



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, June 15, 2021

6:30 PM

Remote Via Zoom

To Join the meeting remotely use this link: <https://us02web.zoom.us/j/88408232351> or you may call 1-646-558-8656 and enter meeting ID: 884 0823 2351.

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

Zoom will be the meeting platform used by both the Council and the public. Information about using Zoom is available at <https://support.zoom.us/hc/en-us/articles/115004954946-Joining-and-participating-in-a-webinar-attendee->.

Please note that members of the public will need to use the raise your hand feature in Zoom or type *9 on the phone to be called on and heard during the public testimony portion of the agenda.

If you prefer, you may also email the Council at TownCouncil@windhammaine.us prior to the meeting with your thoughts on an issue and if you would like, please note that you would like the email read into the record during public participation or during that agenda item. Please keep in mind we request stated comments to be three minutes or less.

The meeting will be recorded and broadcast live on WindhamTV (Channel 7) and the Town's Facebook page.

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 21-098](#) To approve the Minutes of the May 18, 2021 Special Council meeting.

Attachments: [Minutes-Council-Special 5-18-2021.pdf](#)

[CD 21-103](#) To approve the Minutes of the May 25, 2021, Council meeting.

Attachments: [Minutes-Town Council-5-25-2021.pdf](#)

IV. Adjustments to the Agenda.

V. Public Participation.

The public is invited to address the Council on any item of business not on the agenda for tonight's meeting.

NOTE TO CITIZENS: Citizens have the right and are encouraged to speak during public participation regarding items not on the agenda, or regarding an item when it comes up on the agenda.

All comments and questions during public participation or on an agenda item must be directed to the Chair and be limited to not more than three (3) minutes per speaker; except that the Chair may grant another three (3) minutes at his/her discretion.

Anyone who has already addressed the Council during public participation, on an agenda item, or during a public hearing will be asked to wait until all others have spoken before being recognized a second time.

A. Announcement of Grand Marshal of Summerfest Parade.

VI. Councilors' Comments.

VII. PUBLIC HEARINGS.

[21-115](#) To receive public comment and act on a new license with name change for a junkyard/automobile graveyard licensed to Michael Bryant d/b/a SOS Auto Salvage and currently owned by Lewis Weatherby at 26 Anthoine Road.

Attachments: [21-115 Cover Sheet.pdf](#)
[M Bryant Request to Postpone Order.pdf](#)
[Junkyard Memo.pdf](#)
[Junkyard Name Change.pdf](#)
[Winslow Letter.pdf](#)
[26 Anthoine Rd Legal Direction to CEO.pdf](#)

Legislative History

5/25/21 Town Council postponed

[21-099](#) To receive public comment and act on a proposed Pawnbrokers and Secondhand Dealers Licensing Ordinance, Chapter 174 of the Code of the Town of Windham.

Attachments: [21-099 Cover Sheet.pdf](#)
[Pawnbroker and Secondhand Dealer Licensing Ordinance Ch. 174](#)

[21-124](#) To receive public comment and act on proposed amendments to the Growth Ordinance, Chapter 116, of the Code of the Town of Windham.

Attachments: [21-124 Cover Sheet.pdf](#)
[Growth-Management-Ordinance Chapter 116 BAT 6_22_2021 Final.pdf](#)
[Growth-Management-Ordinance Chapter 116 BAT 06102021.pdf](#)
[Growth-Management-Ordinance Chapter 116 CLEAN.pdf](#)
[Growth Ord discussion points 6_10_2021.pdf](#)
[Growth Ord Information3.pdf](#)

VIII. CONSENT AGENDA.

None.

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[21-045](#) To adopt proposed changes to the Town's Policy on Disposition of Tax-Acquired Property.

Attachments: [21-045 Cover Sheet.pdf](#)
[Proposed Tax Acquired Property -Disposition of - Policy Final Clean 052521.pdf](#)

[21-122](#) To accept the resignation of Councilor Kalogerakis as a delegate to the Greater Portland Council of Governments General Assembly and appoint Councilor Jarrod Maxfield to the vacated delegation position.

Attachments: [21-122 Cover Sheet.pdf](#)

[21-123](#) To accept nominations for and elect a Parliamentarian of the Town Council.

Attachments: [21-123 Cover Sheet.pdf](#)

[21-125](#) To approve an application submitted by Bob's Seafood located at 901 Roosevelt Trail for a renewal Special Amusement permit.

Attachments: [21-125 Cover Sheet.pdf](#)
[Bob's Seafood Renewal Sp. Amusement.pdf](#)

[21-126](#) To grant a conservation easement and a trail, access and parking easement to the Presumpscot Regional Land Trust for the Lowell Preserve property; authorize the expenditure of funds from collected open space and recreation impact fees; and to further authorize the Town Manager to take any other action related thereto to finalize the action.

Attachments: [21-126 Cover Sheet.pdf](#)
[Trail Easement-DRAFT-052521 KMC clean.pdf](#)
[LowellPreserve-CE-draft 6_10_2021 clean.pdf](#)
[Draft Conservation Plan 2021 0610.pdf](#)
[Timeline for Lowell.pdf](#)

[21-127](#) To approve a new Victualer's permit application submitted by Chipotle Mexican Grill of Colorado, LLC d/b/a Chipotle Mexican Grill #3683, located at 799 Roosevelt Trail.

Attachments: [21-127 Cover Sheet.pdf](#)
[Chipotle's Victualer's.pdf](#)

[21-128](#) To approve an application submitted by Windham Pie LLC d/b/a Portland Pie Windham located at 791 Roosevelt Trail for a new Special Amusement permit.

Attachments: [21-128 Cover Sheet.pdf](#)
[Windham Pie-New Special Amusement.pdf](#)

[21-129](#) To find that the requirements of Section 653 of Title 28-A have been met and to approve an application submitted by Portland Pie Co d/b/a Portland Pie Windham for an Extension of License on Premise.

Attachments: [21-129 Cover Sheet.pdf](#)
[Portland Pie-Extension of Lic on Premise.pdf](#)

[21-130](#) To amend the Natural Resources Advisory and Parks and Recreation Advisory Committee charges whereby appointment responsibilities include collaboration with one another to jointly make recommendations to the Council on acquiring Open Space and allocating Open Space Impact Fees.

Attachments: [21-130 Cover Sheet.pdf](#)
[NRAC & PRAC Charge Modification Memo.pdf](#)
[NRAC Charge - Proposed Changes.pdf](#)
[PRAC Charge - Proposed Changes.pdf](#)

- [21-132](#) To approve a new Victualer's permit application submitted by Scott A. Bodlovick d/b/a Great Scott's Mac Wagon, located at 4 White's Bridge Road.
- Attachments:** [21-132 Cover Sheet.pdf](#)
[Victualer's-Great Scott Eats.pdf](#)
- [21-133](#) To approve one (1) application submitted by Scott A. Bodlovick d/b/a Great Scott Mac Wagon for a new Mobile Food Service Unit license.
- Attachments:** [21-133 Cover Sheet.pdf](#)
[Mobile Food-Great Scott Mac Wagon\(1\).pdf](#)
- [21-134](#) To approve a new Victualer's permit application submitted by Kyle McNair d/b/a Fred's Fried Dough, located at 4 White's Bridge Road.
- Attachments:** [21-134 Cover Sheet.pdf](#)
[Victualer's-Fred's Fried Dough.pdf](#)
- [21-135](#) To approve one (1) application submitted by Kyle McNair d/b/a Fred's Fried Dough for a Pushcart Unit license.
- Attachments:** [21-135 Cover Sheet.pdf](#)
[Mobile Food-Fred's Fried Dough.pdf](#)
- [21-136](#) To approve a new Victualer's permit application submitted by Josh & Katherine Mitchell d/b/a Luchador Tacos, located at 781 Roosevelt Trail.
- Attachments:** [21-136 Cover Sheet.pdf](#)
[Luchador Tacos.pdf](#)
- [21-137](#) To approve a new Victualer's permit application submitted by Betty Ree Zolla d/b/a Betty ReeZ Whoopie.
- Attachments:** [21-137 Cover Sheet.pdf](#)
[Victualer's -Betty ReeZ WhoopieZ.pdf](#)
- [21-138](#) To approve one (1) application submitted by Betty Ree Zolla d/b/a Betty ReeZ WhoopieZ for a Mobile Food Service Unit.
- Attachments:** [21-138 Cover Sheet.pdf](#)
[Mobile Food-Betty Ree WhoopieZ.pdf](#)

X. Council Correspondence.

- [CD 21-104](#) Financial Reports.
- Attachments:** [Revenue Report - May 2021.pdf](#)
[Expense Report - May 2021.pdf](#)

[CD 21-105](#) BTI Update.

Attachments: [Be The Influence Leadership Team Update.pdf](#)

[CD 21-106](#) MDOT Contractor Award for Assigned Towns.

Attachments: [MDOT Notification Crack Sealing.pdf](#)

[CD 21-107](#) Maine Natural Gas Public Notice.

Attachments: [Maine Natural Gas Information.pdf](#)

XI. Town Manager's Report.

XII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.
3. Windham Economic Development Corporation
4. Highland Lake Leadership Team.
5. Natural Resources Advisory Committee.
6. Public Easement Advisory Committee.

XIII. Discussion Items.

[CD 21-099](#) Marijuana License Fee Fund Educational Grant Program Rollout.
(Postponed by Council to July 13, 2021)

Members of the Marijuana License Fee Committee will update the Council on the progress of the grant program, the application process and anticipated launch.

Attachments: [Marijuana License Fee Committee Charge Adopted 09082020.pdf](#)
[MLFF Grant Application .pdf](#)
[MLLF Grant Program DRAFT web page.pdf](#)

[CD 21-097](#) Proposed Amendment to the Marijuana Business Licensing Ordinance, Chapter 160.

Attachments: [Marijuana Licensing Ordinance Proposed Amendment.pdf](#)

[CD 21-095](#) Proposed Amendment to Chapter 227 - Vehicles & Traffic Ordinance - Section 227-22 No Parking/Tow-Away Zones.

The Council accepted Forsythia Lane as a Town street at their meeting of May 25, 2021. Council will consider placing parking restrictions on this street.

Attachments: [Vehicles and Traffic - Chapter 227 Proposed Amendment.pdf](#)

[CD 21-100](#) Review of the Town's Tax Acquired Properties Obtained by Automatic Foreclosure.

Attachments: [2021 0615 Acquired Properties Sorted .pdf](#)
[Windham Tax lien numbers on existing properties.pdf](#)
[Lien timeline 2019 example.pdf](#)
[Taxes collected %.pdf](#)
[Vacant Parcel Tax Acquired Properties.pdf](#)

[CD 21-096](#) Long Range Planning Committee recommendations for proposed Land Use Ordinance amendments for the Windham Center Growth Area.

(Additional supporting materials will be posted Monday.)

Attachments: [TC packet LRPC Windham Center 06-09-2021.pdf](#)
[WindhamCenter_ProposedZoningMap_04-2021.pdf](#)
[Affordable Housing draft.pdf](#)
[WindhamCenter_Changes_Compared.pdf](#)

[CD 21-102](#) Discussion of Town Zoning Changes.

(Additional supporting materials will be posted Monday.)

Attachments: [TC memo_Zoning Discussion_06-14-2021.pdf](#)
[FutureLandUse_Zoning_02-14-18.pdf](#)

XIV. Agendas & Scheduling.

XV. ADJOURN.