



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Minutes - Final

### Town Council

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Tuesday, June 15, 2021

6:30 PM

Remote Via Zoom

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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](mailto: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.

**Present:** 7 - David Nadeau, Tim Nangle, Nicholas Kalogerakis, Jarrod Maxfield, Mark Morrison, Brett Jones and Ed Ohmott

#### I. Roll Call of Members.

*Note that Councilors Kalogerakis, Morrison & Nangle arrived after the meeting began and missed voting on the Minutes.*

**Present:** 7 - David Nadeau, Tim Nangle, Nicholas Kalogerakis, Jarrod Maxfield, Mark Morrison, Brett Jones and Ed Ohmott

#### II. Pledge of Allegiance.

Council Chair led the 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](#)

**A motion was made by Councilor Jones, seconded by Vice Chair Maxfield, that the Minutes be approved. The motion carried by the following vote:**

**In Favor:** 4 - Council Chair Nadeau, Vice Chair Maxfield, Councilor Jones and Councilor Ohmott

**Absent:** 3 - Councilor Nangle, Councilor Kalogerakis and Councilor Morrison

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

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

**A motion was made by Councilor Ohmott, seconded by Council Chair Nadeau, that the Minutes be approved. The motion carried by the following vote:**

**In Favor:** 4 - Council Chair Nadeau, Councilor Kalogerakis, Vice Chair Maxfield and Councilor Ohmott

**Absent:** 3 - Councilor Nangle, Councilor Morrison and Councilor Jones

#### **IV. Adjustments to the Agenda.**

**Discussion Item 21-099 is being moved to the July 13, 2021 Council meeting.**

#### **V. Public Participation.**

*None.*

##### **A. Announcement of Grand Marshal of Summerfest Parade.**

*Linda Brooks Parks & Recreation Director thanked this years Summerfest Committee. They had to make the decision that they really were not going to do Summerfest as they normally do. Right now they are in the midst of a town-wide scavenger hunt and getting to know our businesses and history of the town. The Chamber of Commerce, Rotary Club and Modern Women have partnered with them, and they are having a Golf Ball Drop this coming Saturday. The winner of that will win a cash prize, and the other winners will be Summerfest and the Windham Food Pantry because the proceeds are being split between those organizations. She thanked Deb and Tom Matthews as they work tirelessly on the committee for a number of years.*

*She said they still wanted to have a Grand Marshall, they feel it is an opportunity once a year to really credit somebody in this community who does a lot and brings unity to the community.*

*Deb Matthews Chair of the 2021 Summerfest. She said it is an honor to represent the Windham Summerfest Committee, and they have taken on the tough challenge of presenting a modified Summerfest event this year. Deb said they had some very special nominees for the Grand Marshall this year and all of them are very deserving of recognition. She said is was with great pleasure that she is able to introduce this year's Grand Marshall as Pat Moody a lifetime resident of the Town of Windham. (See attachment)*

*Pat Moody said it is fun and hard work. It is about unity in the community, and it is about what you all do around that virtual horseshoe right now, and that is doing whatever you can to make Windham a better place. He applauds the Council for trying to make it a better community. He said we are lucky to have Barry as our Manager..*

## VI. Councilors' Comments.

None.

## 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](#)

#### *Public Participation:*

*Nate Bowie lives on Anthoine Rod, two properties away from the Junkyard. He said he thinks the Council will find this a substantial concern about a Junkyard moving in on a small, private dirt road in Windham. There is a Road Association, they only govern the road, they cannot say who can or cannot live on the road; but they just maintain safe passage because the town is not able to or is not willing to in the past.*

*The impact to the road has been and will be significant. It is a massive change to their small community, it is very loud and it is also a junkyard. He thinks with a change in permit or a name changer, he believes it is the Town Council's decision to actually allow that to happen. His biggest concern is their road and being a home owner, what will happen to that road, let alone the community, the noise and the change to the type of business that is entering on that very small road?*

*Since they maintain it, as an association, they have association dues and other things to maintain the road. It is a substantial impact and his understanding is that the new owner or the previous owner, it is hard to tell which is which, is willing to fight against road dues, even the ones within their bylaws.*

*Nate said, hopefully, the Council will decide not to allow this junkyard to continue to operate. It has been operating for well over a month ahead of this meeting. There is a substantial change to the property down there. If the Council says "yes, this junkyard belongs on Anthoine Road in Windham", he hopes that the town is also willing to take over maintenance, whether it is paving or maintaining a dirt road, they will at least consider that, because the rest of the road association is taking up the bill to keep their road in a place that is significantly changed now with all the trucks coming down here.*

*He said while being outside with the dog over the last month to a month and a half, and not all day, he has seen maybe 200 big tow trucks bringing cars down there. There is also significant construction impact happening, which is something they can handle with their bylaws. He is interested in the comments from other people on the road, and the comments from the Town Council.*

*Daniel Griffin on 21 Anthoine Road said he has been working from home for the last year, and he wanted to reiterate what Nate said, he's observed about four to five times a day two or three of their trucks coming down the road bringing vehicles and then coming back. His main concern is they are not on town water so what happens if there is leakage that goes into their reservoir and their water is compromised? He doesn't believe a once a year review of the junkyard is actually a good thing, he thinks it should be done more often so the rest will not have to have those concerns.*

*This is a residential area, why is this industrial type of business allowed to operate in this particular area? They are a neighborhood, they want to use the road to bike ride and walk, how can they do that if they have to be worried about their safety on the road? He noted that there are a lot of young families there, now they will not be able to use the road as much as they want to because of the traffic. He said it seems like there has been some kind of shenanigans, as far as ownership of this particular property going back and forth and seeing who was able to operate it with the license and who was not.*

*Alan Wolf Attorney representing several of the owners on Anthoine Road. He said he wanted to bring their attention to the agenda from the meeting of September 8, 2020, and at that point they do the inspection reports for the junkyards. On that agenda it stated that the junkyards and automobile graveyards are not permitted uses under the Land Use Ordinance. The junkyards licensed by the town are (grandfathered) existing before the town had adopted zoning in the 70's, and operating under permits granted by the Council under the Maine Statutes. The license, by his understanding and everyone looking at, is Atlas Auto Part's license. It is also his understanding that this yard has not been active for 15 years. Also, if you review the Secretary of State's website Corporation Division, Atlas Auto Parts was dissolved in 2014. It was administratively dissolved by the SOS, they have not been in business since 2014.*

*In the opinion from Town Council and legal Counsel it stated you can't transfer the permit. Right now you are working with a brand new permit for Mr. Bryant, it is not an existing business, it is not an existing yard, it's now a non-conforming use, which had been licensed to a company that went out of business in 2014. He does not see anywhere in the ordinance, that is stated in your agenda, where you can now allow a new yard to be on this property, it is non-conforming, it has not been in use for 15 years, the corporation was dissolved seven years ago. At this point, he does not see where in the Maine Statute or even the town's ordinance of how you can allow a junkyard to be on that property at this time. Thank you.*

*Public Hearing Closed*

*Chris Hanson Director of Code Enforcement said his understanding is the applicant is co-owner of the property, he has the deed that shows he is an owner of the property, and it is a change of ownership application. They have an existing permit that the Council signed last year in September, so they have an active license to operate. Over the past 15 years, and it was mentioned that it is inactive, that would be a correct statement. They haven't been hauling in new cars or doing recycling on this property, but they have over the last fifteen years paid for this license and the Council has issued it. Five different Code Enforcement Officers have inspected it over the years. It has not been in*

violation and we have continued to issue for this automobile graveyard. It is not an active yard, but it has been active in the last month or six weeks. We are looking to see if we are going to change the ownership to the new owner and allow them to continue to operate or not.

Kristin Collins Town Attorney said Chris is right with what is before them. It is an application for the junkyard permit, which is under a different body of law than the zoning ordinance, and whether there has been a violation there or whether this is the resumption of a non-conforming use, is something that we have to deal with from a Code Enforcement standpoint, separately from this. The job of the Council in reviewing this junkyard permit is to go through and find if it meets the standards. She said in her emails to the CEO she highlighted that it has to be a going concern.

She said that some of the questions now is the work that is being done on the property now is it part of a real, intended operating business or are they moving things around on the property, which is two different concepts. Maybe checking on this again down the road, on this particular permit, and again, whether this is resumption of a non-conforming use. She said if they were going to deal with that at all in this context it would be to simply put a condition on that the permit, under the junkyard statute, is not having the effect of saying it is a legal use under the zoning ordinance, and that it would be conditioned on with full compliance of the zoning ordinance.

Councilor Nangle asked how long has the co-owner been the co-owner? The reply was since May 25, 2021. Councilor Nangle, so after 2014 when Atlas was dissolved? Correct. What zone is this in? The reply was Farm zone. Are auto graveyards permitted in Farm zones? The reply was no. As Mr. Wolf said the business was dissolved, have we been inspecting it as the business name? Reply was yes. Councilor Nangle - but there is no business. The reply, "apparently."

Kristin Collins asked, with the prior inspections, have there been junkyard vehicles on the property for the last few years? Chuck Daigle said there has been parts and a lot of tires, scrap wheels but no actual autos. Kristin asked if there has been three or more un inspected, unregistered vehicles there? He said not that he has seen. She said the reason she asked is because that is what makes an auto graveyard under the statute. She believes that is what the permit had been applied for in the past. She asked Chris if they have been auto graveyard or junkyard permits? He said he believed both. She said, if for a period of a couple of years, there was not three or more uninspected, unregistered motor vehicles on the property, then it stopped being a junkyard during that period and couldn't be resumed in this zone as a non-conforming use. Chris said a non-conforming use expires after two years if it is not active. Councilor Nadeau said they do not allow any new junkyards.

Councilor Morrison asked if there is anyway to determine, through tax filings, whether this business was conducting business as a junkyard or business in general? Barry said Michael Bryant was in the audience. Barry said he did find the permits in 2014 for this parcel under Lewis Weatherby, and it is listed at Atlas Auto Parts, and then he looked at 2015, 2016, 2017 and it appears that Atlas Auto Parts has been the name under Lewis Weatherby. Chris Hanson said it goes back 2012.

Councilor Nadeau asked if the State dissolved Atlas Auto Body in 2014, and they kept asking for permits through the town as Atlas who no longer existed, he has an issue with it and where to we stand?

Kristin Collins said a corporation is only an entity that can do things like hold permits if

*they're properly registered with the SOS. One could definitely make a case with those permits over the years were null and void because there was no person in existence that held the permit.*

*Manager Tibbetts said that in 2014 the corporation was listed as Atlas Auto Parts Inc and then in 2015 it is Lewis Weatherby's name. The only reference he sees to Atlas Auto Body appears to be on a sketch diagram for the property. In 2016 the name is Lewis Weatherby and then in 2017 it is Lewis Weatherby but also he signs it as Atlas Auto Parts. There were a couple of years where he went with his personal name, and then he went back to Atlas Auto for 2017, 2018 & 2019.*

*Chris Hanson said in 2019 it certifies that Atlas Body Inc. was in compliance with the trade name as a recycling business. Then when he signed it he signed it as Atlas Auto Parts Lewis Weatherby. He has kind of changed it all the way along. Kristin said that means it could be a DBA, and if he is signing the permit with his own name and the application with his own name, that might have been allowable. Councilor Nangle asked if he had to list it as a DBA? Kristin said she didn't know if he has to write DBA, specifically, but there would need to be an indication, that he, as an individual, is signing for the permit. She said she doesn't think that it is unreasonable that one would put their business name in the application, but if they are signing it as the individual and not as an officer of a corporation, that is important too.*

*Councilor Nadeau said when he sat on the Planning Board, if they looked at a subdivision going in on a private road, you had the ability to look at safety, would that apply here?*

*Kristin Collins said it has bearing to her whether the application was put in using Inc. because that now is pro porting to be the corporation verses Atlas Auto, and then signing as an individual might be - I am operating under this DBA but actually applying as an individual. She said it is somewhat appropriate for a junkyard/auto graveyard would want to have their permit in the name of the business, but we have to have that name the permit is under be an actual person, whether it is a corporate person or an individual person.*

*There is no grandfathering in this context because each permit is a new permit. She thinks that this question at the time of each of these permits would have had direct bearing on the approval standard that requires the business to be an actual going concern. The Council may have missed this over the years, in the fact that, it was not a going concern, both because there were no operations going on at the property, and because the business was administratively dissolved many years ago. For the purpose of this particular application, she is not sure any of that has bearing, she thinks it has bearing on this zoning issue of whether there is a discontinuance of that non-conforming use.*

*Councilor Kalogerakis asked if there is no corporation, is it mandated you have to be incorporated to run a junkyard or can you do it under your own personal name? She said you could do it under your personal name. Councilor Kalogerakis, so we do not do any type of search to see who we are permitting, we are doing this on the honor level?*

*Councilor Nadeau asked if they had to file a yearly application with the state? Chris said the yearly form they fill out from us and they have to send into the state. Councilor Nadeau asked how were they sending it into the state if they were dissolved?*

*Councilor Maxfield ask when we were doing those visits and you didn't see cars but there were tires and junk over the years, were there less tires and junk, was it moving around?*

*Chuck said it was fairly static for a few years.*

*Councilor Nangle asked what the state defines a junkyard/auto graveyard as? Chuck said miscellaneous auto parts, scrap iron, metals, etc. Kristin said that is a definition of a junkyard. The auto graveyard definition is more specific and says it requires three or more unregistered, un inspected motor vehicles. That is why she was pointing out that to the extent that is what they want to do in the future, starting with this new permit to have three or more unregistered vehicles on the property, then to her that use has lapsed. The junkyard is a little looser in the sense that it could be any types of scrap material that has been placed on the property. If they kept those materials on the property, they were operating with municipal approval during that time, that to her is a little less clear. She thinks in terms of auto graveyard, and certainly, if they were to do any automobile recycling, which is a whole separate definition, those types of uses seems to have been discontinued for more than two years.*

*Councilor Nangle asked Chris Hanson if they had been applying for a junkyard permit or an auto graveyard permit? Chris said it was for both, they are one in the same and they are also applying for a recycling permit. The application covers all three. Councilor Nangle said to him, they can't pick up a new segment because it is already a non-conforming use, why would we allow them to expand that non-conforming use? Chris-correct, by our ordinance they can't. After it has been discontinued for two years that non-conforming use cannot be resumed. The graveyard piece, maybe, but not the automobile recycling and the auto graveyard. He would say the junkyard has remained active because they do have hundreds of tires, junk metal and there is construction materials on the property.*

*Councilor Maxfield said if that junk isn't moving around and being added to or changed and run like a business, what is the difference between a junkyard and houses that we get residential complaints from that are full of junk in their yards. Kristin said that they had a permit. Councilor Nangle said they have represented themselves as a junkyard or auto graveyard verses someone having a couple of fenders and tires on my property and not applying. It was noted that it was not in the Highland Lake Watershed.*

*Councilor Nadeau confirmed that we do not allow anymore junkyards in Windham. He said there are three different definitions, and he asked if we allowed any of them or are they all just grandfathered? Chris said they are all existing non-conforming uses. He doesn't like to use the term "grandfathered" but in theory they are, and we do not allow any new ones of any type.*

*Councilor Nadeau felt it was a permit that should not have been put through. Councilor Morrison said if this business has ceased being a business and is no longer a going concern, it is clear the renewal is not appropriate unless they can prove otherwise. Councilor Jones said the application is for three different things and two of them would be non-conforming, you could possibly stretch the junkyard permit, but felt it was pretty clear it could not be moved forward. Councilor Kalogerakis said he agreed as well. Councilor Maxfield said he was against the whole thing, but he wants to make sure that the town is covered and whatever they just discussed was accurate, then he is comfortable. Councilor Ohmott said if it is not a going concern, and there is not a valid permit, he did not see why this business should be allowed to exist there. He would be against it.*

*Councilor Maxfield asked Kristin if they were to vote this down, the onerous then becomes upon them to come back to the town to make their case? She said they would have to appeal to Superior Court. One thing she wants to clarify, because she is not*

necessarily seeing it in the application, is where do they say that they are applying for all three of these uses?

Manager Tibbetts asked if they'd like a Findings of Facts statement written up so it is clear what the points are before they vote and continue this public hearing at the July meeting? Councilor Nangle spoke up and said he just looked it up and the business is dissolved for not filing an annual report.

Chris Hanson said to answer Kristin's question if they are applying for all three, our application is for an Automobile Graveyard/Automobile Recycling Business and/or Junkyard permit. It is all three, they are all inclusive on one permit, and that is what they have applied for.

Kristin Collins said we don't ask them to specify beyond that, so she thinks the Council would be denying this to the extent that they request permission to operate as an Automobile Recycling Facility or a Automobile Graveyard, which would leave the permit, to the extent, that it could be issued only for a Junkyard.

Kristin outlined that they have not met the standard to establish that it is viable business, because the existing corporation that held the permit had not conducted any business for fifteen years and had been administratively dissolved for seven years, and that this particular use that Automobile Graveyards and Recycling are not allowed on this property, and that would be another basis for denial.

Councilor Nadeau said without a permit they cannot do business; how long do they have to clean that place up? Chris Hanson said with something like this he would issue a stop work order and generally give them 30 days to comply. He said he did not know how many vehicles they have there and how long it will take them. In a situation like this where there has been some misunderstanding that we did issue a permit to this property, maybe we can give him a little more time, they would have to remove all of the vehicles and down to under three unregistered vehicles.

\*The Continuance of the June 15, 2021 meeting started back up with the Junkyard Permit Order on June 22, 2021.

Role Call:

Present: David Nadeau, Tim Nangle, Jarrod Maxfield, Mark Morrison, Brett Jones and Ed Ohmott

Absent: Nicholas Kalogerakis

Councilor Nadeau asked Kristen Collins if the Anthoine Road project wants to withdraw, what will that do with the license with the town? Kristin said she advised the Weatherby's that whether it is under their permit or under a new permit, there still would not be the authority to restart an auto graveyard or recycling on that property. They know that they are going to expect a notice of violation from the town saying they have to get the cars that are on the property now, off the property. They are asking for a little bit more than the 30 days that the Council discussed and that she along with Code Enforcement and the Manager will talk about that to come up with a plan for them. The bottom line doesn't give the existing permit holder the ability to do what this new applicant was asking for, but in her opinion their "Junkyard" permit is still valid, and they can have at least the same stuff on the property that they have had, but they would not be able to start any new uses that have not been going on at the property for the last two years.

Councilor Nangle moved to reconsider Order 21-115 and open up the public hearing for



*the limited purpose of allowing Mr. Weatherby and Mr. Bryant to speak and act on it, second by Councilor Maxfield.*

*Josie Winslow from 24 Anthoine Rd asked "what does it mean if this meeting is opened again?" Councilor Nadeau said all they are going to do is accept his withdrawal and include their Findings of Facts in their denial and allow them to speak because they had technical difficulties last week and they could not participate.*

*Mike Bryant said he owns the land with Lewis now. It is a licensed junkyard, it has been a licensed junkyard for over 50 years, and it has been there longer than any of the houses down there.*

*Alan Wolf Attorney for some of the Anthoine residents said he would ask them to not reconsider. They have spent a lot of time on this the last time. You discussed the facts, made the decision and voted, and it was done and over with. To withdraw afterwards he does not see any reason to reopen and talk about it. Mr. Bryant just spoke, and he did not have a lot to say about reopening, so I would ask the Council to go with what they voted on last time and move on. Thank you.*

*Vote to reconsider 21-115:*

*In Favor: 6-0 (Nadeau, Nangle, Maxfield, Morrison, Jones, Ohmott)*

*Absent: 1 (Kalogerakis)*

*Passed*

*Mike Bryant said the original house was torn down when the first guy started the junkyard. There is still junk, wheels and tires on that land. There are complete front ends of cars that are half buried from the original owner. The Winslow's bought land from Lewis to put their house in there, and they knew it was a junkyard. They had a chance to buy the whole thing and they didn't. Everyone there knew there was a junkyard when they built their homes, and if not, they didn't do their homework on what was in there. He said it seems that there are just a few against it. He has been nice going in, he does not go in a night, and he is not there all hours during the day. He has cleaned that land up quite a bit and has quite a bit of money into it. The lady across the street's husband sold him a car to put in there. He has done everything the town told him to do.*

*Councilor Nadeau asked Mike Bryant if he wanted to withdraw his application. Mr. Bryant said "yes" he did want to withdraw his application.*

*Kristin Collins said the applicant said that there are vehicles or parts of vehicles there, if he could come back to the table with proof and that the place has met the definition of an auto graveyard for the last two years, then the Council might be willing to grant the permit, right now he doesn't have the proof.*

*Councilor Maxfield moved to add the Findings of Facts, second by Councilor Ohmott.*

*Vote in Favor: 6-0 ( Nadeau, Nangle, Maxfield, Morrison, Jones, Ohmott)*

*Absent: 1 (Kalogerakis)*

*Councilor Maxfield moved to affirm the denial, approve the Findings of Facts and authorize the Town Manager to sign them and to provide the decision to the applicant, second by Councilor Ohmott.*

*Council Chair Nadeau read the Findings of Facts into the record.*

Vote in Favor: 6-0 (Nadeau, Nangle, Maxfield, Morrison, Jones, Ohmott)  
Absent: 1 (Kalogerakis)

**A motion was made by Vice Chair Maxfield, seconded by Councilor Morrison, that the Order be failed. The motion carried by the following vote:**

**Opposed:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

No public comment.

*Chief Schofield said when they presented this last month the ordinance is a close mirror of the State law. It addresses two issues in terms of giving us some local control, and if we see any problems or violations to remediate them and bring them in front of the Council instead of bringing them to court. He said he always thinks this is a good thing in these types of situations. It also clarifies language with Kiosks (cell phone turn ins) and the transfer ability of licenses being applicable to them. The Chief said they have not had any significant issues that they have been working on.*

**A motion was made by Councilor Kalogerakis, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

No public comment.

Manager Tibbetts gave an overview of his chart. (See attached).

*Councilor Nangle said the number of permits per entity is a joke, they will use everybody else's name. As far as the 10 permits for the Code Enforcement Officer's discretion, he works for the Town Manager, and if the Town Manager wants more permits, he will get more permits. He feels it should either be rolled into the original G.3.a or put the responsibility where it is going to lay, which is with the Town Manager. How do we determine a financial hardship? They can come in with anything, i.e. a letter from an accountant with what needs to be said. He said we are going against the wishes of this community by allowing more permits when we told them we were going to limit it to 100;*

*all because we need to generate more impact fees and more taxes. He is a firm no.*

*Councilor Kalogerakis said he would vote for this, and he has been on record with his feelings about potentially hurting the economy, possibly lost jobs and the mill rate increase we are all facing with these permits in place. He said if this is the most he can get, then this is what he supports. Growing Windham responsibility is a Facebook Group. It was put into place when all this started, and there is 48 total members out of 18,000 people. The Admin put out a note to the 48 members when this was discussed back on May 11, and there was not one comment. He does not firmly believe this is what the community wants. He knows a small group of people want it compared to our total population. He has received two or three emails from people who do not want growth, but he does not know if they know the unintended consequences that will come from where we are now with the permits or even with increasing the permits that we have now on the table, it still will not be enough. He said he gets that mill rates have to go up sometimes but he doesn't think it is this way. He does not want to see a decrease on any line in our budget ever, and to limit the amount of homes and have to try and find a way to make up that money somewhere else is not going to happen. This will affect the mill rate.*

*Councilor Maxfield said he would support this tonight, as it is. He agrees with what has been said. Windham threw out its growth ordinance twenty years ago. We are trying to tame a dragon here and it is not going to be a one ordinance deal. He said zoning is a third wheel they will have to touch on too, but they really want to get this under control. We are still below averages from other decades, and are still below where we were last year. On the face of it most folks are against growth anywhere. He said the fact of the matter is everyone who moves to town is not costing this town money, they are helping with building new ball fields and expanding roads at Manchester that are being paid for by people who are coming in. They bring new community members, more diversity, there are positives to people moving to town. Councilor Maxfield said he will vote for it, it is not perfect, it is getting us there and helping to fix the problem. They will keep tweaking and voting on this until they get it right.*

*Councilor Morrison said when this was put in originally they made their best efforts but based on the last 6,7,8 months it is quite obvious the number is just too low, we need to do something to accommodate growth. He thinks this is a good compromise. He spoke with Amanda today, and the growth permits were issued for June and there is still 30 outstanding. There are a lot of folks who are looking for growth permits. He thinks the number needs to be moved north to what has been proposed to help provide some relief, and he thinks it is a good compromise. It is all about keeping the mill rate as flat as we possibly can and still have growth to pave roads, etc.*

*Councilor Jones said he was still on the fence, and he does understand both sides. He is not super comfortable with 125, he'd rather it be a little bit less. He said his main goal is to look at the zoning. He is willing to move forward if that is something we are all willing to tackle.*

*Councilor Nadeau said he does not think 125 enough, and he'd rather ride the wave. He said we have so many things in the fire, and there has to be funds available to finance these things, other than that it will be all on the back of the tax payer big time. If we stayed with the 100 you are talking twenty cents a year, every single year. You need at least \$500,000 coming into the town in new evaluation to keep the mill rate just to open the doors of town hall, that is not to build roads, sewer, pay a million dollars for Depot St. or any of the other things they've done. All of the things we are doing are basically being done with TIFs or impact fees. To miss this peak in growth, he thinks is a big mistake.*

*He said 150 or 155 permits, that will be the only thing that will keep us going financially. Eighty percent of our town is Farm or Farm Residential, we all know zoning does have to be looked at, and they might get clobbered for it but he'd be in favor of going that way. He'd also be in favor of passing this but suspending it until June of 2022 to capture this growth, and then look at the new zoning in the growth permits to see if it fits the new zoning and how we have to alter it to the new zoning.*

*Councilor Nangle said the ball fields was a bond and was the voters decision, the sewer is going to be a bond and is the voter's decision. What you are saying is you want us to increase the permits to a level that we can fund a six million dollar sewer system by property taxes? Councilor Nadeau said the ball fields are being paid by an impact fee, the other thing mentioned is being paid by a TIF, money we've captured. Neither one of them are tax increases. The sewer system is between fifteen and eighteen million dollars, and we are looking to paying that with user fees and TIF money, which isn't on the back of the tax payer. We are trying to be a little creative and not put it on the mill rate.*

*Several Councilors asked some more questions and the Manager gave explanations.*

*Amanda Lessard said she wanted to note that as far as budgeting the permit fees, there are permits issued that do not need a growth permit. Senior Housing is a permit that generates revenue, accessory dwelling units and gift lots can be issued a building permit without a growth permit. So there is some number of growth above and beyond the growth permit limit that will still be occurring.*

*A vote was taken 5 in Favor and 2 Opposed (Nadeau & Nangle)*

*It was then brought up that they voted on the "Clean" copy because the changes were reflected in the Clean copy. Then there was some discussion that the content does not match what they thought they were voting on. Councilor Maxfield said that anyone who voted in the affirmative can recall the vote at this meeting or the very next meeting.*

*Manager Tibbetts said all of the other changes were incorporated but 7b, the super majority item was taken out.*

*Councilor Morrison moved to recall the whole thing to make sure the Clean version includes all the changes that were on the docket for their vote tonight, second by Councilor Maxfield.*

*Vote to reconsider Order 21-124*

*In Favor: 5 (Nadeau, Kalogerakis, Maxfield, Morrison, Ohmott)*

*Opposed: 2 (Nangle, Jones)*

*Passes*

*Councilor Nadeau made a motion to amend that they change the number of permits to 150, moved by Councilor Kalogerakis, second by Councilor Ohmott.*

*Councilors Morrison said to be fair when he made the request to recall, that was based on a number of 130, and his intent was to add that the Code Officer had the discretion with those 10 growth permits that he had at his disposal.*

*Vote on amendment:*

*In Favor: 3 ( Nadeau, Kalogerakis, Ohmott)  
Opposed: 4 (Nangle, Maxfield, Morrison, Jones)  
Failed*

*Councilor Morrison made a motion to go forward as proposed with the 130, and to include that the Code Enforcement Officer has the discretion to initiate another 10 growth permits at his discretion, second by Councilor Kalogerakis.*

*Councilor Nangle asked if they could look at the clean copy for the sections that you want to change so they can be clear on exactly what they are changing?*

*Manager Tibbetts went through and explains what the changes would be.*

*Kristin Collins spoke on why giving the Code Enforcement Officer blanket discretion would not be a good idea. She suggests that it not be done without criteria, because to delegate that to him would be a legislative delegation, which you are not really supposed to do. She thinks it puts the CEO in a very awkward position to not have criteria that he applies, it opens it up to people claiming what he has done is arbitrary or illegal.*

*Chris Hanson spoke about an applicant who applied in March, they didn't get a growth permit in April, May or June and they are unlikely to get one in the next couple of months, because people are getting them with the residency requirement and they are getting more points. She does not meet the point criteria. He agreed, Kristin is right, he is very uncomfortable without having some criteria. He said he would rather see the allocation go back into the total number rather than his discretion, unless there is specific criteria. He has given this a lot of thought, and he does not know what criteria they would use to justify a hardship.*

*Councilor Morrison withdraws his motion, and Councilor Kalogerakis withdraws his second.*

*Councilor Maxfield makes a motion to remove 7a. The Code Enforcement Officer may issue up to Ten (10) growth permits, in Section 3 a. from 125 to 135 permits, in 7b. to strike the words (Except through above) and start with "The Town Council", in 3 a. (1) increase the monthly allocation and put the 10 additional in subsection (1) the single family home permits from 108 to 118, and in 3a. change it from 11 to 12 permits per month and not to exceed 135 per year as stated in Section 5b., second by Councilor Morrison.*

*Vote on amendment:*

*In Favor: 4 (Kalogerakis, Maxfield, Morrison, Jones)  
Opposed: 3 (Nadeau, Nangle, Ohmott)*

*\*Continuance of the July 15, 2021 meeting*

*Councilor Maxfield moved to reconsider Public Hearing and Order 21-214, second by Councilor Morrison.*

*No public comment.*

*Councilor Maxfield said he thinks they made a mistake last week removing the CEO's permit options and he'd like to add language and correct a couple of clerical errors.*

*Vote to reconsider:*

*In Favor: 6-0 (Nadeau, Nangle, Maxfield, Morrison, Jones, Ohmott)*

*Absent: 1 (Kalogerakis)*

*Councilor Maxfield moved to amend Order 21-214 and to add the language of 7a. Allocation of growth permits from the reserve pool, and to correct two clerical errors, on page 5b, it says up to nine and in parenthesis is(12) growth permits, and changing 100 to 135, second by Councilor Nadeau.*

*Mike Pednault who owns property off of Pope Road, and he would like clarification on the reserve pool. Does it mean after all 135 permits have been issued, is that when the reserve pool kicks in or is it discretionary throughout the year?*

*Manager Tibbetts said on the fourth line down it says: Provided that there are no growth permits available from the monthly allocation, that is the 12 that are allowed, and they have missed an allocation for the prior, previous two permit monthly issuances.*

*Councilor Nangle asked what defines own and occupy the dwelling upon completion of construction? Does that mean having a CO issue in your name?*

*Kristin Collins said you could add a simple amendment: for a detached single family dwelling to the person, other than the developer of the lot or builder of the home.*

*Vote on the 7a. amendment:*

*In Favor: 6-0 (Nadeau, Nangle, Maxfield, Morrison, Jones, Ohmott)*

*Absent: Kalogerakis*

*Councilor Nadeau makes an amendment that this be an emergency and it takes effect immediately for the whole Growth Ordinance, as it has been discussed on 6/15/21 and 6/22/21, second by Councilor Maxfield.*

*Kristin Collins said the Council will need to hold a public hearing within 30 days because of making these changes as an emergency. At that time you will adopt the Ordinance as if it was permanent not an emergency ordinance.*

*Vote on Emergency Amendment:*

*In Favor: 5 (Nadeau, Maxfield, Morrison, Jones, Ohmott)*

*Opposed: 1 (Nangle)*

*Absent: Kalogerakis*

**A motion was made by Vice Chair Maxfield, seconded by Councilor Kalogerakis, that the Order be approved as amended. The motion carried by the following vote:**

**In Favor:** 5 - Council Chair Nadeau, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

**Opposed:** 1 - Councilor Nangle

**Absent:** 1 - Councilor Kalogerakis

## **VIII. CONSENT AGENDA.**

## **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](#)

**A motion was made by Vice Chair Maxfield, seconded by Councilor Ohmott, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Councilor Morrison, seconded by Councilor Ohmott, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

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

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

*Councilor Maxfield nominated Councilor Kalogerakis, he respectfully declined, Councilor Maxfield nominated Councilor Nangle.*

**A motion was made by Vice Chair Maxfield, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 6 - Council Chair Nadeau, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

**Opposed:** 1 - Councilor Nangle

[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](#)

**A motion was made by Councilor Kalogerakis, seconded by Vice Chair Maxfield, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

*Manager Tibbetts said that this came before the Council at a prior meeting, and it came forward from discussions between Amanda Lessard our Planner, Linda Brooks our Park & Recreation Director and Rachelle Curran Apse of the Presumpscot Regional Land Trust. The Presumpscot Regional Land Trust will help to review the existing trails, design some new trails and to maintain the trails going forward and as part of the consideration of them doing, that the town will put forth some money towards the conversion of those trails. The bigger aspect is that the town would be making Presumpscot Regional Land Trust a partner with us on this parcel to be preserved forever. This is a good win for the community.*

**A motion was made by Councilor Morrison, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Ohmott, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Ohmott, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

*Linda Brooks Parks & Recreation Director said she thinks this is a great resolution to the situation that we face in terms of mechanisms put in place through the Open Space Plan. There is a means now that they can consider land that might be available either by donation, to be purchased or acquired in whatever manner. It would an opportunity for these two committees that have kind of shared purposes at different points, could now get together and analyze different parcels and determine how they want to move forward. She said rather than creating a new committee, this was a great resolution, and they have a plan in place. They will meet in August to get to know a little bit about each other.*

**A motion was made by Vice Chair Maxfield, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

### 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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Jones, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Vice Chair Maxfield, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Councilor Kalogerakis, seconded by Vice Chair Maxfield, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Vice Chair Maxfield, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Vice Chair Maxfield, seconded by Councilor Kalogerakis, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

[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](#)

**A motion was made by Councilor Kalogerakis, seconded by Councilor Morrison, that the Order be approved. The motion carried by the following vote:**

**In Favor:** 7 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison, Councilor Jones and Councilor Ohmott

## 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](#)

**Councilor Nangle made a motion to continue this meeting to June 22, 2021 at 6:30 p.m. using Zoom, second by Councilor Kalogerakis.**

**In Favor: 7-0**

## XI. Town Manager's Report.

*Manager Tibbetts reported on:*

*The roadside mower is out mowing.*

*The basketball court is in at the Community Skate Park as well as the volleyball court, but they are not open to the public yet.*

*They will be starting on the Lowell parking lot within a week.*

*Our Parks & Rec Camp has started.*

*There has been information in the press with security on cyber-defense. Presque Isle and Freeport had some issues a week ago. Our IT Department had MMA looked at our system along with outside opinions, and we feel like we are in a pretty good position.*

## XII. Committee Reports.

**A. Council Subcommittees.**

1. Appointments Committee.

*No report.*

2. Finance Committee.

*No report.*

**B. Other Committees.**

1. Long Range Planning Committee.

*No report.*

2. Parks & Recreation Advisory Committee.

*Councilor Nangle said "please do not go on the basketball courts, they are not ready", and they did not have a meeting due to a quorum issue.*

3. Windham Economic Development Corporation

*No report.*

4. Highland Lake Leadership Team.

*No report.*

5. Natural Resources Advisory Committee.

*Councilor Jones said they have a meeting tomorrow.*

6. Public Easement Advisory Committee.

*Councilor Jones said he has been playing phone tag with the Public Works Director. He is hoping to get out soon to go over the roads.*

**XIII. Discussion Items.**

*Minutes are not taken for Discussion Items.*

[CD 21-099](#)

Marijuana License Fee Fund Educational Grant Program Rollout.  
**(Postponed by Council from June 15, 2021 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.

**Attachments:** [TC memo\\_Zoning Discussion\\_06-14-2021.pdf](#)  
[FutureLandUse Zoning 02-14-18.pdf](#)

*Councilor Nangle made a Point of Order due to the time of night.*

*Councilor Nangle made a motion to postpone CD 21-102 until their next regularly scheduled meeting on July 13, 2021 due to the time of night and not taking items up after 9:30, second by Councilor Ohmott.*

*Vote to postpone discussion item CD 21-102 to July 13, 2021:  
In Favor: Nangle, Maxfield, Morrison, Jones, Ohmott  
Opposed: Nadeau*

#### **XIV. Agendas & Scheduling.**

#### **XV. ADJOURN.**

**A motion was made by Councilor Kalogerakis, seconded by Vice Chair Maxfield, that they be adjourned. The motion carried by the following vote at 9:01p.m.**

**In Favor:** 6 - Council Chair Nadeau, Councilor Nangle, Councilor Kalogerakis, Vice Chair Maxfield, Councilor Morrison and Councilor Ohmott

**Opposed:** 1 - Councilor Jones

Respectfully submitted,

Linda S. Morrell  
Town Clerk, CCM