



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, September 12, 2017

7:00 PM

Council Chambers

I. Roll Call of Members.

II. Pledge of Allegiance.

"We, the Windham Town Council recognize our individual and collective responsibilities as leaders and representatives of our community. To this end, we pledge to conduct ourselves in a manner befitting these roles and duties. We pledge and encourage others to 'Be the Influence' and to recognize that decisions matter." (Resolution 14-285, in support of the "Be the Influence" community collaborative in addressing the pervasive adverse effects of substance use and abuse in the community.)

III. Minutes to be Approved:

[CD 17-255](#)

To approve the minutes of the August 22, 2017 Council meeting.

Attachments:

[Minutes-Town Council-8-22-2017](#)

IV. 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.

Persons present at Council meetings are requested not to applaud or otherwise express, other than verbally, their approval or disapproval of any statements made or actions taken at such meeting.

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.

V. Councilors' Comments.

VI. Council Correspondence.

- [CD 17-251](#) Windham Historical Society Correspondence
Attachments: [Windham Historical Society Thank You](#)
- [CD 17-252](#) Portland Water District Newsletter
Attachments: [Sebago Lake Watershed News - Summer 2017](#)
- [CD 17-253](#) Windham Raymond School District RSU#14 - Notice of Revised Assessment
Attachments: [RSU14 Revised Community Assessment](#)
- [CD 17-254](#) Correspondence - Highland Lake Resident Concerns
Attachments: [Correspondence from Resident J. Goodall](#)
- [CD 17-261](#) The Opportunity Alliance Correspondence
Attachments: [Opportunity Alliance Letter of Thanks](#)
- [CD 17-262](#) VNA Home Health Hospice Correspondence
Attachments: [Letter of Thanks VNA Home Health Hospice](#)
- [CD 17-268](#) Windham Public Library Newsletter
Attachments: [Check It Out September 2017](#)
- [CD 17-278](#) Family Crisis Services Correspondence
Attachments: [Family Crisis Services Letter of Thanks](#)
- [CD 17-256](#) Junkyard Inspection Memo-2017
Attachments: [Junkyard Inspection Memo-2017](#)
- [CD 17-257](#) Windham Public Library Monthly Report - July 2017
Attachments: [Windham Public Library Monthly Report - July 2017](#)
- [CD 17-264](#) Investments as of June 30, 2017
Attachments: [Investments 06302017](#)
- [CD 17-265](#) Liability Accounts with Carryover Balances
Attachments: [Liability Accounts](#)

- [CD 17-267](#) Planning Board recommendation on proposed amendment to Town of Windham Land Use Ordinance, Chapter 140, Section 800 Site Plan Review and Section 900 Subdivision Review to change the number of required hardcopy application submissions and number of signature sheets for approved plans.

Attachments: [PB recommendation to TC Submission requirements 08-30-17_packet](#)

VII. Town Manager's Report.

- [CD 17-266](#) Town Manager's Report.

Attachments: [Town Manager's Report 20170908](#)
[WIN 19812 - 2017 Windham Vote Flyer, Final](#)
[Projects & Issues List 20170908](#)
[Projects & Issues Sheets 20170908](#)

VIII. Committee Reports.

The Chairman will ask for reports from Council subcommittees and representatives from other Council appointed committees at this time.

A. Council Subcommittees.

B. Other Committees.

IX. PUBLIC HEARINGS.

- [CD 17-263](#) To receive public comment on a new liquor license application submitted by Sonje Swensen d/b/a Windham Billiards.

Attachments: [Windham Billiards-New Liquor](#)

- [CD 17-270](#) Public hearing on LUO amendments re. retail marijuana establishments definitions.

Attachments: [PB recommendation to TC Retail Marijuana 08-31-17_packet](#)

- [CD 17-271](#) Public hearing on LUO amendments re. private roads.

Attachments: [TC packet_PB recommendation_Private Roads_09-01-17](#)

- [CD 17-277](#) To receive public comment on a new special amusement permit application submitted by Kennebec Hospitality LLC/Microtel Inn & Suites.

Attachments: [Kennebec Hospitality-Microtel-Special Amusement](#)

X. CONSENT AGENDA.

None.

XI. UNFINISHED BUSINESS & GENERAL ORDERS.

After each item is moved and seconded, and any remarks explaining the item, the Chairman will invite public comment on it before moving on to Council members' remarks, discussion, debate, and voting. Depending on the situation, public comment may be reopened or extended at the Chairman's discretion.

[17-155](#) To approve a liquor license application submitted by the Riding to the Top Therapeutic Riding Center for a fund-raising event to be held on October 14, 2017.

Attachments: [17-155 Cover Sheet](#)
[Riding to the Top-Liquor App](#)

[17-156](#) To approve a victualer's permit application submitted by Sonje Swensen d/b/a Windham Billiards, located at 824 Roosevelt Trail.

Attachments: [17-156 Cover Sheet](#)
[Windham Billiards-new Victualer's](#)

[17-157](#) To find that the requirements of 28-A M.R.S.A. § 653 have been met and to approve an application submitted by Sonje E. Swensen d/b/a Windham Billiards for a new liquor license.

Attachments: [17-157 Cover Sheet](#)
[Windham Billiards-New Liquor](#)

[17-166](#) To approve an application submitted by Kennebec Hospitality LLC d/b/a Microtel Inn & Suites located at 965 Roosevelt Trail for a new special amusement permit.

Attachments: [17-166 Cover Sheet](#)
[Kennebec Hospitality-Microtel-Special Amusement](#)

[17-167](#) To adopt an emergency ordinance establishing a moratorium on certain development activities in the Highland Lake watershed.

Attachments: [17-167 Cover Sheet](#)
[Moratorium on Highland Lake development to Council 090717](#)
[Highland Lake Moratorium Letter - Terradyn Consultants](#)
[Highland Lake Letter 2017_9_10](#)

[17-161](#) To approve amendments to Sections 300, 500, and 900 of the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham, regarding private roads and private ways, both as part of subdivision approval and outside of subdivision approval.

Attachments: [17-161 Cover Sheet](#)
[TC packet PB recommendation Private Roads 09-01-17](#)

[17-160](#) To approve amendments to Section 300 of the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham, to add definitions related to retail marijuana establishments.

Attachments: [17-160 Cover Sheet](#)
[PB recommendation to TC Retail Marijuana 08-31-17 packet](#)

[17-159](#) To approve Amendment No. 1 to the professional services agreement with Wright-Pierce for wastewater planning and engineering services as approved by order 16-032 on February 23, 2016 for scope tasks 3 and 4 in the amount of \$88,900.

Attachments: [17-159 Cover Sheet](#)
[W-P WindhamWWManagementPlanningScopeLetter\(11-30-2015\)](#)
[Windham Schedule](#)
[TIF Fund Balances FY 2018 20170908](#)

[17-162](#) To approve a Memorandum of Understanding and Agreement with Jamar, Inc. regarding the joint investigation of the feasibility, and potential development, of a wastewater collection, treatment, and disposal system that would serve Jamar, Inc.'s property and other properties and users in the vicinity.

Attachments: [17-162 Cover Sheet](#)
[MOU \(Jamar, Inc.\) 20170908](#)

[17-163](#) To approve an agreement for professional services with Wright-Pierce for a wastewater feasibility study of a site located on property of Jamar, Inc. (the "Lippman Site").

Attachments: [17-163 Cover Sheet](#)
[WindhamLippmanSiteAgreement20170811\(WPSigned\)](#)
[Windham Schedule](#)
[17-162 Cover Sheet](#)

[17-164](#) To authorize the sale of the Town's interest in a tax-acquired property located on Johnson Road (Map 24, Lot 24) to Jacquelynn and Daniel Brulotte for the amount of outstanding taxes, costs, and fees as outlined in a letter dated June 12, 2017 from attorney Stephen D. Bither.

Attachments: [17-164 Cover Sheet](#)
[Stephen D. Bither, Esq. Letter of June 12, 2017](#)

- [17-169](#) To amend the charge of the Natural Resources Advisory Committee as discussed at the Council meeting of September 5, 2017 (item CD 17-273), by removing references to August 15th as a date following which the committee would elect a chair and vice chair.

Attachments: [17-169 Cover Sheet](#)
[Natural Resources Advisory Committee Amendment DRAFT Mark-up 20170906](#)

- [17-170](#) To establish a Summerfest Organizing Committee and adopt a charge therefor as presented at the Council meeting of September 5, 2017 (item CD 17-274).

Attachments: [17-170 Cover Sheet](#)
[Summerfest Organizing Committee Charge DRAFT](#)

- [17-171](#) To adopt a resolution designating the five mile section of the Presumpscot River between Mallison Falls and Sacarappa Falls a "Presumpscot Historic and Natural River Corridor" as an important local historical and natural resource.

Attachments: [17-171 Cover Sheet](#)
[Resolution 17-171 Presumpscot Historic and Natural River Corridor](#)
[Presumpscot Resolution ORIGINAL](#)
[Presumpscot Resolution Revised 20170906 Mark-up](#)

XII. Discussion Items.

None.

XIII. Agendas & Scheduling.

- [CD 17-280](#) Agenda Items Reports.

Attachments: [Agenda Items Report 20170908](#)
[Projects & Issues List 20170908](#)
[Projects & Issues Sheets 20170908](#)

XIV. ADJOURN.