



CITY OF BIDDEFORD

Planning and Development Department

205 Main Street
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Planning Board Meeting Meeting Minutes

Date: February 19, 2025
Time: 6:00 PM
Location: Council Chambers & Zoom

1. Pledge of Allegiance
2. Declaration of Quorum/Voting Members
Quorum Present: Alexa Plotkin, Chair, Larry Patoine, Sue Deschambault, Roch Angers, Matt Dubois, Steve Beaudette (Alternate Member) & Kayla Lewis (Alternate Member)
Staff Present: David Galbraith & Nan Whitten
3. Adjustments to the Agenda-None
4. Planner's Business-Galbraith announced that the suit of McCready Vs the City has been dismissed by the appellant.
5. Consent Agenda
5.A. Review for approval Meeting Minutes for the Workshop on January 29, & regular meeting February 5, 2025
MOTIONS: 6:03 PM
Motion- Angers-Motion to approve Consent Agenda
Second- Dubois
Vote- Motion passed unanimously
6. Open-Public Meeting 6:03 PM
6.a. 2024.39 The Planning Board will review Solar Ordinance in order to send it to the City Council with a recommendation
 - Galbraith introduced the proposed amendment
 - Brad Favreau of the Sustainability Commission described the structure & intent of the ordinance
 - There are 4 kinds of solar structures in the ordinance:
 - a) Installed on the roof or building
 - b) Small scale for residential installed on the ground
 - c) Medium for industrial use less than 20,000 SF area
 - d) Large, for over 20,000 SF area
 - If the project is to be roof mounted or small scale the applicant can go through Code Enforcement.
 - If the project is for medium or large scale the applicant would have to go through the Planning Board for a Conditional Use Permit.
 - The preference is for the applicant to use previously disturbed lands such as a former landfill or formal gravel pit.

- Prime agricultural lands and forested areas are unfavorable for solar development as it would disturb tree-cover and wildlife.
- Favreau talked about the two workshops that were held with Planning Board and the Conservation Commission.
- The Solar Ordinance was sent to some of the developers who had questions regarding some of the restrictions.
- PUBLIC COMMENTS
- Richard Rhames-10 West Loop Road, Ward 3-Rhames talked about his participation in the workshops as a member of the Conservation Commission. He felt it was a good process but wanted to warn that this is not a quick fix for the climate problem. He does not want this to be referred to as solar farms but Industrial Sites. He wanted to warn the Board that there are economic concerns and tax implications to this development. He felt the committees did good work and thanked the Planning Board for inviting the Conservation Commission to participate.
- Lewis asked about monitoring. The fences, road, and vegetative buffers will be monitored to make sure they are up to the standards requested in the agreements.
- Dubois asked about having 2 medium-sized sites in order to avoid large sites. There is no verbiage in the ordinance to prevent this from happening.
- Lewis asked about a registry of developments or annual assessments to keep track of these sites, this will be handled through Codes along with the decommissioning plan which will be filed with the City and the State.
- Dubois asked if in the decommissioning new trees will be planted, yes this is a requirement.
- Angers-he is bothered by the large-scale size of dirt that will be piled up in sections, are these piles of dirt to be there for 25-30 years?
- Galbraith-there will be no stock piling or soil removal, as part of the planning board process the soil will be used for stabilization and for buffer material.
- Favreau-the Planning Board will keep a look out to make sure this dirt is utilized responsibly.
- Beaudette and Patoine talked about how it will be explained in the landscaping plan and visual impact.
- Galbraith explained the solar corridor

MOTIONS: 6:33 PM

Motion-Angers-Motion to move proposed ordinance onto Council and Policy Committee with a positive recommendation as written.

Second-Deschambault

Vote-Motion passed unanimously

7. Close Public Hearing 6:36 PM

8. Unfinished Business-None

9. New Business

- 9.a 2024.63 The Biddeford Planning Board will hold a public meeting to review and discuss a Final Subdivision Request for Westbrook Development Corporation to split**

the lot and create 2 affordable senior housing buildings to include approximately 90 residential units (45 units in each building) at 15 Pearl Street (Tax Map 71, Lot 2) in the MSRD-3 Zone.

- Galbraith introduced the project.
- Galbraith highlighted the sewer collection fees \$129,540 each to be paid at occupancy permit.
- Approvals are for phase 1-3 years expiring in 2-19-28, phase 2 expiring in 2-19-30, due to MSHA funding
- Representatives of the project as follows:
Peter Heil-Acorn Engineering
Tyler Norod-Westbrook Development Corporation
Jessie Thompson-Kaplan Thompson
- The project has obtained SRCC & HPC approvals
- Heil provided a power point presentation beginning with the division of 1B & 1C.
- 1B will be developed first with 1C 1 year behind.
- Jesse Thompson continued the presentation
- Buildings will be similar & named similarly
- The roof lines will be strong with a delicate cap
- The buildings will have calm window patterns, and the buildings will have shiplap banding.
- THERE WERE NO PUBLIC COMMENTS
- Patoine asked if all 58 comments have been addressed, they have and that is why it was postponed last meeting, and the staff is ok with all comments that have been addressed.
- Patoine asked for signage for the names of the building, they will be on the canopy out front of the buildings.
- Patoine asked about the clapboard/shiplap maintenance schedule. Good materials will be used to start, and maintenance will be done as needed.
- Angers asked about snow removal, where will the now piles be? They will be flanking the fire access and trucked off-site as needed.
- Angers asked where new tenants will park for loading and unloading, there will be a driveway access lane, street parking and the parking garage.
- Angers asked how full the parking garage will be after these 61 spaces have been reserved.
- Galbraith answered that there are still a few hundred spaces left. These are not high turnover units so it's not as chaotic.
- Angers asked if the 61 spaces are for both buildings, yes they are, what happens if the parking garage is full?
- Norod answered that this is not a concern, it will take time to fill up and the garage is not even ½ full yet.
- Deschambault asked if the alley way is a private drive, which it will be. She asked if there will be a property manager on site, there will be but not 24/7 there will also be a residence service coordinator on site, these are required by MSHA.

- Dubois stated that he is very supportive of the project but questions the extension of approvals, according to the ordinance this project can only be approved for 2 years.
- Plotkin asked if this still applies to a project working with MSHA in order to keep the project moving. They will need Brownfield funding and there may be changes in the Board which may risk funding.
- Dubois asked if they could preemptively ask for the extension
- Heil asked if the Brownfield work could be considered the start of construction.
- Dubois read the ordinance.
- Plotkin asked if they could apply for a waiver
- Galbraith said he didn't have a problem, or he can change some of the wording of the Finding of Fact to make the funders feel better.
- Patoine mentioned that the Board knows what they are up against and the FOF can word it so that the applicant can come back for extensions.
- Angers told the applicant that the Board has an ordinance to follow but there are ways around it.
- Galbraith suggested expirations of 2-19-27 for the first phase & 2-19-29 for the second phase
- Dubois asked about the Brownfield funding
- Norod answered that SMPDC is funding the clean up of 1C, they will also be replacing utilities and removing the MERC foundation. Norod is ok with Galbraith's suggestion.
- Galbraith mentioned that phasing projects is allowed.
- The Board talked about when is the best time to apply for an extension, anytime prior to the expiration date.

MOTIONS: 7:42 PM

Motion-Dubois- Motion to APPROVE Case # 2024.63 a Final Site Plan & Subdivision Amendment application submitted by Acorn Engineering for Westbrook Development Corporation & 3 Lincoln, LLC. The property is 15 Pearl Street, Lots 1B & 1C (Tax Map 71, Lot 2) in the MSRD 3 zone, with the adoption of the AMENDED Findings of Fact (FOF) and Conditions of Approval (COA).

Second-Angers

Vote-Unanimous Approval

10. Other Business-No

11. Adjourn 7:43 PM

Planning Board Chair/Vice Chair

Date

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