



**City of Biddeford  
City Council**

June 2, 2026 at 6:00 PM  
City Hall Council Chambers & Teams

[Click to Join Teams Meeting Online](#)

Meeting ID: 285 823 793 816 40

Passcode: RH6x94qu

**Dial in by phone**

+1 872-242-8054 United States, Chicago

Phone conference ID: 449 023 075#

[Teams Instructions](#)

1. Roll Call
2. Pledge of Allegiance
3. Adjustment(s) to Agenda
4. Recognition
  - 4.a Employee Recognition
5. Proclamation
  - 5.a Biddeford as a Purple Heart City - Proclamation
  - 5.b Pride Month-PROCLAMATION
6. Appointments
  - 6.a 2026.88 Approval- Mayoral Appointment to a Committee
  - 6.b 2026.89 Confirmation of City Manager's Nomination of City Assessor
7. Presentation
  - 7.a Presentation: Maine Coast Heritage Trust - "The Biddeford Forest"
  - 7.b Review of Comprehensive Plan
8. Public Hearing
9. Liquor License Consideration

- 9.a 2026.86 Sacred Profane LLC Biddeford-Saco Chamber of Commerce Beach Bash
- 10. Public Addressing the Council
  - (3 minute limit per speaker for up to a total of 15 minutes)
- 11. Consideration of Minutes
  - 11.a Council Minutes 05-19-2026
- 12. Second Reading
  - 12.a 2026.78 - Approval of Article 3 Fire Prevention Bureau, Div. 3 Open Burning, Sec. 30-160 through Sec. 30-163 Ordinance Update
  - 12.b 2026.66 Approval to Establish Veterans Committee in Ordinance
- 13. Orders of the Day
  - 13.a 2026.87 Approval -Biddeford Saco Chamber of Commerce Beach Bash Special Event Permit
  - 13.b 2026.36 Approval of Manufactured Housing Mobile Home Parks Ordinance
  - 13.c 2026.92 Bid Approval - Lead Hazard Reduction at 158 Cleaves St.
  - 13.d 2026.53 Approval of Solar Ordinance
  - 13.e 2026.83 Approval of Public Works Paving Bids
  - 13.f 2026.85 Approve review of ordinances as it relates to Data Centers
  - 13.g 2026.90 Approval Institutional Zone and University Use Moratorium Extension-RESOLUTION
  - 13.h 2026.91 Approval Clarification Letter to Joint Development Agreement with Biddeford Riverwalk Community 1 LLC
- 14. Public Addressing the Council
  - (5 minute limit per speaker)
- 15. City Manager Report
- 16. Committee Updates by Council
- 17. Other Business



18. Council President Addressing the Council

19. Mayor Addressing the Council

20. Executive Session

20.a 1 MRS 405 (6) E-Legal Matters

20.b 1 MRS 405 (6) A – Personnel Matters

21. Adjourn

## Report to Council for June, 2026 Meeting

### **Recognitions:** From the Chief of Police, JoAnne Fisk:

Jason Pelletier, the School Resource Officer for the City of Biddeford, has been named a Hometown Hero by the State of Maine's Juvenile Community Corrections Officers. Officer Pelletier is the SRO at the high school and, as such, interacts with students and has gained their confidence as a trusted adult which, as you can imagine, is no easy feat. The JCCO's are the mechanism used for both probation and the screening process for juveniles prior to court action. Jason's spirit of cooperation and dedication are unparalleled. I am incredibly proud of the work done by Officer Pelletier.

### **Anniversaries in June:**

Corporal Andrew Shortill, Police, 20 years

Patrol Officer, Peter Gilman, Police, 10 years

### **Retirements:** No retirements

### **Terms:**

Jason Solomon, Police Officer, hired 9/19/23, term date 05/03/2026

Thomas Collins, Waste Water Operator/Maintenance, hired 4/8/25, term date: 05/12/2026

Robert Ege, Community Center Custodian, hired 5/22/23, term date: 04/29/2026

**New Employees: (hired in May):**



Brandon Green, Laborer, Public Works Department

Brandon was born in New York City and grew up in the Bronx. Previously employed at Darling's Ford in Brunswick, Maine, for 2 ½ years.



Christine O' Driscoll, Account Clerk, Clerk's

Department. Christine has lived in Biddeford since 2004. She previously worked as an Account Clerk in Biddeford, for 5 ½ years.



Ethan LeBlanc, Mechanic, Public Works.

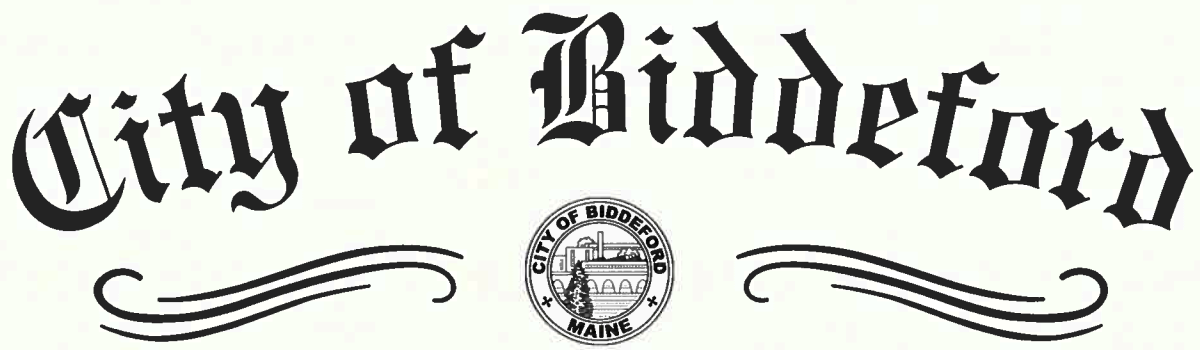
Ethan was born and grew up in Arundel, Maine. He attended Thornton Academy and Eastern Maine Community College. Ethan has been a diesel mechanic for 2 years with Southern Maine Mobile Truck Repair. Before that he was a body shop tech for 4 years.



Liam McGinley was born and raised in Stoughton, Mass. He recently graduated from Husson University with a Bachelor's and MBA in Sports Management. Liam was formerly an intern with Hampden Park and Recreation for 3 years while he attended college.

\*\*\*\*PICTURE AND INFORMATION NOT INCLUDED – AT REQUEST OF EMPLOYEE

Hannah O'Neill, Dispatcher, Police Department



## PROCLAMATION

### Biddeford as a Purple Heart City

*WHEREAS*, the City of Biddeford has always supported its military veteran population; and,

*WHEREAS*, the Purple Heart is the oldest military decoration in present use; and,

*WHEREAS*, the mission of the Military Order of the Purple Heart is to foster an environment of goodwill among combat-wounded veteran members and their families, promote patriotism, support legislative initiatives, and most importantly – make sure we never forget; and,

*WHEREAS*, the Biddeford area has a large veteran population, including Purple Heart recipients; and,

*WHEREAS*, Biddeford appreciates the sacrifices of Purple Heart recipients made in defending our freedoms and believe it is important to acknowledge them for their courage and show them the honor and support they have earned.

*NOW, THEREFORE, BE IT RESOLVED*, that I, Liam P. Lafountain, Mayor of the City of Biddeford, Maine, do hereby proclaim the City of Biddeford as A PURPLE HEART CITY and encourage the residents of Biddeford to show their appreciation for the sacrifices of Purple Heart recipients.

*In Witness Whereof, We the undersigned have herewith affixed  
our signatures this 2nd day of June 2026.*

*Liam LaFountain, Mayor*



*City Clerk*

# City of Biddeford



## PROCLAMATION

### 2026 Pride Month Proclamation

*WHEREAS*, the City of Biddeford is committed to being a safe and equitable community for all people, and that commitment extends to any race, ethnicity, socioeconomic status, age, sexual orientation, gender identification, country of origin, religion or any other identity; and

*WHEREAS*, the events of June 28, 1969, now known as the Stonewall Riots, marked a historic turning point in the LGBTQ+ rights movement in the United States, and Pride celebrations and civic demonstrations each June continue to commemorate that legacy; and

*WHEREAS*, this movement has achieved historic progress in many areas including anti-bullying and hate crime legislation, and great advances in family and marriage equality; and

*WHEREAS*, the people of Maine voted to prohibit discrimination based on sexual orientation and gender identity in 2005 and in favor of marriage equality in 2012; and

*WHEREAS*, yet, despite years of progress, members of the LGBTQ+ community to face unacceptable levels of discrimination, violence, and proposed rollbacks in state and federal protections; and

*WHEREAS*, members of the LGBTQ+ community continue to experience unemployment, homelessness and poverty at greater levels than the general population; and

*WHEREAS*, according to the Maine Integrated Youth Health Survey in 2025, more than twenty-one percent of York County's middle and high school youth identified as LGBTQ+, and the prevalence of suicidal ideation among LGBTQ+ youth is alarmingly high; and

*WHEREAS*, public symbols of support for LGBTQ+ life can make life-long, lasting positive impacts on members of the community who otherwise feel isolated and alone; and, let it be known that the City of Biddeford stands with the LGBTQ+ community in their desire for and right to equality, dignity, respect, and fair treatment for all;

*THEREFORE*, be it resolved, that I, Liam LaFountain, Mayor of the City of Biddeford, do hereby proclaim June as Pride Month in Biddeford and encourage all residents to recognize the importance of fostering a city where all people are treated with dignity, respect, and fairness.

*In Witness Whereof, We the undersigned have herewith affixed  
our signatures this 2nd day of June 2026.*

*Liam LaFountain, Mayor*



*City Clerk*

# City of Biddeford



**2026.88      IN BOARD OF CITY COUNCIL... , JUNE 2, 2026**

**BE IT ORDERED**, that I Liam LaFountain, Mayor of Biddeford, do hereby appoint:

Brian Clark  
Economic & Community Development Director  
As a member of the Tri-City Transit Committee  
For a term to expire May 31, 2029

Attest by: \_\_\_\_\_  
City Clerk



## City Council

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**Meeting** June 2, 2026

**Date:**

**Meeting** 6:00 PM

**Time:**

**Agenda** 6.b

**Item No:**

**Item** 2026.89 Confirmation of City Manager's Nomination of City Assessor

**Description:**

**Submitted** If approved by Council, the City Manager will confirm an employment offer with  
**By:** Ms. Buchanan for the position of Biddeford Tax Assessor.

**Key Terms:**

**Executive Summary:**

This Order confirms the City Manager's nomination of April J. Buchanan as the City's Director of Assessing and Tax Assessor.

**Detailed Review:**

The City Assessor position has been filled by an interim Tax Assessor since March 17, 2026. The City launched a comprehensive, external recruitment effort and has selected April J. Buchanan as the nominee for this position. If approved, Ms. Buchanan will start her position with the City on June 15, 2026.

**Funding Source:**

**Staff Recommendation:**

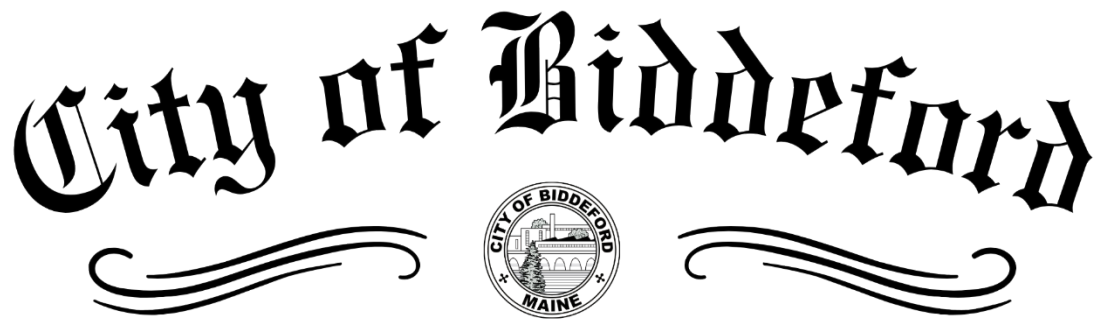
The City Manager recommends the Council approves the appointment of April J. Buchanan as the City's Director of Assessing and Tax Assessor.

**Next Steps:**



**Attachments:**

1. 2026.89 ORDER--Appt of Tax Assessor
2. 2026 April J Buchanan Resume - Education Biddeford\_Redacted 2
3. A Buchanan Offer Letter 5.21.2026-Draft



2026.89

IN BOARD OF CITY COUNCIL... June 2, 2026,

**BE IT ORDERED**, that the City Council does hereby confirm the City Manager's nomination of April J. Buchanan as Director of Assessing and Biddeford Tax Assessor, the powers and duties of which are prescribed by State Law, M.R.S.A., Title 36, Ch. 101.

**BE IT FURTHER ORDERED** tha the City Manager execute an employment offer with April J. Buchanan.

Attest by: \_\_\_\_\_

## **APRIL J. BUCHANAN, CMA 914**

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### **PROFESSIONAL SUMMARY**

Certified Maine Assessor (CMA #914) with nearly 20 years of appraisal experience and municipal department leadership. Experienced in full-cycle assessment administration, income and cost-based valuation, tax commitment certification, Maine Revenue Services compliance, appeal defense, and budget oversight. Proven ability to manage staff, analyze complex commercial and industrial properties, and maintain equitable and legally defensible assessments in a public-sector environment.

### **CERTIFICATIONS & MEMBERSHIPS**

- Certified Maine Assessor (CMA 914)
- Licensed Residential Real Estate Appraiser (AP2359)
- International Association Of Assessing Officers (IAAO) – Member
- IAAO Maine Chapter - Member
- Central Maine Association Of Assessing Officers (CMAAO) – Member

### **EXPERIENCE**

#### **City of Old Town – Old Town, Maine**

##### **Assessor | *Aug 2022 – Present***

- Direct administration of the City’s municipal assessment program, overseeing valuation of 3,800+ real and personal property accounts.
- Prepare, certify and defend the annual tax commitment and tax roll in compliance with Maine law.
- Conduct cost-, income-, and market-based analyses, including management of valuation impacts related to a major industrial mill closure and sudden and severe loss of value.
- Prepare departmental budget and provide financial and valuation projections to municipal leadership.
- Supervise departmental operations, modernize record systems, and streamline workflow to improve efficiency and reduce staffing needs.
- Administer exemption and current use programs (BETE, BETR, Tree Growth, Farmland, Open Space) and ensure full compliance with Maine Revenue Services reporting requirements.

## **EXPERIENCE (CONTINUED)**

### **Dirigo Valuation, Inc. – Portland / Remote**

#### **Real Estate Appraiser | *Jul 2021 – Aug 2022***

- Appraised residential properties in Penobscot and Piscataquis Counties.
- Completed inspections, municipal research, valuation analysis, and appraisal reports.

### **Buchanan Valuation LLC – Scarborough & Augusta**

#### **Co-Owner / Real Estate Appraiser | *Oct 2004 – Jul 2021***

- Managed all business operations, client communication, and scheduling, including expanding client base through service development and efficient workflow management.
- Conducted inspections, researched municipal records, and completed appraisal valuations.

### **Town of Scarborough – Scarborough, Maine**

#### **Assessor's Office Lister (Contract) | *Apr 2017 – Aug 2018***

- Conducted fieldwork for permitted properties; measured and verified property data.
- Performed TRIO sketching/data entry and updated property record cards.

### **Verizon – Portland, Maine**

#### **Facility Assignor & Directory Assistance Operator | *1992 – 2003***

- Coordinated with service technicians to resolve system issues and manage line assignments; reviewed system reporting to detect and prevent service problems.
- Trained new employees and provided customer support.

## **TECHNICAL SKILLS**

- CAMA: TRIO, Vision Appraisal
- Appraisal: APEX, Total by A La Mode
- GIS Systems: Familiar with municipal and public platforms
- Microsoft Office: Word, Excel, Outlook
- GeoComm (E-911 online database)

**PROFESSIONAL EDUCATION & CONTINUING EDUCATION**

**IAAO & Municipal Assessment Coursework**

- IAAO 600 – Principles & Techniques of Cadastral Mapping (2023)
- IAAO 201 – Appraisal of Land (2023)
- IAAO 102 – Income Approach to Valuation (2022)
- PT212 – Marshall & Swift Cost Approach (Maine Property Tax, 2024)

**USPAP Certification**

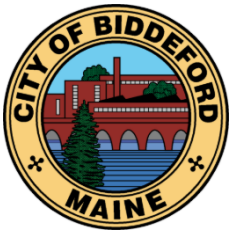
- USPAP 2024-2025 7-Hour Update
- USPAP 2022-2023 7-Hour Update
- USPAP 2020-2021 7-Hour Update
- Additional USPAP compliance updates completed 2006-2019

**Advanced Valuation & Analysis**

- Investment Analysis (Property Tax School)
- Practical Application of the Cost Approach
- Basic Construction Refresher

**Additional Continuing Education (2004-2024)**

Extensive coursework in residential and commercial valuation methodology, sales comparison and income analysis, construction standards, legal descriptions, appraisal review, and regulatory compliance.



# CITY OF BIDDEFORD

205 Main St.

P.O. Box 586

Biddeford, Maine 04005

May 21, 2026

RE: Offer of employment for Biddeford City Assessor

Dear Ms. April Buchanan:

On behalf of the City of Biddeford, I am pleased to extend an offer of employment to you for the position of City Assessor. Pursuant to the Charter of the City of Biddeford, the position of "City Assessor", is established pursuant to the City Charter, Article X, Sec. 1 (c) (1). Pursuant to that Charter provision, as City Manager, I am appointing you to the position, and the Mayor and City Council has confirmed the appointment.

Upon hire, you will be subject to a six-month (6) probationary period pursuant to 30-A M.R.S. § 2701. Following completion of that probationary period, the terms and conditions of your employment with the City of Biddeford will be pursuant to the Charter, Code of Ordinances and State and Federal law.

## **Position Details**

This is a full-time, exempt position with placement within non-union Pay Level 22.

Start Date: Monday, June 15, 2026

## **Compensation**

Your starting annual salary will be \$122,000.

Upon completion of the six-month introductory period, you will be entitled to any Council adopted FY2027 COLA increase for non-union employees.

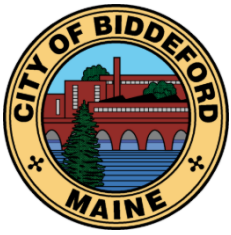
## **Paid Time Off**

### **Vacation**

You are entitled to four (4) weeks of vacation annually. You may use up to two (2) weeks of vacation during the first six (6) months of employment. Upon completion of the six-month introductory period, you will receive the remaining two weeks of vacation. Beginning on your first anniversary, you will receive four (4) total weeks per year, in accordance with City policy.

### **Personal Time**

You will receive 25 hours (2.5 days) of personal time on your start date and annually on your anniversary date.



# CITY OF BIDDEFORD

205 Main St.

P.O. Box 586

Biddeford, Maine 04005

## **Sick Leave**

You will receive a sick time bank in line with the nonunion policies for exempt employees.

## **Holidays**

The City provides 13½ paid holidays annually.

## **Benefits**

As a regular, full-time employee of the City of Biddeford, you will be eligible to participate in a number of City-sponsored benefits programs. Detailed benefit information can be found on the City's website at [www.biddefordmaine.org](http://www.biddefordmaine.org) or by contacting the Human Resources Department. Health insurance is currently provided through the Anthem network, and the employee is responsible for paying 15%. The insurance plan comes with basic life insurance covered by the City, or you can choose to add supplemental coverage. We also offer a health reimbursement account through Group Dynamis, which pays all additional healthcare costs up to your deductible. Additionally, we offer employee-paid vision and dental insurance. The City participates in MPERS, the state pension program, and we also offer 457 and Roth IRA retirement programs. The City contributes to your chosen retirement plan. Furthermore, the City will provide professional development and training as it relates to your position, subject to the fiscal year budget.

Benefits are effective on the first day of the month following your date of hire, provided you timely complete all required enrollment documentation.

Detailed plan information will be provided during orientation. Eligibility and coverage are governed by official plan documents and City policies.

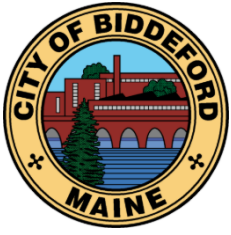
## **Employment Eligibility**

Employment with the City of Biddeford is contingent upon successful completion of all pre-employment requirements.

The City participates in E-Verify and will confirm your authorization to work in the United States as required by federal law.

Please sign and return to confirm your acceptance.

If you have any questions, please feel free to reach out via email at [truc.dever@biddefordmaine.org](mailto:truc.dever@biddefordmaine.org).



# CITY OF BIDDEFORD

205 Main St.

P.O. Box 586

Biddeford, Maine 04005

We are excited about the possibility of you joining our team and contributing to the important work we do for the Biddeford community. We look forward to welcoming you to the City of Biddeford.

Sincerely,

Truc Dever, City Manager

If you are in agreement with the terms of this offer, please sign below:

---

April J. Buchanan

Date





# Biddeford Forest Project

## A presentation for the Biddeford City Council

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June 2, 2026

By Maine Coast Heritage Trust staff

- Hannah Whalen, Director of Development
- Chris Schorn, Southern Maine Project Manager
- Andrew Deci, Southern Maine Regional Stewardship Manager



Maine Coast  
Heritage Trust

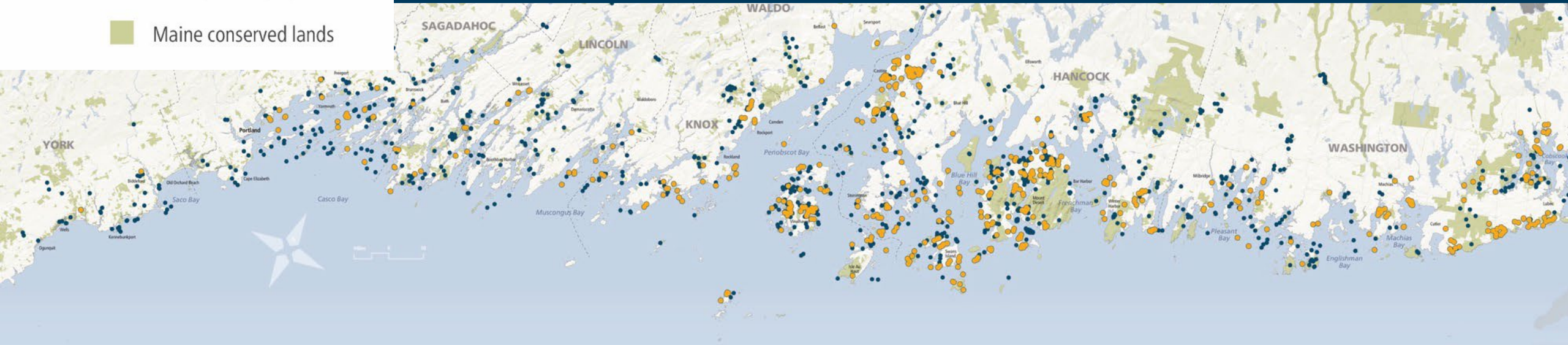
# Maine Coast Heritage Trust

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|                    |                                                                                                                                              |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Founded</b>     | 1970                                                                                                                                         |
| <b>Offices</b>     | Topsham (business office)<br>Rockport<br>Whiting<br>Mount Desert Island                                                                      |
| <b>Websites</b>    | <a href="http://mcht.org">mcht.org</a><br><a href="http://mltn.org">mltn.org</a><br><a href="http://aldermere.org">aldermere.org</a>         |
| <b>Employees</b>   | 80+                                                                                                                                          |
| <b>Leadership</b>  | Kate Stookey, President & CEO<br>MacKenzie Davis (Micah), Board Chair                                                                        |
| <b>Departments</b> | Communications & Philanthropy<br>Community & Government Relations<br>Executive<br>Finance & Administration<br>Land Protection<br>Stewardship |
| <b>Founders</b>    | Thomas D. Cabot (1897-1995)<br>Margaret M. Rockefeller (1915-1996)                                                                           |

- MCHT conserved places
- MCHT partner projects
- Maine conserved lands

## Over 50 years of impact



**200,000** acres conserved with partners

**335** islands protected

**165** places open to the public, **105** miles of trail

Founder and coordinator of the **Maine Land Trust Network**

**\$200 million** raised since 2014 towards conservation in Maine

Pioneered use of conservation easements in the **1970s**

Co-founder of the national **Land Trust Alliance**

Co-creator of **Land for Maine's Future**





# Our mission

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To advance the conservation of lands and waters in Maine to ensure ecological wellbeing and foster thriving communities.





# Our vision

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To create a world in which the lands and waters that sustain life are healthy, resilient, and an enduring source of connection for all.



# The impact of your engagement since 1970

106



Miles of MCHT  
Trail to Explore

341



Coastal Islands  
Protected with Partners

168



MCHT Preserves  
Open to the Public

Over  
200k



Acres Conserved  
with Partners

## Additional key milestones since 1970:

- Co-founded the national Land Trust Alliance
- Helped launch and sustain Land for Maine's Future
- Initiated the Maine Land Trust Network, supporting Maine's 80+ land trusts
- Pioneered use of conservation easements in 1970s and helped establish legislative rubric that makes them possible



# Impacts in 2025

Over  
**35**



Miles of Freshwater and  
Saltwater Shoreline Protected

**16**



New Places Permanently  
Open to the Public

**26**



Places Permanently  
Protected

**11**



Coastal River and Tidal  
Marsh Projects Completed

**2**



Islands Protected

**16**



Partnership Projects  
Completed

Nearly

**10,000**



Acres Conserved

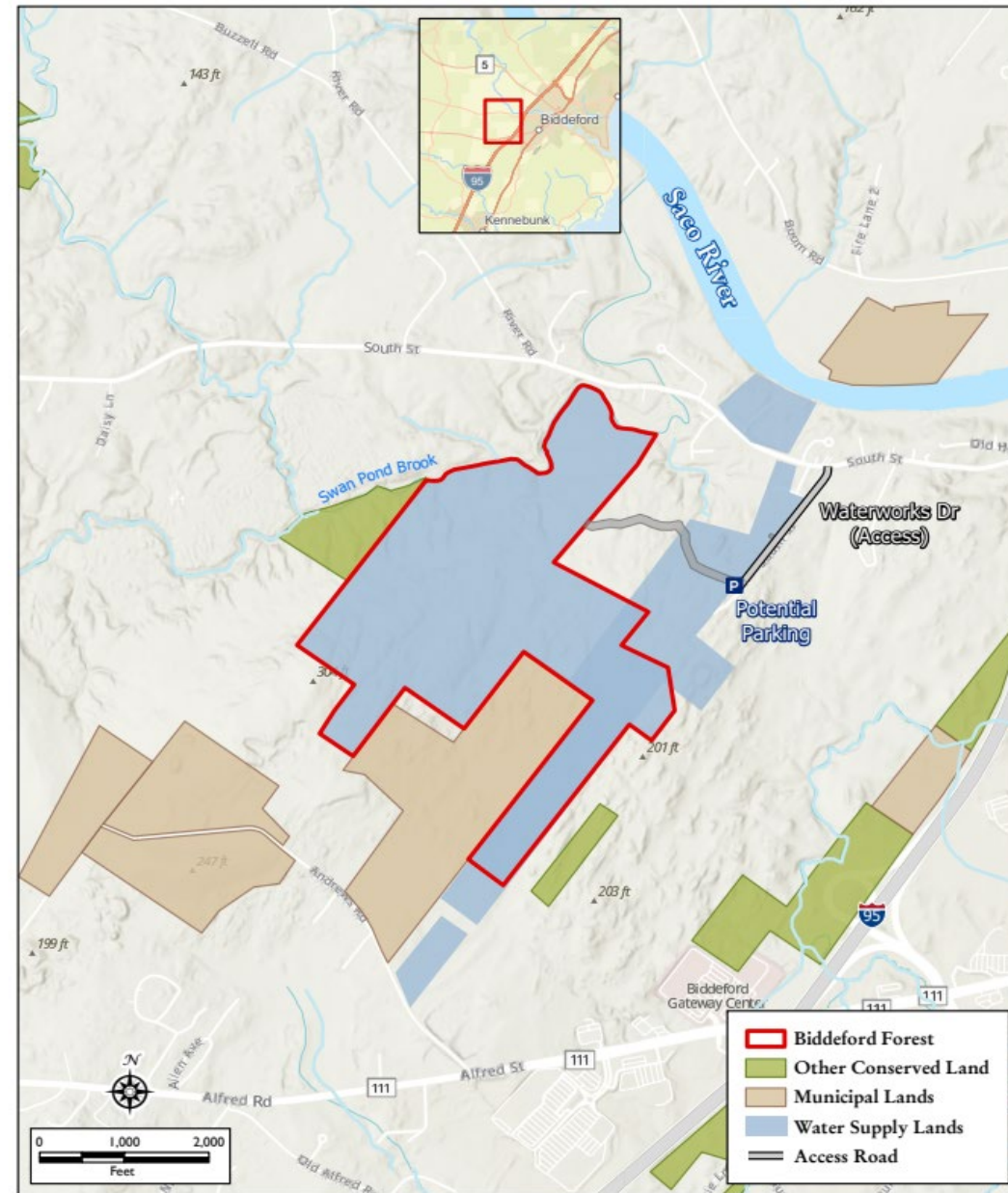






# Biddeford Forest

- In this map, the project easement area is outlined in red.
- Future access from Maine Water facility off Waterworks Drive
- Adjacent to SVLT and municipally-owned lands





# Biddeford Forest

- 257 acres of land owned by Maine Water; conservation easement held by MCHT
- Protects an ecologically significant area, provides a natural area for public access, and supports high-quality drinking water for Maine communities.
- Part of a 2,679-acre forest block; expansive undeveloped areas like this are increasingly rare in Southern Maine and vitally important for wildlife.



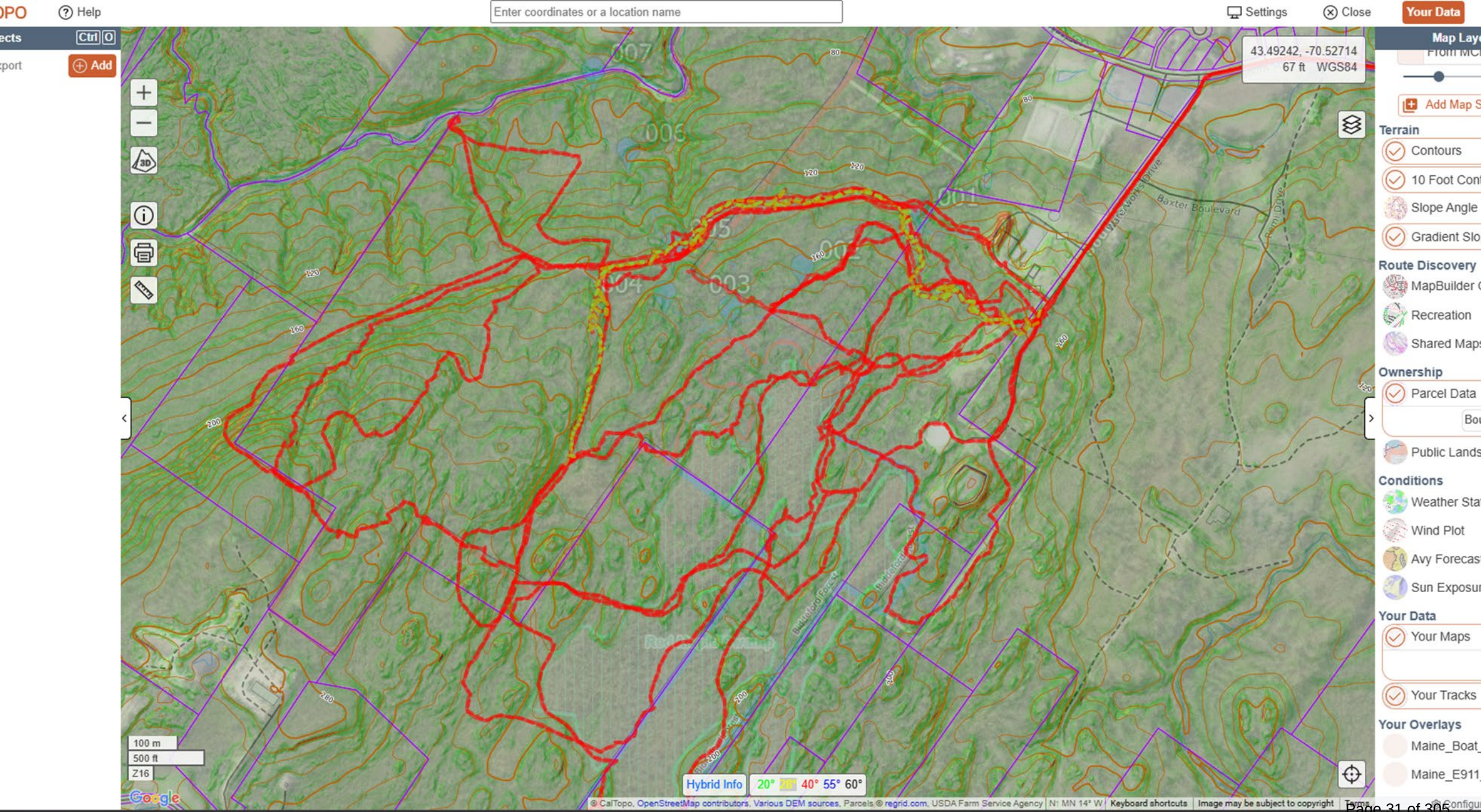
















## Opportunity!

- Good soils and topography for trails
- Skidder trail network and landing areas
- Interesting destinations
  - Swan Pond Brook
- Unique Natural Communities and Cover Types
- Topography and ledge crag & outcrop







**Location:** Biddeford

**Project size:** 257 acres

**Project goal:** \$475,000

**Fundraising deadline:** December 31, 2026

Fundraising includes support into MCHT's Pooled Stewardship Fund for ongoing stewardship of MCHT's preserves, including the Biddeford Forest Project.

**For more information:**

MCHT Communications & Philanthropy Department  
[engagement@mcht.org](mailto:engagement@mcht.org) | (207) 729-7366



## **Ways to Get Involved**

**Stay tuned for updates on public opening!**



**Support this project with a gift of your time**



**Make a gift to MCHT for the Biddeford Forest Project**





Maine Coast  
Heritage Trust

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### Topsham (Business)

1 Bowdoin Mill Island, Suite 201  
Topsham, ME 04086

(207) 729-7366

### Mount Desert Island

1034 Main St.  
Mount Desert, ME 04660

#### **MDI Mailing:**

P.O. Box 669  
Mount Desert ME 04660

(207) 244-5100

### Downeast

160 U.S. Route 1  
Whiting, ME 04691

(207) 259-5043

### Aldermere Farm

20 Russell Avenue  
Rockport, ME 04856

(207) 236-2739

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Find us on social media



[mcht.org](https://mcht.org)  
[aldermere.org](https://aldermere.org)  
[mltn.org](https://mltn.org)



Maine Coast  
Heritage Trust

# Thank you for joining us!

## **For more information contact us:**

Andrew Deci, Southern Maine Regional Stewardship Manager, [adeci@mcht.org](mailto:adeci@mcht.org)

Chris Schorn, Southern Maine Project Manager, [cschorn@mcht.org](mailto:cschorn@mcht.org)

Hannah Whalen, Director of Development, [hwhalen@mcht.org](mailto:hwhalen@mcht.org)





## Maine Coast Heritage Trust

# Biddeford Forest

Maine Coast Heritage Trust (MCHT) and the Maine Water Company are working together to protect 257 acres of forest and open space in Biddeford. This conservation effort protects an ecologically significant area, provides a natural area for people to explore, and supports high-quality drinking water for Maine communities. A sizable property in and of itself, it's part of a 2,679-acre forest block. Expansive undeveloped areas like this are increasingly rare in Southern Maine and vitally important for wildlife.

Now, MCHT is fundraising to be able to care for the land in perpetuity and manage it as a greenspace open to the public. In the coming years, following construction of a parking lot, MCHT will ensure walkers can enjoy the beauty of this expansive forest (just 2 miles from the city center!) by adding signage and sustainable trails. Currently adjacent to undeveloped land, the town anticipates expanding residential development near the property; in the future this land will likely be within walking distance for many more Biddeford residents. Over time, staff will collect input

from community members and make access improvements to the land to ensure it provides benefits to people in Biddeford and beyond.

Biddeford's mayor Marty Grohman said of the project, "I'm proud to support the new Biddeford Forest Preserve — a once-in-a-generation opportunity to protect greenspace for the people of Biddeford. It's an investment in our health, our environment, and our community, and I'm thrilled to see it moving forward."

Your gift today brings the outdoors closer to the state's youngest downtown — a vibrant and culturally rich and diverse Maine urban center — and will help us care for this natural area and ensure it's a valued community resource in the decades to come.



**Location:** Biddeford

**Project size:** 257 acres

**Project goal:** \$475,000

**Fundraising deadline:** December 31, 2026

Fundraising includes support into MCHT's Pooled Stewardship Fund for ongoing stewardship of MCHT's preserves, including the Biddeford Forest Project.

**For more information:**

MCHT Communications & Philanthropy Department  
[engagement@mcht.org](mailto:engagement@mcht.org) | (207) 729-7366

Ryan Malagara



Maine Coast  
Heritage Trust

## In Maine, we are fortunate — nature is still big and bold, and it delivers stunning reminders that we are part of it.

Maine Coast Heritage Trust (MCHT) was founded in 1970 as the local land trust on Mount Desert Island with a simple vision: to forever protect extraordinary places on the Maine coast. Now, with four office locations, countless supporters, partnerships, and a statewide network of conservation organizations, we have advanced that vision — and more.

MCHT collaborates with landowners, communities, organizations, Tribal entities, and others to meet the challenges Maine faces and set the state up for a healthier future. Together with partners, we're working to ensure that the lands and waters that make Maine so special are held sacred, remain a source of connection, and support all life for generations to come.

**Our mission** is to advance the conservation of lands and waters in Maine to ensure ecological wellbeing and foster thriving communities.

**Our vision** is to create a world in which the lands and waters that sustain life are healthy, resilient, and an enduring source of connection for all.

### Building a movement

We are building a movement to accelerate conservation statewide. Four areas of focus guide our work:

- Lands, Waters & Climate
- Community Conservation
- Collaboration & Partnership
- Organizational Capacity

*We do this by:*

- Protecting** critical wildlife habitat and creating more public access to the land and sea.
- Caring** for and managing the land over time to enhance its ecological and community benefits.
- Connecting** people to the land, restoring relationships between people and place, and building awareness.



**202,450**  
acres conserved  
with partners



**341**  
coastal islands  
protected with partners



**168**  
MCHT preserves  
open to the public



**106**  
miles of trail  
to explore



## How conservation makes a healthier Maine

The benefits of conservation are many, with implications for the wellbeing of all who live, work and play in Maine:

- Healthy food for all
- Slowed global warming
- More places open and accessible to all
- Increased public access to water
- Growing economy
- Protection of natural areas and mitigation of impacts
- Forests, fields, wetlands, and waters full of life
- Affordable housing and livable communities

## The team

MCHT has more than 80 people on staff. With offices in Topsham, Rockport, Whiting, and Mount Desert Island — our place of origin and where we serve as the local land trust. A robust, vibrant, and growing community of board members, advisory council members, and committee volunteers eagerly work with us to make a difference for Maine.

## 2024 financials

### Sources of Funds \$19,210,000

|     |             |                                           |
|-----|-------------|-------------------------------------------|
| 48% | \$9,208,000 | Private Restricted Contributions & Grants |
| 24% | \$4,626,000 | Investment Draw                           |
| 18% | \$3,463,000 | Annual Fund                               |
| 8%  | \$1,524,000 | Other Revenue                             |
| 2%  | \$389,000   | Public Restricted Grants                  |

### Uses of Funds \$22,608,000\*

|     |              |                               |
|-----|--------------|-------------------------------|
| 49% | \$11,013,000 | Land Acquisition              |
| 30% | \$6,862,000  | Land Protection & Stewardship |
| 7%  | \$1,582,000  | Fundraising                   |
| 7%  | \$1,560,000  | Administration                |
| 7%  | \$1,591,000  | Public Education & Outreach   |

\*Includes disbursement of funds raised in prior years

**“Maine is facing mounting pressures, from extreme weather and rising sea levels due to climate change, to an increasing need for affordable housing, and continued wildlife and habitat loss. All who live and work or visit here have a part to play in addressing these challenges and protecting this place that is so special.”**

— Kate Stookey, MCHT President and CEO

### Get involved

**Donate:** Contribute to a future with healthy, working, and open lands and waters

**Volunteer:** Give your time to help care for the coast

**Share:** Be a champion for conservation — spread the word



[MCHT.org/get-involved-now](https://mcht.org/get-involved-now)



MCHT is a 501(c)(3) accredited land trust supported by thousands of donors every year.  
MCHT tax number 23-7099105



Maine Coast  
Heritage Trust



## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 7.b  
**Item Description:** Review of Comprehensive Plan  
**Submitted By:** David C.M. Galbraith

### **Key Terms:**

N/A

### **Executive Summary:**

As the City Council is aware, the Maine Office of Community Affairs, who previously reviewed the submitted "2023 Comprehensive Plan Update", identified a number of chapters / plan elements that were missing and deemed the submitted Future Land Use Map (FLUM) "inconsistent" with the State's Maine Growth Management Act. The remaining items, listed above, are to be submitted to the State for "consistency review" by their imposed deadline of June 29, 2026. The attached documents require a few minor revisions, including the insertion of a few maps / figures, prior to the State's imposed submittal date.

### **Detailed Review:**

As the City Council is aware, the Planning Department has been trying to complete the City's 2023 Comprehensive Plan Update for a number of years. The majority of the Plan was approved by the City Council in 2023 and forwarded to the Maine Office of Community Affairs, who reviewed the plan for compliance with the Maine Growth Management Act. The staff person assigned to finalizing the plan left the City's employment in December 2023, shortly after the submittal of the plan. Due to the Staffing level of the Planning Office, this project was not restarted until after a new employee was hired and assigned the task of completing the remaining chapters and items identified by the State as either missing or deemed "inconsistent." The Office of Community Affairs informed the City of missing chapters and elements that were required for compliance. Then in mid-February, the City again experienced staffing shortages. Due to the staffing deficiencies within the Planning Department, in March 2026 the City Council authorized a funding request and directed the City Manager to enter into an MOU with the Southern Maine Planning and Development Commission (SMPDC) to assist in



the completion of the Plan. The Conservation Commission, Planning Board, SMPDC and City staff have been working diligently to complete the plan within the fast approaching State-imposed deadline of June 29, 2026.

**Funding Source:**

N/A

**Staff Recommendation:**

No City Council action is required at this time. The attached documents are intended as a preview to the final chapters which will be presented to the Council later this month. The Planning Board is holding a public hearing on these documents on June 3, 2026, remaining items, discussed above, will be finalized before the Planning Board's meeting of June 17, 2026, where staff anticipate the Board will forward a recommendation for adoption to the City Council.

**Next Steps:**

A formal public hearing to discuss the referenced and attached chapters / items is scheduled for later this month. Following Council review, SMPDC will be formatting the final document and submitting for State consistency review, prior to their imposed deadline of June 29, 2026.

**Attachments:**

1. 24x36\_Biddeford\_FLU\_2026-05-20
2. Biddeford Comp Plan 2026 - Historic & Archaeological Resources - SMPDC Draft FORMATTED 5-26-26
3. Biddeford Comp Plan 2026 - Natural Resources - SMPDC Draft FORMATTED 5-26-26
4. Biddeford Existing Land Use Plan Chapter - SMPDC Draft 5-26-26
5. Biddeford Marine Resources Chapter - SMPDC Draft 5-26-26
6. Biddeford Water Resources Chapter - SMPDC Draft 5-26-26
7. Biddeford Water Resources Checklist - SMPDC Draft 5-26-26
8. Existing Land Use checklist SMPDC Draft 5-26-26
9. Future Land Use Plan language for narrative



# FUTURE LAND USE



0 0.28 0.55 1.1 Mile

0 1,250 2,500 5,000 Feet

This map was reviewed and approved by the Biddeford Planning Board and Biddeford Conservation Commission on May 20, 2026.

- Parcels (2026)
- Water
- Conserved Lands (2026)
- Recreation & Parks

## GEOGRAPHY

- Resource Protection
- Railroad
- Maine Turnpike (I-95)
- Roads (MDOT 2026)
- Eastern Trail

## GROWTH AREAS

- Downtown Core
- Urban Residential
- Suburban Residential
- Commercial & Industrial
- Institutional

## TRANSITIONAL AREAS

- Suburban Transitional

## RURAL AREAS

- Rural Farm
- Coastal Residential

Map drawn 5/26/2026 by SMPDC.



# 9 Historic, Cultural & Archaeological Resources

## 1. Biddeford's Story

Biddeford has a long and storied history dating back many centuries. Before Europeans first arrived in the early 17<sup>th</sup> century, Native peoples lived along the Saco River, taking advantage of its abundant fishing and easy transportation.

European explorers arrived in what is now Biddeford in 1603, one of the earliest European settlements in North America followed soon after in 1611. The Biddeford pool area was permanently settled in 1626, followed soon after by additional settlements further up the Saco River. For the next 100 years, Biddeford grew slowly as an important stop on the “Kings Highway” linking Falmouth (Portland) and Boston. By the time of the American Revolution, Biddeford was a thriving small community of about 1,000 people with an economy based largely on farming and forestry.

Beginning in the mid-19<sup>th</sup> century, textile mills became the dominant force in the city's economy and began to dramatically reshape the community. Thanks to the city's advantageous position near major markets, railroads and abundant hydropower, Biddeford grew to become one of the largest textile manufacturing cities in the country by the end of the 19<sup>th</sup> century. The textile industry employed thousands of people and was an economic engine for the city and the region. Migrants from Canada and Europe flocked to Biddeford to find work in the mills and start a new life in the United States.

The growth of the mills also led to the growth of Biddeford's downtown, as a number of business and shops emerged to cater to the large workforce in the mills.

However, after World War II, the textile industry in New England began to decline as manufacturing moved to other states or overseas. Biddeford's once thriving mills began closing in the 1950's and the city's traditional urban core began to struggle as development and investment moved into the suburbs. In the 1980's, the community began to see a resurgence as new investment lead to redevelopment of the former Textile mills.



## 2. Historic and Cultural Resources Today

**17**

**Buildings & Structures**

On the NRHP

**1758**

**First Parish Meeting House**

Oldest surviving building in Biddeford

**65,000+**

**Books and Media Items**

Available at MacArthur Library

**62**

**Historic Structures**

In the Downtown Historic District

## 3. Biddeford's Historic and Archaeological Preservation

### Historic Preservation

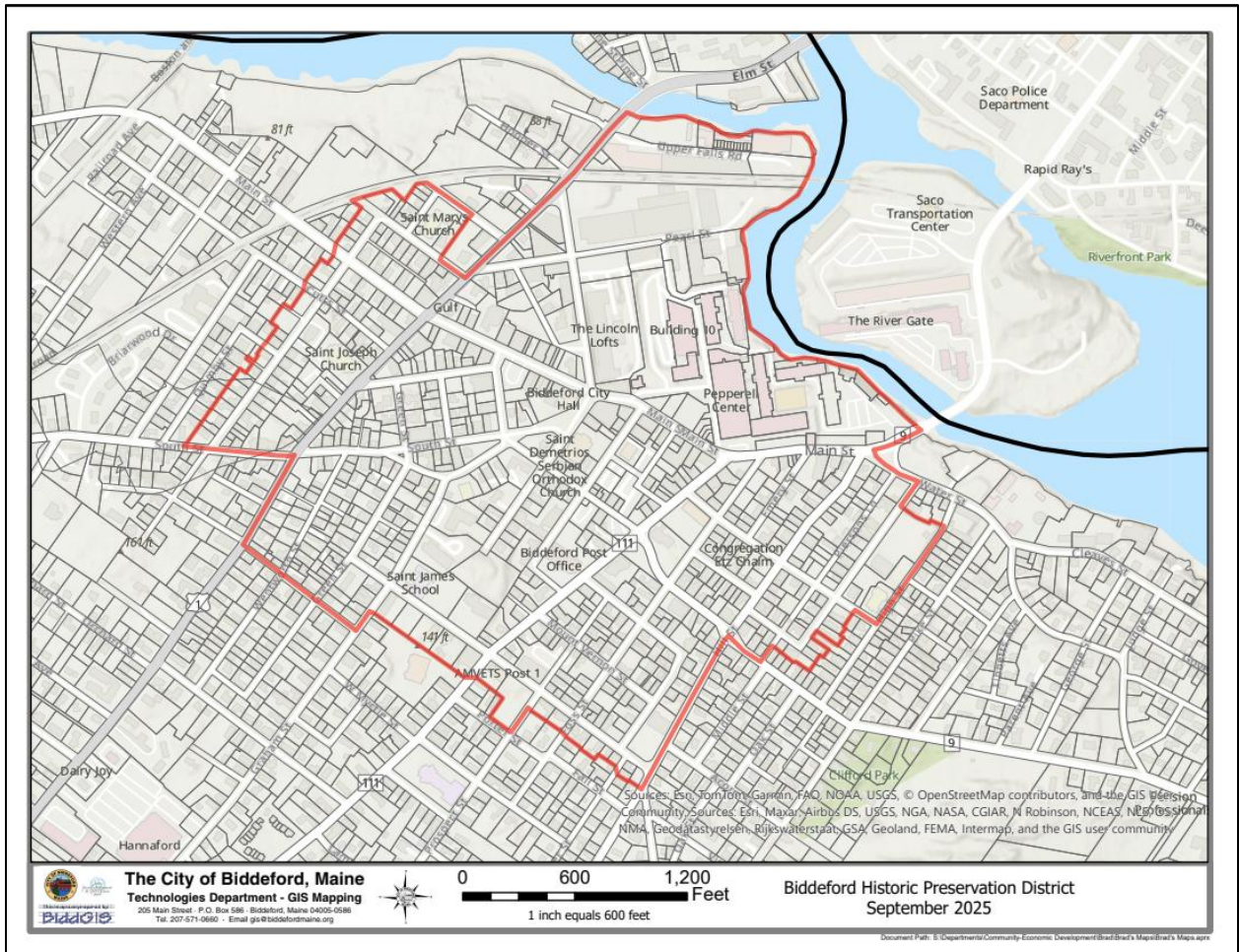
The Biddeford Historic Preservation Commission protects the historic and architectural heritage of our city and its historically significant areas, landmarks, and sites, while accepting compatible new construction as needed for the city to grow. Biddeford is home to dozens of historically significant buildings and structures, especially in the downtown. It is the duty of the HPC to protect and defend these structures, and to preserve the essential character of historic neighborhoods in such a way that enhances and improves the value of properties. Historic preservation can play a role in economic development of Biddeford by making it more desirable place to live and work, and by encouraging place-making and place-keeping that can help draw in new visitors to our city.

The Code of Ordinances of the City of Biddeford grants the Historic Preservation Commission the authority to review all construction projects in the three Main Street Revitalization District (MSRD) land use zones to ensure compliance with preservation practices. The HPC adheres to the standards set by the U.S. Department of the



Interior's Standards of Rehabilitation while also taking into consideration the City's Code of Ordinances.

The HPC considers projects taking place within the MSRD-1, MSRD-2, and MSRD-3 Land Use Zones.



**Table 9-1: Biddeford Historic Sites on the National Register of Historic Places, 2020**

| Name                                               | Address               | Approx. Year Built | Year Added to the National Register |
|----------------------------------------------------|-----------------------|--------------------|-------------------------------------|
| <b>First Parish Meeting House</b>                  | Old Pool Road         | 1758               | <b>1972</b>                         |
| <b>Biddeford City Hall, Including City Theater</b> | 205 Main Street       | 1895               | <b>1973</b>                         |
| <b>U.S. Post Office</b>                            | 35 Washington Street  | 1914               | <b>1973</b>                         |
| <b>Fletcher's Neck Lifesaving Station</b>          | Ocean Avenue          | 1874               | <b>1974</b>                         |
| <b>John Tarr House</b>                             | 29 Ferry Lane         | c. 1730            | <b>1980</b>                         |
| <b>Dudley Block</b>                                | 28-34 Water Street    | 1848               | <b>1982</b>                         |
| <b>St. Joseph's School</b>                         | Birch Street          | 1887               | <b>1984</b>                         |
| <b>Wood Island Light Station</b>                   | Wood Island           | 1808               | <b>1988</b>                         |
| <b>Biddeford-Saco Mills Historic District</b>      | See Map               | Various            | <b>2008</b>                         |
| <b>Biddeford Main Street Historic District</b>     | See Map               | Various            | <b>2009</b>                         |
| <b>Emery School</b>                                | 116 Hill Street       | 1912               | <b>2011</b>                         |
| <b>St. Andre's Parish</b>                          | 41 Sullivan Street    | 1900               | <b>2015</b>                         |
| <b>Timber Point</b>                                | 1-2 Timber Point Road | 1931-1954          | <b>2016</b>                         |

Source: *National Register of Historic Places.*

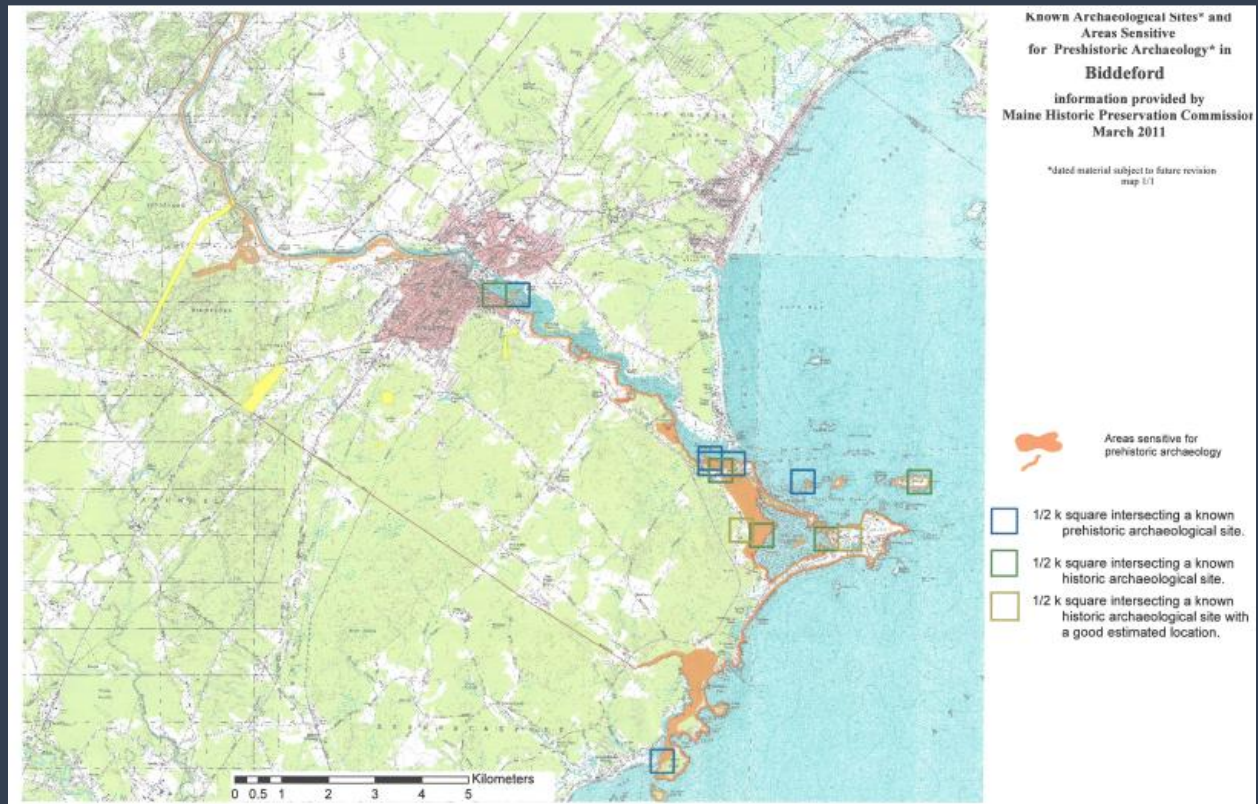
## Archaeological Resources

Biddeford has a number of archaeological sites spanning centuries of human habitation. A large number of these sites can be found in the Biddeford Pool area, where both indigenous peoples and European settlers have fished, farmed and lived for many hundreds of years. The coastal area of Biddeford is also home to a number of shipwreck sites.

There are nine prehistoric archaeological sites known in Biddeford. Eight of these may be significant or are known to be significant. Several of the sites known to be significant are located on the campus of the University of New England (UNE). These sites are



villages or farmsteads that were still present and inhabited when the area was visited by Samuel de Champlain in 1604.



**Known Archaeological Sites and Areas Sensitive for Prehistoric Archaeology**

The Maine Archaeological Society, Inc. published an article of interest in Spring of 2006 that reviews the “Chouacoet Site” which is located on the site of the present UNE campus. According to the article’s author, Richard J. Lore, Samuel de Champlain visited the Chouacoet Site near the mouth of the Saco River and found an Armouchiquois Indian village.

During construction of several buildings on the University of New England Campus, a number of archaeological sites were monitored and some artifacts were recovered. In future surveys related to development projects it is noted in the University of New England Campus Master Plan that the majority of the rest of the site of proposed development on the campus as having been “extensively disturbed” and no further significant archaeological resources have been discovered.

**Table 9-2. Biddeford Archaeological Sites**

| Site Name                   | Site #     | Site type               | Periods of Significance                     |
|-----------------------------|------------|-------------------------|---------------------------------------------|
| Winter Harbour              | ME 041-001 | Settlement              | 1616-1617, 1630-1675, 1708-1775             |
| Saco Fort                   | ME 041-002 | Military, Fort          | 1676-1725 (1693-1708)                       |
| Fleetwing                   | ME 041-003 | Wreck, Schooner         | March 2, 1891                               |
| Anahuac                     | ME 041-004 | Wreck, Screw            | April 15, 1923.                             |
| George and Albert           | ME 041-005 | Wreck, Schooner         | November 17, 1887                           |
| Marshall Perrin             | ME 041-006 | Wreck, Schooner         | November 16, 1907                           |
| Fred Tyler                  | ME 041-007 | Wreck, Schooner         | October 27, 1920                            |
| Roger Drury                 | ME 041-008 | Wreck, Schooner         | January 12, 1918                            |
| Biddeford Pool Dugout Canoe | ME 041-009 | Wreck, Canoe            | c. 1630 to 1900                             |
| Biddeford Pool Wharf        | ME 041-010 | Wharf                   | c. 1750- c. 1800                            |
| Thomas Williams             | ME 041-011 | Domestic                | c.1636 - c.1689                             |
| Richard Hitchcock           | ME 041-012 | Domestic                | c.1636 - 1676 or 1689                       |
| Edward's Farm #1            | ME 041-013 | Domestic                | c. 1636- c. 1689                            |
| Hitchcock's Point #1        | ME 041-014 | Structure, Unidentified | c. 1770                                     |
| Hitchcock's Point #2        | ME 041-015 | Structure, Unidentified | c. 1850                                     |
| Stackpole - Jordan          | ME 041-016 | Domestic                | c. 1717 - present                           |
| 'Hiawatha'                  | ME 041-017 | Wreck, Schooner         | November 1860                               |
| 'William and Harris'        | ME 041-018 | Wreck, Schooner         | November 1840                               |
| 'Game Cock'                 | ME 041-019 | Wreck, Schooner         | 1867                                        |
| 'Rara Avis'                 | ME 041-020 | wreck, gas screw        | 1893-1918                                   |
| 'Washington'                | ME 041-021 | Wreck, Schooner         | 1856                                        |
| 'Nellie Grant'              | ME 041-022 | Wreck, Schooner         | 1869                                        |
| 'C.N. Gilmore'              | ME 041-023 | Wreck, Schooner         | 1876-1925                                   |
| 'Valetta'                   | ME 041-024 | Wreck, Schooner         | Wrecked on Wood Island on October 28, 1909. |
| 'Queen of the West'         | ME 041-025 | Wreck, Schooner         | 1898                                        |
| Wood Island Lighthouse      | ME 041-026 | Lighthouse              | Original light house station built in 1808  |
| 'Livelihood'                | ME 041-027 | Wreck, Schooner         | November 28, 1925                           |
| 'Augusta'                   | ME 041-028 | Wreck, Schooner         | Information Not Provided                    |
| 'Jessie Lena'               | ME 041-029 | Wreck, Schooner         | March 13, 1912                              |



## 4. Cultural Resources

### McArthur Library

Founded in 1863, McArthur Library is one of the oldest publicly funded libraries in New England.

The mission of McArthur Library is to connect the Biddeford community with materials, programs, services, and informational and cultural resources needed to lead fuller, better, and richer lives. McArthur Library is also home to the Biddeford Historical Society and the Franco-American Genealogical Society collections

Today, the library offers over **59,000** books and over 7,000 e-books, audiobooks and magazines. The library also has an extensive collection of audio-visual media.

Library services are available for free to residents of Biddeford and students at the University of New England.

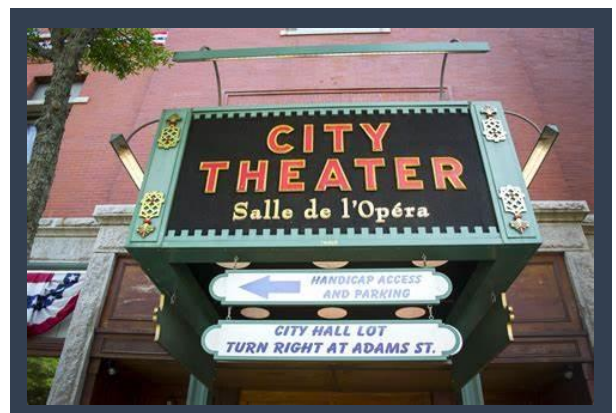
In 2019, McArthur Library welcomed **115,000** visitors and circulated more than **120,000** items.

McArthur Library hosts hundreds of programs and community events each year which are attended by over **10,000** people.

### City Theater

Biddeford City Theater is located adjacent to Biddeford City Hall on Main Street. It is managed by City Theater Associates, Inc., which is a non-profit organization, housed with the Theater. Its mission is “to foster an appreciation for the performing arts by using creative avenues to increase community involvement.”

The City Theater has been in continuous operation for 125 years. Today, it hosts concerts, films, plays and performing artists throughout the year. City Theater serves as a venue for Heart of Biddeford events and seasonal downtown festivals such as Winterfest.



## Biddeford Mill Museum

The Biddeford Mills Museum (BMM) was established in 2011. It is overseen by a dynamic board of directors who are devoted to seeing the Biddeford Mills Museum find a permanent space in Biddeford where they can display and care for their collections and offer interactive exhibits, classes and walking tours that tell the history of the mills and the pivotal role they played in shaping Biddeford.

## Engine

*Engine* was established in 2010 and was “Founded on the belief that artistic expression and creative vibrancy are the gateway to cultural, social, and economic revitalization,

Engine’s Mission is “To make arts-driven programming, cultural development, and sustainable creative entrepreneurialism an explicit community value and civic priority in Biddeford.”

Engine partners with the UNE to hold student and faculty art shows at its Main Street gallery and also organizes an ArtWalk on the final Friday of every month. Engine also oversees the public art committee, which guides investment in public art throughout the community.

## Biddeford Historical Society

The Biddeford Historical Society (BHS) works to preserve, promote and interpret Biddeford’s long and rich history.

BHS works to preserve historic sites and artifacts and maintains an extensive archive of historic materials. BHS also hosts classes, workshops and walking tours of Biddeford’s historic sites.

### Biddeford Museum in the Streets

The Museum in the Streets is a walking tour of Downtown Biddeford and follows a series of signs highlighting important historical features in the heart of Biddeford. It was developed by the Biddeford Historical Society.

## Heart of Biddeford

Heart of Biddeford (HoB) is a volunteer-driven organization that works in partnership with the City of Biddeford, the business community, property owners, and residents to foster economic development and improve quality of life in downtown Biddeford by supporting existing businesses, attracting new businesses, promoting the downtown through events, and working to beautify the urban core.



## 5. Challenges and Opportunities

### Historic Preservation and Economic Development

In a 2011 economic impact report for Maine Preservation titled ***The Economic and Fiscal Impact on Maine of Historic Preservation and The State Historic Preservation Tax Credit Planning Decisions*** examined the impact historic rehabilitation projects had between 2007 and 2011. The report notes that this was a recession period of the economy which had a significant negative impact on the construction industry in Maine for this period. For example, unemployment in the construction sector rose from 6.5% to 14.2%, housing starts fell in half, and commercial construction activity severely declined.

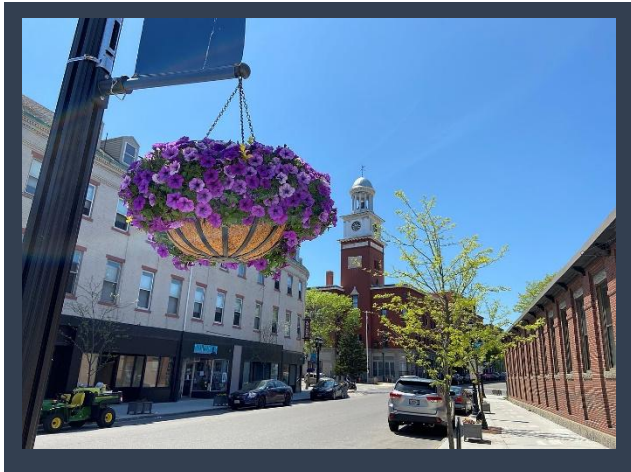
During the same period, however, the report notes that the value of historic rehabilitation activity increased from \$7 million in 2007 to \$40 million in 2011. In 2011 alone, tax credit sponsored Historic Rehabilitation were anticipated to support nearly 800 Maine jobs and \$30 million of income.

In addition, according to this same report, 25 historic tax credit rehabilitation projects were anticipated to have been completed between 2007 and the end of 2011, with an anticipated increase in Maine's property tax base by \$135 Million. Further, these projects, although resulting in an estimated \$3.5 million loss to the State through the tax credit, would add \$2.6 million in additional State income and sales tax revenues and an additional \$1.9 million in municipal property tax revenues.

- **Maine workers benefit more from historic preservation than new construction. A higher proportion of every dollar spent on historic rehabilitation goes to Maine craftspeople than individuals out of State in comparison to every dollar spent on construction.**
- **The Maine tax credit is typically coupled with the 20% Federal Historic tax credit, which can attract out-of-state investors, thereby bringing money into Maine and promoting economic development.**

## Biddeford Main Street Historic District

The Biddeford-Saco Mills Historic District was added to the National Register of Historic Places in December 2008. It is roughly bounded by Pearl Street, Lincoln Street, York Street, Laconia Street, Main Street (Biddeford), and Main Street and Gooch Street in Saco. The buildings are generally characterized as being in good condition and that they retain adequate integrity so as to represent their significance as components of a mid-nineteenth to mid-twentieth century downtown. The downtown historic district also includes three parks.



The Main Street Historic District consists of over **50** structures built between 1846 and 1952.

These buildings form a cohesive group that conveys the significance of the district as a social and commercial center of Biddeford.

## Biddeford / Saco Mills Historic District

The Biddeford-Saco Mills Historic District was added to the National Register of Historic Places in December 2008. It is roughly bounded by Pearl Street, Lincoln Street, York Street, Laconia Street, Main Street (Biddeford), and Main Street and Gooch Street in Saco. It is characterized by its significance in the industrial history of Biddeford and its architecture which is a mix of Mid-19<sup>th</sup> Century/Greek Revival, Late Victorian/Italianate, and Modern Movement/Tanate.

According to the National Register of Historic Places:

*"The Biddeford/Saco Mills Historic District is a cohesive collection of historic manufacturing buildings situated on roughly 38 acres of land flanking the Saco River. The district includes 13 properties in the city of Biddeford and the entirety of, or portions of six properties within the Saco city limits and is located adjacent to the downtown commercial areas of both cities. The river, which separates the two municipalities, runs through the district roughly north to south, with Biddeford on the west bank and Saco to the east...."*





Biddeford-Saco Mills Historic District

## Historic Architectural Survey

In Fall of 2022, The Biddeford Historic Preservation Commission embarked on a project to document historic buildings in the downtown and surrounding areas of the city. This project is called an Architectural Survey, and will be conducted by Kleinfelder, Northeast, Inc., a consultant the City hired through a competitive RFP process. Biddeford is fortunate to have a rich assortment of historic buildings, and this survey will record the wide range of buildings its history reflects, dating from the 1700s through the early 1970s.

The project will begin on or around November 1, 2022 and is expected to be completed by September 30, 2023. The Biddeford Architectural Survey is supported in part by a grant administered by the National Park Service, Department of the Interior and the Maine Historic Preservation Commission.

# Historic, Cultural & Archaeological Resources

## What Comes Next?

**EDUCATE** citizens and property owners about the value of historical, archaeological, and cultural preservation.

**PROTECT** Biddeford's historic, cultural and archaeological resources to the greatest extent possible

**REDUCE** The impact of climate change and sea level rise on Biddeford's historic, cultural and archaeological resources.

**SUPPORT** arts and culture facilities, events and the "creative economy" throughout Biddeford.

### Goal 1

#### **EDUCATE**

Educate citizens and property owners about the value of historical, archaeological, and cultural preservation.

#### **How We Get There:**

- Promote and support Downtown Biddeford, including the Mill District, as the historic and cultural core of the City.
- Continue to support the efforts of the Biddeford Historical Society, the Biddeford Historic Preservation Commission, and other entities such as the Biddeford Mills Museum, in promoting Biddeford's history and historic resources
- Support the implementation of the Biddeford Cultural Plan, completed in November 2021.



## Goal 2

### **PROTECT**

Biddeford's historic, cultural and archaeological resources to the greatest extent possible.

### **How We Get There:**

- Maintain Biddeford's accreditation as a Certified Local Government (CLG) community.
- Building on Biddeford's new CLG status, begin a comprehensive community survey of historic buildings and structures in Biddeford. priority areas most at risk to loss. Potential match funds are available as a CLG community through the State Historic Preservation Office (SHPO).
- Identify historic resources that are at risk of loss or damage due to climate change impacts.
- Amend the land development regulations to require that projects subject to Planning Board (or its designee) review incorporate maps, information, and comments available from the Maine State Historic Preservation Office (SHPO).
- Ensure the Land Development Regulations, including the subdivision review regulations, require known historic resources be identified and that developers take appropriate measures to protect those resources, including but not limited to modification of the proposed site design, construction timing, and/or extent of excavation.
- Incentivize methods to increase adaptation of historic resources to climate change that is consistent with National Park Service Standards and protects the long-term stability of these structures.
- Continue to support efforts of the Biddeford Cultural Coalition, which advocates a strong role of arts and heritage in the city's social and economic fabric.
- Continue to support McArthur Library and its contribution to the arts and culture realm in Biddeford.
- Support the mapping of private cemeteries throughout Biddeford to better protect them from land use change and development.

## Goal 3

### **REDUCE**

The impact of climate change and sea level rise on Biddeford's historic, cultural and archaeological resources.

#### **How We Get There:**

- Conduct an assessment of existing historic, cultural, and archaeological resources that may be vulnerable to sea level rise and other climate change related weather events.

## Goal 4

### **SUPPORT**

Biddeford's historic, cultural and archaeological resources to the greatest extent possible.

#### **How We Get There:**

- Continue to support and fund efforts that enhance the promotion and marketing of Downtown through festivals and events such as the Biddeford-Saco Art Walk and River Jam festival.
- Support the adoption and implementation of a Biddeford Public Art Policy which will establish a Biddeford Public Art Program and the development of a Public Art Master Plan.
- Work with community partners, including Heart of Biddeford and Engine, to seek out financial and technical assistance opportunities to support the creative economy in Biddeford.
- Formally recognize the history and culture of Indigenous People who inhabited the area that is now Biddeford with the support of the Cultural Community.



# 11 Natural Resources

## 1. Overview of Natural Resources

Biddeford is diverse in its geological and ecological setting. With a mix of large, regionally important forested wetlands, agricultural soils, coastal regions, ten (10) separate watersheds, both rural homes and dense downtown areas, as well as industrial areas — there is a need to find balance in the environmental effects of our continued growth on natural resources throughout Biddeford.

## 2. Natural Resources at a Glance

### Size & Characteristics

- 12.8 miles of riverfront\*
- 16 miles of coastline\*
- 19,475 acres of total land in Biddeford\*\*
- 7,968 acres of undeveloped forested land\*\* (~41% of total acreage)
  - 5,246 acres of this exist with State Focus Areas\*\* (~27% of total acreage)
- 1,700 acres with permanent conservation protections\*\*\* (~8.7% of total acreage)
- 254 acres of municipal-owned land classified as Open Space\*\*\* (~1.3% of total acreage)

### Working Landscapes

- 3,700 acres of combined commercial timber harvesting (1991-2023)\*\*\*\*
- 463 acres enrolled in the farmland program (27 parcels)\*\*
  - Most parcels include acreage of woodlands not registered as tree growth

### Wildlife & Habitat Info\*\*

- 31 special concern, threatened, or endangered plant and animal species
- 9 rare and exemplary Natural Communities
- 4 Significant Wildlife Habitats
- 2 Essential Wildlife Habitats
- A focus area of Statewide Ecological Significance
- Biddeford currently ranks 6th in all of Maine for the total number of listed species

#### Sources:

\* Conservative estimates, using cover type analysis using satellite images

\*\* Data from *Beginning with Habitat*, MDIFW

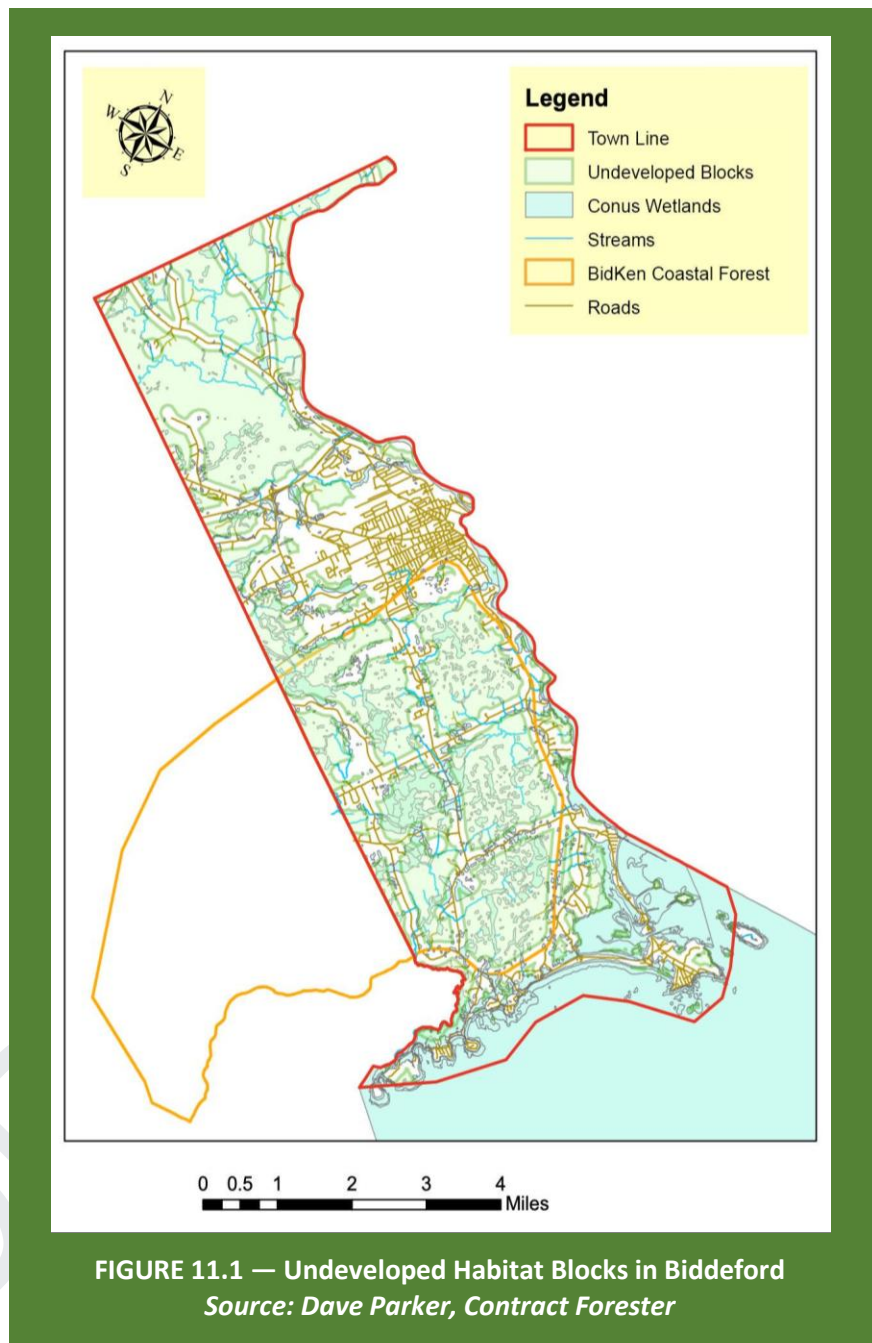
\*\*\* *Biddeford Assessing Department, 2025*

\*\*\*\* *Department of Agriculture, Conservation, and Forestry / Maine Forest Service*

DRAFT 02/25/26



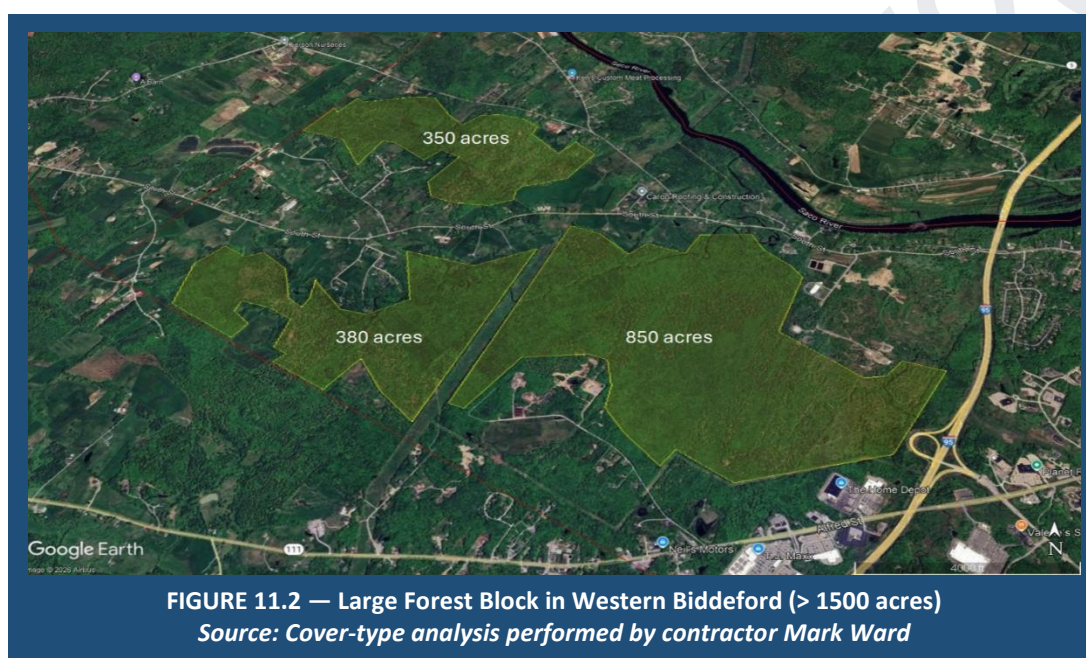
### 3. Habitats in Biddeford



Beginning with Habitat (BwH) helps Maine municipalities, landowners, and land trusts build habitat conservation into their long-term plans. Their data show that Biddeford is home to a wide range of wildlife and habitats.

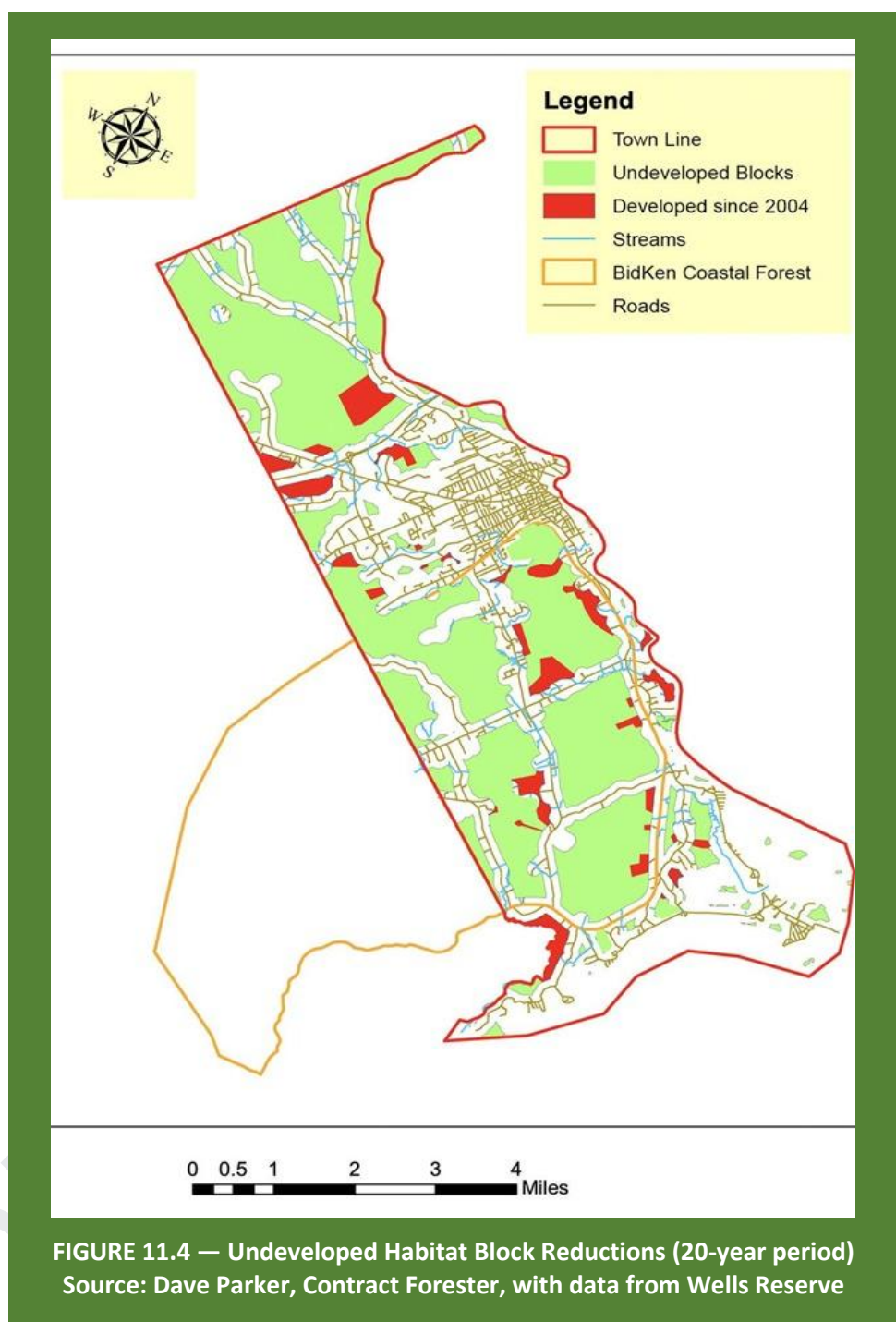
Biddeford's unique location and availability of undeveloped forest form an important "stepping stone" for wildlife in a region of Maine that is densely developed. This allows wildlife to move between habitats throughout their seasonal migrations and provides areas to feed, reproduce, and seek shelter.

The habitats found throughout Biddeford, specifically in the Biddeford/Kennebunkport Coastal Forest (BKCF), are one of the largest habitat blocks remaining east of the I-95 highway in southern Maine. The BKCF is designated by BwH as a Focus Area of Statewide Ecological Significance.









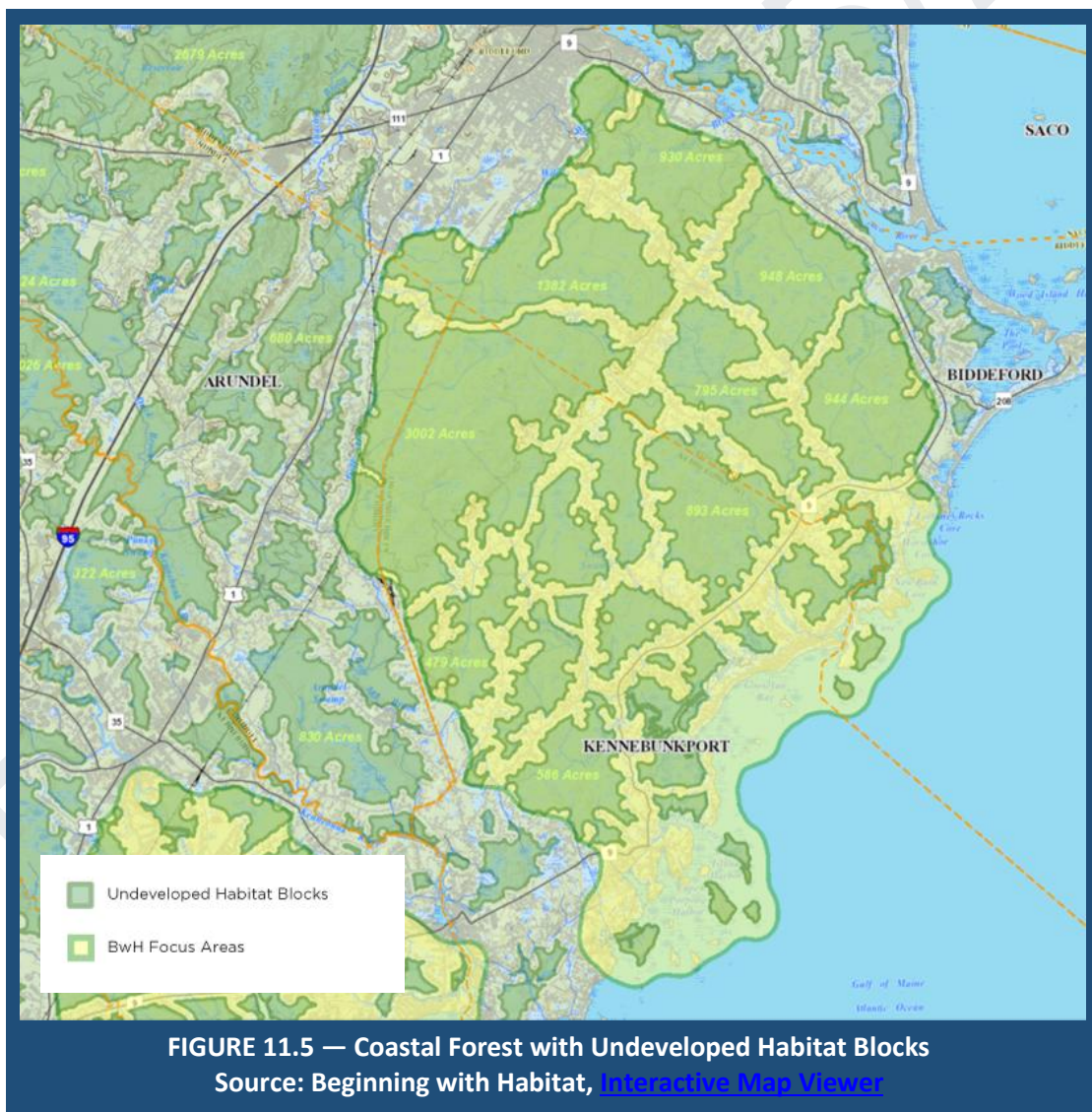


## 4. Focus Areas & Natural Communities

BwH Focus Areas of Statewide Ecological Significance contain several rare and/or endangered plants or animals as well as their habitats.

These focus areas are large enough to maintain a diverse population of species, and are identified by biologists from the Maine Department of Inland Fisheries and Wildlife (MDIFW), the Maine Natural Areas Program (MNAP), Maine Department of Marine Resources (DMR), U.S. Fish and Wildlife Service (USFWS), The Nature Conservancy (TNC), Maine Audubon, and Maine Coast Heritage Trust (MCHT).

### 4.1 Biddeford/Kennebunkport Coastal Forest



## Biddeford/Kennebunkport Coastal Forest Focus Area (BKCF)

*The following information regarding the BKCF is adapted from BwH resources.*

Established around 2010, the Biddeford/Kennebunkport Coastal Forest (formerly known as the Biddeford/Kennebunkport Vernal Pool Complex) is a focus area of statewide ecological significance that covers roughly 16,000 acres. This focus area includes a significant portion of eastern Biddeford.

The biological significance of this area is due to a specific set of geological and soil features, and a high concentration of pocket swamps and vernal pools in undeveloped forested areas, which are becoming increasingly rare in Maine, and are seeing increased development pressure within Biddeford.

### Protection Status

A number of individual parcels held by Maine Coast Heritage Trust, Saco Valley Land Trust, and the Blandings Wildlife Preserve provide some conservation protections within this critical habitat area, but this piecemeal approach does not prevent habitat fragmentation in the BKCF. The Biddeford Conservation Commission is actively pursuing conservation strategies to provide more holistic protection for this critical natural resource.

## Conservation Considerations for the Focus Area

Preserving natural communities and other sensitive features can be best achieved by maintaining the integrity of the larger natural systems in which these features occur. Conserving the larger systems helps ensure both common and rare natural features will persist in this part of the state.

Some ways this can be achieved include:

- Minimizing habitat fragmentation through cluster mandates in zoning ordinances
- Reducing allowable net density in areas zoned Rural Farm or Conservation Overlay
- Increasing funding for permanent land conservation
- Creation of critical resource zoning overlay districts to prevent, minimize, mitigate, or compensate for disturbance to large unfragmented habitat blocks or wildlife corridors
- Re-evaluation of legacy Mobile Home Overlay Zoning in natural resource areas
- Using Best Management Practices for forestry and logging, especially near wetlands, headwaters, and vernal pools, to help prevent erosion and habitat loss



- Enhancing landowners' and motorists' awareness of species habitat, such as "turtle crossing" signs, while also working to replace culverts and install wildlife crossings or barriers that keep at-risk species away from roadways

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## 4.2 Natural Communities & Wildlife Habitats

Biddeford is home to a diverse range of wildlife, birds, fish, and invertebrates. We are currently ranked 6th (out of all Maine municipalities) for the number of species listed as significant, threatened, or endangered.

| STATE RANKING — KEY       |
|---------------------------|
| S1 = Critically Imperiled |
| S2 = Imperiled            |
| S3 = Vulnerable           |
| S4 = Apparently Secure    |
| S5 = Secure               |

**Table 11-1: Habitat Types and Natural Communities**

| Name                                                                       | Group                                | State Rank |
|----------------------------------------------------------------------------|--------------------------------------|------------|
| <b>Roseate Tern Nesting Area</b>                                           | Essential Wildlife Habitats          | n/a        |
| <b>Piping Plover-Least Tern Nesting, Feeding, &amp; Brood-Rearing Area</b> | Essential Wildlife Habitats          | n/a        |
| <b>Inland Waterfowl &amp; Wading Bird</b>                                  | Significant Wildlife Habitats        | n/a        |
| <b>Tidal Waterfowl &amp; Wading Bird</b>                                   | Significant Wildlife Habitats        | n/a        |
| <b>Significant Vernal Pools</b>                                            | Significant Wildlife Habitats        | n/a        |
| <b>Seabird Nesting Islands</b>                                             | Significant Wildlife Habitats        | n/a        |
| <b>Oak - Hickory Forest</b>                                                | Rare & Exemplary Natural Communities | S1         |
| <b>Pocket Swamp</b>                                                        | Rare & Exemplary Natural Communities | S2         |



|                                     |                                      |      |
|-------------------------------------|--------------------------------------|------|
| <b>Salt-Hay Saltmarsh</b>           | Rare & Exemplary Natural Communities | S3   |
| <b>Brackish Tidal Marsh</b>         | Rare & Exemplary Natural Communities | S3   |
| <b>Freshwater Tidal Marsh</b>       | Rare & Exemplary Natural Communities | S2   |
| <b>Pitch Pine Bog</b>               | Rare & Exemplary Natural Communities | S2   |
| <b>Pitch Pine Woodland</b>          | Rare & Exemplary Natural Communities | S3   |
| <b>Coastal Dune-Marsh Ecosystem</b> | Rare & Exemplary Natural Communities | S3   |
| <b>Red Maple Swamp</b>              | Exemplary Common Natural Communities | S4S5 |

*Source: Natural Resources Inventory, Beginning with Habitat, MDIFW (Sept. 2025)*

## 5. Wildlife

**Table 11-2: Rare Animals, Plants, and Natural Communities in Biddeford**

| Name                            | SOURCE       | State Rank | State Status    |
|---------------------------------|--------------|------------|-----------------|
| <b>Arrowhead Spiketail</b>      | ETSC Animals | S1         | Special Concern |
| <b>Dusted Skipper</b>           | ETSC Animals | S1S2       | Special Concern |
| <b>Eastern Ribbonsnake</b>      | ETSC Animals | S3         | Special Concern |
| <b>Great Blue Heron</b>         | ETSC Animals | S4B        | Special Concern |
| <b>Purple Sandpiper</b>         | ETSC Animals | S4S5N      | Special Concern |
| <b>Harlequin Duck</b>           | ETSC Animals | S2S3N      | Threatened      |
| <b>Peregrine Falcon</b>         | ETSC Animals | S1S2N, S2B | Endangered      |
| <b>Piping Plover</b>            | ETSC Animals | S2B        | Endangered      |
| <b>Saltmarsh Sparrow</b>        | ETSC Animals | S1B        | Endangered      |
| <b>Spotted Turtle</b>           | ETSC Animals | S3         | Threatened      |
| <b>Wood Turtle</b>              | ETSC Animals | S4         | Special Concern |
| <b>Blanding's Turtle</b>        | ETSC Animals | S2         | Endangered      |
| <b>Southern Pygmy Clubtail</b>  | ETSC Animals | S1S2       | Special Concern |
| <b>Lilaeopsis</b>               | MNAP Plants  | S2         | Special Concern |
| <b>Smooth Winterberry Holly</b> | MNAP Plants  | S3         | Special Concern |

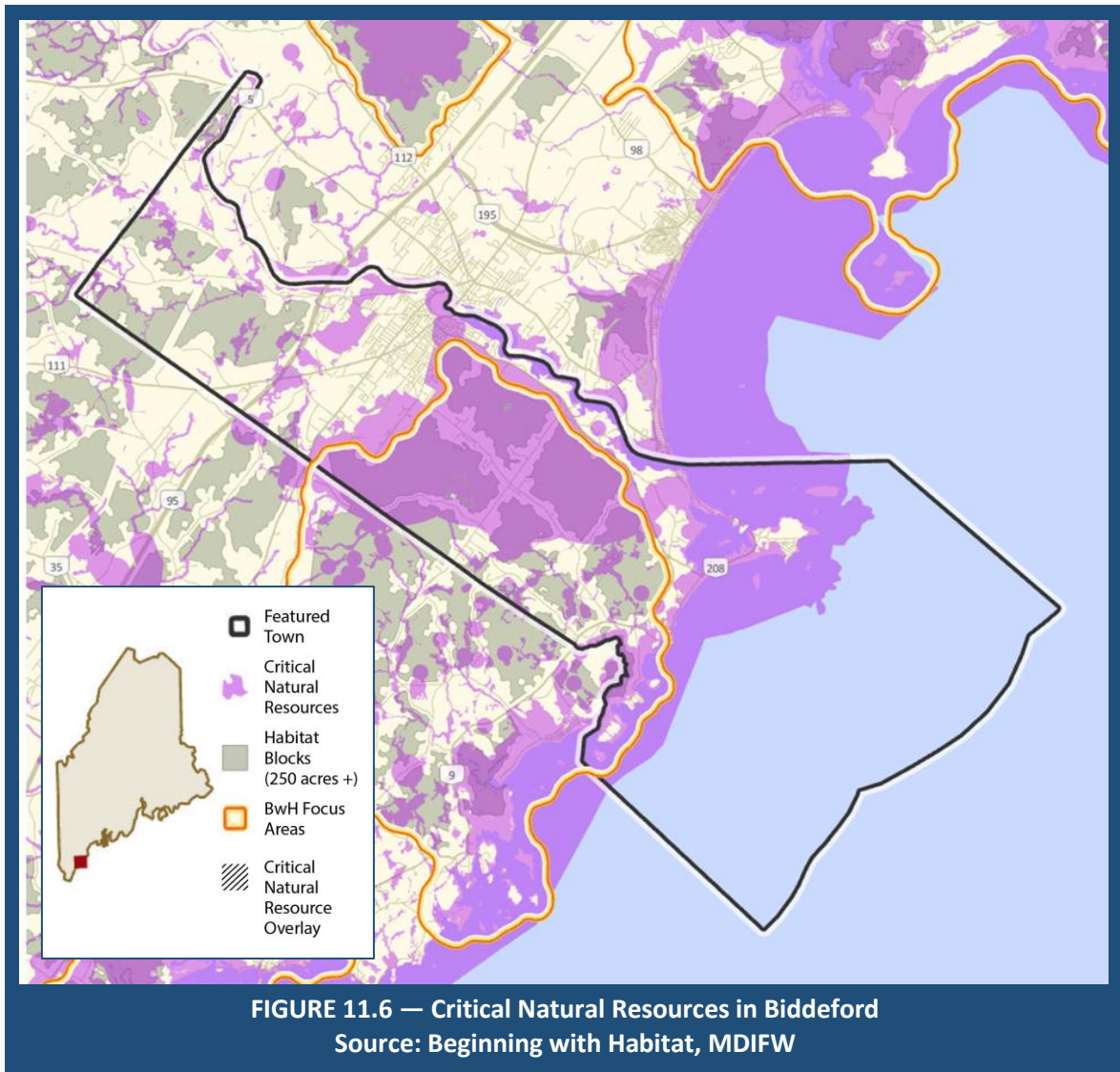


|                                 |             |      |                 |
|---------------------------------|-------------|------|-----------------|
| <b>Beach Wormwood</b>           | MNAP Plants | S1S2 | Special Concern |
| <b>Estuary Bur-marigold</b>     | MNAP Plants | S3   | Special Concern |
| <b>Hollow Joe-pye Weed</b>      | MNAP Plants | S2   | Special Concern |
| <b>Dwarf Glasswort</b>          | MNAP Plants | S1   | Threatened      |
| <b>American Sea-blite</b>       | MNAP Plants | S2   | Threatened      |
| <b>Sweet Pepper-bush</b>        | MNAP Plants | S2   | Special Concern |
| <b>Pygmyweed</b>                | MNAP Plants | S2S3 | Special Concern |
| <b>Water Pimpernel</b>          | MNAP Plants | S3   | Special Concern |
| <b>Beach Plum</b>               | MNAP Plants | S1   | Endangered      |
| <b>Saltmarsh False-foxglove</b> | MNAP Plants | S3   | Special Concern |
| <b>Mudwort</b>                  | MNAP Plants | S3   | Special Concern |
| <b>Spongy-leaved Arrowhead</b>  | MNAP Plants | S3   | Special Concern |
| <b>Stiff Arrowhead</b>          | MNAP Plants | S2   | Special Concern |
| <b>Button Sedge</b>             | MNAP Plants | S2   | Special Concern |
| <b>Parker's Pipewort</b>        | MNAP Plants | S3   | Special Concern |
| <b>Horned Pondweed</b>          | MNAP Plants | S2   | Special Concern |

*Source: Natural Resources Inventory, Beginning with Habitat, MDIFW (Sept. 2025)*

*Rare Plants in Maine, Maine Natural Areas Program ([online](#))*

## 5.1 Wildlife & Habitat Cooccurrence



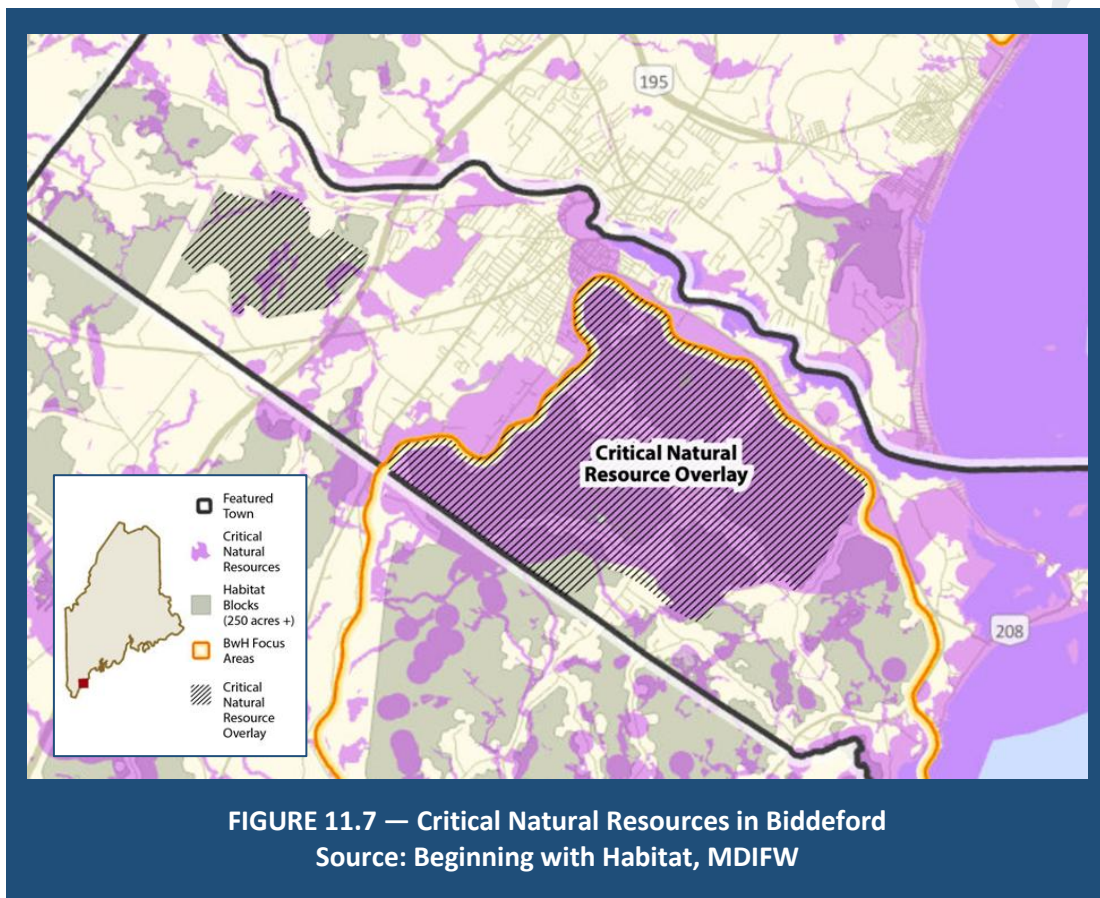
One method to aid cities in prioritizing conservation protections and areas where development may have greater environmental impacts is to identify areas where multiple species of concern and environmental assets are co-located in the same area.

The undeveloped habitat blocks that exist within the Biddeford/Kennebunkport Coastal Forest align with the highest concentration of natural resources and at-risk wildlife species in Biddeford.

These areas include rare plants, threatened/endangered species, wetlands, and rare/exemplary natural communities.

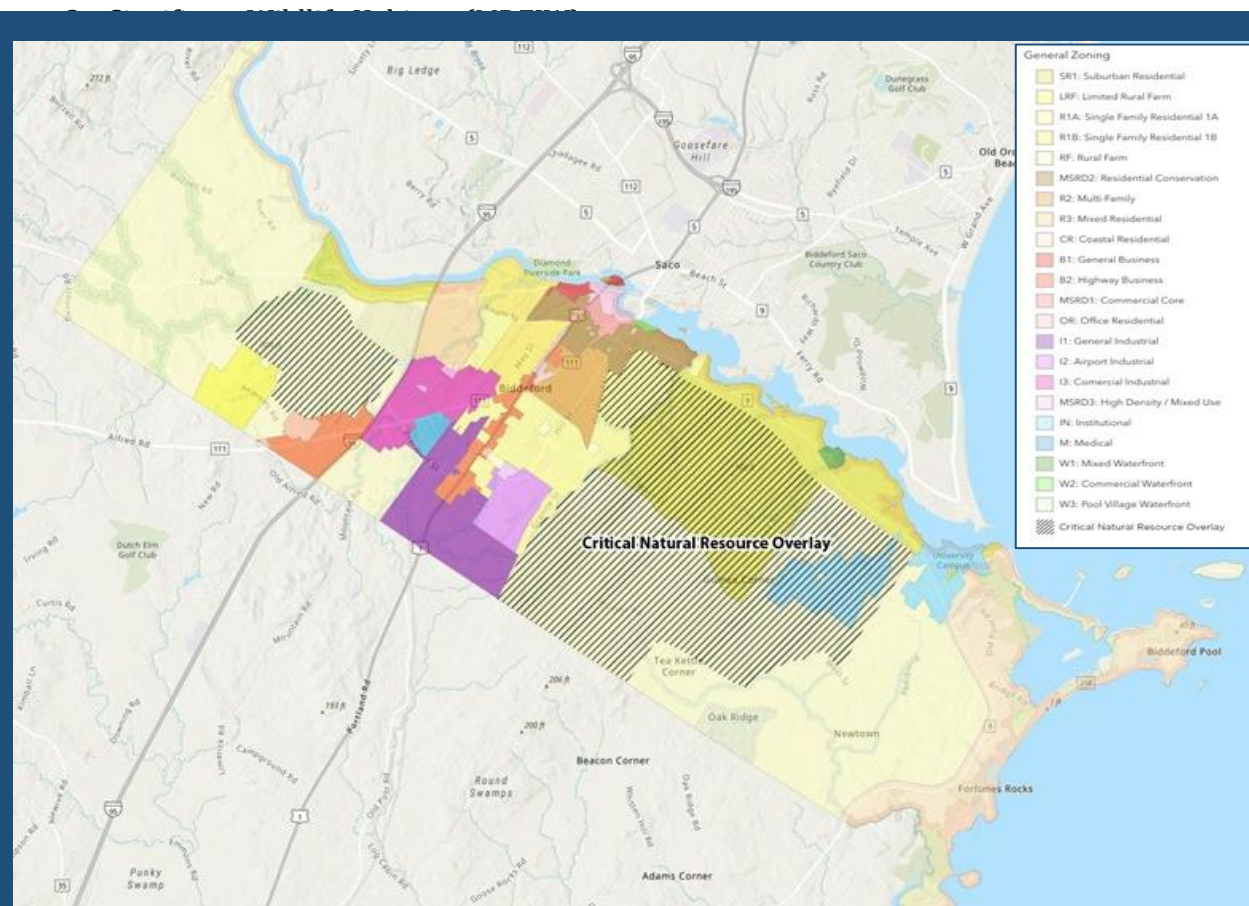


This supports the need for two (2) Critical Natural Resources overlay areas (FIG 11.7) to protect these natural resources as they continue to see increased development pressures based on outdated zoning ordinances that do not align with our City's natural resource protection goals.



Represented within the Critical Natural Resource areas are:

- 2 or more acres of >20% slope (USGS)
- 2 or more acres wetland within SLZ (National Wetlands Inventory/NWI)
- Wetlands of Special Significance (NWI, USGS, MDIFW)



**FIGURE 11.8 — Zoning Map with Critical Natural Resources Overlay**  
 Source: Biddeford GIS Maps ([Zoning Map w/ suggested overlay](#))



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## 6. Vernal Pools



**FIGURE 11.9 — An egg mass in one of Clifford Park’s vernal pools (circa 2023)**  
Photo: Erik Heumiller

While the State of Maine defines a Vernal Pool as “*Any natural water body that holds water long enough in a typical year to support breeding fairy shrimp, wood frogs, and/or spotted or blue-spotted salamanders.*” — it also acknowledges that, “*While vernal pools are typically natural landscape features, occasionally anthropogenically created or modified water bodies such as abandoned gravel pits, can function as important vernal pool breeding habitat as well.*”

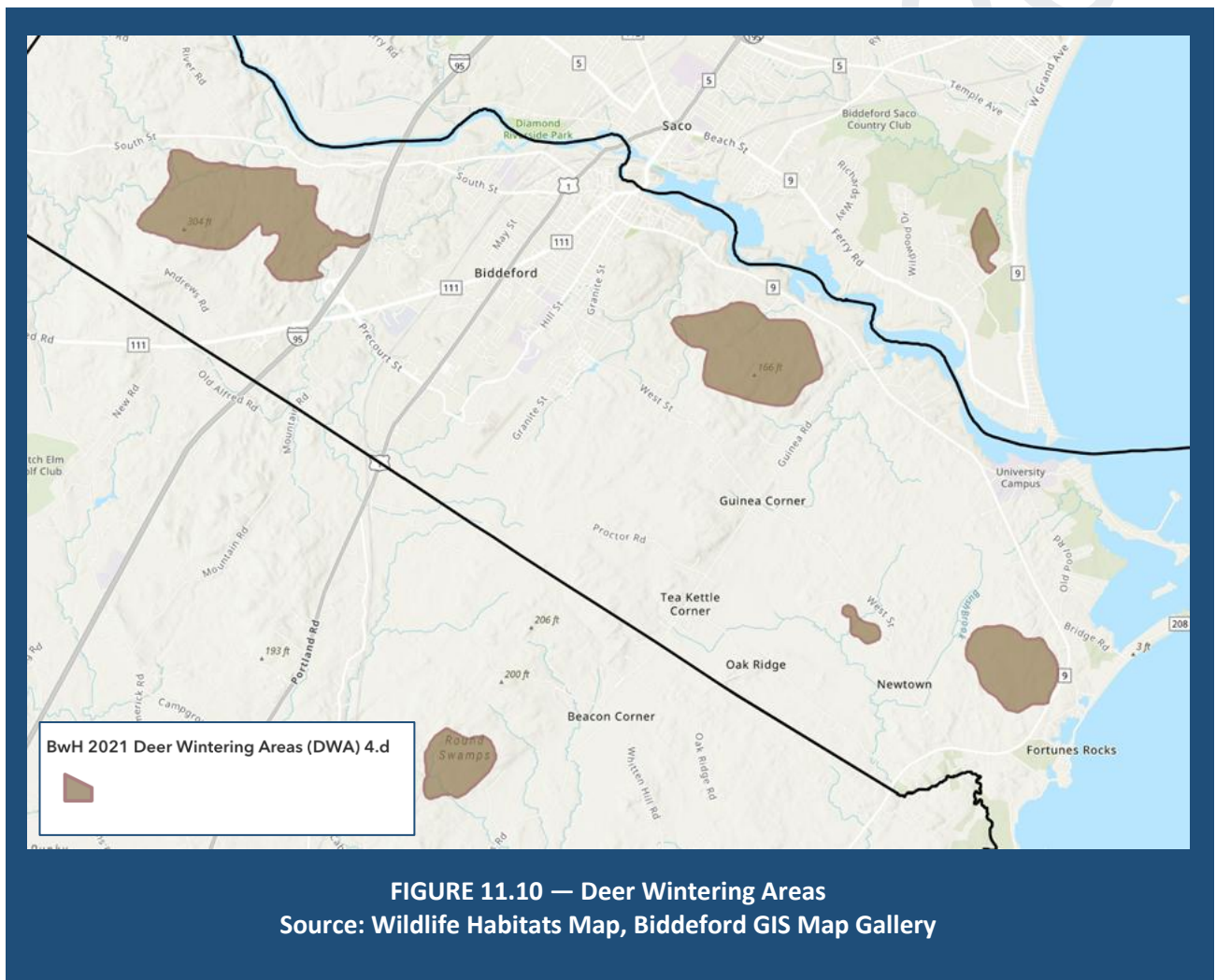
Vernal Pools act as a “grocery store” within forested areas, serving as an important resource for wildlife communities. Pools provide services beyond habitat, including massive nutrient exchange (14% of our forest nitrogen comes from wood frogs alone\*), groundwater recharge, and flood prevention.



As important as the vernal pools are, the upland areas surrounding them are equally important to seasonal habitat needs of the wildlife that rely on them. Connectivity of vernal pools, wetlands, and upland areas surrounding them needs to be considered in conservation planning.

Source: \*Beginning with Habitat, MDIFW, 2025

## 7. Deer Wintering Areas



scarce winter conditions. These are known as “deer wintering areas” or “deer yards,” of which Biddeford has historically documented multiple locations.

To reduce roadway collisions and mortality during the winter, these areas should be prioritized when considering habitat conservation and other means of preserving open space within the development of private parcels. Wildlife-vehicle collisions cost Mainers \$134 million annually.\*

**Shelter conditions typically include:**

- **Conifer Forests** that contain Hemlock, Pine, and Cedar. These provide thermal cover by blocking wind, preventing snow accumulation, and by absorbing heat from the sun.
- **Southern Slopes & Valleys** are often warmer due to the southern sun exposure and tend to see less snow accumulation.

**Energy conservation and food sources typically include:**

- Woody plants (twigs, stems), which are often readily available.
- Tree nuts (acorns, etc.) that remain accessible may also be forage opportunities.
- Deer are typically less active in the winter to conserve energy, often relying on reduced metabolism and fat reserves to survive on a limited diet. However, the availability or lack of food sources during the Fall can drive them in search of food if their fat reserves are not sufficient to sustain them.

\* Based on data from Maine DOT 2018-2022 “Collisions Between Wildlife Species and Motor Vehicles” Report

## 8. Riparian Habitats, Watersheds, and Wetlands

Biddeford’s water uses reflect the city’s strong connection to the Saco River along with its coastal shoreline, groundwater resources, and network of vernal pools, wetlands, and estuaries. The City’s rivers and streams include the Saco River Watershed, and ten (10) sub-watersheds.

It’s important to recognize the interconnectedness of these habitats and how they support fish, waterfowl, and wildlife populations as well as other natural resources throughout Biddeford.

*The Water Resources and Marine Resources chapters provide additional information.*



## 8.1 Riparian Habitats

The areas adjacent to, and surrounding, wetlands and streams, known as Riparian Habitat, are inextricably linked to many significant wildlife species for feeding, nesting, denning, or as travel corridors in Biddeford.

- Over 85% of Maine’s vertebrate wildlife use riparian habitats at some point in their annual life cycle.
- Riparian habitats are often used as travel corridors between forested areas.
- Forested riparian zones are known to store large amounts of carbon and add to landscape-scale climate resilience.
- Forested riparian zones also reduce runoff and erosion risks by stabilizing the banks of rivers and streams.

The State of Maine maintains minimums of 100-foot “no cut” buffers, but also acknowledges that if opportunities exist to extend the “no cut buffer” distance, or to protect entire riparian habitats, there is a preference for those protections.

## 8.2 Watersheds and Fisheries

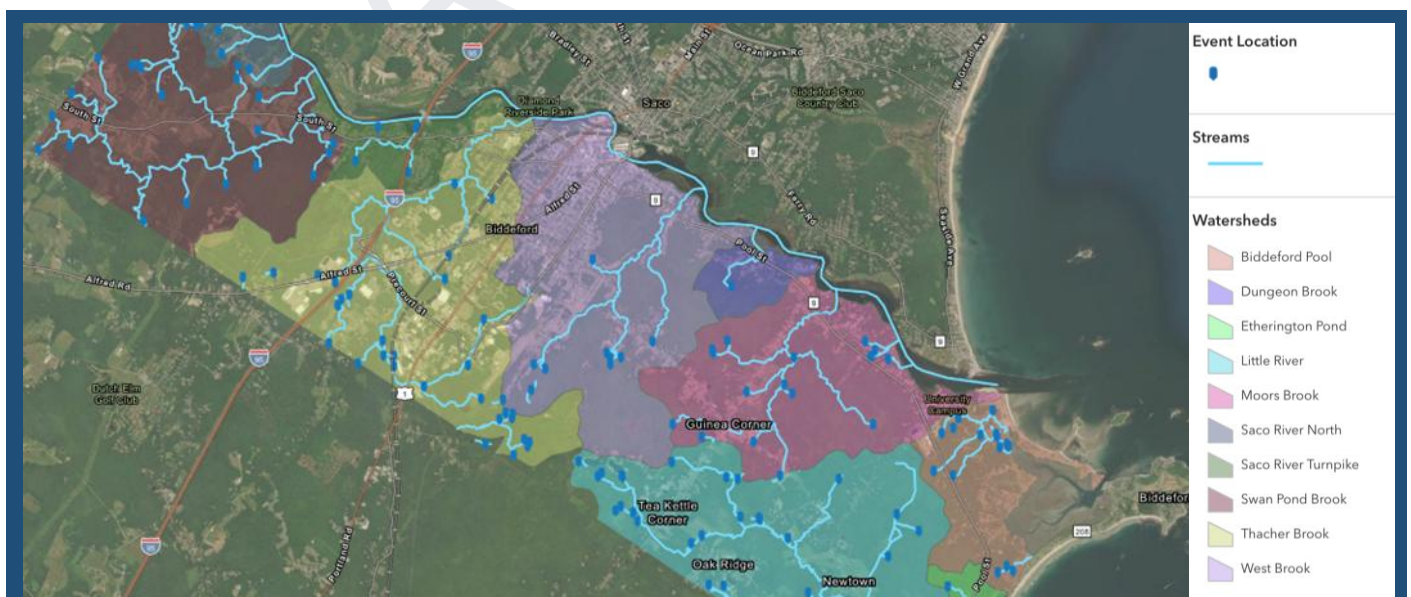


FIGURE 11.11 — Watersheds in Biddeford

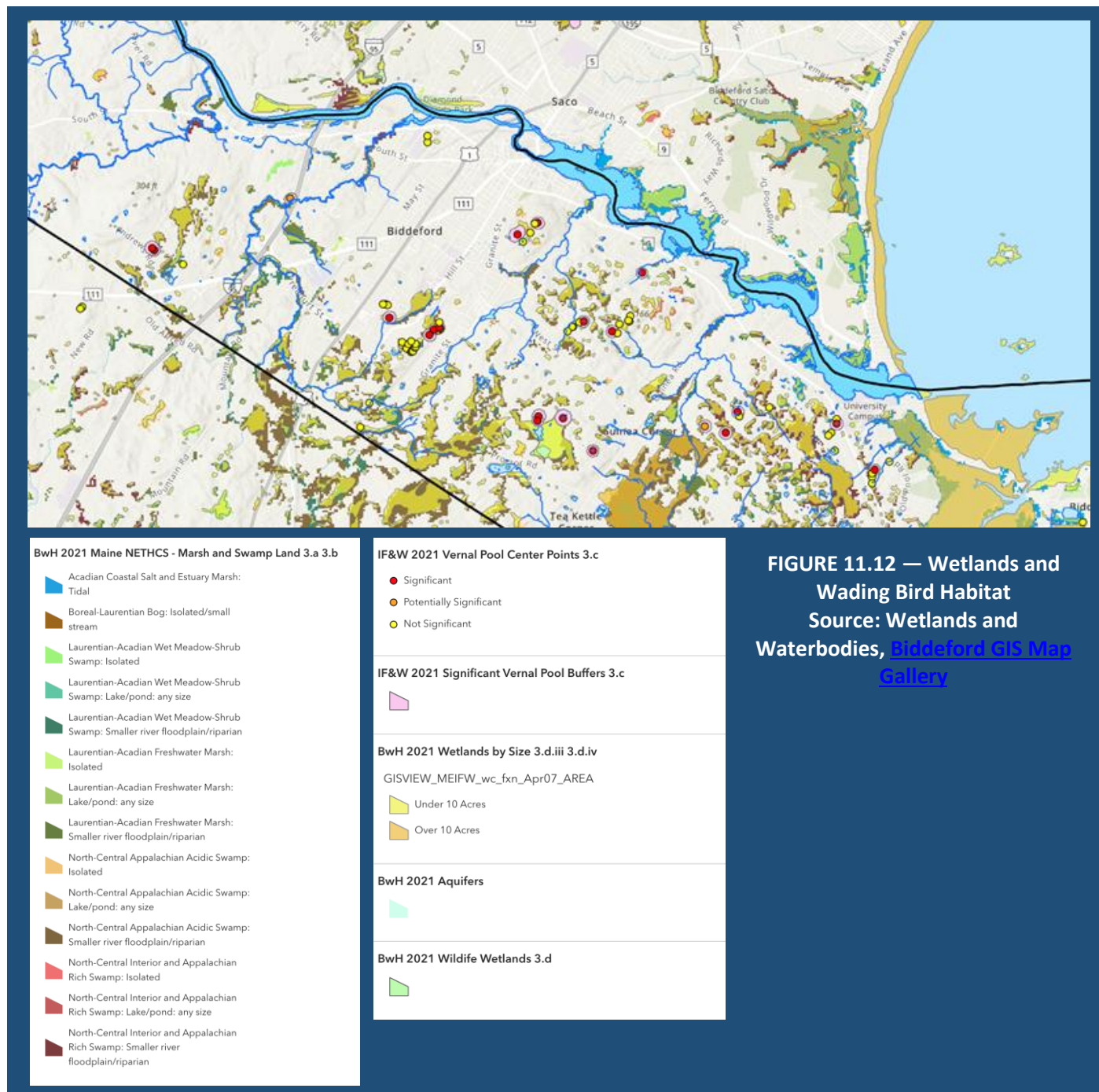
Source: NEA Streams Data, [Biddeford GIS Map Gallery](#)

MDIFW has identified **Swan Pond Brook**, its tributaries, and two unnamed tributaries to the Saco River upstream from where Swan Pond Brook outlets into the Saco River as being likely brook trout and Atlantic salmon habitat. **The Little River** and its tributaries, including **Bush Brook**, are also identified as a likely brook trout habitat. These water bodies represent the characteristics conducive to brook trout: “clean, cool, well oxygenated water”.

*corridors that: conserve forest soils, provide shade to reduce stream warming, protect stream water quality, provide cover for fish, provide a source of woody debris and leaf litter from mature trees that maintain critical in-stream habitat for fish and the aquatic insects they feed upon (leaves provide the energy source that drives productivity in streams). Floodplain and fringe wetlands associated with streams are a significant source of springs and groundwater discharge that maintain stream flows and cool temperatures during warm, low-flow summer periods. Protection of these important riparian and wetland functions ensures that the overall health of stream habitat and watershed is maintained.”*  
—MDIFW Habitat Report; Swan Pond Brook



## 8.3 Wetlands & Marshes



**FIGURE 11.12 — Wetlands and Wading Bird Habitat**  
Source: Wetlands and Waterbodies, [Biddeford GIS Map Gallery](#)

mud and sand flats, as well as salt and brackish marshes. These areas provide vital habitat for wildlife and natural flood protection.

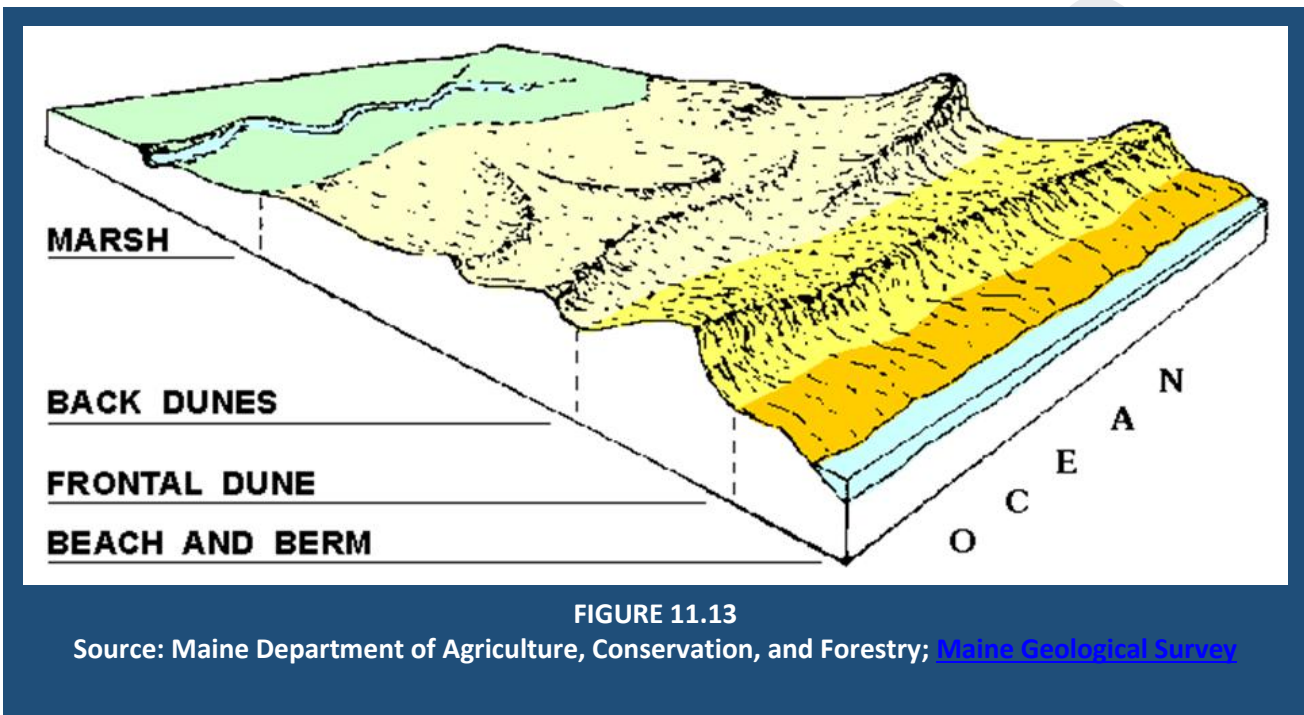
The mud flats of Biddeford Pool are comprised of sediment finer than sand, which is teeming with shellfish, worms, and other species that support both recreational and commercial harvesting, as well as attracting a variety of bird species.

Biddeford also has several notable inland waterfowl and wading bird habitat locations as mapped by MDIFW. These areas are fairly spread out through the town and are comprised mainly of larger freshwater wetlands.



## 9. Dunes and Shorelands

Sand dune systems are dynamic landforms of sand and gravel created by wind and water action. They include various features like beach berms, frontal dunes, and back dunes — and they serve as natural barriers against storms while providing vital habitat

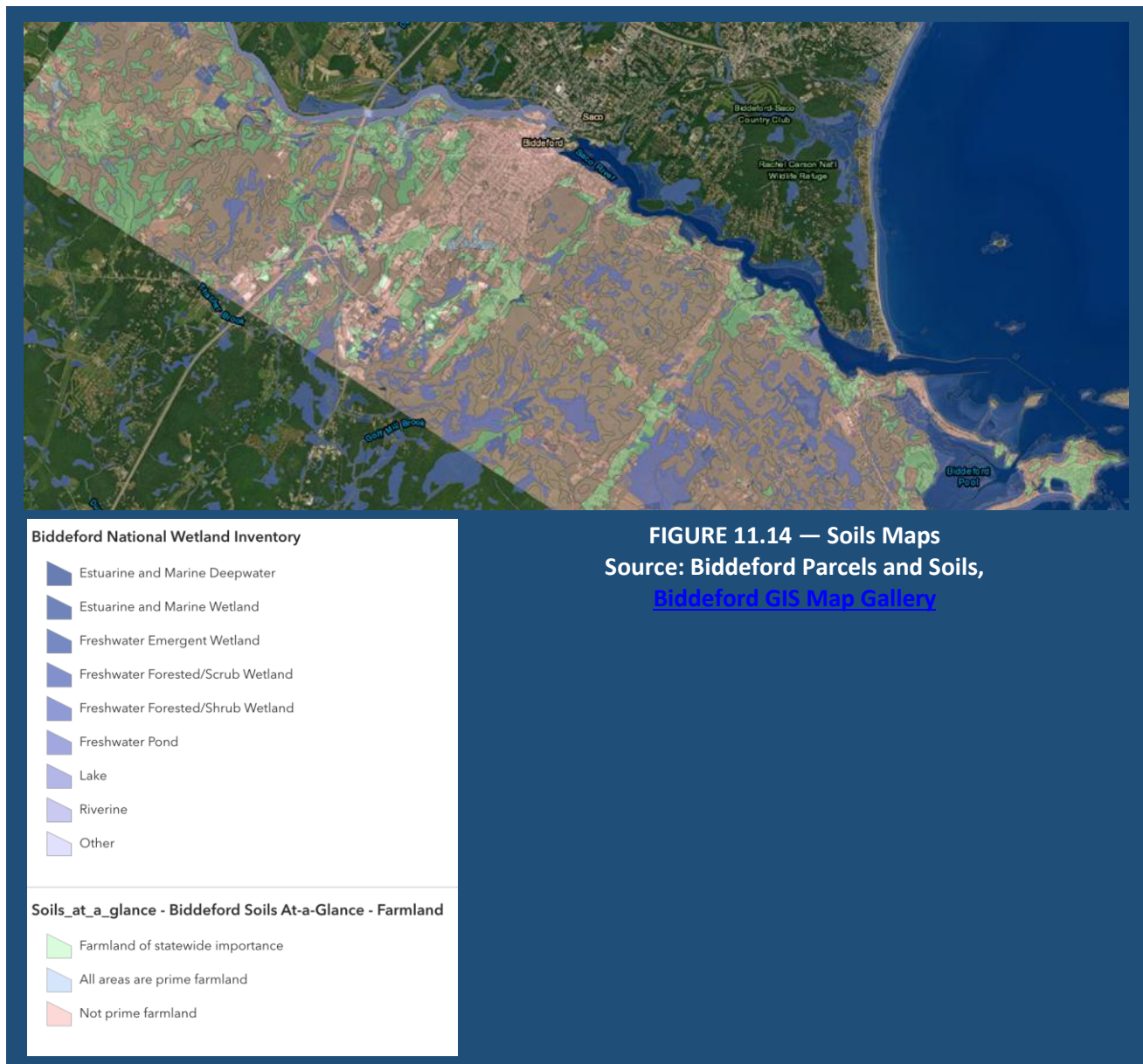


Dune formation and maintenance depend on a constant supply of sand and the stabilization provided by vegetation like dune grass.

According to the Maine Geological Society, there are generally seven (7) sand dune systems located within the City of Biddeford, as follows:

1. Hills Beach
2. Hills Beach – Fort Hill
3. Mile Stretch Beach
4. Fortunes Rocks Beach
5. Horseshoe Cove
6. New Barn Cove Beach
7. Curtis Cove Beach

## 10. Soils



Prime agricultural soils, whether forested or in active agricultural use, are a vital natural resource within Biddeford. Much of the prime soil acreage throughout Biddeford has already been developed; therefore, drastically reducing what was historically available.



The qualities of these soils are not something easily replicated, and as such, the City should prioritize protections for these soils to ensure local food availability, agricultural viability, and other resiliency measures.

*The Agricultural & Forest Chapter provides additional information.*

## 11. Scenic Resources

Scenic resources within a community are attributes that give communities identity and make them appealing places to live. These resources may be specific, extraordinary views, or they may be vistas of segments of the community, such as traditional working rural landscapes, village centers, or historic districts.

The City of Biddeford is fortunate to have a diversity of geographical landscapes within the City's boundaries, including beaches, open areas, islands, harbors, tidal flats, wetlands, historical resources, and village centers.

**Table 11-3: Biddeford's Scenic Resource Inventory**

| Area                                    | Description                                                                                                                                                                                                                 | Usage                                                                                                                 |
|-----------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| <b>Clifford Park &amp; Trail System</b> | A forested trail network maintained by Public Works and the Recreation Department. Portions of the park contain a conservation easement held by MCHT.                                                                       | Hiking, dog walking, mountain biking, wildlife photography.<br><br>No motorized vehicles, camping, or fires permitted |
| <b>Rotary Park</b>                      | A riverfront park system with walking trails, sports fields, and a beach. The park contains a significant amount of Japanese Knotweed (invasive species) and visitors should take care not to transport it elsewhere.       | Skateboarding, walking, dog walking, frisbee, sports fields, swimming, and other recreational opportunities           |
| <b>Biddeford Forest</b>                 | Conservation land established on Maine Water company property to preserve forested habitat.                                                                                                                                 | Nature preserve                                                                                                       |
| <b>Biddeford Pool</b>                   | Tidal mud flats that include a boat launch and scenic salt marshes that provide habitat, rearing, and feeding areas for a variety of birds and waterfowl. The Pool also provides recreational and commercial clam harvests. | Sightseeing, commercial and recreational clamming, paddle sports                                                      |
| <b>Maine Audubon East</b>               | Coastal habitat preserve with walking                                                                                                                                                                                       | Hiking, bird watching,                                                                                                |



|                                                                            |                                                                                                                                                                                                                                    |                                                  |
|----------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------|
| <b>Point Sanctuary</b>                                                     | trails and a few benches.                                                                                                                                                                                                          | fishing                                          |
| <b>Rachel Carson Wildlife Refuge</b>                                       | Protected habitat areas along the coastal regions of Biddeford.                                                                                                                                                                    | Nature preserve                                  |
| <b>Blandings Park Wildlife Sanctuary</b>                                   | A patchwork of parcels held in conservation to create a wildlife preserve.                                                                                                                                                         | Nature preserve, hiking                          |
| <b>Wood Island Harbor and various neighboring islands</b>                  | This area sees an array of migratory birds and waterfowl throughout the year, and is utilized by recreational and commercial fishing boats.                                                                                        | Nature preserve, boating                         |
| <b>Wood Island Lighthouse</b>                                              | Wood Island Lighthouse sits on a 32-acre island that is currently uninhabited. The island is only reached by boat or paddle craft, with tours being offered during the summer months.                                              | Nature preserve, sightseeing                     |
| <b>Timber Point</b>                                                        | This 97-acre peninsula and 13-acre island are a well-known landmark in the region. A 1.4-mile loop of walking trails exposes visitors to salt marshes, mixed forests, sandy coves, and coastal shores — all teeming with wildlife. | Nature preserve, walking, bird watching, fishing |
| <b>Hills Beach</b>                                                         | A roughly 1-mile, narrow stretch of sandy beach on the north side of Biddeford Pool. The beach runs from the Saco River jetty to the Biddeford Pool harbor entrance.                                                               | Public beach                                     |
| <b>Fortunes Rocks</b>                                                      | A 2-mile stretch of sandy beach bordered by salt marsh and fresh-water ponds and the ocean.                                                                                                                                        | Public beach                                     |
| <b>Fortunes Rocks Cove, New Barn Cove, Curtis Cove, and Horseshoe Cove</b> | A series of coves along Biddeford's southern coast. These provide critical coastal habitat for wildlife.                                                                                                                           | Private beach                                    |

**Saco River &  
Riverwalk**

The Saco River is a core feature of downtown Biddeford, as well as a critical water resource and fisheries habitat. The Riverwalk provides access to areas of the river and points of connection to the City of Saco.

Walking, sightseeing

**Farmlands and open  
areas**

Working landscapes, fields, pastures, and orchards provide habitat that contrasts with developed areas. These areas not only support local food systems but also enhance quality of life and foster a sense of place.

Agriculture, habitat,  
commerce

Biddeford's scenic resources are highly valued not only for their aesthetic appeal, but for the natural character and connected ecosystems they preserve in our city.

These areas often sit at the junction of habitat, recreation, and tourism — requiring the City to balance the needs of each in protecting and maintaining these regions.



## 12. Regional Cooperation on Natural Resource Protection

Wildlife and habitat do not exist within the lines drawn on maps, and as such, the need for regional cooperation and collaboration on land use, connectivity, and acquisition strategies between Biddeford and surrounding communities is critical to the protection of our natural resources. The City may work with governmental agencies, nonprofit organizations, and private landowners to pursue protections for wildlife habitat, soils, and other critical natural resources.

Some organizations and initiatives include:

- Saco Valley Land Trust
- Maine Coast Heritage Trust
- Maine Audubon
- Blandings Wildlife Preserve
- The Nature Conservancy (TNC)
- Maine Dept. of Environmental Protection
- Saco River Corridor Commission
- Saco Salmon Restoration Alliance
- Saco Watershed Collaborative

Land trusts are instrumental in permanently preserving land and water resources. These organizations act as monitors and managers of land to ensure development restrictions on conservation parcels are enforced, and they often maintain trails and other opportunities for public access, education, and other recreational opportunities — while ensuring our natural resources persist for future generations.

## 13. Further Analysis

### 13.1 Threats to Natural Resources

- Human impact and disturbance through commercial, residential, or recreational uses
- Reduction and fragmentation of habitat by development, roads, parking lots, etc.
- Inappropriate zoning designations that conflict with natural resource protection goals
- Lack of habitat identification before development
- Deforestation or over-harvesting of resources
- Point and non-point source pollution (runoff)
- Degradation of water quality (increased temperatures, lack of canopy cover, etc.)
- Invasive species (insects, crabs, etc.)
- Invasive plants (knotweed, bittersweet, etc.)
- Increases in precipitation and climate events (flooding, erosion)
- State-wide policy changes from new administrations and legislators can upend long-term conservation and natural resource protections, and as such, the City of Biddeford should work to develop ordinances and zoning that don't rely on state-mandates and policies

### 13.2 Specific threats to identified resources:

#### Threats to Wetlands

Land use development and human impact can result in the loss or degradation of wetlands, which can lead to impacts such as increased flooding, extinction of species, and decline in water quality. Untreated runoff from agricultural lands, urban areas, and other sources into wetlands can result in changed species composition, increased pollutant loadings, and replacement of complex wetland systems with open water. Land use development projects should be managed carefully to avoid these threats.

#### Threats to Vernal Pools

Land use development and human impact can result in the loss or degradation of vernal pools, including the upland areas around vernal pools that are necessary for parts of the lifecycle of many rare, threatened, and endangered species that rely on vernal pools. Land use development projects should be evaluated carefully to avoid these threats.



## Threats to Thatcher Brook Watershed

The Thatcher Brook Watershed Management Plan (TBWMP) 2015-2025, has identified the following threats to the water quality of the brook:

Thatcher Brook is listed as an Urban Impaired Stream in MDEP's Chapter 502. A stream is considered "urban impaired" if it fails to meet state and federal water quality classifications due to the effects of stormwater runoff from impervious surfaces such as rooftops, parking lots, and roads.

During the development of this Plan, the following threats to water quality (a.k.a. stressors) were identified:

- Stream channel alteration and the resulting stream bank erosion and degraded habitat;
- Elevated phosphorus and decreased dissolved oxygen [DO] (in part due to naturally-occurring conditions in associated wetlands); and,
- Elevated bacteria and specific conductance.

Additional monitoring and updates to the TBWMP are necessary to continue efforts to reduce runoff impacts and improve water quality.

## Threats to Deer Wintering Areas

New development and other modifications to the habitat within traditional deer wintering areas reduce the overall ability of an area to support deer during periods of severe winter weather. The more development that occurs within these areas, the greater the potential impact on local deer populations. The availability of high-quality winter range allows a higher winter population of deer, and enables them to more fully occupy their summer habitat.

However, one type of land use that is essential for deer wintering area management is timber harvesting. According to IFW, the general goal in managing deer wintering areas is to maintain approximately 50% of the area in mature conifer forest types. This allows each landowner in the deer wintering area to harvest as much as 20% of the total timber volume on his/her ownership in any 15-year period. Non-permanent, minimal disturbance (light or no bulldozing and no graveling of the travel surface) roads are recommended by IFW when a land management road must be located in a deer wintering area to allow access for timber harvesting.

## Threats to Sand Dune Systems

Coastal geological processes such as wind, waves, tides, currents, and coastal hazards such as storm surge, sea level rise, erosion, and inlet migration will all inevitably shift the locations and decrease the size of sand dune systems located within Biddeford. Coastal flooding and erosion can destroy improperly located structures on beaches and sand dunes. Winter northeaster storms striking during high tides cause the most serious beach and dune erosion.

Continuing natural movement of the beach and perhaps more abrupt shoreline changes caused by major coastal storms or an acceleration of sea level rise make some areas unsuitable for coastal development. Structures should be placed in locations that have minimal interference with natural geologic processes and are in areas with low risk from natural hazards.



# Natural Resources –

## What Comes Next?

| TIMELINE — KEY                                                                                    |
|---------------------------------------------------------------------------------------------------|
| 1 = Immediate (0-1 yr)                                                                            |
| 2 = Near-term (1-3 yrs)                                                                           |
| 3 = Medium-term (3-6 yrs)                                                                         |
| 4 = Long-term (6-10 yrs)                                                                          |
| <b>Ongoing</b> = Indicates a strategy will take many years or continuous work for implementation. |

Many of Biddeford’s goals align with goals the State of Maine is pursuing, and when applicable, the City can benefit from shared alignment and resources provided by the State.

| State Goals        |                                                                                                                                                                                                                                                                                                                                                                                              |         |                                                 |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------|
| <b>Goal 1</b>      | Healthy Fish and Wildlife Habitats: Partner with the public to achieve shared goals for sustainability, and both maintaining and improving healthy fish and wildlife populations and habitats, despite environmental changes and shifts in land ownership.                                                                                                                                   |         |                                                 |
| <b>Policy 1</b>    | Collaborate with BwH, MDIFW, and other organizations to enact habitat protections.                                                                                                                                                                                                                                                                                                           |         |                                                 |
| <b>Strategy 1a</b> | The City shall request state agency review for all developments in critical natural resource areas (FIG 11.8) to coordinate land-use decision-making with local and regional goals. Agencies include but are not limited to the Maine Department of Environmental Protection (DEP), Maine Department of Inland Fisheries and Wildlife (IFW), Maine Natural Areas Program (MNAP), and others. | Ongoing | Planning & Development Dept.,<br>Planning Board |
| <b>Strategy 1b</b> | Collaborate with IFW’s Beginning with Habitat Program to aid in the development of conservation planning, the development of overlay zoning, natural resource inventories, and/or other habitat protection programs to prioritize wildlife corridors and vernal pools.                                                                                                                       | 1       | Conservation Commission,<br>Planning Board      |

| TIMELINE — KEY                                                                                    |
|---------------------------------------------------------------------------------------------------|
| 1 = Immediate (0-1 yr)                                                                            |
| 2 = Near-term (1-3 yrs)                                                                           |
| 3 = Medium-term (3-6 yrs)                                                                         |
| 4 = Long-term (6-10 yrs)                                                                          |
| <b>Ongoing</b> = Indicates a strategy will take many years or continuous work for implementation. |

| Biddeford's Goals |                                                                                                                                                                                                                                                                                                                                                                                             |
|-------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Goal 1</b>     | <p>To protect, maintain, and, where possible, improve the quality of the City's natural environment and resources.</p> <p>This goal is in alignment with the State's goal:</p> <p><i>To increase, by 2030, the total acreage of conserved lands in the state to 30% through voluntary, focused purchases of land, and working forest/farm conservation easements. Increasing carbon</i></p> |

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |         |                                                                             |
|--------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-----------------------------------------------------------------------------|
|                    | <i>storage in our natural and working lands to offset carbon emissions and impacts from climate change. Source: Maine Climate Action Plan, 2025</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |         |                                                                             |
| <b>Policy 1</b>    | To conserve critical natural resources in the community.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |         |                                                                             |
| <b>Strategy 1A</b> | Ensure that land use ordinances are consistent with applicable state law regarding important natural resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Ongoing | Planning & Development Dept.,<br>Planning Board                             |
| <b>Strategy 1B</b> | The City shall designate critical natural resources as Critical Resource Areas in the Future Land Use Plan.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 1       | Planning & Development Dept.,<br>Planning Board                             |
| <b>Strategy 1C</b> | <p>The City shall review and upgrade its enacted Zoning Ordinances, which were conceived to protect and preserve the quality of local surface water and wildlife habitats, to</p> <p>A) develop new ordinances, zoning updates, overlay zones, and incentive programs to reduce development pressures in critical natural resource areas,</p> <p>B) prioritize projects with greater-than-minimum buffers, increased open space preservation, and wildlife habitat connectivity, and</p> <p>C) ensure development proposals identify critical natural resources that may be on-site and to take appropriate measures to protect those resources, including but not limited to, modification of the proposed site design, construction timing, and/or extent of excavation.</p> | 2       | Planning & Development Dept.,<br>Planning Board,<br>Conservation Commission |
| <b>Strategy 1D</b> | Amend the Zoning Ordinance to ensure the Planning Board (or its designee) includes as part of the review process, consideration of pertinent BwH maps and information regarding critical natural resources.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 1       | Planning & Development Dept.,<br>Planning Board                             |
| <b>Strategy 1E</b> | <p>Evaluate the Cluster Subdivision and Net Density Performance Standards in the Zoning Ordinance for their effectiveness and value with respect to protecting important natural resources, exploring options/programs that include, but are not limited to:</p> <p>A) Reducing allowable net density in Rural Farm or Conservation Overlay zoned areas,</p> <p>B) Development Rights Transfer,</p>                                                                                                                                                                                                                                                                                                                                                                            | 2       | Planning & Development Dept.,<br>Planning Board,<br>Conservation Commission |



|                    |                                                                                                                                                                                                                                                                                                                                          |              |                                                                                  |
|--------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|----------------------------------------------------------------------------------|
|                    | C) Development Transfer Fee, and<br>D) Conservation & Limited Development Projects (CLDP)                                                                                                                                                                                                                                                |              |                                                                                  |
| <b>Strategy 1F</b> | Revise the Wildlife Preservation Performance Standards to ensure that through the review of development proposals, wildlife preservation requirements are clear and practical.                                                                                                                                                           | Ongoing      | Planning & Development Dept.,<br>Planning Board,<br>Conservation Commission      |
| <b>Strategy 1G</b> | Explore other regulatory means to protect important natural resources to the greatest extent practicable.                                                                                                                                                                                                                                | Ongoing      | Planning & Development Dept.,<br>Planning Board,<br>Conservation Commission      |
| <b>Strategy 1H</b> | Pursue public/private partnerships to protect critical and important natural resources, such as through the purchase of land or easements from willing landowners.                                                                                                                                                                       | Ongoing      | Planning & Development Dept.,<br>Conservation Commission                         |
| <b>Strategy 1I</b> | Distribute or make available information about current use tax programs and applicable local, state, or federal regulations to those living in or near critical and/or important natural resource areas.                                                                                                                                 | 1<br>Ongoing | Conservation Commission                                                          |
| <b>Strategy 1J</b> | The City may create a “no development, other than timber harvesting” ordinance that will protect all of the City’s deer wintering areas (as designated by the Maine Department of Inland Fisheries & Wildlife).                                                                                                                          | 2            | Policy Committee,<br>Planning Board,<br>City Council,<br>Conservation Commission |
| <b>Strategy 1K</b> | Conduct bi-annual reviews of development growth, evaluating impacts on natural resources, to be reviewed as part of a zoning ordinance review process. This includes, but is not limited to:<br><br>A) increase/decrease of habitat,<br>B) habitat fragmentation, and<br>C) development “hot spots” where development is taking place to | Ongoing      | Planning & Development Dept.,<br>Planning Board,<br>Conservation Commission      |

|                    |                                                                                                                                                                                                                                                                                                                                                                                                                                               |         |                                                                                     |
|--------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|-------------------------------------------------------------------------------------|
|                    | identify proximity to natural resources.                                                                                                                                                                                                                                                                                                                                                                                                      |         |                                                                                     |
| <b>Strategy 1L</b> | Conduct an annual review of parcels identified as conservation, open space, municipal land, and public access areas to identify;<br><br>A) the percentage of open space vs. habitat preservation (to the needs of humans and wildlife in Biddeford),<br><br>B) opportunities to increase unfragmented habitat blocks through the sale/donation of municipal lands, and<br><br>C) identify trends and growth around/in natural resources areas | Ongoing | Conservation Commission,<br><br>GIS Staff                                           |
| <b>Strategy 1M</b> | Continue to monitor state agency GIS maps and data to integrate natural resource inventory information into Biddeford's own GIS maps and to inform municipal decision-making.                                                                                                                                                                                                                                                                 | Ongoing | GIS Staff,<br><br>Conservation Commission                                           |
| <b>Strategy 1N</b> | Increase awareness of incentive programs to aid private landowners in investing in the long-term stewardship of their property.                                                                                                                                                                                                                                                                                                               | Ongoing | Conservation Commission                                                             |
| <b>Strategy 1O</b> | Pursue more detailed surveys and documentation of vernal pools throughout Biddeford, with the State Focus Area of Ecological Significance being the priority. This work may be conducted in partnership with UNE, local land trusts, and/or consultants.                                                                                                                                                                                      | 2       | Conservation Commission,<br><br>City Staff                                          |
| <b>Strategy 1P</b> | Develop a pipeline for reduced processing time and permitting requirements for development applications that meet certain standards (e.g., habitat preserved, habitat connectivity, etc.) to encourage smart growth, habitat-friendly developments, and a focus on development in growth areas.                                                                                                                                               | 2       | Planning & Development Dept.,<br><br>Planning Board                                 |
| <b>Strategy 1Q</b> | Incentivize increased buffers, habitat conservation, and connectivity through voluntary programs that allow smaller lot sizes in exchange for more open space preserved.                                                                                                                                                                                                                                                                      | 2       | Planning & Development Dept.,<br><br>Planning Board,<br><br>Conservation Commission |
| <b>Strategy 1R</b> | The City shall develop a list of buffers specific to each natural resource, seeking to increase buffers beyond state minimums, and to align with recommendations from habitat experts to protect Biddeford's specific natural resources.                                                                                                                                                                                                      | 2       | Planning & Development Dept.,<br><br>Planning Board,<br><br>Conservation Commission |

|                    |                                                                                                                                                                                                                                                                                                                                              |         |                                                                           |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------|
| <b>Strategy 1S</b> | The City shall select and hire a Consultant for all environmental reviews for development applications, to be paid for with funds from the developer, with the Consultant reporting directly to the City.                                                                                                                                    | 1       | Planning & Development Dept.,<br>Planning Board                           |
| <b>Policy 2</b>    | To coordinate with neighboring communities and both regional/state resource agencies to protect shared critical natural resources.                                                                                                                                                                                                           |         |                                                                           |
| <b>Strategy 2A</b> | Collaborate with IFW's Beginning with Habitat Program to aid in the development of conservation planning, the development of overlay zoning, natural resource inventories, and/or other habitat protection programs to prioritize wildlife corridors and vernal pools.                                                                       | 1       | Conservation Commission,<br>Planning Board                                |
| <b>Strategy 2B</b> | Continue to collaborate with local Land Trusts through conservation planning, title-in-fee donations, and easements to protect parcels that can be added to, or begin forming unfragmented blocks of habitat and natural resources.                                                                                                          | Ongoing | Planning & Development Dept.,<br>Conservation Commission                  |
| <b>Policy 3</b>    | Prioritize habitat connectivity in reviewing development proposals within critical natural resource areas, as a means of reducing habitat fragmentation and roadway mortality for all wildlife species.                                                                                                                                      |         |                                                                           |
| <b>Strategy 3A</b> | The City may work with IFW to identify areas where wildlife crossings can benefit listed species, developing a plan and timeline for installation of crossings in natural resource areas — with “turtle crossings” being a priority. Design and implementation resources are listed in the appendix.<br><br>(bmp_herp_2016.pdf, pages 30-32) | 3       | Planning & Development Dept.,<br>Public Works,<br>Conservation Commission |
| <b>Strategy 3B</b> | Monitor public works projects (road work, infrastructure updates, etc) near stream crossings or other critical habitat to identify opportunities to proactively update stream crossings to Stream Smart designs that improve and restore stream function or reduce roadway mortality for at-risk species.                                    | Ongoing | Public Works                                                              |
| <b>Strategy 3C</b> | Conduct an annual review of reported wildlife collisions and roadkill removal requests to identify areas of increased roadway mortality that can benefit from the following (in priority order);<br><br>A) altering wildlife behavior (reducing forage plants along roadways, adding fencing, and/or wildlife crossings beneath roadways),   | Ongoing | Conservation Commission,<br>Police,<br>Animal Control                     |



|                    |                                                                                                                                                                                                                            |       |                                                          |
|--------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------|----------------------------------------------------------|
|                    | <p>B) altering driver behavior (reduced speed limits, speed humps, etc.), and</p> <p>C) improved driver awareness (signage, lighting, roadway markings).</p>                                                               |       |                                                          |
| <b>Strategy 3D</b> | Identify properties that may overlap with Saltmarsh Migration as sea levels rise, prioritizing the acquisition of these parcels to allow for habitat expansion and to reduce strains on municipal services in these areas. | 3 / 4 | Planning & Development Dept.,<br>Conservation Commission |
|                    |                                                                                                                                                                                                                            |       |                                                          |
| <b>END</b>         |                                                                                                                                                                                                                            |       |                                                          |

## Existing Land Use

Understanding Biddeford's current land-use patterns and zoning framework is essential to assessing existing conditions and determining whether adjustments are necessary to meet the City's goals. Because land use regulations influence all other components of the Comprehensive Plan, zoning serves as a key tool for shaping development and guiding growth. By actively directing change, these regulations help protect the qualities and resources that residents value.

### This topic includes

- Current land use
- Town growth and rural areas
- Base Zoning Districts
- Zoning Overlay Districts
- Site Plan & Subdivision Regulations
- York Floodplain management
- Permitting and approvals processes
- Recent development patterns
- Climate change impacts
- Town capacity
- What the community said

### Current Land Use

The City of Biddeford occupies approximately 30 square miles of land, comprising approximately 7,800 parcels, which support a varied mix of land uses. Of the land that is developed, a relatively high proportion is devoted to residential uses, open space, agriculture, forestry, and recreation. With continued growth, development patterns east of U.S. Route 1 have become increasingly intensive, characterized by a higher concentration of commercial and industrial uses along the U.S. Route 1 and I-95 corridors.

#### *Biddeford's Land Use Distribution*

Land area designated as "residential" is the largest land use category at approximately 40% of the city, and about 75% of the parcels (Fig. 1 and Table 1). Just under 7.8% of land is assessed as Open Space/Tree Growth, and 5.2% is assessed as Commercial uses. There is also a significant amount of land categorized as Industrial (4.6%) and Education, Literary and Scientific (3.5%).

Commercial and Industrial uses combined make up approximately 10% of the city's land. According to the City Assessment, a significant amount of land is considered Vacant or undeveloped (approximately 21%).

**[Insert Images representing commercial, residential, farmland, and school]**

**[Insert Map: Figure 1. Biddeford Land Use by Tax Assessor Category]**

Table 1. 2020 Biddeford Land Use in Acres and Parcels Count by Tax Assessment Land Category

| Land Use Category                  | Number of Parcels | Total Area (Acres) |
|------------------------------------|-------------------|--------------------|
| City of Biddeford                  | 141               | 1,368              |
| Commercial                         | 273               | 945                |
| Commercial Vacant                  | 33                | 63                 |
| Education, Literary and Scientific | 25                | 632                |
| Industrial                         | 106               | 838                |
| Industrial Vacant                  | 33                | 132                |
| Institutional/Charities            | 145               | 1,239              |
| Mixed Use                          | 95                | 52                 |
| Non-Municipal Publicly Owned       | 64                | 511                |
| Open Space/Tree Growth             | 37                | 1,404              |
| Residential                        | 5,870             | 7,174              |
| Residential Apartment              | 372               | 149                |
| Residential Condo                  | 14                | 12                 |
| Residential Vacant                 | 577               | 3,538              |
| Utilities                          | 3                 | 1                  |
| Total Acreage                      | 7,788             | 18,058             |

**[Insert Map: Figure 2. Government and Publicly-Owned Lands]**



## City Growth and Rural Areas

The State of Maine's Title 30-A, §4326: Growth management program elements, requires municipalities to develop a growth management program that includes defined Growth Areas, if applicable, as well as Rural Areas. These areas are defined as part of the State's Growth Management Program:

- **Growth Area:** ...suitable for orderly residential, commercial, or industrial development...and into which most development projected over 10 years is directed
- **Rural Area:** ...area deserving of some level of regulatory protection from unrestricted development...and from which most development projected over 10 years is diverted

The state requires municipalities to direct their infrastructure and facilities investments primarily toward Growth Areas. Biddeford's Growth Area Boundary was determined in the 2023 by the City Council and generally encompasses the area on both sides Route 1 with the **Saco River** being its northern boundary and the **town boundary with Arundel** bounding the area to the south (Fig. 3).

**[Insert Figure 3 City of Biddeford Growth Area Boundary, 2006]**

## Biddeford's Zoning

The City of Biddeford's Zoning Ordinance states the following General Purpose: "The purpose of this ordinance is to promote the health, safety, and general welfare of the residents of the City. Specifically, this ordinance is intended to promote and protect quality of life factors that could be threatened by uncontrolled or unregulated growth or development." The City's Zoning Ordinance, originally enacted on **[insert year]** with revisions generally adopted once or twice per year.

Although the Biddeford Zoning Ordinance is thorough and rooted in sound planning principles, it is often perceived by residents and City staff as "complex." In addition to base zoning districts with defined use and dimensional requirements, the Ordinance contains numerous supplemental standards, special provisions, overlay districts, regulatory policies, and procedural requirements. Over time, these cumulative layers have contributed to confusion about what is allowed and where. As a result, property owners and community members routinely seek guidance from the Planning and Code Enforcement Departments to navigate applicable standards and the necessary permitting and approval pathways.

## Base Zoning Districts

The Zoning Ordinance includes **15** categories within its base zoning. The boundaries of those base zoning districts established pursuant to this Ordinance are delineated in detail on the Biddeford Zoning Ordinance: Base Zoning Districts map below (Fig. 4).

## **[Insert Figure. 4 Biddeford Zoning Map]**

### *Zoning Districts Description*

The base zones in the Zoning Ordinance are delineated below with summary descriptions. Tables with Dimensional Regulations by Zone are provided later in this section.

#### Classes of Zones:

- a. Suburban Residential Zones to be known as SR Zones.
- b. Coastal Residential Zones to be known as CR Zones.
- c. Residential Zones to be known as R Zones.
- d. Business Zones to be known as B Zones.
- e. Industrial Zones to be known as I Zones.
- f. Waterfront Zones to be known as W Zones.
- g. Rural-Farm Zones to be known as R-F Zones.
- h. Limited Rural-Farm Zones to be known as LR-F Zones.
- i. Medical Zones to be known as M Zones.
- j. Shoreland Zones to be known as RP-1, RP, LR, GD-1, GD-2, CFMA, and LC Zones.
- k. Contract Zones to be known as CZ Zones.
- l. Institutional Zones to be known as IN Zones.
- m. Office Residential Zones to be known as OR Zones.
- n. Main Street Revitalization District zones to be known as MSRD Zones.
- o. Aquifer Protection Overlay Zones to be known as APO Zones.

#### General Description of Zones and Allowed Uses:

- A. **Suburban Residential Zone (SR-1):** This district is primarily intended for single-family residential development, with limited allowances for home-based professional offices under specific conditions. The neighborhoods generally consist of single-family homes on larger lots, served by public sewer and water, or at a minimum, public water.
- B. **Coastal Residential Zone (CR):** This district was established to recognize coastal areas with notable environmental or scenic value. Permitted uses are largely limited to single-family residences, with certain home offices allowed under specific conditions. Lot sizes within the zone vary based on underlying soil characteristics.

**C. Residential Zones:** There are four sub-residential zones based on density:

1. **R-1-A:** This district permits only single-family and two-family (duplex) homes. It is fully served by public water and sewer and is best described as an in-town neighborhood with predominantly single-family and duplex housing.
2. **R-1-B:** Similar to R-1-A, this district allows single-family and two-family residences and is also served by public water and sewer. It represents established in-town single-family and duplex/two-family neighborhoods.
3. **R-2:** This district supports higher-density residential development, allowing a range of multifamily housing options. Public water and sewer service are available throughout.
4. **R-3:** This district is designed to offer substantial flexibility in residential development, accommodating a broad mix of housing types on a variety of lot sizes.

**D. Business Zones:**

1. **B-1:** This district encompasses the in-town commercial core and permits a combination of commercial uses and multifamily residential development. Its purpose is to promote robust commercial activity while also encouraging the conversion of vacant factory structures and the use of upper floors in both existing and new structures for multifamily housing.
2. **B-2:** This district consists of highway-oriented commercial corridors where residential uses are not allowed.

**E. Industrial Zones:**

1. **I-1:** This district allows for general commercial and industrial uses.
2. **I-2:** This district is a more specialized industrial zone that permits a limited range of industrial activities. Proposals within this zone require review and recommendations from the Economic Improvement Commission.
3. **I-3:** Serving as a gateway into the City, this district places strong emphasis on the visual appearance of development. Projects must comply with enhanced design and landscaping standards, and new or renovated building facades are expected to feature brick or stone, with alternative materials considered on a case-by-case basis. Residential-style structures may also be permitted under similar discretionary review. The zone accommodates a mix of commercial and industrial uses; however, outdoor storage and display are prohibited except on parcels adjacent to Pomerleau Street that do not border Barra Road or Alfred Street (Route 111).



**F. Waterfront Zones:**

1. **W-1:** Allows for a mixture of water-dependent or oriented commercial uses, including residential uses.
2. **W-2:** Allows for commercial water-dependent uses.
3. **W-3:** The Biddeford Pool Village Waterfront Zone that allows both water and non-water-dependent or oriented commercial uses, including residential uses.

**G. Rural-Farm Zone (R-F):** This district allows residential and agricultural use and allows exceptions for commercial uses.

**H. Limited Rural-Farm Zone (LR-F):** This district only allows for nonresidential uses, such as extractive operations, recycling, agricultural uses and open space.

**I. Medical Zone (M):** Medical offices and hospitals are allowed or other uses of that nature.

**J. Shoreland Zones:** See the next section, *Zoning Overlay Districts*.

**K. Contract/Conditional Use Zones (CZ):** Zones established through a negotiated agreement between a developer and the City Council, following Planning Board review. These zones permit uses that wouldn't ordinarily be allowed in the underlying district, but are considered appropriate due to their unique public or community benefits.

**L. Institutional Zone (IN):** The Institutional Zone is intended to support college and university activities while reducing potential negative impacts on the surrounding predominantly residential neighborhoods. All university-related uses, or any activities carried out by a college or university, must comply with an institutional master plan approved by the Planning Board.

**M. Office Residential Zone (OR):** The OR Zone is designed to guide the gradual transition of older residential areas along major roadways into a blend of residential and low-intensity nonresidential uses. Its intent is to allow existing homes to be adapted for small-scale office and service uses, as long as the area's architectural character is preserved, exterior displays remain minimal, and any proposed nonresidential conversions undergo site plan review.

**N. Main Street Revitalization District Zones (MSRD):**

1. **MSRD-1:** This district serves as the commercial center, aiming to support business and residential growth while maintaining Biddeford's historic character.

2. **MSRD-2:** This district focuses on residential conservation, allowing medium-density housing while preserving the historic and residential character of existing structures, and supporting the upkeep and renovation of homes.
  3. **MSRD-3:** This high-density, mixed-use district is intended to maintain the historic integrity of buildings while encouraging the transformation of vacant and underutilized mill properties into a lively blend of residential and commercial uses that strengthens the revitalization of the downtown.
- O. **Aquifer Protection Overlay Zones (APO):** The APO Zone is intended to safeguard Biddeford's groundwater by limiting land uses and activities that occur over aquifers and recharge areas. Its purpose is to regulate the use and management of hazardous materials that could contaminate these resources, and to ensure that the city's aquifers are preserved as a reliable water supply for residents.

## Dimensional Standards

Biddeford's Zoning Ordinance defines lot dimension standards by zoning classification, and these standards have been periodically amended as new conditions and regulatory requirements have emerged. The tables below provide the **dimensional and development requirements** for every zoning district within the City of Biddeford. These tables summarize the minimum lot sizes, frontage requirements, building setbacks, maximum building heights, and other development standards that apply to each district. Overall, the tables serve as a comprehensive reference for understanding the physical standards that govern land use and development across all zoning districts in the city.

These dimensional standards can be found in Article 5, as an attachment, [Table B: Dimensional Requirements](#) of the City of Biddeford Zoning Ordinance, and are summarized in Tables 4-6 below.

Functionally, these regulations establish a clear gradient across the city. In Biddeford's urban core and historic Main Street Redevelopment Districts (MSRD), dimensional requirements feature reduced setback distances, smaller lot sizes, and higher maximum lot coverages to accommodate walkable, compact development. As you move outward from the core, you transition into highway-oriented commercial zones, like the Highway Business (B2) Zone, or suburban residential areas, like the Suburban Residential (SR1) Zone. In these districts, the dimensional requirements scale upward, requiring more road frontage, deeper setbacks, and lower lot coverage thresholds to manage vehicle access and separate higher-intensity uses, before giving way to the Rural-Farm zones.

Table 2. Residential Dimensional Standards

| Zoning District    | Minimum Lot Size, Square Feet Per Unit A |                 |                 |                         | Frontage        |                |                         | Minimum Setback, Feet** |                   |      |      | Maximum Heights+ |      |
|--------------------|------------------------------------------|-----------------|-----------------|-------------------------|-----------------|----------------|-------------------------|-------------------------|-------------------|------|------|------------------|------|
|                    | Water and Sewer                          | Water, No Sewer | Sewer, No Water | Neither Water Nor Sewer | Water and Sewer | Water or Sewer | Neither Water Nor Sewer | From Major R.O.W        | From Other R.O. W | Side | Rear | Stories          | Feet |
| SR-1               | 15,000 C                                 | 20,000 C        | 20,000 C        | 40,000 C                | 100             | 100            | 200                     | 40                      | 25                | 10   | 10   | 3                | 35   |
| CR                 | See Table C below                        |                 |                 |                         | 150             | 150            | 150                     | 40                      | 25                | 25   | 25   | 3                | 35   |
| R-1-A              | 10,000 B                                 | 20,000          | 10,000          | 20,000                  | 100             | 100            | 100                     | 40                      | 25                | 10   | 10   | 3                | 35   |
| R-1-B              | 5,000 B                                  | 20,000          | 5,000           | 20,000                  | 50              | 50             | 50                      | 25                      | 10                | 5    | 5    | 3                | 35   |
| R-2                | 4,500 B                                  | N/A             | N/A             | N/A                     | 45              | N/A            | N/A                     | 25                      | 15                | 5    | 5    | 3                | 35   |
| R-3, single-family | 10,000                                   | 20,000          | 20,000          | 40,000                  | 100             | 120            | 200                     | 40                      | 25                | 10   | 10   | 3                | 35   |
| R-3, duplex        | 7,500 B                                  | 30,000          | N/A             | N/A                     | 120             | 120            | 120                     | 40                      | 25                | 15   | 15   | 3                | 35   |
| R-3, multifamily   | 15,000 1st 2 units, then 6,000/unit D    | N/A             | N/A             | N/A                     | 150             | N/A            | N/A                     | 40                      | 40                | 25   | 25   | 3                | 35   |



Table 3. Zoning Dimensional Standards

| Zoning District      | Minimum Lot Size, Square Feet Per Unit A |                 |                 |                         | Frontage        |                |                         | Minimum Setback, Feet** |                  |         |         | Maximum Heights+ |      |
|----------------------|------------------------------------------|-----------------|-----------------|-------------------------|-----------------|----------------|-------------------------|-------------------------|------------------|---------|---------|------------------|------|
|                      | Water and Sewer                          | Water, No Sewer | Sewer, No Water | Neither Water Nor Sewer | Water and Sewer | Water or Sewer | Neither Water Nor Sewer | From Major R.O.W.       | From Other R.O.W | Side    | Rear    | Stories          | Feet |
| R-3, all other       | 10,000                                   | N/A             | N/A             | N/A                     | 100             | 120            | 200                     | 40                      | 25               | 10      | 10      | 3                | 35   |
| B-1 O                | 1,000                                    | N/A             | N/A             | N/A                     | None            | N/A            | N/A                     | 10                      | 10               | 10      | 10      | 6                | 60   |
| B-2 O                | 10,000 J                                 | 20,000          | 20,000          | 40,000                  | 150             | 150            | 150                     | 30                      | 25               | 10      | 10      | 3                | 35   |
| I-1 O                | None                                     | None            | None            | N/A                     | 50              | 50             | N/A                     | 40 S                    | 30 S             | 25 E, S | 25 E, S | 6                | 60   |
| I-2 O                | None                                     | None            | None            | N/A                     | 50              | 50             | N/A                     | 40 S                    | 30 S             | 25 E, S | 25 E, S | 6                | 60   |
| I-3 O                | None                                     | None            | None            | N/A                     | 50              | 50             | N/A                     | 40 S                    | 30 S             | 25 E, S | 25 E, S | 6                | 60   |
| W-1                  | 15,000 C                                 | 20,000 C        | 20,000 C        | 40,000 C                | 100             | 100            | 100                     | 40                      | 25               | 25      | 25      | 3                | 35   |
| W-2                  | 7,000                                    | N/A             | N/A             | N/A                     | 50              | 50             | 50                      | 0                       | 0                | 10      | 10      | 3                | 35   |
| R-F, single-family M | 20,000                                   | 20,000          | 20,000          | 40,000                  | 120             | 120            | 200                     | 40 H                    | 25 H             | 25      | 25      | 3                | 35   |
| R-F, duplex M        | 20,000                                   | 20,000          | 20,000          | 40,000                  | 120             | 120            | 200                     | 40 H                    | 25 H             | 25      | 25      | 3                | 35   |
| R-F, all other       | 40,000                                   | 40,000          | 40,000          | 40,000                  | 200             | 200            | 200                     | 40 H                    | 25 H             | 25      | 25      | 3                | 35   |
| Medical              | 10,000                                   | 10,000          | 10,000          | 10,000                  | 100             | 100            | 100                     | 40                      | 40               | 25      | 25      | 6                | 60 K |
| LR-F                 | 80,000                                   | 80,000          | 80,000 *N       | 80,000 *N               | 100             | 100            | 100                     | 40                      | 30               | 25      | 25      | 6                | 60   |
| Institutional        | See Note P                               |                 |                 |                         | See Note P      |                |                         | See Note P              |                  |         |         | See Note P       |      |
| OR Q                 | 4,500 B                                  | N/A             | N/A             | N/A                     | 75              | N/A            | N/A                     | 10                      | 10               | 10      | 10      | 3                | 35   |

Table 4. Main Street Revitalization District Dimensional Standards

| Zoning District | Minimum Lot Size, Square Feet Per Unit A |                 |                 |                         | Frontage        |                |                         | Minimum Setback, Feet** |                   |      |      | Maximum Heights+                        |      |
|-----------------|------------------------------------------|-----------------|-----------------|-------------------------|-----------------|----------------|-------------------------|-------------------------|-------------------|------|------|-----------------------------------------|------|
|                 | Water and Sewer                          | Water, No Sewer | Sewer, No Water | Neither Water Nor Sewer | Water and Sewer | Water or Sewer | Neither Water Nor Sewer | From Major R.O.W.       | From Other R.O.W. | Side | Rear | Stories                                 | Feet |
| MSRD-1          | None                                     | N/A             | N/A             | N/A                     | None            | None           | None                    | None                    | None              | None | None | Min. 2 stories or 26 feet; Max. 60 feet |      |
| MSRD-2          | 2,000 B                                  | N/A             | N/A             | N/A                     | 50              | N/A            | N/A                     | 15 R                    | 15 R              | None | None | 3                                       | 35   |
| MSRD-3          | None                                     | N/A             | N/A             | N/A                     | None            | None           | None                    | None                    | None              | None | None | Min. 2 stories or 26 feet               |      |

Please note that the PDF version of Table B also includes district-specific notes and exceptions that guide how structures may be constructed, expanded, or redeveloped. The notes are located under the “Notes for Table B” section.

### Zoning Overlay Districts

In addition to the Base Zoning Districts, Biddeford’s Zoning Ordinance includes nine Overlay Districts:

#### Shoreland Overlay District (Article 14)

The Shoreland Overlay District (Fig. 4), despite its name, is not limited to coastal properties. Instead, it covers all land within 250 feet of water bodies and wetlands, and within 75 feet of protected streams.

Any property within these boundaries falls under the Shoreland Overlay Zone, which outlines specific dimensional requirements and identifies which land uses are allowed or prohibited in shoreland areas. Many activities within this zone require a permit from the Code Enforcement Officer (CEO).

- Resource Protection (RP).
- Resource Protection-1 (RP-1).
- Limited Residential (LR).
- Limited Commercial (LC).
- General Development 1 (GD-1).
- General Development 2 (GD-2).
- Commercial Fisheries/Maritime Activities (CFMA).
- Stream Protection (SP).
- Waterfront Renaissance (WR)

**A. Resource Protection (RP) District:** This district includes areas in which development would harm water quality, productive habitat, biological ecosystems, or natural and scenic values. Geographically, this district includes the following areas:

1. Areas located within 250 feet (measured horizontally) of the upland edge of freshwater wetlands—or wetlands connected to great ponds and rivers—that the Maine Department of Inland Fisheries & Wildlife (MDIF&W) has identified as “moderate” or “high” value waterfowl and wading bird habitat, including nesting and feeding areas. These habitats are shown on GIS maps maintained by either MDIF&W or the Maine Department of Environmental Protection as of December 31, 2008.
2. Floodplain areas along rivers and along artificially created great ponds associated with rivers, as defined by the one-hundred-year floodplain shown on FEMA Flood Insurance Rate Maps or Flood Hazard Boundary Maps, or by the flood of record. If such mapping is unavailable, these areas are identified using soil types classified as recent floodplain soils. This district also includes one-hundred-year floodplains adjacent to tidal waters, as mapped by FEMA on its Flood Insurance Rate Maps or Flood Hazard Boundary Maps.
3. Areas of two or more contiguous acres with sustained slopes of 20% or greater.
4. Areas of two or more connected acres that contain wetland vegetation and hydric soils, but are not classified as freshwater or coastal wetlands, and that do not have a surface connection to a water body during periods of normal high water.
5. Land along rivers that is vulnerable to significant bank erosion, undercutting, or shifts in the riverbed, as well as land next to tidal waters that experiences severe erosion or large-scale soil movement, such as steep coastal bluffs.
6. The land area located on the west side of Granite Point Road, as depicted on the Official Zoning Map. See additional clarification on Granite Point, Article 14, Section 13.

**B. Resource Protection-1 District (RP-1):** The RP-1 District applies specifically to the Swan Pond Brook corridor. Because this area lies near the intake pipe for the City’s public water supply, Biddeford places high importance on restricting development that could harm water quality, wildlife habitat, or ecological systems within the corridor. The RP-1 District includes all land within 250 feet (measured horizontally) of the normal high-water line of Swan Pond Brook and its tributaries, as mapped on the City’s Official Zoning Map.



C. **General Development (GD-1) District:** This district includes the following types of existing, intensively developed areas:

1. Areas consisting of two or more adjoining acres that are used for commercial, industrial, or intensive recreational purposes—or a combination of these uses—including, but not limited to, the following:
  - a. Areas devoted to manufacturing, fabricating, or other industrial activities;
  - b. Areas devoted to wholesaling, warehousing, retail trade, and service activities, or other commercial activities; and
  - c. Areas devoted to intensive recreational development and activities, such as, but not limited to, amusement parks, race tracks, and fairgrounds.
2. Areas that can be identified as having established patterns of intensive commercial, industrial, or recreational activity.
3. Some parts of the General Development 1 District may contain residential uses; however, an area cannot be designated as a General Development District if its only use is residential.

D. **General Development 2 (GD-2) District:** The General Development 2 District encompasses the same types of areas identified for the General Development 1 District. However, it is intended for newly designated General Development areas in which existing development is either limited or less intensive than that in the General Development 1 District. Some portions of the General Development 2 District may include residential uses, but an area cannot be classified as a General Development District solely based on residential development.

E. **Stream Protection (SP) District:** The Stream Protection District includes all land within 100 feet (measured horizontally) of the normal high-water line of a stream, as verified in the field. This does not include areas that fall within 250 feet of the normal high-water line of a great pond or river, or within 250 feet of the upland edge of a freshwater or coastal wetland. When a stream and its surrounding shoreland fall within those 250-foot areas, the land is regulated according to the Shoreland District associated with that particular water body or wetland.

The upstream starting point of a stream is shown on the City of Biddeford's Official Zoning Map, unless the Zoning Board of Appeals determines otherwise under Article XIV, Section 10.

F. **Limited Residential (LR) District:** The Limited Residential District encompasses areas that are appropriate for residential and recreational development. It includes lands that do not fall within the Resource Protection District or Stream Protection Districts, and that are less intensively used than the Limited Commercial District, General Development Districts, or the Commercial Fisheries/Maritime Activities District. The Limited Residential District includes the following:

1. Land located within 250 feet (measured horizontally) of the normal high-water line of any great pond, river, or freshwater wetland, as well as land within 250 feet of the upland edge of coastal or freshwater wetlands shown on the Official Zoning Map and verified in the field, unless noted otherwise. Please refer to Article 14, Section 13 for additional information.

G. **Limited Commercial (LC) District:** The LC District encompasses areas with a combination of light commercial and residential uses, but excludes those within the Stream Protection District. Development in this zone is meant to be less intensive than in the General Development Districts, maintaining a maximum non-vegetated (impervious) surface limit of 20% per lot. It may also include commercial properties that existed prior to January 1, 1989. Industrial uses are prohibited.

For clarification, the LC District includes the following commercial **areas**:

1. The Shoreland Zone (as field-verified) that overlaps the W3 Zone located within Biddeford Pool Village.

H. **Commercial Fisheries/ Maritime Activities (CFMA) District:** The CFMA District includes areas where the prevailing pattern of development aligns with the permitted uses listed in the Table of Land Uses (Section 14), as well as other locations suitable for functionally water-dependent activities. Suitability is based on factors such as:

1. The depth of navigable water,
2. Shelter from adverse weather,
3. Proximity to established fishing grounds and marine infrastructure,
4. Availability of shorefront space for commercial docks and staging, and
5. Compatibility with surrounding maritime development.

**[Insert Figure 5: Maps and Figures of the Overlays]**

## **Floodplain Management**

The City adequately identifies and protects its vulnerable coastal and riverine floodplains through active participation in the National Flood Insurance Program (NFIP). To ensure continued compliance with federal and state safety benchmarks, Biddeford updated its local Floodplain Management Ordinance (Article XII) in 2024 to mirror the newly issued Federal Emergency management Agency (FEMA) Flood Insurance Study and updated Flood Insurance Rate Maps (FIRMs) for York County. This local ordinance is consistently enforced by the Code Enforcement Officer, acting as the local Floodplain Administrator, who oversees a mandatory Flood Hazard Development Permit system. By strictly maintaining these updated performance standards, such as enforcing freeboard requirements that elevate the lowest floors of new residential structures in AE zones at least one foot above base flood elevation, Biddeford effectively reduces local flood vulnerability while maintaining state and federal regulatory consistency.

## **Site Plan & Subdivision Regulations**

The City of Biddeford governs local land development through a coordinated framework established under Article XI (Site Plan Review) of the Land Development Regulations and Chapter 66 (Subdivisions) of the Code of Ordinances. These ordinances scale review requirements based on project intensity, utilizing a multi-stage Planning Board process to guide major subdivisions and commercial development toward areas with compatible infrastructure. The city's performance standards actively enforce smart growth principles by requiring pedestrian-oriented circulation, architectural scale compatibility in historic and downtown zones, and strict buildable lot constraints that deduct unbuildable land, such as wetlands, steep slopes, and the 100-year floodplain, from gross density calculations.

These regulations embed rigorous environmental performance standards directly into the local approval process to protect critical natural resources from the cumulative impacts of development. Biddeford addresses non-point source pollution and watershed protection by mandating that post-development stormwater runoff rates do not exceed pre-development levels, utilizing low-impact development (LID) strategies. Furthermore, the land use rules reinforce the distinction between growth and rural sectors by tying final project signoffs to verified public utility capacities or certified state subsurface wastewater compliance. Together, these regulatory tools ensure that current development patterns conform to the land use districts, density targets, and resource protections established throughout this plan.

## **Permitting and Approvals Processes**

Biddeford's local development review system involves clear, multi-tiered permitting and approvals process designed to enforce the spatial and environmental goals of the Comprehensive Plan. Major developments, subdivisions, conditional uses, and projects within the Shoreland Zoning or Historic Districts are subject to a structured, three-tiered Planning Board evaluation, advancing from a preliminary sketch plan review through detailed technical analysis and final plan approval. To streamline smaller-scale



commercial infill and modifications that align with smart growth goals, the City utilizes a Staff Review Committee (SRC). This delegated administrative body provides a faster, coordinated technical review for minor site plans while ensuring strict adherence to municipal performance standards and avoiding unnecessary planning board backlogs.

Once land-use of subdivision approvals is granted, the implementation mechanism shifts to the Code Enforcement Office and Engineering Department to manage construction compliance. No structural development can occur without a building permit, which requires detailed architectural, mechanical, and site plans conforming to the International Building Code (IBC) and local zoning constraints. For projects impacting public infrastructure, the city mandates a pre-construction coordination process backed by dedicated inspection fees to fund third-party peer reviews and erosion control monitoring. The final regulatory step is the Certificate of Occupancy, which is strictly withheld until the Engineering Department verifies public sewer impact fee payments and physical connection compliance, and the Code Enforcement Officer certifies complete adherence to all Planning Board conditions and state internal plumbing and electrical rules.

### Board of Appeals

Biddeford's Zoning Board of Appeals (ZBA) serves as the quasi-judicial safety valve of the land use framework, ensuring that the application of local regulations respects constitutional property rights while maintaining the integrity of the Comprehensive Plan. Appointed by the Mayor, this five-member citizen board holds the authority to hear administrative appeals challenging decisions or interpretations made by the Code Enforcement Officer or the Planning Board, alongside evaluating requests for dimensional variances. To safeguard local growth boundaries and prevent ad-hoc zoning erosions, the ZBA is strictly prohibited from granting use variances and must enforce the state's rigorous five-part undue hardship criteria, requiring proof that the property cannot yield a reasonable return due to unique physical constraints rather than personal or economic circumstances.

Operating under strict statutory timelines, aggrieved parties must file an appeal within 30 days of a contested decision, triggering a formal public hearing process that requires broad abutter notification within 200 feet. The board's review relies strictly on the formal record established through oral testimony and predefined documentary evidence, requiring a majority vote to reverse and administrative action or approve a relaxation of dimensional rules. Final approvals are tightly bound to execution deadlines, requiring the recipient to secure a building permit within one month of a variance being granted, while any further recourse for contested ZBA decisions must be brought directly to the Maine Superior Court.

## Planning Board

The Planning Board holds reviewing and acting authority over subdivisions, projects subject to Site Plan Review, and specialized environmental and land use requests, including certain Shoreland Permits and Conditional Use Permits. Additionally, the Board plays a critical role by periodically preparing and revising the City's Comprehensive Plan. Under Biddeford's regulatory framework, the Planning Board is responsible for reviewing applications for major residential, commercial, and institutional principal uses. These specifically include single-family-attached developments, two-family and multi-family residential complexes, elderly and senior housing facilities, mobile home parks, and large-scale commercial or industrial establishments that exceed local administrative review thresholds.

## City Capacity

At the inception of the Biddeford Comprehensive Planning process, the City had one planner on staff in the Planning Department, who was responsible for managing the City's planning processes, zoning issues, proposed development, land-use policies, and staffing the Planning Board. A second planner was hired in late January 2022, and naturally, spearheaded the Comp Plan.

During the planning process, specific administrative capacity comments were made by community members, including that the Planning and Code Enforcement Departments could use more staff to help the public understand the complexities of the Zoning Ordinance, other land use regulations, permitting, and development review processes, and other building, infrastructure, and land development requirements. The Code Enforcement Department has indicated a desire for additional staff to maintain the quality and timeliness of its land-use regulation and other municipal services.

In addition, the current capacity and permitting application processes in City Hall does not support data collection and analysis needed to understand the trends in land use development in Biddeford. There is no digital compilation of issued permits, including permit type and details, that would enable Biddeford to easily see development trends and use data to shape policies.

However, the City just recently switched to CivicPlus Community Development, an online permitting system that will streamline permitting processes, increase productivity, and enable self-service for efficient growth. The software includes a built-in tool for quantifying data, enabling an understanding of land-use development trends. Ultimately, answering the question, what percentage of development has occurred in Growth Areas versus Rural Areas of Biddeford?

## Recent Development Patterns

The City has experienced substantial growth concentrated primarily in two distinct hubs: the historical Downtown/Pepperell Mill complex and western Biddeford along the Alfred Street corridor.

In the Downtown area, revitalization was catalyzed by the City's 2012 purchase and closure of the Maine Energy Recovery Company (MERC) waste-to-energy incinerator. This pivotal move spurred extensive mixed-use and residential redevelopment across over a million square feet of former textile mill buildings. Completed and approved downtown projects, including the Riverdam, Lincoln Mill, and the Fathom development, have introduced hundreds of market-rate and low-to-moderate-income housing units, alongside a new 644-space municipal parking garage, boutique hotel space, and the Pearl Point Park with a pedestrian bridge connecting residents to the Saco Transportation Center.

Table 5. Recent Developments in Downtown/Pepperell Mill

| Project                           | Type           | Housing Units |
|-----------------------------------|----------------|---------------|
| Fathom                            | Mixed-use      | 191           |
| Westbrook Development Corporation | Senior Housing | 90            |
| Lincoln Mill                      | Mixed-use      | 140           |
| Lincoln Mill                      | Hotel          | 35            |
| Pepperell Building 11             | Residential    | 76            |
| Pepperell Building 19 & 20        | Residential    | 64            |
| Saco-Lowell                       | Residential    | 96            |
| The Levee                         | Residential    | 83            |
| Adam's Point                      | Residential    | 39            |
| 2 York                            | Residential    | 11            |
| 69 Elm Street                     | Residential    | 14            |
| Riverdam                          | Residential    | 70            |



Concurrently, western Biddeford has emerged as a major residential and commercial service areas, with intense development localized between Andres Road and Barra Road. This corridor has absorbed significant housing expansion through large-scale projects like The Eddy and Devine Capital, as well as essential affordable housing initiatives spearheaded by Avesta and Westbrook Development Corporation slated through 2027. Supplemented by robust commercial footprints such as the Biddeford Crossing Shopping Center and major big-box retailers, western Biddeford complements the downtown's urban density. Moving forward, the City anticipates continued, self-sustaining investment and redevelopment in both sectors, driven largely by the influx of new residents.

Table 6. Recent Developments in Western Biddeford

| Project                        | Type                | Housing Units |
|--------------------------------|---------------------|---------------|
| The Eddy                       | Residential         | 250           |
| Devine Capital                 | Residential         | 216           |
| Avesta Housing                 | Low/Moderate Income | 46            |
| Westbrook Developments Phase 1 | Low/Moderate Income | 40            |
| Westbrook Developments Phase 2 | Senior Housing      | 37            |

### **Vision Alignment**

Recent development in Biddeford is occurring primarily within large-scale, planned mixed-use developments and major master-planned residential complexes, rather than on an incremental, lot-by-lot basis. This is evidenced in the downtown core by the sweeping, multi-phased adaptive reuse of the million-square-foot Pepperell Mill Complex and the coordinated master plan of the former MERC site. Similarly, the growth in Western Biddeford consists of high-density, multi-family master planned developments like The Eddy (250 units) and Devine Capital (216 units), alongside coordinated phased affordable housing complexes by Avesta and Westbrook Development Corporation. By utilizing unified planned developments, the City has been able to secure critical public infrastructure, such as the 644-space municipal parking garage and the Saco River pedestrian bridge.

The recent development pattern is consistent with the community's vision, which prioritizes smart growth, transit-oriented development, and the prevention of low-density rural sprawl. By directing a vast majority of new residential units into the designated downtown urban growth area and the existing Alfred Street commercial service corridor, the city is actively fulfilling its Future Land Use Plan goals to build complete neighborhoods. This concentrated, high-density infill allows the city to efficiently utilize existing public water, sewer, and transit infrastructure. Furthermore, the deliberate integration of low-to-moderate-income family and senior housing within these planned developments directly matches Biddeford's stated commitment to addressing the housing crisis with diverse, equitable, and walkable housing choices.

### **Projected Development Needs**

To accommodate anticipated residential and commercial growth over the next decade, Biddeford relies primarily on the redevelopment of underutilized urban parcels and master-planned infill rather than the consumption of raw, undeveloped acreage. The City anticipates continued growth pressures over the next 10 years to be concentrated within two designated areas, both of which possess more than enough land and structural capacity to absorb new development.

#### **Downtown Core**

The majority of downtown is already densely developed so much of the growth will continue to be redevelopment within and around the million-square-foot Pepperell Mill. However, within the downtown is also approximately 25-acre contiguous area which is predominantly vacant. Most of this property was formerly owned by the Diamond Match Company, which tragically burned to the ground in 1964 and has remained undeveloped. Located to the north of Elm Street, south of the Saco River and east of Main Street, this site is uniquely positioned to accommodate between 250 to 500 housing units within a mixed-use development featuring a pedestrian promenade along the Saco River and public open space.

#### **Western Biddeford**

The City also anticipates continued development activity within western Biddeford, utilizing currently vacant commercial lands and/or redeveloping commercial and industrial properties adjacent to the Alfred Street corridor to fulfill local housing and service demands.

### **Future Growth Management Framework**

While the City's current regulatory framework relies on baseline zoning districts established to manage growth, achieving the forward-thinking goals of the 2023 Vision requires a modernized suite of tools. A comprehensive analysis of the specific regulatory and non-regulatory measures necessary to guide this growth is included in the Future Land Use Chapter. Aligning these tools directly with the Future Land Use Map ensures that Biddeford's implementation strategies are tied to the City's long-term vision for managing growth.

# 13A. Marine Resources

## Shellfishing, Water Quality, and Waterfront Uses

### Shellfish Harvesting

In accordance with M.R.S.A Title 12 §6671, the City of Biddeford co-manages its intertidal shellfish resources with the Maine Department of Marine Resources (DMR) through a localized Conservation Ordinance. This program gives the municipality the authority to regulate harvesting pressure, establish seasonal limits, and issue local permits. All municipal shellfish licenses are managed and distributed annually through the Biddeford City Clerk's Office, with a licensing term running from June 1<sup>st</sup> to May 31<sup>st</sup>.

Soft-shell clams (*Mya arenaria*) represent the primary commercially and recreationally targeted shellfish species within Biddeford's flats. To protect these wild populations from overharvesting and ensure sustainable yields, the city's Shellfish Conservation Committee dynamically manages a system of licensing caps based on ongoing resource assessments.

Prior to the 2010/2011 season, the city capped commercial harvester at eight (8) total permits. To accommodate local industry demand while balancing sustainable harvest levels, the city expanded this limit to ten (10) commercial licenses (allocated as nine (9) resident commercial licenses and one (1) non-resident commercial license). To support demographic longevity within the local fishery, two (2) of the resident commercial slots are reserved for harvesters aged 62 and older. In compliance with state continuity guidelines, current commercial cardholders maintain a first right of refusal for renewal in subsequent seasons.

To preserve community access to the shote, the city offers an unlimited number of recreational shellfish licenses to residents of Biddeford. However, to mitigate total daily harvesting pressure on vulnerable flats, non-resident recreational permits have been strictly capped at 60 (60) per season since 2010. In strict alignment with Maine DMR state conservation guidelines, recreational harvesters are legally limited to a personal possession limit of one peck (approximately 2 gallons) per day.

As seen in Table 14-1, between 2006 and 2018, interest in local recreational shellfishing grew substantially, with resident licenses increasing from a low of 81 in the 2008/2009 season to a peak of 163 in 2016/2017. This expanded recreational presence interacts directly with the commercial sector by increasing overall harvesting pressure and physical foot traffic on the flats.



**Recreation Resident Shellfish Licenses, 2006/2017 Season through 2017/2018 Season (At End of Season)**

| Season    | # of Recreational Resident Shellfish Licenses |
|-----------|-----------------------------------------------|
| 2006/2007 | 89                                            |
| 2007/2008 | 84                                            |
| 2008/2009 | 81                                            |
| 2009/2010 | 86                                            |
| 2010/2011 | 110                                           |
| 2011/2012 | 135                                           |
| 2012/2013 | 161                                           |
| 2013/2014 | 141                                           |
| 2014/2015 | 122                                           |
| 2015/2016 | 126                                           |
| 2016/2017 | 163                                           |
| 2017/2018 | 156                                           |

## Marine Resource Licenses and Vessels

Marine resource harvesting remains a component of Biddeford's working waterfront, though activity occurs at a relatively small scale. In 2025, a total of 132 marine resource licenses were held by Biddeford residents, reflecting a mix of commercial, recreational, and specialty harvesting activities. These licenses include commercial fishing crew and single licenses; pelagic and anadromous fishing licenses; commercial shellfish harvesting licenses; lobster and crab licenses across multiple classes (including apprentice and non-commercial); and limited specialty licenses such as green crab and marine worm digging. Recreational saltwater fishing licenses are also held by town residents. While harvester license types are diverse, the overall number of license holders is modest when compared to other coastal municipalities, like Harpswell, Jonesport, Portland, or Brunswick.

| Harvester License                            | Number of Licenses | Harvester License               | Number of Licenses | Harvester License                 | Number of Licenses | Harvester License                              | Number of Licenses |
|----------------------------------------------|--------------------|---------------------------------|--------------------|-----------------------------------|--------------------|------------------------------------------------|--------------------|
| Commercial Fishing Crew (CFC)                | 4                  | Green Crab (GC)                 | 1                  | Lobster/Crab Class 3 (LC3)        | 1                  | Recreational Saltwater Fishing Operator (SWRO) | 16                 |
| Commercial Fishing Single (CFS)              | 3                  | Lobster/Crab +70 (LCO)          | 2                  | Lobster/Crab Non-Commercial (LNC) | 33                 | Recreational Saltwater Registry (SWR)          | 47                 |
| Commercial Pelagic & Anadromous Single (CPS) | 1                  | Lobster/Crab Apprentice (LA)    | 1                  | Lobster/Crab Student (LCS)        | 3                  |                                                |                    |
| Commercial Shellfish (CS)                    | 7                  | Lobster/Crab Class 1 (LC1)      | 6                  | Marine Worm Digging (MWD)         | 1                  |                                                |                    |
| Commercial Shellfish +70 (CSO)               | 2                  | Lobster/Crab Class 2 (LC2)      | 1                  | Non-Federal Halibut Crew (NFHC)   | 1                  |                                                |                    |
| Elver Dip Net Crew (E0C)                     | 1                  | Lobster/Crab Class 2 +70 (LC2O) | 1                  |                                   |                    |                                                |                    |

In 2025 there were a total of 24 marine resource dealer licenses in Biddeford. Exactly half of these licenses are dedicated to Retail Seafood, while Lobster Meat Permits make up the second largest share with 4 licenses. Overall, the data shows a market geared toward retail seafood operations over niche or wholesale sectors.

| Marine Resource Dealer Licenses           | Number of Licenses |
|-------------------------------------------|--------------------|
| Lobster Meat Permit (LMP)                 | 4                  |
| Retail Seafood (R)                        | 12                 |
| Seaweed Buyer (SWB)                       | 2                  |
| Shucker Packer (SP)                       | 2                  |
| Wholesale with lobster (WL)               | 2                  |
| Wholesale with lobster supplemental (WLS) | 2                  |
| Total                                     | 24                 |

In 2025, 51 commercial fishing vessels were registered in the City of Biddeford, with vessel lengths ranging from 10-38 feet. The average length was 23.1 feet, and the median length was 22 feet. Collectively, these data reflect the continued, but limited, presence of water-dependent commercial fishing activity within the city.

## Water Quality

Water quality is the primary determining factor affecting the viability of shellfishing activities in the community. Biddeford's shellfish harvesting areas are located within DMR Shellfish Growing Areas WF and WG. While Biddeford Pool and Back Bay maintain a Conditionally Approved status subject to emergency closures after 1 inch of rainfall, the Saco River Estuary is classified as Prohibited due to bacterial loading. See the Water Resources chapter for more discussion about these water quality impairments.

These periodic and seasonal closures of clam and worm flats restrict access to historically productive harvesting areas, disrupting income for local diggers and posing an ongoing economic threat to the industry if water quality issues are not actively remediated. To mitigate these threats and protect local flats from illegal harvesting, the City maintains a Shellfish Warden through the Biddeford Police Department who enforces conservation ordinances and monitors flat activity in close alignment with DMR regulations.



Water quality sampling and shoreline surveys conducted within Biddeford Pool and the Saco River estuary have identified multiple sources of contamination, including both human-related and natural contributors. These sources include a combination of point sources, such as direct discharges or infrastructure-related failures, and nonpoint sources, including stormwater runoff, wildlife, and diffuse watershed inputs. City staff, including the Code Enforcement department, have played an active role in identifying specific locations of concern and maintaining testing data to support management and remediation efforts.

## Traditional Water-Dependent Uses and Trends

Traditional water-dependent uses in Biddeford have experienced a gradual, localized decline in recent years, particularly within the commercial sectors. While the financial value of landed catch has remained high due to strong dockside prices, the actual volume of commercial fishing activity based out of Biddeford has contracted in recent years. This localized shift is marked by a steady reduction in the active commercial fleet size and a corresponding drop in total local fishing effort, a trend mirrored statewide by a nearly 10% decline in annual lobster trips. Historically, the importance of Biddeford's marine resources was anchored in large-scale commercial harvesting, but the contemporary local industry has stabilized into a smaller, highly capital-intensive footprint. This contraction has intensified competition for remaining berthing and access spaces, elevating the importance of maintaining the city's remaining working waterfront properties against conversion pressures.

While the Biddeford Pool Fishermen's Association remains a vital anchor for the local lobstering fleet, the commercial fishing sector faces severe long-term headwinds. Key factors driving this decline include an aging workforce, high economic barriers to entry for younger generations, and intense regulatory shifts in the Gulf of Maine fisheries. In contrast, recreational boating and institutional marine research, bolstered by operations like the Biddeford Pool Yacht Club and the University of New England's Marine Science Center, have remained stable, though they fluctuate based on broader economic conditions, fuel costs, and seasonal tourism.

Looking ahead, the health and composition of Biddeford's commercial fisheries will undergo a significant transition over the next 10 years, shifting from a single-species reliance on lobster to a more diversified marine economy. According to preliminary data from the Maine DMR, statewide lobster landings dropped to 78.8 million pounds, a decline of more than 8 million pounds from the previous year<sup>1</sup>. While this drop is tied to a long-term geographic and biological migration of lobster biomass into cooler, deeper waters, the immediate contraction was driven by a reduction in localized fishing effort. Factoring in steep operation inflation, a late shedding molt, and market uncertainty,

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<sup>1</sup> Source: [2025 Maine Commercial Fisheries Value Again Tops \\$600 Million](#)

Maine harvesters altered their fishing behavior and took over 21,000 fewer trips than the previous season, a nearly ten percent decline in active fishing effort. While lobster will remain an economic baseline, the next decade will likely see local harvesters increasingly diversify into expanding fisheries like Atlantic menhaden and wild scallops, alongside a distinct pivot toward estuarine aquaculture, such as kelp and oyster farming within the protected waters of Biddeford Pool and the lower Saco River.

Without targeted municipal interventions, such as robust protective zoning within the Commercial Fisheries/Maritime Activities (CFMA) shoreland districts, there is a risk of further erosion of the working waterfront in favor of purely seasonal and recreational use over the next 10 years. Given the increasing frequency of catastrophic coastal storm surges and accelerated sea-level rise, the next decade may see infrastructure failures at both public and private landings if capital investments are not directed toward reinforcing and elevating Biddeford's remaining commercial access points.

## Balance Between Uses

A reasonable balance between water-dependent commercial and recreational uses has historically been maintained in Biddeford, though this equilibrium looks different depending on the geographic zone. Along the tidal Saco River corridor, the balance shifts between recreational boating access and the industrial or urban mixed-use development. In contrast, within Biddeford Pool, a functional baseline is maintained between the active, year-round commercial lobstering fleet operating out of the Biddeford Pool Fishermen's Association and seasonal recreational traffic managed by the Biddeford Pool Yacht Club. Potential spatial conflicts on the water are mitigated through active mooring management by the Harbormaster and Harbor Committee.

While the city has not experienced major, high-profile conversions of active commercial working waterfront piers to private residential uses in recent years, the creeping pressure of residential real estate values in coastal neighborhoods remains an ongoing threat to the long-term balance. To prevent conversions that would worsen this equilibrium, the City relies heavily on its Commercial Fisheries/Maritime Activities (CFMA) shoreland zoning overlay districts, which strictly protect functionally water-dependent properties from being displaced by non-maritime commercial or multi-family residential developments. However, the recent back-to-back historic storms highlighted that the balance is increasingly threatened not just by regulatory conversions, but by physical displacement, where the high cost of rebuilding storm-damaged private and public marine infrastructure may inadvertently favor recreational conversions over traditional commercial fishing access if municipal capital investments are not sustained.

## Harbor and Bay Management

There is currently no comprehensive local or regional harbor or bay management plan in effect for the City of Biddeford. While the city previously completed a [1991 Comprehensive Waterfront Plan](#) funded by the Maine Coastal Program, that document has not been updated to address current constraints, modern mooring volumes, or climate vulnerabilities.

The City does maintain an active municipal shellfish conservation program. Administered by the Biddeford Shellfish Conservation Committee in partnership with the Maine Department of Marine Resources, the city operates under an approved Shellfish Management Plan. This specialized plan actively guides local shellfish conservation closures, regulates commercial and recreational licensing limits, and coordinates water quality monitoring across the mudflats of Biddeford Pool and the Saco River estuary.

While the existing shellfish framework manages harvesting resources, it is narrow in scope and does not regulated navigation, mooring grids, capital investment in infrastructure, or waterfront logistics. Reestablishing a broader, coordinated harbor planning effort would address this gap. An updated Harbor or River Corridor Management Plan would provide the necessary framework for interdepartmental coordination, mooring optimization, and waterfront climate resiliency strategies that the current single-resource shellfish plan cannot accommodate.



## Waterfront Uses

### 1. Rumery's Boatyard:

*Rumery's Boat Yard.* Rumery's Boat Yard is located on Cleaves Street in Biddeford. It operates year-round primary activity is repair, service and electric boat rental. In 2022, Rumery's Boat Yard employed 10 people. The location is also home of Maine Electric Boat Company and Marine Solar Technologies.

Rumery's is a full-service facility that can support vessels up to 55 feet in length. There is a 25 ton travel lift and storage inside for about 50 boats and outside for another 40 boats. The facility cannot provide wet storage because the Saco River freezes over in this area. There is an earth-filled, stone bulkhead with access to the floats. There is a large brick building used as an office and repair shops. There is also a large metal building and two wooden boat sheds. There is about 900 feet of shore frontage on a Federal Turning Basin of the Saco River.

**Plans: Rumery's is investing in electric propulsion and autonomous water monitoring buoys for near-shore research.**

### 2. Biddeford Pool Yacht Club.

The Biddeford Pool Yacht Club (BPYC) is located at 17 Yates Street in Biddeford Pool Village. BPYC is privately owned, and according to its website ([www.biddefordpoolyachtclub.org](http://www.biddefordpoolyachtclub.org)) has been in existence for over seventy-five (75) years (incorporated on August 13, 1934) and offers its members opportunities for sailing, fishing, and racing. Sailing lessons are available for both members and non-members and Biddeford youth can obtain free lessons through its Maryann Beaudry Memorial Scholarship. BPYC also works with the Fisherman's Association to promote fishing in Biddeford's waters. The BPYC also has five (5) transient moorings available to rent for \$45 a night.

### 3. Biddeford Pool Fisherman's Association.

The Biddeford Pool Fishermen's Association operates a wooden pile, wooden-plank decked pier with float landings. There is electricity on the dock, mechanical handling equipment and night lighting. There is a small one-story, wood-frame building abutting the pier that is used as a bait shed. The facility is leased from the BPYC (see above) use by the fishermen of the area.

4. University of New England.

The University of New England (UNE) has nearly 4,000 feet of shore frontage on the Saco River. Aside from the scenic qualities of its riverfront environment, UNE also uses the Saco River for rowing and sailing activities.

More importantly, UNE's Department of Marine Sciences and Center for Excellence in the Marine Sciences program utilizes the Saco River and coastal areas of Biddeford for academic and research purposes.

UNE researchers recently completed the Saco River Estuary Project which touted itself as "A unique collaboration between UNE scientist, students and community partners to study a biologically unique body of water and the rich assemblage of species adapted to its dynamic conditions" (<http://www.une.edu/sacoriver>). See below for more information about this project.

5. Brookfield Renewable:

Brookfield Renewable owns two hydroelectric dams on the Saco River from which they generate electricity. They were acquired from NextEra Power in 1999.

6. Commercial Wharves:

There are no active commercial wharves in Biddeford.

## Current Land Use Regulations on or Near the Shoreline:

1. Saco River Corridor Commission: The Saco River Corridor Commission, created by legislative action in 1973, is a regional level land use regulatory agency made up of a member and an alternate from each of the twenty Corridor communities. The Corridor includes all lands within 500 feet of the riverbank on each side. If the 100 year floodplain extends farther than 500 feet, the Corridor follows the flood line up to 1000 feet from the river bank. The purpose of the Saco River Corridor Act and the Commission is to protect and preserve land and water quality within the Corridor. In order to accomplish this purpose, the Act provided a permit procedure and established three land use districts: resource protection, general development and limited residential. In each of the three different districts, the Act specifies those types of uses which are allowed without a permit, allowed with a permit or prohibited altogether. All buildings regardless of the district, must be setback at least 100 feet from the normal high water line of the Ossipee, Little Ossipee or Saco River. The permit procedure is the main stay of the Saco River Corridor Act. Through its system of permits and variances, the Commission is able to safeguard the Corridor lands and waters.
2. Maine DEP Site Law (Site Location of Development): Large development projects are required to obtain a permit through the Maine Department of Environmental Protection (Maine DEP) under this law. The purpose is to ensure that these larger projects are subject to an increased level of review regarding their potential to have an impact on the environment. There is an opportunity also that community can obtain “Delegated Authority” to review projects within a communities own boundaries under this law instead of Maine DEP if they receive the authority to do so. Biddeford has been identified as having the “Capacity” to have Delegated Authority, but has not requested this designation from the Maine DEP.
3. Natural Resources Protection Act: Through the Maine DEP activities in, on, or adjacent to protected natural resources, including rivers, streams, brooks, great ponds, coastal wetlands, freshwater wetlands, and sand dunes require a permit. Standards within the Act spell out what is and is not permitted.
4. Biddeford’s Shoreland Zoning Ordinance: In an attempt to protect Biddeford's streams and waterways and the land abutting these areas, a Shoreland Zoning Ordinance was adopted by the City Council in December of 1990. It was recently updated in 2016. Shoreland zoning's goal seeks to preserve the quality of local surface waters, preserve wildlife habitat areas and preserve the general quality of life factors such as scenic vistas and open space. See Section 12: Water Resources for more information about Biddeford’s Shoreland Zoning Ordinance districts.



## Marine Facilities (boat launches, piers, etc.)

*Biddeford Pool Beach/Gilbert R. Boucher Memorial Park.* Located off Beach house Lane this is a large sandy beach that offers opportunities for swimming general beach activities. Small boats may also be able to be launched at this location via hand-carry. There is a bathhouse for changing and restrooms. The City of Biddeford provides lifeguards in the summer months. There is a substantial amount of parking available (approximately 100 cars). Seasonal beach parking permits are required for the summer months.

Plans: None.

*Biddeford Pool Yacht Club.* The Biddeford Pool Yacht Club (BPYC) is located at 17 Yates Street in Biddeford Pool Village. BPYC is privately owned, and according to its website ([www.biddefordpoolyachtclub.org](http://www.biddefordpoolyachtclub.org)) has been in existence for over seventy-five (75) years (incorporated on August 13, 1934) and offers its members opportunities for sailing, fishing, and racing. Sailing lessons are available for both members and non-members and Biddeford youth can obtain free lessons through its Maryann Beaudry Memorial Scholarship. BPYC also works with the Fisherman's Association to promote fishing in Biddeford's waters.

Plans: None.

*Fortunes Rocks Beach.* Located approximately 1 mile southwest of Biddeford Pool, this large two (2) mile long sandy beach offers opportunities for swimming general beach activities. Small boats may also be able to be launched at this location via hand-carry. Many people also use this area for surfing. There are seasonal portable bathrooms and the City of Biddeford provides lifeguards in the summer months. There is some on-street parking available (approximately 50 cars). Seasonal beach parking permits are required for the summer months.

Plans: None

*Marblehead Boat Launch.* Marblehead boat launch is a State of Maine facility located off Pool Street. It is heavily used particularly in the summer months. Portable restrooms are provided. There are two boat ramps and a pier at this location which makes it an ideal location for boat launching into the Saco River. There is parking for approximately 60 vehicles including trailers.

Plans: None.

*Mechanics Park.* Mechanics Park is located at the corner of Main Street and Water Street.

Plans: Through a State grant the City has a fully-designed and ready for construction canoe/kayak launch for the eastern limit of Mechanics Park.

*Middle Beach.* Middle Beach is located opposite of Bridge Road at its intersection with Mile Stretch Road. Is a flat sandy beach and the City of Biddeford provides lifeguards in the summer months. There are no restrooms at Middle Beach. There is a limited amount of parking available (approximately 25 cars) on Beach Avenue directly across from Bridge Road. Seasonal beach parking permits are required for the summer months.

Plans: None.

*Moorings.* A mooring is a means in which to secure a vessel to a particular location in Biddeford's waters.

*Park in the Pines.* Park in the Pines is a small passive park located at 194 Hills Beach Road. It offers tremendous views of Biddeford Pool and its wildlife. It also provides access to the pool for hand-carried boats such as canoes and kayaks. Park includes a Bocce Ball Court. There are no parking or restroom facilities at this park.

Plans: None.

*Rotary Park.* Rotary Park is a popular park located at 550 Main Street on the Saco River. It is 72 acres in size and features walking trails, two playgrounds, the softball field with lights, youth football field, the teen center, a dog park, Skate Park, picnic tables and grills, a sand volleyball court, and a beach for access for swimming in the Saco River. It also features a boat launch for access to this non-tidal portion of the Saco River. Further, Rotary Park is a popular location for winter sledding with its hilly terrain.

Plans: Although there are no current plans, the following should be implemented, including but not limited to:

- Bathhouse expansion to add a family restroom and changing area.
- Dog Park-lights should be installed.
- Certain sections of the swimming area need to be addressed as the clay has become a hazard.
- Security Cameras are needed.
- Martel Field backstop needs replacing.
- Minor fence repairs are also needed.

- Invasive species located throughout the park (2016 report) need to be dealt with.

*Rumery's Boatyard.* Rumery's Boatyard Inc. is located on Water Street in Biddeford. It operates year-round primary activity is repair, service and dockage rental.

Rumery's is a full service marina that can build craft up to 55 feet in length. There is a 17-ton travel lift and storage inside for about 45 boats and outside for about 100 boats. The facility cannot provide wet storage because the Saco River freezes over in this area. There is an earth-filled, stone bulkhead with wooden pile, wooden-deck access piers to the float landings. There is a large brick building used as a marine supply store, office, repair shop, storage building. There is also a large metal building used as a boat shed. There is about 480 feet of shore frontage.

Plans: Rumery's is currently exploring the establishment of a pump-out station, but this may be 1-2 years out. It is also considering starting sailboat tours out of its facility in June 2018.

*Town Landing.* Town Landing is a laid out city street, approximately 15 feet wide, that provides access to the Saco River from Hills Beach Road within the UNE campus.

Plans: None.

*Vines Landing.* Vines Landing is located at the westerly end of Lester B. Orcutt Boulevard at what is locally referred to as "the gut". It is a passive park with a gravel boat launch and features great scenic views of Biddeford Pool, the Atlantic Ocean, and Wood Island Lighthouse. There is limited parking available at Vines Landing.

Plans: None.

*Wood Island.* Wood Island is home to a Maine Audubon Nature Preserve as well as the U.S. Coast Guard's Wood Island Lighthouse. The Nature Preserve is approximately 30 acres in size and offers opportunities for walking and nature viewing including wildlife. There is a small boat launch/ramp located at the west end of the Island. No public restroom facilities.

Plans: None.



## Public access points to marine resources.

*Biddeford Pool Beach/Gilbert R. Boucher Memorial Park.* Located off Beachhouse Lane this is a large sandy beach that offers opportunities for swimming general beach activities. Small boats may also be able to be launched at this location via hand-carry. There is a bathhouse for changing and restrooms. The City of Biddeford provides lifeguards in the summer months. There is a substantial amount of parking available (approximately 100 cars). Seasonal beach parking permits are required for the summer months.

Condition: Bathhouse - Good; Walkways - Good

Needs: Additional Parking is needed. Walkway improvements to reduce the grade from the sea wall to the beach are needed.

*Biddeford RiverWalk.* The Biddeford RiverWalk is an evolving project intended to connect Mechanics Park on Water Street to the Diamond Match Park project (future) and points west including the Eastern Trail. To date the RiverWalk project connects Mechanics Park to the City of Saco via a concrete walkway 135-foot pedestrian bridge over the Saco River to Saco Island, thus connecting to Saco's RiverWalk. The RiverWalk also continues through the North Dam Mill complex to Laconia Plaza located on the Saco River. The City of Biddeford's recently completed a master plan that conceptually lays out the future RiverWalk from Laconia Plaza to the Diamond Match site via alternate routes along the river, with potential further connections to the City of Saco via two additional pedestrian bridges. In 2016 the City completed, with the assistance of Wright-Pierce Engineers, a RiverWalk Master Plan Update.

Condition: Excellent. No boat access. No public restroom facilities.

Needs: Seating on the Overlook by Main Street. Implementation of the 2016 Master Plan Update.

*Diamond Match Site.* As part of a Joint Development Agreement between the city and One Diamond Street Development LLC, two acres of public open space are to be included with the buildout of the site. This public space may include athletic facilities, a playground or other public amenities. The Biddeford Riverwalk will be extended through the site as part of the open space agreement.

Condition: N/A.

Needs: To be Determined

*East Point Sanctuary.* It's point sanctuary is owned by Maine Audubon and is located on the far eastern tip of Biddeford Pool - it is located directly North East of the Abenaki Golf Club. There is virtually no parking here and no

restrooms but it is very well known for wildlife viewing, particularly birds, and its visual access to the Atlantic Ocean.

Condition: N/A. No boat access. No public restroom facilities.  
Needs: None known.

*Fortunes Rocks Beach.* Located approximately 1 mile southwest of Biddeford Pool, this large two (2) mile long sandy beach offers opportunities for swimming general beach activities. Small boats may also be able to be launched at this location via hand-carry. Many people also use this area for surfing. There are seasonal portable bathrooms and the City of Biddeford provides lifeguards in the summer months. There is some on-street parking available (approximately 50 cars). Seasonal beach parking permits are required for the summer months.

Condition: Very Good  
Needs: Additional Parking

*Marblehead Boat Launch.* Marblehead boat launch is a State of Maine facility located off Pool Street. It is heavily used particularly in the summer months. Portable restrooms are provided. There are two boat ramps and a pier at this location which makes it an ideal location for boat launching into the Saco River. There is parking for approximately 60 vehicles including trailers.

Condition: N/A – State Owned  
Needs: Unknown

*Mechanics Park.* Mechanics Park is located at the corner of Main Street and Water Street. It features a walking path down to a River Overlook and great views of the Saco River. It also contains a gazebo where events such as weddings occasionally occur, picnic tables and feeding seating, bicycle parking, and a fitness station. Parking is available on Water Street as well as at what is referred to as the Gas House parking lot adjacent to the Wastewater Treatment Plant. It is a fairly well used passive park with quite a bit of open green space. Future plans include additional walking trails along the river and a possible carry-in canoe and/or kayak launch.

Condition: Upper level - Very Good; Lower Level - Fair to Poor. No boat access. No public restroom facilities.  
Needs: Lower Level is in need of major repairs to the wall between the park and river. A sink hole has developed making one section of the lower level hazardous. The remainder of the park needs a solution to overgrown vegetation creating potential unsafe areas for visitors. Purchase of a piece of property between the Current Park and former CMP piece is desirable to create a singular park along the river. Security cameras are needed.

*Middle Beach.* Middle Beach is located opposite of Bridge Road at its intersection with Mile Stretch Road. Is a flat sandy beach and the City of Biddeford provides lifeguards in the summer months. There are no restrooms at Middle Beach. There is a limited amount of parking available (approximately 25 cars) on Beach Avenue directly across from Bridge Road. Seasonal beach parking permits are required for the summer months.

Condition: Very Good. No boat access. No public restroom facilities.  
Needs: Additional parking and the control of invasive species.

*Park in the Pines.* Park in the Pines is a small passive park located at 194 Hills Beach Road. It offers tremendous views of Biddeford Pool and its wildlife. It also provides access to the pool for hand-carried boats such as canoes and kayaks. Park includes a Bocce Ball Court. There are no parking or restroom facilities at this park.

Condition: Very Good. No public restroom facilities.  
Needs: Volunteers have requested a water source to maintain plants and flowers within the park.

*Rachel Carson National Wildlife Refuge (U.S. Fish and Wildlife Service).* In Maine the “Rachel Carson National Wildlife Refuge was established in 1966 in cooperation with the State of Maine to protect valuable salt marshes and estuaries for migratory birds. Located along 50 miles of coastline in York and Cumberland counties, the refuge consists of eleven divisions between Kittery and Cape Elizabeth. It will contain approximately 14,600 acres when land acquisition is complete. The proximity of the refuge to the coast and its location between the eastern deciduous forest and the boreal forest creates a composition of plants and animals not found elsewhere in Maine. Major habitat types present on the refuge include forested upland, barrier beach/dune, coastal meadows, tidal salt marsh, and the distinctive rocky coast.”

Source: [https://www.fws.gov/refuge/rachel\\_carson/about.html](https://www.fws.gov/refuge/rachel_carson/about.html).

In Biddeford there are two divisions of the Rachel Carson National Wildlife Refuge: the Biddeford Pool Division and the Little River Division. The Biddeford Pool Division controls property on the west side of Biddeford Pool off Old Pool Road. The Little River Division controls several properties on the east side of Little River in Granite Point including Timber Point and Timber Island. At the southernmost extent of Granite point Road there is a small parking area which leads to what is referred to as Timber Point Trail which runs along the west side of Timber Point. At low tide Timber Island can be accessed from the southernmost tip of this trail.

Condition: N/A. No formal boat access. No public restroom facilities.  
Needs: None Known



*Rotary Park.* Rotary Park is a popular park located at 550 Main Street on the Saco River. It is 72 acres in size and features walking trails, two playgrounds, the softball field with lights, youth football field, the teen center, a dog park, Skate Park, picnic tables and grills, a sand volleyball court, and a beach for access for swimming in the Saco River. It also features a boat launch for access to this non-tidal portion of the Saco River. Further, Rotary Park is a popular location for winter sledding with its hilly terrain.

Condition: Bathhouse - Good;

Needs: Bathhouse expansion would be helpful in order to add a family restroom and changing area. Dog Park-lights should be installed. Certain sections of the swimming area need to be addressed as the clay has become a hazard. In general the projects laid out in the 2009 Master Plan should be addressed. Invasive species located throughout the park (2016 report) need to be dealt with. Security Cameras are needed. Martel Field backstop needs replacing. Minor fence repairs are also needed.

*South Point Sanctuary.* South Point Sanctuary includes a pathway that runs from 7<sup>th</sup> Street southwest and ultimately to Biddeford Pool Beach. The land is owned and maintained by the Biddeford Pool Land Trust.

Condition: N/A. No boat access. No public restroom facilities.

Needs: None Known

*Staples Street Beach.* Staples St., Beach is located at the end of Staples Street in Biddeford Pool is a small rocky beach that is maintained by the Biddeford Pool Improvement Association. There is no parking available so access is pedestrian only.

Condition: N/A. No formal boat access. No public restroom facilities.

Needs: None Known

*Town Landing.* Town Landing is a laid out city street, approximately 15 feet wide, that provides access to the Saco River from Hills Beach Road within the UNE campus.

Condition: Fair. Carry-in boat access only. No public restroom facilities.

Needs: For the public to be able to access this location signage/demarcation is needed.

*Vines Landing.* Vines Landing is located at the westerly end of Lester B. Orcutt Boulevard at what is locally referred to as “the gut”. It is a passive park with a gravel boat launch and features great scenic views of Biddeford

Pool, the Atlantic Ocean, and Wood Island Lighthouse. There is limited parking available at Vines Landing.

Condition: Very Good. No public restroom facilities.  
Needs: Boat ramp.

*Wood Island.* Wood Island is home to a Maine Audubon Nature Preserve as well as the U.S. Coast Guard's Wood Island Lighthouse. The Nature Preserve is approximately 30 acres in size and offers opportunities for walking and nature viewing including wildlife.

Condition: N/A. There is a small boat launch/ramp located at the west end of the Island. No public restroom facilities.  
Needs: None Known

*Yates Street Park.* Each Street Park is located next to Vines Landing in Biddeford Pool. As a park that was established by the Biddeford Pool Land Trust upon donation of the land from its former. It is a passive park with great views of Biddeford Pool is suitable for picnicking and birdwatching. Parking is very limited in the area.

Condition: N/A. No boat access. No public restroom facilities.  
Needs: None Known

#### G. Working Waterfront Current Use Lands:

"Working waterfront land" means a parcel or portion of a parcel of land abutting tidal waters or one that is located in the intertidal zone (located between the high and low water mark) the use of which is more than 50% related to providing access to or in support of the conduct of commercial fishing (including commercial aquaculture) activities. Working waterfront land used predominantly (more than 90%) as working waterfront is eligible for a 20% reduction from just value. Working waterfront land used primarily (more than 50%) as working waterfront is eligible for a 10% reduction from just value. Working waterfront land that is permanently protected from a change in use through deeded restriction is eligible for the aforementioned reduction plus an additional 30% reduction. If the property no longer qualifies as Working Waterfront, then a penalty would be assessed using the same methodology as is used for removal from Tree Growth classification.

Biddeford did not have any acreage in the Working Waterfront Current Use Program in 2006 and 2016.

## SECTION 10: WATER RESOURCES

### 1. Background

Water resources such as lakes, rivers, streams, ponds and groundwater contribute significantly to a community's quality of life. They provide recreational and commercial opportunities, as well as supplying clean drinking water for residential, municipal, commercial, and industrial needs. The quantity and quality of Biddeford's water resources can be affected by factors such as land use including development, non-point source pollution (e.g., increased stormwater runoff), impervious surface expansion, septic system density and failures, agricultural activities, industrial discharges, road salt application, shoreline erosion, and climate-driven changes in precipitation and sea-level rise. How land is changed and used can in turn have effects (positive and negative) on the water resource itself and the people who utilize their benefits.

### 2. Water Resources at a Glance

Biddeford's water uses reflect the city's strong connection to the Saco River along with its coastal shoreline, groundwater resources, and network of wetlands and estuaries. These uses include public drinking water supply drawn from the Saco River and from groundwater aquifers, marina and working-waterfront activities, recreational boating and fishing, and beach-based recreation at Biddeford Pool, Fortunes Rocks, and Hills Beach. The City's coastal water resources support shellfish habitat, finfish nurseries, other essential ecological functions such as flood storage, and habitat for migratory birds and dune-dependent species. Because these activities rely on clean, resilient waterways and aquifers, protecting Biddeford's water resources is essential for public health, economic vitality, and long-term environmental sustainability.

- There are 3 Public Water Systems (PWS) in the City of Biddeford. This includes:
  - a. One (2) Community Water Systems
  - b. Two (2) Transient, Non-Community (NC) Water Systems.
- There are approximately 6,160 customers in Biddeford that are served by Public Water Supplies from either H2O America (formerly Maine Water) or by the Kennebunk, Kennebunkport and Wells (KKW) Water District.
- Four (4) million gallons of Saco River water filtered per day (on average). \*
- No per- and polyfluoroalkyl substances (PFAS) detection in raw water source. (Saco River) \*
- 274 homes are served by private wells.

\*From H2O America 's 2024 Annual Water Quality Report (Biddeford/Saco Division)

\*\*[Maine Stream Habitat Viewer](#) (IFW)



### Water-Dependent Uses

- H2O America's Filtration Plant (Drinking Water Supply)
- Brookfield Renewables Hydroelectric Dams on the Saco River
- Shellfish harvesting (commercial and recreational)
- Commercial boat yards on the river
- Biddeford Pool Yacht Club
- University of New England's Dept. of Marine Sciences
- Other commercial and recreational fishing/processing

### Public Access to Water Resources

- Overview of public access in Biddeford
- Boat launch details and images
- Riverwalk
- Map #2 - Public Access Points, Boat Launches, etc.

### Threats to Water Resources

- Non-Point Source (NPS) pollution occurs when rainfall or snowmelt moves over and through the ground, picking up and carrying away natural and human-made pollutants before depositing them into lakes, rivers, wetlands, coastal rivers, and underground sources of drinking water, including:
  - Stormwater runoff from roads, parking lots, and rooftops carrying oil, metals, and sediment into streams and wetlands.
  - Fertilizer and pesticide runoff from lawns, athletic fields, and entering surface water and groundwater.
  - Erosion and sediment transport from construction sites impacting nearby rivers, streams, and estuaries.
  - Failing septic systems contributing nutrients, bacteria, and pathogens to groundwater and surface waters.
  - Pet waste left on the ground washing into storm drains and waterways during rainfall events.
  - Salt and sand application from winter road maintenance degrading freshwater quality.
  - Improper disposal of household chemicals, oils, and paints contaminating soils and groundwater.
  - Leachate generation from improperly managed solid waste or debris piles affecting groundwater quality.
  - Atmospheric deposition from vehicle emissions and industrial sources contributing pollutants to water bodies.
  - Runoff from marinas and boat maintenance areas introducing fuels, solvents, and metals into coastal waters.
  - Forestry and land clearing activities increasing sedimentation and altering natural drainage patterns.

**Commented [AH1]:** These are all great! Wondering if you can define non-point source pollution and then have all NPS sources be sub-bullets? As you'll get into NPS pollution impacting certain waterbodies/watersheds below so the definition and examples will tie into that.

- Inadequate or outdated stormwater infrastructure stressed by more intense and frequent precipitation events associated with climate change.
- Rising water temperatures affecting cold-water fisheries, increasing the likelihood of harmful algal blooms, and reducing overall aquatic ecosystem health.
- Increased groundwater withdrawals in areas without public water service, which can reduce aquifer levels, impact private wells, and diminish baseflow to nearby streams and wetlands.
- Erosion of streambanks, coastal bluffs, dunes, and other vulnerable shorelines, accelerated by land-clearing, storm events, and sea-level rise.
- Spread of invasive aquatic and wetland plant species that displace native vegetation, limit recreation, and impair water quality.
- Legacy contamination and emerging contaminants, such as PFAS, petroleum compounds, road salt, and historical industrial discharges, which continue to pose long-term water quality and public health challenges.
- Habitat fragmentation and loss of riparian buffers, reducing the natural capacity of forests, wetlands, and floodplains to filter pollutants and moderate stormflows.
- State mandated mobile home park overlay zones.

### **3. Surface Waters**

The Maine Department of Environmental Protection classifies surface water bodies under State law to establish state-wide water quality goals. The DEP Water Quality Classification system is used to manage the state's surface waters. The system establishes water quality goals, assigns all waters a water quality classification, and sets uses and water quality criteria for each class. The classification system includes four classes for freshwater rivers and streams, three classes for marine waters, and one class for lakes and ponds. The Integrated Water Quality Monitoring and Assessment Report or "Integrated Report" (IR) summarizes water quality data collected by the DEP as well as numerous other state, federal and tribal government agencies, volunteer water monitoring organizations and other sources. The Clean Water Act requires states to submit an Integrated Report to EPA every even-numbered year. Monitoring information is analyzed by the DEP to assess the ability of Maine's water resources to meet uses such as drinking water, aquatic life use support, fishing or recreation as established by Maine's Water Classification Laws.

#### **Fresh Surface Waters**

The Maine Legislature enacted Standards for Classification of Fresh Surface Waters in Title 38 M.R.S. §465 to define designated uses, set minimum water-quality criteria, and guide the long-term protection and management of Maine's rivers, streams, and lakes. The standards for the classifications of fresh surface waters that are not classified as great ponds are described below.

- **Class AA** - highest classification; applied to waters considered outstanding natural resources, to be preserved because of ecological, scenic, recreational or social importance.
- **Class A** - second-highest classification; intended to support drinking water (after disinfection), recreation, fishing, industrial uses, hydropower, navigation, and habitat for aquatic life.
- **Class B** - third-level classification; suitable for drinking water supply (after treatment), recreation, fishing, industrial uses, hydropower, navigation; supports aquatic life under unimpaired conditions.
- **Class C** - the lowest classification for fresh surface waters; still supports drinking water supply (after treatment), recreation, fishing, industrial uses, hydropower, navigation, and aquatic life though with more modest water-quality criteria compared to higher classes.

#### **Estuarine and Marine Waters**

The Maine Legislature enacted Standards for Classification of Estuarine and Marine Waters in Title 38 M.R.S. §465-B, establishing designated uses, discharge limitations, and minimum water-quality criteria for the State's coastal, estuarine, and marine environments."



- **Class SA** – Highest quality estuarine and marine waters designated as the most pristine coastal waters. Must be free of direct wastewater discharges and support habitat for fish and other marine life along with being suitable for recreation in and on the water, shell fishing, aquaculture, fishing, and navigation. Class SA water habitat must be maintained in a natural, unimpaired condition.
- **Class SB** – High-quality estuarine and marine waters that allows restricted wastewater discharges, but water quality must remain good. Supports recreation, fishing, habitat for marine life, and commercial shell fishing, provided the waters meet criteria for bacterial contamination. Aquatic habitat must be of good quality, capable of supporting indigenous species and must meet numerical standards for dissolved oxygen and bacteria, protecting marine life and public health.
- **Class SC** – Lowest classification for estuarine and marine waters that allows treated wastewater discharges when licensed. Class SC waters are suitable for fishing, recreation, and navigation. The habitat must be maintained but is not required to meet the same strict conditions as SA or SB waters. Must still support aquatic life, with dissolved oxygen and bacteria standards appropriate for this class. This standard often applied to working waterfronts, harbors, and estuaries influenced by development.

While Biddeford's coastal waters are primarily classified under state law as Class SB, several localized segments fail to meet these standards and are heavily tracked by the Maine DEP Integrated Report for shellfish-related impairments. Nonpoint source pollution, including stormwater runoff from developed coastal zones, wildlife, and subsurface wastewater disposal, drives elevated bacterial loads in these areas.

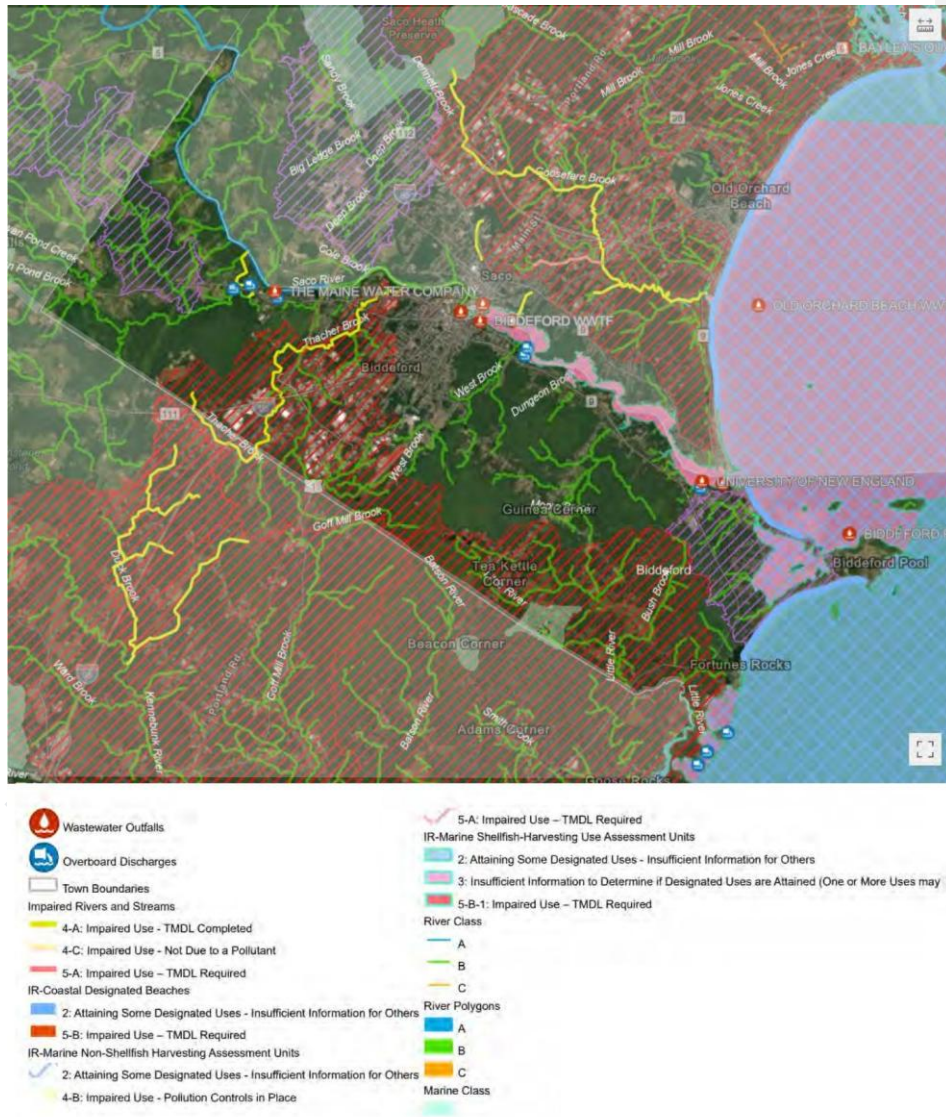
According to the Maine Department of Marine Resources (DMR), the city's intertidal zones fall within Shellfish Growing Areas WF and WG. Due to persistent fecal coliform risks, the state enforces the following harvesting restrictions:

- **Biddeford Pool & Back Bay** – These highly valued commercial and recreational shellfishing flats operate under a Conditionally Approved status. Back Bay features a recurring seasonal pollution closure from September 1<sup>st</sup> through October 31<sup>st</sup>, and the broader Biddeford Pool flat triggers an automatic emergency closure following any rainfall event meeting or exceeding 1 inch within a 24-hour period.
- **The Saco River Estuary** – The tidal mouth of the Saco River is subject to a permanent Prohibited classification for all Shellfish harvesting due to upstream point-source concentrations, historical runoff, and heavy marine traffic.

### 3.1. Lakes and Ponds

The Lakes of Maine organization maintains data pertaining to surface water bodies (Lakes and Ponds) within the State of Maine. According to Lakes of Maine's website, there are currently six (6) freshwater ponds within Biddeford. Information pertaining to water quality

within these ponds was not available. A description of the ponds based on the information available from Lakes of Maine is provided in the table below.



| Parameter                          | <i>Etherington Pond</i> | Great Pond | Lilly Pond | Lords Pond | Reservoir  | Wilcox Pond |
|------------------------------------|-------------------------|------------|------------|------------|------------|-------------|
| Area (acres)                       | 17                      | 8          | 4          | 4          | 1          | 4           |
| Perimeter (miles)                  | 1                       | 0.4        | 0.4        | 0.4        | 0.1        | 0.5         |
| Mean Depth (feet)                  | —                       | —          | —          | —          | —          | 4           |
| Max Depth (feet)                   | —                       | 3          | —          | —          | —          | 7           |
| DeLorme Page                       | 3                       | 3          | 3          | 3          | 3          | 3           |
| Fishery Type                       | n/a                     | n/a        | n/a        | n/a        | n/a        | Coldwater   |
| Invasive Aquatic Plant Infestation | None known              | None known | None known | None known | None known | None known  |

**Lake Characteristics** Source: Lakes of Maine. (2025). *Lake overview and watershed information for [Lake Name]*. Retrieved from <https://www.lakesofmaine.org/search-results.html?DoWhat=&l=&t=biddeford&c=&z=&m=> (Accessed [December 2025]) — where the data are compiled from Maine DEP, Maine IF&W, and Maine Office of GIS.

### 3.2. Watersheds

Watersheds are the land areas that in which rain, snowmelt, and groundwater flow into shared water bodies such as rivers, streams, lakes, wetlands, and coastal estuaries. They function as natural systems that regulate water flow, filter pollutants, recharge aquifers, and support ecological health. Protecting watersheds is essential for maintaining clean drinking water, reducing flooding, safeguarding habitat, and ensuring the long-term resilience of Biddeford's water resources.

Biddeford boasts ten (10) separate watersheds across our geographical area. Some of the watersheds in the more developed areas have seen a degradation in water quality (ex. Thatcher Brook) due to increased land use, primarily the expansion of impervious surfaces and non-point source pollution. Many of the other watersheds lack the necessary data to accurately understand the changes Biddeford's growth has had on our water resources.



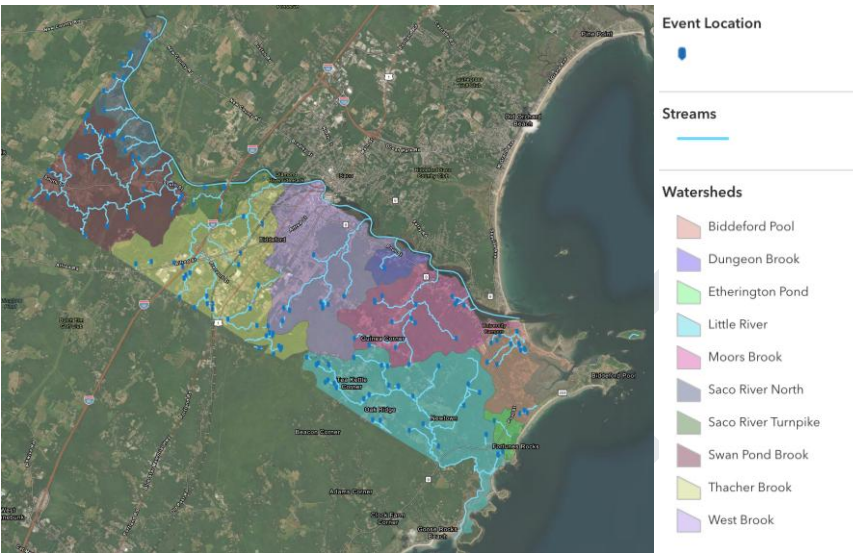


Figure XX: Overview of Biddeford's Watersheds

| Watershed      | Water Body / Sub-Watershed | Section                             | Classification |
|----------------|----------------------------|-------------------------------------|----------------|
| Saco River     | Saco River                 | Western boundary to the I-95 Bridge | A*             |
|                |                            | I-95 Bridge to Tidewaters           | B*             |
|                |                            | Tidewaters to Camp Ellis Breakwater | SC             |
|                | Swan Pond Brook            | ---                                 | B**            |
|                | Thatcher Brook             | ---                                 | B*             |
|                | Richardson Brook           | ---                                 | B              |
|                | West Brook                 | Origin to head of tide              | B              |
|                | West Brook                 | Head of tide to mouth               | SC             |
|                | Dungeon Brook              | ---                                 | B              |
|                | Moores Brook               | ---                                 | B              |
|                | Tributaries (Tidal)        | ---                                 | SC             |
| Little River   | Little River               | Origin to head of tide              | B              |
|                | Little River               | Head of tide to mouth               | SB             |
|                | Bush Brook (Tributary)     | ---                                 | B              |
|                | Other Tributaries          | ---                                 | B              |
| Biddeford Pool | Biddeford Pool             | ---                                 | SB             |
|                | Tributaries (Tidal)        | ---                                 | SB             |

| Watershed        | Water Body / Sub-Watershed     | Section | Classification |
|------------------|--------------------------------|---------|----------------|
|                  | Tributaries (Non-Tidal)        | ---     | B              |
| Etherington Pond | Etherington Pond (Tributaries) | ---     | B              |

**Notes:**

\* Impaired Water Body – Does Not Meet Classification

\*\* Swan Pond Brook from South Street to the Saco River is an Impaired Water Body – Does Not Meet Classification.

“---” = Section not listed

**Sources:**

Maine Department of Environmental Protection. (n.d.). *Maine Resource Explorer* [Interactive GIS mapping application]. ArcGIS Online.

<https://maine.maps.arcgis.com/apps/instant/portfolio/index.html?appid=7ad05604168b4264bb4a14dcb56f6eeb> Maine Department of Environmental Protection. (n.d.). *Maine resource explorer* [Interactive map]. ArcGIS Online. Retrieved May 6, 2026, from <https://maine.maps.arcgis.com/apps/instant/portfolio/index.html?appid=7ad05604168b4264bb4a14dcb56f6eeb>

**Maine DEP’s Nonpoint Source (NPS) Priority Watershed List**

Given Maine’s extensive water resources, statewide watershed prioritization is an important part of the Maine DEP’s Nonpoint Source Program. Therefore, Maine DEP’s Watershed Management Unit maintains and updates biannually a NPS Priority Watersheds List (Maine DEP, 2023). The Purpose of the list is to encourage NPS abatement work and target funding in watersheds most vulnerable to NPS pollution. This list includes impaired and threatened lake, streams and marine waters. Impaired water bodies are those impacted by non-point source pollution that do not currently meet state water quality standards, while threatened water bodies are those that currently meet state water quality standards but are at risk of water quality decline due to non-point source pollution. There are four waterbodies that are within or have a portion of their watershed within the City of Biddeford that are included on the NPS Priority List, Thatcher Brook (impaired stream), Swan Pond Brook Tributary (threatened stream), Goosefare Bay (impaired marine) and Biddeford Pool (threatened marine). Most details about each listing reasoning is provided in the watershed descriptions below.

**Saco River Watershed**



The Saco River originates high in the White Mountains at the outlet of Saco River Lake near Crawford Notch in New Hampshire. The basin has a total area of 1,697 square miles and is 75 miles long and 45 miles wide at its widest point.

The Saco River forms the northern boundary of the City from the west limits of the City until its mouth at the Atlantic Ocean. More than two-thirds (2/3) of the City and all of Western Biddeford lie within the Saco River Watershed. Head of tide for the river is at Factory Island below Cataract East Dam in Saco and below Cataract West Dam, below the falls between Biddeford and Saco.

The Saco River is used for both commercial and recreational purposes as well as being the source of Biddeford's primary public water supplier, MaineWater. Several sections of the Saco River are used more heavily than others, depending on public access points. The Saco River and its watershed also provides wildlife habitat for various species.

All land within 500 feet of the riverbank on either side of the Saco River is within the Saco River Corridor. Development within the corridor is subject to the requirements of the Saco River Corridor Commission (SRCC).

The SRCC is a regional regulatory agency (or quasi-governmental agency) established by the State of Maine in 1973 to protect the water quality, natural resources, and scenic character of the Saco River corridor. The Commission administers the Saco River Corridor Act by overseeing land use and development activities within the corridor to help prevent adverse impacts to rivers, wetlands, groundwater, and public drinking water resources.

Four dams are located on the Saco River as it flows past Biddeford, three of which are partly or entirely within Biddeford. Bradbury Dam is located entirely in Biddeford in the south channel of the river as it rounds Springs Island. Springs Dam is in the north channel around Springs Island and spans to the City of Saco. Cataract West Dam spans the Saco River in the west channel of the river around Factory Island. The fourth, Cataract East Dam, is located in the City of Saco within the channel east of Factory Island. These dams are part of the Cataract Hydroelectric Project and are all owned by Brookfield Renewable Power.

In 2006 Northern Ecological Associates, Inc. were contracted with the City of Biddeford to conduct a stream protection study throughout Biddeford. As part of that Study they identified and mapped watersheds and subwatersheds in Biddeford. Within the Saco River watershed, the following subwatersheds were identified, from west to east: Saco River North, Swan Pond Brook, Saco River Turnpike, Thatcher Brook, West Brook, Dungeon Brook and Moores Brook. Of these, Swan Pond Brook and Thatcher Brook, located in Western Biddeford, are the largest.

Commented [AH2]: Good place to describe what this is.

From a Water Quality perspective, as provided in the Maine Department of Environmental Protection (MDEP) 2018/2020/2022 Integrated Water Quality Monitoring and Assessment Report, the Saco River from outside of Biddeford to the I-95 Bridge is classified as Class A. This segment of the Saco River is in Category 2 of the Integrated Report (2024) indicating it is attaining some designated uses, but insufficient information for other uses.

From the I-95 Bridge to where the river becomes tidal (below the East and West Cataract Dams) the Saco River is classified as Class B. This segment of the Saco River is also in Category 2 of the Integrated Report (2024) indicating it is attaining some designated uses, but insufficient information for other uses.

Below the dams the Saco River is tidal and is classified as Class SC. This segment of the Saco River is listed in Category 4-A: Rivers and Streams with Impaired Use Other than Mercury – TMDL completed due to bacteria from combined sewer overflows and 4-A: Estuarine and Marine Waters with Impaired Shellfish Harvesting Designated Use – TMDL completed (bacteria from Combine Sewer Overflows), and Category 5-A: Estuarine and Marine Waters Impaired by Pollutants Other Than Those Listed in 5-B Through 5-D – TMDL Required due to toxics and Copper

The Saco Watershed Collaborative...

#### **Saco River North Subwatershed.**

The Saco River North Subwatershed is located north of the Swan Pond Brook Subwatershed (see below) and includes eight unnamed streams (and tributaries) which have mouths on the Saco River. It is a relatively small subwatershed (844 acres or 1.32 square miles) that contains low density residential development along with agricultural land uses and some forested areas. There are relatively few wetlands in the subwatershed identified as National Wetland Inventory (NWI) wetlands which are wetlands which have been roughly located based on aerial photography. The relative absence of NWI wetlands in this subwatershed does not mean there are not more wetlands than identified as NWI wetlands.

The Saco River North Subwatershed contains identified riparian habitat according to the Maine Department of Inland Fisheries and Wildlife (MDIFW) surrounding the streams present here which feed the Saco River. A riparian habitat is an area where land and water come together. These areas support a greater diversity of wildlife than nearly all other habitats. Riparian habitats also are often related to Deer Wintering Areas.

According to MDIFW, there are two small areas within this subwatershed that represents inland waterfowl/wading bird habitat, both between River Road and Buzzell close to the border with Dayton that are associated with NWI wetlands.

**Commented [AH3]:** Up to you but I feel like this can be removed since you provided the general information for class A waterbodies above and I'm wary that just including this aspect of the classification definition omits some of the other key points about class A waters - like recreating in/on/over and what that means for e.coli levels, etc (just using that as one example). So it seems like keeping all the specific information about each classification above and then just including what the class is and if it's not meeting classification, then including the why in these watershed subsections makes sense

**Commented [AH4]:** Similar to above comment, could probably take out

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, the unnamed streams in this watershed which feed the Saco River are classified as Class B.

Also of note is that there is one active “water supply system” in this subwatershed. Located at 610 New County Road, Homestead by the River Campground qualifies as a public water supply under the definitions established by the State.

#### *Swan Pond Brook Subwatershed.*

The Swan Pond Brook Subwatershed in western Biddeford and is relatively large subwatershed measuring 2,912 acres in size (4.55 square miles). It is characterized by quite a few unnamed streams which flow into Swan Pond Brook itself before flowing into the Saco River. Swan Pond Brook meets the Saco River upstream of the public water supply intake for MaineWater. The subwatershed is relatively undeveloped and contains some large areas which qualify as undeveloped habitat blocks according to MDIFW.

Swan Pond Brook and its watershed is a high-value riparian habitat according to the Maine Department of Inland Fisheries and Wildlife (MDIFW). The subwatershed area also contains deer wintering areas which will be discussed in more detail in Section 10). A large Deer Wintering Area is located between the boundaries of the Swan Pond Brook Subwatershed and the Thatcher Brook Subwatershed. Further, there are quite a few small NWI wetlands identified in the subwatershed, along with a large NWI wetland located north of Andrews Road on land owned by the City of Biddeford and MaineWater. This large NWI is identified as a Red Maple Swamp Natural Community by MDIFW and is located with the large Deer Wintering Area shared between the Swan Pond Brook Subwatershed and the Thatcher Brook Subwatershed. There is also a fairly large area identified as inland waterfowl/wading bird habitat north of the intersection of South Street and River Road in close proximity to the Saco River.

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, Swan Pond Brook and its tributaries are classified as Class B. A segment of Swan Pond Brook (referred to as Swan Pond Brook at South Street) is listed in Category 4-A of the Integrated Report (2024) which applies to “rivers and streams with impaired use other than mercury – TMDL completed,” This segment is listed as impaired due to bacteria (*e.coli*).

A tributary of Swan Pond Brook, referred to as “Swan Pond Brook Tributary” is designated as a Class B waterbody, however, it is listed in Category 3 of the IR (2024) as “insufficient information to determine if designated uses are attained (one or more uses may be impaired).” This segment was listed originally in 2012 as not meeting the Aquatic Life Use criteria and additional data was needed to confirm whether impairment

exists. Due to this listing, Swan Pond Brook Tributary was added to the NPS Priority List as the likely cause of not meeting its classification is due to nonpoint source pollution.

#### *Thatcher Brook Subwatershed.*

The Thatcher Brook Subwatershed in central Biddeford is relatively large subwatershed measuring 3,561 acres in size (5.59 square miles) and an additional 1.52 square miles in Arundel. It is characterized by an assortment of land uses and contains unnamed tributary streams which flow into Thatcher Brook as well as Richardson Brook which flows out of the Biddeford Airport Industrial Park, through the Biddeford Industrial Park, and ultimately into Thatcher Brook. Thatcher Brook itself begins in Arundel but is largely located within the built area of Biddeford. Thatcher Brook extends from the Arundel town line, parallel to the Maine Turnpike, north across South Street and into the Saco River. Thatcher Brook outlets into the Saco River east of I-95 along the east edge of Rotary Park. Thatcher Brook's watershed area consists of 14% impervious cover (IC) and contains densely developed commercial sections along Route 1 and Route 111. The designated growth area within the watershed includes retail and commercial development, most of the City's industrial/business parks, and low to moderate income housing. However, the watershed also contains much undeveloped forest, wetlands, and pasture lands.

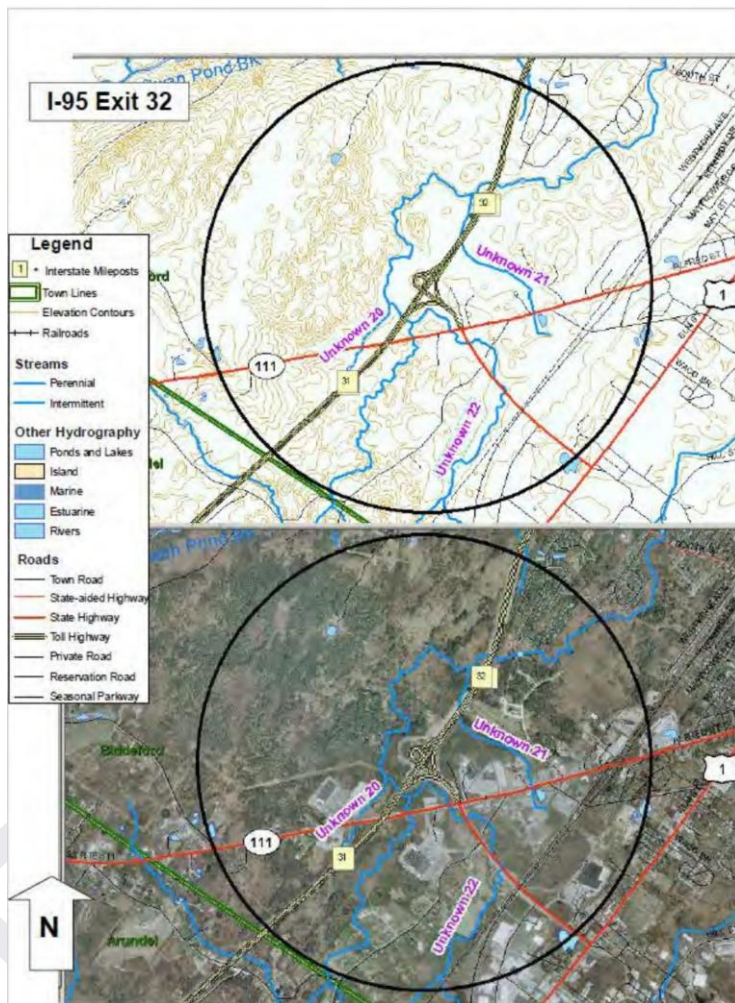
There are some large National Wetland Inventory wetlands located particularly in close proximity to Richardson Brook and Thatcher Brook.

From a Water Quality perspective, as provided in the MDEP 2024 Integrated Water Quality Report, Thatcher Brook and its tributaries are classified as Class B. Thatcher Brook, however, is identified as not meeting its Classification (uses) and, as such, is considered "impaired". Thatcher Brook is listed in "Category 4-A: Rivers and Streams with Impaired Use Other than Mercury – TMDL completed" for aquatic life (benthic macroinvertebrates/biomonitoring), bacteria nonattainment, and degraded aquatic habitat, caused by urban nonpoint source pollution. Putting it also on the NPS Priority List. The Brook is also listed as an Urban Impaired Stream by Maine DEP in Chapter 502 of Stormwater Management Law. This designation was determined because it is a stream that fails to meet water quality standards because of effects of stormwater runoff from developed land. Additional stormwater treatment controls are necessary in urban watersheds of impaired streams because proposed stormwater sources in urban and urbanizing areas contribute to further degradation of stream water quality. This designation establishes criteria for regulatory oversight of proposed development in this watershed.

In addition to the impairment status of the Brook, a wetland within the Thatcher Brook Subwatershed is impaired. A 14.21-acre wetland located between I-95 and the Walmart on Boulder Way is listed in Category 4-A "Wetland Habitat with Impaired Use, TMDL Completed" for aquatic life use impairment.

Commented [AH5]: Same as comments above





The Maine DEP has identified Unnamed Tributaries 20, 21, and 22, small headwater streams feeding the Thatcher Brook watershed near the Maine Turnpike Exit 32 interchange, as waterbodies at acute risk of current and future impairment. The DEP warns that intense, exit-related commercial and retail development within these small catchments threatens to severely degrade habitat and water quality. Because these smaller, unnamed streams have low dilution capacity, they are highly sensitive to the initial shocks of land clearing, canopy removal, and increased stormwater velocities associated with highway-corridor expansion.

Further, according to the TBWMP, “In August 2009, Thatcher Brook was included in MDEP’s Statewide Bacteria Total Maximum Daily Load (TMDL) Report, which uses bacteria as an indicator for the presence of pathogens in water. This bacteria TMDL report provides documentation of impairment and information on pollutant sources that are intended to provide guidance for protection of the waterbody by watershed stakeholders. In September 2012, the United States Environmental Protection Agency (EPA) approved MDEP’s Statewide Impervious Cover (IC) TMDL Assessment, in which Thatcher Brook is included as an impaired stream. This assessment provides a framework for addressing aquatic life and habitat impairments by using impervious cover as a surrogate for a suite of pollutants commonly found in urban stormwater runoff. This TMDL establishes the target percentage of Impervious Cover (IC) for the watershed and provides guidance for efforts to improve water quality in Thatcher Brook.”

The TBWMP provides a framework for the City of Biddeford to utilize moving forward to address water quality issues regarding Thatcher Brook at a watershed level. Restoration of impaired waters can take several decades. As such, watershed plans all become outdated over time. The Plan should be periodically evaluated and updated so it remains relevant and useful. New issues may be identified, and alternative strategies may become available. In addition, as the plan is implemented the timeline, milestones and cost may need to be adjusted to be more realistic. Watershed plans in Maine are typically written to be implemented over a ten-year period. The TBWMP was written to be carried out through local and federal funding. The Maine DEP administers the Nonpoint Source Program which administers federal funding through Section 319 of the Clean Water Act to help communities make progress towards restoring or protecting waterbodies that are named on their NPS Priority List. To be eligible for funding a watershed-based plan must have been written or updated within the past ten years. The TBWMP expired in 2025 and therefore needs to be updated in order to be eligible for future funding. The Maine DEP’s “Guidance for Updating Maine Watershed-based Plans<sup>1</sup>” described this process in more detail.

**Commented [AH6]:** Suggest some language that explains that yes it can still serve as a framework, but in order to be eligible for implementation funding it has to be updated, and just generally a lot can change in a watershed in 10 years so updating will help the City to move forward more effectively.

### ***West Brook Subwatershed.***

West Brook is located near the eastern side of Downtown Biddeford. It extends from the Saco River, across Pool Road, south across West Street and then parallel along Granite Street. The West Brook watershed virtually splits the City with its southernmost reach close to the Kennebunkport townline to the Saco River. It outlets into the tidal portion of the Saco River. It is a relatively large subwatershed (3,228 acres or 5.04 square miles) that contains much medium and high density development, including Downtown Biddeford, lower density development and agricultural and forested lands to the south.

<sup>1</sup> [Microsoft Word - Guidance for Updating Maine Watershed-based Plans. Final.docx](#)

The eastern portion of the subwatershed just begins to get into the “Coastal Forest” (Formerly “Biddeford/Kennebunkport Vernal Pool Complex Focus Area”) which is characterized by a significant number of vernal pools and their associated wildlife habitat, although the majority of this focus area is located in the other subwatersheds discussed below.

Within the subwatershed, between Pool Street and West Street, many of the undeveloped areas are characterized by National Wetland Inventory (NWI) wetlands which are wetlands which have been roughly located based on aerial photography.

According to MDIFW, there are several small areas within this subwatershed that represents Significant Wildlife Habitat and animal Natural Heritage Network Occurrences (endangered, threatened, or rare species in Maine).

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, the unnamed streams in this watershed which feed into West Brook, as well as West Brook itself, are classified as Class B. West Brook its unnamed tributaries are unimpaired and meet classification goals.

#### ***Dungeon Brook Subwatershed.***

Dungeon Brook is the smallest of the Saco River watershed areas (352 acres or 0.55 square miles). It extends from the Saco River south across Pool Road for several miles into a major deer wintering area. Inland Fisheries and Wildlife has rated the fisheries value as low for this waterbody.

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, the unnamed streams in this watershed which feed into Dungeon Brook, as well as Dungeon Brook itself, are classified as Class B. Dungeon Brook and its unnamed tributaries are unimpaired and meet classification goals.

Commented [AH7]: Suggest removing

#### ***Moors Brook Subwatershed.***

Moore's Brook crosses Pool Street at the approximate midpoint between downtown Biddeford and the Hills Beach Road at the University of New England. The Moore's Brook watershed extends inland along Guinea Road to West Street. As it enters the Saco River, the brook and river combine to create a diverse environment, including freshwater and saltwater wetland habitats. There are significant salt marshes along this section of the Saco River which is expressive of the estuarine environment.

The Moore's Brook subwatershed is medium sized compared to the other watersheds/subwatersheds in Biddeford (2,277 acres or 3.56 square miles) that contains much medium and high density development, including Downtown Biddeford, lower density development and agricultural and forested lands to the south.

The eastern portion of the subwatershed just begins to get into the “Coastal Forest” (Formerly “Biddeford/Kennebunkport Vernal Pool Complex Focus Area”) which is characterized by a significant number of vernal pools and their associated wildlife habitat, although the majority of this focus area is located in the other subwatersheds discussed below.

Within the subwatershed, between Pool Street and West Street, many of the undeveloped areas are characterized by National Wetland Inventory (NWI) wetlands which are wetlands which have been roughly located based on aerial photography.

According to the NWI, wetlands in this area are described below:

- Freshwater Forested/Shrub Wetland Habitat
- Freshwater Pond Habitat
- Freshwater Emergent Wetland Habitat; and
- Riverine Habitat

According to MDIFW, there are several small areas within this subwatershed that represents Significant Wildlife Habitat and animal Natural Heritage Network Occurrences (endangered, threatened, or rare species in Maine).

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, the unnamed streams in this watershed which feed into Moores Brook, as well as Moores Brook itself, are classified as Class B. Moores Brook and its unnamed tributaries are unimpaired and meet classification goals.

#### ***Little River Watershed.***

The Little River Watershed is a large watershed (3,685 acres or 5.76 square miles) that discharges into the Atlantic Ocean at Timber Point. The river is highly influenced by tidal action south of Pool Road. There are an expansive network of salt marshes in this area, as well as a host of wildlife and plant life. The Rachel Carson National Wildlife Refuge manages significant acres within the estuary. The supratidal, intertidal and subtidal natural resources within this area support a wealth and diversity of plant, marine and wildlife species. There are no public access points or public recreation facilities in this area.

Within the watershed there are scattered Inland Waterfowl/Wading Bird habitats according to Maine Department of Inland Fisheries and Wildlife (MDIF&W). These are freshwater areas for breeding, migration/staging, and wintering habitats for inland waterfowl or breeding, feeding, loafing, migration, or roosting habitats for inland wading birds.

Within the estuarine/marine portion of the watershed MDIFW have identified Natural Heritage Network Occurrences as well as Salt-hay Saltmarsh Natural Communities and Saltmarsh False-foxglove occurrences which are a species of special concern.

Commented [AH8]: Are these correct? Isn't south st not in this watershed? Maybe Pool and West st?

Commented [AH9]: Should you specify the type of wetland? For example - freshwater forested/shrub wetland



From a Water Quality perspective, as provided in the Maine Department of Environmental Protection (MDEP) 2018/2020/2022 Integrated Water Quality Report Maps, Bush Brook and the unnamed streams in this watershed which feed into Little River, as well as Little River itself, are classified as Class B. Little River, Bush Brook, and Little River's unnamed tributaries are unimpaired and meet classification goals. The estuarine portion of Little River is classified as SB.

The Little River watershed is part of the larger Goose Rocks Beach-Litter River watershed which outlets in Kennebunkport at Goose Rocks Beach. The 2024 Integrated Report lists Goose Rocks – Little River (Kennebunkport) in "Category 5B: Coastal Designated Beaches Impaired for Bacteria Only- TMDL Required" which is a new category. This listing is for recreation in the water based on 2016-2020 Enterococci bacteria monitoring data. Maine DEP also added this watershed to the NPS Priority List in 2023 as nonpoint source pollution is believed to be the likely cause of the impairment. While not in Biddeford, much of the watershed is within Biddeford and therefore working collaboratively with Kennebunkport to investigate the sources of bacteria is important.

Also of note is that there is one active "water supply system" in this watershed. Located at 391 West Street, Shamrock Campground qualifies as a public water supply under the definitions established by the State.

#### ***Bush Brook Subwatershed.***

Bush Brook, a major tributary of the Little River, extends North from the Little River, crosses Newton Road and then runs parallel to Newtown Road, ending before the junction of Pool Road. There are several wetland areas located along and/or near this waterbody. There is also a nearby deer wintering area to the east of the brook.

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, Bush Brook is classified as Class B. Bush Brook is unimpaired and meets classification goals.

Commented [AH10]: remove

#### ***Etherington Pond Watershed.***

The Etherington Pond Watershed is a small watershed (251 acres or 0.39 square miles) that is located north of the Little River Watershed but South of the Biddeford Pool Watershed. Drainage here leads to Lords Pond, Etherington Pond, Lily Pond, and the Atlantic Ocean. It is characterized by unnamed streams. It is an important migratory shorebird flat and salt marsh for feeding and nesting. It supports a number of marine invertebrate species.

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, Etherington Pond is classified as a Class GPA<sup>2</sup> water and the unnamed streams in this watershed are classified as Class B. The unnamed tributaries in this watershed are unimpaired and meet classification goals.

#### ***Biddeford Pool Watershed.***

The Biddeford Pool Watershed (BPW) is a relatively small watershed (1,152 acres or 1.8 square miles) that drains an area in the northeastern part of the City. The Pool is an estuary fed by a number of freshwater streams. Biddeford Pool is used for recreational, commercial and wildlife purposes. It is an important migratory shorebird flat and salt marsh for feeding and nesting. It supports a number of marine invertebrate species.

Commented [AH11]: We delineated this watershed in 2020 to be 1.8 square miles

The BPW is located 6 miles southeast of downtown Biddeford and is entirely in the City of Biddeford. The waterbody itself is a 90-acre tidal cove and is fed by five unnamed freshwater tributaries, draining from the headwaters. This tidal estuary is just south of the mouth (~1.5 miles) of the Saco River. The tributaries flow from the west towards the pool and are influenced by tides. The northernmost tributary flows through an area of low development through the University of New England (UNE) campus before entering a tall grass tidal marsh where it converges with another tributary into the estuary and eventually the pool itself. The southern tributaries flow through a variety of land uses (forested, residential, and wetland) before discharging into the pool. Within the pool are clam flats (6 zones) that have active shellfish harvest operations. According to most recent land use data from ME DEP the BPW is primarily forested (45%) with developed areas accounting for 20% of the watershed, wetlands 29% and shrubland/grassland 4%. The remaining 2% is comprised of open space, pasture, and/or hay fields. The Pool forms a tidal estuary along the coast which exists in an area of higher density development and increased impervious surface areas.

From a Water Quality perspective, as provided in the MDEP 2018/2020/2022 Integrated Water Quality Report Maps, the unnamed streams in this watershed which feed into Biddeford Pool are classified as Class B. The unnamed tributaries in this watershed are unimpaired and meet classification goals.

Commented [AH12]: remove

The estuarine portion of Biddeford Pool, including the tidal Pool itself, is classified as SB. The tidal portion is listed in Category 2 in the *2024 Integrated Water Quality Monitoring and Assessment Report* for Estuarine and Marine Waters Attaining Some Designated Uses with insignificant data or information to determine if other uses are attained. This area is also listed under category 5-B-1(a) for elevated fecal indicators with shellfish harvesting conditionally approved.

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<sup>2</sup> The Maine DEP has one standard for the classification both of great ponds and of natural lakes and ponds less than 10 acres in size, which is Class GPA waters.

### 3.3. Combined Sewer Overflow

There are currently seven (7) Combined Sewer Overflow (CSO) locations in Biddeford. A CSO is defined as:

- Discharges of untreated wastewater from municipal CSSs. CSOs can be considered hydraulic relief points in a CSS which discharge to a receiving water during wet weather to protect property and prevent sewer backups into people's basements. CSOs typically consist of two components; a CSO Regulator where the untreated wastewater exits the sewer system, and a CSO outfall where the wastewater is discharged to the receiving water. Maine Pollution Discharge Elimination System (MePDES) permits issued by the State License the CSO outfalls, not the CSO regulators. Although uncommon, there can be more than one regulator discharging to a given CSO outfall.

According to the MDEP's *Maine Combined Sewer Overflow 2024 Status Report*, total CSO discharged 20,631,322 gallons into the Saco River. Winter rainfall events combined with snowmelt and frozen ground conditions were responsible for nearly all of Biddeford's combined sewer overflow (CSO) discharge in 2024. The report notes that 99.0% of Biddeford's annual CSO discharge occurred during these winter conditions, as frozen ground increases runoff into the combined sewer system and reduces infiltration into soils.

[Insert more details from Jeff Demers – via his email]

### 3.4. Stream Crossings

The Maine Inland Fisheries and Wildlife (MIFW) maintains a database of all stream crossings statewide, with a ranking system.

49 Culverts & Stream Crossings in Biddeford: via [Maine Stream Habitat Viewer](#) (IFW)

- 9 designated as "barriers"
- 32 designated as "potential barriers"
- 8 designated as "no barrier"

### 3.5. Water Monitoring

Participation in Maine DEP's Volunteer River Monitoring Program (VRMP) has relied on volunteers to help collect data on three (3) of Biddeford's watersheds.

- Thatcher Brook
- Swan Pond Brook
- West Brook

**Commented [AH13]:** Perhaps you have this in a different section of your Plan about Public Works facilities and function but I could recommend either here or in a different section to discuss wastewater and regulated stormwater in Biddeford. The wastewater section should go into detail on the Wastewater Treatment Plant, who it services, what is the % of residential, commercial and industrial users, what percent have septic, etc. Where its located, what its daily capacity is, what policy's should be included regarding continuing to make investments to the City's wastewater infrastructure.

The Saco Plan could be a good reference as they also have a regulated stormwater system and a treatment plant, they cover stormwater, septic's beginning on page 101: [Saco Comprehensive Plan Final](#)

Another plan to reference would be the City of Bangors, another community with a WWTP and regulated stormwater, if you search "wastewater" in their plan, they have some great policy examples - [CED---2022-Comprehensive-Plan-PDF](#)

n

**Commented [AH14]:** Suggest a short explanation of what this program is here

[Volunteer River Monitoring Program, Maine Department of Environmental Protection](#)

The Maine VRMP is a statewide citizen science program coordinated by the Maine Department of Environmental Protection that trains volunteers to collect water quality data from rivers and streams throughout Maine. The program helps track long-term trends in river health by monitoring conditions such as dissolved oxygen, temperature, conductivity, and nutrient levels. Data collected by volunteers supports watershed management, environmental planning, and public awareness of water quality issues across the state.

The data is used by both the City of Biddeford and Maine DEP to understand habitat suitability and other standards within these watersheds, with the following parameters being captured:

- Water Temperature
- Dissolved Oxygen (DO)
- Specific Conductance (SPC)

#### **Thatcher Brook - Impaired Status**

The Thatcher Brook Watershed has been labeled an “Urban Impaired Stream” by Maine DEP, resulting in a considerable effort to try to restore water quality in this watershed.

Historically, Thatcher Brook was a Brook Trout fishery and critical watershed habitat, but with development impacts around the I-95 highway and a large amount of impervious surface from shopping center parking lots, water quality has steadily declined over time.

**[Insert details from conversation with Addie Halligan about any need for additional monitoring]**

The Maine DEP publishes the integrated water quality monitoring and assessment report every two years. The report summarized available water quality information and assesses Maine’s water resources’ attainment of designated uses and standards.

The draft 2024 integrated water quality monitoring and assessment report is available through the Maine DEP’s website at the following link:  
[https://www.maine.gov/dep/water/monitoring/305b/2024/2024\\_ME\\_IntegratedRpt-REPORT-DRAFT.pdf](https://www.maine.gov/dep/water/monitoring/305b/2024/2024_ME_IntegratedRpt-REPORT-DRAFT.pdf).

The City of Biddeford participates in the Maine Healthy Beaches (MHB) Program to monitoring water quality at local coastal beaches, including Hills Beach, Middle Beach, Fortunes Rocks Beach, and Biddeford Pool, and using the data to help protect public health through beach advisories and water quality management.

The integrated Water Quality Report includes data pertaining to Swimming Beach Advisories and Closures. Under Clean Water Act (CWA) guidelines, the designated use of swimming beaches is “recreation in and on the water” (i.e. Primary Contact Recreation). Maine has a Beach Action Value (BAV) for enterococci that is used as a single sample safety threshold (104



MPN/100 mL) for contamination advisories at designated coastal Maine beaches. For beaches participating in the MHB program, the local municipality may issue beach actions including advisories (Contamination or Precautionary Rainfall) and closures. These actions are then posted as notifications to warn of potential health risks. Beach actions are based on a risk analysis performed by the beach manager with assistance from MHB staff. Contamination advisories represent those issued in response to elevated bacteria results, i.e. exceedances of the BAV of 104 enterococci MPN/100 mL, while precautionary rainfall advisories are issued preemptively based on local precipitation levels. Closures are rarely issued, and generally only based on the knowledge of a direct source, such as a sewage spill. These advisories/closures are recommendations to the public to avoid water contact activities at the beach until further analyses reveal safe conditions and/or conditions at the monitoring site change.

The table below depicts the beaches within the City of Biddeford and the number of days (as a percent (%)) that the beaches were under a recommended contamination advisory.

**Percent of monitoring season a beach is under a recommended contamination advisory.**

| Beach Name                       | % Days Under Recommended Contamination Advisory |      |      |      |      |
|----------------------------------|-------------------------------------------------|------|------|------|------|
|                                  | 2018                                            | 2019 | 2020 | 2021 | 2022 |
| Gil Bouche Park – Biddeford Pool | 0%                                              | 0%   | 0%   | 0%   | 0%   |
| Middle Beach                     | 0%                                              | 0%   | 0%   | 0%   | 0%   |
| Hills Beach                      | 0%                                              | 0%   | 1%   | 0%   | 0%   |
| Fortune Rocks Beach              | 0%                                              | 0%   | 0%   | 0%   | 0%   |

As shown by the data compiled in the Maine DEP's Integrated Water Quality Report, only Hills Beach was under a recommended contamination advisory in 2020 for a short period of time (approximately four days), the remaining beaches within Biddeford were not under a recommended contamination advisory spanning the years from 2018 to 2022.

While the City of Biddeford participates in the Maine DEP's Volunteer River Monitoring Program, there are rivers and streams with Insufficient data or information to determine if designated uses are attained (One or More Uses may be Impaired). Swan Pond Brook tributary is listed in the Integrated Water Quality Assessment report as having insufficient data and is further described in the table below.

**Rivers and Streams with Insufficient Data or Information to Determine if Designated Uses are Attained (One or More Uses may be Impaired)**

| Assessment Unit ID  | Segment Name              | Location                       | Size (miles) | Class   | Comments                                                                                                                                                                                                          |
|---------------------|---------------------------|--------------------------------|--------------|---------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ME0106000211_616R07 | Swan Pond Brook Tributary | Tributary Dayton and Biddeford | 7.1          | Class B | 5/22/12: New Category 3 listing for Aquatic Life Use in 2012 cycle: biomonitoring station S-786 showed algae (periphyton) non-attainment in 2005 and 2010. Resampling needed to confirm whether impairment exists |

The 2024 DEP's Integrated Water Quality Report also describes rivers and streams with impaired uses other than mercury. Rivers and streams with impaired uses in the City of Biddeford are depicted in the table below.

**Rivers and Streams with Impaired Use Other than Mercury - TMDL Completed**

| Assessment Unit ID  | Segment Name  | Location                | Cause                                     | Size (miles) | Class   | TMDL Number | Comments                                                                                                                                                                                                                                |
|---------------------|---------------|-------------------------|-------------------------------------------|--------------|---------|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ME0106000211_616R05 | Thacher Brook | Tributary to Saco River | Benthic Macroinvertebrates Bioassessments | 5.67         | Class B | 42478       | 6/1/23: Phase III Watershed Restoration Project completed in December 2022. 12/31/21: Macroinvertebrates did not meet Class B in 2015 and 2020 at S-451.                                                                                |
| ME0106000211_616R05 | Thacher Brook | Tributary to Saco River | Escherichia coli                          | 5.67         | Class B | 37777       | 4/1/21: Watershed restoration efforts to date include 319 grant projects: Phase I (2017), Phase II (2019) and Phase III (started 2021). Biddeford will complete 3 BMPs in the watershed as part of MS4 permit requirements (2022-2027). |

|                     |                                 |                         |                  |    |         |       |                                                                                                                                                                                                                                                                                                                                                                                                                                |
|---------------------|---------------------------------|-------------------------|------------------|----|---------|-------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                     |                                 |                         |                  |    |         |       | 8/14/14: Watershed Management Plan was completed in early 2015. Benthic macroinvertebrates only met Class C in 2012 (biomonitoring Station 746); sampling planned for 2015. 9/27/12: Aquatic life use impairment now Category 4-A due to approval of Statewide % Impervious Cover TMDL. TMDL uses the spelling 'Thatcher'. 9/28/09: Recreational use impairments now Category 4- A due to approval of statewide bacteria TMDL. |
| ME0106000211_616R06 | Swan Pond Brook at South Street | Tributary to Saco River | Escherichia coli | 1  | Class B | 37777 | 6/1/23: Phase III Watershed Restoration Project completed in December 2022. 9/28/09: Recreational use impairments now Category 4- A due to approval of statewide bacteria TMDL.                                                                                                                                                                                                                                                |
| ME0106000211_619R01 | Saco River at Biddeford-Saco    | Variable, CSO affected  | Escherichia coli | 0* | Class B | 37776 | 1/19/24: Biddeford reduced CSO discharge significantly between 2020 and 2022. City has proposed 10-year CSO abatement plan (in MEDEP                                                                                                                                                                                                                                                                                           |

|  |  |  |  |  |  |  |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
|--|--|--|--|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|  |  |  |  |  |  |  | <p>review). The resulting level of control would vary from less than a year storm in some drainage areas to a five year storm in other drainage areas. City will invest \$35M in the effort. Saco is beginning construction on WWTF which should reduce/eliminate CSO discharge in Saco. 10/1/21: CSO abatement efforts in Biddeford have become larger in scale based on DEP scrutiny of the existing plan. The level of investment must increase to a level commensurate with the scale of the problem. DEP has included the completion of a an updated systemwide CSO Master Plan in June of 2022 as a condition of recent enforcement actions. Biddeford is the farthest behind of any CSO community. 11/25/14: CSO abatement ongoing. 9/28/09: Recreational use impairments now Category 4- A due</p> |
|--|--|--|--|--|--|--|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|



|                          |                                   |                                                             |                                           |    |         |       |                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------|-----------------------------------|-------------------------------------------------------------|-------------------------------------------|----|---------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ME0106000211_616R05_W043 | Thacher Brook (Biddeford) wetland | Wetland station W043, upstream (south) of Rt 111, Biddeford | Benthic Macroinvertebrates Bioassessments | 14 | Class B | 42478 | to approval of statewide bacteria TMDL.<br>10/7/2016: Biological monitoring done in 2001, 2005 and 2013 shows impairment of aquatic life use. Corrected AU size based on updated mapping, previously 9 acres. 9/27/2012: Aquatic life use impairment now Category 4-A due to approval of Statewide % Impervious Cover TMDL. TMDL uses the spelling 'Thatcher'. |
|--------------------------|-----------------------------------|-------------------------------------------------------------|-------------------------------------------|----|---------|-------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

**Estuarine and Marine Waters with Impaired Shellfish Harvesting Designated Use – TMDL Completed (Bacteria from Combined Sewer Overflows)**

| Assessment Unit ID   | Segment Name                                                            | Location         | Cause          | Size (sq miles) | Class    | Comments                                                                                                                                                                    |
|----------------------|-------------------------------------------------------------------------|------------------|----------------|-----------------|----------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| ME010600021105_SC1_E | Biddeford Publicly Owned Treatment Works discharge vicinity (Biddeford) | Upper Saco River | Fecal Coliform | Undetermined    | Class SC | <b>2/14/2024:</b> Seven remaining discharge points. Preparing revised CSO Master Plan update. Estimated elimination time of <30 years.<br><b>12/1/2021:</b> This assessment |

| Assessment Unit ID | Segment Name | Location | Cause | Size (sq miles) | Class | Comments                                                                                                                                                                                                                                                    |
|--------------------|--------------|----------|-------|-----------------|-------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                    |              |          |       |                 |       | unit corresponds to 2016 ID ME811-6_na_na. Master Plan update submitted Feb. 2020 but unable to approve. NOV issued Jan. 2021 for lack of approved Plan. DEP requests supplemental Plan be submitted by June 2022. Revised Phase II Master Plan submission. |

#### 4. Drinking Water

The City of Biddeford derives drinking water from two primary sources which include PWS surface water from the Saco River that is distributed by the H2O America and KKW, and from groundwater aquifers where wells extract groundwater from both the overburden aquifer and bedrock aquifer.

According to the Maine Geological Survey (MGS) Water Well Database, there are currently 293 wells in Biddeford which include the following:

- 274 domestic drinking water wells
- 5 commercial wells
- 7 geothermal wells
- 1 institutional well, and
- 6 wells described as “other”

Of the 293 wells in Biddeford, 288 are completed as bedrock wells (i.e. drilled into the bedrock aquifer) while the other five draw water from the overburden aquifer (e.g., sand and gravel dug wells).

Well depths in Biddeford range from 21 feet to 645 feet below ground surface (bgs) with the average well depth being 277 feet bgs. The water yield of the wells in gallons per minute (gpm) range between 0.13 gpm to 144 gpm with the average being approximately 12 gpm.

## 5. Groundwater Aquifers

Biddeford's groundwater occurs in two primary aquifer types: bedrock aquifers and overburden (unconsolidated) aquifers. Bedrock aquifers store and transmit water through fractures and joints in the underlying rock, producing generally lower but reliable yields that can vary significantly depending on fracture distribution. Overburden aquifers, composed of sand, gravel, and other unconsolidated materials, typically provide higher-yielding water supplies and play a key role in groundwater recharge and baseflow to streams and wetlands. Understanding the differences between these aquifer systems is essential for protecting private wells, managing groundwater withdrawals, and guiding development in areas not served by public water.

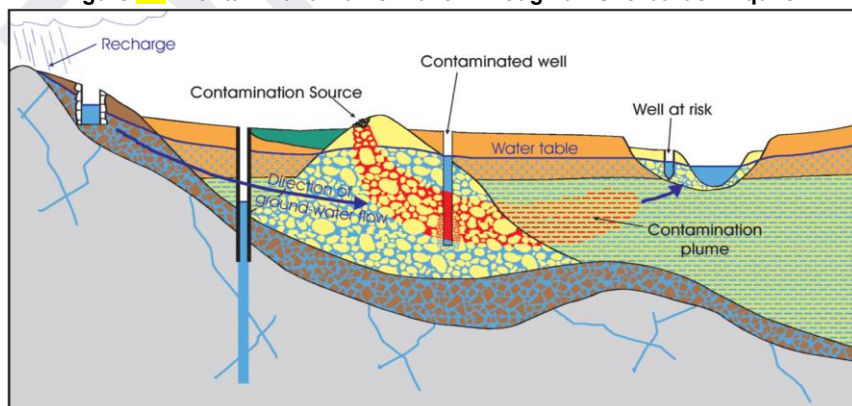
### 5.1. Bedrock Aquifers

According to the MGS bedrock in Biddeford is comprised of a variety of intrusive (i.e. igneous) and stratified (i.e. sedimentary) bedrock formations. The Bedrock Geology of the Kittery 1:100,000 Quadrangle, Maine and New Hampshire (Hussey, Bothner, & Thompson; edited by Berry; Maine Geological Survey, 2003) depicts the type and location of bedrock formations present in Biddeford. Bedrock formations in Biddeford where groundwater is extracted from bedrock include the following:

### 5.2. Overburden Aquifers

Overburden aquifers are especially important because their sand and gravel deposits store and transmit far greater quantities of groundwater than the underlying bedrock aquifers, making them critical sources of high-yield wells, groundwater recharge, and baseflow to streams and wetlands; however, their permeable materials also make them more susceptible to contamination from surface activities such as chemical spills, road-salt application, and other land-use impacts. The figure below prepared by the MGS depicts how a contaminant plume may travel through the overburden aquifer.

**Figure XX: Contaminant Plume Travel Through an Overburden Aquifer**





According to the 1999 Biddeford Comprehensive Plan the Maine Geological Survey *had* identified three areas within the Biddeford that *were* "favorable for the development of groundwater supplies from sand and gravel deposits". These aquifers were identified as being located in the following areas:

- South-central Biddeford between the railroad and the airport.
- Near the intersection of Guinea Road and West Street
- Near the intersection of Fox Farm Road and Oak Ridge Road.

According to the MGS Significant Sand and Gravel Aquifers of the Biddeford Maine Quadrangle (Open File Number 98-149 1998) only one of these locations is identified as a "significant sand and gravel aquifer", being the Fox Farm Road/Oak Ridge Road location. This aquifer is identified as consisting of "Surficial deposits with moderate to good potential ground-water yield; yields generally greater than 10 gallons per minute to a properly constructed well. Deposits consist primarily of glacial sand and gravel but can include areas of sandy till and alluvium; yields may exceed 50 gallons per minute in deposits hydraulically connected with surface-water bodies, or in extensive deposits where subsurface data are available".

### **5.3. Significant Threats to Aquifer Drinking Water Supplies**

#### **Commercial and Industrial Activities**

The sand and gravel deposits located in south-central Biddeford sit in close proximity to the Biddeford Municipal Airport and nearby industrial/railroad corridors. The primary risks in this zone include the storage, handling, and potential accidental release of hazardous materials such as aviation fuels, solvents, automotive fluids, and industrial chemicals. Because sand and gravel deposits allow rapid downward infiltration, a surface spill in this zone can quickly compromise the local water table before natural filtration can occur.

#### **Transportation Infrastructure**

The aquifer materials near the intersection of Guinea Road and West Street, as well as the Fox Farm Road deposit, are heavily intersected by major local arterials and sit down-gradient from the Maine Turnpike (I-95) corridor. Road salting practices present a chronic, long-term threat to groundwater quality. Regular application of road salt (sodium chloride) during winter maintenance leads to elevated chloride plumes in the shallow overburden aquifer, which can travel through groundwater fractures and pollute nearby private drinking wells.

#### **Subsurface Wastewater Disposal**

The highest-yielding sand and gravel resource in Biddeford, the Fox Farm Road and Oak Ridge aquifer, is located in a portion of the city's rural district that is entirely unserved by the public sewer system. Drinking water supplies in this zone rely exclusively on private wells operating alongside private, on-site subsurface wastewater disposal (septic) systems. The primary threats

include nitrate loading and potential bacterial or viral contamination from aging, unmaintained, or densely clustered septic systems. If a septic system fails or is overwhelmed in these coarse, high permeable glacial soils, effluent can rapidly bypass the soil's natural biological treatment layer and infiltrate the underlying drinking water supply.

#### **Emerging Contaminants (PFS)**

A systemic threat to both bedrock and overburden aquifers is the presence of Per- and Polyfluoroalkyl Substances (PFAS). These persistent forever chemicals, often associated with legacy firefighting foams or the historical land-application of certain biosolids, presents a highly mobile threat to private residential wells because they do not easily break down and migrate aggressively through groundwater plumes.

## **6. Existing Preservation and Protective Measures**

Biddeford utilizes a combination of local zoning performance standards, state-mandated environmental ordinances, and regional watershed partnerships to preserve its lake, pond, river, stream, and drinking water resources.

### **6.1. Local Regulatory Mechanisms**

#### **Site Plan and Subdivision Review**

Biddeford's Site Plan and Subdivision Review processes serve as the primary administrative mechanism where the Planning Board and Code Enforcement Office review and approve development applications for compliance with the city's Shoreland Zoning performance standards, Post-Construction Stormwater management rules, and Erosion and Sedimentation Control requirements.

#### **Shoreland Zoning Ordinance**

Biddeford enforces a strict, local Shoreland Zoning framework that meets or exceeds the Maine DEP Chapter 1000 guidelines. The ordinance establishes a protective uniform 100-foot structural setback across primary resource zones to minimize clearing and prevent runoff from entering coastal and freshwater bodies. Urban infill and historic revitalization along the Saco River are carefully managed through the DEP approved Waterfront Renaissance District, balancing dense development with modern public amenities and riverfront access.

### **Post Construction Stormwater Management**

To protect surface water from nonpoint source pollution, the city mandates that developments requiring site plan review must implement a post-construction stormwater management plan. This ordinance (Chapter 34, Article VI) legally binds developers to the standards found in Maine DEP Chapters 500 and 502 rules.

### **Erosion and Sedimentation Control**

In alignment with its MS4 General Permit, the city requires all soil-disturbing construction activities to implement strict erosion control practices matching DEP Chapter 500 appendices to protect downstream brooks like Thatcher Brook.

## **6.2. Regional and Watershed Protection Measures**

### **The Saco River Corridor Commission (SRCC)**

Because the Saco River serves as the primary source of public drinking water for the region and acts as a vital fishery, land use within 500 feet of the river (or within its 100-year floodplain) is subject to the co-jurisdiction of the SRCC under the Saco River Corridor Act (Title 38 MRSA §953). This provides a critical secondary tier of regional oversight for vegetative clearing, structural setbacks, and pollution prevention.

### **Saco Watershed Collaborative**

The city actively participates in regional partnerships to monitor water quality trends, track invasive species, and implement large-scale restoration projects across municipal borders.

## **6.3. Public Drinking Water and Groundwater Safeguards**

The city enforces blanket prohibitions in its Land Development Regulations to protect groundwater resources. The city's general zoning restricts high-risk industrial operations, chemical storage yards, and bulk petroleum facilities from setting up in rural or residential zones near public drinking wells. If a developer proposes a project utilizing or sitting near groundwater infrastructure, they are hit with strict performance standards requiring a hydrogeologic assessment. They must prove that the development will not result in the contamination of existing or potential domestic or public water supply wells.

### **Public Utilities Infrastructure**

The majority of Biddeford's built environment is served by public water drawn directly from the Saco River and treated at the facility serving the Saco-Biddeford division.

### **Aquifer Protection Overlay (APO)**

While the densely developed areas of Biddeford rely on water treated and distributed from the Saco River, rural and suburban households across the western portions of the community depend entirely on private domestic wells tapping into localized groundwater. To safeguard these critical subsurface assets from contamination and ensure long-term drinking water security, the City of Biddeford maintains an Aquifer Protection Overlay (APO) district within its Land Development Regulations (Part III, Chapter V, Section 1).

Mapped directly over high-yield sand and gravel aquifers identified by the Maine Geological Survey, the APO functions as a protective shield over highly permeable soils where surface spills can rapidly migrate into the water table. Because it is an overlay framework, its strict environmental performance standards automatically supersede the underlying base zones.

Key groundwater protections enforced within Biddeford's APO include:

- **Land Use Limitations:** Strict conditional use review or outright prohibitions on high-risk commercial operations, including commercial chemical storage, automotive repair garages, salvage yards, and bulk petroleum facilities.
- **Impervious Surface Caps:** Limitations on total lot coverage to maximize natural precipitation infiltration, ensuring the underlying aquifer can naturally recharge while minimizing concentrated toxic stormwater flows.
- **Best Management Practices (BMPs):** Engineered requirements for on-site stormwater management and nonpoint source pollution containment for any newly approved development footprints within the overlay boundaries.

### **Wellhead Protection Areas**

For areas relying on localized groundwater infrastructure, the city tracks the Maine Drinking Water Program's Wellhead Protection Areas mapping. For example, the Ocean Pines Campground area is located proximate to two mapped wellhead protection zones associated with the H2O America's public water supply system. Those mapped areas safeguard groundwater by managing land-use activities within standard 300-foot inner and 1,000-foot outer buffer zones to reduce contamination risks from nearby residential, recreational, or commercial uses.

While the city tracks state-mapped Wellhead Protection Areas, Biddeford currently lacks a localized Wellhead Protection Overlay Ordinance. As a result, the city relies on generalized subdivision review criteria to safeguard groundwater. The city may want to consider developing



a formal Wellhead Protection Ordinance to standardize land-use restrictions within the 300-foot and 1,000-foot public well buffers.

## **7. Municipal Operations**

In addition to enforcing land-use regulations on private development, the City of Biddeford actively implements water quality protection and pollution prevention practices across its daily municipal operations and infrastructure maintenance programs.

### **7.1. Public Works Operations**

Public works crews sweep all public streets and municipally owned parking lots at least once every spring to capture winter sand, debris, and heavy metals before they can wash into local waterways. Crews also regularly inspect, clean, and map the city's catch basins to prevent sediment blockages and stormwater backups.

Municipal maintenance facilities, including the Public Works garage, operate under Stormwater Pollution Prevention Plans. These plans mandate that vehicle maintenance and fueling occur indoors, and that bulk road salt is stored in fully enclosed, covered sheds to prevent rain and snowmelt from generating highly toxic chloride runoff.

The city utilizes modern, calibrated salt-spreading equipment on its plow trucks to monitor and optimize application rates. Training programs focus on minimizing salt usage while maintaining public safety, particularly within the sensitive and urban-impaired Thatcher Brook watershed.

### **7.2. Contractor Requirements**

Biddeford holds its own public works crews and third-party municipal contractors to strict water quality protection benchmarks during active construction projects.

In compliance with the city's updated stormwater rules, any municipal road construction, utility repair, or public facility development that disturbs soil must deploy erosion and sedimentation control practices that meet or exceed the Maine DEP Chapter 500 Appendices standards.

Bidding documents and municipal contracts for capital improvement projects explicitly require third-party contractors to submit and adhere to rigorous erosion and sedimentation control plans. These sites are subject to inspection by the city's Code Enforcement staff or engineering inspectors to ensure that silt fences, catch basin sediment bags, and stabilized construction entrances are actively maintained until the site is fully revegetated.

## **8. Regional Coordination**

Biddeford actively engages with several established local and regional advocacy groups, non-profits, and inter-municipal coalitions to advance water resource protection, pool monitoring resources, and secure watershed-level grant funding:

### **8.1. Saco Watershed Collaborative**

This represents a major opportunity for the city to partner on regional drinking water protection. The collaborative brings together water utilities, conservation districts, land trusts, and municipal planners across the entire Saco River basin. Partnering here allows Biddeford to coordinate upstream pollution mitigation strategies, protect the regional drinking water supply, and access joint funding for water quality initiatives.

### **8.2. Saco River Corridor Commission (SRCC)**

As a statutory compact of 20 municipalities along the river, Biddeford's partnership with the SRCC ensures coordinated land-use oversight within the 500-foot river corridor. This shared jurisdiction acts as a vital tool for enforcing consistent regional standards for vegetative buffers and shoreline protection.

### **8.3. Saco Valley Land Trust**

The Saco Valley Land Trust (SVLT) is a non-profit organization dedicated to the preservation of open space, wildlife habitat, and water quality in Saco, Biddeford, and along the southern portion of the Saco River. The trust owns over 500 acres in Biddeford, Saco, and Buxton, as well as 200 acres of conservation easements.

### **8.4. University of New England**

Located right at the mouth of the Saco River in Biddeford, UNE represents an exceptional local asset. The city has a direct opportunity to partner with UNE's Environmental Studies and Marine Sciences programs, utilizing students and faculty researchers to conduct freshwater monitoring, track invasive species, and support local habitat restoration projects.

### **8.5. Interlocal Stormwater Working Group (ISWG)**

Facilitated by the Cumberland County Soil and Water Conservation District, this regional coalition of MS4-regulated communities allows Biddeford to collaborate with neighboring towns on regional stormwater public education campaigns, volunteer training, and the development of standardized low-impact development (LID) ordinances.

#### **8.6. Thatcher Brook Watershed Committee**

Because Thatcher Brook is an urban impaired stream, the city partners with local stakeholders, landowners, and regional conservation districts to implement the Thatcher Brook Watershed Management Plan. This ongoing partnership is critical for driving neighborhood-level outreach, rain garden installations, and stream-bank stabilization efforts.

DRAFT

### Water Resource Priority Areas

A ranking system for Environmental Priority Areas as High Value Riparian Habitat Corridor (RH), High Value Water Resources (WR) and High Value Plant and/or Animal Corridors (P/AHC), with 1 the highest priority. The summary emphasizes that “they are all priorities.”

| Priority Area                               | RH | WR | P/AHC |
|---------------------------------------------|----|----|-------|
| Biddeford/Kennebunkport Vernal Pool Complex |    |    | 1     |
| Saco River Estuary                          | 1  | 1  |       |
| Biddeford Pool and Clam Flats               |    | 1  | 1     |
| Moors Brook Corridor                        |    |    |       |
| Dungeon Brook Corridor                      |    |    |       |
| West Brook Corridor                         | 1  |    |       |
| Thatcher Brook Corridor                     | 1  |    | 1     |
| Swan Pond Brook Corridor                    | 1  | 1  | 1     |
| Saco River North Corridor                   |    |    |       |
| Saco River Turnpike Corridor                |    |    |       |
| Little River Corridor                       |    |    |       |
| Etherington Pond Corridor                   |    |    |       |
|                                             |    |    |       |
|                                             |    |    |       |



## **Goals, Policies & Strategies**

### **Goal**

To protect and improve the quality and to manage the quantity of the State's water resources, including lakes, aquifers, great ponds, estuaries, rivers and coastal areas.

DRAFT

## Policies

1. Protect current and potential drinking water sources, with special emphasis on preventing chemical and septic contamination within the Saco River watershed and local aquifers.
2. Protect significant surface water resources from pollution and improve water quality where needed, specifically prioritizing the restoration of Thatcher Brook and other waterbodies impaired by nonpoint source pollution through the protection of riparian buffers and forested canopies.
3. Protect water resources in designated growth areas while promoting intensive development in those areas by utilizing low-impact development standards and responsive zoning updates.
4. Minimize pollution discharges through the continuous upgrade and maintenance of public sewer systems, wastewater treatment facilities, and private subsurface wastewater disposal oversight.
5. Cooperate with neighboring communities, regional agencies, and local advocacy groups to protect shared water resources, expand watershed monitoring programs, and restore watershed connectivity for fish and wildlife passage.

## Strategies

### 1. Ordinance & Regulatory Updates

- 1.1. **Stormwater and MS4:** Amend local ordinances to maintain consistent stormwater runoff performance standards that strictly align with Title 38 MRSA 420-D (Chapters 500/502) and MEPDES MS4 permit Requirements.
- 1.2. **Low-Impact Development:** Amend local zoning and site plan review ordinances to incorporate Low-Impact Development (LID) standards that minimize site clearing, encourage tree preservation, limit effective impervious area, and protect forested canopies in high-priority watersheds.
- 1.3. **Drinking Water Protection:** Maintain and periodically amend public wellhead and aquifer recharge area protection mechanisms within the zoning ordinance to safeguard municipal drinking water sources and private wells from septic or chemical contamination.

### 2. Public Infrastructure & Operations

#### 2.1. Road Maintenance

- 2.1.1. Adopt and enforce water quality protection practices for the construction and maintenance of public/private roads and municipal properties.

- 2.1.2. Regularly evaluate Public Works snow removal procedures, designate secure snow dump locations, and deploy alternatives to traditional road salts to mitigate chloride introduction into freshwater resources.

## **2.2. Fish Passage & Connectivity**

- 2.2.1. Update stream crossings identified as ecological barriers or potential barriers during scheduled roadwork and capital infrastructure projects.
- 2.2.2. Require all new or replacement municipal and contracted stream crossings to follow Maine Department of Inland Fisheries and Wildlife (IF&W) Stream Smart design principles.

- 2.3. **Community Rating System:** Explore the ability to join the National Flood Insurance Program (NFIP) Community Rating System (CRS).

## **3. Regional Cooperation & Environmental Monitoring**

- 3.1. **Urban Impaired Streams:** Continue implementing and updating the Thatcher Brook Watershed Management Plan to guide targeted mitigation and restoration efforts, enabling continued compatible development or redevelopment without further stream degradation.
- 3.2. **Regional Partnerships:** Participate actively in local and regional water quality monitoring and restoration efforts.
  - 3.2.1. Participate in the Saco Watershed Collaborative (SWC), as a means of staying informed about freshwater resources, water quality updates, partnerships, and opportunities to fund.
  - 3.2.2. Continue to monitor streams/brooks in Biddeford as part of the DEP Volunteer River Monitoring Program, eventually expanding our data collection efforts to include all ten (10) watersheds in Biddeford.
  - 3.2.3. Collaborate with educational programs, nonprofits, and other organizations to develop watershed monitoring programs to aid the City in capturing data to support watershed decision-making and improve our understanding of water quality, riparian habitat, and other water resource needs.
  - 3.2.4. Collaborate with the University of New England to identify areas of opportunity for UNE students to support freshwater resources in Biddeford through study, monitoring, and restoration work.
  - 3.2.5. Pursue grants and partnerships to install water quality monitoring equipment on waterbodies.

#### **4. Education, Outreach & Landowner Support**

- 4.1. Implement a public outreach campaign for water resources education and engagement.
- 4.2. Provide educational materials at appropriate locations regarding aquatic invasive species.
- 4.3. Provide local contact information at the municipal office for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service, and/or Small Woodlot Association of Maine.

#### **Strategies**

1 = Immediate (0-1 yr)

2 = Near-term (1-3 yrs)

3 = Medium-term (3-6 yrs)

4 = Long-term (6-10 yrs)

Ongoing = Indicates a strategy will take many years or continuous work for implementation.



| GOAL (#) | STRATGEY (#) | CHAPTER         | STRATEGY/ACTION SUMMARY                                                                                                                                                                                                                                        | LEAD IMPLEMENTER<br>POSSIBLE COLLAB               | TIMEFRAME | PRIORITY | GROWTH CAP INVEST | POSSIBLE FUNDING SOURCES | COST/STAFFING |
|----------|--------------|-----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|-----------|----------|-------------------|--------------------------|---------------|
|          | 15.1         | WATER RESOURCES | Amend local ordinances to maintain consistent stormwater runoff performance standards that strictly align with Title 38 MRSA 420-D (Chapters 500/502) and MEPDES MS4 permit Requirements.                                                                      | Planning & Development Dept                       | Ongoing   |          |                   |                          |               |
|          | 15.2         |                 | Amend local zoning and site plan review ordinances to incorporate Low-Impact Development (LID) standards that minimize site clearing, encourage tree preservation, limit effective impervious area, and protect forested canopies in high-priority watersheds. | Planning & Development Dept                       |           |          |                   |                          |               |
|          | 15.3         |                 | Maintain and periodically amend public wellhead and aquifer recharge area protection mechanisms within the zoning ordinance to safeguard municipal drinking water sources and private wells from septic or chemical contamination.                             | Planning & Development Dept                       |           |          |                   |                          |               |
|          | 15.4         |                 | Adopt and enforce water quality protection practices for the construction and maintenance of public/private roads and municipal properties.                                                                                                                    | Planning & Development Dept.,<br>Code Enforcement |           |          |                   |                          |               |
|          | 15.5         |                 | Regularly evaluate Public Works snow removal procedures, designate secure snow dump locations, and deploy alternatives to traditional road salts to mitigate chloride introduction into freshwater resources.                                                  | Public Works,<br>Conservation Commission          | 2         |          |                   |                          |               |
|          | 15.6         |                 | Update stream crossings identified as ecological barriers or potential barriers during scheduled roadwork and capital infrastructure projects.                                                                                                                 |                                                   |           |          |                   |                          |               |
|          | 15.7         |                 | Require all new or replacement municipal and contracted stream crossings to follow Maine Department of Inland Fisheries and Wildlife (IF&W) Stream Smart design principles.                                                                                    | Lead:<br>Collab:                                  |           |          |                   |                          |               |

|  |         |  |                                                                                                                                                                                                                                                                                              |                                                |         |  |  |  |  |  |
|--|---------|--|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|---------|--|--|--|--|--|
|  | 15.8    |  | Explore the ability to join the National Flood Insurance Program (NFIP) Community Rating System (CRS).                                                                                                                                                                                       | Planning & Development Dept., Code Enforcement | 2       |  |  |  |  |  |
|  | 15.9    |  | Continue implementing and updating the Thatcher Brook Watershed Management Plan to guide targeted mitigation and restoration efforts, enabling continued compatible development or redevelopment without further stream degradation.                                                         | Conservation Commission                        | 2       |  |  |  |  |  |
|  | 15.10   |  | Participate actively in local and regional water quality monitoring and restoration efforts.                                                                                                                                                                                                 |                                                |         |  |  |  |  |  |
|  | 15.10.1 |  | Participate in the Saco Watershed Collaborative (SWC), as a means of staying informed about freshwater resources, water quality updates, partnerships, and opportunities to fund.                                                                                                            | Conservation Commission                        | 1       |  |  |  |  |  |
|  | 15.10.2 |  | Continue to monitor streams/brooks in Biddeford as part of the DEP Volunteer River Monitoring Program, eventually expanding our data collection efforts to include all ten (10) watersheds in Biddeford.                                                                                     | Conservation Commission                        | Ongoing |  |  |  |  |  |
|  | 15.10.3 |  | Collaborate with educational programs, nonprofits, and other organizations to develop watershed monitoring programs to aid the City in capturing data to support watershed decision-making and improve our understanding of water quality, riparian habitat, and other water resource needs. | Conservation Commission, Recreation Commission | 3       |  |  |  |  |  |
|  | 15.10.4 |  | Collaborate with the University of New England to identify areas of opportunity for UNE students to support freshwater resources in Biddeford through study, monitoring, and restoration work.                                                                                               | Conservation Commission                        | 2       |  |  |  |  |  |
|  | 15.10.5 |  | Pursue grants and partnerships to install water quality monitoring equipment on waterbodies.                                                                                                                                                                                                 |                                                |         |  |  |  |  |  |

|  |       |  |                                                                                                                                                                                                                                                                                                                           |  |  |  |  |  |  |
|--|-------|--|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|--|--|
|  | 15.11 |  | Implement a targeted public outreach campaign regarding watershed health.                                                                                                                                                                                                                                                 |  |  |  |  |  |  |
|  | 15.12 |  | Provide educational materials at appropriate locations regarding aquatic invasive species.                                                                                                                                                                                                                                |  |  |  |  |  |  |
|  | 15.13 |  | Provide local contact information at the municipal office for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service, and/or Small Woodlot Association of Maine. |  |  |  |  |  |  |

## Optional Self-Assessment Checklist

This checklist was developed to ease the preparation of comprehensive plans. Its contents are taken directly from the Comprehensive Plan Review Criteria Rule (07 105 Chapter 208). There are no requirements to submit this checklist for review as it is intended only for the plan preparers.

| Water Resources                                                                                                                                                                                                                                                                                                                                                                                                                                                 | ✓ | Page                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Analyses</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Are there point sources (direct discharges) of pollution in the community? If so, is the community taking steps to eliminate them?                                                                                                                                                                                                                                                                                                                              |   | p. 10-19, CSOs - see comment from DEP with request for additional info about CSO master plan, comment about additional info from Jeff Demers email                                                                                                                                                                                                                                                                                                                                                      |
| Are there non-point sources of pollution? If so, is the community taking steps to eliminate them?                                                                                                                                                                                                                                                                                                                                                               | ✓ | p. 10-6, pp. 10-9 to 10-18                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |
| How are groundwater and surface water supplies and their recharge areas protected?                                                                                                                                                                                                                                                                                                                                                                              | ✓ | p. 10-10, pp. 10-29 to 10-31                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |
| Do public works crews and contractors use best management practices to protect water resources in their daily operations (e.g. salt/sand pile maintenance, culvert replacement street sweeping, public works garage operations)?                                                                                                                                                                                                                                | ✓ | p. 10-32                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Are there opportunities to partner with local or regional advocacy groups that promote water resource protection?                                                                                                                                                                                                                                                                                                                                               | ✓ | pp. 10-33 to 10-34                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Condition and Trends</b>                                                                                                                                                                                                                                                                                                                                                                                                                                     |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| The community's Comprehensive Planning Water Resources Data Set prepared and provided to the community by the Department of Inland Fisheries and Wildlife, the Department of Environmental Protection and the Office, or their designees.                                                                                                                                                                                                                       |   | The plan appears to include nearly everything sent by DEP and specifically called out in their review letter. I have suggested including a few of the maps they called out in their letter, which were not in the plan.<br><br>The only thing that seems to be missing is more info about point source pollution. There are notes in the plan that suggest this information will be added to the plan, based on information from DEP. DEP is also calling for more local info about the CSO master plan |
| A description of each great pond, river, surface drinking water supply, and other water bodies of local interest including:<br>a. ecological value;<br>b. threats to water quality or quantity;<br>c. documented water quality and/or invasive species problems.                                                                                                                                                                                                | ✓ | pp. 10-5 to 10-18                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |
| A summary of past and present activities to monitor, assess, and/or improve water quality, mitigate sources of pollution, and control or prevent the spread of invasive species.                                                                                                                                                                                                                                                                                | ✓ | pp. 10-19 to 10-26                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A description of the location and nature of significant threats to aquifer drinking water supplies.                                                                                                                                                                                                                                                                                                                                                             | ✓ | pp. 10-26 to 10-30                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| A summary of existing lake, pond, river, stream, and drinking water protection and preservation measures, including local ordinances.                                                                                                                                                                                                                                                                                                                           | ✓ | pp. 10-29 to 10-31                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Policies</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                 |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| To protect current and potential drinking water sources.                                                                                                                                                                                                                                                                                                                                                                                                        | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To protect significant surface water resources from pollution and improve water quality where needed.                                                                                                                                                                                                                                                                                                                                                           | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To protect water resources in growth areas while promoting more intensive development in those areas.                                                                                                                                                                                                                                                                                                                                                           | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To minimize pollution discharges through the upgrade of existing public sewer systems and wastewater treatment facilities.                                                                                                                                                                                                                                                                                                                                      | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| To cooperate with neighboring communities and regional/local advocacy groups to protect water resources.                                                                                                                                                                                                                                                                                                                                                        | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Strategies</b>                                                                                                                                                                                                                                                                                                                                                                                                                                               |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Adopt or amend local land use ordinances as applicable to incorporate stormwater runoff performance standards consistent with:<br>a. Maine Stormwater Management Law and Maine Stormwater regulations (Title 38 M.R.S.A. §420-D and 06-096 CMR 500 and 502).<br>b. Maine Department of Environmental Protection's allocations for allowable levels of phosphorus in lake/pond watersheds.<br>c. Maine Pollution Discharge Elimination System Stormwater Program | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Consider amending local land use ordinances, as applicable, to incorporate low impact development standards.                                                                                                                                                                                                                                                                                                                                                    | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Where applicable, develop an urban impaired stream watershed management or mitigation plan that will promote continued development or redevelopment without further stream degradation.                                                                                                                                                                                                                                                                         | ✓ | p. 10-38                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Maintain, enact or amend public wellhead and aquifer recharge area protection mechanisms, as necessary.                                                                                                                                                                                                                                                                                                                                                         | ✓ | p. 10-37                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Encourage landowners to protect water quality. Provide local contact information at the municipal office for water quality best management practices from resources such as the Natural Resource Conservation Service, University of Maine Cooperative Extension, Soil and Water Conservation District, Maine Forest Service, and/or Small Woodlot Association of Maine.                                                                                        | ✓ | p. 10-39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Adopt water quality protection practices and standards for construction and maintenance of public and private roads and public properties and require their implementation by contractors, owners, and community officials and employees.                                                                                                                                                                                                                       | ✓ | p. 10-38                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Participate in local and regional efforts to monitor, protect and, where warranted, improve water quality.                                                                                                                                                                                                                                                                                                                                                      | ✓ | p. 10-38                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| Provide educational materials at appropriate locations regarding aquatic invasive species.                                                                                                                                                                                                                                                                                                                                                                      | ✓ | p. 10-39                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <p><b>Comments:</b></p>                                                                                                                                                                                                                                                                                                                                                                                                                                         |   |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |



| Existing Land Use                                                                                                                                                                                                                                                                                                       | ✓ | Page                                                                                                                                               |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---|----------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Analyses</b>                                                                                                                                                                                                                                                                                                         |   |                                                                                                                                                    |
| Is most of the recent development occurring: lot by lot; in subdivisions; or in planned developments? Is recent development consistent with the community's vision?                                                                                                                                                     | ✓ | pp. 17-18                                                                                                                                          |
| What regulatory and non-regulatory measures would help promote development of a character, and in locations that are consistent with the community's vision?                                                                                                                                                            | ✓ | p. 19<br>Covered briefly, but I think this fits in better in the Future Land Use Chapter, as I was not comfortable making specific recommendations |
| Is the community's administrative capacity adequate to manage its land use regulation program, including planning board and code enforcement officer?                                                                                                                                                                   | ✓ | pp. 15-16                                                                                                                                          |
| Are floodplains adequately identified and protected? Does the community participate in the National Flood Insurance Program? If not, should it? If so, is the floodplain management ordinance up to date and consistently enforced? Is the floodplain management ordinance consistent with state and federal standards? | ✓ | p. 13<br>May want to include a map, unless there's already a map somewhere else in the plan?                                                       |
| <b>Condition and Trends</b>                                                                                                                                                                                                                                                                                             |   |                                                                                                                                                    |
| An existing land use map, by land use classification (such as mixed-use, residential, commercial, institutional, industrial, agricultural, commercial forests, marine, park/recreational, conserved, and undeveloped land).                                                                                             | ✓ | pp. 1-2<br>Still need a map                                                                                                                        |
| A summary of current lot dimensional standards.                                                                                                                                                                                                                                                                         | ✓ | pp. 7-9                                                                                                                                            |
| A description or map identifying the location of lots and primary structures created within the last ten years. Include residential, institutional, commercial, and industrial development.                                                                                                                             | ✓ | pp. 16-17                                                                                                                                          |
| Provide a brief description of existing land use regulations and other tools utilized to manage land use, including shoreland zoning, floodplain management, subdivision, site plan review, and zoning ordinances.                                                                                                      | ✓ | pp. 3-13<br>may want to include a zoning map too                                                                                                   |
| Estimate the minimum amount of land needed to accommodate projected residential, institutional, commercial, or industrial development at least ten (10) years into the future.                                                                                                                                          | ✓ | pp. 18-19                                                                                                                                          |
| <b>Policies</b>                                                                                                                                                                                                                                                                                                         |   |                                                                                                                                                    |
| None Required                                                                                                                                                                                                                                                                                                           |   |                                                                                                                                                    |
| <b>Strategies</b>                                                                                                                                                                                                                                                                                                       |   |                                                                                                                                                    |
| None Required                                                                                                                                                                                                                                                                                                           |   |                                                                                                                                                    |
| <b>Comments:</b>                                                                                                                                                                                                                                                                                                        |   |                                                                                                                                                    |

## **Add Section 6. titled “Transitional Areas”**

### **6. Transitional Areas**

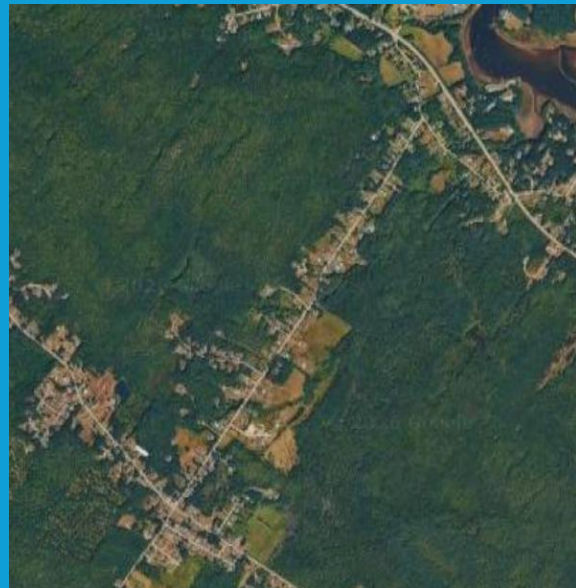
The area surrounding Guinea Road from the intersection of West Street (Guinea Corner) to the intersection of Meeting House Road (Tattle Corner) has been identified as a transitional area. This area was once designated as a growth area, but analyses in this Comprehensive Plan have identified significant natural resource assets in the undeveloped blocks to the northwest, bounded by this road and West Street. While the Guinea Road area has seen development in the last 10 years, it is primarily residential and single-family housing. Moors Brook and its tributaries also run along the Guinea Road corridor. This area bridges sections of the community identified as Growth Areas and Rural Areas. This means that development and future zoning along this corridor should be carefully considered to support West Street and Route 9 development while remaining undeveloped enough to connect areas of significant wildlife habitat.

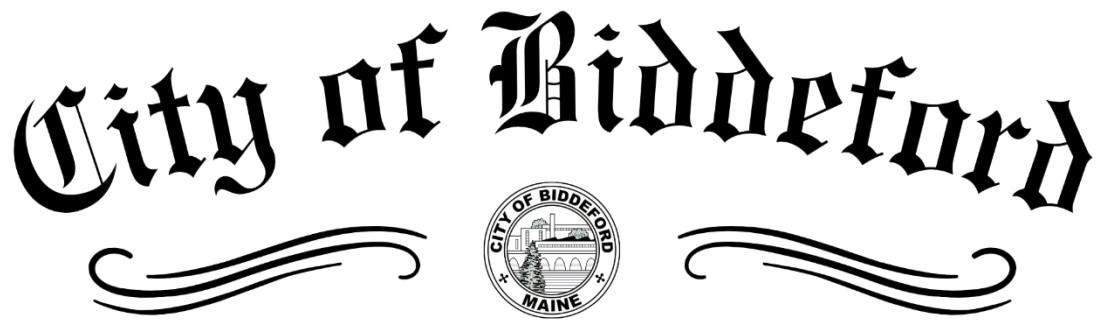
#### **GUINEA ROAD**

Corridor bridging Suburban Residential and Rural Farm areas.

##### **GOALS:**

Consider future zoning to align with natural resource goals for the undeveloped areas to the northwest and growth areas at the intersections.





**2026.86                    IN BOARD OF CITY COUNCIL... JUNE 2, 2026**

**BE IT ORDERED,** that the City Council of the City of Biddeford does hereby grant local approval of a State of Maine Catering Permit for Sacred Pofane LLC. The permit is for the Biddeford-Saco Chamber of Commerce Beach Bash on June 13, 2026 at Biddeford Pool Beach; and

BE IT FURTHER ORDERED, that in accordance with the provisions set forth under Ch. 6, Amusements, Article V – Sales, Possession and Consumption of liquor at and during Special Events on City Public Property, that the City Council approves the sale of alcohol to be sold and served within clearly defined restricted areas at Biddeford Pool Beach that have been approved by the State of Maine Bureau of Alcoholic Beverages and providing that Sacred Profane LLC remains in compliance with the provisions set forth under Ch.6, Section 6-178 et seq

**Attest by:** \_\_\_\_\_  
City Clerk



## Application Copy

File Number: 152726

Job Type: New Application

|                                                                    |                                            |
|--------------------------------------------------------------------|--------------------------------------------|
| LICENSE TYPE / EVENT TYPE<br>Catering Permit<br>Special Event      | APPLICATION DATE RECEIVED<br>2026-05-21    |
| LICENSEE LEGAL NAME                                                | LICENSEE TYPE<br>Limited Liability Company |
| DOING BUSINESS AS                                                  | CORPORATE NUMBER<br>20216129DC             |
| INCORPORATION DATE                                                 |                                            |
| CORRESPONDENCE ADDRESS<br>50 WASHINGTON ST BIDDEFORD ME 04005-2523 |                                            |
| MAILING ADDRESS<br>50 WASHINGTON ST BIDDEFORD ME 04005-2523        |                                            |
| PHYSICAL ADDRESS<br>50 WASHINGTON ST BIDDEFORD ME 04005-2523       |                                            |
| CONTACT NAME<br>Brienne Allan                                      | PREFERRED CONTACT METHOD<br>Email          |
| CONTACT PHONE<br>(207) 298-3307                                    | ALTERNATE PHONE                            |
| FAX                                                                | EMAIL<br>brienne@sacredprofane.com         |
| CORPORATE STRUCTURE<br>None selected                               |                                            |



| NAME          | POSITION/TITLE | % Interest |
|---------------|----------------|------------|
| Brienne Allen | Owner          | 91         |

#### PARENT LICENSE(S)

#### LICENSE

License CARL-22-105805 (Active) - On-Premises: Beer, Wine & Spirits  
Sacred Profane (Sacred Profane LLC)

#### MANAGED BY AGENT

Yes

#### AGENT

Sacred Profane LLC

#### AGENT TYPE

Limited Liability Company

#### LOCATION

Biddeford Pool Beach

#### EVENT DATE(S)

june 13th

#### NUMBER OF EVENT DAYS

1

#### EVENT HOURS OF OPERATION

12-4pm

#### EVENT CONTACT INFORMATION

Alex mcphail

#### EVENT ADDRESS

Biddeford pool beach biddeford ME 04005

#### Municipality

Biddeford

#### County

York

#### QUESTIONS

#### Catering Permit

1. What is the purpose of the event?

Raise money for the Saco Biddeford chamber of commerce

2. Is the event open to the public?  
Yes
3. Will the event be outdoors?  
Yes  
(document uploaded)
4. How many people are expected at the event?  
500
5. Were your services requested by a non-profit organization?  
No
6. How will you keep alcohol contained to the event area?  
Fenced in biergarten
7. How many staff/volunteers will be working the event? Serving?  
Security?  
50 and police security and volunteers and members

#### DOCUMENTS

| TYPE                               | FILE NAME    | DESCRIPTION   |
|------------------------------------|--------------|---------------|
| Event Area Description and Diagram | IMG_1462.png | Event diagram |

#### APPLICANT

Brienne Allan

#### DECLARATION

- ☒ I certify that I am the applicant as described in this application, or that I am duly authorized to submit this application on the applicant's behalf.

All information provided in this application is accurate and correct. I understand that false statements made on this application are punishable by law. Knowingly supplying false information on this application is a Class D Offense under Maine's Criminal Code, punishable by confinement of up to one year, or by monetary fine of up to \$2,000 or by both.



Gilbert Boucher Park



Imagery ©2026 Airbus, Map data ©2026 Google 20 ft



Roped of area, 2 security guards (contract)  
Wristbands required  
No one under 21 in roped off area

Gilbert Boucher Park

4.6 ★★★★★ (39)

**City of Biddeford**  
**City Council**  
**May 19, 2026 at 6:00 PM**  
**City Hall Council Chambers and Teams**

**1. Roll Call**

Council President Beaupre: present  
Councilor Lessard: excused  
Councilor Vadnais: present  
Councilor Boston: present  
Councilor Woods: present  
Councilor Doughty: present  
Councilor Kurtz: present  
Councilor Pierson: present  
Councilor Cote: excused

**2. Pledge of Allegiance**

**3. Adjustment(s) to Agenda**

None.

**4. Proclamation**

*4.a. 2026 Emergency Medical Services (EMS) Week*

Mayor LaFountain read the proclamation into record and held a moment of silence for casualties of Searsmont Mill Fire.

**5. Appointments**

*5.a. 2026.80 Approval – MMA Legislative Policy Committee*

Motion: Councilor Kurtz nominated Councilor Pierson to the committee.  
Second: Councilor Vadnais.  
Vote: Unanimous in favor.  
Motion passed.

*5.b. 2026.82 Approval Mayoral Appointment to a Committee - Citizen*

Motion: Councilor Boston.  
Second: Councilor Woods.



Vote: Unanimous in favor.  
Motion passed.

*5.c. 2026.84 Election Clerks 2026-2027*

Motion: Councilor Doughty.  
Second: Councilor Woods.  
Vote: Unanimous in favor.  
Motion passed.

## **6. Presentation**

*6.a. Recreation Bond Community Engagement Data*

Recreation Director Thompson presented the results of the Department's community engagement process which asked people how they wanted to use the \$6 million recreation bond issue.

## **7. Public Hearing**

*7.a. Recreation Bond Public Comment*

Public Hearing opened at 6:30 PM

One citizen spoke on the survey response rate and advocated for focus on deferred maintenance of existing programs over expansion to new programs.

Public Hearing closed at 6:40 PM

## **8. Liquor License Consideration**

*8.a. Liquor License Consideration Banded Horn Brewing Company, LLC - La Kermesse*

Motion: Councilor Doughty.  
Second: Council President Beaupre.  
Vote: Unanimous in favor.  
Motion passed.

## **9. Public Addressing the Council**

One citizen spoke about park events.  
One citizen spoke about medical care as a safe space.  
Two citizens spoke about the park event Pollinator Fest.

## **10. Consideration of Minutes**

### *10.a. 20260423 Special City Council Meeting – Minutes*

Motion: Councilor Doughty.

Second: Councilor Boston.

Vote: Unanimous in favor.

Motion passed.

### *10.b. 20260428 Special City Council Meeting – Minutes*

Motion: Councilor Doughty.

Second: Councilor Boston.

Vote: Unanimous in favor.

Motion passed.

### *10.c. 202600507 Special City Council Meeting – Minutes*

Motion: Councilor Doughty.

Second: Councilor Boston.

Vote: Unanimous in favor.

Motion passed.

### *10.d. 20260505 City Council Meeting – Minutes*

Motion: Councilor Doughty.

Second: Councilor Boston.

Vote: Unanimous in favor.

Motion passed.

## **11. Second Reading**

### *11.a. Second Reading of City Budget*

Motion: Councilor Kurtz.

Second: Councilor Woods.

Public comment –

One citizen specified the purpose of second readings.

One citizen spoke about budget issues.

One citizen spoke about La Kermesse issues.

One citizen spoke about Fire Department funding.

Motion to amend by Council President Beaupre to restore \$60,000 for a police cruiser.

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

Motion to amend by Council President Beaupre to add \$25,000 for Fire Department SCBA (self-contained breathing apparatus) (acct 60452).

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

Motion to amend by Councilor Woods to increase funding to La Kermesse by \$7,500.

Second: Councilor Kurtz.

Vote: 2 yeas – Councilors Woods and Kurtz.

5 nays – Councilors Beaupre, Vadnais, Doughty, Pierson, and Boston.

Motion Failed.

Motion to table until June 2, 2026: Councilor Pierson.

Second: Council President Beaupre.

Vote: 1 yeas – Councilor Pierson.

6 nays – Councilors Boston, Beaupre, Vadnais, Kurtz, Woods, and Doughty.

Motion Failed.

Amended motion Vote: 6 yeas – Councilors Doughty, Beaupre, Pierson, Kurtz, Woods and Boston.

1 nay – Councilor Vadnais.

Motion passed.

#### *11.a. 2026.67 Approval City Government Appropriations FY27*

Motion: Council President Beaupre.

Second: Councilor Doughty

Vote: Unanimous in favor.

Motion passed.

#### *11.a. 2026.68 Approval City Revenues FY27*

Motion: Council President Beaupre.

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

#### *11.a 2026.75 Approval Property Tax Dates and Interest FY27*

Motion: Council President Beaupre.

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

*11.b. 2026.55 Approval of Master Fee Schedule Ordinance*

Motion: Council President Beaupre.  
Second: Councilor Doughty.  
Vote: Unanimous in favor.  
Motion passed.

*11.c. 2026.56 Biddeford City Ordinance Ch. 42-92 Limited Parking Section A (1)*

Motion: Councilor Doughty.  
Second: Councilor Woods.  
Vote: Unanimous in favor.  
Motion passed.

*11.d. 2026.57 Biddeford City Ordinance Ch. 42-92 Limited Parking section A (2)*

Motion: Council President Beaupre.  
Second: Councilor Doughty.  
Vote: Unanimous in favor.  
Motion passed.

*11.e 2026.58 Biddeford City Ordinance Ch. 42-92 Limited Parking Section A (3)*

Motion: Councilor Doughty.  
Second: Councilor Beaupre.

Motion to Amend to remove two spaces: Council President Beaupre.  
Second: Councilor Boston.

Amended motion Vote: Unanimous in favor.  
Motion passed.

**12. Orders of the Day**

*12.a. 2026.78 - Article 3 Fire Prevention Bureau, Div. 3 Open Burning, Sec. 30-160 through Sec. 30-163 Update*

Motion: Councilor Doughty.  
Second: Councilor Boston.

Motion to amend by Councilor Woods to clarify what permits are required by the City and those required by the State, and residents can get City permits on the website or in person.

Second: Councilor Boston.  
Vote: Unanimous in favor.



Motion passed.

Amended motion Vote: Unanimous in favor.

Order passed.

*12.b. 2026.77 Approval Special Event Permit for La Kermesse*

Motion: Council President Beaupre.

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

*12.c 2026.79 Approval Special Event Waiver La Kermesse*

Motion: Councilor Doughty.

Second: Councilor Woods.

Vote: Unanimous in favor.

Motion passed.

*12.d 2026.66 Veterans Committee*

Motion: Council President Beaupre.

Second: Councilor Doughty.

Motion to Amend **Sec.2-400.2 Purpose; responsibilities:** Councilor Woods.

Second: Council President Beaupre.

Vote: Unanimous in favor.

Motion passed.

Motion to Amend **Sec. 2-400.3 Membership:** Councilor Woods.

Second: Council President Beaupre.

Vote: Unanimous in favor.

Motion passed.

Motion to Amend **Sec. 2-400.4 Vacancies:** Councilor Woods.

Second: Council President Beaupre.

Vote: Unanimous in favor.

Motion passed.

Amended motion Vote: Unanimous in favor.

Motion passed.

Councilor Kurtz suggested a five minute recess; Mayor LaFountain called for a recess.

### *12.e. Committee of the Whole – Policy Committee Recommendations*

Motion by Council President Beaupre to meet as the Committee of the Whole to discuss Policy Committee process.

Second: Councilor Doughty.

Vote: Unanimous in favor.

Motion passed.

Councilor Pierson asked whether the committee should be doing policy changes or wording changes. Councilor Doughty said both.

Council President Beaupre would like a synopsis of the committee's work as a whole, crediting their work before it arrives at council.

Councilor Pierson supported finer details about committee agreements, not just an up-down policy.

Councilor Woods stated Council should be clear what they're asking of the policy committee.

Councilor Kurtz said that clear intent is wonderful, and he is willing to do legwork to help. He said he is in favor of a strong policy committee.

Mayor Lafountain said more detail about context and intent in interactions between committees and council is needed.

Councilor Vadnais looked for clarity about the role in committees versus the council, including a councilor's role as liaison.

Motion to exit Committee of the Whole by Council President Beaupre.

Second: Councilor Kurtz.

Vote: Unanimous in favor.

Motion passed.

### **13. Public Addressing the Council**

One citizen spoke about community outreach and thanked the Council for their work on the budget.

### **14. City Manager Report**

City Manager Dever updated the Council on the progress on the Compensation and Classification Study. She will have a full report by July.

The City Manager also reported that Biddeford qualifies for an EPA waiver, and the Grant Writer will get information so the City can determine if it wants to apply.

## **15. Committee Updates by Council**

None.

## **16. Other Business**

Councilor Woods stated she will have open office hours at Sullivan St. Pub later this month.

Councilor Kurtz praised Shokotsu restaurant. He noted the past glory of Biddeford downtown and the struggles of Biddeford in his youth. He noted the universality of the struggles of small towns. He mentioned leaning into opportunities of tourism and property values versus economic development.

## **17. Council President Addressing the Council**

Council President Beaupre commented that, now that the budget was completed, the Council needs to work on the issues now that it identified during the budget process including the Homeless Blue Ribbon commission and the process for applications for social service organizations. He also noted that the BSOOB Transit is a good service that people should use.

## **18. Mayor Addressing the Council**

Mayor LaFountain said there was a positive response to Pollinator Fest, and he praised Public Works and the Recreation Department. He welcomed Councilors to participate in the upcoming Memorial Day parade. He also thanked the people who are candidates for the Charter Commission and noted 2 additional members will be appointed.

## **19. Executive Session**

Motion by Council President Beaupre to enter Executive Session at 8:11 PM for the purpose of discussing the following matters:

*19.a MRS 405(6) C- Real Estate*

*19.b MRS 405(6) A -Personnel Matter*

*19.c MRS 405(6) E -Legal Matters*

Second: Councilor Doughty

Vote: Unanimous in favor.

Motion passed.

Motion to exit Executive Session at 9:10 PM: Councilor Woods.

Second: Councilor Doughty

Vote: Unanimous in favor.

Motion passed.

Motion to meet beyond 9:00 PM: Councilor Woods.  
Second: Councilor Doughty  
Vote: Unanimous in favor.  
Motion passed.

Motion to re-enter Executive Session for the stated purposes at 9:10 PM: Councilor Woods.  
Second: Councilor Doughty.  
Vote: Unanimous in favor.  
Motion passed.

Motion to exit Executive Session at 10:19 PM: Councilor Boston.  
Second: Councilor Doughty.  
Vote: Unanimous in favor.  
Motion passed.

Motion to Adjourn: Councilor Woods.  
Second: Councilor Boston.  
Vote: Unanimous in favor.  
Motion passed.

Meeting adjourned at 10:20 PM.





## City Council

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**Meeting** June 2, 2026

**Date:**

**Meeting** 6:00 PM

**Time:**

**Agenda** 12.a

**Item No:**

**Item** 2026.78 - Approval of Article 3 Fire Prevention Bureau, Div. 3 Open Burning, Sec.

**Description:** 30-160 through Sec. 30-163 Ordinance Update

**Submitted** Lawrence D. Best, Fire Chief

**By:**

### Key Terms:

Open Burning Rules/Code of Ordinance

### Executive Summary:

First Reading:

The Fire Department is requesting that the Article 3 Fire Prevention Bureau, Division 3 Open Burning, Sections 30-160 through 30-163 be updated and revised to reflect the current State open burning rules and regulations, along with City rules that need to be updated. For example, following the State open burning law, as long as a recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height, it does not require a burning permit, but the City Code does require a permit. This can be confusing for residents, which also causes confusion with enforcement. In addition, in the past, there was an online open fire permitting system called "wardens report" which the City used for issuing open fire permits. This system is no longer available, which leaves only the State of Maine Open Burning online permit system available for use. The State of Maine permit system is not set-up to be used for recreational campfires because of the State law exception.

Please see the attached code of ordinance document with the recommended changes (**red colored changes = delete**; **blue colored changes = revised or new language**) Attachment #1.

### Detailed Review:

The Fire Department is requesting that the Article 3 Fire Prevention Bureau, Division 3 Open Burning, Sections 30-160 through 30-163 be updated and revised to reflect the current State open burning rules and regulations, along with City rules that need to be updated. For example, following the State open burning law, as long as a recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height, it does not require a burning permit, but the City Code does require a permit. This can be confusing for residents, which also causes confusion with enforcement. In addition, in the past, there was an online open fire permitting system called "wardens report" which the City used for issuing open fire permits. This system is no longer available, which leaves only the State of Maine Open Burning online permit system available for use. The State of Maine permit system is not set-up to be used for recreational campfires because of the State law exception.

Please see the attached code of ordinance document with changes made at the May 19, 2026 Council meeting (~~red colored changes = delete~~; ~~blue colored changes = revised or new language~~) Attachment #1.

**Funding Source:**

N/A

**Staff Recommendation:**

The Fire Department staff recommends the update of the open burning code of ordinance to bring it in line with the State open burning rules.

**Next Steps:**

This ordinance revision will require two readings by the City Council. This is the second reading. If passed and adopted, it will move forward in the process to become updated in the City Code.

**Attachments:**

1. 2026.78) Article 3 Fire Prevention Bureau Division 3 Open Burning Sec. 30-160 -Sec. 30-163-ORDER- Second Reading
2. ATTACHMENT #1 Article 3 Fire Prevention Bureau Division 3 Open Burning Sec. 30-160 - Sec. 30-163 -MAY 19 Amendments

# City of Biddeford



2026.78

IN BOARD OF CITY COUNCIL...May 19, 2026

**BE IT ORDERED**, by the Biddeford City Council, that Article 3 Fire Prevention Bureau, Division 3 Opening Burning, Sec. 30-160 through Sec. 30-164 be amended as attached by adding text in blue underline and deleting text in ~~red strikethrough~~.

**May 19, 2026**

Motion: Councilor Doughty.

Second: Councilor Boston.

Motion to Amend: Councilor Woods.

In accordance with 12 M.R.S.A. § 9325, and the City of Biddeford Code of Ordinance, the types of burning described herein are allowed, provided that a permit has been obtained from the appropriate authority. Beach campfires on public or private property and campfires in any public park or recreational facility must be obtained online or in person from the City Fire Department website. All other fires that require a permit can be obtained online or in person using the Maine Burn Permit System. Biddeford Fire Department or from the forest ranger having jurisdiction over the location where the fire is to be set. online Maine Burn Permit System website, except for beach campfires. Beach campfire permits must be obtained online from the City Fire Department website. The burning must be conducted according to the terms and conditions of the permit and this ordinance and may not create a nuisance. \

Second: Councilor Boston.

Vote: Unanimous in favor.

Motion passed.

Motion to Amend: Councilor Woods.

(8) Campfires, ~~bonfires, or any other type of open burning~~ on any of the City's ~~public~~ beaches (public or private), public parks, or other public recreational facilities; as long as the recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height.

Second: Council President Beaupre.

Vote: Unanimous in favor.

Motion passed.

Amended motion Vote: Unanimous in favor.

Order passed.

Attest by: \_\_\_\_\_  
Lisa M. Ward, Interim City Clerk

ARTICLE 3 FIRE PREVENTION BUREAU  
DIVISION 3 OPEN BURNING

Sec. 30-160. Types permissible with permit.

In accordance with 12 M.R.S.A. § 9325, and the City of Biddeford Code of Ordinance, the types of burning described herein are allowed, provided that a permit has been obtained from the appropriate authority. Beach campfires on public or private property and campfires in any public park or recreational facility must be obtained online or in person from the City Fire Department website. All other fires that require a permit can be obtained online or in person using the Maine Burn Permit System. ~~Biddeford Fire Department or from the forest ranger having jurisdiction over the location where the fire is to be set. online Maine Burn Permit System website, except for beach campfires. Beach campfire permits must be obtained online from the City Fire Department website.~~ The burning must be conducted according to the terms and conditions of the permit and this ordinance and may not create a nuisance. A permit is required for:

- ~~(1) Recreational campfires kindled when the ground is not covered by snow;~~
- ~~(2)~~ (1) Fires in conjunction with holiday and festive celebrations;
- ~~(3)~~ (2) Burning of solid or liquid fuels and structures for research or bona fide instruction and training of municipal, volunteer and industrial firefighters when conducted under the direct control and supervision of qualified instructors;
- ~~(4)~~ (3) Burning for agricultural purposes, including, but not limited to, open burning of blueberry fields, potato tops and hayfields and prescribed burning for timberland management, not to exceed 5 acres at any one time;
- ~~(5)~~ (4) Out-of-door burning of wood wastes as defined in 12 M.R.S.A. § 9324, Subsection 7-A, ~~and painted~~ and unpainted wood from construction and demolition debris in the open or in an incinerator with a primary chamber volume no greater than 133 cubic feet or 1,000 gallons that is not licensed by the Department of Environmental Protection;
- ~~(6)~~ (5) Burning on site for the disposal of wood wastes ~~and painted~~ and unpainted / untreated wood from construction and demolition debris generated from the clearing of any land or by the erection, modification, maintenance, demolition or construction of any highway, railroad, power line, communication line, pipeline, building or development;
  - a) For the purposes of #5, the term “wood wastes” means brush, stumps, lumber, bark, wood chips, shavings, slabs, edgings, slash, sawdust, and wood from production rejects that are not mixed with other solid or liquid waste; and “lumber” means material that is entirely made of wood and is free from metal, plastics, coatings and chemical treatments.
- ~~(7)~~ (6) Burning for hazard reduction purposes, such as, but not limited to, the burning of grass fields, not to exceed 5 acres at any one time;
- ~~(8) Burning for the containment or control of spills of gasoline, kerosene, heating oil or similar petroleum products;~~



~~(9)~~ (7) Open burning of leaves, brush, dead wood and tree cuttings;

~~(10)~~ (8) Campfires, ~~bonfires, or any other type of open burning~~ on any of the City's ~~public~~ beaches (~~public or private~~), public parks, or other public recreational facilities; as long as the recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height.

The permit for the campfires outlined in #8 must be obtained online from the City Fire Department website.

In addition, beach campfires shall adhere to the following rules:

- a) A beach campfire must be contained in metal container;
- b) No ashes are to be left on the beach;
- c) No beach campfire will be allowed within 100 feet of any posted "birds nesting" site;
- d) The campfire must not create a nuisance;
- e) The burning of treated wood, such as pallets, pressure treated lumber, plastic, Styrofoam, rubber, metals, food wastes, chemicals or other solid waste is prohibited;
- f) Only clean wood can be used for a beach campfire.

~~(11)~~ (9) The burning of wood wastes and painted (following chapter 102 of the Department of Environmental Protection rules) and unpainted wood from construction and demolition debris at solid waste facilities; and

~~(12)~~ (10) The burning of empty containers, including fiberboard boxes and paper bags, previously containing explosives and being disposed of in accordance with the provisions of Title 25, § 2472.

Sec. 30-161. Types permissible without permit.

When not otherwise prohibited by state rule, local ordinance or water utility regulation, the following types of burning are permissible without a permit if no nuisance is created:

- (1) Recreational campfires kindled ~~when the ground is covered by snow or on frozen bodies of water,~~ excepting ~~public~~ campfires at beaches (a permit is required for beach campfires, see Sec. 30-160 #8), as long as the recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height;
- (2) Residential use of outdoor grills and fireplaces for recreational purposes, such as preparing food as long as the recreational campfire does not exceed 3 feet in diameter on the ground at the base of the fire and does not exceed 3 feet in height; and
- (3) Use of outdoor grills and fireplaces for recreational purposes, such as preparing food at commercial campgrounds ~~in organized towns~~ as long as the commercial campgrounds are licensed by the Health Engineering Division of the Department of Human Services.

Note, all recreational fires and campfires must meet the following criteria:

- a) Must be no larger than 3-foot in diameter;
- b) Must be no larger than 3-foot in height;
- c) Must be clear of vegetation, or have steps taken to prevent spread;
- d) Must be not less than 15-feet from structures

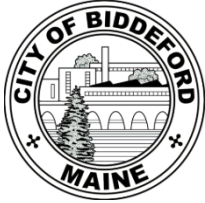
Sec.30-162. Responsible party.

- (1) All open burning regardless of permitting requires that a responsible party, over the age of 18 years, be in attendance at all times from ignition through extinguishment. Unattended fires will be extinguished, and the permittee, or responsible party may be issued a warning, or have all future burning privileges revoked;
- (2) All recreational campfires kindled by renters / tenants must have written permission from the landlord / property owner.

Sec.30-163. Prohibited materials.

- (1) Materials prohibited from being burned include but are not limited to:
  - a) All plastic and rubber materials;
  - b) Treated wood materials;
  - c) Household rubbish or waste;
  - d) Household furnishings;
  - e) Construction or demolition materials other than as allowed in the sections of this ordinance;
  - f) Sludge or solvents.

Sec.30-164 through Sec. 30-199. (Reserved)



## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 12.b  
**Item Description:** 2026.66 Approval to Establish Veterans Committee in Ordinance  
**Submitted By:** Truc Dever, City Manager

### Key Terms:

Establishment of a Veterans Committee in the Code of Ordinances.

### Executive Summary:

If approved, this ordinance would establish a Veterans Committee in the Code of Ordinances under Chapter 2, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 18 VETERANS COMMITTEE

### Detailed Review:

On February 20, 2024, Order 2024.24 established an Ad Hoc Veterans Committee. The Council approved an extension of the Ad Hoc Committee through June 30, 2026, via Order 2025.158 on November 6, 2025. The Ad Hoc Veterans Committee drafted language to establish a permanent Veterans Committee in the Code of Ordinances for the Council to consider for adoption. This language was reviewed and amended by the Policy Committee at their meeting on April 27, 2026, and was recommended by the Policy Committee to be sent to Council for approval. Order 2026.66 came before Council on May 19th and additional amendments were made. The amended language is now before the Council as ATTACHMENT #1

### Funding Source:

N/A

### Staff Recommendation:

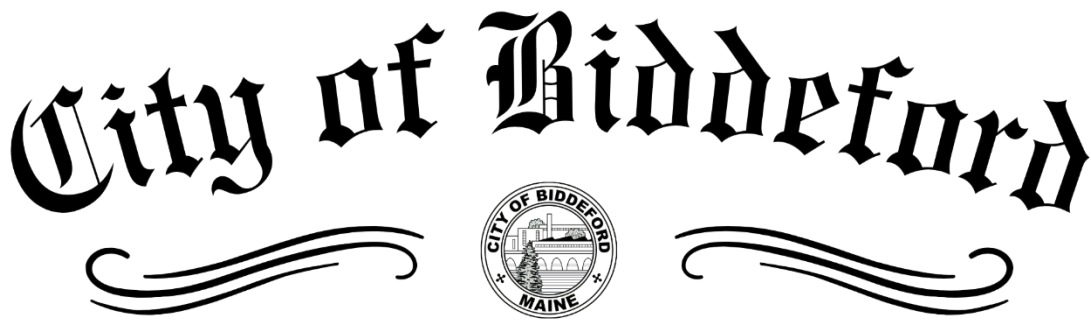
### Next Steps:

This ordinance change will require two readings.

**Attachments:**

1. 2026.66) Approval Establishment of Veterans Committee-ORDER-Second Reading
2. ATTACHMENT #1 Approval Establishment of Veterans Committee -With May 19 Amendments





**2026.66 IN BOARD OF CITY COUNCIL... MAY 19, 2026**

**BE IT ORDERED**, that the City Council does hereby approve the establishment of a Veterans Committee in the code of ordinances under Chapter 2, Article IV BOARDS, COMMITTEES, COMMISSIONS, DIVISION 18 VETERANS COMMITTEE.

May 19, 2026

Motion: Council President Beaupre.

Second: Councilor Doughty.

Motion to Amend: Councilor Woods.

Second: Council President Beaupre.

**Sec. 2-400.2 Purpose; responsibilities.**

(a) The purpose of the Veterans Committee is to ~~ensure~~ facilitate Veterans in the community receiving the support, recognition, and resources they deserve for their service. The Committee will work with existing Veterans organizations to promote collaboration and to foster a Veteranfriendly environment within the City of Biddeford. The committee will focus on four topic areas, including supporting local Veterans, community outreach and education, advocacy for Veterans' services, and Veterans recognition and events.

Vote: Unanimous in favor.

Motion passed.

Motion to Amend: Councilor Woods.

Second: Council President Beaupre.

**Sec. 2-400.3 Membership.**

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for ~~three year staggered~~ staggered three year terms. One non-voting seat shall be reserved for a City Council member, who will be nominated by the mayor and confirmed by the City Council.

Vote: Unanimous in favor.

Motion passed.

Motion to Amend: Councilor Woods.  
Second: Council President Beaupre.

**Sec. 2-400.4 Vacancies.**

**(a)** A vacancy in the membership of the Committee shall be determined upon the occurrence of any of the following:

**(1)** The change in a member's primary residence to a place outside the City of Biddeford;

Vote: Unanimous in favor.  
Motion passed.

Vote as Amended: Unanimous in favor.  
Motion passed.

Attest by: \_\_\_\_\_  
Lisa M. Ward, Interim City Clerk

## DIVISION 18 – VETERANS COMMITTEE

### Sec. 2- 400.1 Establishment.

(a) There is hereby created and established the VETERANS COMMITTEE, comprised of seven members and a staff member of the General Assistance Office serving in an ex officio capacity. All **voting** members shall be Honorably Discharged Armed Forces Veterans, US citizens, and reside within the corporate limits of the City of Biddeford, ~~the City of Saco, the Towns of Dayton, Arundel, Waterboro, or Old Orchard Beach.~~

(b) In appointing members to the VETERANS COMMITTEE, the Mayor and City Council shall seek to appoint members from a cross-section of all ~~citizens~~ **residents**, including those living in US Census Tracts within City limits that are considered to be "low/moderate income" by the US Department of Housing and Urban Development (HUD). The VETERANS COMMITTEE is established under the authority of the Biddeford City Council and shall serve under the directive of the City Council.

### Sec. 2-400.2 Purpose; responsibilities.

(a) The purpose of the Veterans Committee is to ~~ensure~~ **facilitate** that Veterans in the community receive the support, recognition, and resources they deserve for their service. The Committee will work with existing Veterans organizations to promote collaboration and to foster a Veteran-friendly environment within the City of Biddeford. The committee will focus on four topic areas, including supporting local Veterans, community outreach and education, advocacy for Veterans' services, and Veterans recognition and events.

(b) Responsibilities shall include:

(1) Providing comments and/or recommendations in areas of need, reviewing potential projects, and participating in public hearings to keep the ~~citizenry~~ **residents and Veterans** informed.

(2) Receive information and comments from fellow veterans at the Committee's regular ~~monthly~~ meetings.

(3) Make presentations to the City Council at such times as may be requested by the City Council or as the VETERANS COMMITTEE determines is necessary.

(ca) The Committee is strictly advisory in nature. It has no decision-making authority and is prohibited from incurring expenses, making payments, entering into contracts, leases, or obligations, or otherwise binding the City.

### Sec. 2-400.3 Membership.

Members shall be appointed by the Mayor and confirmed by a majority of the City Council for staggered ~~two three~~ year ~~staggered~~ terms. One ~~non-voting~~ seat shall be reserved for a City Council member, who will be nominated by the mayor and confirmed by the City Council.

#### Sec. 2-400.4 Vacancies.

(a) A vacancy in the membership of the Committee shall be determined upon the occurrence of any of the following:

(1) The change in a member's primary residence to a place outside the City of Biddeford or Towns listed in Section 400.1(a);

(2) The death of a member;

(3) The effective date of the resignation of a member;

(4) The expiration of the member's term of office;

(5) Three unexcused absences during one year;

(6) The removal of a member by the City Council for misconduct or nonperformance of duty.

(b) A member may resign by submitting a written resignation to the Chair of the Committee. Once received by the Chair of the Committee, the Mayor's office will be notified. The resignation may not be withdrawn, and the member's office shall become vacant on the date specified in the resignation.

(c) If a vacancy in the membership of the Committee occurs, the Mayor shall nominate a person to fill the vacancy within a period not to exceed 30 days of its occurrence. The nomination shall be subject to the confirmation of the City Council. The person named to fill a vacancy shall serve out the term of the individual they replace on the Committee.

#### Sec. 2-400.5 Organization of Committee.

(a) The Committee shall annually elect one of its members as Chair and one of its members as Secretary. The Committee may also elect a Vice Chair.

(b) A quorum shall consist of 50% (plus one if an even number) of appointed members. The Chair shall be counted in determining a quorum and shall have one vote.

(c) A quorum shall be necessary to take any VETERANS COMMITTEE action authorized or required. An issue shall carry by a majority of those voting.

(d) The ex officio member of the VETERANS COMMITTEE is nonvoting and shall serve in an advisory capacity.



(e) Notice of any expired terms and/or vacancies shall be given to the public. The Mayor shall nominate, and the City Council shall confirm all appointments to fill expired terms and/or vacancies. ~~The City Council may remove any member for misconduct or failure to perform duty.~~

(f) The VETERANS COMMITTEE may adopt and amend from time to time rules to govern the conduct of its administrative business.

Sec. 2-400.6 Meetings.

(a) The Committee shall establish meetings of the VETERANS COMMITTEE. Meetings shall be held at the Biddeford City Hall or at a suitable ~~municipal~~ public location. Meetings may be conducted virtually **or a hybrid virtual and in-person**. Prior notice of any change in meeting date, time, or place shall be provided to all members, the public, and the administrative staff a minimum of 48 hours in advance of said meeting.

(b) All regularly scheduled and special meetings shall have an agenda approved by the Chair.

(c) The Committee shall meet a minimum of four times per year, but may meet as often as the members deem necessary.

# City of Biddeford



**2026.87                    IN BOARD OF CITY COUNCIL... June 2, 2026**

**BE IT ORDERED**, that the City Council of the City of Biddeford does hereby grant approval of a Special Event Permit for the Biddeford Saco Chamber of commerce Beach Bash to be held on June 13, 2026 at Biddeford Pool Beach; and

BE IT FURTHER ORDERED, that in accordance with the provisions set forth under Ch.6, Amusements, Article V — Sales, Possession and Consumption of liquor at and during Special Events on City Public Property, that the City Council approves beer/wine to be sold and served within clearly defined restricted areas at Biddeford Pool Beach that have been approved by the State of Maine Bureau of Alcoholic Beverages and providing that the Sacred Profane LLC is and remains in compliance with the provisions set forth under Ch. 6, Section 6-178 et seq.

**Attest by:** \_\_\_\_\_  
City Clerk

APPLICATION NUMBER: \_\_\_\_\_

EFFECTIVE 7-18-2024 THE FOLLOWING

FEES WILL APPLY:

|      |                    |          |
|------|--------------------|----------|
| B050 | Administrative fee | \$100.00 |
| B051 | Tier one           | \$100.00 |
| B052 | Tier two           | \$200.00 |
| B053 | Tier three         | \$500.00 |

Any person, firm, corporation, business or organization seeking a permit to hold a special event within the City of Biddeford must file an application with the permitting authority at least 30 days prior to the beginning of the event; or in cases related to activities protected by the First Amendment to the United States or Maine Constitution, other than commercial speech, two business days prior to the beginning of the event. Permit applications are available on the City's website or at the City Clerk's Office.

All vendors must obtain proper licenses/permits from the City Clerk's office (207-284-9307). Indemnification agreement/insurance certificate must be attached to this application at the time of submission. Site Plan Sketch may be accompanied by a separate map, if necessary

## **CITY OF BIDDEFORD** **SPECIAL EVENT APPLICATION**

City of Biddeford  
P.O. Box 586  
Biddeford, ME 04005

Biddeford Saco Chamber  
↑ Beach Bash  
Name of Event \_\_\_\_\_ Location of Event Gilbert Boucher Memorial Park  
Biddeford Pool Beach  
Date of Event Sat June 13 2026 Start Time 10 AM Finish Time 5 PM

### **Organization (Applicant) Information**

Name of Organization or Name of Applicant if NOT an Organization

Biddeford Saco Chamber of Commerce

Physical Address 28 Water St, Suite 1

Mailing Address Same as above alex

Business Telephone 207-282-1567 Fax \_\_\_\_\_ E-mail info@biddefordSaco  
chamber.org

Income Tax Exempt: Yes ☒ No \_\_\_\_\_ Tax Exempt Number \_\_\_\_\_

### **Contact Person/Event Coordinator**

Name & Address

Alexander MacPhail

Telephone 207-282-1567 Cellular 207-432-6968 E-Mail alex@biddefordSaco  
chamber.org

Relationship Organization Biddeford Saco Chamber of  
Executive Director Commerce

Revised 7/18/2024

APPLICATION NUMBER: \_\_\_\_\_

Detailed and specific description of Event (attach separate sheet if necessary)

Annual Celebration in conjunction with  
Biddleford Recreation, Bonnie Media and local  
volunteer organizations

Estimated # of Participants 75-150 Estimated Attendance 75

What impact will this have upon the surrounding neighborhood? (Noise, Traffic, etc.) Please explain:

None and all are invited

Describe the means by which the neighborhood (residents and businesses) will be notified of this event and its public hearing:

Online sources and Public posting

### **Type of Event:**

Special events may fall under three categories:



**Tier 1** Special Events involve the use of Recreation Department facilities for functions involving 100 or less people. **The Recreation Director or their designee is the permitting authority**



**Tier 2** Special Events include street closure requests, parades, road races, walks or other single-day functions involving 100 or less people. **The Police Chief and Public Works Director or their Designees are the permitting authority**



**Tier 3** Special Events are functions that involve a street closure or the use of a City facility for a single-day function involving 100-999 people. **The Coordinating Committee is the permitting authority**



APPLICATION NUMBER: \_\_\_\_\_

**PLEASE NOTE:** The City Council shall be the permitting authority for events to be held in City of Biddeford parks, recreation, public buildings, grounds and streets which it could reasonably be assumed that 1,000 or more persons might gather or participate; or any event which is proposed to last longer than two consecutive days, regardless of the number of persons anticipated to gather or participate.

**FURTHER:** If alcohol is being sold, or otherwise available, permission must be obtained through application at the City Clerk's Office, and must be approved by the City Council. If alcohol is sold, this requires applicable State of Maine Liquor license to sell alcohol. List contact name and address of licensee:

\_\_\_\_\_

## **General Service Questions**

### **Department of Public Works**

Is the use of barricades necessary/requested for this event? NO

If yes, number needed \_\_\_\_\_

Will it be necessary to cover street and/or parking signs for this event? NO If yes, please note on diagram.

What is your plan for cleanup and debris disposal for this event?

Volunteer Organizations

Is any other Public Works assistance anticipated?

None

### **Recreation Department**

Will this event take place in a Public Right of Way, Public Way, City Park or athletic field? \_\_\_\_\_

If yes, where

Gilbert Boucher Memorial Park

**APPLICATION NUMBER:** \_\_\_\_\_

Will tenting/staging be utilized for this event? No If yes, what is your plan to repair any damage caused by stakes, tie-downs, etc.?  
\_\_\_\_\_

Any Parks and Recreation assistance required?  
\_\_\_\_\_

**Fire Department**

Will the Fire Department have access to all sites in the event of an emergency?

Yes

Will any fire hydrants be obstructed? No Will you have access to E 9-1-1?  
\_\_\_\_\_

Will you have First Aid or medical staff present?

N/A

\*\*\*\*\* If First Aid or medical staff is needed, the Biddeford Fire Department may provide for a fee. Please contact the Biddeford Fire Department at 207-282-6632 for details.\*\*\*\*\*

**Police Department**

Is traffic control necessary for this event? No If yes, who will provide it?

Trained Volunteers

Is crowd control necessary for this event? Yes If yes, who will provide it?

Contracted Security Services (R+R Security)

**APPLICATION NUMBER:** \_\_\_\_\_

**SITE PLAN SKETCH OF SPECIAL EVENT (Completed by Event Coordinator)**

In the space below, please provide the following information. Attach a separate map if necessary.

- |                           |                  |                                     |
|---------------------------|------------------|-------------------------------------|
| General Map of Location   | Vender Locations | Street Closures/Parking Information |
| Event Coordinator's Booth | Garbage Cans     | Water/Electricity Sources           |
| Tents/Stages/Grandstands  | Water Sources    | Loudspeakers                        |
| Rest Facilities           |                  |                                     |

Please See  
attach

**APPLICATION NUMBER:** \_\_\_\_\_

**INDEMNIFICATION AND RELEASE PROVISIONS**  
**CITY OF BIDDEFORD SPECIAL EVENT PERMIT**

A. In consideration for being permitted to use the facilities and/or rights-of-way of the City of Biddeford, (hereinafter "City"), Biddeford Snow Chamber of Commerce (insert name of person/entity seeking permission to use facilities and/or right-of-way, hereinafter "Applicant") agrees to indemnify and hold harmless the City, its officers, employees, and insurers, from and against all liability, claims, and demands, which are incurred, made, or brought by any person or entity on account of damage, loss, or injury, including without limitation claims arising from property loss, or damage, bodily injury, personal injury, sickness, disease, death, or any other loss of any kind whatsoever, which arise out of or are in any manner connected with the use of the facilities and/or rights-of-way, whether any such liability, claims, and demands result from the act, omission, negligence, or other fault on the part of the City, its officers, or its employees, or from any other cause whatsoever.

B. By signing below, Applicant agrees that in the event of damage, loss or injury to the facilities or to any property or equipment therein or to the City rights-of-way, the City may deduct from any damage deposit the full amount of such damage, loss, or injury. Applicant further agrees that if such damage, loss, or injury exceeds the amount of the damage deposit, Applicant will promptly reimburse the City for all costs associated therewith upon billing by the City.

C. In addition, in consideration for being permitted or allowed to use the facilities and/or right-of-way, Applicant on behalf of itself and its officers, employees, members, and participants, hereby expressly exempts and releases the City, its officers, employees, insurers, from and against all liability, claims, and demands, on account of injury, loss, or damage, including without limitation claims arising from property loss or damage, bodily injury, personal injury, sickness, disease, or death, that Applicant may incur as a result of such use, whether any such liability claims and demands result from the act, omission, negligence, or other fault on the part of the City, its officer, or its employees, or from any other cause whatsoever.

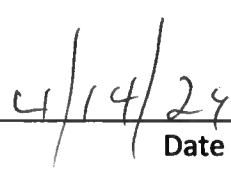
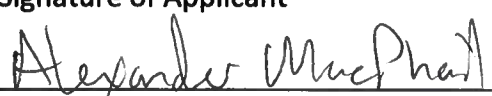
D. In addition, Biddeford Snow Chamber of Commerce has furnished and attached two copies of certificates of insurance with the City of Biddeford named as an additional insured in the amount of \$400,000 unless a greater amount is warranted.

E. In addition, Depending upon the size and nature of the event, the City may require that City employees, including Police, Fire, Public Works, Code Enforcement and/or Parks and Recreation, are present at or assist with the event. The City shall determine the number of personnel necessary to ensure the safety of the public and participants, minimize the inconvenience to residents, and reduce public liability exposure to the event sponsor and the City. The cost associated with the use of any such personnel, including City equipment, is the responsibility of the event sponsor. A deposit of thirty percent (30\*%) of the estimated personnel cost for the event will be required with the submittal of the application. The City



**APPLICATION NUMBER:** \_\_\_\_\_

shall provide a good faith estimate of the total personnel within 10 days after the approval of the application. The complete fee must be submitted to the City prior to the day of the event. Fees may be waived in whole or in part by the City Council prior to the special event.

|                                                                                   |                                                                                    |
|-----------------------------------------------------------------------------------|------------------------------------------------------------------------------------|
|  |  |
| _____<br>Signature of Applicant                                                   | _____<br>Date                                                                      |
|  |                                                                                    |
| _____<br>Printed Name of Applicant                                                |                                                                                    |

**APPLICATION NUMBER:** \_\_\_\_\_

**REVIEW BY SPECIAL EVENTS PERMITTING AUTHORITY:**

Having completed a review of the application, the proposal itself, the location of the vent and its impact upon services and resources, this application is:

☐ **APPROVED WITH MODIFICATIONS AND/OR RESTRICTIONS:** \_\_\_\_ **DATE:** \_\_\_\_\_

☐ **APPROVED AS SUBMITTED:** \_\_\_\_ **DATE:** \_\_\_\_\_

☐ **DENIED:** \_\_\_\_ **DATE:** \_\_\_\_\_

**Modifications / Restrictions:**

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**REASON(S) FOR DENIAL:**

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\_\_\_\_\_  
**Police Chief**

\_\_\_\_\_  
**Fire Chief**

\_\_\_\_\_  
**Public Works Director**

\_\_\_\_\_  
**Codes Enforcement Officer**

\_\_\_\_\_  
**Recreation Director**



On Saturday June 13, 2026 the Biddeford Saco Chamber of Commerce requests to use Gilbert Boucher Park at Biddeford Pool Beach from 11 to 5 PM (event time is 12 to 4 PM) for our FREE Annual "BeachBash" event.

The purpose of "BeachBash" is to highlight businesses (not just Chamber members) in a celebratory setting to highlight community activism and volunteerism.

Community groups participating include Common Roots, Binnie Media (99.9 The Wolf, 107.5 Frank FM, etc), Fidium Fiber, Biddeford Rec, Sacred Profane and more, along with anticipated involvement of local nonprofits organizations.

Solo ambient music will be provided by local artist Patrick Sylvia

This year we are proposing a MAJOR change for security and common sense reasons from previous years.

We are proposing moving the food and beer garden (presented by Sacred Profane) OFF of the beach and into a small controlled area by the building (as outlined in attached photos) with 2 paid security persons provides by R&R Services (who also provide security for LaKermesse) next to the food providers/trucks. All will be located above the grade with picnic tables, thus ensuring a SOLID point of entry for beer garden, far away from beach activities and minimal disturbance of beach goers, who are also invited to enjoy lunch, bbq, shaved ice and more.

This will allow families a full separation on the beach for our proposed beach activities, such as beach volleyball, a sandcastle contest provided by Common Roots, limbo contests and more. Staffing, clean up and set up will be provided by our Biddeford Saco Chamber Volunteer organization who will be responsible for parking coordination as well with trained staff. We are in talks for offsite parking at Hatties.

Included is a Certificate of Insurance Binder with a 400K aggregate and City of Biddeford listed as additional insured as requested.

As in the past ALL abutters will be notified via direct mail and advertising, and all concerns can and will be addressed

The only asks of the City are a permit, electricity at the building and allowable space for an additional ADA accessible portable toilet (locked until use).

Alexander C MacPhail  
Executive Director  
Biddeford Saco Chamber of Commerce  
28 Water St  
Biddeford, ME 04005  
207-282-1567



Alex MacPhail &lt;alex@biddefordsacochamber.org&gt;

**Reservation Permit from Biddeford Recreation**

1 message

**Biddeford Recreation** <noreply@receipts.myrecdepartment.com>

Mon, Dec 22, 2025 at 10:38 AM

Reply-To: Biddeford Recreation &lt;recreation@biddefordmaine.org&gt;

To: Alexander Macphail &lt;alex@biddefordsacochamber.org&gt;

Cc: Biddeford Recreation &lt;myrecreceipts@biddefordmaine.org&gt;

**Biddeford Saco Chamber Beach Bash**

Permit #: 6117

Alexander Macphail • Biddeford Saco Chamber of Commerce • (207) 282-1567 • [28 Water Street, Biddeford ME 04005](#)**Location****Date****Times**

Gilbert R Boucher Memorial Park-Biddeford Pool Beach

Sat, June 13, 2026

10:00 AM - 06:00 PM

Created By: Erika Dube

Created On: 12/22/2025 10:37:55 AM

[Print Page](#)





Alex MacPhail &lt;alex@biddefordsacochamber.org&gt;

## Statement #860223 for Biddeford Recreation

1 message

**Biddeford Recreation** <noreply@receipts.myrecdepartment.com>

Mon, Dec 22, 2025 at 10:38 AM

Reply-To: Biddeford Recreation &lt;recreation@biddefordmaine.org&gt;

To: Alexander Macphail &lt;alex@biddefordsacochamber.org&gt;, Biddeford Recreation &lt;myrecreceipts@biddefordmaine.org&gt;

Cc: Biddeford Recreation &lt;alisha.keezer@biddefordmaine.org&gt;



### Biddeford Recreation

PO Box 586, Biddeford, ME 04005 • P: 207-283-0841 • F: 207-286-0575

[Lisa.thompson@biddefordmaine.org](mailto:Lisa.thompson@biddefordmaine.org) • <http://biddefordme.myrec.com/> • Fed ID: 01-6000023

Invoice: 860223 • Date: 12/22/2025 • Invoice Total: \$0.00

### Biddeford Saco Chamber of Commerce (Alexander Macphail)

28 Water Street

Biddeford, ME 04005

 (207) 282-1567 • [alex@biddefordsacochamber.org](mailto:alex@biddefordsacochamber.org)

| Item                                     | Cost                | Adjust                                               | Tax    | Paid   | Balance |
|------------------------------------------|---------------------|------------------------------------------------------|--------|--------|---------|
| Biddeford Saco Chamber Beach Bash        | \$0.00              | \$0.00                                               | \$0.00 | \$0.00 | \$0.00  |
| Permit #: 6117<br>for Alexander Macphail |                     |                                                      |        |        |         |
| <b>Dates</b>                             | <b>Times</b>        | <b>Location</b>                                      |        |        |         |
| Saturday, June 13, 2026                  | 10:00 AM - 06:00 PM | Gilbert R Boucher Memorial Park-Biddeford Pool Beach |        |        |         |
| Total Days: 1                            | Total Hours: 8:00   |                                                      |        |        |         |
| Rental Fee: \$0.00 Flat                  | Fee: \$0.00         |                                                      |        |        |         |

| Subtotal | Adjustments | Tax    | Total Cost | Total Paid | Total Balance |
|----------|-------------|--------|------------|------------|---------------|
| \$0.00   | \$0.00      | \$0.00 | \$0.00     | \$0.00     | \$0.00        |

Created on 12/22/2025 10:37:53 AM by Erika Dube

Sent on 12/22/2025 10:38:04 AM (3753d561-867e-4fcf-b690-894000fdf2e3)



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/10/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                                                           |  |                                                                                                                                                                                                                                         |  |
|-----------------------------------------------------------------------------------------------------------|--|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <b>PRODUCER</b><br>Paquin & Carroll, LLC<br>260 Main St.<br>P.O. Box 356<br>Biddeford ME 04005            |  | <b>CONTACT NAME:</b> Erin Fitzgerald<br><b>PHONE (A/C, No. Ext):</b> (207) 283-1486<br><b>FAX (A/C, No):</b> (207) 283-4258<br><b>E-MAIL ADDRESS:</b> efitzgerald@insurancepc.com                                                       |  |
| <b>INSURED</b><br>BIDDEFORD-SACO CHAMBER OF COMMERCE<br>28 WATER ST<br>UNIT #1<br>BIDDEFORD ME 04005-2690 |  | <b>INSURER(S) AFFORDING COVERAGE</b><br><b>INSURER A:</b> Selective Insurance Company of America<br><b>INSURER B:</b> Maine Employers Mutual Ins Co<br><b>INSURER C:</b><br><b>INSURER D:</b><br><b>INSURER E:</b><br><b>INSURER F:</b> |  |
|                                                                                                           |  | <b>NAIC #</b><br>12572<br>11149                                                                                                                                                                                                         |  |

**COVERAGES****CERTIFICATE NUMBER:** 25-2 Incl WC**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                        | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                            |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br><input type="checkbox"/> OTHER: |           |          | S2675122      | 09/01/2025              | 09/01/2026              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000<br>MED EXP (Any one person) \$ 20,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>\$ |
|          | <b>AUTOMOBILE LIABILITY</b><br><input type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY                                                                  |           |          | S2675122      | 09/01/2025              | 09/01/2026              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>SEGP \$                                                                              |
|          | <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR<br><b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE<br><br>DED <input type="checkbox"/> RETENTION \$                                                                                                                                                                          |           |          |               |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$<br>\$                                                                                                                                                                                                          |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                               | N/A       |          | 1810108959    | 09/01/2025              | 09/01/2026              | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/><br>E.I. EACH ACCIDENT \$ 100,000<br>E.I. DISEASE - EA EMPLOYEE \$ 100,000<br>E.I. DISEASE - POLICY LIMIT \$ 500,000                                                          |
|          |                                                                                                                                                                                                                                                                                                                                          |           |          |               |                         |                         |                                                                                                                                                                                                                                                   |

**DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES** (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Event: Gilbert Boucher Memorial Park-Biddeford Pool Beach  
128 Mile Stretch Rd, Biddeford, ME 04005  
Tuesday June 16 from 10 AM to 6 PM

In regards to General Liability, City of Biddeford is an Additional Insured when required by written contract, written agreement or permit.

**CERTIFICATE HOLDER****CANCELLATION**

|                                             |                                                                                                                                                                |
|---------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Biddeford<br><br>Biddeford ME 04005 | SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. |
|                                             | AUTHORIZED REPRESENTATIVE<br><br>Erin Fitzgerald                                                                                                               |

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# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

04/10/2026

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|                                                                                                           |                                                                                                                                                                                                                                         |
|-----------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
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| <b>INSURED</b><br>BIDDEFORD-SACO CHAMBER OF COMMERCE<br>28 WATER ST<br>UNIT #1<br>BIDDEFORD ME 04005-2690 | <b>INSURER(S) AFFORDING COVERAGE</b><br><b>INSURER A:</b> Selective Insurance Company of America<br><b>INSURER B:</b> Maine Employers Mutual Ins Co<br><b>INSURER C:</b><br><b>INSURER D:</b><br><b>INSURER E:</b><br><b>INSURER F:</b> |

**COVERAGES****CERTIFICATE NUMBER:** 25-2 Incl WC**REVISION NUMBER:**

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| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                           | ADDL INSD | SUBR WVD | POLICY NUMBER | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                      |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|---------------|-------------------------|-------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC<br>OTHER: |           |          | S2675122      | 09/01/2025              | 09/01/2026              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 1,000,000<br>MED EXP (Any one person) \$ 20,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000 |
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|          | <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR<br><b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE<br>DED <input type="checkbox"/> RETENTION \$                                                                                                                                                 |           |          |               |                         |                         | EACH OCCURRENCE \$<br>AGGREGATE \$                                                                                                                                                                                                          |
| B        | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/><br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                      | N/A       |          | 1810108959    | 09/01/2025              | 09/01/2026              | PER STATUTE <input type="checkbox"/> OTH-ER <input type="checkbox"/><br>E.L. EACH ACCIDENT \$ 100,000<br>E.L. DISEASE - EA EMPLOYEE \$ 100,000<br>E.L. DISEASE - POLICY LIMIT \$ 500,000                                                    |

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128 Mile Stretch Rd, Biddeford, ME 04005  
Tuesday June 16 from 10 AM to 6 PM

In regards to General Liability, City of Biddeford is an Additional Insured when required by written contract, written agreement or permit.

**CERTIFICATE HOLDER****CANCELLATION**

|                                             |                                                                                                                                                                                                                                         |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| City of Biddeford<br><br>Biddeford ME 04005 | <b>SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.</b><br><br><b>AUTHORIZED REPRESENTATIVE</b><br><i>Erin Fitzgerald</i> |
|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|

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2 Security  
1 watch  
1 Roaming

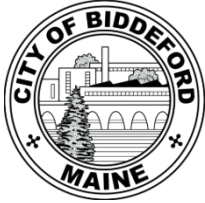
Google Maps

Imagery ©2026 Airbus, Map data ©2026 Google 20 ft









## City Council

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**Meeting Date:** June 2, 2026

**Meeting Time:** 6:00 PM

**Agenda Item No:** 13.b

**Item Description:** 2026.36 Approval of Manufactured Housing Mobile Home Parks Ordinance

**Submitted By:** Truc Dever, City Manager

### Key Terms:

### Executive Summary:

Recently across Maine, out of state companies have been purchasing mobile home parks and imposing significant lot rent increases. This is literally pricing out occupants who are on fixed incomes out of their homes. The State Legislature has recognized that and passed LD 1765, An Act to Ensure Affordability and Stability in Residential Housing and in Manufactured Housing. The State further drafted a Model Rent Stabilization Ordinance for consideration by municipalities.

### Detailed Review:

Members of the City Council have been approached by constituents concerned about recent, significant lot rent increases imposed by out of state landlords. This presents and exemplifies that there is an emergency affecting life, health, and property for housing stability for certain mobile home park lot renters because of rapidly escalating lot rents. There is an immediacy to address the manner of Lot Rent increases to foster stabilization of housing within certain mobile home parks.

City Council referred the topic to the Policy Committee to review and develop next steps. The City examined the State Model Ordinance for Lot Rent Stabilization for Mobile Home Parks, set forth as Appendix 2 in the LD 1765, authored by the Governor's Office of Policy Innovation and the Future, and attached in its report to the Joint Standing Committee on Housing and Economic Development.

The Committee drafted ordinance language, which is now before Council for consideration.

**Funding Source:**

N/A

**Staff Recommendation:**

Staff is neutral, as this is a policy decision.

**Next Steps:**

If approved, this ordinance change will require two readings.

**Attachments:**

1. Manufactured Housing Mobile Home Parks Ordinance- Approved by Policy Committee  
2.23.26
2. 2026.36 Manufactured Housing Mobile Home Parks Ordinance- ORDER

Part 3 Land Development Regulations

Article 6 Performance Standards

**Section 45 Manufactured housing/mobile home parks.**

[Ord. No. 2004.45, 7-12-2004]

**Division 1.**

Manufactured Housing, General

**A.** Applicability. These regulations shall apply to all manufactured housing to be located in the City of Biddeford or moved from one part of the City to another.

**B.** Permit requirements:

**1.** No person, firm, corporation or other legal entity shall locate a manufactured home in the City of Biddeford, or move a manufactured home from one lot or parcel of and to another, without a permit from the Building Inspector. The Building Inspector shall issue the permit within 10 days of receipt of a written application and submission of proof that the manufactured home meets the requirements of this ordinance.

**2.** No person other than a dealer licensed by the State of Maine with a sales tax certificate may construct or locate any new manufactured housing within the City of Biddeford without first providing a bill of sale indicating the name, address, dealer license number and sales tax certificate number of the person who sold or provided the manufactured housing to the buyer locating the housing in Biddeford.

If no such bill of sale is presented, evidence of certification of payment of the sales tax in accordance with Title 36 M.R.S.A. § 1760(40), and 36 M.R.S.A. § 1952-B must be provided.

**3.** A mobile home shall not be occupied for dwelling purposes unless it is properly placed on a permanent foundation and connected to water, sewage/septic, and electrical utilities.

**C.** Definitions. For the purposes of this section the following definitions shall be used. Any other terms shall be defined as provided in Article II of the Zoning Ordinance:

**1.** Manufactured housing means a structural unit or units designed for occupancy and constructed in a manufacturing facility and transported, by use of its own chassis or an independent chassis, to a building site. The term includes any type of building which is constructed at a manufacturing facility and transported to a building site where it is used for housing and may be purchased or sold by a dealer in the interim. For purposes of this section, two types of manufactured housing are included. Those two types are:

**a.** Those units constructed after June 15, 1976, commonly called "newer mobile homes," which the manufacturer certifies are constructed in compliance with the United States Department of Housing and Urban Development standards, meaning structures transportable in one or more sections, which in traveling mode are 14 body feet or more in width and are 750 or more square feet, and which are built on permanent chassis and designed to be used as dwellings, with or without permanent foundations, when connected to the required utilities including the plumbing, heating, air conditioning or electrical systems contained in the unit;

**b.** This term also includes any structure which meets all the requirements of this subparagraph, except the size requirements, and with respect to which the manufacturer voluntarily files a certification required by the Secretary of the United States Department of Housing and Urban Development and complies with the standards established under the National Manufactured Housing Construction and Safety Standards Act of 1974, U.S. Code, title 42, Section 5401 et seq.; and

**c.** Those units commonly called "modular homes," ("state certified manufactured homes") which the manufacturer certifies are constructed in compliance with 10 M.R.S.A. § 9041 et seq., and rules adopted under that chapter, meaning structures, transportable in one or more sections, which may or may not be constructed on a permanent chassis and are designed to be used as dwellings on foundations when connected to required utilities, including the plumbing, heating, air conditioning or electrical systems contained in the unit.

**2.** Mobile home park means a parcel of land under unified ownership approved by the municipality under the City of Biddeford Code, Chapter **66**, Subdivisions, for the placement of three or more manufactured homes.

**a.** Mobile home park lot means the area of land on which an individual home is situated within a mobile home park and which is reserved for the use by occupants of that home. A municipality may require a lot to be designated on a mobile home park plan.

**3.** Mobile home subdivision or development means a parcel of land approved by the municipal reviewing authority under the City of Biddeford Code, Chapter **66**, Subdivisions, for the placement of manufactured houses on individually owned lots.

**4.** Permanent foundation means all the following:

**A.** For "newer mobile homes," as defined by the previous Subsection C1a, a foundation that conforms to the installation standards established by the Manufactured Housing Board.

**B.** For "modular homes," as defined by the previous Subsection C1c, a foundation that conforms to the City of Biddeford Building Code.

**5.** Pitched, shingled roof means a roof with a pitch of two or more vertical units for every 12 horizontal units of measurement and which is covered with asphalt or fiberglass composition shingles or other materials, but specifically excludes corrugated metal roofing material.

**D.** Prohibitions. No person, firm, corporation or other legal entity shall locate, or move from one lot or parcel of land to another, an older mobile home, trailer, or manufactured home, built prior to June 15, 1976, which fails to meet the requirements of Subsection F below unless legally located within Biddeford prior to August 4, 1988.

**E.** Nonconforming structures. Mobile homes and trailers, and manufactured homes which fail to meet the standards set forth in Subsection F of this section, which were lawfully established prior to the effective date of this section, shall be considered nonconforming structures and may continue and may be maintained, repaired, improved, and expanded in accordance with the provisions of this ordinance related to nonconforming structures.

**F.** Manufactured housing standards.

**1.** All manufactured housing proposed to be located within the City of Biddeford or relocated from one lot to another within the City, and built prior to June 15, 1976, shall meet the following safety standards:

**a.** City of Biddeford Building Code;

**b.** All electrical utilities shall comply with the National Electric Codes.

**2.** All manufactured housing proposed to be located within the City of Biddeford after August 4, 1988, shall meet the following design requirements:

**a.** The minimum width shall be 14 feet.

**b.** All units shall contain a minimum living area of 750 square feet.

**c.** All units shall be on a permanent foundation as defined in Subsection C4 above.

**d.** All mobile homes shall be equipped with adequate skirting to enclose the underside of the mobile home.

**e.** All units shall have a pitched, shingled roof of not less than two vertical units for every 12 horizontal units of measurement.

**f.** Exterior siding shall conform to any requirements for exterior siding of site-built housing in the City of Biddeford.

**Division 2.**

Mobile Home Parks.

**A.** Applicability. Except as stipulated below, mobile home parks shall meet all the requirements for a residential subdivision contained in Chapter **66** of the Code, and shall conform to all applicable state laws and local ordinances or regulations. Where the provisions of this section conflict with specific provisions of the City of Biddeford Ordinances the provisions of this section shall prevail.

**B.** Permitted housing units. Mobile home parks, as defined, shall be limited to the siting of manufactured housing meeting the definition standards specified in Division 1C1(a) and (b) as such refers to "mobile homes."

**C.** Approval; inspections.

**1.** Mobile home parks shall be permitted after review and approval by the Planning Board in those districts designated on the Official Zoning Map of the City of Biddeford. The Planning Board shall determine the adequacy of the design with respect to lot layout, traffic circulation, water supply and sewage disposal, and other features specified in this ordinance and in the Subdivision Ordinance to assure conditions which preserve the health, safety, and welfare of the occupants, the surrounding neighborhood and the City generally. All mobile home parks shall meet the minimum standards of the manufactured Housing Board as well as the provisions of this ordinance, effective at the date of application.

**2.** Park owners shall be held responsible for the notification of the Building Inspector to inspect new or replacement units being placed in the park. Failure to notify the Building Inspector's office for inspection, or the failure to receive a certificate of occupancy (CO) shall be a violation of Chapter **18** of the Code. Such violation shall be punishable under the terms of the applicable chapter. In cases where the two chapters apply, the stricter of the two shall apply.



**3.** Owners of mobile home parks shall apply for a permit to operate a mobile home park. This application shall be submitted to the City Clerk's office. The application shall be submitted to the Building Inspector, the Fire Chief, and the Health Officer for their investigation and recommendation. This application shall be reviewed for approval by the municipal officers based on the recommendation of the several public officers. The municipal officers shall act upon the application. Licenses granted by the municipal officers shall be valid for two years, but in no case shall a license be transferred. Failure to have a license renewed shall result in no more certificates of occupancy being issued until such license is renewed.

**D.** Permit: method of application and requirements. Applications shall be submitted by the applicant or his/her agent as specified in the Subdivision Ordinance. The applicant shall file with the application proof of ownership of the premises or of a lease or written permission from the owner thereof together with a complete set of plans drawn to scale, by a professional engineer, or land surveyor, registered with the State of Maine, showing the location of the proposed park, and which includes:

- 1.** Dimensions of park boundary lines.
- 2.** Name of park, North arrow, date, and scale of plan.
- 3.** Name and address of owner of record, and the name and address of proposed park operator.
- 4.** Names of abutting owners of properties and the nature of present use of abutting properties.
- 5.** Locations, names and widths of adjacent street and rights-of-way.
- 6.** Locations and dimensions of all roadways, walkways, public areas, and reserved strips.
- 7.** Location and description of all existing or proposed buildings or other permanent structures.
- 8.** Locations and dimensions of all proposed mobile home or trailer spaces.
- 9.** Existing and proposed utilities, installations, service connections from adjacent streets or properties and the method of sewage disposal.
- 10.** Drainage plan.
- 11.** Traffic impact analysis.
- 12.** Open space management plan.
- 13.** Park management plan. Each application for a mobile home park shall have a park management plan. This plan shall state in detail, besides the name, address and telephone number of park owner and arrangements for daily contact of park manager/operator, the rules of the park, schedule for park maintenance, trash removal, road maintenance, security of the park, etc.
- 14.** Landscaping plan that includes details for buffer areas, open space areas and entryways.
- 15.** Any other reasonable information required by the Biddeford Subdivision Ordinance.

**E.** Design requirements. Mobile home parks shall conform to the following minimum requirements. These requirements shall be shown on the park plan.

**1.** Lot area and lot width requirements. Notwithstanding the dimensional requirements table located in Article VI, Section 6A of this section, lots in a mobile home park shall meet the following lot area and lot width requirements.

**a.** Lots served by public sewer:

Minimum lot area: 6,500 square feet

Minimum lot width: 50 feet

**b.** Lots served by individual subsurface wastewater disposal systems.

Minimum lot area: 20,000 square feet

Minimum lot width: 100 feet

**c.** Lots served by a central subsurface wastewater disposal system approved by the Maine Department of Health and Human Services.

Minimum lot area: 12,000 square feet

Minimum lot width: 75 feet

**d.** The overall density of any park served by any subsurface wastewater disposal system shall not exceed one dwelling unit per 20,000 square feet of total park area.

**e.** Lots located within any shoreland zoning district shall meet the lot area, lot width and shore frontage requirements for that district.

**2.** Unit setback requirements.

**a.** On lots 10,000 square feet in area or larger, structures shall not be located less than 15 feet from any boundary lines of an individual lot. On lots less than 10,000 square feet in area, structures shall not be located less than 10 feet from any boundary lines of an individual lot.

**b.** On lots which are located within a shoreland zoning district, structures shall comply with all sections of Article **XIV**, Shoreland Zoning Ordinance.

**3.** Buffering. If a park is proposed with a residential density at least twice the density of adjacent development in existence, or at least twice the density permitted in the zoning district in which the park is located if the neighboring land is undeveloped, the park shall be designed with a continuous landscaped area not less than 50 feet in width which shall contain no structures, driveways, utilities or streets. The first 25 feet of the buffer strip, as measured from the exterior boundaries of the park shall contain evergreen shrubs, trees, fences, walls or any combination which forms an effective visual barrier to be located on all exterior lot lines of the park, except that driveways shall be kept open to provide visibility for vehicles entering and leaving the park.

**4.** Open space reservation. An area no less than 10% of the total area of those lots with a lot area of 10,000 square feet or less shall be reserved as open space. The area reserved as open space shall be suitable to be used for recreational purposes or use by the residents of the park for storage. Generally, the reserved open space shall have slopes less than 5% shall not be located on poorly or very poorly drained soils, and shall be accessible directly from roads within the park. The Planning

Board may waive the requirement for open space when the park is located within 1/2 mile of a publicly owned recreation area.

**5.** Road design, circulation, and traffic impacts. Streets within a park shall be designed by a professional engineer, registered in the State of Maine.

**a.** Streets which the applicant proposes to be dedicated as public ways shall be designed and constructed in accordance with the standards for streets in the Biddeford City Code, Chapter **62**.

**b.** Streets which the applicant proposes to remain private ways shall meet the following minimum geometric design standards.

**i.** Minimum right-of-way width: 23 feet.

**ii.** Minimum width of traveled way: 20 feet.

**c.** Dead-end streets shall provide a suitable turnaround at the closed end. In addition the following shall apply:

**i.** Any mobile home park expected to generate average daily traffic of 200 trips per day or more shall have at least two street connections with existing public streets. Any street within a park with an average daily traffic of 200 trips per day or more, shall have at least two street connections leading to existing public streets, other streets within the park, or other streets shown on an approved subdivision plan. Trip generation numbers will be determined by the latest version of the publication "Recommended Guidelines for Subdivision Streets" by the Institute of Transportation Engineers (ITE) or other acceptable ITE manuals.

**ii.** A dead-end street shall not exceed in length a distance of 1,500 feet, as measured along the proposed street center line, from the end of the dead end road to the outside edge of the traveled way of the nearest intersecting through road.

**iii.** Exceptions to the maximum dead-end lengths:

**a.** If an applicant can demonstrate (through a master plan) that the street will be connected to create a through street in future development, the Planning Board may allow dead-end lengths to temporarily exceed 1,500 feet.

**b.** If a road loops back on to itself (i.e. lollipop or p-shaped), it may exceed the standards above, provided that the point at which the road loops back onto itself as measured from the beginning of the dead-end road is not more than 1,500 feet.

**d.** No individual lot within a park shall have direct vehicular access onto an existing public street.

**e.** The intersection of any street within a park and an existing public street shall meet the following standards.

**i.** Angle of intersection. The desired angle of intersection shall be 90°. The minimum angle of intersection shall be 75°.

**ii.** Maximum grade within 75 feet of intersection. The maximum permissible grade within 75 feet of the intersection shall be 2%.

iii. Minimum sight distance. A minimum sight distance of 10 feet for every mile per hour of posted speed limit on the existing road shall be provided. Sight distances shall be measured from the driver's seat of a vehicle that is 10 feet behind the curb or edge of shoulder line with the height of the eye 3 1/2 feet above the pavement and the height of object 4 1/4 feet.

iv. Distance from other intersections. The center line of any street within a park intersecting an existing public street shall be no less than 125 feet from the center line of any other street intersecting that public street.

f. The application shall contain an estimate of the average daily traffic projected to be generated by all units within the park units completed in an earlier phase of the mobile home park development. Estimates of traffic generation shall be based on the latest Trip Generation Manual, published by the Institute of Transportation Engineers. If the park is projected to generate more than 400 vehicle trip ends per day, the application shall also include a traffic impact analysis, by a registered professional engineer with experience in transportation engineering.

**6. Groundwater impacts.**

a. Assessment submitted. Accompanying the application for approval of any mobile home park which is not served by public sewer shall be an analysis of the impacts of the proposed mobile home park on ground water quality. The hydrogeologic assessment shall be prepared by a certified geologist or registered professional engineer, experienced in hydrogeology and shall contain at least the following information.

i. A map showing the basic soils types.

ii. The depth to the water table at representative points throughout the mobile home park.

iii. Drainage conditions throughout the mobile home park.

iv. Data on the existing ground water quality, either from test wells in the mobile home park or from existing wells on neighboring properties.

v. An analysis and evaluation of the effect of the mobile home park on ground water resources. The evaluation shall, at a minimum, include a projection of post-development nitrate-nitrogen concentrations at any wells within the mobile home park, at the mobile home park boundaries and at a distance of 1,000 feet from potential contamination sources, whichever is a shorter distance. For mobile home parks within the watershed of a lake, projections of the development's impact on groundwater phosphate concentrations shall also be provided.

vi. A map showing the location of any subsurface wastewater disposal systems and drinking water wells within the mobile home park and within 200 feet of the mobile home park boundaries.

**b. Standards for acceptable groundwater impacts.**

**i.** Projections of groundwater quality shall be based on the assumption of drought conditions (assuming 60% of annual average precipitation).

**ii.** No mobile home park shall increase any contaminant concentration in the groundwater to more than 1/2 of the Primary Drinking Water Standards. No mobile home park shall increase any contaminant concentration in the groundwater to more than the Secondary Drinking Water Standards.

**iii.** If groundwater contains contaminants in excess of the primary standards, and the mobile home park is to be served by on-site groundwater supplies, the applicant shall demonstrate how water quality will be improved or treated.

**iv.** If groundwater contains contaminants in excess of the secondary standards, the mobile home park shall not cause the concentration of the parameters in question to exceed 150% of the ambient concentration.

**c.** Subsurface wastewater disposal systems and drinking water wells shall be constructed as shown on the map submitted with the assessment. If construction standards for drinking water wells are recommended in the assessment, those standards shall be included as a note on the plan.

**7. Conversion without approval.** No development or subdivision which is approved under this section as a mobile home park may be converted to another use without the approval of the Planning Board, and meeting the appropriate lot size, lot width, setback and other requirements. The plan to be recorded at the Registry of Deeds and filed with the municipality shall include the following restrictions as well as any other notes or conditions of approval.

**a.** The land within the park shall remain in a unified ownership and the fee to lots or portions of lots shall not be transferred.

**b.** No dwelling unit other than a manufactured housing unit shall be located within the park.

Division 3

Mobile Home Lot Fee Regulations

A. Applicability. These regulations shall apply to all mobile home parks located in the City of Biddeford or moved from one part of the City to another except ~~exempt~~ Mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home residents those to which an exemption applies.

~~1. Exemptions:~~

~~a. Mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home residents.~~



~~b. Mobile home lots subject to any agreement that restricts lot rent or fee increases in a manner that is more restrictive than this ordinance.~~

B. Definitions. For the purposes of this section the following definitions shall be used. Any other terms shall be defined as provided in Article II of the Zoning Ordinance

1. Administrator means the municipal official responsible for the administration and enforcement of this mobile home lot fee regulation. The office of Code Enforcement shall be the administrator.

~~21.~~ Consumer Price Index or “CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region, all items, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

~~32.~~ Park Owner means a person, corporation or any other entity that owns a mobile home park.

~~43.~~ Rent Increase means any additional lot rent or fees demanded of, or paid by, a mobile home resident, ~~and includes~~ or any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.

#### C. Lot Rent and Fee Increase Limitations

1. Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than 2 times in any 12-month period in the mobile home park.

2. Base Rent Calculation: Except as provided herein, a park owner shall not demand, accept or retain rent for a mobile home park lot that exceeds the rent in effect for that lot on date of ordinance approval or other date specified by local governing body. In the event the lot was not occupied on date of ordinance approval or other date specified by local governing body, the base rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section C-5 in this division.

3. Notice requirements: A park owner shall provide notice of any increase in lot rent or fees to the affected mobile home residents, no less than 120 days before the effective date of increase. The notice must include:

a. The name, address, telephone number and email address of the park owner

b. The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

4. Rent increase formula: Any cumulative annual lot rent or fee increase is limited to either the lesser of:

- a. ~~Lesser than~~ the most recently posted annual percentage change in CPI plus 3.5%, or
- b. ~~Lesser than~~ 10% of then-current base rent or fee.

5. Greater Rent Increase: A park owner may seek a greater rent or fee increase to cover the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, in addition to certain capital improvements or other emergencies. Increases in cost for capital improvements must be amortized over the useful life of those capital improvements. Improvements must directly benefit mobile home residents or ~~and~~ be necessary for maintenance or the correction of health and safety conditions in the mobile home park. A park owner seeking such a greater increase must submit a petition to the administrator. The petition must be filed in advance of the rent or fee increase notice and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the mobile home park. The Administrator will make a determination and may grant all or part of the requested increases taking into consideration prior increases, inflation and input of the mobile home owners. Park owners that fail to maintain a mobile home park in decent, safe, sanitary condition, as determined by the administrator, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the mobile home park.

6. Vacancy Base Rent: A park owner shall be permitted to increase the lot rent by the rent increase formula laid out in section 4 whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot.

#### D. Appeals

1. Decisions of the administrator may be appealed to the City Manager or their designee by:

- a. Park owners
- b. Affected mobile home residents when 10% or more of the households then living in the mobile home park, who are affected by the proposed rent or fee increase, agree to seek such an appeal via written petition.

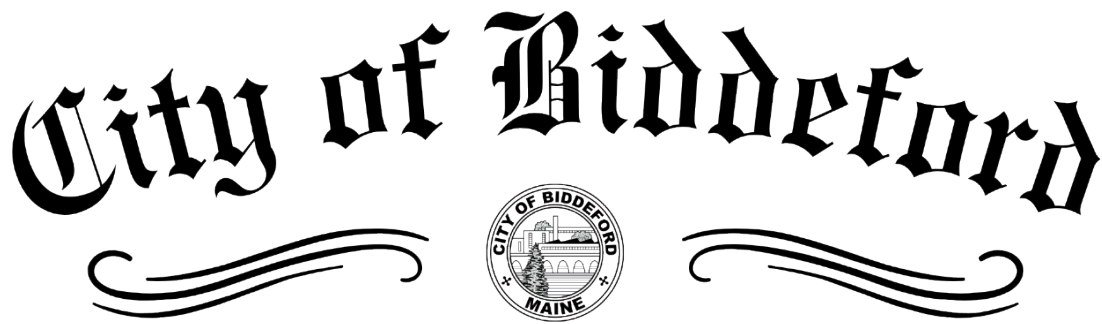
2. Appeals as described herein are to be filed with the administrator within 10 business days of the decision made by the administrator. Appeals must be decided within 30 business days of the date of filing.

#### Division ~~3-~~ 4.

~~-~~Mobile Home Subdivisions and Developments Other Than Mobile Home Parks.

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A. Mobile home subdivisions and developments other than mobile home parks shall meet the standards established under the Zoning Ordinance and the Subdivision Ordinance. If provisions conflict, the stricter standard shall prevail.



**2026.36 IN BOARD OF CITY COUNCIL....JUNE 2, 2026**

**BE IT ORDERED**, by the Biddeford City Council, that the Code of Ordinances of the City of Biddeford, Part 3, Article 6, Section 45 Manufactured housing/mobile home parks, be amended as attached by adding text in blue underline and deleting text in ~~red strikethrough~~:

Division 3 Mobile Home Lot Fee Regulations

A. Applicability. These regulations shall apply to all mobile home parks located in the City of Biddeford or moved from one part of the City to another-except mobile home parks owned by a cooperative or other entity in which membership is limited to mobile home residents those to which an exemption applies.

B. Definitions. For the purposes of this section the following definitions shall be used. Any other terms shall be defined as provided in Article II of the Zoning Ordinance.

1. Administrator means the municipal official responsible for the administration and enforcement of this mobile home lot fee regulation. The office of Code Enforcement shall be the administrator.

±2. Consumer Price Index or “CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), Northeast Region all items, as published by the U.S. Department of Labor, Bureau of Labor Statistics.

2 3. Park Owner means a person, corporation or any other entity that owns a mobile home park.

3 4. Rent Increase means any additional lot rent or fees demanded of, or paid by, a mobile home resident, and or any reduction in services without a corresponding reduction in the amount demanded or paid for in lot rent or fees.

C. Lot Rent and Fee Increase Limitations

1. Limitation on number of rent increases: A park owner may not increase the lot rents or fees more than 2 times in any 12-month period in the mobile home park.

2. Base Rent Calculation: Except as provided herein, a park owner shall not demand, accept or retain rent for a mobile home park lot that exceeds the rent in effect for that lot on date of ordinance approval or other date specified by local governing body. In the event the lot was not occupied on date of ordinance approval or other date specified by local governing body, the base rent for that lot shall not exceed the most recent lot rent plus an amount up to that specified in Section C-5 in this division.

3. Notice requirements: A park owner shall provide notice of any increase in lot rent or fees to the affected mobile home residents, no less than 120 days before the effective date of increase. The notice must include:

a. The name, address, telephone number and email address of the park owner

b. The amount of the increase in lot rent or fees, in dollars, and the type of any fee increased.

4. Rent increase formula: Any cumulative annual lot rent or fee increase is limited to lesser than:

- a. The most recently posted annual percentage change in CPI plus 3.5%, or
- b. 10% of then-current base rent or fee.

5. Greater Rent Increase: A park owner may seek a greater rent or fee increase to cover the cost of increased operating expenses such as taxes, insurance, utility charges and maintenance costs, in addition to certain capital improvements or other emergencies. The cost of capital improvements shall be amortized over the life of said improvement. Improvements must directly benefit mobile home residents or be necessary for maintenance or the correction of health and safety conditions in the mobile home park. A park owner seeking such a greater increase must submit a petition to the administrator. The petition must be filed in advance of the rent or fee increase notice and contain documentation that the increase is necessary to cover increases in operating or maintenance expenses, the cost of eligible capital improvements, or unforeseeable expenses incurred at the mobile home park. The administrator may grant a partial or all of the requested increase, taking into account the petition, prior increases and any input from mobile home low owners. Park owners that fail to maintain a mobile home park in decent, safe, sanitary condition, as determined by the administrator, shall not be allowed to exceed the basic rent increase unless the increase is used to correct health and safety violations in the mobile home park.

6. Vacancy Base Rent: A park owner shall be permitted to increase the lot rent by the rent increase formula laid out in section 4 whenever a lawful vacancy occurs, and this amount shall be considered the new base rent for that mobile home park lot.

#### D. Appeals

1. Decisions of the administrator may be appealed to the City Manager or their designee by:

- a. Park owners
- b. Affected mobile home residents when 10% or more of the households then living in the mobile home park, who are affected by the proposed rent or fee increase, agree to seek such an appeal via written petition.

2. Appeals as described herein are to be filed with the administrator within 10 business days of the decision made by the administrator. Appeals must be decided within 30 business days of the date of filing.

#### Division 3 4

**Attest by:** \_\_\_\_\_  
*City Clerk*





## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 13.c  
**Item Description:** 2026.92 Bid Approval - Lead Hazard Reduction at 158 Cleaves St.  
**Submitted By:** Jessica Wilson, Community Development & Grants Manager

### Key Terms:

HUD: US Department of Housing & Urban Development; IFB: Invitation for Bid; CDBG: Community Development Block Grant

### Executive Summary:

Housing Office staff recommends the award of IFB# 2026-02-24-01-LEAD, for required hazard-reduction work at 158 Cleaves Stret, be made to contractor Ray Corporation of Lewiston in the amount of \$238,300.00 from the City's Lead Hazard Reduction and Healthy Homes Grant and CDBG Grant. Ray Corp submitted the lowest bid, which is within 10% of the City's cost estimate. Investment in this property not only addresses health/safety hazards, but it also helps assure one of the units in this duplex is available to a household at no more than 50% of the area median income (AMI) and the other is available to a household at no more than 80% AMI for three years following the project's completion.

### Detailed Review:

This two-unit, owner-occupied property is in need of substantial rehabilitation and health and safety improvements. The property was inspected in December 2025 for lead-based paint hazards and other health and safety deficiencies. Testing determined that more than 50 percent of the interior building components contained lead-based paint, as defined under the standards and testing methodologies established in the Maine Department of Environmental Protection Lead Management Regulations, Chapter 424.

The proposed scope of work includes the remediation of interior lead hazards through approved methods including component removal and replacement, enclosure systems, encapsulation with lead-blocking compounds, and HEPA cleaning to address lead dust hazards. In addition, the project incorporates several critical health and safety improvements funded through the Healthy Homes Grant, which is paired with the Lead Hazard Reduction Grant. These improvements include correction of violations identified by the City of Biddeford Code Enforcement Office.

The front porch currently presents a significant structural and safety concern. The porch roof has partially collapsed into the second-story porch area and is beginning to separate from the

structure. Electrical service wiring leading to the meter banks has also deteriorated over time and requires replacement due to fraying and wear. Additionally, the exterior faux-brick asphalt siding is significantly deteriorated and in need of replacement.

Unit #1 retains a number of original architectural features, including wainscoting and built-in cabinetry. The rehabilitation plan seeks to preserve these historic and character-defining elements to the greatest extent feasible while remaining within program budget limitations. Unit #2 has sustained extensive interior damage resulting from prior tenant neglect, including damaged drywall and widespread flooring deterioration.

The Lead Hazard Reduction Grant requires the City to provide matching funds through the Community Development Block Grant (CDBG) Program. Given the significant rehabilitation costs associated with this project, combined with the property owner's physical limitations, including reliance on a prosthetic leg and wheelchair mobility, staff has determined that this project is an appropriate candidate for the use of CDBG match funding to offset necessary repair costs.

As an additional public benefit, the property owner has agreed to make the rental unit available to low- and moderate-income households for a period of ten years.

Although three contractors attended the mandatory bid walk, Ray Corporation was the sole bidder to submit a proposal for the project. This bid was for \$104,650. The contractor, whose work is well known to the Housing Rehab Programs, expects to begin the project in June and finish in 12-14 weeks.

#### **Funding Source:**

This project is 100% funded by the City's HUD Lead Hazard Reduction & Healthy Homes Grant and CDBG Grant. The funding will be charged as follows: \$133,650 to 32593-

71402; \$20,000 to 32613-71402; \$84,650 to 31117-71402.

**Staff Recommendation:**

Staff recommends awarding the bid for the project at 158 Cleaves St to Ray Corp for \$238,300.00.

**Next Steps:**

Upon award, the Lead Program Manager will initiate the required HUD documentation and schedule the lead abatement and healthy homes work to begin.

**Attachments:**

1. 2026.92 Lead Hazard Reduction 158 Cleaves St. -ORDER
2. BID SUMMARY - 158 CLEAVES ST- Negotiated Rate
3. FY2026 Income Limits

# City of Biddeford



2026.92

IN BOARD OF CITY COUNCIL...

June 2, 2026

**BE IT ORDERED**, that the award for the HUD Lead Hazard Reduction & Healthy Homes project at 158 Cleaves Street, as detailed in IFB# 2026-02-14-01-LEAD, be awarded to Maine-licensed abatement contractor Ray Corporation in the amount of \$238,300.00. The work is projected to begin June 2026 and conclude in 12-14 weeks. Contractor has satisfactorily performed this work for the City's Housing Rehab Programs and is a firm in good standing with the Maine Department of Environmental Protection and the federal government, as confirmed by a check of the System for Award Management (SAM.gov) on 4/9/26.

Funded by the Biddeford Lead Based Paint Hazard Reduction Grant 32594-71402; Healthy Homes Grant 32613-71402; and Community Development Block Grant 31117-71402.

Attest by: \_\_\_\_\_

**BID RESULTS**  
**IFB# 2026-02-24-01-LEAD**  
**158 CLEAVES STREET**

**Number of Units:** 2  
**Bid Notice Date:** 2/10/2026  
**Bid Open Date:** 4/9/2026 @ 2:00 pm (revised RFB)  
**Bid Open Attendees:** Jessica Wilson

| <b>Scope of work</b> | <b>ICE</b>       | <b>RAY CORPORATION</b> |
|----------------------|------------------|------------------------|
| Heathly Homes        | \$98,100         | \$210,000              |
| Apt 1 & Exterior     | \$64,900         | \$67,000               |
| Apt 2                | \$61,950         | \$66,650               |
| <b>Total Price</b>   | <b>\$224,950</b> | <b>\$343,650</b>       |
| <b>START DATE</b>    |                  | <b>5/15/2026</b>       |
| <b>DURATION</b>      |                  | <b>12-15 WEEKS</b>     |

**Negotiated Rates!** -Owner agreed to remove the sub floor & wheel chair ramp from scope of work.  
 Ray Corp agreed to honor City's ICE price for the electrical and will subcontract that work out.  
 Revised bid now falls within 10% of ICE

| <b>Revised scope of work</b> | <b>ICE</b>       | <b>RAY CORPORATION</b> |
|------------------------------|------------------|------------------------|
| Heathly Homes                | \$93,700         | \$104,650              |
| Apt 1 & Exterior             | \$64,900         | \$67,000               |
| Apt 2                        | \$61,950         | \$66,650               |
| <b>Total Price</b>           | <b>\$220,550</b> | <b>\$238,300</b>       |
| <b>START DATE</b>            |                  | <b>7/14/2026</b>       |
| <b>DURATION</b>              |                  | <b>12-15 WEEKS</b>     |







[HUD USER](#) > [Datasets](#) > Income Limits

## Income Limits Documentation System



Area Definitions



Contact Us

Update Selection



## FY 2026 Income Limits Summary

| FY 2026 Income Limit Area                 | <a href="#">Median Family Income</a> | FY 2026 Income Limit Category                     | Persons in Family |        |        |               |        |        |         |         | Download .csv |
|-------------------------------------------|--------------------------------------|---------------------------------------------------|-------------------|--------|--------|---------------|--------|--------|---------|---------|---------------|
|                                           |                                      |                                                   | 1                 | 2      | 3      | 4             | 5      | 6      | 7       | 8       |               |
| York County, ME (part) HUD Metro FMR Area | \$106,800                            | <a href="#">Very Low (50%) Income Limits (\$)</a> | 37,400            | 42,750 | 48,100 | <b>53,400</b> | 57,700 | 61,950 | 66,250  | 70,500  |               |
|                                           |                                      | <a href="#">Extremely Low Income Limits (\$)*</a> | 22,450            | 25,650 | 28,850 | <b>33,000</b> | 38,680 | 44,360 | 50,040  | 55,720  |               |
|                                           |                                      | <a href="#">Low (80%) Income Limits (\$)</a>      | 59,850            | 68,400 | 76,950 | <b>85,450</b> | 92,300 | 99,150 | 106,000 | 112,800 |               |

**NOTE: Biddeford city** is part of the **York County, ME (part) HUD Metro FMR Area**, so all information presented here applies to all of the York County, ME (part) HUD Metro FMR Area. HUD generally uses the Office of Management and Budget (OMB) area definitions in the calculation of income limit program parameters. However, to ensure that program parameters do not vary significantly due to area definition changes, HUD has used custom geographic definitions for the **York County, ME (part) HUD Metro FMR Area**.

The **York County, ME (part) HUD Metro FMR Area** contains the following areas: Acton town, ME; Alfred town, ME; Arundel town, ME; Biddeford city, ME; Cornish town, ME; Dayton town, ME; Kennebunk town, ME; Kennebunkport town, ME; Lebanon town, ME; Limerick town, ME; Lyman town, ME; Newfield town, ME; North Berwick town, ME; Ogunquit town, ME; Parsonsfield town, ME; Saco city, ME; Sanford city, ME; Shapleigh town, ME; Waterboro town, ME; Wells town, ME.



## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 13.d  
**Item Description:** 2026.53 Approval of Solar Ordinance  
**Submitted By:** Brad Favreau, Staff Liaison, Sustainability Commission

### Key Terms:

### Executive Summary:

allow solar energy systems development in Biddeford. Encouraging renewable energy is a priority action in Biddeford's Climate Action Plan as approved by council in 2023. This proposed ordinance will help Biddeford (and Maine) transition away from fossil fuel use and reduce our overall carbon emissions.

This proposal was initiated by the Mayor's Ad Hoc Sustainability Commission in 2024, approved by the Sustainability Commission, reviewed by two workshops of the Planning Board and Conservation Commission, and approved by the Planning Board on February 19, 2025. The draft see in the agenda packet was reviewed and amended by the Policy Committee on March 23, 2026.

### Detailed Review:

The purpose of this proposal is to allow small- to large-scale solar development in Biddeford while protecting public safety and Biddeford's natural resources.

This ordinance divides solar development into four categories:

- Rooftop Solar Development - allowed by right, provided it meets all safety and dimensional requirements. This category may also include other building-mounted systems. Intended for on-site use.

- Small-scale Solar Energy Development – 2,000 square feet or less of developed area, primarily intended for single residential, on-site use.
- Medium-scale Solar Energy Development – Up to 20,000 square feet of developed area, primarily intended for commercial or industrial on-site use;
- Large scale Solar Energy Development – Greater than 20,000 square feet of developed area, primarily intended to supply power to the “grid.”

For context, five acres (217,800 square feet) are needed to produce 1 mega watt of electricity. One mega watt will power approximately 400 to 600 homes here in Maine.

Requirements for approval of solar development by the Planning Board are tiered, depending on the size of the development.

Rooftop or building-mounted arrays are allowed by right with all applicable permit requirements met.

Small-scale solar development must comply with all Land Development Regulations and meet specific dimensional requirements of this proposed ordinance.

Medium and large-scale solar development must comply with Land Development Regulations and dimensional requirements but must also meet additional requirements for a Conditional Use Permit (CUP) as approved by the Biddeford Planning Board. Applications for a CUP for medium-scale systems must include:

- Construction drawings
- Erosion control plan
- Detailed site plan
- Landscape plan (vegetated buffers)
- Operations and maintenance plan
- Decommissioning plan
- Visual impact assessment
- Environmental assessment
- Decommissioning plan

In addition to those requirements for medium-scale developments, large-scale developments

must also submit the following as part of a CUP application:

- Evidence of applicant's capacity to operate a large-scale solar development
- Environmental impact study
- Site plan(s) identifying "Prime Farmland" and "Farmland of Statewide Importance"

Other Performance Standards for medium-scale solar developments include:

- Development is directed to previously disturbed lands
- No electromagnetic interference is produced by the array
- No undue adverse effect on wildlife habitat
- No undue adverse effect on unique natural areas defined by the Maine Natural Areas Program or Biddeford's comprehensive plan
- No undue adverse effect on historic or archaeological resources
- Disturbed groundcover must be re-vegetated
- Development must have minimal visual impact on surrounding areas
- Developments must have security fencing installed

In addition to the Performance Standards for medium-scale development, large-scale solar development must also:

- Not be constructed on "Prime Farmland" or "Farmland of Statewide Importance."
- Be sited on lands that have not been deforested within the previous ten (10) years
- Place all transmission lines and connections underground as far as practicable

Dimensional requirements for solar development are:

Must be no greater than 25 feet in height,

Front lot line setback: 125 feet

Side and rear lot line setback: 125 feet

Street right-of-way setback: 150 feet

The intent of this ordinance is to direct solar development, as far as is practicable, toward “previously disturbed land” and away from land with “Prime Farmland,” and “Farmland of Statewide Importance,” as well as away from forested land. These requirements will allow the development of solar energy systems (helping Biddeford reach greenhouse gas emission goals) while minimizing adverse effects on sensitive areas, including wildlife habitats.

**Funding Source:**

N/A

**Staff Recommendation:**

Staff recommends this proposed ordinance to provide renewable energy in Biddeford while protecting natural lands and wildlife habitat. This ordinance is one step toward implementing the 2023 Biddeford Climate Action Plan.

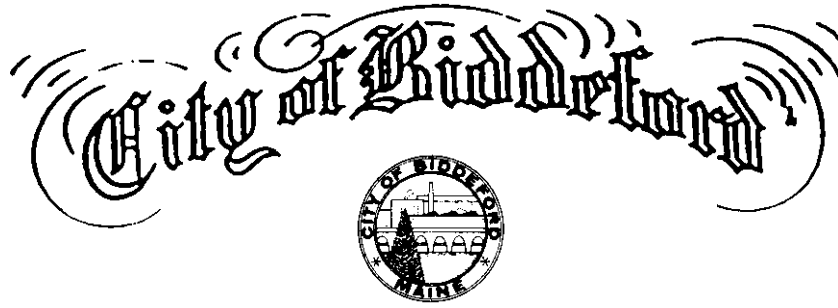
**Next Steps:**

N/A

**Attachments:**

1. Council ORDER Solar Energy Systems Ordinance
2. SECTION 79 Solar Energy Systems Ordinance DRAFT APR 21 2026





**2026. 53) IN BOARD OF CITY COUNCIL... April 21, 2026**

**BE IT ORDERED**, that the City Council of the City of Biddeford does hereby amend the Code of Ordinances as follows:

Amend Part III: Land Development Regulations, Article VI, Performance Standards, by adding new Section 79 Solar Energy Systems in accordance with the attached document.

Attest by: \_\_\_\_\_

## Article VI. Performance Standards Section 79. Solar Energy Systems

### A. Purpose

1. The purpose of this ordinance is to allow and regulate, in the public interest, the development and use of Solar Energy Systems and to increase local renewable energy production, to decrease our reliance on fossil fuels to produce electricity, and to reduce carbon emissions.
2. The allowance of solar photovoltaic installations is to be accomplished pursuant to the standards set forth herein for the placement, design, construction, operation, monitoring, modification and removal of such installations that address public safety, scenic, natural resources, especially the protection of wildlife habitat and significant wildlife corridors, and historic resources, and provide adequate financial assurance for the eventual decommissioning of such installations.

### B. Definitions

1. **Agrivoltaics** – Dual use of land for both solar energy production and agriculture.
2. **Building-Integrated Photovoltaic (BIPV) Systems.** A Solar Energy System that consists of integrating photovoltaic modules into the building structure, such as the roof or the façade and which does not alter the relief of the roof.
3. **Electricity Generation** (production, output). The amount of electric energy produced by transforming other forms of energy, commonly expressed in kilowatt-hours (kWh) or megawatt-hours (MWh).
4. **Electrical Equipment.** Any device associated with a Solar Energy System, such as an outdoor electrical unit/control box, that transfers the energy from the Solar Energy System to the intended location.
5. **Mounting.** The manner in which a solar PV system is affixed to the roof or ground (i.e., roof mount, ground mount, pole mount).
6. **Pole-Mount System.** A Solar Energy System that is directly installed on specialized solar racking systems, that are attached to pole, which is anchored and firmly affixed to a foundation in the ground, and wired underground to an attachment point at the building's meter. Pole-mounted systems can be designed to track the sun (with single-axis or dual-axis tracking motors) and maximize solar output throughout the year.
7. **Power.** The rate at which work is performed (the rate of producing, transferring, or using energy). Power is measured in Watts (W), kilowatts (kW), Megawatts (MW), etc.
8. **Solar Array.** Multiple solar panels combined together to create one system.

9. **Solar Collector.** A solar PV cell, panel, or array, or solar thermal collector device, that relies upon solar radiation as an energy source for the generation electricity or transfer of stored heat.
10. **Solar Energy System.** A device or structural design feature, a substantial purpose of which is to provide for the collection, storage and distribution of solar energy for space heating or cooling, electricity generation, or water heating.
11. **Solar Energy System, Ground-Mounted.** An Active Solar Energy System that is structurally mounted to the ground and is not roof-mounted; may be of any size (small-, medium- or large-scale).
12. **Solar Energy System, Large-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is equal to or greater than 20,000 square feet.
13. **Solar Energy System, Medium-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is equal to or greater than 2,001 square feet but less than 20,000 square feet.
14. **Solar Energy System, Roof-Mounted.** An Active Solar Energy System that is mounted on the roof of a building or structure; may be of any size (small-, medium- or large-scale).
15. **Solar Energy System, Small-Scale.** An Active Solar Energy System whose physical size based on total airspace projected over the ground is 2,000 square feet or less.
16. **Solar Glare.** The potential for solar panels to reflect sunlight, with an intensity sufficient to cause annoyance, discomfort, or loss in visual performance and visibility.
17. **Solar Photovoltaic (Solar PV) System.** Solar systems consisting of photovoltaic cells, made with semiconducting materials, that produce electricity (in the form of direct current (DC)) when they are exposed to sunlight. A typical PV system consists of PV panels (or modules) that combine to form an array; other system components may include mounting racks and hardware, wiring for electrical connections, power conditioning equipment, such as an inverter and/or batteries.
18. **Solar Panel (or module).** A device for the direct conversion of sunlight into useable solar energy (including electricity or heat).
19. **Solar Thermal System (Solar Hot Water or Solar Heating Systems).** A Solar Energy System that directly heats water or other liquids, or air, using sunlight.
20. **Tilt.** The angle of the solar panels and/or solar collector relative to horizontal. The optimal tilt to maximize solar production is perpendicular, or 90 degrees, to the sun's rays at true solar noon. True solar noon is when the sun is at its highest during its daily east-west path across the sky (this is also known as 0° Azimuth). Solar Energy Systems can be manually or automatically adjusted throughout the year. Alternatively, fixed-tilt systems remain at a static tilt year-round

### c. Applicability

1. Notwithstanding the provisions of 1 M.R.S.A. § 302 or any other law to the contrary, the requirements of this Section shall apply to all roof-mounted, small-, medium-, and large-scale ground-mounted Solar Energy Systems modified or installed 30 days after the approval of this ordinance.
2. All Solar Energy Systems shall be designed, erected and installed in accordance with all applicable codes, regulations and standards.
3. Any upgrade, modification or structural change that materially alters the size, placement or output of an existing Solar Energy System shall comply with the provisions of this Section.

### d. Performance Standards

1. Roof-mounted and building-mounted Solar Energy Systems and equipment are permitted by right unless they are determined by a Code Enforcement Officer, with consultation from the City Engineer and/or the City Fire Chief to present one or more unreasonable safety risks including, but not limited to the following:
  - a. Weight load;
  - b. Wind resistance;
  - c. Ingress or egress in the event of fire or other emergency, or;
  - d. Proximity to ground mounted systems relative to buildings.
2. Roof-Mounted Solar Energy Systems must comply with the Dimensional Requirements applicable to structures within the zoning district in which such systems are to be located and the standards in Part III Article III Official Zoning Map and Article V Establishment of Zones of this Ordinance.
3. Small-Scale Ground Mounted Solar Energy Systems must comply with the Dimensional Requirements applicable to structures within the zoning district in which such systems are to be located and the standards in Part III Land Development Regulations of this Ordinance.

In addition to the standards in Part III of this Ordinance, Small-Scale Solar Energy Systems shall comply with the following standards:

- a. The Solar Energy System shall be less than 25 feet in height.
- b. The Solar Energy System shall be operated and located such that no disruptive electromagnetic or radio frequency interference with signal transmission or reception is caused beyond the property lines of the site.
- c. The Solar Energy System shall be located and designed to avoid, minimize, or mitigate any glare onto abutting properties or roadways.

- d. The Solar Energy System shall be located and designed to consider the visual character of the neighborhood in which it is constructed.
  - e. The Solar Energy System shall not be located within the property setbacks.
4. Medium-Scale Ground-Mounted Solar Energy Systems shall comply with all requirements as stated in Part III Land Development Regulations of the Code of Ordinances. Such developments shall also require a Conditional Use Permit and Site Plan Review approval by the Planning Board. In addition to submission requirements in Article VII, Conditional Uses; Article XI Site Plan Review; and Article XII Floodplain Management, an application for medium-scale Solar Energy System development must also include:
- a. Written confirmation from the Utility to which the Solar Energy system will be connected confirming the solar operator has conditional or final approval to interconnect the Solar Energy System to the Utility Grid.
  - b. A description of the major components of the Solar Energy System proposed to be used, including manufacturer's specifications and cut sheets, and construction drawings showing all dimensions.
  - c. Erosion and sedimentation control narrative with plans and details.
  - d. Site plan(s) indicating all proposed construction and alteration of the project site, including changes to the landscape of the project area, filling, grading, earthmoving, vegetation clearing and planting, screening, fencing, Solar Energy System components, utilities (above and/or below ground) and all other aspects of the project.
  - e. Site plan(s) indicating water bodies, wetlands, flood hazard areas, and vernal pools.
  - f. A landscaping plan, prepared by a landscape architect or landscape designer, demonstrating compliance with all applicable landscaping and vegetated buffering requirements. At minimum, the landscaping plan must specify the locations, elevations and height above finished grade of all vegetation, berms, and plantings, and must identify the plant species and other materials that will comprise the elements used to establish any vegetated buffers and substantially screen the Solar Energy System from view by abutting residential properties, public roads, and public vantage points.
  - g. A long-term operations and maintenance plan providing for ongoing monitoring and inspections of all site improvements, soils, and surrounding habitat. The plan must provide a method for maintaining sufficient financial resources for performing ongoing maintenance, mitigation, and repair of the Solar Energy System project.
  - h. A proposed decommissioning plan for the removal of the Solar Energy System, disposal of system components, and stabilization of the site, which meets the requirements in Section



79 (D) (10) of this Ordinance, and a written statement of the applicant's intent concerning the following:

- i. Physical removal of any Solar Energy System components, structures, foundations, supports, fencing, or security barriers from the site.
    - ii. Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal laws and rules.
    - iii. Stabilization or re-vegetation of the site as necessary to minimize erosion and substantially return the site to its pre-construction state.
  - i. A description of any proposed dual-use or co-location of the property, including but not limited to agrivoltaics. If no dual-use is proposed or intended on the property, an explanation as to why such dual-use or co-location is not practicable.
  - j. A visual impact assessment that includes a line-of-sight profile analysis that illustrates what is visible and what is obstructed along a straight line running from the Solar Energy System and each Public Vantage Point. The Planning Board may require additional visual impact assessments, including digital view shed maps, if it determines in its sole discretion that such assessments are necessary for the Planning Board to evaluate the Solar Energy System's compliance with the scenic impact standards in Section 79 (D) (6) (h) of this Ordinance.
  - k. An Environmental Impact Assessment and/or habitat impact assessment shall be created for the installations planned to be sited on or near areas noted within Biddeford's Global Information System (GIS) maps to include deer wintering areas, vernal pools, wetland habitat, and rare or threatened species habitat. Findings of adverse impacts to the habitat of threatened or endangered species shall preclude development of those areas.
5. In addition to the application requirements for Medium-Scale Ground Mounted Solar Energy Systems for Site Plan Review and to obtain a Conditional Use Permit, the application for Large-Scale Ground Mounted Solar Energy Systems shall also include:
- a. Evidence of financial capacity to construct, operate, and decommission the Solar Energy System.
  - b. Applicant shall provide environmental impact study by a qualified environmental professional to determine all impacts on the environment, including, but not limited to wetlands, native vegetation, wildlife habitat, water quality, and the presence of any and all species invasive to Maine. The City, at its sole discretion, may choose to have the study peer-reviewed by a third-party qualified consultant, paid for by the applicant.
  - c. Site Plan(s) clearly identifying soil type and location of existing "Prime Farmland," and "Farmland of Statewide Importance," as well as locations of local or National Historic Districts or landmarks. These requirements shall be certified by a qualified professional.

6. In addition to Conditional Use application requirements for Medium-Scale Solar Energy Systems, other standards for Medium-Scale Ground-Mounted Solar Energy Systems are:
- a. Siting of Solar Energy Systems on previously disturbed land to the greatest extent possible shall be recommended, with the intent of preventing or reducing the conversion of current and former agricultural land or forests to solar installations. A priority hierarchy for siting solar systems should follow:
    - i. Priority 1: Former landfills, roof-mounted systems, former industrial or extractive sites, areas along highway corridors, parking lots, and other heavily disturbed parcels.
    - ii. Priority 2: Parcels with existing cleared land (older than 10 years) that is not agricultural in its history, and municipal lots.
    - iii. Prohibited Areas: Unforested areas of Prime Farmland and Farmland of Statewide Importance as designated by the Maine Department of Agriculture, Conservation, and Forestry deer wintering areas, vernal pool complexes, and other significant habitat as identified by the Maine Department of Inland Fisheries and Wildlife.
  - b. The Solar Energy System shall be operated and located such that no disruptive electromagnetic or radio frequency interference with signal transmission or reception is caused beyond the property lines of the site.
  - c. The Solar Energy System shall be located and designed to avoid, minimize, or mitigate any glare onto abutting properties or roadways.
  - d. Wildlife Habitat: The Solar Energy System shall have no undue adverse effect on any portion of the property designated by the Maine Department of Inland Fisheries and Wildlife as Rare, Threatened, or Endangered Wildlife, Essential Wildlife Habitat, or Significant Wildlife Habitat. The applicant shall assess the potential impacts of the Solar Energy System on any such designated species or habitat, including any adjacent areas that are important to the maintenance of the affected species or habitat, and shall take measures to avoid, minimize, or mitigate impacts of the Solar Energy System on the habitat and the species that the area supports. The Planning Board shall require the applicant to consult with the Maine Department of Inland Fisheries and Wildlife, or a wildlife biologist preapproved by the Board in conducting such an assessment.
  - e. Natural Areas: The Solar Energy System shall have no undue adverse effect on any portion of the property designated as a unique natural area or a Rare or Exemplary Plant and Natural Community in the City's Comprehensive Plan or by the Maine Natural Areas Program. The applicant shall assess the potential impacts of the Solar Energy System on any such designated natural area or community, including any adjacent areas that are important

to the maintenance of the affected area or community, and shall take measures to avoid, minimize, or mitigate impacts of the Solar Energy System on the natural area or community.

The Planning Board shall require the applicant to consult with the Maine Natural Areas Program in conducting such an assessment.

- f. Historic or Archaeological Resources: The Solar Energy System shall have no undue adverse effect on any portion of the property that has been identified as containing a significant historic or archaeological resource in the City's Comprehensive Plan or on the National Register of Historic Places, or is considered by the Maine Historic Preservation Commission or other pertinent authority as likely to contain a significant historic or archaeological resource. The applicant shall assess the potential impacts of the Solar Energy System on any such resource, including any adjacent areas that are important to the preservation of the resource, and shall take measures to protect these resources, including but not limited to, modification of the proposed location and design of the Solar Energy System, timing of construction, limiting the extent of excavation, physical or legal protection, or by archaeological excavation or mitigation. The applicant shall comply with all requirements of Article XV Historic Preservation Ordinance as applicable. The Planning Board shall require the applicant to consult with the Maine Historic Preservation Commission while conducting such an assessment.
- g. Revegetation: Any disturbed ground cover on the site shall be revegetated with non-invasive vegetation.
- h. The Solar Energy System must be located and designed for minimal visual impact on the surrounding area, particularly when viewed from abutting residential properties or any Public Vantage Point.
  - i. A vegetated buffer comprising native vegetation that is at least half the width of the minimum setback requirement in Section 79 (D) (8) (b) of this Ordinance, and no less than six (6) feet in height from finished grade, shall be maintained along any property boundary line of a Solar Energy System that abuts a residential dwelling or a public road, except where necessary to accommodate a driveway entrance to the site. All vegetation shall be installed in such a manner so as to completely conceal Solar Energy System from view.
  - ii. Existing vegetation must be used to the greatest practical extent. If there is insufficient existing vegetation to create a vegetated buffer, the applicant shall plant and maintain native species of conifers and evergreens to adequately screen the Solar Energy System from view.
- i. Security Fencing: All components of the Solar Energy System, excepting overhead utility and communication lines and poles, shall be completely enclosed by a minimum 6-foot-high fence. The fence shall be elevated to a minimum of 6 inches above the ground to

accommodate crossings by small terrestrial animals. Functional alternatives to chain-link style fencing are encouraged.

- j. Operations and Maintenance: The applicant must provide for the long-term operation of the Solar Energy System and maintenance of the Solar Land Area, including ensuring that vegetation buffers are maintained, inspections are performed as needed, new instances of species that are considered invasive to Maine are removed, and the site is accessible to emergency responders in the event of an emergency. This work shall be conducted in accordance with Maine State law.
7. In addition to the standards for Medium-Scale Solar Energy Systems as described above, Large-Scale Solar Energy Systems shall also comply with the following standards:
- a. No solar development shall be constructed on unforested areas of Prime Farmland or Farmland of Statewide Importance as designated by the Maine Department of Agriculture, Conservation and Forestry.
  - b. No application for large-Scale Solar Energy System will be considered if the parcel has been deforested within ten (10) years prior to application unless the applicant can demonstrate that deforestation was completed following a review and approval process by Maine Department of Environmental Protection. This measure will ensure the parcel is maintained in its original state that will enable a thorough review of wildlife habitat, natural areas, and other sensitive areas, or ensure that a previously deforested parcel has undergone a comparable review prior to deforestation or disturbance.
  - c. If a large-scale development is planned, it may not be characterized at the time of application as a medium-scale development, with the intention of later expanding the project in phases until the development meets the definition of large-scale solar development.
  - d. Agricultural Resources: The Solar Energy System shall have no undue adverse effect on any portion of the property containing prime agricultural soils or soils of statewide importance. The applicant shall assess the potential impacts of the Solar Energy System on any such soil and shall take measures to avoid or minimize impacts on such soils. The Planning Board shall require the applicant to consult with the Department of Agriculture, Conservation, and Forestry, Agricultural Resource Development Division, in conducting such an assessment. No topsoil or prime agricultural soil shall be removed from the site for installation of the Solar Energy System. All stockpiled topsoil shall be retained on site and reused in the landscaping plan for the site.
  - e. Utility Connections: All on-site utility transmission lines and piping associated with the Solar Energy System shall be placed underground to the greatest extent practicable. The Planning Board may waive this requirement if the applicant can demonstrate that satisfying this requirement is not practicable based on requirements of the utility provider or specific site conditions.
8. Dimensional requirements for medium-scale and large-scale Solar Energy Systems:
- a. The Solar Energy System shall be less than 25 feet in Height.

- b. Minimum Setbacks: The following minimum setback requirements must be met, regardless of the zoning district in which the Solar Energy System is located, unless the minimum setback requirement in the applicable zoning district is more restrictive, in which case the more restrictive requirement shall apply:
    - i. Front Lot Line 125 feet
    - ii. Side and Rear Lot Line 125 feet
    - iii. Street Right-of-Way 150 feet
  - c. A project proposing to meet the Priority 1 siting description defined in Section 6. (a.)(i.) of this Ordinance may propose to meet the setbacks of the zoning district in which it is located to encourage use of Priority 1 sites. The Planning Board may review the lesser setbacks on a case-by-case basis for location relationships to surrounding uses. The more restrictive setbacks of this Section will be made applicable at the discretion of the Planning Board.
  - d. The land area of a Solar Energy System shall not exceed 50 acres exclusive of required setbacks.
9. All Solar Energy Systems shall comply with regulations as outlined in Part III Article XIV Shoreland Zoning Ordinance as required.
10. Post-Approval Requirement for Medium-Scale Solar Energy Systems and Large-Scale Solar Energy Systems: Prior to the start of construction of a Medium-Scale Solar Energy System or Large-Scale Solar Energy System, the permit holder must submit to the Code Enforcement Officer a decommissioning plan and financial assurance approved by the Maine Department of Environmental Protection, in accordance with the requirements of 35-A M.R.S.A. Sections 3491-3496, as may be amended, for all costs associated with decommissioning the Solar Energy System.
11. Post-Construction Requirements for Medium-Scale Solar Energy Systems and Large-Scale Solar Energy Systems: After completion of construction and prior to commercial operation of a permitted Medium-Scale Solar Energy System or Large-Scale Solar Energy System, the permit holder must:
- a. Submit to the Code Enforcement Department as-built drawings prepared by a Maine licensed professional land surveyor or engineer. The as-built drawings shall include the actual locations of the Solar Energy System and its components, any structures and their components, above and underground utilities, roads, swales, ditches, detention/retention facilities, areas of filling and grading, vegetated buffers, fencing, land and landscaping alterations, and any other infrastructure and facilities, all as actually constructed on the site. The as-built drawings should also include any documented locations of invasive species, wetland areas, wildlife corridors, or habitat present on the site. The as-built drawings must be accompanied by a letter signed by the surveyor or engineer certifying that the Solar



Energy System had been constructed in accordance with all Planning Board approvals, including any conditions of approval and any accompanying plans and specifications.

- b. Provide a written manual to the Biddeford Fire Department and Code Enforcement Department, which provides clear response information and instructions, including lock box details and disconnection locations necessary for a fire/emergency response at the site.



## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 13.e  
**Item Description:** 2026.83 Approval of Public Works Paving Bids  
**Submitted By:** Jeff Demers, Public Works Director

### **Key Terms:**

3 Year Paving Contract

### **Executive Summary:**

The City of Biddeford Public Works Department advertised a Request for Proposals (RFP) for the City's Capital Paving Program on April 8, 2026. The City received two proposals from local paving contractors.

### **Detailed Review:**

The City of Biddeford Public Works Department solicits bids labeled Doc #4 from qualified contractors for paving projects approved through the Capital Projects Committee and City Council.

On April 8, 2026, the Public Works Department advertised the Request for Proposals for the City's upcoming paving program. Two contractors submitted proposals in response to the advertisement:

Shaw Brothers Inc. and Dayton Sand and Gravel were the two bidders.

Please refer to the attached bid tabulation sheet, Doc #3, for pricing details.

As part of the bid process, the Public Works Department supplied an estimated annual paving amount of \$3,000,000 per year for three years for interested contractors to bid on. Allowing paving contractors to bid on actual estimated quantities provides the City with hard numbers to better estimate each individual project being considered. The City is not locked into any

specific paving quantities during the three-year contract period.

Biddeford, along with the Maine Department of Transportation (D.O.T) uses asphalt escalation pricing based on the Maine Department of Transportation's asphalt escalation specifications. Significant oil price increases at any time can create major challenges for both Maine DOT and municipal paving projects. As part of the bid process, the City of Biddeford utilizes an asphalt escalation clause that provides some relief and compensation for market price fluctuations. Public works have noticed that agencies that do not include adjustment language within their contracts, determining a fair middle ground has become significantly more challenging for both the contractor and the municipality. By utilizing Maine DOT Standard Specification 108.4.1, dated March 2020, both the City and the contractor are protected against price fluctuations that may occur due to paving schedule delays, weather conditions, project priority changes, market pricing, and other unforeseen circumstances. This standard specification was developed through cooperative discussions between Maine DOT and the industry contractors that perform work on Maine DOT projects. Biddeford goes by the D.O.T standards on all paving projects.

Public Works uses a program called Street logic. StreetLogix is a pavement management software program used by municipalities and public works departments to track roadway conditions, prioritize paving projects, and help develop long-term capital improvement plans. The program collects and analyzes roadway data such as pavement condition, traffic volume, road age, and maintenance history to help communities make informed decisions on street maintenance and reconstruction projects. StreetLogix allows the City to better plan future paving schedules, estimate costs, and maximize available funding by identifying roads that can be preserved before requiring full reconstruction.

After review of the submitted proposals attached Doc #3, Public Works recommends that the Finance Committee and City Council award the paving contract to the low bidder, Shaw Brothers Inc.

Shaw Brothers Inc. has successfully performed paving work for the City of Biddeford over the past 8+ paving seasons, with no issues related to quality construction.

#### **Funding Source:**

Funding for the paving program is normally available through reserve accounts, future bond funds, general operating budget, and future capital appropriations. As of today, without knowing the full outlook of the FY24 and FY25 audits, it is very difficult to supply a balance number in the reserve account. Last year, Public Works completed Fox Hollow rehabilitation, Hill Street mill/paving, new sidewalk, curbing and bike path and Garden Drive half mill and half rehabilitation for a total expenditure of \$1,310,406 out of the Capital Paving account.

The paving program was discussed during the Capital Projects Committee Meeting on April 8th,

and there was discussion about availability of an estimated \$450,000 in rollover funds for FY27 paving. Additionally, an estimated \$558,165 in FY27 CIP funds is still considered unprogrammed following that committee meeting.

As of today, \$450,000 is identified to be used for paving of streets, sidewalks and curbing.

**Staff Recommendation:**

Public Works recommends the Finance Committee and City Council approve the award of the paving contract to Shaw Brothers Inc..

**Next Steps:**

**Attachments:**

1. Doc #1 Shaw Bro
2. Doc #2 Dayton
3. Doc #3 Bid Tab
4. Doc #4 paving bid 2026
5. Doc #5 2027 Draft Paving
6. 2026.83 Approval Public Works Paving Bids - ORDER

**City of Biddeford, Maine**  
**PUBLIC WORKS DEPARTMENT**  
371 Hill Street, Biddeford, Maine

**PROPOSAL TERMS**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

This proposal is submitted in accordance with the requirements and specifications of the Request For Proposals for the Placement of Hot Mix Asphalt Pavement and Other Associated Work – 2026 and acknowledge as follows:

1. That we have read the Request for Proposals and will comply with all requirements.
2. That the quantities stated herein are the best estimates of the City of Biddeford at the time of this Request For Proposals, but that these estimates may vary. It is understood that the unit prices submitted to supply the products and services required herein shall not vary regardless of final actual quantities of items actually procured by the City of Biddeford. It is also understood that the Hot Mix Asphalt Pavement Item will be adjusted according to the Asphalt Escalator provisions contained in the Request for Proposals.
3. That full liability insurance coverage will be maintained and in force during the term of this contract and a Certificate of Insurance is enclosed.

**Company Name:** Shaw Brothers Construction

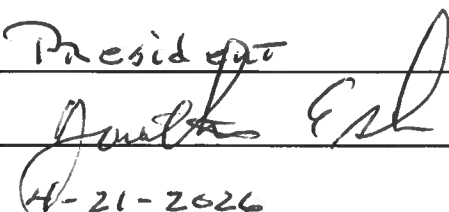
**Mailing Address:** PO Box 69  
Gerham, ME 04038

**Telephone:** (207) 839-2552

**Fax:** (207) 839-6239

**E-Mail:** mbarnes@shawbrothers.com

**Name & Title of  
Owner of Authorized  
Representative (printed)** Jonathan E. Shaw  
President

**Signature :** 

**Date :** 4-21-2026



**City of Biddeford, Maine**  
**PUBLIC WORKS DEPARTMENT**  
371 Hill Street, Biddeford, Maine

**PROPOSAL FORM**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

Estimated quantities are identified for the purpose of comparing proposals. Quantities may vary depending on conditions and issues encountered during the program. Unit prices submitted shall apply regardless of final quantities at the completion of the program. Contractors shall abide by all OSHA Rules & Regulations and by all State and Local ordinances regarding construction activities.

Liquid Asphalt Price of \$~~673.33~~ for base bid on unit prices for all HMA Items.

| ITEM                      | EST. QUANTITY | UNIT PRICE      | TOTAL               |
|---------------------------|---------------|-----------------|---------------------|
| 1. 19 mm HMA              | 33,000 tons   | <u>97.00</u>    | <u>3,201,000.00</u> |
| 2. 12.5 mm HMA            | 17,000 tons   | <u>103.00</u>   | <u>1,751,000.00</u> |
| 3. 9.5 mm HMA             | 15,000 tons   | <u>109.00</u>   | <u>1,635,000.00</u> |
| 4. Hand Placed HMA        | 2,500 tons    | <u>225.00</u>   | <u>562,500.00</u>   |
| 5. Full Depth Reclamation | 75,000 s.y.   | <u>3.40</u>     | <u>255,000.00</u>   |
| 6. Cold Plane/Mill        | 25,000 s.y.   | <u>11.00</u>    | <u>275,000.00</u>   |
| 7. Cement Stabilize       | 165,000 s.y.  | <u>9.00</u>     | <u>1,485,000.00</u> |
| 8. Bituminous Curb        | 1,000 l.f.    | <u>18.00</u>    | <u>18,000.00</u>    |
| 9. Alter Structures       | 100 ea.       | <u>2,100.00</u> | <u>210,000.00</u>   |
| 10. Adjust Structures     | 100 ea.       | <u>1,800.00</u> | <u>180,000.00</u>   |
| 11. Crack Sealing         | 12,000 lbs.   | <u>9.30</u>     | <u>111,600.00</u>   |
| TOTAL:                    |               |                 | <u>9,721,600.00</u> |

Submitted By: Shaw Brothers Construction

Date: 4-21-2026

Authorized Representative's Signature: \_\_\_\_\_

Jonathan E. Shaw, President



# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

03/31/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                                              |  |                                                                                                                                                                                     |                     |
|----------------------------------------------------------------------------------------------|--|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------|
| <b>PRODUCER</b><br>Cross Insurance-Portland<br>2331 Congress Street<br><br>Portland ME 04102 |  | <b>CONTACT NAME:</b> Brianna Killip<br><b>PHONE (A/C, No, Ext):</b> (207) 780-1677<br><b>FAX (A/C, No):</b> (207) 780-6377<br><b>E-MAIL ADDRESS:</b> brianna.killip@crossagency.com |                     |
|                                                                                              |  | <b>INSURER(S) AFFORDING COVERAGE</b>                                                                                                                                                |                     |
|                                                                                              |  | <b>INSURER A:</b> Continental Western Ins Co                                                                                                                                        | <b>NAIC #</b> 10804 |
|                                                                                              |  | <b>INSURER B:</b> Union Insurance Company                                                                                                                                           | 25844               |
|                                                                                              |  | <b>INSURER C:</b> Acadia Ins Co.                                                                                                                                                    | 31325               |
|                                                                                              |  | <b>INSURER D:</b> Sirius International UK Holdings Ltd                                                                                                                              | 10672916            |
|                                                                                              |  | <b>INSURER E:</b> Construction Services Group Trust                                                                                                                                 | 5335837             |
|                                                                                              |  | <b>INSURER F:</b> Dirigo RE WC Group Trust                                                                                                                                          | NA                  |

**COVERAGES** **CERTIFICATE NUMBER:** 26/27 Master **REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                     | ADDL INSD | SUBR WVD | POLICY NUMBER            | POLICY EFF (MM/DD/YYYY) | POLICY EXP (MM/DD/YYYY) | LIMITS                                                                                                                                                                                                                                    |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|----------|--------------------------|-------------------------|-------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input type="checkbox"/> POLICY <input checked="" type="checkbox"/> PRO-JECT <input checked="" type="checkbox"/> LOC<br>OTHER: |           |          | CPA 5508523-14           | 04/01/2026              | 04/01/2027              | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000<br>MED EXP (Any one person) \$ 10,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000 |
|          | <input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY<br><input type="checkbox"/> HIRED AUTOS ONLY<br><input type="checkbox"/> SCHEDULED AUTOS<br><input type="checkbox"/> NON-OWNED AUTOS ONLY                                |           |          | CAA 5508524-18           | 04/01/2026              | 04/01/2027              | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>Medical payments \$ 5,000                                                    |
|          | <input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> <b>EXCESS LIAB</b><br><input type="checkbox"/> OCCUR <input type="checkbox"/> CLAIMS-MADE<br>DED RETENTION \$                                                                                                                            |           |          | CUA 5508525-14           | 04/01/2026              | 04/01/2027              | EACH OCCURRENCE \$ 10,000,000<br>AGGREGATE \$ 10,000,000                                                                                                                                                                                  |
|          | <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below<br>Y / N<br><input checked="" type="checkbox"/> N                                                                                       |           |          | WCCSGT2026333&DIRIGO2026 | 01/01/2026              | 01/01/2027              | <input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER<br>E.L. EACH ACCIDENT \$ 1,000,000<br>E.L. DISEASE - EA EMPLOYEE \$ 1,000,000<br>E.L. DISEASE - POLICY LIMIT \$ 1,000,000                                 |
| D        | Pollution/Professional                                                                                                                                                                                                                                                                                                                |           |          | CPPL S0002778 01         | 04/01/2026              | 04/01/2027              | Occurrence 3,000,000<br>Aggregate 3,000,000<br>Retention 25,000                                                                                                                                                                           |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Refer to policy for exclusionary endorsements and special provisions.

**CERTIFICATE HOLDER****CANCELLATION**

For Informational Purposes

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE



## **SHAW BROTHERS CONSTRUCTION, INC.**

**P.O. Box 69 • 341 Mosher Rd. • Gorham, Me 04038**

**Tel: (207) 839-2552 • Fax: (207) 839-6239**

**Website: [www.shawbrothers.com](http://www.shawbrothers.com)**

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### **Hot Mix Asphalt Pavement and Other Associated Work – 2026**

This proposal is based on the following:

1. Liquid asphalt to be adjusted in accordance with the RFP. Base price of liquid asphalt = \$673.33 per liquid ton.
2. Unit prices are good for the 2026 construction season. Subsequent years (2027 & 2028) to increase based on the consumer price index (CPI) or 3% whichever is less.
3. All pavement mixes to be MDOT approved mix designs.
4. All paving equipment to meet MDOT specifications.

**City of Biddeford, Maine**  
**PUBLIC WORKS DEPARTMENT**  
371 Hill Street, Biddeford, Maine

**PROPOSAL FORM**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

Estimated quantities are identified for the purpose of comparing proposals. Quantities may vary depending on conditions and issues encountered during the program. Unit prices submitted shall apply regardless of final quantities at the completion of the program. Contractors shall abide by all OSHA Rules & Regulations and by all State and Local ordinances regarding construction activities.

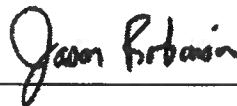
Liquid Asphalt Price of \$ 673.<sup>33</sup> for base bid on unit prices for all HMA Items.

| ITEM                      | EST. QUANTITY | UNIT PRICE  | TOTAL             |
|---------------------------|---------------|-------------|-------------------|
| 1. 19 mm HMA              | 33,000 tons   | <u>120</u>  | <u>3,960,000</u>  |
| 2. 12.5 mm HMA            | 17,000 tons   | <u>130</u>  | <u>2,210,000</u>  |
| 3. 9.5 mm HMA             | 15,000 tons   | <u>130</u>  | <u>1,950,000</u>  |
| 4. Hand Placed HMA        | 2,500 tons    | <u>220</u>  | <u>550,000</u>    |
| 5. Full Depth Reclamation | 75,000 s.y.   | <u>8</u>    | <u>600,000</u>    |
| 6. Cold Plane/Mill        | 25,000 s.y.   | <u>19</u>   | <u>475,000</u>    |
| 7. Cement Stabilize       | 165,000 s.y.  | <u>25</u>   | <u>4,125,000</u>  |
| 8. Bituminous Curb        | 1,000 l.f.    | <u>20</u>   | <u>20,000</u>     |
| 9. Alter Structures       | 100 ea.       | <u>2000</u> | <u>200,000</u>    |
| 10. Adjust Structures     | 100 ea.       | <u>2000</u> | <u>200,000</u>    |
| 11. Crack Sealing         | 12,000 lbs.   | <u>18</u>   | <u>216,000</u>    |
| TOTAL:                    |               |             | <u>14,506,000</u> |

Submitted By: Jason Robinson

Date: 4/20/2026

Authorized Representative's Signature: \_\_\_\_\_





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

1/29/2026

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

|                                                                                                                                         |                                                                              |
|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------|
| <b>PRODUCER</b><br>Arthur J. Gallagher Risk Management Services, LLC<br>45 Constitution Avenue<br>P.O. Box 511<br>Concord NH 03302-0511 | <b>CONTACT NAME:</b> Christine H. Holman, CPCU, CIC                          |
|                                                                                                                                         | <b>PHONE (A/C, No, Ext):</b> 800-238-3840 <b>FAX (A/C, No):</b> 603-224-8012 |
|                                                                                                                                         | <b>E-MAIL ADDRESS:</b> christine_holman@ajg.com                              |
|                                                                                                                                         | <b>INSURER(S) AFFORDING COVERAGE</b>                                         |
|                                                                                                                                         | <b>INSURER A:</b> Patriot Insurance Company                                  |
|                                                                                                                                         | <b>INSURER B:</b> Maine Employers' Mutual Insurance Co                       |
|                                                                                                                                         | <b>INSURER C:</b> Gray Surplus Lines Insurance Company                       |
|                                                                                                                                         | <b>INSURER D:</b>                                                            |
|                                                                                                                                         | <b>INSURER E:</b>                                                            |
|                                                                                                                                         | <b>INSURER F:</b>                                                            |

License#: 0D69293  
DAYTSAN-01**INSURED**  
Dayton Sand & Gravel Co., Inc.  
928 Goodwins Mills Road  
Dayton ME 04005-7352**COVERAGES****CERTIFICATE NUMBER:** 1186545037**REVISION NUMBER:**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

| INSR LTR | TYPE OF INSURANCE                                                                                                                                                                                                                                                                                                                                                   | ADDL SUBR INSD WVD                                               | POLICY NUMBER        | POLICY EFF (MM/DD/YYYY)  | POLICY EXP (MM/DD/YYYY)  | LIMITS                                                                                                                                                                                                                                         |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|----------------------|--------------------------|--------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| A        | <input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b><br><input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR<br><br>GEN'L AGGREGATE LIMIT APPLIES PER:<br><input checked="" type="checkbox"/> POLICY <input checked="" type="checkbox"/> PROJECT <input checked="" type="checkbox"/> LOC<br>OTHER:                     |                                                                  | 6651024              | 12/31/2025               | 12/31/2026               | EACH OCCURRENCE \$ 1,000,000<br>DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 500,000<br>MED EXP (Any one person) \$ 5,000<br>PERSONAL & ADV INJURY \$ 1,000,000<br>GENERAL AGGREGATE \$ 2,000,000<br>PRODUCTS - COMP/OP AGG \$ 2,000,000<br>\$ |
| A        | <input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b><br><input checked="" type="checkbox"/> ANY AUTO<br><input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS<br><input checked="" type="checkbox"/> HIRED AUTOS ONLY <input checked="" type="checkbox"/> NON-OWNED AUTOS ONLY<br><input checked="" type="checkbox"/> 08827 |                                                                  | 6651024              | 12/31/2025               | 12/31/2026               | COMBINED SINGLE LIMIT (Ea accident) \$ 1,000,000<br>BODILY INJURY (Per person) \$<br>BODILY INJURY (Per accident) \$<br>PROPERTY DAMAGE (Per accident) \$<br>\$                                                                                |
| A        | <input checked="" type="checkbox"/> <b>UMBRELLA LIAB</b> <input checked="" type="checkbox"/> OCCUR<br><input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE<br><input type="checkbox"/> DED <input checked="" type="checkbox"/> RETENTION \$ 10,000                                                                                             |                                                                  | 6651024              | 12/31/2025               | 12/31/2026               | EACH OCCURRENCE \$ 5,000,000<br>AGGREGATE \$ 5,000,000<br>\$                                                                                                                                                                                   |
| B        | <input checked="" type="checkbox"/> <b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b><br>ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)<br>If yes, describe under DESCRIPTION OF OPERATIONS below                                                                                                                                   | <input type="checkbox"/> Y <input checked="" type="checkbox"/> N | 1810092704           | 12/31/2025               | 12/31/2026               | <input checked="" type="checkbox"/> PER STATUTE <input checked="" type="checkbox"/> OTHER 3A: ME<br>E.L. EACH ACCIDENT \$ 500,000<br>E.L. DISEASE - EA EMPLOYEE \$ 500,000<br>E.L. DISEASE - POLICY LIMIT \$ 500,000                           |
| C        | <input checked="" type="checkbox"/> <b>Excess Liability</b><br><input checked="" type="checkbox"/> Leased/Rented Equip                                                                                                                                                                                                                                              |                                                                  | GSL103664<br>6651024 | 12/31/2025<br>12/31/2025 | 12/31/2026<br>12/31/2026 | Each Occurrence Limit \$5,000,000<br>400,000                                                                                                                                                                                                   |

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
Covering operations of the insured during the policy period.

**CERTIFICATE HOLDER****CANCELLATION**for informational purposes  
United States

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

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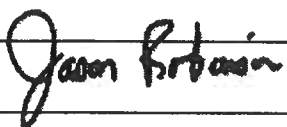


**City of Biddeford, Maine**  
**PUBLIC WORKS DEPARTMENT**  
371 Hill Street, Biddeford, Maine

**PROPOSAL TERMS**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

This proposal is submitted in accordance with the requirements and specifications of the Request For Proposals for the Placement of Hot Mix Asphalt Pavement and Other Associated Work – 2026 and acknowledge as follows:

1. That we have read the Request for Proposals and will comply with all requirements.
2. That the quantities stated herein are the best estimates of the City of Biddeford at the time of this Request For Proposals, but that these estimates may vary. It is understood that the unit prices submitted to supply the products and services required herein shall not vary regardless of final actual quantities of items actually procured by the City of Biddeford. It is also understood that the Hot Mix Asphalt Pavement Item will be adjusted according to the Asphalt Escalator provisions contained in the Request for Proposals.
3. That full liability insurance coverage will be maintained and in force during the term of this contract and a Certificate of Insurance is enclosed.

|                                                                                 |                                                                                                                      |
|---------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
| <b>Company Name:</b>                                                            | <u>Dayton Sand &amp; Gravel Co., Inc.</u>                                                                            |
| <b>Mailing Address:</b>                                                         | <u>928 Goodwins Mills Road</u><br><u>Dayton, Maine 04005</u><br><u>207-499-2306</u>                                  |
| <b>Telephone:</b>                                                               | <u>207-499-2306</u>                                                                                                  |
| <b>Fax:</b>                                                                     | <u></u>                                                                                                              |
| <b>E-Mail:</b>                                                                  | <u>paving@daytonsand.com</u>                                                                                         |
| <b>Name &amp; Title of<br/>Owner of Authorized<br/>Representative (printed)</b> | <u>Jason Robinson</u><br><u></u> |
| <b>Signature :</b>                                                              | <u></u>                                                                                                              |
| <b>Date :</b>                                                                   | <u>4/20/2026</u>                                                                                                     |

4/21/2026

[illegible]

**City of Biddeford, Maine**  
**PUBLIC WORKS DEPARTMENT**  
**371 Hill Street, Biddeford, Maine**

**REQUEST FOR PROPOSALS**  
**PLACEMENT OF HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

The City of Biddeford, Maine is soliciting proposals from qualified contractors for the placement of hot mix asphalt pavement and other associated work in conjunction with the City's Infrastructure Maintenance and Repair Program for the Years of 2026, 2027 and 2028. Contractors submitting proposals may be requested to supply evidence of qualifications and capacity for review by the Public Works Director (Director). Contractors submitting proposals must also provide proof of liability insurance in the amount of at least \$1,000,000.00.

**OVERVIEW**

The City of Biddeford's funding will be used for actual hot mix asphalt paving costs and the remainder for associated other work such as full depth reclamation, cold planning/milling, cement stabilization, crack sealing, drainage structures and pipe, culverts, curbing and adjustments to existing sewer and drain structures. This Request for Proposals (RFP) includes requests for costs on hot mix asphalt paving, reclaiming, cold planning/milling, cement stabilization, crack sealing, bituminous curbing and adjusting or altering existing drain and sewer structures.

The selected contractor(s) shall be required to coordinate its work according to scheduling established by the Public Works Director. The work will be scheduled over the three consecutive construction seasons of 2026, 2027 and 2028. A list of proposed street work and projected scheduling for this period is included herein on the attached spreadsheet entitled "ROAD WORK PLAN MARCH 2026". Although most of the work anticipated is the repair/maintenance of streets, it is understood that some work may involve the paving of sidewalks, parking lots and driveways, which will all be done at the unit prices identified herein. The City of Biddeford reserves the right to add to or subtract from said listing of proposed street work without any liability and without any renegotiation of unit pricing.

**SUBMISSION OF PROPOSALS**

Proposals are to be prepared on the forms included herein and submitted in a sealed envelope marked "**PAVING PROPOSAL**". The PROPOSAL TERM and the PROPOSAL FORM both need to be included in the submittal. The proposals will be accepted by the Biddeford Public Works Department, 371 Hill Street, Biddeford, Maine, 04005, until 1:00 PM on Tuesday April 21, 2026. Proposals will be opened at that time and location.

Proposals shall identify unit prices on requested items based upon estimated quantities supplied herein. The City of Biddeford reserves the right to add to or subtract from, without limitation, the estimated quantities identified for any item without any jeopardy

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or liability. Unit prices submitted shall remain in effect regardless of actual quantities of work performed during the term of the work included in this RFP.

All proposals shall become the property of the City of Biddeford, Maine. The City of Biddeford, Maine reserves the right to accept or reject any or all proposals and/or to negotiate with responders if it is deemed to be in the best interest of the City.

Questions pertaining to this Request for Proposals should be directed to the Director of Public Works, City of Biddeford, Maine, Mr. Jeff Demers, at 371 Hill Street, Biddeford, Maine, 04005. He can be reached at 207-282-1579 or by e-mail at [jeff.demers@biddefordmaine.org](mailto:jeff.demers@biddefordmaine.org).

### **SPECIFICATIONS FOR WORK**

All work to be performed and all materials to be supplied under this RFP shall be in accordance with the Maine Department of Transportation (DOT) specifications for general conditions, materials and construction requirements, as delineated in the March 2020 Maine D.O.T. Paving equipment shall include a highway-class paver equipped with a main screed of not less than eight (8) feet in width. Rollers will have at least one 10-ton steel vibratory or oscillating roller.

All hot mix asphalt (HMA) designs must be submitted to and approved by Maine DOT prior to use.

Specifications manual unless otherwise modified herein or as modified by the Director.

### **UNIT PRICING**

Proposals shall identify a unit price per ton for all hot mix asphalt pavement items, a unit price per square yard for full depth reclamation, cold plane/milling and cement stabilization items, a unit price per linear foot for bituminous curbing, a unit price per each for manhole and catch basin adjustments or alters and a unit price per pound for crack sealing services. Payments will be made based upon actual quantities measured.

### **HOT MIX ASPHALT PAVEMENT ITEM.**

Unit prices for all hot mix asphalt pavement items shall include all costs associated with supplying, delivering and placing of hot mix asphalt pavement including but not limited to materials, trucking, traffic control, sweeping, fine grading, compaction of all surfaces prior to the placement of the hot mix asphalt pavement, grinding to achieve satisfactory joints, the paving of all aprons and approaches necessary to blend in the new work to existing roads and driveways, tack, and all incidental work and materials needed to complete the work according to the Specifications and directives from the Director.

The unit pricing for all hot mix asphalt items shall be based upon the price for liquid asphalt and shall be adjusted according to an asphalt escalator. All bidders shall

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base asphalt-related cost adjustments on the applicable asphalt escalation index in effect at the time of bidding and throughout the duration of the contract. The liquid asphalt English price under the new specifications for the East Coast / Northeast region, as published by the Maine D.O.T, shall be used for all work under this RFP. The price of asphalt is monitored weekly by the MDOT. The agency supplying the information to MDOT is the Asphalt Weekly Monitor. Access to this information can be obtained from the MDOT website by going to “Doing Business” and clicking on “Contractor Info”.

The price adjustment for asphalt binder will be based on the variance in cost for the performance graded binder component in the hot mix asphalt and will be determined as follows:

The quantity of hot mix asphalt will be multiplied by the performance graded percentages given in the table below, times the difference in price between the base price of liquid asphalt identified herein and the price when the hot mix asphalt is placed. Adjustments will be made upward or downward as prices increase or decrease.

|                |      |
|----------------|------|
| 19.0 mm (3/4”) | 5.2% |
| 12.5 mm (1/2”) | 5.8% |
| 9.5 mm (3/8”)  | 6.2% |

Example: Asphalt binder has increased from \$385.00 per ton to \$445.00 per ton (\$60.00 per ton increase) and you are placing 1,000 tons of 9.5 mm HMA.

$$1,000 \times 6.2\% = 62.00$$

$$60.00 \times 62.00 = \$3,720.00 \text{ total escalation cost or } \$3.72 \text{ per ton of HMA.}$$

Payment will be made for all HMA items according to the base unit price submitted herein with adjustment according to the herein identified asphalt escalator process.

**FULL DEPTH RECLAMATION, COLD PLANE/MILLING ITEM.**

Unit prices for full-deep reclamation work and cold plane/milling work shall include all costs associated with the performance of said work including but not limited to trucking, traffic control, sweeping and all incidental work and equipment needed to complete the work according to the Specifications and directives from the Director. The City shall supply and deliver any gravel required for the performance of the work.

**CEMENT STABILIZATION ITEM.**

Unit prices for the cement stabilization work shall include all costs associated with the performance of said work including but not limited to materials, trucking, traffic control and all incidental work and equipment needed to complete the work according to the



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Specifications and directives from the Director. It should be noted that the unit price for this item shall include the costs of the full depth reclamation portion of this work.

**BITUMINOUS CURB ITEM.**

Unit prices for the bituminous curb item shall include all costs associated with the performance of said work including but not limited to materials, trucking, traffic control and all incidental work and equipment needed to complete the work according to the Specifications and directives from the Director.

**MANHOLE /CATCH BASIN ALTERING and ADJUSTING ITEMS.**

Unit prices for the altering of manholes and catch basins shall include all costs associated with the performance of said work including but not limited to materials, trucking, traffic control and all incidental work and equipment needed to complete the work according to the Specifications and directives from the Director.

**CRACK SEALING ITEM.**

Unit prices for crack sealing shall include all costs associated with supplying, delivering and placement of crack sealing material in accordance with the herein included specifications. All traffic control costs are considered incidental and shall also be included in the unit prices.

**Crack Sealing Specifications:**

Description: This work shall consist of the furnishing and placement of crack sealing material in the cracks of existing bituminous concrete pavement in accordance with these Specifications. Placement shall consist of: 1) crack cleaning and drying, 2) material preparation and application, 3) material finishing and shaping, 4) barrier material and application and 5) certified traffic control.

Materials: crack sealant material shall conform to ASTM D-6690 and the following specification.

|                       |                                |
|-----------------------|--------------------------------|
| Cone Penetration 77°F | 90 max.                        |
| Flow @ 140°F          | 3.0 mm [ $\frac{1}{8}$ in] max |
| Bond, -20°F, 50% ext. | Pass 3 cycles                  |
| Resilience, 77°F      | 60 % min                       |
| Asphalt Compatibility | pass*                          |

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|                        |           |
|------------------------|-----------|
| Softening Point        | 176°F min |
| Recommended Pour Temp. | 380°F     |
| Safe Heating Temp.     | 410°F     |

\* There shall be no failure in adhesion, formation of any oily exudate at the interface between the sealant and asphaltic concrete or other deleterious effects on the asphaltic concrete or sealant when tested at 140°F.

The contractor shall provide the Public Works Department with a copy of the material manufacturer's recommendations pertaining to heating, application, and reheating prior to the beginning of operations or the changing of materials.

**Construction Requirements**

Weather: Crack Sealer shall not be applied on a wet surface, after sunset or before sunrise (unless approved by the Director), or when the atmospheric temperature is below 50°F in a shaded area at the job site, or when weather conditions are otherwise unfavorable to proper construction procedures.

Equipment: Equipment used in the performance of the work shall be subject to the Public Works Department's approval and shall be maintained in a satisfactory working condition at all times.

(a) Air Compressor: Air compressors shall be portable and capable of furnishing not less than 3 m<sup>3</sup> [4 yd<sup>3</sup>] of air per minute at not less than 620 kPa [90 psi] pressure at the nozzle. The compressor shall be equipped with traps that will maintain the compressed air free of oil and water.

(b) Sweeper: Manually operated, gas powered air-broom or self-propelled sweeper designed especially for use in cleaning pavements shall be used to remove debris, dirt, and dust from the cracks.

(c) Hot Air Lance: Should operate with propane and compressed air in combination at 2000°F - 3000°F, exit air heated at 310 m/s [1000 ft/s]. The lance should draw propane from a tank using separate hoses for propane and air draw. The hoses shall be wrapped together with reflectorized wrap to keep them together and to protect workers in low light situations.

(d) Hand Tools: Shall consist of V-shaped squeegee, brooms, shovels, metal bars with chisel shaped ends, and any other tools which may be satisfactorily used to accomplish this work.

(e) Melting Kettle: The unit used to melt the joint sealing compound shall be a double boiler, indirect fired type. The space between inner and outer shells shall be filled with a

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suitable heat transfer oil or substitute having a flash point of not less than 608°F. The kettle shall be equipped with a satisfactory means of agitating and always mixing the joint sealer. This may be accomplished by continuous stirring with mechanically operated paddles and/or a continuous circulating gear pump attached to the heating unit. The kettle must be equipped with thermostatic control calibrated between 200°F and 550°F.

(f) Application Wand: The application wand shall apply a controlled flow of material via an insulated or heated hose. The nozzle shall distribute the material as called for in this specification. A pressure regulator shall be provided to regulate pressure at the nozzle. A bypass line into the holding tank is required for use when the nozzle is shut off.

Preparation All cracks greater than 5 mm [ $\frac{1}{4}$  in] shall be blown free of loose material, dirt, vegetation, and other debris by high pressure air. Material removed from the crack shall be removed from the pavement surface by means of a power sweeper or appropriate hand tools as required. Cracks showing evidence of vegetation after being blown out shall be additionally cleaned by appropriate hand tools and additionally blown out. All cracks must be blown and heated via the hot air lance 10 minutes prior to the crack being sealed. Distance between the hot air lance and the crack sealing unit should be no more than 15 m [50 ft] to eliminate reinvasion of water, debris, and other incompressibles. All debris, vegetation, and water shall be removed to enhance adhesion of the crack sealing material. THIS WORK SHALL NOT BE DONE IN INCLEMENT WEATHER.

Preparation and Placement of Sealer: The crack sealer material shall be heated and applied at the temperature specified by the manufacturer and approved by the Public Works Department. Any material that has been heated above the manufacturer's specification shall not be used. Material that is reheated or held at temperature for an extended period of time may be used as allowed by the manufacturer's specification and approval of the Public Works Department. The Contractor shall provide the Public Works Department with a suitable device for verifying the sealant temperature in the kettle and at the application site.

Any over application or spills are to be removed to the satisfaction of the Public Works Department. Any sealed areas with damaged or contaminated sealer or visible voids are to be removed, prepared and resealed.

Sealer shall be delivered to the crack while the cracks are still hot from the hot air lance preparation through a pressure hose line and applicator shoe. The shoe width and the sealer overbanding area vary from 50 mm - 100 mm [2 in - 4 in] depending on the severity of the cracks. The applicator shall be followed by a V-shaped squeegee to minimize the thickness of the overband. Any loose material on the surface or in the crack, which may contaminate the crack sealer or impede bonding of the sealant to the pavement, is to be removed by hand tools prior to crack filling. No crack filling material shall be applied in a crack that is wet or where frost, snow, or ice is present. The ambient air temperature must be 50°F or higher.

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A barrier material such as Glenzoid or an equivalent approved by the Public Works Department shall be provided by the Contractor and shall be applied to the crack sealer to prevent pickup as directed by the Public Works Department.

Quality of Work: Excess of spilled sealer shall be removed from the pavement by approved methods and discarded. Any quality of Work determined to be below normal acceptable standards will not be accepted and will be corrected and/or replaced as directed by the Public Works Department.

**AWARD**

Award of the work contained herein shall be made based upon a combination of considerations such as price, service ability, qualifications, prior experiences with contractors and the ability to meet the terms of this RFP, as determined by the City of Biddeford in its sole judgment. The City of Biddeford reserves the right to separate the various items included herein into different contracts with different contractors if it deems it to be in the best interest of the City of Biddeford.

Submitted proposals shall be brought to the City's Finance Committee for award of the work contained herein. The contractor(s) awarded work under this RFP shall meet with the Director within 1 week of action by the Finance Committee to establish schedules for the work planned for 2026.

**SUBCONTRACTING**

Prior consent of the City of Biddeford is required to assign, transfer, convey, sublet or otherwise dispose of the work awarded through this RFP. In no case shall any such consent relieve the obligations or change any of the terms of this RFP and work contained herein.

**PERFORMANCE**

Contractor agrees to bear all costs incurred arising from the failure of the Contractor through omission or commission to comply with all Federal, State and local statutes, regulations, ordinances or rules. The Contractor further agrees to hold the City harmless and to indemnify the city for these costs as well as all costs of collection, including but not limited to reasonable attorney's fees.

If the Contractor fails to fulfill its obligations under the award of the work contained herein properly and on time or otherwise violates any provision of this RFP and contract, the City may terminate the contract by written notice. The notice shall specify the acts or omissions relied upon as cause for termination. The Contractor shall be paid fair and equitable compensation for satisfactory performance prior to the receipt of notice of termination less the amount of damages caused by the Contractor's failure to fulfill its obligations. If the damages are more than the compensation payable to the Contractor, the Contractor shall remain liable after termination of the contract and the City may collect damages, including costs of collection and reasonable attorney fees.

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**PAYMENT**

Payment in full shall be made after completion, inspection and acceptance by the Director of work requested for payment. Payment will generally be made within 30 days of acceptance by the Director.



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**PROPOSAL TERMS**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

This proposal is submitted in accordance with the requirements and specifications of the Request For Proposals for the Placement of Hot Mix Asphalt Pavement and Other Associated Work – 2026 and acknowledge as follows:

1. That we have read the Request for Proposals and will comply with all requirements.
2. That the quantities stated herein are the best estimates of the City of Biddeford at the time of this Request For Proposals, but that these estimates may vary. It is understood that the unit prices submitted to supply the products and services required herein shall not vary regardless of final actual quantities of items actually procured by the City of Biddeford. It is also understood that the Hot Mix Asphalt Pavement Item will be adjusted according to the Asphalt Escalator provisions contained in the Request for Proposals.
3. That full liability insurance coverage will be maintained and in force during the term of this contract and a Certificate of Insurance is enclosed.

**Company Name:** \_\_\_\_\_

**Mailing Address:** \_\_\_\_\_

**Telephone:** \_\_\_\_\_

**Fax:** \_\_\_\_\_

**E-Mail:** \_\_\_\_\_

**Name & Title of  
Owner of Authorized  
Representative (printed)** \_\_\_\_\_

**Signature :** \_\_\_\_\_

**Date :** \_\_\_\_\_

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**PROPOSAL FORM**  
**HOT MIX ASPHALT PAVEMENT AND OTHER**  
**ASSOCIATED WORK - 2026**

Estimated quantities are identified for the purpose of comparing proposals. Quantities may vary depending on conditions and issues encountered during the program. Unit prices submitted shall apply regardless of final quantities at the completion of the program. Contractors shall abide by all OSHA Rules & Regulations and by all State and Local ordinances regarding construction activities.

Liquid Asphalt Price of \$ \_\_\_\_\_ for base bid on unit prices for all HMA Items.

| ITEM                         | EST. QUANTITY | UNIT PRICE | TOTAL |
|------------------------------|---------------|------------|-------|
| 1. 19 mm HMA                 | 33,000 tons   | _____      | _____ |
| 2. 12.5 mm HMA               | 17,000 tons   | _____      | _____ |
| 3. 9.5 mm HMA                | 15,000 tons   | _____      | _____ |
| 4. Hand Placed HMA           | 2,500 tons    | _____      | _____ |
| 5. Full Depth<br>Reclamation | 75,000 s.y.   | _____      | _____ |
| 6. Cold Plane/Mill           | 25,000 s.y.   | _____      | _____ |
| 7. Cement Stabilize          | 165,000 s.y.  | _____      | _____ |
| 8. Bituminous Curb           | 1,000 l.f.    | _____      | _____ |
| 9. Alter Structures          | 100 ea.       | _____      | _____ |
| 10. Adjust Structures        | 100 ea.       | _____      | _____ |
| 11. Crack Sealing            | 12,000 lbs.   | _____      | _____ |
|                              | TOTAL:        |            | _____ |

Submitted By: \_\_\_\_\_

Date : \_\_\_\_\_

Authorized Representative's Signature: \_\_\_\_\_

[illegible]

[illegible]

[illegible]



# City of Biddeford



**2026.83 IN BOARD OF CITY COUNCIL... JUNE 2, 2026,**

**BE IT ORDERED** that the City Council authorizes the Public Works Director to enter into a contract with Shaw Brothers, Inc. for a 3 year paving contract of streets and sidewalks. The capital paving outlook and budget will be presented by the Public Works Director and will be approved by the Capital Projects Committee and City Council for each of the three fiscal years.

Attest by: \_\_\_\_\_  
City Clerk



## City Council

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**Meeting Date:** June 2, 2026  
**Meeting Time:** 6:00 PM  
**Agenda Item No:** 13.f  
**Item Description:** 2026.85 Approve review of ordinances as it relates to Data Centers  
**Submitted By:** David C.M. Galbraith, City Planner / Deputy Director of Planning

### Key Terms:

Data Center: A Data Center is a facility used to house [computer systems](#) and associated components, such as [telecommunications](#) and [storage systems](#). Data centers are [critical infrastructure](#) for the storage and processing of information, and they support the global financial system, [cloud services](#), machine learning, and [artificial intelligence](#) (AI).

Artificial Intelligence (AI) Data Center: An AI data center is a specialized facility designed to support the unique requirements of AI workloads. These data centers house advanced IT infrastructure necessary for training, deploying, and delivering AI applications and services.

### Executive Summary:

Data Centers raise numerous concerns related to electricity costs, large water usage, and environmental impacts. In addition to concerns raised by City Staff about the potential negative impacts of Data Centers, the City's Sustainability Commission have discussed AI Data centers and are supportive of ordinances that would prevent them from locating within the City of Biddeford.

### Detailed Review:

In April 2026, the Maine Legislature passed L.D. 307, which would have imposed the first statewide ban in the U.S. on new data centers using 20 megawatts (MW) or more of power, effective until November 1, 2027. The bill created the Maine Data Center Coordination Council to study siting, protect ratepayers, maintain grid reliability, minimize environmental impacts, and review greenhouse gas reduction goals. However, Governor Janet Mills vetoed the bill in April, citing the need to exempt a proposed \$550 million AI/data center at the former Androscoggin paper mill in Jay, which she said would bring jobs and economic benefits. The

Legislature failed to override the veto, so the moratorium was not enacted. Despite the veto, some municipalities have moved forward with local bans or pauses.

Westbrook proposed a 180-day moratorium on new data center construction, while Scarborough is considering a temporary pause after a developer's 52-acre proposal was rejected for lacking required environmental and infrastructure details. These local actions reflect broader community concerns about electricity costs, water use, and environmental impacts from large data centers. One of the biggest environmental concerns raised by data centers is the large volume of water needed to cool servers, storage systems and networking gear. They also draw significant electricity and place additional burdens on the energy grid and ratepayers, while also using a significant amount of water.

The City's Land Use Ordinance does not list "data centers" in our "Table A – Table of Land Uses" which regulates what uses are "permitted", are "Conditional Uses" or not allowed. Our interpretation of the existing ordinance remains that because "data center" is not a defined or listed use, it is not permitted in any zoning district under our longstanding interpretation. That being said, in discussing this matter internally with City Staff, we recommend "fortifying" our position by doing the following:

- A. Adopting a definition for "Data Centers" and/or "AI Date Centers" within the Land Use Ordinance, and;
- B. Adding the Data Centers as a use within Table A without designating it as a Permitted Use, represented as "P" or as a Conditional Use, represented as "C" in any district.

I believe this would essentially prohibit this type of use in all of our zoning districts. Staff has sought a legal opinion from City Attorney Center regarding the following questions, but as of the writing of this memorandum have you received a written opinion.

- A. Is the proposed Ordinance amendment legal and defensible?
- B. Would the proposed amendment provide the City an extra layer of protection if legally challenged?
- C. Should we just leave the Ordinance as is (no addition of a Data Center definition or changes to Table A – Table of Land Uses) and fall back on the City's long held position that if the use is not listed as either a "Permitted Use" or as a "Conditional Use" it would not be allowed under our existing zoning?

**Funding Source:**

N/A

**Staff Recommendation:**

Staff believes that the City should "fortify" our position and create a Data Center definition in addition to amending the City's "Table A – Table of Land Uses" as a listed "Use" but not include the designation as "Permitted" or "Conditional".

**Next Steps:**

The next steps related to this matter would be:

- A. Having the City's Attorney provide a legal opinion on the proposed Ordinance amendments (new definition and new land use classification in Table A) and questions outlined above.
- B. The City Council refer this item to City Staff and the Planning Board for drafting of said Ordinance amendments, hold required public hearings, and forward a recommendation to the City Council for action.

**Attachments:**

- 1. 2026.85 Data Centers- ORDER

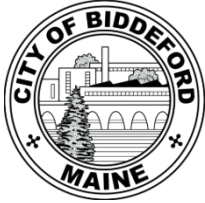
# City of Biddeford

The seal of the City of Biddeford, Maine, is circular. It features a central illustration of a lighthouse on a rocky shore with trees. The words "CITY OF BIDDEFORD" are inscribed around the top inner edge, and "MAINE" is at the bottom. There are small stars on either side of the word "MAINE".

**2026.85**      **IN BOARD OF CITY COUNCIL ON June 2, 2026, BE IT ORDERED,** that the City Council forwards the issue of amending the City's Land Use Code to incorporate a definition for Data Centers and/or AI Data Centers in addition to amending Table A (Table of Land Uses) potentially prohibiting said use, to the Planning Board for discussion. Following Planning Board review and public hearing on the matter the Board would forward a recommendation to the Council for final action.

Attest by: \_\_\_\_\_





## City Council

---

**Meeting Date:** June 2, 2026

**Meeting Time:** 6:00 PM

**Agenda Item** 13.g

**No:**

**Item** 2026.90 Approval Institutional Zone and University Use Moratorium Extension-

**Description:** RESOLUTION

**Submitted By:** City Solicitor Harry B. Center, II, Esq. on behalf of Mayor & Council

### **Key Terms:**

Moratorium. Extension. Institutional Zone Review Committee. University Uses. Institutional Zone.

### **Executive Summary:**

See Detailed Review

### **Detailed Review:**

This Order seeks to extend the Moratorium passed by the City Council on January 20, 2026.

Simultaneously with the Moratorium Order, the Council also created the Institutional Zone Review Committee. That Committee has met on at least 14 occasions. Minutes of those meetings as well as video of the meetings are available on the City's website. The extraordinary amount of work, time and effort on this matter is well documented. Once the IZ Committee makes final recommendations, then the Planning Board will participate in the Land Use Regulation Ordinance process, followed by ultimately the City Council adopting any new Land Use Regulations. That process will not be completed prior to the expiration of the initial Moratorium period of one hundred eighty days (180). Readers of this brief are encouraged to view the minutes and/or the videos of the multiple IZ Review Committee meetings.

### **Funding Source:**

N/A currently. Due to the extraordinary amount of information with this extensive review, and the current demands on City staff regarding multiple other projects and matters, the City may engage Southern Maine Regional Planning in the near future.

**Staff Recommendation:**

Staff is Neutral as this is a Policy decision.

**Next Steps:**

The IZ Review Committee will continue to work, then the Planning Board will undertake its role in adopting/amending Land Use Regulations and ultimately the matters will be before the City Council for final adoption.

**Attachments:**

1. 2026.90 Institutional Zone and University Use Moratorium Extension-Resolution



## RESOLUTION

WHEREAS, In 2001, in response to the rapid growth, development and expansion of the University of New England, the City of Biddeford established a land use ordinance creating an Institutional Zone, for the purpose of accommodating college and university uses while minimizing the adverse effects that such uses may have on predominantly residential zone neighborhoods adjacent to the college or university;

WHEREAS, City of Biddeford Land Use Ordinance, Article V, Section 11 provides that any university use conducted by a college or university in an institutional zone shall be consistent with an institutional master plan;

WHEREAS, over time the scale of institutional development and uses have increased creating a significant burden on City transportation systems, traffic, utilities, public safety concerns relating to pedestrian and vehicular traffic, to the detriment to surrounding areas;

WHEREAS, the University of New England has recently undertaken significant expansion projects, construction projects, land purchases and significant growth causing a potential adverse effect on the neighboring properties, an overburdening of City resources and public facilities and an overall adverse impact on the health safety and welfare of the inhabitants of the City of Biddeford due to the current lack of sufficient land use regulations;

WHEREAS, the University of New England is expanding its university uses beyond the current area of the Institutional Zone and the City of Biddeford currently has no applicable land use regulations applicable to university uses outside the Institutional Zone;

WHEREAS, the application of existing comprehensive plans, land use ordinances, the institutional master plan are currently inadequate to regulate the expansion of the University of New England both within and outside of the Institutional Zone;

WHEREAS, the City of Biddeford passed a Moratorium on January 20, 2026, on all permitting, construction, development, expansion of University or College uses both within and outside the Institutional Zone for a period of 180 days to allow the City time to review all applicable Code, Land Use, and any other applicable regulations to ensure the overall health and safety and welfare of the inhabitants of the City of Biddeford and to review and draft for adoption, applicable land use regulations;

WHEREAS, in conjunction with the Moratorium, the Mayor and City Council established the Institutional Zone Review Committee, for the purpose of reviewing all current land use regulations relating to the Institutional Zone as well as the University of New England's Master Plans;

Whereas since its formation, this Institutional Zone Committee has met fourteen times and continues to meet at a regular basis moving forward, in order to review the Institutional Zone Ordinance and to draft and make recommendations and changes thereto;

WHEREAS, the current Moratorium is set to expire on July 19, 2026, 180 days after it was enacted on January 20, 2026;

WHEREAS, despite the significant efforts of the Institutional Zone Review Committee spending hundreds of hours between the committee members and City Planning and Code staff, the City cannot complete the review of all applicable Code, Land Use, and finalize any final recommendations to new land use regulations, changes to existing land use regulations and any final reports with recommendations prior to the expiration date of the current Moratorium;

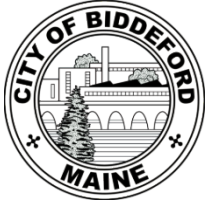
WHEREAS, pursuant to 30-A M.R.S. § 4356(2)(A), the problem giving rise to the need for the moratorium still exists;

WHEREAS, pursuant to 30-A M.R.S. § 4356(2)(B), reasonable progress is being made to alleviate the problem giving rise to the need for the moratorium;

NOW THEREFORE BE IT ORDERED, that the Moratorium which was enacted by the City of Biddeford on January 20, 2026, shall be extended pursuant to 30-A M.R.S. § 4356(2), and shall continue to be in effect until the earlier of (1) the occurrence the adoption of any recommended changes by the Institutional Zone Review Committee to any applicable Code, Land Use, or any other applicable regulations; or (2) the date that is 180 days after the expiration of the original Moratorium.

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Attest:



## City Council

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**Meeting** June 2, 2026

**Date:**

**Meeting** 6:00 PM

**Time:**

**Agenda** 13.h

**Item No:**

**Item** 2026.91 Approval Clarification Letter to Joint Development Agreement with

**Description:** Biddeford Riverwalk Community 1 LLC

**Submitted** Truc Dever, City Manager

**By:**

### Key Terms:

JDA – Joint Development Agreement

Developer – Biddeford Riverwalk Community 1 LLC

### Executive Summary:

Biddeford Riverwalk Community 1 LLC, the entity which developed the Parking Garage on Pearl Street, is seeking to clarify some of the terms and management provisions of the Joint Development Agreement that the Parking Garage is subject to. City Staff and the City Attorney's Office have been in negotiations with Biddeford Riverwalk Community 1 LLC, to develop a Clarificatory Letter outlining the clarifications and simplifying the management process for the Parking Garage.

### Detailed Review:

The Clarification Letter which is before the Council to review and vote on helps clarify the obligations of the parties, and shifts responsibility for some of the maintenance, utility, and insurance obligations to the City with respect to the Additional Parking Areas. The goal of this shift is to allow the City to have greater control over the maintenance of the Additional Parking Areas, and to help clarify the procedure for certain work and obligations that are to happen in



areas encompassed by the definition of the Parking System.

Greater control over the Additional Parking Areas will allow the City to reduce the Stabilization Payments made to the Developer, by reducing the maintenance expenses which are currently deducted from the gross revenues generated by the Parking Facilities. Making this shift should incur no additional liabilities or costs to the City, as the costs are already passed on to the City through the mechanisms provided for in the JDA. The current process also takes a large amount of time and manpower on both the City and the Developer, who must coordinate with each other over items that could be effectively and most cost-effectively handled by the City.

Clarifying the procedure for certain work and obligations that are to happen in areas encompassed by the definition of the Parking System will also allow the City to retain control over the Additional Parking Areas and areas surrounding the Parking Facility which are encompassed in the definition of the Parking System. In particular, it will allow the City to make changes to various aspects, like landscaping and lighting, which would currently require the approval of the Developer, and adds a large amount of work and time to otherwise simple actions.

Additional information as to the current Parking Garage situation and relevant terms are provided in the attached Memorandum of Law dated May 28, 2026.

**Funding Source:**

N/A – All funds for this are expected to be cost-savings from reduced maintenance payments to the Developer.

**Staff Recommendation:**

Staff recommends approval of this item and a vote by the City Council to waive the second reading required for amendments to Joint Development Agreements under the Rules of the City Council § A-4(d).

**Next Steps:**

If Council waives the second reading, staff and legal counsel will execute the letter with Biddeford Riverwalk Community 1 LLC.

**Attachments:**

1. 2026.91 ORDER--Parking JDA Clarification Letter
2. Biddeford\_Clarificatory Letter
3. Memorandum - Garage Background
4. Exhibit C to JDA



# City of Biddeford



**2026.91**                      **IN BOARD OF CITY COUNCIL... June 2, 2026,**  
**BE IT ORDERED,** that the City Council authorizes the City Manager to execute a Clarificatory Letter with Biddeford Riverwalk Community 1 LLC to clarify some of the terms and management provisions of the Joint Development Agreement that the Pearl Street Parking Garage is subject to.

Attest by: \_\_\_\_\_

[CITY OF BIDDEFORD LETTERHEAD]

City of Biddeford  
205 Main Street  
Biddeford, Maine 04005

Biddeford Riverwalk Community 1 LLC  
1330 Avenue of the Americas  
New York, NY 10019

\_\_\_\_\_, 2026

Dear Sirs,

**Re. Clarifications to the Joint Development Agreement dated February 12, 2020**

1. We refer to the Joint Development Agreement dated February 12, 2020 between the City of Biddeford (the “**City**”) and Biddeford Riverwalk Community 1 LLC (the “**Developer**”) (as amended) (the “**JDA**”). Capitalized terms not otherwise defined in this letter agreement (“**Clarificatory Letter Agreement**”) shall have the meanings given to them in the JDA.
2. Primarily as a result of certain inconsistencies that exist in the JDA with the use of the term “Parking System”, the City and the Developer wish to enter into this Clarificatory Letter Agreement in order to clarify certain provisions of the JDA which, together with the JDA, shall govern the relationship of the Parties going forward.
3. By executing this Clarificatory Letter Agreement, the City and the Developer acknowledge and agree that the JDA shall be interpreted as follows:
  - a. The Developer shall be responsible for the payment of utilities for the Parking Facility, and the City shall be responsible for the payment of utilities for the Additional Parking Areas.
  - b. The obligations of, and requirements on, the Developer under the JDA with respect to insurance (including under Article 12 (*Insurance*)) shall only apply with respect to the Parking Facility. The City shall be responsible for insuring the Additional Parking Areas and the Developer and Operational Subcontractor shall be named as additional insureds or joint loss payees and all rights of the insurer for contribution or otherwise from the Developer or

Operational Subcontractor or other insurers of the Developer or Operational Subcontractor are waived.

- c. The Developer's responsibilities under Paragraphs 3 of Exhibit C shall only apply to the Parking Facility and not the Additional Parking Areas. As such, the Developer shall be responsible for the maintenance of the Parking Facility, and the City shall be responsible for the maintenance of the Additional Parking Areas.
  - d. The City, or an entity other than the Developer, shall be responsible for the fire lane to the east side of the Parking Facility. As such, whilst consent should not be required from the Developer due to the prior sentence, for the avoidance of doubt, to the extent that any consent is necessary from the Developer to allow for any changes or modifications to be made to the fire lane by the City or third parties, such changes or modifications are deemed consented to by the City and the Developer if agreed to by the City.
- 4. To the extent there is any inconsistency between this Clarificatory Letter Agreement and the JDA, this Clarificatory Letter Agreement shall take precedence.
  - 5. The Contract Documents and this Clarificatory Letter Agreement form the entire agreement between the Parties.
  - 6. This Clarificatory Letter Agreement shall be governed and construed in accordance with the laws of the state of Maine.
  - 7. Any change-over under Section 3 shall take effect 45 days from the date and execution of this Clarificatory Letter.

Yours sincerely,

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For and on behalf of **The City of Biddeford**



Acknowledged and agreed:

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For and on behalf of **Biddeford Riverwalk Community 1 LLC**

## **Memorandum**

TO: City Council  
From: Woodman Edmands  
Date: May 28, 2026  
RE: Parking Garage JDA – Background and Relevant Information

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This memo is being provided to you to provide additional context and information related to the Pearl Street Parking Garage located on Pearl Street, and the related Joint Development Agreement with Biddeford Riverwalk related to the operation and maintenance of the Parking Garage.

### **Joint Development Agreement and Background**

By way of background, the Pearl Street Parking Garage (the “Garage”) was built as a joint project between the City of Biddeford and Biddeford Riverwalk Community 1, LLC, (the “Developer”), wherein the parties contracted to build the Garage and lay out the terms for the Garage’s future management. As a high-level overview, the Developer financed the operation and handled the construction of the Garage, as well as the future operations of the Garage for a period of 25 years from the date of the agreement. The City was also provided a buy-out option at the 10-year mark of the agreement, which allows for the City to assume complete control of the Garage through a payment to the Developer, which is calculated according to an Exhibit attached to the Joint Development Agreement, and included here for reference as Exhibit A.

As compensation for doing so, the Developer is entitled to certain payments and income, guaranteed by the City of Biddeford through stabilization payments, and also by support payments from the City of Biddeford. These payments are calculated by determining the expected rate of return for the Developer (noted as the “Forecast Net Operating Income”, or NOI for short) for each year that the garage is in operation. The NOI is then compared to the actual income that the Garage generated, less expenses, for each given year, to determine if there has been a shortfall below the NOI or if there is profit in excess of the NOI.

For management purposes, the Developer was granted the option to out-source the operation and maintenance of the Garage to a third-party (referred to in the agreement as the “Operational Subcontractor”) for the duration of the agreement, for which Premium Parking was selected. Premium Parking was also granted, under the terms of the JDA, the ability to manage the surface lots throughout the City in a similar manner to their management of the Parking Garage.

### **Definition Issues in the JDA**

Under the current JDA, there are inconsistencies and inefficiencies created by some of the definitions which are outlined. In particular, the term “Parking System” is defined in the agreement as consisting of (a) the Parking Facility, (b) parking system assets, (c) landscaping, improvements, equipment, or systems located on the Leased Premises, and (d) the Additional Parking Areas. The “Parking Facility” is defined as the Pearl Street Parking Garage. The “Additional Parking Areas” are defined as the various surface lots around the City of Biddeford.

The JDA goes on to use the general term of “Parking System” in many paragraphs and portions of the JDA, including in outlining the maintenance, utility, and insurance obligations of the Parties. Section 6.2 authorizes the Operational Subcontractor to use good faith and commercially reasonable efforts to manage, maintain, and operate the Parking System, all as outlined on in the Operations and Maintenance Plan that is attached to the JDA. The JDA further authorizes the Developer to bill, collect, receipt, deposit, and retain all of the fees associated with the Parking System and the Additional Parking Areas during the term of the JDA.

The use of the term “Parking System” creates a situation where the Developer and/or its Operational Subcontractor are responsible to perform certain maintenance obligations, pay utilities, and hold insurance on both the Pearl Street Garage and the Surface Lots. The Developer then passes these costs along to the City, which it is allowed to do under the JDA, as a deduction in the Gross Revenues generated from the Garage and Surface Lots (the Parking Facility and Additional Parking Areas, respectively). In 2025, these Operations and Maintenance Fees that were paid to Premium Parking totaled \$286,038.00 dollars. This in effect lowers the income earned by the Developer and increases the Stabilization Payments made to the Developer by the City.

## **EXHIBIT C**

### **O&M MANAGEMENT PLAN**

**Routine Maintenance.** The Operational Subcontractor shall undertake the following scope of work and services:

1. Processing of all payments and parking revenues;
2. Monthly parking account management and maintenance;
3. Light janitorial, sweeping, pressure washing and “spot” maintenance [scope to be further defined] of parking garage and existing parking lots including striping;
4. Snow removal, sanding and salting consistent with standard City practices, from parking garage upper deck and existing surface parking lots;
5. Management of all garage vendors and service providers;
6. Detailed reporting and communication consistent with all requirements of the Joint Development Agreement;
7. Maintain ‘Garage Keepers’ and General Liability Insurance, in satisfaction of any requirements of the Joint Development Agreement;
8. Provide for staffing of the parking garage and its maintenance, as required by the selected [proprietary] parking technology, including:
  - a. Executive and departmental oversight;
  - b. Account manager(s), up to 30 hours on site per week;
  - c. Facility supervisor(s), up to 45 hours on site per week;
  - d. Additional staffing as required for special events parking;
  - e. Call center support personnel provided 24 hours per day, 7 days per week.

Provision of staffing, hiring and training for all related personnel;

9. Provide materials, signage, uniforms, tickets, receipts, and other consumables necessary for the operation of the garage and surface lots, consistent with the selected [proprietary] parking technology.
10. Procurement and provision of required electric, water and sewer utilities;
11. Support and enablement of routine maintenance of passenger elevators under design warranties.