



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, June 11, 2019

7:00 PM

Council Chambers

I. Roll Call of Members.

Present: 7 - David Nadeau, Tim Nangle, Bob Muir, Jarrod Maxfield, Donna Chapman, Clayton Haskell and Rebecca Cummings

II. Pledge of Allegiance.

Council Chair Haskell led the assembly in the Pledge of Allegiance.

III. Minutes to be Approved:

[CD 19-147](#) To approve the Minutes of the Council meeting on May 28, 2019.

Attachments: [Minutes-Town Council-5-28-2019](#)

A motion was made by Councilor Chapman, seconded by Vice Chair Cummings, that the Minutes be approved. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[CD 19-148](#) To approve the Minutes of the June 4, 2019 Council meeting.

Attachments: [Minutes-Town Council-6-4-2019](#)

A motion was made by Councilor Chapman, seconded by Vice Chair Cummings, that the Minutes be approved. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

IV. Public Participation.

Gretchen Anderson, Windham's Environmental Sustainability Coordinator explained two interns would be working on a ten-week program to identify and reduce recycling contamination and to launch an educational campaign through social media.

Tom Bartell, WEDC Executive Director, and Lisa Fisher, Windham Farmers' Market Coordinator, talked about the wonderful things the Market has this year. There is now bus transportation provided for Windham's Seniors, and SNAP EBT will now be accepted. A children's activity booth has also been added along with a weekly scavenger hunt.

V. PUBLIC HEARINGS.

None.

VI. CONSENT AGENDA.

None.

VII. UNFINISHED BUSINESS & GENERAL ORDERS.

19-057

To receive public comment and act on proposed amendments to Town of Windham Land Use Ordinance, Chapter 140, Sections 300 Definitions; 400 Zoning Districts; and 500 Performance Standards for the replacement of the definition of Construction Services and Service Business, Landscaping and the addition of Contractor Services, Contractor Storage Yard, and Heavy Construction Services, Minor as uses in the Commercial 3 (C-3) zoning district.

Attachments: [19-057 Cover Sheet](#)
[Construction Services Amendment 05-28-2019](#)
[TC packet PB recommend C3 Amendment 05-02-19](#)

Councilors reconsidered a previous motion which had defeated the proposed amendments. Majority of the concerns expressed regarded vehicles in Federal Highway Vehicle Classification classes 6-13.

Councilor Haskell made a motion to change the definition of Minor Heavy Construction Services and to remove "through 13".

Second by Councilor Cummings.

Vote:

In Favor: 2

Opposed: 5 (Chapman, Nadeau, Muir, Nangle, Maxfield)

Councilors voted on the previous amendment to allow vehicles in classes 1 through 5.

In Favor: 5 - Councilor Nadeau, Councilor Muir, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Opposed: 2 - Councilor Nangle and Councilor Maxfield

19-105

To refer proposed amendments to the Land Use Ordinance, Chapter 140 of the Code of the Town of Windham, to address subdivision development in the Farm and Farm Residential zoning districts by requiring subdivisions be designed as either a Conservation Subdivision or a Country Estate Subdivision, to the Planning Board for its review and recommendation.

Attachments: [19-105 Cover Sheet](#)
[TC packet LRPC conservation subdiv 05-30-19](#)
[Windham CONCEPT Conservation 04292019](#)
[Windham CONCEPT Country Estate 04292019](#)

Public Comment:

Michelle Elaine Newton from Cobb Farm Road - spoke regarding the proposed amendments and the current subdivision approval process, especially in regard to developers who would always maximize the potential for house lots.

Councilors commented on the need to develop methods of channeling growth and protecting environmentally sensitive areas.

Councilor Muir made a motion to forward the amendment to the Planning Board, second by Councilor Chapman.

A motion was made by Councilor Nadeau, seconded by Councilor Nangle, that the Order be approved. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[19-103](#) To cancel the Council meetings of July 16, July 23, August 20, and August 27, 2019.

Attachments: [19-103 Cover Sheet](#)

A motion was made by Councilor Nadeau, seconded by Vice Chair Cummings, that the Order be approved. The motion carried by the following vote:

In Favor: 5 - Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman and Vice Chair Cummings

Opposed: 2 - Councilor Nadeau and Council Chair Haskell

[19-109](#) To approve one (1) application submitted by Sue & Joe Salisbury d/b/a The Daily Grind for a new Mobile Food Service Unit license.

Attachments: [19-109 Cover Sheet](#)
[The Daily Grind- new Mobile Food](#)

A motion was made by Councilor Nadeau, seconded by Vice Chair Cummings, that the Order be approved. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

[19-110](#) To approve a new Victualer's permit application submitted by Sue & Joe Salisbury d/b/a The Daily Grind, located at 4 White's Bridge Road, Windham.

Attachments: [19-110 Cover Sheet](#)
[The Daily Grind- new Victualer's](#)

A motion was made by Councilor Nadeau, seconded by Vice Chair Cummings, that the Order be approved. The motion carried by the following vote:

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

VIII. Discussion Items.

[CD 19-145](#) Town Attorney Legislative and Marijuana Task Force Committee Work Updates.

Our Town attorney will give Council an update on current legislation and the Retail Adult-Use and Medical Marijuana Establishments Task Force will provide an update on their progress.

Attachments: [Retail Adult-Use and Medical Marijuana Establishments Task Force Charge](#)
[Augusta mj licensing](#)
[Augusta mj zoning](#)
[Task Force Council update 06062019 \(002\)](#)
[Task Force Ordinance Comparison 06112019 \(002\)](#)

Town Attorney Kristin Collins discussed the differences between medical marijuana and adult use retail marijuana and explained regulation possibilities under current and proposed state law.

Maggie Terry the Chair of the Retail Adult-Use and Medical Marijuana Establishments Task Force elaborated on their process and future activities. Task Force members requested specific guidance from Councilors regarding what results they should work towards.

Attorney Collins suggested a workshop for Council to focus on specific criteria and then forward it to the Committee. Staff could draft the ordinance language.

[CD 19-125](#) Proposed Cemetery Ordinance Changes.

Attachments: [Cemetery Ordinance - Chapter 16](#)

Postponed to a different meeting.

[CD 19-131](#) Solar Panel Project at Old Landfill Site.

Attachments: [Preliminary PPA Proposal from ReVision Energy for Town of Windham- 397.4 kW](#)

Representatives of ReVision Energy, Nick Sampson and Geoff Sparrow made a presentation regarding the possibilities of a proposed solar array on the Town's old landfill property.

[CD 19-100](#) Tax Acquired Property - Status

Attachments: [Memo to Council - Tax Acquired Property](#)
[Tax Acquired Property Policy](#)
[Map of Tax Acquired Properties](#)
[2015 Tax Acquired Properties - Sale Recommendation](#)

Postponed to the next Council meeting.

IX. Council Correspondence.

Not heard.

[CD 19-146](#) Windham Public Library Newsletter

Attachments: [Check It Out June 2019](#)

X. Town Manager's Report.

Don Gerrish said there were 55 tax acquired properties. Taxes for 5 had been completely paid; 25 were paying monthly; 16 were recommended to be sold; and nine were being worked on.

XI. Committee Reports.

No Committee reports were given this evening.

A. Council Subcommittees.

1. Appointments Committee.
2. Finance Committee.

B. Other Committees.

1. Long Range Planning Committee.
2. Parks & Recreation Advisory Committee.
3. Windham Economic Development Corporation
4. Highland Lake Leadership Team.
5. Private Roads ad hoc Committee.
6. Natural Resources Advisory Committee.
7. Retail Adult Use & Medical Marijuana Task Force.

XII. Councilors' Comments.

None.

XIII. Agendas & Scheduling.

None.

[CD 19-151](#) Future Agenda Items.

Attachments: [Future Items List](#)

XIV. ADJOURN.

A motion was made by Councilor Chapman, seconded by Councilor Nangle, that they be adjourned. The motion carried by the following vote at 10:30 p.m.

In Favor: 7 - Councilor Nadeau, Councilor Nangle, Councilor Muir, Councilor Maxfield, Councilor Chapman, Council Chair Haskell and Vice Chair Cummings

Respectfully submitted,

Lisa Fisher
Administrative Assistant