City of Biddeford
Planning Board
January 03, 2018 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: December 6, 2017
     December 6, 2017.doc
6. **UNFINISHED BUSINESS**
7. **NEW BUSINESS**
   - 7.A. A. 2017.41 Public Hearing, take comments, and make recommendations to the City Council to provide density bonuses in the MSRD-2 District for above-median quality housing redevelopment and condominium redevelopment/conversions projects.
     MSRD 2 Density Proposal for PB 010318.docx
   - 7.B. B. 2018.01 Public Hearing, take comments, and make recommendations to the City Council to create a new General Development (GD-2-IN) Shoreland Zone for the University of New England at 11 Hills Beach Road (Tax Map 52, Lot 4) along the Saco River which provides for a 75' structure setback and alternate Land Uses than currently available in the Limited Residential (LR) Shoreland Zone.
     2018.02 UNE SZ Amendment.docx
   - 7.C. C. 2016.25 The Release/Reduction in the Performance Guarantee for Five Star Holdings, LLC for the Starbucks coffee shop on Alfred Road (Tax Map 27, Lots 167, 168, 169) in the B-2 zone.
     2016.25 Starbucks PG Reduction 1 010318.docx
   - 7.D. D. 2017.43 Final Subdivision Review for 15 Bridge Road, LLC to create a 3-lot Subdivision located at 15 Bridge Road (Tax Map 69, Lot 8) in the CR and RP zones.
     2017.43 Bridge Rd LLC Final SR 010318.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.

CITY OF BIDDEFORD
PLANNING DEPARTMENT

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PLANNING BOARD
MINUTES

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

1. PLEDGE OF ALLEGIANCE

2. DECLARATION OF QUORUM/VOTING MEMBERS

A. Quorum Present: Chair Larry Patoine, Richard Potvin II, Matthew Boutet, Jennifer Burke, Clement Fleurent (alt voting member), Roch Angers (alt non-voting member). Bill Southwick absent. Fleurent designated as a voting member for this meeting.

3. ADJUSTMENTS TO THE AGENDA

4. PLANNER'S BUSINESS

5. CONSENT AGENDA

A. Consideration of Minutes: November 1, 2017
MOTION:
- Boutet – Motion: to approve Consent Agenda.
- Potvin – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

6. UNFINISHED BUSINESS

7. NEW BUSINESS

A. 2017.52 Public Hearing, take comments, and make recommendations to the City Council: Correct the Ordinance to not permit residential cluster subdivisions in the B-2 Zone.
Greg Tansley, City Planner: Brief statement.

MOTION:
- Boutet – Motion: to send to Council with a positive recommendation.
- Potvin – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

B. 2017.51 Public Hearing, take comments, and make recommendations to the City Council: Delete reference to Contract Zones #2, #3, and #5 since they were not implemented.
Greg Tansley, City Planner: Brief statement.
Mike Eon: Has no issues.

DRAFT

MOTION:

- Boutet – Motion: to send to Council with a positive recommendation.
- Burke – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

C. 2017.48 Public Hearing, take comments, and make recommendations to the City Council: Define "Water Supply System" and allow it in all zones, and clarify the definition for Essential Services related to Shoreland Zones; and
Greg Tansley, City Planner: Brief statement.

MOTION:

- Fleurent – Motion: to recommend this to the full City Council with positive approval.
- Potvin – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

D. 2017.50 Public Hearing, take comments, and make recommendations to the City Council: Rezone 8 Union Street (Tax Map 34, Lot 135), 283 Elm Street (Tax Map 34, Lot 136), and 287 Elm Street (Tax Map 34, Lot 137) from B-2 to R-2.
Greg Tansley, City Planner: Brief statement and also mentioned the owner of 287 Elm Street did not want the zone change.
Discussion between Board and Staff.

MOTION:

- Boutet – Motion: to send to Council with a positive recommendation for the rezoning of 8 Union Street and 283 Elm Street.
- Burke – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

E. 2017.49 Public Hearing, take comments, and make recommendations to the City Council To decrease to density requirements in the Residential-2 (R-2) Zone to 4,500 square feet per unit and to decrease the required setbacks to 25 feet from major right-of-way, 15 feet from minor right-of-way, and 5 feet from side and rear for all land uses.
Greg Tansley, City Planner: Brief statement
Mike Eon: Has no issues but did question the chart.
Greg Tansley, City Planner: Clarified the changes.
Discussion between Board and Staff.

MOTION:

- Boutet – Motion: to send to Council with a positive recommendation.
- Potvin – Second.
- Chair Patoine – Call for Vote – (3-1) Potvin, Boutet and Burke in favor, Fleurent opposed. Motion passes.

F. 2017.30 Preliminary/Final Subdivision: for Lisa Curro who is seeking re-approval to a previously approved Subdivision off of Sokokis Road (Tax Map 47, Lots 35-46) in the SR-1 zone.
Greg Tansley, City Planner: Brief statement.
Paul Gadbois: No issues with the conditions and will answer any questions.

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MOTION:

- Boutet – Motion: to approve the Preliminary and Final Subdivision Plan for Tide Water Estates for a 12-Lot Subdivision off Sokokis Road (Tax Map 47, Lots 35-46) in the S-R-1 zone, approve the findings of fact, and sign the mylars based on the conditions recommended by Staff in its report dated November 29, 2017.
- Potvin – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

G. 2017.40 Preliminary/Final Subdivision/Amendment to a Previously Approved Subdivision for Donald Dube to create three lots located at 6, 8 and 10 Pomerleau Street (Tax Map 2, Lots 86-3, 86-4 and 86-5) in the I-3 zone.
Greg Tansley, City Planner: Brief statement.
Mike Coulombe, Dow & Coulombe: Happy to answer any questions.

MOTION:

- Potvin – Motion: to waive full Site Plan and Subdivision Review.
- Fleurent – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

MOTION:

- Potvin – Motion: to approve the preliminary and final subdivision and amendment to a previously approved subdivision for Donald Dube to re-divide 6, 8, and 10 Pomerleau Street into 3 lots, approve the Findings of Fact, and sign the plans based on the conditions recommended by Staff in its report dated November 29, 2017.
- Fleurent – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

H. 2017.43 Preliminary Subdivision: for 15 Bridge Road, LLC to create a 3-lot Subdivision located at 15 Bridge Road (Tax Map 69, Lot 8) in the CR and RP zones.
Greg Tansley, City Planner: Brief statement.
Jayson Haskell, DM Roma Consulting Engineers: Gave a brief statement.

MOTION:

- Boutet – Motion: to approve the Preliminary Subdivision Plan for 15 Bridge Road, LLC for a proposed 3-lot subdivision off Bridge Road (Tax Map 69, Lot 8) in the CR and RP zone.
- Burke – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

Richard Potvin: recused himself from the next item. Do to the fact they have business together. Angers to act as voting member for this item.

I. 2017.53 Conceptual Minor Subdivision: for Matthew Chamberlain and Natasha Erb to create an additional lot located at 197 West Street (Tax Map 25, Lot 11) in the SR-1 zone.
Greg Tansley, City Planner: Brief statement
Matthew Chamberlain: Gave a brief statement.

MOTION:

- Boutet – Motion: to waive the full subdivision process and allow a subsequent joint Preliminary and Final review given that public convenience, safety, health and welfare will not be affected adversely.
- Burke – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

MOTION:

- Boutet – Motion: to determine this application represents a minor subdivision.
- Burke – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

J. 2017.54 Amendment to a Previously Approved Subdivision: for Joshua and Amanda Boston to create a lot located at 221 Guinea Road (Tax Map 78, Lot 9) in the RF and SR-1 zones.
Greg Tansley, City Planner: Brief statement.
Joshua Boston: Right now just looking to split off 5 acres and are trying to sell the remaining 50 to a land trust.

MOTION:

- Boutet – Motion: to approve the amendment to a previously approved subdivision for Joshua and Amanda Boston to divide 221 Guinea Road into 2 lots, approve the Findings of Facts, and sign the plans based on the conditions recommended by Staff in its report dated November 29, 2017.
- Fleurent – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

8. OTHER BUSINESS

Jennifer Burke: Announced that she will be stepping down from the Planning Board at the end of the month.

9. ADJOURN

MOTION:

- Potvin – Motion: to Adjourn.
- Boutet – Second.
- Chair Patoine – Call for Vote – Unanimous Approval (4-0) all in favor.

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o **Planning Board Chair** **Date**

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

Article V, Table B: City of Biddeford Dimensional Requirements Amendment Proposal to Promote Above-Median Quality Rental Housing and Condominium Redevelopment/Conversions in the MSRD-2 District

Part III (Land Development Regulations), Article V (Establishment of Zones), Table B (Dimensional Requirements):

Zoning District	Minimum Lot Size, Square Feet Per Unit A			
	Water and Sewer	Water, No Sewer	Sewer, No Water	Neither Water Nor Sewer
MSRD-2	2,000 B	N/A	N/A	N/A

B. ~~(Reserved)~~In order to promote higher quality housing facilities and condominium forms of housing in the Zoning District the minimum density requirements may be relaxed as follows:

1. Redevelopment of rental housing:
   a. Each new fiscal year, no later than August 15 of that fiscal year, the City Assessor shall determine the median quality grade rating (e.g., "Average", "Average +10", "Good", etc.) for the applicable zoning district.
   b. If a property is proposed for redevelopment/renovation and is currently at or below the established fiscal year quality grade rating according to the City Assessor's records and it will redeveloped/renovated in such a manner as to bring the quality grade rating above the established median quality grade rating, the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing "living space" as defined on the City Assessing Department's current tax records.
   c. In order to receive this density bonus, an applicant must provide complete redevelopment/renovation plans to the Code Enforcement Officer who will in turn coordinate the review of such plans with the City Assessor. Prior to the Code Enforcement Officer allowing the density bonus, the City Assessor shall certify in writing that the redevelopment/renovation project presented will result in a quality grade rating above the established median when complete. If the project is provided a density bonus the Code Enforcement Officer shall document the allowable density and number of units in writing for the Code Enforcement Office files.
   d. An applicant provided a density bonus for rental housing they shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as certified resulting in a quality grade rating above the established median in return for receiving the density bonus. The contractual agreement shall be

For Public Hearing

recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

e. At the completion of the project and prior to the issuance of any Occupancy Permits the City Assessor shall certify in writing that the project was substantially completed as originally certified and that the facility is now classified as having a grade rating above the established median.

2. Condominium conversions/development:
   a. If a property is proposed for redevelopment/renovation into condominiums the minimum density shall be based on one (1) residential unit for every six-hundred and fifty (650) square feet of existing "living space" as defined on the City Assessing Department's current tax records.
   b. An applicant provided a density bonus for condominiums shall enter into a contractual agreement with the City of Biddeford obligating them to complete the project as condominiums to be offered for sale upon or before completion of the project in return for receiving the density bonus. The contractual agreement shall be recorded at the York County Registry of Deeds, a copy of which provided to the Code Enforcement Office, prior to the issuance of any building permits.

For Public Hearing

Article XIV: City of Biddeford Shoreland Zoning Ordinance Amendments to Create a General Development Zone (GD-2-IN) at 11 Hills Beach Road (Tax Map 52, Lot 4) for the University of New England

Section 9. Overlay Districts and Zoning Map.

A. Official Zoning Map.

The areas to which this Ordinance is applicable are hereby divided into the following overlays as shown on the Official Zoning Map which is made a part of this Ordinance:

1. Resource Protection (RP)
2. Resource Protection-1 (RP-1)
3. Limited Residential (LR)
4. Limited Commercial (LC)
5. General Development 1 (GD-1)
6. General Development 2 (GD-2)
7. Commercial Fisheries/Maritime Activities (CFMA)
8. Stream Protection (SP)
9. General Development 2 - Institutional (GD-2-IN)

Section 13. Establishment of Overlay Districts.

I. General Development 2-Institutional (GD-2-IN) District. The General Development 2-IN District includes the same types of areas as those listed for the General Development 1 District. The General Development 2-IN District, however, shall be applied to newly established General Development Districts where the pattern of development at the time of adoption is undeveloped or not as intensively developed as that of the General Development 1 District.

Portions of the General Development District 2-IN may also include residential development. However, no area shall be designated as a General Development District based solely on residential use.

Section 14. Table of Land Uses.

All land use activities, as indicated in Table 1, Land Uses in the Shoreland Zone, shall conform with all of the applicable land use standards in Section 15. The overlay designation for a particular site shall be determined from the official zoning map.

Key to Table 1:

Yes - Allowed (no permit required but the use must comply with all applicable land use standards.)

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No - Prohibited.
PB - Requires permit issued by the Planning Board.
CEO - Requires permit issued by the Code Enforcement Officer.
LPI - Requires permit issued by the Local Plumbing Inspector.

Abbreviations:

RP - Resource Protection
RP-1 - Resource Protection-1
LR - Limited Residential
LC - Limited Commercial
GD-1 - General Development 1
GD-2 - General Development 2
CFMA - Commercial Fisheries/Maritime Activities
SP - Stream Protection
GD-2-IN - General Development 2 - Institutional

For Public Hearing

TABLE 1. LAND USES IN THE SHORELAND ZONE
TABLE INSET:

LAND USES	OVERLAY DISTRICT								
	SP	RP	GD-1	GD-2	RP-1	LR	LC	CFMA	GD-2-IN
1. Non-intensive recreational uses not requiring structures such as hunting, fishing and hiking	yes	yes	yes	yes	yes	yes	yes	yes	yes
2. Motorized vehicular traffic on existing roads and trails	yes	yes	yes	yes	yes	yes	yes	yes	yes
3. Forest management activities except for timber harvesting & land management roads	yes	yes	yes	yes	yes	yes	yes	yes	yes
4. Timber harvesting	yes	CEO1	yes	yes	CEO1	yes	yes	yes	yes
5. Clearing or removal of vegetation for activities other than timber harvesting	CEO	CEO1	yes	yes	CEO1	yes	yes	yes	yes
6. Fire prevention activities	yes	yes	yes	yes	yes	yes	yes	yes	yes
7. Wildlife management practices	yes	yes	yes	yes	yes	yes	yes	yes	yes
8. Soil and Water conservation practices	yes	yes	yes	yes	yes	yes	yes	yes	yes
9. Mineral exploration	no	yes2	yes2	yes2	yes2	yes2	yes2	yes2	yes2
10. Mineral extraction including sand and gravel extraction	no	PB3	PB	PB	PB3	PB	PB	PB	PB
11. Surveying and resource analysis	yes	yes	yes	yes	yes	yes	yes	yes	yes
12. Emergency Operations	yes	yes	yes	yes	yes	yes	yes	yes	yes
13. Agriculture	yes	PB	yes	yes	yes	yes	yes	yes	yes
14. Aquaculture	PB	PB	yes	yes	PB13	PB	yes	yes	yes
15. Principal structures and uses									
A. One and two-family residential, including driveways	PB4	no	CEO	CEO	no	CEO	CEO	no	CEO

For Public Hearing

B. Multi-unit residential	no	no	PB	PB	no	PB	PB	no	PB
C. Commercial	no	no10	PB	PB	no	no10	PB	PB5	PB
D. Industrial	no	no	PB	PB	no	no	no	PB5	PB
E. Governmental and Institutional	no	no	PB	PB	no	PB	PB	PB5	PB
F. Small nonresidential facilities for educational, scientific, or nature interpretation purposes	PB4	PB	PB	PB	PB	CEO	CEO	PB5	PB
16. Structures accessory to allowed uses	PB4	PB	yes	yes	PB	CEO	CEO	yes	yes
17. Pier docks, wharfs, bridges and other structures and uses extending over or below the normal high-water line or within a wetland									
A. Temporary	CEO11	CEO11	CEO11	CEO11	CEO11	CEO11	CEO11	CEO11	CEO11
B. Permanent	PB	PB	PB5	PB5	PB	PB	PB	PB5	PB5
18. Conversions of seasonal residences to year-round residences	LPI	LPI	no	no	no	LPI	LPI	no	no
19. Home occupations	PB	PB	yes	yes	no	PB	CEO	yes	yes
20. Private sewage disposal systems for allowed uses	LPI	LPI	LPI	LPI	LPI	LPI	LPI	LPI	LPI
21. Essential services									
A. Roadside distribution lines (34.5kV and lower)	CEO6	CEO6	yes12	yes12	CEO6	yes12	yes12	yes12	yes12
B. Non-roadside or cross-country distribution lines involving ten poles or less in the shoreland zone	PB6	PB6	CEO	CEO	PB6	CEO	CEO	CEO	CEO
C. Non-roadside or cross-country distribution lines involving eleven or more poles in the shoreland zone	PB6	PB6	PB	PB	PB6	PB	PB	PB	PB
D. Other Essential Services	PB6	PB6	PB	PB	PB6	PB	PB	PB	PB

For Public Hearing

22. Service drops, as defined, to allowed uses	yes	yes	yes	yes	yes	yes	yes	yes	yes
23. Public and private recreational areas involving minimal structural development	PB	PB	CEO	CEO	PB	PB	CEO	CEO5	CEO
24. Individual, private campsites	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
25. Campgrounds	no	no7	no	no	no	PB	PB	no	no
26. Road & driveway construction	PB	no8	PB	PB	no8	PB	PB	PB5	PB
27. Land management roads	yes	PB	yes	yes	PB	yes	yes	yes	yes
28. Parking facilities	no	no7	PB	PB	no	PB	PB	PB5	PB
29. Marinas	PB	no	PB	PB	no	PB	PB	PB	PB
30. Filling and earth moving of less than 10 cubic yards	CEO	CEO	yes	yes	CEO	yes	yes	yes	yes
31. Filling and earth moving of greater than 10 cubic yards	PB	PB	CEO	CEO	PB	CEO	CEO	CEO	CEO
32. Signs	yes	yes	yes	yes	yes	yes	yes	yes	yes
33. Uses similar to allowed uses	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
34. Uses similar to uses requiring a CEO permit	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
35. Uses similar to uses requiring a PB permit	PB	PB	PB	PB	PB	PB	PB	PB	PB
36. Recreational Trails									
A. Primitive Trails	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO	CEO
B. Category 2 Multiple Use Non-Motorized Trails	CEO14	CEO14	CEO14	CEO14	CEO14	CEO14	CEO14	CEO14	CEO14
C. Category 1 Multiple Use Non-Motorized Trails	PB	PB	PB	PB	PB	PB	PB	PB	PB
D. Category 2 Multiple Use Trails, Including Motorized Uses	PB	PB	PB	PB	PB	PB	PB	PB	PB

For Public Hearing

E. Category 1 Multiple Use Trails, Including Motorized Uses	PB	PB	PB	PB	PB	PB	PB	PB	PB

For Public Hearing

B. Principal and Accessory Structures.

1. All new principal and accessory structures shall be set back at least one-hundred (100) feet, horizontal distance from the normal high-water line of great ponds classified GPA and rivers that flow to great ponds classified GPA, and one-hundred (100) feet, horizontal distance, from the normal high-water line of other water bodies, tributary streams, or the upland edge of a wetland, except that in the General Development 1 ~~and 2~~ District~~s~~ the setback from the normal high water line of a water body or the upland edge of a ~~the~~ wetland shall be at least 25 feet, horizontal distance, in the General Development 2 and General Development 2-Institutional District the setback from the normal high water line of a water body or the upland edge of a wetland shall be at least 75 feet, horizontal distance, and in the Commercial Fisheries/Maritime Activities District there shall be no minimum setback. In the Resource Protection District and Resource Protection-1 District the setback requirement shall be 250 feet, horizontal distance, except for structures, roads, parking spaces or other regulated objects specifically allowed in that district in which case the setback requirement specified above shall apply.

For Public Hearing

2016.25

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, A.I.C.P., City Planner

DATE: December 19, 2017

RE: NEW BUSINESS ITEM #C – 2016.25 Performance Guarantee Reduction #1 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: January 3, 2018 @ 6:00 PM

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1. INTRODUCTION

Five Star Holdings, LLC was approved for the construction of a new Starbucks, including associated site improvements, at Five Points off Alfred Road back in in the B-2 Zone. Since the approval the site has been substantially completed and Starbucks is now operational.

The applicant has requested a reduction in their Performance Guarantee to reflect work completed. City Staff have conducted many site inspections to determine level of completeness and compliance with the approved plans. Staff recommends reducing the Performance Guarantee for the project from $18,113.25 to $9,375.00 with the remaining funds to be assigned to the charge of the Planning Department. Item amounts listed below are estimated costs and dollars can be shifted between categories at a later date.

	Amount
1. Landscaping/Signage	$4,000
3. Monumentation	$250
5. As-builts (AutoCAD drawings) - On mylar, paper & on disk (can email dwg file)	$2,000
TOTAL	$6,250
AMOUNT REQUIRED (x 1.5)	$9,375

Note: All Previous Conditions of Approval still apply, including:

1. 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.
2. 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.
3. Once completed, as-built drawings of the site shall be provided to the Planning Department.
4. 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.
5. Standard Conditions of Approval apply.

SAMPLE MOTION

A. *Motion to approve the reduction of the Performance Guarantee for Five Star Holdings, LLC for Starbucks at Five Points to $9,375 with the remaining funds to be assigned to the charge of the Planning Department.*

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, A.I.C.P., City Planner

DATE: December 19, 2017

RE: NEW BUSINESS ITEM #D – 2017.43 Final Subdivision Review for 15 Bridge Road, LLC to create a 3-lot Subdivision located at 15 Bridge Road (Tax Map 69, Lot 8) in the CR and RP zones.

MEETING DATE: January 3, 2018 @ 6:00 PM

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1. INTRODUCTION:

The applicant proposes and 3-Lot Subdivision off Bridge Road in the CR Zone. The back part of the property (off Biddeford Pool) is Resource Protection Shoreland Zone. A new road is proposed to serve two new lots, with the existing house continuing to have access off Bridge Road.

At the November Planning Board Meeting the Board determined that this was a Major Subdivision. At the December Planning Board Meeting the Board granted Preliminary Subdivision Approval.

2. PROJECT DATA/INFORMATION:

Note: HIGHLIGHTED information is pending.

	SUBJECT	*DATA/INFORMATION*
1.	Applicant:	15 Bridge Road, LLC 16 Carriage Drive Exeter, NH 03833 617-645-2496
2.	Owner of Property:	15 Bridge Road, LLC 16 Carriage Drive Exeter, NH 03833 617-645-2496

3.	Agent:	DM Roma Consulting Engineers C/o Jayson Haskell, P.E. 59 Harvest Hill Road Windham, ME 04062 207-229-3295
4.	Surveyor:	Survey, Inc. 79 Albion Road Windham, ME 04062
4.	Project Location:	15 Bridge Road
5.	Project Tax Map #/Lot #:	Tax Map 69, Lot 8
6.	Existing Zoning:	CR
7.	Overlay Zoning:	RP (outside of development area)
8.	Existing Use:	Single-family home
9.	Proposed Use:	3-lot Subdivision (2 new house lots)
10.	City Approvals Required:	Subdivision
11.	Uses in the Vicinity:	Residential
12.	Parcel Size:	3.88 acres
13.	Number of Lots/Units in Subdivision:	3 Residential Lots (2 new houses)
14.	Minimum Lot Size Required: Provided:	HHE-200's provided demonstrate a minimum lot size of 30,000 SF Minimum 30,000 SF
15.	Frontage Required: Provided:	150' Minimum 150'
16.	Front Setback Required: Provided:	40' Minimum 40'
17.	Side Setbacks Required: Provided:	25' Minimum 25'
18.	Rear Setback Requires: Provided:	25' Minimum 25'
19.	Height Requirements:	Maximum 35'
20.	Water Supply:	Public (KKW)
21.	Sewerage Disposal:	On-site Private Septic Systems
22.	Solid Waste Disposal:	City of Biddeford (at Bridge Road)
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:	Bridge Road is a City Street and this project proposes a private road off of Bridge Road.
32.	Estimated Site Development Costs:	$34,074.00
33.	Financial Capacity Letter:	Provided by Citizens Bank.
34.	Waivers Needed:	a. None

35.	Waivers Granted:	a. None
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:	All Fees Paid
41.	Planning Board Review History: Conceptual Review: Preliminary Review: Final Review:	 November 1, 2017 Meeting Date (Posted in City Hall October 23, 2017; Journal Tribune posting October 24, 2017; Mail Notices to all abutters within 250' sent October 23, 2017 - 14 notices sent). December 6, 2017 Meeting Date (Posted in City Hall on November 21, 2017. Journal Tribune on November 24, 2017. Mail Notices were also sent out to all abutters within 250' on November 21, 2017 – 14 notices were sent out) January 3, 2018 Meeting Date (Posted in City Hall on December 19, 2017. Journal Tribune on December 20, 2017. Mail Notices were also sent out to all abutters within 250' on December 19, 2017 – 14 notices were sent out)

3. EXISTING CONDITIONS:

The project site currently has a house on it close to Bridge Road (to remain) and is predominantly grassed.

View from Bridge Road (via Google Earth)

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 October 23, 2017. It was also posted in the Journal Tribune on October 24, 2017. Mailing notices were also sent out to all abutters within 250' on October 23, 2017 – 14 notices were sent out.

Preliminary Review:

The notice was posted in City Hall on November 21, 2017. It was also posted in the Journal Tribune on November 24, 2017. Mailing notices were also sent out to all abutters within 250' on November 21, 2017 – 14 notices were sent out.

Final Review:

The notice was posted in City Hall on December 19, 2017. It was also posted in the Journal Tribune on December 20, 2017. Mailing notices were also sent out to all abutters within 250' on December 19, 2017 – 14 notices were sent out.

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

- *Notices had not been received by abutters at the time this report was generated.*

6. STAFF REVIEW:

a. ZONING: The proposed use is a Permitted Use in the CR Zone.

b. REVIEW STANDARDS: Subdivision Review.

c. WAIVERS: None.

d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO APPROVAL:

1. Roadway cross section does not properly reflect up-station. Ditch/swale should be on left side of cross section. Please correct.
2. Erosion control silt fence or berm needs to be extended to capture the full perimeter of the proposed road prior to any run-off potentially getting into the drainage swale leading to the level lip spreader. Show on plan.
3. Rock check dams should be installed in the drainage swale leading to the level lip spreader. Show on plan.
4. Provide plan set - 1 mylar set & 1 paper set, as well as an additional mylar and paper of the signature sheet - to the Planning Department no later than Tuesday, January 2, 2018 by NOON.

7. STAFF RECOMMENDATION

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

1. Prior to any ground disturbance/site work the following must be completed:
   a. A pre-construction meeting with all the contractors needs to be held with the Engineering Department to discuss inspection requirements.
   b. Erosion Control/Site Stabilization Bond of $27,906.00 must be submitted to the Planning Department.
   c. The applicant must submit a recorded copy of the subdivision plan to the Planning Department.
   d. Best management practices shall be adhered to during all ground disturbance operations.
2. Prior to the sale or conveyance of a lot/unit or issuance of any building permits:
   a. A performance guarantee (acceptable to the Engineering Office) in the amount of 150% of the remaining improvements shall be submitted to the Planning Department. The total Performance Guarantee that would be required with no site improvements completed would be $51,511.00

b. Since the street is provate driveway locations need to be approved of by the Planning Department to ensure compliance with the plan and City requirements prior to issuance of any permits.
c. Since the street is private, at the time a building permit is requested a copy of the registered homeowner's association documents must be provided to the Planning Department.

3. Prior to commencing any work in the City Right-of-Way the applicant must obtain a road-opening permit from the Public Works Department.
4. 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.
5. Standard Conditions of Approval apply.

8. NEXT STEPS/SUGGESTED ACTIONS

- Consider granting final Subdivision approval.

9. SAMPLE MOTIONS

A. Motion to approve the Final Subdivision Plan for 15 Bridge Road, LLC for a proposed 3-lot subdivision off Bridge Road (Tax Map 69, Lot 8) in the CR and RP zone conditioned on the recommended Conditions of Approval contained in the Staff Report dated December 19, 2017.

B. Motion to table the Final Subdivision Review based upon the following reasons:
*a)*_____
*b)*_____

C.

D. Motion to deny Final Subdivision Approval based upon the following reasons:
*a)*_____
*b)*_____

ATTACHMENTS

1. Final Subdivision Plan and application package.