



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Thursday, June 12, 2025

6:00 PM

Council Chambers

Tuesday, June 10th is an Election Day. Section 1, D. of the Council Rules states that in this event the regular meeting shall be held on the following Thursday.

I. Roll Call of Members.

Present: 6 - David Nadeau, Nicholas Kalogerakis, Mark Morrison, William Reiner, John Henry and Jarrod Maxfield

Absent: 1 - Brett Jones

II. Pledge of Allegiance.

Council Chair Maxfield led the Pledge of Allegiance.

III. Minutes to be Approved:

CD 25-122 To approve the Minutes of the May 27, 2025, Council meeting.

Attachments: [Minutes-Council-5-27-2025.pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

IV. Adjustments to the Agenda.

VI. Public Participation.

Jennifer Jimino, the owner of the motocross park that was brought up at the last Council meeting came to speak. She said the park is not at all what was described. She said Peter, her neighbor, does not like them, and he has been very difficult to work with. She has never met Bill, the other neighbor who spoke at the meeting. She said they have three children under the age of eleven, and they like to have their neighbors come over and their kids. They have the pond that all the kids like to fish in, and they do not have a problem with that. They did make a track in their backyard, and one of their kids does do motocross for the State of Maine. He does not live with them full-time and is not there riding every single day. She and her husband work from 7:30 to 3:30 so there is nobody home Monday through Friday. There is no park per say, it is more like a beefed up pump track for bikes. It was made for a nine year old and adults with big bikes could not ride on it because it is not big enough.

As for the neighbor who gets anxiety and isn't able to go outdoors, that is unfortunate. She gets anxiety around some dogs, but she doesn't expect people not to have them. She didn't know why it was brought to the Council and said that Code Enforcement has come out twice and multiple police officers have come by and say things are fine. She noted that they do not ride past 7:30 p.m.

Jennifer said since this has started Peter has threatened to flood their property. They share the pond with Peter and Peter has the outlet and they have the inlet, and he has put sandbags in the outlet to keep the water from going out; the water is rising on their side. She also has him on video dumping dirt into the outlet to block it. She said they are not being vicious or malicious, and they do have birds and animals come around all the time.

Roger Timmons came to speak about a decision that was made about two years ago regarding the zone change from Farm, which it has always been Farm since the town was founded. The town has had a Farm zone for 44-45 years. The reason we have a Farm zone is because of the soils and the water for the animals.

They went to a public hearing and they told them to not fool around mess with the Farm zone. It has worked for 45 years, it is protecting our water bodies. In the Farm zone the soils are terrible. They go from the Varney Mill Road down by his home to the River and it gets increasingly worse, there is a lot of clay in that area and water just runs off from it.

He said he is here because he loves his town and he does not think you have the right and complete information. He asked if there was an impact study done to show what will happen if you change that zone and you have a complete build out, like years ago with the sewer. He has not spoken to anyone else at the town, and he lays awake from 3:00 to 6:00 a.m. because this bothers him so much.

Roger said if you take this land and put it in that zone, you are promoting growth by allowing more development then can occur today. You are also taking away the rights of people who might like to have a little farm. He said he was a builder, and he guarantees that you will not find an engineer that will certify development that occurs at a build out that won't affect that river. Because no study was done, he is afraid that the developers will follow your decisions, and it isn't the builders fault, they are just doing what you approved. That should not be changed, and it isn't too late. There is a problem coming and it is only going to cause grief, cost the tax payers money and lower our quality of life for everybody. Thank you.

A. Presentation of Veteran Plaque by Calista Cross.

Calista Cross came to present flag board made by Ed Comeau, who lives in Lincoln Maine. She said because of all the bridges that have been named after our Veterans, Ed liked the idea and he wanted to make Veteran flag boards for each of them. She said Ed has a shop and sells them as well.

She said with the help of Senator Libby, Senator Nangle, Barry and all of the Councilors and Selectmen, there have been 19 bridges that have been named after our Veterans. She wanted to give back to the Selectmen and Councilors for listening to her and approving bridges for our Veterans.

She also spoke about Honor Flight Maine. Any Veterans you may know can go on a free three-day trip to Washington, D.C., and they go to all the memorials. It takes about 7 hours of walking to all of them. A guardian goes along with each Veteran, and it does cost \$500 for the guardian. The cost covers your plane ticket, hotel room and meals and

you get to take them around. She said there will be 75 Veterans going at the end of June.

VII. Councilors' Comments.

Councilor Nadeau said he was missing the graduation tonight for Adult Ed., and he wanted to congratulate all the graduates.

Councilor Maxfield said to the woman who came in first about the motocross issue, we can't pick our neighbors and sometimes you have neighbor disputes. It is not a Council matter, but it seems people are going through the town measurers, and he hopes they can find some harmony.

Town Meeting is this Saturday at 10:00 a.m. Please come to make your voice heard, and please take a look at the budget and all the work that went into this. A lot of things are being accomplished with tax dollars and a lot of things are being accomplished that are not affecting the tax dollars.

VIII. PUBLIC HEARINGS.

25-094 To receive public comment and act on an application submitted by Michael Harris d/b/a Smoked Restaurant & Neighborhood Pub located at 106 Main Street for a renewal Special Amusement Permit.

Attachments: [25-094 Cover Sheet.pdf](#)

[Smoked Rest. & Neighborhood Pub Sp.Amuse..pdf](#)

A motion was made by Councilor Henry, seconded by Councilor Nadeau, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

25-096 To receive public comment and act on an application submitted by Travis Mathieu d/b/a Bob's Seafood located at 901 Roosevelt Trail for a renewal Special Amusement Permit.

Attachments: [25-096 Cover Sheet.pdf](#)

[Bob's Seafood Sp. Amusement.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: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

25-097 To receive public comment and act on a renewal application submitted by Heathwood Company, LLC d/b/a Kind & Co. as a licensed Marijuana Registered Dispensary with two locations, 8 Heathwood Drive (Cultivation location), and 15 Heathwood Drive (Dispensary location) for a term of

one-year.

Attachments: [25-097 Cover Sheet.pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

[25-098](#)

To receive public comment and act on a majority Change of Ownership submitted by Joel Pepin, Jar Co. Windham LLC d/b/a Jar Cannabis Co. to Jar Co. Holdings LLC located at 11 Storm Drive Unit 4, for the Adult Use Cannabis Store. The Town Clerk May approve any requests for Change in Ownership upon a finding of compliance with §128-8, except that any change in majority ownership of a marijuana business for which the Town Council is the licensing authority shall be forwarded to the Town Council for approval, after a public hearing.

Attachments: [25-098 Cover Sheet.pdf](#)

Joel Pepin is the owner of Jar Cannabis Co. He said this is a basic restructuring of their Cannabis LLC's company-wide. When OCP originally launched the Adult Use Program they wanted unique E.I.N. numbers for each physical, stand alone license and that is how they started forming their company. That requirement has now changed, so they are trying to streamline and all LLC's, including the ones in front of the Council tonight are going from individual ownership to being owned by a holding company so they can streamline their tax filings. They are not selling the company, they are not taking on any new partners, it is the same ownership in Jar Co. Holdings. His comments would be the same for the next agenda item as well.

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

[25-100](#)

To receive public comment and act on a majority Change in Ownership submitted by Joel Pepin, Jar Co. Windham LLC d/b/a Jar Cannabis Co. to Jar Co. Holdings LLC for the Marijuana Registered Dispensary with two locations, 9 Storm Drive (Dispensary location) and 608 Roosevelt Trail (Cultivation location). The Town Clerk may approve any requests for change in ownership upon finding of compliance with § 128-8, except that any change in majority ownership of a marijuana business for which the Town Council is the licensing authority shall be forwarded to the Town Council for approval, after public hearing.

Attachments: [25-100 Cover Sheet.pdf](#)

Joel Pepin made a clarification that this is for their registered Dispensary for their medical business. He noted that there is a typo in the second line - it is listed as Jar Co.

Windham LLC, and that is the entity on the first agenda, for this second item it should read JNP Services LLC.

Councilor Henry Moved to amend the order as presented by owner Joel Pepin, seconded by Councilor Kalogerakis.

Vote as amended:

In Favor: 6

Absent: 1 (Jones)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

[25-101](#) To receive public comment and act on a renewal application submitted by Joel Pepin d/b/a JAR Co. Holdings LLC as a licensed Marijuana Registered Dispensary with two locations, 9 Storm Drive (Dispensary location) and 608 Roosevelt Trail (Cultivation location) for a term of 1 year.

Attachments: [25-101 Cover Sheet.pdf](#)

A motion was made by Councilor Nadeau, seconded by Councilor Henry, that the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

[25-104](#) To receive public comment and act on an application submitted by Robert Coppersmith d/b/a Lake House Tavern located at 907 Roosevelt Trail for a renewal Special Amusement Permit.

Attachments: [25-104 Cover Sheet.pdf](#)

[Lake House Tavern-Spec. Amuse..pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

[25-105](#) To receive public comment and act on a new application submitted by Patrick Mulligan d/b/a Windham Pie LLC located at 789 Roosevelt Trail for a new Special Amusement permit.

Attachments: [25-105 Cover Sheet.pdf](#)

[Portland Pie-new Special Amusement.pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

IX. CONSENT AGENDA.

X. UNFINISHED BUSINESS & GENERAL ORDERS.

[25-056](#) To create a Forbes Lane Neighborhood ad hoc Committee and approve its charge.

Attachments: [25-056 Cover Sheet.pdf](#)

[Forbes Lane Neighborhood Park ad hoc Committee Charge.pdf](#)

[Forbes Lane Award Letter.pdf](#)

Manager Tibbetts said they received a grant to put a park in between two neighborhoods. This was before the Council two and a half months ago, but they decided to wait until they received the grant money. They are asking for an ad hoc committee to be composed of four residents, two staff people and one Councilor to work through that particular parcel to see if a community pocket park could be put in there.

There are two different subdivisions that were approved many years ago, with a lot that connects the two of them that was never built on. They reached out to the owner of the lot because they were looking for a place to transfer some development grant opportunities that came from a parcel on the RSU property, which was formally owned by the town. The town accepted a grant to put tennis courts in at the high school, and they were obligated by the federal government to never remove or change those. When the ownership went from the town to the RSU and a portion of those tennis courts were covered over for the football area and parking, that meant we need to work with the Department of Natural Resources. What we have to do with them, in order to avoid having the responsibility of paying that back, is we had to come up with a new recreation area that met the equivalent amount of use of what the original grant was for and replace it with that. This parcel was the location that was chosen to solve that problem.

Councilor Morrison said anyone interested should call the Town Hall and talk with Tammy Hodgman in the Manager's Office. Barry said they will send a notice to all abutters in both neighborhoods. Councilor Kalogerakis suggested they have two residents from each side of the park.

Councilor Maxfield asked who the voting members were going to be? Barry said the four appointees plus the Councilor. Councilor Maxfield suggested they add that into the Charge. It says up to four, and if for any reason you did not get four from those neighborhoods, it is still a Windham paid for park, so if four didn't apply, it could be open to other members of the public if they wanted to be on it, or make two spots for non-people from that neighborhood. Barry said so two at-large and one from each side, and if we do not get any at-large and four from the subdivisions, then those four would be appointed. This will be taken up at the next meeting. Councilor Morrison said he would like to be the Councilor on the committee as he lives in that neighborhood.

A motion was made by Councilor Nadeau, seconded by Councilor Morrison, that

the Order be approved. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

25-091 To appoint David Foster to the Board of Assessment Review for a three-year term to end February 15, 2028.

Attachments: [25-091 Cover Sheet.pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

25-099 To approve one (1) application submitted by Omar Gonzales d/b/a Asian Boba & Appetizers for a new Mobile Food Service Unit License.

Attachments: [25-099 Cover Sheet.pdf](#)

[Asian Boba & Appetizers-New Mobile Food.pdf](#)

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

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

25-095 To approve the allocation of two (2) growth permits from the reserve pool for twenty dwelling units in one (1) multifamily dwelling structure in an approved development, Roosevelt Apartment Homes, located at 963 Roosevelt Trail in the North Windham Growth Area as designated in the Comprehensive Plan.

Attachments: [25-095 Cover Sheet.pdf](#)

[20-11 963 Roosevelt Apartment Homes Site Plan RECORDED](#)

[4-24-25.pdf](#)

[Roosevelt Apartments Reserve Pool \(2\) Application 6.5.2025.pdf](#)

[Growth Permit Summary_6-4-2025.pdf](#)

Manager Tibbetts said on the application the Council received they are requesting two growth permits. Because of the way our growth ordinance is written, you have to identify at least one of the five items that are on the application, and items C,D, & E are meeting that qualification for the Council to consider approving the two additional growth permits.

Councilor Henry asked if this passes and assuming we change our growth ordinance, can they ensure that these growth permits, as approved, equate to whatever the new math is, sixty units that comes out of our new account of growth permits? Barry said he was spot on and definitely they can take that transition from where we are at to the new and make

sure what has already happened gets accounted, so we are not restarting the whole growth re-licensing process.

Councilor Maxfield - so this project used the original three that were naturally allocated and they need these two to finish it. Barry said that was correct.

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

In Favor: 5 - Councilor Nadeau, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Opposed: 1 - Councilor Kalogerakis

Absent: 1 - Councilor Jones

25-106

To approve the allocation of three (3) growth permits from the reserve pool for twenty-four dwelling units in one (1) multifamily dwelling structures in an approved development, Anglers Road Residential Development, located at 15 Anglers Road in the North Windham Growth Area as designated in the Comprehensive Plan.

Attachments: [25-106 Cover Sheet.pdf](#)

[Town Council Growth Permit Reserve Pool Request.pdf](#)

[23-27 MSP FP \(SIGNED\) AnglersRoadResidDevel_091024.pdf](#)

[Growth Permit Summary_6-4-2025.pdf](#)

Manager Tibbetts said this applicant has provided that they meet the conditions C,D & E, like the prior applicant. Per our growth ordinance the applicant needs to meet one of those for them to receive the growth permits. In the way our current ordinance is written, as we work through these permits, it is challenging without changing some of the language, but under our current ordinance, this meets the approval status to move it forward. He thinks, in the future, they will be able to make some changes in how they view and review this. Their recommendation is to approve this request for the applicant.

Councilor Maxfield thinks someone needs to look at the reserve pool language, because what is written on the application is not the language in the ordinance. The language in the ordinance says the Council shall deem eligible to apply, and he thinks they need to talk about this. There is a disconnect here.

A motion was made by Councilor Nadeau, seconded by Councilor Reiner, that the Order be approved. The motion carried by the following vote:

In Favor: 5 - Councilor Nadeau, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Opposed: 1 - Councilor Kalogerakis

Absent: 1 - Councilor Jones

XI. Council Correspondence.

CD 25-119 FOAA Status Report.

Attachments: [Notionize Employee Info Acknowledgement and Response 5.28.25.pdf](#)
[FOIA Buildzoom Contractor License Info 5.29.25.pdf](#)
[FOAA Excessive Funds L Simmons 6.2.2025.pdf](#)

[CD 25-120](#) Letter of Thanks - Social Service Agency Funding.

Attachments: [Southern Maine Agency on Aging.pdf](#)
[Kennebec Behavioral Health.pdf](#)

[CD 25-123](#) Neighborhood Motorbike Comments.

Attachments: [Email J Jimino.pdf](#)

XII. Town Manager's Report.

Manager's Report:

He reminded the residents that the annual Town Meeting is this Saturday, June 14. It will be here at the Town Hall beginning at 10:00 a.m. in the gym.

Barry said this was his last Town Council meeting as the Town Manager, and he thanked everyone for the opportunity to serve the Council and the community of Windham. He appreciated the opportunity.

XIII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.

No report.

2. Finance Committee.

No report.

3. Ordinance Committee.

There was discussion about this committee and the difficulty on getting a time that all of them can meet.

B. Other Committees.

1. Parks & Recreation Advisory Committee.

No report.

2. Windham Economic Development Corporation.

No report.

3. Natural Resources Advisory Committee.

No report.

4. Greater Portland Council of Governments (GPCOG).

Councilor Maxfield said they had their annual meeting. They discussed the loss of local newspapers and dissemination of actual facts to the public.

5. ecomaine.

Assistant Manager Burns said their annual meeting will be next week.

6. Windham Middle School Repurpose Advisory Committee.

Manager Tibbetts said they have another walk-through on June 17th and then the various departments who might be moving into the middle school are working on layout designs with the architect for functionality so we can get to some pricing estimates by this fall.

XIV. Discussion Items.

***Note: Minutes are not taken for discussion items.**

CD 25-016 Growth Ordinance Amendments.

Attachments: [Chapter101_Growth_SummaryProposedChanges_052125.pdf](#)
[Graph_Cumulative Permits by Zone 2015-2024.pdf](#)
[Graph_Permits by Year by Structure Type.pdf](#)
[MRS Title 30-A Subsection 4314.pdf](#)
[MRS Title 30-A Subsection 4360.pdf](#)
[PlanningBoard_Pending_069025_BAT.pdf](#)

CD 25-124 Charter Change.

Attachments: [2025.06.05 Ltr TM re charter amendment to town meeting_procedure\(11937907.1\).pdf](#)
[Attny McCall Email_Charter.pdf](#)

XV. Agendas & Scheduling.**XVI. ADJOURN.**

9:28 p.m.

A motion was made by Councilor Henry, seconded by Councilor Kalogerakis, that they be adjourned. The motion carried by the following vote:

In Favor: 6 - Councilor Nadeau, Councilor Kalogerakis, Councilor Morrison, Councilor Reiner, Councilor Henry and Council Chair Maxfield

Absent: 1 - Councilor Jones

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM