



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

**PLANNING BOARD AGENDA
TUESDAY, MAY 5, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL, 73 HARLOW STREET**

1. **CHAIR INTRODUCTION**
2. **OLD BUSINESS**
 - A. **Meeting Minutes – April 21, 2026**
 - B. **Adoption of Findings & Decision for 96 State Street and 2645 Broadway**
3. **NEW BUSINESS**
 - A. **Workshop on Proposed Changes to Temporary Sales Ordinance**
4. **OTHER BUSINESS**
 - A. **Follow-Up/Thoughts on Land Use Plan Updates**
 - B. **Adjournment**



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

PLANNING BOARD MEMO
TUESDAY, MAY 5, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL, 73 HARLOW STREET

1. CHAIR INTRODUCTION

2. OLD BUSINESS

- A. Meeting Minutes** – April 21, 2026 – These are in your packets.
- B. Adoption of Findings & Decision for 96 State Street and 2645 Broadway**

3. NEW BUSINESS

A. Workshop on Proposed Changes to Temporary Sales Ordinance

There is a memo to the Business & Economic Development Committee about the proposed changes in your packets, along with the draft language. Staff will discuss this with the Board for any feedback members might have.

4. OTHER BUSINESS

- A. Follow-Up/Thoughts on Land Use Plan Updates**
- B. Adjournment**



CITY OF BANGOR

PLANNING DIVISION

COMMUNITY & ECONOMIC DEVELOPMENT

**PLANNING BOARD
TUESDAY, APRIL 21, 2026, 7:00 P.M.
COUNCIL CHAMBERS, 1ST FLOOR OF CITY HALL
73 HARLOW STREET**

MEETING MINUTES

Board Members Present:

Chair Jonathan Boucher
Vice Chair Janet Jonas
Ted Brush
Greg Hobson
Ken Huhn
Ross Whitford

City Staff Present:

Matt Altiero, Planning Analyst
Anja Collette, Planning Officer
Jefferson Davis, City Engineer
David Szewczyk, City Solicitor

Chair Boucher called the meeting to order at 7:00 P.M.

OLD BUSINESS

1. Meeting Minutes – April 7, 2026

Member Huhn moved to approve the minutes of April 7, 2026, seconded by Member Jonas. All voting members in favor, none opposed. Motion passed.

NEW BUSINESS

PUBLIC HEARING - LAND DEVELOPMENT CODE AMENDMENTS

- 2. Zone Change – 355 Maine Avenue – Map-Lot R25-001-B – Government & Institutional Service District (G&ISD) to Shopping & Personal Service District (S&PS)** - To amend the Land Development Code by changing a portion of a parcel of land, located at 355 Maine Avenue from Government & Institutional Service District (G&ISD) to Shopping & Personal Service District (S&PS). Said area of land contains approximately 2.48 acres total and is more particularly indicated on the map attached hereto and made part hereof. Applicant: Totem 2.0 LLC. Owner: University of Maine Systems.

Chair Boucher introduced the agenda item.

Chair Boucher raised a possible conflict of interest due to the University of Maine Systems being his employer and asked staff for guidance. City Solicitor Szewczyk responded and clarified the types of conflict of interest. Boucher discussed his employment and asked if the Board had any questions.

Member Huhn moved that no conflict of interest exists. Seconded by Member Hobson.

Member Jonas asked for clarification on what institutes a conflict of interest given a previous conflict Bangor City Council voted on. City Solicitor Szewczyk responded and clarified.

Roll call voted conducted – all in favor, none opposed. Motion passed.

Applicant Susan Brooks presented to the podium and provided an overview of the application.

Chair Boucher asked staff for any comments – there were none.

Chair Boucher asked the Board for any questions or comments – there were none.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Brush said he sees the application as spot zoning, but is in favor of the change. Member Jonas agreed with Brush and responded that the future land use map indicates that this area would be residential. Planning Officer Collette responded and clarified that there is legal and illegal spot zoning. Legal spot zoning needs to align with the Comprehensive Plan and needs to benefit the public. Collette stated that this land use area did have a provision for commercial and institutional uses that would be complementary to residential uses and stated that when staff recommended this zone to the applicants, one consideration was that the Board had approved changes to S&PS for lots on Broadway that were in the same future land use area in the Plan. Chair Boucher asked staff if other zones were considered. Collette responded no and that S&PS is the zone that would allow all the uses the applicant wanted and was located nearby.

Member Huhn moved that the Board recommend to City Council that the proposal to amend the Land Development Code by changing a portion of a parcel of land, located on 355 Maine Avenue at Map-Lot R25-001-B, from Government and Institutional Service District (G&ISD) to Shopping and Personal Service District (S&PS) ought to pass. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

PUBLIC HEARING – LAND DEVELOPMENT PERMITS

- 3. Land Development Permit – Major Final Subdivision – 2645 Broadway – Map-Lot R11-013** - Land Development Permit Application – Major Final Subdivision approval for development of 26 residential rental units (13 duplex buildings) with associated parking & access drive at property located at 2645 Broadway, Map-Lot R11-013, in the Rural

Residence & Agricultural District (RR&A) and Contract Shopping & Personal Services District (S&PS*). Applicant/Owner: Steel Magnolia, LLC.

Chair Boucher introduced the agenda item.

Member Jonas moved that the Board find that the application was deemed complete on April 21, 2026, the applicant paid all applicable fees, the proposed project is a Final Major Subdivision, and the plat was reviewed by the Engineering Department and a written report was received from the City Engineer on April 16, 2026. Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

Applicant Representative Aimee Young presented to the podium and provided an overview of the application.

Chair Boucher asked staff for any comments – there were none.

Chair Boucher asked the Board for any questions or comments – there were none.

Chair Boucher provided the option to the applicant that they can postpone if they would like due to the Board only having 6 members present. Applicant Representative Aimee Young asked to move forward.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Brush moved that the Board finds that, based on Exhibit 2, the applicant satisfied Land Development Code §165-128G(1)'s requirements by providing a final plat for a major subdivision with the necessary contents of §165-128E(4). Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on Exhibits 7 and 9, the applicant satisfied Land Development Code §165-128G(3)'s requirement for the plan to be reviewed by the City Engineer for compliance with health, sanitation and engineering standards, and for receiving written approval from the City Engineer. Seconded by Member Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that, based on Exhibits 2 and 5, the applicant satisfied Land Development Code §165-128G(4)'s requirement for meeting the standards for preliminary plat approval and §165-128G(5)'s requirement that the plan not be substantively changed from the preliminary subdivision plat. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board finds that the project meets the requirements for a Final Major Subdivision and therefore, the Board grants the Land Development Permit for the proposed Project. Seconded by Member Brush. The Board finds that the project meets the requirements for a Final Major Subdivision and therefore, the Board grants the Land Development Permit for the proposed Project.

4. Land Development Permit – Major Site Development and Conditional Use – 96 State Street – Map-Lot 049-022 - Land Development Permit Application – Major Site Development and Conditional Use for the demolition of the existing building and construction of a 3,647sqft bank with a remote, two-lane drive-thru with a roof canopy, and 18 parking spaces at a property located at 96 State Street, Map-Lot 049-022, in Contract Downtown Development District (DDD*) and Urban Service District (USD) zones. Applicant/Owner: The County Federal Credit Union.

Chair Boucher introduced the agenda item. Boucher asked the applicant if they would like to postpone the application due to there only being 6 Board members.

Member Brush moved that the Board find that the application was deemed complete on April 21, 2026, the applicant paid all applicable fees, and the proposed project is a Major Site Development and Conditional Use. Seconded by Member Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Applicant Representative David Woodward presented via Zoom and provided an overview of the application.

Chair Boucher asked staff for any comments – there were none.

Chair Boucher asked the Board for any questions or comments – there were none.

Chair Boucher asked staff if there was any thought given to prevent traffic cutting through the proposed development in order to skip the traffic light. City Engineer Davis informed the Board that open sites have more issues with cross-through traffic rather than more contained, closed lots like the one presented. Davis added he does not see any issues with this. Boucher added that it does seem to be challenging to cut through. Applicant Representative Woodward added the building will be blocking an easily accessible cut through.

Chair Boucher opened the public comments – there were none. Public comments closed.

Member Hobson moved that the Board finds that, based on Exhibit 2 and 12, the applicant satisfied §165-33.1 of the Land Development Code regarding best management practices of Erosion and Sediment Control. Seconded by Member Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that, based on Exhibit 2, the applicant satisfied §165-64's requirements for side yard width and §165-68's requirements of minimum lot frontage. Seconded by Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on Exhibits 2, 26, and 27, the applicant satisfied §165-72 of the Land Development Code regarding the required number of parking spaces, §165-73's requirements regarding parking area location and screening, and §165-74's requirements regarding

parking area design, construction and maintenance. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibits 2, 28, and 29, the applicant satisfied §165-79 of the Land Development Code regarding providing the necessary utility services required, §165-80's requirements regarding providing adequate water and sewerage services, and 165-83's requirements regarding providing adequate electrical service. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board finds that, based on Exhibits 2, 9, and 26, the applicant satisfied §165-81 of the Land Development Code regarding providing adequate lighting and preventing light pollution and trespass. Seconded by Member Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that, based on Exhibits 2 and 30, the applicant satisfied §165-82's requirements regarding having adequate fire protection. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibits 2, 11, 12, and 28, the applicant satisfied §165-84 of the Land Development Code regarding providing adequate storm drainage and stormwater offset. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on Exhibits 2, 26, and 28, the applicant satisfied §165-85 and §165-86 of the Land Development Code regarding providing information on anticipated sanitary flows and compliance with City sewer regulations. Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibit 2 and 20, the applicant satisfied §165-135 of the Land Development Code regarding height limits, floor area ratio, impervious surface ratio, and buffer yards. Seconded by member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that, based on the findings made in Parts 1 and 2 of Section IV of this document, the Project meets the requirements of §165-92B for uses within the Urban Service District (USD). Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board finds that, based on Exhibit 2, the applicant satisfied §165-92D(3) of the Land Development Code requiring adequate queuing space for each service station at a drive-in bank, and requiring adequate additional parking for vehicles where service away from drive-up stations is contemplated. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that based on the findings made in Parts 1 and 2 of Section IV of this document, the Project meets the requirements of § 165-93B for uses within the Downtown Development District (DDD). Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that based on Exhibit 2, the applicant satisfied §165-93D(3) of the Land Development Code requiring adequate queuing space for each service station. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board finds that based on Exhibit 2, the applicant satisfied the contract zoning requirements for the property outlined in Council Ordinance 16-125 (Exhibit 35). Seconded by Member Jonas. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that, based on Exhibits 2, 26, and 28, the applicant satisfied Land Development Code §165-114.B's requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C's requirement that all proposed access drives are reasonably necessary and safe. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibits 2, 11, 12, and 28, the applicant satisfied Land Development Code §165-114D's requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on Exhibits 2 and 9, the applicant satisfied Land Development Code §165-114E's requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Hobson moved that the Board finds that, based on Exhibit 2, the applicant satisfied Land Development Code §165-114F's requirements for landscaping. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that based on Exhibit 2, the applicant satisfied Land Development Code §165-114G's requirements for building location. Seconded by Member Brush. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that based on Exhibits 2, 16, 20, and 26, the applicant satisfied Land Development Code §165-114H's requirements that the proposed development site does not negatively impact historic sites within 250 feet. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on the findings made in Parts 1-5 of Section IV of this document, the applicant satisfied Land Development Code §165-9A(1)'s requirements regarding not requiring a variance of development or other standards. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibits 2, 17, and 28, the applicant satisfied Land Development Code §165-9A(2)'s requirements regarding not creating unreasonable traffic congestion or hazardous conditions on contiguous or adjacent streets. Seconded by Member Huhn. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Huhn moved that the Board finds that, based on the findings in Parts 1-5 of Section IV of this document, the applicant satisfied Land Development Code §165-9A(3)'s requirements for providing and maintaining adequate and appropriate utilities, fire protection, drainage, parking and loading and other necessary site improvements. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Brush moved that the Board finds that, based on Exhibits 2, 10, and 20, the applicant satisfied Land Development Code §165-9A(4)'s requirements regarding the proposed use being appropriate for the location in which it is sought because it conforms to the general physical development pattern of the immediate area. City Solicitor Szewczyk clarified the exhibits. Seconded by Member Whitford. Roll call vote conducted – all in favor, none opposed. Motion passed.

Member Jonas moved that the Board finds that the project meets the requirements for a Land Development Permit for a Major Site Development and Conditional Use and therefore, the Board grants the Land Development Permit and Conditional Use Permit for the proposed Project. Seconded by Member Hobson. Roll call vote conducted – all in favor, none opposed. Motion passed.

OTHER BUSINESS

5. Update on Council Action on Recent Text Amendments

Planning Officer provided the update that the first round of ordinance changes for the state housing laws were approved by Council.

Chair Boucher asked if there are any changes to the Planning Board due to the changes. Planning Officer clarified and responded.

6. Follow-Up/Thoughts on Land Use Plan Updates

Member Jonas asked if staff have received the draft Land Development Code update. Planning Officer Collette responded yes and provided details of the timeline.

City of Bangor Planning Division
Planning Board Meeting Minutes – Tuesday, April 21, 2026

Meeting adjourned at 7:57 pm.

Respectfully submitted,

Matt Altiero,
Planning Analyst
Planning Division



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

PLANNING DIVISION

May 05, 2026

Bangor Planning Board

Findings and Decision

Applicant/Owner: The County Federal Credit Union
110 Carmichael Street
Presque Isle, ME 04769

Agent: WBRC Inc.
44 Central Street
Bangor, ME 04401

Property Address: 96 State Street, Map-Lot 049-022

Zoning District: Contract Downtown Development District (DDD*) and Urban Service District (USD)

Permit Request: Land Development Permit for Major Site Development and Conditional Use

Description: Proposal for demolition of the existing building and construction of a 3,647sqft bank with a remote, two lane drive-thru with a roof canopy and 18 parking spaces

Public Hearing Date: April 21, 2026

Permitting Requirements: §165-9, §165.111.A.(1)(5)

Board Members Present: Chair Boucher; Vice Chair Jonas; Members Brush, Hobson, Huhn, and Whitford

Board Vote: Motion carried 6-0 to approve the Land Development Permit

I. The Record

The Planning Board reviewed the following exhibits:

1. Land Development Permit application, submitted by WBRC Inc. on 03.04.2026

2. Final site plan set, submitted by WBRC Inc. on 04.15.2026
3. Proof of payment received by Planning staff on 03.04.2026
4. Agent authorization, submitted by WBRC Inc. on 03.04.2026
5. Contour map, submitted by WBRC Inc. on 03.04.2026
6. Revised cover letter, submitted by WBRC Inc. on 03.31.2026
7. Deed, submitted by WBRC Inc. on 03.04.2026
8. FEMA map, submitted by WBRC Inc. on 03.04.2026
9. Lighting Cut Sheets, submitted by WBRC Inc. on 03.04.2026
10. Location Map, submitted by WBRC Inc. on 03.04.2026
11. Stormwater calculations, submitted by WBRC Inc. on 03.31.2026
12. Stormwater Management Plan, submitted by WBRC Inc. on 03.31.2026
13. Tax card, submitted by WBRC Inc. on 03.04.2026
14. Tax map, submitted by WBRC Inc. on 03.04.2026
15. 2022 Growth Boundary Map, submitted by WBRC Inc. on 03.04.2026
16. Broadway Historic District Map, submitted by WBRC Inc. on 03.31.2026
17. Trip generation analysis, submitted by WBRC Inc. on 03.31.2026
18. USDA soil resources report, submitted by WBRC Inc. on 03.04.2026
19. USGS map, submitted by WBRC Inc. on 03.04.2026
20. Elevations, submitted by WBRC Inc. on 03.13.2026
21. Floor plans, submitted by WBRC Inc. on 03.13.2026
22. Bangor Water District comments with attachment, received via email on 03.10.2026
23. Land Development Permit checklist, sent to WBRC Inc. via email on 03.11.2026
24. Engineering comment, sent to applicant on 03.13.2026
25. Engineering attachment, sent to applicant on 03.13.2026
26. Response to comments, submitted by WBRC Inc. on 03.31.2026
27. Code Enforcement sign-off, received via email on 03.31.2026
28. Engineering sign-off, received via email on 04.03.2026
29. Bangor Water District sign-off, received via email on 04.03.2026
30. Fire Prevention sign-off, received via email on 04.06.2026
31. Bangor Water District comments, received from applicant via email on 04.15.2026
32. List of abutters within 500ft of the subject property, generated by staff on 03.19.2026
33. Public notice sent to abutters within 500ft of the subject property on 04.09.2026
34. BDN Ad, posted on 04.09.2026
35. Council Ordinance 16-125 - Contract zone change for 96 State Street

II. Project Description and Permit Requirements

The Project will consist of the demolition of the existing building and construction of a 3,647sqft bank with a remote, two lane drive-thru with a roof canopy and 18 parking spaces. The project will take place on Map-Lot 049-022, which is in the Contract Downtown Development District (DDD*) and Urban Service District (USD). The contract zone places the following limits on the property: the lot area shall be a minimum of 15,000sqft, the lot coverage shall be limited to 30%, the maximum building height of any building on the lot will be limited to 45 feet, the minimum lot width shall be 80 feet, except for the first 30 feet from the intersection of Broadway and State Street, the building façade

along State Street and Broadway shall be set back no further than 20 feet, the maximum floor area ratio shall be no more than 0.7, and notwithstanding 165-72R, all uses on the parcel shall comply with 165-72, specifically, parking shall be provided at a minimum ratio of 1 space for every 300sqft of gross floor area for retail, service, or office uses.

As a conditional use and as a use generally in the Downtown Development District (DDD) and Urban Service District (USD), the proposed development must meet the requirements for Land Development Permit (§165-111.A(1)(5)) and Conditional Uses (§165-9). Uses in DDD and USD must also meet the requirements of Article II through XII and any applicable development standards of Article XIX of Chapter 165.

III. Procedural Background

1. The Application was deemed complete on April 21, 2026.
2. The Applicant paid all applicable fees (Exhibit 3).
3. The proposed Project is a Major Site Development and Conditional Use.

IV. Applicable Provisions and Findings

Part 1 – The Project meets the requirements of Articles II through XII

1. The Board finds that, based on Exhibit 2 and 12, the applicant satisfied §165-33.1 of the Land Development Code regarding best management practices of Erosion and Sediment Control.
2. The Board finds that, based on Exhibit 2, the applicant satisfied §165-64's requirements for side yard width and §165-68's requirements of minimum lot frontage.
3. The Board finds that, based on Exhibits 2, 26, and 27, the applicant satisfied §165-72 of the Land Development Code regarding the required number of parking spaces, §165-73's requirements regarding parking area location and screening, and §165-74's requirements regarding parking area design, construction and maintenance.
4. The Board finds that, based on Exhibits 2, 28, and 29, the applicant satisfied §165-79 of the Land Development Code regarding providing the necessary utility services required, §165-80's requirements regarding providing adequate water and sewerage services, and 165-83's requirements regarding providing adequate electrical service.
5. The Board finds that, based on Exhibits 2, 9, and 26, the applicant satisfied §165-81 of the Land Development Code regarding providing adequate lighting and preventing light pollution and trespass.
6. The Board finds that, based on Exhibits 2 and 30, the applicant satisfied §165-82's

requirements regarding having adequate fire protection.

7. The Board finds that, based on Exhibits 2, 11, 12, and 28, the applicant satisfied §165-84 of the Land Development Code regarding providing adequate storm drainage and stormwater offset.
8. The Board finds that, based on Exhibits 2, 26, and 28, the applicant satisfied §165-85 and §165-86 of the Land Development Code regarding providing information on anticipated sanitary flows and compliance with City sewer regulations.

Part 2 – The Project meets the District Site Development Standards under Article XIX

The Board finds that, based on Exhibit 2 and 20, the applicant satisfied §165-135 of the Land Development Code regarding height limits, floor area ratio, impervious surface ratio, and buffer yards.

Part 3 – The Project meets the requirements of § 165-92 – Urban Service District (USD)

1. The Board finds that, based on the findings made in Parts 1 and 2 of Section IV of this document, the Project meets the requirements of §165-92B for uses within the Urban Service District (USD).
2. The Board finds that, based on Exhibit 2, the applicant satisfied §165-92D(3) of the Land Development Code requiring adequate queuing space for each service station at a drive-in bank, and requiring adequate additional parking for vehicles where service away from drive-up stations is contemplated.

Part 4 – The Project meets the requirements of § 165-93 – Contract Downtown Development District (DDD*)

1. The Board finds that based on the findings made in Parts 1 and 2 of Section IV of this document, the Project meets the requirements of § 165-93B for uses within the Downtown Development District (DDD).
2. The Board finds that based on Exhibit 2, the applicant satisfied §165-93D(3) of the Land Development Code requiring adequate queuing space for each service station.
3. The Board finds that based on Exhibit 2, the applicant satisfied the contract zoning requirements for the property outlined in Council Ordinance 16-125 (Exhibit 35).

Part 5 – The Project meets the requirements of §165-114 – Land Development

Approval Standards

1. The Board finds that, based on Exhibits 2, 26, and 28, the applicant satisfied Land Development Code §165-114.B’s requirement that the proposed parking and loading layout are arranged in a reasonable and safe configuration and §165-114C’s requirement that all proposed access drives are reasonably necessary and safe.
2. The Board finds that, based on Exhibits 2, 11, 12, and 28, the applicant satisfied Land Development Code §165-114D’s requirement that the proposed development will not have unreasonable adverse effects on abutting or downstream properties or protected resources such as wetlands, lakes, streams or brooks, and that all downstream channels or municipal stormwater collection systems have adequate capacity to carry the flow without significant negative effects.
3. The Board finds that, based on Exhibits 2 and 9, the applicant satisfied Land Development Code §165-114E’s requirements that all outdoor lighting shall be designed, installed and maintained to avoid unreasonable adverse effects from light pollution.
4. The Board finds that, based on Exhibit 2, the applicant satisfied Land Development Code §165-114F’s requirements for landscaping.
5. The Board finds that based on Exhibit 2, the applicant satisfied Land Development Code §165-114G’s requirements for building location.
6. The Board finds that based on Exhibits 2, 16, 20, and 26, the applicant satisfied Land Development Code §165-114H’s requirements that the proposed development site does not negatively impact historic sites within 250 feet.

Part 6 – The Project meets the criteria for a Conditional Use under of §165-9A

1. The Board finds that, based on the findings made in Parts 1-5 of Section IV of this document, the applicant satisfied Land Development Code §165-9A(1)’s requirements regarding not requiring a variance of development or other standards.
2. The Board finds that, based on Exhibits 2, 17, and 28, the applicant satisfied Land Development Code §165-9A(2)’s requirements regarding not creating unreasonable traffic congestion or hazardous conditions on contiguous or adjacent streets.
3. The Board finds that, based on the findings in Parts 1-5 of Section IV of this

document, the applicant satisfied Land Development Code §165-9A(3)'s requirements for providing and maintaining adequate and appropriate utilities, fire protection, drainage, parking and loading and other necessary site improvements.

4. The Board finds that, based on Exhibits 2, 10, and 20, the applicant satisfied Land Development Code §165-9A(4)'s requirements regarding the proposed use being appropriate for the location in which it is sought because it conforms to the general physical development pattern of the immediate area.

V. Decision

The Board finds that the project meets the requirements for a Land Development Permit for a Major Site Development and Conditional Use and therefore, the Board grants the Land Development Permit and Conditional Use Permit for the proposed Project.

VI. General Permit Requirements:

- A. This permit does not relieve the applicant from any other state or federal permits that may be required for the project.
- B. Prior to construction, the applicant should contact the Code Enforcement Office and Engineering Office for any additional permits that may be required.
- C. Applicant must commence construction within one year from the date of approval and complete the project by April 21, 2028, unless extensions of time are granted per the provisions of Chapter 165-113E.
- D. No certificate of occupancy for any structure will be issued by the Code Enforcement Division until the property for which the certificate is sought is in compliance with all applicable regulations, including but not limited to building, zoning, and stormwater requirements. A temporary certificate of occupancy may be issued when necessary under the provisions of § [165-113G of the City's Land Development Code](#).
- E. Upon completion, a digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan.

Failure to comply with the conditions listed above constitutes a violation of the Bangor Land Development Code as prescribed in Chapter 165-10G.

This If you should have any questions or desire further information, please do not hesitate to give the Planning Division a call at 207.992.4280.

Sincerely,

City of Bangor Planning Board

CC: City of Bangor Planning Division
City of Bangor Code Enforcement Division

Building Permit and Certificate of Occupancy Checklist

Before applying for a Building Permit:

- Please contact the Code Enforcement and Engineering Departments for any other permits that may be necessary.
- Please confirm with the Engineering Department that the current address of 96 State Street will be the correct address to use for this project.

Before applying for a Certificate of Occupancy:

- Digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved revised plan.



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

PLANNING DIVISION

May 5, 2026

Bangor Planning Board

Findings and Decision

Applicant/Owner:

Steel Magnolia, LLC.
1411 Essex Street
Bangor, Maine 04401

Agent:

Plymouth Engineering
attn: Aimee Young
8 Main Street, Unit C
Newport, Maine 04953

Property Address:

2645 Broadway, Map-Lot R11-013

Zoning District:

Contract Shopping & Personal Service (S&PS*); Rural
Residence & Agricultural (RR&A)

Permit Request:

Land Development Permit for Final Major Subdivision

Description:

Proposal for the development of 26 new residential rental
units (13 duplex buildings), with associated parking and
private street

Planning Board Review Date: April 21, 2026

Permitting Requirements: §165.111.A.(6-7) & §165-128G

Board Members Present:

Chair Boucher; Vice Chair Jonas; Members Brush, Hobson,
Huhn, and Whitford

Board Vote:

Motion carried 6-0 to approve the Land Development Permit.

I. The Record

The Planning Board reviewed the following exhibits:

1. Final subdivision Land Development Permit application, submitted by Plymouth Engineering on 04.01.26
2. Final subdivision plan and additional sheets, submitted by Plymouth Engineering on 04.01.26 and 04.10.26 respectively
3. Payment received by Planning staff on 04.01.2026
4. Preapproval for public wells, submitted by Plymouth Engineering on 04.01.2026
5. Preliminary subdivision and site development findings and decision, made by the Planning Board 03.17.26
6. Planning comments and response, Plymouth Engineering on 04.10.26
7. Engineering sign-off, received via email on 04.07.2026
8. Fire Prevention sign-off, received via email on 04.06.2026
9. Engineer’s report, received on 04.16.2026
10. Final State well permit approval, received from applicant in person on April 21, 2026

II. Project Description and Permit Requirements

The Project will consist of the development of 26 new residential rental units (13 duplex buildings), with associated parking and private street. The project will take place on Map-Lot R11-013, which is in a Contract Shopping & Personal Service District and Rural Residence & Agricultural District (S&PS*/RR&A), with proposed development solely in the Contract Shopping & Personal Service District. The contract zone places the following limits on the property: the total impervious area for the lot shall be limited to 50% and any curb cut on Broadway shall be for right turn exit only and marked as such.

As the project consists of construction of three or more dwelling units on a parcel, the proposed development must meet the requirements for Land Development Permit (§165-111.A(6-7)), and a subdivision. As a subdivision containing a private street, it is considered a major subdivision and must meet the requirements of §165-128. The Project received site development and preliminary major subdivision approval on March 17th, 2026.

III. Procedural Background

1. The application was deemed complete on April 21, 2026.
2. The applicant paid all applicable fees (Exhibit 3).
3. The proposed project is a Final Major Subdivision.
4. The proposed project has been reviewed and approved by the City Engineer (Exhibit 9).

IV. Applicable Provisions and Findings

Part 1 – The Project meets the requirements of §165-128G

1. The Board finds that based on Exhibit 2, the applicant satisfied Land Development Code §165-128G(1)’s requirements by providing a final plat for a major subdivision with the necessary contents of §165-128E(4).

2. The Board finds that based on Exhibits 7 and 9, the applicant satisfied Land Development Code §165-128G(3)'s requirement for the plan to be reviewed by the City Engineer for compliance with health, sanitation and engineering standards, and for receiving written approval from the City Engineer.
3. The Board finds that based on Exhibits 2 and 5, the applicant satisfied Land Development Code §165-128G(4)'s requirement for meeting the standards for preliminary plat approval and §165-128G(5)'s requirement that the plan not be substantively changed from the preliminary subdivision plat.

V. Decision

The Board finds that the project meets the requirements for a Final Major Subdivision and therefore, the Board grants the Land Development Permit for the proposed Project.

VI. General Permit Requirements:

- A. This permit does not relieve the applicant from any other state or federal permits that may be required for the project.
- B. Prior to construction, the applicant should contact the Code Enforcement Office and Engineering Office for any additional permits that may be required.
- C. The applicant must contact the Engineering Office for E911 addresses for the new dwelling units.
- D. Applicant must commence construction within one year from the date of approval and complete the project by April 21, 2028, unless extensions of time are granted per the provision of Chapter 165-113E.
- E. No building permit shall be issued by the Code Enforcement Division for the construction of any structure within a subdivision which has not been recorded in the Penobscot County Registry of Deeds.
- F. No building permit shall be issued by the Code Enforcement Division for the construction of any structure within a subdivision until all infrastructure needed to support said structure has been constructed, installed, and inspected by the appropriate

City authority. Infrastructure includes, but is not limited to, public and private roads; sewer, water and electric mains; and stormwater infrastructure designed to treat water from the subdivision.

- G. No certificate of occupancy for any structure will be issued by the Code Enforcement Division until the property for which the certificate is sought is in compliance with all applicable regulations, including, but not limited to, building, zoning, and stormwater requirements. A temporary certificate of occupancy may be issued when necessary under the provisions of § [165-113G of the City's Land Development Code](#).
- H. Upon completion, a digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved plan.

Failure to comply with the conditions listed above constitutes a violation of the Bangor Land Development Code as prescribed in Chapter 165-10G.

This If you should have any questions or desire further information, please do not hesitate to give the Planning Division a call at 207.992.4280.

Sincerely,

City of Bangor Planning Board

_____	_____
_____	_____
_____	_____
_____	_____

CC: City of Bangor Planning Division
City of Bangor Code Enforcement Division

Building Permit and Certificate of Occupancy Checklist

Before applying for a Building Permit:

- The final subdivision plan must be recorded at the Registry of Deeds.
- The Engineering Office must be contacted for E911 addresses for the dwelling units and any other potential permits that may be needed.
- All infrastructure needed to support said structure(s) has been constructed, installed, and inspected by the appropriate City authority.

Before applying for a Certificate of Occupancy:

- Digital as-built plan or plans shall be submitted to the Code Enforcement Officer. Additionally, a certificate of compliance stamped by a registered professional engineer or a registered land surveyor must be submitted to the Code Enforcement Office indicating that the site development has been completed in accordance with the approved plan. This includes, but is not limited to, required landscaping and stormwater management features.
- The application for the proposed well system must receive final approval from the State of Maine.



COMMUNITY & ECONOMIC DEVELOPMENT

CITY OF BANGOR

ANNE M. KRIEG AICP
DIRECTOR

Memorandum

To: Business & Economic Development Committee
From: Planning Division
Date: April 24, 2026
Regarding: Potential changes to temporary sales ordinance

This memo outlines proposed changes to the rules on temporary sales in the Land Development Code. A need has been expressed for greater flexibility with these rules in regards to seasonal sales (such as seasonal food trucks) in areas outside the waterfront. Currently, except for in the Waterfront Development District and except for sales of unprocessed agricultural, marine or forest products, the Code only allows temporary sales of food and merchandise if the vendor sells from a vehicle, cart, or stand that is removed from the site each day. This means that a food truck or stand, for example, could not be located on a lot for a season, in a commercial district outside the waterfront, unless it is removed every day.

There are additional restrictions as well on temporary sales that appear to be unnecessary and overly burdensome, such as increased setbacks and a requirement to add extra parking in the main commercial zones, like S&PS (where there is often excess parking that goes unused). These restrictions limit the opportunities for small-scale commercial vendors, who may be looking to move from seasonal sales to one day operating a year-round establishment in the City.

To help increase flexibility for this use, staff propose the following changes to the Land Development Code:

- Allow seasonal sales to encompass other products besides unprocessed agricultural, marine or forest products, and allow outside the Waterfront Development District (these still would not be allowed in residential zones, only commercial zones)
- Allow temporary sales of food and merchandise in the Neighborhood Service District (NSD), but limit to 2 per lot
- Allow temporary sales of food and merchandise on vacant lots
- In the USD, S&PS, GC&S, UID, and I&S zones, increase the maximum gross floor area of all temporary structures on a lot from 1,000 to 2,000 square feet
- Remove the requirement to provide five extra parking spaces on top of the minimum requirement for the primary use on the lot
- Reduce setbacks for this use to 10 feet from property lines
- Prohibiting drive-through service (this would be a new restriction, but is recommended for this type of use given that drive-through uses are typically conditional in most zones due to greater impacts on traffic).

The proposed language is included in your packets and will also be on the May 5th Planning Board agenda for the Board's feedback. If Councilors and Planning Board are amenable, staff will forward the formal language through for adoption.



CITY COUNCIL ACTION

Council Meeting Date: _____, 2026

Item No: 26-

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: n/a

Title, Ordinance

Amending the Land Development Code, Section 165-31 Temporary Sales of Food and Merchandise to Allow Increased Flexibility for this Use.

Summary

This amendment would broaden seasonal sales to encompass other products besides unprocessed agricultural, marine or forest products, allow temporary sales of food and merchandise in the Neighborhood and Service District (NSD), allow temporary sales of food and merchandise on vacant lots, increase the maximum gross floor area of all temporary structures on a lot in most commercial zones to 2,000 square feet, remove the requirement for extra parking for this use in most commercial zones, and reduce the setbacks for this use. The amendments would also prohibit temporary sales from having drive-through service.

Committee Action

Committee: Planning Board

Meeting Date: __/__/2026

Action:

For:

Against:

Staff Comments & Approvals

City Manager
Director

City Solicitor

Finance

Introduced for: First Reading



CITY COUNCIL ORDINANCE

Date: _____, 2026

Assigned to Councilor:

ORDINANCE, Amending the Land Development Code, Section 165-31 Temporary Sales of Food and Merchandise to Allow Increased Flexibility for this Use.

WHEREAS, the Land Development Code currently prohibits temporary sales of products besides unprocessed agricultural, marine, or forest products outside of the Waterfront Development District, and contains other burdensome restrictions on temporary sales; and

WHEREAS, this limits opportunities for small-scale commercial vendors, who may be looking to move from seasonal sales to one day operating a year-round establishment in the City; and

WHEREAS, the proposed amendments allow additional flexibility for temporary sales of food and merchandise in the City outside of the Waterfront Development District (WDD);

Be it Ordered by the City Council of the City of Bangor that,

The Land Development Code shall be amended as shown below:

§ 165-31 Temporary sales of food and merchandise.

A. Temporary sales of food or merchandise are expressly limited to:

- (1) Itinerant commercial vendors who sell from mobile or movable vehicles, carts or stands which are completely removed from the site on which they are located each day and operate only between the hours of 6:00 a.m. and 10:00 p.m.
- (2) Itinerant commercial vendors who:
 - (a) Remain on a site for a period of time not to exceed 150 days;
 - (b) Make no new fixed or permanent improvements to the site, but shall be permitted temporary electrical service as defined under the National Electric Code;
 - ~~(c) Sell only unprocessed agricultural, marine or forest products, except in the Waterfront Development District, where sale of food is also allowed; and~~
 - (d) Operate only between the hours of 6:00 a.m. and 10:00 p.m., except in the Waterfront Development District, where such vendors may operate until midnight.

...

C. Temporary sales of food or merchandise shall only be permitted in the following districts: Urban Service District, Shopping and Personal Service District, General Commercial and Service District, Downtown Development District, Waterfront Development District, Urban Industry District, ~~and~~ Industry and Service District, ~~and~~ Neighborhood Service District.

D. Temporary sales of food and merchandise are permitted on vacant lots with the written approval of the

owner.

ED. Temporary sales of food or merchandise shall be further limited as follows:

- (1) In the Downtown Development District and Industry and Service District, no more than one itinerant commercial vendor may be permitted per lot.
- (2) In the Shopping and Personal Service District, General Commercial and Service District, Urban Service District, and Urban Industry District, no more than four itinerant commercial vendors may be permitted per lot. ~~Each vendor must provide access to five parking spaces in excess of those required by any other use or uses on that lot.~~
- (3) In the Neighborhood Service District, no more than two itinerant commercial vendors may be permitted per lot.
- (4) Drive-through service is prohibited.

FE. Temporary sales of food or merchandise shall meet the following conditions:

...

- (2) Itinerant commercial vendors shall set back any vehicle, stands or other items related to the temporary sale of food or merchandise at least ~~20 feet, or, in the Waterfront Development District,~~ 10 feet, from the property line or the edge of the sidewalk or, if no sidewalk, from the edge of the pavement of the traveled way adjoining the property.

....

- (7) The gross floor area of all temporary structures shall not exceed 1,000 square feet, except in the Waterfront Development District, where there is no maximum gross floor area and in the Urban Service District, Shopping and Personal Service District, General Commercial and Service District, Urban Industry District, and Industry and Service District, where the maximum floor area is 2,000 square feet.

...

GF. Notwithstanding the above, the requirements of the rest of this § 165-31 do not apply to itinerant commercial vendors authorized as part of an event permitted through the City of Bangor event permit policy.