

ONE-PAGE SUMMARY

Town Council Memo #26-13: Conservation Subdivision Amendments, Articles 3, 4 & 9

Meeting: August 11, 2026

Prepared for: Windham Town Council

From: Planning Department

Overview

The proposed amendments update Article 3 definitions, Article 4 zoning district standards, and Article 9 Conservation Subdivision standards. The purpose is to improve ordinance clarity, create a more predictable subdivision review process, preserve rural character and natural resources, address Farm and Farm Residential zoning standards, and align the ordinance with current State housing legislation.

Key Proposed Changes

- Clarify conservation subdivision definitions and review standards.
- Preserve rural character, agricultural land, water resources, wildlife habitat, and connected open space.
- Correct density omissions in the Farm and Farm Residential districts.
- Remove single-family-only limitations to comply with State housing requirements.
- Exclude road rights-of-way from minimum open space calculations.
- Allow limited natural resource alterations where conservation purposes are maintained.

Public Comments

Robert and Lillian Moore opposed the amendments, citing concern that Farm District changes could increase multifamily development and reduce Windham's rural character, wildlife habitat, trees, and remaining rural land. Dustin M. Roma, P.E., generally supported the conservation goals but recommended more flexibility and clearer, measurable standards, including changes related to Country Subdivisions, conventional subdivision options, building envelopes, conservation resource setbacks, open space calculations, and waiver authority.

Planning Board Comments and Recommended Direction

Issue	Planning Board Comment	Direction / Status
Wetlands and Streams	Multiple members opposed reducing setbacks from 100 feet to 75 feet.	Maintain 100-foot setback.
Steep Slopes / FEMA Floodplains	Members viewed these resources differently from wetlands and streams.	Consider 75-foot setback.
Country Subdivisions	Board questioned usefulness and noted limited use.	Eliminate provisions.
Minimum Open Space	Board was divided on making the minimum non-waivable.	No consensus; forward to Council.
Conventional Subdivision Thresholds	Mixed views on allowing conventional review under 5 acres in FR and under 8 acres in F.	Council consideration requested.
ROW Open Space Calculation	Generally viewed as a helpful clarification that may reduce waiver requests.	Retain amendment.

Planning Board Action

After the July 27, 2026 public hearing and deliberation, the Planning Board voted to recommend approval of the proposed amendments, with comments forwarded to the Town Council for consideration.