

TOWN COUNCIL MEMO

DATE: January 21, 2026

TO: Town Council

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

CC: Amanda Lessard, Senior Planner/Interim Assistant Town Manager

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

Town Council Meeting of January 27, 2025

Overview

The staff is proposed amendments to Chapter 120 and Articles [3](#), [4](#), and [5](#) will update kennel (“[Major Kennel](#)” and “[Minor Kennel](#)” in [§120-301](#)) definitions to include dog and cat daycare and overnight boarding, allow Major Kennels in the [C-1](#), [C-1N](#), and [C-2](#) commercial districts as a Conditional Use approval, and strengthen operational standards in [§120-531](#) to address noise and outdoor activities among other concerns. The amendments will also modify [§120-516](#) Conditional Use performance standards relating to other performance standards that may be applicable to the use.

At its [November 25, 2025](#), meeting, the Town Council unanimously referred to the proposed amendments to the Planning Board for review and recommendation. In doing so, the Council requested that the Board consider limits on the number of animals, restrict the amendments to dogs and cats only, and incorporate measures to minimize noise impacts. The Planning Board held a discussion session on [December 8, 2025](#), followed by a public hearing on [January 12, 2026](#).

Background

Salty Dog, a Falmouth-based daycare/boarding operator, seeks use space at Shaw Plaza (770 Roosevelt Trail). Today, overnight boarding is treated as a “Kennel” allowed by conditional use only in F/FR/VR, while daycare in commercial zones is reviewed as an “Other” conditional use by the ZBA, creating ambiguity and inconsistent outcomes. To prevent unclear classifications and “use creep,” staff recommends explicitly permitting kennels (daycare and overnight) as conditional uses in North Windham’s commercial districts, paired with clear performance standards to ensure compatibility with surrounding uses.

Goal

Similar to Falmouth’s 2020 zoning update, these amendments are intended to resolve inconsistencies between daycare and boarding uses, provide a predictable approval process, and support appropriate economic development. The changes align with consumer demand while maintaining community compatibility through clear, enforceable performance standards, and they establish a transparent regulatory pathway for Code Enforcement and Planning Board review that ensures consistency in decision-making and predictability for applicants.

Summary of Recommended Changes

Article 3 Definitions

- Bring dog daytime cares and overnight boarding into existing categories of “[Major](#)” and “[Minor Kennel](#).”
- Maintain existing animal limits.
- Clarify that veterinary clinics may only board animals that are incidental to medical treatment and not as a standalone service.
- Add Pet Care Service Establishment as a new definition referring to “[Major](#)” and “[Minor Kennel](#).”

Article 4 Zoning Districts

- Conditional Use for Major Kennels in C-1 ([§120-410C](#)), C-1N ([§120-410.1C](#)), and C-2 ([§120-411C](#)) commercial districts.
- Maintain Conditional Use review and the existing setback performance standards for Kennels, major, by adding a reference to the residential districts: Farm (F), Farm Residential (FR), and Village Residential (VR).

Article 5 Performance Standards

- Tighten Conditional Use general standards in Article 5.
- Set standards for daytime and overnight boarding at pet care establishments, including hours of operation, outdoor space, and noise control.
- Hours of operation, minimum outdoor areas, noise.
- Maintain residential zone setbacks.
- Require minimum square footage for dogs of various sizes for indoor boarding and daycare.
- Mandate State of Maine Animal Welfare licensing under Chapter 701.

Planning Board Review.

The process for amending the Land Use Ordinance is governed by [§120-107](#) of the Windham Code and by Maine statute, which requires that all proposed zoning changes be consistent with the goals and objectives of the [Comprehensive Plan](#). In accordance with these requirements, the Planning Board conducted a public hearing on the proposed amendments at its [January 12, 2026](#), meeting. The Board received nine written public comments, and the owner and operator of a Falmouth-based business provided oral testimony describing her operation of a dog daycare serving Windham residents. The Board also reviewed suggestions raised during the earlier discussion session and provided clarification related to definitions, outdoor activity areas, and noise control standards. The proposed Land Use Ordinance amendments are included in the attached “Original, Redline, Clear” file.

Recommended Action

A motion to recommend, with comments, approval of the proposed amendments to Chapter 120, Land Use Ordinance, changes to Articles [3](#), [4](#), and [5](#) to update the definitions of “[Major Kennel](#)” and “[Minor Kennel](#)” in [§120-301](#) to include **pet care service establishment**, allowing Major Kennels as a Conditional Use in the [C-1](#), [C-1N](#), and [C-2](#) districts, and update performance standards in [§120-516](#) and [§120-531](#).

The motion was made by Evert Krikken seconded by Kathleen Brown, and approved by a vote of 6-0 (Daigle, absent) with the recommendation included in the Board’s comments.