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PLANNING BOARD MEETING MINUTES
September 2, 2026

1. **Pledge of Allegiance-Meeting brought to order at 6:00 PM**
2. **Declaration of Quorum**
   Planning Board: John McCurry, Roch Angers, Leah Schaffer, Chico Potvin & Rob Nicoll (Alternate Member)
   Rob Nicoll will vote in place of Matthew Sargent-Dubois
   Staff: David Galbraith & Nan Whitten
3. **Adjustments to Agenda-none**
4. **Planner's Business**
   Meeting Minutes from August 25, 2026, Internal Development Review Meeting
5. **Consent Agenda**
   5.a. Approval of Meeting Minutes of August 19, 2026
   MOTIONS: 6:00 PM
   Motion- Angers -Motion to approve Meeting Minutes as presented
   Second-Potvin
   Vote: Motion passed unanimously
6. **Unfinished Business**
7. **New Business**
   7.a. 2026.33 The Planning Board will review a Conditional Use Permit request by Cecile Loranger to open a home daycare at 19 Waco Drive (Tax Map 88, Lot 24) in the Rl-A zone.
   - **Galbraith introduced the project**
   - **Galbraith gave background on the property, quiet neighborhood, ample parking**
   - **Angers asked about a fence being put in, DHHS may require a fence, Planning Board can put it as a condition of approval if so warranted**
   - **There is a playscape in the back yard**
   - **Applicant is willing to install a fence if needed but does not feel it is needed as her road and the abutting roads are dead ends**
   - **Potvin familiar with neighborhood, good neighborhood, he does not feel it is necessary now but if they expand to 12 kids then they may want a fence.**
   - **Nicoll asked about the COA**
   - **McCurry agrees with Potvin**
   - **Nicoll neighbors' thoughts on traffic**
   - **Applicant said that if she goes to 12 kids some will be school age**

   NO PUBLIC COMMENTS
   MOTIONS:

Motion-Angers- Motion to Approve project #2026.33 a Conditional Use Permit for Cecile Loranger to open a home day care called Caterpillar Clubhouse at 19 Waco Drive (Tax Map 88, Lot 24) within the Residential 1A zone, with the above recommended Conditions of Approval A, B p/o C D & E
Second- Schaffer
Vote- Motion passed unanimously

7.b. 2026.23 Review of an Amendment to Site Plan and Subdivision for AVESTA Rochambeau is located on Trailside Way (Tax Map 7, Lot 15) in the R-3 zone.

- **Galbraith introduced the project, outlined some of the changes proposed**
- **Galbraith mention the Buy American project and how it affects the applicant**
- **Potvin is fine with the change.**
- **McCurry asked how the Board feels about deminimis changes not coming to the Board, all in favor.**
- **Nicoll would like to see them if they are in sensitive areas.**
- **When in doubt, Galbraith will bring them in.**
- **Galbraith will utilize email with questions**

NO PUBLIC COMMENTS
MOTIONS:
Motion-Nicoll- Case # 2026.23 Site Plan Amendment for AVESTA Housing a 46-unit low-income senior housing development, located at Barra Road (Tax Map 7, Lot 15) in the R-3 zone, with the below recommended Condition of Approval (COA):
1). All previous Conditions of Approval are hereby reaffirmed.
Second-Angers
Vote-Motion passed unanimously

7.c 2026.38 The Planning Board will review a Sketch Plan Application for Michael Clair to create a private way to provide access to 4 residential lots. The project is located on South Street (Tax Map 1, Lot 45-1) in the RF zone and RP overlay.

- **Paul Gadbois represented the project**
- **8 lots are allowed, applicant is only making 4 lots**
- **Applicant is sensitive to natural areas and wildlife**
- **Galbraith has said subdivisions must be clustered, Gadbois would like explanation. Table A note 18 all subdivisions must be clustered**
- **Galbraith suggested shrinking the lots down and having less impervious surface**
- **Michael Clair, owner of the property, said he designed it this way so that future owners could never subdivide and there is more open space. He wanted to give each property owner their own space.**
- **Galbraith said the CEO has told us it must be clustered**
- **Galbraith spoke about proposed changes to the ordinance and the difficulty of using the notes**

- **Schaffer explained true cluster development, Site plan does not meet the intent of Cluster Development but the Ordinance is unclear as well.**
- **Nicoll agrees with Schaffer, interested as to why the goal is to have only 4 lots. If these were clustered it would be easier on the applicant to stay as far from the stream as possible.**
- **Potvin cluster would not look much different than this, RF would want larger lots, he agrees that the ordinance is not clear it encourages but in table A it says they must. This fits the character of the other houses in the area. It's a good fit for this area. He's already 250' away from Swan Brook so he's way ahead of the game.**
- **Schaffer doesn't think the ordinance contradicts itself; we must take a hard look at where clusters are required and not.**
- **Angers agrees with Potvin, this could be brought with 6 lots and he would not be opposed to it. If four is what he wants he should stick to it.**
- **Nicoll if this is not required to be a cluster all is well.**
- **Gadbois mentioned it is well protected as it is also in the RP zone.**
- **Potvin, if we must cluster everything in RF you could never to a farm or a homestead lot.**
- **PUPLIC COMMENTS**
- **Roger Labonte 697 South Street**
- **Grave on the property must be noted on the plan**

8. **Open Public Hearing 6:40 PM**

PUBLIC COMMENTS:

Mike Eon-PO Box 444, Biddeford, ME 04005

Loren McCready-223 Cleaves Street, Biddeford, ME 04005

Matthew Chamberland-413 South Street, Biddeford, ME 04005

8.a The Planning Board will Consider the Data Center Ordinance.

- **Galbraith talked about Data Centers and why this item is being added to our Ordinance.**
- **Nicoll no one is excited about Data Centers**
- **Potvin clarified that if it's not in the ordinance, it is not allowed, wants to make sure it doesn't backfire on us. What constitutes a data center**
- **McCurry wants to know if there are any data centers in the city now, none known**
- **Nicoll is comfortable that there is enough detail in the ordinance that it can be forbidden, it's straight forward and closes the loophole**

MOTION: 7:03 PM

Motion- Angers- I motion to forward a positive recommendation to the City Council to adopt the proposed Ordinance Amendment to the City's Code of Ordinance, Part III – Land Development Regulations, Article II – Definitions, to include the below definition of "Data Centers":

Data Center / Data Center Artificial Intelligence (AI): A Data Center is a facility used to house computer systems and associated components, such as telecommunications and storage systems. Data centers provide critical infrastructure for the storage and processing of information, and they support the global financial system, cloud services, machine learning, and artificial intelligence (AI). An AI data center is a specialized facility designed to support the unique requirements of AI workloads. Data centers are prohibited within the City of Biddeford.
Second-Nicoll
NO PUBLIC COMMENTS
Vote-Motion passed unanimously
8.b Proposed Ordinance Amendments to the City's Code of Ordinance, Part Ill - Land Development Regulations, Article V- Establishment of Zones, Table B- Dimensional Requirements.

- **Galbraith explained this was brought up by developers and during the comp plan meetings.**
- **He has not tackled street frontage yet as it is a bigger issue. If a developer wants less frontage requirements, they can cluster their development**
- **Potvin said this has been coming for a long time. Saco reduced their setbacks years ago and it is working. He is all for it.**
- **Nicoll thinks they should be reduced more.**
- **Schaffer this is a good direction and at the same time as we move forward, we need to get more feedback from Conservation Commission. The frontage piece is a different animal to tackle. Side setbacks are another conversation. This will be helpful.**
- **Potvin, there is a provision on existing lots using an average to help lots that are in towns makes the neighborhood look more lined up.**

MOTION:
Motion- Angers-I motion to forward a positive recommendation to the City Council to amend the proposed Ordinance Amendments to the City's Code of Ordinance, Part III – Land Development Regulations, Article V – Establishment of Zones, Table B – Dimensional Requirements, to reduce the minimum front yard setback "from major right-of-way (R.O.W.)" and "from other right-of-way (R.O.W)", from forty (40) feet to twenty-five (25) feet in the following zoning districts:
Suburban Residential 1 (SR1)
Single-family Residential 1A (R-1-A)
Residential single-family 3 (R-3)
Residential duplex 3 (R-3)
Residential multi-family 3 (R-3)
Residential all other 3 (R-3)
Rural Farm single-family (R-F)
Rural Farm duplex (R-F)
Rural Farm other (R-F)
Second- Nicoll

PUBLIC COMMENTS
Loren McCready-223 Cleaves Street, Biddeford, ME 04005
Mike Eon-PO Box 444, Biddeford, ME 04005

Motion-Potvin-Amendment to change the R-3 frontage from 150' to 73' for duplexes
Second-Nicoll

- **Nicoll it doesn't make sense to leave single family at 150'**
- **Angers asked what Galbraith thinks, he would like to workshop it, he thinks we should cluster more but he wants to think about it.**
- **Potvin said this has been proven in Saco and knows it works; he likes to see things move along.**

Vote-(Amendment) Motion passed 3-1 Schaffer against
Nicoll to further amend the single family to 75'
Second-Potvin
PUBLIC COMMENTS
Loren McCready-223 Cleaves Street, Biddeford, ME 04005
Mike Eon-PO Box 444, Biddeford, ME 04005
Matthew Chamberlain-413 South Street, Biddeford, ME 04005

- **Galbraith clarified which ones the board is talking about as the regulations are tiered dependent upon utilities**
- **Schaffer does not feel we should just change the frontage across the board as the regulations are there for a reason and we need to take more time.**
- **Potvin said the 75' is for sewer and water.**

Motion-Nicoll- to Amend the motion to 75' in water & sewer for single family homes
Second-
Vote-in favor 3-2
Motion-Potvin-reconsider duplex
Motion passes 3-1
Original motion as amended
Motion passes 3-1

8.c The Planning Board will review and consider Amended Setbacks for the Mobile Home Overlay District.
MOTION: 7:37 PM
Motion- Angers- I motion to forward a positive recommendation to the City Council to amend the City's Code of Ordinance, Part III – Land Development Regulations, Article VI – Performance Standards, Section 45 – Manufactured Housing/ mobile home parks, Division 2 – Mobile Home Parks, Subsection E – Design requirements, Item 2 to the below language.

a. **On lots of 10,000 square feet in area or larger, structures shall not be located less than 10 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**

Second-Potvin

NO PUBLIC COMMENTS

- **Schaffer wonders if we should amend item A structure shall not be located less than 10' from any boundary lines**
  Motion to amend
  Second-Nicoll

Vote-Motion passed unanimously

9. **Close Public Hearing 6:57 PM**
10. **Other Business**
    - **Potvin wants better procedures for daycares; we do not have a process we do not know anything unless we go to the lot.**
    - **Galbraith we can always bring back requiring a plot plan**
    - **Potvin thinks we should workshop it**
    - **Potvin would like to workshop to clean up the ordinance**
    - **Potvin would like to reduce what comes to the Board, so many of these things should be handled by staff.**
    - **Galbraith told the Board that we are interviewing for the Assistant Planner next week.**
    - **Potvin would like a list of what staff is concerned about regarding the ordinance.**
    - **Galbraith thinks the GPE should come to the Board for changes first.**
    - **Schaffer mentioned there is a reason GPE comes to Planning Board.**
    - **Galbraith mentioned there will be no Planning Board Meeting on September 16th**
11. **Adjourn 7:48 PM**

_____ 10/21/26

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.