



PLANNING BOARD MEETING MINUTES

May 20, 2026

DRAFT

1. Pledge of Allegiance

2. Declaration of Quorum

Planning Board: John McCurry, Matt Sargent-Dubois, Leah Schaffer, Chico Potvin
(Alternate Member) & Rob Nicoll (Alternate Member)

Staff: David Galbraith & Nan Whitten

Chico Potvin & Rob Nicoll will vote this evening in place of Kayla Lewis & Roch Angers

3. Adjustments to Agenda-none

4. Planner's Business

4.a. Meeting Minutes from Staff Review Committee for May 5, 2026

5. Consent Agenda

5.a. Approval of Meeting Minutes from May 6, 2026, Regular Meeting & Workshop

MOTIONS:

Motion-Sargent-Dubois-Motion to approve Meeting Minutes as presented

Second-Nicoll

Vote: Motion passed unanimously

6. Unfinished Business-none

7. New Business

7.a. 2026.23 Review a request for extension to Planning Board approval for Avesta Rochambeau on Barra Road (Tax Map 7, Lot 15) in the R-3 zone. The original request was approved August 7, 2024, with an expiration date of August 7, 2026

- Galbraith introduced the project explaining that this is an affordable housing program and just recently secured funding from the State
- Ryan Fecteau from AVESTA Housing is at the meeting to answer questions if needed.
- **NO PUBLIC COMMENTS**

MOTIONS: 6:04 PM

Motion-Sargent-Dubois-Motion to approve 1-year Extension Request for AVESTA Housing to build a 46-unit low-income housing project for the elderly located at Barra Road (Tax Map 7, Lot 15) in the R-3 zone.

Second-Nicoll

Vote-Motion passed unanimously

7.b. 2025.09 The Planning Board will review a request from Bateman Partners to extend their approval of Forest Green Apartments located at 1 Parkview Court (Tax Map 32, Lot 1) in the R-3 Zone. Bateman Partners obtained their original approval on

June 18, 2025, with an expiration of June 18, 2026.

- **Galbraith introduced the project explaining that this is an affordable housing project that has not secured funding yet.**
- **Sargent-Dubois asked for a sewer capacity update. There has been a contribution from the applicant to update the sewer system**
- **Potvin asked what happens if the financing through the State continues to fall through. The applicant will keep trying as well as additional funding sources.**
- **NO PUBLIC COMMENTS**

MOTIONS: 6:09 PM

Motion-Sargent Dubois-Motion to approve a 1-year Extension Request for Final Site Plan and Subdivision Review for Bateman Partners, LLC for two (2) new buildings containing 60-unit low/moderate income (LMI) apartments within the Forest Green Apartments located at 641 Main Street (Map 32, Lot 1) in the Mixed Residential (R3) Zoning District and within the Shoreland Overlay District.

Second-Schaffer

Vote-Motion passed unanimously

McCurry requested JDAs for these cases be added to the packets going forward.

7.c. 2026.21 Review of a request for an after-the-fact permit for the 59 sites that were not identified on the hand drawn map submitted to the city by the previous owners in 1998. The property is for Riverbend Retreat 608-610 New County Road (Tax Map 6, Lot 35-2) in the RF Zone.

- **Galbraith introduced the project to the Board**
- **Current owners purchased the campground and renamed it Riverbend Retreat.**
- **The prior owners added 56 campsites without approval or permits.**
- **The current owners have received Saco River Corridor Commission (SRCC) approval and soils tests.**
- **There are no changes proposed the goal is to bring the property into compliance.**
- **Potvin asked how many campsites the property is taxed for.**
- **Bryce Avallone (one of the new owners) stated that they are working with the Assessing Department, and the property is not taxed on campsites but on acreage.**
- **Potvin asked if there would be fines, they are not sure, but this issue was created by the former owner.**
- **McCurry asked how the new owners obtained clear title. The deed does not deal with campsites but acreage and metes and bounds.**
- **Schaffer asked about the 1 site that was not approved by the SRCC. This site is no longer used as a camp site.**
- **THERE WERE NO PUBLIC COMMENTS**

MOTION: 6:16 PM

Motion-Sargent-Dubois-Motion to approve Case # 2026.21 Preliminary and Final Site Plan Review for the Riverbend Retreat Campground an “after the fact” Site Plan Amendment for 59 additional camp sites located at 608-610 New County Road (PID# Map 6, Lot 35-2), with the below Conditions of Approval:

- a) All previously approved Conditions of Approval for the property are hereby reaffirmed.**
 - b) Septic systems for the property shall be sanitary and functional to the satisfaction of the City’s Director of Code Enforcement.**
 - c) All permits, after the fact or otherwise shall be obtained to the satisfaction of the City’s Director of Code Enforcement.**
 - d) No new campsites, buildings, or site modification may be constructed / undertaken on the property without obtaining Planning Board review and approval.**
- Second-Nicoll**

Vote-Motion passed unanimously

7.d. 2025.10 The Planning Board will review a Preliminary Application for Fiber Materials Inc. The applicant plans a 104,000 SF addition to the existing structure to add manufacturing capacity and the associated infrastructure. The address of the property is 389 Hill Street (Tax Map 74, Lot 7) in the 1-2 zone.

- Galbraith introduced the project and explained that this is for preliminary approval.**
- Tom Saucier from Site Design Associates & Silas Canavan from Canavan Civil Consultants represented the applicant.**
- Saucier conducted a Power Point presentation regarding the project.**
- There will be an 8’ mesh fence with barbed wire**
- The utilities will be underground**
- There will be a stormwater detaining system under the parking area.**
- The applicant is requesting 3 waivers:**
 - a. Article XI, II section 5 B.4.f.1., Approved by Planning Board 9-17-25**
 - b. Article VI.26.F. Slopes within 10 ft property line; no slope steeper than 3 H:IV**
 - c. Article XI.II.5.B.I.e.3. No slopes steeper than 2 ft horizontal to 1 ft vertical**
- McCurry asked how work getting out in the afternoon will interfere with schools getting out. The release times are not the same so there should be no impact.**
- Potvin mentioned stormwater noting that the water is high, when the water gets higher can the site handle the excess water. They believe so but are waiting on DEP approval.**
- Schaffer asked about the fencing in the front of the building. It will be steel decorative.**
- Potvin agreed that the end of day at the business should not impact school release times.**

- Schaffer asked about the firewall and whether the building would be sprinkled. The Fire Marshall has approved the project and there will be no firewall, there is a water pump in the water house.
- Potvin mentioned Chapter 500 DEP Stormwater Law
- Nicoll asked about the parking spaces and shift changes. The excess parking spaces are for the eventual Phase II. As well as the loop around the back is to accommodate Phase II
- **THERE WERE NO PUBLIC COMMENTS**

MOTIONS: 6:46 PM

Motion-Sargent-Dubois-Motion to approve waiver of Article VI.26.F. The top of a cut or the bottom of a fill section shall not be closer than 10 feet to an adjoining property, nor shall said cut or fill exceed the three-to-one slope unless the Planning Board waives either or both requirements upon the applicant's demonstration, certified by a Maine licensed professional engineer (P.E.), that a steeper slope, whether or not closer than 10 feet to the adjoining property, is stable, will not result in excessive downstream erosion or sedimentation, nor cause any additional adverse impact on the adjoining property.

Second-Potvin

Vote Motion passed unanimously

Motion-Sargent-Dubois-Motion to approve waiver of Article XI.II.5.B.1.e.3. No slope shall be created which results in a slope of more than two feet horizontal to one foot vertically unless proper retaining walls are proposed.

Second-Schaffer

Vote-Motion passed unanimously

Motion-Sargent-Dubois-Motion to approve waiver of Article XI, II. section 5.B.4.f.1 No paving, parking, or storage shall be permitted within the required setback of any side or rear property line;

Second-Nicoll

Vote-Motion passed unanimously

Motion-Sargent-Dubois- Motion to Approve Case # 2025.10 for Preliminary Site Plan approval for the construction of a 50,395 square foot addition and the creation of 1.94 acres of new paving and parking located at 389 Hill Street (Tax Map 74, Lot 7), within the Industrial 2 (I-2) zoning district.

Second-Nicoll

Motion passed unanimously

7.e. 2025.21 Subdivision Amendment request for Peter Mourmourais (Eagle River Run) on River Road (Tax Map 6, Lot 49) in the Rural Zone. The applicant would like to amend the pre-approved 6-lot subdivision to a 2-lot subdivision with a private way.

- Galbraith introduced the project
- Silas Canavan from Canavan Civil Consultants represented the applicant
- **PUBLIC COMMENTS**
- John Gagne of 155 River Road is concerned about the utilities and culverts

MOTIONS: 6:56 PM

Motion-Sargent-Dubois-Motion to approve waiver of Article II, Section 66-52(d) requiring monumentation of all new lot corners.

Second-Nicoll

Vote-Motion passed unanimously

Motion-Sargent-Dubois- Motion to Approve Case # 2025.21 for the approval of the subdivision amendment, from six (6) lots to two (2) lots, approval of the two (2) lot private way and grant the requested monumentation waiver to Article II, Section 66-52(d) (Re: monumentation) for the Eagle River Run Subdivision located on River Road (Tax Map 6, Lot 49), with the following Conditions of Approval:

a. All previously approved Conditions of Approval (COA) are hereby reaffirmed.

b. Prior to the issuance of a building permit for the proposed new house lot the applicant's project engineer shall submit a letter to the City's Planning and Engineering Departments certifying that the constructed private way has been constructed to the City's 5-10 lot private way standards. This letter shall be signed and stamped by Silas Canavan the applicant's project engineer.

c. Prior to the issuance of an Occupancy Permit for either of the proposed house lots, the applicant shall provide the City's Planning Department with a recorded copy of the recorded Eagle River Run Homeowners Association documents related to their responsibility for snow plowing, repairs and resurfacing, drainage infrastructure maintenance, roadside vegetation control. The City of Biddeford bears no responsibility for maintenance, plowing, or repair of the private way.

Second-Schaffer

Vote-Motion passed unanimously

7.f. 2026.19 Review of a request for a 1-lot private way for Robert Laverriere on 34 Proctor Road (Tax Map 3, Lot 12-3) in the RF Zone. THIS ITEM HAS BEEN POSTPONED

7.g. 2025.07 Final review of an application for Site Plan Review for Bohler c/o Chick-fil-A to construct a 4900±SF restaurant with a drive-thru at 150 Shops Way (Tax Map 2, Lot 24) in the Business 2 (B2) Zone.

- Applicant had not arrived at the meeting yet.**

MOTION

Motion-Sargent-Dubois-Motion to table 2025.07 Final review of an application for Site Plan Review for Bohler c/o Chick-fil-A to construct a 4900±SF restaurant with a drive-thru at 150 Shops Way (Tax Map 2, Lot 24) in the Business 2 (B2) Zone until June 17th meeting

Second-Nicoll

Vote-Motion passed 3-1 (Sargent-Dubois, Schaffer, & Nicoll in favor Potvin against)

Motion-Sargent-Dubois-Motion to amend previous motion to table item until after Other Business Category has been completed.

Second-Potvin

Vote-Motion Passed Unanimously

MOTION: 7:12 PM

Motion-Sargent-Dubois- Motion to remove from the table 2025.07 Final review of an application for Site Plan Review for Bohler c/o Chick-fil-A to construct a 4900±SF restaurant with a drive-thru at 150 Shops Way (Tax Map 2, Lot 24) in the Business 2 (B2) Zone

Second-Nicoll

Vote-Motion passed unanimously

- Galbraith introduced the project
- He explained the hold up was waiting for the Traffic Movement Permit (TMP)
- Joey Fonesca from Bohler Engineering represented the applicant
- There will be a sidewalk connecting an abutting property
- McCurry asked how they were able to demolish the previous structure
- The owners of the property obtained a permit for demo not Chick-fil-A
- Potvin asked about erosion control, it will be controlled.

NO PUBLIC COMMENTS

MOTION: 7:17PM

Motion-Potvin- Motion to Approve Case # 2025.07 A Final Site Plan Review Application for Bohler Engineering c/o Chick-fil-A to rebuild a currently vacant Building Previously Occupied by Olive Garden into a Chick-fil-A Quick-Serve Restaurant at 150 Shops Way (Tax Map 2, Lot 24) in the Highway Business District (B2), with the adoption of the attached Findings of Fact and recommended Condition of Approval (COA)

Second-Sargent-Dubois

Vote-Motion passed unanimously

8. Other Business

- Schaffer asked what the game plan is now that Adi Iriqat has resigned
- We will advertise his replacement by the end of the week
- There are 2 other positions that have been approved to start at the beginning of the year which we will be advertising early
- McCurry suggested we advertise early being clear about the starting date.
- Potvin asked about giving extensions to certain projects when they have not been approved for funding, with the sewer situation, will that hold up other projects? NO

9. Adjourn

MOTION 7:19 PM

Motion-Sargent-Dubois-Motion to Adjourn

Second-Schaffer

Vote-Motion passed unanimously

Signature-Planning Board Chair

Date

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

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