



**Town of Windham**  
Office of the Town Manager  
8 School Road  
Windham, ME 04062

Barry A. Tibbetts, Town Manager  
batibbetts@windhammaine.us

207.892.1907 voice  
207.892.1910 fax

## MEMORANDUM

To : Town Council  
From : Barry A. Tibbetts, Town Manager  
Date : November 3, 2020  
Re : Growth Ordinance Revisions

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After reviewing the most recent permit data (building applications received prior to enactment of Growth Ordinance) and permit data over the last four decades with particular interest in the last four years, I recommend a few minor changes to the new growth ordinance. These recommendations have been reviewed with staff.

The data was divided into decades and years, the last four (4) years the breakdown further included developer and non-developer pulled permits by zone. This stratified data was then applied to the existing ordinance to better understand the implications.

These recommended changes are in three areas and will allow better management of the ordinance and alleviate future problems.

The recommended changes are in three areas:

- 1) Chapter 116, Section G.3.A. currently allows for a total of 100 growth permits per year, 83 of which are for single-family detached dwellings. In reviewing Charts (A & C), to balance the growth and avoid unnecessary "bottle necks" the total number of new permits should be 120 with 103 designated for single-family detached dwellings. This change would increase the number of permits per month from 9 to 10.

Section G.3.A.1. the current allocation of 83 permits would be increased to 103 for single-family.

- 2) Chapter 116, Section G.3.B. defines a limit of 40 growth permits in the Farm (F) and Farm Residential (FR) Districts. The four-year average is 70 permits per year, which means that the allowable growth permits would most likely be filled by August with no additional opportunity for more permits. (See Chart B.) To better balance this I would recommend simply crossing out Farm Residential and leaving the opportunity at 40 growth permits for the Farm District. This matches the data for the last four years and would preserve the intent for the Farm Zone based on the Comprehensive Plan and original zoning of 1974.

- 3) Chapter 116, Section G.7.A. currently allows the Code Enforcement Officer the ability to issue up to five (5) growth permits from a reserve pool any time during the year. To enable better permit management in the Growth Ordinance, (See Charts C & D) I am recommending that the allocation be during any month of the year and there be no restrictions to subdivisions. This modification by the CEO would be a mechanism to relieve any undue hardship while still preserving the intent of controlling accelerated growth, and provide flexibility for management of the ordinance, more specifically to the seasonality of the permits.

After the discussion on the 13<sup>th</sup> of October, I wanted to provide some additional information for the Councils consideration. With the changes that are currently in place and based on the historical data I am anticipating a decline in revenues (in these areas, Real Estate Taxes, Excise and Building Permits with Impact fees).

This is based on the current 70 homes in F and FR being reduced to 40. So, a potential reduction of 30 homes would result in these estimated revenue shortfalls (real estate taxes based on \$300,000 valuation, excise taxes based on two automobiles, impact fee reduction revenues).

Real Estate Taxes (valuation at \$300,000) per unit \$500	\$4500	X 30	=	\$145,000
Excise Taxes based on two automobiles per unit \$250 x2		X 30	=	\$ 15,000
Building Permit Fees and Impact Fees est. per unit \$6,000		X 30	=	\$ 180,000

Total estimated revenue loss	\$ 340,000
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The numbers above do not include the loss of revenue from these families living in Windham for our local businesses, nor does it represent the employment loss of revenues for the various sectors that service new buildings (carpenter, plumbing, earth work, electrical, hardware and larger box stores, etc.)