



CITY OF BIDDEFORD

Planning and Development Department

Greg Tansley, A.I.C.P.
City Planner
205 Main Street
P.O. Box 586
Biddeford, ME 04005
(207) 282-7119 or (207) 284-9115
Greg.Tansley@biddefordmaine.org

Planning Board Meeting Minutes

Date: January 5, 2022
Time: 6:00 PM
Location: City Hall Council Chambers & REMOTE ACCESS MEETING (1MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19).

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Bill Southwick (chair), Bruce Benway
Via Zoom: Roch Angers, Sean Tarpey, Spiros Droggitis and Michael Cantara (alternate)
Chair Southwick opened the meeting at 6:00 PM
3. Adjustments to the Agenda
4. Planner's Business
5. Consent Agenda
 5. A. Approval of Planning Board Meeting Minutes from December 1, 2021

MOTIONS: 6:01 PM
Benway-Motion- to approve the Meeting Minutes from December 1, 2021
Angers-Second
Chair Southwick-Roll Call for Vote-Motion Passed, 3-0 (Angers, Benway & Tarpey; Droggitis Abstained)
6. Unfinished Business
7. New Business
8. A. 2021.57 Determination of the Setback to the Greatest Practical Extent for Peter Cameron Hyzer & Jennifer Hyzer to rebuild a portion of an existing structure at 280 Hills Beach Road (Tax Map 56, Lot 18) in the CR/RP Zone.
 - Assistant City Planner, Hannah Bonine introduced the project.
 - Chris Garland from Caleb Johnson Studio represented the property owners.
 - There were no comments from the public.
 - The Board discussed the project with the representative.
 - The age and poor condition of the structure and cesspool were discussed
 - Mr. Benway noted that the structure is nowhere near the high tide line.
 - Mr. Angers asked about the potential of splitting the lot to which Mr. Garland answered that there are no plans to split the lot at this time.
 - Mr. Garland defined the difference between a Cesspool and a Septic System.

MOTIONS: 6:19 PM

Benway: Motion: to approve the Determination of Greatest Practical Extent for Peter Cameron Hyzer and Jennifer Hyzer based on the plans submitted by Caleb Johnson Studio, with revision date 11/22/2021, for 280 Hills Beach Road and approve the Findings of Fact and Conclusions of Law based on the Conditions outlined in the Staff Report dated December 30, 2021. Due to the coronavirus pandemic, the Planning Board authorizes the City Planner to sign the final plan on behalf of the Planning Board and declares that the final plan once signed by the City Planner shall be deemed to have been signed by individual members of the Planning Board.

Tarpey-Second

Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Angers, Benway, Tarpey, & Droggitis)

7B. 2021.58 Conditional Use Permit for Ripple Wellness Center to establish a Medical Marijuana Caregiver Store at 366 Hill Street (Tax Map 3, Lot 66-2) in the I-2 Zone.

- City Planner, Greg Tansley introduced the project, reminding the Board that this is a Caregiver only, no grow operation.
- Tyler Crespo represented Ripple Wellness Center
- Mr. Crespo explained the business with their cultivation being off site.
- The Crespo's have been in the Medical Marijuana business since 2016 and are Biddeford residents.
- He explained to the Board and Public their system for odor control and the packaging of the product.
- Paul Tyson (abutter) spoke from the public.
- Donna Larson, Professional Planner, spoke on behalf of the applicant. She informed the Board and public as to why there would be low to no odor emanating from the business, the low impact on traffic and that they feel they have adequate parking on the site for their clientele.

MOTIONS: 6:38 PM

Benway-Motion- to Waive Article XI, Section II – Full Site Plan Review

Angers- Second

Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Angers, Benway, Droggitis & Tarpey)

Benway-Motion-to approve the Conditional Use Permit for Ripple Wellness Center for a Medical Marijuana Caregiver store at 366 Hill Street (Tax Map 3, Lot 66-2) and approve the findings of fact based on the conditions recommended by Staff in its Report dated December 30, 2021.

Angers-Second

The Board continued to discuss the project. Unlawful consumption of the product in the parking lot and the system for monitoring and controlling such activity was discussed.

Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Angers, Benway, Droggitis & Tarpey)

7C. 2021.08 Review a REVISED Sketch Plan for a 19-Lot Cluster Subdivision (West Brook Subdivision) for E & R Development Corp. at the end of Winding Creek Lane (Tax Map 8, Lots 3-1 & a portion of Lot 3) in the R-1-A Zone.

- **Planner Tansley updated the Board on the project.**
- **Speaking on behalf of the applicant:**
Mike Eon E & R Development Corp
Bill Thompson of BH2M
- **Speaking from the public:**
Richard Rhames, Ward 3
Denis Rioux, Ward 6
Maya Atlas, Ward 4
- **After the public spoke Mr. Eon spoke again to clarify, what he felt was a misrepresentation by a member of the public regarding the 250' buffer zone.**
- **The Board discussed and mentioned they appreciate all the changes and concessions the applicant made in order to comply with the BRI Report and comments by Consulting Planner Chris DiMatteo.**
- **It was suggested by a Board member to have BRI & Mr. DiMatteo review the changes made by the applicant.**
- **Chair Southwick asked Mr. Rhames to clarify a previous comment he made regarding a proposed role of HOAs being unlawful. The finding was that this proposed role of HOA is legal.**
- **Mr. Eon spoke of his experience with using the HOAs preserving the proposed conservation land.**

9. Other Business

- **Roch Angers was unanimously elected as Vice Chair**
- **Bruce Benway was unanimously elected as Secretary**
- **The Workshop portion of the meeting was to prepare for the remote only meeting with the City Council on January 11 to work on moving the Comp Plan forward.**
- **Due to audio issues, the Workshop was halted and the meeting ended.**

10. Adjourn

MOTIONS: 8:09

Benway-Motion-to adjourn

Angers-Second

Chair Southwick-Roll Call for Vote-Motion Passed, 4-0 (Angers, Benway, Droggitis & Tarpey)

Meeting adjourned at 8:10 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.