

Town of Windham

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MEMO

DATE: October 19, 2018

TO: Windham Planning Board
FROM: Amanda Lessard, Planner *AL*
Cc: Owens McCullough, P.E., Sebago Technics
Development Review Team

RE: 18-35 MDOC Correctional Center Maintenance & Control Plant, Major Site Plan -
Sketch Plan
Planning Board Meeting: October 22, 2018

Overview –

This application is for a new 20,017 square foot maintenance and central plant building on the 108 acre parcel at 17 Mallison Falls Road. A Correctional Center and several outbuildings with entrances on Mallison Falls Road are currently located on the site. The Planning Board approved a site plan in 1989 for an expansion of the Correctional Facility and in October 2015 for a 24,000 square foot Women's Re-entry Center on River Road. The development is subject to a Maine Department of Environmental Protection Site Location of Development Approval Order #L-015483-26-A.N and will require an amendment to that permit.

Correctional facilities are a conditional use in the Industrial District so in accordance with Section 516.B the Planning Board shall serve as the review authority.

Tax Map: 3; Lot: 5. Zone: Industrial (I), Stream Protection (SP), and General Development District (GD).

SITE PLAN REVIEW

Staff Comments:

1. Waivers. None.
2. Complete Application: N/A with Sketch Plan review

MOTION: ~~The application for project 18-35 MDOC Maintenance & Control Plant is found complete in regard to the submission requirements based on the application~~

~~checklist, but the Planning Board retains the right to request more information where review criteria are not fully addressed.~~

3. Public Hearing: A public hearing has not been scheduled for this project.
4. Site Walk: A site walk has not been scheduled for this project, but the Board should discuss whether a site walk will be required prior to the next submission.

Findings of Fact and conclusions for the

Windham Planning Board,

~~The Site Plan application for 18-35 MDOC Maintenance & Control Plant on Tax Map: 3, Lot: 5, is to be (approved with conditions/denied) with the following findings of fact and conclusions.~~

FINDINGS OF FACT

Utilization of the Site

- The property is 108+ acres located between the Mountain Division Trail, Mallison Falls Road, River Road, and Colley Wright Brook. There is an existing correctional facility located at the west of the site at the top of the ridge accessed from Mallison Falls Road and a Women's Reentry Facility accessed via River Road.
- The proposed maintenance and control plant building will be located on the westerly side of the existing facility just outside the security fence and next to an existing parking lot.

Vehicular and Pedestrian Traffic

- The subject parcel has approximately 2,000+ feet of frontage on Mallison Falls Road and on River Road.
- No additional curb cuts are proposed to serve the Maintenance & Control Plant.
- A traffic impact study must be submitted with the final plan set if the project will generate fifty (50) or more trips during the a.m. or p.m. peak hour.
- The site plan should show any proposed parking spaces adjacent to the building. No minimum number of parking spaces are required. The applicant should demonstrate that the number of spaces provided onsite will meet the needs of the anticipated uses on the property.

Sewage Disposal and Groundwater Impacts

- The existing facility is served by public sewer. The new building will be served by public water. The applicant should clarify if the new building will generate any additional wastewater beyond the existing use.
- The project will include a 1,000 gallon above ground fuel storage tank for the purposes of fueling operations vehicles. The fuel tank will be double walked with monitoring and will

also be set inside a precast concrete chamber with a shed roof. The fueling area is shown on the site plan.

Stormwater Management

- The project must receive approvals from Maine DEP for an amendment to a Site Location of Development Act permit and must comply with the standards of DEP Chapter 500 Stormwater Management.
- This project is in the NPDES (National Pollutant Discharge Elimination System) area as designated by the Environmental Protection Agency for the Town of Windham. As a result, there will be additional construction inspection requirements and ongoing requirements for reporting of stormwater infrastructure maintenance if the area of development is greater than one (1) acre. See Condition of Approval #2.

Erosion Control

- A soil erosion and sediment control plan has been submitted as Sheets 9 of 13 dated October 11, 2018 of the sketch plan set.

Utilities

- Two new underground electrical services are shown on the sketch plan Utility Plans Sheets 7 and 8.
- The new building must have a sprinkler system, and an addressable fire alarm system that meets NFPA standards.
- The plan shows a new 12" water main will be extended from Mallison Falls Road with a 6" fire service and 2" domestic service to the building.
- The applicant must submit an Ability to Serve letter from the Portland Water District that confirms the proposed water and sewer services conform with its design and construction standards, that the development will not result in an undue burden on the systems, and the water lines will be installed in a manner adequate to provide needed domestic and fire protection flows.

Financial Capacity

- The sketch plan submission states that in 2016 the State of Maine authorized funding (S.P. 547- L.D. 1447) an act to authorize the Maine governmental facilities authority to issue securities to pay for capital improvements at the Maine Correctional Facility in Windham.
- As part of the next submission, the applicant must show an estimate the total project costs, and submit proof of that this has been budgeted for.

Landscape Plan

- A landscaping plan must be submitted as part of the final plan set.

Conformity with Local Plans and Ordinances

1. Land Use

- This project meets the 100 feet setback requirements of the I zoning district.
- This project meets the minimum lot size requirements and minimum lot frontage requirements of the I zoning district.
- All non-residential uses in the I zoning district must provide two (2) square feet of open space for every one (1) square foot of floor area. The applicant should quantify the floor area and open space on the property.
- Mallison Falls Road is the boundary of the Industrial District and Medium-Density Residential District. The I zoning district standards requires a 50 foot buffer from all property lines that abut a residential zoning district where no development is allowed and the buffer must provide screening as described in the definition of “buffer strip”. There is an existing parking lot in the 50 foot buffer along Mallison Falls Road. The proposed Maintenance & Control Facility does not propose to increase the nonconformity.

2. Comprehensive Plan

- This project meets the goals and objectives of the 2017 Comprehensive Plan.

3. Others:

- Chapter 144 Post-Construction Stormwater Ordinance: The site is in the NPDES MS4 urbanized area.
- Conditional Use, Section 516. The project must comply with the review criteria.

Impacts to Adjacent/Neighboring Properties

- Site lighting must be shown on Final Plan, and details of fixtures must be included in the submission.

CONCLUSIONS

1. ~~The plan for development **reflects/does not reflect** the natural capacities of the site to support development.~~
2. ~~Buildings, lots, and support facilities **will/will not** 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/will not** be maintained and protected to the maximum extent.~~
4. ~~The proposed site plan **has/does not have** sufficient water available for the reasonably foreseeable needs of the site plan.~~
5. ~~The proposed site plan **will/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/will not be of such a nature that it will make vehicular or pedestrian traffic no more hazardous than is normal for the area involved.~~
7. ~~The proposed site plan will/will not provide for adequate sewage waste disposal.~~
8. ~~The proposed site plan conforms/does not conform to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~
9. ~~The developer has/does not have adequate financial capacity to meet the standards of this section.~~
10. ~~The proposed site plan will/will not alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.~~
11. ~~The proposed site plan will/will not provide for adequate storm water management.~~
12. ~~The proposed location and height of buildings or structure walls and fences, parking, loading and landscaping shall be such that it will/will not interfere or discourage the appropriate development in the use of land adjacent to the proposed site or unreasonable affect its value.~~
13. ~~On site landscaping does/does not provide adequate protection to neighboring properties from detrimental features of the development that could be avoided by adequate landscaping.~~

CONDITIONS OF APPROVAL

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated October 11, 2018, as amended _____, and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the Planning Board or the Town Planner in accordance with Section 814.G. of the Land Use Ordinance.
2. Approval is subject to the requirements of the Post-Construction Stormwater Ordinance, Chapter 144. Any person owning, operating, leasing or having control over stormwater management facilities required by the post-construction stormwater management plan must annually engage the services of a qualified third-party inspector who must certify compliance with the post-construction stormwater management plan on or by May 1st of each year.