

# Town of Windham

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## MEMO

DATE: September 5, 2019

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

RE: 19-08 MDOC Correctional Center Renovations, Major Site Plan – Final Plan

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### Overview –

This application is for the construction of approximately 220,000 square feet of new buildings 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, a site plan in October 2015 for a 24,000 square foot Women's Re-entry Center on River Road, and on November 14, 2018 the Board approved a new 20,017 square foot maintenance and central plant building, labeled as Building #1 on this application. This application is the second phase of the Department of Correction's plan to modernize the facility. The development is subject to a Maine Department of Environmental Protection Site Location of Development Approval.

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. The applicant should submit a written statement with the final plan application describing how the conditional use will meet the review criteria of Section 516.

The Major Site Plan – Final Plan application last came before the Planning Board on July 22, 2019, when a Public Hearing was held.

This Final Plan includes an updated Stormwater Management Report, DEP Site Location of Development Act Permit, DEP Natural Resources Protection Act Permit, a General Permit from the Army Corps for Wetland Alterations, and an Ability to Serve letter from the Portland Water District for both water and sewer services.

New comments from the staff appear as underlined text below.

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

### SITE PLAN REVIEW

#### Staff Comments:

1. Waivers. None requested; however, the photometric schematic submitted with the Final Plan additional materials on September 4, 2019, shows illumination levels exceeding the standard at 812.R.1.(b), which require that illumination levels not exceed .5 footcandles at the property line. The plan shows illumination levels exceeding the standard at the boundary line near the parking lot with levels between .5 and 2.2 near the entrance and exit, dissipating to .4 and below at the center line of Mallison Falls Road, and levels of .5 to .8 at certain points along the edge of Mallison Falls Road, where it is near the parking area. Where the illumination levels are caused by perimeter lights in the parking area for the prison facility and a matter of safety, and the area impacted is limited to the road, and public impact is limited to users of Mallison Falls Road at night, it seems reasonable to grant a waiver in this case.
2. Complete Application:  
Staff Comment: Staff finds the application complete with regard to submission requirements of Site Plan Review Subsection 810.

**MOTION:** The application for project 19-08 MDOC Correctional Center Renovations 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 took place at the Planning Board meeting on the evening of Monday, July 22, 2019.
4. Site Walk: A site walk took place on Saturday, July 20, 2019. The site walk was not open to the public due to security reasons. It was attended by Planning Board members and Staff, and was video recorded for the public.

Findings of Fact and conclusions for the

### **Windham Planning Board,**

The Site Plan application for 19-08 MDOC Correctional Center Renovations 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.
- The proposed new and renovated buildings will be located within the existing developed area of the property and be accessed by the existing entrance on Mallison Falls Road. The temporary construction entrance and parking area currently being used for the construction of the maintenance and control plant building will be removed and revegetated upon the completion of construction.

### **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.
- The site plan shows proposed parking spaces adjacent to the building.
- The final site plan submission states that the new maintenance and physical plant building will replace an existing building so no change in traffic generation or patterns are expected.
- The sketch plan application for the new and renovated facility states that the facility currently supports a prisoner population of approximately 731 with the new facility supporting the same amount but will be able to accommodate 320 additional prisoners at a future date.
- 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 sketch plan application states that the parking for the facility will be provided within the same footprint as currently exists and expanded in other locations to accommodate the required administration operations and security staff together with visitors and support service personnel that visit the facility on a daily basis. No minimum number of parking spaces are required by the ordinance. The applicant should demonstrate that the number of spaces provided onsite will meet the needs of the anticipated uses on the property. The final plan should provide a summary of the total number of parking spaces and more clearly differentiate between existing parking and proposed new parking areas. The final plan indicates that the new parking area, replacing the existing parking area, will have a total of 350 parking spaces to serve facility programming and operations, prison staff, visitors, and volunteers.
- A traffic assessment was submitted which indicates a projected net increase of 14 AM peak hour trips, and 12 PM peak hour trips due to the proposed project, which is not enough to warrant additional analysis. The traffic assessment noted there are currently 86 trips in the AM peak hour and 71 trips in the PM peak hour of generation.
- The traffic assessment also included a safety analysis of the nearby intersections, Mallison Falls Road Intersections, River Road, and High Street and MCC Main Driveway. None of the intersections were determined to be High Crash Locations. The report also notes that a

proposed Maine DOT project to add a left-turn lane on River Road should provide a safer location for left-turns destined to Mallison Falls Road and the MCC to wait, before turning.

### **Sewage Disposal and Groundwater Impacts**

- The Correction Center complex is served by public water and sewer.
- The new maintenance and control plant building will be served by public sewer. The applicant should clarify if the new building will generate any additional wastewater beyond the existing use.
- The final site plan submission states that the new maintenance and physical plant building will replace an existing building so no change in overall water usage or wastewater generation is expected.
- In an email dated November 8, 2018, Town Engineer Jon Earle P.E., notes that Sheet 7 of 13 shows a 1,000 gallon temporary holding tank being installed in front of the building and asks if it must be permitted by the Town CEO and at what stage of the project will the building be tied into the public sewer system.
- In a response to review comments, Owens McCullough P.E. of Sebago Technics agreed that an HHE-200 will need to be submitted but that the holding tank will be a temporary condition for construction offices in the building until the sewer system planning is complete for the entire re-development.
- 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 walled 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.
- Details of the fuel tank storage are shown on Sheet 14 of 13 of the final plan set. The final plan submission narrative states that prior to the site being operational, a revised SPCC plan will be prepared in general conformance with State standards and 40 CFR 112.
- The sketch plan submission for the Phase 2 renovations states that as part of the project, a new utility distribution system will be constructed. The applicant should clarify if the new buildings will generate any additional wastewater beyond the existing use and if so, if the current on-site pump station can accommodate additional flow and that the Portland Water District has capacity.
- The applicant provided Utility Plan sheets with detailed utility distribution drawings in the final application. The Final Plan includes current and future estimates of water and sewer usage. The Final Plan must include verification that the Portland Water District will have the ability to provide water and wastewater service, based on those estimates.
- The applicant submitted an Ability to Serve letter from the Portland Water District indicating they are able to serve both water and sewer to the site.

### **Stormwater Management**

- A stormwater management plan dated revised October 2018 prepared by Sebago Technics, has been submitted as part of the final plan submission. The redevelopment will result in approximately 79,887 square feet (1.83 acres) of total land disturbance, including 45,283

square feet (1.04 acres) of impervious area and 34,594 square feet (0.79 acres) of landscaped area. Stormwater will be detained and treated by one underdrained soil filter and one drip edge filter.

- An Amended Site Location of Development Act Permit #L-15483-26-H-B was issued by the Maine Department of Environmental Protection on October 29, 2018 and included in the final plan submission.
- In an email dated November 8, 2018, Town Engineer Jon Earle, P.E., states that the project meets the Town's Chapter 500 requirements for the Basic, General, and Flooding standards.
- The second phase of this 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.
- The Phase II project must receive approval from Maine DEP for a Natural Resources Protection Act (NRPA) Permit. An amended permit for SLODA approval #L-15483-26-I-A and NRPA approval #L-15483-TB-J-N was issued by the Maine Department of Environmental Protection on August 26, 2019 and included in the Final Plan submission.
- A stormwater management plan dated revised May 2019 prepared by Sebago Technics, has been submitted as part of the final plan submission. The redevelopment will result in approximately 1,954,155 square feet (43.04 acres) of total land disturbance, including 16.35 acres of impervious area and 28.50 acres of permeable area. Stormwater will be treated with one under drained soil filter, two detention ponds, one drip edge filter and one wooded buffer. A new closed storm drainage system is proposed for the site.
- Upon review of the May 2019 Stormwater Management Plan, Town Engineer Mark Arienti, P.E., states in an email dated July 16, 2019, that:
  - General Standard–The applicant is utilizing the redevelopment standard that allows for treatment of 50% of the developed area. The proposed development will include the construction of one underdrained soil filter (detailed in the November 2018 Maintenance and Central Plant Building application), two meadow/wooded buffers, and two wet pond BMPs, which will provide treatment and detention of runoff from the majority of new impervious and developed surfaces. The site design meets this standard by providing treatment to 55.6% of the newly developed area.
  - Flooding Standard–Pre & post development stormwater management plans were provided for the project. To meet the flooding standard, the project also includes a detention basin to collect runoff from the parking areas next to Mallison Falls Road. HydroCAD calculations are included in the submission that demonstrate that the flooding standard is met.

## Erosion Control

- A soil erosion and sediment control plan has been submitted as Sheets 9 of 13 dated October 11, 2018 of the plan set.
- A soil erosion and sediment control plan must be submitted with the final plan set.
- At the Development Team Meeting on April 30, 2019, the applicant stated that the project would be contrasted in several phases. Will Haskell, P.E. of Gorrill-Palmer stated that the erosion control plan should reflect that the project phasing and the applicant should consider temporary siltation ponds as the stormwater infrastructure would not function correctly if it was receiving dirty water.
- The Final Plan included an erosion and sediment control plan.
  - In an email dated August 29, 2019, Town Engineer Mark Arienti, P.E., states that: "An erosion and sediment control plan has been provided that generally meets Chapter 500. However, since the project is planned to be constructed in several phases the erosion control plan should be augmented to reflect how the project phasing will be planned to prevent stormwater infrastructure from being adversely impacted by sediment-laden water prior to full completion of construction."  
The applicant responded: "The project is unique in that it is an operating prison that will remain operational during construction requiring that the work be completed in discrete phases to maintain security. The MDOC has retained the Cianbro Corporation to serve as the construction manager for the project who is currently in the process of obtaining pricing from subcontractors. Once those bids are obtained and evaluated, Cianbro will work with the project team to established a detailed schedule for the project. When this schedule becomes available, we can share it with the Town for comment and general coordination. The plans and bidding documents require the contractor to address E&S throughout construction including dewatering and control of sedimentation discharge." Mark had no further comment.
  - In an email dated August 29, 2019, Town Engineer Mark Arienti, P.E., states that: "The project is located within the Town's MS4 urbanized area and will be subject to post construction annual stormwater inspections. A note needs to be added to the approved plan indicating the postconstruction inspection requirements."  
The applicant responded: "Response: The Inspection, Maintenance and Housekeeping Plan has been revised to reflect and reference the MEPDES MS4 general permit requirements. Notation has been added to the plans."
  - In an email dated August 29, 2019, Town Engineer Mark Arienti, P.E requested that spillway analysis for wet ponds #1 and # 2 be added to the Stormwater Management Report. The applicant responded by including the spillway analysis. Mark had no further comment.
  - In an email dated August 29, 2019, Town Engineer Mark Arienti, P.E., states that: "The details for wet pond #2 on sheets 413 and 414 show the bottom and side slopes below the permanent pool to be 18" of 8" riprap. The Maine DEP Stormwater BMP Manual indicates the floor and interior side slopes would be vegetated." The applicant responded: "Wet Pond #2 will require the reconstruction of an existing wet pond. The 18" of 8" riprap in lieu of loam and seed was added to the detail to prevent erosion of the side slopes and bottom of the wet pond due to the presence of groundwater seeping out of the side slopes. MDEP has reviewed and approved the details." Mark had no further comment.

## Utilities

- Two new underground electrical services are shown on the sketch plan Utility Plans Sheets 7 and 8. Underground electric will serve the building.
- 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.
- The final site plan submission states that the new maintenance and physical plant building will replace an existing building so no change in overall water usage or wastewater generation is expected. It is anticipated to use approximately 43.6 gpm (Peak Flow) and approximately 220 gallons per day and include a peak flow calculation based on the fixture count.
- The final plan submission includes an email dated October 18, 2018 from Robert Bartels, PE, of the Portland Water District that includes an infrastructure map noting the location, type, and size of the public water mains near the site and that it is possible to make a new connection after review of design plans.
- In an email dated November 8, 2018, Town Engineer Jon Earle, P.E., questioned if the backflow device shown on the Utility Plan Sheet 8 of 13 had been approved by PWD.
- In a response to review comments, Owens McCullough P.E. of Sebago Technics stated that the 12' x 20' building shown on sheet 8 of 13 will include a meter pit, testable backflow preventer valve and check valve for ease of access by PWD as they required.
- The new and renovated buildings will have a new utility distribution system to provide water, fire protection, hot water (heat and domestic), gas, electrical and telecommunications.
- Existing and proposed hydrants should be shown on the final plan.
- 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. An Ability to Serve letter was included in the Final Plan.
- The applicant should provide a detail for the meter pit enclosure due to its location in the 50-foot zoning district boundary buffer. Vegetated screening of the utility should be provided. Final Plan shows the meter pit buried with aboveground access via a 48" manhole cover that will be flush with the surface of the ground. A landscape screen is shown on the Final Plan submitted 8/19/19.
- The Final Plan set depicts plans for gas, stormwater drainage, sewer, water, electricity, and telecommunications utilities.

## **Financial and Technical 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.
- The final plan submission includes an email from Gary LaPlante, Director of Operations at the Maine Department of Corrections, stating that the legislation did not dictate how the funds would be utilized and are sufficiently available for this aspect of the project.
- The final plan submission includes an estimate the total project cost.
- The applicant has provided information on the licensed professionals working on this project as evidence of technical capacity.

### **Impacts to Adjacent/Neighboring Properties**

- The final plan submission states that due to the nature of and sequencing of the proposed project, landscaping will be addressed during the larger prison modifications to follow this application.
- A dumpster enclosure is shown on the final site plan Sheet 5 of 13. Section 812.T requires that dumpsters shall be screened by fencing or landscaping. No dumpster enclosure detail is included in the plan set.
- The final plan submission states that the project will include exterior building mounted lights with sharp cut-offs. Existing light poles will also be removed and relocated in according to the Utility Plan Sheet 7 of 13. The building lights are shown on the Lighting Plan Sheet EL101 and fixture details are listed on the Light Fixture Schedule Sheet EL601.
- Site lighting must be shown on Final Plan, and details of fixtures must be included in the submission.
- Details of light fixtures and a photometric plan were submitted with the final application. Staff has requested that the photometric plan include property boundary lines, to make it easier to determine if the proposed illumination levels will meet the performance standard. The Final Plan includes photometric plans showing illumination levels at the property boundaries. The plans indicate that the proposed lighting scheme would exceed the 812.R.1.(b). standard for illumination levels where traffic would enter and exit the parking lot on Mallison Falls Rd. The light levels dissipate to below the level of the standard by approximately the middle of Mallison Falls Rd.
- A dumpster enclosure detail depicts the dumpster being screened from view by cedar board panel fencing, extending to 6' high.
- The Final Plan includes a landscaping plan depicting the locations and types of plantings.

### **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 everyone 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. Zoning District boundaries should be shown on the plan. 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. The proposed Phase 2 renovations does not increase the nonconformity.
  - All non-residential uses in the I zoning district must provide two (2) square feet of open space for everyone one (1) square foot of floor area. The applicant should quantify the floor area and open space on the property. The applicant included a calculation of the ratio of Total Parcel (5,319,245 SF) to Open Space (4,563,582 SF) on the Overall Site Plan sheet CE201 as 15:1.
2. Comprehensive Plan
- This project meets the goals and objectives of the 2017 Comprehensive Plan. The property is located in the South Windham Growth Area.
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.
  - Signs, Section 700. The Applicant indicated they may need additional signs that have not yet been decided on or submitted with the Final Plan. For exterior signs not included with the Final Plan, the applicant plans to submit designs to Planning Staff for review and approval.

## 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 no more hazardous than is normal for the area involved.

7. The proposed site plan **will** provide for adequate sewage waste disposal.
8. ~~The proposed site plan **does/does not conform** to a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.~~
9. The developer **has** 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 ground water.
11. The proposed site plan **will** 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 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** 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 June 6, 2019, 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.
3. The applicant must comply with Chapter 700 Sign ordinance and shall submit plans for exterior signs not included in the Final Plan submission to the Town of Windham Planning Department for review and approval.

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#### CONDITIONAL USE REVIEW

#### FINDINGS OF FACT

##### **Property Value**

- The proposed project is at a property that has been a correctional facility for nearly 100 years. The proposed improvements will not result in a depreciation of the surrounding properties.

##### **Wildlife Habitat**

- The proposed project will be located within previously developed areas and will not result in damage to significant habitat or spawning grounds.

### **Botanical Species**

- The Maine Natural Areas Program reviewed the proposed project and found there are no rare botanical features documented within the project area. In addition, the site is not in the vicinity of any of the Exemplary Natural Community Types described in the Comprehensive Plan. In addition, as the proposed project will be located within previously developed areas, it is not anticipated to result in damage to rare or endangered botanical species.

### **Potable Water**

- The proposed project will utilize public water served by Portland Water District.

### **Sewage Disposal**

- The proposed project will utilize public wastewater disposal served by Portland Water District and has adequate capacity to dispose of sewage waste. The proposal does not include a change of use.

### **Traffic**

- The proposed project has been designed to provide adequate sight distances as established by current Maine DOT Highway entrance and Driveway Rules. See Site Plan Review

### **Public Safety**

- The proposed project will be sprinklered, will provide for its own security, and will not increase emergency response times or impact the number of personnel needed to serve the community.

### **Vibration**

- The applicant indicated that the proposed project will not result in the production of any inherently and reoccurring generated vibrations as defined by the Maine DEP.

### **Noise**

- The applicant indicated that the proposed project will generate low levels of noise and has been designed to be compliant with the noise standards as outlined in Section 812.S of the Site Plan Review Ordinance.

### **Off-Street Parking and Loading**

- The proposed project includes onsite parking to meet the loading and operational parking needs for the facility.

### **Odors**

- The proposed project will not result in any noxious or odorous matter being emitted.

### **Air Pollution**

- The proposed development is not anticipated to generate adverse air emissions.

### **Water Pollution**

- See Site Plan Review

### **Erosion and Sediment Control**

- See Site Plan Review

### **Hazardous Material**

- The project includes a stormwater management & quality plan and connection to public sewer for all sanitary discharges and interior floor drains, and will not result in a dangerous or unhealthy discharge across the boundary of the lot.

### **Zoning District and Performance Standards**

- See Site Plan Review

### **Solid Waste Management**

- The solid waste generated at the site will be stored in trash bins at designated areas within and outside the buildings. The DOC will be responsible for collecting solid waste from the buildings and disposing of it in on-site dumpsters. A private contractor will be remove the waste from the site and dispose of it at an approved solid waste disposal facility.

### **CONCLUSIONS**

1. The proposed use **will not** depreciate the economic value of surrounding properties.
2. 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. 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. The proposed use **has** access to potable water and **will not** burden either a groundwater aquifer or public water system.
5. The proposed use **has** adequate capacity to dispose of sewage waste.
6. The proposed use **has** adequate sight distance as established by current Maine DOT Highway Entrance and Driveway Rules.
7. 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. 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. The proposed use **does** meet the noise standards in Section 812.S. of the Site Plan Review Ordinance.
10. The proposed use **does** meet the parking and loading standards of Section 812.C. Site Plan Review.
11. The proposed use **will not** emit noxious or odorous matter in such quantities as to be offensive at the lot boundaries.

12. The proposed use **will not** cause the emission of dust or other form of air pollution which can cause any damage to health, to animals or vegetation, or other forms of property.
13. The proposed use **will not** discharge any materials in such nature or temperature as to contaminate any water supply or otherwise cause the emission of dangerous or objectionable elements.
14. 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.
15. The proposed use **will not** 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.
16. The proposed use **does** meet the applicable zoning district standards in Section 400 and the applicable performance standards of Section 500.
17. The proposed use **will** provide for adequate disposal of solid wastes.