

**Hearing Agenda
Board of Appeals**

Wednesday, February 4, 2026 at 5:30 p.m.

1. Introductions
2. Training
3. Approval of Minutes from the July 23, 2025 Board of Appeals Meeting
4. Public Hearing – 1011 Union Street, Applicant Nathan Woodard, for consideration of a variance from the setback requirement of City Ordinance § 165-73B and the buffer requirement of § 165-73D
5. Other Business

Unless otherwise noted, all meetings are held at City Council Chambers, Bangor City Hall, 73 Harlow Street. After 4:30 p.m., members of the public are asked to use the side entrance of City Hall that faces the direction of Exchange and State streets.

In addition to Zoom, you can also watch most meetings via the City of Bangor's YouTube page.

Anyone who wishes to be heard on the application, offer public comment, evidence, or testimony must attend in person or via Zoom. To attend the meeting via Zoom, you may go to the calendar feature of the City's website at <https://www.bangormaine.gov/calendar>. From the calendar, click on the Board of Appeals meeting on February 4, 2026, and then click the link for the Zoom meeting. The link will be there on or before the date of the meeting.

The City Council has adopted a Public Comment Policy. Individuals who have appropriately pre-registered to give public comment via remote means will be given the opportunity to participate remotely. For more information on accessing City of Bangor's Public Meetings, Remote Public Comment Registration, and Remote Meeting Participation, please visit www.bangormaine.gov/video.

**Board of Appeals
Minutes**

For Meeting Held on July 23, 2025 at 5:15 p.m.

Members Present: Jordan LaBouff, Edward Gould (Chair), Robin Perkins, Robert Ballingall, and Rachel Thompson.

Staff Present: Grace Innis, Assistant City Solicitor

- I. Introductions:
 - A. Chair Gould opened the hearing and introduced members.
- II. Approval of Minutes:
 - A. July 16, 2025:
 1. Member Ballingall made a motion to approve the meeting minutes.
 2. Member LaBouff seconded the motion.
 3. Motion passed unanimously (5-0).
- III. Findings of Fact and Conclusions of Law – Applicant Bangor Farmers’ Market Association, for consideration of an appeal under City Ordinance § 165-26, to allow a temporary storage building at the Abbot Square parking lot located at 108-148 Harlow Street.
 - A. Member Thompson made a motion to approve the written Notice of Decision.
 - B. Member Perkins seconded the motion.
 - C. Motion passed unanimously (5-0).
- IV. No Other business.
- V. Meeting adjourned.
 - A. Member Thompson made a motion to adjourn.
 - B. Member Ballingall seconded the motion.
 - C. Motion passed unanimously (5-0).

**CITY OF BANGOR
BOARD OF APPEALS APPLICATION**

For Internal Use Only

Fee Paid: \$ 361.00 _____ Cash Credit Card _____ Check
Date Received: 12.29.2025
Received by: [Signature]

Application Fee is not required for processing a Disability Variance or a Fair Housing Act Reasonable Accommodation.

Appellant/Applicant Information

Date: 12/22/25
Name of Appellant/Applicant: Nathan Woodard
Mailing Address: 260 Clark St
Kenduskenug ME 04450
Telephone Number: 207-944-7978
Email Address: mi2usmaine@gmail.com

Owner's Information (if different from Applicant)

Owner: mi2us Properties Inc
Owner's Address: 1/2 College Ave - Suite 1
Waterville ME 04901

Description of Interest of Applicant in Site (if not owner):

- Signed Lease Agreement
- Signed Purchase/Sale/Option Agreement
- Signed Written Agreement from Owner
- Other (Please describe) Business operator on leased property

Property Information

Site Address: 104 Union St
Map/Lot: Map: R24 Lot: 011-F
Zoning District: S & P5
Permit #: _____

Last Warranty or Quitclaim Deed Recorded at the Penobscot Registry of Deeds: Book _____ Page _____

CITY OF BANGOR
BOARD OF APPEALS APPLICATION

The Undersigned Requests that the Board of Appeals Consider the Following Appeal/Variance/Accommodation: (Check the box that applies to your request)

- Administrative Appeal – alleging error in an order or decision of Code Enforcement Officer, City Clerk (taxicab or livery licenses), law enforcement officer (removal of taxicab or livery from service), or other city official or body where appeal is specifically allowed
- Variance Appeal – requesting variance from requirements of a land use ordinance due to unnecessary hardship, or from the Bangor Center Revitalization Area ordinance
- Practical Difficulty Appeal – requesting variance from a setback requirement
- Disability Variance – requesting variance as an owner of a dwelling to make the dwelling accessible to a person with a disability who resides in or regularly uses the dwelling
NOTE: Application Fee Shall be Waived for a Variance Based on a Disability
- Fair Housing Act Reasonable Accommodation – requesting waiver of a land use requirement as a reasonable accommodation to a person or group who qualifies as “handicapped” as defined by the Fair Housing Act
NOTE: Application Fee Shall be Waived for a Variance Based on a Disability

List the ordinance section from which appeal is taken, if applicable: _____

Attach the decision from which the appeal is taken, if applicable.

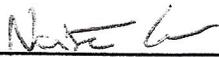
Describe in detail the facts that form the basis of the appeal. Please be as specific as possible so the Board of Appeals can give full consideration to your case. (Attach a separate sheet(s) of paper, if needed).

See attached

Attach any materials in support of your application (e.g., photos, drawings, surveys, plans, records, etc.)

I certify that the information contained in this Application and its supplement is true and correct.

Date: 12/22/25

Signed: 

By: Nathan Wondol
Printed Name

Notice to Appellant/Applicant: This Application and any materials in support of the application must be returned to the Code Enforcement Office along with your paid fee. You will be notified of the date and time of the hearing if your submitted application and fee have been accepted.

**CITY OF BANGOR
BOARD OF APPEALS APPLICATION**

For Internal Use Only

Fee Paid: \$ _____ Cash _____ Credit Card _____ Check _____

Date Received: _____

Received by: _____

[Application Fee is not required for processing a Disability Variance or a Fair Housing Act Reasonable Accommodation.](#)

Appellant/Applicant Information

Date: 12/22/25

Name of Appellant/Applicant: Nathan Woodard

Mailing Address: 260 Clark Rd

Kenduskeag ME 04450

Telephone Number: 201-944-7938

Email Address: midasmaine@gmail.com

Owner's Information (if different from Applicant)

Owner: Same

Owner's Address: _____

Description of Interest of Applicant in Site (if not owner):

- Signed Lease Agreement
- Signed Purchase/Sale/Option Agreement
- Signed Written Agreement from Owner
- Other (Please describe) _____

Property Information

Site Address: North of Kollman St

Map/Lot: Map: R24 Lot: 017-A

Zoning District: S2PS

Permit #: _____

Last Warranty or Quitclaim Deed Recorded at the Penobscot Registry of Deeds: Book _____ Page _____

**CITY OF BANGOR
BOARD OF APPEALS APPLICATION**

The Undersigned Requests that the Board of Appeals Consider the Following Appeal/Variance/Accommodation: (Check the box that applies to your request)

- Administrative Appeal – alleging error in an order or decision of Code Enforcement Officer, City Clerk (taxicab or livery licenses), law enforcement officer (removal of taxicab or livery from service), or other city official or body where appeal is specifically allowed
- Variance Appeal – requesting variance from requirements of a land use ordinance due to unnecessary hardship, or from the Bangor Center Revitalization Area ordinance
- Practical Difficulty Appeal – requesting variance from a setback requirement
- Disability Variance – requesting variance as an owner of a dwelling to make the dwelling accessible to a person with a disability who resides in or regularly uses the dwelling
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NOTE: Application Fee Shall be Waived for a Variance Based on a Disability

List the ordinance section from which appeal is taken, if applicable: _____

Attach the decision from which the appeal is taken, if applicable.

Describe in detail the facts that form the basis of the appeal. Please be as specific as possible so the Board of Appeals can give full consideration to your case. (Attach a separate sheet(s) of paper, if needed).

See attached

Attach any materials in support of your application (e.g., photos, drawings, surveys, plans, records, etc.)

I certify that the information contained in this Application and its supplement is true and correct.

Date: 11/22/25

Signed: Nathan Woodard

By: Nathan Woodard
Printed Name

Notice to Appellant/Applicant: This Application and any materials in support of the application must be returned to the Code Enforcement Office along with your paid fee. You will be notified of the date and time of the hearing if your submitted application and fee have been accepted.

Nathan Woodard
260 Clark Road
Kenduskeag, ME 04450
Midasmaine@gmail.com
207-944-7938

December 15, 2025

Dear Members of the Board of Appeals,

I am requesting two variances from the setback requirements under the City of Bangor's Land Use Ordinance. One for the property I recently acquired, a 100 ft x 100 ft lot located behind my auto repair business, Midas, at 1011 Union Street, Bangor, ME. For this lot I am seeking a variance to maintain the existing one-foot setback for the proposed expanded parking area, which I was told by city staff in a pre-planning meeting they would be willing to do. The second is a variance for the parking lot my business has had and maintained for more than forty-five years. The existing parking lot has had a one foot set back which was approved by the city in the original plans dating back to 1978, however code enforcement is now insisting I pull that parking back four feet to meet the five-foot set back requirements, resulting in massive re-orientation of parking stalls and a significant reduction in the number of parking spaces. This application is being filed with the Board of Appeals to request a setback variance, citing unnecessary hardship as the basis for the requests.

As the General Manager of the Midas franchise at 1011 Union Street, I operate an auto repair shop that has served the Bangor community for decades. The existing parking lot on my property maintains a one-foot setback, which has been in place for more than forty-five years without issue. My intent in acquiring the adjacent lot was to expand this parking area to add approximately seventeen additional spots, addressing chronic parking shortages that limit my business operations. However, conflicting and erroneous guidance from City officials has created significant barriers, jeopardizing both planned expansion and my longstanding parking lot.

Key Events and Basis for the Appeal

Below is a timeline of the events leading to this application:

Pre-Planning Meeting on February 13, 2025, at 2:30 PM: I attended a pre-planning meeting with City of Bangor staff to discuss the potential acquisition of the 100 ft x 100 ft lot behind my business for parking expansion. I presented a rough parking plan that extended the existing one-foot setback into the new proposed parking expansion. All participants agreed this would be a simple and straight forward project. I was explicitly informed that my existing lot is non-conforming and that the city would support grandfathering the one-foot setback of my existing parking on to the proposed expansion. The only challenge identified by city staff was rezoning the new lot from General & Industrial Service (G&IS) to Service & Professional Services (S&PS). No other setbacks or buffers were mentioned as requirements. Relying on this assurance, I proceeded in good faith to acquire the lot.

Planning Board Meeting on July 15, 2025: I appeared before the Planning Board to request the zone change after taking ownership of the property. During the discussion, the planning board Chair explicitly addressed grandfathering the one-foot setback, stating it "seemed to make sense." Additionally, Director of Development Anne Krieg reiterated that my existing lot is non-conforming. There were no issues mentioned regarding setbacks or buffers and certainly no mention of having to move my existing parking lot back four feet. I also have an email from Anne Krieg stating again that my lot is non-conforming and that I would be able to extend the one-foot set back in the proposed parking lot. This meeting is available on YouTube, and the link will be attached.

Subsequent Issues with Code Enforcement and Planning Department:

After the zone change, I encountered numerous unexpected challenges, none of which were raised during pre-planning.

1. The planning department informed me that there was no discussion or agreement about grandfathering the one-foot setback, even though recorded video and emails with senior planning staff clearly show otherwise.
2. City staff later claimed they spoke "erroneously" when repeatedly describing the lot as non-conforming.
3. Code Enforcement then required a 75-foot buffer at the back of the lot due to shoreland zoning. After several days, they acknowledged their error and admitted it is not a shoreland zone.
4. Next, I was informed that the zone change triggered a 20-foot vegetated buffer requirement on the side of the lot where I was told I would be able to extend the existing one-foot set back. This would render my acquired lot unusable for parking.

5. Code Enforcement just recently claimed that, before the pre-planning meeting on February 13, I had a meeting with them and that is when I was told I would need to move my current parking lot back by four feet to comply with the five-foot setback rule. When I requested any evidence of this meeting I was told by email: “It sounded to me like it was an informal meeting where you came to the Code office, so there's probably not a record.” This assertion directly contradicts the multiple assurances of grandfathering the one-foot setback on the new parking lot in addition to all the times my long-established parking lot had been called non-conforming by planning staff, as documented in meetings and emails. An email (Item 5, attached) from Planning Officer Anja Collette on October 1st even reiterates that I can maintain the current one-foot setback. Removing four feet from my existing parking lot means parking in front of the six bay doors would prohibit employees from safely bringing in any vehicle larger than a compact car. There is not a business owner in the city that would not remember code telling them they would have to lose more than half their existing parking spaces. I have no emails, calls, or correspondence with Code Enforcement prior to the pre-planning meeting, and I categorically deny any such meeting ever took place.
6. There are no notes from the February 13 pre-planning meeting, despite City code requiring documentation of such discussions. The city's lax approach to record keeping allows officials to reference meetings that never occurred, while avoiding responsibility for meetings that did take place but are not properly documented. This lack of records exacerbates the inconsistencies and shows clear procedural lapses on the City's part.

In reliance on the City's initial assurances, I have invested over \$15,000 in this project, including planning, surveying, and related expenses. Now, due to these shifting requirements and unsubstantiated claims, my only path forward is this variance application, for which I must pay an additional \$862 in fees—a burden created entirely by the City's errors, miscommunications, and false assertions.

Demonstration of Undue Hardship for proposed parking expansion for first variance:

Strict application of the five-foot setback requirement would cause undue hardship as defined under Maine State Law and the City's ordinances. I address the required findings below:

No Reasonable Return Without Variance: Without an approved variance I cannot expand my parking lot. If it cannot yield a reasonable return for its intended use, it would result in significant financial injury and an annual property tax bill for a lot of no use or value to my business.

Unique Circumstances of the Property (Not General Neighborhood Conditions): The property is uniquely situated as an extension of my existing non-conforming lot, which has operated with a one-foot setback for more than forty-five years. The adjacency to my current business creates a specific need for seamless integration between existing and proposed parking expansion. This was acknowledged by City staff in the pre-planning meeting. These circumstances are particular to this lot and there is no other option. My business often has customer vehicles double and sometimes triple parked due to lack of space. Union Street Laundromat has allowed my employees to park in their parking lot for the past few years, but this is no longer an option. Expanding my current parking lot is the only solution.

No Alteration to Essential Character of the Locality: Granting the variance will simply extend an existing, long-standing parking lot and will not change the neighborhood's character. The area is already commercial, and the expansion aligns with surrounding uses. There will be no unreasonable detriment to abutting properties or the natural environment, as the project involves only paved parking with no structures or environmental impacts. The property is not in a shoreland zone, and the proposed expansion would not encroach on any wetlands. I am merely trying to expand the parking lot between an abutting paved parking lot at Union Street Laundromat and a new road built by Encompass Health.

Hardship Not Self-Created: The hardship stems directly from the City's conflicting guidance, erroneous statements, and false claims of prior meetings. I acted in good faith based on official assurances, including recorded discussions of grandfathering the existing one-foot setback to have a uniform and seamless parking lot to better serve my community.

Demonstration of Undue Hardship for existing parking for second variance:

No Reasonable Return Without Variance: Without a variance I would lose almost half of my existing parking. Being forced to pull my parking back four feet would make it so any vehicle parked in front of my six bays would prevent all but the smallest of vehicles from entering the garage safely. I went to the city to expand my parking, expecting a straight-forward process. Consequently, I am now required to justify the continued use of my long-standing parking lot.

Unique Circumstances of the Property (Not General Neighborhood Conditions): The original plans for a four bay Midas at 1011 Union St show an exception made to have a one-foot set back on the parking. In 1987, a new plan was proposed to build an additional two bays. In that plan the city, for some unknown reason, required the parking lot to be pulled back to a five-foot setback and have only five parking spaces in front of the bay doors, in a

parallel parking arrangement. Clearly, expanding a business by adding more bays while requiring even more limited parking makes no sense. I'm not sure why this was never implemented or required, especially since it was owned by different parties until 2002. Forcing my customers to parallel park and then exit their vehicle on the opposite side of the building is beyond impractical, especially in today's world where most people avoid parallel parking at all costs. Parking in this manner also forces people to drive further into an already overcrowded parking lot in order to turn around.

No Alteration to Essential Character of the Locality: This parking lot has existed as is since 1978, as shown in the original approved site plan (attached). All I am seeking to do is keep this as it has been for more than forty-five years.

Hardship Not Self-Created: This undue hardship is entirely created by code enforcement's false claims of a meeting. Had I not started the project of expanding my current parking lot with the city, I would not have to defend my current parking lot.

In summary, all I have asked is for the city to honor what I was told at the pre-planning meeting. There have been multiple estoppel cases against municipalities in Maine that show the words of ranking city staff matter, and simply saying "they spoke erroneously" does not excuse their words from being relied upon. City staff is quick to tell me code must be followed, but the city not following its own code by not having notes of the pre-planning meeting is what caused this mess. If those notes were available, I could have completed the gravel pad this year as intended so it could settle through winter and be ready for paving next spring. The inability of the city to follow its own code has led to this project at best being severely delayed and over budget, and at worst a complete waste of time and resources in addition to exacerbating my already existing parking issues.

I respectfully request that the Board grant this variance to rectify the undue hardship created by these circumstances and allow my business to thrive as originally assured by the city. I am available to provide additional information or attend any hearings as required.

Thank you for your consideration.

Sincerely,

Nathan Woodard

In support of this application, I have attached:

Item 1: A copy of my rough parking plan from the February 13 pre-planning meeting done by Jim Kiser. Jim did this plan as a favor to me and declined to take on my project. To my knowledge he never spoke to any city staff on my behalf as I never paid him. I hired Justine Drake as my site planner.

Item 2: An email from Director of Development Anne Krieg stating my current parking lot is non-conforming and that I'd need a waiver to extend it into the proposed parking

Item 3 and 4: Emails from Planning Analyst Matthew Altiero saying I would need buffers that were never mentioned prior and calling my existing lot non-conforming.

Item 5: Email from Planning Officer Anja Collette calling my existing lot non-conforming and that my existing lot can continue to have a one-foot set back.

Item 6: Email from Anja Collette stating there are no notes from the pre-planning meeting.

Item 7: Email from a formal Freedom of Access Act request that confirms no meeting notes exist from the pre-planning meeting.

Item 8: Email from Anja Collette stating Anne Krieg and the planning board chair spoke "erroneously" when calling my existing lot non-conforming. In complete disregard of her own words, she now says my lot is not non-conforming and that I will also have to pull my existing parking lot back 4 feet.

Item 9: Email from Anja Collette stating that there is no evidence of any code enforcement meeting with me before the pre-planning meeting.

Item 10: An up-to-date site plan done by Justine Drake of Hinckley Hill Designs

Item 11: Invoices of expenses exceeding \$15,000, not including acquisition costs

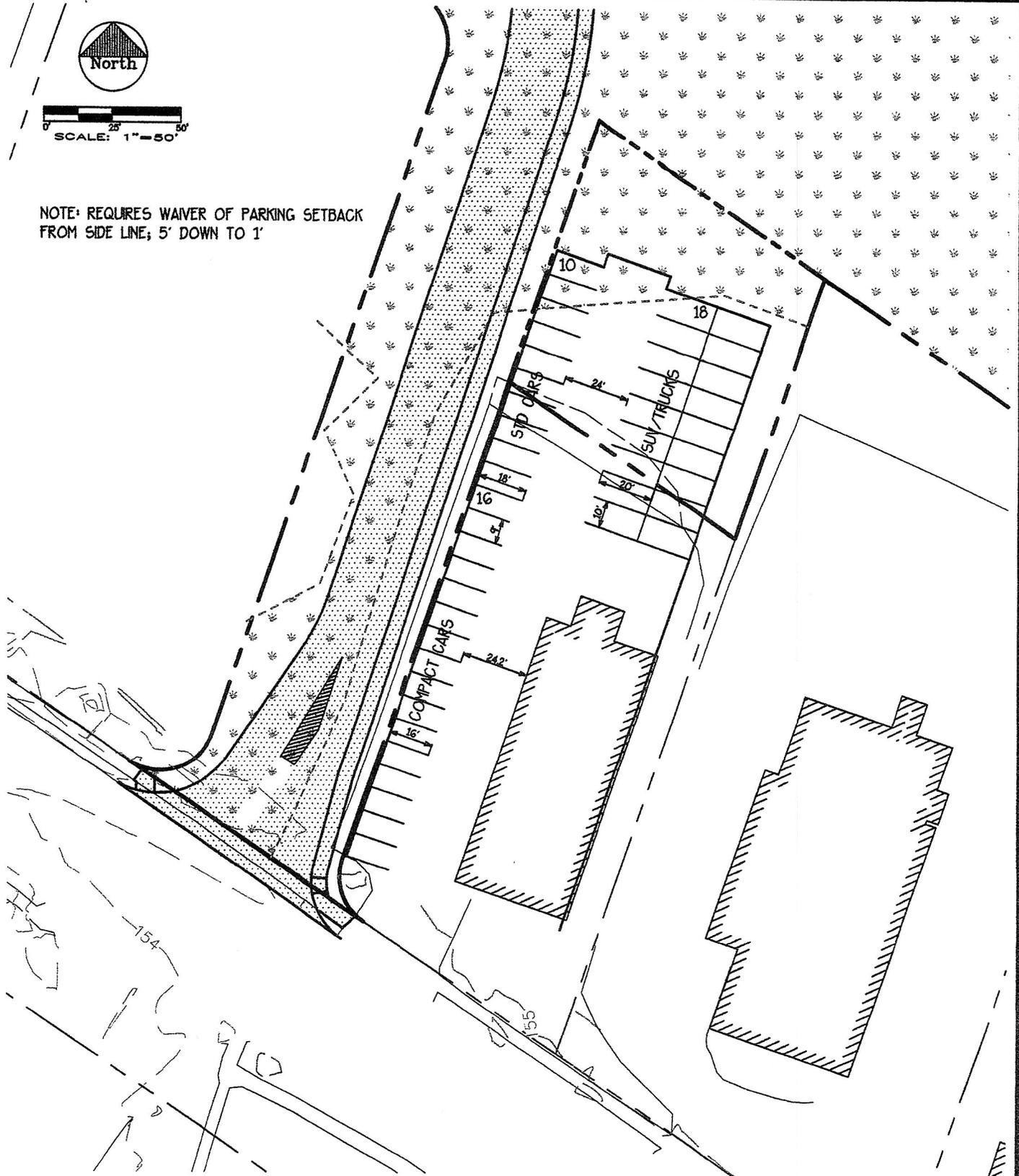
Link for the July 15 Planning Board video with relevant conversation (27:12 is the related time):

<https://www.youtube.com/live/OQHRbo2410s?si=W4DaCzg0glteIx5&t=1633>



0 25 50
SCALE: 1" = 50'

NOTE: REQUIRES WAIVER OF PARKING SETBACK FROM SIDE LINE; 5' DOWN TO 1'



MIDAS PARKING SKETCH
ENCOMPASS HEALTH REHABILITATION HOSPITAL
UNION STREET, BANGOR, MAINE

FOR:
ENCOMPASS HEALTH MAINE REAL ESTATE, LLC
9001 LIBERTY PARKWAY, BIRMINGHAM, AL 35242



ENGINEERING & DEVELOPMENT CONSULTING
PO BOX 282, HAMPDEN, MAINE 04444
207-862-4700

13 MAR 25

From: Krieg, Anne M. <anne.krieg@bangormaine.gov>

Sent: Thursday, August 14, 2025 2:29 PM

To: Justine Drake <justine@hinckleyhilldesigns.com>; Maquillan, Sarah <sarah.maquillan@bangormaine.gov>

Cc: Altiero, Matthew <matthew.altiero@bangormaine.gov>; LaBree, Jeff <jeff.labree@bangormaine.gov>

Subject: RE: Plan

Hi there –

Staff or the Planning Board is not authorized to provide a waiver from parking setback; however, the parking is non-conforming as to setback, so as long as you don't encroach further, you can extend the parking.

How many spaces are being added?

amk

Anne Krieg AICP
City of Bangor
Director of Community & Economic Development Department

On Sep 23, 2025, at 4:27 PM, Altiero, Matthew <matthew.altiero@bangormaine.gov> wrote:

Hello,

The left side of the lot that is adjacent to the G&ISD district will need the type c buffer. The rear side of the lot will also need the type c buffer. The right side of the lot adjacent to the S&PS district would not need a buffer. It does not look like there was a zoning change submitted for the back lot, but G&ISD and S&PS have the same setback requirement of 5 feet for parking on the side and rear. Please feel free to reach out if you have any questions.

Best,



CITY OF BANGOR
Matthew Altiero, Planning Analyst
Community & Economic Development Department
matthew.altiero@bangormaine.gov

From: Altiero, Matthew <matthew.altiero@bangormaine.gov>
Sent: Tuesday, September 23, 2025 12:32 PM
To: Justine Drake <justine@hinckleyhilldesigns.com>
Cc: Krieg, Anne M. <anne.krieg@bangormaine.gov>
Subject: Re: Plan

Hi Justine,

I just spoke with Anne and our code department. The wetland setback is not required. That wetland is a forested wetland, so it is not included in shoreland zoning. If too much of a forested wetland is disturbed, you would need a permit, but as it is now, no permit is required. Regarding the nonconforming side setback, to extend, you would need to have any extension conform to current code with the required setbacks and buffers. If you have any questions, please feel free to email or call me. I will be at my desk between 1:15 PM to 4:30 PM.

Thank you,



CITY OF BANGOR
Matthew Altiero, Planning Analyst
Community & Economic Development Department
matthew.altiero@bangormaine.gov



Nathan Woodard <midasmaine@gmail.com>

1011 Union Street

Collette, Anja <anja.collette@bangormaine.gov>

Wed, Oct 1, 2025 at 10:05 AM

To: "midasmaine@gmail.com" <midasmaine@gmail.com>

Cc: "Maquillan, Sarah" <sarah.maquillan@bangormaine.gov>, "Altiero, Matthew" <matthew.altiero@bangormaine.gov>

Hi Nate, on the zoning portion of your question, the zoning was definitely changed by Council. As Sarah mentioned, there can be a lag with updating the mapping. We will make sure that's updated soon so that there's no confusion.

On the setbacks, I remember being pretty clear with Jim Kiser awhile back that the new portion of the parking lot would need to meet the current setback requirement from the lot lines, which is 5 feet. The existing parking lot is non-conforming/grandfathered and can continue to have the 1-foot setback, but when you create new parking or redevelop a parking lot, it has to meet the current standards. I don't know what was said during the Planning Board meeting, but there may have been a misunderstanding. Regardless, a determination on the setbacks would have to be made during a meeting on the site plan, not on the zone change. I did just talk to Anne and she also thought she remembered saying the new parking would have to meet the setback requirement. Again, it is just a 5-foot setback, which might make the configuration a little odd, but it should still leave plenty of room for parking on that lot.

**CITY OF BANGOR****Anja Collette AICP***Planning Officer**Community & Economic Development**Planning Division*

73 Harlow Street

Bangor, ME 04401

anja.collette@bangormaine.gov

Phone: 207.992.4280

From: Nathan Woodard <midasmaine@gmail.com>**Sent:** Tuesday, September 30, 2025 09:17

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[Quoted text hidden]



Nathan Woodard <midasmaine@gmail.com>

Midas Parking Lot

Collette, Anja <anja.collette@bangormaine.gov>
To: Nathan Woodard <midasmaine@gmail.com>
Cc: Justine Drake <justine@hinckleyhilldesigns.com>

Tue, Oct 7, 2025 at 4:34 PM

Hi Nate, on the pre-app record, usually we do create those for pre-apps, but unfortunately I'm not finding one for this project. We had some staff turnover earlier in the year, so it may have gotten caught up in that.

I do understand on the 20-foot buffer and I'm sorry if that wasn't mentioned previously. We do sometimes propose code changes when situations like this come up where a part of the code that might be an unreasonable requirement comes to our attention. Typically our proposals are accepted, but I can't make a guarantee. But we will workshop it with Council and Planning Board first to make sure any concerns are addressed.

On the gravel pad, what I can do is ask Engineering and Code here if they would be okay having that part be a minor revision so that you can at least go ahead and get that piece done.



CITY OF BANGOR

Anja Collette AICP

Planning Officer

Community & Economic Development

Planning Division

73 Harlow Street
Bangor, ME 04401
anja.collette@bangormaine.gov
Phone: 207.992.4280

From: Nathan Woodard <midasmaine@gmail.com>
Sent: Tuesday, October 7, 2025 2:18 PM
To: Collette, Anja <anja.collette@bangormaine.gov>
Cc: Justine Drake <justine@hinckleyhilldesigns.com>
Subject: Re: Midas Parking Lot

WARNING: EXTERNAL EMAIL - DOUBLE CHECK THE SENDER'S ADDRESS BEFORE OPENING LINKS OR ATTACHMENTS.

[Quoted text hidden]



Nathan Woodard <midasmaine@gmail.com>

Requesting for meeting records

Innis, Grace <grace.innis@bangormaine.gov>
To: Nathan Woodard <midasmaine@gmail.com>
Cc: CityClerk-WWW <cityclerk@bangormaine.gov>

Wed, Nov 19, 2025 at 1:49 PM

Good afternoon, Nathan,

This is an acknowledgment of your FOAA request, which was received by the Legal Department and the Clerk's Office on November 13, 2025.

I understand from the Community and Economic Development Department that no meeting records exist for the preapplication meeting on 2/18/25 at 9:30 a.m.

Should you have any questions or concerns, please let me know.

Grace



CITY OF BANGOR

Grace T. Innis, Esq. (*she/her*)
Assistant City Solicitor / Public Access Officer / ADA Coordinator
73 Harlow Street
Bangor, ME 04401
(207) 992-4276
grace.innis@bangormaine.gov

From: Nathan Woodard <midasmaine@gmail.com>
Sent: Thursday, November 13, 2025 10:21 PM
To: Innis, Grace <grace.innis@bangormaine.gov>
Cc: CityClerk-WWW <cityclerk@bangormaine.gov>
Subject: Requesting for meeting records

WARNING: EXTERNAL EMAIL - DOUBLE CHECK THE SENDER'S ADDRESS BEFORE OPENING LINKS OR ATTACHMENTS.

[Quoted text hidden]



Nathan Woodard <midasmaine@gmail.com>

RE: 1008.01 Midas - Minor Revision

Collette, Anja <anja.collette@bangormaine.gov>

Mon, Nov 10, 2025 at 4:20 PM

To: Nathan Woodard <midasmaine@gmail.com>

Cc: Justine Drake <justine@hinckleyhilldesigns.com>, "Maquillan, Sarah" <sarah.maquillan@bangormaine.gov>, "Altiero, Matthew" <matthew.altiero@bangormaine.gov>

Hi Nate, there are a couple of things to address:

- Yes, the Planning Board chair and Anne both erroneously said at the meeting that this lot had a non-conformity. Unfortunately, they were misinformed. This site has an approved site plan from 1987 that shows the parking having a 5-foot setback and a buffer. Over time, it seems the parking migrated past this setback and the buffer was never planted. This makes the site out of compliance, not non-conforming. A non-conformity is when a site is in compliance, but then the ordinance changes and makes it out of compliance. In this case, even though the site plan complied with our ordinance (both before and after it was updated in the 90's), the site itself never seemed to be in compliance either with the ordinance or with the site plan.
 - I did look at the zoning ordinance from 1974 since this building and original parking were built in 1978 and it does look like there was still a required 5-foot setback for parking in 1974. So that lends more support to this not being a non-conformity.
- Despite the above, we are willing to allow the gravel pad to encroach into the 5-foot setback because we're not considering it parking for this scenario.
- The larger issue is that the current parking is still out of compliance with its approved site plan and our ordinance (and not non-conforming) as I described above. Therefore, it still does have to meet our current code. So the minor revision for the gravel pad would need to show the existing parking having the setback shown in the original plan and required by our ordinance, and when the project comes in for a full site plan next year, it would need to show that as well. I do believe this issue was brought up by Code in the pre-app meeting for this.
- I did ask our Legal Department to look for any variances that might have been given for this site for the setbacks since 1987 and they weren't able to find anything unfortunately.
- As an alternative to the current parking configuration on the side, could you do angled parking and then work out an agreement for people to exit onto Encompass's driveway as shown below? The angled parking would provide a bit more space to bring in the pavement to meet setbacks while also keeping a lot of parking.



CITY OF BANGOR

Anja Collette AICP
Planning Officer
Community & Economic Development
Planning Division

73 Harlow Street
Bangor, ME 04401
anja.collette@bangormaine.gov
Phone: 207.992.4280

From: Nathan Woodard <midasmaine@gmail.com>
Sent: Friday, November 7, 2025 9:36 AM
To: Collette, Anja <anja.collette@bangormaine.gov>
[Quoted text hidden]

[Quoted text hidden]



Nathan Woodard <midasmaine@gmail.com>

RE: 1008.01 Midas - Minor Revision

Collette, Anja <anja.collette@bangormaine.gov>
To: Nathan Woodard <midasmaine@gmail.com>

Tue, Dec 9, 2025 at 10:34 AM

It sounded to me like it was an informal meeting where you came to the Code office, so there's probably not a record.

**CITY OF BANGOR**

Anja Collette AICP
Planning Officer
Community & Economic Development
Planning Division

73 Harlow Street
Bangor, ME 04401
anja.collette@bangormaine.gov
Phone: 207.992.4280

From: Nathan Woodard <midasmaine@gmail.com>

Sent: Tuesday, December 9, 2025 10:33 AM

[Quoted text hidden]

[Quoted text hidden]



MAIN-LAND

DEVELOPMENT
CONSULTANTS, INC.

ENGINEERS, SURVEYORS, SCIENTISTS

P.O. BOX Q LIVERMORE FALLS, ME 04254
TEL: (207) 897-6752/FAX: (207) 897-5404
WWW.MAIN-LANDDCI.COM

11a

REVISED INVOICE

Nate Woodard
142 College Ave Ste 1
Waterville, ME 04901

invoice number 55241
Date 05/06/2025
Project 25-117N - UNION ST - NATE WOODARD -
BANGOR - BOUNDARY

PROJECT SCOPE AND BILLING SUMMARY					
Description	Budget Amount	Percent of Budget	Prior Billed	Total Billed	Current Invoice
BOUNDARY/SITE	8,600.00	100.00	0.00	8,600.00	8,600.00
10% DISCOUNT - PER AGREEMENT	0.00	0.00	0.00	-860.00	-860.00
Total	8,600.00	90.00	0.00	7,740.00	7,740.00

CURRENT INVOICE SUMMARY	
Invoice subtotal	8,600.00
Invoice adjustment	-860.00
Invoice total	7,740.00
Prepayment applied	-2,000.00
Amount due this invoice	5,740.00

PAST INVOICE AGING SUMMARY							
invoice Number	Invoice Date	Current	Over 30	Over 60	Over 90	Over 120	Outstanding
55241	05/06/2025	5,740.00					5,740.00
	Total	5,740.00	0.00	0.00	0.00	0.00	5,740.00

AMOUNT NOW DUE	\$5,740.00
-----------------------	-------------------

Invoices over 30 days are subject to a late payment charge of 1-1/2% per month, an annual rate of 18%.

Please remit payment to: Main-Land Development Consultants, Inc., PO Box Q, Livermore Falls, ME 04254

OR

You may pay on-line by Credit Card or ACH (eCheck) by going to www.main-landdci.com, click on PAY NOW and follow the easy steps.

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113

INVOICE

Hinckley Hill Designs, LLC
Justine Drake, PE

3409 Union Street
Levant Maine, 04456
207-659-9719
justine@hinckleyhilldesigns.com

INVOICE # 1008-01.01
DATE: NOVEMBER 17, 2025

B+M
5041
(B)
11/18/25

TO Midas
Attn: Nathan Woodard
1011 Union Street
Bangor, Maine 04401
midasmaine@gmail.com

TASK	DESCRIPTION	PAYMENT DUE	COST
1	Midas Parking Lot Land Development Application Minor Revision	Payment Due within 15-days of Invoice Date	\$2,000.00

TOTAL CONTRACT AMOUNT	4,500.00
TOTAL DUE	2,000.00
REMAINING CONTRACT AMOUNT	\$2,500.00

11/18/25 PER NOTE PAY THE 2500.00

llc

Print receipt

<-- Back

Payment Receipt

Thank you for making your payment to the **City of Bangor Code Enforcement** store through the Maine PayPort service. Your payment has been successfully processed and the details of your transaction(s) are provided below.

Payment Confirmation

- Order ID: **77879550**
- Transaction Date: **2025-06-26 10:16:50**
- Name on Credit Card: **NATHAN WOODARD**
- Card Number: ****** * 8490**

<p>Order Details</p> <ul style="list-style-type: none"> • Town / Store: City of Bangor Code Enforcement • Item: Miscellaneous • Quantity: 1 Price: \$2172.00 Notes: PLANNING DEPARTMENT - 1011 UNION STREET • Status: Charged <ul style="list-style-type: none"> • Sub-Total: \$2172.00 • Maine PayPort Price: \$2226.30
--

Your account has been charged the following amount: **\$2226.30**

Signature: _____

The disclosure statement has been read and agreed to by the customer.

The customer has been informed that PayPort is a service offered by a third party working in partnership with the State of Maine and this municipality. As part of our service to you, we will remit the designated portion of your payment to the municipality on your behalf. The balance funds the operation of this and other Maine.gov online services. Conducting business through Maine PayPort is voluntary and the final cost may be higher than using other forms of payment. This service is provided by the Information Resource of Maine (InforME) as designated in statute of (M.R.S.A. Title 1, Ch. 14).

Questions or refunds? Contact the City of Bangor Code Enforcement store at 2079924226 or laura.salisbury@bangormaine.gov.

Payment Receipt

Thank you for making your payment to the **City of Bangor Code Enforcement** store through the Maine PayPort service. Your payment has been successfully processed and the details of your transaction(s) are provided below.

Payment Confirmation

- Order ID: **79728222**
- Transaction Date: **2025-10-21 14:33:01**
- Name on Credit Card: **Nathan Woodard**
- Card Number: **** * 8490

RIM
3041
B

Order Details

- Town / Store: **City of Bangor Code Enforcement**
- Item: **Miscellaneous**
- Quantity: 1 | Price: **\$70.00** | Account: **Minor Site Plan Revision** | Notes: **1017 Union Street**
- Status: **Charged**
 - Sub-Total: **\$70.00**
 - Maine PayPort Price: **\$71.75**

Your account has been charged the following amount: **\$71.75**

Signature: _____

The disclosure statement has been read and agreed to by the customer.

The customer has been informed that PayPort is a service offered by a third party working in partnership with the State of Maine and this municipality. As part of our service to you, we will remit the designated portion of your payment to the municipality on your behalf. The balance funds the operation of this and other Maine.gov online services. Conducting business through Maine PayPort is voluntary and the final cost may be higher than using other forms of payment. This service is provided by the Information Resource of Maine (InforME) as designated in statute of (M.R.S.A. Title 1, Ch. 14).

Questions or refunds? Contact the City of Bangor Code Enforcement store at 2079924226 or laura.salisbury@bangormaine.gov.

[<-- Back](#)[Print receipt](#)

Payment Receipt

Thank you for making your payment to the **City of Bangor Code Enforcement** store through the Maine PayPort service. Your payment has been successfully processed and the details of your transaction(s) are provided below.

Payment Confirmation

- Order ID: **80637464**
- Transaction Date: **2025-12-29 09:46:06**
- Name on Credit Card: **Nathan Woodard**
- Card Number: **** * 8490

Order Details

- Town / Store: **City of Bangor Code Enforcement**
- Item: **Miscellaneous**
- Quantity: **1** | Price: **\$361.00** | Notes: **Board of Appeals 1011 Union**
- Status: **Charged**
- Item: **Miscellaneous**
- Quantity: **1** | Price: **\$431.00** | Notes: **Board of Appeals 1011 Union R24-Loto17A**
- Status: **Charged**
 - Sub-Total: **\$792.00**
 - Maine PayPort Price: **\$811.80**

Your account has been charged the following amount: **\$811.80**

Signature: _____

The disclosure statement has been read and agreed to by the customer.

The customer has been informed that PayPort is a service offered by a third party working in partnership with the State of Maine and this municipality. As part of our service to you, we will remit the designated portion of your payment to the municipality on your behalf. The balance funds the operation of this and other Maine.gov online services. Conducting business through Maine PayPort is voluntary and the final cost may be higher than using other forms of payment. This service is provided by the Information Resource of Maine (InforME) as designated in statute of (M.R.S.A. Title 1, Ch. 14).

Questions or refunds? Contact the City of Bangor Code Enforcement store at 2079924224 or brenda.hanscombilotta@bangormaine.gov.

City of Bangor, ME
Tuesday, January 13, 2026

Chapter 23. Boards, Committees and Commissions

Article I. Board of Appeals

§ 23-3. Appeals and variances.

Administrative appeals from any order, requirement, decision, determination or interpretation of the Code Enforcement Officer, or other officer or entity specified by an ordinance, and variance appeals from the laws and ordinances of the City of Bangor, where expressly permitted by an ordinance, shall be made pursuant to the following procedures:

- A. The Board shall follow any procedures specifically set forth in the ordinance which forms the basis of the appeal. If the procedures set forth in an ordinance differ from the procedures set forth in this section, the Board shall follow the procedures set forth in the ordinance to the extent that the procedures are inconsistent.
- B. Persons appealing any order, requirement, decision, determination or interpretation of the Code Enforcement Officer, or other officer or entity specified by an ordinance, shall first file with the Code Enforcement Officer a completed appeal application form and an application processing fee in such amount as may be established from time to time by the City Council by Council order. The appeal application form shall specifically set forth the grounds which form the basis for the appeal.
- C. The Board shall have the authority to grant variances only as specifically provided by an ordinance. If an ordinance permits variances, a party requesting a variance shall check the box marked "variance" on the appeals form and follow the procedures as for an appeal, as set forth in this section.
- D. Appeals must be filed and the required application processing fee paid within 30 days after the decision to be appealed.
- E. The Code Enforcement Officer shall immediately refer the appeal, together with all materials relative thereto, to the Chair of the Board for consideration by the Board as provided herein. Before taking any action on the appeal, the Board of Appeals shall hold a public hearing within 60 days of the receipt of the application and required fee. The Chair of the Board has the discretion to grant a continuance to an applicant who requests one, permitting the public hearing to be held beyond 60 days of the date of the application. By requesting such a continuance, an applicant consents to the public hearing being held beyond 60 days from the date the application and required fee are received. The Board shall notify, by United States Mail, the applicant, the owners of all abutting property and owners of properties within 100 feet of the exterior boundaries of the property in question, at least 10 days in advance of the hearing, of the nature of the appeal and the time and place of the public hearing, in accordance with the following:
[Amended 4-27-2015 by Ord. No. 15-136; 4-22-2024 by Ord. No. 24-120]
 - (1) The owners of the property shall be considered to be those against whom taxes are assessed. Failure of any person owning property within said 100 feet to receive notice of said public hearing shall not necessitate another hearing or invalidate any action by the Board of Appeals.
 - (2) The Board shall notify the Code Enforcement Officer, Planning Officer, City Council and the Planning Board, at least 10 days in advance, of the time and place of the hearing and shall

publish notice of the hearing at least 10 days in advance in a newspaper of general circulation in the area.

- (3) At any hearing, a party may be represented by an agent or an attorney. A hearing shall not be continued to another time except for good cause.
 - (4) The Code Enforcement Officer, or their designated agent, shall attend all hearings and shall present to the Board of Appeals all plans, photographs or other materials they deem appropriate for an understanding of the appeal.
 - (5) The appellant's case shall be heard first. To maintain orderly procedure, each side shall proceed without interruption. Questions may be asked through the Chair. All persons at the hearing shall abide by the order of the Chair.
 - (6) Within 20 days of the public hearing, the Board of Appeals shall reach a decision on the requested appeal. Notice of any decision must be mailed or hand delivered to the appellant, the appellant's representative or agent, the Planning Division and the City Council within seven days of the Board's decision. Failure of the Board to render a decision within 20 days of the hearing will result in a denial of the appeal, unless the appellant agrees to an extension of the twenty-day period.
 - (7) Upon notification of the decision of the Board of Appeals, the Code Enforcement Officer shall take all necessary action as instructed by said Board.
- F. The Board shall apply the standard of review specifically set forth in the ordinance from which the appeal is taken. If an ordinance does not specifically set forth a different standard of review, the Board may interpret the provisions of the ordinance which forms the basis of the appeal.
- G. The Board may modify or reverse the action or determination from which the appeal was taken by the Board by a concurring vote of at least four of its members.
- H. Appeals to Superior Court. Further appeals may be taken from any action of the Board of Appeals by any party, including the City of Bangor, to the Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.
[Amended 9-23-2002 by Ord. No. 02-342]

City of Bangor, ME
Wednesday, January 14, 2026

Chapter 165. Land Development

Part 1. Purpose, Applicability, Administration and Enforcement

Article I. General Provisions

§ 165-11. Appeals.

[Amended 5-12-1997 by Ord. No. 97-197; 8-24-1998 by Ord. No. 98-321; 9-14-1998 by Ord. No. 98-339; 12-27-2000 by Ord. No. 01-63; 12-27-2000 by Ord. No. 01-63; 9-23-2002 by Ord. No. 02-342; 6-12-2023 by Ord. No. 23-154; 10-27-2025 by Ord. No. 25-293]

- A. Administrative appeals. Administrative appeals alleging there is an error in any order, requirement, decision or determination made by the Code Enforcement Officer in the enforcement of this chapter shall be made to the Board of Appeals, as established by Chapter **23**, Article **I**, of the Code of the City of Bangor. The action of the Code Enforcement Officer may be modified or reversed by the Board of Appeals, by concurring vote of at least four members of the Board.
- B. Variance appeals. The Board of Appeals shall hear and decide upon appeal requests for variance in specific cases where a relaxation of the terms of this chapter would not be contrary to the public interests and where, owing to conditions peculiar to the property, a literal enforcement of this chapter would result in unnecessary hardship. A financial hardship alone shall not constitute grounds for granting a variance. A variance shall not be granted which permits the establishment of a use in any district which is not specifically allowed under the use provisions of Article **XIII**, **XIV** or **XV** of this chapter.
- (1) Before the Board may exercise its discretion and grant a variance upon the grounds of unnecessary hardship, the record must show that:
 - (a) The land in question cannot yield a reasonable return unless a variance is granted;
 - (b) The plight of the owner is due to unique circumstances of the property and not to the general conditions of the neighborhood;
 - (c) The granting of the variance will not alter the essential character of the locality; and
 - (d) The hardship is not the result of action taken by the applicant or a prior owner.
 - (2) The Board of Appeals shall grant a variance only by concurring vote of at least four members and, in so doing, may prescribe any conditions and safeguards as are appropriate for carrying out the intent and purpose of this chapter. The Board shall not hear within any twelve-month period more than one variance application requesting the same relief.
 - (3) No variance granted under this subsection is valid until a certificate detailing the contents of the variance has been recorded in the Penobscot Registry of Deeds in accordance with the requirements of 30-A M.R.S.A. § 4353.

- C. Practical difficulty appeal.

- (1) The Board of Appeals shall hear and decide upon appeal requests for variance in specific cases where a relaxation of the setback requirements of this chapter would not be contrary to the public interests and where, owing to conditions peculiar to the property, a literal enforcement of this chapter would result in practical difficulty. Such practical difficulty variances may only be granted to properties situated in the URD-1, URD-2 and M & SD Zones to replace legally nonconforming structures, provided that there is no additional encroachment into the required minimum yards. Before the Board may exercise its discretion and grant a variance upon the grounds of practical difficulty, the record must show that:
 - (a) The need for the variance is due to the unique circumstances of the property and not to the general condition of the neighborhood;
 - (b) The granting of a variance will not produce an undesirable change in the character of the neighborhood and will not unreasonably detrimentally affect the use or market value of abutting properties;
 - (c) The practical difficulty is not the result of action taken by the petitioner or a prior owner;
 - (d) No other feasible alternative to a variance is available to the petitioner;
 - (e) The granting of a variance will not unreasonably adversely affect the natural environment; and
 - (f) The property is not located in whole or in part within shoreland areas.
- (2) No variance granted under this subsection is valid until a certificate detailing the contents of the variance has been recorded in the Penobscot Registry of Deeds in accordance with the requirements of 30-A M.R.S.A. § 4353.

D. Disability variance.

- (1) The Board may grant a variance to an owner of a dwelling for the purpose of making that dwelling accessible to a person with a disability who resides in or regularly uses the dwelling. The Board shall restrict any variance granted under this subsection solely to the installation of equipment or the construction of structures necessary for access to or egress from the dwelling by the person with the disability. The Board may impose conditions on the variance, including limiting the variance to the duration of the disability or to the time that the person with the disability lives in the dwelling. For the purpose of this subsection, a disability has the same meaning as a physical or mental disability under 5 M.R.S.A. § 4553-A, and the term "structures necessary for access to or egress from the dwelling" is defined to include railing, wall or roof systems necessary for the safety or effectiveness of the structure.
- (2) No variance granted under this subsection is valid until a certificate detailing the contents of the variance has been recorded in the Penobscot Registry of Deeds in accordance with the requirements of 30-A M.R.S.A. § 4353.
- (3) Any applicant for a disability variance shall not be required to pay any application fee as part of their application.

E. Fair Housing Act reasonable accommodation. The Board shall grant a waiver from the strict application of the terms of this chapter as a reasonable accommodation to any person or group who qualifies as "handicapped," as defined by the Fair Housing Act, where an accommodation is necessary to afford such person or group equal opportunity to use and enjoy a dwelling in conformity with the requirements of the Federal Fair Housing Act, as amended, 42 U.S.C. § 3601 et seq.

- (1) A "reasonable accommodation" is a change in some rule that is generally applicable so as to make its burden less onerous on the handicapped individual.
- (2) An accommodation is not reasonable if it would require a fundamental alteration in the nature of zoning or it would impose undue financial or administrative burdens on the City of Bangor.

- (3) Any applicant for a Fair Housing Act reasonable accommodation shall not be required to pay and application fee as part of their application.
- F. Appeals to Superior Court. A party may appeal any final action of the Planning Board to Superior Court in accordance with Rule 80B of the Maine Rules of Civil Procedure.

City of Bangor, ME
Monday, January 12, 2026

Chapter 165. Land Development

Part 2. General Requirements

Article X. Off-Street Parking

§ 165-73. Parking area location and screening.

The location of off-street parking shall comply with the following requirements:

- A. All parking spaces shall be located on the same or adjacent lot with the principal building or use served, except that when such parking spaces cannot be reasonably provided on the same or adjacent lot, the Planning Board may authorize parking on another lot within 500 feet distance of the premises to be served by such parking, provided that such lot is held under the same ownership or lease and is located in the same or a less restrictive district as the building or use served.
- B. In any district, no off-street parking space, outdoor display area or outdoor storage area shall be located closer to a street line, side lot line or rear lot line than the minimum distance in feet indicated on the following schedule:
[Amended 10-24-1994 by Ord. No. 94-439; 7-28-1997 by Ord. No. 97-312; 3-24-2003 by Ord. No. 03-106; 6-26-2006 by Ord. No. 06-223; 4-9-2007 by Ord. No. 07-97; 4-11-2011 by Ord. No. 11-100; 3-8-2021 by Ord. No. 21-099]

District	Minimum Distance in Feet From		
	Street Line	Side Lot Line	Rear Lot Line
URD-1, URD-2, M & SD, NSD, USD, WDD, ADD, DDD, BPD and UID with 50 or more spaces	10	5	10
I & S, T & S, G & ISD, S & PS, GC & S, P & O, RR & A, RP, LDR and HDR	20	5	5
ADD, WDD, URD-2. M & SD, USD, NSD, BPD and DDD with less than 50 spaces	6	5	5
I & S, G & ISD, GC & S, BPD and S & PS			
With more than 100 spaces	20	15	15
With more than 250 spaces	25	20	20
With more than 500 spaces	35	25	25

- C. Electric vehicle (EV) supply equipment are exempt from setback requirements and therefore may be located in the parking setbacks listed in § 165-73B above. EV supply equipment does not require a land development permit, but must meet National Electrical Code standards. If buffering and/or screening is required for the lot in question where the EV supply equipment is proposed, the buffering/screening may be eliminated within five feet in any direction of the equipment.
[Amended 10-24-2022 by Ord. No. 22-347^[1]]

[1] *Editor's Note: Former Subsection C, regarding parking spaces in front yards, was repealed 4-9-2007 by Ord. No. 07-97.*

- D. Screening of parking. All parking lots containing five or more parking spaces, outdoor display areas, outdoor storage areas and all outdoor off-street loading areas shall be screened in accordance with the following requirements:

[Amended 7-28-1997 by Ord. No. 97-312; 9-9-2002 by Ord. No. 02-322; 3-24-2003 by Ord. No. 03-106; 4-9-2007 by Ord. No. 07-97]

(1) All parking lots and off-street loading areas shall have a C Buffer Yard as provided in Article **XIX** along any property line abutting any residential district, any Multifamily and Service District, any Government and Institutional Service District, any Rural Residence and Agricultural District, any Park and Open Space District, any Resource Protection District and any Stream Protection District; excepting that parking lots and off-street loading areas in URD-2, M & SD, and NSD containing no more than 10 parking spaces shall instead have an A Buffer Yard along such property lines.

[Amended 9-10-2018 by Ord. No. 18-315]

(2) All parking lots fronting on a public street or private way shall have an E Buffer Yard along the street right-of-way boundary. All off-street loading areas fronting on a public street or private way shall have a B Buffer Yard along the street right-of-way boundary, except loading areas fronting on a public street or private way in DDD, WDD, URD-2, M & SD, USD, BPD, and NSD with less than 50 spaces shall have an A Buffer Yard. For the purpose of this subsection, the term "private way" shall not include a railroad.

[Amended 4-11-2011 by Ord. No. 11-100; 11-13-2019 by Ord. No. 19-416]

City of Bangor, ME
Monday, January 12, 2026

Chapter 165. Land Development

Part 5. Appendices

Article XIX. District Site Development Standards

§ 165-135. Application and explanation of standards.

Numerical standards, height and density concepts, yard requirements and other measurements of development, bulk or intensity need to be clearly understood if such standards are to be properly applied. This section explains the following terms used in the tables in this article.

A. Height limits. Height limitations are established by three factors which define a building envelope for a lot in the specific district:

[Amended 12-11-2000 by Ord. No. 01-42; 5-10-2004 by Ord. No. 04-125]

- (1) Maximum district height: the maximum limit on height at any point on a lot in any part of the district.
- (2) Maximum building height at minimum yard setback line:
 - (a) Front yard: is equal to minimum setback dimension.
 - (b) Side yard: is equal to two times the minimum side yard dimension.
 - (c) Rear yard: is equal to minimum rear yard dimension.
 - (d) Where a setback is less than 20 feet, maximum height at setback line is 20 feet.
[Amended 4-24-2017 by Ord. No. 17-135]

- (3) Maximum height within buildable area is equal to maximum building height at minimum yard line, plus one foot above building line maximum for each additional foot distance from the property line, up to the district maximum height (as prescribed in the district regulations).

- (4) The maximum building height limitation at the minimum yard setback line shall not apply in the Downtown Development District, Bass Park District, Airport Development District or Waterfront Development District. The maximum building height limitation at the minimum front yard setback line shall not apply in the Multifamily and Service District (M & SD) or Urban Service District (USD), and the maximum building height limitation at the minimum side and rear yard setbacks shall only apply to properties in the Multifamily and Service District (M & SD) or Urban Service District (USD) that abut lots in the URD-1, URD-2, or LDR Districts.
[Amended 4-11-2011 by Ord. No. 11-100; 6-10-2024 by Ord. No. 24-164]

- (5) Rooftop mechanical equipment shall be allowed to extend up to 10 feet above the maximum district height limitation, provided that, if located on a lot in a residential district, any rooftop mechanical equipment is screened from view with suitable elements of a permanent nature, finished to blend in with the rest of the building. Where such screening is not feasible, equipment shall be installed in a neat, presentable manner and, if possible, shall be painted to minimize its visibility.

[Added 6-10-2024 by Ord. No. 24-164^[1]]

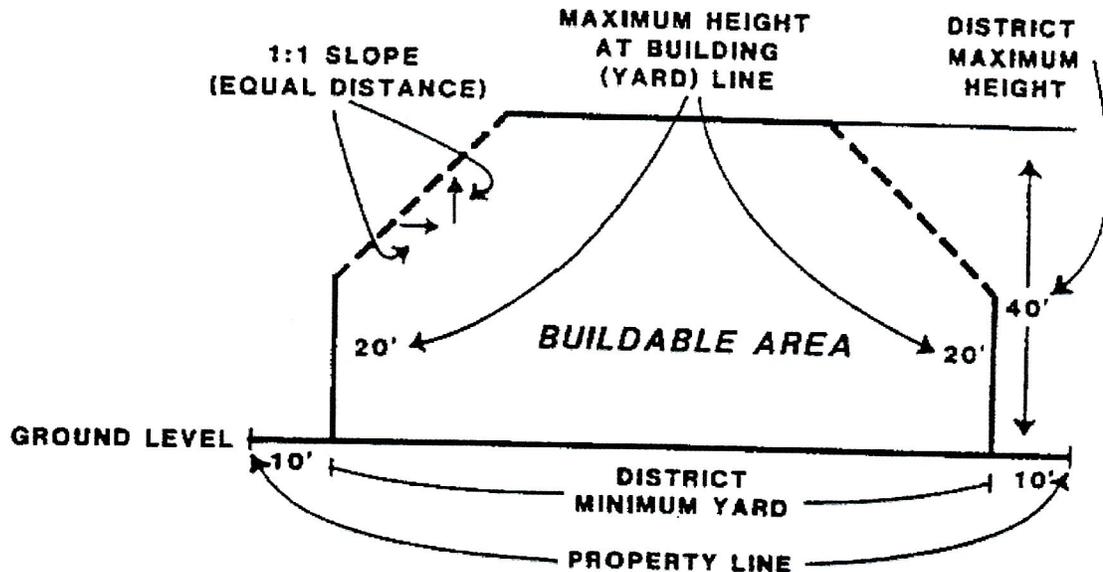
[1] *Editor's Note: This ordinance also redesignated former Subsection A(5) as Subsection A(7).*

- (6) Roof-mounted or building-integrated solar shingles, panels, or canopies shall be allowed to extend above the maximum district height limitation as follows:

[Added 6-10-2024 by Ord. No. 24-164]

- (a) In residential zones, up to three feet above the maximum height allowed in the underlying zone. In the case of flat roofs, the solar energy system may be up to five feet above the maximum height allowed in the underlying zone. All roof-mounted solar energy systems shall be set back from the edge of the roof by one foot for every one foot of solar energy system height.
 - (b) In all other zones, up to four feet above the maximum height allowed in the underlying zone. In the case of flat roofs, the solar energy system may be up to 10 feet above the maximum height allowed in the underlying zone. All roof-mounted solar energy systems shall be set back from the edge of the roof by one foot for every one foot of solar energy system height.
- (7) The building envelope sketch below illustrates the interaction of these three factors on height control.

Building Envelope Sketch



- B. Floor area ratio. "Floor area ratio" (FAR) is the maximum that the ratio of building gross floor area divided by lot area (for a given lot) cannot be exceeded for that use or district.
- C. Impervious surface ratio (ISR). The "impervious surface ratio" is the maximum percent of surface area of a lot or site which is not to be loamed, reseeded or revegetated after construction of site development project.
- D. Buffer yard.

- (1) A "buffer yard" is a designated area along the rear and side yards of a site development which is to be planted and landscaped in a certain manner (or alternative manners) to lessen the impact of one site development upon another. The buffer yard requirements are shown in 100-foot-long units. Lots with a yard of less than 100 feet in length will be required to provide buffer yard elements in proportion to the 100-linear-foot requirements indicated below. All fractions of trees or shrubs will be considered whole plants. There are five different types of buffer yards

which may be required under Article **XIV**: Buffer Yards A, B, C, D and E, as defined by the illustrations which follow.^[2]

[Amended 4-9-2007 by Ord. No. 07-97; at time of adoption of Code (see Ch. 1, General Provisions, Art. I)]

[2] *Editor's Note: Buffer yard illustrations are included as attachments to this chapter.*

- (2) Minimum standards for buffer yard trees and shrubs. All plants in prescribed buffer yards will meet the following minimum standards:
[Amended 4-9-2007 by Ord. No. 07-97]

- (a) Trees and shrubs.

- [1] Trees.

- [a] Evergreen: minimum height of four feet.

- [b] Deciduous: minimum caliper of 1 1/2 inches measured six inches from the root ball.

- [2] Shrubs.

- [a] Evergreen: minimum height of 18 inches.

- [b] Deciduous: minimum height of 24 inches.

- (b) A minimum of 50% of the required shrubs shall be of an evergreen variety. Buffer yards less than 20 feet in width should consider ornamental or understory trees where space is limited. Street trees are recommended where a public esplanade is available.

- (3) Plant spacing.

[Added 4-9-2007 by Ord. No. 07-97]

- (a) The following guideline should be considered in spacing of adjacent plants by type:

Type	Mature Width (feet)	Spacing (feet on-center)
Street trees	50	100
Understory trees	20 to 40	30 to 50
Large shrubs	10 to 30	10
Small shrubs	5	5

- (b) Grouped planting beds are encouraged, but plant materials should not leave an unscreened opening greater than 25 feet when measured at tree canopies at 50% of full growth.

- (4) Substitutions.

[Added 4-9-2007 by Ord. No. 07-97]

- (a) Existing vegetation may be preserved and maintained to meet the applicable buffer yard, provided the vegetation is of a type and variety to mix the mix of plants for specific buffer yards. Applicants may also enhance existing vegetation to meet the range of types required in specific buffer yards.

- (b) Parking lot buffers may substitute a landscaped berm for six shrubs, provided that the berm is a minimum of three feet higher than the elevation of the adjacent parking lot being buffered.

- (c) Transition yard buffers may substitute a minimum six-foot opaque fence for eight shrubs.

- (d) Landscape boulders that are a minimum of 48 inches tall by 48 inches wide may be substituted for up to 50% of the required shrubs.
- (e) A minimum three-foot stone or masonry wall may be substituted for 10 shrubs.

LAND DEVELOPMENT

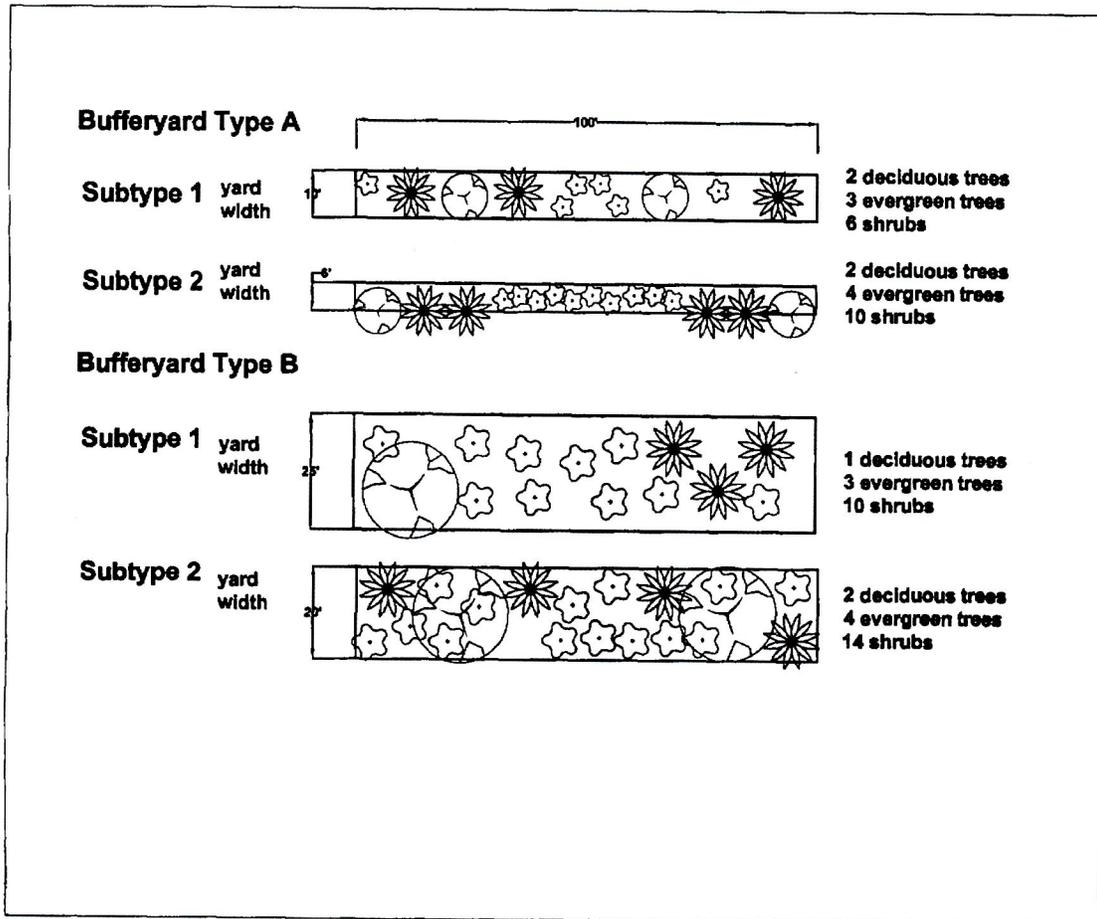
165 Attachment 1

City of Bangor

Buffer Yards

[Amended 12-27-2004 by Ord. No. 05-34; 4-9-2007 by Ord. No. 07-097; 11-13-2019 by Ord. No. 19-416]

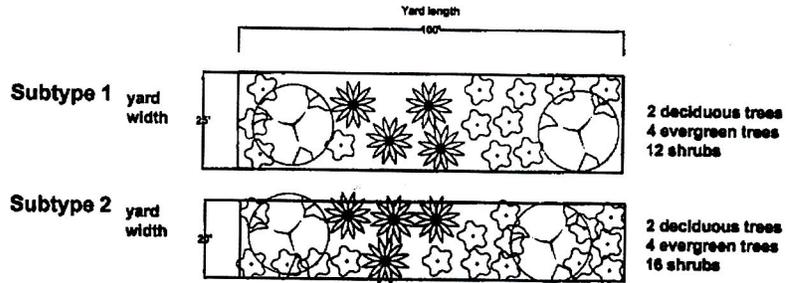
Required plants per 100 feet of length depend on the chosen buffer yard width.



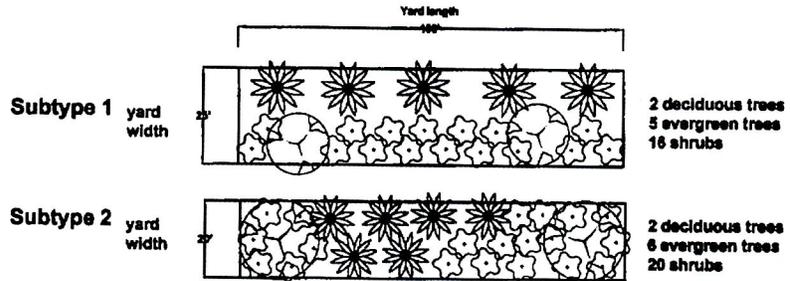
BANGOR CODE

Required plants per 100 feet of length depend on chosen buffer yard width.

Bufferyard Type C



Bufferyard Type D



deciduous tree



evergreen tree



evergreen or deciduous shrub

Bufferyard Type E

