



Town of Windham

Town Offices
8 School Road
Windham, Maine

Meeting Minutes - Final

Town Council

Tuesday, February 4, 2020

6:30 PM

Council Chambers

Council Workshop

I. Roll Call of Members.

Present: 5 - David Nadeau, Tim Nangle, Clayton Haskell, Rebecca Cummings and David Douglass

Absent: 2 - Nicholas Kalogerakis and Jarrod Maxfield

II. Pledge of Allegiance.

Council Vice Chair Nangle led the Pledge of Allegiance.

III. Discussion Items.

[CD 20-030](#) Marijuana Licensing Ordinance Proposal with Town Attorney.
(Follow-up to the Council's discussion of January 7, 2020.)

Attachments: [Marijuana Business License Application](#)
[Draft -Marijuana-Licensing-Ordinance revised 012820 clean](#)
[Commercial Change of Use Grow Medical Retail](#)
[Moratorium Ordinance Regarding Marijuana Cultivation Facilities](#)
[Marijuana Store Fronts with Grows Mapped](#)
[PB memo marijuana 1-22-20](#)
[Addendum-Marijuana-Health Officer](#)

Following this discussion item.....

Councilor Nadeau moved to suspend Council Rules to add agenda item 20-044, a Moratorium Ordinance regarding Marijuana Cultivation Facilities, second by Councilor Cummings.

In Favor: 5

Absent: 2 (Kalogerakis, Maxfield)

Interim Manager Barry Tibbetts said as we have progressed through developing the Marijuana Ordinance there is an exception within the current structure of the town ordinance to allow a Cultivation Facility to come in under the Agriculture definition and go into any zone that allows agriculture. He referred to a handout that shows 34 different

locations in town that have been approved for an agricultural license to grow marijuana. The ones highlighted in green are the original nine, all the others are new. Some are in C-3 and some in section F, D & G.

The intent is to try to contain the potential licensees or operations within the C-1 District. This moratorium says any new licensees that want to come into Windham would not be allowed to apply for a license before the Code Office until the Ordinance has been approved, and once it is approved the moratorium would go away.

[20-044](#)

To adopt an emergency ordinance establishing a moratorium on new marijuana cultivation facilities.

Public Comment:

Larry Eliason said he does not see where this is a true emergency for the health and welfare to Windham residents, it is a taking of people's rights from property owners who are paying their taxes in good faith. He does not agree with this.

Maggie Terri said she is surprised because she does not see this as a public emergency, and she does not agree with it.

Barry Tibbetts said once the ordinance is in place, it will channel it to where we want them. Right now it is in any zone, and this moratorium is just a pause.

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

In Favor: 5 - Councilor Nadeau, Vice Chair Nangle, Councilor Haskell, Councilor Cummings and Councilor Douglass

Absent: 2 - Councilor Kalogerakis and Council Chair Maxfield

[CD 20-006](#)

21st Century Downtown Plan - Next Steps.

- Smart Traffic Lights
- Traffic Improvements
- Bypass options

Attachments: [MDOT Your Projects brochure](#)

[Adaptive Signals Windham 302 Eval MEMO 1-21-2020](#)

[21st Century Downtown Plan \(2013\) Executive Summary](#)

[Route 302 Phasing Plan-Summary 04-06-2018](#)

[Service Road Study \(2007\) Possible Routes](#)

[Route 302 Corridor Study Phase 2 \(1989\) - Proposed Reliever Road](#)

IV. ADJOURN.

A motion was made by Councilor Douglass, seconded by Vice Chair Nangle, that they be adjourned. The motion carried by the following vote at approximately 9:30.

In Favor: 5 - Councilor Nadeau, Vice Chair Nangle, Councilor Haskell, Councilor Cummings and Councilor Douglass

Absent: 2 - Councilor Kalogerakis and Council Chair Maxfield

Respectfully submitted,

Linda S. Morrell
Town Clerk, CCM