



Town of Windham

Town Offices
8 School Road
Windham, Maine

Cover Sheet

File Number: 26-084

Agenda Date: 5/12/2026

Version: 1

Status: Passed

In Control: Town Council

File Type: Order

Agenda Number:

I. Council Action Requested.

To receive public comment and act on proposed amendments to Chapter 120 Land Use Ordinance of the Code of the Town of Windham, Article 12, North Route 302 Road Improvements Impact Fee, to extend the sunset date of the impact fee to July 1, 2031.

II. Basis for Council Action.

Council approval of this item is required because;

- a. Section 107 of the Land Use Ordinance (Chapter 120 of the Code of the Town of Windham) states "After review and recommendation by the Planning Board, this chapter may be amended in accordance with the Town Charter."

III. Issue Summary.

Please see the attachments.

Amendment effective June 11, 2026.

DATE: May 7, 2026

TO: Windham Town Council
THROUGH: Bob Burns, Town Manager
FROM: Amanda Lessard, Assistant Town Manager
Cc: Windham Planning Board
Steve Puleo, Planning Director

RE: Planning Board Recommendation #26-07 Land Use Ordinance Amendments to Article 12
Impact Fees - North Route 302 Road Improvements Impact Fee

At the Planning Board meeting on [April 27, 2026](#), a public hearing was held on the attached proposed amendment to Chapter 120 Land Use [§ 120-1204K](#) to extend the time limit of the North Route 302 road improvements impact fee to July 1, 2031.

The [§ 120-1204](#) North Route 302 road improvements impact fee was adopted on April 8, 2014 as a means of financing the capital improvements to realign Anglers Road with White's Bridge Road as stated in the [North 302 Corridor Plan](#). The fee is applicable to all new development located in the collection areas shown on North Route 302 Road Improvement Impact Fee Collection Areas Map ([Appendix J](#) of Chapter 120 Land Use). In accordance with § 120-1204K the fee shall remain in effect until the Town has collected \$150,000 in fees (as adjusted for construction cost inflation) or until July 1, 2026, whichever comes first, unless such dollar amount is increased or time limit is extended by vote of the Town Council. The Town has not yet collected the specified amount of fees and is proposing to extend sunset date to July 1, 2031.

Zoning Amendment Process

As required by [§ 120-107](#) of the Land Use Ordinance, the Ordinance may be amended in accordance with the Town Charter following the review and recommendation of the Planning Board. There are no specific standards in the ordinance by which to judge the proposed zoning change, but State statute requires all proposed zoning to be consistent with the goals and objectives of the Comprehensive Plan.

Planning Board Review and Recommendation

No members of the public spoke for or against the proposed amendment during the Planning Board's public hearing held on April 27, 2026.

The Board discussed that the amendment was understandable in order to collect the \$150,000 and that impact fees are a reallocation of taxes. Following discussion of the proposed changes, the Board made the following motion:

To recommend for approval of proposed amendments to the Land Use Ordinance Chapter 120 Article 12 Impact Fees to extend the time limit of the North Route 302 Road Improvements Impact Fee.

Motion: Evert Krikken
2nd: Kathleen Brown

Vote: 3-2 (R. Yost and M. Young opposed)

**AMENDMENT TO CHAPTER 120 LAND USE
RE: NORTH ROUTE 302 IMPACT FEE SUNSET PROVISION**

The Town of Windham Land Use Ordinance is hereby amended as follows:

1. Article 12 Impact Fees is amended to extend the time limit of the fee:

...

§ 120-1207. North Route 302 road improvements impact fee.

- K. Sunset provision. The fee shall remain in effect until the Town has collected \$150,000 in fees (as adjusted for construction cost inflation) or until July 1, ~~2026~~2031, whichever comes first, unless such dollar amount is increased or time limit is extended by vote of the Town Council.