

# Town of Windham

## Meeting Minutes - Draft

### Town Council

Town Offices  
8 School Road  
Windham, Maine

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Tuesday, January 14, 2025

6:00 PM

Council Chambers

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#### I. Roll Call of Members.

**Present:** 6 - David Nadeau, Nicholas Kalogerakis, Mark Morrison, William Reiner, John Henry and Jarrod Maxfield  
**Absent:** 1 - Brett Jones

#### II. Pledge of Allegiance.

Council Chair Maxfield led the Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 25-029](#) To approve the Minutes of the October 8, 2024, Council Executive Session.

**Attachments:** [Minutes-Council-10-08-2024.pdf](#)

A motion was made by Councilor Henry, seconded by Councilor Morrison, that the Minutes be approved. The motion carried by the following vote:

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield  
**Absent:** 1 - Councilor Jones

[CD 25-007](#) To approve the Minutes of the December 12, 2024 Council meeting.

**Attachments:** [Minutes-Council-12-12-2024\(1\).pdf](#)

A motion was made by Councilor Nadeau, seconded by Councilor Henry, that the Minutes be approved. The motion carried by the following vote:

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield  
**Absent:** 1 - Councilor Jones

#### IV. Adjustments to the Agenda.

#### VI. Public Participation.

*No public participation.*

#### VII. Councilors' Comments.

*They wished everyone a Happy New Year!*

## VIII. PUBLIC HEARINGS.

### 25-001

To receive public comment and act on proposed amendments to Chapter 120 Land Use Ordinance of the Code of the Town of Windham, Article 3, Definitions modifying retail sales, automotive sales, and retail sales, outdoor and Article 5 Performance Standards, retail sales, outdoor to address recreational vehicles outdoor display and sales areas.

**Attachments:** [25-001 Cover Sheet.pdf](#)

[24-32 TC MEMO LUO AMD Articles 3 5-RV 122624.pdf](#)

[Planning Board Minutes of the November 25.pdf](#)

[ARTICLE 3 and ARTICLE 5 \(JB rev'd 12-04-24\).pdf](#)

*No public comment.*

*Steve Puleo Planning Director said there was a discussion on the December 12 agenda. It has been reviewed and recommendations are in the packet you have in front of you tonight. They did not receive any public comments during the Planning Board Review back in November, and it was a 5-0 vote to recommend to the Council. This would allow for a Planning Board major development review for outdoor retail sales to allow for recreation sales.*

*Councilor Maxfield asked where do golf carts fall in this? Steve said it would most likely fall in as an accessory use, and be approved by the Code Office, such as a sporting goods sale involving sporting goods and allow the CEO to allow for an outdoor retail sales permit through an accessory use. This particular proposal is to primarily deal with the retail sales, which was grouped into our automobile retail sales, which is not permitted in the C3 District, and is allowed in the C1 and C1N Districts. So, it would be underneath the CEO's authority to make that as an accessory use to a principal retail use on that particular site.*

*Councilor Nadeau brought up the business up on Route 302 at the intersection of River Road and he didn't know if it was rental equipment or sale of equipment, but all of a sudden there is a lot that is overflowing with that type of equipment. Is it an accessory use? Steve said that is in C1 and rental equipment is allowed in that district and was issued by Code.*

**A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

- In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield
- Absent:** 1 - Councilor Jones

### 25-002

To receive public comment and act on proposed amendments to Chapter 120 Land Use Ordinance of the Code of the Town of Windham, Article 3, Definitions and Article 4 District Standards, to add definitions and references for principal building location on a premise that involves Hotel development in the Commercial I (C-1) zoning district.

**Attachments:** [25-002 Cover Sheet.pdf](#)[24-34 TC MEMO LUOAmArticle3&4 HotelUse 122424.pdf](#)[DefinitionsCommercial District I \(C-1\) HotelFrontSetback 120924 \(JB rev'd\).pdf](#)[230411-Hotel Concept 2024-10-16.pdf](#)

No public comment.

Steve Puleo said he has submitted a draft of the revised and minor changes that the town attorney gave to them today to recognize some of the comments the Planning Board made during the public hearing they had last night. The comments were quite minor in scope. He read through them and noted that there was no public comment. He said last night the motion was made by Evert Krikken, seconded by Christian Etheridge and voted 6-0 with Mr. Yost being absent. Their recommendation is to approve the proposed amendment.

Councilor Kalogerakis said he was confused about the setbacks in section E (d). Steve gave an explanation.

Councilor Reiner and Maxfield had a questions about (16) Solar energy system and what was being struck out.. Steve gave an explanation. After much discussion on how that section should read an amendment.

Councilor Henry moved to amend Order 25-002, Section F (16) Solar energy system-ground-mounted, large scale. This use shall only be allowed when co-located with parking lots or to supply electrical or thermal power to reduce the consumption of utility power or fuels by a principal commercial or residential use on the same parcel **or abutting land**. **See § 120-556. Solar energy systems, in Article 5. Performance Standards, for additional requirements.** When no co-located with a parking lot, **a solar energy** system shall not be designed **to generate more than 125% of the power needs of the principal uses on the same parcel or abutting land, to create additional power, but Any excess** power may result**ing** from on-site **or abutting parcel** usage that is below the designed capacity **may be sold into the grid**. Seconded by Councilor Kalogerakis.

Vote on amendment:

In Favor: 6-0

Absent: 1 (Jones)

**A motion was made, seconded by Councilor Morrison, that the Order be approved as amended. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

25-013

To receive public comment and act on amendments to the Master Fee Schedule, to include a new missed scheduled inspection fee, and clarify the internal plumbing and septic system permit fees as mandated by the state.

**Attachments:** [25-013 Cover Sheet.pdf](#)  
[CURRENT MASTER FEE SCHEDULE Amendments for 1.14.2025.pdf](#)  
[Memo Master Fee Schedule Amendments 1.14.25.pdf](#)

*No public comment.*

*Manager Tibbetts said we are updating our fee schedule to match what the requirement is for State law.*

**A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

## IX. CONSENT AGENDA.

## X. UNFINISHED BUSINESS & GENERAL ORDERS.

### 25-003

To accept the public turnaround easements for Fern Drive, a street identified by the Town as a Designated Private Way that has met the criteria set forth by private and special law L.D. 1975, for the purpose of the Town's continued winter maintenance services.

**Attachments:** [25-003 Cover Sheet.pdf](#)  
[Fern Ave Public Turn Around Easements 3 properties.pdf](#)  
[Turnaround Easement Locations for Fern Avenue.pdf](#)

*No public comment.*

*Assistant Manager Bob Burns said Fern Drive exists on the western shore line of Collins Pond. They have made some improvements at the turnaround end. There are some pictures included in the packet. This is keeping with our process of adding to our private road easements for winter road maintenance.*

*Councilor Nadeau thanked the two land owners at the end of the road who allowed this to happen.*

**A motion was made by Councilor Nadeau, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

### 25-004

To amend the charge for the Windham Middle School Repurpose Advisory Committee to increase the number of community member participants from two to five, add a code enforcement officer member and correct a position title for an existing staff member.

**Attachments:** [25-004 Cover Sheet.pdf](#)

[Windham Middle School Repurpose Advisory Committee Charge AMENDMENT.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

[25-005](#) To appoint Matthew Irving to the Windham Middle School Repurpose Advisory Committee.

**Attachments:** [25-005 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

[25-006](#) To appoint Anne Daigle to the Windham Middle School Repurpose Advisory Committee.

**Attachments:** [25-006 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

[25-007](#) To appoint Marge Govoni to the Windham Middle School Repurpose Advisory Committee.

**Attachments:** [25-007 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

[25-008](#) To appoint Lorraine Glowczak to the Windham Middle School Repurpose Advisory Committee.

**Attachments:** [25-008 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

25-009 To appoint Peter Small to the Windham Middle School Repurpose Advisory Committee.

**Attachments:** [25-009 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

25-011 To appoint Gerald Beaulieu to the North Windham Fire Station Repurpose Advisory Committee.

**Attachments:** [25-011 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

25-012 To appoint Jason Allen to the North Windham Fire Station Repurpose Advisory Committee.

**Attachments:** [25-012 Cover Sheet.pdf](#)

**A motion was made by Councilor Nadeau, seconded by Councilor Henry, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

25-024 To endorse an application for Community Development Block Grant (CDBG) funds for the proposed "Forbes Lane Neighborhood Park", which is for the development of a pocket park in this community area.

**Attachments:** [25-024 Cover Sheet.pdf](#)

[Forbes Lane Neighborhood Park CDBG Application.pdf](#)

*The following residents who live adjacent to the proposed pocket park spoke. They were Bob Cote, Ronald Boes, and Mary Cote. They were in favor for the land to be developed for the neighborhood park but had some concerns about the scope of the project and thought there were more things suggested to be put there for recreation than they were told back in 2021. They were also concerned about parking, as there is no room to allow*

for that. Also, the homes that border the property losing some of their privacy. They would like the people in that community to be involved as to what they would like to see go in there. They asked if the town received the grant, would they have to stick with the plan before them, or would they be able to downsize, if they so choose?

Public comment closed.

Councilor Maxfield asked if we apply for this grant and get the money, do we have to build it verbatim or are we allowed to modify?

Tom Bartell said there is flexibility. The overall budget includes materials and labor essentially, and is how that's used. The picture that was put in was a concept plan so that the Council, neighbors and the application committee can have an idea of where it is and what might happen and occur there. The intent is for it to be a neighborhood park and not a community park. He apologized that the Parks & Rec Director Linda Brooks could not be here tonight as she would have a better idea of what is in here. It is really intended to be a neighborhood park, what is generally called a pocket park for the neighborhood. It is intended to be somewhat active recreation, but not pickle ball or basketball. There is no parking associated with this, but a family in the neighborhood could use it for a birthday party. He said that if they do formalize it, it would be maintained by the town.

There was more discussion and ideas from the Councilors. An ADA parking spot was suggested along with some type of a buffer for the residents privacy.

Tom said the next step is the design of the park. The town and the Parks & Rec Advisory Committee intend to include the public in the design process and will host a community meeting to receive the input. Councilor Morrison said he lives in this neighborhood and is concerned about parking for this park, and he would like to be involved in the process.

Manager Tibbetts said it will involve public input. He said they are not showing any parking there currently. He said they might post signage that there is no parking and it becomes a walkable neighborhood park.

Tom Bartell said the zoning is outdoor recreation and is a conditional use, so buffers and everything else will come along with the Planning Board approval as part of a conditional use.

Councilor Maxfield said he supports it and we should go for the money. He is comfortable they are not locked into this sketch. They have to be realistic, it is a dense neighborhood and will be a big draw with the kids in the neighborhood.

**A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

## **XI. Council Correspondence.**

[CD 25-001](#) FOAA Status Report.

**Attachments:** [Fwd Request Acknowledgement & Response Vendor Info 10.11.2024.pdf](#)  
[Request Response 12.12.2024.pdf](#)  
[D StPeter liened property 12.30.2024.pdf](#)  
[770 Roosevelt Trail Information CPASurvey 12.31.2024.pdf](#)  
[Acknowledgement and Response 1.9.2025.pdf](#)

[CD 25-006](#) Charter Communications - Notifications.

**Attachments:** [2024.12.16 Jan2025 Rate Notice-ME.NHsw.pdf](#)  
[2024.12.18 Charter Programming Notice \(AXS TV add\) 45D-ME.pdf](#)

[CD 25-027](#) Thank you to Windham Energy Advisory Committee.

**Attachments:** [Windham Energy Committee - Thank you from Student Researcher.](#)

[CD 25-028](#) GPCOG - PACTS Regional Transportation Advisory Committee - Jan. 1, 2025  
Agenda. (8MB)  
<https://gpcog.org/AgendaCenter/ViewFile/Agenda/01072025-632>

**Attachments:** [RTAC Agenda Packet 2025-01-07.pdf](#)

## XII. Town Manager's Report.

*Manager Tibbetts said they will have the Middle School Repurpose meeting on the 21st*

*Next Thursday January 23rd will be a workshop at 6pm.*

*He showed a Property Tax Comparison Calculator with Windham and other towns and had a brief discussion.*

## XIII. Committee Reports.

### A. Council Subcommittees.

#### 1. Appointments Committee.

*Councilor Henry said they were supposed to meet last Tuesday, but nobody came. Barry and Bob sat with Councilor Henry and met with the candidates, and they provided their notes to the committee on each candidate and that is how you got to your nominations today.*

#### 2. Finance Committee.

*Councilor Nadeau said the Finance Committee received an email today from Tammy. They are looking at trying to set up Finance meetings. Please get your availability back to Tammy. Thank you.*

#### 3. Ordinance Committee.

*No report.*



**B. Other Committees.**

## 1. Parks &amp; Recreation Advisory Committee

*No report.*

## 2. Windham Economic Development Corporation.

*No report.*

## 3. Natural Resources Advisory Committee.

*No report.*

## 4. Greater Portland Council of Governments (GPCOG).

*No report.*

## 5. ecomaine.

*Assistant Manager Bob Burns said they met on December 19 for the Board of Director's meeting. There was an executive session with the topic regarding litigation, another executive session in regard to the new recycling facility, cost increases along with the landfill cost increases.*

*There are twelve communities who are considering joining ecomaine. Two of them are serious in moving forward with the process and they are the City of Sanford and the Town of North Berwick. The next meeting is January 16 and will be a Finance Committee and Board of Director's meeting.*

## 6. Windham Middle School Repurpose Advisory Committee.

*No report.*

## 7. North Windham Fire Station Repurpose Advisory Committee.

*No report.*

**XIV. Discussion Items.**

**\*Note: Minutes are not taken for Discussion Items.**

[CD 25-002](#) Fidium Fiber (Consolidated Communications) Internet Fiber Build Project Update.

[CD 25-008](#) GPCOG Housing Study.

**Attachments:** [Windham Housing Study Presentation 1-14-25.pdf](#)

[CD 25-009](#) County Homeless Study.

**Attachments:** [Final Lakes Region Homeless Study 2024.pdf](#)  
[ALICE for Local Municipalities 4-2024.pdf](#)

CD 25-011 Windham Statistics.  
(Crime, Taxes, School, TIFs, Revenues).

**Attachments:** [All charts Growth JAN 2025 4.pdf](#)

CD 25-025 Downtown Windham Traffic Evaluation 2024.

**Attachments:** [Final Downtown WindhamTraffic Evaluation 6-12-24.pdf](#)

CD 25-010 Survey Results - Overview.

**Attachments:** [Data All 241231.pdf](#)  
[Data Q18 241231.pdf](#)  
[Data Q22 241231.pdf](#)  
[Data Q23 241231.pdf](#)  
[Data Q24 241231.pdf](#)  
[Data Q27 241231.pdf](#)  
[Data Q32 241231.pdf](#)  
[Data Q38 241231.pdf](#)  
[community survey results summary.pdf](#)  
[Current or Planned projects vs resident concerns.pdf](#)  
[Summary of Survey Comments.pdf](#)  
[Residential Concerns Addressed in the Comprehensive Plan.pdf](#)

CD 25-026 Growth Ordinance Amendment Considerations.

## XV. Agendas & Scheduling.

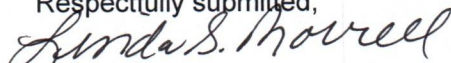
## XVI. ADJOURN.

A motion was made by Councilor Reiner, seconded by Councilor Henry, that they be adjourned. The motion carried by the following vote at 9:14 p.m.

**In Favor:** 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

**Absent:** 1 - Councilor Jones

Respectfully submitted,

  
Linda S. Morrell  
Town Clerk/CCM