



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, January 15, 2019

6:00 PM

Council Chambers

POSTPONED FROM 1/8/2019

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 18-415](#)

To approve the Minutes of the December 18, 2018 Council meeting.

Attachments:

[Minutes-Town Council-12-18-2018](#)

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. PUBLIC HEARINGS.

[CD 18-405](#) To receive public comment on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Sections 400, 500 and 900 to cluster subdivision standards to include changes to ownership of open space, factors for reviewing lot arrangement, requiring a master plan for the property when it is not proposed to be fully subdivided and removing density bonuses for allowing public use of the open space in the Farm (F) and Farm Residential (FR) Districts.

Attachments: [TC packet PB recommend Cluster Subdiv 12-06-18](#)

VII. CONSENT AGENDA.

None.

[18-269](#) To approve applications for coin-operated device licenses submitted by Milton Smith d/b/a Smitty's Cinema-Windham, LLC

Attachments: [18-269 Cover Sheet](#)
[Smittys Cinema-Renewal for 7 Coin-op Devices](#)

[18-270](#) To approve applications for coin-operated licenses submitted by Roy Moore d/b/a Seacoast Funpark for 3 devices.

Attachments: [18-270 Cover Sheet](#)
[Seacoast Funpark-Renewal for 3 Coin-op Devices](#)

VIII. UNFINISHED BUSINESS & GENERAL ORDERS.

[18-257](#) To approve proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Sections 400, 500, and 900 related to cluster subdivision standards to include changes to ownership of open space, factors for reviewing lot arrangement, requiring a master plan for the property when it is not proposed to be fully subdivided and removing density bonuses for allowing public use of the open space in the Farm (F) and Farm Residential (FR) Districts.

Attachments: [18-257 Cover Sheet](#)
[TC packet PB recommend Cluster Subdiv 12-06-18](#)

[18-263](#) To approve an amendment to the charge for the Retail Medical and Adult-Use Marijuana Establishments Task Force, to increase the number of community member volunteers from six to seven individuals. (Initiated by Town Manager)

Attachments: [18-263 Cover Sheet](#)
[Retail Adult-Use and Medical Marijuana Establishments Task Force amendmen](#)

[18-264](#) To appoint Maureen Denig to the Parks and Recreation Advisory Committee for a three-year term to expire August 15, 2021. (Sponsored by Appointments Committee)

Attachments: [18-264 Cover Sheet](#)

[18-265](#) To appoint Dennis Brown to the Natural Resources Advisory Committee for a three-year term to expire August 15, 2021. (Sponsored by Appointments Committee)

Attachments: [18-265 Cover Sheet](#)

[18-266](#) To approve a new Victualer's permit application submitted by Giovanni P. Delovana d/b/a Little Caesar's Pizza, located at 741 Roosevelt Trail. (Initiated by Town Clerk)

Attachments: [18-266 Cover Sheet](#)
[New Victualer's-Little Caesar's Pizza](#)

[18-267](#) To appoint a Registrar of Voters to serve a two-year term. (Initiated by Town Clerk)

Attachments: [18-267 Cover Sheet](#)
[Registrar](#)

[18-268](#) To schedule a public hearing on a proposed "Moratorium Ordinance on Development in the Farm Zone" for the Council's regular meeting of January 22, 2019.

Attachments: [18-268 Cover Sheet](#)
[TC memo_LRPC work plan_01-04-19](#)
[Moratorium on Subdivisions in Rural Zone](#)
[Jim Cummings - Email Correspondence to Council](#)

IX. Discussion Items.

(Please note the time allotted for each item; if additional time is needed, it may have to be scheduled for another meeting.)

[CD 18-390](#) Proposed Changes in C-3 Zone. (Initiated by Town Manager)

Attachments: [TC memo Construction Services in C3 January 2019](#)
[Construction Services C-3_01-04-19](#)

7:45 PM

[CD 18-403](#) Process to Fill RSU #14 School Board Vacancy. (Initiated by Town Manager)

Attachments: [School Board Member Resignation](#)
[Title 20-A, §1474 Vacancies](#)
[School Board Requirements](#)

8:15 PM

[CD 18-408](#) Retirement Community and Care Facility Overlay District Amendments. (Sponsored by Councilors Nadeau and Maxfield)

Attachments: [LUO Section 400 E. RCCFO District](#)
[LUO Section 300 Definitions](#)
[Falmouth Ordinance sample](#)

8:45 PM

X. Council Correspondence.

[CD 18-417](#) Windham Public Library Newsletter

Attachments: [Check It Out - January 2019](#)

[CD 18-413](#) Windham Public Library Monthly Report - November 2018

Attachments: [Library - November 2018](#)

[CD 18-416](#) Social Services Monthly Report - November 2018

Attachments: [Social Services Monthly Report - November 2018](#)

[CD 18-420](#) Senator Bill Diamond Correspondence

Attachments: [Letter from Senator Bill Diamond](#)

[CD 18-421](#) Maine D.O.T. Notice

Attachments: [MDOT Rte 302 Resurfacing Project Notice](#)

[CD 18-422](#) MMA Correspondence - Legislative Bulletin

Attachments: [MMA Legislative Bulletin Preference Inquiry](#)

[CD 19-003](#) Holly Tubbs - Email Correspondence

Attachments: [H Tubbs email 12.13.2018](#)
[H Tubbs email 1.8.2019](#)

XI. Town Manager's Report.

XII. Committee Reports.**A. Council Subcommittees.**

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.
3. Windham Economic Development Corporation.
4. Highland Lake Leadership Team.
5. Shared Maintenance Facility Joint Project Team.
6. Mineral Extraction Committee.
7. Private Roads ad hoc Committee.
8. Natural Resources Advisory Committee.

XIII. Agendas & Scheduling.

[CD 19-004](#) Agenda Items Report

Attachments: [Future Agenda Items Report](#)

XIV. ADJOURN.