



July 15, 2024  
16405

Steve Puleo, Planning Director  
Planning Department  
8 School Road  
Windham Maine 04062

**Maine Correctional Center – Windham, Maine**  
**Response to Conditional Use Application Review Comments**

Dear Mr Puleo:

We have reviewed the comments from July 10, 2024, regarding the Condition Use Application Review of the MDOC Women's Mental Health Addition at the Maine Correctional Center in Windham. We offer the following responses to each comment in the order received, along with revised documentation and supporting material.

**Planning Department Review Comments:**

1. *Add a section on sheet 2.07CE202 for the Conditions of Approval (see below).*

**Response:** A section for the Conditions of Approval has been added to sheet 2.07CE202. Sheet 2.07CE202 has been included in the resubmission material.

**Town Engineer Review Comments:**

2. *Based on my cursory review I do not have any comments to offer on this project. It looks like they'll be building it in an already-developed area of the prison site and the existing infrastructure will handle stormwater and sewer. It would be easier to review if they provided plans at an intermediate scale so it's easier to see the interaction between the proposed work and the existing site.*

**Response:** Sheet 2.07CE303 was added to the plan set. This plan is scaled at 1"=20' and is intended to provide more clarity to the interaction between the proposed work and the existing site.

**Assessor Review Comments:**

3. *One question I have concerns the parcel acreage. The survey notes on pg. 17 of the Plan say the parcel contains approximately 122 acres. Pg 4 of the application lists 108 acres (which is what we have listed in our database). Which is correct? Or does the 122 acres include multiple parcels owned by the same owner?*

**Response:** The Conditional Use and Major Site Plan applications have been revised to match the existing survey plan. The revised applications have been included with the resubmission material.



**Town of Windham  
Conditional Use Application**

For:

**State of Maine Correctional Center  
Building 7 - Women's Mental Health Addition  
17 Mallison Falls Road  
Windham, Maine**

Prepared for:

**State of Maine, Department of Corrections  
17 Mallison Falls Road  
Windham, Maine**

Prepared by:

**Sebago Technics, Inc.  
75 John Roberts Road, Suite 4A  
South Portland, Maine 04106**

**June 2024**

## **TABLE OF CONTENTS – CONDITIONAL USE APPLICATION MAINE DEPARTMENT OF CORRECTIONS WOMENS MENTAL HEALTH BUILDING (BUILDING No. 7)**

### **A. Application Form and Checklist**

- Agent Authorization

### **B. Evidence of Right, Title, or Interests in the Property**

- Property Deed and Assessor Data

### **C. Payment of Application Fees and Escrow Fees**

- \$850.00

### **D. A Written Explanation of Section 120-516**

1. Property Value. The proposed use will not depreciate the economic value of surrounding properties.
2. Wildlife Habitat. The proposed use will not depreciate the economic value of surrounding properties.
3. Botanical Species. The proposed use will not damage rare or endangered botanical species, per ME Dep. Conservation.
4. Potable Water. The proposed use has access to potable water or will not burden the public system.
5. Sewage Disposal. The proposed use has adequate capacity.
6. Traffic. The proposed use has adequate sight distance.
7. Public Safety. The proposed use will not overburden police, fire, and rescue services.
8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations.
9. Noise. The proposed use shall meet the noise standards in Section 120-812S.
10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of Section 120-812C.
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.
13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground.
14. Erosion and Sediment Control. The proposed use will not cause water pollution, sedimentation, erosion, nor contaminate any water supply.
15. Hazardous Material. No use shall for any period of time discharge across the boundaries of the lot.
16. Zoning District and Performance Standards. The proposed use meets the applicable zoning district standards in Section 120-400 and the applicable performance standards of Section 120-500. LUO Sec. 120-500 Performance Standards 5 – 11.
17. Solid Waste Management. The proposed use shall provide for adequate disposal of solid wastes.

**Attachment: Site Development and Architectural Building Plans**

## **Conditional Use Application**

### **A. Application Form and Checklist Including Agent Authorization Form**



## Town of Windham

Planning Department:  
8 School Road  
Windham, Maine 04062  
Tel: (207) 894-5960 ext. 2  
Fax: (207) 892-1916 -  
[www.windhammaine.us](http://www.windhammaine.us)

### CONDITIONAL USE APPLICATION

|  |   |  |  |                                   |  |  |  |  |
|--|---|--|--|-----------------------------------|--|--|--|--|
| <b>FEES FOR<br/>CONDITONAL USE<br/>APPLICAITON<br/>REVIEW</b>        |   | <b>APPLICATION FEE:</b>                  |  | <input type="checkbox"/> \$600.00 |  | <b>AMOUNT PAID:</b>  |  |  |
|  |   | <b>REVIEW ESCROW:</b>                    |  | <input type="checkbox"/> \$250.00 |  | \$ _____<br><b>DATE:</b> _____<br><i>Office Use:</i> _____ |  |  |
| <b>PROPERTY<br/>INFORMATION</b>                                      | Parcel ID   | Map(s) #                                 |  | Lot(s) #                          |  | <b>Current Zoning District(s):</b>                         |  |  |
|  | Property Size SF:   |  |  |                                   |  | <b>Requested Zoning District(s):</b>                       |  |  |
|  | Physical Address:   |  |  |                                   |  |  | <b>Watershed:</b>  |  |
| <b>PROPERTY<br/>OWNER'S<br/>INFORMATION</b>                          | <b>Name:</b>  | State of Maine, Department of Correction |  |                                   |  | <b>Name of Business:</b>                                   | Maine Correction Center                                  |  |
|  | <b>Phone:</b>   |  |  |                                   |  | <b>Mailing Address:</b>                                    | 17 Mallison Falls Road<br>Windham, ME 04062              |  |
|  | <b>Fax or Cell:</b>   |  |  |                                   |  |  |  |  |
|  | <b>Email:</b>   | Gary.LaPlante@maine.gov                  |  |                                   |  |  |  |  |
| <b>APPLICANT'S<br/>INFORMATION<br/>(IF DIFFERENT<br/>FROM OWNER)</b> | <b>Name:</b>  | Same                                     |  |                                   |  | <b>Name of Business:</b>                                   |  |  |
|  | <b>Phone:</b>   |  |  |                                   |  | <b>Mailing Address:</b>                                    |  |  |
|  | <b>Fax or Cell:</b>   |  |  |                                   |  |  |  |  |
|  | <b>Email:</b>   |  |  |                                   |  |  |  |  |
| <b>APPLICANT'S<br/>AGENT<br/>INFORMATION</b>                         | <b>Name:</b>  | Owens McCullough, P.E.                   |  |                                   |  | <b>Name of Business:</b>                                   | Sebago Technics, Inc.                                    |  |
|  | <b>Phone:</b>   |  |  |                                   |  | <b>Mailing Address:</b>                                    | 75 John Roberts Rd, Suite 4A<br>South Portland, ME 04106 |  |
|  | <b>Fax or Cell:</b>   |  |  |                                   |  |  |  |  |
|  | <b>Email:</b>   | omccullough@sebagotechnics.com           |  |                                   |  |  |  |  |
| <b>PROJECT INFORMATION</b>   | <b>Current Use of the Property (Use extra paper, if necessary):</b>   |  |  |                                   |  |  |  |  |
|  | <b>Requested Use of the Property (Use extra paper, if necessary):</b> |  |  |                                   |  |  |  |  |

## CONDITIONAL USE APPLICATION REQUIREMENTS

### Section 120-516 of the Land Use Ordinance

**The submission shall contain, five (5) copies of the following information, including full plan sets. Along with one (1) electronic version of the entire submission.**

**The Conditional Use Plan document/map:**

- A) Plan size: 24" X 36"
- B) Plan Scale: No greater 1":100'
- C) Title block: Applicant's name and address
- Name of the preparer of plans with professional information
- Parcel's tax map identification (map and lot) and street address, if available
- Complete application submission deadline: All required submission material must be submitted to the Town of Windham Planning Department three (3) weeks before the desired Planning Board meeting.

- Five copies of the application and plans (The submittal must be in a bound report)
- Application Payment and Review Escrow
- A pre-submission meeting with the Town staff is required.
- Planning Board serves as the Review Authority for all Conditional Use application associated with Minor and Major Site Plan Review applications under [Article 8](#) or Minor of Major Subdivision Review applications under [Article 9](#).
- Contact information:  
 Windham Planning Department (207) 894-5960, ext. 2  
 Steve Puleo, Town Planner [sipuleo@windhammaine.us](mailto:sipuleo@windhammaine.us)  
 Amanda Lessard, Planning Director [allessard@windhammaine.us](mailto:allessard@windhammaine.us)

## APPLICANT/PLANNER'S CHECKLIST

| Submission Requirements:   | Applicant                           | Staff                    |
|--|-------------------------------------|--------------------------|
| A. Application form and checklist.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| B. Evidence of right, title, or interest in the property   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| C. Payment of application and escrow fees when the application is filed with the Planning Department   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| D. A detailed written explanation that includes the following information, per <a href="#">Section 120-516</a>   |                                     |                          |
| 1. Property Value. The proposed use will not depreciate the economic value of surrounding properties   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Wildlife Habitat. The proposed use will not depreciate the economic value of surrounding properties   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Botanical Species. The proposed use will not damage rare or endangered botanical species, per ME Dep. Conservation  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4. Potable Water. The proposed use has access potable water or will not burden the public system.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Sewage Disposal. The proposed use has adequate capacity.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 6. Traffic. The proposed use has adequate sight distance.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 7. Public Safety. The proposed use will not overburden police, fire and rescue services.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Noise. The proposed use shall meet the noise standards in <a href="#">Section 120-812S</a> .  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of <a href="#">Section 120-812C</a> .   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Odors. The proposed use will not emit noxious or odorous matter in such quantities as to be offensive at the lot boundaries  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 12. Air Pollution. No emission of dust or other form of air pollution is permitted.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 14. Erosion and Sediment Control. The proposed use will not cause water pollution, sedimentation, erosion, nor contaminate any water supply.   | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 15. Hazardous Material. No use shall for any period of time discharge across the boundaries of the lot.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 16. Zoning District and Performance Standards. The proposed use meets the applicable zoning district standards in <a href="#">Section 120-400</a> and the applicable performance standards of <a href="#">Section 120-500</a> . LUO Sec. 120-500 Performance Standards 5 – 11. | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 17. Solid Waste Management. The proposed use shall provide for adequate disposal of solid wastes.  | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

The undersigned hereby makes an application to the Town of Windham for approval of the proposed project and declares the foregoing to be true and accurate to the best of his/her knowledge.



06/17/2024

APPLICANT OR AGENT'S SIGNATURE

DATE

Owens A. McCullough, P.E.  
Sebago Technics, Inc.

PLEASE TYPE OR PRINT THE NAME

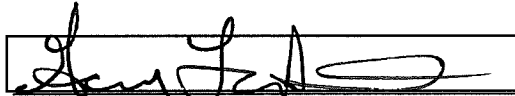


## Town of Windham


Planning Department:  
8 School Road  
Windham, Maine 04062  
Tel: (207) 894-5960 ext. 2  
Fax: (207) 892-1916 -  
[www.windhammaine.us](http://www.windhammaine.us)


| AGENT AUTHORIZATION                 |                     |  |                                    |   |
|-------------------------------------|---------------------|--|------------------------------------|---|
| APPLICANT/<br>OWNER                 | Name                | State of Maine, Maine Department of Corrections    |                                    |   |
| PROPERTY<br>DESCRIPTION             | Physical<br>Address | 17 Mallison Falls Road, Windham Maine              | Map                                | 3   |
|                                     |                     |  | Lot                                | 5   |
| APPLICANT'S<br>AGENT<br>INFORMATION | Name                | Sebago Technics, Inc.<br>Owens A. McCullough, P.E. |                                    |   |
|                                     | Phone               | (207) 200-2100                                     | Business Name &<br>Mailing Address | 75 John Roberts Road, Suite 4a<br>South Portland, Maine 04106 |
|                                     | Fax/Cell            | (207) 232-1649                                     |                                    |   |
|                                     | Email               | omccullough@seagotechnics.com                      |                                    |   |

**Said agent(s) may represent me/us before Windham Town officers and the Windham Planning Board to expedite and complete the approval of the proposed development for this parcel.**

  
APPLICANT SIGNATURE

  
PLEASE TYPE OR PRINT NAME HERE

  
DATE



CO-APPLICANT SIGNATURE

DATE

PLEASE TYPE OR PRINT NAME HERE

  
APPLICANT'S AGENT SIGNATURE

Owens A. McCullough

PLEASE TYPE OR PRINT NAME HERE

5-3-24

DATE

**B. Evidence of Right, Title, or Interests in the Property**

- Property Deed
- Assessor Data



KNOW ALL MEN BY THESE PRESENTS: That the County of Cumberland, a body corporate and politic, existing by law and located in the State of Maine, In consideration of one dollar and other valuable considerations paid by the State of Maine, a body corporate and politic, and duly existing under the law, the receipt whereof it does hereby acknowledge, does hereby give, grant, bargain, sell and convey unto the said State of Maine, its successors and assigns forever, the following described real estate.

Co. of Cumb.  
to  
State of Me.  
Warranty

A certain lot or parcel of land with the buildings thereon situated in the town of Windham, County of Cumberland and State of Maine, bounded and described as follows, viz:- Beginning at an iron hub set in the ground at the southeasterly corner of the land of Frank W. Bryant on the Southwesterly side of the River Road, so called, running through said Windham; thence southeasterly by said River Road to Dole's Brook, so called; thence westerly by said Brook to a large willow tree on the northerly side of said brook; thence westerly in a straight line and by the northerly side line of the land now or formerly belonging to the heirs of Jonathan Sanborn to an iron hub set in the ground; thence southerly by said land now or formerly of said Sanborn heirs to an iron hub and spruce tree on the northerly bank of said brook; thence southwesterly by said brook to the eastern boundary of the present location of the Portland & Ogdensburg Railroad Company now leased to the Maine Central Railway and known as the Mountain Division thereof; thence northwesterly by said railroad location to the so-called tank lot; thence easterly by said tank lot and land of J. L. Brackett to the southerly side of the Mallison Falls road, so called; thence easterly by said southerly side of said Mallison Falls road to an iron hub set in the ground on the southerly side line of said Mallison Falls Road at the westerly corner of said land of said Frank W. Bryant; thence southerly by said Frank W. Bryant's land to the southerly corner thereof; thence easterly by said Frank W. Bryant's land to the point of beginning.

Subject to whatever rights the Maine Central Railway may have upon or over the premises.

Meaning and intending hereby to convey the same premises conveyed to Joseph L. Robinson by Fred C. Phinney by his deed dated July 11, A. D. 1895, and recorded in the Registry of Deeds for Cumberland County, Book 629, Page 14; by Charles W. Caswell by his deed dated Feb. 17, A. D. 1898, and recorded in said Registry, Book 660, page 182; by Nielsina Madsen by deed dated Feb. 17, 1898, and recorded in said Registry in Book 660, Page 183; and by Jonathan Sanborn by his deed dated Feb. 23, A. D. 1898, and recorded in said Registry in Book 668, Page 178, except a small irregular shaped piece of land on the southerly side of Dole's Brook, which the said Joseph L. Robinson conveyed to Jonathan Sanborn by deed dated March 1, A. D. 1898, and recorded in said Registry, Book 666, Page 494.

Also another certain lot or parcel of land with the buildings thereon situated in said Windham, bounded and described as follows, viz:- Commencing on the northeasterly side of the River Road, so called, running through said Windham at

the southwesterly corner of land of Rebecca Johnson; thence running southeasterly by said River Road to the Cross Road leading northeasterly to the schoolhouse lot; thence northeasterly by said last named road to said schoolhouse lot; thence northwesterly and northeasterly by said schoolhouse lot to the road running to the northeasterly side of said schoolhouse lot and past the house of Ann Moore; thence northwesterly by said last named road and the westerly side line of land now or formerly belonging to the heirs of Nathan Wood to the southerly side line of land of said Rebecca Johnson; thence southwesterly by said southerly side line of said Rebecca Johnson land to the point of beginning.

Meaning and intending hereby to convey the same premises conveyed to the said Joseph L. Robinson by Clara L. Webb by her deed dated Oct. 30, A. D. 1906, and recorded in the Cumberland County Registry of Deeds, Book 798, Page 27; by Maud E. Hubbard by deed dated Oct. 30, A. D. 1906, said deed recorded in said Registry in Book 798, Page 199; and by Lindley M. Webb, guardian of Fred L. Webb and Roy F. Webb, by deed dated Nov. 20, A. D. 1906, said deed being recorded in said Registry in Book 777, Page 397;

Also another certain lot or parcel of land with the buildings thereon situated in said Windham on the westerly side of the 'New Road', so called, leading from the Mallison Falls Road to the Depot Road, so called, near the Railroad Station at South Windham, and bounded northerly by land now or formerly of S. D. Warren Company; easterly by said New Road; southerly by land of the heirs of Joseph L. Robinson and westerly by land of the Maine Central Railway; containing about fourteen (14) acres. Being the same premises conveyed to the said Joseph L. Robinson by Hannah N. Frink by her deed dated April 26, A. D. 1895, recorded in said Registry, Book 626, Page 68. Subject, however, to a lease given by the said Joseph L. Robinson to the Maine Central Railway for location of a semaphore upon said land, which lease and rights thereunder the said Joseph L. Robinson assigned to The Aspenhurst Farm, and which lease and rights thereunder the said The Aspenhurst Farm assigned to the County of Cumberland, and which lease and rights thereunder the said County of Cumberland assigns to the State of Maine as a part of this conveyance.

All of the hereinbefore described lots or parcels of land being a part of the same premises which were conveyed by Joseph L. ~~Robinson~~ and Mary E. Robinson to the said The Aspenhurst Farm by their warranty deed dated January 22, A. D. 1907, said deed being recorded in said Registry of Deeds, Book 802, Page 145; and by deed of The Aspenhurst Farm to the County of Cumberland dated January 22, 1913 and recorded in said Registry of Deeds, Book 907, Page 161.

The last above described lot or parcel is subject to a reservation and exception in favor of The Aspenhurst Farm, its successors and assigns forever, of a certain spring located upon the southerly side of said lot or parcel of land and being the same now furnishing or supplying water for the dwelling house and premises of the late Joseph L. Robinson. And for the purpose of taking, drawing and conducting the waters of said spring across said lot to the said premises formerly

of said Joseph L. Robinson, the said The Aspenhurst Farm has further reserved and excepted unto itself, its successors and assigns forever, the right to enter upon said premises at all reasonable times to dig and excavate the soil thereof and to lay, repair and maintain pipes below the surface of the same, said pipes to be forever laid and maintained in a course substantially the same as that of the present pipe line, viz: in a southerly direction and straight line from said spring to said premises formerly of said Joseph L. Robinson. For further description of said reservations and exceptions reference is hereby made to said deed from said The Aspenhurst Farm to The County of Cumberland.

Also another certain lot or parcel of land situated in the town of Windham, in said County and State, and bounded and described as follows, viz:- Commencing at the intersection of the South side of the Mallison Falls Road, so called, with the West side of the River Road, so called, leading from Gambo past the Squire Webb Homestead to the Cumberland Mills, and from thence running West-erly by said Mallison Falls Road fifty-three and one-half ( $53 \frac{1}{2}$ ) rods to an iron hub driven in the ground; thence Southerly to land now or formerly of Charles J. Larry thirty and one-third ( $30 \frac{1}{3}$ ) rods to an iron hub driven in the ground and land now or formerly of Fred C. Phinney; thence Easterly parallel with the first bound of fifty-three and one-half ( $53 \frac{1}{2}$ ) rods to said River Road to a point thirty and one-third rods Southerly from the point of beginning and measured on said River Road and to an iron hub driven in the ground; thence Northerly by said River Road thirty and one-third rods to the point of beginning, containing ten (10) acres, more or less. Meaning and intending hereby to convey the same prop-erty conveyed to said County of Cumberland by deed of John C. Nichols, Administrator of the estate of Frank W. Bryant, dated April 3, 1913 and recorded in the Cumber-land Registry of Deeds, Book 904, Page 493.

Also a certain lot or parcel of land located on the Northeasterly side of High Street, so called, in the town of Windham and bounded and described as follows, to wit, beginning at an iron hub on the Northeasterly side of said High Street on the line between land of William H. Bickford and land of J. W. C. Roberts; thence Northeasterly along the line of said Robert's land to an iron hub set in the line between said Bickford's land and land of George Long; thence Southerly by said Long's land to an iron hub set in the Northerly side line of the Mallison Falls Road; thence Westerly along said Mallison Falls Road to a standing post set in the Northeasterly side line of said High Street; thence along the Northeasterly side line of said High Street to the point of beginning, containing seventeen (17) acres, more or less.

Hereby conveying a portion of the real estate which was bequeathed to William H. Bickford by his late father William Bickford, by his last will and testament, which was duly proved and allowed by the Judge of Probate for said County.

Being the same property conveyed the said County of Cumberland by William H. Bickford by his Warranty Deed dated July 14, 1913 and recorded in the Cumberland Registry of Deeds, Book 916, Page 201.

Also a certain lot or parcel of land in said Windham on the westerly side of the "New Road" so called, which leads from Depot Street in said Windham to the Mallison Falls Road, so called, said lot or parcel of land being bounded and described as follows, viz;- Beginning at a point on said westerly side of said road, which point is distant on a course South 6° 30' West, five hundred and thirty-one and three tenths (531.3) feet from the southeast corner of land of the S. D. Warren Company; thence North 86° 50' West a distance of five hundred and forty-five (545) feet more or less to an iron hub set in the ground; thence North 4° 17' East one hundred fifty-two and twenty-five hundredths (152.25) feet to the southerly side of the so-called Frink lot, which on Jan. 22, 1913 was conveyed by The Aspenhurst Farm to the County of Cumberland; thence in an easterly direction along said southerly side of said Frink lot a distance of five hundred and forty-five (545) feet more or less to said westerly side of said New Road; thence South 6° 30' West along said westerly side of said New Road to the point of beginning.

Hereby conveying the same premises that were conveyed to this Grantor by two deeds, one from Mary E. Robinson et als dated February 18, 1913, and recorded in said Registry in Book 909, Page 203, and the other from Mary E. Robinson, Guardian of Albert L. Robinson and Mary Elizabeth Robinson dated February 27, 1913, and recorded in said Registry, Book 904, Page 483, said two deeds conveying the interests of the widow and only heirs at law of Joseph L. Robinson, late of said Windham, deceased.

TO HAVE AND TO HOLD the aforegranted and bargained premises, with all the privileges and appurtenances thereof to the State of Maine, its successors and assigns, to its and their use and behoof forever.

AND the said County of Cumberland does covenant with the said Grantee, its successors and assigns, that it is lawfully seized in fee of the premises; that they are free of all incumbrances; that it has good right to sell and convey the same to the said Grantee to hold as aforesaid; and that it and its successors and assigns shall and will WARRANT AND DEFEND the same to the said Grantee, its successors and assigns, against the lawful claims and demands of all persons.

IN WITNESS WHEREOF the said County of Cumberland by its Board of County Commissioners thereunto duly authorized in accordance with the provisions of the Private and Special Laws of Maine for the year 1919, chapter 85, section 2, and in pursuance of a vote of said Board taken on the eighth day of April, A. D. 1920, has hereunto caused its name to be signed and its seal to be affixed this eighth day of May, A. D. 1920.

IN WITNESS WHEREOF the said County of Cumberland also by its agent Norman True duly appointed in complinace with the provisions of the 1916 revision of the Statutes of Maine, chapter 83, section 10, by vote duly passed by its board of County Commissioners in regular session on the fourth day of May, 1920 which said vote is duly recorded in the record of its proceedings duly kept by

said board of County Commissioners, has hereunto caused his name to be signed and his seal to be affixed this eighth day of May, 1920.

Signed, Sealed and Delivered in the presence of:-

Thomas J. Kennon to all

County of Cumberland (County Seal)

By Charles A. Maxwell Seal

Clarence L. Bucknam Chairman Seal U.S.I.R. \$16.00 C.L.B. May 8 1920 N.T.

Frank M. Hawkes Commissioners Seal

Norman True Agent Seal

State of Maine Cumberland, ss. Portland, May 8, 1920.

Personally appeared the above named Charles A. Maxwell, Clarence L. Bucknam and Frank M. Hawkes, to me personally known, who took oath that they are the duly elected Commissioners of said County of Cumberland, and that the foregoing is their free act and deed in their said capacity, and the free act and deed of said County of Cumberland.

And personally appeared the above named Norman True to me personally known, who took oath that he was the duly appointed agent of the Commissioners of said County of Cumberland in pursuance of the provisions of the 1916 revision of the Statutes of Maine, Chapter 83, Section 10, and that the foregoing is his free act and deed in his said capacity, and the free act and deed of said County of Cumberland.

Before me, Franz U. Burkett, Justice of the Peace.  
Received May 18, 1920, at 1h, 45m, P. M., and recorded according to the original.

-----

KNOW ALL MEN BY THESE PRESENTS, That I, Jesse Holden of Harrison County of Cumberland State of Maine being the owner of a certain mortgage given by William L. Ash of Otisfield County and State aforesaid to Jesse Holden dated June 4th, A. D. 1917, and recorded in Cumberland Registry of Deeds, Book 994, Page 16, do hereby acknowledge that I have received full payment and satisfaction of the same, and of the debt thereby secured, and in consideration thereof I do hereby cancel and discharge said mortgage, and release unto the said William L. Ash, his heirs and assigns forever the premises therein described.

HOLDEN  
to  
Ash  
Discharge

IN WITNESS WHEREOF, I the said Jesse Holden have hereunto set my hand and seal this fourth day of May, A. D. 1920.  
Signed, Sealed and Delivered in presence of

-----

Jesse Holden, SEAL.

State of Maine. County of Cumberland, ss. May 4th, 1920.

Then personally appeared the above named Jesse Holden and acknowledged the foregoing instrument to be his free act and deed, before me,  
Notarial Seal. A. F. Chute, Notary Public.

Received May 18, 1920, at 2h, P. M., and recorded according to the original.

-----

State of Maine. Cumberland, ss. Portland, May 18, A. D. 1920.

I, Harry H. Cannell, attorney of record for Edward M. Norton, plaintiff in

Norton  
to  
Haney &

17 MALLISON FALLS RD

Location 17 MALLISON FALLS RD

Mblu 3/ 5/ / /

Acct# S3820R

Owner STATE REFORMATORY

Assessment \$171,821,900

PID 108

Building Count 1

Zone I/SP/GD

Current Value

| Assessment     |               |           |               |
|----------------|---------------|-----------|---------------|
| Valuation Year | Improvements  | Land      | Total         |
| 2023           | \$170,963,600 | \$858,300 | \$171,821,900 |

Owner of Record

|          |                        |             |            |
|----------|------------------------|-------------|------------|
| Owner    | STATE REFORMATORY      | Sale Price  | \$0        |
| Co-Owner |                        | Certificate | 1          |
| Address  | 17 MALLISON FALLS ROAD | Book & Page | 1051/0179  |
|          | WINDHAM, ME 04062      | Sale Date   | 05/18/1920 |

Ownership History

| Ownership History |            |             |             |            |
|-------------------|------------|-------------|-------------|------------|
| Owner             | Sale Price | Certificate | Book & Page | Sale Date  |
| STATE REFORMATORY | \$0        | 1           | 1051/0179   | 05/18/1920 |

Building Information

Building 1 : Section 1

Year Built:  
Living Area: 0  
Replacement Cost: \$0  
Building Percent Good:  
Replacement Cost  
Less Depreciation: \$0

| Building Attributes |                |
|---------------------|----------------|
| Field               | Description    |
| Style:              | Accessory Bldg |

|                    |  |
|--------------------|--|
| Model              |  |
| Grade:             |  |
| Stories:           |  |
| Occupancy          |  |
| Exterior Wall 1    |  |
| Exterior Wall 2    |  |
| Roof Structure:    |  |
| Roof Cover         |  |
| Interior Wall 1    |  |
| Interior Wall 2    |  |
| Interior Flr 1     |  |
| Interior Flr 2     |  |
| Heat Fuel          |  |
| Heat Type:         |  |
| AC Type:           |  |
| Total Bedrooms:    |  |
| Total Bthrms:      |  |
| Total Half Baths:  |  |
| Total Xtra Fixtrs: |  |
| Total Rooms:       |  |
| Bath Style:        |  |
| Kitchen Style:     |  |
| Num Kitchens       |  |
| Cndtn              |  |
| Num Park           |  |
| Fireplaces         |  |
| Fndtn Cndtn        |  |
| Basement           |  |

Building Photo



(<https://images.vgsi.com/photos/WindhamMEPhotos/\00\01\26\27.jpg>)

Building Layout

 [Building Layout \(ParcelSketch.ashx?pid=108&bid=108\)](#)

| Building Sub-Areas (sq ft)     | Legend |
|--------------------------------|--------|
| No Data for Building Sub-Areas |        |

Extra Features

| Extra Features             | Legend |
|----------------------------|--------|
| No Data for Extra Features |        |

Land

| Land Use      |                | Land Line Valuation |           |
|---------------|----------------|---------------------|-----------|
| Use Code      | 901V           | Size (Acres)        | 108.40    |
| Description   | STATE OF MAINE | Frontage            |           |
| Neighborhood  | 001            | Depth               |           |
| Alt Land Appr | No             | Assessed Value      | \$858,300 |
| Category      |                | lblndfront          |           |

Outbuildings

| Outbuildings |             |          |                 |                  |              | <u>Legend</u> |
|--------------|-------------|----------|-----------------|------------------|--------------|---------------|
| Code         | Description | Sub Code | Sub Description | Size             | Value        | Bldg #        |
| FA           | FLAT AMOUNT |          |                 | 9160600.00 UNITS | \$18,321,200 | 1             |
| FA           | FLAT AMOUNT |          |                 | 9160600.00 UNITS | \$18,321,200 | 1             |
| FA           | FLAT AMOUNT |          |                 | 9160600.00 UNITS | \$18,321,200 | 1             |
| FA           | FLAT AMOUNT |          |                 | 1.00 UNITS       | \$0          | 1             |

Valuation History

| Assessment     |               |           |               |
|----------------|---------------|-----------|---------------|
| Valuation Year | Improvements  | Land      | Total         |
| 2023           | \$170,963,600 | \$858,300 | \$171,821,900 |
| 2022           | \$161,070,200 | \$961,500 | \$162,031,700 |
| 2021           | \$117,142,900 | \$836,300 | \$117,979,200 |



### **C. Payment of Application Fees and Escrow Fees**

- Application Fee to be Paid at Time of Submittal.

## **D. A Written Explanation of Section 120-516**

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

The proposed project involves work within an existing correctional facility that has been in existence since it was established via a legislative act in April 1919 and was originally known as the Reformatory for Men. In 1976, a woman's prison closed and the inmates were moved to the facility. The proposed project is within the existing developed footprint and given the history/longevity of the facility, the small addition is not anticipated to impact area property values.

2. **Wildlife Habitat.** The proposed use will not depreciate the economic value of surrounding properties.

The proposed project will not result in impacts to significant wildlife habitat of spawning grounds identified by the Maine Department of Inland Fisheries and Wildlife or the Town of Windham's Comprehensive Plan. The proposed project is within the existing developed footprint of a prison. Please see the plan set appended to the application. Since the project is located within the existing developed area, no wetlands or other environmental features will be impacted. The development site is pavement.

3. **Botanical Species.** The proposed use will not damage rare or endangered botanical species, per ME Dep. Conservation.

The proposed project will not result in impacts to rare or endangered botanical species identified by the Maine Department of Agriculture, Conservation, and Forestry or by the Town of Windham's Comprehensive Plan. The proposed project is within the existing footprint of a developed area.

4. **Potable Water.** The proposed use has access to potable water or will not burden the public system.

The project site is an existing facility serviced by public water. The proposed project will not result in the need for additional water capacity since the project will serve existing residents of the Correctional Facility. Water will be provided from within the existing development area and will not require any new services.

5. **Sewage Disposal.** The proposed use has adequate capacity.

The project site is an existing facility serviced by public sewer. The proposed project will be serviced by the existing internal sewer system requiring no changes in the existing

sewer service. The project will serve existing residents of the Correctional Facility and therefore will not alter the wastewater needs of the facility.

6. Traffic. The proposed use has adequate sight distance.

This item is not applicable since the project is internal to the existing prison and does not generate any new traffic or demand. The project is a modernization to provide improved medical support to existing residents.

7. Public Safety. The proposed use will not overburden police, fire, and rescue services.

The project is a secured prison and maintains its own security and first response. Should additional support be needed (fire or police) the State of Maine utilizes mutual aid with the municipal communities and State Police. The building will be fully sprinkled and emergency access is provided via the perimeter road and secured gated access approved as part of the original site plan approval for the prison modernization project.

The project by nature of its purpose, will reduce impacts on public safety through improved onsite medical facilities and providing more secure segregation of men and women residents.

8. Vibration. The proposed use will not produce inherently and recurrently generated vibrations.

The project does not utilize any equipment or operations that would create vibrations. The unit is for medical and mental health and as such designed around a quiet support facility.

9. Noise. The proposed use shall meet the noise standards in Section 120-812S.

The project does not utilize any equipment or operations that would create noise. The unit is for medical and mental health and as such designed around a quiet support facility.

10. Off-Street Parking and Loading. The proposed use meets the parking and loading standards of Section 120-812C.

The project does not require any new parking or place added demand on existing parking. The addition provides needed medical space for the women's unit which is currently provided for in other non-segregated buildings creating challenging health, safety, and security conditions. The new space will allow for segregation and provide a modern facility to accommodate the women's mental health needs.

The small building addition will be accessed from the existing interior perimeter road. A service drive from the secure interior perimeter road will be provided to the side door of

the building. The access drive will be 23 feet in width and accommodate maintenance, emergency access, and deliveries of supplies.

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

The project does not involve any activities or operations that generate odorous matter. The facility is medical in nature and used for resident housing and support for women's mental health.

12. Air Pollution. No emission of dust or other form of air pollution is permitted.

The project involves no emissions. The facility will be served by the existing central plant and does not involve activities that would generate emissions. During construction, any dust will be allayed using appropriate dust control (water) and erosion control strategies.

13. Water Pollution. No discharge at any point into any private sewage disposal system or stream or into the ground.

The project does not involve the use of any onsite waste disposal or the discharge of sewer into a private sewer system.

14. Erosion and Sediment Control. The proposed use will not cause water pollution, sedimentation, erosion, nor contaminate any water supply.

The project encompasses a small footprint and will require limited soil disturbance. The construction and post-construction will utilize erosion and sedimentation control BMP's provided on the site development drawings. The design plans include an entire project plan sheet dedicated to erosion and sedimentation control during and after construction. For additional information please refer to the stormwater management subsection 120-812F of the amended site plan application.

15. Hazardous Material. No use shall for any period of time discharge across the boundaries of the lot.

The project does not involve the use of hazardous materials or will discharge hazardous materials. The building will be used for women's mental health and residency of residents in need of support.

16. Zoning District and Performance Standards. The proposed use meets the applicable zoning district standards in Section 120-400 and the applicable performance standards of Section 120-500. LUO Sec. 120-500 Performance Standards 5 – 11.

The project site is zoned, Industrial (Section 120-413C). The correction facility is identified as a "Conditional Use" in the Industrial Zone. The dimensional standards of

the Industrial Zone include a minimum lot size of 20,000 s.f., frontage of 100 feet, front setback of 40 feet, and side/rear setback being the greater of 25 feet or 50% of building height.

The project is located interior to the site and located 1,400 feet from Route 302 and Mallison Falls Road and over 800 feet from any side or rear property line. As a result, the project area vastly exceeds any yard setbacks. In addition, since the project is located within an existing developed area (paved), no changes in lot coverage or impervious surface are proposed. The building will be approximately 18 feet in height, well below the maximum allowed height of 35 feet.

Building construction will be of masonry construction with a concrete foundation and supporting security features. The interior will include secured access, single-occupant rooms, infirmary rooms, bathrooms, a nurses' station, and staff facilities. Lighting will utilize existing yard lighting that was designed as part of the recent facility modernization along with building-mounted lights at entrances for safety and security. The project also includes a healing garden as detailed on the site/civil plans consisting of correctional facility-appropriate flowers and shrubs.

By virtue of the project's locations, the project will inherently provide significant buffering to property lines meeting or exceeding the buffer yard requirements identified in Section 120-511. From Route 302, more than 1,400 feet of existing natural buffering exists including natural rolling meadow intermixed with tree growth. The building will be fitted within the existing developed prison area and has a low profile (18' tall) building height. Since the building will be more than 1,400 feet from Route 302, and has a small footprint with a low profile, it is doubtful the building will be discernible. Since the building is interior to the current prison facility it will be obscured by other buildings and topography from other property lines. In this regard, the project is consistent with Section 120-511 Buffer Yard by being located at a significant distance from any property lines, blending in with existing site development, and maintaining natural buffering and vegetation.

17. Solid Waste Management. The proposed use shall provide for adequate disposal of solid wastes.

Solid waste will be limited in nature given the type of facility. Medical waste will be placed in separate secure containers and general waste in secure trash bins at designated areas within the buildings and outside of the buildings controlled by security.

**Attachment: Site Development and Architectural Building Plans**