

TOWN COUNCIL MEMO

DATE: November 18, 2025

TO: Town Council

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

CC: Barry Tibbetts, Project Manager
Amanda Lessard, Senior Planner/Project Manager

RE: Discussion Item: #25-28: LUO Amendments to Update Kennel Definitions and Standards and Add Major Kennels as a Permitted Use in Designated Commercial Districts.

Town Council Meeting of November 25, 2025

Overview

Staff is proposing amendments to Chapter 120, including changes to Articles [3](#), [4](#), and [5](#). The revisions would update the definitions of “[Major Kennel](#)” and “[Minor Kennel](#)” in [§120-301](#) to include dog and cat daytime care and overnight boarding, allow Major Kennels as permitted uses in the [C-1](#), [C-1N](#), and [C-2](#) districts, and updates [§120-531](#) and [§120-532](#) to clarify and strengthen operational performance standards.

Background

The Salty Dog, a dog daycare and boarding facility in Falmouth, Maine, demonstrates the need for these updates. Is currently seeking a leasing of retail space in Shaw Plaza, located at 770 Roosevelt Trail. The business offers daycare, overnight boarding, grooming, training, and incidental retail sales. Unlike pet retail stores that provide daycare as an accessory use, Salty Dog operates as a principal use, exposing gaps in Windham’s ordinance.

Windham currently classified business providing overnight boarding as a Kennel use and kennels are only currently permitted or conditionally allowed in Farm, Farm Residential and Village Residential Districts. Dog daycare facilities would be classified under “Other” in the Conditional Use section for C-1, C-1N, and C-2 districts, often requiring Zoning Board of Appeals review.

To prevent unclear classifications and “use creep,” staff recommends explicitly permitting Major and Minor Kennels—including overnight boarding—in North Windham’s commercial districts. Article 5 would add clear operational standards to ensure compatibility with surrounding uses.

Objective

Falmouth’s 2020 VC1 zoning revisions broadened kennel definitions to allow both daycare and overnight boarding, resolving inconsistencies where daycare was permitted as retail, but overnight care was restricted. By defining kennels and establishing performance standards, Falmouth enabled these services to operate as principal uses under clear conditions.

Adopting an expanded definition would meet growing demand for pet services, reduce reliance on undefined conditional reviews, and prevent incremental accessory use expansions without oversight.

This proactive approach supports economic development, aligns with consumer needs, and maintains community compatibility through enforceable standards.

The intent of the LUO amendments is to provide a clear regulatory pathway for obtaining a Code Enforcement or Planning Board approval within the Town Land Use Ordinance. Ensuring predictability for applicants and consistency in decision-making. By clarifying permitted uses and approval processes, the Town can streamline development review, minimize unnecessary appeals, and foster a transparent framework that balances business growth with neighborhood character.

Summary of Recommended Changes

Article 3 Definitions

- [KENNEL, MAJOR](#) and [KENNEL, MINOR](#).
 - Keep the number of animals consistent.
 - Expand definition to include daycare and overnight boarding for cats and dogs.

Article 4 Zoning Districts

- Add Major Kennel as permitted use in [§120-410B](#) and [§120-410F](#) in the Commercial I (C-1) zoning district.
- Add Major Kennel as permitted use in [§120-410.1B](#) and [§120-410.1F](#) in the Commercial I North(C-1N) zoning district.
- Add Major Kennel as permitted use in [§120-411B](#) and [§120-411F](#) in the Commercial II (C-2) zoning district.

Article 5 Performance Standards

- [§120-531](#) Kennel, major.
 - Add a section to capture daytime care and overnight care as a principal use with performance standards for the C-1, C-1N, and C-2 zoning districts in North Windham.
 - Defined the residential zoning districts.
 - Maintain the current setback requirements in the residential zoning districts.
- [§120-532](#) Kennel, minor.
 - Defined the residential zoning districts.
 - Maintain the current setback requirements in the residential zoning districts.

Zoning Amendment Process

While the ordinance provides no specific review standards for this zoning change, state law requires consistency with the [Comprehensive Plan](#). Staff find the proposal consistent with the Comprehensive Plan and requests referral to the Planning Board for a Land Use Recommendations hearing to expedite the process and support the business owner's entry into the Windham market.