

1. Legal Ad (Updated 6-23-17)

Documents:

[PB LEGAL AD 6-27-17 \(UPDATED\).PDF](#)

2. Agenda

Documents:

[PB AGENDA 6-27-17.PDF](#)

3. Maine Medical Center

3.I. MMC Memo And Attachments

Documents:

[MMC \(MEMO\).PDF](#)
[MMC \(MEMO ATTACHMENTS\).PDF](#)
[MMC \(APPLICANT SUBMISSION\).PDF](#)
[MMC \(PUBLIC COMMENTS\).PDF](#)

4. Waterfront Port Development Zone Proposed Amendments

4.I. Planning Division Memo And Attachments

Documents:

[WPDZ \(PB MEMO AND ATTACHMENTS\).PDF](#)
[PUBLIC COMMENT \(1 OF 5\).PDF](#)
[PUBLIC COMMENT \(2 OF 5\).PDF](#)
[PUBLIC COMMENT \(3 OF 5\).PDF](#)
[PUBLIC COMMENT \(4 OF 5\).PDF](#)
[PUBLIC COMMENT \(5 OF 5\).PDF](#)

4.II. Applicants Memo And Attachments

Documents:

[WPDZ \(APPLICANTS MEMO AND ATTACHMENTS\).PDF](#)

4.III. Maine Port Authority Memo And Attachments

Documents:

[WPDZ \(ME PORT AUTHORITY MEMO AND ATTACHMENTS\).PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will meet on **Tuesday, June 27, 2017**, Council Chambers, 2nd Floor, City Hall, 389 Congress Street.

Public comments will be taken for each item on the agenda during the estimated allotted time and written comments should be submitted to planningboard@portlandmaine.gov

Workshop: 4:30 p.m.

- i. Institutional Development Plan and Regulatory Framework; Maine Medical Center.
(4:30 – 5:30 p.m. estimated time) The Board will hold a workshop on key chapters (including design) of the Maine Medical Center’s proposed Institutional Development Plan (IDP) and the draft Regulatory Framework, which guides the hospital’s future development within the zoning code. The IDP is proposed under the Institutional Overlay Zone Ordinance.
- ii. Proposed Amendments to Division 18.5, Waterfront Port Development Zone; City of Portland, Applicant. (5:30 – 7:30 p.m. estimated time) The Board will hold a workshop on proposed text amendments to Division 18.5, Waterfront Port Development Zone, which have been proposed by the City of Portland’s Economic Development Department. The potential amendments, include but are not limited to: a) allowing increased by right and conditional building heights; b) establishing new conditional use design requirements and dimensional standards to affect lot coverage; c) building massing and articulation; and the establishment of view sheds.

The Affordable Housing item is being postponed to the July 11, 2017 meeting, therefore there will be no public hearing portion of this meeting.

- iii. Proposed Amendments to Chapter 30, Affordable Housing; City of Portland, Applicant.

ELIZABETH BOEPPLE, CHAIR – PORTLAND PLANNING BOARD

CITY OF PORTLAND, MAINE

PLANNING BOARD

Elizabeth Boepple, Chair
Sean Dundon, Vice Chair
Carol Morrisette
David Eaton
Brandon Mazer
Maggie Stanley
Lisa Whited

AGENDA PORTLAND PLANNING BOARD MEETING

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THE AFFORDABLE HOUSING ITEM IS BEING POSTPONED TO THE JULY 11, 2017 MEETING, THEREFORE THERE WILL BE NO PUBLIC HEARING PORTION OF THIS MEETING.

- iii. Proposed Amendments to Chapter 30, Affordable Housing; City of Portland, Applicant. Postponed to July 11, 2017.



Memorandum

Planning and Urban Development Department

Planning Division

To: Chair Boepple and Members of the Portland Planning Board

From: Jean Fraser, Planning Division

Date: June 23, 2017 for meeting on June 27, 2017

Re: **MMC request for IOZ designation: Draft Institutional Development Plan (IDP)**

Applicant: Maine Medical Center (MMC)

I. INTRODUCTION

This is the third Planning Board Workshop on the draft Institutional Development Plan (IDP) submitted by MMC in early April ([Attachment A](#)) as part of the process for amending the zoning to allow for expansion of the MMC facilities. The previous Workshops were:

- April 25, 2017: Introductory workshop where MMC presented the draft IDP and provided the Board with an overview of their short and long-term plans for the MMC campus.
- May 23, 2017: Update on staff and neighborhood discussions and focus on the IOZ boundary and Transportation principles.

Today's Workshop

Four of the subjects covered in the IDP will be addressed:

- Transportation Demand Management (TDM) Strategies
- Construction Management
- Heights, transition zones and related design issues
- Neighborhood engagement

MMC have submitted a slide presentation ([Attachment B](#)) that summarizes their current thinking on these subjects and will further elaborate at the Workshop. **Section IV** below outlines staff comments.

Next Steps

Staff note that MMC are working to fine-tune the IDP based on Board, staff and public comments. There are several aspects where further consideration is recommended by staff. These are listed as specific points for the Workshop discussion and Planning Board direction in **Section III**.

Future Planning Board discussions (prior to a hearing) will be needed regarding:

- Parking and Infrastructure
- Regulatory Framework provisions
- The Revised Institutional Development Plan (IDP) as a whole

The review timetable has been longer than anticipated, in part because MMC are exploring alternative locations for the replacement of employee parking. It is important to note that MMC will need to submit one final IDP that includes all of their final proposals and Regulatory Framework provisions, and that would then be the subject of a Workshop prior to the Hearing.

II. UPDATE ON THE REVIEW PROCESS

Planning Board Comments

At the April and May workshops the Planning Board outlined a number of priorities and questions as summarized below:

- **Transportation Demand Management**
 - Recommend thinking differently about parking provision- opportunity to be leader in challenging the car culture
 - Looking for a more “fleshed out” TDM approach
 - Gilman garage doesn’t seem an appropriate parking solution - negates other positives of the project- look at satellite lot and something better at Gilman
 - MMC needs to incentivize bicycling (on site facilities and possibly contribute to improving safety of local cycling network)
- **Construction Management**
 - Need framework and principles at this stage
 - Incorporate Best Practice
- **Transition Zones/Design**
 - Very important; needed along all edges including for the Gilman Street garage
 - Look at retail/service uses on lower floors to help transitions to integrate with the community
 - Looking for Design Guidelines in the Regulatory Framework- expect new buildings to be state of art
- **Community engagement**
 - Suggest feedback re progress on issues
 - Create ongoing links
- **Parking**
 - What parking demand is being designed for (should MMC provide parking capacity for the least frequent peak?)
 - Why is the proposal for one central employee lot; why not more effort to incentivize employees to use remote lots?
 - Scope for shared parking with other uses/events?

Public Comments

The Board has previously seen the public comments that were received during the IOZ process (PC 1- PC 22) and three further comments were circulated at the April Workshop (PC1-3 MMC-IOZ). Four additional public comments were presented to the May PB Workshop (PC4-7 MMC-IOZ). At the time of completing this Memorandum the Planning office has not received any further written comments.

The public comments, both written and at the workshops, have covered a number of issues, but a clear theme is how the scale and location of the MMC expansion affects the integrity of the local neighborhood, and what measures/provisions in the IDP would best minimize this potential impact. The St John Valley Neighborhood Association comments (PC 7 MMC-IOZ) reflects the broadly held concerns regarding the proposed height of the Gilman Street garage, the proposed IOZ boundaries, potential construction impacts, and the design / transition zones/building envelope and massing.

MMC has maintained their regular meetings with neighborhood representatives, which are also attended by staff.

Staff comments

Since the staff comments sent to MMC on 5/2/17 ([Attachment 2](#)) and the May workshop, the Planning Division has heard further comments from members of the public, and continued the ongoing discussions with MMC on ways to achieve a more robust TDM approach and regarding options for reduced heights and expanded transition zones to better integrate the proposed new development into the neighborhood. Staff have also requested that MMC provide further information on visual impacts of the proposed parking garages on vistas from the Western Prom, and provided a Construction Management Plan template ([Attachment 3](#)) and suggested Design Standards ([Attachment 4](#)).

III. COMPILATION OF QUESTIONS FOR THE BOARD'S CONSIDERATION BASED ON DISCUSSION IN SECTION IV

Staff recognize that MMC have addressed some of the Board, staff and public comment concerns, but consider that further work is needed to more fully address the IOZ requirements ([Attachment 1](#) includes the IOZ Ordinance for reference) regarding some of the fundamental concerns that have been articulated. These are discussed in detail in **Section IV** and the following is a summary of the key questions:

Transportation Demand Management (TDM)

- *Has MMC clearly outlined strategies to reduce traffic and parking demand through Transportation Demand Management?*
- *How could/should realistic timelines, infrastructure investments, and parking management be integrated into the proposed TDM strategies?*

Construction Management

- *How should the CMP "template" be referenced in the IDP?*
- *Does the "template" address the potential construction issues for this project?*

Heights, transition zones and related design issues

- *Are the staff-proposed design standards appropriate for the overall design goals and are they adequate in their level of rigor?*
- *Are the MMC proposed heights meeting the City's urban design goals?*
- *Are there enough transition zones in the MMC proposal; are they in the correct locations?*
- *Are the MMC proposed transition zones an appropriate depth from the street to mitigate the scale impacts of taller buildings on the street and with residential buildings?*
- *Should the transition zones across from R-6 zones follow the R-6 height standards (10' side and 15' rear setbacks after 35' in height)?*

Neighborhood Engagement

- *Board's thoughts on the continued discussion for a revised mechanism for on-going engagement*

IV. DISCUSSION TOPICS FOR THIS WORKSHOP**TDM Strategies for MMC**

Over the past several months, staff and MMC have agreed to the value of framing MMC's TDM effort in terms of short- and long-term actions. This will allow the hospital to progressively build a TDM program with escalating targets as the internal TDM architecture is developed and regional thinking evolves, and thereby improve its chances of success.

Initial Staff Comments: In this vein, staff's initial comments suggested several "first phase" initiatives, some of which were already contemplated by MMC:

- hiring a full-time TDM coordinator;
- instituting a data collection and analysis program;
- improving parking management;
- supporting METRO ridership; and
- investing in infrastructure.

MMC's Current TDM Proposal: In recent discussions, MMC has proposed short-term strategies that address many of these comments, including:

- hiring a coordinator;
- developing data collection mechanisms;
- increasing education, marketing, and support; and
- enhancing financial incentives for the use of alternative modes.

They have also proposed long-term actions, including:

- participating in the development of a Transportation Management Association
- supporting the development of transportation infrastructure.

Current Staff Analysis: Staff supports this general approach, and is engaging in discussions with MMC regarding realistic timelines for the short- and long-term strategies; initial infrastructure investments that could supplement the hospital's short-term TDM efforts, such as bus shelters and bicycle routes; and parking management. A final framework for TDM will be included in the final IDP.

Questions for the Board to Consider:

1. Has MMC clearly outlined strategies to reduce traffic and parking demand through Transportation Demand Management?
2. How could/should realistic timelines, infrastructure investments, and parking management be integrated into the proposed TDM strategies?

MMC Construction Management Plan

The Planning Division coordinated a Construction Management "Template" that is intended for inclusion as a City Technical Standard. This "template" is included as Attachment 3 and was sent to MMC at the end of May.

The "template" sets out what a **Construction Management Plan** (CMP) should include; staff drafted the "template" to ensure that the MMC CMP addressed the issues raised by neighbors during the review of both the IOZ ordinance and the MMC IDP. It is anticipated that the CMP "template" will be incorporated in the IDP in some way to clarify the expectations for the final MMC CMP.

Questions for the Board to consider:

1. How should the CMP "template" be referenced in the IDP?
2. Does the "template" address the potential construction issues for this project?

Design and Regulatory Framework Height/Setback/Transition Plans

Design Standards: Staff identified design goals for MMC future development and recommends adding Design Standards to the IDP Regulatory Framework (as proposed in Attachment 4) to meet these goals:

- Acknowledge and design for the gateway function of the campus
- Pursue active frontage on commercial streets
- Limit and mitigate impacts of blank walls
- Consider safety and apply CPTED principles
- Mitigate scale of new development in relationship to the streets and existing built context
- Integrate campus into the mixed-use and residential neighborhoods without becoming isolated, overwhelming, or barrier-like

Staff recommends Design Standards that:

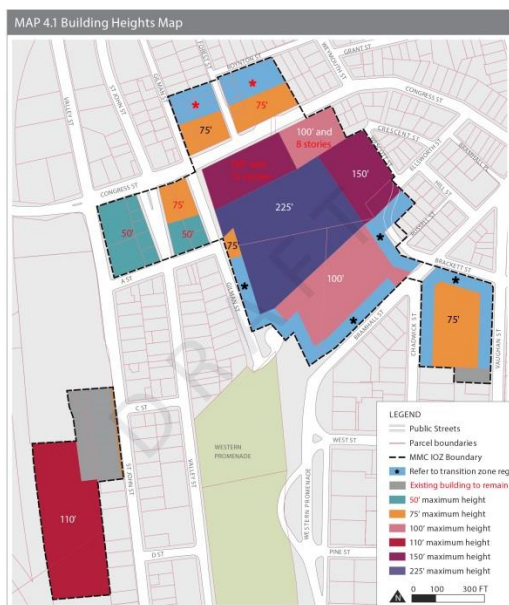
- Are IDP-specific and part of the Regulatory Framework to apply during Site Plan review
- Are developed based on existing design standards in the surrounding zones – B-2b, B-3, and R-6
- Address three categories:
 - 1) Campus coherence and gateway
 - 2) Frontage on commercial/mixed-use streets
 - 3) Frontage on residential streets

Height: Staff proposes revisions to the Height Map (see attachment Building Heights Map) towards new development that is compatible with the neighboring context scale, does not overwhelm the street, mitigates shadow impacts on residential properties and the street, and provides building footprints in a scale and orientation consistent with the downtown Congress Street corridor building patterns:

- Introduce building height minimums – 2 stories in transition zones, 3 stories everywhere else
- Concentrate height towards Congress Street and the center of the main campus block
- Introduce a building height maximums in stories - 12 and 8 stories on Congress Street (see image)
- Have 75' six story buildings facing Congress Street
- Reduce the heights allowed on the A Street blocks to 50' and 75' – to transition to residential scale but also to provide a view transition uphill towards the main campus

Transition Zones: MMC is proposing 50' deep transition zones on smaller streets such as Gilman, Forest, Boynton, and Weymouth in order to have building footprints that meet parking programmatic needs (see their presentation materials for street sections and view angles). Staff recommend that some of these proposed transition zones become deeper in width to mitigate the impact of 6-story buildings as well as to create taller building forms closer to Congress Street of similar size and footprint to the downtown Congress Street corridor (see attachment Building Heights Map).

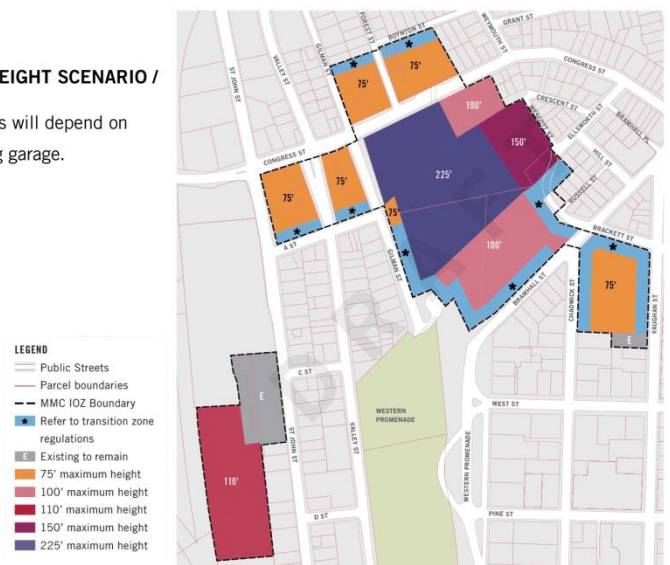
- The two northerly blocks would have an R-6 transition zone of half a block
- The Gilman block would have 50' transition for half a block



MAINE MEDICAL CENTER INSTITUTIONAL OVERLAY ZONE / Regulatory Framework
Proposed Revisions - City of Portland Planning Division June 23, 2017

MMC REVISED HEIGHT SCENARIO /

Note: Final heights will depend on location of parking garage.



Setbacks: Staff recommended some revisions to the built-to lines (see attachment Map of Minimum Setbacks) in order to develop a street wall consistent with the surrounding development patterns:

- Congress Street should continue to have a zero-foot minimum front yard setback.

- At least 70% of the building façade should provide continuity with the existing street wall
- Boynton Court setback should be reduced from 20' to 5' consistent with the residential building orientation to the street.

Questions for the Board to Consider:

1. Are the staff-proposed design standards appropriate for the overall design goals and are they adequate in their level of rigor?
2. Are the MMC proposed heights meeting the City's urban design goals?
3. Are there enough transition zones in the MMC proposal; are they in the correct locations?
4. Are the MMC proposed transition zones an appropriate depth from the street to mitigate the scale impacts of taller buildings on the street and with residential buildings?
5. Should the transition zones across from R-6 zones follow the R-6 height standards (10' side and 15' rear setbacks after 35' in height)?

Neighborhood Engagement

The IOZ ordinance envisages that Neighborhood Engagement would comprise four elements:

- 1) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability;
- 2) A property management framework that identifies the institution's process for handling operational property issues with neighbors;
- 3) Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods;
- 4) A set of construction management principles, to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.

Discussions are continuing on how these will be addressed in detail. Staff suggest a revised mechanism for ongoing engagement should be considered.

V. ATTACHMENTSMemo attachments

1. IOZ Ordinance as approved by City Council (for reference)
2. Staff comments on IDP 5.2.17
3. Construction Management Plan Template (draft Technical Standards)
4. Suggested MMC IDP Design Standards

Public Comments

PC 1- PC22 - (Brought forward) Public Comments from IOZ Ordinance review
PC1 MMC-IOZ - St John Valley Neighborhood Association 4.18.17 on 4.7.17 MMC IDP
PC2 MMC-IOZ – C MilNeil 4.25.17
PC3 MMC-IOZ – WPNA A Pringle 4.25.17
PC4 MMC-IOZ – C NilNeil 4.27.17
PC5 MMC-IOZ – K Snyder 5.9.17
PC6 MMC-IOZ – PBPAC 5.15.17
PC 7 MMC-IOZ – St John Valley Neigh. Assoc. 5.23.17

Applicant's submissions

- A. MMC Draft IDP as submitted early April 2017
- B. Presentation Slides for June 27, 2017 Workshop

Order 221-16/17

Amended to delete, in Section 14-281(g), "Amendments brought forth by the city will require a supermajority of the City Council to take effect.": 9-0 on 5/1/2017

Passage as amended: 9-0 on 5/1/2017

Effective 5/31/2017

ETHAN K. STRIMLING (MAYOR)
BELINDA S. RAY (1)
SPENCER R. THIBODEAU (2)
BRIAN E. BATSON (3)
JUSTIN COSTA (4)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

DAVID H. BRENERMAN (5)
JILL C. DUSON (A/L)
PIOUS ALI (A/L)
NICHOLAS M. MAVODONES, JR (A/L)

**AMENDMENT TO PORTLAND CITY CODE
CHAPTER 14
Re: INSTITUTIONAL OVERLAY ZONE**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF PORTLAND, MAINE IN CITY COUNCIL ASSEMBLED AS FOLLOWS:

That Chapter 14, Sections 14-277 to 14-282 of the Portland City Code are hereby amended as follows:

**Art. I. In General, § 14-1--14-15
Art. II. Planning Board, § 14-16--14-45
Art. III. Zoning, § 14-46--14-490**

...

Div. 16. Waynflete School Overlay Zone, § 14-276--14-276.10

Div. 16.1. Institutional Overlay Zone (IOZ), § 14-277--14-293

Div. 17. B-7 Mixed Development District Zone, § 14-294--14-304

...

DIVISION 16.1. INSTITUTIONAL OVERLAY ZONE (IOZ)

14-277.—~~Reserved.~~ Purpose of the Institutional Overlay Zone

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's four major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

(a) Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of

the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow;

(b) Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level;

(c) Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions;

(d) Support the formation and continuation of mutually beneficial public-private cooperation;

(e) Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods;

(f) Reflect Comprehensive Plan and other policy objectives;
and

(g) Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

14-278.—Reserved. Location and Applicability

The city's four primary medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The Eligible Institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the two major academic institutions of University of Southern Maine and University of New England, their successors and assigns. Designation as an IOZ is the preferred mechanism where the Eligible Institution's proposed development is inconsistent with the existing zoning.

14-279.—Reserved. Establishment of an Institutional Overlay Zone

(a) Application for an Institutional Overlay Zone. Where the Eligible Institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:

1. An Institutional Development Plan (IDP) (see Section 14-280).
2. A Regulatory Framework (see Section 14-281) that would, when and if adopted, be the text and map amendment to the City's Land Use Code and Zoning Map.

(b) Required Public Involvement. At least two neighborhood meetings shall be required. The first shall be held prior to the formal submission of a zone change application for an Institutional

Overlay Zone and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and inform the development of the Institutional Development Plan (IDP) and Regulatory Framework. Meetings shall be held in a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates and maintain written records of the meetings.

(c) Required Scoping Meeting. The Eligible Institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and Regulatory Framework, including associated study areas that may be outside of the proposed IOZ boundary. The IDP and Regulatory Framework will vary in detail and focus depending on the Eligible Institution and its particular context. The content requirements in Sections 14-280 and 14-281 and the comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the Eligible Institution (see Section 14-280(c)).

(d) Reviewing Authority.

1. The Planning Board shall review the zone change application, including the IDP and Regulatory Framework. At least one public workshop and a public hearing before the Planning Board are required.
2. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying Regulatory Framework as an amendment to the city's code of ordinances.

(e) Future Institutional Development.

1. All new development by the Eligible Institution within the boundary of the IOZ shall be compliant with the IOZ and accompanying Regulatory Framework, consistent with the IDP, consistent with the Comprehensive Plan, and meet applicable site plan standards, unless such standards are superseded by the Regulatory Framework.
2. Any use/development proposed by the Eligible Institution outside the IOZ boundary that complies with the zoning for permitted uses in that location shall be reviewed under the standards of that zone. Any use/development proposed by an Eligible Institution outside of the IOZ boundary that is

proposed in a residential zone and is functionally related to the operations within the IOZ shall be addressed by the IDP and require an amendment to the IDP.

14-280.—Reserved. Institutional Development Plan (IDP)

(a) Purpose. Any use conducted by an Eligible Institution and any construction by an Eligible Institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this ordinance. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services and measure, analyze, and address the anticipated or potential impacts of planned institutional growth and change. The IDP shall serve as a background document that supports the proposed Regulatory Framework and frames subsequent site plan review(s).

(b) Planning Horizon. An IDP shall provide the city and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the Eligible Institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years or more); however, the specific planning horizons for each institution will be determined as part of the IDP approval process.

(c) Content. The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required Scoping Meeting:

1. Context Information

a. The institution's adopted mission, vision, or purpose statement

b. A summary of relevant baseline data on the institution, including:

i. A neighborhood context plan;

ii. An inventory of current programs and services;

iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time;

iv. An inventory and/or plan of all existing property holdings within the main campus

and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking);

v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.

c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:

i. A summary of existing resources, such as historic, open space, and natural resources;

ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization;

iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues;

iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.

d. A summary of public involvement in the development of the IDP, including major areas of public concern.

2. Assessment of Future Institutional Growth and Change

a. A description of institutional needs and areas of future institutional growth and change, including:

i. Projected census of users (e.g., enrollment /employment/patient/visitor figures and anticipated variations over time);

ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus; and

iii. A Development Plan addressing anticipated or potential institutional needs and

physical improvements, including the proposed boundary of the IOZ and any phasing of the development.

b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the Regulatory Framework:

i. Transportation and access

a. An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan;

b. An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety;

c. A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.

ii. Environment

a. An analysis of potential cumulative impacts on natural resources and open spaces;

b. An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant;

c. An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation,

enhancement, conservation, and/or mitigation.

iii. Infrastructure

- a. An analysis of projected public utility demand and the capacity of associated infrastructure;
- b. An analysis of projected public safety needs and projected impacts to the capacity of these services;
- c. An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.

iv. Design

- a. An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources;
- b. An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context;
- c. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development;
- d. A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.

v. Neighborhood Engagement

- a. A plan for ongoing community engagement that represents best

practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability;

b. A property management framework that identifies the institution's process for handling operational property issues with neighbors;

c. Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods;

d. A set of construction management principles, to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear communication strategy is in place in advance of construction.

(d) Standards of Review. The IDP shall:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board;

2. Reflect the issues/topics identified in the required public process;

3. Demonstrate consistency with the city's Comprehensive Plan and the purpose of this ordinance;

4. Demonstrate how the property ownership, proposed growth, and requested Regulatory Framework relate to the institution's mission;

5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands;

6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.

7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated;

8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated;
9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric;
10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities;
11. Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure;
12. Conform with Portland's Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within one hundred (100) feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity; and
13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

(e) Approval. Upon finding that an Eligible Institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

(f) Monitoring. The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments;

(g) Amendments. An approved IDP shall guide campus development unless and until amended. If at any time the Eligible Institutions request minor amendments to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a substantial alteration of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply with a written statement of the proposed amendment and proposed amended IDP to the Planning Authority, whose decision as to whether the amendment is minor shall be final. Major amendments shall be reviewed by the Planning Board. When the IDP is amended, the baseline data in the IDP shall be updated as appropriate.

14-281. Regulatory Framework

(a) Purpose. The Regulatory Framework translates the IDP into a set of clear and specific zoning requirements for the IOZ that constitute the text and map amendments to the City's Land Use Code and Zoning Map. The zoning requirements are anticipated to include parameters that guide the growth and change of the institution as well as broad strategies to address potential impacts, with plans and details to be developed under site plan review.

(b) Applicability. The Regulatory Framework shall apply only to properties that are within the IOZ boundary and to which the Eligible Institution holds right, title, or interest. For these properties, the Institutional Overlay Zone shall supersede the underlying zoning, and all new institutional development shall be conducted in compliance with the Regulatory Framework and the approved Institutional Development Plan. Properties located within the Institutional Overlay Zone not subject to right, title, or interest of the Eligible Institution shall continue to be governed by the regulations of the underlying zoning designation.

(c) Uses. Institutional uses, including hospitals and higher education facilities, shall be permitted, as shall uses that are functionally integrated with, ancillary to, and/or substantively related to supporting the primary institutional use, consistent with the applicable approved IDP.

(d) Content. The Regulatory Framework shall reflect the information and analysis of the IDP. The content shall be tailored to address the particular issues associated with the institution and its neighborhoods. The Regulatory Framework should be succinct and use tables and graphics as possible to address the following, if applicable:

1. Zoning boundary of the IOZ: The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's Zoning Map);
2. Phasing and schedules: Requirements that relate to particular proposed phases; a chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) Plan);
3. Uses: Clarification, as necessary, on permitted uses.
4. Dimensional Requirements: Graphics, sketches, or standards, including details for transition zones within the IOZ boundary;
5. Transportation: Elements such as TDM trip reduction targets or contribution to area-wide TDM measures; broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety; parking ratios

and management strategies; thresholds for access improvements;

6. Environment: The approach to the inclusion of open space and preservation of environmentally-sensitive areas;

7. Mitigation measures: The broad approach to identified mitigation measures, which would be addressed in greater detail in the site plan review process; thresholds for addressing deficiencies; goals for preservation/protection;

8. Design: Graphics and standards to clarify building placement and envelope (height and massing); guidelines for integration of site features; required treatments for transition zones and treatment for all edges (both within and abutting the IOZ boundary); guidelines for establishing campus identity; and

9. Neighborhood Integration: Thresholds and strategies for neighborhood engagement; mitigation of impacts on neighboring properties, including construction impacts; buffering requirements; objectives for pedestrian linkages and safety; other requirements that address community concerns.

10. Monitoring: A schedule for regular monitoring reports on IDP implementation in accordance with the IDP.

(e) Standards of Review: The Regulatory Framework shall:

1. Be consistent with the Comprehensive Plan and the Institutional Development Plan;

2. Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews;

3. Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement; and

4. Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications.

(f) Approval/Adoption. The Planning Board shall review the proposed Regulatory Framework against the standards of review and make a recommendation on the institution's IOZ designation and Regulatory Framework to the City Council for adoption as part of this zoning ordinance.

(g) Amendments. A Regulatory Framework and IOZ boundary as adopted by the City Council shall remain in force unless and until amended. Amendments to a Regulatory Framework and/or IOZ boundary may be brought forth by the city or Eligible Institution. Proposed

amendments to the IOZ boundary or Regulatory Framework shall be reviewed by the Planning Board and adopted by the City Council subject to the provisions of this ordinance.

14-282. Reserved.

* Editor's note. Order No. ____-16/17, adopted May __, 2017, provided that the Regulatory Frameworks, as they are adopted by the City Council for each Eligible Institution, shall be codified within this section.

Below please find the combined comments of City Staff relating to the draft IDP:

1. Existing Conditions

- Tables 2.3 and 3.3: Daily Census: Does this include volunteers serving in the hospital?
- Figure 2.3 Map of MMC Owned parcels: Note that South parking lot, and maybe one other parking lot on Brackett Street, are not shown.
- Figure 3.4: Please revise to show correct location for the Gilman Street Garage.
- Public engagement in IDP: Please expand list of concerns to include that addressed later in IDP, such as heights and construction impacts.

2. Comprehensive Plan Analysis: Please update to reflect the latest version of the Comprehensive Plan.

3. Transportation

• **Alternative Modes and TDM:**

- o *Existing Conditions Analysis:* Please expand existing conditions analysis to more fully describe the range of existing access options, particularly re pedestrians, cycling and public transit, for example:
 - The IDP should include a broader description of walking and conditions for walking (e.g. this might be the place to reference the need for ADA improvements and sidewalk materials);
 - Figure 2.6: Could this be widened to address non-car access by adding bus stops;
 - Are the quoted transit costs weekly?
 - Figure 2.8: Include actual data from “Getting on Board” re mode split (even if data collection is not perfect, survey data seems to be under-representing bike share)
- o *Future TDM Strategies:*
 - Please provide the TRIMMS Model spreadsheets regarding trip reduction estimates;
 - The IDP will need to reevaluate the TDM target based on existing mode split, model, and comps, confirm the target date, and clarify how progress will be monitored to feed into future parking need/adjustments to parking provision;
 - Table 2.9: This graphic could be clarified to provide a better understanding the headings/legend etc.
 - See *Attachment 1* (comments re MMC TDM Concepts).

• **Parking:**

- o *Alternative locations for new parking garage(s):* Please flesh out discussion of Gilman garage/St. John garage options, including what will happen on the Gilman Street site if the garage on St Johns is constructed.
- o *Parking Data Requests:*
 - The IDP would benefit from additional data on existing parking utilization. We understand that a windshield survey was performed, but formal parking occupancy counts were not performed. We suggest that parking occupancy surveys be performed.
 - Please explain how existing and future parking need was derived (i.e. provide the back-up calculations on the current and future projected parking demand estimates (including findings from TRIMMS)?
 - If showing comparables, add some regional examples which seem more 'comparable.' Can comps be shown with different metric (e.g. spaces /employee)?
- **Traffic Generation:** See *Attachment 2* (comments re Traffic (counts and associated data))(Assume Traffic Study Analysis and proposals to be added and reviewed in next submission.)

4. Infrastructure

- **Stormwater and Sewer Capacity:** Please expand and clarify analysis to reflect the fact that there are existing capacity concerns in the combined sewer system, and that any increase in the sewer flow will impact the ability to handle stormwater flows. Given this issue, the IDP should include strategies to achieve a substantial reduction in the anticipated volume of discharge into this system, including:
 - o Routing of stormwater to the separated system, where possible;
 - o Incorporation of storage infrastructure (e.g. Gilman Garage likely to be required to incorporate a subsurface chamber system with a pump system to discharge into A Street storm drain system);

- o Green infrastructure (e.g. green roofing; removal of impervious area, and subsurface chamber system), particularly where the discharge is to a combined system;
- o Reduction in sanitary flows to provide capacity for increases in stormwater flows (e.g. sanitary demands and pollutant loads could be reduced by composting food waste instead of using the current grinder system, installing grease interceptors (large volume or many small) as part of overall upgrades to the system).
- o Note that changing the location of the discharge points would not provide any benefit to the combined system; may have to relocate or install another Downstream Defender or possibly connect to the separated system.
- **Detailed Data Requests:**
 - o Figure 2.15: Can the figure show the general delineation where the 6.3 acres of the campus has been separated and drains to A Street?
 - o Figure 2.15: Consider adding the 5 sampling locations in the Industrial Pre-treatment Permit (IPT) with the City of Portland. Is it possible to identify unknown sewer connections at this time? If not, can these be addressed through future planning efforts?
- **Other Utilities:** Address water supply and Unitol's SURE program (they plan significant work in the area for 2020-2022).
- **Operational Impacts:** Consider expanding to clarify the potential impacts or issues that may need to be addressed, including:
 - o IPT program and sampling locations may need additional sampling points;
 - o Other Impacts to City Infrastructure: Cross reference to other infrastructure covered elsewhere (e.g. roads, sidewalks);
 - o Traffic signal systems and pre-emption for emergency vehicles.
- **Street Lighting:** Expand to note that Congress from St. John to State is included in the Downtown Lighting District, and that MMC may need to install additional Downtown District special street lights when sites (e.g. Gilman Street block) within the IOZ are redeveloped. Mention potential collaboration regarding the City's LED Street Light conversion project.
- **Sustainable Operations:** Consider adding a section regarding proposals for capital investment in sustainable features or goals for energy reduction as part of the expansion program (e.g. reflecting various references to green roofs, possibly solar panels, and LEED accredited buildings).

Historic Resources

- **Western Promenade:** Please clarify how the campus will integrate with/enhance the Western Prom, which abuts the "Upper Campus" (e.g. proposals include building heights that imply new development over what are also identified as protected open spaces around an historic building; the original hospital is shown as "continued investment cautioned" on Figure 2.2 and this is a concern). The Western Promenade is a well-used amenity for the hospital, and the city's objective is to enhance this area including showcasing of existing distant views.
- **Vaughan Street Parking Lot:** Please include this lot in the long term plan (Figure 3.4) and indicate intentions for this site.
- **Detail/data requests:**
 - o Include analysis of how proposed buildings will impact views from the Western Promenade to the west and northwest, based on the proposed maximum building heights;
 - o Figure 2.2: Labelling buildings would be helpful;
 - o Note that the West End Historic District and Western Promenade Historic Landscape District are designated both nationally and locally.

Design

- See Urban Design comments in *Attachment 3*.
- **Neighborhood Transitions:** Clarify the location of "East Upper Campus"; and "Upper Campus" abuts the West End Historic District.
- **CPTED:** Please expand CPTED discussion to fully address local issues and public comments (e.g. loitering etc.) Note that lighting within the campus, and between the campus and any more remote parking facilities, is important.

- **Landscape:** Please add discussion of landscape framework (e.g. Figure 6.2: how will a series of landscape spaces play out in reality?)

Neighborhood Engagement

- **Ongoing engagement**
 - o Consider exploring additional mechanisms to promote healthy relationships with neighbors.
 - o Consider strategies for communication around acquisition and divestment).
 - o Please expand snow ban parking discussion to refer to how current situation under Contract Zone will be continued.
- **Construction engagement**
 - o Please include a commitment to meeting with businesses early to consider how to mitigate impacts.
 - o Define 'MFP Project,' as this is the first time this language is introduced.
 - o Consider ways to mitigate construction impacts and economic hardship for neighbors and businesses.

Regulatory Framework

- **Comments/questions re proposed provisions:**

IDP Regulatory Framework No.	Subject	Comments
1	Boundary	Since housing areas are now within the boundaries, IDP should address intent, also address divestment of existing (formerly) residential properties.
Table 2.1:	Thresholds for Plan amendments	What is the basis of the 800KSF threshold? Is this whichever is first? TDM updates and monitoring (proposed at 5 years for both) are too infrequent and discussion on p. 61 should explain.
3	Uses	Suggest further discussion on extent to which (for example) residential apartments would be limited to medical students only and how uses are linked to current zoning options (eg re guest houses).
Table 4.1	Dimensional Requirements	Is 40 feet on Congress Street too great a build-to line? What is the basis of the 70% of façade facing congress Street? Transition Zones (iii) should include height as well? Also see the <i>Preliminary Design Comments</i> attached.
Map 4.1	Building Heights map	Doublecheck McGeechy Hall height.
Maps 4.1 and 4.2	Building heights and Transition Zones	Look carefully at Gilman height/transition. Public comment pointed out that St John and Valley Street labelling is incorrect to north of Congress.
5 Ai:	Sidewalk material	Define 'alternative material substantially similar to that used along sidewalks abutting Bramhall Street entrance?'
5B	TDM Trip Reduction Target	Target of 65 (presumably SOV) trips in three years needs reconsideration; note PB urging rethink of car culture- MMC leadership re TDM. Strategic initiatives might be mentioned.
5D	Parking provision	Parking numbers should match the demonstrated need shown in the IDP. Perhaps express these as a ratio? Or provide a range?
6	Site Plan review items	As written this could imply that other "usual" site plan requirements would not be considered by the Planning Board during the review.
7A	Other Requirements	Helipad Requirements- these have not been mentioned in the main part of the IDP except re potential issue of noise. How do these regulations relate to the existing ones and are there any issues that have come out of the flight monitoring (required in Contract Zone) that need to be addressed when its relocated?
7	Other Requirements	Does this include all other Contract Zone commitments that might reasonably be brought forward?

- ***Other items suggested to be added/addressed, with specificity and or references back to IDP sections or plans:***
 - Landscape strategy
 - Commitment to activations of Congress St through ground floor mixed uses that serve community and MMC
 - Design standards
 - Clarification of how MMC has RTI re partnerships that construct parking or other facilities for their use
 - Intentions re Chadwick, West, Vaughan/Bramhall where IDP indicates they should be given “additional consideration”
 - Commitment re Construction Mitigation and Communication
 - Commitment to engagement with neighborhood residents and local businesses

The IDP should consider a phased approach to TDM that will allow Maine Med to build and modify the TDM program over time based on sound data and respond to evolving regional thinking on TDM. The goal of the first phase could be to prioritize a few short-term actions meant to build solid baseline data on the hospital population's current travel characteristics, immediately enhance travel options in and around the hospital, and reduce demand for single-occupancy vehicles.

The first phase could build on the prior work of the Get On Board program and include the following:

1. **The hiring of a full-time TDM coordinator** to oversee data collection and promote the TDM program (This appears in the IDP, but the plan does not specify a full-time position.)
2. A comprehensive, continuous effort **to collect and analyze data** on:
 - a. employee, patient, and visitor travel characteristics
 - b. parking demand and utilization, and
 - c. the potential for changes in travel behavior
3. **Improved parking management**, including modified employee pricing to better align with the actual cost of parking and the development of a cash-out option (which provides an incentive not to use parking)
4. **A program to encourage METRO ridership**, including:
 - a. support for service adjustments (e.g. to improve headways or extend hours of operation)
 - b. enhanced employee subsidies
 - c. the development of services that facilitate use (e.g. kiosks in the hospital displaying real time bus information, premium shelter at new hospital entrance, and marketing and promotion)
5. **Infrastructure improvements that support walking and bicycling**, such as:
 - a. the development of bikeways identified in the city's long-range plans
 - b. the integration of additional covered bicycle parking
 - c. and sidewalk, crosswalk, and streetscape improvements on key pedestrian routes

In addition to these, the hospital should review opportunities to enhance carpool/vanpool matching (see the existing IDP language), telecommuting options, satellite parking options, and the Guaranteed Ride Home system (how does this currently work?).

Lastly, the Regulatory Framework should include language that requires reporting within a specified period following implementation of this first phase of the TDM plan, with subsequent plan modification and review.

Comments Related to Traffic Information Provided by Randy Dunton on April 20, 2017

- Please document the duration of the AM and PM peak period counts that were used to determine the peak hours noted.
- The information on reassignment of employee trips only accounts for trips associated with those to be shifted from the employee parking garage. The assignment should be conducted for all parking sources for MMC. If consolidation of parking facilities is occurring (Gateway Garage and surface lots) those should also be included.
- The employee traffic levels at the garage are low considering employee figures. We recognize that shift times are a major factor and the turning movement volumes reflect adjacent street traffic peak volumes conditions, which is an acceptable method. With that said we would like to fully understand employee trip generation over the shift time periods, inclusive of all parking supply locations. We suspect this information has not been collected and would be labor intensive to collect. A method for providing this information should be suggested for review and approval by City staff. Please correlate/cross-check the data of traffic entering and exiting the employee garage with known employee shift data and drive mode share.
- Related to the comment regarding employee garage data for entering/exiting traffic from the employee garage, we'd like to get a better understanding of visitor entering/exiting traffic levels during the AM and PM peak hours. As with employees, visitor traffic levels during the AM and PM peak hours seems low and may reflect specific appointment time variation. Some discussion on how visitor traffic varies throughout the day is suggested. Please correlate this visitor garage traffic data with the other known data on fluctuations of visitor/patients to the hospital.
- Additional counts will be required to address seasonal traffic volume adjustments. As previously discussed, the locations to be re-counted will be identified by City staff following acceptance of an approved trip generation re-assignment exercise. Please provide information to indicate all intersections that meet the TMP-specific thresholds for traffic analysis to be included in the analysis.

Design Goals and Vision

- Design goals listed in draft IDP – Staff supports these goals; they are logical given the context and specific site conditions.
 - o A campus that belongs in Maine and engages the surrounding community
 - o Natural environment is an important source of inspiration for the campus design – the future campus will create a seamless transition between the bucolic character of Western Promenade and the urban condition
 - o The campus extends its reach down from the top of the hill to engage with the community along Congress Street
 - o Holistic design approach that gives coherence to the overall campus
 - o Site plan will give special attention to the neighborhood context
- Because of its topography, building scale, and geographic location, MMC site plays de facto gateway role on two scales – the approach to the city from 295 and the eastbound Congress Street approach. Staff would like to see a goal that acknowledges this gateway function for future design thinking.
- Planning Board commented on the desire to have design goals clearly expressed in the document and lead to resulting regulating framework. Specifically recommended was a goal around quality of design.

Site analysis

- Context Defined - Four contexts identified in draft IDP:
 - o Congress Street
 - o Valley Street
 - o East Upper Campus
 - o Upper Campus
- Analysis: Staff is in the process of evaluating the proposed dimensional regulations – most important is the relationship of potential new development in relationship to the West End neighborhood, Gilman Street, and Congress Street contexts.
- Impacts: Compare existing vs. proposed impacts (height, wind, shadow)
- Issues: Identify any current site or design issues (safety, lighting, grading, circulation/access, sidewalk conditions, etc.) that future plans might address and state them as design goals.

Regulating Framework

- More explicitly describe how the goals and site analysis lead to the design regulatory framework. Include more explanation – visual or written – on how the heights, setbacks, and transition zones were arrived at. Applicant will provide typical sections at Congress, Gilman, and West End South Lot to better explain these height and massing relationships to the context.
- In the instances where existing historic buildings will remain, confirm the heights shown or revert to existing zoning height maximums.

- Clarify the status of the private “Protected Open Spaces” shown in the document and consistently show them in the regulatory framework graphics. Are these spaces never to be built on or is there a different label to describe them?
- Design guidelines: Staff proposes the following strategy for design guidelines to the IOZ:
 - o Developments relating to the West End historic district will be subject to the existing Historic Preservation Board design review process
 - o Staff will work with the applicant to develop design guidelines for developments relating to residential context not protected by the historic district that ensure sensitive transitions. The height, transition areas, and setbacks will be the primary regulations for this context.
 - o Staff will work with the applicant to develop design guidelines for developments relating to Congress Street that meet the goals and intent of the Downtown Vision Plan and Urban Design Guidelines. Staff agrees with applicant that activation of Congress Street frontage is an important goal. There is concern from the Planning Board regarding the placement of several parking structures on Congress Street which should be the most active of the campus’ frontages.

**DRAFT 6-7-2017 General Construction
Management Plan Template**

**Construction Management Plan
General Template**
[Applicant and Project Name]

Construction Management Plans shall depict the overall planning, coordination, and control of a construction site, including phases as applicable, from beginning to completion. The City's goal for a construction management plan is to support a safe construction site and protect the public safety, accessibility (including preserving accessible pedestrian, bicycle, and vehicular modes of transport throughout the city), and welfare during construction. In addition, the construction management plan shall minimize construction impacts in their duration and magnitude to the surrounding area and develop an effective communication process for resolving concerns and conflicts.

The Construction Management Plan will be submitted as part of the Site Plan Review and it shall address the construction logistics for a project. The Construction Management Plan shall include the following submissions: 1) a construction management site plan, 2) a construction schedule (time frame); and 3) a written narrative addressing the categories below.

A. Construction Management Principles

The following narrative provides an overview of the construction management principles that the [Applicant and Contractor] has identified to minimize impacts from the construction, such as noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding building and communities.

B. Development Review of Construction Management Plan

[Applicant and Contractor] shall submit a construction management plan that provides a comprehensive logistics and safety program for the construction project, which will be reviewed and approved as part of the site plan review process. The plan minimizing impacts to areas surrounding the building/construction site will be primary considerations in the process. The following details define the intended approach to the successful management of the project construction and the construction management plan will address the general conditions contained below.

C. Performance Guarantees, Inspection Fees, Preconstruction Meeting, and Permits

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, [Applicant and Contractor] shall meet all of the requirements contained in Section 14-530. Development review fees and post approval requirements and 14-532. General requirements and enforcement of Portland's Land Use Code.

Other permits, as applicable, include

1. **Street Opening and Street Occupancy Permits:** Construction activity in the public right-of-way are controlled by Chapter 25 and sewer and stormwater system connections are controlled by Chapters 24 and 32 of the Land Use Code. All required permits shall be obtained through the Department of Public Works and the requests shall conform with the approved construction management plan.

2. **Blasting:** Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.

D. Construction Administration and Communication

[Applicant and Contractor] will work diligently to implement a communication strategy as outlined below. The communication strategy is intended to ensure that all construction operations are performed in accordance with all agreements, ordinances and special permits applicable to this project. The Construction Manager will work closely with adjacent abutters, businesses and all parties informed, as far in advance as possible, of scheduled work, particularly work anticipated to cause significant noise, vibrations, or dust. The final construction management plan shall provide for the following:

1. Contact Person and contact information for the [applicant and contractor] and who is available 24 hours
2. Construction Signage posted on the site with Contact Information for Contractor
3. Describe any additional communication strategies
4. All construction site signage is temporary and shall be removed at project completion.

E. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing.
2. Hours of Construction. Construction may occur during the daytime hours as defined in Section 17-18. Construction Activities for Building permit (Attachment 1) and Section 25-129. Noise, dust and debris (Attachment 2).
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section not apply to emergency utility work or "Situations where the public works authority or the office of building inspections determines that the construction activity is of a unique character which cannot reasonably be completed or performed during the permitted hours and which is not of a recurring nature, provided that prior to engaging in such activity the contractor or his representatives gives notice of the time and scope of such proposed activity, the notice to be given in a manner approved by the public works authority."
4. Material Deliveries: Schedule and designated location for delivery of materials and boxed goods.

F. Security & Public Safety

1. The Construction Management Plan will depict all proposed fencing or other barriers and access gates (with Knox locking devices) with the intent of separating pedestrian and vehicle circulation from the construction site.
2. Structures undergoing construction, alteration, or demolition operations, including those in underground locations, shall comply with NFPA 1 Chapter 16. *Safeguarding Construction, Alteration, and Demolition Operations*.
3. Fire Safety Program. An overall construction of demolition fire safety program shall be developed. Essential items to be emphasized include the following:
 - o Good Housekeeping
 - o On-site security
 - o Installation of new fire protection systems as construction progresses
 - o Preservation of existing systems during demolition

- o Organization and training of an on-site fire brigade
 - o Development of a pre-fire plan with the local fire department
 - o Rapid communication
 - o Consideration of special hazards resulting from previous occupancies
 - o Protection of existing structures and equipment from exposure fires resulting from construction, alteration, and demolition operations
4. Blasting, if required, shall conform with all measures of Article VIII. Regulation of Explosives in the Land Use Code and Section 3.7 Standards for Blasting and Regulation of Explosives in Portland's Technical Manual.
 5. Any proposed temporary security lighting shall be shown on CMP and all fixtures shall be full cutoffs.

G. Construction Permitting and Traffic Control Plans

1. Construction Activity in Public Streets: Construction activity in the public right-of-way is controlled by Chapter 25 Article VII of the City Code of Ordinances. Required licenses and permits, restrictions on activity, and fees & area are outlined in that Chapter. Rules and Regulations for Excavation Activity are available through the Street Opening Clerk at the Department of Public Works. At no time can construction activity including delivery vehicles close or block streets or affect public safety access without prior notice and approval of the Department of Public Works.
2. Sewer and Stormwater: Sewer and stormwater water system connections are controlled by Chapters 24 and 32 of the City Code of Ordinance. Required permits for new connections and/or abandonment of existing connections are available through the Street Opening Clerk at the Department of Public Works. Rules and Regulations for these utility systems are available through the City Engineer's office of the Department of Public Works and in Section II of the Technical Manual.
3. Traffic Control Plans: Construction activity that impacts the existing public street system must be controlled to protect the safety of the construction workers and all modes of the traveling public. Projects that will occur along arterial and or collector streets are required to submit a satisfactory 'maintenance of traffic' (MOT) plan prior to any site plan, subdivision, or street opening permit approval. MOT plans may be required for projects that have impacts on local streets.

Maintenance of Traffic (MOT) plans shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, applicants may be allowed to close a street and/or detour a mode of traffic when absolutely necessary for safety. MOT plans shall employ the appropriate techniques and devices as called for in the latest edition of the Manual on Uniform Traffic Control Devices (MUTCD). In addition:

- Construction speed signing may be used as needed to slow traffic
- Traffic Control signs shall not be placed where they are an obstruction to bicycles or pedestrians.
- In extreme situations, flaggers may be required.

- Police detail is required at lighted intersections and may be requested by the City's transportation engineer or his designee.

All existing modes of travel in work zone area shall be accommodated if impacted by the activity. The safe passage of pedestrians, bicyclists, transit providers, and motorists are of equal importance when planning out the work zone; no pre-existing travel mode may be eliminated without the express approval of the Department of Public Works. The MOT should also address on-street parking impacts, including deliveries and parking for adjoining businesses and property owners, analysis of roadway capacity or diversion capacity if street closure or change to roadway capacity is required, and coordination with other on-going or future construction or utility projects in the vicinity.

- Traffic control bicycle and pedestrian facilities or routes through work zones shall be maintained until the bicycle and pedestrian facilities or routes are ready for safe operation. Traffic control will not be removed to allow auto travel at the expense of bicycle and pedestrians.
- Barrier systems utilized to separate the construction activity from the public street and /or sidewalk shall not inhibit sight distances, particularly for visibility of pedestrians and bicyclists.
- ADA compliance shall be maintained.

Use of public parking spaces or the blockage of any portion of sidewalk for the purpose of construction activity shall require an occupancy permit and appropriate fee as assessed by the Department of Public Works.

H. Site Management and Controls

The final Construction Management Plan will address maintaining the site in a safe condition and will include the following:

1. Regular trash and debris removal
2. Street cleaning and damage controls
3. Dust controls- The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris (Attachment 2).
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code (Attachment 1) and Section 25-129 on Noise, dust and debris Attachment 2).
5. Rodent Control will be provided, if applicable, by a professional exterminator and consistent with Chapter 22 of the City Code.
6. Snow Removal: Pursuant to Section 25-173 Contractors to ensure a safe means of travel within the work zone.
 - 1) Snow/ice removal or commence automatically from (1" of snow and up) or Ice
 - 2) Remove snow as needed within the work zone, including parking spaces & not to block any driveways or site lines with the piles of snow.
 - 3) Clear all walks & ramps with the work zone
 - 4) Sand or Salt as needed
 - 5) Clear all basin or drainage to help snow melt
 - 6) This would include Monday-Friday Sat/Sunday/Holidays

I. Erosion Control and Preservation of Trees

1. The [contractor] shall install all erosion and sedimentation controls as depicted on the approved erosion and sedimentation control plan prior to the pre-construction meeting for inspection by the City. The contractor shall regularly inspect the control measures, no less than weekly and after significant storm events, and maintain any installed temporary or permanent stormwater management systems in working order. The contractor shall document all inspection activities and corrective actions and be prepared to provide these documents for inspection by the City, Maine Department of Environmental Protection or the U.S. Environmental Protection Agency upon request.
2. The [contractor] shall maintain all tree and landscaping preservation measures as depicted on the landscaping plan (Exhibit) within the area of construction.
3. The storage of materials shall be identified and avoid being located under/near trees.

J. Construction Staging Area

1. The Construction Management Plan shall depict location of the material staging areas, the location on onsite temporary construction trailers, the location on onsite truck delivery holding areas, the location onsite truck washing stations, masonry mixing stations, the general location of the construction security fence and the general location of temporary construction dumpsters. An open storage areas shall be shown on the plan.
2. Delivery Truck Holding Areas On-Site: The delivery holding area shall be shown on the plan and shall not be blocked during construction. On days when the construction activities require multiple truck deliveries, these deliveries will be carefully scheduled so that there is always adequate on-site area for the holding of the trucks until they can be unloaded. Once at the site all vehicles well be brought within the fence line and will make every attempt to avoid queueing on public streets.
3. Delivery Truck Holding Areas Off-Site: In the event that adequate on-site area for holding of trucks is not available, an off-site marshalling area will be utilized for trucking. The designated off-site location will be identified in the construction management plan.

K. Parking During Construction

1. Construction Parking: Adequate parking for construction workers shall be provided on site or arrangements for off-street parking at an off-site location shall be provided. The parking arrangements shall be included in the construction management plan.
2. Parking: Where existing facilities are remaining in operation during construction, the construction management plan shall identify how the parking for employees and others shall be managed.
3. Truck Routes and Volumes: The Construction Management Plan shall address the designated truck routes and expected truck volumes.

L. Special Measures as Necessary

For construction work that will take place over a long period (e.g. 12 months or more), involve major demolition/ deep excavation/ piling and/or special construction techniques, or are located near sensitive uses (e.g. medical care facilities, schools), the Construction Management Plan should provide details and demonstrate that all appropriate special measures have been taken to avoid, minimize, or possibly compensate for potential impacts. This may include taking baseline measurements before construction, such as arranging to

photograph the foundations of nearby properties upon consent of the owners, in order to assess any future impacts of vibration, noise, etc.

DRAFT

4. DIMENSIONAL REQUIREMENTS

Building Heights (min.)

Transition Zones: Two stories

Three stories

Congress Street Build-to-Zone*

A Build-to-Zone is identified for some properties that abut Congress Street.

The Congress Street Build-to-Zone extends between 0 to 40 feet from the right-of-way boundary.

Buildings located in these parcels must have a minimum of 70% of the façade facing Congress Street located to provide continuity with the existing street wall, ~~anywhere within the build to zone.~~

Transition Zones

Transition zones are identified inside the IOZ boundary in areas where the IOZ abuts or is located across a public right-of-way from a residential use district or a historic-designated district. See Map 4.2 for location of transition zones.

- i. Transition zones that abut a Residential District with an intervening public right-of-way that is not an alley shall comply with the height dimensional standards, ~~have a height limit that matches the maximum height across in of~~ the Residential District.
- ii. Buildings located in transition zones that abut a Historic District may be subject to review by the Historic Preservation Board per the City of Portland zoning ordinance.
- iii. In areas where the IOZ abuts a Residential or Historic District without an intervening public right of way or an alley, minimum side and rear yard requirements of the abutting Residential or Historic District apply within the IOZ boundary.

DESIGN STANDARDS

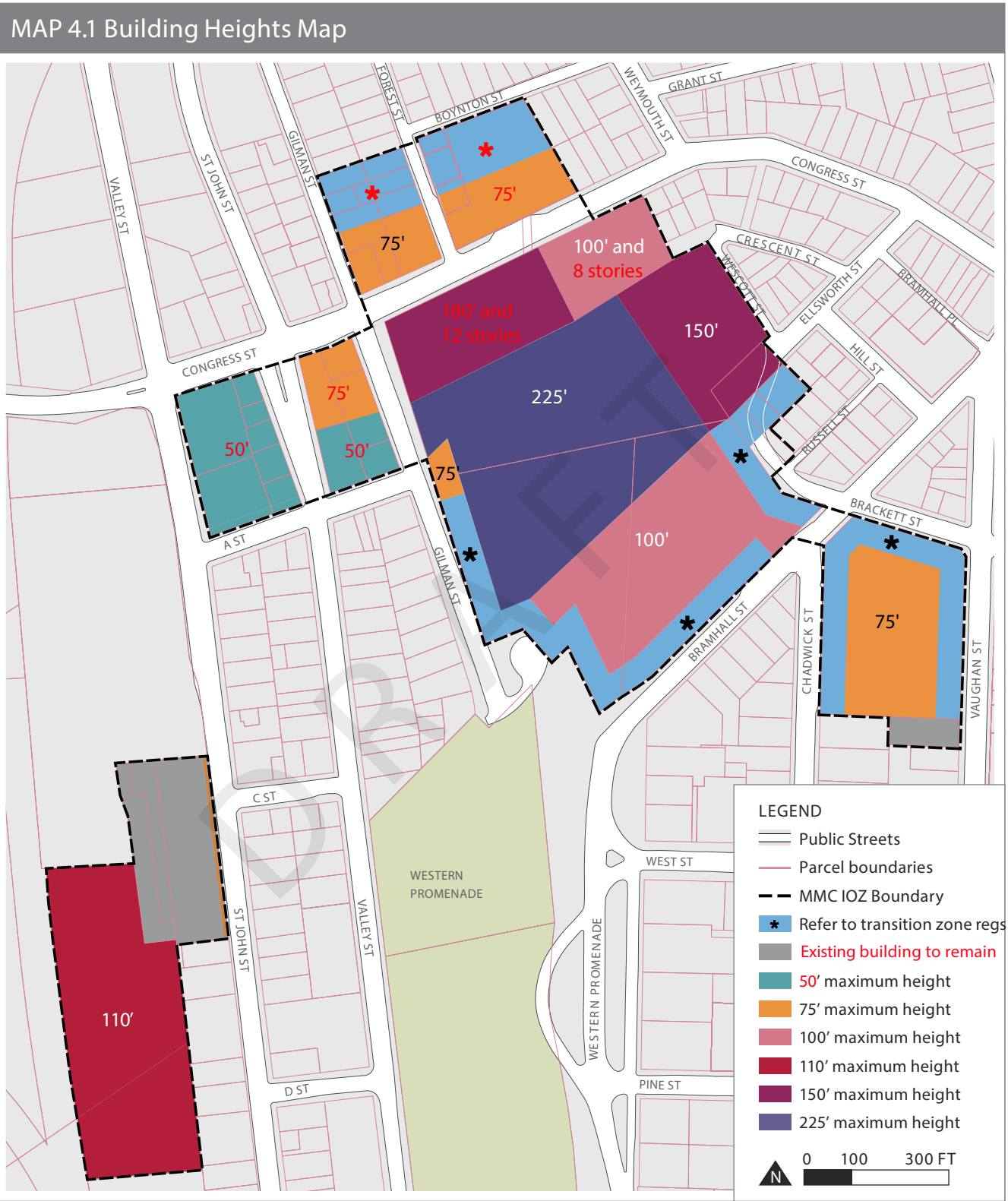
The design standards for the Maine Medical Center Institutional Development Plan are intended to assist future development in the IOZ to meet the goals and vision for Maine Medical Center campus and create context-sensitive buildings.

1. To address the goals of creating a coherent campus and gateway to the city, the following standards apply to any new building development, addition, or alteration within the IOZ:
 - A. New development shall contribute to the campus identity, cohesiveness, and sense of place through design decisions such as form, material choice, and details.
 - B. The overall composition and experience of the campus shall be considered for cohesive identity from approaches along Congress Street and I-295.
 - C. Rooftop appurtenances shall be either screened from view or integrated into the building design and should not be visible from the adjacent streetscape, Western Promenade, either Congress Street approach, or long views such as from I-295.
2. Where buildings have frontage on Congress, St. John, Valley, and/or Gilman streets, the following standards apply with the intent of providing pedestrian-oriented environments with safe and vital streets and active campus edges that sensitively transition between the institutional buildings and the existing urban mixed-uses:
 - A. Urban Street Wall: Buildings shall be located to create and preserve an urban street wall. Building facades and site amenities shall form a cohesive wall of enclosure along the streets. Where buildings are not located at the street line, site amenities, including walls, fences, and landscaping shall be placed along the street to provide a sense of enclosure or definition.
 - B. Building Orientation and Entrances: Building entrances shall be oriented toward, located adjacent to, and directly accessible from, a sidewalk in a public right-of-way. Major entry features should primarily address the street with entry courts, display windows, signage, lights, walkways, and vestibules, as appropriate.
 - a. Where buildings have frontage on Congress Street, principal building orientation shall be towards Congress Street.
 - C. Windows: Windows shall be required along the street frontage of a building. Windows shall be transparent (with a visible transmittance (VT) near .7) and installed at a height to allow views into the building by passersby. Limitations on transparency such as dark or reflective glass, or interior coverings should be avoided.
 - a. Where uses (such as office) are not conducive to transparent viewing with the public way, windows should still convey a sense of activity and presence along the street.

- D. Façade Character: Active and public portions of buildings (e.g. doors, windows, entries, retail displays) shall be oriented to and, where possible, be located adjacent to the public sidewalk to create an active presence along the sidewalk. Both day and nighttime comfort and security shall be considered in design strategies.
 - a. Where building facades situated along a public way on Congress, St. John, Valley, and/or Gilman streets have no interactive use or function, such facades shall be designed with sufficient architectural and graphic amenities to provide visual interest along the street and relate the building, and its use, to passersby.
 - b. Blank facades are discouraged. In some cases, due to topographic change or windowless interior uses which cannot be located in any other portion of the site, facades will be less active. The design of such facades shall incorporate significant features of visual interest which will maintain the human scale and interest to the pedestrian. Any such feature should relate positively to the character and scale of the remainder of the building and to the surrounding context. Such facades shall also address security and crime prevention through environmental design (CPTD) strategies shall be demonstrated.
 - E. Building Design: Buildings shall be designed to be compatible with their residential and commercial neighbors – design will include various architectural and graphic amenities to provide a strong presence along a street and relate a building to its community.
 - F. Building Materials: Façade materials of buildings shall be compatible with those materials of surrounding residential and commercial uses. Material choice and application shall also convey a cohesive identity across the campus.
 - G. Building Scale: Building scale must relate to and be compatible with surrounding structures achieved through massing, roof lines, architectural detail, and fenestration.
 - H. Landscaping and Buffers: Buildings and associated parking areas must be screened to buffer abutting properties. A densely planted landscape buffer and/or fencing will be required to protect neighboring properties from the impacts associated with the development, including lighting, parking, traffic, noise, odor, smoke, or other incompatible uses. Where buildings are setback from the street, a landscaped area must be planted along the front yard street line.
3. Where buildings have frontage on residential streets, the following standards apply to those portions of the building visible from the residential context with the intent of providing sensitive interfaces with surrounding predominantly residential neighborhoods:

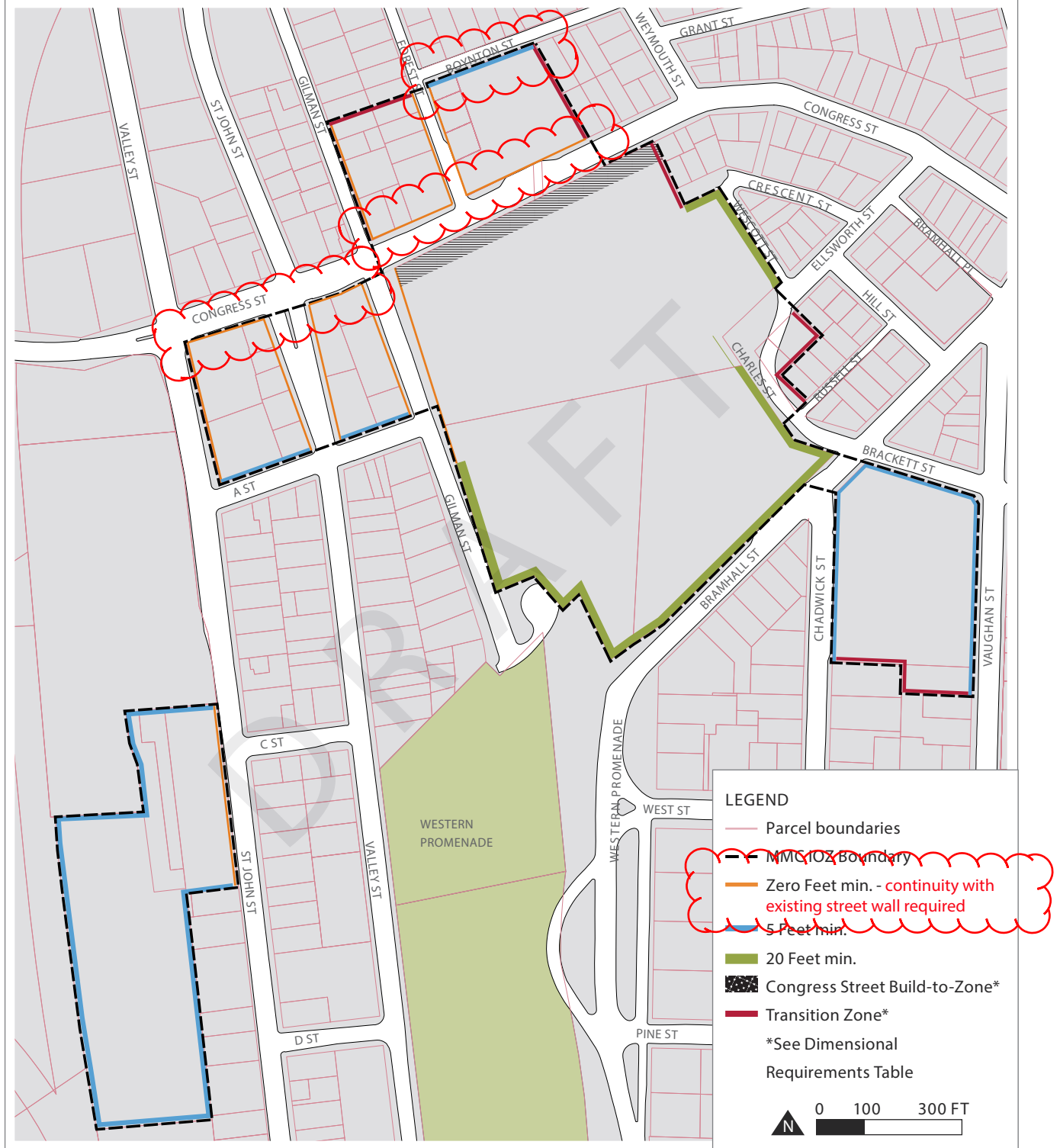
- A. Overall Character: Building design shall contribute to and be compatible with the predominant character-defining architectural features of the neighborhood, especially in the transition zones.
- B. Scale and Form: Relate the scale and form of the new building to those found in residential buildings within the streetscape to which it relates, especially in the transition zones.
- C. Relationship to the Street: Respect the rhythm, spacing, and orientation of residential structures along the streetscape that contribute to and are compatible with the predominant character-defining architectural features of the streetscape to which it relates.
- D. Materials: Building facades shall utilize appropriate building materials that are harmonious with the character defining materials and architectural features of the streetscape to which it relates.

4. DIMENSIONAL REQUIREMENTS



4. DIMENSIONAL REQUIREMENTS

MAP 4.3 Map of Minimum Setbacks





Institutional Development Plan

DRAFT FOR PLANNING BOARD REVIEW / APRIL 7, 2017



Institutional Development Plan

Purpose

This Institutional Development Plan was prepared by Maine Medical Center (MMC) to comply with the Institutional Overlay Zoning (IOZ) requirements of the City of Portland Code of Ordinances.

Date

Draft For Planning Board Review / April 7, 2017

Term

This document is valid until superseded by an approved update.

This document was prepared for Maine Medical Center by Perkins+Will with input from Maine Medical Center, VHB, Gorrill Palmer, and Sebago Technics, Inc. MMC would like to thank its neighbors and the City of Portland for their contributions to the Institutional Development Planning Process.

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INTRODUCTION

Maine Medical Center has been a Portland landmark and a destination for excellent health care since it was built as Maine General Hospital in 1874. The campus has grown in size and complexity within its footprint to meet growing demand and changes in healthcare technology and care delivery.



ABOUT MAINE MEDICAL CENTER

Maine Medical Center (MMC) is a complete health care resource for the people of greater Portland, the entire state of Maine, and northern New England.

Incorporated in 1864, MMC is the state's largest medical center, licensed for 637 beds and employing more than 6,000 people. MMC's unique role as both a community hospital and a tertiary referral center requires an unparalleled depth and breadth of services, including the state's only medical school, through a partnership with Tufts University School of Medicine, and a world-class biomedical research center, the Maine Medical Center Research Institute.

The MMC care model includes the state's largest multispecialty medical group, Maine Medical Partners. Maine Medical Partners provides a wide range of primary, specialty, and subspecialty care delivered through a network of more than 40 locations throughout Maine.

Maine Medical Center is named one of "America's Best Hospitals" by U.S. News & World Report. MMC's Trauma Center is the busiest in Maine, providing the most advanced tertiary care in the state.

Mission, Vision and Values

Maine Medical Center is dedicated to maintaining and improving the health of the communities it serves by:

- Caring for our community
- Educating tomorrow's caregivers
- Researching new ways to provide care

We proudly carry our unique responsibility as Maine's leader in patient care, education and research. We are dedicated to the traditions and ideals of not-for-profit healthcare. Our care is available to all who seek it.

Our efforts to execute on our Mission are aimed at achieving a simple, yet powerful Vision: "Working together so our communities are the healthiest in America."

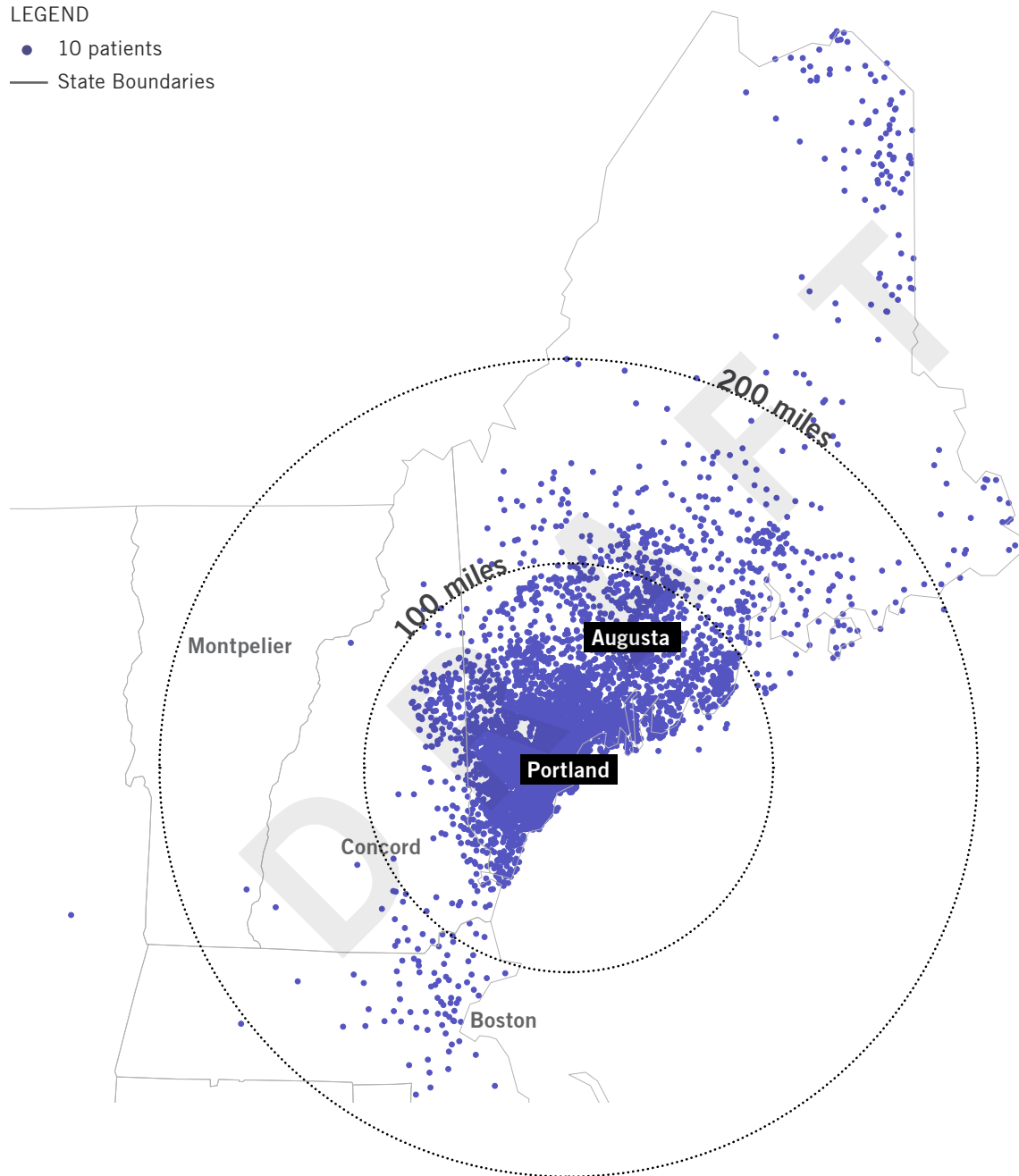
We are guided by our Values, which call on us to meet and exceed the expectations of those we are privileged to serve. Our Values:

- Patient-Centered
- Integrity
- Ownership
- Excellence
- Respect
- Innovation

Fig.1.1 Dot Density Map Showing Patient Origin by Zipcode (2016)

LEGEND

- 10 patients
- State Boundaries



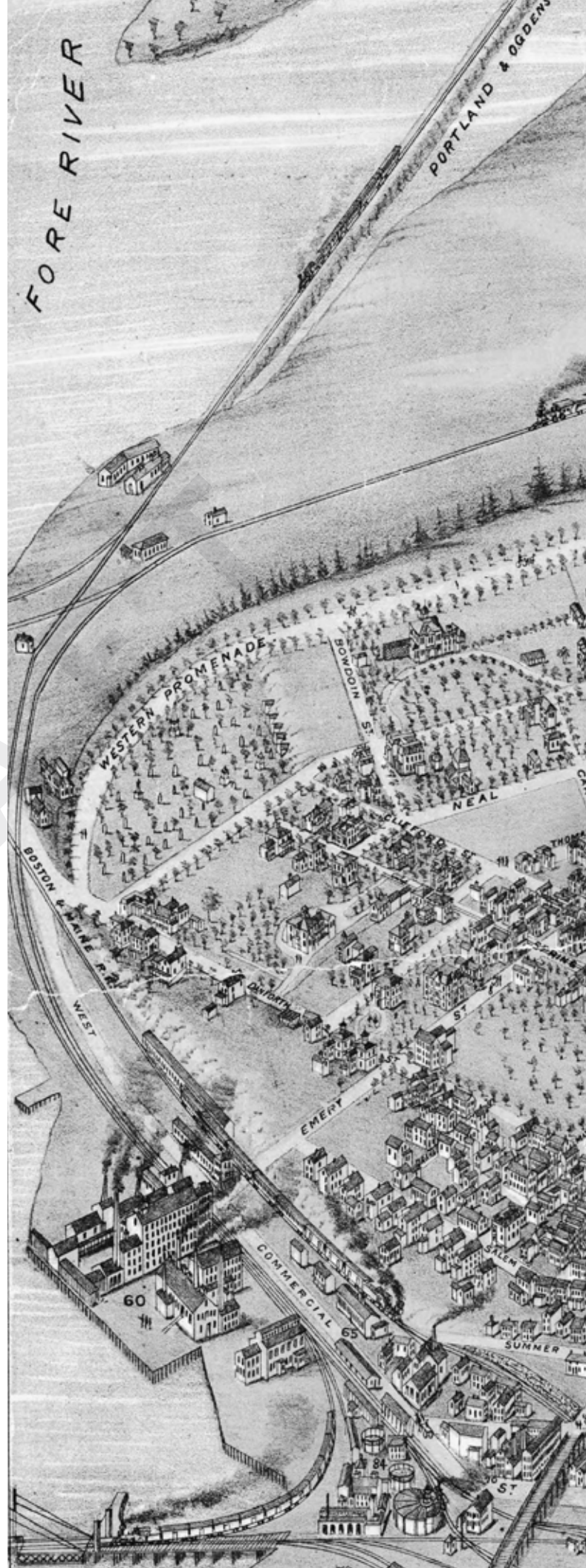
History

Maine Medical Center opened its doors in 1874 as Maine General Hospital on Bramhall Hill, at the northern end of the tree-lined Western Promenade and adjacent to the Bramhall Reservoir.

The campus, designed by architect Francis Fassett, included four pavilions around a central administration building. The east pavilion and two outbuildings were erected first, providing patients with sweeping views of Casco Bay and the Fore River. The hospital was designated as the training facility for the Portland School for Medical Instruction and the Medical School of Maine at Bowdoin College, and had its own School of Nursing. Built of red-brick in Italian Gothic style, Maine General soon became a local landmark and a destination for the most up-to-date medical care in the state.

The opening of Union Station (1888) down the hill at Congress and St John Streets brought commercial uses to the area, improving access to the hospital. The hospital also catalyzed development of the area with medical uses (such as the 1891 Maine Eye and Ear Infirmary) as well as residential uses. The Western Promenade neighborhood gained prominence at the turn of the century as high-end homes and apartment buildings were built near the hospital and improvements were

Fig.1.2 1876 Bird's eye view of Portland.





made to the Western Promenade parklands. Maine General Hospital modernized its facilities through the 1920s and added a third pavilion in 1929.

In 1951, Maine General Hospital, the Maine Eye and Ear Infirmary, and Children's Hospital merged to become Maine Medical Center. Two new pavilions were added in 1956 to provide modern patient rooms. Suburban growth and the construction of interstate highways in the 1960s increased demand for parking at the Medical Center, which was met by converting the Bramhall Reservoir into a surface parking lot (current South Lot).

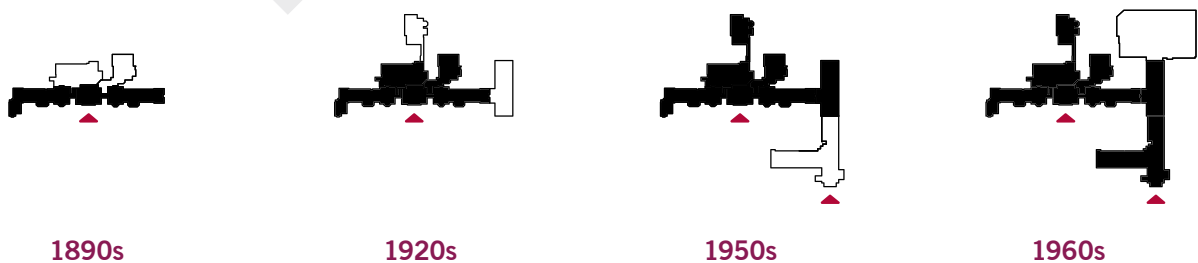
In 1968, MMC doubled the size of its facilities with the addition of the eleven-story Richards Wing. The campus expanded its footprint down towards Congress Street with the addition of its first parking garage (now known as Employee Garage) in the

1970s. In the late 1970s, MMC became a teaching hospital for the University of Vermont College of Medicine.

In 1985, MMC opened the six-story L.L. Bean Building, another major addition to the campus. The Bean Building housed the new Neonatal Intensive Care Unit (NICU), operating suites, and specialty departments; it also now houses the Barbara Bush Children's Hospital (BBCH). The Dana Building was built in 1987, adding much-needed classroom and conference space to the campus.

Through the 2000s, MMC has renovated and expanded its facilities to meet its role requirements as the highest acuity provider of healthcare in the state. In 2008, MMC opened the 190,000 SF East Tower including new units for prenatal care, labor, delivery and recovery, neonatal intensive care, and

Fig.1.3 Historical evolution of Maine Medical Center



mother-baby units. The Emergency Department expanded into the basement of the East Tower the following year. The campus transformation project also included a new central utility plant and the 512-car Patient and Visitor Garage.

As its partnership with the University of Vermont came to a close, MMC initiated a new training program for medical students at the Tufts University School of Medicine in 2011. Today, MMC also hosts students from the Geisel School of Medicine at Dartmouth and University of New England College of Osteopathic Medicine.

In 2015, MMC completed construction on a portion of the LL Bean building roof to add new operating rooms and perioperative care beds.

Today, MMC is undertaking a new planning effort driven by the need to replace semi-private

patient rooms with private rooms and to provide additional surgical capacity. The plan also provides an opportunity to address infrastructure needs, parking, wayfinding, and overall building organization to improve the delivery of care (see **Chapter 3** for details).

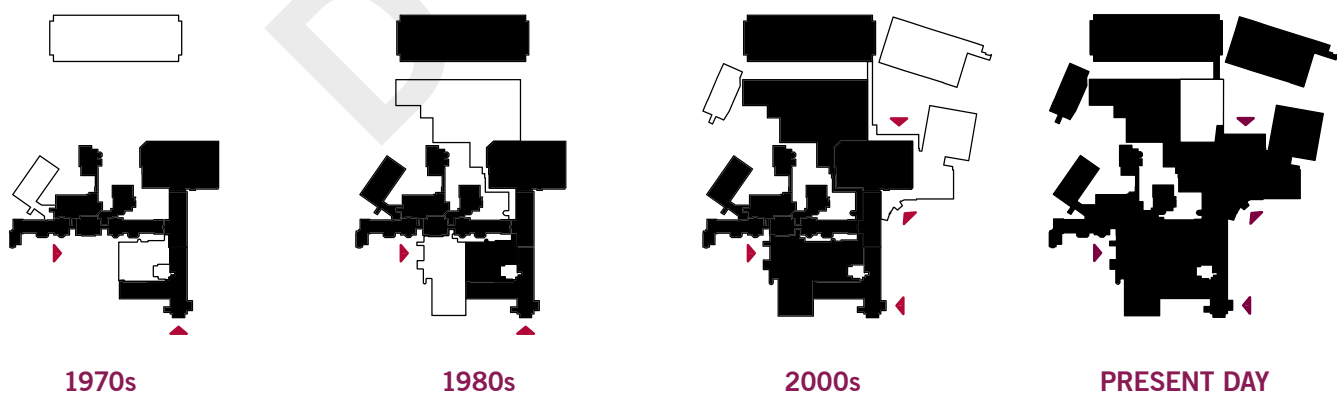




Fig.1.4 Bird's Eye View of the Campus in Context, Looking North



EXISTING CONDITIONS + CONTEXT

Maine Medical Center campus is located on a high point in the west end of the Portland peninsula that is easily accessible from I-295 and Congress St. Its dense, urban context includes historic landscapes and neighborhoods as well as areas that are designated for change in the City's 2017 Comprehensive Plan.



MMC TODAY

Programs And Services

MMC provides a scope and depth of specialty and subspecialty inpatient and surgical care that is unparalleled in Maine.

MMC is the only Level I American College of Surgeons (ACS) trauma center in Maine and has the only Level III Neonatal Intensive Care Unit (NICU) and the only kidney transplant program in the state. MMC is an American Nurses Credentialing Center (ANCC) Magnet Hospital and has received numerous awards including: Best Regional Hospitals (2016-2017) from U.S. News and World Report, Gold Seal of Approval and Top Performer in Key Quality Measures from the Joint Commission.

MMC’s clinical services are organized into six service lines listed in Table 2.1. at right.

Table 2.1 List of MMC Service Lines

More information available on the MMC website at <http://www.mmc.org/care-and-services>

ADULT MEDICINE

MMC’s Adult Medicine Service Line extends across the continuum of care, spanning from primary care, to emergency and critical care, medical services for hospitalized adults, subacute rehabilitation and long-term care. It includes a wide array of specialty programs and services including Digestive Health, Endocrinology, Geriatrics, Infectious Disease, Nephrology, and Palliative Care. This service line also includes the procedural areas of Endoscopy and Transplantation.

CARDIOVASCULAR

MMC’s Cardiovascular Service Line addresses the treatment needs of patients with cardiovascular diseases such as coronary artery disease, valvular heart disease, congestive heart failure, arrhythmias, congenital heart disease, and peripheral vascular disease.

ONCOLOGY

MMC’s Oncology Service Line provides health services to patients diagnosed with cancer such as medical oncology, radiation oncology, gynecological oncology, and surgical oncology.

SURGICAL

MMC’s Surgical Service Line addresses specific health problems requiring surgical intervention including cancer, cardiovascular disease, eye diseases and injuries, gastric and intestinal diseases and injury, gynecological diseases and injury, joint and bone diseases and injury, neurological and spinal diseases and injury, bariatric, trauma, and genito-urologic diseases and injury.

NEUROSCIENCES

MMC’s Neurosciences Service Line addresses the treatment needs of patients with neurological diseases such as stroke, epilepsy, neuro-oncology, multiple sclerosis, neuroendovascular diseases, Parkinson’s disease, Alzheimer’s disease and dementia, neuromuscular diseases, peripheral nerve and muscle conditions, and spine disorders as well as an array of neurodiagnostic services including electroencephalography (EEG) and sleep lab.

WOMEN'S AND CHILDREN'S

MMC’s Women’s and Children’s Service Line addresses the health problems and needs of women and of children under 18 years of age with such clinical services as child birth and pediatric subspecialties including, neonatology, pediatric medicine, oncology, cystic fibrosis, gastroenterology and nutrition, cardiology and cardiac surgery, nephrology, neurology, pulmonology, ophthalmology, orthopedics, and urology.

Daily Census

While the number of patients, visitors, and employees on campus vary day-to-day, a daily census estimate can be produced for a typical week day using a variety of data sources, including the annual patient counts (see **Table 2.2**). The estimated daily census of individuals on the MMC Bramhall Campus is included in **Table 2.3** below and exceeds six-thousand individuals.

Table 2.2 Census of Patients on Bramhall Campus (FY 2013-2016)

	2013	2014	2015	2016
Inpatient Discharges	29,253	29,401	30,196	30,889
Outpatient Activity	138,626	132,257	140,862	154,434
Bramhall Outpatient Clinics	39,829	40,694	38,209	39,709
TOTAL	207,708	202,352	209,267	225,032

Table 2.3 Estimated Daily Census of Individuals on the Bramhall Campus on a Typical Week Day (FY 2016)

Inpatient Discharges	99	Assumptions: Daily inpatient discharges estimated from annual count, using six-day weeks to accommodate for reduced activities Sun-Tue. Daily outpatient activity estimated from annual count, using five-day weeks. Inpatient visitors estimated at 2.5 / patient, outpatient visitors estimated at one per patient. 60% of employees are estimated to be on the Bramhall campus at one time.
Inpatient Visitors	248	
Outpatient Activity	594	
Outpatient Visitors	594	
Bramhall Outpatient Clinics	153	
Employees: Shift 1	3,639	
Employees: Shift 2	206	
Employees: Shift 3	519	
Students on Campus: Medical	100	
Students on Campus: Nursing	86	
Other Students (PA, Pharma, etc.)	20	
Non-MFP Related Contractors	25	
TOTAL DAILY CENSUS	6,283	



Fig.2.1 Bird's Eye View of the Campus in Context, Looking South



Existing Facilities

MMC regularly conducts building assessments to inform future investment and development decisions on campus. The assessments evaluate the condition of building structure and systems, and compliance with current building codes and regulations including fire safety. The 2015 assessment (see **Fig.2.2** on page 23) illustrates that a number of buildings on campus are approaching the age and level of condition for replacement.

Among those that are listed for replacement in the long-term are the Pavilions, the Richards Building and the LL Bean Building, which together host a large percentage of the hospital's bed inventory. These include a large number of semi-private beds that must be replaced to conform to current patient care standards. The Employee Garage is identified for replacement in the short-term due to its structural challenges.

Table 2.4 Inventory of Existing Facilities

	Building Name	Date	Gross SF
1	Maine General	1870s	72,920
2	Annex B	1870s	36,250
3	Annex C	1870s	13,190
4	Annex A	1929	10,110
5	Pavilion A	1929	66,380
6	Pavilions C & D	1956	83,460
7	Richards Building	1968	228,920
8	Employee Garage	1970s	--
9	Diagnostics Building	1976	89,150

Property Ownership

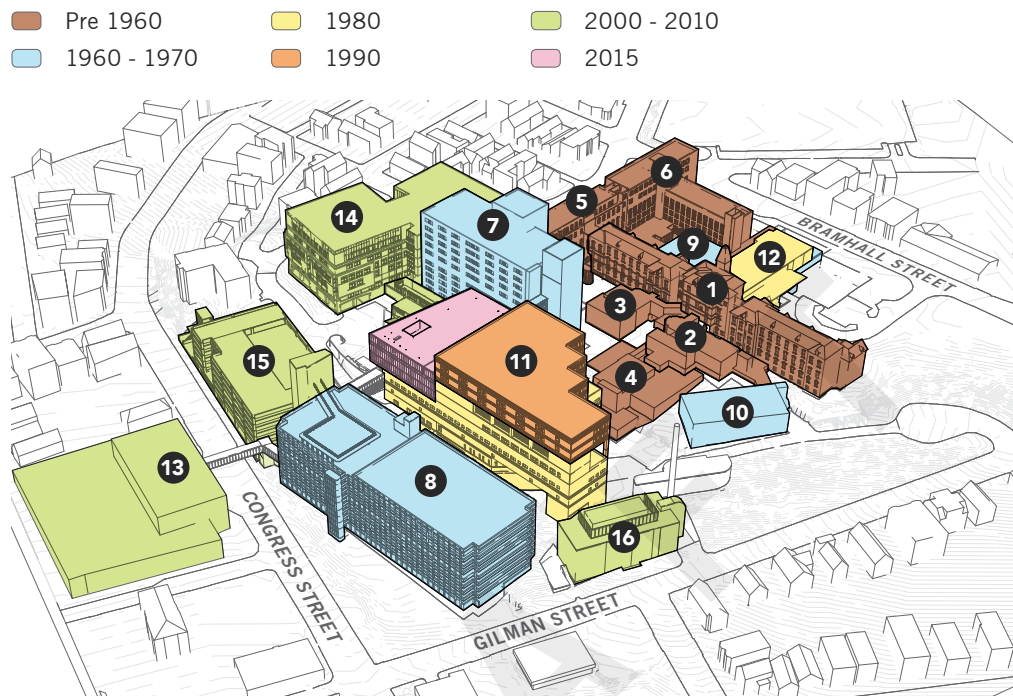
MMC owns and leases a number of properties across the City of Portland. These properties are listed and identified on a map on the following pages (see **Fig.2.3** and **Tables 2.5 and 2.6** on page 24.)

Properties that have a functional relationship to the MMC Bramhall campus, which is the subject of this IDP are highlighted with an ***** on **Tables 2.5 and 2.6**. Per the requirements of the IOZ, a functional relationship is defined as uses or activities that are integrally linked to the day-to-day operations of the MMC Bramhall Campus, without which activity MMC would be severely limited in one or more services.

	Building Name	Date	Gross SF
10	Engineering Services Building	1978	23,840
11	LL Bean Building	1985	231,830
12	Dana Building	1987	19,310
13	Congress Street Medical Bldg	1999	47,000
14	East Tower	2008	200,000
15	Patient and Visitor Garage	2008	--
16	Central Utility Plant	2008	--

TOTAL 1,122,360 GSF

Fig.2.2 Existing Facilities, by Age And Condition



Continued investment in this building is:

■ Recommended
 ■ Cautioned
 ■ Not Recommended

For future use.

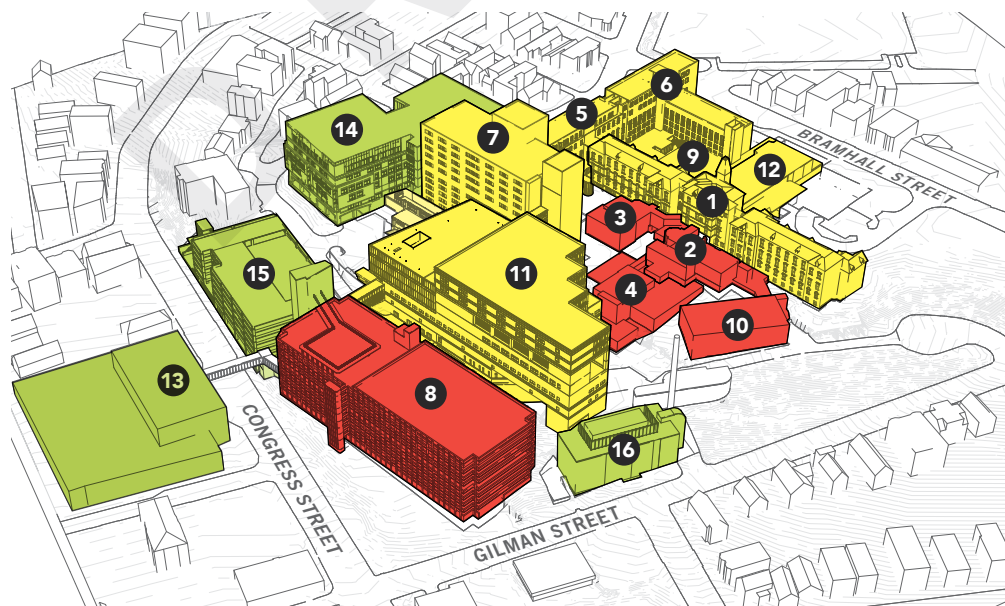


Fig.2.3 Map of MMC-Owned Parcels and Leased Properties

- All Parcels within the City of Portland owned by Maine Medical Center or MMC Realty Corp.
 ● Locations where MMC leases space (map extent only)

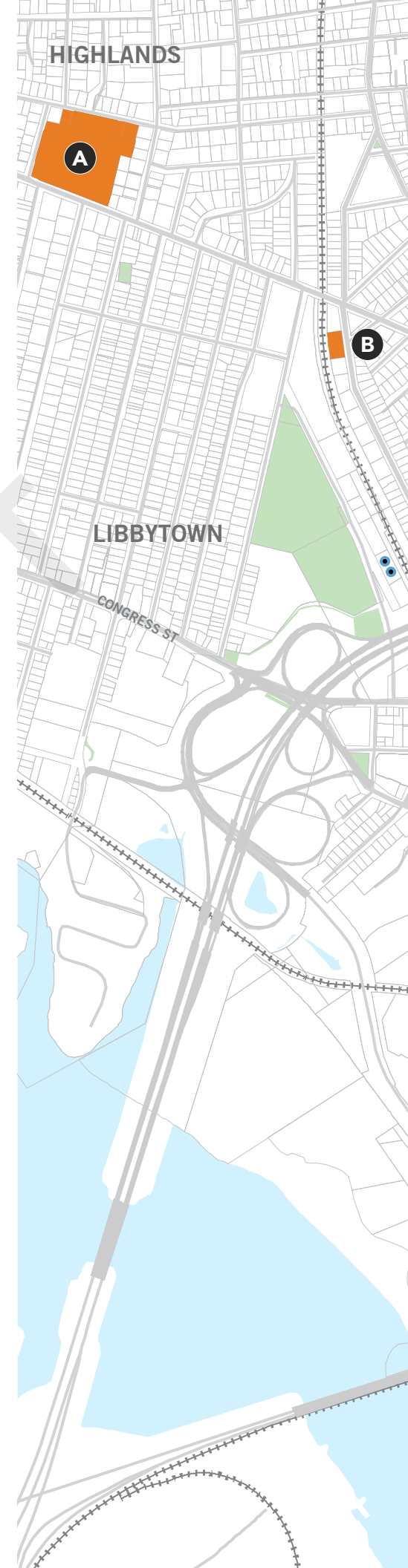
Table 2.5 List of Properties Owned by MMC within the City of Portland

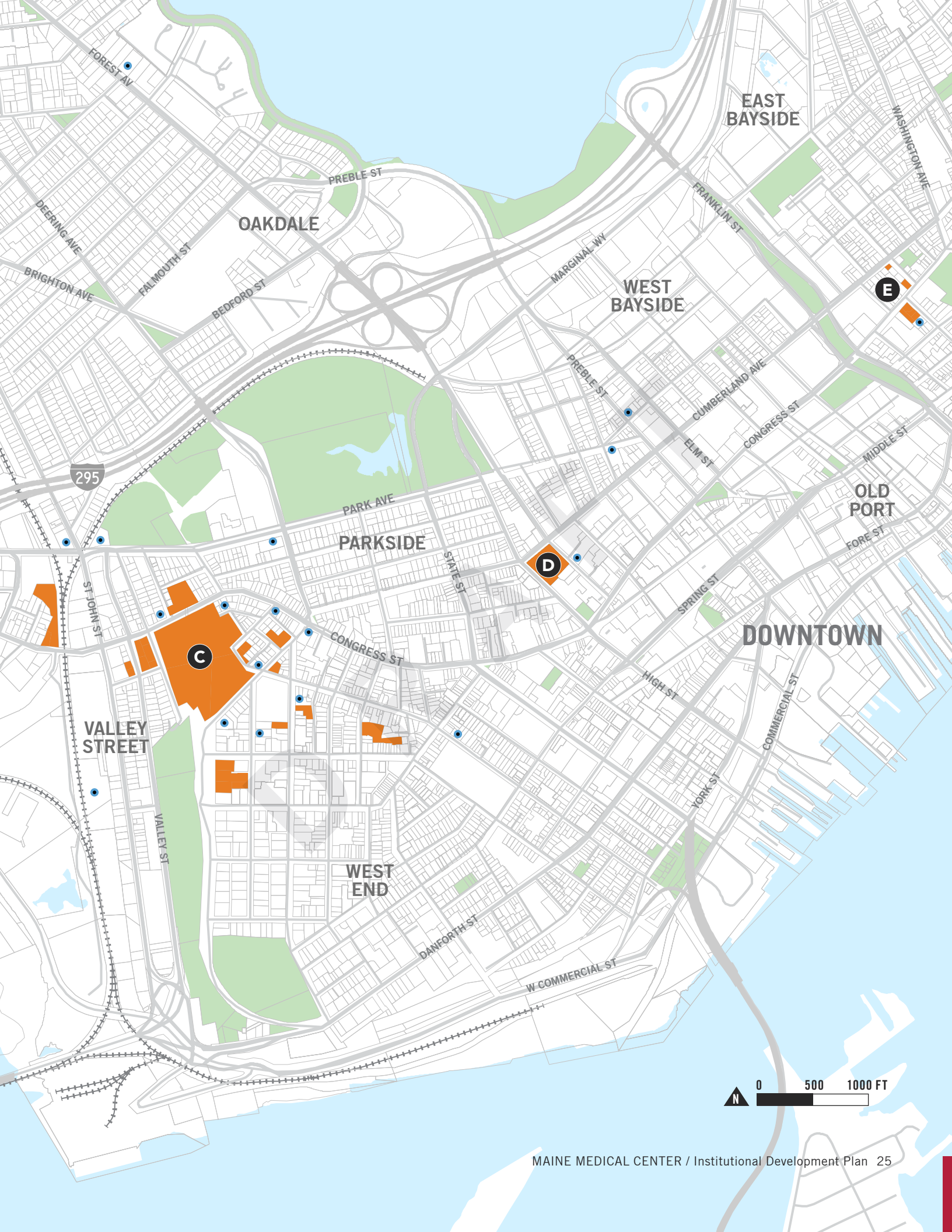
Parcel Address	Current Use		
A MMC BRIGHTON CAMPUS		C MMC BRAMHALL CAMPUS AREA	
335 Brighton Ave	MMC Brighton	* 22 Bramhall St	MMC Bramhall
367 Brighton Ave	Residential	* 930 Congress St	Medical Office
27 Hollis Rd	Residential	* 932 Congress St	Business Office
136 Prospect St	Residential	* 887 Congress St	Medical Off. / Pkng
142 Prospect St	Residential	* 308 Brackett St	Parking
170 Prospect St	Residential	* 993 Congress St	Parking
		* 995 Congress St	Business Office
B MMC BEHAVIORAL HEALTHCARE		* 98 Chadwick St	Maint. Garage
556 St John St	Medical Office	* 94 Chadwick St	Parking / Storage
		* 47 Bramhall St	Business Office
D GATEWAY GARAGE BUILDING		* 229 Vaughan St	Business Office
177 High St	Business Office	216 Vaughan St	Medical Office
429 Cumberland Ave	Business Office	66 Bramhall St	Medical Office
Note: MMC does <u>not</u> own but leases parking spaces in the Gateway Garage.		19 West St	Medical Office
		120 West St	Residential
E PORTLAND FAMILY MEDICINE		34 Ellsworth St	Vacant Land
272 Congress St	Medical Office	40 Ellsworth St	Vacant Land
263 Congress St	Parking Lot	231 Western Prom	Residential
148 Cumberland Ave	Parking Lot	227 Western Prom	Vacant Land
		44 Gilman St	Parking
		52 Gilman St	Medical Office
		261 Valley St	Parking
		262 Valley St	Parking
		264 Valley St	Vacant Land

Table 2.6 List of Properties Leased by MMC in the City of Portland

Parcel Address	Current Use		
* 131 Chadwick St	Business Office	* 905 Congress St	Parking
180 Park Ave	Business Office	98-100 India St	Parking
233 Vaughan St	Business Office	183 Brackett St	Residential
241 Oxford St	Business Office	25-29 Crescent St	Residential
315 Park Ave	Business Office	* 321-325 Brackett St	Res. / Pkng
39 Forest Ave	Business Office	75 St. James St	Storage
509 Forest Ave	Business Office	85 St. James St	Storage
* 7 Bramhall St	Bus. Off. / Pkng	<i>Located off the map extent:</i>	
794 Congress St	Business Office	12 Andover Road	Medical Office
295 Park Ave	Medical Office	1250 Forest Ave	Medical Office
20 Portland St	Medical Office	1577 Congress St	Medical Office
818 Congress St	Medical Office	901 Washington Ave	Business Office
* 181 High St	Parking	190 Riverside St	Business Office
* 222 St. John St	Parking	87 Central Ave	Medical Office

* Denotes properties with a functional relationship to the MMC Bramhall Campus. A functional relationship is defined as uses or activities that are integrally linked to the day-to-day operations of the MMC Bramhall Campus, without which activity MMC would be severely limited in one or more services.





CAMPUS CONTEXT

The Maine Medical Center Bramhall campus is located at a high point in the west end of the Portland peninsula that is renowned for the Western Promenade—an 18-acre park and national historic landmark designed by the Olmsted Brothers, among others. The campus abuts the Western Promenade in a dense urban setting that serves, in many ways, as a transitional zone between areas with diverse character, land uses, and demographics.

The campus, which serves the entire state of Maine as well as eastern New Hampshire, is located within less than a mile's distance of I-295, which links Portland to destinations across New England. To the north, the campus fronts on Congress Street—Portland's main street that extends along the spine of the peninsula to Portland's downtown and beyond. The MMC campus is located at the western gateway into the City.

Fig.2.4 Bird's eye view of the campus in its urban context





Adjoining Neighborhoods

The 21.8-acre MMC Bramhall campus abuts four distinct neighborhoods. To the west and north is the St John Valley Neighborhood, a diverse area featuring a wide mix of uses including industrial warehouses, a large food processing plant, bus garages and facilities, single-family residential, local and chain restaurant, multi-family rentals, and alternative grocery stores. St John Valley, and the largely residential Parkside neighborhood to its east, are among the most ethnically and racially diverse in Portland. (City of Portland GIS Maps, 2010 Diversity Index). The two neighborhoods share easy access to Hadlock Field, Fitzpatrick Stadium, and Deering Oaks Park north of Park Avenue.

The Western Promenade neighborhood is located to the south of the medical campus. The focal point and namesake of the neighborhood is the 18-acre linear park that wraps the 120-foot tall escarpment, providing sweeping views of Casco Bay and the Fore River. Designated as a park as early as 1836, and designed in 1905 by the Olmsted Brothers, the Western Promenade was also recognized as a national historic site in 1989. The Western Promenade neighborhood and large sections of the adjoining West End neighborhood are included in the West End local historic district in recognition of their cohesive residential character featuring major architectural styles from 1850 to the 1920's.

Zoning Context

Development on the MMC campus has been historically governed by Contract Zone agreements C41 (main campus) and C18 (Congress Street Medical Building).

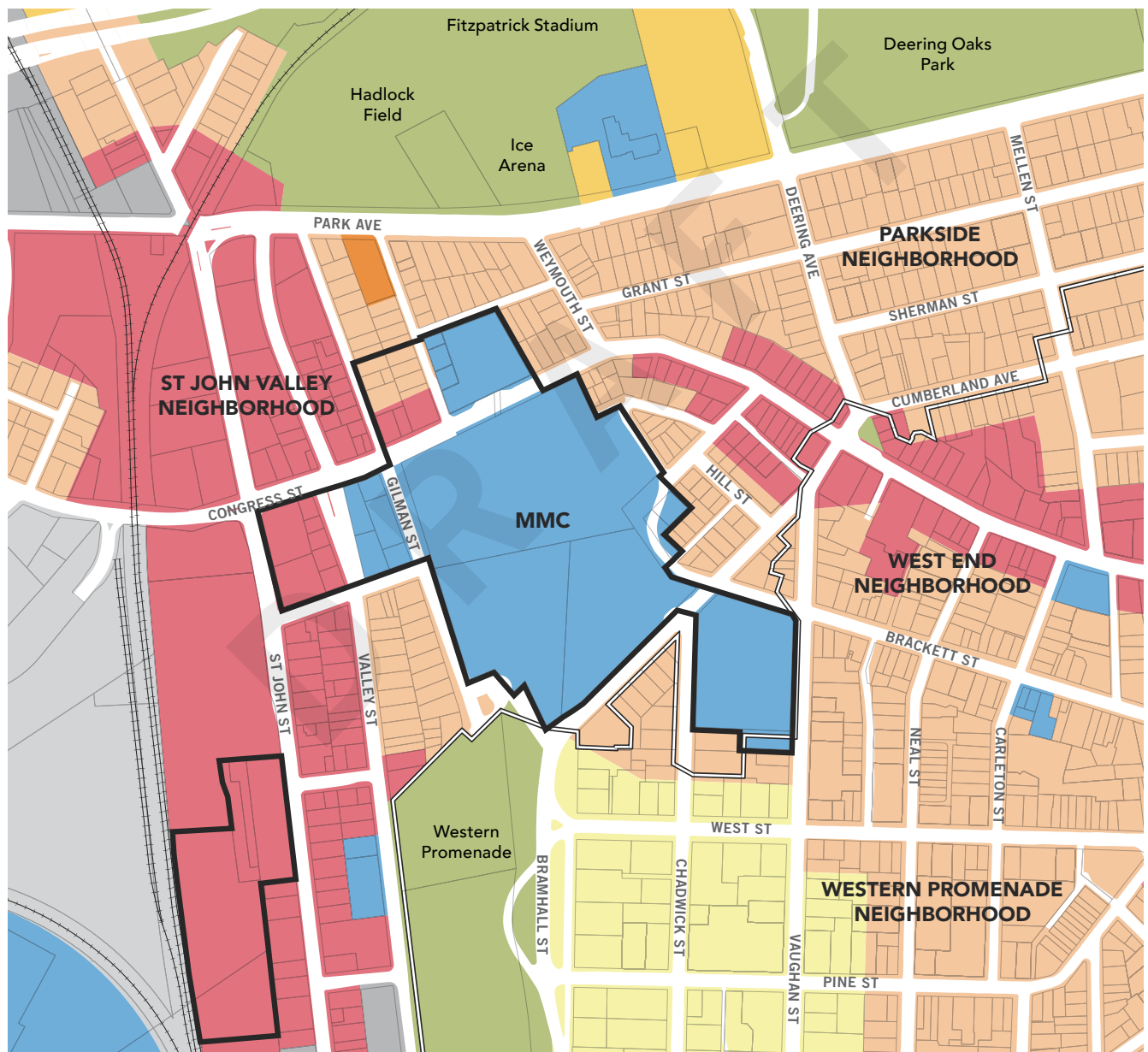
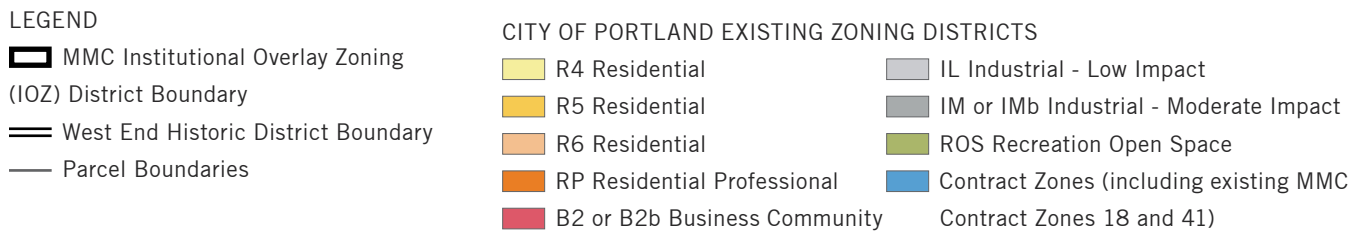
MMC is currently working with the City and surrounding neighborhoods to establish a new Institutional Overlay Zoning (IOZ) District to regulate future development on campus. MMC's IOZ District will supersede the contract zones for hospital-owned properties. See **Fig.2.5** on page 29 for a map of MMC's IOZ district in its zoning context.

As the City implements new institutional zoning for the MMC campus, opportunity exists to comprehensively review the zoning regulations for Congress Street to provide for orderly redevelopment on both sides of the gateway corridor.

Historic Resources

The MMC Bramhall campus abuts the West End Historic District, one of the eleven locally-designated historic districts in the City of Portland (see **Fig.2.5** on page 29). The West End Historic District includes the Western Promenade, which was designated as a national historic site in 1989.

Fig.2.5 MMC Campus: Neighborhood and Zoning Context (Data Source: City of Portland GIS)



TRANSPORTATION CONTEXT

Maine Medical Center's service area includes all of Maine and parts of New Hampshire. The majority of MMC patients and visitors do not live within walking distance or near public transportation and arrive by car. The nature and acuity of patient needs does not lend itself to the use of alternative modes of transportation. This situation is not atypical for a hospital, but rather is the norm even in locations with a robust public transit system.

The campus' proximity to I-295 provides ease of access to most patients and visitors. **Fig.1.1 on page 9** provides an illustration of the geographic breakdown of MMC's patient home origins in Maine and beyond.

MMC is open to patients every hour, every day of the year. Most MMC staff and physicians do not use alternative modes of transportation. Work responsibilities that require the use of an automobile, work shifts that do not lend themselves to taking transit, a lack of transit options to accommodate staff schedules, and an insufficient bicycle infrastructure in the surrounding municipalities could all be factors that contribute to a high drive share by staff. See **Fig.2.9** for a map of MMC employee residences.

Vehicular Access and Circulation

Vehicle access and circulation on the MMC Bramhall Campus was planned and designed to maintain a safe and efficient transportation system. Most notably, the concept of separating patients, employees, emergency department operations and

loading/service are all considerations that exist at MMC currently. **Fig.2.6** provides an illustrative summary of MMC's access and circulation system on the Bramhall Campus. Aspects of that system are described in greater detail below.

- **Patient/Visitor Access:** Patients and visitors have several choices when accessing the hospital. Through a strong wayfinding and signage plan, they are directed to park directly in the Congress Visitor Garage or the South Lot. They also have access to a convenient patient drop-off area that is located off of Bramhall Street, with direct access to parking in the South Lot.
- **Emergency Department Access:** MMC's Emergency Department (ED) is located near the main entrance but is clearly delineated and separated from it. Within the ED area, ambulances have their own dedicated area and are separated from patient ED access and short-term ED parking.
- **Staff Access:** Staff primarily park in the Employee Garage, which is located on Congress Street with access off of Gilman Street. This design limits the mixing of patient and staff traffic, resulting in fewer staff vehicles near patient access zones.
- **Loading/Service Access:** Trucks destined for MMC are directed to a dedicated loading and service facility located off of Gilman Street, separate from all active patient access and circulation functions. MMC does not accept large deliveries from any location other than through the loading dock area.

Fig.2.6 MMC Existing Circulation Routes and Access Points

KEY VEHICULAR CIRCULATION ROUTES

Patients / Visitors

Emergency Drop-off / Ambulance

Staff

Service

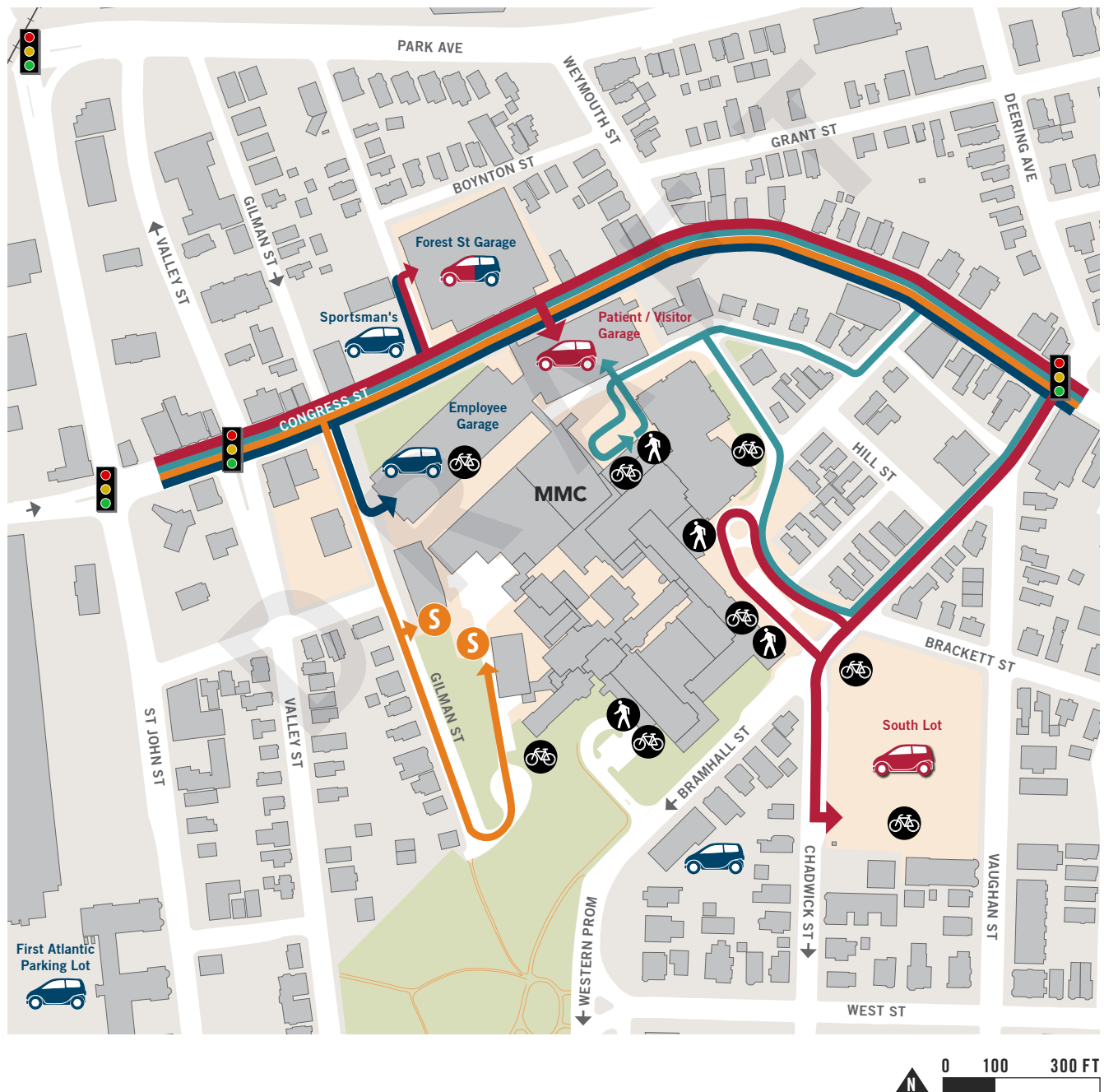
Patients and Visitor Parking

Staff Parking (In map extent only. See list on following page for all locations)

Limited Parking for Service Vehicles / Service Staff

Bicycle Rack Locations

Main Pedestrian Entrances



Parking

MMC offers its patients, visitors, physicians, and employees several options for parking. MMC currently controls approximately 2,877 total off-street parking spaces either via ownership or through leases with others that specifically serve the Bramhall Campus. Of the 2,877 spaces, 850 spaces are available for public use by patients and visitors, and 2,027 parking spaces are subscribed to staff and physicians. About 1,538 of these employee parking spaces are located on the MMC Bramhall Campus.

In addition to their on-campus parking spaces, MMC controls an additional 489 spaces for employees in remote parking facilities that serve the

Bramhall Campus. Off-site spaces that are used by employees require shuttle services to the Bramhall Campus by dedicated MMC-operated shuttle services. **Table 2.7** provides a summary of existing Maine Medical Center parking facilities and **Fig.2.6** illustrates each facility's geographic location.

MMC has continued to see demands on the existing supply intensify due to increased patient volumes and higher acuity patients (longer lengths of stay). And under current conditions, the MMC staff parking system typically operates at capacity during the weekday daytime hours. When off-site, remote staff parking facilities reach capacity, staff are directed to park on-campus in the Congress Visitor

Table 2.7 Existing Parking Spaces

		Patient / Visitor	Employee	Total at Facility	Ownership
ON-CAMPUS 850 patient / visitor 1,538 employee spaces	Employee Garage	0	1,274	1,274	Owned
	Congress Visitor Garage	480	0	480	Owned
	South Lot	370	0	370	Owned
	887 Congress (CMOB Garage)*	0	178	178	Owned
	7 Bramhall St	0	26	26	Leased
	905 Congress St (Sportsman Lot)	0	60	60	Leased
OFF-CAMPUS 489 employee spaces	222 St John St (First Atlantic Lot)	0	283	283	Leased
	181 High St (Gateway Garage)	0	100	100	Leased
	993 Congress St (Classic Lot)	0	97	97	Owned
	321 Brackett St	0	9	9	Leased
TOTAL PARKING SPACES		850 Patient / Visitor	2,027 Employee	2,877 Total	

* The CMOB Garage has an additional 222 spaces that are dedicated to medical office staff and patients.

Garage. Some staff also independently choose to park nearby utilizing neighborhood on-street parking, although this is discouraged by MMC.

Tables 2.8 and 2.9, respectively, highlight the number of on-campus parking spaces that MMC controls, and measures those space counts as a ratio of total beds on the Bramhall Campus. The tables also compare those ratios to comparable peer academic medical centers to get a better relative understanding of the amount of parking that MMC uses to support its Bramhall Campus versus these peer institutions.

As shown in **Table 2.8**, MMC's 850 patient/visitor parking spaces equates to about 1.33 parking spaces per bed. This is low when compared to other New England and national peers. Patient drive rate is consistently high among large academic medical centers regardless of location. Therefore it is appropriate and reasonable to compare MMC patient parking needs on a space per bed basis to highly urban, suburban, and rural settings. MMC would need about 340 additional patient/visitor parking spaces to achieve the midpoint parking space/bed ratio (approximately 1.87) of its peers.

As shown in **Table 2.9**, MMC's 2,027 staff parking spaces equates to about 3.18 parking spaces per bed. This ratio is also low when compared to other peer institutions. When studying staff/physician parking needs, it is important to compare institutions that would reside in similar contexts

where driving behavior and auto mode shares would be similar. Because of this, the list of institutions in **Table 2.9** is shorter, and only includes those that provide for a reasonable comparison to MMC, where the staff drive mode share is very high (over 90 percent).

Under current conditions, MMC would likely require about 150-200 additional on-campus parking spaces to alleviate current staff parking shortfalls that have been estimated via observations and data collection activities and eliminate on-street parking by MMC staff. To help alleviate these pressures, MMC continues to pursue a number of strategies to address its constrained parking situation, including:

- The study of enhanced Transportation Demand Management (TDM) actions to reduce single-occupancy vehicle trips and parking demand,
- Moving employees to off-campus locations (both program and parking), and,
- Securing additional remote parking and serving that remote parking with convenient shuttle services for staff.

See "Future Parking Conditions" on page 74 for MMC's future parking plan.

Table 2.8 Peer Institutions: Inpatient Parking Demand Ratios

	Total Beds	Total Patient Parking Spaces	Parking Ratio (spaces /bed)
Maine Medical Center / Portland, ME	637	850	<i>lowest 1.33</i>
Advocate Illinois Masonic Medical Center / Chicago, IL	211	292	1.38
VCU Health / Richmond, VA	1,125	1,830	1.63
University of Pennsylvania Health System / Philadelphia, PA	695	1,155	1.66
New Spaulding Rehabilitation Hospital / Boston, MA	132	230	1.74
Washington University Medical Center / BJHN / St. Louis, MO	220	402	1.83
Rush University Medical Center / Chicago, IL	674	1,249	1.85
Loyola University Medical Center / Maywood, IL	536	1,018	1.89
Brigham and Women' Hospital / Boston, MA	793	1,564	1.97
Beth Israel Deaconess Medical Center / Boston, MA	632	1,302	2.06
Massachusetts General Hospital / Boston, MA	902	2,057	2.28
Central DuPage Hospital / Winfield, IL	361	965	2.67
Florida Hospital Orlando – Ginsburg Tower / Orlando, FL	440	1,726	3.92
Edward Hospital / Naperville, IL	357	1,425	<i>highest 3.99</i>

median 1.87

Notes:

Gross on-campus patient parking spaces to total inpatient beds. Includes any related outpatient demand at each respective facility. Florida Hospital Orlando - Ginsburg Tower includes some staff parking on-campus.

Table 2.9 Peer Institutions: Employee Parking Demand Ratios

	Total Beds	Total Patient Parking Spaces	Parking Ratio (spaces /bed)
Maine Medical Center / Portland, ME	637	2,027	<i>lowest 3.18</i>
Washington University Medical Center / St. Louis, MO	986	3,569	3.61
Florida Hospital Orlando – Ginsburg Tower / Orlando, FL	440	1,726	3.92
University of Virginia Health System / Charlottesville, VA	600	2,895	4.83
Elliot Hospital / Manchester, NH	296	1,852	6.26
VCU Health / Richmond, VA	1,125	7,063	<i>highest 6.28</i>

median 4.38

Notes:

Gross employee parking spaces to total inpatient beds. Includes any related outpatient demand at each respective facility. Elliot Hospital includes patient and visitor parking. Florida Hospital Orlando - Ginsburg Tower includes some staff parking on-campus.

Public Transit Access

METRO provides bus service throughout the Greater Portland region and makes stops within walking distance of museums, galleries, shops, restaurants and historic landmarks. **Table 2.10** (page 41) and **Fig.2.13** (page 42) summarize and illustrate those key bus routes that the METRO operates that are within a 5-minute walk of the MMC Bramhall campus. METRO bus stops that are located near the MMC campus are also noted on **Fig.2.13**. MMC riders can transfer to other METRO buses at the Portland Transportation Center (PTC) and the Downtown Hub. The PTC also serves as the connection to Amtrak Downeaster service.

Bicycle Access and Storage

MMC is committed to supporting bicycle access to the Bramhall Campus. As shown in **Fig.2.7**, bicycling is prevalent within the City of Portland, however, bike use at and around the MMC campus is generally lower than in other Portland locations. This could be a result of the severe grades in the Bramhall neighborhood, but also the lack of strong municipal bicycling infrastructure, including dedicated bike lanes, paths and sharrows.

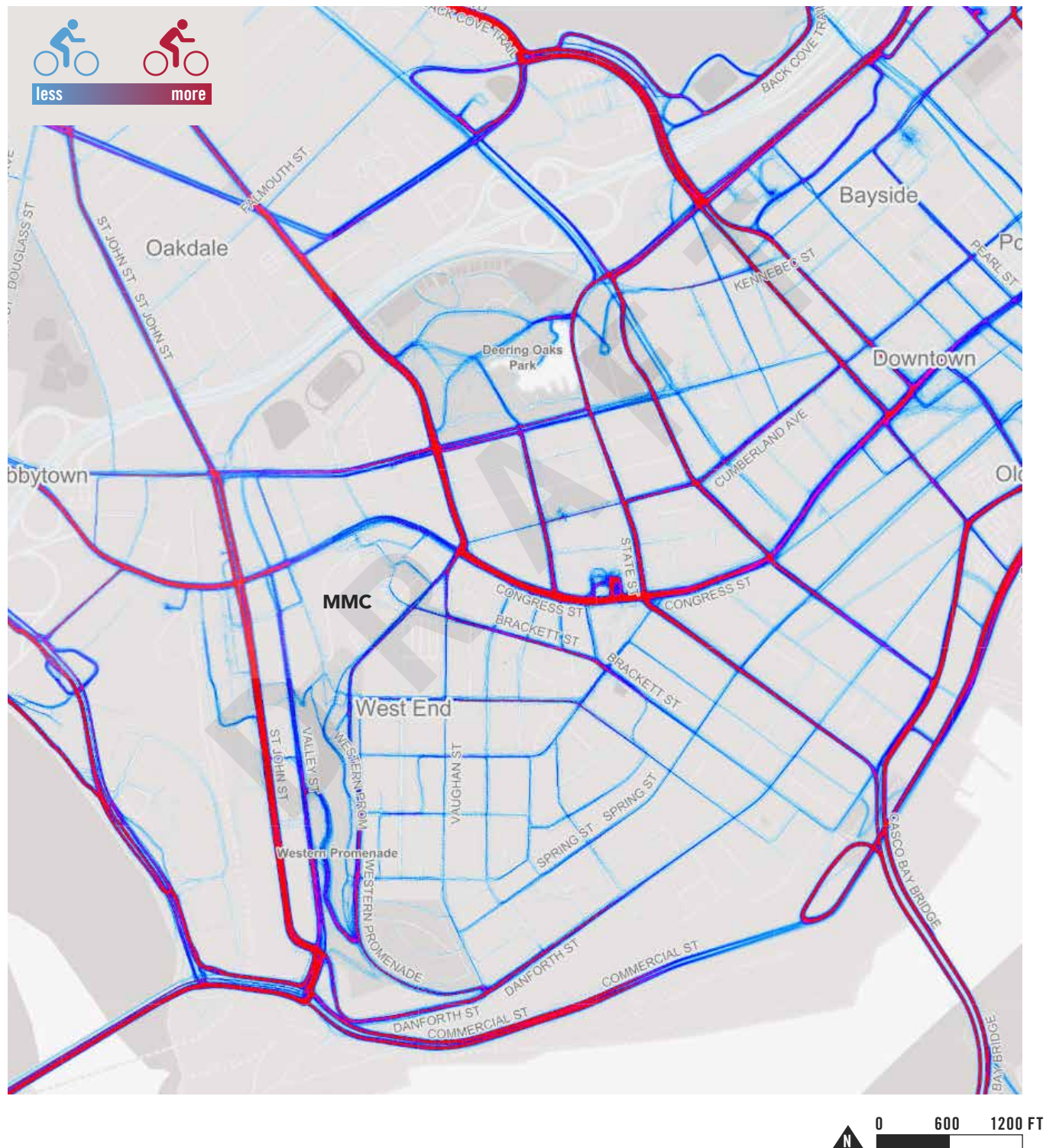
In recent years, the hospital has invested in bicycle racks, showers, and lockers. **Fig.2.6** on page 31 indicates the location of bicycle racks on campus. MMC currently has capacity to accommodate up to 193 bicycles on campus.

Pedestrian Entrances and Access

As illustrated previously in **Fig.2.6**, there are many options for MMC patients, visitors and staff to access the Bramhall Campus. Most notably, the major parking garages are directly connected to the hospital with elevated, covered, and temperature-controlled pedestrian walkways. This limits exposure to adverse weather conditions as well as minimizes on-street vehicle conflicts at intersections and pedestrian crossings.

Fig.2.7 Heatmap Showing Popular Bicycle Routes in the Area, as Recorded by Strava App Users

Source: Based on self-tracking app data mapped by Strava Labs (labs.strava.com/heatmap)



Transportation Demand Management (TDM)

As part of its efforts to monitor and enhance the “Get on Board!” (MMC's existing TDM) program, MMC recently completed a survey of its employees to better understand existing conditions. The current mode split is shown in **Fig.2.8**.

Maine Medical Center is open 24 hours per day, 7 days per week, 365 days per year. Patients require the round-the-clock care that MMC provides. Robust public transportation is not available to service the needs of the broad geographic area. The high percentage of employees driving to work alone and parking near campus is not surprising given the nature of the services provided.

“Get on Board!” TDM Plan

MMC's TDM Plan, “Get on Board!” was successfully implemented in June 2008 and updated annually.

The “Get on Board!” Program, aims to reduce MMC's traffic impact on the peninsula by reducing the number of single-occupancy vehicles (SOV) trips to the campus. The goal is advanced through the subsidy, and marketing of alternative commute options including walking, bicycling, public transit, and rideshare.

“Get on Board!” has continued to grow since implementation. Its success is demonstrated in the growing enrollment in the “Get on Board!” program. The “Get On Board!” Program is administered through an employee portal that includes

Fig.2.8 MMC Bramhall Campus Employees Commuting Mode Split (2017)

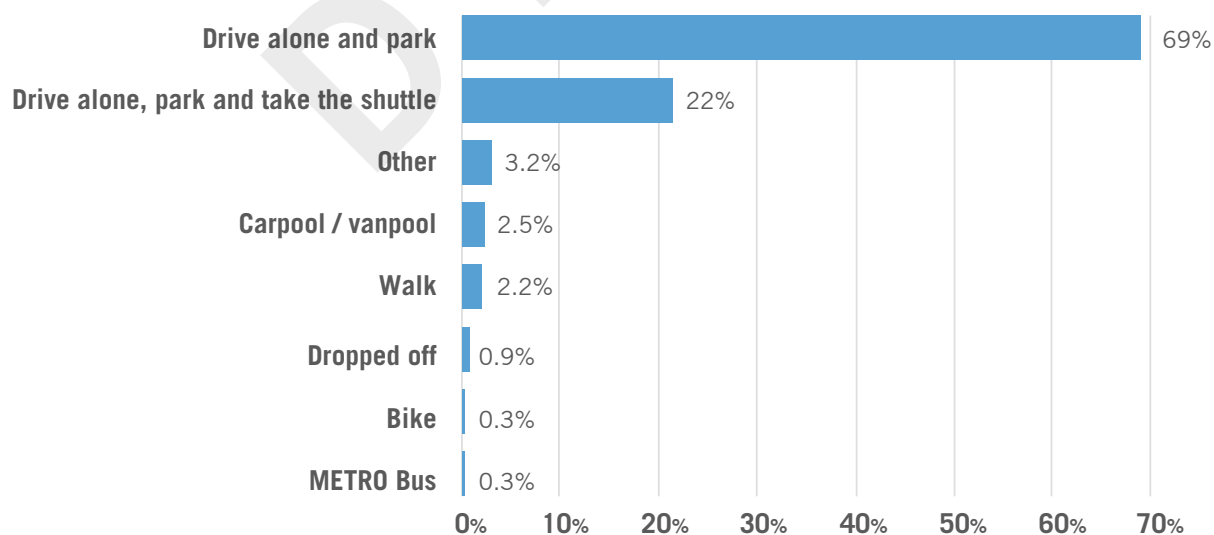
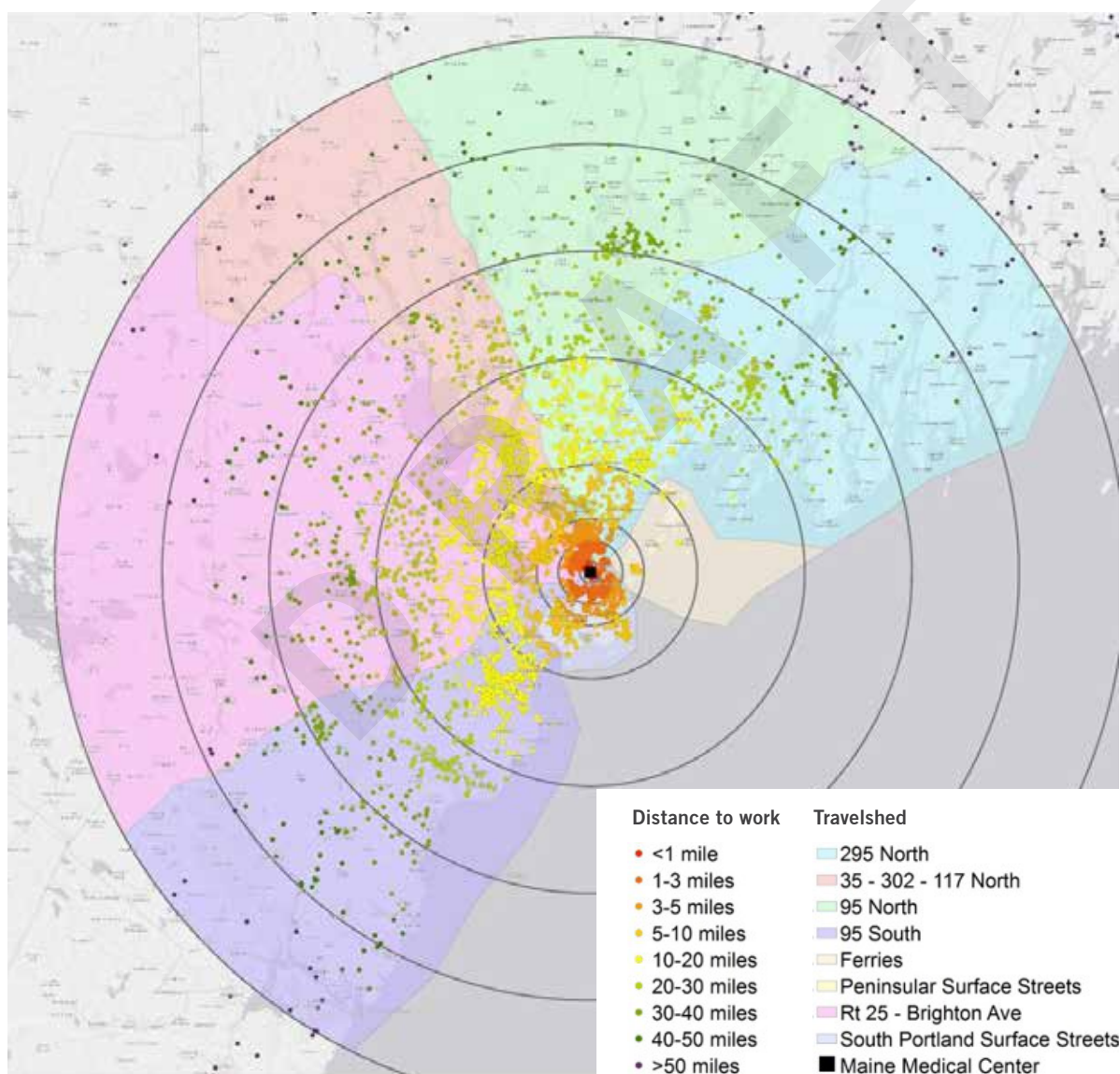
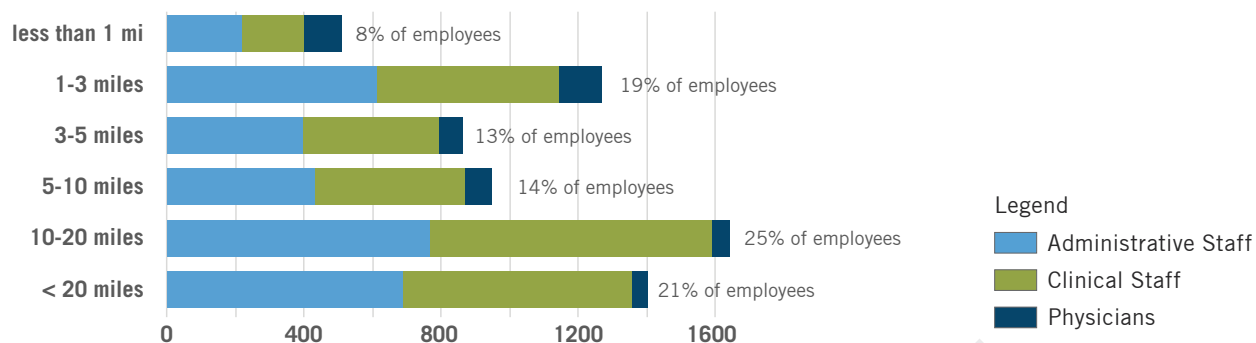


Fig.2.9 MMC Employees, Distance to Work



information and resources for alternative commutes. The website provides links to Maine Department of Transportation and the Maine Turnpike Authority's "GO MAINE" program to provide employees easy access to additional benefits. All new employees receive "Get On Board!" information during orientation with instructions on how to join the program. This has increased the number of people that join the program at the start of their employment and has made "Get On Board!" a focus of institutional policy to help influence travel behavior by MMC staff.

Individual program elements and related incentives are outlined in the following section.

Supporting Mass Transit Commutes

Employees can purchase discounted bus tickets and Shuttle-Bus Zoom tickets conveniently in the cafeteria. MMC buys the tickets at the regular price and offers them to employees at the reduced prices listed below. This is a clear demonstration of MMC's commitment to making "Get on Board!" work. **Table 2.10** includes a list of buses currently serving the MMC campus. See **Fig.2.13** on page 42 for a map of these routes, and stops located within walking distance of the campus.

	MMC COST	EMPLOYEE COST
METRO	\$13.50	\$8
S. PORTLAND	\$13.50	\$8
ZOOM 10 RIDE	\$39	\$29.60
ZOOM MONTHLY	\$100	\$84.50
ZOOM QUARTERLY	\$260	\$197.50

Supporting Employee Carpools

Employees participating in the Ride Share (carpooling) program are given access to preferred parking in a gated, ID-card access only area of the Employee Garage that connects directly to the Main Lobby on the ground floor of the hospital.

Supporting Bicycle Commutes

The MMC campus is located in close proximity to popular bicycle corridors, including St John and Congress Streets which connect riders to destinations across the City of Portland (see **Fig.2.7** on page 36). MMC has worked diligently to support bicycle commuters. In 2008, MMC installed five strategically-located bike racks and ten bike lockers on their Bramhall Campus. Three new bicycle racks were added in the vicinity of the Main entrance and in the South Lot in 2016, bringing total storage capacity to 193 bicycles across campus (see **Fig.2.6** on page 31 for location of bicycle racks on campus). Bicycle commuters also have access to a shared toolshed with basic tools.

MMC Employee Shuttles

The MMC employee shuttle operates Monday-Friday from 6am to 11pm. The number of shuttles running to off-site parking locations at any given time varies from 1-5 shuttles depending on traffic volume. These offsite lots fill to capacity on a daily basis. The employee shuttle service has three distinct routes and schedules:

- A. Service to and from the offsite 1st Atlantic and Classic parking lots runs from M-F from 6am to 11pm, in a continuous loop. The 1st Atlantic parking lot (222 St John St) is utilized first in the mornings. Once it nears capacity, service shifts to the Classic parking lot (993 Congress St). Return trips in the evenings service both lots.
- B. The Gateway shuttle moves employees between the MMC Bramhall campus, the Gateway office building / garage and the MaineHealth home office at 110 Free Street. The shuttle leaves every 20 minutes from the south entrance M-F from 6am to 4pm. Transportation is provided on an “On Call” basis between 4pm and 11pm. This shuttle also provides a limited courtesy transportation service to patient families staying at the Ronald McDonald House (250 Brackett St.).
- C. A courtesy shuttle runs between Brighton Medical Center (335 Brighton Ave) and Maine Medical Center every 20 minutes from 6am to 4pm.

Fig.2.12 Map of MMC Shuttle Routes A & B.



Table 2.10 Bus Routes Serving MMC Bramhall Campus

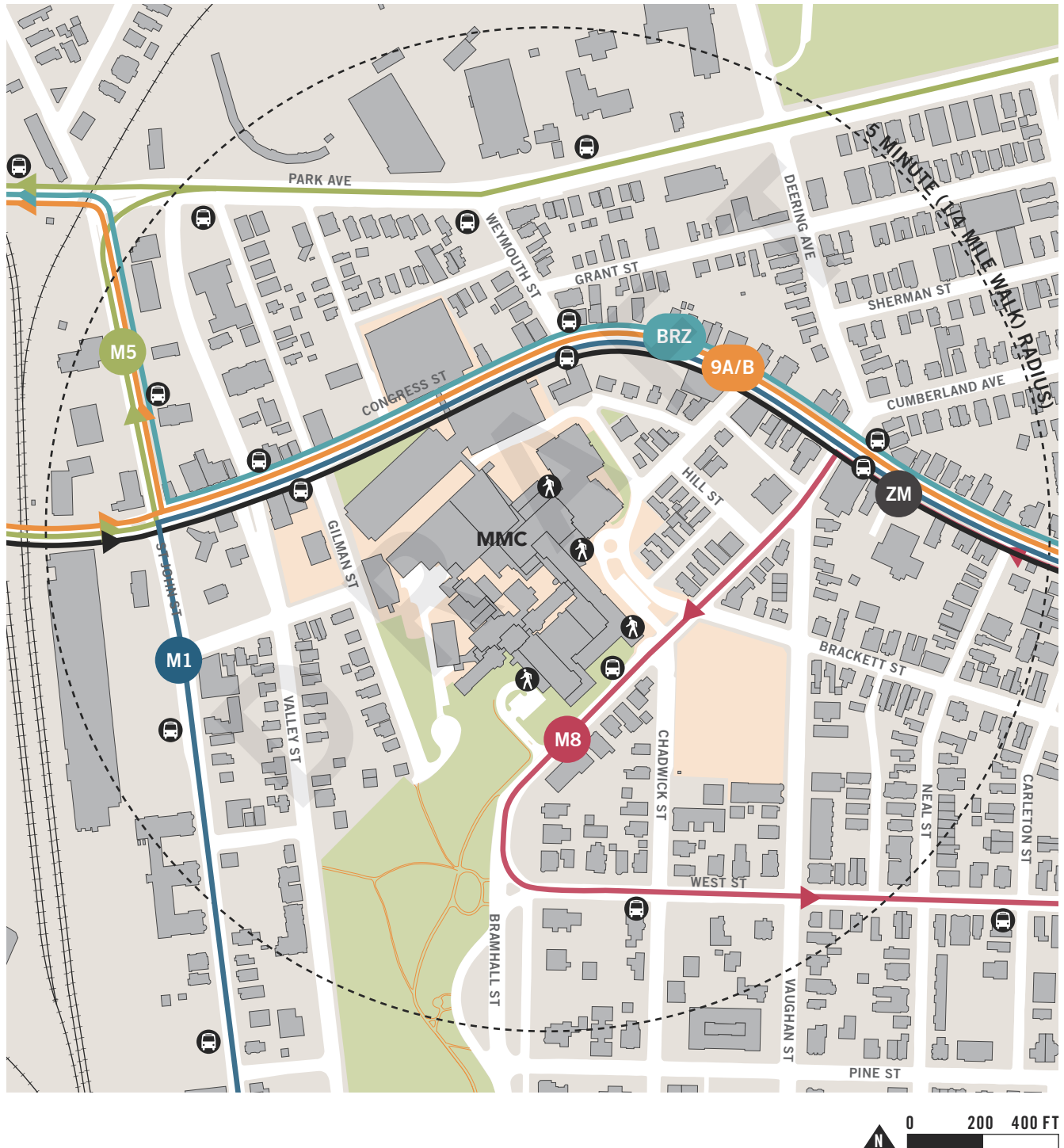
The following bus routes are accessible within a five minute walk of the MMC campus.

- M1 – CONGRESS STREET**
Connection to Portland Transportation Center (PTC), Downtown, Munjoy Hill and Eastern Promenade
- M5 – JETPORT / MAINE MALL**
Connection to Downtown, Hannaford Plaza, Maine Mall and Portland Jetport
- M8 – PENINSULA LOOP**
Connection to Downtown, Franklin Towers, Whole Foods Plaza and Hannaford Plaza
- 9A/B – NORTH DEERING VIA STEVENS AVENUE**
Connection to MMC Brighton campus, Highlands, Rosemont, and North Deering
- BRZ – METRO BREEZ EXPRESS (BRZ)**
Connection to PTC, Downtown, Falmouth, Yarmouth, Freeport
- ZM – ZOOM Turnpike Express (ZM)**
Connection to Biddeford and Saco

Rte #	Closest Stop	Times of Operation	Headways
M1	Congress Street	5:35am to 11:10pm (M-F) 7:45am to 6:05pm (Sat) 8:10am-6:35pm (Sun)	Varies between every 30 minutes during daytime to every 45 minutes late evenings
M5	St John Street	5:30am to 10:45pm (M-F) 6:05am to 10:45am (Sat) 7:55am to 6:40pm (Sun)	Varies between 25-35 minutes during weekdays (day-time) to every 40-45 minutes on weekend evenings
M8	Bramhall	6:40am to 6:00pm (M-F) 7:50am to 6:17 pm (Sat) 9:35am-4:17pm (Sun)	Varies between every 30-40 minutes during weekdays to every hour during weekends
M9A/9B	Congress	5:35am to 10:35pm (M-F) 7:35am to 10:30pm (Sat) 8:35am-4:35pm (Sun)	Varies between 10 minutes on weekday mornings to every 1 hours on weekends and evenings
BRZ	Congress	6:00am to 7:45pm (M-F) 8:20am to 6:10pm (Sat) No Sunday Service	Varies between 45 minutes on weekday mornings to every 2 hours on Saturdays
ZOOM	Bramhall and Congress	6:00am to 6:40pm (M-F) No Weekend Service	5 buses in the morning b/w 6am-8:17am 6 buses in the afternoon b/w 2:46pm-5:35pm

Fig.2.13 Map of Existing Transit Routes and Stops

-  MMC Main Pedestrian Entrance
-  Existing bus stops in the area (see previous page for transit route legend)



The shuttles provide a predictable alternative to employees commuting between the three sites while reducing vehicular traffic in and around campus.

Contractor Parking and Shuttle

MMC has instituted a shuttle service for contractors from the Classic Parking Lot (993 Congress Street) to the hospital to reduce traffic and parking impact on the campus and surrounding neighborhoods. In 2015, MMC added a 20-space contractor lot on Forest Street. Only essential contractor vehicles are permitted to park on campus: contractor parking passes are distributed by the Engineering Department on a case-by-case basis.

UCar

Through contract with Uhaul CarShare, MMC provides a UCar on its campus for use by employees as well as members of the surrounding community. Instituted in 2016, the UCar has been accessed 106 times over the last year. In March 2017 Uhaul representative Leo Sturger stated: “[The 106 rentals] is obviously low considering the amount of time, and the reason for that is that the Ford CMAX that we have at your location was effected by a recall and had to be taken offline for a period of almost 6 months. The vehicle is back online now and is renting again. We expect to see numbers climb significantly in the coming months.”Working in conjunction with the City’s Parking Division and

UHaul’s UCar program, MMC promotes the UCar as available gap transportation for employees who choose not to have a vehicle or choose to take alternative modes of transportation to work.

ENVIRONMENTAL AND INFRASTRUCTURE CONTEXT

Environmental Context

The MMC Bramhall campus is located in an urban context with development history dating back to the late 19th century. The campus and adjoining neighborhoods benefit from proximity to the Western Promenade, which provides recreational open space, wildlife support, and natural stormwater management in the otherwise densely developed urban environment.

FEMA Flood Zones

The MMC Bramhall campus is not located in a FEMA-designated flood zone. The 100-year flood zone boundary is located at the western edge of the Pan Am rail line and consist of flood-prone flats along the Fore River. Redevelopment on MMC's campus is not expected to impact existing flood risk in this area.

Existing Utility Context

In 2008, MMC's 22 Bramhall Street campus went live with its upgraded and centralized utility plant. The Central Utility Plant (CUP) was designed to provide better management of and more efficient results for energy consumption by the hospital. The plant produces steam, chilled water, and back-up power for the Bramhall campus. The peak tonnage of the plant is currently close to 2,400 tons per hour of chilled water.

Since 2008, MMC has experienced dramatic energy consumption decreases directly resulting from the state of the art utility plant. The CUP controls

both electrical and gas utilization, and heating and chilling functionality, and will service the short-term modernization project under development at the Bramhall campus.

Because MMC, of necessity, is such a large consumer of energy, it utilizes the services of an energy procurement broker, Competitive Energy Services, to provide it with strategic energy consulting services and management of energy procurement activities for electricity, natural gas, and oil in order to maximize efficiency and to ensure MMC achieves the most competitive pricing. MMC purchases its energy through a competitive bid-based energy procurement process.

The electrical consumption at MMC for calendar year 2016 was 35,375,765 Kw-Hr.

The CUP upgraded contains state-of-the-art dual natural gas /oil system allowing for switching between oil and gas depending upon price and availability. The oil consumption at MMC for calendar year 2016 was 411 gallons. The natural gas consumption at MMC for calendar year 2016 was 1,633,686 CCF units.

In addition to its conservation methods in the electric, oil and gas arena, MMC has also undertaken investment in infrastructure upgrades at its 22 Bramhall Campus to reduce building air changes and temperature set-points allowing for the monitoring and control of humidity and temperature

during high demand use times. Upgrades in sequencing and timing of set points have achieved efficiencies of HVAC run times and energy demand.

Further, MMC has been investing in lighting and plumbing features that allow for reduced energy consumption. LED lights have been installed in its garages and in the public corridor within the Bean Building. Low flow plumbing fixtures with aerators are installed when replacements or renovations are required. These fixtures lower overall water consumption at the hospital.

Stormwater Management

The MMC Bramhall campus is located at a high point in the west end of the Portland peninsula. From the high point of the property along Bramhall Street, runoff from the site drains west, north and east entering the to the City of Portland's separated storm drain system and combined sewer system (see **Fig.2.15** on page 48).

In general, the campus redevelopment over the last 15 years has collected runoff from parking lots and new rooftops into a separated storm drainage system, including storm drains in the public right of way. Where feasible, the on-site separated drainage system has been connected to a municipal separated storm drain. This includes the storm drain A Street constructed by the City in 2001 and Gilman Street constructed by MMC in 2005.

Other locations abutting the campus including Congress Street, Wescott Street, Charles Street, Bramhall Street and Bracket Streets are only served by combined sewers. At these locations, MMC's recent drainage construction terminates in a separated storm drain manholes connected to adjacent City combined sewer manholes to provide points of connections for future municipal separated storm drains. The campus' stormwater conditions were most recently evaluated in a stormwater management report prepared by Sebago Technics, Inc. in 2004 as part of the Planning Board's review of the Bramhall campus expansion project,

which included the construction of the Women and Infants Center, Emergency Department Expansion, Congress Street Parking Garage and the Central Utility Plant.

Stormwater Quality Features

To meet the 2004 stormwater treatment requirements, MMC installed two Downstream Defender Stormwater treatment units to treat runoff from impervious areas on the site. The redevelopment separated and redirected stormwater runoff from approximately 6.3 acres of existing development from the combined sewers in Crescent Street, Ellsworth Street, and Congress Street to the separated storm drain in A Street.

A 6' diameter unit has been installed in the Congress Street Parking Garage, treating runoff from the garage (see Location 2 on **Fig.2.15** on page 48), and a 10' diameter unit has been installed in Gilman Street (see Location 6 on **Fig.2.15** on page 48).

Sanitary Flows

The MMC campus is served by the City of Portland's combined sewer system. Located at a high point in the west end of the Portland peninsula, sanitary flows from the campus to the City's sewer system at approximately seven locations (see **Fig.2.15** on page 48).

This information is provided to the best of MMC's knowledge after researching its own records and

those of the City of Portland. Due to the age of the public sewer system and MMC's buildings, record plans of the existing sewer systems may be incomplete and additional currently unidentified connections may exist.

Fig.2.14 Diagrams Illustrating Elevation and Location of Steep Slopes

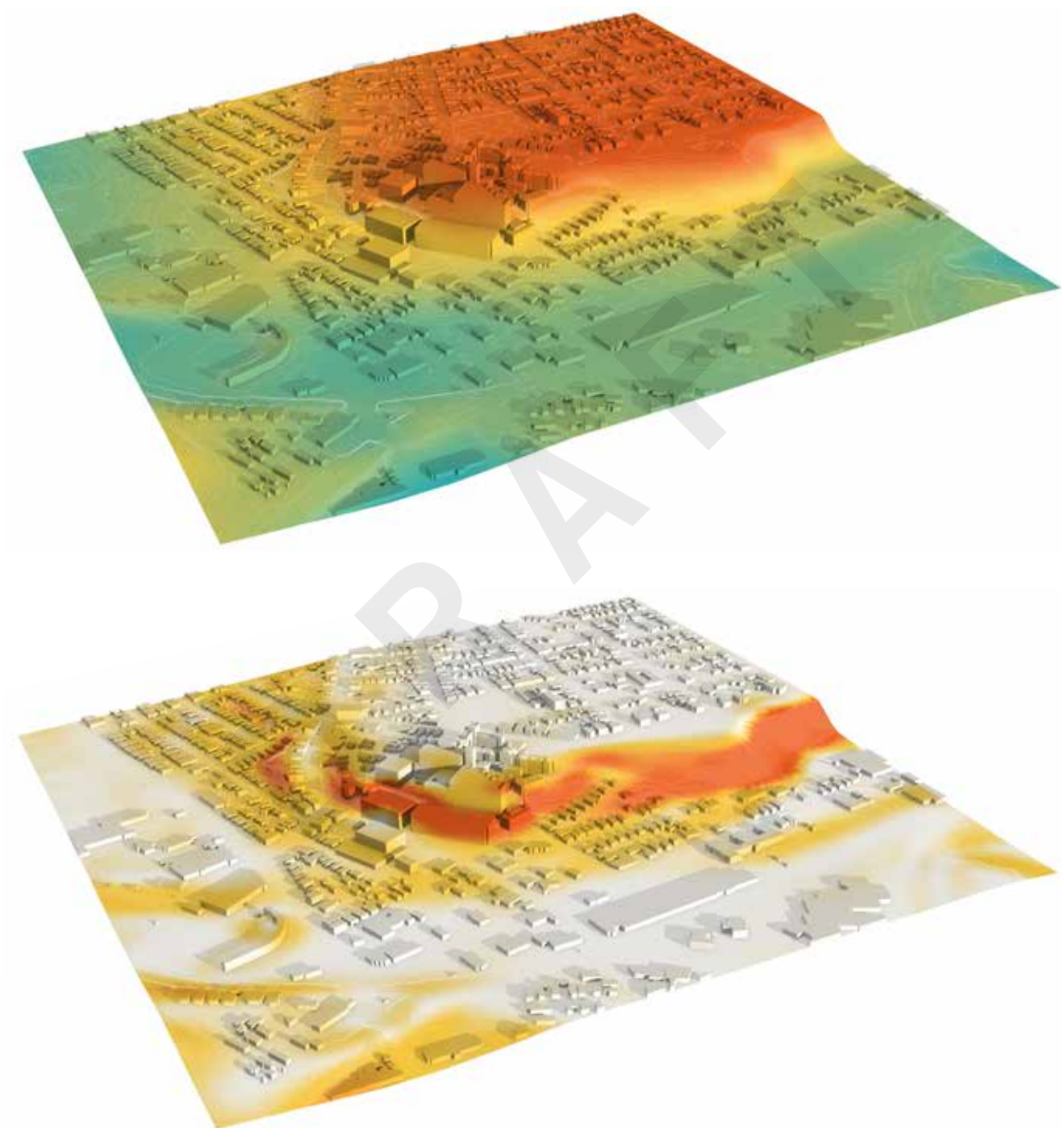
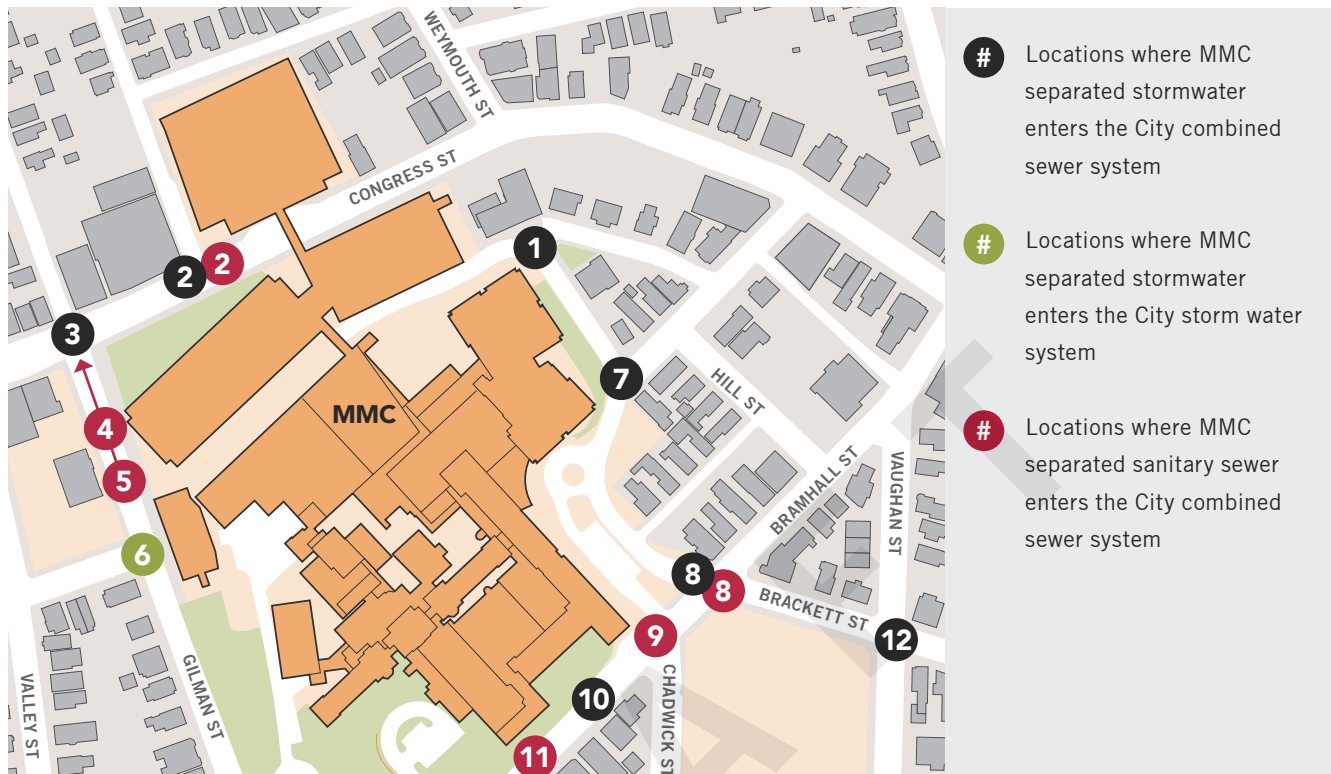


Fig.2.15 Existing Sewer Connection Points



LOC.	MMC STORM WATER FLOWS	MMC SANITARY FLOWS
1	Runoff from the campus and storm drains constructed by MMC in Wescott St enters a combined sewer manhole at the intersection of Wescott St and Crescent St. The outfall of this system a 12" combined sewer that drains in a westerly direction along Crescent St, eventually draining to Park Ave via sewers in Ellsworth St, Congress St and Weymouth St.	N/A.
2 2	Separated runoff from the MMC parking garage enters the municipal combined sewer at the intersection of Congress St and Forest St. The sewer outlet from this manhole is an 18" reinforced concrete pipe that drains north in Forest St to Park Ave.	Sanitary sewer outfalls from the MMC parking garages enter the municipal combined sewer at the intersection of Congress and Forest St. The sewer outlet from this manhole is an 18" reinforced concrete pipe that drains north in Forest St to Park Ave. Areas tributary to this system include the Emergency Department, Women and Infants Center and Richards Wing.
3	Runoff from areas of the campus along Congress and Gilman St enter catch basins connected to the City's combined sewer system at the intersection of Gilman and Congress St. From this point the combined sewer drains north in Gilman St to Park Ave. Runoff in the roadway that bypasses the catch basins at the intersection runs west along Congress to St John St.	Sanitary sewer flows from #4 and #5 enter the City combined sewer at this location.

LOC.	MMC STORM WATER FLOWS	MMC SANITARY FLOWS
4	N/A.	The sanitary sewer serving the LL Bean Building, Annex B / Maine General Bldg, and the Engineering Services Building enters the City's 12" concrete sewer in Gilman St. From this point the sewer drains north in Gilman St to Congress St (#3) and continues to Park Ave.
5	N/A.	The sewer service from the Central Utility Building enters the 12" concrete City sewer in Gilman St, a short distance above Location 4.
6	Runoff at the intersection of Gilman St and A St at the upstream end of a separated storm drainage system constructed by the City of Portland in 2001 as part of the St. John St sewer separation project. The storm drain was extended along A St, from its intersection with St. John St to a drain manhole in Gilman St opposite the MMC Central Utility Plant. This storm drain was extended to the hospital property specifically for the purpose of providing a point of connection for separated stormwater runoff from the hospital. In 2005 MMC constructed drainage on campus to collect runoff from areas of the site including the existing emergency room parking area, L.L. Bean Wing, and service areas abutting the Central Utility Plant to the A St storm drain. This project also extended the separated storm drain in Gilman St to the south, separating runoff in Gilman St and the Dana Center from the City's combined sewers.	N/A.
7	Runoff at the intersection of Ellsworth St and Wescott St. Separated storm drains constructed by MMC in 2005 connect to a combined sewer system manholes in Ellsworth St. The combined sewer drains in an east in Ellsworth St towards to Congress St.	N/A.
8 8	Separated storm drainage from the MMC parking lot enters the combined sewer in Charles St at its intersection with Bramhall St.	Sanitary sewer manhole in the intersection of Bramhall and Brackett Sts where sewer services from Pavilions A and C connect to the City sewer. The outfall of the manhole at this location is a 15" sewer that drains to the east in Bramhall St.
9	Runoff from small areas of the site along Bramhall St enters the combined sewer system at Location 8.	Sewer service from the south end of Pavilion A enters a City sewer manhole at the intersection of Bramhall and Chadwick St. From this location, the sewer continues east to Location 8.
10	Small areas along Bramhall St enter catch basins in the city right-of-way	N/A.
11	N/A.	Sewer manhole in Bramhall St where a sewer service from the Dana Center enters the City sewer in Bramhall St. From this location, the sewer continues east to Location 9.
12	Runoff at the intersection of Brackett St and Vaughan St where separated MMC storm drains in the Brackett St parking lot connects to the combined sewer draining southeast in Bracket St.	N/A.

PUBLIC ENGAGEMENT IN IDP

MMC appreciates the importance of maintaining an open dialogue with its neighbors keeping its neighbors up to date on its evolving plans for replacement and modernization at its Bramhall Campus. In August 2016, MMC leadership met with the neighborhood representatives of its four adjacent neighborhood groups: St. John Valley, West End, Western Promenade, and Parkside to explain its need to modernize its campus. Since November 2016, MMC has met on a monthly basis with two representatives of each neighborhood (“Expansion Group”) to engage in a productive dialogue

regarding the City’s new IOZ process and MMC’s Institutional Development Plan. The City’s Planning Director has been invited to each of these monthly meetings. Recently, an invitation was extended to a representative of the Libbytown neighborhood to join in the ongoing conversation. The minutes of the monthly meetings are distributed to the Group members who are asked to disseminate them to its neighborhood constituents.

MMC also has created a website (<http://www.mmc.org/modernization>) to ensure open communication with the community at large and specifically its

Fig.2.16 Public Meeting #1 (January 12, 2017): Open House Portion for Collecting Public Comments



adjacent neighbors. The minutes of each Expansion Group meeting are posted on the website, as are any updates or current events occurring which involve MMC's plan. These include dates for the Planning Board workshops and hearings and a link to the City's Planning website. A designated contact email has been established where residents can ask questions, provide suggestions, etc.

Finally, to date, MMC has held two larger neighborhood meetings where information has been shared about MMC's needs and its plans to address its issues of bed capacity, operating needs and transportation and parking. These meetings have been well attended and have allowed time for participants to ask questions and to get answers. The minutes of these meetings, as well, are posted on the MMC website as well as submitted to the City of Portland.

MMC, its neighborhoods and the City staff have embarked, together, on the creation of a new zoning mechanism known as the IOZ/IDP.

Major Areas Of Public Concern

At the initiation of MMC's Master Facility Planning engagement with its neighbors, it was recognized there would be concerns identified by MMC as well as by the neighborhood residents which would require ongoing dialogue and an openness to new ideas or suggestions. It was understood that there may be many areas where consensus of approach will be reached, and other areas where reasonable

minds could differ. MMC and the participants in this process have identified the following "areas of major public concern:"

- By far the biggest concern with the MMC proposed IDP revolves around transportation and parking, most notably the size of the MMC staff garage on the Gilman Block*;
- A fear of property acquisition by MMC in residential zones;
- Patients, visitors, or employees smoking in the neighborhood; and,
- Hope for continued public engagement between MMC and its neighbors.

* Note: Alternative employee parking solutions are currently being investigated.

INSTITUTIONAL NEEDS

As it nears its 150th anniversary, Maine Medical Center continues to improve its facilities and services to fill its role as Maine's leader in patient care, education, and research. MMC is planning projects to address immediate clinical, building, and parking needs in the short-term.



FACTORS AFFECTING HEALTHCARE PLANNING

There are a multitude of factors to consider in healthcare planning that are unique to the industry and some that limit the ability to plan too far into the future. Due to the unpredictability of many of these factors, healthcare planning beyond three years with relative accuracy is challenging. Therefore, healthcare planning is typically completed in three-year increments. For example, the rate of change in healthcare payment and policy often follows federal and state election cycles but can change as often as annually. A summary of factors that affect healthcare planning is included in the table below.

Table 3.1 Factors Affecting Healthcare Planning

Factor	Definition
POPULATION	Changes in utilization due to population growth: — Population increase or decrease — Population aging — Population distribution — Consumer preference
EPIDEMIOLOGY	The underlying causes of disease (divided into two categories): — Disease-based: Estimates the incidence and prevalence that are impacted in the long-run by preventative measure (i.e. vaccinations effectiveness) — Behavioral-based: Changes in disease incidence and prevalence due to behavioral and sociocultural factors (i.e. obesity, smoking, diet)
ECONOMICS	Macro-economic factors that affect healthcare utilization: — Employment — Healthcare Consumer Price Index — Gross domestic product growth or decline — Employer-based coverage levels — Benefit level and out-of-pocket expense — Regional/Local healthcare environment
PAYMENT & POLICY	Legislative and market-driven reform, including specific payment and policy innovations that will impact utilization: — Health insurance coverage expansion — Bundled payment initiatives/pilots — Accountable Care Organizations (ACOs) — Publicly-funded prevention and wellness initiatives
INNOVATION & TECHNOLOGY	Structural technology that shifts the site at which care is delivered or innovations that affect utilization across different care settings: — Imaging and diagnostics — New therapeutics — Pharmaceutical advancements — Quality innovations
SYSTEMS OF CARE	Increased efficiency resulting from better care coordination and serve integration across various care sites: — Clinical Integration: Use of evidence-based practices and elimination of redundant care — Alignment: Coordination between providers, including inpatient and outpatient providers — Information Technology: Includes computerized physician order entry (CPOE) and e-care
WORKFORCE AVAILABILITY	The healthcare workforce is highly specialized which requires years of training. The availability of qualified individuals can severely limit a healthcare organization's ability to provide care.

MMC FUTURE NEEDS

Maine Medical Center (MMC) is a 637 licensed bed Academic Medical Center with an affiliation with Tufts University School of Medicine. MMC is the leading provider of tertiary services in the State of Maine. Tertiary services are defined as a set of Medicare severity diagnosis-related groups (MS-DRGs) that are rare and complex, require collaboration across treatment modalities, complex treatment decisions dependent upon unique diagnostic tests, regionalized care, and associated with complex co-morbidities and complications. MMC is the top provider of these services in the state. In 2014, MMC provided 42% of all the tertiary services for the state of Maine.

MMC treats Maine's sickest patients and estimates that the average patient seeking care at MMC will continue to get sicker. MMC's case mix index (CMI) was 1.86 in fiscal year 2015 (October – September); the highest in the state of Maine. A hospital's case mix index is calculated by finding the average severity of diagnosis-related groups at that hospital. The average case mix index for a hospital in the U.S. is 1.31 ([CMS.gov](https://www.cms.gov)). In fiscal year 2016, MMC's CMI grew to over 2.00 and is expected to continue to increase.

Key Drivers for Campus Transformation

MMC's facility needs are multi-factorial but can be summarized into three categories:

1. Immediate Clinical Need
2. Building Need
3. Parking Need

Immediate Clinical Need

On an average day, MMC can expect over 500 patients in the hospital and over 60 beds closed. On a routine day, MMC can expect approximately 100 admissions from Surgery and the Emergency Department and 30 to 50 transfer requests per day from other healthcare and provider organizations.

MMC routinely closes inpatient beds due to patient condition such as infection from disease-resistant organisms (DROs) or behavior related issues, room sharing restrictions such as male/female, and regular building maintenance. On average more than 60 beds are closed each day for these reasons. This along with construction closures for renovations and repairs reduces MMC's licensed bed capacity of 637 beds to an effective bed capacity closer to 560.

While MMC is licensed to operate 637 inpatient beds, the medical center operates at capacity with a census in the mid-500s. When 500 patients are in the hospital and over 60 beds are closed, a limited number of inpatient beds are available for new patients. Inpatient beds are specialized for medical/surgical, intermediate care, intensive care, psychiatric, pediatric, or infant care services. The actual number of beds available for specific populations of patients is much smaller. For example, if a patient needs a critical care bed but, the only beds that are available are general medical/surgical, then MMC struggles to meet that patient's needs.

Fig.3.1 demonstrates a snapshot of the challenge MMC is faced with daily to meet the needs of the community. The challenge is expected to grow in complexity as patients get sicker and require highly specialized care.

Building Need

Facilities at MMC date back to the 1870's with the construction of the Maine General Building. Since the early 1900s, MMC has grown to meet the needs of patients. A building assessment was completed by a team of engineers in 2015 that evaluated essential systems in each of the buildings that comprise MMC's campus (see **Fig.2.2** on page 23). Close to 77% of MMC's clinical activities occur in buildings more than 30 years old. Nearly half of MMC's operating rooms are smaller than 500 square feet and over half of MMC's inpatient beds are in semi-private rooms.

MMC's Care teams work collaboratively with MMC's Facilities and Engineering teams to ensure patients are cared for in the best possible environment. This requires continuous maintenance and improvements to the facilities. The remaining opportunities for improvement and retrofits in the existing buildings are marginal. It is impossible to enlarge operating rooms or make semi-private rooms private without major disruptions to the delivery of patient care, reduction in capacity, major facility expansion, or some combination.

The proposed Development Plan (see page 58) will partially replace rooms and modernize MMC's campus to meet anticipated future need. Proposed patient rooms will be private and adaptable to the level of care needed by patients. They will be "universal rooms" capable of being occupied by a wide spectrum of patient populations from intensive care to recovery from surgery. Procedure rooms will be large enough to fit the equipment and technology needed for the complex procedures that patients increasingly require at MMC.

Parking Need

MMC hosts a wide variety of people on campus every day. Patients, families, staff, and students all require access to the facility. Patients and families from all over northern New England come to MMC for care. These people do not live close enough to take advantage of alternative methods of transportation like buses, cycling, or walking that are provided locally—even if they were healthy enough to do so. Clinical and support staff require safe, reliable, and often emergent, access to the facility in order to provide services to patients. Providing parking is a priority at MMC (see **Section 5** on page 80 for additional details).

Fig.3.1 A Day In The Life Of Maine Medical Center: Bed Shortage

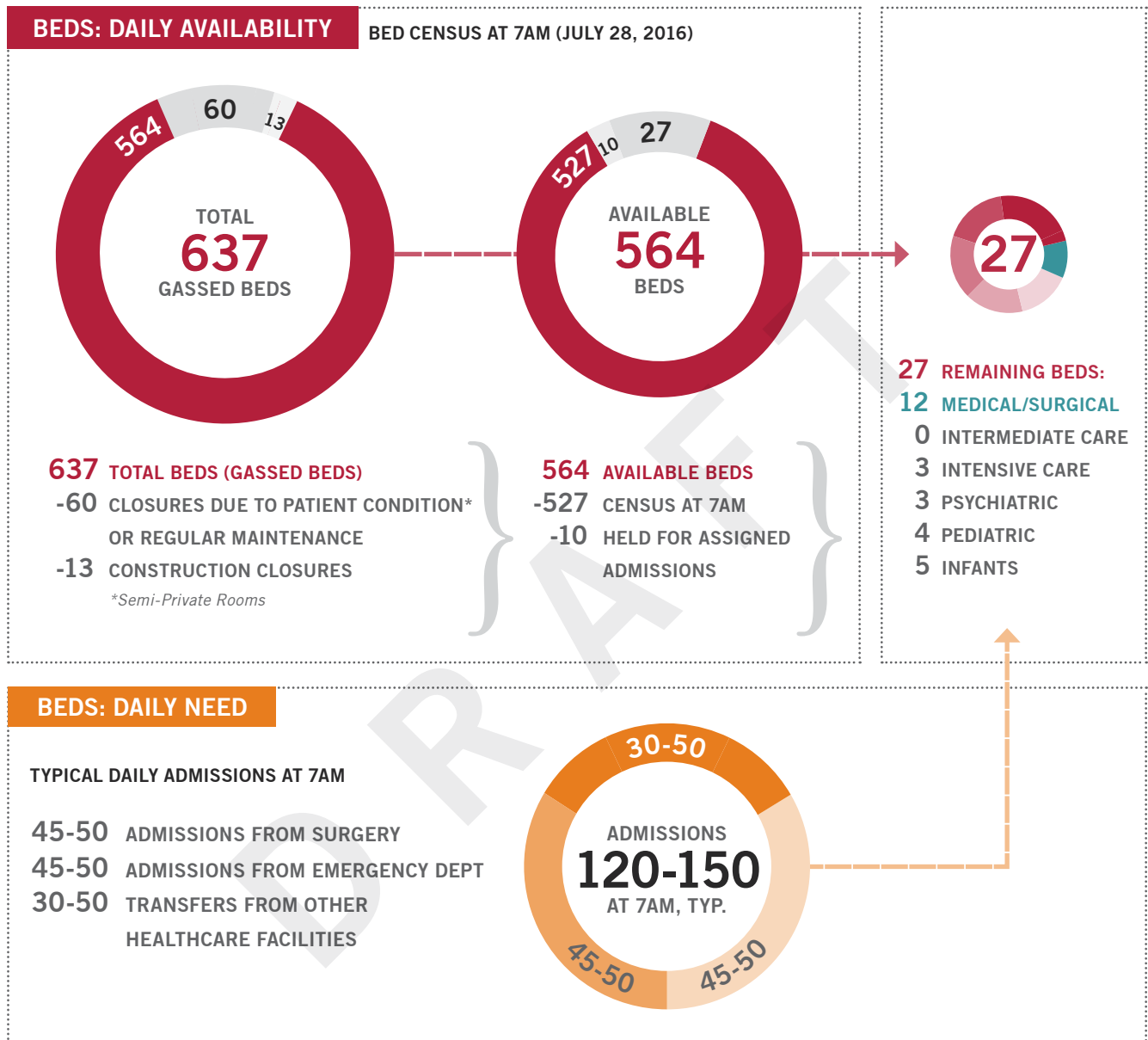
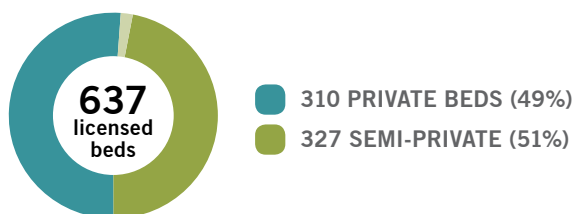


Fig.3.2 Existing Inventory of Private vs Semi-Private Beds



SHORT-TERM DEVELOPMENT PLAN (0-5 YEARS)

A series of projects have been planned throughout the campus to meet current needs and to improve the efficiency of care delivery. These projects are possible options for expansion.

The bed count will stay the same in the short-term. The Long-Term Plan adds approximately 770,000 GSF to the MMC campus over the next twenty years, and may also provide additional services and inpatient beds.

Demolitions

A Employee Garage Demolition

The 2015 building assessment does not recommend continued investment in this structure (see **Fig.2.2** on page 23).

D Removal of existing one and two-story structures currently used as office space and for small clinical functions will be required to construct the proposed parking garage.

E Abandonment of service road to enable connection between Congress Street Development (A) and existing facilities.

Additions / New Construction

A Congress Street Development, Phase I (New Construction, 285,000 GSF)

New six-story building along Congress Street on former site of the Employee Garage, plus two-story connector to the LL Bean Building. Building program includes: main hospital drop-off and entrance, universal, private inpatient beds and new operating rooms. The relocation of the main entrance changes the campus's orientation to Congress Street.

B Visitor Garage (Vertical Expansion)

Addition of three floors at top to accommodate 225 new parking spaces.

C East Tower (Vertical Expansion, 60,000 GSF)

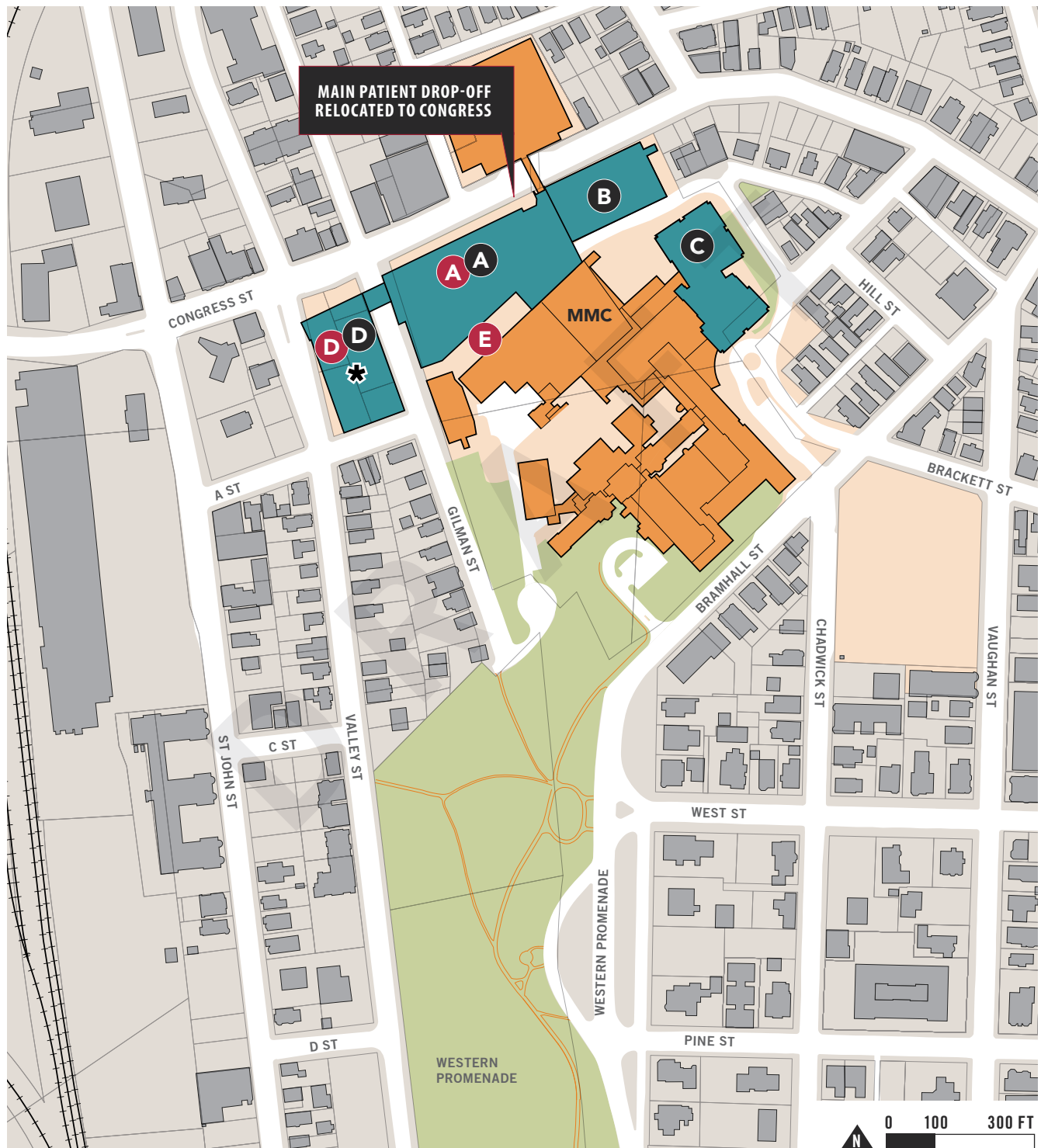
Addition of two floors at top to accommodate 64 inpatient beds and relocated heliport.

D Gilman Garage (New Construction)

13-story free-standing garage to accommodate 1135 new parking spaces. **(Note: Alternative employee parking solutions are currently being investigated).**

Fig.3.3 Short-Term Development Plan (0-5 Years)

- EXISTING MMC FACILITIES
- # DEMOLITION
- SHORT-TERM PROJECTS (0-5 Years)
- # ADDITION / NEW CONSTRUCTION (see opposite page for descriptions)



* Alternative employee parking solutions are currently being investigated.

LONG-TERM DEVELOPMENT PLAN (5-20 YEARS)

The facility planning process has also identified potential long-term projects that are identified below. Given the changing nature of the healthcare industry, it is currently uncertain if these projects will be implemented. MMC will continue to evaluate its facility needs, if any, following the implementation of the Short-Term Development Plan by 2023.

Long-Term Projects

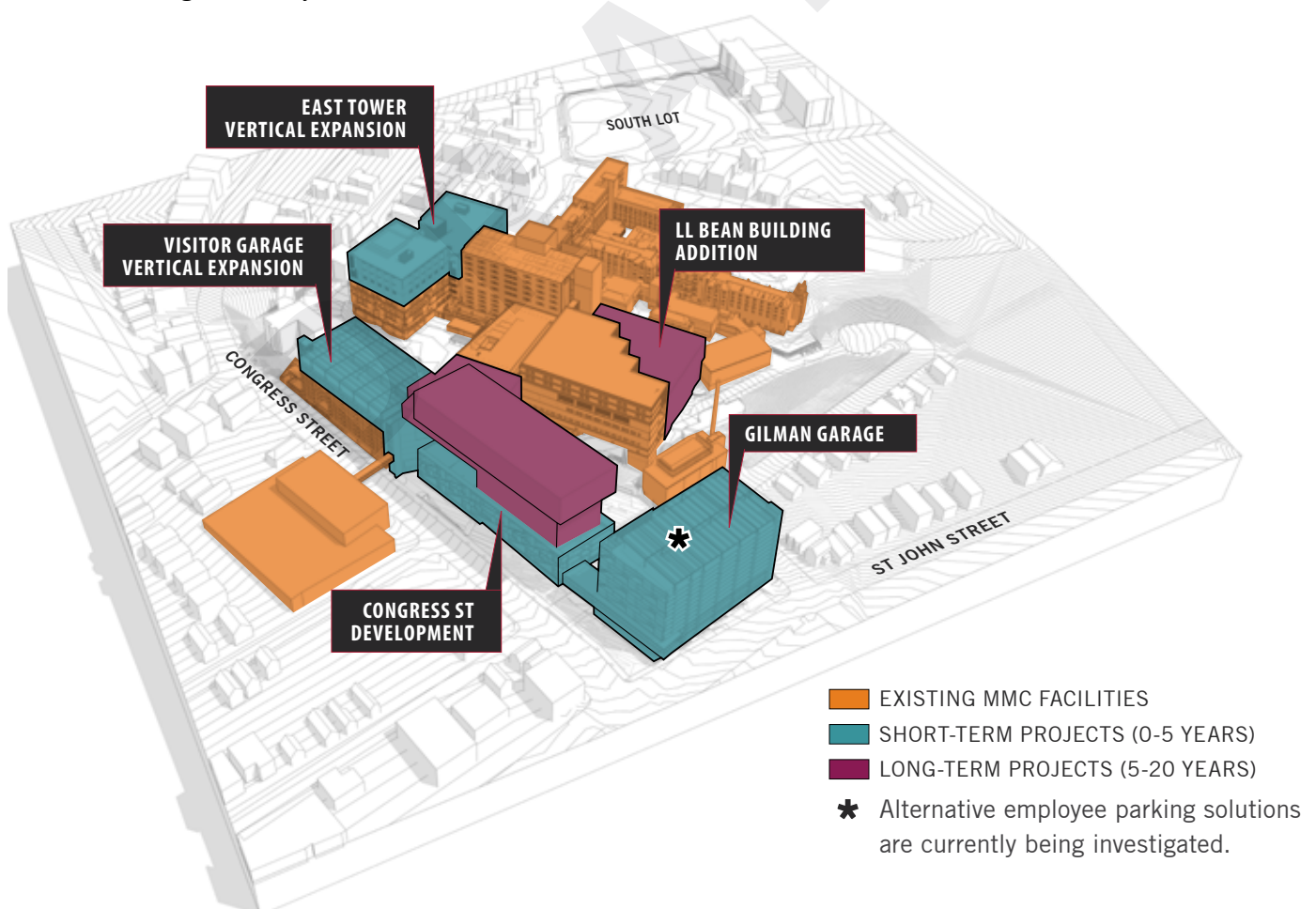
Congress Street Development, Phases II and III (Vertical Expansion, Approx. 300,000 GSF)

Future vertical expansion to include additional private inpatient beds.

LL Bean Building, MFP Phase III (Addition, 120,000 GSF)

Expansion of diagnostics and treatment, and interventional platforms. If necessary, existing Laundry Building and Engineering Services Building may be modified or removed to facilitate expansion.

Fig.3.4 MMC Development Plan:
Short- and Long-Term Projects



Long-Term Redevelopment Zones

While no plans currently exists for other projects, all properties within the IOZ boundary are considered potential redevelopment zones for the long-term horizon. MMC may locate the following healthcare-related uses, including ancillary or supporting uses, within the City of Portland.

Table 3.2 MMC Potential Future Uses in the City of Portland

ON-CAMPUS (Within the IOZ Boundary)

Healthcare facilities including but not limited to the following ancillary and/or supporting uses:

- Hospital
- Medical Office / Clinic
- Laboratory Center / Services
- Research and Development Laboratory or Facility
- Educational Facility / Conference Center
- Administrative / Business Office
- Accessory Service or Trade Uses
- Guest House
- Medical Resident Apartments
- Rehab / Skilled Nursing Facility
- Retail Facility
- Restaurant / Cafe
- Employee Service Amenities
- Day Care Center (Child / Adult)
- Fitness Center or Gymnasium
- Parking Lot
- Parking Garage
- Bicycle Storage
- Heliport
- Antenna Station

OFF-CAMPUS (Outside the IOZ Boundary)

- Medical Office / Clinic, including Primary Care and/or Specialty Clinic
- Laboratory Center / Services
- Inpatient / Outpatient Surgery Center
- Imaging Services
- Physical Therapy Center
- Specialty Hospital
- Post-acute care
- Rehab/Skilled Nursing
- Respite Care
- Adult Daycare
- Administrative / Business Office
- Information Technology Center
- Distribution Center
- Parking Lot
- Parking Garage

PROJECTED DAILY CENSUS

The anticipated change in campus users over time are summarized in **Table 3.3** on the following page. MMC developed this estimate considering the following summarized factors:

- MMC is Maine's largest medical center, the only American College of Surgeons Level 1 trauma center, the one of three American Academy of Pediatrics Level III nurseries and the largest academic medical center, in partnership with Tufts University School of Medicine and is therefore best equipped to meet the rising patient need.
- The number of Maine Residents seeking care outside of Maine has been decreasing over the past several years.
- MMC's share of inpatient discharges has increased over the past several years.
- MMC's Case Mix Index is increasing.
- Complex healthcare services are consolidating across the country.
- Changes in the underlying causes of disease (i.e. incidence and prevalence of disease and the impacts of a focus on prevention) and behavioral-based impacts to health (i.e. smoking and obesity);
- Macro-economic factors affecting healthcare utilization (i.e. employment, employer-based insurance coverage, health care consumer price index);
- Legislative and market-driven healthcare reform;
- Innovations in technologies and models of care;
- Improvements in the systems of care that improve coordination among providers; and,
- Continuous process improvements within care models that reduce potentially avoidable admissions and 30-day readmissions.

MMC uses national healthcare consulting firm Sg2 and The Advisory Board to consider additional factors impacting the evolving healthcare industry and local demand for services. Additional factors considered in the volume estimate include:

- Changes in healthcare utilization as a result of changes in the population within the hospital's service area;

Table 3.3 Individuals on Campus on an Average Week Day, 10-Year Projection

	2016 (FYE Sept-Oct)	Forecast, 2026	Projected 10-Year Growth	CAGR (2016-2026)
Inpatient Discharges	99	107	7.84 %	0.76 %
Inpatient Visitors	248	267	7.84 %	0.76 %
Outpatient Activity	594	620	4.45 %	0.44 %
Outpatient Visitors	594	620	4.45 %	0.44 %
Bramhall Outpatient Clinics	153	150	-1.79 %	-0.18 %
Employees: Shift 1	3,639	3,892	6.96 %	0.67 %
Employees: Shift 2	206	220	6.96 %	0.67 %
Employees: Shift 3	519	555	6.96 %	0.67 %
Students on Campus: Medical	100	110	10 %	0.96 %
Students on Campus: Nursing	86	95	10 %	0.96 %
Other Students (PA, Pharma, etc.)	20	22	10 %	0.96 %
Non-MFP Related Contractors	25	25	--	--
TOTAL / AVERAGE	6,283	6,683	6.43 %	0.63 %

CAGR = Combined Annual Growth Rate

Assumptions:

- Daily inpatient discharges for 2016 estimated from annual count, using six-day weeks to accommodate for reduced activities Sun-Tue.
- Daily outpatient activity for 2016 estimated from annual count, using five-day weeks.
- Inpatient visitors estimated at 2.5 per patient for the base year of 2016.
- Outpatient visitors estimated at one per patient for the base year of 2016.
- 60% of employees are estimated to be on campus at one time for the base year of 2016.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

MMC, being a long term member of the City of Portland community, recognizes the City's Comprehensive Plan contains the overall goals for growth and change within the City by its articulation of a variety of policy directives and goals for the development of the City. Among other things, the Plan address the City's infrastructure, commercial/business development, transportation resources, industry, and commerce and residential housing.

The IDP and the Regulatory Framework of MMC are in basic harmony with the City's over arching goals and policies. With its IDP and Regulatory Framework MMC has balanced and accommodated the many City goals and policies in a way that advances the City's overall best interests while at the same time addresses the high priority healthcare needs of Portland's residents and the people of the State of Maine. This balancing is exactly the type of flexibility that the City's recently drafted Institutional Overlay Zone zoning policy is meant to facilitate.

MMC's Institutional Development Plan:

Compliance with the Comprehensive Plan

In this IDP, MMC communicates its needs to modernize its facility in order to meet the healthcare needs of the people of Northern New England. This includes not only upgrading clinical space and providing for the needs of its patients, but also continuing its investment in its personnel and their ability to travel to and from the workplace and secure needed parking. The Portland Comprehensive Plan "promotes the orderly expansion of institutional uses, such as educational and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies."

Economic Growth

Employee engagement indicators reveal that one of the issues of greatest importance to current and future employees, in addition to compensation, is parking availability. In order to attract a high quality, highly educated workforce, MMC factors into its operations these two important considerations. Following the completion of its short-term modernization project, MMC projects a growth in its employment base into the future in part because of its status as an excellent academic medical center located in the city of Portland. Portland's Comprehensive Plan promotes the growth in employment base and supports sustainable growth in education and medical institutions.

Transportation

MMC has also considered its transportation needs holistically, factoring into its future development alternative means of transportation. Since 2009 the Medical Center has had in place a Transportation Demand Management plan called “Get on Board!”. MMC is updating that plan and considering enhancements to encourage more walking, cycling, and public transportation by its employees. Changes by the City and State will be needed in order to make this Plan successful and allow for reliable alternatives to driving. It is recognized that this endeavor is a joint responsibility between MMC and the City and State which will take years to address. The Comprehensive Plan challenges the City to “support the vision of large, transformative projects [such as the MMC modernization project] through strategic, cost effective, and incremental actions. “ MMC has been, and continues to be, committed to the process and has often been cited by the City of Portland Planning Department as a TDM role model in the City.

Environment

A clean environment is important for healing and health. MMC is environmentally conscious and engages in recycling to minimize the generation and environmental impacts of solid waste. The Hospital conserves water when possible, and has switched away from pesticides to more organic landscape solutions reflecting Portland’s goal of

“model[ling] environmentally sound landscape management practices, such as planting native species, and limiting the use of pesticides and fertilizers.” Buildings are built with energy efficiency standards in mind. Local farmers market truck visits the campus weekly during harvest months and employees are encouraged to support the local food movement. The Comprehensive Plan also notes the need to “support a healthy, resilient, and sustainable food system by collaborating with local and regional stakeholders.”

MMC's Regulatory Framework:

Compliance with the Comprehensive Plan

In keeping with the goals of the Comprehensive Plan, MMC has projected its future expansion needs, taking into account the neighborhood in which it is situated. MMC has minimized any expansion into residential areas adjacent to its campus, thereby preserving housing stock in the City. It has appreciated the neighborhood involvement in its zoning process and has been responsive to the concerns raised.

MMC is taking the bold step of reorienting its front entrance to Congress Street, which serves as a gateway corridor to the City of Portland. The area presently is commercial in nature and in need of investment and activation as is recognized by the City’s Comprehensive Plan. Welcoming the public at

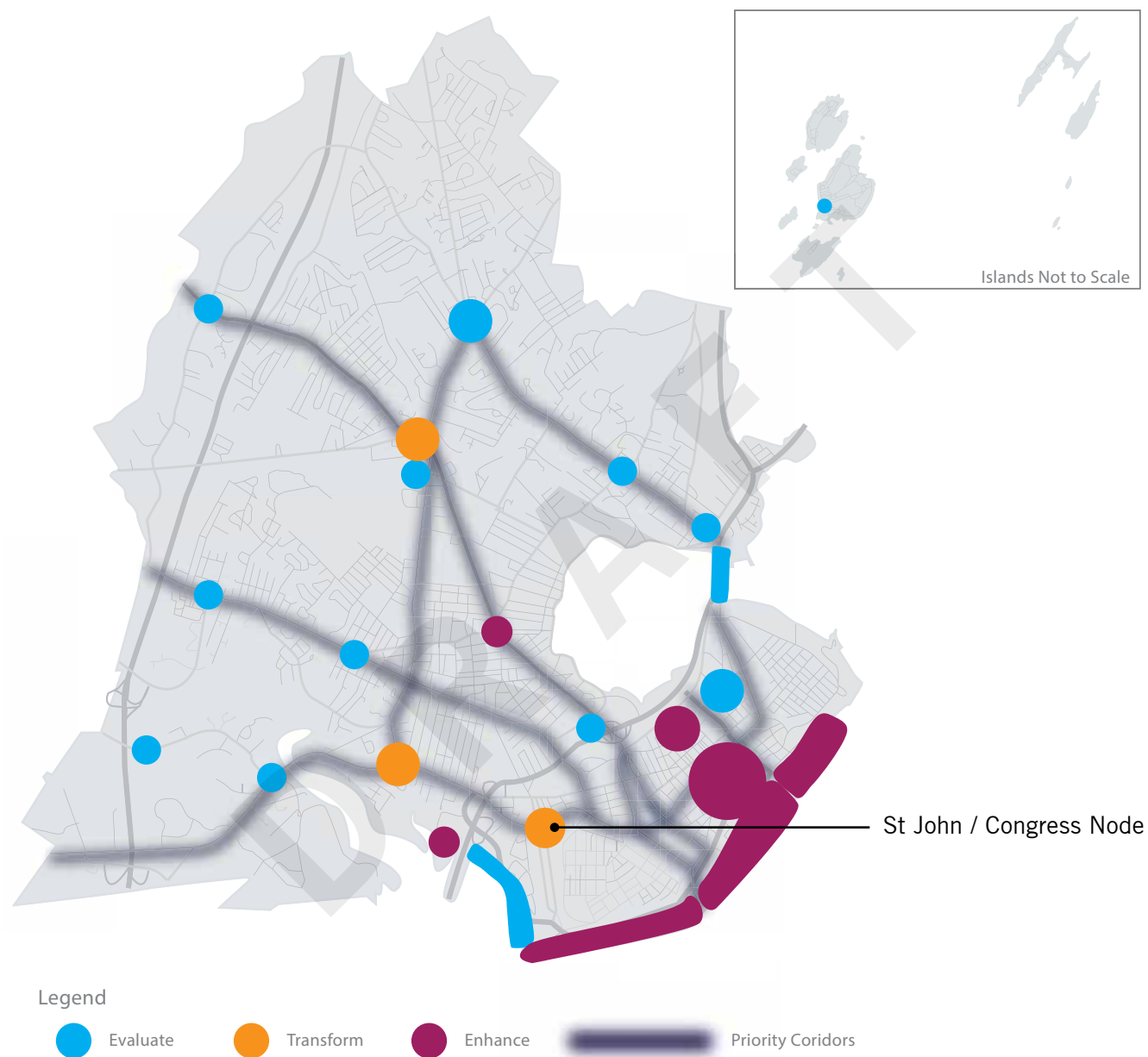
the new front entrance accomplishes a number of land use goals: it adds tremendous activity to the streetscape, with people coming and going. It also eliminates traffic in the residential neighborhoods of the West End and Western Promenade by providing clear wayfinding directly off of Interstate 295 and the major arterials entering the City. Further, investment in this area will transform the area with the expectation that other properties in the vicinity will likewise invest. In fact, the owners of Union Plaza, located at the junction of Congress Street and St. John Street, testified before the Portland Planning Board that they have been waiting for such investment before they took the step of redesigning and investing further in that property. MMC expects, and is excited about, a transformation of the area into a more vibrant, active and clean area, good for local merchants, hospitality businesses, restaurants and residents.

The Comprehensive Plan identifies the St. John Street/Congress Street area as a "priority node, an area that has seen disinvestment, grown in sprawling patterns, simply have the potential to serve as focal points for change in the forms of increased density or, height, streetscape improvements, or diversification of uses to better serve neighborhood needs" (see **Fig.3.5** on page 67). MMC's IDP will serve as the catalyst to stimulate new development, investment and reinvestment in this area of the City.

From an analysis of MMC's IDP, it becomes clear that the IDP is consistent with the City's Comprehensive Plan and the Purposes contained within the City's Institutional Overlay Zone.

From an analysis of the Regulatory Framework that accompanies MMC's IDP, it becomes clear that the Regulatory Framework is consistent with the City's Comprehensive Plan and MMC's Institutional Development Plan.

Fig.3.5 Diagram Showing Priority Nodes and Corridors, City of Portland Comprehensive Plan (2017)



TRANSPORTATION PLAN

Maine Medical Center is developing a long-term transportation plan that will improve campus access, circulation, and wayfinding for patients and visitors. Ongoing initiatives are aimed at providing alternative transportation options to reduce traffic and parking impacts.



Maine Medical Center's plan of transportation and parking improvements is designed to improve campus access, circulation, and wayfinding for patients, visitors, physicians, and staff. This plan will be developed and refined during the MDOT required Traffic Movement Permit process, with input from the City of Portland staff and the public, including adjacent MMC neighbors. This plan includes an assessment of the hospital's parking needs to adequately support the Bramhall Campus, and includes strategic initiatives aimed at providing alternative transportation options to reduce both traffic and parking impacts. The overriding goal throughout this transportation plan is to provide effective and intuitive transportation solutions that emulate Best Management Practices in transportation infrastructure and operations that support tertiary academic medical centers, enhance and optimize the patient experience, and improve overall traffic flow in the surrounding area.

The purpose of this chapter is to provide a framework for the key transportation elements of the transportation plan and for supporting infrastructure improvements that will address neighborhood concerns of on-street parking shortages and accommodate anticipated increases in MMC patient demand and staffing.

VEHICULAR ACCESS AND CIRCULATION

Well-designed curbside drop-off/pick-up areas for patients and visitors are critical to the functionality of any medical center campus. These amenities provide the opportunity for patients and visitors to quickly reach their destination, without the need to park their vehicle, and in some cases, having to walk long distances, often times unprotected from weather conditions. MMC provides both ambulatory /outpatient care and complex inpatient care at the Bramhall campus. Ambulatory/outpatient care services experience higher curbside demands for patient drop-off/pick-up activities because of the shorter visits and higher "turnover". Inpatient care centers have less turnover, but those patient's medical concerns are generally of a higher acuity, and with that comes higher rates of accessibility need. In addition to general patient access and egress by private vehicles, Maine Medical Center will also experience other demands created by taxis (including ride-share such as Uber, Lyft, etc.), shuttle buses, short-term deliveries (like flowers, etc), and staff – vehicles that do not necessarily park, but intend to only drop-off passengers and then exit the hospital campus.

Proposed Main Entrance Relocation

MMC's Short-Term Development Plan includes a new Main Entrance on Congress Street to improve access and egress for patients and visitors. As previously described in the Existing Conditions section, most motorists arrive on campus via

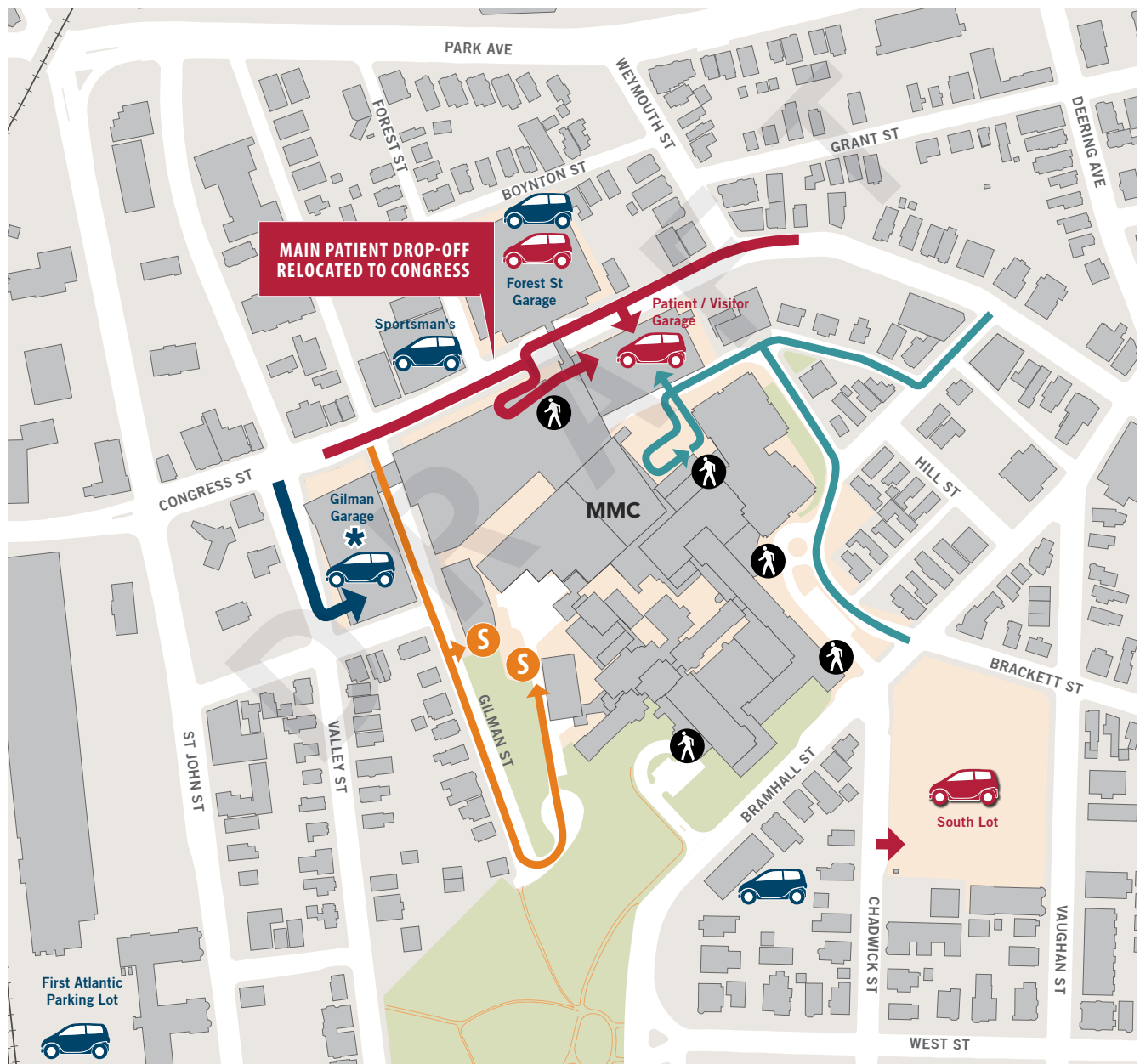
Fig.4.1 Transportation Plan (Future): Vehicular Access and Parking

KEY VEHICULAR CIRCULATION ROUTES

- █ Patients / Visitors
- █ Emergency Drop-off / Ambulance
- █ Staff
- █ Service

PARKING

- 🚗 Patients / Visitors
(including parking after emergency drop-off)
- 🚗 Staff Parking (In map extent only)
- S Limited Parking for Service Vehicles / Service Staff



* Alternative employee parking solutions are currently being investigated.



Congress Street and either park off Congress Street in the Congress Visitor Garage, or use Bramhall Street to reach the emergency room or main entrance on Charles Street.

It is anticipated that the new Congress Street main entrance will be used primarily by vehicles dropping off or picking up patients, shuttle buses, or short-term deliveries (like flowers, etc). The design will allow vehicles to either exit back onto Congress Street or directly enter the adjacent Congress Visitor Garage after passing through the drop-off zone without having to go back onto the public street.

The existing hospital entrance (at the East Tower) will remain open and continue to accommodate some defined patient demand. Changes to patient/visitor circulation and the impacts on Congress Street traffic operations will be studied as part of the Traffic Movement Permit Application (TMP) process as described in a following section of this report.

The new main entrance is expected to improve access to the campus while reducing vehicular traffic on neighborhood streets. Work is currently underway to identify design options for the new main entrance and drop-off that minimize impact on existing pedestrian, bicycle, transit and vehicular traffic along Congress Street. MMC is currently studying queuing demands in order to estimate the projected demand at the drop-off/pick-up at the proposed main entrance on Congress Street and ensure that the geometric configuration of

that space is suitable to support future anticipated demands and does not generate adverse traffic impacts along Congress Street. The proposed site plan will be reviewed as part of the State's Traffic Movement Permit (TMP) Application and the City's Site Plan review process.

Proposed Employee Parking Garage Relocation

As part of MMC's Short-Term Development Plan, the existing 1,274 space Employee Garage will be demolished. MMC is looking at multiple sites currently for the replacement of lost employee parking spaces.

Loading and Service Vehicles

Loading and service vehicles will continue to use Gilman Street to access the Utility Plant and Engineering and Services Building. This IDP submission does not anticipate changes to how loading and service functions are handled at the MMC Bramhall campus. The current configuration provides for separation between loading/service vehicles and patient, visitor and employee vehicles on-campus. The current location also provides for direct, convenient access to arterial roads and regional highway connections. Trucks will continue to access/egress loading dock bays off-street and not impede vehicular flows on area roadways or in surrounding residential neighborhoods.

Traffic Movement Permit

As mentioned previously, the traffic impacts of the MMC Short-Term Development Plan will be studied comprehensively as part of the MaineDOT TMP application process delegated to the City of Portland. A project generating a net increase of 100 peak hour trip ends or greater must apply for and obtain a TMP prior to receipt of a Certificate of Occupancy. The proposed Development Plan will be required to obtain a TMP, as it does trigger this 100 peak hour trip end threshold.

Some of the traffic items reviewed as part of this application include:

- Trip generation methodology
- Trip distribution assumptions
- Weekday morning and evening traffic operations/capacity analyses

- Average and 95% queue analyses for key intersection approaches
- Pedestrian and bicycle safety evaluations
- Identification of potential mitigation to address identified deficiencies created or exacerbated by the proposed development.

The conduct of a comprehensive Traffic Impact Study typically requires several months to develop, and involves close inter-coordination between the City and the applicant. Since the TMP is technically a MaineDOT permit, it is a separate process from all other City processes; however, it typically runs concurrent with the site plan approval process.

FUTURE PARKING CONDITIONS

With regard to Parking, the goal of MMC's transportation plan is to accomplish the following key objectives:

1. Address neighborhood complaints of MMC staff occupying on-street parking spaces.
2. Support a premier arrival experience for patients and visitors
3. Where feasible, allow for segregation of MMC patients/visitors and staff parking
4. Rely upon an enhanced TDM program to help reduce vehicle trips and parking demands wherever reasonably feasible
5. Provide for a parking supply that is sufficient to support the medical center and is comparable to other peer institutions.

The aspects of the parking plan are described in greater detail in the text below.

Future MMC Parking Demand Summary

As MMC implements their Transformation Plan, there will be an increased demand for parking that is driven by growth in patient demand. Currently, MMC anticipates that the overall patient demand will grow by 8 percent over the next ten years (or 0.75 percent per year). Similarly, employment at MMC is expected to grow by approximately 7 percent over the next ten years (or 0.7 percent per year). These expected trends will result in increased parking needs.

As described previously in the Existing Conditions chapter, the Bramhall campus is served primarily by

three large on-campus facilities that accommodate both patient/visitor and physician/staff parking. There are also several off-campus parking facilities that provide additional remote staff parking. The following key points summarize MMC parking activity under current conditions, and provide the context for assessing and understanding the parking objectives that are proposed for the transportation plan:

- Under current conditions, the MMC parking system typically operates at capacity during the weekday daytime hours.
- The hospital requires about 150-200 additional on-campus parking spaces to alleviate current 2017 staff parking shortfalls that have been estimated via observations and data collection activities, and to eliminate the need for MMC staff to park on neighborhood streets.
- When compared to other peer academic medical centers, MMC generally has a lower parking-to-licensed bed ratio both for its patients as well as its physicians and staff.

Modifications

Key patient/visitor and physician/staff parking supply actions resulting from the MMC Transformation Plan are summarized as follows:

- Congress Visitor Garage Addition: MMC will expand its existing 480-space Congress Visitor Garage by three levels to

accommodate an additional 225 spaces by 2019.

- New Gilman Garage: MMC will demolish the existing 1,274-space employee garage and construct a replacement Gilman Employee Garage on Congress Street that will contain a supply of 1,135 spaces. (NOTE: Alternative employee parking solutions are currently being investigated.)

Patient/Visitor Parking

The patient/visitor parking needs will be fully accommodated by the Short-Term Development Plan. However, there will be a period of time when there will be a temporary shortfall of patient parking spaces. This period of time is associated with the construction of the Congress Visitor Parking Garage Addition, which requires some parking to be taken out of service temporarily. To help alleviate this shortfall, MMC intends to maximize parking opportunities elsewhere and/or increase valet services from satellite lots. All other means of assisting patient and visitor parking will be considered prior to the commencement of construction of the visitor garage addition. The Development Plan will increase patient/visitor parking supply from 850 spaces to 1,075 spaces (or an increase of 225 parking spaces). As a ratio of parking spaces per bed, MMC's position will improve from an existing ratio of 1.33 (a rate that is low when compared to peers) to 1.68 (average to its peers). Parking rates for peer institutions are listed in **Tables 2.8 and 2.9** in Chapter 2.

Staff / Physician Parking

Detailed review and observation of existing staff/physician parking supply/demand and anticipated growth indicates that there will be a measurable shortage of available parking to support anticipated future staff demands. This shortfall is driven by the following factors, based on an evaluation of current parking practices and future parking capacity:

- Future staff growth
- Staff parkers relocated from patient parking facilities
- Staff parkers prohibited from using neighborhood on-street parking

In total, MMC estimates a need for 500-600 additional staff/physician parking spaces to accommodate future demands. Studies to determine an appropriate parking solution that accommodates these demands and is supportive of the IDP are currently underway.

This increase in staff / physician parking supply will improve MMC's ratio of staff / physician parking to patient beds from their existing ratio of 3.18, which is very low when compared to peer academic medical centers, as illustrated in **Table 2.9** in Chapter 2.

FUTURE TDM STRATEGIES

MMC is committed to reducing single-occupant vehicle (SOV) commuting. As the Medical Center looks to the future, it seeks to build on the past successes of its “Get On Board!” Program. Based on a review of census data, employee travel origin and destination information, existing employee travel mode split, and transportation survey results, MMC believes it can further reduce the portion of employees driving alone to work, thus reducing trip making and resultant parking demands. An initial estimate is that an additional 1.5% of the daytime population could be shifted into alternative modes of accessing the campus. This represents approximately 65 fewer individuals driving alone to campus.

The reduction would be achieved through MMC’s existing TDM initiatives, as well as new strategies. MMC is considering the following range of new programs. It will endeavor to reduce the number beyond the target identified above through further enhancements or program expansions in the coming years.

Increased Education of Employees about the “Get on Board!” Program

Presently, all new MMC employees receive information and sign up materials for the “Get on Board!” program during the MMC New Employee Orientation process. MMC will be enhancing that education process by periodically educating existing employees of the options and benefits available through the “Get on Board!” program. Additionally,

newsletters will be distributed highlighting the environmental, health and other benefits of TDM.

“Get on Board Coordinator!”

MMC will be hiring a “Get on Board!” Coordinator responsible for the implementation, operation and continuing sustainability of MMC’s TDM. This individual will continually monitor the program, its operations and future opportunities to reduce vehicle dependency by staff at MMC. The Coordinator will also be responsible for data collection and TDM updates as required.

Pay for Parking

MMC will charge its employees no less than \$3 per paycheck to utilize MMC parking.

Guaranteed Ride Home (GRH) Program

For those employees who regularly use alternative modes of transportation to and from its Bramhall Campus, MMC will guarantee a ride home in emergency situations.

Enhanced Active Transportation Network

As noted above, changes along Congress Street and adjacent streets should enhance the streetscape and overall quality of experience for pedestrians and cyclists. MMC supports enhancements for pedestrians and cyclists improving access to the campus. As the City, generally, experiences an increase in its residents walking and biking to other work locations throughout the City, an increase in people visibly using alternative forms of transportation the streets of Portland may spur more participation by MMC employees in the future.

Fig.4.2 Portland Bikeway and Pedestrian Network (Source: City of Portland, 2014)

EXISTING FACILITIES

- Bicycle Lane
- Paved Shoulder
- Neighborhood Byway
- Shared Use Pathway
- Shared Lane, with Marking
- Shared Lane

PLANNED FACILITIES

- On Road Bikeway
- Neighborhood Byway
- - - Shared Use Pathway or Rail with Trail



Enhanced Transit Fare Discount

MMC employees can currently purchase METRO bus tickets at a discounted price from MMC. Increasing the discount on METRO tickets would provide employees with an additional financial incentive to use the transit system serving the MMC district. METRO may need to improve its services in order to meet hours of operation at twenty four hour facilities such as MMC, however.

Enhanced Carpool/Vanpool Matching

“Get on Board!’s” most successful initiative to date has been its carpooling program. Most of these connections are ad-hoc. MMC could increase participation by actively matching potential riders. Additionally, while Go Maine is the primary administrator of vanpools in the state, MMC could work to proactively identify and assist with the formation of vanpools.

Active Transportation Incentives

MMC will undertake an internal marketing program which offers fun and useful prizes for those participating in alternative modes of transportation. Making alternative transportation fun and a community-wide effort is likely to increase participation by some who might not otherwise engage in the process.

UCar

Working with UHaul and the City’s Parking Department, MMC will continue to monitor the use of the UCar presently located in its Congress

Street parking garage. In the event an additional car is warranted, MMC will work with its partners in finding a suitable location on the main campus for the storage and use of the UCar.

Transportation Survey

MMC will conduct a Transportation Survey of its employees every 2 years to collect data about commuting mode split, barriers to TDM use and marketing effectiveness.

FUTURE TRANSPORTATION PLANNING CONSIDERATIONS

The patient experience of getting to and leaving MMC is also critically important to the transportation plan. Inefficient area traffic operations can lead to delays in patient treatment and an increase in patient frustration in addition to negative impacts on the adjacent local neighborhoods. MMC will need to accommodate new patients/visitors and add employees to the campus, increasing traffic demands on the existing roadways, however modestly. Initially identified issues and possible improvements that should receive additional consideration include the following measures:

- Community Access Circulation: Focus on logical traffic flow, pedestrian access and safety, bicycle access and on-street parking.
- Managing key neighborhood access and circulation concerns:
 - » Chadwick Street: A portion of Chadwick Street is one-way. The conversion to two-way could reduce the amount of traffic going further into the West-end neighborhood. MMC will work with the City to investigate the viability of converting this road section into two way travel.
 - » Chadwick Street at West Street: Develop potential safety improvements at this unsignalized intersection. Neighborhood comments have indicated

observations of low compliance with stop-signs and two-way travel. However, if Chadwick is made two –way, the need for improvements may be eliminated.

» Vaughan Street at Bramhall Street:

This is a difficult intersection geometry for pedestrians, cyclists and vehicles. Develop potential safety improvements for the unsignalized intersection.

ENVIRONMENTAL AND INFRASTRUCTURE PLAN

Sustainable and resilient infrastructure is key to ensure safe and efficient operations of healthcare facilities in the 21st century. Maine Medical Center is seeking to advance its good stewardship of environmental and infrastructure resources through its Institutional Development Plan.



NATURAL RESOURCE PROTECTION

The Maine Medical Center Bramhall campus is located at a high point in the west end of the Portland peninsula. There are several locations where natural resources are significant (see **Fig.5.1** on page 82):

- The Western Promenade, a culturally significant public park that is listed in the National Registry of Historic Places (NRHP'89);
- MMC-owned landscape along Bramhall Street abutting the Western Promenade and serving as a foreground to the Maine General Building and original hospital structure;
- MMC, located in an urban setting, maintains small landscaped areas that provide visual respite from surrounding hard scape. These areas are well maintained, flowers watered and mulched and trees fertilized in order to preserve the pleasing aesthetics important to its neighbors, employees and patients. landscaped campus; and,
- MMC-owned natural area along Gilman Street. This steeply sloping zone contains natural vegetation consisting primarily of mature evergreen tree growth which serves as a natural buffer between the hospital and residences on Gilman Street.

The Western Promenade, in particular, is a treasured resource for the public, including employees, patients and visitors to the MMC Bramhall Campus. The Development Plan utilizes vertical expansion and/or previously developed sites to minimize impact on natural resources and maintain existing campus open spaces. The plan does not encroach upon or negatively impact any of the natural resources listed above.

Fig.5.1 Campus Relationship to the Western Promenade



PROJECTED UTILITY DEMAND

Green Building Design

The historic Maine General Hospital incorporated natural light and ventilation as an important part of the healing process. The design of buildings identified in the Development Plan will take advantage of the natural light, heat, and ventilation, which will not only contribute to the healing process and improves the quality of patient and family spaces, but it also improves the building's energy performance.

Energy

Healthcare projects and hospitals are traditionally some of the largest consumers of energy by building type due to the demands of the internal programs. It is the goal to reduce the impact of these projects by minimizing energy consumption. A key element is to lower the Energy Use Intensity (EUI) for each project against the traditional code minimum baseline to both address sustainable goals and reduce the impact on infrastructure. Use of industry

standards such as LEED will serve as a model for evaluation of future buildings on the MMC campus.

Each project in the Development Plan has specific needs and vary in their impacts. The proposed projects combined are anticipated to generate 5,400 KW of additional electricity demand (see **Table 5.1** for details). MMC is currently working with Central Maine Power to identify capacity for the projected energy loads.

Steam

The steam loads are met by the Central Utility Plant and will not impact city infrastructure. The removal of the laundry facility to an off-site location has created extra steam capacity for the campus. MMC's Central Utility Plant has the capacity needed to service MMC's short term growth needs.

Gas

The gas infrastructure has capacity to handle any increases to the current steam load.

Table 5.1 Projected Energy Demand		Projected Net Energy Demand	Potential On-Site Energy Production (Rooftop PV)
Gilman Garage*	Stand-alone project not on the campus primary metered system	1,250 KW	300 KW
East Tower Vertical Expansion	Utilizing new systems for efficiency	300 KW	--
Visitor Garage Vertical Expansion	Utilizing existing systems	350 KW	150 KW
Congress Street Development	Net demand with the deletion of the existing garage currently on site	1,700 KW	
Central Utility Plant Expansion	Additional summer cooling demand	1,800 KW	
TOTAL ENERGY DEMAND		5,400 KW	450 KW

* Alternative employee parking solutions are currently being investigated.

Sanitary and Stormwater Flows

The development site is served by a combined sewer system at multiple locations surrounding the campus. We are unaware of any existing capacity issues in the City's existing system and will have to rely on the City to identify known off-site deficiencies.

Sanitary Sewer Impacts

The East Tower expansion will increase sanitary flows in the combined sewer located at the intersection of Congress Street and Forest Street ultimately discharging to the Forest Street combined sewer. The increased sewer flow has not yet been determined. The East Tower project is not expected to affect stormwater flow rates.

The Congress Street Building will increase sewer flows in the Congress Street combined sewers. The sewer connection locations and loads have not yet been determined and more than one connection location may be required. New sewer flows from the Congress Street Building are expected to increase sanitary flows in the combined sewer located at the intersection of Congress Street and Forest Street ultimately discharging to the Forest Street combined sewer. The Congress Street Building may also include a sewer connection increasing flow in the combined sewer located at the intersection of Congress Street and Gilman Street ultimately discharging to Gilman Street.

Stormwater Impacts

The East Tower and Visitor parking garage projects are vertical expansion and are not expected to increase or decrease stormwater discharge. Both of these project currently discharges stormwater to the combined sewer located at the intersection of Congress Street and Forest Street ultimately discharging to the Forest Street combined sewer

The Congress Street Building will be required to meet the City's stormwater management ordinance requirements and mitigate any increases in discharge to the extent practicable. The current design of the building and project site redevelopment includes an extensive green roof component and proposes removals of existing impervious area. The net impact of this design is expected to result in no increase in the peak rates of runoff from the site. If necessary, a subsurface chamber system is being considered as a stormwater treatment measure to further mitigate increases in discharge to the City system. The project may however alter the location of the discharge points to a limited extent.

The primary existing stormwater discharge point for the Congress Street Site Congress Street Site is the combined sewer at the intersection of Congress Street and Forest Street ultimately discharging to the Forest Street combined sewer system. A limited amount of stormwater from the Congress Street Site drains to the Gilman Street combined sewer. It is expected that the primary post-development

stormwater connection will be to the Forest Street Combined sewer at the intersection of Congress Street and Forest Street

The Congress Street Building will be required to meet the City's stormwater management ordinance requirements and mitigate any increases in discharge to the extent practicable. The new Gilman Garage* is comprised of the redevelopment of an existing site removing buildings and surface parking and replacing it with a new parking garage. Preliminary studies indicate that the rate of runoff from the site will be relatively unchanged. A subsurface chamber stormwater treatment system is proposed to provide stormwater quality treatment measure, further mitigating increases in discharge to the City System. The site will discharge to the existing combined sewer in Congress Street discharging west toward Saint John Street.

Other Impacts to City Infrastructure

The electrical meter and service for the street lights on Congress Street in front of the Congress Street building will be relocated as part of MMC's Short-Term Development Plan. At least one city street light will be removed for the construction of the new Congress Street entrance. We are not aware at this time of other impacts to City owned infrastructure.

* Note: Alternative employee parking solutions are currently being investigated.

OPERATIONAL IMPACTS

Noise Impact

MMC's Development Plan aims to minimize noise and disturbance both for the benefit of its neighbors and its patients. Key to this is relocating the main campus entrance to Congress Street. This will limit traffic and associated noise from moving up onto the hill. The relocation of the helipad will maintain current flight paths, which were designed to minimize neighborhood noise impacts by following the recommended approach to the hospital over the Congress Street corridor as opposed to over dense residential areas.

Hazardous Waste Generation and Disposal

MMC has a Hazardous Materials and Waste Plan supported by policies for the handling and disposal of hazardous waste, universal hazardous waste and biomedical waste.

Biomedical and Hazardous Waste

Biomedical waste sharps, biomedical waste, pathological waste (tissues, etc), and hazardous pharmaceutical and other chemical waste are collected by MMC Environmental Services or contractors, and stored at secure locations across campus prior to pick up, transfer, and ultimate disposal by contractors. DEA controlled substances are wasted at the point of generation (e.g. medication rooms), solidified, and collected by MMC Environmental Services at a secure holding room for pick-up, transfer and ultimate disposal by contracted vendor. All hazardous materials leave the campus through the loading docks (see **Fig.5.2**).

MMC's Short-Term Development Plan is not expected to create significant increases waste volumes. No changes are currently planned to hazardous materials storage and transfer locations on campus.

Grease Discharge

MMC will be installing a grease trap system capable of separating grease from waste water as part of its Short-Term Development Plan.

Soiled Linen

MMC has its own Linen Services department that is responsible for overseeing the processing of laundry for all of MMC and Maine Medical Partners (MPP) locations. The plant is located in Westbrook, and the linen is transported between these locations by MMC's Materials Management team.

Sustainable Operations

MMC expects to continue, and where possible, expand on the following sustainable operation strategies as part of its long-term plan.

Campus Recycling

MMC separates paper and cardboard out of the waste stream through on-campus recycling. MMC Kitchen and Café provide recycling for can and bottle returnables, and separate compostable items from the waste stream. MMC has also switched to reusable needle boxes to reduce plastic waste. Expired medical equipment and devices are reprocessed by contractors.

Landscaping

MMC contracts with an outside landscaping company. In renewing its contract, MMC is requiring the use of organic pesticides and fertilizers for all planting and green space on campus.

Snow Removal

MMC contracts with an outside snow removal company. The environment requires the use of melting agents, but MMC has taken steps to minimize its use by installing heated sidewalks at the front entrance and South lot entrance as well as the Emergency Department entrance. MMC will continue to use replace calcium chloride instead of salt, when possible, to reduce environmental impact of snow removal.

Fig.5.2 Environmental Protection Plan

- | | | |
|--|--|---|
| MMC FACILITIES | PROTECTED OPEN SPACES | MMC OPERATIONS |
|  Existing Buildings To Remain | A Western Promenade (NRHP'89, City-owned) |  Hazardous Waste Departure Point |
|  Short-Term Projects | B Bramhall Street Landscape (MMC-owned) |  New Grease Trap System (Location TBD) |
|  Long-Term Projects | C Gilman Street Landscape (MMC-owned) | |



 Alternative employee parking solutions are currently being investigated.



DESIGN

Maine Medical Center aims to continue its tradition of design excellence with its new campus projects. Future buildings are being designed to improve care delivery while also providing a new gateway to Portland on Congress Street.



NEIGHBORHOOD IMPACTS

MMC's vision is "Working together so our communities are the healthiest in America." MMC sees the IDP as an opportunity to design an environment for better care delivery that also improves the overall neighborhood condition.

The following section outlines some of the different design aspects that MMC's Development Plan takes into account to improve its immediate context.

Minimizing Shadow Impact

In order to understand the shadow impact on the campus surroundings, the design team has done detailed shadow studies (see **Fig.6.1** on page 91). The objective of the new building massing is to minimize the shadow impact to surrounding areas.

Along Congress Street and Valley Street, the Development Plan is minimizing the shadow impact of the new buildings by either bringing the overall building height down as much as possible and/or by setting the building massing back from the sidewalk to allow more sunlight to hit the street.

Context-Appropriate Lighting

By modulating the lighting intensity along the campus edges, the Development Plan responds to its immediate context in a respectful way. Providing appropriate artificial lighting will help create a safe environment within and around the campus. At the same time, the lighting design takes into account the necessary lighting cut-offs to minimize the impact on the neighboring properties.

For instance, the Development Plan proposes having the highest level of lighting intensity along Congress Street since this is a commercial street. Indoor circulation and waiting areas are located along Congress Street animating the streetscape 24/7. Along streets that are adjacent to residential areas, the lighting intensity is minimized and strict light cut-offs prevent artificial lighting from spilling into the neighbors' properties.

Mitigating Wind Impact

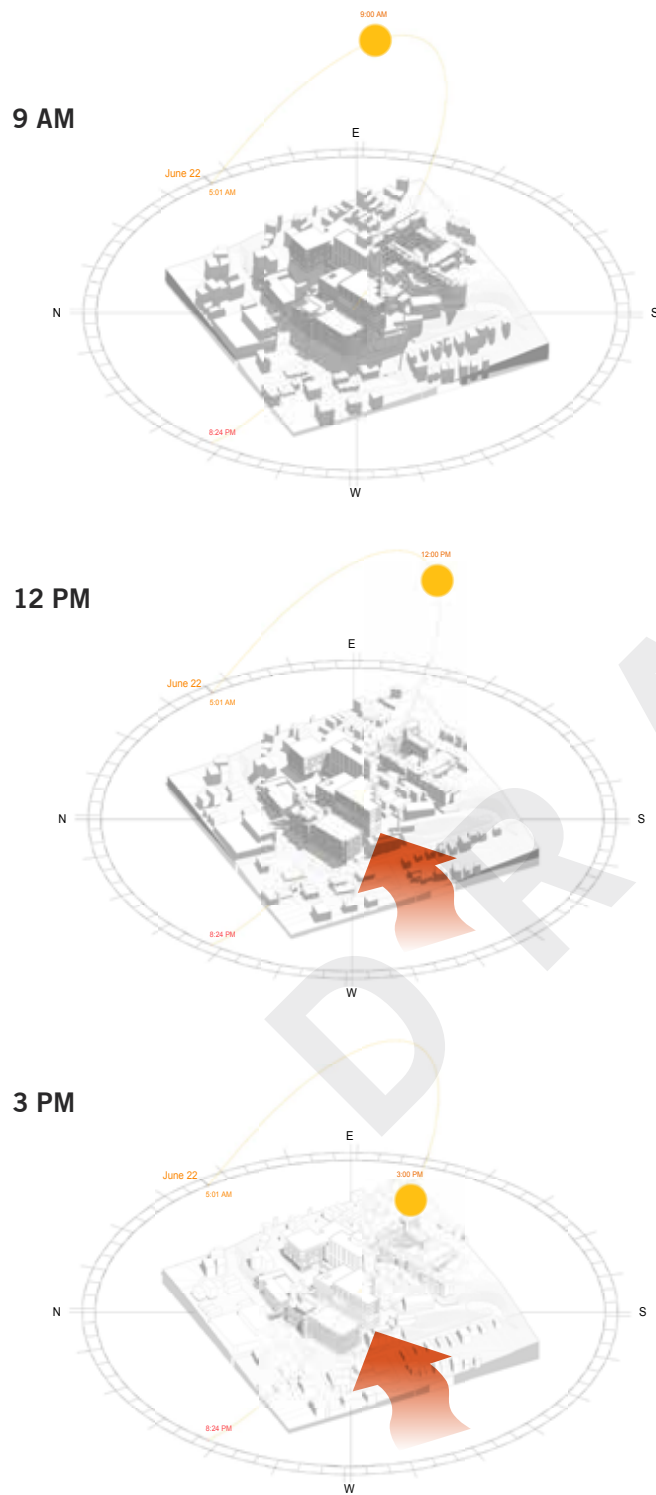
Upon final design of MMC's applicable site plans, it will consult with the City of Portland's Arborist to selectively determine the placement of trees or other landscape features on any new landscape areas on the campus to minimize the amount of wind created by the buildings' mass.

Mitigating Impact of Building Heights

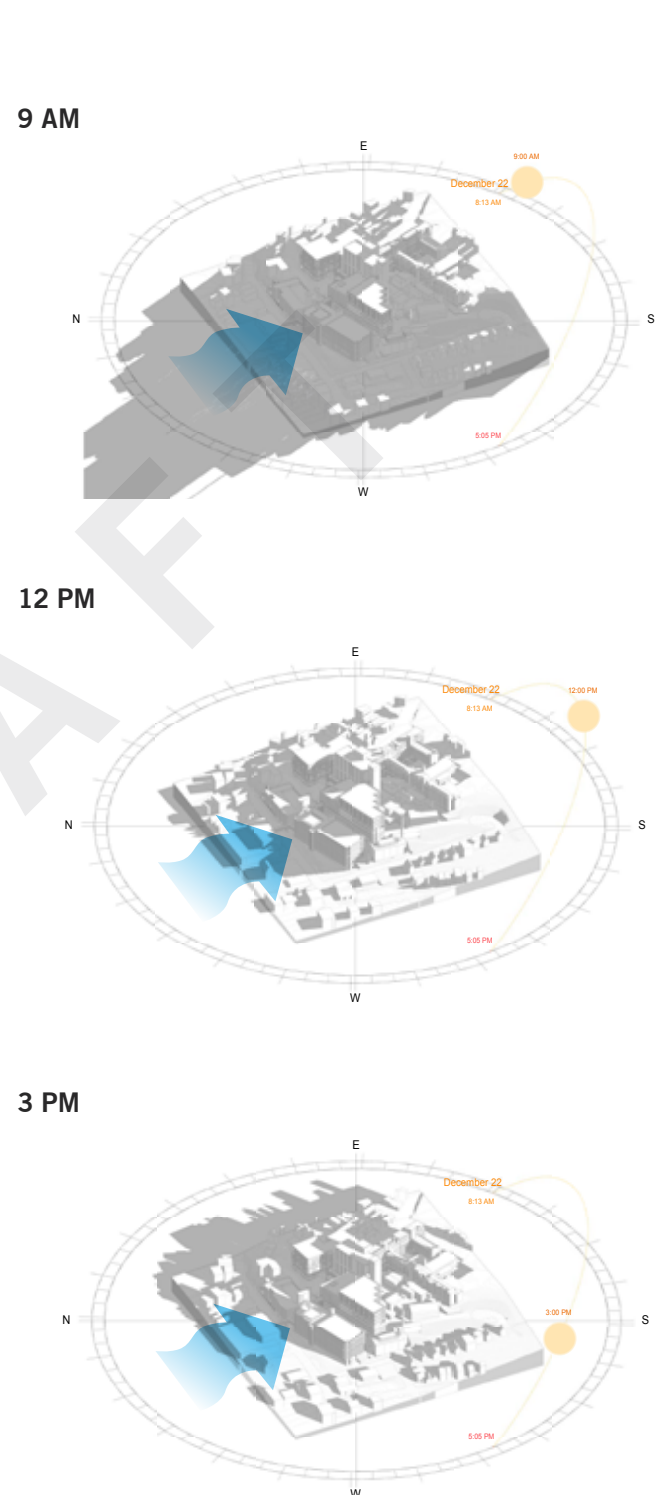
The overall buildings' heights are kept to a necessary minimum. Generous setbacks and potential public landscaped areas along sidewalks will mitigate the buildings' heights along Congress Street and Valley Street.

Fig.6.1 Future Campus Buildings Solar and Wind Studies

SUMMER SOLSTICE (JUNE 21)



WINTER SOLSTICE (DEC 21)



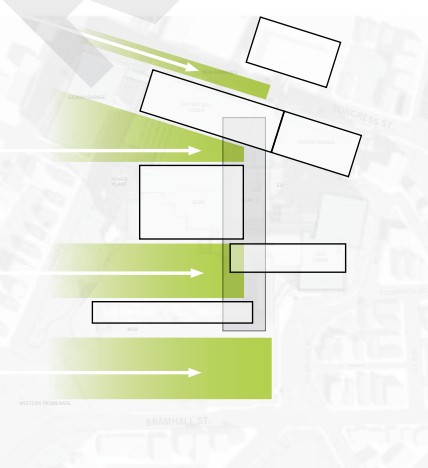
NEIGHBORHOOD TRANSITION

Building on the Western Promenade

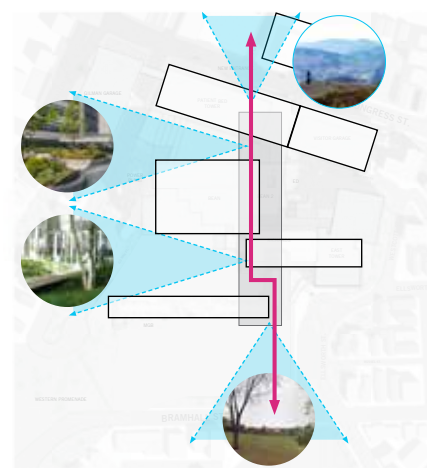
MMC's IDP embraces the historic Western Promenade as valuable open space amenity for campus users as well as the broader community. The landscape framework is built on the basic idea that access to views, natural light and nature create a positive patient and visitor experience that supports healing. Landscape plays a key role in MMC's Development Plan: in a strategic move that extends the experience of the Western Promenade into the campus, a series of landscapes are introduced along the revised main circulation route to provide views, and where possible, physical access to landscape for the benefit of all campus users (see **Fig.6.2** on page 92).

The design goal is to create a campus that belongs in Maine and engages with the surrounding community. Maine's natural environment is an important source of inspiration for the campus design and the landscape design intends to incorporate the different Maine landscape typologies (from tundra plateau to coastal outcrops). The future campus will be designed to create a seamless transition between the bucolic character of Western Promenade and the urban condition along Congress Street. With the addition of the new buildings, the campus extends its reach down from the top of the hill to engage with the community along Congress Street.

While a holistic design approach gives coherence to the overall campus, the site plan design will pay special attention to the neighborhood context.



Pulling Western Promenade into the campus with a series of landscape spaces at different levels



Clear wayfinding with views out to nature

Fig.6.2 Landscape Design Framework inspired by the Western Promenade

Congress Street

This area has an urban and active character, which MMC's Development Plan intends to strengthen.

Transparency of large portions of the building facades along Congress Street at the pedestrian level will activate the streetscape 24/7. Active inside and outside uses, such as a café area and waiting area, are on the lower levels. The articulation on the bed floor elevation helps bringing down the building scale. The building mass of the clinical block and the new Gilman Garage* is set back providing a generous public landscape area along the sidewalk enhancing the pedestrian and vehicular experience.

Valley Street

Valley Street defines the western edge of campus. This active vehicular road transitions from a residential area to Congress Street, which is a commercial Street.

The Gilman Garage* massing is set back along Valley Street to give room to a new green area. The landscape design creates a buffer zone between the building mass and the pedestrian sidewalk. The presence of the exposed circulation that ties this garage structure back to the new lobby will make the streetscape safer and create an active backdrop at the intersection of Valley Street with Congress Street.

East Upper Campus

This campus area is adjacent to a residential neighborhood and brick is the predominant material on the campus buildings.

The East Tower addition fits and blends within its immediate campus context. The use of brick as the main material reinforces the existing character of this part of campus. The goal is to preserve the current relationship between the existing campus and the neighboring buildings.

Upper Campus

This part of campus benefits from the presence of the Western Promenade and includes the original Maine General building. The IDP does not propose any changes for this section of the campus.

*Note: Alternative employee parking solutions are currently being investigated.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

MMC aims to create a healthy and safe environment for the surrounding community. MMC plays an active role to enhance the safety within the adjacent neighborhoods. MMC's Development Plan incorporates the Crime Prevention Through Environmental Design (CPTED) principles. These principles are implemented through the following design strategies:

- Design clarity and an aesthetically pleasing environment, will improve pedestrian experience for users, neighbors and passers-by.
- Clear and properly-sized signs located in strategic locations will provide safe wayfinding.
- The circulation paths from parking areas to the main building entrance are secured, conditioned and well-lit with clear sight lines.
- The ground floor of the new buildings are designed to avoid entrapment areas. By creating a continuous elevation without recesses, the design minimizes potential hideouts.
- The large number of people walking through the transparent bridge that connects the Gilman Garage* with the clinical block will provide natural surveillance of less visible areas such as Gilman Street.
- The use of vandal resistant materials and proper maintenance of the green open spaces will create territorial reinforcement, discouraging vandalism as well as misuse of the streetscape.

*Note: Alternative employee parking solutions are currently being investigated.

PUBLIC REALM PLAN

A conceptual public realm plan for the proposed short-term development is shown below.

Fig.6.3 Public Realm Improvements along Congress and Valley Streets

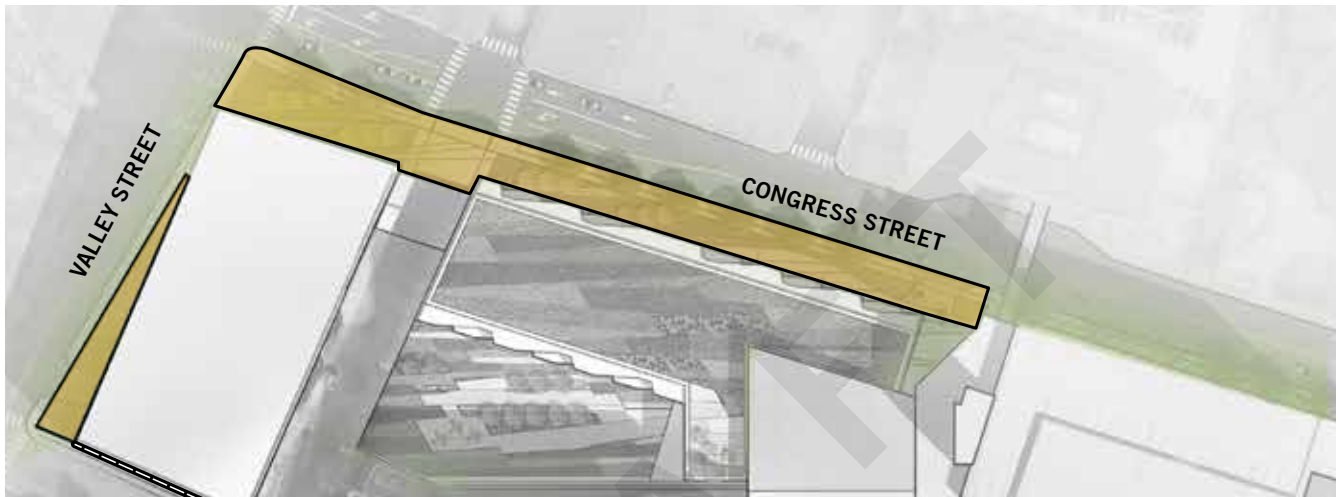
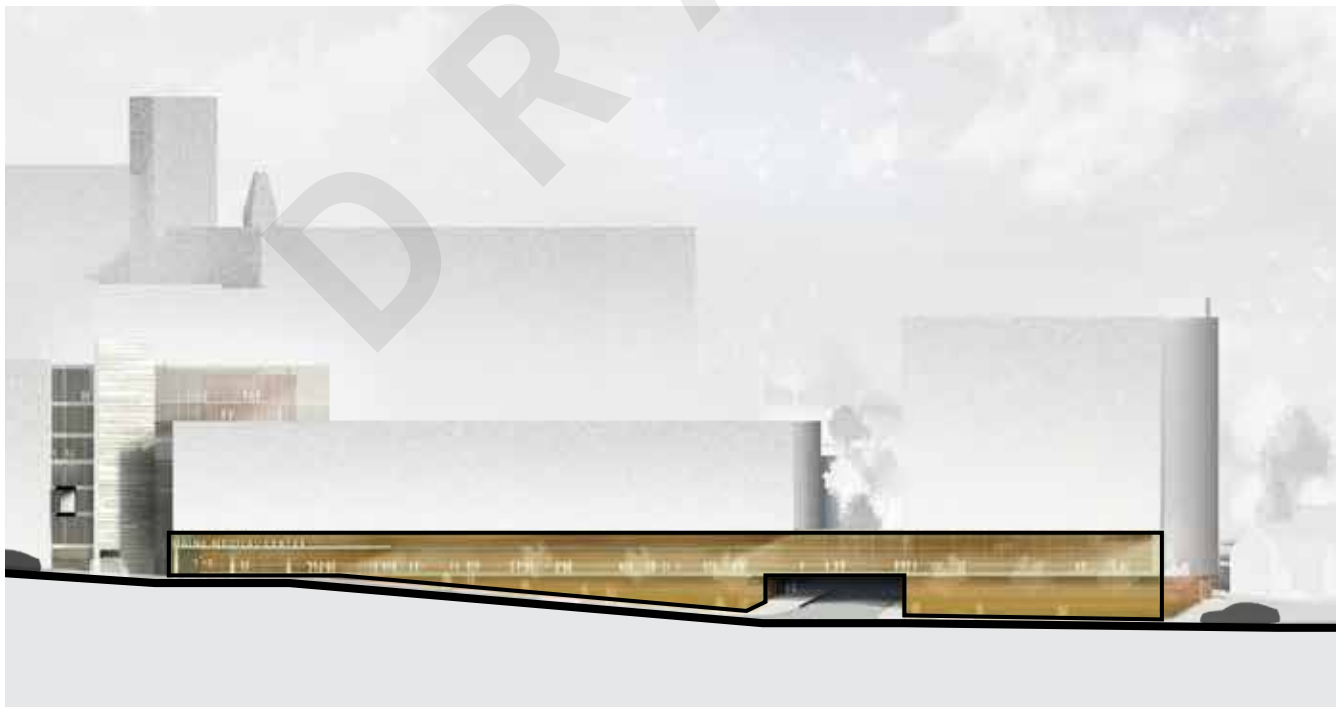


Fig.6.4 Pedestrian Concourse and Congress Street Landscape



NEIGHBORHOOD ENGAGEMENT

Maine Medical Center strives to be a good neighbor to surrounding communities. Ongoing dialogue and exchange of information and ideas is a core tenant of MMC's neighborhood engagement plan.



ONGOING COMMUNITY ENGAGEMENT

It is important for MMC and its neighbors to maintain the dialogue that has been established during the development of MMC's IDP. As a result, MMC proposes the following ongoing community engagement to ensure community members are informed throughout the MMC build out period and beyond:

- For the purposes of keeping the surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the MMC campus, no less than quarterly, MMC shall invite representatives of the adjacent neighborhood associations to meet with designated MMC representatives. MMC will engage neighbors in more routine dialogue during major planning efforts. These meeting invitation shall also be extended to the Director of Planning at the City of Portland. Minutes of such meeting shall be taken.
- MMC shall host at least two neighborhood meetings during the development of future IDPs in compliance with IOZ requirements.
- During construction, MMC will designate MMC shall provide contact information for a designated community liaison on

its website for day-to-day inquiries and complaints.

- MMC shall also employ social media to make information about any pending project readily available to the public. This shall include a dedicated website page and a dedicated email address for residents to ask questions, provide suggestions or voice concerns.
- Finally, MMC will set up a text alert system to notify any subscriber of advance construction impacts which may be necessary during construction (for example, road closure, large truck delivery etc.)

CONSTRUCTION MANAGEMENT PRINCIPLES

The following section provides an overview of the construction management principles that MMC has identified to minimize impacts from noise, vibrations, ground movement, truck traffic, and other construction related factors to the surrounding buildings and communities. It is MMC's full intent to schedule and conduct operations in a manner that will minimize, to the extent feasible, the disturbance to the public in areas adjacent to the work and to occupants of buildings in the vicinity.

Communication Initiatives

MMC appreciates the importance of keeping its neighbors up to date on planned construction activities that may impact them. To that end MMC will implement a communication strategy using social media and texting to alert surrounding neighbors of activities that may cause disruption.

MMC has created a dedicated webpage on its website devoted to the MFP Project to inform the public of important information related to the Project. (<http://www.mmc.org/modernization>) Information and updates on the Project are regularly posted including project updates, neighborhood meeting minutes, Portland Planning Board information related to the project, news releases, fact sheets and frequently asked questions. As construction commences, important alerts regarding construction activity such as activities impacting roadways, potential creation of dust, vibration, or noise, etc. will also be posted. To the extent

possible, MMC will provide two week advance notice of such activities.

MMC has created a dedicated email address which allows for members of the public to ask questions and provide information directly to the Construction Team. These emails will be answered in a timely fashion by the people directly involved in the construction activities.

MMC has created a dedicated email address which allows for members of the public to ask questions and provide information directly to the Construction Team. These emails will be answered in a timely fashion by the people directly involved in the construction activities.

Construction Schedule

The construction period for the project is expected to be approximately 54 months in duration. It is anticipated that the project is estimated to start on or about January, 2018 and last through June, 2022. Estimated dates for the project phases identified as follows:

- East Tower: Dec 2017-Oct 2019
(Helipad Occupancy: July 2019)
- New Garage (location TBD):
Oct 2017-June 2019
- Visitor Garage Expansion: Jun-Oct 2018
- Removal of Employee Garage: June-Dec 2019
- Congress Street Clinical Building:
Jan 2020-July 2022

Schedules are subject to change based on site conditions and other considerations.

Construction Management Plan

Prior to construction, MMC will develop comprehensive Logistics and Safety Programs. Maintaining normal campus operations and public safety, and minimizing impacts to areas surrounding the campus will be the primary considerations in this process.

Project Work Hours

Construction will occur during the daytime hours as defined by the Portland Noise Regulation (7am to 6pm, Monday through Friday). In some unavoidable instances, weekday night hours could extend to beyond 6pm when a second shift is employed. Weekend work hours will be 7AM to 4PM on the Saturdays and Sundays when required.

Perimeter Protection/Public Safety

In general, secured fencing will be used to isolate construction areas from pedestrian traffic and Police Details will be provided, when necessary, to facilitate traffic flow. MMC will work to ensure the sidewalk protection minimizes impact to pedestrian and vehicular flow. The specific configuration of sidewalk protection and pedestrian access around the site will vary depending on the phase of the work being performed. Construction procedures will be designed to meet all OSHA safety standards for specific site construction activities. MMC will provide sufficient temporary site lighting to ensure

the safety of all pedestrians accessing the sidewalks around the site, including lighting at all covered pedestrian walkways, until permanent street lights are installed.

Construction Noise Impacts

The project will require the use of equipment that can be heard from off-site locations. MMC is committed to mitigating construction noise impacts. Increased community sound levels, however, are an inherent consequence of construction activities. When these events are scheduled, advance notice will be provided.

Construction Traffic and Parking Impacts

Construction Workers

The number of workers required during the construction will vary with an estimated average daily workforce of 150 during the peak of construction. Jobsite personnel shall park at an offsite parking area and will be shuttled to the construction site. MMC will work with the Construction Management Company to identify an off-site parking location and shuttle service. No personal vehicles will be allowed to park at the project construction site or in the adjacent residential streets. The construction company and its subcontractors shall encourage the use of public transportation by their workers, if available.

Truck Routes and Volumes

Truck traffic will vary throughout the construction period, depending on the activity. It is expected that

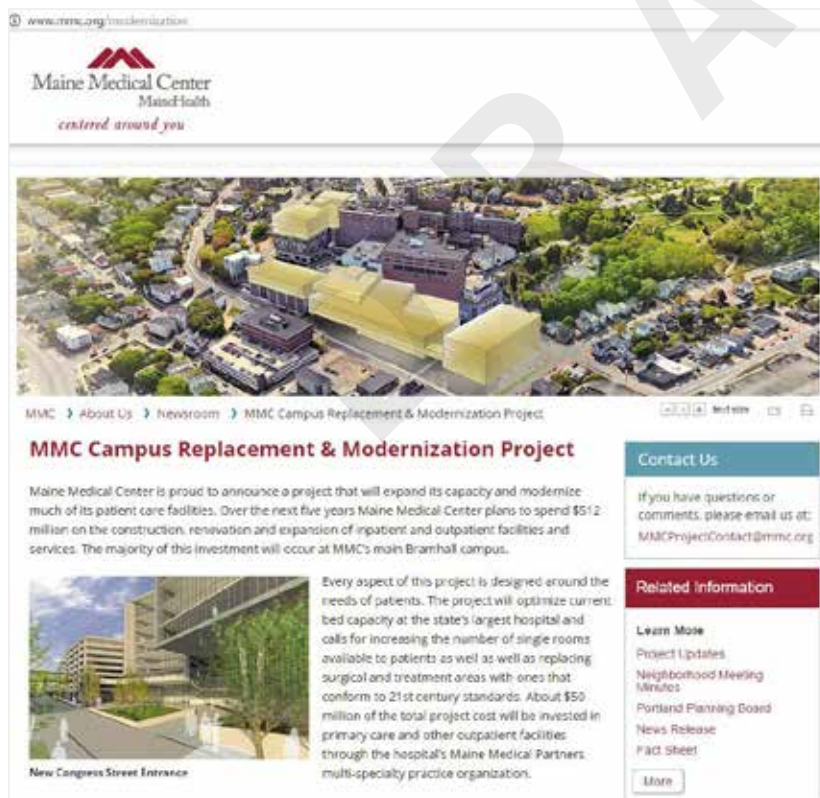
truck traffic will average 8-10 trucks daily spread evenly throughout the day. An off-site marshalling area will be utilized for trucking.

MMC will install way finding signage at strategic locations identifying no travel zones for construction vehicles. To the extent possible, all truck traffic will be directed to enter the sites utilizing Congress Street. Once at the site all vehicles will be brought within the fence line and will make every attempt to avoid queueing on Congress Street or Gilman Street, unless during specific times as addressed on the site logistics plans.

Construction Air Quality Impacts

To reduce emission of fugitive dust and minimize impacts on the local environment, MMC will adhere to a number of strictly enforced mitigation measures. These include the use of wetting agents to control and suppress dust; covering stock piles of soils and trucks transporting debris; managing construction practices to reduce unnecessary transfers of loose materials; periodic cleaning of streets and sidewalks; and, use of wheel wash stations.

Fig.7.1 Screenshot of MMC Website dedicated to the Project



MMC COMMUNITY BENEFITS

MMC provides much to the City of Portland community, which often goes overlooked. These benefits are not only to our adjacent neighbors but also to the residents elsewhere in the City.

Smoking Policy and Related Initiatives

MMC, as a health care institution, understands that smoking is an addiction that has harmful effects—effects from directly inhaling nicotine, as well as the effects of second hand smoke. The effects are serious and can be life threatening. In order to advance its vision to make the people in Maine the healthiest in America, MMC, like other businesses in the City of Portland—including the City itself—has instituted a no smoking policy on its premises.

But the hospital also recognizes that addiction is difficult to overcome and the ability to quit smoking is often difficult. That is why MMC offers assistance to its employees, patients and visitors to quit smoking and to reduce and eliminate noxious fumes in the environment. MMC provides free smoking cessation classes to its employees. It offers free nicotine gum to visitors to the hospital in an effort to reduce the desire to smoke. MMC conducts periodic “walk-about” in the neighborhood to talk with people about smoking and its health impacts.

Neighborhoods throughout the City all deal with unwanted smoke. MMC has heard the concerns of its neighbors relating to people walking on the public sidewalks in their neighborhoods while smoking. Whether or not people smoking in MMC’s adjacent

neighborhoods are affiliated with the Hospital, MMC has taken significant measures to respond in a positive fashion to these concerns. In addition to the proactive walk-about providing education about smoking and resources to assist in quitting (such as providing the hotline telephone number for the Center for Tobacco Independence), the Hospital has taken steps to alleviate the unsightliness of cigarette butts on public streets near its campus. As documented in its MMC Neighborhood Council Meeting minutes of June 23, 2016, MMC has purchased 30 “butt butlers” for use by the City in areas around the MMC main campus. In 2016 MMC and the neighbors collaboratively walked the neighborhood and identified areas for installation of the butt butlers.

At the request of the neighborhood representatives, MMC also modified its smoking policy as follows:

- Limits the distance from entrances within which individuals can smoke from 50 feet to 20 feet;
- Remove MMC Tobacco Free signs installed along the perimeter of the open “South Lot” (Bramhall, Chadwick, Vaughan, and Brackett Streets).
- Letter to employees sent by the MMC CEO and COO regarding these changes and the expectations for employees to abide by them
- MMC has hired, at its expense, a trash removal vendor to collect cigarette butts and trash in the areas surrounding the

hospital. This vendor provides such service between April 1 and first snow, on M, W, and F at 4–6 hours per day.

- MMC has a telephone line dedicated to the receipt of concerns from neighbors regarding MMC related events in their neighborhoods

While MMC recognizes that it cannot prevent people from smoking, it is committed to ongoing efforts to address this public health issue.

Neighborhood Garden

The St. John Valley Neighborhood requested the use of property owned by MMC at 268-270 Valley Street. In an effort to respond to the neighbors, MMC contacted the City for guidance on how it permitted use of public property for such community gardens. MMC fashioned an agreement with SJVNA which mimicked the Agreement used by the City for use of its land by gardening neighbors. As of June 2016 SJVNA was looking into procuring insurance of the same type required by the City.

Neighborhood Clean Up Days

MMC has sponsored neighborhood clean-up days in the past in an effort to partner with its adjacent Neighborhood Associations to beautify the neighborhood. It has supplied lunch, trash bags, gloves and water for those participating.

Snow Ban Parking

MMC allows its neighbors the use of its parking garage at 887 Congress Street on those days when the City calls a snow ban. Although there have been glitches of this policy by MMC in the past, as well as abuses of this policy by neighbors leaving cars parked long-term in the past, for the most part the locations of vehicle parking and the hours for such parking have been respected and appreciated by the neighbors.

City-Wide Benefits

MMC is actively involved in giving back to the City of Portland. The following initiatives provide some examples of the actions undertaken by MMC to give back to the community.

- MMC-Preble Street Learning Collaborative:
MMC nurse practitioners, primary care residents, medical students, and MMC Homeless Health Partners, provide services to the most vulnerable underserved people in Portland, allowing them access to quality, barrier-free health care.

City-Wide Benefits, *continued*

- Portland School Based Health Clinics are made possible through a partnership between Maine Medical Center and Portland Public Health.
- Portland School Athletic Contributions: The Sports Medicine division at MMC's Family Medicine Center provides physical exams and training room support for area school teams, marathons and other sports events.
- MMC RN Health Fairs: MMC RN's routinely hold community health fairs on MMC's time to benefit vulnerable populations. Locations of health fairs include: the Preble Street Teen Center, Boys and Girl's Club of Portland, and the Florence House, a permanent shelter for chronically homeless women. The events are frequently accompanied by a collection of supplies.
- Sagamore Village Health Center: MMC provides staff and support at the Sagamore Health Resource Center, a community-based nurse managed clinic that provides public health, primary care and mental health services to residents. MMC provides the services and support in collaboration with the USM School of Nursing and Portland Housing Authority. In addition to staff and administrative support, MMC provides direct financial support to the Health Clinic.
- MMC Care Partners: A “safety net” program designed to provide care for those who cannot afford commercial insurance but are not eligible for government programs. CarePartners provides administrative support to help serve the target population, including comprehensive eligibility assessment, care management, and access to low cost or free pharmaceuticals.
- Virology Treatment Center: A resource to patients and physicians caring for patients with HIV/AIDS; it also provides education and conducts clinical trials, including many that otherwise would not be available in the community.
- International Clinic: Provides services and healthcare education to immigrants and refugees from around the world who have settled in Portland.
- Northern New England Poison Center: MMC is the home of the NNEPC. The NNEPC provides a 24 x 7 hotline and chat service to provide 24 x 7 consultation with healthcare professionals and the public regarding accidental pediatric or geriatric poisonings, therapeutic errors and adverse

effects/interactions, management of drug- or poison-related suicide attempts and substance abuse misadventures, environmental exposure, food poisoning and other toxic exposures. The Center also provides education for the public and healthcare professionals, including school nurses and law enforcement, assists with preparedness and toxic-surveillance for events including food or water contamination/tampering, weapons of mass destruction, regional antidote management, and infectious disease.

- Sexual Assault Response Services of Maine (SARSSM): MMC, through its Emergency Department, teaches classes to support SARSSM. Emergency department members present at meetings and conferences in support of these services.
- The Maine Medical Center Research Institute (MMCRI) is the largest hospital-based biomedical research facility in northern New England. Many clinicians author scholarly work or participate in various studies and research activities, and the institute offers a summer student program. Residents and community members participate in clinical trials to manage and treat diseases and medical conditions, which would otherwise not be available in the community.
- MMC Classroom Facilities at the MMC Dana Center are used by health care mission focused community groups for meetings and educational sessions. Local Chapters of Alcoholics Anonymous, Al-Anon, the National Alliance for the Mentally Ill and Take Off the Pounds Sensibly meet weekly at the Dana Center. HOPE Support Group, Making Strides against Breast Cancer, an Autism Parent Support Group, and Survivors of Suicide are some of the organizations that make use of MMC's facilities on a weekly basis throughout the year.
- MMC's Certified Nursing Assistant (CNA) Program: In affiliation with Portland Adult Education this program has graduated approximately 1,200 graduates to date. Offered 3 times a year at no charge to students, this state-approved 180-hour course incorporates experienced MMC nursing staff as faculty/mentors within classroom presentations, skills labs, and supervised clinical experiences. Clinical nurses and others throughout MMC instruct and mentor these student team members, highlighting MMC's belief in CNAs as integral to the comfort, care, and outcomes of our patients and services. An average of 75 participants attend per session. Near the end of this eleven-week program, students take the

City-Wide Benefits, *continued*

state certification examination during the course at no cost to the student.

- Medical Explorers: Provides opportunity for High School students to experience a combination of lecture, experiential learning, and hand-on skills practice. MMC also offers summer internships and opportunities through the school year for High School students to meet, observe and interact with many disciplines in the medical profession.
- Doc for a Day: MMC provides students, chosen from underrepresented minority groups or educationally or economically disadvantaged backgrounds, an overview of what is involved in becoming a physician, and participate in hands on clinical activities in the simulation lab.
- Disaster Preparedness and Emergency Services: MMC is deeply involved in disaster planning at the local and State levels. It is one of three state Regional Resource Centers for Emergency Preparedness, and the hospital has a full-time Director of Emergency preparedness. Additionally, MMC is a member Southern Maine Regional Resource Center for Health Emergency Preparedness, which coordinates all Emergency Preparedness Activities of the Southern 4 Counties

of Maine including: York, Cumberland, Sagadahoc and Lincoln. These Public Healthcare Emergency services include services and support to other local Hospitals and Medical Centers, Laboratories, Clinics and Ambulatory Centers, Assisted Living and Long Term Care Facilities and Home Health Agencies in the greater Portland Community.

- Financial Support to Community Agencies: MMC supports financially and provides in kind services to various community agencies and sponsors events throughout the City, including the Heart Walk; American Cancer Society walk, Hospice of Southern Maine, Let's Go Program, Ronald McDonald House, March of Dimes and National Multiple Sclerosis Society. MMC and its employees participate in the United Way, which donations benefit numerous local agencies.

Fig.7.2 Photographs from Community Benefit Events Supported by MMC



The Annual Maine Children's Cancer Program (MCCP) Walk



Tobacco Cessation Program



Park Clean-Up

DRAFT

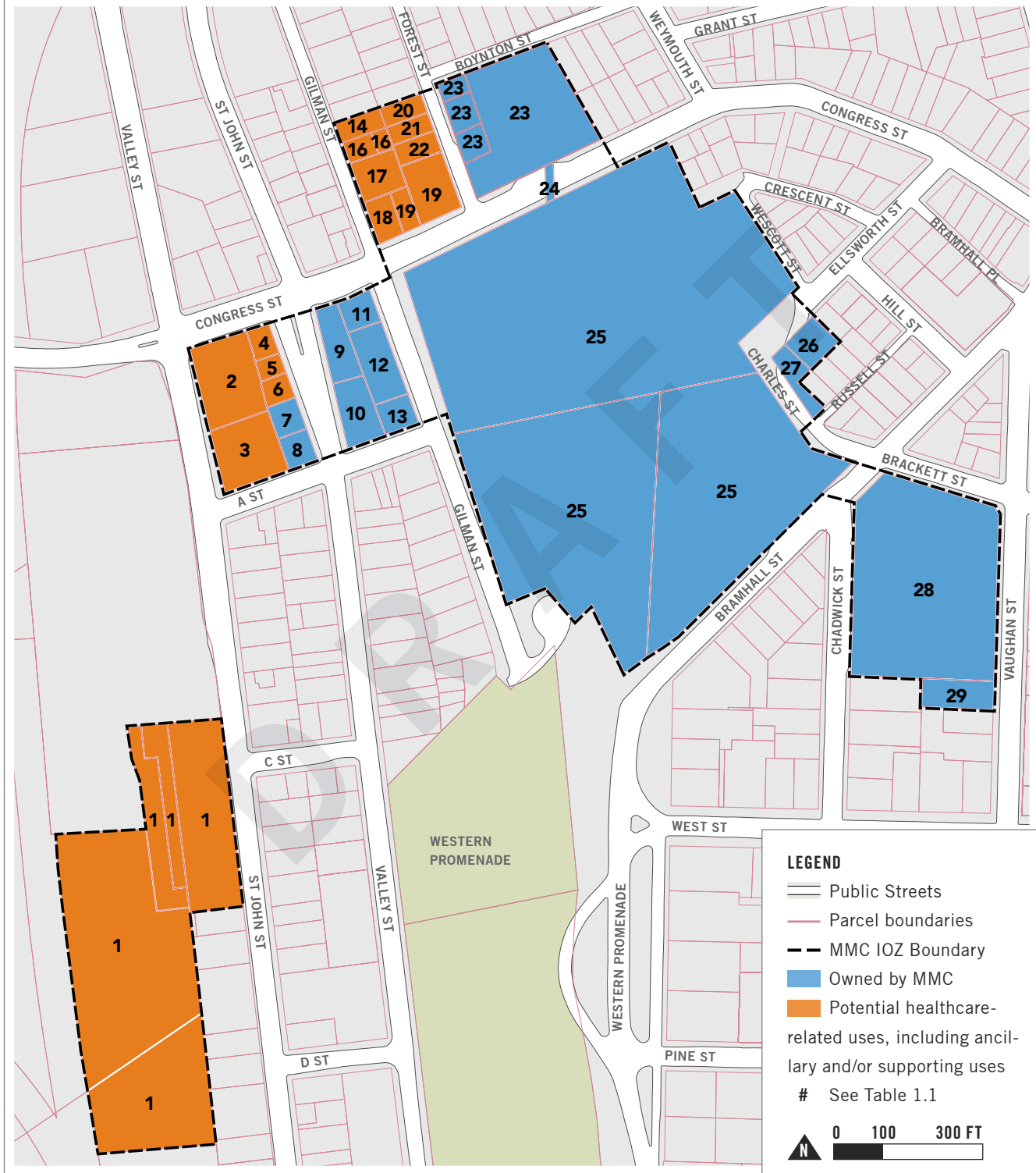


Institutional Overlay Zone (IOZ) Regulatory Framework

INTERNAL DRAFT FOR REVIEW BY MMC / March 20, 2017

1. BOUNDARY

MAP 1.1 Maine Medical Center IOZ Boundary



1. BOUNDARY

TABLE 1.1 List of Properties Included in the Maine Medical Center IOZ

Map#	Legal Description	Address	Acreage	MMC Title?
1	64-A-2-8-9-11 74-A-7 / 75-A-6	222 St John St	4.6516	No
2	65-G-1	950 Congress St	0.4628	No
3	64-B-1	275 St John St	0.4163	No
4	65-G-2	942 Congress St	0.0659	No
5	65-G-3	940 Congress St	0.0482	No
6	65-G-4	274 Valley St	0.0667	No
7	65-G-5	268-70 Valley St	0.0978	Yes
8	64-B-2	264 Valley St	0.0895	Yes
9	65-H-1	932 Congress St	0.1864	Yes
10	65-H-9	261 Valley St	0.2185	Yes
11	65-H-2	930 Congress St	0.1040	Yes
12	65-H-5	52 Gilman St	0.2384	Yes
13	65-H-8	44 Gilman St	0.1128	Yes
14	65-E-18	93 Gilman St	0.0826	No
15	65-E-22	85 Gilman St	0.0565	No
16	65-E-32	85 Gilman St	0.0282	No
17	65-E-24	81 Gilman St	0.1653	No
18	65-E-28	919 Congress St	0.1059	No
19	65-E-29-30	909 Congress St	0.3233	No
20	65-E-21	18 Forest St	0.0831	No
21	65-E-23	14 Forest St	0.0826	No
22	65-E-25	12 Forest St	0.0883	No
23	53-I-1-2-3-12	887 Congress St	1.3400	Yes
24	53-X-1	Congress St Air Rights and Pedestrian Walkway	---	Yes
25	53-D-7 54-H-1 64-C-1	22 Bramhall St	12.563	Yes
26	54-C-6	34 Ellsworth St	0.1341	Yes
27	54-C-10	40 Ellsworth St	0.1155	Yes
28	54-I-1	308 Brackett St	2.5200	Yes
29	63-B-8	214 Vaughan St	0.1983	Yes

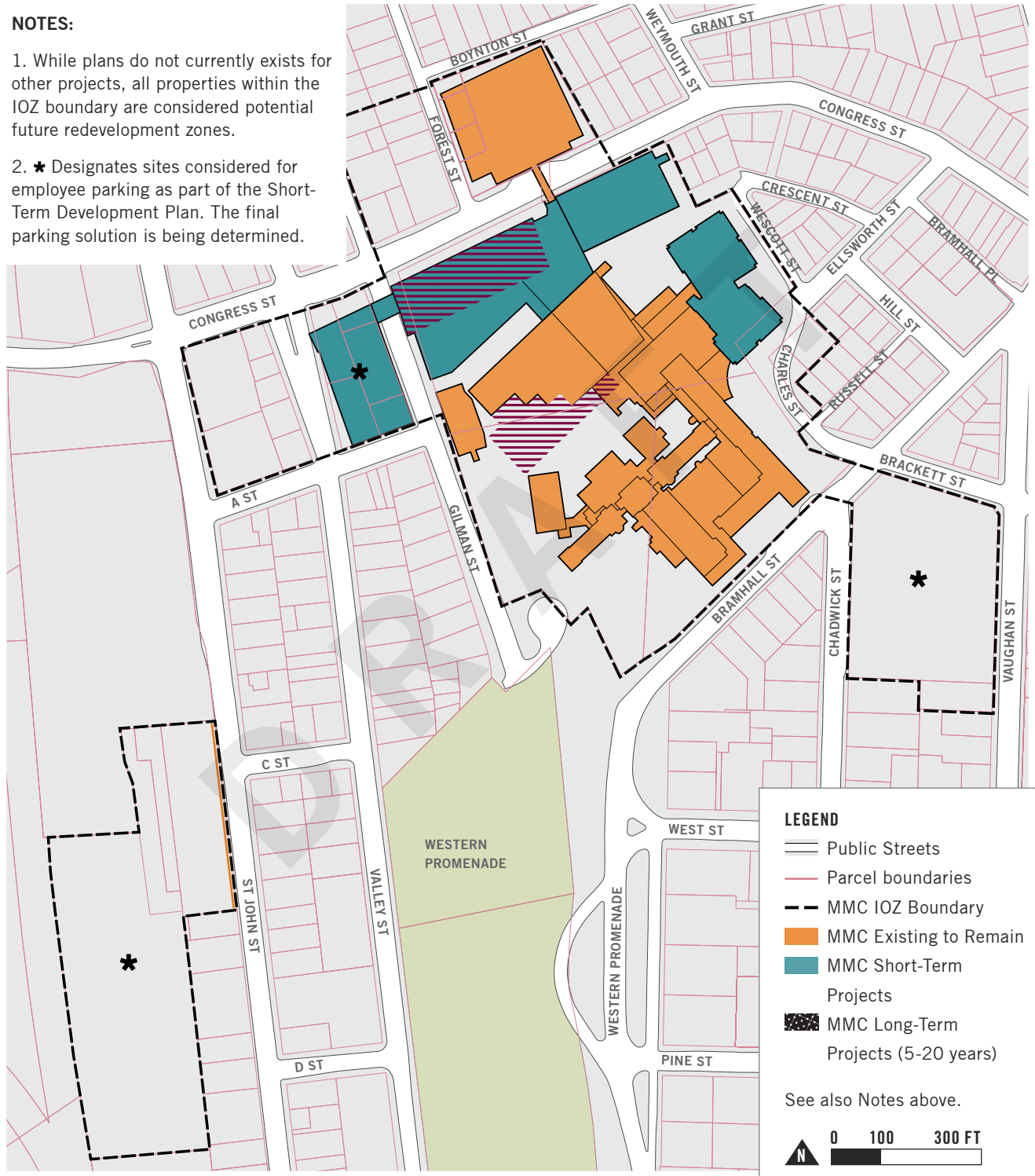
Notes: Properties owned by MMC are listed under Maine Medical Center or MMC Realty Corp.

2. PHASING AND SCHEDULES

MAP 2.1 Maine Medical Center Development Phasing Plan

NOTES:

1. While plans do not currently exist for other projects, all properties within the IOZ boundary are considered potential future redevelopment zones.
2. ★ Designates sites considered for employee parking as part of the Short-Term Development Plan. The final parking solution is being determined.



2. PHASING AND SCHEDULES

TABLE 2.1 Thresholds for Plan Amendments

Plan Name	Threshold for Update
Maine Medical Center Institutional Development Plan (IDP)	Every ten (10) years, or, prior to development projected to increase total facility holdings by more than 800,000 GSF of healthcare uses, not including parking.
Maine Medical Center Transportation Demand Management (TDM) Plan	Every five (5) years. Monitoring reports to be provided every 5 years upon request by the City.

3. USES

TABLE 3.1 List of Uses Permitted by Right within the IOZ	
Healthcare facilities including but not limited to the following ancillary and/or supporting uses:	
• Hospital • Medical Office / Clinic • Laboratory Center / Services • Research and Development Laboratory or Facility • Educational Facility / Conference Center • Administrative / Business Office • Accessory Service or Trade Uses • Guest House • Medical Resident Apartments • Rehab / Skilled Nursing Facility	• Retail Facility • Restaurant / Cafe • Employee Service Amenities • Day Care Center (Child / Adult) • Fitness Center or Gymnasium • Parking Lot • Parking Garage • Bicycle Storage • Heliport • Antenna Station

4. DIMENSIONAL REQUIREMENTS

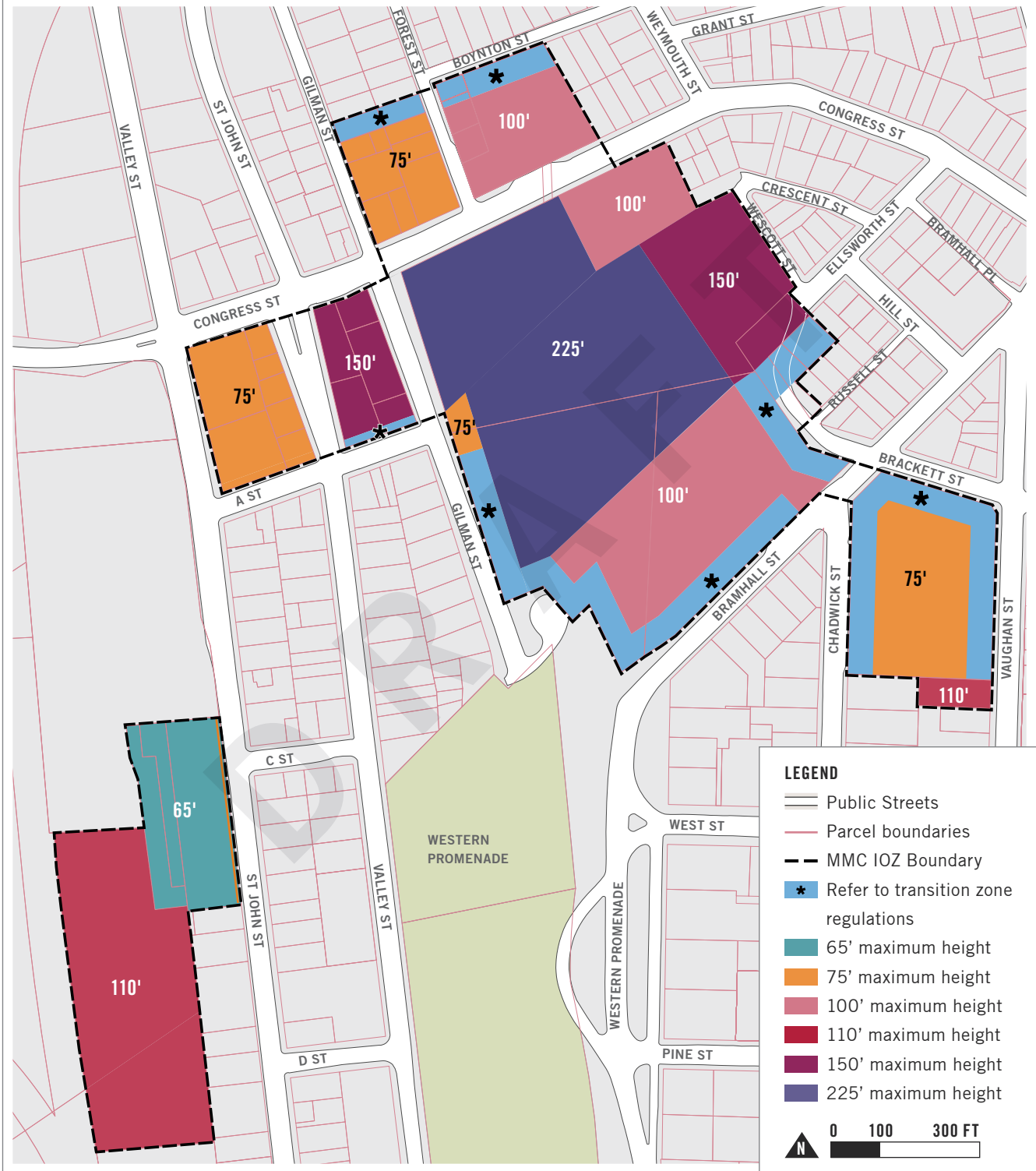
TABLE 4.1 Dimensional Requirements

Building Heights (max.)	See Map 4.1. for maximum building heights.
Floor-Area-Ratio (max.)	None
Building Setbacks (min.)	See Map 4.3 for minimum building setbacks.
Congress Street Build-to-Zone*	A Build-to-Zone is identified for properties that abut Congress Street. The Congress Street Build-to-Zone extends between 0 to 40 feet from the right-of-way boundary. Buildings located in these parcels must have a minimum of 70% of the façade facing Congress Street located anywhere within the build-to-zone.
Transition Zones	Transition zones are identified inside the IOZ boundary in areas where the IOZ abuts or is located across a public right-of-way from a residential use district or a historic-designated district. See Map 4.2. for location of transition zones. - Transition zones that abut a Residential District <u>with</u> an intervening public right-of-way that is not an alley shall have a height limit that matches the maximum height across in the Residential District. - Buildings located in transition zones that abut a Historic District may be subject to review by the Historic Preservation Board per the City of Portland zoning ordinance. - In areas where the IOZ abuts a Residential or Historic District without an intervening public right of way or an alley, minimum side and rear yard requirements of the abutting Residential or Historic District apply within the IOZ boundary.

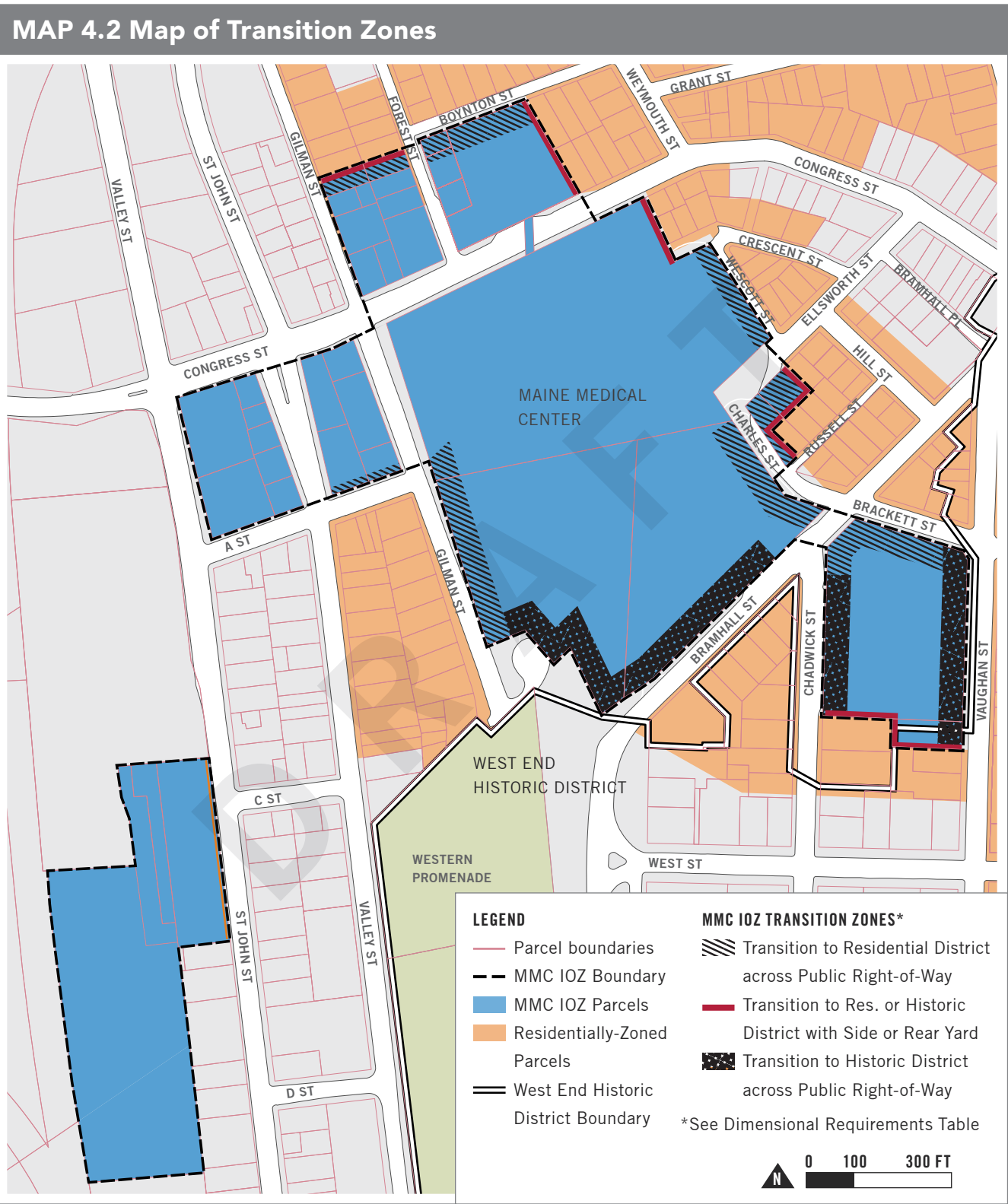
*A "build-to zone" is the area on the lot where all or a portion of the street-facing building facade must be located, measured as a minimum and maximum yard (setback) range from the public right-of-way boundary.

4. DIMENSIONAL REQUIREMENTS

MAP 4.1 Building Heights Map

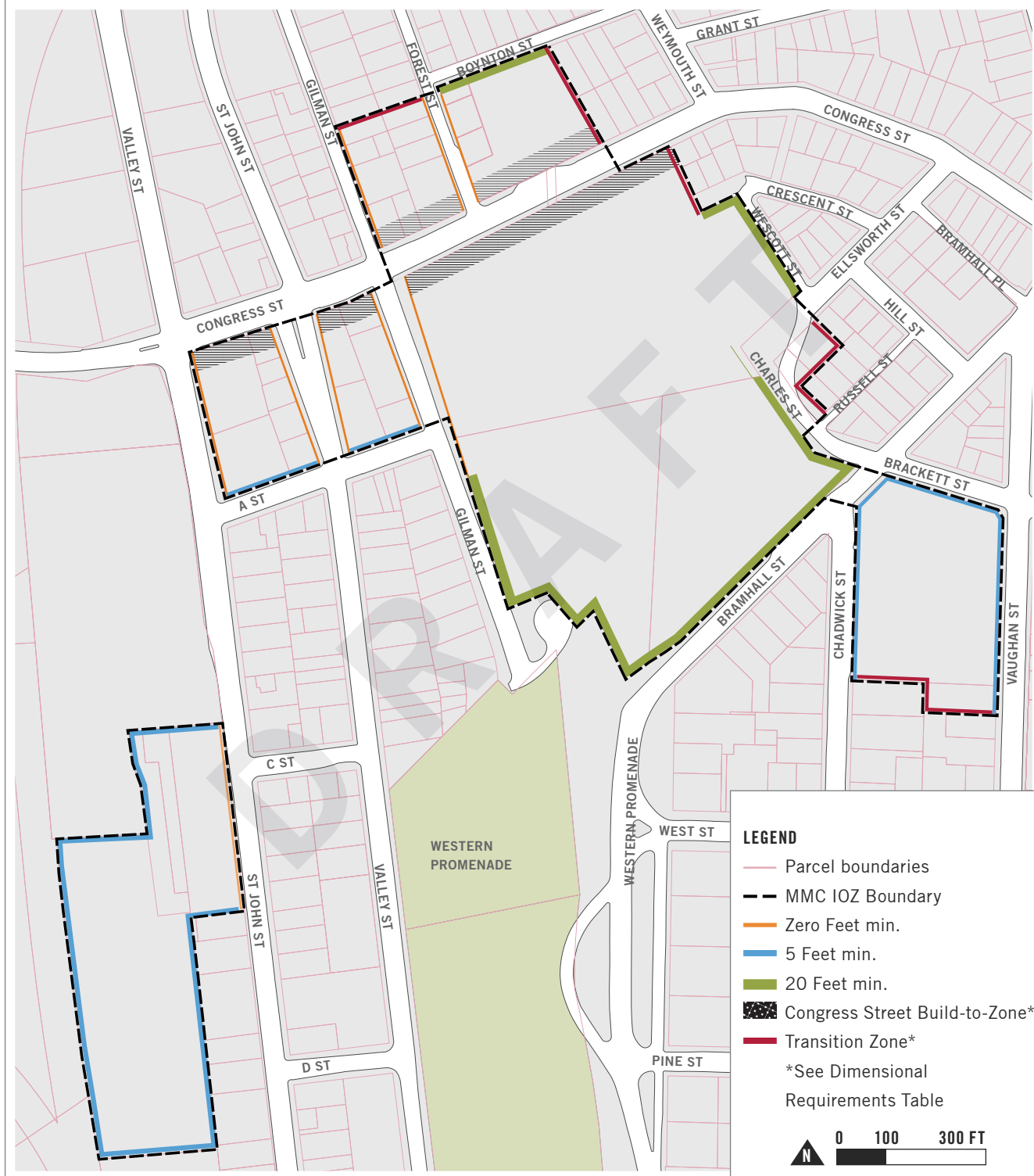


4. DIMENSIONAL REQUIREMENTS



4. DIMENSIONAL REQUIREMENTS

MAP 4.3 Map of Minimum Setbacks



5. TRANSPORTATION

- A. Maine Medical Center shall comply with City of Portland Site Plan Standards for ensuring pedestrian, vehicular, bicycle and transit access and safety.
- i. Sidewalk Material: In order to maintain the safety of patients and visitors to/from the hospital, MMC need not comply with the City's brick sidewalk policy but may use alternative material substantially similar to that used along the sidewalks abutting the Bramhall Street entrance.
- B. Maine Medical Center shall endeavor to meet a TDM trip reduction target of 65 by year 2020.
- C. Maine Medical Center shall meet thresholds for access improvement upon the issuance of a Traffic Movement Permit.
- D. Maine Medical Center shall provide no less than 915 parking spaces for patients and visitors and no less than 2325 parking spaces for employees. Parking requirements shall be revised with every TDM update.

6. SITE PLAN REVIEW

The following elements shall be considered by the Planning Board at Level III Site plan review:

- Building envelope design
- Landscape and public realm design
- Vehicular circulation and safety
- Pedestrian and bicycle safety measures
- Mitigation measures for development impact
- Construction management approach

7. OTHER REQUIREMENTS

A. Helipad Permitted Use and Specifications

The Helicopter Landing Pad shall not be subject to the provisions of section 14-409 (Heliports), but shall be governed by the provisions of the Helistop Overlay Zone (Sections 14-325 through 14-327), except as follows:

- i. Setbacks. Because it is to be located on the roof of an existing structure, the landing pad shall not be required to meet the setback requirements of Section 14-327(3) or the fencing requirements of Section 14-327(4).
- ii. Flight Routes. MMC shall identify preferred flight routes, to be approved by the CITY, designed to minimize noise impact of helicopter flights on surrounding residential areas, shall notify all flight providers likely to use the Helicopter Landing Pad of such preferred routes, and shall take the following measures to ensure that such preferred routes are utilized whenever weather conditions, safety considerations and the best interests of the patient being transported permit, with the expectation that this will be the usual case. MMC will instruct all providers which regularly use the Helicopter Landing Pad that pilots must file an exception report with the Air Medical Provider Administration of Lifeflight of Maine or its successor entity for operations modified for safety

considerations or at the direct request of Approach Control at the Portland International Jetport. Logs of these exception reports will be made available to MMC and to the City upon request but no more frequently than annually. When and if the Portland Jetport has the capacity to maintain and preserve data which specifically identifies flight routes actually taken by aircraft utilizing the Helicopter Landing Pad, the City shall consult such data to review compliance with this paragraph, and MMC, upon request of the City, shall be responsible for the cost of translating this data into usable form but not for the costs of the flight monitoring.

Initially, such preferred flight routes shall be as shown on the flight map (see **Map 7.1**). At the initiative of either the City or MMC, the map of preferred flight routes may be amended from time to time by agreement between MMC and the City.

MMC will continue to engage providers of helicopter emergency medical transport who operate in compliance with the "Fly Neighborly Guide," third edition, (and any subsequent revisions) prepared by the Helicopter Association International Fly Neighborly Committee and published by the Helicopter Association International.

Helicopter landings on the Helipad shall be used for emergency patient care only, and on the rare occasion for emergency management training by federal or state management agencies or U.S. military or government aircraft.

7. OTHER REQUIREMENTS

MAP 7.1 MMC Helicopter Flight Path



7. OTHER REQUIREMENTS

B. City Snow Ban Parking

MMC recognizes that City snow ban parking locations in the vicinity of MMC is limited. MMC also recognizes the need to prioritize its parking for patients, visitors and staff. However, during winter months when the City of Portland implements citywide parking bans for snow plowing and or snow removal, MMC will offer to its neighbors the ability to park in a designated area of the Forest Street garage for so long as such spaces are not needed to service MMC and according to the following requirements:

Hours: Due to the patterns of patient flow in the hospital, the hours that we are able to offer community parking during the announced City of Portland Snow Parking Bans is strictly limited to 6:00pm until 6:00am. On Saturdays and Sundays, the morning deadline is 8:00am.

Note: Vehicles that are not moved out of this Lot prior the applicable time each morning will be towed, without notice, and at the owner's expense.

C. Signage

MMC shall abide by the requirements of sections 14-366 through 14-372.5 of the Portland Land Use Code, except as otherwise approved by the Portland Planning Board under Chapter 14, Article V.

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Institutional Development Plan

City of Portland
Planning Board Public Workshop

June 27, 2017



Cancer | Cardiology & Heart Surgery | Geriatrics | Gynecology
Nephrology | Orthopedics | Pulmonology | Urology



Jeffrey D. Sanders

Executive Vice President and Chief Operating Officer
Maine Medical Center

TDM Strategies for MMC

Short-term

- “Get-on-Board!” Coordinator
- Increased education & marketing
- Enhanced financial incentives
- Comprehensive data collection
- Complementary support programs

Long-term

- Alternative Transit Collaboration
- Transportation Management Association (“TMA”)
- Transportation infrastructure and realistic alternatives

Parking Alternatives

- Three sites are still being assessed
- More attention being paid to 222 St. John
- Discussion with EBC ongoing
- Governance review and approval required

Adam Parys

Project Manager
Turner Construction

Turner Construction Company

- Experience building in occupied healthcare settings
- Experience working in and adjacent to residential neighborhoods
- Experience with controlled structural dismantling



MGH LUNDER BUILDING



SOUTH SHORE HOSPITAL



UMASS MEMORIAL MEDICAL CENTER



BOSTON CHILDREN'S HOSPITAL, WALTHAM



BOSTON CHILDREN'S HOSPITAL, LOBBY



YALE NEW HAVEN HOSPITAL, SMILOW CENTER



UCONN HEALTH INPATIENT TOWER & GARAGE



NORWALK HOSPITAL

Construction Management Framework

The Construction Management Framework in the IDP provides the guidelines by which the Construction Management Plan will be developed.

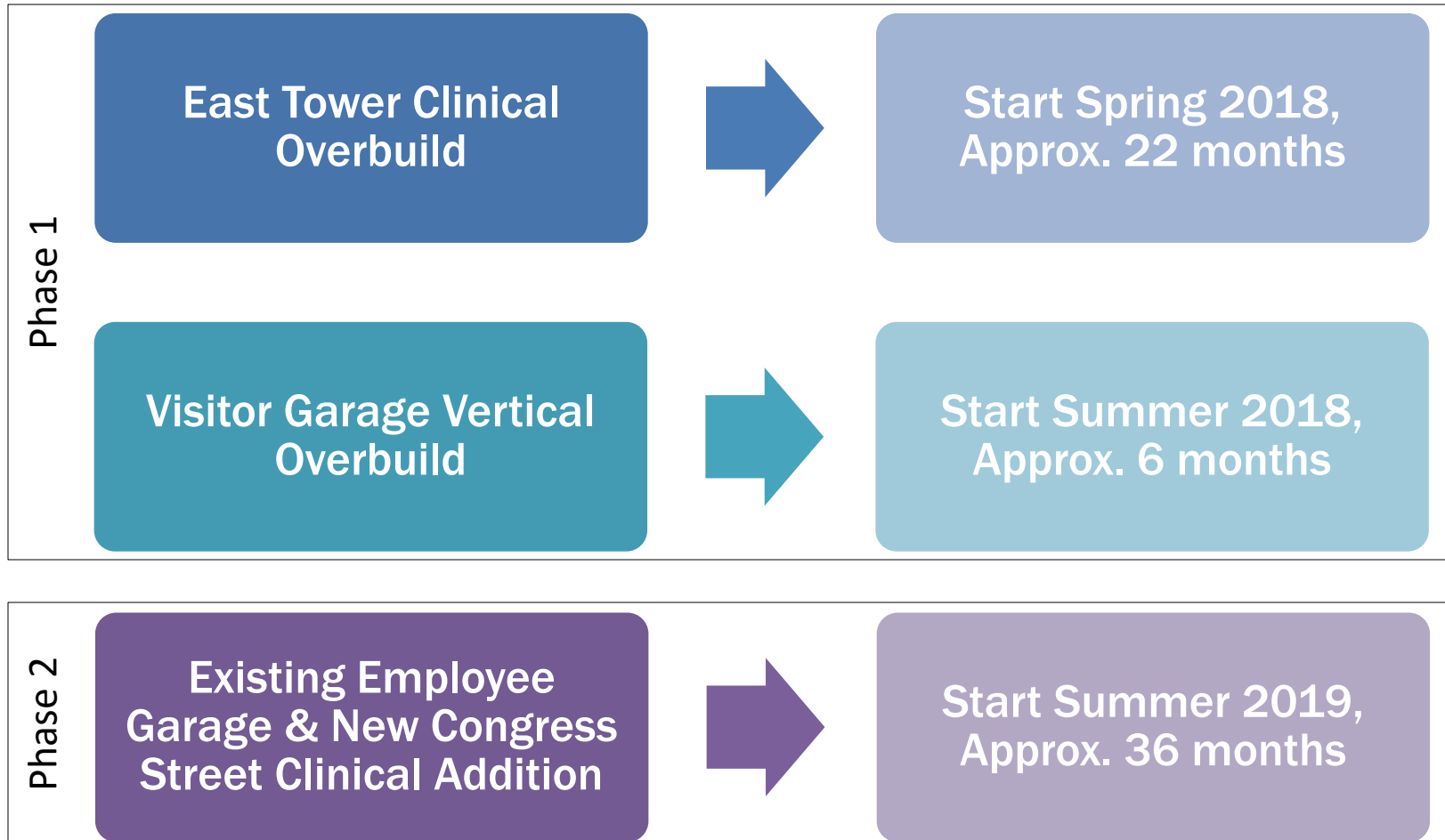
- Open Communication
- Public Safety & Access
- Traffic Routes
- Dust and Debris Management
- Noise Management
- Work Hours
- Workforce Management

Construction Management Plan

The Construction Management Plan will be developed with City and Neighborhood input and will provide specific detail on how the project will be managed.

- Open Communication
- Public Safety & Access
- Traffic Routes
- Dust and Debris Management
- Noise Management
- Work Hours
- Workforce Management

Schedule Overview



Basak Alkan

Senior Urban Designer

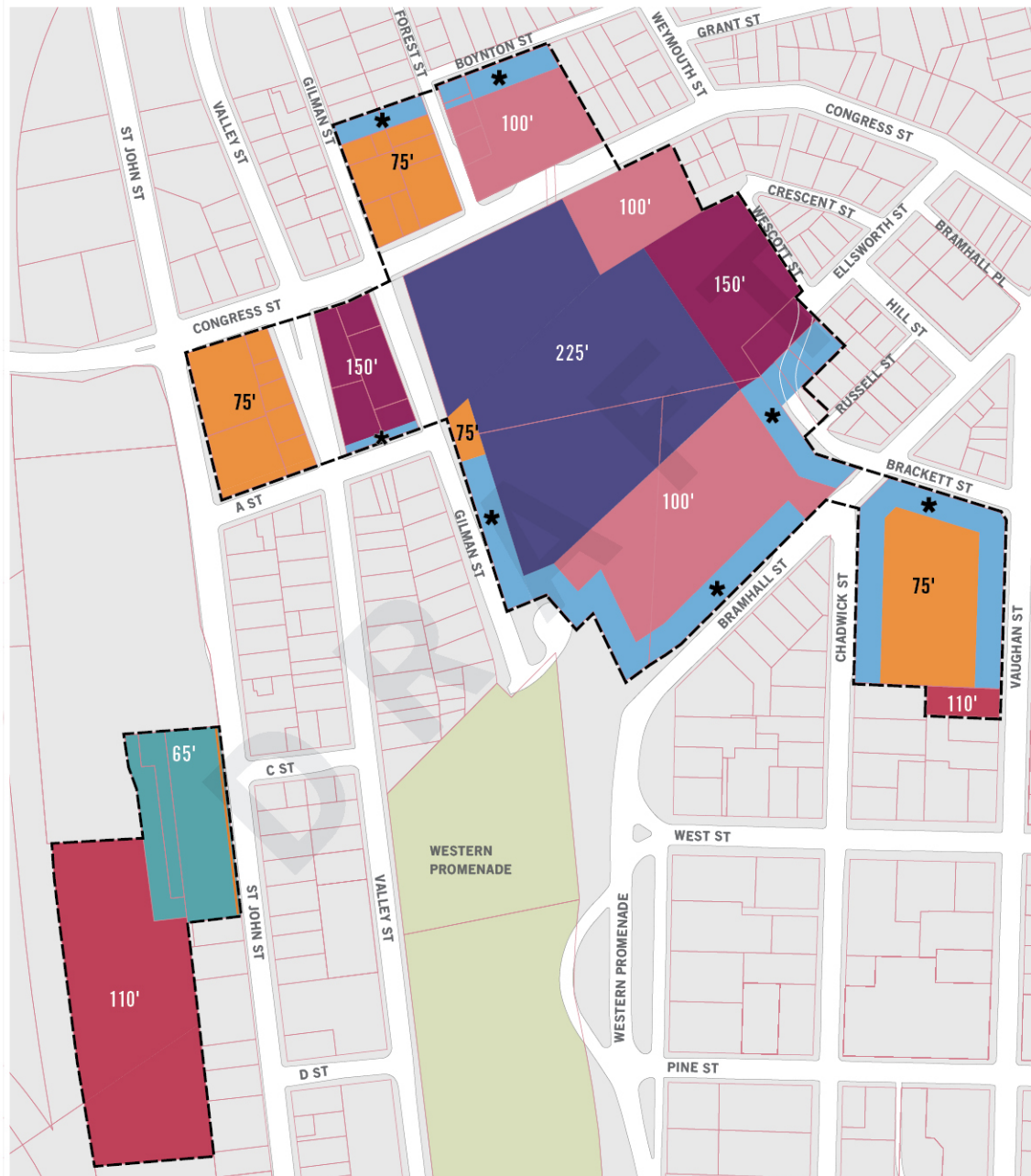
Perkins + Will

HEIGHTS PROPOSED BY MMC

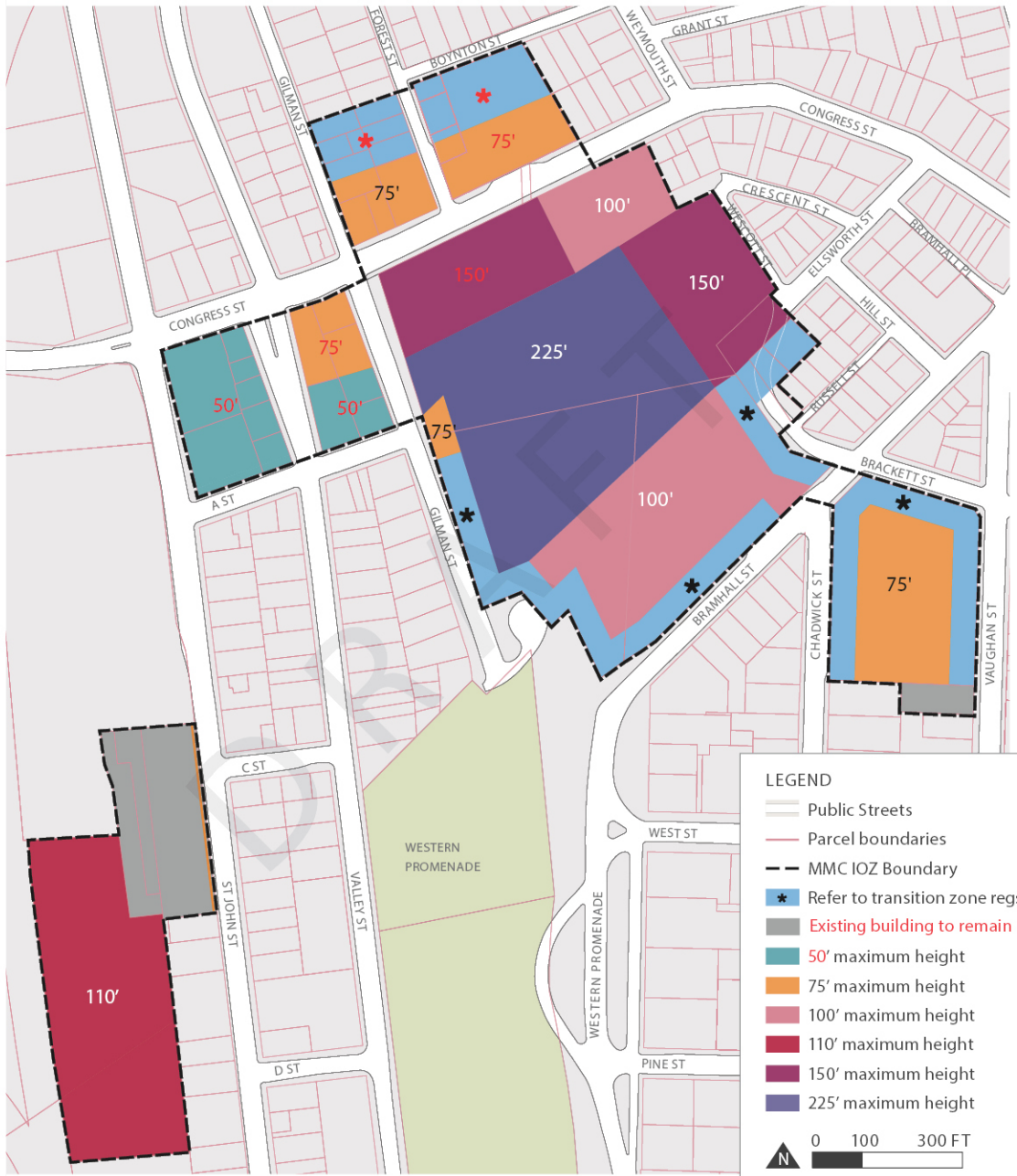
From last IDP submittal to the City,
dated April 7, 2017

LEGEND

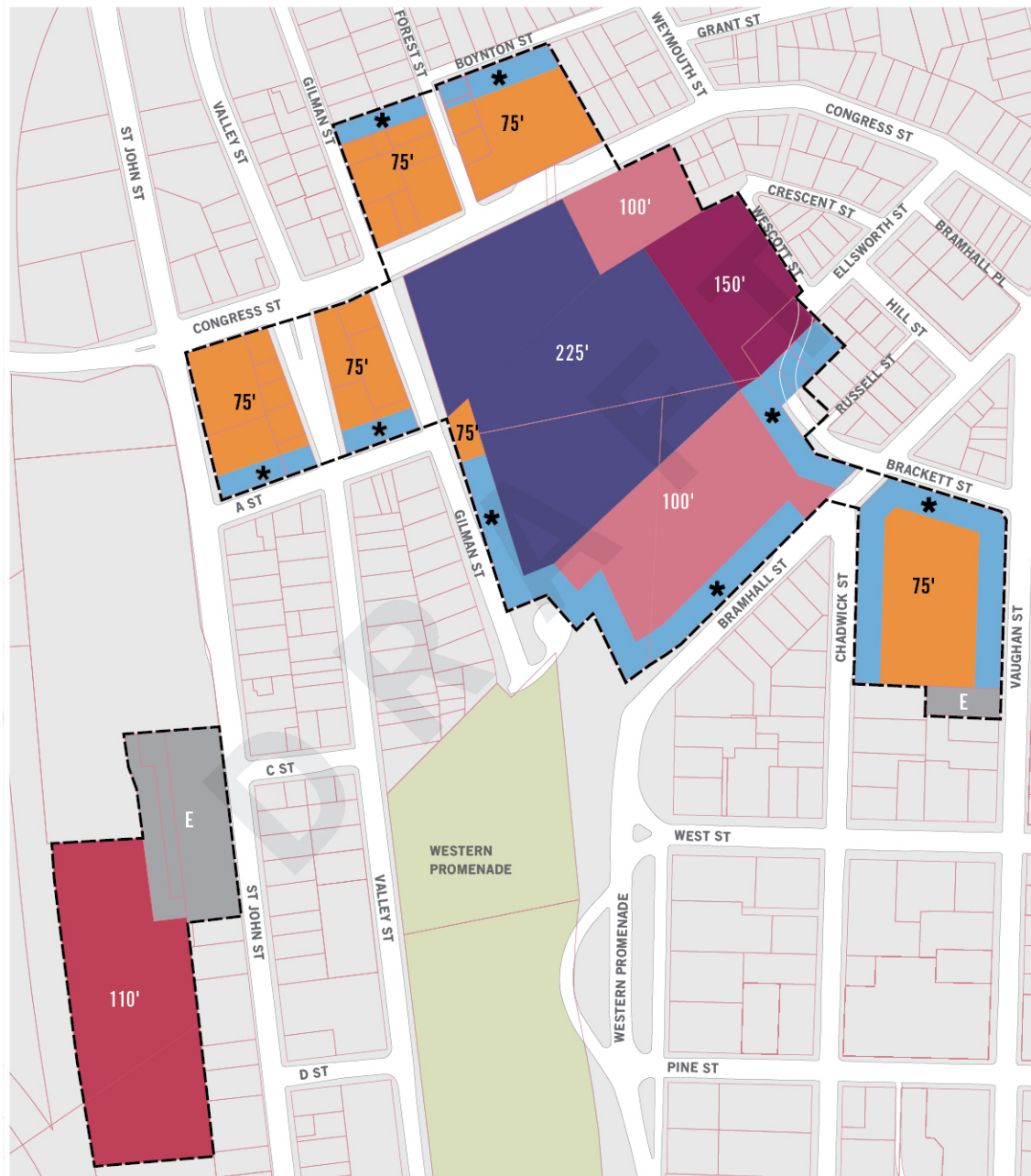
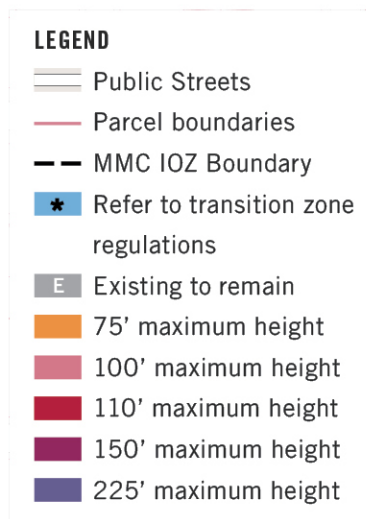
- Public Streets
- Parcel boundaries
- MMC IOZ Boundary
- * Refer to transition zone regulations
- 65' maximum height
- 75' maximum height
- 100' maximum height
- 110' maximum height
- 150' maximum height
- 225' maximum height



From email sent by Caitlin Cameron
on June 7, 2017



Note: Final heights will depend on location of parking garage.



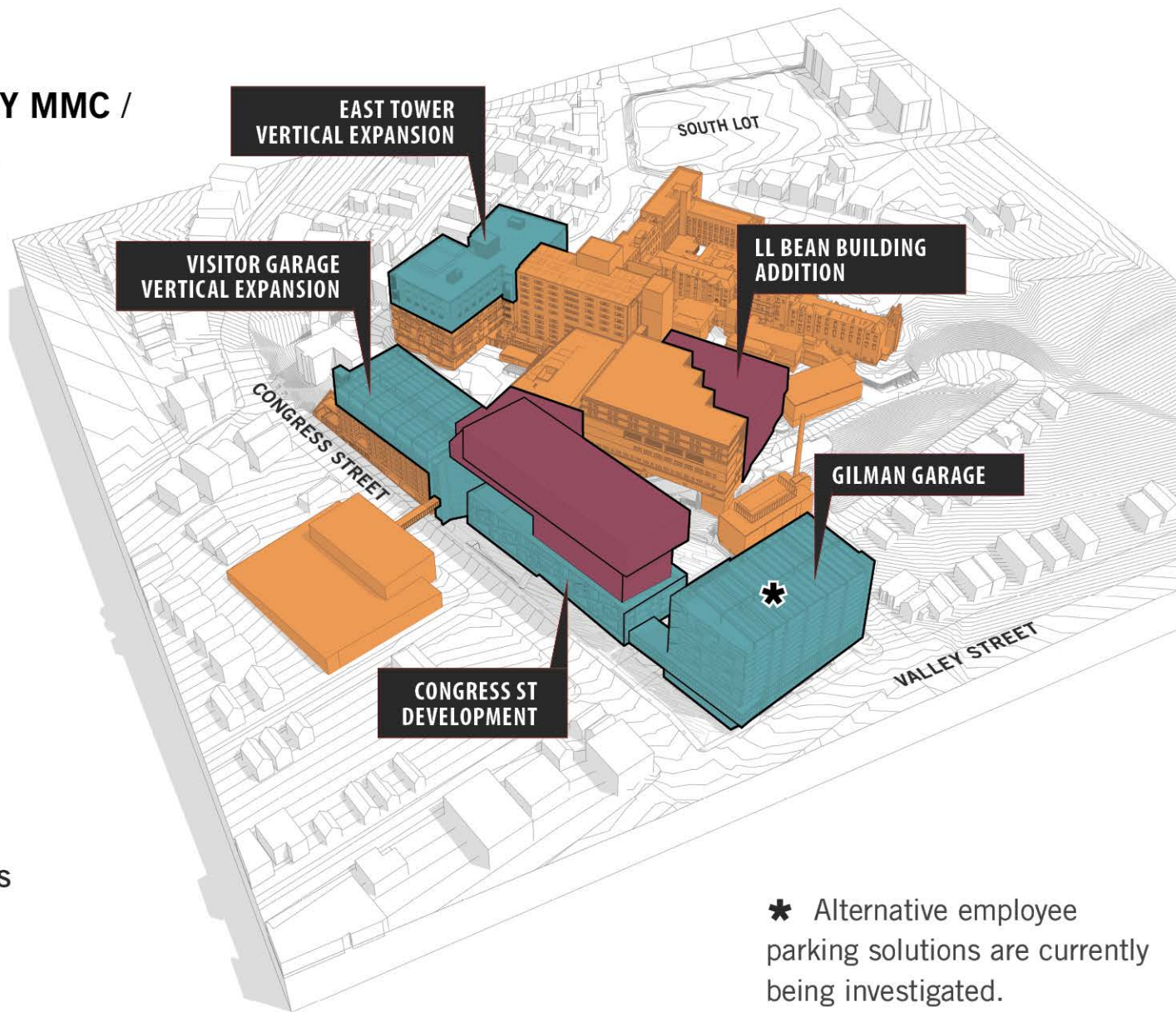
MMC'S METHODOLOGY FOR DETERMINING HEIGHTS

Part I: Project Definition

In areas that are identified for short- and long-term projects, the heights are determined by MMC's project needs identified in its master planning process.

HEIGHTS PROPOSED BY MMC /

Part I: Project Definition



- EXISTING MMC FACILITIES
- SHORT-TERM PROJECTS
- LONG-TERM PROJECTS

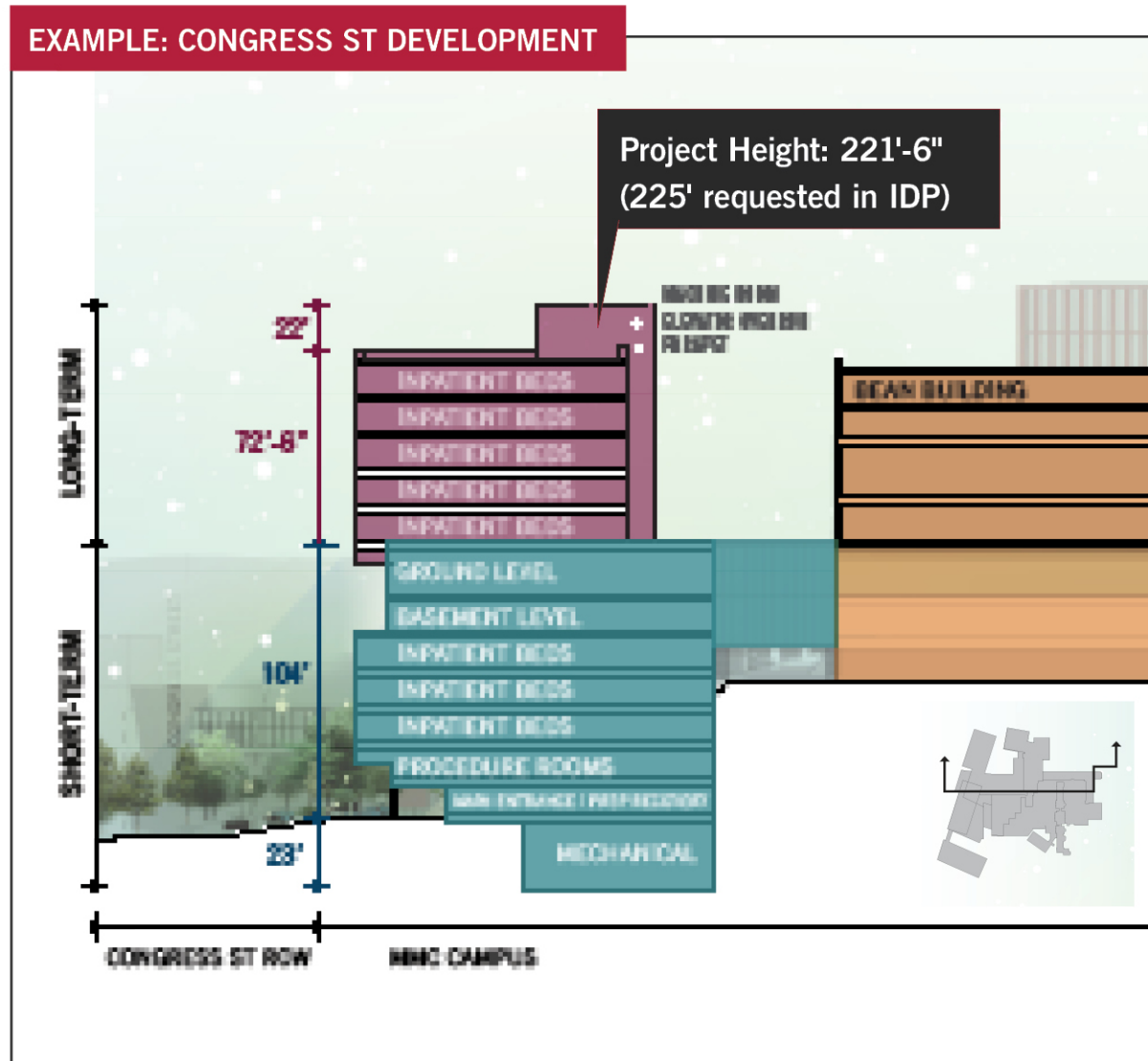
* Alternative employee parking solutions are currently being investigated.

HEIGHTS PROPOSED BY MMC /

Part I: Project Definition

EXAMPLE: CONGRESS ST DEVELOPMENT

- EXISTING MMC FACILITIES
- SHORT-TERM PROJECTS
- LONG-TERM PROJECTS



MMC'S METHODOLOGY FOR DETERMINING HEIGHTS

Part II: Urban Design Analysis

In areas where MMC does not currently have any projects planned, the following **urban design best practices** are applied to determine heights:

- transitioning heights to the scale of residential and historic neighborhoods
- testing blocks to allow for flexibility of future uses

HEIGHTS PROPOSED BY MMC /

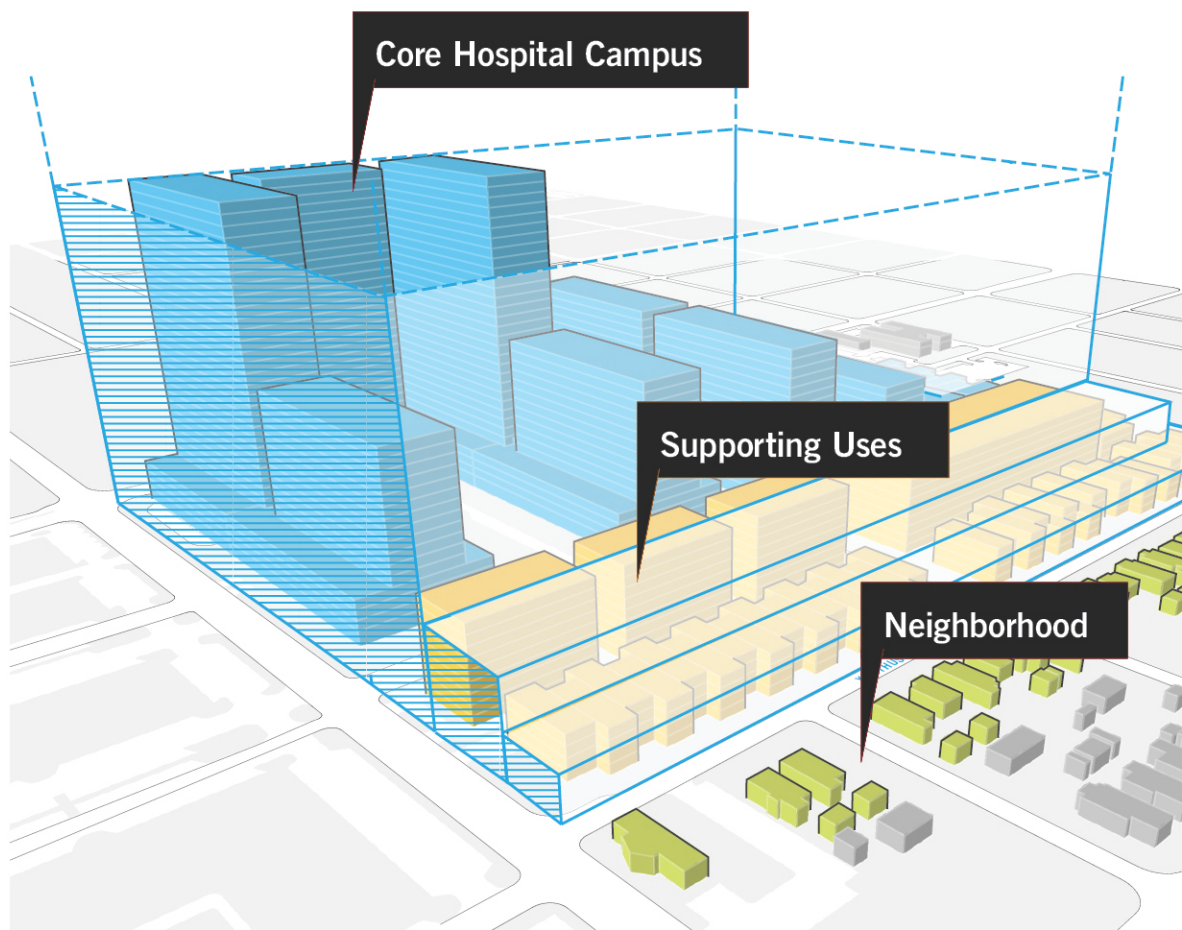
Part II: Urban Design Analysis

Best practices for transitioning heights:

- Matching heights on two sides of a public street
- Where possible, stepping down to the maximum heights allowed in neighborhood zoning along the edges

NOTE: In historic districts where structures are expected to remain, transitional heights may also match existing context.

CONCEPT DIAGRAM



HEIGHTS PROPOSED BY MMC /

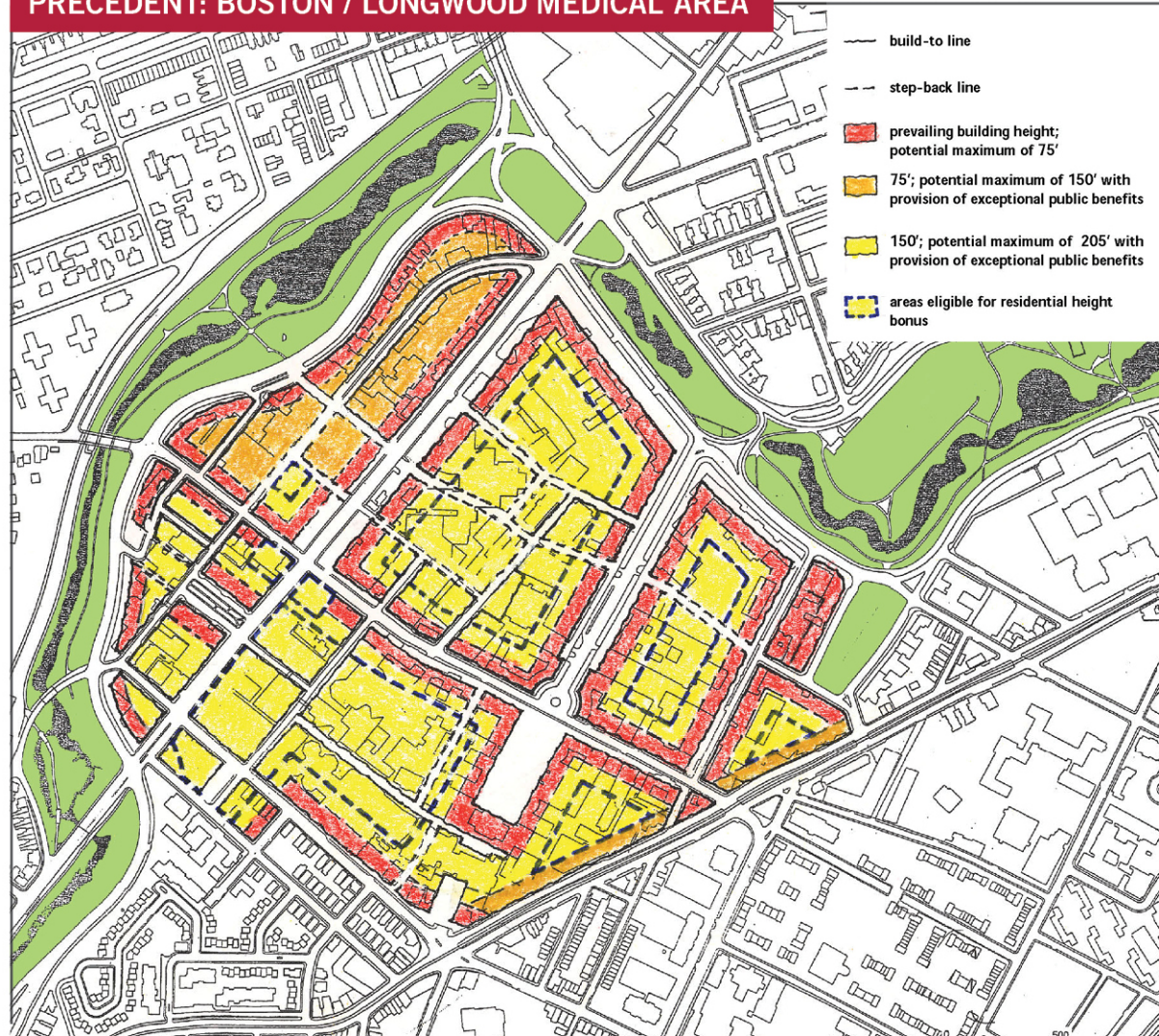
Part II: Urban Design Analysis

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PRECEDENT: BOSTON / LONGWOOD MEDICAL AREA



HEIGHTS PROPOSED BY MMC /

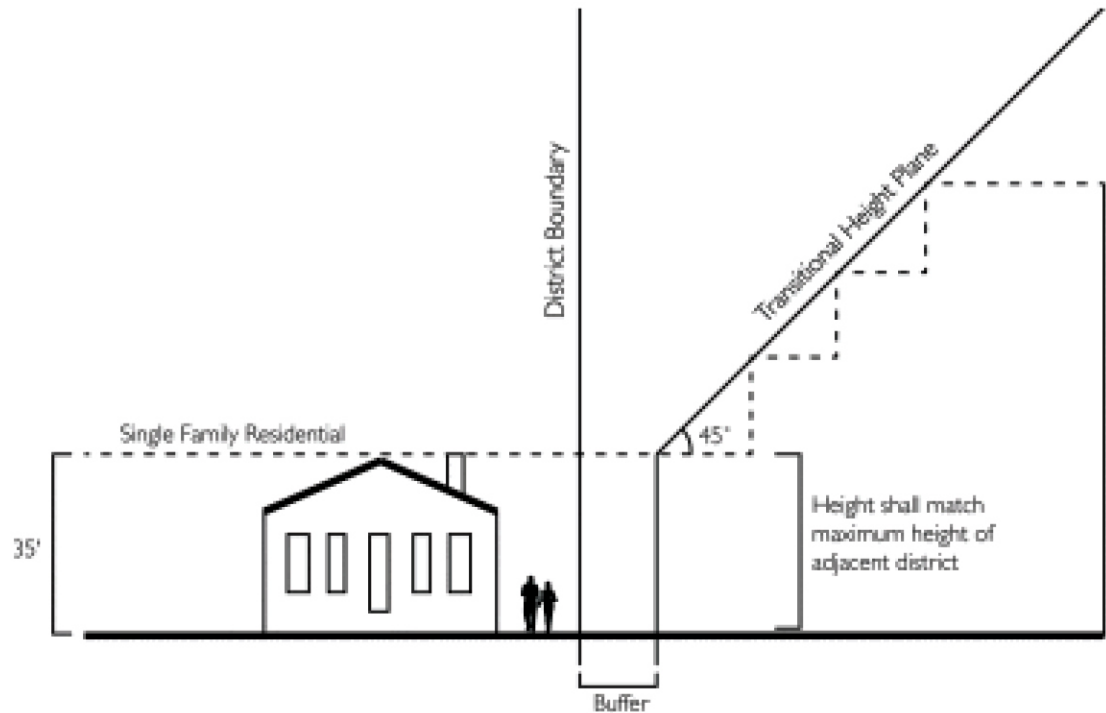
Part II: Urban Design Analysis

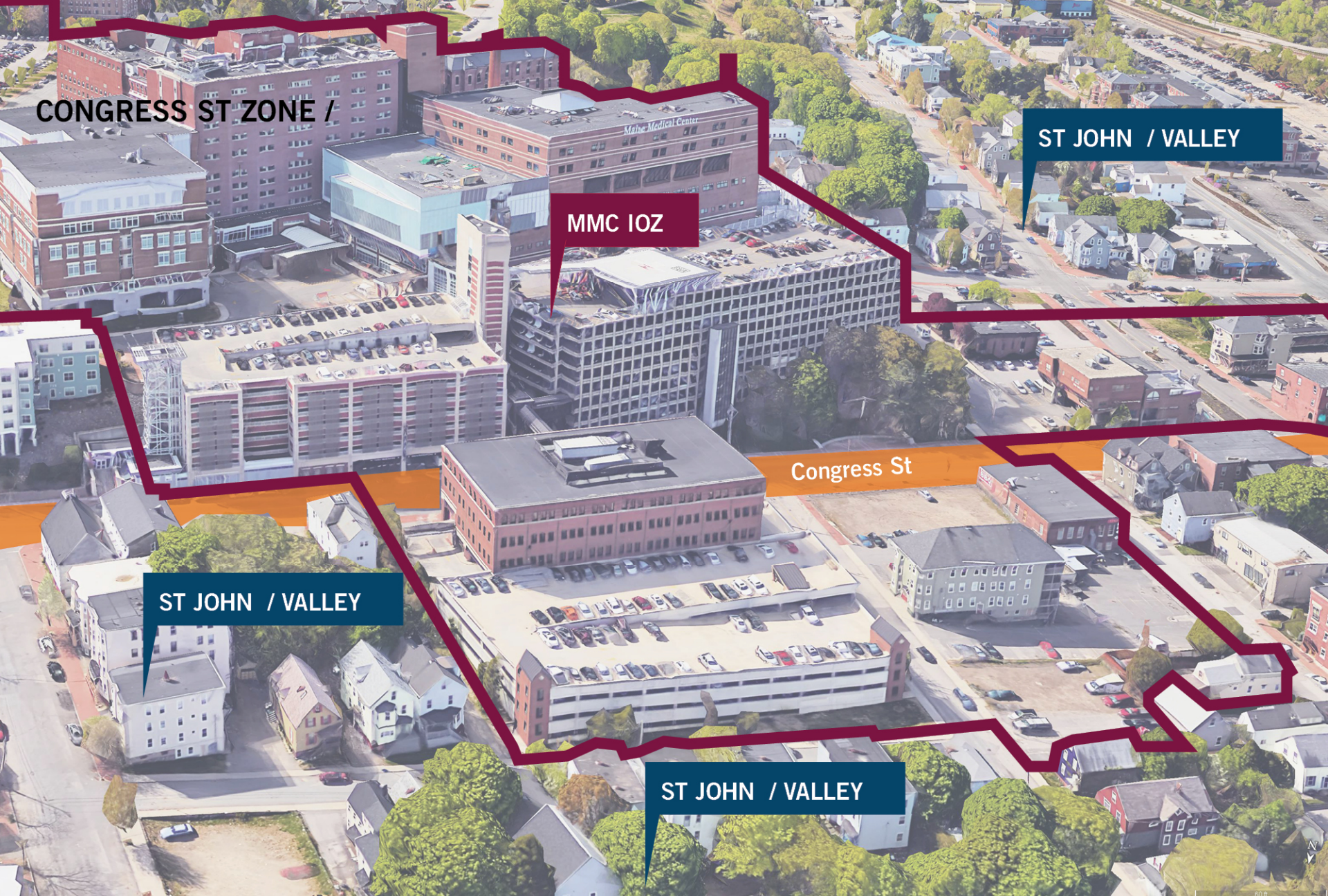
Many jurisdictions use a "transitional height plane" to identify appropriate heights for transitional zones.

- If the two districts are separated by a public street, the transitional height plane typically begins at the edge of sidewalk and at the maximum height of the residential district.

EXAMPLE: TRANSITIONAL HEIGHT PLANE

SOURCE: City of Atlanta Code of Ordinances





CONGRESS ST ZONE /

ST JOHN / VALLEY

MMC IOZ

Congress St

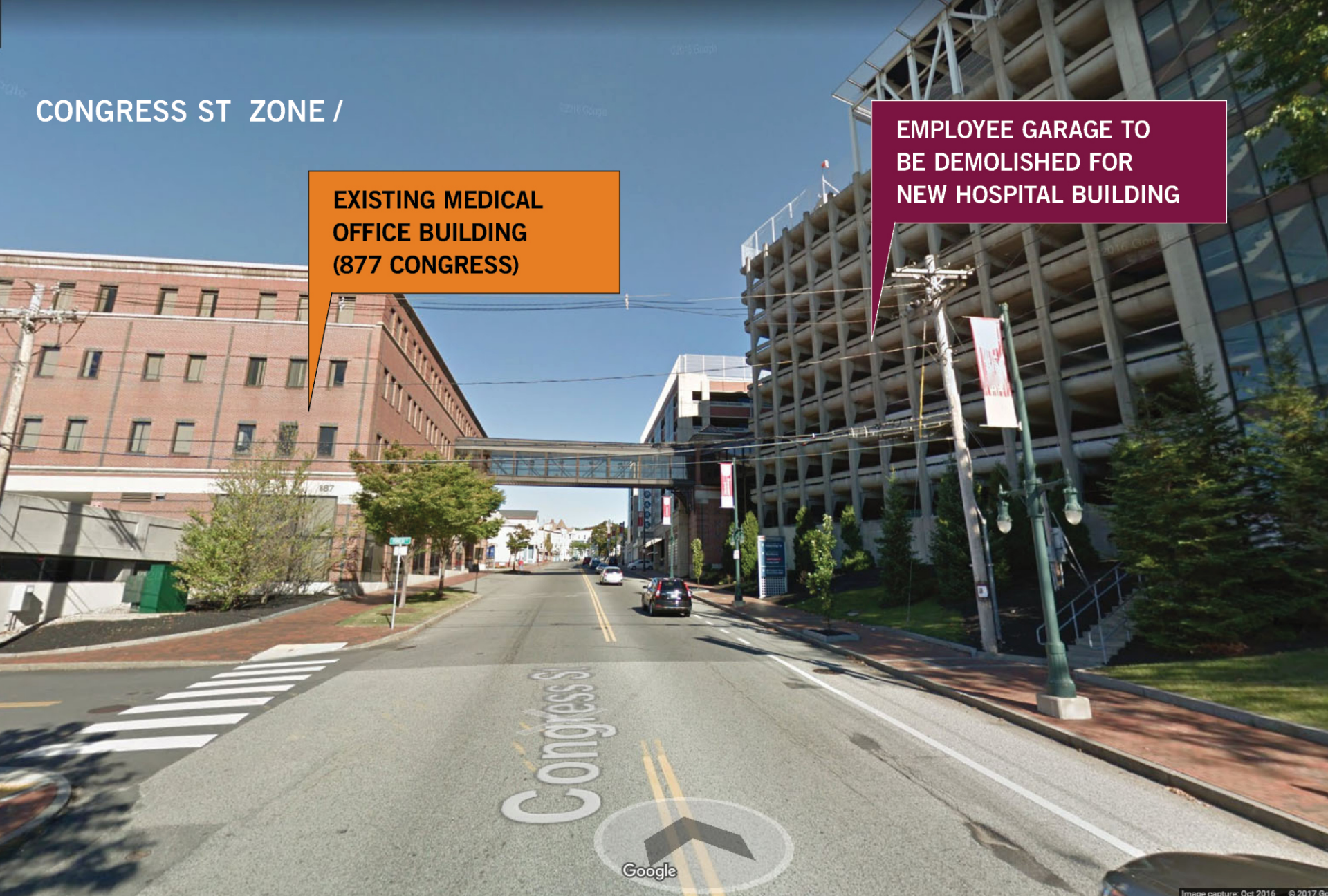
ST JOHN / VALLEY

ST JOHN / VALLEY

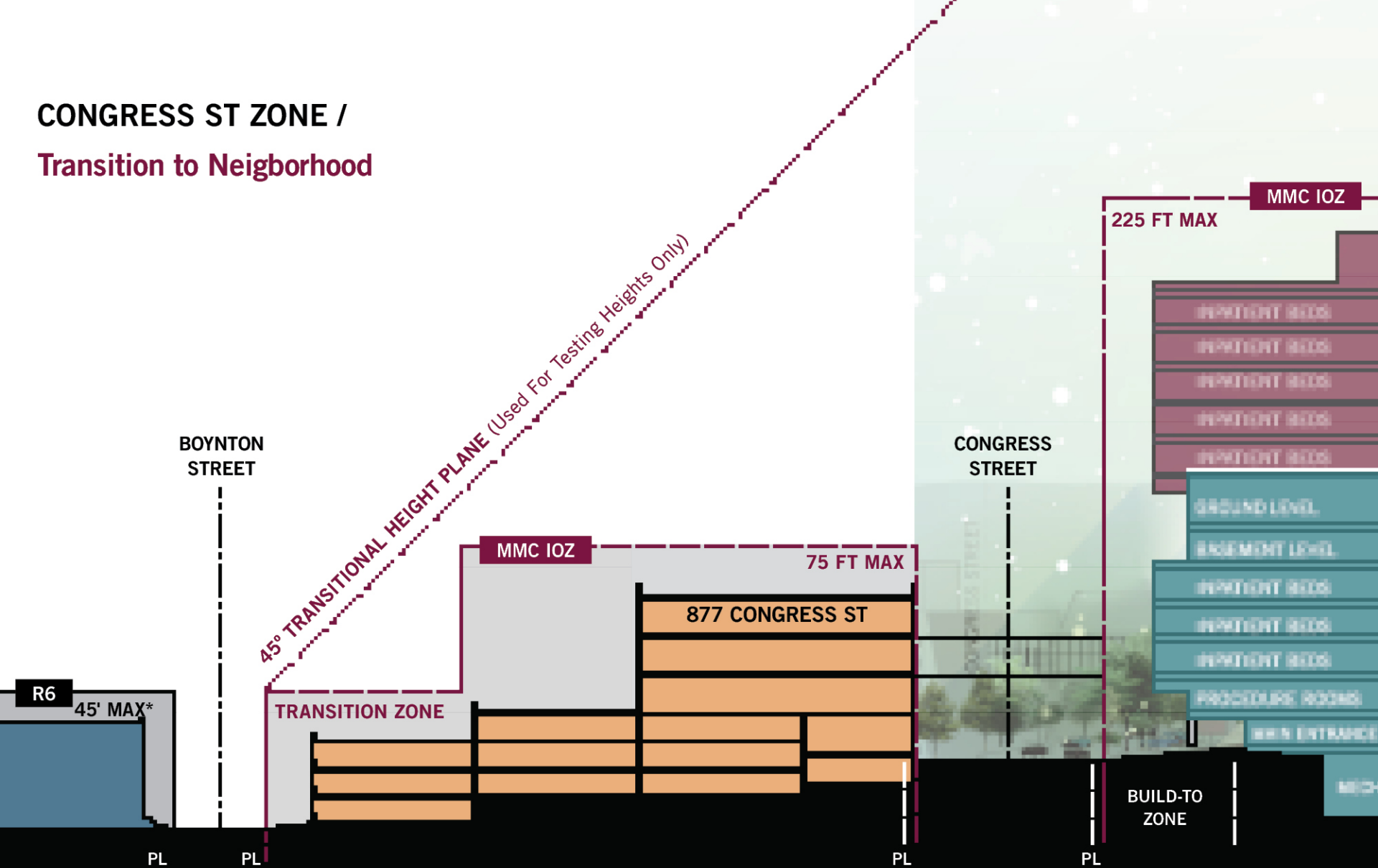
CONGRESS ST ZONE /

**EXISTING MEDICAL
OFFICE BUILDING
(877 CONGRESS)**

**EMPLOYEE GARAGE TO
BE DEMOLISHED FOR
NEW HOSPITAL BUILDING**



CONGRESS ST ZONE / Transition to Neighborhood



*Structural setbacks from side and rear property line apply above 35' within R6. See ordinance for details.

VAUGHAN ST /

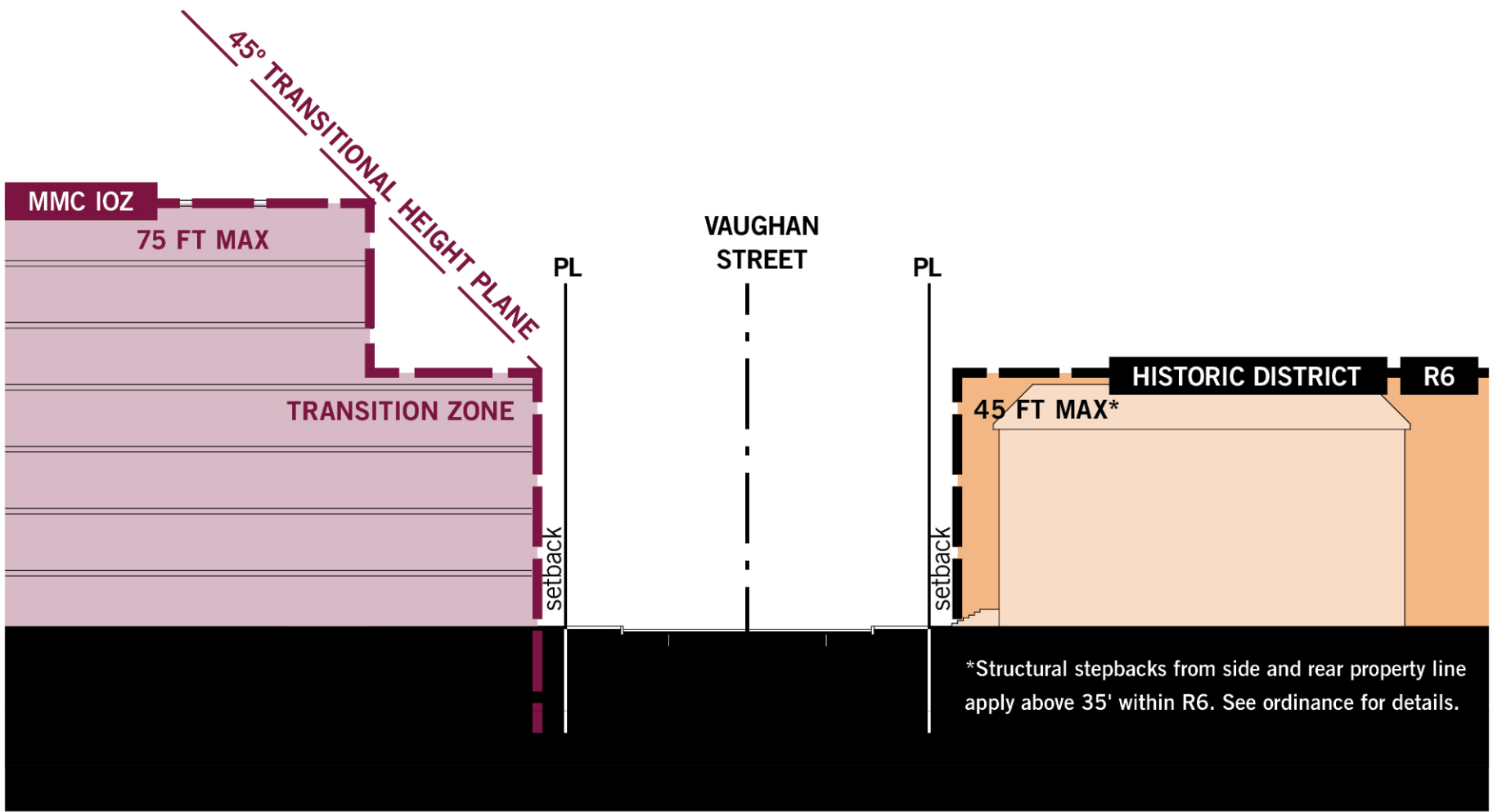
EXISTING MEDICAL OFFICE
BUILDING TO REMAIN
(HISTORIC DISTRICT / IOZ)

EXISTING PARKING
(WITHIN IOZ)

EXISTING RESIDENTIAL BLDGS
(HISTORIC DISTRICT)



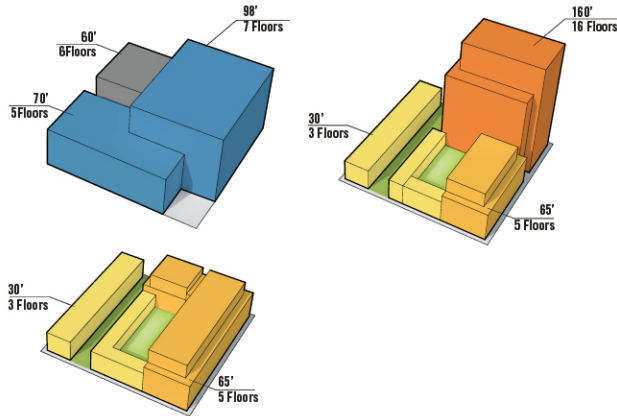
VAUGHAN ST - SOUTH LOT / Transition to Neighborhood



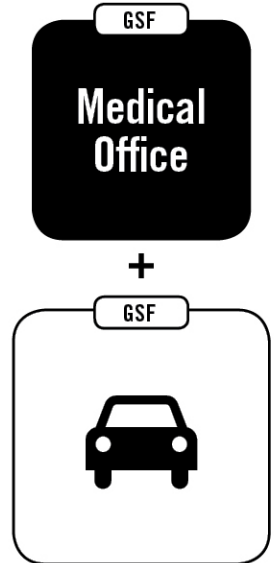
HEIGHTS PROPOSED BY MMC /

Part II: Urban Design Analysis

Testing blocks to allow for flexibility of future uses involves looking at the parking needs per use category.



EXAMPLE: MEDICAL OFFICE USE



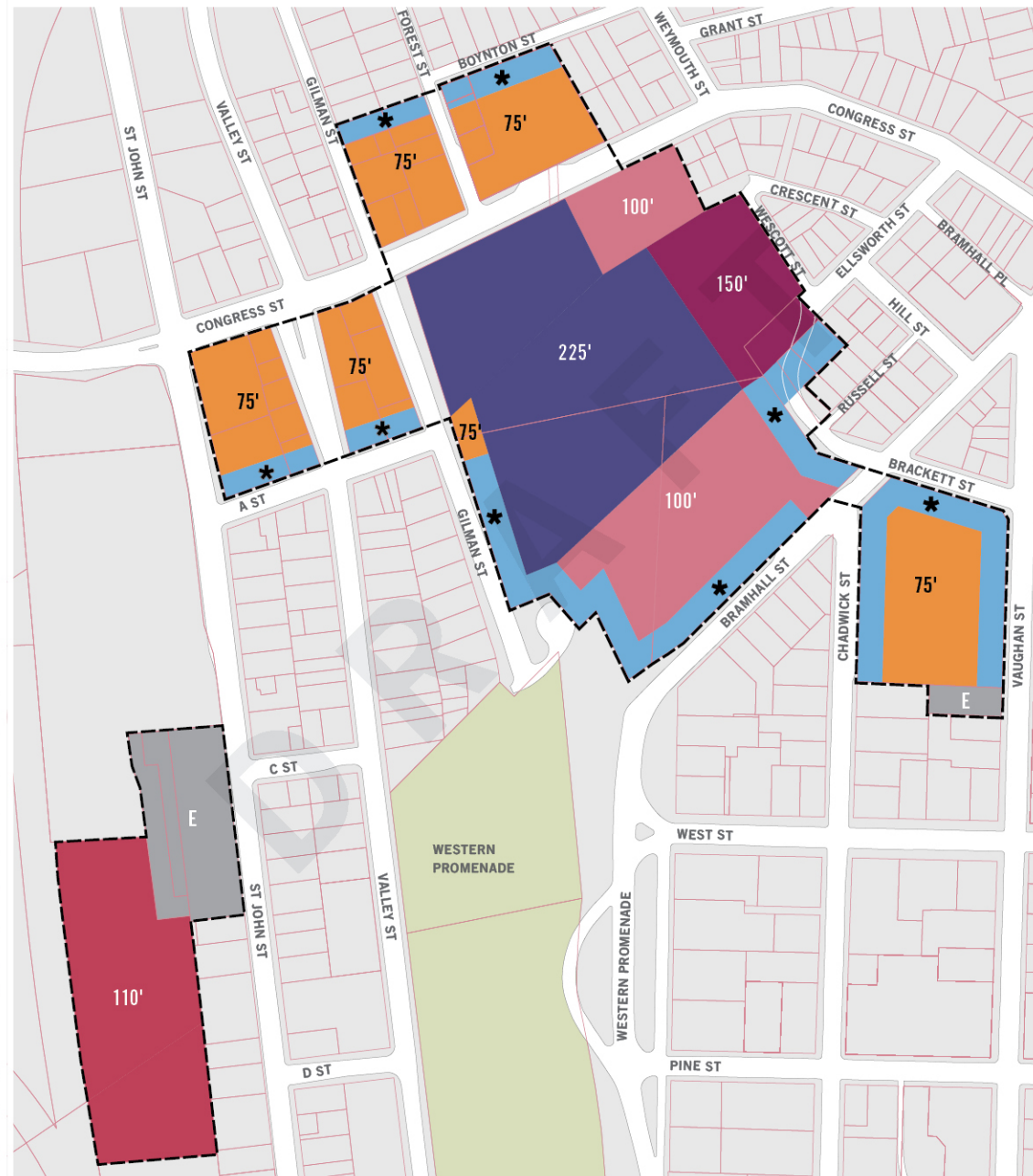
- Optimum footprint: 90 to 120 feet wide (length flexible)
- 4-6 parking spaces needed per 1000 GSF

MMC REVISED HEIGHT SCENARIO /

Note: Final heights will depend on location of parking garage.

LEGEND

- Public Streets
- Parcel boundaries
- MMC IOZ Boundary
- * Refer to transition zone regulations
- E Existing to remain
- 75' maximum height
- 100' maximum height
- 110' maximum height
- 150' maximum height
- 225' maximum height



ONGOING WORK AND COORDINATION /

- MMC is evaluating parking options for its campus.
- MMC is evaluating draft design standards authored by the City for inclusion in the IDP.
- MMC is evaluating views of potential parking structures from the historic Western Promenade.

City of Portland Planning Division – proposed revisions + design standards

June 6, 2017

DESIGN STANDARDS

The design standards for the Maine Medical Center Institutional Development Plan are intended to assist future development in the IOZ to meet the goals and vision for Maine Medical Center campus and create context-sensitive buildings.

1. To address the goals of creating a coherent campus and gateway to the city, the following standards apply to any new building development, addition, or alteration within the IOZ:
 - A. New development shall contribute to the campus identity, cohesiveness, and sense of place through design decisions such as form, material choice, and details.
 - B. The overall composition and experience of the campus shall be considered for cohesive identity from approaches along Congress Street and I-295.
 - C. Rooftop appurtenances shall be either screened from view or integrated into the building design and should not be visible from the adjacent streetscape, Western Promenade, either Congress Street approach, or long views such as from I-295.
2. Where buildings have frontage on Congress, St. John, Valley, and/or Gilman streets, the following standards apply with the intent of providing pedestrian-oriented environments with safe and vital streets and active campus edges that sensitively transition between the institutional buildings and the existing urban mixed-uses:
 - A. Urban Street Wall: Buildings shall be located to create and preserve an urban street wall. Building facades and site amenities shall form a cohesive wall of enclosure along the streets. Where buildings are not located at the street line, site amenities, including walls, fences, and landscaping shall be placed along the street to provide a sense of enclosure or definition.
 - B. Building Orientation and Entrances: Building entrances shall be oriented toward, located adjacent to, and directly accessible from, a sidewalk in a public right-of-way. Major entry features should primarily address the street with entry courts, display windows, signage, lights, walkways, and vestibules, as appropriate.
 - a. Where buildings have frontage on Congress Street, principal building orientation shall be towards Congress Street.
 - C. Windows: Windows shall be required along the street frontage of a building. Windows shall be transparent (with a visible transmittance (VT) near .7) and installed at a height to allow views into the building by passersby. Limitations on transparency such as dark or reflective glass, or interior coverings should be avoided.
 - a. Where uses (such as office) are not conducive to transparent viewing with the public way, windows should still convey a sense of activity and presence along the street.

Jeffrey D. Sanders

Executive Vice President and Chief Operating Officer,
Maine Medical Center

Neighborhood Engagement

- Ongoing Community Engagement
- MMC Community Benefits
- Major areas of public concern
- Our website – www.mainehealth.org/maine-medical-center/newsroom/modernization

Neighborhood Engagement



Newsroom

[Media](#)

[Press Releases](#)

[MMC Campus Modernization Project](#)

[Neighborhood Meeting Minutes](#)

[Maine Medical Center](#) > [Newsroom](#) > [MMC Campus Modernization Project](#)



MMC Campus Replacement & Modernization Project

Maine Medical Center is proud to announce a project that will expand its capacity and modernize much of its patient care facilities. Over the next five years Maine Medical Center plans to spend \$512 million on the construction, renovation and expansion of inpatient and outpatient facilities and services. The majority of this investment will occur at MMC's main Bramhall campus.



Next Steps

- Planning Board workshop on parking
- Planning Board Hearing
- City Council Hearing
- Site Plan Application and Review

Questions ?





Helen Donaldson <hcd@portlandmaine.gov>

Fwd: MMC Expansion notes for the Planning Board meeting Tuesday night

Jean Fraser <jf@portlandmaine.gov>

Tue, Dec 6, 2016 at 12:45 PM

To: "Donaldson, Helen" <hcd@portlandmaine.gov>

for inclusion in the PB Memo on IOZ

----- Forwarded message -----

From: **Zack Barowitz** <zbarowitz@gmail.com>

Date: Mon, Dec 5, 2016 at 7:01 AM

Subject: MMC Expansion notes for the Planning Board meeting Tuesday night

To: jf@portlandmaine.gov

Cc: Tuck O'Brien <tuckobrien@me.com>, Damon Yakovleff <Damon.yakovleff@gmail.com>, Nikki Anderson <n.annetteanderson@gmail.com>, Norman Maze <nmaze@shalomhouseinc.org>, Emma Holder <pna@parksideneighborhood.org>, Anne Pringle <oldmayor@maine.rr.com>, Ian Jacob <iancasperjacob@gmail.com>

Jean,

Please review the following points for the Planning Board to consider in conjunction with the proposal to expand Maine Medical Center:

1. Implementation of the Libbytown traffic study, particularly the **restoration of two-way traffic on Congress Street between 295 and St. John Street**. Currently, the one-way streets are serving to divert through traffic *into* downtown. The current traffic alignment simply would not work. What's more, ambulances get stuck waiting for trains (this is a common enough occurrence that I was able to snap a picture--see attached). Thus, MMC needs to get on board with the traffic study recommendations for the expansion plan to work.

2. I wrote a column for the *Phoenix* outlining how the current agglomeration of **Maine Medical is blighting the surrounding streets and neighborhoods**. Were expansion to continue in the same manner the blight would undoubtedly spread and any economic development would have to be counter-balanced by decrease in value of abutting areas (e.g; tax revenue). You can find the article below or link to it [here](#). My suggestions:

- Improve the streetscape for pedestrians and develop vibrant commercial spaces (24-hour cafe, pharmacy, restaurant, beauty salon) on Congress Street around the new entrance.
- Set backs to create a human-scale feel
- Buildings overhanging sidewalks (like in the wild west, to provide protection from weather)
- Heated sidewalks (currently they salt the heck out of the area with is costly and environmentally destructive)

3. Convert the surface parking lot on Brackett/Vaughn be turned into **housing**.

I have copied members of adjacent neighborhood association on this message.

Thanks,
Zack

Sick Building: The Maine Medical Center's \$512,000,000 Expansion

Maine Medical Center dug through its couch cushions and came up with \$512 million to spend on an expansion of its Portland campus. Although the plan doesn't add any new beds, it does call for 128 new rooms — which the hospital must have in order to meet new demands of patient care and stay competitive in a growing industry.

In addition to being a renowned hospital, Maine Medical Center is one of the largest employers in the state. So when it says it wants to build, it's fairly easy for officials to respond "how high?"

MMC's proposed expansion will create hundreds of jobs in the health care, construction and IT sectors. But those jobs come at a cost, and those that pay are unlikely to reap many benefits; a large hospital's effect on a neighborhood can be akin to having a cement block dropped on a flower pot.

So why is this?

Hospitals are notoriously among the most difficult types of buildings to design. The sheer volume of people, technology and movement, coupled with the turnover of all of the above, make their containment nearly impossible. Throw in the challenge of creating a building that is both sterile and uplifting, and it's enough to drive the most talented designer to review RFPs for wastewatertreatment plants.

Given the difficulties and contingencies of designing a hospital, it's little wonder that their exteriors often appear an afterthought. Situated high upon the Western Promenade, Maine Med's current configuration is an undistinguished agglomeration of stark Modernist edifices and brutalist parking structures crowded around a (somewhat gloomy) original 1874 structure. Fortress-like

facades have rendered blight beyond the castle walls to the boundary streets below. Gilman, Congress, Crescent, Wescott, Bramhall and Forest streets are all fairly run-down and have been for decades despite their proximity to some of the most valuable real estate in Maine.

Portland-area residents have every reason to be concerned with the planned Maine Med expansion; the shadows will loom longer, the winds will whip colder, parking garages will become larger, and the traffic will grow denser — adding to the spread of decay.

Ironically, the westward roll of commercial and residential development along Congress Street from Longfellow Square to Thompson's Point is hot, with hundreds of proposed housing units, restaurants and (of course) breweries. The break in the path is smack in the area designated for the bulk of the expansion. The quarter-mile stretch of Congress Street from Salvage BBQ to Bramhall Square has just two commercial spaces (La Bodega Latina and Portland Glass), not including the permanently "unfinished" storefronts in the MMC parking garage. The blight is attributable to a monotonous pedestrian experience: a steep hill, fast traffic and bleak streetscape of retaining walls and parking garages. It should come as little consolation that a recent beautification effort included hanging banners declaring competency in "Urology," "Gynecology" and "Cancer."

Were this projected expansion slated for an isolated green expanse (such as the MMC Scarborough campus), the peripheral pedestrian experience would be of little consequence. But in a dense urban environment, great care must be taken to scale and form but also to use.

Far from being a monument that sucks in automobiles, the hospital necessarily should learn how to interact with the street, starting with an improved pedestrian experience that heals the neighborhoods on its borders. Street-level commercial development — visitors' cafe, gift shop, pharmacy, restaurant and even a bookstore — will not only better serve hospital customers but make for a healthy bottom line, both for the institution and the city as a whole.

--

[207-838-6120](tel:207-838-6120)

[917-696-5649](tel:917-696-5649)

ZacharyBarowitz.com

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Jean Fraser, Planner
City of Portland
874 8728



IMG_0947.JPG
409K

Notice From City of Portland Regarding - Vicinity of Maine Medical Center Questions

1 message

Karen Snyder <karsny@yahoo.com>

Wed, Dec 7, 2016 at 2:39 PM

Reply-To: Karen Snyder <karsny@yahoo.com>

To: "jf@portlandmaine.gov" <jf@portlandmaine.gov>

Jean,

I have yet again got another notice of more development that affects me in the City of Portland.

This unnecessary yet huge Maine Medical Center project, what streets will this proposed development actually be on and how far and up does it go?

What exactly is an IOZ ordinance and does it actually protect local residents or yet once again allow developers to trample on the quality of life of residents?

Regards,

Property Owner on Gilman St.
K. Snyder

the Saint John Valley Neighborhood Association

Concerns regarding MMC proposed expansion

Project announcement

- Lack of transparency
- MMC is in breach of the current contract zone agreement (CRA) by failing to apprise members of the MMC Neighborhood Council of hospital development plans as mandated by the contract.
- How do we enforce the rules going forward?

Project design

- What will the new structures look like?
- At what point and in what forum will neighborhood input be considered relative to design, location, size and scope of the project?
- Neighborhood integration is important especially height
- How will traffic be affected?
- What will happen to current green space?
- Are there plans for streetscapes?

Proposed 13 story parking structure

- It's too big
- It doesn't compliment the existing buildings in the neighborhood
- Increase in traffic (How will this be managed?)
- Increased pollution
- Increased noise levels
- Reduced property values
- Contrary to neighborhood goals of enhanced livability and walkability
- Negative effect on sunlight and wind patterns
- Why haven't alternatives to this plan been proposed?
- Lack of security in current parking structures which leads to...
- Prostitution
- Drug use and public drinking
- Graffiti
- Suicide attempts
- Littering

Construction management

- How will the demolition of current structures be performed?
- How will demolition effect local residencies and businesses?
- What are the phases of construction? and How long will each phase of construction last?
- How will construction effect local residencies and businesses?
- How will any damage to local residencies and businesses be handled? (Remember the crane that toppled in 2006 crushing a house whilst the new MMC maternity wing was being built?)

- Baseline reads on our properties?
- Where will construction materials be stored?
- How will construction impact street parking?
- Where will construction workers park?
- What are the guidelines for acceptable noise levels during construction?
- Are there any provisions for loss of income to local businesses? and loss of rent due to tenants moving on?

Future planning

- What is MMC's master plan?
- They have already told us that they will need more parking and more beds in the future. What is their plan to accomplish this?

moses sabina <mosessabina@yahoo.com>

Nov 22 (7 days ago)

to Garry, Tuck, stjohnvalleyne., Helen, me

Please add impact to resident parking to that list. As of now, parking is at a premium, and next to impossible to find a spot when there is no parking on one side of the street. Happy Thanksgiving! -Moses

[12.13.16- St John Valley Neighborhood Association confirmed as public comment for 12.13.2016 PB Workshop]

Hello Jean, If possible pls incude my memo in tonight's Planning Board workshop. Thank you . Sarah Martin

Sarah Martin <BOCCafe@hotmail.com>

Tue, Dec 13, 2016 at 2:30 PM

To: "jf@portlandmaine.gov" <jf@portlandmaine.gov>

Memorandum

To: City of Portland Planning Board

From: Sarah Martin Valley Street, Portland Maine

Re: MMC Expansion

Date December 13, 2016

As an owner and occupant of a two family 1880's era home, I have great concern over the size, the scope and the likely negative impacts of Maine Medical's proposed expansion.

During one of the recent construction projects the constant driving of pilings, disturbed not only our tenants quiet enjoyment but the actual plaster in our home. Additional negative experiences included the use of surface lots in our neighborhood as trash covered construction dumps wrapped in broken and bent chain link often with torn, flapping, often vandalized green mesh. The precious few parking spots available to residents in the neighborhood were diminished by contracted workers and we all had the overall feeling that we were living on a construction job site for many months at a time.

While I agree that there may be some added value to the neighborhood by relocating the main entrance to Congress Street, the mere consideration of a thirteen story parking structure abutting our R6 neighborhood seems completely out of touch with the hospital's spoken commitment to being "good neighbors".

Thirteen stories? I'm sure that the planning board is aware of this but consider for a moment a comparison in size.

The Holiday Inn on Spring Street-Eleven stories.

Peoples United Bank next to the library-Eleven stories.

Deering Pavillion-Eleven stories.

Portland House Condominiums -Eleven stories.

The Westin Portland Harborview(the old Eastland)-Thirteen stories

One City Center-Thirteen stories.

In fact there would only be three buildings in the entire city taller than this proposed structure, Franklin Towers, The Time and Temp building and Back Bay Towers.

I completely understand that the useful life of the existing employee garage is at its end. However, to expect to move 1,280 parking spots across Gilman street into a thirteen story parking structure higher than the treetops and towering over our buildings on Valley, Gilman and A Streets is just too much.

If we estimate a hundred cars per level, then why not dilute the impact a tower would have by relocating spots to other locations? The South lot on Bracket and Vaughn currently holds 400 cars. If the hospital were to go up one deck high in that lot, we have just reduced the tower to nine stories. Two levels brings the Gilman block proposal down to five!

I think the hospital owns the lot known as the Classic Eye lot on the one way section of Congress across from the jail entrance...about a hundred cars. How about developing a couple of stories of parking there? Two levels and we are down to seven stories on the Gilman lot. Another thought would be to lift the constraints of the current Contract zone and allow the hospital to purchase the properties on either side of their 887 Congress Street property to develop office/retail and parking in a structure similar in design to their surrounding buildings. This too would make more sense than pushing the development directly into the shadow of the residential piece(peace) of our neighborhood.

December 11, 2016

To the Portland Planning Board:

We are property owners of 8 A Street and co-owners of two businesses in the area effected by MMC's proposed expansion. We are writing about the impact of Maine Medical Center's construction plans within our neighborhood. We ask for your serious consideration to the many concerns we have about this project.

Parking Garage -

We oppose any changes to the MMC's zoning that would allow building heights to increase, especially as it pertains to the proposed parking garage on the Gilman Street lot. Our home, which we bought in 2006 and have spent considerable time and money renovating, is directly across the street from this lot. The proposed height of this garage would dwarf the residential buildings adjacent to it, encourage more traffic, and detract from the livability of the neighborhood. We feel certain that it will reduce our property values, increase pollution from car exhaust, become a hot spot for criminal activity and encourage further economic decline within the neighborhood.

One of the recommendations from the 2008 Peninsula Traffic Study was to enact parking policies that will decrease traffic volumes and “construct and promote remote parking, connected to downtown by frequent, reliable transit”. Where is MMC's progressive initiative to encourage remote parking and ride-sharing for it's employees? Rather than working with the city to reduce traffic congestion, MMC plans to build a larger garage which will only guarantee an increase in congestion on Portland's roadways. The more parking is made available for MMC's employees, the more its employees will drive into our neighborhood every day. We as residents would like to encourage a new plan that would make use of MMC's Scarborough campus or another remote commuter lot to reduce the congestion we witness every day in this neighborhood. At the very least, we ask that MMC build a replacement garage on the current location, set into the hillside, or increase the size of the existing garage on Forest Street. There are multiple options available that will avoid placing a giant parking garage the center of the neighborhood.

MMC Main Entrance -

We have been working with our neighbors for the last several years to make the neighborhood more livable. We have a vision which includes walkability, traffic calming, residential development, green spaces, and crime reduction. We see the neighborhood as being a distinct area of Portland with it's own appealing character and attractions, including the Inn at St. John, Sea Dogs, Salvage BBQ, and Pizza Villa. Having the main entrance to MMC located here could introduce many new challenges which would run contrary to our vision. There are many questions that will need to be answered before we can support the proposed location for the main entrance. For example, what will the hospital do about visitors and employees on the public streets smoking, littering and using parking spots that would ordinarily be available to residents without driveways? What will the structure look like and will it be in keeping with the scale of surrounding buildings? What will the hospital do to ensure minimal disruption to residents and business owners during the construction phase? How will green spaces be integrated into the design? Whatever plan comes to pass, we encourage MMC to be as transparent as possible and consider the goals of the neighbors who live and work in this neighborhood.

Sincerely,

Jenny MacKenzie and Garry Bowcott
8 A Street

1/10/2017

To the Planning Board,

After reviewing the Institutional development plan presented on 1/10/17, we have noticed some areas of concern regarding the proposed parking structure on the Gilman street block.

- A 13 story parking structure will stand out like a sore thumb in a residential neighborhood where the tallest building is 4 stories.
- There is no proposal for a setback to integrate the parking structure with the surrounding businesses and residencies.
- If fig 4.2 on page 41 is correct and the trend of employees utilizing alternative forms of transport continues then MMC will see a reduction in parking needs moving forward. Will we end up with a parking structure that is obsolete and cannot be used for any other purpose? Why are they proposing a larger parking structure if the demand for parking is decreasing over time?
- MMC has not offered any other solutions to their parking needs. There are numerous options available to them such as construction on the Vaughn Street surface lot, additional levels on the Forest Street lot and footprint expansion. All of these options are supported by the Saint John Valley Neighborhood Association but for some reason MMC refuses to acknowledge them as options.
- As the city is obviously in a state of rapid development, we need to start making wise decisions regarding parking and it's integration with neighborhoods. If we allow MMC to construct this parking behemoth we are destroying the livability of a neighborhood via pollution, traffic congestion, crime, decreased sunlight and street level interaction.

Please take these concerns into account as you consider MMC's institutional development plan.

Sincerely,

Garry Bowcott
8 A Street
Portland, ME
04102

1.9.2017

To whom it may concern,

I am writing to you about the proposed MMC construction project. As a business owner at 919 Congress St, Salvage BBQ I have concerns regarding how this will impact my business. Right now we have tremendous sunlight that illuminates the restaurant from the South and west. Increasing building heights in the neighborhood will block this light and impact our business negatively. We have worked hard to make our business a success in a neighborhood that was neglected and not seen as a viable business center. There was a similar attitude in Longfellow square when we opened Local 188 in 1999 and now Longfellow Square is a bustling mecca of restaurants and bars. I would like to see the same trend continue down Congress Street but the proliferation of institutional buildings impedes the type of pedestrian activity necessary to create such an environment.

I am also concerned about my business being disrupted during a lengthy construction phase. What are the plans for demolition of the existing buildings? How will traffic be impacted? How will pedestrian access be impacted? How will noise levels be managed?

Jay Villani
Salvage BBQ
919 Congress St.

My name is Tim McNamara and I live at 251 Valley Street.

I've read through the draft IDP submitted by Maine Med and have several questions relative to the rhetoric and the data offered in Chapter Four-Parking and Transportation.

My understanding is that the hospital needs to substantiate their request for change of zoning by proving need. I believe that the Chapter Four is an attempt to show that the hospital is doing all they can to reduce the number of vehicles on campus yet prove they still have the need to park 1,100 employees on Gilman Street. I write to challenge the positions taken by the hospital in Chapter Four.

At a December 6th meeting of neighbors, senior hospital management and City staff, we discussed ideas of alternatives or incentives offered by the hospital to employees to reduce the number of single passenger trips to and from campus. Our thought was ...fewer single passenger trips-fewer spots required in the new garage. Minutes from that meeting, recorded by hospital staff, reflect that Maine Med President Rich Peterson *"acknowledged that thought will be given to trying to provide additional incentives to Maine Med employees to car pool, bike or use other means of alternative transportation"*. ...it was even discussed as to whether we are asking the hospital to alter societal norms embedded around car ownership and use or to attempt to change our behaviors.

At that meeting, senior hospital management made no reference to any Alternative Transportation Plan in place and certainly no mention of the "Get on Board" program. "Get on Board" is the program that Chapter Four hails as a *"focus of institutional policy."* and *"an integral part of the fabric and culture of MMC"* (See pages 39/41of Draft IDP)

In the 2005 CRA between Maine Med and the City, Chapter 18 requires that *"an analysis of effectiveness and functioning of the Alternative Transportation Plan shall be provided* (by the hospital)*to the City Council's Transportation Committee on an annual basis.* " I've reviewed agendas and minutes from that committee dating back to 2013.

Nowhere can I find a reference to a hospital report on the functioning or effectiveness of any ATP.

As residents who will be directly impacted by a 13 story garage plopped down in the middle of our neighborhood, we have asked the right questions and made the right suggestions relative to reducing single passenger trips without hearing from the hospital of any plan in place to achieve such. Then out of nowhere, Chapter Four of the IDP asks us to believe that in 2015 the hospital has "incentivized" 35 % of their employees, up from 14% in 2008, to commute to work by means of something other than a single occupancy vehicle trip?

From 14% to 35% in seven years? Pretty spectacular. Where did these numbers come from? If we are to believe these numbers, then can we anticipate that in five years that number will be 50%? then 65% ten years from today?

The problem is we can't believe these numbers.

In 2015 they claim that 1,571 employees participated in the program. They claim that that amounted to 35% of their employees. That would be true if the hospital employed 4,488 people. The Maine Med Website claims that they employ more than 6,000 people. So the real number is closer to 25% participation in the program. The percentages are off from the first year of their reporting. (2008, 648 participants reflected as 14% of all employees. More like 10%)

The number of employees they claim to be riding their bikes to work in 2015 is 229. Yet they only have the capacity to store 184 bikes.

The number of employees using “ride share” in 2015 is 1, 021. Let's say every one of those ride-share participants carpooled to work with two other people, (unlikely as that may be) that would mean according to Chapter Four, that 340 cars would *“be given access to preferred parking in a gated, ID card access only area of the Employee garage that connects directly to the main lobby on the ground floor of the hospital.”* 340 Cars? That's well more than a quarter of the total spots available in the current garage and would be physically impossible to accomplish.

The bottom line on Chapter Four is that the numbers and the stories just don't add up. I would encourage the Planning Board to kick the entire Chapter back to the hospital for a complete overhaul and to demand validation of their data so an accurate and legitimate parking and transportation baseline can be established .

Thank you.

Re: PB Workshop 1-10-2017 Institutional Overlay Zone (IOZ)/MMC Institutional Development Plan

1 message

moses sabina <mosessabina@yahoo.com>

Tue, Jan 10, 2017 at 12:04 PM

Reply-To: moses sabina <mosessabina@yahoo.com>

To: Jean Fraser <jf@portlandmaine.gov>

To the Portland Planning Board:

My name is Moses Sabina, I am an owner/resident at 4 Gilman Street. I have attended MMC Neighborhood Council meetings quarterly since the inception of the council. The purpose of that council is to keep the neighbors of MMC apprised of any and all MMC developments.

In the case of these development plans, the council members were made aware of the plans three days before they were printed in the Press Herald. Neighbors were given no opportunity to be involved in a constructive dialogue to help MMC develop their needs with minimal impact, or even some improvement to the surrounding neighborhoods. Unfortunately, this selfish "close to vest" behaviour is exactly why the neighborhood council was created in the first place, and why it is all the more mockery now that MMC has dismissed including neighborhood representatives in an important discussion which should have included all the options for addressing their parking needs.

I ask you to consider their blatant disregard for their neighbors when you review their plans for the thirteen story dark tower they want us to live next to. I ask that you not give any variance over the height restriction in the current zoning until all other options for parking have been thoroughly vetted, regardless of the cost to MMC to divide the parking between more than one location. Otherwise, it will be the neighbors suffering the the long term price of this development plan.

Respectfully,
Moses Sabina

From: Jean Fraser <jf@portlandmaine.gov>

To: "Fraser, Jean" <jf@portlandmaine.gov>

Sent: Friday, January 6, 2017 5:42 PM

Subject: PB Workshop 1-10-2017 Institutional Overlay Zone (IOZ)/MMC Institutional Development Plan

Hello

I am sending this e-mail to those who sent me written comments on the proposed IOZ zone and/or on the MMC plans for expansion back in December, or who have contacted me about the proposed IOZ ordinance.

MMC have requested a zone change in order to expand/modernize - and the new IOZ ordinance is the City's proposed process - with an aim to provide a clear, predictable growth management structure for institutions that would allow flexibility but also require proactive planning and a more transparent and defined mechanism for understanding and addressing community concerns. As currently drafted, only the main campuses of

Re: UNE

My name is Robert P. Fuller, a resident, taxpayer and owner of #37 College Street. With the possible exception of parking and traffic, it is doubtful that anything planned in the immediate vicinity of College Street would be an issue except to its property owners. But a concern of one should have the same weight as an issue for many.

Back in December 2011 one of the Vice Presidents said that UNE wanted to become more responsible. Hopefully that translated into going to be more responsible and that means to all of us. In theory and in practice leaders of organizations are supposed to reach out into the community and not allow any one subordinate to create an adversarial role with the neighbors. Does anybody want a repeat of the hoo-rah on the Biddeford campus about 15 years ago?

In a 2011 magazine interview, the president of UNE said that they were just about where they wanted to be in terms of size. A year later, as part of an application submission, UNE said that they had been unsuccessful in being able to squeeze any more parking on the main campus.

Based on those two statements, there should be no changes from my bound toward Ginn and McDougall Halls on the west or for at least 25 feet out from the #33-37 College Street north line. Finally, the north side of College Street itself and sidewalk would remain where they are now. This is the way it should be. Remember, the greatest material investment for most of us is our real property. This is true for myself and my sister at #33-35 College Street.

When you review for the overlay and master plan for UNE, do not forget US residents. When you review according to a set of standards, do the parts add up to a whole? Does it look sensible? How does it fit with the human condition? There is no good reason, with proper planning, that UNE and all its neighbors cannot peacefully coexist in the same surroundings.

Robert P. Fuller

January 5, 2017

**Western Promenade Neighborhood Association
Comment to Planning Board re IOZ**

1/10/17

Members of the Board, my name is Anne Pringle and I am commenting on the proposed IOZ framework on behalf of WPNA.

To echo David Eaton, I want to publicly thank MMC for agreeing to be the guinea pig for this new zoning concept and process. As some of you may know, there was a very contentious process when the Conditional Zone was approved. To date, this process and the dialogue has been much more open and we appreciate the early engagement.

Rather than comment on the specifics of the MMC IDP proposal, which will get a lot more scrutiny later and which I do think reflects the IDP framework, I want to comment on a few elements of the proposed IOZ framework:

First **institutional encroachment** has been a big issue in our neighborhood with two major institutions, MMC and Waynflete. The existing zoning protections, I think staff would agree, is inadequate as it gauges the impact of encroachment on a building-by-building basis, rather than on cumulative impact. The Waynflete IOZ recognizes this and precludes, I believe, school uses in buildings outside the zone boundary. So, the school cannot purchase or have donated a building outside the zone. To avoid institutional encroachment, WPNA believes the new IOZ should preclude institutions from purchase or acceptance of donations of properties outside the proscribed zone, except for the sale of properties to free up funds for institutional uses within the IOZ..

If an institution already owns property outside the IDP boundary, those properties should be identified and a plan, even a long-term plan, identified to relocate the institutional uses in those buildings to the IDZ area or a location outside a residential zone.

Second, it is recognized that these institutions have a major traffic and parking component. Since they each exist in already developed contexts, to a large extent

residential, significant and creative efforts should be made to reduce dangerous traffic impacts parking demand and assure that parking does not dominate the area and utilize land that might later be needed for institutional growth, leading to a subsequent request to expand the IDP boundaries.

Third, it has been suggested that MECA be included among institutions subject to the IOZ framework. With more residential housing downtown, the impact of MECA on its context should also be subject to the scrutiny that the proposed IOZ framework sets forth. Similarly, Waynflete should also be subject to the IOZ framework and process, should it at some point wish to revise its Overlay Zone.

Fourth, I have come to understand, through litigation, that purpose statement, no matter how helpful in understanding the basis for legislative action, have no legal import. In the proposed purpose statement I see some very good language that I believe should be pulled forward into the text to provide more explicit definition in the IOZ framework requirement, for example the reference to “carefully planned transitions”

Finally, there is no question that each of these institutions, including the two suggested to be added, are very valuable elements so our community. What the Board is seeking is to establish balance and predictability for both the institution and its neighborhood contact.

Public Comments on MMC Institutional Development Plan

1 message

toddmalexander@gmail.com

Mon, Jan 16, 2017 at 6:54

<toddmalexander@gmail.com>

PM

To: "jf@portlandmaine.gov" <jf@portlandmaine.gov>

Cc: "basak.alkan@perkinswill.com" <basak.alkan@perkinswill.com>, "Western Prom Neighborhood Association <oldmayor@maine.rr.com>" <oldmayor@maine.rr.com>

Jean: Comments on MMC's draft IDP;

Generally, I am supportive of the long-term plan to;

- i) create an IOZ to govern future campus development
- ii) shift development activity to the Congress Street corridor
- iii) allow for greater density and/or building heights along the Congress Street corridor to accommodate the plan

Either as a condition of an IOZ and/or included as a provision within the IOZ, the city should consider requirements for MMC to address the following;

- i) Real estate holdings in abutting residential districts that may not be located in the areas covered by the IOZ. More specifically, the city could require MMC to develop and implement a divestment plan for those non-core properties that most directly impact predominantly residential neighborhoods. Properties that could be addressed in that plan; 19 West Street, 112 West Street, 94 and 98 Chadwick, and 227 and 231 Western Promenade.
- ii) Hospital vehicle traffic in the Western Prom neighborhood generated from users of the South Parking Lot. One possible solution is to create an exit-only ramp/lane from the South Lot onto Vaughn street (far southeast corner of

lot). This will eliminate a high volume of hospital vehicle traffic on Chadwick and West Streets.

iii) Inclusion of residential uses in any future redevelopment plans for the South Lot. This parcel serves as the natural transition from institutional/commercial uses located to the north and west to residential uses to the south and east. Any future development in this location should further reinforce and compliment this transition. The size of the lot allows for an orderly change in property types from commercial/institutional...to mixed use...to residential. The residential development requirement could be structured to directly complement MMC's operations; housing for residents and staff, extended stay housing for visitors, etc.... One way to regulate a requirement for residential uses for the South Lot is through trigger/performance mechanisms, such as; for every X thousands of SF of non-residential space proposed for this lot, MMC is required to create X units of housing.

Respectfully,

Todd M. Alexander

3 Carroll Street

Sent from [Mail](#) for Windows 10

CORRECTION - MMC Neighborhood Meeting Held on January 18, 2017

1 message

Karen Snyder <karsny@yahoo.com>

Thu, Jan 26, 2017 at 5:01 PM

Reply-To: Karen Snyder <karsny@yahoo.com>

To: "Deborah S. Boroyan" <BOROYD@mmc.org>, Jean Fraser <jf@portlandmaine.gov>

Cc: Saint John Valley Neighborhood Association <sjvna1@gmail.com>

There is a correction in point 2 (two) below. I added a sentence to the end of the point. "These window replacements should be paid for by MMC."

Karen

From: Karen Snyder <karsny@yahoo.com>

To: Deborah S. Boroyan <BOROYD@mmc.org>; Jean Fraser <jf@portlandmaine.gov>

Cc: Saint John Valley Neighborhood Association <sjvna1@gmail.com>

Sent: Thursday, January 26, 2017 3:02 PM

Subject: Re: MMC Neighborhood Meeting Held on January 18, 2017

Hi Deborah and Jean,

During this MMC neighborhood meeting, it was said that the construction would span a 5 year time frame. This is not sustainable for the health of property owners and tenants to live through 5 years of construction on Gilman St and Valley St.

As a property owner on Gilman street, the proposed MMC's development proposal is causing quite a lot of stress and concerns amongst the local residents.

Depending on what the final agreed proposal and what is acceptable to property owners, the below needs to be considered for this development proposal to ease the stress, health concerns, and quality of life impact of any construction around Gilman and Valley St.

1) Construction noise should only allowed from Monday to Friday between 9am and 5pm. There should be NO construction on weekends. Residents need the weekend to decompress and destress. If not, the health and quality of life of residents will be compromised.

2) Prior to construction, all houses on Gilman and Valley street, the windows are to be replaced with soundproof windows. If the parking garage is made up of concrete, this means alot of noise and debris will be generated in the air. The properties around this area must not be comprised by hazardous abatement and noise. These window replacements should be paid for by MMC.

3) Because MMC employees use the Gilman street sidewalk constantly, for safety concerns, MMC needs to provide sidewalk lighting on this street.

4) The construction vehicles should be prohibited from parking on Gilman or Valley Street. Construction workers should be required to park in an off site parking lot and bused in just like MMC employees. The parking of construction vehicles is a nuisance for property owners because I have all ready had to experience this for the last 2 years on the East End.

5) There are concerns as to how are the property owners suppose to advertise for future tenants knowing that MMC is proposing a 5 year construction time frame? How are the property owners suppose to retain tenants if tenants don't want to put up with the constant noise and debris that will be generated? When someone buys or rents a property, there is an expectation to be considered and that is the law of NUISANCE "If a nuisance interferes with another persons quiet or peaceful or pleasant use of his/her property" It maybe the basis for a law suit ordering the person or entity causing the nuisance to desist (stop) or limit the activity. This is a huge concern as a property owner renting to tenants. MMC needs to address these concerns.

As indicated above, no matter what the final decision is on this proposal, the above issues must be addressed by MMC with solutions which have to be agreed upon by the neighborhood residents.

Regards,
K. Snyder
24 Gilman

From: Deborah S. Boroyan <BOROYD@mmc.org>
To: "'karsny@yahoo.com'" <karsny@yahoo.com>
Sent: Wednesday, January 18, 2017 12:18 PM
Subject: MMC Neighborhood Meeting

****This e-mail is being sent on behalf of Rich Petersen.****

Dear Neighbor,

Thank you for attending the Maine Medical Center Neighborhood Meeting on January 12, 2017. We hope that you found the meeting informative and we are looking forward to continuing our dialogue about this important project.

The input you provided before the Neighborhood Meeting, relating to traffic patterns, pedestrian and bicycle routes, and the amenities you most value in your neighborhoods, is being reviewed by Basak Alkan, the Urban Planner who is assisting with the development of MMC's project and advising on how that project can best interact with our neighborhood.

MMC is committed to transparency and being a thoughtful neighbor while planning for these important enhancements to our facilities and ability to meet the health care needs of our community.

Please go to <http://www.mmc.org/modernization> for more information and updates about this project, including additional Neighborhood Meetings.

Regards,

Rich Petersen

Deborah S. Boroyan
Executive Assistant to the President
Maine Medical Center
(207) 662-2491
boroyd@mmc.org

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37 College Street
Portland, ME 04103-2617
January 23, 2017

Neil Donaldson, Senior Planner
City of Portland
Planning Division
389 Congress Street
Portland, ME 04101

Dear Neil Donaldson:

This is my reply to the proposed Text of the Institutional Overlay Zone (IOZ). This was part of a memorandum dated January 6, 2016 (2017).

P.2 Institutional overlay zone text

In the first place, all four institutions concerned, in the spirit of "Total Transparency", should, if not already done so, furnish available as public record all applicable copies of their Charter, articles of incorporation, bylaws, etc., including those still in force from predecessor organizations. In this way the public will know what activities the institutions may or may not do.

P.2 IV 1c purpose - Insert the words "abutting or" before the word "surrounding." In this manner the reading will be - "... integrates abutting or surrounding neighborhoods ...".

The insert is necessary to protect the integrity of the privately owned parcels of #33-37 College Street. These properties are probably in a unique situation where they surround nothing. For the last two years it is UNE that surrounds these parcels of land, unaltered, a minor technicality such as this, could lead to those parcels of land not being recognized as a neighborhood at all and shut out of the planning process. Therefore, a neighborhood is one or more privately owned parcels of land to include those abutting or surrounding an institutional overlay zone.

The remainder of my comments are more general in nature for the time being. It is assumed that you are looking for more headings or amplify existing ones in the Proposed Text.

P.3 Permitted use - this must mean consistent with their articles, charter, etc.

P.5 IDP - Is this the same as the term "Master Plan", which has not appeared in the Proposed Text?

P.5 IV 5d (ii) 3a - What is "TDM"?

IV 5d (ii) 3b - Does this include adding, deleting or altering parking designations on a public street?

IV 5d (ii) 4b - Does this also embrace water draining into naturally occurring soil that is present?

IV 5d (ii) 4f - Assume that this also includes offensive soundwaves along with convergence of soundwaves both as the result of one or more appurtenances such as grates, fans, generators, compressors, circulators emitting

January 23, 2017

a sound that can be detected only in a narrow area, not always at ground level.

IV 5d (ii) 5d - What is "CPTED"?

IV 5d (ii) 5f - Presume any problems to be addressed in Section IV 5e 5 and 9

P. 6 IV 5d (ii) 6c - Construction Management - Does this include liabilities resulting in damage to private property due to construction, demolition, altering, filling, contour changes - Should private property owners pay for institutional damages upon them by the above activities not covered by their insurance? If the expansion of an institution upon a private property owner causes repeated damage claims and the insurance company raises the premium as higher risk, should the institution pay the difference between the rates since it is they who have "thrust" themselves upon the private property owner?

Likewise, where would there be an institutional maintenance clause that would totally protect private property owners against neglect (institutional owned tree falls upon private property house causing damages)?

IV 5e 5 mitigation - assume this covers changes to appurtenances and appliances already in place such as troublesome lighting, noises, soundwaves.

IV 5e 9 - Neighborhood Integration - would this be the heading under which a list of problems would be made item by item to include 5e 5 preceeding - all leading to a resolution?

That is all for now. Hope to receive your reply very soon.

Yours in sensible planning,

Robert P. Fuller

Robert P. Fuller

Fwd: Maine Med IOZ - South Lot Concerns

1 message

Melissa Knoll <melissa.knoll@gmail.com>

Tue, Feb 7, 2017 at 10:24 PM

To: jf@portlandmaine.gov

----- Forwarded message -----

From: **Melissa Knoll** <melissa.knoll@gmail.com>

Date: Tue, Feb 7, 2017 at 10:18 PM

Subject: Maine Med IOZ - South Lot Concerns

To: planningboard@portlandmaine.gov, "Ozgur Basak Alkan, AICP, LEED AP" <Basak.Alkan@perkinswill.com>, jf@portlandmaine.gov

Cc: Anne Pringle <oldmayor@maine.rr.com>, Scott Knoll <scott.knoll@gmail.com>

Dear Jean & Basak,

Thank you for taking neighborhood comment while planning the next Maine Med expansion. We live at the corner of West and Vaughan Street, so are in very close proximity. The move to make the entrance closer to Congress St sounds like a good one. We would like to see the high volume of Maine Med traffic reduced in the west end neighborhood.

We, as well as our neighbors, have two requests as you consider zoning change:

1. Move the exit of the surface lot on Brackett/Chadwick so traffic is directed away from the West End neighborhood. It is a huge safety and traffic congestion concern. I wrote a detailed e-mail regarding our concerns on Jan. 4th which I'll forward to Jean. There is broad west end neighborhood support for such a change.
2. It appears Maine Med is asking for long term approval to put a large 75 foot tall building on this same South Lot surface parking lot (see page 35 of the Maine Med Institutional Development Plan). The height and setback of a potential building on that lot should be kept the same as the surrounding R4 and R6 neighbors. A 75 foot building with a 5 foot setback as proposed on their plan would be enormous. Please keep the maximum height at the same level as the current R-6 & R-4 zone.

We could put together a neighborhood petition if this helps our case. Let us know if you think this would be valuable.

Thank you,
Melissa & Scott Knoll

Fwd: Maine Med Traffic Volume & Safety Concerns from Chadwick Parking Lot

1 message

Melissa Knoll <melissa.knoll@gmail.com>
To: jf@portlandmaine.gov

Tue, Feb 7, 2017 at 10:23 PM

Here is the e-mail detailing the traffic problems caused by the South Lot exit. Frequent high rates of speed can be added to this list.

Thank you,
Melissa

----- Forwarded message -----

From: **Melissa Knoll** <melissa.knoll@gmail.com>

Date: Wed, Jan 4, 2017 at 2:14 PM

Subject: Maine Med Traffic Volume & Safety Concerns from Chadwick Parking Lot

To: Basak.Alkan@perkinswill.com

Cc: Anne Pringle <oldmayor@maine.rr.com>

Hello,

Thank you for taking the neighborhood concerns into consideration in designing Maine Med's next expansion. We have three small children and live on the corner of West & Vaughan Street in Portland, Maine. We and many of our neighbors have expressed concern about the erratic driving and large volume of traffic from the surface lot on Chadwick/Brackett West Street. All of the exiting traffic is directed toward our neighborhood from the one way exit on Chadwick, and 90% turns left down West, and then left on Vaughan.

Major problems include ~

- High traffic volume, especially at busy times of day
- Drivers are unfamiliar with the area, there is no signage back to the highways
- Drivers are distracted - many are on phones, in a hurry, have health problems, or are lost
- Cars frequently drive on West Street as if it is a one way street (like Chadwick) and drive on the left side of the road
- Cars do not come to full stops at Chadwick/West stop sign & West/Vaughan stop sign

- Most drivers have been at the hospital and are not paying full attention to driving safely or the children in the neighborhood
- Both Chadwick & the West Prom are one way streets heading away from the hospital making it difficult to access the hospital entrance, which adds to traffic congestion

Our neighborhood is young and vibrant with 10+ small children that live directly on this block. There have been several close calls already with traffic. It seems like there could be a reasonable solution to direct this unnecessary traffic away from the West Prom neighborhood. I look forward to speaking to you more about this. Please feel free to contact me and I can describe or show you the problem in more detail.

Thank you!

Best,
Melissa & Scott Knoll
83 West St
Portland, ME 04102

Comment on MMC overlay zone

Sara Anne Donnelly <sara@saraannedonnelly.com>

Feb 10, 2017 9:18 AM

Posted in group: **Planning Board**

To the Planning Board:

This letter is in regards to the proposed overlay zone that would allow Maine Medical Center to expand. I do not oppose the zone or the expansion, but as an abutting neighbor I do think it's important to call attention to trouble that we have had in convincing Maine Medical Center to be respectful of our space. I do this in hopes that perhaps provisions could be written into the overlay zone that protect the neighborhood from harm caused by the hospital and its expansion.

I live at 19 Ellsworth Street, which I have owned or managed since 2012. My two-unit home is two doors down from the current main entrance to the hospital on Bramhall Street. Soon after I bought the property, MMC banned smoking on its grounds. Since then, the neighborhood has struggled with patient and employee smokers that have effectively been pushed onto our sidewalks. There are dozens of them, particularly on warm days, smoking throughout the day at a near constant.

The hospital has met with neighborhood reps as far as I know (I was only invited to one meeting) and has reluctantly steered smokers away from some parts of the abutting neighborhood. They refuse, however, to re-establish a smoking space on their grounds, ignoring the reality that unlike other no-smoking hospitals their campus is in the middle of a densely populated area. This leaves us with a policy that is like a balloon pushed on one end that juts out on the other. The smokers that are deterred from one part of our neighborhood only migrate to another.

That's where my house comes in. Across the street, at Hill and Ellsworth, is a popular corner for employees of the hospital to smoke. This is no accident. The hospital about a year ago installed "Buttler" cigarette butt collectors at this corner, which it pays to maintain. These Buttlers are in front of private property. They effectively validate and even encourage smokers from the hospital to come to our neighborhood in front of private property and smoke. Which they do, by the dozens daily on warm days. Sitting on stoops and lounging on the sidewalk in their MMC uniforms.

The Buttlers were pitched by MMC to the neighbors (including me) as a way to collect the smokers away from the windows of those with concerns, and to gather the butts that were so many the rumor was they clogged up the sewer underneath the sidewalk. We were told that the Buttlers would be moved if there was a problem. But this is not the case.

I have spoken with six property owners or tenants around these Buttlers who have serious concerns about the effect of the smokers on our health, our quality of life, and our property value. I relaid this concerns to the hospital. To date, the hospital has done nothing to divert its employee smokers away from our sidewalks. I have particular concerns about the smoke as I work from home, my tenant is also home and is undergoing chemotherapy, and my infant daughter is cared for at home. Next door, my neighbors have a one-year old son who is also home most of the day. The smoke from the MMC employees comes into our windows almost constantly during warmer months. Over a year ago, the young mother next door and I joined a neighborhood meeting with MMC to talk about the smokers. We were listened to but nothing of substance was ultimately done. We were even told by MMC counsel to ask the smokers to move ourselves.

Next week, the owner of the property on the corner and I will finally meet with MMC to discuss the employee smokers at the corner of Hill and Ellsworth. But even if we are successful at resolving our issue, other property owners will suffer as the smokers will only migrate. The only effective way to respect the neighborhood would be to alter this flawed no-smoking policy and return a space for smokers to hospital grounds. But the hospital will not consider this. They seem to hope that we will just go away. This meeting alone is a perfect example -- it was first promised to us in October. It is only now happening, after repeated follow-ups from the neighborhood.

I recognize that the overlay zone and the expansion are a separate issue, but I am concerned that the expansion will bring more smokers to our neighborhood and that the hospital will not be held accountable for its promises to respect our health and our quality of life. I have attended a couple of the neighborhood meetings about the expansion held by MMC, and the rhetoric about respect and concern for the neighborhood is heartwarming. But if the ongoing and very real damage to the neighborhood caused by another of MMC's sweeping changes is any indication, the needs of the neighbors may ultimately be ignored.

I write this letter in hopes that perhaps there is some way the zone can be written to better protect us neighbors.

Thank you for reading, and I'm happy to answer any questions you may have.

Best,
Sara

Sara Anne Donnelly

Writer ◦ Writing Coach

M 207.632.1042 O 207.274.6848

www.saraannedonnelly.com

@SaraADonnelly



Helen Donaldson <hcd@portlandmaine.gov>

Submission of Comment Planning Board re: MMC IOZ

Zack Barowitz <zbarowitz@gmail.com>

Sun, Feb 12, 2017 at 2:57 PM

To: Helen Donaldson <hcd@portlandmaine.gov>, Jean Fraser <JF@portlandmaine.gov>

Cc: Tuck O'Brien <tuckobrien@me.com>, Jeff Levine <JLEVINE@portlandmaine.gov>, Brian Batson <bbatson@portlandmaine.gov>

Submission of Comment to IOZ

In reviewing the memo to the Portland Planning Board Nell Donaldson regarding the Draft Institutional Overlay Zone (IOZ), several items came up as matters of concern.

Section 1c clearly and rightly states that the purpose of the IOZ is to "Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions"

However, several elements of the plan run counter to this condition.

Foremost among them is the amount of surface parking, particularly the proposed 13 story lot slated for the Corner of Gilman and Congress Streets. Aside from the fact that parking structures are not typically built to such heights because they can cause dizziness; the placement of an inordinately tall structure will indubitably have a detrimental effect on adjacent properties.

A simple survey of existing garages on Congress, Crescent, and Forest Streets would show adjacent properties adversely affected. So much so, that were it be the cynical policy to erect garages to devalue adjacent properties; it would allow for more cost effective future expansion. In any case; the proposal is in direct conflict with this portion of the IOZ.

Secondly; part and parcel of IOZ for an institution of the type, size, and location of Maine Medical Center is a Traffic Demand Management program (TDM). The memo states that Meghan Houdlette, PE of the firm VHB has been brought on to assist in the fulfillment of this portion of the IOZ. It is however, of some concern that in a private meeting with Penny St. Louis of MMC and Basak Alkan; Ms. Alkan told me that the hospital have "no position" on the recommendations put forth in the [Libbytown Traffic Circulation & Streetscape Study](#). This is concerning for several reasons:

- The hospital will only benefit from the implementation of the recommendations of the study
- MMC had previously endorsed the findings of the study, why the change of position?
- The adoption of the recommendations represents the bare minimum of what a 21st century TDM of a project of this scope should entail. The team should consider a

regional approach to transportation that encompasses all existing and future modes and systems including intercity park and rides, driverless cars, as well as bicycle and pedestrian infrastructure.

Finally, a graphic taken from the Public Meeting/Open House from January 12, 2017 shows a circular "1/4-mile walk radius" from surrounding areas to the MMC campus. However, the perimeter seems to reference an arbitrary center point within the MMC campus. To wit, the distance from a perimeter point on Grant Street to the nearest edge of the campus is twice that of one taken on Saint John Street. As such, the map is not terribly accurate and not as useful a tool as it could be.

Thank you for your kind attention to these matters.

Zack Barowitz,
Huntress Street

--

[207-838-6120](tel:207-838-6120)

[917-696-5649](tel:917-696-5649)

ZacharyBarowitz.com

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Re: Institutional Overlay Zone (IOZ) PB memo for 2.14.2016

1 message

Timothy wells <welmaurya@gmail.com>

Mon, Feb 13, 2017 at 9:44 PM

To: Jean Fraser <jf@portlandmaine.gov>

Jean,

A couple of comments about the Institutional Overlay Zone draft.

1. I think the city should be more specific about the planning period. I noticed that several cities, including SF, Oakland, Berkley require hospitals and universities to submit 20 year plans every 5 years. I think Portland should adopt the same policy. 20 years actually isn't that long when you are planning large construction projects and forces some rigor and long term thinking about the smartest, most effective way to grow.

2. I think the city should require the institutions to answer the questions:

- a) How will expansion impact economic growth for the city, county and state?
- b) What will be the positive and negative effects on the immediate surrounding neighborhoods? How will the plans impact property prices?
- c) What is the impact on city property taxes?

Thank you for including these for the meeting on Tuesday.

Best regards,

Tim

Tim Wells

[207-807-3876](tel:207-807-3876) MOB

On Feb 10, 2017, at 5:35 PM, Jean Fraser wrote:

Hello all

Please find attached the staff cover Memo for the Planning Board at next Tuesdays meeting, along with the final agenda for the meeting. The Memo contains the "final draft" of the IOZ ordinance text.

My name is Robert P. Fuller, owning and residing at #37 College Street. My sister owns #33-35 College Street. Together our properties comprise a neighborhood, though small in size. For the last two years, save for a public College Street, we are completely surrounded by the UNE campus. This is probably a unique situation, considering the four institutions cited for an overlay zone.

Four generations have lived in the home at #37 College Street, built by my grandfather about 110 years ago. Within our surroundings we are afforded a good view on all four sides, especially out our front window at a historic district. It is relatively safe and peaceful here on a predominately graduate campus. Traffic is usually manageable, except with special events.

Communication between the institutions and the neighborhoods need improvement. Hopefully the overlay zone process will send communications and resultant outcomes to a high level of order that the public should expect and get from an institution.

As part of the total transparency process, it should not be unreasonable to obtain from each institution information about each building and structure as to function, hours of operation, and who uses it. City oversight must insure that any activities of the institution are in keeping with its charter, articles, and by-laws.

In terms of overlay zone and institutional development process, the more details on a plan, the better for the neighborhoods. Without a detail requirement, there is always the temptation for an institution to produce vague plans. Who can say what the impact will be upon a neighborhood with changes in lighting, trees, traffic, impervious surfaces, parking, drainage, surface elevations, air circulators, vents, generators, compressors, construction or maintenance work, kinds of machinery employed, added doorways, trash removal, deliveries, pick-ups, hours of operation, converging sound waves/noises and so forth?

Setbacks, transitions and buffers are of paramount importance to all neighborhoods, no matter the size. Dimensional figures applied to bordering or abutting neighborhoods cannot be uniformly implemented with a fixed set of standards. One size does not fit all. Instead, each jog of the bounds that abut or adjoin an institution must be treated on a case by case basis.

The outcome of the overlay zone process should leave each neighborhood as good or better in terms of protection. Our neighborhood quality of life is at stake and so are our real property values.

February 19, 2017

IOZ2 messages

Anne Pringle <oldmayor@maine.rr.com>

Tue, Mar 7, 2017 at 6:05 PM

To: "Fraser, Jean" <jf@portlandmaine.gov>

Cc: "Watson, Trevor" <trevorewatson@gmail.com>, "O'Brien, Tuck"

<sgo@portlandmaine.gov>, "Sanders, Jeff" <Sandej4@mmc.org>, "Peterson, Rich" <peterri@mmc.org>

Jean,

I have been working like a house afire to get ready to go on vacation tomorrow, but have not focused as well on the IOZ text as I had hoped. My energy level is running down to zero with all that is going on just before I leave...

But see attached proposed changes, comments, and questions on the latest draft of the IOZ. As I will be away I guess they should be sent to the PB, unless staff agrees with everything and incorporates them into a new draft!...

A major concern is that the language seems to focus on accommodating institutional needs. See the language I suggest in the purpose statement to better balance neighborhood impact, **especially encroachment**. As I have noted twice, since I have learned that purpose statements have no legal import, I think this language needs to be pulled into the text. I am not sure what to make of the language in various sections about acquisition and disposition.

Re the process of engagement with the neighbors. I must say I am very impressed with our experience with MMC this time around vs. last time. Maybe it's just because we are dealing with different personalities. Jeff Sanders is very open and I believe he hears us. He is also very clear about the hospital's needs. I feel we are engaged in problem-solving, both theirs and, hopefully, ours. Hiring Basak Alkan was a great commitment on MMC's part. Maybe this kind of hire should be required to bring the institution along on the community planning spectrum...

Anne



2_28_17 revised draft IOZ

INSTITUTIONAL OVERLAY ZONE (IOZ)

I. Purpose of the Institutional Overlay Zone

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's four major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- a. Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow;
- b. Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and potential benefit to the surrounding area, city, and regional levels; and cumulative evaluates the impacts of any proposed encroachment into residential neighborhoods; and leverages while leveraging potential benefits at to the neighborhood, city, and regional level; (NOTE: VERY important to address the issue of potential encroachment. What is meant by "leverages")
- c. Ensure that institutional change and growth both complements and, as is appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions;
- d. Support the formation and continuation of mutually beneficial public-private cooperation;
- e. Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods;
- f. Reflect Comprehensive Plan and other policy objectives; and
- g. Provide a consistent regulatory approach to all major institutions, which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

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II. Location and Applicability

The city's four primary medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The Eligible Institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the two major academic institutions of University of Southern Maine and University of New England, their successors and assigns. Designation as an IOZ is the preferred mechanism where the Eligible Institution's proposed development is inconsistent with the existing zoning.

III. Establishment of an Institutional Overlay Zone

- a. *Application for an Institutional Overlay Zone.* Where the Eligible Institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:
 - i. An Institutional Development Plan (IDP) (see Section IV).
 - ii. A Regulatory Framework (see Section V) that would, when and if adopted, be the text and map amendment to the City's Land Use Code and Zoning Map.
- b. *Required Public Involvement.* Soon after the City becomes aware of any institutional plan to request a zone change, the applicant shall advise any abutting neighborhood association(s) of its plan to request a zone change. (NOTE: earlier notices came up at a recent meeting of about 14 NAs.) At least two neighborhood meetings shall be required. The first shall be held prior to the formal submission of a zone change

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application for an Institutional Overlay Zone and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and inform the development of the Institutional Development Plan (IDP) and Regulatory Framework. Meetings shall be held in a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates and maintain written records of the meetings.

- c. *Required Scoping Meeting.* The Eligible Institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and Regulatory Framework, including **study areas that may be outside of the proposed IOZ boundary** (NOTE: what does this mean?). The IDP and Regulatory Framework will vary in detail and focus depending on the Eligible Institution and its particular context. The content requirements in Sections IV and V and the comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the Eligible Institution (see Section IV.c).
- d. *Reviewing Authority.*
- i. The Planning Board shall review the zone change application, including the IDP and Regulatory Framework. ~~A One or more~~ public workshops and a public hearing before the Planning Board are required. (NOTE: Given the size and complexity of these institutions, I think it should be acknowledged up front that it likely than more than one workshop will be required.)
 - ii. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying Regulatory Framework as an amendment to the city's code of ordinances.
- e. *Future Institutional Development.*
- i. All new development by the Eligible Institution within the boundary of the IOZ shall be compliant with the IOZ and accompanying Regulatory Framework, consistent with the IDP, consistent with the Comprehensive Plan, and meet applicable site plan standards, unless such standards are superseded by the Regulatory Framework.
 - ii. Any use/development proposed by the Eligible Institution outside the IOZ boundary that complies with the zoning for permitted uses in that location shall be reviewed under the standards of that zone. Any use/development proposed by an Eligible Institution outside of the IOZ boundary that is a conditional use in the zone in that location shall be addressed by the IDP. NOTE: What about use/development not compliant with underlying zones, e.g the West Street transplant center?)

IV. Institutional Development Plan (IDP)

- a. *Purpose.* Any use conducted by an Eligible Institution and any construction by an Eligible Institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this ordinance. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services and measure, analyze, and address the anticipated or potential impacts of planned institutional growth and

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change. The IDP shall serve as a background document that supports the proposed Regulatory Framework and frames subsequent site plan review(s).

- b. **Planning Horizon.** An IDP shall provide the city and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the Eligible Institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years plus or more); however, the specific planning horizons for each institution will be determined as part of the IDP approval process.
- c. **Content.** The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required Scoping Meeting:
 - i. **Context Information**
 1. The institution's adopted mission, vision, or purpose statement
 2. A summary of relevant baseline data on the institution, including:
 - a) A neighborhood context plan;
 - b) An inventory of current programs and services;
 - c) A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time;
 - d) An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking);
 - e) An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities.
 3. A summary of the baseline characteristics of the existing campus and **context of the institution**, based on identified study areas, including:
 - a) A summary of existing resources, such as historic, open space, and natural resources; (Note: does this mean, for example, the Western Prom in the case of MMC? Is the intent that the IDP demonstrate that it will not negatively affect these existing resources?)
 - b) A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization;
 - c) A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues;
 - d) Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.
 4. A summary of public involvement in the development of the IDP, including major areas of public concern. Good!
 - ii. **Assessment of Future Institutional Growth and Change**

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1. A description of institutional needs and areas of future institutional growth and change, including:
 - a) Projected census of users (e.g., enrollment /employment/patient/visitor figures and anticipated variations over time);
 - b) Institutional objectives for property both within and outside the IOZ boundary **(e.g. acquisition and/or disposition)**, including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus; (NOTE: I think you are trying to address my suggestion that acquisition not be allowed outside that IOZ, but I am not sure this satisfies that suggestion. Again, this is the issue of encroachment, which should NOT be allowed into residential neighborhoods.
 - c) A Development Plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.
2. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the Regulatory Framework:
 - a) Transportation and access
 - 1) An analysis of the proposed changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan;
 - 2) An analysis of the proposed changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety;
 - 3) A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.
 - b) Environment
 - 1) An analysis of potential **cumulative impacts** on natural resources and open spaces; (NOTE: impact of individual projects should be analyzed, as well as cumulative impact. Minor individual impacts can build up to a major cumulative impact. This is what happened with Waynflete over the years.
 - 2) An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues as relevant;
 - 3) An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.

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c) Infrastructure

- 1) An analysis of projected public utility demand and the capacity of associated infrastructure;
- 2) An analysis of projected public safety needs and projected impacts to the capacity of these services;
- 3) An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.

d) Design

- 1) An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to natural and historic resources;
- 2) An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character defining components of the surrounding context;
- 3) An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development;
- 4) A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, **with particular attention to the treatment of edges (both within and abutting the IOZ boundary)** to achieve compatible transitions. Good.

e) Neighborhood Engagement

- 1) A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability; Good!
- 2) A property management framework that identifies the institution's process for handling operational property issues with neighbors; Good!
- 3) Strategies for assuring **reasonably transparent** (NOTE: MMC was not at all transparent about the sale of the residential properties as required the contract zone. They really kept us in the dark for years on this. Need to be more explicit about what is meant by "reasonably transparent"? communication pertaining to **property acquisition and disposition in surrounding neighborhoods** (NOTE: This should not be allowed - encroachment! The whole purpose of the IOZ is predictability BOTH for the institution and the neighborhood.)
- 4) A set of construction management principles, to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a clear

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communication strategy is in place in advance of construction.

d. *Standards of Review.* The IDP shall:

- i. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board;
- ii. Reflect the issues/topics identified in the required public process;
- iii. Demonstrate consistency with the city's Comprehensive Plan and the purpose of this ordinance;
- iv. Demonstrate how the property ownership, proposed growth, and requested Regulatory Framework relate to the institution's mission;
- v. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands;
- vi. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
- vii. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated;
- viii. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated;
- ix. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric;
- x. ~~Promote~~ **Demonstrate** compatibility with surrounding uses in adjacent neighborhoods, maintain housing, and support local amenities;
- xi. **Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure;** NOTE: What does this mean?
- xii. Conform with Portland's Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within one hundred (100) feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity; and
- xiii. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

e. *Approval.* Upon finding that an Eligible Institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

f. *Monitoring.* The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments;

g. *Amendments.* An approved IDP shall guide campus development unless and until amended. If at any time the Eligible Institutions request minor amendments (how defined?) to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a

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substantial alteration (How defined?) of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply with a written statement of the proposed amendment and proposed amended IDP to the Planning Authority, whose decision as to whether the amendment is minor shall be final. Major amendments shall be reviewed by the Planning Board. When the IDP is amended, the baseline data in the IDP shall be updated as appropriate.

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V. Regulatory Framework

- a. *Purpose.* The Regulatory Framework translates the IDP into a set of clear and specific zoning requirements for the IOZ that constitute the text and map amendments to the City's Land Use Code and Zoning Map. The zoning requirements are anticipated to include parameters that guide the growth and change of the institution as well as clarify how potential impacts will be addressed, though some details may be more fully developed under site plan review.
- b. *Applicability.* The Regulatory Framework shall apply only to properties that are within the IOZ boundary and to which the Eligible Institution holds right, title, and interest. For these properties, the Institutional Overlay Zone shall supersede the underlying zoning, and all new institutional development shall be conducted in compliance with the Regulatory Framework and the approved Institutional Development Plan. Properties located within the Institutional Overlay Zone not subject to right, title, or interest of the Eligible Institution shall continue to be governed by the regulations of the underlying zoning designation.
- c. *Uses.* Institutional uses, including hospitals and higher education facilities, shall be permitted, as shall uses that are functionally integrated with, ancillary to, and/or substantively related to supporting the primary institutional use, consistent with the applicable approved IDP.
- d. *Content.* The Regulatory Framework shall reflect the information and analysis of the IDP. The content shall be tailored to address the particular issues associated with the institution and its neighborhoods. The Regulatory Framework should be succinct and use tables and graphics as possible to address the following:
 - i. *Zoning boundary of the IOZ:* The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's Zoning Map);
 - ii. *Phasing and schedules:* Requirements that relate to particular proposed phases; a chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a Transportation Demand Management (TDM) Plan);
 - iii. *Uses:* Clarification, as necessary, on permitted uses.
 - iv. *Dimensional Requirements:* Graphics, sketches, or standards, including details for transition zones within the IOZ boundary;
 - v. *Transportation:* Elements such as TDM trip reduction targets or contribution to area-wide TDM measures; broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety; parking ratios and management strategies; thresholds for access improvements;
 - vi. *Environment:* The approach to the inclusion of open space and preservation of environmentally-sensitive areas;
 - vii. *Mitigation measures:* The approach to identified mitigation measures, which would be addressed in greater detail in the site

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plan review process; thresholds for addressing deficiencies; goals for preservation/protection;

- viii. *Design:* Graphics and standards to clarify building placement and envelope (height and massing); guidelines for integration of site features; required treatments for transition zones and treatment for all edges (both within and abutting the IOZ boundary); guidelines for establishing campus identity; and
 - ix. *Neighborhood Integration:* Thresholds and strategies for neighborhood engagement; mitigation of impacts on neighboring properties, including construction impacts; screening and buffering requirements; objectives for pedestrian linkages and safety; other requirements that address community concerns.
 - x. *Monitoring:* A schedule for regular monitoring reports on IDP implementation in accordance with the IDP.
- e. *Standards of Review:* The Regulatory Framework shall:
- i. Be consistent with the Comprehensive Plan and the Institutional Development Plan;
 - ii. Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews;
 - iii. Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement; and
 - iv. Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications.
- f. *Approval/Adoption.* The Planning Board shall review the proposed Regulatory Framework against the standards of review and make a recommendation on the institution's IOZ designation and Regulatory Framework to the City Council for adoption as part of this zoning ordinance.
- g. *Amendments.* A Regulatory Framework and IOZ boundary as adopted by the City Council shall remain in force unless and until amended. Amendments to a Regulatory Framework and/or IOZ boundary not brought forth by the institution as part of an IDP amendment will require a supermajority of the City Council to take effect. Amendments to the IOZ boundary or Regulatory Framework shall be reviewed by the Planning Board and adopted by the City Council subject to the provisions of this ordinance.

VI. Regulatory Frameworks of Eligible Institutions (The regulatory frameworks adopted by the Council for each Eligible Institution will be codified within this section.)



James Dealaman <jdealaman@portlandmaine.gov>

Neighborhood Concerns over IOZ IDP Process relating to existing Contract Zone Language

1 message

stjohnvalleyneighborhood <stjohnvalley@live.com>

Mon, Mar 27, 2017 at 11:40 PM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Cc: "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>, "jf@portlandmaine.gov" <jf@portlandmaine.gov>, stjohnvalleyneighborhood <stjohnvalley@live.com>, moses <mosessabina@yahoo.com>, "garrybowcott@hotmail.com" <garrybowcott@hotmail.com>, Jenny MacKenzie <jenabeat@hotmail.com>, "boccafe@hotmail.com" <boccafe@hotmail.com>, "nmaze@shalomhouseinc.org" <nmaze@shalomhouseinc.org>, "Jacob, Ian" <iancasperjacob@gmail.com>, Zack Zack Barowitz <zbarowitz@gmail.com>, Holder Emma <pna@parksideneighborhood.org>

<http://thebollard.com/2010/02/07/getting-the-institutional-creeps/>

March 27, 2107

To the City of Portland Planning Board:

In reviewing the latest IOZ draft with a group of neighbors yesterday, a couple of questions came up:

Once the IOZ is adopted, are all restrictions and covenants in place under an institution's current Contract Zoning eliminated?

The language in the IOZ, Chapter V Regulatory Framework states that the IOZ shall **supersede the underlying zoning.**

There is also language throughout the IOZ referencing for example that the institution's IDP provide a description of the **Assessment of Future Institutional Growth and Change.**

In the Chapter IV Neighborhood Engagement paragraph there is language that references (**reasonably transparent communication pertaining to property acquisition...**

I'm not sure how we missed this but the language has us very concerned that the new IOZ ***completely*** removes restrictions currently in place on Maine Med's ability to expand in our neighborhood outside of their current footprint.

Additionally, several other mandates present in the hospital's current contract zoning will apparently go away upon the adoption of the IOZ.

Specifically:

- Reporting requirements for Helicopter landings.
- Reporting requirements for the institutions Alternative Transportation Plan.
- Mandated quarterly meetings for the purpose of keeping the neighbors apprised of future development plans.:)
- Snow ban parking provisions
- Signage compliance

I'm assuming some of the above may be addressed in the MMC IDP, or are already part of city code.

Back to the footprint question...While we as a group agreed to and even suggested loosening expansion restrictions to allow for possible development of-for example the Sportsman's Club lot, we did so with a consideration towards diluting the impact of 1,200 cars being parked by the hospital on the Gilman Street block. An abandoning of the expansion restriction in its entirety is not what we envisioned and puts the neighborhood right back into the path of potentially major institutional creep.

Taking a look at a possible scenario:

The hospital already owns two surface lots on the west side of Valley at A Street.

With a complete removal of restriction against expansion outside the footprint, what keeps them from buying the other four parcels and creating another institutional super-block?

If I understand it correctly, in the case of the super-block, prior to being approved for use, the institution would need to have presented plans for this purchase and expansion in their IDP, and have the IDP approved by the Planning Board and the Council.

This is where I start to get confused.

- How can the institution include in their IDP, their intention to develop that block if they have not yet purchased the other property?
- How **"transparent"** or detailed can an institution possibly be in sharing their plans for acquisition and development in the IDP and still protect their position of confidentiality as a buyer?
- How will an institution be able to present, as required by the IDP, a description of their **"institutional objectives for property both within and outside the IOZ boundary"** and still protect their property buying interests?
- If, in order to protect the confidentiality of the buyer/seller, an institution is not required to present specifics about their **"assessment of future institutional growth and change"** including specific properties to be purchased or sold, how is the neighborhood to protect themselves from potentially unfettered growth by the institution?

Our biggest fear outside the prospect of a thirteen story parking garage, is that of a constant, ever expanding Maine Medical Center presence in our neighborhood.

This was a fear addressed and remedied in Chapter 1 of the 2005 Conditional Zone document and remains an active concern of those who live in this neighborhood. I've attached a copy of the Conditional Zone document along with a link to a story from 2010 relating to our neighborhood's concern over constant institutional expansion.

I'm sure there are parts of this process that many of us still need to understand. I greatly appreciate the patience and clarity that city planning staff, particularly Tuck and Jean, have demonstrated when speaking with me and my neighbors in trying to teach us about the process.

At this point however, I just don't see how the IOZ/IDP process demonstrates enough governance, control or influence over the institutions to protect those who might be negatively impacted by unrestricted expansion.

Before approving this approach, we need to figure out how the IOZ/IDP process can maintain and incorporate the protections provided by the current Conditional Zone Agreement; drafted and included for the long term benefit of our neighborhood, while still allowing consideration for thoughtful and agreed upon expansion by the institutions in our neighborhoods.

Thank you.

Tim McNamara

251 Valley Street

Portland, Maine



FINAL Contract 4.25.05 cra new patient visitor.odt
82K

Order 172-04/05

Given 1st reading: 2/23/05 Postponed on 3/7/05

Public Hearing & postponed on 4/4/05

Amended & Passage: 4/25/05 9-0

JILL C. DUSON (MAYOR)(A/L)
PETER O'DONNELL (A/L)
JAMES F. CLOUTIER(A/L)
NICHOLAS M. MAVODONES (A/L)

**CITY OF PORTLAND
IN THE CITY COUNCIL**

WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)
JAMES I. COHEN (5)

**AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR PROPERTY
IN VICINITY OF WESTERN PROMENADE/ MAINE MEDICAL CENTER**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below:

**CONDITIONAL ZONE AGREEMENT
MAINE MEDICAL CENTER**

AGREEMENT made this ____ day of _____, 2005, by **MAINE MEDICAL CENTER**, a Maine corporation with a principal place of business located in the City of Portland, County of Cumberland and State of Maine, its successors and assigns (**"MMC"**).

WITNESSETH:

WHEREAS, **MMC** is the owner of land and buildings located in Portland at Map 53, Block D, Lots 1, 2 and 7; Map 53, Block E, Lots 1, 2, 10 and 13; Map 53, Block G, Lots 1 and 13; Map 54, Block H, Lot 1; and Map 64, Block C, Lots 1 and 2; and Map 55, Block B, Lot 13 (the **"PROPERTY"**); and

WHEREAS, MMC is the largest provider of obstetrical services in Maine and provides the only statewide fulltime maternal fetal medicine service serving women and newborns at high risk and **MMC** has the only Level III neonatal intensive care unit in Maine; and

WHEREAS, in order to respond to the changing professional and clinical standards for the care of sick infants within the neonatal intensive care unit and to meet the spatial requirements of today's routine and high risk obstetrical and newborn care, **MMC** must build an addition comprised of 192,000 square feet (the "Charles Street Addition"); and

WHEREAS, MMC proposes to construct the Charles Street Addition by expanding vertically, on the site of an existing medical building bounded generally by Charles Street, Wescott Street, Ellsworth Street and Crescent Street; and

WHEREAS, in order to avoid a substantial expansion of the footprint of the buildings at **MMC** and, instead, to construct the Charles Street Addition by vertical expansion, it is necessary to modify the otherwise applicable height requirement in the R-6 Zone; and

WHEREAS, in order to accommodate the needs of the Charles Street Addition and to improve parking and traffic circulation on the **MMC** campus, **MMC** proposes to construct a new 512 car capacity parking garage along Congress Street (the "New Parking Garage"); and

WHEREAS, in order to achieve the requisite parking capacity within the available space, **MMC** needs to build the New Parking Garage at a height taller than the currently applicable height limit in the R-6 Zone and also to locate the New Parking Garage closer to Congress Street than the currently applicable setback requirement in the R-6 zone; and

WHEREAS, in order reduce transport time for critical patients coming to **MMC's** emergency department, **MMC** proposes to construct a helicopter landing pad on top of the

existing parking garage which fronts on Congress Street (the “Helicopter Landing Pad” also occasionally referred to as “Heliport or Helistop”); and

WHEREAS, in order to replace currently fragmented heating and cooling systems throughout its campus, **MMC** intends to construct a central utility plant, built into the hillside between the hospital and Gilman Street (the “Central Utility Plant”); and

WHEREAS, the Central Utility Plant will be built at a proposed height of 45 feet but is also designed to accommodate a future vertical expansion of two additional floors, with a maximum future height of 70 feet; and

WHEREAS, **MMC** currently has operating rooms, intensive care beds, and adult and pediatric beds in an existing building constructed in 1985 (expanded in 1998) and referred to as the “L. L. Bean Wing;” and

WHEREAS, **MMC** has no current construction plans for the L. L. Bean Wing, but anticipates that the L. L. Bean Wing will need to be expanded vertically at some time within the next decade; and

WHEREAS, the L. L. Bean Wing was designed structurally to accommodate such vertical expansion by an additional two stories; and

WHEREAS, **MMC** desires to provide for such eventual vertical expansion within this Agreement and additional vertical expansions, except as noted below, are not included within the scope of this Contract and will be subject to negotiation and approval in the future, when presented; and

WHEREAS, by expanding vertically for the Charles Street Addition rather than horizontally, **MMC** will need to remove only two residential buildings, and will do so in full

compliance with the housing replacement requirements of section 14-483 of the Portland Code of Ordinances; and

WHEREAS, in addition to such required replacement, **MMC** will divest itself of ownership of nine other buildings (two on Crescent Street, two on Ellsworth Street, one on Hill Street and four on Bramhall Street), enabling others to return them to residential use; and

WHEREAS, **MMC** has requested a rezoning of the **PROPERTY** in order to permit the above-described improvements; and

WHEREAS, the **CITY** by and through its Planning Board, pursuant to 30-A M.R.S.A. §4352(8) and Portland City Code §14-60, *et seq.*, and §14-315.3, after notice and hearing and due deliberation thereon, recommended the rezoning of the **PROPERTY** as aforesaid, subject, however, to certain conditions more specifically set forth below; and

WHEREAS, the **CITY** has determined that because of the unique circumstances of the location of an urban medical center campus in close proximity to historic and densely populated neighborhoods within the R-6 Zone, and in order to balance the interests of **MMC** and its residential neighbors, it is necessary and appropriate to impose the following conditions and restrictions in order to ensure that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, on April 25, 2005, the **CITY** authorized the amendment to its Zoning Map based upon the terms and conditions contained within this Agreement, which terms and conditions become part of the zoning requirements for the **PROPERTY**;

NOW THEREFORE, in consideration of the rezoning, **MMC** covenants and agrees as follows:

1. **MMC** will restrict any further expansion of its uses¹ in the Western Prom/ Parkside/ Gilman Street neighborhoods to the property specifically included in the following defined Campus²:

- (a) The main campus, bounded by the north side of Bramhall Street, the
- (b) western side of Wescott Street, a portion of the northern side of Crescent Street terminating with the proposed end of the new garage, and the south side of Congress Street between the existing and proposed new garage, and the eastern side of Gilman Street;
- (c) The existing medical office building located on Congress Street across from the main campus;
- (d) The Vaughn Street parking lot and McGeachey Hall;
- (e) The existing West Street Medical Office Building located behind the row houses at the eastern end of West Street (CBL 55-B-13);
- (f) The block bounded on Congress Street, Gilman Street, Valley Street and A Street.

2. The following exhibits are incorporated into and made a part of this Agreement:

Exhibit A: Helistop Overlay Zone Map

Exhibit B: Site Plan

- 1. Sheet C050: Campus Plan, Revision date: 9/16/04
- 2. Sheet C100: Site Plan, Revision date: 9/16/04
- 3. Sheet C101: Site Plan, Revision date: 9/16/04
- 4. Sheet C102: Site Plan, Revision date: 9/16/04
- 5. Sheet C103: Site Plan, Revision date: 9/16/04
- 6. Sheet C400: Landscape Plan, Revision date: 9/16/04

¹ “Future expansion of its uses” shall mean new construction of building(s) and or conversion of existing uses (including residential uses) into hospital related uses and the like. It shall not mean the occupancy of an existing building which contains a legally conforming medical related use.

² This provision shall not prohibit **MMC** from expanding or building in other areas of the City if permitted by zoning.

7. Sheet C401: Landscape Plan, Revision date: 9/16/04
8. Sheet C402: Landscape Plan, Revision date: 9/16/04
9. Sheet C403: Landscape Plan, Revision date: 9/16/04
10. Landscape Plan at Existing Garage, See sheets 401 & 402
11. Pedestrian Connection to Congress Street, 4/14/04
12. Parking Garage Rendered Elevation, North, (Option 1; Exhibit B, p.12, April 25,2005)
13. Parking Garage Rendered Elevation, (Option 1, Exhibit B, p. 12, perspective; April 25, 2005)
14. Parking Garage Rendered Elevation, South, 1/27/05
15. Central Utility Plant Rendered Elevation, 1/27/05
16. Charles Street Addition Rendered Elevation, South 1/27/05
17. Charles Street Addition Rendered Elevation, East 1/27/05
18. Charles Street Addition Rendered Elevation, North 1/27/05
19. Charles Street Material Board 1/27/05
20. Street Vacation/Acceptance and Land Transfer Plan (Sheet 1)
21. Street Vacation/Acceptance and Land Transfer Plan (Sheet 1)
22. Concrete Sidewalk Plan

Exhibit D: Miller Memo 01/06/05 and MMC Helipad Flight Paths, Harris Miller Miller & Hanson Inc., 9/16/04

Exhibit E: Helipad Operating Guidelines (2 pages); source, Lifeflight of Maine

Exhibit F: Helipad Plans

1. Heliport Plan, 1/27/05
2. Heliport Elevation, 1/27/05
3. Heliport Perspective, 1/27/05

Exhibit G: Vaughan Street Parking Lot Landscaping Plan

1. Landscape Plan, 7/8/04
2. Wall Treatment
3. Fence Detail
4. Landscape Section

3. The **CITY** shall amend the Zoning Map of the City of Portland, dated December 2000, as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by Portland City Code §14-49, by adopting the map change amendment below, which map change includes a Helistop Overlay Zone as more particularly depicted on Exhibit A.



4. The **PROPERTY** and site improvements shall be developed and operated substantially in accordance with the site plan shown on Exhibit B (the “Site Plan”), which Site Plan includes but is not limited to street layouts, landscaping, and building elevation drawings for initial construction, subject to the approval of the Site Plan by the City’s Planning Board in compliance with the requirements of Chapter 14, Article V. The architectural treatment of the façade of the New Parking Garage may be revised during site plan review and shall meet the site plan standards of 14-526(16). Minor revisions to the Site Plan in the nature of field adjustments may be approved by the Planning Authority, without the need for amendment of this Agreement or further approval by the City Council.

5. No building permits shall be issued unless and until **MMC** receives conditional use approval pursuant to section 14-474 (Expansion of Institutional Use) and section 14-483 (Housing Replacement), site plan approval pursuant to section 14-483(e) of the City Code, approval under the Site Location of Development Act and an MDOT traffic movement permit, if required. No occupancy of the newly constructed buildings shall be permitted unless and until all site plan conditions of approval have been satisfied and the City Council has taken final action on the street discontinuances and street acceptances required for the realignment of certain streets, as shown on the Site Plan (Exhibit B).

6. **MMC** shall provide to the **CITY** a performance guarantee covering all required site improvements under section 14-525(j) of the City Code and the two replacement dwelling units provided under paragraph 6(d) of this Agreement.

7. The **PROPERTY** shall be governed by the zoning provisions, as such may be amended from time to time, applicable in the zoning districts underlying the Conditional Zone except as follows:

(a) Height Limits. The maximum structure height (measured according to the definition of “building, height of” in section 14-47) shall be:

- 95 feet for the Charles Street Addition, as depicted on the Site Plan
- 70 feet for the New Parking Garage, as depicted on the Site Plan
- 45 feet for the Central Utility Plant, as depicted on the Site Plan
- 111 feet for the L. L. Bean Wing, as already constructed.

(a) Setbacks.

- The minimum setback of the New Parking Garage shall be zero (0) feet from the right of way line of Congress Street.
- The minimum setback of the southeast corner of the Charles Street Addition shall be five (5) feet from the relocated right of way line of Ellsworth Street, as depicted on Exhibit B.
- The minimum setback of the Central Utility Plant shall be five (5) feet from Gilman Street.

(d) Replacement Housing. The replacement of the two existing residential structures at 33 Crescent Street (identified as Map 53, Block E, Lot 2) and 37 Crescent Street (identified as Map 53, Block E, Lots 1, 10 and 13) containing a total of seven dwelling units and two single-room occupancies by a portion of the New Parking Garage shall be deemed to meet the requirements of section 14-137(c), provided that **MMC** shall comply fully with the requirements of section 14-483 (Preservation and Replacement of Housing Units). Specifically, **MMC** shall comply with section 14-483 by (i) converting the building at 325-329 Brackett Street identified as Map 54, Block D, Lot 7 (the last approved use of which was office space) into two dwelling units prior to the issuance of a certificate of occupancy for the New Parking Garage and then divesting itself of ownership of the building prior to the issuance of a certificate of occupancy for the Charles Street Addition and (ii) paying Three Hundred Fifteen Thousand Five Hundred Eighty dollars (\$315,580.00) into the **CITY**’s Housing Development Fund (representing five dwelling units and two single-room occupancies) upon

approval of the Site Plan by the **CITY**'s Planning Board. The deadline for divestiture may be extended by the Planning Authority if **MMC** demonstrates that reasonable good faith efforts to market the property instituted at least 6 months prior to the deadline have failed to produce a bona fide offer at or above fair market value and on commercially reasonable terms.

(e) Sidewalks. **MMC** shall comply with the **CITY**'s Brick District Policy Plan, except that, at the time of final site plan review, the Planning Board may approve the use of concrete sidewalk materials, as shown on Exhibit B 22, because of the particular needs or requirements of the hospital use.

(f) Street level uses in garage. The street level of the new parking garage may be used for any use allowed in the B-2 zone.

8. The Helicopter Landing Pad shall not be subject to the provisions of section 14-409 (Heliports), but shall be governed by the provisions of the Helistop Overlay Zone, sections 14-325 through 14-327), except as follows:

(a) Setbacks. Because it is to be located on the roof of an existing structure, the landing pad shall not be required to meet the setback requirements of Section 14-327(3) or the fencing requirements of Section 14-327(4).

(b) Flight routes. **MMC** shall identify preferred flight routes, to be approved by the **CITY**, designed to minimize noise impact of helicopter flights on surrounding residential areas, shall notify all flight providers likely to use the Helicopter Landing Pad of such preferred routes, and shall take the following measures to ensure that such preferred routes are utilized whenever weather conditions, safety considerations and the best interests of the patient being transported permit, with the expectation that this will be the usual case. **MMC** will instruct all providers which regularly use the Helicopter Landing Pad that pilots must file an exception report with the Air Medical Provider Administration of Lifeflight of Maine or its successor entity for operations modified for safety considerations or at the direct request of Approach Control at the Portland International Jetport. Logs of these exception reports will be made available to **MMC** and to the **CITY** every six months. When and if the Portland Jetport has the capacity to maintain and preserve data which specifically identifies flight routes actually taken by aircraft using the Helicopter Landing Pad, the **CITY** shall consult such data to review compliance with this paragraph, and **MMC**, upon request of the **CITY**, will be responsible for the **CITY**'s reasonable costs of translating such data into useable form, but not for the costs of the flight monitoring. Initially, such preferred flight routes shall be as shown on the map attached to this Agreement as Exhibit D. At the initiative of either the **CITY** or **MMC**, the map of preferred flight routes may be amended from time to time by agreement between **MMC** and the City Council. The City Council shall consult with the Portland International Jetport and shall convene a neighborhood meeting to obtain input from residents of any affected residential areas before agreeing to any such amendment. An agreement between the parties to change preferred flight routes under this paragraph shall include noise mitigation measures in addition to those described in paragraph 7(g) below provided the noise mitigation measures are recommended by

an independent noise consultant. In addition, after one full year of operation of the Helicopter Landing Pad (measured from the date of the first patient transport flight to use the Helicopter Landing Pad), the City Council shall review the operation of the preferred flight routes and may initiate amendments to the map of preferred flight routes, following the procedures specified above. In connection with review or amendment of flight routes under this paragraph, the **CITY** may engage the services of an independent consultant and **MMC** will reimburse the **CITY** for its reasonable costs of obtaining such consulting services provided that the **CITY**, in advance of engaging the consultant, affords **MMC** an opportunity to comment on the scope of the consultant's engagement.

(c) Fly Neighborly. In negotiating any contract or agreement with any provider of emergency medical transport by helicopter, **MMC** will require the provider to operate in compliance with the "Fly Neighborly Guide" revised February 1993, (and any subsequent revisions) prepared by the Helicopter Association International Fly Neighborly Committee and published by the Helicopter Association International. **MMC** shall establish a complaint number and a protocol for handling complaints, which shall be publicized within the neighborhood, and the complaints will be reviewed no less than quarterly by the Maine Medical Center Neighborhood Council, noted below.

(d) Helipad operating guidelines. Helicopter landings on the Helipad are approved for emergency patient care only. Any use of the Helicopter Landing Pad for other than emergency patient care transport shall be deemed a violation of this Agreement and shall result in the termination of the Helicopter Overlay. The following standard practices will be incorporated as general policy for operations in and out of the Maine Medical Center Helipad and shall be communicated by **MMC** to providers. At all times, the Pilot in Command (PIC) will determine safety of operations as a first consideration. Under normal operating circumstances, take-offs, landings and standing-by on the Helicopter Landing Pad shall be conducted according to the Operating Guidelines, attached hereto as Exhibit E, subject at all times to the judgment of the helicopter pilot concerning safety and to the judgment of the emergency medical personnel concerning the health of the patient.

(e) Equipment. In generating any specifications in connection with the negotiation of any contract or agreement with any provider of emergency medical transport by helicopter, **MMC** will specify that helicopters utilizing the Helicopter Landing Pad (with the exception of U.S. military or government aircraft) are relatively new turbine powered aircraft meeting requirements under ICAO Annex 16 Chapter 8 for in-flight noise levels and complying with FAA airworthiness standards, 14 CFR part 36.11 and 14 CFR 21 Sub-part D, or any amended or successor requirements or standards.

(f) Design and construction. The Helicopter Landing Pad shall be constructed as shown on Exhibit A.

(g) Mitigation. **MMC** will pay for the installation costs associated with the full installation of soundproofing improvements contained within Exhibit D, except in lieu of central air conditioning **MMC** will also pay for the installation of ventilation improvements to one or more rooms within each such dwelling unit as reasonable and appropriate as determined by the

CITY. The **CITY** shall contract for such work and **MMC** shall be responsible for the costs associated therewith, plus a 10% administrative fee to be paid to the **CITY**. Before entering into any contract for such work, the **CITY** shall notify **MMC** and give **MMC** the opportunity to comment on the scope of the proposed work and the estimated cost thereof. The properties to be included under this provision are as follows: 879 Congress Street (Map 53, Block I, Lot 16), 921 Congress Street (Map 65, Block D, Lot 17), 925 Congress Street (Map 65, Block D, Lot 16) and 929 Congress Street (Map 65, Block, D, Lot 14). Such funds shall only be expended if the present owners of such buildings request such improvements no earlier than six months and no later than eighteen months after commencement of the operation of the Helicopter Landing Pad. For a period of five years from the date of this Agreement, any new owner of the aforementioned properties may request such improvements no later than eighteen months after purchase of said property(s).

(h) Accreditation. The principal provider of air medical transport to **MMC** shall be accredited by the Committee on Accreditation of Medical Transport Systems or its successor agency. Providers using the helicopter landing pad shall be accredited by the Committee on Accreditation of Medical Transport Systems or its successor agency, unless special circumstances warrant a non accredited provider such as the Air National Guard, the U.S. Coast Guard or other users.

9. Signage shall comply with the requirements of sections 14-336 through 14-372.5 of the City Code, except as otherwise approved by the Planning Board under Chapter 14, Article V.

10. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the **MMC** campus (including but not limited to complaints or operating issues with respect to the helipad and future planning and development programs associated with **MMC**), **MMC** shall, no less than quarterly, and with two weeks written notice, invite representatives of the Maine Medical Center Neighborhood Council to meet with designated representatives of **MMC**. For purposes of this requirement, the Maine Medical Center Neighborhood Council shall consist of two representatives of the Parkside Neighborhood Association, , two representatives of the Western Prom Neighborhood Association, and two representatives of the Gilman/Valley Streets neighborhood. The neighborhood organizations shall designate the persons who shall serve on the Maine Medical Center Neighborhood Council. In the event there is no formal neighborhood organization, the City Council District Councilor shall designate the persons to serve on the Maine Medical Center Neighborhood Council.

11. **MMC**, prior to occupancy of the Charles Street Addition, shall relocate the sewer serving 31 Crescent Street, as depicted on the Site Plan (Exhibit B). In addition, **MMC** shall provide two off-street parking spaces for use by the tenants of 31 Crescent Street for so long as 31 Crescent Street serves as a residential structure.

12. **MMC** agrees that it will make the parking garage contemplated within this Agreement available for use by the public for snow ban purposes in a fashion similar to that

required in its Congress Street/Forest Street parking garage. In addition, **MMC** shall require all of its vendors, contractors and subcontractors to utilize a parking garage or other approved parking area/facility for vehicles and truck parking during construction.

13. **MMC** agrees to divest itself of ownership of the following existing structures owned by **MMC** according to the following schedule:

Prior to the issuance of a certificate of occupancy for the Charles Street Addition:

15 Crescent Street (Map 53, Block F, Lot 6)
25 Crescent Street (Map 53, Block E, Lot 5)
25 Ellsworth Street (Map 53, Block H, Lot 2)
32 Ellsworth Street (Map 54, Block C, Lot 5)
20 Hill Street (Map 54, Block C, Lot 1)

No later than January 1, 2010 or the issuance of a certificate of occupancy for any of the future expansions described in Section 6(b) above, whichever is earlier:

19 Bramhall Street (Map 63, Block A, Lot 4)
23 Bramhall Street (Map 63, Block A, Lot 3)
25 Bramhall Street (Map 63, Block A, Lot 2)
31 Bramhall Street (Map 63, Block A, Lot 1)

The deadline for divestiture of any of such property may be extended by the Planning Authority if **MMC** demonstrates that reasonable good faith efforts to market the property instituted at least 6 months prior to the deadline have failed to produce a bona fide offer at or above fair market value and on commercially reasonable terms.

14 **MMC** agrees that it will remove the existing building located at 261-269 Valley Street (formerly the “Eagles Club”) within 12 months after the effective date of this Agreement and that the site of the removed building will be loamed and seeded unless and until otherwise developed pursuant to an approved site plan.

15 **MMC** shall provide landscaping of the area surrounding its Vaughn Street parking lot as shown on the landscaping plan attached hereto as Exhibit G and shall construct, maintain and continue to own the “pocket park” located at Ellsworth and Charles Streets as shown on the Site Plan (Exhibit B). The improvements to the Vaughn Street parking lot shall be completed within 12 months of the effective date of this Agreement.

16. **MMC** agrees to allow public pedestrian access between its campus and Congress Street through a new enclosed stairway to be constructed adjacent to the New Parking Garage, as depicted on Exhibit B.

17.. **MMC** shall contribute \$800,000 to the **CITY** to use for public improvements in the general vicinity of Maine Medical Center.

18.. MMC agrees that it will encourage its employees and visitors to use alternatives to single-occupant automobiles when traveling to and from the **PROPERTY**. In its application under the Site Plan Ordinance, MMC agrees to include among its written statements an Alternative Transportation Plan. The Alternative Transportation Plan will propose strategies to reduce single-occupant automobile trips to the **PROPERTY**. Such strategies shall include, but not be limited to, subsidies and other incentives for employees and visitors to use local and regional mass transportation, share rides (carpools and vanpools), ride bicycles and walk. The Planning Board will include the Alternative Transportation Plan in its consideration of sections 14-526(a)(1) and (2) of the City Code. In addition, an analysis of effectiveness and functioning of the Alternative Transportation Plan shall be provided to the City Council's Transportation Committee on an annual basis.

20.. The above restrictions, provisions and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit **MMC**, its successors and assigns, and any party in possession or occupancy of the **PROPERTY** or any part thereof, and shall inure to the benefit of and be enforceable by the **CITY**, by and through its duly authorized representatives. Within 30 days of approval of this Agreement by the City Council, **MMC** shall record a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the book and page of the deeds to the property underlying said **PROPERTY**. Unless otherwise stated within this Agreement, this Agreement governs only the **PROPERTY** expressly covered by this Agreement and applies only within the boundaries of the rezoned area as shown on the map. Nothing in this Agreement shall have any effect on or be construed as having any bearing on the use or development of any other properties owned by **MMC** or its affiliates, all of which shall continue to be governed by the applicable provisions of the Portland Land Use Code, without regard to this Agreement.

21.. If any restriction, provision, condition, or portion thereof, set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such determination and shall not affect the validity of the remaining portions hereof.

22.. Except as expressly modified herein, the development, use, and occupancy of the **PROPERTY** shall be governed by and comply with the provisions of the Land Use Code of the City of Portland and any applicable amendments thereto or replacement thereof.

23.. This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law (including 30-A MRSA 4452) and **CITY** Ordinance. No alleged violation of this rezoning Agreement may be prosecuted, however, until the **CITY** has delivered written notice of the alleged violation(s) to the owner or operator of the **PROPERTY** and given the owner or operator an opportunity to cure the violation(s) within thirty (30) days of receipt of the notice. Following any determination of a zoning violation by the Court, and in addition to any penalties authorized by law and imposed by the Court, either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

24.. In the case of any issue related to the **PROPERTY** which is specifically addressed by this Agreement, neither **MMC** nor their successors may seek relief which might otherwise be available to them from Portland's Board of Appeals by means of a variance, practical difficulty variance, interpretation appeal, miscellaneous appeal or any other relief which the Board would have jurisdiction to grant, if the effect of such relief would be to alter the terms of this Agreement. In cases that fall outside of the above parameters (i.e., alleged violations of any provisions of Portland's Land Use Code, including, but not limited to, the Site Plan Ordinance, which were neither modified nor superceded by this Agreement), the enforcement provisions of the Land Use Code, including, but not limited to, the right to appeal orders of the Planning Authority, Building Authority and Zoning Administrator shall apply. Nothing herein, however, shall bar the issuance of stop work orders.

WITNESS

MAINE MEDICAL CENTER

By:

Its:

STATE OF MAINE
CUMBERLAND, ss.

Date: _____, 2005

Personally appeared before me the above-named _____, in his capacity as _____ of Maine Medical Center, and acknowledged the foregoing instrument to be his free act and deed in his said capacities and the free act and deed of Maine Medical Center.

Before me,

Notary Public/Attorney at Law



James Dealaman <jdealaman@portlandmaine.gov>

Fwd: PB hearing on IOZ new ordinance

1 message

Jean Fraser <jf@portlandmaine.gov>

Tue, Mar 28, 2017 at 2:18 PM

To: James Dealaman <jdealaman@portlandmaine.gov>

This is PC 22 and the one I have already copied (paper copies) for the Board meeting- just needs to go into your other system. thanks, Jean

----- Forwarded message -----

From: **moses sabina** <mosessabina@yahoo.com>

Date: Tue, Mar 28, 2017 at 1:16 PM

Subject: Re: PB hearing on IOZ new ordinance

To: Jean Fraser <jf@portlandmaine.gov>

Jean,

Here are some comments for the planning board meeting:

Portland Planning Board,

My name is Moses Sabina, I am an owner/resident of 4 Gilman St. I have the unique perspective of participating in the MMC Neighborhood Council since its inception, longer than any other neighbor or MMC staff. I am concerned that the language in the IOZ regarding neighborhood engagement is too vague. The IOZ calls for a plan for neighborhood engagement. Who decides what is acceptable? What is the mechanism for institutional accountability?

Here are some examples of instances when MMC has either exploited a loophole in the CRA or attempted to with little to no accountability.

1. The Retail Space: The current CRA required MMC to create a retail space as part of the new visitor garage on Congress St. The retail space was called for by neighbors and the planning board. After sitting vacant and completely undeveloped (it has a dirt floor to this day), I made it a point to check in on the progress of finding a tenant for it nearly every quarterly meeting. MMC reported that they had many interested parties over the years, but no lease was ever signed. MMC conducted a survey of their staff asking what type of business would be beneficial. One meeting their real estate listing agent, Mark Malone, told us that the asking price was too high. After many years of updates on the retail space, neighbors and I finally had the opportunity to ask Rich Peterson about it; he informed us that MMC had no intention of leasing the space, and never had. In this case, MMC fulfilled their obligation in the CRA by creating the space, but ignored the intentions of the community and opportunity to house a neighborhood business.

2. Snow Ban Parking: MMC is required by the city to provide snow ban parking in both the new visitors garage and the Forest St Garage. The record as to how many spaces they are required to provide is unclear, yet MMC has manufactured their own number. MMC has closed a nearly empty Forest St garage during parking bans, prohibiting neighbors from parking there. This is an issue we thought we had worked out in the quarterly meetings, but it occurred again this winter. To their credit, after phone calls were made, the garage was re-opened.

3. Sportsman's Lot: Though the CRA prohibits MMC from expanding their footprint, they attempted to buy the lot across the street from the employee garage, formerly the site of the Sportsmans restaurant. This decision was announced to the Neighborhood Council in a meeting. After reviewing the CRA, I brought the issue to Penny Littell, who at that time was on the Portland City legal department. MMC was disallowed from purchasing the property. They claimed that they didn't understand the CRA. It's pretty clear. It draws a line which says, across this you do not! [chapter 1, page 5]. The fact that they made the attempt speaks volumes to the need for regulation and enforcement. If I had not raised the issue, I'm not sure whether anyone else would have. Where today stands a thriving neighborhood restaurant in Salvage BBQ, could be another MMC owned building, another dune in the urban desert, which contributes nothing to the neighborhood street scape.

4. The Current Proposed Expansion Project: The IOZ calls for neighborhood engagement, and one shape that could take is a quarterly meeting like the one I have been engaged in with MMC for roughly ten years. That's a lot of my time donated to hospital neighborhood relations; time that I would like to think has not been wasted. It's hard to think that

when I hear Jeff Sanders from MMC state that they've been working on the current proposed expansion project for a year and a half; that six quarterly meetings that nary a whisper of this project was uttered in meetings which are required by the CRA for the express purpose of "surrounding residential areas apprised of future development plans" [CRA chapter 10, page 11]. They have an urgent need for single occupancy rooms, there is no denying that. I want my local hospital to be the best it can be, who doesn't? It is, however, hard to hear the cries for urgency in the city planning process when they ignored the opportunity for neighborhood feedback in mandated meetings with neighbors who they know and have been engaging with regularly for years. Somewhere, in the IOZ or not, there needs to be very specific language regarding neighborhood engagement, and oversight of the engagement, otherwise we will continue the pattern of wasted time and missed opportunity. We now hear MMC is looking at some alternative to the proposed project; how much time and money was wasted getting to that decision? Whether they wanted to hear it from us or not, neighbors and MMC could have had that discussion a year and a half ago.

5. TDM Reports: The CRA [chapter 18, page 13] calls for annual TDM reports to be submitted to the city. We haven't had any discussion of TDM in our quarterly meetings in a long time.

Please consider making the IOZ more specific with regard to neighborhood engagement.

Respectfully,

Moses Sabina

From: Jean Fraser <jf@portlandmaine.gov>
To: "Fraser, Jean" <jf@portlandmaine.gov>
Sent: Thursday, March 23, 2017 2:29 PM
Subject: PB hearing on IOZ new ordinance

Hello

Further to my e-mail on March 13 (which advised about the postponement of this hearing to March 28th because of the storm) I am writing to advise you:

- the PB hearing will be at **4:30pm on Tuesday March 28th**;
- the agenda is attached for information;
- and that a very slightly revised text of the IOZ will be presented to the Board for consideration on Tuesday, and the final version will be placed on the City's website tomorrow by the end of the day at the following link:

https://me-portland.civicplus.com/AgendaCenter/ViewFile/Agenda/_03282017-2001?html=true

[Please note that we have not yet received any further MMC submissions, and I will let you know when that specific project will next be discussed at a Planning Board meeting.]

Thank you - and please do not hesitate to contact me if you have any questions.

Jean

--

Jean Fraser, Planner
City of Portland
874 8728

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

April 18, 2017

Tuck O'Brien
Jean Fraser
City of Portland Planning Department

Re: Neighborhood Review of MMC IDP

Hello Tuck and Jean,

We write to share with you our group's review of the MMC IDP submitted April 7, 2017.

We've all spent multiple hours over the last several weeks focusing on the new IOZ with the goal of understanding its function and its intended benefit to the institutions, the city and the neighborhoods.

We then proceeded to the IDP. Each of us read the document on our own then divided up chapters for individual review. We convened and shared our understanding, our confusion and where appropriate our objection to language, data and positions taken by the hospital in the IDP.

We then drafted a two part document to cross reference and list our concerns.

The first part of the document examines the IDP on its own- *unrelated to the demands of the IOZ*. We've listed our objections, our questions and our concerns in the areas of height and massing, institutional expansion into our neighborhood, policies regarding snow ban parking, smoking, construction impact mitigation and the lack of involvement the neighbors have been allowed relating to design, construction management and infrastructure impact.

Next, we returned to the IOZ and highlighted those areas where we found the IDP failed to meet the demands of the IOZ. From that highlighted IOZ, we drafted a list of questions and observations calling attention *by paragraph* to the IOZ demands that we believe are unmet.

(In addition to the two part document, we've attached our highlighted version of the IOZ including our notes.)

While we have submitted a list of questions to the hospital for discussion at the April 19 expansion meeting, (several of which cover topics found in our document here,) we feel this more in depth review of our concerns should be directed to you in the Planning Department.

Some of these questions may be answered at the Expansion Group meeting on Wednesday. Pending the outcome of that meeting perhaps we can get together the following week and speak to what questions and concerns may remain.

Thank you,

Tim McNamara
Sarah Martin
Moses Sabina
Garry Bowcott
Brian Stickney
Tricia Bisson
Jenny Mackenzie

The IDP on its own:

1.

We object to the one hundred and fifty foot height proposal for the Gilman block. Page 116

No matter what is built there and no matter how it is designed or setback, one hundred and fifty feet is too high for that block. Current zoning height allows for sixty five feet. Considering the homes along A Street that will sit directly opposite any construction on that block, the height restriction of sixty five feet should be maintained.

2.

We object to the boundaries outlined in the IDP extending to the two commercial blocks on Valley at Congress and Congress at Forest street. Pg 110

Further hospital expansion into these blocks would be detrimental to the neighborhood.

Development by the hospital of these two pivotal blocks would eliminate more than twenty residential units in a town desperately in need of housing units. Additionally, hospital development here would either displace or negatively impact existing businesses that serve as a draw and an attraction to our neighborhood.

Best case scenario would in fact be for the hospital to divest itself of the two lots it owns on Valley at A Street. This would free up that corner for possible mixed use housing/retail development by private ownership.

To include these two blocks in the sphere of potential expansion hurts this neighborhood at a time when we are beginning to become a more attractive destination for retail, hospitality, housing and other development.

We realize that property owners have the right to sell to whomever they choose. However, the removal of restrictions on hospital expansion in our neighborhood, exposes us to more of the institutional creep that the current zoning was crafted to prevent.

With the exception of those who would benefit from the sale of their property to a bidder of such resources as Maine Med, those of us who live here will suffer if the hospital is allowed to expand onto these two blocks.

The hospital has managed to budget over half a billion dollars for an expansion that takes place within their current footprint. In the event they see the need for further expansion we would suggest they consider the area of St John Street between Congress and Park Avenue as an alternative to the two blocks proposed.

3.

When will the public be able to view the drawings and plans for the expansion?

Page 94 references a "transparent bridge" connecting the Gilman garage to the main entrance. There is a drawing on page 91 showing what appears to be a span over the top of Gilman Street. We have asked for months about drawings and have been told there are none available. We've been assured that we would be involved in the discussion of design. The IDP is now showing conceptual drawings of a bridge over Gilman Street. This bridging of Gilman street has seen much discussion among neighbors and there are several concerns over the concept. We need to be in that conversation before plans are finalized.

4.

Parking garage demolition.

Page 99 schedules the demolition of the garage from June to December 2019.

We have been asking for months how and when the garage will be removed and how we might prepare for this event. From a *construction impact* point of view, the demolishing of that structure will have the greatest *impact* on the surrounding neighbors quality of life. Seven months of demolition will pose the greatest risk of damage to our buildings and months of disruption, vibration, dust and noise will most likely result in losses to business and great difficulties leasing or re-leasing to tenants. We have asked if the garage would be imploded or taken down with wrecking balls and jackhammers. We've asked how long the demo might take. Businesses and landlords in the area have expressed great concern over potential hardships resulting from this action. This too is a conversation we need to be involved in and apparently we are not.

5.

Smoking

The language prepared by the hospital on page 102 and the actions they claim to be taking fall well short of addressing this problem. The campus wide ban on smoking has resulted in hospital patients, visitors and staff leaving campus for the purpose of smoking on our city streets and sidewalks as well as oftentimes our private property. This is a dynamic that has

many neighbors unhappy. Exposure to second hand smoke and piles of cigarette butts on our streets and sidewalks is the result of the hospital policy forcing their people to smoke off campus. We are told by the hospital that all across the city people are dealing with unwanted smoke and we are asked to believe that the hospital isn't even sure if the people smoking around its facility are associated with MMC. We are asked to believe that proactive walkabouts are taking place and that a vendor is working 4 to 6 hours every Monday, Wednesday and Friday to pick up butts. If this IDP document is to be considered credible, this piece needs to be completely redone.

6.

Snow Ban Parking

Pages 93 and 102 address the issue of Snow Ban Parking. To be clear, current zoning states that "MMC agrees that it will make the parking garage contemplated within this Agreement available for use by the public for snow ban purposes in a fashion similar to that required in its Congress Street/Forest Street parking garage." The hospital has failed to meet this commitment in the past and often times has locked people out of accessing either garage during a snow ban. Page 93 references abuse by neighbors in the past. We know of no one in any of our organizations who were part of the group "abusing" the free use of the MMC garage. We fully agreed with MMC when we heard about unauthorized cars having been removed from their garages. We heard of the towing well after the fact and MMC never asked us if we knew who might be illegally parking in the lots. As far as we "neighbors" know...those vehicles could have been employees, or visitors or any opportunist with an eye on using a wide open, un-monitored parking garage to store their vehicle.

The language on page 122 essentially says that the hospital will offer neighbors space in the 887 Forest Street garage during snow ban parking so long as such spaces are not needed to service MMC. This is not good enough. When both 887 Congress Street and the new patient and visitor garages were built, the understanding between the city and the hospital was that snow ban parking would be made available in both. To put a condition such as the hospital has on use by neighbors runs counter to what has been a long standing mandate.

7.

Page 66

I'm not sure what is trying to be said in the bottom half of the text on the left side of the page but it does not make sense.

8.

Page 34

The two charts on this page we find misleading and confusing. Shouldn't peer comparisons involve institutions of similar size, geographical location, demographics, etc? Why aren't Dartmouth Hitchcock and UMass Memorial included? Also, since the purpose of the charts are to prove MMC's need for parking, shouldn't they both include the same "peer" institutions when referencing inpatient parking demand and employee parking demand?

9.

Pages 116, 117,60

The Gilman garage is shown on page 60 as extending down to St John Street. I think this is just an error in labeling Valley Street as St John. Valley and St John streets are flip flopped on pages 116 and 117 as well.

10.

Page 83

Table 5.1 references potential on site roof top energy production? We've not heard about this. Will this generate noise or vibration? Is this wind power? Solar?

As the IDP relates to the demands of the IOZ

14-277 (c)(g)Purpose of the Institutional Overlay Zone

According to the purpose statement on page 1 the IOZ intends to ensure that institutional growth "complements" and "integrates " as well as looks to the "need" of adjacent neighborhoods through carefully planned transitions and unique regulatory requirements. We don't see that the IDP accomplishes that. In fact while the IDP speaks of transitions there is no example demonstrating how such transitions will be achieved.

14-280 (b) IDP Planning Horizon

Other than the plan that has been proposed for development within the current footprint, the only other outline of the

anticipated growth is the drawn boundary lines around the two lots discussed above. Isn't the IDP supposed to be more specific as to what the institution's actual plans for future development are?

14-280(c)1b v

The square footage of the parking garages has been omitted from the IDP.

14-280 (c)1 c ii

14-280(c) 2 b i b/c

This calls for a traffic study and the IDP does not contain a traffic study. If the institution is able to defer this study until the Site Plan review then why does the IOZ demand it?

14-280 (c)1d

Third on our list of public concerns behind a thirteen story garage and unfettered hospital expansion is mitigation of the construction impact on our buildings, our tenancies and our businesses. We had expressed the need for baseline engineering reads on properties that might suffer damage from demolition vibration, pile driving and all other related construction impact. We had also asked for remedies to business interruption owing to construction impact. These concerns are not reflected in the IDP. (see page 51)

14-280 (c) 2 b 1 b, c

Traffic study required to meet this demand.

14-280 (c) 2 b ii b Environment

We cannot find language in the IDP addressing the generating and the effect of vehicle exhaust on the neighbors from the new proposed parking structure.

14-280 (c) 2 b iii Infrastructure

More is needed to provide baseline information on the conditions of the surrounding roadways and how they will hold up under the additional traffic -both during construction and long term.

14-280 (c) 2 b iv a, b, c, d Design

a. Wind and shadow issues insufficiently addressed in the IDP. We should see the studies relative to wind and shadows as they relate to the new construction.(see pages 90, 91)

b. Transition areas? Unclear where in the IDP this is addressed.

c. CPTED-This chapter should be modified to include commitment by the hospital to staffing the entrances to parking areas, providing a visible security presence on the grounds and in the garages and adding language specifically addressing the problems of prostitution, vagrancy and suicide on hospital property. (page 94)

d. Environment /public realm plan on page 95 consists of two drawings. It is unclear what the drawings are supposed to represent.

14-280 (c) 2 b v Neighborhood Engagement

a. The language on page 98 is the same language present in the current Conditional Rezone Agreement. This language failed to work as intended. For example, neighborhood representatives were not told of the five hundred million dollar expansion until a day before the news was released to the press. This project had been in motion for months or years before neighbors were informed of its scope or its scheduling. The question of how the hospital is to be held to its commitments, its mandates and the terms of the city code has been asked in front of the Planning Board by neighbors. This chapter needs refining with language that can actually hold the hospital accountable for performance.

c. The question of assuring communication pertaining to property acquisition continues to perplex us. How is it that an institution is to share acquisition /disposition info and still protect itself as a buyer or seller? We are unsure where or if this is addressed in the IDP.

d. Relating to construction management, our obvious concerns over the demolition of the garage are expressed earlier in this document. Pages 99-101 are an attempt at a construction management plan but really say nothing. For example construction will take place Monday through Friday seven am to six pm... Unless there is a need to work after six pm or on Saturdays or Sundays.

Or this example..."MMC is committed to mitigating construction noise impacts. Increased community sound levels,

however, are an inherent consequence of construction activities. When these events are scheduled, advance notice will be provided." This paragraph requires much more in the way of detailed mitigation measures to be undertaken by the hospital during construction.

14-280 (d) Standards of Review

5. We don't see how traffic impacts have been anticipated without a traffic study on hand.
7. What are the potential cumulative environmental impacts and where are they addressed in the IDP
9. As we have not seen anything in the way of a comprehensive design it is impossible to discuss transitions within the neighborhood.
10. In the event the hospital boundary is expanded to include the two blocks in question then compatibility, maintaining housing and the support of local amenities will not be possible.
11. Ditto

14-281 Regulatory Framework

(d)

4. Without graphics, sketches or plans it is impossible to speak to the transition zones.
5. Requires traffic study.
8. This paragraph in the IOZ addresses the requirement of clarifying building placement and massing and again discusses the transition zones. Without plans or drawings, it is impossible to do any of this.
9. Pages 99-101 offer insufficient detail as asked by the IOZ. Buffering is not addressed neither is mitigating the impact of construction on neighboring properties.



DIVISION 16.1. INSTITUTIONAL OVERLAY ZONE (IOZ)

14-277. Purpose of the Institutional Overlay Zone

The Institutional Overlay Zone (IOZ) designation provides a regulatory mechanism available to the city's four major medical and higher education campuses where an improved regulatory structure is needed to facilitate a consistent, predictable, and clear growth management process. The purposes of the Institutional Overlay Zone are to:

- (a) Acknowledge that the city's major academic and medical institutions play a prominent role in the health and well-being of the local and regional community, and in order to sustain that role, these institutions need flexibility to change and grow;
- (b) Encourage proactive planning for institutional change and growth which identifies and addresses likely long-term institutional needs and cumulative impacts while leveraging potential benefits at the neighborhood, city, and regional level;
- (c) Ensure that institutional change and growth both complements and, as appropriate, integrates adjacent or surrounding neighborhoods through carefully planned transitions;
- (d) Support the formation and continuation of mutually beneficial public-private cooperation;
- (e) Support an ongoing public engagement process that benefits both the institutions and nearby neighborhoods;
- (f) Reflect Comprehensive Plan and other policy objectives; and
- (g) Provide a consistent regulatory approach to all major institutions which allows unique regulatory requirements that balance the particular needs of institutions with the needs of the surrounding neighborhood and wider community.

14-278. Location and Applicability

The city's four primary medical and higher education institutions are eligible to apply for designation as Institutional Overlay Zones. The Eligible Institutions are the two major hospital institutions of Maine Medical Center and Mercy Hospital and the two major academic institutions of University of Southern Maine and University of New England, their successors and assigns. Designation as an IOZ is the preferred mechanism where the Eligible Institution's proposed development is inconsistent with the existing zoning.



14-279. Establishment of an Institutional Overlay Zone

(a) *Application for an Institutional Overlay Zone.* Where the Eligible Institution seeks designation as an IOZ, they shall submit a zone change application consisting of two components:

1. An Institutional Development Plan (IDP) (see Section 14-280).
2. A Regulatory Framework (see Section 14-281) that would, when and if adopted, be the text and map amendment to the City's Land Use Code and Zoning Map.

(b) *Required Public Involvement.* At least two neighborhood meetings shall be required. The first shall be held prior to the formal submission of a zone change application for an Institutional Overlay Zone and the second shall be held during the City's review. Meetings shall identify the concerns, if any, of affected residents and property owners, and inform the development of the Institutional Development Plan (IDP) and Regulatory Framework. Meetings shall be held in a convenient location proximate to the institution. The applicant shall provide written notification to property owners of record within 500 feet of the proposed IOZ boundary at least ten days prior to the meeting dates and maintain written records of the meetings.

(c) *Required Scoping Meeting.* The Eligible Institution shall meet with the Planning Authority after the first required neighborhood meeting and prior to submission of the zone change application to confirm the focus of the Institutional Development Plan (IDP) and Regulatory Framework, including associated study areas that may be outside of the proposed IOZ boundary. The IDP and Regulatory Framework will vary in detail and focus depending on the Eligible Institution and its particular context. The content requirements in Sections 14-280 and 14-281 and the comments from neighborhood meeting(s) shall provide direction for the content of the IDP. The Planning Authority or Planning Board may require additional information or modify content requirements as is relevant to the Eligible Institution (see Section 14-280(c)).

(d) *Reviewing Authority.*

1. The Planning Board shall review the zone change application, including the IDP and Regulatory Framework. At least one public workshop and a public hearing before the Planning Board are required.
2. Upon recommendation of the Planning Board, the City Council shall review and consider adoption of the Institutional Overlay Zone and the accompanying Regulatory Framework as an amendment to the city's code of ordinances.



(e) *Future Institutional Development.*

1. All new development by the Eligible Institution within the boundary of the IOZ shall be compliant with the IOZ and accompanying Regulatory Framework, consistent with the IDP, consistent with the Comprehensive Plan, and meet applicable site plan standards, unless such standards are superseded by the Regulatory Framework.
2. Any use/development proposed by the Eligible Institution outside the IOZ boundary that complies with the zoning for permitted uses in that location shall be reviewed under the standards of that zone. Any use/development proposed by an Eligible Institution outside of the IOZ boundary that is proposed in a residential zone and is functionally related to the operations within the IOZ shall be addressed by the IDP and require an amendment to the IDP.

14-280. Institutional Development Plan (IDP)

(a) *Purpose.* Any use conducted by an Eligible Institution and any construction by an Eligible Institution in an Institutional Overlay Zone shall be consistent with an Institutional Development Plan (IDP) approved by the Planning Board in accordance with this ordinance. The purpose of the IDP is to establish baseline data about institutional land uses, facilities, and services and measure, analyze, and address the anticipated or potential impacts of planned institutional growth and change. The IDP shall serve as a background document that supports the proposed Regulatory Framework and frames subsequent site plan review(s).

(b) *Planning Horizon.* An IDP shall provide the city and abutting neighborhoods with a clear outline of the anticipated or potential growth and change of the Eligible Institution for the short- to medium-term (e.g. 1-5 and 5-10 years respectively), as well as a conceptual growth plan for the long-term (e.g. 10 years or more); however, the specific planning horizons for each institution will be determined as part of the IDP approval process.

(c) *Content.* The IDP submission shall address the following elements unless specifically modified by the Planning Authority or Planning Board, with the scope and level of detail to be clarified at the required Scoping Meeting:



1. Context Information

- a. The institution's adopted mission, vision, or purpose statement
- b. A summary of relevant baseline data on the institution, including:
 - i. A neighborhood context plan (pgs. 92-93);
 - ii. An inventory of current programs and services;
 - iii. A current census of the number of people using the institution (e.g., employees, enrollment, patients), with an indication of maximums and minimums over time;
 - iv. An inventory and/or plan of all existing property holdings within the main campus and within the City of Portland, including an indication of functional land use links between off-campus properties and the main campus (e.g. remote parking);
 - v. An inventory and/or plan of existing facilities, including data on use, floor area, and any existing functional connections between facilities. (pg 22. garage sq. footage?)
- c. A summary of the baseline characteristics of the existing campus and context of the institution, based on identified study areas, including:
 - i. A summary of existing resources, such as historic, open space, and natural resources;
 - ii. A summary of the existing transportation system, including vehicular, pedestrian, transit, bicycle, and parking supply, demand, and utilization;
 - iii. A summary of existing public infrastructure supporting the institution, including demand, utilization and any capacity issues;
 - iv. Relevant municipal plans, projects, and studies that may influence the IDP study area and opportunities for integrating institutional growth.
- d. A summary of public involvement in the development of the IDP, including major areas of public concern. (pgs. 51, 102)

2. Assessment of Future Institutional Growth and Change



- a. A description of institutional needs and areas of future institutional growth and change, including:
 - i. Projected census of users (e.g., enrollment /employment/patient/visitor figures and anticipated variations over time);
 - ii. Institutional objectives for property both within and outside the IOZ boundary (e.g. acquisition and/or disposition) (**Pizza Villa and Salvage?**), including an indication of any functional land use connection for sites outside the IOZ boundary to the main campus; and iii. A Development Plan addressing anticipated or potential institutional needs and physical improvements, including the proposed boundary of the IOZ and any phasing of the development.
- b. Analysis and associated plans that address the following elements in terms of anticipated growth or potential impacts within the identified study area, and support the development parameters as set out in the Regulatory Framework:
 - i. Transportation and access
 - a. An analysis of the projected changes in parking demand, supply, and impacts to the off-street and on-street parking capacity, including an explanation of the proposed parking plan;
 - b. An analysis of the projected changes in vehicular, pedestrian, transit, and bicycle access routes and facilities, their capacity, and safety; (**pg. 93**)
 - c. A transportation, access, and circulation plan, representing the synthesis of the analysis, and including a program of potential improvements or set of guidelines to address access deficiencies to and within the IOZ. The plan should outline proposed mechanisms and potential strategies to meet



transportation objectives, including transportation demand management, phasing, and when a Traffic Movement Permit (TMP) may be required.

ii. Environment

- a. An analysis of potential cumulative impacts on natural resources and open spaces;
- b. An analysis of projected energy consumption, hazardous materials generation, noise generation, and similar issues (car exhaust) as relevant;
- c. An environmental plan, representing the synthesis of the analysis and including a proposed program or set of guidelines for future preservation, enhancement, conservation, and/or mitigation.

iii. Infrastructure

- a. An analysis of projected public utility demand and the capacity of associated infrastructure; (pg. 45 roads, storm drains, etc.)
- b. An analysis of projected public safety needs and projected impacts to the capacity of these services;
- c. An infrastructure plan, representing the synthesis of the analysis and including a proposed program or set of guidelines to support sustainable growth.

iv. Design

- a. An analysis of projected impacts to neighboring properties and public spaces, including potential shadow, wind, and lighting impacts, impacts of height and massing, and impacts to historic resources;
- b. An analysis of transition areas between the institution and adjoining neighborhoods, including identification of key character



defining components of the surrounding context;

c. An analysis of existing Crime Prevention Through Environmental Design issues and identification of how these principles would be addressed as part of the proposed campus development; (**prostitution, suicide, vagrancy, and graffiti**)

d. A conceptual built environment/public realm plan, representing the synthesis of the analysis and including a set of guidelines for urban design, landscape, open space, and streetscape treatments, with particular attention to the treatment of edges (both within and abutting the IOZ boundary) to achieve compatible transitions.

v. Neighborhood Engagement

a. A plan for ongoing community engagement that represents best practices, promotes collaborative problem solving around community concerns, fosters transparency, and identifies mechanisms for neighborhood feedback and institutional accountability;

b. A property management framework that identifies the institution's process for handling operational property issues with neighbors; (**graffiti policy, trash, cigarette butts, prostitution, vandalism, vagrancy, suicides**)

c. Strategies for assuring communication pertaining to property acquisition and disposition in surrounding neighborhoods;

d. A set of construction management principles, to apply to all institutional construction, that represent best practice, aim to minimize short- and long-term construction impacts on surrounding residents and businesses, and ensure a



clear communication strategy is in place in advance of construction.

(d) *Standards of Review.* The IDP shall:

1. Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board;
2. Reflect the issues/topics identified in the required public process;
3. Demonstrate consistency with the city's Comprehensive Plan and the purpose of this ordinance;
4. Demonstrate how the property ownership, proposed growth, and requested Regulatory Framework relate to the institution's mission;
5. Demonstrate that traffic and parking impacts have been anticipated and that the proposed parking provision is justified as based on an assessment of options for reducing traffic and parking demands;
6. Outline an approach to open space, natural, and historic resources that supports preservation and enhancement.
7. Demonstrate that potential cumulative environmental impacts have been anticipated and can be minimized or satisfactorily mitigated;
8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated;
9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric;
10. Promote compatibility with existing or future uses in adjacent neighborhoods, **maintain housing**, and support local amenities;
11. Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure;
12. Conform with Portland's Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic landscapes, if applicable. When proposed adjacent to or within one hundred (100) feet of designated landmarks, historic districts, or historic landscapes, the IDP shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity; and



13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

(e) *Approval.* Upon finding that an Eligible Institution's IDP meets the standards of review, the Planning Board shall approve, approve with conditions, or deny an IDP.

(f) *Monitoring.* The IDP shall establish a schedule for reporting on IDP implementation at regular intervals of not more than ten years from the date of approval of the initial or amended IDP, and identify thresholds for IDP amendments;

(g) *Amendments.* An approved IDP shall guide campus development unless and until amended. If at any time the Eligible Institutions request minor amendments to an approved IDP, the Planning Authority may approve such minor amendments, provided that they do not constitute a substantial alteration of the IDP and do not affect any condition or requirement of the Planning Board. The applicant shall apply with a written statement of the proposed amendment and proposed amended IDP to the Planning Authority, whose decision as to whether the amendment is minor shall be final. Major amendments shall be reviewed by the Planning Board. When the IDP is amended, the baseline data in the IDP shall be updated as appropriate.

14-281. Regulatory Framework

(a) *Purpose.* The Regulatory Framework translates the IDP into a set of clear and specific zoning requirements for the IOZ that constitute the text and map amendments to the City's Land Use Code and Zoning Map. The zoning requirements are anticipated to include parameters that guide the growth and change of the institution as well as broad strategies to address potential impacts, with plans and details to be developed under site plan review.

(b) *Applicability.* The Regulatory Framework shall apply only to properties that are within the IOZ boundary and to which the Eligible Institution holds right, title, or interest. For these properties, the Institutional Overlay Zone shall supersede the underlying zoning, and all new institutional development shall be conducted in compliance with the Regulatory Framework and the approved Institutional Development Plan. Properties located within the Institutional Overlay Zone not subject to right, title, or



interest of the Eligible Institution shall continue to be governed by the regulations of the underlying zoning designation.

(c) *Uses.* Institutional uses, including hospitals and higher education facilities, shall be permitted, as shall uses that are functionally integrated with, ancillary to, and/or substantively related to supporting the primary institutional use, consistent with the applicable approved IDP.

(d) *Content.* The Regulatory Framework shall reflect the information and analysis of the IDP. The content shall be tailored to address the particular issues associated with the institution and its neighborhoods. The Regulatory Framework should be succinct and use tables and graphics as possible to address the following, if applicable:

1. *Zoning boundary of the IOZ:* The area to which the regulations apply, as shown on the zoning map, subject to other provisions of this ordinance (i.e. the map amendment to the City's Zoning Map);
2. *Phasing and schedules:* Requirements that relate to particular proposed phases; a chart showing the schedule or thresholds for submitting an amended IDP (or elements of an IDP, such as a *Transportation Demand Management (TDM) Plan*);
3. *Uses:* Clarification, as necessary, on permitted uses.
4. *Dimensional Requirements:* Graphics, sketches, or standards, including details for transition zones within the IOZ boundary;
5. *Transportation:* Elements such as TDM trip reduction targets or contribution to area-wide TDM measures; broad parameters for ensuring pedestrian, vehicular, bicycle and transit access and safety; parking ratios and management strategies; thresholds for access improvements;
6. *Environment:* The approach to the inclusion of open space and preservation of environmentally-sensitive areas;
7. *Mitigation measures:* The broad approach to identified mitigation measures, which would be addressed in greater detail in the site plan review process; thresholds for addressing deficiencies; goals for preservation/protection;
8. *Design:* Graphics and standards to clarify building placement and envelope (height and massing); guidelines for integration of site features; required treatments for transition zones and treatment for all edges (both within and abutting the IOZ boundary);



guidelines for establishing campus identity; and **(no detail!)**

9. **Neighborhood Integration:** Thresholds and strategies for neighborhood engagement; mitigation of impacts on neighboring properties, including construction impacts; buffering requirements; objectives for pedestrian linkages and safety; other requirements that address community concerns. **(no detail!)**
10. **Monitoring:** A schedule for regular monitoring reports on IDP implementation in accordance with the IDP.

(e) **Standards of Review:** The Regulatory Framework shall:

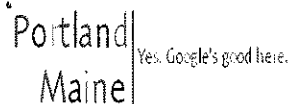
1. Be consistent with the Comprehensive Plan and the Institutional Development Plan;
2. Provide a clear zoning framework, using graphics and tables as appropriate, to apply to future site plan reviews;
3. **Provide specific regulatory statements as appropriate that respond to concerns raised during the required public involvement; and (construction mitigation)**
4. Outline measurable goals and thresholds for improvements or other actions identified in the IDP to be advanced in subsequent site plan applications.

(f) **Approval/Adoption.** The Planning Board shall review the proposed Regulatory Framework against the standards of review and make a recommendation on the institution's IOZ designation and Regulatory Framework to the City Council for adoption as part of this zoning ordinance.

(g) **Amendments.** A Regulatory Framework and IOZ boundary as adopted by the City Council shall remain in force unless and until amended. Amendments to a Regulatory Framework and/or IOZ boundary may be brought forth by the city or Eligible Institution. Amendments brought forth by the city will require a supermajority of the City Council to take effect. Proposed amendments to the IOZ boundary or Regulatory Framework shall be reviewed by the Planning Board and adopted by the City Council subject to the provisions of this ordinance.

14-282. Regulatory Frameworks of Eligible Institutions as adopted by the City Council

4/25/17 1st workshop item



PC 2 MMC-10Z PC2

Jean Fraser <jf@portlandmaine.gov>

Comments re: Maine Medical Center IDP

1 message

Christian MilNeil <c.neal.milneil@gmail.com>

Tue, Apr 25, 2017 at 11:55 AM

To: Jean Fraser <JF@portlandmaine.gov>, Stuart O Brien <sgo@portlandmaine.gov>

Cc: Greg Jordan <gjordan@gpmetrobus.com>, "zbarowitz@gmail.com"

<zbarowitz@gmail.com>

Hi Jean and Tuck,

Please share the attached memo with the planning board as a public comment re: the Maine Medical Center IDP.

The tl;dr version: MMC's parking subsidies are roughly four times greater than its subsidies for transit riders. It's no wonder they've got a parking "problem" – they're spending millions of dollars to encourage their car-owning employees to get themselves stuck in traffic.

If the city's new Institutional Development Framework is to be successful, we, as a city, need to hold institutions accountable to bearing the full cost of their transportation policies. This plan falls far short of that standard: it harms the hospital's bottom line with grotesque parking garage subsidies, it harms the surrounding neighborhood with more pollution and traffic risk, and it does a disservice to METRO's capabilities.

The Planning Board has an excellent opportunity to help them find a better solution at a lower cost to everyone, and I look forward to following your progress.

Christian MilNeil

double u double u double u dot christianmilneil dot com

 **MMCIDPcomments.pdf**
80K

To the Planning Department and the Portland Planning Board:

The current IDP for Maine Medical Center proposes a massive investment in new parking garages – which, presumably, will be financed by the health care expenditures of you, me, and our neighbors.

As you know, structured parking is extremely expensive. The Maine Medical Center IDP strategy to manage parking demand includes asking employees to pay “no less than \$3 per paycheck” for a parking space (page 77) and continuing their current transit pass program (page 39).

Let’s break that down into a budget:

Subsidies for parking in the MMC IDP:

<i>EXPENSES</i>		
Annualized capital cost per space:	(\$1,605)	(based on a \$20,000/space capital cost amortized over a 20-year term at 5%)
Annual maintenance costs per space:	(\$500)	
<i>REVENUES</i>		
Annual employee payments	\$156	(assumes 2 employees per space, paying \$3 biweekly)
NET ANNUAL SUBSIDY PER PARKING SPACE	(\$1,949)	Total costs minus employee payments
NET ANNUAL SUBSIDY FOR DRIVING EMPLOYEES	(\$974)	Per-space subsidy, divided by two employees

Subsidies for transit in the MMC IDP:

<i>EXPENSES</i>		
Total cost of 49 10-ride METRO passes for one employee	(\$662)	\$13.50 per 10-ride pass, good for one week’s worth of commute trips
<i>REVENUES</i>		
Employee payments for 49 10-ride passes	\$392	
NET ANNUAL SUBSIDY FOR TRANSIT-RIDING EMPLOYEES	(\$270)	

Employees face a choice between paying \$156 annually for a parking space, or \$392 for transit passes. From the worker’s point of view, the cost of transit is more than double the cost of

parking, even though the hospital's *true* cost of parking is roughly double the cost of an annual transit pass.

It's no wonder Maine Medical Center has a parking problem – they're paying each and every one of their car-owning employees nearly a thousand dollars a year to make it harder for everyone else to find parking.

And please bear in mind that the hospital's fiscal costs of building and maintaining parking garages, as huge as they are, don't come anywhere near to matching the public costs of the additional traffic that those parking spaces generate:

- Kilograms of additional airborne toxics spewed into the neighborhood's air every day (in direct violation of the hospital's public health mission)
- Hundreds of potential work hours lost to additional traffic congestion
- Higher risk of traffic crashes, which lead to higher insurance rates
- Additional pavement maintenance demands on local streets.

These parking subsidies aren't just a bad deal for local health care consumers, they're a bad deal for Portland taxpayers.

I understand that the hospital's management is committed to car ownership and driving to work, and that is why they believe that parking is important.

But for the workers who are actually providing health care, spending long long hours in a stressful work environment, the idea of spending another hour every day doing the unpaid labor of a long commute is exceedingly unattractive. Many employees would welcome the opportunity to let somebody else drive them to and from work. Indeed, workplace satisfaction research suggests that providing those choices could be crucial to the hospital's ability to recruit and retain young workers.

If the city's new Institutional Development Framework is to be successful, we, as a city, need to hold institutions accountable to bearing the full cost of their transportation policies.

This plan falls far short of that standard: it harms the hospital's bottom line with grotesque parking garage subsidies, it harms the surrounding neighborhood with more pollution and traffic risk, and it does a disservice to METRO's capabilities. The Planning Board has an excellent opportunity to help them find a better solution at a lower cost to everyone, and I look forward to following your progress.

Yours,
Christian MilNeil
45 Smith Street

**Western Prom Neighborhood Association
Comments re MMC IDP**

4/25/17

I am Anne Pringle, speaking for WPNA and am part of the MMC Expansion Group, representing WPNA,

First, this is a tremendous piece of work, well-drafted and clearly-expressed.

Many of the comments and suggestions made by WPNA during the monthly Expansion Group meetings have been incorporated, so I will not reiterate them here. At last week's meeting, the Group reviewed all comment made on the draft IDP before you and I believe most of those made by WPNA will be incorporated in future drafts.

But I do want to note a few key issues for our neighborhood:

The TDM is a major project element and includes some creative approaches. And in particular, we appreciate the statement about finding ways to discourage employee on-street parking in our neighborhood. WPNA and others have suggested that cash incentives for not bringing employee cars to the campus need to be further explored, in order to limit the need for parking and reduce traffic.

Parking need is a major topic of concern for the neighborhood and we have had very open discussions in the Expansion Group meetings. While nothing is yet settled, as noted in the draft IDP, we really appreciate that MMC is actively exploring options to a massive parking structure within the IDP boundary. We do want to state, as we have to MMC, that WPNA opposes any plan to construct a multi-level parking garage on the Vaughan Street surface lot. We believe that such a structure would be incompatible with our residential neighborhood, would bring more traffic into the area, and that this valuable piece of real estate would be better used for hospital-related offices or housing for hospital residents or

employees.

And finally, we have identified five properties owned by the hospital in our residential neighborhood. These are inventoried in the IDP (page 24) and one of them, the Vaughan Street surface parking lot (the “South Lot”) previously noted, would be covered under “long-term redevelopment zones” (p.61). As you know, encroachment into residential neighborhoods has long been an issue of tension with institutions and the IDP should encourage reversal of past encroachment. Three of the five properties WPNA has identified (two mansions on the Western Prom and a carriage house operating as a maintenance garage on Chadwick Street) would be prime opportunities for redevelopment as housing. They should be part of a plan by the MMC to divest, capture their significant value, and reinvest the proceeds in hospital-related facilities in another suitable location. Perhaps the heading in the IDP should be “long term divestment opportunities”...

WPNA appreciates your consideration of these comments and again thanks MMC for its open engagement with its neighbors.

Another comment re: the MMC institutional development plan

1 message

Christian MilNeil <c.neal.milneil@gmail.com>

Thu, Apr 27, 2017 at 4:32 PM

To: "zbarowitz@gmail.com" <zbarowitz@gmail.com>, Stuart O'Brien

<sgo@portlandmaine.gov>, Jean Fraser <JF@portlandmaine.gov>

From the Urban Land Institute, another approach that a nonprofit hospital might consider taking towards its parking policies:

In 2010, the city council adopted Seattle Children's major institutional master plan guiding the expansion of the 250-bed hospital to 500 to 600 beds by 2030.

The master plan also required that the hospital **reduce its employees' drive-alone rate from 40 percent to 30 percent by 2030**. With a 72 percent drive-alone rate in 1995, the hospital had pulled out the stops to get the drive-alone rate down to 40 percent. In 2010, they promised to go even lower, **despite a residential location served by only two bus routes and a light-rail station 1.5 miles (2.4 km) away**.

Jamie Cheney, Seattle Children's director of transportation, knows that getting to 30 percent will take innovation and leadership. "The low-hanging fruit is gone; the mid-hanging fruit is gone," she says. Her zeal is not driven by state laws and city regulations—although those are important—but **by the sobering reality that dollars spent on structured parking are dollars that will not be spent on restoring children to health**. "Building surface parking is not the highest and best use of scarce land," she says. **For each year the hospital avoids building structured parking—at \$60,000 a stall—they estimate a cost avoidance of \$25 million**.

Seattle Children's opened the first phase of the expansion in 2013: **238,000 square feet (22,000 sq m) of clinical space with no net new parking**. The second phase breaks ground in 2018 and will eventually add up to another 293,000 square feet (27,000 sq m) of clinical space with only 100 net new parking spaces. The hospital hosts up to 6,000 workers and 1,000 patients daily with only 1,400 parking spaces on campus.

One difference: the Seattle Children's neighborhood, Laurelhurst, has a population density of 5,910 people/sq. mile; as the article notes, only 2 bus routes serve their campus; the combined density of the West End/Parkside neighborhoods is about 8,700 people/sq. mile and MMC has got 8 regional bus routes with stops within 2 blocks of their campus.

Christian MilNeil

double u double u double u dot christianmilneil dot com

Local Residents Concerns NOT Being Addressed by Portland Planning Department Re MMC Proposed Development

1 message

Karen Snyder <karsny@yahoo.com>

Tue, May 9, 2017 at 1:33 PM

Reply-To: Karen Snyder <karsny@yahoo.com>

To: Jeff Levine <jlevine@portlandmaine.gov>

Cc: Belinda Ray <bsr@portlandmaine.gov>, Saint John Valley Neighborhood Association <sjvna1@gmail.com>, Jean Fraser <jf@portlandmaine.gov>, Ian Jacob <iancasperjacob@gmail.com>, Paula Agopian <pagopian1@yahoo.com>, Planning Board <planningboard@portlandmaine.gov>, "planning@portlandmaine.gov" <planning@portlandmaine.gov>

Hi Jeff,

I have been to two MMC neighborhood workshops and 2 IOZ planning meetings and in all these meetings, I have consistently brought up the concerns of quality of life issues for the est. 300 residents that live around the MMC who would potentially have to suffer through this extremely long 5 to 20 year construction plan besides the out of context proposal for a 13th story parking garage at the corner of Congress and Gilman.

These concerns have not been addressed still by MMC or the Portland Planning Department or the Planning Board.

Can you please answer the below two questions.

1) How will the City of Portland planning department manage the quality of life concerns for local residents during a long term proposed MMC construction project: Quality of Life issues such as noise, vibration, foundation damage, dust abatement, etc.

When buying property, there is a level of expectation of enjoyment of his/her property and comfort within their residence. When one buys a property within city limits, there is a level of expectation of "development construction" but 5 to 20 years per MMC projections is unreasonable and damages the quality of life of residents.

As a landlord interviewing new tenants and they ask is this building a quiet street? It puts me as a landlord in an awkward position as how NOT to mislead these potential candidates which would be illegal. However, this awkward position that landlords on Gilman/Valley face would be directly caused by the Portland planning department's agenda.

Speaking from experience, I have all ready had to suffer through 3 years of a botched never ending renovation across the street from me on the East End and that was intolerable. To expect over 300 local residents to live through 5 to 20 years of construction is unacceptable.

2) It is rumored that the Planning department personnel actually went to MMC and encouraged them to do additional construction in order to develop the IOZ. Isn't this counter intuitive of a city's planning department to deliberately encourage quality of life issues for numerous residents and

especially a long term construction proposed projects? Where is the livability for these Portland residents that is considered in the Portland Planning Department's mission statement?

In conclusion, it is quite disconcerting to see the Portland city planning department avoid and evade answering quality of life concerns for local residents when your department's mission statement on the website specifically says the following: **"The Planning and Urban Development Department promotes and plans for the future vitality, livability and prosperity of this remarkable city and all its people."**

How is this specific situation livable for local residents?

I would appreciate a response to these questions that have been consistently asked and never provided a response.

Regards,
Karen Snyder
24 Gilman St.

May 15, 2017

Dear Mr. O'Brien:

The Portland Bicycle Pedestrian Advisory Committee (PBPAC) has reviewed Maine Medical Center's draft Institutional Development Plan and respectfully requests that the Transportation Demand Management plan be released as soon as possible.

The timely release of the TDM plan is critical to informing the proposed development, especially as it relates to parking demand, traffic routes, sustainability, connectivity, neighborhood livability, and congestion.

Furthermore, a complete and thorough TDM plan will allow for meaningful public review and input; and should take into account the integration of pedestrian, transit, and bicycle access to the facility.

Additionally, PBPAC recommends:

- o Comprehensive assessment of existing bus use (among patients and staff) and potential effect of increased frequency and expanded service
- o Full coverage of transit passes for employees and an easy program for obtaining passes
- o Consideration of Bike Share Program
- o Consideration of restoring two way traffic between I-295 & St. John Street
- o Funding towards increased frequency and extended hours of bus service (METRO routes 1, 8, 9A, and 9B)
- o Improvements to bus shelters (incorporation of transit tracker app information at shelter, heat, etc.)
- o Consideration of transfers for those using buses besides Routes 1, 8, 9A, and 9B

Thank you for your attention. If you would like to discuss this with members of PBPAC, we would be happy to arrange that.

Yours kindly,

Alex Pine, Vice Chair on behalf of PBPAC

The Portland Bicycle and Pedestrian Advisory Committee is an ad-hoc group of Portland-area residents working to make the city and region a better place to walk, bicycle, and wheelchair. We advocate and educate for bicycle, transit, and pedestrian issues, including handicap accessibility.

SJVNA requests and suggestions of MMC IDP

1 message

moses sabina <mosessabina@yahoo.com>

Tue, May 23, 2017 at 12:06 PM

Reply-To: moses sabina <mosessabina@yahoo.com>

To: Jean Fraser <jf@portlandmaine.gov>

Cc: Tuck O'Brien <sgo@portlandmaine.gov>, Garry Bowcott <garrybowcott@hotmail.com>, Tim McNamara <stjohnvalley@live.com>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Sarah Martin <boccafe@hotmail.com>, Jenny MacKenzie <jenabeat@hotmail.com>

Jean,

The following is a bullet point style "bucket list" of requests and suggestions for the MMC IDP for submission to the planning board.

To the Portland City Planning Board,

My name is Moses Sabina. I reside at 4 Gilman St. Members of our neighborhood association have collaborated on the following list of requests and suggestions for the MMC IDP for your consideration.

St John Valley Neighborhood Association Requests and Suggestions for MMC IDP

-

- Keep the zoning restriction to 65 feet for the Gilman Block.
- We support the partnership of MMC and East Brown Cow to build a parking garage behind the Atlantic Building
- Improve proposed community engagement strategy
 - In quarterly meeting MMC representative needs to be on a high enough level to engage in an informed discussion and answer all questions
 - Keep scheduled meetings. If the MMC rep can't attend, have a secondary rep who is informed and capable of answering all questions
 - Require city representative; city counselor, planning department
 - When neighbors and MMC are at odds, how will issues be resolved?
- Accountability and Enforcement improvements going forward. How will issues be resolved?
- Ensure that the area doesn't become an institutional desert / Deter crime and prostitution
 - Require retail along Congress and St John
 - Move the hospital retail (flower shop, gift shop, pharmacy) to the Congress St side to enliven the corridor when the entrance is moved
 - Open the pharmacy serve staff and public, and patients.
- Preserve treasured neighborhood institutions
 - Gathering spaces like Pizza Villa and Salvage BBQ are an integral part of the fabric of the neighborhood
 - Pizza Villa is a multi-generation family owned restaurant, having served Portlanders for over 50 years

- Salvage BBQ is a large family restaurant, and the only establishment hosting music events in the neighborhood
- When change occurs mixed use will remain in the area
 - Preserve night time activity. Retain businesses that are open after 6 pm.
 - Require the replacement of a business with a similar business. For example, a Class A license with a Class A license
- Neighborhood integration and transition on the design front- desire for expansion to be integrated with and preserving the integrity of the neighborhood, not to replace the neighborhood.
- Options to reduce the scope of the IOZ and impact on residential structures:
 - Redraw IOZ boundary. Include St John from Congress to Park Ave.
 - At worst, draw the IOZ partially blocks on the Pizza Villa and Salvage BBQ blocks, excluding Pizza Villa, Salvage BBQ, and the residential buildings.
 - Require that any residential that is removed be reestablished in the neighborhood
 - Require that MMC must develop its existing property (South Lot, Gilman Block) before acquiring new properties in the neighborhood.
 - Do not allow existing businesses and residential buildings after MMC acquisition to exist in a demolished or vacant state, or used as surface parking lots until MMC is ready to build on the site.
- More specificity in the construction management framework with types of mitigation that will be available if necessary,
 - Require baseline engineering readings to accurately measure impacts on foundations
 - Require concepts for construction buffering, sound mitigation plans etc.
 - Require a plan to compensate neighboring businesses for any significant loss of business, and residential property owners for loss of tenants and rent reduction.
 - Require a standard for the upkeep of layout areas

Respectfully submitted,

Moses Sabina



To: Elizabeth Boepple, Chair and Members of the Portland Planning Board

From: Matthew Grooms, Planner

Date: June 23, 2017

Re: Waterfront Port Development Zone Text Amendment, Application

Meeting Date: June 27, 2017

I. INTRODUCTION

The City of Portland's Economic Development Department submitted an application for a text amendment to the Waterfront Port Development Zone to facilitate the development of infrastructure beneficial to marine-related uses found throughout Portland's working waterfront. The Planning Board has considered potential text amendments and supporting rationale at 3 separate workshops and held a site walk of the WPDZ on May 18th 2017 prior to the start of the last workshop. The purpose of today's workshop is to update the board on what has occurred to date and discuss the draft text amendment in more detail within the context of the relevant research that has been completed to date, including the transportation, economic and visual impacts of this proposed text amendment. Planning Staff are looking for additional feedback regarding this approach and an opportunity to discuss pointed suggestions for the draft language as well as next steps.



Figure 1: Extent of WPDZ

Notice of the workshop appeared in the Portland Press Herald on June 19th and June 20th and 509 notices were distributed to abutters within 500 feet of the Waterfront Port Development Zone.

II. BACKGROUND

The company Americold, was selected to design, construct and operate a regionally scaled cold storage warehouse that would complement and add value to intermodal and marine operations at the International Marine Terminal. Improved cold storage with direct marine, rail, and highway connections, is seen as a significant benefit to Maine's food and beverage industries serving both import and export shippers. Americold representatives have indicated that the existing 45-foot height restrictions would significantly restrict the ability of the WPDZ to house a sufficiently scaled, efficient

modern facility. Likewise, other uses in the zone, specifically boat repair facilities, have commented on the constraints of the existing zoning.

In response to these constraints, the City of Portland has requested a text amendment to the WPDZ that would allow building heights up to 75' feet on a conditional basis, and has come before the Planning Board for three workshops, the first, on October 25, 2016, the second, on January 24, 2017 and the third which included a site walk of the WPDZ on May 18, 2017.

Following the Planning Board workshop on October 25, 2016, city staff determined that it would first be necessary to comprehensively articulate the importance of the Port of Portland to the local, regional and state economy and move forward with far greater consideration of the potential visual impacts that such a zoning amendment would bring to the surrounding neighborhood and city as a whole. At that time, members of the public were particularly concerned about the massing of buildings and the potential for a 70-foot high wall along the entirety of West Commercial Street within the WPDZ. Residents were similarly concerned that views of Fore River would be significantly obstructed by increased building heights.

At the January 24th workshop, in response to feedback from the October 25th workshop, representatives of the Maine Port Authority presented material highlighting the importance of cold storage to the region, the potential economic impacts that such a project would bring to the city, and rationale for the size of the facility being sought. Additional information was presented regarding the history of the western waterfront and its traditional role as the industrial sector of Portland's working waterfront. According to Bill Needelman, the Waterfront Coordinator for the City of Portland, facilities located within this zone were at various times more significant and taller than they are today and that as time progressed, needs within the port have changed significantly. His argument stated that when the original text for the WPDZ ordinance was adopted in 1993, the market demand for facilities of this size did not exist at this location. However today, as the zone continues to develop, prior regulations must be reviewed and revised where necessary to accommodate changes in the market. Finally, Planning Staff discussed conceived revisions to the ordinance that were intended to allow increased building heights on a conditional basis while mitigating concerns related to excessive building massing, view corridor impacts and building design.

The Planning Board recommended that the City provide additional research to substantiate the need for taller structures while also requesting additional information regarding traffic and visual impacts. To accommodate these requests, the City of Portland in conjunction with the Maine Port Authority and Maine Department of Transportation compiled relevant research and information at the request of the Planning Board to further evaluate this text amendment. The City of Portland hired the economic development planning firm Camoin Associates to produce a review of the market for cold storage facilities and a cost analysis per pallet position that would rationalize a facility of a certain size (*Needelman Memo June 27th, Attachment A*). The firm T.Y. Lin, under contract with the City, produced a projected traffic impact assessment under full build-out of this project. To perform the visual impact analysis, the City hired the Yarmouth based consulting firm, Terrence J Dewan & Associates, to produce a sketch-up model which contextually illustrated current zoning, proposed zoning and likely build-out scenarios based on stakeholder discussions (*Planning Memo May 18th, Attachment 2*). The firm Woodard and Curran, hired by the Maine Port Authority, has produced its own economic analysis intended to justify the need for a facility capable of accommodating 15,864 pallet positions. These items were presented to the Planning Board at the May 18th workshop as basis for the proposed zone change.

At the May 18th workshop, members of the Planning Board, city staff and other interested parties participated in a site walk of the WPDZ facilitated by Mr. Needelman, looking specifically at the context of the site in relationship to surrounding uses, and potential placement of future buildings. At the conclusion of this workshop, the Planning Board advised staff that for the following workshop, they would like to see the completed market study from Camoin Associates, completed traffic impact

analysis by T.Y. Lin and a draft copy of the zoning text amendments. This information is provided for the June 27th workshop.

III. CURRENT ORDINANCE

As currently written, the intent of the Waterfront Port Development Zone is to facilitate the transport of goods by water to and from Portland that require deep water access as provided by the Fore River Channel. Permissible uses include industries that either require direct deep-water access or directly contribute to the port's activity. As an industrial zone, limited regulations exist pertaining to building dimensions for by-right permissible uses. Maximum building height is capped at 45' feet above average grade, with a separate silo provision under which maximum structure heights may conditionally increase to between 70' feet and 145' feet above either average grade or mean sea level depending on location within the zone. Additional requirements pertaining to the entire zone include 100% allowable lot coverage and a minimum 5' foot setback from the edge of any pier, wharf or bulkhead with no additional setback requirements.

For structures exceeding 45' feet in height, additional requirements include a 150' foot separation between other structures, a setback requirement of 1' foot for each vertical foot of structure height above 45' feet, prohibited development within established view corridors, proportional building width requirements based upon lot width, interior storage stacking requirements and FAA approval for structures measuring over 45' feet in height.

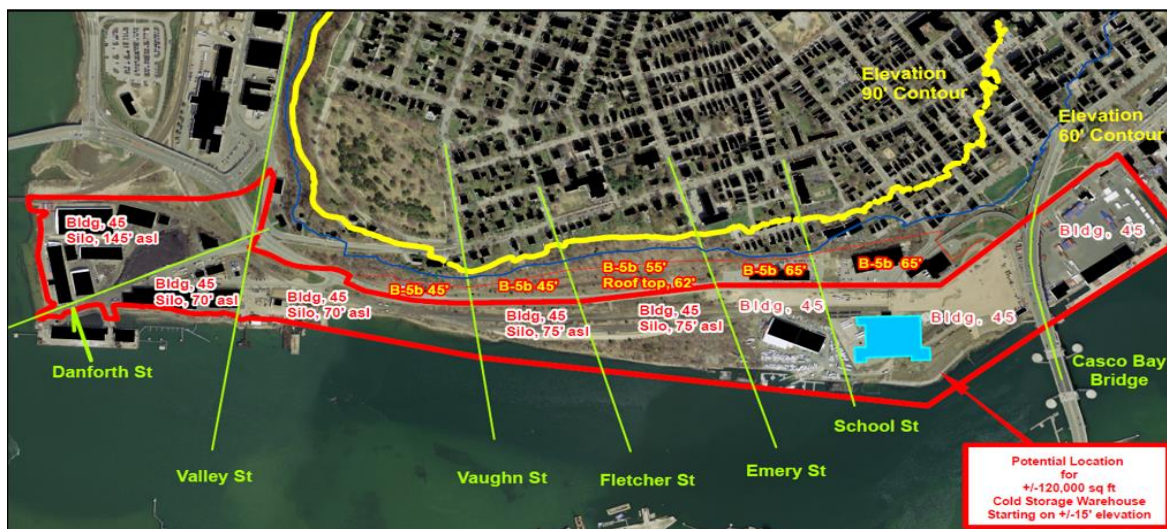


Figure 2: Graphic Representation of Permissible Heights under Current Zoning

IV. DISCUSSION OF INCREASED BUILDING HEIGHTS

While this revision is in significant part a direct response to Americold's minimum feasible height of 68', it is supported by zoning practices in other similarly oriented industrial waterfronts within the region, where standard permissible heights significantly exceed the 45-foot limitation found within the WPDZ. In Bath, Maine, Portsmouth, New Hampshire and New Bedford, Massachusetts, all communities with an industrial waterfront zone, the standard allowable height for that zone is respectively 100' feet, 70' feet and 100' feet. While contextually these port zones differ from the WPDZ, specifically in regards to their proximity to residential zoning districts, these height allowances indicate a rational for structures taller than 45' feet amongst the Port of Portland's counterparts. Similarly, in looking at a more comprehensive list of port zoning districts found across the country, it is clear that the proposed maximum conditional building height of 75' feet would be in line with limits placed elsewhere (*Needelman May 18th Memo, Attachment C*). Within the City of Portland itself, the maximum building for the Central Waterfront Zone is 50-feet. The WPDZ is further constrained by its limited geographic area, measuring just under 90 acres in area with roughly 8,000 feet of water

frontage. Given the scope of this zone, it is imperative to maximize the space available through building height increases.

Articulated through public comment and testimony, there are several arguments for why increased building heights should not be permitted within the zone. By increasing the allowable height of structures, the potential for private and public view obstruction increases



Figure 3: Boat Repair Shops Require Additional Height to Accommodate Larger Vessels

The need for additional height allowances has been expressed by other stakeholders as well within the WPDZ as well. Portland Yacht Services has submitted a document expressing the need for taller structures to accommodate larger shed doors, so that larger vessels may be worked on. At present, current regulations significantly limit the size of building and hence limit the clientele for this operation. Incidentally, the design of buildings at this location are further hampered by limited height allowances, as roof pitch and additional architectural features are necessarily limited.

V. PROPOSED AMENDMENTS

A. Summary

Since the previous workshop, staff have regularly met and worked with waterfront stakeholders, representatives of the West End Neighborhood Association and other interested parties to mitigate key zoning related concerns and produce a well-balanced new approach to zoning along Portland's western waterfront. The goal of this effort has been to sensibly assess the needs of Portland's working waterfront, taking into consideration recommendations from industry professionals both inside and outside of Portland and weighing those needs against legitimate community concerns regarding both visual and traffic impacts. We have also honed our approach based upon revelations from the visual impact analysis completed by Terry Dewan & Associates. The proposed amendment has also been refined so that it is more consistent with relevant policy goals of the recently adopted Comprehensive Plan. The result of this ongoing dialogue and modeling is the draft text attached to this memo. (*Attachment 1*)

Given the extent of revisions, the proposed text amendment has been added as an attachment and is not specifically included within the body of this memo. As stated in prior workshop memos, many of the

alterations are non-substantive, for example; minor wordsmithing and reformatting (i.e. use of tables and graphics) so as to create a document in line with recently approved text amendments. Such changes are clearly visible in the attached draft amendment. Substantive changes are discussed point by point with references to their placement within the document.

B. Substantive Amendments

a. Section 14-318. Purpose

The purpose section of a zoning ordinance is intended to provide guidance in understanding the intent of a given district and should be used as a point of reference when interpreting language. As currently written, a portion of the purpose statement reads much like a regulation, *“Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity”*. Striking this portion of the text, staff sought instead to clearly define the industrial port’s importance to the City of Portland without defining allowable uses, as this is accomplished later in the document.

In discussing non-marine uses, staff has simplified the text, allowing for permanent non-marine uses so long as they do not preclude marine development. Additionally, the word “industrial” has been removed as certain non-industrial uses are permitted within the zone that are not classified as a marine use.

b. Section 14-319. Permitted and Conditional Uses

In line with recent zoning text changes, the Permitted and Conditional Use sections have been combined into a single table which displays both use categories within a single section. The City has identified a need to streamline and rewrite portions of the zoning code, with the eventual goal of having a universal use table in which all uses and corresponding zoning districts are listed within a single table within the zoning ordinance. The newly proposed use table for the WPDZ will then be much easier to import into the universal use table.

Specifically, staff is suggesting minor alterations to existing permitted and conditional uses. New uses include, *“marine retail and yacht brokerage”* which is being added as a conditional use and, *“cold storage facility”* which has been added to the existing category, *“Warehousing, and storage of goods which are awaiting shipment via cargo carriers”* which is proposed to change from permitted to conditional. The use, *“boat storage facilities, excluding rack storage”* has been altered to state only, *“boat storage facilities”* as marinas are later added as a prohibited use, and it is proposed that the use change from conditional to permitted. Within the “Other” category, the use food truck is being added as a permitted use and reference to lot lines is suggested for removal as uses are permitted within a zone and not based upon lot lines. Finally, staff suggests changing the use, *“wind energy systems”* to *“renewable energy systems”*, a more comprehensive category and making the use conditional as opposed to permitted.

It is suggested that three uses, currently identified as commercial uses, be recategorized as industrial uses based upon their definitions and descriptions, *“Intermodal transportation facilities...”*, *“Marine cargo container...”* and *“Cold storage facility, warehousing...”*.

c. Section 14-320. Conditional Use Standards

As conditional uses are now located under Section 14-319, the heading and intent of this section has been revised, reflecting more specifically common demonstrable characteristics that shall be exhibited by all uses classified as conditional. The introductory paragraph has been broken out into list form so as to be more easily read, and features a few substantive changes. Staff suggests first that general access to the water be maintained, and that the words right-of-way be struck. Further, recognizing that the WPDZ is critically important for both water dependent and marine uses, staff suggests that the words, *“water dependent”* be added. Finally, in order to clarify the language stating that conditional uses shall be *“physically adaptable or relocatable to make way for future development of water-dependent uses”* staff suggests adding the line *“located in a building or structure that is”* which clearly identifies what must be adaptable or relocatable.

d. Section 14-320.1. Prohibited Uses

Minor changes within this section include an alteration to residential uses removing the line, “*not in existence on May 5, 1987*” as there are no residential uses in existence within the WPDZ and therefore the line is unnecessary. Additionally, the use, “*marina*” has been added as a prohibited use, as the use is not in line with the purpose of the WPDZ.

e. Section 14-320.2.(a). Dimensional Requirements

As with the aforementioned use table, dimensional requirements for the WPDZ have been placed into a table, broken down by allowable building heights. With the proposed zoning rewrite, dimensional standards for all zones would similarly be placed into a universal table.

Minimum Yard Setbacks: At present, for structures measuring 45’ feet or less in height above average grade, there are no required building setbacks. For structures measuring more than 45’ feet in height above average grade, allowable under the silo provision found in the existing ordinance, there is a proportional setback requirement of 1’ foot from the property line for each vertical foot a building exceeds 45’ feet in height above average grade. Staff’s suggestion is to retain no building setbacks for buildings measuring less than 50’ feet in height above grade, while requiring a 100’ foot minimum setback from the lot line adjacent to West Commercial Street for buildings greater than 50’ feet in height. Staff suggests this requirement to prevent excessive massing of tall buildings along West Commercial Street which has been identified as a concern by the public.

Minimum Lot Size: In the existing language, there is no applicable minimum lot size. As proposed, on lots where buildings measure less than 50’ feet in height, there will remain no minimum lot size. For new buildings measuring greater than 50’ feet in height, it would be required that the minimum lot size be 4 contiguous acres, and that only one such building be constructed for lots east of Cassidy point. The purpose of this amendment is to limit the number of new buildings built greater than 50’ feet in height.

Maximum Lot Coverage: The current ordinance permits 100% lot coverage. Staff suggests reducing this figure to 50% for lots east of Cassidy Point so as to prevent excessive massing and comprehensive obstruction of water views, while maintaining 100% lot coverage for buildings on Cassidy Point, as the depth and geographical context of these lots in relation to the West End Neighborhood preclude extensive visual impact.

Maximum Building Height: The WPDZ currently permits by right buildings measuring up to 45’ feet above average grade, and then additionally, silos measuring from between 70’ feet and 145’ feet above mean sea level.

Staff suggests first removing reference to mean sea level, and measuring building height exclusively from average grade. Also, under this proposed amendment, the stated building height would constitute an absolute cap, inclusive of roof forms and rooftop appurtenances. Current standards allow these elements to exceed above the stated maximum height. For example, a gabled roof building is measured from the mid-point of the roof, thereby allowing considerable extrusion above the maximum height. The hard cap is intended to prevent this from occurring.

We suggest increasing permissible building heights to 50’ feet across the entire zone and limiting building and or structure height east of the Casco Bay Bridge to 50’ feet so as to maintain vistas of Casco Bay from public open spaces. The increase to 50’ feet is in part a response to stakeholder input asking for additional height increases. This is further supported by research compiled by staff looking at industrial port zones in other communities. A hard cap at 50’ feet is further beneficial from a stand point of clarity, predictability and transparency and that additional height will be allowed on larger lots through the conditional use mechanism. For lots located on Cassidy Point, permissible by right building heights would be increased to 65’ feet as again, taller buildings in this location have been determined to have far less visual impact on their surroundings than other sections of this zone.

In terms of conditionally allowable building heights, staff suggests a maximum height of 75' feet, permissible only on lots greater than 4 acres in size east of Cassidy Point and on all lots on Cassidy Point. This alteration would effectively replace the existing bulk storage height requirements, for with the exception of silos permissible at the current Sprague Energy site up to 145' feet above mean sea level, all other silo height requirements measured 75' feet or less.

In order to retain the silo provision previously established for the WPDZ allowing silos up to 145' above mean sea level, staff has calculated that the approximate equivalent would be 130' feet above average grade. This, as with the existing ordinance, would be permissible only in the area west of the right-of way extension of the western most segment of Cassidy Point Drive, the current Sprague Energy site. Additionally, setback and proportional building dimension language has been removed as it was determined that such standards effectively precluded silos from being constructed.

Maximum Building Length: A maximum building length of 400 feet for lots east of Cassidy Point is suggested so as to prevent the development of a street wall which entirely obstructs water views along West Commercial Street.

f. Section 14-320.2.(b). Additional Bulk, Height and Location Standards

The newly proposed amendment extensively edits this particular section, as it is suggested that standards for bulk storage be largely removed in order to improve the document's ease of use and allow for greater flexibility in site location selection for new developments. For example, in the proposed amendment, staff suggests removing language regarding maximum horizontal diagonal measurements for buildings over 45' feet, the proportional setbacks, building separation, the percentage based building width requirement and the view corridor provisions for Vaughan Street and Emery Street. Further amendments include removal of language regarding the placement of rooftop appurtenances and rewording of the language regarding accessory uses.

In discussions with stakeholders, it was determined that this section of the ordinance and language as described is very difficult to understand and implement. The modeling of these provisions as completed by Terry Dewan & Associates demonstrates the onerous nature of these requirements, which essentially limit development to only a few compact buildable envelopes. This amendment retains the intent of these existing mitigating provisions while removing redundancy, simplifying language and providing greater flexibility to the property owners. Many of these standards are now embedded within the dimensional use table.

New recommendations include the establishment of one view corridor measuring at least 60' feet in width per lot providing visual access between West Commercial Street and the water, excluding Cassidy Point, as well as removal of the height requirement for accessory uses.

The existing view corridor language relates to two rights-of-way within the West End Neighborhood, Emery Street and Vaughan Street. In our visual assessment, it was determined that the Vaughan Street right-of-way essentially passes through an already unbuildable lot where the rail corridor and lot dimensions preclude large scale development. Views from the Emery Street right-of-way are blocked by existing vegetation. In response, staff is suggesting the new provision, which would ensure regular and consistent visual access to the water for people traveling along West Commercial Street.

In regards to accessory uses, it is suggested that the reference to the height at which an accessory use would be allowed be removed, as the additional height allowances proposed for the zone now pertain to all buildings and are no longer limited to bulk storage facilities. This for example, would allow for a cafeteria or separate office space to be located above 50' feet in height within new developments.

g. Section 14-320.3. Performance Standards

New performance standards are proposed for the WPDZ titled "*Design and Visual Character*" which would apply to all uses. These standards are a response to board feedback received at the May 18th

workshop, where it was stated that limited design standards would be appropriate for this zone, given its proximate relationship with the West End Neighborhood and its context as a gateway into the city. Suggested standards include:

- Screening of mechanical equipment with consideration of long views
- Organizational massing with emphasis on certain building elements (i.e. entries, corners, different uses)
- Equal treatment for all building facades
- Building articulation elements (i.e. varied texture, color, materials, shadow lines, murals)
- Scaling or articulation element (i.e. stepback, canopy, fenestration) for street facing facades within 50 feet of West Commercial Street

C. Neighborhood Proposed Zoning Strategies

As stated previously, city staff have met with representatives of the West End Neighborhood Association on multiple occasions to discuss staff's zoning approach and neighborhood driven alternatives. Of key concern to this community is the impact that taller buildings with a building length of up to 400 feet in length as measured by a line parallel with West Commercial Street would have on residents of the West End. Representatives of this group have engaged with various waterfront stakeholders in order to arrive at several suggested alternatives to the approach that staff has taken. This dialogue between the City and the Neighborhood has been highly productive and has served to shape the proposed amendment into a well-balanced and thoughtful response to the needs of our working waterfront. Staff are continuing to work with representatives from the neighborhood and assessing the practicability of resident suggestions regarding allowable building heights, maximum building footprint, view corridors, minimum lot size, height justification and building disposition. For additional information, please see the attached document (*Attachment 2*).

VI. PUBLIC COMMENT

A. Written and Verbal Public Comment

Since this application was first submitted in October of 2016, 155 public comments have been received by the Planning Office. These comments have been almost specifically concerned with the proposed allowable height of 70 feet, which was felt to be damaging of the quintessential aesthetic qualities of the western waterfront, particularly its smaller scale industrial maritime character and key visual access to the Fore River. Additional public comments highlighted a concern that this zone change would negatively impact the quality of the western waterfront as a gateway into Portland along Commercial Street or from either the Casco Bay Bridge or Veterans Memorial Bridge, as the proposed ordinance would allow for a 75-foot wall of edifice that would obstruct neighborhood views of the city's water resources. Aside from the larger contextual impacts derived from the proposed ordinance, individuals were also concerned about the potential loss of private views, increases in noise and pollution, poor aesthetics for new developments and finally a potential detrimental impact on property values.

Since the May 18th workshop, a number of new public comments have been received which specifically discuss alternative strategies for meeting the pallet position requirements of Americold, as well as the lack of a cohesive narrative that truly justifies the need for maximum building heights of 75' feet. Other comments received discuss the balance between economic justification and aesthetic characteristics of the zone and finally additional comments were received which expressed concerns over draft comprehensive language for a modern 21st century logistics hub.

This concern in particular, which is in regards to increased truck traffic at this location, has in part been addressed by the traffic impact report completed by T.Y. Lin, which demonstrates minor traffic impacts resulting from developments along West Commercial Street. The T.Y. Lin Report specifically identifies a future build-out of the cold storage facility and the Canal Landing Phase III project. Estimates for truck traffic are for 20 trucks per day and a total of 1.25 trucks estimated per hour either entering or leaving. The Canal Landing project would meanwhile generate approximately 230 trips. This number is

relatively insignificant when compared with a ten year build out scenario for other development currently being reviewed. It is anticipated that these projects will generate 660 new peak hour trips along West Commercial Street. (*Needelman May 18th Memo, Attachment B*)

The City has also received numerous public comments from individuals and groups, largely consisting of waterfront stakeholders, who support the project and state that the zone change would facilitate economic development and growth of the Port of Portland. Numerous comments also note favorably the mitigating concepts of the proposed amendment which help to alleviate the additional proposed height allowances. These groups and individuals cite the importance of having a competitive working waterfront and embrace the zone's characteristics as the city's industrial port. The amendment was also supported by the Portland Society for Architecture (*Attachment 2*).

B. Public Forum (May 16, 2017)

On May 16th, the Waterfront Alliance hosted a public forum at the Mariner's Church Banquet Hall. This event was organized as an open house where individuals could discuss concerns in greater detail, with five stations, each pertaining to a different topic (Economic benefit to the City, Business of Cold Storage, History of the Working Waterfront, Zoning and Visual Impact and Traffic Impacts), staffed by representatives from the state, industry professionals and city staff. A moderated panel discussion followed the open house portion of the event, with five panelists; John Henshaw, Executive Director of the Maine Port Authority; William Needelman, Waterfront Coordinator for the City of Portland; Caitlin Cameron, Urban Designer for the City of Portland; Patrick Arnold, CEO of New England Ocean Cluster; and Steve Landry, Traffic Engineer with Maine Department of Transportation. Questions for the panelists were collected from those in attendance and presented by Moderator Craig Freshley. A total of 35 questions were asked, falling to the following pre-defined categories; economic impact, building size and zoning, noise and local impact, working waterfront appropriateness, future plans of Eimskip and Americold, Process, and at the end of the session, individuals were permitted to ask questions that had not previously been submitted. A summary of this forum is included as an attachment to Mr. Needelman's memo (*Needelman Memo June 27th, Attachment B*)

VII. POLICY DISCUSSION

The policies informing waterfront zoning in Portland were derived from the Waterfront Alliance Recommendations to the City of Portland, 1992, which was adopted by reference as the policy basis for waterfront zoning in 1993. The Waterfront Alliance Report succinctly laid out the policies for the waterfront generally in the preamble and the further established geographic sub-districts differentiated by water depth and focus of use.

The Waterfront Alliance Preamble states:

Our recommendations are based upon the recognition that as a working waterfront, Portland Harbor should be a regional economic force that supports local economies through jobs and tax revenues.

Water-dependent users are the lifeblood of Portland's waterfront and their interests must be protected above all others. We further recognize that diversity is the key to the economic stability of the working waterfront, the proper maintenance of its infrastructure and its long-term growth. Measures to promote diversity include zoning, as well as economic assistance and partnerships between private and public interests.

In order to maintain and expand the Port as a working waterfront for the enjoyment and economic benefit of all, the Waterfront Alliance recommends the following measures be taken:

- 1. Preserve the entire perimeter of the Harbor from Turkey's Bridge to the Veteran's Memorial Bridge for berthing*

2. *Recognize that property with direct water access is limited and should be reserved exclusively for marine use.*
3. *Allow marine compatible use of other property that does not interfere in any way with the activities of water dependent users.*
4. *Divide the waterfront into four zones that reflect the type of berthing or land use that each zone can accommodate.*
5. *The Alliance believes that the City should renew its commitment to promoting public access to the Port for the benefit and enjoyment of its citizens and continue to insure ecological safety through the promotion of environmentally sound practices.*

The Waterfront Port Development Zone was developed with the intent of sensibly, rationally and pragmatically continuing to foster a viable deep-water industrial port in this location, which historically has held that role. According to the purpose statement of the zone:

Transport of goods by water to and from Portland is an important component of both the local and regional economy. This commerce is dependent upon land with direct access to the dredged deep water channel of the Fore River.

Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity. This zone exists, therefore, to ensure the continued viability of the Port of Portland. Uses in the port development zone, while governed by the same performance standards as other industrial zones, are limited to those uses which are dependent upon deep water and which contribute to port activity.

Non-marine industrial activity may be allowed only on a temporary basis and only to the extent it will not preclude or impede any future water-dependent development.

Within the 1992 Waterfront Alliance Report, the western waterfront currently encompassed by the WPDZ was specifically called out as an important resource for the city, with potential to support deep draft vessels and excellent transportation linkages. Recent growth in port activity shows the wisdom and success of these long-standing policies. The current request for taller buildings promotes greater industrial and transportation activity on the land most critical for support of port operations. The proposed text amendment for the WPDZ is consistent with the intent of the policies to promote the western waterfront for deep water port activity.

A. Economic Development Policies

In addition to land use policies, the City Council has adopted an *Economic Development Vision and Plan (2011)* which supports port activity and development. As summarized below, the Plan outlines principles, visions, goals and actions including the following:

Growing its Tax and Employment Base

1. Support industry sectors that are innovative and have high growth, high value potential to provide future opportunities for economic development, including “Marine and marine related working waterfront, port related, and cargo”
2. Support a working waterfront, recognizing... “the Western Waterfront, Portland’s essential deep water port edge and acreage...” and, “Provide continued support for the International Marine Terminal (cargo shipping)”

B. Comprehensive Plan Policies

The comprehensive plan, which was recently approved by the Portland City Council outlines goals and policy recommendations for Portland's working waterfront based upon recent trends in waterfront development and up-to-date public sentiment. Several local goals called out within the waterfront section stand out as particularly relevant, including:

1. Prioritize and promote Portland's unique mix of water-dependent, marine-related uses and compatible non-marine uses
2. Maintain and modernize infrastructure to support the working waterfront and port capabilities
3. Ensure the future of the marine economy through support for emerging marine industries and mitigation of market trends that could compromise the balance between marine industries and competing development

Under this proposal, these goals are met in a variety of different ways. Cold storage is a limited industry at present within the City of Portland, and the need for refrigerated storage is increasing as the import and export of food products has grown significantly in recent years. The development of cold storage would increase the viability of existing enterprises, expand a limited industry to attract new jobs and investment opportunities, and establish the Port of Portland as a more competitive market. Given Portland's prominent ties with new markets in northern Europe via Eimskip, and a location perfectly situated to take advantage of excellent transportation linkages, the development of a cold storage facility in this location is highly sensible. Revision of zoning to allow increased building heights would similarly allow other industries to expand as well.

Proposed amendments serve to create a more flexible regulatory environment intended to facilitate the development of infrastructure depended upon by a variety of marine-related uses. Specifically, by allowing cold-storage explicitly and permitting increased building heights, existing waterfront stakeholders will have the opportunity to expand operations and this zone in particular may attract new industries and outside investment.

VIII. NEXT STEPS

- Identify additional data required based on board deliberations and public comment
- Continue to develop additional regulatory language into the proposed ordinance based upon discussions with the Planning Board and general public, discuss schedule for ongoing discussion

Attachments:

1. Division 18.5, Waterfront Port Development Zone – Draft Amendment
2. Regulatory Concepts Developed by West End Neighborhood Association
3. Public Comment

Proposed Text Amendments to WPDZ

Draft 6-21-17

New Definition in Sec. 14-47Cold Storage Facility:Refrigerated facility used for the storage of perishable freight awaiting shipment or wholesaling.

DIVISION 18.5. WATERFRONT PORT DEVELOPMENT ZONE*

*Editor's Note—See the editor's note to division 18 of this article.

Sec. 14-318. Purpose.

Transport of goods by water to and from Portland is an important component of both the local and regional economy. This commerce is dependent upon land with direct access to the dredged deep—water channel of the Fore River and Portland Harbor

The Port of Portland is integral to the city's economic, cultural and fiscal health. This zone exists to ensure the continued viability of the Port of Portland. ~~Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity. This zone exists, therefore, to ensure the continued viability of the Port of Portland.~~ Uses in the port development zone, while governed by the same performance standards as other industrial zones, are limited to those uses which are dependent upon deep water and which contribute to port activity.

Nonmarine ~~industrial~~ activity may be allowed only ~~on an interim~~ temporary basis and only to the extent it will not have any adverse impact on marine uses. ~~preclude or impede any future water-dependent development.~~

(Ord. No. 168-93, § 2, 1-4-93)

Sec. 14-318.5. No adverse impact on marine uses.

No use shall be permitted, approved or established in this zone if it will have an impermissible adverse impact on future marine development ~~opportunities~~. A proposed development will have an impermissible adverse impact if it will result in any one (1) or more of the following:

- (a) The proposed nonwater-dependent use will displace an

existing water-dependent use;

- (b) The proposed **nonwater-dependent** use will reduce existing commercial vessel berthing space;
- (b) The proposed nonwater-dependent use, structure or activities, including but not limited to access, circulation, parking, dumpsters, exterior storage or loading facilities, and other structures, will unreasonably interfere with the activities and operation of existing water-dependent uses or significantly impede access to vessel berthing or other access to the water by water-dependent uses; or
- (d) The siting of a proposed nonwater-dependent use will substantially reduce or inhibit existing public access to marine or tidal waters.

(Ord. No. 168-93, § 2, 1-4-93)

Sec. 14-319. Permitted and Conditional Uses.

Subject to a determination that the proposed use meets the standards of section 14-318.5 (no adverse impact on marine uses), the following uses are permitted in the waterfront port development zone:

Group	Use	WPDZ
Marine	Marine repair services and machine shops	P
Marine	Tugboat, fireboat, pilot boat and similar services	P
Marine	Harbor and marine supplies and services and ship supply such as fueling and bunkering of vessels	P
Marine	Shipbuilding and facilities for construction, maintenance and repair of vessels	P
Marine	Marine cargo handling facilities, including docking, loading and related storage	P
Marine	Boat repair yards	P
Marine	Facilities for marine construction and salvage	P

Marine	Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices	P
<u>Marine</u>	<u>Marine Retail and Yacht Brokerage</u>	<u>C</u>
Marine	Marine products, wholesaling and retailing	C
Marine	Boat storage facilities, excluding rack storage	C <u>P</u>
Marine	Seafood processing	C
Marine	Seafood packing and packaging	C
Marine	Fabrication, storage and repair of fishing equipment	C
Marine	Ice-making services	C
Marine	Fabrication of marine-related goods	C
Marine	Fish by-products processing, provided that; i. Any fish by-product processing facility has a valid rendering facility license under chapter 12; and ii. The processing of other material wastes or by-products shall not be deemed a lawful accessory use under any other provision of this article.	C
Commercial <u>Industrial</u>	Intermodal transportation facilities principally for vessels with regularly scheduled destination service or for railroad transportation service	P
Commercial <u>Industrial</u>	Marine cargo container and chassis maintenance and repair	P
Industrial	Facilities for combined marine and general construction[m1]	C
Commercial <u>Industrial</u>	<u>Cold storage facility</u> , warehousing, and storage of goods which are awaiting shipment via cargo carriers	<u>C</u>
Industrial	Low impact industrial uses, including but not limited to bakeries, breweries, bottling,	C

	printing and publishing, pharmaceuticals, machine shops, manufacture of products, assembly of electrical components, tool and die shops, and the packaging of food, provided that such uses shall be subject to the performance standards set forth in §14-252	
Public	Public uses including pedestrian and bicycle trails	P
Public	Utility substations, including sewage collection and pumping stations, water pumping stations, transfer stations, telephone electronic equipment enclosures and other similar structures, provided that such structures are located more than one hundred (100) feet from the water.	C
Commercial	Off-street parking lots, excluding parking structures	C
Other	Accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses. Food service establishments and other similar retail and service support uses shall only be permitted as accessory uses. if they are part of if they are located within the lot lines of a use set forth in section 14-319(a)3, 6, or (b)1,	P
Other	<u>Renewable energy systems,</u> Wind energy systems, as defined and allowed in Article X, Alternative Energy (Ord. No. 168-93, § 2, 1-4-93; Ord. No. 38-02/03, § 2, 9-4-02; Ord. No. 33-11/12, 1-18-12)	<u>C</u>

~~_(a) Marine:~~

- ~~1. Marine repair services and machine shops;~~
- ~~2. Tugboat, fireboat, pilot boat and similar services;~~
- ~~3. Harbor and marine supplies and services and ship supply such as fueling and bunkering of vessels;~~

- ~~4. Shipbuilding and facilities for construction, maintenance and repair of vessels;~~
- ~~5. Marine cargo handling facilities, including docking, loading and related storage;~~
- ~~6. Boat repair yards;~~
- ~~7. Facilities for marine construction and salvage;~~
- ~~8. Facilities for marine pollution control, oil spill cleanup, and servicing of marine sanitation devices.~~

~~(b) Commercial:~~

- ~~1. Intermodal transportation facilities principally for vessels with regularly scheduled destination service or for railroad transportation service;~~
- ~~2. Warehousing and storage of goods which are awaiting shipment via cargo carriers;~~
- ~~3. Marine cargo container and chassis maintenance and repair.~~

~~(c) Public:~~

~~Public uses including pedestrian and bicycle trails.~~

~~(d) Other:~~

- ~~1. Accessory uses customarily incidental and subordinate to the location, function and operation of permitted uses. Food service establishments, newsstands and other similar retail and service support uses shall only be permitted as accessory uses if they are part of and located within the lot lines of a use set forth in section 14-319(a)3, 6, or (b)1, if all such uses do not exceed two thousand (2,000) square feet in total floor area of the building or twenty-five (25) percent of the total floor area of the building, whichever is less, and if each individual use does not exceed one thousand (1,000) square feet in total floor area of the building; and further provided that such accessory~~

~~uses provide goods or services that are supportive of the principal use and its clientele.~~

~~2. Street vendors licensed pursuant to Chapter 19 are a permitted use, but only in the following area of the waterfront port development zone: on Commercial Street from the intersection of India Street to the westerly side of the Maine State Pier.~~

~~3. Wind energy systems, as defined and allowed in Article X, Alternative Energy.~~

(Ord. No. 168-93, § 2, 1-4-93; Ord. No. 38-02/03, § 2, 9-4-02; Ord. No. 33-11/12, 1-18-12)

Sec. 14-320. Conditional Use Standards~~uses.~~

(a) The following uses shall be permitted in the WPDZ, ~~as conditional uses in the waterfront port development zone~~, provided that, notwithstanding section 14-471(c), section 14-474(a), or any other provision of this Code, the Planning Board shall be substituted for the ~~B~~Appels as the reviewing authority.

~~, and provided further that i~~In addition to the provisions of section 14-474(c) (2) such uses will:

- a. not impede or preclude existing or potential water-dependent development on other lots; and
- b. allow for adequate ~~right-of-way~~ access to the water; and
- c. be compatible with water dependent and marine uses; and
- d. be located in a building or structure that is physically adaptable or relocatable to make way for future development of water-dependent uses; and
- e. meet any additional performance and dimensional standards set forth below.

~~not impede or preclude existing or potential water-dependent development on other lots, will allow for adequate right-of-way access to the water, are compatible with marine uses, and are physically adaptable or relocatable to make way for future development for water-dependent uses, and meet any additional standards set forth below:~~

~~1. Marine:~~

- ~~a. Marine products, wholesaling and retailing;~~
- ~~b. Boat storage facilities, excluding rack storage;~~
- ~~c. Seafood processing;~~
- ~~d. Seafood packing and packaging;~~
- ~~e. Fabrication, storage and repair of fishing equipment;~~
- ~~f. Ice-making services;~~
- ~~g. Fabrication of marine-related goods;~~
- ~~h. Fish by-products processing, provided that:~~
 - ~~i. Any fish by-product processing facility has a valid rendering facility license under chapter 12; and~~
 - ~~ii. The processing of other material wastes or by-products shall not be deemed a lawful accessory use under any other provision of this article.~~

~~2. Commercial:~~

~~Off-street parking lots, excluding parking structures.~~

~~3. Industrial:~~

- ~~a. Storage of goods in existing structures;~~
- ~~b. Facilities for combined marine and general construction;~~
- ~~c. Low impact industrial uses, including but not limited to bakeries, breweries, bottling, printing and publishing, pharmaceuticals, machine shops, manufacture of products, assembly of electrical components, tool and die shops, and the packaging of food, provided that such uses shall be subject to the performance standards set forth in §14-252.~~

~~4. Public:~~

~~Utility substations, including sewage collection and pumping stations, water pumping stations, transformer stations, telephone electronic equipment enclosures and other similar structures, provided that such structures are located more than one hundred (100) feet from the water.~~

~~(b) The following use shall be permitted only upon the issuance of a conditional use permit subject to the provisions of section 14-474 (conditional uses), and any special provisions, standards or requirements specified below:~~

- ~~1. Temporary wind anemometer towers, as defined in Sec 14-47, are permitted provided the following standards are met in addition to Sec 14-430:~~
 - ~~a. Towers may be installed for the purpose of wind data collection for no more than two (2) years after the issuance of a Certificate of Occupancy for the tower. At the conclusion of the aforementioned two (2) years, the tower must be dismantled and removed from the site within sixty (60) days; and~~
 - ~~b. Towers shall be constructed according to plans and specifications stamped by a licensed professional engineer, which shall be provided to the Board of Appeals with the application; and~~
 - ~~c. Towers shall be set back from habitable buildings by a distance equal to 1.1 times the tower height; and~~
 - ~~d. The applicant shall provide a safety report prepared and stamped by a licensed professional engineer to the Board of Appeals with their application for conditional use, which demonstrates how the proposed temporary wind anemometer tower is safe in terms of strength, stability, security, grounding, icing impacts and maintenance; and~~
 - ~~e. The applicant shall provide evidence of commercial general liability insurance, such insurance to be satisfactory to Corporation Counsel and cover damage or injury resulting from construction, operation or dismantling of any part of the temporary wind anemometer tower; and~~

- ~~f. Towers and associated guy wires shall be sited to minimize their prominence from and impacts on public ways (including pedestrian ways); and~~
- ~~g. Towers shall be used for installing anemometers and similar devices at a range of heights from the ground to measure wind characteristics (speed, direction, frequency) and related meteorological data, but shall not be used for any other purpose; and~~
- ~~h. A performance guarantee shall be required for the cost of removal of the tower, guy wires and anchors. This requirement may be satisfied by surety bond, letter of credit, escrow account or by evidence, acceptable to the City, or the financial and technical ability and commitment of the applicant or its agents to remove the facility at the end of the use period.~~

~~2. Wind energy systems, as defined and allowed in Article X, Alternative Energy.~~

(Ord. No. 168-93, § 2, 1-4-93; Ord. No. 149-01/02, 2-4-02; Ord. No. 29-09/10, 8-3-09, emergency passage; Ord. No. 33-11/12, 1-18-12)

Sec. 14-320.1. Prohibited uses.

Uses which are not enumerated in either section 14-319 or 14-320 as permitted or conditional uses are prohibited. Those uses that are prohibited shall include, without limitation:

- a. Residential uses ~~(not in existence on May 5, 1987).~~
- b. Hotels, motels or boatels.
- c. Auditoriums, civic centers, convention centers or other meeting facilities.
- d. Restaurants and drinking establishments.

e. Marinas

f. Boat storage facilities with rack storage

(Ord. No. 168-93, § 2, 1-4-93)

Sec. 14-320.2. Dimensional requirements.

In addition to the provisions of Article III, division 25 of this

Code, lots in the waterfront port development zone shall be subject to the following requirements:

(a) Dimensional Table

For additional bulk, height and location standards, see Section 14-320.2(b) below.

	<u>Buildings/Structures less than 50 Feet in Height</u>	<u>Buildings/Structures Greater than 50 Feet in Height Permissible as a Conditional Use</u>
Minimum Yard Setbacks	N/A	<u>100 ft minimum from the lot line adjacent to the W. Commercial St. ROW.</u>
Minimum Lot Size	N/A	<u>4 acres, limited to 1 building greater than 50 feet in height.</u>
Minimum Setback from Pier Line, wharf, or bulkhead, including any attached aprons. (See note 1)	5ft	5ft
Max. Lot Coverage	<u>50% east of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive.</u> 100% west of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive.	<u>50% east of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive.</u> 100% west of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive.
Max. Building Height (Inclusive of Roof Forms and Rooftop Appurtenances) (See Note 2)	<u>50ft for lots or portions of lots located east of the Casco Bay Bridge</u> (See Note 5) <u>and all lots of less than 4 contiguous acres</u>	<u>75ft except as follows:</u> <u>75ft in the area east of the projection of the Vaughn St. centerline</u> (See Note 4) <u>and west of Casco Bay</u>

	<u>65ft for lots or portions of lots located west of a line projected due south from the centerline intersections of West Commercial Street and the easterly most Cassidy Point Drive.</u>	<u>Bridge on lots 4 contiguous acres or larger.</u> <u>130ft for bulk storage^(See note 3) facilities situated on lots or portions of lots located west of the projection of the westerly most Cassidy Point Drive segment.</u>
Maximum Building Length (See Note 6)	<u>400ft maximum for lots or portions of lots east of the projection of the Vaughan Street centerline</u>	<u>400ft maximum for lots or portions of lots east of the projection of the Vaughan Street centerline</u>

1. The setback area may be utilized for activities related to the principal uses carried on in the structure, but shall not be utilized for off-street parking.
2. Buildings and or structures shall be limited to an absolute height measured from average grade with no portion of the structural roof system or roof top appurtenances exceeding the limits set forth under Sec. 14-320.2(a) with the exception of moveable elements or connection devices as listed under Section 14-320.2(b) (1) (a).
3. Bulk storage dedicated to materials delivered or awaiting transportation to a site by waterborne transportation.
4. A projection of the centerline of a street shall consist of an extension of the centerline of the street to the water side boundary of the waterfront port development zone.
5. Height limitations east of the Casco Bay Bridge are intended to protect vistas of the harbor from public open space.
6. No single building shall be greater than four hundred (400) feet in length as measured by a line parallel with the southern edge of the West Commercial Street ROW.

~~(a) Minimum lot size: None.~~

~~(b) Minimum frontage: None.~~

~~(c) Minimum yard dimensions:~~

~~Front setback: None.~~

~~Side setback: None.~~

~~Rear setback: None.~~

~~Setback from pier line: Notwithstanding the above requirements, a minimum setback of five (5) feet from the edge of any pier, wharf or bulkhead shall be required for any structure. The setback area may be utilized for activities related to the principal uses carried on in the structure, subject to the provisions of sections 14-319 and 14-320, but shall not be utilized for off-street parking. The edge of any pier, wharf or bulkhead shall include any attached apron(s).~~

~~(d) Maximum lot coverage: One hundred (100) percent.~~

~~(e) Maximum building height: Forty-five (45) feet, except as follows:~~

~~1. In the areas bounded as described below, facilities for bulk storage of materials delivered to a site by waterborne transportation or awaiting transportation from the site by means of waterborne transportation may be erected up to the maximum heights indicated (above mean sea level):~~

~~a. In the area that lies between Danforth Street and the Veterans Memorial Bridge: One hundred forty-five (145) feet.~~

~~b. In the area between Danforth Street and the projection of the centerline of Vaughn Street between its intersections with Orchard Street and Danforth Street: Seventy (70) feet.~~

~~c. In the area between the projection of the centerline of Vaughn Street between its intersections with Orchard Street and Danforth Street and the projection of the centerline of Fletcher Street between its intersections with Orchard Street and Danforth Street: Seventy-five (75) feet.~~

~~d. In the area formed by the projection of the centerline of Fletcher Street between its intersections with Orchard Street and Danforth Street easterly to the projection of the centerline of Emery Street between its intersections with Taylor Street and Danforth Street: Seventy-five (75) feet.~~

~~e. In those areas where the maximum height may not exceed forty-five (45) feet above grade, no structure may exceed sixty-five (65) feet in height above mean sea level.~~

~~For purposes of this section, a projection of the centerline of a street shall consist of an extension of the centerline of the street to the water side boundary of the waterfront port development zone.~~

~~2.~~ (b) Additional bulk, height and location standards:

1. ~~f~~For structures exceeding ~~forty-five~~ fifty (~~45~~ 50) feet in height above grade within the waterfront port development zone:

a. ~~The maximum horizontal diagonal measurement of portions of a structure, cluster of structures or equipment exceeding forty-five (45) feet in height above grade shall not exceed one hundred (100) feet, except that for each foot that the structure, cluster of structures, or equipment is lowered from the maximum permitted height, the maximum horizontal measurement may increase by one (1) foot.~~

b. ~~In addition to any other setback requirements, portions of structures or clusters of structures exceeding forty-five (45) feet in height above grade shall be set back a minimum of one (1) foot from the exterior property line of the owner of the underlying fee interest for each foot that the structure or cluster of structures exceeds forty-five (45) feet in height above grade.~~

c. ~~No structure or cluster of structures exceeding forty-five (45) feet in height above grade may be located closer than one hundred fifty (150) feet from any other such structure or cluster of structures.~~

d. ~~The cumulative width of the portion of structures exceeding forty-five (45) feet in height above grade shall not exceed more than~~

~~thirty (30) percent of the average width of the lot as measured by a line drawn parallel to the water.~~

~~e. No structure shall exceed forty-five (45) feet in height above grade within the view corridors established by the projection of the street right-of-way lines of Vaughn Street or Emery Street.~~

~~f.a. For purposes of this section only, m~~^M~~oveable elements such as cranes and gantries, and connection devices such as conveyors or bridges shall not be subject to the space and bulk requirements, but shall be subject to a determination by the Federal Aviation Administration that the location of such equipment will not create a hazard to navigation. Other rooftop appurtenances shall not exceed the maximum height limits set forth in this section.~~

~~g.b.~~ The applicant must provide a determination from the Federal Aviation Administration that structures and equipment will not exceed the applicable height guidelines for the runway approach and will not create a hazard to navigable airspace. Such a determination shall be accepted as conclusive evidence that the proposed development will not create a hazard.

2. For each lot, at least one view corridor of at least sixty (60) feet in width shall be left unbuilt to preserve a clear line of sight between West Commercial Street and the water.

3. Accessory uses are permitted provided that no individual accessory use shall exceed 1,000 square feet of total floor area in a building, and combined accessory uses shall not exceed 2,000 square feet of total floor area in a building.

~~h. Accessory uses in structures which exceed forty-five (45) feet in height above grade shall not be located higher than forty-five (45) feet within the structure.~~

(Ord. No. 168-93, § 2, 1-4-93)

Sec. 14-320.3. Performance standards.

All uses in the waterfront port development zone shall comply with the following standards:

- (a) *Outdoor storage of materials:* Outdoor storage of commodities and materials accessory to normal conduct of business, except pilings and/or cranes, shall be permitted to a maximum height of forty-five (45) feet, and such materials shall be entirely contained, including runoff contaminants and residual material, within a designated area within the lot boundaries.
- (b) *Noise:*
 - 1. The level of sound, measured by a sound level meter with frequency weighting network (manufactured according to standards prescribed by the American National Standards Institute, Inc.), inherently and recurrently generated within the waterfront port development zone between the hours of 7:00 p.m. and 7:00 a.m. from industrial facilities or operation commenced on or after July 1, 1988, shall not exceed fifty-five (55) decibels on the A scale at or within the boundaries of any residential zone, except for sound from construction activities, sound from traffic on public streets, sound from temporary activities such as festivals, and sound created as a result of, or relating to, an emergency, including sound from emergency warning signal devices.
 - 2. In measuring sound levels under this section, sounds with a continuous duration of less than sixty (60) seconds shall be measured by the maximum reading on a sound level meter set to the A weighted scale and the fast meter response (L maxfast). Sounds with a continuous duration of sixty (60) seconds or more shall be measured on the basis of the energy average sound level over a period of sixty (60) seconds (LEQ₁).
 - 3. In addition to the sound level standards otherwise established, facilities or operations established or built in the waterfront port development zone on or after July 1, 1988, shall employ best

practicable sound abatement techniques to prevent tonal sounds and impulse sounds or, if such tonal and impulse sounds cannot be prevented, to minimize the impact of such sounds in residential zones. Tonal sound is defined as a sound wave usually perceived as a hum or which because its instantaneous sound pressure varies essentially as a simple sinusoidal function of time. Impulse sounds are defined as sound events characterized by brief excursions of sound pressure, each with a duration of less than one (1) second.

- (c) *Vibration:* Vibration inherently and recurrently generated shall be imperceptible without instruments at lot boundaries. This shall not apply to vibration resulting from activities aboard a vessel or from railroad vehicle activities, or from activities on a pile supported pier.
- (d) *Federal and state environmental regulations:* All uses shall comply with federal and state environmental statutes and regulations regarding emissions into the air, except where provisions of this Code are more stringent.
- (e) *Discharges into harbor areas:* No discharge into harbor water areas shall be permitted, unless permitted by the Maine Department of Environmental Protection under a waste discharge license and as approved by the department of parks and public works in accordance with chapter 24, article III of this Code. All private sewage disposal or private wastewater treatment facilities shall comply with the provisions of chapter 24, article II of this Code and federal and state environmental statutes and regulations regarding wastewater discharges.
- (f) *Storage of vehicles:* Storage of any unregistered automotive vehicle on the premises for more than sixty (60) days shall not be permitted.
- (g) *Landfill of docking and berthing areas:* Landfill of docking and berthing areas shall be governed by 38 M.R.S.A. Sections 471 through 478, and permitted only if the landfill does not reduce the amount of linear berthing areas or space, or berthing capacity. If approved, construction shall be undertaken using methods

approved by the department of parks and public works and shall be accomplished in accordance with the provisions of division 25 of this article and in a manner so as to ensure that a stable and impermeable wall of acceptable materials will completely contain the fill material and will not permit any fill material to leach into docking areas or navigable waters.

- (h) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article.
- (i) *Off-street loading:* Off-street loading is required as provided in division 21 of this article.
- (j) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.
- (k) *Lighting:* All lighting on the site shall be shielded such that direct light sources shall not unreasonably interfere with vessels transiting the harbor nor have an unreasonable adverse impact on adjacent residential zones.
- (l) *Signs:* Signs shall be permitted as set forth in division 22 of this article.
- (m) *Storage of pollutants and oily wastes:* On-premises storage of pollutants and oily wastes shall not be permitted for more than forty-five (45) days.
- (n) *Compatibility of nonmarine uses with marine uses:* Nonmarine uses, structures and activities, including but not limited to access, circulation, parking, dumpsters, exterior storage and loading facilities or other structures shall neither unreasonably interfere with the existence or operation of marine uses nor significantly impede access to vessel berthing or other access to the water by existing or potential marine uses.

(o) Design and Visual Character:

- 1. Building design, including placement and screening of mechanical equipment, shall take into consideration long views to minimize negative visual impact and provide visual interest. Architecturally integrate exposed industrial**

- systems and equipment where practical.
2. Organize massing to emphasize certain parts of the building such as entries, corners, or different uses.
 3. Treat all facades, including the roof, with equal level of detail, and articulation.
 4. Vary and articulate building facades to add scale and avoid large monotonous walls. Treatments such as texture, color, material changes, or shadow lines or murals must be used to add visual interest and avoid dull, flat, repetitive facades.
 5. A scaling or articulation element such as stepback, canopy, or fenestration shall be required for any street-facing façade within fifty (50) feet of West Commercial Street.

(Ord. No. 168-93, § 2, 1-4-93; Ord. No. 240-09/10, 6-21-10)

Memorandum
Planning and Urban Development Department
Planning Division



To: Elizabeth Boepple, Chair and Members of the Portland Planning Board
From: Matthew Grooms, Planner
Date: June 23, 2017
Re: Regulatory Concepts Developed by West End Neighborhood Association
Meeting Date: June 27, 2017

Neighborhood Proposed Zoning Strategies

Building Height Cap 50' Feet

Staff's original proposal was for a conditional height building cap of 75' feet inclusive of roof forms and rooftop appurtenances with a traditional maximum building height of 50' feet for permissible by right buildings and structures (not inclusive of roof forms and rooftop appurtenances). Residents stated that a gable roofed building measuring 50' feet in height would have a similar visual impact as a much taller flat roofed building. This suggestion has been incorporated into the attached draft amendment.

Maximum Building Footprint

In order to further limit lot coverage and visual impact, residents suggested capping the total building footprint at 15,000 square feet. This figure was derived from a discussion with waterfront stakeholders in regards to planned future developments. In discussions, staff noted that certain buildings located within the WPDZ, both existing and proposed have a footprint greater than 15,000 square feet and that such an amendment would make those buildings non-conforming.

View Corridors

A principal concern raised by the neighborhood association working group was the inadequacy of the proposed 60' foot wide view corridor provision at a rate of one view corridor per lot, stating that the proposed width is too narrow and that at least two should be provided per lot. The group suggested a number of alternatives. The first is a proportional building break based upon the depth of a building as measured by a line perpendicular to West Commercial Street at a rate of 150% of the building depth, meaning that a building 100 feet deep would be required to provide 150 feet of separation between adjacent buildings. The second suggestion was to provide wider view corridors more regularly spaced than what is currently proposed. Staff is in the process of assessing the impacts of these proposals and testing their viability within the zone.

Minimum Lot Size

The current proposal of four acres is intended to limit each existing lot east of Cassidy Point to one building greater than 50' feet in height. The neighborhood association working group proposes increasing the minimum lot size to five or six acres, stating that four acres would allow certain properties to subdivide and build two buildings over 50' feet. Staff is assessing these suggestions further.

Height Justification

The neighborhood association working group suggests drafting either a performance standard or specific language within the Conditional Use Standards section which requires applicants to provide evidence based rational for building heights greater than 50' feet. An alternative suggestion is to permit certain types of conditional uses only to qualify for building heights greater than 50' feet. Staff is assessing these suggestions further.

Building Disposition

The geography of the WPDZ lends itself to the development of buildings built parallel to West Commercial Street which has the greatest visual impact on neighborhood residents and traffic along West Commercial Street. In response, representatives of the neighborhood have asked that a performance standard be drafted to minimize the parallel run of a building along West Commercial Street. Staff is assessing this suggestion further.

WPDZ Public Comment

PC1

On Sat, Oct 22, 2016 at 4:22 PM, Ashley Salisbury <ashleysalisbury@gmail.com> wrote:

Hi Bill,

I own 26 Brackett street down by York. I was a big supporter of the Emskip rail extension and think the new Yacht Co. building has been a good addition. Both enable working waterfront while preserving PORTLAND'S AESTHETIC APPEAL that drives the TOURIST ECONOMY.

Even a 45' storage block would be a blight in that location--blocking the thousands of motorist views as they come in and out of town and destroying the small scale charm that makes our city unique.

This project is wrong for that location and will surely create a long and expensive battle with the residents.

Thanks for your consideration, I hope to meet you at the community engagements.

Best,
Ashley Salisbury

On Sat, Oct 22, 2016 at 3:11 PM, Dana Sawyer <dsawyer@meca.edu> wrote:

Hi Bill Needelman,

In anticipation of the meeting on Nov. 3rd please send me a much better map of the proposed area of development for WPDZ than is on the card you mailed out, which doesn't even show the location the bridge to South Portland.

Is Eimskip proposing to raise it's buildings to 70 feet? As the city makes its plans is it considering the loss of property values to homes in the westend that will lose value as a result of having a building used for storage block the views they've paid for? I ask this rather cynically because history has shown that the city council has had a bad history of favoring the large building projects of its new "citizens" over the wishes of its longtime tax payers, and not always with beneficial results.

Thanks for sending this along and see you at the meeting,

Dana Sawyer
33 Tyng St.

"What is taken in by contemplation must be given out in love." Meister Eckhart



Planning Board Workshop, 10-25-16, complete packet, reduced.pdf
4780K

On Fri, Oct 21, 2016 at 5:38 PM, Eli Dale <elidale@maine.rr.com> wrote:

Dear Mr. Needelman, – and everyone else who is advocating to break Portland's codes...

Don't you DARE change the zoning of the waterfront for the cold storage facility. They knew perfectly well about the 45' height restriction when they bid on that property.

I AM SICK TO DEATH of Portland changing the rules to benefit developers and screwing the public at every turn. You are all RUINING Portland. (And YES, I AM YELLING).

Portland has a **brand** as a old-European style city, but you all want to built too much, too tall, too expensive, too ugly. The City has STANDARDS and YOUR JOB IS TO PROTECT THOSE STANDARDS. Instead, City Hall doesn't give a hairy owl pellet for Portland, her beauty, her history, her people.

NO HEIGHT INCREASES -- ANYWHERE. If you want to be in public service, then serve the public. It is shameful that Portland is a city where the citizens have to sue their public servants to get them to follow the city's own rules. Please remember, Keep Portland Livable WON their legal action. We are not supposed to be at war.

Very sincerely,
Eli (Elizabeth) Dale
40 Salem Street

On Sun, Oct 23, 2016 at 5:30 PM, Karen Sarfaty <sarfatyk@gmail.com> wrote:

Dear Mr. Needelman,

I'm writing to express my aversion over Americold's proposal to build a cold storage facility on Commercial Street in Portland.

This type of building and business belongs in a warehouse district, not a historic neighborhood.

If approved, their request to change the city zoning laws to accommodate their buildings height requirements will devalue the waterfront.

As the gateway to our beautiful city, the waterfront should be inviting, the roadway open and the air clear. That's Maine.

My west end neighborhood does not need an increase of semi trucks 24/7 that will pollute with noise, increase in carbon dioxide emission gases and create traffic jams. Commercial Street is not that wide. I see the negative impact from the expansion of Eimskip.

Please consider saving our waterfront from Americold's proposal.

Thank you,

Karen Sarfaty

On Sun, Oct 23, 2016 at 10:37 AM, walworth <walworthmccain@maine.rr.com> wrote:

Bill Needelman, waterfront coordinator
City of Portland
389 Congress Street
Portland, Maine 04101

Dear Bill,

I am dismayed that Americold Logistics LLC is prepared to break commitments outlined in its winning bid to develop a cold-storage warehouse on International Marine Terminal land. I'm even more dismayed that the city's Economic Development Department is promoting a "text change" to allow Americold to build 56% higher than current zoning allows.

The combined result would be a massive blight, 70 feet tall and spanning almost three acres, at the gateway to Portland's waterfront.

As a neighbor, I'm willing to let Americold obliterate my river view. It's sensible to develop the western waterfront. But Americold must hold to its stated commitment of abiding by Portland's "current regulations and guidelines" and building "a showpiece facility ... designed architecturally to enhance its harmony with the local surroundings."

A blank white box doesn't fulfill that promise. Americold needs to incorporate appropriate details, materials and massing into its project.

As for height, Americold provided three building footprint options in its RFP application last year -- and gave no indication that current zoning would be a problem or a deal breaker.

A majority of Americold's 175-plus warehouses are less than 45 feet high, the current zoning limit. Anything higher would erode the human scale that helps define Portland's waterfront. The "text change" to benefit this real estate investment trust controlled by multi-billionaire Ron Burkle must be rejected.

Best wishes,
Mark McCain
45 Summer Street

SIDNEY ST. F. THAXTER & MARY E. MCCANN

49 SUMMER ST.
PORTLAND, MAINE 04102
(207) 653-6692

October 24, 2016

City of Portland
Planning Division
389 Congress St.
Portland, ME 04101

RE: Request for Waterfront Zoning Text Change for Building Height

Dear Elizabeth and Board Members:

My wife Mary and I are neighbors overlooking the area of the proposed zoning change. Knowing you will have a workshop on October 25th and then a hearing afterward on the same day, we felt it best to get our thoughts to you in writing.

The City's Economic Development Department is requesting a major change in the Waterfront Port Development Zone to change the height limit from 45 feet to 70 feet. Bill Needelman noted at a neighborhood meeting that this change is being requested to benefit the Americold Freezer Storage project on land they lease from Maine Port Authority. Americold was chosen to develop the site by the Maine Port Authority and submitted a detailed proposal which is based on the existing zoning with a height of 45 feet.

Why Neighbors Oppose the Change in Zoning.

- This is a significant zoning change which admittedly is being requested solely to benefit the Americold zoning but includes the area all the way to the Merrill Terminal. Bill Needelman stated the area from the Americold project to Merrill Terminal is being added to avoid being challenged as a spot zone. This is not the result of a long range planning process but in reaction to one project.
- Americold bid on the project with a favorable lease from the Maine Port Authority. That bid is based on a 45 foot height restriction which they accepted. They have also noted publicly that the project works economically with a 45 foot height restriction.
- The additional impacts of the proposed change all the way to the Merrill Terminal raise the prospect of a long wall of 70 foot buildings stretching from Portland Yacht

Services to Merrill Terminal. This will destroy what is now a workable entrance to a beautiful city and change the entire landscape of this area.

In summary, Americold contracted to build with the 45 foot limit and there is no reason to give them a gift which will have a major negative impact on the city. It is difficult enough for the neighbors to deal with 104,000 square foot building which is a huge 45 foot high white block, not unlike the buildings on Read Street. Please keep the 45 foot limit.

Sincerely,

A handwritten signature in blue ink, reading "Sidney St. F. Thaxter". The signature is written in a cursive style with a large, looping "S" at the beginning.

Sidney St. F. Thaxter and
Mary E. McCann



185 International Drive
Portsmouth, New Hampshire 03801
(800) 225.1560

October 24, 2016

Mr. Bill Needleman
Waterfront Coordinator
City of Portland Planning Board
Portland Maine

RE: Proposed Changes to Portland WPDZ

Dear Mr. Needleman

On behalf of Sprague Operating Resources LLC owner of Merrill's Marine located on the far western end of the Waterfront Port Development Zone (WPDZ) I would like to offer our support for part but not all of the proposed text changes.

Sprague has been working closely with the Maine Port Authority and Eimskip to promote the development of the IMT into a competitive container handling terminal for both international and domestic freight. We sincerely believe that having this freight offering is of great benefit to all businesses in Maine and is a major positive contributor to the overall health of the working waterfront in Portland harbor. In the early stages of the container offering Sprague provided transitional services while the IMT infrastructure was enhanced and its operational capabilities were ramped up. Both parties continue to work closely to promote trade through the port and to leverage our mutual capabilities as an extension of the ports ability to efficiently serve the region. We therefore wholeheartedly support option 1 increasing the maximum building height throughout the eastern end of the zone to 70 feet to allow for the construction of a cold storage warehouse. Having this facility in Portland harbor will be for the benefit of the region's economy including the Maine fishing industry.

We do though respectfully request that you do not eliminate the increased building height allowances on the far western end of our facility. While originally envisioned to support bulk cement imports, Sprague has more recently begun working with multiple parties interested in utilizing Portland for other bulk export opportunities which would require either silos or large domes for storage. While no such proposal is immediately forthcoming we have had advanced discussions with several large and well heeled entities with interest in trying to meet a growing international demand with product manufactured in Maine. Much of this product is currently being shipped out of the Southeastern U.S. and or the Pacific Northwest but increasing international demand is creating an emerging opportunity for Maine businesses to compete in this market. Having the storage capability currently allowed in the building code is an absolute necessity to allow for the competitively priced loading of this product onto bulk export vessels. The elimination of this storage capability would make this venture all but impossible to advance.



In the past 10 years the Maine economy has changed greatly and Sprague's traditional paper mill exports have dropped precipitously. Having the ability to have bulk silo and or dome storage may become a major determinant in our ability to adapt to changing trade opportunities now and in the future.

Thank you for this opportunity to comment on your proposed changes.

Sincerely,

Jim Therriault
VP, Materials Handling
Sprague Operating Resources LLC
185 International Drive
Portsmouth NH 03820

----- Forwarded message -----

From: **Fae Jolie-ge** <faejoliege@yahoo.com>

Date: Tue, Oct 25, 2016 at 10:00 AM

Subject: 70' bldgs?

To: wbn@portlandmaine.gov

PC8

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Fae silverman
1 Cliff Street, 04102

Sent from my iPhone

----- Forwarded message -----

From: **Meghan Phillips** <meghan.rowe.phillips@me.com>

Date: Tue, Oct 25, 2016 at 9:35 AM

Subject: Americold facility

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Meghan Phillips
24 Brackett Street, #4
Portland, ME 04102

----- Forwarded message -----

From: **Kerry MacDonald** <kmace04@msn.com>

Date: Tue, Oct 25, 2016 at 9:34 AM

Subject: URGENT: PLZ READ

To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Kerry MacDonald

120 Pleasant Ave

Portland Maine 04103

----- Forwarded message -----

From: **Steve Davis** <sspringerdavis@gmail.com>

Date: Tue, Oct 25, 2016 at 9:24 AM

Subject: Say no to the cold storage unit

To: wbn@portlandmaine.gov

To whom it may concern:

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

Such a structure would not fall within current zoning restrictions, and the restrictions should not be modified to benefit this company.

Sincerely,

Stephen S. Davis
25 Anderson St.
Portland, ME 04101

----- Forwarded message -----

From: **Nina Hope** <nina@ninahopecreative.com>

Date: Tue, Oct 25, 2016 at 9:16 AM

Subject: Proposed cold storage facility

To: wbn@portlandmaine.gov

Dear Bill,

I am writing to protest changing the Waterfront Zoning in Portland to allow 70' buildings, as well as to protest the proposed construction of the Americold facility.

This proposal would mar our attractive, working waterfront.

We have zoning laws that were legislated for the benefit of all of us in Portland. Why should a large, out-of-state corporation get to bypass them and create something that will detract from our city's cherished waterfront?

Sincerely,

Nina Hope

25 Anderson Street

Portland, ME 04101

----- Forwarded message -----

From: **Alison** <alisonfreund@gmail.com>

Date: Tue, Oct 25, 2016 at 8:54 AM

Subject: Waterfront Zoning Change

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Alison Freund
645 Congress St
Portland ME 04101

----- Forwarded message -----

From: **Gretchen Preneta** <gpreneta@gmail.com>
Date: Tue, Oct 25, 2016 at 8:47 AM
Subject: STOP the Storage Facility
To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

I am both a year-round Portland resident and a part-time resident on one of the islands in the bay. I am committed to making Portland a livable city for it's citizens, a destination for tourists, and a hub of marine business. This does not fit with that vision at all.

Sincerely,

Gretchen Preneta
356 Capisic St.
Portland, ME 04102

----- Forwarded message -----

From: **peter green** <plgmaine@yahoo.com>
Date: Tue, Oct 25, 2016 at 7:24 AM
Subject: Fw: western waterfront building height
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

PC15

On the good side, a big Americold building would be an excellent opportunity for public art, on it's sides and even on top. I'd vote for that.

----- Forwarded Message -----

From: peter green <plgmaine@yahoo.com>
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>
Sent: Tuesday, October 25, 2016 7:00 AM
Subject: Fw: western waterfront building height

Good morning Bill,

I don't need you to reply as I just read the article explaining things in the PPH.

I'll go on your record right now as someone who thinks 45 feet is enough for anything on the waterfront. I see no good thing about building part of what will develop into a tall wall of buildings blocking the rest of the city from seeing things. I feel the same way about the architecturally BORING and ANTISEPTIC wall that will be built on the east end.

And a question I would ask is that if Americold goes bankrupt and leaves that giant box there, a condition be put in its original approval (if it even gets one) that it remove the building before it goes belly-up.

See you at the meeting.

Peter Green

PC16

----- Forwarded message -----

From: **Heidi Fisher** <heidifisher44@yahoo.com>
Date: Tue, Oct 25, 2016 at 10:29 AM
Subject: protest construction of Americold facility
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland. the city planners do not seem to have a long range strategic view of what we want and need Portland to be; either we are going to be a fully working waterfront or a commercial tourist attraction. neither are being well executed at this time and compete with one another constantly. The residents suffer constantly with the short-sightedness from Portland City Planner.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Heidi Fisher
53 Spring Street, South Portland, ME

PC17

----- Forwarded message -----

From: **Woody Higgins** <threadbear@roadrunner.com>
Date: Tue, Oct 25, 2016 at 12:13 PM
Subject: Coldstorage Facility
To: wbn@portlandmaine.gov

This is to voice my concern about the change in the zoning laws to allow this building and perhaps other overly large structures in our area. While I have no objections to a cold storage building, I do think it should conform to the current laws.

Susan L. Higgins
24 Brackett Street, Unit 1
Portland 04102

Sent from my iPad

----- Forwarded message -----

From: **JANET STEBBINS** <jjstebbi@twc.com>

Date: Tue, Oct 25, 2016 at 1:50 PM

Subject: Waterfront Zoning Change

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted to a comprehensive plan with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Janet J. Stebbins
501 Cumberland Ave #1
Portland, ME 04101

PC19

----- Forwarded message -----

From: **Elizabeth Fraser** <elizabeth@fraserartstudio.com>

Date: Tue, Oct 25, 2016 at 1:37 PM

Subject: Waterfront Zoning

To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the city (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,

Elizabeth Fraser
81 Congress, Portland

----- Forwarded message -----

From: **Jen Micoleau** <jen@springboardpilates.com>
Date: Tue, Oct 25, 2016 at 1:08 PM
Subject: PROTESTING Waterfront Zoning Changes
To: wbn@portlandmaine.gov

Dear Bill,

I am writing in protest of changing the Waterfront Zoning to allow 70' buildings, and to protest the construction of the Americold facility as proposed.

This proposal is at best a misguided use of our still-picturesque working waterfront, and at worst a cynical negotiating tactic by an out of state corporation hoping to exploit Portland.

I am confused as to why this is even being presented to the citizens: why do we have zoning laws--carefully drafted with citizen participation--if the Economic Development Department (on behalf of giant out of state corporations) can get around them with a "text change."

Sincerely,
Jennifer Micoleau
61 Mountfort Street
Portland, ME 04101

I aim to respond to emails within 48 hours. If you are canceling an appointment or need to reschedule an appointment, please call or text (207) 712-1382. Thank you.

jennifer micoleau | 207.712.1382
pilates www.springboardpilates.com
yoga & sculpture www.wellbeingbasics.com
design www.behance.net/JenniferMicoleau
books & boxes <http://index.meca.edu/>

----- Forwarded message -----

From: **Bruce Baker** <brucewbaker.me@gmail.com>

Date: Fri, Oct 28, 2016 at 9:28 AM

Subject: harbor zoning change

To: wbn@portlandmaine.gov

Bill,

I will not be able to make this meeting.

As I see it, the changes will be west of the bridge. If so, and if "working waterfront" (not law offices), I am ok with it.

Just some initial response.

Bruce Baker
125 York Street



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Americold, etc.

1 message

William Needelman <wn@portlandmaine.gov>
 To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, Nov 7, 2016 at 4:12 PM

More WPDZ comments

Bill Needelman
 Waterfront Coordinator
 Economic Development Department
 City of Portland, Maine
 389 Congress Street
 Portland, Maine 04101-3509

(207) 874-8722 tel.
 (207) 756-8258 fax.
wn@portlandmaine.gov

----- Forwarded message -----

From: <fsreilly@aol.com>
 Date: Mon, Nov 7, 2016 at 2:27 PM
 Subject: Americold, etc.
 To: wn@portlandmaine.gov
 Cc: JPJ@portlandmaine.gov, sthibodeau@portlandmaine.gov

Dear Bill,

I would like to briefly follow up on my remarks last week at your presentation regarding Americold and its plans to install a 70 foot cold storage unit.

As I said, your proposal has much bigger ramifications than the matter in question. With so many variables derived from that meeting it seems to me there is both an opportunity and challenge therein, to wit:

1)Height Control, establishing it, hopefully 45ft, once and for all, and that goes for anything that is in future development, which I believe this area is set for at this time, e.g. an Industrial Park, Campus, Gateway Park, Marina Park, etc.

2)Establish Pollution Levels

3)Traffic Control

4)Reconfigure 70 ft installation by separating storage from offices in order to come in at the current 45ft height max.

There's more, as I know you now realize, but for now just let me end by saying our skyline as well as our water view is of major importance and not only to us residents, but to the future of Portland's draw for businesses and new residents, as well as the lucrative tourist trade. This is the Gateway to the City and should have strict ordinances on future development. Perhaps the engagement of a major architectural/engineering firm specializing in seaport locations would be propitious.

As always,
 Frank

----- Forwarded message -----

From: **Gail Spaen** <gspaen@meca.edu>

Date: Mon, Nov 14, 2016 at 9:17 AM

Subject: Please forward re: proposed zoning change on Western waterfront

To: sgo@portlandmaine.gov

Cc: JPJ@portlandmaine.gov, WBN@portlandmaine.gov, estrimling@portlandmaine.gov,

sthibodeau@portlandmaine.gov, jduson@portlandmaine.gov, jhinck@portlandmaine.gov, nmm@portlandmaine.gov

PC23

Dear Mr. O'Brien,

Please forward to members of the planning board. Many thanks.

.....
Dear Planning Board - Beth Boepple, Sean Dundon, Carol Morrisette, David Eaton, Kristien Nicols, Lisa Whied, Maggie Stanley,

We own a property on the corner of Salem and Clark Street. Photo number 2 in the City's application for the Waterfront Port Development Zone Text Amendment is the view from our building. Our property value, the sense of open space and neighborhood well being will be radically affected by the rezoning of the Western Waterfront to accommodate the building of the cold storage facility. And subsequently, if the the whole Western Waterfront is rezoned, all of the other neighborhoods and property values to the West of the bridge will be effected as well.

I've lived and worked in Portland and the surrounding towns for the last 35 years. I am a proponent of a working waterfront and appreciate the industrial quality along Commercial Street. Sprague did an excellent job developing the boatyard, complete with landscaping and set backs that are in proportion with the scale of the area. I'd like to see the rest of the Western Waterfront be developed with this type of care.

The Americold building is going to take up an extreme amount of space. This huge cold storage facility will be a static, architectural volume placed right in front of an established local neighborhood. In one of the plans the building takes up the entire footprint of the property with no indication that there will be any landscaping at all. Out of proportion with the scale of the area, it will be aesthetically akin to oil or water tanks

The hardest part for me is that I sense the economics of this proposed zoning changes benefits the City of Portland's bottom line more than the well being of the local population and the careful consideration of the aesthetics of Portland. Once rezoned, there will be no turning back. In the future, there will be others that ask for an exception to the 70' ft height limit and we will end up with taller and taller buildings impacting the neighborhood corridor all along the Western Waterfront.

There must be a good compromise. Anything that you can do to make sure that our neighborhood and our property values will be preserved will be greatly appreciated.

Sincerely,
Gail Spaen

.....
Gail Spaen
33-35 Salem Street

PC24

----- Forwarded message -----

From: **William Dawson** <bill2fish@gmail.com>

Date: Monday, November 14, 2016

Subject: Western Waterfront

To: sgo@portlandmaine.gov

Sir:

I live i the West End and I am vehemently against the Americord proposal. Just the "Osha Back-Up" beeping that goes on 24/7 is enough to drive me out of here! The addition of this 70' eyesore will not be welcome by me. And what about the increase in vehicle traffic?

William Dawson 34 Brackett St., Portland

—
Tuck O'Brien

City Planning Director

Department of Planning and Urban Development

Office: (207) 874-8724

Cell: (207) 553-0255

W^m. Norris Dale, Jr.
40 Salem St.
Portland, ME 04102
207-233-2292

November 10, 2016

Ms. Elizabeth Boepple
City of Portland Planning Board
389 Congress St.
Portland, Maine 04101

Dear Ms. Boepple,

My wife and I bought our house on Salem Street over forty years ago. At that time there was a grain silo and a huge coal-gas storage tank in the prospective Americold location. We understood about waterfront industrial uses then, and we understand and support them now. When Americold first approached the city, we attended meetings, and the project had our full support. No one, neither Americold nor the city, spoke about wanting a height variance.

Now, from what I have heard and read, Americold has returned to the table with a totally inflexible proposition requiring a deviation from Portland's comprehensive plan. We feel that we are the victims of a purposeful bait-and-switch scheme on Americold's part.

I find Americold's take-it-or-leave-it position just a bit condescending and irritating; don't you? Portland's planning board has been getting a name for getting out the rubber stamp whenever a development opportunity arises. So why should a minor "text" change get in Americold's way?

In the interest of keeping Portland liveable, I now ask that you and the zoning apparatus stand up and hold Americold to the existing 45-foot height limit.

Sincerely,



Norris Dale

cc. Mayor Ethan K. Strimling
Councilman Spencer Thibodeau
Mr. Ian Jacobs, WENA

From the Portland Planning Board Website:

*As part of the development review process, zoning, drainage, traffic, environmental considerations, and infrastructure improvements are assessed, as well as a proposal's consistency with the city's comprehensive plan. **Compliance is important** for the protection of the public's health and safety and the general livability of our community.*

Fwd: input from resident, Please share this note with your colleagues on the Planning board

Tuck O'Brien <sgo@portlandmaine.gov>

Wed, Nov 30, 2016 at 2:29 PM

To: Jennifer Munson <jmy@portlandmaine.gov>

Cc: Bill Neddelman <WBN@portlandmaine.gov>

----- Forwarded message -----

From: **michael curtis** <mrudgec@gmail.com>

Date: Wednesday, November 30, 2016

Subject: input from resident, Please share this note with your colleagues on the Planning board

To: sgo@portlandmaine.gov

To: Planning Director Tuck O'Brien and Planning Board members:

As we all reflect on the recent national election, an underlying theme emerges of anger at the "establishment." There is a perception that corporations can "strong arm" their way through government to gain financial advantage. Many of us ask how we can influence the world in a positive way. In our Portland family this manifest by having a family from the city shelter to our home for their first ever Thanksgiving.

I ask each of you to consider an action you can engage in that will help fight the cynicism some hold towards those in power. Americold wants the rules changed to maximize their profit. The zoning change they insist upon to a height of 70 feet for their proposed facility on Commercial Avenue would block the beauty of the waterfront to present and future Portland residents. It would lower our quality of life while maximizing their profit. It is possible to have an appropriately scaled, and profitable, cold storage facility within the existing height rules. There are other developers of cold storage facilities who would be very interested in developing this property if Americold cannot follow the existing regulations.

I urge you not to bow to the threats that Americold makes about the need for height regulations to be adjusted. Have you been able to listen to experts on cold storage facilities other than from representatives of Americold? Are you aware that they are a company based in Georgia which operates over 180 cold storage warehouses throughout the world? They are the largest cold storage company in the United States. I seriously question that they are not be able to profitably operate a warehouse 45 feet tall.

While we all need to welcome those from outside our community to be a part of the special place we proudly call Portland, I would urge that we ask of newcomers to the community that, as they join us, they follow our rules. The family from the shelter, whom we had to our home for Thanksgiving, have a boy who played on the PAYSA U-10 soccer team I coached this past Fall. He was delighted to join our community and learn the rules of the game of soccer. Whoever develops a cold storage facility on our waterfront, let's welcome them to our community, but expect them to follow our rules. If they will engage with our community in a positive way, then sure, we can make thoughtful and reasonable changes to enable their ongoing success. But please, do not give the largest company of its kind in this country a free pass on damaging the beauty and character of our city. They are not interested in the character of the city of Portland. I am grateful that there are people like you for whom this is the focus of your work.

Thank you very much for considering my input on this proposed zoning change.

Michael Curtis
354 Danforth Street
Portland Maine, 04102
mrudgec@gmail.com
[207-699-4074](tel:207-699-4074)

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

PROPELLER CLUB OF THE UNITED STATES

PC27

To Promote, Further and Support an
American Merchant Marine.



To aid in the development of needed
River, Great Lakes and Harbor Projects.

November 14, 2016

PORT OF PORTLAND, ME

Elizabeth Boepple
Chair, Planning Board,
City of Portland
389 Congress St.
Portland ME 04101

Dear Chair Boepple:

The board of the Propeller Club, Port of Portland, has asked me to write concerning the zoning modification necessary for construction of a modern cold store warehouse in the WPDZ just west of the Casco Bay Bridge. The modification would allow a building height of seventy feet, the same height as the Sprague warehouses near the Veteran's Memorial Bridge.

The Portland Chapter of the National Propeller Club was chartered in 1932. We are 150 pier and terminal owners, tug companies, chandlers, shipwrights, ships agents and professionals. The members are all owners and operators of businesses in the Port of Portland, and we are all dependent on and dedicated to promoting commerce in the Port of Portland.

The Port of Portland has always handled food. Everyone knows the Portland Cold Store Building on Union Wharf, built primarily for fish but which also handled corn, berries and many other products. Yet for decades the port has been without a cold store warehouse usable in conjunction with deep water shipping. Virtually every serious recent study of the Port of Portland, whether privately commissioned or government sponsored, has identified a cold store warehouse as conspicuously lacking among the Port's assets. From first hand knowledge our members know of specific business opportunities that the Port's lack of a freezer warehouse has caused Portland to fail to win.

There's good reason the studies point to our lack of a cold store warehouse, for the benefits of such a warehouse extend throughout the state and region. More and more, Maine's farms and other food producers recognize that to compete with big operations across the world they must produce value added food. Even before the freezer plant is completed its sales people will fan out across Maine and the

region to show food brokers and producers how a frozen product can aid their bottom line. While container loads of frozen product are currently shipped from the Port, the freezer warehouse will be able to handle pallet loads, allowing smaller Maine food producers, those who could never fill a container, inexpensive access to distant markets. This point is key.

The Propeller Club as an institution knows that a healthy port must be tended with care. Cargoes decline and new cargoes take their place, some moving in modern containers, some in bulk and some in break-bulk, and all by sea. A healthy port adapts to and provides accommodation for the new cargoes, and even across the centuries that port continues to thrive. Such has been the experience of the Port of Portland - but not without exception. Recall the cement silos proposed in the 1990's for the western waterfront, and which met with organized opposition from residents who chose to live overlooking the western waterfront. Those three silos were finally built, but in New Haven, where they, their ships and their many well-paid employees are still busy.

Persons responsible for a port would do well to keep foremost in mind that even ships which have used a port for decades can steam over the horizon and never return. If Portland wants blue water shipping we must strive to adapt to the shipping marketplace, or, as have so many ports, wither. The proposed modest and logical alteration in allowable building height in the WPDZ will allow private capital to build a much-needed port facility, a facility which will improve opportunities for businesses far inland, and which will allow the Port of Portland to continue to be a powerful driver of the regional economy.

Very truly yours,



William York
President, Propeller Club, Port of
Portland, Maine.

cc: William Needleman

Fwd: Comments for the Planning Board

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Mon, Nov 28, 2016 at 9:54 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

Cc: Bill Neddelman <WBN@portlandmaine.gov>

----- Forwarded message -----

From: **Leslie Pohl** <leslienpohl@gmail.com>

Date: Sun, Nov 27, 2016 at 8:53 PM

Subject: Comments for the Planning Board

To: Stuart Tuck O'Brien <sgo@portlandmaine.gov>

Attn: Tuck O'Brien

Dear Portland Maine Planning Board-

My name is Leslie Pohl and I live at 263 York Street in Portland's West End. I would like to comment about the proposed zoning change on the Western Waterfront (from a max building height of 45' to 70'). I have been attending the meetings over the past several months, just trying to gather information and figure it all out.

At this point, I think it's important to consider the impact that this zoning change would have on the residential neighborhood abutting the working waterfront. **I do not think the zoned building height should be changed.**

Addressing the Americold Cold Storage building specifically... from what I have heard, the building can't be made to look more attractive (i.e. - it has to be a white rectangle to maximally function as a cold storage facility). Also, a green roof is not possible. Therefore, **Americold should not be given a variance to rise higher than 45 feet.** Americold originally submitted two other designs that were very close to the zoning height (ie - 45' feet internal height), so they should be able to tweak those to meet the current zoning requirements of 45' maximum.

In closing, if the neighbors are going to have to look at an *unattractive white rectangle* that blocks the water... at least Americold can build it to the lower, currently-zoned height.

Thank you for your time.

Warm regards,

Leslie Pohl

----- Forwarded message -----

From: **Penny Stevens** <penny.stevens714@gmail.com>

Date: Sun, Dec 4, 2016 at 9:00 PM

Subject: Raising the height on the Americold Building

To: Jon Jennings <jpj@portlandmaine.gov>

We are concerned about the proposed raising of the building heights on West Commercial St. We feel that the building height should not be increased above the existing limit of 45 feet. A higher structure would impose an industrial environment adjacent to an historical district and a well maintained residential area. West Commercial St. is the southern entry way into what Henry Wadsworth Longfellow called "The beautiful city by the sea" An imposing white featureless structure there will diminish the view of the waterfront that visitors and residents should have when they approach our historical gem.

We ask you to reconsider raising the height above 45 ft.

Dick and Penny Steven
260 Vaughan St.
Portland, Maine 04102

From: Rosanne Graef <rgraef@gwi.net>
Date: Mon, Dec 5, 2016 at 5:40 PM
Subject: West Commercial Street - Americold Proposal & Zoning Change
To: Tuck O'Brien <sgo@portlandmaine.gov>
Cc: Ethan Strimling <estrimling@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>

PC30

Dear Mr. O'Brien - Please deliver copies of this letter to the members of the Planning Board for their consideration in preparation for the December 13 workshop. Thank you. Sincerely, Rosanne Graef

Dear Members of the Planning Board,

I am writing to you in opposition to the proposed rezoning of sections or all of the land in the WPDZ along West Commercial Street.

I have several reasons for my opposition as follows:

1) The rfp process followed by the City that resulted in the current proposal by Americold was issued to several potential applicants, only two of whom applied. Under the zoning rules in effect at the time of the rfp's issuance, the allowed height was less than what is now being proposed by the Economic Development Department and Americold. If those other potential applicants had been aware of how supportive the Economic Development Department is of changing rules after the game has started, they may have submitted proposals that would be superior to the one from Americold which has been accepted. At this point we'll never know unless the rfp is reissued with whatever zoning conditions will actually prevail so everyone gets a fair shot.

2) I lived at the corner of York and Clark Streets in the early 1970s. At that time, this was considered to be a blighted neighborhood and was within the boundaries of the Model Cities program. Many of the houses and apartments were definitely on the downhill slide with absentee landlords and general economic conditions that led to neglect and deterioration of many buildings. Since that time a lot has changed in this neighborhood and over the past 40 years many people have bought, built and upgraded homes in the area between Danforth Street and West Commercial Street, investing hundreds of thousands of dollars as well as untold hours of time and effort in making this a valuable part of Portland's West End. Below, you'll find a summary of the assessed valuations and property taxes paid by owners of these residential properties bordered by the west side of Brackett, south side of Danforth and West Commercial St. As you can see, this neighborhood is a source of significant value and revenue for the City of Portland. It's worth noting that these figures are based on assessed values, we all are aware that the current selling prices are often 2-3 times what's reflected here.

Granting a height exception or rezoning part or all of the WPDZ for increased height will cast a pall over this entire residential area. Who will want to buy a home in order to gaze out at a huge white wall? What accommodation will be made for homeowners whose greatest financial investment is their home which is now not as desirable as when there were views of the bridge, the far shore, ships, tugs, tides, sparkling water? Who wins in this scenario?—international companies at the expense of residents of Portland. The Economic Development Department is all gung-ho for this proposal and is intent on changing the zoning to accommodate Americold's assertions that it's their proposal or nothing. Where's the Residential Protection Department who'll go to bat for the people who live here?

(see photos below)

Total Net Taxable	\$53,356,100.00	
Total Tax		\$1,127,252.91

	\$13,093,000.00	\$276,393.40	\$2,528,600.00	\$53,383.80	\$1,384,800.00	\$29,232.96	\$3,453,500.00	\$72,903.42	\$459,200.00	\$9,693.72		\$4,699,600.00	\$99,208.65	\$1,042,000.00	\$21,996.68	\$874,400.00	\$18,458.62	\$2,039,500.00	\$43,953.90	\$742,500.00	\$15,674.18	\$254,500.00	\$5,372.50	\$21,685,100.00	\$457,772.74	\$1,099,400.00	\$23,208.34
	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax		Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax	Net Taxable	Tax
	Salem St		Summer St		York St		Brackett St.		Hamlin Ct		Clar k St			Briggs St		School St		Orange St		Bond St		Danforth Pl		Danforth St		Emery St	

3) The area where the proposed cold storage facility would be located is in the public scenic view from Harbor View Park and therefore should be included in the moratorium on new development recently passed by the City Council.
(see photos below)

4) This facility will not be only for marine-related activity, much of the traffic will be in goods that are transported by truck and train only and never go on or off a ship. Why does an oversized storage facility need to be built on the Western Waterfront to accommodate land-based transportation of these goods that may only require dry storage? Why can't a cold storage facility be built at a more suitable spot inland (say Danville Junction or another intermodal station) for truck and train transfer of those goods that require refrigeration or freezing? Why here on the shoreline of the peninsula of Portland which has a naturally restricted geography and a densely populated residential area close by?

5) This unnecessary transfer of goods strictly to and from trucks and trains will result in an as yet unquantified increase in truck traffic along West Commercial Street. West Commercial is intended to be a funnel for traffic coming from I-295 and the Veterans Bridge and headed for the Casco Bay Bridge. Adding more truck traffic to this stretch could result in more cut-through trips selecting to go on Danforth Street, once again having a negative impact on a residential area, in order to reach the State Street entrance to the bridge.

There will also be the issues of increased noise (engine noise and back-up beeping) and pollution from the increase in truck traffic.

6) We have never been shown what the actual proposal will look like or what its effect on the views and impressions of entering Portland via West Commercial Street, the Casco Bay Bridge, or looking across the river from South Portland will be. We've gotten some two-dimensional drawings, some overhead photos and a few photos taken from public streets. Surely there's 3-D modeling capability to be had, but when neighbors asked about that possibility, city employees said it was too expensive. We are being asked to buy a pig in a poke, not knowing what we'll be getting until it's way too late.

If this zoning change is made and this massive building is built, it is something we are going to be stuck with for decades. It will be an eyesore much in the same way the grain elevators at the other end of Commercial Street eventually were. At the time those were erected, they were the best solution for the purpose, this behemoth being considered now is not. There are other ways of accomplishing Americold's mission and bringing this sort of economic activity to Portland and to Maine that do not necessitate degrading this part of the peninsula. The alternatives may cost more and may not be as easy, convenient and lucrative for Americold, et al., but there's much more to consider than money.

For your information, I have attached a few photos taken from some of the homes in this area as well as from Harbor View Park, the Casco Bay Bridge and across the Fore River in South Portland. I hope that you will be able to visualize the unsightly scar this mammoth storage building would be and reject these increased height requests.

Thank you for devoting your time and effort in serving on the Planning Board.

Sincerely,

Rosanne Graef
30A Salem Street

Re: Public Comment for W. Commercial Street

Rosanne Graef <rgraef@gwi.net>

Tue, Dec 6, 2016 at 11:33 AM



From Casco Bay Bridge



From 30 Salem St.



From 36 Salem St



From 48 Salem St



From 88 Salem St



From 116 Salem St



From 258 Danforth St





From 259 York St



Harbor View Park at corner of Brackett/York



From lawn at Harbor View Park



From lawn at Harbor View Park



From Lawn at Harbor View Park



From South Portland side of river - Portland Yacht Services is at the left



From South Portland side of river - Portland Yacht Services is at the left

December 6, 2016

City of Portland Planning Board
Beth Boepple, Chair
Sean Dundon, Vice Chair
David Eaton, Carol Morrisette, Kristien Nichols
Maggie Stanley, Lisa Whited
389 Congress Street
Portland, Maine

Dear fellow Portland residents,

As supporters of a cold-storage warehouse on public International Marine Terminal land, we want to achieve the right balance between expanding economic development of the inner harbor and safeguarding the growing vitality of both the adjoining neighborhood and a key gateway into Portland.

A little background: last year the Maine Port Authority submitted a request for proposals¹ to Americold Logistics LLC and six other cold-storage operators that qualified for the project.² The RFP specified the allowable maximum building height of 45 feet, but did not explain the Economic Development Department's intention to seek a significant height increase.

The other six cold-storage operators based their economic models on a 45-foot height maximum. If the Planning Board decides the EDD's proposed Zone Text Amendment has merit, it is essential that the Port Authority first submit a revised RFP to the seven applicants, with details of the potential change.³ All else being equal, negotiations should be initiated with the applicant proposing a building height closest to the current maximum.

However, it is our belief that the height increase should be rejected as bad policy, bad for Portland and unnecessary: Americold Logistics' winning proposal⁴ in the first RFP round provides the template for a modern, efficient warehouse at the existing 45-foot height limit.

¹ <https://assets.documentcloud.org/documents/2167668/west-cold-storage-rfp.pdf>

² The applicants were XTL Inc., a logistics company based in Philadelphia; Lineage Logistics of Colton CA; Wilmington Cold Storage Inc., with warehouses in Wilmington and Stoughton MA; Preferred Freezer Services, with 200 million cubic feet of cold storage space nationwide; Eastern Impact LLC of Portland, lead entity in a consortium created for the project; and Eimskip.

³ Along with a basic fairness issue, the proposed increase in allowable height significantly increases the value of this publicly owned land – and the opportunity to negotiate higher rent payments from the private developer selected to lease the land.

⁴ <http://www.mediafire.com/file/58yngg05ckivyg2/AmericoldRFPproposal.pdf>

Although the company is currently proposing a 68-foot high warehouse with “conventional” storage of frozen product,⁵ its RFP proposal includes three other designs. Page 20 shows a “very narrow aisle” (VNA) option with 15,200 pallets in double-deep rows. As compared to conventional warehouses with 12-foot wide aisles, VNA warehouses achieve much higher storage density with aisles about six feet wide, and use lift trucks with pallet forks that pivot left and right.⁶

As designed, the VNA warehouse would not conform to current zoning because its finish height would be 12 feet higher than its 45-foot interior height. But a building with a finish height of 45 feet could store 15,200 pallets by incorporating 30,000 square feet of proposed expansion space into the initial construction.⁷

The total building footprint would be 149,530 square feet.⁸ If current Americold analysis points to a smaller useable footprint,⁹ an independent engineering firm should investigate all options for building configurations on the 6.3-acre shoreland site, including use of a state submerged lands lease.

Although Americold maintains that its current proposal is the only option for an economically viable warehouse, we disagree. After submitting a FOIA request to the Port Authority, we received a copy of an RFP proposal submitted by another applicant. Mindful of neighborhood impact and zoning regulations, this

⁵ Beginning at grade, there would be a 4’ high loading dock, 55’-4” interior clear height (for eight pallet racks and +/- 6’ of space above the racks), and a 5’ roof system with a 3’ pitch. Capacity would be 10,584 frozen and 5,280 ambient-temperature pallets.

⁶ VNA storage has pros and cons. A key trade-off is that two lift trucks cannot pass in the same aisle – a problem in high-volume operations. Some VNA warehouses reduce traffic issues by storing fast-turnover stock on outside aisles wide enough for trucks to pass each other. Overall, with the right warehouse management system, VNA storage is sensible for a significant share of a facility. If 100% VNA storage as shown in the RFP proposal is not suitable for this warehouse, there are other strategies that should be explored for increasing storage density, for instance, other pallet-rack systems. The most common rack – “selective” – provides the most flexibility, but least storage density. Drive-through racks, pallet-flow racks and push-back racks are among the options that provide much higher storage density, and could be appropriate for a portion of the warehouse. Upfront costs are higher, but reduction of the facility size also reduces construction costs and energy consumption.

⁷ With an interior height of 33 feet, pallet racks would be stacked five high with +/- 3 feet of space above the racks, as compared to seven pallet racks in the 45-foot interior height design.

⁸ The proposed warehouse area is 120,125 GSF, which includes 27,415 SF dry storage, 54,235 SF cold storage, 11,365 SF rail docks, 13,200 SF truck docks, 6,600 SF (2 floors) office space and 3,300 SF maintenance/engineering. Adding 29,405 SF of proposed future expansion, the footprint is 149,530 SF. The “conventional” storage warehouse in the RFP proposal is slightly smaller (including office space, etc.) at 145,000 SF and a finish height of 57 feet.

⁹ The current proposed Americold facility has a footprint approximately 18% smaller than the full VNA build out, but there is space to expand the current footprint. Also, to obtain more cold-storage space, other sites are available nearby for the proposed 6,300 square feet of office space and a large share of the proposed 80 employee parking spaces. For ambient-temperature dry storage, developable land is also available nearby, or space could be made available in Americold's existing 190,000-square-foot warehouse at 165 Read Street.

applicant proposed a modern, efficient warehouse with a 40-foot clear height. The first phase included 50,400 square feet of warehouse space on the IMT land and a 100,000-square-foot warehouse off terminal. The second phase included up to 100,000 square feet of expansion at each warehouse. This split between two warehouses would help comply with restrictions of the Waterfront Port Development Zone, which essentially prohibit warehouse cargo that is not either shipped in or shipped out by water.

According to the Land Use Code, Sec. 14-319, WPDZ uses include:

1. Intermodal transportation facilities principally for vessels with regularly scheduled destination service or for railroad transportation service;
2. Warehousing and storage of goods which are awaiting shipment via cargo carriers.

The inbound transportation mode of goods for “warehousing and storage” is not specified, but considering the context and language in other sections, “waterborne” is implied. References to “truck” or “tractor trailer” are absent in the WPDZ chapter. Further emphasizing the marine-oriented restrictions on warehouses, bulk storage facilities in the WPDZ (Sec. 14-320.2) are limited to “materials delivered to a site by waterborne transportation or awaiting transportation from the site by means of waterborne transportation.”

More generally, WPDZ uses “are limited to those uses which are dependent upon deep water and which contribute to port activity. Non-marine industrial activity may be allowed only on a temporary basis...”

Page 17 of Americold’s RFP proposal calculates that 30,000 TEUs would be moved through the warehouse annually (i.e., 60,000 in/out transports of standard 20-foot-long shipping containers). It is unclear what share of the product would be transported exclusively by land, and therefore be a nonconforming use in the WPDZ. To ensure compliance, the warehouse operator should be required to document annually, for at least the first five years of operation, that all product has been shipped in and/or out by waterborne transportation.

Americold currently says it intends to continue operating its cold-storage warehouse at 165 Read Street. In its RFP proposal last year, the company stated: “Based on our business plan calculations, ***we may well continue to operate this site*** (emphasis added) in conjunction to the new site at the IMT. We are also considering converting it to a dry facility to increase our ability to keep large amounts of dry product, complementing the temperature-sensitive product that customers would store at the new facility.”

Either way, Americold needs to agree that product transferred in/out by ground transportation at the Read Street warehouse (1.7 million cubic feet of storage) will not be consolidated into the waterfront facility (4.3 million cubic feet, as proposed). The company also needs to agree it will develop a replacement off-terminal facility for such product if it closes the Read Street warehouse.

It is our hope that the Planning Board, before moving on to other issues related to this project, will reject the Economic Development Office's application to increase the zoning height for the warehouse site.

In its RFP proposal, Americold says it is "dedicated to implementing and executing programs that are grounded in understanding the current regulations and guidelines in the City of Portland." We believe that Americold, with its cold-storage expertise and engineering talent, can design a warehouse that fits within the city's current regulations, including the 45-foot height limit. If not, one of the other six cold-storage operators is likely up to the task.

Thank you for your work on behalf of our city.

Sincerely,

Sidney St. F. Thaxter, Esq.

Mark Bessire

John and Linda Coleman

Jo Coyne

Rosanne Graef

Ian Jacob

Ted and Leslie Kaynor

Mark McCain

Dr. Mary McCann

William McFarlane

Bob Mittel and Louise Davis

Erik and Caitlin Mushial

Sonia Robertson

Mike Stone

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314 Danforth Street, markhcb@gmail.com

26 Cushman Street, jcoleman@theviaagency.com

36 Salem Street, jcoyne@gwi.net

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315 Capisic Street, lkaynor@icloud.com

45 Summer Street, smarkmccain@yahoo.com

49 Summer Street, drmmccann@gmail.com

380 Danforth Street, mcfarw@maine.rr.com

24 Brackett Street, rmittel@mittelasen.com

36 Clark Street, erik@allmtngroup.com

336 Danforth Street, robertsonsonia@hotmail.com

116 Salem Street, mstone800@gmail.com



Request for Proposal to Maine Port Authority

Ms. Kim King
Maine Port Authority
460 Commercial Street
Portland, Maine, 04101
Re: IMT West Cold Storage Facility

Dear Kim,

In accordance to Section 10 of the Request for Proposal (RFP) the following details will provide the requested information.

Americold Logistics LLC is a 100% owned subsidiary of Americold Realty Trust (ART). ART is a real estate investment trust organized in the state of Maryland with the majority shareholder being the Yucaipa Companies.

- | | |
|--|---|
| a. Company Name: | Americold Logistics LLC |
| Americold Realty Trust Federal Tax ID: | 93-0295215 |
| Address: | 10 Glenlake Parkway, Suite 600,
Atlanta Georgia, 30328 |
| Company Fax #: | 678-441-6846 |
| Proposal Contact Phone Number: | (c) 404-435-4228, (o) 410-729-1045 |
| Proposal Contact: | Patrick Ballard |

For purposes of responding to the Maine Port Authority RFP, Americold has designated Patrick Ballard as its representative.

Patrick Ballard

Signature: _____

- b.** Americold Logistics LLC has not been debarred from any State or Federal Agencies during the past five years. Attachment 4 contains a formal declaration from Todd Sheldon.

Todd Sheldon

Signature: _____

Kim, the Americold team is pleased to present its response to Maine Port Authority's RFP, outlining our comprehensive cold storage experience, financial capacity and strength within the Northeast market and beyond.

As noted in our Request for Qualification, Americold and Eimskip have developed a Letter of Understanding expressing our mutual intent to establish an agreement for the joint development of a temperature-controlled storage facility incorporating dry storage and office space. Americold's scale, scope, temperature-controlled environment management experience and local, national and international relationships are complimented by Eimskip's commitment to the transportation industry, international transportation capabilities and customer orientation, and we're excited at the possibility of moving forward together to provide you with a remarkable solution.

Throughout this RFP we will focus on Americold's design, build and operate capabilities and incorporate the requested detail outlined in your RFP. Our desire and intent is to bring the Maine Port Authority a collaborative team that will develop a customized, state-of-the-art solution to accommodate your needs now, and all future requirements and solution enhancements envisioned in order to support Portland's International Marine Terminal expansion.

So why are we the best choice for Portland and the Maine Port Authority?



Request for Proposal to Maine Port Authority

- Since 1952, Americold has been a fixture in the local Portland community. Throughout the past 63 years, Americold has stimulated your local economy by bringing in an estimated \$78.4 million in revenues, hired local employees and service providers, and worked with local charities including the [Good Shepherd Food Bank of Maine](#). No other provider has been committed to the city for as long as we have.
- We share your enthusiasm to bring the next generation of state-of-the-art cold storage to Portland, and we are excited by the prospect of creating a campus design that highlights all of the benefits that the Port of Maine has to offer to food processing and production customers, and streamlines the process of bringing those products to market. There's no reason why Portland cannot become Canada's primary winter gateway port once again.
- We're envisioning a showpiece facility for you with the very latest in temperature-controlled supply chain design that you can use to sell Portland as the primary regional perishable production and processing locale: local relationships, regional expertise, national and international connections, and the best seafood anywhere in the world.
- Your food and beverage industry partners will have access to best-in-class IT systems and warehouse management platforms, channeled through either EDI or our proprietary [i-3PL Supply Chain Control](#) system, offering unmatched efficiencies, reduced cost and comprehensive supply chain visibility – all available on any web-enabled smart device.
- Americold operates over [175 facilities](#) with 1 billion cubic feet of temperature-controlled capacity in 6 countries. In the US we have +145 facilities in 38 different states. Our scope, scale, depth of operational capability and breadth of products handled place us in a unique position to be able to continuously evolve our processes and service offerings to maintain the very latest in technological support systems and management activities. Our ability to design, build and operate creative, integrated end-to-end solutions can be witnessed at any one of our facilities.
- Eimskip is contemplating moving their U.S. headquarters to the IMT West Cold storage facility, and storing up to 5,000 pallet positions of ambient space in it. Eimskip works with over 300 customers to ship more than 30,000 tons of products across the North Atlantic, and a new facility in Portland, ME would be an ideal strategic location.
- Our role will be simple: to provide temperature-controlled storage and transportation solutions, but we'll share a common purpose with you: to promote the fruits of the local, hardworking fishing and manufacturing communities in sharing the freshest seafood and locally produced food and beverages with friends, families and customers throughout the northeast and beyond.

We're very much looking forward to working with you and your extended partners in a collaborative effort as this initiative progresses. If you have any questions about our response, please feel free to contact me.

Sincerely,

Patrick Ballard

Vice President, Business Development





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Request for Proposal to Maine Port Authority

Section 1

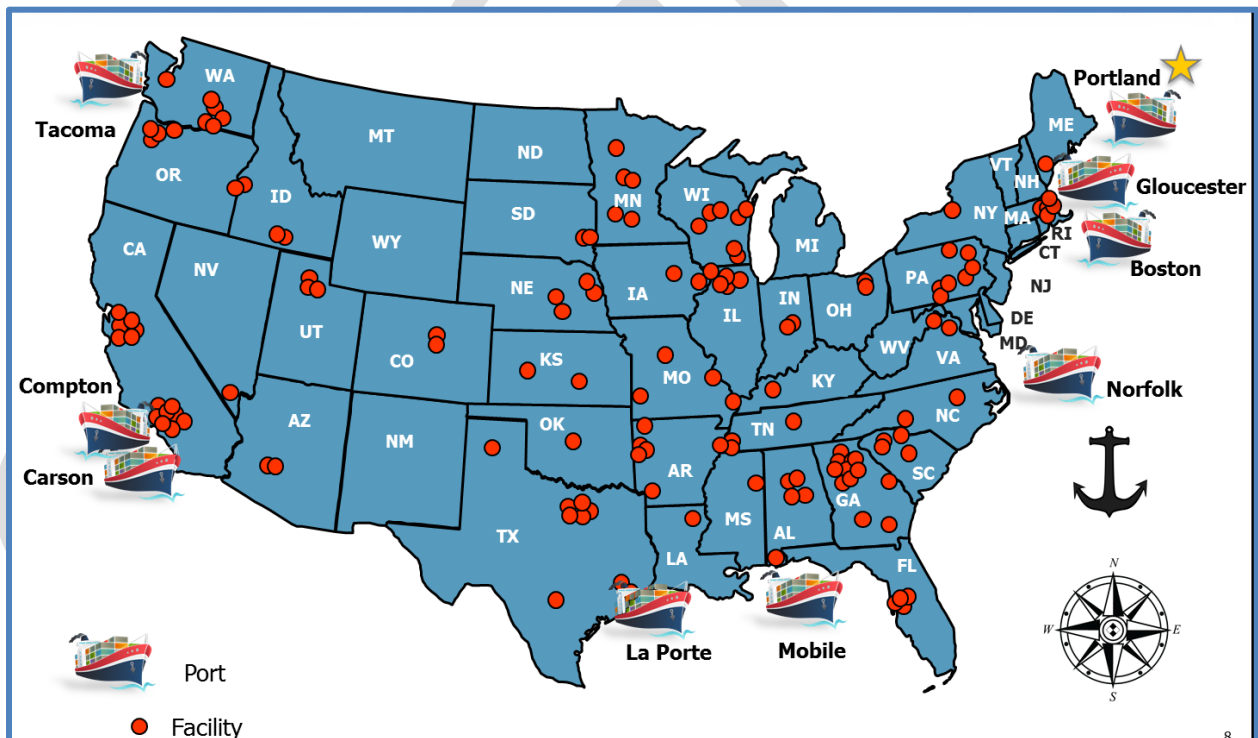
Company Information

Americold is a privately held Real Estate Investment Trust (REIT). Our primary share owners are The Yucaipa Companies (www.yucaipaco.com) and Goldman Sachs (www.goldmansachs.com).

Americold's roots can be traced back to 1903 as Atlanta Ice and Coal company – the company Ernest Woodruff formed by merging three local businesses before he moved on to purchase Coca Cola. Since then the company has grown organically and through acquisitions but has always maintained its local, neighborhood roots. Our very DNA stems from smaller, corner store-type personalities where family values and customer service are top priorities – Frank E. Wagner Jr. worked with Americold since we took over the facility in 1952. He held numerous roles up until retiring in the late 1980s as the GM. Mr. Wagner was the father of our current GM, Michelle Brooks. As companies merged and others were acquired, we took the time to properly integrate systems, associates, processes, values and visions to become the pioneering international company we are today. Today, each of our facilities leverages the collective expertise of the entire enterprise while maintaining unique local characteristics to serve our customers. You won't find that integration in every provider.

Americold is the global leader in developing temperature-controlled warehousing and transportation solutions for the food industry. We offer the most comprehensive storage, distribution, and logistics solutions in the world. Based in Atlanta, Georgia, Americold owns and operates [+175 temperature-controlled warehouses](#) throughout the United States, Australia, New Zealand, China, Argentina, and Canada.

Our US footprint incorporates over 145 facilities with many adjacent to port facilities:



With over 110 years' of continuous improvement, we've never rested on our laurels and have constantly strived to innovate and implement value and efficiencies for our customers. No other provider can offer you the visibility and control over such a large network. Americold's [i-3PL supply](#)

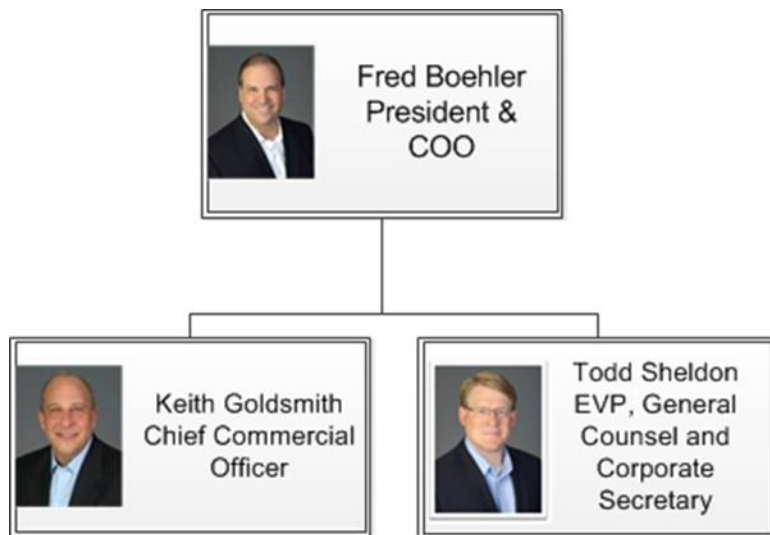


Request for Proposal to Maine Port Authority

[chain control system](#) enables 3000 Seafood, Agriculture, Protein, Poultry, CPG, Bakery and food retailer customers direct access to inventory information on any smart device from the palm of their hands, empowering decision makers and enabling critical choices to be made more quickly.

Americold Team, Structure & Roles

Americold's flat, matrix management structure streamlines decision making to support an efficient and effective operations based structure. Here, we present the team who'll be responsible for designing, building and operating the new Portland facility:





Request for Proposal to Maine Port Authority

Americold & Eimskip Leadership Team				
Name	Title	Legal Relationship	Address	Role
**Fred Boehler	President & COO	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Fred will oversee the entire project from a financial, operations, and customer perspective.
**Todd Sheldon	EVP, General Counsel and Corporate Secretary	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Todd will oversee the entire project from a legal and real estate perspective.
**Keith Goldsmith	Chief Commercial Officer	Employee	10 Glenlake Parkway, Suite 600, Atlanta, GA 30328	Keith will oversee the entire project from a business development and commercial perspective.
** Denotes a team member who will provide legal and financial advice or will act in an advisory role.				



Section 2

Knowledge and Experience

ORIGINAL



Request for Proposal to Maine Port Authority

To provide additional background on our ability to design, build and operate cold storage facilities we are including insight into two design and build projects that were successfully executed in the last couple of years. Many of the team members participating in the Maine Port Authority project were part of the Phoenix and Leesport projects outlined here.

Phoenix, Arizona

Scope: **Greenfield design, build and operate grocery retail distribution center; 13.1 acre site.**

Start of Operations: January 2014
Project Overview- Phase I
Building Net Area Sq. Ft: 95,475
Parking Spaces: 60
Clear Height: 42 feet
Dock Doors: 10 truck bays/loading docks

Phase II- Includes 7.1 acres of expansion, designed to accommodate an additional 143,000 square foot building. Timing TBD.

Phase I Investment and Revenue Overview:

Building Cost: \$11.6M
Land Acquisition: \$2.7M
FF&E Cost: \$2.9M
Total Cost: \$17.2M
Annual Revenue: \$5.3M
Pallet Capacity: 12,129
Temperature: Frozen, 100% case pick

Leesport, Pennsylvania

Scope: **Expansion of current facility to adjacent land owned by Americold**

Start of Operations: November 2013
Project Overview-
Building Net Area Sq. Ft: 96,000
Parking Spaces: 150
Clear Height: 28 feet
Dock Doors: 24 truck bays/loading docks

Investment and Revenue Overview:

Building Cost: \$8.3M
Land Acquisition: Already owned
FF&E Cost: \$3.2
Total Cost: \$11.5M
Annual Revenue: \$8.8M
Pallet Capacity: 2652
Temperature: Cooler Distribution Center operation and cross dock, 30% case pick



Request for Proposal to Maine Port Authority

Americold and Eimskip Team Member References

ORIGINAL



Section 3

Financial Capacity

As a private company in a highly competitive industry, Americold only discloses financial information where a non-disclosure agreement is in place. It also limits the use of the financial information disclosed to only those necessary and the information cannot be shared without the company's written consent. We would enter into such an agreement with you as we move forward with the project.

That aside, we will share that Americold currently has approximately XXX in cash. Over the past 3 years, we have refinanced over XXX of debt reducing the overall cost of debt by XXX bps, without significantly increasing our overall leverage ratio. We have strong relationships with construction lenders, CMBS debt originators, bank balance sheet lenders and others. With our balance sheet cash, strong lender relationships, and an equity partner with significant access to capital, we have the capacity to develop, operate and maintain multiple additional facilities, including the Portland proposed facility. We believe in supporting local communities and local businesses, and would look to work with financial institutions with Maine-representation where possible and feasible.

Americold prides itself on creating and maintaining strong vendor relationships with material handling equipment OEMs, such as Crown Equipment and Royal. We also maintain relationships with finance companies that specialize in leasing this type of equipment and have lines of credit with both GE Capital and LaSalle Equipment Finance.

Annually, Americold is audited by Ernst & Young with unqualified audit opinions being issued. Our primary banking relationships are with JPMorgan (New York), Royal Bank of Canada (New York) and Goldman Sachs (New York and Australia). We also have local relationships where warranted in areas where our warehouses are located.



Section 4

Economic Impact within the State of Maine

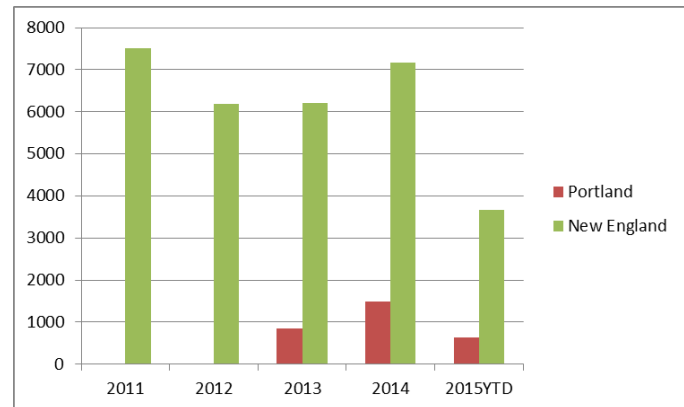
ORIGINAL



Request for Proposal to Maine Port Authority

Local Food & Beverage Ocean Imports (TEUs) (source: Zepol)

The chart to the right shows the traditionally more reliable ocean import data for food and beverage products into U.S. New England and Portland specifically. Our proposed Portland facility could easily accommodate all food and beverage imports for the New England region, and with direct rail and exceptional highway connections, Portland would have an outstanding competitive advantage over all other food and beverage import port options for regional customers.



ii) Estimated number of temporary construction jobs:

Based on our experience, approximately 1.25 construction jobs are generated per 975 square feet of construction. With a 145,000 square feet build, we estimate this project creating 186 temporary construction jobs.

iii) Estimated number of permanent jobs:

Based on Monday through Friday (2 shift) conventional steady-state operations, Americold estimates approximately 21 permanent jobs:

- 1 general manager
- 2 manager/supervisory positions
- 4 office clerical/admin positions
- 3 building/refrigeration/equipment maintenance positions
- 11 lift truck operator positions

Eimskip will relocate its US headquarters from Norfolk, VA to Portland, ME. 15 immediate re-locations will occur from Norfolk VA to Portland ME. 50 total positions will support the Eimskip US headquarters.

b) Using the form in [Appendix D](#), the Proposer is required to describe the Proposer's recent and anticipated economic impact upon and within the State of Maine. The use of economic impact in making contract award decisions is required in accordance with Executive Order 2012-004, which states that certain service contracts "...advertised for competitive bid shall include scoring criteria evaluating the responding Proposer's economic impact on the Maine economy and State revenues." Attach the form included in [Appendix D](#) to the proposal. This form does not count against the proposal page limit.

Please reference [Attachment 1/Appendix D](#).



Request for Proposal to Maine Port Authority

Section 5

Development and Operations Concept

a) As requested, the following detail will support the goals described in section 2 of the RFP.

Goal 1: Provide a state-of-the-art cold storage facility that supports the growth of the Maine Port Authority's throughput volume of domestic, import, and export refrigerated commodities;

Through our storied history in Portland, strong cash position and desire to be a collaborative partner to the Maine Port Authority, Americold is committed to designing and building a modern cold storage facility and campus that will utilize the latest construction, refrigeration and automation technology. We envision it to be a showpiece for ourselves and, more importantly, the city of Portland and Maine.

Heavy investments are made annually in research, development and education to ensure our experienced engineering team remains abreast of both current and pending innovations within the industry. We actively recruit and hire expertise from other supply chain verticals specifically to advance our own knowledge and understanding for where the temperature-controlled supply chain will advance.

These investments ensure exceptionally diverse thinking contributes towards final facility designs in order to offer technologically advanced, dependable solutions.

Through our discovery phase, we'll continue to interview you, our current customers, our list of interested parties, and our Business Development management team to fully understand what everyone expects from their new port-side facility. And based on your feedback, our expertise, the needs of the local community, local regulatory guidelines, and through collaboration with Eimskip, we envision building a showpiece facility that addresses current needs and future expectations for import, export, storage, handling and cross-dock requirements of the IMT.

Once a final design is complete and accepted, Americold's Project Management Organization will evaluate the plans and assign experienced project manager engineers to begin vendor negotiations, finalize timelines, and [oversee the construction](#) and implementation of the new facility. Americold has a time proven system of program management that consistently delivers successful projects benefiting all stakeholders. More details on this are in [Section 10](#).

As the new facility is brought to completion and commissioned, Americold's proprietary operating system is deployed to facilitate excellence in all phases of operational execution. Every aspect of operations, including loss prevention, energy conservation, product quality, labor optimization, continuous improvement, and associate development are addressed in this innovative operating system structure. The Americold Operation System (AOS) allows Americold to execute efficiently and consistently, delivering unmatched quality to you and our customers.

Goal 2: Attract new refrigerated and frozen cargo customers for the IMT;

Americold has an extensive portfolio of over 3,000 customers throughout our network. Currently, Americold services more than 50 customers in the existing Portland warehouse with frequent requests for additional space and value-added services from potential new customers. As part of our due diligence for the IMT project, Americold's Business Development team has identified an additional 20 "very interested" new customers for the IMT facility for 2017. But reviewing [Attachment 3](#) you can see the potential is much, much higher.

Eimskip will add the new facility into its network for over 300 shippers and the 30,000 tons of frozen cargo they ship across the North Atlantic. Eimskip already has several customers showing significant interest.



Request for Proposal to Maine Port Authority

Americold's Business Development and Marketing team will execute a three tier commercial strategy that incorporates significant marketing exposure to local and national industry media and events to support a national Business Development focus on new customer acquisition. We've already identified the targets ([Attachment 3](#),) and have the strategy taking shape. This will ensure customer adoption rates meet the financial criteria needed to support the short and long term success of the new IMT facility. We also feel confident that our strategic partnerships with the largest food processing companies and brands in the world will create additional opportunities for the IMT facility.

Goal 3: Maximize revenues from the long-term operation of the cold storage facility;

Americold's entire portfolio of service offerings (including storage, handling, processing, value-added services, and transportation) will be leveraged to create multiple revenue streams around the facility. The majority of our customers outsource their storage and transportation requirements in order to focus on their core business. We've innovatively adapted our capabilities to undertake additional value-added services to ensure that pallets stored with us constantly remain in motion, be it through our relabeling and repackaging programs, kitting, tempering or sloughing, or staging, we've taken the traditional cost-only storage mentality to make it an integral service value-add for our customers. This stickiness bonds our relationships and solidifies long-term, contracted business for our facilities.

Goal 4: Optimize the use of available rail, trucking, and ocean liner shipping services;

The proximity of the IMT to the port as well as the availability of rail access will allow customers to take advantage of Americold's intention to incorporate all-mode facility access, enhancing the long-term value of the IMT to the local, national and international customer base. Dozens of Americold's facilities are connected to rail lines enabling significant transportation cost savings for our customers.

Most of our facilities make the time and cost advantages of cross-docking operations available to our customers, and some of our port facilities operate container loading/unloading, documentation services, FDA and USDA prep work and intermodal options too. If there's an advantage for our customers then we look to integrate the activity as a value-added service offering in our facilities.

Eimskip has identified clients that are very interested in utilizing the dry storage capacity and in utilizing containers to be carried on PanAm's intermodal stretch to the NY/NJ region with the goal of reducing truck volumes between Portland and NY/NJ.

Goal 5: Support the development and growth of Maine's F&B industry;

A state-of-the-art temperature-controlled IMT facility, designed, built, and operated by Americold's team of professionals, and in conjunction with Eimskip's ocean solutions will be a tremendous asset to the food and beverage industry in Maine and throughout the region. The additional warehousing capacity along with Americold's operations and transportation expertise will be attractive options for both current and prospective food & beverage companies. Americold, in conjunction with Eimskip, will further invest in local Business Development and Marketing initiatives to support achievement of the goals held by the Maine Port Authority and the targets of Americold. We already have a list of 20 very interested customers for the projected 2017 opening.

Goal 6: Design, develop, and operate the facility in a manner that is protective of human health and the environment and so that it complies with applicable environmental regulations and restrictions;

A tremendous volume of resources are dedicated to the safe operation of all Americold facilities. The company maintains a dedicated Continuous Improvement and Safe Quality Foods department to implement policies, train associates in those policies, and perform regular audits of all facilities. Our AOS, highlighted in [Section 9](#), maintains dedicated human health and environment KPIs projected onto facilities to ensure adherence.



Request for Proposal to Maine Port Authority

Americold's engineering team examines and tests the latest sustainable and environmental technologies for applicability in each new design as well as for retrofitting applications. Some of our most recent facility and network enhancements include:

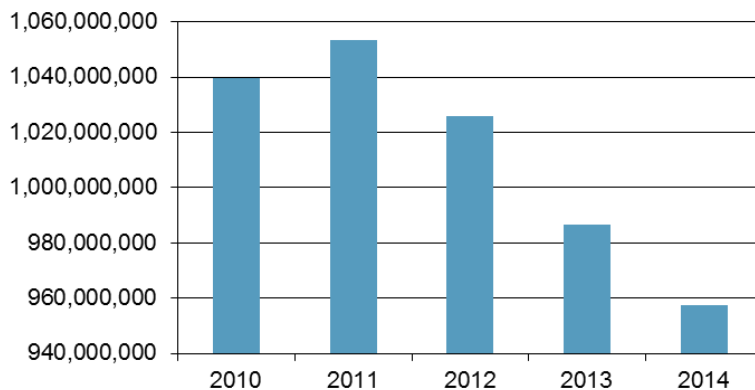
- Motion-sensing LED lighting in 31 facilities saving 10,000,000 kWh per year
- A natural gas fuel cell system provides 600,000 kWh (65% of facility's energy needs) in Salinas, CA
- Solar power system at the Gloucester, MA (April 2013) that produces 500,000 kWh per year
- Reduction in CO2 emissions by +135,000,000lbs since 2010
- Decrease of +118,000,000 kWh of electricity use since 2010, enough to power +11,000 homes/year
- Partnering with SMARTWAY truck service providers
- Condenser capacity increases in 14 facilities to lower operating pressures and decrease refrigeration energy consumption
- Evaluating hydrogen fuel cell technology to eliminate the use of batteries in material handling vehicles
- Modular, zero ammonia refrigeration system planned at Fort Worth, TX facility for late 2015
- Demand-Response partnerships with local utility companies to contribute towards reduced power consumption during peak times
- [ASRS cranes](#) utilized at Americold facilities generate electricity to reduce overall energy costs

Americold's power consumption statistics in kWh:



Request for Proposal to Maine Port Authority

Americold's CO₂e emissions



Due to the size and complexity of the Americold network, the company is extremely adept at complying with the complex regulations which differ considerably among numerous cities, states, and countries. As mentioned, Americold can trace its roots in Portland back to 1952, when the Quincy Market Cold Storage and Warehouse Company was first introduced. We pride ourselves on continuing a strong family heritage and are dedicated to implementing and executing programs that are grounded in understanding the current regulations and guidelines in the city of Portland.

Goal 7: Maximize the direct and indirect economic benefit from the operation of the cold storage facility to the local community and state;

The new IMT facility will employ individuals across multiple skill sets such as warehouse workers, maintenance specialists, office administration, business development and managers. Ancillary positions in and around the port will be positively affected by the new business attracted to the facility. Truck, rail, ocean and other transportation related businesses will also benefit from the additional business generated. Business currently leaving the area due to a lack of refrigerated warehousing capacity would be enticed to keep those products (and dollars) in Portland, and to further expand while partnering with the newest, most modern facility in the country.

Eimskip will locate more than 50 people into approximately 10,000sqft of office space and move its US headquarters from Norfolk, VA to showcase this new facility in Portland, ME.

Goal 8: Comply with the policies of the Maine Port Authority and Main DOT, and support the Maine Port Authority's mission;

The size and complexity of Americold's network has prepared us for navigating and satisfying the complicated regulatory landscape across the USA and 5 additional countries. We are confident in our ability to collaborate with the Maine Port Authority and the IMT to ensure all regulations that pertain to the new facility are understood and that Standard Operating Procedures are in place to effectively manage the day-to-day demands of such regulations and policies.

- b) Identify the market to utilize the cold storage facility, including products to be handled and logistics for connecting product to market. The anticipated volume of containers and rail cars per month, the number of truck trips per month, etc.

In addition to the details provided to support goals 1-8 in Section 2 of your RFP, Americold plans to design and construct an expandable facility with an initial capacity of approximately 15k pallets. We calculate approximately 300,000 pallets (30,000 TEUs) can be handled annually. The product mix will be diverse and will include but not be limited to, Seafood, Agriculture, Protein, Poultry, CPG,



Request for Proposal to Maine Port Authority

Bakery and Produce. Based on Americold's experience in the Portland area, we would expect a multitude of proteins (with the majority being seafood), potatoes, frozen vegetables, fruit and berries, pet foods, dairy, bait, frozen dinners, chocolates, and beverages.

- c) and d) The anticipated volume of containers and rail cars per month, the number of trucks per month, etc. Business plan, including potential cargo activity, key customers, and facility operating plan (equipment, staffing, estimated financials, and operational considerations). The business plan should also describe how the site would be used in relation to the Proposer's other operations.

Based on today's customer base in Portland and plans for a future facility there, the key initial customers are Emskip, Scoular, Penobscot, Bristol Seafood, and Hannaford plus partnerships and volume from the other 50 plus current Americold customers and 20 additional "very interested" customers over and above the 5 listed above. As previously stated, we calculate ~300,000 pallets (30,000 TEUs) annually in and out of the facility. A multitude of equipment options will be evaluated during the design process. Based on the final solution for the building, [ASRS](#) technology is an exceptional option that would be utilized in addition to specialized material handling vehicles. A state-of-the-art warehouse management system will be deployed to guide operational activities including receipts, outbound, and inventory tracking. The facility will employ ~6 to 10 associates initially and will grow from there towards our projections. We currently operate a facility on Read Street in Portland. Based on our business plan calculations, we may well continue to operate this site in conjunction to the new site at the IMT. We are also considering converting it to a dry facility to increase our ability to keep large amounts of dry product, complementing the temperature-sensitive product that customers would store at the new facility.

- e) Reference total future estimated throughput in TEUs imported and exported through Portland, Maine and describe methods that would be used to achieve this projected growth.

The calculated traffic generated by the new facility will be ~30,000 TEUs inbound and outbound. The projected capacity of the facility will be quickly achieved if our marketing strategy runs to plan. Americold's Business Development team has already received very strong interest from enough customers to efficiently fill capacity to the 95% most efficient operating level.

- f) The hours of operation will be determined by the nature of our customer base and the service level needs that they require. Americold operates a multitude of different operational scenarios when it comes to the hours that a facility or campus is open and we will ensure that all customer needs are met while also maintaining the financial performance that is needed to ensure the long term success of the IMT facility. In reality, this facility could be a 24/7 operation, increasing the number of full time jobs available.
- g) Specific proposed measures or methods to protect current environmental conditions. Also proposed measure to minimize or avoid emissions of air pollutants, including but not limited to diesel particulate matter and greenhouse gases, and other sustainability measures to enhance environmental performance.

Temperature maintenance requires significant power and resources but Americold's engineering team considers the local parameters to determine the most suitable applications. For Portland, we will likely utilize a split package Freon (or similar) refrigeration system to leverage Maine's natural climate and to eliminate the need for ammonia in the facility. LEED certification will be pursued for the planning and construction phases. Low energy lighting such as LED and motion sensors,



Request for Proposal to Maine Port Authority

natural gas fuel cell systems to reduce power loads, solar power, hydrogen fuel cell fork lifts, and energy generating [ASRS](#) cranes will all be considered for the IMT facility design. Americold remains focused and diligent on leading the cold storage industry from an environmental stewardship perspective – our most recent environmental projects and enhancements were highlighted as part of our response to Goal 6.

ORIGINAL

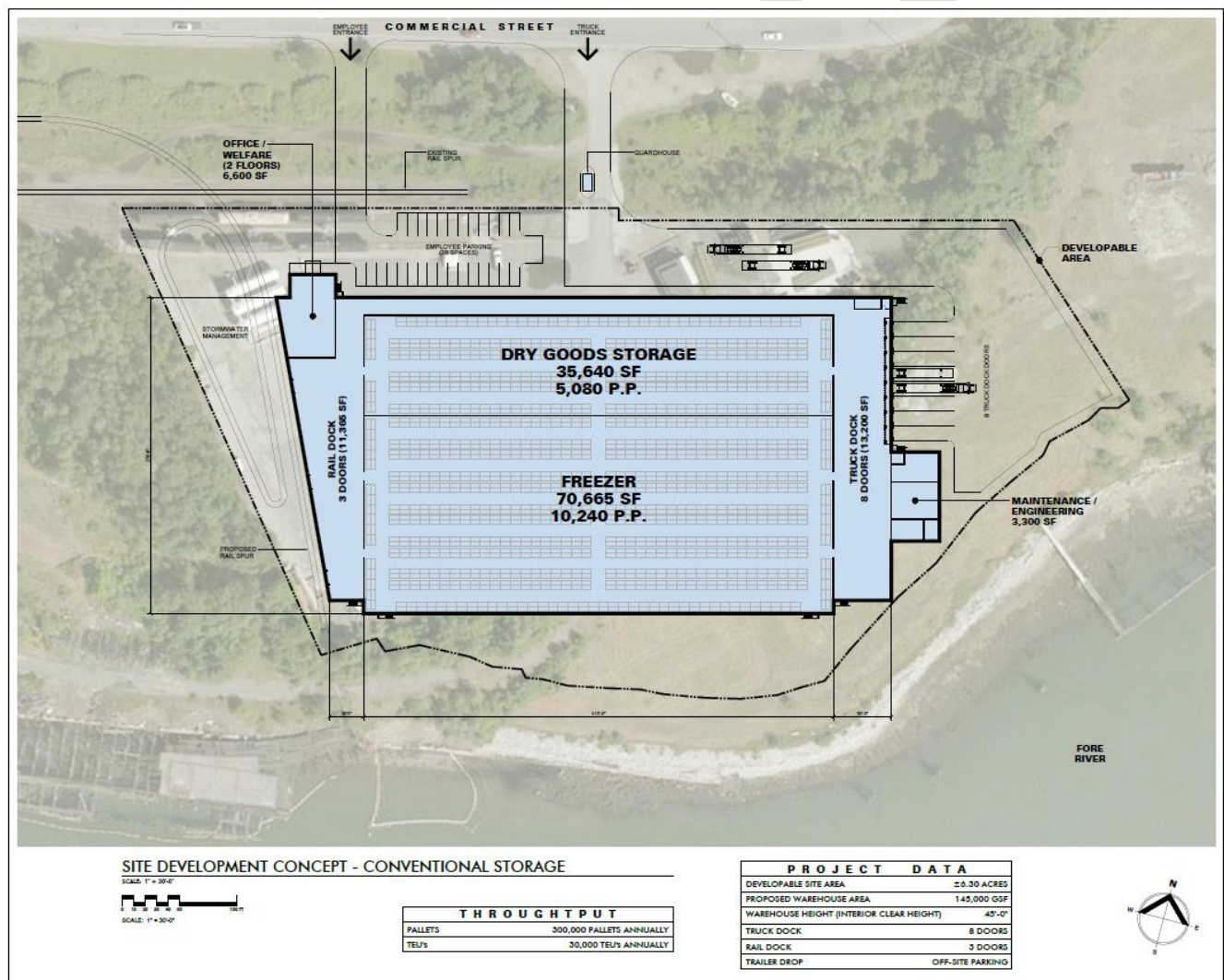
Section 6

Improvements

- a) A description of the proposed cold storage facility including general construction type, total square footage and dimensions (length, width, height), refrigeration system details, expected utility needs (including capacity/size), and environmental management approach.

There are a number of factors being considered which drive the final design of the IMT facility. Currently, Americold is creating a multiple design approach so that plans can be reviewed and collaborated in conjunction with the Maine Port Authority. To date, one automated and two 2 conventional facility designs are under consideration, and a selection will be made once more information (customer base, inventory and velocity data, etc.) is finalized.

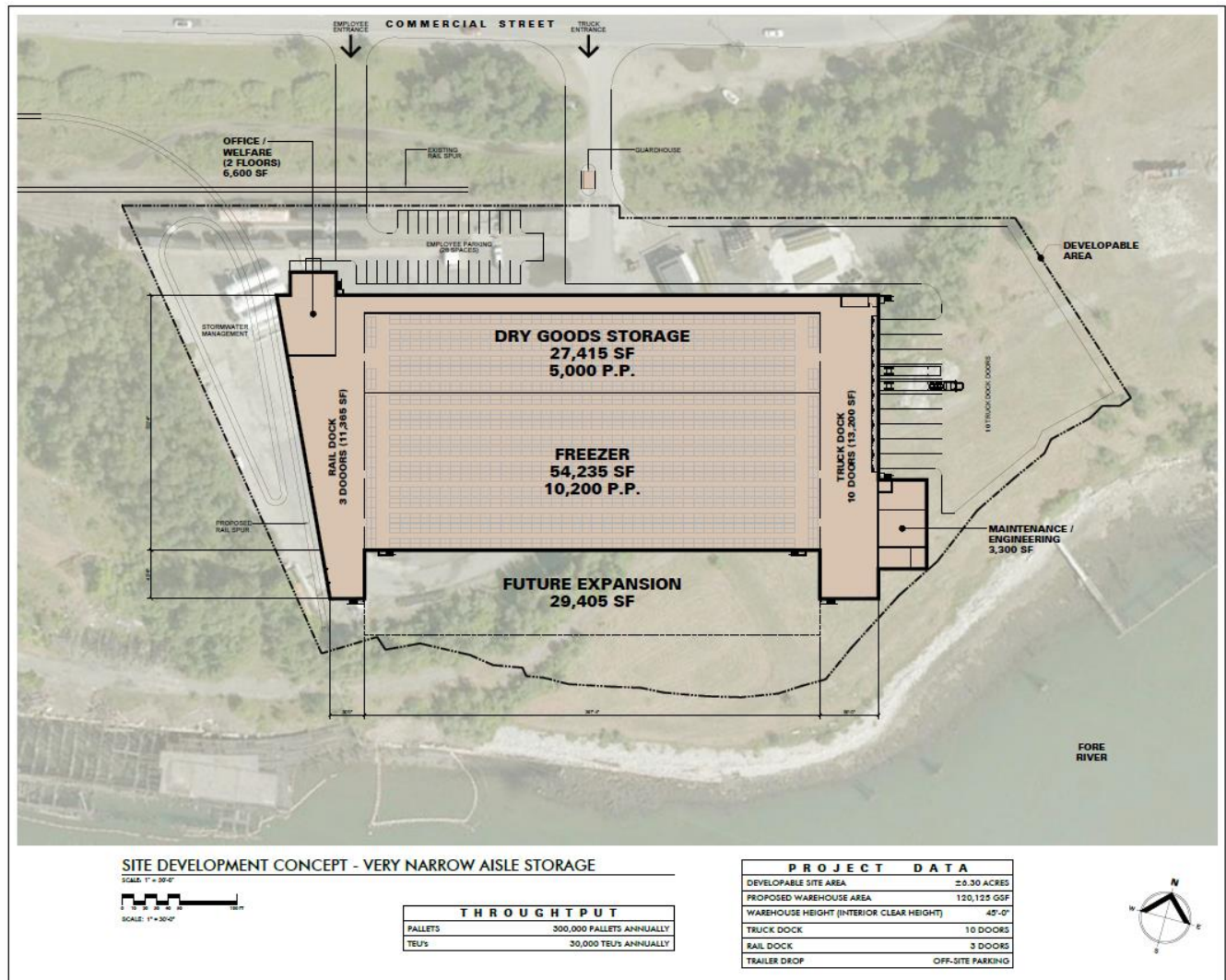
Concept: Conventional Storage



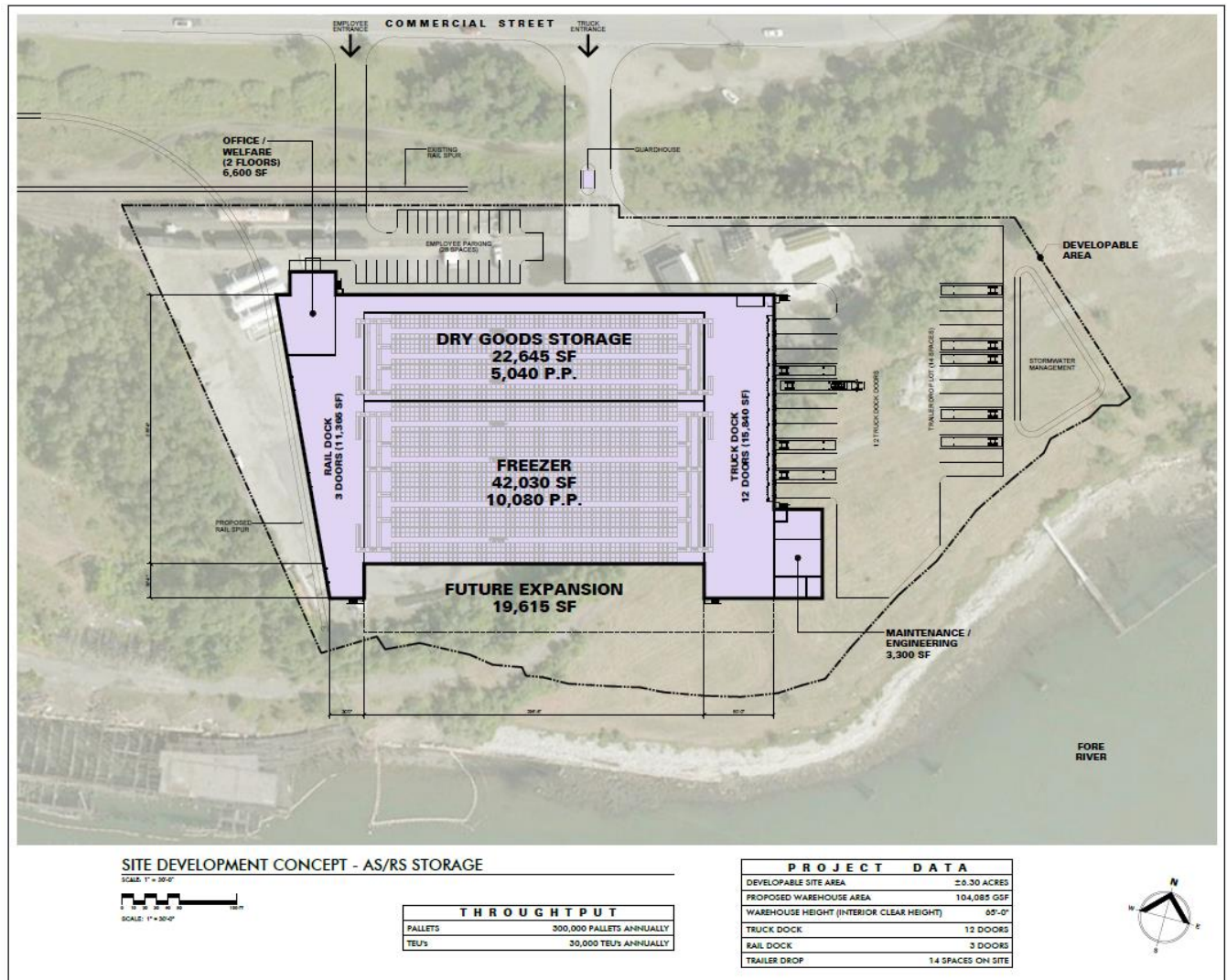


Request for Proposal to Maine Port Authority

Concept: Very Narrow Aisle Storage



Concept: Automated Storage and Retrieval System (AS/RS)



All three design variations have an initial storage capacity of approximately 15,000 pallets and range from 104,085 ft² (263.5' x 434') to 145,000 ft² (263' x 537') in total area.

The refrigeration system being evaluated is the Alta Expert split Freon system design for approximately 300 TR. This gives maximum flexibility for future temperature changes that may be requested from future customers. This design eliminates the need for ammonia, resulting in a safer operation and reducing the need for regulatory oversight.

Environmentally, the Expert Freon system will be much safer for the proximity to the water. In addition, several technologies will be evaluated to reduce the facility's carbon footprint such as hydrogen fuel cell fork lifts, solar panels, energy efficient lighting (such as LED and motion switches), natural gas fuel cells to augment power to the building, and power generating ASRS cranes.



Request for Proposal to Maine Port Authority

Additional consideration will be given to how the IMT facility is designed architecturally to enhance its harmony with the local surroundings, expected utility needs etc.)

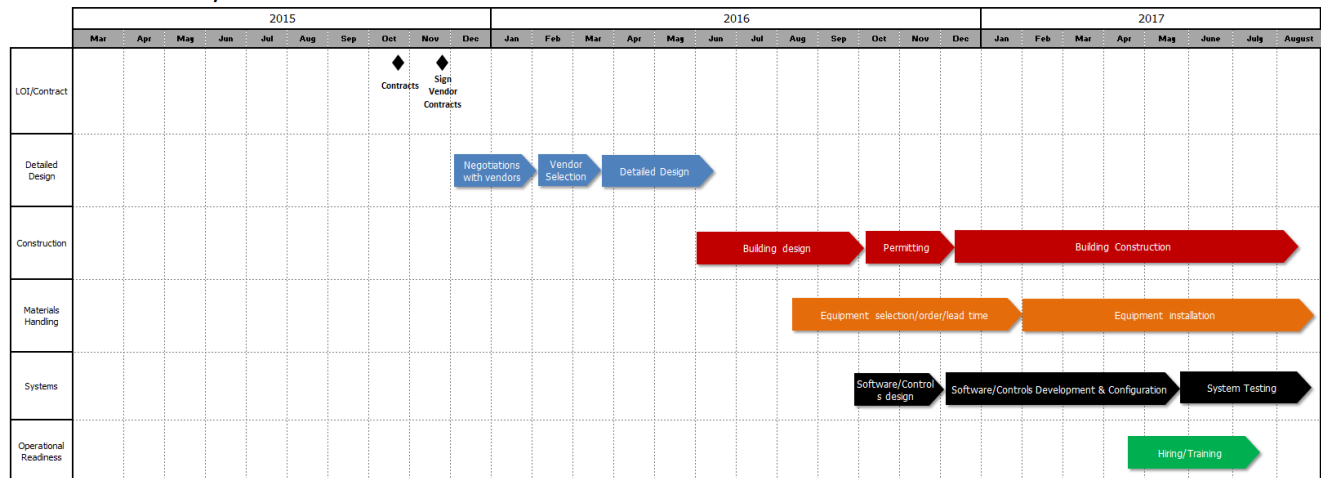
- b) Estimated schedule, including pre-construction tasks (design, permitting, etc.), construction period, any development phasing proposed, and initiation of operations for the development or each phase of development, if applicable. Include brief descriptions and milestone dates.

Americold's major milestones and estimated durations will be as follows:

- Negotiation with vendor(s): **8 weeks**
- Vendor selection: **6 weeks**
- Detail design: **12 weeks**
- Permitting: **8 weeks**
- Building construction: **40 weeks**
- Automation installation: **36 weeks**
- Systems integration: **30 weeks**

Many of these tasks will take place concurrently with a total estimated duration of 18 months. Please click [here](#) if you'd like to see time-lapse imagery of our AS/RS facility extension being constructed at our Indianapolis facility.

Americold Portland, Maine Tentative Timeline



- c) Estimated development costs will be in the range of \$19M to \$30M. The variance in expense is due to the potential use of automation, the overall size of the building and the specific technology and equipment that is used.
- d) Proposed funding sources. As previously addressed in the [Financial Capacity](#) section, Americold has the cash on hand to execute on this deal without any additional outside financing, allowing for the most expeditious project completion timeline. However, Americold may choose to partner with other equity and debt sources to optimize capital costs and risk. We believe in strong, local support and would work with financial institutions that have a prominent Maine presence to determine if financing locally would be beneficial to both Americold and the institution. We intend to explore additional city and state financing options, credits and other incentives as appropriate.



Request for Proposal to Maine Port Authority

Section 7

Rent

- a) Proposed commencement date for payment of rent to the Maine Port Authority.

Rent would commence upon Americold's exclusive access to the site and the ability to begin construction.

- b) Proposed amount of base annual rent over the term of the lease, including all operational and General Property Maintenance costs.

While we acknowledge the significant investment in order to prepare the site for construction, at this point it is difficult to estimate what an appropriate amount of rent would be.

In our experience in developing similar sites on government owned properties, the base rent is often abated (or a nominal fee). Before deciding on a rental rate, Americold would need to understand more fully the impact of variables relating to property tax, zoning, availability of utilities, physical condition, incentive financing, site preparation work, buildable acreage, environmental condition at time of lease, and similar factors – as well as the positive economic benefit of the facility to be constructed on the site and the resulting increase in seaport activity. Operational and General Property maintenance costs during the lease term would be covered by Americold.

- c) Proposed variable rent above base rent (e.g., "participation rent" or "profit sharing").

See b) above.

- d) Proposed rent escalators, including frequency and basis.

See b) above.

- e) Proposed lease term.

Americold's desire is to lease for the maximum term allowed by law. (Minimum 40 years).



Section 8

Lease Terms

ORIGINAL

Section 9

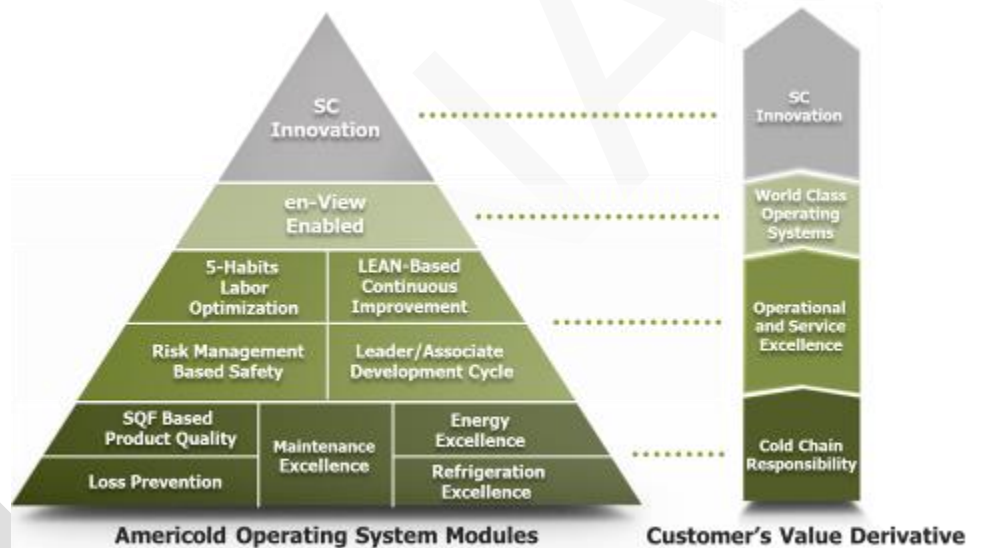
Americold Operating System

The foundation of Americold's operational excellence and its ability to positively deliver on its customers' KPI expectations is the Americold Operating System (AOS). AOS was developed to formalize a proven platform for world class supply chain execution across the entire Americold Network. In addition, the introduction of AOS was designed to streamline management of operating resources, including labor, equipment and facilities. Also addressed are quality and integrity elements such as food quality, safety, loss prevention and sustainability standardization.

AOS is designed to deliver the mechanism and process to innovate for and with our customers for continued mutual growth.

The value of AOS to our customers can be summed up with the following:

- Supply Chain Innovation
- World Class Operating System
- Operational and Service Excellence
- Cold Chain Responsibility



AOS provides structure and rigor around the elements that are the foundation of our business. It's not a program; it is part of our Culture and DNA.

Section 10

Implementation Methodology

Americold's Project Management Organization (PMO) uses an integrated project management approach designed on the principles of industry best practices, tools and techniques to deliver solutions beyond our customers' expectations. This will provide a disciplined, interactive approach to initiating, planning and controlling all project related efforts to ensure the successful completion of the project objective.

The goal of Americold's project management methodology is to provide:

- A consistent and meticulous approach to project management
- A structure to project planning efforts
- Reduced project cost and schedule overruns
- Mitigated risks and timely issues resolution
- Measures and reports on project performance to control deviations

Upon award of the business, our PMO team will assign a Project Manager to oversee the development, construction and opening of the facility. We'll formalize the cross-functional project team, outlined in [Section 1](#), inclusive of subject matter experts, task leaders and steering committee participants to manage the entire implementation process.

Americold's Project Management approach includes five distinct process groups to ensure a successful implementation:



Process 1 – Initiation

The Project Manager will coordinate an official project kick-off meeting to conduct a thorough review of the solution design and business requirements with all project stakeholders to ensure the scope captures all expectations and deliverables.

Process 2 – Planning

Upon the completion of the Initiation process, the project team will create a detailed project plan that covers all areas of the project requirements. This plan will include a detailed project timeline and resource requirements.

Upon the formal acceptance of the project plan by the project stakeholders, the plan will be the baseline template serving as a benchmark for monitoring and controlling project implementation performance.

Process 3 – Execution

Upon the completion of the planning process, Americold will implement the project plan using industry standard tools and techniques to ensure the project remains in scope, on-schedule and within budget.



Request for Proposal to Maine Port Authority

The main tools produce:

- A summary of progress, a 3-4 page overview to give executives a view of the operation
- A KPI review – these key metrics offer greater granularity into the implementation progress and measure elements specifically related to the onboarding process
- A Hiring or Ramp-Up Plan to ensure any new associates are fully up-to-speed before Day 1

Process 4 – Monitor & Control

In addition to weekly progress reporting, stage reviews will also be conducted to ensure the project is achieving the appropriate requirements as it moves along.

These stage reviews allow for the review of a projects' performance against the baseline plan to ensure the project's readiness to advance to the next phase. We would solicit your readiness to move forward before embarking on the next steps of the baseline plan. This provides the opportunity for a more proactive approach to controlling project deviations.

Process 5 – Close Out

Upon the completion of the execution process, the project closeout process will serve as a multi-step administrative progression designed to fully evaluate the successful completion of all project deliverables upon your acceptance, and will formally transfer ownership to the local Americold operations teams.

Section 11

Final Thoughts

Demonstrated Ability to Execute Value-Driven Solutions

- Over 110 years' of Experience supporting the needs of local cold-chain logistics customer
- 63 years within the local Portland community
- Application of industry best practices realized through Americold's position as the global temperature-controlled supply chain leader
- Demonstrated ability to successfully transition and launch cold storage facilities without impacting day-to-day operations
- Operating models designed to drive supply chain innovation and positive financial impact
- Service-intensive solutions driving quality, value and continuity

Sophisticated Technology

- World-class, dynamic and robust technology platforms
- Validated experience integrating with our customers' SAP/ERP systems
- Warehouse Management Systems (WMS) specilized to support cold chain and temperature-controlled logistics needs
- Online inventory visibility and Reporting via our proprietary and recently enhanced [i-3PL Supply Chain Control](#) tool
- Metrics measurements to drive success and decision making

Comprehensive Network

- The largest, most comprehensive warehouse network in the United States (+145 facilities) and the world
- Full capabilities and flexibility to support port, rail and truck service needs now and in the future
- International capabilities in support of distribution needs in Canada, China, Australia, New Zealand, and Latin America
- Operational excellence through the Americold Operating System (AOS) - a proven platform for world class supply chain execution
- Streamlined management of operating resources, including labor, equipment and facilities
- Food quality, safety, loss prevention and sustainability standardization
- Innovation for and with our customers for continued mutual growth

Cold Chain Responsibility

- Solution Design Managers focused on solutioning value-driven options to support the Maine Port Authority International Marine Terminal expansion
- Structured project management approach inclusive of five distinct process steps to ensure the successful implementation and launch of your project objectives
- Experienced professionals who have a distinct understanding of and experience with building, designing and operating state-of-the-art cold storage facilities



Request for Proposal to Maine Port Authority

Industry Stewardship

- Americold and its executive team is committed to **ACTION** values in order to grow the industry, own the cold chain, develop talent and drive supply chain profitability for its customers and itself:

Accountability for results

Customer Focus

Transparent communication

Integrity comes first

Operate with a sense of urgency

Nurture partnerships with others

- Executive Appointments include:

Fred Boehler IARW Board Member

David Stuver WFLO Board Member

Rick Stevens Government Affairs Committee Co-Chair

Kathryn Mullen GCCA Talent Development Sub-Committee

Marc Levin IARW Productivity & Benchmarking Committee, AFFI Board Member

- Association Memberships:



Council of Supply Chain
Management Professionals



GLOBAL COLD CHAIN
ALLIANCE®



NATIONAL
FISHERIES
INSTITUTE





Request for Proposal to Maine Port Authority

Attachment 1

ORIGINAL



Request for Proposal to Maine Port Authority

Attachment 2



americold



EIMSKIP
COOL CHOICE IN LOGISTICS

PROPOSAL FOR
IMT WEST COLD STORAGE FACILITY



**MAINE
PORT
AUTHORITY**

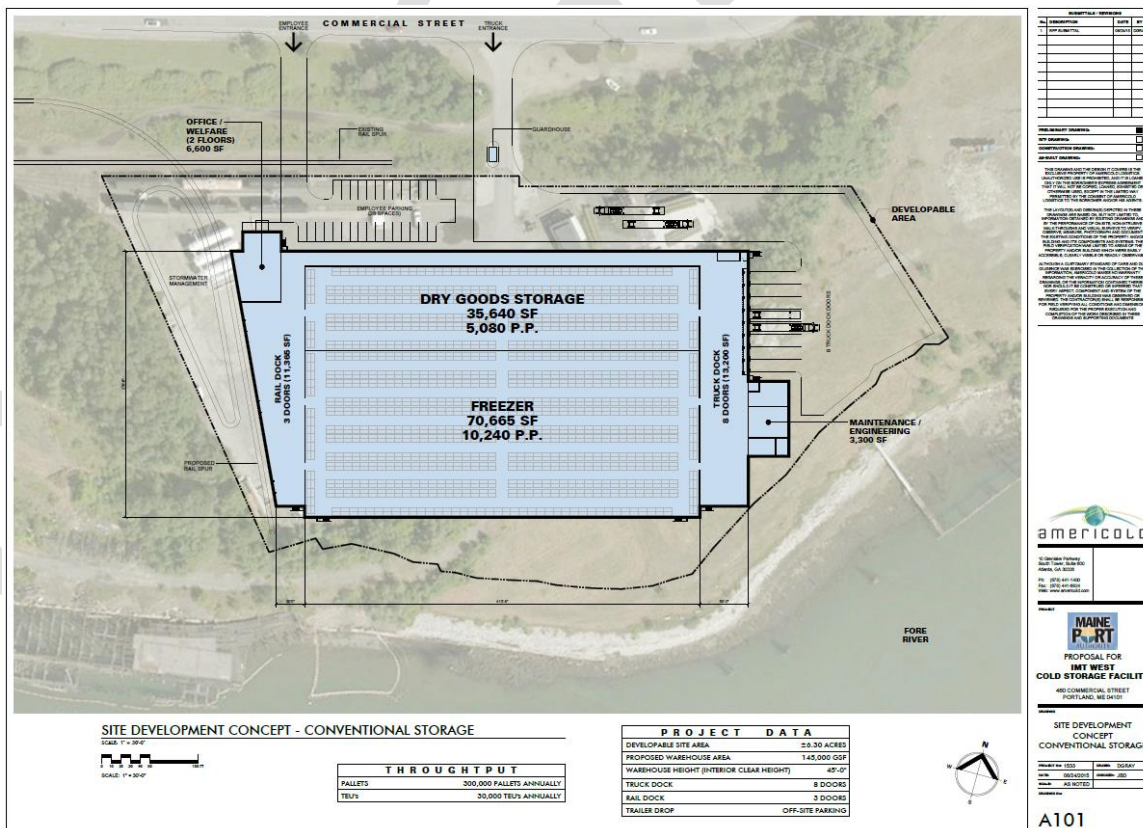
LOCATION
PORTLAND, ME
460 COMMERCIAL STREET
PORTLAND, ME 04101

DESIGNER
AMERICOLD LOGISTICS LLC
10 GLENLAKE PARKWAY, SUITE 600
ATLANTA, GEORGIA 30328
PHONE: (770) 441-1400
FAX: (770) 441-6542



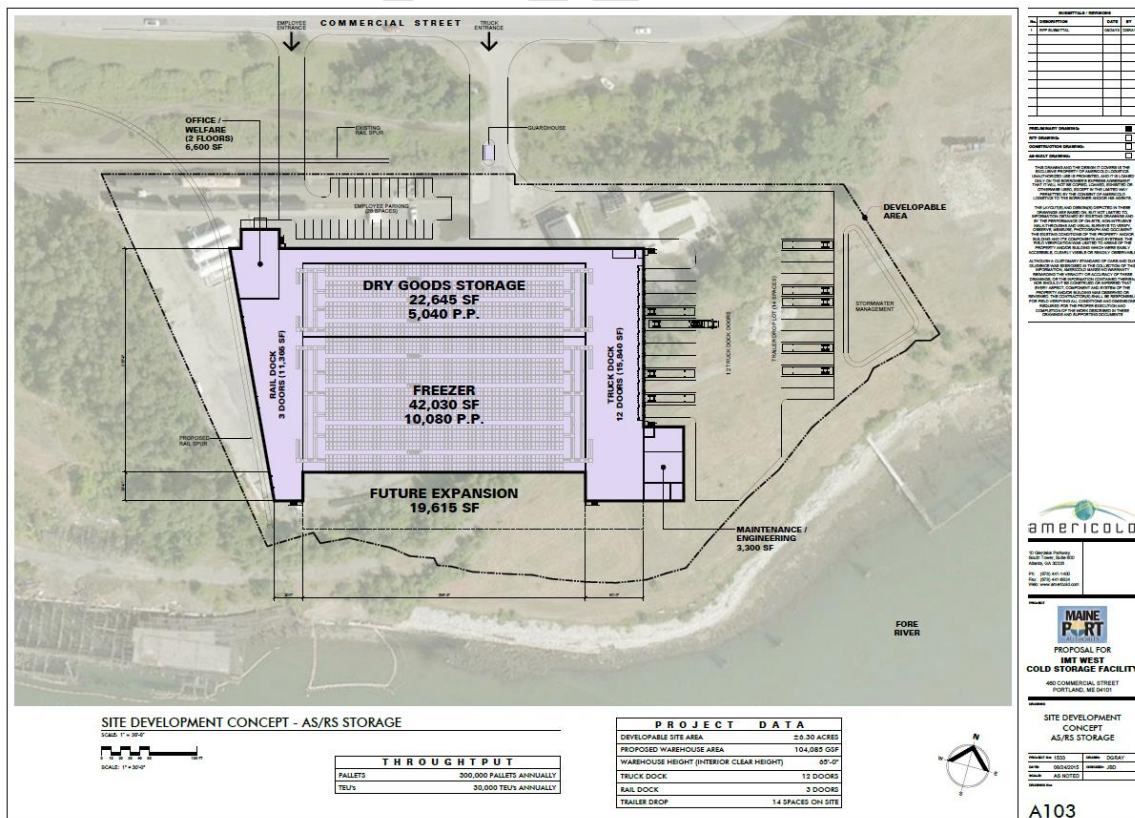
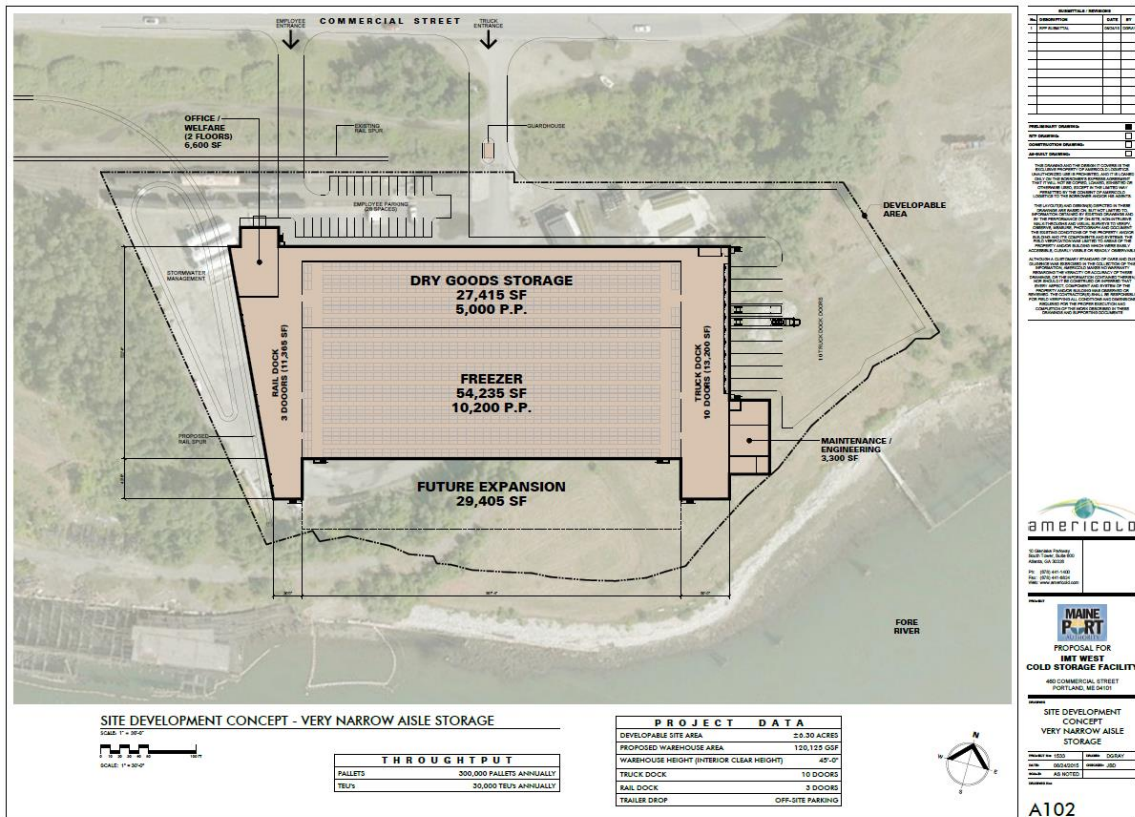
AMERICOLD PROJECT No: 1533

RFP SUBMITTAL DRAWINGS
AUGUST 24TH, 2015





Request for Proposal to Maine Port Authority





Request for Proposal to Maine Port Authority

Attachment 3

The below table shows top ocean importers in New England with current Americold customers shaded green (source: Zepol)

Consignee Name	Consignee City	Consignee State	TEUs	Consignee Name	Consignee City	Consignee State		
High Liner Foods	Peabody	MA	509.00	Bristol Seafood	Portland	ME	4.00	1
F W Bryce	Gloucester	MA	172.00	Canadian Fish Canadian Fish Exporters	Auburndale	MA	4.00	2
Atlantika	New Canaan	CT	134.00	Classic Wine Imports	Nonwood	MA	4.00	2
National Fish And Seafood	Gloucester	MA	120.00	Costas Provision	Boston	MA	4.00	2
Eastern Fisheries	New Bedford	MA	118.00	Fortune Laurel	Quincy	MA	4.00	2
The Hadley	Wareham	MA	110.00	Greek Gourmet	East Weymouth	MA	4.00	2
Southstream Seafoods	Warwick	RI	90.00	Hannaford Bros	Winthrop	ME	4.00	4
Rainbow Seafood	Topsfield	MA	64.00	Minuteman International	Fitchburg	MA	4.00	2
Endeavor Seafood	Newport	RI	62.00	Nantucket Distribut	Middleboro	MA	4.00	2
Panapesca Usa	Pembroke	MA	56.00	New England Food Brokerage	Gloucester	MA	4.00	2
Channel Fish	Boston	MA	50.00	Norfolk 12	Norfolk	MA	4.00	2
Gorton's	Gloucester	MA	48.00	Norwegian Seafood	Everett	MA	4.00	2
Zhangzidao Fishery Group America	Lakeville	MA	42.00	Raw Sea Foods	Fall River	MA	4.00	2
Boston Sword Tuna	Boston	MA	38.00	Tannin 19	Peabody	MA	4.00	2
Isi Seafood	Branford	CT	38.00	Bullard Abrasives	Lincoln	RI	3.27	5
Slade Gorton	Boston	MA	36.00	Freeline Organic Food Usa	Westport	CT	3.00	3
Carmichael International Services	Chelsea	MA	32.00	Mediterra	Salem	MA	3.00	2
Ocean Trawlers Europe	New Canaan	CT	32.00	Olive Harvest	Sudbury	MA	3.00	2
Aps	New Bedford	MA	30.00	Jansal Valley	New Bedford	MA	2.71	3
Great Northern Fish	New Bedford	MA	29.00	Ambassador Brokers	Braintree	MA	2.00	1
Crocker And Winsor Seafoods	Boston	MA	28.00	Bego Usa	Lincoln	RI	2.00	1
The Henry Gonsalves	Smithfield	RI	26.00	Big T D	Chelsea	MA	2.00	2
Stavos Seafood	Boston	MA	24.00	Carolina Wine	Norwood	MA	2.00	1
Northern Fisheries	Little Compton	RI	23.27	Sidney Stockwell	Wakefield	MA	2.00	1
Aquafisk	Manchester	NH	20.00	East Bay Seafood	Boston	MA	2.00	1
Portland Shellfish	South Portland	ME	20.00	Equal Exchange	West Bridgewater	MA	2.00	1
Mammut Sports Group	Williston	VT	19.00	Grand Prix International	Indian Orchard	MA	2.00	1
Limson Trading	Norwalk	CT	18.58	Harbor Blue Seafood	Fairhaven	MA	2.00	1
B l Food Enterprises	West Haven	CT	16.00	Ideal Wine/Spirits	Medford	MA	2.00	1
Seafreeze	North Kingstown	RI	14.00	Logfret	Wakefield	MA	2.00	1
Jedwards International	Braintree	MA	13.00	Livata Waterbury	Waterbury	CT	2.00	2
Mariner Seafood	New Bedford	MA	12.00	Maloney Seafood	Quincy	MA	2.00	1
Rich s Cold Storage	Taunton	MA	12.00	Manzel 4	Danvers	MA	2.00	1
Brewers Supply Group	Providence	RI	10.00	Mise 5	Newton	MA	2.00	1
Fortune Laurel	Wellesley	MA	10.00	Ms Walker Norwood	Norwood	MA	2.00	1
Pioneer International	Wakefield	MA	10.00	Norfolk Ehf	New Bedford	MA	2.00	1
Demoulas Super Markets	Tewksbury	MA	9.00	Pine State Trading	Augusta	ME	2.00	1
Athena Int Foods	Brockton	MA	8.77	Purse Line	Seabrook	MA	2.00	1
Best Foodstuff Usa	Norwood	MA	8.00	Ruby Wines	Avon	MA	2.00	1
Black Pearl Seafood	Boston	MA	8.00	Sea Fresh Usa	North Kingstown	RI	2.00	1
Linnane	North Reading	MA	8.00	Seabod Markets	Quincy	MA	2.00	1
Pier Fish	New Bedford	MA	8.00	Sid Wainer And Son	New Bedford	MA	2.00	1
Chex Finer Foods	Attleboro	MA	7.00	The Jojoba	Waldoboro	ME	2.00	2
Cape Seafoods	Gloucester	MA	6.00	Tuscan Brands	Salem	NH	2.00	1
Century Bank Trust	Medford	MA	6.00	Villa Seafood	Boston	MA	2.00	1
Extra Virgin Foods	Watertown	MA	6.00	Vineyard Road	Framingham	MA	2.00	1
Fundelina Usa	Haverhill	MA	6.00	Z C Trading	Quincy	MA	2.00	1
International Luso Fish	Gloucester	MA	6.00	Mohr Moperson	Boston	MA	1.57	1
Lufthansa German Airlines	Boston	MA	6.00	Pure Italia	Watertown	MA	1.56	3
North Atlantic Pacific Seafood	East Greenwich	RI	6.00	Italimport 1	Malden	MA	1.27	1
North Coast Seafoods	Boston	MA	6.00	Casa Foods	Middleton	MA	1.00	1
Oesse Foods	New Haven	CT	6.00	Dsm Neoresins	Wilmington	MA	1.00	1
J Moniz Company	Fall River	MA	5.00	Gonsalves Imports	Smithfield	RI	1.00	1
Orleans Packing	Hyde Park	MA	5.00	Great Northern Products	Cranston	RI	1.00	1
The Pastene	Canton	MA	4.85	Midtown Markets	Woburn	MA	1.00	1
Aquamarine	Manchester	NH	4.00	Portugalia Imports	Fall River	MA	1.00	1
Atlantic Capes Fisheries	New Bedford	MA	4.00	Souard Oliver	Windsor	MA	1.00	1
B A Brokers	Boston	MA	4.00	Tre Olive	East Longmeadow	MA	1.00	1



Request for Proposal to Maine Port Authority

Attachment 4

Declaration of Todd N. Sheldon

I, Todd N. Sheldon, am over the age of 18 and declare and state as follows:

1. My name is Todd N. Sheldon. I have personal knowledge of the facts contained in this declaration.
2. I am Executive Vice President, General Counsel and Corporate Secretary for Americold Logistics, LLC.
3. I have access to the corporate records for Americold Logistics, LLC.
4. Based on my review of those records, I can confirm that Americold Logistics, LLC has not been barred from providing services to any State or Federal Agency within the last five (5) years.
5. I declare that the foregoing information contained in this Declaration is true and correct as of the date hereof.

Todd N. Sheldon

Dear Planning Board Members,

We are writing with regards to the proposed zoning change for the Waterfront Port Development Zone (WPDZ). We strongly feel that Americold is a distinct project and should be treated as such by the planning board and the city council. We strongly oppose any changes across the WPDZ beyond those, if any, that are required for Americold. Indeed, if a change is required it is important that it be treated as an exception rather than a precedent, and be recognized as such by the city. Our reasons for this position are as follows:

- **The Americold project is unique and specific to the Port Authority and the International Marine Terminal.** The planning board should treat it as such. The merits of this project are linked to its connection to the Marine Terminal, and specifically the development of an intermodal transport network to serve the development of Eimskip's business. The Port Authority has stated they have no additional space at the Marine Terminal for development of additional large buildings. As a result, the city's proposal to extend any zoning change across the WPDZ is unnecessary. The neighbor to the west, Portland Yacht Services, is an unrelated business with no connection to intermodal transport. Representatives of Sprague/Merrill's Marine Terminal, further to the west, have already spoken out against the city's plan for the WPDZ and want to be exempted.
- **Why should we think tall warehouses will support the development of a working waterfront?** A blanket change in zoning height will turn the waterfront port development zone into the western waterfront warehouse zone. This stands in direct contradiction to any vision of creating a working waterfront. Warehouses require huge footprints with an exceptionally low number of employees per square foot. Do we really need to make a blanket change to the zoning laws to store and maintain super-sized yachts? Whatever opportunity may exist in the future to bring meaningful skilled jobs to the western waterfront would be squandered by making this a "mega-warehouse" center.
- **The entrance to the city is at risk of becoming an oppressive wall of warehouses.** The visual impact of Americold project alone will have a dramatically adverse effect on the entrance to the city. Turning the western waterfront into a wall of warehouses will create a "tunnel" entrance to the city that will be oppressive and unwelcoming. It will adversely affect the value of surrounding properties and thus, the potential future tax base of the city. It stands in stark contrast to any reasonable urban plan that appropriately integrates industrial, commercial and residential interests to create an economically vibrant and appealing city.

For the above reasons we strongly urge the planning board to limit the consideration of any zoning change to the Americold project/The International Marine Terminal. Furthermore, we urge the planning board to adopt a deliberate approach to the remainder of the WPDZ that considers the cumulative effect that each supersized warehouse has on the waterfront, the neighborhood, and the city as a whole. Specifically, we believe it is extremely important that the city wait to measure the impact of traffic, truck noise echoing off the Americold building and the consequences of its visual impact on the entrance to the city before considering additional tall buildings and warehouses on the WPDZ.

Sincerely,

Tom and Laura Robinson
320 Danforth Street

Jo Coyne
 36 Salem Street
 Portland, Maine 04102
 207.775.3902 / jcoyne@gwi.net

December 6, 2016

Planning Board
 City of Portland
 389 Congress Street
 Portland, Maine 04101

Dear Chairperson Boepple and Board members:

Late last spring, a few of us in the Salem/Clark/Summer Street neighborhood decided to look into the proposed cold storage facility that we'd heard about in the press. At that point we knew only that Americold's submission in response to the Maine Port Authority's Request for Proposal (RFP) had been selected as the winning bid. We contacted the manager of Americold's current facility on Read St., who referred us to MPA Director John Henshaw, who referred us to Bill Needelman. A meeting and tour of the site were planned for interested neighbors for mid-July.

Several neighbors gathered at the International Marine Terminal, along with John and Bill. Tuck O'Brien also was present. John and Bill talked about the need for cold storage and the RFP process. Many of us had seen huge white warehouses after Googling "cold storage facility" and we asked what to expect. . We were told Americold was in the early development stage and no plans had been submitted yet. We were reminded that current zoning limited building heights to 45' (depending on the roof line) and that Americold would have to apply for an exception if they wanted to build higher. **No mention was made of the City's intent to rezone the western waterfront to 70'.**

Shortly after the meeting, several neighbors sent a letter to Americold expressing hope that Americold's project would be on the lower end of the height/mass spectrum for cold storage facilities since a wide range of efficient, economically viable sizes exist. Late in August an "outreach" meeting was held at the IMT, with officials from the City, Americold, Eimskip, and the Port Authority, along with WENA President Ian Jacob, WPNA President Anne Pringle and neighbor Mark McCain. Americold officials talked of building to 65' but said they wanted to build an attractive building and have an open dialogue with neighbors and city officials. **Again, City officials said nothing about plans to rezone the waterfront.**

On October 13, WENA and WPNA hosted a meeting of neighbors, Americold executives and city officials. Americold insisted they needed to build to 70'. Bill Needelman presented a proposal for rezoning the western waterfront to 70' that had been crafted by the Economic Development Department (EDD) and that soon would be sent to the Planning Board. **This was the first time the proposal to rezone the western waterfront was made public.**

The proposal, which you later gave a first reading at your October 25 workshop, offered three options:

1. Rezone building heights in the entire western waterfront to 70".
2. Rezone to 70' only for warehouse facilities such as those needed for cold storage.
3. Rezone to 70' only for the site currently under consideration by Americold.

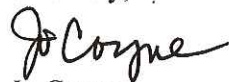
Since the Port Authority's RFP clearly indicated a height limit of 45' and Americold's submission contained three alternatives, two at 45' interior height and one at 70', we question the City's push to rezone at 70', especially since another RFP applicant proposed a 40' interior height building. Additionally, even though the City speaks only of the need for cold storage, all of Americold's alternatives propose a significant amount of dry storage. Dry product can be stored elsewhere, such as in Americold's existing facility on Read Street, although industry insiders speculate that Americold will want to consolidate operations. **The waterfront is zoned for marine use only. A cold storage facility of reasonable size is appropriate to the Americold site. A warehouse of any size storing substantial amounts of dry product is not.**

The implications for Commercial Street traffic are huge. The I-295 connector was built to direct through-traffic off the peninsula and is used heavily by commuters. Truck traffic on Commercial Street will increase dramatically even if a 45' high cold storage facility is built. Imagine what the street would be like with a 70' warehouse for cold and dry goods being trucked in and out, in addition to goods coming in by ship and out by truck or rail.

About 60 residents attended the City-sponsored neighborhood meeting on November 3 to speak in opposition to the proposed 70' rezoning, including some who do not live in the West End but who feel strongly that a huge, out-of-scale white box has no place on Portland's waterfront. Residents clearly want the City to achieve a better balance between economic development and existing neighborhoods than what's on the table. The fourth rezoning option that EDD plans to present on December 13 will not resolve the conflict.

It is clear that what is being proposed for the Americold site is a warehouse, plain and simple, despite all the talk of cold storage needs. Current zoning at 45', which was set after careful study, is sufficient for a reasonably sized facility that will meet those needs. Waterfront development doesn't have to be ugly and out-of-scale. Please help protect our beautiful port.

Sincerely,



Jo Coyne

Dec. 4, 2016

Dear Ms. Boepple,

We are concerned about the proposed raising of the building height on Commercial Street, in particular the Americold Building. We feel strongly that the building height should not be increased above the existing limit of 45 feet. A higher structure would impose an industrial environment adjacent to a well maintained residential area and an Historic District. West Commercial Street is the southern entry way into what Henry Wadworth Longfellow called " the beautiful city by the sea"

The proposed building is a featureless white structure that will eliminate the view of the waterfront there.

We ask you to vote not to raise the height of the Americold Building.

Dick and Penny Stevens
260 Vaughan St.
Portland, ME 04102

336 Danforth Street
Portland, Maine 04012
207-774-1288/207-871-0790 FAX
robertsonsonia@hotmail.com

December 6, 2016

RE: Waterfront Zoning Text Change for Building Height

Dear Members of the Planning Board:

The three text amendments the Economic Development Department is proposing to the WPDZ have their genesis in the Americold cold storage building project.

Text Change One which adds cold storage specifically as a permitted use makes sense. Eimskip obviously needs cold storage to continue to be the economic engine for Portland's waterfront that it is. Change One should be approved.

Only Americold may require immediate zoning changes. Leave the remainder of the WPDZ as currently zoned. This would be consistent with Merrill/Sprague zoning being left as is at their request.

Text Change Two has evolved over the past two months from 70' to 50'. We see no reason to change the existing 45'. Originally Americold responded to an RFP for a 45' cold storage building. We would like to see a 3D model of what it is Americold is actually proposing and what height it is they now say they need. At whatever height this is going to be a **massive** structure.

Leave the height at 45'. An exception for the Americold structure should be made only if Americold can honestly demonstrate beyond reasonable doubt a cold storage facility cannot be built within a 45' height limitation.

Portland Yacht Services property is really the remainder of the WPDZ. As no plans are on record other than retail buildings along Commercial Street at 45', there is no reason to raise the height to 50'. The Central Waterfront height was just raised to 50' to accommodate development. As there is no

planned development, there is no reason to change the height. As Merrill/Sprague's zoning remains as it is , so should the zoning on this property remain as it is. Development of this property will have significant impact. Before any zoning is changed along this waterfront, a master plan needs to be submitted for consideration.

This process has been moving at lightning speed. Economic Development is the only entity that has had more than two months to analyze the impact of a height change along the entire zone. It seems sensible to wait to see what the Americold building looks like. It could be more of a blight than anyone anticipates.

Economic Development has said the city needs to be ready for future unanticipated business growth. That growth being unidentified as yet does not need more height than 45'. And if the need presents itself , sthe height issue can be reexamined.

Western Commercial Street is the gateway to Portland. To raise the height limits jeopardizes that gateway. It will be very easy to reduce Portland to a Hartford, CT - a city on water no one can see. The vision of a wall of 350' long buildings along both sides of Commercial Street is truly the stuff of nightmares.

Text Change Three proposes changes that are sweeping in their impact. Once again no one has had time to adequately consider all the implications of these changes.

Too much. Too fast. Proceed with Americold. Americold is the current economic engine. Time is needed to thoroughly examine zoning changes to the remainder of the WPDZ. Let the current zoning stand as iss at 45'. Reject Text Changes Two and Three.

Thank you for your consideration,

Sonia B. Robertson

John O. Robertson

Fwd: The West Commercial Street cold storage facility

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Mon, Dec 5, 2016 at 3:36 PM

----- Forwarded message -----

From: **Jill Osgood** <osgood.jill@gmail.com>
Date: Monday, December 5, 2016
Subject: The West Commercial Street cold storage facility
To: sgo@portlandmaine.gov

Dear Mr. O'brien,

As a long time resident of Portland and the west end, I ask that as the Planning Director of our wonderful city you provide a voice of moderation and reason in this time of economic and population growth.

We can all agree that the economic explosion that Portland has experienced in the last several years is a positive thing. I remember the days of the early 90's when you could drive the length of Congress Street and see every other store front empty. I enjoy watching the Eimskip containers being loaded on to the ships and as a student of USM recognize the prosperous relationship the city now has with Iceland.

I also realize that Portland will continue to grow, in some ways positively and in some ways not. Someday all of Commercial Street will be developed. What I ask is for mindful growth. Zoning limitations have been carefully and thoughtfully put in to place. What is the sense of this process if every time a new development comes along a request is made for a revision of the current zoning law?

There is no reason other than more money for the zoning height to be changed for the cold storage facility. Please keep the limit to 45 feet, the current legal limit.

Regards,
Jill Osgood
41 Brackett Street
Portland, Maine

--
Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: (207) 874-8724
Cell: (207) 553-0255

December 6, 2016

To the Members of the Planning Board:

A significant argument for overturning the existing provisions of the Waterfront Port Development Zone is that the current height, bulk and siting requirements are bizarre and convoluted, difficult to interpret and confusing. Staff has said that they appear to have been designed for a specific development scheme that never came to pass. We have heard that this cumbersome zoning shoulders at least as much of the blame for the lack of development along West Commercial St. as the previous ownership of the parcels, market conditions, small parcels and the problematic soils.

In fact the existing WPDZ provisions are not particularly cumbersome and in the words of one former Planning Board member, *"were developed after a lot of thought to careful rezoning appropriate to the City by the Sea"*. Since they are virtually identical to ones adopted for a portion of the Eastern Waterfront formerly occupied by Portland Yacht Service, it is clear that the WPDZ (east of Merrill's operation) was not zoned to satisfy the hankerings of a particular unknown developer.

So why the unusual zoning? Plotting the two height exceptions to the standard 45' max. building height, on a street map of the abutting neighborhoods makes it obvious that greater heights were established in relation to the elevation of these streets. Building heights at 70' above mean sea level* are allowed as Danforth Street starts to rise above Valley St. They go to 75' as Danforth Street rises further toward Emery. But past Emery St., small-scale streets hug the hillside and no exceptions to the underlying 45' are permitted. (see attached)

The 45' height is also not arbitrary, but matched the height on the rest of Commercial St. *"Forty five feet allowed a reasonable rate of return on investment – given the bearing capacity of the soils and in keeping with the long-held commitment to putting taller buildings on the spine of the Peninsula – with heights dropping toward the waterfront. Forty five feet allows a definite return but doesn't wreck the waterfront"* (It has been raised to 50' in the central district to accommodate the ventilation requirements for commercial ground floor uses with office use above which are not permitted in the WPDZ.)

The massing and siting requirements of the current zoning can be seen as a Form Based Code, but without the diagrams. They allow portions of buildings or entire buildings, to be tall, but with substantial separations. The unusual horizontal diagonal measurement frees these buildings to take any form while limiting the mass; limitations to depth make it clear that taller construction must not be applied to the whole lot – thereby obliterating views from above. Tall buildings must be separated from each other by 150' which is clearly designed to allow visual access to the shoreline from Commercial St. Height and siting limitations are adjustable in relation to each other as they are in other parts of the code, such as residential heights and side yard setbacks.

Another argument for the proposed zoning language is that since the district was industrial in the past, these changes will allow it to return to its historically appropriate intended use. However maps of the time show that industry was limited to rail tracks and the gas works. It is doubtful that the substantial buildings that overlook this zone would ever have been built if they looked out over warehouses and grain elevators instead of rail yards. As a cautionary note, the gas works had such a continuing depressing effect on the area immediately facing the Americold project, that a city councilor in 1982 referred to it as a 'combat zone' and a 'slum'.

The proposed language that you are considering trivializes the impact of massive building scale and siting on Commercial St. A 60-foot straight-on view slot between super-sized long buildings will be imperceptible to people in cars entering or leaving Portland. The 450' maximum building length pretends to decrease the wall effect on the street. For comparison sake, a photo of the Noyes Storage Building as seen from the Whole Foods parking lot is attached. That storage building is a petite 30 feet high and 200 feet long. More than double its length and height as is proposed and then imagine a series of these overwhelming buildings along Commercial St. The same street that The West Commercial Corridor Study (January 2016) focused on to "Enhance ... and create an attractive gateway to Portland's waterfront".

If the Planning Board accepts the proposed changes to the WPDZ, it will represent a significant departure from planning principles that have guided Portland's development and protected its assets in the past. Namely that building heights must decrease in height from the spine to the edges. And that visual access to the Fore River and Harbor gives meaning to the City as a whole and character to the neighborhoods that overlook it.

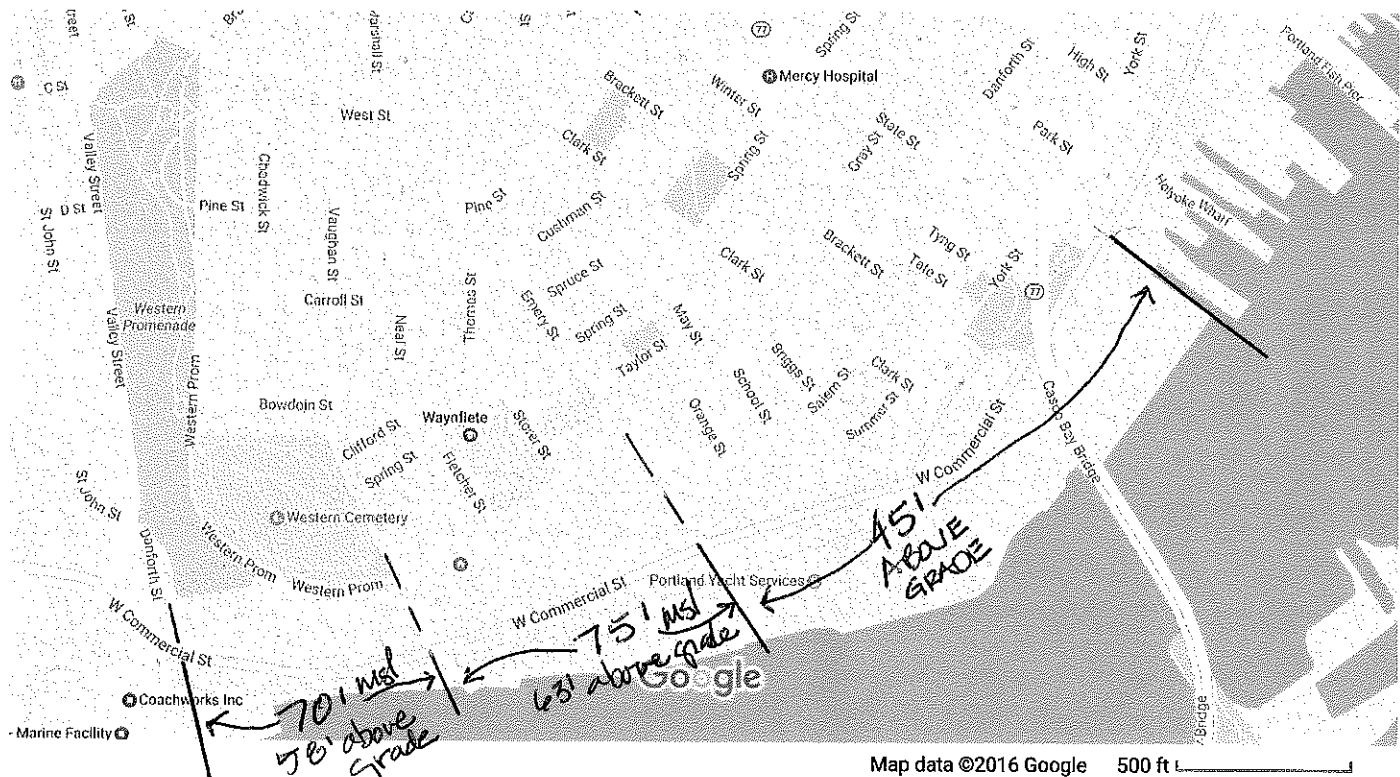
This is not about whether a few individuals have the right to a view, but whether inspiring and valuable character-defining features of the city will be tossed away. Portland can have an industrial zone that doesn't, in the words of the former board member, '*wreck the waterfront*' and bring wholesale devaluation to neighboring residential areas. I urge you to reject the proposed changes to the WPDZ.

Thank you for your attention to this issue.

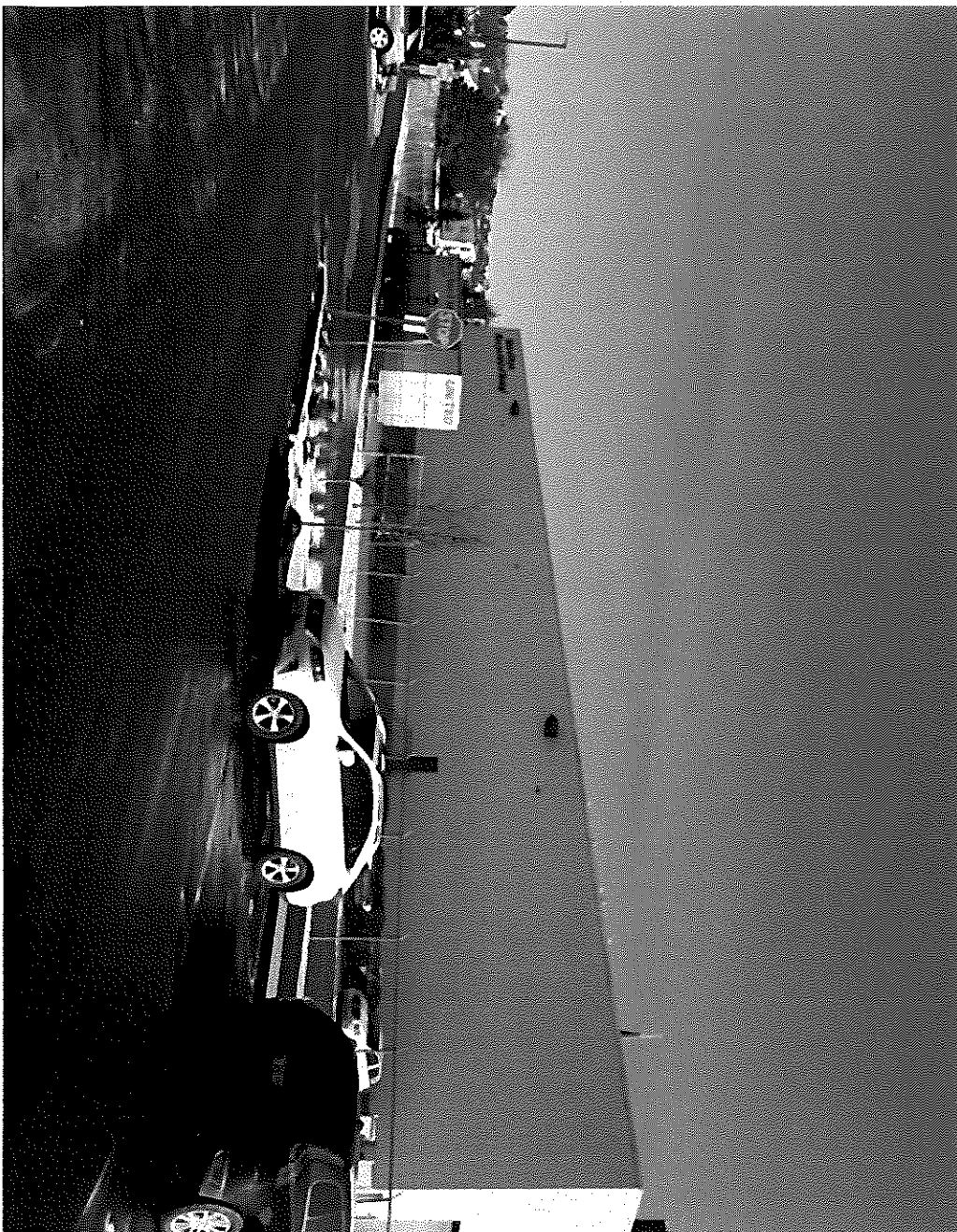
Constance Bloomfield, 380 Danforth St.

* The Mean Sea Level measurement is the cumbersome part of the WPDZ zoning. Its use may relate to a traditional maritime/pier standard – or it may be in the code as recognition that the most important aspect of visual access to water is the actual surface of the water. Simply subtracting the average grade of the zone above mean sea level ($\pm 12'$) from the 70' and 75' height exceptions would clarify the only bewildering part of the WPDZ.

Google Maps



From: **Constance Bloomfield** cbloomfi@maine.rr.com
Subject:
Date: December 6, 2016 at 3:19 PM
To: **constance bloomfield** cbloomfi@maine.rr.com



Sent from my iPhone

December 3, 2016

Members of the City of Portland Planning Board

RE: Western Port Development District proposed zoning amendments

I thank the Planning Board for allowing public comments on the proposed alterations to the zoning for the waterfront district (WPDZ) along West Commercial Street. I will begin by stating unequivocally that developing the waterfront in this area is clearly good for Portland and its economy, so it makes sense to many of us that there is encouragement in zoning for various marine activities in this area. To date, the addition of Portland Yacht Services has proven acceptable to those of us living directly above along the several streets of what could be called the Southern Promenade, which I will henceforth shorten to SoPro. In some ways, it has added to the character of the neighborhood.

However, both the existing zoning and certainly the proposed changes have profound negative effects on the entire SoPro neighborhood, most of which is not only residential, but in an Historic Preservation District as well. The latter imposes strong requirements that development not detract from the essential character of the area. We find that allowed development in the western waterfront will obliterate all views of the Fore River, in most instances leaving only views of the docks on Turner Island and the mud flats on either side. That contrasts sharply with what is visible now, including all the lively marine activity that passes along the River. That is surely a major impact on the character of the adjacent neighborhood.

We are certainly aware that a recent referendum implies that no one has a right to a view. However, the issue here is that proposed 450-foot-long buildings with potential heights of 57 feet above mean sea level (under the current 45-foot limit restriction) or 82 feet above mean sea level (under the proposed 70-foot limit) will eliminate any view of the water for some 60-70 residences (and many times that number of housing units), all to serve the interest of one or two owners. Most realtors would put the value of water views on the Peninsula in Portland at a 15-25% margin. Eradicating that much property value is simply unacceptable. That says nothing about lost property taxes for the City, especially when the SoPro area is experiencing a high degree of turnover, improvements and renovation. For instance, 6 homes at the west end of Danforth Street have changed owners just in the past two years, with consequent revaluations going sharply upward. Those new owners chose this area to see the water and its various marine activities. We certainly did a decade ago, when we purchased a 140-year old house that needed and got a quarter of a million dollars in repairs. Tour buses now stop along Danforth Street to allow visitors to enjoy looking at views of the Fore River.

We have before the City right now an application to build a two-family condominium on the last empty lot on Danforth Street. The plan includes almost full-height glass walls on the south side, overlooking the Fore River. If there is nothing to look at out that window but a steel warehouse wall and roof, at nearly the height of our floor, we will have to cancel that project. That means the loss to the City of about \$20,000 per year in new property tax revenue, in perpetuity. That will also mean the loss of two new housing units, in a period in which housing shortage is an almost a daily subject in the news. In Portland, as in many other cities, views are now monetized, with rather high stakes for both owners and tax revenue. This has to be taken into consideration, regardless of the question of rights to a view.

At the maximum allowable size, very large warehouses or storage facilities will also direct even more noise from Commercial Street into our bedrooms. This will be a major concern if the 24/7 plan for trucking along Commercial Street proceeds. Currently, noise is somewhat objectionable, but half of it is dissipated out over the River. This proposed plan will concentrate that noise by reflecting all of it upward to our homes, while continuing throughout the night.

I know that aesthetics rarely is admitted in planning decisions in relation to economic development. However, the Board must consider what the effect of 70-foot-high, 450-foot-long steel walls along the south side of Commercial Street will do to the impressions that visitors have of Portland. They will create a dark, forbidding steel canyon along most of the length of the street. This is the major gateway to the most attractive part of Portland for tourists—the Old Port. Trying to replicate here the New Jersey entrance to Manhattan (one of the most oppressive and ugly entries to any major city in the world) is very questionable. Most major cities in the US are working very hard to improve their waterscapes and keep waterfront buildings to a lower height. Why are we going in the opposite direction?

We urge the Planning Board to suspend any changes to the existing zoning requirements for height and mass in the WPDZ until these very weighty issues have found a proper balance between economic development and its potentially major negative impact on a large number of Portland citizens living in and enjoying the immediate residential adjacency.

Sincerely,


William R. McFarlane, M.D.

380 Danforth Street
Portland, Maine 04102

----- Forwarded message -----

From: **Samar Post Jamali** <samar.jamali@gmail.com>

Date: Wed, Dec 7, 2016 at 8:53 PM

Subject: Waterfront zoning changes

To: bab@portlandmaine.gov, sgo@portlandmaine.gov

Cc: estrimling@portlandmaine.gov, sthibodeau@portlandmaine.gov, wbn@portlandmaine.gov

PC39

Dear Planning Board:

I am writing to express that I am against the proposed zoning change for the Waterfront Port Development Zone (WPDZ). I strongly oppose any changes across the WPDZ.

My reasons are, briefly:

- the creation of more warehouses will not create more jobs- it will create large spaces with few people employed. This is not a boon for the working waterfront and the people who hope to be employed there and/or maintain jobs there.
- Portland is experiencing popularity and growth unprecedented in its recent history. Destroying the vistas and creating a corridor of warehouses as drivers and travelers and commuters and workers enter from South Portland or 295 via Merrill Terminal will hamper the experience of the city and likely lead to less potential growth.

Much of Portland's appeal, and economic, comes from its working waterfront- a **real** working waterfront - and the open views. Please do not ruin this.

Thank you for your consideration.

Samar Post Jamali
358 Danforth Street
Portland 04102

Samar Post Jamali

----- Forwarded message -----

From: **Devens** <deviehamlen@hotmail.com>

Date: Wed, Dec 7, 2016 at 8:58 PM

Subject: WPDZ zoning

To: "bab@portlandmaine.gov" <bab@portlandmaine.gov>, "estrimling@portlandmaine.gov" <estrimling@portlandmaine.gov>, "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>, "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Dear Planning Board Member,

I am writing to express my opposition to the proposed changes to the zoning along commercial street from Portland Yacht Services to Merrill Marine Terminal. While I support economic development, the proposed zoning changes would detrimental to the very reasons Portland has become so popular - development that is in the with the beauty of the city, smart and sustainable growth, and a unique working waterfront that melds independent businesses, such as fishing, with commerce, and housing.

Sincerely,
Devens M. Hamlen
358 Danforth

Sent from my iPhone

From: Kelly Spence [<mailto:kspence@maineseafoodventures.com>]

Sent: Friday, December 09, 2016 10:15 AM

To: Michelle Brooks

Subject: Support for Americold's New Facility

Hi Michelle,

Ready Seafood supports the move of Americold to the proposed new location on the waterfront in Portland. Ready Seafood is lobster company that ships fresh and frozen lobster products both locally and worldwide. Ready Seafood is committed to the local economy not only with local fishing, research, and sustainability efforts - but by providing jobs to more than 200 employees in the greater Portland area.

We are happy to voice our support in favor of the move to the waterfront. This will facilitate ease of transportation by its location close to the interstate and help keep large trailers off of the roads near the parks and high school around Stevens Avenue, Baxter Boulevard & Washington street.

Please find our attached logo to use in your presentation. If you have any other questions, please let me know.

Thank you!

--

Kelly Spence

Operations Analyst II
Maine Seafood Ventures
2 Custom House Wharf
Portland, Maine 04101
Tel: [508 330 2201](tel:5083302201)
www.maineseafoodventures.com



GREATER PORTLAND COUNCIL OF GOVERNMENTS

December 6, 2016

Mr. William Needelman
Waterfront Coordinator
City of Portland
389 Congress Street
Portland, Maine 04102

Dear Bill,

On behalf of the Greater Portland Council of Governments (GPCOG), I am writing to express our support for the City's application for a text amendment to the Waterfront Port Development (WPDZ). We understand that this change will facilitate the construction of a cold storage warehouse at the International Marine Terminal in Portland.

The Port of Portland is one of Maine's greatest economic assets. According to our own 2008 study, the working waterfront generates over 3,500 jobs, \$100 million in wages, and \$200 million in direct economic impact. Since then, we have identified the expansion of the Port as a critical project for the Comprehensive Economic Development Strategy (CEDS) for the region and the federal Investing in Manufacturing Communities Partnership (IMCP) initiative.

GPCOG is the regional planning agency serving 26 cities and towns in Greater Portland and the Sebago Lakes region. As a federally designated Economic Development District, one of our core responsibilities is the creation of a CEDS for the region. Our strategy, developed from 2011 to 2013, prioritizes agriculture and fisheries as the region's top clusters. To support this cluster, one of the high priority projects in our CEDS update, adopted on June 8, 2016, is to "Increase access of Maine products to global markets," including the development of "cold storage capacity on the waterfront for farms and fisheries." Your project directly supports this goal.

On May 28, 2014, the White House designated the Greater Portland Sustainable Food Production Cluster, led by GPCOG, as one of the nation's 12 Manufacturing Communities. One of our six IMCP goals is to "increase Maine's global food exports by 25%." Achievement of this goal has more economic impact than any other goal in our plan, generating \$133 million and 800 jobs to the state's economy. This impact is related not to the construction or operation of the warehouse but to Maine food manufacturers, which will now have access to new markets in Europe as a result of the warehouse and the transatlantic service associated with it.

Serving the Greater Portland and Lakes Region Communities

970 Baxter Boulevard, Suite 201 ♦ Portland, Maine 04103 ♦ Telephone (207) 774-9891 ♦ Fax (207) 774-7149

For more details on our CEDS or IMCP initiative, please visit our plans online at www.gpcog.org/economic-comm-development/gpcog-economic-dev-district/.

Thank you for your leadership in facilitating the prosperity of the state and region.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kristina Egan', with a stylized, flowing script.

Kristina Egan
Executive Director

Fwd: Americold Project

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Thu, Dec 15, 2016 at 8:32 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

Please add

----- Forwarded message -----

From: **Zack** <zpaakkonen@gmail.com>

Date: Thursday, December 1, 2016

Subject: Americold Project

To: estrimling@portlandmaine.gov, sthibodeau@portlandmaine.gov, WBN@portlandmaine.gov, sgo@portlandmaine.gov

Cc: Alice Neal <aaneal@gmail.com>

Dear Mayor Strimling, Councilor Thibodeau, Waterfront Coordinator Needelman, and Planning Director O'Brien -

I am writing as a resident of the affected neighborhood in opposition to the proposed zoning amendment to allow the Americold cold storage project as proposed, and my spouse, Alice Neal-Paakkonen copied on this email, joins in opposition. We are requesting that copies of this message go to the Planning Board for their consideration as we are unable to attend the planning meeting due to scheduling. Please note that we are not in opposition to the project outright. In fact, I have been a resident of Portland for almost 20 years and in that time, have seen large industrial facilities empty and be re-purposed. My wife, Alice Neal-Paakkonen, who joins me in this request, has lived in Portland for 13 years. Frankly, Portland needs industry, and I was glad to see the development of the International Marine Terminal and that lot generally. However, that project was able to be performed without a detrimental impact to Portland residents. On its face, this project is different. If it had remained at the height originally disclosed to residents, the project might well have been a benefit to Portland. However, as currently proposed, it is a detriment, and we oppose the proposed zoning amendment to allow a seventy-foot facility.

Regarding the affected neighborhood, my spouse and I have resided here now for over eight years, and we hope to remain here for a very long time. Over the last several years as a resident of Portland, I have watched project after project go forward in Portland, impacting other neighborhoods. I've also seen the City attempt to go forward with these projects without taking into account the opinions of the residents who have to live with those projects, to detrimental effect on the neighborhoods, the residents, and the relationship between Portland residents and the City. I had hoped this project would be different.

This project, quite simply, is going to destroy the view for a great many people in my neighborhood as well as impact the safety of West Commercial Street. I am especially disappointed that the height viewing scheduled to address concerns was scheduled for a time of day and day of week when many, if not most, of the residents in this neighborhood are at work. I'm trying not to be a cynic about why it was scheduled that way, but it does seem that if the City were really concerned about the thoughts of the residents, it would schedule this viewing, as well as public meetings related to this issue, at times that were easier for residents who have day jobs to attend.

Regarding the view itself, please keep in mind that not only residents of my neighborhood enjoy seeing the water. I often see cars (many of which do not have Maine license plates) pause when at the bottom of Clark Street. I sometimes see them pull over to the side of the road to look at the river, even occasionally getting out to take photos. It is hard to imagine anyone wanting to stop and admire the view if they're faced with a 70-foot industrial wall with compressors, unless they are taking pictures to show people at home how Portland stuck an ugly giant box right in the middle of what would have been (and was once) a spectacular view.

Of course, it's not only the view. Because of where I live, I'm a frequent traveler, usually by car but sometimes by foot, on the affected section of Commercial Street. Given the recent work to the intersection of Beach Street, the driving lane traveling west on Commercial Street is already dangerously tight at crowded times of day as the lane to turn onto the Casco Bay Bridge often backs up considerably and cars in the turn lane hug the center line. Bicycles often are at risk on either side, and pedestrians generally already avoid the area, and if they walk there at all now, walk up onto the (occasionally overgrown and not lit or marked) lawn near the old railroad right of way. When the sun is at the wrong angle, this stretch of road is already extremely dangerous. If Portland now adds to this mix an even larger volume of turning or entering tractor trailer traffic to this stretch of the street, (which my understanding was that the rail line extension for the

marine terminal was designed to assist with but has not eliminated) accidents involving cars, pedestrians, bicycles, and tractor trailers are sure to occur.

Part of what makes Portland the unique place where people stay and causes us to be on top of so many lists are our water views and the fact that, although our streets are getting more crowded, it's generally a safe place to be. As I have lived in Portland, I have seen views and uncongested streets being taken away from residents one neighborhood at a time. There is no reason why we can't preserve both the industrial nature of Western Commercial Street, the current state of traffic, and the views that residents of the neighborhood below Danforth Street and visitors to our city have enjoyed for many decades. Why can't we have both Americold, at forty-five feet, and water views and public safety, too?

Zack Paakkonen

Alice Neal-Paakkonen

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

----- Forwarded message -----

From: **ashley salisbury** <ashleysalisbury@gmail.com>
Date: Tue, Dec 6, 2016 at 9:12 AM
Subject: Americold Project
To: jpj@portlandmaine.gov

Jon,

I'm frustrated by several aspects of this Americold proposal:

1. Poor cost-benefit analysis. This project will have a steep cost to our city's tourist and residential appeal--the TRUE ECONOMIC ENGINE of our city. No warehouse will add enough benefit to our economy to compensate. Economic development means LONG TERM economic development. We are not a maritime economy; we are a tourist and relocater economy.
2. Disingenuous process. I'm disappointed by the lack of transparency from Mitchell and Needleman on this project--last minute disclosures, poor access to decision makers, everything Jo Coyne has outlined. Expect yet another EXPENSIVE LAWSUIT by citizens against the city.
3. Failure to address true public cost of this project:
 - The GATEWAY TO OUR CITY--the wonderful views as you drive along commercial street--will now greet commuters and tourists with a hideous white box.
 - Sunset views from HARBORVIEW PARK (used by hundreds per day) will be destroyed
 - Tens of thousands of COMMUTERS per day on commercial street and coming over the Casco Bay Bridge will have a HIGHLIGHT OF THEIR DAY--the view of the bridge and bay--ruined.

Maine is DIFFERENT, and that is why TOURISTS come and PEOPLE RELOCATE here. We are not driven only by dollars and short-term thinking, so please rein in this misguided effort to sell our waterfront.

Thank you again for your service and ear,

Ashley Salisbury

26 Brackett Street
Portland Maine

--
Jon P. Jennings
City Manager
City of Portland
389 Congress Street
Portland, ME 04101
(207) 874-8689 Office
(207) 874-8669 Fax
jpj@portlandmaine.gov
www.portlandmaine.gov

----- Forwarded message -----

PC45

From: **Eli Dale** <elidale@maine.rr.com>

Date: Sat, Dec 10, 2016 at 5:12 PM

Subject: Planning Board December 13 Agenda Change

To: sgo@portlandmaine.gov, wbn@portlandmaine.gov

Cc: sthibodeau@portlandmaine.gov, estrimling@portlandmaine.gov, jpj@portlandmaine.gov, bigwhitebox@gwi.net

Dear Planning Board and co-conspirators,

So you decided to postpone the Americold zoning ordinance violation (oh, excuse me, "text change") to another day. Because the Economic Development Department – showing clear bias – finds building an out-of-scale white box on the waterfront "exciting." They need more time to come up with excuses for Americold's bait-and-switch. They need to strategize. And they asked nicely, I guess.

Well, I am now going to ask you nicely: Stop playing games with public comment. Stop being the handmaiden of developers. Stop trying to sneak things past us by changing an agenda four days before a meeting. Confer with *all* stakeholders before you change an agenda.

The damage you have done cannot be undone. Congratulations, you achieved the goal of screwing up public participation in this issue.

People in the West End have worked very hard to keep each other notified of activities regarding Americold. I guess someone in the EDD heard that flyers had been delivered door to door alerting citizens of the meeting on December 13. So what do you do? You hide the matter up your sleeve.

Folks who don't hear about the agenda change will come on December 13 and find they have been bamboozled. They might even get mad at neighborhood organizers, thinking this has become a wild goose chase. Others wait for an undisclosed new date while EDD stays in bed with Americold. Meanwhile, EDD and Planning get to hope that West Enders will not have the energy to put out another flyer. Maybe we'll only have four days notice of the new date and won't be able.

BTW, generally we are not anti-industry or anti-Americold. We are against violating our neighborhood height rules. It is possible to be in favor of development without ruining the quality of life here.

And once again, Planning reinforces its reputation of doing everything it can for developers while ignoring a duty to keep Portland livable.

Very Sincerely,

Elizabeth (Eli) Dale

Salem Street

Hi Bill,

Sadly we are out of town so will not be at cold storage meeting tomorrow.

We strongly support option 2:

Add cold storage as a permitted use BUT retain the 45' height restriction for the entire zone with the exception of the cold storage building the height of which is limited to 70' -including mechanicals I hope!

The cold storage business is an economic engine for portland. BUT Increasing the height of the entire zone to 70' will result in the walling off of commercial st from the water. This is the gateway to our "city by the sea". Option 2 accommodates the cold storage but does not sacrifice the waterfront as has happened in Hartford CT.

Best, Sonia and Jock Robertson

Dear Sirs,

I have lived on the hill overlooking the Fore River for 45 years. It is a very pleasant view but not an ocean view. It is an activity view with trees, buildings, boats, cranes and people doing things. In the past, I often walked my dog along the railroad tracks on the shore of the Fore River below my house. I loved the scenery, but it was not the beauty of raw nature and the sea I saw; it was an historical scene; a mixture of rotten railroad ties, deteriorating shipping piers, old bollards waiting longingly for a docking line. It had it's own sad beauty, reflecting former years when this area was the center of bustling commerce, with ships unloading their cargo to grain elevators and railroad cars and connecting the sea to the land. I remember thinking what a great part of the harbor this was how nice it would be to find some way to bring it back to life, instead of having it remain a sad, derelict reminder of the vibrant past. It looks, now, as if we may have found the ideal lead players in Eimskip and then Americold, and we need to do our best to accommodate their needs as well as our own.

Our City Planner has put together a productive series of community discussions, and most of us have had a chance to share our opinions. We all have our own personal interests and preferences, some large and some small. Some can be accommodated, some cannot. As we work toward the best solution, let us not lose sight of the big picture, that is, the value to the community of having a clean, productive and economically viable industry using this precious piece of property in the most appropriate way and adding real vitality to our working waterfront.

Jeremy R Morton, MD
75 Vaughan Street

----- Forwarded message -----

From: peter green <plgmaine@yahoo.com>

Date: Tue, Oct 25, 2016 at 7:24 AM

Subject: Fw: western waterfront building height

To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

PC48

On the good side, a big Americold building would be an excellent opportunity for public art, on it's sides and even on top. I'd vote for that.

----- Forwarded Message -----

From: peter green <plgmaine@yahoo.com>

To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

Sent: Tuesday, October 25, 2016 7:00 AM

Subject: Fw: western waterfront building height

Good morning Bill,

I don't need you to reply as I just read the article explaining things in the PPH.

I'll go on your record right now as someone who thinks 45 feet is enough for anything on the waterfront. I see no good thing about building part of what will develop into a tall wall of buildings blocking the rest of the city from seeing things. I feel the same way about the architecturally BORING and ANTISEPTIC wall that will be built on the east end.

And a question I would ask is that if Americold goes bankrupt and leaves that giant box there, a condition be put in its original approval (if it even gets one) that it remove the building before it goes belly-up.

See you at the meeting.

Peter Green

Dear Ethan, Spencer and Tuck:

We are writing to express our opposition to proposals to amend current zoning to permit a 70 foot cold storage warehouse and raise height limits to 70 feet along the Western Waterfront.

The proposals before the Planning Board challenge the best interests of the neighborhood and the city in at least seven ways:

1. The value of waterfront: Over the past 30 years most cities have been trying to make the most of their waterfronts as unique and beautiful places that attract tourists and residents alike, with the kind of success Portland has seen already in the Old Port and is encouraging in the East End. The Fore River has equal potential in this regard. In another twenty years, the big tanks remaining along the River are likely to be gone. When these are gone, the Fore River from Thomson's point to the Casco Bay Bridge could become a beautiful shoreline and avenue attracting wildlife, residents and visitors to Portland and South Portland. By allowing the Americold and other enormous warehouses along West Commercial St., however, the City will be blighting this part of Portland and South Portland for the next 50 years, foreclosing any uses other than industrial.
2. Stretching "marine uses" till they break: Portlanders have made it clear in old and new Comprehensive plans that they are in favor of a working waterfront, and "marine uses" have been part of zoning requirements for the waterfront. We don't know what percentage of goods in the Americold Warehouse will actually be arriving or departing by ship. It would be terrible to sacrifice the Western Waterfront to permit the construction of the Americold behemoth only to discover that half of it is being used for goods that could, and should, have stayed off the peninsula at Americold's Reid St. warehouse.
3. Scale: The Americold warehouse's proposed height of seventy feet is out of keeping with the entire city's scale. The proposed building will be a blight on the City reminding us of other eyesores, such as Portland House on the Eastern Prom, or the Franklin Connector. Have we really not learned anything from such huge and poorly conceived projects? A monster cargo hub despoiling the City's entrance is poised to be the next in Portland's architecture of shame
4. Taxes and property values: A wall of warehouses and a truck corridor will seriously compromise the value of the neighborhood that has begun to flourish up the hill from Commercial Street. Residents who have invested in reviving properties that used to be run down and ignored and are now paying significant property taxes to the city.
5. Costs and benefits: It is unclear to us as Portland citizens what calculus the City is using to consider these proposals. Where are the data to support these

proposals? What promises have the City and State made to woo and keep Eimskip and Americold on the Western Waterfront? What are the costs to taxpayers? What are the hoped for returns? The public deserves to have answers to these questions. To maintain trust between the City and its citizens it is essential for the City to practice 'open government' and make clear what the calculus of gain and loss has been for the parties involved. Particularly for the neighbors whose losses in terms of added noise, pollution and traffic, and loss of views and property value have not apparently been included in the City's considerations.

6. Truck traffic and noise.: Where is evidence of the City's examination of the noise and traffic impacts of increasing numbers of trucks? The noise of trucks backing up is already challenging for neighbors and we can only imagine how much worse it will be should the Eimskip and Americold facilities want to go to a 24/7 schedule.
7. Declining air quality. It's likely that air pollution in this part of Portland is already considerable, wedged as it is between two major bridges, flown over by airplanes coming and going from the airport, and serving ships that may use problematic fuels (see: <http://www.enfos.com/blog/2015/06/23/behemoths-of-emission-how-a-container-ship-can-out-pollute-50-million-cars/>) The EPA has called out US ports for the pollution released by ships, trains and trucks. (<https://blog.epa.gov/blog/2016/09/air-pollution-at-our-nations-ports-can-be-reduced-now/>) Particulates from diesel exhaust are significant contributors to deterioration of human health and well-being. (<https://www.arb.ca.gov/research/diesel/diesel-health.htm>) A cold storage warehouse that will be operating refrigeration units 24/7, and many more trucks using diesel fuel and emitting more particulate pollution will add to an already challenging situation for residents.

We would prefer that the City not grant permission to raise any height limits on the Western Water front beyond the current maximums, for the Americold warehouse or for the rest of the Western Waterfront zone .

If however, you view some change as essential, we ask that you think deeply about the Western Waterfront as a gateway to the City – an entrance that serves as an invitation to residents and visitor alike to enjoy values that we all hold: respect for nature, history, and equity. Thomson's Point nearly succumbed to a developmental fate akin to that currently threatening the Western Waterfront. Instead, it's now becoming a lively and attractive site further up the Fore River thanks to imagination and hard work by a creative coalition that formed when big business plans evaporated.

If the City of Portland is determined to sacrifice a beautiful aspect of the West End, it should still give neighboring residents a way a way to preserve and enjoy their waterfront and offer those entering the City a fitting welcome. Many waterfronts in many cities are in congested areas, and even those manage to build walkways, greenways,

and pocket parks. With imagination and thoughtful design for the entire Western Waterfront, the City can and should make sure that West Commercial Street embodies an invitation welcoming the rest of the world to Portland.

Pamela Shaw and Kent Redford 12-6-16

WESTERN PROMENADE NEIGHBORHOOD ASSOCIATION

December 8, 2016

Portland Planning Board
City of Portland
389 Congress Street
Portland, ME 04101

RE: Proposed Changes to the WPDZ

Dear Members of the Board:

Residents of our neighborhood are well aware that it is bounded by two long-established industrial zones, the IMb and WPDZ. Text provisions in both are intended to strike an appropriate balance between business and residential uses.

WPNA has been educating itself since the City announced, with the Americold project as a catalyst, that it proposes three (now four) options to amend the WPDZ. We have held a general neighborhood meeting to solicit reactions from residents, held several small-group meetings with those most affected, met with City staff and Americold representatives, and received a primer from a warehouse engineer.

With this background, WPNA offers the following comments on the proposal before you:

~~First, it must be recognized the WPDZ really consists of four informal "subzones": 1) the MPA parcel (including the Americold site); 2) the Portland Yacht Services parcel, now partially developed; 3) the Cianbro site; and 4) the Merrill/Sprague site. As currently operating, each of these has different uses and different impacts on the affected neighborhoods.

~~There is only one specific proposal in the public domain, the proposed Americold warehouse facility, intended to support the Eimskip container operation. That proposal has changed from the concepts originally submitted to the MPA. WPNA believe that the burden of proof must be placed on Americold to adequately justify to the Board why the increase in maximum height is required to assure a feasible project. If, as a result, a zoning change is approved, we would like to see specific reference to design requirements, allowed hours of operation, noise limitations, lighting mitigation, etc. We recognize that there are performance standards in the existing code, but would like to see site-specific performance standards for this major operation.

~~Further changes to the WPDZ should not be approved at this time and until the community has the opportunity to assess the myriad impacts of the Americold project as it begins operations in a completed facility.

~~As has been identified, the western waterfront is a major gateway to the City of Portland. Recognizing that it is a long-established industrial site, there should be sufficient time allowed for thoughtful community-based planning to assure that uses dependent on the **deep water** (not just water access) contribute to a visually appealing gateway impression and not a massive over-development of the site, which the current zoning appears to preclude and which protections appear to be substantially changed in the proposals before the Board.

From a variety of perspectives, our western waterfront is a significant asset for the City of Portland. **It is essential to continue to seek the proper balance between business and residential interests.**

Thank you for your careful consideration of these points.

Sincerely,

A handwritten signature in cursive script, appearing to read "Anne B. Pringle".

Anne B. Pringle
President

Elizabeth Dale
40 Salem Street
Portland, ME 04102

December 5, 2016

Dear Editor:

Why must Portland's City Hall always buckle under to the demands of developers at the expense of her citizens?

Word seems to have gotten out that any developer that wants to violate Portland's building codes just needs to ask and it shall be given. One of the latest: the shameless bait-and-switch by Americold, which made a bid to build a cold-storage facility on property on the western waterfront, knowing full well the height restriction in that zone was 45 feet. They even presented preliminary sketches of buildings which conformed with code.

"Oh," Americold now says. "We need 70 feet." "Okay," says City Hall, "Whatever you want!" Then they spout whatever talking points have been handed to them about being "a world-class port." Then we have to go to meetings to ask them to do their jobs.

Dear City Hall: Please enforce the ordinance. Please don't make us sue you (again). Please remember you are *civil* servants, not corporate servants. Please remember who pays your salaries.

This is not a NIMBY complaint. I haven't met a single person in the West End of Portland who objects to having industry at the shoreline here. We like Eimskip. We like Portland Yacht Services. We just want our corporate neighbors to be *good* neighbors. Not only should Americold comply with the current code, but they should also commit to aesthetic upgrades: a beautiful mural on the side of the building; a green roof; a varied facade. Americold, you are welcome here if you work on fitting in as a neighbor. Otherwise, please just withdraw and go back to your cave.

Sincerely,
Elizabeth Dale

Portland Press Herald

Posted December 9

Letter to the editor: Portland City Hall seems to tell developer Americold, ‘Whatever you want!’

Why must Portland’s City Hall always buckle under to the demands of developers at the expense of her citizens? Word seems to have gotten out that any developer that wants to violate Portland’s building codes just needs to ask and it shall be given.

One of the latest: the shameless bait-and-switch by Americold, which made a bid to build a cold-storage facility on property on the western waterfront, knowing full well the height restriction in that zone was 45 feet. They even presented preliminary sketches of buildings that conformed with code.

“Oh,” Americold now says. “We need [70 feet](#).” “OK,” says City Hall, “Whatever you want!” Then they spout whatever talking points have been handed to them about being “a world-class port.” Then we have to go to meetings to ask them to do their jobs.

Dear City Hall: Please enforce the ordinance. Please don’t make us sue you (again). Please remember you are civil servants, not corporate servants. Please remember who pays your salaries.

This is not a “not in my backyard” complaint. I haven’t met a single person in the West End of Portland who objects to having industry at the shoreline here. We like Eimskip. We like Portland Yacht Services. We just want our corporate neighbors to be good neighbors.

Not only should Americold comply with the current code, but they should also commit to aesthetic upgrades: a beautiful mural on the side of the building; a green roof; a varied facade.

Americold, you are welcome here if you work on fitting in as a neighbor. Otherwise, please just withdraw and go back to your cave.

Elizabeth Dale

Portland

<http://www.pressherald.com/2016/12/09/letter-to-the-editor-portland-city-hall-seems-to-tell-developer-americaold-whatever-you-want/>

Portland Press Herald

Posted October 27

Letter to the editor: Cold storage building height will ruin waterfront views

As optimistic as the concept “The sky’s the limit” is, in Portland it is an Achilles’ heel: i.e., “a weakness in spite of overall strength, which can actually lead to downfall.”

I grew up with a panoramic view of the New York skyline from the cliffs of Weehawken, New Jersey, before moving to New York, where I had the opposite view of the towering Palisades, both views totally unobstructed.

Later on, in San Francisco, I enjoyed a view of the iconic Golden Gate Bridge. Fourteen years ago, my wife and I left the City by the Bay for Portland, a beautiful historic seaport, where we enjoy another compelling view – the Fore River – from a house that was built by a sea captain.

What if these views were suddenly taken from us? What would be the appeal for residents and tourists? Think of our poor Captain Nathaniel Dyer’s wife if she couldn’t look out over what is now Commercial Street to see if her long-absent husband was on his way home in time for dinner!

We need to engage in serious thought to Americold’s plan to build a 70-foot-high white box cold storage building at the International Marine Terminal, on the western end of Commercial Street’s “waterfront.” Ostensibly, Americold’s plans for this facility are beneficial, nurturing and geographically suitable to Portland’s economy – if they think 45 feet, not 70 feet.

This area has been developing rapidly, with the Gulf of Marine Research Center and Courtyard Marriott fast becoming an attraction for the lucrative tourist trade and new business, including the highly appreciated Eimskip, from India Street along the picturesque waterfront out to the Gateway to Portland.

Let’s continue to enhance our waterfront, not destroy it by changing our slogan from “The sky’s the limit” to “Our waterfront is the limit.”

Frank E. Reilly

Portland

<http://www.pressherald.com/2016/10/27/letter-to-the-editor-cold-storage-building-height-will-ruin-waterfront-views/>

Portland Press Herald

Posted November 7

Letter to the editor: Strict oversight critical to Portland waterfront development

The stretch of the Fore River running from the Veterans Memorial Bridge to the Casco Bay Bridge is now under a bright light, thanks to a proposal from the cold-storage company Americold and the city's Economic Development Department for a zoning change to raise building heights on West Commercial Street to 70 feet from the current 45.

This proposal has come up quickly, and unfortunately, Portland doesn't have much of a plan to guide what and how development happens. So we should pay close attention to big decisions, especially one that would permit the erection of 70-foot warehouses on a key vista and entrance to the heart of Portland.

There's great potential for positive economic development for the city in the "portification" of this area, and it's already happening, with the help of Eimskip, for example.

However, with that development should come the responsibility to ensure we don't sell off the extraordinary mix of vistas, architecture, water and green that makes Portland unique.

In fact, the city has an opportunity to create a truly groundbreaking mixed-use corridor along the Fore River. Let's hit pause on increasing height limits till we can get all those committed to this part of Portland to contribute to a plan that takes into account aesthetic, environmental and economic interests. Together we can create an iconic and appropriate gateway to the city.

Pamela Shaw

Portland

<http://www.pressherald.com/2016/11/07/letter-to-the-editor-strict-oversight-critical-to-portland-waterfront-development/>

Portland Press Herald

Posted December 15

Updated December 15

Letter to the editor: To be a good neighbor, Americold needs to follow Portland zoning rules like everyone else

Americold's request to alter zoning restrictions on the western waterfront should send ripples of concern through all Portland property owners.

Property taxpayers rightfully expect established zoning standards to be upheld. If city officials advocate for zoning changes at the whim of every developer or project proposal, we cease to have effective zoning. It is a paradigm of corrupt governance.

Suggesting that neighbors are rallying around their scenic view is an overt attempt to mitigate the real concerns of property taxpayers. Zoning must be applied equally, regardless if the investor is a local private developer or if the heavy hand of the LePage administration backing a corporation out of Atlanta.

Neighbors of the proposal are not anti-development. On the contrary, the neighborhood has long encouraged development of an area long fallow. Their common perspective and desire, however, is that their neighbors be held to the same standards to which they are held. It is the golden rule of building community.

Americold won a contract and, by their own admission, found themselves unable to deliver without changing the zoning parameters. Instead of acknowledging their failure, they are asking neighbors to shoulder the burden. They are asking for the rules not to apply to them. It is difficult to imagine anything less neighborly.

Gary Wagner

Portland

<http://www.pressherald.com/2016/12/15/letter-to-the-editor-to-be-a-good-neighbor-americaold-needs-to-follow-the-zoning-rules-like-everyone-else/>

August 16, 2016

Patrick Ballard, Vice President
Business Development, Consumer Packaged Goods & Protein Sector
Americold Logistics LLC
10 Glenlake Parkway, Suite 600
Atlanta, Georgia 30328

Dear Mr. Ballard,

As neighbors of the cold-storage warehouse Americold is planning to build next year in Portland, Maine, we are writing in hopes of beginning a dialogue about its design and siting.

The building will span perhaps two acres of waterfront land, making it the largest landmark for thousands of people entering Portland daily from Interstate 295 onto West Commercial Street and over the Casco Bay Bridge. We believe the warehouse could be a notable gateway building for Portland's waterfront, with innovative environmental and design elements that would generate significant good will and good press.

We understand this warehouse needs to be bulky to maximize its cubic footage. A recent research report by the commercial real estate company Jones Lang LaSalle noted that new cold storage buildings have a preferred ceiling height of 36 to 40 feet. We hope the Portland building will be on the lower end of that range to help maintain a sense of scale suitable for the city's waterfront. In addition, without exceeding a reasonable construction budget, the building's facade could incorporate appropriate architectural elements, materials and massing to reflect its status as a gateway building, rather than an expanse of white wall panels.

In view of Americold's record of environmental stewardship, a green roof seems like a natural fit. It would reduce Americold's municipal stormwater-runoff fee and reduce the building's energy demands by as much as 10 percent. It would also be a remarkable visual statement seen by many people, including airline travelers during the standard low-altitude descent into Portland's Jetport.

A built-in-place green roof would add upwards of \$8 a square foot, but cooling equipment would last longer, as would the roof itself, protected from temperature extremes and ultraviolet radiation. As one example of longevity, Ford Motor Company planted out a 10-acre factory roof in Dearborn, Michigan, a dozen years ago, with a life span of another 25 to 50 years.

Finally, in order to maintain view corridors on either side of the warehouse, we would deeply appreciate any design and engineering elements that would reduce its length parallel to West Commercial Street, such as using an automated retrieval system and extending the building footprint farther toward the river.

We would be happy to meet informally with Americold representatives to discuss how our desires as your future neighbors and your functional needs can meld in a positive way. Thank you very much for your time and attention.

Sincerely,

Mark McCain, 45 Summer Street, Portland, Maine 04102 smarkmccain@yahoo.com

Jo Coyne, 36 Salem Street jocoyne@gwi.net

Elizabeth Dale, 40 Salem Street elidale@maine.rr.com

Norris Dale, 40 Salem Street ndale@norrisdale.com

Justin Funk, 90 Salem Street funkj82@gmail.com

Rachael Harkness, 25 Summer Street weyand.rachael@gmail.com

Seth Harkness, 25 Summer Street seth.harkness@gmail.com

Rachel Kobasa, 40 Brackett Street rachel.kobasa@gmail.com

Peter Lawrence, 5 Bond Street plawrenc@gwi.net

Dr. Mary McCann, 49 Summer Street drmmccann@gmail.com

Sara Miller, 96 Salem Street snpdrgn@maine.rr.com

Caitlin Mushial, 36 Clark Street cmushial@yahoo.com

Erik Mushial, 36 Clark Street erik@allmtngroup.com

Pilar Nadal, 40 Brackett Street pickwickindiepress@gmail.com

Karen Sarfaty, 46 Salem Street sarfatyk@gmail.com

Mike Stone, 116 Salem Street mstone800@gmail.com

Sidney St. F. Thaxter, Esq., 49 Summer Street sthaxter@curtisthaxter.com

Jeannie Verrando, 116 Salem Street jeannieverrando@gmail.com

Cornelia Walworth, 45 Summer Street walworthmccain@maine.rr.com

**cc: Fred Boehler, President and Chief Executive Officer, Americold
John Henshaw, Executive Director, Maine Port Authority
Barbara Barrydt, Development Review Manager, City of Portland**

(Also sent by electronic mail 8/16/2016)

Posted November 3, 2016

La Vida Local: Irregular Notes on West End Life / by Rosanne Graef, Past President – WENA

Today's Topic: The Uglification of the Jewel by the Sea

When the Editor of the West End News announced that this month's theme would be "Looking Ahead," I thought, "Great! We can finally move on from the endless campaign!" The uglification topic is not, however, without controversy. As such, please note that the sentiments expressed in this article are solely my own and do not represent those of the West End Neighborhood Association..

If you've been living in Portland for longer than a couple of weeks, you're probably aware of the tensions and discord that have bubbled up around the city in response to any number of development proposals. This is a natural and healthy occurrence. Especially true when the resultant structures will change the look and feel of a neighborhood for many years to come.

What's often most disheartening, though, are not the changes themselves. Rather, be concerned about the round-about way their proponents wriggle them through the permitting process. A straightforward request gets modified, adjusted or expanded to the point where residents who initially endorsed an idea become vehemently opposed.



View from 58 Fore Street. The 2015 Ballot Question 2 asked voters to protect this view from development.

WPDZ and Americold

Case in point is the Waterfront Port Development Zone (WPDZ) on West Commercial Street between the Casco Bay Bridge and Veterans Bridge. Over the past few years, land parcels have changed hands amongst various state, city and private players. The end vision is to resurrect marine-related activity along that stretch. Overall the residents of the immediate neighborhood are supportive of these efforts. Eimskip, the International Marine Terminal and extension of rail access, as well as Portland Yacht Services are largely welcomed waterfront uses.

Now it looks like that honeymoon is approaching its end. The Portland Economic Development Department is requesting a text change in the WPDZ to allow taller buildings, increasing from the current 45' to 70'. Specifically, this change is in support of a cold storage building to be built by Americold which won the City's RFP in 2015 for such a facility. Although looking at an unimaginative big white box is no one's idea of a great view, at 45' it was something that could be lived with. Especially, in light of the economic benefit that would result.



An “ugly” white box could come to dominate the view of the Western Waterfront. Above model is a height study block and not an architectural drawing. -Americold WPDZ Text Amendment (Memo and Attachments), Planning Board materials, October 18, 2016

For Whom Does the Economic Development Department Work?

In August, some informal meetings between city, state and Americold officials and consultants and residents of the neighborhood took place. At those meetings, most residents' concerns focused on the monolithic façades that cold storage facilities present to the world. This was also true at an initial presentation by project consultants Woodard & Curran to the West End Neighborhood Association.

The inappropriateness of that kind of structure facing a highly desirable and expensive residential area seems apparent. Also, consider the sterility and charmlessness a giant warehouse would present to travelers along Commercial Street, one of the more heavily used roadways on the peninsula.

People spoke of color, landscaping, surface materials, visibility of activity. Moreover, they urged Americold to recognize that this parcel of land next to the Fore River is not tucked away in an industrial park. It is in a prime location in one of the most scenic cities on the East Coast. Neighbors want Americold to develop their design with these considerations in mind.

This is when the wriggling began. By the time of a neighborhood meeting on October 13th to present initial concept designs, somehow 45' became an unworkable height limitation. And so the Economic Development Department began the process of requesting a text change in the WPDZ. Indeed, this text change could allow the cold storage building to tower 70 feet on a 120,000 square foot footprint. This is textbook uglification.

Nobody likes to start playing a game and have the ref change the rules after the first round. But it certainly feels like that's what's happening here. Who in City Hall is looking out for the already-developed residential neighborhoods? Is anyone? Or do the charms of the latest suitor always hold sway? Who will stop the uglification of Portland?

<http://www.thewestendnews.com/>

Fwd: Western Waterfront Zone Text Change Workshop postponed

1 message

William Needelman <wnb@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Dec 20, 2016 at 3:39 PM

Comment for posting.

Bill
Bill Needelman
Waterfront Coordinator
Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wnb@portlandmaine.gov

----- Forwarded message -----

From: **Elizabeth Parsons** <ecparsons33@hotmail.com>
Date: Tue, Dec 20, 2016 at 1:57 PM
Subject: RE: Western Waterfront Zone Text Change Workshop postponed
To: William Needelman <wnb@portlandmaine.gov>

Hi, Bill:

Thanks for the notice below. Herewith, a few observations about the Americold project specifically and West Commercial more generally from my perspective as a West Ender.

If it is true that Americold responded to the RFP with a building plan that met current code limits; got that plan approved; and subsequently said they'd need a height variance of such magnitude, then that looks like a classic "bait and switch" maneuver. The City's response should be to push back hard, not to capitulate.

West Commercial could be a wonderfully inviting entrance into the City especially in contrast to the very dreary Congress Street entrance off I-95. Careful thought, though, that balances aesthetics, ecological responsibility, and economic interests needs to go into it all. Ideally, the new master plan would do this sort of thing. But, the number and types of construction projects courted and/or approved throughout the City over the past few years do not instill confidence that there is sufficient interest in doing such visionary planning *and in sticking with it*.

Time remains, however, to do things appropriately on West Commercial. The redeveloped IMT has turned out nicely. The Sprague buildings fit well as, of course, does the tree planting on the side opposite the new rail spur. So it's quite possible for Portland to devise something noteworthy and healthy for the rest of West Commercial over the next several years.

It will take a lot of hard work on the part of everyone, however, to make sure we find common ground. I hope City officials are willing to do this. Quite a number of us in the West End are and I'd be happy to expand on anything I've

said here if need be.

Warm regards,

Liz Parsons

Winter Street

From: William Needelman [mailto:wbm@portlandmaine.gov]
Sent: Monday, December 12, 2016 11:47 AM
To: William Needelman; O'Brien, Stuart; Mitchell, Greg; Grondin, Jessica
Subject: Western Waterfront Zone Text Change Workshop postponed

To Western Waterfront neighbors and interested parties,

With the agreement of the Maine Port Authority and Americold, the City of Portland Economic Development Department has requested to postpone the December 13 Planning Board Workshop to consider text amendments to the Waterfront Port Development Zone.

The EDD and proponents of the amendments request additional time to better document and illustrate design concepts that reflect the potential of Portland's International Marine Terminal and the working waterfront.

The next meeting has not yet been scheduled, but we have requested a place on a Planning Board agenda in the month of January to keep potential development options on track.

Please forward to any who may have been interested in attending the meeting. Apologies to all who may be inconvenienced by this change in schedule.

If you have any questions or comments, please contact me at any time

Bill Needelman
Waterfront Coordinator

Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wbm@portlandmaine.gov

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.

Fwd: Zoning changes : Americold

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Fri, Dec 23, 2016 at 2:54 PM

----- Forwarded message -----

From: <bluesmegsun@securespeed.us>

Date: Wed, Dec 21, 2016 at 8:11 AM

Subject: Zoning changes : Americold

To: sgo@portlandmaine.gov

Good morning Mr. O'Brien,

I am writing as a west end home owner & city of Portland property tax payer. I do hope, at this point, that those of us who want a zoning height restriction to be respected & the growth of this great city to be slowed down that you do not refer to us as "anti-development".....nothing could be further from the truth.

I am writing in opposition to this considered 70' zoning change for Americold because when they began their presentation of a storage facility 45' was fully workable & what they were asking for. AS we've seen with so many of these development projects, which are eating up our city at an alarming rate (undoable once done), the bait & switch takes place which is exactly what happened with this project.

I fully respect & want a working waterfront but in regard to these cold storage containers reaching 70' along the Commercial St stretch affecting property owners, their property values & the fabulous Commercial St views I am absolutely against a change that would allow opening this kind of development going down the line.

I could go on listing all of the reasons why I believe the zoning restrictions should NOT BE changed but I think & hope, by now, that you understand what the issues are. I am writing as a woman who has raised her family, established a great business & owned a wonderful old building in the West end & pay extraordinary taxes for my property. We are the backbone of this great city but somehow decisions are being made that impact our quality of lives here & that our input is somehow looked at as "anti" everything instead of information that is honest & has everything to do with our quality of lives.

I love Portland ME but watching what has been allowed in the development of this city, particularly with respect to the VERY high-end condos displacing so many people in a very short time, I am very disappointed.

Please share this with the economic development panel as someone who OPPOSES this considered zoning change.

Thank you for your time.

Most respectfully, Deborah McCoy 185 Clark ST.

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

Fwd: concerns

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:01 AM

----- Forwarded message -----

From: <pamelashelp@aol.com>
Date: Mon, Dec 26, 2016 at 11:47 AM
Subject: concerns
To: sgo@portlandmaine.gov

Dear Tuck O'Brien, and Board Members,

I am writing to share my concerns regarding the proposed zoning change to the Working Waterfront, Portland's West End.

I was on the Board of "Portland West" also, I was appointed V.P. of that Board in the 80ies. When issues concerning the use of the waterfront were presented, we as a Board, focused our energies on strongly supporting that the Waterfront be zoned for Commercial use. Our vision at that time was commercial fishing, and related needs. Our vision was supported. Thankfully. I'm disheartened to think that so little attention to detail is focused today on the Waterfront with this new proposal to expand zoning height from 45' to 70', to accommodate multiple (short term) requests from Americold. As well as Ptd Yacht Services, et all. ...The impact of this zoning change is deplorable. To block this stretch of Commercial Street from it's "view" is unthinkable!!!..

This pristine corridor welcomes folks to the Old Port, and the City of Portland! Magnificent for those visiting via automobile. Traveling this corridor to our City. To block this strip of Nature remaining is unconscionable. This is valuable, visual pristine land...Irreplaceable to those of us living in the area. To destroy more of it is unthinkable!!!

Changes to this corridor demands strict attention to detail. Planning. A VISION for this corridor is essential.

Raising the zoning height does not in any way satisfy the "vision" of the Board of the 80'ies....or of long term planning for today's world.

As an aside..my son, now 32, used to plant a tree down there on every Birthday..thru his growing years...Now, that little "forest" is gone! Sadly. One families story of accessing that waterfront...now blocked from use. Heart breaking!!!

Please, do not approve the increase in zoning...

Pleas, do have a long term vision for this egress to our City.

Thank you for your time.

Sincerely,

Pamela W. Shelton

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Western waterfront

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:02 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: <plawrenc@gwi.net>

Date: Fri, Dec 30, 2016 at 2:09 PM

Subject: Western waterfront

To: sgo@portlandmaine.gov

Dear Planning Board member:

The proposed 70-foot height limit in the western waterfront industrial area raises significant concerns about potential uses and activities there. It would allow certain types of development that should be located elsewhere, other than on that narrow strip of land along the valuable shoreline.

Please keep the maximum height at 45 feet, carefully control the proposed uses in that area, and register my opposition to the 70-foot limit.

Peter Lawrence
5 Bond St. (in the Salem-Danforth area)
Portland 04102
772-8717

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: (207) 874-8724
Cell: (207) 553-0255

Fwd: Waterfront zoning - Portland's future is in jeopardy

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:03 AM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: **Justin Funk** <Justin.Funk@partnerspharmacy.com>

Date: Tue, Jan 3, 2017 at 7:55 AM

Subject: Waterfront zoning - Portland's future is in jeopardy

To: "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>, "JPJ@portlandmaine.gov" <JPJ@portlandmaine.gov>, "gmitchell@portlandmaine.gov" <gmitchell@portlandmaine.gov>, "WBN@portlandmaine.gov" <WBN@portlandmaine.gov>, "sthibodeau@portlandmaine.gov" <sthibodeau@portlandmaine.gov>

Cc: Jo Coyne <jocoyne@gwi.net>

Good morning,

I am writing to again voice my extreme displeasure with what is being proposed on the west end waterfront. It is clear for the citizens of Portland to see that a need for cold storage or another more suitable business can be met with the 45' building height already allowed through existing zoning.

Was this the plan all along? Trying to pull a bait and switch by building to 70' changes the focus from waterborne commerce to the warehousing. This should have been discussed publicly before going out to bid, not after.

It is troubling to think that everyone that enters Portland will be greeted with such an eyesore of a building. A white box? Really? Let's higher our standards, and keep our city great for everyone near and far, not lower them for the short term benefit of few.

Even more concerning is that the truck traffic on West Commercial will become much more of a nightmare. Entering the city will become dangerous merging into one lane with many more trucks along commercial.

When I purchased my home on the west end I did it because I was proud and excited to be owning a home in Portland and knew that the 45' building height would prevent any drastic changes to our beautiful, historic city. Do not ruin what we have. Let's find the best fit and a win win situation, not what some think is "exciting" for the wrong reasons.

There is nothing exciting about doing the wrong thing.

Sincerely,

Justin Funk
90 Salem Street
Portland, ME

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Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)

Fwd: FW: Americold building on Commercial St.

1 message

Tuck O'Brien <sgo@portlandmaine.gov>
To: Jennifer Munson <jmy@portlandmaine.gov>

Tue, Jan 3, 2017 at 11:57 AM

----- Forwarded message -----

From: **Sara Miller** <sara@snapdragonreps.com>
Date: Fri, Dec 30, 2016 at 4:40 PM
Subject: FW: Americold building on Commercial St.
To: "sgo@portlandmaine.gov" <sgo@portlandmaine.gov>

Dear Tuck,

I sent this over on Dec. 5th but noticed it was not listed in the public letters section so I was asked to re-send to you.

Thanks very much,

Sara

From: Sara Miller
Sent: Monday, December 05, 2016 1:02 PM
To: 'jpj@portlandmaine.gov' <jpj@portlandmaine.gov>; 'estrimpling@portlandmaine.gov' <estrimpling@portlandmaine.gov>; 'stibodeau@portlandmaine.gov' <stibodeau@portlandmaine.gov>; 'WBN@portlandmaine.gov' <WBN@portlandmaine.gov>; 'sgo@portlandmaine.gov' <sgo@portlandmaine.gov>
Cc: 'jsteinglass@woodardcurran.com' <jsteinglass@woodardcurran.com>; 'john.j.henshaw@maine.gov' <john.j.henshaw@maine.gov>
Subject: Americold building on Commercial St.

Good Morning,

I am writing with regard to the proposed building height exception that the city is seeking for Americold.

I live at 96 Salem St. and have been here for approximately 18 years and am 100% against raising the height allowance on future buildings being planned for the West Commercial St. waterfront.

I knew that the waterfront was coded as "working waterfront" when I purchased my home, however when I moved here, the area below my house only included the Star Match Factory.

At that time, there were no plans to erect tall buildings blocking the view & a 45 ft. height limit was on the books.

Several years ago, I attended meetings regarding Phineas Sprague's Yacht Services

plan to move his facility from the East End to the West End. Of course, he was not initially supposed to build where he ended up,

but sold off some of his acreage to allow Eimskip to come to Portland and consequently moved his buildings further West.

I watched his buildings go up with a lot of concern and consternation but was somewhat relieved to keep a very small part of the view I have so enjoyed, which was the

primary reason I bought this property.

There have been other "improvements" to the West Commercial St. corridor which have taken place over the course of the last several years including work on the railway line, new security walls, street improvements, etc.

We are contending with excessive noise from the new railway line and the many cars squeaking across the tracks day and night, which will likely only worsen in the future.

So yes, as residents who support a working waterfront that was on the books when we chose to reside here, we have already supported it and sacrificed quiet, views, etc. up to this point in time.

Now, we are being told that we need to go a step further. Americold, who previously agreed to a 45 ft. height limit, wants 70 feet. And now that they want 70 feet

Phineas Sprague would like 70 ft. for his new buildings which are in the planning stages West of his existing buildings.

There seems to be no problem with this and it seems that whatever Americold and any future builders want will get the okay without regard to the many residents & taxpayers who

are most impacted by this fateful decision.

Is there any thought to our precious waterfront, to the aesthetics of our city, to ruining our neighborhood and property values?

70 foot buildings will not only block the views on a long segment of our Western waterfront; they will most certainly ruin the feeling and aesthetics of a large historic neighborhood. This won't just impact our neighborhood, our view and our home values, but in addition will impact how our city looks to tourists and visitors driving in on West Commercial St.

(yes, those tourists and visitors who are essential to our local economy) This would also affect the view from South Portland; is there any regard to how driving across the bridge from South Portland and seeing a giant white nondescript building blocking everything will make people feel about Portland? What say do we have on something that affects so many of us to such a large degree? I believe that any new height exception is a fateful decision and should be taken very seriously by everyone involved.

I urge all council members, planning board members, Americold representatives, prospective architects, builders and Commercial St. property owners, and any other proponent of

the 70 foot height proposal to please rethink their stance on this. 45 feet is enough. 45 feet is what Americold originally agreed to. 45 feet is what Phineas Sprague originally agreed to. 45 feet will still impact our neighborhood & our view, and that is the height which was on the books when many of us bought our properties and settled in this very special neighborhood.

Please say NO to 70 feet!

Respectfully yours,

Sara C. Miller

Snapdragon Sales, Inc.

Sara C. Miller

P.O. Box 147

Portland, ME. 04112

Tel: 207 772-3755

Fax: 866 481-3755

Cell: 207 939-3807

Email: sara@snapdragonreps.com

--

Tuck O'Brien
City Planning Director
Department of Planning and Urban Development
Office: [\(207\) 874-8724](tel:(207)874-8724)
Cell: [\(207\) 553-0255](tel:(207)553-0255)



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Portland Planning Board meeting re: West Commercial Street

1 message

Tuck O'Brien <sgo@portlandmaine.gov>

Tue, Jan 3, 2017 at 2:45 PM

To: Jennifer Munson <jmy@portlandmaine.gov>

----- Forwarded message -----

From: **Sally Cody** <sally.cody@thorntonacademy.org>

Date: Tue, Jan 3, 2017 at 2:43 PM

Subject: Portland Planning Board meeting re: West Commercial Street

To: sgo@portlandmaine.govCc: JPJ@portlandmaine.gov, gmitche@portlandmaine.gov, WBN@portlandmaine.gov, sthibodeau@portlandmaine.gov

Members of the Portland Planning Board, et al.:

Please do NOT change the existing zoning which limits building heights to 45' on W. Commercial Street. We want to be able to continue to observe the renewed activity along W. Commercial Street and the Fore River. Our view has already been limited by previous construction.

Thank you,

Sara Anne Cody

78 Salem Street

Portland, ME 04102-3916

[207-773-6579](tel:207-773-6579)sally.cody@thorntonacademy.org

--

Tuck O'Brien

City Planning Director

Department of Planning and Urban Development

Office: [\(207\) 874-8724](tel:207-874-8724)Cell: [\(207\) 553-0255](tel:207-553-0255)

Commercial Street Zoning Issue

Mark Bessire <markhcb@gmail.com>

Jan 14, 2017 4:47 PM

Posted in group: **Planning Board**

Dear Planning Board of the City of Portland,

A few years ago the West End community worked with JB Brown to negotiate a deal together for a zoning change that worked for both parties. Today the city seems to have come to the community already having made the decision to change a zoning restriction that was not even requested. We feel strongly that the city is coming to the neighborhood because they have to - not because they want to work with us. This is the sad reason why Portlanders resort to referendum.

We support the development and growth of Portland but feel the city is giving up too much for too little return. The commercial street entrance to Portland is the last chance to have a gateway to the city that reflects our conservation efforts to keep Portland special. It is the city's amenities and culture that created our renaissance and we should not give up those qualities in favor of a zoning change that will forever destroy our last gateway. Hospitality and tourism is our fastest growing economic and jobs engine. Please do not change the zoning and jeopardize our success.

Please do not grant a full zoning change for the entire area under consideration creating a monolith of industrial buildings with no character that will hinder our true growth potential and not benefit the citizens and other businesses of Portland.

Thank you for your time and consideration of this matter.

Sincerely,

Mark and Aimée Bessire
314 Danforth Street
Portland, ME 04102





Posted January 16, 2017

Letter: Portland waterfront project 'a nonstarter'

In its winning bid to build a cold-storage warehouse in Portland, Americold Logistics promised “a showpiece facility ... (in) harmony with the local surroundings.”

But now Americold wants to erect the largest eyesore to ever call the city home: a box 68 feet tall, spanning almost three acres at the gateway to Portland’s waterfront.

You have to admire Americold’s chutzpah, proposing to build 55 percent higher than zoning allows on land it will lease, perhaps for close to nothing, from us Mainers. City staff wants to give Americold the bonus height with a zoning “text change.”

For Americold, it makes perfect sense to push the zoning envelope. After all, its cold-storage customers are focused on what’s inside the building. And its owners, led by the Los Angeles private equity firm of multi-billionaire Ron Burkle, are focused on profit.

Economic development is laudable, but City Hall is giving away the store to Burkle.

The problem with a 45-foot warehouse in Portland is not profitability, or sufficient size to serve the International Marine Terminal, but rather that Americold wants to shift trucked product from its Read Street warehouse to this site, which is zoned solely for port-related uses.

When chasing the holy grail of economic development in past decades, Portland has made judgment errors, often irreparable, that supporters considered faultless. This could happen today with Americold’s titanic warehouse. The Planning Board will be discussing the height increase Tuesday, Jan. 24, at City Hall. They should tell Americold the proposal is a nonstarter.

*Mark McCain
Portland*



Posted January 16, 2017

Letter: Portland waterfront zoning proposal is unfair

Americold's request to alter zoning restrictions on the western waterfront should plunge ripples of concern through all Portland property owners.

Property taxpayers rightfully expect established zoning standards to be maintained. If city officials advocate for zoning changes at the whim of every developer or project proposal we cease to have effective zoning. It is a paradigm of corrupt governance.

Suggesting neighbors are "rallying around their scenic view" is an overt attempt to mitigate the real concerns of property taxpayers. Zoning must be applied equally, regardless if the investor is local private developer or a corporation out of Atlanta, Georgia, backed by the Lepage administration.

Neighbors to the proposal are not anti-development. On the contrary, the neighborhood has long encouraged development of an area long fallow. Their common perspective and desire however is that their neighbors be held to the same standards to which they are held. It is the golden rule of building community.

Americold, by their own admission, found themselves unable to deliver on a contract without changing the zoning parameters. Instead of acknowledging their failure, they are asking neighbors to shoulder the burden. They are asking for the rules not to apply to them. It is difficult to imagine anything less neighborly.

*Gary Wagner
Portland*

Proposed development on Commercial St.

1 message

Aaron Bourassa <aaron@greatfallsinc.com>

Tue, Jan 17, 2017 at 6:00 PM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Hello Portland Planning Dept.,

As a lifetime resident of South Portland I am concerned about the visual impact and the traffic created by the proposed zoning changes on the Portland's western waterfront.

Commercial street is an important part of the the vista and gateway not just for Portland, but South Portland as well. Changing the zoning to 70' to build large warehouses would create a waterfront zone that is out of scale with the surroundings and would stand in the way of Portland's connection to the water.

I am also concerned about the added traffic associated with trucks entering and exiting by the bridge. For these reasons I believe that it is important that the planning board contain the size and scale of any Americold facility to the minimum required by Eimskip, and under any condition, remain within the existing zoning restrictions of the western waterfront.

Aaron Bourassa
62 Sawyer St.
South Portland
Maine 04106

The Gateway to Our City

1 message

Hawkes, Alison <ahawkes@capeelizabethschools.org>
To: jmy@portlandmaine.gov

Tue, Jan 17, 2017 at 3:32 PM

I am writing in regards to a proposal to extend the Americold height limit in our lovely neighborhood and our great city, from 45' to 70'.

First of all, last year I voted against a referendum to limit growth on the waterfront. I do want to encourage business and growth. At the time of the referendum, I was even aware that there was a proposal to build in front of our neighborhood. Had I know then that there was a proposal to almost double the height of buildings on the waterfront (apparently just in front of our neighborhood), I would have voted differently and also encouraged others to do the same.

I have accepted the changes in front of our house. I have made peace with the bright lights which seem like they are better suited for a football field with a game in progress. I am ok with the "elephant" crane which is frequently going, even on Sundays. I am ok with the beeping of trucks backing up, and the noise of the train. I am all for Eimskip, as long as they are a good neighbor, and are creating jobs.

I am NOT ok with a huge building that does not meet requirements we would ask at any other place in Portland. It is NOT about losing a view for me. This building will be an eyesore for our entire city. People coming across the "Million Dollar" bridge will see a building which is inordinately disproportional to the rest of the city. People entering the city from Commercial St will be greeted by this monstrosity. The boatyard there now is a nice entry and is aesthetically pleasing. If the cold storage was at the 45' height and more architecturally appealing, I still would not like it but I would accept this as an investment into our city.

I am very upset that this plan has even gotten this far. The planning board does not seem to care about the laws that were made, about the appearance of our city, nor about the lovely neighborhood above the proposed facility. I love our city and live here for diversity. I am not, however, inclined to accept lower standards so that an out of state business can make a profit.

Alison Hawkes
17 Summer St

Under Maine's Freedom of Access law, documents - including e-mail - about school district business are classified as public records and may be subject to disclosure.



Open Minds and Open Doors

Waterfront Port Development Zone text amendments

1 message

'peter green' via Planning Board <planningboard@portlandmaine.gov>

Wed, Jan 18, 2017 at 11:30 AM

Reply-To: peter green <plgmaine@yahoo.com>

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

January

18, 2017

To the Portland Planning Board:

I live in close proximity to the proposed Americold building and where zoning changes are proposed. If these changes are approved, unlike many of my neighbors, my current "view" will not be changed. However, their "view" and the "view" of the tens of thousands of people who daily drive by on Commercial St. will be like a solid punch in the eyes similar to the punch delivered by the Portland House on the Eastern Prom with its outrageous bulk and height.

Portland should not approve yet another architectural eyesore, residential or commercial.

I offer three remedies.

First, keep the reasonable height limit of 45' or raise it no higher than an absolute maximum of 55'.

Second, somehow require the building to avoid being a monolithic intrusion. Perhaps have it pass an architectural review by the Portland Architects Association.

Third, consider asking that rather than one monolithic building, Americold and Eimskip consider building two buildings which complement each other and have the same capacity.

I do have a pretty good “view” of Eimskip and the activity on Commercial St. and approve of and enjoy the the activity and development. Continued building is certainly necessary. However, worthy development must contribute positively to Portland in all directions, and not come at an irretrievable cost.

Thank you for your efforts,

Peter Green
Summer St.

Regarding Height allowance for Americold

Daniel Bushman <danielrbushman@gmail.com>

Jan 18, 2017 9:11 PM

Posted in group: **Planning Board**

To whom it may concern;

My partner and I recently moved to Portland so I suppose that makes us a part of the onslaught of new Mainers. I very much love living on the West End, and as a product of this large movement to make Portland home, a great generator of income for the city among other things, rent continues to rise. My partner and I are paying almost \$2 dollars per sq ft for our apartment. It is not glamorous, nor does it reside in a glamorous neighborhood. Though we are satisfied with this living space now, our satisfaction is primarily due to our view of the water. I am petitioning simply on behalf of fairness that if a building is constructed to block my view, then I would expect rent to be reduced to much more agreeable cost.

The question as I see it is: "Do we wish to maximize the value of our residential neighborhoods, or do we wish to maximize the value of our industrial zones?" The choice is not mine to make, but if I were on the board I would advocate for residential zoning being top priority. Case in point for those of us new Mainers hoping to stick around for a long while, build families and start businesses.

Sincerely,
Daniel Bushman

Waterfront Rezoning

1 message

Jeffrey Musk <jmusk82@gmail.com>

Thu, Jan 19, 2017 at 1:17 PM

To: planningboard@portlandmaine.gov

Dear Sir or Madam,

I am writing to express my strong support in favor of rezoning Portland's western waterfront zone to allow the construction of a cold storage facility in excess of the existing 45-foot height limitation. I believe that the benefits of increased maritime activity on Portland's historic waterfront far outweigh any adverse impact the construction of a facility with a height comparable to existing waterfront structures may have.

As a resident of the West End, I understand that homeowners with harbor facing properties may take issue with vistas being limited by new construction. I, however, feel that the potential economic impact of constructing and operating a modern warehouse facility, as well as the services provided by local businesses to vessels calling at the Port of Portland, must be taken into account.

The Port of Portland is one of Maine's three primary deep-water commercial ports. Allowing continued investment in Portland harbor helps our farmers, fishermen, and manufacturers by providing access to intermodal transportation solutions here in Maine while encouraging railway, truck and ocean carriers to move more freight into, and out of the state.

Having spent the early part of my career as a seafarer onboard cargo ships I have seen first-hand large scale commercial activity at modern ports around the world. I would like nothing more than for the Port of Portland to take every opportunity to participate in, and benefit from, global trade.

Jeffrey Musk

(Letter attached)

Mobile - (207) 239 9494

Mailing - Pine St., Portland, ME 04102



Waterfront Rezoning JAN 17.pdf

23K

January 19, 2017

Planning Board

City of Portland
389 Congress St., 4th Floor
Portland, ME 04101

Dear Sir or Madam,

I am writing to express my strong support in favor of rezoning Portland's western waterfront zone to allow the construction of a cold storage facility in excess of the existing 45-foot height limitation. I believe that the benefits of increased maritime activity on Portland's historic waterfront far outweigh any adverse impact the construction of a facility with a height comparable to existing waterfront structures may have.

As a resident of the West End, I understand that homeowners with harbor facing properties may take issue with vistas being limited by new construction. I, however, feel that the potential economic impact of constructing and operating a modern warehouse facility, as well as the services provided by local businesses to vessels calling at the Port of Portland, must be taken into account.

The Port of Portland is one of Maine's three primary deep-water commercial ports. Allowing continued investment in Portland harbor helps our farmers, fishermen, and manufacturers by providing access to intermodal transportation solutions here in Maine while encouraging railway, truck and ocean carriers to move more freight into, and out of the state.

Having spent the early part of my career as a seafarer onboard cargo ships I have seen first-hand large scale commercial activity at modern ports around the world. I would like nothing more than for the Port of Portland to take every opportunity to participate in, and benefit from, global trade.

Jeffrey Musk

americold

Deb Keenan <debkeen2@cs.com>

Jan 21, 2017 12:14 PM

Posted in group: **Planning Board**

Dear Planning Board Member:

I've been keeping an eye on the potential development and rezoning of the far western waterfront for some time ... There doesn't seem to be a rezoning that the CITY or the Planning Board doesn't like or approved, these days. When the CITY or their surrogates don't follow the law or listen to "the people" the outcome is always the same ..lawsuits and referenda Having read the public comment I suspect this case will be no different. Lets cut to the chase and avoid all that...reject this rezoning request. Following the law is certainly possible. 45 feet is still pretty darned HIGH !!!

I understand that rezoning request have become second nature BUT the requests should be RARE and NOT the way of doing business in Portland. REZONING requests are asking permission to break the law. They should be approved RARELY and ONLY when there is NO IMPACT on others . They ARE a violation of LAW unless of course your perspective is from being a lawyer who has earned their living thru the development community helping developers negotiate and "maneuver local state and federal regulation"translation helping others break the law .

Laws are supposed to have meaning and be enforced... ZONING laws are no different than any other laws...We expect those charged with enforcing the laws to do so .THAT is your job. Your job as Planning Board members is to ensure that proposed development follows the EXISTING ZONING laws. This proposal does NOT. It is that simple ..Your job is to neither facilitate or obstruct development BUT TO objectively and without bias ensure ALL development follows the EXISTING ZONING law.

ZONING laws exist to provide certainty and to avoid the conflict of incompatible uses. ZONING laws, when respected, work .ZONING laws are intended to protect EVERYONE"s property right equitably. It provides a heads UP as to what is allowed to be built where.. It keeps people from being BLIND SIDED when they buy their most important investment ..their homes .. It gives developers a head up on what is allowed to be built where, BEFORE they make their greatest investment. ZONING provides LONG TERM certainty to all and is intended to do exactly that . NO ONE"s largest investment should be endangered or threatened willy nilly or on a whim. No one's investment should be more important then anyone else's investment.

The problem starts with a REZONING request .Most developers do due diligence BEFORE making a purchase. That is their job and responsibility. MOST developers are respectful of the law and their neighbors and follow the existing laws. Rezoning request should be RARE and should be RARELY approved.

Some developers think they and their project are special. Make no mistake about it : A rezoning request is a request to BREAK the law. They are asking you to do them a favor and to trump the law on others for them. They are asking you to give them permission to BREAK the law. BUT YOUR job is to ensure the zoning law is enforced not broken. YOUR job is to ensure development follows the EXISTING zoning law to protect EVERYONE"S property right equitably You are the Planning department not the economic development department . Your job is NOT

to promote growth or development BUT to ensure any development follows the EXISTING ZONING law with all the nit picky details...like HEIGHT . You are the law enforcer All those nit picky details are there for a reason TO hammer home the ideals of comp plan... those details are the MEAT on the bones of the vision..especially HEIGHT!!!

Do we really, as a community, want to replay FORE STREET ?? This height issue is NOT going away. The height limit is there for a reason ...we,as a community value, one of our greatest resources, our VIEWS.... for EVERYONE not just for those who can "afford it" AND we made that value LAW!! WE are an ocean community and we are connected to the ocean and her VIEWS.

This is a community in conflict .. It is a CONFLICT that is heightened by Planning Board decisions to allow SOME developers to TRUMP the law while other quietly follow it . It is giving preferential treatment to SOME developers ...with deep pockets who hire well connected lawyer,at the expense of ALL others ..

About 5 years ago the planing board was actively "packed" with those connected to the development community TO approve these HUGE rezoning requests already in the pipeline . The majority on the planning board STILL make their living thru the development community How can you possibly be objective in applying the zoning laws...when "growth" and development is your bread and butter? What we have... forgive me.... is a RIGGED system. We have a Planning Board purposely "packed" with development interest, run by a Planning department director connected to the development community, and a city manager connected to the developement community, How can you possibly BE objective? .

I'm sure you are all fine people . BUT how can you possibly leave all your training, and philosophy on life at the door .You are by nature and nurture and career choice innately biased and pro-development ... You were, perhaps even unknown to you, groomed and hand selected to be on the board TO APPROVE these rezoning , TO promote growth and development--- NOT to do your real job as Planning Board member to ensure development meet EXISTING zoning and enforce ZONING law. This is the most UNBALANCED and pro development Planning Board in decades. That needs to stop. We need and deserve a more balanced and neighborhood friendly planning board. You need to start representing US and more importantly the intent of the law. Sure good lawyers can successfully run circle around the loosey goosey comp plan language... BUT SHOULD they?

I lived close to this site for a decade. I've walked this land. I have seen Midnight toxic dumping on this land from my kitchen window , with a magnificent view . I saw 55 gal orange drums with skull and cross bone warning on them dumped in trenches dug on the land , waiting for more drums, to be buried there. I reported to the MDEP at the time ... This land was used for other toxic industries in the past coal gasification and hat making were two uses. There used to be something called "mad hatters disease" it affected workers in the plant ...it was caused by the toxins (I believe mercury) used to "tan' the leather used for the hats.. its a neurotoxin that affect the brain ..

I have a 10 page article written by the Casco Bay Estuary partnership called " The Dirty History of Portland Harbor " Basically they collected and tested samples of the harbor and then back tracked to find the sources of the pollutants on land... This piece of land as well FORE Street are noted in the article. Both pieces of land are highly toxic and SHOULD NOT be disturbed by construction because those now well buried toxins will be disturbed and cause harm. High level of lead and mercury were found "in the inner Fore River ", basically near this site. " the Portland Gas company on West Commercial ,for example yielded coal tars containing potentially carcinogenic polynuclear aromatic hydrocarbns (PAH's) "

There is a reason why some lands remain vacant, have never been developed, and never should be developed .It wasn't an oversight, to ignore " prime land" ... other developers quietly DID the due diligence and then walked away ... from a money pit ..not a money maker.

I urge you to set aside your personal biases, to follow and enforce existing zoning laws as charged by your duty , to protect EVERYONE's property rights and need for certainty equally ... to avoid yet another attempt at legislation thru referenda (or lawsuit). We need to stop doing the same thing over and over and over again

Americold can do what they need to do within 45 feet ..despite all the wringing of hands and their protests!!! Tell them to be a good neighbor and follow the rules like OTHER developers do!!! and stop approving rezonings!!

Public Comment for Jan 24, 2017 Meeting

Dana Hopkins <danahopkins91@gmail.com>

Jan 22, 2017 6:35 PM

Posted in group: **Planning Board**

Dear Public Planning Board,

As a citizen of the West End, and of Portland at large, I would like to formally give my support for keeping the current zoning restriction of 45' high buildings along the waterfront. I do not want to see that restriction increase to 70'.

While I understand that an important part of keeping the city viable is making it attractive to businesses, I also believe that you cannot have a city without happy citizens, and that an integral part of that happiness is the aesthetic beauty of an environment. Portland is quickly becoming a food and culture hub in New England, and part of what attracts new arrivals to the city as well as retains its loyal long time citizens is the astounding beauty of Portland's natural surroundings. I believe that there are more ecologically and aesthetically minded solutions to our industrial storage needs that simply raising the height that buildings can be.

I do not believe I can attend the meeting this Tuesday, but I would love to know more about how this and future matters involving urban planning develop. If you have a mailing list, please add danahopkins91@gmail.com to it.

Sincerely,
Dana

--

Dana Hopkins
C: 404-406-0652
danahopkins91@gmail.com

Western waterfront zone

1 message

chris d <bugnplow@gmail.com>
To: planningboard@portlandmaine.gov

Mon, Jan 23, 2017 at 11:53 AM

Please keep the height restriction at 45'. Allot of west end tax payers are very much opposed to changing the zoning. The sky line will be changed in a drastic way. The new ugly blue 4 plus story box on the corner or Briggs and Salem should give pause to what sun and views this monstrosity will block.

signed,

Chris Dazet

Kathleen Conway

68 Clark St.

Portland ME

Fwd: Americold development

1 message

William Needelman <wbn@portlandmaine.gov>

Mon, Jan 23, 2017 at 2:31 PM

To: "O'Brien, Stuart" <sgo@portlandmaine.gov>, Jennifer Munson <jmy@portlandmaine.gov>

Comments for posting. Thanks Bill
Bill Needelman
Waterfront Coordinator
Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wbn@portlandmaine.gov

----- Forwarded message -----

From: **Derek Pelletier** <dpellet@gmail.com>

Date: Mon, Jan 23, 2017 at 11:20 AM

Subject: Americold development

To: wbn@portlandmaine.gov

Good morning, Mr. Needelman:

My name is Derek Pelletier and I'm a homeowner in Portland - in the Deering Center neighborhood. I'm writing to express my support for the requested zoning change associated with the Americold facility on Commercial Street. This is an area that is (appropriately) zoned for industrial use and the proposed building is in scale with other infrastructure in the area. Portland has identified this area as the industrial port section of the waterfront and this development is entirely consistent with that plan.

Best regards,
Derek Pelletier



Jennifer Munson <jmy@portlandmaine.gov>

cold storage height restrictions

1 message

caitrona robinson <caitronarobinson0@gmail.com>

Mon, Jan 23, 2017 at 1:13 PM

To: Planningboard@portlandmaine.gov

Dear Sir or Madam,

My name is Caitriona Heavey, I live at 64, Clark street in the West End of Portland.

I am writing to you to ask you not to allow the plans for cold storage to exceed 45 feet high .

Thank you !

Caitriona Heavey

Google Groups

Zoning change request for Commercial St. Riverfront

Meredith Watson Pistole <merecats22@yahoo.com>

Jan 23, 2017 3:36 PM

Posted in group: **Planning Board**

Ladies and gentlemen of the Portland Planning Board;

I am writing of the requested zone change by the owner of the Portland Cold Storage Co. The current zoning is 45'. The request to be at 70' is unneeded. When first announced we were told that the building would be within current zoning. She said that no more space was needed. While we, the residents of Danforth St., School St, Briggs St., Clark St., Salem St., and Summer St., understand and accept the needs of a Working Waterfront, we respectfully request that you keep the building at 45'. If it is changed to 70' not only will it completely obliterate our River Views but it will change the flow of air to our neighborhood and that of the current businesses of Commercial St. I should mention the depreciation of real estate for this part of the West End.

Again, I ask you to keep the height zone at 45'. Thank you,

M.Watson-Pistole

48 Salem Street, 04102

(207 332 7783)

Sent from my iPhone

Cold Storage Warehouse on Waterfront

W. John Funk <funk@gcglaw.com>

Jan 23, 2017 3:45 PM

Posted in group: **Planning Board**

To the Planning Board – My wife, Deborah Chase, and I own a house at 4 Orchard Street in Portland. We have recently learned about the above-referenced proposal and are opposed to its approval by the Planning Board. Its 70' height and 3 acre footprint would be devastating to properties in its vicinity, not only blocking their view of the water, but marring the appearance of Portland with such a gigantic structure. The adverse impact would be wide spread over many neighborhoods and at the ground level would oppressively large. Surely Portland can do better than this. We understand that city planners want to expand the commercial capabilities of Portland's port, but please don't approve this project as presently configured. My wife will attend the meeting tomorrow to seek more information.

W. John Funk

Gallagher, Callahan & Gartrell, P.C.

214 North Main Street

Concord, New Hampshire 03301

603 545-3607 (o)

603 496-6735 (c)

603 226-3334 (f)

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WPDZ Workshop Comment

1 message

Mark Johnson <MJohnson@smrtinc.com>

Tue, Jan 24, 2017 at 11:53 AM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Cc: "Carole Merrill (carolemerrill@icloud.com)" <carolemerrill@icloud.com>

Greetings,

On behalf of the Portland Society for Architecture, the attached pdf is hereby submitted as public comment concerning the WPDZ Text Amendment Application being considered by the Board at today's Workshop. A representative from PSA will also publicly read this into the record and bring printed copies for distribution.

Thanks,

Mark G. Johnson ASLA, CLARB, LEED AP

Senior Landscape Architect

Maine Licensed Landscape Architect

SMRT Architects and Engineers

p: 877.700.7678

d: 207.321.3858

smrtinc.com



PSA Member Waterfront Development Zone 1-24-17.pdf

365K



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Portland Society for Architecture

PO BOX 5321
Portland, Maine 04101
www.portlandarchitects.org

Date: January 24, 2017 – DRAFT (MGJ)

To: Chair Boepple and Members of the Planning Board

From: Portland Society for Architecture

Re: Proposed Waterfront Port Development Zone (WPDZ) Text Amendment

The Portland Society for Architecture (PSA) supports the text amendment proposed for the WPDZ, and believes that its successful implementation relies on sensitive site and building design, and its aesthetic treatment and integration into the significant West Commercial Street entryway to the heart of the Old Port.

The western waterfront historically has been the site of intensive transportation and industrial activity, with reliance on the generous channel depths and ease of navigation that this area of the waterfront affords. This has been reinforced by the "Waterfront Alliance Recommendations to the City of Portland, 1992", the Cargo and Passenger Study (ca. 1998), and other city initiatives. The face and character of the area has changed over time from highly industrial and relatively "dirty" uses, to abandonment, to an emerging, and comparatively "cleaner" cargo handling zone. The area's unique location and the confluence of infrastructure and waterfront make it invaluable to the Portland and Maine economies.

The proposed text amendment begins to ensure successful redevelopment of the WPDZ by:

- Conditionally allowing heights up to a conservative maximum of 75 feet, allowing more efficient land use consistent with similarly scaled urban waterfronts; and
- Preventing the possibility of a continuous view-blocking wall of buildings by defining maximum building length, space required between buildings, and establishing view corridors; and
- Emphasizing quality of new design through consideration of scale and articulation of new elements, screening, and visual impact.

The PSA proposes that appropriate design and aesthetic integration of the WPDZ into the city fabric will further be accomplished by:

- Thoughtfully integrating the use of color and materials with massing and articulation, creating built elements that are functional and visually interesting; and
- Acknowledging and anticipating the effects of climate change and sea level rise to create long-lasting port facility infrastructure; and
- While maintaining efficient facility functions, minimize new paving and incorporate low-impact-development (LID) stormwater treatment strategies and native plantings to the greatest extent practicable to benefit and improve the urban and riverine environment; and
- Continuing improvement of the West Commercial Street edge, creating a critical foreground streetscape that unifies and enhances the visual experience of this important entry corridor to the city, and setting the tone for future landside development; and
- Providing safe opportunities for public waterfront access and interpretation of historic and current uses to the extent possible without unreasonably adversely affecting intended functions.

Through consideration of the above, the WPDZ can become a valued and aesthetically integrated component of Portland's urban fabric.



MARPRO ASSOCIATES INTERNATIONAL

11 Katahdin Road, Cape Elizabeth, Maine 04107 USA

207-741-7000

marproassociatesintl@gmail.com

23 January 2017

Portland City Planning Board
c/o William Needleman
City of Portland Planning Department
City Hall,
389 Congress Street
Portland, Maine 04101

Dear Members of the Planning Board:

In the last nine years since leaving the City of Portland as your Director of Ports and Transportation, I have been a consultant providing port development planning services to more than 55 port clients throughout North America. As an educator engaged in senior port executive management training for a non-profit industry association as well as training to the Canadian and U.S. Military on transportation and logistics, I have had the opportunity to view the big picture regarding international commerce and trade.

Portland has been fortunate to attract an international and trans-Atlantic ocean carrier to its port. Eimskip has provided a well-needed and essential service to Maine shippers and the general public. The transportation of imported and exported products has a direct impact on consumer pricing, competitive services and truck traffic, the latter affecting roads and our taxes. According to the US Department of Transportation, water-based services provide the lowest cost of transporting cargo and have the lowest impact on climate change. New England and Atlantic Canada ports are striving to reach the point that Portland has already achieved in obtaining trans-Atlantic service and newly expanded rail.

Several significant East Coast ports are investing in perishable cargo facilities. The demand for import and exported cold storage and frozen commodities is increasing significantly. A great deal of this cargo is now being handled in temperature controlled containers, a mainstay for Eimskip operations. The handling of perishable cargo bound to and from Europe, will continue to grow, according to a recent study in which I was involved. Major ocean carriers are investing in expanded capacity for shipping refrigerated cargo, particularly related to seafood products and agricultural commodities, critical to the economy of Maine.

Operations in the handling of these commodities have changed significantly over the last 30 years. Ground equipment is bigger, requiring enlarged facilities and higher ceilings. It is rare to find a facility that has low overheads or small doors, and those that currently exist are either being demolished or modified at great cost. The building of new facilities in consideration of the long term is critical to the success of the operating company as well as those who depend on those services.

Portland is no longer just a small port that services just its local economy. It is now a regional port coupled with ports in Atlantic Canada, Iceland, Europe and Asia. Cargo handling and its associated services are critical to the port's ability to remain viable and competitive. The City can be limited at times in addressing port requirements. It was for this reason that the citizens of Portland came together in the 1990's to plan their limited waterfront and ensure that all interested parties had an opportunity to be successful. Waterfront zoning was effective in allowing the City to rationalize its facilities during my tenure as your Port Director. The building of the Ocean Gateway terminal at the east end of our short waterfront allowed us to open the International Marine Terminal exclusively to expanded cargo opportunities. Those efforts have been enhanced by the Maine Port Authority. The west end was always intended to be industrial and supportive of port activities and recent development has continued to reinforce that vision.

When height limitations were put into effect, I do not believe that it took into account how new port technologies would affect infrastructure. Larger footprint and higher buildings are the norm in most ports where modern facilities are being developed. While there is always a concern about how the industrial character of our waterfront appears, many of the existing buildings, such as the Gulf of Maine Research Center, have sought variations to a standard that was put into place that tried to anticipate the future in regard to building heights.

Portland's industrial waterfront has a very limited footprint. Through zoning, it has been clustered in what was an underutilized location that has now begun a process of growth and success. Expandability is one of the key issues which limit port success. In Portland's case, vertical development is a crucial factor in meeting expansion needs and the ability to accommodate modern cargo handling and storage technology.

Every new project I had been involved in always considered architecture and views. I am sure that process will continue that process and reach a reasonable conclusion. City planners must consider the visual impact, of course. But planners must also consider the project's impact on Portland's ability to effectively compete in international trade to the benefit of all of our citizens. It is imperative that all opinions be taken into account but certainly the critical importance of this facility to the continued viability of the current ocean carrier service and good paying; steady waterfront employment cannot be underestimated.

I encourage the Planning Board to approve the height variance which will allow Americold to build a facility that meets state-of-the-art requirements. This will not only support the increase of activity in the Port, but also provide increased employment, tax revenue and opportunities that support our current common carriers and the expansion of our maritime activities in the State of Maine.

Sincerely,

Capt. Jeffrey W. Monroe

Capt. Jeffrey Monroe, MM, AMPE
Senior Port and Maritime Consultant

Google Groups

Re: application for WPDZ zoning change

Joyce Walworth <joycewalworth@gmail.com>

Jan 23, 2017 4:49 PM

Posted in group: **Planning Board**

January 23, 2017

City of Portland Planning Board
Beth Boepple, Chair
389 Congress Street
Portland, Maine

Dear Ms. Boepple and members of the Planning Board:

I do not live on Portland's West End, but I think the proposed 70-foot Americold warehouse is bad for Portland and not necessary for a vibrant port facility. Residents of this city want a working waterfront, not an obliterated waterfront.

We as taxpayers have spent millions of dollars to upgrade the International Marine Terminal because we want to expand cargo that moves in and out of Portland by water. Unless it's directly related to the IMT's central mission of waterborne shipping, we don't want to increase congestion on Commercial Street with more tractor-trailer traffic. Already this is happening at the IMT, despite zoning that restricts uses to those "dependent upon deep water and which contribute to port activity."

As one example, as many as 130 tractor trailers of Poland Spring water pull into the terminal every week for transfer at the rail siding. Rail transportation is a great thing, but this is a marine terminal in a congested urban location. Its function, like the zoning says, should be restricted to port activities.

I am distressed at the enormous amount of time this poorly conceived proposal has wasted -- by city staff paid by our tax dollars, by the Planning Board already buried with more pressing work, and by residents trying to play catch-up after this zoning bonus was developed behind closed doors.

I respectfully ask that you vote against the application for a WPDZ zoning change.

Joyce Walworth
135 Sheridan St (Unit 203)
Portland, ME 04101

Ryan D. Zachar
88 Skylark Rd.
Portland, ME 04103

January 23, 2017

City of Portland Planning Board
289 Congress St
4th Floor
Portland, ME 04101

Dear Chair Boepple and Members of the Portland Planning Board,

I am writing in support of the text amendments to the Waterfront Port Development Zone (WPDZ) allowing conditional use of taller building heights in Portland's waterfront zones. I have had the opportunity to read the proposals for the Americold cold storage warehouse to be placed at the International Marine Terminal as well as the concerns of area residents. Notwithstanding these concerns I encourage the planning board to support allowing the construction of buildings in excess of the current 45' restriction based on their economic merit.

Continued development of the Port of Portland is critical to maintain a working waterfront; a delicate balance of residential and commercial interest the city has rightfully strived to achieve. Nevertheless in order for development to continue is must be economically viable for the developer. Constructing a cold storage warehouse is a large capital investment, and the unique aspects of the property appear to give justification to the building height requested. I was impressed with the height studies done to illustrate the effect of the height and footprint. The renderings prepared by the facilities developer were also helpful. From these renderings it appears the building would blend in with its neighbors, the Portland Yacht Services shed and Casco Bay Bridge. The obstructions also seem to be relatively limited to only a small part of the western waterfront zone, and likely would still exists even if the building was limited to 45'.

In summary, I appreciate the due diligence that city employees, the Planning Board and members of industry have conducted to research costs and benefits of increased building heights in the WPDZ. Please continue to support these economically sound proposals appropriately.

Sincerely,

Ryan D. Zachar



Jennifer Munson <jmy@portlandmaine.gov>

Planning Board Workshop 01/24

1 message

Christopher Hughes <crshughes89@gmail.com>

Mon, Jan 23, 2017 at 6:32 PM

To: planningboard@portlandmaine.gov

Hello,

My name is Christopher Hughes. I am a resident of Portland at 42 Salem St. It is of my opinion that 45' is high enough for a cold storage facility on our waterfront. Please deny an adjustment to 70'. That would be great.

Thanks

Christopher Hughes

Fwd: Economic Development & Americold Postponement Request

1 message

Rosanne Graef <rgraef@zwi.net>

Wed, Feb 1, 2017 at 1:33 PM

To: Jennifer Munson <jmy@portlandmaine.gov>

Hi - Here's my letter from 12/10/16. - Rosanne

Begin forwarded message:

From: Rosanne Graef <rgraef@zwi.net>

Subject: Economic Development & Americold Postponement Request

Date: December 10, 2016 at 11:40:48 AM EST

To: Tuck O'Brien <sgo@portlandmaine.gov>

Cc: Ethan Strimling <estrimling@portlandmaine.gov>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Jason Shedlock <jshedlock@portlandmaine.gov>, Jo Coyne <jocoyne@zwi.net>, walworth <walworthmccain@maine.rr.com>, Constance Bloomfield <cbloomfi@maine.rr.com>, Anne Pringle <oldmayor@maine.rr.com>, Pamela Shaw <pskhmail@gmail.com>, Pete Thaxter <sthaxter@curtisthaxter.com>, Ian Jacob <iancasperjacob@gmail.com>, Sonia Robertson <robertsonsonia@hotmail.com>, steve graef <stevegraef@hotmail.com>

Dear Mr. O'Brien -

I, along with several others copied on this message, submitted comments to the Planning Board this past week in anticipation of their December 13 workshop on the Economic Development Department's proposed WPDZ zoning text changes that would accommodate the increased height Americold is requesting for its cold storage facility on West Commercial Street. Late Friday afternoon we all received notices that EDD and Americold had requested that their request be tabled and scheduled again for a PB meeting in January.

My question is, what has happened to our submissions? Shortly after I e-mailed my letter, I got 2-3 e-mails from City staff requesting that I resend some photos that did not go through and Jennifer Munson said that she was making copies for the PB members' packets. However, any submissions concerning this project did not appear in the packet released on Friday, only the tabling request stating, **"The applicants and proponents of the amendments request additional time to better document and illustrate design concepts that reflect the exciting potential of Portland's International Marine Terminal and the working waterfront. We additionally request a place on a Planning Board agenda in the month of January to keep potential development options on track."** Have the Planning Board members actually received copies of our submissions or are staff holding them back to help them rebut and poo-poo our concerns simultaneously with delivering the packets?

If it is the case that the letters have not been delivered as scheduled in advance of the planned December 13th workshop, this is evidence of favoritism being shown by the EDD toward pushing through the proposed changes and the low regard in which the residents of the neighborhood are held and I request that the submissions be delivered to the PB members as soon as possible.

If, however, the packet has been delivered to the PB members, I request that the contents of it be made available to the public immediately so that we may have the same consideration in preparing for the January meeting with the Planning Board.

Sincerely,

**Rosanne Graef
30A Salem St.**

Cold Storage Warehouse

1 message

Clare Mohs <ClareAMohs@hotmail.com>

Tue, Jan 24, 2017 at 1:35 PM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Bait and switch. Cold storage is a good and necessary thing for the waterfront. Winning a bid knowing the height allowed and then coming back to try to bully a change. That behavior is as much of a blight as the oversize box which will be a constant reminder.

TO: Chair Boepple and Members of the Portland Planning Board
FROM: Carol L. Kelly, 15 Briggs Street, Portland, ME 04102
RE: Proposed Amendment to the Waterfront Port Development Zone
DATE: January 24, 2017

Thank you, Chair Boepple and Members of the Planning Board. I would like to offer a counter-balancing economic perspective – an alternative to the outdated “give them anything they want” approach that is before you in the proposed amendment to the Waterfront Port Development Zone.

I’ll start by pointing out an obvious truth: it’s 2017 and yes, business is good here. We are enjoying a stronger economy in Portland and the evidence is everywhere you look. I’ve lived in Portland since 1982, was in the construction trades for 15 of those years, and I’ve never seen so much commercial development. Portland is the vibrant, exciting small city I’ve always known it to be, which even a few years ago wasn’t always so obvious to the naked eye.

So, with bidding wars for land and fast-tracked construction projects all over the peninsula, why are we acting so desperate to meet one company’s wish list? The proposed amendment simply doesn’t reflect the current environment – we are setting our negotiating sights low when we are actually in an era of unprecedented leverage. Let’s be smart with our natural resources and not give up a valuable community asset – our physical and visual connection to the water - in order to achieve our planning objectives.

Our West End Waterfront neighborhood is not filled with luxury homes. And it has been slower to respond to the strengthening economy, but it is finally happening. One of my neighbors has a new building going up on Briggs Street and I have purchased and renovated the two-family home next door, which includes one unit designated for folks on General Assistance and one market rate, but affordable unit. Between the two of us, we have invested over \$1 million just on the one block of Briggs Street and I can count at least another half dozen renovations that happened around the neighborhood this past year.

I can also point to at least a dozen empty lots in our neighborhood. In fact, I own four of them, and each parcel could be used for infill housing, which has been my long-term intent. The West End Waterfront neighborhood might well have some of the greatest capacity for new housing embedded in an existing neighborhood on the entire peninsula.

So let’s do some quick math. Twelve infill parcels with three 2-bedroom units per parcel at a very conservative \$250,000 value per unit... that’s \$9 million added to the city’s property tax rolls and 36 new units of housing for at least 72 residents.

I would propose that without some common-sense height limits that protect water views from the upper floors, parcel owners like myself are going to be far less likely to take on these construction projects in a neighborhood that could still go either way in terms of development. So, while the city is potentially bending over backwards to help one company change the rules after winning the bid, you are also putting millions of dollars in potential property value and dozens of new affordable housing units in jeopardy.

Which approach takes the long view? Which approach shows that we value our natural resources, which includes our water views, and understand their value to our economy? Which approach shows that Portland is not a place where sweetheart deals get cut at City Hall, and that our leaders are committed to enforcing the same fair rules for everyone – residents and businesses alike?

What's before you is an incomplete analysis. As you deliberate, please consider these opportunity costs – economic, aesthetic, and that of a good government that is a fair broker and steadfast steward of our natural resources.

Thank you.

Sonia Robertson 1-24-17

This discussion and analysis of the future of Portland's working waterfront provides an opportunity for current decision making to reflect upon past history. It is an opportunity not be squandered.

Not so long ago it was determined there was a need to move traffic rapidly and efficiently from one side of the peninsula to the other. Thus the Franklin Street Arterial was born with the loss of one thousand houses and an entire neighborhood to say nothing of the fractured families and disrupted lives. Today the Franklin Street Arterial is viewed as too wide, too out of scale and too obviously visually and physically disruptive to the area. Meetings were held, money was spent and plans drawn up to recreate a "neighborhood" feel by constructing buildings on the edge of the arterial. So today we are trying to replace what we destroyed by over building the Arterial in the first place.

Today there is a need for cold storage warehousing. At 75' this warehouse is the building equivalent of the Franklin Street Arterial. It is too big, too out of scale and too disruptive to the visual gateway to Portland. Rather than try to scale it back like the Arterial after the fact, build it correctly now. Proposals were submitted for a 45' facility. While there is time, revisit those proposals and approve a building that is in scale with the location and meets the current zoning requirements.

When the Holiday Inn proposed building the first new hotel in Portland in decades one of their demands was that Spring Street be widened, be divided by concrete barriers and be extended to their front door. The result ? Another street that was too wide, too out of scale and too divisive for its location. More money was spent after the fact to reduce the negative impact of Spring Street by removing the barriers and reducing the traffic lanes.

Americold has made similar demands that the City approve a building that is too large, too out of scale and too disruptive to the area. There will not be any remedial action available to ameliorate the massive intrusion this building will be on the waterfront. If it is built there it will stand for generations a hulking bulk on the banks of the Fore River forever asking the question : "Who let this happen?"

You are responsible for the future of this site. Do not permit a third project to be constructed that is too big, too out of scale and too visually disruptive. Take the time to examine building alternatives so that cold storage works for the waterfront as well as for the entire City.

WPDZ - PROPOSED REZONING – PLANNING BOARD WORKSHOP 1.24.17

MY NAME IS ANNE PRINGLE AND I AM SPEAKING ON BEHALF OF THE WPNA.

FIRST, PLEASE UNDERSTAND THAT WE ARE WELL AWARE THAT OUR NEIGHBORHOOD IS BORDERED BY TWO INDUSTRIAL ZONES. APPROPRIATELY, CITY POLICY HAS LONG BEEN TO STRIKE THE RIGHT BALANCE BETWEEN ABUTTING USES. WHILE “FLEXIBILITY” IS SOUGHT FOR PORT DEVELOPMENT, THIS MUST BE BALANCED AGAINST PREDICTABILITY AND IMPACT ON RESIDENTS WHO HAVE MADE SIGNIFICANT INVESTMENTS BASED ON EXISTING ZONING.

SECOND, PLEASE ALSO KNOW THAT WE DO NOT OPPOSE A COLD STORAGE FACILITY. IN FACT, WE ARE VERY SUPPORTIVE OF THE EIMSKIP CONTAINER OPERATION AND WANT TO SEE IT GROW TO SERVE MORE MAINE BUSINESSES. A COLD STORAGE FACILITY IS CRITICAL TO EIMSKIP’S SUCCESS.

THAT SAID, THE STATED PURPOSE OF THE ZONE AND FACILITY IS TO SUPPORT WATERBORNE COMMERCE. AS SUCH, ITS SIZE SHOULD BE DIRECTLY CORRELATED TO WHAT IS **DEMONSTRATED** AS EIMSKIP’S NEEDS, NOT AMERICOLD’S BUSINESS PLAN.

SO THE KEY QUESTION IS **WHAT SIZE FACILITY DOES EIMSKIP REALLY NEED**? I UNDERSTAND THAT THE FOOTPRINT AND HEIGHT OF THE BUILDING IS A FUNCTION OF THE NUMBER OF PALLETS TO BE HANDLED AND THE LAND AVAILABLE. SO THE BASIC QUESTIONS, WHICH SHOULD BE ABLE TO BE EASILY ANSWERED, ARE: HOW MANY PALLETS IS EIMSKIP CURRENTLY HANDLING? WHAT IS THE PROJECTION OF HOW MANY WILL BE HANDLED IN TEN YEARS? THE ANSWERS TO THESE QUESTIONS WILL ALLOW US TO DETERMINE HOW LARGE A FACILITY

EIMSKIP **NEEDS** TO SUPPORT ITS WATERBORNE COMMERCE. THE PROPOSED BUILDING IS DESIGNED TO HANDLE 15,800 PALLETS. WHERE DID THIS NUMBER COME FROM? HOW IS IT RELATED TO EIMSKIP'S NEEDS?

JUST LAST WEEK, I LEARNED THAT CITY STAFF, IN THE DRAFT COMP PLAN, IS PROMOTING A STRATEGY TO "FACILITATE THE DEVELOPMENT OF THE WESTERN WATERFRONT AS A 21ST CENTURY LOGISTICS HUB".

WHAT DOES THIS MEAN? IS THE INTENT TH AT OUR LIMITED DEEP WATER LAND BE USED FOR NON-MARINE WAREHOUSING, WHICH COULD AND SHOULD BE LOCATED ELSEWHERE? DOES THIS LANGUAGE SUPPPORT AMERCOLD'S DESIRE FOR A LARGE "STATE-OF-THE-ART" COLD STORAGE FACILITY THAT COULD HANDLE NON-MARINE COMMERCE, INCLUDING FROM OUT-OF-STATE, AWAITING TRANS-SHIPMENT VIA TRUCK OR RAIL, NOT SHIP?

THE CURRENT LANGUAGE ALLOWS "INTERMODAL TRANSPORTATION FACILITIES **PRINCIPALLY FOR VESSELS WITH REGULARLY SCHEDULED DESTINATION SERVICES** OR FOR RAILROAD TRANSPORTATION SERVICES." I EMPHASIZE - "**PRINCIPALLY FOR VESSELS WITH REGULARLY SCHEDULED DESTINATION SERVICES**".

THESE TWO QUESTIONS – WHAT DOES EIMSKIP TRULY NEED FOR COLD STORAGE AND IS THE INTENT FOR A LOGISTICS HUB ON THE WESTERN WATERFRONT TO SERVE NON-MARINE COMMERCE – NEED TO BE ANSWERED BEFORE ANY CONSIDERATION IS GIVEN TO CHANGING THE EXISTING HEIGHT LIMITATION.

FINALLY, CONSIDERATION OF ANY CHANGE TO THE REST OF THE ZONE SHOULD BE DELAYED UNTIL IMAGES OF THE PROPOSED IMPACT OF THE

PROPOSED CONDITIONAL ZONING STANDARDS IS MODELED. MUCH OF THE FOCUS HAS BEEN ON THE COLD STORAGE FACILITY, BUT THE IMPACT OF THE PROPOSED CHANGES ON THE REST OF THE WESTERN WATERFRONT COULD BE EVEN MORE SIGNIFICANT. LET'S TAKE THE TIME TO STRIKE THE RIGHT BALANCE...

THIS COMMUNITY SPENT 18 MONTHS DEVELOPING A HEIGHT AND MASSING REGIME FOR BAYSIDE. SHOULDN'T WE SPEND A LITTLE MORE TIME DEVELOPING A CAREFULLY-CRAFTED BALANCE FOR THIS VERY IMPORTANT GATEWAY TO THE CITY?...

THANK YOU FOR YOUR CAREFUL CONSIDERATION OF THESE COMMENTS.

RE: Amended Project and Proposed Zoning Changes

Dear Chair Boepple and Members of the Planning Board:

I am writing regarding Americold's request to change the height restriction in the present zoning ordinance from 45' to 70'. I am a lifelong resident of Portland, mostly on the West End, and over the years I have been actively involved in City governance having been Chair of the Historic Preservation Board and a member of the Charter Commission.

When this project first came to my attention last fall, the City and the developer Americold, in seeking to increase the height restriction from 45' to 70', were trying to create the impression that the existing 45' height limitation in the Waterfront Port Development Zone was merely a remnant of earlier zoning and little thought had been put into setting this height limitation. That is clearly not the case as the 1989 Portland Maine Downton Height Study confirms.

The 1989 Downtown Height Study is a thorough and thoughtful piece addressing directly the issues and process that the Board will be addressing with respect to the requested change for the Americold development.

The report is lengthy, so below I will quote the pertinent language and pages of the report which demonstrate why this Board should not increase the height from the present 45 foot limit.

Page 1 - "How tall is too tall? What building heights and forms create a good skyline? What does it mean for a building to be in scale with its surroundings? What views are important? These are some of the basic questions which have prompted this study of building heights on the Portland peninsula."

- "Building heights have been a focus of much debate in deciding the appropriateness of new buildings in downtown Portland."

- "But building height must be viewed in combination of other factors that also influence whether a new structure seems to fit with its surroundings; and how height is interpreted is largely dependent on the context. A one hundred foot building can appear to be the right height among other buildings of similar dimensions, but it would overwhelm surroundings if they were twenty-five foot buildings."

- "The overriding purpose of this study is to recommend policies that will ensure that new buildings are compatible with the existing fabric of Portland."

Page 2 - "That envelope itself has come under increasing criticism as well, on the grounds that it is resulting in harsh streets, often devoid of sunlight, and that is

insensitive to such factors as important views to the harbor and surroundings. In coping with the proposals which have been made, the City has been forced to consider each proposal for a height variance in isolation, an approach which this study seeks to obviate by outlining a set of consistent standards.”

- “Contextual Relationship – Each element of the city, whether building or landscape, is seen beside its immediate neighbors and against the backdrop of the city as a whole. Likeness is judged through comparisons which include scale, color, height, massing, use, and materials.”

Page 4 - “While buildings in Downton Portland vary considerably in height, the most cohesive areas tend to have one of three typical maximum heights: 45-foot heights in the residential ends of the peninsula and the wharf area;...”

Page 18 - “Case by base review of projects without standards is both unfair and inefficient. While large projects are currently reviewed under site plan review provisions, the absence of clear standards related to the visual environment makes the process frustrating to developers, public officials and the general public. Frequently projects are too far advanced to be changed in substantial ways when they reach the review stage”

- “Simply raising height limits is an inadequate response: other changes to regulations are needed to encourage development which is in keeping with the current character of Downtown Portland.”

Page 21 - “The waterfront should remain at a height limit of 45 feet. This includes the area to the harbor side of Commercial Street. The current provision for height exemptions should be eliminated.”

Page 31 - “Portland has important links to the water. It was founded as a port city, and maintains an active harbor. View corridors to the harbor help recall the city’s history, and re-assert the contemporary presence of the harbor. Views can be to the opposite shoreline, middle of the water basin, or to the near shore, but in each case they offer a glimpse of the water and occasionally of passing boats. View corridors frequently extend across private property and in these areas, the heights of structures must be limited so as to avoid blocking the object of attention.”

I hope in view of this report you will retain the 45’ height limit and avoid a structure that will dominate the entrance to Portland and would be referenced historically as the mistake that should never be repeated.

Sincerely,
Sidney St. F. Thaxter

My name is Rosanne Graef and I live at 30 Salem Street.

As neighbors, by and large, we are not opposed to Eimskip, Americold, the IMT, Portland Yacht Services or the extension of the train. We are not opposed to a cold storage facility. What we are opposed to is granting an increase in the allowed height from 45' to 70 or 75'.

The proposed facility will not be just for marine-related activity, much of the traffic will be in goods that are transported by truck and train only and that never go on or come off a ship. Why does an oversized storage facility for such goods need to be built here on the shoreline which has a naturally restricted geography and a densely populated residential area close by? Why can't a cold storage building conforming to the present zoning language be built here on the waterfront, complemented by an additional, larger cold and dry storage facility at a more suitable spot inland?

If this zoning change is made and this massive building is built, it is something we are going to be stuck with for decades. It will be an eyesore from every angle, much in the same way the grain elevators at the other end of Commercial Street eventually were. At the time those were erected, they were the best solution for the purpose, this behemoth being considered now is not.

In the early 1970s I lived at the corner of York and Clark Streets, at that time considered to be part of a blighted

neighborhood within the boundaries of the Model Cities program. Many of the houses and apartments were definitely on the downhill slide due to economic conditions that led to neglect and deterioration. Since that time a lot has changed in this neighborhood, and over the past 45 years many people have bought, built and upgraded homes in the area, investing millions of dollars as well as untold hours of time and effort in making this pleasant, diverse and friendly neighborhood a valuable asset in Portland's West End.

I urge you not to change the current zoning language in response to the threat of "change it or nothing will be built." There are other ways of accomplishing this mission of bringing this sort of economic activity to Portland and to Maine that do not necessitate degrading the beauty and appeal of this part of the peninsula. The alternatives may cost more and may not be as easy, convenient and lucrative for Americold and its investors, but there's much more to consider here than just money: things such as trust, compromise and playing by the rules.

I have copies of a table of assessed values and property taxes for the residences in the neighborhood that I submitted as public comment. However, when I looked at the packet, this table appeared truncated and I wanted to ensure that members of the board have the entire document.

Thank you for this opportunity to speak.

My name is Jo Coyne and I live at 36 Salem Street. I would like to speak first about West Commercial, a street that is an integral part of my neighborhood.

We have heard next to nothing about how the City plans to deal with additional traffic if Americold is allowed to build a 3-acre, 75' warehouse. Truck traffic already has increased with Aimskip and that trend will continue even if an appropriately-sized cold-storage facility for maritime commerce is built. But a huge warehouse for cold and dry product of all types and eventually, perhaps, additional warehouses servicing a multimodal logistics hub? What are EDD's plans for the street and the traffic?

The recent *West Commercial Street Multi-Modal Corridor Study* follows the 2010 *West Commercial Street Trail Study*. Both offer proposals for enhancing safe pedestrian and cycling opportunities as traffic increases by creating shared-use paths and by improving sidewalks and street crossings. How wonderful it would be to have a waterfront that residents and visitors can really enjoy!

Is this even possible if trucking access to a logistics hub becomes West Commercial's primary function? Will commuters who now use the I-295 connector and West Commercial return to peninsula streets? The study states that business owners in the Central Waterfront do not favor bicycle paths because of the already high level of congestion. Instead of a logistics hub, perhaps the City should be looking to create more vibrancy on West Commercial by helping to relocate some of the downtown Commercial Street activities. Portland's waterfront is limited. Let's give folks reason to explore its entire length.

We continue to seek 3-dimensional imaging that will portray the true impact of the proposed warehouse. Unfortunately, most of the recently posted images by Patrick Costin are from vantage points that minimize the building's mass and height. In one, the 70' or 75' structure appears to be barely half the height of Portland Yacht's 68' red shed. Our own imaging, based on data furnished by Americold tells a different story. We request the opportunity to sit down with Mr. Costin to come up imagery that is satisfactory to all.

Finally, through Maine's Freedom of Access Act, we requested copies of all communications between city staff, the IMT, Americold and its associates. Although the request was made over a month ago, to date we have received no information. We need to have these communications in order to understand how this project moved from a Request for Proposal for a cold-storage facility capped at 45' to demands from an international corporation for a zoning height increase to 75'.

We are happy to know there will be a third workshop. We hope by then needed information about the impact on West Commercial Street will be made available, along with good imaging and the FOAA documents. Thank you.

ATLANTIC NORTHEAST RAILS & PORTS

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PC93

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28. January 2017

Planning Board
City of Portland
389 Congress Street
Portland 04102

Re: Americold facility text amendment – restrict to marine use

Dear members of the Planning Board:

While I attended the information session and public hearing today, I was overwhelmed by the opposition to raising the height limit – I was not able to stay to give you my comment.

I want to address a different point: assuring Americold will use its new facility for marine-related uses.

As another person wrote [see comments page 49]: ‘It would be terrible to sacrifice the Western Waterfront to permit the construction of [Americold] only to discover that half of it is ... used for goods that could ... stay [at Americold’s Read Street warehouse].’

The Americold proposal states that it will hold 15,000 pallets, of which 5,000 will belong to Eimskip.

It also states (page 17) that Americold may no longer use the Read Street facility for cold storage.

I am concerned that, given we have only 1.5 miles of commercial waterfront left in Portland, the most important part of the entire coast of Maine, Americold could decide to dedicate 2/3rds of its pallet space to non-marine use, and we Mainers would be stuck with that decision.

I ask the Planning Board to either (1) write the zoning language to ensure that the majority of Americold use be for marine purposes, or (2) better, the lease from the Maine Port Authority to Americold require that the majority be for marine use.

Thank you,

/s/ Chop Hardenbergh

Portland's commitment to a working waterfront and affection for Eimskip are being used to usher in a scenario that overturns urban design principles central to Portland's success. This scenario redefines an area that has lain fallow because of its previous ownership, not because of out-of-date zoning. It envisions a regional logistics hub where the waterfront may only be a bit player. This is proposed with little analysis of its impact on life here, beyond a few permanent jobs.

The 1989 Height Study established the principle that higher buildings emphasize the spine and decrease toward the water. It also established other bedrock values - Street Walls, Pedestrian Environment, Massing, View Corridors. It may be old, but this study defined the physical framework for Portland's emergence from urban blight and really terrible planning decisions.

The Shoreway Access Plan, ranked streets (A,B,C) for the water views they offer as public amenities. Danforth between Vaughan and Emery; Beach; portions of York, Clark and Brackett St. are B views. Panoramas were identified at points directly facing the proposed building. All of West Commercial St. is a Class A view – ("foreground or mid-ground view of Portland's waterfront or the water's edge, plus background views of Casco Bay or South Portland").

The Port Authority did not specify the capacity of the cold storage facility it needs. No one has said how much space Eimskip needs. But now Americold's business model is determining the dimensions for the entire zone. What is a view corridor that's blocked by a 50-foot building? How can something 400-feet long, parallel to a road, and 75 feet high not be a wall? Twice as long and 2 ½ times higher than the warehouse I show in your packets. Landscaping and fencing will be like anklets on these elephants.

This situation started with Eimskip's undefined needs, got amplified by Americold's business model, and then morphed to the whole zone. A well-placed source says work on Casco Bay ferries is done outdoors and is constrained by the size of travel lifts, not doors. When Mr. Sprague got approval of his boatyard a few years ago, he told the Planning Board, "My proposal does not require any zone changes or variances ... I believe my proposal represents exactly the kind of thing the city has wanted for 25 years."

New Bedford is cited as precedent for its taller waterfront port structures. New Bedford is cut off from its harbor by huge sheds, a boulevard as wide as an interstate, and something called the 'Octopus Intersection'. It is an active port but only 4 cities in Massachusetts are poorer than New Bedford. That's not for us.

This hullabaloo is NOT like the 58 Fore St affair. The part of that project at issue was not a large swath of land; it knocked out the view of a few residents, not neighborhoods; it did not eliminate a mile-long vista. Importantly, it will provide housing in a market that the City Council, the newspaper, tenant groups, PSA and the Chamber of Commerce had already described as in crisis.

We've been dismissed as vocal neighbors standing in the way of an opportunity. Noisy neighbors did not locate the original State of Maine Visitor Center at the end of Commercial St; noisy neighbors did not put the "Welcome to the City of Portland" sign at the intersection of Commercial St. and Veteran's Bridge; noisy neighbors did not write the existing zoning. Don't be fooled by people who say: "There many gateways to Portland, this one doesn't matter."

I trust you will work through all the ramifications of this proposal and not throw out urban design principles that have been great for Portland based on one developer's business model.

My earlier analysis of the WPDZ zoning in your packet. No mention of silos by the way. Thank you.

Laura Robinson
320 Danforth Street

Portland is blessed with two grand promenades. But it is our smaller promenades—pathways that wind through our pedestrian-scaled streets, past pocket gardens and hillside vistas—that create some of the city’s most magnetic moments. These engaging pathways are both vibrant and unique because of the fabric from which they are constructed: a balanced mixture of commercial, residential, and industrial buildings.

The working waterfront is an important part of this fabric. Everyone entering through Portland’s gateway wants to see and be connected with the water. To see ships being loaded, tugs beeping, cranes lifting. These are features of a working waterfront that can add to the vibrancy of a city.

But warehouse walls destroy this connection. Like a giant cleaver, they cut off the city from the waterfront. They separate the Port from the land. We must not let this happen to our city. To peer around a corner, or stand on a hillside that terminates in a 75’ wall, is to witness a mistake that cannot be erased. A mistake that is avoidable.

Portland’s Historic Preservation program has done a tremendous job preserving our mix of urban fabric. Scrutinizing proposed changes from window mullions, to porch railings, they have safeguarded the extraordinary pedestrian scale and character of our streets. And while the historic districts stop just short of Commercial Street, the vistas they frame do not. When considering changes to waterfront zoning, it is imperative that the planning board respect Portland’s preservation efforts as well as the investments that homeowners have made to uphold preservation in our neighborhoods.

Regarding historical precedent, the city has supplied an 1865 map of West Commercial Street, showing the glassworks buildings –tall and smoke spewing—as a precedent for large industrial buildings on this land. However, it is important to note that all of the John Calvin Stevens and

many of the other antique and historically significant homes on the hillside were built in the early 1900's, after the plant had been torn down.

As an architect, owner and steward of one of the John Calvin Stevens homes, which lingered on the market due to its tremendous state of disrepair, my husband and I did our homework. We studied the zoning and based our investment on the protection offered by the current code. We simply could not, and would not, have bought and restored this historic home if the zoning on West Commercial Street had stood at 75'. The expense of restoration in the West End—or anywhere—can only make *economic* sense, when backed *urban planning* sense.

Portland's hills are tremendous assets. They have enabled the city to evolve throughout its history with a strong connection to the waterfront. I have seen two independent calculations that show seventy feet on Commercial Street would block Danforth and Salem street's connection to the water entirely. Narrow view corridors between mammoth warehouses would do little to alleviate the oppression of such a wall. If we want to take the long view, thinking ten, or perhaps one-hundred years into the future, we should not scar our city with an irreversible change that would sever Portland's port from its land.

Statement to Members of the City of Portland Planning Board

January 24, 2017

RE: Western Port Development Zone proposed zoning amendments

My name is William McFarlane and I live at 380 Danforth Street. I thank the Planning Board for allowing public comments on the proposed alterations to zoning for the waterfront district (WPDZ) along West Commercial Street. I will begin by stating unequivocally that developing the waterfront in this area is clearly good for Portland and its economy, so it makes sense to almost everyone living nearby that there is encouragement in the current zoning provisions for various marine activities in this area. To date, the addition of Portland Yacht Services has proven acceptable to those of us living directly above, along the several streets of what could be called the Southern Promenade. In some ways, it has added to the character of the neighborhood.

However, the proposed changes to existing zoning, in particular raising height limits to 75 feet, will have profound negative effects on the entire neighborhood, which is not only residential, but an Historic Preservation District as well. The latter imposes strong requirements that development not detract from the essential character of the area. We find that the proposed allowed development in the western waterfront will obliterate all views of the Fore River, in most instances leaving only views of the docks on Turner Island and the mud flats on either side. That contrasts sharply with what is visible now, including all the lively marine activity that passes along the River. **That is surely a major impact on the character of the adjacent neighborhood.**

We are certainly aware that a recent referendum implies that no one has a right to a view. However, the issue here is that proposed 400-foot-long buildings with potential heights of 90-95 feet above mean sea level (under the proposed 75-foot limit) will eliminate any view of the water for over 100 residential structures (and 2-3 times that number of housing units and 4-5 times that in affected population). That puts the proposed roof level near the height of Danforth Street itself, which is at 100 feet above mean sea level at the corner of Vaughn Street. That change is apparently being made to serve the interest of one owner, Americold, a multinational corporation based in Georgia.

Most realtors would put the value of water views on the Peninsula in Portland at a 15-20% margin. Eradicating that much property value is unacceptable. Further, over time the effect in lost property taxes for the City will be proportional, especially when the area is now, somewhat belatedly, experiencing a high degree of turnover, improvements and renovation. For instance, 6 homes at the west end of Danforth Street have changed owners just in the past two years, with consequent revaluations going sharply upward. Those new owners chose this area to see the water and its various marine activities. We

certainly did the same a decade ago, when we purchased a 140-year old house that needed a quarter of a million dollars in repairs. Tour buses now stop along Danforth Street to allow visitors to enjoy looking at views of the Fore River and the historic houses along Danforth Street. In Portland, as in many other cities, views are now monetized, with high stakes for both owners and tax revenue. This must be taken into consideration, regardless of the question of rights to a view, which many in City government seem to regard as trivial.

At the maximum allowable size, very large warehouses or storage facilities will also direct even more noise from Commercial Street into our bedrooms. This will be a major concern if the 24/7 plan for trucking along Commercial Street proceeds. Currently, noise is somewhat objectionable, but half of it is dissipated out over the Fore River. This proposed plan will concentrate that noise by reflecting all of it upward to our homes, while continuing throughout the night.

I know that aesthetic considerations are rarely admitted into planning decisions regarding economic development. However, the Board must consider what the effect of 75-foot-high, 400-foot-long steel walls along the south side of Commercial Street will do to the impressions that visitors will have of Portland. The effect will be even worse if J.B. Brown Co. demands equal height limits on the north side, which are now 45 feet. That will create a dark, forbidding steel canyon along the length of the street. This is the major gateway to the most attractive part of Portland for tourists—the Old Port. Trying to replicate the New Jersey entrance to Manhattan (one of the most oppressive and ugly entries to any major city in the world) is very questionable. Most cities in the US are working very hard to improve their waterscapes and keep waterfront buildings to a lower height. Why are we going in the opposite direction?

We urge the Planning Board to suspend any changes to the existing zoning requirements for height and mass in the WPDZ until these very weighty issues have found a proper balance between economic development and its potentially major negative impact on a very large number of Portland citizens living in, and enjoying, the immediate residential adjacency.

Tom Robinson, 320 Danforth Street resident

24 January 2017 comments on WPDZ proposed zoning change

20 years from now, when our grandchildren ask us “why did they choose to put all the warehouses on the waterfront?” What answer should we give?

The city initially told us initially it was just an effort to help Americold and create uniform zoning across the WPDZ. Then Sprague/Merrill objected and the city said, well, maybe just for the other property owners – but really this just means the IMT and Portland Yacht Services. But there is no connection between Eimskip and yacht storage and painting --so why are we linking these two? They need to be treated separately.

Please understand that one of the reasons the community is so united against zoning changes for Americold is that city planners seem intent on using this project as a precedent rather than an exception —and they risk turning the western waterfront into what will amount to a 75’ wall of warehouses.

I want to be clear: most neighbors support a working waterfront and a reasonable building to meet the specific cold storage needs of Eimskip. But even within the existing zoning restrictions the IMT can develop a mammoth 100,000 square foot cold storage facility – far more than enough to serve Eimskip. But no one mentions this. Instead, the city characterizes this as a false choice – change the zoning to 75’ or we lose a “generational” opportunity.

I don’t blame Americold – of course they want the largest building possible so they can integrate Eimskip with their more traditional truck in/truck out business. But truck-in/truck-out belongs on the highway, not the waterfront. The existing 45’ zoning does allow for an economically viable cold storage business on the waterfront .

So let’s be balanced about this. Let’s recognize that each new warehouse will have adverse effects in terms of traffic, the gateway to the city, and the integration of the waterfront with the broader Portland community. These effects are cumulative and that is precisely why this discussion should be limited to Americold. I personally am convinced that zoning changes are unnecessary to develop a cold storage facility– but even if you are not, this discussion should be solely about this specific project and not the broader waterfront zone.

Our current zoning was established precisely to strike an appropriate balance for waterfront development. We can absolutely have a cold storage building within the 45' limit that meets Eimskip's contractual needs – which as we recently learned will only be 20-30% of the facilities capacity initially, potentially rising to 50%.

Let's not be the generation that turns the waterfront into a warehouse zone. Please reject this false choice so we can all get behind reasonable and appropriate waterfront development.

W^m. Norris Dale, Jr.
40 Salem St.
Portland, ME 04102
207-233-2292

January 26, 2017

Ms. Elizabeth Boepple
City of Portland Planning Board
389 Congress St.
Portland, Maine 04101

Dear Ms. Boepple,

I greatly admired your handling of the Planning Board workshop on the 24th. In particular, the Board's expressed need for more hard information made a great deal of sense. But I noticed six other questions that were not answered in the City's presentations, as follows:

1. The warehouse will be the same size as the Read Street facility, which is the largest public cold-storage warehouse in the state. What will keep Americold from shutting down the Read Street warehouse and moving all of its traffic to West Commercial Street? What will be the economic consequences of shutting the Read Street facility down on jobs, property taxes, etc.? What will be the future use of the Read Street warehouse?
2. Has there been a traffic study done for the West Commercial Street corridor? Would improvements be necessary to accommodate increased heavy truck traffic?
3. Yucaipa Cos., a private equity firm based in Los Angeles, owns Americold. Two Yucaipa investment funds own 25.3 percent of Eimskip, according to Eimskip's 2014 annual report. How did this fit into the choice of operators?
4. What incentives have the City and state offered to Americold? TIF financing or other benefits?
5. In the City presentations I did not notice the terms of the lease for the West Commercial site: the city anticipates a yearly tax income of \$163,000, but what about the lease payments?
6. Evidently, there are existing "view corridors" for Vaughn and Emery Streets. How did these come to be? Why is there not a view corridor for Brackett, or Clark, or Briggs Street? What process would we use to designate new view corridors?

Sincerely,



Norris Dale

cc. Mayor Ethan K. Strimling
Councilman Spencer Thibodeau
Mr. Ian Jacobs, WENA

Americold

Mike Stone <mstone800@gmail.com>

Jan 27, 2017 6:51 AM

Posted in group: **Planning Board**

Dear City of Portland Planning Board Members, et al,

My name is Michael Stone. My partner, Jeannie Verrando and I are residents at 116 Salem Street....the next to last house at the dead end of Salem. I have family ties to this neighborhood and the waterfront views from the bridge to Merrill's Marine Terminal dating back over 60 years. In my lifetime I have seen this Western Waterfront area evolve from a thriving port for cargo ships with rail and truck access....to a vacant unused stretch of land begging to be restored to once again provide a viable means of access for international trade and economic development. (I clearly remember 24/7 activity of the china clay boats and scrap metal boats and the rail tracks that went from the docks to Commercial Street. As a young boy I begged my parents for a pair of binoculars so that I could watch this activity from my bedroom window. I still have those binoculars!) Just another historical perspective for you.

I like many, welcome the development of this western waterfront property to provide both marine and non-marine industry. Any development, now and in the future, will clearly benefit the economic growth of the City. However, let's be very careful and mindful of what is done now and the effects it will have for many years to come.

In particular, the height restrictions and the building design requirements. As this is a major port of entry to the Old Port section of the peninsula, we don't want it to become a "warehouse district" with obtrusive buildings that are taller than what sufficiently fits into the topographical landscape of the Western Waterfront...leading up the grade to the areas of Danforth Street.

At the Planning Board workshop on 1/24/17 we all heard some very thoughtful comments...both from a factual and technical standpoint as well as those of a historical and passionate nature. There were a couple of things that were mentioned, but were not very clear to me....and perhaps you who were at the meeting as well. I would like to offer a couple of thoughts and questions to add to your deliberation on this matter.

First, the establishment of the current zoning height of 45 feet for this area. My apologies if I didn't quite pick up on this, but I don't recall hearing what the true rationale was when the 45 foot limit was established in 1993. It would seem to me that proper due diligence would be to really look into this. That would include not only looking back at meeting minutes, but it should also include speaking with Planning Board members at that time....to really understand on a more first hand basis what the mindset was that resulted in the 45 foot limit. That was 24 years ago. I'm guessing that most, if not all, of you were not around back then. All I'm saying here is let's understand what your/our predecessors were thinking back then. I would be willing to bet that after considerable thought and discussion, the thinkers and planners 24 years ago came up with compromising decisions that were mindful of the very logical topographical landscape of the waterfront....which resulted in the 45 foot limit....as well as the future potential for the economic development of this very viable piece of our waterfront property. Please...speak with those who were involved 24 years ago.

As for the Americold proposal. I have to admit that I am a bit frustrated and disappointed about the process that has gotten us to where we are today. You heard someone mention that this seems like a bait-and-switch scenario. I agree as do many others.

What wasn't really made clear was exactly how Americold would be using their Read Street facility in conjunction with the proposed Commercial Street facility. In the 8/31/15 PPH article announcing that Americold was the winning bidder on the proposed cold storage facility, it mentioned that *"Company officials say they're evaluating whether to close the outmoded (Read Street) facility or keep it open for overflow and long-term storage."* If not already done so, it would seem to me that Americold should be very clear with you/us on what their intentions are with the Read Street facility. I wonder....could the cost to construct the additional 25 foot height on Commercial Street be invested in upgrades to Read Street? I don't recall what the square footage of Read Street is, but if you combine it with the square footage of a 45 foot high facility on Commercial Street, I would think that would certainly give them a very substantial footprint here in Portland....within only 4 miles of each other. And, both are accessible by rail and truck.

On a brief note, I totally agree with the comments that were made concerning potentially very significant decreases in property values of residential owners most effected by any development of the Western Waterfront. It concerns us a great deal if any current or future development does not take this into consideration when proposals are put before the Planning Board.

I, as do many others, would welcome Americold to the Western Waterfront to partner with current and future endeavors of Eimskip and others. *EVERYONE* agrees that this is absolutely a tremendous boost for the economic development of the City and further enhances us as a major player on a world stage. I wouldn't want Americold to pull out just because they can't (after the fact) obtain a zoning change for an additional height of 25 feet. They proposed a facility at 45 feet knowing that this was the height limit. They should be held accountable to their original intentions and we should be held accountable to adhere to what our current zoning rules are.

I agree, some rules are made to be broken....but not in this case as it pertains to the Western Waterfront. Please, let's not make decisions that we might very very possibly regret in the future.

Forty five feet is the current limit. Please, let's stick to it.

Thank you,

Michael Stone

Jeannie Verrando

116 Salem Street

Portland, ME 04102

Portland Press Herald

Posted January 24

Letter to the editor: As proposed, warehouse on city waterfront is far too big

Reporting on City Manager Jon Jennings' appearance at a recent Portland Regional Chamber of Commerce event (Page B1, Jan. 7), the Portland Press Herald paraphrased him as having "noted the importance of rezoning the land along the western waterfront to allow for a 70-foot cold storage facility to be built there ... (a proposal that) has generated opposition from West End residents, who are concerned about losing their water views."

Most of us West End residents are fine with construction of a cold-storage warehouse within the city's International Marine Terminal. We understand its importance to Portland's economy.

What we object to are the scale of the proposed warehouse and the likelihood that it will store significant product that neither arrives nor leaves by ship – in violation of zoning restrictions on Portland's western waterfront to activities "dependent upon deep water and which contribute to port activity."

A warehouse that serves the port's cold-storage needs can easily be designed at 45 feet, which current zoning allows. Americold and the city's Economic Development Department are proposing something quite different: a 3-acre, 70-foot warehouse storing both dry and frozen product, much of it never coming near a ship.

West Commercial Street and Interstate 295 connector truck traffic would increase exponentially, aggravating existing congestion and forcing commuters back onto peninsula streets.

Current zoning is intentionally consistent with the city's long-standing practice of placing taller buildings on the peninsula's spine, with heights dropping toward the waterfront. This preserves not only visual access to the water but also the character of the adjacent historic neighborhoods.

The huge warehouse as proposed would dominate the waterfront, blocking views of the water, the harbor, Casco Bay Bridge and the hills of South Portland to all. This is an issue of concern for all Portland-area residents, not just for a few homeowners who might lose personal views.

Jo Coyne

Portland

WPDZ zoning application
Statement to the Planning Board, January 24, 2017
Mark McCain, 45 Summer Street, Portland 04102

A year ago the real estate company CBRE surveyed more than 500 of the largest warehouses built in the U.S. during the last four years. Only eleven had ceiling heights over 40 feet. Americold's proposed warehouse would be taller than any in Maine, and among the tallest in the nation: joining the one-percent club.

According to a memo city staff sent you, 70 feet, bumped up to 75 a day ago, is "the minimum needed to construct a sufficiently large, modern, efficient cold storage facility" here.

That is false. Americold has hundreds of modern, efficient warehouses with roof heights under 45 feet, including new ones in Utah and Pennsylvania. That leaves the claim of sufficiently large. Just as one example, among many, that 75 feet is arbitrary and unnecessary, I have a fact sheet for you showing one initial revision in Americold's proposal that would make it zoning compliant, and bring it within 12 percent of the volume Americold has insisted it needs, without any substantiation.

Jon Jennings recently said "economic analysis must be done to justify the size." Economics cannot be the sole criteria for allowable height, but it needs to be examined. Indeed, independent analysis should have been conducted months ago.

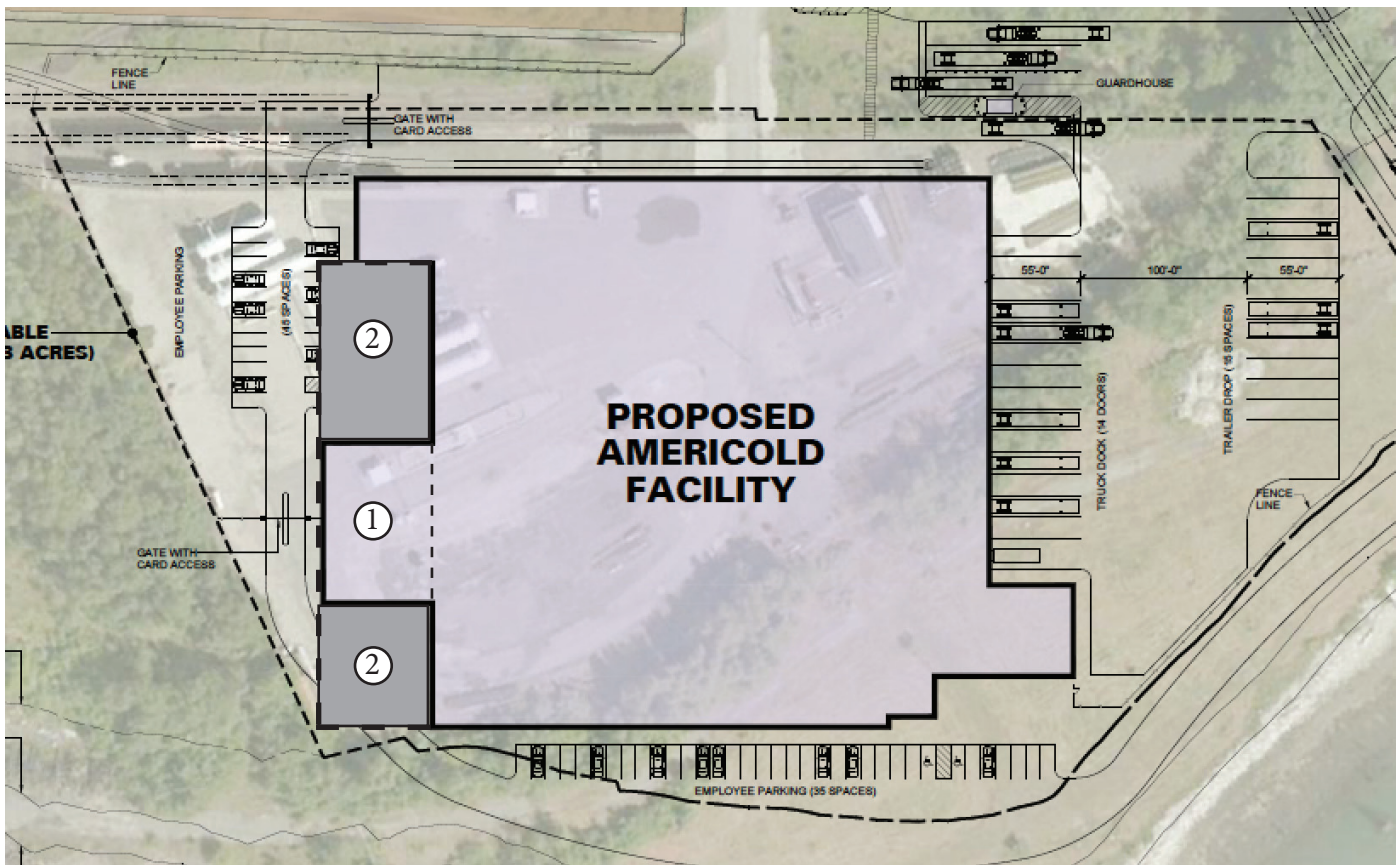
Americold's problem with 45 feet is not profitability or sufficient size to serve our port, but other factors, including its desire to shift product from Read Street to this site restricted to port-related uses. Mindful of that restriction, another applicant proposed a two-warehouse plan, with two-thirds of the product stored off terminal.

All seven cold-storage operators who prequalified for this Port Authority project knew the site was zoned for 45 feet. Only Americold had the audacity to say in its proposal it would honor the city's "current regulations and guidelines," then after being selected, put a gun to the city's head, saying: Give me 70 feet.

For the Port Authority, this was a shoddy way to conduct an RFP for leasing public land. On one side we had Americold, ignoring current regulations and pulling numbers out of thin air. On the other side, we had six applicants who analyzed the economics at the allowable legal height. A 66% height increase would be a staggering after-the-fact change to the RFP.

What happens when the city tells Americold 45 feet is the limit? The company will likely adopt a workable design solution. Or it will say no. In that case the Port Authority can reopen negotiations with the other cold-storage companies. Having spoken to principals at three of them, I can assure you there's still competitive interest in the project. All else being equal, negotiations should be initiated with the applicant proposing the lowest building height.

I respectfully ask that you vote against this application. Thank you.



A 45-foot-high warehouse for Portland's International Marine Terminal

- Remove the corporate-office component of warehouse. **(#1 on footprint.)** There are several development sites nearby to provide Eimskip with office space and parking for its 30 to 50 employees, together with any non-warehouse employees of Americold.
- Add +/-20,000 SF of additional warehouse space. **(#2 on footprint.)** The existing three storage rooms as designed could store 10,720 pallets in a 45-foot-high facility. The expansion space would increase the total to 13,920 pallets -- prior to any additional design or density changes. (The 33-foot-high interior ceiling would allow pallets five high, with three feet of clear space above.)
- Americold insists that only one design option exists for a suitable warehouse -- requiring a 56% zoning height increase. An independent industry consultant should provide the city with an opinion of feasible design and density options.
- As one example, Americold is currently proposing "conventional" cold storage. An earlier design Americold submitted to the Port Authority proposed "very narrow aisle" storage, which would provide 27% greater storage capacity.
- The consultant also should compare Americold's stated need for 15,688 "pallet positions" with realistic projections for waterborne-transportation product that will need cold-storage warehousing. The goal should be to restrict any ground-in/ground-out product beyond the first five years of operation -- a lenient interpretation of "temporary" in the zoning language.

A 12/6 letter from 18 Portland residents to the Planning Board includes much more design and density information.

Mark McCain, 45 Summer Street, Portland 04102 walworthmccain@maine.rr.com

Current Zoning for Warehouse

Colleen Callahan <ecolleencallahan@gmail.com>

Feb 2, 2017 10:22 AM

Posted in group: **Planning Board**

Hi,

My name is Colleen Callahan and I was told that the Portland Planning Board is looking to move forward with the construction of a 3 acre, 70' high warehouse on the Portland waterfront on the West End.

I know that I missed the workshop on the 24th, but I was wondering what the verdict was. If there's still room for say, I'd like to say that I think that the current zoning height for cold storage is just fine. It would be an eye-sore for people that live in the neighborhood, like myself, and I'd like for Portland to continue to preserve the landscape as much as we can.

Thank you.

Colleen Callahan

39 Clark Street
Portland, Maine

Eimskip / Cold Storage / West End

TODD GILMOUR <tgilmour@me.com>

Feb 20, 2017 7:58 PM

Posted in group: **Planning Board**

May I ask why Portland doesn't request that the new cold storage building be approved if the applicant is willing to dig the facility into the ground by approximately 20–25 feet?

This would allow them the interior volume they state they require while mitigating the height above ground.

— Todd Gilmour

Google Groups

Cold Storage Warehouse

Sam Vandam <vandam@vandamdesign.com>

Feb 7, 2017 8:39 AM

Posted in group: **Planning Board**

Dear Planning Board Members,

The proposed cold storage warehouse is way out of scale with it's surroundings. I urge you to reject this proposal.

Yours,

Sam Van Dam, Principal, Van Dam Architecture and Design
Architect, registered in Maine, with 40 years experience.
Former board member and advisor, Greater Portland Landmarks
Graduate, Harvard College, major in architectural history
Graduate, MIT, master of architecture
Member, American Institute of Architects

Sent from my iPad

Jo Coyne
36 Salem Street
Portland, Maine 04102
207.775.3902 / jcoyne@gwi.net

February 26, 2017

Patrick S. Costin, President
Portland Society for Architecture
P. O. Box 5321
Portland, Maine 04101

Dear Mr. Costin:

I'm a bit mystified by the stance of the Portland Society for Architecture (PSA) in support of the city's proposed Waterfront Port Development Zone (WPDZ) text amendment.

When I peruse the *Growing Portland: Not Whether, but How* report on which PSA collaborated, I read of half-mile neighborhoods with live/work/learn/play opportunities within walking distance of home; of land conservation and access to greenways; of the importance of long-standing traditions and public values. I'm told that Portland "must pay careful attention...to matters of good urban planning [and] design" if it "is to retain its attractiveness as a city." (p.2)

And yet the Society endorses rezoning that would obliterate the picturesque waterfront that has given Portland's western gateway so much character by allowing construction of massive warehouses up to 75' high and 400' wide? I don't get it.

So far, attention has been focused mainly on the proposed Americold warehouse. You did some renderings for the City that show the difference that color and materials can make. However, the renderings do not accurately depict mass or size. Some could even be called deceptive and none indicate how out-of-scale the proposed structure would be to its surroundings.

In its submission to the Planning Board, PSA called for creation of "a critical foreground streetscape that unifies and enhances the visual experience of this important entry corridor to the city" and for "safe opportunities for public waterfront access." If the WPDZ text amendment is approved, not only will there be no public waterfront access, the visual experience from the Casco Bay Bridge to the Veterans Bridge will be of a wall of warehouses, broken only by view corridors too narrow to be appreciated from a moving vehicle.

Some have criticized neighbors like me for opposing the WPDZ text amendment, saying we are concerned only with loss of personal views. That is not true. We agree that cold storage is needed. However, we know through research that an adequate facility appropriate to the site can be built within current zoning. We also know that good urban design would not turn the West Commercial gateway into a trucking hub. We hope PSA will agree and will reconsider its position.

Yours truly,

Jo Coyne

copies – PSA Board / Planning Board

Dear Planning Board members: I am submitting a copy of the article that appeared in *The West End News* this week for your files because it provides an excellent summary of the neighborhood meeting that took place on Monday, Feb. 27, 6:30 – 8:30 p.m., at Reiche Community Center. Over 70 people were in attendance. Thank you. Jo Coyne



Western Waterfront Rezoning and Americold Update

Neighbors are concerned that the Western Waterfront could become a 'trucking hub'

by Tony Zeli

Posted March 2, 2017 / Updated March 4, 2017 / <http://thewestendnews.com/western-waterfront-rezoning-update/>

On February 27th neighbors held a public meeting to share information and discuss strategies to keep the Western Waterfront for marine-related development.

Of issue is a proposed cold storage facility slated to be developed by Americold. This warehouse company is currently located on Read Street. They intend to build a second facility on Commercial Street. Americold wants to increase capacity for frozen goods shipped by Eimskip, the Icelandic shipping company that currently operates next door to the development site.

The organizers of the meeting support building a cold storage facility. But they take issue with a current request before the Planning Board to increase building heights in the Waterfront Port Development Zone. The proposal would increase allowed heights from 45 feet to 75 feet above grade to accommodate the Americold development. The City's Economic Development Department made this request on behalf of the Maine Port Authority, the owner of the land. Further, Americold claims that the extra height is necessary to build a profitable facility.

Residents at the meeting voiced concern that the intention is to create a cold storage facility capable of storing far more than just frozen fish from Eimskip. If so, how much of this storage would be marine-related? Neighbors at the meeting wondered if the rezoning request is just a way for Americold to build bigger. Their suspicion is that Americold wants to use the cold storage facility to expand their overall warehouse operations. Ultimately, the question they ask is will a change in zoning lead to other large warehouses in the area and greater trucking activity?

Pete Thaxter presented at the meeting. He said, "What we don't need here is a truck terminal, and that is what we're trying to avoid."

The City released their comprehensive plan draft in February. The proposed comp plan calls for "development of the Western Waterfront as a 21st Century logistics hub that will serve the freight and cargo needs of Maine and Northern New England businesses." Does this mean that the city, and by extension the state, wants to turn the Western Waterfront into a trucking hub? If so, will the zone be used to ship and receive all sorts of products, not just marine-related goods?

Jo Coyne, another presenter, worries about rows of warehouses and trucking taking over what she called, "the last mile of open waterfront we have."

Residents may review and comment on the Comprehensive Plan. Go to <http://bit.ly/2m3TT0b> .



James Dealaman <jdealaman@portlandmaine.gov>

Western Waterfront

1 message

John Bancroft <johnbancroft207@gmail.com>

Sat, Mar 4, 2017 at 2:35 PM

To: "planningboard@portlandmaine.gov" <planningboard@portlandmaine.gov>

Portland Planning Board:

I am writing to express my concern about the proposed plan to change the zoning for the Portland western waterfront raising the height limit of buildings to 75 feet from 45 feet and the stated intention of developing the area into an "intermodal hub".

The current zoning, and I believe the intention for the entire Portland harbor, is to preserve and support the area for marine-related use, supporting fishing, shipping and other marine aspects of our economy. An intermodal hub goes far beyond this intent, promoting transfer of supplies not just to and from ships, but, from trucks to other trucks or rail. That will fundamentally change and threaten the marine activities of Portland harbor, overextend roads from Commercial street to the freeway, and adversely effect non-motorized transportation through the area.

Extending the height restriction drastically effects the view of the harbor from Commercial street and the neighborhood above, where I live and work. The view of Portland Harbor from West End neighborhoods is considered, in your own studies, to be a Class A or B view. Expanding the height restriction over 50% will alter that immensely.

Shippers such as Eimskip need access to refrigerated storage, but, only that which their business requires. Excess space to promote an intermodal hub may be desirable in the area, but, I see no need to place it entirely on the waterfront, where it causes more harm than good. A properly sized facility, adhering to the current zoning restrictions, is a reasonable alternative. A larger facility and intermodal transfer center, if desirable, can be constructed closer to freeway access away from the waterfront.

John Bancroft
322 Spring St.
Portland, ME 04102

Bill Needleman

A working waterfront benefits all. We the undersigned are a group of mariners who are members of an organization established 221 years ago. We are in agreement that a successful working waterfront, one that serves the public and is an economic boost to the area is the long-term goal.

Building a cold storage warehouse on the western side of the bridge that supports the growing container shipping business meets one of those long-term goals.

We are a country of needs. We need to sell our goods and we want our goods delivered at a reasonable price. This type of trade to and from Europe meets those goals.

Portland was built and continues to prosper in large part due to the maritime industry and ours and your support of this proposal will mean that Portland, Maine and all of New England will continue to prosper through trade.

A major financial investment has already been made in the container handling facility. Those tax dollars are our tax dollars. All those blue and white boxes you see by the bridge, coming and going on rail cars, being loaded and unloaded on ships means that commerce in Portland is a success.

A working waterfront cannot survive on cruise ships and a few fishing boats alone. Please join the undersigned in urging the Portland planning board and our city council to approve this proposal.

Captain Jeff Wadman

Captain John Charest

Captain Wayne Komulainen

Captain Charles Crockett

Captain Frank Hale

Captain Alan B. Rich

Captain Benson A. Bowditch

Captain Gary F. Smith

Captain Charles Hall

Captain Richard Ingalls

Captain John Hills

Captain Larry Whittaker

Captain Scott Keller Sr.

Official concerned letter

Rebecca Brakeley <rebeccabrakeley@gmail.com>

May 7, 2017 11:24 AM

Posted in group: **Planning Board**

Dear Portland Planning Board,

I am forwarding this letter to Reiterate our concerns for the Americold structure affecting our condo association. Thank you for listening to our concerns.

Condo owner association member, Scott Keysor, will be present for the walk through on May 18th and will voice our concerns in person.

Rebecca Brakeley
92 Salem St COA President
Portland ME

Sent from my iPhone

Begin forwarded message:

From: Rebecca Brakeley <rebeccabrakeley@gmail.com>
Date: December 12, 2016 at 10:09:06 PM EST
To: estrimling@portlandmaine.gov, sgo@portlandmaine.gov
Subject: Official concerned letter

Please see Urgent Letter attached.

Rebecca
92 Salem COA

Google Groups

scott keysor <scott.keysor@gmail.com>

May 8, 2017 7:48 AM

Posted in group: **Planning Board**

Planning Board,

Our condo owners association is writing to persuade you to reject the construction plans of the Americold cold storage facility proposed to be built on West Commercial Street.

The members of this association stand in strong opposition to the current design plans of the Americold structure. The white, seventy foot high, proposed building would tower over Commercial Street obstructing the views from residences like ours. Property values in the city are largely influenced by views of the water and this building would obstruct the view from Salem Street thus decreasing our property value significantly.

The tax paying property owners of this Association urge you to stand by the current zoning laws that require facilities to not exceed forty five feet in height. Please do not put corporations and big money ahead of Portland's citizens.

Sincerely,

Scott Keysor

92 Salem St COA

Official concerned letter

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Sincerely,

Scott Keysor

92 Salem St COA

Portland Press Herald

Maine Voices column, Friday, May 12, 2017

City on brink of huge mistake:

Cold-storage facility far bigger than needed

Certainly a solution can be found that avoids scarring the landscape of Portland's valued western waterfront.

By Mark McCain and Sidney St. F. Thaxter
Special to the Press Herald

Take Portland's tallest building, Franklin Towers on Cumberland Avenue. Replicate it 16 times, creating a monolith that extends half a mile to Forest Avenue. That's the volume of shipping containers a warehouse proposed for Portland's waterfront could store every year.

Yet in violation of zoning crafted to ensure a working waterfront, most of that freight would have no maritime connection. Instead, the city's western waterfront would metastasize into a New England truck terminus.

Last year, maritime containers requiring local cold storage would have filled half of one of those 16 Franklin Towers. Even a decade from now, based on our calculations using Maine Port Authority's optimistic projections, only 40 percent of the warehouse freight would arrive or leave by ship. Reasonable people [are upset](#).

We can trace this community conflict to 2014, a year after [the Icelandic company Eimskip began service to Portland](#). At that point, the Port Authority spent \$7.2 million to increase the International Marine Terminal's acreage and, without market analysis, invited proposals for a "northern New England refrigerated logistics facility."

A local consortium designed a 1-acre maritime warehouse and a larger warehouse off-site.

Americold Logistics proposed a much taller, 3-acre warehouse to "easily accommodate all food and beverage imports for the New England region." That's a market area 400 percent larger than the Port Authority specified. Americold also stated that it might shift all its trucked cold-storage freight from an aging warehouse near Morrill's Corner to the maritime facility.

The Port Authority [selected Americold](#) without probing the inflated market size or the likely zoning violation. Later, when Americold announced the warehouse needed to be 60 percent higher than the 45-foot zoning limit, Portland's Economic Development Department shouldered all the work to win a zoning change. City staff did not require Americold to document storage demand, nor did it commission independent analysis until April – after six months of public pressure.

The project's site abuts the Fore River's deep-water channel. To ensure the land is used wisely, Portland requires development to be "dependent upon deep water" and "contribute to port activity." Yet data so far points to a warehouse that will store mostly trucked freight.

Undaunted, and anxious for a showpiece facility, the Port Authority has exaggerated the need for maritime cold storage.

"Most of the seafood that Eimskip delivers to Portland is now shipped to cold-storage warehouses in Massachusetts," Executive Director John Henshaw said at [a January Portland Planning Board hearing](#). "A cold-storage warehouse on the Portland waterfront would keep that seafood here and allow Portland companies to process, package and distribute it."

His prediction of a market-share surge is wishful thinking. We recently looked at three months of Eimskip's cold-storage imports. Nearly 40 percent went to a single processor that uses private warehouses in New Hampshire and Massachusetts. Another 40 percent went to other companies outside Maine. With significant infrastructure and workforce investments already at their current locations, they will not be drawn here by a new warehouse.

Henshaw said customers will include food producers and wholesalers, blueberry and lobster processors, and pharmaceutical companies: "Without cold-storage capacity, companies in these industries find it difficult to compete on a national and international scale."

But blueberry processors and pharmaceutical companies would continue to use mostly private cold storage. A waterfront location would be immaterial for many other companies, and the warehouse would provide scant benefit for Maine companies targeting national and international opportunities.

For on-site storage of international exports leaving by ship, companies would save \$7.50 per 30-cubic-foot pallet, compared with storage 3 miles away, according to the Port Authority: a third of a penny per pound of lobster.

Portland needs modern cold storage, but not on this scale. Wilmington, North Carolina, the 18th largest U.S. container port, recently opened a 3 million-cubic-foot cold-storage warehouse. Huge, yes, but smaller than Americold's proposed warehouse and less than 45 feet high.

Rather than blunder into a development that would scar Portland like the destruction of Union Station a half-century ago, we need a fair and legal solution. One option acknowledges freight will move primarily by truck for many years: Develop a warehouse off the waterfront.

If Eimskip's shipping volume grows by 350 percent within a decade, as it predicts, a maritime warehouse would gain traction. Market growth would allow the first warehouse to transition to exclusively trucked freight. And by then, the Port Authority may have data it now lacks to justify a warehouse taller than zoning allows.

ABOUT THE AUTHORS

Mark McCain, a carpenter, and **Sidney St. F. Thaxter**, a lawyer, are Portland residents.

May 10, 2017,

Beth Boepple, Chair
City of Portland Planning Board
389 Congress Street
Portland, Maine

Dear Chair Boepple and members of the Planning Board,

Here are a few reasons why no height increase should be approved in the Waterfront Port Development Zone for maritime cold storage:

- 1 • More than 80% of cold-storage imports at the International Marine Terminal are trucked to companies outside of Maine. The majority of that freight will never be stored in Maine, despite contrary claims by the Maine Port Authority.
- 2 • IMT cold storage will have a negligible impact on both cost structure and competitiveness beyond state borders for Maine companies, despite contrary claims by the Port Authority.
- 3 • Seven months after the first WPDZ text-amendment application, analysis that stands up to scrutiny still has not been provided about the maritime customer base for IMT cold storage.
- 4 • WPDZ zoning prohibits storage of product that does not either arrive or leave by waterborne transportation, except possibly on a temporary basis.
- 5 • Both the city and state consider northern New England to be the facility's appropriate market area; Americold has proposed a market area with four times as many consumers.
- 6 • There are strong legal and logistical reasons to develop a dual waterfront/inland port strategy.
- 7 • Redesign of Americold's proposed warehouse would make it zoning compliant with modest storage loss; however, appropriate volume is likely much less than proposed.

As you know, Americold Logistics LLC intends to lease 6.3 acres from the Port Authority. It has proposed a 120,000-square-foot facility with 15,864 pallet positions, about one-third "dry" and the rest frozen, with an annual turnover of about 300,000 pallets – equal to about 15,000 forty-foot containers.

The proposed warehouse is an aggregate of four components: Americold's outsized ambitions for IMT cold storage, the Port Authority's desire for a show-piece project, storage of trucked freight inappropriate to a marine terminal, and actual need. The first three components need to be separated from the last one to determine the optimal size.

Very few American ports have cold storage on site, although typically it is available within in a few miles of a port. So, for instance, if the 245-acre Rigby Rail Yard, about three miles away, already had a modern facility with capacity for 5,000 pallets and room for expansion, IMT cold storage would not be a priority.

1 • Growing Portland's Seafood Industry?

The issue is not cold storage at the marine terminal per se, but rather easy access to high-quality cold storage with good highway and rail connections. That does not exist in Portland today.

“Most of the seafood that Eimskip delivers to Portland is now shipped to cold storage warehouses in Massachusetts,” John Henshaw, executive director of the Port Authority, said in a recent statement¹.

“A cold storage warehouse on the Portland waterfront would keep that seafood here and allow Portland companies to process, package and distribute it.”

Most likely, new cold storage in Portland would not generate a surge of related business growth. More than 80% of frozen seafood that arrives by Eimskip leaves by truck, and occasionally rail, to companies out of state for processing, packaging and distribution.² Those companies, which also source from other ports and providers, will not move to Portland when new cold storage becomes available. Nor will some even use it, except perhaps during occasional peak inventory periods.

The largest seafood importer, High Liner Foods, for instance, uses private cold-storage facilities in New Hampshire and Massachusetts for 24,000 pallets.³ Among New England's 50 largest seafood importers⁴, only one is based in the greater Portland area: Portland Shellfish, ranked 26th.

2 • A Boon for Maine Businesses and Exports?

According to the Port Authority, likely customers for IMT cold storage will include food wholesalers, retailers, producers, and processors of products such as blueberries and lobster – as well as perhaps pharmaceutical and biomedical companies. “Without cold storage capacity,” Henshaw stated, “companies in these industries find it difficult to compete on a national and international scale.”

Some industries, however, including blueberry processing and pharmaceuticals, will continue to rely primarily or exclusively on private cold storage. Moreover, a waterfront location is not a key factor for most potential users, and it is a negligible factor in the competitiveness of Maine companies beyond state borders.

The very modest economic benefit of an IMT warehouse will accrue only to product needing on-site storage before being exported by ship: A savings of \$150 per 40-foot container, as compared to storage three or four miles away, according to the Port Authority. That equals \$7.50 for each 30-cubic-foot pallet, or about a third of a penny for each pound of lobster.

3 • A Waterfront Site for Waterborne Freight?

Tom Robinson is providing separate analysis to the board of significant errors and questionable use of data points in maritime freight-volume estimates⁵ produced by Woodard & Curran for the Port Authority.

As one flaw to highlight here, Woodard & Curran did not use Americold's estimate of 20 pallet “turnovers” per pallet position each year, as stated in the RFP proposal. The consultant arbitrarily used an estimate of 12 annual turnovers, which inflated the necessary warehouse size by 60%.

Woodard & Curran also did not develop a baseline estimate of actual demand for storage. The consultant should have started by tabulating data such as pallet volume of Eimskip customers in 2015 and 2016 who used public cold storage elsewhere, but would have preferred on-site storage, and Eimskip freight forwarding which required on-site cold storage.

Instead, the consultant assumed that 100% of Eimskip's "temperature controlled freight" would be stored on-site. Yet High Liner Foods and many of the other out-of-state processors would have little need for the warehouse.

A separate study summary⁶ by Woodard & Curran provided a faulty comparison of Americold's current proposal with an identical facility 45' tall, without any underlying documentation:

"The study looked at the fees charged by four cold storage warehouses in Massachusetts. In each case, the study found it would be cheaper for a Maine company to store pallets in a Massachusetts warehouse than in a 45-foot-tall warehouse in Portland. However, the study found that a 65-foot-tall warehouse in Portland could offer lower fees than all of its competitors in Massachusetts."

That claim does not hold up. The study said an "average" customer of 525 pallet positions would pay \$735 in a 65-foot warehouse or \$782 in 45-foot one. That equals \$36.70 vs. \$39.13 for each stored pallet, or \$48.60 extra per 40-foot container in the 45-foot warehouse, assuming 20 turnovers a year. That's vastly less than \$600 extra, the cost a Maine company would incur by trucking a container to a Boston facility, according to the Port Authority.

4 • Meeting the Spirit and Letter of the Law?

Several city staff members have said that any combination of shipment by truck, rail or ship is permissible in the WPDZ, based on the allowable use of: "Warehousing and storage of goods which are awaiting shipment via cargo carriers."

The next allowable use in the WPDZ section, however, refers to "marine" cargo containers, not simply cargo containers – a modest reflection of repeated emphasis on maritime uses. References to "truck" and "tractor trailer" are absent in the WPDZ section. Reinforcing the maritime restrictions on warehousing and storage, bulk storage facilities in the WPDZ are limited to "materials delivered to a site by waterborne transportation or awaiting transportation from the site by means of waterborne transportation."

Sec. 14-319⁷ of the city's Land Use Code recognizes the importance of a scarce resource abutting the WPDZ: Fore River's deep-water channel. To ensure the land is developed wisely, uses are limited to those "dependent upon deep water **and** [emphasis added] which contribute to port activity. Nonmarine industrial activity may be allowed only on a temporary basis and only to the extent it will not preclude or impede any future water-dependent development."

"And" means the zone is limited to uses that meet both requirements. Without waterborne transportation as one half of the transit process, truck or rail transit fails because it is not "dependent upon deep water."

Mindful of WPDZ restrictions, Eastern Marine of Portland submitted a proposal⁸ to the Port Authority to build a maritime cold-storage warehouse of 50,400 square feet for product pass-through and consolidation. The proposal also included a 100,000-square-foot warehouse to be built off terminal for

long-term cold storage, value-added services and distribution. A possible second phase included expansion of 50,000 square feet at the marine terminal and 100,000 square feet off terminal.

The Port Authority rejected that proposal, according to Henshaw, because Eastern Marine “does not currently operate cold storage facilities. It scored poorly relative to Americold and was unresponsive to some of the RFP requirements.” Atlanta-based Americold, however, also did not respond to some of the RFP requirements. Further, the Port Authority did not discuss any alternatives with Eastern Marine, such as recommending that the local consortium engage an experienced cold-storage manager or establish a joint venture.

5 • Fourteen Million Target Consumers or 3.5 Million?

In its RFP,⁹ the Port Authority sought proposals for a developer to “fill the growing opportunity for a Northern New England refrigerated logistics facility,” a market with 3.5 million consumers. Americold responded with a proposal¹⁰ that included one-third dry storage, although the RFP requested only cold storage. More significantly, it proposed a warehouse that “could easily accommodate all food and beverage imports for the New England region.”

That is an area with four times as many consumers as northern New England, which both Portland’s Comprehensive Plan and the Port Authority specified as the appropriate market area for the warehouse.

Americold has not shared details of its business plan with Portland officials or residents. However, a New England-wide hub would presume, among other growth expectations, that Portland would appropriate three of Boston’s five largest containerized importers: Anheuser Busch InBev, United Liquors and Heineken. Possibly containers would be transshipped from the Port of NY/NJ to Portland – a route that McAllister Towing and Transportation hopes to establish soon.

A ground-transportation hub for New England food and beverage imports in Portland might trim pennies off pallet-distribution costs as compared to Boston, but other impacts would be negative.

A vibrant resurgent neighborhood overlooks the narrow marine terminal site, which parallels a central artery used daily by thousands of commuters, visitors and commercial vehicles. Northern New England product that arrives or leaves by water plays to the strengths of the terminal (although adding traffic to often-congested West Commercial Street). Truck-to-truck and truck-to-rail transfers have a net-negative impact, as would an oversized geographical reach for Portland’s niche port.

6 • One Warehouse and Distribution Hub or Two?

The zoning and urban-siting constraints of an IMT warehouse could be resolved by developing a linked off-terminal facility, as Eastern Marine proposed. It is doubtful that Americold’s Read Street warehouse, built about 60 years ago and retrofitted for cold storage, would be a suitable candidate. It would require significant capital improvements, probably without an acceptable return on investment, to compete with newer facilities. The Portland Press Herald reported on 8/31/2015 that Americold officials “say they’re evaluating whether to close that outmoded facility or keep it open for overflow and long-term storage.”

Ideally, an off-terminal warehouse would be part of an “inland port,” but city, state and regional officials have yet to articulate a plan to integrate that sort of development into regional freight logistics. An inland port would be a trade-development tool by providing higher capacity, lower congestion and lower distribution costs. It would handle appropriate elements of freight distribution, customs clearance, empty container storage and transshipments; it also could nurture small businesses by renting space and equipment in its distribution facility.

Current non-maritime users of the IMT, including L.L. Bean Inc. and Nestlé Waters North America, would be better served by an inland port with easier accessibility than West Commercial Street. The relocation of ground-transit operations also would allow the marine terminal to align its operations with WPDZ restrictions by focusing on waterborne import/export for northern New England.

7 • Does the Design Match the Urban Site?

As a size reference, a 1999 report by Tom Valteau, et al, proposed construction of a 2,000-pallet cold storage warehouse to serve the Portland-area seafood industry, which by then was deeply reliant on frozen imports, as it is today. The 81-page analysis concluded that the warehouse could be self-supporting with little or government subsidy. (In Americold's case, its ground-lease payments will be heavily subsidized by taxpayer investment.)

Portland needs modern cold storage, but not on Americold's proposed scale for our small niche port. Consider Wilmington, NC, the nation's 18th largest container port. It recently opened a three-billion-cubic-foot warehouse for cold storage. Huge, yes, but with a smaller footprint than Americold's proposed warehouse and a finished roof height of 47 feet.

A dual-warehouse plan would ease the marine terminal's “fixed constraints,”¹¹ which have pushed Portland residents into a battle with the Economic Development Department over appropriate height of buildings on the western waterfront. Regardless of the IMT facility's final pallet volume, Americold should revisit design, density and pallet-racking options suitable for the urban site. For instance, an earlier design Americold submitted to the Port Authority proposed “very narrow aisle” storage, which would provide about 25% greater storage capacity than the “conventional” storage Americold now states is necessary for all of its freezer storage.

Additionally, there are development sites nearby for office space to serve Eimskip employees and non-warehouse Americold employees. Elimination of a 65' x 96' wing and about 45 employee parking spaces would allow about 18,000 square feet of additional warehouse space¹² (65' x 278'). Current plans specify a roof height of approximately 65', with racking seven and eight pallets high. If the facility's roof height was reduced to 45', it could store 10,680 pallets with five-pallet racking, prior to any other design changes. The additional warehouse space would increase the total to about 13,500 pallets, including blast-freezer volume.

I believe, however, that projected growth of on-site storage of refrigerated pallets transported by marine vessels will show an appropriate volume far below 13,500 pallets for the IMT.

Sincerely,
Mark McCain
45 Summer Street, Portland

¹ **Statement by John Henshaw, executive director, Maine Port Authority:**
<http://www.mediafire.com/file/7ww7ogymqt1qmgj/Henshaw1-24-17PBcomments.pdf>

² **Refrigerated containers shipped to Portland via Eimskip, first quarter 2014, source: Datamyne**

Maine, and Everett MA cold-storage facility as consignee: 46 containers, 13%

11/ A.C. Inc. Quality Seafood, 125 Black Duck Cove Rd, Beals, ME
10/ Preferred Freezer, Everett, MA
8/ Bristol Seafood, 5 Portland Fish Pier, Portland, ME (59th largest N.E. seafood importer)
8/ Harbor Seafood, 9 Custom House Wharf, Portland, ME
7/ Portland Shellfish, 110 Dartmouth St, S. Portland, ME (26th largest N.E. seafood importer)
2/ Nova Seafood, 555 Commercial St, Portland, ME

NH, VT: 42 containers, 12%

33/ High Liner Foods, Portsmouth, NH (largest New England seafood importer)
8/ Lindt & Sprungli USA Inc, 1 Fine Chocolate Pl, Stratham, NH (only non-seafood consignee)
1/ Aquamarine Seafood Markets, 736 Pine St, Manchester, NH

MA, CT, RI: 170 containers, 49%

67/ High Liner Foods, Peabody, MA (largest New England seafood importer)
21/ Nordic Group, Inc., Nordic Fresh, 326 A St, Suite 2C, Boston, MA
18/ Ocean Trawlers Procurement, aka. Atlantika Inc., 253 Putnam Rd, New Canaan, CT (18th largest N.E. seafood importer)
16/ North Coast Seafoods, 7 Drydock Ave, Boston, MA
10/ Channel Fish Processing Co., 18 Foodmart Rd, Boston, MA (11th largest N.E. seafood importer)
9/ Southstream Seafoods, 100 Metro Center Blvd, Warwick, RI (7th largest N.E. seafood importer)
8/ F.W. Bryce Inc., 8 Pond Rd, Gloucester, MA (2nd largest N.E. seafood importer)
6/ Legacy Seafood Inc., 99 Poppasquash Rd, Bristol, RI
5/ ISI Seafood, Heritage Square, 1700 Post Rd, Fairfield, CT (16th largest N.E. seafood importer)
4/ Trufresh LLC, 2 Craftsman Rd, East Windsor, CT
4/ Arctic Linefish, AS, 100 Widett Circle, Boston, MA
4/ Ipswich Shellfish Fish Market, 8 Hayward St, Ipswich, MA
2/ Great Eastern Seafood, 14 Foodmart Rd, Boston, MA
2/ The Hadley Company, 156 Front St, Marion, MA (6th largest N.E. seafood importer)
1/ Pioneer International Corp., 26 Princess St # 1, Wakefield, MA
1/ Blue Sea Products LLC, 30 North Water St, New Bedford, MA
1/ Juncker Associates Seafood, 1 State Fish Pier, Gloucester, MA
1/ American Pride Seafoods, aka APS LLC, 40 Herman Melville Blvd, New Bedford, MA, subsidiary since 2013 of High Liner Foods

Remaining USA: 17 containers, 11%

34/ Hallvard Leroy USA, 501 Eastowne Dr #265, Chapel Hill, NC
21/ Arctic Fisheries Ltd, 965 Maryvale Dr, Buffalo, NY
6/ Samskip HF
3/ The Scoular Company, 2027 Dodge St, Omaha, NE
2/ Alliance Seafood, 891 South Azusa Ave, City of Industry, CA
1/ Trident Seafoods, 5303 Shilshole Ave NW, Seattle, WA

Canada: 13 containers, 8%

9/ BRT Provisioners Inc., 1368 Hwy 7, Keene, Ontario
8/ Breaker Fish Co., 2165-21000 Westminster Hwy, Richmond, BC
4/ West Fish Canada Ltd., 12 Eaton Ave, Dartmouth, NS
1/ Fisherking Seafoods, 267 Cobequid Rd, Lower Sackville, NS
1/ Marine Harvest Canada, 7200 Coho Rd, Port Hardy, BC

³ 2/24/17 email from Rick Barnhardt, vice president, U.S. supply chain, High Liner Foods, 183 International Drive, Portsmouth, NH, to Mark McCain: We have two self-operated cold storage facilities in New England: at our plant in Portsmouth (8,000 pallet positions) and our distribution center in Peabody MA (approx. 16,000 pallet positions). We also operate a distribution center and plant-attached cold storage in Newport News VA. The containers on Eimskip are bought FOB Peabody or occasionally Newport News. Our intention is to bring the containers into our own facilities directly. We do have seasonal builds in inventory based on our sales pattern and the nature of the quota season in Iceland so we do occasionally have peak needs for outside storage, generally in the fourth quarter. We do have a relationship with Americold nationally and would welcome an option outside of Boston.

We primarily use over the road transit, but we ship intermodal weekly to Southern California (one to two loads) and would be receptive to bringing rail inbound from Seattle (Alaskan Pollack) to a cold storage to be broken and shipped to the Portsmouth production facility.

⁴ Largest New England seafood importers:

<http://www.mediafire.com/file/j7rkznfkzv2ggrh/Page33AmericoldRFPproposal.pdf>

⁵ Woodard & Curran report:

<http://www.mediafire.com/file/l6x9clia6hjxcgk/Bldg.+Justification.PDF>

⁶ Second Woodard & Curran report:

<http://www.mediafire.com/file/ir6cfc8ma5xcd9y/Woodard%26Curran.pdf>

⁷ Portland WPDZ zoning:

<http://www.mediafire.com/file/m8v6simc0mt28lg/WPDZzoning.pdf>

⁸ Eastern Marine RFP proposal:

<http://www.mediafire.com/file/6zq67xbkg7s6k3c/EasternMarineProposalRFP.pdf>

⁹ Maine Port Authority RFP:

<https://assets.documentcloud.org/documents/2167668/west-cold-storage-rfp.pdf>

¹⁰ Americold Logistics RFP proposal:

<http://www.mediafire.com/file/58yngg05ckivyg2/AmericoldRFPproposal.pdf>

¹¹ EDD application to the Planning Board:

<http://www.portlandmaine.gov/AgendaCenter/ViewFile/Agenda/01242017-1925?packet=true>

¹² Adjusting the project's footprint:

<http://www.mediafire.com/file/1yztqgw8k061dly/removing+office+space.pdf>

Portlanders for the Western Waterfront

36 Salem Street, Portland, ME 04102

zoning45@gwi.net

To The Portland Planning Board,

Attached please find analysis regarding the proposed rezoning of the Waterfront Port Development Zone to accommodate the proposed Americold cold storage facility and to create a logistics hub on the waterfront. We are a group of fellow Portlanders who have been actively involved in this process and believe that these zoning changes are both unnecessary and counter-productive.

Before going into our specific concerns, we want to emphasize that we support a working waterfront and are not opposed to building a cold storage facility at the International Marine Terminal to serve the legitimate cold storage needs of Eimskip. The city and the Port Authority have aggressively marketed these zoning changes by suggesting that without these changes development of the waterfront cannot move forward. We strongly disagree. Our analysis exposes deep flaws in their justification, showing that a state-of-the-art facility that accommodates approximately 10,000 pallet positions is both economically feasible and more than sufficient to meet the current and foreseeable future needs of Eimskip. Such a facility can be built within the existing code.

While we support cold storage, we strongly oppose turning the western waterfront into a truck hub that consolidates warehouse operations from other parts of the city. The proposed plans would allow the construction of an entire corridor of warehouses along West Commercial Street, each as tall as the Casco Bay Bridge. This is not an appropriate use of the waterfront and will have irreparable implications for traffic along Commercial Street, for the gateway to the city, and the community as a whole.

To support our conclusions, please find attached, the following:

1. The Woodard & Curran study on Eimskip's potential cold storage needs that claims that a 10,800 pallet position facility would be insufficient.
2. Our analysis of this study that demonstrates that once you correct the methodological flaws, this study actually proves the opposite-that a facility can be built under current zoning that is more than sufficient.

3. The Woodard and Curran study regarding the costs of alternatively sized cold storage facilities, followed by analysis showing that the report misstates the competitiveness of a 45-foot warehouse vs. alternatives in the Boston area.

Eimskip's cold storage needs can be met within the existing code. Rezoning the entire WPDZ based on the flawed projected needs of a single building opens up the development of a truck hub that is neither marine-related nor an appropriate use of the last mile-and-a-quarter of Portland's waterfront.

Respectfully,

Tom Robinson

on behalf of Portlanders for the Western Waterfront



Proposed State of Maine West Commercial Street Cold Storage Facility

Model of Eimskip Cold Storage Need

The following pages describe a basic model that was prepared to evaluate the current and future projected cold storage needs of Eimskip. The current and projected needs were then considered relative to the storage capacities of:

1. An approximately 120,000 square-foot facility with an interior clearance height of 55 feet, a total building height of approximately 65 feet (as measured per the current zoning¹) and a capacity of 15,864 pallet positions. This configuration is consistent with the latest conceptual model proposed by Americold.
2. An approximately 120,000 square-foot facility with an interior clearance height of 35 feet, a total building height of approximately 45 feet (as measured per the current zoning¹) and a capacity of 10,860 pallet positions. This hypothetical configuration was prepared by Americold to assist with comparative studies but is not being proposed for construction.

Note that the difference in storage capacity specified for each building above is directly related to clearance height. Specifically, the height of the racking system used to store pallets is designed to reach up to the ceiling of the building, with necessary space reserved for lighting and mechanical equipment. The proposed 65-foot building can accommodate a racking system that is 8 rows high while a building that is limited to 45 feet would be able to accommodate a racking system that is 5 rows high. Therefore, though the building footprints are the same, the available storage capacity in each building is significantly different. Do to site constraints the footprint of the building is maximized at approximately 120,000 square feet

The following process was employed during the preparation of this model:

1. Collect Data from Independent Sources

To objectively evaluate the growth of Eimskip's freight shipments and resulting cold storage needs, three independent data sources were employed. These included:

1. Cold storage capacity need reported by Eimskip;
2. The total number of loaded containers shipped through the Port of Portland in 2014 and 2016²; and
3. The number of Eimskip ship calls to the Port of Portland in 2014, 2015, and 2016.

The intent of this method was to use independent sources of data to evaluate the same question, and assess the precision of the results.

¹ Per City of Portland Code of Ordinances, Sec. 14-47 the height of a flat-roofed building is measured for permitting purposes as the vertical distance from grade to the highest point of the roof beams.

² Containers that did not arrive in Portland or depart Portland via an Eimskip ship were excluded from this data.

2. Convert Eimskip's Reported Need to Pallet Positions and Estimate the Rate of Growth

Eimskip has reported the following cold storage capacity need estimates:

1. Immediate cold storage need would fill 30% of the proposed 65-foot cold storage facility's capacity;
2. In 3-5 years, this need will grow to 50% of the proposed 65-foot cold storage facility's capacity; and
3. In 10 years, the need will be three times the immediate need.

The proposed 65-foot cold storage facility contains 15,864 pallet positions, per the current design. Therefore, 30% would equal 4,760. In 3 to 5¹ years, this need would be 50% of 15,864, or 7,932 pallet positions. Finally, in 10 years, the need would be three times that of the current need of 4,760, or 14,280 pallet positions or 90% of the proposed 65-foot facility and 131% of the 45-foot building example. These data points and a linear trendline are plotted on the enclosed chart. A linear trendline was selected as this growth is based on Eimskip's predicted needs at certain points versus a forward-looking projection.

3. Estimate Freight Volume Rate of Growth from Container Data

Using the annual container shipment volumes from 2014 through 2016, Woodard & Curran estimated the total number of pallets shipped through the Port of Portland during these years. It was assumed that each 40-foot container would hold the equivalent of 20 pallets of freight and that each 20-foot container would hold 10 pallets of freight, which are commonly used conversion factors. This total annual volume of pallets was then divided by 12 to estimate the monthly throughput of pallets transiting the Port. Monthly averages were used as a simple and convenient unit of measure. No assumptions were made concerning the duration of storage for each pallet, as this varies widely and is based entirely on customer need as driven by ever-changing market conditions.

Eimskip then provided an estimated ratio of their total freight versus freight that would require storage in a cold storage facility. This factor (35%) was applied to the monthly total generated above to estimate the average number of pallets that would require cold storage each month during 2014, 2015, and 2016. The differences between these three numbers generated rates of growth between 2014 and 2015, and between 2015 and 2016, which were considered the increases in Eimskip freight that would require cold storage over these periods. A review of the available data, though limited, indicates an exponential growth rate, at least in the short term. Therefore, the available rates of growth were projected exponentially forward starting in 2017, and were plotted on the enclosed chart.

4. Estimate Rate of Growth of Port Calls

The number of Eimskip ships that called on the Port of Portland in 2014, 2015, and 2016 was plotted on the enclosed chart. In addition, Eimskip has reported that by 2020, they expect weekly port calls or 52 ships per year. This value was also plotted on the enclosed chart.

¹ For the purpose of this basic model, Woodard & Curran assumed that the 3 to 5-year projected need would be achieved in year 3.

5. Compare the Projected Increase in Eimskip Cold Storage Need to the Capacities of the Proposed 65-foot Building and the 45-foot Building Example

Based on information provided by Americold, the proposed 65-foot building would have a pallet capacity of 15,864 positions and the 45-foot building example would have 10,860 pallets. Eimskip's reported need for cold storage volume was compared to these capacities immediately (in 2017), in 3 to 5 years (assumed to be 2020), and in 10 years (2027), and the percentages of each building occupied by Eimskip freight during these years are presented on the enclosed tables.

Similarly, the annual containerized freight volume that would require cold storage, as developed using the rate of growth in container shipment data from 2014 through 2016, was compared to the capacities of the proposed 65-foot building and the 45-foot building example each year from 2017 to 2024 (the date the capacity of the 45-foot building example was exceeded). The percentages of each building occupied by Eimskip freight during these years are presented on the enclosed tables.

The rate of growth over time as estimated using the three referenced data sources was also compared graphically to the capacity of the 45-foot building example. The result is presented on the enclosed chart.

Findings and Conclusion

The following findings were developed in accordance with the results of this basic modeling effort:

- Consistent with the data presented on the enclosed chart, the rates of growth for Eimskip's reported increases in cold storage capacity need, the projection of increased freight volume that would require cold storage based on 2014 through 2016 container data, and the increase in port calls by Eimskip ships between 2014 and 2016, as well as the projected frequency in 2020, are all similar. This indicates good precision in the evaluation methods used during this modeling effort, and that conclusions that may be drawn from this model are likely reliable.

However, it is important to note that, as with all growth projections, the accuracy of the estimate decreases as the farther away one moves in time from the known data points. Further, with exponential business growth projections, it is expected that the rate of growth will at some point diminish until equilibrium is reached (e.g. due to market saturation or limitations in available shipping capacity). It is not known when equilibrium will occur, therefore, Woodard & Curran did not consider container growth projection data beyond approximately 2024.

- Based on the estimated growth in Eimskip's cold storage needs as assessed using the referenced data sources, the capacity of 45-foot building would be exceeded between 2023 and 2024.
- Greater than 50% of the capacity of the proposed 65-foot building would be occupied Eimskip freight between approximately 2020 and 2021. Therefore, the majority of the proposed building would be occupied by marine-related uses in a relatively short time following the completion of construction.

Consistent with the findings of this model, the following conclusion was derived:

- Based on projected growth rates, a building that is limited to 45 feet in height, with a resulting capacity of 10,860 pallet positions, would be insufficient to fill Eimskip's cold storage needs beyond 2023. As such, continuing to limit the allowable height for buildings in the Waterfront Port Development Zone to 45 feet would increase the risk of losing Eimskip as a container shipping partner for the Port of Portland.

It is relevant to note that this conclusion has been drawn based only on one customer's need, and multiple users are anticipated for the proposed facility. Therefore, it is possible that the capacity of the 45-foot building example will be exceeded by customer needs prior to 2023.

Enclosures

Eimskip Temperature Controlled Needs Estimates Based on Eimskip Growth Predictions, 2014-2016
Maine Port Authority Container Shipment Data, and Current and Predicted Annual Port Calls

Projection of Future Eimskip Need in Pallet Positions (PP) Relative to a 45-foot Building Example Based
on 2014 Through 2016 Container Shipment Data, Eimskip's Estimated 3-5 and 10-Year Growth
Projections, and Projection of Port Freight Growth Based on 2014-2016 Port Calls

**Eimskip Temperature Controlled Needs Estimates Based on Eimskip Growth Predictions,
2014-2016 Maine Port Authority Container Shipment Data, and Current and Predicted Annual Port Calls**

Estimate of Pallet Positions Required to Meet Eimskip's Immediate and Future Needs Based on Growth Predictions Provided by Eimskip	
Total Number of Pallet Positions in Proposed 65-foot Building (PP)	15,864
Eimskip Immediate Need (% of total proposed PPs)	30%
Eimskip Immediate Need (PP)	4,760
Eimskip Projected Need in 3-5 Years (% of total proposed PP)	50%
Eimskip Projected Need in 3-5 Years (PP)	7,932
Eimskip Projected Need in 10 Years: 3X Current Need (PP)	14,280
Percent of Proposed 65-foot Building Projected to be Occupied by Eimskip in 10 Years	90%
PPs in 45-foot Building Example	10,860
Difference Between PPs in 45-foot Building Example and Capacity Required to Fill Eimskip's Projected Need in 10 Years	(3,420)

Estimate of Pallet Positions Required to Meet Eimskip's Immediate Needs Based on 2014 Container Shipment Data	
Total Number of 40-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	3,999
Total Number of 20-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	690
Total Number of Pallets Shipped Through the Port (Annual, Assumes 20 Pallets per 40-foot Container and 20 Pallets per 20-foot Container)	86,880
Average Number of Pallets Shipped Through the Port Each Month	7,240
Percent of Monthly Average that is Temperature Controlled Freight (Provided by Eimskip)	35%
Capacity Needed to Support Average Monthly Temperature Controlled Freight (PP)	2,540
Capacity of a 45-foot Building Example (PP)	10,860
Percent of a 45-foot Building Needed to Fill Eimskip's Projected Need	23%

Estimate of Pallet Positions Required to Meet Eimskip's Immediate Needs Based on 2015 Container Shipment Data	
Total Number of 40-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	4,471
Total Number of 20-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	835
Total Number of Pallets Shipped Through the Port (Annual, Assumes 20 Pallets per 40-foot Container and 20 Pallets per 20-foot Container)	97,770
Average Number of Pallets Shipped Through the Port Each Month	8,148
Percent of Monthly Average that is Temperature Controlled Freight (Provided by Eimskip)	35%
Capacity Needed to Support Average Monthly Temperature Controlled Freight (PP)	2,860
Capacity of a 45-foot Building Example (PP)	10,860
Percent of a 45-foot Building Needed to Fill Eimskip's Projected Need	26%

Estimate of Pallet Positions Required to Meet Eimskip's Immediate Needs Based on 2016 Container Shipment Data	
Total Number of 40-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	5,211
Total Number of 20-foot Containers Loaded or Unloaded by Eimskip (Inbound+Outbound, Excludes Empty)	1,457
Total Number of Pallets Shipped Through the Port (Annual, Assumes 20 Pallets per 40-foot Container and 20 Pallets per 20-foot Container)	118,790
Average Number of Pallets Shipped Through the Port Each Month	9,899
Percent of Monthly Average that is Temperature Controlled Freight (Provided by Eimskip)	35%
Capacity Needed to Support Average Monthly Temperature Controlled Freight (PP)	3,470
Capacity of a 45-foot Building Example (PP)	10,860
Percent of a 45-foot Building Needed to Fill Eimskip's Projected Need	32%

Capacity Need Increase from 2014 to 2015 (PP)	320
Capacity Need Increase from 2015 to 2016 (PP)	610

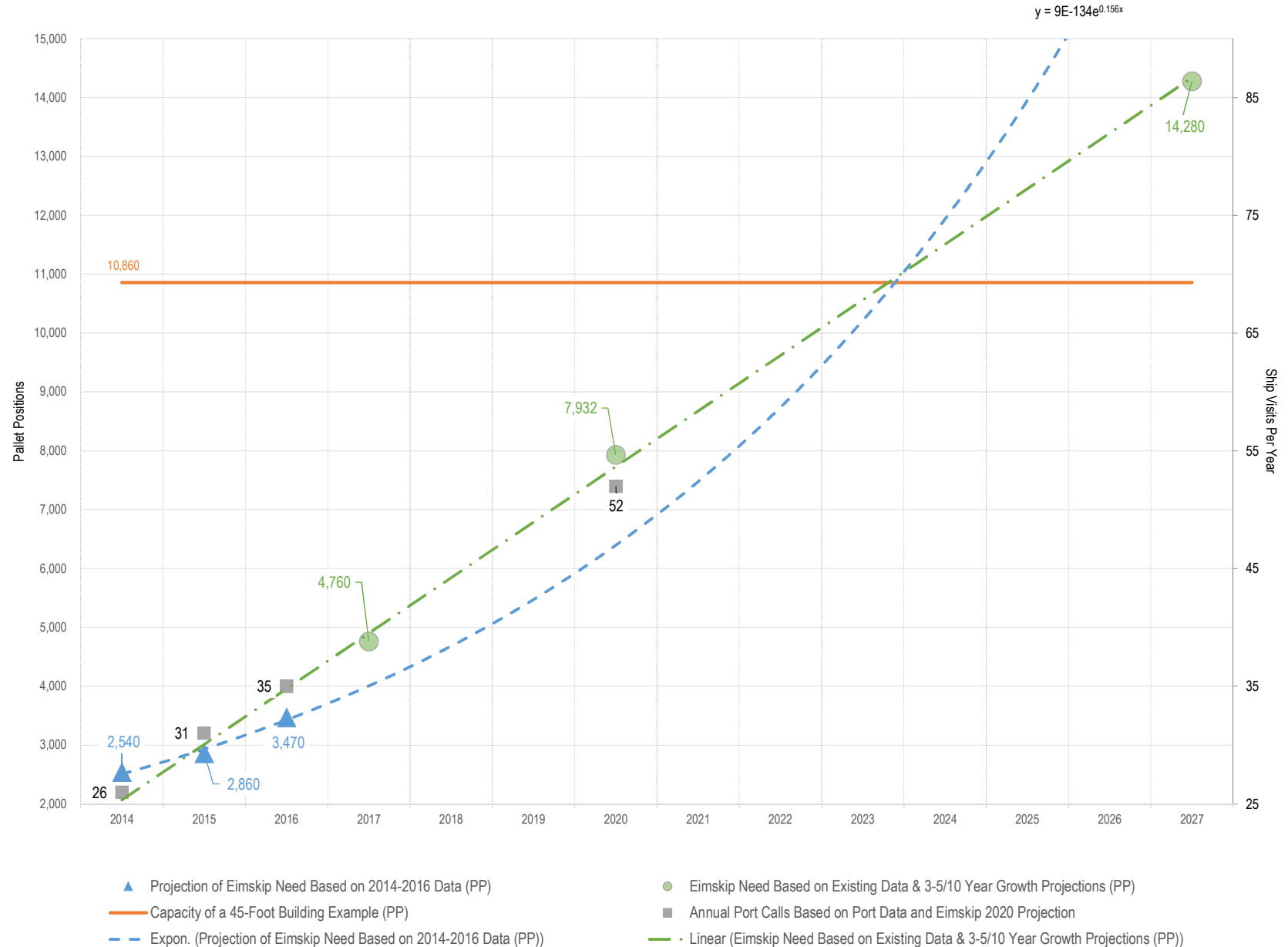
Percent of Proposed 65-foot Building and 45-foot Building Example Filled by Eimskip Using Reported Immediate Need, 3 to 5-year, and 10-year Growth Predictions		
Year	Percent of 45-foot Building Example Filled	Percent of Proposed 65-foot Building Filled
2017	44%	30%
2018		
2019		
2020	73%	50%
2021		
2022		
2023		
2024		
2025		
2026		
2027	131%	90%

Percent of Proposed 65-foot Building and 45-foot Building Example Filled by Eimskip Using Container Shipment Data: Exponential Projection		
Year	Percent of 45-foot Building Example Filled	Percent of Proposed 65-foot Building Filled
2014	23%	16%
2015	26%	18%
2016	32%	22%
2017	37%	25%
2018	44%	30%
2019	51%	35%
2020	61%	42%
2021	71%	49%
2022	84%	58%
2023	99%	68%
2024	117%	80%

Projected Port Growth Based on Annual Total Port Calls		
Year	Total Port Calls	Source
2014	26	Port Authority Data
2015	31	Port Authority Data
2016	35	Port Authority Data
2020	52	Eimskip Growth Estimate

Growth Projections Provided by Eimskip:	
1. Immediate cold storage need would fill 30% of the proposed facility capacity.	
2. In 3-5 years, this need will grow to 50% of the proposed facility capacity.	
3. In 10 years, the need will be three times the immediate need.	
4. 35% of total freight shipped by Eimskip would have the need for storage at the proposed facility.	
5. By 2020 Eimskip projects to have weekly port calls (52 ships per year).	

Projection of Future Eimskip Need in Pallet Positions (PP) Relative to a 45-foot Building Example
Based on 2014 Through 2016 Container Shipment Data, Eimskip's Estimated 3-5 and 10-Year Growth Projections,
and Projection of Port Freight Growth Based on 2014-2016 Port Calls



Analysis of Woodard & Curran Study:

“Proposed State of Maine West Commercial Street Cold Storage Facility Model of Eimskip Cold Storage Need” April 24, 2017

- Objective of the Woodard & Curran (W&C) study prepared for the MPA:
 - Evaluate current and future cold storage needs of Eimskip using alternative methodologies
 - Evaluate those needs relative to a 45' (10,860 pallet positions) vs a 65' (15,864 PP) option
 - The study attempts to demonstrate that Eimskip's stated growth projections are both:
 - Consistent with other methodologies using external data
 - Cannot be met by the 10,860 pallet position facility
 - Provide justification for the Rezoning of the IMT property to allow the taller building
- W&C Study Findings:
 1. Eimskip's projected needs are reasonable based on external data
 2. Eimskip's needs would exceed the facilities capacity by 2023
 3. Greater than 50% of the capacity of the facility would be marine-related uses by 2020-22
 4. The 45' building option is too small
- Problems with the W&C methodology and conclusions:
 - The W&C methodology is deeply flawed and misleading
 - Model assumptions were used which directly contradict statements by Eimskip and Americold
 - Using the same data and appropriate methodologies we refute findings #2-4
 - Without corroborating evidence, the W&C hypothesis that the 10,860 pallet position building is insufficient to meet Eimskip's needs cannot be made based on this study

Objective Data from the W&C Study

- The W&C study was based on the following external data set:

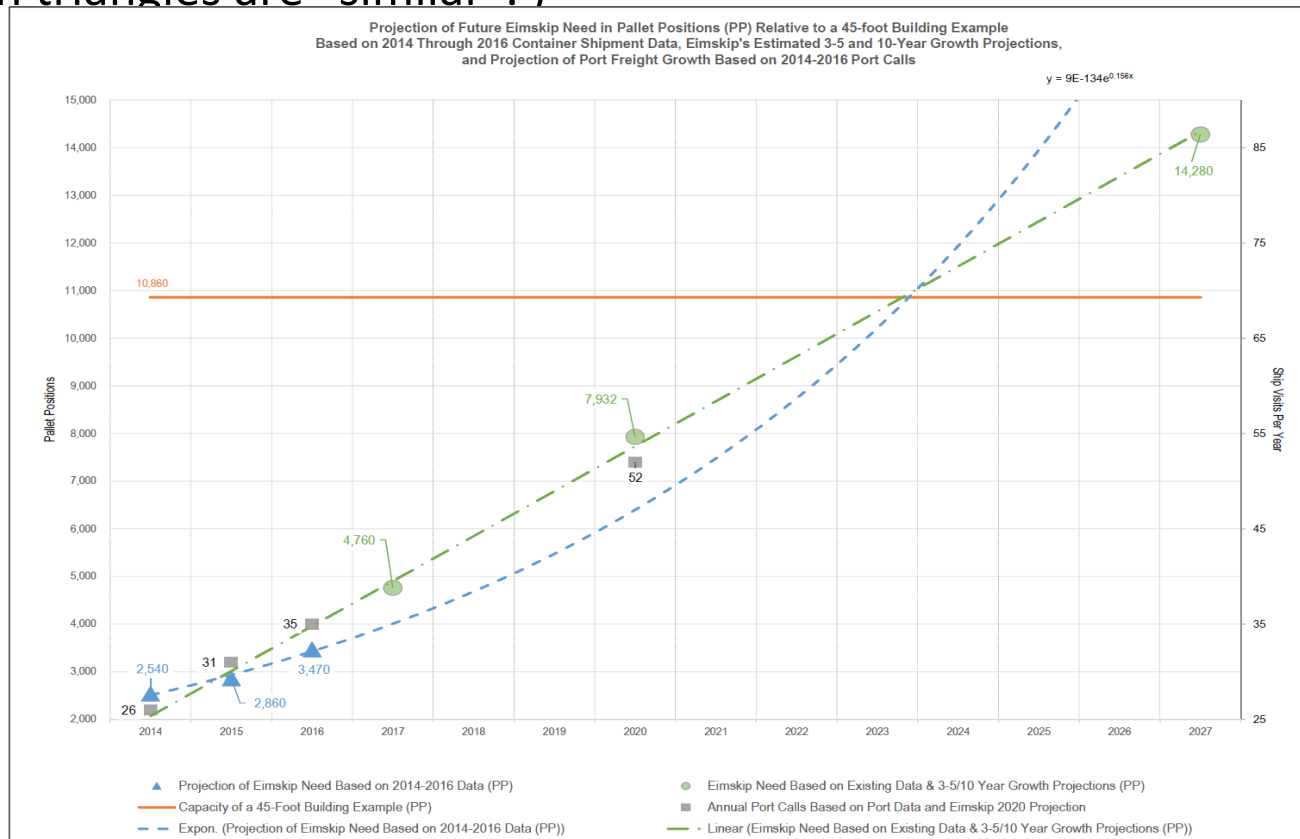
	Eimskip	Eimskip	Eimskip Ratio		Port Calls	Monthly Average
	Potential Need	Potential Need	Freight requiring		Realized and	Container Ship
	Projection	Pallet Equivalent	Temp Control		Eimskip Estimate	Volume thru Port
2014			35%		26	2540
2015			35%		31	2860
2016			35%		35	3470
2017	30%	4760	35%			
2018			35%			
2019			35%			
2020			35%		52	
2020-2022	50%	7932	35%			
2027	90%	14280	35%			

- Key W&C data assumptions:
 - The average pallet utilizing storage will be stored for 1 month
 - All freight requiring cold storage will utilize this facility
 - Eimskip will meet the 2020-2022 estimate by 2020
 - 100 % of freight requiring temperature control utilize the facility (1)

1)The report assumed that 100% of Eimskip's "temperature controlled freight" would be stored at the on-site warehouse. Some major Eimskip customers, however, operate their own cold-storage facilities or prefer public cold storage closer to their operations. A baseline estimate of actual demand would incorporate the pallet volume of Eimskip customers in 2016 who used public cold storage elsewhere, but would have preferred on-site storage, and Eimskip freight forwarding which required on-site cold storage.

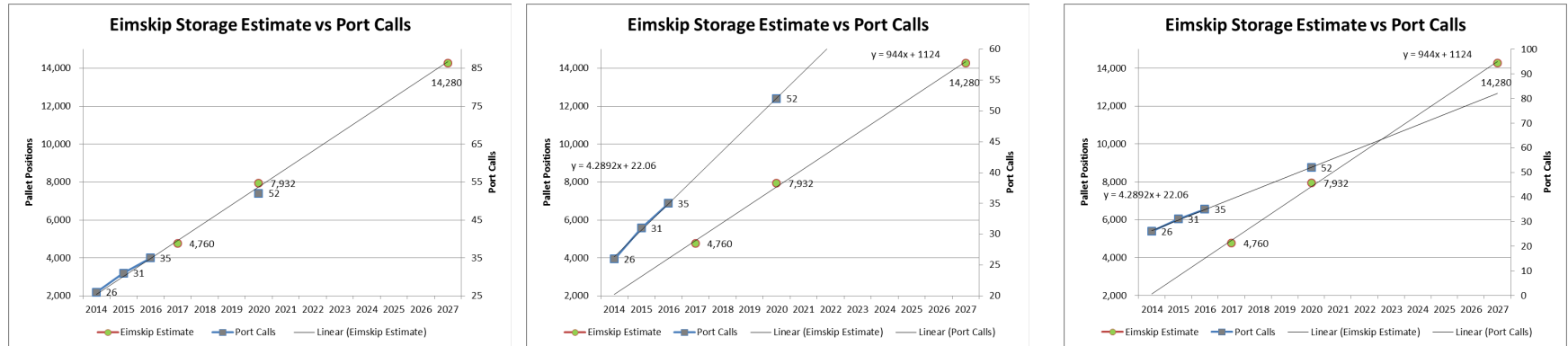
Issue #1: The Right Axis Problem

- W&C report claims the rate of growth of Eimskip's estimated cold storage needs is "similar" to the "increase in port calls by Eimskip ships as well as the projected frequency in 2020...". This claim is based on the chart of the external data below: (i.e. They are saying the Grey boxes and the Green triangles are "similar".)



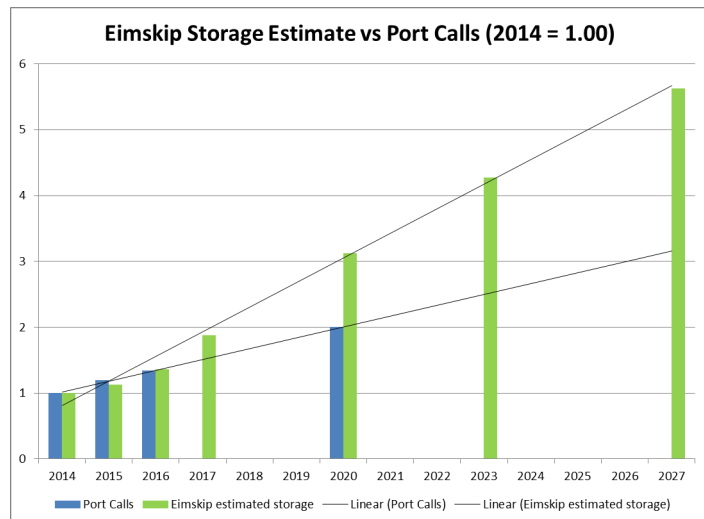
Issue #1: The Right Axis Problem

Question: Which Graph show Port Call growth “similar” to Eimskip’s Storage Estimate?



Answer: You cannot tell visually: they are all the same data! Only the right axis scale is different

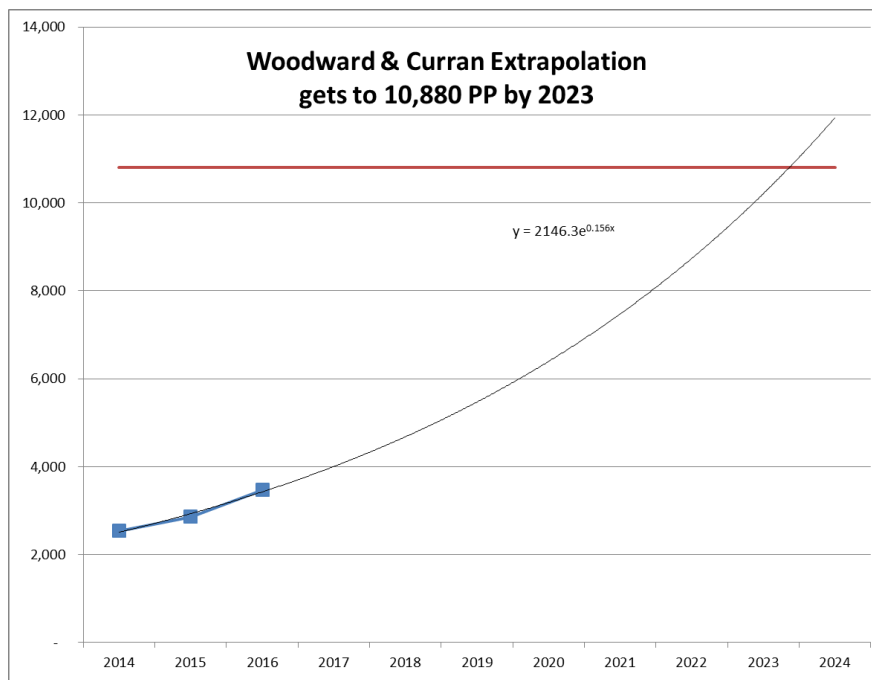
So let’s put them in unitary terms (2014 = 1) and graph them on the same axis



- **Wow! Port calls are growing rapidly (8.5%) but much slower than Eimskip’s estimate of cold storage needs (14%).**
- **Conclusion. They are NOT Similar! The Eimskip storage growth rate estimate is 65% higher than the growth rate for port calls! Why is that?**
- **Just with this change (and there is more), if cold storage demand increased in line with port calls =**
 - 8000 PP by 2020 vs 10860
 - 10160 PP by 2027 vs 14280
 - And this assumes port call grow at 8.5% forever

Issue #2: The Exponential Growth Problem

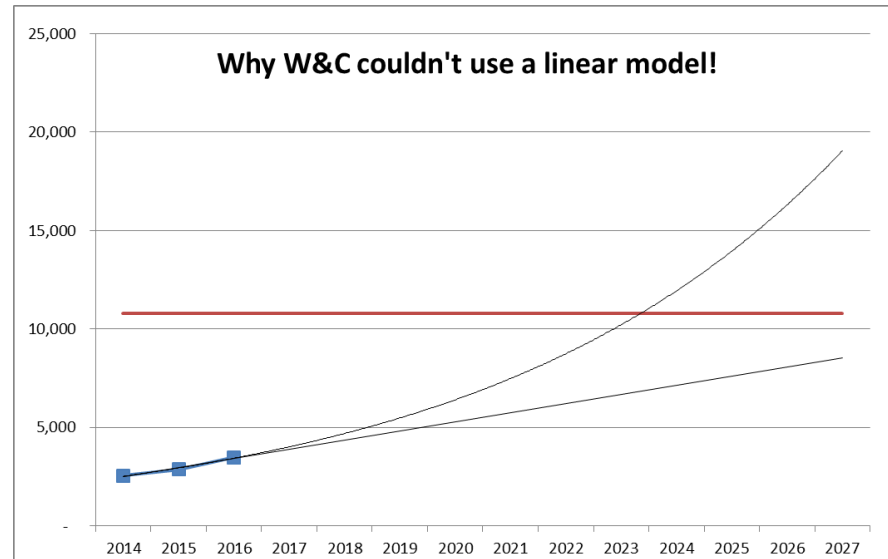
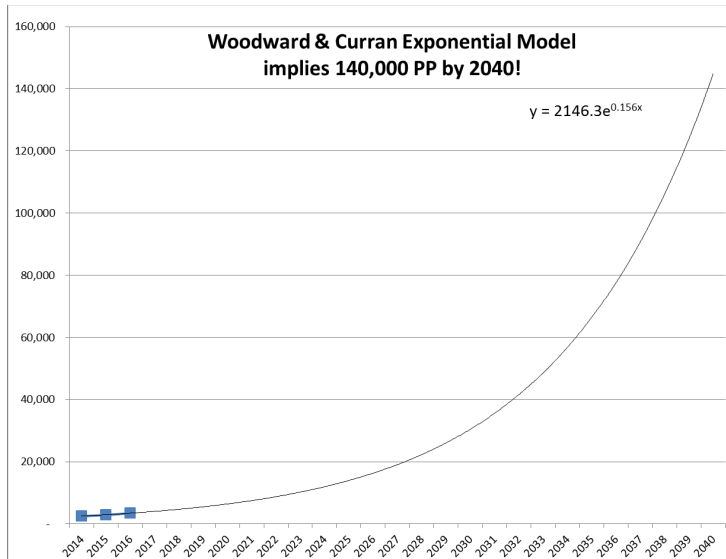
- W&C study compares shipment growth rates with the Eimskip estimate:
 - Evaluates the past 3 years of container shipments from Port Authority data
 - Incorporates Eimskip estimate of 35% being used for cold storage to create an implied historical cold storage demand
 - Assumes an *exponential* growth rate through the study period:



But why would we assume exponential growth? What in shipping grows exponentially?

Also, didn't Eimskip say that 35% of their freight volume will require cold storage? Even Eimskip's aggressive storage estimate is linear rather than exponential....

Issue #2: The Exponential Growth Problem



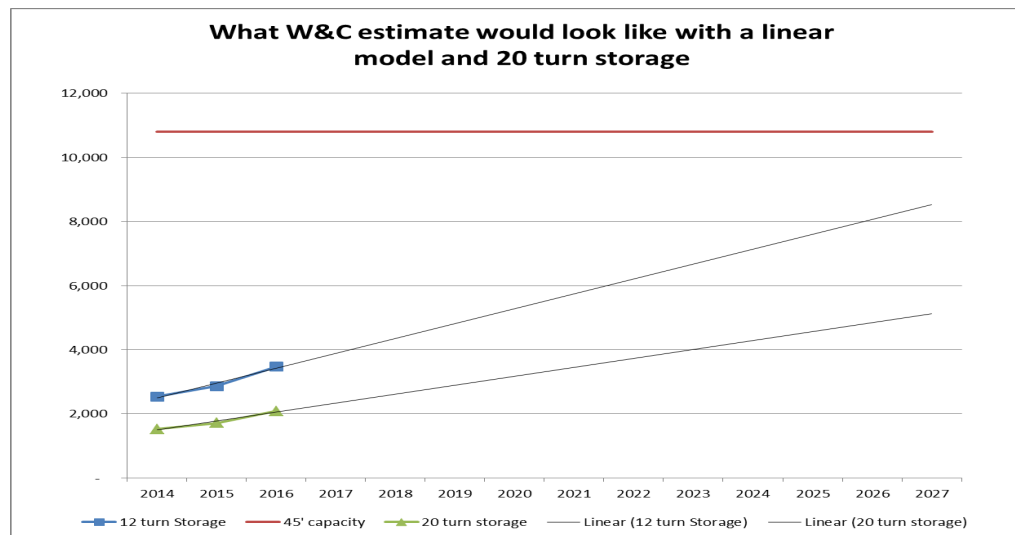
Using a linear growth model, Eimskip wouldn't come close to filling the 45' Facility by 2027. And that is not the answer the report requires...

In other words, the available trend in shipment data implies there must be exponential growth in cold storage demand for the 45' facility to be insufficient...

We conclude: If historical shipment trends persist, a 45' facility is more than sufficient

Issue #3: The Storage Turnover Rate

- W&C study assumes that 12 turn storage by dividing total annual pallets by 12. “No assumptions were made concerning the duration of storage for each pallet, as this varies widely...”
- However, The Americold proposal says explicitly on page 16:
 - “Americold plans to design and construct an expandable facility with an initial capacity of approximately 15k pallets. We calculate approximately 300,000 pallets...can be handled annually.”
 - $300,000 / 15,000$ equals 20 turn storage, not 12 turn storage.
 - Using 20 turn storage, Eimskip would need less than $\frac{1}{2}$ of the Americold facility



Conclusions based on Review of the W&C study

1. The data provided by Eimskip indicates a projected volume growth that is not supported by other metrics.
2. The W&C estimate of average monthly cold storage requirements is too high because it assumes an inventory turnover rate that is inconsistent with Americold's RFP response.
3. The rate of growth in storage requirements is estimated to be 65% higher than the estimated growth in projected port calls – with no reason why.
4. There is no empirical evidence to suggest that cold storage demand will grow exponentially when shipments are projected to grow linearly.
5. Adjusting for these shortcomings of the study methodology:
 - At 45' the proposed building is more than sufficient to meet Eimskip's needs.
 - At 65' the proposed building would be principally used for non-marine related uses for the foreseeable future.

Why not just look at the original Americold response to the Maine Port Authority RFP?

- Page 2: “Eimskip is contemplating moving their U.S. headquarters to the IMT West Cold storage facility, and storing up to 5,000 pallets positions..”
 - What changed from the original proposal? Why was the RFP for 15,000 PPs when Eimskip anticipated a need for 5,000?
- Page 17: “We currently operate a facility on Read Street in Portland. Based on our business plan calculations we may well continue to operate this site in conjunction to the new site at the IMT. We are also considering converting it to a dry facility...complementing the temperature-sensitive product that customers would store at the new facility.”
 - Clearly the RFP anticipates consolidation with Read Street.
 - “may well” means it is possible Read Street remains open, but not necessarily probable.
 - By implication, Americold needs 10k positions for needs beyond Eimskip.
- Page 2: “Americold and Eimskip had developed a Letter of Understanding expressing our mutual intent to establish an agreement for the joint development of a temperature-controlled storage facility...”
 - How could others effectively bid on the project if the principal customer already had an LOU with Americold?

The Business Case for a 65-foot-tall Cold Storage Warehouse Woodard & Curran

The cold storage warehouse proposed for the Portland waterfront could operate as a sustainable business with a building height of 65 feet, but the business model collapses if the height is shortened by 20 feet to comply with current zoning restrictions, according to a new study.

Portland-based engineering consultants Woodard & Curran used anticipated construction costs and industry data to create economic models for two hypothetical cold storage businesses—one with a 45-foot-tall warehouse and one with a 65-foot-tall warehouse.

Using the same footprint for both models, there would be a big difference in the number of pallets that could be stacked inside. The taller warehouse could hold 15,864 pallets, while the shorter one could hold only 10,680 pallets.

The shorter warehouse would operate with less volume, and therefore with lower efficiency and higher costs to the customers. Because larger warehouses in Massachusetts, could undercut the Portland warehouse with lower fees, customers would be more inclined to go there, leaving the Portland facility struggling to attract and retain business, Woodard & Curran concluded.

However, the study found that a 65-foot-tall warehouse in Portland could offer cheaper fees than its competition and therefore succeed in the marketplace.

Using industry standards, Woodard & Curran estimated the annual per-pallet costs for each pallet position in both warehouses. The estimates revealed that for an average cold storage user storing 525 pallets a year it would cost \$410,823 per year to store those pallets in the shorter warehouse rather than the \$385,308 cost for the same amount of storage in the taller one.

The study looked at the fees charged by four cold storage warehouses in Massachusetts. In every case, the study found it would be cheaper for a Maine company to store pallets in a Massachusetts warehouse than in a 45-foot-tall warehouse in Portland. However, the study found that a 65-foot-tall warehouse in Portland could offer lower fees than all of its competitors in Massachusetts.

A 65-foot-tall Portland warehouse would offer Maine food producers lower storage fees and also enable them to reduce their trucking costs. The cumulative cost savings would make their products more competitive. Moreover, the proposed facility's location opens up new International markets. That's because the warehouse would be adjacent to a container terminal served by Eimskip, a steamship line that specializes in moving refrigerated cargo.

Americold says the business won't work financially unless the building is 65-feet-tall. Understanding that the warehouse represents the last piece of a long-range plan that aims to revive the Port of Portland, the City of Portland is seeking to change the zoning to allow the project to move forward.

Completion of the Americold project can help ensure the future success of the Port of Portland and Maine's food production industry.

Response by Mark McCain

walworthmccain@maine.rr.com

207-632-3370

Woodard & Curran provided a faulty comparison of Americold's proposed 65' warehouse with an identical facility 45' tall:

"The study looked at the fees charged by four cold storage warehouses in Massachusetts. In each case, the study found it would be cheaper for a Maine company to store pallets in a Massachusetts warehouse than in a 45-foot-tall warehouse in Portland."

That claim does not hold up:

- The study said an "average" customer of 525 "pallet positions" would pay \$735 in a 65-foot warehouse or \$782 in a 45-foot warehouse annually for each pallet position.
- Using Americold's estimate of 20 turnovers a year, that equals \$36.70 vs. \$39.13 for each pallet stored for an average of 1/20th of a year – or \$48.60 extra per 40-foot container (which holds 20 pallets) in the 45-foot warehouse.
- That's vastly less than \$600 extra, the cost for a Maine company to truck a container (one way) for storage in a Boston warehouse, according to testimony of the Port Authority's John Henshaw at a 1/24/17 Planning Board hearing: "Just trucking a container from the terminal to Americold's Read Street warehouse would cost customers an additional \$150 per container. Trucking to Boston adds more than \$600 per container."
- In its overall analysis for the Maine Port Authority, Woodard & Curran also used faulty assumptions. For instance, although Americold estimate of 20 pallet "turnovers" per pallet position each year in its RFP proposal, Woodard & Curran arbitrarily used an estimate of 12 turnovers, which inflated the necessary warehouse size by 40%.
- Additionally, Woodard & Curran assumed that 100% of Eimskip's "temperature controlled freight" (35% of total volume) would be stored at an on-site warehouse. To establish baseline demand for on-site storage, it should have examined pallet volume of Eimskip customers in 2016 who used public cold storage elsewhere, but would have preferred on-site storage, and Eimskip freight forwarding which required on-site cold storage. That would show, for instance, that many out-of-state importers would not store freight in the warehouse. Potentially, Woodard & Curran is overstating storage demand by 200% - 400% by this error alone.

May 15, 2017

PC113

City of Portland Planning Board
389 Congress Street
Portland, Maine

Dear Members of the Planning Board-

First, I want to thank you for all of your hard work and service to Portland. It is much appreciated!

I am writing with regard to the proposed increase in zoning height on Portland's Western Waterfront. I have been following this issue since the beginning and have tried to have an open mind. I've attended many sessions and community meetings, and have spoken directly with city staff, and listened to many Portlanders express their ideas and concerns.

But I have to say that this situation feels like a classic 'bait and switch.' I attended the very first meeting at the International Marine Terminal last July, and they were talking about how they needed an exception to the zoning height for this one building (the Americold cold storage facility). Then several months later, at another meeting, they suddenly said they wanted to increase the zoning heights for the entire zone!

I recently attended the 'Eggs and Issues' meeting put on by the Portland Chamber of Commerce, and I was blown away by the amount of money and resource (the event was in a large ballroom, with three large video screens) that are being put into promoting this zoning change. Someone has even created a slick new website to promote it (here it is... <https://www.foodeconomymaine.com/>)

I've heard phrases like, "the zoning was created back in the 1990's and it really needs to be updated." Well, I've been to the meetings that show the history of the zoning, and many thorough studies were done at that time to analyze the landscape and create zoning heights that were in proportion to the landscape. **And the landscape hasn't changed since the 90's!**

The western waterfront is a gateway to the city, and is already congested. We need to remember that we have other assets to protect that also bring revenue to the city (i.e. the character and distinctiveness of Portland's neighborhoods which are a big draw to visitors and new permanent residents alike). The West End is a vibrant neighborhood on the peninsula and its views of the water and working waterfront contribute to its uniqueness. **We need protect this valuable asset!**

I have no problem with buildings (including cold storage) that are attractive and functional (and related to port activity) if they remain under the current zoning heights. We have to remember that changing the zoning heights will be a permanent change... once it's done, there is no going back. **I urge you to please oppose this change!**

Thank you for your time in considering these remarks.

Warm regards,



Leslie Pohl
263 York Street
Portland, ME 04102

May 8, 2017

To Members of the Planning Board:

I am very concerned about the proposed zone change on the western waterfront. Specifically, the 75-foot height limit suggests that developers will be allowed very high-intensity operations - a concentrated, heavy-industry area, with trucks and other equipment in and out almost non-stop, and all the accompanying noise, dust and traffic jams. West Commercial Street will likely be tied up many times throughout the day, and possibly the night, by trucks steadily entering and leaving the area. Frustrated drivers will be forced to seek roundabout routes through residential streets. Many of the residents on those streets will also lose valuable views of the water due to the height and bulk of the new buildings.

It seems increasingly that much – maybe most – of the activity will not be related to maritime business. The shorefront is too valuable to be taken up by non-maritime businesses that should be located in other industrial areas. I would urge the City of Portland to assist businesses that want to consolidate their operations to find suitable, affordable sites - inland.

Sincerely,

Peter Lawrence
5 Bond St.
Portland

Google Groups

May 18th review: I support the Re-Zoning needed for Cold Storage Building on West Commercial Street

Jenny Potter Scheu <jpscheu@gwi.net>

May 16, 2017 10:29 AM

Posted in group: **Planning Board**

To:

Elizabeth Boepple, Sean Dundon, David Eaton, Brandon Mazer, Carol Morrisette, Maggie Stanley, and Lisa Whited

Dear Portland Planning Board,

I am writing to support the re-zoning which needs to happen in order go forward with the construction of a large new Cold Storage building on West Commercial Street.

I strongly support the construction of this building as a very important addition to the waterfront/city economy.

Where I live near the eastern end of the Portland waterfront, we have dealt with critics who do not support any development which blocks views of the harbor. I favor thoughtful new development, and submit that there are many existing protections for views. (I would be glad if such a building was built on the east end of Commercial Street!) The important addition of this proposed Cold Storage Building trumps any concerns for it's blocking some of the views from the western neighborhood.

I am sorry that I cannot attend the May 18th site review and workshop, and wanted to express my support for this very important development opportunity.

Thanks so much to each of you - and the Planning staff - for your steady hard work for the city and all citizens.

Best wishes,
Jenny Scheu
jpscheu@gwi.net

Home: 29 Waterville Street, #3, Portland ME 04101

Business: Redhouse Architects, 61 Pleasant Street, Studio 104C, Portland ME 04101

Comment on proposed cold storage

Carson, Keith <Keith.Carson@wssh6.com>

May 16, 2017 11:40 AM

Posted in group: **Planning Board**

Morning all,

I know you've received plenty of public comment on this matter so I'll keep it short: I'm a "fringe west ender" living on York street and this proposed zoning would not impact my views in any way; as such I feel I'm more neutral when assessing this proposal.

Here's what I think:

1. **No great waterfront city builds structures like this in the middle of a boom.** I lived in Plattsburgh, NY for a number of years; in comparison to their neighbors across Lake Champlain (Burlington, VT), Plattsburgh was a very ugly town. Why? Poor use of waterfront space. They chose to build warehouses and even a McDonalds on their side of the lake, while Burlington protected and nurtured their waterfront. We have to think ahead here, Portland Yacht Services looks like it fits with Portland...a giant warehouse does not.
2. **We can continue to grow the port without the excessive height.** I read the studies and reports on both sides and it appears as though Americold is looking well into the future and predicting they might need more space. I certainly understand that from a business perspective, but who knows how volume will actually pan out, and if growth IS as fast as projected...where does it stop? Do they ask for 90 feet in 10 years? At some point Portland has to stay true to scale...it's not a big city.
3. **It defeats the purpose of zoning.** Portland is going wild with residential construction; something I welcome. But how would it be received if the builders on Rufus Deering wanted to go 80 feet? Poorly, I'd say. Zoning is there for a reason, to give residents and businesses a reasonable idea of what to expect around them, and in this case, in front of them. As I stated before my view is NOT impacted, but I admit that I would feel a bit betrayed by the city if they suddenly let the building in front of me change their zoning by 30 feet.

I know this is a difficult decision, and one that isn't easy. I appreciate you hearing my comments.

Keith Carson
Meteorologist
WSSH-TV/WLBZ-TV
keith.carson@wssh6.com

----- Forwarded message -----

From: **Ryan Houghton** <ryan@thehopyard.com>
Date: Tue, May 16, 2017 at 2:02 PM
Subject: Support for the proposed cold storage facility
To: wbn@portlandmaine.gov

To whom it may concern,

While I'm unable to attend the discussions this week, I'm writing to acknowledge support from The Hop Yard, LLC for a modern cold storage warehouse on Portland's waterfront. This is actually a problem for our business today, as we grow our crop (hops) outside of the city but our major storage and distribution need is in and around greater Portland where the bulk of the craft breweries that we supply are. Needing to store outside of the city causes us increased logistical costs and effort. We'd love the opportunity to have something available in town, where most of our owners and employees live and where the bulk of our product goes. Thanks,

Ryan Houghton
The Hop Yard
Ryan@TheHopYard.com
207-838-6850

www.TheHopYard.com

Cold Storage Shed Meeting Thursday Night

Sarah Boucher <sarahjoconnolly@gmail.com>

May 16, 2017 2:53 PM

Posted in group: **Planning Board**

Hi there,

I am writing to express my concerns about the proposed amendments to Division 18.5, Waterfront Port Development Zone.

I have lived on Salem Street for my entire life. My home is located directly above the proposed location for the cold storage shed on Commercial Street.

This waterfront property on Commercial Street is one of the last of its kind in the city and I understand the desire to develop that area. My concern is with the proposed height of the structure that this amendment would allow. 75+ feet is enormous and would dramatically change the landscape of the waterfront as well as the views from Salem Street and the West End. I worry what further structures would be allowed to be added to this area and how things would change. Traffic on Commercial Street is already very busy and I'm sure this will not get better with this building. Another major concern that I have is with the noise. Currently the activity in that area by Eimskip is very noisy. Several nights per week, I am woken up by the creaking and smashing sounds of storage containers being moved and transported. This will get infinitely worse with such a large unit.

I understand that the landscape of Portland is changing, and accept that some type of storage unit will be created in this area that will surely affect the traffic, views, and noise of the neighborhood. However, these factors will be dramatically worse with a building of this size.

I hope that the planning board will be sensitive to the concerns of community members, in coming to an agreement on this amendment. I love Portland and support the growth of the economy and am proud of the working waterfront, but I think we need to take a hard look and see if a 75 foot warehouse on the waterfront is really necessary

Thank you so much!

Sincerely,

Sarah Boucher (Connolly)

Proposed Commercial Street Cold Storage Facility

Joshua Baston <joshua.baston@gmail.com>

Apr 26, 2017 6:33 PM

Posted in group: **Planning Board**

Portland Planning,

I'm a property owner at 42 Munjoy Street and I wanted to write to you to express my strong support for the proposed cold storage facility on commercial street. Portland is certainly an evolving city and its an exciting time to be a resident. While hotels, condominiums, and restaurants have been a boon for the city, I feel like we need to maintain a diversified economy and part of both that economy and of the tradition of the city is a strong working waterfront. Eimskip has been great not only for the City but for the State of Maine as a whole. They are situated in exactly the right space for their type of commercial marine development and I think the cold storage facility is a natural expansion of the established use there. We're not talking about putting it next to the Casco Bay Ferry terminal.

I understand the concerns of West End residents about impacts on their views, but I don't feel this should really be a deciding factor on this type of project. I was in strong support of the Portland company expansion here on the East End for the same reason; I don't feel like a minority of residents should be able to stop a project that is good for the city as a whole. These West End residents all bought their property with views looking across to the South Portland tank farm, could you imagine if those were going up today? If we are worried about public views then we should be far more concerned with the density of buildings going up in the India Street neighborhood and the corridor effect that development will create vs the effect on the views on outer Commercial in the shadow of the Casco Bay bridge. The views in the India Street neighborhood are certainly much more public than the few private views which would be impacted by the cold storage project.

I understand that projects like this often attract a vocal minority of property owners who feel that the project in some way diminishes their quality of life while a majority of residents who may support a project may stay silent. I want to make sure this project gets my voice of support as I feel this type of diversified development is good for the City as a whole. If Portland wants to promote itself as a business friendly city, projects like this need to approved.

Regards,

Josh Baston

From: **Capt. Jeffrey Monroe** <mirage@maine.rr.com>
Date: Tue, May 16, 2017 at 9:03 PM
Subject: Planning Board Letter-Americold Facility
To: Bill Needleman <wbn@portlandmaine.gov>

16 May 2017

Dear Members of the Portland Planning Board (via William Needleman-City of Portland)-

I have watch with interest the discussions surrounding the new cold storage facility planned for Portland. In the last ten years since leaving the City, I have completed some 55 port planning projects for seaports and river ports throughout North America as a port development consultant. In many of those ports, cold storage was a key component. I know that the City has a deep commitment to its working waterfront and the coming of Eimskip and the redevelopment of the International Marine Terminal as a dedicated freight facility has been a great accomplishment. I do want to convey some information which I hope will be helpful based on the work I have done and the executive management programs I have run that now have over 1,140 alumni, among them Bill Needleman and a number of Maine Port Authority personnel as well as Commissioner Bernhardt.

First, give the large number of container ship slots now available in the international market, a large amount of break bulk and neo-bulk perishable cargo has shifted to containers. CMA CGM, the third largest container fleet operator in the world, is building 28 ships which will predominantly handle reefer cargo. The size of containers and the flexibility of shipments make perishable cargo very suitable to containerization. Eimskip handles a large number of these containers and combined with other North American ports including Argentia, Halifax and St. Anthony, Portland has become a prominent player in this market. Portland however is not the only player. Let me summarize what is going on in the region based on studies I have been involved in and research I have completed for various regional ports.

1. Searsport-has adequate dock facilities and over 100 acres on property near the port which could support a large amount of reefer capacity. They are also connected to an aggressive regional railroad that connects with key Canadian markets and various Class 1 railroads serving most of North America.
2. Portsmouth-with the completion of the bridge construction, Portsmouth is look at an expanded pier facility and additional space for warehousing and distribution. The port is well connected to highway routes that can serve Maine and New Hampshire.
3. Boston-the Everett facility that once served Eimskip remains available with lower cost labor and in the heart of the Boston market.
4. New Bedford-well equipped with existing reefer warehouses, they have recently opened a new 20 acre terminal and are converting the State pier to a reefer

warehouse. The existing major operator has a long history with reefer cargo and has recently doubled their imports of fruit.

5. Davisville-while known for its auto processing capacity, Davisville also has existing cold storage warehouse facilities and was one of the ports Eimskip met with before deciding on Portland.

6. New London, CT-one of the best equipped ports in the Northeast mid way between the New York and Boston market, with direct highway and rail service and over 100,000 square feet of existing warehouse space and land for new reefer warehouse construction.

I could go on but suffice to say that the company that now calls on Portland as its anchor port in New England clearly has other choices. Quite frankly, reefer cargo will expand and containerization in this area will increase and that is what most ports hope for.

We suffered for a number of years with small volumes and no service but that has fortunately turned around. Other ports are looking to Portland as an example of what to do, or an opportunity to take advantage of. Carriers focus on cargo volumes and the direct benefit is to the shippers of our State who have often had limited choices on how to move freight. This has led to higher costs for them and our consumers. It may be possible that the entire facility is not just used for port cargo, and that is consistent with what many other ports have. The key is to have a diversity of business mixes and sound financial investment in partnership with the private sector. The Americold proposal is a realistic and fortunate opportunity for the Port.

I have lived in the area now going on 38 years. I served the City for 10 and continue to be an active part of the Port industry. While many communities have similar debates as to what they hope their port areas will become, Portland has always been unique in the extensive debate they have had over what is seemingly a logical progression of development that other ports envy. We had it with Ocean Gateway, the airport, Hadlock Field and so many other projects that have benefited this community.

I continue to be amazed that so many of the voices I have heard in opposition to this project are the same voices that claimed to support our working waterfront. Impacts on views of the side of the bridge and our harbor, truck traffic increase (it is after all Commercial Street), rail movements and related activity all signify Portland is a player in the international transportation network. To have a proposal for a new reefer warehouse is a win and if we can vary heights for research centers and commercial buildings, why should this not be a realistic consideration for an industrial cold storage facility in an industrial zone. That is what the citizens of Portland committed to years ago-a working waterfront. This will evolve over the unused piers, former gas plant, derelict rail yard and scrub brush that so long dominated this area.

I hope the City will take every opportunity to allow the proposed zoning change to move forward and allow the Port to continue to develop. In all honesty, the interest in this goes far beyond the borders of the State of Maine, and one port's failure to decide,

which in itself is a decision, creates an opportunity for another port which you can be assured they will take readily advantage of. After all, did not Portland "attract" Eimskip from Virginia? I hope that the Planning Board and the City Council will act in a favorable manner for this change and continue to support our own working waterfront.

Thank you.

Capt. Jeffrey W. Monroe

Capt. Jeffrey W. Monroe, MM, MTM, AMPE
Senior Maritime Consultant
Marpro Associates International
A Maine and New Hampshire Certified DBE
Portland, Maine
[207-741-7000](tel:207-741-7000)
marproassociatesintl@gmail.com
www.marproassociatesintl.com



Jennifer Munson <jmy@portlandmaine.gov>

Fwd: Support for the proposed cold storage facility

William Needelman <wnb@portlandmaine.gov>

Wed, May 17, 2017 at 11:42 AM

To: Jennifer Munson <jmy@portlandmaine.gov>, "O'Brien, Stuart" <sgo@portlandmaine.gov>

Bill Needelman
Waterfront Coordinator
Economic Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

(207) 874-8722 tel.
(207) 756-8258 fax.
wnb@portlandmaine.gov

----- Forwarded message -----

From: **Rebecca Griffin** <rgriffin@abovetla.com>
Date: Wed, May 17, 2017 at 11:17 AM
Subject: Support for the proposed cold storage facility
To: "wnb@portlandmaine.gov" <wnb@portlandmaine.gov>

I strongly support the proposed cold storage facility and it's help with long-term economic growth in Maine.

Thank you,

Rebecca Griffin

Owner / Accountant

Above The Line Accounting, LLC

449 Forest Ave, Ste 16

Portland, ME 04101

(207) 459-8962

r.zpgriffin@abovetla.com

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From: **Diane York** <diane@portlandconciergeservices.com>

Date: Wed, May 17, 2017 at 12:39 PM

Subject: Support for the proposed cold storage facility

To: wbn@portlandmaine.gov

I support the building of the proposed cold storage facility

Diane York

--

Diane York

Portland Concierge Services

"The Facilitator"

Personal Assistant

Notary Services

Portland Ambassador: maiden-voyage.com

IT'S ALL ABOUT YOU!

Office: [207.773.7170](tel:207.773.7170)

Mobile: [207.232.4923](tel:207.232.4923)

International: 011 [207.773.7170](tel:207.773.7170)

www.portlandconciergeservices.com

From: **Richard Blumenthal** <rblumenthal@advantagehomecaremaine.com>

Date: Wed, May 17, 2017 at 1:12 PM

Subject: Support for the proposed cold storage facility

To: wbn@portlandmaine.gov

Dear Portland Chamber:

I support the construction of the cold storage facility using the specifications that make the project viable. It will be good for Portland and insure that Emskip will continue to grow its business in Portland and also encourage other businesses to utilize the cold storage facility.

Regards,

Richard Blumenthal, CSA

Certified Senior Advisor

President/Owner

Advantage Home Care LLC

550 Forest Ave Suite 206

Portland, Maine 04101

[207-699-2570](tel:207-699-2570)

www.advantagehomecaremaine.com

From: <murphybts@aol.com>
Date: Wed, May 17, 2017 at 1:28 PM
Subject: Cold store unit public hearing
To: wbn@portlandmaine.gov

Dear Mr. Needleman,

I'm presently at sea on a merchant vessel crossing the Atlantic Ocean and will not be able to attend the upcoming public hearing to show my support for the proposed cold storage building.

Portland 's working waterfront brings tremendous economic impact to the city and the state. Allowing this zoning change will allow Eimskip to expand service. Their increased port calls to Portland, will have a ripple effect benefiting many business in Maine and beyond. I feel the cold storage building will fit the character of Portland s working waterfront.

Passing the zoning change to allow construction of the cold storage building will bring positive change to the city and economic benefits for years to come.

Regards,
John J.Murphy
Chief Engineer MV Patriot.

----- Forwarded message -----

From: **JD Walker III** <jwalkeriii@richexteriorsolutions.com>

Date: Tue, May 9, 2017 at 9:28 AM

Subject: Cold Storage

To: Lisa Whited <lisa@workplacetf.com>

Good Morning Lisa,

Hope all is well.

I'm just reaching out as a concerned resident about the Cold Storage Facility. I do understand the planning board's role in making sure any zoning change that would support building a new cold storage facility needs to be done deliberately and methodically. However, I am mostly concerned about citizens opposition to this project in purely parochial terms (this ruins MY view). I have no connection to this project what so ever, except that I live in Portland. I support this project because it's a great opportunity for growth. The city has historically supported maritime industry and the working waterfront. This should be no exception. Sure, there could be traffic issues on the west side of Commercial, but those can be mitigated through proper planning and should not stop this project from going forward.

Additionally, wouldn't this increase our tax base? With budgets getting tighter and tighter, and taxes continuing to rise, this seems to be a very appropriate way to help.

Thank you for your time.

Best,

JD

J.D. Walker III

Chief Financial Officer

Rich Exterior Solutions

jwalkeriii@richexteriorsolutions.com

c: [207-653-8189](tel:207-653-8189)

p: [207-772-9822](tel:207-772-9822)

Google Groups

WPDZ Zoning Change, Waterfront Referendum, and Lost Jobs

Norris Dale RR <ndale@maine.rr.com>

May 15, 2017 11:15 PM

Posted in group: **Planning Board**

May 15, 2017

As I understand it, the West End's issue with height zoning in the WPDZ is not about a cold storage warehouse for goods coming and going by sea. It is clear from the information given by Mark McCain, Constance Bloomfield, Anne Pringle, and Pete Thaxter that Eimskip's needs could be met within the 45-foot height limit. What West Enders are concerned about is the "transportation hub" which requires the taller warehouse.

The hard-fought Waterfront Referendum set aside waterfront property for marine uses. The referendum result precludes non-marine uses on the waterfront. This means that Americold cannot simply close their Read Street warehouse and move all of their land-based transport and storage to a new, larger facility on the waterfront without risking a second referendum.

Further, apart from the zoning issue, the jobs that will be lost at Read Street will not be replaced in the new waterfront warehouse.

Best regards,

Norris

W^m Norris Dale, Jr.

40 Salem Street

Portland, Maine 04102

(207) 233-2292

ndale@norrisdale.com

**If you've been playing poker for half an hour
and you don't know who the patsy is,
you're the patsy.**

—Warren Buffett

January 2017

TO: Planning Board Members, City of Portland

RE: Request for Height Variance, Americold Freezer Facility, IMT

Members of the Planning Board,

I am Bert Jongerden, General Manager of the Portland Fish Exchange, Treasurer for the Harbor Commission for the Port of Portland and a concerned citizen & property owner in the City of Portland.

I am here today to speak in favor of a height ordinance variance, and to speak in favor of the construction of a deep freeze facility on the Portland waterfront.

First, as having been involved in commercial fisheries for the past 28 years – I’ve witnessed the decline of groundfish landings at the Portland Fish Exchange from 30M lbs. per year in the early 1990’s to less than 3M lbs. per year since 2015. With a steady decline in fresh fish landings – processors of seafood have maintained production, sales and jobs using frozen fish to supplement fresh fish landed at the Portland Fish Exchange.

There a number of seafood processing companies that have maintained an important presence on the Portland Waterfront, providing jobs and economic return to the community by processing fresh & frozen fish & seafood.

What has been difficult for these companies has been the lack of a deep-freeze facility in the State of Maine to hold frozen fish & seafood products. These companies are forced to store, and truck transport to and from their facilities, frozen products at deep-freeze facilities in Massachusetts. The additional cost of trucking and storage is a real financial burden to these companies.

I am asking that the Planning Board Members recognize the economic contributions these companies give to the City of Portland by maintaining a strong presence on the waterfront – and to recognize the need from the seafood processing community for a deep-freeze facility to be constructed.

Second, as a Commissioner for the Port of Portland since 2009 – I am concerned about the direction of the waterfront economy. There has been a strong shift from commercial use to recreational use in the past few years.

With the shift, jobs have been added and lost. But, for the Port of Portland to expand and to be economically diverse – good paying commercial use jobs need to be added.

With construction of a deep-freeze facility – construction jobs are created. When the facility is operational – good paying administrative & dock worker jobs are created. Trucking companies will be shipping & receiving at the facility along with containers of frozen seafood being delivered and picked-up. This facility will add direct economic benefits to the local & state economies.

With addition of the deep-freeze, the International Marine Terminal will reach an important infrastructure milestone to handle all types of container logistics.

Last, as a concerned citizen & property owner since 1990, I have watched Portland's economic climate surge and retreat numerous times. The current housing building boom is concerning in that construction jobs are temporally created, the tax base is expanded, but no real long term jobs are created. I've also seen my property tax bill increase from \$1500 dollars a year in 1990 to \$5,200 in 2017 for the same house.

I ask as a concerned citizen, property owner, business manager and Commissioner this project move forward.

Thank you for your time,

Bert Jongerden

----- Forwarded message -----

From: **Lorne Basile** <lbasile@approvedhomemortgage.com>
Date: Wed, May 17, 2017 at 1:58 PM
Subject: Support for the proposed cold storage facility
To: "wbm@portlandmaine.gov" <wbm@portlandmaine.gov>
Cc: "ghentzel@portlandregion.com" <ghentzel@portlandregion.com>

I am in full support of the cold storage facility, along with the increased zoning for higher buildings on the west end of Portland. Here in Portland and in Maine we need to capitalize on as much economic opportunity as possible. We can no longer accommodate the water views of the few residents this will actually affect. The property values continue to sky rocket here in Portland and it is because of the solid economic decisions we have made. The homeowners have benefited from this in the form of equity, so if the ocean view or a little more traffic is the price to pay then so be it.

Sorry, I am unable to attend that day or I would stand up and say to the folks who are opposing this project directly how much they have benefited from the growth of Portland and how this grow needs to continue.

Lorne Basile
lbasile@approvedhomemortgage.com
Sr. Loan Officer
Approved Home Mortgage/ a Maine Capital Group
4 City Center, 3rd floor
Portland ME 04101
[207-513-1066](tel:207-513-1066) (Direct)
[207-781-4959](tel:207-781-4959) (General Office)
[207-513-1066](tel:207-513-1066) (Fax)
NMLS#367486
www.approvedhomemortgage.com

Google Groups

Waterfront Development Zone Text Amendment Application

Mary E. Costigan <mcostigan@bernsteinshur.com>

May 18, 2017 11:08 AM

Posted in group: **Planning Board**

Chair Boepple and Planning Board Members:

I am writing as a resident of Portland and as a Member of the Board of the Portland Community Chamber of Commerce. I fully support the City's application for a text amendment to the Waterfront Port Development Zone. As set forth in the comprehensive documents provided by the City staff and the Port Authority, an increase in height allowance is necessary to allow the Port of Portland to achieve its full potential. The documents provided show that the proposed 68' building is necessary in order to have an economically viable cold storage facility on the port. Other amendments are proposed that would offset the impact of the increase in height, including a reduction in lot coverage from 100% to 50% and a limitation of one building per lot in excess of 50'. The proposal is consistent with the comprehensive plan, consistent with the goals of the western waterfront as the designated location for marine industrial activities, and will have broad economic impacts far beyond Portland. For these reasons and those set forth by City Staff and the Port Authority, I am hopeful that the Planning Board will recommend that the Council approve the proposed amendment.

Thank you –

Mary Costigan

Mary E. Costigan

Shareholder

207 228-7147 direct

207 774-1200 main

[My Bio](#) | [LinkedIn](#) | [Twitter](#)

BERNSTEIN SHUR

Portland, ME | Augusta, ME | Manchester, NH

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Google Groups

Western Waterfront Zoning Change - Workshop on 5/18/17

John Ryan <jryan@wright-ryan.com>

May 17, 2017 5:35 PM

Posted in group: **Planning Board**

Dear Members of the Planning Board:

I am writing in support of the proposed zoning changes that include, among other things, an increase in height to 75' in limited areas of the western waterfront. This changes will allow uses that are essential to the long-term health of the working waterfront and the city as a whole and are consistent with the masterplan for the area. While it is important to be sensitive to the needs of the adjacent residential neighborhood (something I know the City will insist upon), the overall economic health of the community and the region has to take priority. I am confident that City of Portland officials will work effectively with the developers of properties in this area to ensure that neighborhood concerns are fully aired and addressed to the greatest extent possible consistent with beneficial economic use of the property.

Thank you in advance for your thoughtful consideration of the proposed changes.

Sincerely,

John Ryan

John W. Ryan

President
Wright-Ryan Construction, Inc.
10 Danforth St
Portland, ME 04101
Phone: (207) 773-3625
Fax: (207) 773-5173
Web: <http://www.wright-ryan.com>

Residence:

29 Waterville St #3

Portland, ME 04101

Dear Planning Board Members,

As President of Oakhurst Dairy and having once owned Port Quality Seafood on the Portland waterfront, I support the zone amendments to allow this cold storage facility to be built at the proposed height on the western end of the waterfront. Food manufacturing is an important component of the Portland economy and modern infrastructure is critical to its future.

Sincerely,

John H. Bennett
President
Oakhurst Dairy
364 Forest Avenue
Portland, Maine 04101
Direct [\(207\) 523-1272](tel:(207)523-1272)<tel:(207)%20523-1272>
Cell [\(207\) 671-1886](tel:(207)671-1886)<tel:(207)%20671-1886>
jbennett@oakhurstdairy.com<mailto:jbennett@oakhurstdairy.com>

From: **Peter A Dion** <peter.dion@cummins.com>
Date: Thu, May 18, 2017 at 10:15 AM
Subject: Cold Storage Warehouse
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Dear Sir,

Unfortunately, I am unable to be at the Planning Board meeting this evening but do wish to express my enthusiastic support for the proposed cold storage warehouse currently under consideration by the Board. Portland needs a vibrant commercial waterfront which serves a diverse customer base. I know from firsthand experience that being dependent upon on one market or customer can have catastrophic consequences when (not if) economic conditions change. At this time, the port is very dependent on tourism, and to supplement this and be prepared for future change, we need alternatives and currently this is in the form of the container trade and by extension the new facility. Also, given the changes in South Portland related to the pipeline and movement of bulk petroleum by sea, this new facility is needed now more than ever.

Thank you for your time and consideration.

Best Regards,

Peter A. Dion
Account Manager, Marine Business Region

Cummins Inc.
Marine Upfit Center
470 Riverside Street
Portland, Maine 04103

Office: [207-510-2242](tel:207-510-2242)
Mobile: [207-219-9925](tel:207-219-9925)
salesandservice.cummins.com

From: **Quincy Hentzel** <qhentzel@portlandregion.com>
Date: Thu, May 18, 2017 at 10:46 AM
Subject: Support of Cold Storage Proposal
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Good morning Bill – on behalf of the Portland Regional Chamber of Commerce, we would like to provide our strong and enthusiastic support behind the cold storage proposal which the Planning Board will be discussing this evening. The mission of our organization is to support the growth and success of our members and promote regional prosperity. We feel that the addition of a cold storage facility in our City will do both.

We were excited by the findings in the report released this week "Cold Storage: Economic Impact Study for Portland Maine". The state of Maine could see a potential long-term economic windfall of \$500 million to \$900 million if Portland builds a waterfront cold storage warehouse. By building a cold storage facility in our port, we will be providing Maine business owners with the capacity and opportunity to grow their business and to expand into new markets.

Portland is lucky to have Eimskip here in our city – they have helped position us to be an international gateway to the rest of the world not to mention built connectivity and meaningful relationships with Iceland. This proposal will only help Maine become even more globalized, which in this day and age, is becoming more and more essential for growth and success. By building a cold storage facility on the Western Waterfront, Portland will be able to maintain an edge over larger, more crowded ports and the facility will provide incredible opportunities to grow the food and beverage industry - not just in the greater Portland region, but across the state. As we have heard others say before, this is truly a generational opportunity that we must seize to foster needed economic development in our region and state and to keep Maine and our businesses competitive.

Thank you for allowing us to provide comments in support of this effort.

Best regards,
Quincy Hentzel

Quincy H. Hentzel
Interim CEO

Portland Regional Chamber of Commerce
443 Congress St., Portland, ME 04101
Phone: [207-772-2811](tel:207-772-2811) ext 231
Fax: [207-772-1179](tel:207-772-1179)
qhentzel@portlandregion.com
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From: **Paul Stevens** <PStevens@smrtinc.com>
Date: Thu, May 18, 2017 at 10:52 AM
Subject: Western Waterfront Rezoning
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>
Cc: "Quincy Hentzel (ghentzel@portlandregion.com)" <ghentzel@portlandregion.com>

As member of the Portland Regional Chamber of Commerce, I am writing to express my strong support of proposed revised zoning. This will enable the change and growth that Portland needs in order to thrive in the coming years. After all the years of "Keep the Port in Portland" to now choose to Diminish the Port in Portland would be a huge mistake.

Speaking as an architect, I support the earlier endorsement of the re-zoning by the Portland Society for Architecture.

Paul S Stevens AIA
A Maine Licensed Architect
SMRT Architecture Engineering Planning
Office [207-772-3846 ext.801](tel:207-772-3846)
Cell [207-650-0892](tel:207-650-0892)
pstevens@smrtinc.com

From: **Will Bartlett** <sbartlet@maine.rr.com>
Date: Thu, May 18, 2017 at 10:56 AM
Subject: Cold storage
To: wbn@portlandmaine.gov

PC135

To: Bill Needleman
From: Will Bartlett
16 St . Lawrence St. ,
Portland, 838-6490.

The proposed cold storage operation on Commercial Street would provide good jobs on our working waterfront. It is set well apart from any residential homes, and I'm certain it won't reduce anyone's home values.

Nimbys (not in my back yard) who are upset by this proposal must have no memory of old Portland, when a building's height was well down the list of things neighbors had to worry about.

Growing up in Portland, it was the odor and the noise of a business that had the greatest impact on neighbors. The coal gasification plant on that site produced considerable smoke and odor. It was surrounded by rail yards, coal dust, the stench of fish processing and the permanent odor of all of Portland's raw sewage being dumped directly into Casco Bay.

Growing up on Presumpscot Street in East Deering, some of my neighbors included a slaughterhouse, the blood from which ran in a stream alongside the road and straight into Casco Bay. There was a rendering plant that ground animal waste into fertilizer. The eye-watering smell of a fire at the city dump on Ocean Avenue was a regular occurrence.

We're a tourist destination now, and I know we will never go back to those earlier days, but we are still an active working waterfront, and a large investment in a clean and efficient cold storage operation will benefit all of us.

From: **Bruce Lockwood** <blockwood@portlandresearch.com>
Date: Thu, May 18, 2017 at 12:53 PM
Subject: Support for the proposed cold storage facility
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Hello,

I am writing to show my support for the cold storage facility. This is a huge economic opportunity for the city and should not be missed due to a few loud voices.

The loud voices have won far too frequently in recent years and the City of Portland is now stuck with architecturally deficient condo developments. Look at the East End. It is now home to several 5 and 6 story bunkers – no one has views. It would have been much better to build a few 15 or 20 story buildings with smaller footprints and view site lines. The Mid Town project as it currently stands will be a wall instead of several more graceful tall buildings.

Supporting the cold storage facility is a positive for far more people in Portland and the surrounding area than is rejecting it.

Thank you.

Bruce M. Lockwood
President

One Union Wharf, 3rd Floor
Portland, Maine 04101-4777
Tel: [207.874.2077](tel:207.874.2077), x103
Fax: [207.874.2076](tel:207.874.2076)
www.portlandresearch.com

From: **Justin Lamontagne** <justin@dunham-group.com>
Date: Thu, May 18, 2017 at 12:54 PM
Subject: Support for cold storage
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

PC137

Afternoon Bill,

Please accept this email as my strong support for the cold storage development and required zone text amendment to make it happen. Feel free to share this with the planning board. I am a lifelong Portland resident and tax payer. I'm also highly involved in the business community. I see this as a perfect fit for the West Commercial stretch. It also aligns with the long term strategic plan of keeping that section of Commercial the working waterfront. I am disappointed but not surprised there is some opposition due to concerns over views, etc. Please do not let the concerns of a few hurt the interests of our entire community. The jobs and prestige this facility will bring to our fine city makes this decision a no-brainer.

I am also an industrial real estate expert in Greater Portland and can say with certainty (see the link below for my report) that we are in DIRE need of additional industrial inventory. This project, even pre-leased, would loosen that burden and perhaps free up some space Eimskip and AmeriCold are currently taking up elsewhere. Any industrial development is good for this sector. We are at critically low inventory rates and it has become inhibiting for new and existing industrial businesses looking to grow and/or relocate in Portland. Again, you can see the stats for yourself in the link below.

Thanks for your efforts.

Justin

Justin Lamontagne, CCIM

Partner | Broker

NAI The Dunham Group

10 Dana Street | Portland, ME 04101

T [207.773.7100](tel:207.773.7100) | F [207.773.5480](tel:207.773.5480) | C [207.272.3013](tel:207.272.3013)

[Listings](#) | [LinkedIn](#) | justin@dunhamgroup.com

----- Forwarded message -----

From: **Daniel T. Haley Jr.** <danielthaleyjr@gmail.com>

Date: Wed, May 17, 2017 at 4:44 PM

Subject: Cold Storage Facility

To: William Needelman <WBN@portlandmaine.gov>

Hi Bill, Just want to reiterate, I fully support the Amerigold proposal.
Dan

----- Forwarded message -----

From: **Bourque, Michael** <mbourque@memic.com>
Date: Thu, May 18, 2017 at 1:30 PM
Subject: Support for cold storage warehouse
To: "wbn@portlandmaine.gov" <wbn@portlandmaine.gov>

Bill:

I am out of town on business and cannot attend tonight's Planning Board meeting. Please share my note with the Board.

As a citizen, homeowner and executive for a company with significant land holdings in the city, I want to express my strong support for changing the zoning along the western waterfront to accommodate larger commercial buildings up to 75 feet, as recommended by staff.

Both the proposed Americold cold storage warehouse and Portland Yacht Services growth would benefit our local economy and enhance our working waterfront. The recent study from Muskie backs this up. These are some of the prime uses for our port, and helps keep the Port in Portland. The 75 foot limit is reasonable and would cause no more obstruction than the Casco Bay Bridge.

Additionally, I would suggest that a reading of Chuck Lawton's recent column about Portland's place in our state's economy. Given our location and economic power from being located along a special harbor, we have a responsibility to our state to provide access for goods from all over our state. This zoning change provides an opportunity to live up to that responsibility.

<http://www.pressherald.com/2017/05/16/charles-lawton-labor-force-data-shows-extent-of-worker-flow-to-portland-area/>

Mb

The logo for MEMIC, featuring the word "MEMIC" in a bold, blue, sans-serif font. The letters are slightly stylized, with the "M" and "E" having a unique, blocky appearance.

From: **David** <david@talusproducts.com>
Date: Thu, May 18, 2017 at 1:52 PM
Subject: Support for the proposed cold storage facility
To: wbn@portlandmaine.gov

I write in support of the proposed cold storage facility on the western waterfront.

I own and run Talus Corp., located on Presumpscot Street in Portland. We design, import and distribute travel accessories and car organizers to retailers (such as Bed, Bath & Beyond, AutoZone and many smaller) throughout the US and in other countries, bringing more than 50 containers a year into Maine and sending most of those goods back out of state to customers. We have 12 employees who are all paid well above minimum wage, ranging from 3 crackerjack warehouse workers to marketing and operations professionals. We also employ temporary labor at peak times and for special projects.

I own our building on Presumpscot Street in Portland, and another industrial building in South Portland, and pay significant taxes in both cities.

The proposed Americold project does not directly affect my business interests as our goods do not require cold storage. As a business owner who understands importing, exporting, and the economics and efficiency of transport, I urge Portland to embrace this development.

Improving our infrastructure - or in this case permitting a private firm to increase the availability of facilities is a necessary precondition to growth. Having immediate access and easy transfer reduces transit times and cuts costs. Both time and incremental cost are like friction - ceaselessly stealing costs from other areas.

Maine is, and always will be, a state of smaller businesses, aqua- and agriculture and entrepreneurship. In order to thrive, those small businesses must have access to markets. Reducing the costs and speeding transit enables small businesses to focus on improved product, increased marketing, and more production. When we bring containers through the Port of Boston, it adds \$400+ in cost. Every stop and transfer adds time, cost and mistakes.

Portland is a wonderful city. I enjoy its restaurants and amenities as much as other residents and our many visitors - who also form an important part of our economy. However Portland also needs to support its working waterfront - whether fishing or shipping so that it does not become a mere facade, a New England Disneyland.

I regret not being able to attend the Planning Board workshop in person, but wish to strongly register my support of the proposed cold storage facility.

David McClees
President
Talus Corp.
299 Presumpscot St.
Portland, ME 04103
[207-871-9230](tel:207-871-9230)
www.talusproducts.com

From: **Hugh S. Cowperthwaite** <Hugh.Cowperthwaite@ceimaine.org>
Date: Thu, May 18, 2017 at 3:03 PM
Subject: letter of support
To: "wbm@portlandmaine.gov" <wbm@portlandmaine.gov>

Hi Bill, I'm planning to attend the Planning Board meeting tonight. I've attached a letter of support that I will plan to read if there is time. If not, perhaps it can be included or emailed to Planning Board members.

Thanks
Hugh

Google Groups

Cold Storage

Justin Levesque <j@shopgeometry.com>

May 18, 2017 6:33 PM

Posted in group: **Planning Board**

To whom it may concern,

I would like to voice my strong support to make any necessary zoning changes / accommodations re: height in order for the cold storage facility to be viable and located within the West End Development Zone.

Waterfront development that enhances Portland's ability to maintain a function port has always been the intended purpose for this piece of land. However, the current restrictions do not consider a sea change in newly available opportunities that will benefit Maine's economy in both the immediate future and for many years to come.

Let's keep the Port in Portland.

Thank you,
Justin Levesque

Sent from my iPhone



To the Members of the Planning Board:

A significant piece of Greater Portland's allure for tourism is its maritime history and working waterfront, coexisting with a vibrant downtown. Visitors immediately feel the sense of place when they are enjoying our rich culture and cuisine, knowing the catch was fresh from the water just steps away. In keeping with the importance of an active and relevant working waterfront, Visit Portland believes that the cold storage facility, largely utilized by the International Marine Terminal and Eimskip, will balance the impact on those that live, work, and visit in our region.

The port of Portland must continue to evolve to leverage its heritage of its working waterfront as it has throughout four centuries. The port didn't lose importance after the mast trade and the Age of Sail passed—it thrived in the steam age. Our port did not lose viability when war slowed commerce, it expanded by hosting the North Atlantic Fleet. Much as it was when we first won the rights to be Canada's winter port which brought trains to the waterfront—and also created Commercial Street—the challenges in our ever-present fishing industry has an opportunity to be bolstered and supported with the presence of international shipping and storage. Therefore, on behalf of Visit Portland, the organization responsible for marketing the Greater Portland region for tourism, we are in favor of development on West Commercial Street and a cold storage facility along the Fore River. We expect, and are confident, that the city and the developers will take into consideration the overall impact of our community as it relates to traffic and congestion in order to keep Portland authentic, accessible, and welcoming to visitors and locals.

Tourism is Maine's number #1 economic driver but that doesn't mean that we should solely rely on the economic impacts of this lucrative market. The New England Ocean Cluster has provided research that reflects a potential impact of \$500-\$900 million to Maine's economy with the development of a cold storage facility in Portland. The tie between Portland and Iceland could have significant financial ripple effects throughout our region for many decades into the future.

The City of Portland's website says it all: "With over 350 years of history as a center for shipping, fishing, commerce, and travel, the Portland Waterfront offers a unique mix of heritage and innovation. Combining private and public piers in support of a full range of commercial marine activities, Portland Harbor boasts a true working waterfront in the heart of Maine's largest City... Work and play coexist on the waterfront with a fascinating and evolving mix of uses."

We must protect and grow our working waterfront in order to preserve our economy as well as our historic culture, to keep the waterfront and tourism viable for years to come.

Thank you for your time and attention in this matter,

Lynn Elliotson
President + CEO

VISIT PORTLAND

94 Commercial Street
Portland, Maine 04101
p: 207.772.4994
f: 207.874.9043

.....●●●
visitportland.com

Portland Press Herald

Posted May 16 / Updated May 16

Letter to the editor: Cold storage needed on waterfront, but not in 75-foot-tall building

I agree with almost everything said in the letter to the editor “On cold-storage proposal, give good of city the priority” (May 2, Page A4). However, it’s unfortunate that the writer (Josh Baston) believes cold storage and scenic views are the issues concerning many West End residents.

Portland needs a cold-storage facility on the waterfront. West End residents agree, and we accept that its construction will affect public and personal views. It’s the city’s proposal to rezone the western waterfront to allow buildings 75 feet tall that concerns us.

Current zoning allows building heights of 45 feet and requires that construction be linked to maritime commerce. Data supplied by Emskip and the Maine Port Authority strongly indicate that a cold-storage facility 45 feet in height would be adequate for Portland’s current and foreseeable needs.

Rezoning to 75 feet and easing maritime restrictions would do a few things. They would encourage Americold to move operations at its Read Street facility to the huge waterfront warehouse. They would shift truck traffic to the waterfront for all manner of product unrelated to marine commerce. They would transform the West Commercial Street gateway from one that welcomes residents, commuters and tourists with Portland’s unique blend of residential and commercial waterfront into a tunnel of high industrial walls.

We have one remaining mile of waterfront property. Let’s use it wisely.

Jo Coyne

Portland

Google Groups

Support WPDZ Zone Change

Debbie Fisher <dlf@maine.rr.com>

May 23, 2017 8:24 PM

Posted in group: **Planning Board**

May 22, 2017

Dear Planning Board Members,

I am writing to express my support for the proposed text amendments to Division 18.5, Waterfront Port Development Zone, and hope that the Board will approve the zone changes. No, I am not a resident of Portland; I live in Cape Elizabeth, but believe modifying the current outdated zoning to allow the western waterfront port zone to grow is an issue greater than just the City of Portland. Indeed, the economic opportunities these zone changes will allow will positively affect Cumberland County, the State and the region as a whole.

Not only is it important to keep the Port in Portland; I would argue that it is imperative that we grow the Port in Portland. The first step in doing so is to update the outdated zoning ordinances in the WPDZ that currently handcuff our ability to anticipate new opportunities in cold storage, freight transportation, yacht services and boat repair. While it is important to acknowledge neighbors' concerns, we cannot allow the selfish considerations of a few to literally derail the great economic opportunities that await. Scores and scores of good, solid, well-paying jobs will be created over the long-term, with residual employment opportunities in construction, transportation, food-processing and other fields. Jobs that will attract young professionals, a demographic our aging state desperately needs.

I urge you to approve the zone changes and grow the Port in Portland.

With appreciation and thanks for your hard work and long hours –

Deborah L. Fisher

9 High Bluff Road

Cape Elizabeth, Maine 04107

Google Groups

warehouse alternatives

Jo Coyne <jocoyne@gwi.net>

May 23, 2017 4:43 PM

Posted in group: **Planning Board**

Beth Boepple, Chair

City of Portland Planning Board

389 Congress Street

Portland, Maine 04101

Dear Chair Boepple and members of the Planning Board:

I'm writing to clarify the observations that I made last Thursday at the workshop. It just seems ludicrous for the City and the Maine Port Authority to be putting so many resources into making the case for cold storage when that's not the issue. The group of residents with whom I've been working for almost a year now does not object to construction of a cold storage facility. None of the larger group of residents who have distributed fliers, attended meetings, written letters, sent emails, signed petitions and otherwise been involved object to construction of a cold storage facility. If Portland residents exist who object to cold storage, they are keeping it to themselves.

The issue is not about Portland needing cold storage. The issue is whether we build a right-sized facility for marine-related product or an oversized warehouse for any manner of product to be trucked in and out. The former can be done within current zoning at 45'; the latter wants rezoning at 75'.

Why are these the only alternatives? Why am I hearing nothing about protecting the western waterfront by building to an appropriate scale there and developing an inland port (aka logistics hub) near the turnpike and rail lines? Even though Americold won't admit it, we know one reason for wanting a 75' warehouse is to consolidate operations with the Read Street facility. Read Street is a terrible location for a hub but the existing facility could continue to be used for a few more years. When operations at the new waterfront cold storage are well underway, the City can work toward creation of the inland port if the need has been established.

Do we really have to decimate the waterfront and the West Commercial gateway in order to develop our port and our economy? I believe sensible alternatives exist. I hope you agree.

Finally, thank you for the time you put into serving Portland. I very much appreciate the work that you do.

Sincerely, Jo Coyne

Google Groups

Westerrn Waterfront

Judy Bruenjes <judybruenjes@gmail.com>

Jun 2, 2017 5:37 PM

Posted in group: **Planning Board**

I live at 342 Danforth Street and attended the May 18 meeting. I did not feel that a balanced report was given, since all the allowed presenters support the height increase to 75', and those opposed were given a short 3 minutes. I believe Tom Robinson should be given the opportunity to present his economic analysis of the proposal and assumptions made by Americold. Many of the follow-up emails received by the Planning Board were from business owners who did not attend the meeting, but dashed off a letter in support of the project. Citizens and residents who have dedicated large amounts of time over the past year should be given the equal time to present their case against the proposed zoning changes.

While supporting a cold storage facility in Portland, I do not believe the 75' rezoning is necessary for the project. I also think it is hasty to allow the whole Western Waterfront to be rezoned based on the assumption that more warehouse business may materialize. The waterfront is a limited resource that may have better uses in the future than blocking all access by warehouse space. Warehouse space is really not in the spirit or definition of "working waterfront".

In addition, there is currently a terrible speeding problem on Danforth Street during the morning and evening rush hours as commuters choose to avoid Outer Commercial Street. This will only get exponentially worse if truck traffic increases with the number of new warehouses resulting from the 75' rezoning. I worry about the safety of kids being dropped off at Waynflete school.

Thank you for your time.

--

Judy Bruenjes
207-318-7299

Google Groups

West Commercial St. Americold Project

Dick Douty <dick@bestlobster.com>

Jun 7, 2017 10:46 AM

Posted in group: **Planning Board**

Dear Sirs,

My company has been located on Commercial St. for over 30 years. During the last few years with the emergence of Portland as a destination city, Commercial St. has become increasingly more difficult to navigate.

With the numerous construction projects and increasing popularity this problem will only be exasperated unless improvements are made to a lacking infrastructure.

Considering changing numerous zoning restrictions to accommodate the construction of a massive cold storage building which would produce unimaginable commercial traffic is ludicrous.

There has to be a better location than the gateway to the Old Port. Do you want to bust the boom?

Please think this over thoroughly. Worry about the ramifications if this project is done, not if it is not.

Yours Truly,

Dick Douty

Douty Bros., Inc.

10-A Portland Fish Pier

Portland, ME 04101

(207) 773-2829 office

(207) 776-9830 cell

Google Groups

Precious deep water Port of Portland

Caitlin Mushial <cmushial@yahoo.com>

Jun 12, 2017 12:14 PM

Posted in group: **Planning Board**

June 12, 2017

Beth Boepple, Chair
City of Portland Planning Board
389 Congress Street
Portland, Maine

Dear Ms. Boepple and fellow Planning Board members,

Without clear understanding of the issue, some civic and business leaders in Portland are aggressively lobbying for a 60% zoning height increase as a municipal giveaway to Americold Logistics. Most of their information seems to come directly from a well-financed public relations campaign by the Maine Port Authority and the Portland Economic Development Department.

Case in point, the Portland Press Herald stated: "no company has proposed smaller facility at this site" in a May 18th editorial.

That is false. Two years ago a local consortium proposed a warehouse that met the waterfront site's zoning restrictions, together with a larger warehouse off site. However, Americold won the Port Authority's request for proposals with a vastly oversized warehouse.

In the "Another View" column a day earlier in the Press Herald, John Henshaw of the Port Authority wrote: If we don't approve Americold's behemoth, we will "stifle the potential of homegrown Portland businesses."

If the Port Authority's goal is indeed to support homegrown businesses, it should have encouraged the Portland consortium, Eastern Marine, to link with an experienced cold-storage manager. Instead it selected Americold -- based in Atlanta and controlled by a California billionaire -- without asking questions about the facility's maritime volume, and without an agreement to keep Americold's Read Street warehouse open for non-maritime freight.

One company that declined to bid on the RFP told Maine Public Radio it should be reissued if the city intends to allow a 60% height bonus. Otherwise, "the process is favoritism . . . and it becomes a corrupt process," said Anthony Cerone CEO of Philadelphia-based XTL Inc.

The speed at which the city is willing to raise zoning heights and redefine the vision of our western waterfront to accommodate this out-of-scale cold storage facility is appalling. Despite the hype, it does not appear that this project is really about exporting Maine blueberries, seafood and potatoes. As I understand it, 75% to 80% of the product initially projected to be stored in the warehouse will arrive and leave by truck or rail -- completely unconnected to our deep-water port. That does not seem right.

Sincerely,
Caitlin Mushial
36 Clark st. Portland, ME.

Sent from my iPad

Google Groups

amendments to Division 18.5, Waterfront Port Development Zone

peter green <plgmaine@yahoo.com>

Jun 17, 2017 10:26 AM

Posted in group: **Planning Board**

Planning Board:

I would strongly oppose any significant height and mass changes to this zone.

The simplest action is either no action or minor tinkering.

A major change likely will produce another uncorrectable mistake on the scale of the two residential towers on the Eastern Prom.

All commercial expansion, including that of Eimskip, can comfortably be done within the current zoning.

Very sincerely, (and I should note, I have no view of this zone that will be affected.)

Peter Green
11 Summer St.

Google Groups

Waterfront Zoning

linwood3@gwi.net <linwood3@gwi.net>

Jun 19, 2017 10:04 PM

Posted in group: **Planning Board**

Dear Planning Board members,

I have spoken at previous public meetings about the Americold warehouse but worry that I have inadequately expressed my concerns. I am concerned with the rapid growth we are experiencing, including the size of the proposed warehouse, and that we may lose our quality of life. There used to be and still may be a sign on the Maine turnpike that read "Maine, the Way Life Should Be." I don't want to lose that reputation.

According to the local paper I am being selfish for wanting to hold onto the natural beauty of this place. My response would be to ask, "Who receives the profits from these economic endeavors?" I doubt it'll be the little guy and I question how much of it will benefit anybody in Maine. I don't think big, out-of-state corporations are worrying too much about local residents' pocketbooks or quality of life.

I would side with the zoning requirements made by our prior city leaders. I believe that they got it right. Thank you.

Lifelong resident Linwood Ashton
30 West St #20
Portland ME 04102

Portland Press Herald

OPINION Posted June 13, 2017

Another View: Cold storage ‘behemoth’ not needed for working waterfront

A smaller facility would better fit the needs of the harbor, while non-marine freight can be stored elsewhere.

By Caitlin Mushial / Special to the Press Herald

Your editorial “[Our View: Cold-storage building will keep the ‘port’ in Portland](#)” (May 18) said: “No company has proposed building a smaller facility at this site.” That is false.

Two years ago, a local consortium [proposed](#) a warehouse that met the waterfront site’s zoning restrictions, together with a larger warehouse off site. However, Americold Logistics won the Maine Port Authority’s request for proposals with a vastly oversized warehouse. In the Another View guest editorial a day earlier, John Henshaw of the Port Authority [wrote](#): If we don’t approve Americold’s behemoth, we will “stifle the potential of homegrown Portland businesses.”

If the Port Authority’s goal is indeed to support homegrown businesses, it should have encouraged the Portland consortium, Eastern Marine, to link with an experienced cold-storage manager.

Instead, it selected Americold – based in Atlanta and controlled by a California billionaire – without asking questions about the facility’s maritime volume, and without an agreement to keep Americold’s Read Street warehouse open for non-maritime freight. One company that declined to bid on the request for proposal [told](#) Maine Public Radio’s Fred Bever that the RFP should be reissued if the city intends to allow a 66 percent height bonus. Otherwise, “the process is favoritism ... and it becomes a corrupt process,” said Anthony Cerone, CEO of Philadelphia-based XTL Inc.

The speed at which the Portland Planning Department is willing to raise zoning heights and redefine the vision of our western waterfront to accommodate this out-of-scale cold-storage facility is appalling.

Despite the hype, it does not appear that this project is really about exporting Maine blueberries, seafood and potatoes. As I understand it, 75 to 80 percent of the product initially projected to be stored in the warehouse will arrive and leave by truck or rail – completely unconnected to our deep-water port. That does not seem right.

Caitlin Mushial is a resident of Portland.

Portland Press Herald

MAINE VOICES Posted June 19, 2017

Those who support existing zoning rules shouldn't be called obstructionists

This is not the same as opposing projects that are permitted by current zoning regulations.

By Peter L. Murray / Special to the Press Herald

Both the speakers at the conference and the newspaper coverage failed to differentiate between local citizens' efforts to maintain existing zoning regulations in the face of developer pressure for project-based changes, and neighborhood opposition to projects that are permitted by existing zoning and land use regulations.

One can certainly characterize local citizens' efforts to block or delay projects that comply with established zoning and land use regulations as unreasonable and obstructive. On the other hand, it is a lot harder to criticize citizens who oppose changes to the existing zoning in their neighborhoods to allow projects that would not otherwise comply. They are merely trying to maintain the quality of life that is supposed to be protected for them by the long-term planning and zoning process.

Our existing zoning ordinances are the result of an elaborate planning and legislative process designed to maximize the welfare of all Portland residents in their various neighborhoods. Based on a comprehensive plan, the zoning ordinance seeks to regulate land and building size, location and use in the various neighborhoods so as to maintain a particular character in each neighborhood. Residents are expected to comply with these regulations in the use and improvement of their property. Compliance is enforced.

By the same token, the neighborhood residents can have some sense of security that the zoning ordinances will protect their investments and the amenity of their lives from structures and uses that are deemed inharmonious with what is permitted in that locality.

Portland has long taken its zoning and land use regulation seriously. Homeowners and small businesses are required to comply with local zoning and are not given special dispensation or zone changes to accommodate their wishes.

However, in recent years, it appears that a double standard is emerging. While zoning still counts for ordinary citizens and small landowners, larger developers with more ambitious projects seem to be able to obtain changes in zoning for their proposals almost at will.

Current examples include not only the outsized [cold-storage warehouse](#) being proposed for West Commercial Street, but also the massive residential development proposed [on outer Westbrook Street](#), and the grandiose proposals for redevelopment of the Portland Co. property at [58 Fore St.](#) What these projects have in common is that each of them is of massive scale compared with the usual Portland project, each of them will have a major adverse effect on the quality of life of many neighborhood residents, and each of them requires a zone change that departs from the city's long-range plan for the affected neighborhood.

It is not fair to disparage the efforts of citizens who object to the loss of existing zoning protections in their neighborhoods as obstructive NIMBYism. Portland's record with grandiose projects allowed to sprout in neighborhoods not originally designed for them has not been good.

The 1960s-era Portland House, as well as Promenade East from the 1970s, have forever compromised the skyline of the eastern half of the city. I can imagine visitors thinking: "How could they ever have let those be built?" Holiday Inn by the Bay, across from the McLellan-Sweat Mansion on Spring Street, has been an eyesore ever since it was constructed. Ditto for Franklin Towers.

Every time we have put aside our carefully planned land use regulations to accommodate a grandiose individual project, we have come to regret it. So let's not be so hard on those of our fellow citizens who believe in the quality and integrity of our long-term planning and zoning and want to protect it. They may be really saving our city from our own shortsightedness.

Peter L. Murray is a resident of Portland.

Google Groups

Comparable Ports

Jo Coyne <jocoyne@gwi.net>

Jun 19, 2017 10:36 PM

Posted in group: **Planning Board**

Beth Boepple, Chair

City of Portland Planning Board

389 Congress Street

Portland, Maine 04101

Dear Chair Boepple and members of the Planning Board:

At the May 18 workshop, I promised to research some of the ports that were being offered in comparison to Portland. I'm writing now to make good on that promise. Because the list was so long, I focused on the three ports that were singled out by Woodard & Curran for Waterfront Alliance visuals and by Bill Needelman in packet materials. Matthew Grooms sums up Planning's thinking as follows in his memo of May 12.

V. DISCUSSION OF INCREASED BUILDING HEIGHTS

While this revision is in significant part a direct response to Americold's minimum feasible height of 68', it is supported by zoning practices in other similarly oriented industrial waterfronts within the region, where standard permissible heights significantly exceed the 45-foot limitation found within the WPDZ. In Bath, Maine, Portsmouth, New Hampshire and New Bedford, Massachusetts, all communities with an industrial waterfront zone, the standard allowable height for that zone is respectively 100', 70' and 100'. Similarly, in looking at a more comprehensive list of port zoning districts found across the country, it is clear that the proposed maximum conditional building height of 75' feet would be in line with limits placed elsewhere (Needelman Memo Attachment C). Grooms, p.3

After speaking at length with planning staff in all three of the cities cited--Bath ME; Portsmouth NH; and New Bedford MA--I conclude there is little basis for comparison with Portland. The geography is substantially different in each case and, most importantly, there is little proximity to residential neighborhoods. Of the three communities, the only residences affected substantially by port building heights are those behind BIW and, according to Bath's Planning Director, that is long-established, accepted practice. Building heights along the rest of Bath's port are much lower. Neither Portsmouth's nor New Bedford's ports adjoin residential neighborhoods.

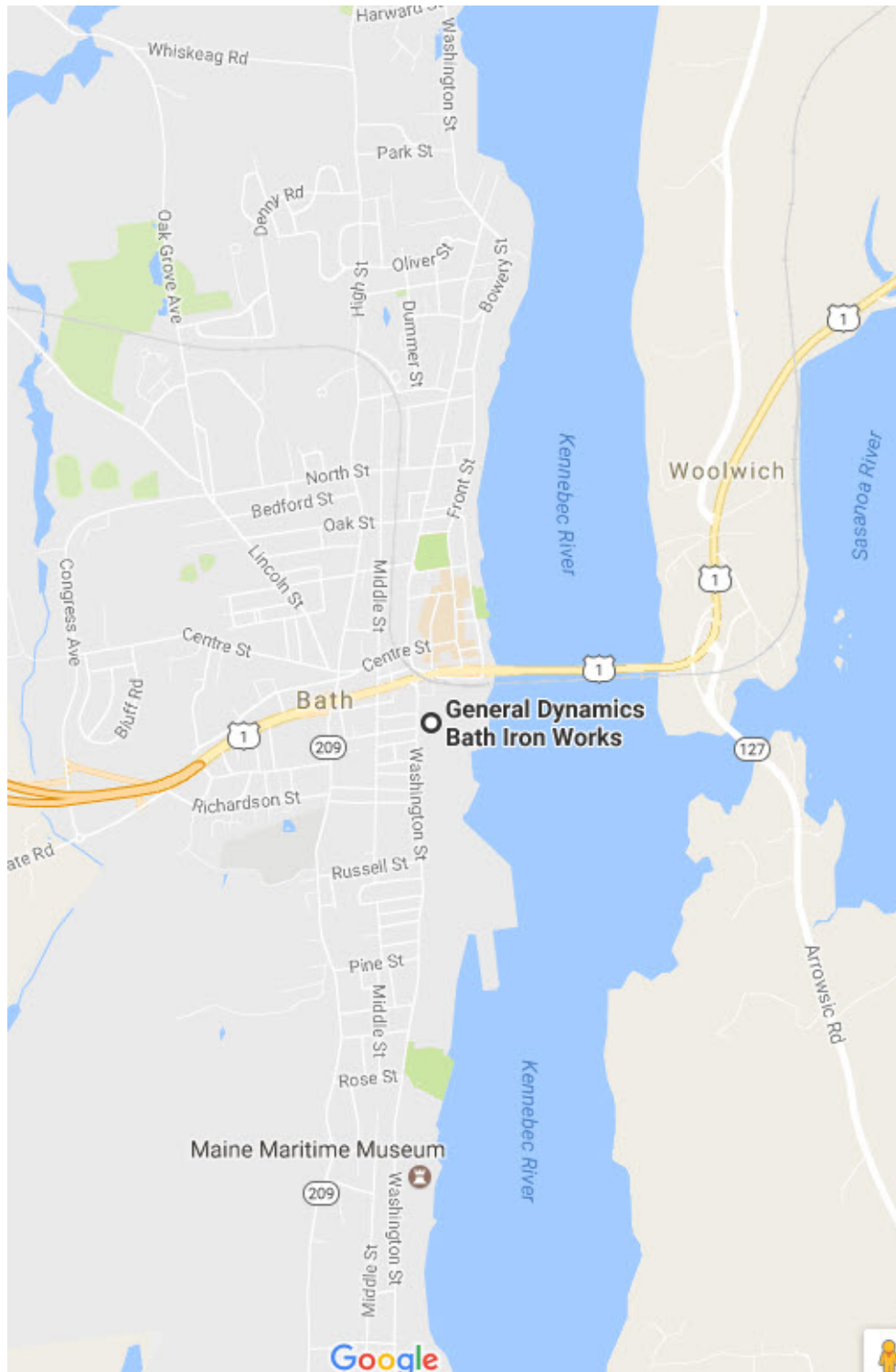
I have attached a thumbnail sketch for each of the three ports. I hope this assists you in understanding the uniqueness of our own port.

Thank you. Jo Coyne

Bath (ME)

The majority of Bath's waterfront is residential and is zoned for building heights of 30' or 45'. The downtown district (Front St north of Oak St) has floor-to-area ratios rather than maximum building heights in order to address massing issues. In that district, the more generous the side set-backs, the taller the building allowed; the narrower the side set-backs, the shorter the building. Maximum building height south of Oak St and east of Commercial St is 35'. (Commercial St runs parallel to the waterfront, between Front St and the water.)

Maximum building height in the shipyard zone where BIW is located is 75' but contract rezoning is allowed for specific projects. There are residential areas abutting the shipyard but building heights of 75' have been allowed for many years and several contract zones have been allowed. There was no opposition to BIW's recent construction request for 110' probably, according to Bath's planning director, because it does not seem out of scale with the rest of BIW.



Port of New Bedford (MA)

Maximum building height is 100' but the only residences in the working port, where tall structures are located, are apartments in the upper floors of some commercial buildings. The port proper has water to the east; to the west is a local road, backed by a parallel 4-lane, 2-way highway (Rte. 18), then by a major business corridor.

The largest residential zone near the port is located on the peninsula adjacent to Clark's Cove, which is densely developed with homes and small shops, with the exception of one high-rise built by the Housing Authority in the 1970s. There are beaches and boat moorings on both sides of the peninsula.



Port of Portsmouth (NH)

Portsmouth has several waterfront zoning districts. The maximum height in the Waterfront Industrial District is 70'. In the immediate downtown (along Bow, Daniel and Market Street) building height maximums are 35-45'. There are residential areas (mostly condominiums) near the industrial districts but no tall buildings exist there and, as of yet, none have been proposed. The historic, ethnic neighborhoods of the waterfront were demolished in the name of urban renewal in the late 1960s. Nearly all truck traffic to the port area uses Market Street off of I-95. With occasional exceptions, truck traffic does not seem to be a problem for the downtown businesses or nearby residents.





Economic Development Department

Memorandum

To: Chair Boepple and Members of the Planning Board

From: Bill Needelman, Waterfront Coordinator

Date: June 22, 2017

Re: Waterfront Port Development Zone Text Amendment, Application

I. Introduction

The Economic Development Department requests a forth workshop with the Planning Board to review potential amendments to the text of the Waterfront Port Development Zone (WPDZ.) The goal of the amendments is to allow taller buildings in the WPDZ to promote the growth of the Port of Portland consistent with long-standing city policies and the recently updated Comprehensive Plan.

The Planning staff memo outlines the proposed text amendments in detail. Given the extensive volume of supporting material generated for the previous workshops, it is hoped that the current workshop will concentrate on the proposed text amendments with a goal of generating sufficiently specific feedback to allow for advertisement of final draft text for a public hearing in July.

In addition to material in the Planning staff memo, the Board will find herein a final report from Camoin Associates

II. Background

The request has been catalyzed by the Maine Port Authority's (MPA) efforts to find a developer of a regionally-scaled cold storage warehouse on vacant property adjacent to the International Marine Terminal (IMT.) The MPA has selected a cold storage developer, *Americold*, who is proposing a facility with a minimum of 68 feet in building height. Current WPDZ text limits most structures to 45 feet.

In addition to the MPA opportunity, other property owners in the Western Waterfront support increasing building heights and clarifying existing zone text. Vessel service and repair at the *Portland Yacht Services* site has provided specific concept plans for larger structures than currently allowed. Such structures would expand the capacity of the Portland waterfront to service vessels that currently either avoid Casco Bay, or need to travel to other ports for repair and service.

Previous workshop memos have included extensive material from the Planning staff, Economic Development staff, and the Maine Port Authority. This material includes: local and regional policies supporting port expansion, the importance of the Port of Portland, recent public investments supporting port expansion, documentation on the rationale for larger structures, the needs and benefits of cold storage, visual impacts of taller structures, traffic impacts of the port expansion, comparison building height regulations from other communities, and other supporting documents. While previous material is

not restated here, the Board is asked to review the proposed zone text amendments within the context of and informed by that material, as available on the City's Planning website.

III. New Material, Camoin Associates Report

One of the key questions throughout the WPDZ text amendment process regards the reasonableness and need for taller structures – specifically cold storage. At the May workshop, the Board received a draft report commissioned by the Economic Development Department by Camoin Associates: *Economic Assessment of the Proposed Portland Waterfront Cold Storage Facility. June 2017*

As promised, the final report has been completed and is attached for the Board's information. A summary of findings is provided below.

For this assessment, Camoin took the following approach:

- Analysis of market conditions based on national market research
- Interviews with potential users of the facility (cold storage)
- Review of data on comparable facilities near ports
- Review of the economic competitiveness model and facility demand model completed by engineering firm Woodard & Curran for the Maine Port Authority

In addition to the process outlined above, Camoin met with and evaluated significant research by West End neighbors. Notably, Mark McCain and Tom Robinson, an economist in his own right, provided extensive analysis. While not in total agreement, the summary findings below benefitted from and were informed by the neighborhood research

Summary of Findings

The following are major findings from Camoin's assessment of the cold storage market nationally, regionally, and locally:

- Cold storage is part of critical infrastructure for supporting export-based economic strategies for selling to buyers outside of Maine and the US. While refrigerated storage services are primarily consumed by industries in the food sector, industry operators also provide a variety of services to pharmaceutical companies, hospitals, fur producers and other companies that require temperature-controlled storage facilities. Overall, this segment has grown significantly over the past five years as downstream customers have increasingly outsourced warehousing and distribution functions to improve operating efficiencies, and demand is expected to continue to grow over the next five years
- Currently, the supply of cold storage warehousing in the Portland area is rather limited, and demand exists for additional public cold storage capacity in the Portland region. Key drivers of demand include the increase in demand for and production of food products requiring refrigeration, specifically seafood; and increasing trade activity locally through the Port of Portland as well as nationally.
- A new cold storage facility in Portland would provide additional capacity for expanding local seafood processing operations. Cold storage users interviewed for this report mentioned that local cold storage capacity allows companies to better oversee their supply chains and ensure that storage conditions are adequate. In addition, in cases where goods are being shipped from Portland to Boston and back, there could be significant cost savings in being able to cut Boston out of the supply chain.

- Typical key success factors nationally for a cold storage facility include: optimum capacity utilization, ability to automate (for very large facilities), long-term contracts with operators, and appropriate facilities and related logistics infrastructure.
- It is critical that any new cold storage facility be price competitive with facilities that potential customers are currently utilizing elsewhere, especially those in the Boston area, which are most relevant to this analysis. Prices would have to be on par with existing facilities in order to induce users to make the switch to a local facility. Price competitiveness is also needed to meet the long-term state and local economic goals and objectives of the International Marine Terminal.
- In order to be able to charge a competitive price, a cold storage facility must be able to capitalize on economies of scale associated with the size of the facility. Square footage is less critical than cubic feet; because cold storage operators pay a premium for climate control, they want to maximize their vertical space.
- Americold's proposed facility with a capacity of 15,864 pallets reasonably falls within the capacity range that is being built in the market nationally and regionally. It is in the upper middle of the pack relative to other public facilities nationally, and compared to two key competitor facilities located near ports in Everett, Massachusetts, and Norfolk, Virginia, Americold's proposal for Portland is significantly smaller.
- Physical constraints associated with the waterfront site necessitate that the facility be built to an interior clearance height of 55' in order to achieve this level of capacity.
- While a smaller facility could potentially be profitable, the return on investment may not be sufficient for a prospective developer/operator who has many other investment opportunities. The lack of any qualified proposals received by the DOT and Port Authority for smaller facilities likely indicates that a smaller facility is not a competitive investment opportunity.
- Camoin's review of the Woodard & Curran model finds its model to be reasonable in terms of capacity utilization.

IV. New Material, Waterfront Alliance Public Forum

As part of the ongoing outreach supporting this process, the Portland Waterfront Alliance, a local education and information clearing house on waterfront development issues, agreed to host a public open house and panel discussion on the proposed WPDZ amendments.

Moderated by Good Group Decisions on May 16, 2017, the forum provided an opportunity for community questions to be answered in detail. A draft report of the event is attached and Board Members are strongly encouraged to review this excellent record of the evening's discussion.

The Panelists included:

Patrick Arnold, Port Development/Transportation Consultant & Executive;
Entrepreneur; Co-Founder and CEO of the New England Ocean Cluster

- Caitlin Cameron, Urban Designer, City of Portland
- Jim Damich, Senior Vice President, Camoin Associates; completed a market assessment and competitiveness assessment for proposed waterfront cold storage
- John Henshaw, Executive Director, Maine Port Authority
- Steve Landry, Traffic Engineer, Maine Department of Transportation
- Bill Needelman, Waterfront Coordinator, City of Portland

V. Continued Public and Stakeholder Input

When reading the Planning staff memo and the latest zone text draft, Board members should note that significant contributions from many stakeholders informed these edits.

A dedicated group of West End neighbors have met with city staff and multiple times and many suggested edits offered in these meetings are incorporated into the text. *(Note, not all of the suggested edits, the 50' absolute cap on permitted use building heights in particular, have been fully explored with impacted property owners.)* While not all of the suggestions could be incorporated and still meet the goals of the rezoning process, the neighborhood input has been formative.

Likewise, WPDZ property owners and operators, notably the Maine Port Authority, Portland Yacht Services, Eimskip, and Sprague Energy have dedicated time, thought, and input that is reflected in the language.

The Economic Development Department is grateful for all input and the collegial and productive tone of these interactions. While not perfect, the zone text amendments provided are vastly improved by these collaborations.

Supporting Material.

- A. Economic Assessment of the Proposed Portland Waterfront Cold Storage Facility
FINAL REPORT
June 2017
- B. Waterfront Alliance Open House and Panel Session, May 16, 2016, Draft Report, *Good Group Decisions*, Craig Freshly

Under Separate Cover:
Maine Port Authority Material

Economic Assessment of the Proposed Portland Waterfront Cold Storage Facility

FINAL REPORT

June 2017

Prepared for:

City of Portland
389 Congress Street
Portland, ME 04101



120 West Avenue, Suite 303
Saratoga Springs, NY 12866

518.899.2608

www.camoinassociates.com

About Camoin Associates

Camoin Associates has provided economic development consulting services to municipalities, economic development agencies, and private enterprises since 1999. Through the services offered, Camoin Associates has had the opportunity to serve EDOs and local and state governments from Maine to California; corporations and organizations that include Lowes Home Improvement, FedEx, Volvo (Nova Bus) and the New York Islanders; as well as private developers proposing projects in excess of \$600 million. Our reputation for detailed, place-specific, and accurate analysis has led to projects in 29 states and garnered attention from national media outlets including *Marketplace* (NPR), *Forbes* magazine, and *The Wall Street Journal*. Additionally, our marketing strategies have helped our clients gain both national and local media coverage for their projects in order to build public support and leverage additional funding. We are based in Saratoga Springs, NY, with regional offices in Portland, ME; Boston, MA; Richmond, VA; and Brattleboro, VT. To learn more about our experience and projects in all of our service lines, please visit our website at www.camoinassociates.com. You can also find us on Twitter [@camoinassociate](https://twitter.com/camoinassociate) and on [Facebook](https://www.facebook.com/camoinassociates).





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Introduction

In 2015, the Maine Department of Transportation and the Maine Port Authority issued a request for proposals (RFP) for a cold storage facility on a strategic site along the city's waterfront. Two responses were received, only one of which was from a bidder that was deemed to be qualified. The qualified proposal was from Americold Logistics LLC, which is the largest company in the refrigerated storage industry nationally in terms of market share and currently operates an existing cold storage facility on Read Street in Portland.

In the original proposal, Americold submitted a multiple-design approach with the expectation that plans would be reviewed in conjunction with the Maine Port Authority. In issuing the RFP, Maine DOT and the Port Authority purposely did not specify design and size specifications in order to be able to receive proposals that made the most sense in the market and with regard to financial feasibility. Since the submission of the original proposal, Americold has solidified its plans and determined the design that would be most cost- and market-feasible. Anticipated users of the proposed facility include Emskip and its customers, for storage of product being shipped to and from the US through the Port of Portland, as well as Maine and other US producers storing product to be transported via the port, rail, or road to other locations. This includes producers directly related to the Portland waterfront such as fish processors, wholesalers, and bait providers serving the fishing industry, as well as non-seafood products, such as produce.

Design details are presented in the following tables from Americold's Site Development Concept:

Table 1

P R O J E C T D A T A	
DEVELOPABLE SITE AREA	±6.3 ACRES
PROPOSED BUILDING FOOTPRINT	120,140 GSF
PROPOSED BUILDING HEIGHT (INTERIOR CLEAR HEIGHT)	55'-0" (660")
EMPLOYEE PARKING	80 SPACES
TRUCK DOCK	14 DOORS
TRAILER DROP	15 SPACES
RAIL DOCK	3 DOORS

Table 2

B U I L D I N G D A T A	
WAREHOUSE FIRST FLOOR	120,140 SF
WAREHOUSE MEZZANINE	10,935 SF
WAREHOUSE TOTAL	131,075 SF
WAREHOUSE CLEAR HEIGHT	55'-0" (660")
PALLET STORAGE CAPACITY (DRY GOODS)	5,280 P.P.
PALLET STORAGE CAPACITY (FREEZER)	10,388 P.P.
PALLET STORAGE CAPACITY (BLAST)	196 P.P.
PALLET STORAGE CAPACITY TOTAL	15,864 P.P.

The City of Portland commissioned Camoin Associates to conduct an economic assessment of the proposed cold storage facility. The purpose of this assessment is to provide background on the key drivers, performance, and supply chain of the cold storage industry and provide context for Americold's proposal in light of industry and market trends. This context is used to help answer several important questions:

- Based on market conditions, how much capacity (building size and pallet/product volume) does a cold storage facility reasonably need to be competitive?
- How important is the proposed waterfront location to siting a cold storage facility to competitively serve demand?

This assessment will be utilized by the City as it progresses through consideration of the Americold proposal as part of its zoning text amendment process. While the assessment is meant to provide insight into the market conditions surrounding supply and demand for cold storage in Portland, it is not meant to answer whether Americold, or any other future developer, would invest in building a facility that is smaller in size than that which Americold has proposed. That determination can only be made by Americold based on its own market, feasibility, and risk assessment. It also is not meant to make a definitive determination as to the capacity to be utilized by Emskip and its customers.

For this assessment, Camoin took the following approach:

- Analysis of market conditions based on national market research
- Interviews with potential users of the facility
- Review of data on comparable facilities near ports
- Review of the economic competitiveness model and facility demand model completed by engineering firm Woodard & Curran for the Maine Port Authority

Summary of Findings

The following are major findings from our assessment of the cold storage market nationally, regionally, and locally:

- Cold storage is part of critical infrastructure for supporting export-based economic strategies for selling to buyers outside of Maine and the US. While refrigerated storage services are primarily consumed by industries in the food sector, industry operators also provide a variety of services to pharmaceutical companies, hospitals, fur producers and other companies that require temperature-controlled storage facilities. Overall, this segment has grown significantly over the past five years as downstream customers have increasingly outsourced warehousing and distribution functions to improve operating efficiencies, and demand is expected to continue to grow over the next five years
- Currently, the supply of cold storage warehousing in the Portland area is rather limited, and demand exists for additional public cold storage capacity in the Portland region. Key drivers of demand include the increase in demand for and production of food products requiring refrigeration, specifically seafood; and increasing trade activity locally through the Port of Portland as well as nationally.
- A new cold storage facility in Portland would provide additional capacity for expanding local seafood processing operations. Cold storage users interviewed for this report mentioned that local cold storage capacity allows companies to better oversee their supply chains and ensure that storage conditions are adequate. In addition, in cases where goods are being shipped from Portland to Boston and back, there could be significant cost savings in being able to cut Boston out of the supply chain.
- Typical key success factors nationally for a cold storage facility include: optimum capacity utilization, ability to automate (for very large facilities), long-term contracts with operators, and appropriate facilities and related logistics infrastructure.
- It is critical that any new cold storage facility be price competitive with facilities that potential customers are currently utilizing elsewhere, especially those in the Boston area, which are most relevant to this analysis. Prices would have to be on par with existing facilities in order to induce users to make the switch to a local facility. Price competitiveness is also needed to meet the long-term state and local economic goals and objectives of the International Marine Terminal.
- In order to be able to charge a competitive price, a cold storage facility must be able to capitalize on economies of scale associated with the size of the facility. Square footage is less critical than cubic feet; because cold storage operators pay a premium for climate control, they want to maximize their vertical space.
- Americold's proposed facility with a capacity of 15,864 pallets reasonably falls within the capacity range that is being built in the market nationally and regionally. It is in the upper middle of the pack relative to other public facilities nationally, and compared to two key competitor facilities located near ports in Everett, Massachusetts, and Norfolk, Virginia, Americold's proposal for Portland is significantly smaller.
- Physical constraints associated with the waterfront site necessitate that the facility be built to an interior clearance height of 55' in order to achieve this level of capacity.
- While a smaller facility could potentially be profitable, the return on investment may not be sufficient for a prospective developer/operator who has many other investment opportunities. The lack of any qualified proposals received by the DOT and Port Authority for smaller facilities likely indicates that a smaller facility is not a competitive investment opportunity.
- Camoin's review of the Woodard & Curran model finds its model to be reasonable in terms of capacity utilization.

Cold Storage Industry Profile¹

The cold storage industry is comprised of establishments that operate refrigerated warehousing and storage facilities. Temperature-controlled services include blast freezing and tempering. Over the past five years, the Refrigerated Storage industry nationally has benefited from rising levels of consumer spending and trade activity, which have increased the number of goods being shipped and generated demand for industry storage services. Additionally, while industry growth has been somewhat constrained by the decision of some downstream companies to manage their own warehouse facilities instead of outsourcing these functions to cold storage industry operators, this trend has not substantially hampered industry performance. Industry revenue is estimated to increase at an annualized rate of 2.4% to \$5.3 billion over the five years to 2017, including growth of 4.0% in 2017 alone.

Profit, measured as earnings before interest and taxes, is expected to account for 15.8% of industry revenue in 2017, up from 15.4% in 2012. Profit margins within this industry are typically high due to low operating costs. For example, while the maintenance and utilities costs of running a refrigerated warehouse are high, expenses on marketing, legal fees and administration costs are often negligible. Industry profit margins have grown over the past five years primarily due to increased investment in new technologies.

Driver: Demand for food products

While the cold storage industry provides some services to pharmaceutical companies, hospitals and other players outside the food sector, companies involved in the production, distribution and sale of food products constitute the industry's most important downstream markets. To this end, the industry has benefited substantially from recent increases in the level of consumer spending. Over the five years to 2017, consumer spending increased at an annualized rate of 2.5%, enabling everyday consumers to spend more freely on food products. This generated revenue for industry operators engaged in the storage and transportation of those products. Moreover, as consumer spending increased, many consumers began purchasing high-quality, high-margin food brands instead of relying on low-cost generic brand foods, which increased revenue and expanded the profit margins of many downstream food retailers. This trend has placed downstream industries in a better position to demand storage, transportation and logistical services from industry operators, contributing to the Refrigerated Storage industry's strong growth during the five-year period.

Driver: Trade activity

Industry performance is also closely tied to trade activity, as refrigerated storage services are required for transporting most food products and medicines. Over the past five years, the total value of exports leaving the United States has grown at an annualized rate of 2.8%, while the value of imports entering the country has increased at an annualized rate of 3.9% during the same period. These trends have generated substantial revenue for the Refrigerated Storage industry as imported goods typically require industry operators to perform third-party warehousing services like repackaging and carrier tracking, while exported goods are frequently kept in coastal storage facilities prior to being shipped. Trade activity is expected to continue expanding in coming years, as a stronger dollar increases the purchasing power of US businesses and consumers. Despite the threat it poses to US manufacturing industries, a strong dollar will drive higher import volumes, increasing demand for industry storage services.

Driver: Vertical integration

In addition to trends in consumer spending and trade activity, demand for industry services is also significantly impacted by the level of vertical integration in downstream markets. Typically, clients in need of refrigerated storage services outsource these functions to industry operators in an attempt to improve profit margins by avoiding the

¹ IBISWorld Industry Reports. "Refrigerated Storage in the US." February 2017.

substantial costs associated with owning and operating a warehouse. However, in response to changing consumer preferences and the proliferation of Just-In-Time production, by which manufacturers attempt to reduce inventory and warehouse costs by receiving goods only as they are needed in the production process, many companies in the food sector have begun operating their distribution and storage functions internally, completely bypassing industry operators. While this integration provides companies with more flexibility and a greater degree of control over their products, private refrigerated warehouses require substantial capital investment and are generally more expensive than public warehouses run by industry operators. As a result, this form of vertical integration has generally been limited to large-scale food producers like Nestle, Kraft, and Unilever.

Major Companies

The Refrigerated Storage industry exhibits a relatively low level of market share concentration, with the industry's four largest players generating an estimated 36.4% of total industry revenue in 2017. Americold LLC is the largest player, with 15.3% of market share, followed by Lineage Logistics Holdings LLC with 11.5%.

Industry concentration has remained stable over the past five years as the consistent entry of new players into the market has been offset by acquisitions and consolidation on the part of the industry's leading companies. For example, Lineage Logistics' acquisition of Millard Refrigerated Services in 2014 substantially increased the company's share of industry revenue. At the same time, the number of industry enterprises has increased at an annualized rate of 2.2% over the past five years. Moving forward, the level of market share concentration in this industry is projected to remain low.

Industry Outlook

The Refrigerated Storage industry is expected to continue growing over the five years to 2022, supported by increasing demand from downstream markets and higher trade volumes. Improving economic conditions will enable consumers to purchase a greater variety of food products from grocery stores and other retail channels, boosting demand for refrigerated storage. Additionally, growing demand for pharmaceutical goods in countries such as China, Brazil and India will cause US pharmaceutical companies to rely on refrigerated storage facilities to store their goods before they are exported.

Downstream industries are projected to increasingly outsource their logistics and warehouse operations over the next five years, causing industry revenue to grow more substantially than it did during the previous five-year period. According to a 2016 study conducted by Capgemini Consulting, 73.0% of US shipping and transportation companies are expected to increase their use of outsourced logistics services in coming years, whereas just 35.0% are expected to rely more heavily on in-house operations. Overall, industry revenue is expected to increase at an annualized rate of 3.6% over the next five years, totaling \$6.3 billion in 2022. This compares to annualized growth of 2.4% over the last five years.

Supply Chain

Generally, wholesalers, retailers, importers and exporters outsource the storage operations of their supply chain to specialized third-party refrigerated storage operators, either on an as-needed basis or by contract. These storage services can differ substantially in terms of the duration and temperature required, ranging from the short-term storage of fresh produce in tepid conditions to the sub-zero storage of ice cream and other frozen products for extended periods of time. While refrigerated storage services are primarily consumed by industries in the food sector, industry operators also provide a variety of services to pharmaceutical companies, hospitals, fur producers and other companies that require temperature-controlled storage facilities. Overall, this segment has grown significantly over the past five years as downstream customers have increasingly outsourced warehousing and distribution functions to improve operating efficiencies.

Nationally, about 39% of cold storage capacity is consumed by food (including seafood) wholesalers, 28% by manufacturers, 22% by retailers, and the remaining 12% by other goods, including pharmaceutical, floral, and fur products.²

Key Success Factors

The following factors are considered critical for the success of the industry overall and individual cold storage facilities:³

- **Optimum capacity utilization:** Maximum warehouse capacity utilization is crucial to maximizing profit, as unused storage space must nonetheless be kept cold, a costly expense.
- **Automation - reduces costs, particularly those associated with labor:** Increased warehouse automation increases the efficiency of operations by increasing the speed and accuracy of inventory management and the filling out of orders.
- **Output is sold under contract - incorporate long-term sales contracts:** Long-term contracts allow industry operators to negate the risk of a short-term decline in demand and ensure a stable medium-term source of revenue.
- **Provision of appropriate facilities:** Refrigerated warehouses must be meticulously designed to be continuously and efficiently kept at very specific temperatures, as well as equipped with substantial capital machinery.

Additionally, interviews and market research for this project revealed that proximity of a cold storage facility to related logistics infrastructure, such as ports, roads, and rail, are critical to market success.

² JLL. "Perspectives on cold storage investment opportunities." 2014.

³ IBISWorld Industry Reports. "Refrigerated Storage in the US." February 2017.

Market Assessment

An understanding of the dynamics of the cold storage industry is critical for assessing the market viability of the Americold proposal. The above industry profile provides context for analyzing concerns around facility size, potential users, economies of scale, and price competitiveness.

Currently, the supply of cold storage warehousing in the Portland area is rather limited. For companies requiring cold storage capacity, the only options are to use the existing Americold facility on Read Street in Portland, or to build and use a private facility.

However, in order to capture this pent-up demand for cold storage in Portland, it is critical that any new cold storage facility be price competitive. Prices would have to be on par with the nearest existing competing facilities—most critically, those in the Boston-area—in order to induce users to make the switch. Engineering firm Woodard & Curran developed an economic competitiveness model to evaluate how a new facility might compete in the market. The firm found that the monthly cost of four cold storage facilities in Massachusetts ranged from \$61.80 to \$65.00 per pallet position, as provided by a local frozen seafood industry member. A new Portland facility would have to charge customers a price within or around that range in order to compete.

Transportation Costs

Transportation costs will play into the decision of potential users, but they are difficult to analyze due to the variety in structure of the supply chains involved. Woodard & Curran does not consider transportation costs in its competitiveness model, noting that due to the competitive nature of the industry, a cold storage facility may adjust its pricing to pull business away from a facility that is located closer to a particular customer. Some customers might accept a price higher than that offered at Boston facilities if the availability of a Portland facility obviates the need to haul product to and from Boston. However, for most customers, the facility needs to be competitively priced with Boston. Additionally, to continue port and export activities in Portland and Maine it is important for the facility to remain highly price competitive.

Automation

The ability to automate was identified through market research as a key success factor to the cold storage industry. Varying levels of automation can be built into a cold storage facility, and the degree to which automated features are economically feasible depends on the size of the facility. A fully automated facility employs what is known as an automated storage and retrieval system (AS/RS), consisting of a variety of computer-controlled systems for automatically placing and retrieving loads from defined storage locations. Such a system is only economically feasible for very large facilities with enough capacity and storage turnover to justify the high capital expenditures involved. The cold storage facility proposed by Americold for the waterfront would not include an AS/RS.

Economies of Scale

In order to be able to charge a competitive price, a cold storage facility must be able to capitalize on economies of scale associated with the size of the facility. Such facilities have high capital costs compared to conventional warehouse space. According to JLL, costs for cold storage facilities range from \$150-\$170 per square foot, compared to \$60-\$65 per square foot for conventional warehouse space.⁴

Importantly, square footage is less critical than cubic feet; because cold storage operators pay a premium for climate control, they want to maximize their vertical space. When sufficient land area is available to provide the necessary storage capacity, preferred ceiling heights on new buildings are between 36 and 40 feet—higher than the 22-foot

⁴ JLL. "Perspectives on cold storage investment opportunities." 2014.

average clearance height for warehouses built 20 years ago.⁵ Note that ceiling height is sometimes called “interior clearance height” and refers to the height inside the facility between the finished floor and the underside of the lowest obstruction hanging from the ceiling. The full height of the building from finished grade to the top of the roof structure may be considerably higher than the ceiling height.

Facility Size Comparison

According to the Agricultural Statistics Board, only 18.9% of all refrigerated storage facilities are estimated to have storage capacity totaling more than 5.0 million cubic feet, indicating the small size of most industry establishments. Additionally, most of these warehouses are owned by small- to medium-sized companies that operate on a regional level.⁶

Gross refrigerated storage capacity in the U.S. totaled 4.17 billion cubic feet as of 2015. Gross storage capacity refers to the total area under refrigeration, measured from wall to wall and floor to ceiling. Of that amount, approximately 82% was considered usable capacity, divided between freezer (about 77%) and cooler space (about 23%). Usable capacity is the actual area used for storing commodities and excludes space occupied by aisles, posts, coils, blowers, etc.⁷

Cold storage facilities can be public, private, or semi-private. Public facilities are maintained by an operator for storing food for external customers at specified rates per unit. Private and semi-private facilities are maintained by an operator to facilitate the operator’s principal function as a producer, processor, or manufacturer of food products. The space is used to store the owner’s products, although some space may be used by others at specified rates per unit stored. The proposed Americold facility is a public facility, as it would serve external customers.

Nationally, the number of public versus private/semi-private warehouses is split fairly evenly, with 53% public and 47% private/semi-private. However, in terms of gross capacity, public warehouses account for 75% all space, compared to 25% for private/semi-private. The average public refrigerated warehouse is approximately 4.1 million cubic feet, over 2.5 times larger than the average capacity of 1.5 million cubic feet for private/semi-private warehouses. The volume of the warehouse portion of the proposed Americold facility is 4.3 million cubic feet, near the average for public facilities.⁸

Table 3

Refrigerated Warehouse Number and Size, by Type, U.S., 2015			
	Public	Private and Semi-private	Total
Number of Warehouses	763	667	1,430
Percent of Warehouses	53%	47%	100%
Gross Capacity (1,000 cu. ft.)	3,138,463	1,030,460	4,168,923
Percent of Gross Capacity	75%	25%	100%
Average Capacity (1,000 cu. ft.)	4,113	1,545	2,915

Source: USDA

Fifty-nine percent (59%) of public warehouses have a gross capacity of at least 2.5 million cubic feet, compared to 21% of private/semi-private facilities. Thirty percent (30%) have a capacity of at least 5 million, compared to 6% for

⁵ JLL. “Perspectives on cold storage investment opportunities.” 2014.

⁶ IBISWorld Industry Reports. “Refrigerated Storage in the US.” February 2017.

⁷ USDA. “Capacity of Refrigerated Warehouses: 2015 Summary.” January 2016.

⁸ Includes only warehouse capacity (excludes dock capacity, office space, etc.).

private/semi-private. This places the proposed Americold facility (55' ceiling height) in the upper middle of the pack relative to other public facilities nationally.

Table 4

Refrigerated Warehouses by Number and Size Group, U.S., 2015						
Gross Capacity (cu. ft.)	Public		Private and Semi-private		All	
	Number	Percent	Number	Percent	Number	Percent
0-499,999	74	10%	300	45%	374	26%
500,000-999,999	60	8%	106	16%	166	12%
1,000,000-2,499,999	178	23%	122	18%	300	21%
2,500,000-4,999,999	220	29%	100	15%	320	22%
5,000,000+	231	30%	39	6%	270	19%
All	763	100%	667	100%	1,430	100%

There is only one existing public cold storage facility in Maine, the Americold facility on Read Street in Portland. According to Americold's website, this facility has a capacity of 1.8 million cubic feet. The following table shows the number and gross capacity of all public refrigerated warehouse facilities in northeastern states from Maine to Virginia.

Table 5

Public Refrigerated Warehouses by State, Northeast			
	Number	Gross Capacity (1,000 cu. ft.)	Average Capacity (1,000 cu. ft.)
Connecticut	2	**	--
Delaware	5	17,963	3,593
Maine	1	**	--
Maryland	5	26,048	5,210
Massachusetts	20	81,747	4,087
New Hampshire	2	**	--
New Jersey	34	159,324	4,686
New York	27	55,267	2,047
Pennsylvania	38	209,608	5,516
Rhode Island	0	0	--
Vermont	1	**	--
Virginia	15	64,207	4,280

**Withheld in USDA data to avoid disclosing data for individual operations.

--Unable to calculate due to withheld data

Source: USDA, Camoin Associates

The following table shows the proposed facility and the existing Read Street facility compared to two key competitor facilities in Everett, Massachusetts, and Norfolk, Virginia. Both of these facilities are located near ports, the Port of Boston and the Port of Virginia, respectively. These facilities are significantly larger than Americold's

proposal for Portland, and are also larger than the combined capacity of the proposed facility and the existing Read Street facility.

Table 6

Facility Volume Comparison, selected coastal facilities	
Facility	Facility Volume (cu. ft.)*
Americold Proposal	4.3 million
Americold - Read Street, Portland, ME	1.8 million
Preferred Freezer - Everett, MA	6.4 million
Preferred Freezer - Norfolk, VA	7.9 million

*Includes only warehouse capacity (excludes dock capacity, office space, etc.)

Source: Americold; Preferred Freezer

Pricing

Woodard & Curran's competitiveness model⁹ estimates the price per pallet that the cold storage facility operator would have to charge in order to achieve a return on investment that justifies the cost of developing such a facility. The model compares the required price per pallet under the Americold proposal, as well as a smaller illustrative example facility, as shown in the following table. Americold asserts that any loss in height relative to the proposed facility (and resulting loss in capacity) is expected to make the project financially infeasible.¹⁰

Table 7

Cold Storage Facility Comparison							
	Building Footprint (SF)	Warehouse Floorspace (SF)	Dock Floorspace (SF)	Warehouse Interior Clearance Height	Height to Top of Roof	Total Facility Volume* (Cu. Ft.)	Number of Pallet Positions
Americold proposal	120,140	78,090	29,100	55'	62'10"	4,906,050	15,864
Reduced height illustrative example	120,140	78,090	29,100	35'	45'0"	3,344,250	10,860

*Includes total square footage of warehouse space * clearance height + total square footage of dock space (rail and truck) * clearance height.

Source: Woodard & Curran

The relatively small size of the development site, approximately ±6.3 acres, limits the building footprint to about 120,000 GSF to allow for sufficient space on site for truck docking and trailer drops. Because the building footprint cannot be expanded, the only way for the facility developer to achieve the economies of scale associated with a larger facility is to build a taller structure. Site constraints explain why the interior clearance height of 55' in the Americold proposal is significantly higher than the typical range of 36' to 40' for recently constructed facilities nationally.

The Woodard & Curran model estimates a monthly cost per pallet position of \$61.11 for the Americold proposal and \$65.46 for the shorter example in order for the facility to operate profitably. The cost under the Americold proposal falls within the range of \$61.80 to \$65.00 for existing facilities in Massachusetts, indicating that such a facility would be price competitive with its nearest competitors. The cost to customers for the smaller example falls

⁹ Woodard and Curran. "Proposed State of Maine West Commercial Street Cold Storage Facility: Model of Economic Competitiveness." 2017.

¹⁰ Americold Presentation to City of Portland Economic Development Committee. November 1, 2016.

above this range, about 3.4% higher than the average for the four facilities considered, and 7% higher than the cost to customers under the Americold proposal.

Table 8

Monthly Customer Cost per Pallet Position	
Americold proposal	\$61.11
Reduced height illustrative example	\$65.46
MA Competitor Avg.	\$63.28
MA Competitor Range	\$61.80 - \$65.00

Source: Woodard & Curran

Demand for cold storage is highly price elastic, meaning that customers are very sensitive to price and will opt for the facility that minimizes their logistics costs. For Portland seafood processors, this means that while the new facility might be more conveniently located than options in Massachusetts, they will only switch to the new facility if doing so is comparable to their existing costs. Some companies interviewed mentioned that while there are certainly advantages to having more cold storage capacity “in your backyard”—namely, the ability to ensure that product is being stored properly without having to travel out-of-state—the premium that the average company would be willing to pay for this convenience is minimal. Ultimately, price is the number one factor in deciding where to store refrigerated goods.

Capacity Utilization

Anticipated users of the proposed facility include Eimskip and its customers, for storage of product being shipped to and from the US through the Port of Portland, as well as Maine and other US producers storing product to be transported via the port, rail, or road to other locations. This includes producers directly related to the Portland waterfront such as fish processors, wholesalers, and bait providers serving the fishing industry, as well as non-seafood products, such as produce.

Currently, the supply of cold storage warehousing in the Portland area is rather limited. For companies requiring cold storage capacity, the only options are to use the existing Americold facility on Read Street in Portland, or to build and use a private facility. When the Americold facility and private facilities are full, users must turn to facilities outside of Maine, primarily in the Boston area. Some Portland area companies choose to use the Boston-area facilities as their primary cold storage capacity. For example, a company might receive shipments of seafood through the Port of Portland, from where it is shipped to Boston for storage and subsequently hauled back to Portland for processing. In other cases, already processed seafood is sent to Boston for storage until it is needed by downstream customers, which may be located globally.

A new cold storage facility in Portland would provide additional capacity for expanding local seafood processing operations. Interviews conducted for this report mentioned that local cold storage capacity allowed companies to better oversee their supply chain and ensure that storage conditions are adequate. In addition, in cases where goods are being shipping from Portland to Boston and back, there could be significant cost savings in being able to cut Boston out of the supply chain.

In addition to seafood, other products that could be stored at the facility include produce, such as wild blueberries. Wyman’s, for example, is a large blueberry producer that currently must ship millions of pounds of fruit outside of Maine for cold storage and then ship it back into the state for processing. A cold storage facility in Portland would significantly cut down on these freight costs.

A key user of a new storage facility in Portland would be customers of Eimskip, an Icelandic logistics company that transports goods through the Port of Portland. Seafood requiring cold storage comprises a significant portion of Eimskip's cargo volumes through the port.

Woodard & Curran assessed the future storage needs of Eimskip's customers relative to the capacity of the proposed Americold facility to project the capacity utilization of the facility into the future.¹¹ The model employs the following data from independent sources to project utilization:

- Cold storage capacity need reported by Eimskip
- The total number of loaded containers shipped through the Port of Portland in 2014 and 2016.
- The number of Eimskip ships calls to the Port of Portland in 2014, 2015, and 2016.

Woodard & Curran fits trend lines to the data and arrives at the following findings and conclusion:

- The rates of growth for Eimskip's reported increases in cold storage capacity need, the projection of increased freight volume that would require cold storage based on 2014 through 2016 container data, and the increase in port calls by Eimskip ships between 2014 and 2016, as well as the projected frequency in 2020, are all similar. This indicates good precision in the evaluation methods used during this modeling effort, and that conclusions that may be drawn from this model are likely reliable.

However, Woodard & Curran notes, as with all growth projections, the accuracy of the estimate decreases as the farther away one moves in time from the known data points. Further, with exponential business growth projections, it is expected that the rate of growth will at some point diminish until equilibrium is reached (e.g. due to market saturation or limitations in available shipping capacity). It is not known when equilibrium will occur, therefore, Woodard & Curran did not consider container growth projection data beyond approximately 2024.

- Based on the estimated growth in Eimskip's cold storage needs as assessed using the referenced data sources, the capacity of a 45-foot building would be exceeded between 2023 and 2024.
- Greater than 50% of the capacity of the proposed 65-foot building would be occupied Eimskip freight between approximately 2020 and 2021. Therefore, the majority of the proposed building would be occupied by marine-related uses in a relatively short time following the completion of construction.
- Based on projected growth rates, a building that is limited to 45 feet in height, with a resulting capacity of 10,860 pallet positions, would be insufficient to fill Eimskip's cold storage needs beyond 2023. As such, continuing to limit the allowable height for buildings in the Waterfront Port Development Zone to 45 feet would increase the risk of losing Eimskip as a container shipping partner for the Port of Portland.

Camoin Associates reviewed the Woodard & Curran model and considers its findings to be reasonable. Between 2017 and 2027, based on projections from Eimskip, the number of pallet positions used would increase from 4,760 to 14,280, or an average increase of 952 pallets per year. At this rate, Eimskip's needs would surpass the total 15,864 pallet position capacity of the proposed Americold facility by 2029.

Woodard & Curran compared this to 2014, 2015, and 2016 data on actual containers shipped through the Port of Portland by Eimskip. Containers were converted to pallets using standard conversion factors and divided by 12 to estimate monthly throughput of pallets transiting the port. A factor of 35% was applied to account for the share of pallets requiring cold storage, as provided by Eimskip. This amounts to 2,540 pallets in 2014, 2,860 pallets in 2015, and 3,470 pallets in 2016. Woodard & Curran projected these values forward using an exponential trend line. Under

¹¹ Woodard and Curran. "Proposed State of Maine West Commercial Street Storage Facility: Model of Eimskip Cold Storage Need." 2017.

a more conservative approach that assumes a linear growth rate consistent with the 2015-2016 change of 610 pallets per year, Eimskip demand would exceed the full capacity of the proposed Americold facility by 2037. Averaging Eimskip's projections with the linear historical trend model, capacity would be exceeded by 2032, or within 15 years. This averaging approach is still conservative as it is reasonable to assume some level of exponential growth early on as shipments initially increase through the port once the cold storage facility is operational, still bearing in mind that such growth cannot continue indefinitely.

We also note that Woodard & Curran's monthly pallet assumption is very conservative. Dividing annual pallets by 12 is equivalent to assuming a storage turnover rate of 12 times per year. Much of the facility would be dedicated to deep-freeze capacity for frozen seafood storage, which tends to have considerably slower turn. According to Americold, the total warehouse turnover rate at the existing Read Street facility was approximately 5 turns over the last year. Turns for bait were 4.58 per year and turns for seafood were 3.60 per year. Americold indicated that no more than 8 turns would be a reasonable assumption for the new facility.

Furthermore, it should be noted that optimizing capacity utilization is a key factor for maximizing the profitability of a cold storage warehouse. While excessive unused space harms profitability, a facility with too much inventory is also undesirable. An optimal facility utilization rate is around 80-85%. When the cubic capacity of the inventory in a facility exceeds 85%, productivity goes down, as there are not enough open slots to receive new inventory properly.¹² The above projections for the years by which facility capacity will be reached assume 100% capacity utilization, meaning that in reality, the facility will reach a desirable capacity utilization somewhat earlier.

We must stress that the most important evidence supporting the existence of sufficient demand for such a facility is Americold's proposal *per se*. Americold operates over 165 facilities in 6 countries¹³ and has proven expertise and knowledge of the cold storage market. Moreover, the company is already very familiar with the needs of the Portland market given its existing facility on Read Street. Therefore, it can be assumed that Americold has put forth a proposal that it has deemed to be realistic given existing and future market conditions.

Waterfront Location

A unique feature of the proposed Portland Americold facility is its location along the waterfront and adjacent to the Port of Portland. The waterfront location would facilitate logistics for companies importing and exporting through the port. The importance of the waterfront location varies among cold storage-utilizing companies. For Eimskip it is critical. For some seafood processors located along the waterfront, access to a waterfront cold storage facilities precludes the need to navigate through Portland traffic to access the Read Street facility or other non-waterfront location, saving time and cost. Other companies interviewed for this assessment mentioned that the waterfront location would be beneficial but not critical.

It is useful to think of a cold storage facility on the Portland waterfront as one of many pieces that would lend the Port of Portland a competitive advantage over other East Coast ports. A waterfront location would allow port users to leverage multiple transportation options and capitalize on time and cost savings. For example, cold storage users can also take advantage of the rail spur serving the site for shipping products to market. The presence of all these amenities in a single location will allow the port to attract a more diverse customer base and contribute to the long-term economic vitality of Portland Maine.

It is also important to note that increasing the capacity for cold storage in Portland fits with the City's existing Economic Plan by providing continued support for the International Marine Terminal and supporting a working

¹² International Association of Refrigerated Warehouses. "2006 IARW Productivity and Benchmarking Report Survey." p. 53.

¹³ www.americold.com/locations

waterfront.¹⁴ It also fits with the State’s mission through the Maine Port Authority “to develop transportation infrastructure and multi-modal capacity, opening up new markets and transportation logistics for Maine businesses.”¹⁵

¹⁴ See Portland Economic Development Plan at this URL: www.portlandmaine.gov/530/Portland-Economic-Development-Plan.

¹⁵ Maine Port Authority. www.maineports.com.

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The Waterfront Alliance

Waterfront Port Development Zone (WPDZ) Proposed Changes and Cold Storage

Open House and Panel Session Draft Report

May 16, 2017
Portland, Maine



Good Group Decisions

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About the Event

The purpose of the event was to answer questions about proposed changes to the Waterfront Port Development Zone (WPDZ) and the need for cold storage on the working waterfront. The focus of the event was not on debating or lobbying but rather on learning and clarifying.

From 4:00 – 6:00 pm, the event was in the form of an Open House. Experts were available at stations around the room on five different topics. Participants were encouraged to wander around and ask questions. Participants were also encouraged to submit written questions in advance of the Panel Session 6:30 – 8:00 pm. During the Panel Session, experts answered participant questions collected and posed by the moderator as well as questions asked directly by audience members. Craig Freshley of Good Group Decisions professionally moderated the Panel Session and his associate Kerri Sands prepared this report.

Slides with the content of the poster boards on display during the Open House can be viewed here: <https://tinyurl.com/mbmumwk>.

Panel Session Welcome and Opening Remarks

Tom Meyers, Chairman of the Waterfront Alliance, opened the Panel Session with the following remarks:

- Welcome and thank you for being here, for both the table displays and the panel session
- The Waterfront Alliance began in the 1980s when there was a proposal to build cement silos on the waterfront. A group that would ultimately become the Waterfront Alliance was asked to help craft zoning recommendations for the waterfront. 25 years later here we are.
- As an organization we do not take positions on issues. We are a collegial group with a wide variety of perspectives represented; we are all interested in maintaining and sustaining the working waterfront.
- Tonight's event is the type of activity for which the Waterfront Alliance was created. We want to be a neutral information clearinghouse for questions and answers. We have a similar format at our monthly meetings. It is in this spirit that we host this event.
- Tonight we will discuss proposed changes to the WPDZ and the need for cold storage. The purpose of tonight's session is to learn, not lobby; to clarify, not debate.
- Please note that this Thursday evening the Portland Planning Board is having a site walk beginning at the International Marine Terminal, followed by a workshop. Both are open to the public and that is the opportunity for comments about the cold storage proposal and zoning changes.

Tom introduced panel moderator Craig Freshley, explaining that Craig is a neutral facilitator and not an expert on waterfront zoning and storage.

Craig reiterated his neutrality and explained the following:

- There are no prepared presentations from the panelists, although the panelists do have slides available that can be shown if helpful.
- The questions for the panelists include questions that arose at prior forums plus questions gathered here earlier tonight. I have organized the questions into logical categories.

The panelists introduced themselves:

- Patrick Arnold, Port Development/Transportation Consultant & Executive; Entrepreneur; Co-Founder and CEO of the New England Ocean Cluster
- Caitlin Cameron, Urban Designer, City of Portland
- Jim Damicis, Senior Vice President, Camoin Associates; completed a market assessment and competitiveness assessment for proposed waterfront cold storage
- John Henshaw, Executive Director, Maine Port Authority
- Steve Landry, Traffic Engineer, Maine Department of Transportation
- Bill Needelman, Waterfront Coordinator, City of Portland

Panel Session Questions and Answers

Written Questions Submitted in Advance

The following questions were submitted in writing to moderator Craig Freshley in advance of the panel session. Craig organized them loosely into categories and read them aloud to the panel.

Economic Impact

1. Who will benefit from larger structures on the Western Waterfront? How will the community benefit?

- John: All, in a variety of ways. Development of a cold storage warehouse will house products from Maine for export, and imported products to support waterfront businesses. This also supports the growth of the food and beverage industry here in Portland area.
- Bill: The cold storage proposal brought us here tonight but other uses on the waterfront will benefit from modernizing land use regulations. For example,

boat storage and repair businesses will benefit and so will their employees.

- Patrick: Chefs, fishermen, farmers, breweries. The relationship between the depth of the water and the height of structures on land is important. For yacht and fishing boat services and repair, height helps get boats in to be worked on. This benefits all maritime entrepreneurs.

2. Can you explain the broad economic impact of a cold storage facility at the port in Portland?

- John: It has to do with the presence of Eimskip. Cold storage logistics is their core business; they are the premier carrier of refrigerated cargo in the North Atlantic. They offer rates to Maine businesses for importing and exporting. We would not be supporting their continued growth without this facility.

3. What opportunities exist for Portland and Maine with enhanced trade with the North Atlantic and what role does the freezer warehouse play in those opportunities?

- Patrick: Lots of opportunities in Scandinavia and northern Europe to sell Maine product into those markets. These are affluent communities who are willing to pay more; a total of about 330 million people. These markets are as close to Maine as they are to Delaware and New Jersey, from a cost perspective.
 - Also, Scandinavia specifically is more advanced than New England in terms of full utilization of coastal resources. This facility unlocks our ability to get into pharmaceutical, biomedical, and cosmetic products.
 - Companies in Scandinavia are interested in working with coastal companies in the US. This facility helps them do that here rather than going to, say, Massachusetts.

4. How will this affect property values in West End neighborhoods within two blocks of Commercial Street?

- Bill: No analysis has been done on the direct impact on neighboring property values. However, a derelict port would not be good for property values. A port that is a vital and integrated part of the community and that fits within the larger structure of waterfront uses makes sense. Being part of a *vital* waterfront will benefit the West End.

Building Size and Zoning

5. Why is the proposed cold storage building 68 feet tall?

- John: It is based on the available land. We have 6.3 acres to lease to Americold, and we need to have loading dock bays, truck turning radius, and rail access. Between these factors, and stormwater surge management, a small amount of land was left for the building itself.
 - To be economically viable Americold needs capacity for 15,000 pallet positions. This is in part to make sure cold storage pricing is competitive

with the Boston market.

6. How many pallet spots are needed to make a Portland cold storage facility economically viable (approximately)?

- Patrick: As an analogy, I have three kids and can't run a house with a dorm-size fridge. There are baseline economics for your community and they are like baseline economics for your family. For chefs who want to get into processing Maine-branded foods for export, the cost of storage determines where they set up, and the size of the storage facility determines the cost.
- Jim: We looked at the market in general, and prices per pallet. This market is highly competitive. Price matters. Specifically in Maine we need to compete against the northeast/Boston market. As far as pallet capacity, there is no magic number but there are ranges that make sense. The size that is being proposed by Americold makes the price competitive. A smaller facility becomes priced higher.

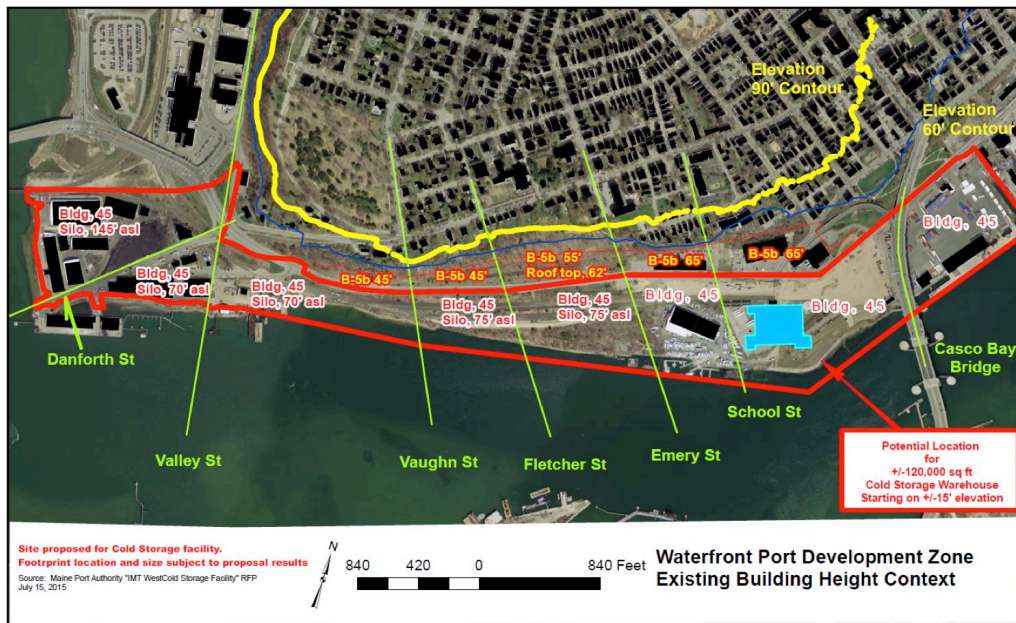
7. Has the Port Authority evaluated expanding the Americold parcel horizontally to avoid the vertical impact?

- John: Yes. We are unable to fit the same capacity on this piece of land given the rail needs, loading docks, and turning radius needs.
- Bill: In general, land constraints are the norm. To go up means you are using land efficiently. This is consistent with what we are seeing elsewhere.

8. Couldn't someone build a 75 ft. structure on Commercial Street now if they want?

- Caitlin: For the zone in question (the western waterfront area, basically from the Casco Bay Bridge west) the answer is "it depends". The max allowed now is 45 ft. but there are provisions that allow for higher structures for bulk storage, like a silo. There are none built now but in this section, such structures could be built as high as 75-145 ft. from sea level. In the B5B zone on the opposite side of the street the maximum heights are 45, 50, and 60 ft. depending on use. Not sure about the rest of Commercial Street.
- Bill: For the Eastern side of Commercial Street the height limit is 45 ft. It's then 50 ft. in the center portion, then back to 45 ft. towards the west side. Keep in mind that building height is funny. Depending on the shape of the roof sometimes these aren't absolute maximums. The "big red barn" at Portland Yacht Services is actually 60 ft. due to the shape of roof, but that wouldn't happen in the zone we are talking about. 75 ft. would be the *absolute* cap, including shape of roof, mechanicals, etc.
- Caitlin: The proposed zoning amendments do not allow for 75 ft. outright without additional limitations and conditions. 50 ft. is proposed to be the baseline height, not 75 ft. Taller buildings are only allowed in cases of bulk storage.

- Bill: This slide shows existing zoning on the western waterfront



- This is a confusing slide, which reflects confusing zoning. One of the goals is to simplify the zoning. The current zoning, with variation by location and use, has not generated a lot of development.

9. How many buildings are expected in the next 5 years? What's the plan?

- Caitlin: This slide shows a likely buildout scenario



- The Planning Board asked us for more info to understand the impacts, including visual: the scale, the massing, the heights created. We worked with a consultant to create visuals to show what is *likely* to be built. We know about some of the property owners' ideas for certain buildings. The

Americold property is next to the Sprague property. There is a master plan grouping of 5 or 6 buildings separated by the rail line. Some of these would require zone changes. None of these are approved; it is just that we are aware of the interest and there is a possibility they might be built. Near the Veterans Memorial Bridge, if we ever build storage or silos at that end, they would happen within that envelope.

10. People say they're okay with a 45 ft. warehouse. Has anyone said they'll build a 45 ft. warehouse?

- John: No. We received two submissions for the RFP. One was non-responsive in a number of areas. That one made a proposal for a smaller building with an internal clearance of 45 ft. The exterior would have been a little taller - about 55 ft. Americold offered two conceptual designs, one had 45 ft. internal clearance height, and the other had 60 ft. The RFP was about finding the most qualified developer, and Americold gave the most comprehensive response.
- Bill: A building of 75 ft. height allows painting of vessels in the winter. If it has a lower height, the vessels need to be smaller. These constraints lower employment and reduce activity.
- Patrick: We could set a limit of, say, only 5,000 pallets, but the reality is whatever you set as a bar will have a price impact on the entrepreneurs trying to develop jobs in this market. The largest space you can afford to have gets you the lowest cost. The higher the cost, the lower the opportunity for the community to participate in these industries. We respect Americold's suggestion for required pallet space.

11. How does the Port Authority justify allowing the zoning to be changed after the RFPs have been reviewed and the winner selected? Is this not unfair to other competitors? Shouldn't there be a new RFP to be fair to all after the zoning decision is made?

- John: We were not trying to design a building; we have limited expertise in cold storage. We were looking for a partner on this project. The design was a result of an iterative process that we went through with Americold. We were trying to fit sufficient capacity on the available land.

12. Is there anyone here in an official capacity who is willing to advocate Portland adhere to the current zoning limit of 45 ft.?

- (There was no response.)

Noise and Local Impact

13. What will be done to abate excess noise from both transportation and operations? Noise travels quite well up the hill into our homes.

- Steve: The volume of traffic generation from a project depends on the type and size. For one story storage, it depends on the square footage. It is low-density

usage, so not a lot of trips. It would have small incremental impact on traffic in the area.

- We do need to reassess the current traffic signal based on current traffic counts, but other than that, no need to add lanes or anything like that.
- John: Like every business we will operate within the noise laws and regulations for the area. I am not familiar with specific regulations for this area but I assume noise limits exist.
- Bill: The facility would be oriented with the primary loading bays pointed away from neighborhoods, to help mitigate noise of truck backup alarms. Also, noise considerations will come up as part of the review with the Planning Board.

14. How many days a week are they going to load the containers? Time of day? How many?

- Patrick: For containers, it would be normal working hours, 8:00 to 4:00. For maritime traffic there is an influx of activity when ships arrive every other week. Usually we see three days of increased use, including one day pre-ship and one day post-ship.

15. How many years will we be dealing with construction traffic issues, noise, etc.?

- John: Americold plans to construct the facility over one year.

16. Regarding building height limits in other ports (chart cites New Bedford, MA at 100 ft. on the waterfront, Bath, ME at 100 ft., Portsmouth, NH at 70 ft.), how close are these ports to residential sections of their cities?

- Patrick: Gloucester has three facilities on their waterfront with residents all around and it has been like that for years.
- (Panelists could not speak to the other cities mentioned.)

Working Waterfront Appropriateness

17. Does the Waterfront Alliance agree that waterfront development must be marine-related, at least 50% or more, per the 1987 referendum?

- Bill: This slide shows the definitions and priorities for uses from the 1992 Waterfront Alliance report to the City.

DEFINITIONS

- Water Dependent - those uses requiring direct waterside or water access for berthing and space - are priority one.
- Marine Related Support Uses - those in support of but not interfering with water dependent - are priority two.
- Marine compatible - those uses that are not either water dependent, marine related support and do not interfere with or are not incompatible with the above - are encouraged.

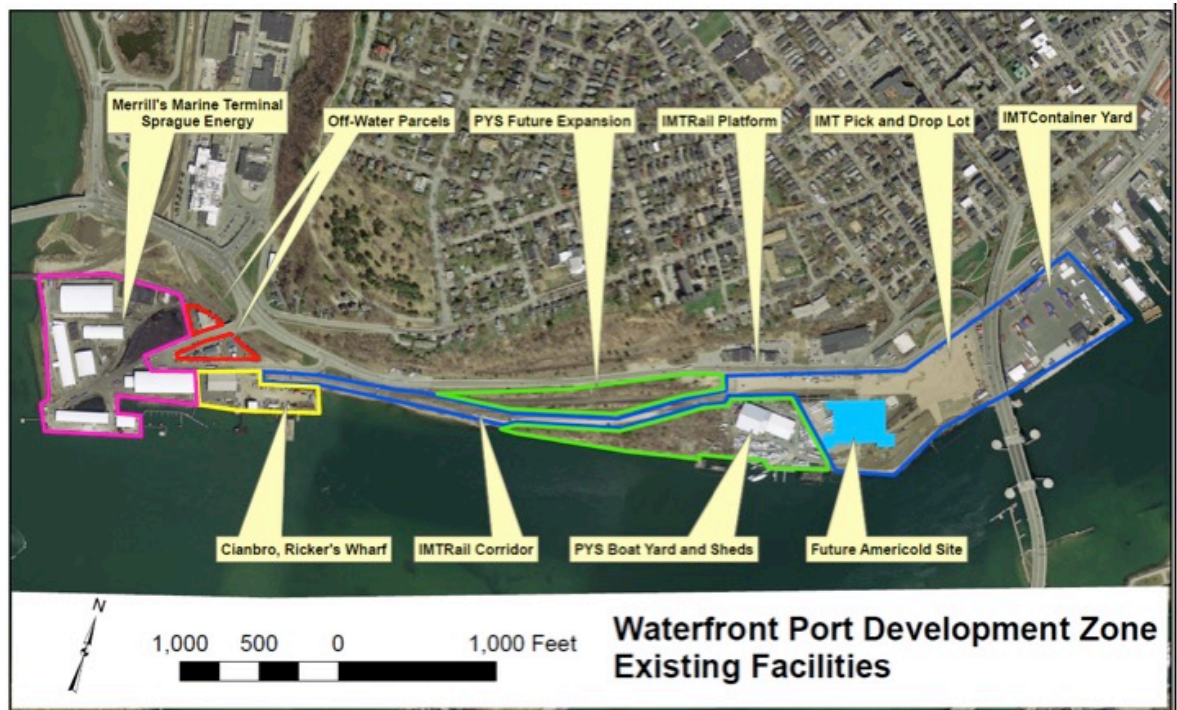
- The report never said, “Everything shall be waterfront related.” It is a question of compatibility and proper operations.
- *Later, in his closing remarks, Tom Meyers of the Waterfront Alliance clarified the following:*
 - The Waterfront Alliance does not take a position on this project. Over the last 25 years we have asked “Is the central waterfront zone able to make the waterfront economically sustainable?” Our members brought us questions about this, and we had sessions where we discussed what’s needed for a sustainable waterfront. As a result, members individually made suggestions to adjust regulations. We didn’t advocate as an organization, but our members used the information as they saw fit.

18.Explain how storage of blueberries and other non-marine food items at the port supports a working waterfront.

- Patrick: This is a great question. For Eimskip to exist as a cold storage carrier, they need to get ships into the harbor. They ship Wyman’s blueberries to Europe; they ship Maine made electronics to Europe. That is all marine use. Any goods that can go into a shipping container are marine business.

19.How much of the planned rezoning of Portland’s waterfront will be for business that is not marine-related?

- Bill: This slide shows the existing parcels and uses in the WPDZ



- With exception of a few small parcels inland off the water, all are marine facilities

Future Plans of Eimskip and Americold

20. How many years should this new facility be able to serve Eimskip, capacity wise?

- John: We are at 30% capacity in the terminal today. There are more efficient ways of handling cargo, lots of room to grow.
- Patrick: Forever. You try to get to the point where you are increasing the number of containers and number of vessels. When you are at 100% capacity, Eimskip is still using the facility but you are charging premium rates. It will take a few years for Eimskip to grow into it but it never ceases to be a competitive advantage.

21. Is it possible that Eimskip will leave Portland if this is not approved?

- Patrick: It's always possible.

22. What will prevent Americold from closing the Read Street facility and moving all their non-marine traffic to the WPDZ?

- Steve: There is no indication that they will do this. There are currently marine related items stored there, for example, lobster bait, which has become significant to Portland. There is lots of truck traffic from the waterfront to Read Street for bait.
- Jim: A working sustainable port has critical infrastructure supporting cold storage. To be in the game, you need it, like you need rail, etc. If Eimskip uses most or all of the space, which is not likely, there could be some non-Eimskip uses. Some are critical to marine related business, like bait. But remember that to be in this market you don't want all your eggs in one basket; you want a resilient facility to serve multiple markets. Making it small and for just one company is not a good idea.

23. Why isn't Americold here to directly answer questions?

- John: My understanding is that they do not want to interfere with the City process to make this change. They want the City to go through its process before they become involved in developing the site.

Process

24. Can a non-resident of Portland write a letter or speak at the Planning Board workshop on Thursday? Will the Board take non-residents' views into consideration?

- Caitlin: Yes, the Planning Board meeting is open to all members of the public. There will be a comment period, and comments can be submitted in writing if you can't attend. You will be asked to state your name and affiliation to Portland, but all are welcome.
- John: Please note that for the Thursday site walk, the meeting point is the Beach Street intersection, inside the black security fence.

25. How much taxpayer money has been spent promoting this zoning change, in total?

- Bill: The City hasn't *promoted* the change. We have answered specific questions about it, which has cost about \$25,000-\$30,000.
- John: The Port Authority has spent about \$30,000 but we generally don't take taxpayer money. Our revenues are based on assets we own.

26. How is the project being funded? Is it a public/private partnership?

- John: The State/DOT acquired the land and transferred it to the Port Authority. The Port Authority will lease the land to a cold storage developer. So if that is considered a public-private partnership then yes.

27. Under state law, zoning is to be “pursuant to and consistent with the comprehensive plan” for the City. The proposed zoning is not consistent with the current comprehensive plan. Is this not unfair to people who invested in residential property only to see the zoning change without a real process to amend the comprehensive plan?

- Caitlin: The WPDZ had an intention around it and the approach has been consistent with the comprehensive plan and policy of the last 25 years. The current zoning has not resulted in the waterfront uses that this area has been intended for, not in an intensive or built out way.
 - In reevaluating the zoning, it does not automatically mean that it's pushing it to be incompatible with the comprehensive plan. We don't believe anything proposed is in conflict with the comprehensive plan.
 - The approach is to reexamine whether the regulations for the zone are the right ones considering that transportation modes and technology have shifted since the regulations were written. It is not a proposal to change the intentions of this section of waterfront.
- Bill: This slide shows language from the 1992 Waterfront Alliance report

Waterfront Port Development Zone

“Transport of goods by water to and from Portland is an important component of both the local and regional economy. This commerce is dependent upon land with direct access to the dredged deep water channel of the Fore River.

Waterfront land with direct deep water access shall be restricted to uses which contribute to port activity. This zone exists, therefore, to ensure the continued viability of the Port of Portland. ...”

Portland Land Use Code, Division 18.5, Sec. 14-318, Purpose

- The language is very specific - the zone exists to continue the viability of the Port of Portland. Boat repair, cold storage - all of that is important to support the Port of Portland.

Questions Asked in Person

Members of the audience were invited to ask questions one at a time.

28. How many jobs are created by a structure like this compared to other potential uses of waterfront property? (Anthony Armstrong)

- John: 186 construction jobs for one year. Ultimately Eimskip wants to move its North American headquarters here, which would bring 30 to 50 positions. The storage facility would bring 21 full time positions. Then there is the multiplier effect for the businesses that will access the storage, the truckers, the railroad.
- Bill: It also helps with retention of existing industries like fish processing, bait, and lobster boats. We have 100 fishing boats on the central waterfront; they all need bait. If we rely on the Read Street facility, which was built in 1952, without major investment, we are at risk.
- John: There will also be more work in the terminal with increased ships calling here. We have increased from 26 calls per year in the past to 35 calls this year. We hope to get to 52 calls per year, or one ship per week, by 2020, according to Eimskip's estimate. This means more work for people in the terminal.

29. Why not create more landfill into the river and build a smaller wider facility?

(Steven Sharp) *[sp?]*

- John: It is very expensive to build that way and very difficult to get a permit for it. My guess is that it is cost prohibitive.

30. The projection is that Eimskip will occupy 70-80% of the storage space by 2020. What happens if growth continues? Where will they store products? (Anne Pringle)

- Patrick: Any capacity you add in close proximity to maritime activity, that is the smallest amount of truck traffic and lowest cost associated with the move. They will have top priority. Some companies pay to ship freight to MA and then back up to ME. We have watched the decline of the food processing industry in the State of Maine. These logistics impact company decisions to locate here or not.
 - Over time we try to keep volume related to maritime needs but also the highest return ratio for local food processors here. As they grow they take lower margin products and try to put them somewhere else. This would give the port a competitive edge now and into the future.

31. There have been two impact studies, one from University of Southern Maine students and one from Woodard & Curran. Does anyone see contradictions

between the two? (Chalmers “Chop” Hardenbergh)

- John: There were a number of studies undertaken and together they present a good picture of the opportunity.
 - Americold studied direct impact on wages and benefits
 - The Governor’s Office looked at direct economic impact
 - DOT looked at social benefits
 - GPCOG analyzed secondary and multiplier effects
 - Together these all help fill out the picture. The USM study was consistent with other work that was done. Their low end was close to the high end of the GPCOG study, so there is some overlap. The Woodard & Curran was targeted at answering very specific questions from the Planning Board and others, about price comparison between here and Boston and the need for cold storage generated by Eimskip over time.
- Patrick: There will be differences and overlaps in the analysis, but each study finds fruit that will come.

32. The handout with the snapshot of US port communities’ tonnage lists 27 locations and only 3 have more tonnage than Portland today. We have 18 million tons and Boston has 19 million. It is striking that of all the max building heights, two-thirds are below 75 ft. If we are where we are today, why do we need more, and why go higher? (Steve Mortimer) [sp?]

- Bill: As the “author” of that comparison document, which was designed to be attached to a Planning Board memo, I gathered a random selection of notes about other communities. I did not include Long Beach, Norfolk, Jacksonville, etc. I used a list from the Army Corps of Engineers. Yes, many comparable ports have a height limit lower than 75 ft. but many have special permit provisions or other zoning mechanisms by which taller structures are allowed. We don’t have that flexibility within the code. Belfast, Maine, has a very low height limit but permitted a 65 ft. building for the Front Street Boatyard.
- Patrick: 80% of that tonnage number is petroleum and that is declining. And petroleum has a different effect on waterfronts anyway compared to dry bulk container shipping. I would recommend taking petroleum out of any analysis.
- Jim: We looked at cubic ft. not tonnage. We broke out by state/public vs. private uses; we used USDA numbers. The larger facility proposed by Americold fits within an average range; it is only very slightly above the average. But if we look at competitors like Norfolk, VA, the Americold facility is fairly small. Also, if we consider what’s allowed for height in different places, it’s very small.
- Caitlin: Also keep in mind site constraints. Each place has different topography, different road/rail infrastructure that is very site specific and will determine how broad or tall buildings can be.

33. If Eimskip is moving cold storage stuff to Boston now, why are they not using the Read Street facility? (Leslie Pole) [sp?]

- Patrick: It’s actually Eimskip’s customers, Maine processors and food companies, who are storing in Boston. They will go where it is most cost competitive. Some

are keeping items at Read Street - turkeys, blueberries, baitfish, redfish. The higher value items are stored in more modern facilities - mostly for insurability reasons.

34.If the proposed building has space for Eimskip to move their North American hub here, were they told initially that we would build this for them? (Leslie Pole) [sp?]

- John: They had indicated they were potentially interested in relocating to Portland, and they saw an opportunity with this new building.
- Patrick: They were not told or guaranteed anything regarding cold storage. They always want it as close as possible to port, but the state is not in a position to guarantee anything, so Eimskip was not guaranteed anything.

35.Has there been an environmental impact study done regarding the additional ships coming in? (Steve Mortimer) [sp?]

- Patrick: There have been lots done. The city, state, and federal governments all have permitting processes that include environmental aspects. Any project on the waterfront has studies completed continuously.
- John: This is one of the most studied pieces of property in Maine, given what we might call a “rich history” of industrial use - coal gasification, glass processing.
- Bill: There is a rigorous development review process associated with a change in proposed height of a building from 45 ft. to 50 ft. with allowance. The height allowance change itself would not require an environment assessment, but every project generated would have its own environmental review.
- John: There has not been a study on this project per se. But in terms of ships, they are required to comply with a variety of laws, and they do so. The increased number of calls will not make that big of an impact.

Closing Remarks

Tom Meyers closed the meeting with the following remarks:

- We very much appreciate your attendance
- Thank you to the panelists and thank you to those who prepared and staffed the table stations
- Thanks to those who will be providing future info, and thanks to those who have gathered information to answer questions in the past
- Please consider becoming a part of the Waterfront Alliance. Members receive meeting minutes, notes, and announcements, which allows you to see what’s on people’s minds.
- Thanks to everyone for your participation

The session adjourned at 8:05 pm.



June 23, 2017

Jennifer Munson, Office Manager
Planning and Urban Development
City of Portland
389 Congress St., 4th Floor
Portland ME 04101

Re: Planning Board Packet for June 27, 2017 Workshop

Dear Ms. Munson:

Please find enclosed with this letter materials that demonstrate the wide range of support for the proposed cold storage project and the necessary WPDZ zoning change.

We respect the limited time that the Planning Board and City Staff have at their disposal. It is therefore our intent to withhold oral testimony regarding general project support and allow the workshop to concentrate on the issues at hand (i.e., the proposed zoning language and final market study).

Thank you for your time and consideration of the attached materials.

Sincerely,

John Henshaw
Executive Director

SUPPORTERS



Dana Eidsness

Director of the Maine North Atlantic Development Office at the Maine International Trade Center

"I grew up in Portland, on the West End and on Munjoy Hill and have always had a love of Portland's working waterfront. Go to Montreal, Copenhagen or Reykjavik and you will see that what makes them compelling is the juxtaposition between their vibrant downtown presence and their working, maritime environments. Commodities on the move and in value-added transition on the waterfront, tangible trade — the coming and going of ships; there's a rhythm to it and you can see how they are connected to the world. These are dynamic cities with a story to tell. Portland can count itself among these special places.

With Eimskip's presence in Portland; Maine is connected to markets from Halifax, all the way up to Murmansk, Russia.

As someone with a lifelong love and connection to Portland, I see the proposed cold storage warehouse as a way to preserve and celebrate our working waterfront history."

Charlie Poole

President of Proprietors of Union Wharf

"I support the Americold cold storage facility as it really puts a stake in the ground. If we are a working port, we are going to have these kinds of facilities to help accommodate tenants like Eimskip.

Eimskip has found that Portland is where they want to be, and part of their being here is they need these types of facilities to help them as they store their cargo as it moves in and moves out. They may not need all of it today. But they certainly need this facility, and they will grow into this facility."



Commissioner Walter Whitcomb

Agriculture, Conservation & Forestry Department

"The construction of a modern cold storage warehouse on the Portland waterfront would benefit farmers and food manufacturers throughout Maine. The proposed Americold facility would address the missing link in the shortage of warehouse space in the state and lower the cost of storing perishable Maine products, including fruit, vegetables, seafood, and meat."

Togue Brawn
Downeast Dayboat
Union Wharf

"Maine produces amazing seafood, meats and produce. The fact that most of it comes from small producers creates logistical (distributional) challenges. Having an opportunity to freeze and store our products close to major transportation options would reduce some of those challenges and put us on a more even playing field with larger, more centrally-located producers.

Maine produces the world's best scallops, but our brief winter season can be a disadvantage when it comes to getting the word out. A cold storage facility close to various transportation opportunities could be a real boon to Maine's growing scallop industry."



SUPPORTERS



Bert Jongerdon
General Manager
Portland Fish Exchange

"With a steady decline of fresh fish landings - processors of seafood have maintained production, sales and jobs to supplement fresh fish landings. What has been difficult for these companies has been the lack of deep-freeze facilities in the state of Maine. These companies are forced to truck and store their frozen products at deep-freeze facilities in Massachusetts."



Brendan Ready
Ready Seafood Co.

"As a seafood processor, our goal is always to create as much value to our customers and suppliers at the highest level. I could not think of a better value proposition than to have new state-of-the-art cold storage in the heart of the working waterfront, which would provide an integrated system allowing harvesting, processing, cold storage, and distribution."



Mike Fox
President
ILA Local 861

"We believe a modern, efficient cold storage facility would be an asset to the Greater Portland area and all of the State of Maine. It is essential for Maine to be welcomed to the whole world, and this is what it would do."



Emily Lane
Calendar Islands
Maine Lobster

"Construction of a cold storage facility adjacent to the International Marine Terminal and its accessibility to ships, trucks and rail will greatly facilitate Calendar Islands' frozen lobster export business"



Ed Flanagan
Jasper Wyman & Son

"The Maine wild blueberry industry would benefit from additional public cold storage space. In good crop years we have to truck millions of pounds of bulk product out of state and bring it back to pack in finished product. The shorter the trucking distance, the better."



Erica Hale
New England Ocean
Cluster

"The cold store is a cornerstone to developing added value opportunities on our food and beverage manufacturing. Industries, like biopharmaceuticals, biotechnology, biomedical and life science products. Maine only participates with state-of-the-art cold storage capacity."



Capt. Jeffrey Monroe
Maritime consultant and
former director of the
Port of Portland

"When height limitations were put into effect, I do not believe that it took into account how new port technologies would affect infrastructure. Larger footprint and higher buildings are the norm in most ports where modern facilities are being developed."



Janine Bisallion-Cary
President
Maine International
Trade Center

"The temperature-controlled storage being developed at the port is a critical component to making the Port of Portland a viable option for many of our importers and exporters. We are losing major revenue and job opportunities by having so much of our products being stored out of state. Having the port storage will allow us to achieve weekly port calls and further enhance Maine's much needed intermodal capacities. This will significantly reduce trucking costs for our small and medium sized businesses."



William York
President of the
Propellor Club
Port of Portland, Maine

"More and more, Maine's farms and other food producers recognize that to compete with big operations across the world, they must produce value-added food...While container loads of frozen product are currently being shipped from the port, the freezer warehouse will be able to handle pallet loads, allowing smaller Maine, those who could never fill a container, inexpensive access to distant markets. This point is key."



Nico Walsh
Maritime Attorney

"The Port of Portland has always handled food. Yet for decades the Port has been without a cold store warehouse usable in conjunction with deep-water shipping. Every serious study of the Port of Portland, whether privately commissioned or government sponsored, has identified a cold store warehouse as conspicuously lacking among the Port's assets. There are dozens of superb business opportunities that Portland has lost because the Port lacks a freezer warehouse."

SUPPORTERS



Peter Handy
Bristol Seafoods

"It comes off the boat and goes straight into the freezer, and that's a more elegant solution in terms of handling it. But the bigger deal for us is we get access to that rail spur."



Jerry Angier
Chamber of Commerce member

"This western zone has always been industrial. How many people remember the coal gasification plant near the old Million Dollar Bridge or the china clay dock on the Fore River in the railyard? It is important that the city allow our zoning laws to accommodate modern business needs."



Capt. Bill Van Voorhis
East Coast Maritime Solutions

"As a 40-year veteran of working on the Portland Waterfront and being a strong supporter of Eimskip, SolidG, and the Maine Port Authority. I highly recommend building the cold storage facility at the IMT facility for the benefit of the Port of Portland, the State of Maine and our friends to the North."



Larus Isfield
Managing Director Eimskip USA

"Maine's transportation network lagging behind the rest of the US in Intermodalism has affected the state's economy. New market trends with a focus on sustainability is an opportunity to grow Maine as a food producer. Therefore, it is important for the industry to rely on state-of-the-art infrastructure in its pursuit of excellence."



David Bernhardt
Commissioner of MaineDOT

"The construction of a freezer warehouse at the International Marine Terminal is the culmination of over \$150 million in investment by MaineDOT into Portland's waterfront. The state's goal from day one has been to appropriate site various uses while protecting and growing the working waterfront. The public-private partnership that will underlie the freezer warehouse is critical for the public investment to pay off as a long-term asset for both Portland and the State as a whole."



Jack Humeniuk
Representative International Longshoremen's Assoc.

"Cold storage capacity in the port vicinity would be a positive development to assist in making the port activities and operations more productive and cost-effective."



Qunicy Hentzel
Interim CEO at Portland Regional Chamber of Commerce

"A modern cold storage warehouse on the Portland waterfront would provide critical infrastructure for the region's food producers so they can compete in the global marketplace. The proposed location is ideal because the facility would be adjacent to a rail line and Maine's only container terminal."



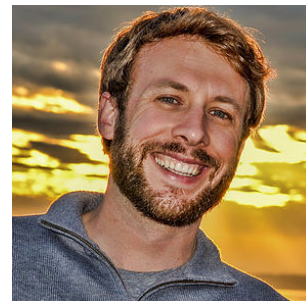
Hugh Cowperthwaite
Director, Fisheries Project at CEI

"This state-of-the-art facility would address a critical shortage of warehouse space and allow Maine businesses to scale so they can compete in the global marketplace. It would allow them to stay in Maine rather than move to a state that offers better access to modern cold storage facilities."



George Gervais
Commissioner of Dept. of Economic & Community Development

"The opportunities the project provides for Maine's natural resource based industries: fisheries, aquaculture, agriculture and overall food production systems is quite compelling. The project has great potential to continue to strengthen Maine's position in the marketplace and it would be a shame to lose this momentum. If Maine wants to have a global presence and access to markets, we need the infrastructure in place to support this."



Ben Martens
Executive Director of the Maine Coast Fishermen's Association

"Even with our vibrant restaurant scene in Maine, the local seafood market can only absorb a finite amount of fresh fish. The ability to store and distribute high quality frozen product is crucial to ensuring a diverse and robust working waterfront in Portland and beyond."



John Jordan
Dropping Springs Bait Co.

"Access to cold storage is critical to the future of the Maine lobster business. More and more inventory needs to be stored in a frozen state. No bait - no lobster fishery."

SUPPORTERS

