

ORDINANCE COMMITTEE MEMO

DATE: October 16, 2025

TO: Ordinance Committee

THROUGH: Bob Burns, Town Manager

FROM: Steve Puleo, Director of Planning

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

RE: Update on LUO Article 8 Amendments and Progress on Delegated Review Authority

Ordinance Meeting of September 24, 2025

Overview

The Planning Department recommends the Ordinance Committee consider and prioritize additional amendments to the Land Use Ordinance (LUO). These changes suggested to improve development flexibility, align infrastructure standards with current needs, and support economic development in the C-3 zoning district.

Ordinance Amendments Progress

Following our discussion on September 24, 2025, I am requesting authorization to advance the following amendment:

These items are being referred to the Planning Board for public hearing and recommendation to the Town Council.

Article 8 Site Plan Review

- [§120-814B\(6\)](#). Multifamily Development Access drive standards.
 - Adds street connection requirements:
 - Single and Two-Family Dwellings that are more than 30 units require 2 street connections except where development is served by public water and all units are equipped with an approved automatic sprinkler system.
 - The Fire Chief may require additional connections.
 - Multifamily Dwellings that are more than 100 units require 2 street connections.
 - Specifies distance between street connections.
- [§120-814B\(6\)\(b\)\[1\]](#) Multifamily development standards
 - Update street connection requirements to better reflect current planning and safety practices. Align access drive widths with private street standards based on the number of dwelling units served:
 - 10 or fewer dwellings: 18 feet wide
 - 11 or more dwellings: 24 feet wide

Article 9 Subdivision Review

- § 120-911M(5)(b)[7]. Subdivision street connection requirements.
 1. Specifies that number of lots or dwellings are applicable only in single-family or two-family dwellings. Multifamily dwellings will be subject to Article 8 standards

These changes aim to simplify design expectations and improve consistency across development types.

Key Dates:

- **Planning Board Public Hearing:** *Scheduled for November 10, 2025*
- **Planning Board Recommendation to Council for Public Hearing:** *December 9, 2025*
- **Adoption:** *January 9, 2026*

Delegated Review Authority Updates

The Town of Windham has reestablished its Delegated Review Authority for Stormwater Capacity, enhancing our ability to manage local permitting efficiently.

On October 14, 2025, I met with Rob Wood, Director of the Land Bureau at the Maine DEP, to discuss our application for Delegated Review Authority for Site Law Applications. During the meeting, we reviewed the DEP's recommendation letter, which identified gaps in our submission. While the letter noted missing items, we demonstrated that Windham's Land Use Ordinance (LUO) meets or exceeds several DEP Site Law standards.

Rob encouraged us to repackage the application to clearly highlight where our ordinances align with or exceed DEP requirements. This includes adding hyperlinks to specific LUO sections that support our case. Additionally, DEP noted that Windham will need to add blasting performance standards for residential construction to fully meet delegation criteria.

Next Steps:

- **Repackaging of Application with Hyperlinked Ordinance References:** *By last week of October, 2025*
- **Drafting Blasting Performance Standards for Residential Construction:** *Initial draft for Ordinance Committee review in December, 2025*
- **Formal Resubmission to DEP:** *Targeted for January, 2026[^]*
- **DEP Review and Response:** *Expected Q1 2026*

Request

Staff request scheduling these amendments in supporting both residential and commercial development, to the Planning Board to conduct a public hearing and land use recommendation to the Town Council.