



# CITY COUNCIL AGENDA



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If you have any questions or concerns, please don't hesitate to contact me.

[lisa.goodwin@bangormaine.gov](mailto:lisa.goodwin@bangormaine.gov)

**PLEDGE OF ALLEGIANCE**

Currently, the public has the choice to participate in meetings in person at City Hall or remotely through Zoom, Facebook, television, and the City’s website. Public comment, whether in person or through Zoom requires a person to state their name and address, any inappropriate or offensive remarks may be removed, and the Council Chair will have discretion over the time allowed for comment. On Zoom, the public may be recognized to speak by the hand wave function or, on a phone, by pressing \*9.

**PUBLIC COMMENT**

**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

\*Explanatory Note: All items listed in the Consent Agenda are considered routine and are proposed for adoption by the City Council by one motion without discussion or deliberation. If discussion on any item is desired any member of the Council or public may merely request removal of the item to its normal sequence in the regular agenda prior to a motion for passage of the Consent Agenda.

**MINUTES OF:**                      **Bangor City Council Regular Meeting of August 28, 2023, Business and Economic Development Committee Meeting of August 21, 2023, and Finance Committee Meetings of June 5, 2023, June 21, 2023, July 3, 2023, July 10, 2023 July 17, 2023, August 8, 2023, and August 21, 2023**

**LIQUOR LICENSE  
RENEWALS:**

**Application for Liquor License Renewal Malt, Wine, Spirits of Global Spectrum, LP d/b/a Cross Insurance Center, 515 Main Street**                      **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of Pictor Enterprises VI, Inc d/b/a Buffalo Wild Wings, 461 Stillwater Avenue**                      **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of Pepper Dining, Inc d/b/a Chili’s Grill and Bar, 638 Stillwater Avenue**                      **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of Las Palapas Mexican Restaurant, LLC d/b/a Las Palapas Mexican Restaurant, 8 Bangor Mall Boulevard**                      **HAWES**

**Application for Liquor License Renewal Malt, Wine, Spirits of 81 Park Street, LLC d/b/a The Tarratine, 81 Park Street**                      **HAWES**

**23-266      ORDER**                      **Authorizing the Execution of a Municipal Quitclaim Deed for Real Estate Located at 117 Philip Street**                      **YACIOUBAGHA**





# REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 11, 2023

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<b>CONSENT AGENDA ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
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<b><u>23-269</u></b>	<b><u>ORDER</u></b>	<b>Authorizing Contract with Paul Designs Project for the Central Kitchen Design Services in an Amount not to Exceed \$375,000</b>	<b>SPRAGUE</b>
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**Executive Summary:** This Order authorizes a contract with Paul Designs Project for the Central Kitchen Design Services in an amount not to exceed \$375,000. The City owned property located at 50 Cleveland Street has been proposed as the location to construct a Central Kitchen to benefit agricultural producers and processors in central, eastern and northern Maine.

The City received four (4) responses to a bid request for the design services related to the construction of the Central Kitchen. Typically, the cost for design services is based on a percentage of the overall construction costs. The proposed fees were as follows:

- Artifex Architects & Engineers – 10.50% plus \$25,000
- Harriman Associates, Inc. – 7% plus \$79,500
- Paul Designs Project – 9.25%
- Dextrous Creative – Provided a partial fee of \$177,336 to bring design to 33%

Staff selected two firms for more in-depth interviews and is proposing Paul Designs Project as the low responsive bidder. Paul Designs Project's fee of 9.25% is the low responsive bid using the last estimate of total construction costs of \$3.5 million. In addition, the firm has past experience with kitchen projects similar to the goal for the Bangor Central Kitchen.

Finance Committee recommended authorizing a contract at their meeting on September 6, 2023, however no work will be undertaken until a final layout has been approved, not to exceed \$375,000, to allow for flexibility as updated construction costs are determined.

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<b>REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
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<b><u>23-270</u></b>	<b><u>ORDINANCE</u></b>	<b>Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Ohio Street from Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&amp;A) to High-Density Residential (HDR) (First Reading and Referral to Planning Board Meeting on September 19, 2023)</b>	<b>HAWES</b>
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**Executive Summary:** This Ordinance will amend Chapter 165, Land Development Code, District Map, to re-zone property located on Ohio Street from urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR). The applicant is seeking a zone change for the property at Map-Lot R14-006-C, located on Ohio Street, from the Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR). The total area requested to be changed is approximately 9.11 acres and is shown in the attached exhibit.

# REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 11, 2023

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**REFERRALS TO COMMITTEE AND FIRST READING**  
**ITEM NO.**

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**ASSIGNED TO**  
**COUNCILOR**

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The change to the HDR district would allow for larger multi-family dwellings and other high density residential uses on the property versus the current low density residential uses allowed by the URD-1 and RR&A zones. The neighborhood consists of a mix of single-family homes, townhomes, and apartment buildings. The zoning in the area is primarily a mixture of URD-1, LDR, RR&A, and HDR, with some G&ISD where there are schools. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of “medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses.”

**23-271      RESOLVE      **Accepting and Appropriating \$61,000 for Additional Design and Engineering Costs from the National Guard Bureau and the Maine Air National Guard for the Runway Rehabilitation Project at Bangor International Airport (First Reading)**      **LEONARD****

**Executive Summary:** This Resolve will authorize the acceptance and appropriation of \$61,000 for design and engineering costs from the National Guard Bureau, and the Maine Air National Guard, for the runway rehabilitation project at Bangor International Airport.

The City originally accepted and appropriated \$175,000 on Resolve 22-313. These additional funds will bring the total to \$236,000.

The runway project was postponed and needed to be reprogrammed incurring additional costs. This is a joint project between the Guard and the City which will ensure the continued use for military and public purposes. Our current agreement outlines the terms and conditions for the Guard's contributions to the cost of this project. This cooperative agreement identifies the Guard's share of the project at 35%, based on their annual usage. This item was reviewed and recommended for approval at the Finance Committee Meeting on September 6, 2023.

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**UNFINISHED BUSINESS**  
**ITEM NO.**

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**ASSIGNED TO**  
**COUNCILOR**

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**23-246      ORDINANCE      **Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD)**      **DAVITT****

**Executive Summary:** This Ordinance will amend Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by increasing the maximum height in the Multifamily and Service District (M&SD). The proposed change would increase the maximum allowable building height in the M&SD district from 45 feet (approximately four stories) to 60 feet (approximately five stories). This is the same height proposed for high density residential in the S&PS and GC&S zones, the Ordinance for which was recently adopted. This increase in height allowance allow affordable housing projects in this district to be more financially feasible and could allow for more units on M&SD lots. This Ordinance would be in keeping with the City Council’s policy to create more housing where feasible.

# REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 11, 2023

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**UNFINISHED BUSINESS**  
**ITEM NO.****ASSIGNED TO**  
**COUNCILOR**

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Additionally, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types.

This item was reviewed and recommended “ought not to pass” with a vote of 5 to 2 by the Planning Board at its meeting on August 15, 2023.

**23-258      ORDINANCE      Amending Chapter 165, Land Development Code, by      **SPRAGUE**  
Updating the Allowed Number of Dwelling Units in  
Residential Zones to Comply with LD 2003**

**Executive Summary:** This Ordinance would update the City’s Land Development Code to comply with the requirements of the State law known as LD 2003. This update has the effect of allowing more dwelling units in residential zones throughout the City. These changes align with the City Council policy to create residential units where feasible and with the 2022 Comprehensive Plan, which suggests that the City update the Land Development Code to comply with LD 2003. This item was reviewed and voted “ought not to pass” with a vote of 6 in favor and 1 against by the Planning Board on September 5, 2023.

**23-259      ORDINANCE      Amending Chapter 165, Land Development Code,      **PELLETIER**  
District Map to Re-zone Property Located at 54  
Webster Avenue from Urban Residence 1 District  
(URD-1) to Urban Residence 2 District (URD-2)**

**Executive Summary:** This Ordinance will amend Chapter 165, Land Development Code, District Map, to re-zone property located at 54 Webster Avenue from Urban Residence 1 District (URD-1) to Urban Residence 2 District (URD-2).

The applicant is seeking a zone change for the property at Map-Lot 014-101, located at 54 Webster Avenue, from the Urban Residence 1 District (URD-1) to the Urban Residence 2 District (URD-2). The total area requested to be changed is approximately 0.19 acres and is shown in the attached exhibit.

The change to the URD-2 district would allow for three dwelling units on the property versus the current one unit allowed by the URD-1 zone. The neighborhood primarily consists of URD-1, with some NSD lots nearby, adjacent to Hammond Street. There are several legally nonconforming multi-unit dwellings in the vicinity of this property. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of “medium to high-density neighborhoods surrounding the Downtown and encompassing most of the City’s historic residential areas.”

This item was reviewed and recommended for passage by a vote of 6 in favor and 1 against by the Planning Board on September 5, 2023.

**23-260      ORDINANCE      Amending Chapter 165, Land Development Code,      **TREMBLE**  
District Map to Re-zone a Portion of the Property  
Located at 79 Fourteenth Street from Urban  
Residence 1 District (URD-1) to Urban Service  
District (USD)**



**REGULAR MEETING BANGOR CITY COUNCIL – SEPTEMBER 11, 2023**

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<b>NEW BUSINESS ITEM NO.</b>		<b>ASSIGNED TO COUNCILOR</b>
<b><u>PUBLIC HEARING:</u></b>	<b>Application for Special Amusement Permit of Global Spectrum, LP d/b/a Cross Insurance Center, 515 Main Street</b>	<b>HAWES</b>
<b><u>PUBLIC HEARING:</u></b>	<b>Application for Special Amusement Permit of 81 Park Street, LLC d/b/a the Tarratine, 81 Park Street</b>	<b>HAWES</b>
<b><u>23-272</u>    <u>ORDER</u></b>	<b>Authorizing Contract with Benchmark for City Hall Renovations in the Amount of \$8,910,000</b>	<b>HAWES</b>

**Executive Summary:** This Order will authorize a contract with Benchmark for City Hall renovations in the amount of \$8,910,000. The City issued a competitive bid process for the City Hall renovations which includes a complete renovation and remodel of the first floor, a new elevator, new boilers and new HVAC system throughout the building. The City received two responses, the base bids of each are as follows:

- Benchmark Construction - \$9,340,000
- Bowman Construction - \$10,156,000

Each bid also included alternates which could add or subtract from the total. The City intends to utilize the Limited Phasing Alternate deduction by relocating staff from the building. Benchmark proposed a \$300,000 for this reduction and Bowman proposed \$200,000. With Benchmark being the low bidder, staff reached out to them regarding the Phasing Deduction and they agreed to increase the deduction to \$430,000 resulting in a final bid of \$8,910,000. The estimated construction timeline is eighteen (18) months.

Staff is recommending the contract be awarded to Benchmark Construction, the low bidder, in the amount of \$8,910,000. This item was reviewed and recommended for passage at the Finance Committee meeting on September 6, 2023.

<b><u>23-273</u>    <u>ORDER</u></b>	<b>Authorizing the Award of \$500,000 in State and Local Fiscal Recovery Funds to Support Fresh Start Sober Living for Acquisition of Property Located at 100 Center Street</b>	<b>YACIOUBAGHA</b>
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**Executive Summary:** This Order will authorize the award of \$500,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Fresh Start Sober Living to acquire 100 Center Street. The purpose of the property is to provide high-quality recovery housing and support services for individuals with substance use disorder and to expand access to behavioral healthcare medication assistance treatment, which includes five one-bedroom apartments, on-site medically assisted treatment and two two-bedroom units for social detox.

Fresh Start Sober Living supports individuals who are active in their recovery and are in need of support and housing to maintain their sobriety. Fresh Start currently operates 14 sober living homes, 12 of which are in Bangor and are home to 112 individuals in recovery.

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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As part of the application review process, Fresh Start provided financing data that indicated a partial award of funding in the amount of \$500,000 would allow this project to move forward. Further, they worked with their financial institution to allow for the City to take a subordinate debt position to ensure the funding would support the project as outlined in the application process.

This award is in support of the following:

- Investment in affordable communal recovery housing
- Investment in substance use disorder treatment and recovery

This item was reviewed at a Council Workshop on August 28, 2023.

**23-274      ORDER                      Authorizing the Award of \$50,000 in State and Local      DAVITT  
Fiscal Recovery Funds to Support Literacy Volunteers  
of Bangor's Efforts to Create Greater Adult Self-  
Sufficiency and a Ready Workforce Initiative**

**Executive Summary:** This Order will authorize the award of \$50,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Literacy Volunteers of Bangor (LVB) to support their initiative to create greater adult self-sufficiency and a ready workforce.

LVB offers an inexpensive solution that strengthens the education and workplace skills of adult students, primarily within Penobscot County. Approximately 37% of the students are Bangor residents, and nearly 30% of students identify as unemployed and seeking employment.

The work of LVB relies significantly on community volunteer tutors to fulfill their mission. The recruitment, training and matching students to volunteers, and the necessary support of them, requires significant staff coordination.

This award is in support of the following:

- One-time funding that will support operating costs of a non-profit to overcome the negative economic impacts experienced as a result of the pandemic.
- This award will provide funding to support LVB's work to enhance workplace skills within our region.

This item was recommended at a Council workshop on August 28, 2023.

**23-275      ORDER                      Authorizing the Award of \$2,484,880 in State and      PELLETIER  
Local Fiscal Recovery Funds to Penobscot  
Community Health Center to Expand and Renovate  
Hope House Shelter**

**Executive Summary:** This Order will authorize the award of \$2,484,800 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Penobscot Community Health Center (PCHC) to expand and renovate the Hope House shelter.

**NEW BUSINESS  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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Hope House operates as a low barrier shelter in a facility that was built in 1977. This project would expand the facility foot print and allow operations to return to their pre-pandemic capacity of 66 beds (an increase of 12 beds from the current post-pandemic level). The renovations would also include replacement of an aged HVAC system for adequate heating and cooling, more bathroom and shower facilities, enlarged dining area, which increases the capacity of life safety access from 12 to 24, the addition of four flex beds in case of quarantine or other individual needs. All of which will enhance the efficiency and safety of the operation for both the guests and staff.

The proposed award amount is less than the application, as PCHC can apply for \$200,000 in forgivable debt from Maine State Housing Authority. Additionally, a \$90,000 request to purchase vans to support the various needs of guests and staff was referred to our Community Development Block Grant program for potential funding. Further, any expansion of the footprint of the facility will require an amendment to the City's Code of Ordinance that would designate allowable zoning districts for the operation of an emergency shelter, which was most recently reviewed at the Business & Economic Development Committee meeting of September 5, 2023.

This award is in support of the following:

- Investment in facilities to support disproportionately impacted communities affordable communal recovery housing
- Investment in access to substance use disorder treatment and recovery and mental health services
- Investment in public health measures in a congregate setting

This item was reviewed at a Council Workshop on August 28, 2023.

**23-276      ORDER                      **Authorizing Execution of a Development Agreement  
and a Tax Revenue and Credit Enhancement  
Agreement with Penquis, Inc. for Property at  
Milford Street Extension Phase II**                      **TREMBLE****

**Executive Summary:** This Order will authorize execution of a credit enhancement agreement with Penquis for the development of a property located on Milford Place, should the project be awarded 9% Low Income Tax Credit (LITC) funding by the Maine State Housing Authority. The agreement includes provisions for the developer's investment, time line for completion, and a credit enhancement agreement of 75% for up to 30 years to address a gap in project financing and will also enhance the competitiveness of the project to be awarded 9% LITC funding.

This project is Phase II of a development of housing at this location. Phase I was elderly housing. Phase II is a 40 unit family housing. The Land Development application was approved on June 1, 2023 by the Planning Board.

As with Phase I of the project, Penquis has structured the financial package using all available instruments, including LITC from the Maine State Housing Authority, using a for-profit entity.

The item was reviewed and recommended for approval by the Business & Economic Development Committee on September 5, 2023.



# CONSENT AGENDA



**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 28, 2023**

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*Meeting called to order at 7:30 PM  
Chaired by Council Chair Fournier  
Councilors Absent: Hawes, Leonard  
Meeting adjourned at 8:07 PM*

**PUBLIC COMMENT**

*Michael Norton wondered why there were never any concerns raised about issues with the Internet or phone systems.*

*Terry Dinkins, Pastor of the Mansion Church wanted to keep a light on the issues of mental health, homelessness and substance use disorder. He would like to see more resources for the police department.*

*Mike Tuller congratulated Design Walls and Volunteers of America New England.*

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**CONSENT AGENDA  
ITEM NO.**

**ASSIGNED TO  
COUNCILOR**

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**MINUTES OF:**

*Bangor City Council Regular Meeting of August 14, 2023, Business and Economic Development Meeting of August 8, 2023, Airport Committee Meeting of August 8, 2023, Infrastructure Committee Meetings of June 6, 2023, June 21, 2023, July 3, 2023 and July 17, 2023, Finance Committee Meetings of March 20, 2023, April 3, 2023, April 19, 2023, May 1, 2023, May 15, 2023 and May 22, 2023*

*Action: Approved*

**LIQUOR LICENSE  
RENEWALS:**

*Application for Liquor License Renewal Malt, Wine, Spirits of MF Dreams, LLC d/b/a Benjamin's Pub, 123 Franklin Street*

**HAWES**

*Action: Approved*

*Application for Liquor License Renewal Malt, Wine, Spirits of Bangor Pie, LLC d/b/a Portland Pie Bangor, 91 Main Street*

**HAWES**

*Action: Approved*

*Application for Liquor License Renewal Malt, Wine, Spirits of DMF International, Inc d/b/a Refueler Pub, 299 Godfrey Boulevard*

**HAWES**

*Action: Approved*

**LIQUOR LICENSE  
NEW:**

*Application for Liquor License New Malt, Wine, Spirits of M Thai 9, LLC d/b/a M Thai, 128 Main Street*

**HAWES**

*Action: Approved*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 28, 2023**

<b>CONSENT AGENDA</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>23-254</u>	<u>ORDER</u>	<i>Authorizing the Execution of a Municipal Quitclaim Deed for Real Estate Located at 2204 Ohio Street</i>	<b>YACOUBAGHA</b>
	<i>Action:</i>	<i>Passed</i>	
<u>23-255</u>	<u>ORDER</u>	<i>Accepting a \$5,000 Donation from Fidelity Charitable on Behalf of the Lise and Myles Striar Charitable Fund to Provide Homeless Outreach Services</i>	<b>LEONARD</b>
	<i>Action:</i>	<i>Approved</i>	
<u>23-256</u>	<u>ORDER</u>	<i>Amending the City of Bangor Procurement Policy</i>	<b>HAWES</b>
	<i>Action:</i>	<i>Approved</i>	
<u>23-257</u>	<u>ORDER</u>	<i>Appointing Constable for the Year 2023</i>	<b>TREMBLE</b>
	<i>Action:</i>	<i>Approved</i>	

<b>REFERRALS TO COMMITTEE AND FIRST READING</b>			<b>ASSIGNED TO</b>
<b>ITEM NO.</b>			<b>COUNCILOR</b>
<u>23-258</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, by Updating the Allowed Number of Dwelling Units in Residential Zones to Comply with LD 2003</i>	<b>SPRAGUE</b>
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of September 5, 2023</i>	
<u>23-259</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 54 Webster Avenue from Urban Residence 1 District (URD-1) to Urban Residence 2 District (URD-2)</i>	<b>PELLETIER</b>
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of September 5, 2023</i>	
<u>23-260</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, District Map to Re-zone a Portion of the Property Located at 79 Fourteenth Street from Urban Residence 1 District (URD-1) to Urban Service District (USD)</i>	<b>TREMBLE</b>
	<i>Action:</i>	<i>First Reading and Referral to Planning Board Meeting of September 5, 2023</i>	
<u>23-261</u>	<u>ORDINANCE</u>	<i>Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 128 &amp; 130 Hammond Street from Contract Downtown Development District (Contract DDD) to Downtown Development District (DDD)</i>	<b>SCHAEFER</b>

MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 28, 2023

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<b>REFERRALS TO COMMITTEE AND FIRST READING ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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*Action: First Reading and Referral to Planning Board Meeting of  
September 5, 2023*

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<b>UNFINISHED BUSINESS ITEM NO.</b>	<b>ASSIGNED TO COUNCILOR</b>
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**PUBLIC HEARING:**

**23-230**

**ORDER**

*Authorizing Issuance of \$13,339,000 of the City's General  
Obligations Bonds and a Tax Levy Therefor*

**SCHAEFER**

*Action: Motion made and seconded for Passage  
Motion made and seconded to Amend by Substitution  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague,  
Tremble, Yacoubagha, Fournier  
Councilors Voting No: None  
Amendment Passed  
Motion made and seconded to Open Public Hearing  
Public Hearing Opened  
Motion made and seconded to Close Public Hearing  
Public Hearing Closed  
Motion made and seconded for Passage as Amended  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague,  
Tremble, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed as Amended*

**PUBLIC HEARING:**

**23-231**

**ORDER**

*Authorizing a Loan in the Amount of \$1,000,000 from the  
Maine Municipal Bond Bank State Revolving Fund, and the  
Issuance of the City's General Obligation Bonds and a Tax  
Levy Therefor*

**DAVITT**

*Action: Motion made and seconded for Passage  
Motion made and seconded to Amend by Substitution  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague,  
Tremble, Yacoubagha, Fournier  
Councilors Voting No: None  
Amendment Passed  
Motion made and seconded to Open Public Hearing  
Public Hearing Opened  
Motion made and seconded to Close Public Hearing  
Public Hearing Closed  
Motion made and seconded for Passage as Amended  
Vote: 7 – 0  
Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague,  
Tremble, Yacoubagha, Fournier  
Councilors Voting No: None  
Passed as Amended*

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 28, 2023**

<b>UNFINISHED BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO.</b>		<b>COUNCILOR</b>
<u>23-245</u>	<p><b><u>ORDINANCE</u></b>    <i>Amending Chapter 165, Land Development Code by Removing and/or Rewording Sections of the Municipality's Code to Align with the Maine State Statutes for the Regulation of Manufactured Housing</i></p> <p><i>Action: Motion made and seconded for Passage</i>  <i>Vote: 7 – 0</i>  <i>Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague, Tremble, Yacoubagha, Fournier</i>  <i>Councilors Voting No: None</i>  <i>Passed</i></p>	<b>SCHAEFER</b>
<u>23-246</u>	<p><b><u>ORDINANCE</u></b>    <i>Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&amp;SD)</i></p> <p><i>Action: Motion made and seconded to Postpone to a Date Certain of September 11, 2023</i>  <i>Motion Doubted</i>  <i>Vote: 6 – 1</i>  <i>Councilors Voting Yes: Davitt, Pelletier, Schaefer, Sprague, Yacoubagha, Fournier</i>  <i>Councilors Voting No: Tremble</i>  <i>Passed to Postpone to a Date Certain of September 11, 2023</i></p>	<b>DAVITT</b>
<b>NEW BUSINESS</b>		<b>ASSIGNED TO</b>
<b>ITEM NO.</b>		<b>COUNCILOR</b>
	<p><b><u>PUBLIC HEARING</u></b>    <i>Application for Special Amusement License Renewal of MF Dream, LLC d/b/a Benjamin's Pub, 123 Franklin Street</i></p> <p><i>Action: Motion made and seconded to Open Public Hearing</i>  <i>Public Hearing Opened</i>  <i>Motion made and seconded to Close Public Hearing</i>  <i>Public Hearing Closed</i>  <i>Motion made and seconded for Approval</i>  <i>Approved</i></p>	<b>HAWES</b>
<u>23-262</u>	<p><b><u>ORDER</u></b>    <i>Authorizing the Award of \$154,765 in State and Local Fiscal Recovery Funds to Together Place Peer Recovery Center to Fund a Grant Writer/ Development Manager</i></p> <p><i>Action: Motion made and seconded for Passage</i>  <i>Passed</i></p>	<b>PELLETIER</b>

**MINUTES OF REGULAR MEETING BANGOR CITY COUNCIL – AUGUST 28, 2023**

<b>NEW BUSINESS ITEM NO.</b>			<b>ASSIGNED TO COUNCILOR</b>
<u>23-263</u>	<u>ORDER</u>	<i>Authorizing The Award of \$140,000 in CDBG Funds to Support Design Wall Housing's Redevelopment of 9 Smith Street Avenue</i>	<b>SPRAGUE</b>
		<i>Action: Motion made and seconded for Passage Passed</i>	
<u>23-264</u>	<u>ORDER</u>	<i>Authorizing the Award of \$325,000 in CDBG Funds to Support Volunteers of America New England for the Development of Supported Housing</i>	<b>DAVITT</b>
		<i>Action: Motion made and seconded for Passage Passed</i>	
<u>23-265</u>	<u>ORDER</u>	<i>Authorizing the Award of \$130,00 in State and Local Fiscal Recovery Funds to Big Brothers Big Sisters of Mid Maine to Support the Creation of a Mentoring Hub Through the Boys and Girls Club of Bangor</i>	<b>SCHAEFER</b>
		<i>Action: Motion made and seconded for Passage Passed</i>	

ATTEST:   
Lisa J. Goodwin, MMC, City Clerk

## **BUSINESS & ECONOMIC DEVELOPMENT COMMITTEE**

Tuesday, August 21, 2023 @ 5:15 PM

City Council Chambers

### **MEETING MINUTES**

City Councilors Present: Davitt, Hawes, Leonard, Pelletier, Schaefer, Sprague, Tremble.

City Staff Present: Krieg, Laurie.

Chair Sprague called the meeting to order at 6:01 P.M.

**1. ADDRESSING BANGOR'S HOUSING NEEDS**, Discussion led by the Chair, Councilor Sprague

Chair Sprague presented to the Committee. Noted that there was a draft of a set of action steps for addressing housing in the City that was attached to tonight's meeting packet. Expressed that it is not representative of the views of the entire City Council, but that it was prepared as a discussion document and will need greater input and shared perspective. Feels that it is a good reflection of the direction that the City can take over the next 12-18 months. Due to time constraint's at tonight's meeting, suggested an in-depth discussion of this item be moved to a future meeting and/or workshop. Chair Sprague also read through his emailed comments, presented as a cover to the drafted action plan. Asked the Committee for comments.

Councilor Davitt expressed support of a more in-depth discussion at a future meeting.

Councilor Leonard expressed that he is very supportive of the City having a vision statement, and feels that it needs to be very clear to Council, staff, and constituents. Feels that a clear rubric of ways for citizens to engage with the City is needed, and is looking forward to discussing further.

Chair Sprague described the suggested steps as a "flexible strategic framework which supports opportunistic decision-making." Noted that he would be supportive of having the action plan addressed monthly, and felt that it would be helpful for citizens to have a clear summary of the current status communicated on a periodic basis.

**2. RECREATION ECONOMY FOR RURAL COMMUNITIES PRESENTATION**, No action requested

Development Director Anne Krieg introduced the agenda item. Stated that this is part of a grant that the former Convention Bureau's Association received.

Risteen Bahr, chair of the local steering committee for RERC, presented to the Committee. Presented a slideshow highlighting a description of the program, its goals, and the implementation process and current status. Lisa Sturgeon with Husson University presented on tourism data, Parks & Recreation Director Tracy Willette presented updates on improving access to the Penobscot River, Shelby Harten of Husson University presented updates on the promotion of collaborative partnerships, and Vicki Rustbolten of Eastern Maine Development Corporation presented on her organization's role in implementation.

Councilor Tremble asked if City Council has a role in deciding how the grant funds are used, as he was concerned he may have a conflict of interests if this is the case. Krieg and Bahr both confirmed that Council is not involved in these decisions and that tonight's presentation is intended only to be informational, with no requested action.

Councilor Davitt expressed that she is excited and impressed with the work being done, and very appreciative of all that has gone into this process.

Chair Sprague also expressed excitement, but noted that he has not heard anything about this in the entire time that he has served on City Council. Bahr noted that the grant was only awarded in May 2022, but was happy to be at tonight's meeting to educate Councilors and the public, as this is an example of why this sort of informational session is needed.

Chair Sprague also highlighted the importance of this program alongside the City's Economic Development Strategy, and continued communication between RERC and the City.

**3. ANNUAL HOUSING TIF REPORTS**, Action requested to provide staff direction

Development Director Krieg introduced the agenda item. Noted that State law mandates that these reports be accepted annually.

Councilor Davitt moved acceptance of the Annual Housing TIF reports, seconded by Councilor Schaefer. Vote unless doubted, no doubt.

**4. LD2003 – NEXT DRAFT FOR REVIEW**, Action requested to provide staff direction

Development Director Krieg introduced the agenda item.

Planning Analyst Anja Collette presented to the Committee. Reported no major changes since the last update to the Committee, and that staff is still following the minimum State requirements in their wording of the ordinance. Did speak with City Solicitor David Szewczyk regarding non-conforming properties, and confirmed that

the proposed density bonus would not apply in these cases. Noted that the bonus would also not apply to single-family zones, only multi-family zones. Collette also mentioned that City staff has already has some pre-application meetings with individuals that may benefit under the new ordinance. Proposed bringing the proposal to City Council for a first reading on August 28<sup>th</sup>, then to Planning Board for a public hearing on September 5<sup>th</sup>, and back to City Council for a second reading on September 11<sup>th</sup>.

Chair Sprague asked if any negative feedback has been received from citizens. Krieg responded that staff has heard some concerns from residents in single-family zones during public workshops. Highlighted that a property size of 20,000+ square feet would be needed to add the additional four units in these zones, however, which is uncommon and therefore provides some protection in these neighborhoods.

Councilor Schaefer asked if lots with buildings that have been torn down would count as empty lots. Collette responded that they would not, and that there is a stipulation in the State law that closes this loophole. Properties would not be allowed to have any more units than what was there before the demolition of any buildings.

## **5. CDBG PROJECTS**

### **A. PERMANENT SUPPORTIVE HOUSING TO ADDRESS CHRONIC HOMELESSNESS**

Community Development Officer Robyn Stanicki presented to the Committee. Stated that both of the proposed projects are to be funded by excess CDBG funds, and both address needs-specific housing.

Stanicki stated that this proposal is from Design Wall Housing, and that their overall goal is to use vacant buildings to create housing. This proposal is specific to a site on Ohio Street, but they have noted plans to acquire several homes in this neighborhood.

Councilor Davitt expressed support for the proposal.

Councilor Davitt moved acceptance of staff's recommendation to fund the proposal with excess CDBG funds, seconded by Councilor Schaefer. Vote unless doubted, no doubt.

Chair Sprague also expressed support for the proposal and noted its correlation with his drafted action plan.

### **B. VOLUNTEERS OF AMERICA SUPPORTIVE HOUSING FOR DISABLED ADULTS**

Community Development Officer Stanicki stated that this proposal is for the construction of a three-phase development that will house clients



that are presently in housing that is less conducive to their needs. Applicant found an old, dissolved subdivision on Finson Avenue to use for this project. Proposed are several buildings, some with studio-style apartments and some with a staffed, boarding-home structure. Reported that the development will be constructed using funds from HUD, and that this proposal is only for CDBG to fund the purchase of the land. Stated that both of the proposed funding efforts hinge on one another.

Councilor Schaefer moved acceptance of staff's recommendation to fund the proposal with excess CDBG funds, seconded by Councilor Davitt. Vote unless doubted, no doubt.

Chair Sprague noted that this proposal also aligns with the drafted action plan.

## **6. UPDATES**

### **A. COMMERCIAL KITCHEN**

Development Director Krieg presented to the Committee. Reported that staff is finalizing their decision on the architect for the project. The report on management and programming will be on the next Committee agenda.

### **B. ECONOMIC DEVELOPMENT STRATEGY ADDENDUM**

Development Director Krieg reported that staff is preparing an addendum for the health industry. Will likely be on the agenda for the second Committee meeting in September.

Chair Sprague mentioned that there had been a previous discussion of collecting a report on the creation of science clusters, and requested that this be re-addressed, as it was left that staff would collect more feedback from those in the field. Krieg responded that she will reach out to key stakeholders for feedback.

### **C. DEPARTMENT STAFFING**

Development Director Krieg reported that there are still several open positions in the department, but that there are some good prospects for filling them. Recently filled the Economic Development Officer position.

Chair Sprague asked what the staffing strategy and structure is. Krieg responded that the department divisions are Community Development, Economic Development, Planning, and Code Enforcement. Each division has a specific support position. For Economic Development, this position is the Business Development Specialist, who will act as a "salesperson" for the City. For Community Development, the position is Community Development Analyst, and for Planning, it is Planning

Analyst (Anja Collette). Code Enforcement has their own staffing structure.

Chair Sprague expressed that everyone will be happy when the department is fully staffed.

Meeting adjourned at 7:09 P.M.

Meeting minutes respectfully submitted,

Sarah Pritchard  
Admin. Asst.  
C&ED

## FINANCE COMMITTEE MINUTES

June 5, 2023

**Councilors in Attendance – Fournier, Sprague, Leonard, Pelletier, Tremble. Hawes, Yacoubagha**

**Staff in Attendance – Little, Laurie, Courtney, Stuart, Huotari, Thomas**

### 1. Bids/Purchasing

- a. Oak Street Resurfacing – Engineering – Northeast Paving - \$523,458

Motion made and seconded to recommend contract, motion passed unanimously.

- b. Hammond Street – Engineering – Northeast Paving - \$591,720

Motion made and seconded to recommend contract, motion passed unanimously.

- c. Hammond Street – Engineering – Desuult Consulting - \$117,320

Motion made and seconded to recommend contract, motion passed unanimously.

- d. State Street – Engineering – Northeast Paving - \$281,690

Motion made and seconded to recommend contract, motion passed unanimously.

- e. State Street – Engineering – Desuult Consulting - \$23,143

Motion made and seconded to award contract, motion passed unanimously.

- f. Hanger 1 Roof – Airport – GR Roofing - \$400,000

Motion made and seconded to recommend contract, motion passed unanimously.

- g. Lease Buyout – Airport – Global Ground Services - \$149,000

Motion made and seconded to recommend purchase, motion passed unanimously.

- h. Camera Storage Server – Police/Fire – Northstar Protection LLC - \$30,549

Motion made and seconded to approve purchase, motion passed unanimously.

- i. Multi-Gas Meters – Safety & Environmental – Industrial Scientific - \$128,076 (4-Year Lease, \$2,688.25/month)

Motion made and seconded to recommend lease, motion passed unanimously.

- j. Fiber Installation – Information Services – Northeast Cable - \$78,736

Motion made and seconded to award contract, motion passed unanimously.

k. Server Upgrade – Information Services – ITSavvy Inc - \$40,000

Motion made and seconded to award contract, motion passed unanimously.

Meeting Adjourned – 6:04 pm

## FINANCE COMMITTEE MINUTES

June 21, 2023

**Councilors in Attendance – Fournier, Sprague, Leonard, Pelletier, Tremble. Hawes, Yacoubagha, Davitt, Schaefer**

**Staff in Attendance – Little, Laurie, Huotari, Hathaway, Hayman, Pelletier, Theriault, Smith, Emerson**

### **1. Executive Session – 36 MRSA Section 841(2) – Hardship Abatement Applications**

Motion made and seconded to enter executive session, motion passed unanimously.

### **2. Open Session – Hardship Abatement Application Decisions**

Motion made to award hardship abatements, motion passed unanimously.

### **3. Bids/Purchasing**

a. Emergency Services Robot - Police – ICOR Technology - \$219,725

Motion made and seconded to recommend purchase, motion passed unanimously.

b. Emergency Repair – BioTower – Water Quality – Ovivo - \$34,188

Motion made and seconded to approve purchase, motion passed unanimously.

c. Sewer Camera System – Water Quality – C.N. Wood - \$83,000

Motion made and seconded to approve purchase, motion passed unanimously.

d. Ambulance Re-Mount – Fire – PL Custom - \$170,453

Motion made and seconded to recommend contract, motion passed unanimously.

e. Sidewalk Paving Hammond Street – Engineering – Precision Trucking Inc. - \$116,292

Motion made and seconded to recommend contract, motion passed unanimously.

f. Penjajowoc Water Shed – Stormwater – Stillwater Environmental - \$65,500

Motion made and seconded to award contract, motion passed unanimously.

### **4. Write-off of Personal Property Taxes**

Staff provided information regarding uncollectible personal property accounts due to closed or sold businesses. Staff reviews such accounts and recommends using the

remaining balance within the Overlay account to write off these accounts and clear them from the tax collection rolls.

Motion made and seconded to approve write-offs, motion passed unanimously.

**5. Resolution Approving the Details of the School Revolving Renovation Fund Loan**

Motion made and seconded to approve resolution, motion passed unanimously.

Meeting adjourned – 6:10 pm

## **FINANCE COMMITTEE MINUTES**

**July 3, 2023**

**Councilors in Attendance – Hawes, Sprague, Fournier, Tremble, Leonard, Yacoubagha**

**Staff in Attendance – Huotari, Theriault, Kuhl**

### **1. Consent Agenda**

- a. Repair Signal Pole – Public Works – Dagle Electrical Construction Corp - \$48,860

Motion made and seconded to approve purchase, motion passed unanimously

- b. Emergency Repair Vac-All Truck – Public Works – Bahr Sales, Inc. - \$23,223.12

Motion made and seconded to approve purchase, motion passed unanimously

### **2. Bids/Purchasing**

- a. Cascade Park Landscape Plan – Parks & Recreation – R.S. Leonard/Haley Ward - \$29,000

Motion made and seconded to award contract, motion passed unanimously

- b. Pump Impellers – Water Quality – Aqua Solutions, Inc. - \$85,350

Motion made and seconded to recommend purchase, motion passed unanimously

- c. 2-Way Radios – Cross Insurance Center – Maine Radio - \$15,142.75

Motion made and seconded to recommend purchase, motion passed unanimously

- d. Finson Road Reconstruction – Engineering – CA Strout & Sons - \$637,285

Motion made and seconded to recommend to award contract, motion passed unanimously

- e. Occupational Health Services – Safety and Environmental – Concentra

Motion made and seconded to recommend to award contract, motion passed unanimously

### **3. Contract Amendment – Flow Meters**

- a. Flow Meters – Engineering – ADS LLC - \$62,916

Motion made and seconded to recommend increasing contract, motion passed unanimously

Meeting adjourned – 6:03 pm



## **FINANCE COMMITTEE MINUTES**

**July 10, 2023**

**Councilors in Attendance – Fournier, Sprague, Leonard, Pelletier, Tremble, Yacoubagha, Schaefer**

**Staff in Attendance – Little, O'Donnell, Thomas, Theriault, Aimee Huotari, Aaron Huotari**

### **1. Bids/Purchasing**

a. Riverfront Trail – Engineering – C & C Lynch - \$562,635

Motion made and seconded to recommend contract, motion passed unanimously.

b. Vehicle Tracks - Airport – A & D Boivin Design Inc. - \$32,700

Motion made and seconded to approve purchase, motion passed unanimously.

### **2. Write-Off of Code Enforcement Invoice**

Motion made and seconded to approve staff recommendation and write-off invoice, motion passed unanimously.

Meeting adjourned – 5:20 pm

## FINANCE COMMITTEE MINUTES

July 17, 2023

**Councilors in Attendance – Hawes, Schaefer, Fournier, Leonard, Tremble, Yacoubagha**

**Staff in Attendance – Little, Emerson, Higgins, Pelletier, Ogden, Willette, Theriault, Huotari, Thomas**

### 1. Delinquent Tax Settlement Request

Staff presented a payoff request submitted by Mr. Jason Miller regarding property located at 2204 Ohio Street and 2220 Ohio Street. The total amount due for both properties was \$61,067.06. Mr. Miller's proposal was a total payoff of \$48,393.09. Staff recommended not accepting the proposal but did propose accepting a reduced payoff which included all principal and fees and half of the accrued interest, that payoff total was \$54,160.08.

Motion made and seconded to recommend staff's payoff proposal with Mr. Miller paying \$48,393.09 as a down payment and paying the remaining balance over time through a workout agreement, the motion passed unanimously.

### 2. Bids/Purchasing

a. Fire Truck – Fire – Allegiance Fire & Rescue - \$879,777

Motion made and seconded to recommend purchase, motion passed unanimously.

b. LifePak Defibrillators - Fire – Stryker - \$351,535

Motion made and seconded to recommend purchase, motion passed unanimously.

c. Zero-turn Mowers – Parks & Rec. – Freedom Power Equipment - \$10,479 each

Motion made and seconded to approve purchase, motion passed unanimously.

d. Furnace Replacement – Golf Course – Ogden Mechanical - \$11,230

Motion made and seconded to award contract, motion passed unanimously.

e. Paving Contract – Public Works – B&B Paving - \$800,000

Motion made and seconded to recommend contract, motion passed unanimously.

### 3. Resolve – Appropriate Airport Fund Balance

Motion made and seconded to recommend Resolve, motion passed unanimously.

Meeting adjourned – 5:36 pm

## FINANCE COMMITTEE MINUTES

August 8, 2023

**Councilors in Attendance – Fournier, Sprague, Leonard, Pelletier, Tremble. Hawes, Schaefer**

**Staff in Attendance – Little, Stuart, Huotari, Thomas, Hathaway, Morin, Smith, Theriault, Thibodeau, Willette**

### 1. Consent Agenda

- a. Patrol Vehicles – Police – Darling's Ford - \$152,940
- b. Evidence Vehicle – Police – Darling's Ford - \$29,996
- c. Detective Vehicle – Police – Darling's Ford - \$50,980
- d. Park Ranger Vehicle – Parks & Rec. – Darlings Ford - \$43,796
- e. 1-Ton Plow Truck – Public Works – Darling's Ford - \$77,980

Motion made and seconded to approve consent agenda, motion passed unanimously.

*\*\* Item a. will be presented to the full Council for final approval.*

### 2. Bids/Purchasing

- a. Dasher Board Repairs – Parks & Rec. – MacLaughlin Management & Design - \$18,750

Motion made and seconded to approve contract, motion passed unanimously.

- b. Utility Task Vehicle – Parks & Rec. – Friend & Friend - \$21,554

Motion made and seconded to approve purchase, motion passed unanimously.

- c. Emergency Repairs – Airport – Northeast Paving - \$1,481,405

Motion made and seconded to recommend contract, motion passed unanimously.

- d. State Police HVAC – Airport – D.P. Porter/CEM - \$250,000

Motion made and seconded to recommend contract, motion passed unanimously.

- e. Crime Scene Documentation System – Police – FARO Technologies - \$58,255

Motion made and seconded to approve purchase, motion passed unanimously.

- f. Radio System Upgrade – Fire/Police – Radio Communications Management – \$507,004

Motion made and seconded to recommend contract, motion passed unanimously.

- g. Zetron Alert System – Fire – Radio Communications Management - \$40,000

Motion made and seconded to approve contract, motion passed unanimously.

h. Metal Castings – Water Quality – F.W. Webb - \$24,097

Motion made and seconded to approve purchase, motion passed unanimously.

i. Compact Track Loader – Public Works – Jordan Equipment Company - \$85,896

Motion made and seconded to approve purchase, motion passed unanimously.

j. Parking Lot Line Striping – CIC – Bangor Public Works - \$13,500

Motion made and seconded to approve contract, motion passed unanimously.

k. Basketball Court Repairs – CIC – Praters Inc. - \$67,406

Motion made and seconded to approve contract, motion passed unanimously.

l. Daktronics Control Upgrades – CIC – Daktronics - \$62,626

Motion made and seconded to approve contract, motion passed unanimously.

Meeting adjourned – 6:05 pm

## FINANCE COMMITTEE MINUTES

August 21, 2023

**Councilors in Attendance – Leonard, Pelletier, Tremble, Hawes, Davitt**

**Staff in Attendance – Little, A. Huotari, A. Huotari, Theriault, Laurie**

### **1. Consent Agenda**

- a. Service Vehicle – Airport/GSE – Darling's Ford - \$56,046
- b. Service Vehicle – Fleet Services – Darling's Ford - \$72,860

Motion made and seconded to approve consent agenda; motion passed unanimously.

### **2. Bids/Purchasing**

- a. Maintenance/Repair Design Work – Pickering Square Garage & Columbia Street Parking Deck – Engineering – Thornton Tomasetti - \$37,680

Motion made and seconded to approve contract; motion passed unanimously.

- b. Fifteenth/Union Street Safety Improvements – Engineering – Desult Consulting LLC - \$81,976

Motion made and seconded to approve contract; motion passed unanimously.

### **3. Review of Revised Procurement Policy**

Finance Director Little reviewed recommended changes to the City of Bangor Procurement Policy. Specific changes related to the purchasing thresholds determining the method of receiving quotes and triggering Committee or Council approval. The changes brought the City policy back in line with Federal thresholds for grant purchasing. Director Little indicated a more thorough review is underway and additional recommendations may be brought forth at a later meeting.

Motion made and seconded to recommend policy changes; motion passed unanimously.

### **4. Order, Authorizing Issuance of \$13,339,000 of the City's General Obligations Bonds**

Motion made and seconded to recommend Order; motion passed unanimously.

### **5. Order, Authorizing a Loan in the Amount of \$1,000,000 from the Maine Municipal Bond Bank State Revolving Fund**

Motion made and seconded to recommend Order; motion passed unanimously.

Meeting adjourned – 8:10 pm



**CITY COUNCIL ACTION**

09/11/2023 23-266

Council Meeting Date: 09/11/2023

Item No: 23-266

Responsible Dept: Legal

Requested Action: Order

Map/Lot: R42-059

**Title, Order**

Authorizing the Execution of a Municipal Quitclaim Deed for Real Estate Located at 117 Philip Street

**Summary**

This Order will authorize the execution of a municipal quitclaim deed for real estate located at 117 Philip Street. Tax, sewer and stormwater liens have matured on the property owned by Samantha E. Kennedy and Christopher A. Jacobs, at 117 Philip Street. The outstanding charges due the City have been paid, and there are no known code violations on the property. Because the liens matured, a municipal quitclaim deed is required to release the City's interest in the property.

**Committee Action**

Committee:

Action: Recommend for passage

Meeting Date: 09/11/2023

For:

Against:

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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09/11/2023 23-266

Date: 09/11/2023

Item No: 23-266

Assigned to Councilor: Yacoubagha

Authorizing the Execution of a Municipal Quitclaim Deed for Real Estate Located at 117 Philip Street

Be it Ordered by the City Council of the City of Bangor that, David W. Little, Finance Director, is hereby authorized, on behalf of the City of Bangor, to execute a Municipal Quitclaim Deed releasing any interest the City may have by virtue of tax, sewer and stormwater liens recorded in the Penobscot County Registry of Deeds in Book 16877, Page 103; Book 16545, Page 297; Book 16831, Page 95; Book 16658, Page 75; Book 16313, Page 265; Book 16056, Page 168; Book 15790, Page 179; Book 16830, Page 238; Book 16657, Page 160; Book 16314, Page 217; Book 16057, Page 40; and Book 15789, Page 228. Said deed shall be directed to Samantha E. Kennedy and Christopher A. Jacobs and shall be in final form approved by the City Solicitor or the Assistant City Solicitor.





**CITY COUNCIL ACTION**

09/11/2023 23-267

Council Meeting Date: 09/11/2023

Item No: 23-267

Responsible Dept: Engineering

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Contract with C&C Lynch Excavating, LLC for Parking Lot Improvements at Essex Woods in the Amount of \$191,100

**Summary**

On August 23, 2023, the City of Bangor received four bid responses to complete the Essex Woods Parking Lot Improvements Project. The project includes removing the existing parking lot surface, re-grading the lot, improving storm water drainage and resurfacing.

- C&C Lynch Excavating, LLC - \$191,100
- Campbell Construction - \$194,000
- Hughes Brothers - \$238,364
- Sargent Corporation - \$286,306

The City of Bangor has had excellent past experiences with C&C Lynch Excavating, LLC completing similar projects on time and on budget. The Finance Committee recommendation is to award the bid for this project to C&C Lynch Excavating, LLC in the amount of \$191,100.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 09/06/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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09/11/2023 23-267

Date: 09/11/2023

Item No: 23-267

Assigned to Councilor: Leonard

Authorizing Contract with C&C Lynch Excavating, LLC for Parking Lot Improvements at Essex Woods in the Amount of \$191,100

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with C&C Lynch Excavating, LLC for parking lot improvements at Essex Woods in the amount of \$191,100.



**CITY COUNCIL ACTION**

09/11/2023 23-268

Council Meeting Date: 09/11/2023

Item No: 23-268

Responsible Dept: Fire

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Contract with D.P. Porter Contractors/CEM for Renovations at Central Fire Station in the Amount of \$104,296

**Summary**

Central Fire Station was constructed in 1978. With an ever growing co-ed and diverse workforce and an increase in administrative staff, a need has emerged to add living quarters and office space. A plan was developed to renovate the existing classroom to office space, return the public education office back to a bunk room, and install a sliding wall in the day/lunch room to make a new larger classroom.

On July 26, 2023 the City received three bids for this project:

- DP Porter Contractors/CEM \$104,296
- Aaron Newcomb Building Construction Inc. \$114,665
- Noyes Construction \$172,000

Finance Committee recommends awarding the contract to D.P. Porter/CEM of Brooks, Maine as the low responsive bidder.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 09/06/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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09/11/2023 23-268

Date: 09/11/2023

Item No: 23-268

Assigned to Councilor: Sprague

Authorizing Contract with D.P. Porter Contractors/CEM for Renovations at Central Fire Station in the Amount of \$104,296

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with D.P. Porter Contractors/CEM for renovations at Central Fire Station in the amount of \$104,296.



**CITY COUNCIL ACTION**

09/11/2023 23-269

Council Meeting Date: 09/11/2023

Item No: 23-269

Responsible Dept: Community & Economic Development

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Contract with Paul Designs Project for the Central Kitchen Design Services in an Amount not to Exceed \$375,000

**Summary**

The City owned property located at 50 Cleveland Street has been proposed as the location to construct a Central Kitchen to benefit agricultural producers and processors in central, eastern and northern Maine.

The City received four (4) responses to a bid request for the design services related to the construction of the Central Kitchen. Typically, the cost for design services is based on a percentage of the overall construction costs. The proposed fees were as follows:

- Artifex Architects & Engineers – 10.50% plus \$25,000
- Harriman Associates, Inc. – 7% plus \$79,500
- Paul Designs Project – 9.25%
- Dextrous Creative – Provided a partial fee of \$177,336 to bring design to 33%

Staff selected two firms for more in-depth interviews and is proposing Paul Designs Project as the low responsive bidder. Paul Designs Project's fee of 9.25% is the low responsive bid using the last estimate of total construction costs of \$3.5 million. In addition, the firm has past experience with kitchen projects similar to the goal for the Bangor Central Kitchen.

Finance Committee recommends authorizing a contract, however no work will be undertaken until a final layout has been approved, not to exceed \$375,000 to allow for flexibility as updated construction costs are determined.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 09/06/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** Consent



## **CITY OF BANGOR ORDER**

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09/11/2023 23-269

Date: 09/11/2023

Item No: 23-269

Assigned to Councilor: Sprague

Authorizing Contract with Paul Designs Project for the Central Kitchen Design Services in an Amount not to Exceed \$375,000

WHEREAS, the City hired Caroline Parras to create a management and programming plan for a commercial kitchen facility; and

WHEREAS, the plan is expected to be presented to and reviewed with the City Council in the near term; and

WHEREAS, once the planned reuse is approved, having a firm in place to undertake the associated design work will ensure the project is not further delayed;

Now Therefore Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with Paul Designs Project for the Design Service for the Central Kitchen Project in an amount not to exceed \$375,000, no work shall be performed under this contract until a reuse plan is finalized.



REFERRALS TO  
COMMITTEES  
& FIRST READING



## **CITY COUNCIL ACTION**

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Council Meeting Date: September 11, 2023

Item No: 23-270

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: R14-006-C

### **Title, Ordinance**

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Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Ohio Street from Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR).

### **Summary**

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The applicant is seeking a zone change for the property at Map-Lot R14-006-C, located on Ohio Street, from the Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR). The total area requested to be changed is approximately 9.11 acres and is shown in the attached exhibit.

The change to the HDR district would allow for larger multi-family dwellings and other high density residential uses on the property versus the current low density residential uses allowed by the URD-1 and RR&A zones. The neighborhood consists of a mix of single-family homes, townhomes, and apartment buildings. The zoning in the area is primarily a mixture of URD-1, LDR, RR&A, and HDR, with some G&ISD where there are schools. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses".

### **Committee Action**

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Committee: Planning Board

Meeting Date: September 19, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral





## CITY COUNCIL ORDINANCE

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Date: September 11, 2023

Assigned to Councilor: Hawes

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located on Ohio Street from Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR).

**WHEREAS**, at present, the zoning of the property allows low-density residential and this zone change would allow for higher density residential;

**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "medium-density residential development with limited commercial and institutional uses that are complementary to the surrounding residential land uses";

**WHEREAS**, the City Council has a policy to create residential units where feasible;

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165 of the Code of the City of Bangor, District Map, is amended to reclassify the property at Map-Lot R14-006-C, located on Ohio Street, from the Urban Residence 1 District (URD-1) and Rural Residence and Agricultural District (RR&A) to High-Density Residential (HDR). The total area requested to be changed is approximately 9.11 acres and is shown in the attached exhibit.



**CITY COUNCIL ACTION**

09/11/2023 23-271

Council Meeting Date: 09/11/2023

Item No: 23-271

Responsible Dept: Airport

Requested Action: Resolve

Map/Lot: 001-001

**Title, Resolve**

Accepting and Appropriating \$61,000 for Additional Design and Engineering Costs from the National Guard Bureau and the Maine Air National Guard for the Runway Rehabilitation Project at Bangor International Airport.

**Summary**

This Resolve will authorize the acceptance and appropriation of \$61,000 for design and engineering costs from the National Guard Bureau, and the Maine Air National Guard, for the runway rehabilitation project at Bangor International Airport.

The City originally accepted and appropriated \$175,000 on Resolve 22-313. These additional funds will bring the total to \$236,000.

The runway project was postponed and needed to be reprogrammed incurring additional costs. This is a joint project between the Guard and the City which will ensure the continued use for military and public purposes. Our current agreement outlines the terms and conditions for the Guard's contributions to the cost of this project. This cooperative agreement identifies the Guard's share of the project at 35%, based on their annual usage.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 09/06/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

Staff recommends approval.

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading



## CITY OF BANGOR RESOLVE

09/11/2023 23-271

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Date: 09/11/2023

Item No: 23-271

Assigned to Councilor: Leonard

Accepting and Appropriating \$61,000 for Additional Design and Engineering Costs from the National Guard Bureau and the Maine Air National Guard for the Runway Rehabilitation Project at Bangor International Airport.

WHEREAS, The City of Bangor, Maine is the owner of an airport located in Bangor, County of Penobscot, State of Maine, commonly known as Bangor International Airport; and

WHEREAS, This Resolve will authorize the acceptance and appropriation of \$61,000 for design and engineering costs from the National Guard Bureau and the Maine Air National Guard, for the runway rehabilitation project at the airport; and

WHEREAS, The City approved the execution a construction cooperative agreement with the National Guard Bureau to cost share the runway rehabilitation project at the airport; and

WHEREAS, This is a joint project between the Guard and the City, and the runway improvements will ensure the continued use for military and public purposes; and

WHEREAS, This cooperative agreement identifies the Guard's share of the project at 35%, based on their annual usage.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BANGOR, THAT

The City Manager is hereby authorized to accept and appropriate \$61,000 for design and engineering costs from the National Guard Bureau and the Maine Air National Guard, for the runway rehabilitation project at Bangor International Airport (BGR).



UNFINISHED  
BUSINESS



## **CITY COUNCIL ACTION**

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Council Meeting Date: August 14, 2023

Item No: 23-246

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

### **Title, Ordinance**

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Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD)

### **Summary**

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The proposed change would increase the maximum allowable building height in the M&SD district from 45 feet (approximately 4 stories) to 60 feet (approximately 5 stories). This is the same height proposed for high density residential in the S&PS and GC&S zones, the ordinance for which was recently adopted. This increase in height allowance could allow affordable housing projects in this district to be more financially feasible and could allow for more units on M&SD lots. This ordinance would be in keeping with the City Council's policy to create more housing where feasible.

Additionally, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types.

### **Committee Action**

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Committee: Planning Board

Meeting Date: August 15, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

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Date: August 14, 2023

Assigned to Councilor: Davitt

**ORDINANCE**, Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban Developed Area by Increasing the Maximum Height in the Multifamily and Service District (M&SD).

**WHEREAS**, at present, the maximum height in M&SD is 45 feet, which limits buildings to approximately 4 stories;

**WHEREAS**, the proposed change would increase the maximum height to 60 feet, or approximately 5 stories;

**WHEREAS**, at present, there are properties proposed to be renovated and improved to create units in this district, and an increase in height allowance to 5 stories could make affordable housing projects more financially feasible;

**WHEREAS**, the City Council has a policy to create residential units where feasible;

**WHEREAS**, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types;

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165, Attachment 2, Schedule A of the Code of the City of Bangor is amended as shown on the attached.

LAND DEVELOPMENT

*165 Attachment 2*

**City of Bangor**

**Schedule A**

**Urban Developed Area**

**Article XIII, §§ 165-88 through 165-97**

<b>Zoning Districts</b>	<b>Maximum District Height (feet)</b>	<b>Minimum Lot Area (square feet)</b>	<b>Maximum Lot Coverage</b>	<b>Minimum Lot Width (feet)</b>	<b>Minimum Front Yard Depth (feet)</b>	<b>Minimum Side Yard Depth (feet)</b>	<b>Minimum Rear Yard Depth (feet)</b>	<b>Maximum Impervious Surface Ratio</b>	<b>Minimum Water Setback (feet)</b>	<b>Maximum Floor Area Ratio</b>
Multifamily and Service (M & SD)	45 <u>60</u>	<sup>2</sup>	50%	50	10	5	5	0.85	--	--



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** August 16, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation August 15, 2023  
Amending Chapter 165, Land Development Code, Attachment 2, Schedule A Urban  
Developed Area by Increasing the Maximum Height in the Multifamily and Service  
District (M&SD)

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on August 15, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Don Meagher, Mike Bazinet, Ken Huhn, and Jonathan Boucher. Also in attendance was Alternate Member Joshua Saucier.

Chair Perkins briefly mentioned a public comment received earlier in the day via email opposing the change.

Development Director Anne Krieg reviewed the new proposed change with the Board.

From the staff memo:

- A. The proposed change would increase the maximum allowable building height in the M&SD district from 45 feet (approximately 4 stories) to 60 feet (approximately 5 stories). This is the same height proposed for high density residential in the S&PS and GC&S zones, the ordinance for which was recently adopted.
- B. This increase in height allowance could allow affordable housing projects in this district to be more financially feasible and could allow for more units on M&SD lots. This ordinance would be in keeping with the City Council's policy to create more housing where feasible.
- C. Additionally, the 2022 Comprehensive Plan directs the City to revise zoning regulations as needed to support the development of housing within the growth boundary and to remove barriers to development for a variety of housing types.



CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 8.15.23  
**Land Development Code – M&SD Height Limit**

Member Huhn stated he thought the proposal was appropriate considering the City's housing goals and mentioned that the member of the public who commented was concerned about the waterfront blocking the view of the river, which is unrelated to the proposal in question.

Chair Perkins disagreed with Huhn and listed the following concerns with the proposal – if existing properties in M&SD were 60 feet high instead of their current height, they would dwarf the surrounding homes, creating a loss of view and excessive shading; the proposal appears to go against the purpose of the M&SD zone, which mentions promoting family life; and the wording of the Comprehensive Plan justification statement in the Council Order appears to oblige the Board to approve the change, rather than suggest it. Perkins mentioned the possibility of allowing this on major arterials only.

Development Director Krieg discussed the challenges with the M&SD district in that it is placed similarly to the G&ISD district and is scattered around various parts of the City rather than comprising one contiguous district; its location is determined on more of a case-by-case basis. Krieg stated that if other Board members feel similarly to Perkins, it might be helpful to have a discussion about other things that could be done to allow the height but mitigate the impact on other properties.

Saucier stated his favor of the increase in height, but suggested perhaps making it a conditional use to go to 60 feet or requiring a shadow analysis for adjacent homes. Saucier pointed out that 45 feet is already allowed and a 45-foot home would still dwarf a 3-story home. Saucier felt it would not be a big difference to go to 60 feet.

Sean Thies from Haley Ward commented on how the proposal relates to the Bangor Housing development project on the agenda. The applicants currently have the building under 45 feet, but wish to put solar panels on the roof; however, with the pitch of the roof, they could not do the solar without increasing the height over 45 feet. If the proposal being discussed were to pass, they would come back later to the Board to increase the height. Perkins amended his earlier statement and said that perhaps a more appropriate change would be to make buildings with this height a conditional use instead of located on a major arterial. Krieg stated that the impact to a dense URD-1 lot from an M&SD lot is different than the project being reviewed tonight where it abuts other apartments and I-95; if the Board decides not to recommend this change, it would be helpful to get suggestions on ways to bring it back.

Member Meagher made a motion to recommend to the City Council that the amendment to Chapter 165 to increase the maximum height in the Multifamily & Service District ought not to pass. Chair Perkins seconded the motion.

Member Meagher stated that he was persuaded by the concerns expressed by other Board members and thought that the approach of making it a conditional use was appropriate. However, he would like to see a specific standard in the conditional use standards that would apply very specifically to how the evaluation would be done by the applicant since he does not feel the current standards are

CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 8.15.23  
**Land Development Code – M&SD Height Limit**

sufficient. Perkins agreed with this suggestion and suggested that based on the comment from Thies, there should perhaps be more definition on the interaction of rooftop solar and building height.

Member Boucher asked for clarification on the conditional use process. Krieg clarified the process and agreed with Member Meagher on the importance of establishing criteria. Krieg and Boucher discussed how the Board's recommendations on the proposal would work as far as moving this effort forward. Saucier differentiated between a waiver and a conditional use.

There was further discussion amongst Board members and Krieg on the stipulations and analysis to be required for the height increase, as well as the process moving forward.

Member Huhn stated that he was in favor of making it a conditional use.

The motion passed 5:2 with Chair Perkins and Members Boucher, Huhn, Meagher, and Bazinet voting to approve the motion that the amendments ought not to pass, and Members Saucier and Brush voting against the motion.

The result of the vote is that a majority of Planning Board members voted to recommend that the proposed change ought **not** to pass.

Anja Collette



## **CITY COUNCIL ACTION**

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Council Meeting Date: August 28, 2023

Item No: 23-258

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: N/A

### **Title, Ordinance**

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Amending Chapter 165, Land Development Code, by Updating the Allowed Number of Dwelling Units in Residential Zones to Comply with LD 2003.

### **Summary**

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The proposed changes would update the City's Land Development Code to comply with the requirements of the state law known as LD 2003. This update has the effect of allowing more dwelling units in residential zones throughout the City. These changes align with the City Council policy to create residential units where feasible and with the 2022 Comprehensive Plan, which suggests that the City update the Land Development Code to comply with LD 2003.

### **Committee Action**

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Committee: Planning Board

Meeting Date: September 5, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: August 28, 2023

Assigned to Councilor: Sprague

**ORDINANCE**, Amending Chapter 165, Land Development Code, by Updating the Allowed Uses in Residential Zones to Comply with LD 2003.

**WHEREAS**, at present, LD 2003 is a state law that requires municipalities to update land use codes to allow a minimum number of residential units in residential zones;

**WHEREAS**, the proposed changes would update the City's Land Development Code to comply with the requirements of LD 2003;

**WHEREAS**, the City Council has a policy to create residential units where feasible;

**WHEREAS**, the 2022 Comprehensive Plan suggests the City update the Land Development Code to comply with LD 2003;

### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165, Attachment 2 - Schedule A, Attachment 3 – Schedule B, and Attachment 4 – Schedule C of the Code of the City of Bangor is amended as shown on the attached, and

Chapter 165 of the Code of the City of Bangor is amended as follows:

#### **§ 165-31.2 Accessory dwelling units (ADUs).**

- A. Accessory dwelling units (ADUs) are not subject to minimum lot area requirements, ~~nor~~ requirements for the number of dwelling units per acre, nor minimum parking requirements.
- B. In districts where ADUs are allowed, the Code Enforcement Officer shall approve an ADU upon a determination that said ADU complies with the following conditions:
  - ...
  - (6) No more than one ADU is allowed per lot and an ADU may only be allowed where there exists only one single-family detached dwelling or one detached manufactured housing unit.
  - ...
  - ~~(8) ADUs shall not be rented for less than 30 days.~~

#### **§ 165-72 Required number of spaces.**

- C. Exemptions from the requirements of this § 165-72 are as follows:

(6) Accessory dwelling units shall be exempt from the requirements of this section.

**§ 165-88 Urban Residence 1 District (URD-1).**

...  
C. Permitted uses. The following uses are permitted in this district:

- ...
- (1) One-family detached dwellings, with additional dwelling units permitted given the following:
- (a) The lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan.
  - (b) If no dwelling exists on a lot, up to 4 units are allowed, either detached or attached.
  - (c) If one dwelling unit exists on the lot, up to 2 additional units are allowed, one being attached to or within the existing dwelling and one being detached.
  - (d) If two dwelling units exist on a lot, no additional units are allowed.
  - (e) If dwelling units are demolished after the date this ordinance is adopted and the demolition results in an empty lot, there can be no increase in the number of units above what existed on the lot prior to demolition.

**§ 165-89 Urban Residence 2 District (URD-2).**

...  
C. Permitted uses. The following uses are permitted in this district:

- (1) One-family, two-family, three-family and four-family detached dwellings
- (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

**§ 165-90 Multifamily and Service District (M&SD).**

...  
C. Permitted uses. The following uses are permitted in this district:

- (1) One-family, two-family, three-family and four-family detached dwellings
- (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

**§ 165-91 Neighborhood Service District (NSD).**

...  
C. Permitted uses. The following uses are permitted in this district:

- ...
- (10) One-family, and two-family-unit dwellings, three-family, and four-family detached dwellings
- (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

**§ 165-92 Urban Service District (USD).**

...  
D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

- ...
- (5) A mixed residential and commercial use, provided that:
- ...
- (e) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

**§ 165-99 Low-Density Residential District (LDR).**

...  
C. Permitted uses. The following uses are permitted in this district:

...

- (1) ~~A single building containing one dwelling unit.~~ One-family detached dwellings, with additional dwelling units permitted given the following:
- (a) If the lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan:
- (i) If no dwelling exists on a lot, up to 4 units are allowed, either detached or attached.
- (ii) If one dwelling unit exists on the lot, up to 2 additional units are allowed, one being attached to or within the primary dwelling and one being detached.
- (iii) If two dwelling units exist on a lot, no additional units are allowed.
- (b) If the lot is outside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan:
- (i) If no dwelling exists on a lot, up to 2 units are allowed, either detached or attached.
- (ii) If one dwelling unit exists on the lot, up to 2 additional units are allowed, one being attached to or within the existing dwelling and one being detached.
- (iii) If two dwelling units exist on a lot, no additional units are allowed.
- (c) If dwelling units are demolished after the date this ordinance is adopted and the demolition results in an empty lot, there can be no increase in the number of units above what existed on the lot prior to demolition.

### § 165-100 High-Density Residential District (HDR).

...

C. Permitted uses. The following uses are permitted in this district:

...

- (2) One or more buildings containing two to six dwelling units
- (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI
- (3) One or more buildings containing seven to 12 dwelling units, provided that:
- (a) The parcel is a minimum of two acres in size.
- (b) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

...

D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

- (1) One or more buildings containing 13 to 30 dwelling units, provided that:
- (a) The parcel is a minimum of three acres in size.
- (b) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

### § 165-101 Shopping and Personal Service District (S&PS).

...

C. Permitted uses. The following uses are permitted in this district:

...

- (18) Multi-family detached dwellings, provided that:
- (a) The lot does not have frontage on Hammond Street or Union Street.
- (b) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI
- (19) A mixed residential and commercial use, provided that:
- (c) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

...

- (9) A mixed residential and commercial use if the lot has frontage on Union Street, provided that:

- (a) The commercial activity is a use permitted in Subsection C above, except that marijuana stores would not be permitted.
- (b) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

...

- (13) Multi-family detached dwellings if the lot has frontage on Union Street
  - (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

### **§ 165-102 General Commercial and Service District (GC&S).**

- D. Conditional uses. Subject to Planning Board approval under the provisions of § **165-9**, the following uses may be permitted in this district:

...

- (11) A mixed residential and commercial use if the lot has frontage on Union Street, provided that:
  - (a) The commercial activity is a use permitted in §165-101.C, except that marijuana stores would not be permitted.
  - (b) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI
- (12) Multi-family detached dwellings if the lot has frontage on Union Street
  - (a) An affordable housing density bonus may be allowed, subject to the requirements of Article XXI

### **§ 165-105 Rural Residence and Agricultural District (RR&A).**

- C. Permitted uses. The following uses are permitted in this district:

...

- (4) One-family dwellings and one-family detached manufactured housing units, with additional dwelling units permitted given the following:
  - (a) If the lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan:
    - (i) If no dwelling exists on a lot, up to 4 units are allowed, either detached or attached.
    - (ii) If one dwelling unit exists on the lot, up to 2 additional units are allowed, one being attached to or within the primary dwelling and one being detached.
    - (iii) If two dwelling units exist on a lot, no additional units are allowed.
  - (b) If the lot is outside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan:
    - (i) If no dwelling exists on a lot, up to 2 units are allowed, either detached or attached.
    - (ii) If one dwelling unit exists on the lot, up to 2 additional units are allowed, one being attached to or within the existing dwelling and one being detached.
    - (iii) If two dwelling units exist on a lot, no additional units are allowed.
  - (c) If dwelling units are demolished after the date this ordinance is adopted and the demolition results in an empty lot, there can be no increase in the number of units above what existed on the lot prior to demolition.

### **§ 165-112 Submittal requirements.**

- A. Any site development project requiring a land development permit shall include the following information and submittals:

...

- (6) For developments using the Affordable Housing Density Bonus outlined in Article XXI, documentation showing the proposed mechanism(s) to ensure affordability, as described in §165-143.D.
- (6 7) Such other information as the Code Enforcement Officer or Planning Board shall deem necessary.

**Article XXI**  
**Affordable Housing Density Bonus**

**§ 165-141 Purpose.**

This article provides for a density bonus for the creation of affordable dwelling units in certain zoning districts per Title 30-A Section 4364 in the State of Maine statutes.

**§ 165-142 Definitions.****AFFORDABLE**

When used for the purpose of claiming the Affordable Housing Density Bonus outlined in Article XXI, "affordable" means:

- (1) For rental housing, a household whose income does not exceed 80% of the area median income can afford to rent the dwelling unit without spending more than 30% of the household's monthly income on housing costs.
- (2) For owned housing, a household whose income does not exceed 120% of the area median income can afford to own the dwelling unit without spending more than 30% of the household's monthly income on housing costs.
- (3) For the purposes of this definition, "area median income" means the midpoint of a region's income distribution calculated on an annual basis by the U.S. Department of Housing & Urban Development
- (4) For the purposes of this definition, "housing costs" include, but are not limited to:
  - (a) For a rental unit, the cost of rent and any utilities (electric, heat, water, sewer, and/or trash) that the household pays separately from the rent; and
  - (b) For an owned unit, the cost of the mortgage principal and interest, real estate taxes (including assessments), private mortgage insurance, homeowner's insurance, condominium fees, and homeowners' association fees.

**BASE DENSITY**

The maximum number of units allowed on a lot not used for affordable housing based on the dimensional requirements listed for the zone(s) in which the lot is located. This does not include any other density bonuses, transferable development rights, or other similar means that could increase the density of lots not used for affordable housing.

**CENTRALLY MANAGED WATER SYSTEM**

A water system that provides water for human consumption through pipes or other constructed conveyances to at least 15 service connections or serves an average of at least 25 people for at least 60 days a year as regulated by 10-144 C.M.R. Ch. 231, *Rules Relating to Drinking Water*. This water system may be privately owned.

**COMPARABLE SEWER SYSTEM**

Any subsurface wastewater disposal system that discharges over 2,000 gallons of wastewater per day as regulated by 10-144 C.M.R. Ch. 241, *Subsurface Wastewater Disposal Rules*.

**§ 165-143 General requirements.**

- A. **Density Bonus.** A residential or mixed-use development shall be allowed a maximum dwelling unit density of up to 2.5 times the base density (as defined in § 165-142) permissible in the underlying zoning district if the project meets the following eligibility criteria:



- (1) **Affordability.** After completion of the project, more than half of the total dwelling units, existing and new, on the same lot shall be affordable (as defined in § 165-142) for a period of at least 30 years.
  - (2) **Located in a Growth Area or Served by Water and Sewer.** The lot is inside the Growth Boundary defined in the City's most recently adopted Comprehensive Plan, or the lot is served by both a public, special district, or centrally managed water system and public, special district, or comparable sewer system.
  - (3) **Adequate Utility Capacity.** The lot has adequate water and wastewater services.
  - (4) **Zoning.** The lot is located in the URD-2, M&SD, NSD, USD, HDR, S&PS, or GC&S zoning districts.
  - (5) **Minimum Lot Sizing for Septic.** The subject property complies with minimum lot size requirements in accordance with 12 M.R.S.A. § 423-A, as amended, if subsurface wastewater disposal is proposed.
- B. Non-conforming Situations.** The density bonus may not be applied to non-conforming lots.
- C. Fractional Density.** If a fractional results when calculating the density bonus, the number of units shall be rounded down to the nearest whole number.
- D. Long-Term Affordability Covenant.** Prior to granting a Certificate of Occupancy for any dwelling unit in the project, or in a phase of the project, the applicant shall:
- (1) Execute an affordable housing agreement, in such form as shall be approved by the City Solicitor, containing a restrictive covenant relating to the affordability of the dwelling unit, enforceable by a party acceptable to the City, and record the affordable housing agreement in the Penobscot County Registry of Deeds. The affordable housing agreement shall require that for at least thirty (30) years after the issuance of the Certificate of Occupancy for a dwelling unit in the project:
    - (a) For rental housing, occupancy of all the dwelling units designated affordable in the development to qualify for the density bonus, or an equivalent number of affordable dwelling units in the project when specific locations for the affordable units are not specified, will remain limited to households at or below 80% of the local area median income (i.e. within the area represented by the "Bangor, ME HUD Metro Fair Market Rent Area" as defined by the U.S. Housing Act of 1937, as amended) from the time of initial occupancy; and
    - (b) For owned housing, occupancy of all the dwelling units designated affordable in the development to qualify for the density bonus will remain limited to households at or below 120% of the local area median income (i.e. within the area represented by the "Bangor, ME HUD Metro Fair Market Rent Area" as defined by the U.S. Housing Act of 1937, as amended) from the time of initial occupancy.
  - (2) For phased projects, the City may issue Certificates of Occupancy for dwelling units in a phase of a project only if a sufficient number of affordable dwelling units, subject to an affordable housing agreement consistent with Subsection D(1) above, are included in the phase so that more than one-half of the total number of dwelling units that will be approved for occupancy, as evidenced by Certificates of Occupancy, at the end of the phase constitute affordable dwelling units.
- E. Site Plan and Subdivision Review Required.** All projects creating 3 or more dwelling units are subject to Site Plan review per § 165-111 and Subdivision review per Title 12 Section 682 in the State of Maine statutes.

LAND DEVELOPMENT

165 Attachment 2

City of Bangor

Schedule A  
Urban Developed Area  
Article XIII, §§ 165-88 through 165-97

Zoning Districts	Maximum District Height (feet)	Minimum Lot Area (square feet)	Maximum Lot Coverage	Minimum Lot Width (feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)	Maximum Impervious Surface Ratio	Minimum Water Setback (feet)	Maximum Floor Area Ratio
Urban Residence 1 (URD-1)	35	<sup>1</sup>	35%	50	10 <sup>7</sup>	5	15; 5 for accessory structure	0.75	--	--
Urban Residence 2 (URD-2)	40	<sup>+2</sup>	40%	50	10 <sup>7</sup>	5	15; 5 for accessory structure	0.8	--	--
Multifamily and Service (M & SD)	45	<sup>±3</sup>	50%	50	10	5	5	0.85	--	--
Neighborhood Service (NSD)	35	10,000 <sup>2</sup>	25%	75	20	10	20	None	0.4	0.4

NOTES:

<sup>1</sup> For one and two dwelling units, 5,000 square feet; for three dwelling units, 7,500 square feet; and for four dwelling units, 10,000 square feet. 5,000 square feet for each dwelling unit up to 4 on an empty lot, up to 2 (additional) if one dwelling unit exists (see §165-88.C(1)).

<sup>2</sup> For the first two dwelling units, 5,000 square feet, plus 250 square feet for each additional dwelling unit. For one and two dwelling units, 5,000 square feet; for three dwelling units, 7,500 square feet; and for four dwelling units, 10,000 square feet. If using Affordable Housing Density Bonus, 5,000 square feet for first 5 units, plus 1,000 square feet for each additional unit up to 10 (see §165-143).

<sup>3</sup> ~~(Reserved)~~ For the first two dwelling units, 5,000 square feet, plus 250 square feet for each additional dwelling unit. If using Affordable Housing Density Bonus, 5,000 square feet for first 5 units, plus 100 square feet for each additional unit (see §165-143).

...

<sup>2</sup>10,000 square feet for 1 to 4 dwelling units. If using Affordable Housing Density Bonus, 10,000 square feet for up to 10 dwelling units (see §165-143).

LAND DEVELOPMENT

165 Attachment 3

City of Bangor

Schedule B

Developing Area

Article XIV, §§ 165-99 through 165-103.1

Zoning Districts	Minimum Lot Area (square feet)	Minimum Front Yard Depth (feet)	Minimum Side Yard Depth (feet)	Minimum Rear Yard Depth (feet)	Maximum Dwelling Units per Acre	Maximum Dwelling Units per Building	Maximum Height (feet)	Maximum Lot Coverage	Maximum Floor Area Ratio	Maximum Impervious Surface Ratio	Minimum Open Space	Minimum Lot Width (feet)	Minimum Buffer Yard Type
Low-Density Residential (LDR)													
Permitted uses													
Buildings containing 1-unit dwelling, home occupation, community living arrangement	<sup>10</sup>	25	10 <sup>7</sup>	20 <sup>7</sup>	3 ½ <sup>11</sup>	± 2 - 4	35	20%	NA	0.3	NA	100	NA

NOTES:

<sup>1</sup>12,000 square feet for the first two units in a building and 3,000 square feet for each additional unit in the same building. If using Affordable Housing Density Bonus, up to 15 units per building - minimum 12,000 square feet for the first 5 units in a building and 1,200 square feet for each additional unit in the same building. (see §165-143).

<sup>2</sup>27,000 square feet for seven-dwelling-unit buildings and 3,000 square feet per unit over seven units in the same building, but not less than a two-acre site. If using Affordable Housing Density Bonus, up to 30 units per building - minimum 27,000 square feet for the first 17 units in a building and 1,200 square feet for each additional unit in the same building, but not less than a two-acre site. (see §165-143).

<sup>3</sup>45,000 square feet for 13 dwelling units in a building and 3,000 square feet per unit over 13 units in the same building, but not less than a three-acre site. If using Affordable Housing Density Bonus, up to 75 units per building - minimum 45,000 square feet for the first 32 units in a building and 1,200 square feet for each additional unit in the same building, but not less than a three-acre site. (see §165-143).

...

<sup>8</sup>For the first two dwelling units, 10,000 square feet, plus 250 square feet for each additional dwelling unit. If using Affordable Housing Density Bonus, minimum 10,000 square feet for first five units, plus 100 square feet for each additional. (see §165-143).

...

<sup>10</sup>12,000 square feet for the first dwelling unit, 6,000 square feet for each additional (up to 3-4 in Growth Boundary, 2-3 outside Growth Boundary) (see §165-99.C(1)).

<sup>11</sup>Applies to subdivision only.

LAND DEVELOPMENT

*165 Attachment 4*

**City of Bangor**

**Schedule C**

**Resource, Open Space and Rural Area  
 Article XV, §§ 165-105 through 165-107**

<b>Zoning Districts</b>	<b>Maximum District Height (feet)</b>	<b>Minimum Lot Area (acres)</b>	<b>Maximum Lot Coverage</b>	<b>Maximum Impervious Surface Ratio</b>	<b>Minimum Lot Width (feet)</b>	<b>Minimum Front Yard Depth (feet)</b>	<b>Minimum Side Yard Depth (feet)</b>	<b>Minimum Rear Yard Depth (feet)</b>
Rural Residence and Agricultural (RR&A), permitted and conditional uses	40	1 ½ <sup>§</sup>	15%	.20	200	40	20	30

**NOTES:**

...

<sup>§</sup>For dwelling units inside the Growth Boundary, 12,000 square feet for the first unit plus 6,000 square feet for each additional unit up to 3-4 units. For dwelling units outside the Growth Boundary, minimum lot size of 1.5 acres regardless of the number of units. (See §165-105.C(4)).



# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** September 6, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation September 5, 2023  
**Amending Chapter 165, Land Development Code by Updating the Allowed Number of Dwelling Units in Residential Zones to Comply with LD 2003**

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on September 5, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Trish Hayes, Don Meagher, Mike Bazinet, Ken Huhn, and Jonathan Boucher. Also in attendance was Alternate Member Joshua Saucier.

Planning Analyst Anja Collette reviewed the proposed amendments with the Board.

From the staff memo:

- A. The proposed changes would update the City's Land Development Code to comply with the requirements of the state law known as LD 2003. This update has the effect of allowing more dwelling units in residential zones throughout the City. The specific changes for each zone are outlined in the summary documents in your packets.
- B. These changes align with the City Council policy to create residential units where feasible and with the 2022 Comprehensive Plan, which suggests that the City update the Land Development Code to comply with LD 2003.
- C. If the city does not institute these changes by the end of 2023, the statute takes effect; all cities and towns in Maine must comply with this statute. This automatic enactment is akin to the requirements in Shoreland Zoning that the city enacted decades ago. The advantage to enacting them now is we are able to establish the base density with our existing district requirements.

Board members asked clarifying questions and discussed the minimum State requirements with staff. There were several comments from members of the public regarding concerns with single family

CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 9.5.23  
**Land Development Code – LD 2003**

homes being demolished to create more units; loss of green space; infrastructure, school, and hospital capacity; overpopulation; the impact on historic districts; and confusion with the wording on accessory dwelling units.

Member Bazinet made an initial motion to defer the agenda item until the next Planning Board meeting in order to gather more public comment, seconded by Member Huhn. However, City Solicitor Szewczyk noted that a primary motion on adoption of the amendments would need to be made first and then a motion to delay the vote could be made. Member Bazinet withdrew his motion and Huhn withdrew his second.

Development Director Krieg stated that the law takes effect January 1, 2024 no matter what. There was discussion amongst Board members about the amendments following the minimum State requirements, the powers of the Board, the length of time available to enact the requirements, and what would be gained from a delay in the vote regarding disseminating information to the public.

Member Meagher made a motion to recommend that the amendments ought to pass. Meagher stated his feelings that due process had been followed. Vice Chair Brush seconded the motion.

Member Bazinet made a motion to delay voting on the amendments to the September 19<sup>th</sup> Planning Board meeting. The motion was not seconded and was therefore struck down.

Member Huhn made a motion to delay voting on the amendments until the October 3<sup>rd</sup> Planning Board meeting, with the request that staff disseminate more information to the public in the interim and with the intent to take public comment at that meeting. Member Bazinet seconded. 3 members voted in favor of the motion, 4 voted against. The motion failed.

6 members voted in favor of the original motion to recommend that adoption of the amendments ought to pass, 1 voted against. The motion passed. The result of the vote is that a majority of Planning Board members voted to recommend that the proposed amendments **ought** to pass.

Anja Collette



## **CITY COUNCIL ACTION**

---

Council Meeting Date: August 28, 2023

Item No: 23-259

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 014-101

### **Title, Ordinance**

---

Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 54 Webster Avenue from Urban Residence 1 District (URD-1) to Urban Residence 2 District (URD-2).

### **Summary**

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The applicant is seeking a zone change for the property at Map-Lot 014-101, located at 54 Webster Avenue, from the Urban Residence 1 District (URD-1) to the Urban Residence 2 District (URD-2). The total area requested to be changed is approximately 0.19 acres and is shown in the attached exhibit.

The change to the URD-2 district would allow for three dwelling units on the property versus the current one unit allowed by the URD-1 zone. The neighborhood primarily consists of URD-1, with some NSD lots nearby, adjacent to Hammond Street. There are several legally nonconforming multi-unit dwellings in the vicinity of this property. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "medium to high-density neighborhoods surrounding the Downtown and encompassing most of the City's historic residential areas".

### **Committee Action**

---

Committee: Planning Board

Meeting Date: September 5, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: August 28, 2023

Assigned to Councilor: Pelletier

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 54 Webster Avenue from Urban Residence 1 District (URD-1) to Urban Residence 2 District (URD-2).

**WHEREAS**, at present, the zoning of the property allows single-family residential and this zone change would allow for multi-family residential;

**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "medium to high-density neighborhoods surrounding the Downtown and encompassing most of the City's historic residential areas";

**WHEREAS**, the City Council has a policy to create residential units where feasible;

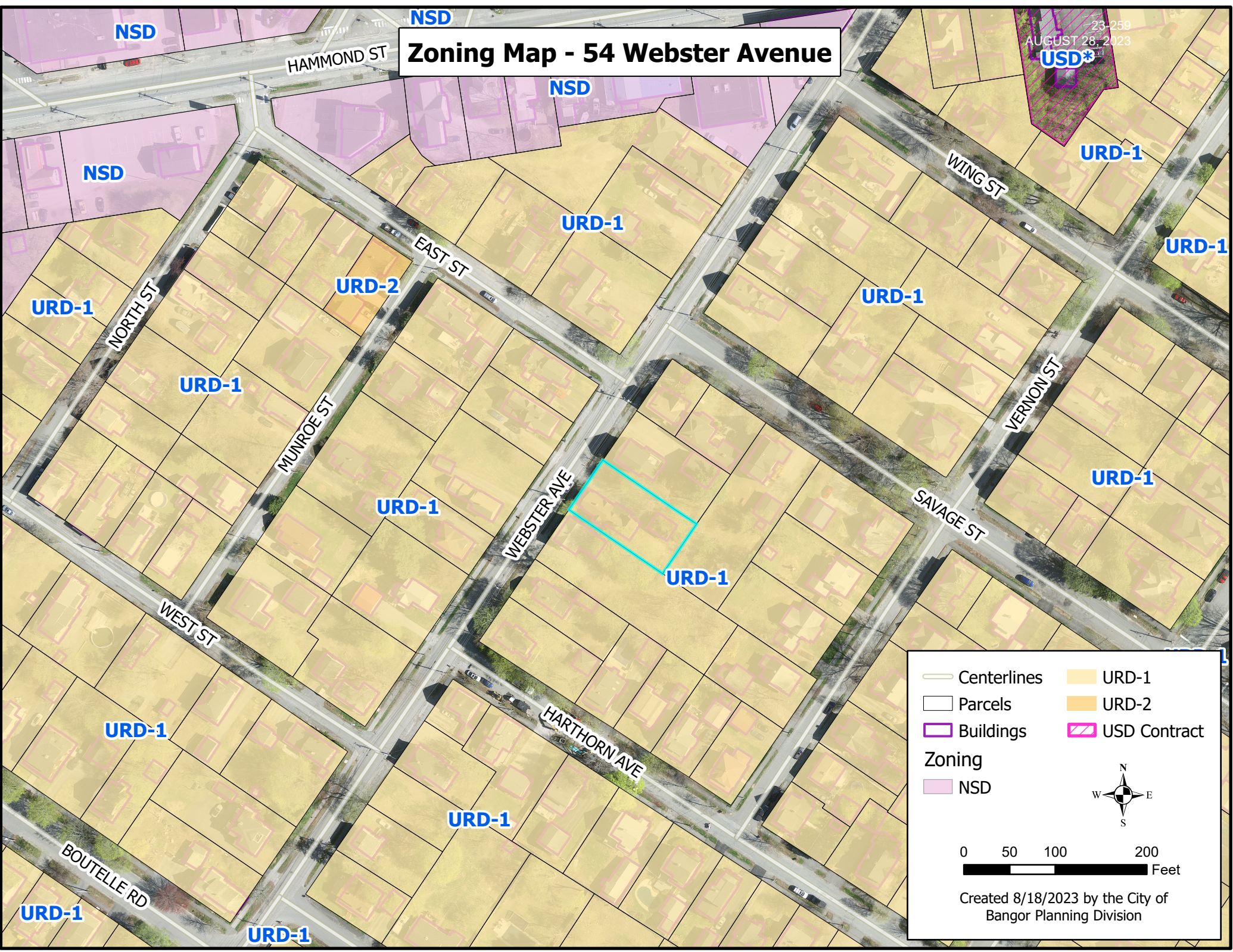
**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165 of the Code of the City of Bangor, District Map, is amended to reclassify the property at Map-Lot 014-101, located at 54 Webster Avenue, from the Urban Residence 1 District (URD-1) to the Urban Residence 2 District (URD-2). The total area requested to be changed is approximately 0.19 acres and is shown in the attached exhibit.



# Zoning Map - 54 Webster Avenue

23-259  
AUGUST 28, 2023  
USD\*



Centerlines	URD-1
Parcels	URD-2
Buildings	USD Contract
<b>Zoning</b>	
NSD	

0 50 100 200 Feet

Created 8/18/2023 by the City of Bangor Planning Division





# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** September 6, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation September 5, 2023  
Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 54 Webster Avenue from Urban Residence 1 District (URD-1) to Urban Residence 2 District (URD-2)

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on September 5, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Trish Hayes, Don Meagher, Mike Bazinet, Ken Huhn, and Jonathan Boucher. Also in attendance was Alternate Member Joshua Saucier.

The applicant, Phil Rush, presented the proposed change to the Board. The property used to be an illegal 3-unit but is currently a legally non-conforming 2-unit. He has been in contact with the Fire and Code inspectors to see if it could feasibly be made back into a 3-unit and he is seeking this zone change in order to make it legally able to be a 3-unit.

From the staff memo:

- A. The applicant is seeking a zone change for the property at Map-Lot 014-101, located at 54 Webster Avenue, from the Urban Residence 1 District (URD-1) to the Urban Residence 2 District (URD-2). The change to the URD-2 district would allow for three dwelling units on the property versus the current one unit allowed by the URD-1 zone. However, the affordable housing density bonus provided by the LD 2003 changes could allow more units to be created.
- B. The neighborhood primarily consists of URD-1, with some NSD lots nearby, adjacent to Hammond Street. There are several legally nonconforming multi-unit dwellings in the vicinity of this property and the property itself is a legally non-conforming 2-unit.
- C. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as consisting of "medium to high-density

neighborhoods surrounding the Downtown and encompassing most of the City’s historic residential areas”.

Member Huhn and Chair Perkins asked the applicant clarifying questions about the current status of the third unit.

The applicant mentioned a neighbor’s concerns with having 4 units on the property, but the property would not have sufficient lot size for 4 units.

Elizabeth Farrell, an adjacent property owner, stated she has a legal 3-unit on her property and supports the applicant’s zoning request in order to also create a legal 3-unit.

Chair Perkins asked the applicant for clarification about other multi-unit dwellings nearby. Rush listed other legally non-conforming multi-unit buildings in the vicinity of his property.

Member Brush asked about the effect of LD 2003 in relation to the proposed use. Chair Perkins stated he had originally hoped those changes would help with situations such as this, but given the lot size requirements for URD-1, it would not. Additionally, the minimum State requirements state that if a duplex is present, no more units can be added, so the applicant would not be able to add a third unit if the property remained in URD-1. Perkins stated his hesitancy with approving this zone change if the LD 2003 provisions would not allow the use.

Rush noted a nearby property that was re-zoned from URD-1 to URD-2 and the presence of other multi-units directly around his property.

Member Bazinet motioned to recommend that the zone change ought to pass. Vice Chair Brush seconded the motion. The motion passed with 6 voting in favor and 1 opposed.

Anja Collette



## **CITY COUNCIL ACTION**

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Council Meeting Date: August 28, 2023

Item No: 23-260

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 020-013

### **Title, Ordinance**

---

Amending Chapter 165, Land Development Code, District Map to Re-zone a Portion of the Property Located at 79 Fourteenth Street from Urban Residence 1 District (URD-1) to Urban Service District (USD).

### **Summary**

---

The applicant is seeking a zone change for a portion of the property at Map-Lot 020-013, located at 79 Fourteenth Street, from the Urban Residence 1 District (URD-1) to the Urban Service District (USD). The total area requested to be changed is approximately 0.15 acres and is shown in the attached exhibit.

The current zoning limits the property primarily to single-family residential, while the change to the USD district would allow for various commercial uses such as offices, restaurants, retail, and service businesses, as well as mixed commercial residential uses. The neighborhood primarily consists of URD-1, but an adjacent parcel is zoned USD, as well as several others at the nearby intersection of Fourteenth Street and Union Street. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as including "limited commercial and institutional uses that are complementary to the surrounding residential uses".

### **Committee Action**

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Committee: Planning Board

Meeting Date: September 5, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

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City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: August 28, 2023

Assigned to Councilor: Tremble

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone a Portion of the Property Located at 79 Fourteenth Street from Urban Residence 1 District (URD-1) to Urban Service District (USD).

**WHEREAS**, at present, the current zoning of the property primarily allows single-family residential and this zone change would allow for various commercial uses such as offices, restaurants, retail, and service businesses, as well as mixed commercial residential uses;

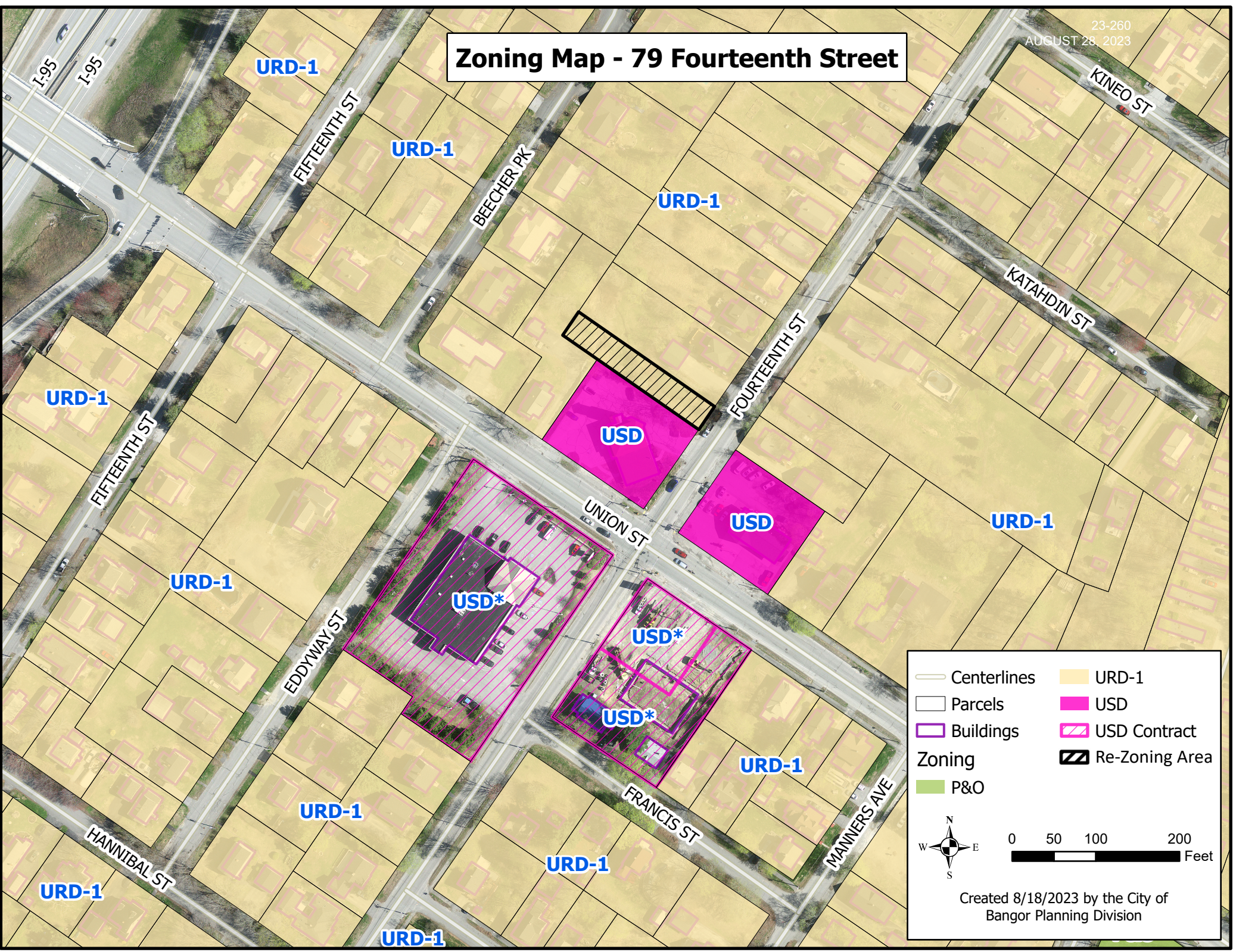
**WHEREAS**, the 2022 Comprehensive Plan shows this area as including "limited commercial and institutional uses that are complementary to the surrounding residential uses";

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165 of the Code of the City of Bangor, District Map, is amended to reclassify the property at Map-Lot 020-013, located at 79 Fourteenth Street, from the Urban Residence 1 District (URD-1) to the Urban Service District (USD). The total area requested to be changed is approximately 0.15 acres and is shown in the attached exhibit.



# Zoning Map - 79 Fourteenth Street



	Centerlines		URD-1
	Parcels		USD
	Buildings		USD Contract
<b>Zoning</b>			Re-Zoning Area
	P&O		

0 50 100 200 Feet

Created 8/18/2023 by the City of Bangor Planning Division





# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** September 6, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation September 5, 2023  
Amending Chapter 165, Land Development Code, District Map to Re-zone a Portion of the Property Located at 79 Fourteenth Street from Urban Residence 1 District (URD-1) to Urban Service District (USD)

---

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on September 5, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Trish Hayes, Don Meagher, Mike Bazinet, Ken Huhn, and Jonathan Boucher. Also in attendance was Alternate Member Joshua Saucier.

No applicant or representative was available to present the change to the Board.

From the staff memo:

- A. The applicant is seeking a zone change for a portion of the property at Map-Lot 020-013, located at 79 Fourteenth Street, from the Urban Residence 1 District (URD-1) to the Urban Service District (USD). The total area requested to be changed is approximately 0.15 acres and is shown in the attached map.
- B. The current zoning limits the property primarily to single-family residential, while the change to the USD district would allow for various commercial uses such as offices, restaurants, retail, and service businesses, as well as mixed commercial residential uses. The neighborhood primarily consists of URD-1, but an adjacent parcel is zoned USD, as well as several others at the nearby intersection of Fourteenth Street and Union Street.
- C. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this area as including "limited commercial and institutional uses that are complementary to the surrounding residential uses".

CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 9.5.23  
**79 Fourteenth Street – Map-Lot 020-013**

Vice Chair Brush asked for clarification on the purpose of the zone change. Development Director Krieg and Chair Perkins described the intent of the business to use more of the existing building on the site and therefore the need for more parking. The zone change of the strip of land from the adjoining property would allow for the addition of approximately 15 parking spaces.

Chair Perkins asked the Board if there was a general feeling to delay or to act on the amendment. Several of the members expressed a willingness to move forward.

Vice Chair Brush asked if there would be a vegetated buffer. Krieg stated that any buffers would be reviewed as part of the site plan process.

Member Bazinet motioned to recommend that the zone change ought to pass. Member Hayes seconded the motion. The motion passed 7:0 with all members voting to approve.

Anja Collette





# COMMUNITY & ECONOMIC DEVELOPMENT

## CITY OF BANGOR

PLANNING DIVISION

### Memorandum

**To:** Honorable Bangor City Council  
Deb Laurie, City Manager

**From:** Anja Collette, Planning Analyst

**Date:** September 6, 2023

**CC:** Courtney O'Donnell, Assistant City Manager  
David Szewczyk, City Solicitor  
Anne Krieg AICP – Director of Community & Economic Development

**Re:** Planning Board Recommendation September 5, 2023  
Amending Chapter 165, Land Development Code, District Map to Re-zone Property  
Located at 128 & 130 Hammond Street from Contract Downtown Development  
District (Contract DDD) to Downtown Development District (DDD)

Please accept this memorandum as the recommendation from the Planning Board for the noted item. The Planning Board considered this item in a noticed public hearing on September 5, 2023.

The meeting was conducted in the Council Chambers at City Hall and on Zoom. Members in attendance in the Chambers were the Chair Reese Perkins, Vice Chair Ted Brush, and Members Trish Hayes, Don Meagher, Mike Bazinet, Ken Huhn, and Jonathan Boucher. Also in attendance was Alternate Member Joshua Saucier.

Attorney Tim Pease, representing the applicant, presented the proposed change to the Board. The property is currently where the restaurant, Novio's, operates. The current owner discovered the contract zone from 1994, which states that no alcohol sales and no commercial uses over 6,200 square feet are permitted on the property. These conditions are inconsistent with the owner's current business there and the owner is therefore requesting a repeal of the contract zone.

From the staff memo:

- A. The applicant is seeking a zone change for the property at Map-Lot 042-087, located at 128 & 130 Hammond Street, to remove the contract conditions from the property zoning and to be zoned as only Downtown Development District (DDD). The current contract conditions, which were created in 1994, state that no alcoholic beverages shall be sold on the property and non-residential uses shall be limited to 6,200 square feet. This zone change would remove these restrictions.
- B. The Downtown Development District generally allows for a wide range of commercial uses, including restaurants, bars, retail stores, offices, and others. The neighborhood primarily consists of DDD, M&SD, and G&ISD lots.

CITY OF BANGOR PLANNING DIVISION  
PLANNING BOARD RECOMMENDATION TO CITY COUNCIL 9.5.23  
**128-130 Hammond Street – Map-Lot 042-087**

- C. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this as the Downtown area and consisting of “a high-density mixed-use development area that is inclusive of central business district functions, commercial uses, municipal and institutional uses, and high-density residential development”.

Member Huhn asked for clarification on the location of the building, which Tim Pease provided.

Tracy Bigny, representing Hammond Street Congregational Church, presented to the podium and described her concerns with how much of the building could be used as commercial if the change were to pass. She explained that there is currently a shared dumpster and shared parking on the Church’s property that are used by the current business and she expressed concerns with overflowing trash or more intense use of the parking if the business were to expand or change in nature. She also expressed her concerns with not having the ability to provide input later on if changes to the business were to occur that only required interior changes since it would not require Planning Board or Historic Preservation Commission approval.

Chair Perkins discussed the purview of the Planning Board and mentioned that enforcement of things such as trash and parking belonged to departments such as Code Enforcement. Development Director Krieg stated that if there were to be a change from residential to commercial, it would require a change of use permit from Code Enforcement, who would look at things like health hazards and code violations before issuing the permit.

Vice Chair Brush motioned to recommend that the zone change ought to pass. Member Bazinet seconded the motion. The motion passed 7:0 with all members voting to approve.

Anja Collette



## **CITY COUNCIL ACTION**

---

Council Meeting Date: August 28, 2023

Item No: 23-261

Responsible Dept: Planning

Action Requested: Ordinance

Map/Lot: 042-087

### **Title, Ordinance**

---

Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 128 & 130 Hammond Street from Contract Downtown Development District (Contract DDD) to Downtown Development District (DDD).

### **Summary**

---

The applicant is seeking a zone change for the property at Map-Lot 042-087, located at 128 & 130 Hammond Street, to remove the contract conditions from the property zoning and to be zoned as only Downtown Development District (DDD). The total area requested to be changed is approximately 0.15 acres and is shown in the attached exhibit.

The current contract conditions state that no alcoholic beverages shall be sold on the property and non-residential uses shall be limited to 6,200 square feet. This zone change would remove these restrictions. The Downtown Development District generally allows for a wide range of commercial uses, including restaurants, bars, retail stores, offices, and others.

The neighborhood primarily consists of DDD, M&SD, and G&ISD lots. This area is within the growth boundary shown in the 2022 Comprehensive Plan and the future land use map in the Plan shows this as the Downtown area and consisting of "a high-density mixed-use development area that is inclusive of central business district functions, commercial uses, municipal and institutional uses, and high-density residential development".

### **Committee Action**

---

Committee: Planning Board

Meeting Date: September 5, 2023

Action:

For:

Against:

### **Staff Comments & Approvals**

---

City Manager

City Solicitor

Finance Director

**Introduced for:** First Reading and Referral



## CITY COUNCIL ORDINANCE

---

Date: August 28, 2023

Assigned to Councilor: Schaefer

**ORDINANCE**, Amending Chapter 165, Land Development Code, District Map to Re-zone Property Located at 128 & 130 Hammond Street from Contract Downtown Development District (Contract DDD) to Downtown Development District (DDD).

**WHEREAS**, at present, the current contract conditions state that no alcoholic beverages shall be sold on the property and non-residential uses shall be limited to 6,200 square feet;

**WHEREAS**, the Downtown Development District generally allows for a wide range of commercial uses, including restaurants, bars, retail stores, offices, and others;

**WHEREAS**, the 2022 Comprehensive Plan shows this area as consisting of "a high-density mixed-use development area that is inclusive of central business district functions, commercial uses, municipal and institutional uses, and high-density residential development";

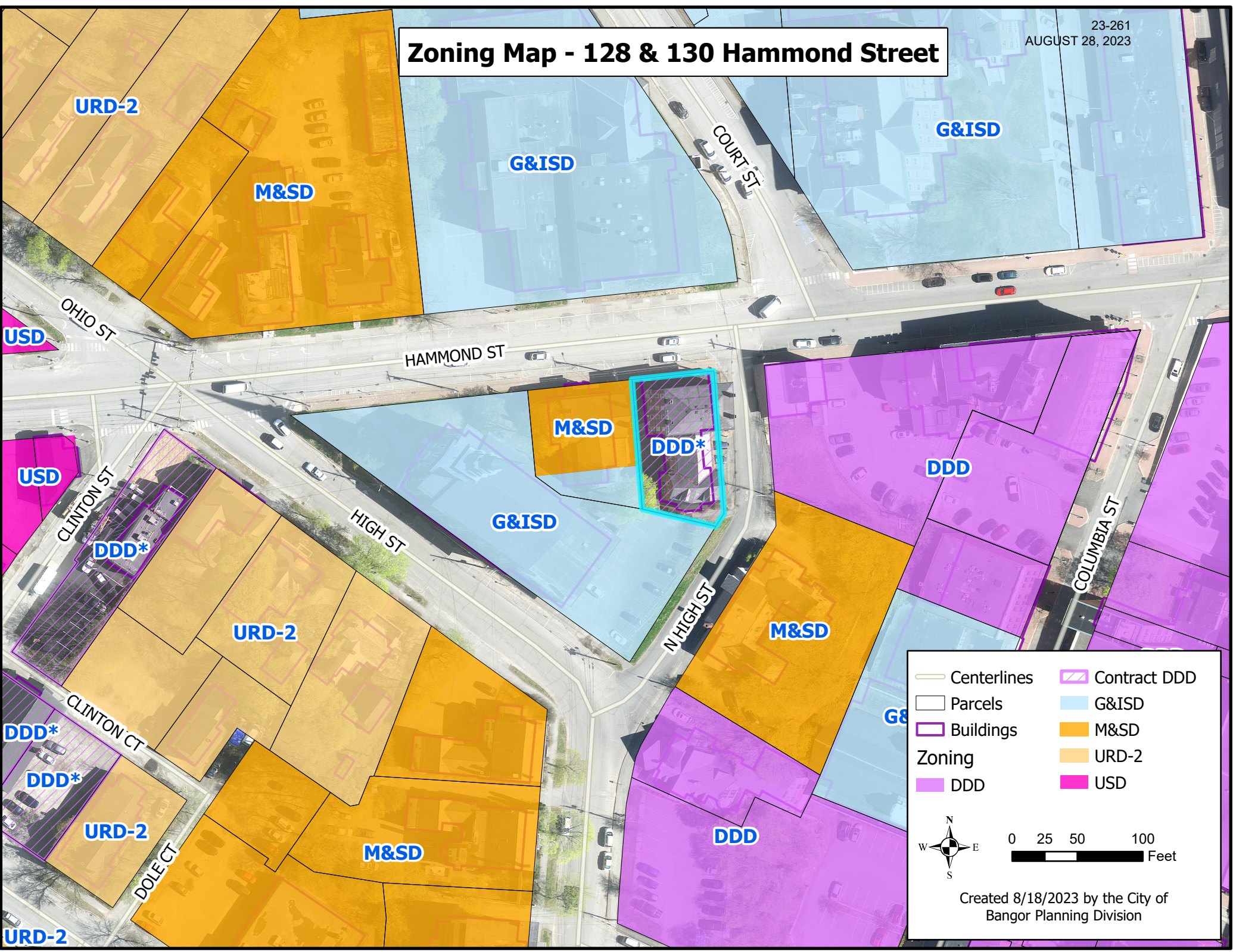
### **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BANGOR AS FOLLOWS, THAT**

Chapter 165 of the Code of the City of Bangor, District Map, is amended to reclassify the property at Map-Lot 042-087, located at 128 & 130 Hammond Street, to remove the contract conditions from the property zoning and to be zoned as only Downtown Development District (DDD). The total area requested to be changed is approximately 0.15 acres and is shown in the attached exhibit.



# Zoning Map - 128 & 130 Hammond Street

23-261  
AUGUST 28, 2023



Centerlines	Contract DDD
Parcels	G&ISD
Buildings	M&SD
<b>Zoning</b>	
DDD	URD-2
USD	

N  
W E S

0 25 50 100 Feet

Created 8/18/2023 by the City of Bangor Planning Division





NEW BUSINESS



**CITY COUNCIL ACTION**

09/11/2023 23-272

Council Meeting Date: 09/11/2023

Item No: 23-272

Responsible Dept: Finance

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing Contract with Benchmark for City Hall Renovations in the Amount of \$8,910,000

**Summary**

The City issued a competitive bid process for the City Hall renovations which includes a complete renovation and remodel of the first floor, a new elevator, new boilers and new HVAC system throughout the building. The City received two responses, the base bids of each as follows:

Benchmark Construction - \$9,340,000

Bowman Construction - \$10,156,000

Each bid also included alternates which could add or subtract from the total. The City intends to utilize the Limited Phasing Alternate deduction by relocating staff from the building. Benchmark proposed a \$300,000 for this reduction and Bowman proposed \$200,000. With Benchmark being the low bidder, staff reached out to them regarding the Phasing Deduction and they agreed to increase the deduction to \$430,000 resulting in a final bid of \$8,910,000.

The estimated construction timeline is eighteen (18) months.

Staff is recommending the contract be awarded to Benchmark Construction, the low bidder, in the amount of \$8,910,000.

**Committee Action**

Committee: Finance Committee  
Action: Recommend for passage

Meeting Date: 09/06/2023  
For: 4                      Against: 0

**Staff Comments & Approvals**

Staff recommends approval.

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## **CITY OF BANGOR ORDER**

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09/11/2023 23-272

Date: 09/11/2023

Item No: 23-272

Assigned to Councilor: Hawes

Authorizing Contract with Benchmark for City Hall Renovations in the Amount of \$8,910,000

Be it Ordered by the City Council of the City of Bangor that, the Finance Director is hereby authorized to execute a contract with Benchmark Construction for the renovation of Bangor City Hall in the amount of \$8,910,000.





**CITY COUNCIL ACTION**

09/11/2023 23-273

Council Meeting Date: 09/11/2023

Item No: 23-273

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: 040-073

**Title, Order**

Authorizing the Award of \$500,000 in State and Local Fiscal Recovery Funds to Support Fresh Start Sober Living for Acquisition of Property Located at 100 Center Street

**Summary**

This Order will authorize the award of \$500,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Fresh Start Sober Living to acquire 100 Center Street. The purpose of the property is to provide high-quality recovery housing and support services for individuals with substance use disorder and to expand access to behavioral healthcare medication assistance treatment, which include 5 one-bedroom apartments, on-site medically assisted treatment and 2 two-bedroom units for social detox.

Fresh Start Sober Living supports individuals who are active in their recovery and are in need of support and housing to maintain their sobriety. Fresh Start currently operates 14 sober living homes, 12 of which are in Bangor and are home to 112 individuals in recovery.

As part of the application review process, Fresh Start provided financing data that indicated a partial award of funding in the amount of \$500,000 would allow this project to move forward. Further they worked with their financial institution to allow for the City to take a subordinate debt position to ensure the funding would support the project as outlined in the application process.

This award is in support of the following:

- Investment in affordable communal recovery housing
- Investment in substance use disorder treatment and recovery

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/28/2023  
For: 5                      Against: 1

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

09/11/2023 23-273

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Date: 09/11/2023

Item No: 23-273

Assigned to Councilor: Yacoubagha

Authorizing the Award of \$500,000 in State and Local Fiscal Recovery Funds to Support Fresh Start Sober Living for Acquisition of Property Located at 100 Center Street

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from Fresh Start Sober Living for acquisition of property located at 100 Center Street ranked highly in the initial citizen panel review process; and

WHEREAS, the application from Fresh Start included investments in various forms of support for individuals in recovery including housing, medically assisted treatment, meeting space and social detox; and

WHEREAS, Fresh Start Sober Living has agreed to allow the City to take a subordinate mortgage position in the amount of the grant award to ensure the investment continues to serve the needs of those in recovery; and

WHEREAS, Fresh Start Sober Living has agreed to provide data as to the number of individuals served, those that remain in recovery among other relevant data related to those receiving service; and

WHEREAS, the City Council determined that this request supports access to affordable housing for and access to services for individuals in recovery;

Now Therefore Be it Ordered by the City Council of the City of Bangor that, \$500,000 in State and Local Fiscal Recovery Fund is awarded to Fresh Start Sober Living for acquisition of property located at 100 Center Street.



**CITY COUNCIL ACTION**

09/11/2023 23-274

Council Meeting Date: 09/11/2023

Item No: 23-274

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: N/A

**Title, Order**

Authorizing the Award of \$50,000 in State and Local Fiscal Recovery Funds to Support Literacy Volunteers of Bangor's Efforts to Create Greater Adult Self-Sufficiency and a Ready Workforce Initiative

**Summary**

This Order will authorize the award of \$50,000 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Literacy Volunteers of Bangor to support their initiative to create greater adult self-sufficiency and a ready workforce.

LVB offers an inexpensive solution that strengthens the education and workplace skills of adult students, primarily within Penobscot County. Approximately 37% of the students are Bangor residents, and nearly 30% of students identify as unemployed and seeking employment.

The work of LVB relies significantly on community volunteer tutors to fulfill their mission. The recruitment, training and matching students to volunteers, and support them requires significant staff coordination.

This award is in support of the following:

- One-time funding that will support operating costs of a non-profit to overcome the negative economic impacts experienced as a result of the pandemic.
- This award will provide funding to support LVB's work to enhance workplace skills within our region.

This item was recommended at a Council workshop on August 28, 2023.

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/28/2023  
For: 4                      Against: 2

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## **CITY OF BANGOR ORDER**

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09/11/2023 23-274

Date: 09/11/2023

Item No: 23-274

Assigned to Councilor: Davitt

Authorizing the Award of \$50,000 in State and Local Fiscal Recovery Funds to Support Literacy Volunteers of Bangor's Efforts to Create Greater Adult Self-Sufficiency and a Ready Workforce Initiative

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from Literacy Volunteers of Bangor's application to create greater adult self-sufficiency and a ready workforce initiative ranked highly in the initial citizen panel review process; and

WHEREAS, the award will provide one-time funding that support the efforts of building up their community volunteer tutors to ensuring greater adult self-sufficiency and enhance our region's workforce readiness;

Now, Therefore, Be it Ordered by the City Council of the City of Bangor that, \$50,000 in State and Local Fiscal Recovery Funds are awarded to Literacy Volunteers of Bangor greater adult self-sufficiency and ready workforce initiative.



**CITY COUNCIL ACTION**

09/11/2023 23-275

Council Meeting Date: 09/11/2023

Item No: 23-275

Responsible Dept: City Manager

Requested Action: Order

Map/Lot: 040-073

**Title, Order**

Authorizing the Award of \$2,484,880 in State and Local Fiscal Recovery Funds to Penobscot Community Health Center to Expand and Renovate Hope House Shelter

**Summary**

This Order will authorize the award of \$2,484,800 in State and Local Fiscal Recovery Funds (aka ARPA funds) to Penobscot Community Health Center (PCHC) to expand and renovate the Hope House shelter.

Hope House operates as a low barrier shelter in a facility that was building in 1977. This project would expand the facility foot print and allow operations to return to their pre-pandemic capacity of 66 beds (an increase of 12 beds from the current post pandemic level). The renovations would also include replacement of an aged HVAC system for adequate heating and cooling, more bathroom and shower facilities, enlarged dining area, which increases the capacity of life safety access from 12 to 24, the addition of 4 flex beds, in case of quarantine or other individual needs, all of which would enhance the efficiency and safety of the operation for both the guests and staff.

The proposed award amount is less than the application, as PCHC can apply for \$200,000 in forgivable debt from Maine State Housing Authority and a \$90,000 request to purchase vans to support the various needs of our guests and staff, was referred to our Community Development Block Grant program for potential funding. Further, any expansion of the foot print of the facility will require an amendment to the City's Code of Ordinance that would designate allowable zoning districts for the operation of an emergency shelter, which was mostly recently reviewed at the Business & Economic Development Committee meeting of September 5, 2023.

This award is in support of the following:

- Investment in facilities to support disproportionately impacted communities affordable communal recovery housing
- Investment in access to substance use disorder treatment and recovery and mental health services
- Investment in public health measures in a congregate setting

**Committee Action**

Committee: Council Workshop  
Action: Recommend for passage

Meeting Date: 08/28/2023  
For: 4                      Against: 2

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## CITY OF BANGOR ORDER

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09/11/2023 23-275

Date: 09/11/2023

Item No: 23-275

Assigned to Councilor: Pelletier

Authorizing the Award of \$2,484,880 in State and Local Fiscal Recovery Funds to Penobscot Community Health Center to Expand and Renovate Hope House Shelter

WHEREAS, in conjunction with the Heart of Maine United Way, the City of Bangor conducted an open and public application process to determine distribution of State and Local Fiscal Recovery Funds; and

WHEREAS, the application from Penobscot Community Health Center (PCHC) to expand and renovate the Hope House shelter ranked highly in the initial citizen panel review process; and

WHEREAS, the application from PCHC would fully renovate and expand the foot print of the existing 1977 facility to better serve the needs of guests and staff; and

WHEREAS, PCHC will apply for funding for the balance of the project from Maine State Housing Authority and/or any other potential funding sources; and

WHEREAS, the City Council determined that this request supports disproportionately impact community members, enhances access to substance use treatment and recovery as well as mental health services and improves public health in a congregate setting;

Now Therefore Be it Ordered by the City Council of the City of Bangor that, \$2,484,880 in State and Local Fiscal Recovery Fund is awarded to Penobscot Community Health Center to expand and renovate the Hope House shelter.



**CITY COUNCIL ACTION**

09/11/2023 23-276

Council Meeting Date: 09/11/2023

Item No: 23-276

Responsible Dept: Community & Economic Development

Requested Action: Order

Map/Lot: 045-009-E

**Title, Order**

Authorizing Execution of a Development Agreement and a Tax Revenue and Credit Enhancement Agreement with Penquis, Inc. for Property at Milford Street Extension Phase II

**Summary**

This order will authorize execution of a credit enhancement agreement with Penquis for the development of a property located on Milford Place, should the project be awarded 9% Low Income Tax Credit (LITC) funding by the Maine State Housing Authority. The agreement includes provisions for the developer's investment, time line for completion, and a credit enhancement agreement of 75% for up to 30 years to address a gap in project financing and will also enhance the competitiveness of the project to be awarded 9% LITC funding.

This project is Phase II of a development of housing at this location. Phase I was elderly housing. Phase II is a 40 unit family housing. The Land Development application was approved on June 1, 2023 by the Planning Board.

As with Phase I of the project, Penquis has structured the financial package using all available instruments, including LITC from the Maine State Housing Authority, using a for-profit entity.

The item was reviewed and recommended for approval by the Business & Economic Development Committee on September 5, 2023.

**Committee Action**

Committee: Business & Economic Development Committee

Meeting Date: 09/05/2023

Action: Recommend for passage

For: 5

Against: 0

**Staff Comments & Approvals**

City Manager

City Solicitor

Finance Director

**Introduced for:** New Business



## **CITY OF BANGOR ORDER**

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09/11/2023 23-276

Date: 09/11/2023

Item No: 23-276

Assigned to Councilor: Tremble

Authorizing Execution of a Development Agreement and a Tax Revenue and Credit Enhancement Agreement with Penquis, Inc. for Property at Milford Street Extension Phase II

WHEREAS, the City of Bangor supports the creation of affordable housing for families; and

WHEREAS, the project is well-located near goods and services, and a school; and

WHEREAS, the project is applying for Low Income Tax Credits (LITC) through Maine State Housing Authority's highly competitive process; and

WHEREAS, the provision of a 75% rebate on taxes will allow the application to be more competitive for the award of funding;

NOW THEREFORE, BE IT ORDERED BY THE CITY COUNCIL OF BANGOR THAT:

The City Manager is hereby authorized to enter into a credit enhancement agreement with Penquis to rebate 75% of the real estate taxes paid on the increase in the value from the original assessed value of FY23 valuation of \$147,300 for the property located on Milford Place for a period of up to thirty (30) years should the project be chosen for funding through the Maine State Housing Authority's 9% LITC funding opportunity in a final form approved by the City Solicitor.