

## PLANNING BOARD MEMO

DATE: December 30, 2025

TO: Windham Planning Board

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

Cc: Steve Puleo, Planning Director

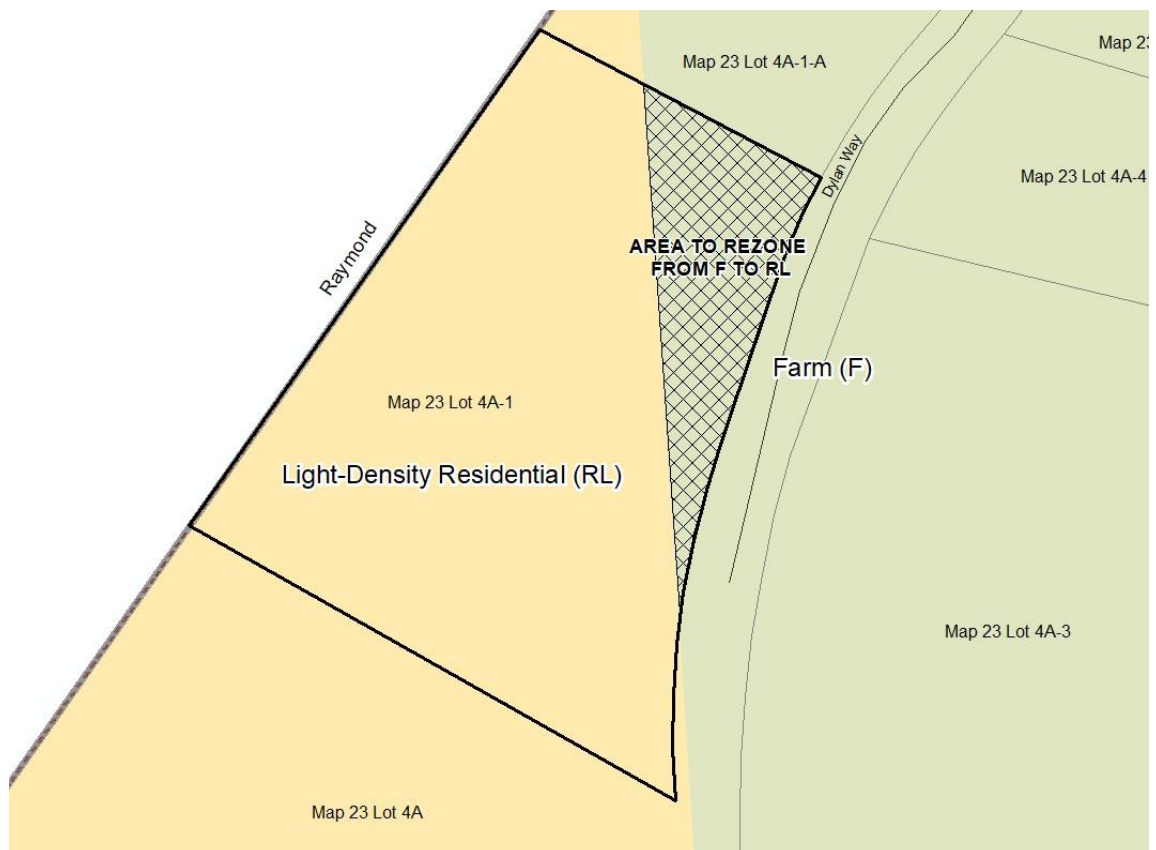
Paul Babbidge, PLS, Colliers Engineering & Design  
William Hartley

RE: #25-29 Zone Change Application - Rezone Portion of 35 Dylan Way from F to RL – William Hartley  
Planning Board Meeting & Public Hearing – January 12, 2026

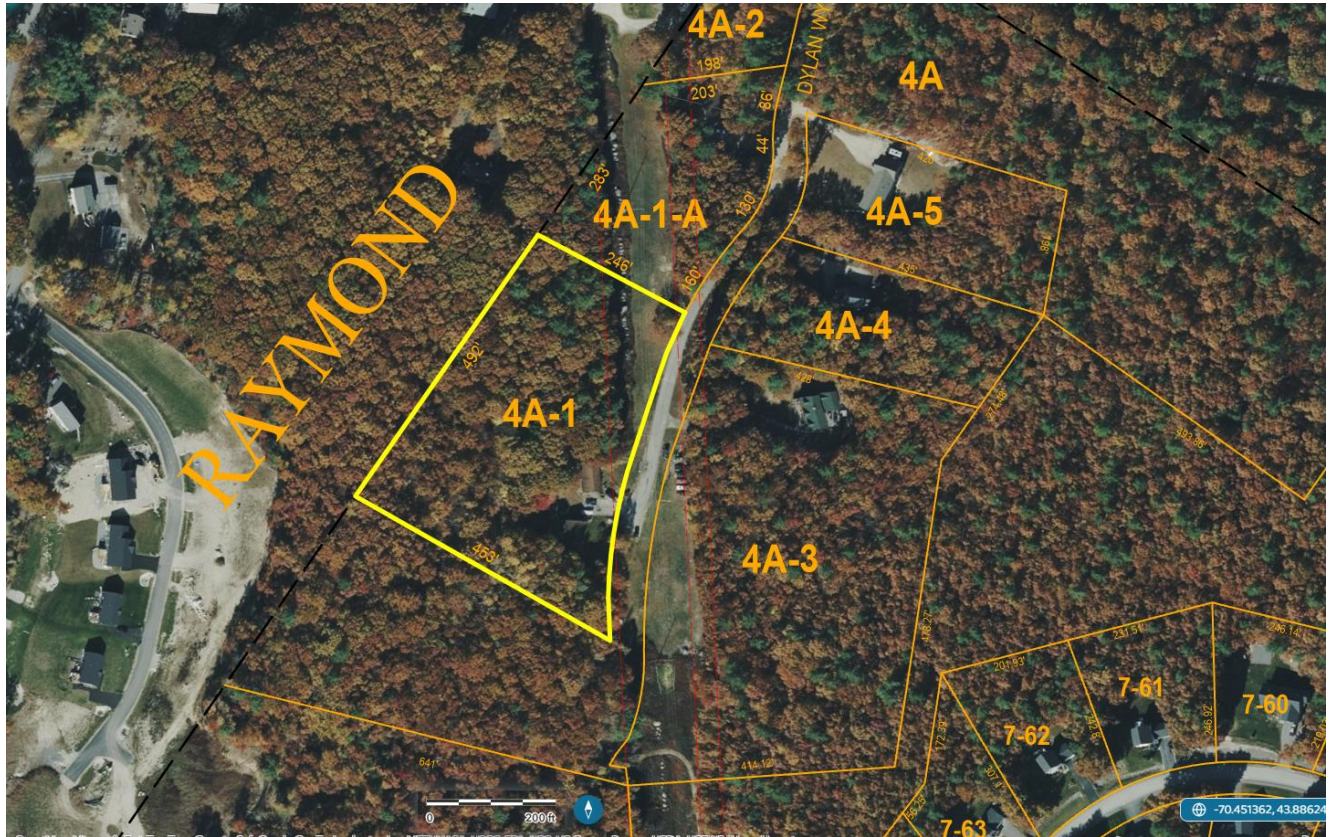
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### Overview

The application is a request to rezone a portion of 35 Dylan Way within the CMP utility corridor easement from [Farm District \(F\)](#) to [Light-Density Residential District \(RL\)](#). The majority of the parcel is currently zoned RL, so the change would allow the entire parcel to have the same zoning requirements. The property is located on the Windham-Raymond townline and is developed with an existing single-family home.



Tax Map: 23; Lot: 4A-1: Zone: Light-Density Residential District (RL) and Farm District (F) in the Sebago Lake watershed.



Aerial View of the subject parcel relative to surrounding properties and street network.

The applicant states that the rezoning request is because it would be the zoning of the entire parcel into alignment with the prevailing residential land-use pattern in the area, and not within a growth area identified in the [Town's Comprehensive Plan adopted June 13, 2017](#). The Future Land Use Map shows the North Windham Growth Area boundary, which stops south-east of the Sebago Heights Subdivision, and includes the areas zoned at Enterprise Development District (ED). The Comprehensive Plan mapped growth areas as the part of the community where most of Windham's future growth is to be targeted, encouraged, or incentivized and rural areas are those that are important to the community to keep at low development levels.

### Background

The 35 Dylan Way, Tax Assessor's Map 23 Lot 4A-1, is a 3.8-acre parcel located at the end of the private road, Dylan Way. The property is encumbered with a CMP utility corridor and is developed with a single-family dwelling.

The purpose of the zone change request is to split the lot. The rezoning to a Light-Density Residential District would permit the development of single-family homes on a minimum of 40,000 square feet with 150 feet of frontage. The proposed new parcel per the National Wetland Inventory (NWI) map does not show any wetlands on-site.

### Zoning District Intent

[§120-406 Farm District \(F\) District](#) is intended primarily for rural and residential land uses.

Development is restricted in order to protect farmlands, woodlands, open space, wildlife habitat and scenic areas.

[§120-408](#) Light-Density Residential District (RL) District is intended to ensure the proper development of residential areas by encouraging the formation of community units while developing and preserving open spaces.

### Zoning District Comparisons

Use	F	RL
Accessory Apartment	See § 120-501 Accessory apartment. Permitted in all districts on lots where single-family detached dwellings exist or are allowed.	
Affordable Housing Development	See § 120-501.1	
Agriculture	P	P
Agriculture, Piggery	P	
Agriculture, Poultry	P	
Assisted Living Facility	C	C
Bed & Breakfast Inn	C	C
Boarding Home for Sheltered Care	C	C
Building, Accessory	P	P
Campground, Commercial	P	
Campground, Personal	P	
Cemetery	P	P
Child Care, Family Home	P	P
Contractor Services, Landscaping	P	
Contractor Storage Yard	P	
Dwelling, Multifamily	P*	P*
Dwelling, Single-Family Detached	P	P
Dwelling, Two-Family	P	P
Farm Enterprise	P	
Forestry	P	P
Golf Course	P	
Home Occupation 1	P	P
Home Occupation 2	P	P
Hotel		C
Kennel, Major	C	
Kennel, Minor	P	
Medical Marijuana Registered Caregiver	P	P
Medical Marijuana Caregiver (Home Occ)	P	P
Medical Office	C	C
Mineral Extraction	P	C
Motel		C
Nursing Home	C	C
Place of Worship	P	P
Public Building	P	P
Public Utility Facility	C	C

Recreation Facility, Indoor	C	C
Recreation Facility, Outdoor	C	C
Research Laboratory	P	
Retail Sales, Convenience	C	C
Retail Sales, Nursery	P	C
Riding Stable	P	
Rooming House	C	
Sawmill, Permanent	P	
Sawmill, Temporary	P	P
Shipping Container	P	P
Solar Energy System: Ground- Mounted, Small	P	P
Solar Energy System: Ground- Mounted, Medium	C	P
Solar Energy System: Ground- Mounted, Large	C	C
Solar Energy System: Roof- Mounted, Small, Medium & Large	P	P
Use, Accessory	P	P
Wireless Telecom Facility	P	P
<b>Dimensional standards</b>	<b>F</b>	<b>RL</b>
Min. lot size:	Standard 80,000 SF, 30,000 <sup>[1]</sup> SF	Standard 40,000 SF, 20,000 <sup>[1]</sup> SF
Net residential density:	60,000 SF	30,000 SF
Min. frontage:	Standard 200 feet, 100 feet <sup>[1]</sup> , 50 feet <sup>[2]</sup>	Standard 150 feet, 75 feet <sup>[1]</sup> , 50 feet <sup>[2]</sup>
Min. front yard setback:	40 feet <sup>[3]</sup> <sup>[4]</sup> , 25 feet <sup>[1]</sup>	30 feet <sup>[3]</sup> , 25 feet <sup>[1]</sup> , non-res minimum § 120-511 Buffer yard
Min. side yard setback:	10 feet	10 feet
Min. rear yard setback:	10 feet	10 feet
Max. building height:	35 feet	35 feet
Max. building coverage:	25%	20%

[1] Conservation subdivision.

[2] Conservation subdivision frontage entirely on cul-de-sac.

[3] The minimum front setback of a lot may be reduced to the average setback distance of the existing buildings located on the lots to either side of said lot.

[4] The minimum front setback of a lot may be increased in accordance with buffers along streets standard in § [120-511](#), Buffer yard..

### Consistency with the Comprehensive Plan

As noted, the entire parcel as shown on the "Future Land Use" map in the [Town's Comprehensive Plan adopted June 13, 2017](#), is identified as a "Rural Area" area. Where growth and changes are desired, and where they are not desired in a central component of comprehensive planning. A "Rural Area" is a place where future development is to be directed away from. The zone change request is consistent with the comprehensive plan as both the F District and the RL District are rural zoning districts.



### **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. A public hearing is scheduled for the January 12, 2026 Planning Board meeting. After the public hearing and discussion by the Board, the Planning Board may vote on a recommendation to the Town Council similar to the following:

**MOTION:** To (**recommend/recommend with comments/not recommend**) for approval the zone change request to rezone a portion of 35 Dylan Way owned by William Hartley identified as Tax Map: 23; Lot: 4A-1 from Farm District (F) to Light-Density Residential District (RL).