



**Town of Windham
Planning Department**

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MEMO

DATE: June 24, 2021

TO: Windham Planning Board
FROM: Amanda Lessard, Planning Director
Cc: Steve Puleo, Planner
Gretchen Anderson, Environmental & Sustainability Coordinator
Natural Resources Advisory Committee

RE: Ordinance Amendment – Chapter 199, Shoreland Zoning & Land Use Map
Amendment (LR & RP Districts)
Planning Board Meeting & Public Hearing – June 28, 2021

Enclosed, you will find a copy of the proposed amendments to the Shoreland Zoning Ordinance, Chapter 199 and the Land Use Map recommended by the Natural Resources Advisory Committee (NRAC). The purpose of the proposed changes is to comply with the Department of Environmental Protection's minimum shoreland zoning requirements by adding 10-acre freshwater wetlands as Limited Residential (LR) districts and an Inland Waterfowl / Wading Bird Habitats (IWWH) as a Resource Protection (RP) district.

Summary of attached proposed ordinance and map amendments:

Chapter 199 Shoreland Zoning

- Replace "Shoreland Zoning Map" with "Land Use Map" to be consistent with map terminology in Chapter 140 Land Use Ordinance.
- §199- 13.A. (Resource Protection District): Addition to areas included in Resource Protection (RP) and other land areas designated as Resource Protection on the Windham Office Land Use Map.
- §199- 15.Y (Animals in Shoreland Zone Performance Standard): Delete "or 75 feet" and specify setback is from the high-water line of a waterbody.
- §199- 17. (Definitions): Expand Shoreland Zone definition to include areas as depicted on the official map as a General Development (GD), Limited Residential (LR), Resource Protection (RP), or Stream Protection (SP) district.

Town of Windham, Maine Zoning Map

- Change title to Land Use Map as described in Chapter 140 Section 402.A
- Added Inland Waterfowl / Wading bird Habitat (IWWH) to RP at Albion Road
- Added 10-acre freshwater wetlands to LR

Zoning Amendment Process

The Planning Board must hold a public hearing prior to making a recommendation on this item to the Town Council. The Town Council will need to hold a public hearing and vote on the proposed changes to the Shoreland Zoning Ordinance and Map for the changes to be officially approved. The approved changes then will not be effective until approved by the DEP Commissioner.

A public hearing is scheduled for the June 28, 2021 Planning Board meeting. 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 amendments to Chapter 199, Shoreland Zoning and the Land Use Map (LR & RP Districts).