



PLANNING BOARD MEETING MINUTES

May 6, 2026

1. Pledge of Allegiance
2. Declaration of Quorum
Planning Board: John McCurry, Matt Sargent-Dubois, Roch Anger, Leah Schaffer, Chico Potvin (Alternate Member) & Rob Nicoll (Alternate Member)
Staff: David Galbraith & Nan Whitten
Chico Potvin will vote this evening in place of Kayla Lewis
3. Adjustments to Agenda-none
4. Planner's Business
4.a. Meeting Minutes from Staff Review Committee for April 14, 2026
5. Consent Agenda
5.a. Approval of Meeting Minutes from April 15, 2026, Regular Meeting & Site Walk
MOTIONS:
Motion-Sargent-Dubois-Motion to approve Meeting Minutes as presented
Second-Angers
Vote: Motion passed unanimously
6. Unfinished Business-none
7. New Business
7.a. 2026.16 Amended Subdivision Plan by adding 1 more lot for Travis Wing at 1 Moxie Lane (Tax Map 77, Lot 22) in the SR1 & RF zone.
 - Galbraith introduced the project
 - Paul Gadbois represented the applicant
 - NO PUBLIC COMMENTS
 - No questions from the BoardMOTION: 6:04 pm
Motion-Angers-Motion to APPROVE the Preliminary and Final Subdivision Amendment application for the proposal located at 1 Moxie Lane (Tax Map 77, Lot 22), within the Suburban Residential & Rural Farm (SR 1 & RF) zones, as well as shoreland overlay zone, with the following Conditions of Approval:
 1. All previously approved Conditions of Approval (COA) are hereby reaffirmed.
 2. Prior to the issuance of a building permit for the proposed new house lot (Lot#6) the applicant's project engineer shall submit a letter to the City's Planning and Engineering Departments certifying that the constructed Moxie Lane has been constructed to the City's 5-10 lot private way standards. This letter shall be signed and stamped by Paul Gadbois the applicant's project engineer.

Second-Sargent-Dubois

Vote-Motion Passed Unanimously

7.b. 2026.14 Preliminary & Final Review for a 2-Lot Private Way for Daniel & Nicole Saucier for A 2-lot private way off South Street, Wishes Way (Map 1, Lot 31) in the RF zone.

- Galbraith introduced the project
- Galbraith stated that instead of road inspections the engineer will send a stamped, signed letter confirming that the road has been built to public road standards.
- Andy Morrill from BH2M represented the Applicants, he told the Board that Dale Wilkinson is building the road but is not the applicant.
- Potvin confirmed that this would never be a City Road.
- **NO PUBLIC COMMENTS**

MOTION: 6:12 PM

Motion-Sargent-Dubois

Second-Angers

Vote-Motion passed unanimously

7.c. 2026.10 The Planning Board will review the Primary & Final application for David Daigle dba Elm Street Vault at 38 Landry Street (Tax Map 13, Lot 51) in the I-2 zone. The proposal is to create a cold storage building on the property.

- Galbraith introduced the project
- He told the Board that the Fire Department had the Applicant increase the lane between structures from 20' to 30'
- Jean Dupuis wanted his concerns read for the record-Mr. Dupuis is the residential abutter, a stockade fence was supposed to be installed a few years ago with a site plan application, that fence was never installed. Mr. Dupuis wants to make sure that all of the setbacks are double checked as he feels Mr. Daigle "just bulldozes everything." He feels strongly that we should have done a site walk for this project.
- David Daigle represented himself, he said this structure would house concrete molds to keep them out of the elements.
- Potvin asked is the fire department had the lane increased in order to get a vehicle through or for fire separation. Potvin sees no need for the fence as the new building will screen the property from the abutter. Schaffer answered Potvin by saying the increase in the lane is for fire separation.
- McCurry asked how they would screen beyond the building. The screening is already there with trees and natural growth.

MOTION: 6:20 PM

Motion-Schaffer-Motion to Approve Case # 2026.10 for Preliminary & Final Site Plan amendment approval for the construction of a 4,000 square foot cold storage building at 38 Landry Street (Tax Map 13, Lot 51), within the Industrial 1 (I-1) zoning district, with the following Conditions of Approval (COA):

- 1) All previous Conditions of Approval are hereby reaffirmed.
- 2) The proposed building MAY require a thirty-foot (30') separation between the proposed building and the existing office building. If required, as determined by the

Biddeford Fire Department, the plans shall be amended to illustrate conformance to this building separation standard, prior to the plan being signed by the Biddeford Planning Board.

Second-Sargent-Dubois

Vote-Motion passed unanimously

7.d. 2026.11 Review of Preliminary & Final Site Plan application for St. Andre's Health Care. The location is 407 Pool Street (Tax Map 45, Lot 3) in the SR-1 Zone. The applicant proposes the construction of a new single-story 17'2" x 26' electrical room addition with a separate transformer and pad along with an associate utility pole and paved access drive, along with improvements to the existing paved walkway and drainage.

- **Galbraith introduced the project**
- **The applicant was represented by Eric Dube of Trillium Engineering**
- **NO PUBLIC COMMENTS**
- **Angers asked if a permit was obtained from Saco River Corridor Commission, answer was yes.**

MOTION 6:24 PM

Motion-Sargent-Dubois-Motion to Approve Case 2026.11 Motion to Approve Preliminary & Final Site Plan Amendment application for St. Andre Health Care. The location is 407 Pool Street (Tax Map 45, Lot 3) in the SR-1 zone. The applicant proposes the construction of a new single-story 17' 2" x 26' electrical room addition, with a separate transformer and pad along with an associated utility pole and paved access drive, along with improvements to the existing paved walkway and drainage. with the following Condition of Approval (COA): All previously approved Conditions of Approval (COA) are hereby reaffirmed.

Second-Angers

Vote: Motion passed unanimously

7.e. 2026.05 The Planning Board will review a Preliminary Site Plan Application for Haley's Properties, LLC at 539 Elm Street (Tax Map 13, Lots 21 & 21-1) in the B-2 zone. The proposal is to remove the existing garage to build a showroom and to also build a warehouse on the property.

- **Galbraith, while introducing the project, mentioned a waiver requested by the Applicant for the 25' cemetery setback. Galbraith explained that this is a waiver that does not apply to the Planning Board, this waiver would have to come from the State. Galbraith read an email from Barrett Cosgrove from the Maine CDC Drinking Water Program to Roby Fecteau, CEO:**

"The St. Mary's Cemetery in Biddeford which is the abutting property spans 25 acres and had a history dating back to its establishment in 1855. Given the age, records may have been lost and gravestones may have shifted, the State cannot grant a variance without the fullest information available to us.

The intent of the 25-foot setback Statute is to ensure that gravesites ancient or unknow are protected from accidental exhumation, disturbance, or other types of damage. With guidance from my superiors, the State is requesting a more in-depth survey of the proposed boundary variance including the consultation of a

geophysical surveying consultant to conduct gravesite surveys with ground penetrating radar to satisfy the State's requirement to protect gravesites before a variance is issued. This would be conducted at the property owner's expense. In addition to a more in-depth survey, we are requesting that the Portland Diocese which is responsible for the St. Mary's Cemetery to be notified and have an opportunity to register concerns or complaints or their blessing regarding the proposed boundary variance."

- Eric Dube from Trillium Engineering represented the Applicant.
- He mentioned the boundary would be a stockade fence and natural vegetation.
- McCurry asked about stormwater and digging up the road
- Dube is working with Public Works on the stormwater and cutting into the road for the stormwater.
- Dube said he was thinking about the ground penetrating radar and thinks that the Applicant can forgo the waiver and work within the setbacks.
- Sargent-Dubois asked about the parking stalls and Dube feels they will be reconfigured.
- Galbraith said the parking numbers will come out for the final application meeting.
- Angers asked if the Applicant will be notifying the Diocese about there plans. Dube doesn't see a reason to contact the Diocese now that they will not be requesting the waiver. Angers would like the Applicant to be proactive instead of waiting for the Diocese or a parishioner to call. He thinks they should make a goodwill effort.
- Dube said they could contact the Diocese, but he preferred to make the project conforming.
- Potvin stated that the state law is 25' and asked if they could do that.
- Dube answered that it would be tight, but the building was there before the State law.
- Grayson Street is in the midst of a moratorium for disturbance so the Applicant would need approval from Demers to cut it.
- Schaffer asked if the 20' on the plan will be enough for a firewall. Yes
- Nicoll mentioned the stockade fence on the residential side will be permanent, he mentioned the stormwater protocol and asked what else is involved to keep the residential property from being flooded.
- There will be a new stormwater system created
- Schaffer needed a clarification on the plan
- Angers asked about the old tanks in the rear and if that has been cleaned up.
- McCurry mentioned that all of that debris should be covered it cannot be out now and if someone from Codes goes over, they may have a problem.
- Dube said they will be under cover going forward.

MOTION: 6:50 PM

Motion-Sargent-Dubois- Motion to Approve Case # 2026.05 a Preliminary Site Plan Amendment application for the proposal located at 407 Pool Street (Tax Map 45, Lot 3), within the Suburban Residential (SR) zoning district.

Second-Angers

Vote-Motion passed unanimously

8. Other Business

- **Angers is bothered that there was nothing in the minutes about the issues the Applicant and staff had reaching the Harbor Master. He realizes he voted for the minutes as is but feels like this should have been in the minutes. Galbraith mentioned that he did send an email to the City Manager & Mayor saying that the Harbor Master should work more collaboratively with the rest of the staff and the applicants.**
- **McCurry asked when the food truck area would be looking better. He drove by there that day and it was a mess. Galbraith answered that he met with the applicant and he is going to move 2 of the planters along Jefferson and 3 along Alfred. He will be bringing the project back again for another minor amendment.**
- **Potvin mentioned LD 1829 that is being enacted in 2027 he wants to know what the City will do. Galbraith answered that the City will wait until it's all flushed out.**
- **Nicoll asked if there is any appetite of exploring form-based planning based on using the character of the area. Potvin thought that may be what Contract Zones can be handy with.**
- **Nicoll asked about the water chapters. Galbraith said they are being drafted and they are also looking at the Historical and Archeological Chapters. The Natural Resource Chapter is ready to go to the State once it goes to the Council.**

9. Adjourn

MOTION 7:02 PM

Motion-Angers-Motion to Adjourn

Second-Sargent

Vote-Motion passed unanimously

Signature-Planning Board 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.