

TOWN COUNCIL ORDINANCE COUNCIL MEMO

DATE: June 23, 2025

TO: Council Ordinance
FROM: Steve Puleo, Director of Planning
Cc: Bob Burns, Town Manager,
Barry Tibbitts, Project Manager

RE: #25-14 - Amendments to the Code of the Town of Windham, Chapter 120, Article 9
Subdivision Review to Modify Street Access Standards for Multi-family Structures.

Ordinance Council Meeting – July 2, 2025

Overview

The proposed amendment to Chapter 120, Land Use Ordinance, of the Code of the Town of Windham modifies Article 9, Subdivision Review. Specifically, it amends [§120-915C\(1\)](#) to establish consistent standards for dwelling occupancy by aligning the required level of street completeness for multi-family structures with that required for single- and two-family dwellings. To occupancy dwelling in a multi-family structures, the streets shall be paved with a base course bituminous pavement in accordance with Table 4 in [Attachment 2 - Appendix B, Street Design and Construction Standards](#).

The process for amending the Land Use Ordinance is described in [§ 120-107](#) of the Code. The Planning Board must hold a public hearing prior to making a recommendation to the Town Council. By Town Charter the Town Council will need to hold a public hearing and vote on the proposed changes to the Land Use Ordinance for the changes to be officially approved and are effective 30 days following the vote.

Purpose of Amendment to Chapter 120, Land Use Ordinance – Article 9, Subdivision Review

- To ensure consistent occupancy standards across all residential dwelling types by aligning the minimum street construction requirements for multi-family dwellings with those already required for single- and two-family dwellings.
- Occupancy Standards for Multi-Family Dwellings
 - Requires completion of street construction to a defined level prior to occupancy.
- Minimum Street Construction Requirement
 - Streets must be paved with base course bituminous pavement.
 - Construction must conform to Table 4 in Appendix B – Street Design and Construction Standards.
- To clarify that multi-family dwelling units must meet the same minimum street construction requirements as single- and two-family dwellings.
- Promotes fairness and consistency in enforcement of occupancy standards.
- Enhances public safety and emergency access by ensuring adequate infrastructure before occupancy.
- Supports coordinated development timing for infrastructure and housing delivery.

- Ensure compliance with the Comprehensive Plan.

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](#).

Recommendation

Staff requests that the Committee forward the proposed development ordinance amendments to the Town Council for discussion at its July 8th meeting. Staff further recommend that the Council refer the amendments to the Planning Board for a public hearing and land use recommendation at its July 28th meeting.