



Town of Windham

Town Offices
8 School Road
Windham, Maine

Cover Sheet

File Number: 21-167

Agenda Date: 9/14/2021

Version: 1

Status: Agenda Ready

In Control: Town Council

File Type: Order

I. Council Action Requested.

To accept as a town way Abenaki Drive, to accept a shared use easement of the Common Open Space, and to accept a stormwater drainage easement across Lot A, all as depicted on the plan for the River Road Subdivision approved by the Planning Board on December 11, 2017 and amended on May 14, 2018 and described in a proposed deed submitted by STJ, Inc.

II. Basis for Council Action.

Council approval of this item is required because:

- a. Article I, Section 2 of the Charter provides that "The Town may acquire property for any Town purpose, in fee simple or any lesser interest or estate, by purchase, gift, devise, lease, or condemnation and may sell, lease, mortgage, hold, manage and control such property as its interest may require,"
- b. Article II, Section 3(I) of the Charter authorizes the Council to "Exercise all the legislative, financial, borrowing and other powers now or hereafter given by statute to inhabitants of towns acting in Town Meeting except as otherwise provided herein, and also exercise all the powers now or hereafter given by statute to municipal officers of towns," and
- c. This order contemplates the acceptance of land dedicated for use as a town way in the River Road Subdivision, which extends from River Road, and
- d. STJ, Inc is also offering an easement for public access over the 4.03 acres of Common Open Space in the River Road Subdivision, and a drainage easement across a certain portion of Lot A for the right, but not the responsibility or obligation, to maintain any drainage and utility features.

III. Issue Summary.

Please refer to the attached materials.