

# Town of Windham

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Town of Windham  
Ordinance Update Committee  
June 25, 2008 - 8:30 am  
Minutes

Committee members present were: Dave Nadeau, Jim Lauzier, Brooks More, Blaine Davis, Roger Timmons and Dave Tobin.

Discussion occurred regarding the Committee's original charge from Council vs. what is being expected of it. The ordinances must comply with the Comprehensive Plan, which calls for more C-1 and mixed use. If housing is to be allowed in the C-1 zone more commercial use areas should be provided elsewhere.

Review of the ordinances for consistency was underway. So far it had been determined that a hospital would be its own use in C-1. Trailer Park Overlay would be added to the list of overlay districts. A list of other changes had been added to the checklist.

The remaining issues to be reviewed are:

- Cluster Subdivision
- Signs
- Mineral Extraction
- Street and Road Design
- Site Plan Review
- Subdivision Review
- Administration
- Zoning Board of Appeals

The Committee discussed the cluster subdivision ordinance. It had been suggested that the ordinance should become part of the subdivision ordinance. This would grant the Planning Board the ability to waive certain items. Much of the information should be included in the sections for zoning districts. The ordinance should be more concise.

Benefits of the ordinance are:

- It encourages and creates open space which could be linked to create a trail system.
- The open space provides wildlife habitat.
- Less infrastructure is required.
- Smaller lots.

On the flip side:

- The ordinance is fairly heavy on regulation. There is not much incentive to do cluster.
- The required 50 foot buffer strip necessitates construction of 50 feet of roadway with nothing on it.
- As time passes the 50 foot buffer strip is frequently cut into by the property owners because of lack of oversight.
- Often the open space is land that is unsuitable for anything.
- Sometimes a poorly laid out cluster subdivision is proposed because the developer assumes the Planning Board will not like it and will recommend development of a conventional subdivision instead.
- Interconnectivity was not required in cluster, as it is in subdivision.
- There was some concern that the cluster ordinance may be expected to stand alone from the subdivision ordinance.

Discussion occurred regarding the required buffer strip and standards for it:

- Pedestrian access had to be provided to the common open space.
- If the buffer strip was a field, could the developer be required to plant trees in it?
- Currently installation of drainage was not allowed in the buffer strip.
- Could pedestrian pathways be allowed in the buffer strip? Currently nothing in the ordinance encouraged that.
- Did inclusion of the area of buffer strip as open space diminish the effectiveness of the requiring open space because the area of the buffer would reduce the amount of open space that was required to be set aside? Should the 50 foot buffer be required on the side and rear of the subdivision also?
- Sometimes the 50 foot buffer space was included as part of the subdivision lot. It may be necessary to amend the net density. Nothing in the ordinance takes that into account.
- There is a conflict between the requirement for the buffer strip to be a part of the open space and the requirement that the required open space, including the buffer along the perimeter of the property, shall be contiguous.

It was noted that Road standards are currently in the subdivision ordinance. If road standards are not kept in subdivision, the Planning Board will lose the ability to waive standards like esplanades, sidewalks, etc. It is better to leave the standards in.