,*
- o the potential for soil erosion,*
- o the location of other structures on the property and on adjacent properties,*
- o the location of the septic system and other on-site soils suitable for septic systems, and*
- o the type and amount of vegetation to be removed to accomplish the relocation.*

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Matthew and Robin Freeman 14 Mile Stretch Road Biddeford, ME 04005
2.	Owner of Property:	Matthew and Robin Freeman 14 Mile Stretch Road Biddeford, ME 04005
3.	Agent:	Kennebunk River Architects 1662 Post Road, B6 Wells, ME 04090
4.	Surveyor:	Lower Village Survey Co. 13 Western Ave. Kennebunk, ME 04046
4.	Project Location:	14 Mile Stretch Road
5.	Project Tax Map #/Lot #:	Tax Map 62, Lot 16
6.	Existing Zoning:	CR
7.	Overlay Zoning:	Limited Residential (LR) Shoreland Zone
8.	Existing Use:	Two-family home (house and apartment above the garage).
9.	Proposed Use:	One or two-family residential use. Two-family is permitted so long as it is created and used within five-years of ceasing of its use. Included in this approval is an allowed expansion of the second residential use.
10.	Approvals Required:	Determination of Greatest Practical Extent
11.	Uses in the Vicinity:	Residential, primarily Single-family
12.	Dimensional Requirements:	New Residential Structure to be located the Greatest Practical Extent from the resource as depicted on the approved plans by Lower Village Survey Co. dated January 16, 2017 entitled "Standard Boundary Survey and Site Plan, 14 Mile Stretch Road, Biddeford, Maine" considering all factors outlined in Section 12.C.2 of the Biddeford Shoreland Zoning Ordinance.
13.	Lot Size:	22,862 SF +/-
14.	Floodplain Status:	None
15.	Waivers Needed:	a. None
16.	Waivers Granted:	a. None
17.	Variances Needed for Approval:	None.

18.	Other Approvals Required:	Building Permits from the Biddeford Code Enforcement Office.
19.	Other Permits Obtained:	None.
20.	Other Non-City Permits Required:	Maine DEP NRPA Permit (if applicable)
21.	LDR Attachment A: Fess Paid:	Yes
22.	Planning Board Review History: Final Review and Determination of Greatest Practical Extent:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 13 notices sent).

3. EXISTING CONDITIONS

The existing lot has a single-family home on it with a septic system. There is also a garage in front of the main house with an apartment above it.



4. PROJECT PROPOSAL

Demolition of the existing structures (house and garage) and reconstruction of a new single-family home.

5. PUBLIC COMMENT

For the Final Review, the notice was posted in City Hall on February 15, 2017. It was also posted in the Journal Tribune on February 17, 2017. Mailing notices were also sent out to all abutters within 250' on February 15, 2017 – 13 notices were sent out.

As of the time this report no public comment had been received.

6. STAFF REVIEW

- a. ZONING: The proposed use (Residential) is a Permitted Use (P) in the CR/LR Zones. The two-family use is a pre-existing legally non-conforming use which can be resumed within five-years and may be expanded as part of this approval.
- b. REVIEW STANDARDS: Greatest Practical Extent Standards (Article XIV, Section 12.C.2).
- c. WAIVERS: None
- d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO FINAL APPROVAL:

None.

7. STAFF RECOMMENDATION

Staff is of the opinion that the plan exhibits a proposal that meets the Greatest Practical extent criteria and the intent of the Ordinance.

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

- 1. Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The

- vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.
2. Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.
 3. Obtain required permits from Code Enforcement.

8. NEXT STEPS/SUGGESTED ACTIONS

Consider making a determination that the proposal meets the criteria for being located to the Greatest Practical Extent away from the resource give the constraints presented.

9. SAMPLE MOTIONS

- A. *Motion to approve the Determination of Greatest Practical Extent for Matthew and Robin Freeman based on the approved plans for 14 Mile Stretch Road (Tax Map 62, Lot 16) approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated February 21, 2017.*
- B. *Motion to deny Determination of Greatest Practical Extent based upon the following reasons:*
 - a) _____
 - b) _____

ATTACHMENTS

1. Applicant's Cover Letter and Application package
2. Lower Village Survey Co. plan dated January 16, 2017 entitled "Standard Boundary Survey and Site Plan, 14 Mile Stretch Road, Biddeford, Maine"
3. Draft Findings of Fact.

Planning Board Agenda Item Report

Agenda Item No. 2016-644

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

B. 2017.08 Determination of Greatest Practical Extent: for Thomas & Mary Hatch to reconstruct a garage at 187 Hills Beach Road (Tax Map 55, Lot 26) in the CR and RP zones.

Recommendation:

ATTACHMENTS

- [2017.08 Hatch GPE SR.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2017.08

Greg D. Tansley, AICP
205 Main Street
PO Box 586
Biddeford, ME 04005
(207) 284-9115
gtansley@biddefordmaine.org

PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "FROM:" line.

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #B – 2017.08 Determination of Greatest Practical Extent: for Thomas & Mary Hatch to reconstruct a garage at 187 Hills Beach Road (Tax Map 55, Lot 26) in the CR and RP zones.

MEETING DATE: March 1, 2017

1. INTRODUCTION

The applicant is proposing a tear down and reconstruction of a house and garage at 187 Hills Beach Road. The garage and part of the deck/walkway is non-conforming due to the Resource Protection District off of "the Pool".

The Board is required to determine if the structure to be rebuilt is the "Greatest Practical Extent" from the Resource. The existing structures are within the 250' Resource Protection (RP) Zone of "the Pool". The relevant section of the Shoreland Zoning Ordinance is Section 12.C.3 (Reconstruction or Replacement). The relevant considerations for Greatest Practical Extent are as follows (Section 12.C.2):

The Planning Board shall consider:

- o the size of the lot,*
- o the slope of the land,*
- o the potential for soil erosion,*
- o the location of other structures on the property and on adjacent properties,*
- o the location of the septic system and other on-site soils suitable for septic systems, and*
- o the type and amount of vegetation to be removed to accomplish the relocation.*

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Thomas and Mary Hatch 21 Apple Barrel Plymouth, MA 02360
2.	Owner of Property:	Thomas and Mary Hatch 21 Apple Barrel Plymouth, MA 02360
3.	Agent:	Kennebunk River Architects 1662 Post Road, B6 Wells, ME 04090
4.	Surveyor:	Lower Village Survey Co. 13 Western Ave. Kennebunk, ME 04046
4.	Project Location:	187 Hills Beach Road Biddeford, ME 04005
5.	Project Tax Map #/Lot #:	Tax Map 55, Lot 26
6.	Existing Zoning:	CR
7.	Overlay Zoning:	Limited Residential (LR) and Resource Protection (RP) Shoreland Zones
8.	Existing Use:	Single-family home.
9.	Proposed Use:	Single family home.
10.	Approvals Required:	Determination of Greatest Practical Extent
11.	Uses in the Vicinity:	Residential, primarily Single-family
12.	Dimensional Requirements:	New Residential Structure to be located the Greatest Practical Extent from the resource as depicted on the approved plans by Lower Village Survey Co. dated January 16, 2017 entitled "Boundary Retracement Survey and Site Plan, 187 Hills Beach Road, Biddeford, Maine" considering all factors outlined in Section 12.C.2 of the Biddeford Shoreland Zoning Ordinance.
13.	Lot Size:	14,128 SF +/-
14.	Floodplain Status:	C Zone where the structures are located.
15.	Waivers Needed:	a. None
16.	Waivers Granted:	a. None
17.	Variances Needed for Approval:	None.
18.	Other Approvals Required:	Building Permits from the Biddeford Code Enforcement Office.
19.	Other Permits Obtained:	None.

20.	Other Non-City Permits Required:	Maine DEP NRPA Permit (if applicable)
21.	LDR Attachment A: Fess Paid:	Yes
22.	Planning Board Review History: Final Review and Determination of Greatest Practical Extent:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 24 notices sent).

3. EXISTING CONDITIONS

The existing lot has a single-family home on it with a septic system.



4. PROJECT PROPOSAL

Demolition of the existing structures (house and garage) and reconstruction of a new single-family home.

5. PUBLIC COMMENT

For the Final Review, the notice was posted in City Hall on February 15, 2017. It was also posted in the Journal Tribune on February 17, 2017. Mailing notices were also sent out to all abutters within 250' on February 15, 2017 – 24 notices were sent out.

As of the time this report no public comment had been received.

6. STAFF REVIEW

- a. ZONING: The proposed use (Residential) is a Permitted Use (P) in the CR/LR Zones.
- b. REVIEW STANDARDS: Greatest Practical Extent Standards (Article XIV, Section 12.C.2).
- c. WAIVERS: None
- d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO FINAL APPROVAL:

None.

7. STAFF RECOMMENDATION

Staff is of the opinion that the plan exhibits a proposal that meets the Greatest Practical extent criteria and the intent of the Ordinance.

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

- 1. Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The

- vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.
2. Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.
 3. Obtain required permits from Code Enforcement.

8. NEXT STEPS/SUGGESTED ACTIONS

Consider making a determination that the proposal meets the criteria for being located to the Greatest Practical Extent away from the resource give the constraints presented.

9. SAMPLE MOTIONS

A. *Motion to approve the Determination of Greatest Practical Extent for Thomas and Mary Hatch based on the approved plans for 187 Hills Beach Road (Tax Map 55, Lot 26) approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated February 21, 2017.*

B. *Motion to deny Determination of Greatest Practical Extent based upon the following reasons:*

- a) _____
b) _____

ATTACHMENTS

1. Applicant's Cover Letter and Application package
2. Lower Village Survey Co. dated January 16, 2017 entitled "Boundary Retracement Survey and Site Plan, 187 Hills Beach Road, Biddeford, Maine"
3. Draft Findings of Fact.

Planning Board Agenda Item Report

Agenda Item No. 2016-645

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

C. 2017.09 Determination of Greatest Practical Extent: for Kathryn Gay to remove her existing home and replace it with a new structure located at 115 Hills Beach Road (Tax Map 54, Lot 63) in the CR and RP zones.

Recommendation:

ATTACHMENTS

- [2017.09 Gay GPE SR.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2017.09

Greg D. Tansley, AICP
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(207) 284-9115
gtansley@biddefordmaine.org

PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

A handwritten signature in black ink, appearing to read "Greg Tansley", is written over the "FROM:" line.

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #C – 2017.09 Determination of Greatest Practical Extent:
for Kathryn Gay to remove her existing home and replace it with a new structure
located at 115 Hills Beach Road (Tax Map 54, Lot 63) in the CR and RP zones.

MEETING DATE: March 1, 2017

1. INTRODUCTION

The applicant is proposing a tear down and reconstruction of a house at 115 Hills Beach Road. The house is non-conforming due to the Resource Protection District off of "the Pool".

The Board is required to determine if the structure to be rebuilt is the "Greatest Practical Extent" from the Resource. The house is within the 250' Resource Protection (RP) Zone of "the Pool". The relevant section of the Shoreland Zoning Ordinance is Section 12.C.3 (Reconstruction or Replacement). The relevant considerations for Greatest Practical Extent are as follows (Section 12.C.2):

The Planning Board shall consider:

- o the size of the lot,*
- o the slope of the land,*
- o the potential for soil erosion,*
- o the location of other structures on the property and on adjacent properties,*
- o the location of the septic system and other on-site soils suitable for septic systems, and*
- o the type and amount of vegetation to be removed to accomplish the relocation.*

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	Kathryn (Reilly) Gay 51 Orchard Farm Rd. York, ME 03909
2.	Owner of Property:	Kathryn (Reilly) Gay 51 Orchard Farm Rd. York, ME 03909
3.	Agent:	Tony Covino Saco Bay Builders, LLC 128 Hills Beach Road Biddeford, ME 04005
4.	Surveyor:	Dow and Coulombe 13 Park St. Saco, ME 04072
4.	Project Location:	115 Hills Beach Road Biddeford, ME 04005
5.	Project Tax Map #/Lot #:	Tax Map 54, Lot 63
6.	Existing Zoning:	CR
7.	Overlay Zoning:	Resource Protection (RP) Shoreland Zones
8.	Existing Use:	Single-family home.
9.	Proposed Use:	Single family home.
10.	Approvals Required:	Determination of Greatest Practical Extent
11.	Uses in the Vicinity:	Residential, primarily Single-family
12.	Dimensional Requirements:	New Residential Structure to be located the Greatest Practical Extent from the resource as depicted on the approved plans by Dow & Coulombe, Inc. dated October 6, 2016 entitled "Plan Showing A Boundary Survey Made For Kathryn (Reilly) Gay" considering all factors outlined in Section 12.C.2 of the Biddeford Shoreland Zoning Ordinance.
13.	Lot Size:	.09 Acres +/-
14.	Floodplain Status:	Not where the structure is located.
15.	Waivers Needed:	a. None
16.	Waivers Granted:	a. None
17.	Variances Needed for Approval:	None.
18.	Other Approvals Required:	Building Permits from the Biddeford Code Enforcement Office.
19.	Other Permits Obtained:	None.
20.	Other Non-City Permits Required:	Maine DEP NRPA Permit (if applicable)

21.	LDR Attachment A: Fess Paid:	Yes
22.	Planning Board Review History: Final Review and Determination of Greatest Practical Extent:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 15 notices sent).

3. EXISTING CONDITIONS

The existing lot has a single-family home on it with a septic system.



4. PROJECT PROPOSAL

Demolition of the existing structure and reconstruction of a new single-family home.

5. PUBLIC COMMENT

For the Final Review, the notice was posted in City Hall on February 15, 2017. It was also posted in the Journal Tribune on February 17, 2017. Mailing notices were also sent out to all abutters within 250' on February 15, 2017 – 15 notices were sent out.

As of the time this report no public comment had been received.

6. STAFF REVIEW

- a. ZONING: The proposed use (Residential) is a Permitted Use (P) in the CR/LR Zones.
- b. REVIEW STANDARDS: Greatest Practical Extent Standards (Article XIV, Section 12.C.2).
- c. WAIVERS: None
- d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO FINAL APPROVAL:

None.

7. STAFF RECOMMENDATION

Staff is of the opinion that the plan exhibits a proposal that meets the Greatest Practical extent criteria and the intent of the Ordinance.

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

- 1. Trees removed in order to relocate a structure must be replanted with at least one native tree, three feet in height, for every tree removed. If more than five trees are planted, no one species of tree shall make up more than 50% of the number of trees planted. Replaced trees must be planted no further from the water or wetland than the trees that were removed. Other woody and herbaceous vegetation and ground cover that are removed or destroyed in order to relocate a structure must be reestablished. An area at least the same size as the area where vegetation and/or ground cover was disturbed, damaged, or removed must be reestablished within the setback area. The vegetation and/or ground cover must consist of similar native vegetation and/or ground cover that was disturbed, destroyed or removed.

2. Where feasible, when a structure is relocated on a parcel, the original location of the structure shall be replanted with vegetation which may consist of grasses, shrubs, trees, or a combination thereof.
3. Obtain required permits from Code Enforcement.

8. NEXT STEPS/SUGGESTED ACTIONS

Consider making a determination that the proposal meets the criteria for being located to the Greatest Practical Extent away from the resource given the constraints presented.

9. SAMPLE MOTIONS

A. *Motion to approve the Determination of Greatest Practical Extent for Kathryn (Reilly) Gay based on the approved plans for 115 Hills Beach Road (Tax Map 54, Lot 63) approve the findings of fact, and sign the plans based on the conditions recommended by Staff in its report dated February 21, 2017.*

B. *Motion to deny Determination of Greatest Practical Extent based upon the following reasons:*

- a) _____
- b) _____

ATTACHMENTS

1. Applicant's Cover Letter and Application package
2. Dow & Coulombe, Inc. plan dated October 6, 2016 entitled "Plan Showing A Boundary Survey Made For Kathryn (Reilly) Gay"
3. Draft Findings of Fact.

Planning Board Agenda Item Report

Agenda Item No. 2016-646

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

D. 2016.25 Site Plan Review: for Five Star Holdings, LLC to construct a 1,800 SF building to house a Star Bucks Coffee Shop on Alfred Road (Tax Map 27, Lots 167, 168 and 169) in the B-2 zone.

Recommendation:

ATTACHMENTS

- [2016.25 Starbucks Site Plan SR 030117.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2016.25

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PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

DATE: February 22, 2017

RE: NEW BUSINESS ITEM #D – 2016.25 Site Plan Review: for Five Star Holdings, LLC to construct a 1,800 SF building to house a Star Bucks Coffee Shop on Alfred Road (Tax Map 27, Lots 167, 168 and 169) in the B-2 zone.

MEETING DATE: March 1, 2017 @ 6:00 PM

1. INTRODUCTION

The applicant proposes the construction of a 1,800 +/- square foot, single-story coffee shop at Five Points off Alfred Road in the B-2 Zone. 360 Alfred Street has been rezoned B-2 from R-1-A.

The Plans have changed over time and now the proposed Starbucks building is located closer to Summit Street. The D'Angelos building would remain under the current proposal and would be renovated to accommodate a new tenant (unknown). Since the Concept Review in January 2017 the traffic circulation has also been altered based on Board comments.

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	SUBJECT	DATA/INFORMATION
1.	Applicant:	Five Star Holdings, LLC 452 Alfred Road Biddeford, ME 04005
2.	Owner of Property:	Five Star Holdings, LLC 452 Alfred Road Biddeford, ME 04005

3.	Agent:	BH2M Engineers 28 State Street Gorham, ME 04038 Attn: William Thompson
4.	Engineer/Architect:	BH2M Engineers 28 State Street Gorham, ME 04038 Attn: Steven Blake Caleb Johnson Architects + Builders 265 Main Street Unit #201 Biddeford, ME 04005
4.	Project Location:	Alfred Road
5.	Project Tax Map #/Lot #:	Tax Map 27, Lots 167, 168, and 169
6.	Existing Zoning:	B-2
7.	Overlay Zoning:	None
8.	Existing Use:	The parcel currently houses a vacant D'Angelos Sandwich Shop and a Multi-family Home.
9.	Proposed Use:	A 1,800 SF +/- Coffee Shop and associated site improvements
10.	City Approvals Required:	Site Plan Review
11.	Uses in the Vicinity:	Car Repair, Retail, Restaurants, Residential
12.	Parcel Size:	.76 acres (33,105 SF)
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	10,000 SF Two lots: XX,XXX SF and XX,XXX SF
15.	Frontage Required: Provided:	150' 300' +/-
16.	Front Setback Required: Provided:	30' Greater than 30'
17.	Side Setbacks Required: Provided:	10' Greater than 10'
18.	Rear Setback Requires: Provided:	10' Greater than 10'
19.	Height Requirements: Provided:	Maximum 35' Less than 35' in height
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	City of Biddeford
22.	Solid Waste Disposal:	Private Hauler
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None

26.	Soil Study Provided:	N/A
27.	Parking Spaces Required:	17
28.	Parking Spaces Provided (total): # Accessible Spaces:	34 total (50 seat restaurant requires 17 spaces) 2
29.	Ownership of Road:	Alfred Road (Route 111) is a State Road within the Urban Compact.
30.	Impervious Surface Area	Structures: 4,400 SF (1,800 SF new) Paving/Parking: 25,000 SF +/-
31.	Total Disturbed Area:	27,000 SF +/-
32.	Building Footprint Existing: Proposed: Net Change:	2,600 SF (+/-) 1,800 SF (+/-) +1,800 SF (+/-)
33.	Building Floor Area Existing: Proposed: Net Change:	2,600 SF (+/-) 1,800 SF (+/-) +1,800 SF (+/-)
34.	Estimated Site Development Costs:	\$120,000 +/-
35.	Financial Capacity Letter:	Provided
36.	Waivers Needed:	1. Article XI, Section 5.B.4.f.2 - To allow paving and/or parking within 25 feet of any front property line. 2. Article XI, Section 5.B.4.i – Maximum non-vegetated areas greater than 25% and parking/paving greater than 30%.. 3. Article VI, Section 12, A (Buffers) – To waive the required 30' foot vegetated buffer requirements in lieu of 6' stockade fencing as shown on the submitted plans. 4. Article XI, Section 5.A. (m) and Section B.4.I. – Final sign locations and signs designs. 5. Article XI, Section 5.B.4.f.1 - To allow paving and/or parking within the required setback of any side or rear property line.
37.	Waivers Granted:	1. Article XI, Section 5.B.4.f.2 - To allow paving and/or parking within 25 feet of any front property line. 2. Article XI, Section 5.B.4.i – Maximum non-vegetated areas greater than 25% and parking/paving greater than 30%..

		3. Article VI, Section 12, A (Buffers) – To waive the required 30’ foot vegetated buffer requirements in lieu of 6’ stockade fencing as shown on the submitted plans. 4. Article XI, Section 5.A. (m) and Section B.4.I. – Final sign locations and signs designs. 5. Article XI, Section 5.B.4.f.1 - To allow paving and/or parking within the required setback of any side or rear property line.
38.	Variances Needed for Approval:	None
39.	Other Permits Obtained:	None
40.	Other Non-City Permits Required:	Maine DOT Traffic Movement Permit
41.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
42.	LDR Attachment A: Fess Paid:	Yes
43.	Planning Board Review History: Conceptual Review: Conceptual Review (#2): Site Plan Review	January 4, 2017 Meeting Date (Journal Tribune posting December 22, 2016; City Hall posting December 20, 2016; Mail Notices to all abutters within 1,000’ sent December 20, 2016 – 98 notices sent). February 1, 2017 Meeting Date (Journal Tribune posting January 24, 2017; City Hall posting January 20, 2017; Mail Notices to all abutters within 250’ sent January 20, 2017 – 98 notices sent). March 1, 2017 Meeting Date (Journal Tribune posting February 27, 2017; City Hall posting February 25, 2017; Mail Notices to all abutters within 1,000’ sent February 25, 2017 – 163 notices sent).

3. EXISTING CONDITIONS

The proposed area of development is an existing parking lot and a multi-family home.



4. PROJECT PROPOSAL

See attached plan set for more information.

5. PUBLIC COMMENT

Concept Review:

The notice was posted in City Hall on December 20, 2016. It was also posted in the Journal Tribune on December 22, 2016. Mailing notices were also sent out to all abutters within 1,000' on December 20, 2016 – 98 notices were sent out.

Concept Review (#2):

The notice was posted in City Hall on January 20, 2017. It was also posted in the Journal Tribune on January 24, 2017. Mailing notices were also sent out to all abutters within 1,000' on January 20, 2017 – 98 notices were sent out.

Site Plan Review:

The notice was posted in City Hall on February 25, 2017. It was also posted in the Journal Tribune on February 27, 2017. Mailing notices were also sent out to all abutters within 1,000' on February 25, 2017 – 98 notices were sent out.

As of the time this report was generated the only additional abutter comment was a voicemail from Prompto saying they had met with the developer and they are now all set with the project.

6. STAFF REVIEW

- a. ZONING: The proposed use is permitted in the B-2 Zone.
- b. REVIEW STANDARDS: Site Plan Review.
- c. WAIVERS:
 - i. Article XI, Section 5.B.4.f.2 - To allow paving and/or parking within 25 feet of any front property line.
 - ii. Article XI, Section 5.B.4.i – Maximum non-vegetated areas greater than 75% and parking/paving greater than 30%.
 - iii. Article VI, Section 12, A (Buffers) – To waive the required 30' foot vegetated buffer requirements in lieu of fencing.
 - iv. Article XI, Section 5.A. (m) and Section B.4.I. – Final sign locations and signs designs.
 - v. Article XI, Section 5.B.4.f.1 - To allow paving and/or parking within the required setback of any side or rear property line.
- d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:
 - 1. Provide a merge/caution sign where drive-through and bypass lane merge into 1 lane.
 - 2. Add stop sign where drive-through lane comes out towards Route 111 access – perhaps on back of “do not enter” sign.
 - 3. Northernmost ADA ramp not necessary at store entrance. Eliminate and relocate bike rack to the north to provide more space.
 - 4. Show UGT location.
 - 5. Add waiver “v.” to Sheet 1.
 - 6. Loam and seed may not be the best treatment for in between plantings. Mulch would be a more appropriate treatment.
 - 7. Provide an additional 4' wide island at opposite end of parking bank as existing 4' island.
 - 8. Islands, including the one at Route 111, need to be landscaped to provide additional green space in a heavily impervious environment.
 - 9. Correct Note 9, Sheet 1 – Minimum Lot Size is 10,000 SF.
 - 10. Note 14 – Complete Required Spaces: 17
 - 11. Indicate proposed lot sizes of 2 new lots.
 - 12. What is proposed invert for CB in Summit Street (the CB with RIM 147.78).
 - 13. Provide detail on drywell.
 - 14. AP-1 – post flow rates exceed pre. Stormwater Analysis needs to include capacity in Summit Street storm sewer.
 - 15. Traffic analysis, including approved Maine DOT Traffic Movement Permit
 - 16. Ability to serve letter from water and sewer.

17. Provide salt management plan.
18. Has curbing within the site been defined as to materials. Concrete or granite needs to be around the building for durability.
19. 1 ½" raised concrete will not achieve required no-left turns in and out. Redesign with sloped granite at a minimum. Accommodate pedestrians as necessary.
20. Need stop bar at Alfred Street – not shown on plan.
21. Show infiltration trench connection to CB detail.
22. Has the Fire Department responded?
23. Need stabilized construction entrance on plan and detail at Route 111.
24. Provide complete Mylar Set and Paper set no later than February 28, 2017 @ 2:00 PM amended based on comments.

7. STAFF RECOMMENDATION

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

1. Prior to the signing of any mylars:
 - a. Applicant shall return to the Planning Board for discussion and acceptance of the Maine DOT Traffic Movement Permit.
2. Prior to any ground disturbance or issuance of any permits:
 - a. Mylars shall be signed by the Planning Board.
 - b. A pre-construction meeting with the contractor needs to be held with the Engineering Department to discuss inspection requirements.
 - c. An Erosion and Sedimentation Control Performance Guarantee (acceptable to the Planning Department) in an amount to be determined by the Planning Department and/or Engineering Department of \$XXX,XXX shall be submitted to the Planning Department.
2. Prior to issuance of any sign permits:
 - a. Final sign designs and locations to be reviewed and approved by the City Planner.
3. Prior to issuance of any occupancy permits:
 - a. A compliance inspection needs to occur by the Engineering Department to determine that all site improvements as shown on the submitted plan were constructed in accordance with the approved plans.
 - b. A performance guarantee (acceptable to the Engineering Department) in the amount of 150% of any remaining site improvements shall be submitted to the Planning Department. Amount to be determined based on City inspections and the recommendation of the Engineering Department.
4. A street opening permit is required from the Department of Public Works.
5. Best management practices shall be adhered to during all ground disturbance operations.

6. All erosion and sediment control measures need to be installed. Applicant shall notify the Engineering Department once installed so that Staff may inspect said installation, as necessary.
7. Copies of the maintenance logs for the stormwater facilities shall be submitted to the City for each calendar year no later than January 15th of the following year. If the Engineering Department does not receive these copies within 30 days after the deadline, the applicant may be required to return to the Planning Board for further review.
8. The applicant shall obtain all other pertinent local, state and federal permits, licenses, and insurance such as blasting, building, electrical, plumbing, etc prior to commencing business, unless authority issuing said permit allows for such actions.
9. Once completed, as-built drawings of the site shall be provided to the Planning Department.
10. Upon completion of the work the project engineer shall certify that the project has been completed as per the approved plans or shall note any deviations from the approved plans.
11. Standard Conditions of Approval apply.

8. SAMPLE MOTIONS:

- A. *Motion to approve the Site Plan Application for Five Star Holdings, LLC for a new coffee shop at Tax Map 27, Lots 167, 168, and 169, approve the findings of fact, and sign the mylar based on the conditions recommended by Staff in its report dated February 22, 2017.*
- B. *Motion to table to allow the applicant to address the outstanding issues identified by Staff and the Board.*
- C. *Motion to deny the Site Plan Application of Five Star Holdings, LLC based upon the following reasons:*
 - a) _____
 - b) _____

ATTACHMENTS

1. Response Letter.
2. Plan set.
3. Draft Findings of Fact and Conclusions of Law

Planning Board Agenda Item Report

Agenda Item No. 2016-647

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

E. 2017.10 Conceptual Site Plan Review: for Westfield Inc. for the construction of two truck docks and the expansion/reconstruction of impervious surface to accommodate truck parking at 20-26 Pomerleau Street (Tax Map 2, Lot 81) in the I-3 zone.

Recommendation:

ATTACHMENTS

- [2017.10 Westfield Concept SR 030117.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2017.10

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gtansley@biddefordmaine.org

PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #E – 2017.10 Conceptual Site Plan Review: for Westfield Inc. for the construction of two truck docks and the expansion/reconstruction of impervious surface to accommodate truck parking at 20-26 Pomerleau Street (Tax Map 2, Lot 81) in the I-3 zone.

MEETING DATE: March 1, 2017 @ 6:00 PM

1. INTRODUCTION:

The applicant proposes the construction of 2 new truck loading docks with associated truck parking area. The existing pavement will be reclaimed and new pavement will be added to accommodate the truck parking area. The concept plan which is attached demonstrates the proposal.

2. PROJECT DATA/INFORMATION:

Note: **HIGHLIGHTED** information is pending.

	SUBJECT	DATA/INFORMATION
1.	Applicant:	Westfield, Inc 26 Rivers Edge Drive Kennebunk, ME 04043
2.	Owner of Property:	Westfield, Inc 26 Rivers Edge Drive Kennebunk, ME 04043
3.	Agent:	BH2M Engineers 28 State Street Gorham, ME 04038

		Attn: William Thompson
4.	Engineer/Architect:	BH2M Engineers 28 State Street Gorham, ME 04038
4.	Project Location:	20-26 Pomerleau Street
5.	Project Tax Map #/Lot #:	Tax Map 2, Lot 81
6.	Existing Zoning:	I-3
7.	Overlay Zoning:	None
8.	Existing Use:	The parcel currently houses an industrial/warehouse facility.
9.	Proposed Use:	Additional loading docks and truck parking.
10.	City Approvals Required:	Site Plan Review
11.	Uses in the Vicinity:	Car Repair, Retail, Restaurants, Residential
12.	Parcel Size:	15.56 acres
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	0 SF 15.56 acres
15.	Frontage Required: Provided:	50' Greater than 50'
16.	Front Setback Required: Provided:	40' No building/structures proposed
17.	Side Setbacks Required: Provided:	25' No building/structures proposed
18.	Rear Setback Requires: Provided:	25' No building/structures proposed
19.	Height Requirements: Provided:	Maximum 60' No building/structures proposed
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	City of Biddeford
22.	Solid Waste Disposal:	Private Hauler
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	N/A
27.	Parking Spaces Required:	N/A – Existing Use – Expanding Parking for Trucks
28.	Parking Spaces Provided (total): # Accessible Spaces:	33 truck parking/trailer storage spaces. 2 spaces also in front of the proposed loading docks. N/A
29.	Ownership of Road:	City Street
30.	Impervious Surface Area	25,080 SF new pavement
31.	Total Disturbed Area:	63,000 SF +/-
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	Not yet submitted.
34.	Waivers Needed:	a.
35.	Waivers Granted:	a.
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions	None

	Required by the Planning Board:	
40.	LDR Attachment A: Fess Paid:	Concept Fees Paid
41.	Planning Board Review History: Conceptual Review:	March 1, 2017 Meeting Date (Journal Tribune posting February 17, 2017; City Hall posting February 15, 2017; Mail Notices to all abutters within 250' sent February 15, 2017 – 10 notices sent).
	Final Review:	TBD

3. EXISTING CONDITIONS:

The project site is currently 2 parcels of land both owned by Westfield, Inc. The smaller parcel is currently vegetated and abuts a developed site.





4. PROJECT PROPOSAL:

See attached cover letter, application package and Concept Plan for more information.

5. PUBLIC COMMENT:

Concept Review:

The notice was posted in City Hall on February 15, 2017. It was also posted in the Journal Tribune on February 17, 2017. Mailing notices were also sent out to all abutters within 250' on February 15, 2017 – 10 notices were sent out.

The only comments received were via e-mail and was respect to noise from TD Timber which is no longer there.

6. STAFF REVIEW:

a. ZONING: The proposed use is permitted in the I-3 Zone.

b. REVIEW STANDARDS: Site Plan Review.

c. WAIVERS: **None.**

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

1. Are lots currently separate or merged?
2. Easement for utilities and drainage cannot be impeded.
3. Driveway waiver appears to be required. Contact Guy Casavant, Public Works Director, for clarification.
4. Provide pavement details. Will pavement be reinforced due to truck movements?
5. Power Poles – Will they be relocated?
6. Provide grading plan.
7. Is all pavement necessary?
8. Provide landscaping plan – areas not needed for pavement should be landscaped.
9. Clarify internal movements – southwestern most trailer storage appears largely inaccessible.
10. Will need updated impervious surface calculations.
11. Will need a salt management plan.
12. Provide a stormwater maintenance plan.
13. Stormwater to address quantity and quality – must address stormwater from the ice arena parcel.
14. Submit a complete Site Plan Review Application package.

Staff will provide additional comments upon review of future submittal(s).

7. STAFF RECOMMENDATION:

Staff recommends the Board provide feedback to the applicant and listen to any public comment there may be.

8. NEXT STEPS/SUGGESTED ACTIONS:

1. Submit complete Site Plan Application Package.

9. SAMPLE MOTIONS:

N/A

ATTACHMENTS:

1. Cover Letter, Application, and Conceptual Site Plan.

Planning Board Agenda Item Report

Agenda Item No. 2016-648

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

F. 2015.19 Conceptual Site Plan Review: for Van Hertel, Jr. for a proposed 8 lot subdivision at 226 Guinea Road (Tax Map 78, Lot 1) in the RF and SR-1 zones.

Recommendation:

ATTACHMENTS

- [2015.19 Van Hertel Concept SR 030117.docx](#)



CITY OF BIDDEFORD PLANNING DEPARTMENT

2015.19

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gtansley@biddefordmaine.org

PLANNING BOARD REPORT

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

FROM: Greg Tansley, A.I.C.P., City Planner

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #F – 2015.19 Conceptual Subdivision: for Van Hertel, Jr. for a proposed 8 lot subdivision at 226 Guinea Road (Tax Map 78, Lot 1) in the RF & SR1 zone.

MEETING DATE: March 1, 2017 @ 6:00 PM

1. INTRODUCTION:

The applicant proposes and 8 Unit Subdivision with 6 lots located in the Rural Farm (RF) Zone and 2 lots located in the SR-1 Zone. The 6 lots in the RF zone (Lots 1-6) would be accessed by three (3) private ways coming off Guinea Road (2 lots off each private way) while the 2 other lots (Lots 7 and 8) would have individual driveways on Guinea Road.

The 6 lots in the RF zone trigger the cluster subdivision standards including 50' vegetated buffers along Guinea Road and the dedication of open Space. Lots 7 and 8 do not have to comply with Cluster Subdivision requirements.

2. PROJECT DATA/INFORMATION:

Note: **HIGHLIGHTED** information is pending.

	SUBJECT	DATA/INFORMATION
1.	Applicant:	Van Hertel, Jr. 771 Narragansett Trail Buxton, ME 04093
2.	Owner of Property:	Van Hertel, Jr. 771 Narragansett Trail Buxton, ME 04093

3.	Agent:	BH2M Engineers 28 State Street Gorham, ME 04038 Attn: William Thompson
4.	Engineer/Architect:	BH2M Engineers 28 State Street Gorham, ME 04038 C/o: Steve Blake
4.	Project Location:	226 Guinea Road
5.	Project Tax Map #/Lot #:	Tax Map 78, Lot 1
6.	Existing Zoning:	R-F and SR-1
7.	Overlay Zoning:	None
8.	Existing Use:	Vacant
9.	Proposed Use:	8-lot Subdivision with "Remaining Land" and "Open Space"
10.	City Approvals Required:	Subdivision
11.	Uses in the Vicinity:	Residential
12.	Parcel Size:	18 acres
13.	Number of Lots/Units in Subdivision:	8 Residential Lots, one "Remaining Land" lot and one "Open Space" lot
14.	Minimum Lot Size Required (RF): Provided:	20,000 SF Lot 1 – 28,454 SF Lot 2 – 22,201 SF Lot 3 – 22,928 SF Lot 4 – 25,244 SF Lot 5 – 25,244 SF Lot 6 – 24,926 SF
15.	Minimum Lot Size Required (SR-1): Provided:	20,000 SF Lot 7 – 21,196 SF Lot 8 – 20,020 SF
15.	Frontage Required (RF and SR-1): Provided:	100' 100' +
16.	Front Setback Required (RF): Provided:	25' Greater than 25'
	Front Setback Required (SR-1): Provided:	40' Greater than 40'
17.	Side Setbacks Required (RF and SR-1): Provided:	10' Greater than 10'
18.	Rear Setback Requires (RF and SR-1): Provided:	10' Greater than 10'

19.	Height Requirements: Provided:	Maximum 35' Less than 35' in height
20.	Water Supply:	Drilled Private Wells
21.	Sewerage Disposal:	On-site Private Septic Systems
22.	Solid Waste Disposal:	City of Biddeford
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	To be provided
29.	Ownership of Road:	Guinea Road is a City Street
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	Not yet submitted.
34.	Waivers Needed:	a.
35.	Waivers Granted:	a.
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	Concept Fees Only
41.	Planning Board Review History: Conceptual Review: Preliminary Review: Final Review:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 18 notices sent). TBD TBD

3. EXISTING CONDITIONS:

The project site is currently vacant and is located south of West Street.



4. PROJECT PROPOSAL:

See attached cover letter, application package and Concept Plan for more information.

5. PUBLIC COMMENT:

Concept Review:

The notice was posted in City Hall on February 15, 2017. It was also posted in the Journal Tribune on February 17, 2017. Mailing notices were also sent out to all abutters within 250' on February 15, 2017 – 18 notices were sent out.

No public comments have been received as of the time of this report.

6. STAFF REVIEW:

- a. ZONING: The proposed use is permitted in the R-F and SR-1 Zones.
- b. REVIEW STANDARDS: Performance Standards for Cluster Subdivisions and Subdivision Review.
- c. WAIVERS: **None.**

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

1. There appears to need to be two changes:
 - A. A 20' buffer strip needs to be stabled between Lot 1 and land of "Chretien".
 - B. The buffer along Guinea Rd. needs to be 75' in width instead of 50'.
2. Provide net density calculations (Article VI, Section 44).
3. Provide Wildlife Study or seek waiver (Article VI, Section 70).
4. Provide HHE-200's (test pits) for all lots.
5. Private Way designs, including drainage.
6. Submit a complete Preliminary Plan Application Package.

Staff will provide additional comments upon review of future submittal(s).

7. STAFF RECOMMENDATION:

- Determine the application is for a Major Subdivision (proposed roadway, proposed extension of sewer and water, and 5 or more lots/Units).
- Listen to comments from abutters (if any) and provide feedback to the applicant.

8. NEXT STEPS/SUGGESTED ACTIONS:

1. Submit complete Preliminary Subdivision Application Package.

9. SAMPLE MOTIONS:

Motion to determine the proposed subdivision is a major subdivision.

ATTACHMENTS:

1. Cover Letter, Application, and Conceptual Cluster Subdivision Plan and Conventional Subdivision Plan.

Planning Board Agenda Item Report

Agenda Item No. 2016-649

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

G. 2017.11 Conceptual Site Plan Review: for University of New England to construct a new multi-purpose turf athletic field and associated amenities located off Pool Street (Tax Map 9, Lot 15) in the IN zone.

Recommendation:

ATTACHMENTS

- [2017.11 UNE Sokokis Field Concept SR 030117.docx](#)



CITY OF BIDDEFORD
PLANNING DEPARTMENT

Greg D. Tansley, A.I.C.P.
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PLANNING BOARD REPORT

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

FROM: Greg Tansley, AICP, City Planner

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #G – 2017.11 Conceptual Site Plan Review: for University of New England to construct a new multi-purpose turf athletic field and associated amenities located off Pool Street (Tax Map 9, Lot 15) in the IN zone.

MEETING DATE: March 1, 2017 @ 6:00 PM

1. INTRODUCTION

The applicant proposes the construction of a new multi-purpose athletic field located at 630 Pool Street (Tax Map 9, Lot 15) in the IN Zone. The proposed field was identified as “F2” in the approved University of New England Master Plan 2016-2021. The applicant is asking to have to location “swapped” with “F3” as shown on the Master Plan enclosed. I recommend the Board consider the change of location as de minimus as it is immediately adjacent to the approved location “F2” and that “F3” was already approved as an Athletic Facility.

As indicated in the cover letter provided by Site Design, I had advised the applicant that the change in location, although slight, should be reviewed by the Planning Board, although it is my opinion that the change is de minimus in nature.

As such the purpose for this agenda item is not only a conceptual review but also to confirm with the Planning Board the change in location is acceptable to the Board. For the record the Board should formally motion to approve the change as de minimus. See below for a sample motion.

2. PROJECT DATA/INFORMATION

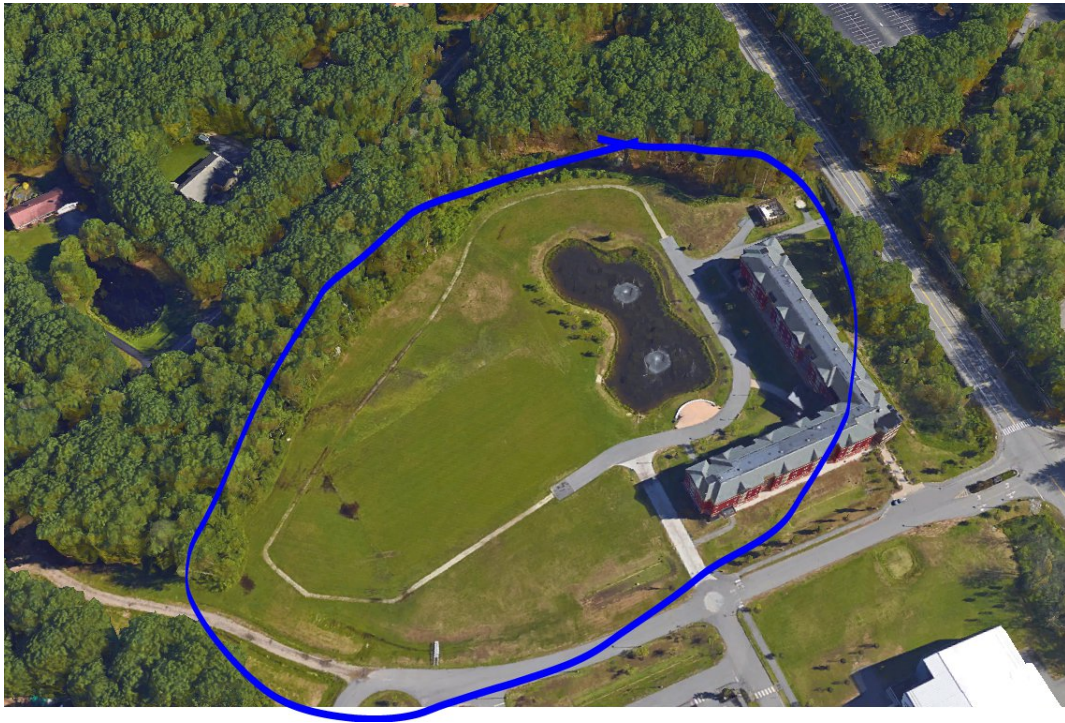
Note: **HIGHLIGHTED** information is pending.

	<i>SUBJECT</i>	<i>DATA/INFORMATION</i>
1.	Applicant:	University of New England 11 Hills Beach Rd Biddeford, ME 04005
2.	Owner of Property:	University of New England 11 Hills Beach Rd Biddeford, ME 04005
3.	Agent:	Site Design Associates 23 Whitney Way Topsham, ME 04086 - Attn: Tom Saucier
4.	Project Location:	630 Pool Street
5.	Project Tax Map #/Lot #:	Tax Map 9, Lot 52
6.	Existing Zoning:	IN
7.	Overlay Zoning:	None
8.	Existing Use:	None
9.	Proposed Use:	New athletic turf field and associated facilities.
10.	City Approvals Required:	Site Plan Review
11.	Uses in the Vicinity:	Institutional
12.	Parcel Size:	N/A
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	None None
15.	Frontage Required: Provided:	50 feet. More than 50 feet
16.	Front Setback Required: Provided:	50 feet 50 feet
17.	Side Setbacks Required: Provided:	50 feet from non-IN Zones 50 feet from non-IN Zones
18.	Rear Setback Requires: Provided:	50 feet from non-IN Zones 50 feet from non-IN Zones
19.	Height Requirements: Provided:	Maximum 50 feet Less than 50 feet in height
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	UNE (Private)
22.	Solid Waste Disposal:	Private Hauler
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	N/A
27.	Parking Spaces Required:	None
28.	Parking Spaces Provided (total): # Handicapped Spaces:	None None

29.	Ownership of Road:	Pool Street (Route 9) is a State Road within the Urban Compact.
30.	Impervious Surface Area	This area has been identified as a 30% maximum lot coverage area. The area is currently at 16% of that according to the approved UNE Master Plan 2016-2021. This represents that there is currently approximately 11.4 acres covered of the 71.3 acres in this area. And additional approximately 6,815 square feet (=/-) will not violate the allowable lot coverage.
31.	Total Disturbed Area:	TBD
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	Not yet submitted.
34.	Waivers Needed:	a.
35.	Waivers Granted:	a.
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	No
41.	Planning Board Review History: Conceptual Review:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 12 notices sent). TBD
	Final Review:	

3. EXISTING CONDITIONS

The proposed area of development is a vacant vegetated area where there is a practice field with a track running around it. It is adjacent to Sokokis Hall which is a residential dorm.



4. PROJECT PROPOSAL

The new field is shown on Sheet SK-101 in the applicant's application package. The track will be re-routed around the new multi-purpose field.

See attached application package and Concept Plan for more information.

5. PUBLIC COMMENT

Concept Review:

The notice was posted in City Hall on February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 12 notices sent).

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

- No Public Comments have been received.

6. STAFF REVIEW

- A. ZONING: The proposed use is permitted in the IN Zone but is not located as approved in the IN Zone Master Plan. Staff's opinion is that its relocation is de minimus (minor) but this change should be affirmed by the Planning Board.
- B. REVIEW STANDARDS: Site Plan Review, IN Zone Specific Standards.

C. WAIVERS: **None.**

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

1. Full Site Plan Review Application package.
2. Submit all applicable Fees Due.
3. Provide a traffic control plan for during construction.
4. When is construction planned?
5. Provide Erosion and Sediment Control Plan.
6. Provide Stormwater Management Analysis.
7. Provide pedestrian access plan to parking.
8. ADA parking/access?
9. Are restrooms proposed? Is this why it appears there is a connection to the Sanitary MH?
10. Are there any wetlands on the site?
11. What is the expected event timing?
12. Provide new coverage calculations for this area based on the under-construction Alford Forum expansion, the proposed new athletic field, and the proposed new 168 parking spaces.

Staff will provide additional comments upon review of future submittal(s).

7. STAFF RECOMMENDATION

Staff recommends the Board provide feedback to the applicant and listen to any public comment there may be.

Staff also recommends the Board consider the change of location as de minimus as it is immediately adjacent to the approved location "F2" and "F3" was already approved as a 100,000 SF Athletic Facility.

8. NEXT STEPS/SUGGESTED ACTIONS

- A. Submit complete Site Plan Application Package.

9. SAMPLE MOTIONS:

- A. *Motion to confirm that the change in location for "F2" is minor in nature and is de minimus.*

ATTACHMENTS

1. Cover Letter, application package, and Conceptual Site Plan.

Planning Board Agenda Item Report

Agenda Item No. 2016-650

Submitted by: Shannon Hall

Submitting Department: Planning

Meeting Date: March 1, 2017

SUBJECT

H. 2017.12 Conceptual Site Plan Review: for University of New England to construct 168 new parking spaces for the existing turf field and Harold Alfond Forum located off Pool Street (Tax Map 9, lot 15) in the IN zone.

Recommendation:

ATTACHMENTS

- [2017.12 UNE Alfond Forum Parking Concept SR 030117.docx](#)



CITY OF BIDDEFORD
PLANNING DEPARTMENT

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PLANNING BOARD REPORT

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

FROM: Greg Tansley, AICP, City Planner

DATE: February 21, 2017

RE: NEW BUSINESS ITEM #H – 2017.12 Conceptual Site Plan Review: for University of New England to construct 168 new parking spaces for the existing turf field and Harold Alfond Forum located off Pool Street (Tax Map 9, Lot 15) in the IN zone.

MEETING DATE: March 1, 2017 @ 6:00 PM

1. INTRODUCTION

The applicant proposes the construction of a new parking lot for 168 spaces located at 630 Pool Street (Tax Map 9, Lot 15) in the IN Zone. This project was identified as a "P" in the recently approved University of New England Master Plan 2016-2021.

2. PROJECT DATA/INFORMATION

Note: **HIGHLIGHTED** information is pending.

	SUBJECT	DATA/INFORMATION
1.	Applicant:	University of New England 11 Hills Beach Rd Biddeford, ME 04005
2.	Owner of Property:	University of New England 11 Hills Beach Rd Biddeford, ME 04005
3.	Agent:	Site Design Associates 23 Whitney Way Topsham, ME 04086 - Attn: Tom Saucier
4.	Project Location:	630 Pool Street
5.	Project Tax Map #/Lot #:	Tax Map 9, Lot 52
6.	Existing Zoning:	IN
7.	Overlay Zoning:	None
8.	Existing Use:	Building Access, Bus Parking, Grass
9.	Proposed Use:	168 parking spaces constituting 64,500 (+/-) SF new

		impervious space.
10.	City Approvals Required:	Site Plan Review
11.	Uses in the Vicinity:	Institutional
12.	Parcel Size:	N/A
13.	Number of Lots/Units in Subdivision:	N/A
14.	Minimum Lot Size Required: Provided:	None None
15.	Frontage Required: Provided:	50 feet. More than 50 feet
16.	Front Setback Required: Provided:	50 feet 50 feet
17.	Side Setbacks Required: Provided:	50 feet from non-IN Zones 50 feet from non-IN Zones
18.	Rear Setback Requires: Provided:	50 feet from non-IN Zones 50 feet from non-IN Zones
19.	Height Requirements: Provided:	Maximum 50 feet Less than 50 feet in height
20.	Water Supply:	Maine Water (Public)
21.	Sewerage Disposal:	UNE (Private)
22.	Solid Waste Disposal:	Private Hauler
23.	Fire Protection:	City of Biddeford
24.	Floodplain Status:	None
25.	Wetland/Surface Water Impacts:	None
26.	Soil Study Provided:	N/A
27.	Parking Spaces Required:	None
28.	Parking Spaces Provided (total): # Handicapped Spaces:	None None
29.	Ownership of Road:	Pool Street (Route 9) is a State Road within the Urban Compact.
30.	Impervious Surface Area	This area has been identified as a 30% maximum lot coverage area. The area is currently at 16% of that according to the approved UNE Master Plan 2016-2021. This represents that there is currently approximately 11.4 acres covered of the 71.3 acres in this area. An additional approximately 64,500 square feet (=/-) will not violate the allowable lot coverage.
31.	Total Disturbed Area:	Approximately 64,500 SF
32.	Estimated Site Development Costs:	TBD
33.	Financial Capacity Letter:	Not yet submitted.
34.	Waivers Needed:	a.
35.	Waivers Granted:	a.
36.	Variances Needed for Approval:	None
37.	Other Permits Obtained:	None
38.	Other Non-City Permits Required:	None
39.	Covenants, By-laws, Restrictions Required by the Planning Board:	None
40.	LDR Attachment A: Fess Paid:	No

41.	Planning Board Review History: Conceptual Review:	March 1, 2017 (Posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 12 notices sent).
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3. EXISTING CONDITIONS

The proposed area of development is over a grassy area with some pavement for bus turnaround. The location is adjacent to both the existing turf field and the recently approved (and under construction) Alfond Center expansion.



4. PROJECT PROPOSAL

168 parking spaces. See attached application package and Concept Plan for more information.

5. PUBLIC COMMENT

Concept Review:

The notice was posted in City Hall February 15, 2017; Journal Tribune posting February 17, 2017; Mail Notices to all abutters within 250' sent February 17, 2017 - 12 notices sent).

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

- No Public Comments have been received.

6. STAFF REVIEW

- A. ZONING: The proposed use is permitted in the IN Zone and has been approved in the UNE Master Plan 2016-2021.
- B. REVIEW STANDARDS: Site Plan Review, IN Zone Specific Standards.
- C. WAIVERS: **None.**
- D. OUTSTANDING ITEMS TO BE ADDRESSED WITH THE SUBMISSION OF A FINAL APPLICATION PACKAGE:
 - 1. Full Site Plan Review Application package.
 - 2. Submit all applicable Fees Due.
 - 3. Provide a traffic control plan for during construction.
 - 4. When is construction planned?
 - 5. Provide Erosion and Sediment Control Plan.
 - 6. Provide Stormwater Management Analysis.
 - 7. Provide landscape plans.
 - 8. What is required for handicap parking for overall parking area.
 - 9. Provide pedestrian circulation plan including crosswalks and detectable warnings.
 - 10. Is parallel parking in front of bleachers intended to be short-term/drop-off/pick-up? Is it for bus drop-offs/pick-ups? It seems access would have to be achieved by circling around the entire parking lot correct?
 - 11. How is EMS access achieved for the field?
 - 12. Provide new coverage calculations for this area based on the under-construction Alford Forum expansion, the proposed new athletic field, and the proposed new 168 parking spaces.

Staff will provide additional comments upon review of future submittal(s).

7. STAFF RECOMMENDATION

Staff recommends the Board provide feedback to the applicant and listen to any public comment there may be.

8. NEXT STEPS/SUGGESTED ACTIONS

- A. Submit complete Site Plan Application Package.

9. SAMPLE MOTIONS:

N/A

ATTACHMENTS

1. Cover Letter, Application Package, and Conceptual Site Plan.