



# Town of Windham

Town Offices  
8 School Road  
Windham, Maine

## Meeting Agenda

### Town Council

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Tuesday, July 28, 2020

6:30 PM

Online Meeting Via Zoom

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To join the meeting remotely, use this link: <https://zoom.us/j/85864954368> You may also call 1-646-558-8656 and enter meeting ID: 858 649 54368.

#### I. Roll Call of Members.

#### II. Pledge of Allegiance.

#### III. Minutes to be Approved:

[CD 20-145](#) To approve the Minutes of the June 9, 2020 Council meeting.

Attachments: [Minutes-Town Council-6-9-2020](#)

[CD 20-146](#) To approve the Minutes of the June 11, 2020 Council meeting.

Attachments: [Minutes-Town COUNCIL-6-11-2020](#)

#### 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.

[20-115](#) To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Sections 1200 and Appendix A related to Public Safety and Municipal Offices Impact Fees.

**Attachments:** [20-115 Cover Sheet](#)  
[TC packet PB recommend PublicSafety-MuniOffice Impact Fee 07-22-20](#)  
[Impact Fees for Public Safety and Town Hall Facilities 07172020](#)  
[PB packet PublicSafety MuniOffice Impact Fee 07-09-20](#)

[20-128](#) To receive public comment and act on a proposed Growth Ordinance, Chapter 116, of the Code of the Town of Windham and Amendment to the Official Land Use Map of the Town of Windham, Maine, to change the boundary of the Retirement Community and Care Facility Overlay District.

**Attachments:** [20-128 Cover Sheet](#)  
[TC packet PB recommend Growth Management 07-22-20](#)  
[Windham-Growth-Management-Ordinance draft 061520](#)  
[RCCFO revised](#)  
[Building Permit count 1980 to 2019](#)

[20-151](#) To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, related to backlots.

**Attachments:** [20-151 Cover Sheet](#)  
[TC packet PB recommend Backlot 07-22-20](#)  
[Backlot Standards pre 10-2017](#)

[20-159](#) To receive public comment and act on a new application submitted by Eagle Sushi & Steakhouse I Inc. and to find that the requirements of 28-A M.R.S.A. § 653 have been met for a new Liquor License.

**Attachments:** [20-159 Cover Sheet](#)  
[Eagle Shusi & Steakhouse New Liquor License](#)  
[Eagle Sushi-B.G.check](#)

## VII. CONSENT AGENDA.

[20-149](#) To find that the requirements of Section 653 of Title 28-A have been met and to approve an application submitted by Apple American Group LLC d/b/a Applebee's Neighborhood Bar & Grill for an Extension of License on Premise.

**Attachments:** [20-149 Cover Sheet](#)  
[Applebee's Extension of License on Premise](#)  
[Applebee's Liq Addendum](#)

[20-154](#) To find that the requirements of Section 653 of Title 28-A have been met and to approve an application submitted by Rustler's Windham Inc. for an Extension of License on Premise.

**Attachments:** [20-154 Cover Sheet](#)  
[Rustler's Extension of License on Premise](#)

[20-157](#) To approve a new Victualer's permit application submitted by Min Qiang Lin d/b/a Eagle Sushi & Steakhouse Inc. located at 818 Roosevelt Trail.

**Attachments:** [20-157 Cover Sheet](#)  
[Eagle Sushi & Steakhouse-New Victualer's permit](#)

[20-158](#) To find that the requirements of Section 653 of Title 28-A have been met and to approve an application submitted by Min Qiang Lin d/b/a Eagle Sushi & Steakhouse I Inc. for an Extension of License on Premise.

**Attachments:** [20-158 Cover Sheet](#)  
[Eagle Sushi&Steakhouse I Inc-Ext of Lic on Premise](#)

[20-160](#) To approve a new Victualer's permit application submitted by FQSR, LLC d/b/a KBP Foods (Kentucky Fried Chicken), located at 755 Roosevelt Trail.

**Attachments:** [20-160 Cover Sheet](#)  
[KFC-New Victualer's Permit](#)

[20-161](#) To approve a new Victualer's permit application submitted by FQSR, LLC d/b/a/ KBP Foods (Taco Bell), located at 755 Roosevelt Trail.

**Attachments:** [20-161 Cover Sheet](#)  
[Taco Bell New Victualer's Permit](#)

[20-162](#) To find that the requirements of Section 653 of Title 28-A have been met and to approve an application submitted by Hana Asian Cuisine Inc, for an Extension of License on Premise.

**Attachments:** [20-162 Cover Sheet](#)  
[Hana Asian Cuisine-Extension of Lic. on Premise](#)

## **VIII. UNFINISHED BUSINESS & GENERAL ORDERS.**

[20-127](#) To create a Public Dirt Road Sub-Committee assigned to prioritize the repair, reconstruction and pavement of town-owned dirt roads and appoint Councilors Maxfield and Nadeau to serve as members.

**Attachments:** [20-127 Cover Sheet](#)  
[Public Dirt Road Sub-Committee Draft 2020 0728](#)

[20-150](#) To award a contract for architectural services to Harriman in the amount up to \$70,500, said amount to be paid from account TM-2021-003 for the Public Safety Building renovation and expansion project, and to authorize the town manager to execute a contract and to take any other necessary action related thereto.

**Attachments:** [20-150 Cover Sheet](#)

[20-155](#) To award a contract for Bonding Agent services to Moors & Cabot in the amount of \$43,520, said amount to be paid from TM-2021-003, for various approved capital expenditures, and to authorize the Town Manager to execute a contract and to take any other necessary action related thereto.

**Attachments:** [20-155 Cover Sheet](#)  
[Approved Town Warrant](#)  
[Moors & Cabot Inc.](#)  
[Moors Cabot Recent Issues](#)  
[Northeast Municipal Advisors LLC](#)  
[Northeast Municipal Advisors Recent Issues](#)

[20-156](#) To adopt a resolution to support Windham's participation in the Workers' Compensation Safety Incentive Program affirming the town's commitment to a safe and healthful workplace.

**Attachments:** [20-156 Cover Sheet](#)  
[Memo Worker's Compensation Safety Incentive Program](#)  
[WC Safety Incentive Program Resolve](#)

[20-163](#) To amend the Tax Increment Finance and Credit Enhancements Agreements Policy to establish an expense approval process and timeline.

**Attachments:** [20-163 Cover Sheet](#)  
[TIF Policy ADOPTED 20171024](#)  
[TIF Policy Proposed Amendment 2020 0728](#)  
[TIF Funded Projects](#)  
[TIF Account Status](#)

## **IX. Council Correspondence.**

[CD 20-149](#) Southern Maine Agency on Aging - Letter

**Attachments:** [SMAA Thank You](#)

## **X. Town Manager's Report.**

**XI. 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. Natural Resources Advisory Committee.
6. Public Easement Advisory Committee.

**XII. 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 20-139](#)

## Westbrook Housing Presentation - Affordable and Senior Housing.

In January, the Council discussed having Westbrook Development Corporation and Westbrook Housing hold listening sessions for “Windham Affordable and Senior Housing.” Those sessions were held in February and March prior to the COVID-19 pandemic outbreak.

The attached summary represents the findings along with our comprehensive plan and demographic information. Should the Council determine next steps are necessary, staff is recommending these items be considered for the workshop discussion:

1. Identify market cost housing for Windham in several categories;
2. Learn and examine options to fund various housing opportunities ranging from work force, affordable and senior housing, and how our demographics indicate the level of need.
3. Identify location options by zoning, transportation, walkability and other pertinent factors.

**Attachments:**[CD 20-139 Discussion Cover Sheet](#)[Windham Affordable Housing Listening Sessions Report](#)

CD 20-140

## Windham Website Update.

The Town worked with CivicPlus to provide us with a “Basic Redesign” at no cost as part of our initial 2013 contract.

\*The timeline from start to finish was estimated to take from 28 to 30 weeks (by CivicPlus).

\*Throughout the process, feedback was solicited from the community and Town employees which enabled the team in establishing goals for the new website design.

\*Due to the team’s diligence in completing all tasks on our end as quickly as possible, the project was completed in 25 weeks! The result is a beautiful website that provides accurate, non-editorial content that informs, educates and enlightens citizens about the functions, services, activities, issues, operations, and projects of Windham’s municipal government. In addition, it facilitates, where appropriate, the delivery of direct services as provided by Windham’s municipal government to its citizens and other customers.

\*Going forward, we have one employee, Tammy Hodgman, who will serve as the Town’s Website Coordinator. She will facilitate website content and design as part of her new role.

**Attachments:**

[CD 20-140 Discussion Cover Sheet](#)

[Website Policy](#)

[New homepage photos](#)

[New Navigation Buttons](#)

[Homepage Calendar feature](#)

[Homepage newsflash items](#)

CD 20-104

## Shaping Growth - Rural Performance Design Standards.

**Attachments:**

[TC packet LRPC rural zoning 07-23-20](#)

[GrowSmart Maine Maximum-Lot-Size-and-Densities-Rural-Zones](#)

[CD 20-148](#)

Public Request to Change Chapter 227 - Vehicles & Traffic Ordinance.

The Town received this request for changes/additions to the Vehicles & Traffic Ordinance from residents on Fox Run Road subdivision. The impetus for this request came from an eighteen-wheeler parked on Fox Run Road. Based on current state law the Town's ability to manage the issue was limited. The solution is to modify our current language.

The recommendation to move forward would be to review the items on the requested petition, examine other areas of applicability with revisions for an ordinance amendment. We would look to have this to the Council in September.

**Attachments:**

[CD 20-148 Discussion Cover Sheet](#)

[Chapter 227 Vehicles and Traffic](#)

[Fox Run Road petition](#)

**XIII. Agendas & Scheduling.**

**XIV. ADJOURN.**