

ORDINANCE COMMITTEE MEMO

DATE: September 17, 2025

TO: Windham Ordinance Committee

THROUGH: Bob Burns

FROM: Steve Puleo, Director of Planning

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

RE: #25-24 Land Use Ordinance (LUO) Amendments, Chapter 120 – Article 12 Impact Fees; expanding eligible uses of impact fees to include the North Windham Public Safety Building and other municipal public buildings.

Ordinance Meeting of September 24, 2025

Overview

The Town is proposing an amendment to Chapter 120, Land Use Ordinance (LUO), §120-1206 (Public Safety Impact Fee) and §120-1207 (Municipal Office Impact Fee), to expand the eligible uses of impact fees to include the North Windham Public Safety Building and other municipal public buildings necessary to serve the community's growth and public service needs.

Background**§120-1206.** Public Safety Impact Fee

This ordinance establishes a fee to help fund the expansion of Windham's Public Safety Building, which serves both the Fire-Rescue and Police Departments. The current facility includes 7,218 square feet for the Police Department and 5,287 square feet for Fire-Rescue, with an additional 4,377 square feet of shared space. Planned renovations will expand the Police Department's space to over 16,000 square feet and the Fire-Rescue Department's to 15,500 square feet. The fee applies to all new residential and commercial developments initiated after August 28, 2020, and is calculated based on the adjusted per capita cost of providing additional public safety services, as determined by BCM Planning LLC. The ordinance includes a sunset provision, with the fee remaining in effect until July 1, 2040.

§120-1207. Municipal Office Impact Fee

This ordinance supports the expansion of the Town Hall and Community Center, which currently provides 23,155 square feet of office space for various municipal departments. The planned expansion will increase the facility's size to 30,000 square feet. Like the Public Safety Impact Fee, this fee applies to all new residential and commercial developments after August 28, 2020, and is based on the adjusted per capita cost of delivering municipal administrative services, as determined by BCM Planning LLC. The fee will remain in effect until July 1, 2040.

The Proposed Modifications Chapter 120 Land Use Ordinance Amendment (LUO) Article 12**Article 12** Impact Fees

- **§120-1201D(6)**: Municipal office impact fee; Strike office and replace with building.

Recommendations for Ordinance Modifications

1. Expand Public Safety Impact Fee to Include North Windham Public Safety Building

Justification

- A new facility is planned at 795 Roosevelt Trail, shared with Cumberland County Sheriff's Department
- Estimated cost: \$6–7 million, with \$2.5 million for site work.(need specific costs)
- Facility will include (need specific facility information):
 - Fire station
 - Police substation
 - 3,000 sq ft for Sheriff's Office
- Improves response times and replaces outdated infrastructure

Recommended Modifications

- Amend §120-1206 to include:
 - “Construction of the North Windham Public Safety Building” as an eligible expenditure.
 - Clarify that impact fees may be used for new public safety facilities, not just expansions.
 - Include site acquisition, design, and construction costs in fee calculations.
 - Update fee schedule to reflect regional service benefits and shared use with the Sheriff's Office.

2. Rename and Expand Municipal Office Impact Fee to “Municipal Building Impact Fee”

Justification

- Town plans include:
 - Redevelopment of old North Windham Fire Station
 - Construction of ice skating rink and Gambo Field upgrades
 - Potential Community Center at repurposed Windham Middle School
- Middle School Repurpose Advisory Committee is actively evaluating reuse as a multigenerational facility.

Recommended Modifications

To better reflect the Town of Windham’s evolving municipal infrastructure needs, it is recommended that §120-1207 be renamed to “Municipal Building Impact Fee.” This change would broaden the scope of eligible projects beyond administrative office expansion to include a variety of community-serving facilities. Specifically, the ordinance should be amended to support capital improvements for recreation and community facilities such as a future ice-skating rink and upgrades to Gambo Field, as well as the redevelopment of repurposed municipal buildings like the old Windham Middle School and the old North Windham Fire Station. These facilities are critical to accommodating the relocation and expansion of town services including Parks & Recreation, the Library, and Social Services.

In addition to new construction, the ordinance should explicitly allow for adaptive reuse costs, which are often necessary when converting older structures for modern municipal use. These costs

may include roof and floor reinforcement, ADA accessibility upgrades, HVAC system installation, plumbing improvements, and compliance with current safety codes. To ensure the fee remains equitable and reflective of the broader municipal service delivery and community benefit, the fee schedule should be updated accordingly, incorporating these expanded uses and cost categories.

Next Steps

To move the proposed amendments to the impact fee ordinances, the Town should begin with an updated space needs and cost analysis for all proposed facilities to ensure alignment with current and future service demands. This analysis will guide revisions to the fee schedules, which should be developed in collaboration with BCM Planning LLC or a similar consultant. Once finalized, the revised schedules and ordinance language should be presented to the Town Council for public hearing and adoption. Coordination with the Middle School Repurpose Advisory Committee and the Town Manager's Office will be key to integrating these efforts into broader community development and municipal service planning.