

CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
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Planning Board Meeting Meeting Minutes

Date: September 18, 2024
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members: Larry Patoine (Chair), Susan Deschambault, Alexa Plotkin & Matt Dubois
Staff Present: David Galbraith, & Adi Iriqat
3. Adjustments to the Agenda-New Business prior to Public Hearing
4. Planner's Business
5. Consent Agenda

Approval of Meeting Minutes from September 4, 2024

MOTIONS:

Motion-Plotkin-Motion to approve the Consent Agenda as presented

Second-Dubois

Vote: Motion passed unanimously

6. Open Public Hearing PM

6.a 2024.47 The Planning Board will hear the continuation of the first reading for the Amendment to the Back Lot Ordinance (Tabled 9-4-24)

Galbraith introduced the amendment

- He explained there was a loop in the ordinance, and they now need to close it.
- Patoine explained his concerns
- Plotkin-one back lot can be created, how did someone create more than one?
Confusion-verbiage is backlots
- One resident got through with reduced lots due to the way the original ordinance was written, this is to clean it up. These "back lots" need to be behind the "front lot"
- Plotkin suggests removing the word backlot and call it a flag lot ordinance.
- Galbraith will rewrite the ordinance with new wording and bring it back. No Motions needed.

6.b 2024.38 Proposed Zoning Text Amendment – Marijuana Establishments City of Biddeford Code of Ordinances, Part III – Land Development Regulations, Article VI – Performance Standards, Section 77 Marijuana Establishments. (Tabled 8-21-24)

- Tabled

6.c 2024.48 The Planning Board will hear the first reading of the Amendment to Part III, Land Development Regulations, Section 40, Inclusionary Zoning.

- Galbraith explained proposed changes

- Scriveners error in original report in income section
- Previous projects are grandfathered, these changes will affect the new projects.

MOTIONS: 6:53PM

Plotkin-Motion-To approve the Amendment to the City's Code of Ordinances Part III, Land Development Regulations Article 6, Section 40 Inclusionary Zoning as written and proposed.

Second-Deschambault

Vote-Motion Passed 2-1 (Deschambault & Plotkin in Favor, Dubois opposed)

Motion-Plotkin-Motion to approve the proposed text amendment to The City's Code of Ordinances Part III, Land Development Regulations Article II Definitions to include a modified definition for a portable housing development which has been proposed to modify the original language from 70% to 80% so that the definition is consistent with all other IZ standards throughout the ordinance as written and proposed.

Second-Deschambault

Vote-Motion Passed 2-1 (Deschambault & Plotkin in Favor, Dubois opposed)

6.d 2024.49 The Planning Board will hear the First Reading of the proposed Amendment to Part III Land Development Regulations, Section 44, Net Density Calculations

- Galbraith explained that these amendments are again to clean up the previous
- No public comments
- Galbraith explained the changes in more detail
- Patoine asked about #5, lower income did not have as many parking spaces they are using 2 spaces per unit instead of 3.
- Dubois asked for clarification on affordable housing

MOTION: 7:03 PM

Motion-Deschambault-Motion to approve the proposed amendments to the Biddeford Code of Ordinances Part III, Land Development Regulations, Article V Dimensional Requirements Notes for Table B

Second-Plotkin

Vote-Motion passed unanimously

6.e 2024.50 The Planning Board will hear First Reading of the proposed Amendment to Table B Dimensional Requirements

7. Close Public Hearing-

8. Unfinished Business-None

9. New Business

9.a 2024.31 The Planning Board will hear a final site plan for Mike Eon & Associates, LTD. The project proposes to construct a 4,800 square foot building proposed as a Dentist's Office at 25 Barra Road (Map 2, Lot 43-10) in the I-3 Zone. To support this development, the project also proposes to create 25 parking spaces, in conformance with City Code, utility connections utilizing existing municipal service stubs on the property, and develop stormwater management systems in conformance with City standards. This property was previously granted a Site Plan approval by the Planning Board for the development of a restaurant and office building in 2016. The previously approved project was larger in scope (5,850 sqft building and 50 parking spots.

- Iriqat introduced the project

- 2 Waivers being requested
- Chris MacDonald from BH2M & Mike Eon represented the project
- MacDonald discussed the 3rd party comments received, and any further comments would be treated as Conditions of Approval
- Waiver Request-Steep Slope Section VI Chapter F
- Waiver Request-Landscaping Section VI
- Permit Request-Shoreland Zoning Permit
- Eon went over the need for the waivers
- No Public Comments
- Galbraith stated that staff is not concerned about the requested waivers & permit.
- Patoine would like to have the screening addressed in the ordinance.
- Deschambault-no waiver motions, can we have something succinct for the motions?
- Galbraith the waivers are in the staff report under section 2 all spelled out.

MOTIONS: 6:26 PM

Motion- Plotkin-Motion to approve Landscaping Waiver Article VI, Section 49A5 Second-Deschambault

Vote-Motion Passed Unanimously

Motion-Plotkin-Motion to approve Shoreland Zoning Waiver, Article XIV, Section 13E

Second-Dupuis

Vote- Motion Passed Unanimously

Motion-Plotkin-Motion to approve Waiver of Slopes Greater than 3:1, Article VI, Section 26.F

Second-Dupuis

Vote- Motion Passed Unanimously

Motion-Plotkin- Motion to approve Case # 2024.31 Plan Review for Mike Eon Associates LTD to construct a Dentist's Office located at 25 Barra Road (Tax Map 2, Lot 43-10), with the recommended Conditions of Approval.

Second-Dupuis

Amended Motion-Plotkin Motion to approve Case # 2024.31 Plan Review for Mike Eon Associates LTD to construct a Dentist's Office located at 25 Barra Road (Tax Map 2, Lot 43-10), with the recommended Conditions of Approval specifically items 1-4, which includes Standard Conditions of Approval, CFUP Fee of \$6,150.00, Traffic Impact Fee of \$1,056.00, Sewer Connection Fee of \$18,948.40

Second-Dupuis

Vote-Motion passed unanimously

9.b 2023.38 Minor Site Plan Amendment for Tom Watson & Co located at 10, 20 30 Upper Falls Way (Tax Map 40, Lots 55,55-3,56-1) in the MSRD-2 Zone.

- Matt Dubois recused himself as the applicant is his employer
- Mike Barton of Reveler & Peter Heil from Acorn & John Laliberte of Reveler represented the applicants
- Footprint will remain the same

- Some parking spaces have been replaced by sidewalk
- No Public Comments
- Plotkin-asked about the reduced drive aisle impact to the fire department, minimum drive aisle is 20' so they are in compliance.
- Galbraith they are changing some of the outside, so the HPC needs to approve also. They are changing the brick veneer.
- HPC application has been submitted.
- Deschambault going from 6 floors to 4 floors. The architecture has not changed, they are not adding height.
- Plotkin-bottom is to be commercial; will the window pattern remain? Yes, they have retained that.
- Plotkin-this was presented as a minor change, it is considered a major change.
- Going from 56-51 units
- Patoine confirmed that staff has no issue.

MOTIONS: 6:38 PM

Motion- Deschambault-Motion to approve proposed Site Plan Amendment for the proposal located at 10, 20,26 & 30 Upper Falls Way Tax Map 40, Lots 55,55-3,56-1 in the Main Street Revitalization District 3 with all of the previous conditions of approval being reaffirmed and remaining effective unless specifically modified by the Planning Board.

Second- Plotkin

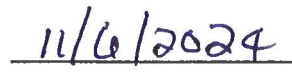
Vote-Motion passed unanimously

Plotkin-a Change in the number of units is a large change so it is a major amendment. She remembers this had happened previously.

10. Other Business

11. Adjourn 7:17 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.