

Town of Windham

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MEMO

DATE: December 6, 2019

TO: Windham Planning Board

FROM: Amanda Lessard, Planning Director 

Cc: Jennifer Curtis, Planner
Chris Hanson, Director of Code Enforcement
Dustin Roma, P.E., DM Roma Consulting Engineers

RE: Zone Change Application – Junco Drive, Tax Map 5 Lot 1-1
Planning Board Meeting & Public Hearing – December 9, 2019

A public hearing is scheduled for the Planning Board meeting on December 9, 2019, for the attached zoning amendment request to rezone a portion of a 5.98 acre property on Junco Drive, identified on Tax Map 5; Lot 1-1. The property is located off River Road in South Windham, between Route 202 and Gambo Road. The request is to change the zoning for a portion of the property from Farm Residential (FR) to Medium-Density Residential (RM). Currently the front 300 feet of the parcel is zoned RM and the rear of the parcel is zoned FR.

The Planning Board approved a 4 unit/2 duplex condominium development on the RM portion of this property on September 24, 2018. The development is currently under construction. The purpose of the zone change request is to allow for the continuation of the development with same type of housing on the property. New Two-Family and Multifamily Dwellings are not a permitted use in the FR zone, while they are permitted in the RM zone at a net residential density of 15,000 square feet per dwelling unit. The property as currently zoned would allow for an additional 4 single family dwellings. If the full parcel were zoned RM, an additional 11 dwelling units, or 5 duplexes could be permitted. Please note that the current application is for the rezoning of property only. The development that the applicant is proposing would also require subdivision approval.

This is the third time this property has requested a zone change. In 2005 there was a request to change the zoning of this property from Industrial (I) to Medium-Density Residential (RM). The Town Council ultimately approved a zoning map amendment to the existing Farm Residential (FR) zone. In 2017 this same applicant requested to change the zoning of this property from Farm Residential (FR) to Medium-Density Residential (RM). The Planning Board recommend the zone change in a 3-1 vote, but the Town Council ultimately voted down the request 2-4 on January 30, 2018. The Council reconsidered their vote at a meeting on March 27, 2018 but the motion failed with a tie vote 3-3 with one Councilor absent. The previous application meeting minutes are included in the packet.

There are no specific standards in the Town ordinance by which to judge the proposed zoning change, but State statute requires all proposed zoning changes and zoning map amendments to be consistent with the goals and objectives of the Comprehensive Plan.

After the public hearing and discussion by the Board, the Planning Board may vote on a recommendation to the Town Council similar to the following:

MOTION: To (**recommend/recommend with comments/not recommend**) approval of the proposed zoning map amendment to rezone a portion of the property identified as Tax Map 5; Lot 1-1, from FR to RM.