



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Agenda

Town Council

Tuesday, September 13, 2022

6:30 PM

Council Chambers

To join the meeting remotely, use this link: <https://us02web.zoom.us/j/84215442810>.

You may also call 1-646-558-8656 and enter meeting ID: 842 1544 2810

I. Roll Call of Members.

II. Pledge of Allegiance.

III. Minutes to be Approved:

[CD 22-108](#) To approve the Minutes of the August 16, 2022 Council meeting.

Attachments: [Minutes-Council-8-16-2022.pdf](#)

[CD 22-109](#) To approve the Minutes of the August 24, 2022 Special Council meeting.

Attachments: [Minutes-Council-8-24-2022.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.

[22-146](#) To receive public comment and act on a new application submitted by Joseph Ferri d/b/a Kind & Co. to be located at 8 Heathwood Drive, for a Marijuana Manufacturing Facility.

(Application received in the Clerk's Office on July 21, 2022.)

Attachments: [22-146 Cover Sheet.pdf](#)
[Kind & Co's Council Memo & Addendum.pdf](#)

Legislative History

8/16/22 Town Council postponed

[22-156](#) To receive public comment and act on a renewal Marijuana Manufacturing License issued to Jackson Banks at 639 Roosevelt Trail in accordance with Chapter 128-8 (H) of the Code of the Town of Windham.

Attachments: [22-156 Cover Sheet.pdf](#)
[Email re Business License Withdrawal.pdf](#)

[22-160](#) To receive public comment and act on Adult Use Marijuana Stores and Medical Marijuana Caregiver Retail Stores renewal license applications for a term of one-year in accordance with Chapter 128 of the Code of the Town of Windham.

Attachments: [22-160 Cover Sheet.pdf](#)
[Marijuana Inspection Memo & Retail Store List.pdf](#)
[Addendums for Adult & Medical Stores.pdf](#)

[22-172](#) To hear an appeal for a Towing and Towing Businesses Ordinance notice of violation received by H & Y Best Towing and act to reverse, nullify, or sustain the decision of the Chief of Police.

Attachments: [22-172 Cover Sheet.pdf](#)
[Windham PD Notice of Towing Ordinance Violation.pdf](#)
[H & Y Best Towing Appeal Hearing Request.pdf](#)
[CH 215 Towing and Towing Businesses.pdf](#)

VIII. CONSENT AGENDA.

(None)

IX. UNFINISHED BUSINESS & GENERAL ORDERS.

[22-151](#) To appoint Austin Coco to the Natural Resources Advisory Committee, for three-year term to expire August 15, 2025.

Attachments: [22-151 Cover Sheet.pdf](#)
[Natural Resources Advisory Committee Charge](#)

[22-153](#)

To appoint Alex Lopes to the Windham Economic Development Corporation, for a two-year term to end February 15, 2024.

Attachments:

[22-153 Cover Sheet.pdf](#)

[WEDC By-Laws](#)

[22-155](#)

To appoint Mindy Schwartz to the Natural Resources Advisory Committee, for three-year term to expire August 15, 2025.

Attachments:

[22-155 Cover Sheet.pdf](#)

[Natural Resources Advisory Committee AMENDED20210615.pdf](#)

[22-157](#)

To appoint Tom Bartell, representative from the Windham Economic Development Corporation, to the Branding and Wayfinding Signage Committee.

Attachments:

[22-157 Cover Sheet.pdf](#)

[Branding & Wayfinding Signage Committee.pdf](#)

[22-158](#)

To appoint Robin Mullins, representative from the Sebago Lake Chamber of Commerce, to the Branding and Wayfinding Signage Committee.

Attachments:

[22-158 Cover Sheet.pdf](#)

[Branding & Wayfinding Signage Committee.pdf](#)

[22-159](#)

To appoint Elizabeth McDougall to the Library Board of Trustees, for three-year term to expire February 15, 2025.

Attachments:

[22-159 Cover Sheet.pdf](#)

[Windham Public Library ByLaws - Board of Trustees](#)

[22-161](#)

To appoint Charlotte Mace to a two-year term on the WEDC, to expire February 15, 2024.

Attachments:

[22-161 Cover Sheet.pdf](#)

[WEDC By-Laws.pdf](#)

[22-162](#)

To appoint Shawn Hardy for a three-year term to the Parks and Recreation Advisory Committee, to expire August 15, 2025.

Attachments:

[22-162 Cover Sheet.pdf](#)

[Parks and Recreation Advisory Committee Charge](#)

[22-164](#)

To accept the public easements for Shore Road, identified by the Town as Designated Private Ways and that have met the criteria set forth by private and special law L.D. 1975, for the purpose of the Town's continued winter maintenance services on the defined public easement area.

Attachments:

[22-164 Cover Sheet.pdf](#)

[Shore Road Easement Agreements \(35 MB\).pdf](#)

[22-165](#) To approve a purchase and sale agreement for approximately 2.0 acres of what is referred to as the Taylor parcel, which abuts the Town's North Windham Sewer Project, and to authorize the Town Manager to take any other action related thereto to finalize the sale.

Attachments: [22-165 Cover Sheet.pdf](#)

[22-166](#) To authorize the disbursement of funds to public health and safety programs as recommended by the Marijuana License Fee Committee.

Attachments: [22-166 Cover Sheet.pdf](#)
[2022-07 Natural High Program Grant.pdf](#)
[MLF Committee Grant Approval.pdf](#)

[22-167](#) To authorize the Town Treasurer to negotiate the terms of an Equipment Lease Purchase Agreement and related documents providing financing of an estimated \$837,000.000 plus interest, equipment cost inflation, maturity, and other terms and conditions with whatever financial institution the Treasurer deems appropriate and to award the Equipment Lease Purchase Agreement to such financial institution as they deem to be in the best interests of the Town in order to provide the Town with the following budgeted items; 1) Fire Dept. Car 3, 2) Ambulance # 1, 3) Fire Dept. Unit 8 Pickup, 4) Dump Truck #3, 5) Firewall Switch Replacement, 6) Fire Dept. ATV and equipment, 7) Public Works Pickup #82, 8) Public Works Pickup #98, 9) Police Crime Scene Crash Reconstruction Truck, 10) CPR Compression Units and 11) Animal Control Officer Truck.

Attachments: [22-167 Cover Sheet.pdf](#)
[Equipment to be Leased.pdf](#)

[22-169](#) To accept the resignation of Councilor Reiner as a member of the Ordinance Committee.

Attachments: [22-169 Cover Sheet.pdf](#)

[22-170](#) To appoint a Councilor to the Ordinance Committee.

Attachments: [22-170 Cover Sheet.pdf](#)

[22-171](#) To identify Town-owned tax acquired properties to dispose of and to authorize the Town Manager to take any necessary action related thereto.

Attachments: [22-171 Cover Sheet.pdf](#)
[Disposition of Tax Acquired Property Policy ADOPTED 2021 0615.pdf](#)
[Tax Acquired Properties to Dispose.pdf](#)

X. Council Correspondence.

[CD 22-110](#) Junkyard inspection reports.

The Council will review the inspection report from the CEO for the Town's currently licensed junkyards. A public hearing and vote on the license renewals is scheduled for the meeting of September 27, 2022.

Junkyards and automobile graveyards are not permitted uses under Windham's Land Use Ordinance. The junkyards licensed by the town are grandfathered (i.e. existed before the town adopted zoning in the 1970's) and operating under permits granted by the Council under the provisions of Maine statute.

Please see attached report.

Attachments: [Junk Yard Inspection Memo -2022.pdf](#)

[CD 22-111](#) Social Service Agency Funding Correspondence.

Attachments: [Northern Light Home Care & Hospice Thank You.pdf](#)
[The Opportunity Alliance Thank You.pdf](#)
[The LifeFlight Foundation Thank You.pdf](#)

[CD 22-112](#) Designated Private Ways - Status Update.

Attachments: [Designated Private Ways STATS.pdf](#)

XI. Town Manager's Report.

XII. Committee Reports.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.
3. Ordinance 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 22-114](#) Proposed Land Use Ordinance Amendments to Industrial (I) District.

Attachments: [TC memo_I_amendmend_09-09-22.pdf](#)
[Industrial District \(I\)_draft 09-2022.pdf](#)

[CD 22-115](#) Proposed Land Use Ordinance Amendments to Commercial I (C-I)
Related to Marijuana Cultivation Facilities.

Attachments: [Cultivation \(C-1\) Amend 09-2022.pdf](#)

[CD 22-116](#) W.E.D.C. Study for North Windham Business Development.

[CD 22-113](#) North Windham Sewer Project Update.

XIV. Agendas & Scheduling.

XV. ADJOURN.