



Town of Windham
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MEMO

DATE: November 9, 2023

TO: Windham Town Council

THROUGH: Barry Tibbetts, Town Manager

FROM: Amanda Lessard, Planning Director

Cc: Windham Planning Board

RE: Planning Board Recommendation - #23-32 Amendment to Code of the Town of Windham Chapter 120 Land Use Ordinance, Article 4 Zoning Districts, Section 120-413 Industrial District (I).

Overview

At the Planning Board meeting on [October 23, 2023](#), a public hearing was held on the proposed Land Use to the Land Use Ordinance Article 4 Zoning Districts, [§ 120-413 Industrial District \(I\)](#). The amendments were drafted by staff following discussion with development opportunities in the I District with Windham Economic Development Corporation (WEDC) and I property owners. The changes would allow for development in the I District to be more similar in uses and dimensional and performance standards as those found in the [§ 120-414 Enterprise Development District \(ED\)](#). The Town Council Ordinance Committee unanimously recommended the amendments.

The I District is shown on the [Town of Windham Land Use Map](#) in South Windham between River Road and the Presumpscot River around Gambo Road, and at Mallison Falls Road. The ED District is in North Windham off Enterprise Drive. The I District boundaries and standards today are substantively the same as when Windham's first Land Use Ordinance and Zoning Map were adopted in 1976, although seven residential properties along River Road were removed from the I District in January 2023. The ED District was established in 1999.

Summary of Proposed Changes

- Additional Permitted Uses
 - Business and professional office; Contractor services; Contractor services, landscaping; Contractor storage yard; Construction services, heavy, major; and Construction services, heavy, minor.
- Front Setback reduced from 100 feet to 40 feet
- Addition of required buffer yard along street (Buffer Yard A, 30 feet)
- Removal of open space requirement and replacement with new maximum building coverage and maximum impervious area standard
- Required screening of outdoor storage from view of public ways

Planning Board Review and Recommendation

No members of the public spoke for or against the proposed amendment during the Planning Board's public hearing held on October 23, 2023.

The Board discussed how the 30 foot buffer along the street sounded prohibitive and should not be the same for office uses compared to other commercial uses, but that the buffer was more important when abutting an existing residential property, the reduced setback did not protect the residential homes, that storage should

be defined, and questioned if the existing roadways and infrastructure was adequate to support increased commercial uses. Following discussion of the proposed changes, the Board made the following motion:

To recommend with comments the proposed amendments to Chapter 120 Land Use Ordinance, Article 4 Zoning Districts, Section 120-413 Industrial District (I). The Board commented that there should be some flexibility the buffer requirements from the road for some uses, like business professional office, and storage should be defined in Section 120-413F(3).

Motion: Christian Etheridge
2nd: Kathleen Brown

Vote: 7-0