

## PLANNING BOARD MEMO

DATE: January 8, 2026

TO: Planning Board

FROM: Steve Puleo, Director of Planning

CC: Amanda Lessard, Senior Planner/Interim Assistant Town Manager  
Bob Burns, Town Manager  
Barry Tibbetts, Project Manager

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

Planning Board Meeting of December 8, 2025

### **Overview**

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.

On [November 25, 2025](#), the Town Council unanimously referred these amendments to the Planning Board for a recommendation. The Council requested limits on animal numbers, restricted for dogs and cats only, and measures to minimize noise impacts. The Town Attorney suggested, based on his review, the Board consider adding minor kennels as allowed use in the referenced commercial districts, just for consistency, minimum acreage to major kennel as a performance standard, and setting a maximum capacity by having a minimum of Square Feet (SF) of floor area per dog and cat.

### **Background**

Salty Dog, a Falmouth-based daycare and boarding facility, is seeking retail space in Shaw Plaza (770 Roosevelt Trail). Unlike pet stores that offer daycare as an accessory use, Salty Dog operates as a principal use, highlighting the need for clearer regulations.

Currently, overnight boarding is classified as “Kennel” and allowed as a Conditional Use only in Farm, Farm Residential, and Village Residential districts. Daycare in commercial zones falls under “Other” conditional uses, which requires the Zoning Board of Appeals to review. This creates uncertainty and inconsistent approvals.

To prevent unclear classifications and “use creep,” staff recommends explicitly permitting kennels, including overnight boarding, in North Windham’s commercial districts, with clear performance standards to ensure compatibility with surrounding uses.

### **Objective**

Similar to Falmouth’s 2020 zoning update, these changes will resolve inconsistencies between daycare and boarding uses, provide a predictable approval process, and support economic development. They

also align with consumer demand and maintain community compatibility through enforceable standards.

The intent of these amendments is to create a clear regulatory pathway for Code Enforcement and Planning Board approvals, ensuring predictability for applicants and consistency in decision-making.

### **Summary of Recommended Changes**

#### **Article 3 Definitions**

- Expand “[Major](#)” and “[Minor Kennel](#)” to include daycare and overnight boarding for dogs and cats.
- Maintain consistent animal limits.

#### **Article 4 Zoning Districts**

- Conditional Use for Major Kennels in C-1 ([§120-410C](#) and [§120-410F](#)), C-1N ([§120-410.1C](#) and [§120-410.1F](#)), and C-2 ([§120-411C](#) and [§120-411F](#)) commercial districts.

#### **Article 5 Performance Standards**

- Add standards for daytime and overnight care in commercial districts.
- Maintain setbacks in residential zones.
- Added minimum square footage for dogs for different sizes for overnight boarding capacity as well as minimum square footage for dogs in daytime care.
- A minimum of 4 SF per cat, according to Animal Welfare licensing requirements under Chapter 701.

### **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.

The process for amending the Land Use Ordinance is governed by [§120-107](#) of the Windham Code. In accordance with this process, the Planning Board will conduct public hearing on the proposed amendments for the January 12, 2026, meeting. The Town Council will schedule a public hearing for January 27, 2026.

**MOTION:** To **[recommend / recommend with comments / not recommend]** 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 establishments**, allow Major Kennels as a Conditional Use in the [C-1](#), [C-1N](#), and [C-2](#) districts, and update performance standards in [§120-531](#).