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**PLANNING BOARD MEETING MINUTES**
**August 19, 2026**

1. **Pledge of Allegiance-Meeting brought to order at 6:00 PM**
2. **Declaration of Quorum**
   **Planning Board: John McCurry, Matthew Sargent-Dubois, Roch Angers, Leah Schaffer, Chico Potvin & Rob Nicoll (Alternate Member)**
   **Staff: David Galbraith & Nan Whitten**
   **Harry Center Legal Counsel to the City**
3. **Adjustments to Agenda**
   **7G will be presented first, 7C will be presented second, then the agenda will be followed by unfinished business.**
4. **Planner's Business**
   **Meeting Minutes from August 4, 2026, Internal Development Review Meeting**
5. **Consent Agenda**
   **5.a. Approval of Meeting Minutes of August 5, 2026**
   **MOTIONS: 6:02 PM**
   **Motion-Angers-Motion to approve Meeting Minutes as presented**
   **Second-Schaffer**
   **Vote: Motion passed unanimously**
6. **Unfinished Business**
   **6.a. 2026.20 Review of a project for Bakhita Saabino at 123 Summer Street (Tax Map 35, Lot 28) in the R-2 zone. This project was originally approved on June 17, 2026. On July 1, 2026, the Planning Board voted to re-review this project. Applicant wants to open a licensed day care in her home at 123 Summer Street.**
   - **Applicant was not at meeting**
     **MOTIONS: 7:46 PM**
     **Motion-Sargent-Dubois-Motion to take project off the table**
     **Second-Angers**
     **Vote-Motion passed unanimously**
   - **Angers stated that he has gone to the site on 4 different occasions and does not think it is safe for daycare, there are no sidewalks, not enough room for a play area on the site. He will not vote for approval.**
   - **Galbraith read the information received from DHS**
   - **Potvin does not think that DHS has looked at the site and that they are being lackadaisical. Potvin does not feel like it is a safe site and the schedule submitted by the applicant does not make sense. He does not think the Fire Department went by and looked at the site. Potvin will not approve.**

- **Nicoll feels that there is more than one way that the Board could make this right. He hears the Board's concerns but feels like the Board is getting into areas that are beyond their purview. Nicoll stated that he feels the Board is making things difficult. The site is not in the highest traffic parts of the City, and it could work.**
- **Schaffer said that she has walked the site to the Rec Center 4 times also and feels that the staff to child ratio makes it safe. It is not the ideal spot but it's hard to say that this wouldn't work.**
- **Potvin feels that the Board's decisions are being heavily scrutinized. He took his wife to the site and told her about walking the children to the Martin Center and as an experienced daycare provider her opinion was no. The City Council is adamant on safety and sidewalks this is scenario is in opposition to the Council's leadership. He brought up another daycare situation a few years ago that the Board denied for the same reasons. Potvin said he has a bad feeling about this project and that this is a bad location.**

  **8:02 PM**

  **Motion-Anger-Motion to deny project #2026.20 a Conditional Use Permit for Bakhita Saabino to open a day care called Helping Hand Learning at 123 Summer Street (Tax Map 35, Lot 48) within the Residential 2 zone due to safety issues getting to a play area and a lack of play space on the site.**

  **Second-Potvin**

  **Vote-Motion passed 3-1 (Sargent-Dubois, Angers & Potvin in favor, Schaffer opposed)**

7. **New Business**

   **7.g 2026.01 Final Plan Review for Golden Chicken of Biddeford, LLC (Popeyes) to open a Fast Food Restaurant at 584 Alfred Street (Tax Map 2, Lot 23) in the B-2 zone.**

   - **Galbraith introduced the project**
   - **Galbraith explained that the Traffic Movement Permit from the State is being wrapped up now and will be sent to the City soon.**

   **NO PUBLIC COMMENTS**

**MOTIONS: 6:10**

**Motion-Angers-Motion to Approve Case # 2026.01 Final Site Plan Review for Golden Chicken of Biddeford, LLC for a proposed 2,536 SF Popeye's Fast-Food restaurant located at 584 Alfred Street (Tax Map 2, Lot 23) within the B-2 Zone, with the adoption of the recommended / attached Conditions of Approval (COA) in addition to granting the below waivers:**

**1) Section 5.B.(i)(3) (hardscape to occupy more than 30% of the proposed developed area).**
**2) Article VI Performance Standards Section 29 Erosion Control 1. A 1.5:1 riprap slope is proposed to extend over the easterly property line.**

**Conditions of Approval:**

**1. Standard Conditions of Approval apply.**

**2. Bonding and Inspection Fees: Bonding and inspection fees shall be established and submitted prior to the pre-construction meeting.**

**3. Traffic Movement Permit (TMP): A signed copy of the Maine Department of Transportation Traffic Movement Permit (TMP) shall be submitted to the City Planner and Director of Engineering prior to the issuance of the required Occupancy Permits.**
**4. Sprinkler Design: The sprinkler design must be submitted to the State Fire Marshall's Office (SFMO) for review and approval.**
**5. Fire Hydrant Testing: The project includes a private on-site fire hydrant to serve the site. The Fire Department will require a flow rating test of the on-site hydrant and copies of the test reports supporting the development shall be submitted to the Fire Department and Planning Department prior to the issuance of an Occupancy Permit.**
**6. Modifications to Approved Development Plans: The project shall be constructed according to the approved development plans. If any site changes are desired, the applicant must submit a letter requesting a "Minor Modification" to the approved development plans. The applicant must adequately justify the reasons for those deviations. The narrative shall include the current approved plans and the proposed modifications, which the City Planner shall agree to in writing before construction. Changes beyond the authority of the City Planner or modification deemed not be "minor" shall be reviewed and approved by the Planning Board prior to being constructed.**
**7. As-built Drawings: Once the As-Built drawings are submitted to the Planning Department (clearly identifying what deviations and variances were installed based on the approved permit drawings), the City Engineering Department will conduct an inspection. The "as-built Checklist" shall be submitted for review and approval prior to the final performance guarantee release.**
**8. As-built drawings and CAD Files: As-built drawings and CAD Files must be submitted to the Planning & Engineering Departments before a 'Site Punchlist Inspection' and any bond release.**
**9. York County Recorded Drawings: The applicant must submit recorded copies, from the York County Registry of Deeds, of the Planning Board signed site plan drawings to the Planning & Engineering Departments prior to the issuance of any building permits for the project. Signed and recorded copies shall include all stipulated Conditions of Approval (COA).**
**10. Alfred Street Sidewalk: The Applicant will be responsible for installing the sidewalk along their Alfred Street frontage. This should be coordinated with the City's Engineering Department.**
**11. Thatcher Brook Watershed Impact Fee: The property is located within Thatcher Brook Watershed so is subject to the related impact fees which will be paid prior to the issuance of a building permit. The fee will be calculated by the City's City Planner prior to the scheduling of the required pre-construction meeting.**
**12. Grease Trap and Chiller: The project will require a grease trap with a chiller, to solidify grease within the trap, prior discharging into the sanitary sewer. A fats, oils and grease (FOG) permit shall be issued prior to the issuance of an Occupancy Permit.**
**13. Signage: The application includes a detailed signage program. These should be reviewed by the Board for illustrative purposes only. All signage shall conform to the City's**

**sign ordinance and will be reviewed for conformity by the City's Code Office at the time of building and signage permit review and issuance.**
**14. Sewer Permit Fee: Sewer Permit fee shall be paid to the City's Engineering Department prior to Building Permit issuance. The fee shall be calculated by the City's Engineering Department prior to the scheduling of the required pre-construction meeting.**
**15. Alfred Street Crosswalk Improvements: Prior to the issuance of any building permits for the project, the applicant shall contribute $37,500. for their proportionate share of the Alfred Street crosswalk improvements.**
**16. Alfred Street Traffic Signal Improvements: Prior to the issuance of any building permits for the project, the applicant shall contribute $40,000. for their proportionate share of the Alfred Street mast and mast arm installation, associated traffic signal improvements, and associated lighting and wiring.**
**17. Nighttime Construction: The project will require nightwork construction for their proposed off-site utility connections. Construction and lane closures shall be limited between the hours of 9:30 pm to 6:00 am. A minimum of one lane of travel, in each direction, shall be always maintained during construction. All off-site work and lane closures shall be coordinated and approved by the City's Public Works Director and Engineering Director prior to the commencement of any off-site work.**
**18. Traffic Control Plan: A formal traffic control plan shall be submitted prior to the required preconstruction meeting, documenting lane closures, signage, and flagging. The plan shall be reviewed and approved by the City's Public Works Director and Engineering Director prior to the commencement of any off-site work.**
**19. Off-site Trench Work: One continuous surface trench cap shall be paved for all utility connections, matching arterial road gravel and pavement depths listed in Table 62A of the City's Ordinance and shall be in full compliance with Maine Department of Transportation (MDOT) Utility Accommodation Rules, Section 6(D) paving specification sheet. Where discrepancies may occur the City's Public Works Director shall make the final determination, following consultation with MDOT.**
**20. Traffic Movement Permit (TMP): A signed copy of the required Traffic Movement Permit (TMP), issued by the Maine Department of Transportation (MDOT) shall be submitted to the Planning Department, Engineering Department and Code Enforcement Department prior to the scheduling of the required pre-construction meeting.**
**21. Deliveries: All deliveries occurring to the site shall be limited between the hours of 9:00 pm to 5:00 am.**
**22. Fire Department Connection (FDC): The project shall include a 5" Storz Fire Department Connection (FDC).**
**23. All required inspections be completed**
**Second- Potvin**
**Vote- Motion passed unanimously**

**7.c. 2026.44 Review of a request from University of New England (UNE) to receive a 1-year extension of their 2025 approval to construct a Marine Science Research Pier at 11 Hills Beach Road (Tax Map 52, Lot 4) in the Institutional Zone.**

- **Galbraith explained that this item was moved up so that City Solicitor will not be at the meeting until the last item.**
- **Galbraith explained that this approval is expiring due to litigation and the Saco River Corridor Commission (SRCC).**
- **Angers stated that the SRCC is meeting next Thursday to decide on whether they will give UNE an extension on the SRCC approval. He would like this decision to be tabled until after the SRCC votes. He also wants to read and absorb what the SRCC meeting minutes say.**
- **Center said that the moratorium was sent to court on 6-30-26. The judge stayed it, so the approval stands. If the extension is denied Attorney Center will be hard pressed to defend the decision. Tabling this will not change the original decision, that ship has sailed.**
- **Schaffer explained that the Board is voting on an extension, not renegotiating the project from the beginning.**
- **Potvin said the 250' buffer is an ordinance or law or understanding and the Board needs to follow the ordinance.**
- **Center explained that neither ordinance from the City nor SRCC are clear.**
- **Potvin feels he must follow Angers lead until the buffer gets figured out.**
- **Nicoll looked at the 2001 ordinance in question, and it is not part of the City's code. He feels this extension is like other extensions they have granted where funding is not in place yet. This was not UNE's fault, this is not our responsibility.**
- **Potvin wants to know if this will impact their timeline. He does not want them to have to reapply.**
- **Center answered that no, this will not negatively impact their timeline, but it is sending a statement. If UNE does not get SRCC approval, this will become a Planning issue.**

  **MOTIONS: 6:23 pm**

  **Motion-Angers-Motion to table the 1-year extension for UNE until SRCC votes on the request by UNE**

  **Second-Potvin**

  **Vote-Motion passed 3-1 (Sargent-Dubois, Angers & Potvin in favor, Schaffer opposed)**

  **Vote-Motion passed unanimously**

**7.a 2026.39 The Biddeford Planning Board will review a Conditional Use Permit request from Salvatore Saccareli to open a Private Non-Medical Institute (PNMI) for under 16 people at 13 Crescent Street (Tax Map 38, Lot 292) in the MSRD-2 zone. This business is currently a sober living boarding house run by Mr. Saccareli.**

- **Galbraith introduced the project he mentioned that the structure does not have parking issues as the clients rarely have licenses or cars.**
- **Joseph Lantz and Nate Roberts represented the applicants.**

- **Roberts is with Portland Treatment where they provide clinical services so that people have more resources who are struggling and that is what they will be bringing to this business.**
- **Angers asked why they came to Biddeford.**
- **Lantz answered it is because it is needed in Biddeford and the building they own in Biddeford is perfect for this business.**
- **Angers asked about their success rate. They have a very good success rate in this field with 15-18% of their clients making it to a year of sobriety. York County is severely under serviced in this field especially compared to Cumberland County.**
- **Angers asked them to explain their treatment process which they did and explained the staffing of the facility.**
- **Angers asked them about parking issues; they answered that their clients would not have cars because most of them would not have licenses.**
- **Schaffer asked if this application would be changing the conditional use and if they would be proposing ramps outside. She wanted to make sure they knew that if they were changing the building on the outside, they would have to get Historic Preservation Committee approval also.**
- **Nicoll asked about bike storage. The answer is yes there is bike storage as most of their clients ride bikes to get around. They also have a transport vehicle to take the clients on outings such as hiking and such.**
- **Potvin asked how the facility is funded. After 1 month the clients must pay rent or use General Assistance.**
- **Sargent-Dubois asked about client turn over. It will be every 3-6 months, once they get up and running it will be more staggered.**
- **Sargent-Dubois asked how they handle crisis situations. The staff is trained in crisis situations so normally it is all handled in house unless it is something that is beyond the regular crises.**
- **McCurry asked about the condition of the clients when they first got to the house. They must be through detox already. If they have not been through detox the staff finds detox for them and gets them there, this happens daily. How these people are charged for medical care and detoxes goes through Maine Care and the home helps those who need it get signed up.**

  **MOTIONS: 6:49 pm**

  **Motion-Schaffer- Motion to Approve Case # 2026.39 a Conditional Use Permit (CUP) request from Salvatore Saccareli to open a Private Non-Medical Institute (PNMI) facility for under 16 people at 13 Crescent Street (Tax Map 38, Lot 292) in the MSRD-2 zone, with the below recommended Conditions of Approval (COA).**

  **1. The project shall adhere to National Fire Protection Association Life Safety Code and other fire- and life-safety requirements.**

  **2. A full fire alarm system shall be installed at the location to the satisfaction of the State Fire Marshall's Office (SFMO) and the Biddeford Fire Chief.**

**3. A full sprinkler system shall be installed at the location to the satisfaction of the State Fire Marshall's Office (SFMO) and the Biddeford Fire Chief.**
**4. The Applicant shall provide the City's Planning Department and Code Enforcement Department copies of all required / approved State licenses prior to an Occupancy Permit, for the proposed use, is issued.**
**5. The Applicant shall apply to the HPC with any exterior changes as necessary.**
**Second-Angers**
**Vote-Motion passed unanimously**
**PUBLIC COMMENTS**
**Steve Guay-Ward 7**

**7.b 2026.31 Review of the Shoreland Permit Application for Michelle Shekarchi to complete construction of a pile-supported foundation and a new dwelling which will generally be rebuilt within the existing structure's footprint at the site and will not increase overall impervious cover. The project is located at 67 Fortunes Rocks Road (Tax Map 64, Lot 43) in the Coastal Residential and Limited Residential zones. This project began in 2024, but architectural and engineering delays have caused the applicant to re-apply for the shoreland permit.**

- **Galbraith introduced the project.**
- **Angela Blanchette represented the applicants via TEAMS**
- **Schaffer confirmed that the original permit was for the seawall and now the applicant is focusing on the house. She asked questions about the boxes on the plan.**
- **The applicants are working very closely with Roby Fecteau**
- **Schaffer reminded the applicants that they will need a DEP permit where the property is in the dunes. It was determined that they do not need such permit because the structure is going to be on pilings.**
- **Nicoll confirmed that the new structure will be built within the footprint, it may be smaller or parts outside of the footprint but will generally be in the same place.**
- **Angers stated that he was confused, can the footprint be moved? It may be changed but must keep the same square footage.**
- **Schaffer clarified the rules about the footprint.**
    - **Potvin stated that it looks consistent and feels that it is mostly an issue for Roby Fecteau and that he has a good handle on it.**

**MOTIONS: 7:10 PM**

**Motion-Angers-Motion to Approve Case # 2026.31 Review a Shoreland Permit request from Michelle Skekarchi for a Shoreland Permit seeking Greatest Practical Extent (GPE) Determination to rebuild within the existing structure's footprint at the site and not increasing the overall impervious cover. The project is located at 67 Fortunes Rocks Road (Tax Map 64, Lot 43) in the Coastal Residential & Limited Residential zones, with the recommended Conditions of Approval (COA).**

1. **The new building shall not be relocated closer to any of the existing property lines as noted on the approved plan.**
2. **The Code Enforcement Officer shall review and approve conformance to Section 15 of the Shoreland Zoning Ordinance.**

**3. Obtain all required permits from the Maine Department of Environmental Protection and the Biddeford Code Enforcement Office.**

**4. This approval shall expire one year from the date below if a substantial start is not made in construction. If a substantial start (30% of project completion, i.e., framing and foundation) is made within one year of the date below, the applicant shall have one additional year to complete the project thereinafter; this approval shall expire August 19, 2027.2. Prior to the issuance of a Building Permit for the proposed single-family home, the applicant's project engineer shall submit a letter to the City's Planning, Code Enforcement and Engineering Departments certifying that the constructed private way has been built to the City's private way standards. This letter shall be signed and stamped by the applicant's project engineer.**

**Second-Sargent-Dubois**

**PUBLIC COMMENTS**

**Mark Robinson Ward 1**

**Vote-Motion passed unanimously**

**7.d. 2026.25 The Planning Board will continue to review a Site Plan Application for 41 Main Street, LLC. The applicant wants to demolish the existing structure to create 54 parking spaces. The address of the property is 41 Main Street (Tax Map 41, Lot 138) in the MSRD 1 zone.**

- **Galbraith introduced the project and reminded the Board that they received Preliminary Approval June 1, 2026.**
- **He explained that the plans have been amended to show the changes in the retaining wall, curb cuts, landscaping and elevations.**
- **To avoid disruption of traffic on Main Street, the team will utilize Emery Street, the construction vehicles will not be out front and there will be no disruption of the sidewalk. The applicants will do their best to keep the noise down; this will be a quick demo, and they will be in communication with their neighbors and take measures to keep the dust and dirt down.**
- **There was a question about vermin during the demolition, this is a vacant building, there is no food, so no vermin are anticipated.**
- **The dumpster will be kept in the parking lot.**
- **The applicants will put slats in the surrounding fence to prevent light spread.**
- **Nicoll thanked the applicants for the changes, he asked how the tenants would know about the parking changes. Management will notify the tenants of all changes.**
- **Potvin sees no anticipated problems with the tear down, asked what the anticipated e.t.a. is on the new building, there is no e.t.a. yet.**
- **Schaffer told the applicants that the wall was not what she had in mind as the one proposed does not tie into downtown. She wants a natural wall, the applicant said the wall proposed is expensive and what Schaffer is proposing will be worse.**
- **Schaffer wants to make sure the Historic Preservation Commission has been notified of the change.**
- **Sargent-Dubois stated that he does not like the wall either.**

**MOTION: 7:28 PM**

**Motion-Potvin-** Motion **to approve Case # 2026.25 Final Site Plan Review for 41 Main, LLC for a 54-parking stall parking lot located at 41 Main Street (Map 41 Lot 138) within the Main Street Revitalization District – 1 (MSRD-1) Zoning District, with the attached recommended Conditions of Approval (COA).**

**Second-Angers**

**PUBLIC COMMENTS**

**John Phillips-Ward 2**

**Vote-Motion passed unanimously**

- **Sargent-Dubois asked if the HPC approval can be added to the Planning Board approval**
- **Galbraith to notify Brad Favreau about the changes in the wall**

**7.e. 2026.30 The Planning Board will review an application for a Minor Site Plan Amendment for Prescott Metals to expand by constructing a 2,310-square-foot cold storage facility. Prescott Metals is located at 18 Morin Street (Tax Map 12, Lot 20) in General Industrial Zone 1.**

- **Galbraith introduced the project and noted the change in the drive aisle to 1 way to accommodate the Fire Department.**

**NO PUBLIC COMMENTS**

**MOTIONS: 7:34 PM**

**Motion-Schaffer- Motion to Approve, Case # 2026.30 Preliminary and Final Site Plan Amendment Review for Prescott Metal for the construction of a 2,310 square foot cold storage building addition and approval of a waiver to Article VI, Section 61 (Stormwater Plan Waiver) at 18 Morin Street (Map 12, Lot 20) in the General Industrial (I-1) Zone, with the following seven (7) Conditions of Approval (COA):**

**1) All previous Conditions of Approval are hereby reaffirmed.**

**2) Bonding and Inspection Fees: Bonding and inspection fees shall be established prior to scheduling of the required Pre-construction meeting.**

**3) Modifications to Approved Development Plans: The project shall be constructed in accordance with the approved development plans. No deviations to the approved development plans shall be made without prior written authorization by the City Planner.**

**4) As Build Drawings: Once stamped and signed "As-Built drawings" are submitted to the Planning and Engineering Departments (clearly identifying what approved deviations and variances were installed based on the approved permit drawings), the City Engineering Department will conduct an inspection. The "as Built Checklist" shall be submitted for review and approval, for any performance guarantee release.**

**5) As-Built Drawings and CAD Files need to be submitted to the Planning & Engineering Departments prior to a 'Site Punch list Inspection' and any bond release.**

**6) York County Recorded Drawings: Applicant must submit recorded copies of the approved plans, which shall include the listed Conditions of Approval (COA), at the York County Registry of Deed drawings to Planning & Engineering Department prior to Building Permit Issuance.**

**7) Required Inspections:**

**i. Erosion & Sediment Control Inspections**

**1. Needs to be completed by a City-approved 3rd Party Inspector and paid by the Applicant via the inspection fee escrow being held by the City.**

**2. The City's Engineering Department, at minimum, shall be notified of an initial E&S inspection prior to breaking ground.**

**Second-Sargent-Dubois**

**Vote-Motion passed unanimously**

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

- **Galbraith re-introduced the project**
- **Eric Dube from Trillium Engineering stated that there are no changes on the previously submitted plans.**

**MOTIONS: 7:40 PM**

**Motions-Sargent-Dubois- Motion to Approve Case # 2026.05 Final Review for Haley Properties, LLC (dba Hayley's Metal Shop, Inc.) for a Conditional Use (light manufacturing) and Site Plan Amendment to an existing Development Plan to remove and reconstruct a 1,250 +/- square foot (footprint) detached building and construction of a new 3,000 square foot detached building, located at 539 Elm Street (Tax Map 13, and Lot 21 and 21-1) located within the B2 (Highway Business) Zoning District, with the Staff recommended Conditions of Approval (COA). Waiver Request: Motion to Approve Waiver to Article VI – Performance Standards, Section 12 – Buffers and Article VI buffer requirements which require a 30' wide buffer strip adjacent to residential used/zoned property. I motion to approve the proposed waivers with a condition that a 6-foot-high solid screening fence is installed on the property line as shown on the Staff exhibit (Page #8 of this report) in blue and red.**

**Second-Angers**

**Vote-Motion passed unanimously**

8. **Other Business**
   - **The Board discussed updates to zones for houses to protect them from storms**
   - **Schaffer explained the requirements**
9. **Adjourn**

**MOTIONS: 8:05 PM**

**Motion-Angers-Motion to adjourn**

**Second-Sargent-Dubois**

**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.**