

**PLANNING BOARD MEMO • CONDITIONAL USE & AMENDED MAJOR SITE PLAN •
FINAL PLAN REVIEW**

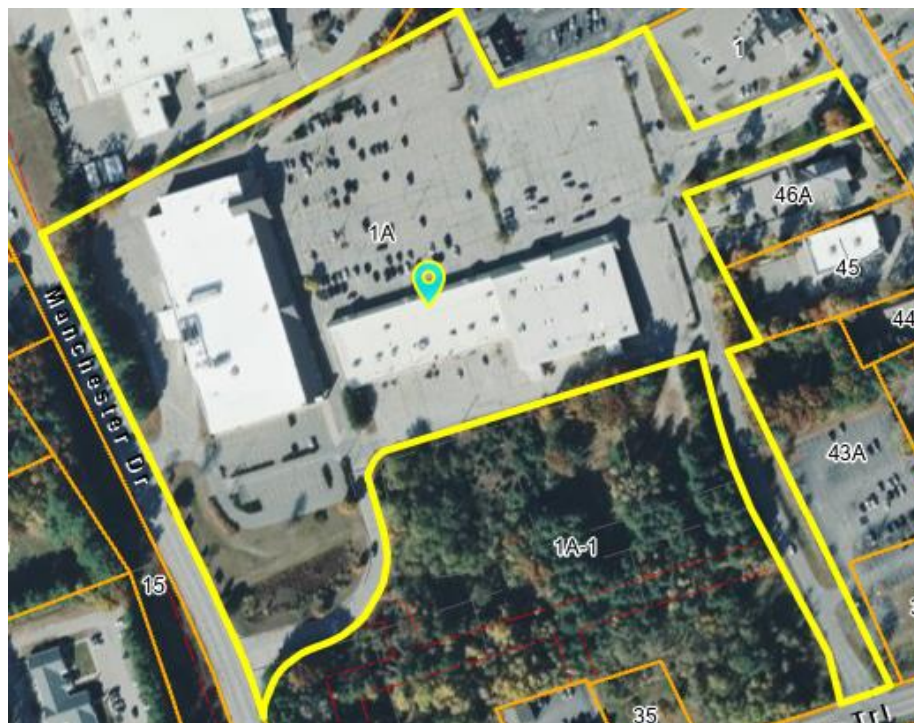
DATE: July 20, 2026
TO: Windham Planning Board
FROM: Natalie Thomsen, Town Planner
Cc: Steve Puleo, Planning Director
J.P. Connolly, PE, DM Roma Consulting Engineers
Miekal Liberty, Salty Dog Adventures, LLC

RE: **#26-15 – Conditional Use (Kennel, Major) & Amended Major Site Plan – Salty Dog Adventures – 770 Roosevelt Trail, Suite 6 – Final Plan Review – Salty Dog Adventures, LLC**

Planning Board Meeting & Public Hearing: **July 27, 2026**

Overview

The application is to establish a dog daycare and overnight boarding facility (Kennel, Major, per §120-531) within an existing 7,138 SF tenant suite in Shaw's Plaza. The proposal includes interior tenant improvements with soundproofing of walls and ceilings and a 1,023 SF± fenced outdoor play area with landscaping, to be located within an existing paved area at the rear of the building. No changes to the building exterior, site access, parking, or utilities are proposed. The plan is an amendment to the approved Shaw's Plaza major site plan. Tax Map: 70; Lot: 1A; Zone: Commercial I (C-1) zoning district, in the Presumpscot River watershed.



[Figure 1: Aerial view of the subject parcel relative to surrounding properties and street network.]

The conditional use application is submitted in combination with an amended major site plan application. The Planning Board therefore serves as the review authority for both applications per §120-516B(2)(b), and the procedures for the applicable reviews may occur simultaneously per §120-804. ***The applicant's cover letter asks the Zoning Board of Appeals to consider the conditional use application; because the application is combined with an amended major site plan, the Planning Board is the review authority.***

PLEASE NOTE: The staff memo is a reference guidance document, and suggested topics for board discussion are listed; ***bold and italic text represent unaddressed existing and/or new staff comments***; plain underlined text are items that have been addressed by the applicant; and *italic text* is for information or previously reviewed and/or approved items.

Staff Comments:

1. Complete Application:

MOTION: [I move] the conditional use and amended major site plan applications for project #26-15 Salty Dog Adventures are found complete in regard to the submission requirements based on the application checklists, but the Planning Board retains the right to request more information where review criteria are not fully addressed.

2. Waivers:

Waiver of Submission Requirements: The Planning Director, or designee, may waive any of the submission requirements of [§120-811](#) based upon a written request by the applicant.
Waiver of the Site Plan Performance Standards: The Planning Board may waive the requirements of [§120-812](#) if it finds that extraordinary and unnecessary hardship, not self-imposed, may result from strict compliance with the site plan review standards. For each waiver requested, the applicant shall submit answers to each criterion in [§120-808B\(2\)](#).

None requested.

3. Public Hearing: A public hearing on the conditional use application is scheduled for the July 27, 2026 Planning Board meeting. Per §120-516G(2), notice has been published in a newspaper of general circulation and mailed to abutting property owners at least seven days prior to the hearing.

4. Site Walk: No site walk has been scheduled; the proposed improvements are limited to interior tenant improvements and a fenced outdoor play area within an existing paved area.

Windham Planning Board,

MOTION: [I move] the conditional use and amended major site plan applications for the #26-15 Salty Dog Adventures project at 770 Roosevelt Trail, Suite 6, identified on Tax Map: 70; Lot: 1A in the Commercial I District (C-1), are to be **(approved with conditions/denied)** with the following Findings of Fact, Conclusions, and Conditions of Approval.

FINDINGS OF FACT

Jurisdiction: The Salty Dog Adventures project is a Conditional Use (Kennel, Major) submitted in combination with an amendment to the approved Shaw's Plaza Major Site Plan. The Planning Board is authorized to review and act on the conditional use application by §120-516B(2)(b) and on the amended major site plan by [§120-805](#) of the Town of Windham Land Use Ordinance.

Title, Right, or Interest: The applicant has submitted a Quitclaim Deed with Covenant from SP Windham Owner LLC to B33 Windham II LLC dated June 18, 2021, and recorded on June 29, 2021 at the Cumberland County Registry of Deeds in Book 38370, Page 320; an executed Shopping Center Lease between B33 Windham II LLC, as landlord, and Salty Dog Adventures, LLC, as tenant, dated February 18, 2026, for the 7,138 SF Suite 6 premises, including allowances for use of an outdoor area; an agent authorization letter dated April 17, 2026 authorizing DM Roma Consulting Engineers to act as the applicant's agent; and a Maine Secretary of State information summary dated April 17, 2026 showing Salty Dog Adventures, LLC in good standing.

Fees: Application and review escrow fees have been received.

ARTICLE 4 ZONING DISTRICTS

- As shown on the Town of Windham Land Use Map approved by the Town Council, dated August 15, 2023, Tax Map 70, Lot 1A is located in the Commercial I (C-1) zoning district, §120-410.
- The proposed use, Kennel, Major, is a conditional use allowed with approval in the C-1 District, subject to the use-specific performance standards of §120-531.
- The proposed use will occupy an existing suite within the existing multi-tenant commercial building in Shaw's Plaza. No changes to the exterior of the building or expansion of the site are proposed, and the C-1 dimensional standards of §120-410 are addressed through the prior Planning Board approvals for Shaw's Plaza.

ARTICLE 5 PERFORMANCE STANDARDS

§120-516 – Conditional Use

The applicant has provided a written statement describing how the conditional use will meet the review criteria of §120-516H, summarized in the findings below.

§120-516H(1) – Property Value: The proposed use occupies an existing suite within an existing commercial building and is not anticipated to depreciate the economic value of surrounding properties.

§120-516H(2) – Wildlife Habitat: The project proposes no land disturbance beyond the conversion of an existing paved area to the outdoor play area, and the proposed use will not damage significant wildlife habitat.

§120-516H(3) – Botanical Species: The project proposes no land disturbance beyond the conversion of an existing paved area, and the proposed use will not damage rare or endangered botanical species.

§120-516H(4) – Potable Water: The suite is served by public water. The Portland Water District, in an email dated May 21, 2026 and included with the application per §120-516D(5), states that the existing 8-inch domestic service with 6-inch meter has the capacity to support the project, and that the email serves as the District's official response that the existing water infrastructure at this location has the capacity to support the project.

§120-516H(5) – Sewage Disposal: The suite is served by an existing private subsurface wastewater disposal system with a DEP-approved engineered design. Pet waste will not be disposed of through the septic system, and the proposed use is anticipated to use less water and contribute less

wastewater than prior retail uses of the suite. The applicant notes that Shaw's Plaza is expected to connect to the Town's sewer collection system in the near future.

§120-516H(6) – Traffic: The proposed use will utilize the plaza's existing established accessways to Roosevelt Trail (Route 302), Tandberg Trail (Route 115) and Manchester Drive, with no changes proposed. Based on the ITE Trip Generation Manual (LUC 820), prior retail use of the 7,138 SF suite is estimated at approximately 27 PM weekday peak hour trips; the applicant estimates the kennel use will generate approximately 8 to 15 AM and PM weekday peak hour trips, roughly half of the prior retail trip generation.

§120-516H(7) – Public Safety: The proposed use is not expected to overburden police, fire, or rescue services.

§120-516H(8) – Vibration: The proposed use will not produce inherently and recurrently generated vibrations.

§120-516H(9) – Noise: The building improvement plan includes soundproofed walls and sound-deadening ceiling panels to mitigate sound from the suite to adjacent suites and outside areas. The outdoor play area will be enclosed by solid panel fencing, located at the rear of the building where employee parking and delivery vehicles are the primary users, and will not be used in the evening, night, or early morning. The applicant states operations will comply with the maximum permissible sound pressure levels of §120-812S.

§120-516H(10) – Off-Street Parking and Loading: Shaw's Plaza currently provides 578 parking spaces (per information from B33 Windham II LLC). The applicant states parking demand will be low relative to prior retail uses, with brief curbside drop-off and pick-up interactions and no restricted drop-off or pick-up windows that would concentrate parking demand. No changes to access, parking, or loading areas are proposed.

§120-516H(11) – Odors: Odor control is addressed through free-standing activated charcoal air filters, daily sanitizing of the facility with medical-grade products, and immediate collection of pet waste, which is bagged and disposed of with other solid waste in the existing dumpsters. The applicant operates a similar facility in Falmouth using the same procedures.

§120-516H(12) – Air Pollution: The proposed use will not generate dust or other forms of air pollution.

§120-516H(13) – Water Pollution: The proposed use will not discharge pollutants to the ground, groundwater, or surface water. Bathroom and sink wastewater will discharge to the existing septic system, and the existing site has a Site Location of Development (Site Law) permit from the DEP with existing stormwater collection and treatment infrastructure.

§120-516H(14) – Erosion and Sediment Control: The only land disturbance proposed is the sawcut and removal of existing pavement for the 1,023 SF outdoor play area, which is not expected to generate significant sediment; any sediment on remaining pavement will be swept.

§120-516H(15) – Hazardous Material: The proposed use will not generate or discharge hazardous materials.

§120-516H(16) – Zoning District and Performance Standards: The proposed use is a conditional use allowed in the C-1 District. The use will occupy an existing suite in the existing plaza, with no exterior

building changes proposed; the applicable C-1 district standards are addressed through prior Planning Board approvals for the site.

§120-516H(17) – Solid Waste Management: Solid waste, including bagged pet waste, will be disposed of in the existing onsite dumpsters and collected by a private hauler; no change to solid waste management is proposed.

§120-516H(18) – Use-Specific Standards: The proposed use is subject to the use-specific performance standards of §120-531, Kennel, Major; see the findings under §120-531 below.

§120-531 – Kennel, Major (Amended 1-27-2026 by Order No. 26-009)

§120-531A(1) – Outdoor Areas: The proposed outdoor play area is 1,023 SF, exceeding the 500 SF minimum. The existing pavement will be removed and the area will be surfaced with artificial turf over a natural sub-base of gravel or pea stone. The area will be fully enclosed by solid cedar panel fencing and buffered with five landscaping trees (Eastern red cedar or approved equivalent). The fenced area is approximately 80 feet from the property line.

§120-531A(2) – Noise Control: All indoor animal areas will be fully soundproofed in a manner consistent with industry standards through soundproofed walls and sound-deadening ceiling panels, and animal waste will be managed to prevent odors detectable beyond the legal boundaries of the lot. The kennel is subject to the maximum noise standards of §120-812S.

§120-531A(3) – Hours of Operation: The facility will be open to the public from 6:30 AM to 6:00 PM. Overnight boarding will observe quiet hours from 6:00 PM to 6:30 AM, during which all boarding animals will be kept inside; the outdoor play area will not be used during the evening, night, or early morning.

§120-531A(4) – Overnight Boarding Capacity: The building plan provides twenty-three (23) 4'x6' kennels (24 SF each) and one (1) 7'x6' kennel (42 SF), accommodating 24 dogs, and four indoor play areas of 639 SF, 795 SF, 745 SF, and 684 SF, each exceeding the 192 SF minimum for a same-household family group of up to five dogs, for a cumulative overnight capacity of 44 dogs. A 4'x4' kennel in the grooming area will not be used for overnight boarding.

§120-531A(5) – Indoor Daytime Care Capacity: The four indoor play areas total 2,863 SF, which at 70 SF per dog allows a daytime care capacity of 40 dogs ($2,863 \div 70 = 40.9$).

§120-531A(6) – Record Keeping: The applicant will maintain records of all dogs in the daytime care and overnight boarding programs, including weights, to demonstrate compliance with the space and capacity standards of §120-531, and the records will be available to the Town for inspection upon request.

§120-531A(7) – Licensing: The applicant will obtain and maintain licensing as required by 7 M.R.S. § 3932-B and will operate in compliance with applicable state statutes and regulations, including 01-001 C.M.R. ch. 701; the State inspects licensed kennel facilities a minimum of two times per year. These requirements are incorporated by reference as conditions of approval.

§120-812 – MAJOR SITE PLAN PERFORMANCE STANDARDS

§120-812A – Utilization of the Site

The proposed use will occupy an existing suite within the existing Shaw's Plaza and does not expand the developed site; the amended plan reflects the capabilities of the previously developed site.

§120-812B – Vehicular Traffic

The plaza is served by existing accessways to Roosevelt Trail (Route 302), Tandberg Trail (Route 115), and Manchester Drive, which historically provide ample capacity. The proposed use is anticipated to generate fewer vehicle trips than prior retail uses of the suite, and no changes to the accessways are proposed.

§120-812C – Parking and Loading

The plaza provides 578 existing parking spaces. Based on ITE LUC 820, prior retail use of the suite is estimated at approximately 27 PM weekday peak hour trips, while the proposed use is estimated to generate approximately 8 to 15 AM and PM weekday peak hour trips with shorter parking durations; existing parking and loading are adequate for the proposed use.

§120-812D – Pedestrian Traffic

The plaza includes existing sidewalks and striped crosswalks within the parking area; no additional pedestrian improvements are required for the proposed use.

§120-812E – Stormwater Management

The plaza includes existing stormwater capture, conveyance, treatment, and detention infrastructure. No additional impervious or developed area is proposed — the outdoor play area replaces existing pavement — and no additional stormwater impact requires mitigation.

§120-812F – Erosion Control

The only land disturbance is the sawcut and removal of existing pavement within a relatively flat paved area for the outdoor play area; this work does not typically generate significant sediment, and any sediment on remaining pavement will be swept.

§120-812G – Water Supply Provisions

The site is served by public water with an existing service to the suite. The Portland Water District confirmed by email dated May 21, 2026 that the existing water infrastructure at this location has the capacity to support the project.

§120-812H – Sewage Disposal Provisions

The site utilizes an existing private subsurface disposal system with a DHHS-approved engineered design, which will not require amendment for the proposed use. The plaza is expected to connect to the Town's sewer collection system in the near future.

§120-812I – Utilities

The suite is served by existing electric, telephone, and data services; no new service connections or upgrades are proposed.

§120-812J – Groundwater Impacts

The project proposes no additional site development and will not adversely impact groundwater quantity or quality; the site utilizes public water and an existing engineered wastewater system.

§120-812K – Water Quality Protection

The proposed use will not store or discharge fuel, chemicals, chemical or industrial wastes, or other materials that could cause contamination. The existing site has a Site Location of Development (Site Law) permit from the DEP and includes existing stormwater collection and treatment infrastructure. The site is in the Presumpscot River watershed.

§120-812L – Hazardous, Special, and Radioactive Materials

The proposed use will not handle, store, or use materials identified by federal, state, or local regulation as hazardous, special, or radioactive.

§120-812M – Shoreland Relationship

The site is not located in the Shoreland Zone and is not expected to impact any water body.

§120-812N – Technical and Financial Capacity

The applicant has engaged DM Roma Consulting Engineers, licensed professional engineers with over 20 years of land development experience, and Gawron, Turgeon & Dillon Architects, a Maine-licensed architecture and interior design firm in operation since 1983. The applicant currently operates a dog daycare and overnight boarding facility in Falmouth, has leased the Windham space since February 2026, and intends to self-finance the build-out of the suite.

§120-812O – Solid Waste Management

Solid waste, including bagged pet waste, will be disposed of in the existing onsite dumpsters collected by a private hauler; no change to solid waste management is proposed.

§120-812P – Historical and Archaeological Resources

No additional site disturbance is proposed, and the project is not expected to impact historic or archaeological resources.

§120-812Q – Floodplain Management

A FEMA FIRMette included with the application shows that no special flood hazard areas are located within or directly adjacent to the site.

§120-812R – Exterior Lighting

No additional exterior lighting is proposed. The outdoor play area will be used only during daytime hours, and existing plaza lighting is adequate for the proposed use.

§120-812S – Noise

Soundproofed walls and sound-deadening ceiling panels will provide noise abatement within the facility, and the solid fencing and proposed landscape trees around the outdoor play area at the rear (south side) of the building are expected to reduce noise. The applicant's Falmouth facility operates adjacent to retail, office, and service uses with no record of complaints, and the applicant is aware of the residential project under construction to the south and will ensure compliance with the maximum permissible sound pressure levels in [§120-812S](#).

§120-812T – Storage of Materials

No outside storage of materials is required for the proposed use, and no additional dumpsters are proposed. The outdoor play area is accessible only from the building, and the solid fencing and landscape trees will be maintained in good condition with no opening large enough for a small child, or an escaping dog, to pass through.

CONCLUSIONS

1. The plan for development **reflects** the natural capacities of the site to support development.
2. Buildings, lots, and support facilities **will** be clustered in those portions of the site that have the most suitable conditions for development.
3. Environmentally sensitive areas, including but not limited to, wetlands; steep slopes; flood plains; significant wildlife habitats, fisheries, and scenic areas; habitat for rare and endangered plants and animals; unique natural communities and natural areas; and, sand and gravel aquifers **will** be maintained and protected to the maximum extent.
4. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
5. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
6. The proposed use and layout **will not** be of such a nature that it will make vehicular or pedestrian traffic more hazardous than is normal for the area involved.
7. The proposed site plan **will** provide adequate sewage waste disposal.
8. The proposed site plan **conforms** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
9. The developer **has** the adequate financial capacity to meet the standards of this section.
10. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater.
11. The proposed site plan **will** provide for adequate stormwater management.
12. The proposed location and height of buildings or structure walls and fences, parking, loading, and landscaping shall be such that it **will not** interfere with or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonably affect its value.
13. On-site landscaping **does** provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.
14. All freshwater wetlands within the proposed subdivision **have** been identified on the plan.
15. Any river, stream, or brook within or abutting the subdivision **has** been identified on any maps submitted as part of the application.

CONDITIONS OF APPROVAL

1. Approval is dependent upon and limited to the proposals and plans contained in the application dated July 15, 2026, as amended July 27, 2026, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board. Any variation from such plans, proposals, supporting documents, and representations is subject to review and approval by the Planning Board or the Town Planner in accordance with [§120-815](#) of the Land Use Ordinance.