



Town of Windham
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TOWN COUNCIL MEMO

DATE: December 26, 2024

TO: Windham Town Council
FROM: Steve Puleo, Planning Director
Cc: Barry Tibbitts, Town Manager,
Bob Burns, Assistant Town Manager

RE: #24-32 - Amendments to the Code of the Town of Windham, Chapter 120, Article 3 Definitions and Article 5 Performance Standards for RV sales.

Town Council Meeting – January 14, 2025

Overview

In accordance with [§ 120-107](#), the Planning Board held a public hearing on [November 25, 2024](#). During this meeting, the Board reviewed amendments to the Code of the Town of Windham, specifically to Chapter 120 Land Use Ordinance. These amendments modify Article 3, which defines retail sales, automotive sales, and outdoor retail sales, as well as Article 5, which outlines performance standards for outdoor retail sales. The purpose of these changes is to address the display and sales areas for recreational vehicles.

Following this, on [November 26, 2024](#), the Town Council discussed the proposed amendments and scheduled a public meeting for the first Council meeting in January 2025.

Summary of the Proposed Chapter 120 Land Use Ordinance Changes:

- The amendment to allow for recreational vehicle sales to be a principal use as retail sales, outdoor.
 - **Recreational Vehicle Sales** will be moved from Retail Sales, Automotive to Retail Sales, Outdoor.
 - **Trailers** will be included under recreational vehicles definition.
 - The **Planning Board** will have review authority for major site plan applications.
 - The **effort** to align its definitions with the State's definition of automobile sales and to make recreational vehicle a permitted use under outdoor retail sales.

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](#).

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 November 25, 2024.

The Board reviewed the proposed changes to the ordinance and expressed support for the modifications to the Land Use Ordinance (LUO). They provided several recommendations for the Town Attorney to incorporate before the Town Council adopts the changes. The following concerns were raised for the Attorney to address in the amendment:

- New definitions for "**Automobile**" and "**Light Truck**" are under consideration.
- A definition for "**Vehicular Passageway**" should be established.
- It is suggested that all approval-related information be consolidated in [Article 8](#) for clarity.
- **Rear setback** requirements may be added to the section on Outdoor Sales.
- The Board recommended **defining terms** in accordance with state statutes, allowing approvals to be tied to the applicant, and simplifying definitions.

The attach redlined LUO amendment reflects the suggested amendments. The Board then made the following motion:

Move to recommend approval with comments to amend the Code of the Town of Windham, Chapter 120 Land Use Ordinance, modifying Article 3 to include definitions for retail sales, automotive sales, and outdoor retail sales.

Motion: Kathleen Brown

2nd: Shonn Moulton

Vote: 5-0 (C. Etheridge and A. Daigle absent)