

PLANNING BOARD MEMO

DATE: July 21, 2026

TO: Windham Planning Board
FROM: Steve Puleo, Planning Director
Cc: Amanda Lessard, Assistant Town Manager
Natale Thomsen, Town Planner

RE: #26-03 Amendment to Chapter 185 Shoreland Zoning – Town of Windham

Planning Board Meeting – July 27, 2026

Overview

The Town is proposing an amendment to Chapter 185 Shoreland Zoning [§185-12 Nonconformance](#), [§185-14 Table of Land Uses](#), and [§185-15Q Land Use Standards for Hazard trees](#), storm-damaged trees, and dead tree removal.

Summary of attached proposed ordinance amendments:

Chapter 185 Shoreland Zoning

- [§185-12](#): Nonconforming structures with new, enlarged or replacement foundations or relocated structures must be placed to meet the shoreline setback to the greatest practical extent. Change determination of **greatest practical extent** from Code Enforcement Officer to Planning Board. This language change mirrors Maine DEP Chapter 1000.
- [§185-14](#): Table of Land Uses:
 - Require permit issued by CEO for clearing or removal of vegetation for actives other than timber harvesting in the LR and GD Districts.
 - Change One and two family residential to permit issued by Planning Board from site plan approval by the Planning Board in SP and RP Districts.
 - Change Structures accessory to allowed uses to permit issued by Planning Board from CEO permit in SP and RP Districts.
- [§185-15Q](#) Land Use Standards for Hazard trees, storm-damaged trees, and dead tree removal: Clarify permit issued by CEO.

Zoning Amendment Process

There are no specific standards in the Town ordinance by which to judge the proposed zoning change, but State statute requires all proposed zoning to be consistent with the goals and objectives of the Comprehensive Plan. The Planning Board must hold a public hearing prior to making a recommendation on this item to the Town Council. The Town Council will need to hold a public hearing and vote on the proposed changes to the Shoreland Zoning Ordinance for the changes to be officially approved. The changes approved then will not be effective until approved by the DEP Commissioner.

A public hearing is scheduled for the August 10, 2026 Planning Board meeting.