



Sarah Pett & Trent Swengel

1091 Roosevelt Trail

Windham, ME 04062

petts16@gmail.com

315-985-1391 or 207-212-4168

05/26/2026

Board of Appeals

Windham Maine Code Enforcement

8 School Road

Windham, ME 04062

Subject: Appeal for Conditional Land Use Approval – (1091 Roosevelt Trail)

Dear Members of the Board,

We are submitting this letter to respectfully ask for approval of a conditional use for the purposes of Retail Convenience and Retail Nursery. We believe the proposed use meets the intent and requirements of the Town of Windham Residential Limited, Land Use Ordinance for conditional uses, specifically following Article 5 Performance standards subsection 120-547 Retail Sales, convenience and Article 8 subsection 120-542 and subsection 120-812C. Our proposed plan is to use 750 sq/ft as a retail sales convenience store and occasionally sell excess plants or produce (if applicable from our garden/land). This plan does not interfere with the traffic or community standards. Currently the driveway allows for up to 8 cars to be parked with room to turn around without going onto 302 (the main road) and that the conditions for approval can be satisfied without adverse impact to neighboring properties or the public interest. This property had previously been converted from a cable business that many people in the community had cherished as a local business and it is assumed the local community in Windham would approve of the addition of a business at this site.

As the owners of this property we do not believe an additional owner permission doc is required at this time. As I, Trent Swengel approve of the use of that section of the building to be used for the conditional uses outlined in this application.

This retail store we believe:

- **Complies with zoning and performance standards** as following the rules and regulations set forth by Article 5 and 8. As well as follows the development requirements

of less than 1,500 square feet, no outdoor storage for retail purposes, and not selling gasoline. In addition, following parking rules of at least 2 car spaces with room to turn around as to not impede on the traffic in town.

- **Preserve community character** by allowing the community to have a local shop with convenience items built on the idea of local artisans/crafters into the retail space.
- **Provides public benefit** through connections and increased ability to shop locally, buying products that were made locally here in Maine and increasing the job security and prosperity of the community. Also adds tax revenue to the state through the collection of tax on products that may not be sold in a store otherwise as big chains and amazon frequently do not allow for locally sourced products on shelves.
- **Expected Traffic:** Following the patterns of local businesses we would expect to see anywhere between 5-30 cars of people per day. More cars do drive by but based on patterns of stopping in the area that would be our best estimate for cars at this time.

Expected Hours of Operation (To be changed to fit traffic patterns and customer flows):

Summer:

Monday: Open 6 am to 8 am

Tuesday: Open 6 am to 8 am and 6 pm to 8 pm

Wednesday: Open 6 am to 8 pm Closed for Lunch between 11 am and 1 pm

Thursday: Open 6 am to 8 am and 6 pm to 8 pm

Friday: Open 6 am to 8 pm Closed for Lunch between 11 am and 1 pm

Saturday: Open 6 am to 1 pm

Sunday: Closed to the public (may occasionally open from 6am to 1 pm)

Winter:

Monday: Open 6 am to 8 am

Tuesday: Open 6 am to 10 am and 5 pm to 8 pm

Wednesday: Open 6 am to 8 pm Closed for lunch between 10 am and 12 pm

Thursday: Open 6 am to 10 am and 5 pm to 8 pm

Friday: Open 6 am to 8 pm Closed for lunch between 10 am and 12 pm

Saturday: Open 6 am to 3 pm

Sunday: Closed to the public (may occasionally open from 6 am to 1 pm)

I have enclosed supporting materials, including a site plan, different uses with a plan for parking, and answers to the relevant use questions attached to the application. Which demonstrates that the proposed use aligns with both the ordinance and the community's interests.

I respectfully request that the Board review this appeal for conditional use, consider the evidence provided, and grant conditional approval with any reasonable conditions deemed necessary to ensure compliance and community harmony.

Thank you for your time, consideration, and dedication to fair and balanced land use decisions.

Sincerely,

Sarah Pett & Trent Swengel

Store Parking

Residential Parking or blocked off

Turn around zones

City Streets

Proposed Conditional Use Space
Retail convenience and nursery

Walkway to residential space

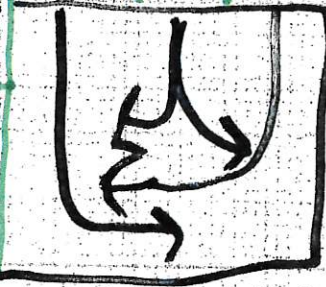
Basement Stairs

Greenhouse

Dining Room

Kitchen

Living Room
Stairs to Bedroom



yer-1

if needed for turn around as well

ZBA APPLICATION CHECKLIST

Revised 06/11/2013

The following requirements are to be included with each Board of Appeals applications:

1. A cover letter explaining why the Board of Appeals is needed and any other information that might be necessary.
2. A permission letter from the owner, giving you the right to go to the Board of Appeals.
3. A scaled site plan must show the following locations:
 - All buildings
 - Parking spaces
 - Septic Systems
 - All existing and proposed setbacks
4. If the property is being used for more than one use, you need to show the following:
 - The different uses
 - Parking locations for all uses
 - The Town of Windham's Land Use Ordinance is met.
 - If necessary, restaurants must show seating plans to scale.
 - Daycare use must show floor plan and percentage of structure being used.
5. Questions that are attached to application need to be answered with a brief explanation and attached back to application.
6. The Code Enforcement Office will need 8 copies of application, site plans and any other attachments, made into packet form. (The plans must be folded when submitted).
7. All submissions must be 21 days prior to the next scheduled meeting. The ZBA Boards meets the first Thursday of every month unless there is a holiday.
8. Application fee is \$400.00, check made out to the Town of Windham.

PLEASE INFORM US OF ANY SPECIAL REQUIREMENTS YOU MAY HAVE DUE TO A DISABILITY

**APPLICATION FOR APPEAL
TO WINDHAM ZONING BOARD OF APPEALS
LAND USE APPLICATION**

APPLICANTS

NAME: Sarah Pett & Trent Swengel
ADDRESS: 1091 Roosevelt Trl Windham ME 04062
TELEPHONE: 315-985-1391
or 207-212-4168

OWNER

NAME: Trent Swengel
ADDRESS: 1091 Roosevelt Trl Windham ME 04062
TELEPHONE: 315-985-1391
or 207-212-4168

ADDRESS OF PROPERTY OR LOCATION 1091 Roosevelt Trl
MAP # 77 LOT # 2 PROPERTY IS ZONED RL
LOT WIDTH: ~98 ft LOT DEPTH: ~304 ft LOT AREA: ~29620 sq. ft.
EXISTING USE OF PROPERTY: Residential - Single family home

TYPE OF APPLICATION

 Variance from Ordinance
 X Conditional Use
 Appeal from decision of Code Enforcement Officer
 Home Occupation 2

PROPOSED USE: Please describe in detail what you wish to do and what the use of any proposed structures will be. (Attach a letter of explanation if necessary :)

~750 sq/ft to be used as a convenience/nursery store. The room
with the double glass doors to the right of the main house. The
remainder of the building to remain a residential home. Parking to
be split evenly with 4 spots for the residence and 4 spots for the store.
Why is Board of Appeals approval required?
Retail convenience and retail nursery are both conditional
use in the Residential Limited (RL) zoning district.
Please read attached cover sheet for more information.

Amount of variance required, if any: none needed at this time ft.

TYPE OF SEWAGE DISPOSAL SYSTEM: Present 5 bed septic Proposed Same (no change)

STRUCTURAL DIMENSIONS: (Exterior length and width)

Existing: ~57 ft. By ~56 ft. Number of Stories 2 with a basement
Conditional use Proposed: ~30 ft. By 26 ft. Number of Stories No change needed

NUMBER OF ROOMS IN PROPOSED STRUCTURE: 1 room to be utilized by store

IS ADDITIONAL PLUMBING CONTEMPLATED? Yes No X

If yes, please describe:

IF REQUIRED, HAS PLANNING BOARD APPROVAL BEEN OBTAINED?

Yes No Not Required X

Conditional Use Questions

H. Review Criteria. The Reviewing Authority shall have the power and duty to approve, approve with conditions, or deny conditional use applications based on the following standards:

1. Property Value. The proposed use will not depreciate the economic value of surrounding properties.
 2. Wildlife Habitat. The proposed use will not damage significant wildlife habitat or spawning grounds identified by the Maine Department of Inland Fisheries and Wildlife or by the Town of Windham's Comprehensive Plan.
 3. Botanical Species. The proposed use will not damage rare or endangered botanical species as identified by the Maine Department of Conservation or by the Town of Windham's Comprehensive Plan.
 4. Potable Water
 - (a) The proposed use has access to potable water,
 - (b) The proposed use will not burden either a groundwater aquifer or public water system.
 5. Sewage Disposal. The proposed use has adequate capacity to dispose of sewage waste. A change from one use to another use must show that either:
 - (a) The existing sewage system has adequate capacity for the proposed use, or
 - (b) The existing system will be improved, or a new system will be installed to provide adequate waste disposal capacity.
 6. Traffic. The proposed use has adequate sight distance as established by current Maine DOT Highway Entrance and Driveway Rules.
- Sec. 500 Performance Standards Land Use Ordinance Town of Windham
5 - 10
7. Public Safety. The proposed use will not overburden police, fire and rescue services, as determined by response time, accessibility to the site of the proposed use, and numbers and types of emergency personnel and equipment presently serving the community.
 8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations that exceed a peak particle velocity greater than 2.0 at the closest "protected structure," as defined by the Maine Department of Environmental Protection.
 9. Noise. The proposed use shall meet the noise standards in Section 812.S. of the Site Plan Review Ordinance.
 10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of Section 812.C. Site Plan Review.
 11. Odors. The proposed use will not emit noxious or odorous matter in such quantities as to be offensive at the lot boundaries.
 12. Air Pollution. No emission of dust or other form of air pollution is permitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling at any point, and in no event any emission, from any activity permitted composed of any solid or liquid particles in concentration exceeding three-tenths (0.3) grain per cubic foot of the conveying gas or air at any point.
 13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground of any materials in such nature or temperature as to contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements is permitted.

H. Review Criteria. The Reviewing Authority shall have the power and duty to approve, approve with conditions, or deny conditional use applications based on the following standards:

1. Property Value. The proposed use will not depreciate the economic value of surrounding properties.

This conditional use will not depreciate the value of the surrounding properties or this property. It may add value by giving this community a local convenience shop within walking distance which is often sought after by people looking for property.

2. Wildlife Habitat. The proposed use will not damage significant wildlife habitat or spawning grounds identified by the Maine Department of Inland Fisheries and Wildlife or by the Town of Windham's Comprehensive Plan.

Stays clear of the nature reserve in the area and has minimal effect on the wild life in the surrounding areas.

3. Botanical Species. The proposed use will not damage rare or endangered botanical species as identified by the Maine Department of Conservation or by the Town of Windham's Comprehensive Plan.

No plants are going to be affected by this proposed use.

4. Potable Water (a) The proposed use has access to potable water, (b) The proposed use will not burden either a groundwater aquifer or public water system.

The building is on Public Water and has access to this system via a bathroom already available in the unit.

5. Sewage Disposal. The proposed use has adequate capacity to dispose of sewage waste. A change from one use to another use must show that either: (a) The existing sewage system has adequate capacity for the proposed use, or (b) The existing system will be improved, or a new system will be installed to provide adequate waste disposal capacity.

The current septic system is rated for 5 bedrooms and the bathroom that will be utilized in the retail store has already been used prior and has its own pump in the basement to the septic that is separate from the other bathrooms.

6. Traffic. The proposed use has adequate sight distance as established by current Maine DOT Highway Entrance and Driveway Rules. Sec. 500 Performance Standards Land Use Ordinance Town of Windham 5 - 10

The traffic to the store would already be expected in this area and would cater to the travelers, commuters, and tourists that are already traveling along 302.

7. Public Safety. The proposed use will not overburden police, fire and rescue services, as determined by response time, accessibility to the site of the proposed use, and numbers and types of emergency personnel and equipment presently serving the community.

The proposed use does not predict having to utilize the police, fire, or emergency services in town beyond normal expected use.

8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations that exceed a peak particle velocity greater than 2.0 at the closest "protected structure," as defined by the Maine Department of Environmental Protection.

This conditional use does not expect to utilize vibrations at all and therefore should not reach anywhere close to a velocity of 2.0.

9. Noise. The proposed use shall meet the noise standards in Section 812.S. of the Site Plan Review Ordinance.

The noise is not expected to go past normal noise volumes of talking or quiet music that would be expected in the residential limited area.

10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of Section 812.C. Site Plan Review.

Ample parking is available which also allows for turning around in the lot so backing up onto 302 is not required by anyone entering or exiting this location.

11. Odors. The proposed use will not emit noxious or odorous matter in such quantities as to be offensive at the lot boundaries.

It is not expected that odors beyond normal fragrances would be emitted.

12. Air Pollution. No emission of dust or other form of air pollution is permitted which can cause any damage to health, to animals or vegetation, or other forms of property, or which can cause any excessive soiling at any point, and in no event any emission, from any activity permitted composed of any solid or liquid particles in concentration exceeding three-tenths (0.3) grain per cubic foot of the conveying gas or air at any point.

This is not expected to occur as these gases are not going to be utilized.

13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground of any materials in such nature or temperature as to contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements is permitted. 5

Nothing is expected or going to be allowed near the public water or septic system that is on site that is not allowed to be in said systems (ex. Toilet paper only in toilets, paper towels in trash can, etc).

14. Erosion and Sediment Control. The proposed use will not cause water pollution, sedimentation, erosion, nor contaminate any water supply, nor reduce the capacity of the land to hold water, so that a dangerous or unhealthy condition may result.

No additional impact is expected towards the land on the property beyond what it is currently expected to handle.

15. Hazardous Material. No use shall for any period of time discharge across the boundaries of the lot wherein it is located toxic and noxious matter in concentrations so that a dangerous or unhealthy condition may result.

Hazardous Materials are not expected to be involved in any way in this conditional use.

16. Zoning District and Performance Standards. The proposed use meets the applicable zoning district standards in Section 400 and the applicable performance standards of Section 500. Town of Windham Land Use Ordinance Sec. 500 Performance Standards 5 - 11

This zoning is allowed under conditional use when approved by the board of appeals and is expected to follow all of the standards set forth by the town of Windham.

17. Solid Waste Management. The proposed use shall provide for adequate disposal of solid wastes. All solid waste must be disposed of at a licensed disposal facility having adequate capacity to accept the project's wastes.

The trash and waste accumulated will be disposed of at landfill facilities but is not expected to exceed a normal level of 1-2 small bags a week.

The site has a septic system that is built to support a 5 bedroom house and can handle the addition of this conditional use. The bathroom that will be used in the conditional use will not be open regularly to the public other than for emergencies but rather for the employee or occupants(already using the bathroom) therefore the system will only regularly need to support potentially 1 additional person than it already supports.



100 feet Abutters List Report

Windham, ME

June 25, 2026

Subject Property:

Parcel Number: 077002000000
CAMA Number: 077-002-000-000
Property Address: 1091 ROOSEVELT TR

Mailing Address: SWENGEL TRENT T
1091 ROOSEVELT TR
WINDHAM, ME 04062

Abutters:

Parcel Number: 077001000000
CAMA Number: 077-001-000-000
Property Address: 1099 ROOSEVELT TR

Mailing Address: KIMBALL SCOTT J & KIMBALL KENDRA
A
PO BOX 372
NAPLES, ME 04055

Parcel Number: 077003000000
CAMA Number: 077-003-000-000
Property Address: 1089 ROOSEVELT TR

Mailing Address: LITTLEFIELD TYLER A & RENOLDS
ELIZABETH
1089 ROOSEVELT TRAIL
WINDHAM, ME 04062

Parcel Number: 077004000000
CAMA Number: 077-004-000-000
Property Address: 1087 ROOSEVELT TR

Mailing Address: HAYCOCK MICHAEL T
PO BOX 775
WINDHAM, ME 04062

Parcel Number: 077052000000
CAMA Number: 077-052-000-000
Property Address: 1088 ROOSEVELT TR

Mailing Address: 1088 ROOSEVELT LLC
35 CUMBERLAND ST
WESTBROOK, ME 04092

Parcel Number: 077056000000
CAMA Number: 077-056-000-000
Property Address: 15 MT VIEW ST

Mailing Address: OLIVER SHAWN-ELISE
23 EASY STREET
STANDISH, ME 04084

Parcel Number: 077057A00000
CAMA Number: 077-057-A00-000
Property Address: 1092 ROOSEVELT TR

Mailing Address: MOORE ALAN H SR & MOORE JOAN
1092 ROOSEVELT TR
WINDHAM, ME 04062

Parcel Number: 078007B00000
CAMA Number: 078-007-B00-000
Property Address: 1111 ROOSEVELT TR

Mailing Address: AHEARN INVESTMENT PROPERTIES
INC
975 MEETINGHOUSE ROAD
WELLS, ME 04090

Parcel Number: 23A015A00000
CAMA Number: 23A-015-A00-000
Property Address: 1125 ROOSEVELT TR

Mailing Address: HALE ROGER & DOROTHY TRUSTEES
R & D REVOCABLE TRUST
264 BROAD TURN ROAD
SCARBOROUGH, ME 04074



www.cai-tech.com

6/25/2026

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1091 Roosevelt Tr

Town of Windham, ME



June 25, 2026

1 inch = 136 Feet

0 136 272 408

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