



CITY OF BIDDEFORD

PLANNING DEPARTMENT

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Planning Board Minutes

Date: Wednesday, February 5, 2020
Time: 6:00 PM
Location: Council Chambers, City Hall

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
 - A. Quorum Present: Chair William Southwick, Roch Angers, Bruce Benway, Sean Tarpey and Spiros Droggitis.
3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
 - A. Consideration of Minutes: December 4, 2019

MOTION:

Bruce Benway- Motion: I move adoption of Consent Agenda.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

6. Unfinished Business
7. New Business
 - A. Election of Vice Chair and Secretary.

MOTIONS:

Bruce Benway- Motion: to Elect Roch Angers as Vice Chair.

Spiros Droggitis- Second.

Chair Southwick- Call for Vote- Unanimous Approval (3-0) all in favor.

Roch Angers- Motion: to Elect Bruce Benway as Secretary.

Spiros Droggitis- Second.

Chair Southwick- Call for Vote- Unanimous Approval (3-0) all in favor.

- B. 2019.12 Final Subdivision Review and Conditional Use Permit for Jason Labonte of Home Innovations, LLC for a 7-lot Cluster Subdivision located at 30 Buzzell Road (Tax Map 6, Lot 43) in the RF zone.

Andy Morrell, BH2M Engineers: Gave an update on changes to the stormwater.

Jason Labonte, Developer: Addressed the water issue that one abutter had.

Greg Tansley, City Planner: Spoke about the stormwater.

Jason Labonte, Developer: Handed out pictures of what the land looks like as of today.

Sean Tarpey: Has issues with the different name on the application and the numbers on the plan.

Jason Labonte, Developer: Can make the changes.

Spiros Droggitis: Can you walk us through how it becomes a City road?

Greg Tansley, City Planner: Discussed the process of it becomes a City road.

Josh Keller, Realtor: Has a buyer for the seventh lot but cannot close on it until this project is approved. Would like this approved as quickly as possible.

Jacob Pierson, 24 Buzzell Road: Has issues with water, another road being built, demand for homes and rural farm.

Andy Morrell, BH2M Engineers: Addressed the storm water and wetland issues.

Josh Keller, Realtor: I want to clarify that the buyers did know about the subdivision and I have a signed contract if you want to see it.

Chair Southwick: Not necessary.

MOTION:

Bruce Benway- Motion: to approve the Final Subdivision and Conditional Use Permit for Buzzell Road Estates for a 7-Lot Cluster Subdivision off Buzzell Road (Tax Map 6, Lots 43 and 44) in the RF zone, approve the findings of facts, and sign the plans based on the conditions recommended by Staff in its report dated January 30, 2020.

Chair Southwick – No second motion fails.

Discussion between Board, Staff and Applicant.

MOTION:

Bruce Benway- Motion: to table this until March 4th.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

- C. 2019.36 Revised Conceptual Site Plan Review/Contract Zone for Maine Governmental Facilities Authority for the construction of a courthouse with an approximate 34,545 sf building footprint, parking facilities, and the construction of a gravel road to connect Elm Street to Hill Street located at 511-515 Elm Street (Tax Maps 88 & 3, Lots 5 & 66-1) in the B2 and R1A zones.

Greg Tansley, City Planner: Spoke briefly on the items he wants the Board to weigh in on and give guidance.

Clair Colburn, Finegold Alexander Architects: Mentioned they added a six-foot privacy fence, addressed the height, setbacks, buffering and lighting.

Sterling Roop, Abutter: Has issues with fencing on the east side of the project and lighting.

Margen Soliman, Abutter: Has issues with the height of the building, lighting and wants to know how the remaining vegetation will survive the impact.

Judy Jurevic, Abutter: Has issues with lighting, water pressure, fencing and access road.

Alicia Soliman, former abutter: Has concerns with remaining vegetation and lighting.

Would like to see a landscape plan at some point to see what it will look like.

Abigail Smallwood, not an abutter: Has issues with the design of the building, what kind of materials will be used, parking and height.

Meaghan Daly, 16 Pinewood Circle: Has issues with the height, would like to ask the Planning Board to ask the applicant to conduct an independent assessment of whether or not this project in its current form matches the character of the neighborhood, has issues with the parking, would like to ask the Planning Board to ask if the rest of the land be put into an easement.

Judy Jurevic, Abutter: How many acres? Concerns with blasting.

Clair Colburn, Finegold Alexander Architects: Addressed some of the concerns.

Chris DiMatteo, Gorrill-Palmer: Talked about blasting, touched based on the layout of the project and water.

Sterling Roop, Abutter: Showed pictures of the vegetation from his back yard.

Alicia Soliman, former abutter: Would like clarification on the height of the lamppost.

Clair Colburn, Finegold Alexander Architects: Addressed the height of the lamppost.

Discussion between Board and Staff.

The Board weighed in on the following:

- Height – The Board is comfortable with the height at this time.
- Setbacks, Buffering & Fencing – The Board is comfortable moving forward and in the future would like see the fence extended as well as the survival of vegetation.
- Access Road – The Board is comfortable with the access road.

Greg Tansley, City Planner: Talked about neighborhood character and read that part of the ordinance.

Discussion between Board and Staff.

MOTION:

Bruce Benway- Motion: to approve the Concept Plan for the York County Judicial Courts to develop a new consolidated courthouse at 511-515 Elm Street.

Roch Angers- Second.

Chair Southwick – Call for Vote- Unanimous Approval (4-0) all in favor.

- D. 2020.01 Final Site Plan Review and Shoreland Zoning for Biddeford Riverwalk Community, LLC for a proposed Parking Garage located at 3 Lincoln Street (Tax Map 71, Lot 2) in the MSRD-3 zone.

Greg Tansley, City Planner: Gave a brief report.

Matthew Dieterich, Treadwell, Franklin & Sewall: Gave a presentation.

Sean Tarpey: How much is underground?

Matthew Dieterich, Treadwell, Franklin & Sewall: About half a level.

Roch Angers: What happens if there is a fire at the fourth floor?

Wes Wilson, Desmond: the Fire Department will connect to a standpipe.

Spiros Droggitis: Snow removal?

Wes Wilson, Desmond: It will be plowed. There is a snow gate on the north side. Talked about the lighting that will be used.

Chair Southwick: Can this garage support traffic with only one entrance and one exit?

Wes Wilson, Desmond: Yes, it can.

Sean Tarpey: Everything I have read says 25 years?

Brian Phinney: The end life is 25 years.

MOTIONS:

Bruce Benway- Motion A: to grant the waiver to Article XI, 5.A.7.i – the size and location of all existing and proposed public service connections.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

Bruce Benway- Motion B: to grant the waiver to Article XI, 5.A.7.n the location and type of lighting for outdoor facilities.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

Bruce Benway- Motion C: to grant the waiver to Article XI, 5.A.7.p Surveyed property lines showing their bearing and distances and monument locations.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

Bruce Benway- Motion D: to grant the waiver to Article XI, 5.B.3.f lots shall be illuminated for security purposes. The lighting shall be designed in such a way that offsite glare is minimized. Photometric: Article VI, Section 49.C.3.K1.E.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

MOTION:

Bruce Benway- Motion: to approve the Final Site Plan and Shoreland Zoning Biddeford Riverwalk Community 1, LLC for a 5-level parking facility at 3 Lincoln Street (Tax Map 71, Lot 2) in the MSRD-3 zone and approve the Findings of Fact based on the conditions recommended by Staff in its report dated January 30, 2020.

Roch Angers- Second.

Sean Tarpey: Questioning the LLC?

Heather Hayes: Yes, it is an LLC in Delaware.

Greg Tansley, City Planner: Questioned the motion.

Bruce Benway- Motion: to amend previous motion to include the revised conditions of approval dated 2/5/2020.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.

Chair Southwick- Call for a Vote back to original Motion- Unanimous Approval (4-0) all in favor.

8. Other Business

9. Adjourn

MOTION:

Bruce Benway- Motion: to adjourn.

Roch Angers- Second.

Chair Southwick- Call for Vote- Unanimous Approval (4-0) all in favor.



Planning Board Chair

3-4-2020

Date

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

