



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, May 25, 2021

6:30 PM

Remote Via Zoom

To Join the meeting remotely use this link: <https://us02web.zoom.us/j/82323695753> or you may call 1-646-558-8656 and enter meeting ID: 823 2369 5753.

In accordance with Public Law Chapter 617 adopted as emergency legislation by the Maine State Legislature on March 17, 2020 and signed into effect by Governor Mills, 1 MRSA § 403-A permits public proceedings through remote access during the declaration of state of emergency due to COVID-19.

Zoom will be the meeting platform used by both the Council and the public. Information about using Zoom is available at <https://support.zoom.us/hc/en-us/articles/115004954946-Joining-and-participating-in-a-webinar-attendee->.

Please note that members of the public will need to use the raise your hand feature in Zoom or type *9 on the phone to be called on and heard during the public testimony portion of the agenda.

If you prefer, you may also email the Council at TownCouncil@windhammaine.us prior to the meeting with your thoughts on an issue and if you would like, please note that you would like the email read into the record during public participation or during that agenda item. Please keep in mind we request stated comments to be three minutes or less.

The meeting will be recorded and broadcast live on WindhamTV (Channel 7) and the Town's Facebook page.

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 21-092](#) To approve the Minutes of the May 11, 2021 Council meeting.

Attachments: [Minutes-Council-5-11-2021.pdf](#)

IV. Adjustments to the Agenda.

V. 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.

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.

VI. Councilors' Comments.

VII. PUBLIC HEARINGS.

[21-071](#) To receive public comment and act on a proposed Restriction of Vehicle Weight on Posted Ways Ordinance, Chapter 192 of the Code of the Town of Windham.

Attachments: [21-071 Cover Sheet.pdf](#)
[Ordinance Restricting Vehicle Weight on Posted Ways KMC edit.pdf](#)
[Ordinance Restricting Vehicle Weight on Posted Ways KMC edit CLEAN.pdf](#)

[21-101](#) To receive public comment and act on the proposed amendments to the Surface Water Protection Ordinance, Chapter 142, of the Code of the Town of Windham.

Attachments: [21-101 Cover Sheet.pdf](#)
[Surface Water Protection - Chapter 142_revised 04-05-21.pdf](#)
[TC memo NRAC Shoreland Surface Water 04-06-21.pdf](#)
[2021 Recommendations for Prioritizing Windham's Waterbodies.pdf](#)

[21-115](#) To receive public comment and act on a new license with name change for a junkyard/automobile graveyard licensed to Michael Bryant d/b/a SOS Auto Salvage and currently owned by Lewis Weatherby at 26 Anthoine Road.

Attachments: [21-115 Cover Sheet.pdf](#)
[M Bryant Request to Postpone Order.pdf](#)
[Junkyard Memo.pdf](#)
[Junkyard Name Change.pdf](#)
[Winslow Letter.pdf](#)
[26 Anthoine Rd Legal Direction to CEO.pdf](#)

[21-120](#) To receive public comment and act on an application submitted by Jacko Labs LLC to be located at 639 Roosevelt Trail, for a new Marijuana Manufacturing Facility, Tier 1. Application received in the Clerk's Office on May 10, 2021.

Attachments: [21-120 Cover Sheet.pdf](#)
[Jacko Labs LLC- Addendum.pdf](#)

VIII. CONSENT AGENDA.

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[21-098](#) To make an appointment to the Town Council.

Attachments: [21-098 Cover Sheet.pdf](#)

[21-087](#) To accept nominations for and appoint a councilor to the Appointments Committee.

Attachments: [21-087 Cover Sheet.pdf](#)

[21-088](#) To appoint a Councilor to the Natural Resources Advisory Committee.

Attachments: [21-088 Cover Sheet.pdf](#)

[21-089](#) To appoint a Councilor to the Marijuana License Fee Committee.

Attachments: [21-089 Cover Sheet.pdf](#)

[21-091](#) To set the Council's meeting schedule for June 15, July 13, and August 10, 2021.

Attachments: [21-091 Cover Sheet.pdf](#)

[21-092](#) To refer proposed ordinance changes to Chapter 199, Shoreland Zoning and the Official Land Use Map, as proposed by the Natural Resources Advisory Committee, to the Planning Board for its review and recommendation.

Attachments: [21-092 Cover Sheet.pdf](#)
[TC Memo ShorelandMap 05-07-21.pdf](#)
[TC memo NRAC Shoreland Surface Water 04-06-21.pdf](#)
[Shoreland Zoning - Chapter 199 revised 04-05-21.pdf](#)
[shorelandzoningmap_wetlands 05-19-2021.pdf](#)

[21-117](#) To refer proposed changes to the Official Land Use Map, Pleasant River Resource Protection District, as proposed by the Natural Resources Advisory Committee, to the Planning Board for its review and recommendation.

Attachments: [21-117 Cover Sheet.pdf](#)
[TC memo NRAC Shoreland Surface Water 04-06-21.pdf](#)
[TC Memo ShorelandMap 05-07-21.pdf](#)
[shorelandzoningmap_Pleasant 05-19-2021.pdf](#)

[21-118](#) To refer proposed changes to the Official Land Use Map, Stream Protection District, as proposed by the Natural Resources Advisory Committee, to the Planning Board for its review and recommendation.

Attachments: [21-118 Cover Sheet.pdf](#)
[TC Memo ShorelandMap 05-07-21.pdf](#)
[TC memo NRAC Shoreland Surface Water 04-06-21.pdf](#)
[shorelandzoningmap_streams 05-19-2021.pdf](#)

[21-112](#) To appoint Allan Phinney to the Long Range Planning Committee.

Attachments: [21-112 Cover Sheet.pdf](#)

[21-113](#) To appoint Kayla Desmond for a three-year term to the Parks and Recreation Advisory Committee, to expire August 15, 2024.

Attachments: [21-113 Cover Sheet.pdf](#)

[21-114](#) To approve an application submitted by Gilberts Chowder House II located at 61 Tandberg Trail for a renewal Special Amusement permit.

Attachments: [21-114 Cover Sheet.pdf](#)
[Gilbert's Chowder-Special Amusement.pdf](#)

21-116

To accept Forsythia Lane as a public way and provide consent to accept a five-foot easement from said public way through to the property line to Donnabeth Lippman Park; and to further authorize the Town Manager to take any other necessary action related thereto to finalize the action.

Attachments:

[21-116 Cover Sheet.pdf](#)

[Forsythia Lane- Public Road Acceptance Memorandum.pdf](#)

[Public Acceptance of Streets 2017](#)

X. Council Correspondence.**CD 21-093**

Financial Reports.

Attachments:

[Revenues April 2021.pdf](#)

[Expenses April 2021.pdf](#)

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

XIII. Discussion Items.

[CD 21-089](#) Proposed Amendments to Tax Acquired Property Policy.

Attachments: [Proposed Tax Acquired Property -Disposition of - Policy 5.3 2021 KMC TH for Proposed Tax Acquired Property -Disposition of - Policy Final Clean 052521.pdf](#)

[CD 21-084](#) Proposed Pawnbrokers and Secondhand Dealers Licensing Ordinance.

Attachments: [DRAFT Pawnbroker and Secondhand Dealer Licensing Ordinance Ch. 174 KM\(](#)
[DRAFT Pawnbroker and Secondhand Dealer Licensing Ordinance Ch. 174 KM\(](#)

[CD 21-088](#) Agreement with R.S.U. 14 for Manchester Fields Project.

Attachments: [Agreement re easement \(002\).pdf](#)
[C7- site layout.pdf](#)

[CD 21-091](#) Growth Permit Ordinance.

Attachments: [Growth Ord Information1 \(002\).pdf](#)
[Growth Ord discussion points Bat 5 23 \(002\).pdf](#)

XIV. Agendas & Scheduling.

XV. Executive Session.

[21-108](#) To enter into executive session under 1 M.R.S.A. §405(6)(D) for “discussion of labor contracts and proposals and meetings between a public agency and its negotiators” on the collective bargaining agreement with Teamsters Local 340 for the Windham Public Works Highway Division.

Attachments: [21-108 Cover Sheet.pdf](#)

[21-119](#) To enter into executive session in accordance with Title 1 M.R.S.A. §405 (6) (C) for the discussion or consideration of the condition, acquisition or the use or real or personal property permanently attached to real property or interests therein since premature disclosures of the information would prejudice the competitive or bargaining position of the Town.

Attachments: [21-119 Cover Sheet.pdf](#)

XVI. ADJOURN.