

CITY OF BIDDEFORD

Planning and Development Department

Greg D. Tansley, A.I.C.P.

City Planner

205 Main Street

P.O. Box 586

Biddeford, ME 04005

207 282-7119 or 207 284-9115

Greg.Tansley@biddefordmaine.org

STAFF REVIEW COMMITTEE REPORT

TO: Biddeford Staff Review Committee

FROM: Greg Tansley, AICP, City Planner

DATE: May 8, 2020

RE: 2020.07 Conditional Use Permit for King Weinstein to construct a duplex/two-family residence at 37 Newtown Road (Tax Map 4, Lot 22-6) in the R-F zone.

MEETING DATE: May 11, 2020 – 2:00 PM

Via Zoom

- Join from a PC, Mac, iPad, iPhone or Android device: Please click this URL to join.

<https://biddeford.zoom.us/j/99468850493>

- Or join by phone: Dial(for higher quality, dial a number based on your current location): US: +1 312 626 6799 or +1 646 558 8656 or +1 301 715 8592 or +1 346 248 7799 or +1 669 900 9128 or +1 253 215 8782 Webinar ID: 994 6885 0493

International numbers available:

<https://biddeford.zoom.us/j/99468850493>

1. INTRODUCTION

The applicant, Mr. King Weinstein, proposes to construct a duplex on an existing foundation at 37 Newtown Road (Tax Map 4, Lot 22-6) in the Rural Farm Zone.

There is an existing foundation on the property installed by the Biddeford Housing Authority.

2. PROJECT DATA

	SUBJECT	DATA/INFORMATION
1.	Applicant:	King Weinstein

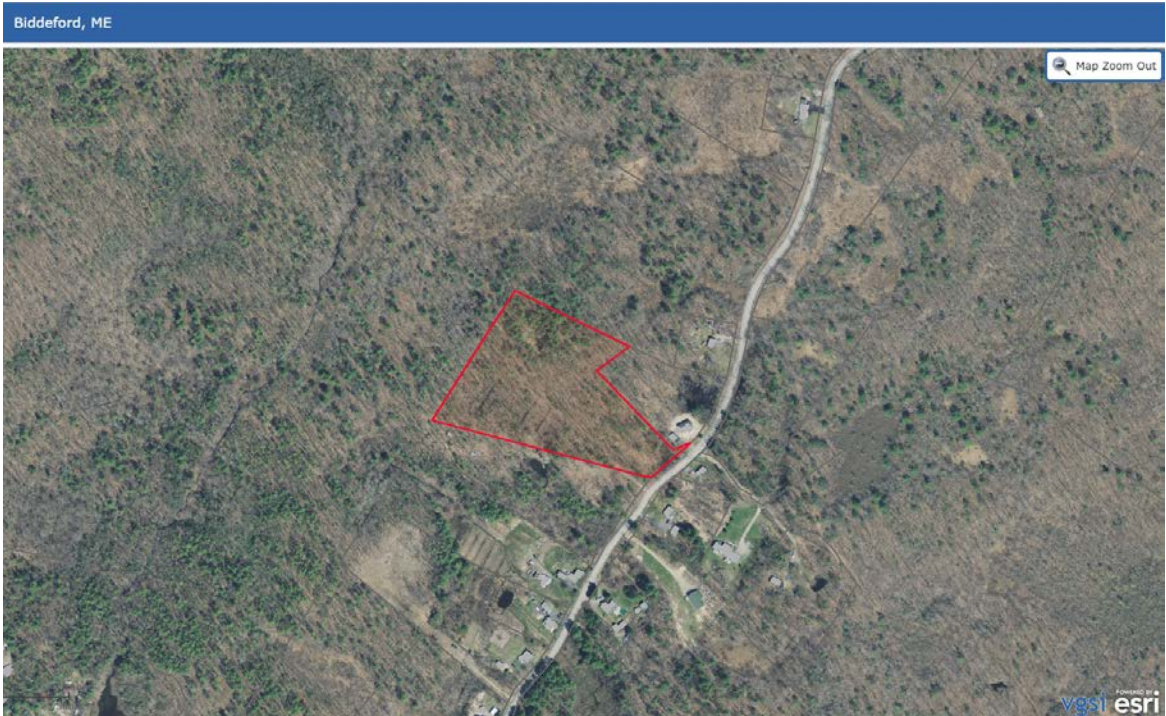
		198 Saco Avenue Old Orchard Beach, ME 04061
2.	Owner of Property:	Coastal Oaks, LLC 198 Saco Avenue Old Orchard Beach, ME 04061
3.	Agent:	Ethan Scott 198 Saco Avenue Old Orchard Beach, ME 04061
4.	Surveyor/Engineer:	Sebago Technics – Craig Burgess 75 John Roberts Drive, Suite 4A South Portland, ME 04106
5.	Project Location:	37 Newtown Road
6.	Project Tax Map #/Lot #:	4/22-6
7.	Existing Zoning:	R-F – Duplex/two-family residential is a Conditional Use
8.	Overlay Zoning:	None
9.	Existing Use:	Vacant – House Foundation exists
10.	Proposed Use:	Duplex/two-family residential
11.	Approvals Required:	Conditional Use Permit
12.	Uses in the Vicinity:	Residential
13.	Parcel Size:	42.16 Acres
14.	Number of Lots/Units in Subdivision:	N/A
15.	Minimum Lot Size Required: Provided:	40,000 SF/Unit = 80,000 SF 42 acres +
16.	Frontage Required: Provided:	200' 200'
17.	Front Setback Required: Provided:	40' 40'
18.	Side Setbacks Required: Provided:	25' 25'
19.	Rear Setback Requires: Provided:	25' 25'
20.	Height Requirements: Provided:	35 feet or 3 stories. <= 35 feet
21.	Water Supply:	Private Well
22.	Sewerage Disposal:	Private Sewer
23.	Solid Waste Disposal:	Public
24.	Fire Protection:	City of Biddeford
25.	Floodplain Status:	Property is not within a NFIP Zone A or V floodzone.
26.	Wetland/Surface Water Impacts:	N/A
27.	Soil Study Provided:	HHE-200 provided by Michael Cuomo dated March 25, 2020 (Revised April 3, 2020).

28.	Parking Spaces Required:	N/A
29.	Parking Spaces Provided (total): # Handicapped Spaces:	4 spaces (tandem permitted) N/A
30.	Ownership of Road:	Newtown Road is a Public Road
31.	Total Disturbed Area:	N/A
32.	Estimated Site Development Costs:	N/A
33.	Financial Capacity Letter:	N/A
34.	Waivers Needed:	a. Article XI, Full Site Plan Review
35.	Waivers Granted:	a. Article XI, Full Site Plan Review
36.	Variances Needed for Approval:	None.
37.	Other Permits Obtained:	N/A
38.	Other Non-City Permits Required:	None.
39.	Covenants, By-laws, Restrictions Required by the Planning Board/SRC:	None
40.	LDR Attachment A: Fees Paid:	Yes
41.	Staff Review Committee Review History:	May 11, 2020 Review

3. EXISTING CONDITIONS

The existing property is located on the west side of Newtown Road approximately ½ mile north of West Street. The parcel is quite large (42 acres) with ample room for the proposed duplex/two-family and septic system required.

There is an existing foundation on the property and a permit had been issued previously for the construction of a new single-family home. The foundation has been placed, but nothing else has been built yet. The applicant intends to construct the duplex on the foundation that is already there.



Source: Tax Map 4, Lot 22-6. <http://gis.vgsi.com/BiddefordMEMap/index.html?pid=120866>.
Accessed Date: 05/05/2020.

4. PROJECT PROPOSAL

To construct a duplex at 37 Newtown Road.

5. STAFF REVIEW

- a. ZONING: Duplex/Two-family residences are a Conditional Use in the R-F Zone.
- b. REVIEW STANDARDS: Conditional Use Permit Criteria per Land Development Regulations, Article VII.
- c. WAIVERS: **Full Site Plan Review.**
- d. OUTSTANDING ITEMS TO BE ADDRESSED PRIOR TO FINAL APPROVAL:
 1. None.

6. STAFF RECOMMENDATION

Based on the proposal Staff recommend granting the waiver for “Full Site Plan Review” and approving the project with conditions.

7. NEXT STEPS/SUGGESTED ACTIONS

Recommend the Staff Review Committee approve the Site Plan based on the following conditions:

- 1. Prior to any ground disturbance or issuance of any permits:**
 - a. Best management practices shall be adhered to during all ground disturbance operations.**
- 2. This Conditional Use Permit is for a permit a duplex/two-family use only. Any change of use must be approved by the Code Enforcement Department.**
- 3. Standard Conditions of Approval apply.**
- 4. The applicant shall obtain all other pertinent local, state and federal permits/licenses/insurance such as building, electrical, plumbing, etc prior to commencing business.**

8. SAMPLE MOTIONS:

- I. Motion to waive Article XI, Full Site Plan Review.*
- II. Motion to approve the Conditional Use Permit for King Weinstein to construct a duplex/two-family residential structure at 37 Newtown Road (Tax Map 4, Lot 22-6) and approve the findings of fact based on the conditions as provided in Staff's Report dated May 08, 2020.*