

Windham Economic Development Corporation

Promoting Sound Economic Investment in Windham

To: Windham Town Council
From: Tom Bartell, Executive Director, WEDC
Date: March 14, 2019
Re: Construction/Contractor Services in C3

Issue

The Town Council has been asked by the public and the WEDC to consider allowing Construction Services in the C-3 district. Two proposals were presented at the Town Council meetings of January 15, 2019 and then February 25, 2019. At the February meeting the proposal included changes to other zoning districts that may be reasonable given the more fine-grained definitions and performance standards.

After Town Council discussion, staff was charged with presenting changes to the C3 Zone that would allow many of the uses currently defined as Construction Services and limit the “heavy construction” businesses to current zones. The included draft ordinance language limits the changes to C-3.

The Definitions and Use Charts below describe the current definitions and current zoning, new definitions and current zoning, and new definitions and addition of uses to the C3 Zone.

Standards for these new uses are further described in the draft ordinance changes prepared by the Planning Department.

Current Definitions

Construction Services. The performance of work or the furnishing of supplies to members of the building trades which requires the storage of materials and/or the location of commercial vehicles on the property of the construction services business. This includes, but is not limited to, plumbing, painting, building, well drilling, carpentry, masonry, or electrical installation.

Service Business, Landscaping. The business location of a person engaged in the commercial practice of landscaping and who performs or furnishes the labor, and/or materials necessary to maintain or beautify land by contract or consent of the landowner, including, but not limited to; lawn care, planting, care of trees and shrubs, and winter maintenance services such as snow plowing.

In this table, P = permitted use, C = conditional use, and X = use not permitted

Current Uses										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Construction Services	X	X	X	X	P	X	X	X	P	P
Service Business, Landscaping	P*	X	X	X	P	X	P	X	X	X

*permitted only as an accessory use to the Nursery use

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Proposed Definitions (to replace Construction Services and Service Business, Landscaping)

Contractor Services. A business engaged in the construction, renovation, maintenance or repair of residential or commercial buildings and structures, including building systems exterior to those buildings or structures. Such businesses include, but are not limited to plumbing, painting, building, well drilling, carpentry, masonry, electrical, roofing, heating, cooling and ventilation systems, and siding. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

Contractor Services, Landscaping. A business engaged in the decorative and functional alteration, planting and maintenance of residential and commercial grounds, including winter maintenance, like snow plowing and shoveling services. Such a business may engage in the installation and construction of underground improvements but only to the extent that such improvements (e.g., drainage or irrigation) are accessory to the principal business and are necessary to support or sustain the landscaped surface of the ground.

Contractor Storage Yard. A portion of a lot or parcel used for the outdoor storage of equipment, vehicles, machinery, or materials used by and accessory to onsite Contractor Services or Contractor Services, Landscaping, or Heavy Construction Services.

Construction Services, Heavy. A business engaged in the construction and maintenance of infrastructure, including road and utility construction or paving. This use is characterized by specialized heavy equipment, including graders, loaders, backhoes, dump trucks, cement mixers, etc. This use includes indoor repair, maintenance, or storage of contractor's vehicles, machinery, equipment or materials and space for the contractor's business office.

New Definitions Current Uses										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Contractor Services	X	X	X	X	P	X	X	X	P	P
Contractor Services, Landscaping	P*	X	X	X	P	X	P	X	X	X
Contractor Storage Yard	P*	X	X	X	P	X	P	X	P	P
Heavy Construction Services	X	X	X	X	P	X	X	X	P	P

*permitted only as an accessory use to the Nursery use

New Definitions Current Uses plus C3 (as suggested by Town Council)										
	F	FR	RL	RM	C-1	C-2	C-3	I	ED	VC
Contractor Services	X	X	X	X	P	X	P	X	P	P
Contractor Services, Landscaping	P*	X	X	X	P	X	P	X	X	X
Contractor Storage Yard	P*	X	X	X	P	X	P	X	P	P
Heavy Construction Services	X	X	X	X	P	X	X	X	P	P

*permitted only as an accessory use to the Nursery use