



Town of Windham

Meeting Minutes - Draft

Town Council

Town Offices
8 School Road
Windham, Maine

Tuesday, March 26, 2024

6:00 PM

Council Chambers

I. Roll Call of Members.

Present: 6 - David Nadeau, Brett Jones, Nicholas Kalogerakis, Mark Morrison, William Reiner and Jarrod Maxfield

Absent: 1 - John Henry

II. Pledge of Allegiance.

Council Chair Morrison led the Pledge of Allegiance.

III. Minutes to be Approved:

[CD 24-051](#) To approve the Minutes of the March 12, 2024, Council meeting.

Attachments: [Minutes-Council-3-12-2024\(1\).pdf](#)

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

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

Absent: 1 - Councilor Henry

IV. Adjustments to the Agenda.

V. Public Participation.

No public participation.

VI. Councilors' Comments.

Councilor Kalogerakis proposed that at some point they have a discussion about the Comp Plan, it has been seven years and they might want to revisit it again. There was mutual agreement amongst the rest of the Councilors.

VII. PUBLIC HEARINGS.

[24-032](#) To receive public comment and act on proposed amendments to the 2016 Comprehensive Plan, Future Land Use Map, to comply with the requirements of State Law LD 2003, to reduce the Growth Areas and expand the Rural Areas and the Route 302 Transitional Areas.

Attachments: [24-032 Cover Sheet.pdf](#)
[TC MEMO PB recommend LD200 032024.pdf](#)
[ProposedCompPlanAmendment LD2003.pdf](#)
[FutureLandUse Map Existing-v-Proposed.pdf](#)
[LD 2003 Presentation for TC Hearing.pdf](#)

Amanda Lessard Planning Director gave a presentation. Before she began she said she wanted to talk about what LD 2003 is and the proposed changes, both to this order for the Comp Plan amendment but also the following agenda item for the ordinance amendments, because they are intertwined, and how you feel about the second item might influence the first item. (See attached presentation)

Barbara Maurais from William Knight Road spoke in regard to two of the 104 parcels that are currently farm and potentially could be changed to Village Residential. She said they have a 12 acre tree farm in the affected area. Her Aunt also has 12 acres, and Chuck Hall has his hay fields and some animals in that area. It goes all the way over to Falmouth Road and includes the Webster/Hall properties, and then it goes almost down to the river and includes Timmons, Tom Tyler and several other properties.

She said it seems like we are trying to shoehorn particular properties so that they fit within this plan. She said she was not quite sure why the zoning definition for farm could not have been updated to include the States LD 2003 criteria. There isn't a piggery there now, but there has been in the past. Her Aunt had several pigs. Barbara thought Amanda had said that if there was one there currently you could continue, however, if it is not current, then you would not be able to put one in, even though you had one in the past, and was that true? Amanda said that was correct.

She is pleased the Council wants to take another look at the Comp Plan. She suggested that if they felt they needed to move forward on this, that they remove that farm from Village Residential in the Falmouth Road to William Knight area. She said that William Knight is her grandmother's great Uncle and the Knights, Hunts and Maurais have been at that property for well over 200 years, as well as the Halls. There is a great tradition, don't screw it up.

Tom Tyler from Buckfield Drive said he is concerned with LD 2003. There is nothing that says you have to change zoning, it talks about density and affordable housing. His concern with this proposal to VR zone is simply changing the use of his property. He has had pigs, rabbits, and miniature horses there. There is a proposed 10 unit cluster housing project going in on Nash road, you have sewer coming in No. Windham, there is your explosion zone, North and South Windham.

He had previously mentioned to one of the Councilors about reading something and taking a vote on the same night. He suggested the Council take the policy of the Legislature. In the Legislature everything goes through a vote in one body, it goes to the other body but it comes back a second time for enactment. It always gets the pros and cons and if they have to get together to figure it out, that's when it happens, but it never goes to the Governor's desk without a second vote. He thinks they should postpone it to the next meeting and then vote after they have had time to think about it.

Dan Plummer from the South Windham zone. He said his problem is they have had farm animals like Tom (horses, cows, rabbits, pigs) and his family has lived there 106 years. He thinks they should have the opportunity for whenever they want animals to be able to



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MEMO

DATE: March 20, 2024

TO: Windham Town Council
 THROUGH: Barry Tibbetts, Town Manager
 FROM: Amanda Lessard, Planning Director
 Cc: Windham Planning Board

RE: Planning Board Recommendation – LD 2003 Compliance: #24-09 Comp Plan Amendment & #24-10 Chapter 120 Land Use Ordinance and Map Amendment

Overview

At the Planning Board meeting on March 11, 2024 ([PB 24-013](#) and [PB-014](#)), public hearings were held on the attached proposed amendment to the 2016 Comprehensive Plan, Future Land Use Map and Chapter 120 Land Use Ordinance, Article 3 Definitions, Article 4 Zoning Districts, and Article 5 Performance Standards, related to affordable housing developments and Amendment to the Official Land Use Map. These amendments are necessary in order to comply with State Law LD 2003. The amendments had previously been unanimously supported by the Long Range Planning Committee (LRPC) and the Town Council Ordinance Committee.

State Law [LD 2003](#), An Act To Implement the Recommendations of the Commission To Increase Housing Opportunities in Maine by Studying Zoning and Land Use Restrictions, was enacted in April 2022 to facilitate the creation of additional housing units. The law requires municipalities to allow certain types of housing development and densities based on a location in areas designated as Growth Areas in a Comprehensive Plan. During 2023 the Town Council adopted amendments to the Land Use Ordinance but there are a few additional actions required for the Town to fully comply with the law: Comprehensive Plan Amendment, Land Use Map and Ordinance Amendments.

Comprehensive Plan Amendment

LD 2003 requires that the Growth and Rural Areas defined in Windham's [2016 Comprehensive Plan](#) Future Land Use Map now determine density allowances. The map created in 2016 has loosely-defined boundaries that do not align with the town's zoning.

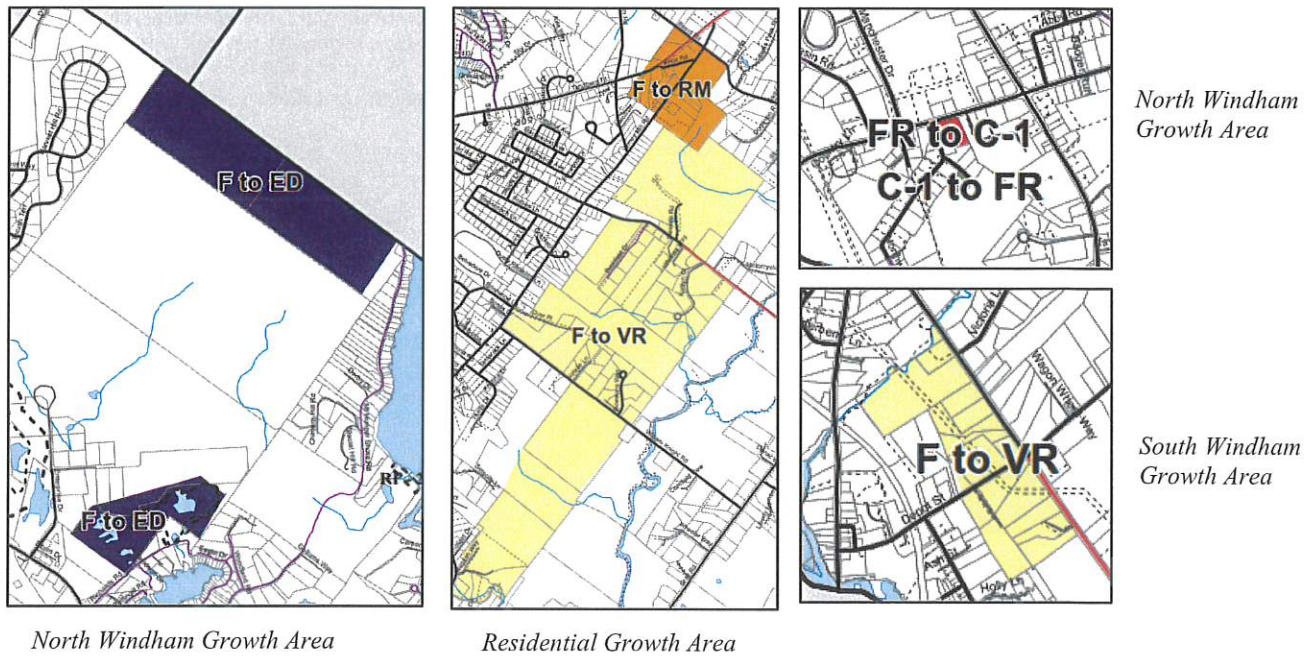
Per the State Statute for Comprehensive Plans, there are 3 growth categories a community can use on their Future Land Use Map: Growth Areas (where growth is to be expected and encouraged); Transitional Areas (established neighborhoods and where further development will not necessarily be encouraged or discouraged); and Rural Areas (where future development is to be directed away from, but development can occur).

In order to clarify growth area boundaries, staff reviewed existing zoning boundaries, property boundaries, public infrastructure (roads and utilities), existing conditions and future development potential. Staff proposes a new map that reduces the size of growth areas and expands the transitional areas around Route 302. This minor change to the Future Land Use Map is intended to not substantively change the growth

areas that were informed by the public outreach efforts made to develop the 2016 plan that supports the community’s core values and vision for Windham in 2030. See attached proposed amendment and maps comparing the existing and the proposed Future Land Use Map.

Land Use Map Amendment

While staff recommends reductions in areas designated as Growth Areas, there are a few areas that remain in the designated Growth Areas that require changes to the current zoning to allow for the housing development required under LD 2003. Staff proposes to rezone 104 parcels, totaling 823 acres, to align the zoning with the proposed Future Land Use Map relative to the North Windham Growth Area, Residential Growth Area and South Windham Growth Area shown here:



The change in the land area zoned can be seen in an attached document.

Tables comparing the district requirements (lot size, frontage, density, setbacks) and uses can be viewed on the Town’s [eCode website](#) to show the impacts of the proposed zoning amendment.

Land Use Ordinance Amendment: Affordable Housing

After the Town’s adoption of performance standards for Affordable Housing Development (§ 120-501.1), the legislature amended the statute to revise the definition of affordable housing development and the Council adopted the new zoning districts for the Windham Center Growth Area. An amendment to the Land Use Ordinance is proposed to Article 3 Definitions, Article 4 Zoning Districts, and Article 5 Performance Standards to amend the definition of Affordable Housing Development to align with the statutory definition and makes those standards eligible to developments in the Windham Center (WC) and Village Residential (VR) Districts.

Planning Board Review and Recommendation

Two members of the public provided testimony in opposition to the proposed amendments to the Comp Plan and Land Use Map, one member of the public neither for nor against during the Planning Board’s public hearing held on March 11, 2024. The comments in opposition to the proposal were specifically focused on the Residential Growth Area and the amendment to the map to change the zoning from the Farm (F) District to the Village Residential (VR) District as this area has a number of existing farms and there was concern about changing the permitted use would reduce the ability of owners to keep animals, sell agricultural products, and produce their own food. There was concern that increased side and rear setback would be problematic for existing buildings. They supported increasing the density requirements without changing the allowed uses. The final comment was a request for the definition of Affordable Housing.

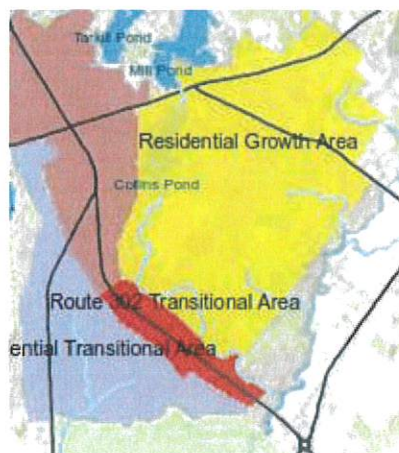
The Board discussed the requirements of the law, the goal to have the Comp Plan align with the zoning, and the need for housing. The Board questioned how the Growth Areas were determined, if the state required a certain amount of designated Growth Areas, and the implications of not rezoning a growth area. The Board questioned if there were any existing piggeries, poultry facilities or other existing uses that would be made nonconforming and were told there were none – agriculture is a permitted use in F and VR. The Board also commented on the significant amount of growth and changes to the laws that have occurred since the Comprehensive Plan was adopted and the public may have a different opinion of where residential development should occur. Following discussion of the proposed changes, the Board made the following motion:

To recommend with comment approval of all the changes proposed (amendment to the 2016 Comprehensive Plan Future Land Use Map, Chapter 120 Land Use Ordinance and Official Land Use Map) with the following changes: To not rezone the F to VR area and shrink the residential growth area. The Board commented that the Council should consider and update/review of the Comprehensive Plan.

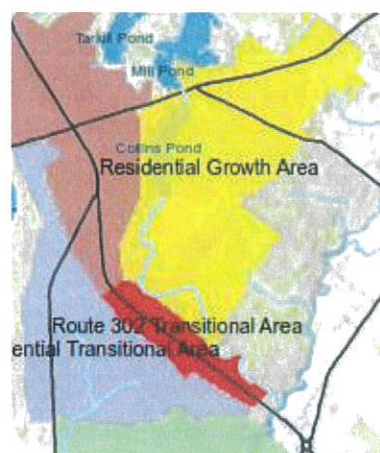
Motion: Everett Krikken
2nd: Rick Yost

Vote:7-0

Staff notes that if the Town Council wants to consider the Planning Board recommendation to further amend the Comprehensive Plan and Land Use Map, the revision must return to the Planning Board for a public hearing and recommendation. The Board’s recommendation would eliminate the “F to VR” area in the Land Use Map Amendment middle graphic above (59 parcels, 500.33 acres) and make the following changes to the Future Land Use Map:



Proposed Residential Growth Area



Planning Board Recommended Residential Growth Area

do it, and they should not be crowded out. You can change the zoning from farm so long as they are grandfathered for that. One other concern was setbacks on encroaching our family land; there should be some safety factor for 100 year old trees. Their pastures and woods have not changed in 106 years.

Amanda Lessard spoke on agricultural uses and she said the main one is very broad are in the allowed uses in both districts. She said what she has heard described here, all of those uses fit within the allowed use of the broad definition of agriculture that is a permitted use in both districts. Absolutely there is a recommendation that piggeries and poultry facilities and permanent saw mills if they are related to a tree farm would be a change. The definitions of what those uses are and the number of specific animals that fit within that use is certainly something that could be looked at if that is not a good definition for the community, but agricultural as a use, especially when it is a accessory to a residential dwelling, is something that would continue to be allowed and is allowed in every single zoning district in Windham.

Public Hearing Closed.

Council Comment:

Councilor Kalogerakis asked "what if we made the LD 2003 changes but we kept the uses the same, and if the uses need to change if that land gets sold, and the new person purchasing would realize that the use of that land changes when he buys the home. Amanda Lessard said it does not work that way.

Manager Tibbetts said the only way you could get around it is to have a VR1 or VR2 zone, then it becomes separate and those changes do not effect any other VR zones. You'd be creating a new zone with broader definitions.

Councilor Maxfield said to confirm, anything existing now is grandfathered. Amanda said yes. Is there anyway if something that used to be there but is not currently, that we can grandfather that if it was documented as an existing use in the past? Amanda said that is not how we define nonconforming uses. You need to be doing that use in a specific time line of when you had stopped the use and when you could continue it, and you haven't exceeded that time period.

Councilor Maxfield said he heard something from the Planning Board that some things from the 2016 Comp Plan come forward from the 2003 Comp Plan? Amanda said yes, nearly all of the growth areas are the same. The 2016 plan had some identified resource protection areas around the Presumpscot and the Pleasant River, which is why this growth area boundary does not go right up to the Pleasant River because that was a protected resource. It is not a critical natural resource in this plan, but the zoning doesn't change all the way to the river.

Councilor Reiner - a use that is currently going on now, when we change the zoning, does that still exists as a nonconforming use, and anything that is active today still is able to continue regardless of what the zoning changes would be. Amanda said there are rules to allow it to expand.

He said looking at the zoning district uses, multifamily dwelling units are currently allowed in farm and farm residential but it has an asterisk. What does that mean? Amanda said they are only allowed for the conversion of a single family home that existed prior to 1986 and you can only put three units in it. The reason is that prior to 1986 multifamily of any size was allowed everywhere in Windham. If you had a vacant lot, you could not do

anything, it only allows for a conversion of an existing building.

He said in regards to 2003 for the residential growth area, what specific changes, if that was not designated a growth area, what would 2003 due to dwellings, it just doubles the capacity? Amanda said if it was a rural area and farm zone it would allow for a duplex and if there is a single family home to have an accessory apartment.

Councilor Jones asked LD 2003 doesn't really effect lot sizes, just density? Amanda said yes, you cannot just require more land for subsequent units, we couldn't require that. Councilor Jones said his concern was take a 80,000 sq. ft. lot and cutting it into a 40,000 sq. ft. lot and doubling the houses on it and it would be doubling the amount of growth area in that farm zone. Trying to slow down our growth and trying to maintain as much open space in farm and fields as possible is something he has been strongly passionate about.

Councilor Nadeau said there is another State law that allows you to grow crops or have animals as long as you are going to eat them. He said the point he his trying to make is if you look at the percentage land use zoned currently verses proposed, Windham FR or Farm is about 68%, what the changes are looking at here, and not one Comp Plan, but two Comp Plans had this area as a potential growth area, the next area to move to. With the changes we are still at roughly 60% Farm or FR. Windham is growing like crazy, nobody is loosing any use out of this change, except for the piggery, chickens and the permanent saw mill. The people on that property can still do everything they are doing. Windham has to have land available to grow. The State is telling us we need to do something. He said the only reason this hasn't been done is because we have two Comp Plans that were never implemented.

Councilor Jones -There is growth and there is responsible growth, and growth to fill a budget is not growth to him. There are plenty of projects coming in North Windham, with 400+ residential units going in and commercial development. There is money coming in to offset budgets. He does not want to accelerate growth by reducing a large section of town by cutting the minimum lot size in half.

Councilor Maxfield said he does not like the State mandating us on what to do and taking away home rule. He thinks Windham has been well ahead of most other towns in working on zoning and creating housing. His head is at the Comp Plan. People from all different groups around town who worked on it, and the plan is a result of extensive public participation process using community surveys, visioning forums, and the folks who went through this plan looked at what was in the 2003 plan and was not done, and they fully had the opportunity to dump that but they still found value in it and they moved it forward. He would hope the vote tonight could be postponed so everyone could digest it.

Amanda said the next agenda item (24-018) is tied together with 24-032 so if the Council does not want to adopt the growth area changes tonight, then you wouldn't necessarily want to follow through with the changes on 24-018 tonight.

Councilor Reiner said he will ask for this to be postponed to the next meeting for either an initial vote or final vote, as he plans on setting up a meeting with Amanda this week. He watched the Planning Board meeting. He said he has not been entirely happy with the Comp Plan for two years, and he is happy the Planning Board and some Councilors would like to re-enter it. People are not loosing any of their uses with the change.

Councilor Kalogerakis said out of all the comments he does not recall anybody wanting to change this area other than Councilor Jones. The public said they are fine with it being

a growth area, but they want their uses to stay intact.

Amanda Lessard said it was the Planning Boards recommendation to say that their legal Counsel is saying that in order to comply with the law you need to have the zoning match your growth area. The Planning Board is making the recommendation that if you are not going to enact the zoning change, then you should also change the growth area boundary.

Councilor Nadeau said it's been over a year that they changed this area they are currently sitting in to the growth zone. So. Windham zoning was changed to be a growth zone. There is a couple of buildings being built down there now because there is sewer. His point is both areas have been totally stagnant of growth being growth areas, so the fair of a name change doesn't mean that everybody is moving in tomorrow.

Council Chair Morrison took a straw poll to see if there was interest in postponing for two weeks.

All were in favor of postponing except for Councilor Nadeau.

Councilor Maxfield moved to postpone acting on 24-032 until April 9th, and also postponing to April 9 the public hearing and acting on Order 24-018 as they are connected, seconded by Councilor Reiner.

Vote to postpone:

In Favor: 6

Absent: 1 (Jones)

Tom Tyler said he is not concerned with his legacy. He is concerned about his neighbors and if they might want to have animals. He doesn't care what his zone is called, but keep it so people can have the use. If you have to change the density, change the density, just don't tell them they can't have a few animals or raise a garden and sell the vegetables.

Barbara Maurais asked Amanda to explain what a farm enterprise is. Amanda said it is a specific use they added to the ordinance a few years ago that allow for special events, specifically, weddings at a property that is in an agricultural use, and it requires an approval process through the Board of Appeals. It is not about selling products, it is about special events. Many communities around us were having discussions about hosting weddings on farm properties and it being additional income for those farms. These farms are allowed up to 12 per year through a permitting process. Farm stands and sales of agricultural products are permitted under the agricultural use, which is allowed as a principal use or an accessory. If it is your garden and you are selling your produce you can do that in every zoning district in Windham..

A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be postponed until the April 9th meeting. The motion carried by the following vote:

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

Absent: 1 - Councilor Henry

24-018

To receive public comment and act on proposed amendments to the Land Use Ordinance, Chapter 120 of the Code of the Town of Windham, Article 3 Definitions, Article 4 Zoning Districts, and Article 5 Performance Standards, related to affordable housing developments and an amendment



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MEMO

DATE: March 20, 2024

TO: Windham Town Council
THROUGH: Barry Tibbetts, Town Manager
FROM: Amanda Lessard, Planning Director
Cc: Windham Planning Board

RE: Planning Board Recommendation - #24-11 Chapter 185 Shoreland Zoning Ordinance and Map Amendment

Overview

At the Planning Board meeting on [March 11, 2024](#), a public hearing was held on the attached proposed amendment to the Official Land Use Map Resource Protection (RP) District freshwater wetlands which are inland waterfowl and wading bird habitat and Chapter 185 Shoreland Zoning Ordinance related to permit application requirements for photographic evidence. The amendments had previously been unanimously supported by the Natural Resources Advisory Committee (NRAC) and by a vote of 2-1 by the Town Council Ordinance Committee.

The Shoreland Zoning Ordinance [Section 185-13A](#) defines the Resource Protection District, in part, as including “Areas within 250 feet, horizontal distance, of the upland edge of freshwater wetlands and wetlands associated with great ponds and rivers, which are rated "moderate" or "high" value waterfowl and wading bird habitat (IWWH), including nesting and feeding areas, by the Maine Department of Inland Fisheries and Wildlife (MDIF&W) that are depicted on a Geographic Information System (GIS) data layer maintained by either MDIF&W or the Maine Department of Environmental Protection as of May 1, 2006.” Since the Town last updated the shoreland zoning map on October 12, 2021 (see current [Land Use Map](#)), the state IWWH data layer has been updated based on Maine IF&W staff site visits that removed the moderate or high value classification of several wetlands in Windham.

The Shoreland Zoning Ordinance [Section 185-16C](#) is proposed to be amended to comply with a 2019 state law change, [38 M.R.S. § 439-A\(10\)](#), that expects municipal ordinances to require an applicant for a permit for development within the shoreland zone to provide photographic evidence pre- and post-construction.

Summary of the Proposed Amendments

Land Use Map Amendment

- North Area
 - Remove from Shoreland Zone
 - Adjacent to Sandbar Road (RP & LR)
 - Rezoned to Farm (F) (13 parcels)
 - Add to RP
 - Adjacent to Richards Road (7 parcels)
 - Expand RP from 100 feet to 250 feet
 - Tarkill Pond (34 parcels) § 120-410.1. Commercial District I North (C-1N)

- South Area
 - Reduce RP to 75 feet -- Zoning to return to pre-2021 Amendment
 - Between Land of Nod/Pope/Route 302 (13 parcels)

Chapter 185 Shoreland Zoning Ordinance

- § 185-16C Administration
 - Applicant for a permit for development shall provide photographic of shoreline vegetation & the site of proposed development:
 - Preconstruction with application
 - No later than 20 days after completion of the development

Planning Board Review and Recommendation

No members of the public spoke for or against the proposed amendment during the Planning Board's public hearing held on March 11, 2024.

The Board discussed why the RP District was being retained on the South Area map given that it was no longer rated by IF&W as a moderate or high value inland waterfowl and wading bird habitat. Staff noted that this wetland area has been zoned as RP since the Town first adopted a shoreland zoning map/ordinance in 1974, where it was noted as a low value wetland. Following discussion of the proposed changes, the Board made the following motion:

To recommend approval of the proposed amendment to the Code of the Town of Windham Chapter 185 Shoreland Zoning Ordinance and Official Land Use Map related to permit application requirements for photographic evidence and Resource Protection (RP) District freshwater wetlands which are inland waterfowl and wading bird habitat.

Motion: Everett Krikken
2nd: Kathleen Brown

Vote:7-0

to the Official Land Use Map to align zoning district boundaries with the Comprehensive Plan Future Land Use Map growth area boundaries.

Attachments: [24-018 Cover Sheet.pdf](#)

[TC MEMO PB recommend LD200 032024.pdf](#)

[Zoning Map Amendment LD2003 2024-01.pdf](#)

[LD 2003 LUO AMENDMENTS \(draft 12-2023\).pdf](#)

[Current vs ProposedLD2003 PercentZones.pdf](#)

[LD 2003 Presentation for TC Hearing.pdf](#)

[Zoning Changes Tyler Comments.pdf](#)

The motion for this Order was included in Order 24-032 to be postponed until April 9 as they go together. The motion carried by the following vote.

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

Absent: 1 - Councilor Henry

24-044

To receive public comment and act on proposed amendments to Town of Windham Code, Chapter 185 Shoreland Zoning Ordinance and the Official Land Use Map related to permit application requirements for photographic evidence and Resource Protection (RP) District freshwater wetlands which are inland waterfowl and wading bird habitat.

Attachments: [24-044 Cover Sheet.pdf](#)

[TC MEMO PB recommend Shoreland 032024.pdf](#)

[Proposed Changes to Shoreland Zoning Map 2024-01-17.pdf](#)

[2023ZoningMap 0324 NewSZDraft.pdf](#)

[Windham Shoreland Zoning Ordinance Amendment \(draft 01-2024\).pdf](#)

[Shoreland Amendments Presentation 03-2024.pdf](#)

Public Comment:

Amanda Lessard Planning Director gave a detailed explanation. (please see the attached memo)

Closed Public Comment.

No Council Comment.

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

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

Absent: 1 - Councilor Henry

VIII. CONSENT AGENDA.

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[24-046](#) To approve a Development Agreement between the Town and Windham Village Apartments, LLC outlining agreed obligations of both the Town and WVA pertaining to easements, property transfers, fees, permits and sewer connections to complete a housing project at 770 Roosevelt Trail and authorize the Town Manager to take the necessary steps to execute said agreements.

Attachments: [24-046 Cover Sheet.pdf](#)
[Development Agreement Windham Graiver 03-01-24.pdf](#)

Manager Tibbetts said this parcel is more or less known as part of the Shaw's property. The developer would like to place 172 units on that property. With our growth ordinance we are allowed to issue so many permits per year for projects, especially if it is over 20 units on the same parcel. He said they had met with the developer and in order for the project to move forward he needed sewer, and as they were looking at the bigger picture of where sewer would go through North Windham, the lowest point is the lower corner of Manchester and Route 35. They have asked for the portion of that parcel to be given to the town so we can transfer it to the Water District, but a pump station would go there and then the piping to go back to the plant would actually run through this parcel as opposed to going onto Route 35, which would lessen the impact to travel ways and the road.

Basically it says the town would get the parcel, we would be able to put piping in the ground, and he will pay us an additional fee of approximately \$35,000 per 12 units as they are hooked up, and a fee for connecting to the sewer system, which they will take those funds totaling \$500,000 to be set aside in a silo account to be used for future expansions within the sewer district facility plant.

In this agreement they are saying to him with all these considerations they will set aside the necessary number of growth permits within our ordinance for him to use over the next two years, and he would have access to those. This way he can go back to his finance people and be able to show them that he has a plan and how it will work.

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

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

Absent: 1 - Councilor Henry

X. Council Correspondence.

[CD 24-037](#) MRPA William "Bill" Eckart Young Professional of the Year Award Recipient.

Attachments: [MRPA award letter 2024 Kelsey Crowe \(002\).pdf](#)

[CD 24-041](#) FOAA Status Report.

Attachments: [Attorney Sherman Request for Employee Info.pdf](#)
[G Sosa Tax Lien Sales Response 3.18.2024.pdf](#)

[CD 24-076](#) FEMA Floodplain Management Requirements.

Attachments: [Letter from FEMA Floodplain Management NFIP.pdf](#)

[CD 24-077](#) Maine Development Foundation Membership 2024.

Attachments: [Maine Development Foundation Thank You.pdf](#)

XI. Town Manager's Report.

Town Manager's report:

The road crew did a great job over this last storm. About 800 homes lost power, road crews and Fire Department was out taking care of trees, etc.

Summer Camp registrations are open through our Parks & Rec Department, please check our website.

There will be some road work starting on Route 202 down to Depot Street over the next couple of months as they start a project down there to put in sidewalks. The Portland Water District will replace the waterlines first, then the sidewalks will go in, and then paving will be done.

Our Director of Planning Amanda Lessard is going to work for the Royal River Conservation Trust as their Director. Amanda will be with us until April 9th and they will wrap up a few things with zoning before she leaves.

He said we are on track for the sewer, and today they received the designs for the building for the Treatment Facility. They expect GMP pricing by the 18th of April and it will be on the agenda for April 23. There will also be a presentation at that time showing you how all the money flows. They have some overages, and they will be able to cover that with the current program they have.

The next newsletter will be coming out within the next week, there are a lot of great articles in there. If you have any suggestions, please let them know.

On Saturday, March 30 at 9:00 am they will be doing a walk-thru at the Middle School going in through.

Council Chair Morrison thanked Amanda for all of the hard work she has done over her last ten years with the town, and wished her the best of luck in her new job.

XII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

No report.

2. Finance Committee.

Councilor Nadeau said they voted unanimously on the Manager's budget. It will be in front of you at the next meeting. He thanked staff, Assistant Manager, Town Manager and Susan Rossignol for a great job. He also thanked the Finance Committee in their due diligence.

3. Ordinance Committee.

No report.

B. Other Committees.

1. Long Range Planning Committee.

Councilor Nadeau what they presented was in front of you tonight.

2. Parks & Recreation Advisory Committee

No report.

3. Windham Economic Development Corporation.

Councilor Maxfield had a Zoom meeting about the Strategic Plan trying to narrow down the smalls, medium and high on what they think they could actually go after and do. The next step is implementing a process and plan to go after the low hanging fruit they can get now, and make bigger plans for the future.

4. Highland Lake Leadership Team.

No report.

5. Natural Resources Advisory Committee.

No report.

6. Greater Portland Council of Governments (GPCOG).

Councilor Maxfield said they had a big meeting today. He, Barry and Tom attended. The Governor and about 200 others attended about the Housing Summit.

XIII. Discussion Items.

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

[CD 24-052](#) ALICE: Asset Limited, Income Constrained, Employed - United Way Study.
Presenter: Val Franks, Director, Evaluation

Attachments: [Report ALICE in Maine A Study of Financial Hardship opt.pdf](#)

The Presenter did not make it to the meeting.

[CD 24-053](#) Housing Development is Economic Development.

Presentation from Laura Mitchell, Executive Director of Maine Affordable Housing Coalition

Attachments: Windham MAHC Presentation 3.26.24.pdf

CD 24-075 Shoreland Zoning Issues and Possible Moratorium on Non-Residential Development.

Attachments: Proposed Moratorium Ordinance for Commercial Uses in the Shoreland Zoning Districts (revd 3-21-24).pdf

CD 24-054 Current Sewer Project and Future RSU #14 Connection & TIF Funding.

Attachments: North Windham Wastewater Treatment Project Update March 2024.pdf

**Note: This will be taken up at the next Council meeting.*

CD 24-078 Department Videos Produced by Communications Director.

*Code Enforcement Services - Dir. Jon Rioux
Public Works Services - Dir. Jon Earle*

**Note: This will be on the next Council agenda.*

XIV. Agendas & Scheduling.

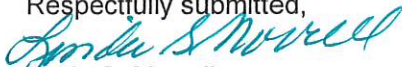
XV. ADJOURN.

A motion was made by Councilor Jones, seconded by Councilor Reiner, that they be adjourned. The motion carried by the following vote at 9:12 p.m.

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

Absent: 1 - Councilor Henry

Respectfully submitted,



Linda S. Morrell
Town Clerk, CCM