

# Town of Windham

Planning Department  
8 School Road  
Windham, ME 04062

voice 207.892.1902

fax 207.892.1916

Town of Windham  
Ordinance Update Committee  
June 4, 2008 - 8:30 am  
Minutes

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

As an update, Brooks said §400 was done except that he was waiting for an electronic copy of the Village at Little Falls Contract Zone, which would be added. There was:

- More consistency in format.
- The text was more concise.
- Every use has a definition.
- Different uses are defined better.
- A summary of changes was provided.
- Dwellings, existing had been added.
- Dwelling, mixed use will include single family, mixed use; two family, mixed use; and multi-family, mixed use.

Discussion occurred regarding establishing some standard for seating in a neighborhood grocery. The Committee questioned the basis for determining how many seats would be required. A blanket standard for a specified number of seats, which would not require any special approval, was suggested. A parking requirement for the additional sit-down use was raised.

There was a suggestion that the use was accessory and would not add to the number of trips for a business so it was not necessary to require more parking.

The Committee agreed there would be a need for continuing review of the ordinances after the Committee's charge is completed.

The Committee was to revisit the proposed changes to §400 in two weeks.

Discussion occurred regarding minimum lot sizes in the C-1 District. It had been 15,000 per unit if there was access to public water. It was suggested that new housing which had access to public water should be required to hook up to it.

There were some new definitions in §300.

- Restaurant.
- The definition of dwelling, mixed use will be changed.
- Impervious surface is now defined.

An indication of changes that are made will be included in the future.

It was requested that home occupation standards should reference the sign section.

The Committee continued consideration of §500.

Neighborhood Grocery – Seating was considered an allowed part of the use. Discussion occurred regarding the accessory uses included in this definition as well as mini- marts that sell gasoline. It was noted that cumulative impacts to the site should be considered.

Brooks cautioned that being too restrictive would prevent businesses from responding to market conditions. A minimum standard should be established. If businesses began overburdening their lot it would discourage customers.

The issues of seating and parking would be revisited when the Committee considered parking standards.

Brooks and Dave Tobin get their hair cut at the same place.

Discussion occurred regarding net residential density and the exclusion of unsatisfactory soils in the calculations.

The Committee discussed elderly housing which would be allowed on any floor, provided there was a 1,000 foot setback including related site improvements. Did the Committee want to include a density bonus if the housing was to be affordable? Currently it was 8,000 for the first and 6,000 for every one thereafter.

Consensus of the Committee was that a density bonus was necessary for affordable elderly housing in order to encourage people to build it. Other towns specify that elderly housing is subsidized. Per federal regulations you must comply with federal code if your housing is restricted as to age.

Discussion occurred regarding the purpose of the density standards. Why did the town differentiate between subsidized elderly housing and regular subsidized housing?

Discussion occurred regarding the lack of acceptable land for multi-family housing.

Brooks clarified: If it was non-subsidized elderly housing there would be no density credit. Affordable housing would be at the 8,000 and 6,000 square foot density. The 1,000 foot setback would be maintained.