



CITY OF BIDDEFORD

Planning and Development Department

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

Planning Board Meeting Minutes

Date: January 18, 2023
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Chair Patoine first introduced the newest member to the Planning Board, Stephen Beaudette who is an Associate Member at this time.
Quorum Present: Larry Patoine (Chair), Roch Angers, Sean Tarpey, Alexa Plotkin, Michael Cantara, Susan Deschambault (Associate Member), Stephen Beaudette (Associate Member)
Staff Present: Greg Mitchell & Nan Whitten
Interim Planner: David Galbraith
Chair Patoine opened the meeting at 6:00 PM
3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
5 A. Approval of Meeting Minutes from December 7, 2022 & December 14, 2022
MOTIONS: 6:01 PM
Cantara-Motion- To approve the Consent Agenda as presented.
Angers-Second
Motion Passed unanimously (Angers, Tarpey, Plotkin, & Cantara)
- 6 Old Business
- 7 New Business
7. A. 2023.02 Public Meeting and take comments regarding a Conditional Use Permit Application at 412 Hill Street (Tax Map 13, Lot 53) in the I-1 & I-2 Zones for Maine Plant Based Compassionate Care LLC. The proposed use of the property in to cultivate cannabis at this site.
 - Hannah King of Dentons represented the applicant
 - This business will be adult cultivation, which will be the same use but a new owner. As opposed to medical cultivation like Sweet Spot in Portland.
 - This company owns shops in RI, MA, CT & Portland
 - No comments from the public
 - The Board asked about changes to the exterior, the applicant said that there would be none.
 - This is the first adult cultivation for this business in Maine.

- The Board asked about the approvals/comments by Code, Police, Fire & Public Works-all documented.
- The new owners are upgrading the odor mitigation system and the flower rooms will be sealed.
- The Board talked about their concerns for the neighbors. There have been issues in the past and they want to make sure no issues arise from this new business.
- The HVAC has been upgraded, sealing off rooms; staff training and Best Practices are being instituted.
- The Board discussed going through the facility once it is up and running so that we can see this type of business from the inside.

MOTIONS: 6:20 PM

Cantara-Motion- Motion to waive Article XI, Full Site Plan Review

Patoine-Second

Motion passed unanimously (Angers, Tarpey, Plotkin & Cantara)

Cantara-Motion- to approve the Conditional Use Permit for ME Plant

Compassionate Care LLC's for a Marijuana Cultivation Facility at 412 Hill Street (Tax Map 13, Lot 53).

Angers-Second

Motion passed unanimously (Angers, Tarpey, Plotkin & Cantara)

- 7. B 2022.24 Public Hearing and take public comments regarding Final Subdivision approval & Contract Zone for Devine Capital LLC. The project is to construct 216 residential units at 588 & 590 Alfred Street (Tax Map 2, Lots 6 & 12).**

- Rick Meek from Terradyne & John & Ben Devine spoke on behalf of the applicants.
- No public comments
- The Board asked exactly where the 6 acres that will be in the conservation easement are located.
- There were questions about the JDA and vernal pool report (specifically the period of when it was conducted).
- The Board mentioned that the JDA "tied the hands of the Planning Board."
- The Board asked the applicant about their intention toward the staff comments. Answer-they are agreeable to them and will be done.
- Sidewalks and crosswalks were discussed at length. The applicant said that portion is one more piece to the puzzle. Public Works does not want a crosswalk at this time but the applicant is working with them about these issues.
- The Board asked for an update with the MTA project. The applicants applied for an MDOT permit. MTA will not be ready until 2028 to start their project. Whether MTA project goes or not, the applicant has made adjustments for them and his project will go.

MOTIONS: 6:56 PM

Cantara-Motion- to Approve the Final Major Subdivision and Site Plan review for a proposed 216-unit multifamily housing development at 588

and 590 Alfred Street (Tax Map 2, Lots 6 and 12) named Biddeford Residential (AKA Devine Capital), adoption of the wetlands / conservation easement, draft Contract Zone (Final Council Adoption required) and the recommended Findings of Fact (FOF) and recommended Conditions of Approval (COA), with the additional Planning Board conditions.

Plotkin-Second

Motion Passed 3-1 (Tarpey, Plotkin & Cantara in favor, Angers against).

- 7C. 2022.11 Public Meeting and take comments to review a Final Subdivision for Tom Watson & Co. The property is located at 10, 20 & 30 Upper Falls Road formerly known as Gooch Street (Tax Map 40, Lots 55, 55-3, & 56-1) in the MSRD-3 Zone and in the Shoreland Zone GD-1. The applicants propose to construct a 6-story building containing 55 residential units with a restaurant space on 10 Upper Falls Road, a 5-story, 16-unit residential building on 20 Upper Falls Road, 11 townhome units on 26 Upper Falls Road, and a partial demolition and redevelopment of the existing building located at 30 Upper Falls Road to accommodate a commercial use (potentially a brewery/taproom/restaurant). The project will include associated parking and landscaped areas.

- Representing the applicants:
- John Laliberte & Mike Barton from Bush Watson
- Peter Heil-Acorn Engineering
- Ryan Senatore-Senatore Architecture
- Brayden DryPolcher from Mitchel & Associates
- The applicant is planning on building 56 units
- There were no comments from the public
- The Board wanted to know the purpose of a covered parking area; the Board is not really a fan of this portion of the building.
- There will be elevators in buildings # 10 & 20 Upper Falls Way.
- The applicants are in the process of getting their approval from the Historic Preservation Commission.

MOTIONS: 7:36PM

Cantara-Motion-To waive the off-street parking requirements as detailed in the Staff Report dated 1-14-23 and the open space requirement as required by the City's Site Plan Ordinance.

Angers-Second

Motion passed unanimously 4-0 (Angers, Tarpey, Plotkin & Cantara)

Cantara-Motion- To approve the Final Subdivision and Site Plan approval for the proposal located at 10, 20, 26 & 30 Upper Falls Road (Tax Map 40, Lots 55, 55-3, and 56-1), within the Main Street Revitalization District 3 (MSRD-3) zoning district, as presented with the adoption of the Findings of Fact (FOF) and Conditions of Approval (COA).

Angers-Second

Motion passed unanimously 4-0 (Angers, Tarpey, Plotkin & Cantara)

7. D. 2022.37 Public Meeting and take comments to review a Preliminary Plan Request for Plan East, LLC to create a 3-story apartment building with 14

affordable rental-housing units in the MSRD 3 Zone at 69 Elm Street (Tax Map 40, Lot 57).

- Representing the applicant was Dan Bacon, Jayson Haskell, Chris Delano & Peter Lavoie
- This project will not be affordable housing but workforce housing.
- The applicant told the Board that this project would bring impervious surface to 17%.
- There is no open space but there will be a roof top deck.
- The parking will be in the Pearl Street garage, which is a two minute, forty-five second walk.
- The front has been reworked to add sidewalks.
- They will not be requesting any waivers from the Saco River Corridor Commission.
- The ingress and egress were discussed as well as the amount of traffic.
- There will be lighting added to the bottom of the railroad trestle.
- The Board was concerned about snow storage and removal, no storage areas or elevators for tenants.
- The first floor is ADA accessible.

MOTIONS: 8:11PM

Cantara-Motion- To Approve the Preliminary Major Subdivision and Site Plan review for a proposed 14-Unit Multifamily housing complex to be located at 69 Elm Street (Tax Map 40, Lot 57) within the Main Street Revitalization District 3 (MSRD-3) zoning district.

Angers-Second

Motion passed unanimously 4-0 (Angers, Tarpey, Plotkin & Cantara)

8 Other Business

9 Adjourn

Meeting adjourned at 8:14 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.