

1. Legal Ad

Documents:

[PB LEGAL AD 9-26-17.PDF](#)

2. Agenda

Documents:

[PB AGENDA 9-26-17.PDF](#)

3. 48 Brown Street

3.I. Report And Attachments

Documents:

[BROWN ST. - 48 \(REPORT AND ATTACHMENTS\).PDF](#)

3.II. Applicant's Submittal

Documents:

[BROWN ST. -48 \(APPLICANTS SUBMITTAL\).PDF](#)

3.III. Drawings

Documents:

[BROWN ST. -48 \(DRAWINGS\).PDF](#)

4. Maine Medical Center (IDP)

4.I. IDP Report And Attachments

Documents:

[IDP \(REPORT AND ATTACHMENTS\).PDF](#)

4.II. IDP Applicant's Submittal

Documents:

[IDP COVER MEMO 9-26-2017 FINAL.PDF](#)
[A MMC PRESENTATION TO MTG 4-6-17.PDF](#)
[B MMC 2017 COMMUTER SURVEY RESULTS 2.20.17 REC 4.6.17.PDF](#)
[C TRIMMS ATTACHMENT V5.PDF](#)
[D MMC IDP_FINAL DRAFT.PDF](#)
[E 170922_MMC IOZ REGULATORY FRAMEWORK_FINAL.PDF](#)
[F 170905_MMC_PRELIMINARY TRAFFIC ASSESSMENT.PDF](#)
[G MMC NEIGHBORHOOD MEETING MINUTES.PDF](#)

4.III. IDP Public Comment (Updated)

Documents:

[IDP \(PUBLIC COMMENT\)_UPDATED.PDF](#)

5. 1 Joy Place

5.I. Report And Attachments

Documents:

[ONE JOY PLACE \(REPORT AND ATTACHMENTS\).PDF](#)

5.II. Applicant's Submittal

Documents:

[ONE JOY PLACE \(APPLICANTS SUBMITTAL\).PDF](#)

5.III. Public Comment

Documents:

[ONE JOY PLACE \(PUBLIC COMMENT\).PDF](#)

5.IV. Plans

Documents:

[ONE JOY PLACE \(PLANS\).PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD
MEETING AGENDA**

The Portland Planning Board will hold a meeting on Tuesday, September 26, 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. Level III Site Plan; Parking Garage; 48 Brown Street; Ocean Gate, LLC., Applicant.
(4:30 – 5:45 p.m. estimated time) The Planning Board will hold a workshop on a proposed five level parking garage with 98,125 sq. ft. and a total of 281 parking spaces. The lower level will have access from Brown Street with an exit only onto Cumberland Avenue. The upper levels will be accessed from Casco Street. The 0.9 acre site is currently a surface parking lot. The site is in the Downtown B-3 zone and is subject to review under Portland's site plan.

Public Hearing – 6:30 p.m.

Unfinished Business

- i. Institutional Development Plan and Regulatory Framework; Maine Medical Center, Applicant.
(6:30 – 8:00 p.m. estimated time) The Board will hold a public hearing on final proposals by Maine Medical Center for: a) an Institutional Development Plan (IDP); and b) an associated Regulatory Framework that sets out proposed zoning text and map amendments. These are proposed under the Institutional Overlay Zone (IOZ) Ordinance and together would guide the hospital's future development. The Regulatory Framework (which also refers to the IDP) includes, but is not limited to: allowing increased heights and other dimensional requirements such as transition zones; and requirements regarding design, signs, transportation, neighborhood integration, construction management and relocated helipad.

New Business

- ii. Level II Subdivision and Site Plan, 12 Residential Units; 1 Joy Place, Onejoy Place, LLC., Applicant.
(8:00 p.m. estimated time) The Planning Board will hold a workshop on a proposal for a three-story residential building at 1 Joy Place. The proposal is for 12 one-bedroom units in a building with a total floor area of 3591 sq ft. Parking for 4 vehicles is proposed on-site. One unit is proposed as an affordable unit to meet Portland's inclusionary zoning requirements. The site is in the B-1 zone.

ELIZABETH BOEPPLE, CHAIR – PORTLAND 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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BREAK FOR DINNER

PUBLIC HEARING – 6:30 p.m.

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATIONS AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE MEETINGS HELD ON SEPTEMBER 12, 2017:**

Workshop: Dundon, Eaton, Morrisette, Mazer, Stanley and Whited. Boepple absent.

Public Hearing: Dundon, Eaton, Morrisette, Mazer, Stanley and Whited. Boepple absent.

Evening Workshop: Dundon, Eaton, Morrisette, Mazer, and Whited. Stanley recused and Boepple absent.

4. **REPORT OF DECISIONS AT THE MEETINGS HELD ON SEPTEMBER 12, 2017:**

- i. Institutional Development Plan and Regulatory Framework; Maine Medical Center, Applicant. Morrisette moved and Whited seconded a motion to table this item to September 26, 2017 at 6:30 p.m.
- ii. Level III Subdivision and Site Plan, Conditional Use Review for Inclusionary Zoning; 19 Residential Units; 155 Sheridan Street, BD Sheridan, LLC., Applicant. Morrisette moved and

Eaton seconded a motion to approve the Inclusionary Zoning conditional use application with two conditions of approval. Vote: 6-0, Boepple absent. Morrisette moved and Eaton seconded a motion to waive the overhead utility lines under the site plan ordinance with two (2) conditions of approval. Vote: 6-0, Boepple absent. Morrisette moved and Eaton seconded a motion to waive the overhead utility lines under the subdivision ordinance with two (2) conditions of approval. Vote: 6-0, Boepple absent. Morrisette moved and Eaton seconded a motion to approve the subdivision plan with two (2) conditions of approval. Vote: 6-0, Boepple absent. Morrisette moved and Eaton seconded a motion to approve the site plan application with six (6) conditions of approval. Vote: 6-0, Boepple absent.

5. UNFINISHED BUSINESS

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Memorandum

Planning and Urban Development Department

Planning Division

To: Elizabeth Boepple, Chair, and Members of the Portland Planning Board
From: Matthew Grooms, Planner
Date: September 22, 2017
Re: 48 Brown Street
Project #: 2017-145 **CBL:** 037 D004
Meeting Date: September 26, 2017

I. INTRODUCTION

Ocean Gate, LLC requests a Level III site plan review for a five-level, 98,125 SF parking garage and improved surface parking at 48 Brown Street in the city's downtown district. The proposed development is intended to provide necessary off-street parking for area tenants with the goal of converting adjacent surface parking lots into residential, commercial, office and potentially other land uses. The site is currently occupied by surface parking.



Figure 1: Project Site (Note: Surface parking to be replaced by give level parking structure)

This development is being referred to the Planning Board for compliance with site plan standards of the land use code. The applicant has submitted preliminary plans for review prior to submitting a final site plan. As this project is located within 100 feet of a historic district, this development

was required to go before the Historic Preservation Board for an advisory review, which was held on June 7, 2017.

A total of 198 notices were sent to property owners within 500 feet of the site and a legal ad ran on September 18, and 19 2017.

Applicant: Ocean Gate, LLC

Consultants: Ethan Boxer Macomber, Anew Development; John Mahoney, Random Consulting, INC; Randy Loubier, Owen Haskell, INC; Travis Nadeau, Platz Associates; Nicholas J. Morrill, Esq., Jensen Baird Gardner & Henry;

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	Section 14-526

III. PROJECT DATA

Existing Zoning	B-3 Downtown Business Zone
Existing Use	Surface Parking Lot
Proposed Use	Structured Parking/Surface Parking
Proposed Development Program	Five level Garage
Parcel Size	39,039 SF

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	0 SF	20,485 SF	20,485 SF

Building Floor Area	0 SF	98,125 SF	98,125 SF
Impervious Surface Area	37,500 SF	37,300 SF	-200 SF
Parking Spaces (on site)	92	281	189
Bicycle Parking Spaces	0	15	15
Estimated Cost of Project	\$6,500,000		

IV. EXISTING CONDITIONS

The applicant proposes to develop on a 39,039 SF site on the west side of Brown Street between Cumberland Avenue to the north and Congress Street to the south. At present, the site is occupied by two surface parking lots, necessarily disconnected due a grade differential of approximately 14' feet, identified by the applicant as the "upper level" and "lower level" lot respectively. These two lots are separated by a concrete retaining wall. There is an existing right-of-way which bisects the "lower level" lot and runs along the north side of the "upper level" lot. This right-of-way provides one-way through-access between Casco Street and Brown Street.

The "upper level" parking area is accessible via two curb cuts located off of Casco Street, with the southerly most driveway providing both ingress and egress, and the northerly driveway providing egress only. A brick sidewalk, measuring approximately 7' feet in width runs along the property's Casco Street frontage within the city's right-of-way. This lot can accommodate 28 vehicles, including four handicap parking spaces and also offers a drive-through Bank of America ATM facility. Stormwater from this site sheet flows into two catch basins which connect to the city's storm sewer network located in Casco Street.

The "lower level" parking area is similarly accessible via two curb cuts, one located off of Cumberland Avenue and the other located off of Brown Street, with both drives providing both ingress and egress. Pedestrian access to this site is provided via two sidewalks, the first being a paved sidewalk measuring approximately 8' feet in width running along the property's Brown Street frontage, and the second, a brick sidewalk measuring approximately 12' feet in width running along the property's Cumberland Avenue frontage. Two street trees are currently located within the Cumberland Avenue portion of sidewalk. This lot can accommodate 70 vehicles. This site exhibits a steady slope with a high point of approximately 80' feet in elevation at the southwest corner and a low point of 63' feet in the northeast corner. As with the "upper level" lot, this site is served by two catch basins, both connected with the city's storm sewer line located in Brown Street.

The site lies within the B-3 zone and is located within 100' feet of a Historic District and therefore, new developments at this location are required to go before the Historic Preservation Board for an advisory review to the Planning Board.

V. PROPOSED DEVELOPMENT

The applicant proposes to develop a five-level parking garage capable of accommodating 205 standard parking spaces, 48 compact spaces and 4 handicap accessible spaces, for a total of 257 parking spaces. This garage would be primarily located on the "lower level" of the site, with minimal changes proposed for the "upper level". With this proposal, the curb cuts located on Casco Street and Cumberland Avenue would remain unaltered, and the curb-cut located on Brown Street would be closed off and relocated further south within site.

The parking structure itself will have three points of vehicular access; an ingress only driveway at ground level located within the existing curb-cut on Cumberland Avenue, a two-way driveway at ground level located within the newly proposed curb-cut on Brown Street and an additional two-way driveway at level two of the structure, accessible via a newly proposed internal driveway from



Figure 2: Site location with zoning and topography information



Figure 3: Rendering (looking north along Brown Street)

the “upper level” of the site. The ground level of the garage does not provide vehicular access to levels two through five, which can only be accessed via the vehicular entrance located on level two by means of an internal spiral ramp system. Pedestrian access to the garage is limited to two internal stairwells located at the northeast and southeast corners of the parking structure. No elevators are proposed as handicap parking spaces are to be located at ground level.

The “upper level” portion of the site will be partially redeveloped to accommodate the second level access to the parking structure which will result in the loss of three existing parking spaces. The remainder of the “upper level” will remain unaltered and will retain 24 surface parking spaces.

Additional site improvements include reconstruction of the Brown Street sidewalk using brick pavers, installation of three exterior bicycle racks along Cumberland Avenue and Brown Street, and landscaping at the northeast and southeast corners proposed parking structure. Landscaping predominantly consists of low-lying shrubs, including Sweet Fern, Bar Harbor Juniper, Bayberry, Red Twig Dogwood, Sedum and Blue Lyme Grass. Along the property’s southerly property line proximate to Brown Street, a mixture of the shrub Gro-Low Sumac and tree Liquidambar “Slender Silhouette” are proposed as a visual buffer. In regards to stormwater management, runoff will be collected on the rooftop level via several catch basins, which will drain to downspouts that will distribute runoff to two series of planters, previously mentioned at sidewalk level. These planters contain Focal Point biofiltration systems designed to manage stormwater quality. After passing through the Focal Point system, runoff will drain to the combined sewer system. Existing stormwater infrastructure for “upper level” parking area will remain. Seven building mounted light fixtures are proposed, which the plans state will conform with the city’s lighting standards for the downtown district as required under Section 10 of the Technical Manual.

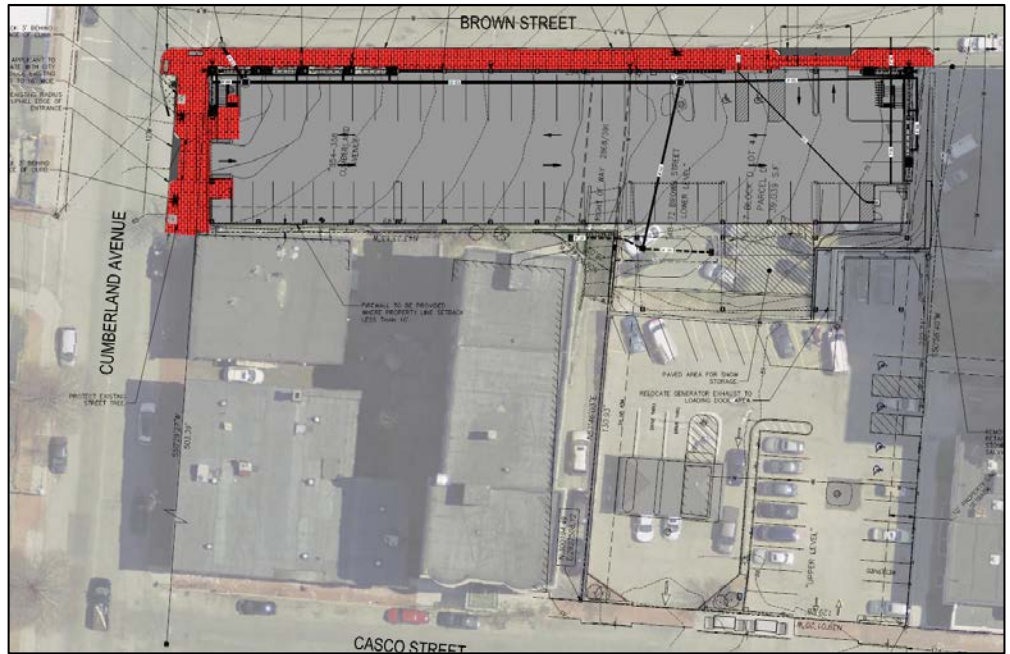


Figure 4: Proposed Site Plan

VI. PUBLIC COMMENT

The Planning Division has received no written comments in regards to this project. The applicant has stated that a neighborhood meeting will be held prior to the public hearing for this project.

VII. RIGHT, TITLE, & INTEREST

The applicant has provided a deed demonstrating ownership of the subject property (*Attachment C*).

VIII. FINANCIAL & TECHNICAL CAPACITY

The estimated cost of the development is \$6,500,000. The applicant has submitted a letter from Norway Savings Bank indicating that Ocean Gate, LLC has the financial capacity to fund the project (*Attachment E*).

IX. ZONING ANALYSIS

Ocean Gate, LLC is proposing a five-level parking structure to be located entirely within the B-3 Downtown Business zoning district and within 100 feet of an Historic District. One of the specified purposes of the B-3 zone is to “provide adequate parking and transportation facilities which promote accessibility, enhance and encourage development opportunity, and enhance and protect the pedestrian environment.” The proposed development is a permitted use within the B-3 zone which actively consolidates downtown parking demand currently accounted for with a variety of both surface and structured parking found elsewhere and meets the intent of the B-3 zone.

As this project is located in the B-3 Zone, it was required to undergo a staff level Design Review which is discussed further down in this report. Additionally, this project was reviewed by the Historic Preservation Board as an advisory review due to the location of this site being within 100 feet of a historic district. The proposed development is not located within a PAD Pedestrian Activity District which carries with it additional standards and meets applicable dimensional standards as outlined in the following table:

Dimensional Requirements:

The proposed 48 Brown Street project conforms to standards as outlined below:

	Requirement	Proposed
Min. lot size	None	39,039 square feet
Min. street frontage	15 ft.	280 ft. Brown St. / 63 ft. Cumberland Ave.
Min. front setback	None	1 ft.
Max. front setback	5 ft. on frontage	1 ft.
Min. back setback	None	10 in.
Min. side setback	None	1 ft.
Max. lot coverage	100%	54% (20,805 sq. ft.)
Min. lot width	None	65.9 ft.
Min. structure height	50 ft.	57 ft.
Max. structure height	210 ft. after 100' from center of Cumberland Ave. 65 ft. within 100 ft. from center of Cumberland Ave. (90' if stepped back)	57 ft. total structure height

The project as proposed meets the standards of the B-3 Downtown Business Zone.

X. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527)

Per the city's land use ordinance, the following materials should be submitted at the time of final review:

- Final plan submittal requirements as noted in 14-527(e) and (f), including a detailed construction management plan describing how and when work is to be performed both in the right-of-way and on private property; and
- Information regarding site lighting including a photometric plan.

XI. SITE PLAN REVIEW

The preliminary plans for the Sheridan Street Apartments have been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance. Staff comments are below.

1. Transportation Standards

a. Impact on Surrounding Street Systems

The applicant has stated that approximately 76 peak hour trips will be generated by the proposed development. Mr. Errico has reviewed the submittal and reports that the driveway locations and configurations on Cumberland Avenue and Brown Street are acceptable. He does note that there should be additional detail provided for the Casco Street driveway, as this will be a primary entrance to this site, and is asking specifically

to confirm corner clearance of the southerly Casco Street driveway and sight distance measurements at the driveway on Casco Street. (*Attachment 4*)

b. *Access and Circulation*

The preliminary plans show four driveways on this site with no net change from existing conditions. This includes two two-way driveways; one accessing the ground level of the garage off of Brown Street and the other accessing the surface parking lot and upper levels of the garage off of Casco Street, an entry-only driveway located on Cumberland Avenue serving the ground level of the garage and an exit-only driveway which serves patrons of the ATM kiosk on Casco Street. As mentioned previously, the ground level of the garage is not connected with the upper levels due to the location of the existing retaining wall, and traffic seeking to park on the upper levels are required to enter the site via the Casco Street driveway.

In regards to pedestrian traffic, the garage features two interior stairwells located at the northeast and southeast corners of the building. On Brown Street, the applicant is proposing to reconstruct the existing sidewalk to meet city standards and will maintain the existing sidewalks along Casco Street and Cumberland Avenue. The site will feature an internal sidewalk located between the second level entry to the garage and southeast stairwell. The parking lot layout for the “upper level” lot remains unchanged.

Tom Errico, the city’s consulting traffic engineer, has reviewed the plans and offers the following comments (*Attachment 4*):

1. *The applicant shall provide greater detail at the Casco Street parking lot that will serve as the major access to most parking garage levels. The details shall include:*
 - a. *Pedestrian facilities, ADA compliance and safety for pedestrians walking between Casco Street and the garage. The details near the garage are difficult to see.*
 - b. *Information on vehicle queuing at the Bank ATM and Drive-Thru shall be provided to document the garage entrance will not be blocked.*

c. *Public Transit Access*

The proposed development is not located along a public transit route and is within approximately 540 feet of an existing transit facility at 480 Congress Street. As such, the construction of a new transit facility at this location is not required.

d. *Parking*

Division 20 of the land use ordinance does not specify parking space requirements for parking garages where the primary use of the site is as a parking facility. This development would contain 281 parking spaces, including 257 spaces located within the proposed parking structure and 24 spaces to be located in the “upper level” surface lot. The applicant states that these parking spaces are intended for use by adjacent office space, and that the intent for this development is to facilitate the redevelopment of area surface parking lots for other uses.

This development can accommodate parking for up to 15 bicycles, with a ground level interior rack capable of accommodating 9 bicycles, and three exterior racks capable of accommodating 6 bicycles. Given that this garage is providing motor vehicle parking that is not required in conjunction with a residential or non-residential use, bicycle parking is not strictly required under the site plan ordinance.

Tom Errico has reviewed the plans and finds the layout of the garage and proposed parking to be acceptable (*Attachment 4*).

e. *Transportation Demand Management*

A transportation demand management plan is not required.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

There are no known significant natural features on the site.

b. Landscaping and Landscape Preservation

The preliminary plans show two landscaping areas; one located at the northeast corner of the proposed parking structure consisting of a mixture of low shrubs and ornamental grasses including Dwarf Red Twigged Dogwood, Bayberry, Sedum, Bar Harbor Creeping Juniper, Blue Lyme Grass and Sweet Fern, and the other located at the southeast corner of the proposed parking structure of similar design and composition to the other landscaping area. At the southeast corner of the site, a row of Columnar Sweetgum and Fragrant Sumac are proposed as a visual buffer with the adjacent site.

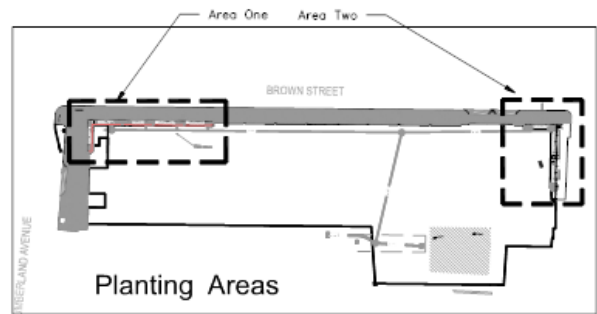


Figure 5: Proposed Planting Areas

In regards to street trees, the applicant has indicated that two existing street trees located on Cumberland Avenue are to be preserved and that the two “upper level” parking lot trees which now function as street trees for the property’s Casco Street frontage will also remain. At present, no street trees are present along Brown Street.

Staff has asked that the applicant either plant or provide an acceptable street tree alternative as required by the site plan ordinance for their Brown Street frontage. This standard requires that a minimum of one street tree be provided for every thirty to forty-five feet of frontage. Jeff Tarling, the City Arborist has also reviewed the submitted plans and is asking that proposed street trees which are shown as #7 pot size be at least 2” caliper in size (*Attachment 2*).

c. Water Quality/Storm Water Management/Erosion Control

According to the applicant’s application, the proposed development will result in a net reduction in impervious surface of 200 square feet. The site at proposed retains two separate systems for on-site stormwater management and water quality control. The “upper level” retains two existing catch basins which direct runoff into the City’s combined sewer system in Casco Street. The proposed parking structure will feature several rooftop level catch basins, which will drain to downspouts that distribute runoff to two series of planters. These contain Focal Point biofiltration systems designed to manage stormwater quality. After passing through the Focal Point system, runoff will drain to the combined sewer systems in Cumberland Avenue and Brown Street. Within the proposed snow storage area, an under-drained sand filter will be installed intended to manage stormwater quality.

Of the preliminary grading and drainage plans, Lauren Swett, consulting civil engineer, offers the following comments (*Attachment 1*):

1. In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a. Basic Standard: Notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. Please provide locations of erosion and sediment control measures (catch basin protection) on the design plans.
 - b. Due to redevelopment of existing impervious area, the Applicant is required to treat at least fifty percent of Stormwater on site (General and Flooding Standards). Approximately fifty six

percent of runoff from impervious surfaces on site is directed into the proposed sand filter and rain gardens, providing adequate treatment in accordance to the standard. We have the following comments on the stormwater design:

- i. The Maine DEP has approved the FocalPoint system as a proprietary stormwater treatment system with specific design guidelines. One requirement of this system is that flow from the FocalPoint be directed to a subsurface chamber-based treatment row (i.e. an Isolator Row) to provide additional treatment. The design currently does not include a chamber system, but we understand that the Applicant is considering including this system or providing documentation that the DEP finds the system acceptable without the additional chambers.
2. The City of Portland does not allow for the connection of stormdrain piping from privately owned sites to catch basins located in the street. Connections must be made to the main in the street, with the method of connection dependent on the size of the existing main and the proposed connection pipe. The Applicant should review their proposed stormdrain connection with the Water Resources Division at Public Works to determine the appropriate method of connection.
3. The Stormwater Management Plan should include a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances. The Applicant has included narrative from the ordinance and a detailed stormwater inspection log. Additional site-specific narrative should be provided addressing inspection requirements (i.e. timing of inspections).
4. The plans currently depict a catch basin at the corner that appears to be located within a curbed area. We understand that there is ongoing coordination with the City with regards to sidewalk and curblin infrastructure improvements on Brown Street and Cumberland Avenue, and changes to the site work and any division of work should be reflected on the final plans.

The Department of Public Works has also reviewed the proposed stormwater management plan and offers the following comments (Attachment 5):

1. The proposed storm drain connection into the existing catch basin within Brown Street is not permitted. The connection should be made via a manhole in Brown Street.
2. There are some concerns with the roof drainage discharging to planters:
 - a. The detail references riprap to be installed at outlets of roof downspouts. Provide calculations on riprap sizing including length required to dissipate energy. What can be done to ensure discharge doesn't overshoot riprap and washout mulch?
 - b. There is little ponding depth around the proposed 18-inch beehive grate overflows. At what storm event will discharge overflow onto the sidewalk? Precautions should be taken to capture discharge to avoid overflowing onto sidewalk at the corner of Brown Street and Cumberland.
3. Provide riprap protection from the two-foot wide spillway (within the proposed retaining wall) to the proposed type-f catch basin.
4. Provide pre-treatment to collect sediment from snow storage area prior to discharging to the underdrained sand filter.

3. Public Infrastructure and Community Safety Standards

a. Consistency with Related Master Plans

As noted above, the project is generally consistent with related master plans.

b. Public Safety and Fire Prevention

Keith Gautreau, Deputy Fire Chief, has reviewed the preliminary plans submitted for this project and finds the plans to be generally acceptable. A public safety question was raised regarding confusion between garages with similar names. The proposed garage is Ocean Gate Garage, which is very similar to Ocean Gateway Garage located on Fore Street. The staff recommends selecting a more unique and identifiable name for this garage.

c. *Availability and Capacity of Public Utilities*

The applicant proposes a new 2" water service tap into an existing 4" water main located in Brown Street to be located at the southeast corner of the property. Electrical service is being dropped from an existing utility pole located within the Brown Street right-of-way and is being placed underground with a connection to the parking structure's utility closet. Two 8" storm drains connected to the proposed snow storage underdrained soil filter and parking structure downspouts will feed into a 12" stormdrain that connects with the city's combined sewer system located in Brown Street.

Lauren Swett, in reviewing the proposed utility plan, has stated that the proposed stormdrain connection as currently proposed is unacceptable and is requesting that the applicant work with the Water Resources Division at the Department of Public Works to determine an acceptable configuration (*Attachment 1*). The applicant has provided an 'ability to serve' letter from the Portland Water District for this site. Wastewater Capacity and Electrical Service 'ability to serve' letters are still required.

4. Site Design Standards

a. *Massing, Ventilation, and Wind Impact*

The maximum building height in the B-3 zone is 210' feet once further than 100' feet away from Cumberland Avenue towards Congress Street, and 65' feet within 100' feet of Cumberland Avenue (90' feet if stepped back). The preliminary elevations show a building height of 57', taken from an average of the four structure corner building grades. The proposed building is complimentary in massing to proximate buildings and structures, being similar in dimension and scale with the Village Green Garage, and with an approximately median area structure height. It is not anticipated that the proposed development will have an adverse wind or ventilation impact.

b. *Shadows*

No shadow impacts on publicly accessible open spaces are anticipated.

c. *Snow and Ice Loading*

Staff has indicated concerns with the applicant's snow storage proposal, which involves the relocation of snow into the gap that exists between the garage vehicle ramp. Additional information has been requested to demonstrate that vehicles and or pedestrians would not be harmed with this proposal.

d. *View Corridors*

The site is not located within an established view corridor and is not anticipated to cause adverse impacts to view protection areas within the city.

e. *Historic Resources*

The "upper level" parking area is partially located within a historic district and the proposed parking structure is located within 100 feet of a historic district. Given its location, this proposal was required to go before the Historic Preservation Board for an advisory review to the Planning Board, though the review did not substitute for the required design review of the proposed structure. This project went before the Historic Preservation Board on June 7, 2017 and was unanimously recommended to the Planning Board. The Board reviewed the project against the Historic Preservation ordinance's Standards for Review of Construction, which included review criteria related to 'Scale and Form', 'Composition of Principal Facades' and 'Relationship to the Street'.

Historic Preservation staff generally recommended the project as it successfully takes into account grade changes in the vicinity as part of the design, and the scale and scope of the proposed structure in relation to surrounding buildings. Two concerns were raised in regards to the design (*Attachment 6*):

1. *The building's numerous decorative details strike staff as "applied decorations" rather than contributing elements of the overall design. In staff's view, the building's honest expression of structure, together with its striking corner tower elements, are sufficient to provide architectural interest. Simpler in this case might be better. Staff is also concerned that the details will soon appear dated and that the result will be a building that is not architecturally enduring.*
2. *The treatment of the west wall does not relate sufficiently to the architectural vocabulary of the rest of the building. Because the enclosed submission does not include labeled elevation drawings, it is difficult to determine what materials or finishes are proposed for this elevation. Regardless of the material, however, the organization of the wall with a defined base, middle and top seems curious in this context. Perhaps a subtler delineation of the solid façade would be more successful.*

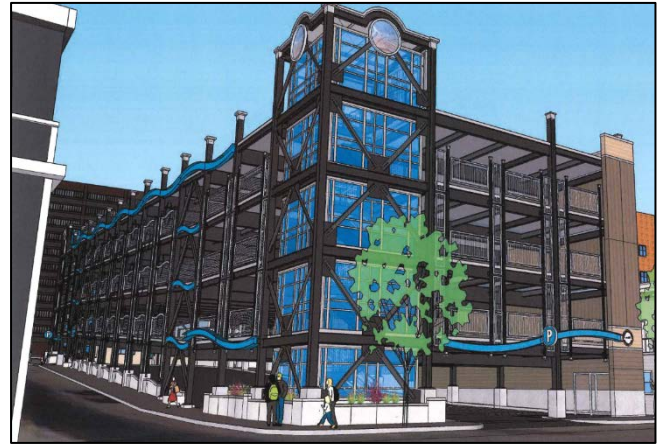


Figure 6: Initial Rendering illustrating decorative details (as seen from Cumberland Avenue)

Following the Historic Preservation Board's review, some of the decorative detail was removed from the plans.

- f. *Exterior Lighting*
Seven wall-mounted lights are proposed. Details regarding exterior lighting have not been provided at this time. A photometric plan and cut sheets will be required at the time of final review.
- g. *Noise and Vibration*
Information on the HVAC and mechanical equipment should be provided with the final plans.
- h. *Signage and Wayfinding*
No signage or wayfinding is proposed at this time.
- i. *Zoning-Related Design Standards*
The city's site plan ordinance states that "development in the B-3 Business Zone shall be designed to support the development of dense, mixed-use neighborhoods with attractive, safe and convenient street level pedestrian environments as demonstrated by compliance with all applicable design standards listed in the Design Manual." The Design Manual includes standards and guidelines for the B-3 zone with additional requirements for developments occurring within a Pedestrian Activity District, which do not apply for this project. The design standards for the B-3 zone require that development proposals be assessed based upon their relationship to the Pedestrian Environment and relationship to existing nearby development.

The applicant has provided preliminary building elevations and renderings, which were reviewed by city staff during a design review attended by Caitlin Cameron, Urban Designer; Deb Andrews, Historic Preservation Manager; Matthew Grooms, Planner (*Attachment 4*). These renderings show a structure façade open on three sides, with open steel framing and decorative grill work provided at each level for vehicular screening. The building's design is intended to highlight the on-site grade change and is framed by two interior stairwells located at either end of the structure on Brown Street. These stairwells utilize glass storefront materials and

are intended to provide a well-lot and safe pedestrian connection through the garage. The city's urban designer offers the following comments based upon the design review process (*Attachment 3*):

In regards to the building's facades:

1. *The design is contemporary though some features are inconsistent with the surrounding context which is typically subdued, simple, and straightforward. Staff recommends that the facades be simplified by removing the superfluous details such as the wave railings and patterns as well as the over-sized caps on the top of the railing members. These items draw unnecessary attention to the project which should more appropriately recede as an accessory structure. In addition, the solid wall facing the historic district should be revised to be more unified overall design.*
2. *The large solid wall interior to the block is less visible from the street, but some visual interest could be added to the façade, especially adjacent to the smaller, mixed-use structure.*
3. *The extraneous elements such as circles, waves, and caps bring too superfluous detail where the simple expression of the structure is enough to meet the simple nature of the building and the prevailing patterns of the building fabric around it.*
4. *The solid wall facing the historic district is incongruous with the rest of the building in its materiality, detailing, and regulating lines.*

In regards to the standard for Parking Garages and Surface Lots:

5. *The project would not be easily convertible to other uses given the ramped floors.*

In regards to the standard for Signage, Awnings and Canopies:

6. *The sign is similar to that of a public parking garage and should be considered whether the color and symbology might be confusing to users if the garage is not public.*



Figure 7: Rendering illustrating blank westerly facade

XII. NEXT STEPS

1. Hold the Neighborhood Meeting;
2. Address staff comments;
3. Address additional comments of the Planning Board;
4. Prepare final plan submission, including subdivision and site plan submittal requirements as included in 14-527(e) and (f) for review by the Planning Authority and Planning Board; and
5. Hold final Planning Board Hearing.

XIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Woodard and Curran Review Memo (09/01/2017)
2. Staff Review Memo (09/14/2017)
3. Design Review Memo (09/15/2017)
4. T.Y. Lin Review Comments (09/18/2017)
5. DPW Review Memo (09/19/2017)
6. Historic Preservation Board Memo (06/07/2017)

APPLICANT'S SUBMITTALS

- A. Cover Letter
- B. Level III Site Plan Application
- C. Right Title and Interest
- D. Conformity with Applicable Zoning Standards
- E. Evidence of Financial Capacity
- F. Transportation Memo
- G. Stormwater Management Plan
- H. Ability to Serve – Portland Water District
- I. Building Code Review
- J. Life Safety Plan
- K. Design Review
- L. Perspective Images
- M. Boring Logs
- N. Historic Preservation Narrative

PLANS

- Plan 1 Boundary Survey – Existing Conditions
- Plan 2 Civil Site Plan
- Plan 3 Civil Site Plan – First Level
- Plan 4 Civil Site Plan – Second Level
- Plan 5 Civil Site Plan – Roof Level
- Plan 6 Focal Point Planter Details
- Plan 7 Civil Details I
- Plan 8 Civil Details II
- Plan 9 Landscape Plan
- Plan 10 Architectural Site Plan – First Level
- Plan 11 Architectural Site Plan – Second Level
- Plan 12 Architectural Site Plan – Third Level
- Plan 13 Architectural Site Plan – Fourth Level
- Plan 14 Architectural Site Plan – Fifth Level
- Plan 15 Architectural Elevations
- Plan 16 Logistics Plan (Construction Management)

MEMORANDUM



TO: Matt Grooms, Planner
FROM: Lauren Swett, P.E., and Amy LeBel, E.I.T.
DATE: September 1, 2017
RE: Ocean Gate Parking Garage Peer Review

Woodard & Curran has reviewed the Level III Site Plan Application for the proposed development project located at 48 Brown Street in Portland, Maine. The project involves construction of a five deck parking garage on a site currently used for surface parking.

Documents Reviewed by Woodard & Curran

- Level III Site Plan Application and attachments, dated June 16, 2017, prepared by Ransom Consulting, Inc., on behalf of Ocean Gate, LLC.
- Engineering Plans, Sheets C1-C7, L1, A101-A105 and A200, dated June 20, 2017, prepared by Ransom Consulting, Inc., on behalf of Ocean Gate, LLC.
- Existing Conditions Plan, Drawing 1, dated May 17, 2017, prepared by Owen Haskell, Inc., on behalf of Ocean Gate, LLC.

Comments

- 1) Additional information should be provided on the proposed snow management system for the garage. Snow from the roof will be directed to a small opening that is located between parking spaces and the access ramps. Of particular concern is the protection of vehicles, both parked adjacent to this opening and driving on the ramp, at the time of snow plowing. We understand that a final snow management plan may not be developed at this time, but additional details on vehicle protection should be provided.
- 2) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a) Basic Standard: Notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. Please provide locations of erosion and sediment control measures (catch basin protection) on the design plans.
 - b) Due to redevelopment of existing impervious area, the Applicant is required to treat at least fifty percent of Stormwater on site (General and Flooding Standards). Approximately fifty six percent of runoff from impervious surfaces on site is directed into the proposed sand filter and rain gardens, providing adequate treatment in according to the standard. We have the following comments on the stormwater design:
 - The Maine DEP has approved the FocalPoint system as a proprietary stormwater treatment system with specific design guidelines. One requirement of this system is that flow from the FocalPoint be directed to a subsurface chamber-based treatment row (i.e. an Isolator Row) to provide additional treatment. The design currently does not include a chamber system, but we understand that the Applicant is considering including this system or providing documentation that the DEP finds the system acceptable without the additional chambers.
 - c) The project is not resulting in an increase in impervious surface, and compliance with the Flooding Standard is not required. With the proposed stormwater treatment systems, it is anticipated that flows to the City's combined sewer may be decreased.
- 3) The City of Portland does not allow for the connection of stormdrain piping from privately owned sites to catch basins located in the street. Connections must be made to the main in the street, with the method of connection dependent on the size of the existing main and the proposed connection pipe. The



Applicant should review their proposed stormdrain connection with the Water Resources Division at Public works to determine the appropriate method of connection.

- 4) The Stormwater Management Plan should include a stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances. The Applicant has included narrative from the ordinance and a detailed stormwater inspection log. Additional site-specific narrative should be provided addressing inspection requirements (i.e. timing of inspections).
- 5) The plans currently depict a catch basin at the corner that appears to be located within a curbed area. We understand that there is ongoing coordination with the City with regards to sidewalk and curblane infrastructure improvements on Brown Street and Cumberland Avenue, and changes to the site work and any division of work should be reflected on the final plans.

Planning and Urban Development Department

Planning Division



September 14, 2017

Ed Gardner
Ocean Gate, LLC
511 Congress Street
Portland, ME 04101

Ethan Boxer Macomber
Anew Development
30 Danforth Street, Suite 213
Portland, ME 04101

RE: Staff Review Comments for Ocean Gate Garage – 48 Brown Street (2017-145) – Planning Board Review

Project Name:	Ocean Gate Garage	Project ID:	(2017-145)
Project Address:	48 Brown Street	CBL:	037 D004
Applicant:	Ed Gardner		
Planner:	Matthew Grooms		

Dear Mr. Gardner and Mr. Macomber,

Thank you for submitting a preliminary Level III Site Plan application for a new five level structured parking garage and improved surface parking lot with space for 281 vehicles at 48 Brown Street in the B-3 District. This property is being reviewed as a preliminary plan subject to the following applicable Land Use Code provisions:

- Site Plan Ordinance, Article V
- Division 12, B-3, B-3b and B-3c Downtown Business Zones
- Division 20, Off-Street Parking Standards
- Neighborhood Meeting Regulations, Section 14-32

Final Plan for Planning Board Review: Staff Review Comments

I. Site Design Standards

1. The applicant shall provide a more detailed narrative explaining intended use of this garage. Will a portion of this garage be available for public use or these spaces dedicated to certain pre-defined users?
2. Does the applicant intend for any spaces within the garage to be set aside for motorcycle or scooter parking?
3. Will there be a location within the garage for the collection of solid waste? If so, please explain how on-site waste will be managed.
4. A cut sheet with lighting details and associated photometric plan shall be provided.

5. In regards to the surface parking lot, accessible off of Casco Street, the applicant shall demonstrate compliance with standards for parking lot landscaping as found in Section 14-526(b)(2)(b)(ii) of the Site Plan Ordinance as well as Section 4.5.5 of the Technical Manual. The applicant may submit a formal waiver request subject to waiver criteria as found in the Site Plan Ordinance.
6. Two street trees are called out for preservation along Cumberland Avenue. Please note that street trees are also required along other the property's other street frontages at a rate of one tree per 30'-45' feet of frontage as stated in Section 4.6.3 of the Technical Manual.
7. The applicant shall provide an 'ability to serve' letter from Central Maine Power for this development.
8. Please note, the procurement of license agreements with the city for canopies overhanging the public right-of-way shall be made a condition for approval.
9. Does the applicant anticipate the installation of exterior, façade or roof-mounted mechanical equipment for this project? If so, please be aware that mechanicals are required to be screened from public streets in accordance with city standards found under Section 14-526(d)(7)(a)(i)(b).
10. If available, signage details for the project should be provided with the final submittal.
11. Please note, waiver requests listed out on the site plan and other plan sheets should be compiled into a document and submitted as a separate attachment.
12. The site plan appears to show an existing right-of-way which bisects the proposed garage. Has this right-of-way been abandoned, or is it still a city accepted right-of-way. Please provide additional information.
13. From the architectural elevations provided, it would appear that pedestrian access to the facility is limited to vehicular entrances. Would the applicant consider the installation of doors that would into the stairwell enclosures that would provide additional separation?
14. The project as currently proposed meets the dimensional standards of the B-3 Zoning District.
15. The applicant shall hold a neighborhood meeting for this project in accordance with the city's neighborhood meeting regulations prior to the public hearing. The meeting notice, sign-in sheet and meeting minutes shall be submitted as an attachment to the final submittal.

Additional Submittals Required:

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only one set of revised plans may be submitted for review. This item is scheduled to go before the Planning Board as a workshop item on September 26, 2017. Following the workshop process, this item will be scheduled for a public hearing at the Planning Board's next available meeting and the staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,
Matthew Grooms
Planner

Planning and Urban Development Department

Planning Division



Subject: B-3 Design Review – 48 Brown Street

Written by: Caitlin Cameron, Urban Designer

Date of Review: Friday, September 15 2017

The project at 48 Brown Street was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Matthew Grooms, Planner, and Deb Andrews, Historic Preservation Program Manager against the *B3 Downtown Urban Design Guidelines* (Appendix 1 of the Design Manual).

Design Review Comments:

The staff agreed with the Historic Preservation Board review comments provided in separate memo.

Below are comments specific to the B-3 Design Guidelines

I. Relationship to Pedestrian Environment

A. Distinguish the lower 35 feet of building facades

A.(1) Storefront and building facades – Building placement is near the property lines on both streets. The lower portions of the building relates to the whole building architecture with a unified design. Pedestrian entries into the garage are made visible with the use of canopies. The project does not include storefront, but is transparent and includes high visibility into the building. The design is contemporary though **some features are inconsistent with the surrounding context which is typically subdued, simple, and straightforward. Staff recommends that the facades be simplified by removing the superfluous details such as the wave railings and patterns as well as the over-sized caps on the top of the railing members. These items draw unnecessary attention to the project which should more appropriately recede as an accessory structure. In addition, the solid wall facing the historic district should be revised to be more unified overall design.**

A.(2) Building Entrances – Pedestrian entrances are provided with direct access on both street facades and are emphasized with a curved, blue canopy piece.

A.(3) Blank Facades – The structure remains mostly open at the ground level allowing for interest and visibility into the garage. The planters also provide a pedestrian amenity. The large solid wall interior to the block is less visible from the street, **but some visual interest could be added to the façade, especially adjacent to the smaller, mixed-use structure.**

B. Pedestrian Activity District – Not Applicable

C. Sidewalk Areas and Open Space

C. (1) Sidewalk, Crosswalk, and Street Paving Materials – The project continues the established brick sidewalk pattern on all streets.

C. (2) *Landscaping, Planters, Irrigation, and Tree Guards and Grates* – Planters are provided as a building interface between the structure and the sidewalk. The planters not only provide some softscape amenity but also stormwater benefits. Although staff would usually not recommend planters between the building and the sidewalk, this is not an active retail or storefront façade and so the planters provide some visual interest and human-scale components in lieu of an active storefront.

C. (3) *Lighting* – Building lighting placement is indicated in plan and some street light fixture arms are shown in the elevations attached to the corners of the buildings. Additional fixtures are not specified for the length of the building. Since the building program is garage and not active frontage, staff recommends the use of lighting to add visual interest and safety for the quieter frontage.

D. Pedestrian Amenities

D. (1) *Benches and other seating* – The landscape planters are designed at seating wall height to provide additional pedestrian amenity.

II. Relationship to Existing Development

A. *Integrate with, respect, and enhance* - “ . . . a fairly limited palette of available building technology and materials combined with a generally consistent approach to architectural character and building form. This has resulted in an existing building fabric noteworthy for its comfortable and consistent scale and compatibility of building materials. . . . Any development within this context, whether an infill or an individual building lot at mid-block or the redevelopment of an entire vacant block, should look to the character and prevailing pattern of development as an important frame of reference for new construction or substantial alteration.”

- (1) *Street walls and building setbacks* – The building is set up to the street and keeps the established street wall patterns.
- (2) *Open Space* – Not applicable
- (3) *Building Form, Scale, and Massing* – The building massing and form is dictated by the dimensional needs for a parking structure.
- (4) *Building Façade Proportion and Composition* – The building façade design is dictated by the dimensional needs for a parking structure. The façade design is enhanced by the rhythm and scale created by the screens, railings, and expressed structure. **There are two areas of concern. First, the extraneous elements such as circles, waves, and caps bring too superfluous detail where the simple expression of the structure is enough to meet the simple nature of the building and the prevailing patterns of the building fabric around it. Second, the solid wall facing the historic district is incongruous with the rest of the building in its materiality, detailing, and regulating lines.**
- (5) *Pedestrian circulation and building entrances* – Building entrances on both streets
- (6) *Parking Garages and Surface Lots* – This project site is too small to accommodate retail or liner buildings at the pedestrian level. **The project would not be easily convertible to other uses given the ramped floors.** The building design is authentic and honest in conveying its use. Screening is provided for direct line of sight to lights and views of cars. Additional landscaping and pedestrian amenity are provided as suggested in the guideline.
- (7) *Areas within the Downtown* – The project is located downtown though is off the main streets. The project will meet the downtown standards for sidewalk and lighting design.

III. Rooftop Appurtenances

The project roof will be most visible from the Cumberland Avenue approaches. No significant rooftop appurtenances are proposed or are screened by the railing and parapet walls. The stair towers are at the corners of the building as architectural features.

IV. Shadow Impact on Open Space – Not applicable

V. Wind Impacts – Not applicable

VI. Setback from Existing Structures – Not applicable

VII. Building Tops – Not applicable

VIII. View Corridors, Visual Landmarks, and Gateways – Not applicable

IX. Signage/Awnings/Canopies – The placement of the blue wave elements are used to indicate the garage entrances. A parking sign is also proposed – the sign is similar to that of a public parking garage and should be **considered whether the color and symbology might be confusing to users if the garage is not public.**



Matthew Grooms <mgrooms@portlandmaine.gov>

48 Brown Street - Preliminary Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Mon, Sep 18, 2017 at 3:32 PM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Cc: Keith Gray <kgray@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, "Swett, Lauren" <lszett@woodardcurran.com>, "Jeff Tarling (JST@portlandmaine.gov)" <JST@portlandmaine.gov>

Hi Matt – I have reviewed the application materials and our preliminary traffic comments are noted as follow.

- Greater detail on the construction management plan is required (specifically closing Brown Street). The applicant shall review and comply with the City's Draft Construction Management Plan guidelines.
- The applicant should provide greater plan detail at the Casco Street parking lot that will serve as the major access to most parking garage levels. The details shall include:
 - Sight Distance measurements at the driveway on Casco Street.
 - Pedestrian facilities, ADA compliance and safety for pedestrians walking between Casco Street and the garage. The details near the garage are difficult to see.
 - The plans for the parking lot and garage should include dimensions. The plan of the parking lot is hard to following and shall be improved from a clarity perspective.
 - Information on vehicle queuing at the Bank ATM and Drive-Thru shall be provided to document the garage entrance will not be blocked.
 - The applicant shall document that changes in the surface parking lot do not impact an existing site plan approval.
 - The applicant should note if a waiver is required for corner clearance for the Casco Street southerly driveway.
- I find the parking garage layout and the driveway locations on Cumberland Avenue and Brown Street to be acceptable.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

TYLIN INTERNATIONAL
12 Northbrook Drive
Falmouth, ME 04105

9/18/2017

City of Portland Mail - 48 Brown Street - Preliminary Traffic Comments

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"One Vision, One Company"

Memo

To: Matthew Grooms - Planner
From: Keith Gray, PE – Senior Engineer, DPW
Date: September 19, 2017
Re: 48 Brown Street (2017-145) – Level III Site Plan Application

The following comments/concerns are in regards to the Level III Site Plan Application prepared by Ransom Consulting, Inc. and Anew Development, on behalf of the applicant, Ocean Gate, LLC, with last plan revision submitted on June 23th, 2017. Please feel free to contact me with questions. Thank you.

Construction Management Plan:

- The applicant has submitted a Construction Management Plan (CMPlan) prepared by Allied Cook Construction Company. The applicant shall revise the CMPlan to include the information enclosed in the “Draft” Construction Management Plan Template that depicts the overall detail that the City is requesting for the planning, coordination, and control of the construction site. Please note that the Construction Management Plan includes: 1) a construction management site plan, 2) a construction schedule (time frame); and 3) a written narrative addressing the categories identified within the enclosed CMPlan Template.
- The provided CMPlan indicates that Brown Street and the sidewalk on Cumberland Avenue will be closed for an extended period of time.
 - DPW does not support the occupancy of a sidewalk and/or street for an extended period of time. The applicant shall revise the CMPlan to specify the duration required for the occupancy. Construction sequences shall be scheduled to minimize the duration of any street occupancy.
 - DPW does not support the closure of Brown Street.

General Comments:

- The plans should be updated to reflect the recently completed sidewalk along Cumberland Avenue. I have enclosed a pdf of the proposed design. As-build conditions still need to be verified.

- The proposed storm drain connection into the existing catch basin within Brown Street is not permitted. The connection should be made via a manhole in Brown Street.
- There are some concerns with the roof drainage discharging to planters:
 - The detail references riprap to be installed at outlets of roof downspouts. Provide calculations on riprap sizing including length required to dissipate energy. What can be done to ensure discharge doesn't overshoot riprap area and washout mulch?
 - There is little ponding depth around the proposed 18-inch beehive grate overflows. At what storm event will discharge overflow onto the sidewalk? Precautions should be taken to capture discharge to avoid overflowing onto sidewalk at the corner of Brown Street and Cumberland.
- Provide riprap protection from the 2 foot wide spillway (within the proposed retaining wall) to the proposed type-f catch basin.
- Provide pre-treatment to collect sediment from snow storage area prior to discharging to the underdrained sand filter.

**HISTORIC PRESERVATION BOARD
CITY OF PORTLAND, MAINE**

**WORKSHOP – ADVISORY REVIEW
48 BROWN STREET**

TO: Chair Benson and Members of the Historic Preservation Board

FROM: Deborah Andrews, Historic Preservation Program Manager

DATE: June 1, 2017

RE: June 7, 2017 **Workshop – Advisory Review of Proposed Garage Construction**

Address: 48 Brown Street
Southwest corner of Brown Street and Cumberland Avenue

Applicant: Ocean Gate LLC.

Development Consultant: Ethan Boxer-Macomber

Architect: Travis Nadeau, Platz Associates

Introduction

Ocean Gate LLC. is proposing to construct a 4-deck parking structure on an existing surface parking lot at the southwest corner of Brown Street and Cumberland Avenue. The parking structure, which will accommodate 261 vehicles, is intended to serve the tenants of the 511 Congress Street building, which immediately abuts the project site. Surplus spaces will be available for other businesses in the vicinity.

Although the project site is not located within a designated historic district, it immediately abuts the boundary of the Congress Street Historic District. As such, the site plan ordinance requires that the project be found to be “generally compatible with the major character-defining elements of the ...portion of the district in the immediate vicinity of the proposed development”—see Attachment 1 for full text of site

plan standard. As is customary for major projects abutting historic districts, staff is forwarding the proposal to the Historic Preservation Board for informal review and comment. The Board’s comments will be summarized in a memo to the Planning Board, which has the final authority to make the determination regarding compatibility.



Shaded area: Congress St. Historic District

Architect Travis Nadeau of Platz Associates and development consultant Ethan Boxer-Macomber have submitted plans on behalf of Ocean Gate. Submitted materials include a written description of the proposed structure and statement of design intent, perspective views of the garage, a site plan and deck-level plans. Note that the submission does not include labeled elevations that indicate proposed materials.

Project Context

The enclosed project narrative describes the buildings that make up the proposed development's immediate context. As described and shown in the perspective views, the context is decidedly mixed, with few strong shared building patterns from which to draw in developing a contextual design response, apart from a shared directional expression of the principal facades and the absence (in most cases) of a building setback. The eclecticism that defines the Congress Street Historic District (in terms of style, scale, material palette and construction era) is even more pronounced along Cumberland Avenue. Smaller scale residential structures, several of which have been converted to businesses uses, share the street with larger scale commercial buildings. Over time, it is hoped that a number of the clearly noncontributing structures on Cumberland Avenue will be replaced with more architecturally distinguished buildings to create a more vibrant urban streetscape.

Brown Street is quite narrow and functions largely as a service street today, in part because it is abutted by parking lots and a parking garage occupy for most of its length. A surface parking lot is located immediately behind Maine Historical Society's headquarters and behind it is a structured parking garage the is in poor condition. The Brown Street elevation of 511 Congress Street building does not open to the street, reinforcing the service nature of the street.

Proposed Construction

The proposal call for a 4-level, steel-framed parking structure that is 65-feet wide on Cumberland Avenue and extends approximately 290 feet on Brown Street. Access to the garage will be from both Cumberland and Brown Street (near the southern end of the building). As required by fire code, the long, narrow structure features a solid wall next to its westerly abuttor. The material of this solid wall, which returns for a short distance on Cumberland Avenue, is not indicated on the plans. As shown, the wall is broken up vertically with a band above the ground floor level and another cornice-like band at the roofline. Other than this solid wall, the proposed garage frankly expresses its structure. Steel framing members and metal railings at each deck allow for a fair amount of visibility of the parking decks. At the corner of Brown and Cumberland is a 5-story glazed tower. Again, the tower clearly expresses its structural elements, with steel cross-braces at each floor level placed outside the glass. (Although the images suggest that the glass is tinted blue, the windows in surrounding buildings are depicted as blue as well, so this will need to be confirmed.) The stairs within the tower are clearly visible to the street.

At the southern end of the building adjacent to the rear of 511 Congress, the tower element is repeated, at the same scale and with the same design features. It is expected that most users of the garage will be heading to or from Congress Street, so this end of the building is also seen as important to highlight.

The proposed design solution incorporates a number of decorative details intended to enliven the elevations and ground plane. These include applied blue wave-like elements at the Cumberland and Brown Street entrances, at the roof line on Brown Street and at each floor level in selected locations. This wave-like theme is repeated in the railings and in the building base along the Brown Street frontage. Circular elements are also incorporated into the railings along Brown Street. This circle motif also appears at the top of each face of the two towers. The roofline of the towers traces around this circular element. Finally, the vertical piers that define each bay of the garage and which project above the surface of the top deck are terminated with a decorative cap.

Staff Comments

Given the wide range of building heights and footprints in the surrounding area, the proposed garage appears to be compatible in terms of its scale and form, especially in the context of the existing garage structure directly across Brown Street. Staff is also supportive of the general design approach for the building, which clearly expresses the garage's structure. This design choice takes advantage of the fact that the drop in grade from the southern end of Brown Street toward Cumberland means that the parking decks can be relatively level, with no visually-disconcerting ramping. The incorporation of tower elements also provides a welcome focal point for the structure, particularly on its Cumberland Avenue façade. While a tower at the southeast corner of the building, mid-block on Brown Street, might seem unnecessary, one can appreciate the desire to mark this corner as well, given the fact that many will be approaching the garage on foot from Congress Street.

Based on the images provided, staff has reservations about two aspects of the proposed design:

- 1) The building's numerous decorative details strike staff as "applied decorations" rather than contributing elements of the overall design. In staff's view, the building's honest expression of structure, together with its striking corner tower elements, are sufficient to provide architectural interest. Simpler in this case might be better. Staff is also concerned that the details will soon appear dated and that the result will be a building that is not architecturally enduring.
- 2) The treatment of the west wall does not relate sufficiently to the architectural vocabulary of the rest of the building. Because the enclosed submission does not include labeled elevation drawings, it is difficult to determine what materials or finishes are proposed for this elevation. Regardless of the material, however, the organization of the wall with a defined base, middle and top seems curious in this context. Perhaps a subtler delineation of the solid façade would be more successful.

Applicable Review Standards

In advising the Planning Board on the proposed project's compatibility with its context, the Board should refer to the historic preservation ordinance's Standards for Review of Construction apply in the review of the proposed project. Building characteristics used to gauge compatibility of new construction in an existing context include the following:

Scale and Form

Height

Width

Proportions of principal facades

Roof Shapes

Scale of the structure

Compositions of Principal Facades

Proportion of Openings

Rhythm of solids to voids in facades

Rhythm of entrance porch and other projections

Relationship of materials, texture and color

Presence of signs, canopies and awnings

Relationship to the Street

Walls of continuity

Rhythm of spacing and structures on streets

Directional expression of principal elevations

Attachments

1. Site Plan ordinance standard for projects within 100' of historic district boundary
2. Project description
3. Aerial view of site and ground level layout
4. Perspective views and aerial views
5. Floor level plans

(development in Eastern Waterfront zone).
(vii) Section (1) of the Design Manual (IS-
FBC Building Design Standards)

b. Development adjacent to designated landmarks, historic districts or historic landscape districts: when any part of a proposed development is within one hundred (100) feet of any designated landmark, historic district, except the India Street historic district, or historic landscape district, such development shall be generally compatible with the major character-defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development. Character-defining elements of landmarks and historic districts are identified in the historic resources inventory and respective historic district designation reports For the purposes of this provision, "compatible" design shall be defined as design which respects the established building patterns and visual characteristics that exist in a given setting and, at the same time, is a distinct product of its own time. To aid the planning board in its deliberations, historic preservation staff shall provide a written analysis of the proposed development's immediate context, identifying the major character-defining elements and any established building patterns that characterize the context.

c. Preservation and/or Documentation of Archaeological Resources. Where a state or local archaeological resource is known to exist or is discovered on the site, the developer shall inform the City and State and shall protect and/or document such resources.

(i) Protection shall include leaving archaeological resources untouched beneath a new development through adaptation of foundation design or architectural layout.

(ii) Where the applicant can demonstrate that

Brown Street Garage

Historic Preservation Board Review

May 30, 2017

Project Narrative

Ocean Gate, LLC proposes the construction of a new, 4-deck, steel framed, and graciously designed parking structure to accommodate approximately 261 parked vehicles. While the project is not located in a Historic District, it is sited on land adjacent to a Historic District.

Background & Project Goals

Ocean Gate, LLC is the current owner of 511 Congress Street as well as other ancillary surface parking lots on adjacent and nearby parcels on Brown, Casco, and Shepley Streets. These parking lots currently provide an aggregate total of 151 parking spaces for the use of the commercial tenants at the 511 Congress property. Total parking demand at the property, however, exceeds this capacity by over 115 spaces and Ocean Gate currently meets excess demand through costly third-party leases at private area parking garages.

The new garage will be sited directly beside 511 Congress and will greatly enhance the utility and marketability of the commercial office space at 511 Congress allowing it to better attract and retain high quality businesses and the valuable jobs they provide our Portland community.

At the same time, addressing all of the parking demands of 511 Congress in a single structure frees spaces currently leased in area garages for other commercial and residential users *and* creates future new residential development opportunities on Ocean Gate's Shepley Street surface lots.

The project will also infill and activate a vacant site that, despite the owner's best efforts at patrols and other security measures, consistently attracts litter, loitering, and nefarious activity.

Garage Configuration & Relationship to Adjacent Properties

The new parking structure on the corner of Brown and Cumberland will layer over the surface parking lot that currently exists there. In terms of grades, dimensions, and urban context, the site is ideally suited for the proposed garage which integrates into the site gracefully and with minimal impact on adjacent structures and urban context.

At the Northern end of the parcel the +/-65' wide structure will be sited in close proximity to 511 Congress for ease of access by tenants. Given the tall base of the 511 Congress building and the way the Brown Street lot slopes down from the building, office tenants at 511 will maintain their access to light and open views over the new garage.

To the East, the garage fronts Brown Street and is adjacent to another, existing parking garage. Brown Street is narrow and so public view of this long edge of the garage will be very brief and only at oblique angles.

To the South, the garage presents a narrow +/-65' face to Cumberland Avenue. As described further below, the design team has paid particular care and attention to this façade to ensure architectural definition and interest and an active, human-scaled experience. The garage will positively contribute to the Cumberland Avenue street wall as an active and well-designed building of scale and quality.

To the West, the garage abuts both a two-story, mixed-use commercial building oriented toward Cumberland Avenue and a mid-rise residential building (the Ambassador) oriented toward Casco Street. In the case of the two-story structure, the garage in-fills to its side where there are no active entries and only light secondary fenestration. In the case the Ambassador, the garage starts at a much lower grade and only affects the property at the lowest portions of its rear elevation. The garage subordinates to the mass of the Ambassador and preserves public views of the structure from most perspectives. Farther up the lot from the Ambassador the garage nestles up against an existing series of retaining walls, which conceal its lower stories and greatly reduce the vertical impact of the structure as perceived from Casco Street.

Architectural Design

Ocean Gate, LLC is highly committed to quality urban design for Portland. This commitment was front of mind when selecting Platz Associates as the project architect. Platz was selected for their proven ability to deliver garages in Lewiston and other Maine communities which look and feel traditional, light, open, and contextual.

The design of the Brown Street Garage features open steel framing, traditional architectural forms, and active, human-scaled urban edges. Particular attention was paid to the garage's most publically visible and engaging facades; those seen directly from Cumberland Street and obliquely from Congress Street. These locations were embellished with glass entry doors and glass stair towers. They will be further softened and enlivened with quality/permanent façade materials, landscaped planter beds, and through the use of well-balanced site lighting.

The design capitalizes on the steel structure of the garage as an architectural medium providing beauty in its rhythm, punctuation, and detailing.



BROWN STREET GARAGE

CUMBERLAND AVENUE AT BROWN STREET
PORTLAND, MAINE

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:

PLATZ ASSOCIATES

Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941

RANSOM
Consulting, Inc.

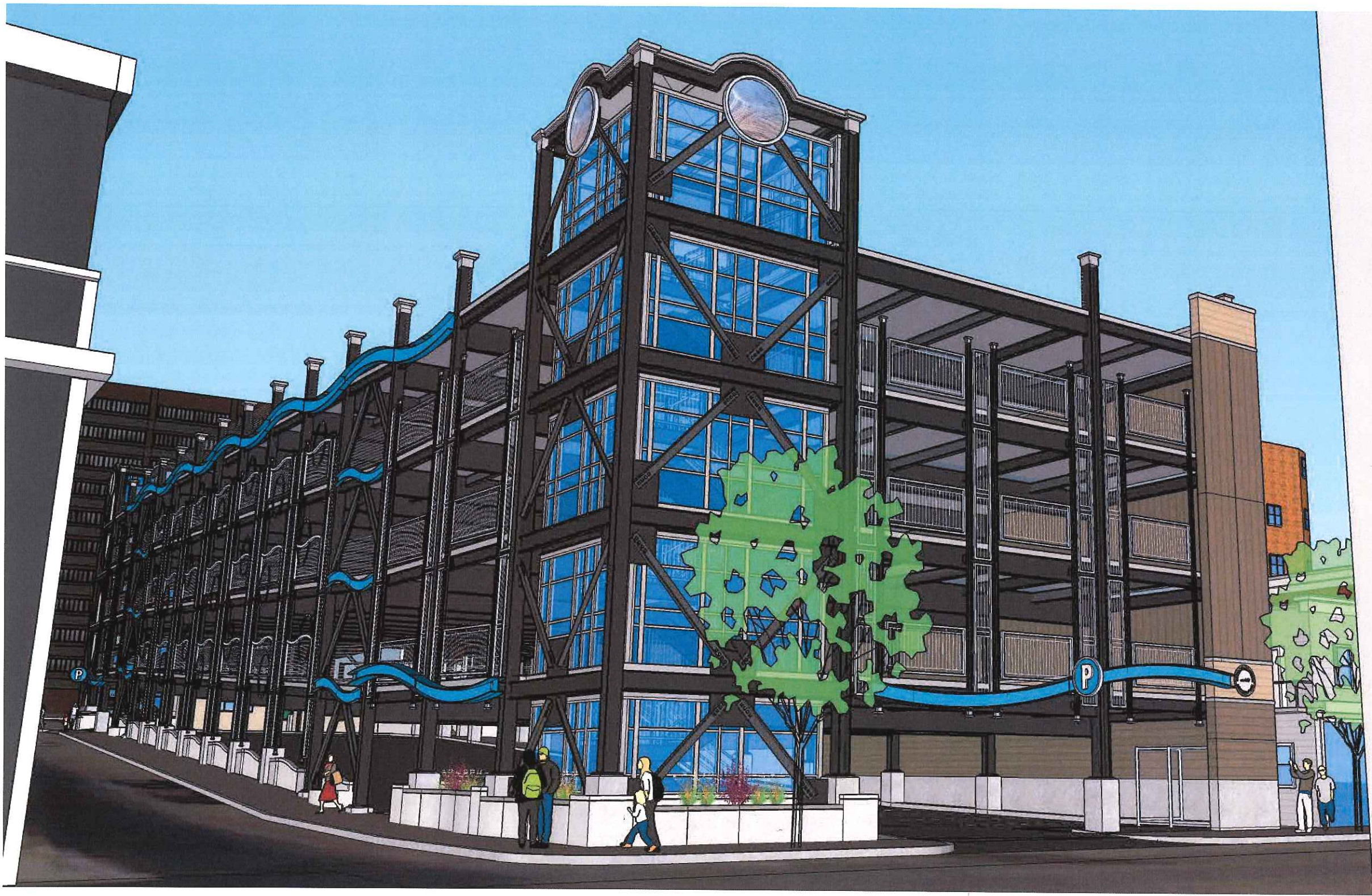
Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

0 8 16 32
SCALE in FEET
1"=16'

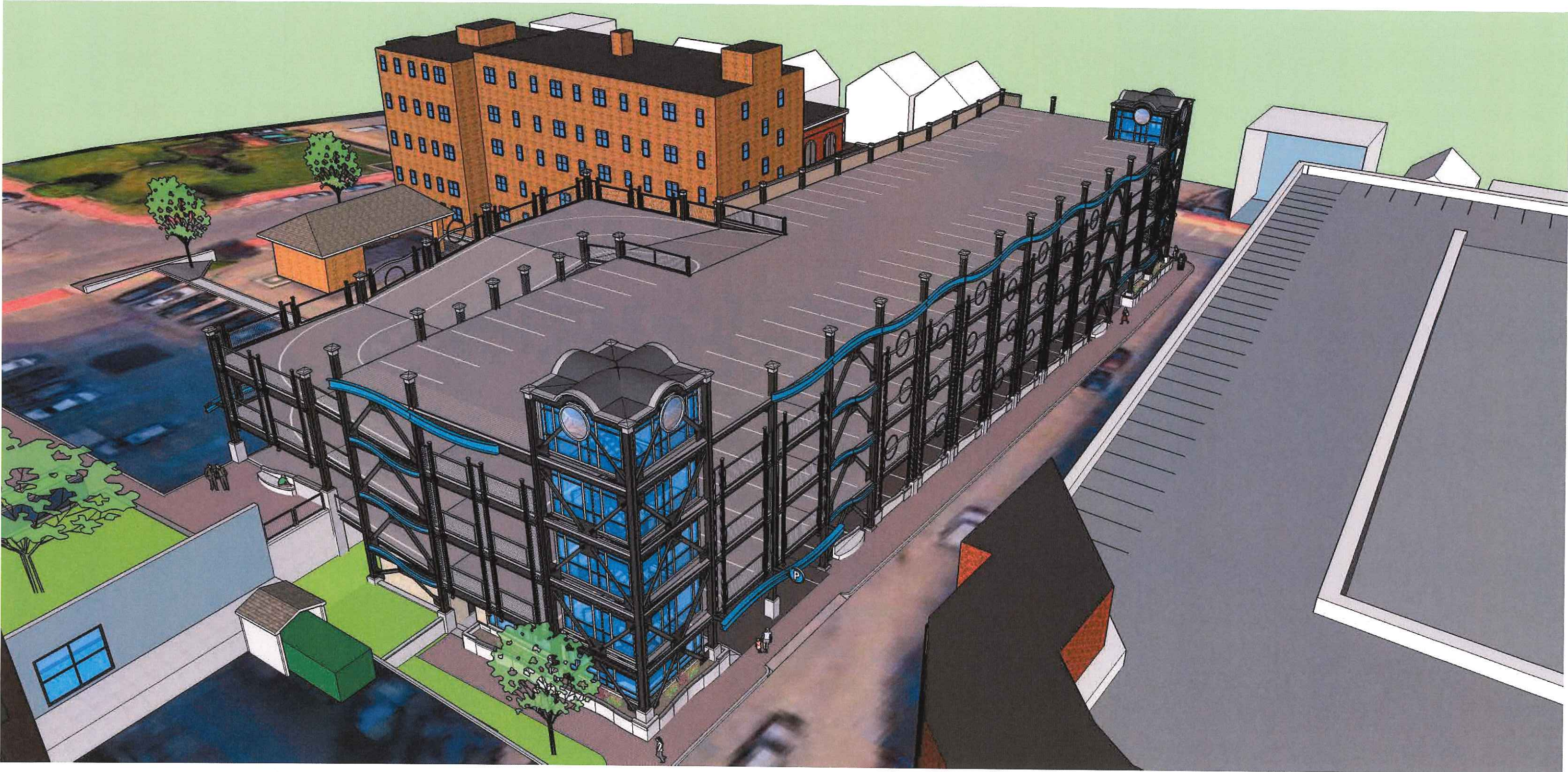
CONCEPTUAL LAYOUT - GROUND LEVEL -

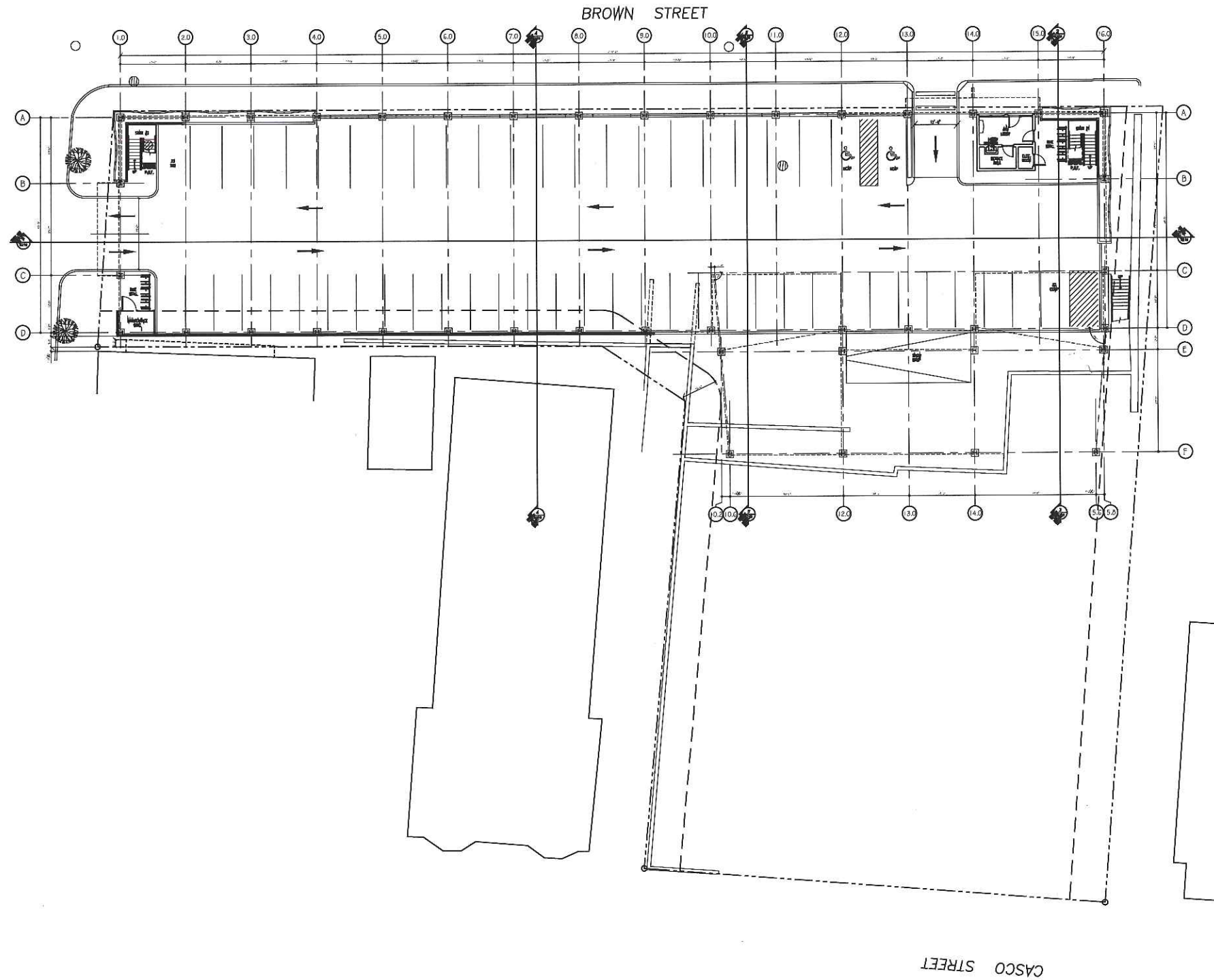
No.	Revision/Issue	Date
A	PRELIMINARY REVIEW	4-21-17

Design by:	TGN	Checked by:	SJB
Drawn by:	TGN	Approved by:	SJB
Project:	151.06037		05-25-2017
Sheet No:	C1		









CASCO STREET

BROWN STREET

1 FIRST LEVEL FLOOR PLAN

SCALE: 1/16" = 1'-0"

PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3856
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:
PORTLAND GARAGE CONCEPT
Brown Street
Portland, Maine

SEAL
REVIEW COPY

DRAWING STATUS
☐ OFFICE REVIEW
☐ CLIENT REVIEW
☐ PERMIT REVIEW
☐ BID SET
☐ CONTRACT DRAWING
☐ CONSTRUCTION

No drawing shall be recognized as a construction document unless it bears a blue inked registration seal.

SHEET TITLE
FIRST LEVEL FLOOR PLAN

JOB NO.
201601

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TRN

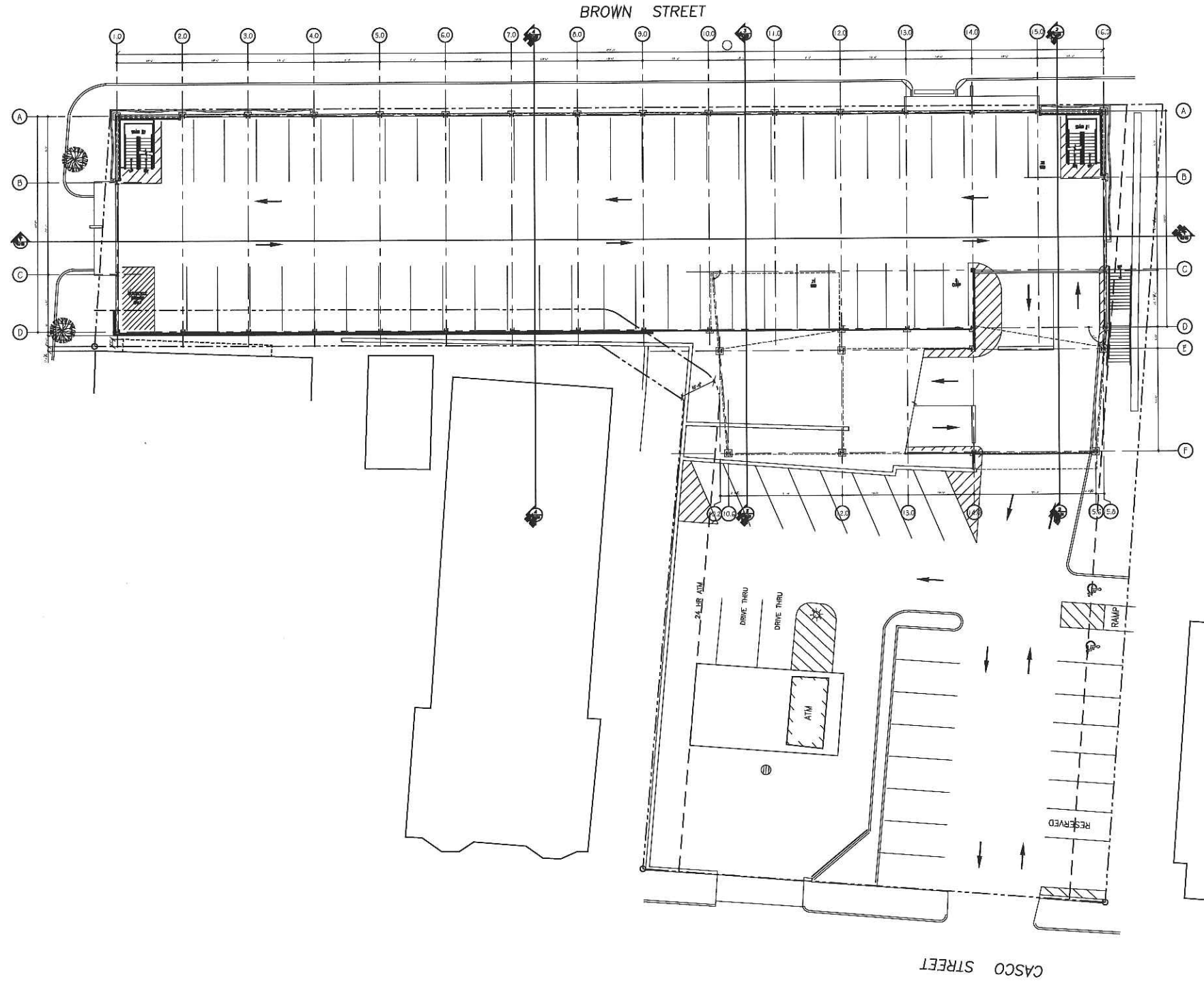
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AS NOTED

ORIGNAL DATE
04-03-17

REVISION DATE
-

SHEET
A101

PROJECT: GARAGE
CONSTRUCTION PLANS.DWG



1 SECOND LEVEL FLOOR PLAN
SCALE: 1/16" = 1'-0"

PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3856
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:
PORTLAND GARAGE CONCEPT
Brown Street
Portland, Maine

REVIEW
COPY

DRAWING STATUS
☐ OFFICE REVIEW
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☐ PERMIT REVIEW
☐ BID SET
☐ CONTRACT DRAWING
☐ CONSTRUCTION
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SHEET TITLE
**SECOND LEVEL
FLOOR PLAN**

JOB NO.
201601

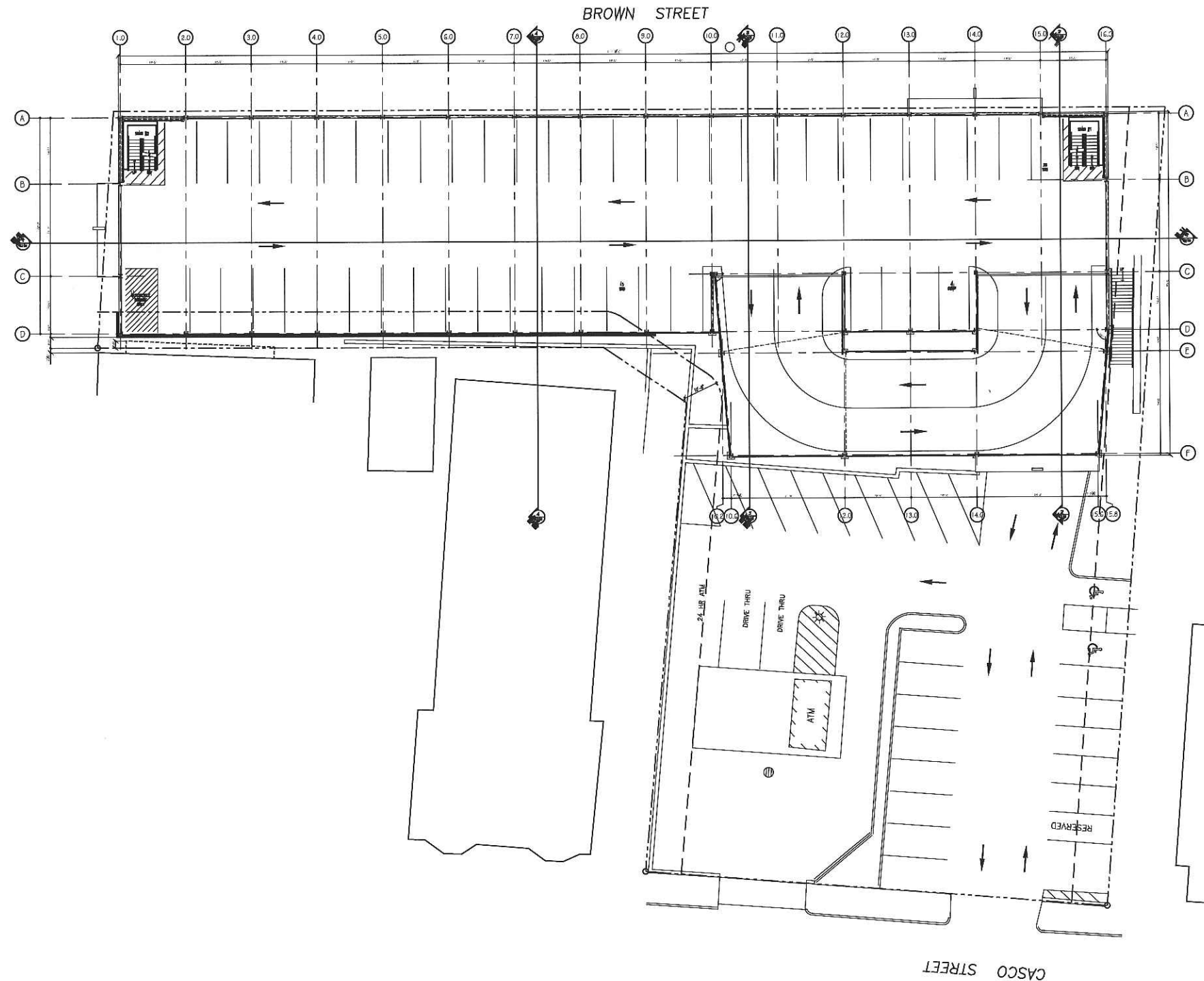
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TRN

SCALE
AS NOTED

ORIGINAL DATE
04-03-17

REVISION DATE
~

SHEET
A102



1 THIRD LEVEL FLOOR PLAN

~ SCALE: 1/16" = 1'-0"

PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2041
Fax 207-784-3856
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:
PORTLAND GARAGE CONCEPT
Brown Street
Portland, Maine

SEAL
REVIEW COPY

DRAWING STATUS
☐ OFFICE REVIEW
☐ CLIENT REVIEW
☐ PERMIT REVIEW
☐ BID SET
☐ CONTRACT DRAWING
☐ CONSTRUCTION
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THIRD LEVEL FLOOR PLAN

JOB NO.
201601

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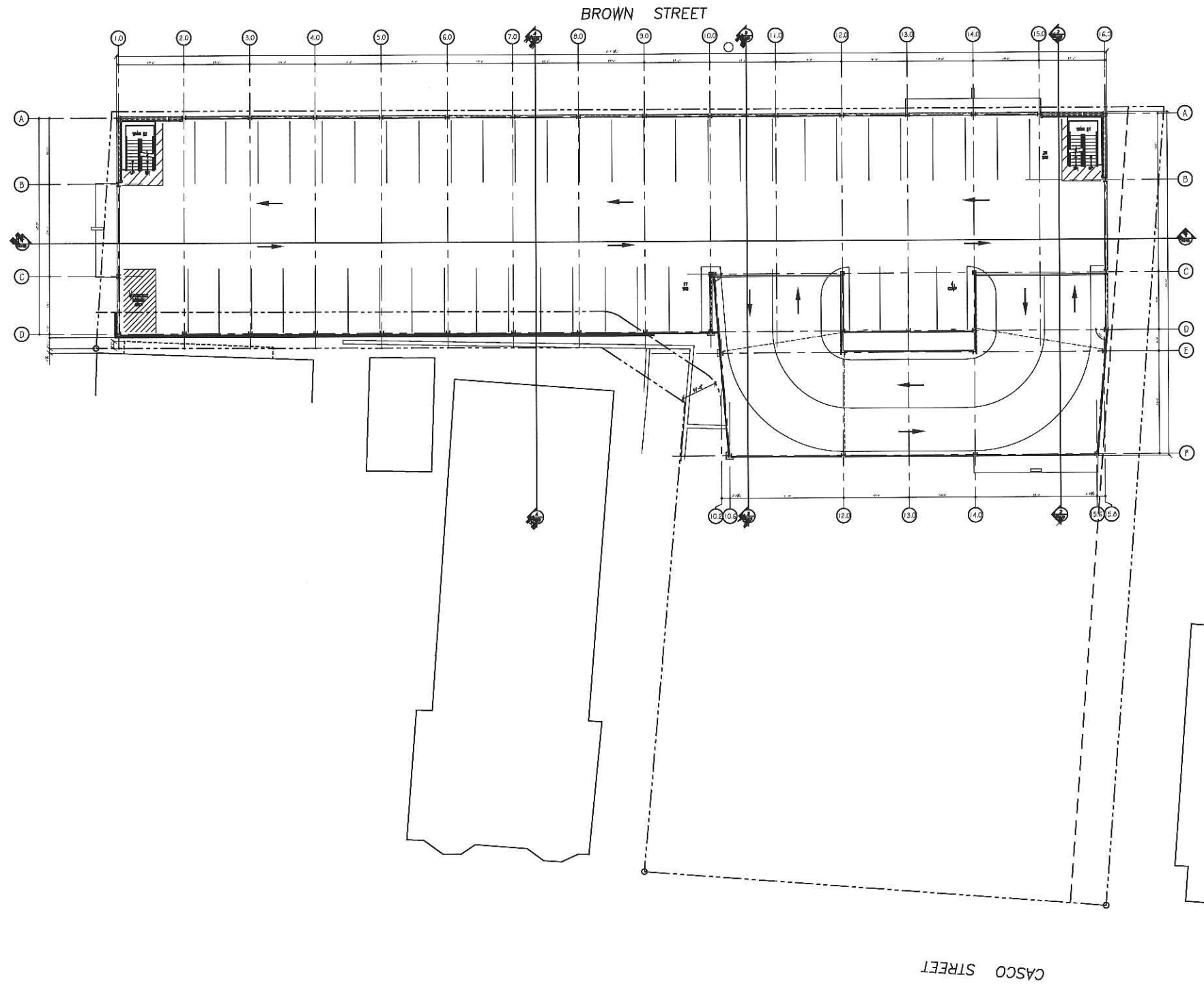
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04-03-17

REVISION DATE
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SHEET
A103

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PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3856
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:
PORTLAND GARAGE CONCEPT
Brown Street
Portland, Maine

SEAL
REVIEW COPY

DRAWING STATUS
☐ OFFICE REVIEW
☐ CLIENT REVIEW
☐ PERMIT REVIEW
☐ BID SET
☐ CONTRACT DRAWING
☐ CONSTRUCTION
No drawing shall be recognized as a construction document unless it bears a blue inked registration seal.

SHEET TITLE
FOURTH LEVEL FLOOR PLAN

JOB NO.
201601

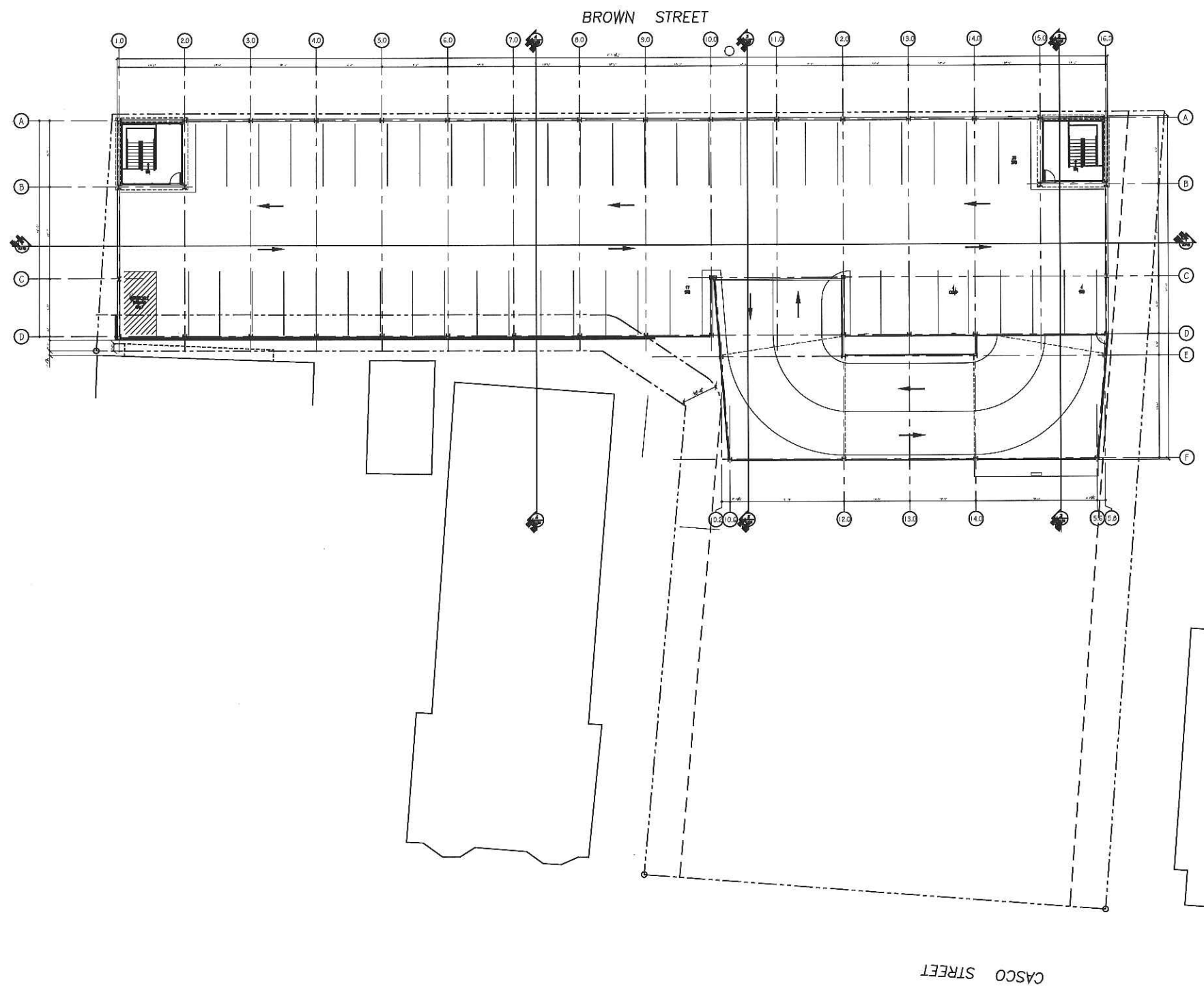
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TRN
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SCALE
AS NOTED

ORIGINAL DATE
04-03-17

REVISION DATE
~

SHEET
A104



CASCO STREET

BROWN STREET



Consulting
Engineers
and Scientists

June 20, 2017

Project 151.06037

Barbara Barhydt, Development Review Manager
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, Maine 04103

RE: Level III Site Plan Application
Five-Level Parking Garage
Ocean Gate Realty Garage
48 – 72 Brown Street
Portland, Maine

Dear Barbara:

On behalf of Ocean Gate, LLC, we are pleased to submit this Preliminary Level III Site Plan Application for the development of a five-level parking garage at 48-72 Brown Street in Portland's downtown area.

This project will replace an existing surface parking lot with 5 levels of structured parking. Increasing parking density on this site will facilitate the conversion of adjacent surface parking lots to residential, commercial, office and potentially other land uses. The construction of privately funded structured parking has been strongly encouraged in the City's various Master Plans.

Please consider that we will be submitting a Stormwater Credit application to the Water Resources Department for this project shortly. Our goal is to develop a design that meets both the Site Plan Standards and the Stormwater Credit requirements.

In order to demonstrate that this project meets the standards outlined in Section 14-526 of the Site Plan Ordinance, we have included the following documents in the following order:

A-Level-III-Site-Plan-Application
B-Right-Title-and-Interest
D-Zoning Assessment
G-Financial Capacity
J-Transportation Memo
L-Stormwater Management Plan
N-Ability to Serve Portland Water District
P-1-Code Review

400 Commercial Street, Suite 404, Portland, Maine 04101, Tel (207) 772-2891, Fax (207) 772-3248
Pease International Tradeport, 112 Corporate Drive, Portsmouth, New Hampshire 03801, Tel (603) 436-1490
12 Kent Way, Suite 100, Byfield, Massachusetts 01922, Tel (978) 465-1822
2127 Hamilton Avenue, Hamilton, New Jersey 08619, Tel (609) 584-0090
60 Valley Street, Building F, Suite 106, Providence, Rhode Island 02909, Tel (401) 433-2160

www.ransomenv.com

Barbara Barhydt, Development Review Manager
Portland Planning Department

P-2-Life Safety Plan

Q-Design Review

S-1-Cover Letter (this document)

S-2-Perspective Images

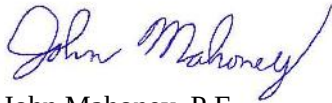
S-3-Boring Logs

S-4-Historic Preservation Narrative 5-30-17

If you have any questions regarding the attached application materials, please feel free to contact me at john.mahoney@ransomenv.com or (207) 772-2891 Ex 32.

Sincerely,

RANSOM CONSULTING, INC.

A handwritten signature in blue ink that reads "John Mahoney". The signature is fluid and cursive, with the first name "John" and last name "Mahoney" clearly distinguishable.

John Mahoney, P.E.
Project Engineer



Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the [Land Use Code \(Chapter 14\)](#), [Design Manual](#) and [Technical Manual](#).

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719
planning@portlandmaine.gov

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

I. Project Information (Please enter n/a on those fields that are not applicable)

Project Name:	Ocean Gate Parking Garage
Proposed Development Address:	48 - 72 Brown Street
Project Description:	Construct a 5 deck parking garage.
Chart/Block/Lot:	037 D004001
Preliminary Plan	
Final Plan	X

II. Contact Information (Please enter n/a on those fields that are not applicable)**APPLICANT**

Name:	Ed Gardner
Business Name:	Ocean Gate, LLC
Address:	Ocean Gate Plaza, 511 Congress Street
City/State:	Portland, ME
Zip Code:	04101
Work #:	(207) 773-1919
Home #:	
Cell #:	
Fax #:	
E-mail:	ed@oceangaterealty.com

OWNER

Name:	Ed Gardner
Address:	Ocean Gate Plaza, 511 Congress Street
City/State:	Portland Maine
Zip Code:	04101
Work #:	(207) 773-1919
Home #:	
Cell #:	
Fax #:	
E-mail:	ed@oceangaterealty.com

AGENT/REPRESENTATIVE

Name:	Ethan Boxer Macomber; Anew Development
Address:	30 Danfourth Street, Suite 213
City/State:	Portland, ME
Zip Code:	04101
Work #:	207-272-8550
Home #:	
Cell #:	
Fax #:	
E-mail:	ethan@anew-development.com

BILLING (to whom invoices will be forwarded to)

Name:	Ocean Gate, LLC; care of Ed Gardner
Address:	Ocean Gate Plaza, 511 Congress Street
City/State:	Portland, Maine
Zip Code:	04101
Work #:	(207) 773-1919
Home #:	
Cell #:	
Fax #:	
E-mail:	ed@oceangaterealty.com

ENGINEER

Name:	John Mahoney; Ransom Consulting, Inc.
Address:	400 Commercial Street, Suite 404
City/State:	Portland, Maine
Zip Code:	
Work #:	207-772-2891
Home #:	
Cell #:	
Fax #:	
E-mail:	john.mahoney@ransomenv.com

SURVEYOR

Name:	Randy Loubier; Owen Haskell, Inc.
Address:	390 US Route 1
City/State:	Falmouth, Maine
Zip Code:	04105
Work #:	207-408-0168
Home #:	
Cell #:	
Fax #:	
E-mail:	rloubier@owenhaskell.com

ARCHITECT

Name:	Travis Nadeau; Platz Associates
Address:	2 Great Falls Plaza Auburn Maine
City/State:	Auburn, Maine
Zip Code:	04210
Work #:	207-784-2941
Home #:	
Cell #:	
Fax #:	
E-mail:	TNadeau@platzassociates.com

ATTORNEY

Name:	Nicholas J. Morrill, Esq.; Jensen Baird Gardner & Henry
Address:	Ten Free Street, 4th Floor; P.O. Box 4510
City/State:	Portland Maine
Zip Code:	04112-4510
Work #:	(207) 775-7271, Ext. 5919
Home #:	
Cell #:	
Fax #:	
E-mail:	nmorrill@JBGH.com

DESIGNATED PERSON(S) FOR UPLOADING INTO e-PLAN

Name:	Tom Nosal
E-mail:	thomas.nosal@ransomenv.com
Name:	John Mahoney
E-mail:	john.mahoney@ransomenv.com
Name:	
E-mail:	

III. APPLICATION FEES

LEVEL III DEVELOPMENT (check applicable review)

☐	Less than 50,000 sq. ft.	\$750.00
☐	50,000 – 100,000 sq. ft.	\$1,000.00
☐	100,000 – 200,000 sq. ft.	\$2,000.00
☐	200,000 – 300,000 sq. ft.	\$3,000.00
☐	Over 300,000 sq. ft.	\$5,000.00
☒	Parking lots over 100 spaces	\$1,000.00
☐	After-the-fact Review	\$1,000.00 + applicable application fee above

PLAN AMENDMENTS (check applicable review)

☐	Planning Staff Review	\$250.00
☐	Planning Board Review	\$500.00

OTHER REVIEWS (check applicable review)

☐	Traffic Movement	\$1,500.00
☒	Stormwater Quality	\$250.00
☐	Subdivision	\$500.00
	# of Subdivision Lots x \$25.00 (per lot)	\$
☐	Site Location	\$3,500.00
	# of Site Location Lots x \$200.00 (per lot)	\$
☐	Change of Use	
☐	Flood Plain	
☐	Shoreland	
☐	Design Review	
☐	Housing Replacement	
☐	Historic Preservation	
TOTAL APPLICATION FEE DUE:		\$ 1,250

IV. FEES ASSESSED AND INVOICED SEPARATELY

- Notices to abutters (receipt of application, workshop and public hearing meetings) (\$.75 each)
- Legal Ad in the Newspaper (% of total ad)
- Planning Review (\$50.00 hour)
- Legal Review (\$75.00 hour)
- Third Party Review (all outside reviews or analysis, eg. Traffic/Peer Engineer, are the responsibility of the applicant and will be assessed and billed separately)

V. PROJECT DATA (Please enter n/a on those fields that are not applicable)

TOTAL AREA OF SITE	39,039	sq. ft.
PROPOSED DISTURBED AREA OF THE SITE	25,100	sq. ft.
<i>If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.</i>		
IMPERVIOUS SURFACE AREA		
Impervious Area (Total Existing)	37,500	sq. ft.
Impervious Area (Total Proposed)	37,300	sq. ft.
Building Ground Floor Area and Total Floor		
Building Footprint (Total Existing)	0	sq. ft.
Building Footprint (Total Proposed)	20,485	sq. ft.
Building Floor Area (Total Existing)	0	sq. ft.
Building Floor Area (Total Proposed)	98,125	sq. ft.
ZONING		
Existing	B3	
Proposed, if applicable	NA	
LAND USE		
Existing	Surface Parking	
Proposed	Parking Garage	
RESIDENTIAL, IF APPLICABLE		
# of Residential Units (Total Existing)	NA	
# of Residential Units (Total Proposed)	NA	
# of Lots (Total Proposed)	NA	
# of Affordable Housing Units (Total Proposed)	NA	
PROPOSED BEDROOM MIX		
# of Efficiency Units (Total Proposed)	NA	
# of One-Bedroom Units (Total Proposed)	NA	
# of Two-Bedroom Units (Total Proposed)	NA	
# of Three-Bedroom Units (Total Proposed)	NA	
PARKING SPACES		
# of Parking Spaces (Total Existing)	92	
# of Parking Spaces (Total Proposed)	281	
# of Handicapped Spaces (Total Proposed)	7	
BICYCLE PARKING SPACES		
# of Bicycle Spaces (Total Existing)	0	
# of Bicycle Spaces (Total Proposed)	15	
ESTIMATED COST OF THE PROJECT		
	\$6,500,000	

VI. APPLICANT SIGNATURE

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant:	 / Manager Ocean Gate LLC
Date:	June 16, 2017

PRELIMINARY PLAN (Optional) - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
		1	Completed Application form
		1	Application fees
		1	Written description of project
		1	Evidence of right, title and interest
		1	Evidence of state and/or federal approvals, if applicable
		1	Written assessment of proposed project's compliance with applicable zoning requirements
		1	Summary of existing and/or proposed easement, covenants, public or private rights-of-way, or other burdens on the site
		1	Written requests for waivers from site plan or technical standards, if applicable.
		1	Evidence of financial and technical capacity
		1	Traffic Analysis (may be preliminary, in nature, during the preliminary plan phase)
Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST
		1	Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
		1	Preliminary Site Plan including the following: (information provided may be preliminary in nature during preliminary plan phase)
			Proposed grading and contours;
			Existing structures with distances from property line;
			Proposed site layout and dimensions for all proposed structures (including piers, docks or wharves in Shoreland Zone), paved areas, and pedestrian and vehicle access ways;
			Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual (note that Portland has a separate applicability section);
			Preliminary infrastructure improvements;
			Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
			Location of significant natural features (including wetlands, ponds, watercourses, floodplains, significant wildlife habitats and fisheries or other important natural features) located on the site as defined in Section 14-526 (b) (1);
			Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526 (b) (1);
			Location , dimensions and ownership of easements, public or private rights of way, both existing and proposed;
			Exterior building elevations.

FINAL PLAN - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
✓		1	* Completed Application form
✓		1	* Application fees
✓		1	* Written description of project
✓		1	* Evidence of right, title and interest
NA		1	* Evidence of state and/or federal permits
✓		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
✓		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
✓		1	* Evidence of financial and technical capacity
✓		1	Construction Management Plan
✓		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
NA		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
✓		1	Stormwater management plan and stormwater calculations
✓		1	Written summary of project's consistency with related city master plans
✓		1	Evidence of utility capacity to serve
NA		1	Written summary of solid waste generation and proposed management of solid waste
✓		1	A code summary referencing NFPA 1 and all Fire Department technical standards
✓		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
NA		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
✓		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
✓		1	Final Site Plans including the following:
✓			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
✓			Existing and proposed structures on parcels abutting site;
✓			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
✓			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
✓			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
NA			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
NA			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
✓			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
✓			Location of all snow storage areas and/or a snow removal plan;
✓			A traffic control plan as detailed in Section 1 of the Technical Manual;
NA			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
NA			Location and proposed alteration to any watercourse;
NA			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
NA			Proposed buffers and preservation measures for wetlands;
✓			Existing soil conditions and location of test pits and test borings;
✓			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
✓			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
✓			Grading plan;
NA			Ground water protection measures;
✓			Existing and proposed sewer mains and connections; <i>No sewer proposed</i>

- Continued on next page -

✓		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
✓		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
✓		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
NA		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
✓		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
NA		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
NA		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance; <i>Advisory Review Only</i>
NA		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
✓		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
✓		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
✓		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.



**PORTLAND FIRE DEPARTMENT
SITE REVIEW
FIRE DEPARTMENT CHECKLIST**



A separate drawing[s] shall be provided as part of the site plan application for the Portland Fire Department's review.

1. Name, address, telephone number of applicant
- 2.
3. Name address, telephone number of architect
4. Proposed uses of any structures [NFPA and IBC classification]
- 5.
6. Square footage of all structures [total and per story]
7. Elevation of all structures
8. Proposed fire protection of all structures
 - **As of September 16, 2010 all new construction of one and two family homes are required to be sprinkled in compliance with NFPA 13D. This is required by City Code. (NFPA 101 2009 ed.)**
9. Hydrant locations
10. Water main[s] size and location
11. Access to all structures [min. 2 sides]
12. A code summary shall be included referencing NFPA 1 and all fire department. Technical standards.

Some structures may require Fire flows using annex H of NFPA 1

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



Bradley Roland, P.E.
Water Resources Division

Date: _____

1. Please, Submit Utility, Site, and Locus Plans.

Site Address: _____ Chart Block Lot Number: _____

Proposed Use: _____

Previous Use: _____

Existing Sanitary Flows: _____ GPD

Existing Process Flows: _____ GPD

Description and location of City sewer that is to
receive the proposed building sewer lateral.

Site Category	
Commercial (see part 4 below)	☐
Industrial (complete part 5 below)	☐
Governmental	☐
Residential	☐
Other (specify)	☐

Clearly, indicate the proposed connections, on the submitted plans.

2. Please, Submit Contact Information.

City Planner's Name: _____ Phone: _____

Owner/Developer Name: _____

Owner/Developer Address: _____

Phone: _____ Fax: _____ E-mail: _____

Engineering Consultant Name: _____

Engineering Consultant Address: _____

Phone: _____ Fax: _____ E-mail: _____

Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: _____ GPD

Peaking Factor/ Peak Times: _____

Specify the source of design guidelines: (i.e. __ "Handbook of Subsurface Wastewater Disposal in
Maine," __ "Plumbers and Pipe Fitters Calculation Manual," __ Portland Water District Records,
Other (specify) _____

Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: _____

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

Note: In determining your restaurant process water flows, and the size of your external grease interceptor, please use The Uniform Plumbing Code. Note: In determining the retention time, sixty (60) minutes is the minimum retention time. Note: Please submit detailed calculations showing the derivation of your restaurant process water design flows, and please submit detailed calculations showing the derivation of the size of your external grease interceptor, either in the space provided below, or attached, as a separate sheet.

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: _____ GPD

Do you currently hold Federal or State discharge permits? _____

Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? _____

Yes _____ No _____

OSHA Standard Industrial Code (SIC): _____

(<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

Note: On the submitted plans, please show where the building's domestic sanitary sewer laterals, as well as the building's industrial-commercial process wastewater sewer laterals exits the facility. Also, show where these building sewer laterals enter the city's sewer. Finally, show the location of the wet wells, control manholes, or other access points; and, the locations of filters, strainers, or grease traps.

Note: Please submit detailed calculations showing the derivation of your design flows, either in the space provided, or attached, as a separate sheet.



A Guide to Holding Neighborhood Meetings Portland, Maine

Planning and Urban Development Department
Planning Division and Planning Board

In order to improve communication between applicants and neighbors, the City of Portland requires applicants who are proposing certain types of development review projects, to hold a neighborhood meeting.

Developments requiring a neighborhood meeting

- Proposed map amendments, contract zones and zoning text amendments that would result in major development;
- Subdivisions of five or more units or lots;
- Master Development Plans; and
- Level III site plan proposals as defined in Section 14-523.

(The Land Use Code, including Article II (Planning Board) and Article V (Site Plan – which contains the neighborhood meeting requirements), are available on the City's web site at www.portlandmaine.gov/citycode/chapter014.pdf)

Timing of meeting

- **Subdivisions of 5 or more units or lots, zone changes, contract zones, zoning text amendments and Level III site plans:**
 - Preliminary Site Plan - The meeting should be held within 30 calendar days of filing the application.
 - Final Site Plan – If only a final plan is submitted, the meeting should be held within 21 calendar days of filing the application and no less than 7 calendar days before the public hearing.
- **Master Plan Development:**
 - The meeting should be held within 30 calendar days of filing the application.
 - The meeting should be held on a date no less than 7 calendar days before a public workshop or public hearing.
 - The meeting shall not be combined with any required neighborhood meeting for the Level III applications.

Location of meeting

- The meeting should be held in the evening, during the week, at a convenient location within the Portland neighborhood surrounding the proposed site. Community meeting spaces at libraries, schools or other places of assembly are recommended. Neighborhood schools are usually available for evening meetings.
- Meetings should not be held on the same day as scheduled Planning Board or City Council meetings. The City Council generally meets on the 1st and 3rd Monday of each month and the Planning Board generally meets on the 2nd and 4th Tuesday of each month; however additional meetings may be scheduled. An updated schedule may be found on the City's website: www.portlandmaine.gov

Invitation List

- Property owners within 500 feet of the proposed development (1000 feet for proposed industrial subdivisions and industrial zone changes)
- Interested citizens and neighborhood groups.

The Planning Division provides the mailing labels. We require at least 48 hours notice to generate the mailing labels and a charge of \$1.00 per sheet will be payable upon receipt of the labels. An electronic version (excel or word format) of the labels can also be e-mailed upon request.

A digital copy of the notice must be provided to the Planning Office (jmy@portlandmaine.gov and ldobson@portlandmaine.gov) and the assigned planner, which will then be forwarded to those on the interested citizen list who receive e-mail notices.

When to Send Invitations

- Invitations must be sent **no less than 10 days (to include weekends)** prior to the neighborhood meeting.
- Notices may be sent by regular mail and do not need to be sent by certified mail.

Notice Description

A recommended invitation format is included in this packet of material.

Attendance Sheet and Meeting Minutes

- Sign-in sheet must be circulated for those in attendance.
- Applicant shall take accurate minutes of the meeting.
- The sign-in sheet and minutes shall be submitted to the Planning Division.

A public hearing will not be scheduled until the meeting minutes and sign-up sheet are submitted to the Planning Division.

A Certification form is included with this packet to be completed and signed by the applicant.

Please call the Planning Division at 874-8721 or 874-8719 if you have any questions.

Attachments

1. Neighborhood Meeting Invitation Format
2. Neighborhood Meeting Certification

EXAMPLE: Neighborhood Meeting Invitation Format

**Applicant/Consultant
Letterhead**

(Date)

Dear Neighbor:

Please join us for a neighborhood meeting to discuss our plans for a (development proposal) located at (location/number and street address).

Meeting Location: _____

Meeting Date: _____

Meeting Time: _____

(The City code requires that property owners within 500 feet (1000 feet for proposed industrial subdivisions and industrial zone changes) of the proposed development and residents on an “interested parties list”, be invited to participate in a neighborhood meeting. A sign-in sheet will be circulated and minutes of the meeting will be taken. Both the sign-in sheet and minutes will be submitted to the Planning Board.)

If you have any questions, please call (telephone number of applicant or consultant).

Sincerely,

(Applicant)

Note:

Under Section 14-32(C) and 14-524(a)d of the City Code of Ordinances, an applicant for a Level III development, subdivision of over five lots/units, or zone change is required to hold a neighborhood meeting within 30 days of submitting a preliminary application or 21 days of submitting a final site plan application, if a preliminary plans was not submitted. The neighborhood meeting must be held at least seven days prior to the Planning Board public hearing on the proposal. Should you wish to offer additional comments on this proposed development, you may contact the Planning Division at 874-8721 or send written correspondence to the Planning and Urban Development Department, Planning Division 4th Floor, 389 Congress Street Portland, ME 04101 or by email: to bab@portlandmaine.gov

EXAMPLE: Neighborhood Meeting Certification

I, (applicant/consultant) hereby certify that a neighborhood meeting was held on (date) at (location) at (time).

I also certify that on (date at least ten (10) days prior to the neighborhood meeting), invitations were mailed to the following:

1. All addresses on the mailing list provided by the Planning Division which includes property owners within 500 feet of the proposed development or within 1000 feet of a proposed industrial subdivision or industrial zone change.
2. Residents on the "interested parties" list.
3. A digital copy of the notice was also provided to the Planning Division (jmy@portlandmaine.gov and ldobson@portlandmaine.gov) and the assigned planner to be forwarded to those on the interested citizen list who receive e-mail notices.

Signed,

_____ (date)

Attached to this certification are:

1. Copy of the invitation sent
2. Sign-in sheet
3. Meeting minutes

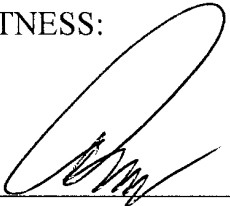
QUITCLAIM DEED WITH COVENANT
Maine Statutory Short Form

MAINE REAL ESTATE TAX PAID

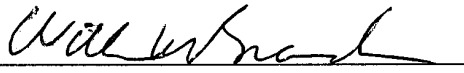
KNOW ALL PERSONS BY THESE PRESENTS THAT **511 PLAZA LIMITED PARTNERSHIP**, a Maine limited partnership having an address at 21 Technology Drive, Suite 6, West Lebanon, New Hampshire 03784, for consideration paid, grants to **OCEAN GATE, LLC**, a Maine limited liability company with a place of business at 151 Newbury Street, Portland, Maine 04101 with **QUITCLAIM COVENANTS**, the land, together with any improvements thereon, situated in the City of Portland, County of Cumberland, and State of Maine more particularly described in **Exhibit A-1 and Exhibit A-2** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said 511 PLAZA LIMITED PARTNERSHIP has caused this instrument to be signed and sealed this 18th day of April, 2014.

WITNESS:



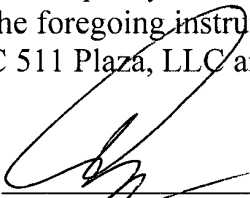
511 Plaza Limited Partnership
By. BBBC 511 Plaza, LLC
Its General Partner

By: 
Name: William Braucher
Its: Manager

STATE OF MAINE
COUNTY OF CUMBERLAND

April 18, 2014

Then personally appeared the above named William Braucher, in his said capacity as Manager of BBBC 511 Plaza, LLC, in its capacity as General Partner of 511 Plaza Limited Partnership and acknowledged the foregoing instrument to be his free act and deed, the free act and deed of said BBBC 511 Plaza, LLC and free act and deed of 511 Plaza Limited Partnership, before me.


 Attorney at Law/Notary Public

 Printed Name

EXHIBIT A-1

511 Congress Street, Portland, Maine

A certain lot or parcel of land, with any buildings or improvements thereon, situated at the westerly corner of Congress and Brown Streets in the City of Portland, County of Cumberland and State of Maine, being bounded and described as follows:

BEGINNING at a point where the southwesterly side of Brown Street intersects the northwesterly side of Congress Street, which point is also the most easterly corner of land conveyed by W. H. Clifford Company to Maine Savings Bank by deed dated July 21, 1972, and recorded in the Cumberland County Registry of Deeds in Book 3271, Page 139; thence by said Congress Street South $59^{\circ} 24' 30''$ West, one hundred eighty-five and ninety-three hundredths (185.93) feet to the most easterly corner of land owned by the Maine Charitable Mechanics Association; thence by said land of Maine Charitable Mechanics Association by the follow courses and distances: North $23^{\circ} 58'$ West, forty-two and fifty hundredths (42.50) feet to a point; thence North $66^{\circ} 02'$ East, four and thirty-three hundredths (4.33) feet to a point; thence North $23^{\circ} 58'$ West, fifty-six and eighty-six hundredths (56.86) feet to the most northerly corner of said land of Maine Charitable Mechanics Association; thence South $65^{\circ} 52'$ West, sixty and forty hundredths (60.40) feet to the easterly side of Casco Street; thence North $23^{\circ} 51'$ West by the easterly side of Casco Street, twenty-six and ninety-six hundredths (26.96) feet to the southerly corner of the existing, or formerly existing, Maine Savings Bank Building; thence around the perimeter of the existing, or formerly existing, Maine Savings Bank Building by the following courses and distances:

North $66^{\circ} 09'$ East, seventy-five and seventy-five hundredths (75.75) feet to a corner in said Building; thence North $23^{\circ} 51'$ West, seventy-nine and ninety-five hundredths (79.95) feet to another corner in said Building; thence North $66^{\circ} 09'$ East, four and fifty hundredths (4.50) feet to another corner in said Building; thence North $23^{\circ} 51'$ West, fourteen and twenty-two hundredths (14.22) feet to another corner in said Building; thence South $66^{\circ} 09'$ West, four and fifty hundredths (4.50) feet to another corner in said Building; thence North $23^{\circ} 51'$ West, twenty-two and eighty-seven hundredths (22.87) feet to another corner in said Building; thence South $66^{\circ} 09'$ West, seventy-five and seventy-five hundredths (75.75) feet by the northwesterly line of said Building, and said line extended, to the easterly side of Casco Street; thence by the easterly side of Casco Street North $23^{\circ} 51'$ West, twelve and nine hundredths (12.09) feet to a point and other land of the successors or assigns of Maine Savings Bank; thence by said other land formerly of Maine Savings Bank North $66^{\circ} 09'$ East two hundred twenty-two and fifty-nine hundredths (222.59) feet to the westerly side of Brown Street; thence by the westerly side of Brown Street South $28^{\circ} 20' 29''$ East, two hundred thirty-four and five hundredths (234.05) feet to the intersection of the westerly side of Brown Street with the northerly side of Congress Street

and the point of beginning.

Together with the benefit of and subject to the easements as described in the Quitclaim Deed With Covenant from 511 Plaza Limited Partnership to 15 Casco Street, LLC, dated October 19, 2006 and recorded in said Registry of Deeds in Book 24517, Page 152.

Together with easements and rights granted to Maine Charitable Mechanics' Association as set forth or referred to in an indenture dated February 26, 1910, by and between Maine Charitable Mechanics' Association and John S. Russell, et al. recorded in said Registry of Deeds in Book 852, Page 191, as modified and amended by Agreement dated July 31, 1973 between Maine Charitable Mechanics' Association and Maine Savings Bank dated July 31, 1973, and recorded at said Registry of Deeds in Book 3439, Page 245, and as may be affected by Easement Deed granted to Northern Utilities, Inc. dated July 13, 1995, and recorded at said Registry of Deeds in Book 12012, Page 115, subject to rights of others to also use such easement.

Being a portion of the premises conveyed to 511 Plaza Limited Partnership by Quitclaim Deed With Covenant from Spring Street Limited Partnership dated June 2, 2005 and recorded in said Registry of Deeds in Book 22717, Page 79.

EXHIBIT A-2

Surface Parking Lots, Portland, Maine

The following described parcels of land shown on Plans entitled "ALTA/ACSM Land Title Survey on Casco Street, Shepley Street and Oak Street, Portland, Maine" made for C.B. Richard Ellis by Owen Haskell, Inc. dated October 21, 2002, last revised November 12, 2002, Sheets 1 of 2 and 2 of 2, recorded in the Cumberland County Registry of Deeds in Plan Book 203, Pages 11 and 12; and "ALTA/ACSM Land Title Survey Portland, Maine, Maine Savings Plaza" made for C.B. Richard Ellis by Owen Haskell, Inc., last revised October 23, 2002, original plan dated June 27, 1973 and made by H.I. & E.C. Jordan Surveyors."

Parcel "B & C" - the Oak-Shepley Lot and the Shepley-Casco Lot

A certain lot or parcel of land located on the southeasterly side of Shepley Street, the northeasterly side of Oak Street and the southwesterly side of Casco Street, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

BEGINNING at a point at the intersection of the southeasterly side of Shepley Street with the northeasterly side of Oak Street;

Thence N 58° 34' 13" E, along the southeasterly side of said Shepley Street, 290.00 feet to the intersection of the southeasterly side of said Shepley Street with the southwesterly side of Casco Street;

Thence S 23° 51' 00" E, along with southwesterly side of Casco Street, 54.39 feet to the northerly corner of land now or formerly owned by John J. Quirk and Sally L. Quirk as described in Book 11794, Page 306;

Thence S 66° 06' 44" W, along land of said Quirk, 68.20 feet to a point;

Thence S 30° 25' 49" E, along land of said Quirk, 35.19 feet to a point;

Thence S 58° 31' 12" W, along land of said Quirk, also along the northwesterly line of land now or formerly of Survey Properties, Inc. as described in Book 11113, Page 126, 122.49 feet to a 5/8 inch rebar set on the northeasterly line of land now or formerly of Henry D. Audesse et al. as described in Book 7686, Page 334;

Thence N 30° 39' 41" W, along land of said Audesse, 14.64 feet to a 5/8 inch rebar set;

Thence S 57° 06' 52" W, along land of said Audesse, 93.52 feet to a 5/8 inch rebar set on the northeasterly side of said Oak Street;

Thence N 30° 25' 49" W, along the northeasterly side of said Oak Street, 68.00 feet to the point

of beginning.

Grantor specifically excludes from the limited warranty covenants (quitclaim with covenants) contained in this deed with respect to so much of the above-described Oak-Shepley Lot and Shepley-Casco Lot as is shown on said ALTA/ACSM Land Title Survey dated October 21, 2002 and last revised November 12, 2002, Sheet 1 of 2 as "Gore" and "Building Encroachment".

Parcel D – the 354-358 Cumberland Avenue Lot and the 48-72 Brown Street Lower Level and Upper Level Lots

A certain lot or parcel of land located on the southeasterly side of Cumberland Avenue, southwesterly side of Brown Street, and the northeasterly side of Casco Street, in the City of Portland, County of Cumberland, State of Maine, bounded and described as follows:

BEGINNING at the intersection of the southeasterly side of Cumberland Avenue with the southwesterly side of Brown Street;

Thence S 28° 19' 02" E, along the southwesterly side of Brown Street, 294.48 feet to a 5/8 inch rebar set on the northwesterly line of land now or formerly of the October Corporation as described in Book 12007, Page 156 (being the 511 Congress Street Parcel hereinabove described);

Thence S 66° 09' 00" W, along said 511 Congress Street Parcel, 222.59 feet to the northwesterly side of Casco Street;

Thence N 23° 51' 00" W, along the northeasterly side of Casco Street, 129.28 feet to the southerly corner of land now or formerly of John J. Quirk and Sally L. Quirk as described in Book 4798, Page 12;

Thence N 66° 56' 23" E, along land of said Quirk, 130.93 feet to a point;

Thence N 5° 14' 53" E, along land of said Quirk, 28.02 feet to a point;

Thence N 28° 12' 53" W, along land of said Quirk, also along land now or formerly of Cumby Corporation as described in Book 10797, Page 147, 141.49 feet to the southeasterly side of said Cumberland Avenue;

Thence N 65° 40' 30" E, along the southeasterly side of said Cumberland Avenue, 66.00 feet to the point of beginning.

Being a portion of the premises conveyed to 511 Plaza Limited Partnership by Quitclaim Deed With Covenant from Spring Street Limited Partnership dated June 2, 2005 and recorded in said Registry of Deeds in Book 22717, Page 79.

S:\B\BRAW36\Gardner P&S\Closing Documents\Deed.doc

Brown Street Garage Zoning Review

48 Brown Street, Portland, Maine 04101
August 4th, 2017

Compliance with Zoning

Purpose:

One of the specified purposes of the B-3 zone is to “provide adequate parking and transportation facilities which promote accessibility, enhance and encourage development opportunity, and enhance and protect the pedestrian environment”. The proposed 48 Brown Street project would utilize the site of an existing surface parking lot, and provide an additional four levels of parking in a fitting structure that would serve adapted (ADA), compact, and full-sized vehicles with a total of 257 available parking spots. Through sidewalk-level landscaping, lighting, and other design features, the project will enhance the pedestrian environment.

Permitted Uses:

A multi-story parking facility is permitted in the B3 downtown business zone, as prescribed in the Downtown Urban Design Guide, with the first story having vehicle access in from Cumberland Avenue, out to Brown Street, and the top four levels having vehicle entry, and exit access at Casco Street. The project proposes full pedestrian access to all ground levels, with accessibility (ADA) parking at both the Brown Street, and Casco Street levels adjacent to sidewalk interfaces.

Dimensional Requirements:

The proposed 48 Brown Street project conforms to standards as outlined below:

	Requirement	Proposed
Min. lot size	None	39,039 square feet
Min. street frontage	15 ft.	280 ft. Brown St. / 63 ft. Cumberland Ave.
Min. front setback	None	1 ft.
Max. front setback	5 ft. on frontage	1 ft.
Min. back setback	None	10 in.
Min. side setback	None	1 ft.
Max. lot coverage	100%	54% (20,805 sq. ft.)
Min. lot width	None	65.9 ft.
Min. structure height	50 ft.	57 ft.
Max. structure height	210 ft. after 100' from center of Cumberland Ave. 65 ft. within 100 ft. from center of Cumberland Ave. (90' if stepped back)	57 ft. total structure height



June 16, 2017

City of Portland, ME
Planning Board
Attn: Barb Barhydt
389 Congress Street
Portland, ME 04101

Re: 48 Brown Street, Portland, ME
Ocean Gate, LLC

To Whom It May Concern;

This letter is to verify that Edmund Gardner and his entity Ocean Gate, LLC has applied for commercial financing to develop the surface lot located at 48 Brown Street, Portland, ME into a 5-level steel frame parking garage.

While this letter is in no way to be construed as a commitment to lend funds, we firmly believe that Edmund Gardner and Ocean Gate, LLC has the financial capacity and expertise to successfully develop this property as proposed.

Mr. Gardner and his various entities have been clients of Norway Savings Bank since 2009 and all accounts have been handled as agreed.

I trust this letter complies with Section 3, subsection B3c of the Site Location law, but if you should need further information or clarification, please don't hesitate to contact me at rflagg@norwaysavingsbank.com or (207) 482-7902.

Sincerely,



Richard R. Flagg
Vice President, Commercial Lending

Ocean Gate Garage – Transportation Memorandum

Date: June 13, 2017
From: Thomas Nosal, E.I.
Peer Review: John, Mahoney, P.E.
Stephen J. Bradstreet, P.E.
Location: 48-72 Brown Street, Portland, Maine

Existing Conditions

The site is a 0.90 acre parcel located at 48-72 Brown Street and comprised of two parking lots: an Upper Lot (accessed from Casco Street) and a Lower Lot (accessed from Brown Street and Cumberland Avenue).

The Lower Lot has space for approximately 65 vehicles to park. There are driveway openings to both Brown Street and Cumberland Avenue that accommodate both entering and exiting traffic. Brown Street allows only northbound traffic, and so the Brown Street driveway accommodates left turns in and left turns out. Cumberland Avenue allows eastbound and westbound traffic, and there are currently no restrictions on particular turning movements in or out of the parking lot.

The Upper Lot has space for 27 vehicles to park, as well as a drive-through bank ATM kiosk. There are two driveway openings onto Casco Street, one of which accommodates entering and exiting traffic, and one of which accommodates exiting traffic only (for the drive-through ATM). Because Casco Street is a two-way street, both left and right turns in and out of the lot are accommodated.

Proposed Development

The proposed development consists of a five-level parking garage with a total of 205 standard spaces (9' wide), 48 compact spaces (8' wide), and 4 handicap accessible spaces. The redevelopment will be confined almost entirely to the Lower Lot only.

The lower level is not connected to the upper levels, and will provide 21 standard parking spaces, 32 compact spaces, and 2 accessible spaces. It will have driveway openings on Brown Street and Cumberland Avenue; however, unlike the existing lot, the Cumberland Avenue driveway opening will allow for entering traffic only. The proposed building will restrict sightlines to/from traffic exiting from Brown Street, and because the driveway opening on Cumberland Avenue is

only approximately 25' from the intersection of Brown Street and Cumberland Avenue, it was decided in preliminary discussions with Tom Errico that precluding exiting traffic on Cumberland would be safest. As such, the width of the driveway opening will be reduced from 27' to 16'. Both the Cumberland Avenue and Brown Street entrances will provide ADA-accessible routes to/from the garage.

The upper levels of the garage will be accessible from the existing Upper Lot, which has a two-way driveway opening onto Casco Street. The upper levels will have 184 standard parking spaces, 16 compact spaces, and 2 accessible spaces. The entrance/exit to the garage itself will include a 5' sidewalk that will allow for an accessible pathway to the garage from the lot and from the adjacent buildings.

Estimated Trip Generation

The first level of the proposed garage, which has entrances from Brown Street and Cumberland Avenue and an exit onto Brown Street, is not expected to generate an increase in trips to/from the project site because it will provide seven fewer parking spaces than the existing lot. It is also expected that the distribution of trips over the course of the day and throughout the adjacent street network will be much the same as the existing conditions.

Because the proposed garage will introduce parking supply, but not additional development that would generate trips (such as office space or residences), it is not expected that the garage will generate a significant number of new motor vehicle trips. However, because the upper levels of the garage represent an increase in parking supply, the garage will likely result in a redistribution of trips.

In order to estimate the additional trips to/from the project site (Casco Street access, in particular), it is assumed that the garage will largely serve the adjacent office space. Based on the 9th edition of the *ITE Trip Generation Manual*, traffic associated with office space tends to exhibit peaks that coincide with those of the adjacent street network. If it is also assumed that the upper levels of the garage are empty at 5 AM and full by 10 AM (202 parking spaces), then based on a typical hourly traffic distribution for home-based work trips¹, the proposed garage would result in an additional 76 trips during the peak hour (7 AM – 8 AM). Home-based work trips tend to exhibit a higher peak in the AM.

Given the diffuse nature of urban trips and the wide variety of land uses in close proximity to the site, it is expected that the surrounding street grid will be able to efficiently absorb this traffic with minimal impact.

Traffic Crashes

Based on data from 2013-2015, the most recent three-year analysis period, the nearest high crash location is Oak Street between Congress Street and Shepley Street (9 crashes; CRF: 4.87). All 9 crashes were identified as rear-end or sideswipe crashes, and all resulted in property damage

¹ NCHRP Report 365: Travel Estimation Techniques for Urban Planning
<https://ntl.bts.gov/lib/21000/21500/21563/PB99126724.pdf>

only. While this location does not interface directly with the project site, it is possible that the traffic to/from the Brown Street Garage may result in a small increase in traffic on Oak Street, as motorists coming from Congress Street may use it to access Shepley Street and then the Upper Lot. However, given the relatively low severity of the crashes and the modesty of the additional traffic resulting from this project, it is not expected that this project will exacerbate the situation on Oak Street.

Bicycle Parking

Because the parking garage is providing motor vehicle parking that is not required in conjunction with a residential or non-residential use, providing bicycle parking is not strictly required, as per the Site Plan ordinance. Regardless, the applicant is proposing to include a bicycle rack inside the garage on the first level to provide sheltered bicycle parking for 9 bicycles, as well as three bicycle racks (which will accommodate a total of 6 bicycles) on the sidewalks of Brown Street and Cumberland Avenue, in accordance with City standard details. Furthermore, the adjacent office building owned by the applicant, located on the corner of Brown and Cumberland and accessible from the Upper Lot, has indoor bicycle parking for a large number of bicycles.

Ocean Gate Garage Stormwater Management Narrative

Date: June 13, 2017
From: Thomas Nosal, E.I.
Peer Review: John Mahoney, P.E.
Stephen J. Bradstreet, P.E.
Location: 48-72 Brown Street, Portland, Maine

Existing Conditions:

The site is a 39,039 SF (0.90 acres) parcel located at 48-72 Brown Street, comprised of an Upper Lot (accessed from Casco Street) and Lower Lot (accessed from Brown Street and Cumberland Avenue) which are separated by a retaining wall.

The lower lot, bordered by Cumberland Avenue and Brown Street, represents approximately 60% of the total parcel and consists almost entirely of surface parking. It slopes at approximately 5% from south to north, draining primarily to a catch basin at the northeast corner of the lot which is connected to the combined sewer on Brown Street.

The upper lot, bordered by Casco Street, represents approximately 40% of the total parcel and is also devoted almost entirely to surface parking, with the exception of an approximately 1,000 SF drive-through bank kiosk. The upper lot is sloped more gently at approximately 1%, and drains towards catch basins which are connected to the combined sewer on Casco Street.

Based on the Cumberland County USDA soil survey GIS data, the existing soils on this site belong to hydrological soil group A, excessively drained.

Proposed Development:

The owner is proposing to construct a five-level parking garage with parking for 257 vehicles. The new structure will occupy almost the entire lower lot, and will be accessible from Cumberland Avenue, Brown Street, and from the existing upper lot. Because nearly the entire existing site is impervious, the project will not produce a significant change in impervious area.

Runoff will be collected on the rooftop level via several catch basins, which will drain to downspouts that will distribute runoff to two series of planters located at sidewalk level. As described in more detail below, the planters will contain Focal Point biofiltration systems designed to manage stormwater quality. After passing through the Focal Point system, runoff

will drain to the combined sewer. Runoff from rain events that exceed the infiltration capacity of the Focal Point system will bypass directly to the combined sewer.

Stormwater Management – Basic Standards:

Erosion and sedimentation control measures are detailed and described in the plans. Good housekeeping practices shall be in accordance with Maine DEP Best Management Practices. A post construction stormwater management plan and a stormwater BMP inspection and maintenance log are included with this submission.

Stormwater Management - Quality:

Because this project qualifies as a redevelopment project, it is required that management of stormwater quality in accordance with Chapter 500 be provided for a minimum of 50% of the redeveloped area. However, the applicant is proposing to exceed this requirement by using the FocalPoint biofiltration system to manage stormwater quality for a runoff volume generated by 1.6” of rain across the entire roof of the proposed parking garage. Furthermore, an under-drained sand filter will be installed to filter discharge from the area in which snow will be stored in the winter; this area will also receive runoff from the existing driveway of the Ambassador apartment complex, 37 Casco Street.

The FocalPoint system is similar in configuration to a standard rain garden system where stormwater runoff flows through a soil filter that removes pollutants and reduces temperature. R-Tanks are positioned below the soil filter to act as high-capacity underdrains. Where standard rain gardens have permeability rates in the range of 2 – 3 inches per hour; the FocalPoint system’s engineered soil filter media provides permeability rates in excess of 100 inches per hour. This permeability rate is guaranteed by the manufacturer and they provide testing at no additional cost. This high permeability facilitates treatment of relatively large impervious areas with small rain gardens making the FocalPoint system ideal for compact urban developments.

The FocalPoint system is approved by Maine DEP and is sized and designed in accordance with Chapter 7.5 in Volume III of the Maine Stormwater Best Management Practices Manual.

The applicant is proposing to install a 360 SF FocalPoint system with a 4” ponding depth. The FocalPoint system will be contained within two series of concrete planters (one series of 3 planters and a series of 5 planters for 8 planters total) at sidewalk level at the edge of the building. Each concrete planter is approximately 45 SF, and because they follow the grade of the sidewalk in a stepped fashion, runoff that cannot infiltrate in an upstream planter will overflow to the next planter. The FocalPoint chambers (which underdrain the filtration media) will be connected to a stormdrain system. The downstream planter in each series will have a riser pipe with a beehive to collect runoff that exceeds the infiltration capacity of the entire series of planters. See the plan sheet C5 for details of the norther set of planters on Brown Street and Cumberland Avenue, as well as sections of the planters.

The drainage areas of the roof of the parking garage are depicted in plan sheet C4. Drainage Areas A and B are directed to the northernmost series of planters. Drainage Area C is directed to the two uphill planters on the northern set of planters on Brown Street. Drainage Areas D and E are directed to the southern set of planters. The calculations in the attached spreadsheet demonstrate that these subsets of planters are appropriately sized to accommodate runoff generated by their sub-catchment areas from 1.6" of rainfall without overflowing. In total, approximately 21,000 SF of impervious area is treated by the FocalPoint system.

Stormwater Management - Quantity:

Because the land use and impervious cover of the site will not change significantly with the construction of the proposed parking garage, this project is not required to provide management of stormwater quantity. However, although not required, it is expected that the Focal Point system will reduce peak flows to the combined sewer. Significant storage will be provided by the ponding in the planters, by the crushed stone surrounding the R-Tank chambers, and by installing the outlets of the Focal Point R-Tank chambers approximately 8" above the invert of the chambers themselves. This runoff stored in the planters will infiltrate into the ground. This in turn will help to reduce the occurrence, duration and severity of combined sewer overflows.

Ocean Gate Garage: Post-Construction Stormwater Compliance Requirements

The Applicant shall maintain the BMPs in accordance with the approved plan and shall demonstrate compliance with the plan as follows:

- (a) *Inspections.* The owner or operator of a BMP shall hire a qualified post-construction stormwater inspector to at least annually, inspect the BMPs, including but not limited to any parking areas, catch basins, pipes and related structures, and other treatment devices in accordance with all municipal and state inspection, cleaning and maintenance requirements of the approved post-construction stormwater management plan.
- (b) *Maintenance and repair.* If the BMP requires maintenance, repair or replacement to function as intended by the approved post-construction stormwater management plan, the owner or operator of the BMP shall take corrective action(s) to address the deficiency or deficiencies as soon as possible after the deficiency is discovered and shall provide a record of the deficiency and corrective action(s) to the department of public services ("DPS") in the annual report.
- (c) *Annual report.* The owner or operator of a BMP or a qualified post-construction stormwater inspector hired by that person, shall, on or by June 30 of each year, provide a completed and signed certification to DPS in a form provided by DPS, certifying that the person has inspected the BMP(s) and that they are adequately maintained and functioning as intended by the approved post-construction stormwater management plan, or that they require maintenance or repair, including the record of the deficiency and corrective action(s) taken.
- (d) *Filing fee.* Any persons required to file an annual certification under this section shall include with the annual certification a filing fee established by DPS to pay the administrative and technical costs of review of the annual certification.
- (e) *Right of entry.* In order to determine compliance with this article and with the post-construction stormwater management plan, DPS may enter upon property at reasonable hours with the consent of the owner, occupant or agent to inspect the BMPs.

Ocean Gate Garage: Stormwater BMP Inspection and Maintenance Log

The City of Portland, ME requires ongoing annual inspections to ensure the proper maintenance and operation of stormwater management facilities.
Inspections must be conducted by third parties qualified by the City.

A. General Information

Use only one Cover Sheet per site with as many specific structural BMP Inspection Report attachments as needed. Attach required color digital photos of site, structures and devices as applicable with captions.

Project Name:	Ocean Gate Garage	Inspection Date:	
Parcel Map, Block and Lot:	037 D004	Current Weather:	
BMP Owner:	Ocean Gate, LLC	Date / Amount Last Precip:	
Owner Mailing Address:	151 Newbury Street, Portland, Maine 04101	3PI Company:	
Owner Phone #:	207 773 1919	3PI Mailing Address:	
Owner Email:	ed@oceangaterealty.com	Inspector Name:	
		Inspector Phone #:	
		Inspector Email:	

B. Inspection Report Attachments

Please document the number of each structural BMP type found at this site in the blank spaces provided below. Use additional Attachments if / as needed and submit all Attachments together with the Cover Sheet as a single report.

BMP Type	Number BMPs at site
Focal Point Stormwater Treatment Planters (Planter Rain Gardens)	8
Underdrained Sand Filter	1
Catch Basins	3
Vegetated Areas (Grass)	---
Other (describe	

C. Inspection Results

FAIL**

☐

** If any one item on an Inspection Report attachment is coded as "Work Needed" then entire BMP fails inspection.

** If a site has multiple BMPs and one fails inspection, mark as "Fail" until all BMPs pass inspection.

Note: Applicable BMP Inspection Reports and confirmatory color digital photos summarizing required repairs must be submitted to the City following completion of the preliminary inspection. A re-inspection and certification must be completed within 60 days of the failed preliminary report. It is recommended that the inspector be part of the repair / maintenance process to ensure that repairs are performed properly.

PASS

☐

Note: a qualified professional (as determined by the City) must sign below and include all applicable Inspection Report attachments and confirmatory digital color photos with captions.

D. Professional Certification (as qualified by City of Portland Stormwater Program Coordinator)

To be completed only when all BMPs at this site are functioning as designed with no outstanding maintenance issues.

I, _____, as a duly qualified third party inspector attest that a thorough inspection has been completed for ALL applicable BMPs that are associated with this particular site. All inspected structural BMPs are performing as designed and intended and are in compliance with the provisions of the City Portland's Standards

Signature: _____

Date: _____

Form Adapted from the City of South Portland's Annual Structural BMP Inspection Report Cover Sheet

	Date:
General Information	Observations
Inspection duration (hours)	
Days since last precipitation	
Quantity of last precipitation (in)	
Type of inspection	
Storm event	
Current weather	
Photos taken	☐ Yes ☐ No ☐ NA
Nearby natural resources	☐ Yes ☐ No ☐ NA
Copy of ESC plan	☐ Yes ☐ No ☐ NA
MEDEP Permit # (if applicable)	
General info notes	

Vegetated Areas	Observations
No bare areas (< 90% covered) with sparse growth	☐ Yes ☐ No ☐ NA
No erosion	☐ Yes ☐ No ☐ NA
Notes	
Catch Basin Systems	Observations
Accumulated sediments from inflow channels and pipes between basins have been removed and legally disposed of	☐ Yes ☐ No ☐ NA
Floating debris and floating oils have been removed from any baffle or grease trap	☐ Yes ☐ No ☐ NA
Notes	
Focal Point Stormwater Treatment Planters (Rain Gardens)	Observations
Accumulated sediments and debris (trash) within the infiltration area have been removed and legally disposed of	☐ Yes ☐ No ☐ NA
Plantings are healthy	☐ Yes ☐ No ☐ NA
No erosion has occurred; grading of stone transition areas as designed.	☐ Yes ☐ No ☐ NA
Overflow riser pipe and beehive grate in downstream planters is free and obstructed by material or plant growth.	☐ Yes ☐ No ☐ NA
Mulch replaced (annually).	☐ Yes ☐ No ☐ NA
Notes	
Parking/Driveway Area	
Accumulated winter sand has been cleared	☐ Yes ☐ No ☐ NA
Pavement swept to help remove sediment	☐ Yes ☐ No ☐ NA
No stormwater is impeded by accumulations of material	☐ Yes ☐ No ☐ NA

Notes:	
Other Comments	Observations
Corrective action needed	☐ Yes ☐ No ☐ NA
<i>If corrective action in needed, please explain detail</i>	
Verbal notification provided to responsible party	☐ Yes ☐ No
Verbal notification contact	
Follow up required	☐ Yes ☐ No
Final comment notes	

Photos (use additional pages as needed)
Review Notes
Date Reviewed: Reviewed by: Date entered: Date edited: Edited by:

Ocean Gate Garage, Portland, Maine
STORMWATER DRAINAGE SYSTEM
MAINTENANCE AGREEMENT AND
RELEASE FROM LIABILITY

IN CONSIDERATION OF the site plan and subdivision approval granted by the Planning Board of the City of Portland to a plan entitled **Ocean Gate Garage** prepared for **Adams Apple LLC**, by **Ransom Consulting, Inc.** dated _____, **20** recorded in the Cumberland County Registry of Deeds in Plan Book _____, Page _____ (the "Plan") and pursuant to a condition thereof, **Ocean Gate LLC** (owner) having a mailing address of **151 Newbury Street, Portland, Maine 04101**, the owner of the subject premises, does hereby agree, for itself, its successors and assigns (the "Owner"), as follows:

Maintenance Agreement

That it will, at its own cost and expense and at all times in perpetuity, maintain in good repair and in proper working order the stormwater drainage system, as shown on said plan, including but not limited to the **Focal Point stormwater treatment planters (rain gardens) and catch basin system** in strict compliance with the Maintenance of Facilities as described in the **Ocean Gate Garage Stormwater Management Narrative and the Ocean Gate Garage Stormwater Inspection and Maintenance Log** (Stormwater Management Plan) dated **, 20** and Chapter 32 of the Portland City Code. Owner of the subject premises further agrees to keep a Stormwater Maintenance Log that will be made available for inspection by the City of Portland upon reasonable notice and request.

This Agreement is for the benefit of the said City of Portland and all persons in lawful possession of the property; further, that the said City of Portland may enforce this Agreement by an action at law or in equity in any court of competent jurisdiction; further, that after giving the Owner written notice as described in this Agreement, and a stated time to perform, that the said City of Portland, by its authorized agents or representatives, may, but is not obligated to, enter upon the property in question to maintain, repair, or replace said stormwater drainage system, including but not limited to the **Focal Point stormwater treatment planters (rain gardens) and catch basin system** thereon in the event of any failure or neglect thereof, the cost and expense thereof to be reimbursed in full to the said City of Portland by the Owner upon written demand. Any funds owed to the City under this paragraph shall be secured by a lien on the property.

This Agreement shall bind the undersigned only so long as it retains any interest in said premises, and shall run with the land and be binding upon the Owner's successors and assigns as their interests may from time to time appear. The Owner agrees to provide a copy of this Agreement to any successor or assign and to forward to the City an Addendum signed by any successor or assign in which the successor or assign states that the successor or assign has read the Agreement, agrees to all its terms and conditions.

For the purpose of this Agreement the real estate shown by chart, block and lot number in the records on file in the City Assessor's office shall constitute "the property" that may be entered by the City and lien if the City is not paid all of its costs and charges following the mailing of a written demand for payment to the Owner pursuant to the process and with the same force and effect as that established by 36 M.R.S.A. §§ 942 and 943 for real estate tax liens.

Any written notices or demands required by this Agreement shall be complete on the date the notice is mailed to the owner of record as shown on the tax roles on file in the City Assessor's Office. If the property has more than one owner on said tax rolls, service shall be complete by mailing it to only the first listed owner. The failure to receive any written notice required by this Agreement shall not prevent the City from entering the property and performing maintenance or repairs on the stormwater system, or any component thereof, or liening it or create a cause of action against the City.

Dated at Portland, Maine this _____ day of _____, 20__.

By: _____
Its: _____

STATE OF MAINE
CUMBERLAND, ss.

Date: _____

Personally appeared the above-named _____, and acknowledged the foregoing instrument to be his/his free act and deed in his/her said capacity, and the free act and deed of said _____.

Before me,

Notary Public/Attorney at Law

Print name: _____

This calculator is designed to provide sizing and performance guidance for the FocalPoint Bio-Filtration and RTank Underground Storage Systems based on TR-55 protocol and distribution curves. There are three types of cells the user will want to be familiar with: White Cells are intended for user input, Green Cells require a selection off of the dropdown toggle switch and the Blue Cells contain the calculated result.

Contact: John Mahoney
Company: Ransom Consulting Inc.
Phone:
Email:

Project Name: Portland Housing Project
Location: Portland Maine

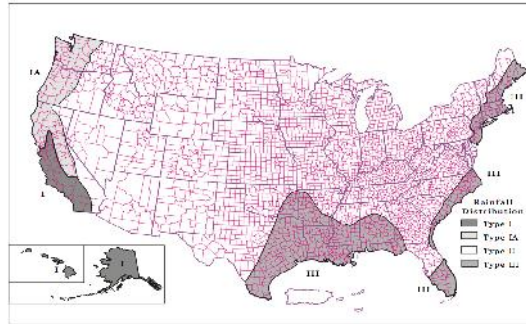
Water Quality Volume Calculator

Step 1 - Rainfall Distribution

1.1 - SCS Type

Type III

See TR-55 Map Tab below to determine which type event is appropriate for your area



Step 2 - Basis for Water Quality Volume

2.1 - Enter Methodology

Maine
Scroll Down

Directions

Select one of the following from Toggle:
Manual if WQv is already calculated
TR-55 to Calculate WQv and use that volume in one step
New York to Calculate WQv off Figure 4.1 of NY SWM Manual
Maine to Calculate WQv as 1" off Impervious and 0.4" off pervious

Step 3 - Enter Data As Described For Basis for Water Quality Chosen in Step 2 Highlighted in Blue Below

3.1 - Manual Input

3.1 If "Manual", enter Water Quality volume 10,000 ft³
3.2 If "Manual", enter Design Event volume 25,000 ft³

Directions

Enter the Water Quality Volume (WQv) here.
Enter the Design Event here (if different than WQv).

Note: If FocalPoint not being used and runoff will be routed directly to RTank, enter "No" in cell E10 on FocalPoint Design worksheet

3.2 - TR-55 Input

Enter Methodology	Toggle	W.Q. Volume	Directions
Runoff (First Flush) or Rainfall (W.Q. Volume) Depth	7.54		Depth of First Flush treatment Requirement - in inches
Design Event Rainfall Depth	7.54		Depth of total rainfall event in inches
<u>Subarea</u>	<u>Cover Condition</u>	<u>Area to BMP (ft²)</u>	<u>TR-55 CN Value</u>
Post Cover 1	Roof	2,919	98
Post Cover 2			
Post Cover 3			
	Total	2,919	
	<u>W.Q. Event</u>	<u>Design Event</u>	
Post Cover 1	1,776	1,776	ft ³
Post Cover 2	0	0	ft ³
Post Cover 3	0	0	ft ³
RESULTS	1,776	1,776	ft ³

Enter cover conditions and CNs

3.3 - New York

90% Rainfall Amount (P)	1.00	inches	Enter rainfall depth from Figure 4.1, page 4-2 of NY SWM Design Man.
Impervious cover (I)	55.00%		Enter % of Impervious Cover
Drainage Area (A)	103,456	ft ²	Enter Drainage Area
Water Quality Volume (WQv)	4,699	ft ³	
Design Event Volume (Manual Entry)	10,000	ft ³	Enter Design Event Volume

3.4 - Maine

Drainage Area A+B			
Impervious Cover	8,113	ft ²	Enter ft3 of Impervious Cover
Pervious Cover	0	ft ²	Enter ft3 of Pervious Cover
Water Quality Volume	1,082	ft ³	

Drainage Area C

Impervious Cover	5,656	ft ²	Enter ft3 of Impervious Cover
Pervious Cover	0	ft ²	Enter ft3 of Pervious Cover
Water Quality Volume	754	ft ³	

Drainage Area D+E

Impervious Cover	7,231	ft ²	Enter ft3 of Impervious Cover
Pervious Cover	0	ft ²	Enter ft3 of Pervious Cover
Water Quality Volume	964	ft ³	

Water Quality Volume and Design Event

Water Quality Volume (WQv)	1,082	ft ³
Design Event	1,082	ft ³

Directions

Water Quality Volume calculated from previous Sheet
Total event volume calculated from previous sheet

System Configuration

Is FocalPoint used? ☒ Yes

Enter Yes if FocalPoint used. Enter No if runoff flows directly into RTank and proceed to RTank Design worksheet

Step 4 - FocalPoint Configuration

4.1 - FocalPoint Factor of Safety	1	
4.2 - FocalPoint bed area	135	ft ²
4.3 - Storage volume above FocalPoint provided	45	ft ³
4.4 - Desired treatment time	24	hours
4.5 - Water Quality Volume treated prior to overflow?	☒ Yes	
4.6 - FocalPoint drain within desired time?	☒ Yes	
4.7 - Flow in excess of storage volume above	To RTank	

Enter optional factor-of-safety
Enter target FocalPoint footprint, 20 SF min. (See Step 4.5)
Enter available surface storage volume (See Step 4.5)
Select 24, 48, 72 or 96 hrs from toggle
If Yes = WQv has been treated
If No = larger FocalPoint bed (Step 4.2) and/or surface storage volume (Step 4.3) required
If Yes = time goal has been met
If No = larger FocalPoint bed (Step 4.2) required
Select routing location for overflow/bypass vol. from toggle:
Off site to disregard flow, RTank to store for retention / detention, harvesting, or infiltration

Step 5 - Evaluation of Design

5.1 - Volume treated prior to overflow	No Overflow	ft ³
5.2 - Total volume treated	1,082	ft ³

Result = Volume ft³ treated prior to overflow/bypass
Result = Total Volume ft³ treated

Time (hrs)	Rainfall Distribution	Cumulative Rainfall (ft ³)	Incremental Runoff into FocalPoint (ft ³)	FocalPoint Test (-)	Incremental Volume thru FocalPoint (ft ³)	Incremental Volume to Storage Above (ft ³)	Total Volume in Storage Above (ft ³)	Incremental Volume Overflow (ft ³)
0.0	0.00	0						
0.2	0.00	2	2	Flow through	2	0	0	0
0.4	0.00	4	2	Flow through	2	0	0	0
0.6	0.01	6	2	Flow through	2	0	0	0
0.8	0.01	9	2	Flow through	2	0	0	0
1.0	0.01	11	2	Flow through	2	0	0	0
1.2	0.01	13	2	Flow through	2	0	0	0
1.4	0.01	15	2	Flow through	2	0	0	0
1.6	0.02	17	2	Flow through	2	0	0	0
1.8	0.02	19	2	Flow through	2	0	0	0
2.0	0.02	22	2	Flow through	2	0	0	0
2.2	0.02	24	2	Flow through	2	0	0	0
2.4	0.02	26	2	Flow through	2	0	0	0
2.6	0.03	28	2	Flow through	2	0	0	0
2.8	0.03	31	2	Flow through	2	0	0	0
3.0	0.03	33	2	Flow through	2	0	0	0
3.2	0.03	36	2	Flow through	2	0	0	0
3.4	0.04	38	3	Flow through	3	0	0	0
3.6	0.04	41	3	Flow through	3	0	0	0
3.8	0.04	44	3	Flow through	3	0	0	0
4.0	0.04	47	3	Flow through	3	0	0	0
4.2	0.05	49	3	Flow through	3	0	0	0
4.4	0.05	52	3	Flow through	3	0	0	0
4.6	0.05	55	3	Flow through	3	0	0	0
4.8	0.05	58	3	Flow through	3	0	0	0
5.0	0.06	61	3	Flow through	3	0	0	0
5.2	0.06	65	3	Flow through	3	0	0	0
5.4	0.06	68	3	Flow through	3	0	0	0
5.6	0.07	71	3	Flow through	3	0	0	0
5.8	0.07	74	3	Flow through	3	0	0	0
6.0	0.07	78	3	Flow through	3	0	0	0
6.2	0.08	81	4	Flow through	4	0	0	0
6.4	0.08	85	4	Flow through	4	0	0	0
6.6	0.08	89	4	Flow through	4	0	0	0
6.8	0.09	93	4	Flow through	4	0	0	0
7.0	0.09	98	4	Flow through	4	0	0	0
7.2	0.09	103	5	Flow through	5	0	0	0
7.4	0.10	107	5	Flow through	5	0	0	0
7.6	0.10	113	5	Flow through	5	0	0	0
7.8	0.11	118	5	Flow through	5	0	0	0
8.0	0.11	123	6	Flow through	6	0	0	0
8.2	0.12	129	6	Flow through	6	0	0	0
8.4	0.13	136	6	Flow through	6	0	0	0
8.6	0.13	142	7	Flow through	7	0	0	0
8.8	0.14	150	7	Flow through	7	0	0	0
9.0	0.15	158	8	Flow through	8	0	0	0
9.2	0.15	166	8	Flow through	8	0	0	0
9.4	0.16	175	9	Flow through	9	0	0	0
9.6	0.17	184	9	Flow through	9	0	0	0
9.8	0.18	194	10	Flow through	10	0	0	0
10.0	0.19	204	10	Flow through	10	0	0	0
10.2	0.20	216	11	Flow through	11	0	0	0
10.4	0.21	228	12	Flow through	12	0	0	0
10.6	0.22	241	13	Flow through	13	0	0	0
10.8	0.24	255	14	Flow through	14	0	0	0

11.0	0.25	271	15	Flow through	15	0	0	0
11.2	0.27	288	18	Flow through	18	0	0	0
11.4	0.29	310	22	Flow through	22	0	0	0
11.6	0.31	340	30	Flow through	30	0	0	0
11.8	0.37	404	64	Flow through	64	0	0	0
12.0	0.50	541	137	Flow through	137	0	0	0
12.2	0.63	678	137	Flow through	137	0	0	0
12.4	0.69	742	64	Flow through	64	0	0	0
12.6	0.71	772	30	Flow through	30	0	0	0
12.8	0.73	794	22	Flow through	22	0	0	0
13.0	0.75	812	18	Flow through	18	0	0	0
13.2	0.76	827	15	Flow through	15	0	0	0
13.4	0.78	841	14	Flow through	14	0	0	0
13.6	0.79	854	13	Flow through	13	0	0	0
13.8	0.80	866	12	Flow through	12	0	0	0
14.0	0.81	878	11	Flow through	11	0	0	0
14.2	0.82	888	10	Flow through	10	0	0	0
14.4	0.83	898	10	Flow through	10	0	0	0
14.6	0.84	907	9	Flow through	9	0	0	0
14.8	0.85	916	9	Flow through	9	0	0	0
15.0	0.85	924	8	Flow through	8	0	0	0
15.2	0.86	932	8	Flow through	8	0	0	0
15.4	0.87	940	7	Flow through	7	0	0	0
15.6	0.87	946	7	Flow through	7	0	0	0
15.8	0.88	953	6	Flow through	6	0	0	0
16.0	0.89	959	6	Flow through	6	0	0	0
16.2	0.89	964	6	Flow through	6	0	0	0
16.4	0.90	969	5	Flow through	5	0	0	0
16.6	0.90	975	5	Flow through	5	0	0	0
16.8	0.91	979	5	Flow through	5	0	0	0
17.0	0.91	984	5	Flow through	5	0	0	0
17.2	0.91	989	4	Flow through	4	0	0	0
17.4	0.92	993	4	Flow through	4	0	0	0
17.6	0.92	997	4	Flow through	4	0	0	0
17.8	0.92	1,001	4	Flow through	4	0	0	0
18.0	0.93	1,004	4	Flow through	4	0	0	0
18.2	0.93	1,008	3	Flow through	3	0	0	0
18.4	0.93	1,011	3	Flow through	3	0	0	0
18.6	0.94	1,014	3	Flow through	3	0	0	0
18.8	0.94	1,017	3	Flow through	3	0	0	0
19.0	0.94	1,021	3	Flow through	3	0	0	0
19.2	0.95	1,024	3	Flow through	3	0	0	0
19.4	0.95	1,027	3	Flow through	3	0	0	0
19.6	0.95	1,030	3	Flow through	3	0	0	0
19.8	0.95	1,033	3	Flow through	3	0	0	0
20.0	0.96	1,035	3	Flow through	3	0	0	0
20.2	0.96	1,038	3	Flow through	3	0	0	0
20.4	0.96	1,041	3	Flow through	3	0	0	0
20.6	0.96	1,044	3	Flow through	3	0	0	0
20.8	0.97	1,046	3	Flow through	3	0	0	0
21.0	0.97	1,049	3	Flow through	3	0	0	0
21.2	0.97	1,051	3	Flow through	3	0	0	0
21.4	0.97	1,054	2	Flow through	2	0	0	0
21.6	0.98	1,056	2	Flow through	2	0	0	0
21.8	0.98	1,059	2	Flow through	2	0	0	0
22.0	0.98	1,061	2	Flow through	2	0	0	0
22.2	0.98	1,063	2	Flow through	2	0	0	0
22.4	0.99	1,066	2	Flow through	2	0	0	0
22.6	0.99	1,068	2	Flow through	2	0	0	0
22.8	0.99	1,070	2	Flow through	2	0	0	0
23.0	0.99	1,072	2	Flow through	2	0	0	0
23.2	0.99	1,074	2	Flow through	2	0	0	0
23.4	0.99	1,076	2	Flow through	2	0	0	0
23.6	1.00	1,078	2	Flow through	2	0	0	0
23.8	1.00	1,080	2	Flow through	2	0	0	0
24.0	1.00	1,082	2	Flow through	2	0	0	0
24.2					0	0	0	0
24.4					0	0	0	0
24.6					0	0	0	0
24.8					0	0	0	0
25.0					0	0	0	0
25.2					0	0	0	0
25.4					0	0	0	0
25.6					0	0	0	0
25.8					0	0	0	0
26.0					0	0	0	0
26.2					0	0	0	0
26.4					0	0	0	0
26.6					0	0	0	0
26.8					0	0	0	0
27.0					0	0	0	0
27.2					0	0	0	0
27.4					0	0	0	0
27.6					0	0	0	0
27.8					0	0	0	0
28.0					0	0	0	0
28.2					0	0	0	0
28.4					0	0	0	0
28.6					0	0	0	0
28.8					0	0	0	0
29.0					0	0	0	0
29.2					0	0	0	0
29.4					0	0	0	0
29.6					0	0	0	0

Water Quality Volume and Design Event

Water Quality Volume (WQv)
Design Event

754 ft³
754 ft³
Directions

Water Quality Volume calculated from previous Sheet
Total event volume calculated from previous sheet

System Configuration

Is FocalPoint used?

Yes

Enter Yes if FocalPoint used. Enter No if runoff flows directly into RTank and proceed to RTank Design worksheet

Step 4 - FocalPoint Configuration

4.1 - FocalPoint Factor of Safety

1

Enter optional factor-of-safety

4.2 - FocalPoint bed area

90 ft²

Enter target FocalPoint footprint, 20 SF min. (See Step 4.5)

4.3 - Storage volume above FocalPoint provided

30 ft³

Enter available surface storage volume (See Step 4.5)

4.4 - Desired treatment time

24 hours

Select 24, 48, 72 or 96 hrs from toggle

4.5 - Water Quality Volume treated prior to overflow?

Yes

If Yes = WQv has been treated

If No = larger FocalPoint bed (Step 4.2) and/or surface storage volume (Step 4.3) required

4.6 - FocalPoint drain within desired time?

Yes

If Yes = time goal has been met

If No = larger FocalPoint bed (Step 4.2) required

4.7 - Flow in excess of storage volume above

To RTank

Select routing location for overflow/bypass vol. from toggle:

Off site to disregard flow, RTank to store for retention / detention, harvesting, or infiltration

Step 5 - Evaluation of Design

5.1 - Volume treated prior to overflow

No Overflow

ft³

Result = Volume ft³ treated prior to overflow/bypass

5.2 - Total volume treated

754

ft³

Result = Total Volume ft³ treated

Time (hrs)	Rainfall Distribution	Cumulative Rainfall (ft ³)	Incremental Runoff into FocalPoint (ft ³)	FocalPoint Test (-)	Incremental Volume thru FocalPoint (ft ³)	Incremental Volume to Storage Above (ft ³)	Total Volume in Storage Above (ft ³)	Incremental Volume Overflow (ft ³)
0.0	0.00	0						
0.2	0.00	2	2	Flow through	2	0	0	0
0.4	0.00	3	2	Flow through	2	0	0	0
0.6	0.01	5	2	Flow through	2	0	0	0
0.8	0.01	6	2	Flow through	2	0	0	0
1.0	0.01	8	2	Flow through	2	0	0	0
1.2	0.01	9	2	Flow through	2	0	0	0
1.4	0.01	11	2	Flow through	2	0	0	0
1.6	0.02	12	2	Flow through	2	0	0	0
1.8	0.02	14	2	Flow through	2	0	0	0
2.0	0.02	15	2	Flow through	2	0	0	0
2.2	0.02	17	2	Flow through	2	0	0	0
2.4	0.02	18	2	Flow through	2	0	0	0
2.6	0.03	20	2	Flow through	2	0	0	0
2.8	0.03	21	2	Flow through	2	0	0	0
3.0	0.03	23	2	Flow through	2	0	0	0
3.2	0.03	25	2	Flow through	2	0	0	0
3.4	0.04	27	2	Flow through	2	0	0	0
3.6	0.04	29	2	Flow through	2	0	0	0
3.8	0.04	30	2	Flow through	2	0	0	0
4.0	0.04	32	2	Flow through	2	0	0	0
4.2	0.05	34	2	Flow through	2	0	0	0
4.4	0.05	36	2	Flow through	2	0	0	0
4.6	0.05	39	2	Flow through	2	0	0	0
4.8	0.05	41	2	Flow through	2	0	0	0
5.0	0.06	43	2	Flow through	2	0	0	0
5.2	0.06	45	2	Flow through	2	0	0	0
5.4	0.06	47	2	Flow through	2	0	0	0
5.6	0.07	50	2	Flow through	2	0	0	0
5.8	0.07	52	2	Flow through	2	0	0	0
6.0	0.07	54	2	Flow through	2	0	0	0
6.2	0.08	57	2	Flow through	2	0	0	0
6.4	0.08	59	3	Flow through	3	0	0	0
6.6	0.08	62	3	Flow through	3	0	0	0
6.8	0.09	65	3	Flow through	3	0	0	0
7.0	0.09	68	3	Flow through	3	0	0	0
7.2	0.09	71	3	Flow through	3	0	0	0
7.4	0.10	75	3	Flow through	3	0	0	0
7.6	0.10	78	4	Flow through	4	0	0	0
7.8	0.11	82	4	Flow through	4	0	0	0
8.0	0.11	86	4	Flow through	4	0	0	0
8.2	0.12	90	4	Flow through	4	0	0	0
8.4	0.13	94	4	Flow through	4	0	0	0
8.6	0.13	99	5	Flow through	5	0	0	0
8.8	0.14	104	5	Flow through	5	0	0	0
9.0	0.15	110	6	Flow through	6	0	0	0
9.2	0.15	116	6	Flow through	6	0	0	0
9.4	0.16	122	6	Flow through	6	0	0	0
9.6	0.17	128	6	Flow through	6	0	0	0
9.8	0.18	135	7	Flow through	7	0	0	0
10.0	0.19	143	7	Flow through	7	0	0	0
10.2	0.20	150	8	Flow through	8	0	0	0
10.4	0.21	159	8	Flow through	8	0	0	0
10.6	0.22	168	9	Flow through	9	0	0	0
10.8	0.24	178	10	Flow through	10	0	0	0

11.0	0.25	189	11	Flow through	11	0	0	0
11.2	0.27	201	12	Flow through	12	0	0	0
11.4	0.29	216	15	Flow through	15	0	0	0
11.6	0.31	237	21	Flow through	21	0	0	0
11.8	0.37	281	44	Flow through	44	0	0	0
12.0	0.50	377	96	Flow through	96	0	0	0
12.2	0.63	473	96	Flow through	96	0	0	0
12.4	0.69	517	44	Flow through	44	0	0	0
12.6	0.71	538	21	Flow through	21	0	0	0
12.8	0.73	553	15	Flow through	15	0	0	0
13.0	0.75	566	12	Flow through	12	0	0	0
13.2	0.76	576	11	Flow through	11	0	0	0
13.4	0.78	586	10	Flow through	10	0	0	0
13.6	0.79	595	9	Flow through	9	0	0	0
13.8	0.80	604	8	Flow through	8	0	0	0
14.0	0.81	611	8	Flow through	8	0	0	0
14.2	0.82	619	7	Flow through	7	0	0	0
14.4	0.83	626	7	Flow through	7	0	0	0
14.6	0.84	632	6	Flow through	6	0	0	0
14.8	0.85	638	6	Flow through	6	0	0	0
15.0	0.85	644	6	Flow through	6	0	0	0
15.2	0.86	650	5	Flow through	5	0	0	0
15.4	0.87	655	5	Flow through	5	0	0	0
15.6	0.87	660	5	Flow through	5	0	0	0
15.8	0.88	664	4	Flow through	4	0	0	0
16.0	0.89	668	4	Flow through	4	0	0	0
16.2	0.89	672	4	Flow through	4	0	0	0
16.4	0.90	676	4	Flow through	4	0	0	0
16.6	0.90	679	4	Flow through	4	0	0	0
16.8	0.91	683	3	Flow through	3	0	0	0
17.0	0.91	686	3	Flow through	3	0	0	0
17.2	0.91	689	3	Flow through	3	0	0	0
17.4	0.92	692	3	Flow through	3	0	0	0
17.6	0.92	695	3	Flow through	3	0	0	0
17.8	0.92	697	3	Flow through	3	0	0	0
18.0	0.93	700	2	Flow through	2	0	0	0
18.2	0.93	702	2	Flow through	2	0	0	0
18.4	0.93	704	2	Flow through	2	0	0	0
18.6	0.94	707	2	Flow through	2	0	0	0
18.8	0.94	709	2	Flow through	2	0	0	0
19.0	0.94	711	2	Flow through	2	0	0	0
19.2	0.95	713	2	Flow through	2	0	0	0
19.4	0.95	715	2	Flow through	2	0	0	0
19.6	0.95	718	2	Flow through	2	0	0	0
19.8	0.95	720	2	Flow through	2	0	0	0
20.0	0.96	722	2	Flow through	2	0	0	0
20.2	0.96	724	2	Flow through	2	0	0	0
20.4	0.96	725	2	Flow through	2	0	0	0
20.6	0.96	727	2	Flow through	2	0	0	0
20.8	0.97	729	2	Flow through	2	0	0	0
21.0	0.97	731	2	Flow through	2	0	0	0
21.2	0.97	733	2	Flow through	2	0	0	0
21.4	0.97	734	2	Flow through	2	0	0	0
21.6	0.98	736	2	Flow through	2	0	0	0
21.8	0.98	738	2	Flow through	2	0	0	0
22.0	0.98	740	2	Flow through	2	0	0	0
22.2	0.98	741	2	Flow through	2	0	0	0
22.4	0.99	743	2	Flow through	2	0	0	0
22.6	0.99	744	2	Flow through	2	0	0	0
22.8	0.99	746	2	Flow through	2	0	0	0
23.0	0.99	747	1	Flow through	1	0	0	0
23.2	0.99	749	1	Flow through	1	0	0	0
23.4	0.99	750	1	Flow through	1	0	0	0
23.6	1.00	751	1	Flow through	1	0	0	0
23.8	1.00	753	1	Flow through	1	0	0	0
24.0	1.00	754	1	Flow through	1	0	0	0
24.2					0	0	0	0
24.4					0	0	0	0
24.6					0	0	0	0
24.8					0	0	0	0
25.0					0	0	0	0
25.2					0	0	0	0
25.4					0	0	0	0
25.6					0	0	0	0
25.8					0	0	0	0
26.0					0	0	0	0
26.2					0	0	0	0
26.4					0	0	0	0
26.6					0	0	0	0
26.8					0	0	0	0
27.0					0	0	0	0
27.2					0	0	0	0
27.4					0	0	0	0
27.6					0	0	0	0
27.8					0	0	0	0
28.0					0	0	0	0
28.2					0	0	0	0
28.4					0	0	0	0
28.6					0	0	0	0
28.8					0	0	0	0
29.0					0	0	0	0
29.2					0	0	0	0
29.4					0	0	0	0
29.6					0	0	0	0

Water Quality Volume and Design Event

Water Quality Volume (WQv)
Design Event

964 ft³
964 ft³
Directions

Water Quality Volume calculated from previous Sheet
Total event volume calculated from previous sheet

System Configuration

Is FocalPoint used?

Yes

Enter Yes if FocalPoint used. Enter No if runoff flows directly into RTank and proceed to RTank Design worksheet

Step 4 - FocalPoint Configuration

4.1 - FocalPoint Factor of Safety

1

Enter optional factor-of-safety

4.2 - FocalPoint bed area

135

ft²

Enter target FocalPoint footprint, 20 SF min. (See Step 4.5)

4.3 - Storage volume above FocalPoint provided

45

ft³

Enter available surface storage volume (See Step 4.5)

4.4 - Desired treatment time

24

hours

Select 24, 48, 72 or 96 hrs from toggle

4.5 - Water Quality Volume treated prior to overflow?

Yes

If Yes = WQv has been treated

If No = larger FocalPoint bed (Step 4.2) and/or surface storage volume (Step 4.3) required

4.6 - FocalPoint drain within desired time?

Yes

If Yes = time goal has been met

If No = larger FocalPoint bed (Step 4.2) required

4.7 - Flow in excess of storage volume above

To RTank

Select routing location for overflow/bypass vol. from toggle:
Off site to disregard flow, RTank to store for retention / detention, harvesting, or infiltration

Step 5 - Evaluation of Design

5.1 - Volume treated prior to overflow

No Overflow

ft³

Result = Volume ft³ treated prior to overflow/bypass

5.2 - Total volume treated

964

ft³

Result = Total Volume ft³ treated

Time (hrs)	Rainfall Distribution	Cumulative Rainfall (ft ³)	Incremental Runoff into FocalPoint (ft ³)	FocalPoint Test (-)	Incremental Volume thru FocalPoint (ft ³)	Incremental Volume to Storage Above (ft ³)	Total Volume in Storage Above (ft ³)	Incremental Volume Overflow (ft ³)
0.0	0.00	0						
0.2	0.00	2	2	Flow through	2	0	0	0
0.4	0.00	4	2	Flow through	2	0	0	0
0.6	0.01	6	2	Flow through	2	0	0	0
0.8	0.01	8	2	Flow through	2	0	0	0
1.0	0.01	10	2	Flow through	2	0	0	0
1.2	0.01	12	2	Flow through	2	0	0	0
1.4	0.01	13	2	Flow through	2	0	0	0
1.6	0.02	15	2	Flow through	2	0	0	0
1.8	0.02	17	2	Flow through	2	0	0	0
2.0	0.02	19	2	Flow through	2	0	0	0
2.2	0.02	21	2	Flow through	2	0	0	0
2.4	0.02	23	2	Flow through	2	0	0	0
2.6	0.03	25	2	Flow through	2	0	0	0
2.8	0.03	27	2	Flow through	2	0	0	0
3.0	0.03	30	2	Flow through	2	0	0	0
3.2	0.03	32	2	Flow through	2	0	0	0
3.4	0.04	34	2	Flow through	2	0	0	0
3.6	0.04	37	2	Flow through	2	0	0	0
3.8	0.04	39	2	Flow through	2	0	0	0
4.0	0.04	41	3	Flow through	3	0	0	0
4.2	0.05	44	3	Flow through	3	0	0	0
4.4	0.05	47	3	Flow through	3	0	0	0
4.6	0.05	49	3	Flow through	3	0	0	0
4.8	0.05	52	3	Flow through	3	0	0	0
5.0	0.06	55	3	Flow through	3	0	0	0
5.2	0.06	58	3	Flow through	3	0	0	0
5.4	0.06	60	3	Flow through	3	0	0	0
5.6	0.07	63	3	Flow through	3	0	0	0
5.8	0.07	66	3	Flow through	3	0	0	0
6.0	0.07	69	3	Flow through	3	0	0	0
6.2	0.08	73	3	Flow through	3	0	0	0
6.4	0.08	76	3	Flow through	3	0	0	0
6.6	0.08	80	4	Flow through	4	0	0	0
6.8	0.09	83	4	Flow through	4	0	0	0
7.0	0.09	87	4	Flow through	4	0	0	0
7.2	0.09	91	4	Flow through	4	0	0	0
7.4	0.10	96	4	Flow through	4	0	0	0
7.6	0.10	100	5	Flow through	5	0	0	0
7.8	0.11	105	5	Flow through	5	0	0	0
8.0	0.11	110	5	Flow through	5	0	0	0
8.2	0.12	115	5	Flow through	5	0	0	0
8.4	0.13	121	6	Flow through	6	0	0	0
8.6	0.13	127	6	Flow through	6	0	0	0
8.8	0.14	134	7	Flow through	7	0	0	0
9.0	0.15	141	7	Flow through	7	0	0	0
9.2	0.15	148	7	Flow through	7	0	0	0
9.4	0.16	156	8	Flow through	8	0	0	0
9.6	0.17	164	8	Flow through	8	0	0	0
9.8	0.18	173	9	Flow through	9	0	0	0
10.0	0.19	182	9	Flow through	9	0	0	0
10.2	0.20	192	10	Flow through	10	0	0	0
10.4	0.21	203	11	Flow through	11	0	0	0
10.6	0.22	215	12	Flow through	12	0	0	0
10.8	0.24	227	13	Flow through	13	0	0	0

11.0	0.25	241	14	Flow through	14	0	0	0
11.2	0.27	257	16	Flow through	16	0	0	0
11.4	0.29	276	19	Flow through	19	0	0	0
11.6	0.31	303	27	Flow through	27	0	0	0
11.8	0.37	360	57	Flow through	57	0	0	0
12.0	0.50	482	122	Flow through	122	0	0	0
12.2	0.63	604	122	Flow through	122	0	0	0
12.4	0.69	661	57	Flow through	57	0	0	0
12.6	0.71	688	27	Flow through	27	0	0	0
12.8	0.73	707	19	Flow through	19	0	0	0
13.0	0.75	723	16	Flow through	16	0	0	0
13.2	0.76	737	14	Flow through	14	0	0	0
13.4	0.78	749	13	Flow through	13	0	0	0
13.6	0.79	761	12	Flow through	12	0	0	0
13.8	0.80	772	11	Flow through	11	0	0	0
14.0	0.81	782	10	Flow through	10	0	0	0
14.2	0.82	791	9	Flow through	9	0	0	0
14.4	0.83	800	9	Flow through	9	0	0	0
14.6	0.84	808	8	Flow through	8	0	0	0
14.8	0.85	816	8	Flow through	8	0	0	0
15.0	0.85	824	8	Flow through	8	0	0	0
15.2	0.86	830	7	Flow through	7	0	0	0
15.4	0.87	837	7	Flow through	7	0	0	0
15.6	0.87	843	6	Flow through	6	0	0	0
15.8	0.88	849	6	Flow through	6	0	0	0
16.0	0.89	854	5	Flow through	5	0	0	0
16.2	0.89	859	5	Flow through	5	0	0	0
16.4	0.90	864	5	Flow through	5	0	0	0
16.6	0.90	868	5	Flow through	5	0	0	0
16.8	0.91	873	4	Flow through	4	0	0	0
17.0	0.91	877	4	Flow through	4	0	0	0
17.2	0.91	881	4	Flow through	4	0	0	0
17.4	0.92	884	4	Flow through	4	0	0	0
17.6	0.92	888	4	Flow through	4	0	0	0
17.8	0.92	891	3	Flow through	3	0	0	0
18.0	0.93	895	3	Flow through	3	0	0	0
18.2	0.93	898	3	Flow through	3	0	0	0
18.4	0.93	901	3	Flow through	3	0	0	0
18.6	0.94	904	3	Flow through	3	0	0	0
18.8	0.94	906	3	Flow through	3	0	0	0
19.0	0.94	909	3	Flow through	3	0	0	0
19.2	0.95	912	3	Flow through	3	0	0	0
19.4	0.95	915	3	Flow through	3	0	0	0
19.6	0.95	917	3	Flow through	3	0	0	0
19.8	0.95	920	3	Flow through	3	0	0	0
20.0	0.96	923	3	Flow through	3	0	0	0
20.2	0.96	925	3	Flow through	3	0	0	0
20.4	0.96	927	2	Flow through	2	0	0	0
20.6	0.96	930	2	Flow through	2	0	0	0
20.8	0.97	932	2	Flow through	2	0	0	0
21.0	0.97	935	2	Flow through	2	0	0	0
21.2	0.97	937	2	Flow through	2	0	0	0
21.4	0.97	939	2	Flow through	2	0	0	0
21.6	0.98	941	2	Flow through	2	0	0	0
21.8	0.98	943	2	Flow through	2	0	0	0
22.0	0.98	945	2	Flow through	2	0	0	0
22.2	0.98	948	2	Flow through	2	0	0	0
22.4	0.99	950	2	Flow through	2	0	0	0
22.6	0.99	951	2	Flow through	2	0	0	0
22.8	0.99	953	2	Flow through	2	0	0	0
23.0	0.99	955	2	Flow through	2	0	0	0
23.2	0.99	957	2	Flow through	2	0	0	0
23.4	0.99	959	2	Flow through	2	0	0	0
23.6	1.00	961	2	Flow through	2	0	0	0
23.8	1.00	962	2	Flow through	2	0	0	0
24.0	1.00	964	2	Flow through	2	0	0	0
24.2					0	0	0	0
24.4					0	0	0	0
24.6					0	0	0	0
24.8					0	0	0	0
25.0					0	0	0	0
25.2					0	0	0	0
25.4					0	0	0	0
25.6					0	0	0	0
25.8					0	0	0	0
26.0					0	0	0	0
26.2					0	0	0	0
26.4					0	0	0	0
26.6					0	0	0	0
26.8					0	0	0	0
27.0					0	0	0	0
27.2					0	0	0	0
27.4					0	0	0	0
27.6					0	0	0	0
27.8					0	0	0	0
28.0					0	0	0	0
28.2					0	0	0	0
28.4					0	0	0	0
28.6					0	0	0	0
28.8					0	0	0	0
29.0					0	0	0	0
29.2					0	0	0	0
29.4					0	0	0	0
29.6					0	0	0	0



June 14, 2017

John Mahoney
Ransom Consulting Engineers
400 Commercial Street, Suite 404
Portland, ME 04101

Re: 48 Brown Steet, PO
Ability to Serve with PWD Water

Dear Mr. Mahoney:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on June 4, 2017. Based on the information provided per plans dated 6/6/17, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter constitutes approval of the water system as currently designed. Any changes affecting the approved water system will require further review and approval by PWD.**

Conditions of Service

The following conditions of service apply:

- A new 2-inch service may be installed from the water main in Brown Street. The service should enter through the properties frontage on Brown Street at least 10-feet from any side property lines.
- Due to the nature of this site, a backflow prevention device will be required at the service entrance after the meter.

Prior to construction, the owner or contractor will need to make an appointment to complete a service application form and pay all necessary fees. The appointment shall be requested through MEANS@pwd.org or by calling 207-774-5961 ext. 3199. Please allow (3) business days to process the service application paperwork. PWD will guide the applicant through the new development process during the appointment.

Existing Site Service

According to District records, the project site does not currently have existing water service.



Water System Characteristics

According to District records, there is an 6-inch diameter ductile iron water main in Brown Street and a public fire hydrant located 300 feet from the site. The most recent static pressure reading was 70 psi on April 3, 2017.

Public Fire Protection

The installation of new public hydrants to be accepted into the District water system will most likely not be required. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

You have not indicated whether this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service.

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to MEANS@PWD.org or mailed to 225 Douglass Street, Portland Maine, 04104 c/o MEANS. The Internal Review Team will undertake review as requested within 2 weeks of receipt of a request for review.

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

A handwritten signature in black ink, appearing to read 'Robert A. Bartels', written in a cursive style.

Robert A. Bartels, P.E.
Senior Project Engineer

Brown Street Garage Code Review

48 Brown Street, Portland, Maine 04101
June 13, 2017

BUILDING INFORMATION

Construction Classification: Type IIB Construction

Garage Type: Open garage design

Fire Protection: Dry standpipes in stair towers with 4" storz connection at each level of garage

CLASSIFICATION OF USE AND OCCUPANCY

International Building Code- 2006

Section 302.1: Use Group S-2 (Open or Enclosed Parking Garage)

NFPA 101- Life Safety Code- 2006

Section 6.1: Storage Occupancy (Low & Ordinary Hazard) Motor Vehicle Parking Garage

Section 6.1.14.1.3: Where incidental to another occupancy, areas used for mercantile, business, or storage use shall be subject to the Code requirements of the predominant occupancy.

NFPA 88A- National Fire Code- 2008

Section 3.3.2.3: The occupancy classification the parking garage shall be Open Parking Garage as defined by Section 4.7.1.

SPECIAL REQUIREMENTS BASED ON USE AND OCCUPANCY

International Building Code- 2006

Section 406.2.1: Parking garage shall be classified as open, as defined in Section 406.3.

Section 406.2.2: Clear height of 7 feet shall be maintained in all vehicle and pedestrian travel areas on all floors. Van accessible spaces required per Section 1106.5 shall conform to ICC A117.1.

Section 406.2.3: Guards shall be provided in accordance with Section 1013 at all areas where vertical distance to the ground of any opening exceeds 30 inches.

Section 406.2.4: Vehicle barriers designed per Section 1607.7 shall be provided, except at access points. Barriers not less than 2 feet high shall be provided at the end of drive lanes where floor elevations differ by more than 1 foot.

Section 406.2.5: Vehicle ramps that are utilized for circulation as well as for parking shall not exceed a slope of 1:15.

Section 406.2.6: Parking surfaces shall be of concrete, except at ground level, where asphalt is allowed as an alternate.

Section 406.2.7 (via Section 508.3): Parking garages shall be separated from other occupancies according to Section 508.3.

Section 406.2.8: Connection of the garage to any room with a fuel-fired appliance shall be by means of a vestibule providing a two-doorway separation, unless the appliances ignition source is 18 inches above the floor.

Section 406.3.3.1: Openings of at least 20% of perimeter wall area shall be uniformly distributed on two or more sides.

Section 406.3.4: Mixed uses are allowed in conformance with Sections 508.3, 406.3.13, 509.3, 509.4, and 509.7.

Section 406.3.13: Vehicle repair work, parking of busses and trucks, and closing required openings in exterior walls are not allowed.

NFPA 88A- National Fire Code- 2008

Section 4.3.1: Floor surfaces shall be of noncombustible material.

Section 4.3.1.2: Floors at grade are allowed to be of asphalt.

Section 4.3.2: Floors shall be graded and equipped with drains.

CONSTRUCTION CLASSIFICATION

International Building Code- 2006

Section 406.3.3: Open parking garages shall be of Type I, II, or IV Construction.

**TABLE 601
FIRE-RESISTANCE RATING REQUIREMENTS FOR BUILDING ELEMENTS (hours)**

BUILDING ELEMENT	TYPE I		TYPE II	
	A	B	A ^a	B
Structural frame ^a	3 ^b	2 ^b	1	0
Bearing walls				
Exterior ^e	3	2	1	0
Interior	3 ^b	2 ^b	1	0
Nonbearing walls and partitions	See Table 602			
Exterior				
Nonbearing walls and partitions				
Interior ^d	0	0	0	0
Floor construction				
Including supporting beams and joists	2	2	1	0
Roof construction				
Including supporting beams and joists	1 1/2 ^c	1 ^{c, d}	1 ^{c, d}	0 ^d

For SI: 1 foot = 304.8 mm.

a. The structural frame shall be considered to be the columns and the girders, beams, trusses and spandrels having direct connections to the columns and bracing members designed to carry gravity loads. The members of floor or roof panels which have no connection to the columns shall be considered secondary members and not a part of the structural frame.

b. Roof supports: Fire-resistance ratings of structural frame and bearing walls are permitted to be reduced by 1 hour where supporting a roof only.

c. Except in Group F-1, H, M and S-1 occupancies, fire protection of structural members shall not be required, including protection of roof framing and decking where every part of the roof construction is 20 feet or more above any floor immediately below. Fire-retardant-treated wood members shall be allowed to be used for such unprotected members.

d. In all occupancies, heavy timber shall be allowed where a 1-hour or less fire-resistance rating is required.

e. An approved automatic sprinkler system in accordance with Section 903.3.1.1 shall be allowed to be substituted for 1-hour fire-resistance-rated construction, provided such system is not otherwise required by other provisions of the code or used for an allowable area increase in accordance with Section 506.3 or an allowable height increase in accordance with Section 504.2. The 1-hour substitution for the fire resistance of exterior walls shall not be permitted.

f. Not less than the fire-resistance rating required by other sections of this code.

g. Not less than the fire-resistance rating based on fire separation distance (see Table 602).

**TABLE 602
FIRE-RESISTANCE RATING REQUIREMENTS FOR EXTERIOR WALLS BASED ON FIRE SEPARATION DISTANCE^{a, *}**

FIRE SEPARATION DISTANCE = X (feet)	TYPE OF CONSTRUCTION	OCCUPANCY GROUP M	OCCUPANCY GROUP A, B, S-2
X < 5 ^c	All	2	1
5 ≤ X < 10	IA Others	2 1	1 1
10 ≤ X < 30	IA, IB IIB, VB Others	1 0 1	1 ^d 0 1 ^d
X ≥ 30	All	0	0

For SI: 1 foot = 304.8 mm.

a. Load-bearing exterior walls shall also comply with the fire-resistance rating requirements of Table 601.

b. For special requirements for Group U occupancies see Section 406.1.2.

c. See Section 705.1.1 for party walls.

d. Open parking garages complying with Section 406 shall not be required to have a fire-resistance rating.

e. The fire-resistance rating of an exterior wall is determined based upon the fire separation distance of the exterior wall and the story in which the wall is located.

Section 4.7.2: Open Parking Garages shall be of Type I or Type II construction.

GENERAL BUILDING HEIGHTS & AREA LIMITATIONS

International Building Code- 2006

Section 406.3.5: Area and height allowances for open parking occupancies shall be per Chapter 5 and Section 508.3 for S-2 occupancies.

Section 503.1 (via Table 503):

		TYPE OF CONSTRUCTION								
		TYPE I		TYPE II		TYPE III		TYPE IV	TYPE V	
		A	B	A	B	A	B	HT	A	B
GROUP	HGT(feet)	UL	160	65	55	65	55	65	50	40
A-2	S	UL	11	3	2	3	2	3	2	1
	A	UL	UL	15,500	9,500	14,000	9,500	15,000	11,500	6,000
B	S	UL	11	5	4	5	4	5	3	2
	A	UL	UL	37,500	23,000	28,500	19,000	36,000	18,000	9,000
S-2 ^{b,c}	S	UL	11	5	4	4	4	5	4	2
	A	UL	79,000	39,000	26,000	39,000	26,000	38,500	21,000	13,500
M	S	UL	11	4	4	4	4	4	3	1
	A	UL	UL	21,500	12,500	18,500	12,500	20,500	14,000	9,000

For SI: 1 foot = 304.8 mm, 1 square foot = 0.0929 m².

UL = Unlimited, NP = Not permitted.

a. See the following sections for general exceptions to Table 503:

1. Section 504.2, Allowable height increase due to automatic sprinkler system installation.
2. Section 506.2, Allowable area increase due to street frontage.
3. Section 506.3, Allowable area increase due to automatic sprinkler system installation.
4. Section 507, Unlimited area buildings.

b. For open parking structures, see Section 406.3.

c. For private garages, see Section 406.1.

d. See Section 415.5 for limitations.

BUILDING HEIGHTS & AREA MODIFICATIONS

International Building Code- 2006

Section 504.2: Where a building is equipped with an automatic sprinkler system, the maximum building height may be increased by 20 feet or 1 story.

Section 506.2: Frontage Increase = [building perimeter fronting open space / total building frontage - 0.25] width of open space / 30

Section 506.3: Sprinkler system provided throughout increases allowed area by 200% for buildings with more than 1 story above grade. Area increase not allowed in conjunction with fire rating reduction.

FIRE SEPARATION REQUIREMENTS

International Building Code- 2006

Section 406.3.7: Exterior walls and openings shall comply with Tables 601 and 602. The distance to adjacent lot line shall be per Table 602 and Section 704.

Section 508.2: Spaces which are incidental to the main occupancy shall be separated or the building shall be classified as mixed occupancy. Those separation requirements include; Furnace or Boiler Room require 1-hour separation requirement or sprinkler; Storage Rooms over 100 sf require 1-hour separation or sprinkler; Waste and linen collection rooms require 1-hour separation or sprinkler.

Section 508.3.3.1: Separated Occupancies- each fire area shall comply with the occupancy classification of that area.

Section 508.3.3.2: Allowable Area- at each floor, the building area shall be such that the sum of the ratios of the actual floor area of each occupancy divided by the allowable area shall not exceed one.

Section 508.3.3.3: Allowable Height- the height of each fire area shall be measured from grade, inclusive of intervening fire areas.

NFPA 88A- National Fire Code- 2008

Section 4.1.2: Parts of a parking garage located within 10 feet of from another building shall be separated by a 2-hour rating, except pedestrian bridges.

Section 4.1.4: Portions of a parking garage under another use shall extend rating requirements of other use to all principal supporting members of all floors.

Section 4.6.1: Vertical openings connecting four or more floors shall be enclosed with a 2-hour fire resistance rating.

Section 4.7.1.1: Each parking level shall have wall openings 1.4 sq ft in area per linear foot of perimeter.

Ocean Gate Garage Life Safety Plan

48 Brown Street, Portland, Maine 04101
June 13, 2017

3.1. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED) PRINCIPLES

The site plan is designed to create formal and informal natural surveillance networks on the site to increase on-site visibility and the safety of legitimate users and to deter potential offenders. The placement and design of physical features maximizes visibility to allow for surveillance opportunities to and from site features such as entrances and exits, walkways, stairways, windows, parking lots, landscaping, and site fences or walls. The lighting of the site and building shall meet the City's technical standards for site lighting, as detailed in Section 12 of this manual, and enable users to observe movement and activities on the site during the day and at night. Motion sensor activated lighting is permitted to provide adequate illumination of the site at night while still complying with applicable lighting curfew standards of Section 12 of the Technical Manual. Specifically, the lighting plan will create nighttime illumination of pedestrian travel paths and gathering areas, entrances and exits, and parking lots and garages. Clear views of each parking area from a distance will enable anyone moving in or immediately around it to be easily seen. Potential hiding spaces are denied adjacent to existing and proposed pedestrian travel routes with low-wall planters and parking bumpers. Well-lit and glass-enclosed stair towers and illuminated parking areas will permit facial identification at a distance of at least 30' and create the perception of being identified. Mechanical surveillance systems will be installed to monitor areas not easily observed and will connect to a security office within the garage and in the adjacent building at 511 Congress Street.

The site plan is designed to provide visible pathways and to offer proper guidance for legitimate users to access the site and to discourage unauthorized use of the site. With proper wayfinding signage the site is designed to clearly guide the movement of vehicles and pedestrians along safe and predictable paths both during the daytime and nighttime. Specifically, the placement of signage, lighting fixtures, landmarks, and landscape design features shall clearly guide users to and from the facility. If necessary, mechanical access control systems may be implemented such as assigning personnel at key building entry points or establishing other procedures such as mechanical auto closing devices, key cards, gates and other locking devices.

3.2. FIRE HYDRANT STANDARDS

The development has a hydrant within five hundred (500') feet of the structure, complying with city code Chapter 10 and the Portland Water Districts standards.

3.4. SITE ACCESS STANDARDS

The development provides access for Fire Department vehicles to at least two sides of the structure. The structure will display the assigned street number, clearly visible from the public right of way.

Ocean Gate Garage: Design Review

48 Brown Street, Portland, Maine 04101

June 13, 2017

CITY OF PORTLAND DESIGN MANUAL

B-3 Downtown Business Zone

- ~ Meet Section 14-526 of Land Use Code
- ~ Relationship to pedestrian = first 35' of height shall enhance the character, comfort, security, and usability of pedestrian level.
- ~ Storefronts and building facades, materials and detailing, pedestrian character, transparency, and contemporary design.
- ~ Building entrances, street prominence, street access, ADA accessibility.
- ~ Reduce blank facades.
- ~ Special features such as arcades, skywalks, or elevated walkways.
- ~ Sidewalk areas per City of Portland Technical Manual, important factors include: materials, landscaping, lighting, pedestrian amenities, vendors or sidewalk cafes.
- ~ Integrate with the neighboring context with respect to: street walls and building setbacks, open space, building form/massing/scale, façade proportions/composition, pedestrian circulation and building entrances.

DOWNTOWN URBAN DESIGN GUIDELINES

I – Relationship to Pedestrian Environment

Section A: Distinguish lower 35' of Building Facades

- ~ Storefronts and building facades should relate to the architecture of the building.
- ~ Signage should be incidental to the storefront and not overwhelm the façade.
- ~ High quality materials that are durable and low-maintenance.
- ~ Building entrances that relate to the building façade, have prominence on the City street, and provide access to the street, and provide ADA accessibility.
- ~ No more than 30' of blank façade.

Section C: Sidewalks and Open Space

- ~ Brick sidewalks required, or concrete pavers that look like brick, per City's Technical and Design Standards Guidelines.
- ~ Painted crosswalks with thermally-applied markings allowed.
- ~ Street design per City's Technical and Design Standards Guidelines.
- ~ Landscaping is encouraged, especially flowers, colorful foliage, distinctive bark, and interesting shapes, with plant selection per City's Technical and Design Standards Guidelines.
- ~ Landscape lighting is encouraged.
- ~ Tree grates and guards are encouraged.
- ~ Coordinated lighting program between: sidewalk & building lighting, building façade illumination, street lighting.
- ~ Sidewalk luminaries per City's Technical and Design Standards Guidelines.

Section D: Pedestrian Amenities

- ~ Benches, trash receptacles, directional and informational signage per City's Technical and Design Standards Guidelines.
- ~ Walls should be as low as possible, and integrated with landscaping where possible.

II – Relationship to Existing Development

Section A: Integrate with, Respect and Enhance

- ~ Maintain urban street wall context.
- ~ Building form, scale, and massing that is consistent with the structure of the City.
- ~ Distinctive elements on the skyline.
- ~ Diminish mass and bulk by: varying exterior walls with setbacks/recesses, varying building height, articulate different sections.
- ~ Composition in traditional base/middle/top relationship.
- ~ Proportions should strive to respect the surrounding development.
- ~ Pedestrian circulation and building entrances should be frequent to support pedestrian activities.
- ~ Parking garages:
 1. Street-level uses should be pedestrian-oriented uses where feasible, or accommodate conversion in the future.
 2. Incorporate through-block pedestrian connections, clearly designated, to allow connections separate and distinct from vehicular travel lanes.
 3. Positive aesthetic solution that supports pedestrian interest.
 4. Screen of direct sight to vehicles and lighting is important.
 5. Provide additional landscaping near public sidewalks.
 6. Adequate signage to attract and direct motorist without overwhelming the pedestrian environment.
 7. Public parking signage per City's Technical and Design Standards Guidelines.
 8. Consider shared-use strategies, including the City's residential clearinghouse program.

VI – Setback from Existing Structures

- ~ Maintain adequate setback to address snow loading.
- ~ Allow existing means of egress.

DESIGN GUIDELINES COMPLIANCE STATEMENT

CITY OF PORTLAND DESIGN MANUAL

Responding to the B-3 Downtown Business Zone requirements, the project meets Section 14-526 of the Land Use Code.

Special attention was paid to accentuating the first 35' of the façade design, which looks and feels traditional, light, open, and contextual.

The design of the Brown Street Garage features open steel framing, traditional architectural forms, and active, human-scaled urban edges.

Particular attention was paid to the garage's most publically visible and engaging facades; those seen directly from Cumberland and obliquely from Congress along Brown Street. These locations were embellished with glass storefront entry towers, providing well-lit and safe pedestrian connections through the garage. They are further softened and enlivened with quality façade materials like decorative grillwork and architectural cast stone elements, landscaped planter beds, and through the use of well-balanced site lighting.

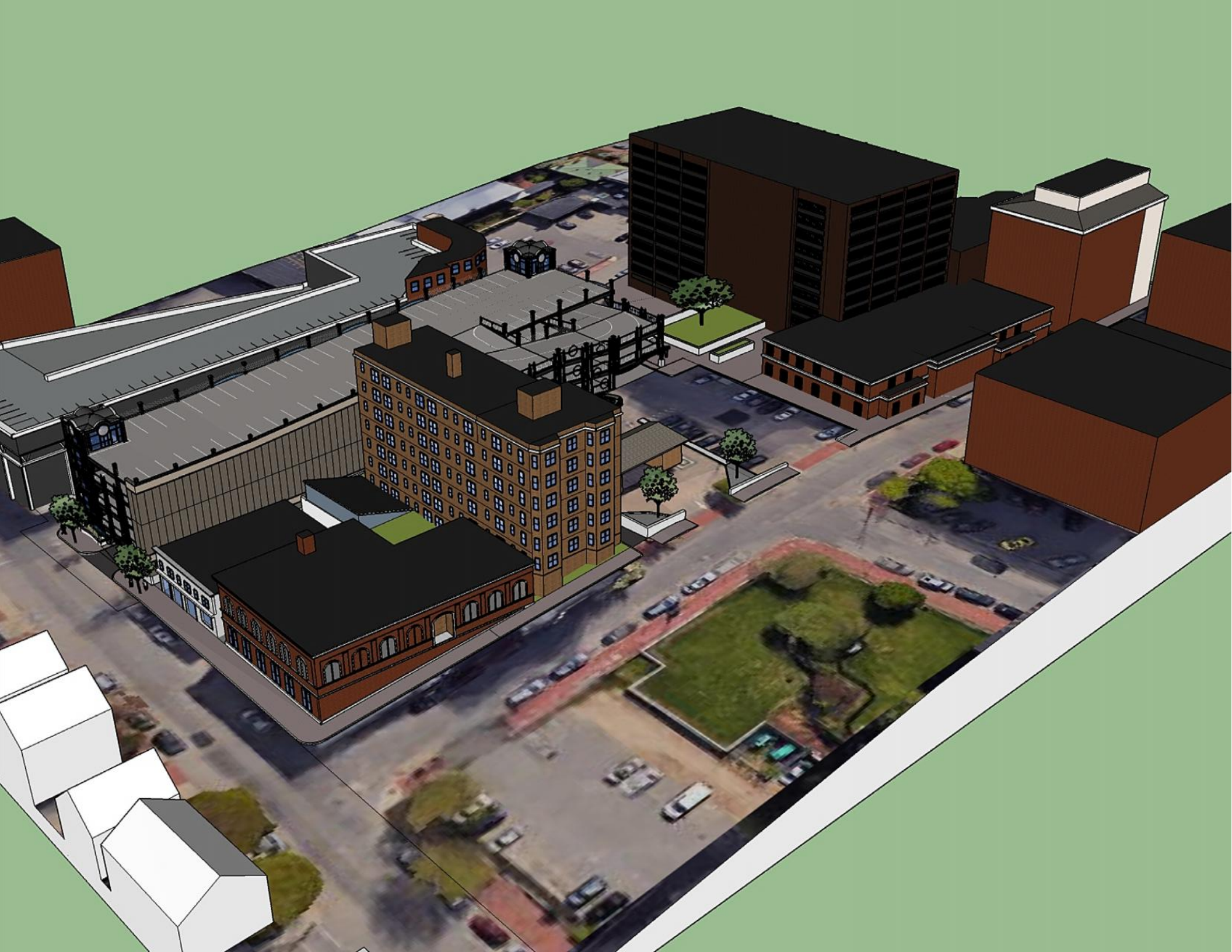
Sidewalk connections are made with high-quality granite curbs and brick pavers that extend into the garage at the most important connections, providing a safe and seamlessly-integrated pedestrian experience from parking stall to the City's sidewalk system on all three accessible sides of the building.

ADA accessibility is enhanced with signed and striped ADA and van accessible parking provided on both stories with ground level connections.

The design capitalizes on the steel structure of the garage as an architectural medium, accentuated with sculptural grillwork and cast stone elements, to provide beauty in its rhythm, punctuation, and detailing.

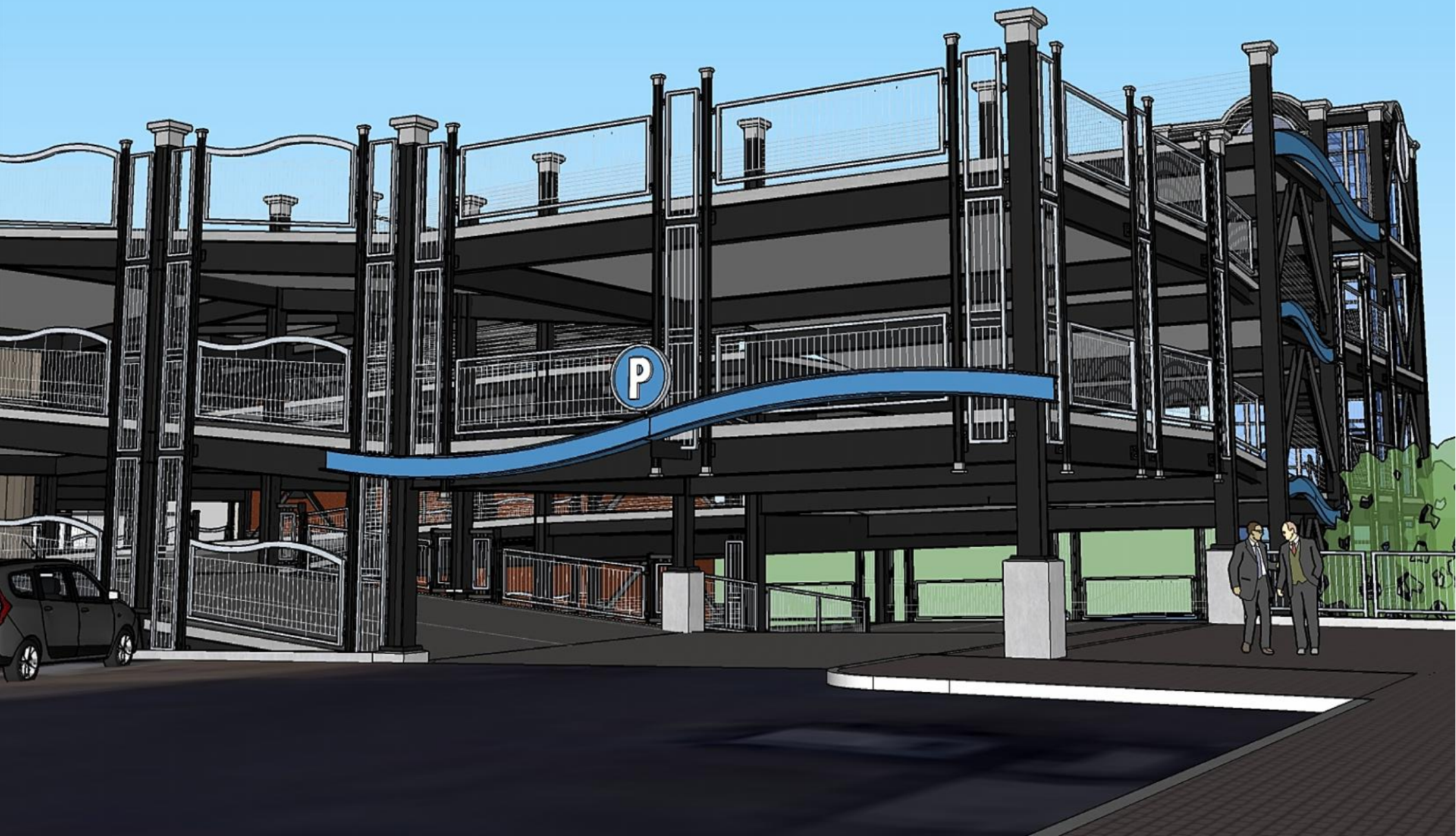
The building's massing is couched by the elevation level-change from Casco to Brown Street, which greatly reduces the vertical impact of the structure as perceived from Casco Street. The building integrates with the adjacent context at Cumberland and Brown Street, activating the street wall with vehicular and pedestrian connections and aesthetically appealing as a well-designed building of scale and quality.

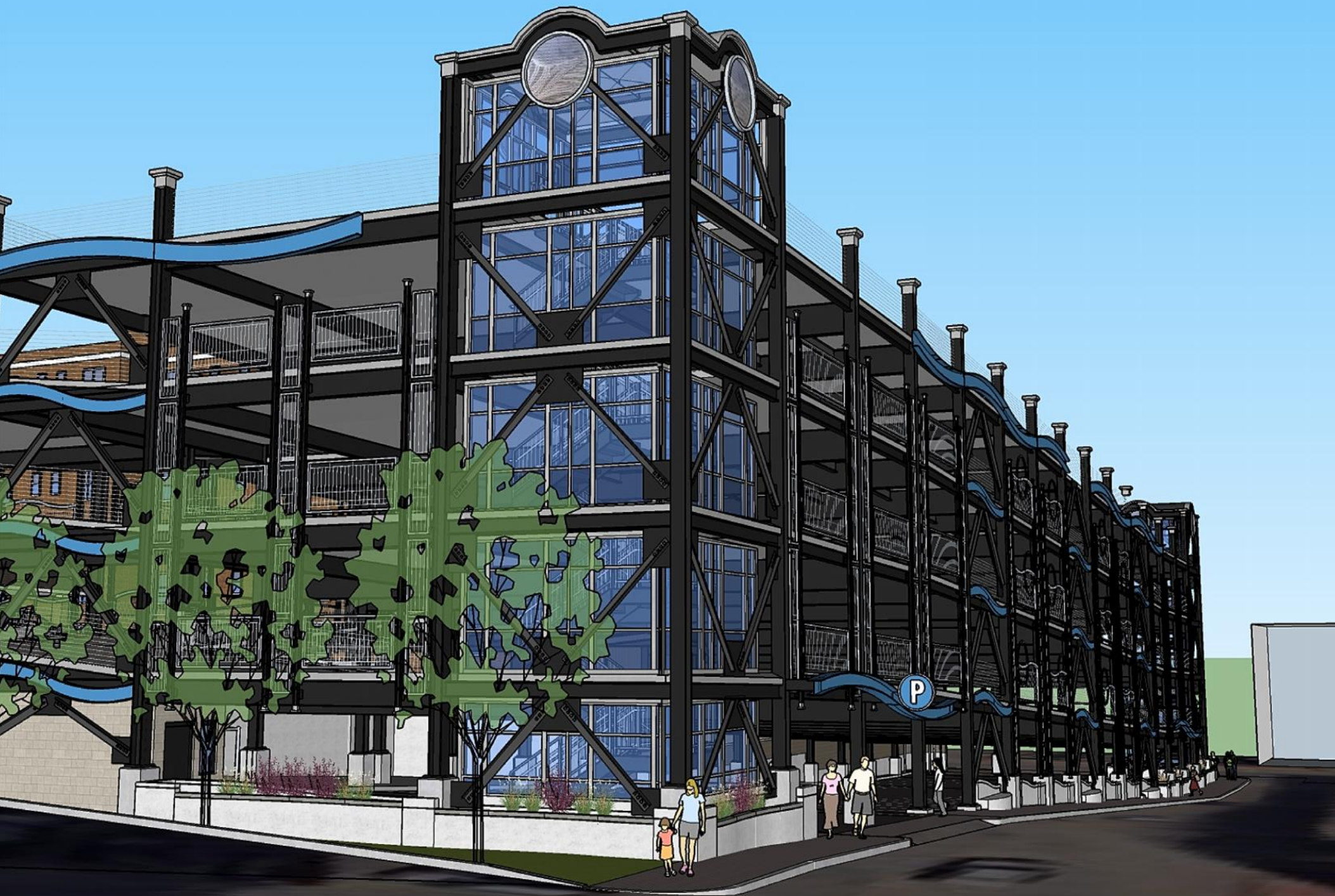
Signage is integrated into the vehicular entry canopy design, extending the visual impact artfully in a way that will enhance the effectiveness and design appeal of the garage.

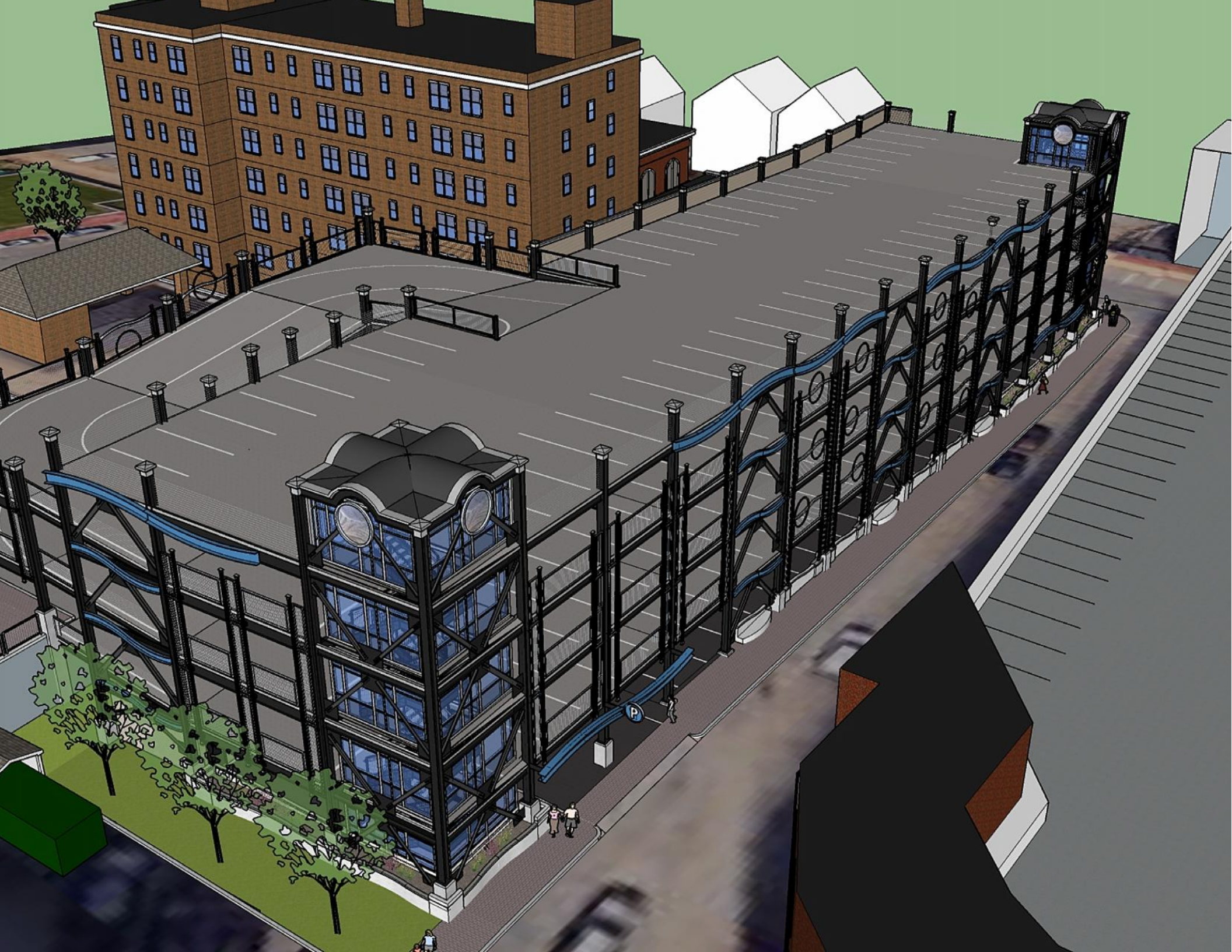


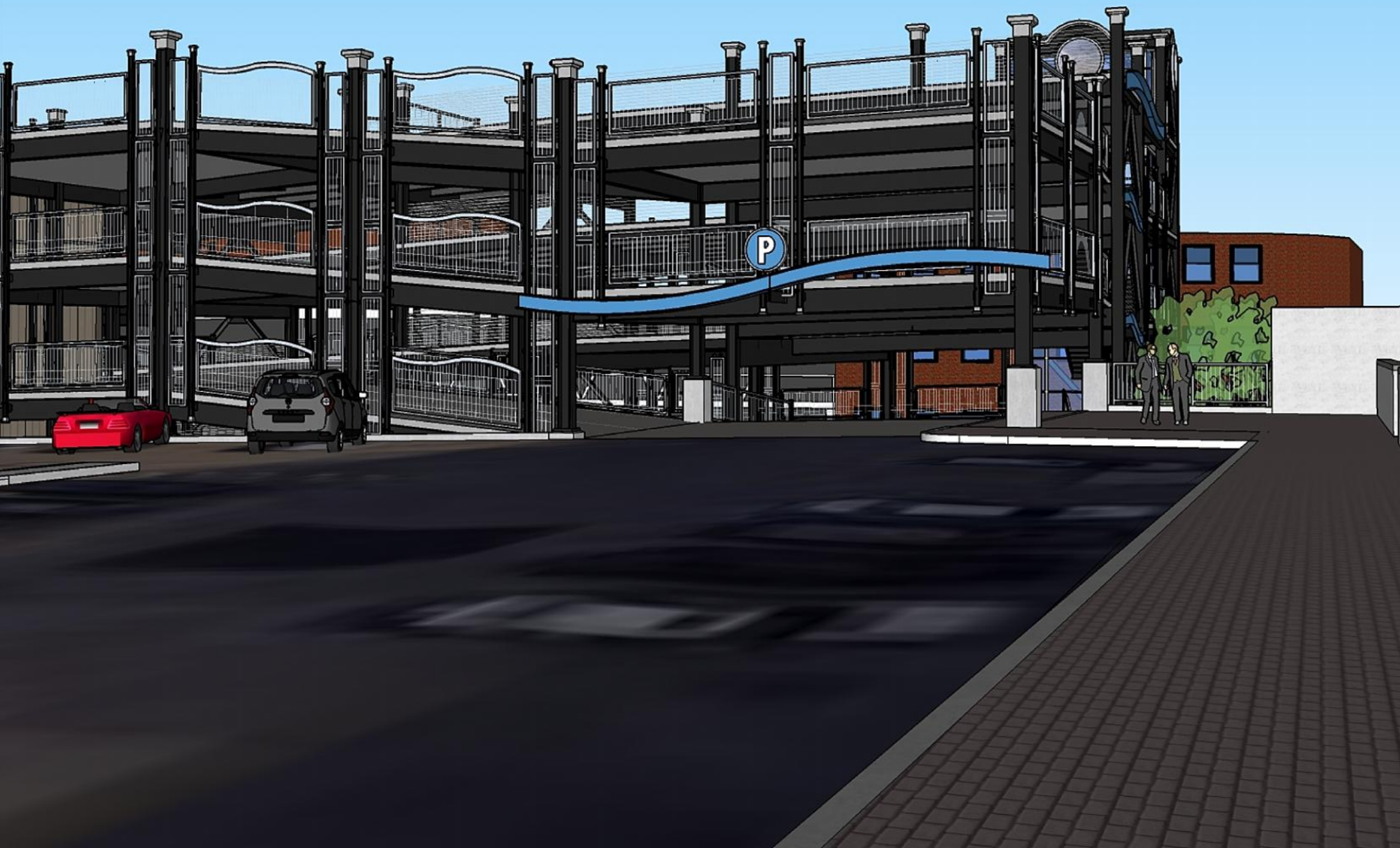




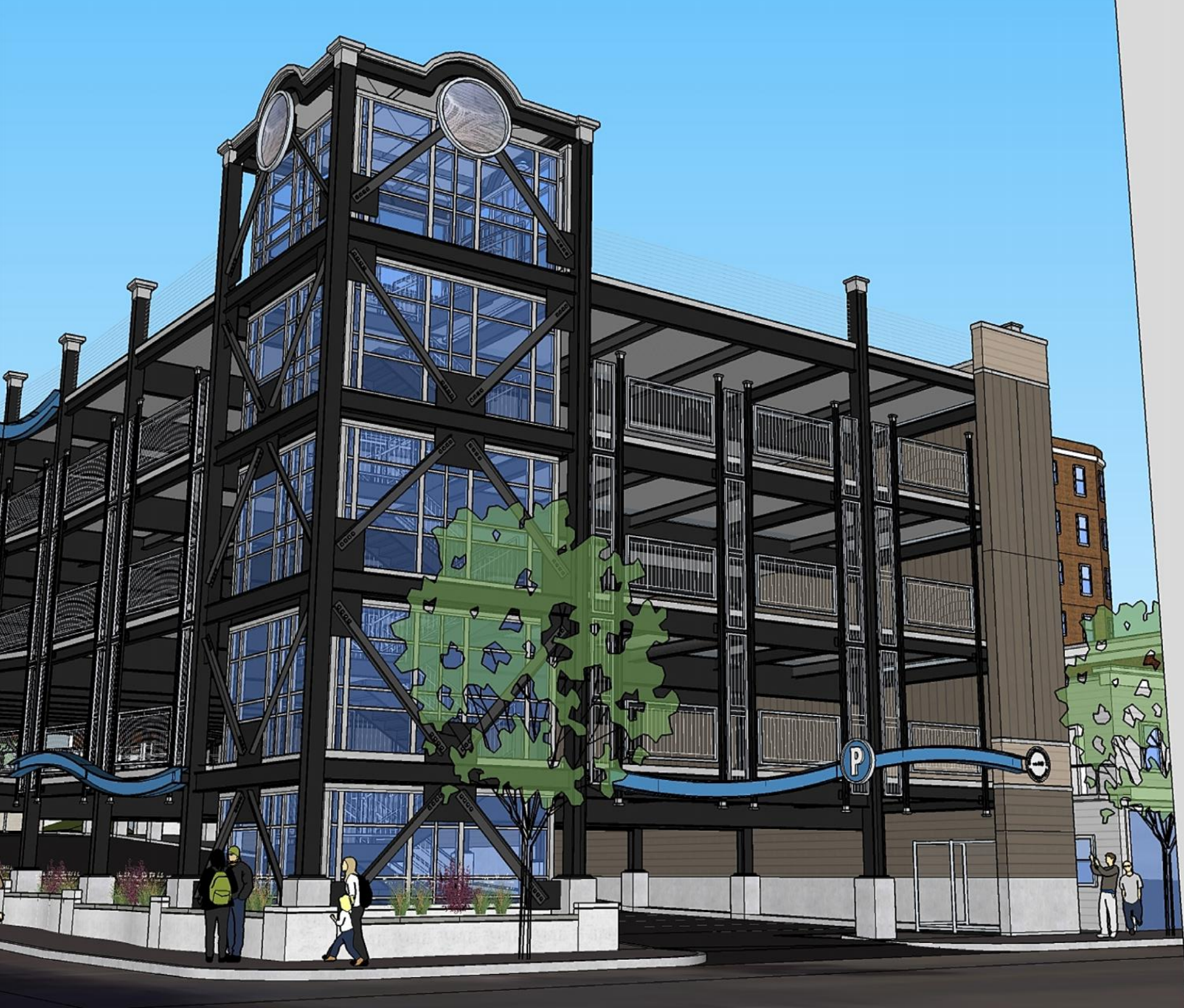


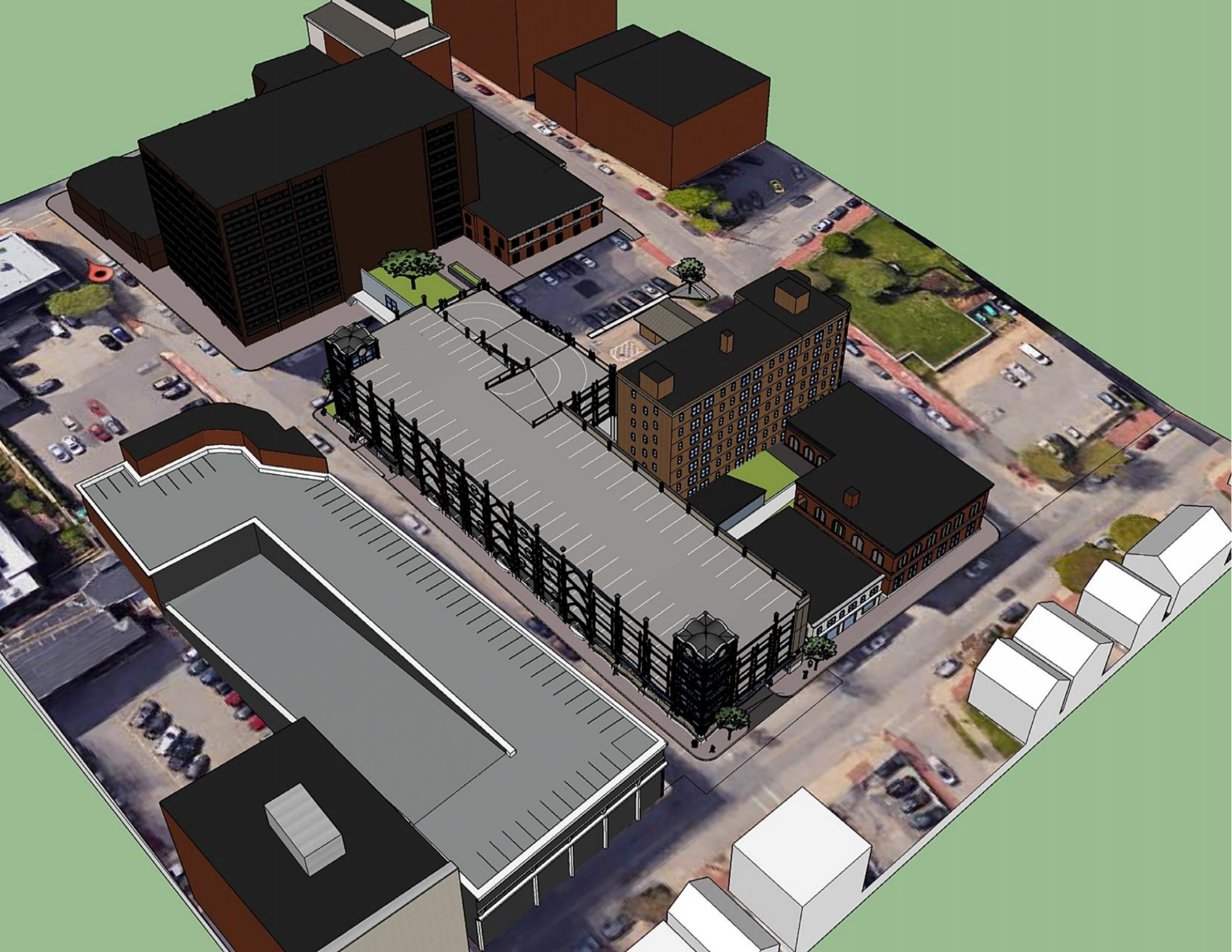












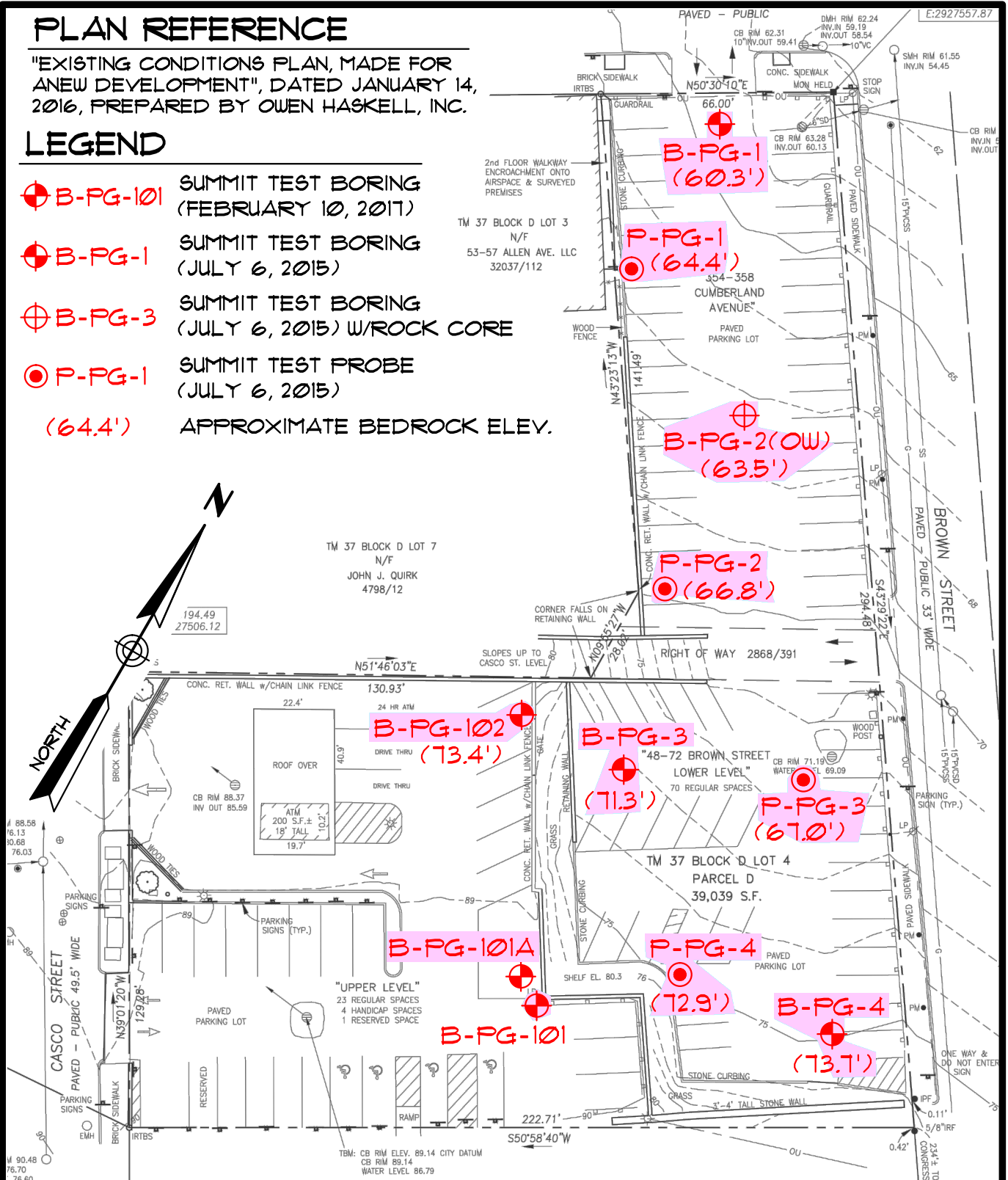


PLAN REFERENCE

"EXISTING CONDITIONS PLAN, MADE FOR ANEW DEVELOPMENT", DATED JANUARY 14, 2016, PREPARED BY OWEN HASKELL, INC.

LEGEND

-  **B-PG-101** SUMMIT TEST BORING (FEBRUARY 10, 2017)
-  **B-PG-1** SUMMIT TEST BORING (JULY 6, 2015)
-  **B-PG-3** SUMMIT TEST BORING (JULY 6, 2015) W/ROCK CORE
-  **P-PG-1** SUMMIT TEST PROBE (JULY 6, 2015)
- (64.4')** APPROXIMATE BEDROCK ELEV.



TEST BORING LOCATION PLAN PROPOSED PARKING GARAGE

BROWN STREET - PORTLAND, MAINE
PREPARED FOR
ANEW DEVELOPMENT

DATE: 2-13-2017	DRAWN BY: KRF	CHECKED BY: UMP
JOB: 15108.1	SCALE: 1" = 40'	FILE: 15108 BOR

145 LISBON ST. - SUITE 601
LEWISTON, ME 04240
Tel: (207) 576-3313

173 PLEASANT STREET
ROCKLAND, ME 04841
Tel: (207) 318-1161

SUMMIT
GEOENGINEERING SERVICES
www.summitgeoeng.com

					SOIL BORING LOG			Boring #: B-PG-101	
Drilling Co: New England Boring Contractors					Project: Brown Street Parking Garage			Project #: 15108.1	
Driller: P. Schofield					Location: 511 Congress St			Sheet: 1 of 1	
Summit Staff: B. Peterlein, P.E.					City, State: Portland, Maine			Chkd by:	
Boring Elevation: 89 ft +/-					Reference: Existing Conditions Plan, January 2016, Owen Haskell				
Date started: 2/10/2017					Date Completed: 2/10/2017				
DRILLING METHOD		SAMPLER			ESTIMATED GROUND WATER DEPTH				
Vehicle: Truck		Length: 24" SS			Date	Depth	Elevation	Reference	
Model: Mobil B48		Diameter: 2"OD/1.5"ID			2/10/2017			None Observed	
Method: 2-1/2 inch H.S.A.		Hammer: 140 lb							
Hammer Style: Auto		Method: ASTM D1586							
Depth (ft.)	No.	Pen/Rec (in)	Depth (ft)	blows/6"	Elev. (ft.)	SAMPLE DESCRIPTION		Geological/ Test Data	Geological Stratum
1	S-1	24/12	0.2 to 2.5	6		4" Pavement			FILL
				8		Brown Sandy GRAVEL, trace Silt, moist, compact, GP			
2				9					
				11					
3	S-2	24/8	2.5 to 4.5	4		Dark brown Sandy SILT, trace Clay and Gravel, trace Brick and Ash, damp, firm, ML			
				5					
				3					
				4					
5									
6									
7									
8						Auger Refusal at 7.1 ft - Bedrock or Rubble			BEDROCK OR RUBBLE
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									
19									
20									
21									
22									
Granular Soils		Cohesive Soils		% Composition	NOTES:				Soil Moisture Condition
Blows/ft.	Density	Blows/ft.	Consistency	ASTM D2487	PP = Pocket Penetrometer, MC = Moisture Content				Dry: S = 0% Humid: S = 1 to 25% Damp: S = 26 to 50% Moist: S = 51 to 75% Wet: S = 76 to 99% Saturated: S = 100%
0-4	V. Loose	<2	V. soft		LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test				
5-10	Loose	2-4	Soft	< 5% Trace	Bedrock Joints Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength				
11-30	Compact	5-8	Firm	5-15% Little	Shallow = 0 to 35 degrees				
31-50	Dense	9-15	Stiff	15-30% Some	Dipping = 35 to 55 degrees				
>50	V. Dense	16-30	V. Stiff	> 30% With	Steep = 55 to 90 degrees				
					Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches				
					Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200				

					SOIL BORING LOG		Boring #: B-PG-101A	
Drilling Co: New England Boring Contractors					Project: Brown Street Parking Garage		Project #: 15108.1	
Driller: P. Schofield					Location: 511 Congress St		Sheet: 1 of 1	
Summit Staff: B. Peterlein, P.E.					City, State: Portland, Maine		Chkd by:	
Boring Elevation: 89 ft +/-					Reference: Existing Conditions Plan, January 2016, Owen Haskell			
Date started: 2/10/2017					Date Completed: 2/10/2017			
DRILLING METHOD		SAMPLER			ESTIMATED GROUND WATER DEPTH			
Vehicle: Truck		Length: 24" SS			Date	Depth	Elevation	Reference
Model: Mobil B48		Diameter: 2"OD/1.5"ID			2/10/2017			None Observed
Method: 2-1/2 inch H.S.A.		Hammer: 140 lb						
Hammer Style: Auto		Method: ASTM D1586						
Depth (ft.)	No.	Pen/Rec (in)	Depth (ft)	blows/6"	Elev. (ft.)	SAMPLE DESCRIPTION		Geological/ Test Data
1						AUGER to 4 ft  Grayish-brown Sandy SILT, trace Clay and Gravel trace white Ash, damp, firm, ML		FILL
2								
3								
4								
5	S-2	24/6	4 to 6	3				
6				2				
7						Auger Refusal at 6.5 ft - Bedrock or Rubble		BEDROCK OR RUBBLE
8								
9								
10								
11								
12								
13								
14								
15								
16								
17								
18								
19								
20								
21								
22								
Granular Soils		Cohesive Soils		% Composition ASTM D2487	NOTES: PP = Pocket Penetrometer, MC = Moisture Content LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test <u>Bedrock Joints</u> Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength Shallow = 0 to 35 degrees Dipping = 35 to 55 degrees Steep = 55 to 90 degrees Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200			Soil Moisture Condition
Blows/ft.	Density	Blows/ft.	Consistency					Dry: S = 0%
0-4	V. Loose	<2	V. soft	< 5% Trace 5-15% Little 15-30% Some > 30% With	Humid: S = 1 to 25% Damp: S = 26 to 50% Moist: S = 51 to 75% Wet: S = 76 to 99% Saturated: S = 100%			
5-10	Loose	2-4	Soft					
11-30	Compact	5-8	Firm					
31-50	Dense	9-15	Stiff					
>50	V. Dense	16-30	V. Stiff					
		>30	Hard					

					SOIL BORING LOG			Boring #: B-PG-102		
Project: Brown Street Parking Garage Location: 511 Congress St City, State: Portland, Maine					Project #: 15108.1 Sheet: 1 of 1 Chkd by:					
Drilling Co: New England Boring Contractors Driller: P. Schofield Summit Staff: B. Peterlein, P.E.					Boring Elevation: 89 ft +/- Reference: Existing Conditions Plan, January 2016, Owen Haskell Date started: 2/10/2017 Date Completed: 2/10/2017					
DRILLING METHOD		SAMPLER			ESTIMATED GROUND WATER DEPTH					
Vehicle: Truck Model: Mobil B48 Method: 2-1/2 inch H.S.A. Hammer Style: Auto		Length: 24" SS Diameter: 2"OD/1.5"ID Hammer: 140 lb Method: ASTM D1586			Date: 2/10/2017 Depth: Elevation: Reference: None Observed					
Depth (ft.)	No.	Pen/Rec (in)	Depth (ft)	blows/6"	Elev. (ft.)	SAMPLE DESCRIPTION		Geological/ Test Data	Geological Stratum	
1			0.5 to 2	2		6" Pavement Brown Gravelly SAND, trace Silt, moist, compact, SP			FILL	
2			2 to 4	6		Black Silty SAND, trace Gravel, trace Ash and Brick, moist, compact, SM				
3				9		Same as above, little to some brick pieces				
4			4 to 6	7						
5				6						
6				5						
7				6						
8										
9										
10			9 to 11	4		Olive-brown slightly mottled Sandy SILT, trace Gravel and Clay, damp			REWORKED GLACIAL TILL	
11				4						
12				3						
13				1						
14						Olive-brown, mottled, Silty SAND, trace Gravel, damp, dense, SM			GLACIAL TILL	
15			14 to 16	9						
16				17						
17				19						
18				50-1"		End of Boring on Auger Refusal at 15.6 ft			BEDROCK	
19										
20										
21										
22										
Granular Soils Blows/ft. Density		Cohesive Soils Blows/ft. Consistency		% Composition ASTM D2487	NOTES: PP = Pocket Penetrometer, MC = Moisture Content LL = Liquid Limit, PI = Plastic Index, FV = Field Vane Test <u>Bedrock Joints</u> Su = Undrained Shear Strength, Su(r) = Remolded Shear Strength Shallow = 0 to 35 degrees Dipping = 35 to 55 degrees Steep = 55 to 90 degrees Boulders = diameter > 12 inches, Cobbles = diameter < 12 inches and > 3 inches Gravel = < 3 inch and > No 4, Sand = < No 4 and >No 200, Silt/Clay = < No 200				Soil Moisture Condition Dry: S = 0% Humid: S = 1 to 25% Damp: S = 26 to 50% Moist: S = 51 to 75% Wet: S = 76 to 99% Saturated: S = 100%	
0-4	V. Loose	<2	V. soft							
5-10	Loose	2-4	Soft	< 5% Trace						
11-30	Compact	5-8	Firm	5-15% Little						
31-50	Dense	9-15	Stiff	15-30% Some						
>50	V. Dense	16-30	V. Stiff	> 30% With						
		>30	Hard							

Ocean Gate Garage

Historic Preservation Board Review

May 30, 2017

Historic Preservation Narrative

Ocean Gate, LLC proposes the construction of a new, 4-deck, steel framed, and graciously designed parking structure to accommodate approximately 261 parked vehicles. While the project is not located in a Historic District, it is sited on land adjacent to a Historic District.

Background & Project Goals

Ocean Gate, LLC is the current owner of 511 Congress Street as well as other ancillary surface parking lots on adjacent and nearby parcels on Brown, Casco, and Shepley Streets. These parking lots currently provide an aggregate total of 151 parking spaces for the use of the commercial tenants at the 511 Congress property. Total parking demand at the property, however, exceeds this capacity by over 115 spaces and Ocean Gate currently meets excess demand through costly third-party leases at private area parking garages.

The new garage will be sited directly beside 511 Congress and will greatly enhance the utility and marketability of the commercial office space at 511 Congress allowing it to better attract and retain high quality businesses and the valuable jobs they provide our Portland community.

At the same time, addressing all of the parking demands of 511 Congress in a single structure frees spaces currently leased in area garages for other commercial and residential users *and* creates future new residential development opportunities on Ocean Gate's Shepley Street surface lots.

The project will also infill and activate a vacant site that, despite the owner's best efforts at patrols and other security measures, consistently attracts litter, loitering, and nefarious activity.

Garage Configuration & Relationship to Adjacent Properties

The new parking structure on the corner of Brown and Cumberland will layer over the surface parking lot that currently exists there. In terms of grades, dimensions, and urban context, the site is ideally suited for the proposed garage which integrates into the site gracefully and with minimal impact on adjacent structures and urban context.

At the Northern end of the parcel the +/-65' wide structure will be sited in close proximity to 511 Congress for ease of access by tenants. Given the tall base of the 511 Congress building and the way the Brown Street lot slopes down from the building, office tenants at 511 will maintain their access to light and open views over the new garage.

To the East, the garage fronts Brown Street and is adjacent to another, existing parking garage. Brown Street is narrow and so public view of this long edge of the garage will be very brief and only at oblique angles.

To the South, the garage presents a narrow +/-65' face to Cumberland Avenue. As described further below, the design team has paid particular care and attention to this façade to ensure architectural definition and interest and an active, human-scaled experience. The garage will positively contribute to the Cumberland Avenue street wall as an active and well-designed building of scale and quality.

To the West, the garage abuts both a two-story, mixed-use commercial building oriented toward Cumberland Avenue and a mid-rise residential building (the Ambassador) oriented toward Casco Street. In the case of the two-story structure, the garage in-fills to its side where there are no active entries and only light secondary fenestration. In the case the Ambassador, the garage starts at a much lower grade and only affects the property at the lowest portions of its rear elevation. The garage subordinates to the mass of the Ambassador and preserves public views of the structure from most perspectives. Farther up the lot from the Ambassador the garage nestles up against an existing series of retaining walls, which conceal its lower stories and greatly reduce the vertical impact of the structure as perceived from Casco Street.

Architectural Design

Ocean Gate, LLC is highly committed to quality urban design for Portland. This commitment was front of mind when selecting Platz Associates as the project architect. Platz was selected for their proven ability to deliver garages in Lewiston and other Maine communities which look and feel traditional, light, open, and contextual.

The design of the Brown Street Garage features open steel framing, traditional architectural forms, and active, human-scaled urban edges. Particular attention was paid to the garage's most publically visible and engaging facades; those seen directly from Cumberland Street and obliquely from Congress Street. These locations were embellished with glass entry doors and glass stair towers. They will be further softened and enlivened with quality/permanent façade materials, landscaped planter beds, and through the use of well-balanced site lighting.

The design capitalizes on the steel structure of the garage as an architectural medium providing beauty in its rhythm, punctuation, and detailing.

GENERAL NOTES

- OWNERS OF RECORD: OCEAN GATE LLC
CUMBERLAND COUNTY REGISTRY OF DEEDS BOOK 31452 PAGE 305
TAX MAP 37 BLOCK D LOT 4
- BEARINGS ARE BASED ON CITY DATUM USING CITY CONTROL POINTS:

L 757-34-112 "M" MONUMENT AT THE NORTHWESTERLY CORNER OF FOREST AVE. & CUMBERLAND AVE.

L 757-34-111 "M" MONUMENT AT THE SOUTHEASTERLY CORNER OF CUMBERLAND AVE. & OAK ST.

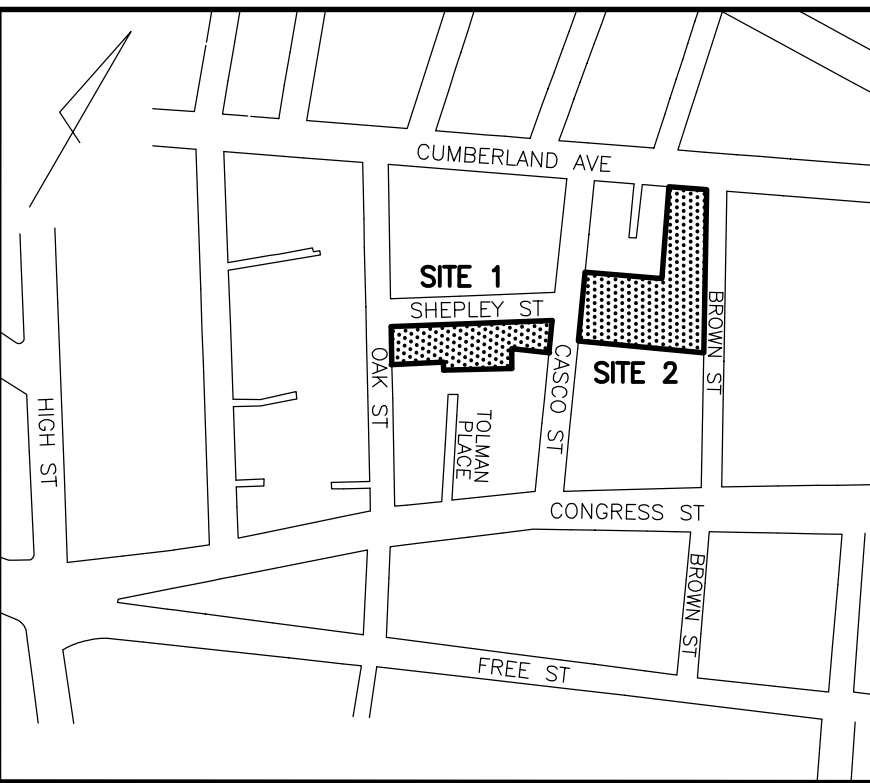
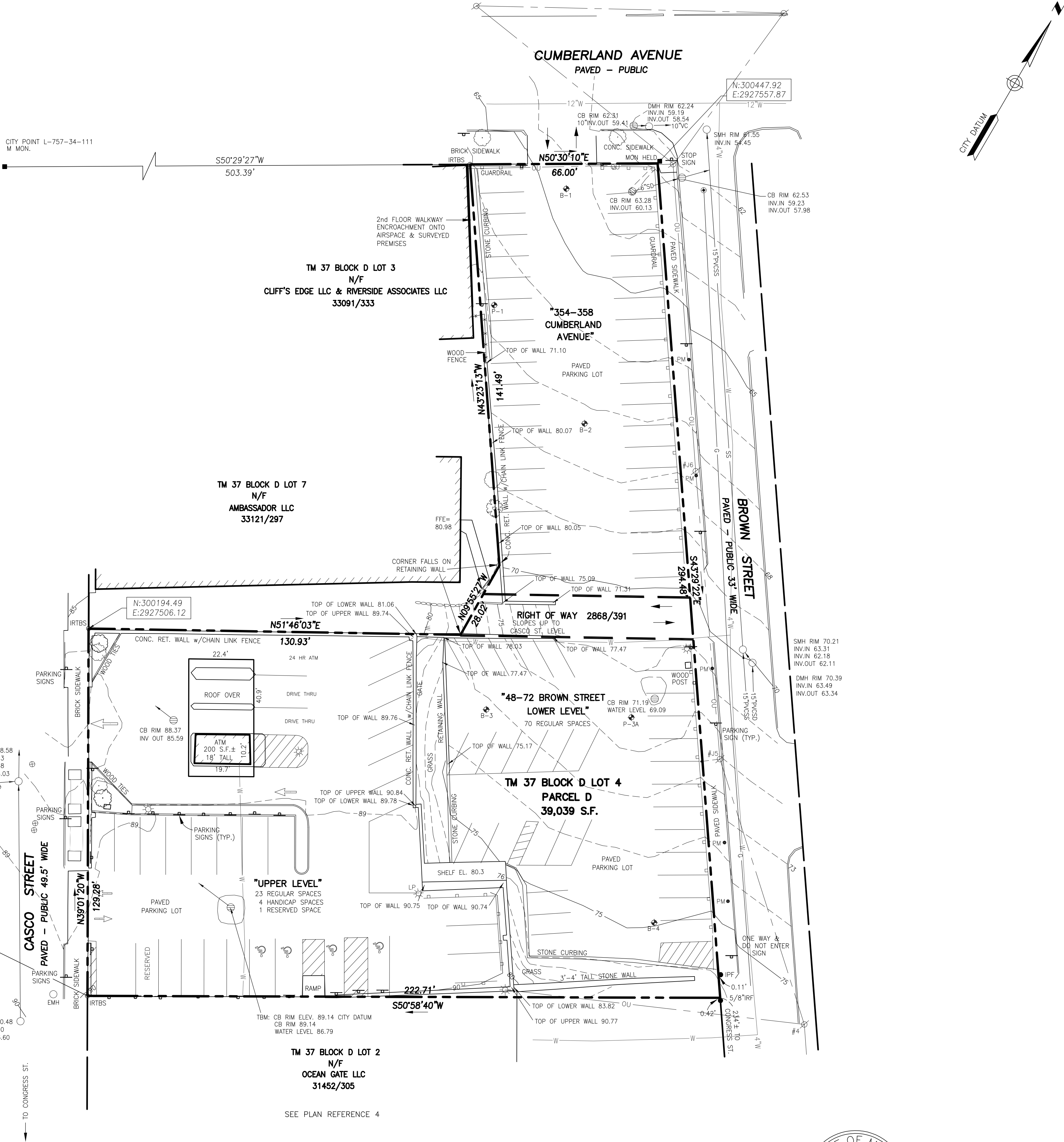
3. ELEVATIONS ARE BASED ON CITY DATUM. BENCHMARK PROVIDED BY THE CITY OF PORTLAND:

L 757-34-112 "M" MONUMENT AT THE NORTHWESTERLY CORNER OF FOREST AVE. & CUMBERLAND AVE. ELEVATION = 80.66' (REF. CITY L.B. 725 PG. 99-100)

4. THE PARCEL SHOWN LIES WITHIN "ZONE C" AREAS OF MINIMAL FLOODING, AS SCALED FROM THE FLOOD INSURANCE RATE MAP FOR THE CITY OF PORTLAND, MAINE COMMUNITY PANEL NO. 230051-0013B EFFECTIVE DATE JULY 17, 1986.

PLAN REFERENCES

- LAND TITLE SURVEY OF PROPERTY AT 16 CASCO STREET, PORTLAND, MAINE MADE FOR SURVEY PROPERTIES, INC., 16 CASCO ST., SUITE 200, PORTLAND, ME DATED NOV. 15, 1993 BY ROBERT J. CYR.
- PLAN OF LAND ON SHEPLEY STREET, PORTLAND, MAINE FOR HAMPSTEAD OVERLOOK, INC. DATED AUG. 20, 1987 REV. 7/9/93 BY OWEN HASKELL, INC.
- LAND TITLE SURVEY OF PROPERTY AT 523-547 CONGRESS ST., PORTLAND MAINE FOR HEGA REALTY TRUST, 218 EAST ROAD, HAMPSTEAD, NH 03841 DATED NOV. 9, 1993 BY OWEN HASKELL, INC.
- PLAN OF PROPERTY IN PORTLAND, MAINE, MAINE SAVINGS PLAZA MADE FOR THE MAINE SAVINGS BANK, LAND LEASE PLAN EXHIBIT A DATED 6-27-1973 REV. 7-20-95 BY H.I. & E.C. JORDAN SURVEYORS.
- STANDARD BOUNDARY SURVEY OF FLEET BANK PROPERTIES FOR FLEET FINANCIAL GROUP, INC. DATED 4-08-1996 BY SEBAGO TECHNICS.
- PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK DATED SEPT. 20, 1958 BY H.I. & E.C. JORDAN.
- PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR MAINE SAVINGS BANK DATED MAY 1943 BY H.I. JORDAN.
- ALTA/ACSM LAND TITLE SURVEY ON CASCO STREET, SHEPLEY STREET & OAK STREET, PORTLAND, MAINE MADE FOR 511 PLAZA LIMITED PARTNERSHIP DATED OCT. 21, 2002 REV. 3 12-12-12 BY OWEN HASKELL, INC.



LOCATION MAP

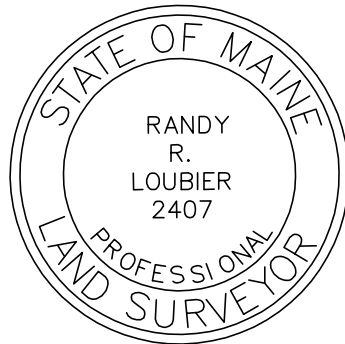
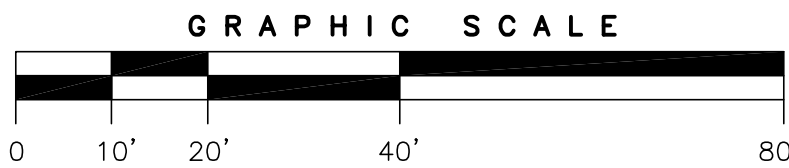
N.T.S.

LEGEND

- IRON ROD TO BE SET
- MONUMENT FOUND
- ⊙ LP UTILITY POLE w/LIGHT
- ⊙ LIGHT POLE
- ⊙ MANHOLE
- ⊙ CATCH BASIN
- ⊙ SIGN
- ⊙ PARKING METER
- ⊙ CHAIN LINK FENCE
- ⊙ GUARDRAIL
- ⊙ CURB
- ⊙ DIRECTION OF TRAFFIC
- ⊙ PAINTED ARROW
- ⊙ 1' CONTOUR
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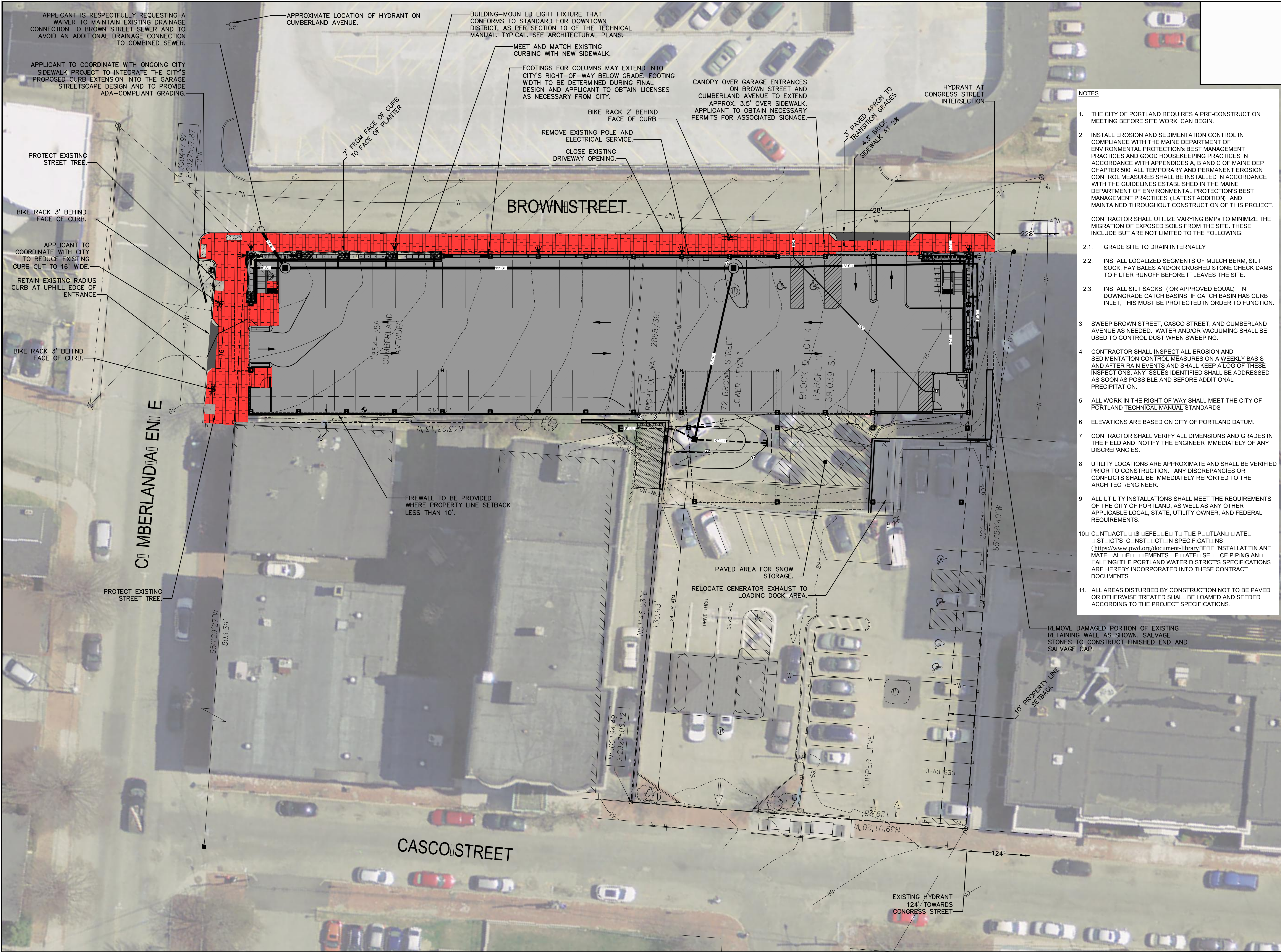
UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-888-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.



RANDY R. LOUBIER, PLS NO. 2407

REV. 1 5/17/17 MISC. REVISIONS		
EXISTING CONDITIONS PLAN		
ON		
CASCO STREET, SHEPLEY STREET & OAK STREET		
PORTLAND, MAINE		
MADE FOR		
ANEW DEVELOPMENT		
17 CHESTNUT STREET, PORTLAND, MAINE 04101		
OWEN HASKELL, INC.		
PROFESSIONAL LAND SURVEYORS		
390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424		
Drawn By TKM	Date JAN. 14, 2016	Job No. 2015-253P
Trace By JWL	Scale	Drwg. No.
Check By RRL	1" = 20'	1
Book No. FILE		



OCEAN GATE GARAGE

C. M. E. L. A. N. A. E. N. E. A. T. O. O. G. O. N. S. T. E. E. T.
P. O. R. T. L. A. N. D., M. A. I. N. E.

Owner:

Ocean Gate, LLC
151 Newbury Street
Portland, Maine 04101

Developer:

Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:

PLATZ ASSOCIATES

Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941

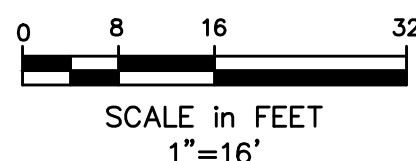
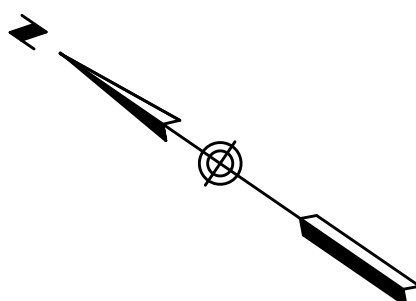
RANSOM

Consulting, Inc.

Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

NOTES

1. THE CITY OF PORTLAND REQUIRES A PRE-CONSTRUCTION MEETING BEFORE SITE WORK CAN BEGIN.
2. INSTALL EROSION AND SEDIMENTATION CONTROL IN COMPLIANCE WITH THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S BEST MANAGEMENT PRACTICES AND GOOD HOUSEKEEPING PRACTICES IN ACCORDANCE WITH APPENDICES A, B AND C OF MAINE DEP CHAPTER 500. ALL TEMPORARY AND PERMANENT EROSION CONTROL MEASURES SHALL BE INSTALLED IN ACCORDANCE WITH THE GUIDELINES ESTABLISHED IN THE MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION'S BEST MANAGEMENT PRACTICES (LATEST ADDITION) AND MAINTAINED THROUGHOUT CONSTRUCTION OF THIS PROJECT.
3. SWEEP BROWN STREET, CASCO STREET, AND CUMBERLAND AVENUE AS NEEDED. WATER AND/OR VACUUMING SHALL BE USED TO CONTROL DUST WHEN SWEEPING.
4. CONTRACTOR SHALL INSPECT ALL EROSION AND SEDIMENTATION CONTROL MEASURES ON A WEEKLY BASIS AND AFTER RAIN EVENTS AND SHALL KEEP A LOG OF THESE INSPECTIONS. ANY ISSUES IDENTIFIED SHALL BE ADDRESSED AS SOON AS POSSIBLE AND BEFORE ADDITIONAL PRECIPITATION.
5. ALL WORK IN THE RIGHT OF WAY SHALL MEET THE CITY OF PORTLAND TECHNICAL MANUAL STANDARDS
6. ELEVATIONS ARE BASED ON CITY OF PORTLAND DATUM.
7. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND GRADES IN THE FIELD AND NOTIFY THE ENGINEER IMMEDIATELY OF ANY DISCREPANCIES.
8. UTILITY LOCATIONS ARE APPROXIMATE AND SHALL BE VERIFIED PRIOR TO CONSTRUCTION. ANY DISCREPANCIES OR CONFLICTS SHALL BE IMMEDIATELY REPORTED TO THE ARCHITECT/ENGINEER.
9. ALL UTILITY INSTALLATIONS SHALL MEET THE REQUIREMENTS OF THE CITY OF PORTLAND, AS WELL AS ANY OTHER APPLICABLE LOCAL, STATE, UTILITY OWNER, AND FEDERAL REQUIREMENTS.
10. CONTRACTOR'S REFERENCE TO THE PORTLAND DATED CITY'S CONSTRUCTION SPECIFICATIONS ([https://www.pwd.org/document-library/FOR INSTALLATION MATERIAL ELEMENTS STATE SPECIFICATION](https://www.pwd.org/document-library/FOR%20INSTALLATION%20MATERIAL%20ELEMENTS%20STATE%20SPECIFICATION)) INCLUDING THE PORTLAND WATER DISTRICT'S SPECIFICATIONS ARE HEREBY INCORPORATED INTO THESE CONTRACT DOCUMENTS.
11. ALL AREAS DISTURBED BY CONSTRUCTION NOT TO BE PAVED OR OTHERWISE TREATED SHALL BE LOAMED AND SEEDED ACCORDING TO THE PROJECT SPECIFICATIONS.

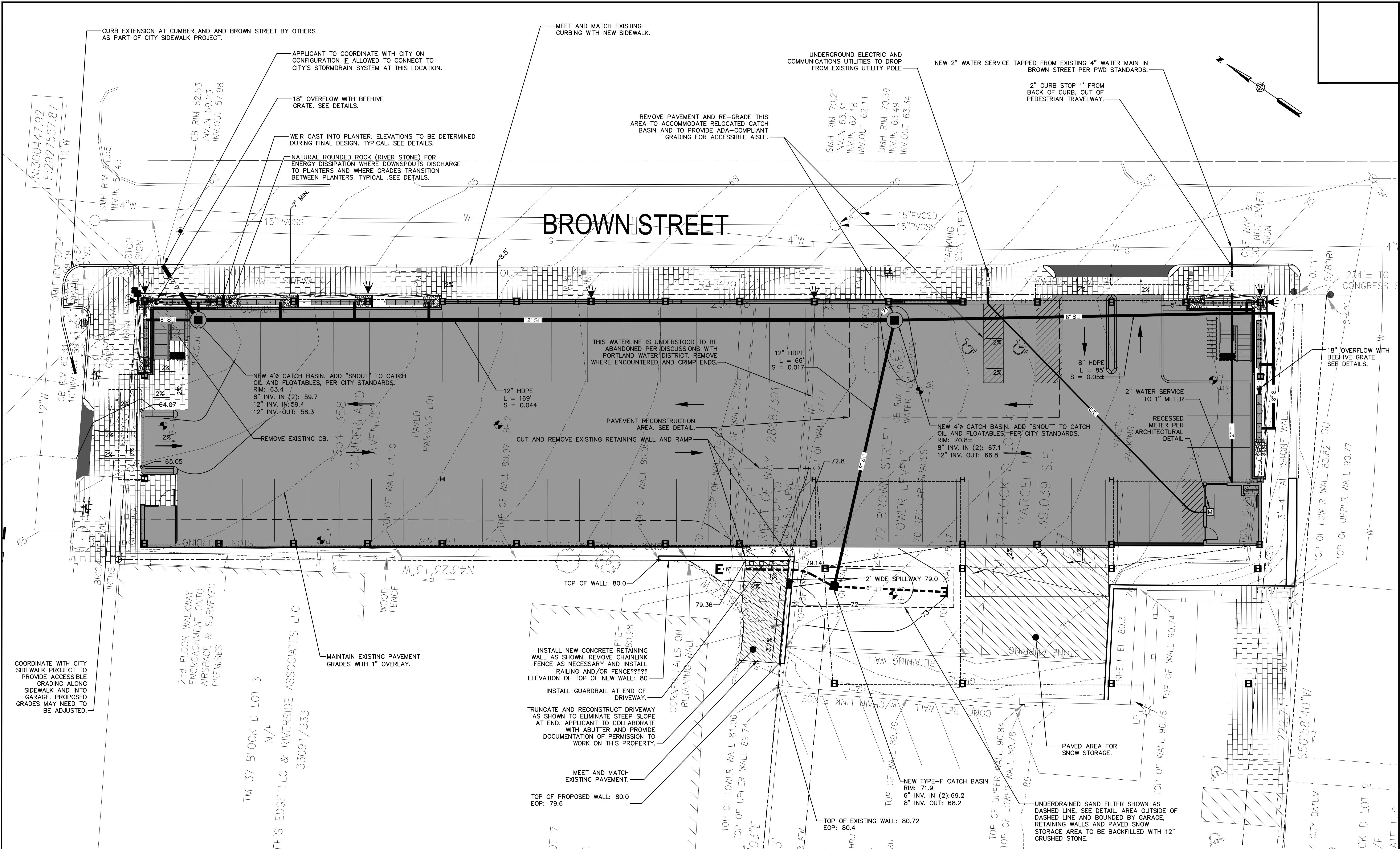


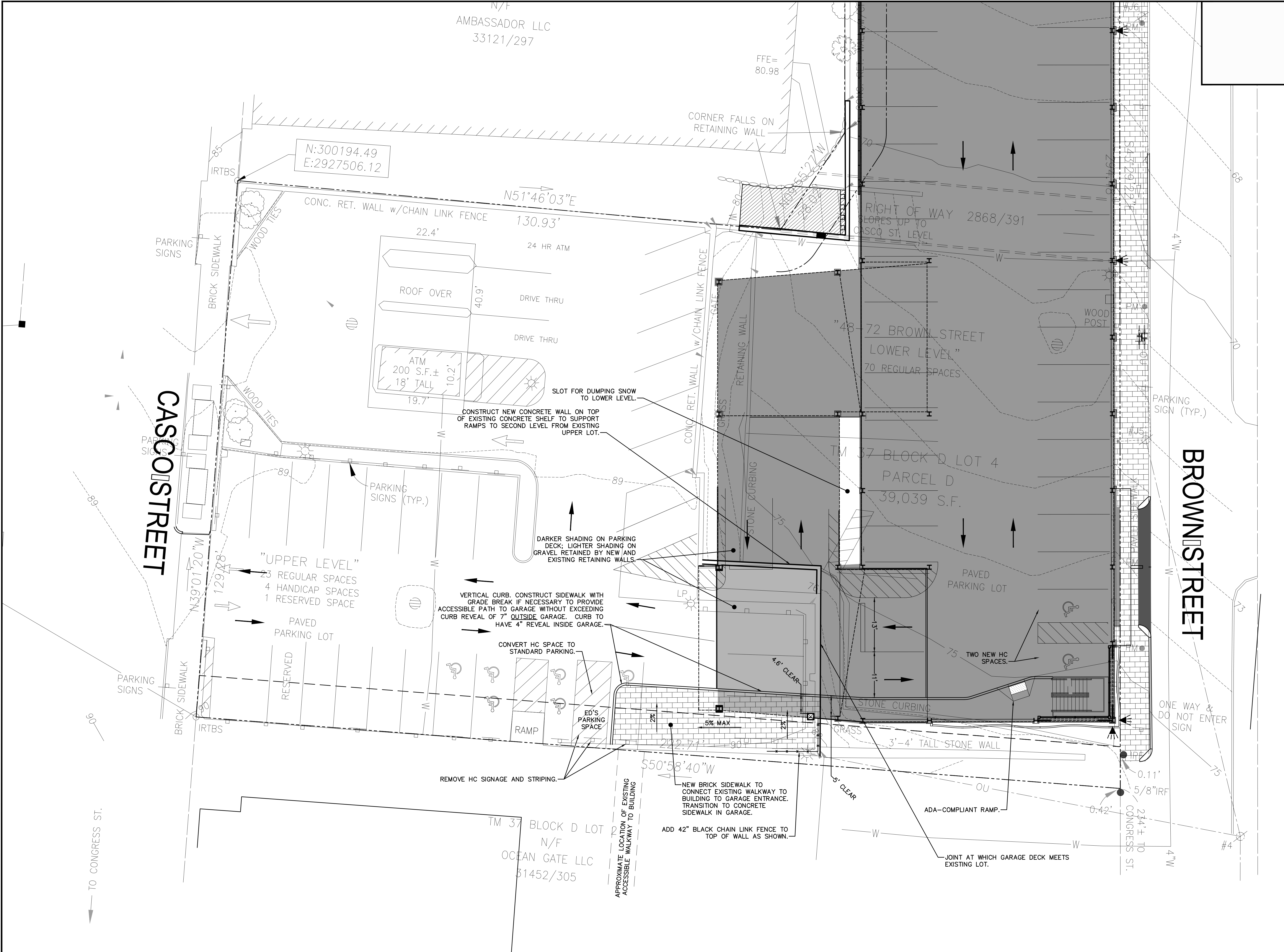
SITE PLAN

B	SITE PLAN SUBMISSION	6-20-17
A	PRELIMINARY REVIEW	4-21-17
No.	Revision/Issue	Date
Design by:	TGN	Checked by: SJB
Drawn by:	TGN	Approved by: SJB
Project:	151.06037	06-20-2017

Sheet No:

C1





OCEAN GATE GARAGE

C. M. E. L. A. N. E. A. T. O. O. O. N. S. T. E. E. T.
P. O. R. T. L. A. N. D., M. A. I. N. E.

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

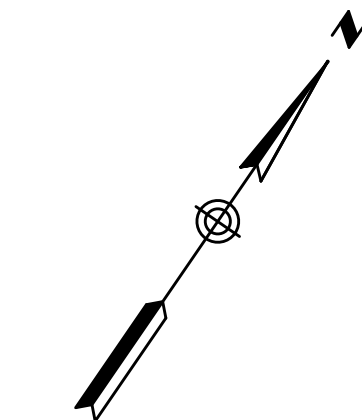
Consultants:



Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941



Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

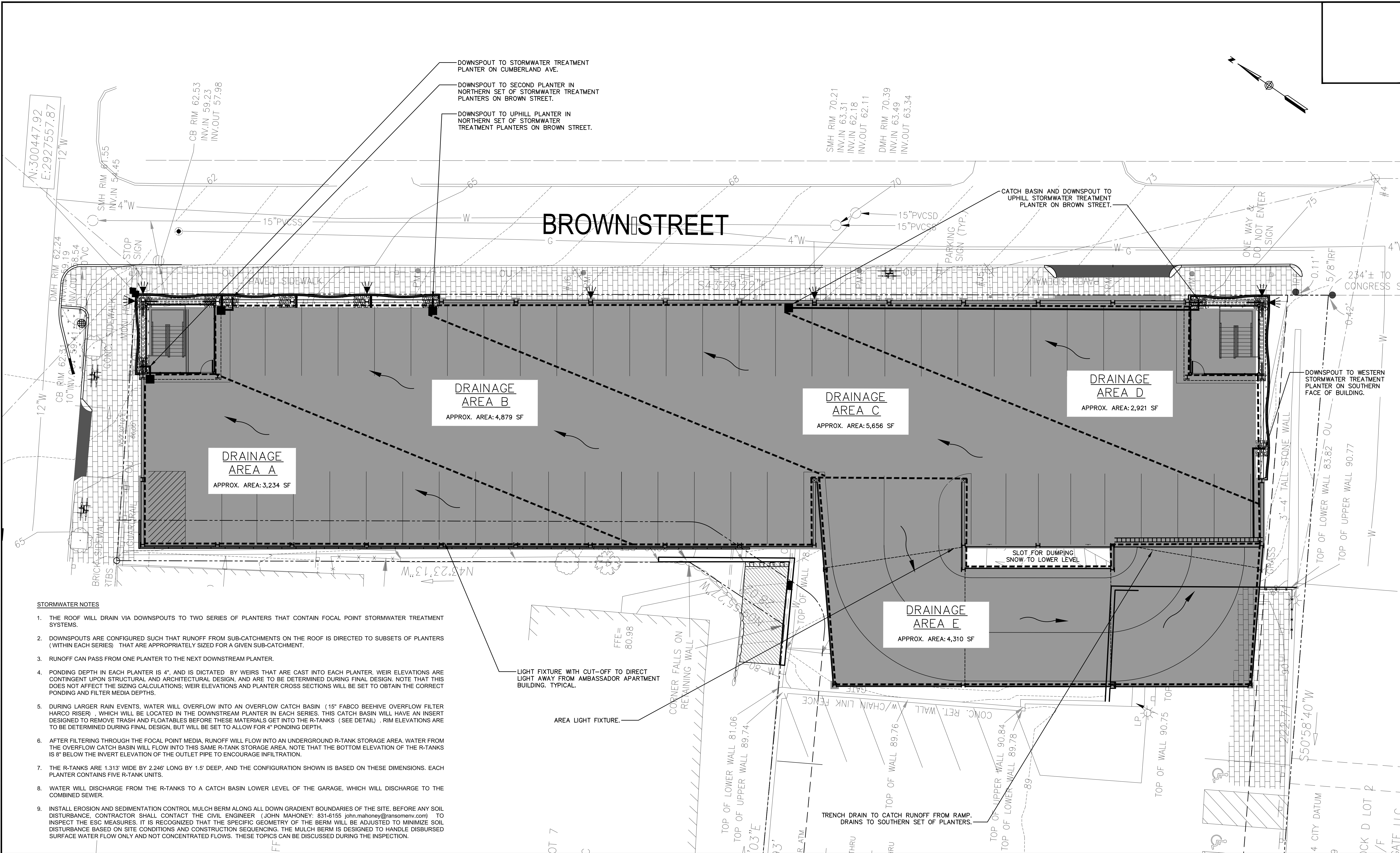


0 5 10 20
SCALE in FEET
1"=10'

SITE PLAN
- SECTION LEVEL -

No.	Revision/Issue	Date
B	SITE PLAN SUBMISSION	6-20-17
A	PRELIMINARY REVIEW	4-21-17
Design by:	TGN	Checked by: SJB
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Project:	151.06037	06-20-2017

Sheet No:
C3



STORMWATER NOTES

1. THE ROOF WILL DRAIN VIA DOWNSPOUTS TO TWO SERIES OF PLANTERS THAT CONTAIN FOCAL POINT STORMWATER TREATMENT SYSTEMS.
2. DOWNSPOUTS ARE CONFIGURED SUCH THAT RUNOFF FROM SUB-CATCHMENTS ON THE ROOF IS DIRECTED TO SUBSETS OF PLANTERS (WITHIN EACH SERIES) THAT ARE APPROPRIATELY SIZED FOR A GIVEN SUB-CATCHMENT.
3. RUNOFF CAN PASS FROM ONE PLANTER TO THE NEXT DOWNSTREAM PLANTER.
4. PONDING DEPTH IN EACH PLANTER IS 4", AND IS DICTATED BY WEIRS THAT ARE CAST INTO EACH PLANTER. WEIR ELEVATIONS ARE CONTINGENT UPON STRUCTURAL AND ARCHITECTURAL DESIGN, AND ARE TO BE DETERMINED DURING FINAL DESIGN. NOTE THAT THIS DOES NOT AFFECT THE SIZING CALCULATIONS; WEIR ELEVATIONS AND PLANTER CROSS SECTIONS WILL BE SET TO OBTAIN THE CORRECT PONDING AND FILTER MEDIA DEPTHS.
5. DURING LARGER RAIN EVENTS, WATER WILL OVERFLOW INTO AN OVERFLOW CATCH BASIN (15" FABCO BEEHIVE OVERFLOW FILTER HARCO RISER), WHICH WILL BE LOCATED IN THE DOWNSTREAM PLANTER IN EACH SERIES. THIS CATCH BASIN WILL HAVE AN INSERT DESIGNED TO REMOVE TRASH AND FLOATABLES BEFORE THESE MATERIALS GET INTO THE R-TANKS (SEE DETAIL). RIM ELEVATIONS ARE TO BE DETERMINED DURING FINAL DESIGN, BUT WILL BE SET TO ALLOW FOR 4" PONDING DEPTH.
6. AFTER FILTERING THROUGH THE FOCAL POINT MEDIA, RUNOFF WILL FLOW INTO AN UNDERGROUND R-TANK STORAGE AREA. WATER FROM THE OVERFLOW CATCH BASIN WILL FLOW INTO THIS SAME R-TANK STORAGE AREA. NOTE THAT THE BOTTOM ELEVATION OF THE R-TANKS IS 8" BELOW THE INVERT ELEVATION OF THE OUTLET PIPE TO ENCOURAGE INFILTRATION.
7. THE R-TANKS ARE 1.313' WIDE BY 2.246' LONG BY 1.5' DEEP, AND THE CONFIGURATION SHOWN IS BASED ON THESE DIMENSIONS. EACH PLANTER CONTAINS FIVE R-TANK UNITS.
8. WATER WILL DISCHARGE FROM THE R-TANKS TO A CATCH BASIN LOWER LEVEL OF THE GARAGE, WHICH WILL DISCHARGE TO THE COMBINED SEWER.
9. INSTALL EROSION AND SEDIMENTATION CONTROL MULCH BERM ALONG ALL DOWN GRADIENT BOUNDARIES OF THE SITE. BEFORE ANY SOIL DISTURBANCE, CONTRACTOR SHALL CONTACT THE CIVIL ENGINEER (JOHN MAHONEY: 831-6155 john.mahoney@ransomenv.com) TO INSPECT THE ESC MEASURES. IT IS RECOGNIZED THAT THE SPECIFIC GEOMETRY OF THE BERM WILL BE ADJUSTED TO MINIMIZE SOIL DISTURBANCE BASED ON SITE CONDITIONS AND CONSTRUCTION SEQUENCING. THE MULCH BERM IS DESIGNED TO HANDLE DISBURSED SURFACE WATER FLOW ONLY AND NOT CONCENTRATED FLOWS. THESE TOPICS CAN BE DISCUSSED DURING THE INSPECTION.

OCEAN GATE GARAGE

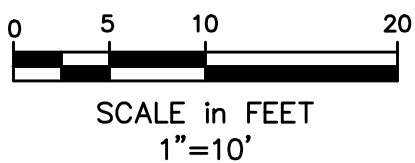
C:\M\E\LAN\A\EN\EAT\CON\STREET\PLAN\MAINE

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:
RANSOM
Consulting, Inc.
Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
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207-772-2891



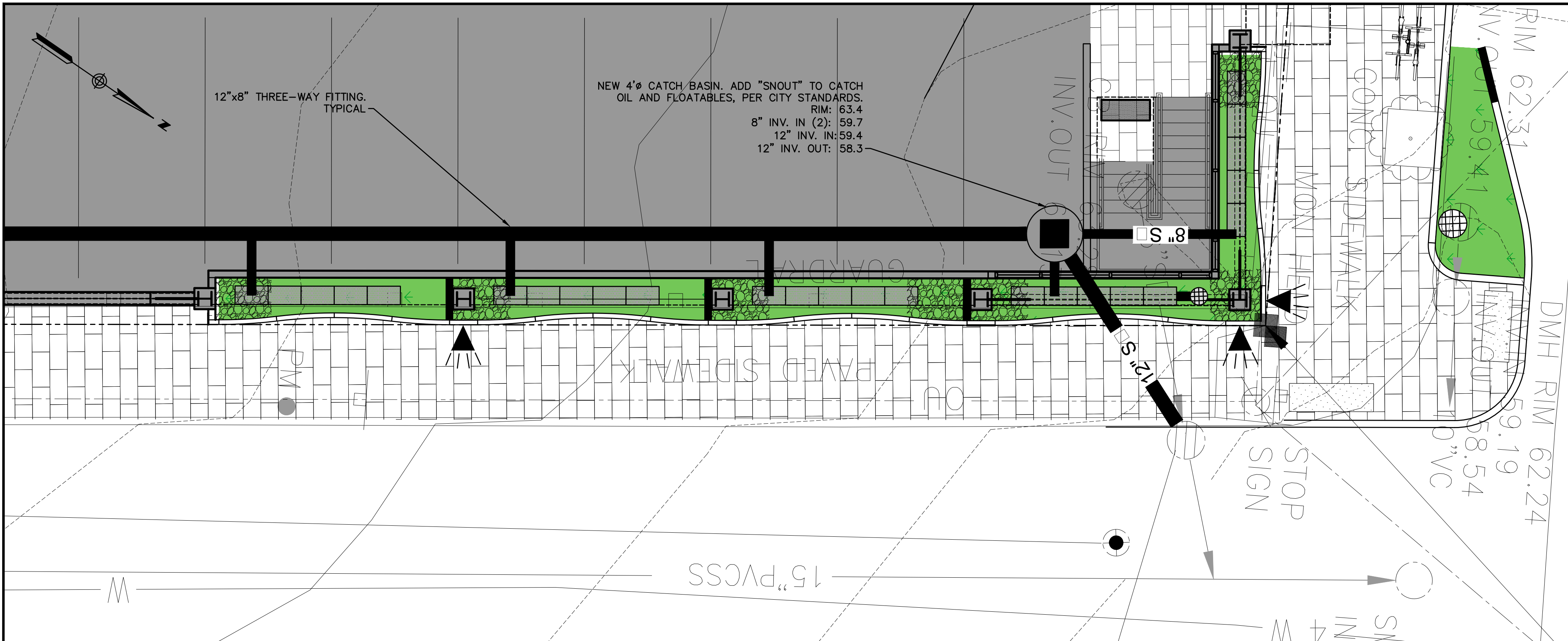
Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941



SITE PLAN
- OF LEVEL -

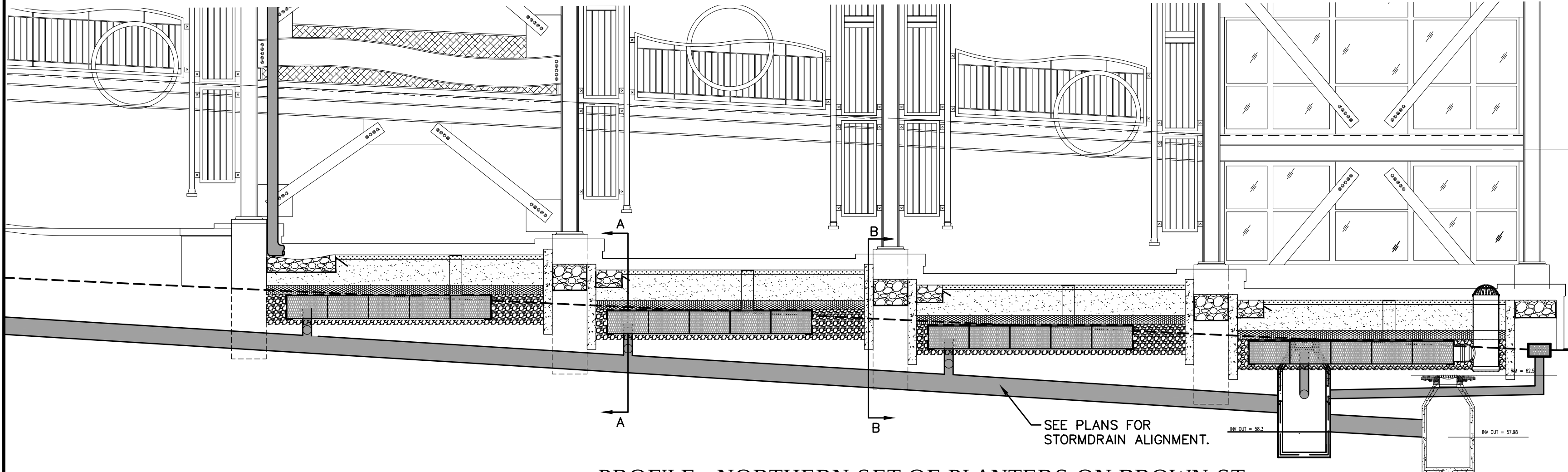
D		
C		
B		
A	SITE PLAN SUBMISSION	06-20-17
No.	Revision/Issue	Date

Design by: JIM
Checked by: JIM
Drawn by: TGN
Approved by: JIM
Project: 151.06037
C4



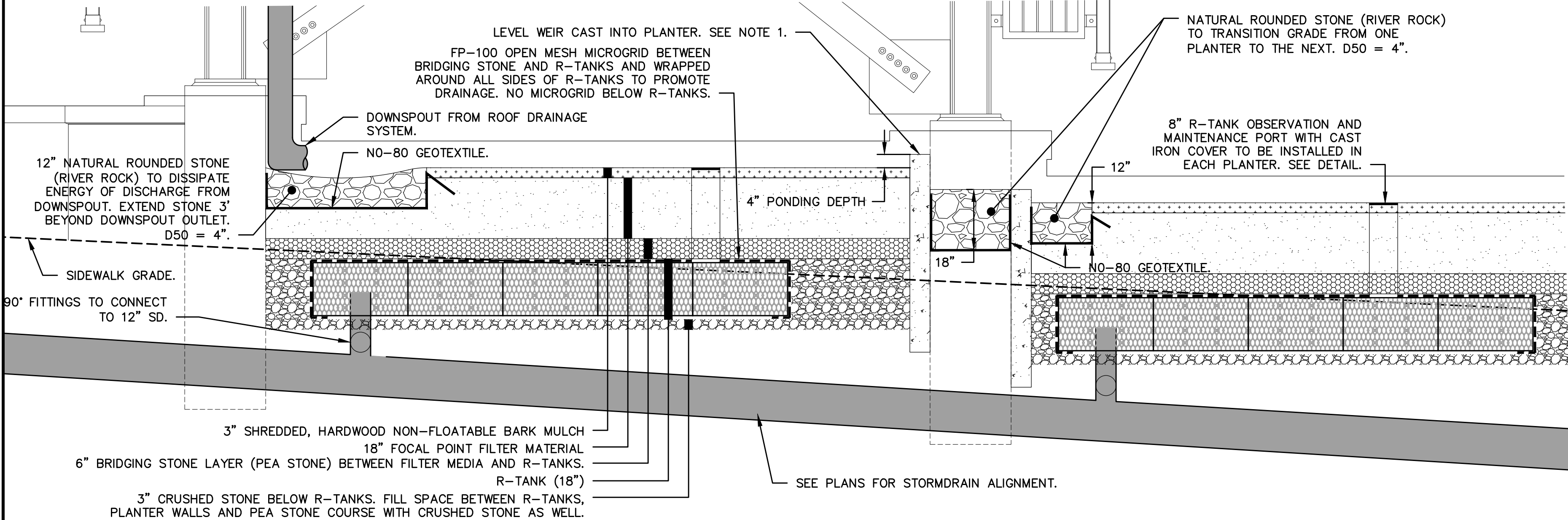
PLAN - NORTHERN SET OF PLANTERS ON BROWN ST

1"=5'



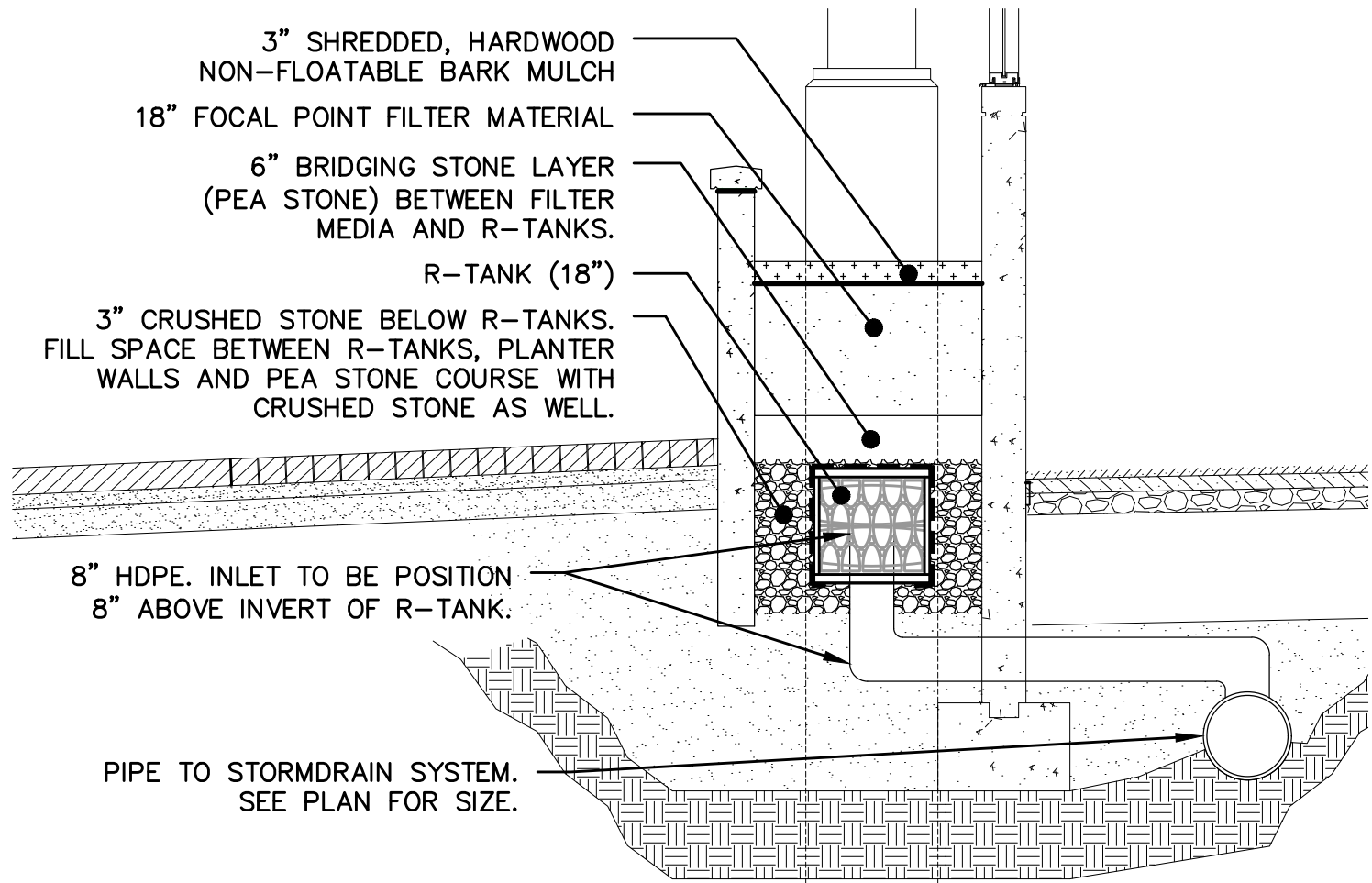
PROFILE - NORTHERN SET OF PLANTERS ON BROWN ST

1"=5'



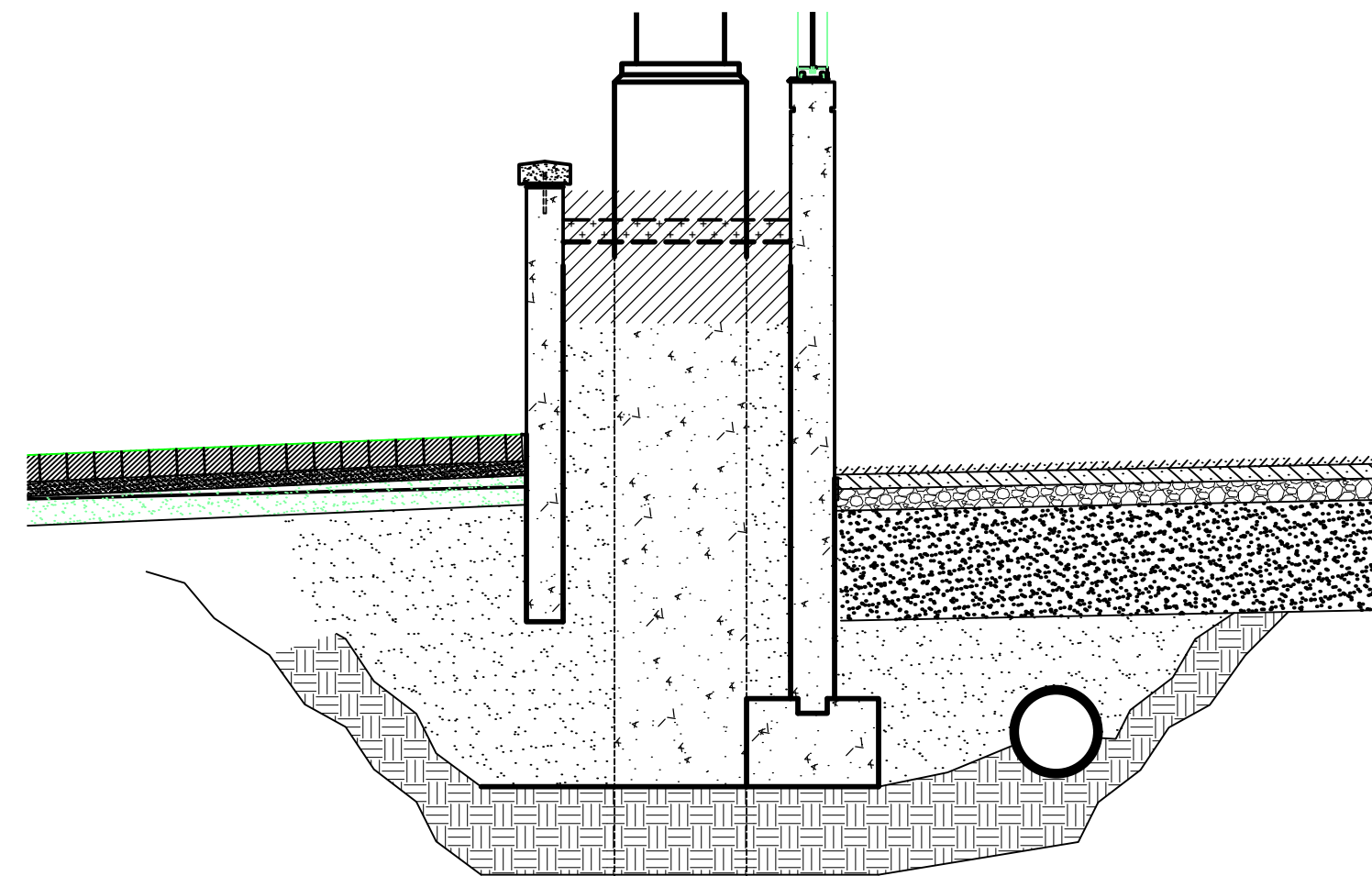
TYPICAL FOCAL POINT PLANTER

1"=2'



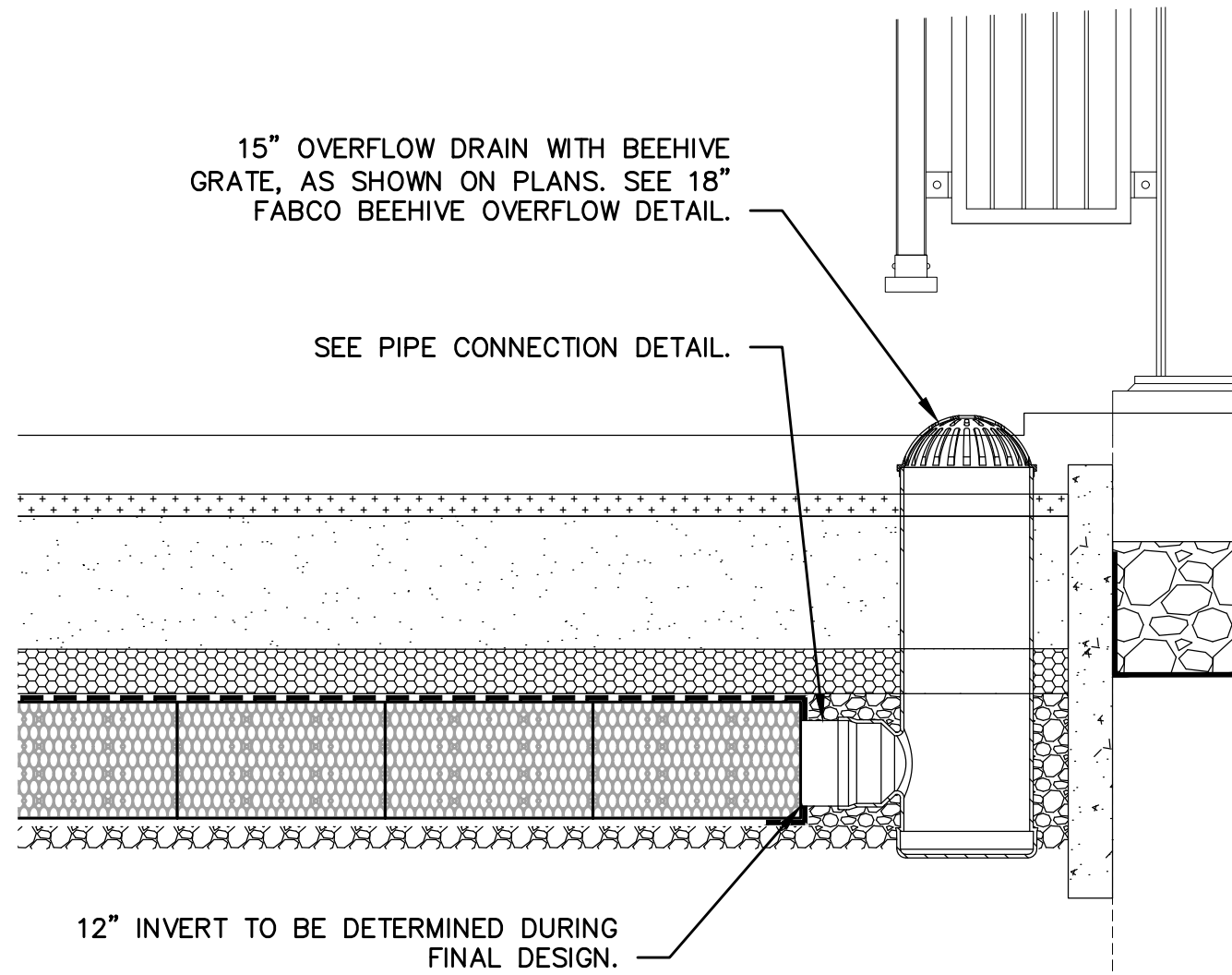
SECTION A-A

NOT TO SCALE



SECTION B-B

NOT TO SCALE



18" FABCO BEEHIVE OVERFLOW INSTALLATION

NOT TO SCALE

OCEAN GATE GARAGE

C: M: E: LAN: A: EN: E AT: 0000 N ST: EET
PORTLAND, MAINE

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:



Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941

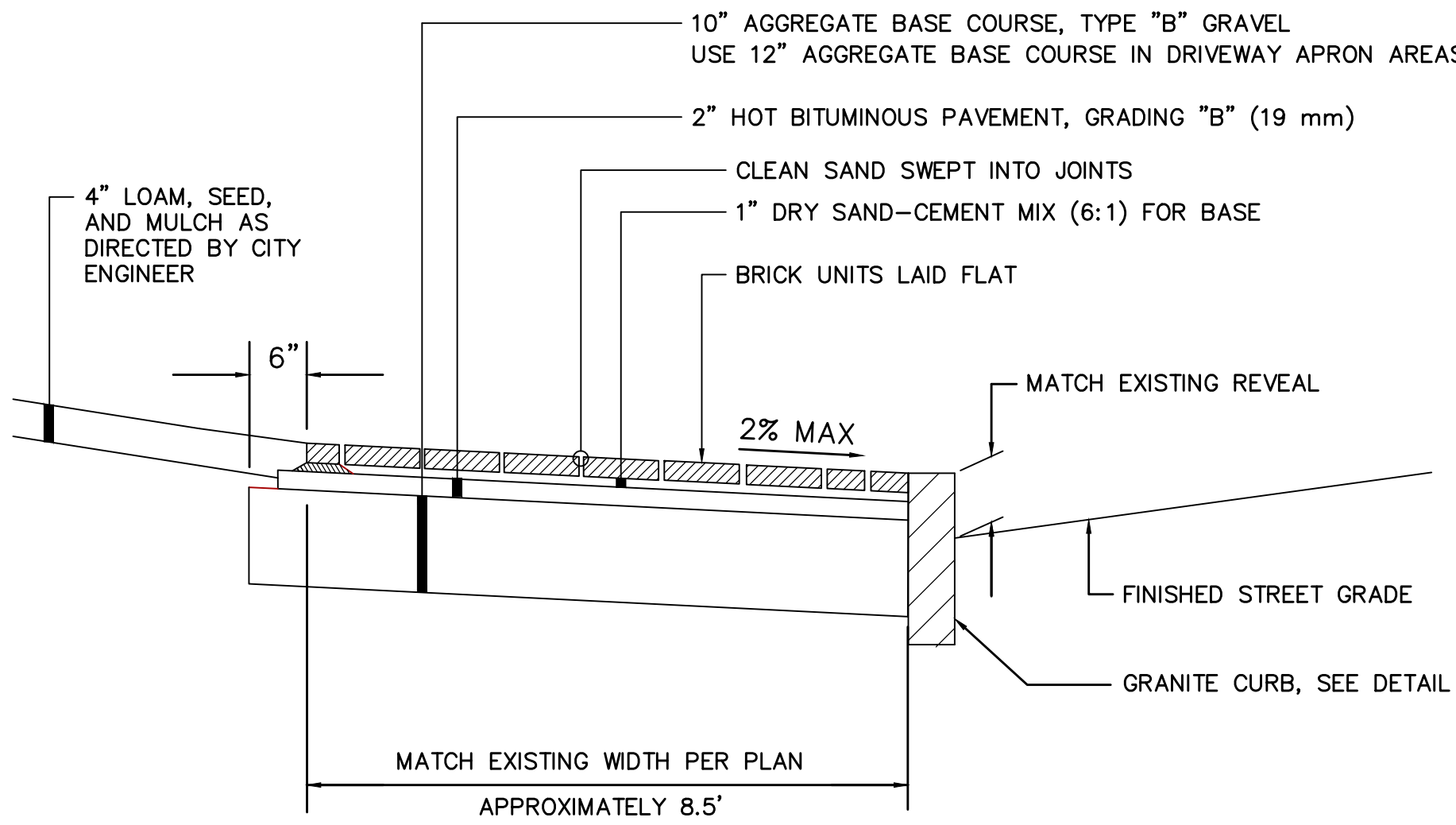


Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

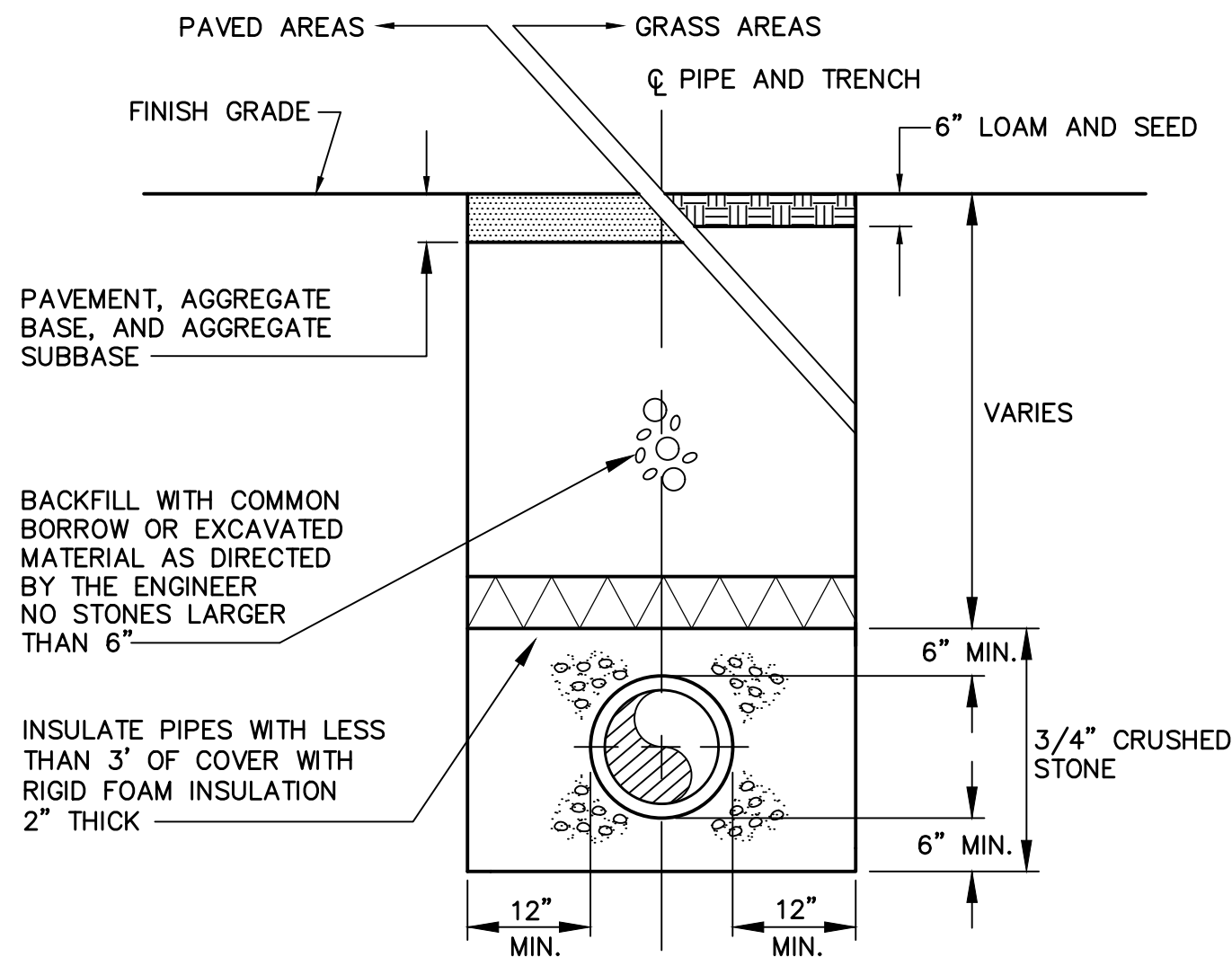
FOCAL POINT PLANTERS

No.	Revision/Issue	Date
A	SITE PLAN SUBMISSION	6-20-17
Design by:	TGN	Checked by: SJB
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Project:	151.06037	06-20-2017
Sheet No:	C5	

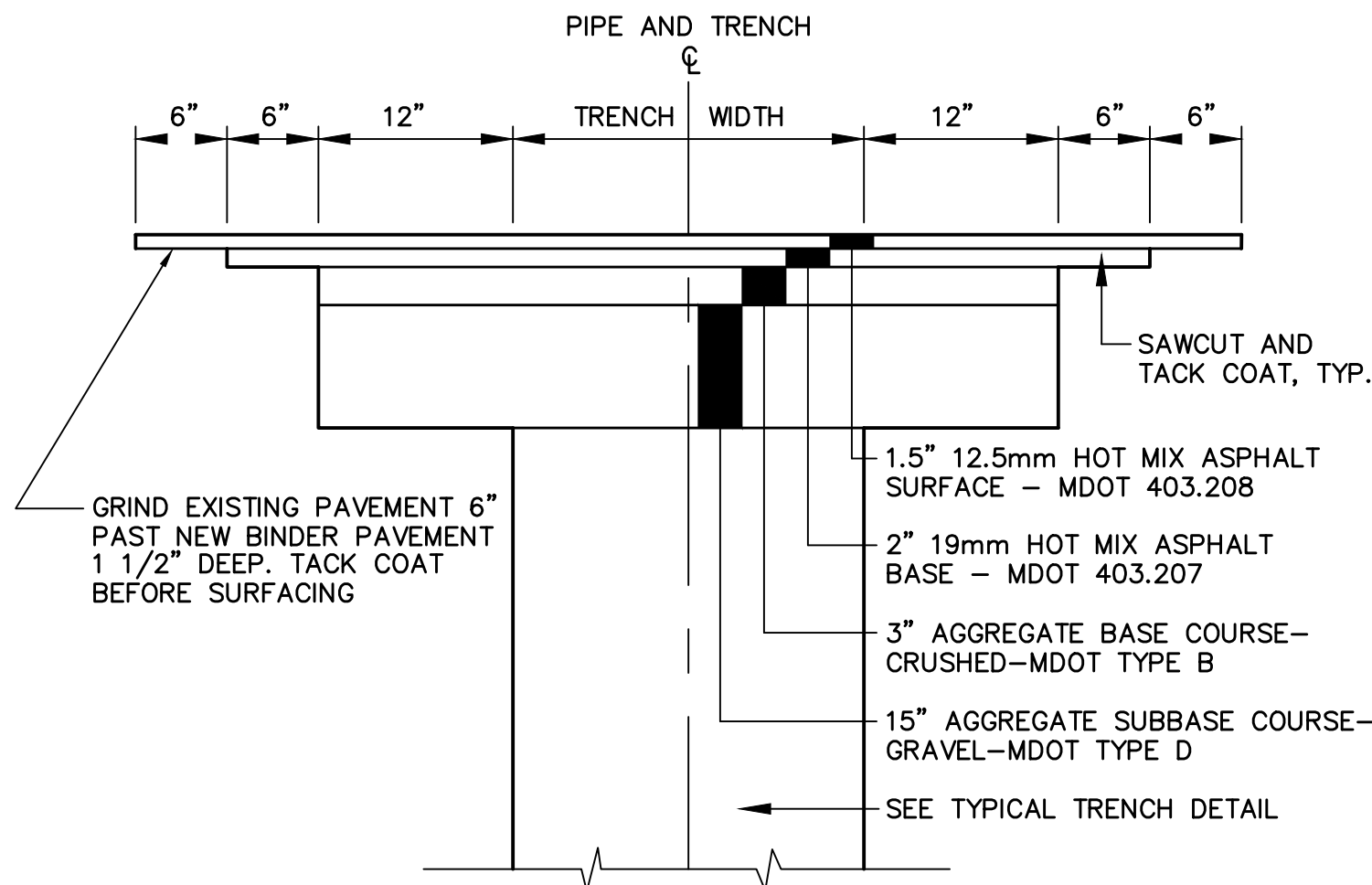
BRICKS SHALL BE:
Bricks shall be of standard size (2-1/4" x 4" x 8"). Bricks shall be Pine Hall Pathway Paver Brick as manufactured by Pine Hall Brick Co., Madison, North Carolina. Specification number: 4"x8"; LaChance item # 193623, Pine Hall Pathway Paver Brick. Prior to ordering the brick, samples shall be submitted in whole straps to show color range. All base courses and joints shall conform to the applicable subsections of Division 700 of the Standard Specifications



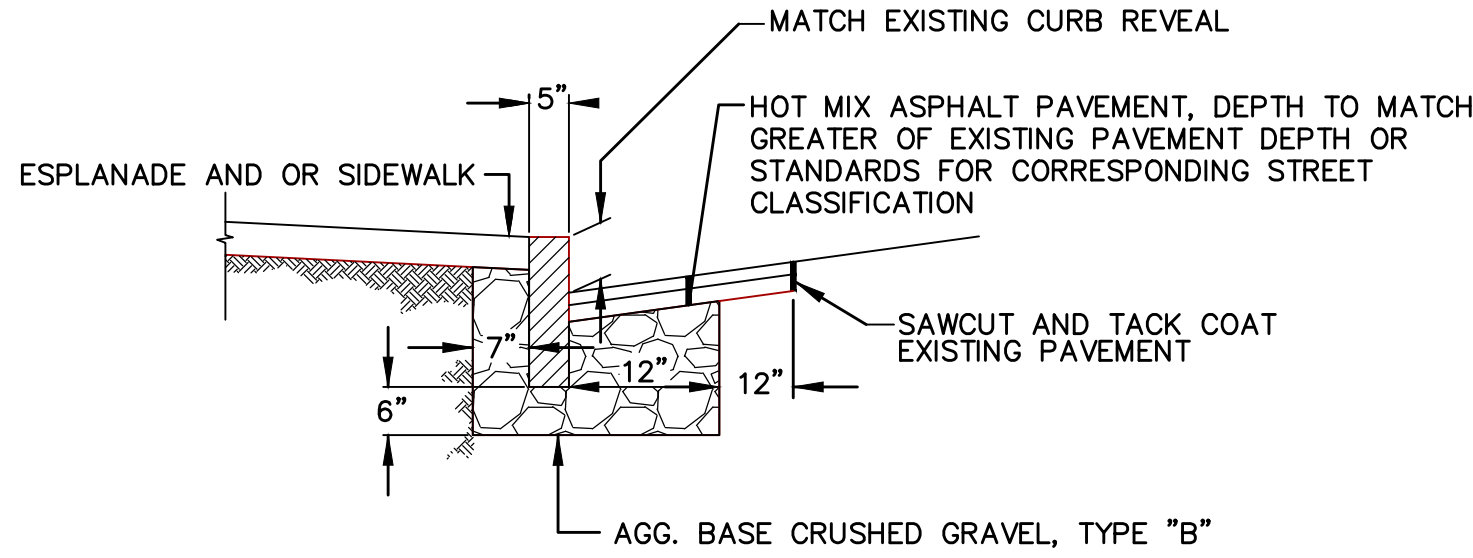
BRICK SIDEWALK WITH BITUMINOUS BASE
NOT TO SCALE



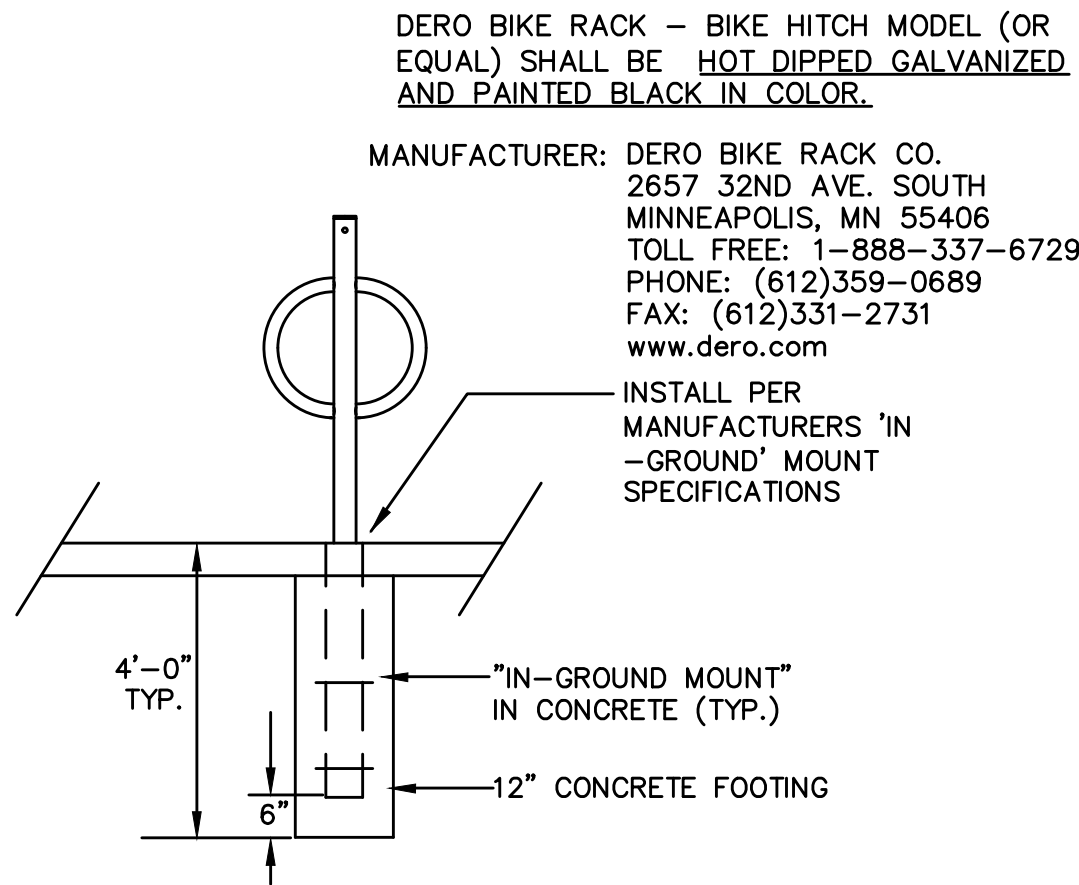
TYPICAL TRENCH REPAIR DETAIL
NOT TO SCALE



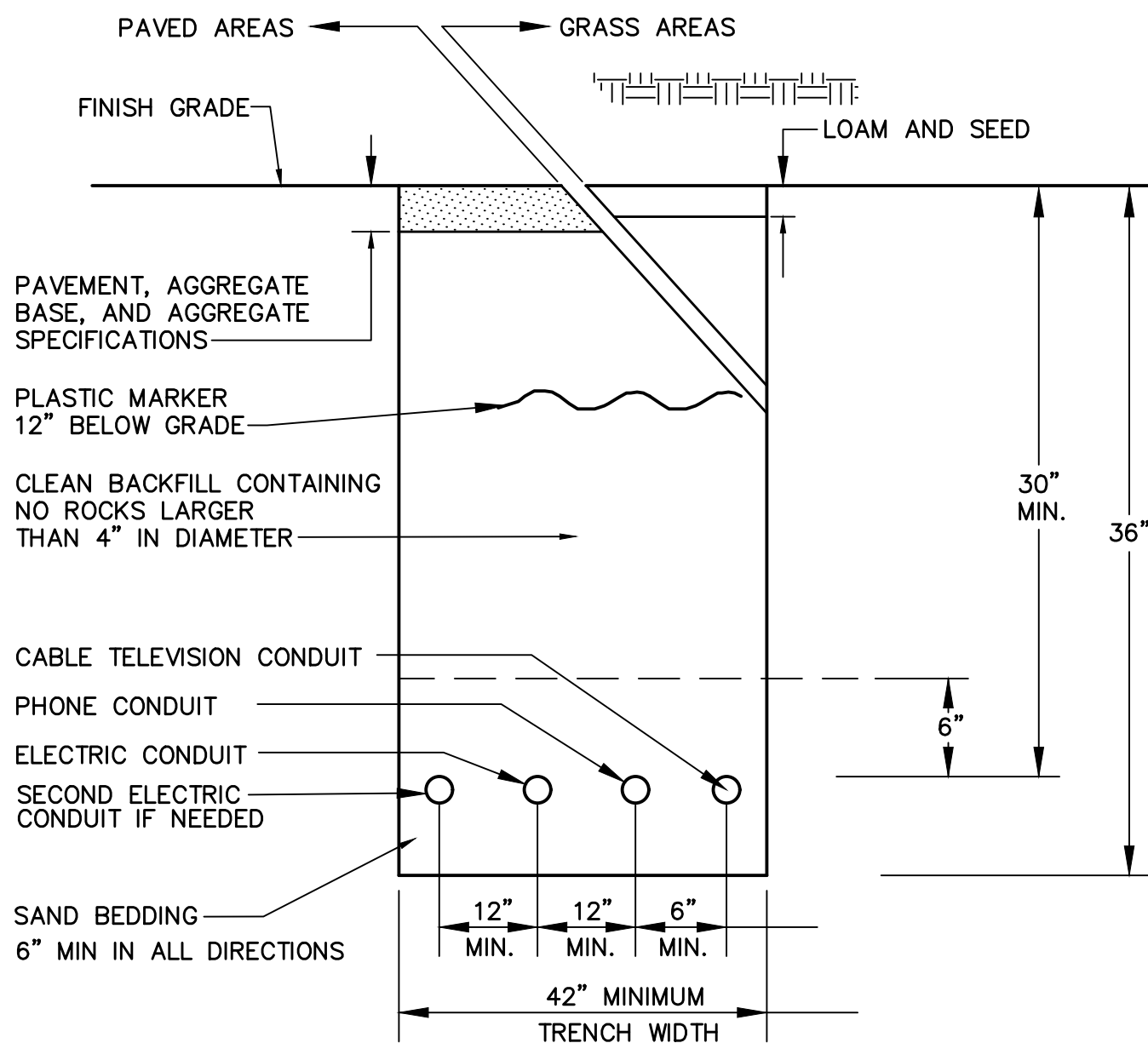
TYPICAL TRENCH PAVING DETAIL
NOT TO SCALE



**VERTICAL GRANITE CURB
INSTALLATION IN EXISTING STREETS**
NOT TO SCALE

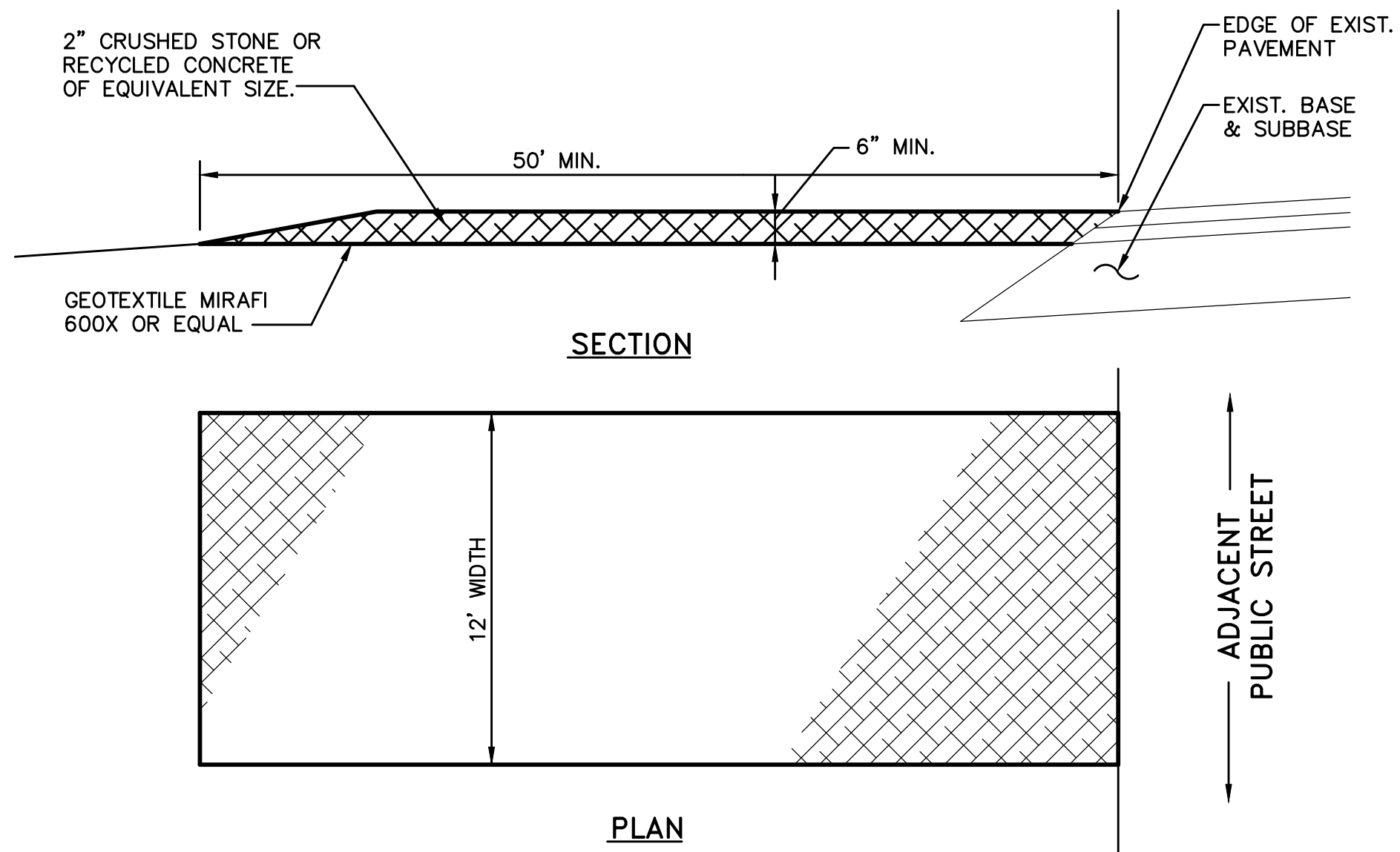


BIKE RACK DETAIL
NOT TO SCALE



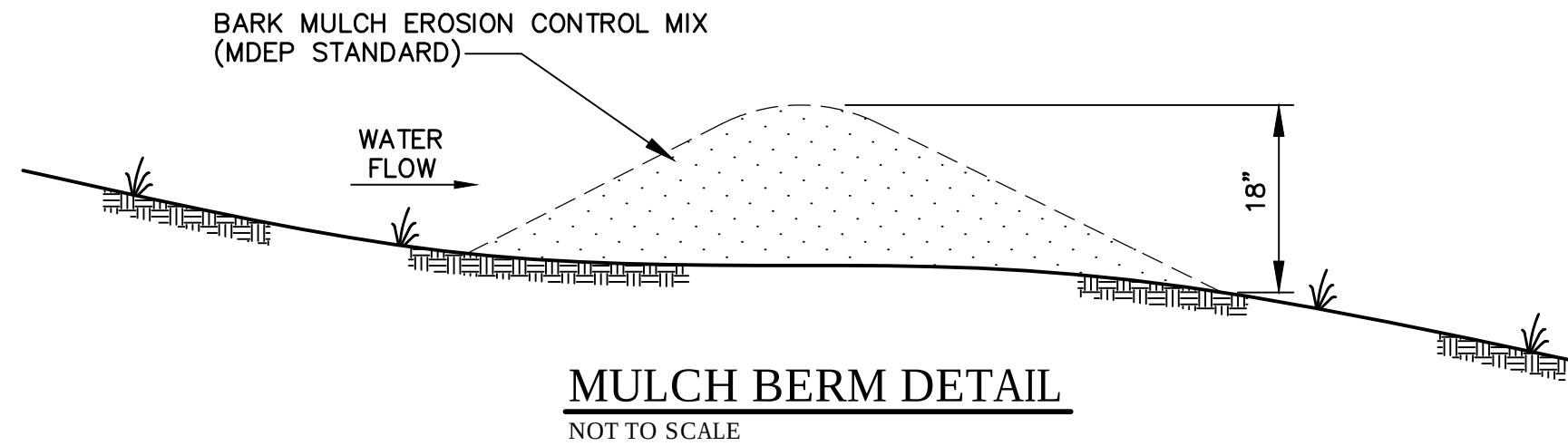
SEE ELECTRICAL PLANS FOR CONDUIT SIZES

UNDERGROUND UTILITY TRENCH DETAIL
NOT TO SCALE

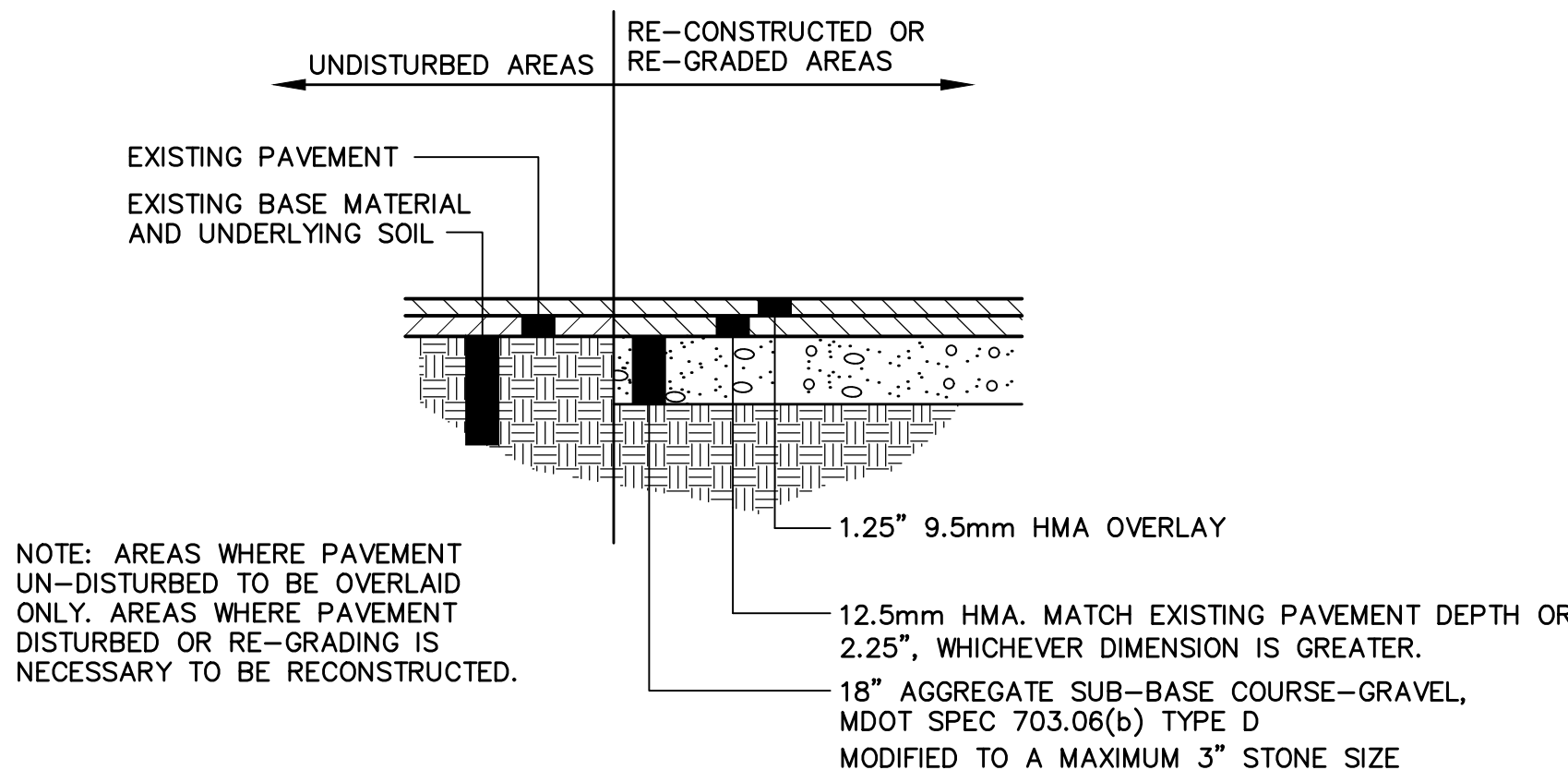


- NOTES:
1. MAINTAIN ENTRANCE IN A CONDITION THAT WILL PREVENT TRACKING OF SEDIMENT ONTO PUBLIC RIGHT OF WAY. IF WASHING IS REQUIRED PREVENT SEDIMENT FROM ENTERING WATERWAYS, DITCHES OR STORM DRAINS.
 2. REMOVE STABILIZED CONSTRUCTION ENTRANCE TO FINISH PAVEMENT.

STABILIZED CONSTRUCTION ENTRANCE
NOT TO SCALE



MULCH BERM DETAIL
NOT TO SCALE



NOTE: AREAS WHERE PAVEMENT UN-DISTURBED TO BE OVERLAID ONLY. AREAS WHERE PAVEMENT DISTURBED OR RE-GRADING IS NECESSARY TO BE RECONSTRUCTED.

1.25" 9.5mm HMA OVERLAY

12.5mm HMA. MATCH EXISTING PAVEMENT DEPTH OR 2.25", WHICHEVER DIMENSION IS GREATER.

18" AGGREGATE SUB-BASE COURSE- GRAVEL, MDOT SPEC 703.06(b) TYPE D MODIFIED TO A MAXIMUM 3" STONE SIZE

TYPICAL PAVEMENT TREATMENTS FOR FIRST LEVEL OF GARAGE
NOT TO SCALE

OCEAN GATE GARAGE

C:\M\LAN\A\EN\EAT\0000\N\STREET
PORTLAND, MAINE

Developer:

Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:



Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941



Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

DETAILS

A	PRELIMINARY REVIEW	6-13-17
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Drawn by:	TGN	Approved by: SJB
Project:	151.06037	06-06-2017
Sheet No:	C6	

OCEAN GATE
GARAGE

C:\M\ELAN\A\EN\EAT\0000\N\ST\ET
PLOT\LAN\MAINE

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

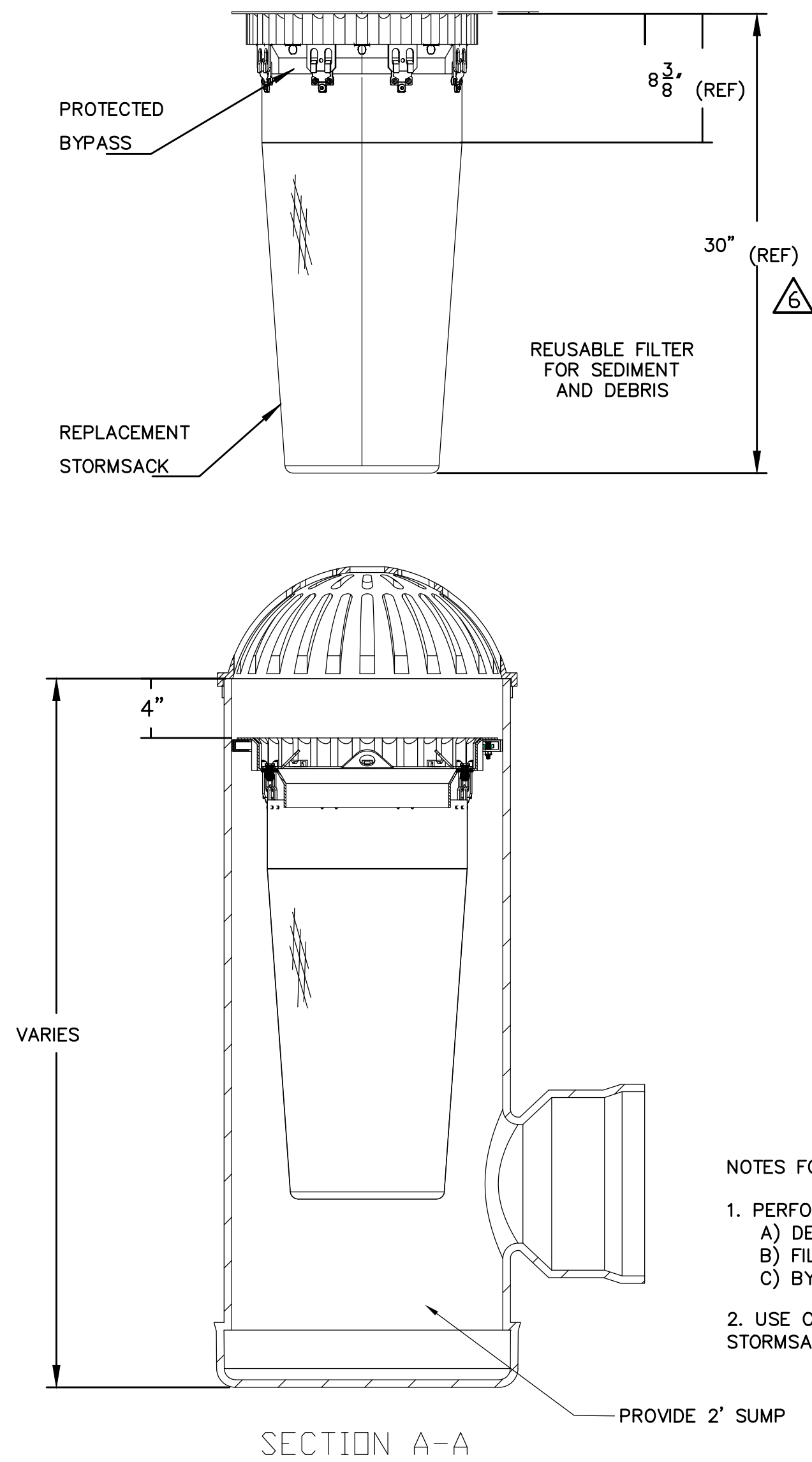
Consultants:



Architect
Travis Nadeau, Architect
Two Great Falls Plaza
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Civil Engineer
Ransom Consulting, Inc.
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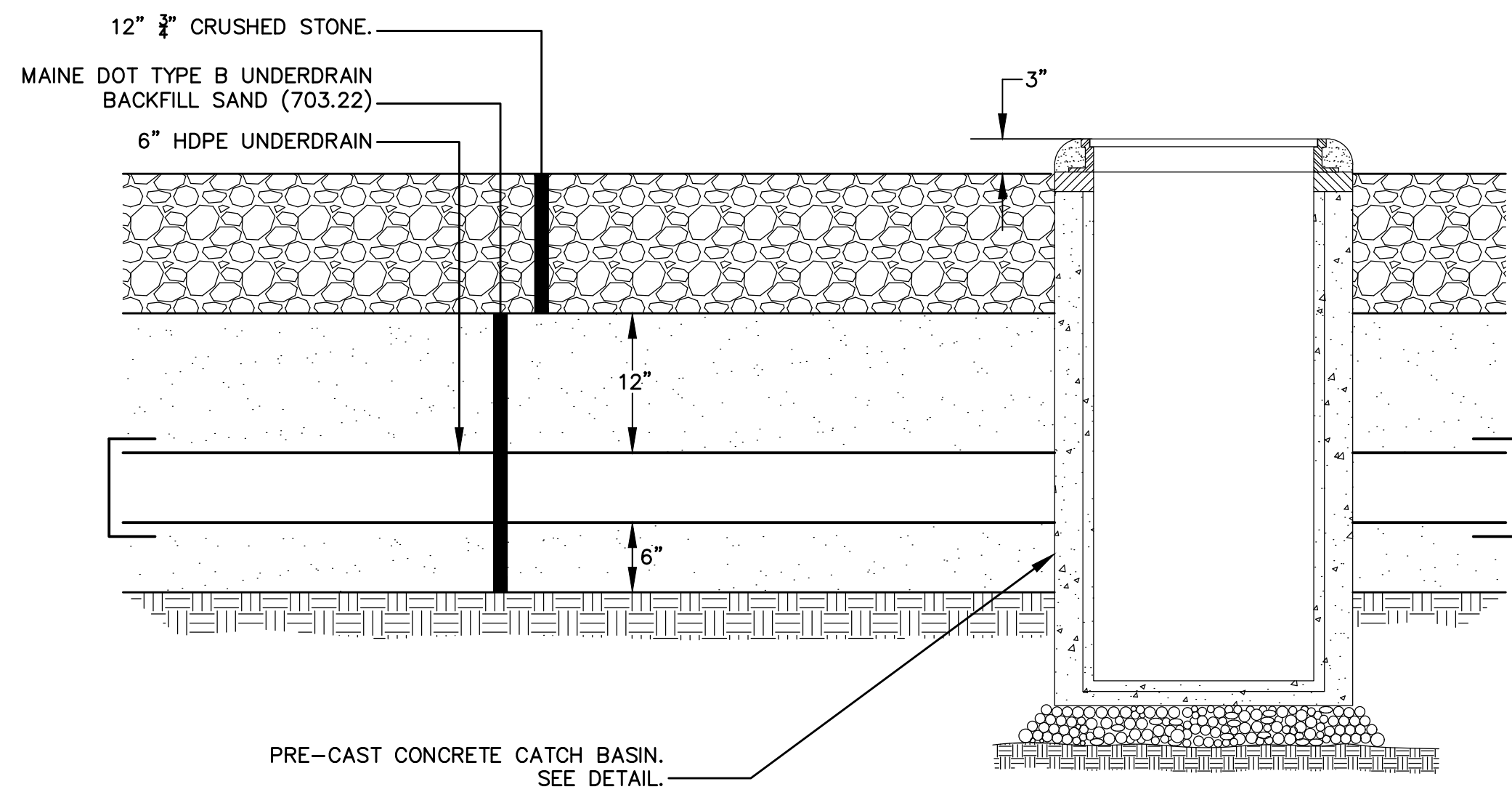
NOTES FOR 9780-1-000 18" CATCH-IT:

- PERFORMANCE CHARACTERISTICS (TYP):
A) DEBRIS CAPACITY: 1.65 CU-FT
B) FILTERED FLOW RATE: 1440 GPM (2.5 CFS)
C) BYPASS FLOW RATE: 445 GPM (1.0 CFS)

- USE ONLY WITH FABCO REPLACEABLE STORMSACK, P/N: 9780-1-200

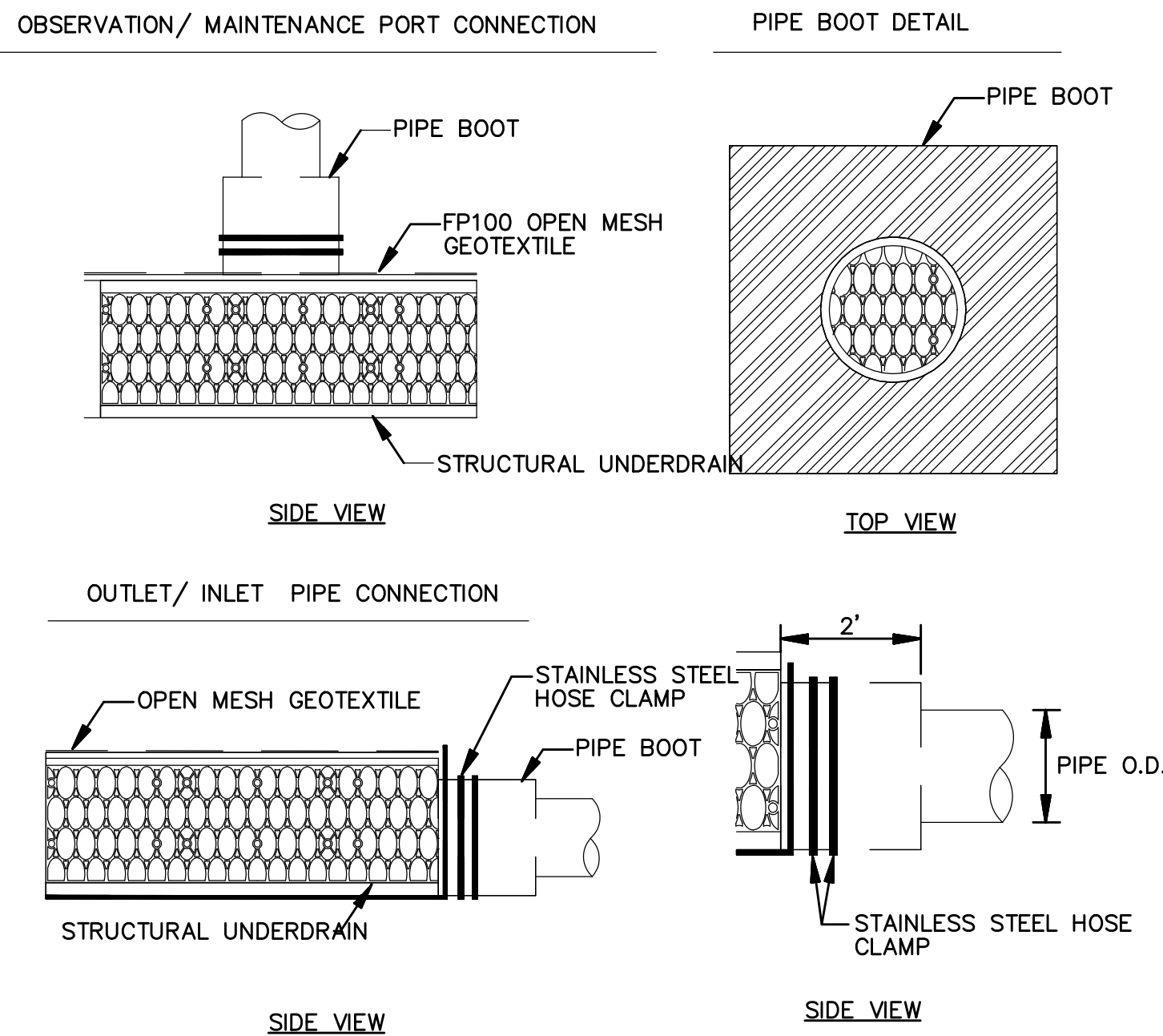
18" FABCO BEEHIVE OVERFLOW FILTER HARCO RISER

NOT TO SCALE



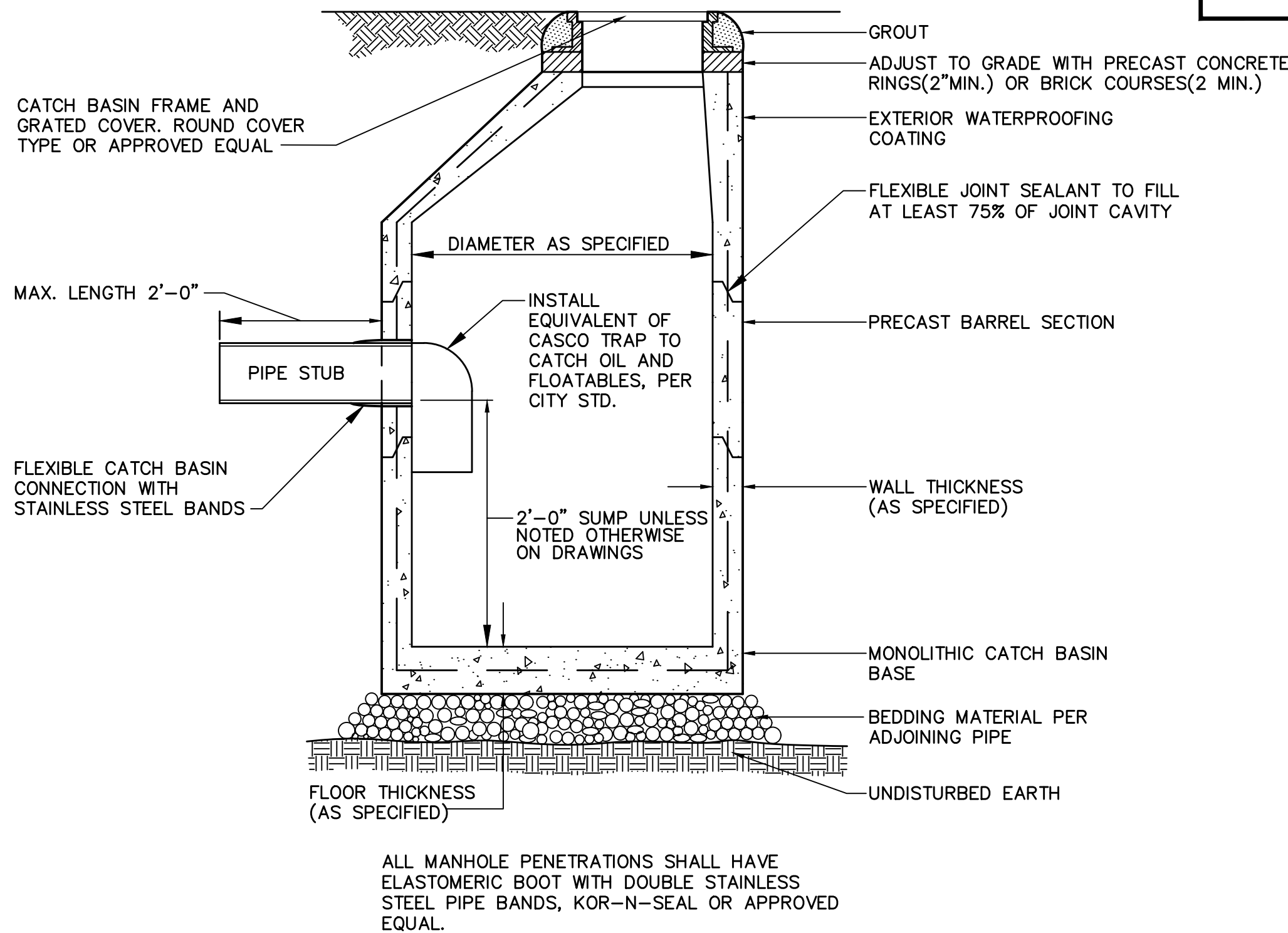
UNDERDRAINED SAND FILTER

NOT TO SCALE



R-TANK PIPE AND OBSERVATION PORT CONNECTIONS

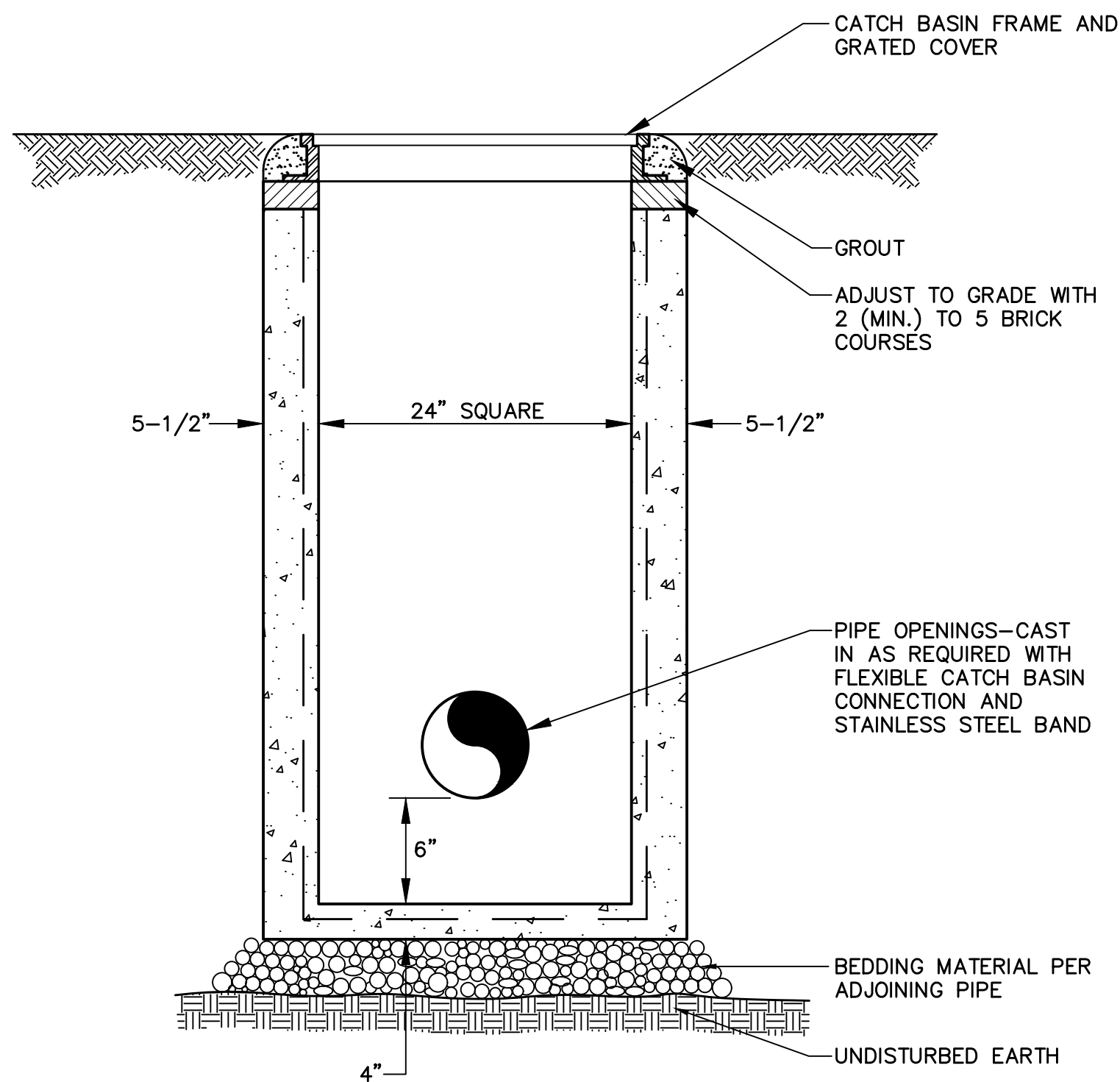
NOT TO SCALE



I.D.	WALL WIDTH	FLOOR THICKNESS
4'-0"	5"	6"
5'-0"	6"	6"
6'-0"	7"	6"

PRECAST CONCRETE CATCH BASIN/MANHOLE

NOT TO SCALE

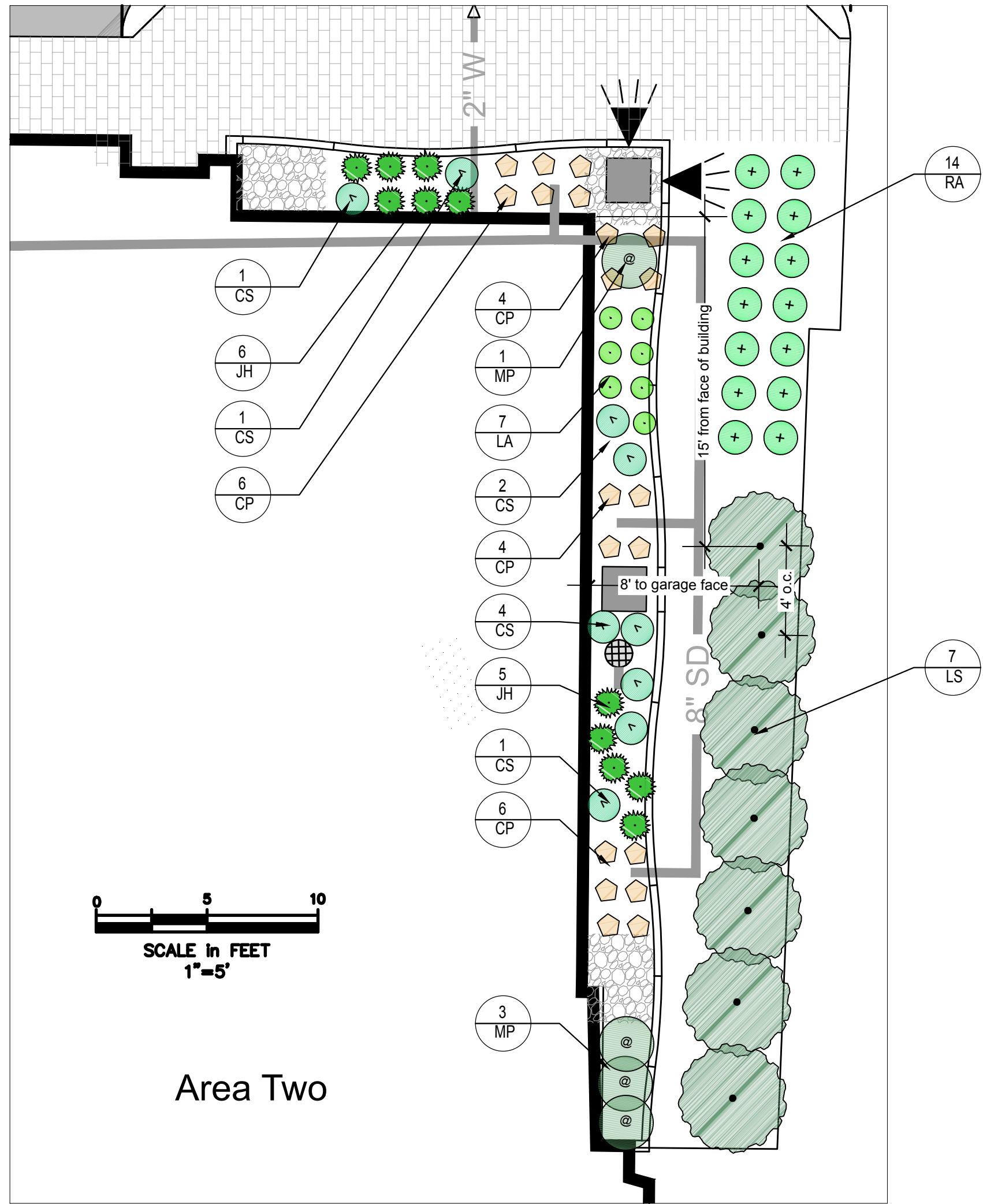
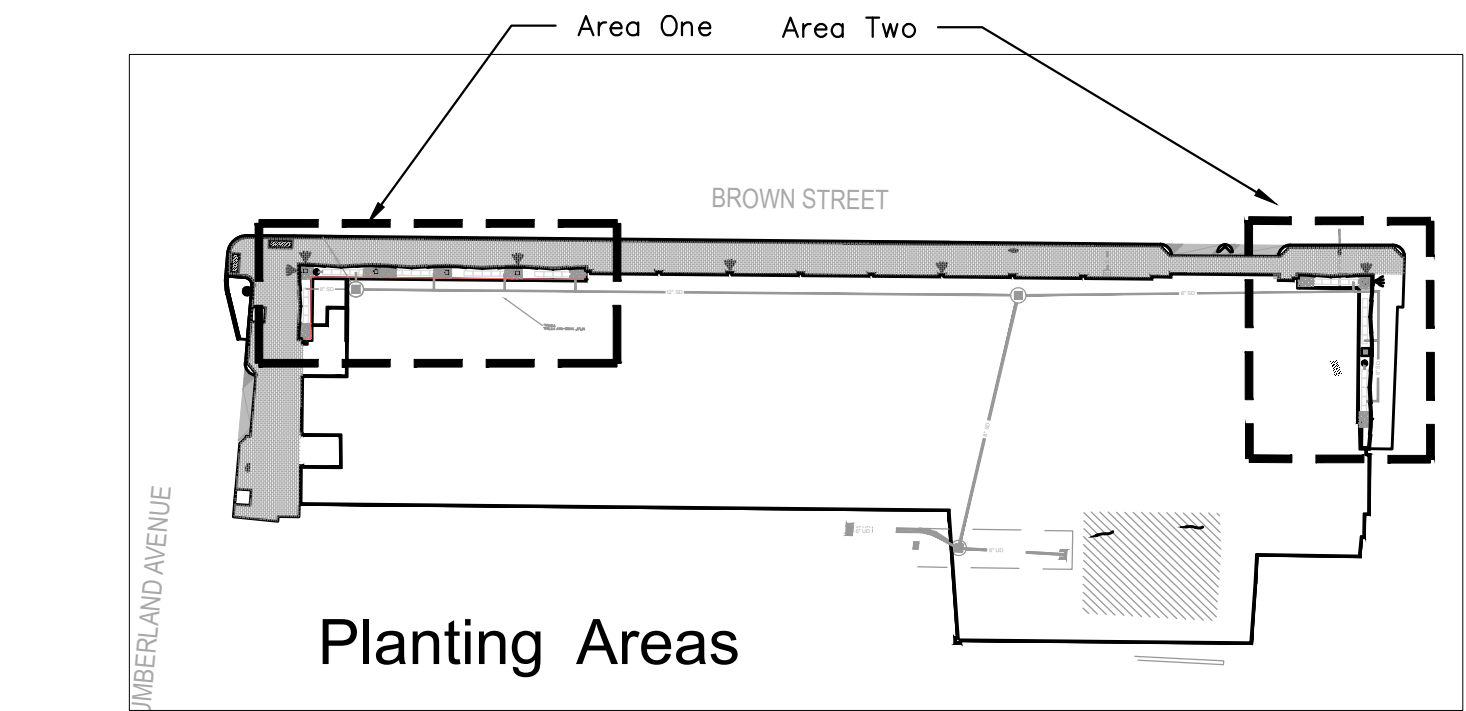
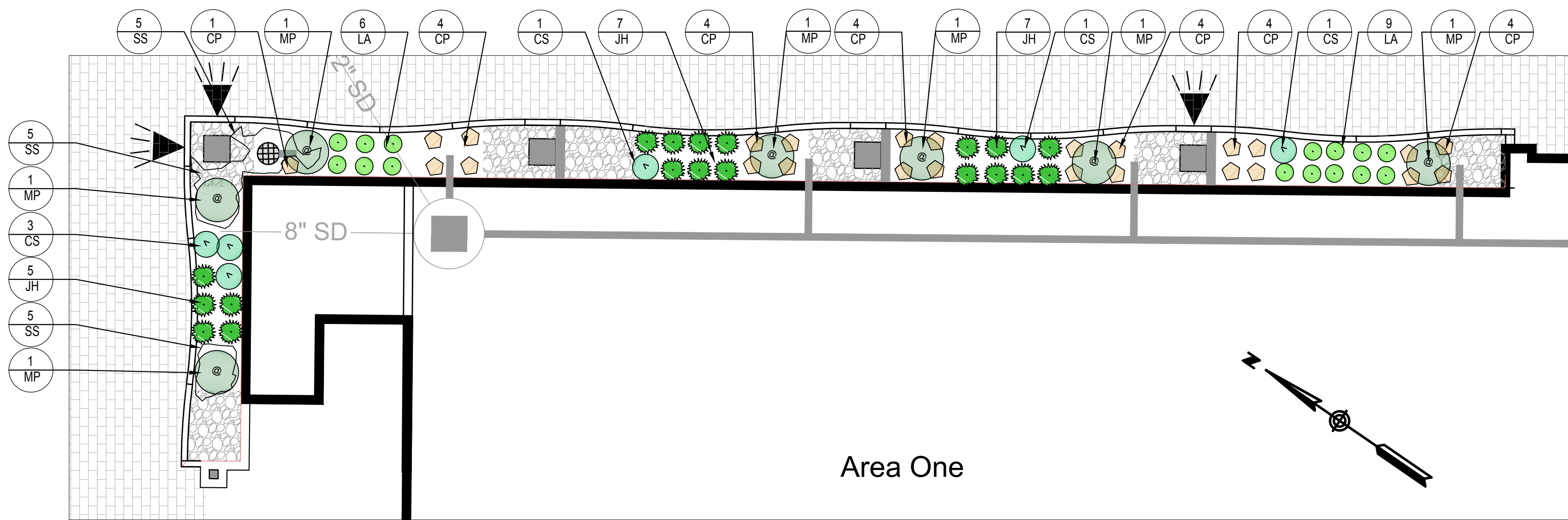


PRECAST CONCRETE CATCH BASIN-TYPE "F"

NOT TO SCALE

DETAILS

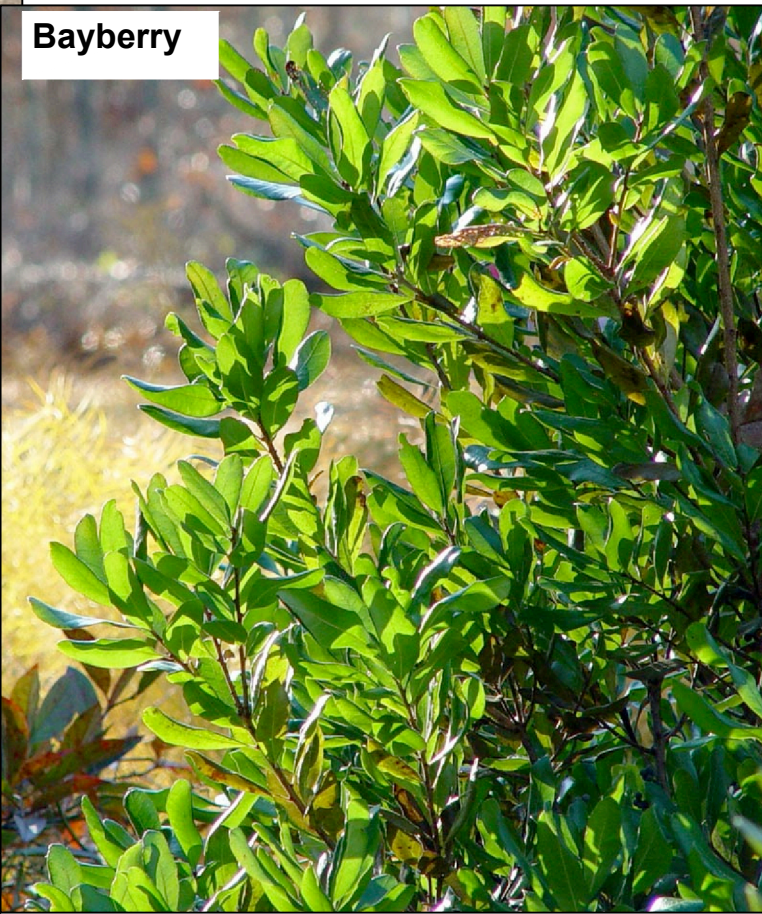
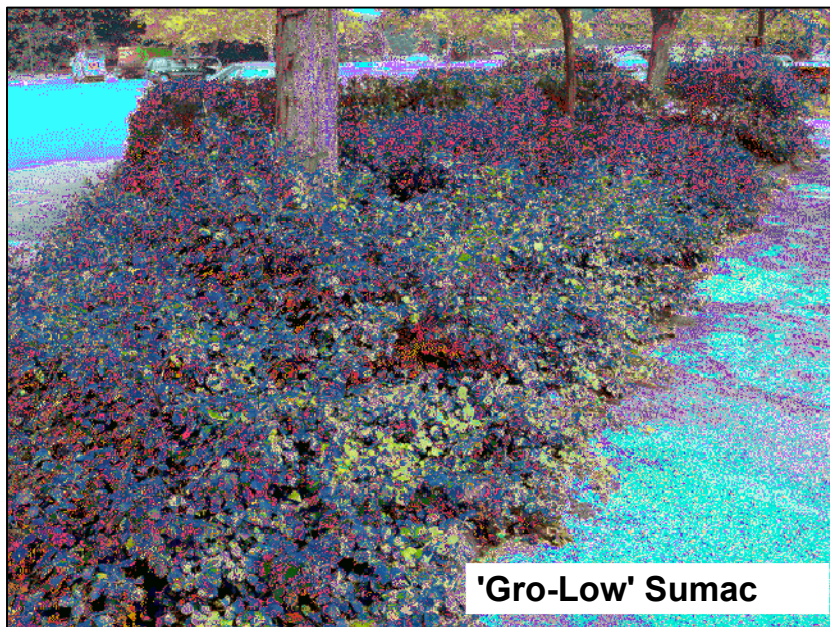
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Drawn by:	TGN	Approved by: SJB
Project:	151.06037	06-06-2017
Sheet No:	C7	



FOR REVIEW
NOT FOR CONSTRUCTION

NOTES

- 1. CONTRACTOR SHALL BEGIN MAINTENANCE IMMEDIATELY AFTER PLANTING AND SHALL CONTINUE UNTIL FINAL ACCEPTANCE. CONTRACTOR SHALL BE RESPONSIBLE FOR ALL MEANS AND METHODS OF WATERING AND MAINTENANCE.
- 2. CONTRACTOR SHALL SUPPLY PLANTS IN QUANTITIES SUFFICIENT TO COMPLETE WORK SHOWN ON THE PLAN. ANY DISCREPANCY BETWEEN THE QUANTITIES SHOWN IN THE PLANT SCHEDULE AND THOSE REQUIRED ON THE PLAN SHALL BE CLARIFIED WITH THE LANDSCAPE ARCHITECT PRIOR TO ORDERING PLANT MATERIAL.
- 3. ALL MATERIALS SHALL CONFORM TO SPECIFICATIONS OF THE AMERICAN STANDARDS FOR NURSERY STOCK (LATEST EDITION) AS SET FORTH BY THE AMERICAN ASSOCIATION OF NURSERYMEN.
- 4. ALL PLANTS SHALL BEAR THE SAME RELATIONSHIP TO FINISH GRADE AS THE ORIGINAL GRADES BEFORE DIGGING.
- 5. THE LANDSCAPE CONTRACTOR SHALL GUARANTEE ALL PLANT MATERIALS FOR ONE (1) FULL YEAR FROM DATE OF SUBSTANTIAL COMPLETION.
- 6. ALL PLANT MATERIALS ARE SUBJECT TO THE APPROVAL OF THE LANDSCAPE ARCHITECT AT THE SITE.
- 7. CONTRACTOR SHALL NOTIFY LANDSCAPE ARCHITECT 48 HOURS PRIOR TO PLANTING.
- 8. ALL ROOT WRAPPING AND CONTAINER MATERIAL MADE OF SYNTHETICS OR PLASTICS SHALL BE REMOVED AT THE TIME OF PLANTING.
- 9. ALL PLANTS SHALL BE INSTALLED AS PER DETAILS AND THE CONTRACT SPECIFICATIONS. THE LANDSCAPE CONTRACTOR SHALL REFER TO THE STORMWATER TREATMENT DETAILS AND SPECIFICATIONS FOR ADDITIONAL REQUIREMENTS.



KEY	BOTANICAL NAME	COMMON NAME	SIZE	#	NOTES
LS	Liquidambar styraciflua 'Slender Silhouette'	Columnar Sweetgum	#7	7	
LA	Leymus arenarius 'Blue Dune'	Blue Lyme Grass	#2	22	
CP	Comptonia peregrina	Sweet Fern	#2	45	
JH	Juniperus horizontalis 'Bar Harbor'	Bar Harbor Creeping Juniper	#3	30	
MP	Myrica pensylvanica	Bayberry	#5	10	
RA	Rhus aromatica 'Gro-Low'	'Gro-Low' Fragrant Sumac	#2	14	
CS	Cornus sericea 'Kelseyi'	Dwarf Red Twiggled Dogwood	#2	14	
SS	Sedum	Sedum	#1	15	Random mix of groundhugging spp.

OCEAN GATE
GARAGE

CUMBERLAND AVENUE AT BROWN STREET
PORTLAND, MAINE

Owner:
Ocean Gate, LLC
151 Newbury Street
Portland, Maine 04101

Developer:
Anew Development, LLC
30 Danforth Street, Suite 213
Portland, Maine 04101
207-272-8550

Consultants:

PLATZ ASSOCIATES

Architect
Travis Nadeau, Architect
Two Great Falls Plaza
Auburn, Maine 04210
207.784-2941

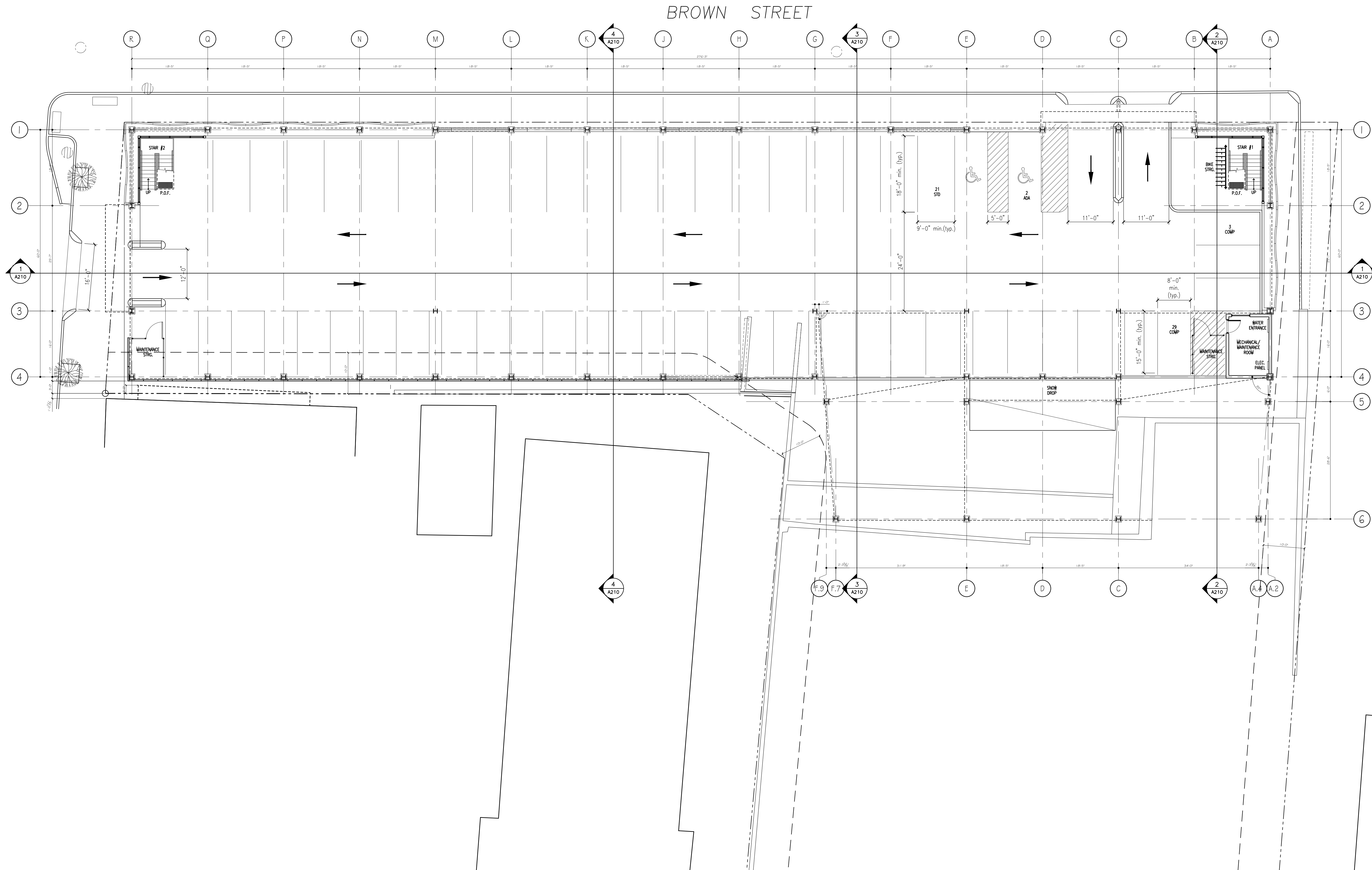
RANSOM
Consulting, Inc.

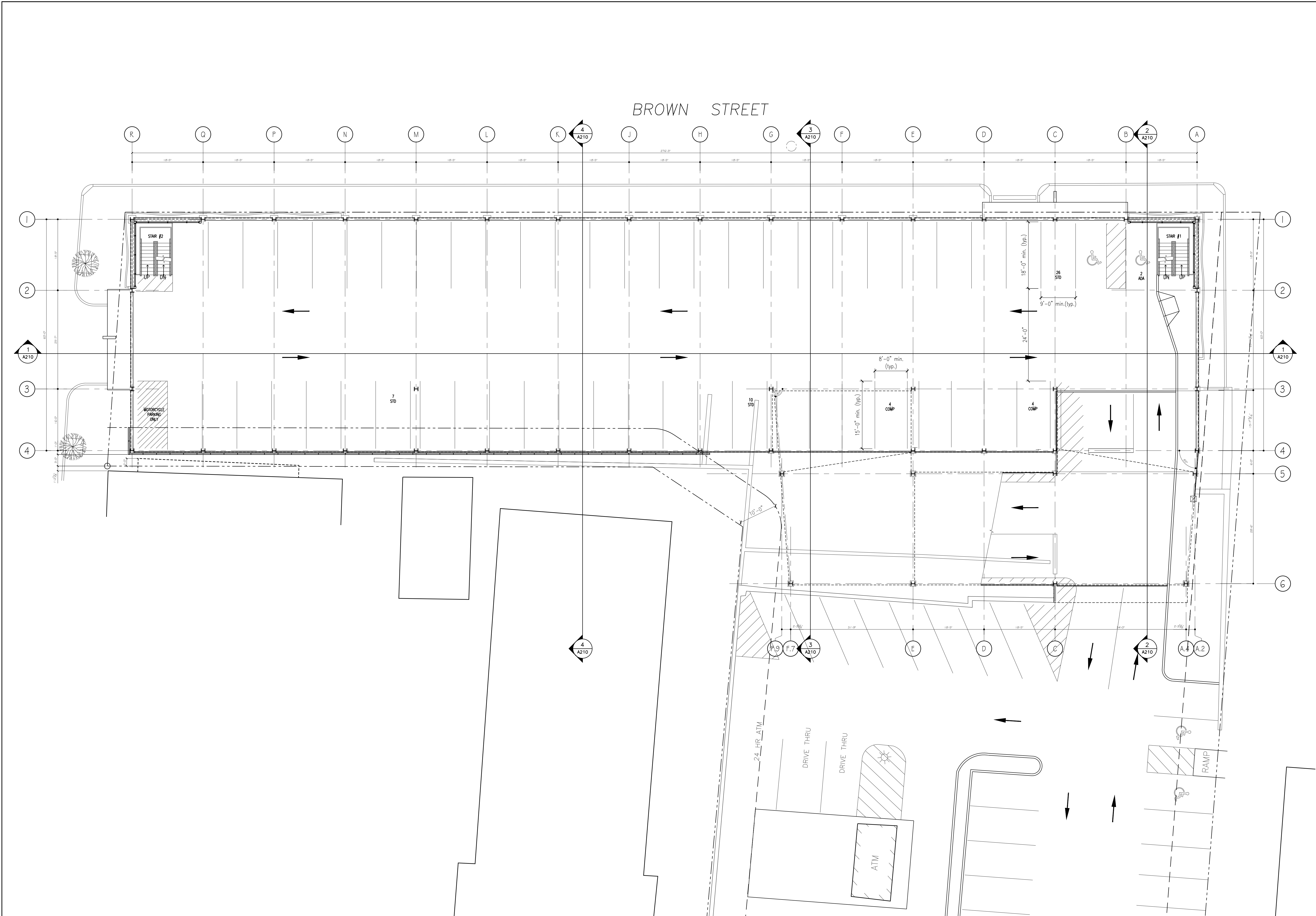
Civil Engineer
Ransom Consulting, Inc.
400 Commercial Street, Suite 404
Portland, Maine 04101
207-772-2891

pbla
peter burke landscape architecture

Peter Burke
Landscape Architecture
peter@peterburkedesign.com

PLANTING PLAN		
A	PRELIMINARY REVIEW	6-22-17
No.	Revision/Issue	Date
Design by:	PAB	Checked by:
Drawn by:	PAB	Approved by:
Project:		06-20-2017
Sheet No:	L1	





PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3656
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:
OCEAN GATE GARAGE
48 - 72 Brown Street
Portland, Maine

SEAL
REVIEW COPY

DRAWING STATUS
☐ OFFICE REVIEW
☐ CLIENT REVIEW
☐ PERMIT REVIEW
☐ BID SET
☐ CONTRACT DRAWING
☐ CONSTRUCTION
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SHEET TITLE
SECOND LEVEL FLOOR PLAN

JOB NO.
201601

DRAWN BY
TRN
CHECKED BY

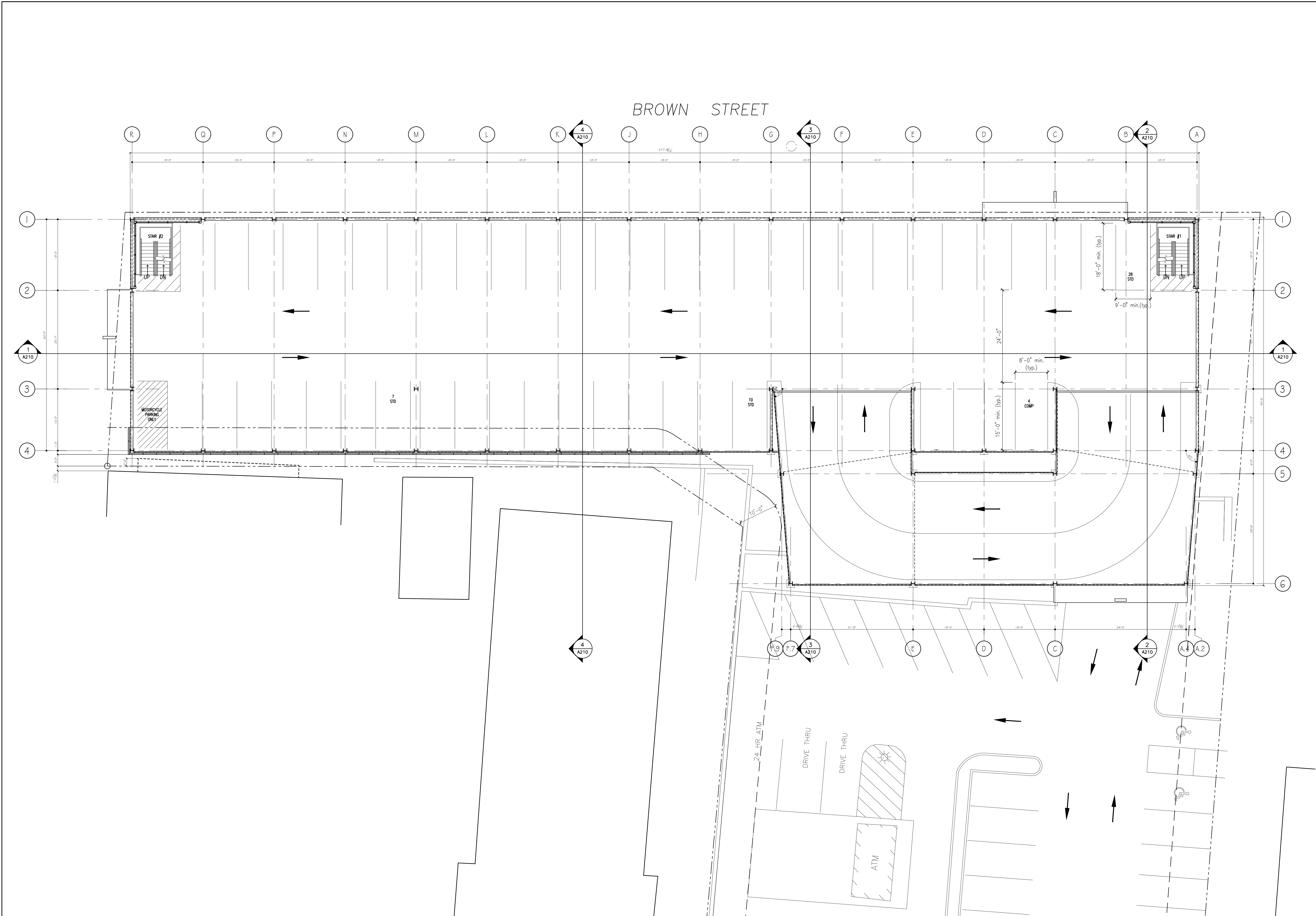
SCALE
AS NOTED

ORIGINAL DATE
06-13-17

REVISION DATE
~

SHEET
A102

1 **SECOND LEVEL FLOOR PLAN**
SCALE: 3/32" = 1'-0"



PLATZ ASSOCIATES
Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3856
Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:

OCEAN GATE GARAGE
48 - 72 Brown Street
Portland, Maine

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SHEET TITLE

THIRD LEVEL FLOOR PLAN

JOB NO.

201601

DRAWN BY

TRN

CHECKED BY

SCALE

AS NOTED

ORIGINAL DATE

06-13-17

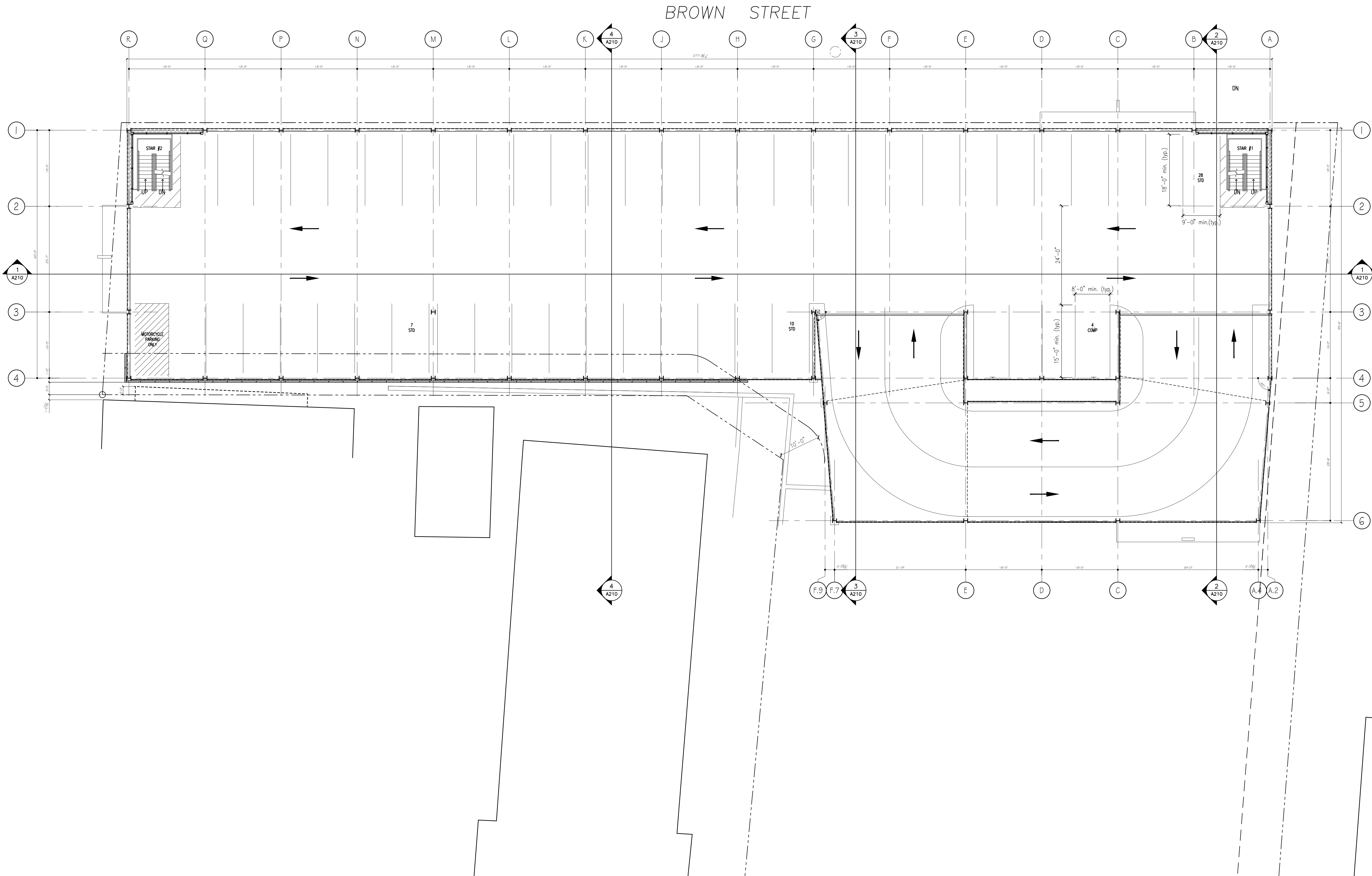
REVISION DATE

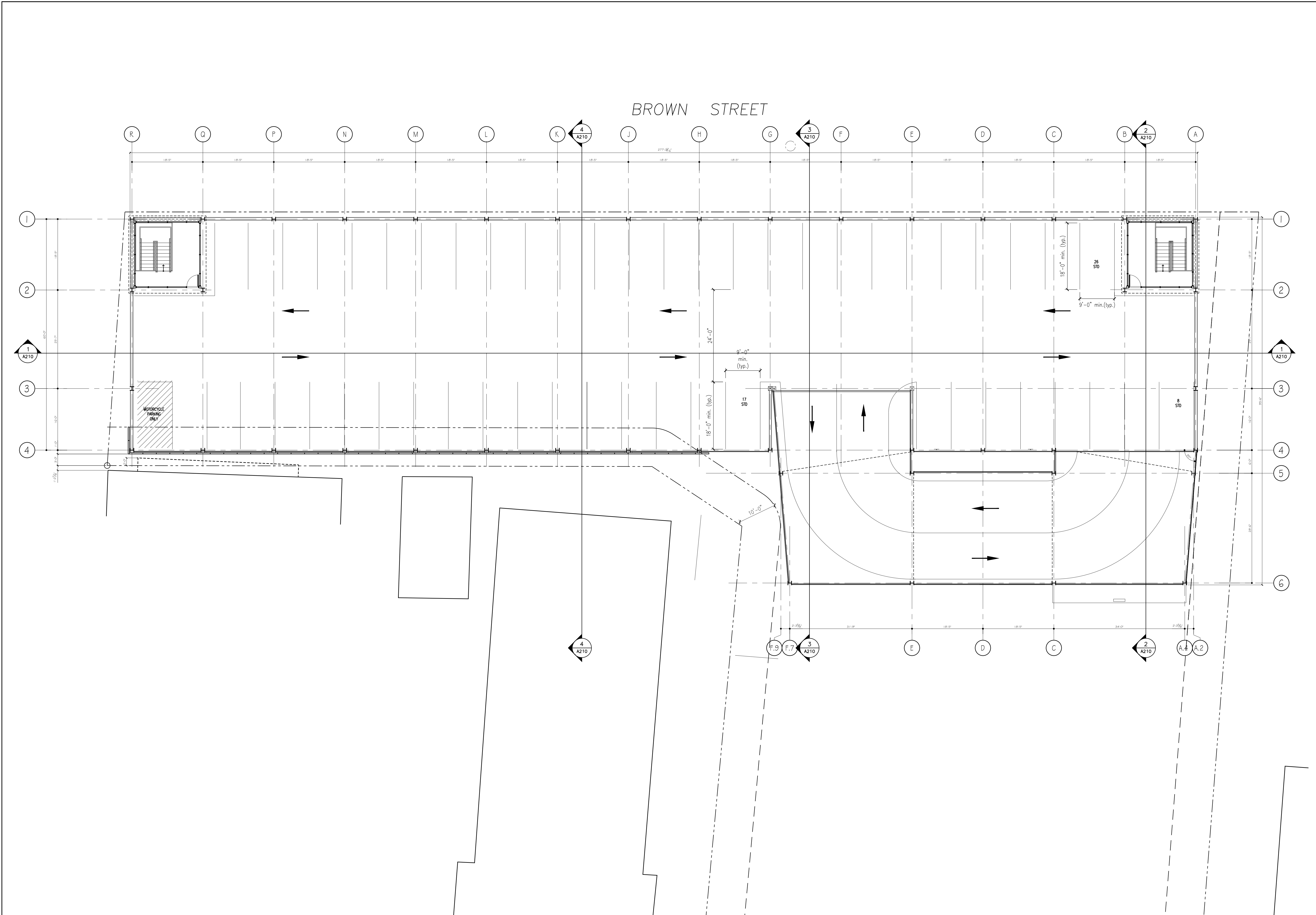
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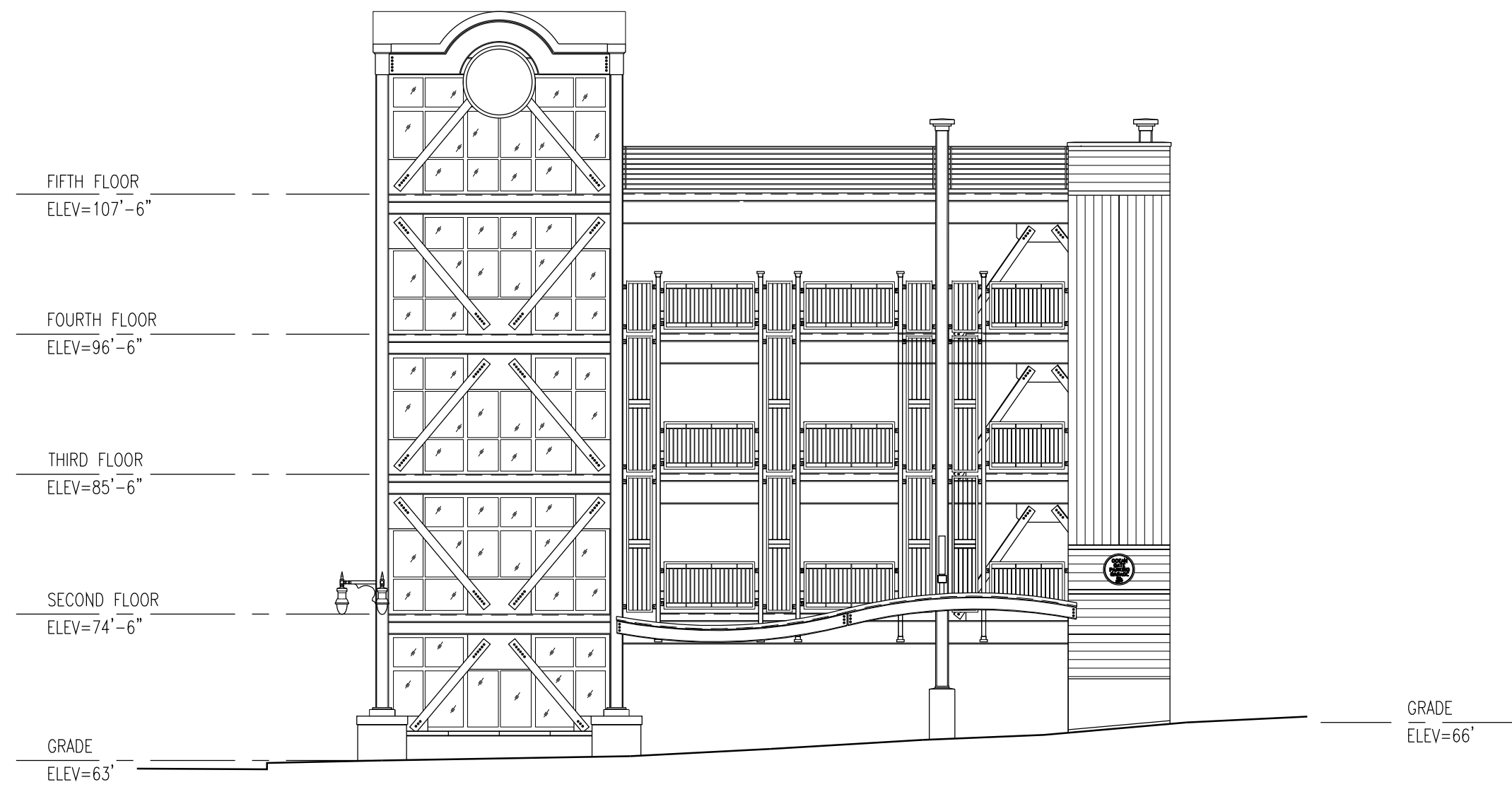
SHEET

A103

BROWN ST GARAGE
CONDOCS ARCH PLANS/FLOOR PLANS.DWG

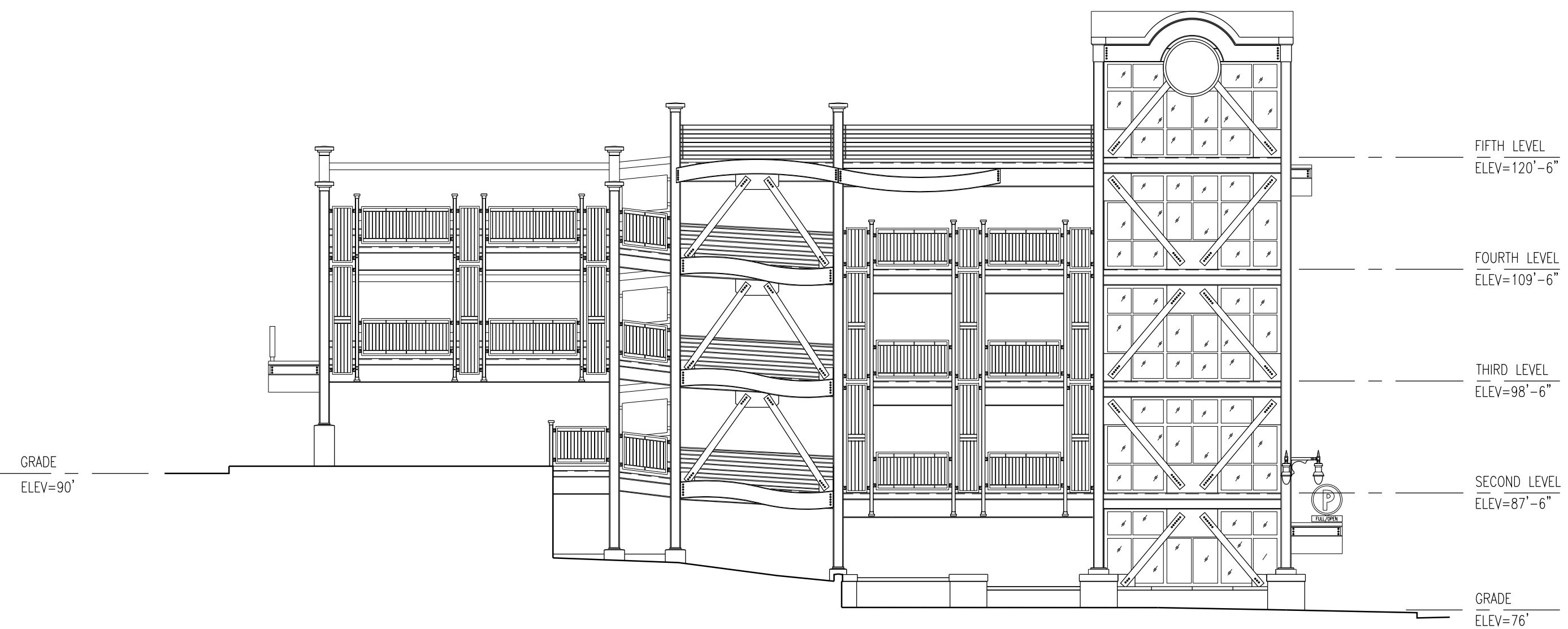






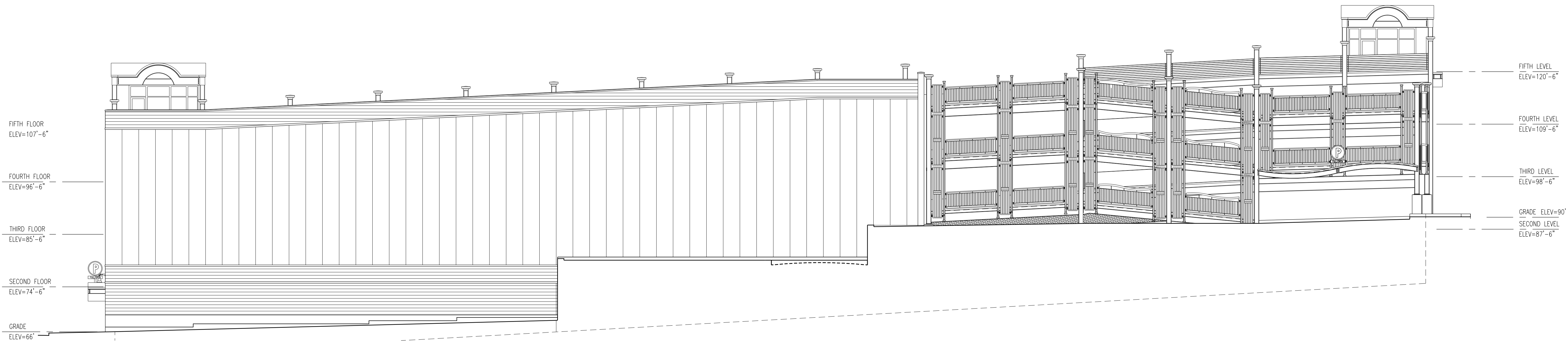
4 NORTH ELEVATION

A100-A104 SCALE: 3/32" = 1'-0"



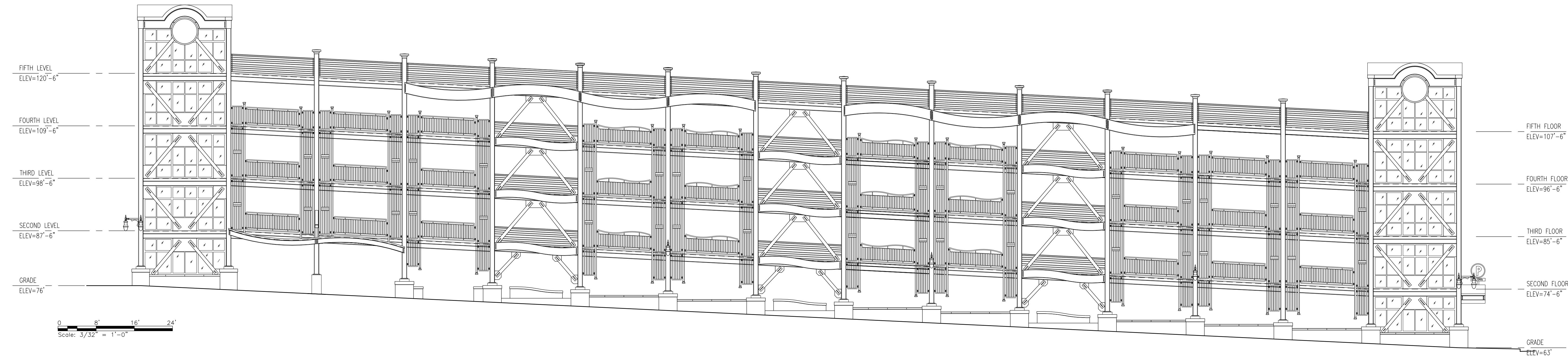
3 SOUTH ELEVATION

A100-A104 SCALE: 3/32" = 1'-0"



2 WEST ELEVATION

A100-A104 SCALE: 3/32" = 1'-0"



1 EAST ELEVATION

A100-A104 SCALE: 3/32" = 1'-0"

PLATZ ASSOCIATES

Architects - Engineers
Construction Managers
Tel 207-784-2941
Fax 207-784-3866

Two Great Falls Plaza, Auburn, Maine 04210

Proposed New Construction of:

OCEAN GATE GARAGE

48 - 72 Brown Street
Portland, Maine

SEAL

**REVIEW
COPY**

DRAWING STATUS

- ☐ OFFICE REVIEW
- ☐ CLIENT REVIEW
- ☐ PERMIT REVIEW
- ☐ BID SET
- ☐ CONTRACT DRAWING
- ☐ CONSTRUCTION

No drawing shall be recognized as a construction document unless it bears a blue inked registration seal.

SHEET TITLE

**EXTERIOR
ELEVATIONS**

JOB NO.

201601

DRAWN BY

TRN

CHECKED BY

~

SCALE

AS NOTED

ORIGINAL DATE

06-13-2017

REVISION DATE

~

SHEET

A200

1800VINSTGARAGE
CONDOSCHARTS AND ELEVATIONS.DWG

Notes:

1. Pedestrian traffic to be controlled with barricades, MUTCD signage, and temporary crosswalks and curb ramps at closed sidewalks.
2. Temporary fencing to have safety signage such as "Hard Hat Area," "No Trespassing," etc.
3. Closed parking spaces and sidewalks to be coordinated with Public Works and Public Safety.
4. If traffic flow is will be impacted by construction operations, traffic control will be maintained using flaggers, MUTCD signage, etc.



Construction Management Plan

Ocean Gate Parking Garage
Portland, ME

June 2017



PLANNING BOARD REPORT PORTLAND, MAINE

Proposed Map & Text Amendments
Maine Medical Center Institutional Overlay Zone (IOZ)
Maine Medical Center, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: September 26, 2017

Prepared by: Jean Fraser/Nell Donaldson, Planning Division
Report Prepared: September 22, 2017

I. INTRODUCTION

Maine Medical Center (MMC) has requested a Planning Board hearing on their final Institutional Development Plan (IDP) and Regulatory Framework, submitted in association with their application for the designation of an Institutional Overlay Zone (IOZ) around their campus. The IDP and Regulatory Framework are subject to review under the standards of the Institutional Overlay Zone. This item was tabled from the September 12, 2017 meeting to the date and time certain of September 26, 2017 at 6:30 p.m. per the request of the applicant and staff.

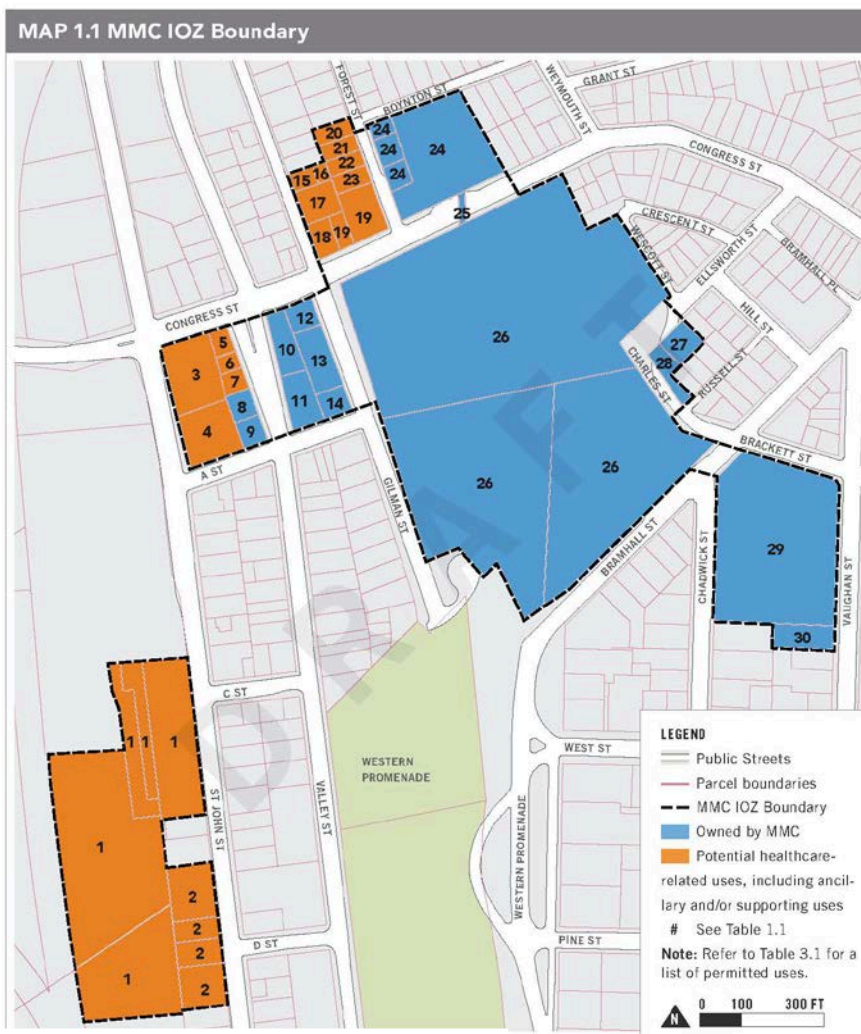
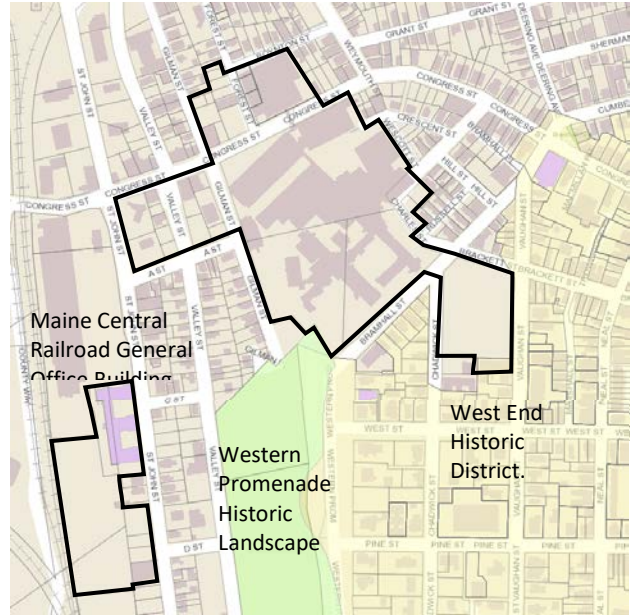
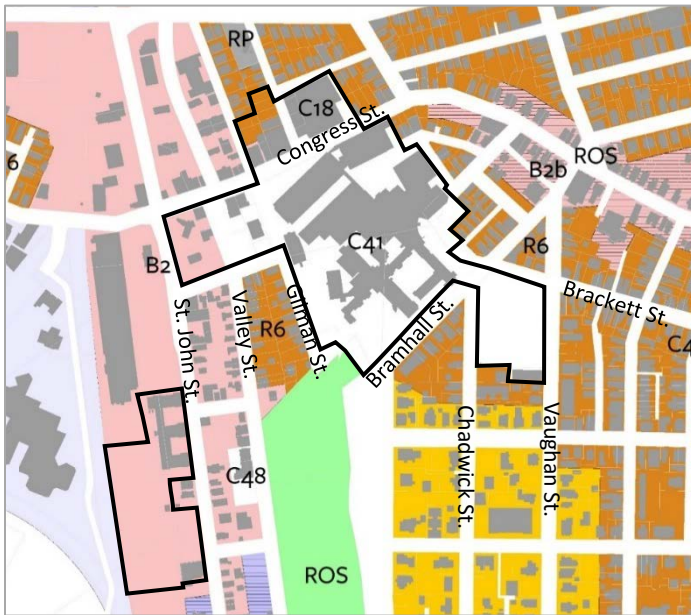


Figure 1: Proposed IOZ boundary

II. PROPOSED MMC INSTITUTIONAL OVERLAY ZONE

Maine Medical Center proposes amendments to the city's land use code and zoning map to establish a new Institutional Overlay Zone over their existing Bramhall Campus as well as proximate areas of potential long-term development (Figure 1). The overlay includes properties which are currently subject to Conditional Zoning Agreements (CZAs) between MMC and the city, as well as areas of conventional residential and commercial zoning (Figure 2). If adopted by the City Council, the proposed overlay zone would render the existing contract zones obsolete, requiring that the City Council rescind those conditional zoning agreements. In areas outside of those CZAs, the IOZ would overlay existing R6 and B-2 zoning. If adopted, the IOZ would supersede the underlying zoning for all properties within the IOZ to which MMC holds right, title, or interest. For properties not subject to MMC's right, title, or interest, the underlying zoning would continue to control.



A. LAND USE CONTEXT

The proposed IOZ occupies an area of transition between five different neighborhoods, commercial, residential, and recreational land uses, and one of the city's major gateways on Congress Street. Predominantly residential uses in the R-6 and R-4 zones fringe the proposed IOZ on the north, east, and south, while uses to the west on Congress Street and St. John Street are predominantly commercial in the B-2 zone. Portland's Plan identifies the area around Congress and St. John Streets as a priority node for transformation.

As proposed, the IOZ would lie adjacent to the Western Promenade, a designated historic landscape, and the West End Historic District. The IOZ would also encompass the Maine Central Railroad General Office Building at 222 St. John Street, which was designated on the national register in 1988 (Figure 3). The IOZ boundary

Figures 2,3, and 4: Existing zoning context; historic context; and land use context.

includes existing commercial uses along St. John and Congress Streets. The boundary would also encompass existing residential uses (*Figure 4*).

Table 1: Short-Term and Long-Term Development Projects

	SF	Spaces
SHORT-TERM PROJECTS (0-5 YEARS)		
A. Congress Street Development	285,000	
B. Visitor Garage Vertical Expansion		225
C. East Tower Vertical Expansion & Relocated Helipad	60,000	
D. St. John St. Garage		~2,200
LONG-TERM PROJECTS (5-20 YEARS)		
E. Future Phase Congress Street Development	300,000	
F. LL Bean Building Addition	120,000	
	765,000	~2,425

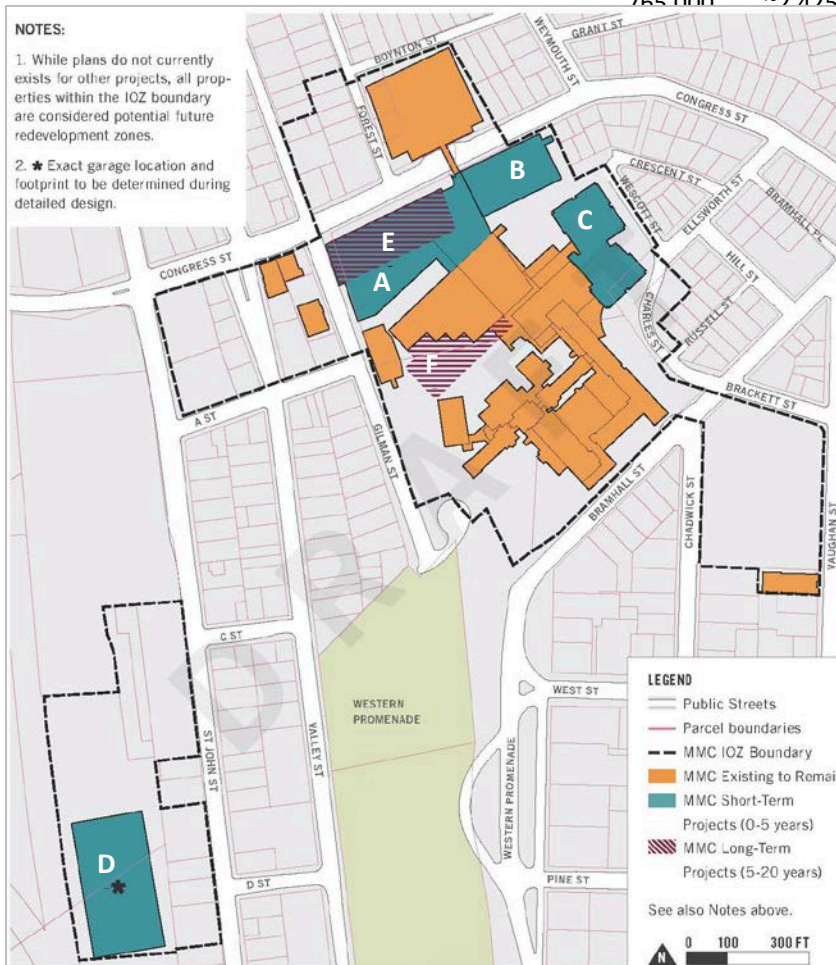


Figure 4: Short-Term and Long-Term Development Projects

B. INSTITUTIONAL DEVELOPMENT PLAN as BASIS FOR REZONE

As required by the IOZ ordinance, MMC has submitted an Institutional Development Plan that lays the foundation for the creation of the MMC IOZ (*Attachment D*). This IDP identifies existing and future clinical needs, facility needs, organizational needs, and parking needs as driving factors in MMC's long-range planning, and finds that all of these needs, when combined, necessitate significant growth and change on the Bramhall campus.

The IDP outlines a number of short- and long-term projects which will result in the additional of substantial square footage for the hospital, major changes in terms of how patients, visitors, and staff interact, and major changes in how the hospital interacts with the city. Among the short-term projects identified in the IDP, MMC plans to add over 200 parking spaces in additional decks at the visitor garage on Congress Street, construct a 60,000 SF addition on top of the East Tower, relocate the helipad to the East Tower, construct a 2,000 space employee garage at 222 St. John Street, and develop a new 285,000 SF hospital building in the place of the existing employee garage on Congress Street. In the long-term, the IDP identifies an additional 420,000 SF of potential development, all of which would be located within the existing core campus.

Table 2: Projected Campus Growth & Change

	2016	2026	CHANGE
PEOPLE			
Inpatient Discharges	100	110	10
Inpatient Visitors	250	270	20
Outpatient Activity	600	620	20
Outpatient Visitors	600	620	20
Bramhall Outpatient Clinics	150	150	-
Shift 1	3,640	3,900	260
Shift 2	210	220	10
Shift 3	520	550	30
Total Employees	4,370	4,670	300
Med Students	100	110	10
Nursing Students	100	100	-
Other Students	20	25	5
Non-MFP Related Contractors	25	25	-
	6,315	6,700	385
PARKING			
Employee Spaces	2,027	2,602	575
Patient/Visitor Spaces	850	1,075	225
	2,877	3,657	780

Note: Parking totals are based on St. John Street garage and lot figures in Gorrill-Palmer's 9/5/17 Preliminary Traffic Assessment. 2026 figures represent MMC's short-term parking projects only. Figures assume that MMC will no longer use remote lots at 181 High Street, 993 Congress St., and 321 Brackett St.

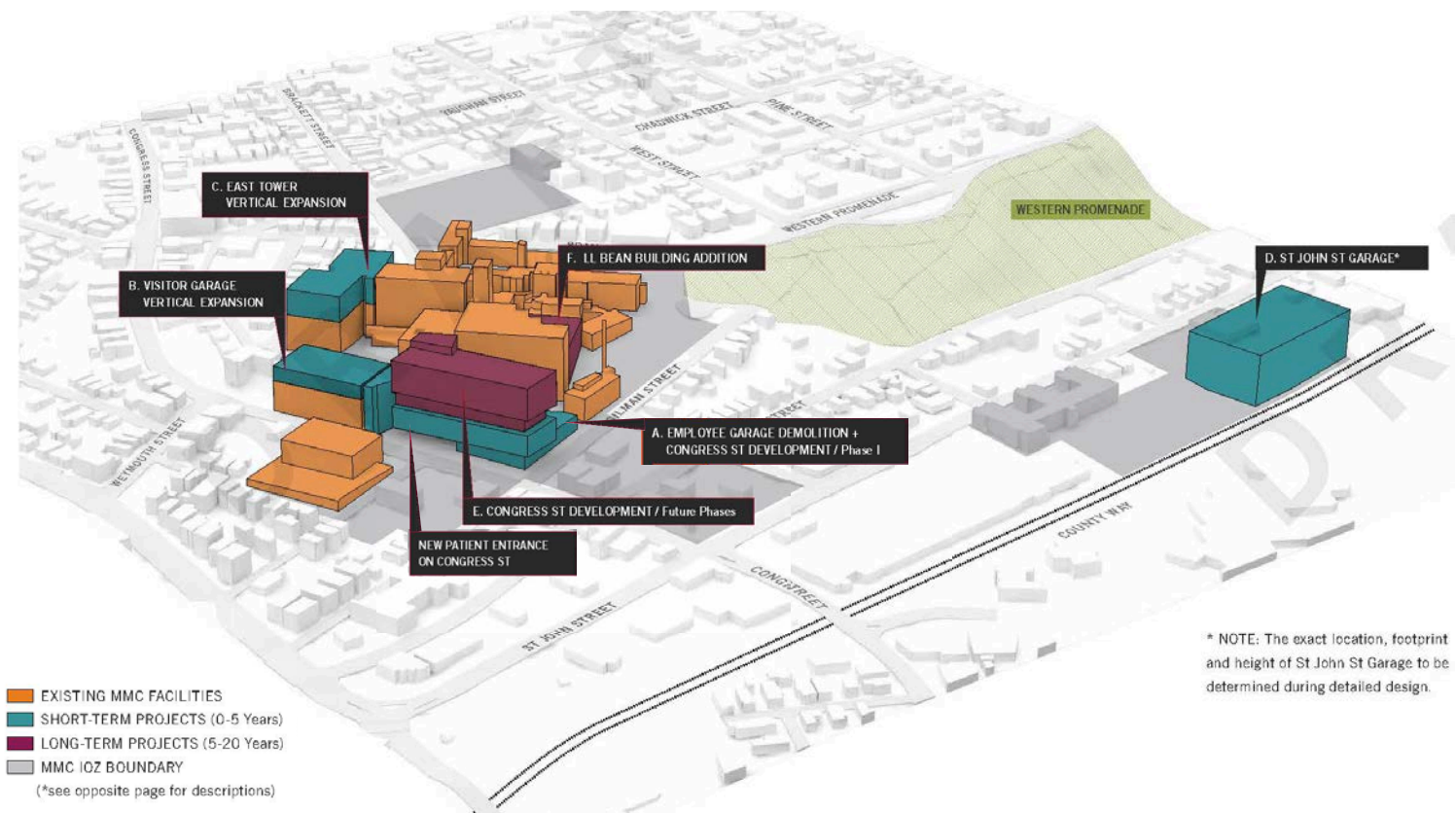


Figure 5: Short-Term and Long-Term Development Projects

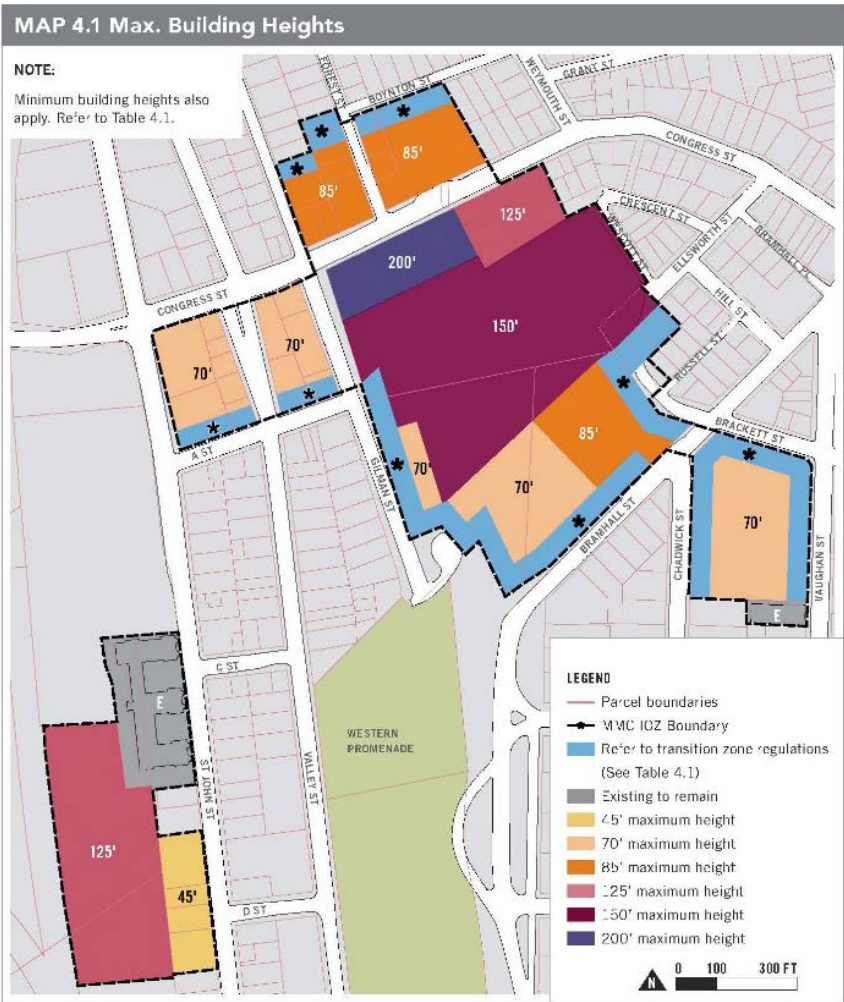
Collectively, these changes would result in 385 additional people on MMC's Bramhall campus on a daily basis and almost 800 additional parking spaces for use by MMC patients, visitors, and employees. The plan would add needed "private, universal" patient rooms and surgery suites with improved access to the Emergency Department and "core diagnostic and treatment services" in the L.L. Bean building, establish a new primary patient entrance on Congress Street, provide centralized employee parking at 222 St. John Street, and eliminate aging infrastructure in the existing employee garage. The plan would also relocate the hospital's busiest traffic generators away from nearby residential uses and towards the city's gateway on Congress Street, clarify wayfinding and circulation patterns, and help to activate the Congress Street corridor.

Building on the work of the IDP, MMC has also submitted a final Regulatory Framework which, when coupled with the boundary of the IOZ, represents the proposed 'zoning' for MMC's IOZ (*Attachment E*). Per the city's IOZ ordinance, all future development proposed by MMC within the IOZ would not only be assessed for consistency with the IDP, but for compliance with the standards and requirements of the Regulatory Framework. (It should be noted that future development proposed by MMC would also continue to be subject to the city's site plan standards and any other relevant elements of the land use code, such as the housing replacement ordinance.) As proposed, MMC's Regulatory Framework includes provisions related to uses, dimensional standards, design, transportation and parking, environment, neighborhood integration, construction management, helipad, snow ban parking, housing replacement, and mitigation of future impacts (*Table 3*).

Table 3: Summary of Proposed Regulatory Framework Elements

<i>Phasing and schedules</i>	The Regulatory Framework includes a section related to monitoring, updates, and amendments, speaking to both the TDM component of the IDP and the IDP itself. The Regulatory Framework requires annual monitoring reports on the TDM plan, and tri-annual monitoring reports on the implementation of the IDP (including a summary of acquisitions and divestments since the date of IDP approval). With respect to amendments, the Regulatory Framework defines three classes subject to differing review procedures: updates, minor amendments, and major amendments. Minor amendments that impact the phasing of long-term development blocks identified in the IDP are subject to Planning Board review.
<i>Uses</i>	The final Regulatory Framework includes a list of permitted uses, including hospital, medical office, parking garage, residential, retail, restaurant, and outdoor use areas, among others.

Dimensional
Requirements



The final Regulatory Framework includes dimensional standards that address maximum and minimum building heights, placement, and in some cases, length. Absolute heights range from 45’ to 200’, with the areas of most intense height concentrated in the core of the existing campus along Congress Street. Transition zones are identified along residential boundaries. In these areas, the height standards of the adjacent residential zone would apply. Front yard setbacks as proposed in the Regulatory Framework would range from 0’ to 20’ depending on the context, and a 40’ build-to zone is proposed for the southern side of Congress Street. In areas where the IOZ directly abuts a residential zone, minimum side and rear yard setbacks of the abutting residential zone would apply.

Design & Signs

The final Regulatory Framework includes language that states that all development proposed within the IOZ is required to adhere to the design guidelines developed in the IDP. The Framework also requires MMC to develop a campus-wide signage plan at the time of first site plan review to guide the design of future signs.

<i>Transportation</i>	The final Regulatory Framework requires the submittal of a TDM plan and parking studies at the time of site plan review to fully establish both the hospital's parking needs and a program for creatively addressing them. The Regulatory Framework requires that the TDM plan establish trip reduction targets and that parking studies fully integrate those targets in their assessment of parking needs.
<i>Environment</i>	The final Regulatory Framework includes a statement that requires future MMC development to integrate with the surrounding context, including open space networks.
<i>Mitigation measures</i>	The final Regulatory Framework includes broad language stating that MMC shall be responsible for mitigating site plan impacts to off-premise infrastructure in a manner proportionate to those impacts, and that such mitigation may include financial or in-kind contributions.
<i>Neighborhood Integration</i>	The Regulatory Framework includes language that requires MMC to adhere to the community engagement principles identified in the IDP. The language further requires the creation of a Neighborhood Advisory Committee as outlined in the IDP. The Regulatory Framework also requires that MMC submit a construction management plan at site plan review that addresses major areas of public concern.
<i>Other</i>	The final Regulatory Framework addresses existing exceptions from the Helistop Overlay Zone ordinance, provides for snow ban parking in a designated parking area on or near the MMC campus, and notes that future development by MMC will be governed by the city's housing replacement ordinance.

III. PLANNING BOARD & PUBLIC COMMENT

A. Planning Board Review

The Planning Board has held four prior workshops on the MMC IDP and Regulatory Framework, focusing broadly on four major topic areas:

- **Transportation and Parking**, including ways to creatively site parking to minimize neighborhood impacts, promote Transportation Demand Management (TDM) and alternatives to single-occupancy vehicles, and reduce parking demand;
- **Design**, including ways to support successful transitions between MMC buildings and neighboring properties; create active edges, particularly on commercial and mixed-use streets; address visual impacts; and encourage high quality design;
- **Community Engagement**, including ways to support best practices in community engagement with an aim toward developing a positive relationship between neighbors and the institution; and
- **Construction Management**, including critical principles that should be carried through all MMC construction projects to ensure that potential neighborhood impacts are addressed.

The Board's last workshop included an introduction to MMC's final draft IDP and Regulatory Framework. The Board discussed the way the IDP and Regulatory Framework treat issues of design and street activation, displacement of existing uses, parking and TDM, and traffic impacts. Board members also questioned the level of specificity represented in the proposed design guidelines and the framework for managing future amendments.

B. Public Comments

The Planning Division received numerous public comments during the development of the Institutional Overlay Zone, the process that preceded this review (*Attachments PC1 - PC22*). Staff has also received numerous public comments during the MMC IOZ process (*Attachments PC23 - PC34*). These comments have raised a number of issues, but a clear theme is how the scale and location of the MMC expansion affects the local neighborhood, and how to minimize this potential impact through the IOZ and Regulatory Framework. *Table 4* summarizes public comment by topic area.

As required, MMC held public meetings throughout the course of IDP and Regulatory Framework development. The IDP includes a summary of public concerns expressed through this process. Among these, the IDP highlights traffic and parking, the IOZ boundaries, encroachment on existing residential and commercial uses, and public engagement.

Table 4: Summary of Major Comments

Issue/Concern	Relevant IDP/Regulatory Framework Provisions
<i>The boundary of the IOZ and institutional encroachment</i>	Within their IDP, MMC confines proposed short- and long-term development projects, with the exception of the proposed garage at 222 St. John Street, to the limits of their existing campus core. However, MMC has proposed an IOZ boundary that includes properties outside of this core to which they do not currently hold right, title, and interest. In order to address concerns regarding institutional encroachment, language has been included in the Regulatory Framework that subjects any phasing change that affects these parcels to Planning Board review as an amendment to the IDP. The Regulatory Framework also includes language stating that the extension of its functionally-related campus operations beyond the boundary of the IOZ would require an amendment to the IDP.
<i>Loss of existing residential and commercial uses</i>	The Regulatory Framework includes language to permit commercial and residential uses, and the final iteration of the IDP includes a street activation diagram which specifically identifies areas of the IOZ where mixed uses (e.g. with ground floor retail or restaurant) may be particularly appropriate. The design guidelines also stress the inclusion of "vibrant, contributing and sustainable active ground floors...to add activity and a sense of place." Lastly, the Regulatory Framework reinforces that development by MMC within the IOZ will be subject to the city's housing replacement ordinance.
<i>The location of parking garages and transportation impacts</i>	In response to concerns regarding MMC's initial proposal to place a garage on the corner of Congress and Gilman Streets, MMC has proposed an alternative location in their final IDP at 222 St. John Street. Their initial traffic assessment shows that traffic volumes at adjacent intersections will shift with the short- and long-term expansion plans, and that this may result in the need for mitigation to

	be identified during site plan review (<i>Attachment F</i>).
<i>TDM approach</i>	MMC's IDP includes a basic TDM approach. In the final iteration, MMC has targeted a 1.5% reduction in single-occupancy vehicle trips within 5 years of IDP approval, and committed to improved data collection, full transit subsidies, and an evaluation of employee parking pricing, among other means, as ways of meeting this target. The Regulatory Framework requires that a formal campus-wide TDM plan be provided at the time of site plan review, and this plan be monitored on an annual basis.
<i>Height and design of new buildings and associated impacts (e.g. shadows, edge, massing, and transitions)</i>	MMC's final IDP includes graphics showing proposed zoning envelopes, a shadow analysis, and a series of design guidelines intended to address issues of neighborhood compatibility. For example, the general design guidelines, which would apply to all buildings within the IOZ, promote "compatib[ility] with the existing, or – in areas of change – planned character of residential and commercial neighbors." The Regulatory Framework includes dimensional requirements that takes cues from the surrounding context through the use of transition zones.
<i>Construction impacts (e.g. noise, vibration, nuisance, construction parking)</i>	MMC's final Regulatory Framework includes language that requires MMC to submit construction management plans at the time of site plan review that comport with construction management principles identified in the IDP. These principles include broad statements on neighborhood communication, schedule, work hours, noise, public safety and pedestrian access, parking and traffic, air quality, and impacts to surrounding buildings.
<i>Operational impacts (e.g. noise, smoking, snow ban parking)</i>	The final IDP includes language regarding noise impacts and the process for managing noise complaints, and an explanation of efforts MMC has made to address issues of smoking on and proximate to its campus. The Regulatory Framework also commits MMC to providing snow ban parking in a designated parking area on or near its campus.
<i>Public involvement approach</i>	The final Regulatory Framework commits MMC to ongoing community engagement principles identified in the IDP, among them the creation of a chartered "Neighborhood Advisory Committee," including representatives of the surrounding neighborhoods, the city, and the City Council, which would meet on a quarterly basis.
<i>Accountability, transparency, and enforcement</i>	As noted above, the final IDP and Regulatory Framework include several mechanisms which address concerns regarding accountability, including the formation of the Neighborhood Advisory Committee. At a broader level, the IOZ creates a clear structure whereby future development is required to be consistent with the IDP and Regulatory Framework, and the Regulatory Framework requires not only regular updates on IDP implementation, including updates on acquisitions and

	divestments, but that MMC follow an amendment process whereby future changes to the IDP are reviewed by the Planning Board in a public setting.
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IV. REVIEW OF IOZ PROPOSAL

Following the Board's early August workshop, city staff from Historic Preservation, Public Works, Parks and Recreation, Transportation, and Fire Prevention reviewed MMC's August 8 IDP and Regulatory Framework. Planning staff summarized comments from all reviewing departments and forwarded them to MMC. MMC responded to comments with a written summary, and following several iterations of comments and responses, ultimately submitted a final IDP and Regulatory Framework on September 18. This iteration of the IDP and Regulatory Framework was subsequently revised to address staff comments and resubmitted on September 22. The September 22 versions of the IDP and Regulatory Framework are the subject of this review.

A. Institutional Development Plan Review

The Institutional Development Plan has been reviewed for conformance with the review standards of the city's Institutional Overlay Zone ordinance. Major findings of city staff are summarized in *Table 5*.

Table 5: IDP Standards of Review (Section 14-280(d))

The IDP shall:

1. *Address all content requirements, unless explicitly modified by the Planning Authority or Planning Board;*
The IDP generally incorporates elements that reflect the content requirements of the IOZ ordinance, including context information and an assessment of future institutional growth and change.
2. *Reflect the issues/topics identified in the required public process;*
As noted above, the IDP generally identifies concerns identified throughout the review process, including traffic and parking, the IOZ boundaries, encroachment on existing residential and commercial uses, accountability, design, and public engagement (*Table 3*).
3. *Demonstrate consistency with the city's Comprehensive Plan and the purpose of this ordinance;*
The IDP includes a section which documents basic consistency with economic, transportation, and environmental elements of Portland's Plan. The IDP refers to the goals from Portland's Plan that support institutional growth and "orderly expansion." The IDP also notes that the intersection of St. John and Congress Streets is identified as a priority growth node in Portland's Plan.

With respect to the purpose of the IOZ ordinance, the IDP generally reflects proactive planning and addresses long-term needs and impacts, attempts to integrate future institutional growth and change with the surrounding context, supports ongoing public engagement and improved community relations, and reflects municipal policy objectives.

4. *Demonstrate how the property ownership, proposed growth, and requested Regulatory Framework relate to the institution's mission;*
The IDP states that MMC's mission is to improve the health of its communities through direct clinical care, medical education, and research. MMC identifies existing needs addressed by the proposed short- and long-term projects in the IDP, all of which are

directly related to improving patient care and thus serving the first core element of the hospital'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;*

MMC's IDP includes a summary of the existing transportation system servicing the campus, including the vehicular, pedestrian, transit, and bicycle networks. The IDP also includes an examination of future transportation needs, particularly with respect to parking. These analyses conclude that the hospital experiences an existing parking shortfall, and that, with the addition of a total of 385 additional employees, patients, and visitors by 2026, this shortfall will only widen.

In order to address the transportation needs of these new employees, patients, and visitors, as well as the needs of their existing population, MMC's IDP includes an access and circulation plan that focuses largely on several discrete short-term physical changes: moving the patient drop-off to a new hospital building on Congress Street, adding 225 structured parking spaces for patients and visitors on top of the existing patient/visitor garage on Congress Street, and moving existing employee parking to a new 2,200 space parking structure on St. John Street. The final plan also includes conceptual locations of future pedestrian connections between the St. John Street garage and the hospital complex and states that both a right-of-way plan and an assessment of transit stops will be completed under site plan review.

In addition, MMC has included several programmatic elements in its transportation approach designed to address transportation needs through transportation demand management (TDM). Among these, MMC's IDP indicates that the hospital will hire a TDM coordinator, increase marketing and education regarding TDM, conduct more consistent and rigorous data collection regarding employee mode choice, participate in regional TDM partnerships, fully subsidize transit ridership for employees, and enhance rideshare matching. MMC commits to a 1.5% mode shift target within 5 years of plan approval and annual TDM monitoring.

The Preliminary Traffic Assessment submitted with the IDP projects changes in traffic volumes associated with both the short- and long-term development plans (*Attachment F*). This assessment anticipates that volumes during the AM and PM peak hours at Congress and St. John Streets will increase by up to 58% and that volumes on Congress and Valley Streets will increase by up to 2% over the long-term planning horizon. However, it anticipates that these two intersections will continue to operate at acceptable levels of service during the hospital's peak hour. Congestion is projected at the entrance to the proposed garage at 222 St. John.

It should be noted that a more extensive traffic analysis will be required at the time of site plan review. Additional geographic scope, data collection, trip generation analysis, garage ingress and egress analysis, and traffic model calibration will likely be required. Off-site traffic mitigation, such as roadway and intersection improvements, traffic signal modification, traffic calming, and/or pedestrian, transit, and bicycle accommodations, may also be required (*Attachment 2*). These comments have been integrated into a proposed

condition of approval relating to traffic analysis under future site plan review.

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

MMC's final IDP identifies "significant" natural resources in the immediate vicinity of the IOZ, including the Western Promenade and several "natural" areas on MMC property at Bramhall and Gilman Streets. The IDP states that the emphasis on vertical expansion allows the hospital to avoid "encroach[ing] upon or negatively impact[ing]" these natural resources. The Environmental Protection and Operations Plan identifies the Western Promenade as a protected public open space and notes that MMC's existing open spaces will remain.

The IDP also identifies existing historic sites in proximity to the IOZ, including the Western Promenade, the West End Historic District, and the Maine Central Railroad Building. The IDP pays particular attention to the Western Promenade, and includes references to the defining characteristics from the original historic landmark designation report. The design element of the plan notes that MMC will "work to mitigate potential impacts" to the Western Promenade as well as other historic landmarks.

It should be noted that the IDP's Transportation Plan identifies a potential future walking route through the Western Promenade and that the proposed garage at 222 St. John Street will impact views from the Western Promenade to the west. MMC has prepared to show photosimulations which reflect these view impacts at the Planning Board hearing. This item may require additional discussion.

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

The IDP identifies a number of ways that the hospital is working towards environmental sustainability in broad terms. The plan describes the hospital's existing efforts in terms of energy efficiency, waste management, landscaping, and snow removal.

The IDP also speaks to noise impacts, highlighting the plan to relocate the existing helipad from the employee garage to the East Tower. The IDP includes language directly from the existing CZA regarding the helipad review process, and states that the plan "aims to minimize noise and disturbance for the benefit of its neighbors and patients." The IDP notes that approaches to noise impacts will be addressed under future site plan review.

8. *Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated;*

The IDP includes an assessment of stormwater and sanitary flows, which notes that recent development at MMC has focused on separating stormwater runoff within the campus and directing it to municipal separated storm drainage infrastructure in A Street and Gilman Street where feasible. However, significant portions of the hospital campus continue to discharge to the combined sewer system in Congress, Wescott, Charles, Bramhall, and Brackett Streets. The assessment notes that much of the development anticipated in the short- and long-term development plans will not significantly increase impervious surface area, and thus stormwater flows from the campus. However, sewer discharges are anticipated to increase as a result of the short- and long-term expansion, particularly with the construction of the East Tower addition and the Congress Street hospital building.

The Department of Public Works has identified potential capacity problems associated with the city's combined sewers in this area, particularly during rainfall conditions

(Attachment 3). As a result, any sewer flow increase may impact the city's ability to handle stormwater flows, even if stormwater volumes do not increase as a result of the expansion. MMC has noted these capacity issues in their IDP, and that these will need to be addressed under future site plan review. This review is likely to require MMC to further examine stormwater and sewer infrastructure at a campus-wide scale and incorporate measures to detain and/or direct stormwater to nearby separated systems. This has been incorporated into the conditions of approval for the IDP.

Similarly, the city's Fire Prevention Bureau has identified that there may also be capacity issues in the water system, and that pressure for fire service will need to be confirmed under site plan review. The IDP identifies this issue.

The IDP includes future energy demand projections and notes that MMC will work with CMP to confirm capacity to serve under future site plan review.

9. *Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring urban fabric;*

The design element of the IDP presents an explanation of the basic approach to design, the approach to neighborhood integration, and a set of design guidelines. The design element cites "improving the interface between campus and community" as an objective of the IDP, and establishes several mechanisms designed to address this. In an effort to create a consistent scale on either side of the IOZ boundary, for example, the IDP includes transitional zones at residential edges which limit height and in some cases setbacks to those of the adjacent zone. The IDP's design guidelines, similarly, at a general level, state that buildings within the IOZ should be designed to "relate to and be compatible with" the existing or planned character of neighboring buildings. The guidelines also promote the activation of ground floors and limit blank facades, and a street activation diagram has been added to the plan.

As noted above, the proposed garage at 222 St. John Street will be visible from the Western Promenade and will impact views from this area. The project has the potential to be the largest building in the city and mitigation of its impacts could be partially addressed through design, including consideration of the appropriate height, length of building, and long views. Staff has requested additional language to address concerns regarding the scale and design of the proposed garage. As noted above, MMC plans to share photosimulations of the garage from the Western Promenade at the Planning Board hearing. Additional discussion on the IDP's treatment of the 222 St. John Street site may be necessary.

10. *Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing, and support local amenities;*

In the most recent iteration of the IDP, MMC has included both text and graphics that support a variegated approach to design based on three street typologies found within the IOZ. The guidelines broadly support the concept of vibrant, street-oriented uses that relate to their immediate context. At a finer-grained level, the IDP's design guidelines stress the activation of major streets such as Congress Street and St. John Street, both in terms of urban design and use. For example, the final IDP establishes design guidelines for Congress Street and portions of St. John Street that support dense development that creates a continuous street wall and activates the street through both programmatic choices and design features, such as entrances, lobbies, and visual transparency. On local residential streets, in contrast, the final IDP promotes guidelines reflective of the residential context, stressing building orientation to the street, scale, and building

placement, rather than street activation. Mixed-uses, including residential and commercial, are expressly permitted within the proposed IOZ, and the city's housing replacement ordinance is also explicitly reinforced.

11. *Anticipate future off-site improvements that would support the integration of the institution into the community and city-wide infrastructure;*

The final IDP broadly considers future off-site improvements at a conceptual level. For instance, the plan identifies pedestrian linkages between the proposed employee parking garage and the new hospital building and commits to participation in regional TDM initiatives. At a broader level, the IDP acknowledges that, under future site plan review, improvements to infrastructure may be required.

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*

As noted above, the final IDP identifies historic landmarks, landscapes, and districts proximate to the IOZ boundary, including the Western Promenade and the Maine Central Railroad General Office Building on St. John Street. The IDP notes that Historic Preservation will be involved in the review of short- and long-term projects within 100 feet of these historic resources.

13. *Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.*

The final IDP includes a neighborhood engagement strategy developed over the course of several months and with the input of neighbors and neighborhood organizations. The strategy includes ongoing engagement through a committee consisting of neighborhood association leadership, city staff, the district councilor, and staff from MMC. This committee would develop a charter to guide its work with reporting to the city at regular intervals. The strategy also includes a series of principles to guide construction-related community engagement around noise, public safety and access, traffic and parking, air quality, and geotechnical impacts.

B. MMC Institutional Overlay Zone & Regulatory Framework Review

The proposed Regulatory Framework has been reviewed for conformance with the review standards of the city's Institutional Overlay Zone ordinance. Findings are summarized in *Table 6*.

Table 6: Regulatory Framework Standards of Review (Section 14-281(e))

The Regulatory Framework shall:

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

As noted above, Portland's Plan recognizes that the city needs to "plan for institutional growth," and establishes two goals in this vein: to "[p]romote the orderly expansion of institutional uses, such as educational, cultural and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies" and to "[e]nsure that the growth of Portland's educational, medical, and cultural institutions is integrated into Portland's urban fabric through the use of high quality design, management of impacts, community partnerships, and innovative planning." The intersection of St. John and Congress Streets is also identified as a priority node in

Portland's Plan.

The Regulatory Framework is designed to allow MMC to grow and change within a flexible framework that responds to its context within the city, and in this, it is generally consistent with Portland's Plan. The Regulatory Framework by its very nature promotes orderly expansion of the hospital, in that it requires MMC to develop in a manner consistent with the IDP, which establishes a series of anticipated projects for the short- and long-term. With respect to Portland's Plan's integration goal, the Regulatory Framework, in concert with the IDP, attempts to promote strong urban design through references to design guidelines, plan for management of future impacts through mitigation language, and support healthy relationships between neighborhood and institution through the requirement of a neighborhood engagement strategy that addresses continuous public involvement as well as engagement during construction.

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

The final Regulatory Framework is clearly written and uses graphics and tables to simply communicate its core concepts.

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

The final Regulatory Framework addresses a variety of concerns raised during the review process, including concerns regarding the management of transitions, building placement, TDM planning, neighborhood engagement, construction management, snow ban parking, and mitigation. However, there are some elements of the Regulatory Framework which may merit further consideration by the Board.

The Regulatory Framework includes two basic mechanisms that relate to concerns regarding neighborhood encroachment: language relating to the expansion of "functionally-related" hospital uses beyond the IOZ boundary and language pertaining to future IDP amendments. Considerable effort has been made to arrive at language that responds sufficiently to neighborhood concerns, protects the ability of the hospital to react to unforeseen opportunities, and ensures that the IDP is serving its purpose as a long-range planning tool. Staff is anticipating that the September 22 draft will reflect suggested staff edits.

The heights depicted in the Regulatory Framework have been carefully considered over the course of the review process. However, as noted above, the height for the 222 St. John Street site, which is shown at 125' in the September 18 Regulatory Framework, has received more intensive consideration recently as the garage location has been finalized. The proposed height envelope reflected in the Regulatory Framework is of particular concern to the city's Parks and Recreation Department, which manages the Western Promenade. The photosimulations to be presented at the public hearing will be a focus of discussion and may lead to revisions to the proposed height.

In a similar vein, there has been considerable discussion over the course of the review regarding the way in which the Regulatory Framework expresses heights along Congress Street within the IOZ. Staff has consistently requested that the hospital show height limits in terms of both absolute height and stories for purposes of both clarity and design. Staff has maintained that a hybrid approach to measuring height provides more consistency and clarity for future interpretation, particularly in areas of steep grades, such as Congress Street. Staff has also argued that the expression of height in stories is critical in terms of

maintaining a scale relative to the surrounding context, much of which is three or four stories in height. The September 22 Regulatory Framework should reflect this approach.

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

The Regulatory Framework requires several critical plans and studies to be developed and reviewed at the time of future site plan, including a TDM plan, signage plan, construction managements plans, and parking studies. In this same vein, the Regulatory Framework includes language that requires future mitigation of impacts to off-premise infrastructure.

V. RECOMMENDATIONS

In general, the staff finds that the proposed Institutional Development Plan, IOZ boundary, and Regulatory Framework meet the standards of the Institutional Overlay Zone ordinance subject to the conditions below. However, the Planning Board may wish to consider continuing the public hearing to October 10, 2016. If the Board finds that the information presented by MMC at the hearing is sufficient, staff have provided motions below.

VI. MOTIONS FOR THE BOARD TO CONSIDER

A. Institutional Development Plan

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on September 26, 2017 for application #2017-002, and on the basis of the testimony presented at the public hearing, the Planning Board finds that Maine Medical Center's Institutional Development Plan **[is or is not]** in conformance with the Institutional Overlay Zone review standards of the land use code and **[approves/does not approve]** the Institutional Development Plan subject to the following conditions of approval:

1. The applicant shall address technical comments with respect to future traffic analysis, including comments regarding the need for additional geographic scope, data collection, trip generation analysis, garage ingress and egress analysis, traffic model calibration, and mitigation analysis, at the time of site plan review, and
2. At the time of site plan review, the applicant shall address technical comments regarding the examination of stormwater and sewer infrastructure at a campus-wide scale and the incorporation of measures to detain and/or direct stormwater to nearby separated systems.

B. Repeal of CZA C18 883-903 Congress Street and CZA C41 in the Vicinity of Western Promenade/Maine Medical Center

The Planning Board finds that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Urban Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect the repeal of the conditional rezoning #18 for 883-903 Congress Street and the conditional rezoning #41 in the Vicinity of Western Promenade/Maine Medical Center.

C. MMC Institutional Overlay Zone

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on September 26, 2017, and on the basis of the testimony presented at the public hearing, the Planning Board finds that the proposed Institutional Overlay Zone amendments **[are or are not]** consistent with Portland's Comprehensive Plan and therefore **[recommends or does not recommend]** adoption of the amendments to the City Council.

VII. ATTACHMENTS

Report Attachments

1. IOZ Ordinance as approved by City Council
2. Transportation Review (memo from Thomas Errico, 9.20.17)
3. DPW Comments (memo from Keith Gray, 9.21.17)
4. Design Comments on 9/18 Draft IDP (memo from Caitlin Cameron, 9.21.17)

Public Comments

- PC-1. Barowitz correspondence 12.6.16
- PC-2. Snyder correspondence 12.7.16
- PC-3. St. John Valley Neighborhood Association correspondence 12-16
- PC-4. Martin correspondence 12.13.16
- PC-5. McKenzie Bowcott correspondence 12.11.16
- PC-6. Bowcott correspondence 1.10.17
- PC-7. Vilani correspondence 1.9.17
- PC-8. McNamara correspondence 1.10.17
- PC-9. Sabina correspondence 1.10.17
- PC-10. Fuller correspondence 1.10.17
- PC-11. Western Promenade Neighborhood Association (Pringle) correspondence 1.10.17
- PC-12. Alexander correspondence 1.16.17
- PC-13. Snyder correspondence 1.26.17
- PC-14. Fuller correspondence 2.6.17
- PC-15. Knoll correspondence 2.7.17
- PC-16. Donnelly correspondence 2.10.17
- PC-17. Barowitz correspondence 2.12.17
- PC-18. Wells correspondence 2.13.17
- PC-19. Fuller correspondence 2.19.17
- PC-20. Pringle correspondence 3.7.17
- PC-21. McNamara correspondence 3.27.17
- PC-22. Sabina correspondence 3.28.17
- PC-23. SJVNA correspondence 4.18.17
- PC-24. MilNeil correspondence 4.25.17
- PC-25. Pringle correspondence 4.25.17
- PC-26. MilNeil correspondence 4.27.17
- PC-27. Snyder correspondence 5.9.17
- PC-28. Pedestrian and Bicycle Advisory Committee correspondence 5.15.17
- PC-29. SJVNA correspondence 5.23.17
- PC-30. Sabina correspondence 8.1.17
- PC-31. Barowitz correspondence 8.6.17
- PC-32. McNamara correspondence 8.8.17
- PC-33. Martin correspondence 8.8.17
- PC-34. Peters correspondence 9.6.17

Applicant's Submittals

- A. MMC Presentation on Parking and TDM (4.6.17)
- B. MMC Commuter Survey Results (4.6.17)
- C. MMC TRIMMS Methodology Memo (5.16.17)
- D. MMC Final Draft IDP (9.22.17)
- E. MMC Final Draft Regulatory Framework (9.22.17)
- F. MMC Final Traffic Assessment (9.22.17)
- G. MMC Neighborhood Meeting Minutes

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.



Helen Donaldson <hcd@portlandmaine.gov>

MMC IDP - Traffic Assessment Review Comments

Tom Errico <thomas.errico@tylin.com>

Wed, Sep 20, 2017 at 3:03 PM

To: Helen Donaldson <HCD@portlandmaine.gov>

Cc: Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Keith Gray <kgray@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, "Jeff Tarling (JST@portlandmaine.gov)" <JST@portlandmaine.gov>

Hi Nell – the following outlines my comments as it relates to the Preliminary Traffic Assessment dated September 2017 prepared by Gorrill Palmer. These comments are directed at specific items that will need to be addressed as part of a future Traffic Movement Permit (TMP).

- Intersection turning movement counts will be required at ALL study area intersections during a time-period that is appropriate considering yearly seasonal variation. Winter traffic counts will not be permitted.
- The Preliminary Traffic Assessment investigated traffic conditions at the intersections of Congress Street/St. John Street and Congress Street/Valley Street only. It should be expected that the study area will include additional intersections that meet trip threshold criteria from MaineDOT and those that are considered to be High Crash Locations (as well as others that may have specific concerns). We would expect the study area to include – at a minimum -- intersections bounded by St. John Street, Park Avenue, Bramhall Street and Veteran's Bridge.
- The Preliminary Traffic Assessment identified High Crash Locations in the vicinity of MMC. I would note that other locations may be added if data suggests high numbers of crashes. Mitigation of safety deficiencies may be required.
- The Preliminary Traffic Assessment presents traffic volume data during two volume scenarios. The first during the typical commuter time-period and a second during the peak MMC time-period. I would note that the TMP traffic study will require that commuter and MMC peak hour time-periods be evaluated as part of assessing traffic mobility impacts.
- To better understand vehicle arrival and departure activity of existing MMC employees, traffic counts will be required at existing parking supply facilities
- The Preliminary Traffic Assessment estimates at full buildout of the project, MMC will generate 703 peak hour trips during AM peak hour and 785 trips during the PM peak hour. Less is expected during the typical commuter time-periods (581 trips during the AM peak hour and 570 trips during the PM peak hour). The Trip Generation estimate should be considered preliminary and at this time the methods are not approved.
- The Preliminary Traffic Assessment analyzed movements at the St. John Street parking garage assuming a single point of access. The analysis concluded that the driveway would operate at failing levels of service and the Assessment notes that further study of traffic signalization and turn lanes would be required. Given the size of the parking garage and the associated traffic loadings onto St. John Street, additional garage entry and exit points (including other street connections like Fore River Parkway) will need to be considered. Employee exit delay directly impacts usage of the garage and the management of egress capacity (and the nearby public street intersections) will be critical.
- The capacity analysis investigated traffic conditions at the Congress Street intersection with St. John Street and Valley Street. I would note that given visual observations of the intersection during peak hours, the analysis conclusions

do not reflect field conditions. During the TMP process, enhancements and calibration of the traffic models would be required.

- In conjunction with the TMP process, there may be a requirement for off-site traffic mitigation at it relates to level of service standards and safety deficiencies. Examples include roadway and intersection improvements, traffic signal modification, traffic calming, pedestrian, transit and bicycle accommodations, etc.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

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"One Vision, One Company"



Helen Donaldson <hcd@portlandmaine.gov>

final draft of MMC's IDP and Regulatory Framework

Keith Gray <kgray@portlandmaine.gov>

Thu, Sep 21, 2017 at 2:49 PM

To: Helen Donaldson <hcd@portlandmaine.gov>

Cc: Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <jbartlett@portlandmaine.gov>, Christopher Branch <cbranch@portlandmaine.gov>

Hello,

The Institutional Development Plan identifies that any new development will be required to meet the City's stormwater management ordinance and further identifies that the majority of all proposed development does not increase the amount of impervious area or peak rate of runoff. This suggests that flooding standards do not apply. Any new development, regardless of landcover, will change the drainage characteristics and timing of peak rates of runoff to downstream infrastructure and is particularly concerning when discharging to the combined sanitary/storm systems. Stormwater detention and/or routing to a separated system is anticipated and will be reviewed under Site Plan approval.

Thank you,

Keith

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Board Considerations/Questions

- **Design Guidelines** – Staff suggests strengthening the design guidelines with more specificity. Consider additional language regarding:
 - o Blank facades
 - o Design characteristics to review for context and compatibility
- **Garage Design General** – Design guidelines for garages currently only apply to Congress Street. Staff suggests that the guidelines be broadened to apply to any structured parking. In addition, staff felt the guidelines around garages should be strengthened and suggested language around screening of cars, activation on Congress Street, and upper floor design (see below).
- **Garage Design – St. John Street** – Further discussion is warranted regarding the impact of the proposed garage on St. John Street. Design impacts to consider would be the long views, especially from the Western Promenade. The project has the potential to be the largest building in the city and its mitigation of these impacts could be partially addressed through design including consideration of the appropriate height, length of building, and design as seen from long views.
- **5.16 Frontage Activation Diagram** – A diagram locating levels of activation according to street frontage was added per Planning Board suggestion. The diagram currently only covers Congress Street. Staff requests this diagram include more streets - St. John, Valley, Gilman, and Vaughan - with a “Limited Blank Facades” designation. Does the Board agree with the designations presented in the diagram? Other comments?

Institutional Development Plan

Transportation Plan:

- Applicant has expressed the design intent for the public ROW should integrate with the adjoining neighborhood contexts
- Applicant has agreed to prepare a campus-wide ROW Plan at the time of the first site plan review – the streetscape design will be more thoroughly vetted at that time in terms of sidewalk material, lighting, street trees, building interface, etc.
- Sidewalk design – Applicant may request waivers from the City sidewalk material policy but staff does not approve any specific sidewalk treatment as part of the IDP without a comprehensive ROW Plan

Environmental and Infrastructure Plan:

- **Natural Resource Protection**
 - o P.84, first bullet, *The Western Promenade*, . . . : Add reference to the intent and defining characteristics to be protected as a historic landscape such as references to the Historic Landmark Designation Report:
 - *Significance: Scenic value; recognize/preserve scenic landscape; prominent outlooks*

- . . . *the site maintains its original design objective. That is, to provide uninterrupted views of the surrounding countryside.*
- *The Western Promenade is a “site from which to take in the magnificent views of the countryside and the White Mountains.*

Design Guidelines:

• General Guidelines:

- o Reference was added giving priority to Congress Street for building orientation
- o *Garage Design Guidelines* should be moved into the General Guidelines and should apply to all structured parking, not only those on Congress Street.
- o **Revise the Garage Design Guidelines as follows:**
In addition to the general guidelines, any parking structure will:
 - *Screen views of cars from public rights-of-way;*
 - *Provide elements of architectural interest on upper floors to contribute positively to long views and gateway approaches;*
 - *Will meet street activation intent according to street type; and*
 - *For buildings facing Congress Street (other than the core campus), not be the only or primary use and the building design will place liner buildings or active portions of the building to face Congress Street*
- o **Blank Facades** are not addressed throughout the IDP area. Add a guideline that reiterates blank facades should be limited and that street-facing facades should be designed to have visual interest.
- o **Figure 5.16 Frontage Types:** Move the Figure 5.16 to the General Guidelines section and revise:
 - Title: *Frontage: Types of Activation*
 - Add *Limited blank facades* to St. John, Valley, Gilman, and Vaughan streets
- o **Specificity for design** compatibility should be added to the guidelines on the following topics:
 1. Visual transparency
 2. Areas of design characteristics to be considered in review: Massing, proportion, scale, composition, articulation, patterns, placement and orientation to the street, etc.

One suggested strategy for this would be *General Guidelines 4. Building designs will relate to and be compatible with the existing, or – in areas of change – planned character of residential and commercial neighbors. Design elements and characteristics to consider include:*

- *Building placement and relationship to the street*
- *Overall massing and scale*
- *Roof forms*
- *Proportion, directional expression, and composition of facades*
- *Rhythm of solids to voids*

- *Rhythm and proportion of openings*
- *Rhythm of entries and projections*
- *Relationship of materials, texture, and color*
- **Urban Main Street (Congress Street):**
 - Reference was added giving priority to Congress Street for building orientation

Regulatory Framework

- **Table 4.1 Dimensional Requirements**
 - Maximum Floor Area Ratio: Remove reference, unnecessary
 - Maximum Building Length: Staff request that the appropriate garage building length be discussed further regards to mitigating impacts ; building length should be measure “roughly parallel to St. John Street”
 - Transition Zones: Height: Height language has been clarified; Remove references to alleys
 - Transition Zones: Setbacks: Adjustments to the setbacks were made according to staff recommendation – larger setbacks (15’) when directly abutting residential properties
- **Map 4.1 Max Building Heights**
 - # of Stories on Congress Street should be added to height maximum requirements in the legend as follows:
 - *70’ and 85’ max height = 6 stories on Congress St. **
 - *125’ max height = 10 stories on Congress St.*
 - *200’ max height = 15 stories on Congress St.*
 - Add note*: *For buildings with residential use above the ground floor the following height maximums apply, 70’ maximum height and 7 stories, 85’ maximum height and 8 stories.*
 - Add definition of how stories are measured

Memorandum

Maine Medical Center



To: Chair Boepple and Members of the Portland Planning Board

From: Jeff Sanders, Chief Operating Officer, MMC

Date: September 22, 2017

Re: September 26, 2017 Planning Board Hearing
MMC's Institutional Development Plan Update

Maine Medical Center (MMC) is pleased to submit its Institutional Development Plan (IDP) and Regulatory Framework, a first for Portland. MMC began this process with the City of Portland nearly 12 months ago. Over the last several months, MMC has participated in the creation of the Institutional Overlay Zone which includes the requirements and standards for review of the IDP and Regulatory Framework. This new process will:

Support the health of the City's major institutions within a clear, predictable growth management structure that allows flexibility but also requires proactive planning and a more transparent and defined mechanism for understanding and addressing community concerns.

- Tuck O'Brien, Memo to the Planning Board Re: the IOZ, December 9, 2016.

This memo provides a brief overview of MMC, describes the patient needs that motivated MMC to begin this process, specifies how each of the standards of review for the IDP and Regulatory Framework are met, and provides some context as to the community benefits MMC provides to the Portland community. The contents of this memo are:

- I. Maine Medical Center is a High Quality Provider of Health Care Services
- II. MMC's Request is Based on Patient Needs
- III. Institutional Development Plan and Regulatory Framework Standards of Review are Met
- IV. MMC's Community Benefits are Significant
- V. Conclusion

I. Maine Medical Center is a High Quality Provider of Health Care Services

Maine Medical Center recognized as a Best Regional Hospital by U.S. News and World Report for 2017-2018, is a complete health care resource for the people of Greater Portland and the entire state, as well as northern New England. Incorporated in 1864, MMC is the state's largest medical center, licensed for 637 beds and employing nearly 8,000 people. MMC's unique role as both a community hospital and a referral center requires an unparalleled depth and breadth of services, including an active educational program and a world-class biomedical research center. As a nonprofit institution, Maine Medical Center provides nearly 23 percent of all the charity care delivered in Maine. MMC is a member of the MaineHealth system, a growing family of health care services in northern New England (www.mmc.org).

MMC is planning to submit a Level III Site Plan Application following the approval of its IDP and Regulatory Framework. This application will include the details of how MMC will begin to meet the patient needs outlined in section II of this memo. The project will include:

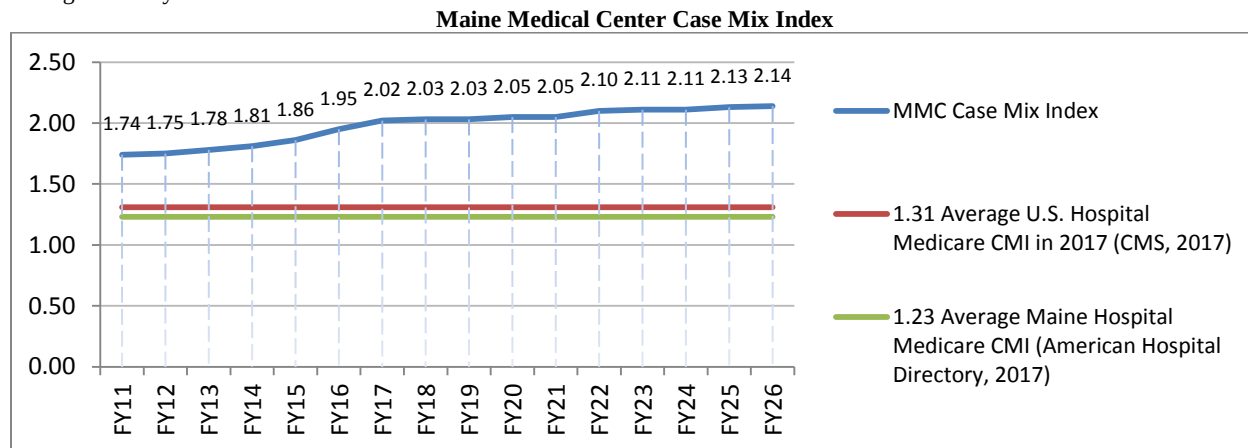
- 128 private universal inpatient beds
- 19 universal procedure rooms
- The relocation of the helipad
- Replacement of employee parking
- An upgrade to MMC's existing Central Utility Plan (CUP)

Other applications may also be submitted in the future as MMC identifies opportunities to continue to meet the needs of patients in Portland and in the State of Maine.

II. MMC's Request is Based on Patient Needs

MMC embarked on its conversation with the City in order to meet patient care needs now and in the future. The population of Maine is aging. The acuity (level of care) of patients admitted to the hospital is growing higher. The demand for tertiary-level services is rising and more patients are coming to MMC for care. In order to provide the increasingly complex care services needed in Maine, MMC must make a significant investment to upgrade its facilities' infrastructure.

Patient care is becoming increasingly complex as the population ages and patients present with more severe illness. MMC measures the degree of patient illness using a metric common to the healthcare industry called Case Mix Index ("CMI"). The CMI at MMC fluctuates throughout the year but the average in 2016 was 1.95. The average Medicare case mix index for a hospital in the U.S. is 1.31 (U.S. Centers for Medicare & Medicaid Services, 2017). The average Medicare case mix index for a hospital in Maine is 1.23 (American Hospital Directory, 2017). By 2020, MMC estimates that its CMI will be over 2.00 on average annually.

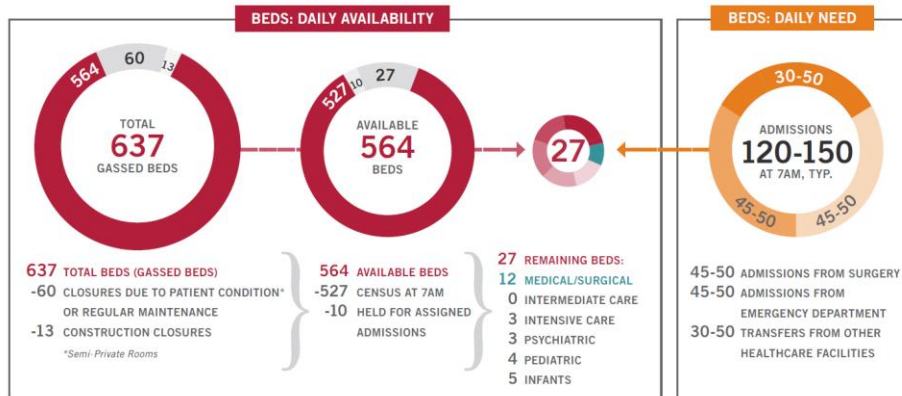


While MMC is licensed to operate 637 inpatient beds, the Medical Center operates at capacity with a census in the mid-500s. On an average day, MMC can expect over 500 patients in the hospital and over 60 beds closed. On a routine day, MMC can expect approximately 100 admissions from Surgery and the Emergency Department and 30 to 50 transfer requests per day from other healthcare and provider organizations from across the region.

MMC routinely closes inpatient beds due to patient condition such as infection from drug-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.

The graphic below demonstrates a snapshot of the challenge MMC is faced with daily. Information for this graphic is from July 28, 2016 at 7:00 AM.

A Day in the Life at Maine Medical Center Thursday July 28, 2016, 7:00 AM



Source: MMC Internal Data

This poses a daily challenge for the staff at MMC to meet the needs of patients in the State of Maine. MMC Care Teams assemble each morning in a daily “huddle” to assess immediate needs and identify solutions. The huddle reviews the current number of patients at MMC and nearby healthcare organizations (Spring Harbor, Mercy, Southern Maine Healthcare, New England Rehabilitation, and Hospice of Southern Maine), the number of pending admissions and discharges, and patient safety related information. These huddles are facilitated by MMC’s Operational Excellence Team which supports patient care improvement efforts all over the hospital.

MMC provides an array of services unique in the region and is Maine’s only American College of Surgeons’ designated Adult Level 1 Trauma Center and offers the most extensive scope of procedural specialties and subspecialties in the state. MMC is Maine’s only provider with the resources to implant Left Ventricular Assist Devices (LVAD). An LVAD offers patients suffering from advanced heart failure a viable alternative or bridge to heart transplant. These highly-specialized and advanced treatments require state-of-the-art procedural space in order to be performed. Space to accommodate these procedures is also needed. MMC’s Bramhall operating rooms are functioning at greater than 90% utilization rate. Literature recommends between 75-85% utilization rate for optimal efficiency.

MMC believes that the demand for its complex and emergent procedural services will continue to increase (refer to earlier discussion on Future Need). Improving access to healthcare services requires ongoing facilities planning and the ability and flexibility to create new space within which to provide care. MMC’s Institutional Development Plan and accompanying Regulatory Framework will allow for the opportunity for it to grow in a mindful way in areas adjacent to its existing facilities while, at the same time, allowing its neighbors and the city to plan for and anticipate future expansion locations. It is for this reason that MMC now seeks Planning Board approval of its Institutional Development Plan and the recommendation of the Regulatory Framework to the Portland City Council.

III. Institutional Development Plan and Regulatory Framework Standards of Review are Met

A. MMC’s IDP and Accompanying Regulatory Framework meet the Requirements of the City Code

Different requirements apply when reviewing the IDP content and the Regulatory Framework content. The Planning Board approves an IDP which conforms to the standards identified in Section I (14-280(d)) below, while the Portland City Council, upon referral from the Planning Board, approves a Regulatory Framework which conforms with the standards in the Section II (14-281(e)). MMC will address each of these components separately.

B. Institutional Development Plan (IDP) Standards for Review Are Met

Division 16.1, Section 14-280(d) of the Portland City Code set forth the standards of review for the Institutional Development Plan. MMC’s submission meets these standards as detailed more fully below:

1. Address all content requirements.

The 148 page IDP document addresses all applicable content requirements contained within the Portland City Code.

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

The public identified four major themes during the public process and each of these has been reflected in the IDP:

a) Dissatisfaction with a 13 story parking structure originally located on Gilman Street. *After thoughtful conversation with its neighbors, MMC is proposing to relocate employee parking to St. John Street.*

b) Concern about MMC expanding beyond the IOZ boundary. *MMC has worked over a year with City staff and the neighbors to meet the intent of the new City process requiring institutions to address long term planning so as to inform the neighborhoods and to provide flexibility for the growth of institutions.*

c) The desire for a construction management plan. *MMC has worked with the City and its Contractor Turner Construction to create a Construction Management approach to mitigate impact on the surrounding neighbors.*

d) The hope for increased communication between the Hospital and the neighborhoods. *MMC along with the presently constituted neighborhood representative group has proposed a robust communication plan found on page 130 of the IDP.*

3. Demonstrate consistency with the City's Comprehensive Plan ("CP") and the purpose of this Ordinance.

Throughout the City's Comprehensive Plan there is recognition that MMC, as a medical and academic institution, is an important thread in the overall fabric of the City. The history of MMC's Bramhall campus is part of Portland's unique heritage. (CP pg. 24) Its evolution to date, and into the future, balances both continuity and change as its campus respects its heritage and looks to the future.

As MMC continues to meet the healthcare needs of residents of Portland and of the state, generally, it does so in the context of the Vibrant City that is Portland. As noted on page 36 of the CP, Portland is a regional healthcare hub in large part due to the presence of MMC. MMC is a Portland based business (CP pg. 40). MMC provides employment for over 8,000 employees in the Portland vicinity (1,900 of whom live in Portland). More importantly, MMC contributes to the "economic future [by] tapping the nascent energy of current and future entrepreneurs and the many individuals, of all skill levels."

MMC also contributes to the vision for an open and inclusive City. MMC celebrates diversity and provides a welcoming and safe place for patients, residents, employees and visitors (CP pg.12). The ethnically and culturally diverse workforce at MMC adds richness to the workplace.

The CP recognizes "Portland is poised for growth in population, jobs and greater diversity in the coming decade. (CP pg. 46) However, sustaining a robust economy calls for Portland to welcome innovation and respond to shifting economic trends. Perhaps the most critical element for the City's economic future is tapping the nascent energy of current and future entrepreneurs and the many individuals, of all skill levels, that contribute to the businesses and organizations that will drive Portland's economic future." MMC is an innovative enterprise, striving to achieve excellence in healthcare. It engages world renowned researchers seeking cures for the most deadly diseases; it employs physicians in the forefront of their specialties who provide state of the art care and skill to the practice of medicine. MMC's facilities and environmental services departments ensure that the hospital is maintained in accordance with the highest regulatory standards, while providing a safe, secure and healing environment for the patients it serves. The information technology department of MMC is investing in secure electronic health record technology that is more advanced than many hospital systems. The highly-skilled and trained workforce at all levels at MMC will continue to contribute to the vitality and economic development of Portland as a great place. Sustainable growth, by careful planning and the investment, attraction and retention of human capital to support Portland's growing economy, is one goal of the Medical Center for the benefit of the people of Portland and the state of Maine (CP pg. 40).

MMC's IDP is in sync with the "Future Strategies" contained in the Comprehensive Plan. MMC is a local business that invests in preparing current and future residents to contribute in an increasingly knowledge-based economy. MMC is an academic institution which trains nurses, doctors and others in the healthcare profession and must maintain its investment in the organization in order to attract, develop and retain a skilled workforce (CP pg. 41).

As recognized in the Comprehensive Plan, the gateway to Portland off of Interstate 295 is an investment opportunity for the City as well as private entities and should be considered by the City as a priority growth area (CP pg. 92). Amending or modifying zoning when an institution demonstrates an opportunity for growth is a way to encourage investment in Portland. The MMC IDP is an effort by MMC to "promote the orderly expansion of institutional uses,

such as education and hospital campuses, which are central to workforce development, employment, and the health of the local and regional economies.” (CP pgs. 51,94) The plan also anticipates that the regulations governing development will not be static, but will adjust and adapt to changing needs and policy direction. (CP pg. 86) “Zoning boundaries and specific use, dimensional, and performance standards, will be modified over time as ordinances are revised and updated. Future land use modifications will be informed by a combination of the vision, goals, and strategies of this plan, best planning practices, and neighborhood and City-wide engagement.”

As MMC continues to meet the healthcare needs of residents of Portland and of the State or Maine generally it does so in the context of the Vibrant City that is Portland. (CP pg. 36) The economy of the City recognizes the important part MMC plays in its overall fabric. While MMC is a regional healthcare hub, it is first and foremost a local business. It contributes to the urban fabric of the City both in the services it renders and in the architectural context it proposes. This is especially true in its decision to transform Congress Street by the addition of a new entrance which will enliven the area and will contribute to the gateway to the City that is Congress Street. This urban form “is integral to the health of the [Portland] economy – its compact, walkable downtown and neighborhood center, strong transit connections and spectacular setting...” (CP pg. 36) As recognized in the Comprehensive Plan, however, perhaps the most critical element for the City’s economic future is tapping the nascent energy of current and future entrepreneurs and the many individuals, of all skill levels, that contribute to the businesses and organizations that will drive Portland’s economic future (CP pg. 37).

Like the City’s goal to “[a]dopt sustainable land use and transportation policies that support connectivity, walkable neighborhoods, and multi-modal,” (CP pg. 25), MMC similarly is taking such action as documented in its IDP. MMC’s IDP contains a Transportation section which identifies strategies it intends to follow to create a multi-modal system of transportation alternatives available to employees of the Medical Center. This Transportation Demand Management Plan is all encompassing in that it incorporates employee strategies on bicycle use and storage; safe walking routes; and promotion of the use of the regional Metro system. The Plan is designed to achieve a reduction of vehicles on the roadways. MMC is also ensuring sufficient off-street parking to alleviate concerns by adjacent neighborhoods around the scarcity of parking on the peninsula. MMC agrees with the City’s goal at CP pg.76 that “[b]y managing growth in automobile traffic demand, Portland will enable more transportation choices, such as public transit, bicycling, and walking. Our transportation investments and policy choices strive to preserve vehicular capacity and regional mobility while enhancing the diverse functions of our streets for all users and multiple modes.”

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

MMC’s mission is to care for its communities; educate tomorrow’s caregivers; and research new ways to provide quality care. In order to fulfill its mission, MMC has proposed a Regulatory Framework which would allow for planned and deliberate growth in order to meet these objectives. The proposed Regulatory Framework provides the flexibility needed to plan for a proximity of services, which is paramount for safe and efficient care, while providing for appropriate transitions to surrounding neighborhoods. Allowing for increased heights enables MMC to build vertically, which allows for quick patient transport between critical areas of the hospital. In addition, providing for areas adjacent to the campus for future development continues the adjacency requirements essential for safe and efficient patient care and an industry best-practice for any healthcare facility.

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.

MMC has engaged in extensive discussion with many stakeholders regarding the location of its necessary parking structure. MMC has undertaken baseline traffic studies and studies of flow patterns in order to thoughtfully analyze this issue. This baseline data has been provided on pgs. 53-81 of the IDP. It is understood that any qualifying development will require traffic mitigation pursuant to the MDOT Traffic Movement Permit requirements during site plan review. MMC intends to comply with MDOT’s permitting requirements.

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

MMC recognizes the importance of the open space provided by the historic Western Promenade, a historic landscape listed on the National Register of Historic Places (NRHP). In an urban setting, this park is crucial to providing the respite and calming influence often sought in a City. While the environment of the existing MMC campus and the IOZ is urban, the plan incorporates greenery and trees into its campus and future design. It allows for green spaces on its existing campus to remain. In recognition of its contribution to the Western Promenade Historic District, MMC has identified McGeachey Hall as one building which will remain. The Maine Central Railroad General Office Building, located at 222 St John St within the IOZ boundary, will also remain in recognition of its listing on the NRHP. See IDP pages 18-19 and 84-85. Finally, MMC also maintains its grounds and campus buildings in a tidy fashion and plants seasonal flowers to make for enhanced and attractive spaces. See generally IDP page 93.

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

MMC is subject to all City of Portland requirements regarding storm water, impervious surface, hazardous waste, and the like. It has discussed its operations with the City of Portland Public Works Department. It engages in recycling, and strives for energy efficiency. See generally, IDP pgs. 86-93.

8. Demonstrate that utility impacts have been anticipated and can be minimized or satisfactorily mitigated.

MMC proactively approaches its utility needs with CMP and Portland Water District. It is critical that utilities are provided to MMC, uninterrupted, 24 /7 in order to ensure all patients are in a safe and stable environment. Where future projects require utility modifications, MMC partners with all utilities to plan and accommodate for the future.

9. Reflect a comprehensive design approach that ensures appropriate transitions with the existing or future scale and character of the neighboring fabric.

This topic has been studied comprehensively and the results contained within the IDP (and Regulatory Framework) reflect best practices for the future scale and character of the IOZ development opportunities. MMC's Urban Designer, Basak Alkan (Perkins+Will), has presented to the Planning Board an in-depth explanation of the methodology utilized in developing the design parameters in the Design section of the IDP (IDP pgs. 99-127), taking into account recognized planning practice both locally and nationwide, neighborhood concerns and operational issues. The City of Portland Planning staff has recognized MMC's rational and practical approach in arriving at the heights, scale and massing of development within the IOZ.

10. Promote compatibility with existing or future uses in adjacent neighborhoods, maintain housing and support local amenities.

MMC is primarily surrounded by mixed uses, including residential. As is evident in its long term plan, MMC intends to remain in sync with this mixed use character and anticipates its projects will provide further investment in its surrounding neighborhoods. (IDP pg. 119) (See RF page 5). The planned Congress St Development (pages 44-45) will help provide a new gateway experience to Portland in alignment with the Comprehensive Plan goals. MMC is adopting Design Guidelines listed on pages 116-121 to promote compatibility of future buildings with the existing or future uses in adjacent neighborhoods. The IDP and the Regulatory Framework provide for height limitations and setbacks to ensure appropriate transition to adjacent residential zones (see IDP pages 110-113, RF pages 6-9).

11. Anticipate future offsite improvements that would support the integration of the institution into the community and city wide infrastructure.

MMC anticipates off-site traffic improvements may be necessary depending upon the results of the MDOT Traffic Movement Permit review. In addition, it is expected that additional off-site lighting improvements may be installed to promote the safety and security of all who travel to and from the MMC campus, whether by auto, bicycle or foot. Offsite sidewalks, too, will be addressed during site plan reviews to ensure safe, smooth, non-slip materials (unlike bricks) are used when needed. See IDP pgs.53-81.

12. Conform with Portland's Historic Preservation Ordinance standards for designated landmarks or for properties within designated historic districts or designated historic 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.

MMC has always been located at 22 Bramhall Street. It has long understood the value of the historic Western Promenade. It recognizes an adjacency with a Historic District to its south. See IDP pgs. 18-19 and 100. McGeachey Hall, which is listed as a contributing structure to the Western Promenade Historic District (NRHP'84) is noted in the IDP and the Regulatory Framework to remain. The Maine Central Railroad General Office Building, located at 222 St John St within the IOZ boundary, will also remain in recognition of its listing on the NRHP.

13. Incorporate strategies to support clear communication and ongoing public engagement between institutions and nearby neighbors.

Of all the effort put into this IDP, MMC has placed great emphasis on continuing its dialogue with its neighbors. A robust Neighborhood Engagement process, endorsed by the neighborhood representatives, is set forth in detail on IDP pg. 130.

After review of the IDP as a whole, MMC is confident the Planning Board will find it meets the requirements of the IOZ Ordinance. MMC looks forward to discussing the accompanying Regulatory Framework with the Portland Council.

- C. MMC's Regulatory Framework is approved. The Regulatory Framework shall:

Section 14-281(e) sets forth the Standards by which MMC's Regulatory Framework is approved. The Regulatory Framework shall:

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

Section 3 above sets forth in detail how the Regulatory Framework is consistent with the City's Comprehensive Plan and the goals contained within the IDP.

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

MMC has embraced the new zoning framework (Div. 16.1 - Institutional Overlay Zone) adopted by the City Council on May 1, 2017 which governs institutions throughout the City. In so doing, MMC has adhered to the requirement that the IDP and Regulatory Framework present data and analysis by way of graphs, charts and tables in order to make the document understandable yet concise. Its Zoning Framework provides clarity needed to govern its future development projects.

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

MMC has worked for close to a year with adjacent neighborhood representatives and City of Portland Planning Staff refining the content of the Regulatory Framework. It has also held three large Neighborhood Meetings to keep those interested neighbors informed as the IDP and Regulatory Framework evolved. The final product seeks to address neighborhood concerns while also allowing for the needs of Hospital operations to be met.

Specific Regulatory statements responsive to neighborhood concerns about expansion include:

- MMC will not extend its functionally related Bramhall campus hospital operations beyond the boundary of the IOZ within the City of Portland without further amendment to the IDP. This includes any expansion of functionally-related operations which displaces residential uses outside of the IOZ boundary. A functional relationship is defined as essential uses or activities that are traditionally or customarily linked to the day-to-day operations of the MMC Bramhall Campus.

- **Mixed Uses:** In recognition that Maine Medical Center is part of a mixed-use area of the City, with important existing services and businesses that serve the local and wider community, healthcare facility development fronting onto Congress Street and St. John Street shall activate the public realm, to the extent able, with uses such as service and retail/restaurant, landscaping, active building entrances, pocket parks, etc, on the ground or other publicly accessible level, consistent with the design intent contained in the approved Institutional Development Plan. Such uses, where constructed or facilitated as part of a healthcare related development, are expressly permitted whether ancillary or supporting the healthcare facility or not, and shall be open and welcoming to the general public in addition to employees or visitors of Maine Medical Center.
- The Regulatory Framework contains height and setback maps applicable to various portions of the geographic Master Plan. These maps identify areas adjacent to residential zones and treat those areas differently – with a “transitional zone” which contains both lower heights and greater setbacks to address neighborhood concerns.
- New buildings within the IOZ shall adhere to the Design Guidelines set forth in Chapter 5: Design of the IDP and the site plans standards of the City of Portland.

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

MMC is a proud member of the Portland community. It has spent a great deal of thoughtful time in arriving at an IDP and Regulatory Framework that will ensure quality projects that form a part of its adjacent community. It will be designing projects that front on Congress Street with the aim of avoiding the creation of an urban void. It will activate ground uses of buildings where appropriate and create a dynamic area that forms a welcoming gateway to the City. At the same time, MMC intends to develop an urban area by taking advantage of building up, rather than sprawling out. This efficient use of land area creates an urban fabric in accordance with land use planning.

In addition, MMC has spent much time with its traffic consultants, VHB and Gorrill Palmer, to gather baseline traffic and parking data and to develop a plan for future growth and development that minimizes, to the extent possible, congested roadways. As a result of the split shift that supports the 24/7 care to its patients, MMC’s peak traffic hours are **different than** the commuter peak in the City of Portland. As a result, the parking plan proposed in the IDP is **not expected** to create a more difficult commute for people coming to and from Portland during the “typical rush hour” times.

Finally, MMC recognizes the City’s goal of creating partnerships to address the larger needs of the City, including storm water management and environmentally sensitive development. MMC has implemented and will continue to endorse the following programs on campus:

- Paper recycling program
- Waste recycling program (composting in cafeterias)
- Energy efficient systems, including its Central Utility Plant for heating and cooling and low flow water use throughout its buildings and
- Energy efficient lighting in buildings (where able) and outside lighting.

All of these efforts are in keeping with the larger City of Portland effort at sustainability.

MMC has met the requirements of the Regulatory Framework and is looking forward to the Planning Board’s recommendation of the Regulatory Framework to the Portland City Council.

IV. MMC’s Community Benefits are Significant

MMC provides a full range of healthcare services to all patients regardless of ability to pay (A description of MMC’s community benefits is available on pgs. 134-139 of MMC’s IDP.). MMC provides care to patients who meet certain criteria under its charity

care policy without charge or at amounts less than established rates. Because MMC does not pursue collection of amounts determined to qualify as charity care, they are not reported as net patient service revenue.

MMC provided charity care estimated to cost \$14,227,963 in fiscal year 2015. In addition to charitable care, MMC provided care to those either unable or unwilling to pay (bad debt) estimated to cost an additional \$14,945,004 in fiscal year 2015. The total 2015 MMC community benefit for charity care and bad debt was \$29,172,967. The 2015 MaineHealth community benefit amount and the amount of community benefit for all MaineHealth members is available in Exhibit II-c., MaineHealth's Community Benefit Report.

As a not-for-profit institution dedicated to community service, MMC provides many services to the community in addition to its broad range of healthcare services. These include a large percentage of all free care delivered in Maine, an International Clinic for Portland's immigrant and refugee population, the AIDS Consultation Service, the Northern New England Poison Center and the MMC Preble Street Learning Collaborative, a community based clinic in the bayside neighborhood of Portland. The Learning Collaborative, developed by MMC and Preble Street, has three main goals: 1) help improve the health of at-risk homeless patients; 2) demonstrate the effect of a population-based approach to health care for these individuals; and, 3) assure the education of future physician in health care disparities.

MMC is Maine's only Level 1 Trauma Center verified by the American College of Surgeons. In the event of a major disaster, members of our community would look to MMC for care. This project adds 128 private universal rooms. This will allow MMC to increase the number of private rooms while maintaining the necessary surge capacity to accommodate our responsibility as the regions only Level 1 trauma center in case of disaster.

V. Conclusion

Maine Medical Center is a primary provider of essential healthcare services for the state and a major contributor to the Portland community through local partnerships and programs as well as being one of the largest employers in the region.

MMC's Institutional Development Plan and Regulatory Framework are the result of many collaborative months of work by City Staff and neighborhood representatives along with MMC staff. They provide the transparency and predictability for neighbors and the flexibility for MMC to meet the needs of patients in the future. These documents meet the standards of review set forth in the City Code and we encourage the Planning Board to recommend approval to the City Council.



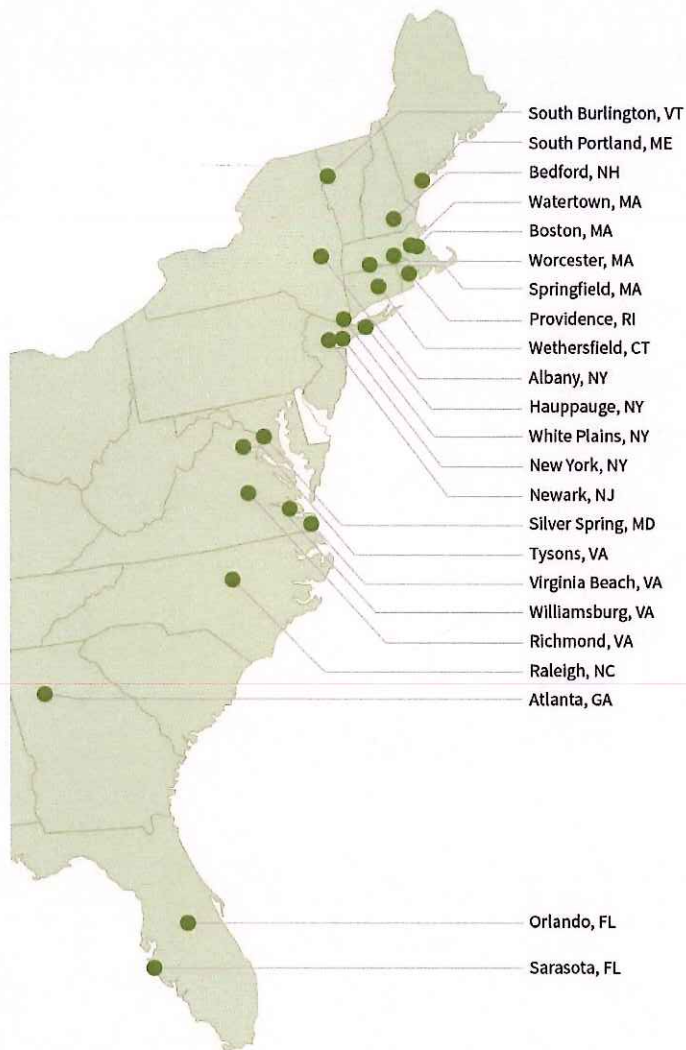
Maine Medical Center City of Portland Coordination Meeting

April 5, 2017



Maine Medical Center
MaineHealth

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 Land development
 Planning & design
 Environmental

Markets

Transportation agencies
 Real estate
 County and local governments
 Institutions
 Federal government
 Energy



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VHB Support to Maine Medical Center

- Focused institutional practice – academic medical centers and higher education
- Local knowledge/National expertise
- Deep understanding of parking and transportation
 - Studies
 - Design
 - Construction
 - Operations and Management



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MMC Parking Plan and TDM Initiatives

IDP Goals and Objectives

- Understand Existing On-campus Parking Demand and Supply Conditions.
- Evaluate Maine Medical Center future parking needs in connection with their proposed Master Plan Projects.
- Identify issues, challenges and opportunities to improve overall parking operations and support a premiere patient arrival experience.
- Demonstrate that the intended parking supply, in connection with the administration of a robust TDM Plan, will accommodate expected future demands.



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MMC Patient/Visitor Parking Summary

- Existing Peak Parking Demand = 875 parkers
- Existing MMC Parking Supply = 850 spaces
- Current Patient/Visitor Shortfall = (-25) spaces
- Future Patient/Visitor Parking Demand = 175 spaces
- Total New Patient/Visitor Parking Spaces Needed to alleviate existing shortfall and to accommodate anticipated growth = 200-250 spaces



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MMC Comparable Inpatient Parking Demand Ratios

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

- Gross on-campus patient parking spaces to total inpatient beds.
- Includes any related outpatient demand at each respective facility.
- Ginsburg Tower (Orlando) includes some staff parking on-campus. Unable to separate out.



MMC Patient/Visitor Peer Comparison

- MMC Space/Bed Ratio = 1.33
- Peer Space/Bed Ratio Median = 1.87
- Additional Patient/Visitor Spaces Needed to achieve peer median = 344 spaces
- Total New Patient/Visitor Parking Spaces Needed to alleviate existing shortfall and to accommodate anticipated growth = 200-250 spaces



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Key Parking Management Actions

Patient/Visitor Parking

- Prohibit Staff Parking in Patient/Visitor Parking facilities
- Install security gates and ticket dispensers.
 - Implement a campus-wide patient parking validation program
 - Patients pull ticket for validation
- Improved staff parking policy procedures



MMC Physician/Staff Parking Summary

- Existing Peak Parking Demand = 2,247 parkers
- Existing MMC Parking Supply = 2,027 spaces
- Current Physician/Staff Shortfall = (-220) spaces

- Future Physician/Staff Parking Demand = 270 spaces

- Total New Physician/Staff Parking Spaces Needed to alleviate existing shortfall and to accommodate anticipated growth = 500-600 spaces



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MMC Comparable Employee Parking Demand Ratios

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

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



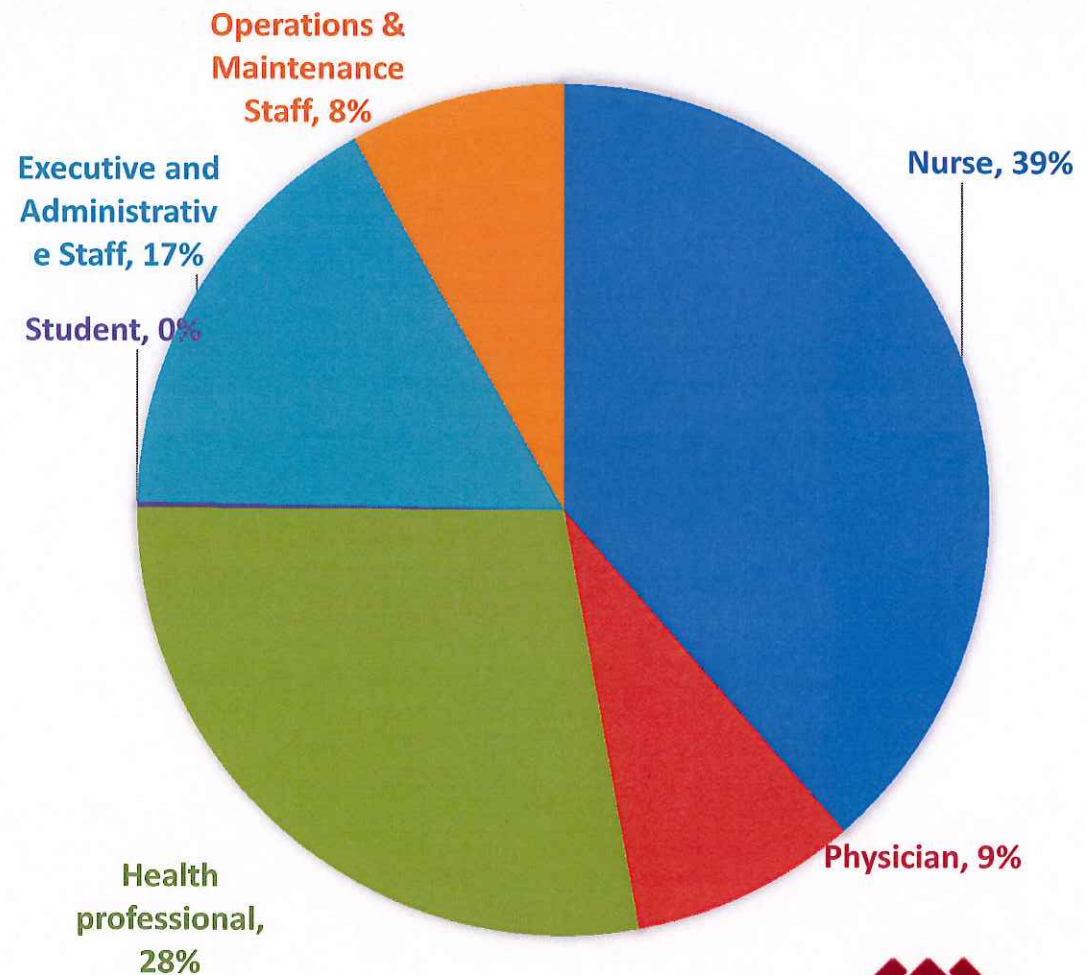
MMC Physician/Staff Peer Comparison

- MMC Space/Bed Ratio = 3.18
- Peer Space/Bed Ratio Median = 4.38
- Additional Physician/Staff Spaces Needed to achieve peer median = 764 spaces
- Total New Physician/Staff Parking Spaces Needed to alleviate existing shortfall and to accommodate anticipated growth = 500-600 spaces

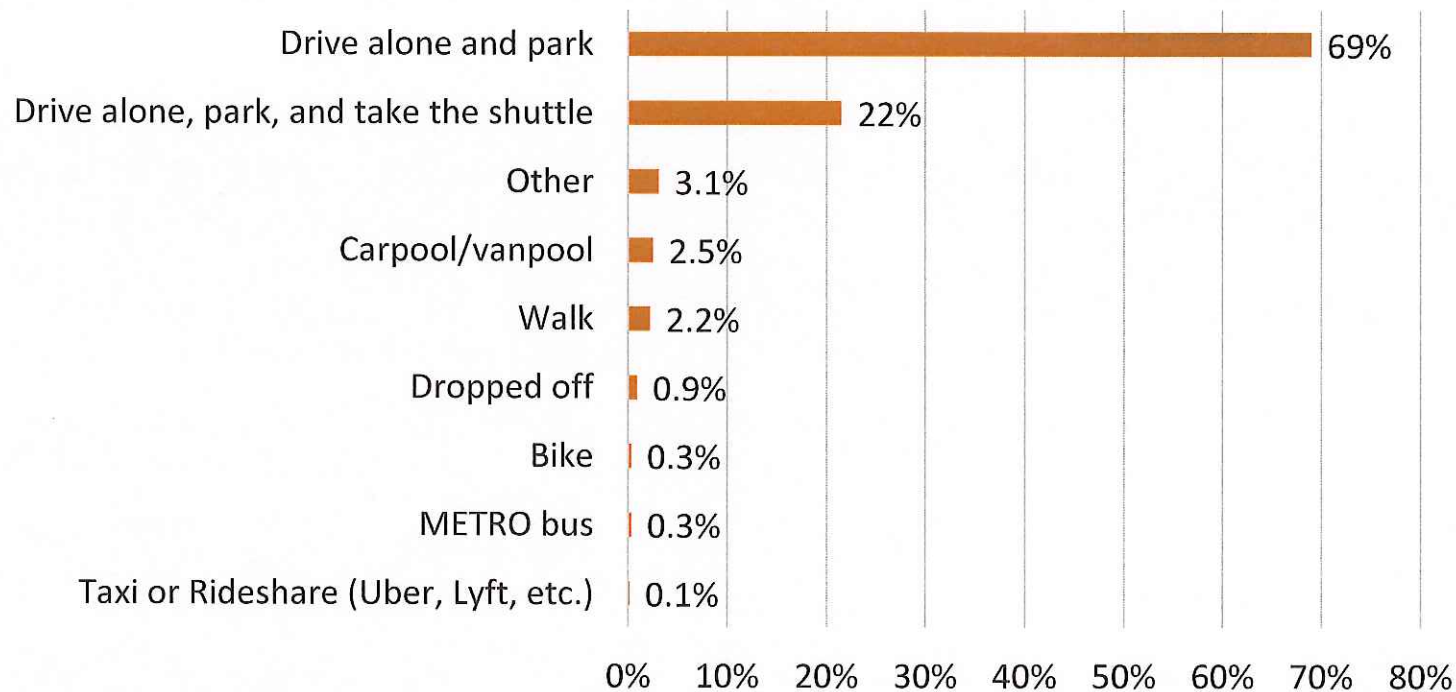


Survey Respondents

- 1,583 total respondents
- 81% (1,283 respondents) work at Bramhall Campus
- Diverse spectrum of participants

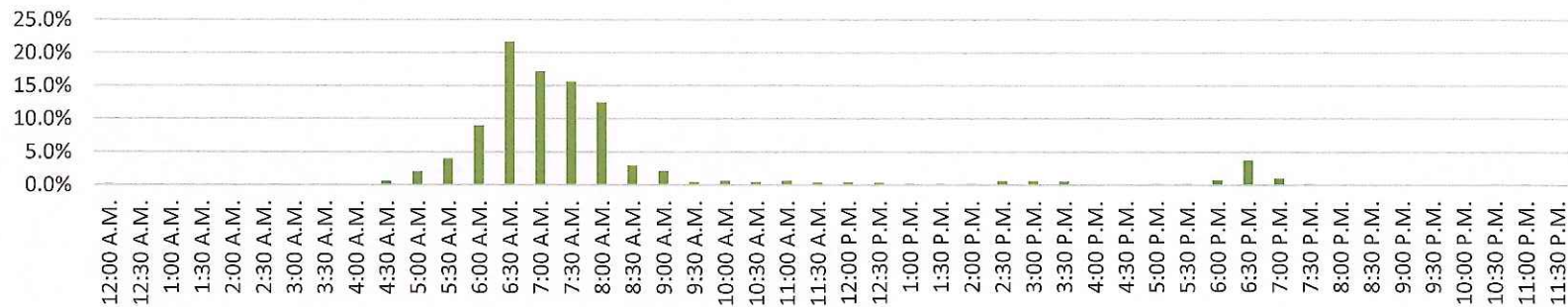


How do you get to work?

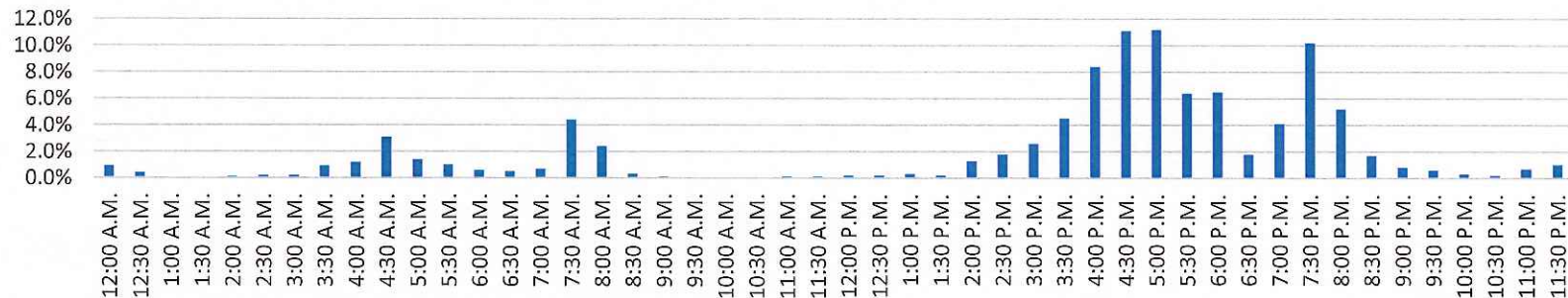


What time do you arrive at/depart from work?

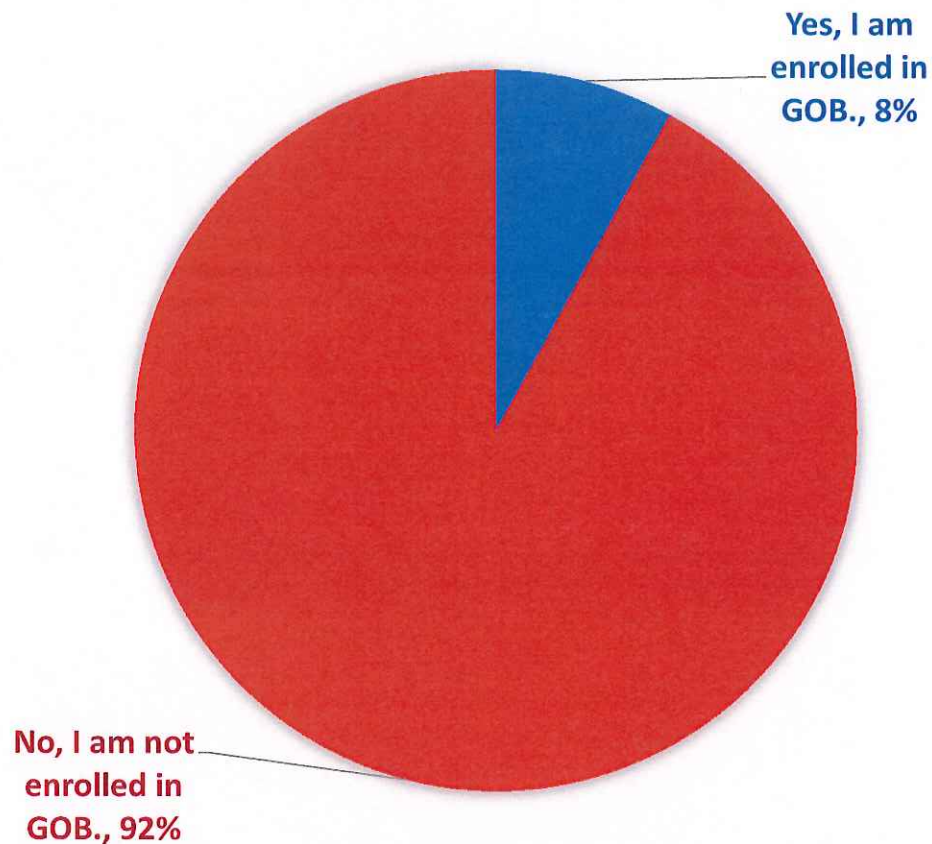
Arrival Time



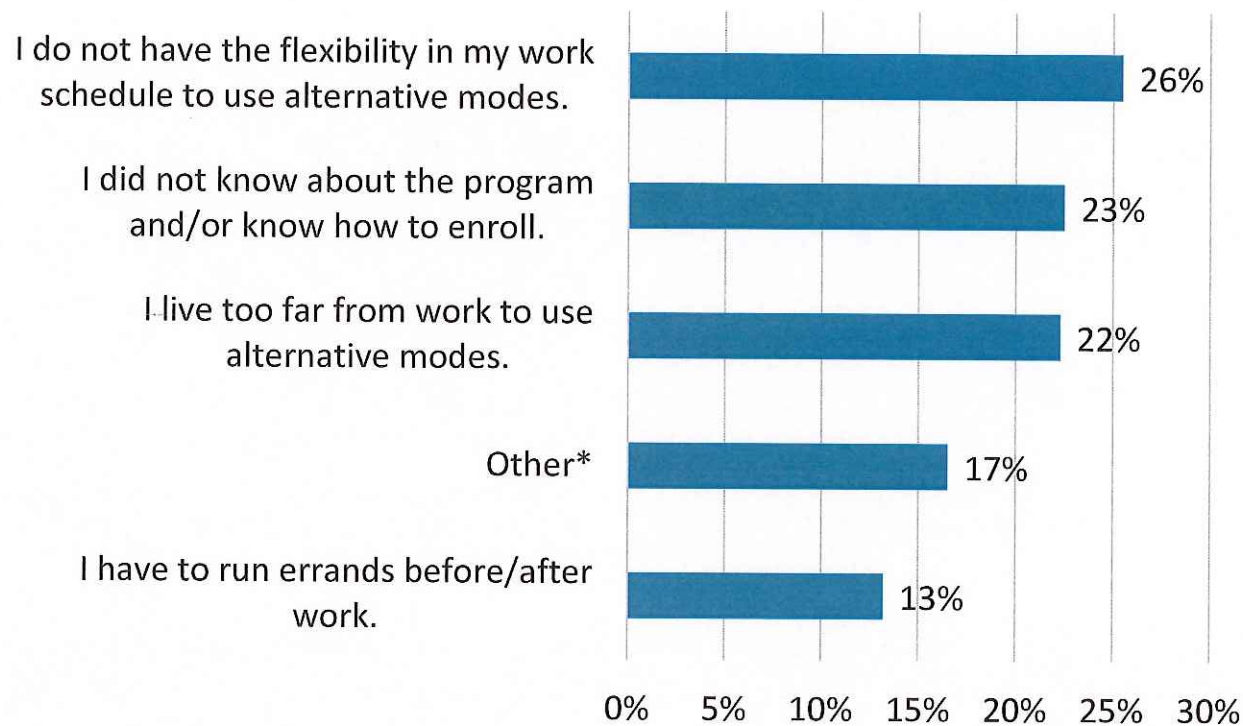
Departure Time



Do you participate in Get on Board (GOB)?



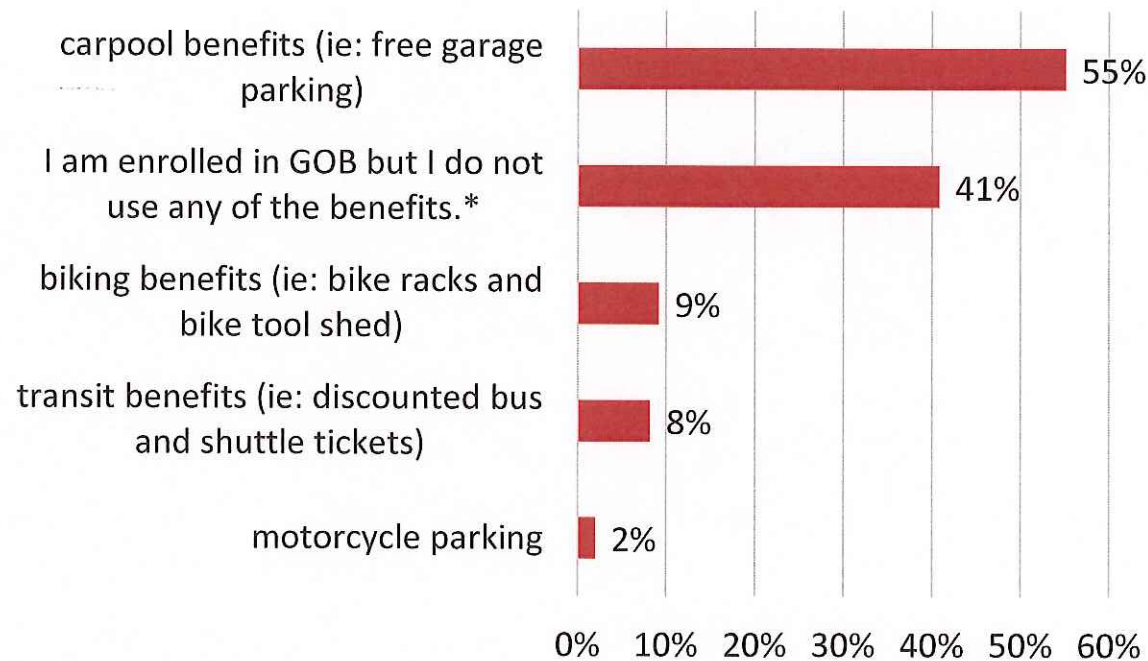
What has discouraged you from participating in GOB?



* Other Reasons

- fluctuating schedule
- off-site meetings and/or appointments
- no carpool partner
- have to rotate between campuses or sites
- enrollment was confusing/ cumbersome

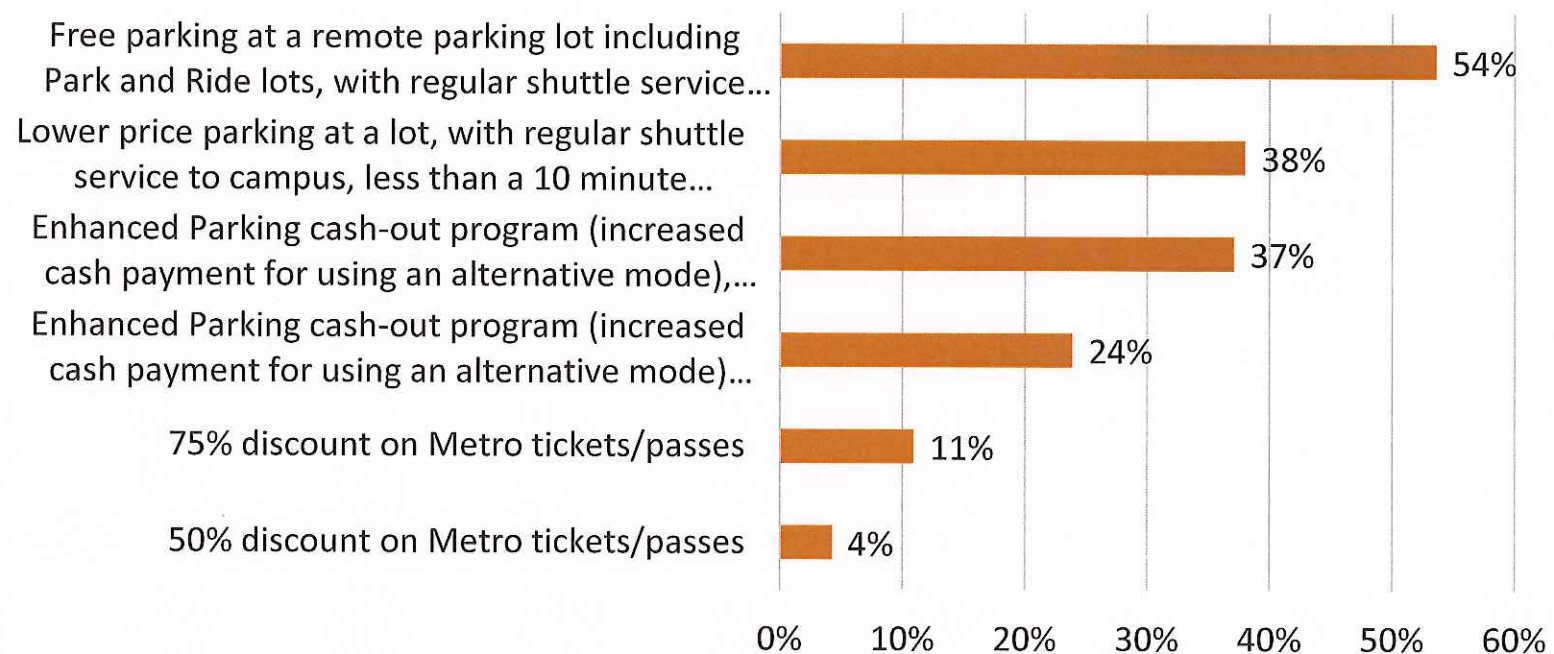
Which GOB benefits do you use?



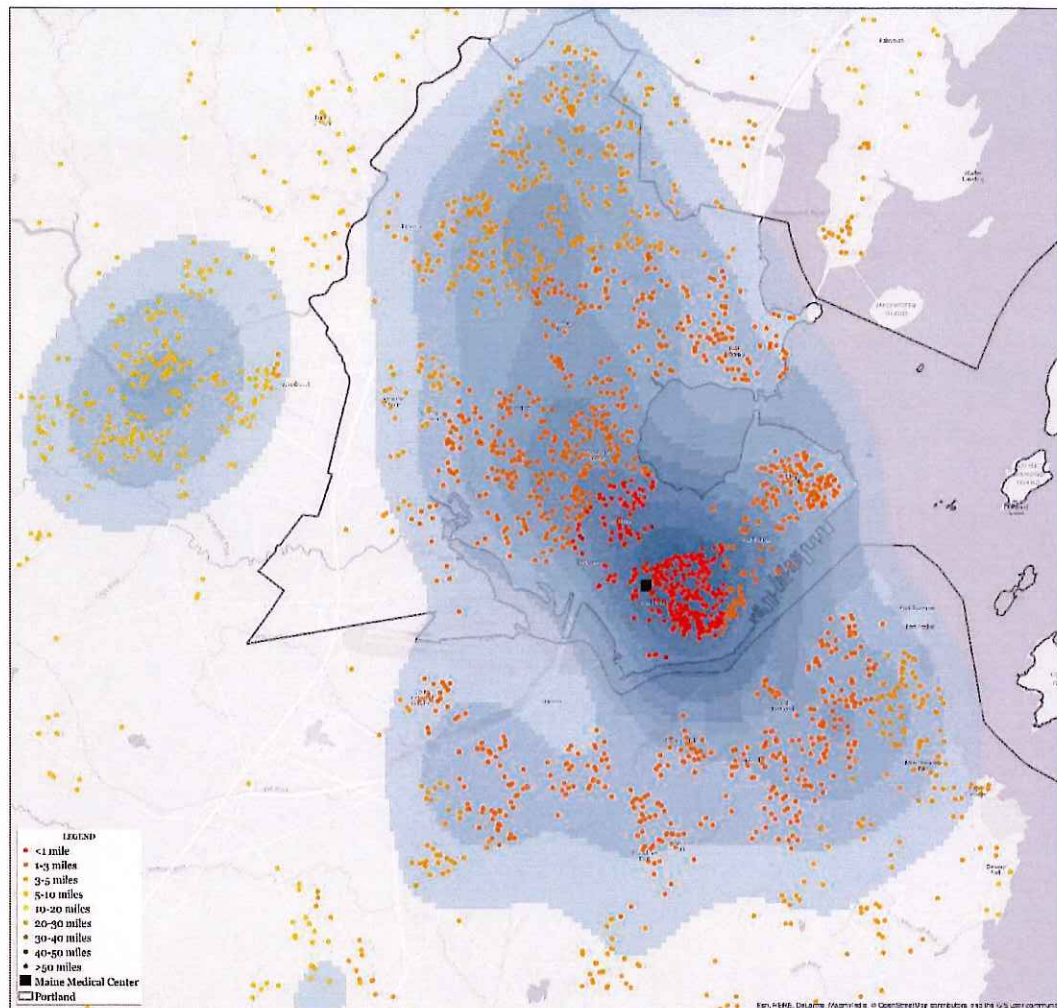
* Explanations

- no carpool partner
- fluctuating schedule
- parking reimbursement process is cumbersome

Potential TDM Strategies



Bramhall Employee Residence



Bramhall Employee Address Locations
Maine Medical Center

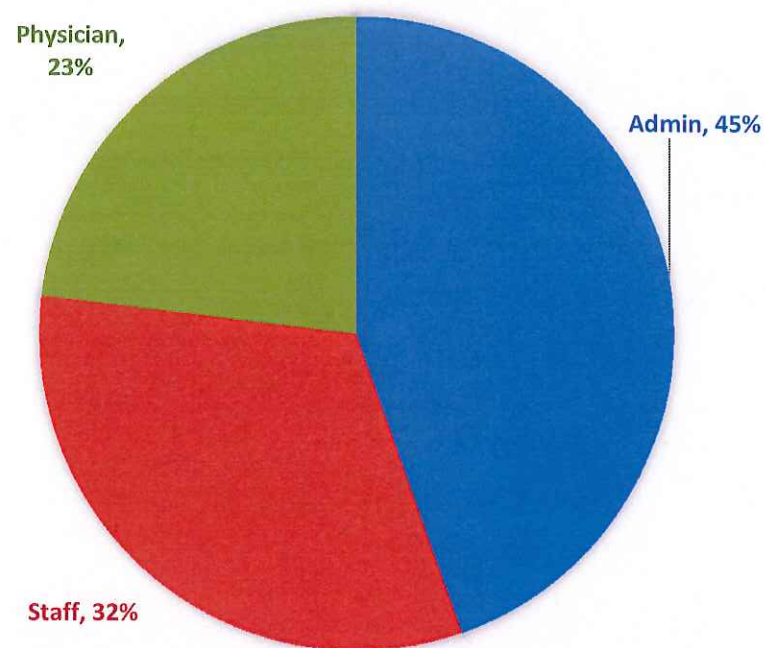


Walking

Mode	Total Universe (<1 mi)	Already Walk	New Possible Walkers
Walking	424	173	251

- Over 400 employees live within 1 mile of MMC
- Number of current walkers based on permit ownership

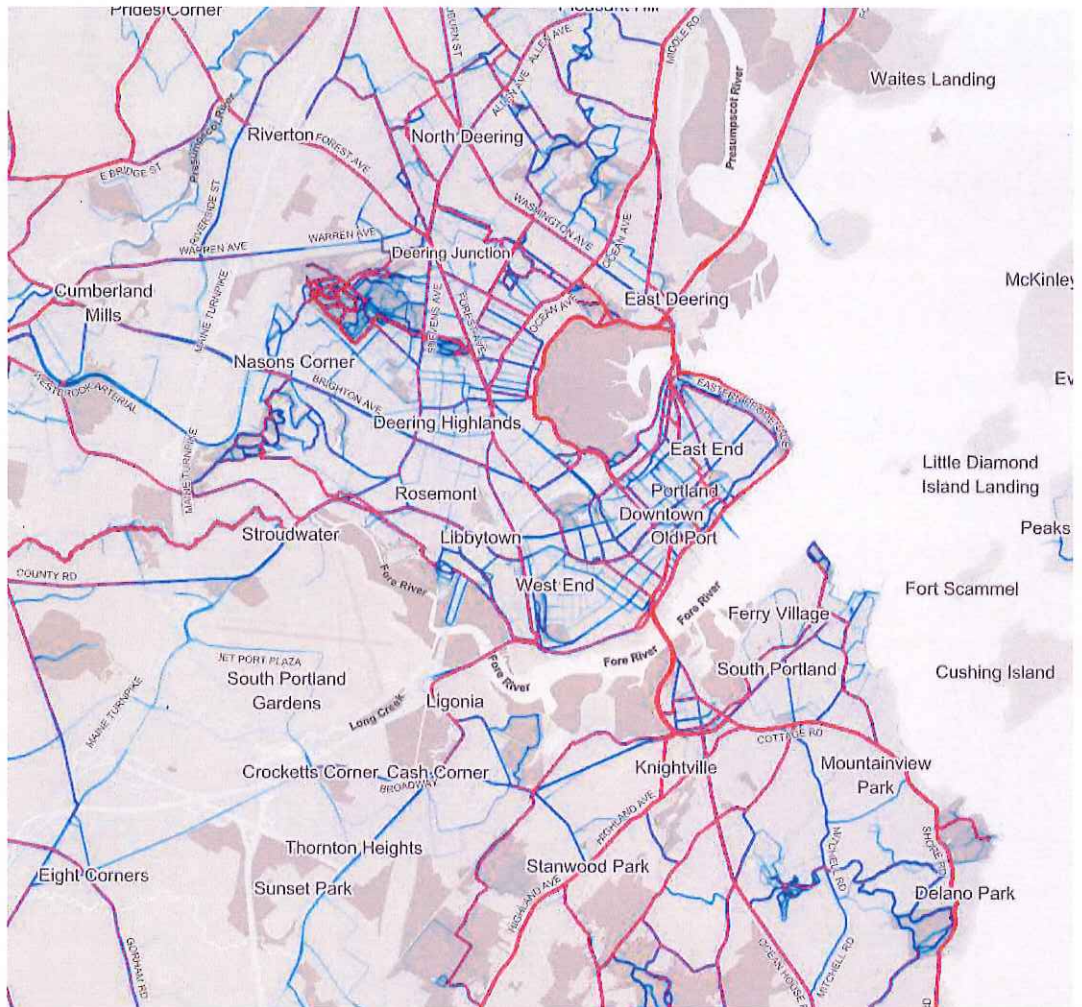
EMPLOYEES WITHIN 1 MILE



Biking

Mode	Potential Cyclists (1-3mi)	Already don't drive	New Possible Cyclists
Biking	1119	259	860

- Minimal bike infrastructure is a barrier to bike commuting in South Portland Gardens and Thornton Heights.
 - About 120 employees live in this area.

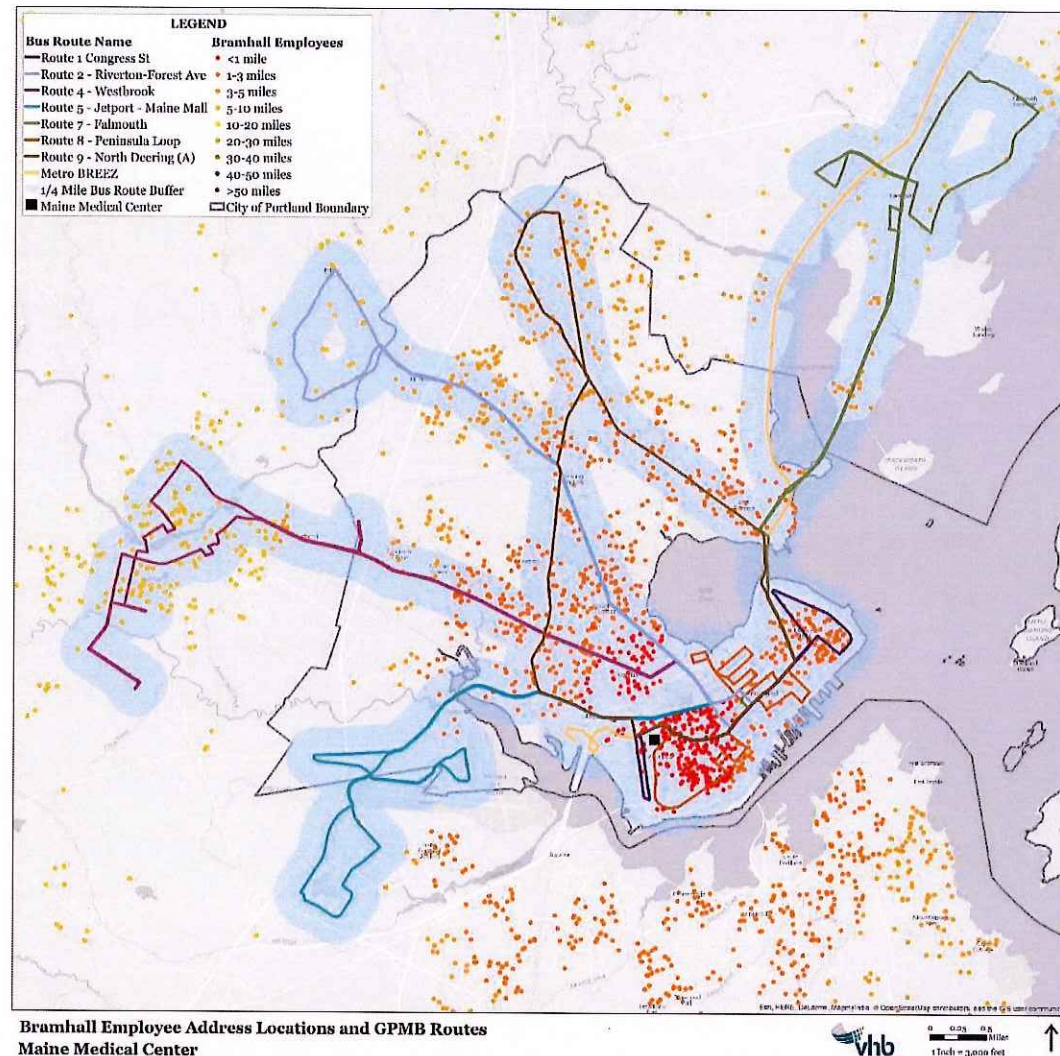


Map source: Strava Labs

Public Transit

Mode	Potential Transit Riders (>1mi)	Already Don't Drive	New Possible Riders
Transit	1154	282	872

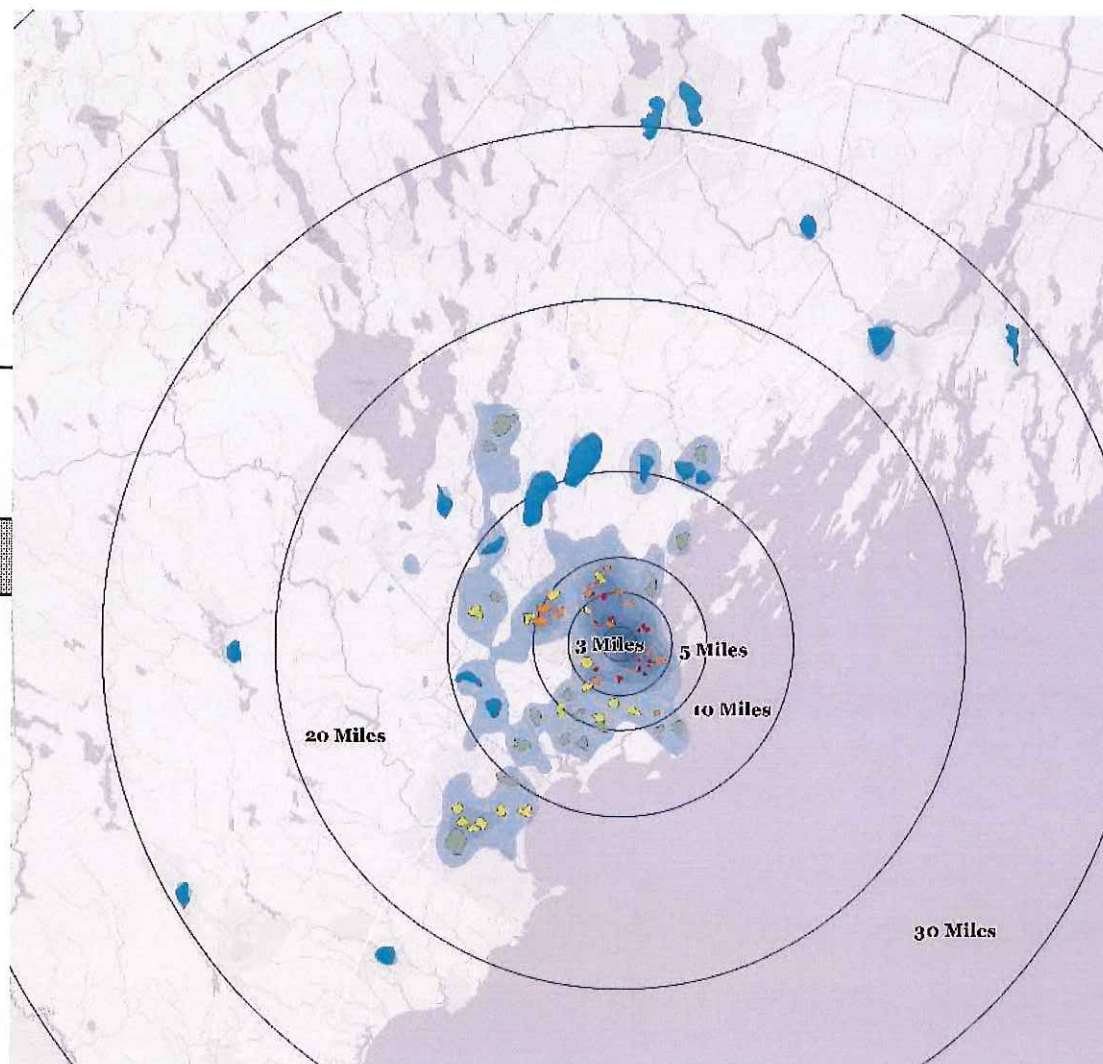
- 1,154 employees live near METRO bus route (within ¼ mile beyond 1 mile of MMC)
- Number of non-drivers based on permit ownership



Vanpool

Mode	Potential Participants (>1mi)	Already Don't Drive	New Possible Riders
Vanpool	1997	424	1573

- 1,997 employees live in potential vanpool clusters (13 or more employees living in close proximity outside of 1-mile buffer of MMC)
- Number of non-drivers based on permit ownership



Trip Reduction Estimation

- Modeled using TRIMMS
 - Researched-backed tool to estimate travel behavior change
- Applied capture estimates to residence analysis using professional judgment
- Averaged results



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Estimated Participation

- Biggest potential gain from walking
- Shared growth in shared ride, transit, cycling
- Short-term:
 - 20-25 without parking increase
 - 60-75 with parking increase
- Long-term
 - Depends on MMC and City improvements
 - 25-35 without parking increase
 - 80-100+ with parking increase



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Other Important Transportation Issues Pertinent to the Forthcoming IDP Process

- Managing Hospital key access/circulation plan concerns
 - Chadwick Street: Hospital traffic on local West End neighborhood streets
 - Congress Street: Acceptable design plan for new main entrance and drop-off that supports premier patient arrival experience and limits disruptions and adverse impacts
- Community Access Circulation: Focus on logical traffic flow, pedestrian access and safety, bicycle access and on-street parking





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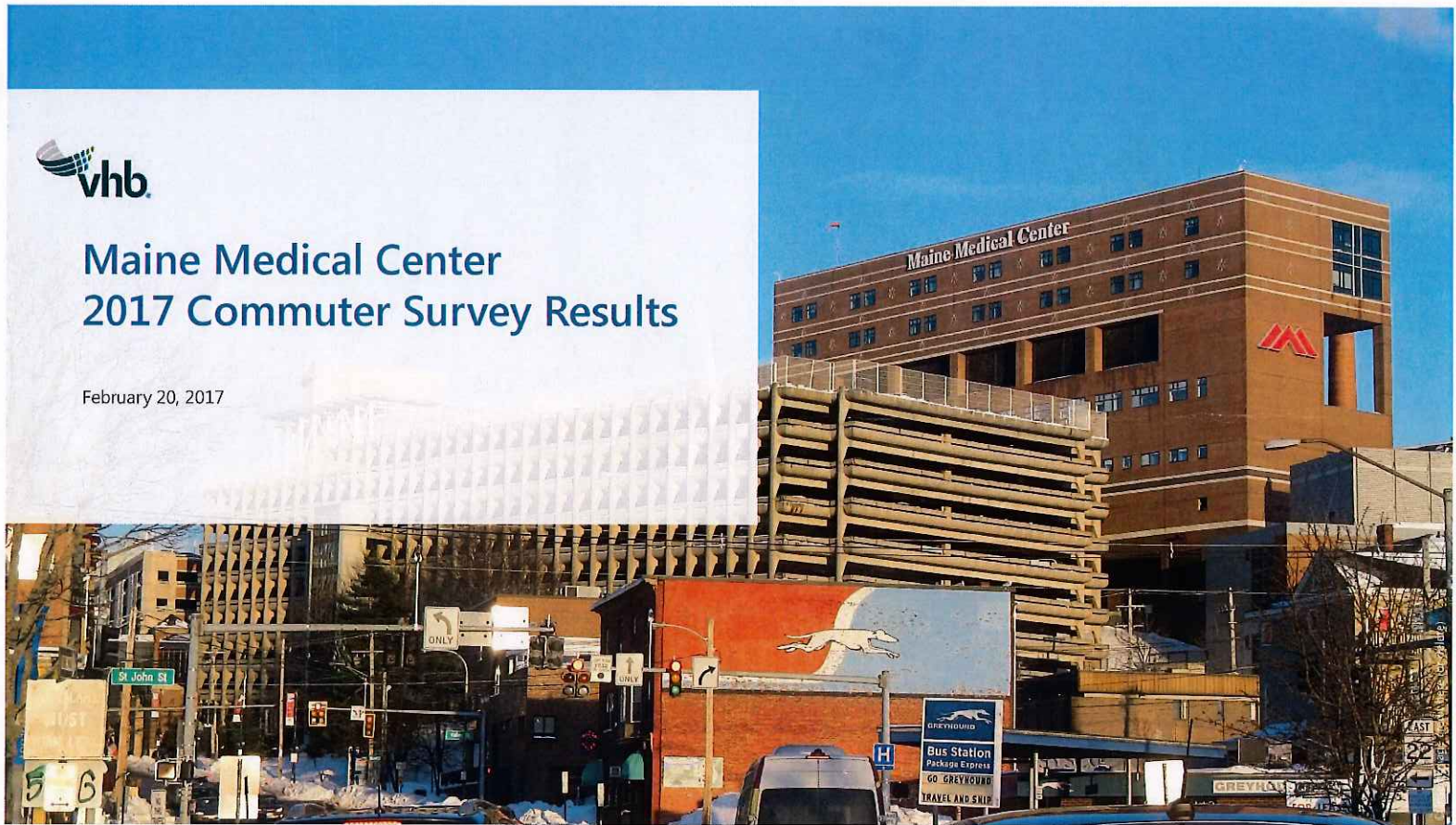
Maine Medical Center
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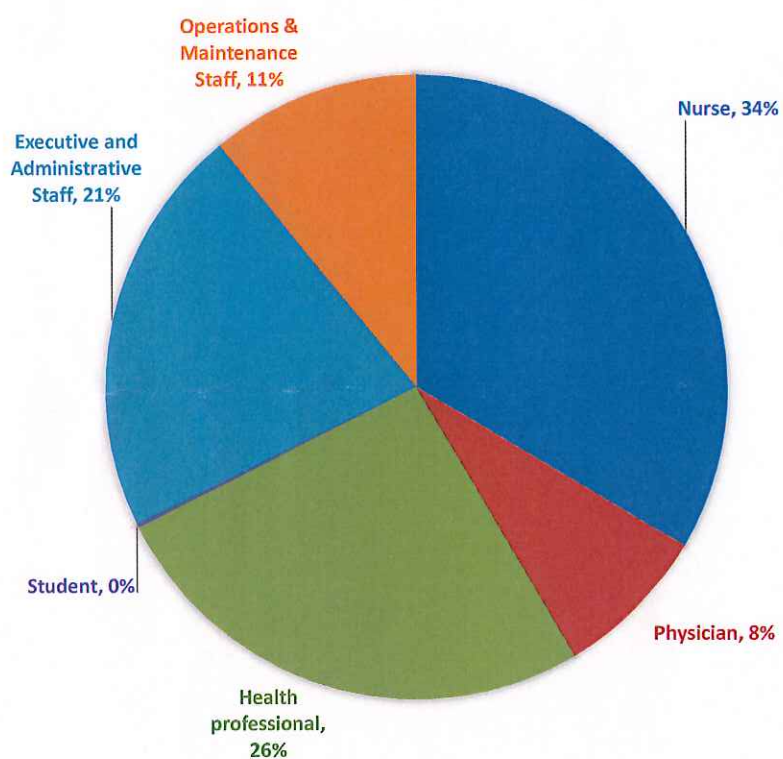
Maine Medical Center 2017 Commuter Survey Results

February 20, 2017

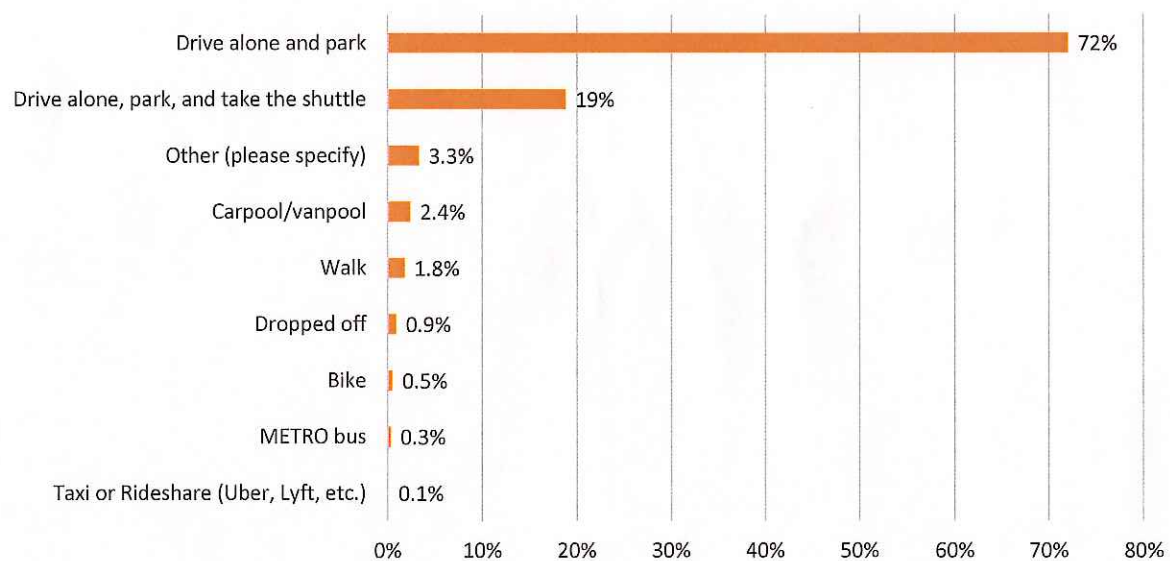


Survey Respondents

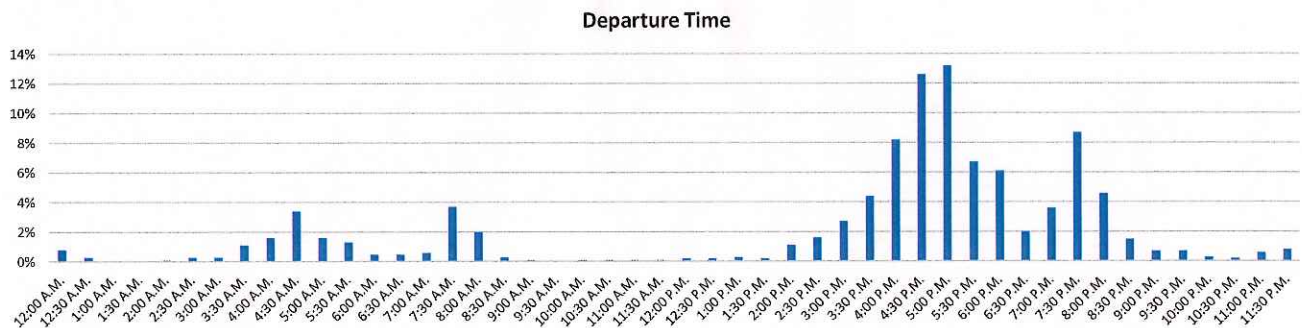
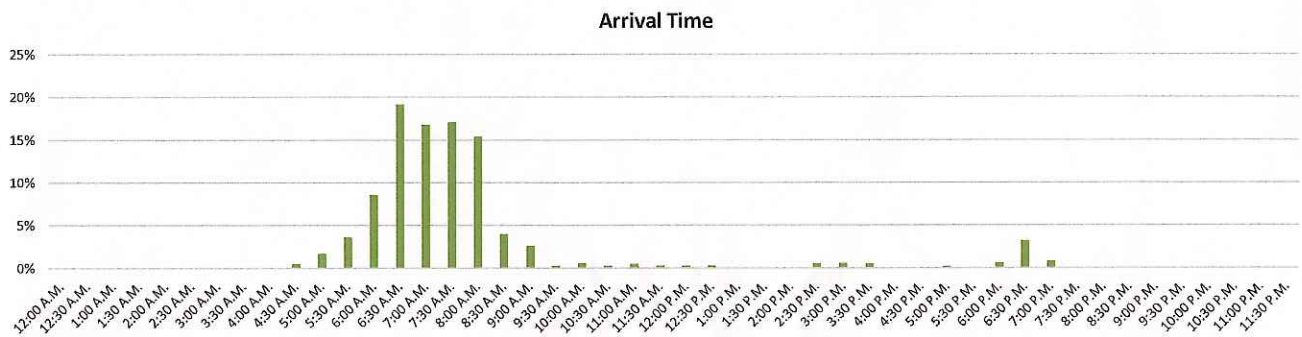
- 1,583 respondents
- Diverse spectrum of participants
- 82% work at Bramhall Campus



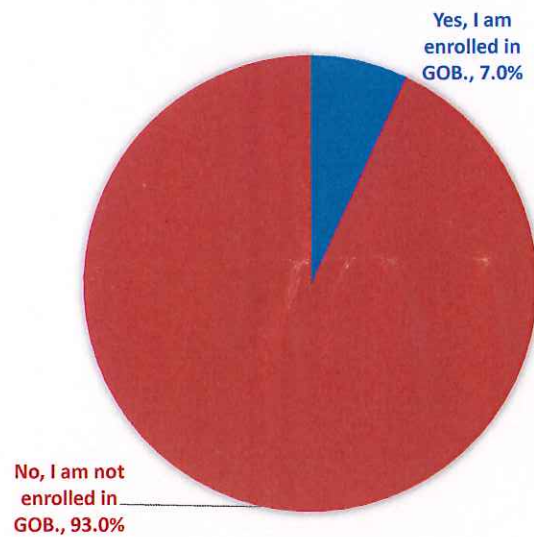
How do you get to work?



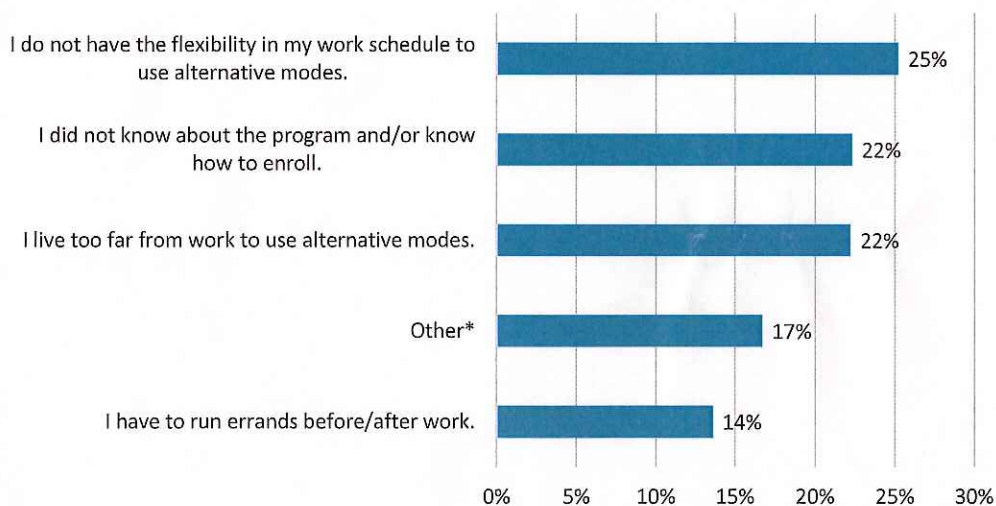
What time do you arrive at/depart from work?



Do you participate in Get on Board (GOB)?



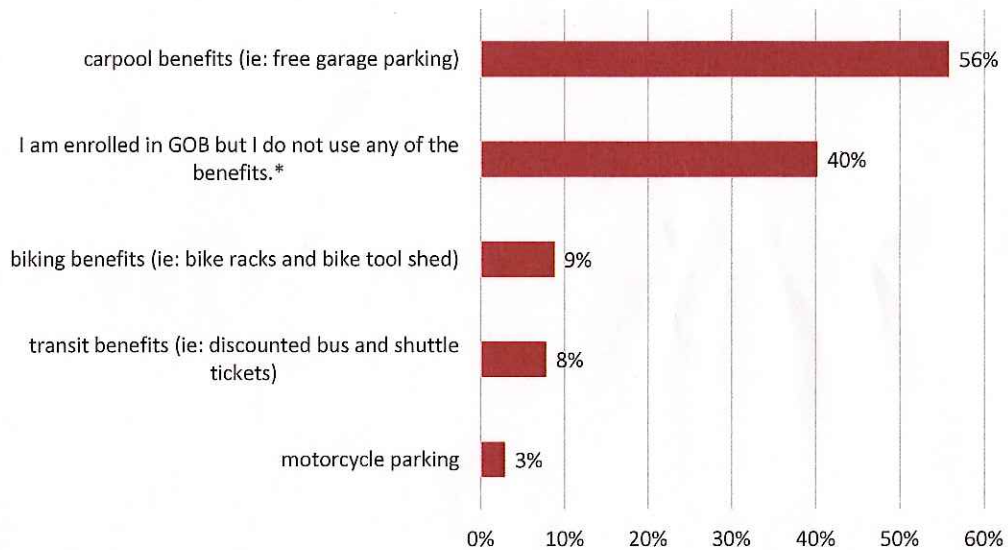
What has discouraged you from participating in GOB?



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- have to rotate between campuses or sites
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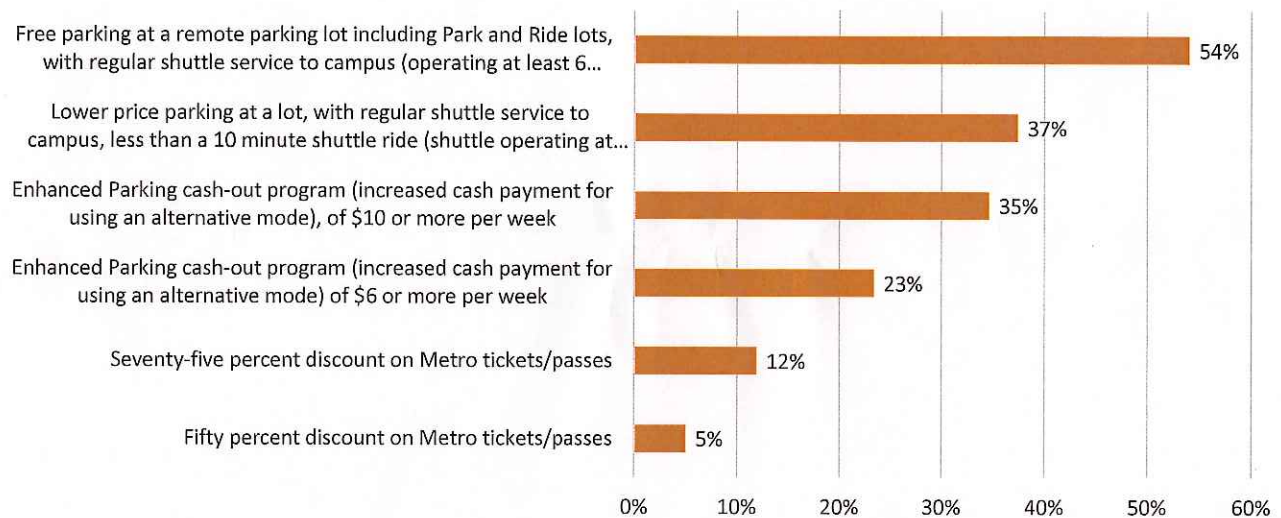
Which GOB benefits do you use?



* Explanations

- no carpool partner
- fluctuating schedule
- parking reimbursement process is cumbersome

Potential TDM Strategies





Memorandum

To: Alexander M. Green,
Penelope E. St. Louis

Date: May 16, 2017

Project #: 55141.00

From: VHB

Re: TRIMMS 3.0 Modeling

The following memo provides additional documentation on the TRIMMS modeling used to test the potential impact of Maine Medical Center's (MMC) proposed TDM program. It is important to understand that the outputs of the TRIMMS modeling was only one of several factors used to identify the potential gains from MMC's proposed TDM programming. TRIMMS mimics individual travel behavior based on economic elasticities, but it is not able to account for situational factors such as access to transportation infrastructure or employee distance from workplace. For this reason, VHB considered the TRIMMS modeling results in conjunction with other factors, including industry knowledge and expertise.

VHB used the latest version of the TRIMMS program, available via <http://trimms.com/>. The website contains additional documentation on the model and its inputs.

This memorandum is being provided for informational purposes only and will not be included as part of the IDP narrative.

Assumptions Concerning Existing Conditions within Region and City

The TRIMMS model was customized to the extent possible to establish the existing environment surrounding MMC. Fuel prices, current mode share, population density, and household income were customized based on a review of census data. The remaining model inputs were set at the default parameters for the Boston-Worcester-Lawrence, MA-NH-ME-CT metropolitan statistical area. These parameters are not normally adjusted without further detailed study and research to justify a change.

- The fuel pricing was customized to match the prevailing fuel prices in Maine (\$2.70 per gallon of diesel, and \$2.40 per gallon of gasoline).
- The population density for Cumberland County, ME (337 persons per square mile¹) was used in lieu of the regional population density.
- The median household income for Cumberland County, ME (\$60,051²) was used in lieu of the regional household income.
- The default mode share was customized to align with MMC's employee mode split data collected through the 2017 transportation survey. The mode split was defined as:
 - o Auto-drive alone 90.5%

¹ Source: US Census Bureau 2010 census data

² Source: 2011-2015 American Community Survey 5-year Estimates

- Auto-rideshare 2.5%
- Vanpool 0.1%
- Public Transport 0.3%
- Cycling 0.3%
- Walking 2.2%
- Other 4.1%
- All analyses were conducted for the MMC site only, and are not area-wide.

Assumptions Concerning Existing Conditions at MMC

Additional customizations were made to reflect the conditions on the Bramhall campus. These customizations reflect that:

- Carpool subsidies, transit subsidies, and vanpool subsidies are currently offered by MMC to employees
- The MMC Bramhall Campus possesses the following characteristics:
 - Bus or train station within ¼ mile
 - Dedicated sidewalk onsite
 - Restaurant within ¼ mile
- MMC engages in marketing and project management activities
- Transit fare is \$0.80 per ride, based on the current Get on Board offer of \$8.00 for a ten-ride pass.

TRIMMS Analysis

Short-term scenario (no parking fee increase)

Under this scenario, the transit fare is reduced by 50% for each trip, from \$0.80 to \$0.40. It also assumes that the following programs will be in place:

- biking and walking subsidies
- carpool matching
- emergency ride home
- appointment of a TDM Coordinator who dedicates 20 hours per week to program management and promotional efforts

The baseline conditions outlined in the *Assumptions* section above also apply.

	Baseline	Final	Change
--	----------	-------	--------

Mode	Share	Share	Share
Auto-Drive Alone	90.5%	90.3%	-0.3%
Auto-Rideshare	2.5%	2.5%	0.0%
Vanpool	0.1%	0.1%	0.0%
Transit	0.3%	0.5%	0.2%
Bike	0.3%	0.3%	0.0%
Walk	2.2%	2.2%	0.0%
Other	4.1%	4.2%	0.1%
Total	100.0%	100.0%	

Long-term scenario (includes parking increase)

Under this scenario, the transit fare is reduced by 50% for each trip, from \$0.80 to \$0.40. The daily parking fee is also doubled from \$0.60 per day to \$1.20 per day. It also assumes that the following programs will be in place:

- biking and walking subsidies
- carpool matching
- emergency ride home
- bike lanes onsite or within ¼ mile
- appointment of a TDM Coordinator who dedicates 40 hours per week to program management and promotional efforts

The assumptions outlined in the *Assumptions* section above also apply.

	Baseline	Final	Change
Mode	Share	Share	Share
Auto-Drive Alone	90.5%	89.1%	-1.4%
Auto-Rideshare	2.5%	2.8%	0.3%
Vanpool	0.1%	0.1%	0.0%
Transit	0.3%	0.5%	0.2%
Bike	0.3%	0.3%	0.0%
Walk	2.2%	2.5%	0.3%
Other	4.1%	4.6%	0.5%
Total	100.0%	100.0%	

Long-term scenario (includes parking increase and fuel price increase)

Under this scenario, the transit fare is reduced by 50% for each trip, from \$0.80 to \$0.40. The daily parking fee is also doubled from \$0.60 per day to \$1.20 per day, and the fuel price is increased to \$3.80 per gallon of gasoline and \$4.20 per gallon of diesel. It also assumes that the following programs will be in place:

- biking and walking subsidies
- carpool matching
- emergency ride home
- bike lanes onsite or within ¼ mile
- appointment of a TDM Coordinator who dedicates 40 hours per week to program management and promotional efforts

The assumptions outlined in the *Assumptions* section above also apply, except where noted.

	Baseline	Final	Change
Mode	Share	Share	Share
Auto-Drive Alone	90.5%	89.1%	-1.4%
Auto-Rideshare	2.5%	2.8%	0.3%
Vanpool	0.1%	0.1%	0.0%
Transit	0.3%	0.5%	0.2%
Bike	0.3%	0.3%	0.0%
Walk	2.2%	2.5%	0.3%
Other	4.1%	4.6%	0.5%
Total	100.0%	100.0%	



Institutional Development Plan





Institutional Development Plan

FINAL / September 22, 2017

Submitted to the City of Portland for Planning Board Review

This document is valid until superseded by an approved update.

About This Plan

DATE: September 22, 2017

STATUS: Final, Submitted to the City of Portland for Planning Board Review

Maine Medical Center (MMC) applied in January, 2017 for a zoning amendment to create an **MMC Institutional Overlay Zone (IOZ)** to allow MMC to modernize and expand their Bramhall St campus. The IOZ ordinance that provides the framework for this zoning was enacted by the City of Portland Code of Ordinances effective May 31, 2017.

The IOZ requires eligible institutions to submit an **Institutional Development Plan (IDP)**, a stand-alone document that describes the institution's tentative plans for the future, in addition to a **Regulatory Framework**, a land use code component that establishes the parameters to allow each institution to grow as envisioned in the IDP. The IDP and Regulatory Framework are institution-specific supplements to the more general provisions provided in the IOZ ordinance, and designed to provide a full list of variances from underlying zoning that are adopted by the Portland City Council.

Since January, MMC has met weekly with Planning and other City staff, has met frequently with the public, to develop its IDP. This IDP is submitted on September 22, 2017 for approval by the Planning Board, per the IOZ requirements. MMC also submits its accompanying Regulatory Framework for the Planning Board's review and recommendation to

the City Council as a text amendment to the City of Portland Code of Ordinances.

Once approved, the MMC Regulatory Framework will establish the boundary for the MMC IOZ and provide zoning requirements that govern MMC's long-term development within the IOZ. Individual projects proposed by MMC in the IOZ in the future for such properties will be reviewed for zoning compliance with the MMC Regulatory Framework and any underlying zoning requirements that are not superseded by the IOZ. Unless amended specifically by the MMC Regulatory Framework, all requirements of Site Plan Review will also apply.

This document was prepared for MMC by Perkins+Will with input from MMC, VHB, Gorrill Palmer, Sebago Technics, Colliers, Turner, and HeliExperts International. MMC would like to thank its neighbors in the Western Promenade, St John Valley, Parkside, West End, and Libbytown and the City of Portland for their contributions to the IDP Process.

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INTRODUCTION

Maine Medical Center has been a member of the Portland community, 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.

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 US 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 its community
- Educating tomorrow's caregivers
- Researching new ways to provide care

It proudly carries its unique responsibility as Maine's leader in patient care, education and research. MMC is dedicated to the traditions and ideals of not-for-profit healthcare. It provides care to all who seek it.

MMC's efforts to execute its Mission are aimed at achieving a simple, yet powerful Vision: "Working together so (Maine's) communities are the healthiest in America."

MMC is guided by a set of Values, helping to meet and exceed the expectations of those it is privileged to serve. MMC's Values:

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

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 US News and World Report, Gold Seal of Approval and Top Performer in Key Quality Measures from the Joint Commission.

MMC is also 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's clinical services are organized into six service lines listed in **Table 1.1** at right. More information is available on the MMC website at <http://www.mmc.org/care-and-services>

Table 1.1 List of MMC Service Lines

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.

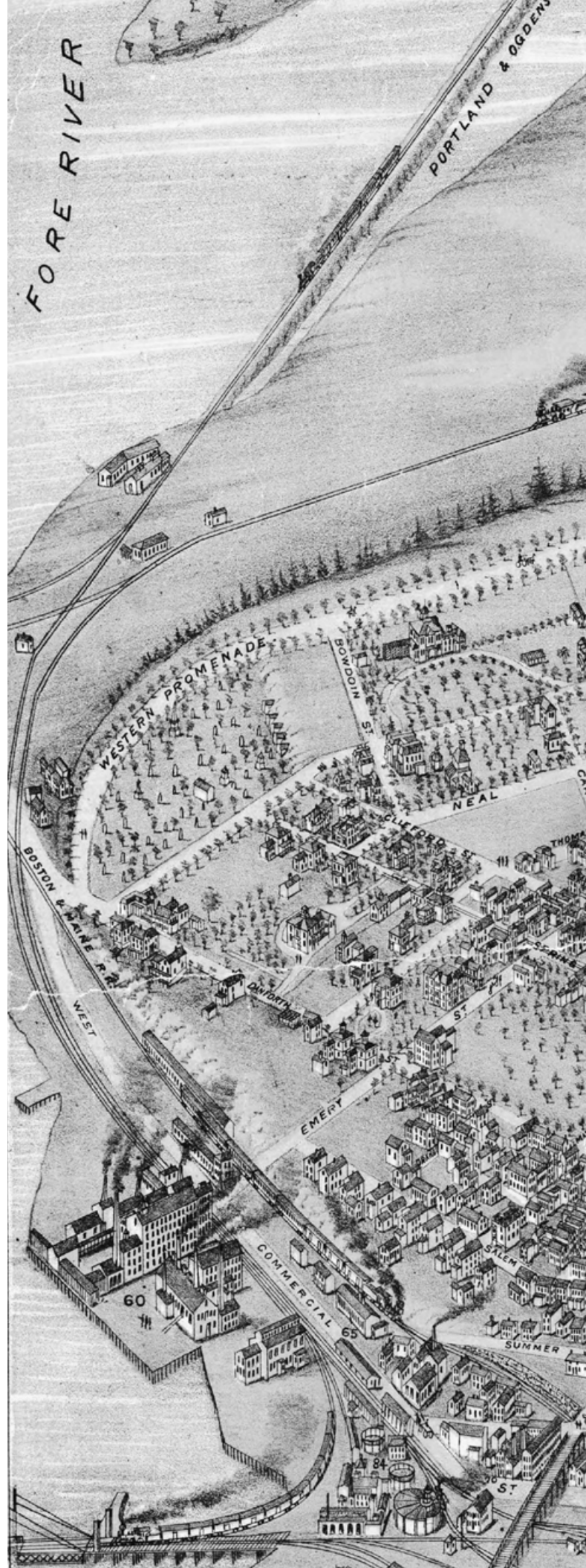
HISTORY

MMC 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 Sts brought commercial uses to the area and improved 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 made to the

Fig.1.1 1876 Bird's eye view of Portland.





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 MMC. 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).

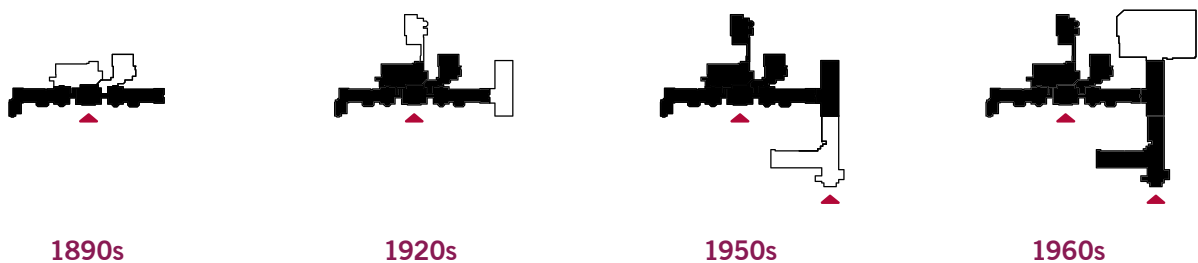
In 1968, MMC doubled the size of its facilities with the addition of the eleven-story Richards Wing. The campus expanded its footprint down towards Congress St with the addition of its first parking garage (now known as Employee Garage) in the 1970s. In the late 1970s, MMC became a teaching

hospital for the University of Vermont College of Medicine.

In 1985, MMC opened the six-story LL 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 mother-baby units. The Emergency Department expanded into the basement of the East Tower the

Fig.1.2 Historical evolution of MMC



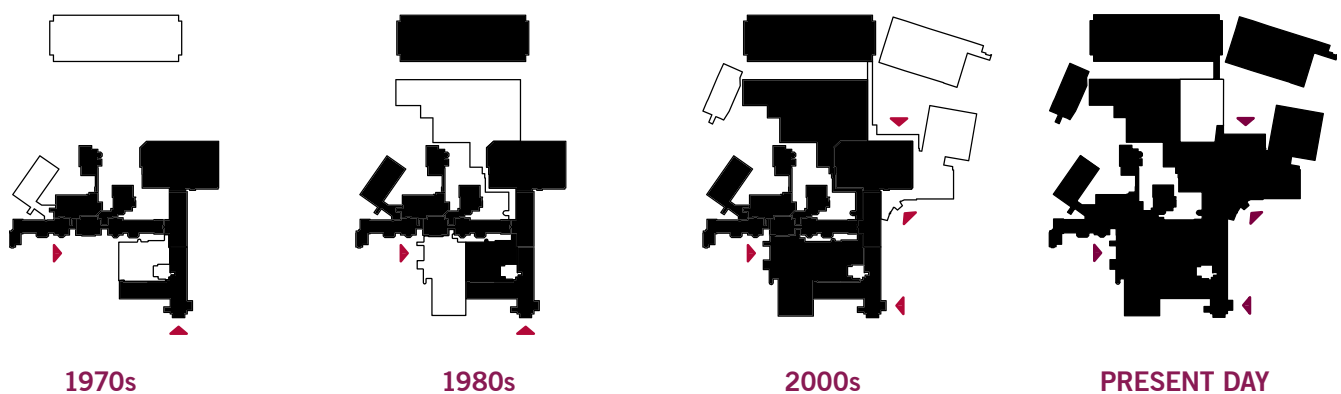
following year. The campus transformation project also included a new central utility plant and the 512-car Patient and Visitor Garage.

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 2** for details).



CAMPUS CONTEXT

MMC 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 St—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.1.3 Bird's eye view of the campus in its urban context







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



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 restaurants, 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 the Fore River. Designated as a park as early as 1836, and designed in 1905 by the Olmsted Brothers. 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 (see Historic Resources at right).

ZONING CONTEXT

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

At the request of the City, and with input from its neighbors, MMC has developed an Institutional Development Plan (IDP) in the new Institutional Overlay Zone (IOZ). See **Fig.1.5 on page 19** for a map of MMC's IOZ in its zoning context.

HISTORIC RESOURCES

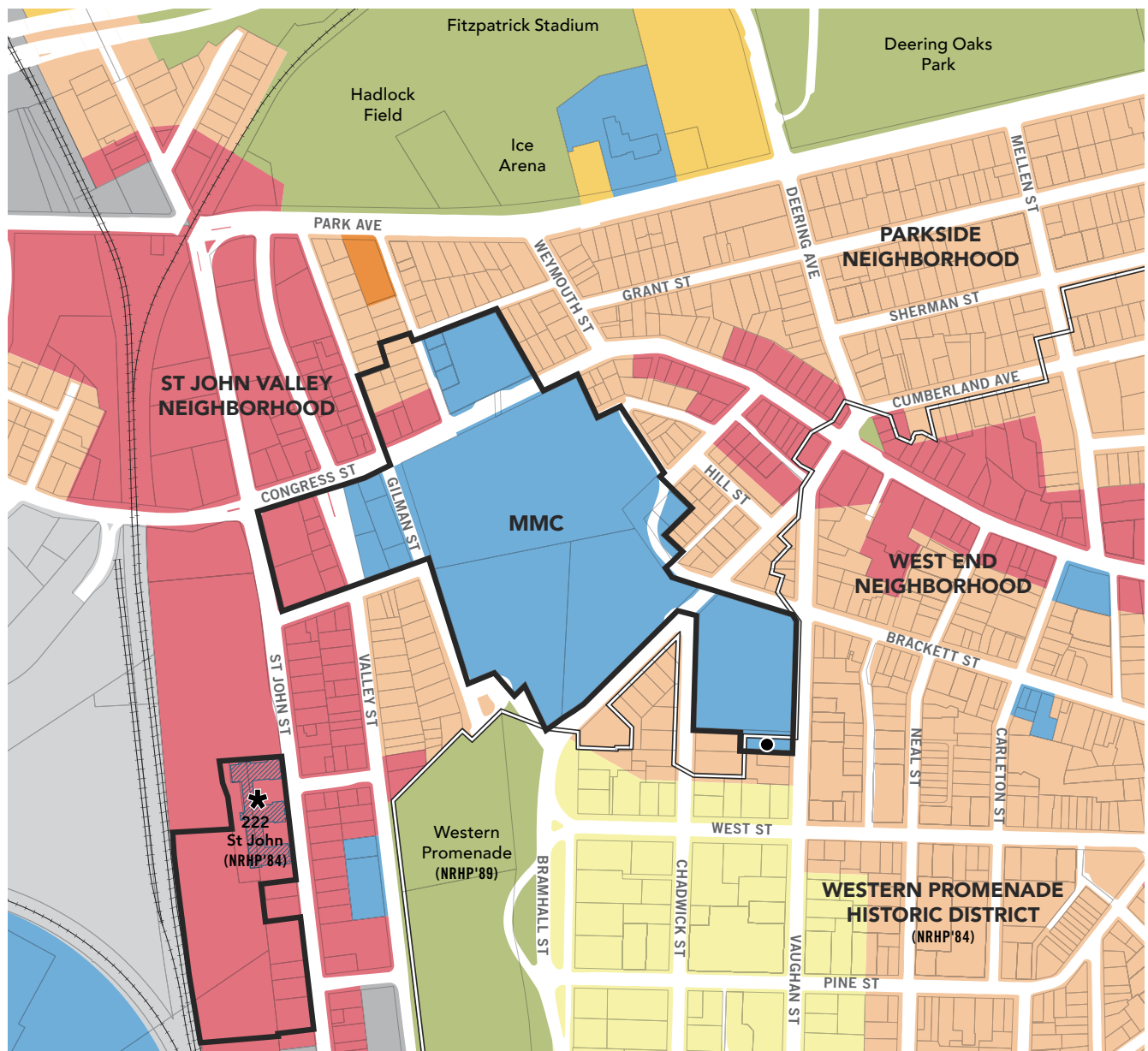
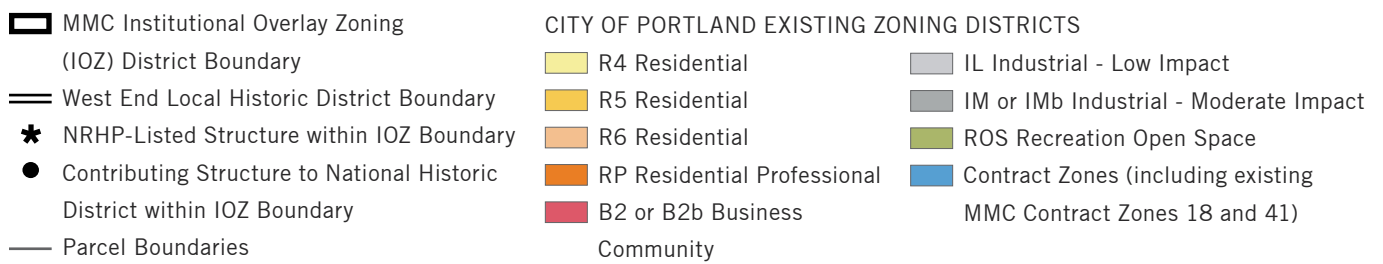
The MMC Bramhall campus abuts the West End Historic District, one of the eleven locally-designated historic districts in the City of Portland (see **Fig.1.5 on page 19** for district boundary). The locally-designed West End Historic District includes the Western Promenade, an 18-acre public park that dates back to the 1830s.

The West End Historic District was added to the National Registry of Historic Places (NRHP) under the name "Western Promenade Historic District" in 1984. The Western Promenade was also added to the NRHP database as a Historic Landscape in 1989.

MMC's IOZ boundary includes the Maine Central Railroad General Office Building located at 222 St John St, which was added to the NRHP in 1988. The IOZ boundary also includes McGeachey Hall at 216 Vaughan St, which is listed as a contributing structure to the Western Promenade Historic District (see **Fig.1.5 on page 19** for locations).

Any development within the IOZ boundary that is adjacent to or within 100 feet of any designated landmark, historic district, or historic landscape district will be subject to applicable requirements listed in Article 5 (Site Plan) of the City of Portland Land Use Ordinance.

Fig.1.5 MMC Campus: Neighborhood and Zoning Context (Data Source: City of Portland GIS)



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.1.7** and **Tables 1.2 and 1.3** on the following pages).

Properties that have a functional relationship to the MMC Bramhall campus, which is the subject of this IDP are highlighted with an ★ on **Tables 1.2 and 1.3**. 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 at MMC would be severely limited in one or more services.

Fig.1.6 Bird's Eye View of the Campus in Context, Looking South

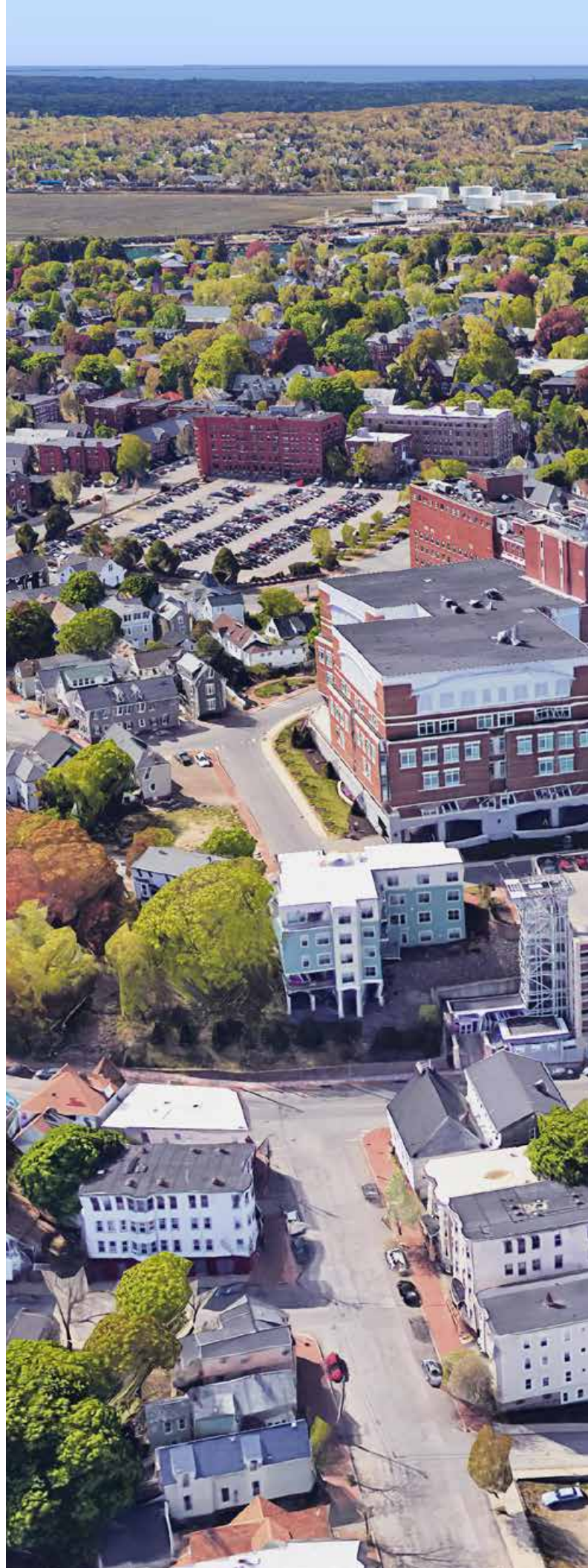




Fig.1.7 Map of MMC-Owned Parcels and Leased Properties

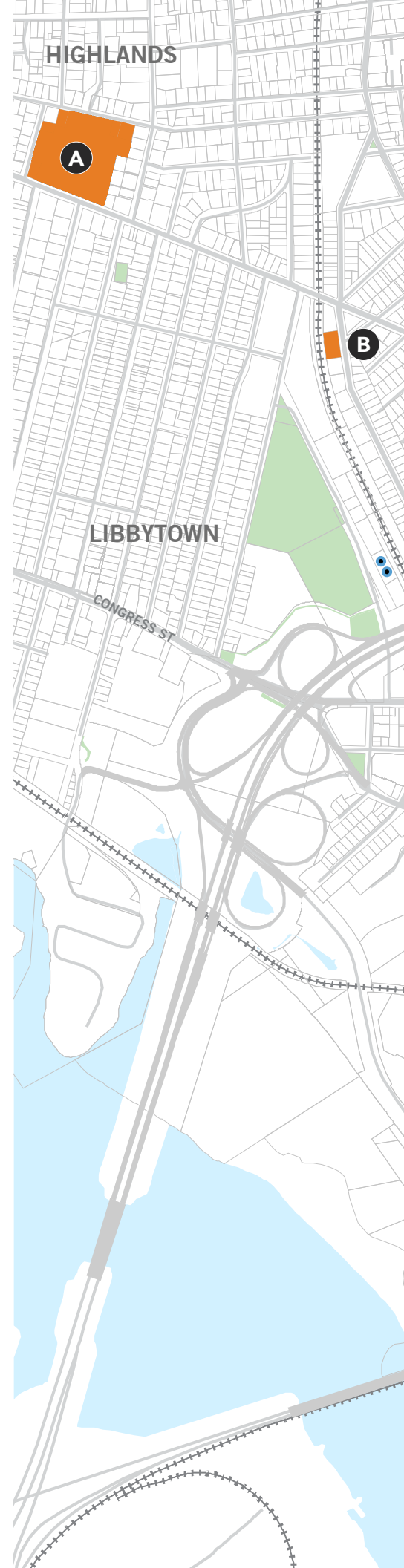
- All Parcels within the City of Portland owned by Maine Medical Center or MMC Realty Corp.
 ● Locations where MMC leases space (map extent only)

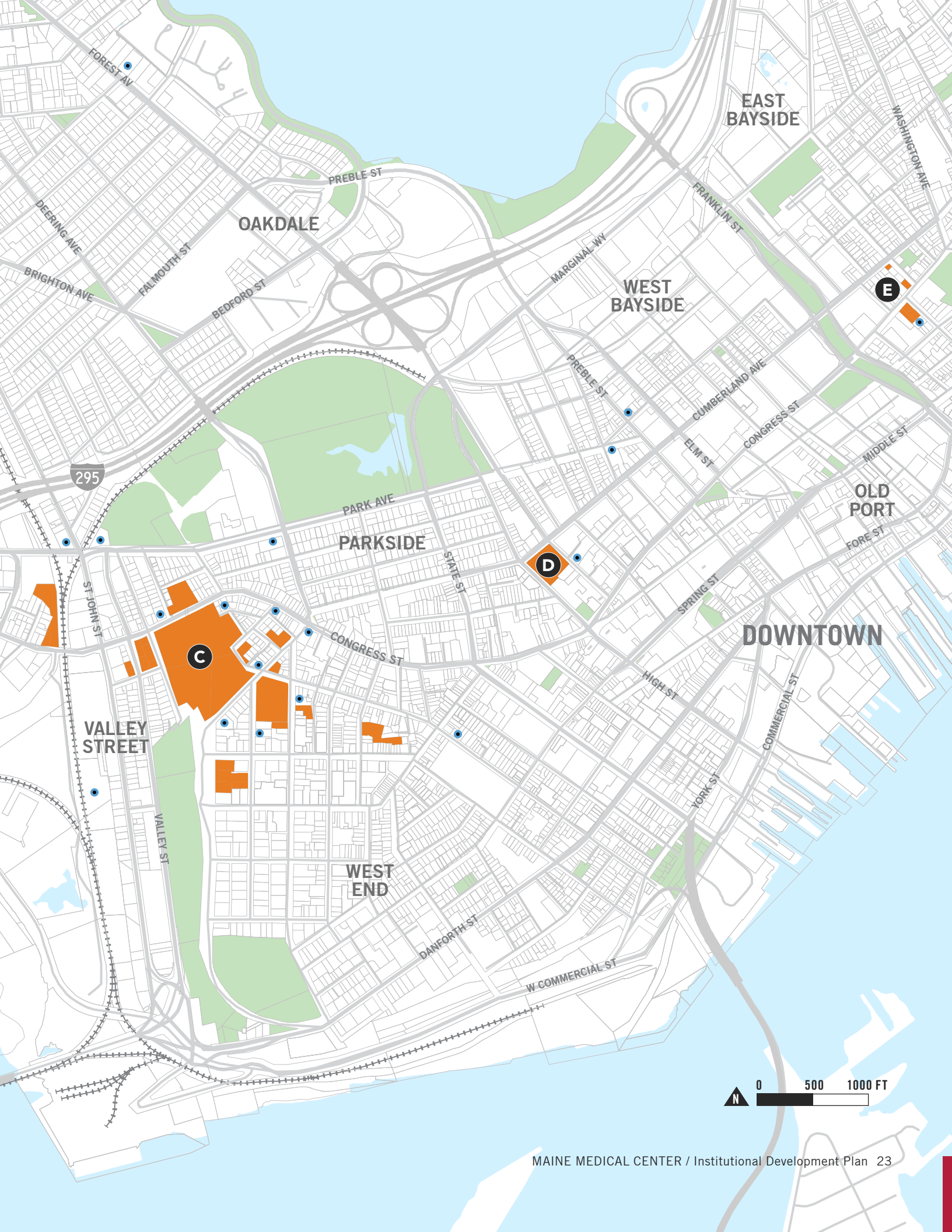
Table 1.2 List of Properties Owned by MMC within the City of Portland

Parcel Address	Current Use	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 (South Lot)
170 Prospect St	Residential	993 Congress St	Parking
		995 Congress St	Business Office
		98 Chadwick St	Maint. Garage
		94 Chadwick St	Parking / Storage
		47 Bramhall St	Business Office
		229 Vaughan St	Business Office
		216 Vaughan St	Medical Office
		66 Bramhall St	Medical Office
		19 West St	Medical Office
		120 West St	Residential
		34 Ellsworth St	Vacant Land
		40 Ellsworth St	Vacant Land
		231 Western Prom	Residential
		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
B MMC BEHAVIORAL HEALTHCARE			
556 St John St	Medical Office		
D GATEWAY GARAGE BUILDING			
177 High St	Business Office		
429 Cumberland Ave	Business Office		
Note: MMC does <u>not</u> own but leases parking spaces in the Gateway Garage.			
E PORTLAND FAMILY MEDICINE			
272 Congress St	Medical Office		
263 Congress St	Parking Lot		
148 Cumberland Ave	Parking Lot		

Table 1.3 List of Properties Leased by MMC in the City of Portland

Parcel Address	Current Use	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





COMPLIANCE WITH THE COMPREHENSIVE PLAN

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

The MMC IDP and Regulatory Framework are in basic harmony with the City's overarching 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 IOZ ordinance is meant to facilitate.

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" (*Comprehensive Plan*, p.74).

MMC IDP: COMPLIANCE WITH THE COMPREHENSIVE PLAN

In this IDP, MMC conveys the need 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 patients and families, but also continuing its investment in its personnel and their ability to travel to and from the workplace and secure needed parking. The adopted 2035 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" (*Comprehensive Plan*, p.45).

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. Portland's Comprehensive Plan promotes the growth in employment base and supports sustainable growth in education and medical institutions (*Comprehensive Plan*, pp. 44 and 88)

Transportation

MMC has considered its transportation needs holistically, factoring into its future development alternative means of transportation. Since 2009, MMC has implemented a Transportation Demand Management (TDM) plan called "Get on Board!". MMC is updating that plan and considering enhancements to encourage more walking, cycling, and public transportation by its employees.

MMC's ability to promote alternative modes of transportation and success in TDM relies on the availability of a regional system of safe and reliable alternative modes of transportation. Therefore, MMC supports the City's effort to 'explore the technical and financial feasibility of a Transportation Management Association (TMA) as a means of improving access to, and mobility around, downtown, and the waterfront.' (*Comprehensive plan*, p.76)".

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[ing] environmentally sound landscape management practices, such as planting native species, and limiting the use of pesticides and fertilizers" (*Comprehensive Plan*, p. 20). Buildings are built with energy efficiency standards in mind. Local farmers visit 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" (*Comprehensive Plan*, p.20).

MMC 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 context in which it is situated. MMC has minimized future expansion into residential areas adjacent to its campus, thereby preserving housing stock in the City (*Comprehensive Plan*, pp. 48-50). 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 St, 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* (pp. 84, 86). Welcoming the public at the new 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 St and St John St, 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 St / Congress St 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" (*Comprehensive Plan* p. 84, see **Fig.1.8 on page 27**). MMC's IDP will serve as the catalyst to stimulate new development, investment and reinvestment in this area of the City.

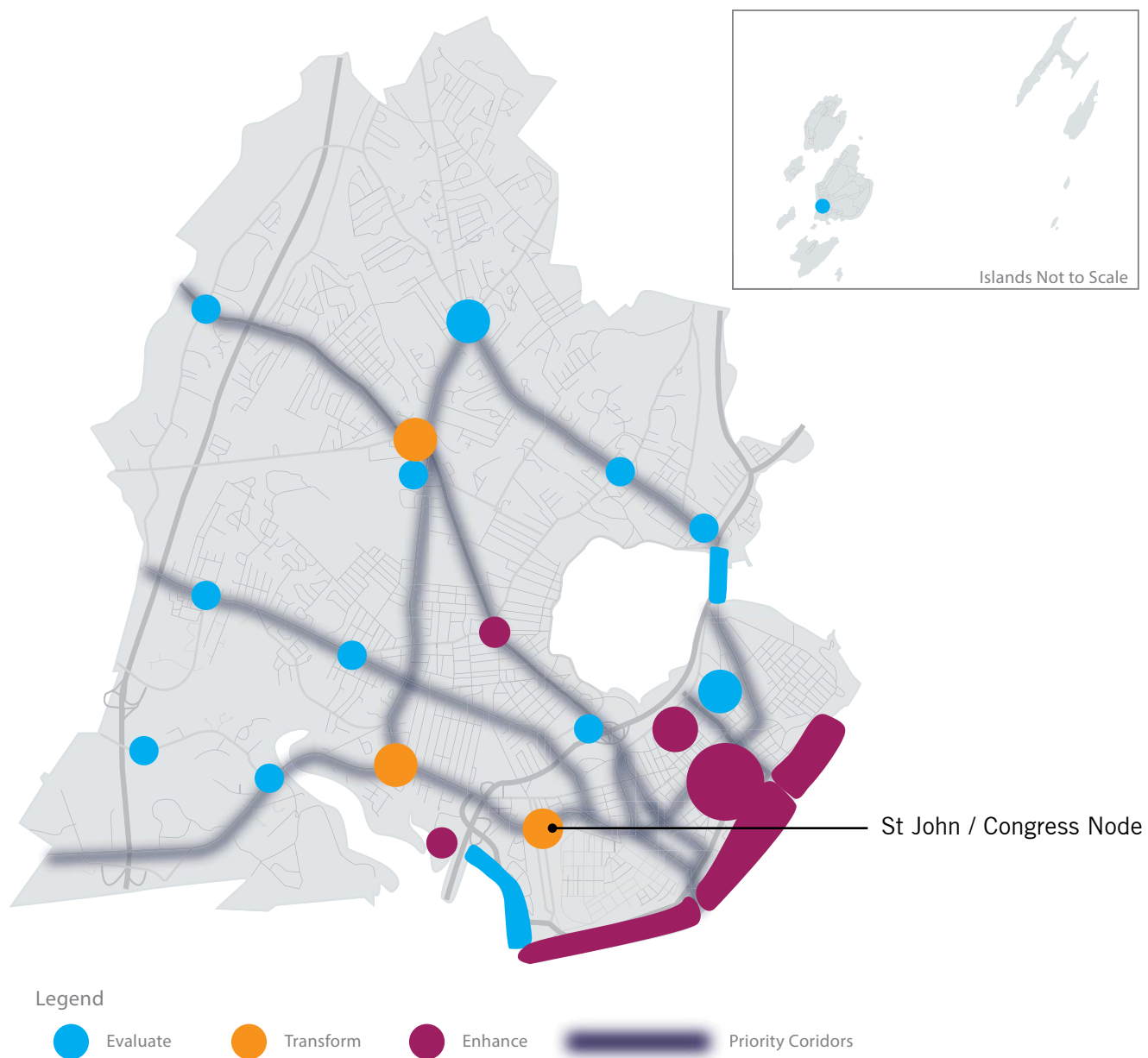
MMC's IOZ Regulatory Framework provides the mechanism for thoughtful, future development to transform the priority corridor identified by the City into an area of "additional mixed uses, higher density growth to take advantage of the transit benefits and services that well-designed, diverse corridors can offer" (*Comprehensive Plan*, p.84).

CONCLUSION

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 IOZ ordinance.

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 with MMC's IDP.

Fig.1.8 Diagram Showing Priority Nodes and Corridors, City of Portland Comprehensive Plan (2017)



PUBLIC INPUT ON IDP

MMC appreciates the importance of maintaining an open dialogue with its neighbors and 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. Shortly thereafter the Libbytown Neighborhood Association was added to the group.

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 IDP. The City's Planning Director and the City's District 2 Councilor has been invited to each of these monthly meetings. The minutes of the monthly meetings are distributed to the Group members who are asked to disseminate them to respective 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 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

Fig.1.9 Public Meeting #1 (January 12, 2017): Open House Portion for Collecting Public Comments



email has been established where residents can ask questions, provide suggestions, etc., and a text about sign-up is provided for those who want to receive them.

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, voice opinions and to get answers. The minutes of these meetings are posted on the MMC website as well as submitted to the City of Portland.

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 neighborhood residents that 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, and specifically with the location of future parking structures;
- The extent of IOZ boundaries and a fear of property acquisition by MMC in residential zones;
- Fear of loss of local amenities, and the desire for mixed-use development that includes street-level retail and restaurants;
- Patients, visitors, or employees smoking in the neighborhood; and,
- Hope for continued public engagement between MMC and its neighbors.

MMC's IDP has addressed each of these concerns in the following chapters. In addition, the public indicated concern with the height of the proposed Gilman St parking structure as well as the need for a well-thought-out Construction Management Plan to apply during the course of construction. MMC has listened to each of these concerns and has addressed them as follows:

- MMC has relocated the parking structure from Gilman St to a nearby location that is tucked behind existing buildings on St John St. By doing so it was able to lower the height of the structure while also removing it from the priority node designated by the City for gateway treatment.
- MMC has hired Turner Construction Company to manage the daily operations of construction. Turner is well-versed in managing construction projects adjacent to residential uses and has agreed to comply with all requirements of the City Construction Management Template, which is attached as an appendix to this IDP.

MASTER FACILITY PLAN

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 engaged in master facility planning to address clinical, building, and parking needs.



MASTER FACILITY PLANNING PROCESS

The goal of any healthcare facility planning process is to evaluate the suitability of the campus or facility to meet anticipated needs for the delivery of healthcare with enough flexibility to allow for adjustments within an ever-changing healthcare market. Future development opportunities are identified in this process.

Maine Medical Center's campus has grown in size and complexity throughout the years. This growth brought changes in programmatic and infrastructure needs and to allow it to serve patients in the State.

PLANNING FACTORS SPECIFIC TO HEALTHCARE

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 2.1** at right.

MMC'S MASTER FACILITY PLAN: PROCESS

Each of the following are aspects of a master facility plan and have been evaluated to determine the needs and projected growth for MMC.

Facility Assessment

The baseline for any master plan is to evaluate the current state of the campus including age of buildings, capacity of infrastructure, and appropriateness of building layout to accommodate the modern delivery of healthcare. This helps the organization identify areas which must be addressed by any future facility work.

Programmatic Requirements

Anticipating the healthcare needs of a community is challenging beyond a three-year period. Healthcare facilities are designed to last several years and attempt to anticipate change by allowing for flexibility and multi-use spaces. Best-practices and industry standards in healthcare delivery are used as benchmarks to anticipate programmatic needs.

Adjacencies

Maximizing key programmatic adjacencies is next in developing a functional master plan once a campus baseline and programmatic requirements are understood. Currently dispersed programs and long travel distances existing on the campus are to be evaluated and studied as an opportunity for improvement. Assessing the flow patterns and travel distances enables proper reorganization of program adjacencies for current and future design interventions.

Table 2.1 Planning Factors Specific to Healthcare

Factor	Definition
POPULATION	Changes in utilization due to population growth: — Population increase or decrease — Population distribution — Population aging — 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 — Employer-based coverage levels — Healthcare Consumer Price Index — Benefit level and out-of-pocket expense — Gross domestic product growth or decline — 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 — Accountable Care Organizations (ACOs) — Bundled payment initiatives/pilots — 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 — Pharmaceutical advancements — New therapeutics — 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.

KEY INSTITUTIONAL NEEDS

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

1. Clinical Need
2. Building Need
3. Campus Reorganization
4. Parking Need

1. CLINICAL NEED

Increasing Severity of Case Mix

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 United States is 1.31 ([CMS.gov](https://www.cms.gov)). MMC's CMI grew to over 2.00 in fiscal year 2016 and is expected to continue to increase in the future.

Bed Shortage

Over half of MMC's inpatient beds are located in semi-private rooms (see **Fig.2.2**). MMC closes an average of 60 inpatient beds in semi-private rooms every day to prevent infection due to disease-resistant organisms (DROs), or to address behavior related issues or other room sharing restrictions. 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 on an average day (see **Fig.2.3**).

On a routine day, MMC can expect approximately 100 admissions from Surgery and the Emergency Department and 35 to 50 transfer requests per day from other healthcare and provider organizations. 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,

Fig.2.1 MMC's Case Mix Index: Historic Data and Projections

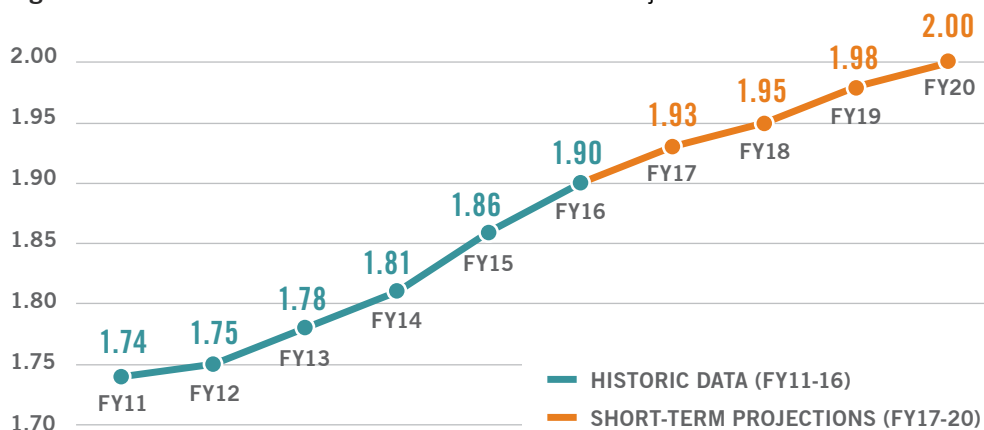


Fig.2.2 Existing Inventory of Private vs Semi-Private Beds

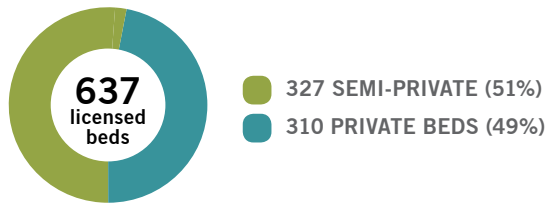
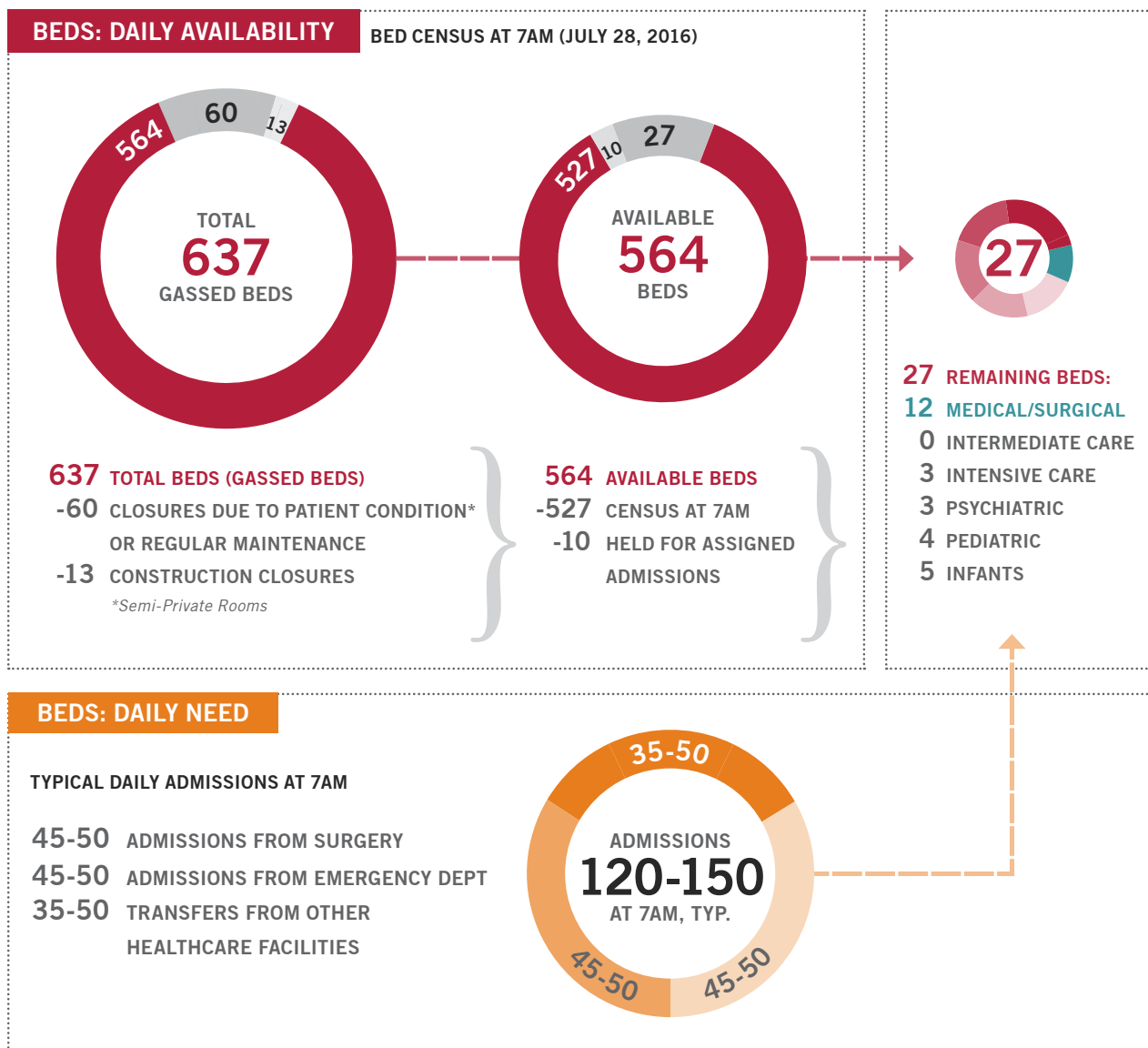


Fig.2.3 A Day in the Life of MMC: Bed Shortage



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.2.3 demonstrates a snapshot of the challenge MMC is faced with daily to meet the needs of the community due to bed shortages. The challenge is expected to grow in complexity as patients get sicker and require highly specialized care. Many of the rooms are also too small and not flexible enough to meet the demands of the growing universality of medical equipment. The Master Facility Plan recommends adding private patient rooms and procedural capacity to meet current needs and to plan for the future. Adding new private rooms was also identified as a key strategy to decompress existing buildings, maximizing infrastructure capacity.

2. BUILDING NEED: AGING FACILITIES

The age of campus buildings is the first key element of assessing the overall suitability as structures for continued use in healthcare delivery. 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. Close to 77% of MMC's clinical activities occur in buildings more than 30 years old.

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 illustrates the age and condition of the buildings on campus (see **Fig.2.4** and **Fig.2.5**). Among those that are listed, continued investment is cautioned in 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 by beds in private rooms to conform to current patient care standards. The Employee Garage is identified for replacement in the short-term due to its structural challenges.

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 short-term projects (see page 40) will partially replace 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 general medical or surgical care. Procedure rooms will be large enough to fit the equipment and technology needed for the complex procedures that patients increasingly require at MMC.

3. CAMPUS REORGANIZATION

Healthcare facility plans seek to optimize adjacencies between critical departments to reduce travel distances across campus for staff and patients.

Currently dispersed programs and long travel distances present an opportunity for future improvement on the MMC campus. The planning team assessed multiple flow patterns and travel distances to enable proper reorganization of program adjacencies to improve safety and efficiency of healthcare delivery, and ease of wayfinding for patients and families.

4. PARKING NEED

MMC hosts a wide variety of people on the Bramhall 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. 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, and a key driver of the Master Facility Plan (see **Chapter 3. Transportation Plan** for details).

Fig.2.4 Existing Facilities by Age

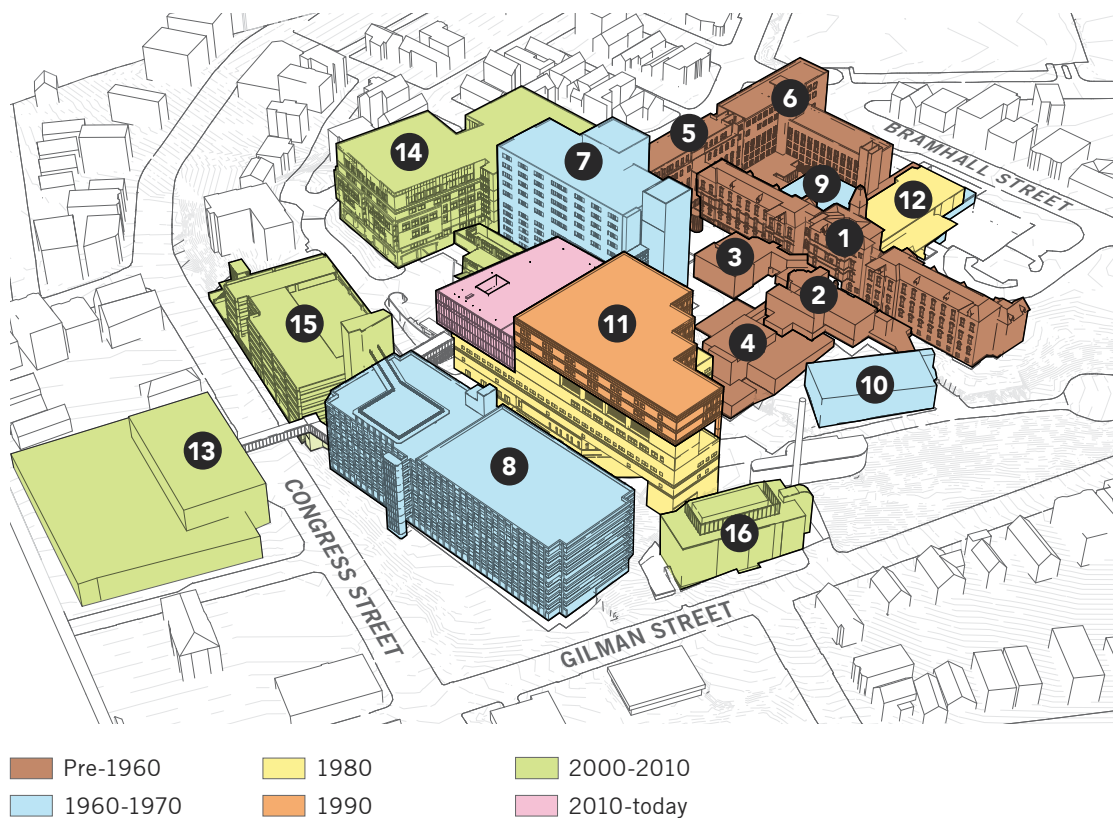


Table 2.2 Inventory of Existing Facilities

#	Building Name	Date	Gross SF	#	Building Name	Date	Gross SF
1	Maine General	1870s	72,920	10	Engineering Services Bldg	1978	23,840
2	Annex B	1870s	36,250	11	LL Bean Building	1985	231,830
3	Annex C	1870s	13,190	12	Dana Building	1987	19,310
4	Annex A	1929	10,110	13	Congress St Medical Office Building	1999	47,000
5	Pavilion A	1929	66,380	14	East Tower	2008	200,000
6	Pavilions C & D	1956	83,460	15	Patient and Visitor Garage	2008	--
7	Richards Building	1968	228,920	16	Central Utility Plant	2008	--
8	Employee Garage	1970s	--				
9	Diagnostics Building	1976	89,150				
				TOTAL 1,122,360 GSF			

Fig.2.5 2015 Facility Assessment Results



Continued investment in this building is:

■ Recommended
 ■ Cautioned
 ■ Not recommended for future use.

See Table 2.2 on opposite page for building numbers.

PROJECTED DAILY CENSUS

While the number of patients, visitors, and employees on MMC's Bramhall campus varies 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 2.3 at right**). The estimated daily census of individuals on campus is included in **Table 2.4** and exceeds six-thousand individuals.

The anticipated change in campus users over time is summarized in **Table 2.4**. 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, only American Academy of Pediatricians 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.

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 the following and those listed in **Table 2.1 on page 33**:

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

The Projected Daily Census is the basis of calculations for future campus transportation needs discussed in the following chapter.

Table 2.3 Historic Data: Annual 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 2.4 Individuals on Campus on an Average Week Day: 2016 Estimates and 2026 Projection

	2016 (FYE Sept-Oct)	Forecast, 2026	Projected 10-Year Growth	CAGR (2016-2026)
Inpatient Discharges	100	110	7.84 %	0.76 %
Inpatient Visitors	250	270	7.84 %	0.76 %
Outpatient Activity	600	620	4.45 %	0.44 %
Outpatient Visitors	600	620	4.45 %	0.44 %
Bramhall Outpatient Clinics	150	150	-1.79 %	-0.18 %
Employees: Shift 1 (inc. volunteers)	3,640	3,900	6.96 %	0.67 %
Employees: Shift 2	210	220	6.96 %	0.67 %
Employees: Shift 3	520	550	6.96 %	0.67 %
Students on Campus: Medical	100	110	10 %	0.96 %
Students on Campus: Nursing	100	100	10 %	0.96 %
Other Students (PA, Pharma, etc.)	20	25	10 %	0.96 %
Non-MFP Related Contractors	25	25	--	--
TOTAL / AVERAGE	6,315	6,700	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.

IDENTIFICATION OF PROJECTS

In considering all possible scenarios for development to meet the goals outlined above, the Master Facility Plan has identified the following necessary projects needed to modernize of the MMC Bramhall campus:

- Vertical expansion of East Tower to add private, universal patient rooms;
- Removal of the Employee Garage, which is nearing the end of its structural lifespan;
- Construction of a new building in place of the Employee Garage that can provide new private, universal patient rooms and surgery suites in close proximity to the Emergency Department and the hospital's core diagnostic and treatment services located in the LL Bean Building;
- Providing a new patient entrance on Congress St that clarifies the arrival sequence for the majority of patients and visitors arriving on campus via Congress St, and parking in the Visitor Garage; and,
- Construction of a new Employee Garage within walking distance to campus will provide reliable access to parking spaces for all campus employees who choose to drive to work.

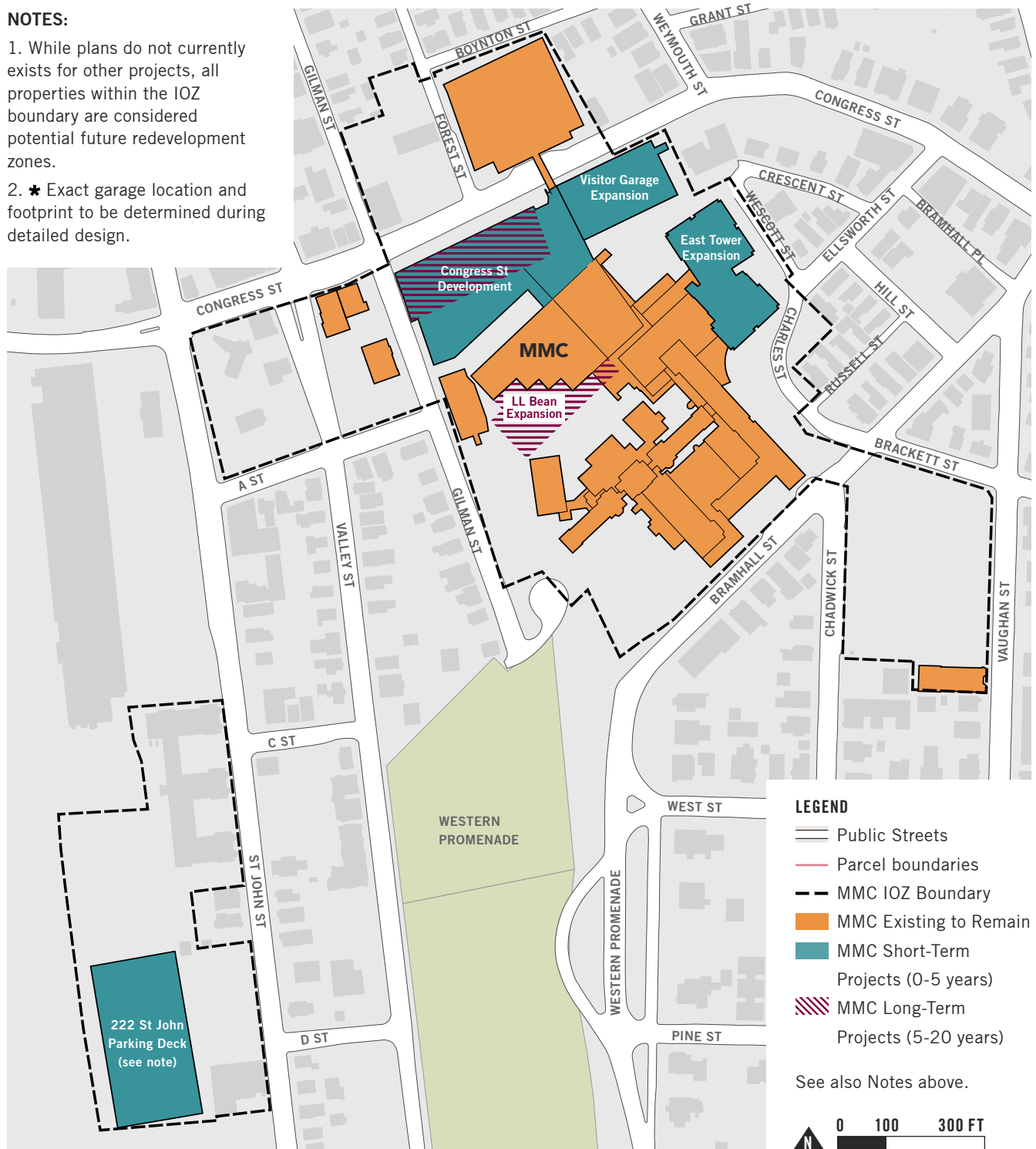
See **Fig.2.6** on the opposite page for an illustration of projects included in the Master Facility Plan.

The short- and long-term project plans do not represent the only projects within this timeframe. Due to the various factors impacting healthcare planning and their short horizons, there may be other projects proposed within this timeframe.

Fig.2.6 MMC Facilities Master Plan: Projects

NOTES:

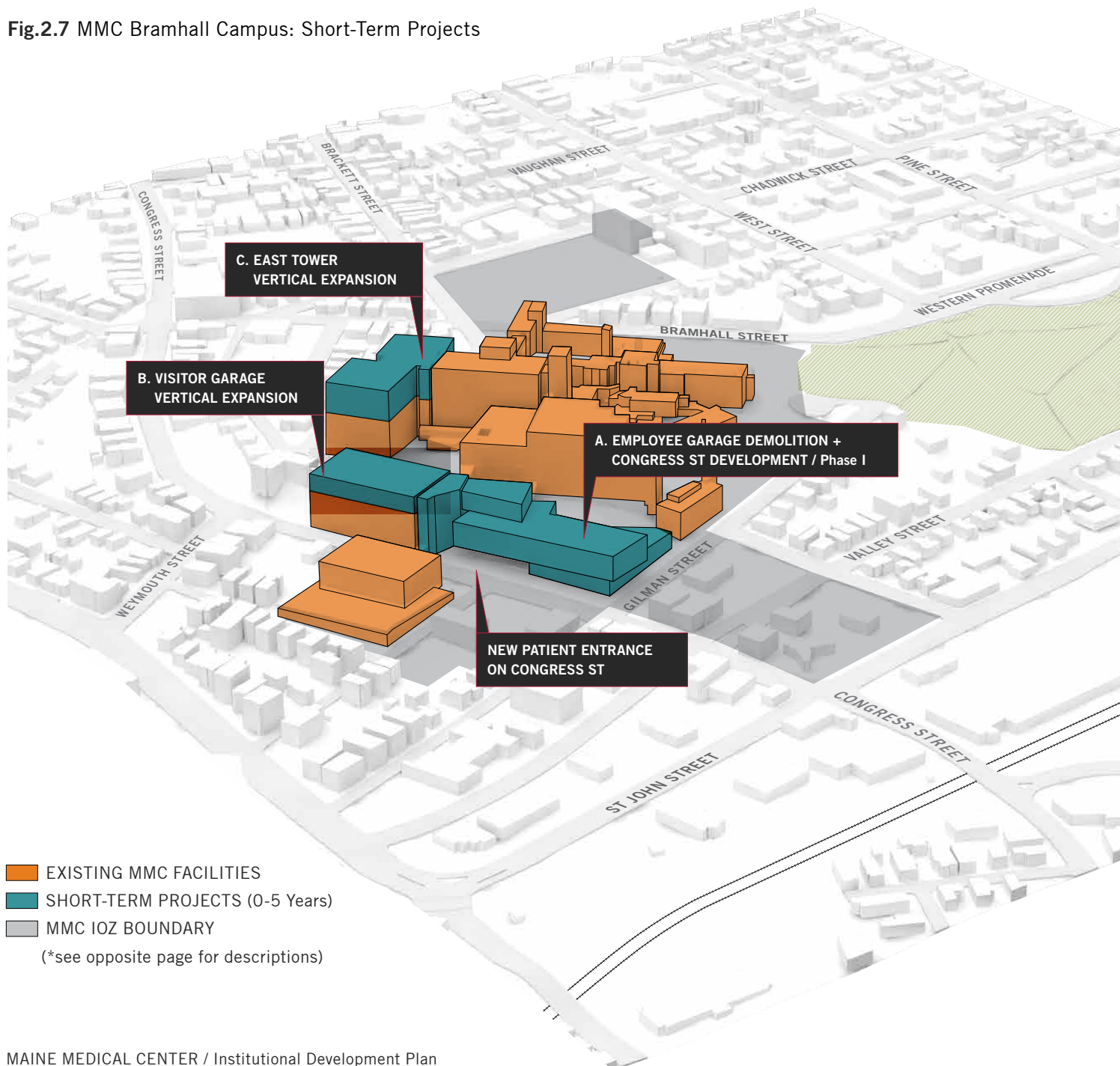
1. While plans do not currently exist for other projects, all properties within the IOZ boundary are considered potential future redevelopment zones.
2. * Exact garage location and footprint to be determined during detailed design.



SHORT-TERM PROJECTS (0-5 YEARS)

A series of short-term projects are in the planning stages to meet MMC's current needs and to improve the efficiency of care delivery. These do not represent the only projects that could be proposed within this timeframe: due to the various factors impacting healthcare planning and their short time horizons (0-3 years), there may be other projects proposed within this timeframe.

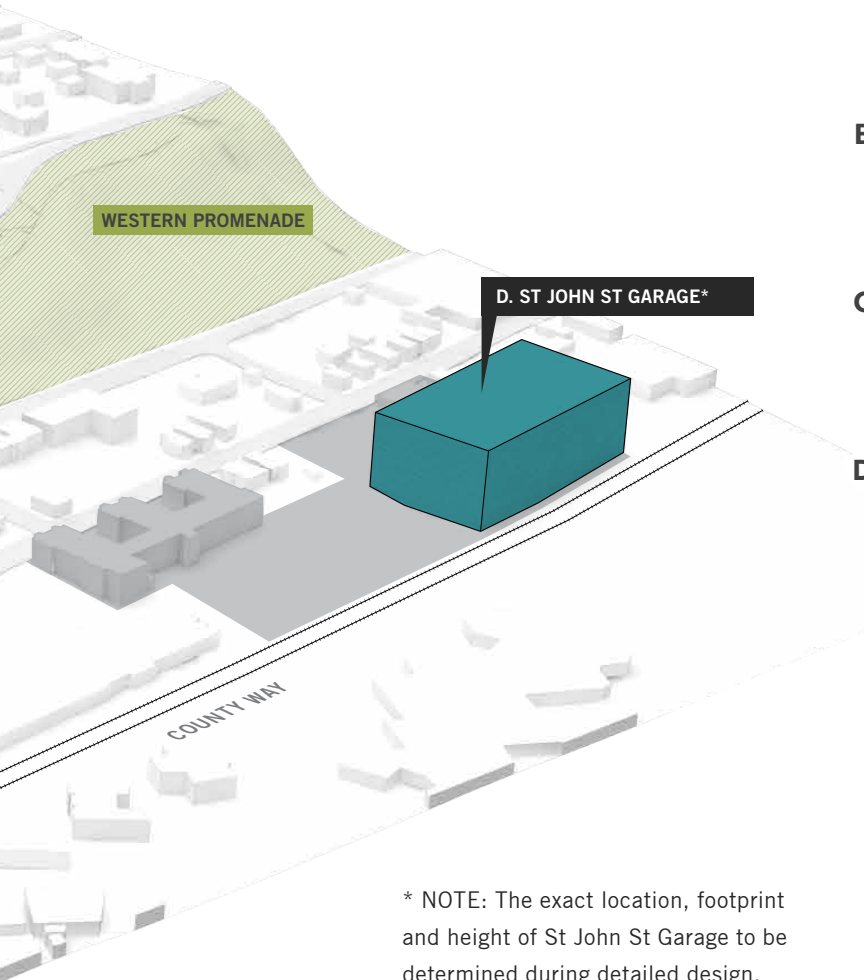
Fig.2.7 MMC Bramhall Campus: Short-Term Projects



Demolitions

A. Employee Garage Demolition

The 2015 building assessment does not recommend continued investment in this structure (see **Fig.2.5 on page 39**).



* NOTE: The exact location, footprint and height of St John St Garage to be determined during detailed design.

Additions / New Construction

A. Congress St Development, Phase I (285,000 GSF)

New six-story building along Congress St on former site of the Employee Garage, plus two-story connector to the LL Bean Building. Building program includes: a new patient entrance, universal, private inpatient beds and new procedure rooms. The new entrance changes the campus's orientation to Congress St.

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.

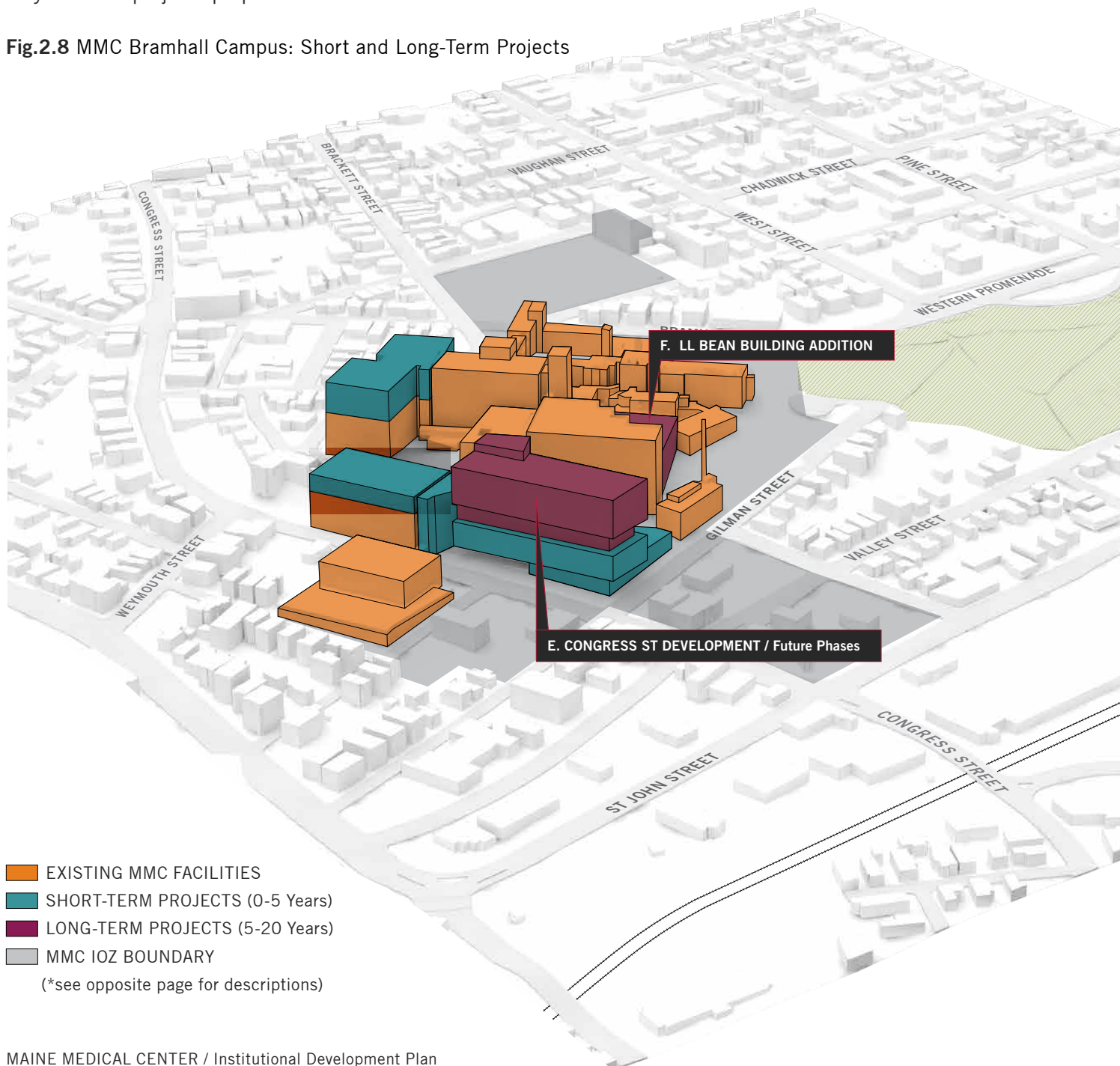
D. St John St Garage

New 10-story, free-standing garage at 222 St John St to accommodate roughly 2,200 new parking spaces. The garage replaces spaces lost in the Employee Garage, in addition to consolidating parking from multiple surface lots owned or leased by MMC. (See **Chapter 3. Transportation Plan** for details).

LONG-TERM PROJECTS (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 following the implementation of short-term projects by 2022. These do not represent the only projects that could be proposed within this timeframe: due to the various factors impacting healthcare planning and their short time horizons (0-3 years), there may be other projects proposed within this timeframe.

Fig.2.8 MMC Bramhall Campus: Short and Long-Term Projects



Additions / New Construction

E. Congress St Development, Future Phases (Approx. 300,000 GSF)

Future vertical expansion to include additional private inpatient beds.

F. LL Bean Building Expansion (Approx. 120,000 GSF)

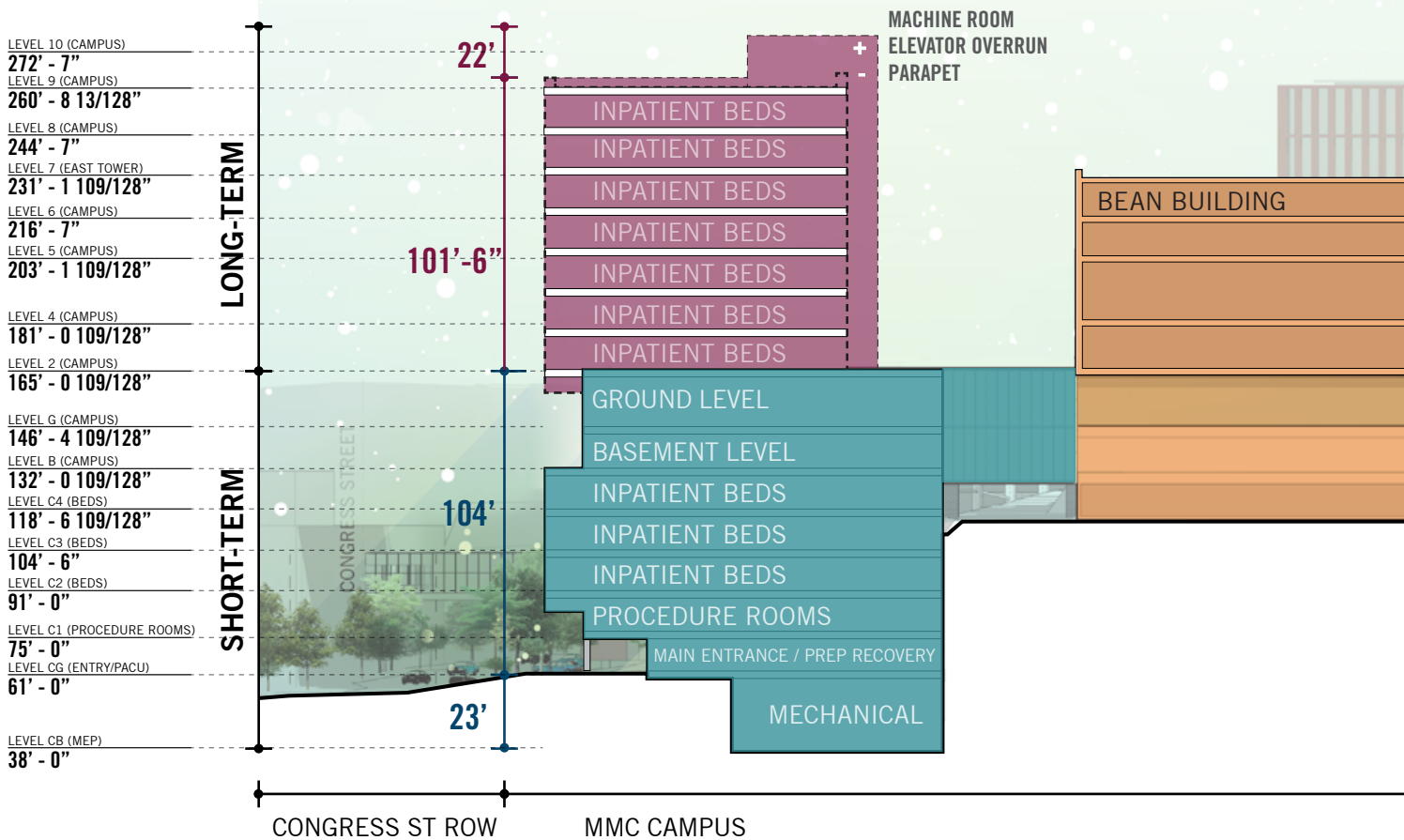
Expansion of diagnostics and treatment, and interventional platforms. If necessary, existing Laundry Building and Engineering Services Building may be modified or removed to facilitate expansion.

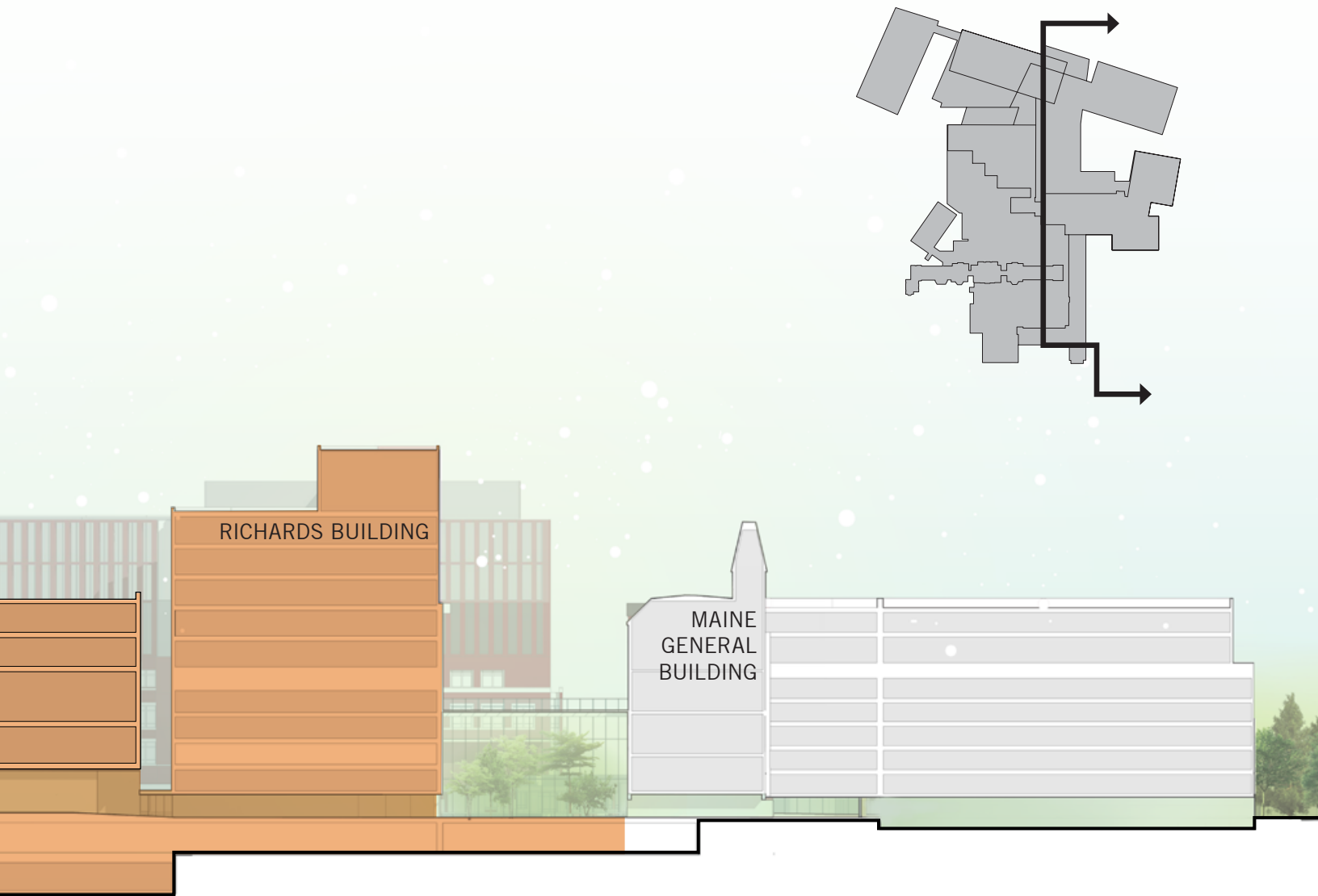


* NOTE: The exact location, footprint and height of St John St Garage to be determined during detailed design.

Fig.2.9 MMC Bramhall Campus: Longitudinal Cross-Section through the Proposed Congress St Development

- EXISTING MMC FACILITIES
- CONGRESS ST DEVELOPMENT: SHORT-TERM (0-5 Years)
- CONGRESS ST DEVELOPMENT: LONG-TERM PROJECTS (5-20 Years)



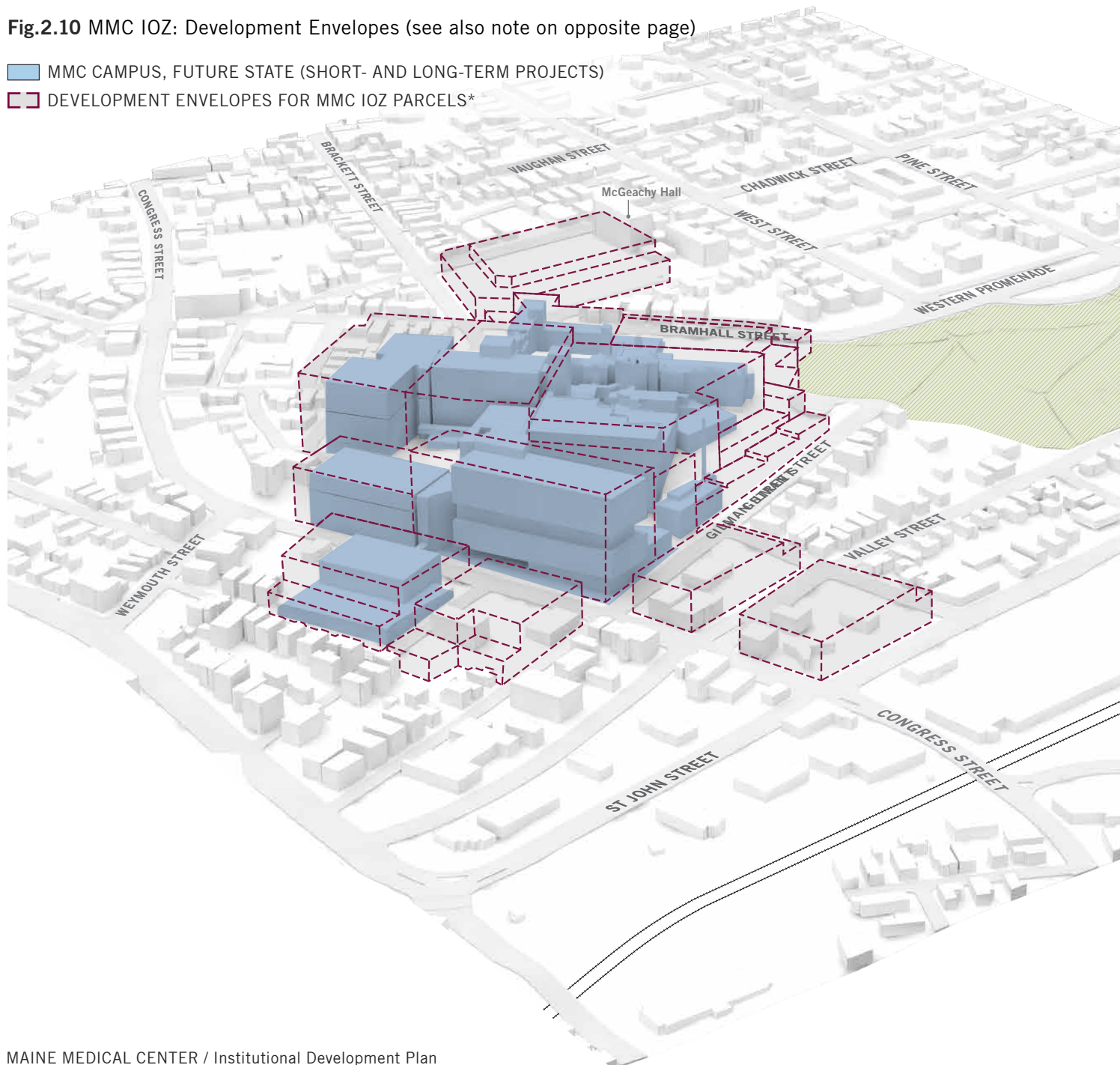


LONG-TERM DEVELOPMENT ENVELOPES

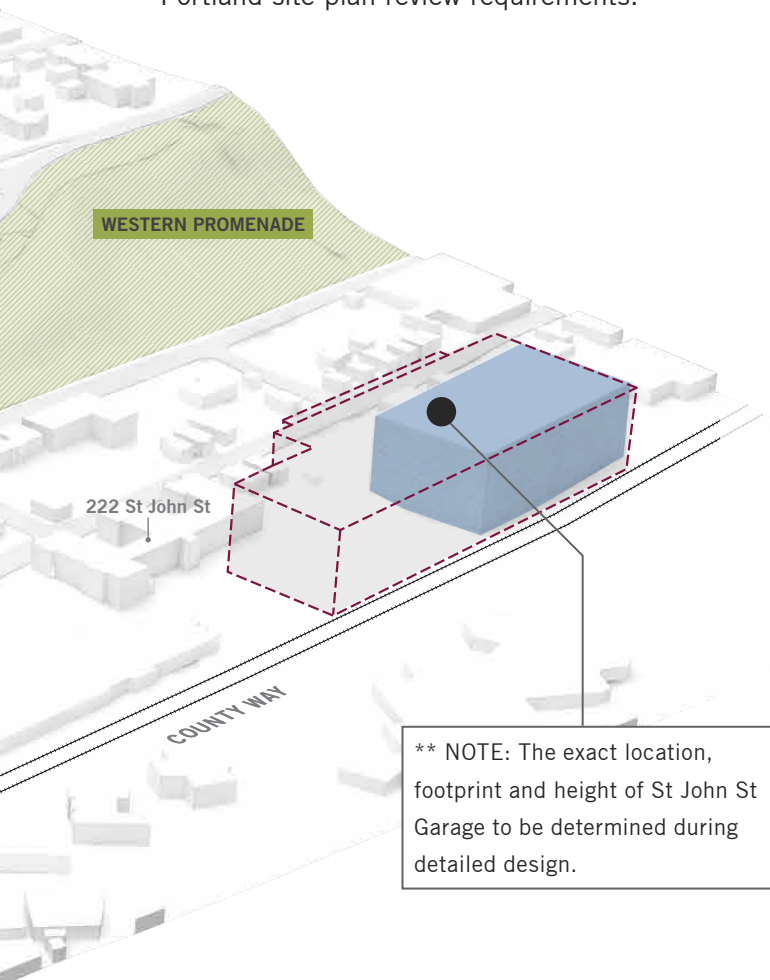
While MMC's Master Facility Plan does not identify specific projects other than those listed on the previous pages (see Fig.2.7 on page 42), all parcels included within MMC's IOZ boundary are considered to be potential zones for redevelopment that supports the effective delivery of healthcare services by MMC to our community in the long-term. Towards this end, MMC has identified context-appropriate uses (see **Table 2.5** at right), development envelopes and design criteria for all IOZ parcels.

Fig.2.10 MMC IOZ: Development Envelopes (see also note on opposite page)

- MMC CAMPUS, FUTURE STATE (SHORT- AND LONG-TERM PROJECTS)
- DEVELOPMENT ENVELOPES FOR MMC IOZ PARCELS*



NOTE: **Fig.2.10** illustrates the maximum height envelopes listed in the MMC IOZ Regulatory Framework. Per the IOZ, the development envelopes only apply to properties that MMC holds right, title, or interest at the time of development. All future development within the IOZ boundary is subject to review for compliance with guidelines and requirements included in MMC's IDP, Regulatory Framework and City of Portland site plan review requirements.



** NOTE: The exact location, footprint and height of St John St Garage to be determined during detailed design.

Table 2.5 MMC Potential Future Uses

MMC may locate the following uses within its IOZ boundary:

In addition to the uses permitted in the underlying zone, the following uses are permitted as a matter of right:

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

- Hospital
- Medical Office / Clinic
- Laboratory Center / Services
- Research and Development (R&D) Laboratory or Facility
- Educational Facility / Conference Center
- Administrative / Business Office
- Accessory Service or Trade Uses
- Guest House
- Multi-family housing for healthcare staff and students
- Rehab / Skilled Nursing Facility
- Retail Facility
- Restaurant / Café
- Employee Service Amenities
- Day Care Center
- Fitness Center or Gymnasium
- Parking Lot
- Parking Garage
- Bicycle Storage
- Heliport
- Antenna Station
- Outdoor use areas, such as green areas, parks, gardens, art installations, and other active and passive non-commercial recreation spaces

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 as well as to be responsive to neighborhood concerns about a large parking structure near residential properties.



TRANSPORTATION PLAN: OVERVIEW

Maine Medical Center is developing a long-term Transportation Plan that will improve campus access, circulation, and wayfinding for patients and visitors. It is also developing a Transportation Demand Management (TDM) plan focused on reducing the number of single occupancy vehicles on campus. Ongoing initiatives are aimed at providing alternative transportation options to reduce traffic and parking impacts.

MMC's Transportation and TDM plans are designed to address neighborhood concerns, and to improve campus access, circulation, and wayfinding for patients, visitors, physicians, and staff. The Transportation Plan will be developed and refined during the Maine Department of Transportation (MDOT) required Traffic Movement Permit (TMP) process, with input from the Medical Center's neighbors and City of Portland's traffic engineer. The TDM includes an explanation of the 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 long-term traffic and parking impacts. The goal 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 an overview of the key transportation elements of the Transportation Plan and the TDM.

The Traffic Management Permit process may require modifications that MMC does not anticipate. The following provides MMC's best analysis of traffic generation and traffic patterns in the short term.

VEHICULAR ACCESS AND CIRCULATION

MMC'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 (see **Fig.3.1 on page 57** for a map of patient origin). The nature and acuity of patient needs create a challenge 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.

MMC is open to patients every hour, every day of the year. Most MMC staff and physicians, who also fill shifts 24 hours a day, do not live within walking distance or near public transportation (see Fig.3.6 for a map of MMC employee residences). Work responsibilities that require the use of an automobile, a lack of transit options to accommodate staff schedules, seasonal weather extremes, and an insufficient bicycle infrastructure in the surrounding municipalities are all factors that contribute to a high drive share by staff.

EXISTING VEHICULAR FLOWS

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 and have been approved by the City of Portland. Existing vehicular circulation patterns in and around the Bramhall campus are illustrated on **Fig.3.2 on page 58** and summarized below.

One advantage of its proximity to I-295 is the ease of vehicular access to campus by patients/visitors, employees, and emergency and service vehicles, and the avoidance of high traffic volumes in neighborhood streets.

Patients and Visitors

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 Patient / Visitor Garage or the South Lot. They also have access to a convenient patient drop-off area that is located off of Bramhall St, with direct access to parking in the South Lot.

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 inpatient and outpatient care at the Bramhall campus. Outpatient care services experience higher curbside demands for patient drop-off / pick-up activities because of the shorter visits whereas inpatient care generates less turnover, but requires greater accessibility. In addition to general patient access and egress by private vehicles, MMC drop-off / pick-up zones 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.

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 St with access off of Gilman St. Other employee parking locations include the various satellite lots listed in **Fig.1.7 on page 22**. This design limits the mixing of patient and staff traffic, resulting in fewer staff vehicles near patient access zones.

Service Access

Trucks destined for MMC are directed to a dedicated loading and service facility located off of Gilman St, 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.

EXISTING TRAFFIC CONDITIONS

An analysis of existing traffic conditions on and around the Bramhall Campus was completed by Gorrill Palmer, a South Portland based land development, transportation and municipal engineering firm. Gorrill Palmer observed several street intersections during the morning and afternoon in December 2016. In order to estimate the peak summer traffic volume on the two busiest intersections observed (Congress St / St John St and Congress St / Valley St), trip counts were increased by 1.1% on St John St and 11.4% on Congress St. The trips observed are summarized on **Table 3.1** below.

Table 3.1 Seasonally Adjusted 2016 Volumes

INTERSECTION	2016 ESTIMATED VOLUMES		MMC TRAFFIC AS A PERCENT OF TOTAL TRAFFIC	
	AM	PM	AM	PM
Valley St. / Congress St.	1,170	1,200	17%	7%
Congress St. / Saint John St.	1,860	2,100	14%	7%

Fig.3.1 Dot Density Map Showing Patient Origin by Zipcode (2016)

LEGEND

- 10 patients
- State Boundaries

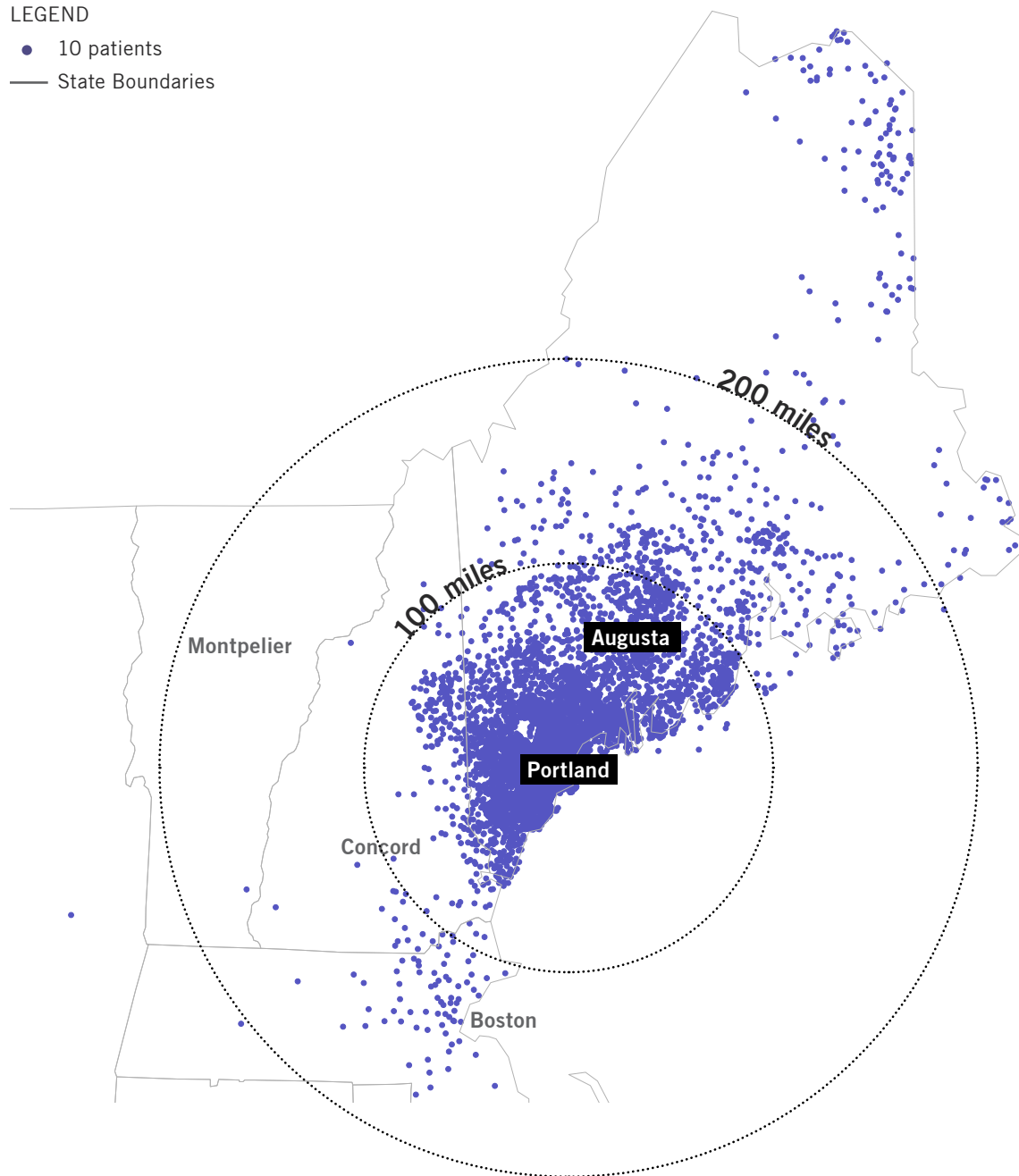


Fig.3.2 MMC Existing Circulation Routes and Access Points

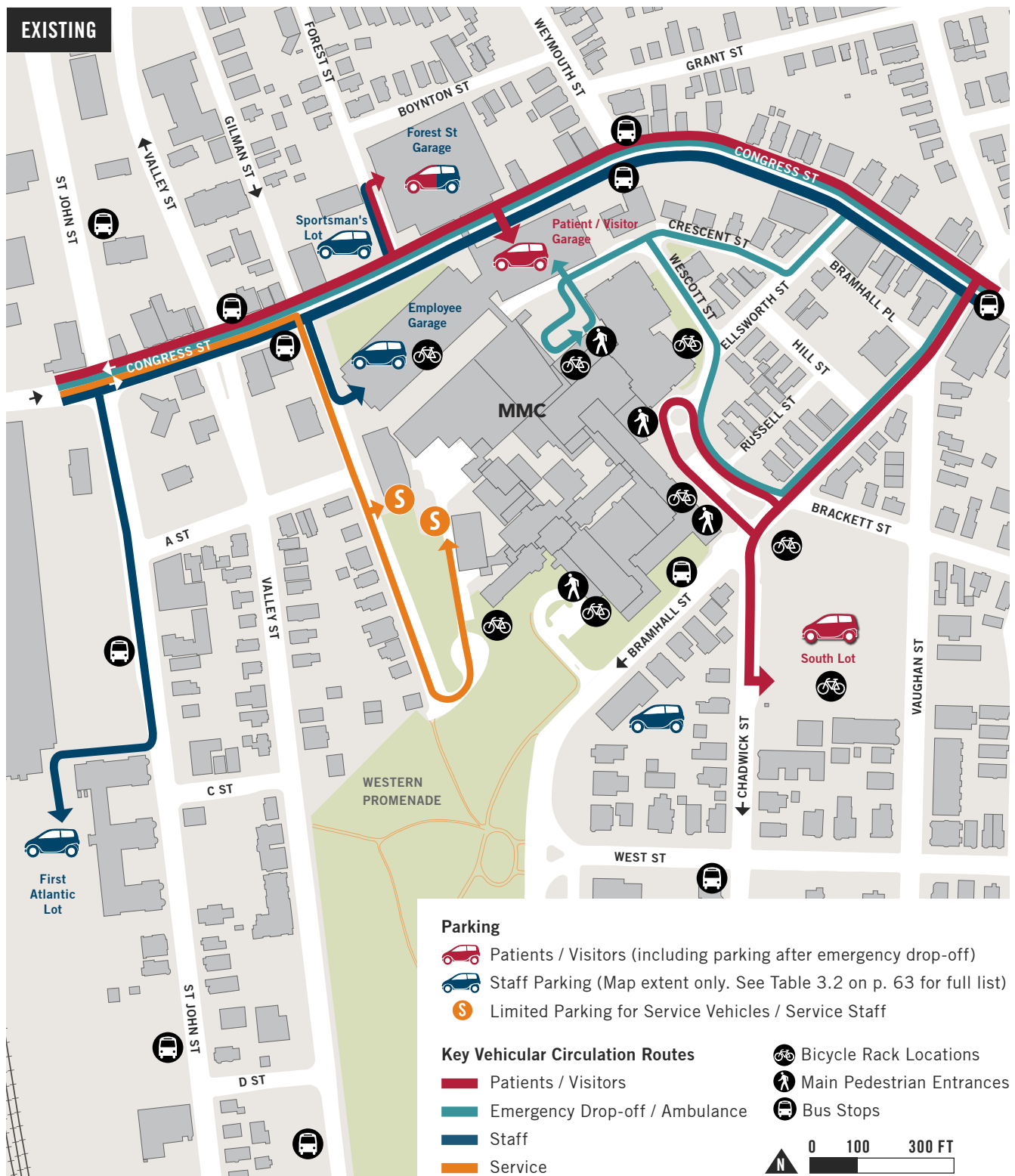
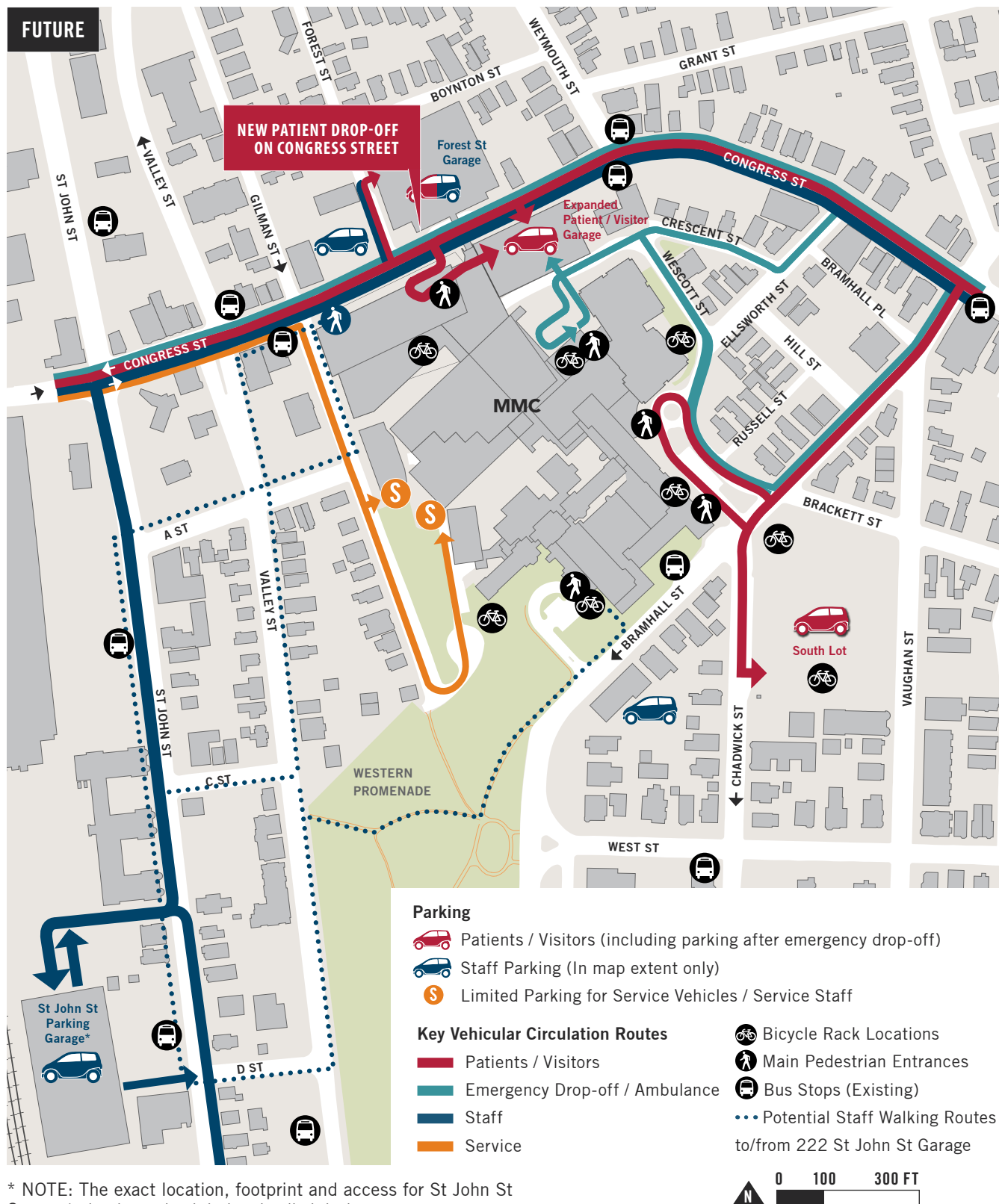


Fig.3.3 Transportation Plan (Future): Circulation Routes and Access Points



The safety evaluation considered crash data provided by MaineDOT for the period of 2014-2016, the most recent available at the time the analysis occurred. In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order for a location to be classified as an HCL:

1. A critical rate factor (CRF) of 1.00 or more for a three-year period. A CRF compares the actual crash rate to the rate for similar intersections in the state. A CRF of less than 1.00 indicates a rate of less than average, and:
2. A minimum of eight crashes over the same three-year period.

Based on the crash data provided by MaineDOT, the HCLs in the vicinity of the site are: the intersection of Congress St with Bramhall St and Deering Ave, the intersection of Congress St with Gilman St, the intersection of Park Ave with Valley St, Congress St from Forest St to Weymouth St, and St. John St from Congress St to just south of Park Ave.

PROPOSED MODIFICATIONS TO ACCESS AND CIRCULATION

Proposed New Entrance

MMC's short-term projects include a new entrance on Congress St to improve access and egress for patients and visitors. Today, most motorists arrive on campus via Congress St: they either park off

Congress St in the Patient / Visitor Garage, or use Bramhall St to reach the emergency room or entrance on Charles St, which also allows access to the Patient / Visitor Garage on an upper floor.

It is anticipated that the new Congress St entrance will be used primarily by vehicles dropping off or picking up patients, shuttle buses, or short-term deliveries (like flowers, etc). The entrance will be designed to allow vehicles to either exit back onto Congress St or directly enter the adjacent Patient / Visitor Garage after passing through the drop-off zone without having to go back onto the public street. The Charles St 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 St traffic operations will be studied as part of the Traffic Movement Permit Application (TMP) process.

The new entrance on Congress St 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 entrance and drop-off that minimizes impact on existing pedestrian, bicycle, transit and vehicular traffic along Congress St. The proposed site plan will be reviewed as part of the State's Traffic Movement Permit (TMP) Application during the City's Site Plan review process.

Proposed Employee Parking

As part of MMC's short-term projects, the existing Employee Garage will be demolished. MMC is collaborating with a third-party developer to build a 2,200 space parking garage at 222 St John St. All staff parking will be consolidated to this new location.

PROJECTED TRAFFIC IMPACT

As mentioned previously, the traffic impacts of the MMC Short-Term Projects will be studied comprehensively as part of the Maine Department of Transportation (MaineDOT) Transportation Movement Permit (TMP) application process delegated to the City of Portland.

Some of the traffic items reviewed as part of the TMP will 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.

A high-level analysis of the projected changes in traffic as a result of estimated growth in the City of Portland and MMC's short-term projects was

completed. Traffic volumes in the vicinity of MMC's Bramhall campus are anticipated to increase by approximately 3.5% between 2016 and 2023, without any MMC development, due to background traffic growth throughout the City. This increase is based on an estimated growth of 0.5% per year and compares the 2016 traffic volumes to the 2023 Pre-development traffic volumes (with no MMC development).

If the MMC employees utilize the 222 St John St garage, then traffic volumes at the intersection of St John Street / Congress Street may increase by approximately 17% and traffic volumes at the intersection of Valley St / Congress St may decrease by approximately 5% during peak commuter hours between 2016 and 2023. This increase compares the 2016 (seasonally adjusted) predevelopment traffic volumes to the 2023 Postdevelopment traffic volumes (with MMC development). This change in traffic volumes is due to the additional garage traffic (i.e. MMC expansion), the relocation of the existing employee garage traffic from Gilman Street to St John Street, and the background City traffic growth.

In 2023, the development of the employee parking garage at 222 St John St may increase total traffic volumes at the intersection of St John St / Congress St by approximately 12% during the peak commuter hours and approximately 56% during the peak hours of MMC shift changes that primarily occur during non-peak commuter hours. This is the increase

between 2023 Predevelopment volumes (with no MMC development) and 2023 Postdevelopment volumes (with MMC development). This increase is due to the additional garage traffic and the relocation of existing employee garage traffic from Gilman to St. John. Although the percentage increase during the peak hour of MMC shift changes appears high, the traffic volumes during the non-commuter peak hours with additional MMC development are still lower than the volumes during the peak hours of commuter traffic without significant additional MMC development.

MMC's traffic volume is expected to decrease at other intersections near satellite parking locations as a result of consolidating parking at 222 St John St. Although traffic due to MMC is anticipated to decrease at intersections near the satellite parking lots, total traffic volumes at those intersections may not change significantly, since different users may still utilize the lots. However, regardless of traffic volumes, there will be less vehicle miles travelled on the roadway network, since MMC employees will no longer be driving around the streets seeking out the last remaining parking spaces.

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, 2,027 parking spaces are subscribed to staff and physicians. About 1,538 of these employee parking spaces are located on the 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 shuttle services. **Table 3.2** on the following page provides a summary of existing MMC parking facilities. MMC has continued to see demands on the existing supply intensify due to increased patient volumes and higher acuity patients (longer lengths of stay).

In order to assess MMC's existing and future parking demand, a nationally recognized consulting firm was hired that specializes in this work. Vanasse Hangen Brustlin, Inc. (VHB) began working with MMC in January 2017. VHB also has done work for the City of Portland.

EXISTING PARKING ANALYSIS

The existing parking garages and surface lots are not equipped to readily collect and compile entrance, exit, and occupancy data electronically. As a result, in order to collect baseline data,

Table 3.2 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
	Patient / Visitor Garage	480	0	480	Owned
	South Lot	370	0	370	Owned
	887 Congress (Forest St Garage)*	0	178	178	Owned
	7 Bramhall St	0	26	26	<i>Leased</i>
	905 Congress St (Sportsman Lot)	0	60	60	<i>Leased</i>
OFF-CAMPUS 489 employee spaces	222 St John St (First Atlantic Lot)	0	283	283	<i>Leased</i>
	181 High St (Gateway Garage)	0	100	100	<i>Leased</i>
	993 Congress St (Classic Lot)	0	97	97	Owned
	321 Brackett St	0	9	9	<i>Leased</i>
TOTAL PARKING SPACES		850 Patient / Visitor	2,027 Employee	2,877 Total	

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

detailed hourly parking occupancy counts were conducted on March 8, 2017 and March 9, 2017 by VHB. The goal of these parking counts was to collect temporal parking data at the Employee garage, the Patient / Visitor garage, and the South Lot to confirm parking surge (between daytime and evening staff shift changes) and overnight demand. Hourly counts were conducted from 5am to 12pm, 3pm to 8pm, and 10pm to 12am. This data have been compiled to quantify the existing conditions parking demand estimates.

Additional parking occupancy counts were conducted daily between April 24, 2017 and April 28, 2017 at 10am and 2pm by MMC. MMC parking was 93% occupied throughout the week.

Overall, existing parking demand conditions at MMC were quantified via a combination of distinct actions:

- Weekday occupancy parking counts were conducted to understand utilization at key points in time to assess peak occupancy, overnight occupancy, and intervals of weekday garage entries and exits. These counts were conducted in March and April 2017.
- Intermittent spot checks of parking utilization and access/egress were conducted from January through March 2017 by MMC and its consulting team.

- MMC Parking and Security staff and the City of Portland Parking Director provided input regarding their observations and experiences relating to the utilization of parking.

These counts, observations and input indicate that the parking system typically operates at or above capacity during weekday daytime.

CURRENT PARKING SHORTAGE

MMC's 850 patient/visitor parking spaces equates to +/- 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.

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 employee parking needs, it is important to compare institutions that would reside in similar contexts where driving behavior and auto mode shares would be similar.

During the analysis, MMC's consultant team attempted to identify comparable medical centers.

A significantly similar comparison medical center does not exist due to the number of factors impacting parking. The medical centers that were determined to be somewhat similar and adequate comparisons had median parking ratios of 1.87 for patients/visitors and 4.38 for employees.

Under current conditions, MMC will require 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 existing demand 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.

MMC's existing decentralized parking solution creates management challenges and is an employee dissatisfier. Management challenges include multiple shuttle routes that add to traffic congestion on Portland's streets and the high cost of servicing and operating multiple shuttles. MMC employees frequently share that the employee parking at the Bramhall Campus is unreliable. There are eight

parking locations available for MMC employees. When one location is full, employees have to search other locations for available parking which adds to traffic congestion on Portland's streets. On days when MMC is near or at capacity, finding a parking spot in a reasonable amount of time is a challenge.

PLANNING GOALS FOR PARKING

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

1. Support a predictable arrival experience for patients and visitors,
2. Where feasible, allow for segregation of MMC patients/visitors and staff parking,
3. Address neighborhood concerns of MMC staff occupying on-street parking spaces,
4. Provide a parking supply that is sufficient to support the Medical Center,
5. Rely upon an enhanced TDM program to help reduce vehicle trips and parking demands when reasonably feasible.

FUTURE DEMAND PROJECTIONS

Future patient, visitor, staff and physician parking needs were quantified based on an assessment of MMC's patient volume (inpatient and outpatient activity) and staff growth projections. The demand for patient care at MMC is growing as described under **"Projected Daily Census" on page 40**.

MMC anticipates that the overall patient demand will grow by approximately 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). We expect patient and patient-related and employee parking demand will increase at similar rates. This demand will be offset by Transportation Demand Management methods described later in this chapter. These expected trends have been used to estimate the increased parking needs of the Hospital.

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 or above capacity during weekday daytime hours.
- The hospital requires about 150-200 additional on-campus parking spaces to alleviate current 2017 staff parking shortfalls. These estimates are based on several iterations of counts, observations, and input from MMC, as described previously.
- 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. There is not an industry standard method for comparing hospital parking supply. The number of patient beds was used as the common factor in this analysis because of its relative uniformity among academic medical centers.

PROPOSED MODIFICATIONS TO PARKING

MMC's short-term projects include:

1. Patient / Visitor Garage Addition: MMC will expand its existing 480-space Patient / Visitor Garage by three levels to accommodate an additional 225 spaces by 2019.
2. New St John St Garage: MMC will deconstruct the existing 1,274-space Employee Garage and will construct a replacement garage that will supply approximately 2,200 spaces for MMC. MMC intends to provide a reliable and complete parking solution for employees.

FUTURE PATIENT / VISITOR PARKING

Once the Patient / Visitor Garage Addition is completed, the patient parking supply will be adequate to meet the growing needs of the patients and visitors.

MMC's short-term projects will increase patient/visitor parking supply from 850 spaces to 1,075 spaces. As a ratio of parking spaces per bed, MMC's on-campus patient parking system 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).

FUTURE EMPLOYEE PARKING

In total, MMC estimates a need for 500-600 additional staff/physician parking spaces to accommodate future demands and resolve the existing parking shortage. The 2,200 employee parking spaces in the new St John St Garage are intended to accomplish the following:

- Accommodate expected staff growth,
- Provide for replacement parking to support demolition of the existing Employee Garage,
- Consolidate existing remote surface parking, and
- Reduce parking by staff on surrounding neighborhood streets.

This increase in employee parking supply will improve MMC's ratio of employee parking to patient beds from their existing ratio of 3.18, which is very low when compared to peer academic medical centers.

The proposed St John St Garage will consolidate the majority of MMC's employee parking which will improve employee satisfaction and minimize management challenges. A smaller and more reliable shuttle service will be available to MMC employees getting to and from the parking garage. In addition, the St John St location is 3 tenths of a mile from the Bramhall Campus and MMC will encourage walking.

ALTERNATIVE TRANSPORTATION

MMC supports and aims to increase the use of alternative transportation by its employees, patients and visitors through the implementation of its Transportation Demand Management (TDM) Plan outlined on page 74. Ongoing collaboration with the City of Portland, local and regional transit agencies, and neighborhood and advocacy organizations is planned to ensure the improvement of pedestrian, bicycle and transit infrastructure and networks serving the campus.

MMC solicited input from neighbors on the topics of vehicular, bicyclist and pedestrian safety around the campus at its January 12, 2017 Open House. Key findings from this meeting are summarized at the end of this section under the heading "Future Transportation Planning Considerations." MMC has shared the Open House results with the City of Portland and neighborhood representatives. MMC will continue working with neighbors, City staff, and elected officials to address vehicular, pedestrian and bicyclist safety concerns around its campus as part of its ongoing community engagement process (see page 130).

PUBLIC TRANSIT ACCESS

METRO provides bus service throughout the Greater Portland region and makes stops within walking distance to the MMC Bramhall campus. The campus is also served by the ZOOM Turnpike Express route operated by ShuttleBus–ZOOM.

Multiple METRO routes accessible from the campus provide connections to the nearby Portland Transportation Center (PTC) and the Downtown Hub, which are served by additional METRO and regional bus lines. The PTC also serves as the local connection to Amtrak's Downeaster service that runs along the coast between Boston and Brunswick. See **Fig.3.4** and **Table 3.3** on the following pages for an illustration of bus routes and bus stops within walking distance of the MMC campus. All buses serving the campus are equipped with bike racks to enable multi-modal commutes.

MMC supports mass transit commutes and provides financial incentives to employees choosing public transit as part of its Transportation Demand Management (TDM) program. MMC will provide enhanced incentives and work with METRO to improve transit access for all campus users as part of its future TDM Plan. See "Supporting Mass Transit Commutes" on page 78 for details.

Detailed design of each new development on campus will consider the location of nearby transit stops, and identify any necessary changes to locations to better serve transit users.

Fig.3.4 Map of Existing Transit Routes and Stops

-  MMC Main Pedestrian Entrance
-  Bicycle Rack Locations
-  Existing Bus Stops around Campus (see opposite page for transit route legend)

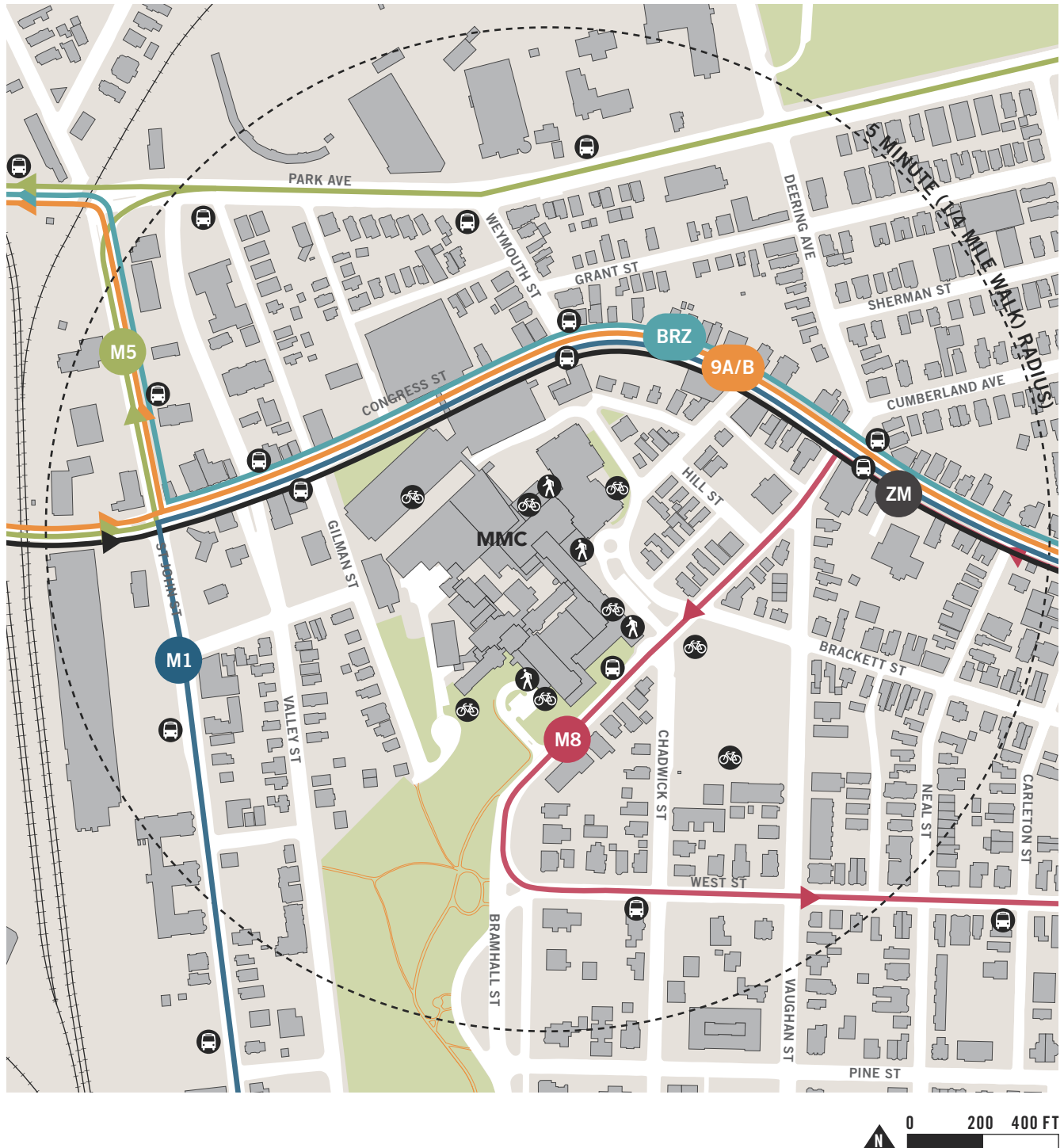


Table 3.3 Bus Routes Serving MMC Bramhall Campus

The following bus routes are accessible within a five minute walk of the MMC campus. See **Fig.3.4** on opposite page for location of routes and bus stops.

-  **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
-  **M9A / 9B – NORTH DEERING VIA STEVENS AVENUE**
Connection to MMC Brighton campus, Highlands, Rosemont, and North Deering
-  **METRO BREEZ EXPRESS (BRZ)**
Connection to PTC, Downtown, Falmouth, Yarmouth, Freeport
-  **ZOOM Turnpike Express (ZM)**
Connection to Biddeford and Saco

Rte #	Closest Stop	Times of Operation	Headways
M1	Congress St	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 St	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 (daytime) 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.3.5 Heatmap Showing Popular Bicycle Routes in the Area, as Recorded by Strava App Users

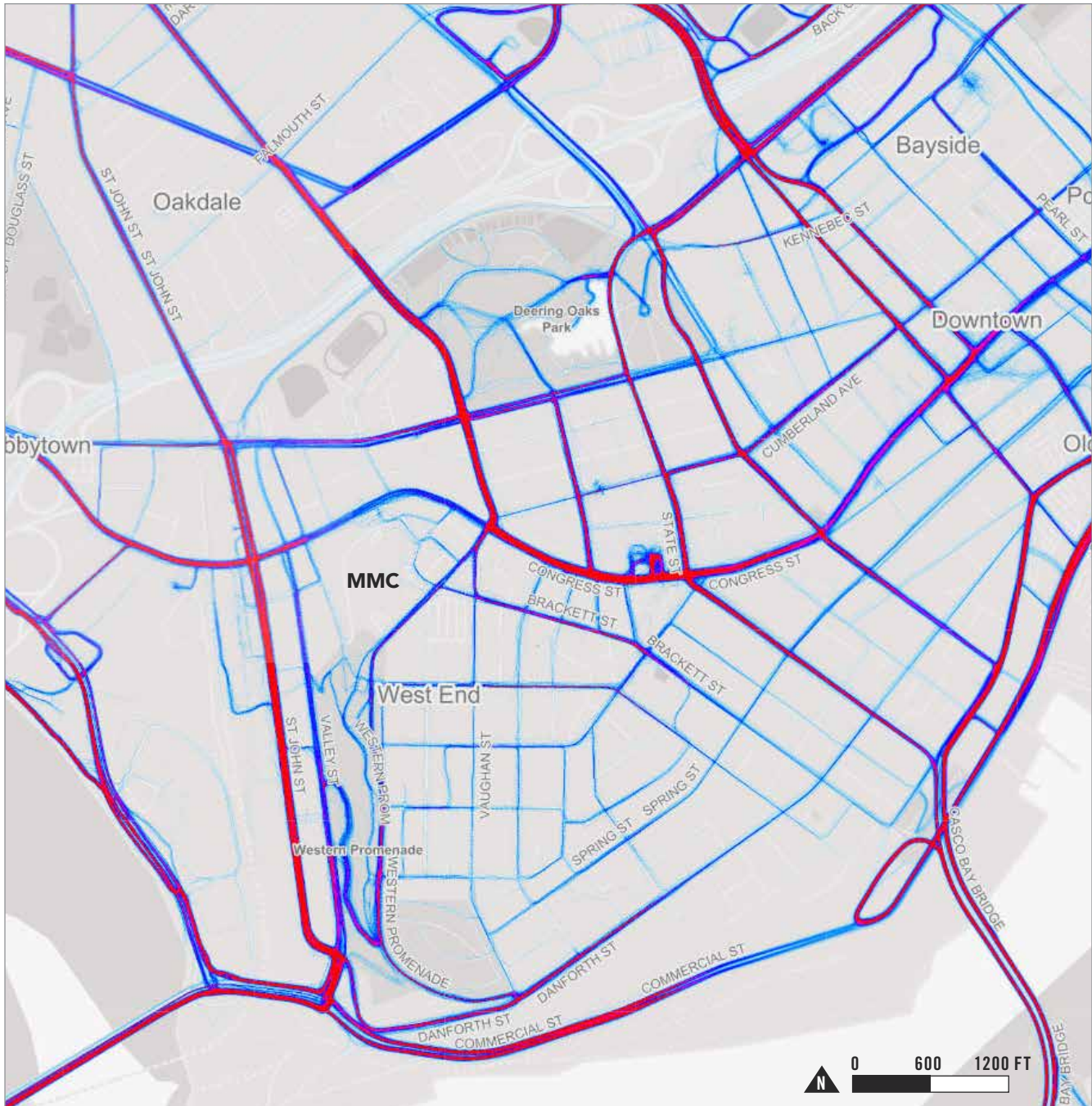
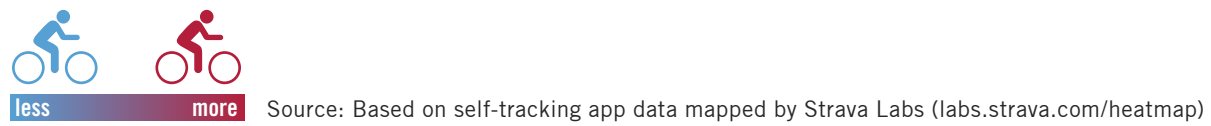


Fig.3.6 Portland Bikeway and Pedestrian Network (Source: City of Portland, 2014)

EXISTING FACILITIES

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

PLANNED FACILITIES

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



BICYCLE ACCESS AND STORAGE

As shown in **Fig.3.5 on page 70**, 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.

MMC is committed to supporting bicycle access to the Bramhall campus by all users, including employees. In recent years, the hospital has invested in bicycle racks, showers, and lockers, and currently has the capacity to accommodate parking for up to 193 bicycles on campus (see **Fig.3.2 on page 58** for locations). MMC aims to continue support employees who bike to work as a part of its TDM plan (see "Supporting Bicycle Commutes" on page 79).

MMC is an advocate of the City of Portland's Bikeway Network Plan, which will provide bicycle infrastructure on campus adjacent streets with linkages to existing and planned shared use pathways (see **Fig.3.6 on page 71**).

Detailed design of each new development on campus will identify any necessary changes to bike infrastructure to better serve the needs of those arriving by bike.

PEDESTRIAN ACCESS AND CIRCULATION

Whether they arrive on campus by car, by bus or by bicycle, all campus users are pedestrians at some point in their journey to their MMC destination. Like other medical centers of its size, MMC provides elevated, covered, and temperature-controlled pedestrian walkways between its parking garages and key campus circulation corridors. This limits exposure to adverse weather conditions, facilitates wayfinding for patients / visitors, and minimizes on-street vehicle / pedestrian conflicts.

MMC also maintains its network of campus pathways and campus-adjacent public sidewalks to ensure safe pedestrian access to campus facilities (see **Fig.3.2 on page 58** for location of key pedestrian entrances).

MMC will complete a campus-wide ROW Plan at the time of its first site plan review that includes sidewalk materials to clarify the need for any variations from current city policies and how they would be integrated into the public realm. In order to improve slip resistance and ADA accessibility, MMC may request waivers from the city's sidewalk material policy under site plan review.

MMC aims to improve pedestrian access to campus with future building projects by orienting building entrances to public streets and providing active ground floor uses where possible. (See "Design Guidelines" on page 116 for details.). MMC will also work with the City and other stakeholders

including the St. John Valley Neighborhood Association to identify potential improvement that could be implemented to pedestrian routes between the proposed St John Garage (see **Fig.2.7 on page 44**) and the core campus.

FUTURE TRANSPORTATION PLANNING CONSIDERATIONS

MMC continues to solicit input from its neighbors to identify transportation-related issues and possible improvements that should receive additional consideration during the planning and design of future projects by MMC and the City. Key issues identified in this process to date include the following:

- 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 and help slow vehicular speeds to levels that are safer for pedestrians and bicyclists.
- Chadwick Street at West Street: Neighbors have observed low compliance with stop-signs and two-way travel on one-way streets.
- Vaughan Street at Bramhall Street: This is a difficult intersection geometry for pedestrians, cyclists and vehicles.

TRANSPORTATION DEMAND MANAGEMENT (TDM)

MMC has an active Transportation Demand Management (TDM) program that was one of the first in the state of Maine when launched in 2008. The program aims to reduce MMC's impact on peninsular traffic by subsidizing and marketing of alternative commute options including walking, bicycling, public transit, and rideshare. Known as "Get on Board!," this voluntary program has grown each year through increased enrollment.

In 2017, MMC engaged VHB, a consulting firm with expertise in this area, to update and enhance its TDM program and to inform its long-term plans for parking, in particular.

This section provides a summary of VHB's analysis of existing employee commuter behavior, and outlines proposed updates to the "Get on Board!" program that will be implemented in the near- and long-term to further reduce single-occupant vehicle (SOV) commutes by employees.

EMPLOYEE COMMUTES: 2017 BASELINE

As part of its efforts to monitor and enhance the "Get on Board!" program, MMC recently administered a voluntary transportation survey with its employees. The survey showed that 9% of employees use alternatives to SOV commutes (see **Fig.3.7 on page 75**). Based on the expert knowledge and experience of VHB, the high percentage of employees driving to work alone and parking near campus is not unexpected given the nature of the services provided, the dispersed

geographic footprint of where MMC employees live, and the availability of viable transportation alternatives to driving. Detailed analysis of employee driving distance to work is illustrated in **Fig.3.8** and **Fig.3.9** on the following pages.

FUTURE TDM TARGETS

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 that will be implemented over time. MMC will endeavor to increase its employees' overall use of alternative modes of travel beyond the target identified above through further enhancements or program expansions in the coming years and depending upon initiatives by the City, GPCOG, and others.

MMC's enhanced TDM Plan draws on national best practices and suggested examples from the City of Portland Planning Staff. City suggestions included evaluating the Downtown Parking Management

Fig.3.7 MMC Bramhall Campus Employees Commuting Mode Split (2017)

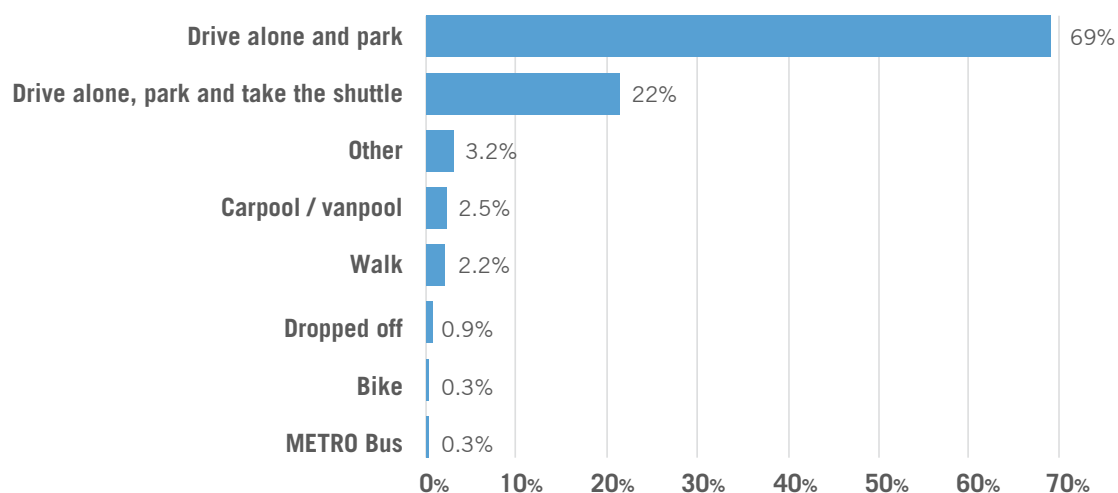


Fig.3.8 MMC Bramhall Campus Employees, Distance to Work by Type of Employee

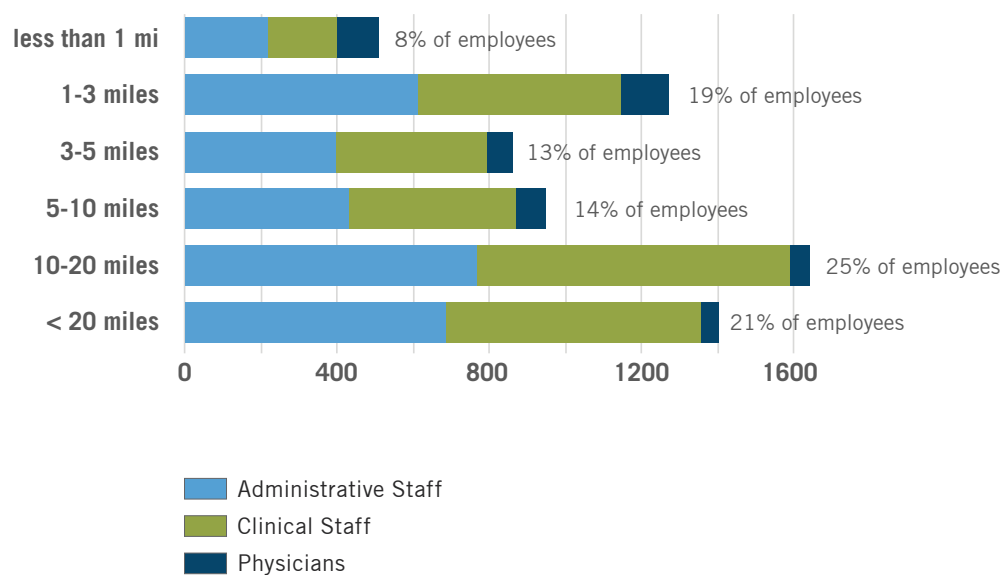
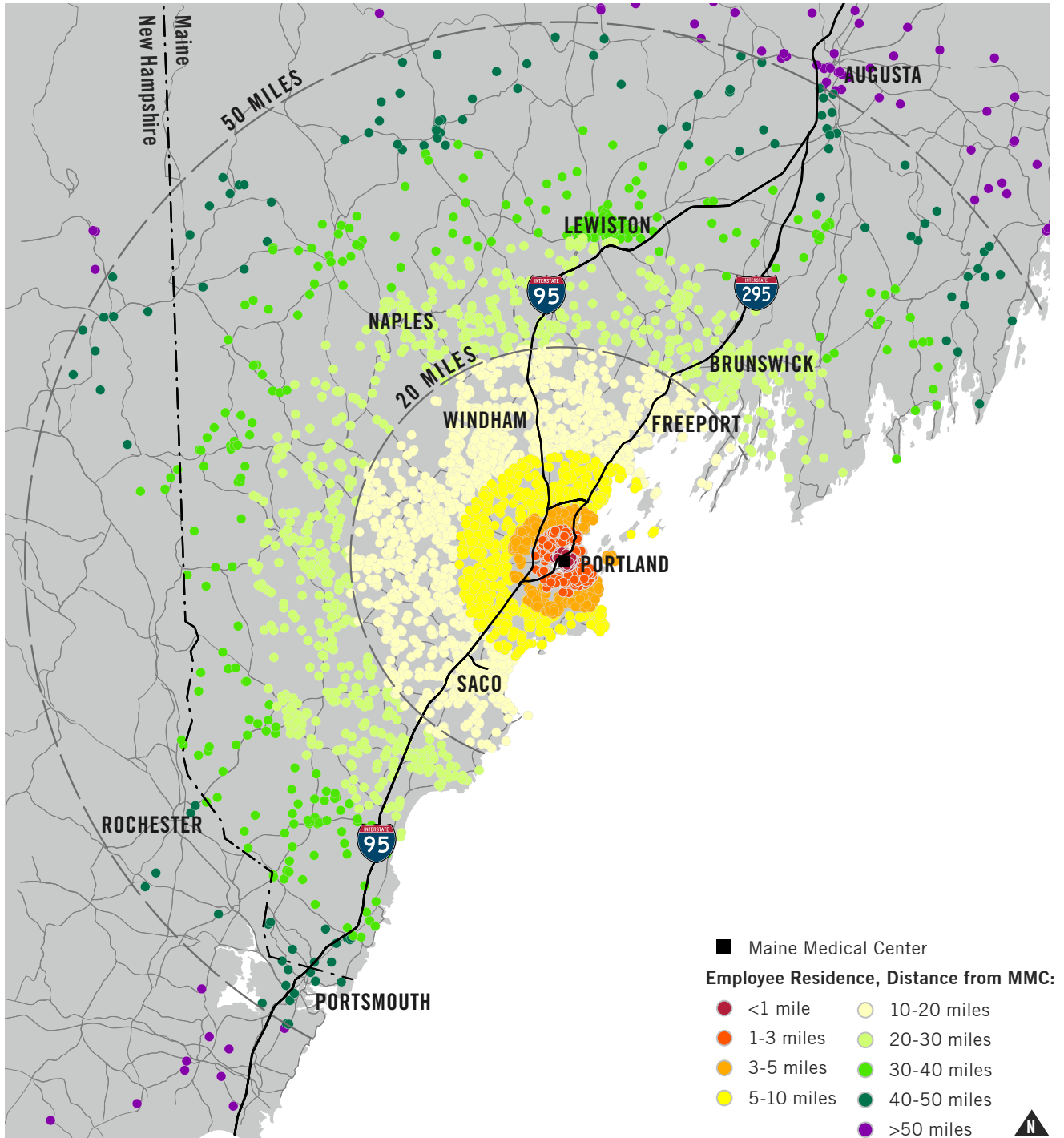


Fig.3.9 Map of MMC Bramhall Campus Employee Residences Illustrating Distance to Work and Travelsheds



Plan for Burlington, VT, an Institutional Parking Management Plan also for Burlington, VT, and a Transportation Demand Management Study for Downtown Syracuse, NY. Additionally, MMC also examined the commuting program instituted by Boston's Longwood Medical and Academic Area (LMA), known as CommuteWorks, and operated by MASCO, a consortium of hospitals, colleges and universities, and other related institutional uses. These programs were evaluated because of their efforts to manage SOV driving in a highly concentrated employment district.

Applicable Best Practices

- Collaboration among organizations in the area impacted
- Regular communication and education of alternative transportation benefits
- Pay for parking
- Complimentary support programs (i.e. guaranteed ride home, carpool)
- Regular monitoring of commute mode (i.e. surveys, automated data collection)

TDM PROGRAM COMPONENTS

Individual program elements and related incentives of MMC's TDM program are outlined below. These include continuation of existing initiatives, as well as the following new initiatives / enhancements that will be implemented starting in 2018:

- Data Collection
- "Get on Board!" Coordinator
- Increased Education of Employees about the "Get on Board!" Program
- Bi-Annual Transportation Survey
- Regional Connections Partnership
- Enhanced Transit Fare Discount / Partnership with METRO
- Enhanced Carpool/Vanpool Matching
- Active Transportation Incentives

MMC aims to achieve a 1.5 percent reduction in SOV commutes 5 years after the approval of the IDP. This target will be revised when a new baseline is established.

Data Collection

MMC will explore methods to improve data collection and implement a reasonable system to collect data on the transportation habits of employees and parking garage utilization.

"Get on Board!" Coordinator (New)

MMC will enlist the services of 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.

Increased Education of Employees about the "Get on Board!" Program (New)

MMC will be enhancing the "Get on Board!" promotion and 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.

Bi-Annual Transportation Survey (New)

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. Information from this survey will be included in the TDM plan updates.

Regional Connections Partnership (New)

MMC will seek to form partnerships with other major employers in the region, including the City of Portland, to foster a holistic approach to transportation demand management. The partnerships would enable the exchange of TDM-related information and experiences between institutions, and it would foster a community that is focused on promoting alternative transportation in the City of Portland.

Supporting Mass Transit Commutes (Enhanced)

MMC 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 in **Table 3.4** below. This is a clear demonstration of MMC's commitment to making "Get on Board!" work.

Table 3.4 MMC Current Transit Incentives

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

MMC will fully subsidize the cost of METRO bus tickets for employees who wish to use the bus for the foreseeable future so long as the cost of METRO bus tickets remains as illustrated in **Table 3.4**. If METRO bus ticket costs change, then MMC will evaluate utilization and work with METRO to find the best solution to support employees who wish to use the METRO. Subsidizing METRO tickets would provide employees with an additional financial incentive to use the transit system serving the MMC district.

METRO's existing routes and schedules cannot meet all of MMC's employees' transportation needs, however. Although the MMC campus is well served by bus transit (See **Fig.3.4 on page 68**), the limited hours of operation and the long headways

between runs do not provide a viable alternative to the car even for those employees who can walk to a bus stop from their residence. (See **Table 3.3 on page 69**).

MMC intends to explore a partnership with the Greater Portland Transit District (METRO) to identify strategies for increasing MMC ridership, such as service updates and/or pricing agreements. The formation of a partnership could be mutually beneficial, by providing METRO with feedback for increasing ridership while maximizing the usefulness of the transit system for MMC employees. As MMC formalizes its ties to other local institutions through a regional partnership, its collaboration with METRO could also extend to other employers.

Supporting Employee Carpools (Enhanced)

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

The employee "Get on Board!" portal is linked to the GoMAINE Commuter Connections website, which is an alternative commuting program operated by MDOT. GoMAINE provides commuters with additional commuting resources and benefits that supplement those provided by MMC. These benefits

include a carpool ride-matching program and a rewards program for participants.

Supporting Bicycle Commutes (Enhanced)

The MMC campus is located in close proximity to popular bicycle corridors, including St John and Congress Sts which connect riders to destinations across the City of Portland (see **Fig.3.5 on page 70**). 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.3.2 on page 58** for location of bicycle racks on campus). Bicycle commuters also have access to a shared toolshed with basic tools.

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.

Pay for Parking

MMC will charge its employees no less than \$3 per paycheck to utilize MMC parking. MMC employees are paid bi-weekly. MMC will evaluate employee parking fees in the mid-term.

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.

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 St 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.

MMC Employee Shuttles: Current Service

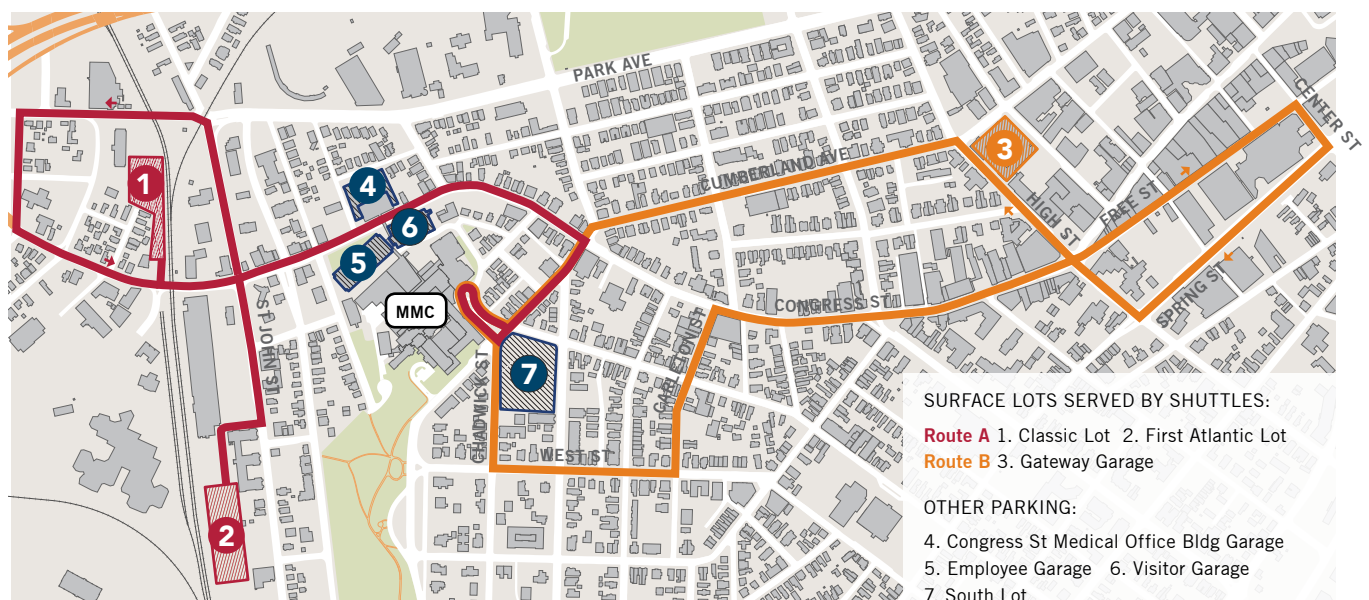
The MMC employee shuttle operates Monday-Friday from 6am to 11pm. The number of shuttles running to off-site parking locations at any given time varies from 1-5 shuttles depending on traffic volume.

These off-site lots fill to capacity on a daily basis.

The employee shuttle service has three distinct routes and schedules:

- A. Service to and from the off-site 1st Atlantic and Classic parking lots runs from Monday through Friday 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.

Fig.3.10 Map of MMC Shuttle Routes A & B.



B. The Gateway shuttle moves employees between the MMC Bramhall campus, the Gateway office building / garage and the MaineHealth home office at 110 Free St. The shuttle leaves every 20 minutes from the south entrance Monday through Friday 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 MMC every 20 minutes from 6am to 4pm.

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

MMC has instituted a shuttle service for contractors from the Classic Parking Lot (993 Congress St) 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 St. 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.

MMC Employee Shuttles: Future Routes

Once the St John St garage is complete and the majority of MMC employee parking is consolidated to that location, a new shuttle route will be established that reduces the amount of traffic around City streets and provides a reliable method of transportation for MMC employees. Future shuttle routes will be determined during the site plan review process.

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:

- The Western Promenade, a culturally significant public park that is listed in the National Registry of Historic Places (NRHP'89, see **Fig.4.1**);
- MMC-owned landscape along Bramhall St 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; and,
- MMC-owned natural area along Gilman St. 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 St.

The Western Promenade, in particular, is a treasured resource for the public, including employees, patients and visitors to the MMC Bramhall Campus. It is a site from which to take in

views of the countryside and the White Mountains. The Master Facility 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.4.2 on page 85 illustrates the location of these natural resources in relation to the proposed short- and long-term projects.

Fig.4.1 MMC IOZ: Relationship to the Western Promenade



Fig.4.2 MMC Environmental Protection and Operations Plan



* NOTE: The exact location, footprint and height of St John St Garage to be determined during detailed design.

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 St, 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. The campus terrain and location of high slopes that contribute to stormwater flows is illustrated on **Fig.4.3 on page 86**.

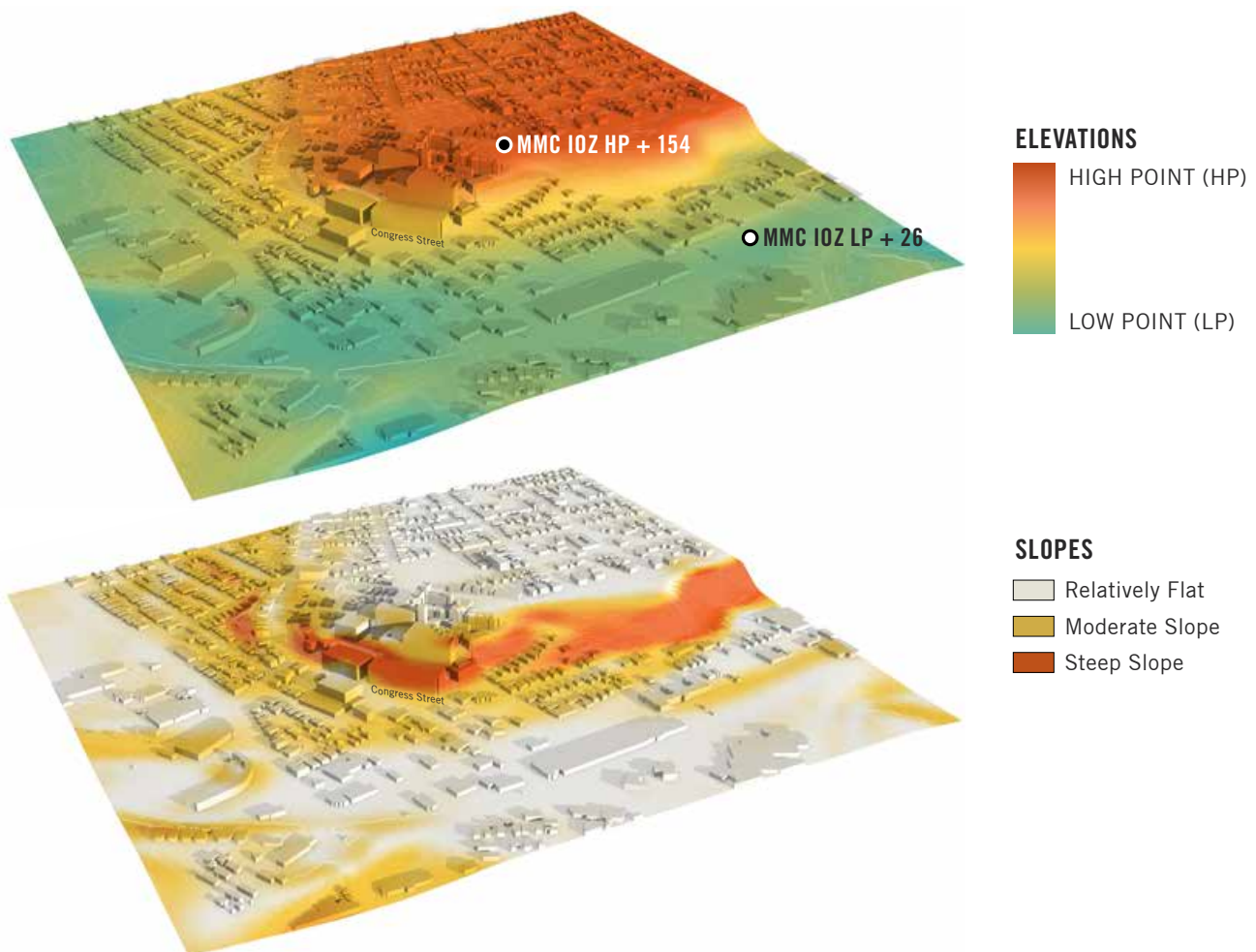
FEMA Floodplains

The 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 consists of flood-prone flats along the Fore River.

EXISTING STORMWATER INFRASTRUCTURE

In general, the campus redevelopment over the last 15 years has collected runoff from parking lots and new rooftops into a separated storm drainage

Fig.4.3 Diagrams Illustrating Elevation and Location of Steep Slopes around MMC Campus
(See **Fig.5.6 on page 106** for a map of existing elevations within the MMC IOZ boundary).



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 drains in A St constructed by the City in 2001 and Gilman St constructed by MMC in 2005.

2004 Improvements

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 St Parking Garage and the Central Utility Plant. To meet stormwater treatment requirements for the expansion, 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 St, Ellsworth St, and Congress St to the separated storm drain in A St. A 6' diameter unit was installed in the Congress St Parking Garage and a 10' diameter unit was installed in Gilman St.

Discharges into the City Combined Sewers

Other locations abutting the campus including Congress, Wescott, Charles, Bramhall, and Bracket Sts are only served by the City's 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.

Detailed information on MMC's stormwater discharges into the City's combined sewer and separated storm water infrastructure is outlined on **Fig.4.4 on page 88.**

FUTURE STORMWATER FLOWS

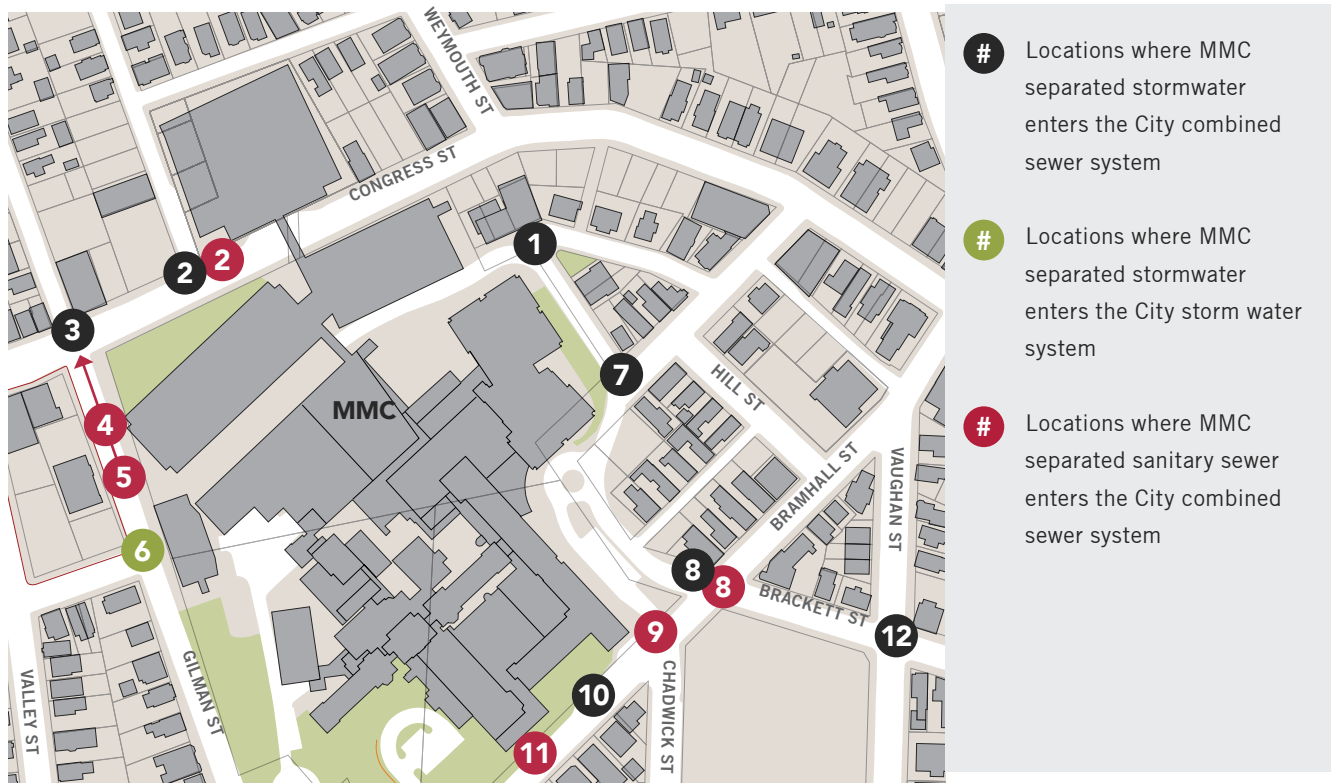
Any development or redevelopment of sites by MMC will be required to meet the City's stormwater management ordinance requirements and mitigate any increases in discharges to the extent practicable.

Projected Impacts of Proposed Development

A high level assessment of short- and long-term projects identified as part of MMC's Master Facility Plan shows no significant change to the amount of impervious surface or peak rate of run-off at the proposed project sites, as outlined below. A detailed discussion about the impacts of any future development will be part of site plan review.

- Proposed vertical additions to existing East Tower and Visitor Garage will not change the amount of impervious surface.
- Replacement of the Employee Garage with the proposed Congress St Development is not anticipated to increase impervious surfaces. The current design of the project site redevelopment includes an extensive green roof component and proposes

Fig.4.4 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, LL. 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.

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. It is expected that the primary post-development stormwater connection will be to the Forest St combined sewer at the intersection of Congress St and Forest Sts..

- 222 St John St is served by a separated stormwater drainage system that travels west under the railroad tracks and past the Cumberland County jail site and Fore River Parkway to discharge to the Fore River. The proposed new parking structure on this property is not anticipated to significantly change the amount of impervious surface or peak rate of run-off.

SANITARY FLOWS INTO CITY COMBINED SEWERS

Issues in areas of the City's stormwater, sewer drainage, and fire hydrant systems in the vicinity of MMC's campus have been identified by City officials but have not been quantified. MMC understands that the site plan review process for individual projects may include measures that minimize new impacts to the combined sewer system. The MMC campus discharges sanitary flows into the City of Portland's combined sewer system at approximately seven locations, as illustrated in **Fig.4.4 on page 88**. 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. We are unaware of capacity issues in the City's existing system at the connection points from the campus to the City sewer system located in the public right of way. Drainage studies completed for the 2004 Bramhall campus expansion and approved through the site plan process did not identify deficiencies at the connection points to the City system.

MMC anticipates increased use of city combined sewers for sanitary flows associated with its short- and long-term projects. The increased sewer flow loads and exact connection locations will be determined during the Site Plan review process as required by the City of Portland:

- The East Tower expansion is anticipated to increase sanitary flows in the combined sewer located at the intersection of Congress and Forest Sts, which connects to the Forest St combined sewer.
- The Congress St Development is anticipated to increase sanitary flows in the combined sewer located at the intersection of Congress and Forest Sts, which connects to the Forest St combined sewer. The Congress St Development may also include a sewer connection that increases sanitary flows into the combined sewer located at the intersection of Congress and Gilman Sts that ultimately discharges to the Gilman St combined sewer.

ENERGY CONSERVATION

CURRENT CONSUMPTION

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.

In calendar year 2016, MMC consumed:

- 411 gallons of oil,
- 1,633,686 CCF of natural gas, and,
- 35,375,765 Kw-Hr of electricity.

CONSERVATION EFFORTS

Central Utility Plant (2008)

In 2008, MMC's 22 Bramhall St 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, with a minor upgrade to the existing systems. The CUP contains state-of-the-art dual natural gas /oil system allowing for switching between oil and gas depending upon price and availability.

Infrastructure Improvements

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.

Future MMC projects are expected to integrate with ongoing major utility initiatives impacting the area including Unitil's Natural Gas SURE project and the City's LED street light conversion program.

Table 5.1 Projected Electricity Demand

		Projected Net Energy Demand	Potential On-Site Energy Production (Rooftop PV)
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	
St John St Garage	Stand-alone project not connected to core campus primary metered system	230 KW	500 KW
Central Utility Plant Expansion	Additional summer cooling demand	1,800 KW	
TOTAL ENERGY DEMAND		4,380 KW	650 KW

Green Buildings

The historic Maine General Hospital incorporated natural light and ventilation as an important part of the healing process. To continue this legacy, new campus buildings will take advantage of natural light, heat, and ventilation to improve building performance while also contributing positively to the healing qualities of patient and family spaces. Specific designs will aim to lower Energy Use Intensity (EUI) beyond the traditional code minimum baseline. Use of industry standards such as LEED will serve as a model for evaluating the sustainability of future MMC buildings.

PROJECTED ENERGY DEMANDS

Each project in the Master Facility 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** above for details). MMC is currently working with Central Maine Power to identify capacity for the projected electricity loads.

The steam loads are met by MMC's CUP and will not impact city infrastructure. The CUP has the capacity needed to service MMC's short-term growth needs. The gas infrastructure has capacity to handle any increases to the current steam load.

OPERATIONAL SUSTAINABILITY

HAZARDOUS WASTE MANAGEMENT

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.4.2**).

MMC's short-term projects are 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 projects.

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 compos 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.

NOISE IMPACT

MMC's Master Facility 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 St. 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 St corridor as opposed to over dense residential areas. MMC will document the noise complaints it receives electronically and at its dedicated noise complaint phoneline at 207-662-6699, and review all such complaints with the neighborhood council as they arise.

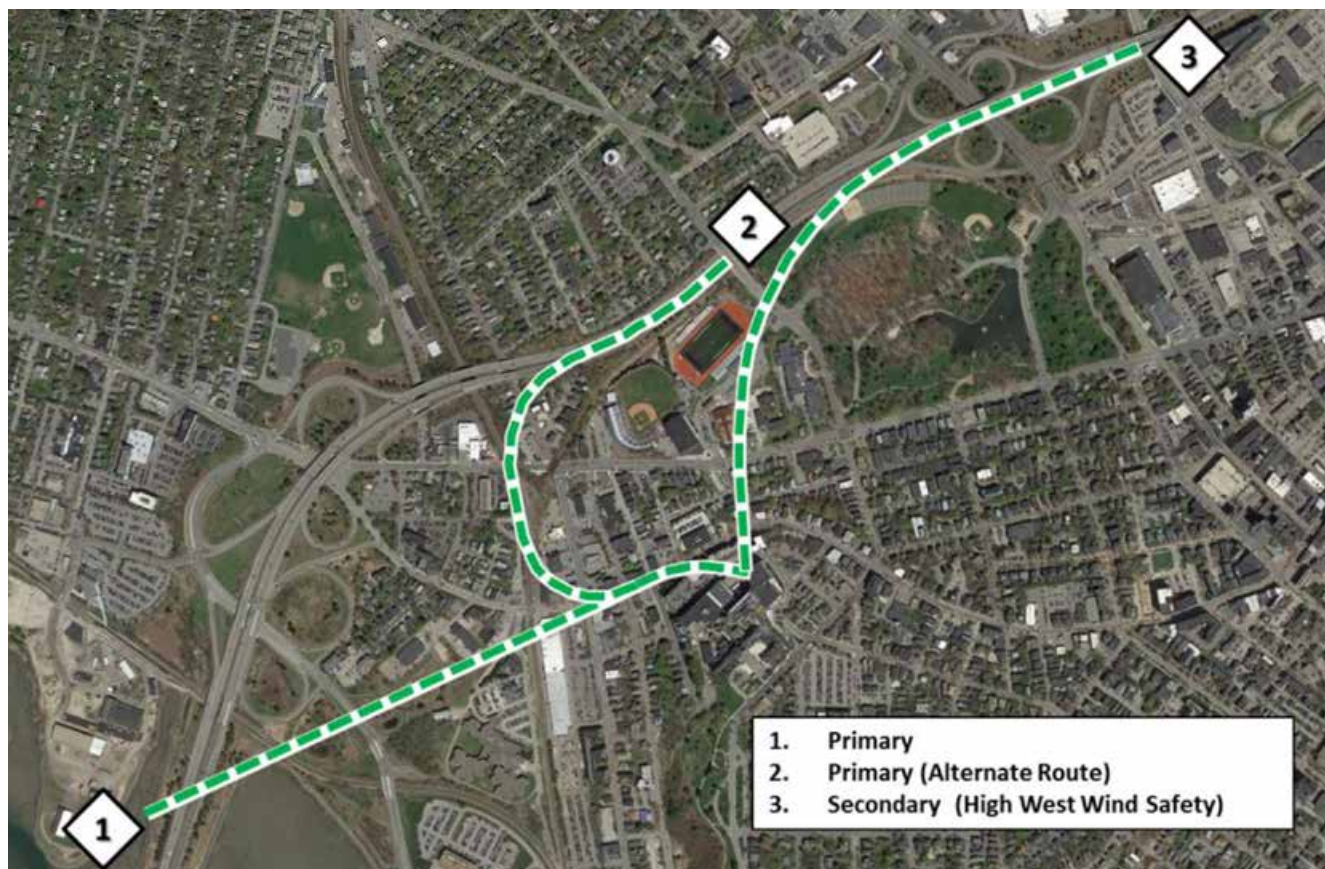
MITIGATING IMPACT OF HELIPAD OPERATIONS

MMC's helipad is currently located on top of the Employee Garage, which is slated for deconstruction in the short-term per MMC's Master Facility Plan (MFP). The MFP calls for a new helipad to be built on top of the East Tower following its planned vertical expansion (see "Short-Term Projects" on page 44).

MMC is in the process of identifying preferred flight routes for the new helipad, to be approved by the City of Portland, that will minimize noise impact of helicopter flights on surrounding residential areas. Initially, such preferred flight routes shall be proposed to the Federal Aviation Administration (FAA) as shown on the flight map (see **Fig.4.5 on page 95**). 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 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

Fig.4.5 Proposed Flight Routes for the new MMC Helipad



NOTE: Path #3 is new and will only be used under high wind conditions if required by the Federal Aviation Administration.

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.

MMC will continue to engage providers of helicopter emergency medical transport who are accredited by the Commission on Accreditation of Medical Transport Systems (CAMTS) or its successor agency (unless special circumstances warrant a non-accredited provider, such as the Air National Guard, US Coast Guard and others), and who operate in compliance with the "Fly Neighborly Guide," third edition (and any subsequent revisions) prepared 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 US military or government aircraft.

Compliance with Helistop Overlay Zone Regulations

Because the proposed helipad location is 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) of the Helistop Overlay Zone.

MMC will continue to honor the following exception to the Helistop Overlay Zone included in the 2005 Conditional Rezoning Agreement (Order 172-04/05):

1. 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.

MMC shall conduct a noise study as part of the site plan process if any changes to the helipad are being proposed, and work to mitigate any potential noise impacts.

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DESIGN

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



DESIGN DRIVERS

The campus transformation of Maine Medical Center (MMC) draws its inspiration from its site, history, programmatic needs and most importantly the desire to create a sense of place. Specifically, the Hospital will reflect its location within Portland and of Maine. Within this framework, the Hospital aims to preserve the historic character of the existing campus yet provide the opportunity for new identities to develop that represent the modern delivery of healthcare and the future of MMC.

Fig.5.1 MMC Campus: Key Design Drivers

COMMUNITY

Positive Patient,
Family & Community
Experience



ADAPTABILITY

Spatial and
Programmatic
Flexibility



HEALING

Spaces that
Promote Healing



A NEW GATEWAY ON CONGRESS STREET

MMC key design drivers and interventions envisioned for the MMC balance the clinical needs of the hospital with the campus' place within the City of Portland. Included is a primary effort to improve the built environment of MMC's campus relationship with its urban context. This is achieved by focusing the new entrance towards Congress St to create an improved presence on the urban edge of the campus. This key intervention improves the visitor and patient experience from arrival to the City all the way to entering MMC buildings themselves. Providing a new entry on Congress St connects a campus entry directly to the existing and expanded visitor parking garage, simplifying the drop-off and parking sequence. This move creates a clear arrival sequence from drop-off, to parking, to movement through the MMC campus.

AN EFFICIENT, WELL-ORGANIZED CAMPUS

The inclusion of a new entry coupled with clear primary circulation along the ground level connects major interior programmatic functions with the site, further reinforcing the wayfinding and activating the building interior and exterior. Engaging with Congress St with a sensitivity to human scale and experience will be the focus of the transition between exterior to interior including transitions from urban to natural environments. This approach extends to vertical connections, both physical and visual, to mitigate the large grade changes that exist on campus and with the surrounding sites. These interventions will provide a positive patient

Fig.5.2 Artists' rendering of new Congress Street entrance, part of the proposed Congress Street Development
(Note: Façade design is subject to change during detailed design.)



and visitor experience as well as improve the surrounding neighborhood.

DESIGN THAT SUPPORTS HEALING

The creation of healing environments is an essential element to the design within the IOZ boundary. This will be achieved through the incorporation of access to and views of nature and natural daylight, which are proven to improve positive patient outcomes within a healthcare environment. Proper location and use of glass and transparency provides connections to the exterior to improve patient, visitor and staff experience but also to further reinforce wayfinding, and activate and energize the streetscape.

A SUSTAINABLE AND RESILIENT CAMPUS

Hospitals are vital partners within the communities they serve. Due to this relationship, design modifications will further improve MMC's status as a resilient campus that provides both a responsive exterior environment and healing indoor environment. Buildings take advantage of natural light and air, coupled with the use highly efficient mechanical systems. These drivers will reduce the energy necessary to operate the buildings, further increasing resilience in the face of unanticipated events.

CONTEXTUAL LANDSCAPE FRAMEWORK

The long-term landscape framework for the MMC campus draws its inspiration from the landscape typologies of coastal Maine reconciled to the site's rich historical and urban context. The campus commands a high promontory adjacent to the historic Western Promenade, and extends down the hill to Portland's bustling main street, Congress. The landscape design will respond to this context with elements that provide transitions between the historic and pastoral to contemporary and urban.

The landscape design at the southern end of the campus is conceived as a visual extension of the Western Promenade's historic landscape design, while the new entrance on Congress St is thought to be a contemporary expression aligned with modern healthcare design. The new entrance on Congress St is contemplated to accommodate ADA-compliant access from the street along with stairs and a vehicular drop-off. The streetscape improvements along Congress St itself will rely on the existing City standards, providing continuity along the length of the street and completing the transition to the urban realm.

The intermediate landscape spaces may be located on the campus to provide the transition between these two primary expressions, with landscapes and outdoor spaces that include courtyards, viewing gardens and green roofs.

NEIGHBORHOOD INTEGRATION

Like many urban medical centers established in the 19th century, neighborhoods have grown up around MMC while the Medical Center has continued to grow. The historically synergistic relationship between MMC and surrounding neighborhoods, commercial corridors and parks is described in detail under "History" on page 10). The growth of MMC in the automobile era brought forward challenges related to traffic and parking that are common to medical centers located in urban settings. These issues continue to be at the forefront of MMC's ongoing dialogue with its neighbors and the City, and are addressed in the "Transportation Plan" section of this document (see page 53). Equally important to the relationship between MMC and its neighbors, however, is the integration of campus buildings, open spaces, and parking lots into the physical fabric of the neighborhoods through careful consideration of location, height / massing, use, and overall design.

As outlined in the introduction to this chapter, improving the interface between campus and community was an objective of the MMC Master Facility Plan. The new hospital building proposed in the short-term will transform MMC's frontage on Congress St, which was previously defined by parking structures only.

During the IDP process, the City of Portland encouraged MMC to look beyond its limited zoning boundary to identify areas for potential long-term growth. MMC has worked with abutting land owners

Fig.5.4 MMC IOZ Development Zones



Fig.5.3 Concept Diagram: Height Transitions for Hospital Campuses

and the City to identify key parcels contiguous with its core campus that can accommodate potential expansion of healthcare-related or supporting uses in the long-term (see **Fig.5.4**).

A majority of these are under-developed parcels on either side of Congress St—an area envisioned for transformation into a new gateway node in the City's Comprehensive Plan (see **Fig.1.8 on page 27**). Nearby but non-contiguous parcels along St

John St were identified to accommodate additional supporting uses, and in particular, the potential for a future employee parking deck.

The following sections summarize MMC's methodology for identifying an appropriate height envelope for these future development zones that will ensure appropriate integration with and transition into adjoining neighborhoods.

DETERMINING MAXIMUM HEIGHTS: OVERVIEW OF METHODOLOGY

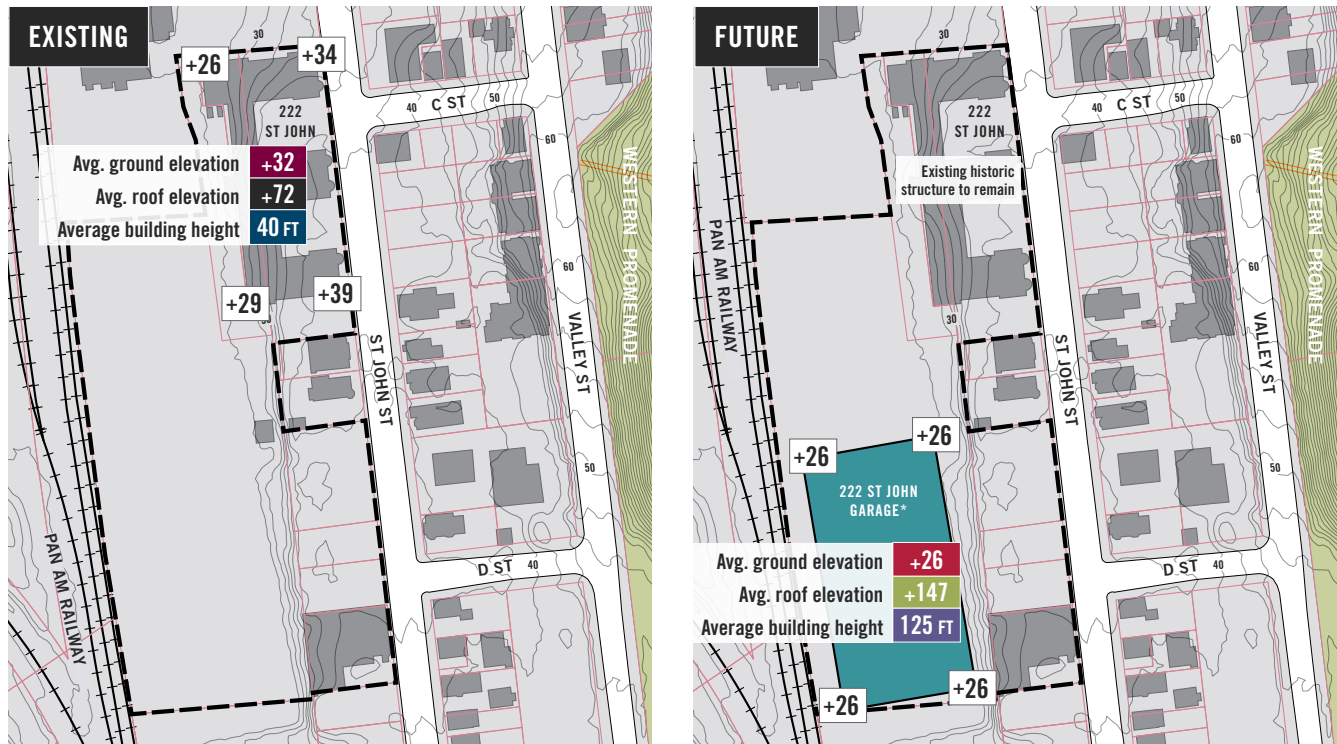
MMC has used a multi-part methodology to determine the appropriate height profile for potential future development within the IOZ boundary:

1. Project Definition. The Master Facility Plan has identified heights for short- and long-term projects that reflect MMC's campus modernization needs. These approximate heights, which are expected to be refined through detailed design, were taken as a starting point to determine maximum heights for the proposed building sites.
2. Urban Design Analysis. Heights for zones that are not identified for specific projects were determined using context-sensitive urban design best practices from urban hospital campuses and health districts around the US. These included:
 - » Enabling larger and taller buildings within the campus core while providing height transitions to the scale of residential and historic neighborhoods along campus edges (see "Transitional Zones" **page 110**);
 - » Testing future development blocks for a variety of uses appropriate for mixed-use health districts to identify heights that accommodate desired uses; and,
 - » Using computer-generated shadow analysis of existing versus proposed height profiles to minimize potential shadow impacts of future development on adjoining public spaces and properties (see "Minimizing shadow impacts" **page 122** for details).
3. Slope Analysis. A 3D terrain model was used to optimize maximum heights based on the average grade of each building site and/or development zone within the IOZ.
4. Visioning. MMC has worked with the City of Portland planning staff to identify maximum and minimum heights and number of stories for new development along Congress St that can provide "gateway" experience that is called for in the City's Comprehensive Plan. The target heights have been identified as 75 feet (6 stories) maximum, and 3 stories minimum along Congress Street. (Note: Actual heights listed vary depending on the average slope within each block).

The resulting future height profiles, which are the basis of the maximum heights requested in the Regulatory Framework, are illustrated in **Fig.5.5** through **Fig.5.9**, along with the existing height profiles for ease of comparison.

The regulatory framework also identifies the maximum number of stories allowed within each

Fig.5.5 Existing and proposed future heights for long-term development parcels along St John Street



* NOTE: The exact location, footprint and access to St John Garage to be determined during detailed design.

LEGEND

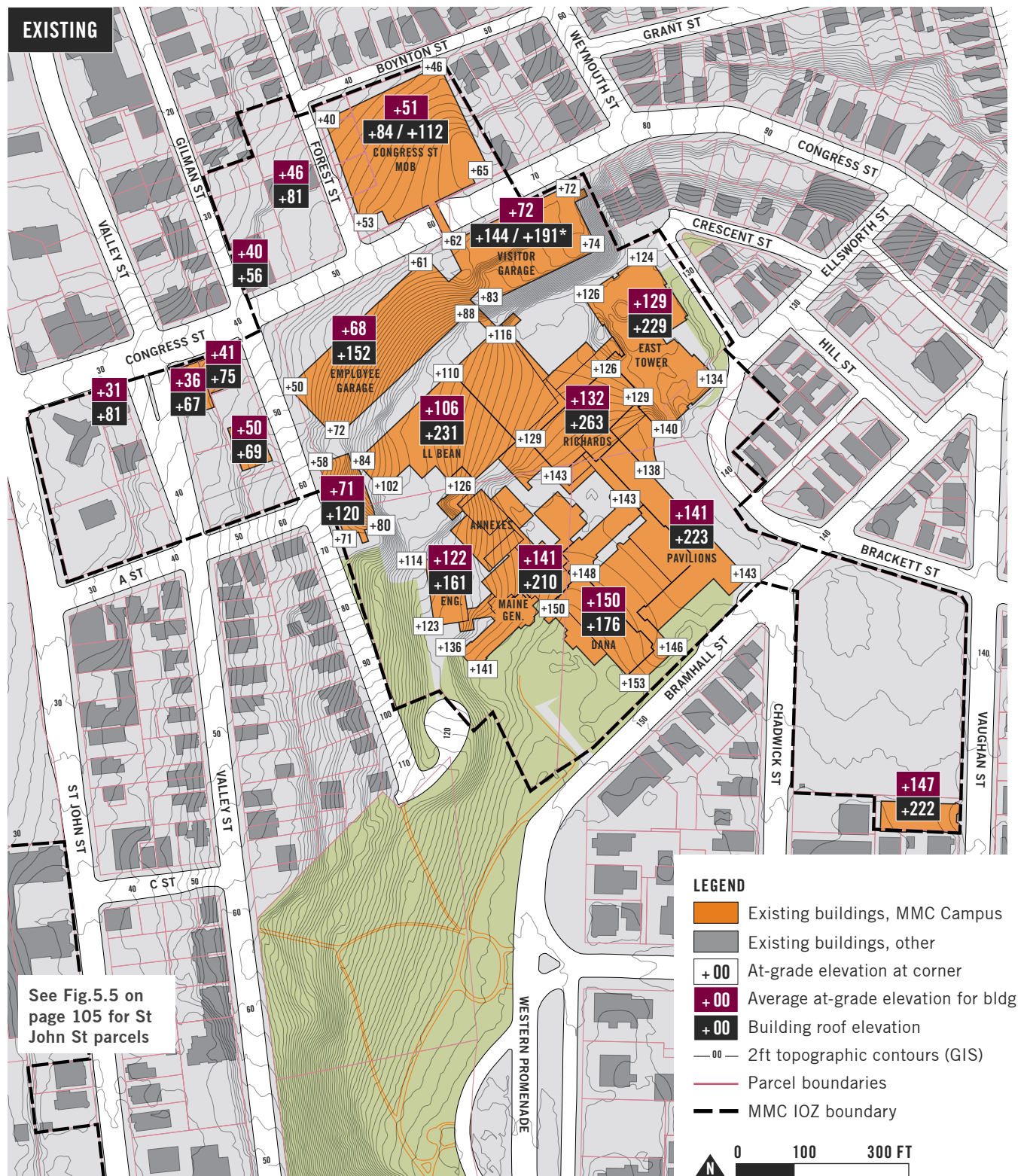
- MMC Short-term projects
- Existing buildings, other
- +00 At-grade elevation at building corners
- 2ft topographic contours (GIS)
- Parcel boundaries
- MMC IOZ boundary



height zone, which are based on a minimum floor-to-floor height of 10ft for allowed uses. Floor heights of actual buildings will vary widely based on program use, and can exceed 20ft for intensive healthcare uses.

A 3D rendering of the maximum height envelopes requested in the Regulatory Framework can be seen in **Fig.5.14** on page 114.

Fig.5.6 Existing Structures within IOZ: At-Grade and Rooftop Elevations



* Height of existing elevator tower on the Visitor Garage, excluding mechanical room on top of tower.

Fig.5.7 MMC Long-Term Development Vision: At-Grade and Rooftop Elevations

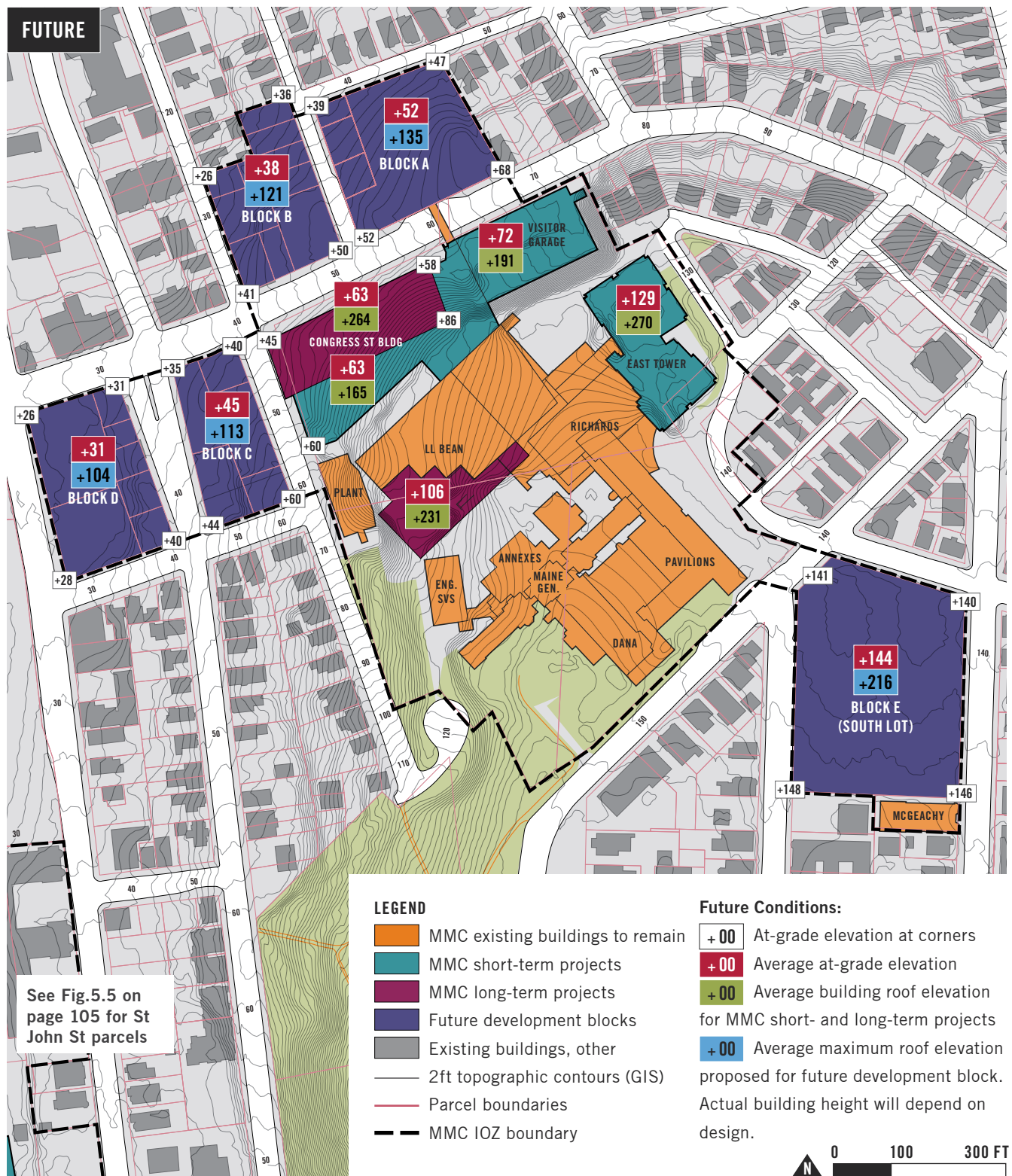
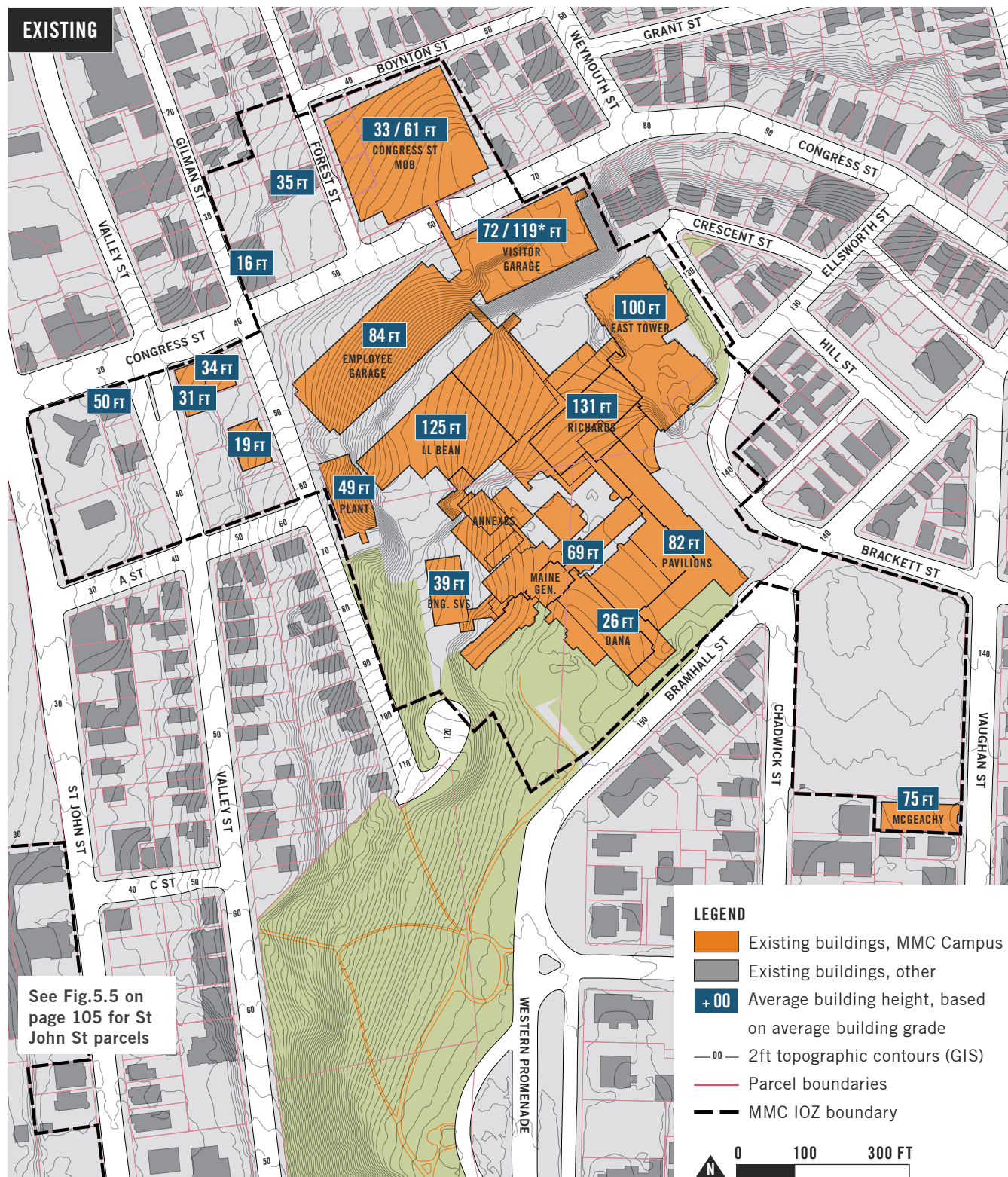
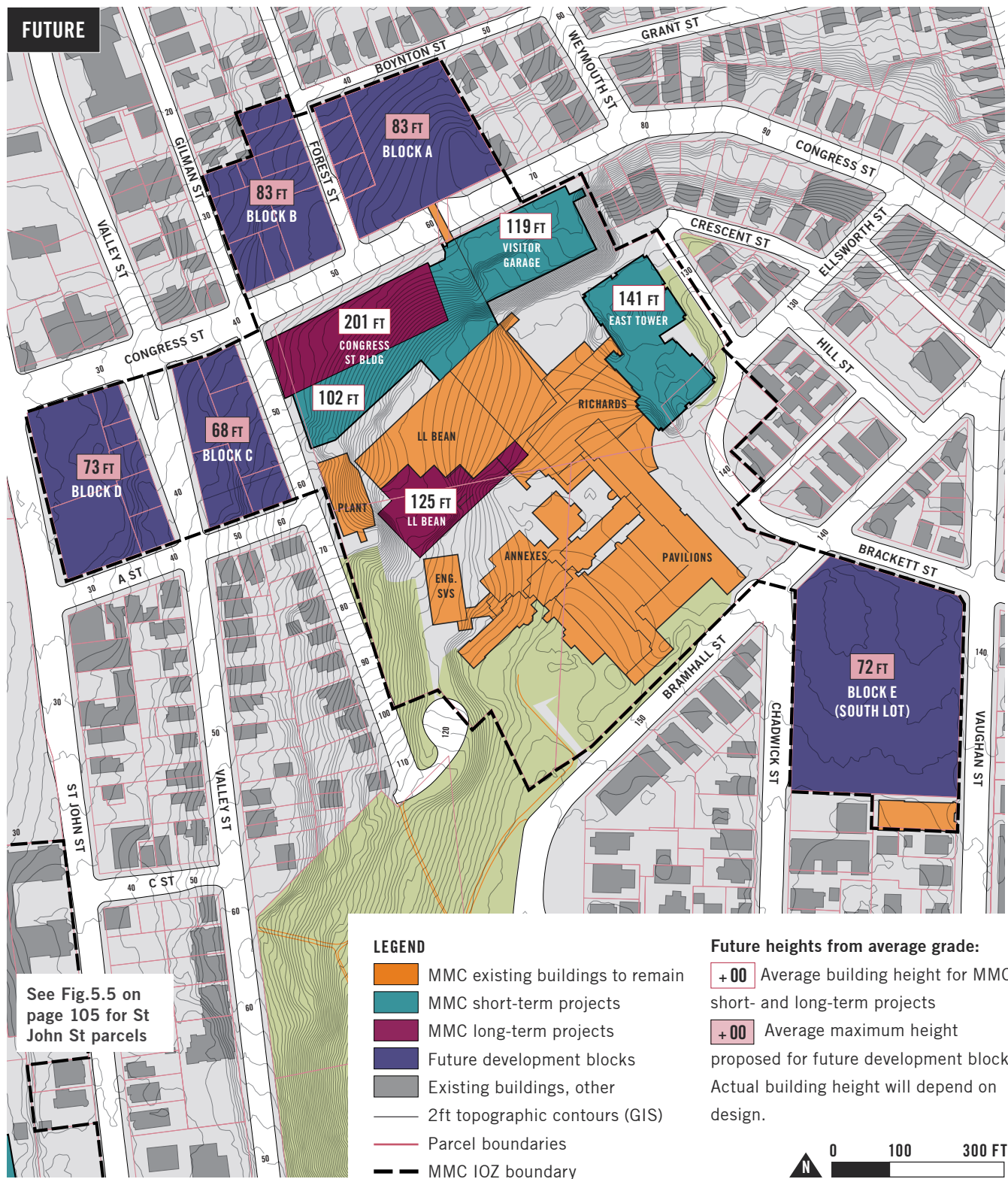


Fig.5.8 Existing Structures within IOZ: Average Building Heights at Average Grade



* Height of existing elevator tower on the Visitor Garage, excluding mechanical room on top of tower.

Fig.5.9 MMC Short- and Long-Term Projects: Average Building Heights at Average Grade



TRANSITIONAL ZONES

In accordance with urban design best practices, MMC has identified "transitional zones" along the edges of the IOZ boundary that abut residential zones where the height of new development can step down to better integrate with the character of local residential streets and neighborhoods. A diagram illustrating this concept is shown in **Fig.5.10** below. The location of specific transitional zones within the IOZ is illustrated in **Fig.5.11** on the following page.

Transition zones are designed to create a consistent scale of development on either side of a given public street. To achieve this goal, most transition zones dictate a height limit matching the maximum height allowed by the zone across the street. The

specific depth of the transition zone where the height limit applies is typically determined by using the "transitional height plane" test whereby a 45° angle line is extended inward from the maximum height line. This test ensures that taller structures on the inner side of the parcel do not negatively impact views from the public street whose character is being preserved.

MMC has used this widely accepted practice to identify and set a 50-ft depth to transition zones illustrated in **Fig.5.11** and required as part of the Regulatory Framework. Diagrams illustrating the testing of key MMC IOZ transitional zones with the "transitional height plane" are included on the following pages.

Fig.5.10 Transition zones: concept diagram

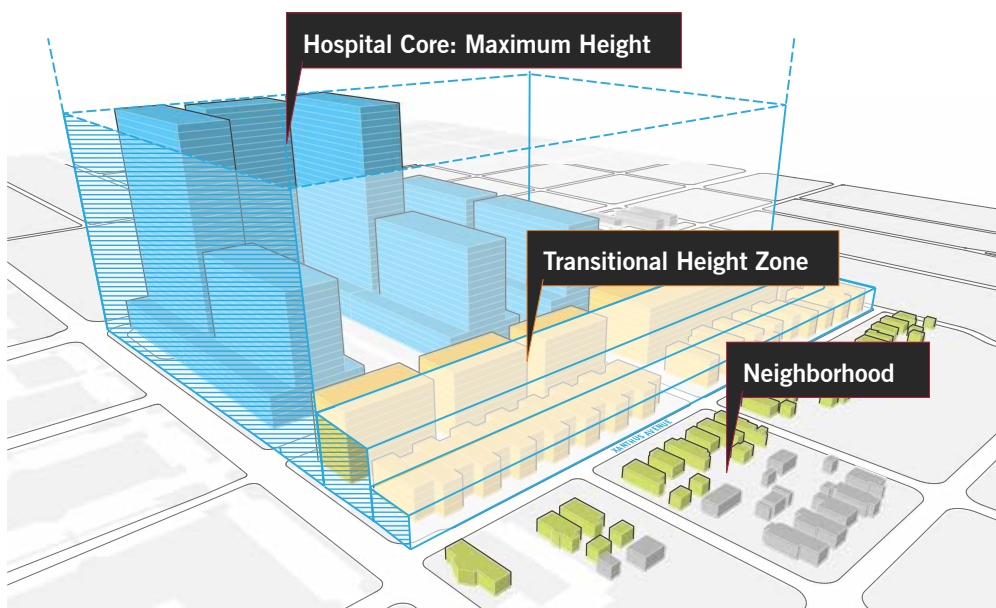


Fig.5.11 Map of proposed transitional zones within MMC IOZ

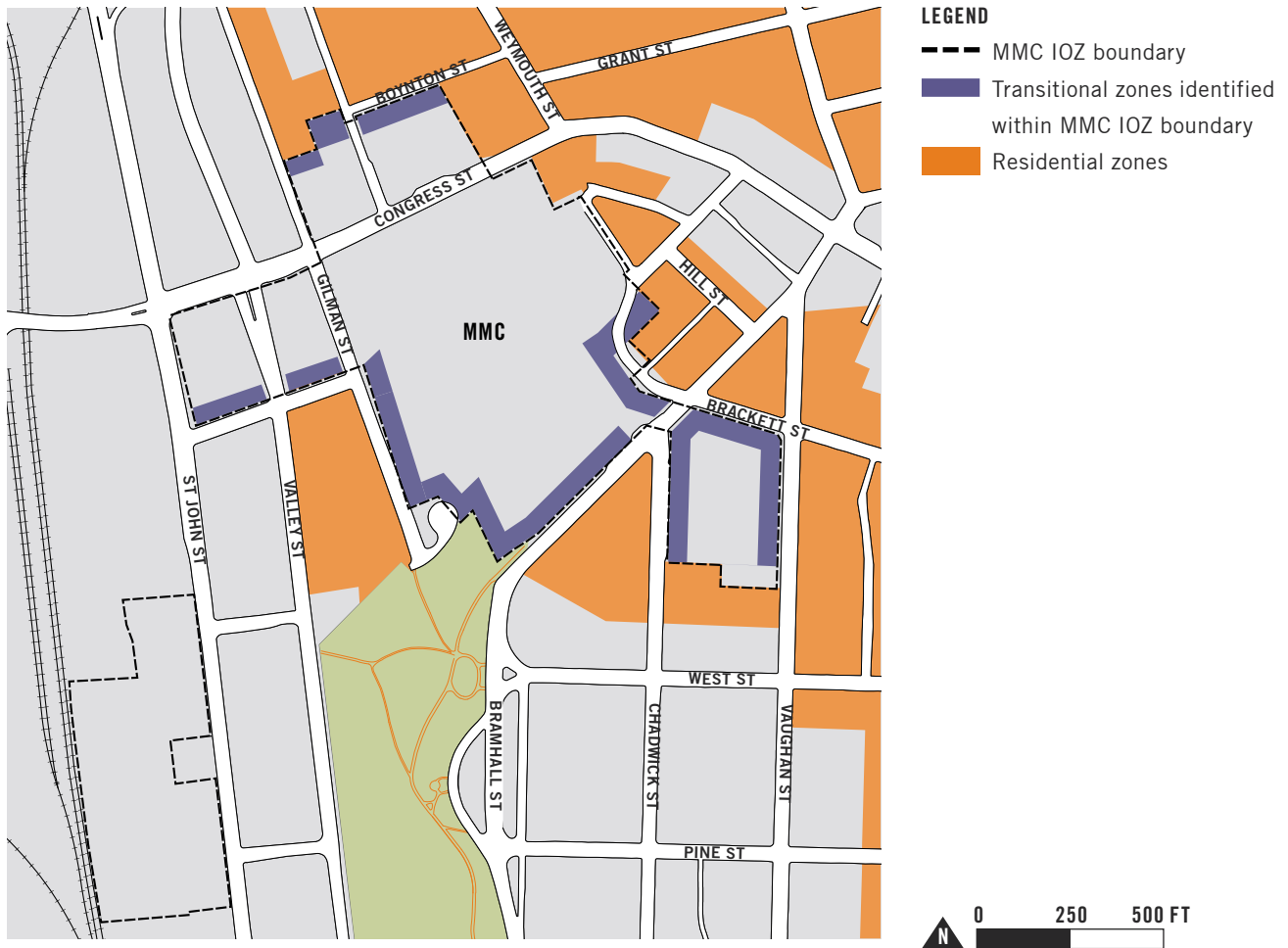
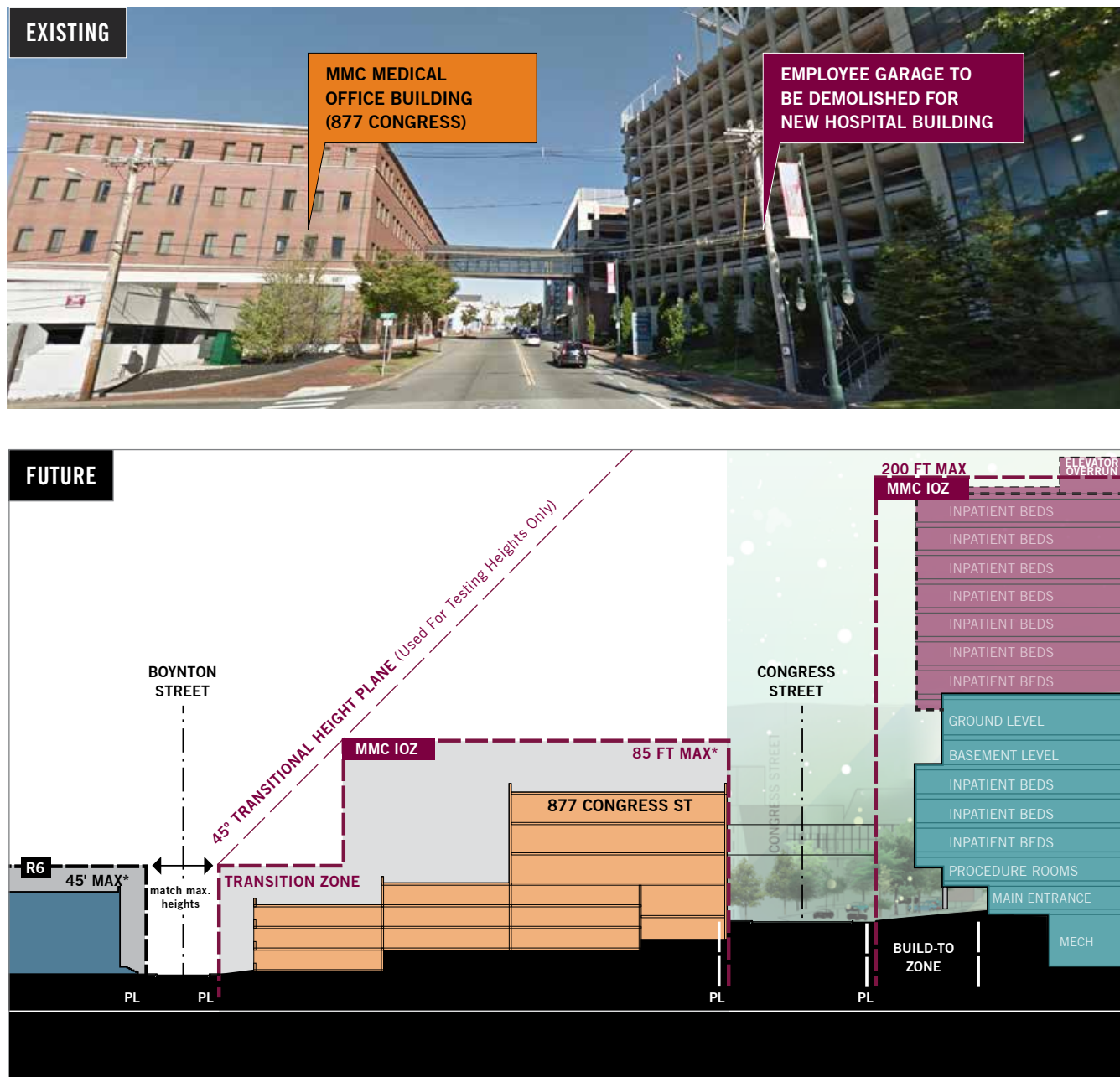
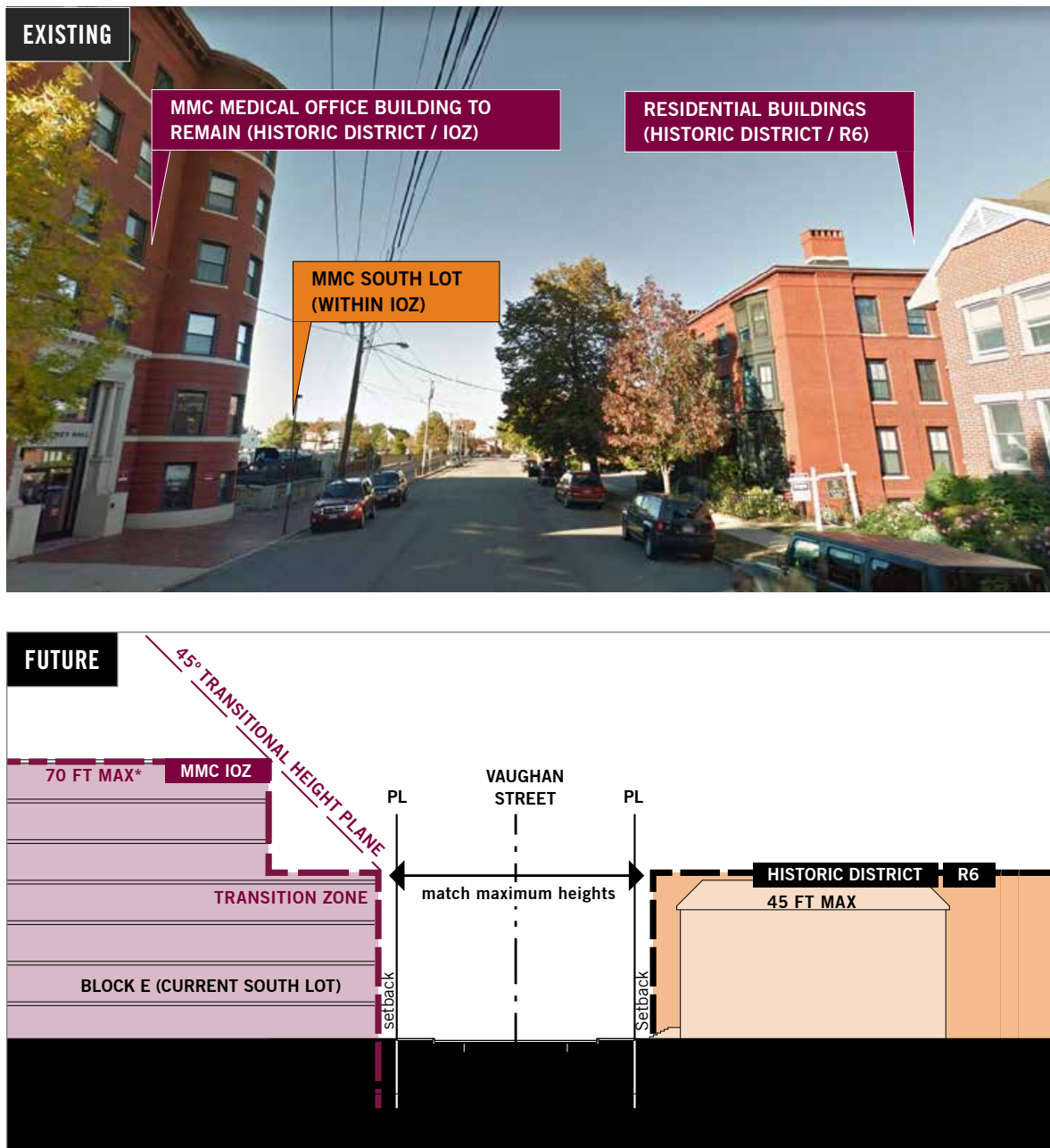


Fig.5.12 Cross-section illustrating height transition from MMC IOZ to Boynton St residential zone north of Congress St



* Average maximum height needed to provide a 75-ft tall structure along Congress St given changes in topography across this site. See "Determining Maximum Heights" on page 104 for details on methodology.

Fig.5.13 Cross-section illustrating height transition from future development Block E (South Lot) within the MMC IOZ to the West End Historic District on Vaughan Street



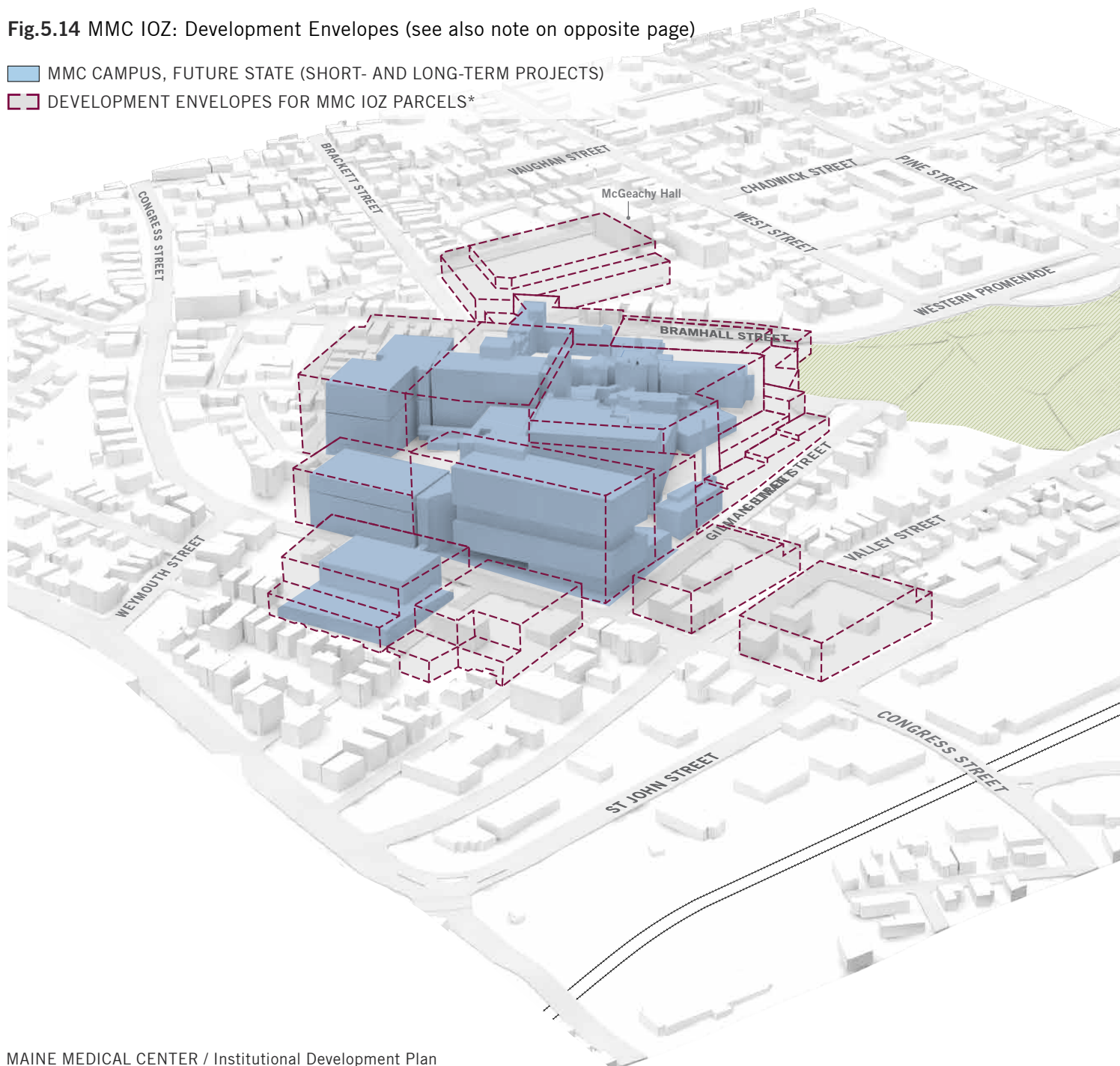
* Average maximum height needed to provide a 75-ft tall structure along Congress St given changes in topography across this site. See "Determining Maximum Heights" on page 104 for details on methodology.

LONG-TERM DEVELOPMENT ENVELOPES

While MMC's Master Facility Plan does not identify specific projects other than those listed on the previous pages (see Fig.2.7 on page 42), all parcels included within MMC's IOZ boundary are considered to be potential zones for redevelopment that supports the effective delivery of healthcare services by MMC to our community in the long-term. Towards this end, MMC has identified context-appropriate uses (see **Table 5.1** at right), development envelopes and design criteria for all IOZ parcels.

Fig.5.14 MMC IOZ: Development Envelopes (see also note on opposite page)

- MMC CAMPUS, FUTURE STATE (SHORT- AND LONG-TERM PROJECTS)
- DEVELOPMENT ENVELOPES FOR MMC IOZ PARCELS*



NOTE: **Fig.5.14** illustrates the maximum height envelopes listed in the MMC IOZ Regulatory Framework. Per the IOZ, the development envelopes only apply to properties that MMC holds right, title, or interest at the time of development. All future development within the IOZ boundary is subject to review for compliance with guidelines and requirements included in MMC's IDP, Regulatory Framework and City of Portland site plan review requirements.

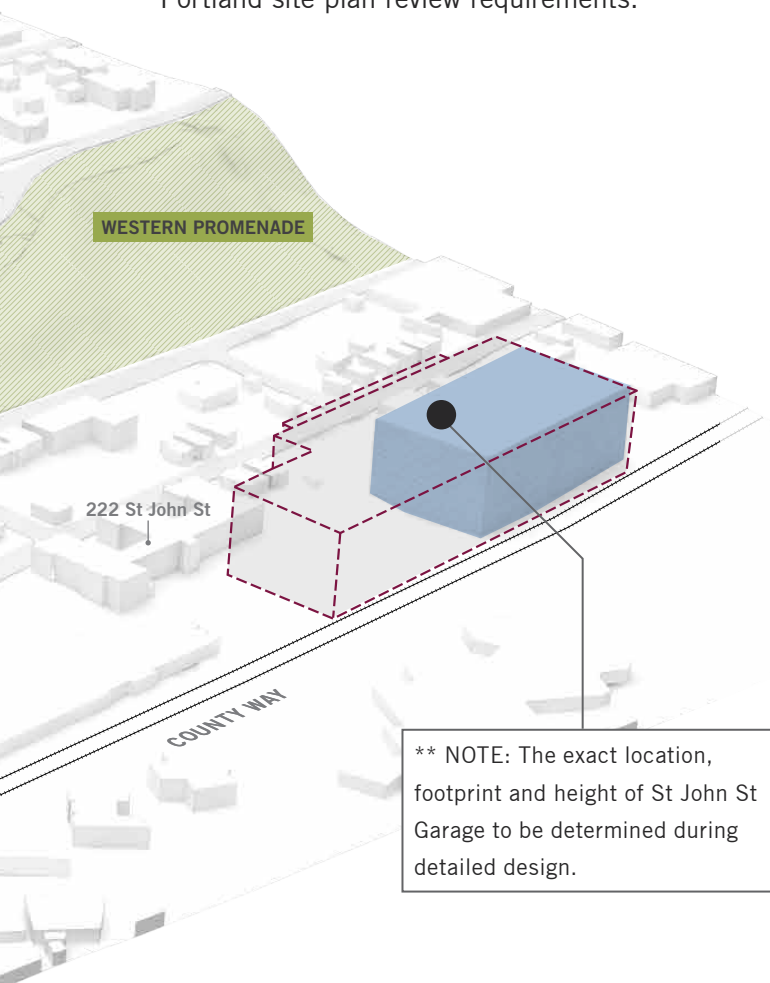


Table 5.1 MMC Potential Future Uses

MMC may locate the following uses within its IOZ boundary:

In addition to the uses permitted in the underlying zone, the following uses are permitted as a matter of right:

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

- Hospital
 - Medical Office / Clinic
 - Laboratory Center / Services
 - Research and Development (R&D) Laboratory or Facility
 - Educational Facility / Conference Center
 - Administrative / Business Office
 - Accessory Service or Trade Uses
 - Guest House
 - Multi-family housing for healthcare staff and students
 - Rehab / Skilled Nursing Facility
 - Retail Facility
 - Restaurant / Café
 - Employee Service Amenities
 - Day Care Center
 - Fitness Center or Gymnasium
 - Parking Lot
 - Parking Garage
 - Bicycle Storage
 - Heliport
 - Antenna Station
 - Outdoor use areas, such as green areas, parks, gardens, art installations, and other active and passive non-commercial recreation spaces
-

DESIGN GUIDELINES

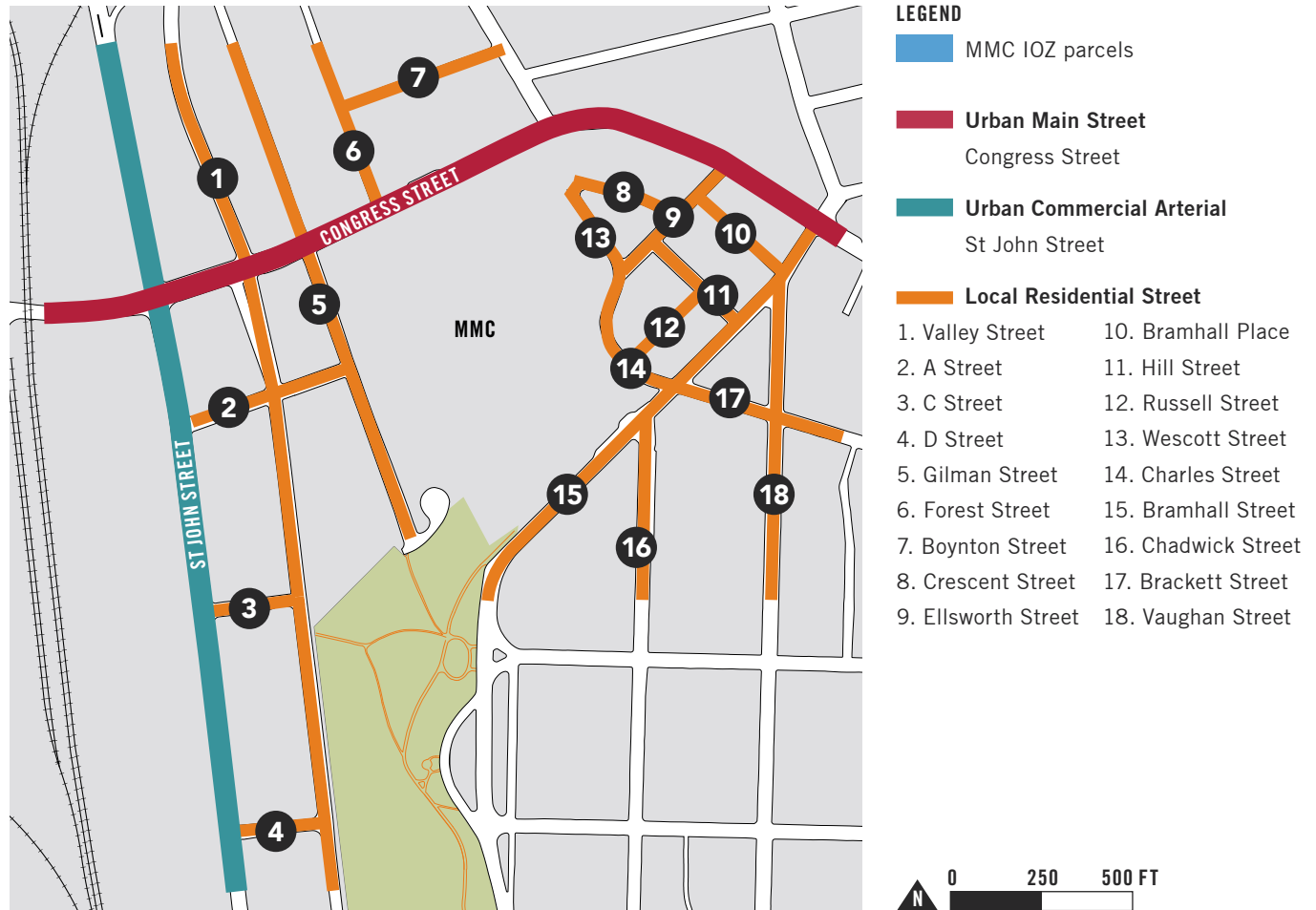
MMC has collaborated with the City of Portland planning staff and sought input from its neighbors to create context-specific "Design Guidelines" for future development within the IOZ boundary. These Guidelines, which are outlined below, are informed by design best practices seen in Portland, and in and around urban hospitals across the US; from City staff recommendations; and from information presented by neighbors in the various public forums held by MMC. They are intended to assist future development in the IOZ to meet the goals and vision for the MMC campus and create context-sensitive buildings.

GENERAL GUIDELINES

MMC will follow these general guidelines for building design within the IOZ boundary:

1. New buildings will be designed to contribute to the campus vision and organizational goals identified in the Master Facility Plan and the Transportation Plan (see Chapters 2 and 3), and best practice design standards for healthcare.
2. The overall composition and experience of the campus will be considered for cohesive identity from approaches along Congress St and I-295.
3. Building entrances will be oriented toward, located adjacent to, or accessible from, a sidewalk in a public right-of-way to create a pedestrian-oriented environment.
4. Buildings designs will relate to and be compatible with the existing, or—in areas of change—planned character of residential and commercial neighbors. Design elements and characteristics to consider include:
 - » Building placement and relationship to the street
 - » Overall massing and scale
 - » Roof forms
 - » Proportion, directional expression, and composition of facades
 - » Rhythm of solids to voids
 - » Rhythm and proportion of openings
 - » Rhythm of entries and projections
 - » Relationship of materials, texture, and color
5. Façade materials of buildings will be of high quality, and contribute to an attractive public realm.
6. The design process will consider long views of new buildings including roofs and associated structures to minimize visual impacts and provide visual interest. Rooftop appurtenances will be either screened from view or integrated into the building design, and will not be visible from adjacent streets, Western Promenade, or the Congress Street approach. (The helipad cannot be screened for safety reasons.)
7. Vibrant, contributing and sustainable active ground floors will be provided, as possible, to add activity and a sense of

Fig.5.15 Typologies of Public Streets in and around MMC IOZ



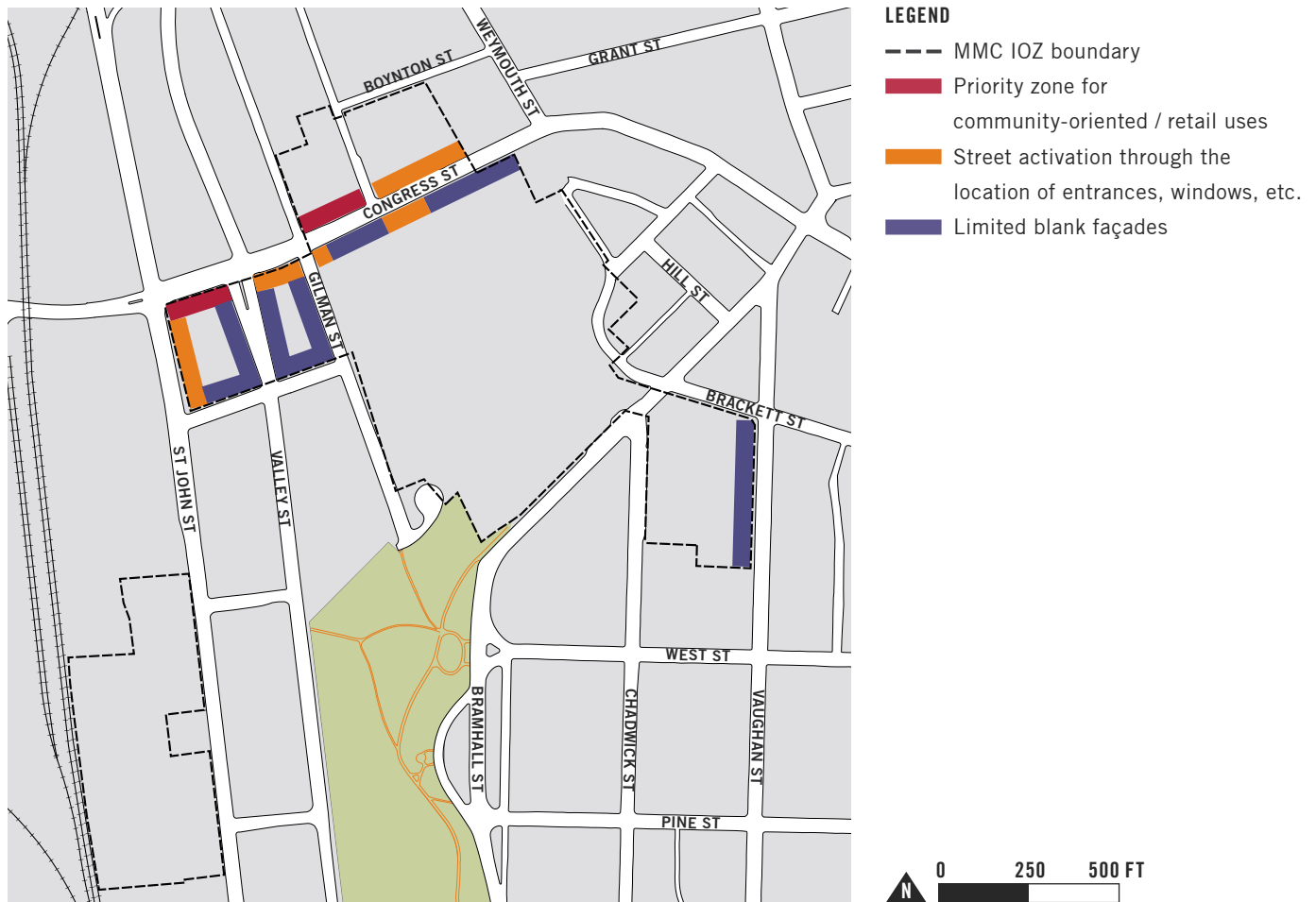
place to the priority node identified in the City's Comprehensive Plan. **Fig.5.16 on page 118** illustrates zones along Congress St deemed to be most suitable for community-oriented uses / retail.

8. In areas where the occurrence of limited blank façades along public right-of-ways are unavoidable due to changes in topography or building use

requirements, the following strategies will be used to mitigate visual impact:

- » providing elements of visual interest along any blank walls facing public streets, and,
- » working with the City of Portland to ensure adequate lighting of public sidewalks to create a safe pedestrian experience.

Fig.5.16 on page 118 illustrates potential locations of blank walls within the IOZ boundary.

Fig.5.16 Frontage: Types of Activation

9. Any parking structure within the IOZ will:

- » screen views of cars from public rights-of-way;
- » provide elements of architectural interest on upper floors to contribute positively to long views and gateway approaches; and,
- » for garage structures within 20' of the public right-of-way, meet street activation intent according to street

type (see **Fig.5.16** above).

BUILDING RELATIONSHIP TO PUBLIC STREET

In walkable urban environments, buildings are designed with pedestrian scale and uses in mind. Buildings contribute to the public realm through the siting and design of street-facing façades, and of lower floors that engage with street-level activity.

A building's relationship to a public street should be informed by the typology of that street, which in turn is defined by the character of existing or planned development lining the street. MMC has identified three distinct typologies of streets within the MMC's IOZ boundary (see **Fig.5.15 on page 117**). Design guidelines for future redevelopment along these street types are outlined below.

1. Urban Main Street (Congress Street)

Congress St is considered by many to be Portland's "main street". The winding street is defined by "zero-lot line" developments that border the sidewalk, and a series of civic monuments and squares distributed along its length. The IDP planning process has identified an opportunity to extend this "main street" feel from the emergent Bramhall Square (at Bramhall and Congress Sts) all the way to the railroad crossing where Congress St emerges from the influence of the I-295 interchange. MMC aims to contribute positively to the regeneration of Congress St in this area by ensuring orderly redevelopment of abutting IOZ parcels.

MMC buildings abutting Congress St will be designed to:

- provide urban-levels of density;
- create an urban street wall that provides a sense of enclosure to the public realm;
- have their primary orientation towards Congress St;
- activate the public sidewalk with building entrances, lobbies, etc.;
- to the extent possible, given programmatic needs, provide visual interest and ensure pedestrian safety with views into and out of the building along the public sidewalk; and,
- to the extent possible, given programmatic needs, provide space for community-oriented uses such as services or retail that can be shared between MMC users, neighbors and the broader Portland community.

The topography and orientation of Congress St in this zone, however, poses significant challenges to achieving some of these design goals. The steady, steep climb of the street makes it impractical for large footprint buildings to align ground floor windows with the rising profile of the sidewalk (see **Fig.5.6 on page 106** for an analysis of building ground elevations). The east-west orientation of the street, combined with the more than 50-ft rise of Bramhall Hill south of Congress St, makes it challenging to provide an urban street wall that does not shade Congress St for most of the time

(see shadow studies on page 124). To the extent possible, MMC buildings will utilize the general guidelines related to blank façades to mitigate these conditions (see page 117).

In addition to the guidelines listed above, buildings that have frontage on Congress St and that include parking components will activate portions of or place liner buildings along the ground floor facing Congress St. MMC has no plan to develop a stand-alone garage on Congress St as of the date of this IDP.

2. Urban Commercial Arterial (St John Street)

St John St is a significant arterial linking vehicular traffic between I-295 / Park Drive / Congress Street to the north, and Veterans Memorial Bridge / W Commercial Street to the south. The commercially-zoned street is flanked by a wide variety of uses that hint at its railroad-era origins (warehouses and workers' homes) as well as its current-day arterial use (strip centers and fast food restaurants). While it has some elements of a walkable street such as sidewalks and on-street parking, large stretches of the street prioritize the car with frequent curb-cuts, and street-facing parking lots.

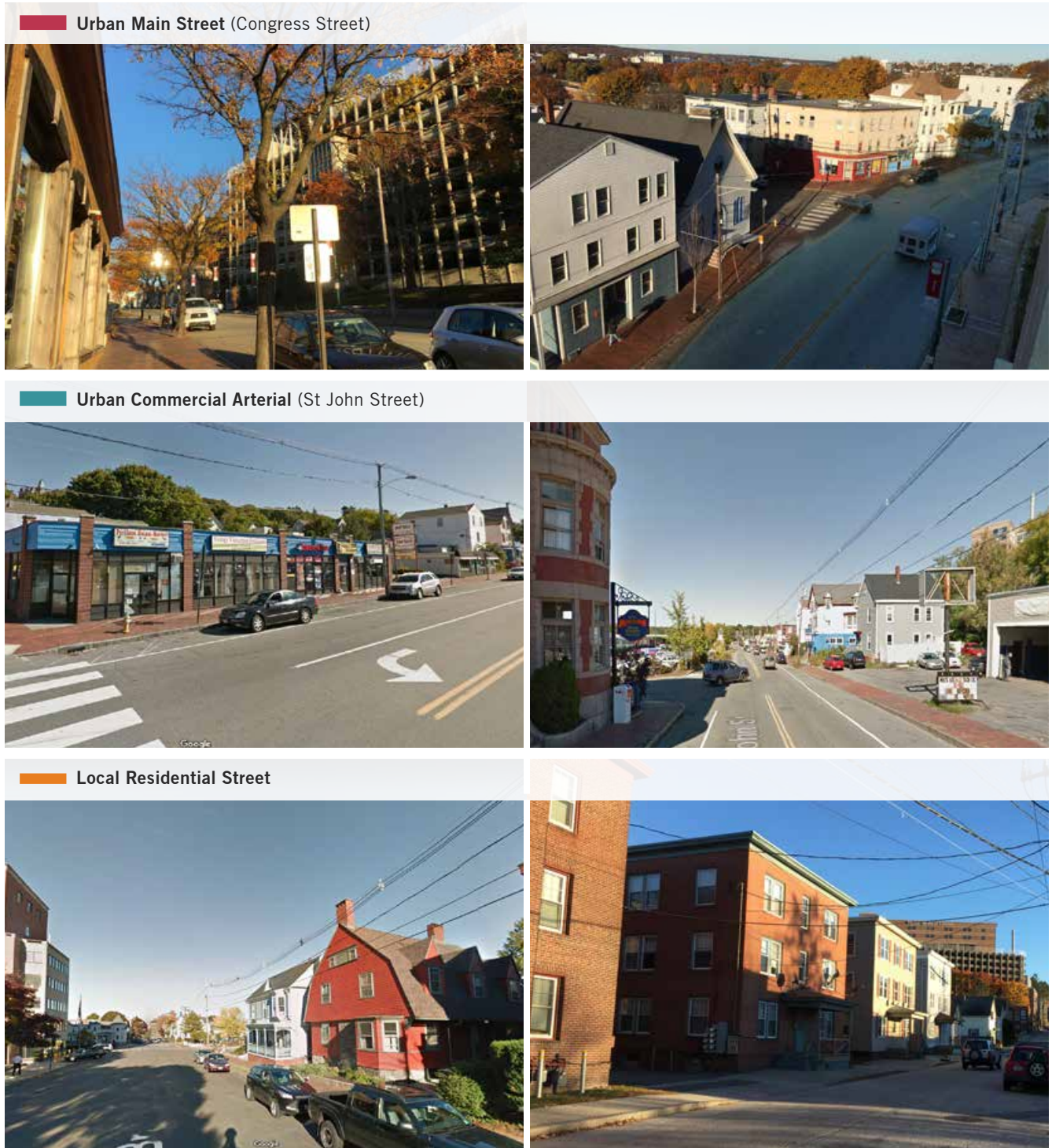
MMC's IOZ boundary abuts St John Street between Congress and A Streets. MMC envisions this block to be redeveloped, in the long-term, in accordance with the Congress St design guidelines outlined on the previous pages. The new development will aim to provide architectural definition to the corner of

Congress and St John Streets, and—to the extent possible—extend the character developed for the Congress St frontage along St John St.

3. Local Residential Street

The MMC IOZ boundary is crossed by and abuts a number of local streets that are lined with a wide variety of residential structures ranging from 3-4 story multi-family apartments on Boynton St to single-family mansions along the Western Promenade. During the IDP process, MMC has worked with the City of Portland planning staff, the Planning Board, and neighborhood representatives to identify a balanced approach to redevelopment along local streets that provides appropriate height transition from institutional to residential character. This approach is outlined in detail under "Transitional Zones" on page 110.

Fig.5.17 Photographs illustrating existing character of streets in and around the MMC IOZ



CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

MMC aims to create a safe environment for all in and around its campus. MMC will incorporate the following design strategies that have been demonstrated to deter crime:

- Providing a clean and aesthetically pleasing campus environment that is designed with vandal-resistant materials
- Providing clear and properly-sized signs in safe locations to ensure safe wayfinding
- Ensuring that paths from transit stops, bike storage areas, and parking areas to main pedestrian entrances are well-lit, with clear sight lines
- Designing street-level elevations to minimize potential hideouts
- To the extent possible, given clinical program demands, providing views in and out of building ground floors populated by users to serve as "eyes on the street"
- Generating foot traffic on public sidewalks with pedestrian entrances

MITIGATING IMPACTS THROUGH DESIGN

MMC is committed to addressing any perceived negative impacts that campus development may have on adjoining neighborhoods. This includes actions to mitigate impacts of daily campus operations, which are discussed under "Operational Sustainability" on page 93. A plan for mitigating construction impacts is outlined, along with a plan for continuous neighborhood input and engagement, in the "Neighborhood Engagement" chapter on page 128. This section summarizes strategies that may be used, as appropriate, to minimize negative impacts of proposed new development.

Minimizing Shadow Impacts

In order to understand the potential shadow impact of proposed campus projects on surrounding properties, MMC has prepared detailed shadow studies during the Master Facility Planning process (see **Fig.5.18** through **Fig.5.21** on the following pages). The overall building heights were kept to a minimum to minimize shadow impacts in areas such as Congress St where street alignment and topographic changes contribute to longer shadows. The proposed Congress St Development (see "Short-Term Projects on page 44) was pulled back from the street to the extent possible to minimize this impact, while also providing a more generous public sidewalk that supports pedestrian activity in front of this new gateway structure.

Context-Sensitive Lighting Design

The location and context of buildings are considered in the design of artificial lighting for new development. While a majority of this work is completed later during the design process and presented during Site Plan review, MMC has already incorporated some preliminary concepts related to lighting intensity into its Master Facility Plan. A key example is the concept design for the Congress St Development, which is intended to animate the Congress St frontage 24/7 with light emanating from its glazed circulation and waiting areas facing the street on the lower floors.

Mitigating Wind Impact

Upon final design of applicable site plans, MMC 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 to minimize any wind impacts created by the mass of new development.

Preserving and Enhancing Viewsheds

MMC understands the significance of historic and gateway viewsheds to the Portland community. The Maine General Hospital, a landmark civic building situated atop a hill, was designed to complement the sweeping views of the Fore River from the Western Promenade. Likewise, MMC will design new buildings along Congress St to provide an aesthetically pleasing gateway experience for all entering into the peninsula at this point.

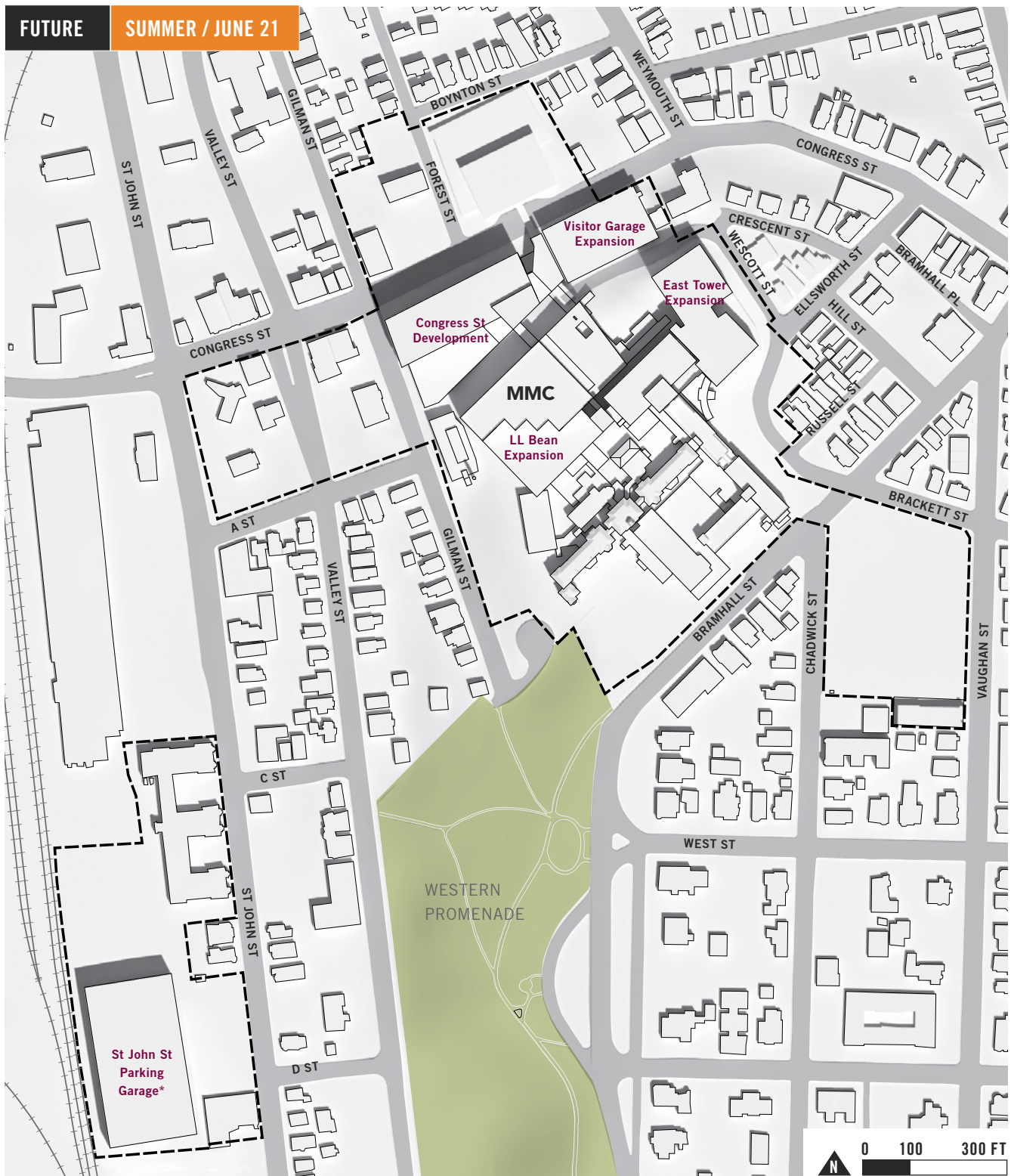
MMC embraces the historic Western Promenade as a site from which to take in views of the countryside and the White Mountains, and a valuable open space amenity for campus users as well as for the broader community.

MMC has met with the Parks Department to review the potential impact of the proposed 222 St John St Garage to public views from the Western Promenade towards the White Mountains, and will work to mitigate potential impacts through design. MMC will also work to minimize potential impacts to the Maine Central Railroad Building as a designated historic landmark.

Fig.5.18 Computer-generated shadow study / Existing conditions on June 21, noon



Fig.5.19 Computer-generated shadow study / Proposed long-term projects on June 21, noon

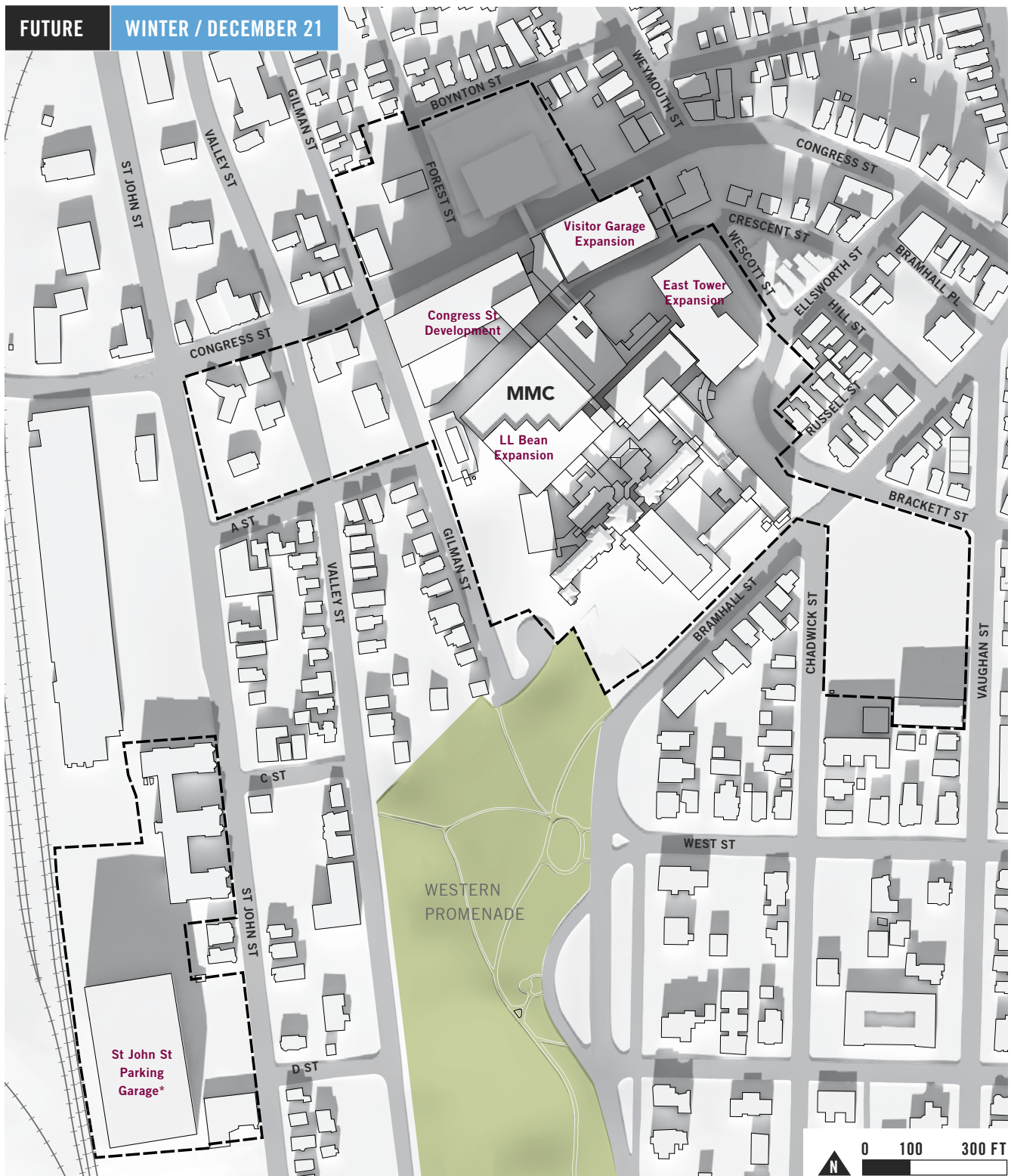


* NOTE: Exact garage location and footprint to be determined during detailed design.

Fig.5.20 Computer-generated shadow study / Existing conditions on December 21, noon



Fig.5.21 Computer-generated shadow study / Proposed long-term projects on December 21, noon



* NOTE: Exact garage location and footprint to be determined during detailed design.

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, its neighbors and the City 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 the surrounding neighbors are kept apprised of MMC's future development plans, and to understand any neighborhood issues related to the operations of the MMC campus, the following engagement process shall be established:

- On a quarterly basis, MMC's Chief Operating Officer shall host a group meeting comprised of the following members:
 - » the President or Chair (or a designee of the same) of the following Neighborhood Associations: St John Valley, Western Promenade, West End, Parkside, and Libbytown
 - » The Director of Planning at the City of Portland, and,
 - » The District 2 Portland City Councilor
- The group shall develop a Charter by which these quarterly meetings shall be conducted and minutes shall be made of each meeting. The Charter and the minutes shall be delivered to the City's Neighborhood and Island Liaison within 30 days of their adoption.
- In addition, the group shall annually complete a "checklist of actions" to be addressed by the group and the completed checklist shall also be filed with the City's Neighborhood and Island Liaison.
- To further an open dialogue, MMC will engage neighbors in more routine dialogue during major planning efforts. These meeting invitations shall also be extended to the Director of Planning at the City of Portland and to the District 2 Councilor.
- During construction, MMC shall provide contact information for a designated community liaison on its website for day-to-day inquiries and comments. Inquiries and comments shall be logged by MMC and responses shall be provided by MMC in a timely fashion.
- MMC shall also employ social media to make information about a 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.

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. MMC will adhere to the Construction Management Template requirements attached to the IDP as Appendix A.

COMMUNICATION INITIATIVES

MMC will provide a method of communication between City of Portland, Neighbors, and the construction team based on the anticipated impact of the construction project. For large construction projects, MMC will use its website, social media, and provide a dedicated email address to enable communication with its neighbors.

For short-term projects identified in the Master Facility Plan, 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 short-term projects 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 that allows members of the public to ask questions and provide information. These emails will be answered

Fig.6.1 Screenshot of MMC Website dedicated to the Project at <http://www.mmc.org/modernization>.



in a timely fashion by the people directly involved in the construction activities.

Information about the construction project will be proactively shared on a regular basis for the duration of the project.

CONSTRUCTION SCHEDULE

MMC will provide an estimated project schedule at the beginning of a construction project and provide regular updates through-out construction. The frequency of construction schedule updates will be determined by the project's estimated impact on the surrounding area.

CONSTRUCTION MANAGEMENT PLAN

Prior to construction, MMC will develop comprehensive Logistics and Safety Program. Maintaining normal campus operations and public safety, and minimizing impacts to areas surrounding the campus, will be the primary considerations in this process. MMC will utilize the City's Construction Management Plan template to develop a Construction Management Plan that will be submitted with a Site Plan application.

PROJECT WORK HOURS

Construction work hours will be predetermined before the start of any construction project and limited in order to minimize impact on the areas surrounding campus and to complete the project expediently.

PUBLIC SAFETY AND ACCESS

Pedestrian walkways and business access will be clearly marked and maintained through-out the construction period.

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. Residents will be able to contact MMC at a designated email posted prominently on the project website (see **Fig.6.1 on page 131**). MMC will also provide regular updates to the Fire Department regarding any detours necessitated by construction.

CONSTRUCTION NOISE IMPACTS

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

For Short-Term Projects, 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 off-site 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 routes shall be as far away as possible from residential and other sensitive uses.

MMC may install wayfinding signage at strategic locations identifying no travel zones for construction vehicles. Once at the site, all vehicles will be brought within the fence line and will make every attempt to avoid queueing on public roadways, unless during specific times, as addressed on the site logistics plans.

Construction Staging Areas

Construction staging areas shall be as far away as possible from residential and other sensitive uses.

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.

IMPACT TO SURROUNDING BUILDINGS AND RESIDENCES

Foundation surveys of surroundings buildings and homes will be completed within a reasonable distance from the anticipated center of construction and in accordance with current regulations. The results of foundational surveys will be shared with the City of Portland and the property owner.

MMC COMMUNITY BENEFITS

MMC provides much to the City of Portland community including employing over 2,000 Portland Residents. These benefits are not only to our adjacent neighbors but also to the residents elsewhere in the City and the state of Maine.

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 has conducted 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. MMC provides 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 Sts).
- 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 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.

MMC is committed to its ongoing efforts to address this public health issue of tobacco use.

NEIGHBORHOOD GARDEN

The St John Valley Neighborhood (SVNA) requested the use of property owned by MMC at 268-270 Valley St. 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 SVNA which mimicked the Agreement used by the City for use of its land by gardening neighbors. As of June 2016 SVNA 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 St on those days when the City calls a snow ban.

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 St Learning Collaborative:
MMC nurse practitioners, primary care residents, medical students, and MMC Homeless Health Partners, have provided services to the most vulnerable underserved people in Portland, allowing them access to quality, barrier-free health care.
- Portland School Based Health Clinics
were successful due to the partnership between MMC 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 St 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 has provided staff and support at the Sagamore Health Resource Center, a community-based nurse managed clinic that provided public health, primary care and mental health services to residents. MMC collaboration with the USM School of Nursing and Portland Housing Authority in providing these services. In addition to staff and administrative support, MMC provided 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 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.6.2 Photographs from Community Benefit Events Supported by MMC



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



Tobacco Cessation Program



Park Clean-Up

APPENDICES

Appendix A / Construction Management Plan Template

Appendix A: Construction Management Plan Template

*DRAFT 7-31-2017 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.
3. **Building Code:** Employ the best practices, as applicable, of Chapter 33 Safeguards During Construction, from the 2009 International Building Code.

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:
 - Good Housekeeping
 - On-site security

- Installation of new fire protection systems as construction progresses
 - Preservation of existing systems during demolition
 - Organization and training of an on-site fire brigade
 - Development of a pre-fire plan with the local fire department
 - Rapid communication
 - Consideration of special hazards resulting from previous occupancies
 - 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 will 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





Institutional Overlay Zone (IOZ) Regulatory Framework

FINAL / September 22, 2017

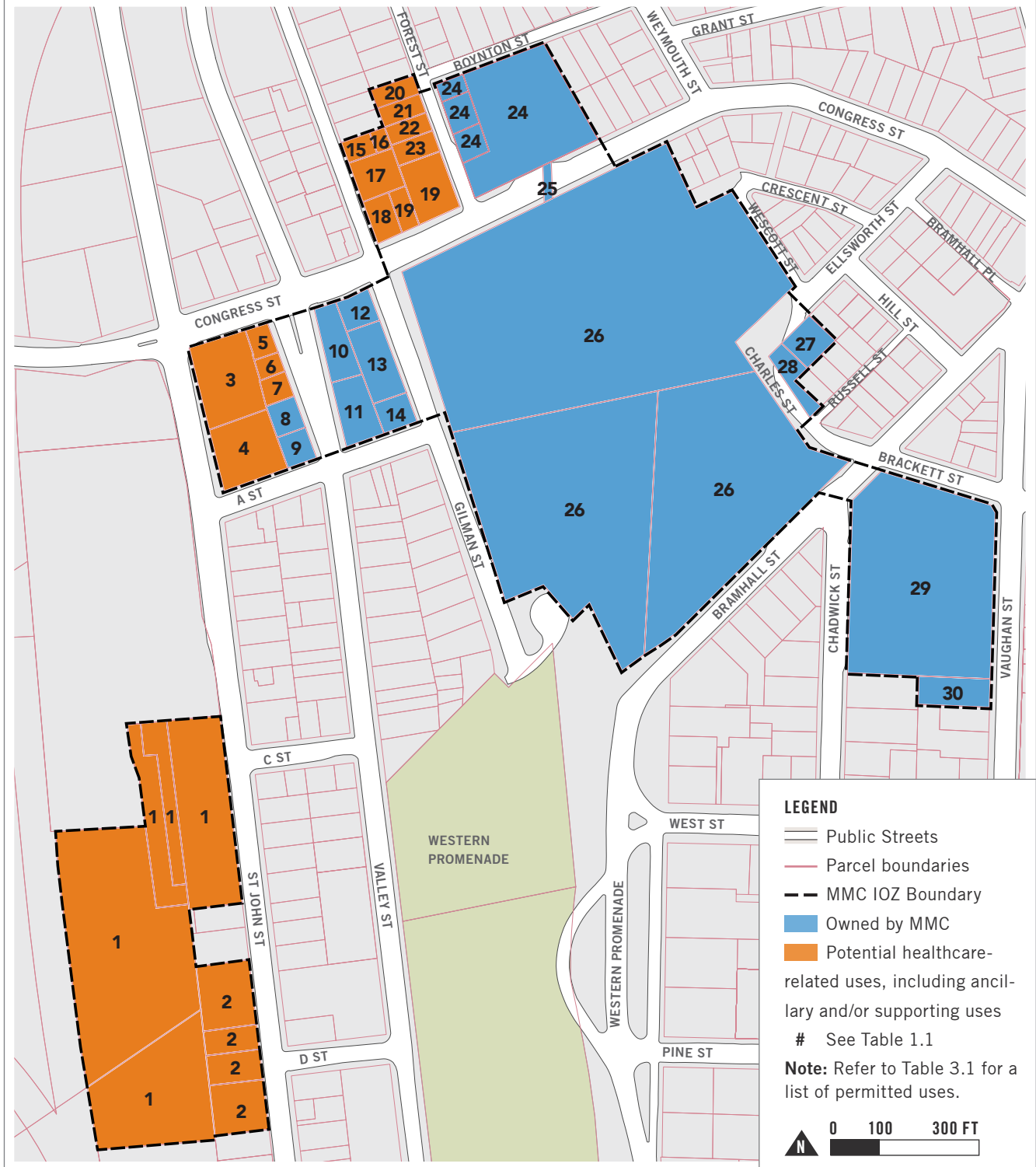
Submitted to the City of Portland for Planning Board Review

APPLICABILITY

All development proposed by Maine Medical Center (MMC) within the boundary of the Institutional Overlay Zone (IOZ) shall be consistent with the approved Institutional Development Plan (IDP), consistent with the Comprehensive Plan, and meet applicable standards of the land use code, unless such standards are superseded by the following Regulatory Framework. This Regulatory Framework shall govern future development by MMC within the IOZ unless amended by the Portland City Council upon formal application of MMC.

1. BOUNDARY

MAP 1.1 MMC IOZ Boundary



1. BOUNDARY

TABLE 1.1 List of Properties Included in the MMC IOZ

Map#	Legal Description	Address	Acreage	Ownership
1	64-A-2-8-9-11 74-A-7 / 75-A-6	222 St John St	4.6516	Owned by others
2	68-D-1-3-13-14-16	180 St John St	0.9494	Owned by others
3	65-G-1	950 Congress St	0.4628	Owned by others
4	64-B-1	275 St John St	0.4163	Owned by others
5	65-G-2	942 Congress St	0.0659	Owned by others
6	65-G-3	940 Congress St	0.0482	Owned by others
7	65-G-4	274 Valley St	0.0667	Owned by others
8	65-G-5	268-270 Valley St	0.0978	MMC
9	64-B-2	262-266 Valley St	0.0895	MMC
10	65-H-1	932 Congress St	0.1864	MMC
11	65-H-9	261 Valley St	0.2185	MMC
12	65-H-2	930 Congress St	0.1040	MMC
13	65-H-5	52 Gilman St	0.2384	MMC
14	65-H-8	44 Gilman St	0.1128	MMC
15	65-E-22	85 Gilman St	0.0565	Owned by others
16	65-E-32	85 Gilman St	0.0282	Owned by others
17	65-E-24	81 Gilman St	0.1653	Owned by others
18	65-E-28	919 Congress St	0.1059	Owned by others
19	65-E-29-30	909 Congress St	0.3233	Owned by others
20	65-E-19	22 Forest St	0.0826	Owned by others
21	65-E-21	18 Forest St	0.0831	Owned by others
22	65-E-23	14 Forest St	0.0826	Owned by others
23	65-E-25	12 Forest St	0.0883	Owned by others
24	53-I-1-2-3-12	887 Congress St	1.3400	MMC
25	53-X-1	Congress St Air Rights and Pedestrian Walkway	---	MMC
26	53-D-7 54-H-1 64-C-1	22 Bramhall St	12.563	MMC
27	54-C-6	34 Ellsworth St	0.1341	MMC
28	54-C-10	40 Ellsworth St	0.1155	MMC
29	54-I-1	308 Brackett St	2.5200	MMC
30	63-B-8	214 Vaughan St	0.1983	MMC

Notes:

1. Properties owned by MMC are listed under MMC or MMC Realty Corp.
2. MMC will not extend its functionally-related Bramhall campus hospital operations beyond the boundary of the IOZ within the City of Portland without further amendment to the IDP. This includes any expansion of functionally-related operations that displace residential uses outside of the IOZ boundary. A functional relationship is defined as uses or activities that are traditionally or customarily linked to the day-to-day operations of the MMC Bramhall Campus that would relocate a significant proportion of the total employee population or activities.

2. UPDATES AND AMENDMENTS

A. It is intended that the IDP will be updated on a regular basis to ensure that the data is current and that the document remains accurate. Accordingly, monitoring reports will be filed every three years and shall include a summary of progress on IDP implementation and of acquisitions and divestment since the date of IDP approval. At the time of the submission of the monitoring report, MMC shall identify any updates to the IDP which may result from updated master planning, changes in baseline information, or changes in the adjacent neighborhoods which affect MMC, to allow the IDP to remain current. Updates and minor amendments not described below shall be reviewed administratively by the Planning Authority.

B. Minor amendments that impact phasing of the long-term development blocks or change the approach to parking, transportation, neighborhood engagement or design shall be reviewed by the Planning Board for consistency with the objectives of the IDP. In addition to consistency with the objectives of the IDP, review of phasing and development program amendments shall focus on integration with the campus and impacts on transportation or infrastructure. This review may occur simultaneously with the site plan review of an anticipated project.

C. Major amendments shall be reviewed by the Planning Board and are required under the following circumstances:

- i. a change to the Regulatory Framework is required;
- ii. the IDP is no longer representative of the institutional mission or approach to community as a result of redevelopment in the area or City upgrades to neighborhood planning (such as roadway changes, infrastructure upgrades, community design, lighting, etc.); or,
- iii. development proposed by MMC is inconsistent with the master facility plan, transportation plan intent, design plan intent, or environment and infrastructure plan intent identified in the IDP.

D. Annual monitoring reports will be submitted for MMC's Transportation Demand Management (TDM) Plan. TDM monitoring reports shall include a summary of progress toward targets established in the TDM Plan.

3. USES

TABLE 3.1 List of Uses Permitted by Right within the IOZ

In addition to the uses permitted in the underlying zone, the following uses are permitted as a matter of right.

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

- Hospital
- Medical Office / Clinic
- Laboratory Center / Services
- Research and Development (R&D) Laboratory or Facility
- Educational Facility / Conference Center
- Administrative / Business Office
- Accessory Service or Trade Uses
- Guest House
- Multi-family Housing for Healthcare Staff and Students
- Rehab / Skilled Nursing Facility

- Retail Facility
- Restaurant / Cafe
- Employee Service Amenities
- Day Care Center
- Fitness Center or Gymnasium
- Parking Lot
- Parking Garage
- Bicycle Storage
- Heliport
- Antenna Station
- Outdoor use areas, such as green areas, parks, gardens, art installations, and other active and passive non-commercial recreation spaces

A. Mixed Uses: In recognition that Maine Medical Center is part of a mixed-use area of the City, with important existing services and businesses that serve the local and wider community, healthcare facility development fronting onto Congress Street and St. John Street shall activate the public realm, to the extent able, with uses such as service and retail/restaurant, landscaping, active building entrances, pocket parks, etc, on the ground or other publicly accessible level, consistent with the design intent contained in the approved Institutional Development Plan. Such uses, where constructed or facilitated as part of a healthcare related development, are expressly permitted whether ancillary or supporting the healthcare facility or not, and shall be open and welcoming to the general public in addition to employees or visitors of Maine Medical Center.

4. DIMENSIONAL REQUIREMENTS

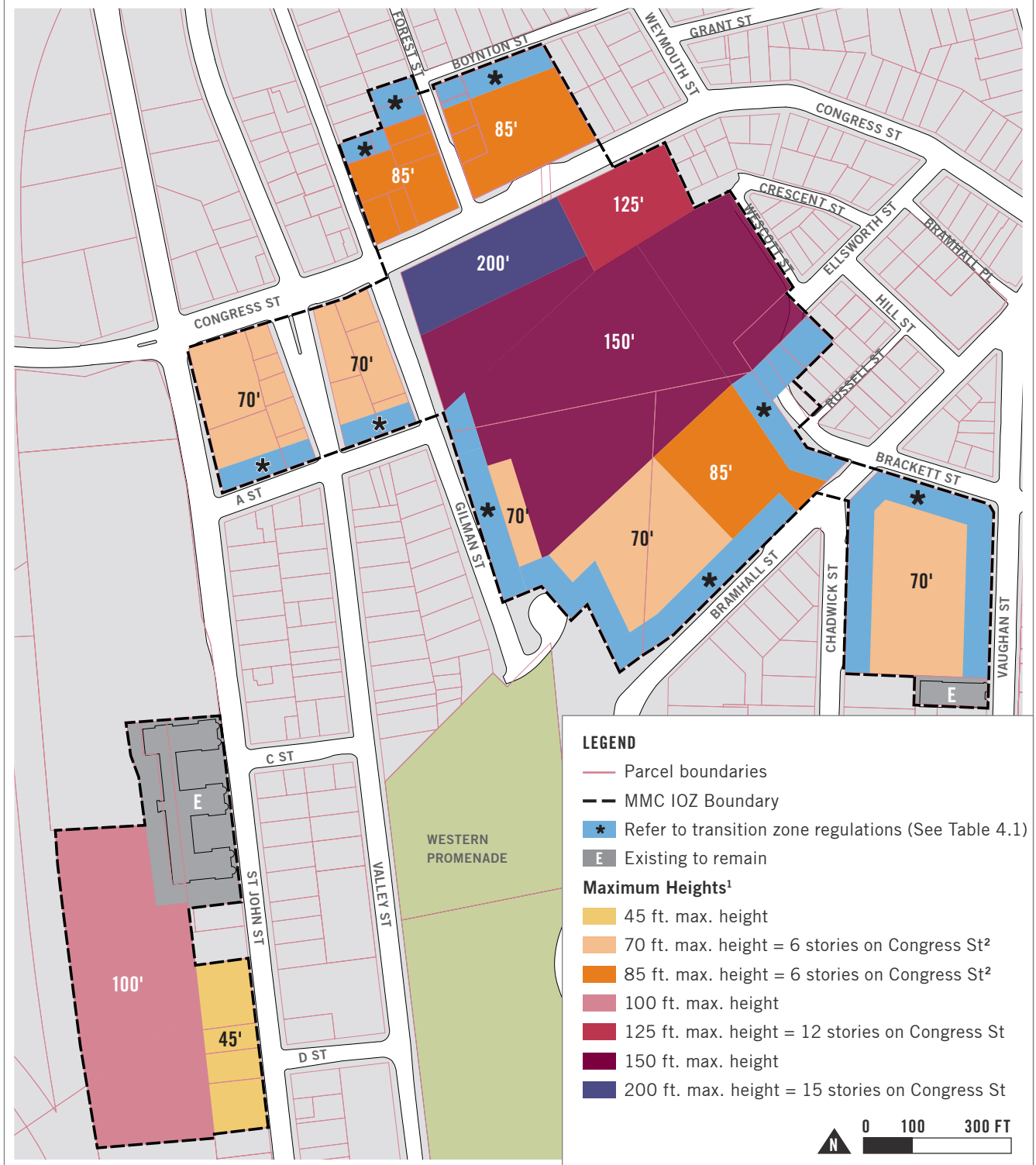
TABLE 4.1 Dimensional Requirements

Max. Building Heights	Max. building heights for new buildings within the IOZ shall be governed by Map 4.1, or by the Transition Zones clause of this table (see below) for those buildings located in Transition Zones. Refer to IDP “Chapter 5. Design” for methodology on determining heights.
Minimum Building Heights	Three stories, except in transition zones, where the minimum building height shall be two stories. Minimum building heights shall not apply to building awnings, associated kiosks, pavilions or similar building components.
Maximum Building Length	Length of proposed parking garage at 222 St John St shall not exceed 500 feet as measured roughly parallel to St John St.
Minimum Building Setbacks	Minimum building setbacks shall be governed by Map 4.2. Additional requirements are listed in the Transition Zones and Congress Street Build-to-Zone sections of this table.
Congress Street Build-to-Zone*	A Build-to-Zone is identified for some properties that abut Congress Street. See Map 4.2 for the location of Build-to-Zone. i. The Congress Street Build-to-Zone extends between 0 to 40 feet from the right-of-way boundary. ii. Buildings located in these parcels must have a minimum of 70% of the façade facing Congress Street located 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 zone or a historic-designated district. See Map 4.1. for location of transition zones. i. Transition zones shall extend 50 feet into the parcel from the parcel boundary. ii. Transition zones that abut a Residential zone with or without an intervening public right-of-way shall have a maximum height limit that matches the maximum height permitted within that Residential zone. iii. In areas where the IOZ abuts a Residential zone without an intervening public right of way, minimum side and rear yard requirements of the abutting Residential zone apply within the IOZ boundary, unless noted otherwise in Map 4.2.

***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 max. yard (setback) range from the public right-of-way boundary.**

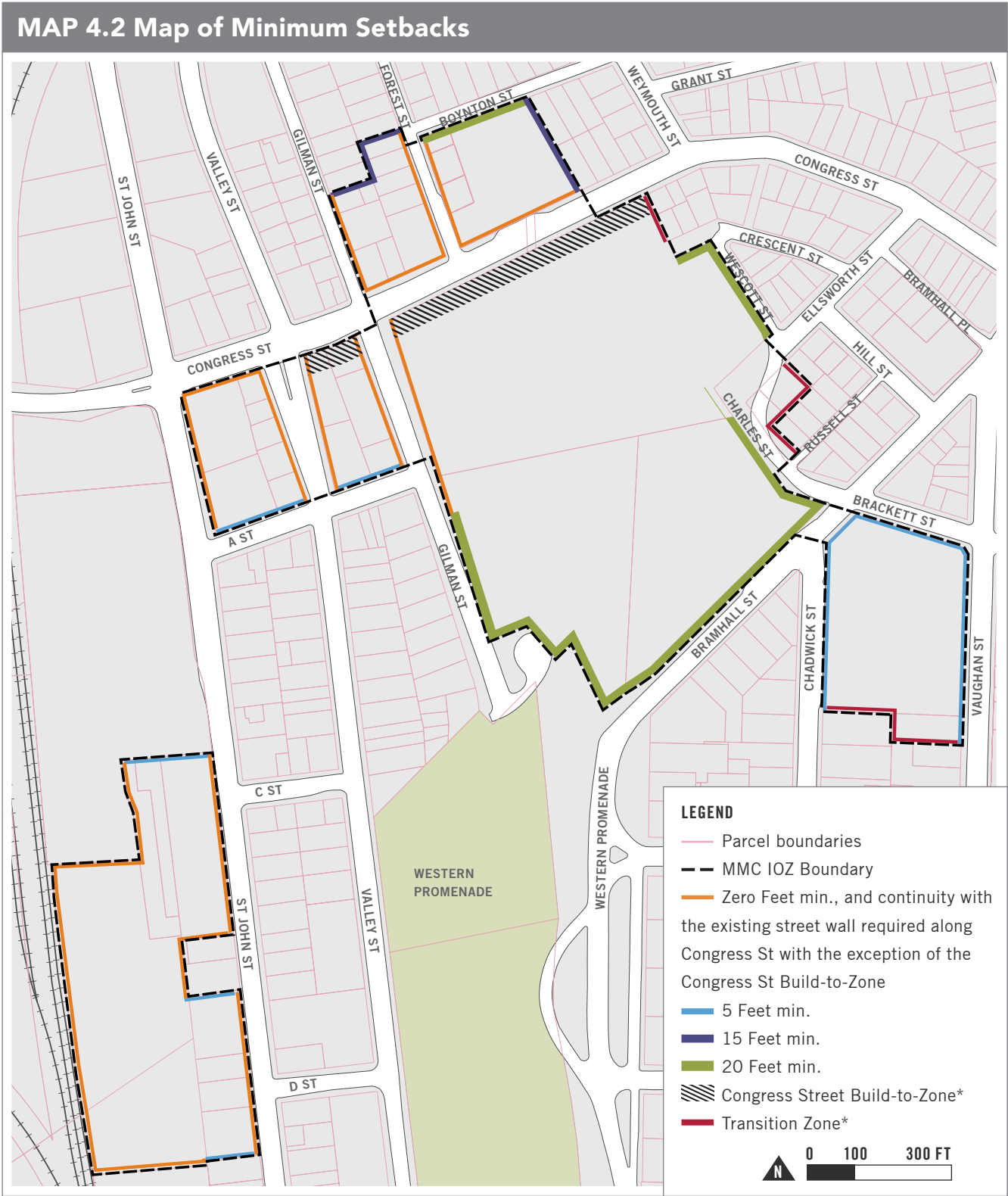
4. DIMENSIONAL REQUIREMENTS

MAP 4.1 Max. Building Heights



Notes: 1. Minimum building heights also apply. Refer to Table 4.1.
2. For buildings with residential use above the ground floor, the following height maximums apply:
70 ft. maximum height = 7 stories, and 85 ft. maximum height = 8 stories.

4. DIMENSIONAL REQUIREMENTS



* **Note:** See Table 4.1 Dimensional Requirements.

5. DESIGN

A. New buildings within the IOZ shall adhere to the Design Guidelines set forth in Chapter 5: Design of the IDP and the site plans standards of the City of Portland.

6. SIGNS

A. At the time of first site plan review following IDP approval, a unified campus-wide Signage Plan shall be submitted for review and approval by the Planning Authority. Any update to such plan due to a change in name or logo shall not require amendment to the IDP.

B. Signs shall be designed in accordance with the campus-wide Signage Plan. All signs shall be designed in proportion and character with building facades and adjacent street typology. All signs shall be coordinated with the building and landscaping design and be constructed of appropriate permanent, high quality materials and finishes.

7. TRANSPORTATION

A. Transportation Demand Management (TDM):

- i. At the time of the first site plan review following IDP approval, MMC shall submit a campus-wide TDM Plan substantially in accordance with those TDM objectives and strategies identified in the approved Institutional Development Plan. The TDM Plan may be phased into short-, mid-, and long-term actions to allow for progressive implementation over time.
- ii. The TDM Plan shall be designed to provide transportation choice with the goal of reducing parking demand and single-occupancy vehicle trips to and from MMC by employees and visitors.
- iii. The TDM Plan shall establish parking and trip reduction targets associated with the short-term (0-2 years), mid-term (2-5 years), and the long-term (5+ years), as well as a data collection plan.

B. Parking:

- i. Parking requirements in the IOZ shall be established at the time of site plan review based on a parking study that includes a campus-wide analysis of demand and supply. The parking demand study shall determine parking requirements and shall be sufficient to alleviate parking pressure on surrounding neighborhoods.
- ii. Parking studies developed by MMC shall integrate parking and trip reduction achievements and data contained in the TDM Plan.

8. ENVIRONMENT

A. Development proposed by MMC shall be designed to integrate with the surrounding context, including open space and pedestrian networks and infrastructure.

9. MITIGATION MEASURES

A. MMC shall mitigate site plan impacts to off-premise infrastructure in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of MMC development. Mitigation contribution shall be determined based on the City's standard procedure in effect at the time of site plan review.

10. NEIGHBORHOOD INTEGRATION

A. Neighborhood Engagement:

- i. 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 Bramhall campus, MMC shall adhere to the ongoing community engagement principles identified in the approved Institutional Development Plan.
- ii. MMC shall conduct ongoing community engagement, including the formation of a Neighborhood Advisory Committee comprised of representatives of MMC, the Parkside neighborhood, the West End neighborhood, the Western Promenade Neighborhood Association, the St. John Valley neighborhood, the Libbytown neighborhood, and the City.

11. CONSTRUCTION MANAGEMENT

A. Construction Management:

- i. At the time of site plan review, MMC shall submit a Construction Management Plan substantially in accordance with those construction management principles identified in the approved Institutional Development Plan for review and approval by the Planning Authority.
- ii. The Construction Management Plan shall include a construction schedule, as well as strategies for managing neighborhood communication and noise, air quality, traffic, and parking impacts associated with the construction as set forth on the Construction Management Template developed by the City and attached and incorporated to the IDP as Appendix A.

12. OTHER REQUIREMENTS

A. Helipad:

- i. MMC shall be governed by the provisions of the Helistop Overlay Zone with with the following exceptions:
 - 1. Setback requirements of Section 14-327(3); and,
 - 2. Fencing requirements of Section 14-327(4).

B. Snow Ban Parking: When the City of Portland declares a Snow Parking Ban, MMC shall make parking available to neighbors in a designated parking area on or near its campus upon the following condition:

- i. Hours: Due to the patterns of patient flow in the hospital, the hours of snow ban parking for registered vehicles during an announced City of Portland Snow Parking Bans are 6:00pm until 6:00am. Vehicles that are not moved out of these parking areas by the applicable time each morning are subject to towing at the owner's expense.

C. Housing Replacement: MMC shall be governed by the City of Portland Housing Replacement Ordinance.

End of section.

**Preliminary Traffic Assessment
Maine Medical Center Expansion – Portland, Maine
September 2017**

Date: September 5, 2017
Subject: Preliminary Traffic Assessment
Maine Medical Center Expansion
To: Maine Medical Center
From: Randy Dunton, Gorrill Palmer (JN 2866.01)

Gorrill Palmer (GP) has prepared this memorandum as a preliminary assessment of the traffic impacts of the proposed Maine Medical Center (MMC) expansion. It should be noted that this information is preliminary in nature. Projects like those identified in MMC's IDP will require a MaineDOT Traffic Movement Permit (TMP) in which the City has delegated review authority. In going through the TMP process, an in-depth Traffic Impact Study will be completed in coordination with the City. The following is a summary of our project understanding, our conclusions, and the supporting information.

Project Understanding

The proposed initial development is estimated to have short-term and potential longer-term components. As part of the initial development, the existing employee parking garage is proposed to be dismantled and 345,000 sf of additional hospital space, including new operating rooms and patient rooms, is proposed to be constructed. The total number of patient beds is proposed to remain the same, since this expansion is primarily to decompress the existing space and provide increased private patient space. However, there is forecast to be an increase of approximately 76 individuals (patients and visitors combined) per day. The expansion may add 324 employees/students to the campus. The short-term expansion also proposes an updated solution to employee parking.

The longer-term expansion may include an additional 420,000 sf expansion to hospital space, including additional services and patient beds. It may add 394 employees, although this number is preliminary and could be decreased. It is assumed that any longer-term expansion will utilize the employee parking solution created for the short-term expansion.

For the purposes of this assessment, it has been assumed that parking for all employees (for the short-term and potential longer-term expansion) will be accommodated in a new parking garage at 222 St. John Street, and that approximately 1,200 spaces in the employee Gilman Garage will



be eliminated. It is also assumed that the 222 St. John Street site will have a parking garage containing no less than 2,220 parking spaces with a 118 space surface lot that is replacing the existing 283 space surface lot that is currently utilized by MMC employees. This is a total increase to the St. John site of 2,055 employee parking spaces, with approximately 1,200 spaces eliminated at the Gilman Garage.

The following is a summary of the conclusions of the preliminary traffic assessment for the short-term and possible longer-term MMC projects.

Traffic Volumes

GP completed turning movement counts at the intersections of St. John Street with Congress Street and Valley Street with Congress Street on December 13, 2016 from 7:00 AM to 9:00 AM and 3:00 PM to 6:00 PM. The count times were chosen to capture the typical commuter peak hour. The results of these counts are shown on the attached Figure 2.

GP completed turning movement counts at the 222 St. John Street driveway (which will also be the garage access to St. John Street), just north of Margaritas Restaurant on St. John Street on May 17, 2017 from 6:00 AM to 8:00 AM and again from 5:00 PM to 8:00 PM. However, the final access point to the 222 St. John Street garage has not been identified. Turning movement counts were also completed on May 18, 2017 from 3:00 PM to 5:00 PM and May 19, 2017 from 7:45 AM to 9:00 AM. The times for the counts were chosen based on the shift times of the majority of employees provided by Al Green with Maine Medical Center. The primary shift times are as follows:

- Shift 1 – 6:00 AM to 6:00 PM, 5% of employees (clinical)
- Shift 2 – 7:00 AM to 7:00 PM, 45% of employees (clinical)
- Shift 3 – 7:30 AM to 7:30 PM, 10% of employees (clinical)
- Shift 4 – 8:00 AM to 5:00 PM, 25% of employees (administrative)
- Shift 5 – 7:00 PM to 7:00 AM, 15% of employees (clinical)

The shift time with the largest percentage of employees is Shift 2 (7:00 AM to 7:00 PM), so the times for the counts were chosen to capture that shift traffic and the adjacent roadway network peak traffic. The peak hours of the driveway, which currently serves a portion of the Maine Medical Center employees, were 6:15 AM to 7:15 AM and 6:55 PM to 7:55 PM. The results of the counts are shown on the attached Figure 2.



222 St. John Street Garage Traffic

Since the new traffic from the proposed expansion will consist largely of additional employees, this evaluation is based on the traffic impacts of the 222 St. John Street parking garage. The 222 St. John Street parking garage traffic has been used for both the short-term and long-term expansion, since no additional employee parking is proposed as part of the long-term expansion.

The anticipated increase in peak hour trip generation for the parking garage has been based on the increase in parking spaces and the distribution of employees in each shift. The parking garage is anticipated to be approximately 2,220 spaces with an additional approximately 118 spaces in a surface lot. This will replace an existing approximately 283 space parking lot, which yields a total increase on the site of approximately 2,055 spaces.

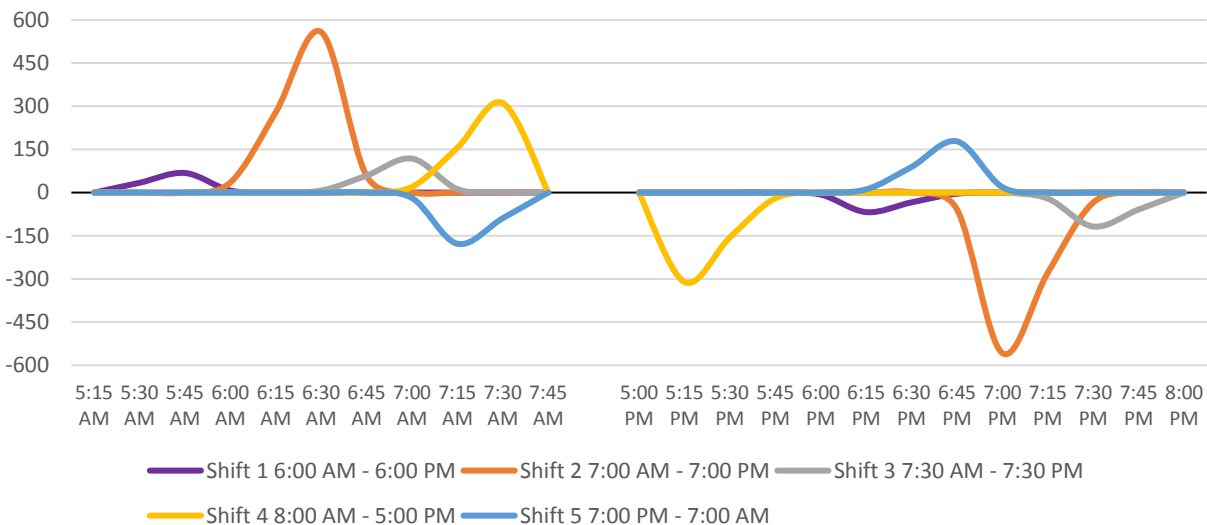
GP used the shift times and the increase of approximately 2,055 spaces to estimate the trip generation for each 15 minute interval. The estimated increase in trip generation for the garage has been based on the following assumptions:

- All 2,055 additional parking spaces will be occupied
- 60% of the employees arrive 15-30 minutes before their shift begins
- 30% of employees arrive 30-45 minutes before their shift begins
- 10% of employees either arrive one hour before their shift begins or within the last 15 minutes before their shift begins
- 60% of employees leave within the first 15 minutes after their shift ends
- 30% of employees leave 15-30 minutes after their shift ends
- 10% of employees leave more than 30 minutes after their shift ends

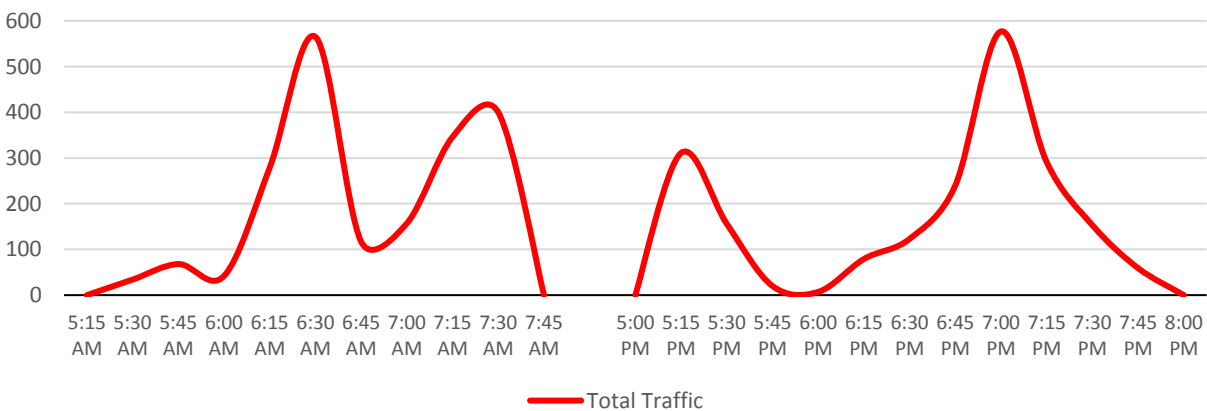
These preliminary assumptions are based on conversations with MMC and hospital staff and are expected to reasonably reflect existing operations. We recognize the importance of these assumptions and more detailed review and analysis of actual employee check in / out times will be completed prior to the TMP / Traffic Impact Study in order to refine these initial assumptions as necessary. GP created two trip generation graphs showing the anticipated increase in traffic throughout the morning and afternoon shift times. The first graph shows the anticipated entering and exiting traffic by shift and the second graph shows the total entering and exiting volume at each period. The following graphs are a visual representation of the anticipated trip generation for the site and actual volumes vary slightly.



222 St. John Street Employee Parking Garage Estimated Traffic by Shift



222 St. John Street Employee Parking Garage Estimated Total Entering and Exiting Traffic



The AM peak hour of the garage is anticipated to occur from 6:30 AM to 7:30 AM and generate an increase of 1069 trip ends (891 in / 178 out). The PM peak hour of the garage is anticipated to occur from 6:30 PM to 7:30 PM and generate an increase of 1138 trip ends (267 in / 871 out). A trip end is defined as a trip into or out of the site, so a round trip is equal to two trip ends.

Although the short-term expansion is forecast to add 76 patients or visitors each day, the traffic from this increase is anticipated to be negligible since the trips would likely occur over the course of the entire day and not concentrated during a peak hour.



The AM peak hour of the adjacent roadway network occurs from 7:30 AM to 8:30 AM. The 222 St. John Street parking garage is forecast to generate 400 trip ends (311 in / 89 out) during this peak hour. The PM peak hour occurs from 3:15 PM to 4:15 PM in front of the site, from 4:00 PM to 5:00 PM at the intersection of Congress Street with St. John Street, and from 4:45 PM to 5:45 PM at the intersection of Congress Street with Valley Street. The 222 St. John Street garage is forecast to generate very little traffic during the 3:15 PM and the 4:00 PM peak hours, but is forecast to generate 467 trip ends (0 in / 467 out) during the 4:45 PM peak hour. To be conservative, the trip generation for the 4:45 PM hour (467 trip ends) has been considered the PM peak hour of the adjacent street trip generation for the adjacent roadway network.

The increase in trip generation for the parking garage and new surface lot has been assigned based on the Travelshed Analysis completed by VHB for MMC's Institutional Development Plan (IDP). The trip assignment for the 222 St. John Street parking garage is shown on the attached Figures 10 and 11. It should be noted that approximately 27% of the 222 St. John Street parking garage traffic is forecast to go to or from the South of the site on St. John Street.

ITE Trip Generation

In addition to forecasting the impact of the proposed hospital expansion by forecasting the trips generated by the proposed employee parking garage, GP also used the Institute of Transportation Engineers' (ITE) publication, *Trip Generation*, Seventh Edition, Land Use Code (LUC) 610 – Hospital to calculate the trip generation for the short-term and potential longer-term expansion.

Short-Term Expansion

The ITE trip generation has been based on the following information from the MMC Institutional Development Plan (IDP):

- 345,000 sf expansion
- Increase of 324 employees / students (4,595 existing, 4,919 proposed)

The trip generation for the hospital expansion has been calculated based on both the size of the expansion and the proposed increase in employees / students and the results of the two have been averaged. It should be noted that the IDP indicates that there will be an increase of 76 patients and visitors, cumulative, daily. This increase is not anticipated to have a significant impact on any peak hour, because any additional trips would likely occur throughout the day and not all during one peak hour.

The following table summarizes the trip generation for the expansion:



Short-Term Expansion ITE Trip Generation

	AM Adj St	PM Adj St	AM Gen	PM Gen
Expansion Size				
345,000 sf	414	407	507	555
Employees / Students				
Proposed – 4,919	1672	1623	1918	2312
Existing – 4,595	1562	1516	1792	2160
Expansion – 324	110	107	126	152
Average	262	257	317	354

As shown in the table, the proposed short-term expansion is forecast to generate 262 trip ends during the AM peak hour of the adjacent street and 257 trip ends during the PM peak hour of the adjacent street. This level of trip generation would require a MaineDOT Traffic Movement Permit (TMP). It should be noted that the ITE trip generation does not consider that the expansion will not be adding a significant number of patients and visitors to the site, so it is likely that the trip generation summarized above is conservative.

Potential Longer-Term Expansion

The ITE trip generation for longer-term expansion has been based on the following:

- 420,000 sf expansion assumed (In addition to Short Term Expansion)
- 394 additional employees / students (In addition to Short Term Expansion)

The trip generation for the hospital expansion has been calculated based on both the size of the expansion and the proposed increase in employees / students and the results of the two have been averaged.

The following table summarizes the trip generation for the expansion:

Longer-Term Expansion ITE Trip Generation

	AM Adj St	PM Adj St	AM Gen	PM Gen
Expansion Size				
420,000 sf (assumed)	504	496	617	676
Employees / Students				
Long-Term Proposed – 5,313	1806	1753	2072	2497
Short-Term Proposed – 4,919	1672	1623	1918	2312
Expansion – 394	134	130	154	185
Average	319	313	386	431



As shown in the table, the proposed longer-term expansion is forecast to generate 319 trip ends during the AM peak hour of the adjacent street and 313 trip ends during the PM peak hour of the adjacent street. This level of trip generation also requires a MaineDOT TMP.

Total Expansion

GP has combined the trip generation for the short-term and potential longer-term expansion to evaluate the trip generation for the entire expansion of the campus. The following table summarizes the total expansion trip generation:

Total Expansion ITE Trip Generation

	AM Adj St	PM Adj St	AM Gen	PM Gen
Short-Term	262	257	317	354
Longer-Term	319	313	386	431
Total Expansion	581	570	703	785

As shown in the table, the total expansion is forecast to generate 581 trip ends during the AM peak hour of the adjacent street and 570 trip ends during the PM peak hour of the adjacent street.

222 St. John Street Expansion Capacity

The trip generation for the proposed expansion has been based on the assumption that the 222 St. John Street parking garage will be able to accommodate all employees after both the short-term and longer-term expansions. To ensure that this is a reasonable assumption, GP estimated an existing parking rate based on the existing number of employee parking spaces and the existing number of employees. Based on information from the MMC IDP, there are 2,027 employee parking spaces on and off campus and 4,595 existing employees and students. This yields an existing parking rate of 0.44 spaces per employee. The short-term expansion is proposed to add 324 employees, which would require 143 additional parking spaces. The long-term expansion is proposed to add an additional 394 employees, which would require another 174 parking spaces. This yields a total increase of 317 parking spaces after both the short-term and long-term expansions are complete. Combining the existing employee parking spaces (2,027) with the estimated required increase in spaces (317) yields a total of 2,344 employee parking spaces.

The 222 St. John Street parking garage is proposed to have 2,220 spaces and a 118 space surface lot, which yields a total of 2,338 spaces. This is six spaces less than the estimated required employee parking spaces. Given the small difference between the estimated requirement and the proposed spaces is only six spaces, and the Transportation Demand Management (TDM) Plan anticipated to be used by MMC, this conclusion supports the assumption that the proposed 222



St. John Street parking garage will be able to accommodate the employees for the short-term and longer-term MMC projects.

Short-Term Predevelopment Volumes

The short-term expansion is proposed to be completed by 2023. GP has evaluated both the peak hours of the adjacent street and the peak hours of the proposed 222 St. John Street parking garage. The raw volumes for the peak hours of the adjacent street are shown on the attached Figure 2.

The peak hours of the proposed garage are forecast to be 6:30 AM to 7:30 AM and 6:30 PM to 7:30 PM. Since the Congress Street intersections were not counted during the peak hours of the proposed garage (off peak from adjacent roadway network), a peak hour adjustment was determined based on the St. John Street through traffic in front of the proposed site access and applied to the volumes at the two Congress Street intersections. This resulted in an adjustment of 0.634 for the AM peak hour of the garage of both Congress Street intersections, 0.560 for the PM peak hour of the garage at the St. John Street intersection, and 0.575 for the PM peak hour of the garage at the Valley Street intersection. The peak hour volumes of the garage are shown on the attached Figure 3.

The traffic volumes in front of the site driveway were collected in May 2017, while the traffic volumes at the two Congress Street intersections were collected in December 2016. The traffic volumes were adjusted to the 30th highest hour of the year using MaineDOT weekly group mean factors. This adjustment increases the volumes to those that may be experienced during the peak summer months. It should be noted that at the proposed site access, only the St. John Street through traffic has been seasonally adjusted, since traffic entering and exiting the 222 St. John Street driveway is not anticipated to experience significant seasonal variation. The seasonal adjustment resulted in an increase of 1.1% on St. John Street at the proposed site access and an adjustment of 11.4% at the Congress Street intersections.

In addition to seasonally adjusting the traffic volumes, they are also increased by an annual growth to estimate traffic volumes for the build out year of the short-term expansion. The short-term expansion is anticipated to be completed by 2023. MaineDOT traffic counts in the vicinity of the site show a decrease in volumes over the past five years. However, to be conservative, GP applied a growth rate of 0.5% per year to the seasonally adjusted volumes.

The seasonally and annually adjusted volumes are shown on the attached Figures 4 and 5. It should be noted that these figures include the traffic currently generated by the existing MMC surface parking.



Longer-Term Predevelopment Volumes

The longer-term expansion is proposed to be completed by 2038. GP has applied the same annual growth rate of 0.5% per year to the 2023 predevelopment volumes on Figures 4 and 5 to estimate the traffic volumes for 2038. The 2038 Predevelopment Volumes for the adjacent street peak hours and the proposed garage peak hours are shown on the attached Figures 6 and 7.

Seasonal Adjustment Evaluation

As discussed in previous sections, the traffic counts at the site driveway on St. John Street and at the two Congress Street intersections were collected during May and December, respectively. The December counts were collected to meet the deadlines at that time. Since December is off-peak time of year to collect counts, GP compared the 2038 Predevelopment Design Hourly Volumes on St. John Street at the intersection of Congress Street / St. John Street (counted in December and seasonally / annually adjusted) to the 2038 Predevelopment Design Hourly Volumes on St. John Street at the intersection of St. John Street / Site Driveway (counted in May and seasonally / annually adjusted). Based on this review, the seasonal adjustment applied to the December volumes resulted in higher volumes than the May volumes that were seasonally adjusted volumes by approximately 27%. This is not uncommon and based on discussions with the City on past projects, the MaineDOT seasonal adjustment factors tend to be high for the City. This results in conservative volumes at the two Congress Street intersections.

Union Station Plaza Cut-Through Traffic

The existing driveway on St. John Street can also be accessed at two points by the Union Station Plaza parking lot. As part of the proposed parking garage driveway modifications, this interconnection could potentially be removed, so the Union Station parking lot traffic would no longer be able to access the driveway. If the access is not removed or modified, it can be expected that cut-through traffic through the Union Plaza parking lot would increase due to the construction of the new garage, creating a potential safety issue for those in the Union Plaza parking lot. Traffic volumes were collected at the intersection of the driveway with the Union Station parking lot and the 222 St. John Street parking lot. These volumes were collected on May 17, 2017 from 6:00 AM to 8:00 AM and 5:00 PM to 8:00 PM, the same date and time when the intersection of the driveway with St. John Street was counted. The peak hours for the driveway with Union Station intersection are the same as the peak hours for the driveway, 6:15 AM to 7:15 AM and 6:55 PM to 7:55 PM. The Union Station intersection peak hour volumes are shown on the attached Figure 2.



It should be noted that from the Union Station Plaza accesses, there was on average one U-turn completed per peak hour. This means a vehicle exited a drive aisle from the Union Plaza parking area onto the driveway and then back into the adjacent Union Plaza parking lot drive aisle. Upon the closure of the accesses, accommodations for the U-turning vehicles should be made.

Since the access to the driveway from the Union Station parking lot may be eliminated with the construction of the 222 St. John Street parking garage, the volumes using the access have been redistributed to the adjacent intersections based on existing traffic patterns and the Union Station Plaza access locations. The redistributed volumes are shown on the attached Figure 8.

Existing Employee Parking Garage Traffic

GP completed turning movement counts at the existing employee garage entrance / exit on Gilman Street in December 2016. Since the MMC expansion proposes to dismantle the existing employee garage, GP has distributed the counted traffic volumes from the existing employee parking garage throughout the roadway network based on the existing traffic patterns. The existing employee parking garage trip assignment that will be relocated to the St. John Street parking garage is shown on the attached Figure 9.

2023 Postdevelopment Volumes

The 2023 Predevelopment traffic volumes for the adjacent street peak hours on Figure 4 have been combined with the redistributed Union Station parking lot traffic on Figure 8, the Redistributed Existing Employee parking garage traffic on Figure 9, and the Trip Assignment on Figure 10 to yield the 2023 Postdevelopment traffic volumes for the adjacent street peak hours shown on Figure 12. The 2023 Predevelopment traffic volumes for the proposed garage peak hours on Figure 5 have been combined with the redistributed Union Station parking lot traffic on Figure 8, the Existing Employee parking garage traffic on Figure 9, and the Trip Assignment on Figure 11 to yield the 2023 Postdevelopment traffic volumes for the proposed garage peak hours shown on Figure 13.

2038 Postdevelopment Volumes

The 2038 Predevelopment traffic volumes for the adjacent street peak hours on Figure 6 have been combined with the redistributed Union Station parking lot traffic on Figure 8, the Existing Employee parking garage traffic on Figure 9, and the Trip Assignment on Figure 10 to yield the 2038 Postdevelopment traffic volumes for the adjacent street peak hours shown on Figure 14. The 2038 Predevelopment traffic volumes for the proposed garage peak hours on Figure 7 have



been combined with the redistributed Union Station parking lot traffic on Figure 8, the Existing Employee parking garage traffic on Figure 9, and the Trip Assignment on Figure 11 to yield the 2038 Postdevelopment traffic volumes for the proposed garage peak hours shown on Figure 15.

Percent Change in Traffic

To evaluate the overall impact of the proposed garage, GP has calculated the percent change in the predevelopment volumes due to the proposed St. John Street parking garage project. This includes the impact of dismantling the existing employee garage and the redistribution of the Union Station Plaza traffic. GP has determined this percent change by calculating the total entering volume (TEV) at the intersections of Congress Street with St. John Street and Congress Street with Valley Street for the predevelopment and postdevelopment conditions and determining the difference between the two. The difference is then divided by the predevelopment TEV to determine the percent change in traffic. The following table summarizes the percent change in traffic due to the short-term and long-term expansion projects:

Congress Street / St. John Street Change in Traffic Volumes

Peak Hour		Total Entering Volume			
		Predevelopment	Postdevelopment	Difference	% Change
2023 Adjacent St (Short Term)	AM	1922	2190	268	+13.9%
	PM	2172	2399	227	+10.5%
2023 Generator (Short Term)	AM	1215	1864	649	+53.4%
	PM	1215	1917	702	+57.8%
2038 Adjacent St (Longer Term)	AM	2012	2168	156	+7.8%
	PM	2302	2515	213	+9.3%
2038 Generator (Longer Term)	AM	1309	1958	649	+49.6%
	PM	1310	2066	756	+57.7%

As shown in the table, the 222 St. John Street parking garage project is anticipated to increase the traffic volumes at the intersection of Congress Street with St. John Street by 7.8% to 57.8% depending on the year and peak hour evaluated. It is important to note the difference between the peak hours of the generator (MMC) and that of the adjacent street traffic (commuter hours). Commuter hours are typically between 7-9 AM and 4-6 PM. This is the time when intersections are typically most congested. The peak hours of the generator are when the hospital is generating the most traffic, which is during shift changes. The hospital has its major shift changes during non-commuter peak times to reduce its impact on the intersections in the area. It is important to note that the high percentage increases occur during the peak hours of the generator (MMC), not during the peak hour of the adjacent street traffic (commuter hours). It should be noted that although the percent increase in traffic is high, the total entering volume for the intersection during the postdevelopment peak hour of the generator (MMC) is less than the total entering



volume for the intersection during the predevelopment peak hours of the adjacent street. This reflects the benefits of the off-peak hour shifts of MMC and is a perfect example of using proper TDM techniques. This indicates that traffic volumes are higher during the commuter hours than when the hospital has its shift changes in the postdevelopment condition (i.e. with the St. John Street Garage and after expansion).

Congress Street / Valley Street Change in Traffic Volumes

Peak Hour		Total Entering Volume			
		Predevelopment	Postdevelopment	Difference	% Change
2023 Adjacent St (Short Term)	AM	1210	1048	-162	-13.4%
	PM	1229	1190	-39	-3.2%
2023 Generator (Short Term)	AM	766	657	-109	-14.2%
	PM	705	719	+14	+2.0%
2038 Adjacent St (Longer Term)	AM	1305	1143	-162	-12.4%
	PM	1325	1286	-39	-2.9%
2038 Generator (Longer Term)	AM	824	715	-109	-13.2%
	PM	760	774	+14	+1.8%

As shown in the table, relocating employees from the existing garage to the 222 St. John Street parking garage project is anticipated to decrease traffic volumes at the intersection of Congress Street with Valley Street by up to 14.2% for all peak hours with the exception of the PM peak hour of the proposed garage. The decrease in volumes is due to the removal of the existing employee garage on Gilman Street. The increase in traffic during the PM peak hour of the proposed garage is due to a greater amount of traffic being added to the intersection due to the new proposed garage than is being removed from the existing employee garage.

Capacity Analysis

GP completed capacity analyses for the driveway on St. John Street, the intersection of St. John Street with Congress Street, and the intersection of Congress Street with Valley Street using Synchro/SimTraffic computer analysis software. For the signalized intersections, the analysis is based on optimized timings but using the existing phasing. The intersection has been evaluated on a Level of Service scale 'A' through 'F'. Levels of service are ranked similar to the academic ranking system where an 'A' is very short control delays and an 'F' represents very poor traffic conditions. If the level of service falls below a 'D', an evaluation should be made to determine if mitigation is warranted. The following tables summarize the relationship between level of service and control delay per vehicle for both signalized and unsignalized intersections.



Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Less than 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Less than 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

The capacity analysis was completed for the 2038 Predevelopment and Postdevelopment volumes for the peak hour of the generator. The intersection layout is based on the existing geometry on St. John Street and potential separate left and right turn lanes in the driveway. The results of the capacity analysis are based on the average of five SimTraffic runs and are summarized as follows. The detailed reports are attached.

Level of Service Summary

Approach	2038 Predevelopment		2038 Postdevelopment	
	AM	PM	AM	PM
St John / Driveway (U)				
Driveway EB	A	A	F	F
St John NB	A	A	F	A
St John SB	A	A	A	A
Overall	N/A	N/A	N/A	N/A
St John / Congress (S)				
Congress EB	A	A	B	B
Congress WB	A	A	B	A
St John NB	D	C	C	C
St John SB	C	C	D	C
Overall	B	B	C	B
Congress / Valley (S)				
Congress EB	A	A	A	A
Congress WB	B	B	B	C
Valley NB	B	B	B	B
Overall	A	B	B	B

(U) = Unsignalized, (S) = Signalized



As shown in the table the potential driveway on St. John Street is forecast to operate at low levels of service during the postdevelopment conditions. Additionally, the northbound approach operates at a low level of service during the AM peak hour due to the high volume of left turning vehicles.

The levels of service for some approaches of the Congress Street intersections are forecast to decrease slightly. However, they are still forecast to operate at acceptable levels of service. It should be noted that the Congress Street intersections currently operate with exclusive pedestrian phasing. This would be anticipated to lower the levels of service at the intersections when pedestrians are present.

Since the levels of service for the site driveway are anticipated to fall below a level of service 'D', mitigation options should be considered. Items such as signalization, turn lanes into or out of the site, and other items may be explored as potential mitigation items during the Traffic Movement Permit (TMP) and Traffic Impact Study (TIS) process.

Additional Parking Garage Exit

A secondary egress only may be considered for the St. John Street garage to improve site circulation and potential congestion exiting the garage. A location for the egress has not been selected and will require additional analysis during the TMP and TIS process.

Crash History

GP obtained the most recent three year crash report from MaineDOT for the area around the hospital, shown on the attached Node Map. The report is for the period from 2014-2016, the most recent period available at the time this assessment was prepared. To evaluate whether a location has a higher than average rate of crashes, MaineDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor (CRF) of 1.00 or more for a three year period. A CRF compares the actual crash rate to the rate for similar intersections in the state. A CRF of less than 1.00 indicates a rate of less than average, **and:**
2. A minimum of eight crashes over the same three year period.



Based on the crash data provided by MaineDOT, there are five HCLs in the vicinity of the site. The following table summarizes the location, CRF, and number of crashes for each HCL.

High Crash Location Summary

Location	CRF	# of Crashes
Nodes		
Bramhall / Congress / Deering (Signalized)	1.05	26
Congress / Gilman (Unsignalized)	3.81	22
Park / Valley (Unsignalized)	1.53	8
Segments		
Congress from Weymouth to Forest	1.37	9
St. John from Congress to Non Int. St. John	2.94	28

These high cash locations will be evaluated in detail in the Traffic Movement Permit Application and Traffic Impact Study process.

Conclusions

The following is a summary of the conclusions:

1. The St. John parking garage is proposed to add approximately 2055 parking spaces to the existing site and is forecast to generate an additional approximately 1069 and approximately 1138 trip ends during the AM and PM peak hours of the garage respectively.
2. The St. John parking garage is proposed to add approximately 400 trip ends 467 trip ends during the AM and PM peak hours of the adjacent roadway network.
3. The capacity analysis shows that the site driveway and northbound St. John Street would operate at low levels of service during the postdevelopment conditions. The Congress Street intersections are forecast to operate at acceptable levels of service.
4. Potential mitigation items such as signalization and turn lanes may be explored during the TMP and TIS process.
5. A second egress from the proposed St. John Garage may be explored during the TMP and TIS process.
6. Overall, the proposed 222 St. John Street parking garage is forecast to impact the site driveway and St. John Street. The parking garage is not forecast to have a significant impact on the operation of the Congress Street intersections. Further analysis would be required to determine the project's impact on additional areas of the adjacent roadway network.

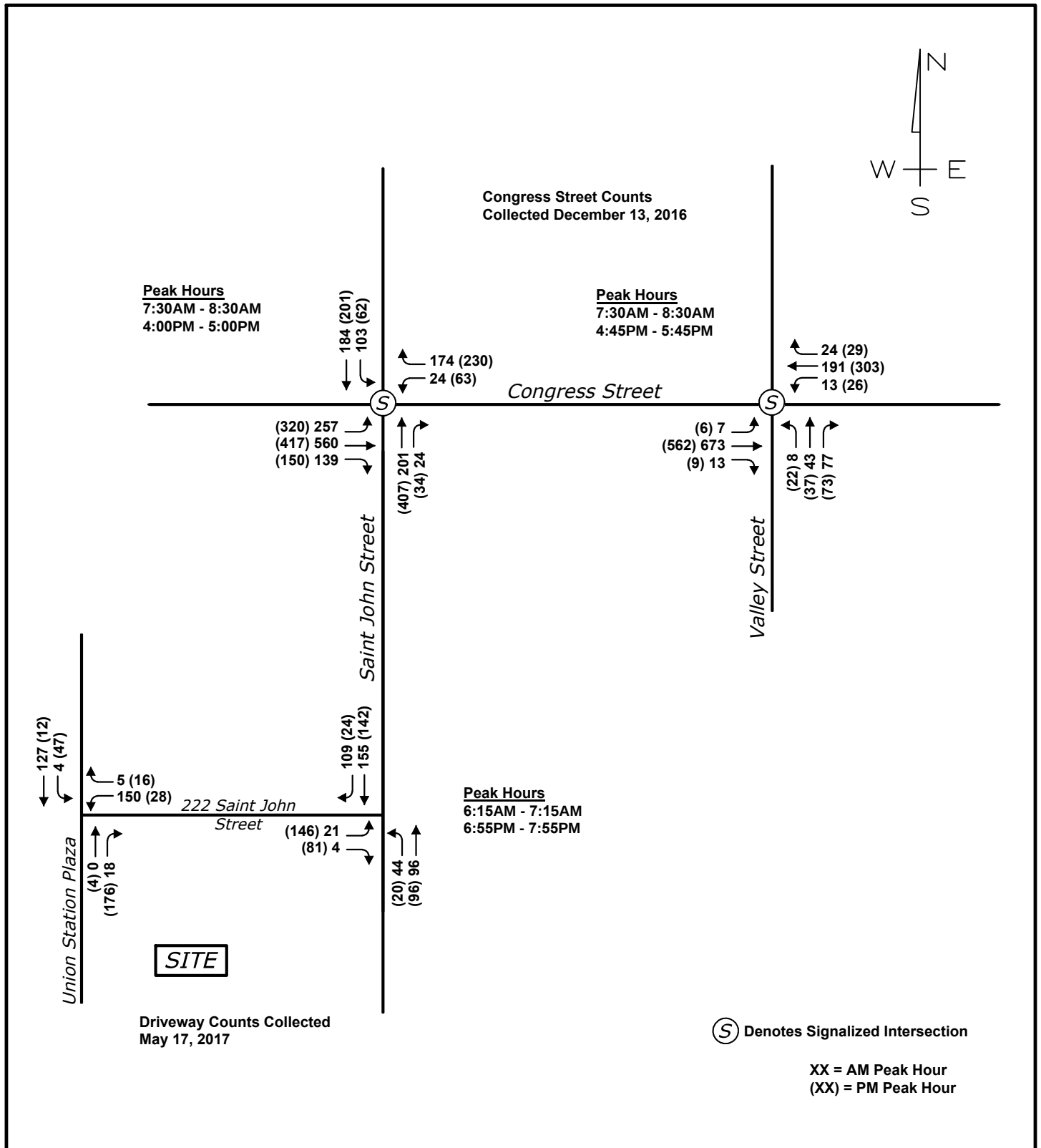


7. Based on crash data provided by MaineDOT there are five high crash locations in the vicinity of the site. These will be explored in depth during the Traffic Movement Permit and Traffic Impact Study process.

Attachments

- Turning movement figures
- ITE Trip Generation Calculations
- VHB Travelshed Figure
- Expanded Trip Assignment
- Capacity Analysis Results
- Node Map, Crash Report

Turning Movement Figures

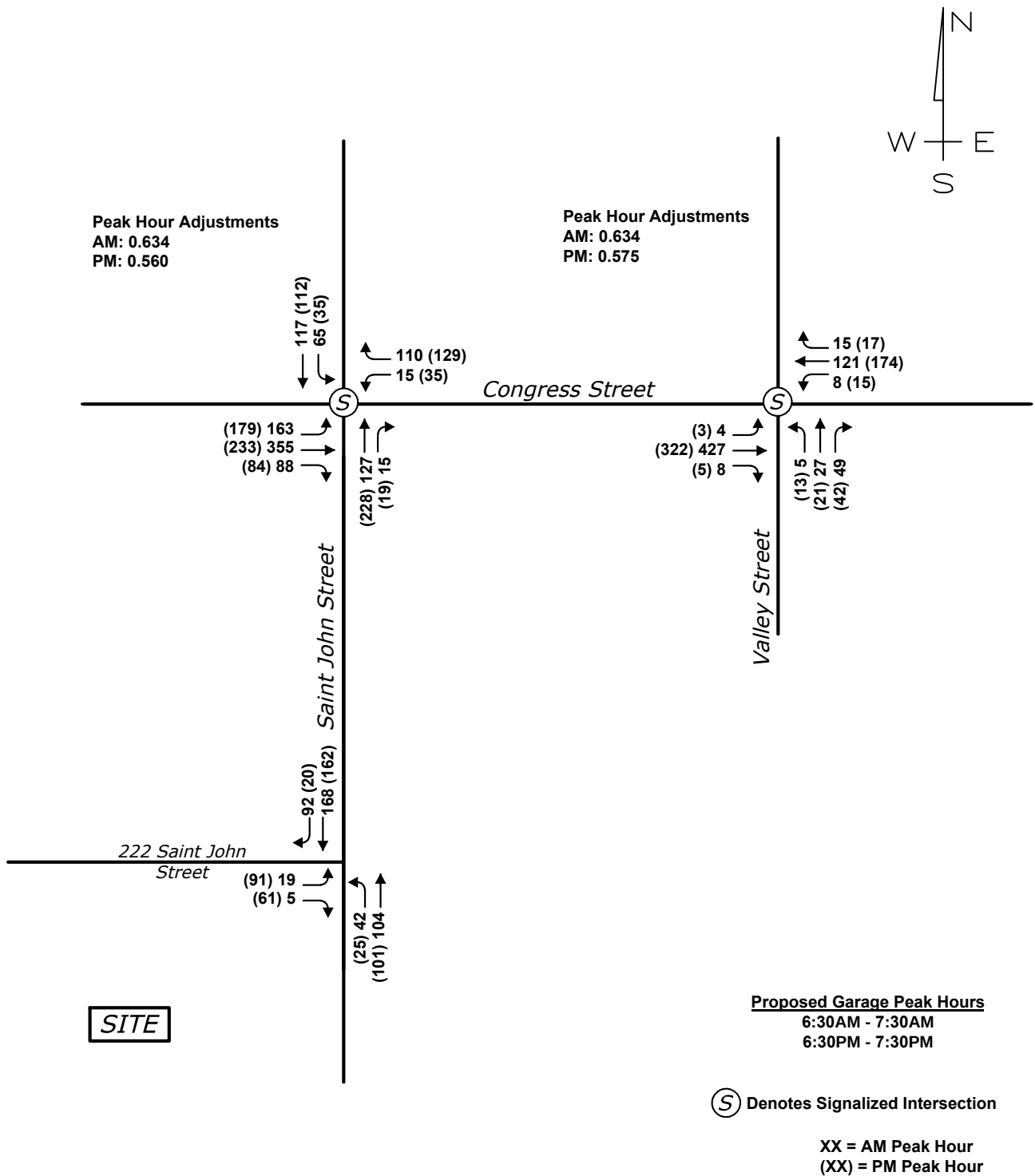


MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Proposed Garage Forecast Peak Hour

Figure No.

3



MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Design: ET
Draft: NONE
Checked: RED

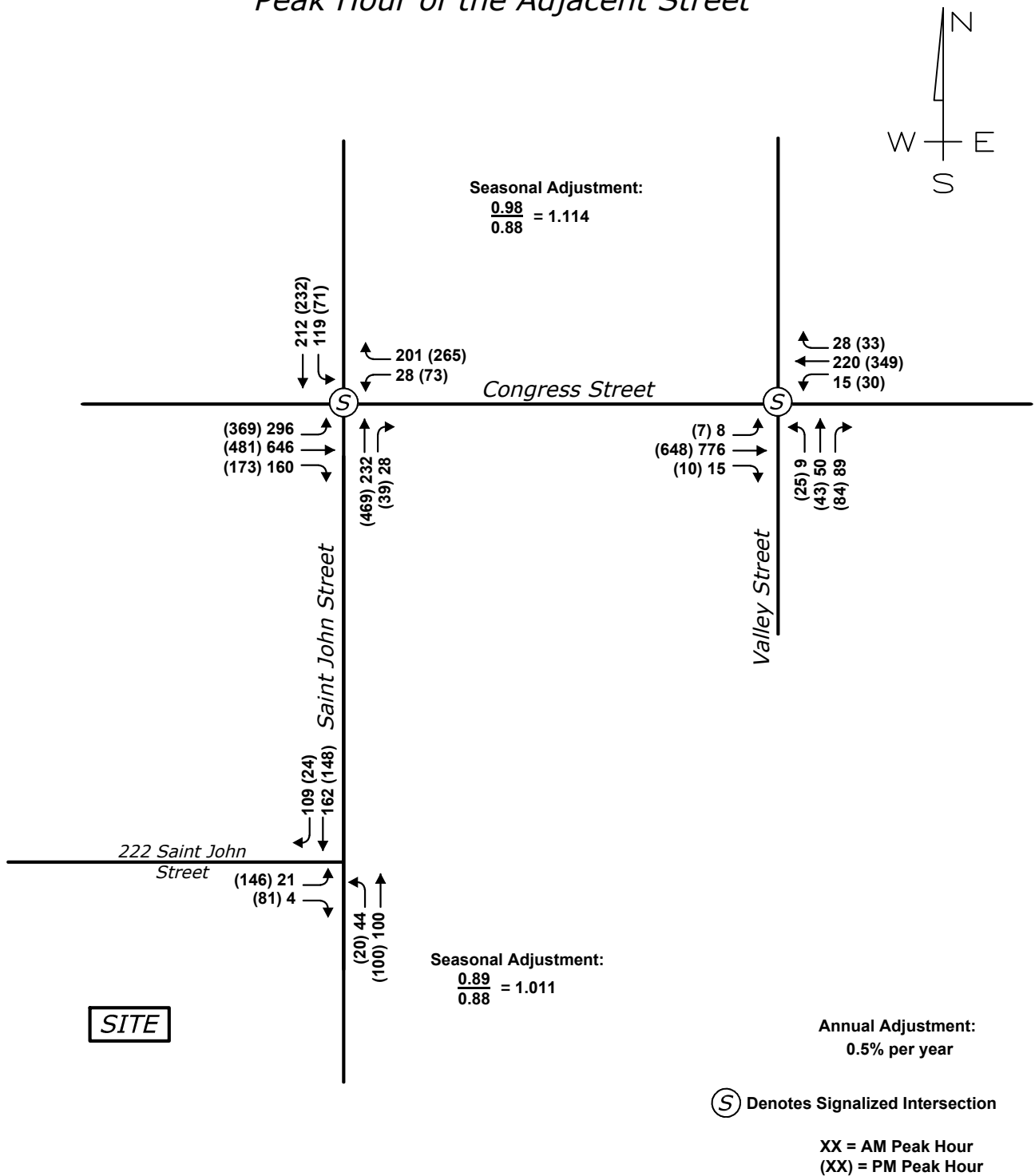
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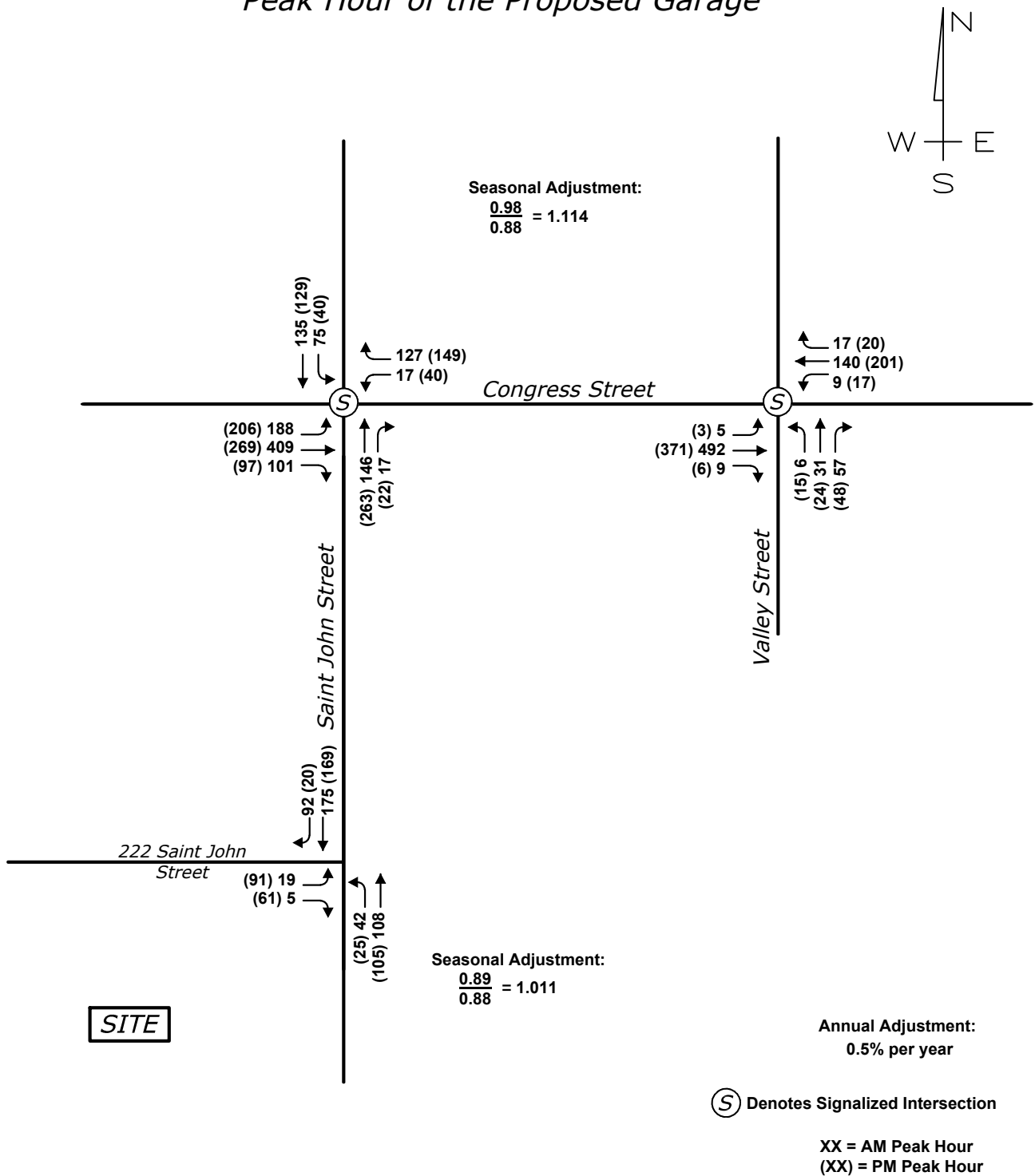
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Peak Hour of the Adjacent Street



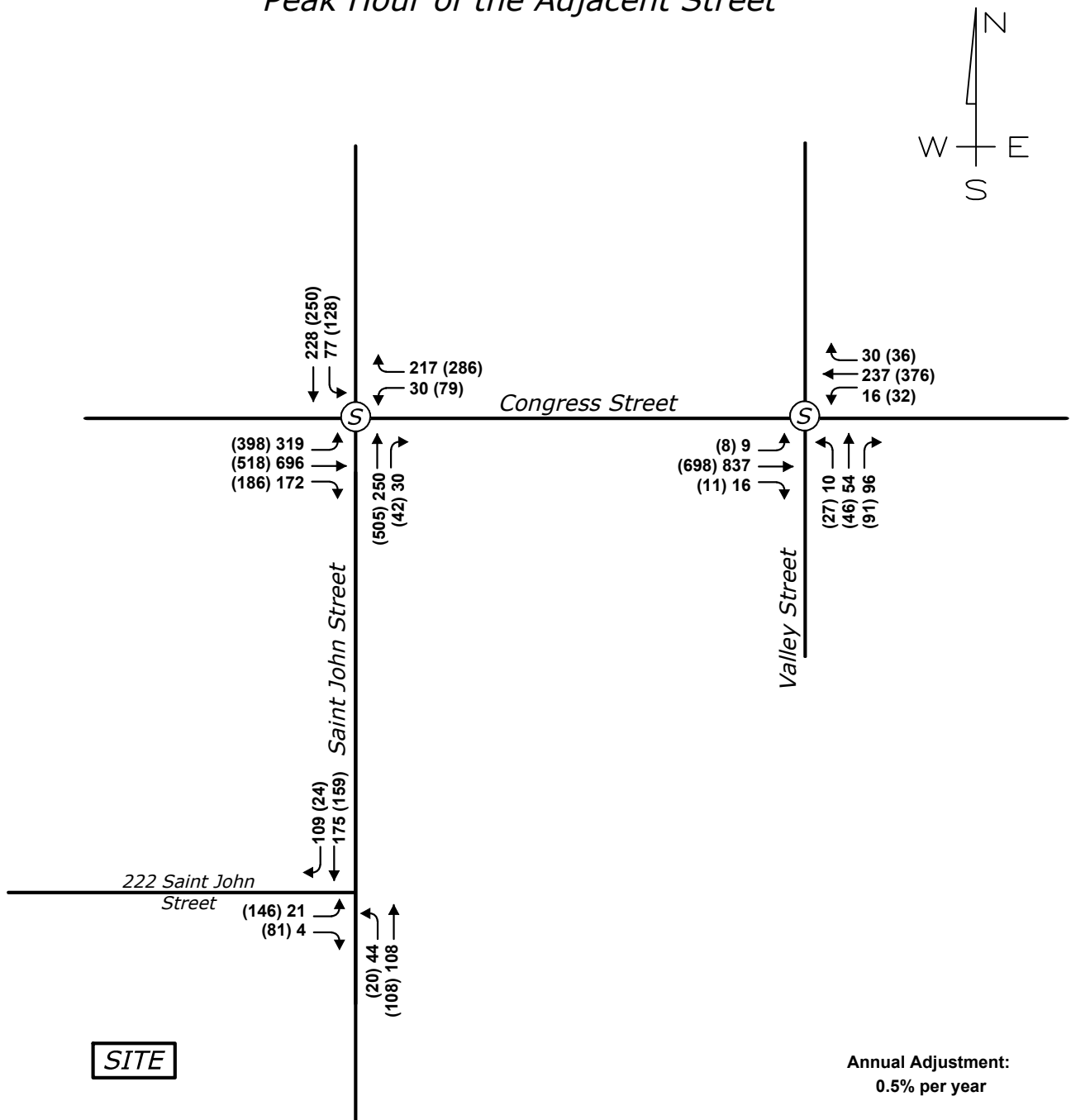
MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Peak Hour of the Proposed Garage



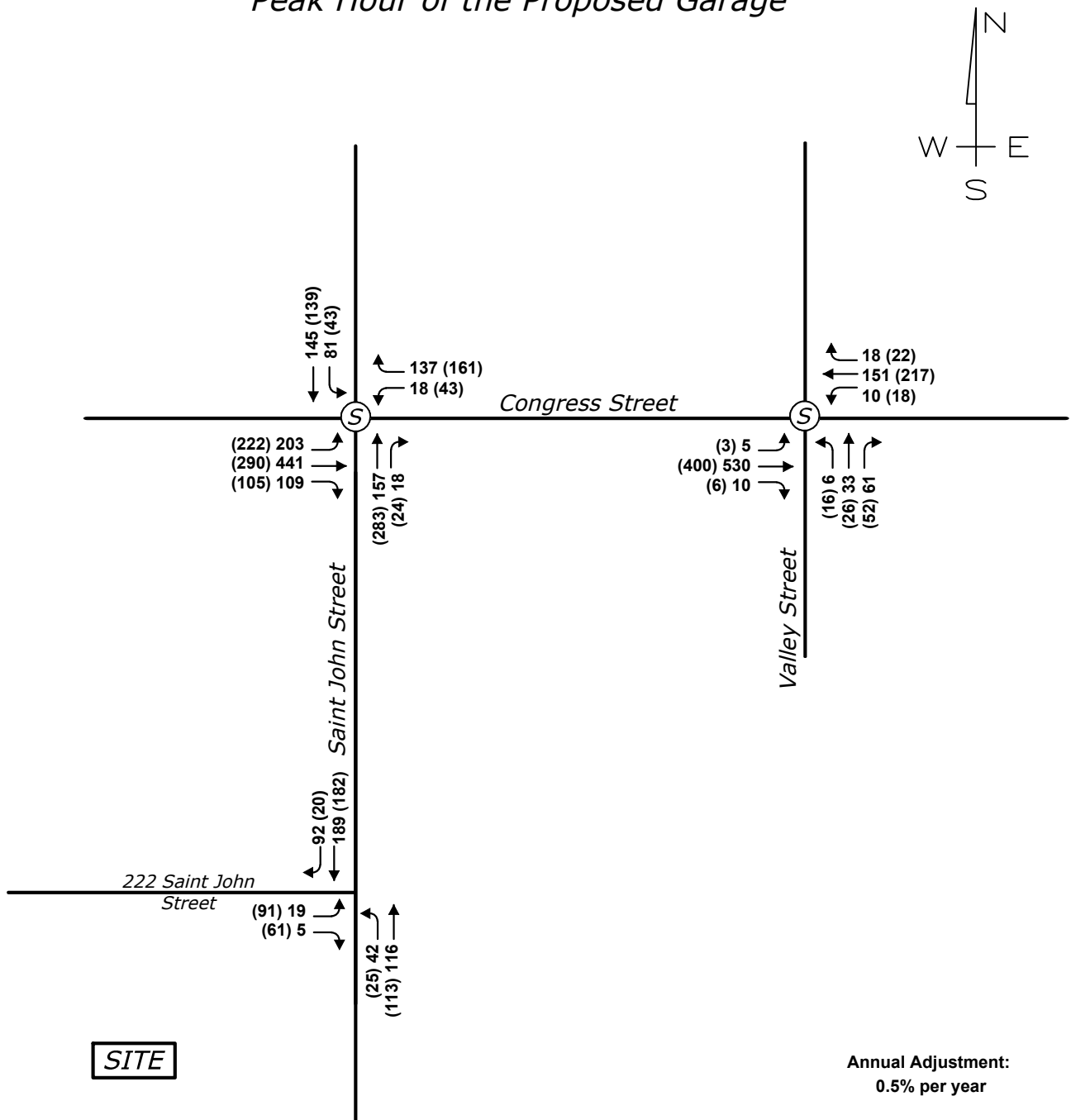
MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Peak Hour of the Adjacent Street



MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Peak Hour of the Proposed Garage

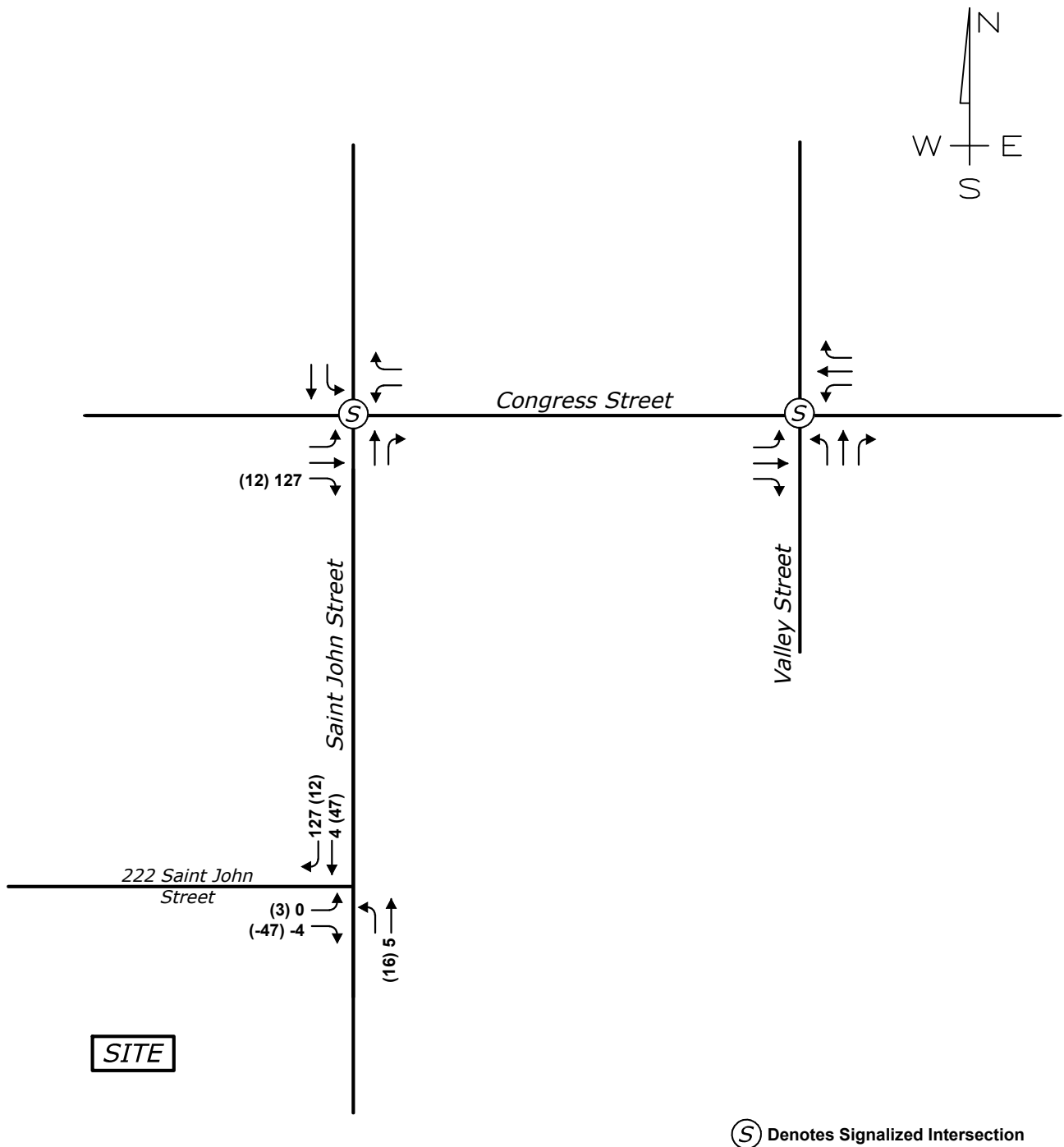


MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Redistributed Union Station Traffic

Figure No.

8



MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
Draft: Date: JULY 2017
Checked: RED File Name: 2866.01-TRAFF.dwg



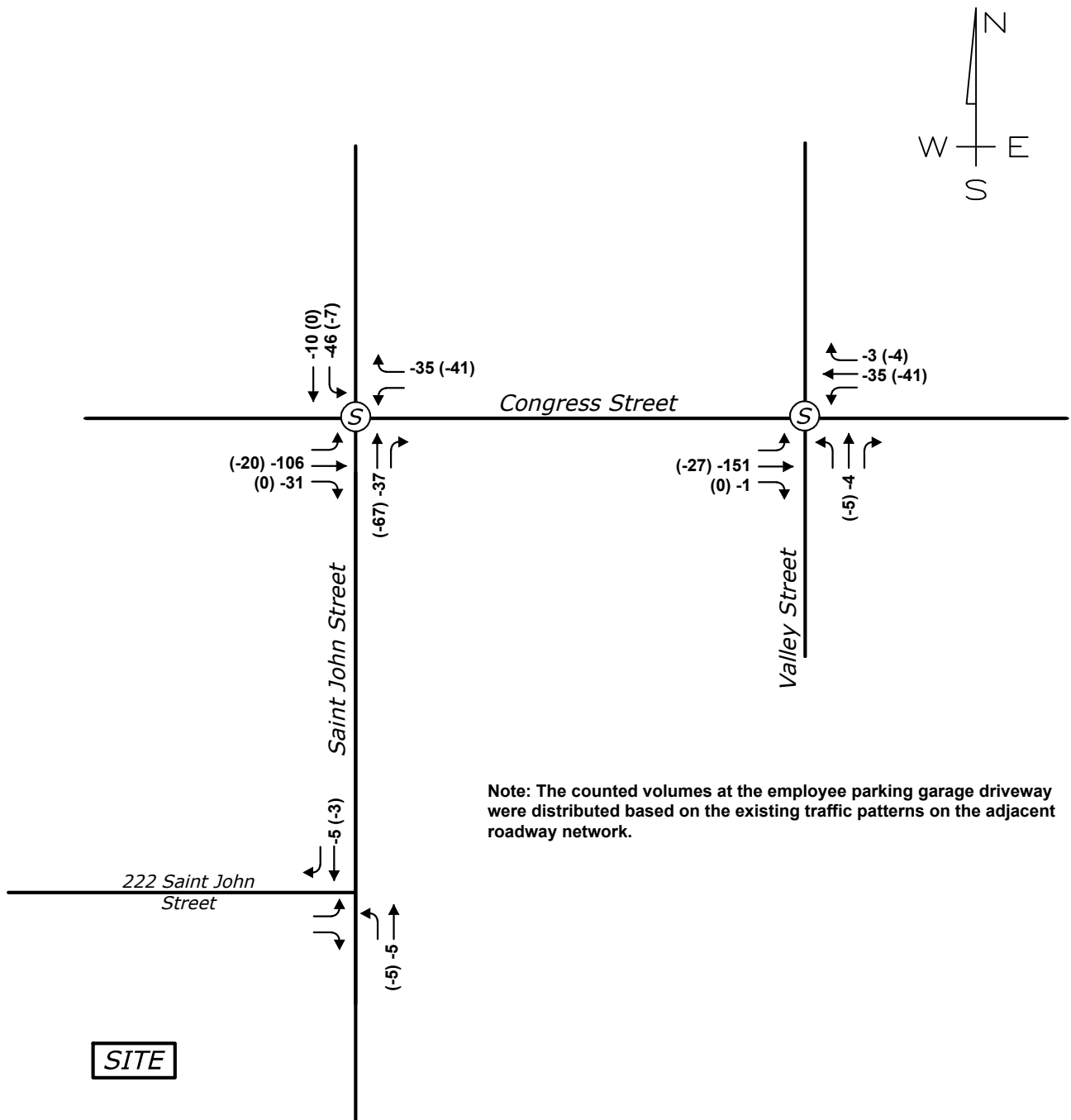
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Redistributed Employee Garage Traffic

Figure No.

9



Ⓢ Denotes Signalized Intersection

XX = AM Peak Hour
(XX) = PM Peak Hour

MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
Draft: Date: JULY 2017
Checked: RED File Name: 2866.01-TRAFF.dwg



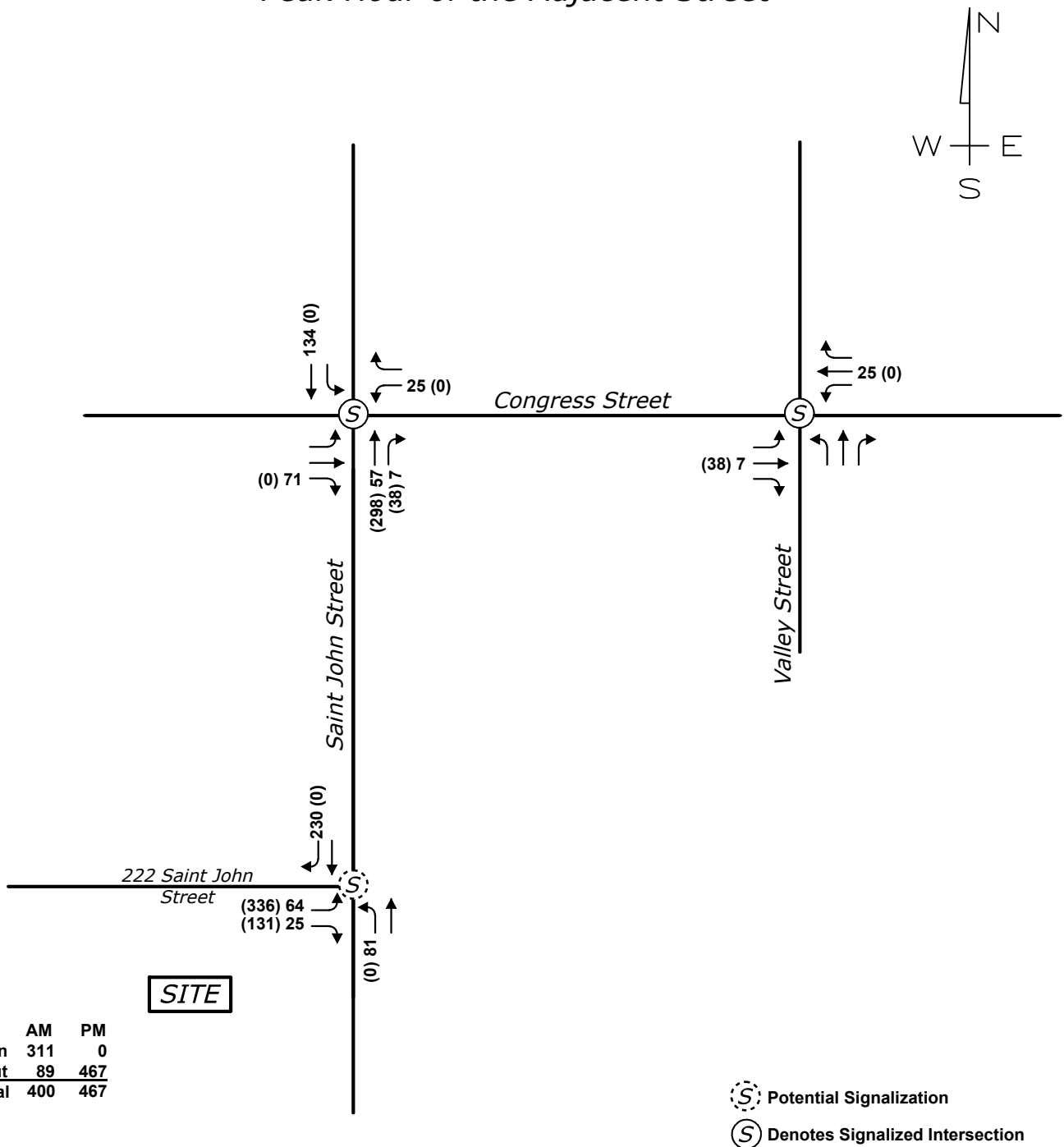
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Saint John Street Garage Trip Assignment

Figure No. **10**

Peak Hour of the Adjacent Street



	AM	PM
In	311	0
Out	89	467
Total	400	467

MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
Draft: Date: JULY 2017
Checked: RED File Name: 2866.01-TRAFF.dwg



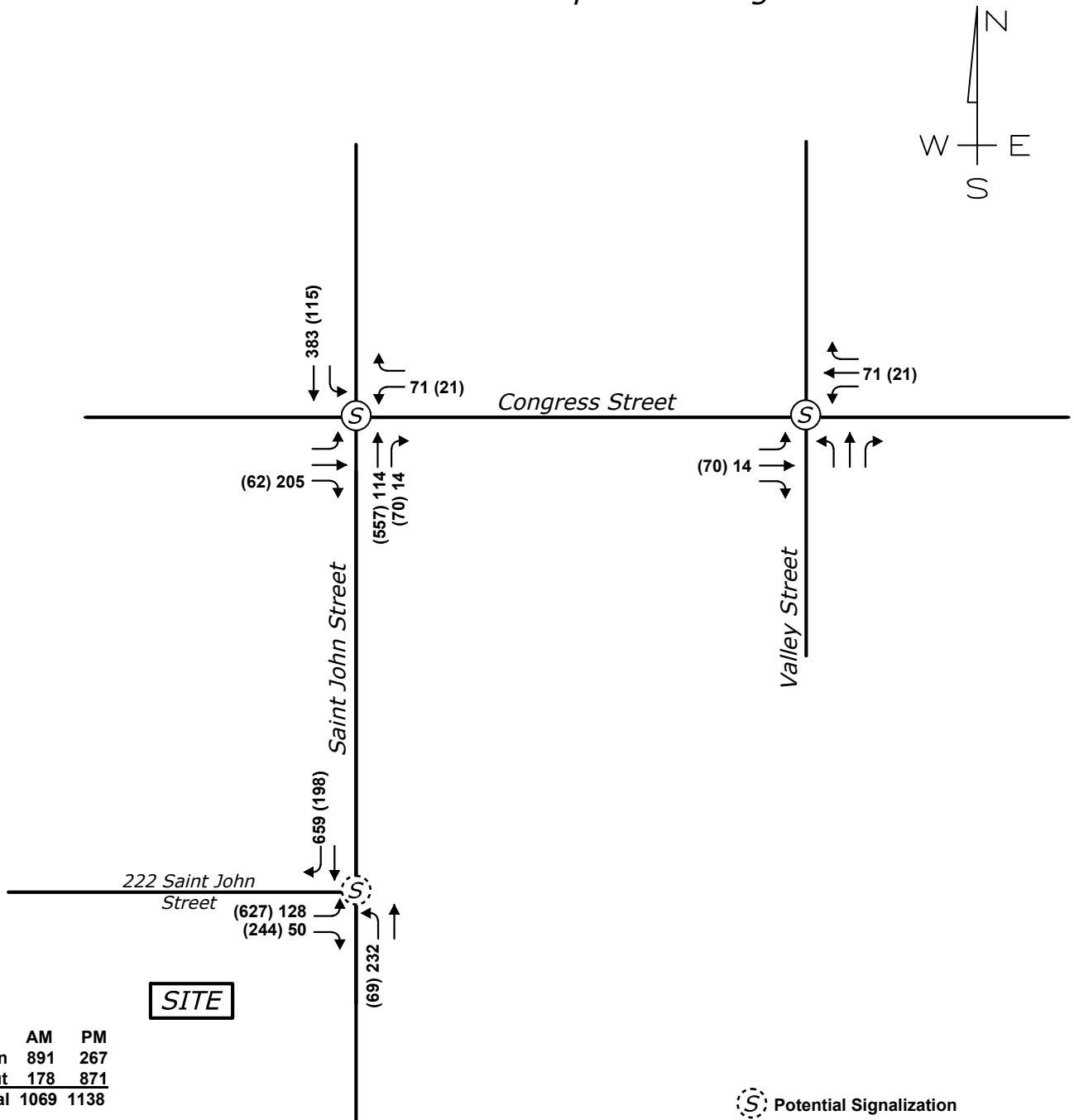
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Saint John Street Garage Trip Assignment

Figure No. **11**

Peak Hour of the Proposed Garage



SITE

	AM	PM
In	891	267
Out	178	871
Total	1069	1138

⊙ Potential Signalization
 ⊙ Denotes Signalized Intersection

XX = AM Peak Hour
 (XX) = PM Peak Hour

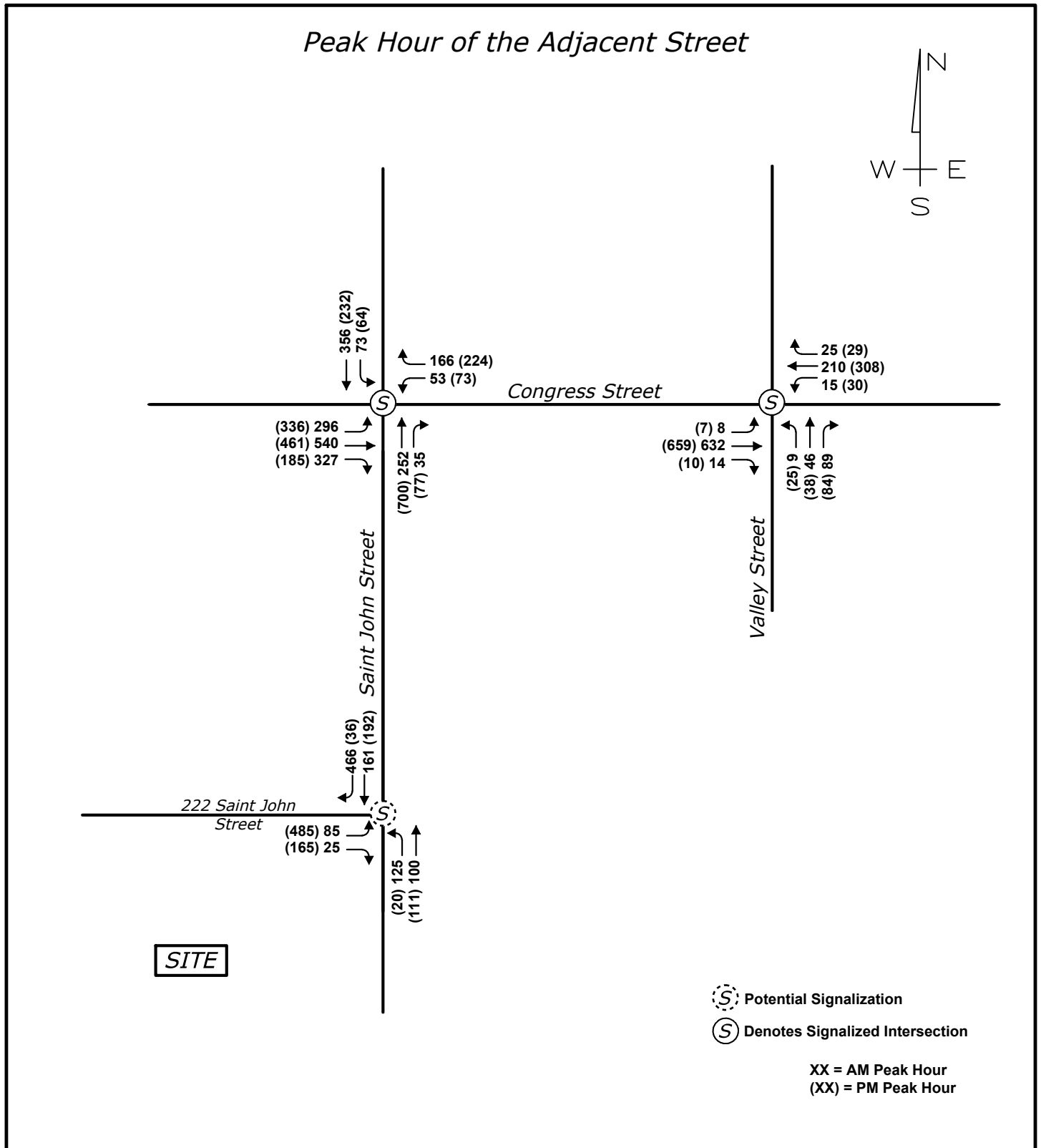
MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

Design: ET Scale: NONE
 Draft: Date: JULY 2017
 Checked: RED File Name: 2866.01-TRAFF.dwg

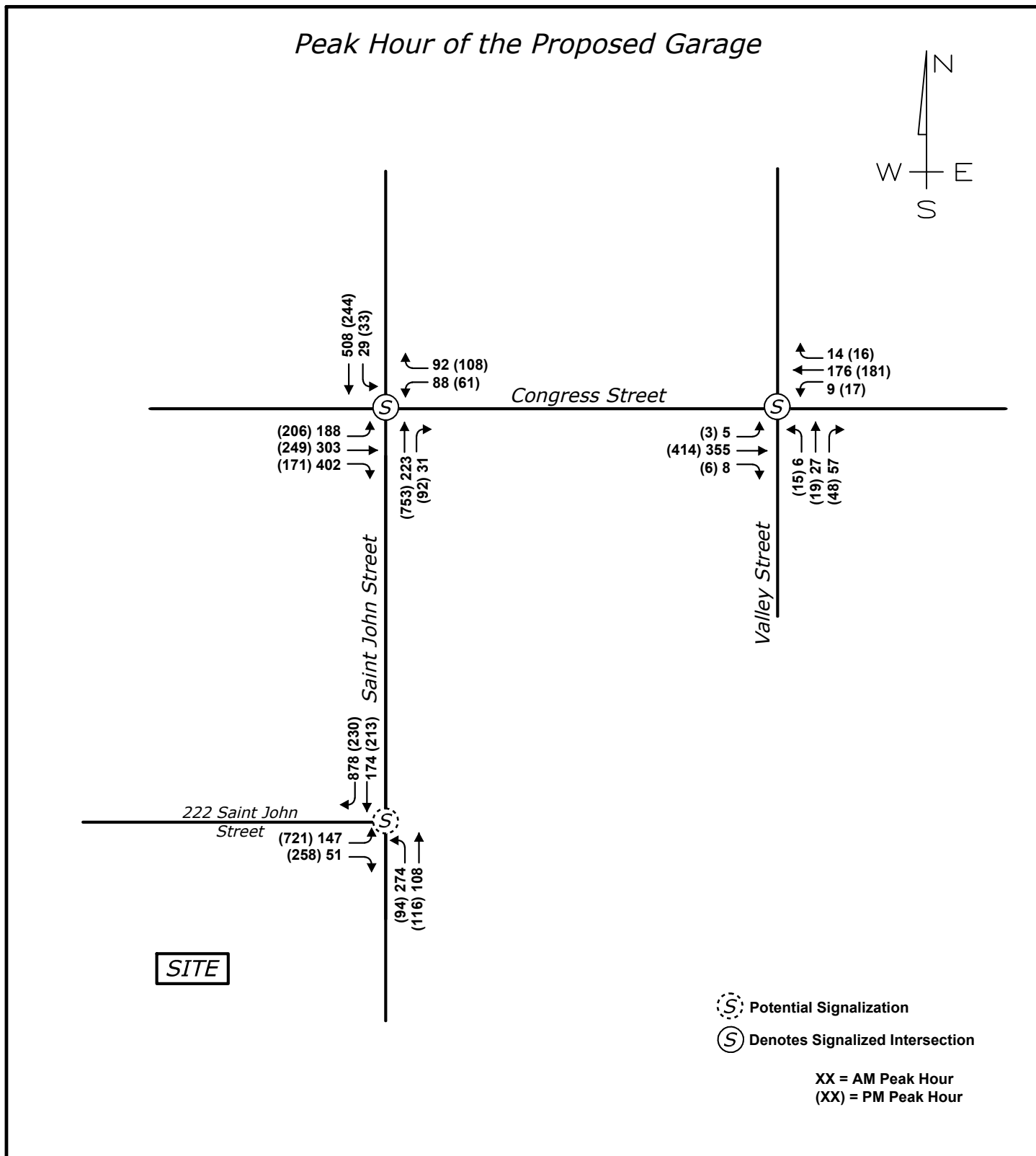


**GORRILL
PALMER**

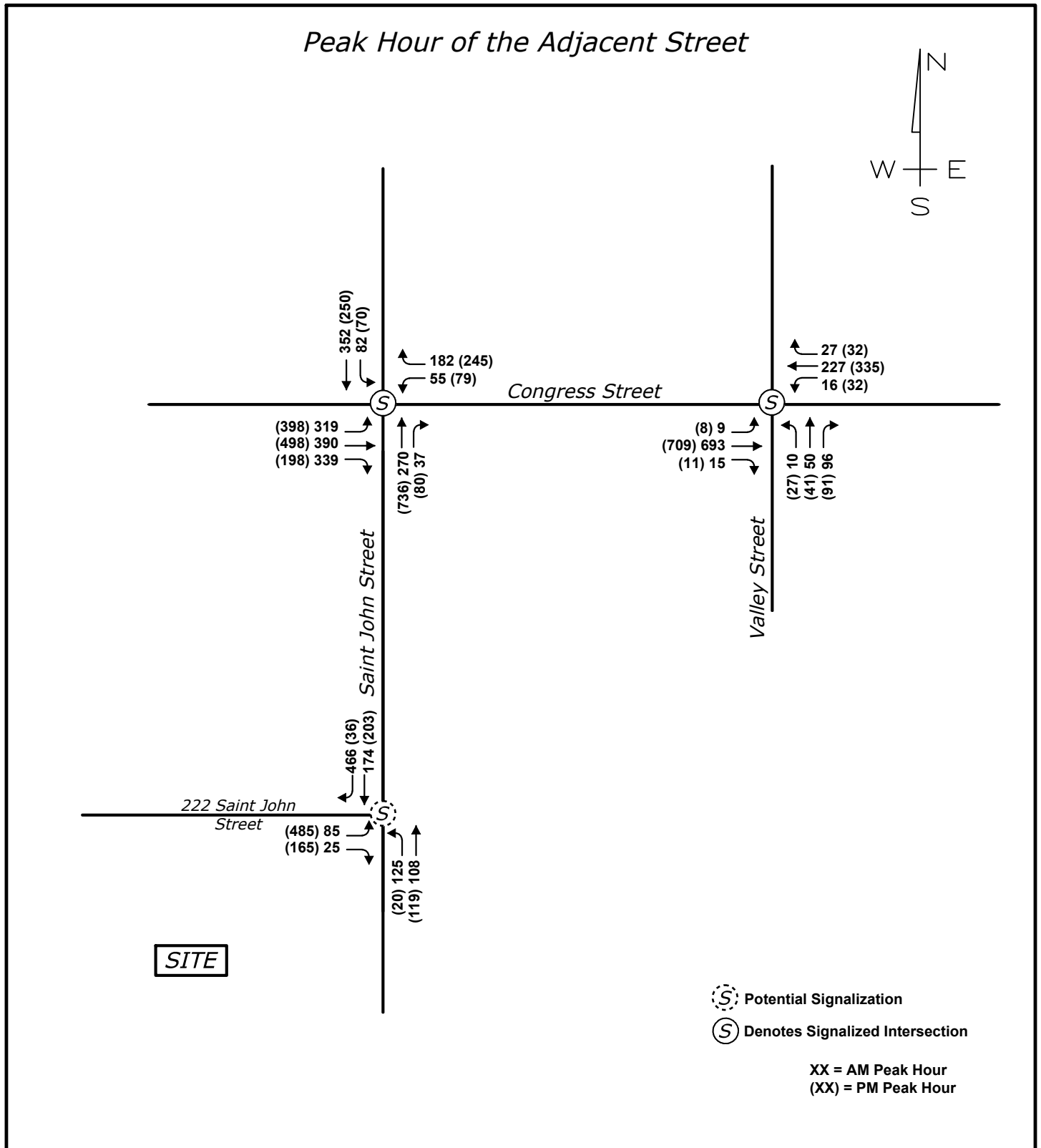
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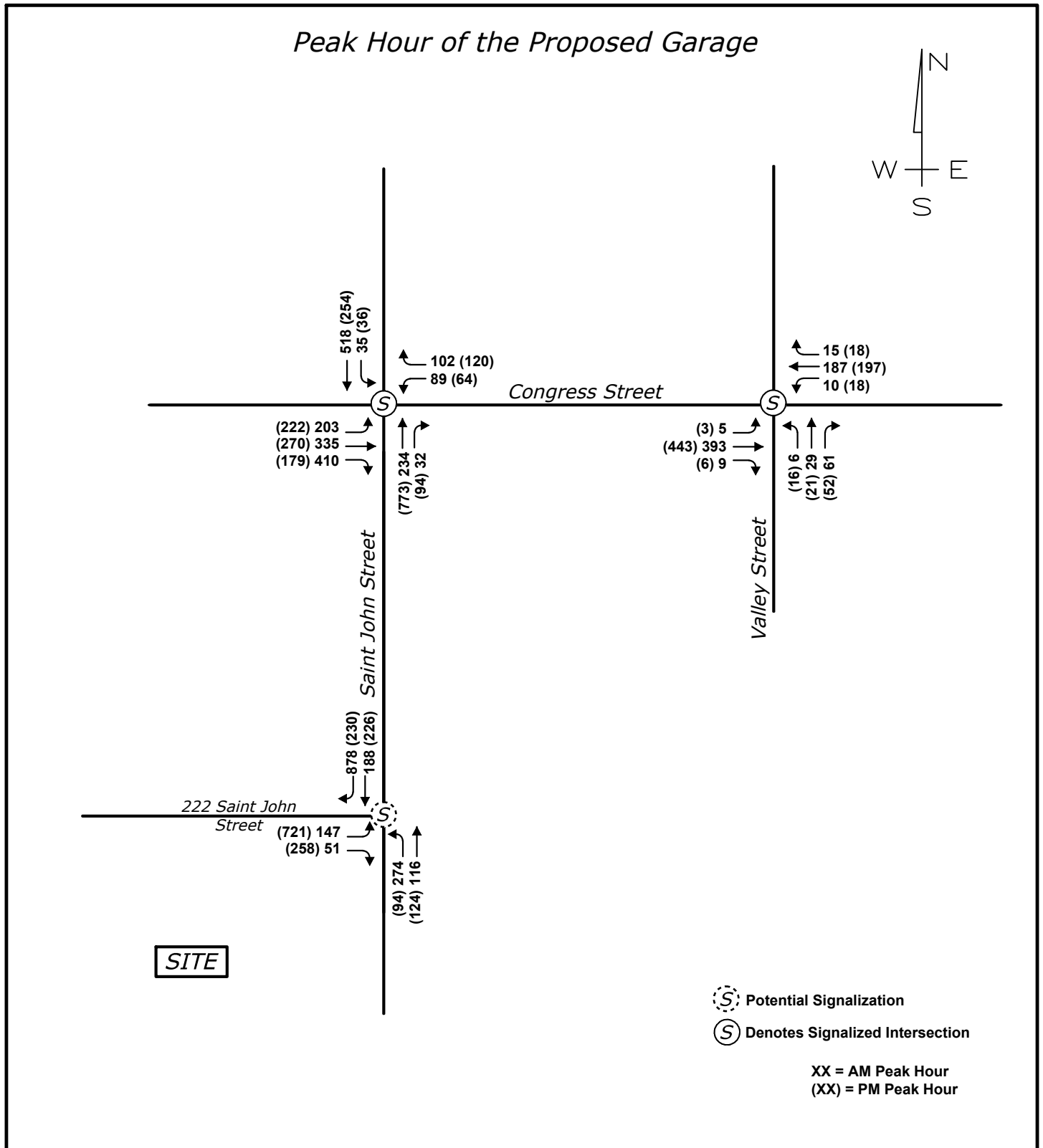
MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE



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MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE



MAINE MEDICAL CENTER EXPANSION PORTLAND, MAINE

ITE Trip Generation Calculations

JN: 2866.01
 Project Description: MMC Expansion
 Project Location: Portland, Maine
 Date: 04/18/17

Gorrill Palmer
 707 Sable Oaks Drive
 Suite 30
 South Portland, Maine 04106

**Hospital
 Land Use Code (LUC) 610**

Expansion Size:
Gross Floor Area (ft²): 345,000

Fitted Curve:

Time Period	ITE Trip Rate	Trip Ends	Directional Split		Directional Distribution		Sample Size/R ²
			IN	OUT	IN	OUT	
Weekday	T = 10.01 (X) + 2209.31	5663	50%	50%	2832	2831	14/.84
AM Peak Adjacent Street	T = 0.91 (X) + 145.24	459	67%	33%	308	151	7/.68
PM Peak Adjacent Street	T = 0.71 (X) + 233.89	479	33%	67%	158	321	7/.58
AM Peak of Generator	T = 1.00 (X) + 160.90	506	63%	37%	319	187	5/.78
PM Peak of Generator	T = 0.77 (X) + 249.13	515	38%	62%	196	319	9/.53
Saturday	T = 5.04 (X) + 2045.63	3784	50%	50%	1892	1892	13/.82
Saturday Peak of Generator	Not Given	-	50%	50%	-	-	3

Average Rate:

Time Period	ITE Trip Rate	Trip Ends	Directional Split		Directional Distribution		Sample Size
			IN	OUT	IN	OUT	
Weekday	T = 17.57 (X)	6062	50%	50%	3031	3031	14/.84
AM Peak Adjacent Street	T = 1.20 (X)	414	67%	33%	277	137	7/.68
PM Peak Adjacent Street	T = 1.18 (X)	407	33%	67%	134	273	7/.58
AM Peak of Generator	T = 1.47 (X)	507	63%	37%	319	188	5/.78
PM Peak of Generator	T = 1.61 (X)	555	38%	62%	211	344	9/.53
Saturday	T = 11.73 (X)	4047	50%	50%	2024	2023	13/.82
Saturday Peak of Generator	T = 2.26 (X)	780	50%	50%	390	390	3

JN: 2866.01
 Project Description: Maine Medical Center
 Project Location: Portland, Maine
 Date: 02/22/17

Gorrill-Palmer Consulting Engineers, Inc.
 707 Sable Oaks Drive
 South Portland
 Maine 04106

Hospital
Land Use Code (LUC) 610

Employees 4,595

Fitted Curve:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size/R2
Weekday	$T = 4.40 (X) + 711.46$	20929	50% 50%	10465 10464	19/.77
AM Peak Adjacent Street	$T = 0.32 (X) + 35.15$	1506	80% 20%	1205 301	9/.77
PM Peak Adjacent Street	$T = 0.28 (X) + 75.75$	1362	35% 65%	477 885	8/.69
AM Peak of Generator	$T = 0.33 (X) + 66.57$	1583	65% 35%	1029 554	8/.83
PM Peak of Generator	$T = 0.36 (X) + 97.41$	1752	40% 60%	701 1051	15/.73
Saturday	$T = 2.95 (X) + 691.43$	14247	50% 50%	7124 7123	15/.84
Saturday Peak of Generator	Not given	-	55% 45%	- -	4

* Percentages rounded to nearest 5%

Average Rate:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size
Weekday	$T = 5.2 (X)$	23894	50% 50%	11947 11947	19
AM Peak Adjacent Street	$T = 0.34 (X)$	1562	80% 20%	1250 312	9
PM Peak Adjacent Street	$T = 0.33 (X)$	1516	35% 65%	531 985	8
AM Peak of Generator	$T = 0.39 (X)$	1792	65% 35%	1165 627	8
PM Peak of Generator	$T = 0.47 (X)$	2160	40% 60%	864 1296	15
Saturday	$T = 3.78 (X)$	17369	50% 50%	8685 8684	15
Saturday Peak of Generator	$T = 0.53 (X)$	2435	55% 45%	1339 1096	4

* Percentages rounded to nearest 5%

JN: 2866.01
 Project Description: Maine Medical Center
 Project Location: Portland, Maine
 Date: 07/12/17

Gorrill-Palmer Consulting Engineers, Inc.
 707 Sable Oaks Drive
 South Portland
 Maine 04106

Hospital
Land Use Code (LUC) 610

Employees 4,919

Fitted Curve:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size/R2
Weekday	$T = 4.40 (X) + 711.46$	22355	50% 50%	11178 11177	19/.77
AM Peak Adjacent Street	$T = 0.32 (X) + 35.15$	1609	80% 20%	1287 322	9/.77
PM Peak Adjacent Street	$T = 0.28 (X) + 75.75$	1453	35% 65%	509 944	8/.69
AM Peak of Generator	$T = 0.33 (X) + 66.57$	1690	65% 35%	1099 591	8/.83
PM Peak of Generator	$T = 0.36 (X) + 97.41$	1868	40% 60%	747 1121	15/.73
Saturday	$T = 2.95 (X) + 691.43$	15202	50% 50%	7601 7601	15/.84
Saturday Peak of Generator	Not given	-	55% 45%	- -	4

* Percentages rounded to nearest 5%

Average Rate:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size
Weekday	$T = 5.2 (X)$	25579	50% 50%	12790 12789	19
AM Peak Adjacent Street	$T = 0.34 (X)$	1672	80% 20%	1338 334	9
PM Peak Adjacent Street	$T = 0.33 (X)$	1623	35% 65%	568 1055	8
AM Peak of Generator	$T = 0.39 (X)$	1918	65% 35%	1247 671	8
PM Peak of Generator	$T = 0.47 (X)$	2312	40% 60%	925 1387	15
Saturday	$T = 3.78 (X)$	18594	50% 50%	9297 9297	15
Saturday Peak of Generator	$T = 0.53 (X)$	2607	55% 45%	1434 1173	4

* Percentages rounded to nearest 5%

JN: 2866.01
 Project Description: laine Medical Center Expansion
 Project Location: Portland, Maine
 Date: 07/12/17

Gorrill Palmer
 707 Sable Oaks Drive
 Suite 30
 South Portland, Maine 04106

**Hospital
 Land Use Code (LUC) 610**

Expansion Size:
Gross Floor Area (ft²): 420,000

Fitted Curve:

Time Period	ITE Trip Rate	Trip Ends	Directional Split IN OUT	Directional Distribution IN OUT	Sample Size/R ²
Weekday	T = 10.01 (X) + 2209.31	6414	50% 50%	3207 3207	14/.84
AM Peak Adjacent Street	T = 0.91 (X) + 145.24	527	67% 33%	353 174	7/.68
PM Peak Adjacent Street	T = 0.71 (X) + 233.89	532	33% 67%	176 356	7/.58
AM Peak of Generator	T = 1.00 (X) + 160.90	581	63% 37%	366 215	5/.78
PM Peak of Generator	T = 0.77 (X) + 249.13	573	38% 62%	218 355	9/.53
Saturday	T = 5.04 (X) + 2045.63	4162	50% 50%	2081 2081	13/.82
Saturday Peak of Generator	Not Given	-	50% 50%	- -	3

Average Rate:

Time Period	ITE Trip Rate	Trip Ends	Directional Split IN OUT	Directional Distribution IN OUT	Sample Size
Weekday	T = 17.57 (X)	7379	50% 50%	3690 3689	14/.84
AM Peak Adjacent Street	T = 1.20 (X)	504	67% 33%	338 166	7/.68
PM Peak Adjacent Street	T = 1.18 (X)	496	33% 67%	164 332	7/.58
AM Peak of Generator	T = 1.47 (X)	617	63% 37%	389 228	5/.78
PM Peak of Generator	T = 1.61 (X)	676	38% 62%	257 419	9/.53
Saturday	T = 11.73 (X)	4927	50% 50%	2464 2463	13/.82
Saturday Peak of Generator	T = 2.26 (X)	949	50% 50%	475 474	3

JN: 2866.01
 Project Description: Maine Medical Center
 Project Location: Portland, Maine
 Date: 07/12/17

Gorrill-Palmer Consulting Engineers, Inc.
 707 Sable Oaks Drive
 South Portland
 Maine 04106

Hospital
Land Use Code (LUC) 610

Employees 5,313

Fitted Curve:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size/R2
Weekday	$T = 4.40 (X) + 711.46$	24089	50% 50%	12045 12044	19/.77
AM Peak Adjacent Street	$T = 0.32 (X) + 35.15$	1735	80% 20%	1388 347	9/.77
PM Peak Adjacent Street	$T = 0.28 (X) + 75.75$	1563	35% 65%	547 1016	8/.69
AM Peak of Generator	$T = 0.33 (X) + 66.57$	1820	65% 35%	1183 637	8/.83
PM Peak of Generator	$T = 0.36 (X) + 97.41$	2010	40% 60%	804 1206	15/.73
Saturday	$T = 2.95 (X) + 691.43$	16365	50% 50%	8183 8182	15/.84
Saturday Peak of Generator	Not given	-	55% 45%	- -	4

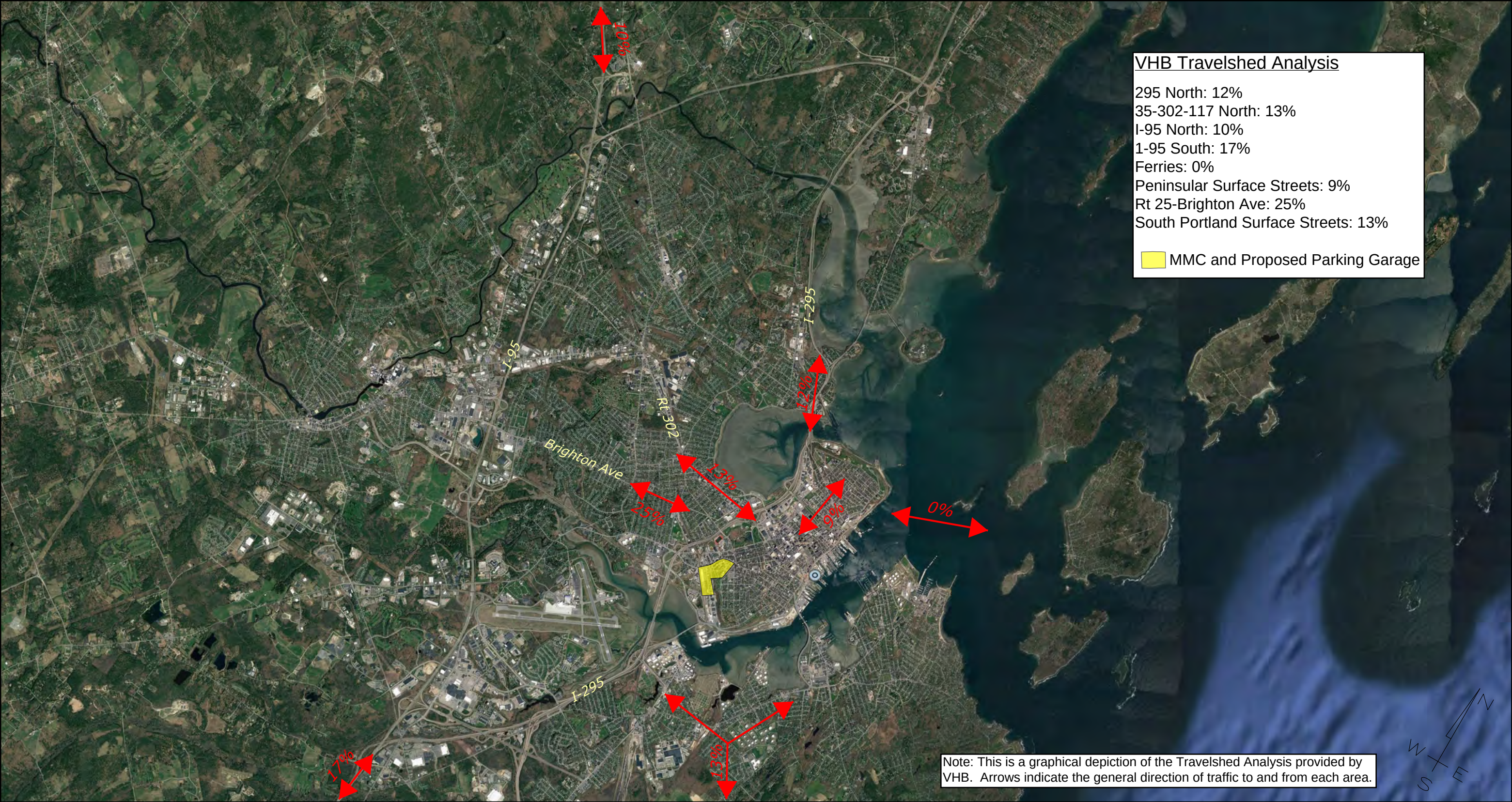
* Percentages rounded to nearest 5%

Average Rate:

Time Period	ITE Trip Rate	Trip Ends	Directional Split* IN OUT	Directional Distribution IN OUT	Sample Size
Weekday	$T = 5.2 (X)$	27628	50% 50%	13814 13814	19
AM Peak Adjacent Street	$T = 0.34 (X)$	1806	80% 20%	1445 361	9
PM Peak Adjacent Street	$T = 0.33 (X)$	1753	35% 65%	614 1139	8
AM Peak of Generator	$T = 0.39 (X)$	2072	65% 35%	1347 725	8
PM Peak of Generator	$T = 0.47 (X)$	2497	40% 60%	999 1498	15
Saturday	$T = 3.78 (X)$	20083	50% 50%	10042 10041	15
Saturday Peak of Generator	$T = 0.53 (X)$	2816	55% 45%	1549 1267	4

* Percentages rounded to nearest 5%

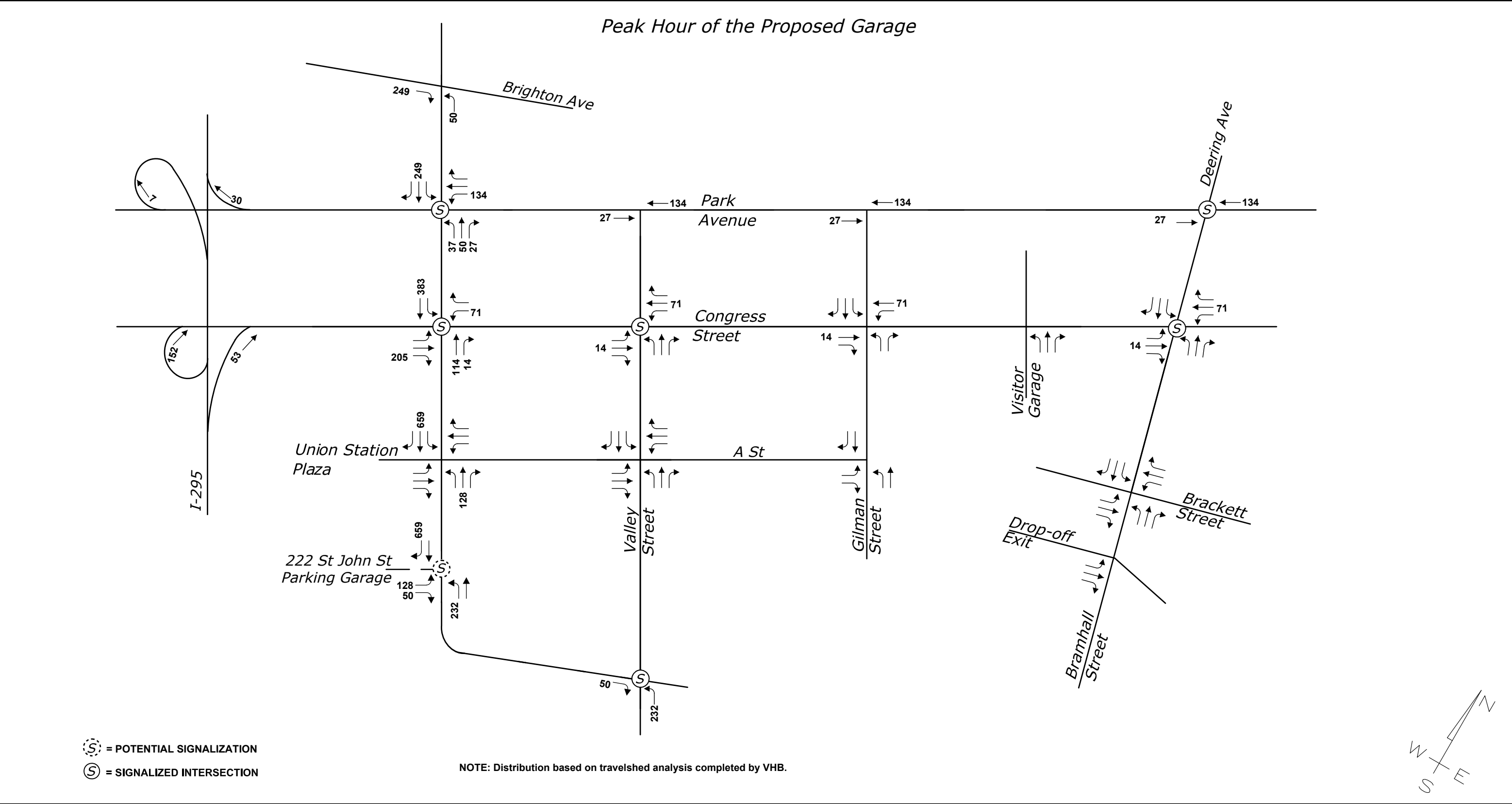
VHB Travelshed Figure



Maine Medical Center Expansion
PORTLAND, MAINE

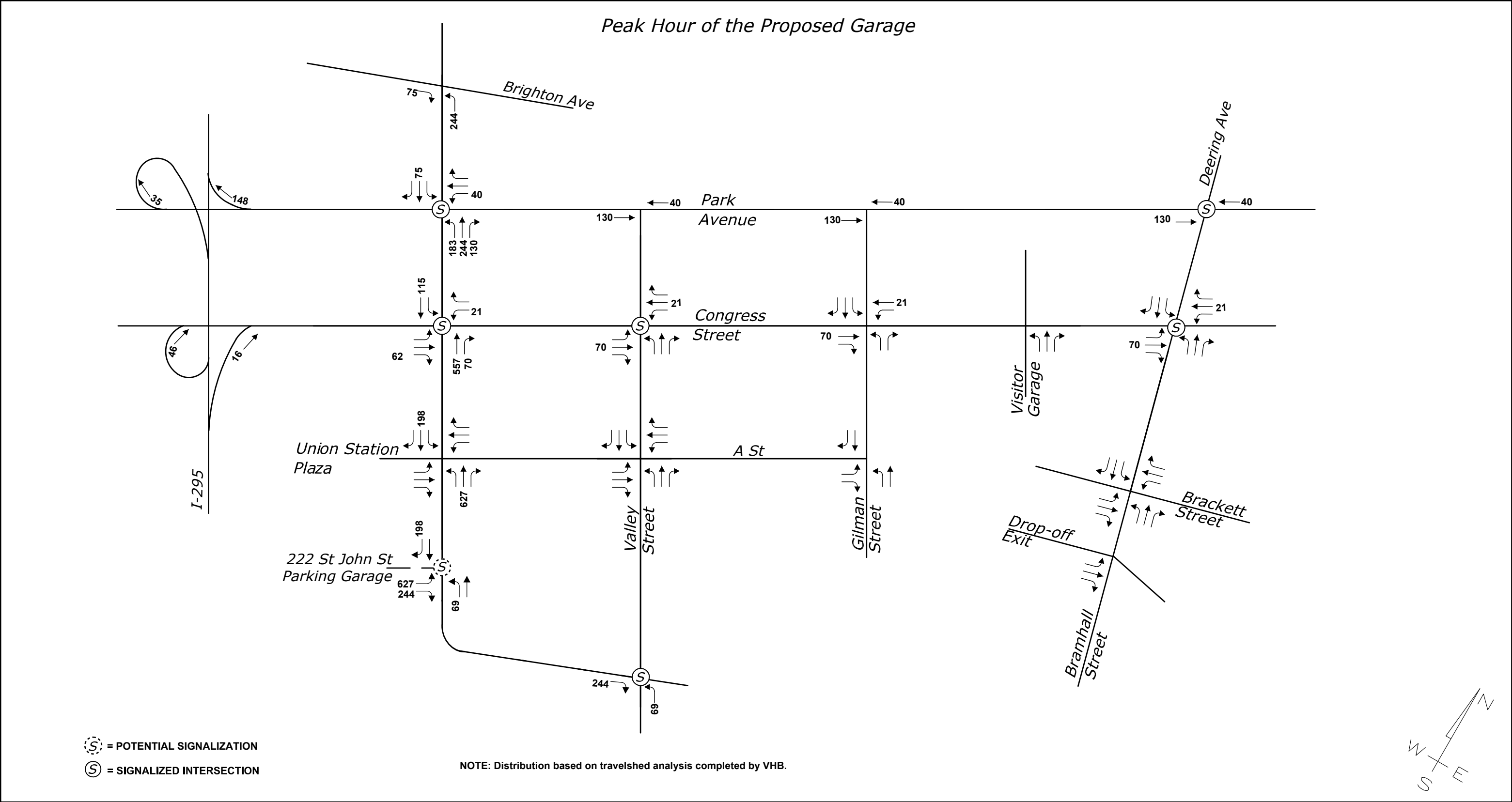
Expanded Trip Assignment

Potential St. John Street Parking Garage Trip Assignment AM Peak Hour



Maine Medical Center Expansion
PORTLAND, MAINE

Potential St. John Street Parking Garage Trip Assignment PM Peak Hour



Maine Medical Center Expansion
PORTLAND, MAINE

Capacity Analysis Results

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1492	1509	1493	1455	1482	1487
Vehs Exited	1498	1515	1489	1474	1481	1491
Starting Vehs	20	23	19	32	25	22
Ending Vehs	14	17	23	13	26	16
Denied Entry Before	0	1	0	0	2	0
Denied Entry After	1	1	0	0	1	0
Travel Distance (mi)	418	420	414	407	418	415
Travel Time (hr)	24.4	24.3	24.5	24.4	25.5	24.6
Total Delay (hr)	9.1	8.9	9.4	9.5	10.2	9.4
Total Stops	992	967	1038	1027	1102	1024
Fuel Used (gal)	17.5	17.6	17.5	17.4	17.9	17.6

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	1492	1509	1493	1455	1482	1487
Vehs Exited	1498	1515	1489	1474	1481	1491
Starting Vehs	20	23	19	32	25	22
Ending Vehs	14	17	23	13	26	16
Denied Entry Before	0	1	0	0	2	0
Denied Entry After	1	1	0	0	1	0
Travel Distance (mi)	418	420	414	407	418	415
Travel Time (hr)	24.4	24.3	24.5	24.4	25.5	24.6
Total Delay (hr)	9.1	8.9	9.4	9.5	10.2	9.4
Total Stops	992	967	1038	1027	1102	1024
Fuel Used (gal)	17.5	17.6	17.5	17.4	17.9	17.6

3: Driveway & St. John Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.1	0.2	0.0	0.1
Total Del/Veh (s)	6.0	1.6	2.3	2.2
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

5: St. John Street & Congress St Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.9	0.0	0.1	0.2	0.6
Total Del/Veh (s)	8.3	7.8	38.3	34.5	16.6
Denied Entry Before	0	0	0	0	0
Denied Entry After	0	0	0	0	0

8: Congress St & Valley St Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.1	0.4	2.6	0.5
Total Del/Veh (s)	7.2	13.0	19.6	10.0
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

Total Network Performance

Denied Del/Veh (s)		0.8
Total Del/Veh (s)		21.7
Denied Entry Before		0
Denied Entry After		0

Intersection: 3: Driveway & St. John Street

Movement	EB	NB	SB
Directions Served	LR	LT	TR
Maximum Queue (ft)	35	69	9
Average Queue (ft)	15	13	0
95th Queue (ft)	41	47	4
Link Distance (ft)	190	818	653
Upstream Blk Time (%)			
Queuing Penalty (veh)			
Storage Bay Dist (ft)			
Storage Blk Time (%)			
Queuing Penalty (veh)			

Intersection: 5: St. John Street & Congress St

Movement	EB	EB	EB	WB	WB	NB	NB	SB	SB
Directions Served	L	T	R	L	R	T	TR	L	T
Maximum Queue (ft)	148	248	116	75	151	147	131	166	182
Average Queue (ft)	53	108	26	12	61	71	48	54	73
95th Queue (ft)	116	201	76	50	116	123	104	118	143
Link Distance (ft)	587	587			171	653		252	252
Upstream Blk Time (%)					0			0	
Queuing Penalty (veh)					0			0	
Storage Bay Dist (ft)			290	80			175		
Storage Blk Time (%)		0	0	0	2	0	0		
Queuing Penalty (veh)		0	0	0	0	0	0		

Intersection: 8: Congress St & Valley St

Movement	EB	EB	WB	WB	NB	NB
Directions Served	L	TR	L	TR	LT	R
Maximum Queue (ft)	50	184	65	167	82	74
Average Queue (ft)	3	91	8	60	26	28
95th Queue (ft)	20	163	34	131	63	55
Link Distance (ft)		171		785	570	
Upstream Blk Time (%)		2				
Queuing Penalty (veh)		9				
Storage Bay Dist (ft)	40		60			110
Storage Blk Time (%)	0	20	0	8	0	
Queuing Penalty (veh)	1	1	0	1	0	

Network Summary

Network wide Queuing Penalty: 13

Intersection: 5: St. John Street & Congress St

Phase	1	2	3	4	5	6	7	8	9
Movement(s) Served	EBL	WBL	SBL	NBT	WBL	EBTL	NBL	SBT	Ped
Maximum Green (s)	12.0	24.0	7.0	13.0	5.0	31.0	4.0	16.0	20.0
Minimum Green (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Recall	None	C-Min	None	None	None	C-Min	None	None	None
Avg. Green (s)	10.7	51.7	10.2	11.8	5.5	63.8	0.0	25.0	0.0
g/C Ratio	-0.01	NA	-0.01	NA	-0.01	NA	-0.01	NA	-0.01
Cycles Skipped (%)	14	0	9	0	89	0	100	0	100
Cycles @ Minimum (%)	0	0	0	0	9	0	0	0	0
Cycles Maxed Out (%)	0	100	3	3	0	100	0	3	0
Cycles with Peds (%)	0	0	0	0	0	0	0	0	0

Controller Summary

Average Cycle Length (s): NA
Number of Complete Cycles : 0

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	1500	1576	1529	1592	1543	1547
Vehs Exited	1516	1587	1522	1593	1533	1549
Starting Vehs	27	28	23	27	15	22
Ending Vehs	11	17	30	26	25	18
Denied Entry Before	0	0	1	0	1	0
Denied Entry After	0	0	0	1	0	0
Travel Distance (mi)	389	408	390	409	397	399
Travel Time (hr)	23.1	25.0	23.6	24.9	24.2	24.2
Total Delay (hr)	8.9	10.1	9.3	9.8	9.6	9.5
Total Stops	1165	1252	1226	1221	1213	1218
Fuel Used (gal)	16.9	18.1	17.1	17.9	17.3	17.5

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	1500	1576	1529	1592	1543	1547
Vehs Exited	1516	1587	1522	1593	1533	1549
Starting Vehs	27	28	23	27	15	22
Ending Vehs	11	17	30	26	25	18
Denied Entry Before	0	0	1	0	1	0
Denied Entry After	0	0	0	1	0	0
Travel Distance (mi)	389	408	390	409	397	399
Travel Time (hr)	23.1	25.0	23.6	24.9	24.2	24.2
Total Delay (hr)	8.9	10.1	9.3	9.8	9.6	9.5
Total Stops	1165	1252	1226	1221	1213	1218
Fuel Used (gal)	16.9	18.1	17.1	17.9	17.3	17.5

3: Driveway & St. John Street Performance by approach

Approach	EB	NB	SB	All
Denied Del/Veh (s)	0.2	0.1	0.0	0.1
Total Del/Veh (s)	5.3	0.8	1.3	2.2
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

5: St. John Street & Congress St Performance by approach

Approach	EB	WB	NB	SB	All
Denied Del/Veh (s)	0.9	0.0	0.3	0.2	0.5
Total Del/Veh (s)	8.9	7.7	31.8	28.6	16.8
Denied Entry Before	0	0	0	0	0
Denied Entry After	0	0	0	0	0

8: Congress St & Valley St Performance by approach

Approach	EB	WB	NB	All
Denied Del/Veh (s)	0.2	0.6	2.4	0.5
Total Del/Veh (s)	7.3	15.5	17.2	11.2
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

Total Network Performance

Denied Del/Veh (s)		0.7
Total Del/Veh (s)		21.2
Denied Entry Before		0
Denied Entry After		0

Intersection: 3: Driveway & St. John Street

Movement	EB	NB
Directions Served	LR	LT
Maximum Queue (ft)	88	35
Average Queue (ft)	44	5
95th Queue (ft)	72	24
Link Distance (ft)	190	818
Upstream Blk Time (%)		
Queuing Penalty (veh)		
Storage Bay Dist (ft)		
Storage Blk Time (%)		
Queuing Penalty (veh)		

Intersection: 5: St. John Street & Congress St

Movement	EB	EB	EB	WB	WB	NB	NB	SB	SB
Directions Served	L	T	R	L	R	T	TR	L	T
Maximum Queue (ft)	144	183	57	92	134	217	185	96	121
Average Queue (ft)	64	77	24	19	61	113	85	30	59
95th Queue (ft)	123	148	54	59	109	180	153	70	110
Link Distance (ft)	587	587			171	653		252	252
Upstream Blk Time (%)					0				
Queuing Penalty (veh)					0				
Storage Bay Dist (ft)			290	80			175		
Storage Blk Time (%)				0	2	1	0		
Queuing Penalty (veh)				0	1	1	0		

Intersection: 8: Congress St & Valley St

Movement	EB	EB	WB	WB	NB	NB
Directions Served	L	TR	L	TR	LT	R
Maximum Queue (ft)	26	149	84	197	79	72
Average Queue (ft)	1	66	13	78	27	25
95th Queue (ft)	11	118	49	152	65	54
Link Distance (ft)		171		785	570	
Upstream Blk Time (%)		0				
Queuing Penalty (veh)		1				
Storage Bay Dist (ft)	40		60			110
Storage Blk Time (%)	0	19	0	14	0	0
Queuing Penalty (veh)	0	1	0	2	0	0

Network Summary

Network wide Queuing Penalty: 6

Intersection: 5: St. John Street & Congress St

Phase	1	2	3	4	5	6	7	8	9
Movement(s) Served	EBL	WBL	SBL	NBT	WBL	EBTL	NBL	SBT	Ped
Maximum Green (s)	7.0	19.0	6.0	14.0	5.0	21.0	4.0	16.0	20.0
Minimum Green (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Recall	None	C-Min	None	None	None	C-Min	None	None	None
Avg. Green (s)	11.4	41.2	7.8	15.0	7.7	53.2	0.0	24.6	0.0
g/C Ratio	-0.01	NA	-0.01	NA	-0.01	NA	-0.01	NA	-0.01
Cycles Skipped (%)	13	0	25	0	82	0	100	0	100
Cycles @ Minimum (%)	0	0	0	0	8	0	0	0	0
Cycles Maxed Out (%)	0	100	0	5	0	100	0	5	0
Cycles with Peds (%)	0	0	0	0	0	0	0	0	0

Controller Summary

Average Cycle Length (s): NA
Number of Complete Cycles : 0

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2260	2293	2287	2208	2234	2258
Vehs Exited	2133	2164	2145	2093	2102	2126
Starting Vehs	53	56	61	62	53	56
Ending Vehs	180	185	203	177	185	184
Denied Entry Before	3	1	0	0	0	1
Denied Entry After	149	213	97	259	219	187
Travel Distance (mi)	841	857	849	829	841	844
Travel Time (hr)	204.9	218.2	169.6	254.9	214.3	212.4
Total Delay (hr)	173.4	186.2	138.1	223.9	182.9	180.9
Total Stops	1631	1627	1634	1551	1634	1616
Fuel Used (gal)	70.0	73.7	61.8	80.8	72.4	71.7

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	2260	2293	2287	2208	2234	2258
Vehs Exited	2133	2164	2145	2093	2102	2126
Starting Vehs	53	56	61	62	53	56
Ending Vehs	180	185	203	177	185	184
Denied Entry Before	3	1	0	0	0	1
Denied Entry After	149	213	97	259	219	187
Travel Distance (mi)	841	857	849	829	841	844
Travel Time (hr)	204.9	218.2	169.6	254.9	214.3	212.4
Total Delay (hr)	173.4	186.2	138.1	223.9	182.9	180.9
Total Stops	1631	1627	1634	1551	1634	1616
Fuel Used (gal)	70.0	73.7	61.8	80.8	72.4	71.7

3: Driveway & St. John Street Performance by approach

Approach	EB	NB	SB	All
Denied Delay (hr)	11.3	51.5	0.1	62.9
Denied Del/Veh (s)	219.5	492.1	0.2	139.1
Total Delay (hr)	67.3	32.0	2.6	101.8
Total Del/Veh (s)	1877.5	442.8	8.6	251.1
Denied Entry Before	0	0	0	0
Denied Entry After	62	125	0	187

5: St. John Street & Congress St Performance by approach

Approach	EB	WB	NB	SB	All
Denied Delay (hr)	0.5	0.0	0.0	1.2	1.7
Denied Del/Veh (s)	1.8	0.0	0.1	7.6	3.4
Total Delay (hr)	4.1	0.6	0.6	5.8	11.0
Total Del/Veh (s)	15.7	11.8	22.5	36.3	22.2
Denied Entry Before	0	0	0	1	1
Denied Entry After	0	0	0	0	0

8: Congress St & Valley St Performance by approach

Approach	EB	WB	NB	All
Denied Delay (hr)	0.0	0.0	0.1	0.1
Denied Del/Veh (s)	0.0	0.4	2.7	0.5
Total Delay (hr)	0.7	1.1	0.5	2.3
Total Del/Veh (s)	6.9	19.5	16.7	12.0
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

Total Network Performance

Denied Delay (hr)	64.7
Denied Del/Veh (s)	95.2
Total Delay (hr)	116.2
Total Del/Veh (s)	181.1
Denied Entry Before	1
Denied Entry After	187

Intersection: 3: Driveway & St. John Street

Movement	EB	EB	NB	SB
Directions Served	L	R	LT	TR
Maximum Queue (ft)	1581	1561	846	64
Average Queue (ft)	1220	829	781	22
95th Queue (ft)	1983	1995	990	54
Link Distance (ft)	1553	1553	806	653
Upstream Blk Time (%)	49	35	82	
Queuing Penalty (veh)	0	0	0	
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 5: St. John Street & Congress St

Movement	EB	EB	EB	WB	WB	NB	NB	SB	SB
Directions Served	L	T	R	L	R	T	TR	L	T
Maximum Queue (ft)	166	264	281	104	146	90	74	225	291
Average Queue (ft)	77	126	137	46	52	28	18	39	245
95th Queue (ft)	144	225	238	97	104	74	54	131	320
Link Distance (ft)	587	587			171	653		252	252
Upstream Blk Time (%)					0			0	22
Queuing Penalty (veh)					0			0	0
Storage Bay Dist (ft)			290	80			175		
Storage Blk Time (%)		0	0	2	1				
Queuing Penalty (veh)		0	1	2	1				

Intersection: 8: Congress St & Valley St

Movement	EB	EB	WB	WB	NB	NB
Directions Served	L	TR	L	TR	LT	R
Maximum Queue (ft)	30	130	58	186	87	67
Average Queue (ft)	3	55	7	80	26	26
95th Queue (ft)	21	110	32	157	66	53
Link Distance (ft)		171		785	570	
Upstream Blk Time (%)		0				
Queuing Penalty (veh)		0				
Storage Bay Dist (ft)	40		60			110
Storage Blk Time (%)	0	17	0	16	0	
Queuing Penalty (veh)	1	1	0	2	0	

Network Summary

Network wide Queuing Penalty: 7

Intersection: 5: St. John Street & Congress St

Phase	1	2	3	4	5	6	7	8	9
Movement(s) Served	EBL	WBL	SBL	NBT	WBL	EBTL	NBL	SBT	Ped
Maximum Green (s)	12.0	24.0	7.0	13.0	5.0	31.0	4.0	16.0	20.0
Minimum Green (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Recall	None	C-Min	None	None	None	C-Min	None	None	None
Avg. Green (s)	11.9	41.1	13.8	26.2	6.9	53.1	0.0	34.5	0.0
g/C Ratio	-0.01	NA	-0.01	-0.01	-0.01	-0.01	-0.01	NA	-0.01
Cycles Skipped (%)	8	0	29	17	56	3	100	0	100
Cycles @ Minimum (%)	0	0	0	0	15	0	0	0	0
Cycles Maxed Out (%)	0	100	14	40	6	97	0	49	0
Cycles with Peds (%)	0	0	0	0	0	0	0	0	0

Controller Summary

Average Cycle Length (s): NA

Number of Complete Cycles : 0

Summary of All Intervals

Run Number	1	2	3	4	5	Avg
Start Time	6:57	6:57	6:57	6:57	6:57	6:57
End Time	8:00	8:00	8:00	8:00	8:00	8:00
Total Time (min)	63	63	63	63	63	63
Time Recorded (min)	60	60	60	60	60	60
# of Intervals	2	2	2	2	2	2
# of Recorded Intervals	1	1	1	1	1	1
Vehs Entered	2489	2546	2660	2533	2584	2562
Vehs Exited	2239	2261	2274	2291	2244	2261
Starting Vehs	95	78	82	91	72	82
Ending Vehs	345	363	468	333	412	386
Denied Entry Before	1	1	0	1	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	2703	2630	2774	2728	2738	2714
Travel Time (hr)	249.7	252.8	276.5	219.9	248.0	249.4
Total Delay (hr)	156.6	161.8	180.8	125.3	153.4	155.6
Total Stops	2892	2802	3042	2829	2705	2855
Fuel Used (gal)	116.4	115.5	123.4	110.2	115.5	116.2

Interval #0 Information Seeding

Start Time	6:57
End Time	7:00
Total Time (min)	3
Volumes adjusted by Growth Factors.	
No data recorded this interval.	

Interval #1 Information Recording

Start Time	7:00
End Time	8:00
Total Time (min)	60
Volumes adjusted by Growth Factors.	

Run Number	1	2	3	4	5	Avg
Vehs Entered	2489	2546	2660	2533	2584	2562
Vehs Exited	2239	2261	2274	2291	2244	2261
Starting Vehs	95	78	82	91	72	82
Ending Vehs	345	363	468	333	412	386
Denied Entry Before	1	1	0	1	0	0
Denied Entry After	0	0	0	0	0	0
Travel Distance (mi)	2703	2630	2774	2728	2738	2714
Travel Time (hr)	249.7	252.8	276.5	219.9	248.0	249.4
Total Delay (hr)	156.6	161.8	180.8	125.3	153.4	155.6
Total Stops	2892	2802	3042	2829	2705	2855
Fuel Used (gal)	116.4	115.5	123.4	110.2	115.5	116.2

3: Driveway & St. John Street Performance by approach

Approach	EB	NB	SB	All
Denied Delay (hr)	0.0	0.0	0.0	0.1
Denied Del/Veh (s)	0.2	0.2	0.0	0.1
Total Delay (hr)	139.6	0.3	0.4	140.3
Total Del/Veh (s)	493.1	5.6	3.0	289.8
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

5: St. John Street & Congress St Performance by approach

Approach	EB	WB	NB	SB	All
Denied Delay (hr)	0.2	0.0	0.0	0.0	0.3
Denied Del/Veh (s)	1.2	0.0	0.1	0.2	0.5
Total Delay (hr)	2.2	0.5	4.9	2.1	9.7
Total Del/Veh (s)	11.8	8.7	29.1	24.9	19.4
Denied Entry Before	0	0	0	0	0
Denied Entry After	0	0	0	0	0

8: Congress St & Valley St Performance by approach

Approach	EB	WB	NB	All
Denied Delay (hr)	0.1	0.0	0.1	0.1
Denied Del/Veh (s)	0.4	0.5	2.3	0.7
Total Delay (hr)	1.1	1.4	0.4	3.0
Total Del/Veh (s)	9.4	21.4	16.1	13.9
Denied Entry Before	0	0	0	0
Denied Entry After	0	0	0	0

Total Network Performance

Denied Delay (hr)	0.4
Denied Del/Veh (s)	0.6
Total Delay (hr)	155.1
Total Del/Veh (s)	211.0
Denied Entry Before	0
Denied Entry After	0

Intersection: 3: Driveway & St. John Street

Movement	EB	EB	NB	SB
Directions Served	L	R	LT	TR
Maximum Queue (ft)	6131	2796	114	28
Average Queue (ft)	3132	1003	43	3
95th Queue (ft)	6091	2186	94	17
Link Distance (ft)	8884	8884	1764	653
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 5: St. John Street & Congress St

Movement	EB	EB	EB	WB	WB	NB	NB	SB	SB
Directions Served	L	T	R	L	R	T	TR	L	T
Maximum Queue (ft)	162	202	99	101	124	348	200	71	235
Average Queue (ft)	74	91	44	30	53	147	135	25	104
95th Queue (ft)	137	164	82	74	99	248	204	58	189
Link Distance (ft)	587	587			171	653		252	252
Upstream Blk Time (%)					0				0
Queuing Penalty (veh)					0				0
Storage Bay Dist (ft)			290	80			175		
Storage Blk Time (%)				0	1	3	2		
Queuing Penalty (veh)				0	1	16	9		

Intersection: 8: Congress St & Valley St

Movement	EB	EB	WB	WB	NB	NB
Directions Served	L	TR	L	TR	LT	R
Maximum Queue (ft)	27	163	84	221	86	61
Average Queue (ft)	1	89	17	97	27	22
95th Queue (ft)	12	153	58	185	66	51
Link Distance (ft)		171		785	570	
Upstream Blk Time (%)		0				
Queuing Penalty (veh)		2				
Storage Bay Dist (ft)	40		60			110
Storage Blk Time (%)	0	24	0	18	0	
Queuing Penalty (veh)	0	1	0	3	0	

Network Summary

Network wide Queuing Penalty: 31

Intersection: 5: St. John Street & Congress St

Phase	1	2	3	4	5	6	7	8	9
Movement(s) Served	EBL	WBL	SBL	NBT	WBL	EBTL	NBL	SBT	Ped
Maximum Green (s)	7.0	19.0	6.0	14.0	5.0	21.0	4.0	16.0	20.0
Minimum Green (s)	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0	4.0
Recall	None	C-Min	None	None	None	C-Min	None	None	None
Avg. Green (s)	12.3	33.3	7.5	22.6	6.8	46.3	0.0	31.5	0.0
g/C Ratio	-0.01	NA	-0.01	NA	-0.01	-0.01	-0.01	NA	-0.01
Cycles Skipped (%)	8	0	28	0	71	3	100	0	100
Cycles @ Minimum (%)	0	0	0	0	13	0	0	0	0
Cycles Maxed Out (%)	0	100	3	44	0	98	0	44	0
Cycles with Peds (%)	0	0	0	0	0	0	0	0	0

Controller Summary

Average Cycle Length (s): NA

Number of Complete Cycles : 0

Node Map
Crash Report

This map of Portland, Maine, displays a dense network of streets and residential addresses. Key features include:

- Geographical Labels:** 'PORTLAND', 'SOUTH PORTLAND', 'VETERANS BRG', and 'Western Cemetery'.
- Major Roads:** I-295 (orange), I-1A (yellow), and various local streets like Park Ave, Grant St, Sherman St, Pine St, Spruce St, and Commercial St.
- House Numbers:** Numerous numerical addresses are scattered across the map, with a high density in the central and eastern areas.
- Water Bodies:** The map shows the coastline and several lakes, including a large one in the upper right.
- Infrastructure:** A black outline highlights a specific area in the center of the city, and a green circle with the number '5' is located in the upper left.

0.15
 Miles
 1 inch = 0.21 miles

Date: 8/24/2017
Time: 11:37:28 AM

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I☐ Section Detail☒ Crash Summary II☐ 1320 Public☐ 1320 Private☐ 1320 Summary

REPORT DESCRIPTION

(No description).

REPORT PARAMETERS

Year 2014, Start Month 1 through Year 2016 End Month: 12

Route: 0560160	Start Node: 16825 End Node: 16765	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 3201042	Start Node: 16763 End Node: 16765	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 3209776	Start Node: 16752 End Node: 67695	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 3201019	Start Node: 16750 End Node: 16752	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 0560001	Start Node: 16751 End Node: 16764	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560001	Start Node: 19080 End Node: 16751	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560100	Start Node: 16750 End Node: 16763	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560314	Start Node: 19081 End Node: 18571	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 0560077	Start Node: 16825 End Node: 12625	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560785	Start Node: 12751 End Node: 12625	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I☐ Section Detail☒ Crash Summary II☐ 1320 Public☐ 1320 Private☐ 1320 Summary

REPORT DESCRIPTION

(No description).

REPORT PARAMETERS

Year 2014, Start Month 1 through Year 2016 End Month: 12

Route: 3200519	Start Node: 60369 End Node: 71553	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560782	Start Node: 71553 End Node: 12605	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560124	Start Node: 12602 End Node: 12603	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560751	Start Node: 12604 End Node: 12605	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560071	Start Node: 19110 End Node: 19111	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560071	Start Node: 19111 End Node: 19112	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560128	Start Node: 19112 End Node: 12624	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560171	Start Node: 12619 End Node: 12624	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560251	Start Node: 12617 End Node: 16826	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560780	Start Node: 12622 End Node: 12623	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ Crash Summary I
 ☐ Section Detail
 ☒ Crash Summary II
 ☐ 1320 Public
 ☐ 1320 Private
 ☐ 1320 Summary

REPORT DESCRIPTION

(No description).

REPORT PARAMETERS

Year 2014, Start Month 1 through Year 2016 End Month: 12

Route: 0560076	Start Node: 18352 End Node: 15476	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560369	Start Node: 12618 End Node: 12621	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560633	Start Node: 12620 End Node: 19112	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560191	Start Node: 67749 End Node: 16748	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☒ Exclude Last Node
Route: 3201019	Start Node: 16747 End Node: 16750	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node
Route: 3201042	Start Node: 16748 End Node: 16763	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☐ Exclude Last Node
Route: 0560184	Start Node: 16749 End Node: 16762	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560100	Start Node: 16750 End Node: 16763	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0001A	Start Node: 66546 End Node: 16747	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 001AS	Start Node: 16747 End Node: 66542	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node

Crash Summary Report

Report Selections and Input Parameters

REPORT SELECTIONS

☒ **Crash Summary I**☐ **Section Detail**☒ **Crash Summary II**☐ **1320 Public**☐ **1320 Private**☐ **1320 Summary**

REPORT DESCRIPTION

(No description).

REPORT PARAMETERS

Year 2014, Start Month 1 through Year 2016 End Month: 12

Route: 3209586	Start Node: 66548 End Node: 66546	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 3209812	Start Node: 67750 End Node: 67749	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0022S	Start Node: 16765 End Node: 16770	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 3201019	Start Node: 16752 End Node: 16753	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0560314	Start Node: 18571 End Node: 19079	Start Offset: 0 End Offset: 0	☒ Exclude First Node ☒ Exclude Last Node
Route: 0022X	Start Node: 19079 End Node: 16770	Start Offset: 0 End Offset: 0	☐ Exclude First Node ☐ Exclude Last Node

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes																
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF		
16825	0560160 - 1.97	Int of BRAMHALL ST CONGRESS ST DEERING AV	9	26	0	2	1	5	18	30.8	7.154	1.21	1.16	1.05		
											Statewide Crash Rate:	0.71				
16826	0560160 - 2.03	Int of CONGRESS ST ELLSWORTH ST	2	3	0	0	1	0	2	33.3	4.418	0.23	0.39	0.00		
											Statewide Crash Rate:	0.15				
16827	0560160 - 2.13	Int of CONGRESS ST WEYMOUTH ST	2	3	0	0	0	1	2	33.3	4.538	0.22	0.38	0.00		
											Statewide Crash Rate:	0.15				
16828	0560160 - 2.23	Int of CONGRESS ST FOREST ST	2	1	0	0	0	0	1	0.0	4.767	0.07	0.38	0.00		
											Statewide Crash Rate:	0.15				
18571	0560160 - 2.27	Int of CONGRESS ST GILMAN ST	2	22	0	0	0	4	18	18.2	5.186	1.41	0.37	3.81		
											Statewide Crash Rate:	0.15				
16752	0560160 - 2.31	Int of CONGRESS ST VALLEY ST	9	17	0	0	0	2	15	11.8	5.123	1.11	1.23	0.00		
											Statewide Crash Rate:	0.71				
16763	3201042 - 0.44	Int of C ST ST JOHN ST	2	0	0	0	0	0	0	0.0	2.547	0.00	0.45	0.00		
											Statewide Crash Rate:	0.15				
16764	3201042 - 0.54	Int of A ST ST JOHN ST	2	7	0	0	2	0	5	28.6	3.326	0.70	0.42	1.69		
											Statewide Crash Rate:	0.15				
16750	3201019 - 0.49	Int of C ST VALLEY ST	2	1	0	0	0	0	1	0.0	1.265	0.26	0.53	0.00		
											Statewide Crash Rate:	0.15				
16751	3201019 - 0.60	Int of A ST VALLEY ST	2	3	0	0	0	1	2	33.3	1.442	0.69	0.51	1.35		
											Statewide Crash Rate:	0.15				
67695	3201019 - 0.64	Non Int VALLEY ST	2	0	0	0	0	0	0	0.0	0.472	0.00	0.64	0.00		
											Statewide Crash Rate:	0.15				
19081	0560314 - 0	0509501 POR,GILMAN ST,END	2	0	0	0	0	0	0	0.0	0.019	0.00	-4.76	0.00		
											Statewide Crash Rate:	0.13				
19080	0560314 - 0.10	0509500 POR,GILMAN,'A' ST.	2	0	0	0	0	0	0	0.0	0.057	0.00	-0.54	0.00		
											Statewide Crash Rate:	0.13				
18352	0560077 - 0.01	Int of BRAMHALL PL BRAMHALL ST	2	0	0	0	0	0	0	0.0	2.895	0.00	0.39	0.00		
											Statewide Crash Rate:	0.13				
12604	0560077 - 0.03	0503016 POR,BRAMHALL,VAUGHN ST.	2	1	0	0	0	0	1	0.0	3.000	0.11	0.38	0.00		
											Statewide Crash Rate:	0.13				
12621	0560077 - 0.06	0503033 POR,BRAMHALL,HILL ST.	2	1	0	0	0	0	1	0.0	1.549	0.22	0.45	0.00		
											Statewide Crash Rate:	0.13				
19111	0560077 - 0.11	0509531 POR,BRACKETT,BRAMHALL ST.	2	2	0	0	1	0	1	50.0	1.941	0.34	0.43	0.00		
											Statewide Crash Rate:	0.13				
12603	0560077 - 0.13	0503015 POR,BRAMHALL,BRACKETT,CHADWICK	2	0	0	0	0	0	0	0.0	0.513	0.00	0.55	0.00		
											Statewide Crash Rate:	0.13				
12625	0560077 - 0.24	Int of BRAMHALL ST WESTERN PROMENADE	2	0	0	0	0	0	0	0.0	0.379	0.00	0.56	0.00		
											Statewide Crash Rate:	0.13				
60369	0560785 - 0.62	Non Int WESTERN PROMENADE	2	0	0	0	0	0	0	0.0	0.379	0.00	0.56	0.00		
											Statewide Crash Rate:	0.13				
12751	0560782 - 0.01	Int of WEST ST WESTERN PROMENADE	2	0	0	0	0	0	0	0.0	0.388	0.00	0.56	0.00		
											Statewide Crash Rate:	0.13				
12602	0560782 - 0.07	Int of CHADWICK ST, WEST ST	2	0	0	0	0	0	0	0.0	1.273	0.00	0.47	0.00		
											Statewide Crash Rate:	0.13				

Maine Department Of Transportation - Traffic Engineering, Crash Records Section

Crash Summary I

Nodes														
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
12605	0560782 - 0.14	0503017 POR,VAUGHN,WEST ST.	2	0	0	0	0	0	0	0.0	1.724	0.00	0.44	0.00
												Statewide Crash Rate:	0.13	
19110	0560751 - 0.06	0509530 POR,BRACKETT,VAUGHN ST.	2	1	0	0	1	0	0	100.0	2.236	0.15	0.41	0.00
												Statewide Crash Rate:	0.13	
19112	0560071 - 0.82	0509532 POR,CHARLES,BRACKETT ST.	2	0	0	0	0	0	0	0.0	0.829	0.00	0.52	0.00
												Statewide Crash Rate:	0.13	
12617	0560128 - 0.03	0503029 POR,ELLSWORTH,CHARLES ST.	2	0	0	0	0	0	0	0.0	0.915	0.00	0.51	0.00
												Statewide Crash Rate:	0.13	
12624	0560128 - 0.09	0503036 POR,CHARLES,CRESCENT ST.	2	0	0	0	0	0	0	0.0	0.308	0.00	0.56	0.00
												Statewide Crash Rate:	0.13	
12623	0560171 - 0.05	0503035 POR,CRESCENT,WESCOTT ST.	2	0	0	0	0	0	0	0.0	0.094	0.00	0.11	0.00
												Statewide Crash Rate:	0.13	
12624	0560171 - 0.09	0503036 POR,CHARLES,CRESCENT ST.	2	0	0	0	0	0	0	0.0	0.308	0.00	0.56	0.00
												Statewide Crash Rate:	0.13	
12622	0560251 - 0.03	0503034 POR,WESCOTT,ELLSWORTH ST.	2	0	0	0	0	0	0	0.0	0.533	0.00	0.55	0.00
												Statewide Crash Rate:	0.13	
12618	0560251 - 0.05	0503030 POR,ELLSWORTH,HILL ST.	2	2	0	0	0	0	2	0.0	0.856	0.78	0.51	1.51
												Statewide Crash Rate:	0.13	
12619	0560251 - 0.07	0503031 POR,CRESCENT,ELLSWORTH ST.	2	0	0	0	0	0	0	0.0	0.528	0.00	0.55	0.00
												Statewide Crash Rate:	0.13	
15476	0560251 - 0.08	Int of BRAMHALL PL ELLSWORTH ST	2	0	0	0	0	0	0	0.0	0.516	0.00	0.55	0.00
												Statewide Crash Rate:	0.13	
12620	0560369 - 0.03	0503032 POR,HILL,RUSSELL ST.	2	1	0	0	0	0	1	0.0	0.238	1.40	0.53	2.65
												Statewide Crash Rate:	0.13	
67749	0560191 - 1.34	Int of DANFORTH ST RD INV 3209812	2	0	0	0	0	0	0	0.0	2.626	0.00	0.42	0.00
												Statewide Crash Rate:	0.14	
16747	3201019 - 0	Int of FORE RIVER PKY VALLEY ST W COMMERCIAL ST	9	21	0	0	2	3	16	23.8	10.344	0.68	1.08	0.00
												Statewide Crash Rate:	0.71	
67750	3201019 - 0.05	Int of RD INV 3209812 VALLEY ST	2	0	0	0	0	0	0	0.0	2.678	0.00	0.44	0.00
												Statewide Crash Rate:	0.15	
16748	3201019 - 0.07	Int of DANFORTH ST ST JOHN ST VALLEY ST	9	12	0	0	1	2	9	25.0	3.929	1.02	1.30	0.00
												Statewide Crash Rate:	0.71	
16749	3201019 - 0.37	Int of D ST VALLEY ST	2	2	0	0	0	0	2	0.0	1.334	0.50	0.52	0.00
												Statewide Crash Rate:	0.15	
16750	3201019 - 0.49	Int of C ST VALLEY ST	2	1	0	0	0	0	1	0.0	1.265	0.26	0.53	0.00
												Statewide Crash Rate:	0.15	
16762	3201042 - 0.32	Int of D ST ST JOHN ST	2	1	0	0	0	0	1	0.0	2.438	0.14	0.45	0.00
												Statewide Crash Rate:	0.15	
16763	3201042 - 0.44	Int of C ST ST JOHN ST	2	0	0	0	0	0	0	0.0	2.547	0.00	0.45	0.00
												Statewide Crash Rate:	0.15	
66542	0001A - 9.72	Int of FORE RIVER PKY VETERANS BRIDGE	9	21	0	0	1	3	17	19.0	9.243	0.76	1.10	0.00
												Statewide Crash Rate:	0.71	
66548	001AS - 2.58	Int of FORE RIVER PKY RD INV 3209586	2	1	0	0	0	1	0	100.0	5.358	0.06	0.37	0.00
												Statewide Crash Rate:	0.15	

Crash Summary I

Nodes														
Node	Route - MP	Node Description	U/R	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual M Ent-Veh	Crash Rate	Critical Rate	CRF
66777	0022S - 1.02	Non Int ST JOHN ST	2	1	0	0	0	0	1	0.0	2.595	0.13	0.44	0.00
												Statewide Crash Rate:	0.15	
19079	0022X - 0.53	Int of GILMAN ST PARK AV	2	1	0	0	1	0	0	100.0	3.777	0.09	0.40	0.00
												Statewide Crash Rate:	0.15	
16753	0022X - 0.55	Int of PARK AV VALLEY ST	2	8	0	0	1	3	4	50.0	4.562	0.58	0.38	1.53
												Statewide Crash Rate:	0.15	
66778	0022X - 0.57	Non Int PARK AV	2	0	0	0	0	0	0	0.0	2.694	0.00	0.44	0.00
												Statewide Crash Rate:	0.15	
16770	0022X - 0.59	Int of PARK AV ST JOHN ST	9	36	0	0	2	4	30	16.7	4.971	2.41	1.24	1.95
												Statewide Crash Rate:	0.71	
Study Years: 3.00		NODE TOTALS:		196	0	2	14	29	151	23.0	122.077	0.54	0.41	1.31

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
16825 Int of BRAMHALL ST AV	16826	3106408 CONGRESS ST	0 - 0.06 DEERING	0560160 - 1.97 RD INV 05 60160	0.06	2	4	0	1	0	1	2	50.0	0.00280	475.65 Statewide Crash Rate: 208.08	553.83	0.00
16826 Int of CONGRESS ST	16827	3106410 ELLSWORTH ST	0 - 0.10	0560160 - 2.03 RD INV 05 60160	0.10	2	2	0	0	0	1	1	50.0	0.00416	160.08 Statewide Crash Rate: 208.08	500.50	0.00
16827 Int of CONGRESS ST	16828	3120728 WEYMOUTH ST	0 - 0.10	0560160 - 2.13 RD INV 05 60160	0.10	2	9	0	0	0	2	7	22.2	0.00445	673.43 Statewide Crash Rate: 208.08	492.10	1.37
16828 Int of CONGRESS ST	18571	3106411 FOREST ST	0 - 0.04	0560160 - 2.23 RD INV 05 60160	0.04	2	5	0	0	1	1	3	40.0	0.00203	820.32 Statewide Crash Rate: 208.08	602.00	1.36
16752 Int of CONGRESS ST	18571	3106395 VALLEY ST	0 - 0.04	0560160 - 2.27 RD INV 05 60160	0.04	2	4	0	0	0	0	4	0.0	0.00198	674.08 Statewide Crash Rate: 208.08	606.20	1.11
16752 Int of CONGRESS ST	16765	3106394 VALLEY ST	0 - 0.05	0560160 - 2.31 RD INV 05 60160	0.05	2	1	0	0	0	0	1	0.0	0.00218	152.97 Statewide Crash Rate: 208.08	591.18	0.00
16763 Int of C ST	16764	3119255 ST JOHN ST	0 - 0.10	3201042 - 0.44 RD INV 3201042	0.10	2	5	0	1	0	0	4	20.0	0.00257	648.98 Statewide Crash Rate: 208.08	566.52	1.15
16764 Int of A ST	16765	3106397 ST JOHN ST	0 - 0.06	3201042 - 0.54 RD INV 3201042	0.06	2	1	0	0	0	0	1	0.0	0.00203	164.55 Statewide Crash Rate: 208.08	602.46	0.00
16752 Int of CONGRESS ST	67695	3416727 VALLEY ST	0 - 0.03	3209776 - 0 RD INV 3209776	0.03	2	0	0	0	0	0	0	0.0	0.00014	0.00 Statewide Crash Rate: 208.08	833.70	0.00
16750 Int of C ST	16751	3117941 VALLEY ST	0 - 0.11	3201019 - 0.49 RD INV 3201019	0.11	2	4	0	0	0	1	3	25.0	0.00130	1022.44 Statewide Crash Rate: 208.08	674.36	1.52
16751 Int of A ST	67695	3416725 VALLEY ST	0 - 0.04	3201019 - 0.60 RD INV 3201019	0.04	2	2	0	0	0	0	2	0.0	0.00038	1767.11 Statewide Crash Rate: 208.08	870.83	2.03
67695 Non Int	16752	3508600 VALLEY ST	0 - 0.02	3201019 - 0.64 RD INV 3201019	0.02	2	0	0	0	0	0	0	0.0	0.00009	0.00 Statewide Crash Rate: 208.08	650.03	0.00
16751 Int of A ST	16764	192419 VALLEY ST	0 - 0.05	0560001 - 0.03 RD INV 05 60001	0.05	2	4	0	0	0	0	3	0.0	0.00035	3767.89 Statewide Crash Rate: 401.87	1515.81	2.49
16751 Int of A ST	19080	192420 VALLEY ST	0 - 0.03	0560001 - 0 RD INV 05 60001	0.03	2	0	0	0	0	0	0	0.0	0.00001	0.00 Statewide Crash Rate: 401.87	-3344.98	0.00
16750 Int of C ST	16763	192417 VALLEY ST	0 - 0.05	0560100 - 0 RD INV 05 60100	0.05	2	1	0	0	0	0	1	0.0	0.00007	4936.44 Statewide Crash Rate: 401.87	1561.89	3.16
19080 0509500 POR,GILMAN,'A' ST.	19081	194795	0 - 0.10	0560314 - 0 RD INV 05 60314	0.10	2	3	0	0	0	0	2	0.0	0.00004	26343.52 Statewide Crash Rate: 401.87	850.39	30.98
18571 Int of CONGRESS ST	19080	194101 GILMAN ST	0 - 0.07	0560314 - 0.10 RD INV 05 60314	0.07	2	2	0	0	0	1	1	50.0	0.00002	33452.09 Statewide Crash Rate: 401.87	-1282.55	0.00
16825 Int of BRAMHALL ST AV	18352	192521 CONGRESS ST	0 - 0.01 DEERING	0560077 - 0 RD INV 05 60077	0.01	2	2	0	0	0	0	1	0.0	0.00029	2306.17 Statewide Crash Rate: 401.87	1578.88	1.46
12604 0503016 POR,BRAMHALL,VAUGHN ST.	18352	186995	0 - 0.02	0560077 - 0.01 RD INV 05 60077	0.02	2	1	0	0	0	1	0	100.0	0.00057	587.22 Statewide Crash Rate: 401.87	1359.64	0.00

Crash Summary I

Sections																	
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury A	Crashes B	Crashes C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF	
12604	12621	186994	0 - 0.03	0560077 - 0.03	0.03	2	1	0	0	0	0	1	0.0	0.00046	718.97	1427.05	0.00
0503016 POR,BRAMHALL,VAUGHN ST. RD INV 05 60077 Statewide Crash Rate: 401.87																	
12621	19111	187026	0 - 0.05	0560077 - 0.06	0.05	2	2	0	0	0	0	1	0.0	0.00068	979.61	1299.85	0.00
0503033 POR,BRAMHALL,HILL ST. RD INV 05 60077 Statewide Crash Rate: 401.87																	
12603	19111	186993	0 - 0.02	0560077 - 0.11	0.02	2	0	0	0	0	0	0	0.0	0.00021	0.00	1671.14	0.00
0503015 POR,BRAMHALL,BRACKETT,CHADWICK RD INV 05 60077 Statewide Crash Rate: 401.87																	
12603	12625	186992	0 - 0.11	0560077 - 0.13	0.11	2	1	0	0	0	0	1	0.0	0.00042	799.06	1462.09	0.00
0503015 POR,BRAMHALL,BRACKETT,CHADWICK RD INV 05 60077 Statewide Crash Rate: 401.87																	
60369	12751	3097430	0 - 0.02	0560785 - 0.60	0.02	2	0	0	0	0	0	0	0.0	0.00003	0.00	599.09	0.00
Non Int WESTERN PROMENADE RD INV 05 60785 Statewide Crash Rate: 401.87																	
12625	60369	2074703	0 - 0.03	0560785 - 0.62	0.03	2	0	0	0	0	0	0	0.0	0.00011	0.00	1732.13	0.00
Int of BRAMHALL ST WESTERN PROMENADE RD INV 05 60785 Statewide Crash Rate: 401.87																	
60369	71553	4047593	0 - 0.01	3200519 - 0	0.01	2	0	0	0	0	0	0	0.0	0.00002	0.00	-1023.23	0.00
Non Int WESTERN PROMENADE RD INV 3200519 Statewide Crash Rate: 401.87																	
71553	12751	4047594	0 - 0.01	0560782 - 0	0.01	2	0	0	0	0	0	0	0.0	0.00002	0.00	-1023.23	0.00
Non Int WESTERN PROMENADE RD INV 05 60782 Statewide Crash Rate: 401.87																	
12602	12751	3097432	0 - 0.06	0560782 - 0.01	0.06	2	1	0	0	0	0	1	0.0	0.00020	1678.14	1678.25	1.00
Int of CHADWICK ST, WEST ST RD INV 05 60782 Statewide Crash Rate: 401.87																	
12602	12605	186990	0 - 0.07	0560782 - 0.07	0.07	2	0	0	0	0	0	0	0.0	0.00051	0.00	1394.30	0.00
Int of CHADWICK ST, WEST ST RD INV 05 60782 Statewide Crash Rate: 401.87																	
12602	12603	186989	0 - 0.13	0560124 - 0.27	0.13	2	1	0	0	0	0	0	0.0	0.00089	373.07	1212.77	0.00
Int of CHADWICK ST, WEST ST RD INV 05 60124 Statewide Crash Rate: 401.87																	
12604	19110	186996	0 - 0.06	0560751 - 0	0.06	2	0	0	0	0	0	0	0.0	0.00097	0.00	1187.28	0.00
0503016 POR,BRAMHALL,VAUGHN ST. RD INV 05 60751 Statewide Crash Rate: 401.87																	
12605	19110	186999	0 - 0.13	0560751 - 0.06	0.13	2	2	0	0	0	0	2	0.0	0.00164	406.07	1036.17	0.00
0503017 POR,VAUGHN,WEST ST. RD INV 05 60751 Statewide Crash Rate: 401.87																	
19110	19111	194832	0 - 0.06	0560071 - 0.72	0.06	2	0	0	0	0	0	0	0.0	0.00039	0.00	1481.82	0.00
0509530 POR,BRACKETT,VAUGHN ST. RD INV 05 60071 Statewide Crash Rate: 401.87																	
19111	19112	194833	0 - 0.04	0560071 - 0.78	0.04	2	0	0	0	0	0	0	0.0	0.00034	0.00	1532.41	0.00
0509531 POR,BRACKETT,BRAMHALL ST. RD INV 05 60071 Statewide Crash Rate: 401.87																	
12617	19112	187018	0 - 0.03	0560128 - 0	0.03	2	0	0	0	0	0	0	0.0	0.00025	0.00	1625.95	0.00
0503029 POR,ELLSWORTH,CHARLES ST. RD INV 05 60128 Statewide Crash Rate: 401.87																	
12617	12624	187017	0 - 0.06	0560128 - 0.03	0.06	2	0	0	0	0	0	0	0.0	0.00034	0.00	1530.14	0.00
0503029 POR,ELLSWORTH,CHARLES ST. RD INV 05 60128 Statewide Crash Rate: 401.87																	
12619	12623	187022	0 - 0.05	0560171 - 0	0.05	2	1	0	0	0	0	1	0.0	0.00005	6866.48	1247.76	5.50
0503031 POR,CRESCENT,ELLSWORTH ST. RD INV 05 60171 Statewide Crash Rate: 401.87																	
12623	12624	187028	0 - 0.04	0560171 - 0.05	0.04	2	0	0	0	0	0	0	0.0	0.00002	0.00	-1055.97	0.00
0503035 POR,CRESCENT,WESCOTT ST. RD INV 05 60171 Statewide Crash Rate: 401.87																	

Crash Summary I

Sections																
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury A	Crashes B	C	PD	Percent Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
12617 0503029	12622 POR,ELLSWORTH,CHARLES ST.	187016	0 - 0.03	0560251 - 0 RD INV 05 60251	0.03	2	0	0	0	0	0	0.0	0.00013	0.00	1733.55	0.00
12618 0503030	12622 POR,ELLSWORTH,HILL ST.	187021	0 - 0.02	0560251 - 0.03 RD INV 05 60251	0.02	2	0	0	0	0	0	0.0	0.00010	0.00	1709.65	0.00
12618 0503030	12619 POR,ELLSWORTH,HILL ST.	187019	0 - 0.02	0560251 - 0.05 RD INV 05 60251	0.02	2	0	0	0	0	0	0.0	0.00011	0.00	1724.95	0.00
12619 0503031	15476 POR,CRESCENT,ELLSWORTH ST.	187023	0 - 0.01	0560251 - 0.07 RD INV 05 60251	0.01	2	0	0	0	0	0	0.0	0.00004	0.00	1076.53	0.00
15476 Int of	16826 BRAMHALL PL	191013	0 - 0.02	0560251 - 0.08 RD INV 05 60251	0.02	2	0	0	0	0	0	0.0	0.00010	0.00	1711.05	0.00
12622 0503034	12623 POR,WESCOTT,ELLSWORTH ST.	187027	0 - 0.05	0560780 - 0 RD INV 05 60780	0.05	2	0	0	0	0	0	0.0	0.00007	0.00	1568.83	0.00
15476 Int of	18352 BRAMHALL PL	191014	0 - 0.06	0560076 - 0 RD INV 05 60076	0.06	2	0	0	0	0	0	0.0	0.00004	0.00	787.21	0.00
12618 0503030	12620 POR,ELLSWORTH,HILL ST.	187020	0 - 0.03	0560369 - 0 RD INV 05 60369	0.03	2	2	0	0	0	2	0.0	0.00005	12817.43	1331.55	9.63
12620 0503032	12621 POR,HILL,RUSSELL ST.	187024	0 - 0.02	0560369 - 0.03 RD INV 05 60369	0.02	2	0	0	0	0	0	0.0	0.00004	0.00	861.67	0.00
12620 0503032	19112 POR,HILL,RUSSELL ST.	187025	0 - 0.05	0560633 - 0 RD INV 05 60633	0.05	2	1	0	0	0	1	0.0	0.00003	12016.34	54.46	220.65
16748 Int of	67749 DANFORTH ST	3417943	0 - 0.03	0560191 - 1.34 RD INV 05 60191	0.03	2	0	0	0	0	0	0.0	0.00061	0.00	687.76	0.00
16747 Int of	67750 FORE RIVER PKY	3417945	0 - 0.05	3201019 - 0 RD INV 3201019	0.05	2	0	0	0	0	0	0.0	0.00153	0.00	647.89	0.00
67750 Int of	16748 RD INV 3209812	3417946	0 - 0.02	3201019 - 0.05 RD INV 3201019	0.02	2	0	0	0	0	0	0.0	0.00046	0.00	846.03	0.00
16748 Int of	16749 DANFORTH ST	3139464	0 - 0.30	3201019 - 0.07 RD INV 3201019	0.30	2	3	0	0	1	1	66.7	0.00377	265.48	513.39	0.00
16749 Int of	16750 D ST	3118971	0 - 0.12	3201019 - 0.37 RD INV 3201019	0.12	2	2	0	0	0	1	0.0	0.00145	459.42	656.41	0.00
16748 Int of	16762 DANFORTH ST	3944344	0 - 0.06	3201042 - 0 RD INV 3201042	0.06	2	1	0	0	0	1	0.0	0.00137	243.41	666.11	0.00
16748 Int of	16762 DANFORTH ST	3944344	0.06 - 0.32	3201042 - 0.06 RD INV 3201042	0.26	2	2	0	0	0	2	0.0	0.00593	112.35	458.49	0.00
16762 Int of	16763 D ST	3120382	0 - 0.12	3201042 - 0.32 RD INV 3201042	0.12	2	7	0	0	0	1	16.7	0.00287	813.20	550.50	1.48
16749 Int of	16762 D ST	192415	0 - 0.04	0560184 - 0 RD INV 05 60184	0.04	2	0	0	0	0	0	0.0	0.00008	0.00	1658.57	0.00
16750 Int of	16763 C ST	192417	0 - 0.05	0560100 - 0 RD INV 05 60100	0.05	2	1	0	0	0	1	0.0	0.00007	4936.44	1561.89	3.16

Crash Summary I

Sections																
Start Node	End Node	Element	Offset Begin - End	Route - MP	Section U/R Length	Total Crashes	K	Injury A	Crashes B	Percent C	PD	Injury Injury	Annual HMVM	Crash Rate	Critical Rate	CRF
66546	66542	3508657	0 - 0.03	0001A - 9.69	0.03	2	0	0	0	0	0	0.0	0.00063	0.00	799.27	0.00
Int of FORE RIVER PKY RD INV 3209586				US 1A										Statewide Crash Rate: 208.08		
66542	16747	3140171	0 - 0.16	0001A - 9.72	0.16	2	2	0	0	0	2	0.0	0.00769	86.68	431.04	0.00
Int of FORE RIVER PKY VETERANS BRIDGE				US 1A										Statewide Crash Rate: 208.08		
16747	66548	3117394	0 - 0.13	001AS - 2.45	0.13	2	2	0	0	0	1	50.0	0.00697	95.71	441.20	0.00
Int of FORE RIVER PKY VALLEY ST W COMMERCIAL ST				US 1AS										Statewide Crash Rate: 208.08		
66548	66542	3121654	0 - 0.04	001AS - 2.58	0.04	2	0	0	0	0	0	0.0	0.00184	0.00	617.73	0.00
Int of FORE RIVER PKY RD INV 3209586				US 1AS										Statewide Crash Rate: 208.08		
66548	66546	3120374	0 - 0.06	3209586 - 0	0.06	2	0	0	0	0	0	0.0	0.00046	0.00	847.12	0.00
Int of FORE RIVER PKY RD INV 3209586				RD INV 3209586										Statewide Crash Rate: 208.08		
67750	67749	3417947	0 - 0.02	3209812 - 0	0.02	2	0	0	0	0	0	0.0	0.00008	0.00	275.84	0.00
Int of RD INV 3209812 VALLEY ST				RD INV 3209812										Statewide Crash Rate: 171.52		
16765	66777	3155094	0 - 0.14	0022S - 0.88	0.14	2	28	0	0	2	5	25.9	0.00727	1284.45	436.82	2.94
Int of CONGRESS ST ST JOHN ST				ST RTE 22S										Statewide Crash Rate: 208.08		
66777	16770	3154475	0 - 0.02	0022S - 1.02	0.02	2	0	0	0	0	0	0.0	0.00104	0.00	713.39	0.00
Non Int ST JOHN ST				ST RTE 22S										Statewide Crash Rate: 208.08		
16752	16753	3118516	0 - 0.16	3201019 - 0.66	0.16	2	1	0	0	0	1	0.0	0.00132	252.56	672.33	0.00
Int of CONGRESS ST VALLEY ST				RD INV 3201019										Statewide Crash Rate: 208.08		
18571	19079	194100	0 - 0.14	0560314 - 0.17	0.14	2	4	0	0	0	2	0.0	0.00022	5984.55	1651.24	3.62
Int of CONGRESS ST GILMAN ST				RD INV 05 60314										Statewide Crash Rate: 401.87		
16753	19079	3122262	0 - 0.02	0022X - 0.53	0.02	2	1	0	0	0	1	0.0	0.00078	427.15	762.49	0.00
Int of PARK AV VALLEY ST				ST RTE 22										Statewide Crash Rate: 208.08		
16753	66778	3154476	0 - 0.02	0022X - 0.55	0.02	2	1	0	0	0	1	0.0	0.00071	466.65	777.46	0.00
Int of PARK AV VALLEY ST				ST RTE 22										Statewide Crash Rate: 208.08		
66778	16770	3154477	0 - 0.02	0022X - 0.57	0.02	2	0	0	0	0	0	0.0	0.00036	0.00	874.94	0.00
Non Int PARK AV				ST RTE 22										Statewide Crash Rate: 208.08		
Study Years:		3.00		Section Totals:	4.41	117	0	2	4	16	85	18.8	0.08122	480.16	308.93	1.55
				Grand Totals:	4.41	313	0	4	18	45	236	21.4	0.08122	1284.53	428.12	3.00



November 10, 2016
Neighborhood Meeting Minutes

Attendees:

Tim MacNamara
Jeff Sanders
Walter Pochebit
Anne Pringle
Garry Bowcott
Rich Petersen
Ian Jacob
Michael Patterson
Penelope St. Louis

I. Greeting and Introduction

Rich Petersen extended a welcome to the attendees. He informed that a brief agenda was created for the meeting but for future meetings a more collective agenda will be welcome.

Mr. Petersen recognized the project being proposed for MMC is substantial and located adjacent to several diverse neighborhoods. Throughout this process, MMC will try to be transparent and respectful of differing opinions. It is acknowledged that there likely be disagreements but MMC will do its best to keep the neighborhood representatives informed. Mr. Petersen underscored this is a much needed project for the hospital, its patients and the community. MMC staff will be available should the group feels this process is being breached.

II. Process of Engagement

Discussion among group members was had regarding the group process going forward. It was determined that the name of the committee, to avoid confusion, will be the Expansion Group. It shall meet on the first Wednesday of every month at noon, location TBD. Lunch will be provided. The next meeting will be on December 7, 2016 followed by January 4, 2017.

Mr. MacNamara raised the question of whether a 5th group comprised of b

Local businesses should be represented at the expansion Group meetings. Concerns were raised about how representatives would be chosen and whether the Expansion Group would become too large for

effective dialogue to occur. It was determined that MMC will reach out to businesses in a separate forum if individual outreach was not sufficient. Mr. Sanders has been in touch with the manager of the Inn at St. John's and Mr. Petersen has a meeting scheduled with the owners of Pizza Villa. They will be discussing the local businesses' thoughts or concerns regarding the proposal.

Ms. Pringle inquired as to the timing of a joint MMC/Neighborhood Groups meeting to be held at the Dana Center to inform interested individuals of MMC's Project. It was stated that people only know what they have read in the paper and that a better understanding of MMC's needs and plans would be beneficial. After suggestion from Mr. O'Brien and Mr. MacNamara, it was determined that the meeting would be scheduled for January 12, 2017.

III. City Process

MMC originally expected that its Project would go through the Conditional Rezoning process. City staff recently informed MMC that the City's policy is trending away from Conditional Zones in favor of overlay zones that are more consistent and predictable. The concept of an "Institutional Overlay Zone" which encompasses the major institutions in the City, including MMC, will be presented to the City Planning Board on November 15, 2016. The public is invited to attend and the City staff's memo explaining the process has been posted to the city's web site. Each Institution would submit an Institutional Development Plan (IDP) setting forth a longer range plan for growth. It is acknowledged that MMC's initial IDP will be limited in scope as MMC has not had the time to undertake a broader master plan exercise given the City's recent change in policy.

Staff does not expect the IDP process to elongate any project's approval, including MMC's Project, but does anticipate a better structure that will allow institutional growth in a predictable fashion for those in the community.

Following the approvals of an IDP, any institution will then return to the Planning Board for approval of its Site Plan, under the City's existing site plan standards.

General discussion among the attendees touched on the following topics: what happens to the existing Conditional Zone, allowing MMC to expand on its existing and leased property in the vicinity, will "Gateway" sites be recognized in this process, parking is essential ...

IV. Certificate of Need Process

The clinical components of MMC's Project will need to be approved by the State of Maine in a process known as the Certificate of Need process. It is expected the Hospital will be submitting its application in early 2017. A certificate of need application will be filed once we've have a complete plan for the delivery of clinical services in the hospital, something that is detailed and technical.

V. Site Soil Tests

MMC will initiate soil testing the week of November 21, 2016 to understand the soil composition in the area of construction. The neighbors will likely see this work occurring – during

daytime hours only. Attached is the site of identified areas of testing that are known to date. The work is anticipated to last 1-1 ½ weeks.

- V. Adjournment. As there were no further questions the meeting was adjourned at 5:30 pm.

DRAFT



December 6, 2016
Expansion Group Minutes
East Tower Classroom #3

Attendees:

Tim MacNamara
Jeff Sanders
Walter Pochebit
Anne Pringle
Garry Bowcott
Rich Petersen
Ian Jacob
Michael Patterson
Penelope St. Louis
Emma Holden
Dennis Morelli
Trevor Watson

I. Greeting and Introduction

Rich Petersen extended a welcome to the attendees.

II. Overview of MMC Institutional Development Plan

III. Jeff Sanders walked the group through a slide presentation to be used at the Planning Board meeting on December 13, 2016. Mr. Sanders explained the factors causing MMC to seek City approval for its replacement and modification project.

- To explain the high census that MMC experiences, Mr. Sanders walked the group through a “typical day” at MMC. He explained that often the hospital has a limited number of beds available to treat its patients, due in large part to the number of beds that cannot be occupied in existing semi-private rooms due to infection or disease related issues, gender conflict, and the like.
- In addition to limited capacity issues, Mr. Sanders outlined the aging infrastructure at MMC that must be modernized. It was shown that 77% of the buildings at MMC are older than 30 years old and 62% are greater than 47 years old. Further, the employee parking lot on Congress Street is at the end of its useful life and needs to be taken down and its parking capacity replaced.
- Mr. Sanders explained that state of the art care today requires bigger rooms to accommodate the technology needed to properly treat patients. More

advanced medical treatment being provided locally, rather than in Boston, often requires larger space to accommodate the number of providers present during complicated medical treatment and surgeries.

- MMC has a fairly high case mix index, meaning it is providing treatment to ever increasingly complex patient needs.
- Details on MMC's project were provided to the group, it being explained that the hospital planned within the geography of its existing campus. A slide was shown which depicted where the planned replacement and modification would take place.
- The presentation shared with the group the slides which will be presented to the Planning Board on December 13, 2016.

During and throughout the presentation there was a dialogue amongst the group. Questions related to alternatives or incentives available to limit the number of parking spaces needed on campus. Mr. Petersen acknowledged that thought will be given to trying to provide additional incentives to MMC employees to car pool, bike or use other means of alternative transportation to and from the MMC campus.

Does MMC have a high volume of elective surgery? Rich Petersen explained that MMC does all that it can to provide elective care and treatment of patients in ambulatory settings to the extent possible, like at its Scarborough Surgery Center. Additional off site ambulatory care settings are being explored – both within and outside of the city of Portland. However, it is doubtful alternative locations will diminish to the volume of services needed at the medical center.

Where is MMC in its soil sampling? Mr. Pochebit explained MMC is about halfway through soil testing on the Gilman Block. It will then move to undertake four soil samples at the south lot to identify the soil composition. Nothing is planned for the south lot today but it is good information to have moving forward.

What is the balance to be achieved in the number of stories for the Gilman Street parking Garage? MMC will know more when its soil sample results are back. It is looking into whether any of the parking levels can be accommodated underground. It was recognized that there is a cost differential for underground parking. Mr. Petersen informed that the parking proposed does not add additional capacity it is replacing the existing garage. Presently, MMC leases off-site parking at over 6 different locations in the City, utilizing a shuttle bus system to transport its staff to and from the medical center. Analyzing transportation is an ongoing process at MMC. As part of this Project, MMC is planning to add 225 car spaces to the visitor's garage.

Two views were expressed by two neighborhood representatives: – having a car is a privilege that should come with a pricetag; - are we asking MMC to alter the societal norms that have been imbedded around car ownership and use? Are we asking MMC to change our behaviors?

IV. City Update

Tuck O'Brien, City Director of Planning presented an update on the status of the City's Overlay Zone development. He indicated the City's intent is for the Overlay Zone and institutional IDPs to be able to take into account on a more consistent basis the unique challenges faced by the City's institutions. Alternatives to development should be allowed where the alternatives are the best solution for the institution, the surrounding neighborhoods and the City as a whole. The process allows for the balancing of demands including financial considerations, the viability of the organization, the concerns of the neighbors, etc. Mr. O'Brien recognized that MMC's IDP will be an iterative process but is a good first step towards achieving goals of benchmarking baseline data that can be informative in coming years. Rome wasn't built in a day.

The City will be presenting further development of the outline of an Institutional Overlay Zone to the Planning Board on December 13. MMC has not formally applied for anything yet but will provide an introduction to its project to the Planning Board in conjunction with the City's IOZ presentation.

V. Upcoming dates to Calendar

MMC will be inviting its neighbors to a meeting on January 12, 2016 at 6 – 7:30 pm at the Dana Center to present its project and answer questions from the neighborhood. The City will have a representative there as well to inform on progress regarding the IOZ and IDP development.

The Expansion Group members are invited to a sit down with MMC's Urban Designer, Basak Alkan, the week of December 12 to share thoughts on MMC's Project in order to thoughtful planning of the IDP. Ian suggested a charrette be held.

Recognizing that the Neighborhood Associations meet monthly, Jeff Sanders extended an offer to have MMC attend those meeting(s) upon request.

VI. Future Agenda Items

If the Expansion Group wants to place an item on the Agenda, email Penny St. Louis. One item that will be discussed in January is the website development for the MFP Project. It is intended that the website will provide our neighbors with up-to-date information on the Project as it proceeds through construction.

VII. Adjournment.

As there were no further questions the meeting was adjourned.

Expansion Group Meeting

January 4, 2017, 12:00pm – 1:00pm

Maine Medical Center

East Tower Class Room 3



Minutes

Attendees:

Tim MacNamara
Jeff Sanders
Walter Pochebit
Anne Pringle
Garry Bowcott
Ian Jacob
Michael Patterson
Penelope St. Louis
Emma Holden
Dennis Morelli
Trevor Watson
Clay Holtzman

I. Greeting and Introduction

Jeff Sanders extended a welcome to the attendees.

II. City Update – Tuck O'Brien was unable to make the meeting and therefore no City Update was presented.

III. Communication Plan Clay Holtzman, of the MMC Communications Department, presented to the Group. He explained the neighborhood communication plan MMC has developed using the MMC website. Clay described, through visual demonstration, the locations and context of MMC project developments and updates on the website. There is a link for project updates and schedules as well as a direct link to the City Planning Department website. In addition, Clay walked the Group through the email link for members of the public to ask questions or submit concerns regarding the project as it progresses. The questions will be logged and responded to. Clay concluded his presentation and asked the group for comment and feedback information or other suggestions to enhance MMC's communication efforts.

Suggestions were made by neighborhood representatives as follows: renaming the link from "Bramhall Modernization" to something referencing the "MMC hospital"

project” to make it easier to locate. Another neighbor suggested a different title to the page that describes project updates. A question was raised as to whether the City could create a special link dealing with this project. Finally, it was requested that the upcoming neighborhood meeting date, time and location be posted.

- IV. Introduction of Basak Alkan, Perkin and Will Urban Planner Jeff Sanders introduced Basak Alkan, the Urban Planner working with MMC and the neighbors to review the initial draft of the IDP, recognizing that this document will undoubtedly change upon the finalization of the City’s Institutional Overlay Zone language still in development.
- V. Overview of MMC Institutional Development Plan The draft Institutional Development Plan was presented to the Group and Basak explained the various elements being considered for inclusion at this time. Group participants asked several questions and made suggestions: include in the IDP document the land holdings of MMC even if they are not to be included in the Overlay Zone Boundary. MMC agreed. A member expressed disappointment in feeling that this project lacked sufficient thought by MMC, did not appear to make sense and seemed to be fast tracked. Jeff Sanders explained that MMC has a critical need for patient beds that can no longer be delayed if the patients of Maine are to be treated locally. He informed that the program needs have been considered for some time and this plan has been thoughtfully developed to meet the immediate needs of patients seeking tertiary care in the State. A question was asked about including the South Lot and 887 Congress Street in the Plan. In fact, these two lots have been shown as possible sites of future development, although has no plans for additional development of these sites at this time. At the request of the neighbors, MMC will describe the area of the Pavilions in its plan and indicate the potential in the future to develop in that area although there has been no consideration of doing so by the Hospital. A question of when details in the garage will be presented. In addition, the continued request for active uses on the first floor of Congress Street façade was voiced. A question was asked as to whether alternative locations for parking have been considered. Jeff Sanders indicated that due to the parking needs of the clinical staff caring for patients 24/7 no other suitable locations have been identified at this time.
- VI. Timeline and Upcoming Neighborhood Meeting– Jeff Sanders reviewed the schedule of upcoming meetings of import:
 - Upcoming meeting with Planning Board (1/10/17)
 - Meetings with neighbor representatives and Basak Alkan (1/11/17)
 - Upcoming meeting with neighbors (1/12/17)
 - Updated timeline being worked on with the City
 - Expansion Group next meeting East Tower Classroom #3 (12:00-1pm)
- VII. Rumors? A question was asked as to whether there was not a higher and better use for the Gilman Block than for a parking garage.
- VIII. Adjournment

Expansion Group Meeting

February 1, 2017, 12:00pm – 1:00pm

Maine Medical Center

East Tower Class Room 3



Minutes

Attendees:

Tuck O'Brien
Tim MacNamara
Jeff Sanders
Walter Pochebit
Anne Pringle
Garry Bowcott
Penelope St. Louis
Emma Holden
Trevor Watson
Lin Parsons

Tom Judge, Guest, LifeFlight of Maine

- I. Greeting and Introduction
Jeff Sanders extended a welcome to the attendees.
- II. City Update – Tuck O'Brien provided an update on the City process. The next Planning Board meeting is scheduled for February 14, 2017 at which the City will discuss the requirements of the IOZ, as currently drafted. The Planning Department was gathering additional feedback from other institutions which may have input into the IOZ text.

On March 14, 2017 MMC will present its updated IDP to the Planning Board. Tim McNamara questioned whether MMC would be submitting any updates to its IDP for the February meeting. Tuck acknowledged that the City only recently provided its updated requirements to the Hospital and that MMC was undertaking efforts to prepare to meet those requirements but would not be submitting an updated IDP in advance of the February meeting.

- III. LifeFlight of Maine (LOM) Presentation – Tom Judge of LOM provided a lengthy and informative presentation on the operations of LOM, both statewide and as it relates to MMC. He requested that all questions to LOM be directed through a central person at MMC.

LOM began its operations in 1998. It is ranked in the top 5% of medical emergency helicopter transports in the world. LOM currently has two helicopters servicing the state: one is located on the campus of EMMC in Bangor and the other is located in Lewiston. LOM is soon to acquire a third plane to be stationed in Sanford, Maine.

LOM provides coverage throughout the state, covering all year round inhabited islands to the far reaches of the state. Demand for its services is steadily increasing year over year with 87% of its transports being hospital to hospital and the remaining 13% being all other (car accidents, state police calls from rural areas, logging accidents or other obvious emergency needs). LOM makes on average 1800 transports annually and projects reaching an annual transport of approximately 2400.

LOM only makes emergency transports, defined as a situation where there exists a risk to life or limb. Helicopter use is not taken casually and whenever possible ground transport is used. This is in large part due to the cost of a helicopter transport which can run between \$12,000 and \$100,000. LOM respects a physician's request of where the patient is to be transported. Where there is no specific request, LOM transports to the nearest hospital, with one caveat. Because of the specialty provided by MMC's Barbara Bush Children's Hospital, all children are transported to MMC.

Tim McNamara asked specific questions about LOM and MMC transports. He is grateful for the service provided by LOM but is concerned that a different group of Portland residents will be affected by the change in location of the helipad landing at MMC.

Tom indicated that LOM has transported an average of 450 patients a year to MMC for the past 2 years. He would anticipate that number to increase to an average of 2 per day in the future. Tim felt those numbers were low but Tom confirmed them. Tom also stated that the proposed new pad on the top of the East Tower addition would not require a change to the flight path. Since the proposed helipad would be at a higher elevation, it should result in lower noise and vibration is on the ground.

On occasion LOM may deviate from the set flight path, mostly due to weather conditions or other air traffic. There have been 27 reports of flight path deviation over the last decade. When there is a reported deviation LOM looks at GPS to identify the path taken and investigates as to the cause.

On infrequent occasions there will be more than one helicopter transport to MMC at the same time which may cause more air traffic than is desired. On such an occasion a second helicopter may have to divert to the jetport only to return to the MMC helipad to pick up its crew. In order to allow patients with emergency needs to be delivered expeditiously and safely to MMC and to avoid unnecessary air traffic,

the hospital is hoping to design the new helipad to accommodate two helicopters at the same time.

- IV. Communication Plan Update – Penny St. Louis informed that the MMC website has been updated to include the minutes of the Expansion Group Meetings. In addition, a link to a committed project page at the City is in progress.

A question was raised with the attendees regarding future neighborhood engagement and what thoughts the neighbors have in this regard. Any ideas will be received at or before the next Expansion Group Meeting.

- V. Timeline and Upcoming Neighborhood Meeting– Jeff Sanders shared that VHB has been brought on as MMC's Parking and TDM expert and that information will be brought to the Expansion Group in March.

The core samples from the Gilman Block are currently at the lab being analyzed.

Turner Construction has been hired by MMC to undertake Pre-Construction analysis.. The Construction Manager will ultimately be responsible for developing a Construction Management Plan, which will be brought to the Expansion Group when developed. Jeff acknowledged that MMC cannot eliminate disruption from the project build out but it will work to mitigate the disruption to the neighbors. Tuck stated the Construction Management Plan will be finalized at the Site Plan approval stage in the preview process.

- VI. Neighborhood Updates?

In response to a question about the Libbytown Cloverleaf elimination, Tuck O'Brien stated the City has no plans to resurrect that at this time. He indicated that MDOT is not amenable to the decommissioning of the "Cloverleaves" and that the issue is not before anyone at the City at this time.

Future Agenda Items – none noted.

- VII. Adjournment

Clarification 2017-02-06 from LOM

Just to be clear, the average charges for a helicopter transport in Maine are \$12,000.

These are discounted by Medicare, Mainecare, and of course to patients with no insurance. LifeFlight has contracts with all of the major insurance carriers.

There are NO transports in Maine at \$100,000. That is a problem out west NOT in New England.

Expansion Group Meeting

March 1, 2017, 12:00pm – 1:00pm

Maine Medical Center

East Tower Class Room 3



Minutes

Attendees:

Tuck O'Brien
Tim MacNamara
Jeff Sanders
Walter Pochebit
Anne Pringle
Garry Bowcott
Penelope St. Louis
Emma Holder
Ian Jacob
Lin Parsons
Dennis Morelli

I. Greeting and Introduction

Jeff Sanders extended a welcome to the attendees and acknowledged the groups concern with his suggestion to cancel today's meeting. Jeff explained that MMC has committed to bringing issues to the Group in advance of public dialogue for input and feedback, and at the time of this meeting MMC did not have updates and other agenda items had not been submitted. Given that the participants felt they had new issues to discuss, MMC is always willing to meet.

Jeff communicated that the needs of the neighborhood are important considerations which MMC is taking into account. However, patient needs are paramount given the needs for timely, lifesaving healthcare and the capacity constraints being experienced at MMC.

Emma requested an opportunity to communicate different ideas and suggested that MMC should use the neighbors as resource when developing its plans.

Tim hopes that the neighbors will have input or a say in either the design of the building, the scope of the project, or the impacts to the neighborhoods and he worries when he believes questions are unanswered or remain outstanding.

Jeff acknowledged that the big item of concern in this project is parking. MMC has heard the neighbors' concerns around this issue especially relating to St. John and Parkside. Jeff communicated that MMC is looking at alternatives regarding parking

and he is unable to speak further as the alternatives are not finalized and are still under review. One thing is certain: there will need to be parking on the Gilman block. The question still to be answered is the number of required parking spaces there. MMC consultants are still working the numbers for required parking which will obviously inform parking structure development and location, as will the TDM efforts to be taken by MMC.

- II. City Update – Tuck O'Brien provided an update on the City process and specifically discussed the IOZ text. He acknowledged the Planning Board did have questions at the last workshop about the IOZ and the City Staff has provided a 2/28/17 memo to the Board. This has been posted on the City's website. The Planning Board may be presented with the IOZ at a public meeting on 3/14/17 but Tuck continues to evaluate timing. MMC may provide the Planning Board with an update on its IDP development at the March 28 Planning Board workshop but this will depend on the completion of the analysis by its consultants.

In addition, Tuck informed that the City is holding a final meeting on March 16 at King Middle School to discuss the City's Comprehensive Plan. A public Hearing on the Comp Plan is scheduled for March 23, 2017.

Tim was concerned that the Planning Board members are confused about the IOZ/IDP. Tuck admitted the last workshop could have gone better but the City is working to better explain the zoning to the Board. He recognized that this is a complicated zoning process.

Jeff's goal throughout this process is to have issues from the neighbors be vetted at the Expansion Group before proceeding to the City. To that end MMC may be scheduling an off-cycle meeting share with the Group information as it becomes available before it is sent to the City. Neighborhood feedback is welcomed with the recognition that there may not be agreement on all issues. Emma requested any such meeting be held mid-day to accommodate her schedule.

- III. Closing of Gilman Street? Tim asked about this issue because it was raised as a possibility early in the process and he hasn't heard anything further on the topic. Walter Pochebit indicated that it is unlikely that MMC will be seeking to discontinue the lower portion of Gilman as its delivery trucks access the hospital up Gilman. Any alternative course would be problematic for truck turning radius needs. Tuck also indicated that there is a difference between a public street discontinuance and a street vacation and recognized other measures that may be taken by the City to prevent traffic cut through. Metro has already been informed that they cannot cut through the St. John/Valley neighborhood to avoid traffic lights.

Tim suggested that consideration be given to building a deck over Gilman, allowing for delivery trucks to travel though and to provide additional parking spaces on the

upper floors. Tim is concerned that the location to the Gilman parking structure off Valley Street only will be a disturbance for the neighbors. He feels multiple entrances to the garage could alleviate traffic congestion.

Jeff indicated that the plans for the garage are not final and all issues continue to be analyzed. Emma inquired as to the number of “urgent care employees” to be accommodated in the Gilman garage. Jeff indicated those numbers are still being defined. Presently MMC provides parking garage spots based upon seniority.

Tuck noted that TDMs are not an overnight success and that small but incremental impacts from TDM are huge successes. However, he also recognized that reducing car dependency is not the responsibility of one but of many and it will take everyone in the City and surrounding communities to work together for change. Emma and Ian felt that the MMC project could be used as a first step.

Ann believes it is a mistake for MMC to build a parking garage on the Gilman block. Basak stated that, given the choice, MMC would rather spend its money on patient care and has zero incentive to overbuild parking capacity. VHB is hired to assist in arriving at the right number of parking spaces need to meet demand after successful TDM measures have been taken into consideration.

- IV. Union Station Plaza being considered by MMC? MMC currently parks cars at this location. Jeff Sanders indicated he cannot make any more of a statement other than that MMC is looking at alternative locations to handle parking needs.
- V. Soil Samples Update? This issue was requested to be addressed by Trevor Watson. Walter Pochebit indicated that a draft soil report was generated and presented to MMC last week. MMC’s engineers have been provided the report for evaluation and analysis.
- VI. TDM MMC will be holding a neighborhood Meeting on March 21, 2017 for the larger neighborhood group. VHB will be present current data as it relates to the baseline parking data and to explain an approach to TDM. Emma believes that the whole conversation is too car centric and suggests that the Expansion group commit to going car free for some time to make a leadership statement. Jeff is waiting for the expert opinions from VHB regarding what incentives would assist in changing behavior and he will share the results of the MMC transportation survey with the expansion group.

Ian suggested everyone read the book “The High Cost of Free Parking.”

Jeff indicated an off-cycle meeting will be held to share additional information. .

VII. Adjournment

Neighborhood Meeting Minutes

March 21, 2017, 6:00pm – 7:30pm

Maine Medical Center

Dana Center Auditorium



Minutes

An informal meet and greet in the lobby of the Dana Center took place prior to the commencement of the 6pm meeting.

1. **Welcome and introductions** – Jeff Sanders COO welcomed the neighborhood attendees to the meeting and set forth the agenda for the evening. Zack Barowitz and Tim McNamara, two Neighborhood Representatives in attendance, were acknowledged.
2. **MMC Updates** – Jeff Sanders updated the neighbors on the progress of the Master Facility Plan. Last week MMC recently filed its Certificate of Need with the state regulatory authority. It is the expectation that the state's review of the application will take +/- 9 months.

MMC has been working closely with the City through the new IOZ and IDP process. The current plan is to submit MMC's IDP to the City towards the end of April. In working through the process, MMC continues to work on its Transportation Demand Management (TDM) strategies, which will be outlined in the IDP. It also continues to work on its parking demand and supply numbers which VHB will share with you. MMC has recognized that its need for parking, and parking locations, is of primary interest in this process. MMC has been listening to the neighborhoods' thoughts on parking locations and the concerns that have been raised over the height of the Gilman Block garage. As a result, MMC is undertaking an analysis of potential alternative locations for parking structure(s). While the Gilman Block continues to be a viable option, and no one location is mutually exclusive, MMC is exploring other potential locations, in particular the South Lot and 222 St. John Street (East Brown Cow). MMC has further work to complete before understanding the viability of these other sites.

MMC has hired Turner Construction to work on pre-construction activities, such as cost estimation services. Turner may be engaged for the whole project and that will be determined over the next several months.

Following the City's approval of its IDP MMC will then proceed to the site plan approval phase of the project.

3. **City Update-** Jean Fraser, Senior Planning, City of Portland, updated the neighbors on the IOZ process. The City has been developing an umbrella Institutional Zoning ordinance which is designed to promote flexibility for institutional growth and transparency of communications with neighborhoods. The IOZ has been through four Planning Board workshops. The Ordinance text will be presented to the Planning Board public hearing on March 28, at 4:30 pm.

4. **VHB Presentation-** Sean Manning from the national parking and traffic consultant group, VHB, has been hired by MMC to assist with parking demand and TDM. The questions he asked include: how does MMC function with parking today and how it should address growth; how does MMC's existing TDM work and what measures could be successfully implemented to achieve a sustainable multi-modal solution for staff to get to the hospital (i.e. use of other modes than driving / parking).

Mr. Manning presented an outline of the data collected to date and the conclusions reached regarding parking demand and supply at MMC, both today and 5 years from now. The presentation was lengthy with the following highlights:

A) due to the nature of healthcare the majority of patients will drive to the hospital. This is true even in cities where there exists a robust public transit system. TDM principles do not easily apply to increasingly sicker patients coming to the hospital. In addition, MMC's patients, being a tertiary hospital, are coming from a large catchment area and are driving to the Hospital. How can MMC provide a parking system for patients, which results in a quality experience for the patient? Patient parking today is undersized and the data collected indicates, subject to additional refinement, an additional 200-250 spaces will be needed at the end of 5 years. This estimate has withstood a peer review assessment performed by VHB.

B) In areas where there is a substandard public transit system, it is not unusual to see a high percentage of staff also driving to work. VHB estimate about 91% of MMC staff currently drive to work. Given its knowledge and experience dealing with healthcare entities, and the demands of such workplaces, this was not a surprising number to VHB. C) Currently MMC does not provide enough parking for staff. VHB is refining the numbers but it is estimated that MMC will need to provide an additional 500-600 spaces for staff to accommodate the demand in 5 years' time. These estimates have undergone a peer review with other healthcare entities in the northeast/Midwest and the numbers are in line with other similarly situated healthcare entities.

D) Mr. Manning noted basic concepts in TDM that are being studied presently to determine what methods will achieve the highest results for MMC. There is a desire by the hospital to have sustainable multi-modal transportation alternatives to vehicles. Mr. Manning cautioned that MMC can move the needle on the number of employees using TDM but, that based upon his experience nationally, expectations need to be reasonable as to the number of employees who will choose to alter behavior in the short term.

A good discussion resulted from questions raised by the neighbors in attendance including: creating barriers to unfettered access to parking MMC parking garages; the lack of general success of automated parking; probing the basis for peer review comparisons; the need for robust public transit by City and state entities in order to spur a change in commuter behavior; the use of incentives and disincentives in a TDM plan; the need to accurately and clearly explain the parking demand and supply numbers is crucial.

Q: Interim parking spaces? **Sean:** The new employee parking garage portion of the project is an important one to address and plan for first because that must be constructed first in order to remove the existing garage, which then would allow construction to begin on the largest part of our project: the Congress street building that will house the new procedure rooms and patient

rooms.

Q: Where do the staff parking demand numbers come from? **Sean:** The demand numbers are peak accumulation number from weekday use. In the world of parking design for healthcare facilities, we take away all the days that are not representative of a typical day (summers, holiday weeks, Mondays and Fridays year round). We pick representative time of the year Jan-Feb-March, Sept-Oct, and conduct studies on a representative Tue, Wed or Thursday. We want to make sure the demand analysis is representative. This is peak typical weekday demand that happens 100 times a year. If there was a specific time during one day of the week that was most representative of peak demand it would probably be a Wednesday at 11:30am.

Q: Would that number be totally different if it was taken at 11pm. **Sean:** Yes, activity at the hospital is much lower at that time – fewer employees, fewer visitors, no vendors, etc. The patient number could be about half and staff might be half and even lower.

Q: Will there be more incentives on TDM before the next phase of parking development? **Sean:** The numbers presented have not factored in positive TDM impacts. However even the most effective TDM plan will only impact a limited number of employees. Any TDM at MMC could positively change parking demand, but it would not likely be 100s of people. Although we would be very happy with that and I think the neighbors would too, it has been shown in numerous projects we have worked on there is a limited segment of the total employee population that would respond positively to a TDM no matter if it is based on incentives, penalties or a balance of both. It's our job to come up with a strong TDM program that will influence that target segment.

Q: What is the capacity of the current parking garage which will be eliminated? **Sean:** Capacity is 1200.

Q: Have you looked at property elsewhere in the City or outside of the City (i.e. in Westbrook, etc.) to build a parking garage? **Jeff:** Right now 222 St. John Street and the South Lot are the areas being evaluated. We are looking at other areas with a heavy concentration of employees that may present opportunity for shuttle service/car pool/ etc. However we have heard from employees that they prefer to park close to work due to the unpredictable nature of their work shifts; many employees shorten or extend their shift to accommodate patient demand. There is also a safety aspect as many, many employees come to or leave work in the dark and they are also required to come to work despite inclement weather. Employees also need predictability.

Q: Does the calculation of parking spaces currently available include the surface lot at East Brown Cow? **Sean:** Yes. Currently we have many employees who park in this lot and shuttle to the medical center.

Q: Would you update your slide to identify the locations of existing parking serving MMC? **Sean:** Yes, we can do that.

Q: Are you looking at what other institutions are doing for TDM and how MMC compares to that? **Sean:** Yes and it varies widely. The more urban the environment, the less parking provided because parking is incredibly expensive. In Boston, if you don't validate as a patient, parking in a hospital garage for 8 hours will cost you \$50. Also, Longwood Medical Area in Boston has a Consortium called MASCO that manages TDM for many organizations. They own and operate 50 shuttle buses. At Washington University in St Louis, people park for free. You couldn't charge for parking because no one would pay as parking is typically abundant in that community. Maine has the same issue - the market doesn't call for charging for parking because in most cases people don't need to pay to park. However MMC is located in an urban environment and on a tight footprint on a large hill. Under these circumstances and in a vacuum, people would normally be asked to pay for parking and they would expect to have to pay for parking. However

most Mainers aren't used to paying for parking so that creates a natural challenge for us as we develop our institutional TDM. Overall TDMs are very unique to the institutional context.

Q: Is MMC a forerunner in TDM? **Sean:** In 2005-6 the City required a TDM plan at MMC. No one else in the City had implemented a TDM at that time. The second and third-largest employers in the City behind MMC (the City of Portland and UNUM) do not have TDM plans. So in that regard, yes. VHB is now evaluating the MMC program and looking to take it to the next level. Again there are some challenges for MMC and revisions to its TDM but we think there is an opportunity to develop a program that can viably serve a segment of MMC employees. The key will be to craft the right program and for us to have appropriate expectations with regard to how much change we can practically achieve given MMC's unique context and employee transportation needs.

Q: Why can't you charge for parking? **Sean:** It's important to be competitive relative to context. If our TDM plan stated that MMC charges \$200 / month for staff parking - that would be a big problem. Staff would likely look elsewhere for employment in the field. Recruiting would be difficult. This scenario would also create new problems for the community as employees would look for cheaper alternatives in the neighborhood. That would be counter-productive for everyone. The next question is whether charging for parking would change people's travel behavior? VHB's research and experience leads us to believe that it would not. There is a lack of public transit to assist people in travelling to work in a timely and stress-free way. That doesn't mean changes to the non-driving environment, such as public transit, and bike network, wouldn't help. We believe with improvements there it would be easier for employees to find alternative commuting options and also to give our TDM more to work with.

Q: Does MMC charge patients to park? **A/ Sean:** Nothing MMC can do as an incentive or disincentive is likely to change patient driving behavior. That is because MMC patients are older and sicker than national averages so these people typically require convenient, safe and flexible transportation, and driving and parking allows them to have that. **A/ Jeff:** We as an organization decided not to charge for parking as part of the service MMC provides to its patients and their families. It would create additional financial burden for some patient and our mission is to provide affordable, accessible care to those we serve. **Sean:** Even in Boston, patient parking fees are heavily reduced.

Q: Tim – What is the rate that MMC charges for staff parking? **A/ Jeff:** Today, it is \$6/mo.

Q: Does VHB data capture how long people are parking when they park? **Sean:** No. The technology is not in place to assist with that. Technology is one of the things MMC is working on improving to both better understand its parking dynamic but to also better manage its capacity so we can get more out of fewer spaces.

Q: Any thought on underground parking like is used in Montreal/Toronto? **A/ Jeff:** We are evaluating this option as we complete our feasibility study. **Sean:** The necessary blasting creates noise and vibration that is important to consider for both patients, the neighborhood and overall impact on the project. For example, at Brigham & Women's in Boston - the blasting needed to be done in small segments and thus created significant delays in the project. MMC sits on a large hill that is literally a mountain of rock, it would probably be very difficult to do but we don't have a complete picture of this yet. It's a very good question to raise here.

Q: Is there any discussion by the City to turn 1hr on street parking to 2hr to alleviate patient parking demand? Is the City of Portland involved in the conversations to look at alternatives, etc. **Sean:** Yes the city is involved and yes we want to look at all of the options to address parking demand. But we don't want to solve MMC's parking challenges by creating new ones for

the neighborhood. I would hope the solution would not rely on surrounding streets to solve MMC's parking. In that vein, we might help ourselves by converting some of the surrounding one-way streets to 2-way. And maybe even get rid of on-street parking. Some of these changes, which would need to be looked at in partnership with the City, could even result in safety improvements in the neighborhood and positively impact traffic flows in the areas.

Q: I live on West and Chadwick. The next 2 streets over on Carroll is 2 hrs. parking. When was the last time the City did an assessment up here? I don't see abuse of on street parking by hospital staff. I think it's mostly residents. As you open up the box of ideas, is the City engaged to see that there are things they can do to improve things? **A/Jeff:** I am not sure when the last assessment was conducted but absolutely the City has been engaged.

Q: Any plans to put a parking garage on South Lot? **A/Jeff:** It is one of the three options we are evaluating at this time.

Q: How many stories? **A/Jeff:** Currently, we are carefully evaluating the Gilman block and now also at 222 St John where we are already leasing spaces from East Brown Cow.

Q: I live on Marshall / Hill St. A parking garage on the South Lot would block my sunlight. **A/Jeff:** It's important that we understand all the ways any aspects of our planning could impact our neighbors. Thank you for sharing.

Q: Is south lot part of the overlay zone? **A:** Yes. When we started a year ago, we were bound to contract zone. Now the Institutional Overlay Zone that the City is considering would include the South Lot. **Q:** Do you have plans for your building on Marshall Street? **A:** Not at this time.

5. **Conclusion and Adjournment** – Jeff Sanders concluded the meeting. MMC will be sharing this parking information with the City Planning Board on March 28 or at a later meeting. MMC will continue talking with the neighborhood representatives on a monthly basis. It has added Libbytown to the meeting- Zack Barowitz is the neighborhood representative. Please check out MMC's website where we post all info related to the project, all agendas/minutes from neighborhood associate meetings, Planning Board submissions etc are there. As we get more into the project, the focus will be more on construction management and mitigation measures.

Meeting adjourned.

Expansion Group Meeting

April 5, 2017, 12:00pm – 1:00pm

Maine Medical Center

East Tower Class Room 2



Minutes

Attendees:

Tuck O'Brien
Lin Parsons
Ian Jacob
Tim MacNamara
Jeff Sanders
Walter Pochebit
Dennis Morelli
Anne Pringle
Garry Bowcott
Penelope St. Louis
Emma Holder
Zack Barowitz
Carrie Logneck
Spencer Thibodeau
Moses Sabina
Basak Alkan (excused due to technical difficulties)

- I. Greeting and Introduction
Jeff Sanders extended a welcome to the attendees.
- II. Jeff Sanders updated the status for submission of MMC's IDP. At the request of the City, MMC postponed submitting the IDP from 4/5/17 to 4/7/17 in order to give the City traffic engineers an opportunity to review the MMC analysis regarding parking and traffic.
Jeff proposed a brief introduction of the draft IDP to the Expansion Group, narrowing the presentation to two major areas – IOZ Boundary and Public Engagement. Jeff also suggested a meeting be convened next week to discuss the parking and TDM issues involved with the IDP. The Group was amenable to this suggestion.
- III. Jeff Sanders presented a overview of the MMC IDP, indicating an intent to submit the IDP for a discussion with the City Planning Board on April 25, 2017. However, because MMC is looking into the feasibility of alternatives to the 13 story Gilman Block garage, the IDP Transportation section will need to be updated. As a result, the discussion was focused on two primary issues 1. the MMC IOZ Boundary and 2. Neighborhood Engagement.

IOZ Boundary

Jeff presented the group with the boundary for the MMC IOZ which is being proposed. Recognizing the boundary goes beyond what was delineated in the former MMC Contract Zone, Jeff explained the City's new IOZ zone requires institutions to undertake a long-term vision and project areas of potential growth. While MMC has no current plans for some of the lots included in the Overlay zone, it delineated a logical expansion area from a land use perspective. Most of the area shown is not located in a residential zone but rather is located in business zones today. MMC is reaching out to the owners of each property included in the Overlay Zone to explain to them what is being asked of MMC.

The Group had several questions regarding the Overlay Zone:

Q. There was a question about why MMC shows expansion across Congress rather than down Crescent Street – wouldn't that be more logical?

A. Crescent Street is residential in character whereas Congress Street is a business zone.

Q. Why not expand north on St. John Street to eliminate some of the strip malls.

A. At the current time being within 250 yards of the main hospital allows for reimbursement to support hospital activities. It is also logical from a land use perspective.

Q. By showing the IOPZ boundary aren't you telegraphing your potential interest in the properties?

A. MMC is talking with each of these property owners. At present, MMC has no plans to utilize any of these parcels. However, the City's zoning method requires the institutions to look out some years and that is what MMC has done.

Q. I may not mind the Overlay Zone map if I knew the heights.

A. Basak Alkan, the Urban Planner, identified appropriate heights for these lots in the zone, based upon context and best land use practice. Jeff showed the group the map which depicts proposed heights. Due to technical difficulties Basak could not be heard. As a result, Basak will be prepared to discuss the heights at the next meeting.

Q. How did the transition zones get formed and shouldn't they encapsulate each lot?

A. This will be discussed by Basak.

Q. Are you still looking for 13 stories on the Gilman Block?

A. MMC is considering alternatives for its parking. At the present time, the feasibility of alternative lots is still being investigated. However, the Gilman Block continues to be a viable alternative.

Q. Are the borings completed?

A. Yes, the analysis is with the engineers. It is likely that MMC would need to drill deeper for a garage on the Gilman Block.

Q. If you don't need to build a garage on Gilman will you still be seeking a 13 story height limit?

A. No. If an alternative location works for all parking, MMC would have no plans to change the structures at Gilman Street in the short term.

Q. What would St. John Valley think of parking at 222 St. John?

A. I'm all for it. (Tim McNamara)

Q. What is the City's vision for this area of the City?

A. The area is definitely going to change. It is exciting and there are lots of opportunities. PSA and others have been looking at St. John and Congress for some time. The MMC process is starting the City's visioning for the area. (Tuck O'Brien) Spenser Thibodeau would like the City's momentum to continue.

Neighborhood Engagement

Jeff asked for input from the neighbors. Currently MMC is proposing the continuation of the Neighborhood Engagement process currently set up – quarterly meetings, with more frequent meetings during construction; 2 neighborhood representatives from each association.

In addition, MMC will employ social media to assist in an open communication policy with its neighbors and the public. MMC has a new website for the project; it is looking in to text messages during construction when important events are happening on the surrounding street network, large deliveries, etc.

A discussion was held regarding the suspension of the quarterly meetings while the planning meetings are underway. It was requested that once every quarter, the monthly meeting be extended to 90 minutes to discuss operational issues as well as planning issues. The schedule below outlines the dates currently reserved:

April 19,	1-2pm	
May 3,	12-1pm	
June 7,	12-1:30pm	quarterly operations meeting
July 5,	12-1pm	
Aug. 2,	12-1pm	
Sept. 6,	12-1pm	
Oct 4,	12-1:30pm	quarterly operations meeting
Nov 1,	12-1pm	
Dec 6,	12-1pm	

For the quarterly meetings it was requested that a member of senior leadership be in attendance.

Tim McNamara indicated St. John Valley would be divvying up the IDP for review. Discussion was had about sending observations to MMC before they are submitted to the City so that any issues that can be resolved will be. There was general consensus that this was a good approach and maintains open dialogue.

- IV. City Update – Tuck O'Brien provided an update on the City process. Planning staff continues to educate City departments on how the IOZ is intended to work. The April

25 Planning Board workshop will consider the MMC IDP. At this point it appears that the IOZ text will be placed on the City Council April 24 Agenda for 1st reading; public hearing to be tentatively scheduled for May 9, 2017.

V. TDM Survey – Jeff Sanders handed out the TDM Employee survey conducted by VHB Consultants.

VI. Future Agenda Items – Emma Holder would like to take a look at MMC's existing Get on Board TDM program

VII. Adjournment



May 8, 2017, 1:00pm – 2:00pm
 Maine Medical Center
 Dana Center Board Room

Minutes

Attendees:

Jean Fraser
 Lin Parsons
 Ian Jacob
 Jeff Sanders
 Walter Pochebit
 Dennis Morelli
 Anne Pringle
 Penelope St. Louis
 Emma Holder
 Zack Barowitz
 Spencer Thibodeau
 Moses Sabina

- I. Welcome and Introduction
 Jeff Sanders extended a welcome to the attendees.
- II. City Update: Jean Fraser informed the group that the Institutional Overlay Zone was adopted by the City Council on Monday, May 1, 2017 with one amendment. Councilor Thibodeau explained the amendment to be the elimination of the requirements for a majority vote of the City Council for changes to an institutions' IDP.
- III. Helipad Noise Study Update: Walter Pochebit informed that the helipad noise study did take place this past week, during a small break in the weather. The monitoring equipment gathered data during the course of about an hour and the testing included at least 6 helicopter passes. During the course of the testing no complaints were received by either MMC or Councilor Thibodeau. Zack indicated he did hear the helicopter but it was no louder than a train going by. MMC expects the noise monitoring test results to be back in about 4 weeks' time.

Upon inquiry regarding the soil samples gathered on the Gilman Block, Walter indicated a garage placement on that site may have the potential to include one but no more than 2 levels of underground parking. Engineers are continuing to analyze options at this time. Jeff Sanders indicated that cost of underground parking would also have to be reviewed.

- IV. City Planning Process and Schedule of Neighborhood Meeting: Jeff Sanders opened the discussion by asking for the Groups thoughts on the Planning Board meeting at which MMC's draft IDP was discussed. Moses was encouraged by what the Planning Board had to say, especially around topics such as MMC being a leader in TDM. Jeff indicated that the May 23 Planning Board meeting currently scheduled is being discussed with Tuck. At this time, MMC has not finalized its TDM plan and is not certain of the location of the Garage.

The Group identified three issues that continue to need discussion: IOZ boundary, Construction Management Plan, and TDM.

Construction Management Plan Discussion: MMC intends to use Turner Construction Company as its General Contractor for the short term project. Turner has a worldwide reputation and is experienced in complex construction projects. We will have a Turner Representative at the next Expansion group meeting to discuss its approach to this project and how it will develop a construction management plan. Moses mentioned issues of concern to include laydown areas, baseline readings on foundations for properties to be effected by construction work, specificity around the driving of pilings, hours of construction. Ann suggested a longer meeting may be in order to discuss construction plan and TDM.

Opinions on when the next Neighborhood Meeting should be held. The preference was late June, or early July assuming the IDP will be presented for approval in late July. Another Expansion group meeting will also be held in June and Emma will try to join by skype or other method as she will be out of state from June 10-August 6.

Zack inquired as to who administers parking – HR or some other Department. Currently, parking is managed by Patient Care Support Services. Jeff indicated a TDM Coordinator position will be created as part of its TDM to promote and oversee the TDM process and parking issues as they arise.

IOZ Boundary Discussion. A question was raised as to whether MMC considered other areas for potential future expansion other than along Congress Street to St. John Street. Neighbors were concerned about two valued neighborhood meeting places: Pizza Villa and Salvage BBQ. Jeff Sanders explained the rational for the IOZ boundary being proposed. First, MMC has no plans at this time for the properties contained within the IOZ boundary. But, as requested by the City and as part of the

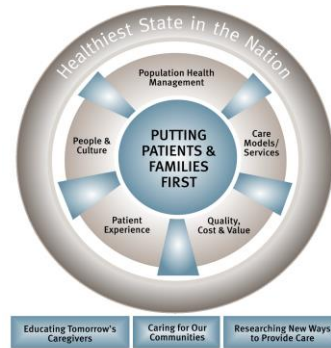
philosophy behind the new zoning mechanism, MMC was thoughtful about areas for potential growth. The proposed boundary makes sense because it is along a commercial corridor, and has minimal impact on residential buildings and zones. The land included in the zone are contiguous to the main campus allowing the hospital to take advantage of economies of scale. MMC has spoken with all property owners being included within the IOZ except for Greyhound Bus as there is no way of knowing who to speak with. Moses would rather MMC expand on the opposite side of Congress, along St. John Street to include those properties currently housing Dunkin' Donuts, Amatos, and the Tire retailer. Moses also expressed concern that MMC would buy up properties and hold them. Jeff indicated that is not MMC's intention.

A question was raised regarding properties in the West End that could be returned to residential use. MMC is considering its ability to do so in light of its analysis of programmatic needs.

Zack queried whether MMC owned the Classic Eye Lot and whether a garage could be placed there. Walter explained MMC does own the lot which is currently used for emergency preparedness training and contractor parking. The lot is odd shaped and not conducive to a parking structure.

TDM Discussion: Postponed pending further work to identify parking lot location and most effective tools to reduce single vehicle occupancy and traffic impacts.

V. Adjournment



June 7, 2017, 12:00pm – 1:30pm
 Maine Medical Center
 East Tower Classroom #3

Minutes

Attendees:

Tuck O'Brien
 Lin Parsons
 Jeff Sanders
 Anne Pringle
 Penelope St. Louis
 Emma Holder
 Zack Barowitz
 Spencer Thibodeau
 Moses Sabina
 Walter Pochebit
 Dennis Morelli
 Garry Bowcott

Dominic Gagnon
 Gregg Scholler
 Adam Parys
 Adam Troidl
 Scott Griffin
 Dick Parsons
 Al Green

I. Welcome and Introduction

Jeff Sanders extended a welcome to the attendees.

II. Construction Management Plan: Walter Pochebit introduced this item. He explained that Turner Construction has been selected by MMC as its General Contractor and therefore is in charge of Construction Management. Collier's International has been selected as the Owner's Representative for the MFP and they will be working closely with Turner on behalf of MMC.

Turner Construction has been in existence for over 100 years. Its Boston office opened in 1912.

Dick Parsons has been working with Turner Construction for 30 years and Gregg Scholler has been with the company for 37 years. Both have long standing experience in healthcare construction > Dick and Gregg described some of their experience with building hospitals and healthcare additions adjacent to and on top of clinical settings and residential neighborhoods. Some examples of projects they have been intimately involved with include the Mass General Lunder Building, South

Shore Hospitals and Children's Hospital. These were complicated projects and involved working adjacent to occupied healthcare facilities and residential neighbors. The experience gained from these jobs provides useful and necessary information when considering Construction Management for the MMC MFP. The Mass General project, in particular, involved the removal of a large existing structure in a systematic way in advance of constructing a new building.

Gregg Scholler described the MFP project as essentially two sequential phases: Phase I will be the addition to the East Tower, the visitor garage, and minor work at the Central Utility Plant. This will occur in 2018 and 2019. The number of employees on site will be on average 20-70, with a peak of 90.

Phase two will encompass the removal of the employee parking garage and the construction of the new main entrance. This activity will span a 36 month period. The number of employees on site will be on average 150 during the construction period, with a peak of 250. The latter number will be inside the building and include painters, electricians, HVAC experts, lighting installers, plumbers and the like.

Turner employs various construction management principles in every job and these will be employed in the MMC MFP. The specifics of the Construction management Plan will be set forth at the time of site plan but the overarching principles are as follows:

Worker Parking

Regular Communication with ALL Stakeholders

Workforce Management

Protection of Public

Truck Routes and Volumes

Noise, Dust, and Vibration Control

During the course of questions around the above principles raised at the meeting by the neighborhood association representatives, Turner relayed the following:

- All workers will park off site and be shuttled to the job. Turner is currently considering several sites for off-site parking. In addition, off site staging and laydown areas are being identified in order to reduce activity at the MMC campus and impacts of the surrounding neighborhoods.
- All workers will undergo training on an appropriate conduct at a healthcare facility, i.e. language, dress, smoking, lunch breaks, neighborhood respect, no loitering, infection control, etc.
- Turner will develop a regular Communications Plan which will include neighbors. More dialogue will be needed to determine the frequency of meetings, the attendees, etc. The NA reps suggested that the Expansion Group members would be a good forum for the communications and the NA reps could disseminate information to the neighbors. The use of the MMC

website will also be a tool employed to get information out about the construction, any road closings, any major deliveries, etc. These meetings will also seek input from the NA reps as opposed to having a one way communication plan. Meetings will be face to face on a regular basis, the frequency to be determined. The group will need to find the right cadence for the communication to flow freely among the group.

- Turner intends to employ fencing which will protect the public from the construction activities happening within the fenced in area. Fencing may require sidewalk alternate routes in some locations but at all times safe pedestrian paths will be maintained.
- At all times during construction access will be provided to local business and residences. There will be occasions that Congress Street may be reduced to one lane, or portions closed entirely, on a temporary basis. These logistics will be worked out with the City well in advance of any closure. Turner will try its best to avoid road impacts during the project. It is not anticipated that there will be any loss of parking. Truck routes for the 10-12 trucks per day entering and leaving the MMC site during garage demolition will be identified in advance.
- Dust control measures will be employed as needed. Dust control will be absolutely used during the controlled demolition of the employee garage. This is required in part as a result of strict regulations for hospitals but also because dust should not impact the neighbors. Dismantling the garage is something Turner is familiar with. It is estimated to take 5 months. It will use dust control measures including constant watering as portions of the garage are removed. The use of debris shoots and watering systems will minimize /eliminate dust created from the demolition. All trucks to and from the site are sprayed down and covered. An agreed upon truck route will be identified in advance of demolition.
- Vibration during construction will be minimized as Turner will not be driving piles. Instead they will be drilling them. This method avoids the negative psychological impacts of the noise created by the banging of piles being driven into the ground. It is recognized that drilling may take more time than driving but it is preferred under these circumstances.

There was a good back and forth with Expansion Group attendees and Turner Construction representatives and an opportunity was provided for all questions to be answered.

- III. City Update: Tuck O'Brien addressed the group. He informed of the next Planning Board workshop to be held on June 27, 2017. This workshop will include the

Regulatory Framework and the Construction Management principles. The future schedule for the MMC IDP has not yet been finalized.

- IV. TDM: Jeff Sanders provided an update regarding MMC's TDM progress. In building on MMC's current TDM, it is exploring getting involved in the Bike Share program which is in the process of being developed in Portland. To date, there is no bike share available in the City.

MMC has met with Metro to discuss future service opportunities. Rather than a monetary payment to Metro, MMC will be providing greater rider subsidies for its employees to boost Metro ridership. MMC is interested in participating in a Transportation Management Association like the kinds the City has encouraged (Burlington Vt, and Masco in Massachusetts). This undertaking has been mentioned in the City's Comprehensive Plan. Tuck O'Brien recognized that MMC cannot form a TMA alone but will need other large employers to also be willing to participate. Portland Downtown and VHB are looking at this concept. Jeff Sanders also communicated that MMC is actively looking to relocate the parking for employees from the Gilman Block to elsewhere. Progress is being made with the 222 St. John Street site.

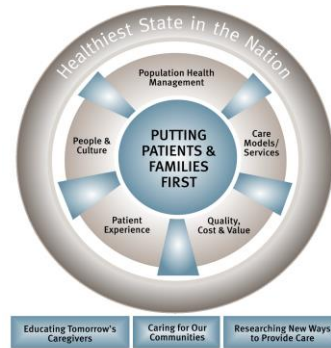
- V. Prostitution: Zack Barowitz indicated he has seen prostitution going on at Congress and Forest Street. Jeff Sanders expressed the belief that such activity would find no home in the area once the new main entrance to the Hospital is located on Congress Street.

- VI. Helipad Testing Results/Soil Borings: Walter Pochebit relayed that the Helipad relocation was tested for noise, the results were back and it showed no significant impacts. In fact, the noise levels for activities other than the landing of the helicopter in the location of the new addition to the East Tower were louder than the helicopter itself. The Soil test results on Gilman Street are also back. The analysis shows that a garage on Gilman could only go down one (maybe two) levels.

- VII. Next Neighborhood Meeting: Discussion was had that the next large neighborhood meeting will likely be sometime in July. As any relocation of parking will need to go back to MMC's Board of Directors, the schedule has been pushed out slightly.

- VIII. CON Hearing: It was announced that the Certificate of Need hearing relating to MMC's MFP proposal is scheduled for June 14 at the Holiday Inn by the Bay. No one has registered as an interested party but the public is welcome to attend, provide testimony and ask questions.

- IX. Adjournment



July 19, 2017, 12:00pm – 1:00pm
 Maine Medical Center
 East Tower Classroom #2

Minutes

Attendees

Zack Barowitz
 Garry Bowcott
 Tim McNamara
 Dennis Morelli
 Tuck O'Brien
 Lin Parsons
 Walter Pochebit
 Anne Pringle
 Jeff Sanders
 Penelope St. Louis
 Spencer Thibodeau

- I. Welcome and Introduction
 Jeff Sanders extended a welcome to the attendees.
- II. City Update: Tuck O'Brien provided a general City Update, explaining a PB Workshop was scheduled for August 8. At that time, MMC will have submitted its complete IDP. The discussion will be focused on newly updated sections of it including the Regulatory Framework and the Neighborhood Engagement Process. It is anticipated that a Planning Board hearing will be held in September.

The group agreed that MMC will hold its next larger Public Meeting in early September before the September Planning Board hearing.

- III. Neighborhood Engagement Discussion. MMC reached out to the group members to solicit input on a neighborhood engagement process to be put in place moving forward.
 - On a quarterly basis, MMC's Chief Operating Officer (COO) shall host a group meeting comprised of the following members:

- ✓ the President or Chair (or a designee of the same) of the following Neighborhood Associations: St John Valley, Western Promenade, West End, Parkside, and Libbytown
- ✓ The Director of Planning at the City of Portland, and,
- ✓ The District 2 Portland City Councilor

The group shall develop a Charter by which these quarterly meetings shall be conducted. The Charter and the meeting minutes shall be delivered to the City Neighborhoods and Island Liaison within 30 days of their adoption.

- In addition, the group shall annually complete a “checklist of actions” to be addressed by the group and the completed checklist shall also be filed with the City.
- To further an open dialogue, MMC will engage neighbors in more routine dialogue during major planning efforts.
- During construction, MMC shall provide contact information for a designated community liaison on its website for day-to-day inquiries and comments. Inquiries and comments shall be logged by MMC and responses shall be provided by MMC in a timely fashion.
- MMC shall 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.

IV. Libbytown Traffic Study Update: Zack Barowitz requested the opportunity to discuss the Libbytown Traffic Study. He informed that the Study has funding from PACTS and will be looking at the feasibility of two way traffic on Congress and Park where currently a one way traffic pattern is in place. He stated there would be no closing of the ramps proposed during this updated study. Jeff Sanders indicated that Walter Pochebit or Dennis Morelli, on behalf of MMC, would participate in any scheduled meetings.

During this discussion a question was raised about the traffic study information to be presented by MMC in connection with the IDP. MMC will be presenting baseline data relative to traffic in the IDP and will provide project specific data during site plan review in connection with an applicable Traffic Movement Permit (TMP). Tuck explained the difference between TDM and TMP and indicated that specifics are provided at the time of Site Plan Review but that overarching policies are to be included in the IDP on both issues.

A question was raised about the location of the MMC future parking structure and Jeff indicated that negotiation was still ongoing to locate the garage at 222 St. John Street.

V. Questions posed by Tim McNamara: Tim raised several issues during the meeting as follows:

If MMC originally was willing to confine its development to the boundary of its contract zone, and if MMC has no plans to expand outside of that area, whose idea was it to develop an IOZ boundary? Tuck explained that the City Planning Staff requested MMC explore the IOZ model as Planning does not believe contract zoning is productive zoning. The IOZ offers institutional flexibility with neighborhood certainly around future development. The City Council has adopted the IOZ model.

Tim asked why the area is being referred to as a “medical district?” Councilor Thibodeau indicated that it doesn’t matter what it is called but what the outcome is. He expressed his excitement about how this area can be positively approached through investment. The term “medical district” was used early on to convey possibility for MMC or others to create a vision for transformation.

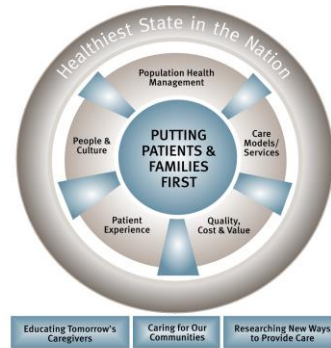
Such transformation would include an active streetscape. Jeff Sanders indicated that MMC and the neighbors have the same goals: to make Congress Street more welcoming than it is today and, to the extent possible, support retail at pedestrian levels along Congress Street. It is about enhancing and preserving the neighborhood, not about unnecessarily displacing existing buildings.

Councilor Thibodeau feels that this IOZ will be great for the neighborhood. He recognizes that neighborhoods need businesses to create a sense of community – things like Salvage BBQ and Pizza Villa. He hopes to work with Greg Mitchell of the City’s eco-devo department to assist with further economic development in the area. The neighbors are concerned this IOZ will set forth a negative chain of events. Anne Pringle questioned this: isn’t it better to know where expansion possibilities exist than not?

The question came up about the requirement of a 1:1 replacement of retail and housing. Jeff indicated that MMC is subject to Housing Replacement Ordinance and that a 1:1 replacement is nowhere applied in the city. He is not sure how such a policy would be administered.

There was general agreement that on some issues the members of the group would recognize consensus would not be reached and that it was ok to agree to disagree.

VI. Adjournment



August 2, 2017, 12:00pm – 1:00pm
 Maine Medical Center
 East Tower Classroom #3

Minutes

Attendees

Carrie Logneck
 Moses Sabina
 Jeff Keilman
 Zack Barowitz
 Garry Bowcott
 Tim McNamara
 Dennis Morelli
 Tuck O'Brien
 Lin Parsons
 Walter Pochebit
 Anne Pringle
 Jeff Sanders
 Penelope St. Louis
 Spencer Thibodeau

- I. Welcome and Introduction
 Jeff Sanders extended a welcome to the attendees.
- II. City Update: Tuck O'Brien indicated the Planning Board will be holding a workshop on August 8, to be followed by a hearing in early fall. Thereafter the Regulatory Framework will be presented to the City Counsel. Jeff Sanders indicated the status of the CON at the state level was going very well, with an expected approval in the fall as well. It is also expected that construction will commence in March 2018.
- III. Institutional Development Plan/ Regulatory Framework: The Group had been provided a copy of the DRAFT IDP/Regulatory Framework and Jeff Sanders opened the floor for discussion. A number of questions were raised and a great discussion was had, as follows:

- Can we comment on site plan issues? Tuck responded that MMC has been meeting with the Expansion Group, the City Staff and the Planning Board to finalize its overarching IDP. Specifics will be addressed at the site plan stage of the process.
- Why isn't the Mercy Hospital State Street site or industrial lots on St. John Street or other lots along Congress Street considered for inclusion in the IOZ? The IOZ as presented reflects the most logical areas for the Hospital to grow given adjacencies and the need for clustered services within a hospital structure. MMC has already planned to move 500 IT jobs to Westbrook.
- What about the Maine Eye and Ear lot? What is its use? MMC has no knowledge of that lot or its ownership.
- What is the future of Holt Hall? MMC currently utilizes that building and its use will remain for the future. MMC is really stressed for space and the MOB at 887 Congress Street is bursting at the seams.
- Jeff Keilman explained that the Regulatory Framework is your traditional zoning component - it defines geography of the zone, heights, setbacks and uses. It may alter zoning requirements of the underlying zones.
- Shouldn't there be a larger transition on the Gilman Block. The City has been satisfied that MMC made its case through Design Criteria for the transition on the Gilman Block.
- Is there an intended "step down" for the transition zones? Yes and that is reflected in the heights. There is consideration of whether to include a maximum story requirement.
- Aren't the stories of different buildings of differing overall heights? Yes.
- Will retail be required on the first floor? Tuck explained that there will be a street activation requirement. This is not necessarily retail and it would not be good planning to require continuous retail on the ground floor of every building. Activation could also include landscaping, parks, building entrances, etc. The City does not want to create empty storefronts.
- What about housing being developed in this area? MMC is not in the business of developing housing. To the extent MMC removes housing units, it is subject to the City's Housing Replacement Ordinance.
- Can any Housing Replacement funds be used in the St. John Valley neighborhood? Spencer Thibodeau would be in favor of this. He would need to address it with Jon Jennings and the Chair of the Housing Committee at the City.
- Will Design Guidelines apply to the parking garage? Jeff Keilman indicated the Design Guidelines provide a blueprint for architectural design in the future.
- Will the Neighborhood Engagement continue throughout the project? Yes. The Neighborhood Engagement process is set out in the IDP based upon the Expansion Group's recommendation and agreement.

- Page 59 of the IDP indicates that MMC's share of traffic volume at Congress/St. John during peak Pm is 150%. That is an error and will be clarified by the traffic engineer.

IV. Adjournment. Prior to adjourning, Jeff Sanders indicated MMC intends to hold a final larger neighborhood with a date TBD.



September 6, 2017, 12:00pm – 1:00pm
Maine Medical Center
East Tower Classroom #1

Minutes

Attendees

Moses Sabina
Jeff Keilman
Zack Barowitz
Garry Bowcott
Dennis Morelli
Tuck O'Brien
Lin Parsons
Walter Pochebit
Anne Pringle
Jeff Sanders
Penelope St. Louis
Spencer Thibodeau (by phone)

- I. Welcome and Introduction
Jeff Sanders extended a welcome to the attendees.
- II. City Update: Tuck O'Brien MMC was in the homestretch, having resolved many issues over the last several months. Tuck indicated the Planning Board will be holding a public hearing on either September 12 or September 26. Following the Planning Board review, the Regulatory Framework will be sent to the Portland City Council for approval. There are several areas still to be discussed by the city staff and MMC but the hope is they can be worked out prior to the public hearing.



- III. Institutional Development Plan/ Regulatory Framework: Jeff Sanders opened the meeting up to questions and comments from those in attendance.

Emma Holder stated her desire for the Expansion Group to take up the issue of TDM, although she recognized others were in disagreement with her position. Emma wants the head of MMC Human Resources to attend the Expansion Group meeting. Jeff Sanders indicated his willingness to listen to thoughts and ideas from the group but it was unlikely that the head of Human Resources would be asked to attend an Expansion Group meeting.

Emma also asked if MMC intended to run a shuttle between St. John Street and the MMC campus instead of requiring employees to walk those three blocks. She felt that requiring employees to walk was reasonable and promoted health and wellbeing. Others in the group commented that weather, hours of operation, and other factors made it reasonable to run a shuttle.

Zack Barowitz requested that the lots across from METRO on St. John Street be included in the IOZ boundary. Jeff Sanders indicated that East Brown Cow was negotiating with the Eagles Club for the acquisition of that lot. There was brief discussion about the use of the lot to provide a second means of access and egress to the proposed parking garage in order to assist in shuttle bus navigation.

Moses Sabina inquired about the acquisition of the Eagles Lot. He feels MMC was not transparent about its plans relative to the Eagles lot. Jeff Sanders replied that the garage design is not final and continues to change. Given the lot configuration it was only recently suggested that the Eagles lot may provide for a better



plan for the neighbors. Zack suggested MMC look at the lot next to the Eagles Lot (the Furgeson Electric lot) for inclusion in the IOZ. Jeff Sanders indicated MMC is trying to design the garage so that in the future it may be able to directly access Fore River Parkway. Jeff indicated there is no intention of MMC to change the two residential units between 222 St. John Street and the Eagles lot.

Those in attendance also inquired about the building located at 222 St. John Street. Emma indicated rumors are circulating and everyone would be better off knowing what the plan is. Jeff Sanders indicated MMC was looking at leasing the building in its entirety, although no agreement has been reached. Moses is concerned that losing the tenants in the building will be detrimental to the businesses in the area.

Zack expressed his opinion that the Sportsman's lot would be a good place for residential. There was a recognition that MMC is not in the housing business. Jeff indicated that MMC is including in the IDP recognition of a need to activate the street level along Congress Street.

Anne Pringle asked if the City was looking at the St. John/ Valley area for potential planning and improvement in the future. Tuck O'Brien acknowledged the need for further study and that this area is becoming a planning priority. The City will also be looking into developing a Transportation Management Association.

Spencer Thibodeau also acknowledged the City's focus on this area for future planning. Greg Mitchell from the City's economic development department walked the area with Moses Sabina and Tim McNamara to talk through some of the desires of those who



live and work in the area. There was discussion about how to excite new businesses to move into the St. John/ Valley area.

IV. Adjournment. Prior to adjourning, Jeff Sanders indicated MMC intends to hold a final larger neighborhood meeting on September 19 at 5:30 -7pm In the Dana Center.



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.

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[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



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409K

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

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>
To: jf@portlandmaine.gov

Tue, Feb 7, 2017 at 10:24 PM

----- 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

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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



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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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2_28_17 revised draft IOZ

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.

--

Jean Fraser, Planner
City of Portland
874 8728

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.

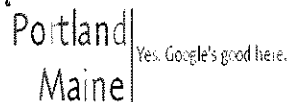
(f) *Approval/Adoption.* The Planning Board shall review the proposed Regulatory Framework against the standards of review and make a recommendation on the institution's IOZ designation and Regulatory Framework to the City Council for adoption as part of this zoning ordinance.

(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

PC24



PC 2 MMC-10Z

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

From: **moses sabina** <mosessabina@yahoo.com>

Date: Tue, Aug 1, 2017 at 4:22 PM

Subject: Fw: Hot Suppa, 703 Congress Street, Rear Yard Setback

To: Jeff Levine <jlevine@portlandmaine.gov>, Jeff Levine
<jmy@portlandmaine.gov>

Cc: Alec Sabina <hotsuppa@hotmail.com>, Evan Carroll | Bild Architecture
<evan@bildarchitecture.com>

Hi Jeff,

Thanks again for walking the neighborhood with us last week. It was revealing to hear some of the things that would and would not make St John Valley attractive to a residential developer. I'm excited to begin the process of actively seeking developers for the beneficial growth of the neighborhood.

I agree with your idea that it is important for the city to get MMC to commit on paper the blocks that they've been planning to develop for some time; their previous attempt to buy the Sportsman lot, and the foothold parking lot they have on the Villa block certainly indicate their interest in those properties. I was optimistic that the new IOZ process would first force MMC to put their intentions in writing, and then open those boundaries up for discussion and compromise with the neighborhood. To my disappointment, however, the process has not resulted in MMC drawing alternative boundaries or compromising on their proposed boundaries in any way. This will set the precedent that an institution can draw its ideal boundary, gain planning board approval with no push back, and the objections of the neighborhood are ignored. Is this the new standard for institutional growth in the city? I fear that this property value engineering could impede any other development, because property owners are going to wait to sell to MMC for top dollar. While I admit that new IOZ boundaries opened up the possibility of relocating the employee garage, I would highlight that the real achievement there was arriving at a superior alternative to a very stupid idea by listening to all concerned parties. I believe that we can achieve more mutually beneficial outcomes if the neighborhood voice is heeded again..

I wanted to circle back on our discussion about Hot Suppa expansion and zoning, and connect you in to the thread with Ann Machado and our architect Evan Carroll. I'm hoping there's a way to get this done, and appreciate you looking into it. Thanks, Moses



Helen Donaldson <hcd@portlandmaine.gov>

MMC Submission for 8/8 Planning Board

Zack Barowitz <zbarowitz@gmail.com>

Sun, Aug 6, 2017 at 11:14 PM

To: "Alexander M. Green" <AGreen@mmc.org>

Cc: Tuck O'Brien <sgo@portlandmaine.gov>, Jennifer Munson <jmy@portlandmaine.gov>, "Donaldson, Helen" <hcd@portlandmaine.gov>, Jean Fraser <jf@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>, "Alkan, Basak" <Basak.Alkan@perkinswill.com>, Jeffrey Sanders <SANDEJ4@mmc.org>, Mark Harris <HARRIM6@mainehealth.org>, "Penelope E. St Louis" <STLOUP@mmc.org>, Walter Pochebit <POCHEW@mmc.org>, Anne Pringle <oldmayor@maine.rr.com>, Carrie Losneck <closneck@gmail.com>, Dennis Morelli <MORELD@mmc.org>, Emma Holder <pna@parksideneighborhood.org>, Garry Bowcott <garrybowcott@hotmail.com>, Ian Jacob <iancasperjacob@gmail.com>, "Lin (linparsons@maine.rr.com)" <linparsons@maine.rr.com>, Michael Patterson <michael.patterson@martinspoint.org>, Michael Patterson <mchljprrsn@aol.com>, moses sabina <mosessabina@yahoo.com>, Spencer Thibodeau <sthibodeau@portlandmaine.gov>, Tim McNamara <stjohnvalley@live.com>, Trevor Watson <trevorewatson@gmail.com>

Jennifer et. al.;

Please find my comments on the IDP below. I apologize for any errata as I have been a little pressed for time, this memo obviates my previous submission as it is much more extensive. I have not reviewed the Regulatory Framework but I hope to before the August 8th meeting.

Thank you,

Zack

Notes on IDP for Planning Board Review, August 8 2017

As the Institutional Development Plan is coming before the Planning Board on 8/8. I am happy to say that some progress has been made:

- The 13-story parking garage that had been proposed on the corner of Congress and Gilman has been relocated to a better and more equitable location situated behind the Eagles Club on the west side of Saint John Street [NB This now puts a section of the IOZ in District 3/Libbytown.]
- After initially rejecting the idea of street level retail along Congress Street; MMC now has incorporated this concept into its plan.

Both these development have made for a stronger proposal which have great benefits for MMC, the neighborhoods, and the city as a whole. However, there are still several areas where improvement is still needed which I have outline below but a few notable examples include:

- The traffic plan is not present and needs to be more fully developed
- The TDM which is supposed to reduced the automobile traffic actually includes a tremendous incentive for parking by charging employees only \$6/month; nor does it seem to do enough to encourage pedestrian access for proximate residents.
- The plan calls for significant encroachment into the neighborhood/abutting properties, notbably the Pizza Villa block, Salvage BBQ, the "old Sportsman's lot," among others.
- MMC should consider lots and locations along the southern end of Saint John Street like the area already in the IOZ behind 222 Saint John to the Eagles' Club. This vast parking area and existing building gives the hospital ample space for medical/administrative facilities in addition to parking and the planned annexation of 222 Saint John.
- I could not find reference to plans for the Forest Street garage. Is there a plan for it?

COMPLIANCE WITH COMP PLAN

P. 7 **“Economic Growth”** - MMC lists “parking availability” as being compatible with economic growth, which seems a dubious claim.

P.7 **“Transportation”** - The language is very weak in this section, for example it says that the TDM is a joint responsibility of MMC and the City “which will take years to address.” I would like to see a shorter, more specific timeline.

TRANSPORTATION PLAN

P.17 The issue of patient parking is ambiguous. Do patients drive themselves to the hospital and then get admitted for extending stays? What happens to their vehicle in that time? Would MMC pay patients to arrive via taxi, Uber, or Lyft within a certain geographic radius?

P.18 Congress Street and the I-295 west bound off-ramp (the one near Denny’s) should be listed among the high crash locations (HCL) as not only is the crash rate extremely high but it is also an ambulance route.

P. 22 9% of employees use the “Get on Board” program which is pretty low considering the number who live nearby. The proposed 1.5% increase seems a modest goal.
[note: “Complementary” is misspelled on this page].

P.23 How much is the discount for the bus tickets? It should be upwards of 75%

P.24 \$6/month for parking ENCOURAGES single passenger motor vehicles and should not be part of the the TDM or any other plan.

P.24 In addition to carpooling, MMC should consider a ‘Walkpool’ program, they may use the Portland “walking school bus” as a model.

P. 34 There is reference to page 51 but my document has only 43 pages. This happens several times.

DESIGN

P. 34 States that the City encouraged the hospital to identify key parcels outside the (current), this much to the chagrin of residents and neighbors of said properties; and seems somewhat irregular.

P. 36 **Retail Space.** IDP states: “to the extent possible, given programmatic needs . . .” This is pretty weak language on an important amenity.

I propose - **Guidelines for retail frontage.** The design guidelines for the retail frontage should include both quantitative and qualitative standards. Examples of the former would include: % of total frontage, min square footage, specificity of location (i.e., across from Weymouth Street, between Gilman and Saint John.

Qualitatively, the location of the retail should be **synergistic** to existing retail (e.g., La Bodega), and the pedestrian link between Bramhall Square and Saint John Street. The retail should be complementary to the hospital's and neighborhood needs such that a restaurant, coffee shop, florist, pharmacy, grocery, child care, First Care/community health, and gift shop would qualify while an automotive supply not.

P.36 Calls for "slip resistant surfaces, such as concrete" this is weasel word language to allow MMC to install a cheaper sidewalk material (such as concrete) instead of more costly slip-resistant brick.

P.37 Under safety features, a 24 hour retail could add full-time eyes on the street.

P.37 States that the Congress Street building will be "pulled (set) back to the extent possible." Can we be more specific? No one wants Congress Street to turn into a canyon. The north facing orientation and winds are already challenges.

P.37 The idea of a glass building with light emanating from it 24/7 could look nice but it is a serious hazard to birds.

ENGAGEMENT

P.39 The composition of the groups presents several challenges. As District 3 is now in the IOZ then the District 3 City Councilor should be a member of the group. I also think At-Large Councilors should be invited.

It is also problematic that Portland does not have official Community Boards but must instead rely on an informal network of neighborhood organizations each with their own membership and organizational structure.

Minute taking: Meetings should be recorded and transcribed or be taken by an independent 3rd party.

[Quoted text hidden]

--

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

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

ZacharyBarowitz.com

ATTENTION:

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Helen Donaldson <hcd@portlandmaine.gov>

Fwd: Planning Board Workshop August 8, 2017

Jean Fraser <jf@portlandmaine.gov>

Tue, Aug 8, 2017 at 1:35 PM

To: Barbara Barhydt <bab@portlandmaine.gov>, Helen Donaldson <hcd@portlandmaine.gov>, sgo@portlandmaine.gov

Sent from my iPhone

Begin forwarded message:

From: stjohnvalleyneighborhood <stjohnvalley@live.com>**Date:** August 8, 2017 at 11:16:51 AM GMT-4**To:** "jf@portlandmaine.gov" <jf@portlandmaine.gov>**Cc:** stjohnvalleyneighborhood <stjohnvalley@live.com>**Subject:** Planning Board Workshop August 8, 2017

Hello Jean,
Hope you are enjoying your summer!

Please submit this for tonight's Planning Board Workshop.

To The Planning Board:

I request that the following questions be asked and answered during tonight's workshop:

Does the City Planning Division or any member of City staff, committee or individual employee have a copy of the Gorrill Palmer traffic analysis referenced on page 54 of the IDP?

If the City has this report, how would a member of the public go about viewing it?

Thank you,

Tim McNamara

251 Valley Street Portland.



Helen Donaldson <hcd@portlandmaine.gov>

Planning Board

Sarah Martin <BOCCafe@hotmail.com>

Tue, Aug 8, 2017 at 4:08 PM

To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>, "jmy@portlandmaine.gov" <jmy@portlandmaine.gov>

Dear Planning Board,

I am writing with serious concerns about what will happen when the hospital begins buying up property in my neighborhood for medical office or clinical use.

Neighbors of the St John Valley area have worked hard to create a vibrant and safe neighborhood. We are just starting to gain momentum.

We have seen businesses arrive like Salvage BBQ and Bunker Brewing. We've seen extensive improvements take place at the Inn at St John and our streets have become more and more "peopled" with visitors, workers and residents.

People are out and about and our neighborhood is slowly becoming part of the vibrancy of upper congress through the Arts District.

People are heading down the hill to our neighborhood like never before.

The purchase of two major blocks in this small neighborhood for use without a restaurant or retail on the ground floor would be devastating and has the potential to turn the area into a medical wasteland where buildings are dark and empty after seven o'clock and vagrancy and crime flourish.

There is great distrust between the hospital and much of this neighborhood.

We realize the hospital has no interest in becoming landlords.

However, if the hospital were to partner with private ownership, medical office buildings could be constructed as condominiums where ground floor retail could be purchased prior to construction.

My question I would like to see before the planning board tonight is this:

If expansion by the hospital outside their footprint is allowed, can language be included in the regulatory framework requiring any construction proposed by MMC to include ground floor retail space either for sale to private investors or leased and operated by the hospital at market rent?

We are simply asking that we be allowed to enjoy the same quality of life as those who are not subject to the ever expanding presence of a giant institution and the potential loss of housing , retail and attractions that any healthy neighborhood requires.

Thank you and I look forward to hearing the answer to my question.

Thanks,

Sarah Martin Valley Street



Helen Donaldson <hcd@portlandmaine.gov>

Fwd: Noise associated with Surgical Unit addition to Maine Medical Center

jmy <jmy@portlandmaine.gov>

Wed, Sep 6, 2017 at 3:50 PM

To: Stuart O'Brien <sgo@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>, Jean Fraser <jf@portlandmaine.gov>, Helen Donaldson <hcd@portlandmaine.gov>

On Wednesday, September 6, 2017 at 3:44:15 PM UTC-4, Anne G. Peters wrote:

Dear Members of the Board,

I own a single family house located at 31 Bramhall St. I am writing about an issue that apparently was overlooked when MMC added their Surgical Unit several years ago. Late in the construction process, multiple tall, metal exhaust (?) pipes and massive air handling units were added to rooftops and ground level locations immediately across from the historical houses on Bramhall Street. I speculate that this noise generating issue might have been overlooked, due to a discussion I had with Portland's then Planning Director and a MMC Facilities Executive - prior to the vents becoming operational.

Neither gentleman had any knowledge of the ventilation portion of the Surgical expansion. (I had the conversation at MMC while attending a meeting to address the increase in smoking/smoking litter in the neighborhoods surrounding MMC, following implementation of their Smoke Free Initiative.) When the ventilation system became operational, Maine Med's noise generation along the interface with my residential area doubled or possibly tripled.

So fast forward to this summer when there was plenty of lovely gardening and porch weather! Unfortunately it is not very pleasant to relax outside my home because of the incessant dull roar from across the street, which can be heard from quite a distance. I suspect any "solution" at this point would have to be remedial, such as insulation or baffles, but I would like to have that discussion. Perhaps simultaneously, the board could address the unsightly nature of the structures - just think of Barber Food's rooftop for your "visual". Lastly, noise generation impact may also be part of the newest MMC expansion plans. Although construction would center on Congress Street, ventilation system placement may impact residential neighborhoods quite a distance from Congress St., just as the Surgical Unit expansion impacted my neighborhood.

Thank you for your time and consideration.

Sincerely,

Anne Peters

Anne G. Peters, LCSW
31 Bramhal St. Portland
207-799-0092
peterslcsw@aol.com



James Dealaman <jdealaman@portlandmaine.gov>

Fwd: Planning board MMC IDP 9/26

Jean Fraser <jf@portlandmaine.gov>

Mon, Sep 25, 2017 at 12:02 PM

To: "O'Brien, Stuart" <sgo@portlandmaine.gov>, "Barhydt, Barbara" <bab@portlandmaine.gov>, "Donaldson, Helen" <hcd@portlandmaine.gov>

Cc: "Cameron, Caitlin" <ccameron@portlandmaine.gov>, James Dealaman <jdealaman@portlandmaine.gov>

fyi

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

From: **Moses Sabina** <mosessabina@yahoo.com>

Date: Mon, Sep 25, 2017 at 11:51 AM

Subject: Planning board MMC IDP 9/26

To: jf@portlandmaine.gov, sthibodeau@portlandmaine.gov

Hi Jean. Would you please let me know you get this? Thanks! -Moses

To the Portland Planning Board:

My name is Moses Sabina; I live at [4 Gilman Street](#).

The IDP needs to offer protection to the neighborhood in two ways. The first is that it needs a commitment to retail. The neighbors have asked the planning board for quantitative requirements for retail, and that is not reflected in this draft. We've asked for a one-for-one replacement, meaning if MMC purchases and removes a building that houses a restaurant with a class A license and a measured footprint (parking included), that will be replaced with a restaurant of the same license and size.

Requiring that night time gathering spaces are replaced in kind is crucial for the neighborhood because it keeps the streets activated after 6 pm. The Congress Street corridor from St John Street to Walker Street in the West End is rife with pimps and prostitutes. I know because I travel it every day. Ask any member of our police force if you don't think that's true. Our area is also prone to absentee landlord owned apartments that are hives of drug activity; I had such a hive two doors down from my house this summer and it took three months of every neighbor dutifully reporting every terrible thing that happened there to the police in order to get those tenants out. We need active store fronts at night to keep eyes on the street. I've personally witnessed the benefit of activating a corridor at night around my own business, Hot Suppa, on

Congress Street; walking feels much safer since businesses like mine, Local 188, Tandem, The Roma, and Bramhall Pub have been open at night on that stretch. Now imagine what walking Congress Street near MMC at night would be like without the vitality of businesses like Salvage BBQ and Pizza Villa.

Consider the vulnerable populations who live in the St John Valley neighborhood; we have two housing first models at The Florence House and Logan Place, mental facilities and housing at Shalom, several sober houses, families attending Sea Dogs and Red Claws games, events at the Expo, the ice arena, and Fitzpatrick Stadium who eat and park in the neighborhood, not to mention visitors and employees of the hospital. Consider the allure that night time gathering places have on people looking to buy owner occupied housing, or rent apartments. Consider the appeal to future housing development. Consider the strain on our police force to patrol all the crime a medical wasteland would attract after dark. The neighborhood needs night time vitality so it does not invite predators.

This draft of the IDP (pg. 118-119) does not protect the neighborhood from going dark at 6 pm. It doesn't commit to a one-for-one replacement for restaurant gathering spaces. It doesn't commit to a percentage of the ground floor that will be used for retail or parking for such retail. It doesn't identify potential retail on the Gilman block, or on the St John street side of the Pizza Villa block. It actually doesn't even guarantee that there will be retail at all. It's just a few colored lines that illustrate frontage that is most suitable to retail. That's it. For all the talk of activating the corridor, MMC has committed to nothing.

"Fig.5.16 on page 119 illustrates potential locations of blank walls along the Congress St frontage, as well as Congress St frontage within the IOZ that is deemed to be most suitable for community-oriented uses / retail. All other areas are intended to be activated through the use of building entrances and windows into ground floor uses. The actual location of future commercial / retail uses will depend on building design as well as market demand for such uses." Pg. 118-119

I think MMC doesn't want restaurants in their buildings, and certainly not the kind that serve alcohol. We can't leave it up to MMC to decide what is right for the neighborhood based on building design and market demands; we've seen how that has played out in the past. Please make the IDP a contract with teeth to protect the gathering spaces and night

time safety of the neighborhood. It would be an irreversible and egregious mistake to believe that in 10-15 years MMC is going to construct buildings on the Salvage or Pizza Villa blocks and voluntarily set aside enough space for the kind of retail that would truly benefit the neighborhood. I suggest that if you are going to green light MMC to purchase entire blocks in the neighborhood, the least you can do is require that the entirety of the ground floor of those blocks is committed to retail and parking for that retail.

The second way the IDP needs to offer the neighborhood protection is to require MMC to develop the properties that they already own on the South Lot and Gilman block before being allowed to purchase other properties in the IOZ. This seems like common sense based on tax-generating property versus non-tax-generating property. This IDP offers no protection from MMC purchasing all the properties in the IOZ as soon as this all passes city council. The neighborhood would suffer greatly if MMC were to purchase properties and let them go dark, or turn them into surface lots until such time when enough properties were acquired to develop the full block.

In summary, the two questions I'd like answered and discussed are:

1. Why have you not required a quantitative retail **commitment**, such as the idea of one-for-one, in the IDP?
2. Why have you not required in the IDP that MMC develop the properties that it already owns before purchasing other properties in the IOZ?

--
Jean Fraser, Planner
City of Portland
874 8728

Letter to Planning Board about hospital expansion

1 message

Curt Fletcher <curtfletcher@gmail.com>

Tue, Sep 26, 2017 at 7:31 AM

To: jf@portlandmaine.gov

Planning Board
City of Portland Maine
September 26, 2017

Planning Board,

I'm Curt Fletcher and I live at [851 Congress Street](#).

When I moved to this neighborhood several years ago it was almost a very temporary stay. As a single adult I wanted to be on the peninsula to have access to entertainment, restaurants, and daily necessities, but this neighborhood was pretty rough. I really thought I had made a mistake experiencing the daily routine of police, vagrancy, and street prostitution. About halfway through my first year's lease I started to sense a change happening. I'm a busy guy and never really looked into why things seemed better but they just did. Less cops visiting houses on either side of me, landscaped traffic dividers popped up on Valley and St John streets, less trash on the street, and fewer dark spots in driveways and doorways up the Congress Street way.

After several months of frequenting some of the local spots like Margaritas and Salvage Bar-B-Q I started to meet great locals and people who worked in the neighborhood. I was really finding a home here. Checking the real estate prices I actually considered buying into the neighborhood with a multi unit on Valley or further down on St John. I found out very late about the hospital's plans to buy the properties that housed my new favorite spots. These are the spots where I and many others meet to eat, socialize, talk sports and politics, talk about who's hosting the next cookout, and just connect as Portlanders. It's these people and these venues that make this area attractive. Without them and the nightlife and culture that comes with them, I fear that this neighborhood will revert back to the way it was my first year here. If all these places go away, I fear the neighborhood will be even worse than when I moved in. Please figure out a way for the Planning Board to save our beloved restaurants and not let this neighborhood turn into a giant urban office district that goes quiet every night at six o'clock.

Thank you.



Google Groups

Maine Med IDP - Public Comment 9/26

Laura Cowie <laura.ann.cowie@gmail.com>

Sep 26, 2017 2:21 PM

Posted in group: **Planning Board**

Good afternoon,

My name is Laura Cowie. I live at 4 Gilman St in Portland. I'm a small business owner in opposition to Maine Medical Center's proposed expansion.

What the city of Portland needs now more than ever is affordable housing and locally owned small businesses that generate tax revenue. My main concern with Maine Medical Center's current plan is the **destruction of 3 Portland businesses-** Pizza Villa, D'Angelos, and Salvage BBQ, as well as the **20 units of housing that will be destroyed** if this IDP is put into place as written.

I ask the planning board, why not require the hospital to replace the 20 housing units and businesses as part of the design of their new buildings? I can only assume it is because the city's last attempt to ensure that a Maine Medical Center expansion benefited the entire city of Portland backfired so spectacularly. I'm referencing the requirement that Maine Medical Center build retail space on the ground floor of their last expansion project on Congress street. The hospital built the "retail space" with dirt floors and had no intention to rent the space to any tenant ever. That retail space has sat vacant for almost 10 years.

I ask the planning board: how will this IOZ expansion enrich Portland? It will pave the way for medical offices-offices which could exist anywhere in the state- and which will sit empty every single night. How will vacant medical offices occupying prime Portland real estate enrich my community the way that tax-paying businesses like Pizza Villa and Salvage BBQ do?

I now ask the planning board directly: How can you justify the loss of 3 successful businesses and 20 units of housing without including specific language in the IDP that requires they be replaced by Maine Medical Center in some quantitative way? I believe the language needs to be clear because MMC has already proven their ability to subvert city mandated requirements put in place to benefit my neighborhood. And I believe that without firm language holding them to their word the hospital's "promises" are just as empty as those retail space on Congress street.

Thank you for you time. I look forward to your response to my question.

Laura Cowie
4 Gilman St.
Portland, ME
04102

--

Laura Cowie
Cofounder, Unwritten Roads
(207) 272 - 7305

Garry Bowcott

8 A Street
Portland, ME 04102
garrybowcott@hotmail.com

September 26, 2017

Dear Planning Board,

I am writing to you in response to Maine medical Center's IDP submission, specifically their traffic study conducted by Gorrill Palmer.

Firstly I would like to commend MMC for listening to neighbors and concerned citizens regarding the originally proposed 13 story parking structure at Gilman and Congress. This plan made no sense for MMC or the St John Valley neighborhood and I'm thankful that common sense prevailed!

With regards to the Traffic Study, it states "relocating employees from the existing garage to the 222 St. John Street parking garage project is anticipated to decrease traffic volumes at the intersection of Congress Street with Valley Street by up to 14.2% for all peak hours with the exception of the PM peak hour of the proposed garage".

Why did the Gorrill Palmer traffic study focus on the intersection of Valley and Congress and not include Valley and A or Gilman and A? They should be focusing the traffic study on the intersection of A and Gilman or Valley and A to accurately account for the large volume of traffic that enters the employee garage via Valley and A Street. There are large volumes of traffic that enter the garage each day without crossing either of the intersections they included the study. In addition, **the traffic study states "Trip counts were increased by 1.1% on St John and 11.4% on Congress St to account for peak summer traffic volume". Can someone from Gorrill Palmer please explain how they arrived at these numbers? As a resident of this neighborhood I can tell you first hand that 11.4% does not come close to the difference between December and July traffic volumes.**

Sincerely,

Garry Bowcott



James Dealaman <jdealaman@portlandmaine.gov>

Fwd: For Planning Board Public Comment Sept. 26.

Jean Fraser <jf@portlandmaine.gov>

Tue, Sep 26, 2017 at 3:04 PM

To: Helen Donaldson <hcd@portlandmaine.gov>, Tuck O'Brien <sgo@portlandmaine.gov>, bab@portlandmaine.gov

Cc: James Dealaman <jdealaman@portlandmaine.gov>

As for the last one - this is #38

Sent from my iPhone

Begin forwarded message:

From: Caitlin Cleary <ccleary091@gmail.com>**Date:** September 26, 2017 at 1:58:57 PM EDT**To:** jf@portlandmaine.gov**Subject: For Planning Board Public Comment Sept. 26.**

September 25, 2017

Dear Planning Board Members,

My name is Caitlin, and I live at 251 Valley Street.

I recently heard of the hospital's plan to buy up property in my neighborhood. My neighbor informed me of which properties the hospital wanted and I was shocked. I've never written a letter like this before, but I'm that concerned.

Maine Med wants to purchase restaurants and apartment buildings? I feel like our street is being swallowed by the hospital.

We didn't move to the West End to live in a neighborhood full of office buildings. We moved to Portland because of its great reputation in the food and beverage scene, nightlife, and the energy of this growing city.

With hefty student loans we were thrilled to find an affordable rent on Valley Street. We love this neighborhood, especially for having so many restaurants and shops within walking distance.

If this neighborhood turns into blocks of office buildings and parking garages, we would feel pushed out of the street we love.

I really hope the hospital can still expand without taking over existing restaurants and apartments.

Please consider that I am just one of many friends and coworkers who feel this way.

Sincerely,
Caitlin



James Dealaman <jdealaman@portlandmaine.gov>

Fwd: Sarah Martin Planning Board Letter

Jean Fraser <jf@portlandmaine.gov>

Tue, Sep 26, 2017 at 3:08 PM

To: Helen Donaldson <hcd@portlandmaine.gov>, Tuck O'Brien <sgo@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>

Cc: James Dealaman <jdealaman@portlandmaine.gov>

As before

(I am out of the office until 5 pm)

Sent from my iPhone

Begin forwarded message:

From: Sarah Martin <BOCCafe@hotmail.com>**Date:** September 26, 2017 at 2:32:54 PM EDT**To:** "jf@portlandmaine.gov" <jf@portlandmaine.gov>**Subject:** Sarah Martin Planning Board Letter

To Portland Planning Division,

Please add my letter to the public comments for the planning board hearing tonight.

Thank you,

Sarah Martin

To The Planning Board,

I submitted the following question in writing prior to the August 8 PB workshop and my question was apparently unclear.

"If expansion by the hospital outside their footprint is allowed, can language be included in the regulatory framework requiring any construction proposed by MMC to include ground floor retail space either for sale to private investors or leased and operated by the hospital at market rent?"

I should have been more clear in identifying "expansion" as development resulting in the elimination of existing businesses. My intent was to add language to the Regulatory Framework requiring the hospital to replace any lost retail or restaurant in the event they develop properties currently outside the footprint.

The chair remarked that she was "not entirely sure" what I was referring to by footprint.

When we refer to the " footprint" we are referring to the boundaries outlined in the current Conditional Rezone agreement.

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 :

The language found on page 5 of the Regulatory Framework is far too vague to ensure that this neighborhood will not lose existing gathering spots once the hospital purchases properties within their new boundaries. "To the extent able" is a qualifier that removes any compulsion for the hospital to act.

Page 5 Regulatory Framework:

Mixed Uses:

In recognition that Maine Medical Center is part of a mixed-use area of the City, with

important existing services and businesses that serve the local and wider community, healthcare facility development fronting onto Congress Street and St. John Street shall activate the public realm, to the extent able, with uses such as service and retail/restaurant, landscaping, active building entrances, pocket parks, etc, on the ground or other publicly accessible level, consistent with the design intent contained

in the approved Institutional Development Plan.

We would like to see this paragraph modified to the following:

Maine Medical Center is recognized as part of a mixed-use area of the City, with

*important existing services and businesses that serve the local and wider community. **If Maine Medical Center is to develop any future healthcare facility, on Congress Street or St. John Street , and that development results in the elimination of existing retail or restaurant businesses, the hospital shall be required to offer the similar square footage as that business being eliminated, on the ground floor of this new development either for sale or lease at market rate to private investors and shall allow use of that ground floor space for the same type of business having been eliminated.***

To clarify my question, this would only apply to development that would eliminate existing businesses. We're not asking for every square inch of new development to include retail. Simply if the hospital buys a property and eliminates a business, we want the opportunity to see that business replaced.

That language protects our neighborhood by allowing real estate to be made available at market rates to replace businesses like Salvage BBQ, Pizza Villa, Margaritas Restaurant and The Eagles Club, that may be eliminated as a result of the hospital expansion.

Additionally the August 8th workshop included questions by a Planning Board member as to the presence of any residential units that might be impacted by hospital expansion. I was surprised that at this point in the process, neither the planning board, planning staff or the hospital could come up with the number of units or residents that will be impacted by hospital expansion into the new boundaries.

There are nineteen residential units and at least forty people who will be forced to move in the event the hospital purchases and develops on the proposed blocks.

I would also like to ask that the City come up with some commitment or language that would require any housing replacement funds paid by the hospital to the city be earmarked to be spent in this neighborhood.

Sarah Martin

251 Valley Street

Portland, Maine 04102

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.



pb leter from sarah september 26.odt
30K



PLANNING BOARD REPORT PORTLAND, MAINE

Twelve-Unit Condominium Building
One Joy Place
Subdivision, Level III Site Plan
and Conditional Use Inclusionary Zoning

Onejoy Place LLC, Applicant

Project #2017-103 (Subdivision & Site Plan)
Project #2017-128 (Conditional Use Inclusionary Zoning)
CBL: 045 E049001

Submitted to: Portland Planning Board Public Hearing Date: September 26, 2017	Prepared by: Jean Fraser, Planner Date: September 22, 2017
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I. INTRODUCTION

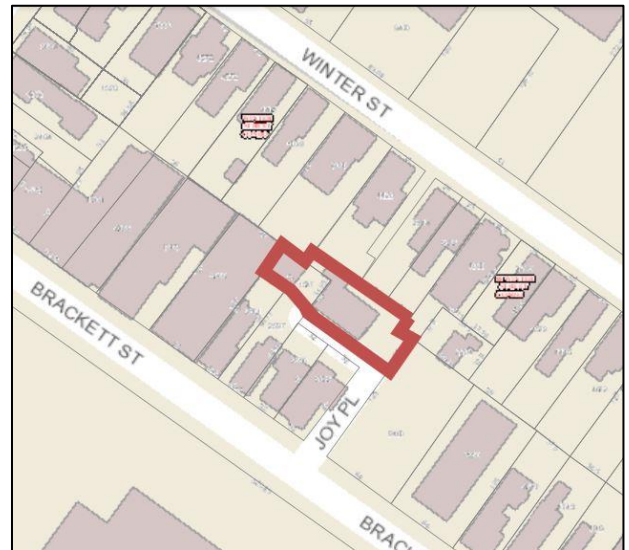
Onejoy Place, LLC is seeking final approval for a Level III Site Plan and Subdivision application for the construction of a three story 12-unit residential building on a 5,851 sq ft backland “urban infill” site at 1 Joy Place, a short private street located between 157 and 165 Brackett Street. The site is largely occupied by a dilapidated house. The parcel has existing access from Brackett Street via Joy Place.

The Board held a Workshop on this project in July 2017 where the question of the parking provision and integration with the City’s abutting parking lot were the main issues.

The site is within the B-1 zone and within the West End Historic District. The Historic Preservation Board has approved the design of the project subject to conditions re details, and the submitted elevations have been revised to address the HP Board review comments.

The project is subject to the Inclusionary Zoning requirements and the applicant has proposed one unit of workforce housing.

The applicant had originally proposed improvements and possibly parking on the adjacent lot owned by the City (currently used for school-related parking). The final proposals are completely on the applicant’s land or the private street of Joy Place, as the City is not able to provide the applicant with an easement or similar at this time.



This Hearing was noticed to 250 neighbors and interested parties, and the public notice appeared in the *Portland Press-Herald* on September 18 and 19, 2017. The applicant held a Neighborhood Meeting on June 28, 2017 which was attended by one neighbor; notes are included in Attachment R. The Planning Division has received 12 public comments as of the completion of the report, of which 5 are in support of the project, 2 raise minor concerns, and 5 comprise objections based on the lack of on-site parking and low number of affordable housing units within the project.

Applicant: Onejoy Place, LLC (Todd Alexander)

Consultants: Terradyn Consultants (Michael Tadema-Wielandt), Engineers;
Archetype (David Lloyd, Architects)

Required reviews and requested waivers

Applicant's Proposal	Applicable Standards
New structure of 12 dwelling units	Subdivision Review
Multifamily building of 3591 square feet	Level III Site Plan Review
Proposed building within West End Historic District	Requires a Certificate of Appropriateness (Article IX) from the Historic Preservation Board (note; B1 Design Standards not applicable)
Proposed one 1-bedroom unit of workforce housing	Inclusionary Zoning
Waiver Requests	Applicable Standards
Location and spacing of driveways- To allow driveway spacing to remain as existing. Staff Comments: Staff supports a waiver for driveway separation as it is an existing condition and low traffic volumes are expected from the project site (<u>Attachment 1</u>).	Technical Manual Section 1.7.2.7 Location and spacing of driveways <i>shall be determined as follows: Along arterial, collector and local streets, minimum acceptable spacing between double or multiple driveways for driveways on adjacent lots or on the same parcel shall meet the criteria of 100 feet for 25 mph</i>
Lighting trespass standards are slightly exceeded along the south boundary with City's parking lot Staff comments: The trespass at this location would also help provide surveillance for the abutting parking lot at night - and if the use (on the parking lot side) changes, shields could be added.	Technical Manual Section 12.2.5 Light Trespass states <i>The maximum illumination level at a property line shall not exceed 0.1 foot candle, as measured at grade, except where abutting industrial, or other non-sensitive uses.</i>

II. PROJECT DATA

SUBJECT	DATA
Existing Zoning	B1
Existing Use	vacant
Proposed Use	residential
Parcel Size	5,851 sq ft
Impervious Surface Area	
--Existing	3,164 sq ft
--Proposed	3,602 sq ft
--Net Change	438 sq ft
Total Disturbed Area	7,851 sq ft
Building Footprint	
--Existing	0
--Proposed	2,612 sq ft
--Net Change	
Building Floor Area	
--Existing	0
--Proposed	7,851 sq ft
Residential	
- Existing # units	0
- Proposed # units	12 one bed units
Parking Spaces	12 required; 3 tandem on site; 11 provided in lot on Congress Street via lease agreement
Bicycle parking Spaces	2 in community open space; 2-3 in basement

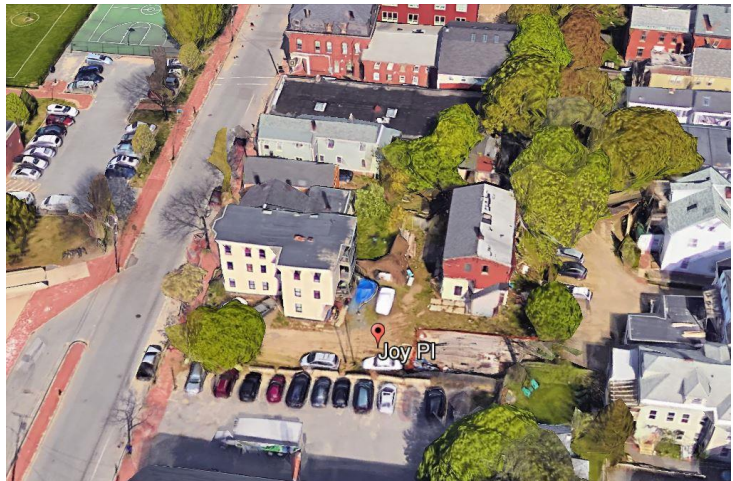
III. EXISTING CONDITIONS

The generally flat site is located at the far end of Joy Place, pictured here where it joins Brackett Street. To the left (north) is a duplex at 165/167 Brackett (comprising a single-family home and a 3-unit apartment building). To the right (south) is a parking lot owned by the City of Portland and used by Reiche School staff and other visitors. To the rear of the site are the back yards of residential homes on Winter Street.



The site in the wider context is shown below.

Joy Place is a private street, 24 feet in width near Brackett Street and 12 feet wide at the rear after the bend. The abutting properties are understood to have deeds which require it to remain open and unobstructed.



IV. PUBLIC COMMENT AND PLANNING BOARD WORKSHOP DISCUSSION

Three of the public comments raise concerns regarding the lack of on-site parking and that this will exacerbate the shortage of on-street parking in this area. This shortage is also noted by the City's Parking Manager ([Attachment 5](#)). The Planning Board considered the question of parking provision and requested further information on the likely parking demand associated with the type of units being proposed. The Board indicated that they would consider a reduced parking provision (less than 12 spaces) though encouraged the introduction of a car-share.

V. PROPOSED DEVELOPMENT

The proposal is to construct a 3-story building with 4 units on each floor, with floor areas ranging from 477 sq ft to 704 sq ft. The proposals include improvements in Joy Place and the ROW; a description with graphics is in [Attachment C](#) and illustrated in the Plans.

Two of the first-floor units have private yard areas at the back, and a landscaped community area is provided for all residents to the north of the building (see Landscaping Plan below & in [Plan P10](#)).



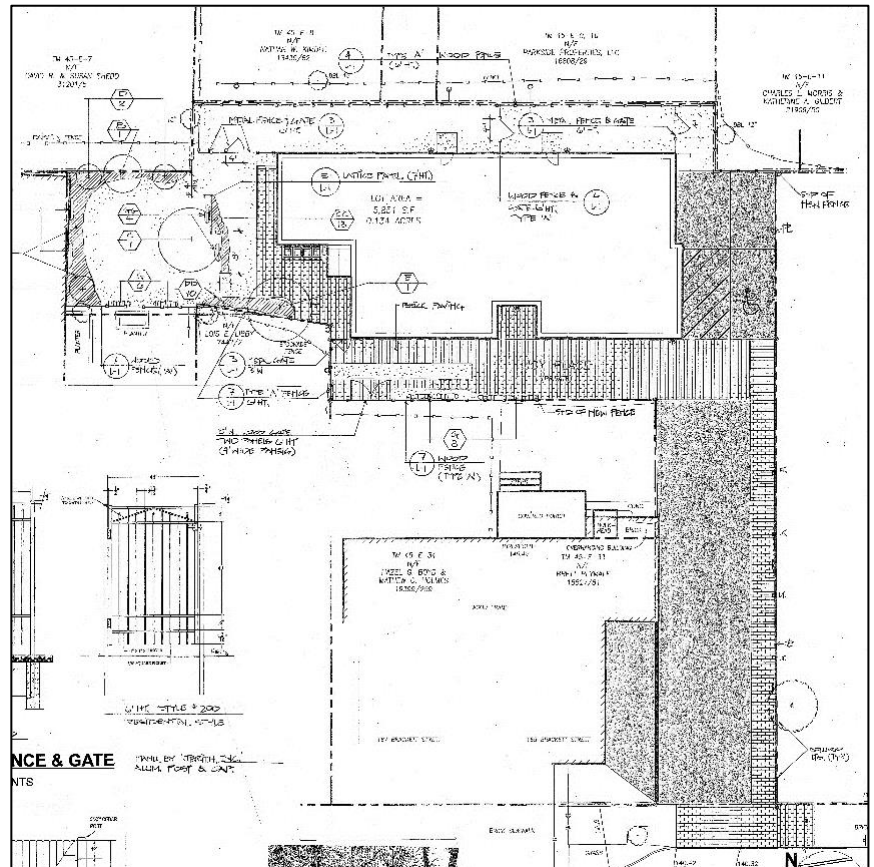
Under Inclusionary Zoning one workforce unit is required, and this is located on the first floor (see Plan 15 and **first floor** layout at right).



Three (3) parking spaces are provided on site, two in tandem and a handicapped space. Two bike parking spaces are proposed within the gated community landscaped area and 2-3 more are located in the basement for residents.

The proposals include new fencing (some metal; some wood) around the east, west and north sides of the site. A 5 foot wide brick walkway is proposed within and flush with Joy Place between the Brackett Street sidewalk and the brick paved section along the front of the new building. Bollard lighting is included along the edge (near south boundary with City parking lot) of the first part of the walkway.

The applicant had originally proposed trees along the edge of Joy Place, but these have been omitted due to the legal requirement to keep Joy Place clear. The applicant does not own any land alongside Joy Place, so the boundary is marked with a series of bollards with lighting.



VI. RIGHT, TITLE & INTEREST AND FINANCIAL AND TECHNICAL CAPACITY

The applicant has submitted a copy of the deed for the site which fronts onto Joy Place (Attachment D). The deed confirms the owner has access via Joy Place, which is a private street that is to be kept “open and unobstructed forever”. The applicant is proposing to remove two existing utility poles (with cobra lights) in Joy Place and has not provided evidence of the right to remove these poles and associated overhead lines - a suggested condition of approval relates to this question.

VII. STAFF REVIEW

A. ZONING ASSESSMENT - PARKING REQUIREMENTS

The proposals meet all of the dimensional standards of the B1 zone and address the parking requirements as follows (Attachment X):

- 3 parking spaces on site- of which 1 is a handicap parking space and the other two are tandem;
- 8 spaces leased in the parking lot at 699 Congress Street via a 5 year lease (within 1500 ft of the site);
- Requesting that the Planning Board establish a parking requirement of 11 off-street parking spaces to serve this project, based on the determination that there is less parking demand than one parking space per unit.

As noted in the Workshop Memo, the zoning ordinance for the B1 zone and the parking ordinance would allow the parking requirements to be met by one, or a combination of, the following options:

- Provision of 12 parking spaces on site
- Payment of a fee in lieu (approx. \$5000 per parking space) that would go into the Sustainable Transportation Fund for eligible projects. If this option was applied to this project the question is whether the payment would be for 10 spaces or 8 spaces, depending on how the tandem spaces are counted.
- Provision of a shared-use vehicle (one equates to 8 required parking spaces, but can be no more than 50% of the parking requirement);
- Requesting that the Planning Board establish different parking requirements based on unique conditions that result in a lesser parking demand than the existing parking requirement of one space per unit.
- Securing leased parking spaces (full time) within 1500 feet of the site, confirmed by a lease for at least 5 years;

The applicant has provided additional information regarding the demand for parking by people renting one bedroom units in the vicinity (Attachment X) which indicates that it is unlikely all of the occupants will own a car. Staff recommend that the Planning Board reduce the parking requirement to 11 spaces and support the applicant's proposal to meet this revised requirement by a combination of on-site and leased parking spaces. A suggested condition of approval sets out this recommendation.

B. SUBDIVISION STANDARDS

14-496. Subdivision Plat Requirements

The applicant has submitted a draft plat which will be finalized prior to signature in accordance with the standard condition of approval. The DPW Surveyor has provided comments (Attachment 7) and a suggested condition of approval requires that these be addressed. The future maintenance of Joy Place, including snow removal, and the proposed features such as bollards and brick paving, has not been addressed in the plat nor in the Condominium Documents and a suggested condition requires that this question be clarified.

14-497. General Requirements (a) Review Criteria

Water, Air Pollution and Soil Erosion

The applicant has received a capacity letter from the Portland Water District (Attachment M.) and provided Erosion Control Notes in Plan P11, thus meeting this standard.

Traffic

The Traffic Engineer has confirmed that the project is not expected to generate a significant amount of traffic nor create safety or congestion deficiencies (Attachment 1).

Parking - See under VII A ***Zoning*** above

Sanitary Sewer/Soils

The application has been reviewed by the consulting Peer Engineer (Attachment 2) and is acceptable subject to confirmation of wastewater capacity.

Storm water

The proposal creates a small amount of additional impervious surface and does not require stormwater management or treatment, as confirmed by the Peer Engineering reviewer in Attachment 2.

Scenic Beauty and Street Trees

The proposal replaces a delapidated residential building and improves Joy Place. The community landscaped space and landscaping around the building will contribute to the scenic beauty of the area. The street tree requirement is discussed under the Site Plan review.

Comprehensive Plan

The project is consistent with the Housing Goals and Policies of the Comprehensive Plan.

Electrical Service

The Subdivision ordinance requires electrical service to be underground and the proposals place the service underground between the Brackett Street right-of-way and the new building (Plan P9). A new utility pole will be installed at the corner of Joy Place and Brackett Street.

C. SITE PLAN STANDARDS

14-526 Site Plan Standards

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland's site plan ordinance and applicable regulations. Staff comments are listed below.

Traffic - Access, Circulation, Loading and Servicing

The Traffic Engineer is concerned that there be minimal maneuvering or backing out of cars in Joy Place and has reviewed the turning templates and management information. He recommends a condition that requires the parking spaces to be allocated in order to avoid casual use and associated access ([Attachment 1](#)).

Right of Way

The applicant is proposing to reconstruct the apron and part of the sidewalk in brick paving; this is considered acceptable subject to adherence to the Technical Standards regarding materials/design and to addressing the Traffic engineer comments regarding the 2% cross slope requirement. These requirements are incorporated into suggested conditions of approval.

Public Transit Access - these standards do not apply to this project.

Parking: See discussion under VII A *Zoning* above. The Traffic Engineering Reviewer supports the recommendation to reduce the parking requirement to 11 spaces and provide three spaces on site and eight in leased parking spaces ([Attachment 1](#)).

Bicycle Parking: The applicant has relocated 2 of the 4 required parking spaces to the community landscaped area, which can only be reached via a locked gate (the others are in the basement). Staff suggest this is acceptable in view of the limitations on placing fixed items in Joy Place.

Snow Storage: A Snow Removal Agreement will need to be developed and documented in the Condominium Documents and the Subdivision Plat.

Transportation Demand Management: does not apply to this project

Construction Management Plan

The applicant has submitted a revised Construction Management Plan that addresses the City's CMP template ([Attachment I](#)). Both the Traffic Engineering and DPW reviewers ([Attachments 1 and 8](#)) are concerned about the impacts on the sidewalk, given the extensive use of this sidewalk by students and teachers at the school across the street. A suggested condition of approval requires minimal impacts and greater specificity as to the needed sidewalk closures and related impacts.

Landscape Preservation / Site Landscaping and Screening

The proposed landscaping has been reviewed by the City Arborist and he recommends substituting a different species of tree for the proposed Amur Maple in the community open area ([Attachment 4](#)).

The brick walkway between the Brackett Street sidewalk and the front door of the new building is welcomed. While tree planting along this route would have been desirable, it is understood to be prohibited by the legal requirement to keep Joy Place unobstructed (the additional information in [Attachment Y](#) has been superseded).

Street Trees: The project is required to include 12 street trees (one per unit). There is one existing street tree in the ROW and none are proposed on the site. The applicant has confirmed they will contribute to the tree fund in respect of the required street trees (11) ([Attachment S](#)). The City Arborist has confirmed the contribution will target tree planting in the Brackett/Spring Street and Reiche School area.

Water quality, Stormwater Management and Erosion Control - see discussion under Subdivision Review above.

Public Safety

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime.

The proposals have introduced fencing to limit access and provided bollard lighting along the walkway and building mounted lighting on the building along the front and two of the sides (see photometric and [Plan P14](#)). The area for the handicap and tandem parking is not proposed to be lit or enclosed, and if the nearby existing cobra light is removed that area will be very dark. Its location adjacent to the rear of the abutting parking lot (which is also dark) is of concern and lighting should be introduced here.

The applicant proposes to remove the two cobra lights (each on a separate pole) in Joy Place near the boundary with the City parking lot. One of these lights is the only light for the City's parking lot and its removal creates an adverse impact by making the parking lot more unsafe for users. At the time of writing it is not clear whether the applicant has the right to remove or relocate these lights and how the City's lot could be lit if they are removed. A suggested condition requests the applicant is requested to work with the City and other abutters of the City's parking lot to clarify rights and responsibilities regarding the existing cobra lights just within Joy Place and to facilitate replacement lighting, with the removal of the cobra lights to be deferred until replacement lighting (or temporary replacement lighting) has been installed.

Fire Prevention: The Fire Department raised a concern about cars parking in Joy Place and potentially preventing access for emergency service vehicles. The applicant provided further information to the Fire Department ([Attachment O](#)) as to how parking would be controlled. The Fire Department has requested additional signage in terms of "No Parking – Fire Lane" be provided to discourage parking in Joy Place ([Attachment 3](#)) (and for all parking to be in designated parking spaces). The final site plan ([Plan P7](#)) has incorporated the requested signage and the condo documents should advise owners as to the parking limitations.

Public Utilities

The Peer Engineer has reviewed the utilities and these are considered acceptable ([Attachment 4](#)).

Massing, Ventilation and Wind Impact and Shadows: The project does not create any impacts of this nature.

Historic Resources: The Historic Preservation Board has approved the project. The Historic Preservation Program Manager has confirmed that the final plans and details presented to the Planning Board are generally consistent with those approved by the Historic Preservation Board ([Attachment 6](#)).

Exterior Lighting including Street Lighting

As noted above under **Public Safety**, the proposals generally include adequate lighting and the submitted photometric plan ([Plan P14](#)) shows appropriate lighting levels except in the vicinity of the on-site parking. There are several aspects that need revision:

- Need to introduce lighting for the parking area;
- Need to revise the bollard specification, as the specification in [Plan P14](#) is not acceptable from an Historic Preservation viewpoint (see [Attachment 4](#));
- A revised photometric will need to be submitted to reflect the above changes; and
- In the CPTED context some trespass from the bollard lighting is a positive impact and staff recommend that the Board waive the trespass requirement in this location.

The removal of the existing cobra lights is discussed under CPTED.

Noise and Vibration

The applicant has confirmed that the units will be heated/cooled using air source heat pumps and the specification (including for compressors) have been submitted in [Attachment Q](#). The application does not contain any information about the location of the twelve compressors. Given the proximity of the building to other residential buildings, staff recommend a condition that requires the submission of a plan showing the location and screening of all such equipment for review and approval prior to installation, in order to ensure these meet the site plan standards.

D. DESIGN STANDARDS IN THE SITE PLAN ORDINANCE

The B1 Design Standards do not apply as the project is within the West End Historic District and the Historic Preservation Board review substitutes. Similarly, the design standards that are part of the [Multi-family and Other Housing Types Design Standard](#) are not applicable.

The following Multifamily Design Standards continue to apply:

3. Open space on the site for all two-family, special needs independent living unit, bed and breakfast and multiple-family development shall be integrated into the development site. Such open space in a special needs independent living unit or a multiple-family development shall be designed to complement and enhance the building form and development proposed on the site. Open space functions may include but are not limited to buffers and screening from streets and neighboring properties, yard space for residents, play areas, and planting strips along the perimeter of proposed buildings;

Staff comment: two of the ground level units have private outdoor space, and a community open space available to all residents is provided adjacent to the building.

4. The design of proposed dwellings shall provide ample windows to enhance opportunities for sunlight and air in each dwelling in principal living areas and shall also provide sufficient storage areas;

Staff comment: This standard appears to be met.

5. The scale and surface area of parking, driveways and paved areas are arranged and landscaped to properly screen vehicles from adjacent properties and streets;

Staff comment: The four on-site parking spaces will be visible from Brackett Street but would appear as two cars. There is wood cedar board fencing between the parking spaces and the neighbor on Winter Street, but the plan envisages an open sidewalk along the side boundary between the site and the City's parking lot.

E. INCLUSIONARY ZONING

This project is subject to the Inclusionary Zoning ordinance that ensures the provision of workforce housing. A development of ten or more units of housing in the City is required to provide on-site workforce housing units or make an in-lieu payment to the City's Housing Trust.

The applicant has submitted a Conditional Use application to address the Inclusionary zoning requirements (Attachment B) and has proposed one unit (one-bedroom) of workforce housing.

The Housing Program Manager has reviewed the Conditional Use for Affordable Housing application at One Joy Place as required by Division 30, Section 14-487, *Ensuring Workforce Housing*. The ordinance requires a minimum of 10% of a project with 10 or more units to be restricted for Workforce Households and that the number of bedrooms required under Section 14-487(e)3 be at least 10% of the total number of bedrooms made available as part of the project.

The memo from the Housing Program Manager (Attachment 8) confirms the project complies with the ordinance and outlines the conditions that require an Affordable Housing Agreement to clarify and document the details of affordability restrictions.

VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed residential development at One Joy Place.

IX. PROPOSED MOTIONS

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on September 26, 2017 for application 2017-103 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board [**finds/does not find**], based upon the consulting traffic engineer's review (Attachment 1), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual Section 1.7.2.7 *Location and spacing of driveways*. The Planning Board [**waives/does not waive**] the *Technical Manual* standard (Technical Manual Section 1.7.2.7) to allow the existing condition to remain, as supported by the Traffic Engineering reviewer.

2. The Planning Board [**finds/does not find**], based on the need to address CPTED requirements through improved lighting along the south boundary, that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual Section 12.2.5 *Light Trespass*. The Planning Board [**waives/does not waive**] the *Technical Manual* standard (Technical Manual Section 12.2.5) to allow limited light trespass from the bollard lighting at this location, subject to the revised photometric being reviewed and approved by the Planning Authority.

B. INCLUSIONARY ZONING – CONDITIONAL USE

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on September 26, 2017 for application 2017-128 (One Joy Place) relevant to the Conditional Use as authorized by Division 30, Section 14-487 Ensuring Workforce Housing; and the testimony presented at the Planning Board hearing:

The Planning Board finds that the Conditional Use **is/is not** in conformance with the standards of the land use code and **approves/does not approve** the application, subject to the following conditions of approval:

- i. Provided the Applicant and the City enter into an Affordable Housing Agreement (AHA) before a Building Permit may be issued.
- ii. The AHA will outline the details of the affordability restrictions placed on the workforce units and will be filed as a covenant to the 75 Chestnut Street property's deed with the Cumberland County Registry of Deeds before a Certificate of Occupancy may be issued.

C. SUBDIVISION

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board report for the public hearing on September 26, 2017 (One Joy Place) relevant to the subdivision regulations; and the testimony presented at the Planning Board hearing:

The Planning Board finds that the plan **is/is not** in conformance with the subdivision standards of the land use code and **approves/does not approve** the application, subject to the following conditions of approval, which must be met prior to the signing of the plat:

- i. The applicant shall submit a final subdivision plat for review and approval by Corporation Counsel, the Department of Public Works, and the Planning Authority; and
- ii. The final subdivision plat shall address the comments from Bill Scott, DPW Surveyor, dated 9.20.2017; and
- iii. The subdivision plat and Condominium Association documents shall include clarification of responsibilities for the maintenance, including snow removal, of Joy Place and associated features such as bollard lights and brick paving; and
- iv. That the Condominium Association documents and related plans shall require that residents do not park in Joy Place except in the designated parking spaces shown on the Plat, and that the On-Site Parking Space # 1 be designated to a specific residential unit and the On-Site Parking Spaces #2 and #3 be designated to a single residential unit; this is required in order to ensure emergency service access and to prevent vehicle blockage issues; and
- v. The Condominium Association documents shall be finalized to the satisfaction of the Associate Corporation Counsel and Planning Authority.

D. SITE PLAN

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board report for the public hearing on September 26, 2017 for application 2017-103 (One Joy Place) relevant to the Site Plan Ordinance and other regulations and the testimony presented at the Planning Board hearing:

The Planning Board finds that the plan **is / is not** in conformance with the site plan standards of the land use code, subject to the following conditions:

- i. That the parking required for the proposed 12 unit residential development has been determined by the Planning Board to be 11 spaces of which 3 spaces are provided on site and 8 spaces shall be provided in the identified off-site locations or equivalent. In the event that the uses change, the parking requirement would need further review by the Planning Board; and
- ii. That the applicant shall work with the City and other abutters of the City's parking lot to clarify rights and responsibilities regarding the two existing cobra lights (located just within Joy Place) and to facilitate replacement lighting, with the removal of the cobra lights to be deferred until replacement lighting (or temporary replacement lighting) has been installed; and
- iii. That the Construction Management Plan shall be revised for review and approval by the Planning Authority and the Department of Public Works prior to the issuance of a building permit, to minimize impacts on the sidewalks and provide details to address the comments from the Traffic Engineer reviewer dated 9.21.2017 and from the DPW Senior Engineer dated 9.22.2017; and
- iv. That the photometric plan shall be revised for review and approval by the Planning Authority prior to the issuance of a building permit, to show adequate lighting in the vicinity of the three on-site parking spaces and confirm the specification and photometric characteristics of the revised bollard lighting; and
- v. That the Landscaping Plan shall be revised, for review and approval by the City Arborist and Planning Authority prior to the issuance of a building permit, to replace the Amur Maple with a species suggested by the City Arborist in his comments dated 9.21.2017; and
- vi. That a plan showing the location and screening of all HVAC/heatpump/compressor and similar equipment shall be submitted for review and approval by the Planning Authority prior to installation, in order to ensure these meet the site plan and zoning standards; and
- vii. That the applicant has demonstrated that site constraints prevent the planting of all of the 12 required street trees (one per unit for multi-family development) in the right-of-way, and therefore the applicant shall contribute \$4400 for eleven street trees to Portland's tree fund, which the City Arborist will target for Brackett/Spring Street and Reiche School area; and
- viii. That the design of the apron and associated sidewalk shall meet Technical Standards and conform to the design detail provided in the final submissions (2% maximum cross-slope); and
- ix. That the Wastewater Capacity letter shall be submitted prior to the issuance of a building permit.

ATTACHMENTS:

Attachments to Report

1. Traffic Engineering Review final comments 9.21.2017
2. Peer Engineering Review final comments 8.30.2017
3. Fire Department comments (no update)
4. City Arborist final comments 9.21.2017
5. Parking Manager comments (as for PB Workshop)
6. Historic Preservation final comments 9.22.2017
7. DPW Surveyor final comments 9.20.2017
8. Housing Program Manager IZ Memo 9.18.17
9. DPW Senior engineer final comments 9.22.2017

Public Comments

PC1 Holmes 6.23.17
PC2 Tousignant 6.30.17
PC3 Plymale July 2 and 5, 2017
PC4 Gebhardt 7.2.17
PC5 Kimble 7.5.17
PC6 Watson 7.5.17
PC7 Rathband 7.5.17
PC8 Roseberry 7.8.17
PC9 Parker 7.11.17
PC10 Stauffer 9.18.17
PC11 Frederick 9.22.17
PC12 Carleton 9.22.17

Applicant's Submittal

A. Cover Letter and revised Application Site Plan
B. Cover letter & Application IZ Conditional Use
C. Development Description
D. Right, title and Interest
E. State and Federal Permits
F. Land use Ordinance Review
G. Easements/other burdens
H. Financial and Technical Capability letter
I. Construction Management (revised)
J. Natural Features
K. Stormwater Management
L. Consistency with City Master Plans
M. Utilities
N. Solid Waste
O. Fire Safety & Emergency Services Info
P. Conformity with Standards
Q. HVAC Equipment
R. Neighborhood Meeting Information

Since PB Workshop

S. Letter Add'l Info 8.7.17
T. Letter Comment response 8.7.17
U. Condominium Bylaws and Declaration
V. Inclusionary Zoning details
W. Inclusionary Zoning Agreement
X. Parking memorandum
Y. Letter Add'l Info (mainly sidewalk link to building)

Plans

P1. Cover Sheet
P2. General Notes
P3. Boundary Survey
P4. Existing Conditions and Removals
P5. Construction Management Plan
P6. Recording Plat
P7. Site Layout Plan
P8. Grading Plan
P9. Utility Plan
P10. Landscaping Plan
P11. Erosion Control Notes
P12. Site Details
P13. Utility & Drainage Details
P14. Bollard Detail & Photometric Plan
P15. Floor Plans (4 sheets)
P16. Elevations

One Joy Place - Final Traffic Comments

1 message

Tom Errico <thomas.errico@tylin.com>

Thu, Sep 21, 2017 at 11:43 AM

To: Jean Fraser <jf@portlandmaine.gov>

Cc: "kgray@portlandmaine.gov" <kgray@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, "Swett, Lauren" <lszett@woodardcurran.com>, "Jeff Tarling (JST@portlandmaine.gov)" <JST@portlandmaine.gov>

Hi Jean – The following summarizes my final traffic comments as a status update of prior comments following a review of the application materials.

- The project is not expected to generate a significant amount of traffic and therefore is not expected to create safety or congestion deficiencies. A Traffic Movement Permit is not required.

Status: I have no further comment.

- I find the driveway width of 22.65 feet to be acceptable. The width of the driveway does narrow at the sidewalk to 19 feet. Given low traffic volumes, I find this to be acceptable.

Status: The driveway configuration has changed to 18.5 feet in vehicle travel width and a 5-foot flush sidewalk area. Given low traffic volumes, I find this condition to be acceptable.

- It is my understanding that parking for the abutting property will be provided in the rear of the building and along Joy Place. A parking layout plan shall be provided that illustrates how the three vehicles will park and circulate into and out of the spaces. I'm concerned about the parking area along Joy Place and encroachment into the driveway access/egress area (and ensuring only one parallel vehicle parks).

Status: The applicant has revised the plan and provided information on abutting parking conditions that I find acceptable. I have no further comment.

- I do not recommend backing maneuvers from Joy Place onto Brackett Street and thus the applicant should demonstrate that vehicles can turn around on site.

Status: The applicant has provided vehicle turning template information. The site plan allows for vehicle turnaround maneuvers and therefore I have no further comment.

- The applicant should note how the tandem parking spaces will be managed.

Status: The applicant has provided information on parking management. It is my recommendation that a condition of approval note that On-Site Parking Space # 1 be designated to a specific residential unit and On-Site Parking Spaces #2 and #3 be designated to a single residential unit (to prevent vehicle blockage issues).

- The driveway apron shall be designed to provide a maximum cross-slope of 2 percent along the pedestrian accessibility route.

Status: The applicant has noted in writing that a 2 percent pedestrian accessibility route cannot be provided along Brackett Street in the Joy Place driveway apron area. The applicant has provided a driveway design detail that specifies a maximum cross-slope of 2 percent for the driveway apron. A condition of approval should reinforce the requirement that the driveway apron shall conform to the design detail provided (2% maximum cross-slope).

- The applicant should note if a waiver for driveway separation is required according to the City's Technical Standards.

Status: Joy Place does not meet driveway separation standards. Given that it is an existing condition and low traffic volumes are expected from the project site, I support a waiver from the City's Technical Standards.

- The construction management plan should include details on sidewalk and Brackett Street roadway impacts during utility work. The plan should also provide information on contractor parking, delivery and laydown of materials, and impacts to parking for the abutting building.

Status: The applicant has not provided information on sidewalk closures and roadway impacts. I would suggest that a condition of approval be included that requires provision of the requested information, for review and approval.

Additional Comments

- In my professional opinion, the parking supply (11 parking spaces – some of which are to be leased in a Congress Street parking lot) would be expected to satisfy parking demand given the location of the development, nearby TDM opportunities, and the small size of the residential units.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE

Senior Associate

Traffic Engineering Director

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"One Vision, One Company"

MEMORANDUM



TO: Jean Fraser, Planner
FROM: Lauren Swett, PE
DATE: August 30, 2017
RE: One Joy Place, Level III Site Plan Application

Woodard & Curran has reviewed the Level III Site Plan Application for the proposed development located at 1 Joy Place in Portland, Maine. The project involves the demolition of an existing vacant single family home and the construction of a proposed 12-unit condominium and associated improvements to Joy Place a Private Road accessing the site.

Documents Reviewed by Woodard & Curran

- Response to comments and attachments, dated August 7, 2017, prepared by Terradyn Consultants, LLC, on behalf of Onejoy Place, LLC.
- Engineering Plans, Sheets C-2.3, C-3.0, C-4.0, C-5.0, C-6.0, C-6.1 REV. dated August 7, 2017, prepared by Terradyn Consultants, LLC, on behalf of Onejoy Place, LLC.
- Landscaping Plan, L.1, REV dated August 07, 2017, prepared by Anthony Muench Landscape Architect, on behalf of Onejoy Place, LLC.

Comments

- 1) In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. The Applicant has indicated that there will be an increase in impervious area of approximately 820 square feet on the property of 1 Joy Place. We offer the following comments:
 - a) Basic Standard: Plans, notes, and details have provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500.
 - b) General Standard: The project will result in an increase in impervious area of less than 1,000 square feet, and will not be required to meet the General Standard. We encourage the Applicant to review the City's Stormwater Service Charge Credit Manual (available online) to evaluate whether they may want to incorporate stormwater quality treatment measures that qualify for a future Stormwater Service Charge credit.
 - c) Flooding Standard: The project will result in an increase in impervious area of less than 1,000 square feet, and will not be required to meet the Flooding Standard.
- 2) The detail and plan view provided for the brick driveway apron is not in conformance with the City of Portland's Technical Manual. The standard requires a 12" bituminous strip at the base of the driveway where the Applicant is currently showing a flush granite curb. Any variation from the standard will require approval from the City.
- 3) All other comments have been addressed at this time.

MEMORANDUM

To: FILE
From: Jean Fraser
Subject: Application ID: 2017-103
Date: 7/6/2017

Comments Submitted by: Keith Gautreau/Fire on 7/6/2017

I have read the email sent from the applicant about the background on the emergency access and parking. The Fire Dept. would like to see some signage in terms of "No Parking Fire Lane" in addition to the language in the deed. We feel it would be necessary in helping maintain the only access to the proposed 12 unit building.

Comments Submitted by: Keith Gautreau/Fire on 7/6/2017

I would like to know what is proposed for street numbering / address for 911? Once we determine that please follow the guidelines:

Premises Identification

The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.

Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer.

If the building entry faces a different street, both the street name and number should be large enough to read from the street.

Address numbers must be a minimum of 6 inches high.

The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").

Color: Addresses should be in a color that contrasts with the background.

Whenever possible, should be illuminated.

Provide additional address signs at entrances to the property when the building address is not legible from the public street.

Buildings set back in groups that share common entrances can make quickly locating a specific building and the shortest route difficult. On such sites, additional signs with directional arrows and/or diagrams of the buildings and access layout should be posted.

Building

The new building shall not affect the egress or required Fire Department access for the neighboring building.

Fwd: Urgent comments please - One Joy Place

1 message

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

Thu, Sep 21, 2017 at 9:24 AM

From: **Jeff Tarling** <jst@portlandmaine.gov>
Date: Wed, Sep 20, 2017 at 4:43 PM
Subject: Re: Urgent comments please - One Joy Place
To: Jean Fraser <jf@portlandmaine.gov>

Jean -

I have reviewed the landscape plan for the proposed One Joy Place project.

The project does have landscape challenges due to its unique site location and lack of street frontage. One suggestive comment would be to find a substitution for the Amur Maple as they tend to show up on the invasive plant list. Other suggestions might include 'Cornus mas', Hop Hornbeam, Cornelian Cherry Dogwood.

Overall the project include landscape elements where possible and improved fencing.

Tree fund contribution would be targeted for the Brackett / Spring Street and Reiche School area.

Thanks

Jeff

Jeff Tarling
City Arborist - City of Portland Maine
Parks, Recreation & Facilities Department
Forestry & Horticulture
[212 Canco Road](#)
[Portland, ME. 04103](#)
[\(207\) 808-5446](#)
jst@portlandmaine.gov

Fwd: One Joy Place - to PB Workshop July 11th

1 message

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

Fri, Jul 7, 2017 at 9:49 AM

From: **John Peverada** <jbp@portlandmaine.gov>
Date: Wed, Jul 5, 2017 at 11:48 AM
Subject: Re: One Joy Place - to PB Workshop July 11th
To: Jean Fraser <jf@portlandmaine.gov>
Cc: "Gautreau, Keith" <kng@portlandmaine.gov>, "Errico, Thomas" <thomas.errico@tylin.com>, "Bartlett, Jeremiah" <jbartlett@portlandmaine.gov>, "Hyman, Bruce" <bhyman@portlandmaine.gov>, "Tarling, Jeff" <jst@portlandmaine.gov>, "Swett, Lauren" <lszett@woodardcurran.com>

Jean,

I understand that the developer of Joy Place can meet the zoning requirement for off street parking by making a payment in lieu of parking, for the number of required parking spaces not provided on site. While this will satisfy the approval process it will further exasperate the lack of existing on and off street parking in the Reich neighborhood. I have received complaints from both existing residents (some in brand new buildings) as well as businesses about the lack of parking in the neighborhood.

Reiche School depends on the Bracket St Lot as do residents during off hours, so leasing spaces in that lot is not a solution, if anything it is detrimental. During parking bans cars park in the lot in tandem blocking others in, and the school expects vehicles in violation to be towed from the lots before school begins. See the attached photo.

The primary demand for residential parking is typically at night and on weekends; however, as more people choose to work at home, demand during normal weekday business hours may increase, competing with customer and downtown employee parking

1. With more residents parking on the street there will be more conflict between the neighborhood residents, businesses and emergency vehicles.
2. Without adequate parking the residents will be more apt to be towed for street

sweeping or snow bans, and emergency vehicles and snow plows will have a more difficult time maneuvering. The congestion and apartment turnover in Parkside are good examples of the above.

I fully understand that more housing on the peninsula could be beneficial; however I think that it should be created in a way that it does not negatively impact others. Most landlords that I talk to say that most of their tenants have 2 or more cars, in many cases two families are sharing one apartment, or teenagers have cars, and others have overnight guest.

For the above stated reasons, I think that it is unfortunate that this development will not be providing at least one off street parking space per unit, unless the developers can verify that a majority of the units will be reserved for elderly. I still believe that the majority of tenants/owners will own vehicles. Even if they do not use their vehicles daily, they will need a place to park or store them.

Please forward this memo onto the Planning Board. Let me know if you need any additional information from me concerning this matter.

Thanks

John



Brackett St Lot Blocked in.jpg
1049K

Fwd: 1 Joy PI to PB Hearing- report being finalized today/tomorrow AM

1 message

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

Fri, Sep 22, 2017 at 11:20 AM

From: **Deb Andrews** <dga@portlandmaine.gov>
Date: Fri, Sep 22, 2017 at 10:41 AM
Subject: Re: 1 Joy PI to PB Hearing- report being finalized today/tomorrow AM
To: Jean Fraser <jf@portlandmaine.gov>

I have reviewed the final site plan revisions for One Joy Place and find that they are generally consistent with the plans approved by the Historic Preservation Board. The one element that I question in terms of its compatibility with the development's context is the bollard specification, which calls for a square concrete bollard. I recommend a dark metal bollard as it would be more visually recessive and consistent with other metal public infrastructure fixtures in the West End Historic District. A bollard similar to that installed at Williston West might be considered.

Deb

--

Deb Andrews
Historic Preservation Program Manager
City of Portland
389 Congress Street
Portland, Maine 04101
(207) 874-8726

Onejoy Place
Site Plan Review
Bill Scott
9/20/2017

Recording Plat

1. Joy Place is labeled as "Private". Who has the rights to use it? Is it just this development or do any of the abutters benefit from its use as well? And who is responsible for maintenance and repair of this road? I think the surveyor should add a note that spells out some of these details so that there's no confusion later on.
2. The boundary figure is missing a bearing and distance label along the northwesterly side of Joy Place as it connects to Brackett Street.
3. The surveyor needs to add a description and elevation of the City Benchmark that was used as the basis for the elevations referred to in Note 4.
4. Is there a set back that's required for the proposed building near the corner of Brian Chick's land? It looks like that is the portion of the new building that comes closest to an abutting boundary line.

All of the plan sheets that have elevations shown (i.e. Grading plan, Utility plan, Existing Conditions plan) should have a note that identifies the elevation datum and that references the survey by Owen Haskell and the Recording Plat.



To: Jean Fraser Planner, Planning & Urban Development Department

From: Victoria Volent, Housing Program Manager, Housing & Community Development Division

Date: September 18, 2017

Subject: OneJoy Place – Inclusionary Zoning Conditional Use

All developments of ten (10) units or more are conditional uses subject to Planning Board review on the condition that they comply with the requirements set forth in Division 30, Section 14-487 of the Zoning Ordinance.

Division 30, Section 14-487, Ensuring Workforce Housing, requires at least ten percent (10%) of the dwelling units in the development shall meet the definition of Workforce Housing units for sale or for rent. The ordinance under Section 14-487 e 3 also requires the number of bedrooms in the Workforce units shall be at least 10% of the total number of bedrooms made available as part of the development.

The development located at 1 Joy Place proposes the creation of 12 dwelling units of owner occupied housing consisting of twelve (12) one-bedroom units. As dwelling units for sale, the designated Workforce Unit will be restricted to households earning up to 120% of Area Median Income (AMI). Based on the requirements outlined in Section 14-487, the development is required to provide a minimum of one (1) workforce unit with one (1) bedroom. The Applicant has elected to provide one (1) Workforce Unit, on-site, consisting of one (1) bedroom to satisfy the ordinance's minimum requirements. As such, the project has met the minimum requirements set forth in Section 14-487.

Staff recommends the Board Approve this Conditional Use provided the Applicant and the City enter into an agreed upon Affordable Housing Agreement (AHA) before a Building Permit may be issued. The Affordable Housing Agreement will outline the details of the affordability restrictions placed on the Workforce Unit and will be filed as covenant to the property's deed with the Cumberland County Registry of Deeds.

Sincerely,

Victoria Volent
Housing Program Manager

City of Portland Maine
Dept. of Public Works
Engineering Division

Memo

To: Jean Fraser - Planner
From: Keith Gray, PE – Senior Engineer, DPW
Date: September 22, 2017
Re: One Joy Place (2017-103) – Level III Site Plan Application

The following comments/concerns are in regards to the Level III Site Plan Application prepared by Terradyn Consultants, LLC, on behalf of the applicant, Onejoy Place, LLC. with last plan revision submitted on September 14, 2017. Please feel free to contact me with questions. Thank you.

Construction Management Plan:

- The applicant has submitted a Construction Management Plan (CMPlan) prepared by Terradyn Consultants, LLC.
 - The plan indicates that Brackett Street will have a travel lane and sidewalk closure.
 - Indicate the duration and need for such closures. Will any on street parking be impacted during construction?
 - In general, DPW does not support the occupancy of a sidewalk and/or street for an extended period of time. The applicant shall revise the CMPlan to specify the duration required for each occupancy and construction sequences shall be scheduled to minimize the duration of any street occupancy.

April 26, 2017

Ms. Barbara Barhydt
Development Review Services Coordinator
Planning Division
389 Congress Street, 4th Floor
Portland, ME, 04101

**Onejoy Place Condominium
One Joy Place, Portland
Level III Site Plan & Subdivision Application**

Dear Barbara:

On behalf of Onejoy Place, LLC, Terradyn Consultants is pleased to submit the enclosed application materials and drawings for Onejoy Place Condominium, a proposed 12-unit condominium building located at 1 Joy Place in Portland.

The project site is comprised of Lots 48 and 49 on Tax Map 45, Block E and is located in the city's B-1 zoning district. The enclosed materials include information about the existing project site and the proposed project and are intended to meet the Level III Final Site Plan submission requirements outlined in Section 14-527 of the City of Portland Land Use Ordinance.

Enclosed with this cover letter are the following written materials:

Onejoy Place Condominium – Application Materials	
	Level III Development Review Application Form
Section 1	Development Description
Section 2	Right, Title and Interest
Section 3	State & Federal Permits
Section 4	Land Ordinance Review
Section 5	Easements or Other Burdens
Section 6	Technical & Financial Capacity
Section 7	Construction Management Plan
Section 8	Natural Features
Section 9	Stormwater Management
Section 10	Consistency with Master Plans
Section 11	Utilities
Section 12	Solid Waste
Section 13	Fire Safety
Section 14	Conformity with Applicable Design Standards
Section 15	Verification of Proposed HVAC Equipment

In addition to the written materials, the following project drawings are enclosed:

Onejoy Place Condominium – Site Development Plans	
C-1.0	Cover Sheet
C-1.1	General Notes
C-2.0	Boundary & Topographic Survey
C-2.1	Recording Plat
C-2.2	Existing Conditions & Demolition Plan
C-2.3	Construction Management Plan
C-3.0	Site Layout Plan
C-4.0	Grading, Drainage & Erosion Control Plan
C-5.0	Utility Plan
C-6.0	Site Details
C-6.1	Utility & Drainage Details
L-1	Landscape Plan
P-1	Lighting Photometric Plan

We look forward to your review of this project and request to be placed on the next available Planning Board agenda to discuss the project with the Board. In the interim, if you have any questions or need additional information, please contact me.

Sincerely,

TERRADYN CONSULTANTS LLC



Michael E. Tadema-Wielandt, P.E.
Vice President

cc Todd Alexander, Onejoy Place LLC
David Lloyd, Archetype PA

Enc.

April 26, 2017

Ms. Barbara Barhydt
Development Review Services Coordinator
Planning Division
389 Congress Street, 4th Floor
Portland, ME, 04101

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We look forward to your review of this project and request to be placed on the next available Planning Board agenda to discuss the project with the Board. In the interim, if you have any questions or need additional information, please contact me.

Sincerely,

TERRADYN CONSULTANTS LLC



Michael E. Tadema-Wielandt, P.E.
Vice President

cc Todd Alexander, Onejoy Place LLC
David Lloyd, Archetype PA

Enc.



Level III – Preliminary and Final Site Plans Development Review Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Level III: Preliminary or Final Site Plan. Please note that Portland has delegated review from the State of Maine for reviews under the Site Location of Development Act, Chapter 500 Stormwater Permits, and Traffic Movement Permits.

Level III: Site Plan Development includes:

- New structures with a total floor area of 10,000 sq. ft. or more except in Industrial Zones.
- New structures with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- New temporary or permanent parking area(s) or paving of existing unpaved parking areas for more than 75 vehicles.
- Building addition(s) with a total floor area of 10,000 sq. ft. or more (cumulatively within a 3 year period) except in Industrial Zones.
- Building addition(s) with a total floor area of 20,000 sq. ft. or more in Industrial Zones.
- A change in the use of a total floor area of 20,000 sq. ft. or more in any existing building (cumulatively within a 3 year period).
- Multiple family development (3 or more dwelling units) or the addition of any additional dwelling unit if subject to subdivision review.
- Any new major or minor auto business in the B-2 or B-5 Zone, or the construction of any new major or minor auto business greater than 10,000 sq. ft. of building area in any other permitted zone.
- Correctional prerelease facilities.
- Park improvements: New structures greater than 10,000 sq. ft. and/or facilities encompassing 20,000 sq. ft. or more (excludes rehabilitation or replacement of existing facilities); new nighttime outdoor lighting of sports, athletic or recreation facilities not previously illuminated.
- Land disturbance of 3 acres or more (includes stripping, grading, grubbing, filling or excavation).

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division

Fourth Floor, City Hall
389 Congress Street
p.m. (207) 874-8719

planning@portlandmaine.gov

Office Hours

Monday thru Friday
8:00 a.m. – 4:30

PROJECT NAME:

Onejoy Place Condominium

PROPOSED DEVELOPMENT ADDRESS:

1 Joy Place, Portland, Maine 04102

PROJECT DESCRIPTION:

Construction of a three-story residential building containing 12 units.

CHART/BLOCK/LOT: 45/E/48, 45/E/49

PRELIMINARY PLAN _____(date)

FINAL PLAN _____(date)

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Onejoy Place, LLC Business Name, if applicable: c/o Renewable Housing Assoc. Address: 2 Union Street, 5th Floor City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work #: (207) 347-3018 Home #: Cell #: Fax#: e-mail: talexander@renewalhousing.com
Owner – (if different from Applicant) Name: SAME Address: City/State : Zip Code:	Owner Contact Information Work #: Home #: Cell #: Fax#: e-mail:
Agent/ Representative Name: Michael Tadema-Wielandt, P.E. Terradyn Consultants, LLC Address: 565 Congress Street, Suite 310 City/State : Portland, ME Zip Code: 04101	Agent/Representative Contact information Work #: Home #: Cell #: (207) 632-9010 Fax#: e-mail: mtw@terradyconsultants.com
Billing Information Name: Todd Alexander Renewal Housing Associates Address: 2 Union Street, 5th Floor City/State : Portland, ME Zip Code: 04101	Billing Contact Information Work #: (207) 347-3018 Home #: Cell #: Fax#: e-mail: talexander@renewalhousing.com

Engineer Michael Tadema-Wielandt, P.E. Name: Terradyn Consultants, LLC Address: 565 Congress Street, Suite 310 City/State : Portland, ME Zip Code: 04101	Engineer Contact Information Work #: Home #: Cell #: (207) 632-9010 Fax#: e-mail: mtw@terradyconsultants.com
Surveyor John Swan Name: Owen Haskell, Inc. Address: 390 U.S. Route One City/State : Falmouth, ME Zip Code: 04105	Surveyor Contact Information Home #: Work #: (207) 774-0424 Cell #: Fax#: e-mail: jswan@owenhaskell.com
Architect David Lloyd Name: Archetype, P.A. Address: 48 Union Warf City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work #: (207) 772-6022 Home #: Cell #: Fax#: e-mail: llloyd@archetypepa.com
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work #: Home #: Cell #: Fax#: e-mail:
Designated person/person(s) for uploading to e-Plan: Name: Michael Tadema-Wielandt e-mail: mtw@terradyconsultants.com Name: e-mail: Name: e-mail:	

APPLICATION FEES:

Level III Development (check applicable reviews) ☒ Less than 50,000 sq. ft. (\$750.00) ☐ 50,000 - 100,000 sq. ft. (\$1,000) ☐ 100,000 – 200,000 sq. ft. (\$2,000) ☐ 200,000 – 300,000 sq. ft. (\$3,000) ☐ over 300,00 sq. ft. (\$5,000) ☐ Parking lots over 11 spaces (\$1,000) ☐ After-the-fact Review (\$1,000.00 plus applicable application fee) Plan Amendments (check applicable reviews) ☐ Planning Staff Review (\$250) ☐ Planning Board Review (\$500) The City invoices separately for the following: • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$50.00 hour) • Legal Review (\$75.00 hour) Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.	Other Reviews (check applicable reviews) ☐ Traffic Movement (\$1,500) ☐ Stormwater Quality (\$250) ☒ Subdivisions (\$500 + \$25/lot) # of Lots <u>12</u> x \$25/lot = <u>300</u> ☐ Site Location (\$3,500, except for residential projects which shall be \$200/lot) # of Lots <u> </u> x \$200/lot = <u> </u> ☐ Other <u> </u> ☐ Change of Use ☐ Flood Plain ☐ Shoreland ☐ Design Review ☐ Housing Replacement ☐ Historic Preservation
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INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

Please refer to the application checklist (attached) for a detailed list of submission requirements.

- Fill out the application completely and e-mail the **application only** to planning@portlandmaine.gov (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
- An invoice for the application fee will be e-mail to you. Payments can be made on-line at [Pay Your Invoice](#) , by mail or in person at City Hall, 4th Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
- The designated person responsible for uploading documents and drawings will receive an email from eplan@portlandmaine.gov with an invitation into the project. At this time, you will upload all corresponding documents and plans into the project. For first time users you will receive a temporary password which you must change on entry. Make note of your username and password for any future projects.

Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.

- Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

- When ready, upload your files and documents into the following folders:
"Application Submittal – Drawings"
"Application Submittal – Documents"

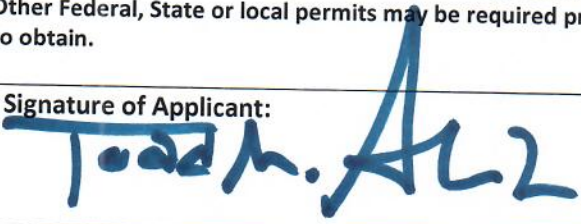
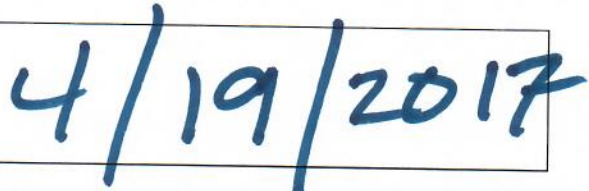
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

APPLICANT SIGNATURE:

By digitally signing the attached document(s), you are signifying your understanding this is a legal document and your electronic signature is considered a **legal signature** per Maine state law.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Level III Site Plan review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 
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PROJECT DATA

The following information is required where applicable, in order to complete the application.

Total Area of Site	5,851 sq. ft.
Proposed Total Disturbed Area of the Site	5,851 sq. ft.
If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) with DEP and a Stormwater Management Permit, Chapter 500, with the City of Portland.	
Impervious Surface Area	
Impervious Area (Total Existing)	3,164 sq. ft.
Impervious Area (Total Proposed)	3,602 sq. ft.
Building Ground Floor Area and Total Floor Area	
Building Footprint (Total Existing)	0 sq. ft.
Building Footprint (Total Proposed)	2,612 sq. ft.
Building Floor Area (Total Existing)	0 sq. ft.
Building Floor Area (Total Proposed)	7,851 sq. ft.
Zoning	
Existing	B-1
Proposed, if applicable	
Land Use	
Existing	Vacant, Previously Residential
Proposed	Residential
Residential, If applicable	
# of Residential Units (Total Existing)	0
# of Residential Units (Total Proposed)	12
# of Lots (Total Proposed)	1
# of Affordable Housing Units (Total Proposed)	0
Proposed Bedroom Mix	
# of Efficiency Units (Total Proposed)	0
# of One-Bedroom Units (Total Proposed)	12
# of Two-Bedroom Units (Total Proposed)	0
# of Three-Bedroom Units (Total Proposed)	0
Parking Spaces	
# of Parking Spaces (Total Existing)	10 (lease agreement)
# of Parking Spaces (Total Proposed)	4
# of Handicapped Spaces (Total Proposed)	1
Bicycle Parking Spaces	
# of Bicycle Spaces (Total Existing)	0
# of Bicycle Spaces (Total Proposed)	5
Estimated Cost of Project	\$2,250,000

FINAL PLAN - Level III Site Plan			
Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
✓		1	* Completed Application form
✓		1	* Application fees
✓		1	* Written description of project
✓		1	* Evidence of right, title and interest
N/A		1	* Evidence of state and/or federal permits
✓		1	* Written assessment of proposed project's specific compliance with applicable Zoning requirements
✓		1	* Summary of existing and/or proposed easements, covenants, public or private rights-of-way, or other burdens on the site
✓		1	* Evidence of financial and technical capacity
✓		1	Construction Management Plan
N/A		1	A traffic study and other applicable transportation plans in accordance with Section 1 of the technical Manual, where applicable.
✓		1	Written summary of significant natural features located on the site (Section 14-526 (b) (a))
✓		1	Stormwater management plan and stormwater calculations
✓		1	Written summary of project's consistency with related city master plans
✓		1	Evidence of utility capacity to serve
✓		1	Written summary of solid waste generation and proposed management of solid waste
✓		1	A code summary referencing NFPA 1 and all Fire Department technical standards
✓		1	Where applicable, an assessment of the development's consistency with any applicable design standards contained in Section 14-526 and in City of Portland Design Manual
✓		1	Manufacturer's verification that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

Applicant Checklist	Planner Checklist	# of Copies	SITE PLAN SUBMISSIONS CHECKLIST (* If applicant chooses to submit a Preliminary Plan, then the * items were submitted for that phase and only updates are required)
✓		1	* Boundary Survey meeting the requirements of Section 13 of the City of Portland's Technical Manual
✓		1	Final Site Plans including the following:
✓			Existing and proposed structures, as applicable, and distance from property line (including location of proposed piers, docks or wharves if in Shoreland Zone);
✓			Existing and proposed structures on parcels abutting site;
✓			All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
✓			Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;
✓			Engineered construction specifications and cross-sectional drawings for all proposed driveways, paved areas, sidewalks;
N/A			Location and dimensions of all proposed loading areas including turning templates for applicable design delivery vehicles;
✓			Existing and proposed public transit infrastructure with applicable dimensions and engineering specifications;
✓			Location of existing and proposed vehicle and bicycle parking spaces with applicable dimensional and engineering information;
✓			Location of all snow storage areas and/or a snow removal plan;
✓			A traffic control plan as detailed in Section 1 of the Technical Manual;
N/A			Proposed buffers and preservation measures for significant natural features, where applicable, as defined in Section 14-526(b)(1);
N/A			Location and proposed alteration to any watercourse;
N/A			A delineation of wetlands boundaries prepared by a qualified professional as detailed in Section 8 of the Technical Manual;
N/A			Proposed buffers and preservation measures for wetlands;
✓			Existing soil conditions and location of test pits and test borings;
✓			Existing vegetation to be preserved, proposed site landscaping, screening and proposed street trees, as applicable;
✓			A stormwater management and drainage plan, in accordance with Section 5 of the Technical Manual;
✓			Grading plan;
			Ground water protection measures;
✓			Existing and proposed sewer mains and connections;

- Continued on next page -

✓		Location of all existing and proposed fire hydrants and a life safety plan in accordance with Section 3 of the Technical Manual;
✓		Location, sizing, and directional flows of all existing and proposed utilities within the project site and on all abutting streets;
✓		Location and dimensions of off-premises public or publicly accessible infrastructure immediately adjacent to the site;
✓		Location and size of all on site solid waste receptacles, including on site storage containers for recyclable materials for any commercial or industrial property;
✓		Plans showing the location, ground floor area, floor plans and grade elevations for all buildings;
N/A		A shadow analysis as described in Section 11 of the Technical Manual, if applicable;
		A note on the plan identifying the Historic Preservation designation and a copy of the Application for Certificate of Appropriateness, if applicable, as specified in Section Article IX, the Historic Preservation Ordinance;
✓		Location and dimensions of all existing and proposed HVAC and mechanical equipment and all proposed screening, where applicable;
✓		An exterior lighting plan in accordance with Section 12 of the Technical Manual;
✓		A signage plan showing the location, dimensions, height and setback of all existing and proposed signs;
✓		Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.

May 30, 2017

Ms. Barbara Barhydt
Development Review Services Coordinator
Planning Division
389 Congress Street, 4th Floor
Portland, ME, 04101

Onejoy Place Condominium
One Joy Place, Portland
Conditional Use Application – Inclusionary Zoning

Dear Barbara:

On behalf of Onejoy Place, LLC, Terradyn Consultants is pleased to submit the enclosed Conditional Use Application for Onejoy Place Condominium, a proposed 12-unit condominium building located at 1 Joy Place in Portland.

A complete Level III Development Review application was submitted for the project on April 25, 2017. Because the project includes more than 10 residential units, a Conditional Use permit is also required, and the project must comply with the requirements of Section 14-487 of the city's Land Use Ordinance, which is intended to ensure an adequate supply of workforce housing.

The proposed building includes 12 one-bedroom apartments ranging between 477 and 650 square feet. Floor Plans were previously submitted as part of the Level III Development Review Application. One first floor unit (Unit 1-A) will be designated as a Workforce Unit.

Unit 1-A will have the same number of bedrooms as the other units, and will be outfitted with the same finish package. It will be marketed through a broker and listed on the Multiple Listing Service (MLS). The unit will be deed restricted with income restrictions for perspective buyers and a price set by the formula in the city's Inclusionary Zoning regulations.

The previously submitted Development Review Application materials contained many of the submission requirements for the Conditional Use application, including a description of the development, evidence of the applicant's right, title, and interest, and proposed floor plans. Below is a description of how the project will meet the standards of Section 14-487.

1. The project will be constructed in a single phase.
2. The proposed workforce unit will be completely integrated within the proposed building and will be accessed by the same entrance as the other 11 units.
3. All of the proposed units, including the proposed workforce unit, will have one bedroom and will feature a similar layout.
4. The applicant is proposing to provide the required number of workforce units and will not pay the in-lieu fee.
5. The proposed units will be sold as condominium units. The applicant acknowledges that if the workforce unit is converted to a rental unit, it shall become subject to the income limits and other requirements for such units.
6. Fewer than 33% of the total units will be workforce units. Therefore, the project is not eligible for subsidy through an Affordable Housing TIF.
7. The project will meet the minimum term of affordability required by the Land Use Ordinance.

We look forward to your review of this project and request to be placed on the next available Planning Board agenda to discuss the project with the Board. In the interim, if you have any questions or need additional information, please contact me.

Sincerely,

TERRADYN CONSULTANTS LLC



Michael E. Tadema-Wielandt, P.E.
Vice President

cc Todd Alexander, Onejoy Place LLC
David Lloyd, Archetype PA

Enc.



Conditional Use for Ensuring Workforce Housing Inclusionary Zoning Planning Board Review Application Portland, Maine

Planning and Urban Development Department
Planning Division and Housing and Community Development

Portland's Planning and Urban Development Department coordinates the development review process for site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Conditional Use review of applications to ensure workforce housing in development projects that create ten or more new dwelling units. The units may be for rent or for sale and created through new construction, substantial rehabilitation of existing structures, adaptive reuse or conversion of a non-residential use to residential use, or any combination of these elements. At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or rent. All developments of ten units or more a conditional uses subject to Planning Board review on the condition that they comply with the requirements of section 14-487.

A. Ensuring Workforce Housing: Standards -Section 14-484

(d) Workforce Housing Minimum At least ten percent (10%) of the units in the project shall meet the definition of workforce housing unit for sale or for rent. The number of units required is rounded down to a whole number if providing units on- or off-site, or shall include a fractional value in cases where a project prefers to pay a fee-in-lieu as per (e)3. below.

(e) Standards

1. Projects shall not be segmented or phased to avoid compliance with these provisions. In cases where projects are completed in phases, affordable units shall be provided in proportion to the development of market rate units unless otherwise permitted through regulations.
2. Workforce units are encouraged to be integrated with the rest of the development, should use a common entrance and should provide no indications from common areas that these units are workforce housing units.
3. Workforce units need not be the same size as other units in the development but the number of bedrooms in such units, either on- or off-site, shall be 10 percent of the total number of bedrooms in the development. For the purposes of this section, for every 400 square feet in a market rate unit will count as a bedroom if the actual number of bedrooms in the unit is lower.
4. As an alternative to providing workforce housing units, projects may pay a fee in lieu of some or all of the units. In-lieu fees shall be paid into the Housing Trust Fund as defined in Sec. 14-489. The fee for affordable units not provided shall be \$100,000 per unit, adjusted annually in the same way as the fee under Division 29 for Housing Replacement.
5. Workforce housing units for sale, if converted to workforce housing units for rent, shall become subject to the income limits and other requirements of such units.
6. If at least 33 percent of the units in a development are workforce units, the development is eligible for subsidy through an Affordable Housing TIF, subject to City Council approval.

7. The term of affordability for the required 10 percent workforce units provided shall be defined as follows:

Percentage of Workforce Units Provided	Minimum Term of Affordability for Required Workforce Units
10%	Longest term permitted under federal, state and local laws and ordinances
25%	30 years
50%	20 years
100%	10 years

(f) Implementing Regulations. Regulations to further specify the details of this section shall be developed, including, but not limited to:

1. Specific methodology for income verification;
2. Situations where less than permanent affordability might be considered; and
3. Guidelines for meeting the requirement that off-site units be “in the same neighborhood”.

B. Site Plan Application: Please submit the Conditional Use Application in addition to the applicable Site Plan Application.

Portland’s development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division

Fourth Floor, City Hall
389 Congress Street
(207)874-8719

Housing and Community Development

Room 313, Third Floor, City Hall
389 Congress Street
(207)482-5028

Office Hours

Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME:

Onejoy Place Condominium

PROPOSED DEVELOPMENT ADDRESS:

1 Joy Place, Portland, Maine 04102

CHART/BLOCK/LOT (s): 45/E/48, 45/E/49

Applicable Zone: B-1

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Onejoy Place, LLC Business Name, if applicable: c/o Renewable Housing Assoc. Address: 2 Union Street, 5th Floor City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # (207) 347-3018 Home# Cell # Fax# e-mail: talexander@renewalhousing.com
Owner – (if different from Applicant) Name: SAME Address: City/State : Portland, ME Zip Code: 04101	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Billing Information Name: Todd Alexander Renewal Housing Associates Address: 2 Union Street, 5th Floor City/State : Portland, ME Zip Code: 04101	Billing Information Work # (207) 347-3018 Cell # Fax# e-mail: talexander@renewalhousing.com
Designated person/person(s) for uploading to e-Plan: Name: Michael E. Tadema-Wielandt, P.E. e-mail: mtw@terradynconsultants.com Name: e-mail: Name: e-mail:	

RIGHT, TITLE OR INTEREST:

The applicant owns the project site. A current deed has been provided.

(Please identify the status provide documentary evidence, attached to this application, of the applicant's right, title, or interest in the subject property (ex: deed, option or contract to purchase or lease the property.)

EXISTING USE: Describe the existing use of the subject property.

The existing site contains a vacant house

PROJECT DESCRIPTION:

Construction of a three-story residential building containing 12 units.

INCLUSIONARY ZONING:	
# IZ Units	1
On-Site IZ Units	1
Off-Site IZ Units	0
# IZ Homeownership Units	1
# IZ Rental Units	0
# IZ Efficiencies	0
# IZ 1-Beds	1
# IZ 2-Beds	0
# IZ 3-Beds	0
IZ Fee In-Lieu	0

APPLICATION FEES:

___ Conditional Use Review to Ensure Workforce Housing
(\$100.00)

(Please submit a separate application for the applicable site plan review. Fees and charges are listed within the application)

The City invoices separately for the following:

- Notices (\$.75 each)
- Legal Ad (% of total Ad)
- Planning Review (\$50.00 hour)
- Legal Review (\$75.00 hour)

Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.

INSTRUCTIONS FOR ELECTRONIC SUBMISSION:

Please refer to the application checklist (attached) for a detailed list of submission requirements.

1. Fill out the application completely and e-mail the **application only** to planning@portlandmaine.gov (Please be sure to designate a person who will be responsible for uploading documents and drawings.) This step will generate the project ID number for your project.
2. An invoice for the application fee will be e-mailed to you. Payments can be made on-line at [Pay Your Invoice](#), by mail or in person at City Hall, 4th Floor. Please reference the Application Number when submitting your payment which is located in the upper left hand corner of the invoice.
3. The designated person responsible for uploading documents and drawings will receive an email from eplan@portlandmaine.gov with an invitation into the project. At this time, you will upload all corresponding documents and plans into the project. For first time users you will receive a temporary password which you must change on entry. Make note of your username and password for any future projects.

Reminder: Before the project can move forward, the application fee shall be paid in full and all required documents and drawings shall be uploaded into e-plan correctly.

4. Follow the link below (Applying Online Instructions) for step by step instructions on how to do the following:
Tab 1 - Setting up the appropriate compatibility settings for your PC and getting started in e-plan.
Tab 2 - Preparing your drawings, documents and photos for uploading using the correct naming conventions
Tab 3 - Preparing and uploading revised drawings and documents

[Applying Online Instructions](#)

5. When ready, upload your files and documents into the following folders:
"Application Submittal – Drawings"
"Application Submittal – Documents"
6. Once a preliminary check has been made of the submittal documents and drawings, staff will move them to permanent folders labeled Drawings and Documents. As the process evolves you will be able to log in and see markups, comments and upload revisions as requested into these folders.

Applicant Checklist	Planner Checklist	# of Copies	GENERAL WRITTEN SUBMISSIONS CHECKLIST
✓		1	Completed Application Form
✓		1	Cover letter stating the nature of the project.
✓		1	Evidence of right, title and interest.
✓		1	Written Submittals that address the conditional use standards of Sec. 14-484, including unit size and bedroom count
✓		1	Proposed Marketing Strategy
✓		1	Written Proposal for providing workforce units on-site, off-site, or payment of fee-in-lieu.
N/A		1	If the project is to be phased, provide written description of project phasing and accommodation of workforce units.
			Plans and Construction Details Submission Checklist
✓		1	An accompanying site plan application, as applicable.
✓		1	Floor Plans of all units and identifying proposed designated workforce housing units
✓		1	Interior Standards for Units for market rate and workforce housing units, including kitchen, bathroom, flooring and closet amenities
N/A		1	If workforce units are proposed off-site, provide vicinity map with project location and workforce unit locations within the applicable census block group map or within 1500 feet of the project.

APPLICANT SIGNATURE:

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for a Conditional Use IZ Review. It is not a permit to begin construction. An approved site plan, a Performance Guarantee, Inspection Fee, Building Permit, and associated fees will be required prior to construction. Other Federal, State or local permits may be required prior to construction, which are the responsibility of the applicant to obtain.

Signature of Applicant: 	Date: 
--	---

1. DEVELOPMENT DESCRIPTION

1.1 OVERVIEW

Onejoy Place, LLC intends to construct a 3-story, 12-unit condominium building on a 5,851 square foot parcel located at 1 Joy Place in Portland, Maine. The parcel, identified as lots 48 & 49, Block E, on the City of Portland Assessors' Map 45, was formerly a residential lot but is currently vacant. The project also includes improvements to Joy Place, a private Right-of-Way used to access the site.

1.2 PROJECT PURPOSE AND NEED

The proposed project includes redevelopment of a vacant lot in an area that has utility infrastructure in place and will provide residential units that are compatible with the existing neighborhood.

1.3 EXISTING CONDITIONS

The existing site includes a vacant, dilapidated house and a slab from a former garage. The remainder of the site is primarily gravel surface. Utility services to the existing house included water, sewer, natural gas, power, and telecommunications.

Residential uses abut the site to the north, east, and west. A city-owned parking lot is located directly south of the site, and the Reiche Community School is located across Brackett Street to the west.

The site is accessed from Joy Place, a private Right-of-Way shared with the residential house at 165 Brackett Street. Joy Place is approximately 24 feet wide and features a gravel surface. The street conditions in the vicinity of the Project Site are:

Street Name	Description	On-street Parking	Sidewalk	Notes
Brackett Street	Approximately 32 feet wide paved way with two-way traffic.	Yes. Parallel parking on both sides of the street in front of the site.	Brick	"Bump out" with crosswalk to Reiche School north of Joy Place.
Joy Place (Private)	~24 feet wide gravel with two way traffic	No	None	

The site has very little elevation change. It generally slopes east to the eastern property boundary. The Joy Place right-of-way slopes gently to Brackett Street. Photographs of the existing site are provided in Attachment A-1.

1.4 PROPOSED DEVELOPMENT

The development program includes the following components:

1.4.1 ON-SITE

A new three-story building with a footprint of 2,615 square feet will be constructed on the site. Each floor will feature four (4) one-bedroom condominium units between 475 and 660 square feet in size. The northern half of the building will feature a full basement that will be used by the residents for bicycle parking and general storage. Elevation views and perspective renderings of the proposed building are provided in Attachment 1-B.

The two first-floor units on the east side of the building will have exclusive use private yard areas, and a community yard area for all residents will be created north of the building. Solid waste bins and a kayak storage rack will also be provided on the north side of the building, which will be accessed by residents through a locked gate from the Joy Place right-of-way.

1.4.2 OFF-SITE IMPROVEMENTS

New utility services will be installed in Joy Place to serve the proposed building, and the right-of-way will be graded and paved. An 8' wide brick sidewalk will be constructed on the south side of Joy Place, on property owned by the City of Portland, for the common benefit of the residents of the project and those parking in the city-owned parking lot. Street trees and lighting will be installed in the sidewalk.

1.5 TRAFFIC

The 12-unit condominium project is expected to generate between 6 and 7 vehicle trips during the PM peak hour and approximately 70 vehicle trips on a weekday. The relatively small amount of traffic that will be generated by the project is not expected to have a detrimental effect on the surrounding street network.

1.6 SOILS/GEOTECHNICAL REVIEW

Summit Geoengineering Services, Inc. has conducted test pits on the property and generally found between 2 and 5 feet of sandy fill over gravelly sand and glacial till. Test pit logs and a location map are provided in Attachment 1-C.

1.7 UTILITIES AND STORMWATER

The proposed project will include the installation of new utility services to the building. All new utility services will be provided from the existing utilities available within Brackett Street. The proposed locations of the new utility services are shown on the Utility Plan (Sheet C-5.0). More information on proposed utility services is provided in Section 11 of this application.

Post-development stormwater runoff will closely follow existing runoff patterns. Runoff from the building and much of Joy Place will be collected in a new subsurface drainage system and conveyed to the 12" combined sewer in Brackett Street. Lawn areas will continue to flow across the eastern property boundary, as they do today. More

information on stormwater runoff from the site is provided in Section 9 of this application.

1.8 ATTACHMENTS

Attachment 1-A – Existing Site Photographs

Attachment 1-B – Building Elevation Views & Renderings

Attachment 1-C – Test Pit Logs & Location Map

ATTACHMENT 1-A

Existing Site Photographs

EXISTING SITE PHOTOGRAPHS
1 JOY PLACE, PORTLAND, MAINE

ONEJOY PLACE CONDOMINIUM
ONEJOY PLACE, LLC



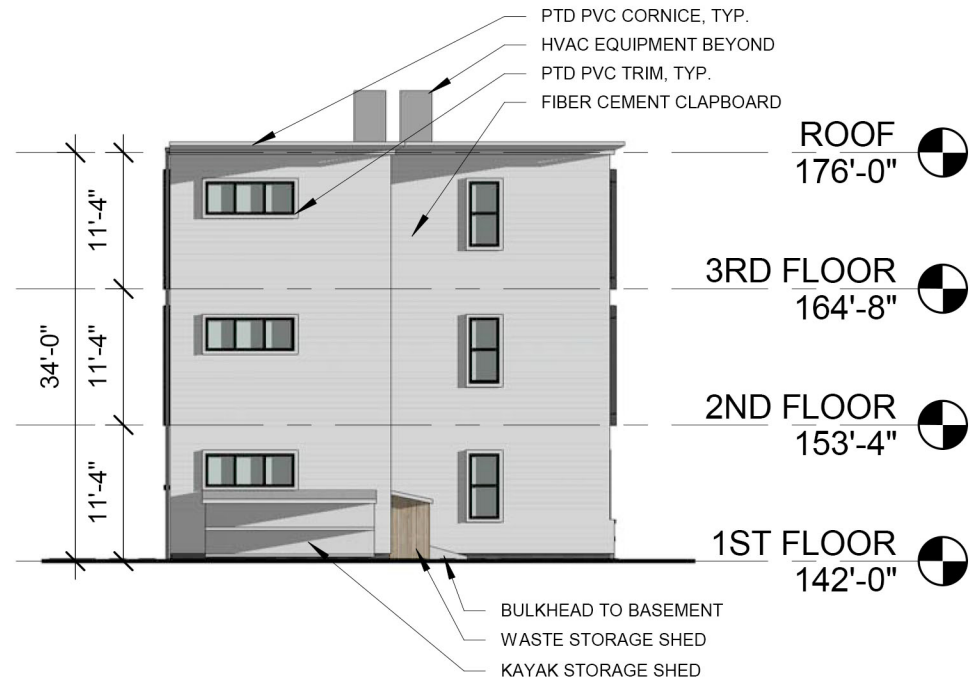
PHOTO 1 – STANDING IN JOY PLACE RIGHT OF WAY, FACING NORTH



PHOTO 2 –STANDING IN THE NORTHERN PORTION OF THE LOT, FACING SOUTH.

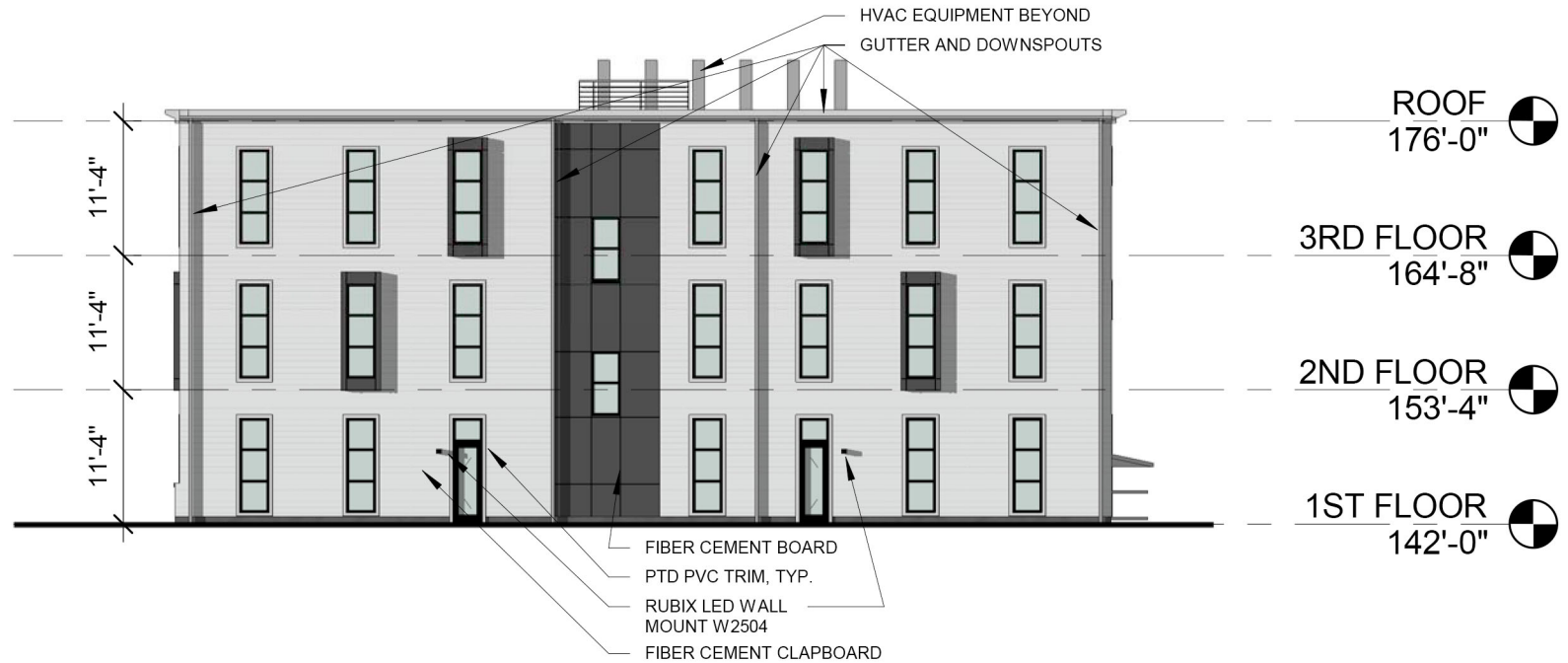
ATTACHMENT 1-B

Building Elevation Views & Perspective Renderings



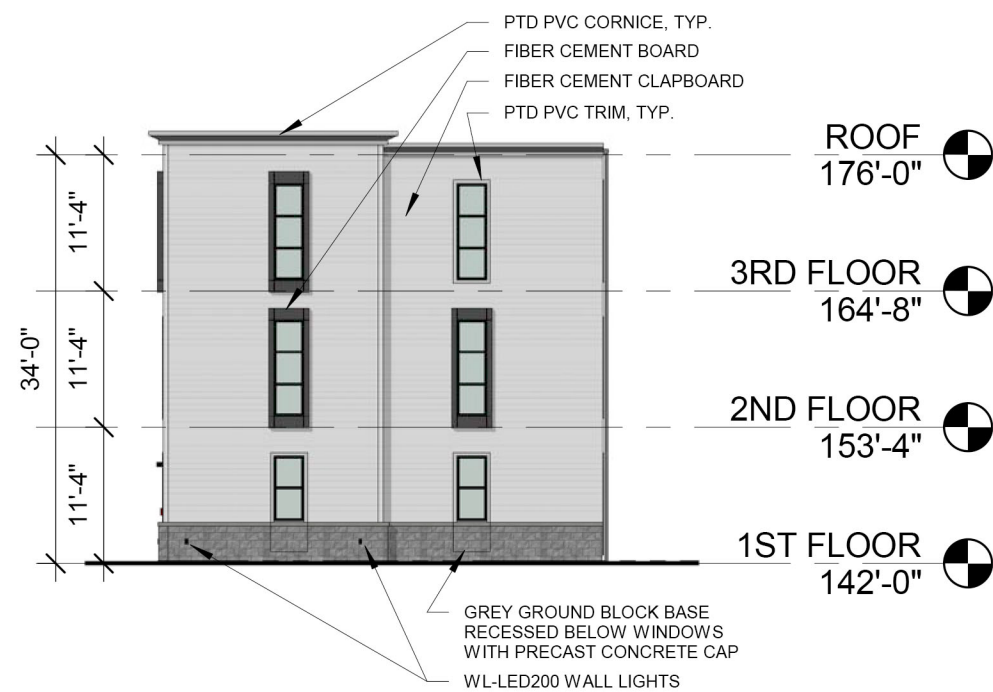
4 NORTH ELEVATION

1/16" = 1'-0"



3 EAST ELEVATION

1/16" = 1'-0"



2 SOUTH ELEVATION

1/16" = 1'-0"



1 WEST ELEVATION

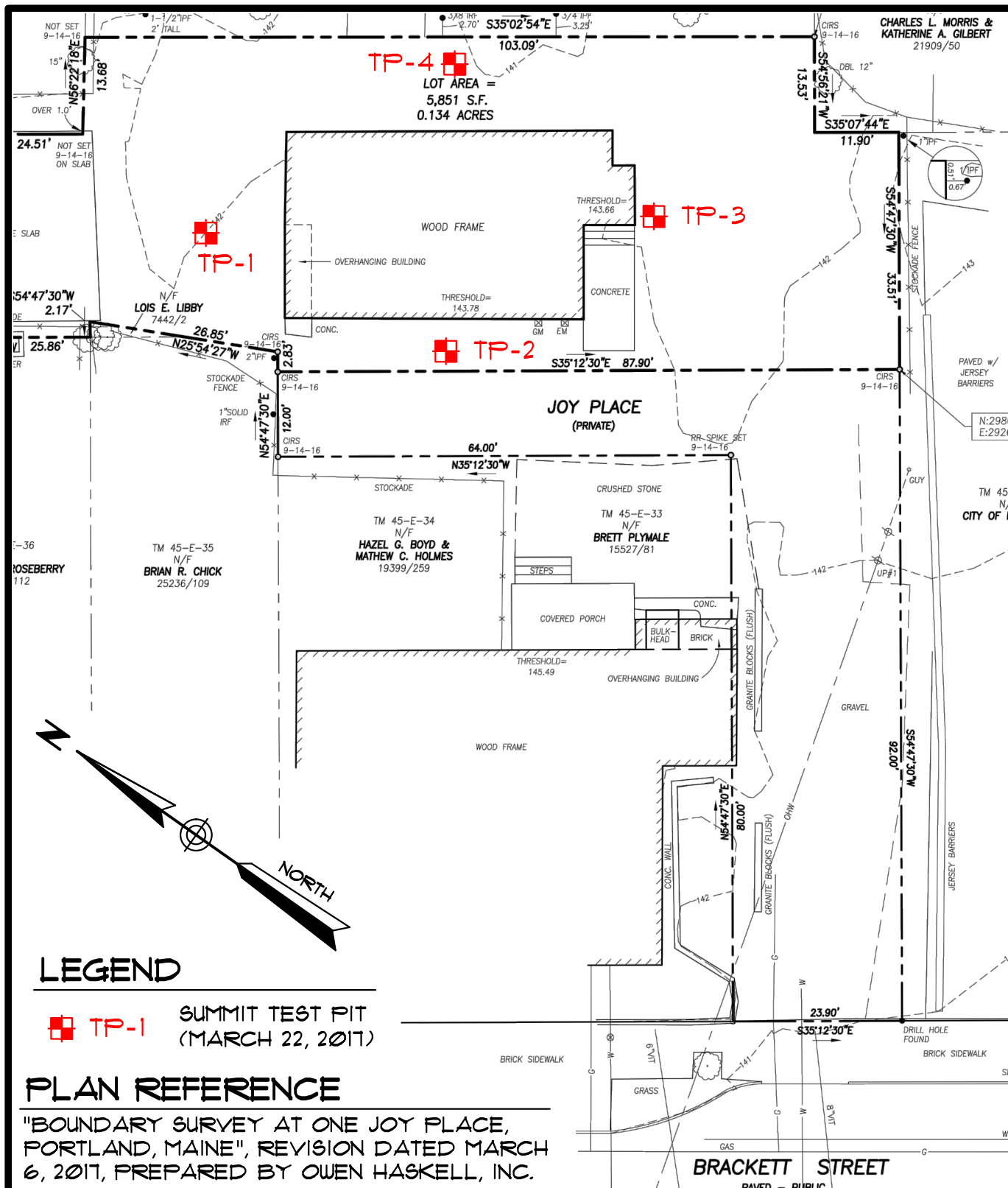
1/16" = 1'-0"





ATTACHMENT 1-C

Test Pit Logs & Location Map



TEST BORING LOCATION PLAN PROPOSED BUILDING

1 JOY PLACE - PORTLAND, MAINE
PREPARED FOR
ONEJOY PLACE LLC

DATE: 3-23-2017	DRAWN BY: KRF	CHECKED BY: WMP
JOB: 17053	SCALE: 1" = 20'	FILE: 17053 TP

145 LISBON ST. - SUITE 601
LEWISTON, ME 04240
Tel.: (207) 576-3313

173 PLEASANT STREET
ROCKLAND, ME 04841
Tel.: (207) 318-1161

SUMMIT
GEOENGINEERING SERVICES
www.summitgeoeng.com

		TEST PIT LOG		Test Pit # TP-1	
		Project: Joy Place Brackett Street Portland, Maine		Project #: 17053	
				Groundwater: None Observed	
Contractor: Summit Geoengineering Services		Ground Surface Elevation:			
Equipment: Tacheuchi Rubber Tracked		Reference:			
Summit Staff: B. Peterlein, P.E.		Date: 3/22/2017		Weather: Sunny	
Depth	DESCRIPTION				
(ft)	ENGINEERING		GEOLOGIC/GENERAL		
1	Dark brown to black Sandy SILT, little Gravel, mixed with bricks, dry, compact, ML		FILL		
2					
3	Olive-brown Sandy SILT, trace Gravel, few Cobbles, firm to compact, moist, SM				
4					
5	Frequent Cobbles and small Boulders				
6	Sidewalls vertical		MARINE FAN DEPOSIT		
7	Brown Gravelly SAND, trace Silt, few Cobbles, compact, dry, SP				
8					
9					
10					
11	End of Test Pit at 9 ft				
12					
13					
14					
15					
16					
17					

		TEST PIT LOG		Test Pit # TP-2	
		Project: Joy Place Brackett Street Portland, Maine		Project #: 17053	
				Groundwater: None Observed	
Contractor: Summit Geoengineering Services		Ground Surface Elevation:			
Equipment: Tacheuchi Rubber Tracked		Reference:			
Summit Staff: B. Peterlein, P.E.		Date: 3/22/2017		Weather: Sunny	
Depth	DESCRIPTION				
(ft)	ENGINEERING		GEOLOGIC/GENERAL		
1	Black to olive-brown fine to medium SAND, trace Silt, few Cobbles, moist, loose SP		FILL		
2					
3					
4	Brown SAND, little Gravel, trace Silt, few Cobbles and Boulders, dry, compact, SP		MARINE FAN DEPOSIT		
5					
6	Sidewalls vertical				
7					
8					
9	Gray Silty SAND, little Gravel, few Cobbles, dry, dense, slightly mottled, SP		GLACIAL TILL		
10	End of Test Pit at 9.5 ft				
11					
12					
13					
14					
15					
16					
17					

		TEST PIT LOG		Test Pit # TP-3
		Project: Joy Place Brackett Street Portland, Maine		Project #: 17053
				Groundwater: None Observed
Contractor: Summit Geoengineering Services		Ground Surface Elevation:		
Equipment: Tacheuchi Rubber Tracked		Reference:		
Summit Staff: B. Peterlein, P.E.		Date: 3/22/2017	Weather: Sunny	
Depth	DESCRIPTION			
(ft)	ENGINEERING	GEOLOGIC/GENERAL		
1	Brown Gravelly SAND, trace Silt, dry, loose, SP	FILL		
2				
3	Brown Gravelly SAND, trace Silt, occasional Cobbles and Boulders, dry, dense, SP Sidewalls vertical and stable	MARINE FAN DEPOSIT		
4				
5				
6				
7				
8	Gray Silty SAND, little Gravel, moist, dense, slightly mottled, SP	GLACIAL TILL		
9				
10	End of Test Pit at 9.5 ft			
11				
12				
13				
14				
15				
16				
17				

		TEST PIT LOG		Test Pit # TP-4	
		Project: Joy Place Brackett Street Portland, Maine		Project #: 17053	
				Groundwater: None Observed	
Contractor: Summit Geoengineering Services		Ground Surface Elevation:			
Equipment: Tacheuchi Rubber Tracked		Reference:			
Summit Staff: B. Peterlein, P.E.		Date: 3/22/2017		Weather: Sunny	
Depth	DESCRIPTION				
(ft)	ENGINEERING		GEOLOGIC/GENERAL		
1	Brown Silty SAND mixed with Cobbles, rags, plastic, small branches, frozen, SM		FILL		
2					
3					
4	Brown Gravelly SAND, trace Silt, frequent Cobbles and Boulders, moist, loose to compact, SP		MARINE FAN DEPOSIT		
5					
6					
7					
8					
9	Gray Silty SAND, little Gravel, moist, dense, slightly mottled, SP		GLACIAL TILL		
10	End of Test Pit at 9 ft				
11					
12					
13					
14					
15					
16					
17					

2. Right, Title and Interest

2.1 OVERVIEW

The current owner of the property and the applicant is Onejoy Place, LLC. A copy of the current property deed is attached as attachment 2-A.

2.2 PARKING

The proposed project is required to have 12 parking spaces per ordinance requirements, as summarized in the following table:

USE	RATE REQUIRED	# OF SPACES
12 Residential Units	1 space per unit	12 Spaces
	TOTAL	12 Spaces

Four parking spaces will be provided on site, and the applicant is in discussion with the City of Portland to lease parking spaces in the adjacent parking lot to meet the ordinance requirement.

2.3 ATTACHMENTS

Attachment 2-A – Property Deed

ATTACHMENT 2-A

Current Deed

QUITCLAIM DEED WITH COVENANT

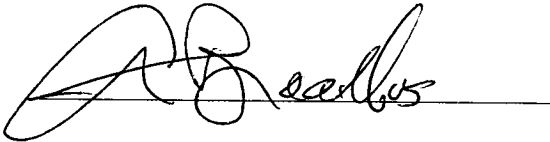
MAINE REAL ESTATE TAX PAID

ALBERT BRESSETTE of Windham, Maine, whose mailing address is P.O. Box 345, Portland, Maine 04112 (the "Grantor"), for consideration paid, grants to ONEJOY PLACE LLC, a Maine limited liability company, whose mailing address is c/o Renewal Housing Associates, Three Canal Plaza, Suite 501, Portland Maine 04101, WITH QUITCLAIM COVENANT, a certain lot or parcel of land, together with the buildings and improvements thereon, situated easterly of, but not adjacent to, Brackett Street in the City of Portland, County of Cumberland and State of Maine, Maine, more particularly described in Schedule A attached hereto and made a part hereof.

Meaning and intending to convey, and hereby conveying, the same premises conveyed to the Grantor by Quitclaim Deed With Covenant from Gloria Bresette and Albert Bresette dated July 27, 1997, and recorded in the Cumberland County Registry of Deeds in Book 13359, Page 103.

IN WITNESS WHEREOF, ALBERT BRESSETTE has hereunto set his hand and seal this 31 day of August, 2016.

WITNESS:



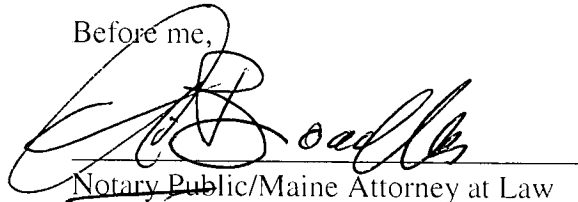

Albert Bresette

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

August 31, 2016

Then personally appeared the above named ALBERT BRESSETTE and acknowledged the foregoing instrument to be his free act and deed.

Before me,


Notary Public/Maine Attorney at Law

Print name: Andrew L. Broodles

My commission expires: _____

Schedule A

A certain lot or parcel of land, together with the buildings and improvements thereon, situated easterly of, but not adjacent to, Brackett Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Commencing at a point at the intersection of the easterly sideline of Brackett Street with the northerly sideline of Spring Street;

Thence, N 35°12'30" W along the easterly sideline of said Brackett Street 402.21 feet to a drill hole and the southerly sideline of a private right of way known as Joy Place;

Thence, N 54°47'30" E along the southerly sideline of said Joy Place 92.00 feet to the true point of beginning;

Thence, from the true point of beginning, N 35°12'30" W along the easterly sideline of said Joy Place 87.90 feet to the land now or formerly of Brian R. Chick as described in Deed recorded in the Cumberland County Registry of Deeds (the "Registry") in Book 25236, Page 109;

Thence, N 54°47'30" E along land of said Chick 2.83 feet to a point;

Thence, N 25°54'27" W along land of said Chick 26.85 feet to a point;

Thence, S 54°47'30" W along land of said Chick 2.17 feet to land now or formerly of Kimberly A. Roseberry as described in Deed recorded in said Registry in Book 28025, Page 112;

Thence, N 35°12'30" W along land of said Roseberry 25.86 feet to land now or formerly of Basha LLC as described in Deed recorded in said Registry in Book 29175, Page 300;

Thence, N 55°37'30" E along land of said Basha LLC a distance of 28.71 feet to land now or formerly of David R. Shedd and Susan Shedd as described in Deed recorded in said Registry in Book 31201, Page 5;

Thence, S 35°07'44" E along land of said Shedd 24.51 feet to a point;

Thence, N 56°22'18" E along land of said Shedd 13.68 feet to land now or formerly of Nathan W. Kimble as described in Deed recorded in said Registry in Book 13439, Page 62;

Thence, S 35°02'54" E along land of said Kimble and land now or formerly of Parkside Properties, LLC as described in Deed recorded in said Registry in Book 16808, Page 29, a distance of 103.09 feet to land now or formerly of Charles L. Morris and Katherine A. Gilbert as described in Deed recorded in said Registry in Book 21909, Page 50;

Thence, S 54°56'21" W along land of said Morris and Gilbert 13.53 feet to a point;

Thence, S 35°07'44" E along land of said Morris and Gilbert 11.90 feet to land now or formerly of the City of Portland;

Thence, S 54°47'30" W along land of said City of Portland 33.51 feet to the easterly sideline of said Joy Place and the point of beginning; containing 5,851 sf.

The above described premises are hereinafter referred to as the "Premises."

Reference is made to a plan entitled "Boundary Survey at 1 Joy Place, Portland, Maine made for Onejoy Place LLC" dated August 24, 2016 by Owen Haskell, Inc., and recorded in said Registry of Deeds in Plan Book 216, Page 330 (the "Plan").

The Premises are conveyed together with a right of passageway, in common with others, over a strip of land formerly known as Tinkhams Court, so-called, being approximately twenty-four (24) feet in width and extending from Brackett Street in a northeasterly direction to the Premises, and a right of passageway, in common with others, over a twelve (12) foot wide passageway extending from the most easterly end of said Tinkhams Court in a northwesterly direction along the southwesterly side of the Premises, said Tinkhams Court and said passageway being now known as Joy Place, which Tinkhams Court and said passageway are shown on the Plan as Joy Place and being more particularly bounded and described as follows:

Beginning at a point on the easterly sideline of said Brackett Street, said point of beginning being distant 402.21 feet as measured along said easterly sideline of Brackett Street on a bearing of N 35°-12'-30" W from the northwesterly side of Spring Street;

Thence N 54°-47'-30" E along land of City of Portland 92.00 feet to a point;

Thence N 35°-12'-30" W along land now or formerly of Albert Bresette, being the Premises, 87.90 feet to a point;

Thence S 54°-47'-30" W along land now or formerly of Brian R. Chick 12.00 feet to a point;

Thence S 35°-12'-30" E along lands now or formerly of Hazel G. Boyd et al and Brett Plymale 64.00 feet to a point;

Thence S 54°-47'-30" W along said land of Plymale 80.00 feet to a point;

Thence S 35°-12'-30" E along said Brackett Street 23.90 feet to the point of beginning.

All bearings are magnetic in the year 1967.

Subject to the condition that said Tinkhams Court and said passageway, now known as Joy Place, are to be kept open and unobstructed forever.

Also hereby conveying all other right, title and interest that the Grantor may have in and to said Joy Place as shown on the Plan.

Received
Recorded Register of Deeds
Aug 31, 2016 12:23:36P
Cumberland County
Nancy A. Lane

10/1/2016 10:10:10 AM
10/1/2016 10:10:10 AM
10/1/2016 10:10:10 AM
10/1/2016 10:10:10 AM

3. STATE AND FEDERAL PERMITS

The project requires State Fire Marshall Approval. The development is subject to Site Plan and Subdivision approval by the City of Portland and Building Permit(s) are also required.

4. LAND ORDINANCE REVIEW

4.1 OVERVIEW

The property currently lies within the City of Portland B-1 Neighborhood Business Zone. The following Space and Bulk requirements apply to the B-1 Zone:

B-1 Zone Summary Dimensional and Parking Requirements Applied to 1 Joy Place		
Zoning Requirements	B-1 Zoning Standard	Project Site
Minimum Lot Size	None	5,851 s.f.
Minimum Lot Area per Dwelling Unit	435 s.f.	465 s.f.
Minimum Frontage	20 feet	88 feet
Front Yard	Min: 0 feet Max: 10 feet	0.12 feet
Minimum Side Yard	0 feet	4.0 feet
Minimum Rear Yard	10 feet	10 feet
Maximum Impervious Surface	90%	62.2%
Maximum Building Height	45 feet	34 feet
Parking Residential Use	1 space per unit	4 on-site spaces 10 off-site spaces via parking lease agreement with City of Portland

4.2 SHORELAND ZONING

The site is not located within the Shoreland Zoning District.

5. EASEMENTS OR OTHER BURDENS

5.1 OVERVIEW

Owen Haskell, Inc. completed a boundary survey of the site in August of 2016. No easements or other burdens exist on the project site.

6. TECHNICAL AND FINANCIAL CAPACITY

6.1 TECHNICAL CAPACITY

The applicant has assembled a highly qualified team of professionals to plan, permit, and develop construction documents for the project. The Team is working under the direction of Mr. Todd Alexander of Renewal Housing Associates as Project Developer. The Team services will be provided by the following companies and their respective team leaders:

6.2 CONSULTANT TEAM

<i>Civil Engineer</i>	Michael Tadema-Wielandt, P.E. Terradyn Consultants, LLC 565 Congress Street Portland, ME 04101 (207) 632-9010 – Cell (207) 221-1317 – Fax mtw@terradyconsultants.com
<i>Surveyor</i>	John Swan Owen Haskell, Inc. 390 US Route 1, Unit 10 Falmouth, Maine 04105 (207) 774-0424 – Work (207) 774-0511 – Fax jswan@owenhaskell.com
<i>Architect</i>	David Lloyd Archetype, PA 48 Wharf Street Portland, ME 04101 (207) 772-6022 – Work (207) 772-4056 – Fax lloyd@archetypepa.com
<i>Electrical</i>	Will Bennett, Jr. Bennett Engineering P.O. Box 297 Freeport, ME 04032 (207) 865-9475 – Work (207) 865-1800 – Fax
<i>Geotechnical Engineer</i>	William Peterlein, P.E. Summit Geoengineering Services 145 Lisbon Street, Suite 601 Lewiston, ME 04240 (207) 576-3313 – Work bpeterlein@summitgeoeng.com

6.3 EXPERIENCE OF PROJECT TEAM

The team of consultants retained by the Developer has expertise and experience in the design of similar projects. Resumes of key personnel for the development team can be provided upon request.

The applicant has significant experience in the development and management of large residential projects. A company resume, including a list of current and completed projects under the direction of the applicant, is provided in attachment 6-A.

6.4 FINANCIAL CAPACITY

The applicant has the capacity to finance the proposed project. A letter of financial capacity for the project is contained in Attachment 6-B.

6.5 CONSTRUCTION COST ESTIMATE

The project has an overall construction cost estimate of \$2,250,000. This construction cost value is considered preliminary and subject to change as building design and project layout is refined, etc.

6.6 ATTACHMENTS

Attachment 6-A – Renewal Housing Associates Company Resume & Project Experience

Attachment 6-B – Letter of Financial Capacity

ATTACHMENT 6-A

Renewal Housing Associates Company Resume & Project Experience

Company Resume & Project Experience

THE COMPANY:

Renewal Housing Associates LLC (“Renewal”) is a multifamily housing development company based in Portland, Maine. Renewal’s primary focus is renovating legacy affordable housing properties that require capital improvements and long-term use restrictions. The company’s principals are specialist in obtaining federal, state and local resources to reinvest in and preserve subsidized elderly and family rental housing. Renewal also develops small, urban for-sale housing projects targeting middle income and first-time homebuyers.

Renewal is an affiliate of Leon N. Weiner & Associates Inc. (“LNWA”), a Delaware-based real estate development company founded in 1949. LNWA and its affiliates operate more than 4,500 housing units located in eight states and the District of Columbia. The company has extensive experience developing affordable, market rate and mixed-income housing serving both the for-sale and rental markets. Members of the LNWA management team have served in numerous leadership positions in the housing industry, including Chairman of the National Association of Home Builders, Chairman of the Federal Home Loan Bank of Pittsburgh, and Chairman of the Mortgage Roundtable.

OUR APPROACH:

The principals at Renewal recognize that every real estate development has a unique set of stakeholders with distinct goals. As a result, Renewal’s role will vary from project to project. Renewal’s principals are comfortable working in any capacity, including traditional buyer-developer-operator, joint venture partner or fee-for-service developer. Most importantly, as part of a company that has developed real estate for more than 60 years, Renewal focuses on opportunities to work with people that are committed to the things that define successful projects; a spirit of collaboration, a desire for shared success and a view toward long-term relationships.

OUR TEAM:

Renewal is led by its two principals, David Lakari and Todd M. Alexander. David has been involved in housing development for more than 40 years and focused on affordable housing preservation for the past 20 years. David founded Renewal with LNWA in 2001. Prior to Renewal, he was Executive Director of the Maine State Housing Authority from 1994 to 1999 and served on board for the National Council of State Housing Agencies. David holds a JD from the University of Maine.

Todd has worked as an affordable housing developer since 2003, during which time he has completed projects involving more than 2,500 units and \$250MM in total investment. He has experience recapitalizing properties utilizing a wide variety of public and private sector sources of debt and equity. He is a former Board President for Community Housing of Maine and the Downtown Portland Corporation. Todd received a Master’s degree in Urban Planning from Cornell University and a Bachelor’s degree from Colby College.

Company Resume & Project Experience

PROJECTS COMPLETED							Total Development Costs
Property	Location	Role	Placed In Service	Units	Type	Financing	
Windsor Apartments	Wilmington, DE	Developer Owner	2001	169	Elderly	TEB/LIHTC	\$8,470,000
Oak Hill Village	Willoughby, OH	Developer Owner	2002-03	182	Family	TEB/LIHTC	\$12,547,000
Spellman House	College Park, MD	Developer Owner	2003	140	Elderly	TEB/LIHTC	\$12,519,000
Compton Towne	Wilmington, DE	Developer Owner	2004	76	Family	TEB/LIHTC	\$7,135,000
Clifton Plaza	Cleveland, OH	Developer Owner	2006	108	Elderly	TEB/LIHTC	\$7,599,000
Alden-Berkley	College Park, MD	Developer Owner	2006-07	56	Family	TEB/LIHTC	\$8,971,000
Collinson Apartments	Akron, OH	Developer Owner	2007	101	Elderly	TEB/LIHTC	\$7,683,000
Warren Heights	Warren, OH	Developer Owner	2008	188	Family	TEB/LIHTC	\$10,177,000
Capitol Hill Towers	Washington, D.C.	Developer Owner	2013	204	Elderly	TEB/LIHTC	\$36,586,792
Marshall Plaza	Lorain, OH	Developer Owner	2013	89	Family	TEB/LIHTC	\$6,740,287
Kensington Square	Elyria, OH	Developer	2009	192	Family	TEB/LIHTC	\$10,704,000
Hampshire House	Warren, OH	Developer	2011	150	Family	TEB/LIHTC	\$11,863,000
Riverview Towers	Camden, NJ	Developer	2013	225	Elderly	REFI/FMAC	\$10,650,000
Huntington Towers	New London, CT	Developer	2013	120	Elderly	REFI/FNMA	\$8,250,000
Burlington Manor	Burlington, NJ	Developer	2015	120	Elderly	REFI/FNMA	\$7,500,000
Ivywood	Columbus, OH	Developer	2016	124	Family	9% LIHTC	\$13,500,000
Oak Hill	Franklin, PA	Developer Owner	2016	120	Family	9% LIHTC	\$15,000,000
Yorkview	Massillon, OH	Developer Owner	2017	50	Family	9% LIHTC	\$6,500,000
Main Towers	Newark, DE	Developer	2016	150	Elderly	TEB/LIHTC	\$15,000,000
				2,564			\$217,395,079
IN DEVELOPMENT							
Arlington Square	Elyria, OH	Developer	TBD	60	Family	9% LIHTC	\$7,800,000
Onejoy	Portland, ME	Developer	2018	12	Family	Conventional	\$2,250,000
Fenway Manor	Cleveland, OH	Developer Owner	TBD	143	Elderly	TEB/LIHTC/HTC	\$39,000,000
				215			\$49,050,000

ATTACHMENT 6-B

Letter of Financial Capacity



April 4, 2017

Planning Board
City of Portland
Portland, Maine

Re: Financial Capacity to Develop 1 Joy Place, Portland, Maine ("Onejoy")
Onejoy Place, LLC | Renewal Housing Associates LLC
2 Union Street, 5th Floor
Portland, Maine 04101

To Whom It May Concern:

I am writing on behalf of Onejoy Place, LLC, its Sole Member, Renewal Housing Associates LLC ("RHA") and its principals, Leon N. Weiner & Associates Inc., David Lakari and Todd Alexander.

PNC Bank N.A. has worked with and provided corporate banking services to the parties described above for more than sixty years. The bank has conducted a preliminary review of the appropriate financial statements, operating accounts and pro forma information related to the proposed housing development at 1 Joy Place in Portland, Maine. Based on our past experience and our review of the financial information, the Bank believes the parties have the management capability and financial resources necessary to complete the proposed project.

If you should need further information or clarification, please contact me at (302) 429-2826.

Respectfully,

A handwritten signature in blue ink, appearing to read "Jeffrey R. Bierlein".

Jeffrey R. Bierlein
Vice President

Member of The PNC Financial Services Group

300 Delaware Avenue W1-W300-06-2 Wilmington Delaware 19801

www.pnc.com

CONSTRUCTION MANAGEMENT PLAN

Project:

Onejoy Place
1 Joy Place
Portland, Maine 04101

Applicant:

Onejoy Place, LLC
c/o Renewal Housing Associates
2 Union Street, 5th Floor
Portland, Maine 04101

Prepared By:

Terradyn Consultants, LLC
565 Congress Street, Suite 310
Portland, Maine 04101

Construction Manager:

Ducas Construction
3 Southgate Road #8
Scarborough, Maine 04074

A. Construction Management Principles

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

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

Prior to scheduling a preconstruction meeting and the issuance of any city required permits, the 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.

C. Construction Administration and Communication

The 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 following person is designated the Contact Person and will be available 24 hours in the event of an emergency:

CONTACT PERSON:

Patrick Ducas
Ducas Construction
(207) 303-0634

Construction Signage shall be posted at the site with Contact Information for the Contractor. Construction site signage shall be removed at project completion.

D. Construction Schedule

1. The contractor shall submit a schedule or time line for the construction project, including any Phasing, prior to construction.
2. Hours of Construction: Construction may occur during the daytime hours as defined in Section 17-18 of the City Code (Construction Activities) and Section 25-129 of the City Code (Noise, dust and debris).
3. Extended Hours or Night Work: Pursuant to Section 17-18, this section does 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: Delivery of materials shall take place during the Hours of Construction listed above and shall be stored outside the Joy Place right of way in the locations noted on the Construction Management Plan (Sheet C-2.3).

E. Security & Public Safety

1. The Contractor shall erect the temporary barriers and access gates shown on the Construction Management Plan (Sheet C-2.3) with the intent of separating pedestrian and vehicle circulation from the construction site.
2. The Applicant or Contractor shall purchase and install a Knox padlock from the Portland Fire Department to allow access by the Portland Fire Department at the primary access gate.
3. 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*.
4. Fire Safety Program. An overall construction or 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
5. 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.
6. Any temporary security lighting fixtures shall feature full cutoff optics to reduce light trespass onto abutting properties.

F. 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 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. Work within City Right of Way: 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.

Construction operations shall provide for the safe passage of the public through or along the construction work zone. On a case-by-case basis, the Contractor may be allowed to close a street and/or detour a mode of traffic when absolutely necessary for safety. The Contractor 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.

- 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.

G. Site Management and Controls

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

1. A solid waste dumpster shall be located on site for the disposal of trash and debris.
2. The Brackett Street and Joy Place rights of way shall be swept regularly to control the tracking of mud onto public streets.
3. Dust controls: The construction shall comply with Portland's requirements under Section 25-129 on Noise, dust and debris.
4. Noise: The construction shall comply with Portland's requirements under Section 17-18 of the City Code and Section 25-129 on Noise, dust and debris.
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

H. 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 Landscape Plan (Sheet L-1) within the area of construction.
3. The storage of materials shall be located in the areas depicted on the Construction Management Plan (Sheet C-2.3) and avoid being located under/near trees.

I. Construction Staging and Deliveries

1. A location for material storage and lay down is shown on the Construction Management Plan. Additional areas may be utilized as available as long as they do not interfere with material deliveries.
2. Deliveries are prohibited during school drop off times; from 30 minutes prior to the posted school start time to 15 minutes after the posted school start time.

Parking During Construction

1. Construction Parking: Construction workers shall not park within the Joy Place right of way or within the adjacent city owned parking lot at 157 Brackett Street during posted times (7:00 am to 4:00 pm).
2. Parking: Residents of 165 Brackett Street utilize Joy Place to access parking areas. These parking areas, as identified on the Construction Management Plan, shall remain unobstructed unless agreed to by the abutting property owner. Work that will affect the parking areas or access to the parking areas shall be coordinated in advance with the abutting property owner.

8.0 NATURAL FEATURES

8.1 OVERVIEW

The development site has been entirely developed and does not contain any significant natural features including wetlands, vernal pools or other protected resources or wildlife habitats.

9. STORMWATER MANAGEMENT

The following information is provided in accordance with the City of Portland Code of Ordinances Chapter 14 Land Use, Section 14-526(b)(3).

9.1 OVERVIEW

The existing project site is entirely developed and relatively flat. Stormwater runoff from most of the project site drains overland across the eastern property boundary. The Joy Place right of way generally drains toward Brackett Street. There are no known areas of erosion or flooding on or adjacent to the site.

Post development stormwater runoff will generally follow existing patterns. Runoff from Joy Place, the four proposed parking spaces, and the proposed building will drain to Brackett Street, where it will enter the city's combined storm sewer. Runoff from the remainder of the site will drain overland across the eastern property boundary, as it does today.

The existing project site, including the Joy Place right of way, contains approximately 5,550 square feet of impervious surface. Redevelopment of the project site will result in an increase of approximately 820 square feet of impervious area and a total impervious surface of 6,365 square feet. The project will result in less than 1,000 square feet of new impervious surface and less than 5,000 square feet of non-roof redeveloped impervious surface and is not required to meet the General or Flooding Standards.

The project is not expected to cause ponding, flooding, or erosion problems on or downstream of the site. The relatively small amount of runoff entering the city's combined storm sewer network is not expected to overburden the system.

10. CONSISTENCY WITH CITY MASTER PLANS

10.1 OVERVIEW

Our office is not aware of any applicable Master Plans created for the project site.

11. UTILITIES

11.1 OVERVIEW

The proposed project will involve installation of new utility services to the building. All new utility services will be provided from the franchise utilities available within Brackett Street. The proposed locations of the new utility services are shown on the Utility Plan (Sheet C-5.0).

11.2 WATER SUPPLY

The proposed project will receive its water supply from the Portland Water District's (PWD) public water supply system. Separate 6" fire and 2" domestic services will be installed to the building from PWD's existing main in Brackett Street. PWD has indicated in a letter dated April 19, 2017 that the district will be able to serve the proposed project.

11.2.1 Total Project Water Usage

The total average daily water demand for the proposed project is estimated to be 1,440 gallons per day, based on design flows published in the State of Maine Subsurface Wastewater Disposal Rules.

12 x 1 Bedroom Residential Units at 120 gpd/unit = 1,440 gpd

11.3 WASTEWATER DISPOSAL

The proposed project will be connected to the Portland Water District's and City of Portland's wastewater collection and conveyance systems. The City of Portland Wastewater Capacity Application has been completed and forwarded to Mr. Brad Roland.

The overall project is anticipated to generate an average daily flow of approximately 1,440 gpd. Based on the existing sewer system in the area, there appears to be adequate capacity to handle these projected flow amounts.

11.4 ELECTRICITY SUPPLY

CMP currently maintains overhead and underground utilities in the area. The proposed building will be served by a new underground feed from a new riser pole, which will be set on the east side of Brackett Street.

11.5 ATTACHMENTS

Attachment 11-A – Correspondence with Utilities

ATTACHMENT 11-A

Correspondence with Utilities

March 30, 2017

MEANS
means@pwd.org
Portland Water District
225 Douglass Street
Portland, ME 04104

Request for Ability to Serve Letter
12-Unit Residential Development
1 Joy Place, Portland, Maine

Dear Sir or Madam:

Terradyn Consultants LLC has been retained by Renewal Housing Associates to assist with site design and permitting for a proposed 12-unit condominium development project located at 1 Joy Place in Portland, Maine. We are writing to request a letter confirming the Portland Water District's ability to serve the proposed development.

The 5,851 square foot parcel is identified as Block E, Lot 45 on the City of Portland Tax Map 49. The site is accessed off Bracket Street via Joy Place, a private right-of-way. An existing vacant house is located on the site. Water service for the house is located within the Joy Place right-of-way.

The proposed project includes the construction of a 2,600 square foot, 3-story building, including 12 condominium units. Joy Place will be reconstructed for vehicular and pedestrian access, and public water and sewer utilities will be installed to serve the project. It is anticipated that the existing water service will be retired, and a new parent/child service will be installed for fire protection and domestic water use for the new building.

Attached are a site location figure showing the property delineated on a USGS map and a preliminary site utility plan of the project, showing how the development may be served with water. A spreadsheet showing the total number of proposed plumbing fixtures is provided in a separate document.

Please provide our office with confirmation that the Portland Water District has the ability to serve the proposed development. As the design is refined, we will provide more detailed drawings of the project for your review.

If you have any questions or need more information to make your determination on ability to serve, please contact me at (207) 632-9010 or mtw@terradynconsultants.com.

Sincerely,

TERRADYN CONSULTANTS LLC

A handwritten signature in black ink that reads "Michael E. Tadema-Wielandt". The signature is written in a cursive, flowing style.

Michael E. Tadema-Wielandt, P.E.
Vice President

cc: Todd Alexander, Renewall Housing Associates
David Lloyd, Archetype

Enc.



Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

April 19, 2017

Michael Tadema-Wielandt
Teradyn Consultants LLC
565 Congress Street, Suite 310
Portland, ME 04101

Re: 1 Joy Place, PO
Ability to Serve with PWD Water

Dear Mr. Tadema-Wielandt:

The Portland Water District has received your request for an Ability to Serve Determination for the noted site submitted on March 30, 2017. Based on the information provided per plans dated 3/7/17, we can confirm that the District will be able to serve the proposed project as further described in this letter. **Please note that this letter does not constitute approval of this project from the District. Review and approval of final plans is required.**

Conditions of Service

The following conditions of service apply:

- A new 6-inch fire service with 2-inch domestic service tapped off from it may be installed from the water main in Brackett Street. The service should enter through the properties frontage on Brackett Street at least 10-feet from any side property lines. Please note that only one meter and one bill will be associated to each domestic service line. This one master meter would be located in a common space that all tenants could gain access to if necessary.
- The existing building is currently served with a ¾-inch domestic water service; the size of this service is undersized for the proposed use. This service must be terminated by shutting the corporation valve and cutting the pipe from the water main per PWD standards.
- If necessary, proper easement documentation must be obtained from any properties that the new service line will cross. The easement(s) should specifically cite the right to install and maintain utilities. A copy of the deed for each of the proposed parcels must be provided to the District prior to completing new service applications.
- Water District approval of water infrastructure plans will be required for the project prior to construction. As your project progresses, we advise that you submit any preliminary design plans to MEANS for review of the water main and water service line configuration. We will work with you to ensure that the design meets our current standards.
- Once the project is ready for construction, the owner or contractor will need to make an appointment to come in and complete a service application form and pay the necessary fees.



Existing Site Service

According to District records, the project site does currently have existing water service. A 3/4-inch diameter copper water service line provides water service to this site. Please refer to the "Conditions of Service" section of this letter for requirements related to the use of this service.

Water System Characteristics

According to District records, there is an 6-inch diameter cast iron water main in Brackett Street and a public fire hydrant located 150 feet from the site. Recent flow data is not available in this area. The most recent static pressure reading was 54 psi on January 27, 2016.

Public Fire Protection

The installation of new public hydrants to be accepted into the District water system will most likely not be required. It is your responsibility to contact the Portland Fire Department to ensure that this project is adequately served by existing and/or proposed hydrants.

Domestic Water Needs

The data noted above indicates there should be adequate pressure and volume of water to serve the domestic water needs of your proposed project.

Private Fire Protection Water Needs

You have indicated that this project will require water service to provide private fire protection to the site. Please note that the District does not guarantee any quantity of water or pressure through a fire protection service. Please share these results with your sprinkler system designer so that they can design the fire protection system to best fit the noted conditions. If the data is out of date or insufficient for their needs, please contact MEANS to request a hydrant flow test and we will work with you to get more complete data.

Should you disagree with this determination, you may request a review by the District's Internal Review Team. Your request for review must be in writing and state the reason for your disagreement with the determination. The request must be sent to MEANS@PWD.org or mailed to 225 Douglass Street, Portland Maine, 04104 c/o MEANS. The Internal Review Team will undertake review as requested within 2 weeks of receipt of a request for review.

If the District can be of further assistance in this matter, please let us know.

Sincerely,
Portland Water District

A handwritten signature in black ink, appearing to read "Gordon S. Johnson", with a long, sweeping horizontal line extending to the right.

Gordon S. Johnson, P.E.
Engineering Services Manager

April 25, 2017

Bradley Roland, P.E.
Wastewater Resources Division
Department of Public Services
55 Portland Street
Portland, ME 04101

Onejoy Place Condominium
1 Joy Place, Portland, Maine
Wastewater Capacity Application

Dear Brad:

Terradyn Consultants LLC has been retained by Onejoy Place, LLC and Renewal Housing Associates to assist with site design and permitting for a proposed 12-unit condominium development project located at 1 Joy Place in Portland. We are writing to request confirmation that the City of Portland has the ability to provide sanitary sewer service for the proposed development.

The 5,851 square foot parcel is identified as Block E, Lots 48 & 49 on the City of Portland Tax Map 45. The site is accessed off Bracket Street via Joy Place, a private right-of-way. An existing vacant house is located on the site. Existing sewer service for the house is located within the Joy Place right-of-way.

The proposed project includes the construction of a 2,600 square foot, 3-story building, including 12 condominium units. Joy Place will be reconstructed for vehicular and pedestrian access, and public water and sewer utilities will be installed to serve the project. It is anticipated that the existing sewer service will be removed, and a new 6" service will be installed to serve the new building.

The project is expected to generate approximately 1,440 gallons of wastewater per day based on the Maine Subsurface Wastewater Disposal Rules.

Attached are a site location figure showing the property delineated on a USGS map, preliminary site and utility plans of the project showing how the development may be served with sewer service, and a City of Portland Wastewater Capacity Application form.

Please provide our office with confirmation that the City of Portland has the ability to provide sanitary sewer service to the proposed development and any comments you may have on the attached drawing.

If you have any questions or need more information, please contact me at (207) 632-9010 or mtw@terradync consultants.com.

Sincerely,

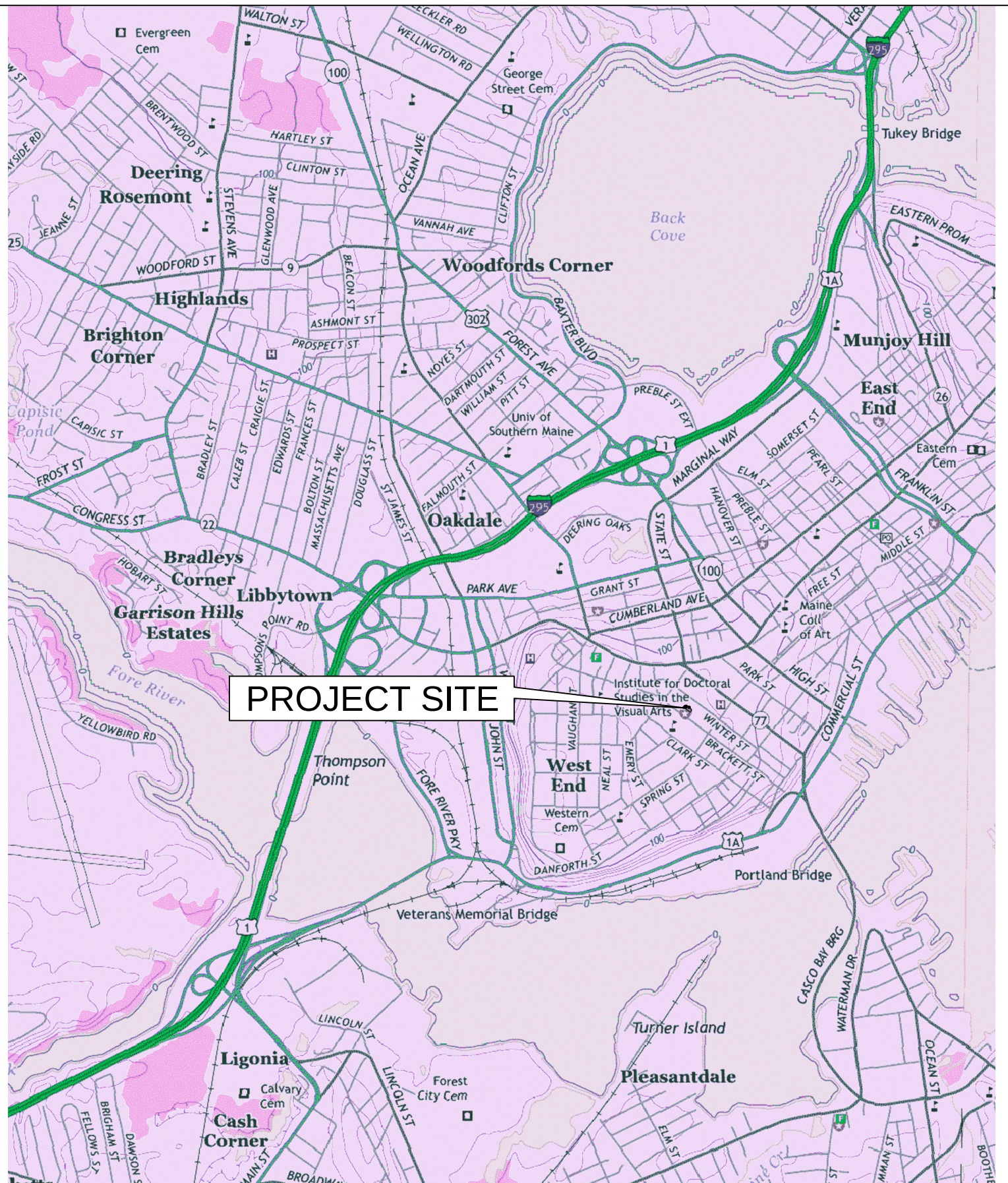
TERRADYN CONSULTANTS LLC

A handwritten signature in black ink that reads "Michael E. Tadema-Wielandt". The signature is written in a cursive, flowing style.

Michael E. Tadema-Wielandt, P.E.
Vice President

cc: Todd Alexander, Renewal Housing Associates
David Lloyd, Archetype

Enc.



SHEET DESCRIPTION
JOY PLACE
U.S.G.S. QUADRANGLE MAP
PORTLAND WEST

PREPARED FOR
RENEWALL HOUSING ASSOCIATES
THREE CANAL PLAZA, SUITE 501
PORTLAND, MAINE 04101



Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

P.O. Box 339
111 Elderberry Lane
New Gloucester, ME 04260
Office: (207) 926-5111
Fax: (207) 221-1317
www.terradynconsultants.com

JOB NO.
1704

DATE
3/30/2017

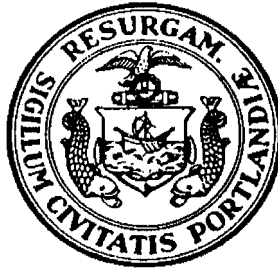
SCALE
1"=2,000'

FIGURE
1

OF
2

CITY OF PORTLAND WASTEWATER CAPACITY APPLICATION

Department of Public Services,
55 Portland Street,
Portland, Maine 04101-2991



Bradley Roland, P.E.
Water Resources Division

Date: 4/25/2017

1. Please, Submit Utility, Site, and Locus Plans.

Site Address: One Joy Place, Portland

Chart Block Lot Number: 45/E/48, 45/E/49

Proposed Use: Residential

Previous Use: Residential

Existing Sanitary Flows: N/A GPD

Existing Process Flows: N/A GPD

Description and location of City sewer that is to receive the proposed building sewer lateral.

12" combined sewer in Brackett Street

Site Category

Commercial (see part 4 below)	☐
Industrial (complete part 5 below)	☐
Governmental	☐
Residential	☒
Other (specify)	☐

Clearly, indicate the proposed connections, on the submitted plans.

2. Please, Submit Contact Information.

City Planner's Name: Not assigned yet Phone: _____

Owner/Developer Name: Onejoy Place LLC, c/o Renewal Housing Associates, LLC

Owner/Developer Address: 2 Union Street, 5th Floor, Portland, ME 04101

Phone: 207 347-3018 Fax: _____ E-mail: taalexander@renewalhousing.com

Engineering Consultant Name: Terradyn Consultants, LLC, Michael Tadema-Wielandt, P.E.

Engineering Consultant Address: 565 Congress Street, Suite 310, Portland, ME 04101

Phone: 207-632-9010 Fax: _____ E-mail: mtw@terradyconsultants.com

Note: Consultants and Developers should allow +/- 15 days, for capacity status, prior to Planning Board Review.

3. Please, Submit Domestic Wastewater Design Flow Calculations.

Estimated Domestic Wastewater Flow Generated: 1,440 GPD

Peaking Factor/ Peak Times: x6

Specify the source of design guidelines: (i.e. "Handbook of Subsurface Wastewater Disposal in Maine," "Plumbers and Pipe Fitters Calculation Manual," Portland Water District Records, Other (specify) State of Maine Subsurface Wastewater Disposal Rules

Note: Please submit calculations showing the derivation of your design flows, either on the following page, in the space provided, or attached, as a separate sheet.

12 x 1 Bedroom Units x 120 GPD/Unit = 1,440 GPD

4. Please, Submit External Grease Interceptor Calculations.

Total Drainage Fixture Unit (DFU) Values: N/A

Size of External Grease Interceptor: _____

Retention Time: _____

Peaking Factor/ Peak Times: _____

Note: In determining your restaurant process water flows, and the size of your external grease interceptor, please use The Uniform Plumbing Code. Note: In determining the retention time, sixty (60) minutes is the minimum retention time. Note: Please submit detailed calculations showing the derivation of your restaurant process water design flows, and please submit detailed calculations showing the derivation of the size of your external grease interceptor, either in the space provided below, or attached, as a separate sheet.

5. Please, Submit Industrial Process Wastewater Flow Calculations

Estimated Industrial Process Wastewater Flows Generated: N/A GPD

Do you currently hold Federal or State discharge permits? Yes _____ No _____

Is the process wastewater termed categorical under CFR 40? Yes _____ No _____

OSHA Standard Industrial Code (SIC): (<http://www.osha.gov/oshstats/sicser.html>)

Peaking Factor/Peak Process Times: _____

Note: On the submitted plans, please show where the building's domestic sanitary sewer laterals, as well as the building's industrial-commercial process wastewater sewer laterals exits the facility. Also, show where these building sewer laterals enter the city's sewer. Finally, show the location of the wet wells, control manholes, or other access points; and, the locations of filters, strainers, or grease traps.

Note: Please submit detailed calculations showing the derivation of your design flows, either in the space provided, or attached, as a separate sheet.

12. SOLID WASTE

12.1 OVERVIEW

The project will generate solid waste both during construction and on an on-going basis after construction is complete. Estimates of solid waste generation, recycling rates, and procedures for the transport and disposal of solid waste that will be generated by the operation of the proposed development are provided below.

The following amount of solid waste associated with the construction and operation of the development have been estimated:

- 53 cubic yards of construction debris related to the new building construction activities (excluding volume of recycled materials).
- 408 pounds per week of solid waste will be generated by the operation of the development. Assuming that 50% of the waste is recycled, it is estimated that the project will generate 5.3 tons of recyclable waste and 5.3 tons of non-recyclable waste per year.

12.2 SOLID WASTE GENERATED DURING THE BUILDING CONSTRUCTION

Approximately 53 cubic yards of construction debris is expected to be generated during construction. Assuming that 80% of construction debris is recycled, construction of the project will generate approximately 26.5 c.y. of non-recyclable waste.

The waste stream will be transported and disposed of at the following locations:

Hazardous Materials:	WMI Crossroads Facility in Norridgewock, Maine
Mixed Construction Material:	Riverside Recycling Facility in Portland, Maine; WMI Crossroads Facility in Norridgewock, Maine or Juniper Ridge in Old Town, Maine (Contractor option)
Separated Wood Construction Debris:	KTI Biofuels in Lewiston, Maine
Separated Metal/Ferrous Material:	One Steel Recycling Inc. in Arundel or Oakland, Maine

The collection, transfer, disposal, and payment of all fees for solid wastes shall be the responsibility of the Contractor, with all waste transferred by a licensed non-hazardous waste transporter.

12.3 SOLID WASTE GENERATED FROM THE OPERATION OF THE DEVELOPMENT

Approximately 408 pounds of solid waste and recyclable material is expected to be generated every week by the residents of the project. The operational solid waste and recyclable material will be collected by the City of Portland in accordance with Chapter 12 of the City Code.

12.4 ATTACHMENTS

Attachment 12-A – Computations of Types and Volumes of Solid Wastes for Construction Project

ATTACHMENT 12-A

Computations of Types of Volumes of Solid Wastes

ATTACHMENT 12-A

SOLID WASTES COMPUTATIONS AND DISPOSAL

A. NEW BUILDING CONSTRUCTION:

Basis of Estimate: 10 c.y./1,500 s.f. of finished space

Area: Approximately 7,845 square feet of finished space

Solid Waste: Approximately 53 c.y.

Other Wastes Associated with Other Site Construction: Cardboard from packaging etc.: Limited Quantity

Total: 53 c.y. before recycling

Net: 11 c.y. if 80% of the material is recycled

Disposition:

Assume 10 percent is concrete which can be sent to the approved aggregate recycling facilities operated by Shaw Bros. or R.J. Grondin and Sons for processing into recycled aggregate.

Assume 70 percent is wood or metal which can be transported to KTI Biofuels in Lewiston (for wood) or One Steel Recycling in Oakland, Maine for metals.

Approximately 11 cubic yards of mixed construction debris that will be hauled to the Riverside Recycling Facility in Portland, WMI Crossroads facility in Norridgewock, Maine or the Juniper Ridge Facility in Old Town, Maine.

The contractor should provide dumpsters designated by material type and identify recycling methods and disposal sites prior to construction. All haulers must have a current non-hazardous waste haul license.

B. OPERATIONAL SOLID WASTE:

RESIDENTIAL USE:

Basis of Estimate: 17 pounds/wk per individual. Estimate of 2 individuals per residential unit. From Table 14-1 of the CEQR Technical Manual from January 2014 Edition; Source: New York City Department of Sanitation.

Number of individuals: 24

Solid Waste: Approximately 408 pounds/week

13. FIRE SAFETY

13.1 OVERVIEW

The applicant and project team will provide the Portland Fire Department with the information required in the PFD Site Review Checklist, as well as a basic review of NFPA 1 and City of Portland Technical Standards related to public safety.

The project site will be accessed from Joy Place, which will be improved with a 22.5' wide paved surface. A 6" cast iron water main owned by the Portland Water District currently exists in Brackett Street, and the closest fire hydrant is located on the west side of Brackett Street, approximately 25 feet south of the intersection of Brackett Street and Joy Place.

Joy Place will provide access to two sides of the proposed building, which will be fully sprinkled in compliance with all applicable codes.

1 Joy Place Site Plan Application:

1 message

Todd Alexander <TAlexander@renewalhousing.com> Thu, Jun 29, 2017 at 5:34 PM

To: Jean Fraser <jf@portlandmaine.gov>

Cc: Michael Tadema-Wielandt <mtw@terradynconsultants.com>, David Lloyd <lloyd@archetypepa.com>, Matt Maiello <matt@archetypepa.com>, "Richard A. Shinay" <RShinay@dwmlaw.com>, "Barhydt, Barbara" <bab@portlandmaine.gov>, "O'Brien, Stuart" <sgo@portlandmaine.gov>

Jean:

Thank you for your email and follow up phone call to discuss emergency access at 1 Joy Place. As we discussed, I am sending you this email to provide background on the Joy Place private way and to outline certain steps that can be taken to ensure that access to 1 Joy Place is maintained after the project is developed.

Background:

Joy Place is private way. This is consistent with the Public Works Department's records.

There are four (4) property owners that have frontage on Joy Place. Each of the owners has rights in Joy Place to ensure that access to their property from Joy Place is maintained in perpetuity. These owners are; 1 Joy Place (the applicant), 167 Brackett (single family attached residence. Backyard abuts rear portion of Joy Place alley), 165 Brackett (3 unit apartment building along the northwest boundary of Joy Place) and 157 Brackett (the City of Portland).

Each property owner's deed contains a provision granting an easement to use Joy Place for access to their respective property. The easement language further clarifies that Joy Place shall remain "....open and unobstructed forever...." From a pure legal position, we believe each property owner's deed ensures that Joy Place cannot be used for parking. In addition, because one of the abutters is the City of Portland, there is a

mechanism in place (I think) to allow the City to enforce this standard (no parking). Attached is our deed as a reference.

Past Use: I am aware that the previous owner of 1 Joy Place utilized the private way for parking. Obviously, they are no longer in the picture. I am also aware that the previous tenants of 167 Brackett (prior to the fire) occasionally parked in the private way after the 1 Joy Place property was vacant and abandoned. I have a very good relationship with the owner of 167 Brackett and he is fully aware that his current tenants should not be parking in the alley. He has notified all of his residents that they cannot park in the alley and that this standard will be regularly enforced once our project begins.

Future Use: To ensure that Joy Place is not used for parking by the Onejoy condominium owners, we have the following options to consider;

- a. The Condominium Declaration, the Recorded Site Plan/Plat and the Condominium By-Laws will each specify that i) Joy Place is a private driveway not owned by the condominium association or individual unit owners, ii) that parking is not allowed on Joy Place and iii) the no parking standard can be enforced by the city, since the city has an interest in Joy Place through its easement/ownership of 157 Brackett (our counsel, copied here, will review this and can coordinate with corporation counsel when appropriate on how to best capture this in the recorded documents)
- b. We are open to appropriate signage (either posted or striped into the driveway itself) identifying 'No Parking' and/or 'Fire Lane'.
- c. The declarant (and condominium association) could enter into a management and maintenance agreement with the city that stipulates, among other things, that Joy Place shall not be used for parking. I don't think we can require the other abutters to be a party to the agreement, but I'm certainly comfortable asking them to consider it. If we keep it relatively simple, I think they will be open to such an agreement. It will benefit them to more clearly articulate their rights of use and interest in Joy Place – which can be recorded with their deeds.

We are also open to any other suggestions that you might have. Bottom line, we recognize -- and the other abutters are aware of -- the standard that there will be no parking on the Joy Place private way. And, we are happy to codify that in an

appropriate way to ensure that future owners at onejoy recognize and maintain that standard.

Please let me know if you, or any members of the Fire Department's review team, require any additional information at this time.

Respectfully,

Todd

Todd M. Alexander

PLEASE NOTE OUR NEW ADDRESS

Renewal Housing Associates, LLC | Leon N. Weiner & Associates, Inc.

2 Union Street, 5th Floor

Portland, ME 04101

p. 207 347-3018 | c. 207 749-7257

Disclaimer

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14. CONFORMITY WITH APPLICABLE DESIGN STANDARDS

14.1 OVERVIEW

This project conforms to all applicable Site Plan Standards of Section 14-526 of the city's Land Use Ordinance as described in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

The project will not have a significant impact on the surrounding street system. Vehicles will access the site and parking areas from existing access points and the estimated number of new vehicle trips generated by the project is insignificant compared to existing trips on surrounding streets.

2. Access and Circulation:

a. Site Access and Circulation

(i) Pedestrian access to the site will be provided via a new sidewalk along Joy Place, connecting to the existing sidewalk on Brackett Street. Door controlled access will be provided at each of the building entry locations.

(ii) The project will use existing points of access.

(iii) Drive up features are not proposed

(iv) Site access has been designed so as not to impede potential future connection to adjacent streets.

b. Loading and Servicing

(i) Delivery or service vehicles are expected to be infrequent and may temporarily use on-street parking on Brackett Street or access the site from Joy Place.

c. Sidewalks.

(i) A new sidewalk will be constructed along the Joy Place right-of-way and will connect to the existing city sidewalk on Brackett Street. All sidewalk improvements shall conform to the City of Portland Technical Manual as shown on the project drawings.

(ii) The sidewalk ramp at Joy Place will be reconstructed in accordance with City of Portland Technical Design Standards.

- (iii) The proposed sidewalk along Joy Place will connect directly to the existing city sidewalk on Brackett Street.

3. Public Transit Access:

Metro Bus Route 8 runs east on Spring Street. The nearest bus stop to the project is at the intersection of Spring Street and Brackett Street, approximately 450' south of Joy Place. The project does not meet the minimum threshold to require a new transit facility.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

- (i) The project requires one parking space per unit, or 12 total spaces. Four (4) spaces will be provided on site, south of the building, and will be accessed from Joy Place. One of the on-site spaces will be accessible, and two will be compact spaces. The applicant is currently negotiating with the city to provide 10 additional off-street parking spaces within the city owned surface parking lot directly south of the project site via a lease parking agreement.
- (ii) A parking study is not required for this project.
- (iii) Not applicable
- (iv) Of the 14 proposed parking spaces, 12 will meet the dimensional requirements for a "Standard Parking Space" (9' x 18'), and 2 will meet the requirements for a "Compact Parking Space" (8' x 15') as defined in the City of Portland Technical Manual. Approximately (14%) of the parking spaces will be compact spaces.
- (v) The proposed on-site parking area, as well as the existing city owned parking lot, will be paved with bituminous concrete.

b. Location and Required Number of Bicycle Parking Spaces:

- (i) The project requires 2 bicycle parking spaces for every 5 dwelling units, or 5 spaces. A minimum of 5 bicycle parking spaces will be provided in the basement storage area.

c. Motorcycles and Scooter Parking:

- (i) Dedicated motorcycle/scooter parking is not provided.

d. Snow Storage:

- (i) Because of the unique characteristics of the site and the Joy Place right-of-way, there is limited area available for snow storage. Landscaped areas in front of the proposed building and north of the entrance will be available for snow storage. A snow removal plan will be implemented as required.
- (ii) Snow will not be stored in parking areas, and no bio-retention is proposed.

5. Transportation Demand Management (TDM):

- a. A TDM plan is not required for this project.

(b) Environmental Quality Standards

1. Preservation of Significant Natural Features:

- a. The development site has been entirely developed and does not contain any significant natural features including wetlands, vernal pools or other protected resources or wildlife habitats.
- b. Not applicable
- c. Not applicable

2. Landscaping and Landscaping Preservation:

a. Landscape Preservation.

- (i) The only two trees on the project site are in the northwest corner of the parcel. One tree is located less than 3' from the brick structure on the abutting property and has exposed roots. The other onsite tree is located along the western property boundary is damaging the existing fence in this location. Both trees will be removed as part of the project.
- (ii) The existing trees are not within required setback areas
- (iii) Not applicable.
- (iv) A waiver is not required from this standard.
- (v) The project is not in the Shoreland Zone

b. Site Landscaping.

- (i) Landscaped Buffers:

(a) The proposed solid waste containers will be enclosed in a cedar enclosure. No other storage or service areas are proposed.

(b) Not applicable.

(c) Not applicable.

(d) Not applicable.

(ii) Parking Lot Landscaping:

(a) Not applicable. The onsite parking area will only have 4 parking spaces.

(b) Not applicable.

(c) Not applicable.

(d) Not applicable

(e) Not Applicable

(iii) Street Trees

(a) Two street trees are proposed along the private Joy Street Right of Way. The trees will be located within the proposed sidewalk located on the abutting city-owned parcel.

(b) Not Applicable.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

The existing project site, including the Joy Place right of way, contains approximately 5,550 square feet of impervious surface.

Redevelopment of the project site will result in an increase of approximately 820 square feet of impervious area and a total impervious surface of 6,365 square feet. This level of development is not required to meet the General or Flooding Standards.

Post development stormwater runoff will follow existing patterns. Runoff from Joy Place, the four proposed parking spaces, and the proposed building will drain to Brackett Street, where it will enter the city's combined storm sewer. Runoff from the remainder of the site will drain overland across the eastern property boundary, as it does today.

(i) The project will not result in flooding of adjacent lots.

- (ii) Runoff volumes and rates will not increase onto adjacent lots.
 - (iii) Volumes and rates of stormwater runoff into the Brackett Street right of way are expected to decrease. The project will not create ponding, flooding, or other drainage problems within Brackett Street.
 - (iv) Volumes and rates of stormwater runoff into the city's storm drain network are expected to be similar to existing volumes and rates. The project will not create problems downstream or exceed the capacity of the system.
- b. The project will result in less than 1,000 square feet of new impervious surface and less than 5,000 square feet of non-roof redeveloped impervious surface and is not required to meet the General or Flooding Standards.
 - c. Not Applicable. The project is not located in a watershed of an urban impaired stream.
 - d. Not applicable.
 - e. The project will be served by both a public wastewater system and public drainage system. The project will not pose a risk of groundwater contamination.
 - f. Wastewater will flow to the public sewer system, which is adequately sized for the project flows.

(c) Public Infrastructure and Community Safety Standards.

1. Consistency with City Master Plans:

- a. The project has been designed to be consistent with the City of Portland Land Use Ordinance and off-premises infrastructure.
- b. Not applicable.

2. Public Safety and Fire Prevention:

- a. The site has been designed to promote safety and security for residents and their guests. Access to the common yard area will be restricted using a key pad operated locked gate at the northwest corner of the proposed building. Site lighting will provided added security.

- b. Emergency vehicle access will be via Joy Place, which will feature a 22.5' wide paved surface.
- c. An existing fire hydrant is located on the west side of Brackett Street, across from the project site. The proposed building will also feature sprinklers for fire suppression.

3. Availability and Adequate Capacity of Public Utilities:

- a. The project will be served by new water, sewer, and storm drain utilities. The Portland Water District has indicated that their system has capacity to serve the project, and a Wastewater Capacity Application has been forwarded to Brad Roland at the City of Portland.
- b. Overhead electrical and telecommunications utilities exist in Brackett Street. The project site will be served by underground utilities.
- c. All new utility infrastructure will meet the provisions of the Technical Manual.
- d. The project will be connected to the public sewer system within Brackett Street.
- e. The sanitary sewer and stormwater collection systems were designed to comply with City standards.
- f. An exterior solid waste storage area will be located on the north side of the building, accessible to only residents. The solid waste containers will be screened and protected with a cedar enclosure, and will not be visible from public areas or adjacent properties.

(d) Site Design Standards

1. Massing, Ventilation and Wind Impact:

- a. The bulk, location and height of the proposed building will not result in adverse impacts to abutting properties.
- b. The bulk, location and height of the proposed building will not substantially reduce the value or utility of adjacent structures.
- c. HVAC systems will be located on the roof of the proposed building. Venting is proposed to be directed away from public spaces and adjacent residential sites.

2. Shadows:

- a. The project is not expected to cause shadows on publically available open space, or have an adverse effect on vegetation as a result of shadows cast from the proposed building.

3. Snow and Ice Loading:

- a. The proposed building will have a flat roof. Accumulated snow and ice will not fall onto adjacent properties or public ways.

4. View Corridors:

- a. The project site is located outside the Downtown Vision View Corridor Protection Plan.

5. Historic Resources:

- a. The development subject to a Certificate of Appropriateness under article IX (historic preservation) of the Land Use Ordinance.
- b. Not Applicable
- c. There are no known archaeological resources on the site.

6. Exterior Lighting:

a. Site Lighting

- (i) Exterior site lighting will be provided by building mounted lights, including recessed canopy and wall packs, and two pole mounted lights along the proposed sidewalk adjacent to Joy Place. All fixtures will feature full cut-off optics to prevent unintended light pollution. Proposed lighting is shown on the Lighting Photometric Plan (Sheet P-1).

b. Architectural and Specialty Lighting:

- (i) No architectural or specialty lighting is proposed.
- (ii) No up-lighting is proposed.

c. Street Lighting

- (i) No street lighting is proposed

7. Noise and Vibration:

Noise levels are expected to meet the permitted levels for the B-1 Zone.

- a. HVAC and Mechanical Equipment
 - (i) HVAC equipment will be located on the roof of the proposed building and will meet all applicable state and federal emissions requirements. The units will not be visible from Brackett Street or adjacent sites.
 - (ii) Not Applicable. No emergency generator is proposed.

8. Signage and Wayfinding:

- a. All signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.
 - (i) The project is subject to a Certificate of Appropriateness.
 - (ii) Not applicable. No commercial or directional traffic signage is proposed as part of the project.
 - (iii) Not applicable. No on-site directional traffic signage is proposed as part of the project.
 - (iv) Not applicable. No waiver is required.

9. Zoning Related Design Standards:

- a. The project is located within a historic zone and is subject to the City of Portland Historic Preservation standards.

15. VERIFICATION OF PROPOSED HVAC EQUIPMENT

15.1 OVERVIEW

The following manufacturer cut sheets verify that all proposed HVAC and manufacturing equipment meets applicable state and federal emissions requirements.

15.2 ATTACHMENTS

Attachment 15-A – HVAC Equipment Cut Sheets

ATTACHMENT 15-A

HVAC Equipment Cut Sheets

System 12RLFCD Submittal

AOU12RLFC, ARU12RLF

Compact Duct

Job Name: _____ Approval: _____ Date: _____
 Location: _____ Construction: _____
 Engineer: _____ Unit #: _____
 Submitted to: _____ Drawing #: _____
 Submitted by: _____ Reference: _____

Outdoor Unit Power 208-230/VAC-1Ph-60Hz
 Available Voltage Range 187-253VAC
 Fuse Size, Max. 15A
 MCA 13.4A

Compressor Inverter Driven Variable Speed DC Rotary
 No. used 1
 Output 850W
 Lubricant Oil POE (RB68)

Fan type Propeller
 Motor Output 115W
 Airflow Rate Cooling/Heating (High) 1206 / 1083CFM

Refrigerant 410A
 Outdoor Unit 2lbs 10oz
 Control Electronic Expansion Valve
 O.D. Discharge (in) 1/4"(Flare)
 O.D. Suction (in) 3/8"(Flare)

Dimensions H x W x D
 Uncrated (in) 24-1/2 x 31-3/32 x 11-11/32
 (mm) (620 x 790 x 290)
 Crated (in) 28-1/16 x 37-7/32 x 15-9/16
 (mm) (713 x 945 x 395)

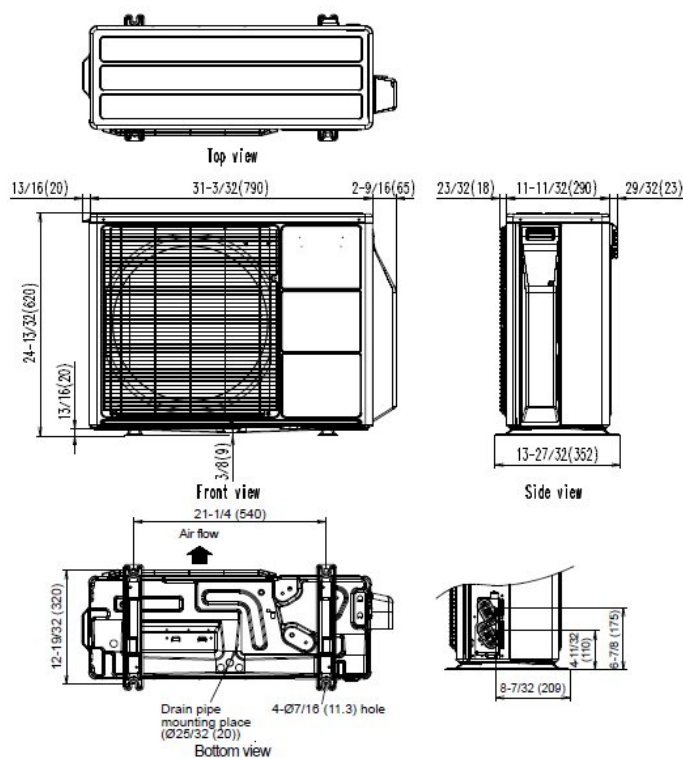
Weight Outdoor
 Net 84lbs (38kg)
 Gross Shipping 93lbs (42kg)

Cooling
 Rated Capacity 12,000BTU/h
 Min-Max Capacity 3,100~13,600BTU/h
 Rated Power Input 0.94kw
 Max. Power Input 1.45kw
 SEER 20.0
 Outdoor Sound Rating 49dB

Heating
 Rated Capacity 16,000BTU/h
 Min-Max Capacity 3,100~19,400BTU/h
 Rated Power Input 1.30kw
 Max. Power Input 2.00kw
 HSPF 11.5
 Outdoor Sound Rating 50dB

Piping Lengths
 Max. Piping Length (Total) 66ft
 Max. Pipe Height Difference 49ft
 Connection method (Flared)

Operating Range
 Cooling 14°F~115°F DB
 Heating -5°F~75°F DB



Fujitsu General America, Inc.
 Fairfield, NJ 07004
 Toll Free: 1-888-888-3424
 Fax: (973) 836-0447
 www.fujitsugeneral.com

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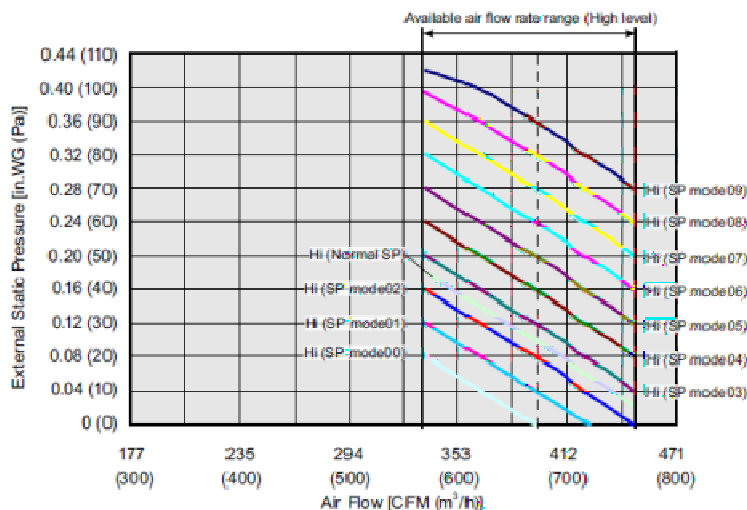
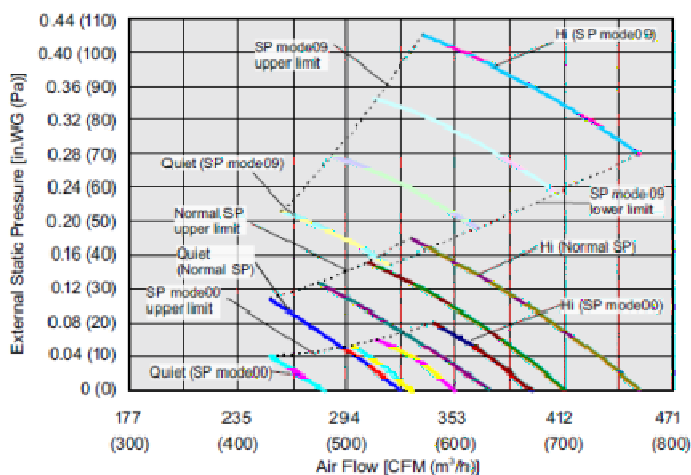


Power	V/Hz/P	230/60/1
Fan type		Sirocco
No. Motors	(W)	2 (81)
CFM [1.10 in.WG]	(Hi,Me,Lo,Qu)	383/353/324/283
Sound Pressure Level	db (Hi,Me,Lo,Qu)	29/28/27/26
F.L. A.	(A)	.37
Refrigerant		410A
O.D. Discharge	in (mm)	Ø1/4" (6.35)
O.D. Suction	in (mm)	Ø3/8" (9.52)
Dimensions		H x W x D
Uncrated	(in)	7-25/32 × 27-9/16 × 24-13/32
	(mm)	(198 × 700 × 620)
Crated	(in)	10-7/8 × 38-1/8 × 29-3/4
	(mm)	(276 × 968 × 756)
Weight		
Net	lbs. (kg)	41 (19)
Gross Shipping	lbs. (kg)	55 (25)

Cooling Capacity	(BTU/h)	12,000
Moisture Removal	pt/h (l/h)	2.7 (1.3)
Heating Capacity	(BTU/h)	13,500
Temperature Setting Range		
Cooling	°F(°C)	64~90 (18~32)
Heating	°F(°C)	60~88 (16~31)
Drain Pipe Size**	OD in	Ø1-1/16
	ID in	Ø3/4
Remote Control Type		Wired
Electrical Connection*	AWG	14/3 with ground

*Power and communication are fed from the outdoor unit.

**Adapter to 3/4" PVC included with unit.



Note:

Specifications are based on the following conditions.

Power source of specifications : 230V

Cooling: Indoor temperature of 80°F(26.67°C)DB / 67°F(19.44°C)WB, and outdoor temperature of 95°F(35°C)DB/75°F(23.89°C)WB.

Heating: Indoor temperature of 70°F(21.11°C)DB / 60°F(15.56°C)WB, and outdoor temperature of 47°F(8.33°C)DB/43°F(6.11°C)WB.

Standard Static Pressure: 0.10in.WG (25Pa)

Pipe length : 16.4ft. (5m) [Outdoor unit - Branch box], 9.8ft. (3m) [Branch box - Indoor unit]

Height difference : 0 ft.(0m) [Outdoor unit - Indoor unit]

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Fairfield, NJ 07004
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Fax: (973) 836-0447
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Submittal Data: 18RLFCD Inverter Driven Heat Pump

18,000 BTU Slim Compact Duct

Job Name: _____

Date: _____

Location: _____

Approval: _____

Engineer: _____

Construction: _____

Submitted to: _____

Unit #: _____

Submitted by: _____

Drawing #: _____

Reference: _____

General Features

- Wired remote controller
- Weekly timer
- Dry mode
- Auto louver: up/down
- Auto mode
- Auto changeover
- Low ambient cooling
- Cold prevention
- Daisy chain
- Condensate pump
- Standard Warranty: 5 years parts, 7 years compressor. Applies to systems purchased before June 1st 2015*
- Extended Warranty: 10 years parts, 10 years compressor. Systems that have been installed on or after June 1st 2015 by licensed contractors and the online Product Registration has been submitted.**
- Elite Contractor Extended Warranty: 12 years parts, 12 years compressor. Systems that have been installed on or after June 1st 2015 by contractors who have met requirements and have been approved for elite contractor status plus, the online Product Registration has been submitted. ***

Model Information

Condenser..... AOU18RLFC
Evaporator..... ARU18RLF

Electrical..... 208/230V AC 1ph-60Hz

Available voltage range..... 208/230 +/- 10%

Minimum circuit ampacity..... 17.3 A

Max fuse size..... 20 A

Rated Current

Cooling..... 6.6 A

Heating..... 7.3 A

Input Power

Cooling..... 1.50 kW

Heating..... 1.67 kW

Capacity

Nominal cooling..... 18,000 Btu/h

Min-max cooling..... 3,100 – 20,100 Btu/h

Nominal heating..... 21,600 Btu/h

Min-max heating..... 3,100 – 25,600 Btu/h

Compressor

Motor output..... 1,000 W

Refrigerant..... R410a

Charge..... 2 lbs. 14 oz.

Oil..... FREOL α68SZ

Fan Motor

(Condenser) Type: DC..... Propeller fan x1

(Condenser) Motor Output..... 115 W

(Evaporator) Type..... Sirocco fan x3

(Evaporator) Motor Output..... 96 W

Heat Exchanger

Condenser

(H x W x D) in. (mm)..... 23-5/32 x 34-11/16 x 1-7/16 (588x881x36.4)

Fin Pitch..... 20 FPI

Rows x stages..... 2 x 28

Pipe type (Material)..... Copper

Type (Material)..... Aluminum



Temperature Setting Range

Cooling..... 14°F - 115°F (-10°C – 46°C)

Heating..... -5°F - 75°F (-21°C - 24°C)

Efficiency

SEER..... 19.7

EER (cooling)..... 3.52 kW/kW

COP (heating)..... 3.79 kW/kW

HSPF (heating)..... 11.3 Btu/hW

Moisture Removal..... 4.2 pints/h / 2.0 liters/h

Enclosure

(Condenser) Material..... Steel

(Condenser) Color..... Beige (approximate color or Munsell 10 YR 7.5/1.0)

(Evaporator) Material..... Galvanized steel sheet

Sound Pressure Level

Condenser..... 55 dB (A)

Evaporator..... 32 dB (A)

Dimensions

H x W x D

Condenser in. (mm)..... 24-1/2 x 31-3/32 x 11-11/32 (620x790x290)

Evaporator in. (mm)..... 7-25/32 x 35-7/16 x 24-13/32 (198x900x620)

Connection Pipe

Liquid..... 1/4" in. (6.35 mm)

Gas..... 1/2" in. (12.7 mm)

Method (Liquid/Gas)..... Flare

Internal Drain Pump Lift..... 27-9/16"

Weight

Condenser..... 86 lbs. (39 kg)

Evaporator..... 50 lbs. (23 kg)

Accessories

UTY-RNNUM..... Wired remote controller

UTY-RVNUM..... Wired remote controller (backlit, shows room temp.)

UTY-RSNUM..... Wired remote controller (simple)

UTY-XSZX..... Remote sensor

UTY-LRHUM..... Receiver unit

UTD-ECS5A..... Slim duct connector kit

UTD-GXSA-W..... Auto louver grille kit

Intertek® ETL Number

AOU18RLFC..... 91986

ARU18RLF..... 3170288

Fujitsu General America, Inc.

353 Route 46 West

Fairfield, NJ 07004

Toll Free: 1-888-888-3424

Fax: (973) 836-0447

www.fujitsugeneral.com



Note: Specifications are based on the following conditions:

Cooling: Indoor temperature of 80°F (26.7°C) DB/67°F (19.44°C) WB, and outdoor temperature of 95°F (35°C) DB/75°F (23.9°C) WB.

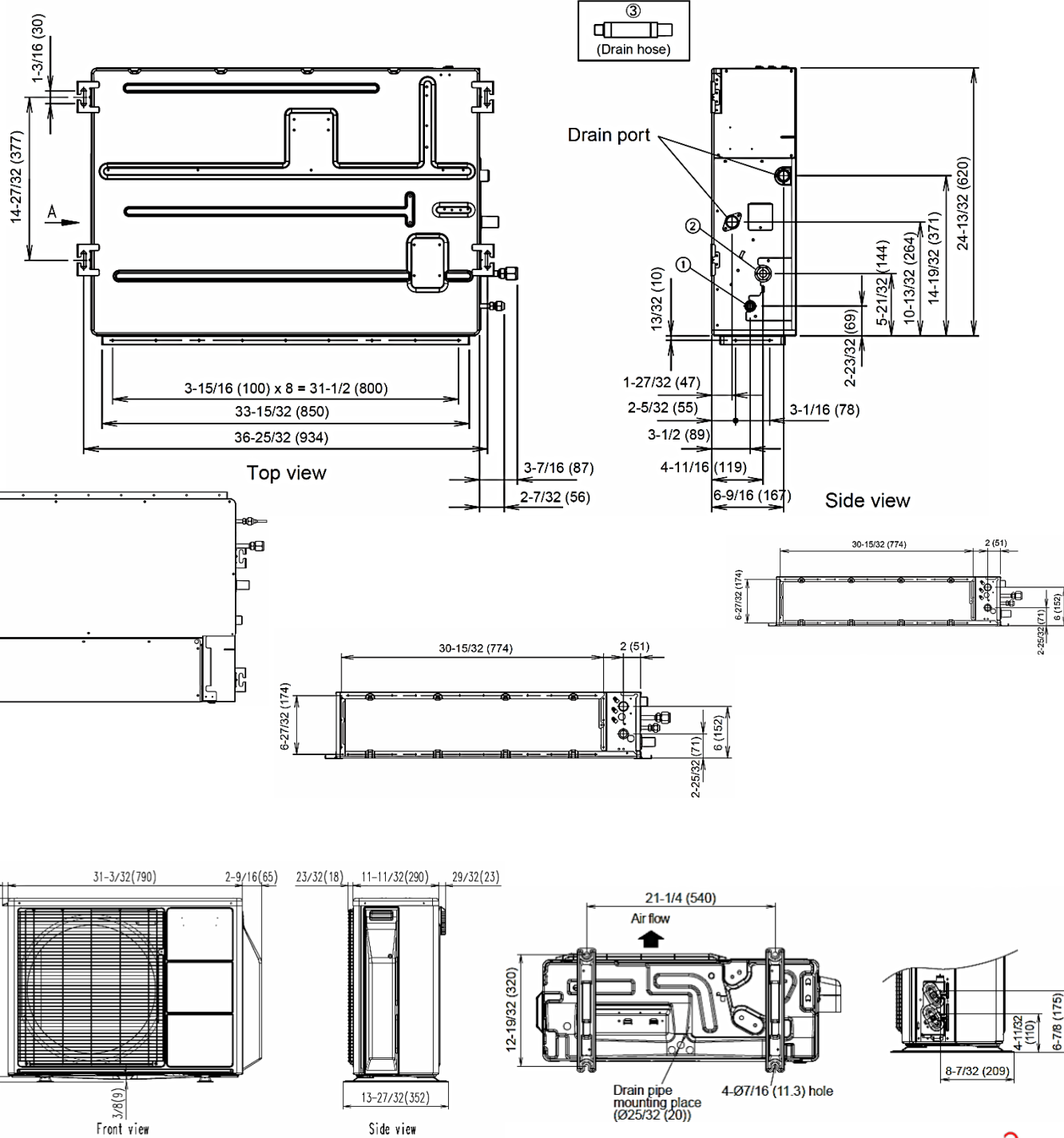
Heating: Indoor temperature of 70°F (21.11°C) DB/59°F (15°C) WB, and outdoor temperature of 47°F (8.33°C) DB/43°F (6.11°C) WB.

Pipe length: 24ft. 7in. (7.5m), Height difference: 0ft. (0m) (Outdoor unit – indoor unit)

(*Standard warranty / **10 year warranty / ***12 year warranty)

Dimensions: 18RLFCD

[Unit: in. (mm)]



Neighborhood Meeting Notes

1 Joy Place

June 28, 2017

Presenter: Todd Alexander, Renewal Housing Associates

Todd Alexander and Michael Tadema-Wielandt, Civil Engineer give overview of project, following were questions asked by attendee.

1. What was on the site prior? **Answer:** *A barn, a 3-4 unit house and garage. The structure was vacant and has fallen into disrepair.*
2. Will this be condominiums? **Answer:** *Yes, this will be a for sale property.*
3. What parking is guaranteed on site? **Answer:** *Four spaces are provided (two blocks of double spaces) with the possibility of working with the city for parking on site beside project in exchange for parking lot improvements.*
4. Is there an elevator? **Answer:** *There is no elevator, the building is designed efficiently to keep costs low for buyers and give quality finishes back to units and exterior of the building.*
5. How many parking spaces exist on the city lot beside the project? **Answer:** *24 Parking spaces are in the municipal lot beside the project but nothing is striped. If the parking lot is improved and striped properly, the site can yield 28 parking spaces. Attendee was hopeful that the city would come to agreement with developer to see the proposed sidewalk, trees and striped parking on the city lot.*
6. How many spaces would be used in the adjoining lot at night by the project? **Answer:** *10 spaces would be used at night by the project. There are other options if this is not approved by the city. Shared parking in a private parking lot nearby is also a possibility.*

End of Notes

SIGN UP SHEET

1 Joy Place

28-Jun-17

	Name	Address
1	Ed Resnaisky	115 CLARK ST
2		
3		
4		
5		
6		
7		
8		
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August 7, 2017

Jean Fraser
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

**Subject: Onejoy Place
Revised Plans & Additional Information**

Dear Jean:

Terradyn Consultants has prepared revised Site Plans and assembled additional information for Onejoy Place in response to comments from city staff and peer reviewers. A list of plan revisions and additional documents is provided below. The revised plans and documents described herein will be uploaded to the city's electronic plan review system as separate documents.

1. The applicant has prepared a Memorandum to describe the anticipated parking demand for Onejoy Place, parking requirements for the project, and proposed parking management strategies. The memo has been uploaded to the city's electronic plan review system. A combination of on-site and off-site parking spaces will be provided to meet the requirements. Evidence of an option to lease the required number of off-site parking spaces will be provided in the coming days.

Reference: parking memorandum_onejoy.pdf

2. At the request of the Portland Fire Department, "No Parking Fire Lane" signs will be installed along Joy Place to prohibit parking within the private right of way. Additionally, the existing parallel parking space serving a resident at 165 Brackett Street will be improved to provide more space and ensure that a car can be parked without encroaching into the Joy Place right of way.

Reference: Plan Sheet C-3.0

3. Two bike hitches have been added to the end of the proposed sidewalk between Joy Place and 157 Brackett Street. These bike hitches will be located on public property and are intended to be available for public use. Bicycle parking for residents of Onejoy Place will also be located in the basement of the proposed building.

Reference: Plan Sheet C-3.0

4. One additional proposed street tree has been added to the plan, next to the previously described bike hitches. The plan includes three street trees along the proposed sidewalk between Joy Place and 157 Brackett Street.

The location and shape of the project parcel and Joy Place Right of Way make it impossible to provide the 12 street trees required by ordinance. The applicant proposes to contribute the value of 9 trees to the City of Portland Tree Fund in accordance with Section 4.6.4.f of the Technical Manual to fully meet the street tree standard.

Reference: Plan Sheet L-1

5. The application form originally submitted incorrectly reported the total proposed floor area as 3,591 square feet. The actual proposed gross floor area for floors 1-3 is 7,851 square feet. The basement is an additional 1,387 square feet. A corrected application form has been provided.

Reference: application_form.pdf

6. Our office has prepared responses to peer review comments from T.Y. Lin and Woodard & Curran. The responses and supporting materials have been uploaded separately to the city's electronic plan review system.

Reference: 1704-Comment_Response#1.pdf

7. The Construction Management Plan (Sheet C-2.3) and narrative have been updated to meet city requirements. These documents have been uploaded to the city's electronic plan review system.

References: 1704-Construction Management Plan
Plan Sheet C-2.3

8. Draft Condominium Declaration and Bylaws have been prepared by the applicant's attorney. The condominium documents have been uploaded to the city's electronic plan review system.

References: Bylaws of Onejoy Condominium Owners Association – 073117.pdf
Declaration of Condominium_Onejoy Condominium_07312017.pdf

9. Additional information has been prepared by the applicant on how the project will meet the Workforce Housing requirements of Section 14-487 of the city's Land Use Ordinance. This information, as well as a draft Affordable Housing Agreement and Option to Purchase, has been uploaded to the city's electronic plan review system.

References: inclusionary zoning details_onejoy.pdf
Inclusionary Zoning Affordable Housing Agreement.pdf

10. The applicant has been working directly with city staff on the proposed sidewalk located on city property between Joy Place and 157 Brackett Street and has prepared a Memorandum describing the discussion thus far.

Reference: sidewalk memorandum_onejoy.pdf

We believe that the information described above fully addresses all outstanding comments from city staff and peer reviewers, and we request to be placed on the next available Planning Board agenda to request approval for the project. If you have any questions or require anything additional, please contact me directly.

Sincerely,

TERRADYN CONSULTANTS LLC

A handwritten signature in black ink, reading "Michael E. Tadema-Wielandt". The signature is written in a cursive, flowing style with some capital letters.

Michael E. Tadema-Wielandt, P.E.
Vice President

cc Todd Alexander, Renewal Housing Associates, LLC
David Lloyd, Archetype, P.A.

August 7, 2017

Jean Fraser
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

**Subject: Onejoy Place
Response to Peer Review Comments**

Dear Jean:

Our office received peer review comments for the above referenced project from Thomas Errico, P.E. at T.Y. Lin International, dated July 7, 2017 and Lauren Swett, P.E. and Craig Sweet, EIT at Woodward & Curran, dated July 6, 2017. We have reviewed the comments and have prepared the responses presented below. For clarity, each comment is repeated in *italics*, followed by our response.

Comments from T.Y. Lin, dated July 7, 2017

Comment 1: The project is not expected to generate a significant amount of traffic and therefore is not expected to create safety or congestion deficiencies. A Traffic Movement Permit is not required.

Response: No Response Necessary

Comment 2: I find the driveway width of 22.65 feet to be acceptable. The width of the driveway does narrow at the sidewalk to 19 feet. Given low traffic volumes, I find this to be acceptable.

Response: No Response Necessary

Comment 3: It is my understanding that parking for the abutting property will be provided in the rear of the building and along Joy Place. A parking layout plan shall be provided that illustrates how the three vehicles will park and circulate into and out of the spaces. I'm concerned about the parking area along Joy Place and encroachment into the driveway access/egress area (and ensuring only one parallel vehicle parks).

Response: The abutting 3-unit building at 165 Brackett Street has on-site parking accessed from Joy Place. Two parking spaces are located in a gravel area behind the building, and one spaces is located parallel to Joy Place, on the south side of the building. Access to these spaces will be maintained throughout and after construction. The parallel space will be paved and delineated with flush granite as part of the proposed project, and signs will be installed along Joy Place to prohibit parking within the right of way.

Our office prepared a series of Vehicle Maneuver Figures to demonstrate that vehicles can turn around on site. The figures are attached.

Comment 4: *I do not recommend backing maneuvers from Joy Place onto Brackett Street and thus the applicant should demonstrate that vehicles can turn around on site.*

Response: Our office prepared a series of Vehicle Maneuver Figures to demonstrate that vehicles can turn around on site. The figures are attached.

Comment 5: *The applicant should note how the tandem parking spaces will be managed.*

Response: Information on the parking demand, parking standards, and management of both on-site and off-site parking spaces is provided in the submitted Parking Memorandum from the applicant, dated July 31, 2017.

Comment 6: *The driveway apron shall be designed to provide a maximum cross-slope of 2 percent along the pedestrian accessibility route.*

Response: The apron is proposed to be reconstructed at existing grades. The cross slope of the existing apron, from Brackett Street to Joy Place, is approximately 7%. Significant work would be required on private property to change the cross slope of the apron to 2%, and the applicant has no rights to do this work.

Comment 7: *The applicant should note if a waiver for driveway separation is required according to the City's Technical Standards.*

Response: The project will utilize an existing private way for access from Brackett Street. We don't believe that a waiver is required.

Comment 8: The construction management plan should include details on sidewalk and Brackett Street roadway impacts during utility work. The plan should also provide information on contractor parking, delivery and laydown of materials, and impacts to parking for the abutting building.

Response: The Construction Management Plan and narrative have been updated to address the suggested items.

Comments from Woodward & Curran, dated May 22, 2017

Comment 1: In accordance with Section 14-526.4.d(i) The plans should note a location for snow storage. The snow storage should be sited outside of existing and proposed drainage courses.

Response: The size and configuration of the Joy Place right of way and the project site make on-site snow storage impractical. Snow will be removed from the site by trucks as necessary to maintain access and parking.

Comment 2: Per the City of Portland Technical Standards, sewer laterals are not permitted to connect to manholes. The service should connect directly to the main.

Response: The plans have been revised such that the proposed sewer service will connect to the existing 12" sewer main.

Comment 3: In accordance with Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of Maine DEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. The Applicant has indicated that there will be an increase in impervious area of approximately 820 square feet on the property of 1 Joy Place. We offer the following comments:

Comment 3a: Basic Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements and good housekeeping practices in accordance with Appendix A, B, & C of Maine DEP Chapter 500. Details have been provided and location of erosion control features are

shown on the grading plan. Notes addressing inspection and maintenance requirements and housekeeping practices should be provided.

Response: Plan Sheet C-4.1 (Erosion & Sediment Control Notes) has been added to the plan set to comply with the Maine DEP Chapter 500 Basic Standard. The plan including notes on inspection and maintenance requirements and housekeeping practices.

Comment 3b: General Standard: The project will result in an increase in impervious area of less than 1,000 square feet, and will not be required to meet the General Standard. We encourage the Applicant to review the City's Stormwater Service Charge Credit Manual (available online) to evaluate whether they may want to incorporate stormwater quality treatment measures that qualify for a future Stormwater Service Charge credit.

Response: No Response Necessary

Comment 3c: Flooding Standard: The project will result in an increase in impervious area of less than 1,000 square feet, and will not be required to meet the Flooding Standard.

Response: No Response Necessary

Comment 4: All work within the City Right-of-Way is required to comply with City of Portland Technical Standards. Brick sidewalk and pavement details for work within the right of way should be in compliance with the Technical Standards.

Response: The brick sidewalk detail has been modified to comply with the City of Portland Technical Standards, and a detail for pavement repair within the City Right-of-Way is provided on Detail Sheet C-6.0.

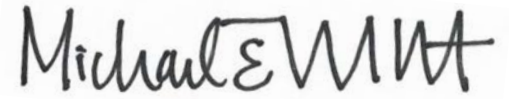
Comment 5: The pipe burial detail notes that minimum cover is 1 foot. It was noted that in some areas cover over pipe will be less than 3'. Insulation should be provided in areas with minimal cover to prevent freezing.

Response: Insulation notes have been added to the "Typical Trench Detail" on Sheet C-6.1.

We trust that the above responses and attached materials address the comments. Please contact me directly with additional questions or concerns.

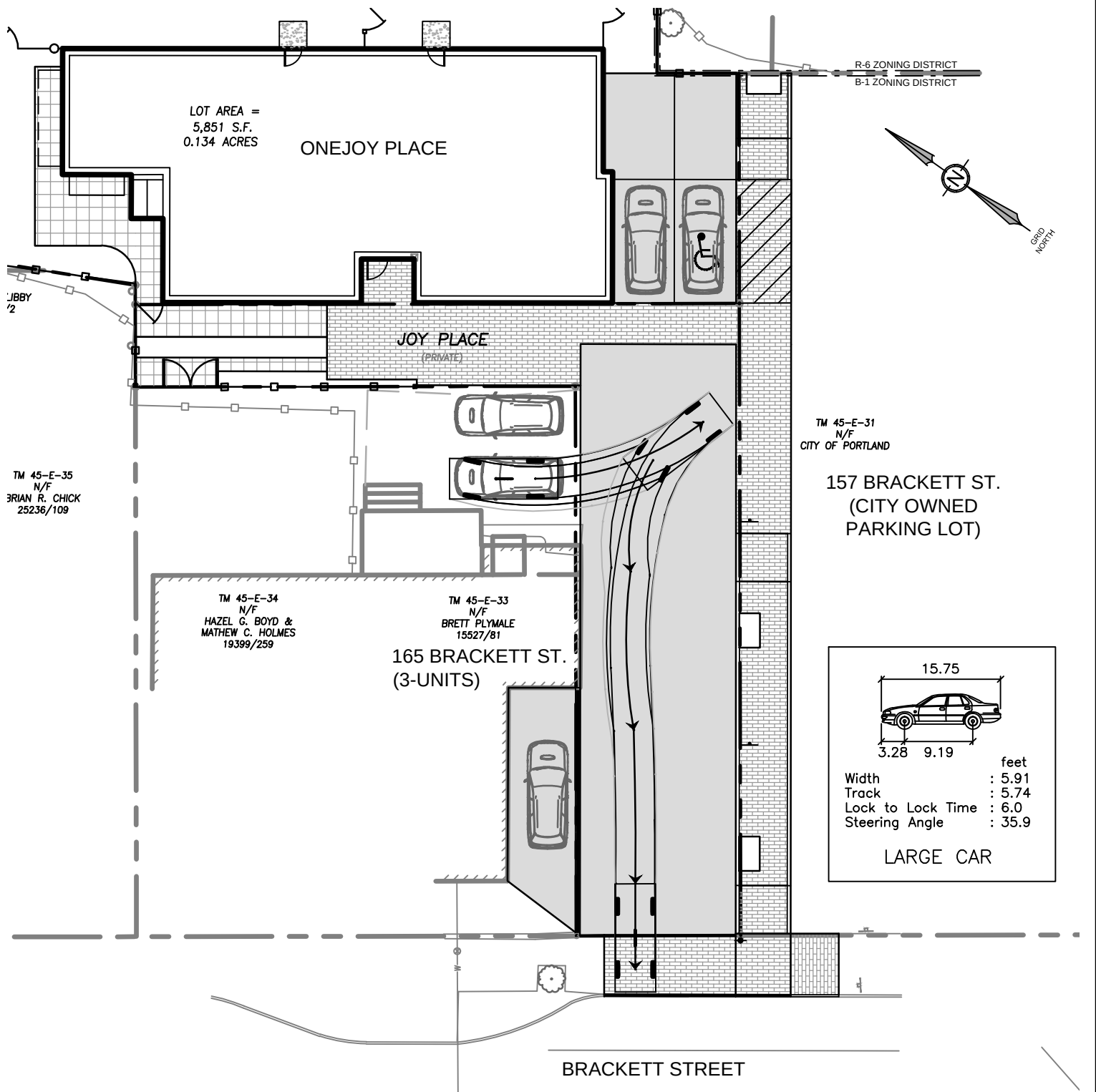
Sincerely,

TERRADYN CONSULTANTS LLC

A handwritten signature in black ink, reading "Michael E. Tadema-Wielandt". The signature is written in a cursive style with a large, stylized "M" and "W".

Michael E. Tadema-Wielandt, P.E.
Vice President

Attachments:
Parking Maneuver Figures



SHEET DESCRIPTION
VEHICLE MANEUVER #1
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101



Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

P.O. Box 339
111 Elderberry Lane
New Gloucester, ME 04260
Office: (207) 926-5111
Fax: (207) 221-1317
www.terradyconsultants.com

JOB NO.

1704

DATE

7/28/2017

SCALE

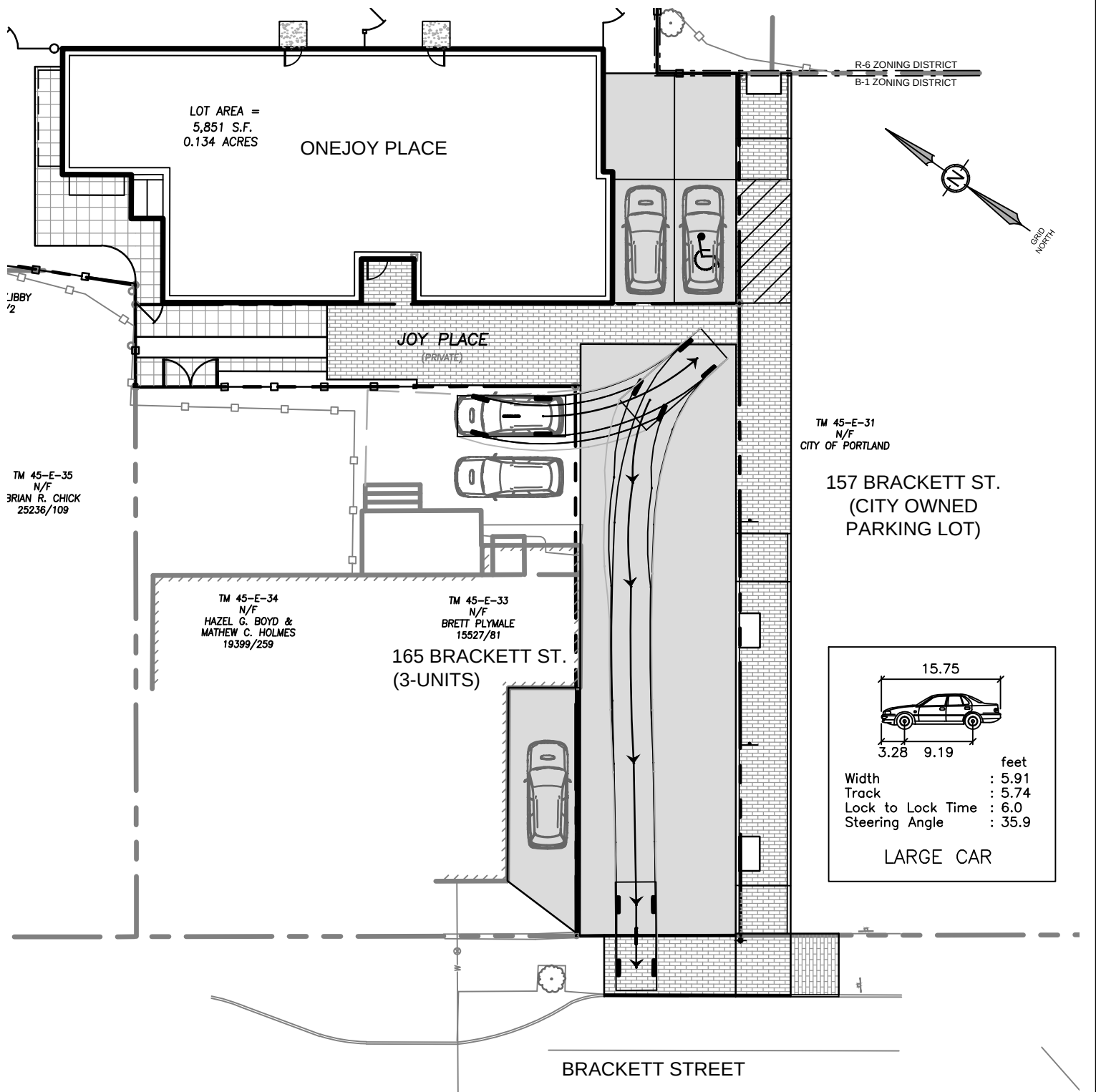
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SHEET

1

OF

5



SHEET DESCRIPTION
VEHICLE MANEUVER #2
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101



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JOB NO.

1704

DATE

7/28/2017

SCALE

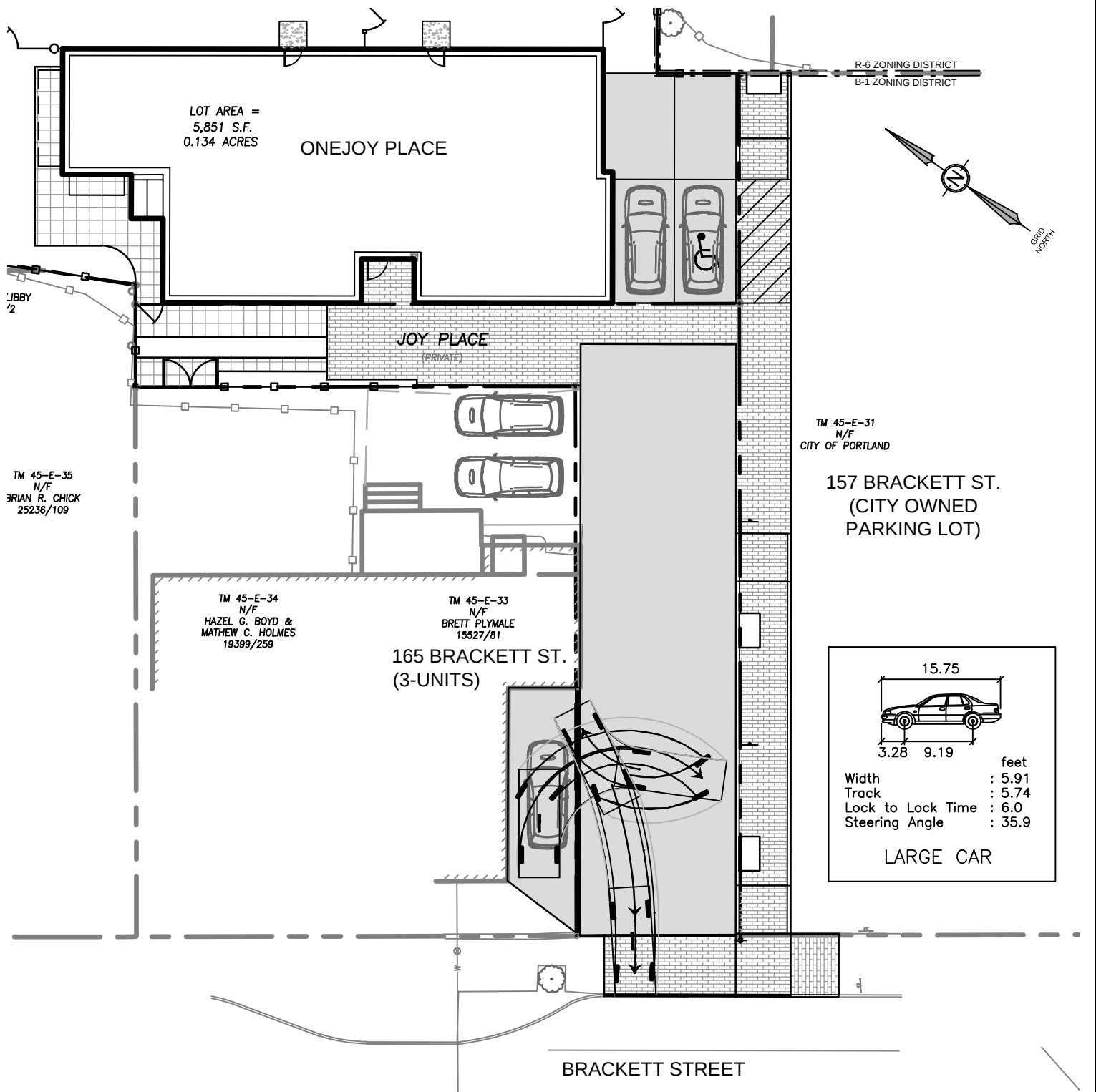
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SHEET

2

OF

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SHEET DESCRIPTION
VEHICLE MANEUVER #3
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101



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New Gloucester, ME 04260
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Fax: (207) 221-1317
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JOB NO.

1704

DATE

7/28/2017

SCALE

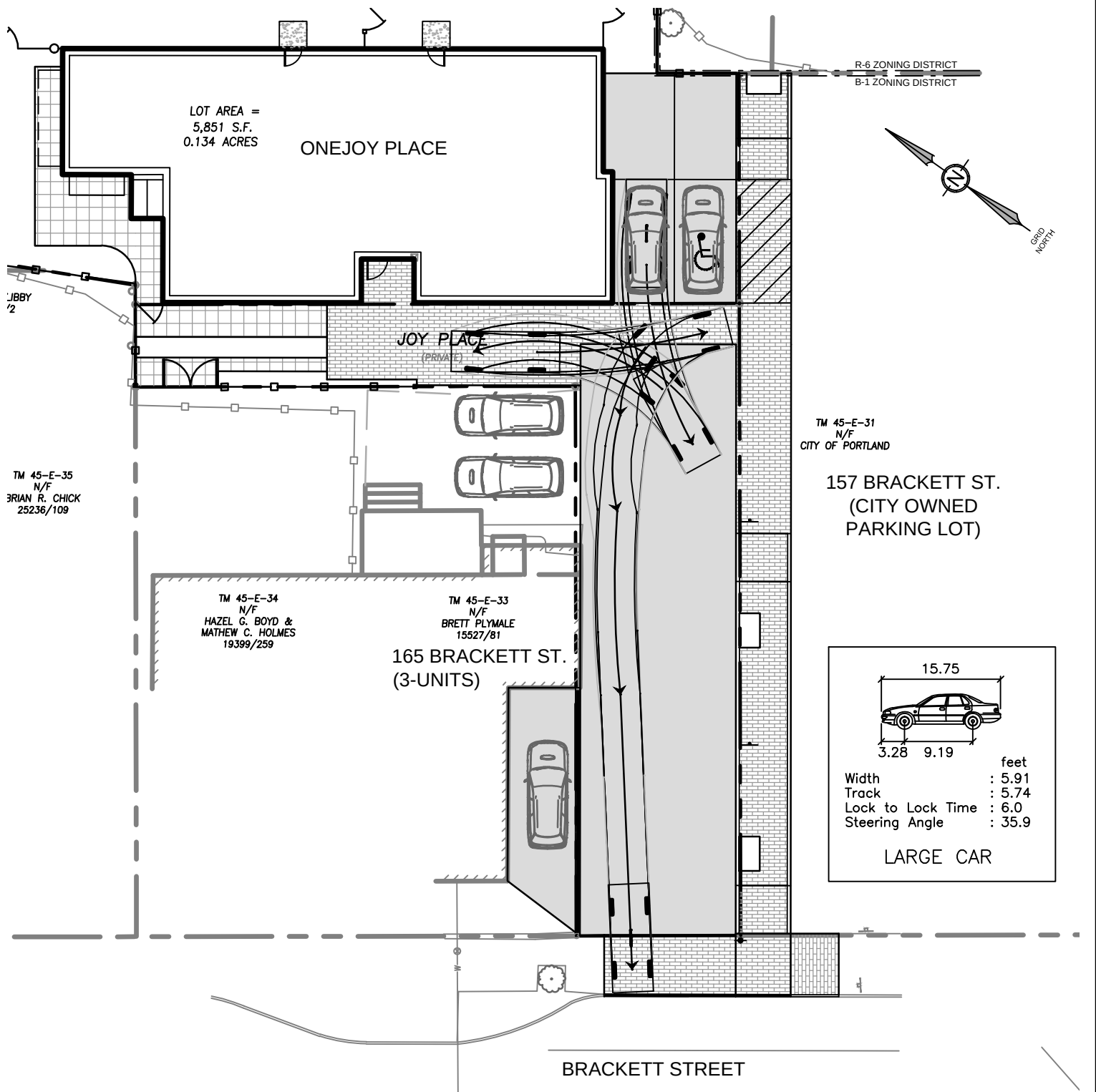
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SHEET

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OF

5



SHEET DESCRIPTION
VEHICLE MANEUVER #4
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101



Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

P.O. Box 339
111 Elderberry Lane
New Gloucester, ME 04260
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Fax: (207) 221-1317
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JOB NO.

1704

DATE

7/28/2017

SCALE

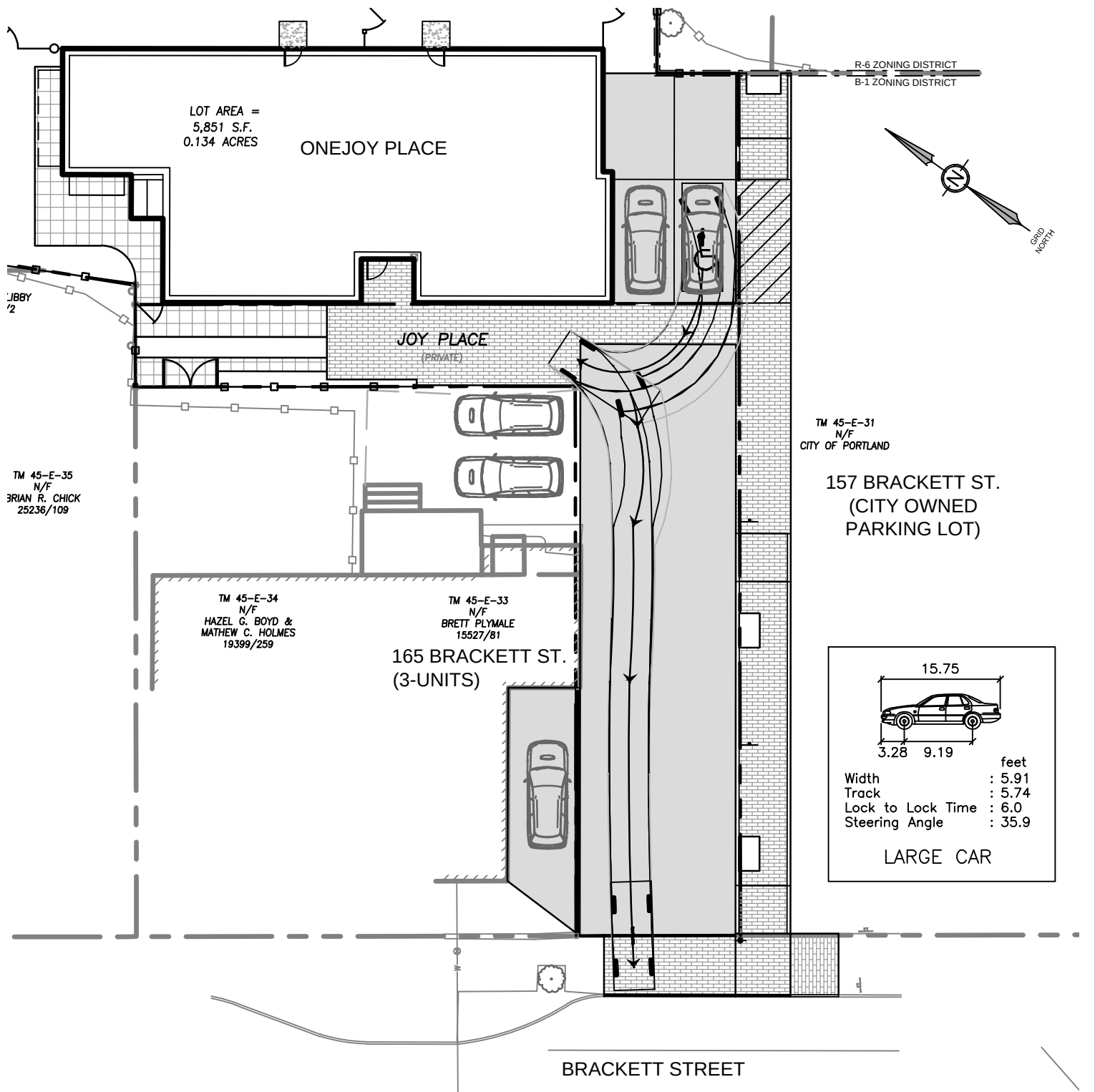
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SHEET

4

OF

5



SHEET DESCRIPTION
VEHICLE MANEUVER #5
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101



Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

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New Gloucester, ME 04260
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JOB NO.

1704

DATE

7/28/2017

SCALE

1"=20'

SHEET

5

OF

5

DRAFT 073117

BYLAWS OF ONEJOY CONDOMINIUM OWNERS ASSOCIATION

These Bylaws have been adopted this ____ day of _____, 201__, by the persons constituting all of the members of the Onejoy Condominium Owners Association. These Bylaws shall relate solely to the property called Onejoy Condominium located at 1 Joy Place, Portland, Maine (the "Property"), more fully described in the Declaration of Onejoy Condominium, dated _____, 201__ and the Plat and Plans attached thereto (collectively, the "Declaration"), recorded in the Cumberland County Registry of Deeds in Book _____, Page _____, and in Plan Book _____, Pages _____ through _____, as the same may be amended from time to time.

TABLE OF CONTENTS

ARTICLE I. OFFICE

- Section 1 Principal Office
- Section 2 Place of Meetings

ARTICLE II. ASSOCIATION OF OWNERS

- Section 1 Membership
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BYLAWS OF ONEJOY CONDOMINIUM OWNERS ASSOCIATION

ARTICLE I. OFFICE

Section 1. Principal Office. The principal office of the Onejoy Condominium Owners Association (hereinafter referred to as the “Association”) and the Board of Directors shall be located at the Property, at 1 Joy Place, Portland, Maine or at such other place as may be designated from time to time by the Board of Directors.

Section 2. Place of Meetings. All meetings of the Association shall be held at its principal office unless some other place is stated in the call.

ARTICLE II. ASSOCIATION OF OWNERS

Section 1. Membership. The members shall consist of all Unit Owners of Onejoy Condominium (hereinafter referred to as the “Condominium”), a property submitted to the provisions of the Maine Condominium Act and located in Portland, Cumberland County, Maine. Membership shall be in accordance with the Declaration of Onejoy Condominium (hereinafter referred to as the “Declaration”) or by these Bylaws, as amended from time to time. The membership of each Unit Owner terminates upon a sale, transfer or other disposition of his or her ownership in a Condominium Unit (hereinafter referred to as “Unit”) as provided in the Declaration, whereupon the membership and any interest in the funds of the Association shall automatically transfer to and be vested in the successor in ownership. A conveyance in mortgage of a Unit, however, shall not operate to transfer membership until the mortgage is foreclosed or the property held in lieu of foreclosure. The Association may, but is not required to, issue certificates of membership.

Section 2. First Meeting; Annual Meeting. The first meeting of the members shall be held, at the call of the Declarant of Onejoy Condominium (hereinafter referred to as the “Declarant”), within sixty (60) days after the closing of sales of seventy-five percent (75%) of the Units by the Declarant, or the expiration of three (3) years from the date of the first Unit sale by Declarant, whichever is first. Thereafter, the annual meeting of the Association shall be held each year on the first Monday in March, or in the event that day is a legal holiday, then on the first day thereafter which is not a holiday.

Section 3. Special Meetings. Special meetings of the members may be held at any time upon the call of the President of the Association (hereinafter referred to as the “President”) or upon the call of any two (2) Unit Owners. Upon receipt of the call, the Secretary of the Association (hereinafter referred to as the “Secretary”) shall send out notices of the meeting to all members of the Association.

Section 4. Notice of Meetings. A written or printed notice of every meeting of the Association, stating whether is an annual meeting or special meeting, the authority for the call, the place, day and hour of the meeting, and the purpose therefor shall be given by the Secretary or the person or persons calling the meeting at least ten (10) days but not more than sixty (60) days before the date set for the meeting. Such notice shall be given to each member as indicated in the records of the Association by delivery in hand or mailing such notice, postage prepaid, addressed to the member at the member’s address as it appears on the records of the

Association. Such notice shall also be given to holders, insurers or guarantors of a mortgage on any unit when required by the Declaration. If notice is given pursuant to provisions of this Section, the failure of any member to receive actual notice of the meeting shall in no way invalidate the meeting or any proceedings thereat. Upon written request for notices mailed by registered mail addressed to the Secretary at the address of the Association, the holder of any duly recorded mortgage against any Unit may promptly obtain a copy of any and all notices permitted or required to be given to the members from and after receipt of the request until the request is withdrawn or the mortgage is discharged of record.

Section 5. Waiver of Notice. The presence of all the members, in person or by proxy, at any meeting shall render the same a valid meeting, unless any member shall, at the opening of the meeting, object to the holding of the same for noncompliance with the provisions of Section 4 of this Article II. Any meeting so held without objection shall, notwithstanding the fact that no notice of meeting was given, or that the notice given was improper, be valid for all purposes, and any general business may be transacted and any action may be taken.

Section 6. Quorum. The presence at any meeting of the Association in person or by proxy of Unit Owners whose aggregate voting rights constitute at least fifty percent (50%) of the total voting rights shall constitute a quorum.

Section 7. Voting, Proxies, Actions of Association without a Meeting. Any person, firm, corporation, trust, or other legal entity or a combination thereof, owning any Unit, other than as a mortgagee, in the Condominium duly recorded in his, her or its name, the ownership whereof shall be determined by the records of the Cumberland County Registry of Deeds, shall be a member of the Association, and either in person or by proxy shall be entitled to one vote for each Unit so owned. When the ownership of a Unit is in more than one person, the person who shall be entitled to cast the vote of such Unit shall be the person owning such Unit who is present. If more than one person owning such Unit is present, then such vote shall be cast only in accordance with the majority in interest of the multiple owners pursuant to Section 1603-110 of the Act. There shall be deemed to be majority agreement if any one of the multiple owners casts the vote allocated to that Unit without protest being made promptly to the person presiding over the meeting by any of the other owners of the Unit. An executor, administrator, guardian, or trustee may vote in person or by proxy at any meeting of the Association with respect to any Unit owned or held by him in such a capacity, whether or not the same shall have been transferred to his name by a duly recorded conveyance. In case such Unit shall not have been so transferred to his name, he shall satisfy the Secretary that he is the executor, administrator, guardian, or trustee holding such Unit in such capacity. If the Declarant owns or holds title to one or more Units, the Declarant shall have the right at any meeting of the Association to cast the votes to which such Unit or Units are entitled. No vote pertaining to a Unit owned by the Association may be cast. Finally, an Eligible Mortgage Holder shall have the voting rights provided by Section 1602-110 of the Maine Condominium Act.

A vote may be cast in person or by proxy. If a Unit is owned by more than one person each Owner of the Unit may vote through a duly executed proxy, subject, however, to the restrictions that there may be no splitting of votes, that the Unit vote shall be cast only in accordance with the majority in interest of the multiple owners, and that, notwithstanding any proxies to the contrary, if one of multiple owners is present in person, that person shall be entitled to cast the vote of such Unit. Such proxy may be granted by any Unit Owner only in favor of another Unit

Owner, the holder of a mortgage on a Unit, or the Declarant. Proxies shall be duly executed in writing, shall be valid only for the particular meeting designated therein and must be filed with the Secretary before the appointed time of the meeting. Such proxy shall be deemed revoked only by actual receipt by the person presiding over the meeting of written notice of revocation from the grantor of the proxy. No proxy shall be valid for a period in excess of one year after the execution thereof. A proxy is void if it is not dated or if it purports to be revocable without notice.

Except where a greater number is required by the Act, the Declaration or by these By- laws, the affirmative vote of a majority of those voting in person or by proxy at one time at a duly convened meeting at which a quorum is present, with votes tallied on the basis of one vote for each Unit, is required to adopt decisions at any meeting of the Association.

Any action required or permitted to be taken by a vote of the Association may be taken without a meeting if all Unit Owners shall consent in writing to such action. Any such written consent shall be filed with the proceedings of the Association.

Section 8. Adjournment. Any meeting of the Association may be adjourned from time to time to such place and time as may be determined by Unit Owners entitled to cast a majority of the votes represented at that meeting, whether a quorum be present or not. If the adjournment is for less than thirty (30) days and the time and place of the adjourned meeting are announced at the meeting at which the adjournment is taken, no further notice need be given. At any adjourned meeting at which a quorum is present, any business may be transacted which might have been transacted by a quorum at the meeting as originally called.

ARTICLE III. BOARD OF DIRECTORS

Section 1. Number and Qualification. As provided by these Bylaws, the Declaration and the Maine Condominium Act, the Association shall be administered by an executive board to be known as the Board of Directors. Until the first meeting of the members, the affairs of the Association shall be governed by a Board of Directors composed of three (3) persons appointed by the Declarant, who need not be Unit Owners. Thereafter, the affairs of the Association shall be governed by a Board of Directors composed of three (3) persons. Each such Director shall be an Owner of a Unit in the Condominium or, in the case of a Unit Owner which is a corporation, partnership, trust or estate, then a designated agent thereof or, in the case of Units owned by the Declarant, one or more persons appointed by the Declarant, who need not be Unit Owners.

Section 2. Powers and Duties. The Board of Directors shall have the power and duties necessary for the administration of the affairs of the Association as provided by the Maine Condominium Act, including without limitation those powers identified in Section 1603-102 of the Maine Condominium Act, and may do all such acts and things as are not by law or by these Bylaws directed to be exercised and done by the Unit Owners; notwithstanding the foregoing, the Board of Directors shall not have the power to assign its right to future income, including the right to receive common expense assessments, without the consent of eighty percent (80%) of the members of the Association, including eighty percent (80%) of the members of the Association other than the Declarant. The powers of the Board of Directors shall be limited as provided in Section 1603-103(b) of the Maine Condominium Act.

Section 3. Other Duties. In addition to other duties imposed by these Bylaws, by the Rules and Regulations, or by resolutions of the Association, the Board of Directors shall be responsible for the following:

- (a) Care and upkeep of the Condominium common elements,
- (b) Determination and collection of the monthly assessments from the Unit Owners,
- (c) Designation and dismissal of the personnel necessary for the maintenance and operation of the Condominium and the common elements.

Section 4. Manager or Management Agent, Employees, Generally. The Board of Directors may employ for the Association a management agent or manager, at a compensation established by the Board of Directors to perform such duties and services as the Board of Directors shall authorize including, but not limited to, the duties listed in Section 3 of this Article. However, notwithstanding anything herein to the contrary, the Board of Directors may opt not to employ a management agent or manager. Any agreement for professional management, or any other contract providing services of the Declarant to the Unit Owners, shall not exceed a term of three (3) years and shall be cancelable by either party without cause and without a termination fee upon ninety days written notice. The Board of Directors may employ any other employees or agents to perform such duties and at a reasonable and customary fee. Until the first meeting of members, the Board of Directors may employ or use the services of the Declarant or the Declarant's employees, and all costs and expenses related to those services shall be charged to common expenses. Neither the Board of Directors nor the Declarant shall be charged with self-dealing or breach of fiduciary duty by reason of such employment.

Section 5. Election and Term of Office. From and after the first meeting of the members, the Directors shall be elected by the members of the Association. The term of office for each Director shall be fixed for one year. At the expiration of the initial term of office of each Director, his or her successor shall be elected in the same manner to serve a term of one year. Directors shall hold office until the earlier to occur of the election of their respective successors or their death, adjudication of incompetency, removal or resignation. A Director may serve an unlimited number of terms and may succeed himself or herself.

Section 6. Vacancies. Until the first meeting of members, vacancies in the Board of Directors shall be filled by appointment of the Declarant. Thereafter, vacancies in the Board of Directors shall be filled by vote of the Unit Owners, provided, however, that the Declarant shall have the right to fill any vacancy created by the resignation, death, or adjudication of incompetency of member who had been appointed by the Declarant and had not been elected by the Unit Owners.

Section 7. Removal, Resignation of Directors. The Declarant shall have the right to remove and replace any and all members appointed by the Declarant at any time and from time to time until the first meeting of the members. At any regular or special meeting duly called, any Director may be removed, with or without cause, by vote of the majority of all Unit Owners and a successor may then and there be elected to fill the vacancy thus created. A Director shall be deemed to have resigned upon transfer of title to his or her Unit.

Section 8. Compensation. No compensation shall be paid to Directors for their services as Directors. No remuneration shall be paid to a Director for services performed by him for the Association in any other capacity, unless a resolution authorizing such remuneration shall have been adopted by the Board of Directors before or after the services are undertaken. A Director may not be an employee of the Association.

Section 9. Annual Meeting. The annual meeting of the Board of Directors shall be held immediately following the annual meeting of the Association and at the same place, and no notice shall be necessary in order legally to constitute such meeting, providing a majority of the whole Board of Directors shall be present.

Section 10. Regular Meetings. Regular meetings of the Board of Directors may be held at such time and place as shall be determined, from time to time, by a majority of the Directors. Notice of regular meetings of the Board of Directors shall be given to each Director, personally or by mail, addressed to his residence, or by telephone, at least three (3) days prior to the day named for such meeting. Directors may participate in meetings by telephone if they may hear and be heard by other Directors.

Section 11. Special Meetings. Special meetings of the Board of Directors may be called by the President on three (3) days' notice to each Director, given personally or by mail, addressed to his residence, or by telephone, which notice shall state the time, place and purpose of the meeting. Special meetings of the Board of Directors shall be called by the President or Secretary in like manner and on like notice on the written request of at least two Directors. Upon the request of any Director made within thirty (30) days after a meeting, the person giving notice of the meeting shall execute a sworn affidavit setting forth the specific manner in which notice of the meeting was given to and received by each Director.

Section 12. Waiver of Notice. Before or after any meeting of the Board of Directors, any Director may, in writing, waive notice of such meeting and such waiver shall be deemed equivalent to the giving of such notice. Attendance by a Director at any meeting of the Board of Directors shall be a waiver of notice by him of the time and place thereof. If all the Directors are present at any meeting of the Board of Directors, no notice shall be required and any business may be transacted at such meeting.

Section 13. Quorum. At all meetings of the Board of Directors, a majority of the Directors shall constitute a quorum for the transaction of business, and the acts of the majority of the Directors present at a meeting at which a quorum is present shall be the acts of the Board of Directors and shall bind the Board of Directors for all purposes unless otherwise provided in the Declaration or these Bylaws. If, at any meeting of the Board of Directors, there be less than a quorum present, the majority of those present may adjourn the meeting from time to time. At any such adjourned meeting, any business which might have been transacted at the meeting as originally called may be transacted without further notice.

Section 14. Unanimous Action Without a Meeting. Unless otherwise provided by law, the Declaration, or these Bylaws, any action which may be taken at a meeting of the Board of Directors may be taken without a meeting if all of the Directors sign written consents, setting forth the action taken or to be taken, at any time before or after the intended effective date of such action. Such consents shall be filed with the minutes of Directors meetings and shall have

the same effect as a unanimous vote.

Section 15. Bonds of Officers and Employees. The Board of Directors may require that all officers and employees of the Association handling or responsible for corporate funds shall furnish adequate bonds. The premiums on such bonds shall be paid by the Association.

Section 16. Committees. The Board of Directors may establish such standing or other committees, with such powers and duties, as it deems advisable, including but not limited to a Rules Committee.

ARTICLE IV. OFFICERS

Section 1. Designation. The principal officers of the Association shall be a President, a Secretary, and a Treasurer, all of whom shall be elected by the Board of Directors from among the members of the Board of Directors. The Directors may in their discretion appoint any Assistant Treasurer, and an Assistant Secretary, and such other officers, as in their judgment may be necessary, who need not be members of the Board of Directors.

Section 2. Election of Officers. The principal officers of the Association shall be elected annually by the Board of Directors at the annual meeting and shall hold office at the pleasure of the Board of Directors.

Section 3. Removal of Officers. Upon an affirmative vote of a majority of the members of the Board of Directors, any officer may be removed, either with or without cause, and his successor elected at any regular meeting of the Board of Directors, or at any special meeting of the Board of Directors called for such purpose.

Section 4. President. The President shall be the chief executive officer of the Association. The President shall preside at all meetings of the Association and of the Board of Directors. In the President's absence, a chair pro tempore may be chosen by the members or Directors, as the case may be, to preside at a meeting. The President shall have all of the general powers and duties which are usually vested in the office of president of an association, including but not limited to the power to appoint ad hoc committees from among the Unit Owners or their spouses from time to time as he or she may, in his or her discretion, decide is appropriate to assist in the conduct of the affairs of the Association.

Section 5. Secretary. The Secretary shall attend and keep the minutes of all meetings of the Board or of the Association, shall give all notices as provided by these Bylaws, and shall have other powers and duties as may be incidental to the office of Secretary, given by these Bylaws or assigned from time to time by the Board Members. If the Secretary shall not be present at any meeting, the presiding officer shall appoint a secretary pro tempore who shall keep the minutes of such meeting and record them in the books provided for that purpose. The Secretary shall be responsible for the filing of all reports and documents required to be filed by the Association with any governmental agency. The Secretary shall keep a record of the names and addresses of all Unit Owners and Eligible Mortgage Holders (as defined in the Declaration), and shall keep copies of all Condominium documents. The Secretary shall, within ten (10) days after receipt of a request and payment of a fee, established by the Board, provide any person entitled thereto a written statement or certification of the information required to be

provided by the Association pursuant to Section 1603-116(h) and 1604-108(b) of the Maine Condominium Act.

Section 6. Treasurer. The Treasurer shall have the responsibility for Association funds and securities and shall be responsible for keeping full and accurate accounts of all receipts and disbursements in books belonging to the Association. Such books shall be available for examination by Unit Owners during reasonable weekday hours. The Treasurer shall be responsible for the deposit of all monies and other valuable effects in the name, and to the credit, of the Association in such depositories as may from time to time be designated by the Board. The Treasurer shall be responsible, subject to the direction of the Board, for preparing and providing to the Secretary for dissemination to the members of all financial reports, budgets and notices required, and for the preparation and signing, if necessary, of all financial reports or tax returns required to be filed by the Association. The Treasurer shall have such other powers and duties as may be incidental to the office of Treasurer, given by these Bylaws, or assigned from time to time by the Board Members.

Section 7. Compensation. The officers shall receive no compensation for their services except as expressly provided by a resolution duly adopted by the Board.

Section 8. Auditor. The Board may at any meeting appoint some person, firm or corporation engaged in the business of auditing to act as auditor of the Association and to perform such audits and fiscal duties as may be requested by the Association.

ARTICLE V. FISCAL MANAGEMENT

Section 1. Accounting. Books and accounts of the Association shall be kept under the direction of the Treasurer and in accordance with customary accounting principles and practices. Within ninety (90) days after the close of each fiscal year, the Association shall furnish its members with a statement of the income and disbursements for such prior fiscal year and a balance sheet as of the close of that year.

Section 2. Assessments. With respect to each fiscal year, the Board of Directors shall estimate the amount required by the Association to meet its expenses for such year, including but not limited to the following items:

- (a) Management and administration expenses;
- (b) The estimated cost of repairs, maintenance and replacement of common elements;
- (c) The cost of such insurance and utilities as may be furnished by the Association;
- (d) The amount of such reserves as may be reasonably established by the Board of Directors, including general operating reserves, reserves for contingencies, reserves for insurance deductibles and reserves for maintenance and replacements; and
- (e) Such other expenses of the Association as may be approved by the Board of Directors, including operating deficiencies, if any, for prior periods.

At least sixty (60) days prior to the commencement of each fiscal year, the Board of Directors shall cause an estimated annual budget to be prepared based on its estimations of annual expenses, and copies of such budget shall be furnished to each member. The Board of Directors shall call a meeting of the members not less than fourteen (14) nor more than thirty (30) days after such budget is furnished to the members for the purpose of considering ratification of such budget. Unless at that meeting a majority of all of the Unit Owners in attendance vote to reject the budget, the budget shall be deemed ratified, whether or not a quorum is present at the meeting. In the event the budget is rejected, the budget last ratified by the members shall be continued until such time as the Unit Owners ratify a subsequent budget proposed by the Board of Directors.

The Board of Directors shall make reasonable efforts to meet the deadlines set forth above, but compliance with such deadlines shall not be a condition precedent to the effectiveness of any budget or any common expense assessment based thereon.

On or before the first day of each month of the fiscal year covered by such estimated annual budget, each member shall pay as his respective monthly assessment one-twelfth (1/12) of his proportionate share of the amount designated in the estimated annual budget as membership assessments. Each member's proportionate share of membership assessments shall be an amount equal to the total membership assessment multiplied by his respective percentage interest in the common elements; provided, however, that with respect to certain common elements, as further outlined in the Declaration and as delineated in the budget, the operation, maintenance and replacement costs and reserves may be allocated among the members according to the respective use and benefit of the particular facility or element to each Unit rather than according to the percentage interest of each Unit.

Any surplus funds collected by the Association shall be deposited in a general reserve fund, and shall not be refunded to Unit Owners or credited against future common expense assessments levied against Unit Owners, unless the Board determines to so refund or credit such surplus funds.

Until the annual budget for a fiscal year is ratified by the members, each member shall continue to pay that amount which had been established on the basis of the previous annual budget.

If any member shall fail or refuse to make payment of his proportionate share of the common expenses or any other amount payable to the Association when due, the amount thereof shall bear interest at a rate per annum of eighteen percent (18%); and the amount thereof, together with such interest as aforesaid and such costs and attorney's fees as are allowed by law, shall constitute a lien against each Unit Owner's Unit as provided in the Act and in the Declaration. The Association and the Board of Directors shall have the authority to exercise and enforce any and all rights and remedies provided in the Maine Condominium Act, the Declaration or these Bylaws, or otherwise available at law or in equity for the collection of all unpaid amounts including the right to accelerate payment on the full assessment for the year and, if available, all possessory remedies under the Forcible Entry and Detainer laws of Maine.

Section 3. Revised and Emergency Assessments. If at any time prior to or during the course of any fiscal year the Board of Directors shall deem the amount of the membership assessments to be inadequate by reason of a revision in its estimate of either expenses or other income, the

Board of Directors shall prepare and cause to be delivered to the members a revised estimated annual budget for the balance of such fiscal year and shall call a meeting of the members to ratify such budget in the same manner as for an annual budget. After ratification, monthly assessments shall be determined and paid on the basis of such revision.

The Board of Directors may, upon finding that an emergency exists which requires immediate assessment of the members, make an emergency assessment not to exceed an amount equal to the current monthly assessment for each Unit, which shall be due and payable when communicated to the members.

Section 4. Declarant Payment of Assessments. With respect to any Units owned by the Declarant, the Declarant shall pay a monthly assessment determined in the same manner as the monthly assessment is determined for all other Unit Owners upon the later of: (1) sixty (60) days after the first conveyance of any Unit, (2) when the Association commences making common expense assessments against any Unit Owner; or (3) when the Declarant has obtained a Certificate of Occupancy for the Unit.

Section 5. Maintenance and Repair. Each Unit Owner shall furnish and be responsible for, at his or her own expense, all the maintenance, repairs and replacements within his or her own Unit and for the payment of any insurance deductible on damages within the Unit. Each Unit Owner must perform promptly all maintenance and repair work within his or her own Unit which, if omitted, would affect the Condominium in its entirety (or any part thereof) or would affect a part belonging to one or more other Unit Owners, and each Unit Owner shall be expressly responsible for any damages or liabilities resulting from his or her failure to do so. A Unit Owner shall reimburse the Association for any expenditures incurred in repairing or replacing any common elements damaged through his or her negligence, misuse or neglect. All maintenance and repair of the common elements, including but not limited to the limited common elements, shall be performed at the direction of the manager or Board of Directors, and shall be a common expense. However, even though a common expense, assessments associated with maintenance, repair or replacement of a limited common element shall be assessed against the Unit(s) to which that limited common element is assigned equally, and any common expense which benefits fewer than all of the Units shall be assessed exclusively against the benefited Unit(s), both pursuant to the terms of the Declaration. As a common expense, the Association shall have a mandatory duty to remove snow from the parking area in accordance with the terms of the Declaration.

Section 6. Improvements. The Board of Directors may make improvements to the common elements and assess the cost thereof to all Unit Owners as a common expense. In addition, if an improvement is requested by one or more Unit Owners and is, in the opinion of the Board of Directors, exclusively or substantially for the benefit of those who requested it, the cost shall be assessed against such Unit Owner or Unit Owners in such proportion as the Board of Directors shall determine as fair and equitable. Nothing contained herein shall prevent the Unit Owners affected by such improvement from agreeing, in writing, either before or after the assessment is made, to be assessed in different proportions.

The Declarant may, at his own expense, make such improvements to the common elements as he deems advisable, until the expiration of the applicable warranty period.

Section 7. Use of Units. All Units shall be utilized in accordance with the provisions of the Bylaws, Declaration and any Rules and Regulations established by the Board of Directors pursuant to Section 8 of this Article V.

Every Unit Owner shall pay to the Association promptly on demand all costs and expenses including reasonable attorneys' fees incurred by or on behalf of the Association in collecting any delinquent assessments or fees against such Unit, foreclosing its lien therefor, collecting any penalties imposed hereunder, or enforcing any provisions of the Declaration, these Bylaws or the Rules and Regulations against such Owner or any occupant of such Unit.

Upon any violation of the Declaration, Bylaws, or the Rules and Regulations, the offending party (including any Owner, tenant, lessee, licensee, guest or invitee) and the Owner of any Unit in which the violation is occurring or has occurred shall be given ten (10) days written notice by the Board of Directors by delivery in hand or by mail of the violation committed and necessary corrective action that is required, and, if such violation continues beyond the ten (10) day period, the offending party and the Unit Owner shall each pay a penalty in the amount of ten percent (10%) of the then monthly assessment of the Unit per day to the Association until the violation is corrected. The delivery in hand or mailing of the notice shall constitute the commencement of the ten (10) day period. This penalty shall not be the sole remedy for breach.

Any person against whom a penalty is asserted under the preceding paragraph of this section shall be entitled to a hearing before the Board of Directors upon such reasonable notice and in accordance with such reasonable procedures as the Board of Directors may determine, but a request for such a hearing shall not interrupt or stay the time for correcting the violation or the continued penalty assessment.

Section 8. Rules and Regulations. In order to assure the peaceful and orderly use and enjoyment of the buildings and common elements of said project, the Board of Directors may from time to time, by affirmative vote of at least Sixty-Six (66%) per cent of the members of the Board of Directors, adopt, modify, and revoke in whole or in part, at any meeting duly called for the purpose, such reasonable rules and regulations, to be called Rules and Regulations, governing the conduct of persons on said project as it may deem necessary, including, but not limited to, regulations governing such matters as parking, pets, noise, lights, signs, leasing of units, landscaping, window appearance, refuse disposal, storage areas, use of common and limited common elements and methods and procedures of enforcing compliance with the Declaration and Bylaws. Such Rules and Regulations, and every amendment, modification, and revocation thereof, shall, upon adoption, be delivered promptly to each Unit Owner and shall be binding upon all members of the Association and occupants of the property. Once adopted, the Rules and Regulations may only be modified by affirmative vote of at least Sixty-Six (66%) per cent of the members of the Board of Directors.

Section 9. Foreclosure of Lien. In any action to foreclose the lien against any Owner of a Unit, the Association may represent itself through its manager or Board of Directors in like manner as any mortgagee of real property. The manager or Board of Directors acting on behalf of the Unit Owners shall have the power to bid and acquire such Unit at a foreclosure sale. The delinquent Owner shall be required to pay the Association a reasonable rent for such Unit until the sale or foreclosure, together with all costs and reasonable attorneys' fees. Suit to recover money judgement of unpaid common expenses shall be maintainable with all costs and

reasonable attorneys' fees without foreclosing or waiving the lien securing the same.

Section 10. Title. Every Unit Owner shall promptly cause to be duly recorded in the Cumberland County Registry of Deeds the deed, lease, assignment, or other conveyance to him or her of his or her Unit or other evidence of his title thereto and file such evidence of his or her title with the Board of Directors, and the Secretary shall maintain such information in the record of Ownership of the Association.

Section 11. Mortgages. Any mortgagee of a Unit may file a copy of its mortgage with the Board of Directors, and the Secretary shall maintain such information in the record of Ownership of the Association. After the filing of the mortgage, and upon the request of the mortgagee, the Board of Directors, through its manager, or if none, the Secretary, shall be required to notify the mortgagee of any matters for which notice to eligible mortgage holder is required under the Maine Condominium Act or Declaration.

Section 12. Insurance.

(1) The Board of Directors shall obtain and maintain, to the extent available in accordance with general business practices and the standard requirements of mortgage holders, including but not limited to the requirements of the Federal National Mortgage Association, insurance on the Condominium buildings and all other insurable improvements upon the land, including, but not limited to, all of the Units and Common Elements, together with the fixtures, service machinery and equipment and all other personal property as may be held and administered by the Board of Directors for the benefit of the Unit Owners, covering the interest of the Condominium Association, the Board of Directors and all Unit Owners and their mortgagees as their interest may appear. To the extent reasonably available and required by the Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Veterans Administration, Federal Housing Administration, or Maine State Housing Authority, such policy shall cover the fixtures, equipment and other personal property inside a Unit financed by a mortgage purchased by the Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Veterans Administration, Federal Housing Administration, or Maine State Housing Authority. The insurance shall be purchased from recognized insurance companies duly licensed to operate in the State of Maine. Such insurance shall be primary even if Unit Owners obtain other insurance covering the same loss. It must show the named insured as "Association of the Owners of Onejoy Condominium, for the use and benefit of the individual Owners".

(2) The Board of Directors shall obtain master policies of insurance which shall provide that the loss thereunder shall be paid to the Board of Directors as insurance trustees under the Declaration. Under the said master policies, certificates of insurance shall be issued which indicate on their face that they are part of such master policies of insurance covering each and every Unit of the Condominium and its common elements. Upon request, a certificate of insurance with proper mortgagee endorsements shall be issued to the Owner of each Unit and Eligible Mortgage Holders. The certificate of insurance shall show the relative amount of insurance covering the Unit and the interest in the common elements of the Condominium property and shall provide that improvements to a Unit or Units which may be made by the Unit Owner or Owners shall not affect the valuation for the purposes of this insurance of the buildings and other improvements upon the land. Such master insurance policies and

certificates shall contain provisions that any Insurance Trust Agreement will be recognized, that the insurer waives its right to subrogation as to any claim against the Board of Directors, its agent and employees, Unit Owners, their respective employees, agents and guests, and of any defense based in invalidity arising from the acts or omissions of the insured or the individual Unit Owners who are not under the control of the Association, providing further that the insurer shall not be entitled to contribution against casualty insurance which may be purchased by individual Unit Owners as hereinafter permitted. The original master policy of insurance shall be deposited with the Board of Directors as insurance trustee. The Board of Directors shall pay, for the benefit of the Unit Owners and each Unit mortgagee, the premiums for the insurance hereinafter required to be carried at least thirty (30) days prior to the expiration date of any such policies.

(3) The property shall be covered by:

(a) Casualty or physical damage insurance in an amount equal to not less than one hundred percent (100%) of the full replacement value of the Condominium buildings and facilities as determined annually by the Board of Directors with the assistance of the insurance company affording such coverage, containing agreed amount provisions and provisions designed to protect against inflationary increases in value. The maximum deductible amount for any such policy shall be no more than \$10,000.00. Such coverage shall afford protection against the following:

(i) Loss or damage by fire, lightning, sprinkler leakage, vandalism and malicious mischief, boiler and machinery coverage, if applicable, and other hazards covered by the standard extended coverage endorsement together with coverage for the payment of common expense assessments with respect to damaged Units during the period of repair;

(ii) Such other risks as from time to time customarily shall be covered with respect to buildings similar in construction, location and use as the Condominium buildings, including but not limited to, those covered by standard "all risk" endorsements, vandalism, malicious mischief, windstorm and water damage, collapsed boiler and machinery explosion or damage, and such other insurance as the Board of Directors may determine.

To the extent reasonably available and required by the Federal National Mortgage Association, Federal Home Loan Mortgage Corporation, Veterans Administration, Federal Housing Administration, or Maine State Housing Authority, such policies shall also contain an Inflation Guard Endorsement, when it can be obtained, a Steam Boiler and Machinery Coverage Endorsement, if applicable, and construction Code endorsements, which may include, but are not necessarily limited to, the following: Demolition Cost Endorsements; Contingent Liability from Operation of Building Laws Endorsement; Increased Cost of Construction Endorsement.

The policies providing such coverage shall provide that, notwithstanding any provisions thereof which give the carrier the right to elect to restore damage in lieu of making a cash settlement, such option shall not be exercisable without the approval of the Board of Directors and shall further provide that the coverage thereof shall not be terminated or substantially changed by the insurer without thirty (30) days' notice to all of the insured parties, including each Eligible Mortgage Holder, except that the notice period may be reduced to ten (10) days' notice in the

event of premium non-payment.

The policies shall also provide standard mortgage clauses which shall provide that any reference to a mortgagee in such policy shall mean and include all holders of mortgages of any Unit in their respective order and preference, whether or not named therein; provide that such insurance as to the interest of any mortgagee shall not be invalidated by any such act or neglect of the Board of Directors or Unit owners or any persons under any of them; waive any provision invalidating such mortgage clauses by reason of the failure of any mortgagee to notify the insurer of any hazardous use or vacancy, any requirement that the mortgagee pay any premium thereon, and any contribution clause; and provide that without affecting any protection afforded by such mortgage clause, any proceeds payable under such policy shall be payable to the Insurance Trustee designated by the Board of Directors for that purpose, otherwise to the Association.

(b) Public liability insurance covering the common elements and any other property under the Association's supervision in such amounts, but not less than One Million Dollars (\$1,000,000) Bodily Injury and Property Damage, and in such forms as shall be required by the Board of Directors, including but not limiting the same to water damage, legal liability, off premises employee coverage, bodily injury or property damage that results from the operation, maintenance or use of the common elements and any legal liability that results from law suits related to employment contracts in which the Association is a party. Said policy must provide that the insurer may not cancel or substantially modify it without thirty (30) days' notice to all of the insured parties, including each Eligible Mortgage Holder, except the notice period may be reduced to ten (10) days in the event of premium non-payment. Additionally, said policy shall also contain "severability of interest" provisions to the effect that the insurer waives its right to subrogation or to deny coverage to any claim against the Association or any Unit Owner as a result of negligent acts by the Association or such Unit Owner.

(c) Workers' Compensation insurance to meet the requirements of law.

(d) Blanket Fidelity Bond coverage naming the Association as the Obligor and covering anyone who handles Condominium funds in an amount equaling the maximum amount of funds that will be in the custody of the Association or any management agent at any time during which the insurance is in effect, but in no event less than the sum of three (3) months' assessments on all Units plus the Association's reserve funds. The bond shall provide that the insurer may not cancel or substantially modify it without ten (10) days' notice to all of the insured parties, including each Eligible Mortgage Holder, in the event of non-payment, and thirty (30) days' notice for any other cause. Any management agent shall be required to post a blanket fidelity bond for the benefit of the Association, paid for by the management agent, in an amount and upon terms acceptable to the Association.

(e) Flood insurance, if applicable, in the amount of the lesser of (i) one hundred percent (100%) of the current replacement cost of all buildings and the insurable property located in a flood hazard areas or (ii) the maximum available coverage for the property under the National Flood Insurance Program. If applicable, a blanket or master policy shall be obtained which includes a maximum deductible of the lesser of \$5000 or 1% of the policy's face amount.

(f) Any other insurance the Board of Directors deems appropriate to protect the Association or the Unit Owners.

(4) Each Unit Owner may obtain additional insurance at his own expense affording coverage upon his personal property and for his personal liability, but all such insurance shall contain the same waiver of subrogation as that referred to in the preceding paragraph (2) hereof. Each Unit Owner may obtain casualty insurance at his own expense upon his Unit but such insurance shall provide that it shall be without contribution as against the casualty insurance purchased by the Board of Directors or shall be written by the same carrier. If a casualty loss is sustained and there is a reduction in the amount of the proceeds which would otherwise be payable on the insurance purchased by the Board of Directors pursuant to the preceding section due to proration of insurance purchased by the Unit Owner under this section, the Unit Owner agrees to assign the proceeds of this latter insurance, to the extent of the amount of such reduction, to the Board of Directors to be distributed as herein provided.

(5) Premiums upon insurance policies purchased by the Board of Directors shall be paid by it and charged as common expenses.

(6) All proceeds payable as a result of casualty losses sustained which are covered by insurance purchased by the Board of Directors hereinabove set forth shall be paid to it. The Board of Directors shall act as the insurance trustees. In the event that the Board of Directors have not posted surety bonds for the faithful performance of their duties as such managers or if such bonds do not exceed the funds which will come into its hands, and there is a damage to part or all of the Condominium property resulting in a loss, the Board of Directors shall obtain and post a bond for the faithful performance of its duties as insurance trustee in an amount equal to one hundred percent (100%) of the insurance proceeds payable before it shall be entitled to receive the proceeds of the insurance payable as a result of such loss. The sole duty of the insurance trustee shall be to receive such proceeds as are paid and to hold the same in trust for the purposes elsewhere stated herein, and for the benefit of the Unit Owners and their respective mortgages.

(7) Each Unit Owner shall be deemed to have delegated to the Board of Directors his right to adjust with the insurance companies all losses under policies purchased by the Board of Directors.

(8) In no event shall any distribution of proceeds be made by the Board of Directors directly to a Unit Owner where there is a mortgagee endorsement on the certificate of insurance. In such event any remittance shall be to the Unit Owner and his mortgagee jointly. This is a covenant for the benefit of any mortgagee of a Unit and may be enforced by such mortgagee.

Section 13. Reconstruction or Repair of Casualty Damage. Except as hereinafter provided, damage to or destruction of the buildings shall be promptly repaired or reconstructed by the Board of Directors, using the proceeds of insurance, if any, on the building for that purpose, and any deficiency shall constitute common expenses; provided, however, that if at least eighty percent (80%) of the Unit Owners vote not to proceed with repair or restoration, then and in that event the insurance proceeds attributable to the damaged common elements shall be used to restore the damaged area to a condition compatible with the remainder of the Condominium; (2) the insurance proceeds attributable to Units and limited common elements which are not

rebuilt shall be distributed to the Owners of those Units and the Owners of the Units to which those limited common elements were allocated or to their respective lien holders as their interests may appear; and (3) the remainder of the proceeds shall be distributed to all the Unit Owners or lien holders as their interests may appear in proportion to the common element interests of all the Unit Owners. If the Unit Owners vote not to rebuild any Unit, that Unit's allocated interests are automatically reallocated upon the vote as if the Unit had been condemned and the Association promptly shall prepare, execute and record an amendment to the Declaration reflecting the reallocations. Notwithstanding the provisions of this subsection, Section 1602-118 of the Maine Condominium Act governs the distribution of insurance proceeds if the Condominium is terminated.

(a) Immediately after a casualty causing damage to property for which the Board of Directors has the responsibility of maintenance and repair, the Board of Directors shall obtain reliable and detailed estimates of the cost to place the damaged property in condition as good as that before the casualty. Such costs may include professional fees and premiums for such bonds as the Board of Directors desires.

(b) The proceeds of insurance collected on account of casualty, and the sums received by the Board of Directors from collections of assessments against Unit Owners on account of such casualty, shall constitute a construction fund which shall be disbursed in payment of the costs of reconstruction and repair.

(c) Encroachments upon or in favor of Units which may be created as a result of such reconstruction or repair shall not constitute a claim or basis of a proceeding or action by Unit Owner upon whose property such encroachment exists. Such encroachments shall be allowed to continue in existence for so long as the building stands.

(d) In the event that there is any surplus of monies in the construction fund after the reconstruction or repair of the casualty damage has been fully completed and all costs paid, such sums may be retained by the Board of Directors as a reserve or may be used in the maintenance and operation of the Condominium property, or, in the discretion of the Board of Directors, it may be distributed to the Unit Owners and mortgagees who are the beneficial Owners of the fund. The action of the Board of Directors in proceeding to repair or reconstruct damage shall not constitute a waiver of any rights against a member for committing willful or malicious damage.

ARTICLE VI. EXECUTION OF INSTRUMENTS

Section 1. Instruments Generally. All checks, drafts, notes, bonds, acceptances, contracts, deeds, amendments to the Declaration and all other instruments shall be signed by the President, Secretary or Treasurer or by such other officer or employee as the Board of Directors may designate.

ARTICLE VII. LIABILITY OF DIRECTORS AND OFFICERS

Section 1. Exculpation. No Director or officer of the Association shall be liable for acts or defaults of any other officer, Director or members or for any loss sustained by the Association or any member thereof, unless the same has resulted from his or her own willful misconduct or

gross negligence.

Section 2. Indemnification. Every Director, officer, and member of the Association shall be indemnified by the Association against all reasonable costs, expenses, and liabilities (including counsel fees) actually and necessarily incurred by or imposed upon him in connection with any claim, action, suit, proceeding, investigation, or inquiry of whatever nature in which he may be involved as a party or otherwise by reason of his having been a Director, officer or member of the Association whether or not he continues to be such Director, officer or member of the Association at the time of the incurring or imposition of such costs, expenses, or liabilities, except in relation to matters as to which he shall be finally adjudged in such action, suit, proceeding, investigation or inquiry to be liable for willful misconduct or gross negligence toward the Association in the performance of his duties, or in the absence of such final adjudication, any determination of such liability by the opinion of the legal counsel selected by the Association. The foregoing right of indemnification shall be in addition to and not in limitation of all rights to which such persons may be entitled as a matter of law and shall inure to the benefit of the legal representative of such person.

ARTICLE VIII. FISCAL YEAR

Section 1. Fiscal Year. The fiscal year of the Association shall be such as may from time to time be established by the Board of Directors.

ARTICLE IX. BYLAWS

Section 1. Amendment. These Bylaws may be amended, modified, or revoked in any respect from time to time by vote of the members of the Association whose aggregate interest in the common elements constitutes at least sixty-six percent (66%), at a meeting duly called for the purpose, PROVIDED, HOWEVER, that the contents of these Bylaws shall always contain those particulars which are required to be contained herein by the Maine Condominium Act.

Section 2. Conflict. In the event of any conflict between these Bylaws and the provisions of the Declaration or the Maine Condominium Act, the latter shall govern and apply.

DRAFT 073117

**DECLARATION OF
ONEJOY CONDOMINIUM**
Portland, Maine

LOCATION:	1 Joy Place Street Portland, Maine 04102
DECLARANT:	Onejoy Place LLC 2 Union Street, 5 th Floor Portland, Maine 04101
ATTORNEY FOR DECLARANT:	Richard A. Shinay, Esq. Drummond Woodsum 84 Marginal Way, suite 600 Portland, Maine 04101-2480
SURVEYOR:	Owen Haskell, Inc. 390 U.S. Route 1, Unit 10 Falmouth, Maine 04105
ARCHITECT:	Archetype, P.A. 48 Union Wharf Portland, Maine 04101

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DECLARATION OF ONEJOY CONDOMINIUM

ARTICLE 1

SUBMISSION; DEFINED TERMS

Section 1.1. Submission of Property. Onejoy Place, LLC, a Maine limited liability company, whose mailing address is 2 Union Street, 5th Floor, Portland, Maine 04101 (the “Declarant”), owner in fee simple of the land described in Schedule A annexed hereto, located in the City of Portland, County of Cumberland and State of Maine (the “Land”), hereby submits the Land, together with all improvements, easements, rights and appurtenances thereunto belonging (the “Property”) to the provisions of Chapter 31 of Title 33 of the Maine Revised Statutes Annotated, as amended, known as the Maine Condominium Act (the “Condominium Act”) and hereby creates with respect to the Property a condominium, to be known as “Onejoy Condominium” (the “Condominium”). The Property is shown on the condominium plat and plans recorded herewith in the Cumberland County Registry of Deeds in Plan Book _____, Pages _____ through _____, and identified as follows (the “Plat and Plans”):

[Insert titles of Plat and Plans]

Section 12 Defined Terms. Terms not otherwise defined herein, as the same may be amended from time to time, or in the Plat and Plans, shall have the meanings specified in Section 1601-103 of the Condominium Act. “Condominium Instruments” shall mean this Declaration, as it may be amended from time to time, and all schedules attached hereto.

Section 1.3. Name and Address of Condominium and Association. The name of the Condominium is “Onejoy Condominium.” The address of the Condominium is 1 Joy Place, Portland, Maine 04102. The name of the Unit Owners association is Onejoy Condominium Owners’ Association (the “Association”) and its address is 1 Joy Place, Portland, Maine 04102.

Section 1.4. Successor Declarants. For the purposes of this Declaration or of the Condominium Act, a conveyance of one or more Units to a successor to any special declarant rights (See Section 1603-104 of the Condominium Act) shall not be considered a sale to a person other than Declarant.

ARTICLE 2

BUILDING ON THE LAND; UNIT BOUNDARIES; ALLOCATION OF PERCENTAGE INTERESTS, COMMON EXPENSES AND VOTING RIGHTS

Section 2.1. Location and Dimension of Building. The location and dimensions of the building constructed or to be constructed on the Land which will contain the Units created hereunder (the “Building”) is depicted on the Plat recorded with this Declaration, reduced copies of which are attached as Schedule C hereto.

Section 2.2. Units. This Declaration creates twelve (12) Units (the “Units”) on the Land. The Declarant does not reserve the right to create any further Units in the Condominium. The location of Units and their dimensions are shown on the Plat and Plans recorded with this Declaration, reduced copies of which are attached hereto as Schedule C.

Section 2.3. Unit Boundaries. The boundary lines of each Unit are as shown on the Plat and Plans and are formed by the following planes:

A. The Unit-side surface of the walls and partitions of the Building which enclose such Unit and separate it from adjoining Units or Common Elements, the Unit to include the thickness of the finish material such as plaster or drywall;

B. The Unit-side surface of furring around utility shafts, and other Common Elements within or passing through such Unit, the Unit to include the thickness of the finish material such as plaster or drywall;

C. The Unit-side surface of the ceiling of the uppermost story of the Unit and furring under and around (i) wood members and (ii) utility lines, ducts and cables, the Unit to include the thickness of the finish material such as plaster or drywall;

D. The Unit-side surface of the bottom floor of the lowest story of such Unit, the Unit to include the thickness of the finish material such as carpet, ceramic or resilient tile or hardwood;

E. The exterior surface of the sash of windows which are set in the exterior walls of such Unit, the exterior surface of the panes of such windows and the exterior surface of window sills, moldings, trim, jambs and mullions for such windows, the Unit to include the thickness of the finish material such as glass, wood, and paint or other finish material on the wood, and the exterior surface of storm windows, if any, associated with such windows; and

F. The exterior surface of doors, and their sills and hardware, and the Unit-side surface of the door frames in which such doors are set, the Unit to include the thickness of the finish material such as paint, plaster or drywall.

Each Unit consists of all portions of the Building in which it is located within the aforesaid boundary lines, except the air space displaced by (i) structural members, firewalls including gypsum drywall finish, and load bearing partitions within or passing through such Unit which are deemed to be Common Elements, and (ii) other Common Elements within such Unit including, without limitation, chutes, flues, ducts, wires, conduits and pipe runs which serve more than one Unit. By way of illustration and not limitation, there is included within a Unit: (1) the air space enclosed by such boundary lines, (2) all non-load bearing partitions which are wholly contained within such boundary lines including, but not limited to, all doors, door frames, hardware, electrical outlets and wiring, telephone outlets and conduits and other equipment and devices in such partitions serving only such Unit, (3) all fixtures located within such boundary lines and serving only such Unit, and their water and waste connections, (4) all items of kitchen

equipment located within such boundary lines and serving only such Unit, and such equipment's water, waste and electrical connections, (5) heat pumps, furnaces, exhaust fans and the grilles, registers, ventilation ducts, and related fixtures, and screens and storm windows, which serve only such Unit, whether or not any of the foregoing is located in any portion of the Common Elements, (6) lighting devices (including by way of illustration and not limitation, lamps and bulbs which are surface mounted on, recessed in or suspended from, ceilings, walls and partitions within or around the perimeter of such Unit) serving only such Unit, whether or not such lighting devices are themselves located entirely within the boundary lines of such Unit, (7) outlets, wires, cables, conduits, circuits and related equipment transmitting electricity for lighting and power or transmitting electrical impulses and signals (including, but not limited to, impulses and signals for telephone, telegraph, internet and television transmission, except to the extent otherwise specifically provided herein) which serve only such Unit and which are located entirely within the boundary lines of such Unit, (8) surface mounted and recessed medicine cabinets including, by way of illustration and not limitation, all associated lighting fixtures and accessories, and (9) refrigerators, ranges, dishwashers and other appliances and the portions of their water, waste, electrical and exhaust connections located within such boundary lines and serving only such Unit.

Notwithstanding subsections E and F above, no Owner shall alter the exterior appearance of windows and doors providing access to the Common Elements, Limited Common Elements or exterior of the Building, including without limitation any grills or mullions on the doors and windows and the window sashes without prior written approval of the Board of Directors.

Section 2.4. Relocation or Unit Boundaries and Subdivision of Units. Relocation of boundaries between Units is permitted subject to compliance with the provisions therefor in Section 1602-112 of the Condominium Act and subject to compliance with any applicable City of Portland ordinances and regulations. Subdivision of Units is not permitted.

Section 2.5. Percentage Interests, Common Expenses, and Voting Rights. Attached as Schedule B hereto is a list of all twelve (12) created Units by their identifying number and the Percentage Interest appurtenant to each Unit, with the Percentage Interest assigned in equal shares to each of the twelve (12) Units. The liability of each Unit for the Common Expenses of the Condominium shall be the same percentage share as the Percentage Interest set forth on Schedule B. The Owner(s) of each Unit shall be entitled to one (1) vote for each Unit owned.

ARTICLE 3 COMMON ELEMENTS AND LIMITED COMMON ELEMENTS

Section 3.1. Common and Limited Common Elements Generally. Common Elements shall mean those portions of the Building defined as such pursuant to Sections 1601-103(4) and 1602-102(1) of the Act, except as provided otherwise herein, or as identified and designated as Common Elements in the Plat and Plans, including but not limited to

the trees, shrubbery and other plantings already existing on the Property or planted by or on behalf of the Declarant. Limited Common Elements shall mean those portions of the Building defined as such pursuant to Section 1602-102(2) and (4) of the Act or as identified and designated as Limited Common Elements on the Plat and Plans or by this section. Those portions of the Limited Common Elements serving only the Unit above, below or adjacent to such Limited Common Element, as the case may be, are Limited Common Elements allocated only to the Unit which they serve. Pursuant to Section 1602-102(2) of the Condominium Act, any chute, flue, duct, wire, conduit, bearing wall, bearing column or other fixture which lies partially within and partially outside a Unit's boundaries may be a Limited Common Element or Common Element, depending on whether it serves only one Unit or more than one Unit. Pursuant to Section 1602-102(4) of the Condominium Act, shutters, awnings, window boxes, doorsteps, stoops, porches, balconies, and patios, if any, and all exterior doors and other fixtures which are designed to serve only a single Unit, but are located outside the Unit's boundaries, are Limited Common Elements allocated exclusively to that Unit.

The Common Elements consist of all of the Property except the individual Units, and shall include the land, building, foundation, roof, outside walls, pipes, ducts, electrical wiring and conduits, public utility lines, floors and ceilings (other than the interior finish material and finished surfaces thereof located within the Units), perimeter walls of Units (other than the interior finish material and finished surfaces thereof located within the Units); structural parts of the Building, including structural columns, girders, beams and supports, easements for access and utilities and any other appurtenant easements, if any, trees, shrubbery and other landscaping, and in addition, all other parts of the Property necessary and convenient to its existence, maintenance and safety, and normally in common use as defined in the Condominium Act, except such parts of the Property as may be specifically excepted or reserved herein or in any schedule attached hereto. Each Unit Owner shall have the right to use the Common Elements (but excluding the Limited Common Elements, which are located to one or more Units) in common with all other Unit Owners, as may be required for the purposes of ingress and egress to and use, occupancy and enjoyment of the respective Unit owned by such Unit Owner. Such rights shall extend to the Unit Owners and the members of the immediate family, guests and other authorized occupants, licensees, and visitors of the Unit Owner.

The Common Elements shall also include (a) common bike storage area and a common laundry area in the basement of the building, and (b) an exterior common kayak/surf board storage area.

The Limited Common Elements shall also include one designated storage locker for each Unit, which lockers shall be located in the basement of the building.

The use of the Common Elements, including the Limited Common Elements, and the rights of the Unit Owners with respect thereto shall be subject to and governed by the provisions of the Condominium Act, this Declaration, the Bylaws of the Association (the "Bylaws") and Rules and Regulations of the Association (the "Rules and Regulations"), as they may hereafter be amended from time to time. Any conveyance, encumbrance, judicial sale, or other transfer (voluntary or involuntary) of an individual interest in the

Common Elements will be void unless the unit to which that interest is allocated is also transferred.

Two tandem parking blocks designated on the Plat as “Tandem Parking Block A” and “Tandem Parking Block B” may be sold as Limited Common Elements appurtenant to one or more Units at the initial sale of said Units and so designated in the Deeds of said Units. Regardless of the designation of said parking spaces as Limited Common Elements to the designated Units, said parking spaces shall, nevertheless, be maintained by the Association provided, however, that costs associated with such maintenance shall be allocated to the Units to which said parking spaces are appurtenant as Limited Common Elements. Said parking spaces, as approved by the City of Portland, may not be full regulation-sized spaces, and that cooperation and moderately sized vehicles will be required to facilitate access to and egress from the designated parking spaces.

[Further language will be added here as appropriate regarding arrangements for additional off-site vehicular parking spaces to be made by the Declarant]

Each Unit is served by an individual air-source electric heat pump for heating and air-conditioning serving only that Unit. Portions of the air-source electric heat pump heating and air-conditioning system, and associated ducts, pipes, registers, and other elements which constitute part of the Unit.. Each Unit Owner is solely responsible for arranging for and paying all costs associated with maintenance, service, repair and replacement of the air-source electric heat pump system serving that the Unit Owner’s Unit.

No Unit Owner may use any portion of the roof as inhabited space or as dwelling space for that Unit or for a skylight or similar opening through the roof, nor may the roof be used by any Unit Owner for purposes of a deck, porch, or similar recreational space.

Section 3.2. Alteration of Common Elements by the Declarant. The Declarant reserves the right to modify, alter, or improve portions of the Common Elements, including without limitation any equipment, fixtures and appurtenances, when in the Declarant’s judgment it is necessary or desirable to do so, until the expiration of the applicable warranty period.

Section 3.3 Alteration of Unit, Limited Common Element or Common Element by Unit Owner. Relocation of Unit Boundaries may only be accomplished pursuant to Section 2.4. above. No Unit Owner may make any alteration or improvement to a Unit which would impair the structural, thermal or acoustical integrity or mechanical systems of the Unit or the Property, lessen the support of any portion of the Condominium, jeopardize the soundness or safety of the Property, nor may any Unit Owner make any alteration or improvement which involves any change to a Common Element or Limited Common Element without prior written Board approval. Specifically, but not by way of limiting the generality of the foregoing, a Unit Owner may not make changes in the exterior appearance of the Unit including exterior doors, windows, roofs, foundations, chimneys, or walls (including drilling of new holes and exterior mounting of equipment) unless pursuant to procedure established in the Rules and Regulations a majority of the members of the Board of Directors vote to allow the Unit Owner to make the proposed change. The

Board shall determine whether to grant approval based on a review of written, detailed proposals submitted by the Unit Owner, and if necessary, inspection of the property, and review of an engineer's report (prepared by an engineer engaged by a Unit Owner at the Unit Owner's expense) for any matter that might affect structural integrity. In the event a Unit Owner obtains approval to make changes to a Common Element, the Unit Owner shall be solely responsible for permitting, design, construction, and requisite insurance, shall use only contractors who provide proof of adequate liability insurance and Workers' Compensation insurance as required by Maine law, and shall comply with such other conditions as may be imposed by the Board. If a Unit Owner takes action to make an alteration which involves a change in structural, thermal or acoustical integrity, removal or relocation of an interior wall, or change to a Common Element without prior Board approval, the Unit Owner may be required, at the Unit Owner's expense, to remove all unapproved changes or additions and to restore the building, Common Element or Limited Common Element to its original condition.

Section 3.4. Rental Operation. The Declarant shall have the right to operate any Units owned by the Declarant as rental units. The Declarant may establish and maintain all signs and other accoutrements normally used in the operation of such rental properties in the sole discretion of the Declarant. Such operations shall be for the benefit of the Declarant and neither the Association nor any Unit Owner (other than the Declarant) shall have any right or interest in the profits or losses thereof.

ARTICLE 4 SPECIAL DECLARANT RIGHTS, DEVELOPMENT RIGHTS, AND DECLARANT CONTROL

Section 4.1 Special Declarant Rights. The Declarant reserves, in favor of itself and any successor Declarant, the following rights with respect to the Property until the construction, marketing and sale of all Units and the Common Elements are completed:

- A. To locate and relocate in the Common Elements, Limited Common Elements and Units of the Property, even though not depicted on the Plat and Plans, and grant and reserve easements and rights-of-way for the installation, maintenance, repair, replacement and inspection of utility lines, wires, pipes, conduits and facilities servicing the Property including but not limited to water, electric, telephone, cable television, natural gas, and sewer and transformers, meters and other equipment related thereto, provided that no such easement shall be effective until of record, that no such easements may be granted through Units sold by Declarant to third parties without such Owner's consent and that the Common Elements shall be promptly restored upon installation and repair of such utility lines;
- B. To connect with and make use of utility lines, wires, pipes and conduits located on the Property for construction and sales purposes, provided that the Declarant shall be responsible for the cost of services so used;

- C. To use the Common Elements and Limited Common Elements for ingress and egress and construction activities and for the storage of construction materials and equipment used in the completion of the Units and Common Elements. This right shall continue until the Declarant has conveyed all Units which are or may be created hereunder to Unit Owners other than the Declarant;
- D. To appoint and remove members of the Board and Officers of the Association until sixty (60) days after the sale of 75% of the Units to Owners other than a successor Declarant, but in any event until expiration of the Declarant Control Period;
- E. Those Special Declarant Rights established under the Condominium Act;
- F. Notwithstanding anything to the contrary above, until the expiration of any applicable warranty established by law or agreement, upon reasonable prior notice, the Declarant, its contractors, agents and employees shall have the right of entry into a Unit, a Common Element and a Limited Common Element to perform warranty-related work, whether for the benefit of that Unit or any other Unit; and
- G. Pursuant to Section 1602-116 of the Condominium Act, Declarant shall have an easement through the Common Elements as may be reasonably necessary for the purpose of discharging Declarant's obligations or exercising Declarant's rights under this Declaration or pursuant to the Condominium Act.

Section 4.2 Unsold Units. Except as provided in this Declaration and/or in the Condominium Act, the Declarant shall have the same rights and be subject to the same obligations with respect to unsold Units as the owners of individual Units after initial conveyance thereof by the Declarant.

Section 4.3 Development Rights; Phasing. The Declarant does not reserve any right to add real estate to the Condominium nor does Declarant reserve any right to create additional Units.

Section 4.4 Amendment, Waiver, Etc. This Article 4 shall not be amended or waived without the consent of the Declarant duly recorded in said Registry of Deeds. The rights and benefits of Article 4 and all other rights of Declarant set forth in this Declaration, the Bylaws or otherwise, as amended from time to time, may be transferred in whole or part by recorded instrument specifically referring to this Section and executed by Declarant and its successor or assignee. The Declarant shall have the right to waive the Development and Special Declarant Rights reserved hereunder in whole or part by written instrument provided that such waiver shall only be effective upon recording in said Registry of Deeds and such waiver shall be subject to the limitations of Section 1603-103(d) of the Act regarding Declarant Control of the Association.

ARTICLE 5 EASEMENTS

In addition to the easement for encroachments with respect to Units and Common Elements created by Section 1602-114 of the Condominium Act and any other easements provided for by the Act, the following easements are hereby created:

Section 5.1. Easement to Facilitate Sales and Construction. The Property shall be subject to an easement in favor of the Declarant pursuant to Section 1602-115 of the Condominium Act. The Declarant reserves the right to use any Units owned or leased by the Declarant as models. The Declarant reserves the right to relocate the same from time to time within the Property; upon relocation, the furnishings thereof may be removed. The Declarant further reserves the right to maintain on the Property such advertising signs as may comply with applicable governmental regulations, which may be placed in any location on the Property and may be relocated or removed, all at the sole discretion of the Declarant. This easement shall continue until the Declarant has conveyed all Units which are or may be created hereunder to Unit Owners other than the Declarant.

The Declarant further reserves an easement to connect with and make use of utility lines, wires, pipes and conduits located on the Property for construction purposes, provided that Declarant shall be responsible for the cost of service so used, and to use the Common Elements for ingress and egress and construction activities and for the storage of construction materials and equipment used in the completion of the Units and Common Elements. This easement shall continue until the Declarant has conveyed all Units which are or may be created hereunder to Unit Owners other than the Declarant.

Section 5.2. Easement for Access and Support. The Declarant reserves in favor of the Declarant and the management agent, if any, and/or any other person authorized by the Board of Directors, upon reasonable prior notice, the right of access to any Unit as provided in Section 1603-107(a) of the Condominium Act for purposes of maintenance, repair and replacement of Common Elements and Limited Common Elements, and for purposes of inspection of the Units and Limited Common Elements to verify the performance by Unit Owners of all items of maintenance and repair for which they are responsible. In case of emergency, such entry shall be immediate whether or not the Unit Owner is present at the time, for the purpose of making emergency repairs therein necessary to prevent damage to the Common Elements, or to other Units. Further, until the expiration of the warranty period such entry shall be permitted to perform warranty-related work whether or not the Unit Owner consents or is present at the time. Declarant, its agents, officers, servants, and its successors and assigns, shall have the reasonable right of access to all Common Elements as long as it or they may own Units or shall have obligations or rights with respect to such Common Elements. The Association or its authorized representatives shall have the irrevocable right, to be exercised by the Manager or Board of Directors, to have access to each Unit from time to time during reasonable hours as may be necessary for the maintenance, repair or replacement of any of the Common Elements therein, or for making emergency repairs therein necessary to prevent damage to the Common Elements, or to other Units.

- A. Each Unit and Common Element shall have an easement for lateral and subjacent support from every other Unit and Common Element. In addition, the

Declarant reserves in favor of the Declarant and other Unit Owners an easement for the encroachment of Common Elements on any Unit, or a Unit encroaching on the Common Elements or on another Unit, and its maintenance for whatever period the encroachment exists in the situation in which the construction, repair, shifting, settlement, or other movement of any portion of the improvements results in an encroachment as aforesaid, as long as the physical boundaries of the Units after the construction, reconstruction or repairs will be in substantial accord with the description of those boundaries contained herein and in attachments hereto.

- B. Each Unit Owner shall have a perpetual, unrestricted right of ingress and egress to his or her Unit, which passes with the Unit as transfers of ownership of the Unit occur.

Section 5.3. Easement to Facilitate Discharge of Declarant's Obligations. Pursuant to Section 1602-116 of the Condominium Act, Declarant shall have an easement through the Common Elements as may be reasonably necessary for the purpose of discharging Declarant's obligations or exercising Declarant's rights.

Section 5.4. Easement for Utility and Service Companies. The Units and Common Elements shall be, and hereby are, made subject to easements in favor of the Declarant, other Unit Owners, appropriate utility and service companies, internet companies, cable television companies and governmental agencies or authorities for such utility and service lines and equipment as may be necessary or desirable to serve any portion of the Property, including, without limitation, the right to install, maintain, and replace utility and service lines. Notwithstanding the foregoing, any such easement through a Unit shall be located either in substantially the same location as such facilities or similar facilities existed at the time of first conveyance of the Unit by the Declarant or so as not to materially interfere with the use or occupancy of the Unit. With respect to any utility lines or equipment serving only the Condominium and located upon the Common Elements, the Association shall have the right and power to dedicate and convey title to the same to any private or public utility company. The Association shall also have the right and power to convey permits, licenses and easements over the Common Elements for the installation, maintenance, repair and replacement of utility poles, lines, wires and other equipment to any private or public utility company.

Section 5.5. Easement for Attachments. Provided that any such action will not unreasonably interfere with the common use of any part of the Common Elements, adversely affect either the thermal or acoustical character of the Building, or impair or structurally weaken the Building, each Unit shall have an easement for driving and removing nails, screws, bolts and other attachment devices into the Unit side surface of the studs which support the perimeter walls bounding the Unit, the bottom surface of floor/ceiling joists above the Unit and the top surface of the floor joists or cement slab below the Unit to the extent such nails, screws, bolts and other attachment devices may encroach into a part of a Common Elements adjacent to such Unit.

AMENDMENT

Section 6.1. General. Except in cases of amendments to this Declaration that may be unilaterally executed and recorded by the Association as described in Sections 1601-107, Eminent Domain; 1602-108(c), Limited Common Elements; 1602-112(a), Relocation of Boundaries between Adjoining Units; or 1602-113, Subdivision of Units; and except in cases, where permitted, of amendments to this Declaration by certain Unit Owners, as described in Sections 1602-108(b), Reallocation of Limited Common Elements; 1602-112(a), Relocation of Boundaries Between Adjoining Units, 1602-113(b); or 1602-118(b), Termination of Condominium; and except in cases, if any, of amendments to the Declaration that may be executed by the Declarant under Section 1602-109(f) Plat and Plans, or under Section 1602-110, Exercise of Development Rights, of the Condominium Act, and subject to the other provisions of this Declaration and of the Condominium Act, this Declaration, and the Plat and Plans may be amended as follows:

A. Before Any Conveyance. Prior to the conveyance of any Unit by the Declarant to a Unit Owner other than as security for an obligation, the Declarant shall in any manner which the Declarant may deem appropriate have the right to amend and re-amend this Declaration.

B. After First Conveyance. After the first conveyance of a Unit by a Declarant, the terms of the following subparagraphs shall apply to the amendment of this Declaration:

(1) Notice. Notice of the subject matter of a proposed amendment shall be included in the notice of any meeting of the Board of Directors in which a proposed amendment is considered, and shall be served upon all Unit Owners in the manner provided for service of notices and upon Eligible Mortgage Holders in the manner provided.

(2) Resolution. An amendment may be proposed by either by the Board of Directors or by Unit Owners holding in the aggregate no less than sixty percent (60%) of the votes in the Association. No resolution of the Board of Directors adopting a proposed amendment shall be effective unless it has been adopted at a meeting of the Association duly called and held in accordance with the Bylaws by the affirmative vote of at least eighty percent (80%) in voting interest of the Unit Owners and then executed and recorded as provided in Paragraph (e) of this Article. In addition, approval of amendments of a material nature must be obtained from Eligible Mortgage Holders representing at least fifty-one (51%) of the votes of Units that are subject to mortgages held by Eligible Mortgage Holders, as further defined and described in Section 12.4, below.

C. Agreement. In the alternative, an amendment may be made by an agreement signed by the record owners of the Units to which at least one hundred percent (100%) of the votes in the Association are allocated in the manner required for the execution of a deed and acknowledged by at least one of them, and such

amendment shall be effective when recorded in the Cumberland County Registry of Deeds.

Section 6.2 Certain Amendments. Notwithstanding the foregoing provisions of this Article, except as otherwise permitted by the Condominium Act and provided in this Declaration, no amendment may increase the number of Units or change the boundaries of any Unit, the Allocated Interests allocated to a Unit, or the uses to which any Unit is restricted, without the unanimous consent of the Unit Owners. No amendment of this Declaration shall make any change which would in any way affect any of the rights, privileges, powers and options of the Declarant, its successors or assigns, unless the Declarant, or its successors or assigns shall join in the execution of such amendment.

Section 6.3. Notice, Execution and Recording. A copy of each amendment adopted pursuant to the provisions of this Article 6 shall be attached to or included with a certificate, certifying that the amendment was duly adopted, which certificate shall be executed and acknowledged by such officer(s) or director(s) of the Association as are designated for that purpose in the Bylaws. The amendment shall be effective when such certificate and copy of the amendment are recorded in the Cumberland County Registry of Deeds. After each amendment has been recorded, notice thereof shall be sent to all Unit Owners and to all Eligible Mortgage Holders, but failure to send such notices shall not affect the validity of such amendment.

Section 6.4. Challenge. No action to challenge the validity of an amendment to this Declaration adopted by the Association may be brought more than one (1) year after such amendment is recorded in the Cumberland County Registry of Deeds.

Section 6.5. Secondary Mortgage Market Requirements. It is Declarant's intent that this Declaration complies with the underwriting requirements of Federal Home Loan Mortgage Corporation (Freddie Mac), the Federal National Mortgage Association (Fannie Mae), the Veterans' Administration, the Federal Housing Administration or other recognized institutional mortgage programs. In the event that this Declaration does not comply with such underwriting requirements, Declarant, in Declarant's sole discretion, shall have the right to amend this Declaration to make this Declaration conform to such underwriting requirements.

ARTICLE 7 RESTRICTIONS ON USE, OCCUPANCY AND ALIENATION

Section 7.1. Use and Occupancy Restrictions on Units: The Declarant shall own in fee simple each Unit to which legal title is not conveyed or otherwise transferred to another person. The Declarant retains the right to enter into leases with any persons for the occupancy of any of the Units owned by the Declarant.

Each Unit is intended to serve as a self-contained, residential living Unit and shall be subject to the Rules and Regulations and Bylaws of the Association. Units shall be used for residential purposes only, except that (i) the Declarant may use the Property in the exercise of Special Declarant Rights and (ii) a Unit Owner may also use the Unit for a

home occupation which is incidental and secondary to the use of the dwelling for residential purposes if it meets all of the following requirements: (1) it is in compliance with all applicable local, state and federal codes, laws and regulations and obtains any necessary City permits or approvals; (2) the home occupation does not occupy more than twenty-five percent (25%) of the total floor area of such Unit; (3) the home occupation does not employ or otherwise engage more than one person who does not reside in the Unit to work within the Unit in furtherance of the home occupation; (4) except for such signage as may be allowed by the City of Portland and the Association, there is no other exterior indication of the home occupation or any other variation or deviation from the residential character of the neighborhood; specifically, there shall be no exterior display, no display of goods visible from the outside, and no exterior storage of materials related to the home occupation; (5) activities conducted as part of the home occupation shall not create a nuisance, nor shall they generate unreasonable offensive noise, vibration, smoke, dust, other particulate matter, odors, heat, humidity, glare, electrical disturbance, or other unreasonable external effects; and (6) no traffic may be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood.

Each Unit shall be subject to the Rules and Regulations and Bylaws of the Association, in addition to this Declaration, all as amended from time to time.

Section 7.2. Interval Ownership Prohibited. No ownership interest in any Unit in the Condominium shall or may be subdivided to permit “time sharing” or other devices to effect interval ownership. For purposes of this paragraph, “devices” to effect interval ownership shall include but not be limited to ownership arrangements, including uses of corporations, trusts, partnerships or tenancies in common, in which four or more persons not members of a single household have acquired, by means other than will, descent, inheritance or operation of law, an ownership interest (directly or indirectly, equitable or legal) in the same Unit and such owners have a formal or informal right-to-use agreement.

Section 7.3. Leasing Restrictions. No Unit may be leased for transient purposes and no Unit may be leased to any lessee for a period of less than four (4) consecutive months. No portion of any Unit (other than the entire Unit) shall be leased for any period. No Unit may be used for short-term rental purposes in which only a portion of the Unit is made available to a boarder, guest or tenant, nor may the entire Unit be made available to a boarder, guest or tenant, such as through Airbnb, HomeAway, VRBO or similar short-term rentals or vacation rentals, for a period of less than four (4) consecutive months for each boarder, guest or tenant.

No Unit Owner shall rent or lease a Unit other than in accordance with a written form of lease which contains the following provisions:

- A. requiring the tenant to comply with the Declaration, the Bylaws and Rules and Regulations; providing that failure to comply constitutes a default under the lease; and
- B. providing that the Board of Directors has the power, but not the obligation, to

terminate the lease or to bring summary proceedings to evict the tenant in the name of the Unit Owner after thirty (30) days prior written notice to the Unit Owner, in the event of a default by the lessee in the performance of the lease; and

- C. in the event that the payment of Common charges and/or service charges or other amounts due to the Association becomes more than thirty (30) days past due, authorizing the Association to require the tenant to pay directly to the Association the rent on the Unit in an amount of up to the balance of current and delinquent Common charges and other unpaid amounts outstanding, subject to the rights of any recorded first mortgage or eligible mortgage holder which has exercised an assignment of rents. The Association's notice to the tenant shall be conclusive and binding on the Tenant as to the Tenant's obligation to pay the rent directly to the Association and as to the amount of Common charges and other fees due. The Unit Owner shall have ten (10) days after such notice is sent to file any objection, which objection must be in writing and signed under oath under the pains and penalties of perjury, must contain a short and plain statement of any alleged errors by the Association, and shall include copies of canceled checks or other written evidence of objection or miscalculation of the amounts due. The Unit Owner must state what amounts, if any, which the Owner admits is owed to the Association.

Any lease or tenancy shall be in writing. The foregoing provisions shall be deemed to be automatically incorporated into any lease and into the terms of any tenancy or other agreement for the occupancy of a Unit.

The Unit Owner must not suspend his or her own condominium owner's insurance policy during the period of rental. Regardless of the terms of rental, timely payments of the Unit's monthly fees and assessments and any special assessments during the rental period remain the responsibility of the Unit Owner.

Each Unit Owner of a Unit shall, promptly following the execution of any written lease of a Unit, forward a true copy thereof to the Board of Directors together with information about the tenant(s) including the home and work telephone numbers, mailing address, e-mail address if any, and emergency contact information.

The foregoing provisions of this paragraph shall not apply to an institutional lender in possession of a Unit as a result of foreclosure, judicial sale or a proceeding in lieu of foreclosure.

Section 7.4 Household Pets. The following use restrictions apply to household pets:

- A. No animals, birds or reptiles of any kind shall be raised, bred or kept in any Unit or upon the Common Elements or Limited Common Elements, except that orderly dogs, cats or other household pets, not to exceed an aggregate total of two per Unit (except aquarium fish which are not so limited in number), may be kept in a Unit, subject to the regulation of the Board.

Additional numbers of such pets may be kept only with the prior written approval of the Board, subject to compliance with this Section 7.4, the By-laws and the Rules and Regulations.

- B. A pet permitted pursuant to A. above may be maintained in a Unit only so long as it is not a nuisance. Actions which will constitute a nuisance include but are not limited to abnormal or unreasonable crying, barking, meowing, or scratching such that it disturbs another Unit Owner's rest or quiet enjoyment of his or her Unit; unhygienic offensiveness; causing repeated damage to the landscaping or other Common Elements; or a pet owner's repeated failure to comply with these pet rules.
- C. All pets must be registered and inoculated as required by law.
- D. Pet owners are fully responsible for personal injuries and/or property damage caused by their pets.
- E. No pets shall be allowed to run freely on the Property. When upon the Common Elements of the Property, pets must be confined in a container or leashed on a leash which does not exceed six feet in length, and, in either case, under the immediate supervision of a responsible person.
- F. The Owner of any pet which enters upon the Common Elements must promptly clean up any excrement left by that pet upon any Common Element.
- G. Unless otherwise authorized in advance in writing by the Board of Directors, no animal may be tied or leashed outside the Unit at any time, and exterior pet runs of any type are not allowed at the Condominium.

The Association shall have the power to further regulate pets and animals under the By-laws or Rules and Regulations of the Association as promulgated or amended from time to time, including without limitation the express power to regulate the size and species of pet, to establish additional behavior requirements and to expel any offending pets and animals from the Property.

Section 7.5. Outdoor Facilities. Owners, and their families, guests and invitees, shall comply with all rules and regulations issued by the Association with respect to use of any outdoor facilities, including but not limited to outdoor decks and balconies, garden and yard areas. The Association shall have the power to further regulate use of outdoor Common Elements, including Limited Common Elements, under the Bylaws or Rules and Regulations of the Association as promulgated or amended from time to time.

Section 7.6. Compliance with Condominium Documents; Violations. For the mutual benefit of all Unit Owners, each Unit Owner shall comply strictly with the Bylaws and with the Rules and Regulations adopted pursuant thereto, and with the covenants, conditions and restrictions set forth or incorporated by reference in this Declaration or in

the deed to his or her Unit (the "Condominium Documents"). By way of direction but not by way of limitation, as this is a twelve (12) Unit condominium, it is hoped that the Unit Owners will be able to resolve issues by discussion among themselves. However, if a dispute arise which is not resolved in this manner, the Board of Directors, by majority vote, may opt to refer a matter to mediation as provided in Section 15.4. Moreover, if, in the opinion of a majority of the Board of Directors, a Unit Owner's failure to comply with the Condominium Documents as aforesaid is serious and intractable (which may be evidenced by failure to reach a resolution through mediation and/or refusal to participate in mediation in good faith and/or such other evidence as the majority of the Board deems compelling), the Board of Directors, by majority vote, on behalf of the Association, after notice and opportunity for the Owner alleged to be in violation to be heard, shall have the right to take any one or more of the following actions: (i) to assess the expense of maintenance, repair or replacement of any damage to the Common Elements, Limited Common Elements or any Unit caused by any violation; (ii) to authorize officers of the Association to commence appropriate legal proceedings, at law or in equity, necessary to enjoin, abate or remedy the continuance of any violations, or to compel compliance with these Rules and Regulations and the Condominium Documents, and/or to recover damages for any violation or for injunctive relief, or both; (iii) to assess all costs incurred by the Association, including mediation fees, court costs and attorneys' fees, in the process of rectifying any violation; to enter the Unit to abate the violation; (v) to assess fines and penalties in the amount of ten percent (10%) of the then monthly assessment of the Unit for each violation (with each day during which a violation is found to exist or continue to be considered a separate violation); and (vi) to take such other or further action as it deems appropriate, all as may be further outlined in the Rules and Regulations.

Section 7.7 No Action to Increase Rate or Result in Cancellation of Insurance.

Notwithstanding anything in this Article 7 to the contrary, nothing shall be done or kept in any Unit or in the Limited Common Elements that will increase the rate of insurance for the Property or any part thereof without the prior written consent of the Board. No Owner shall permit anything to be done or kept in this Unit or in the Limited Common Elements that will result in the cancellation of insurance on the Property or any part thereof, or that would be in violation of any law, regulation or administrative ruling.

Section 7.8. Miscellaneous Use Restrictions. The following additional restrictions apply to use:

- A. No Smoking in Common Elements or Units: No Unit Owner, Tenant, resident or guest or invitee of a Unit Owner, Tenant or resident shall smoke any tobacco product anywhere upon the Property; without limiting the generality of the foregoing, smoking is prohibited within each Unit, and upon the Common Elements and Limited Common Elements of the Property, including but not limited to the halls, stairs, garage/parking, storage areas, entrances, driveway, lawn, porches, decks and within fifty (50) feet of any entrance to the Building.
- B. No articles of personal property shall be left unattended in common areas of the Building or passageways, sidewalks or lawns or elsewhere on the Common

Elements. Nothing shall be stored upon or obstruct any of the Common Elements, including stairways and hallways, except in those areas, if any, designated for storage by the Declaration or the Board. Neither the Board, the Association, any other Unit Owner, nor the Declarant shall be responsible for the security of such personal property or for any loss or damage thereto, whether or not exclusive possession of the particular area is given to a Unit Owner for storage purposes, and whether or not due to negligence, except to the extent covered by insurance in excess of any applicable deductible.

- C. Unit Owners may not install any fireplace or stove in the Unit which is designed to burn coal, wood, pellets, gas or any other material.
- D. No signs, window displays or advertising shall be erected, posted or displayed upon, in, from or about any Common Element or Limited Common Element or any Unit window or door without the prior written approval of the Board; provided however, subject to such reasonable rules which the Board, from time to time, may adopt on sign placement and manner of affixing signs to the Building, Unit Owners, including the Declarant and any Mortgagee who may become the Owner of any Unit, shall have the right to place one (1) non-illuminated "for sale" sign not exceeding a total area of six (6) square feet on the Condominium property.
- E. Without the prior written approval of the Board, no Unit Owner shall cause or permit anything to be hung, installed, or displayed on the exterior of a Unit or upon a Common Element. This prohibition includes, without limitation, works of art, laundry, clothing, rugs, awnings, canopies, shutters, radio or television antenna, or any other items. No television or radio antennas or other items may be installed by the Unit Owner beyond the boundaries of his or her unit except with the prior written permission of the Board of Directors.
- F. Trash, garbage and other waste shall be kept only in sanitary containers in such location as designated on the Plat and Plan and shall be disposed of in such manner as may be prescribed in Rules and Regulations established by the Board.
- G. The Limited Common Element parking areas may not be used for any purpose other than parking passenger automobiles and trucks with a gross vehicle weight of less than 6,000 pounds. No buses, trucks with a gross vehicle weight in excess of 6,000 pounds, trailers, boats or recreational vehicles shall be parked in the Limited Common Element parking area. All vehicles must have current license plates and be in operating condition. Vehicle repairs shall not be done on any portion of the Property.

Section 7.9. Covenants. The provisions of this Declaration and the rights and obligations established hereby shall be deemed to be covenants, running with the land, so long as the Property remains subject to the provisions of the Condominium Act as amended, replaced or revised, and shall inure to the benefit of and be binding upon each and all of the Unit

Owners and their respective heirs, representatives, successors, assigns, purchasers, lessees, grantees and mortgagees. By the recording of or by the acceptance of a deed or other document of conveyance, which deed or document transfers a Unit or any interest therein, the grantee, his heirs, personal representatives and assigns shall be deemed to accept and agree to be bound by and subject to all of the provisions of the Condominium Act and this Declaration.

Section 7.10 Restrictions Regarding Joy Place. The property comprising the Condominium includes a right of passageway, in common with others, over Joy Place, so-called, as depicted on the Plat. No temporary or permanent parking of any vehicles or other conveyances shall be permitted within Joy Place, except on a temporary basis in the event of an emergency, and Joy Place is to be kept open and unobstructed.

ARTICLE 8 COMMON CHARGES AND ASSESSMENTS

Section 8.1 Common Expense Assessments. Common expense assessments shall be made as follows:

- A. Each Unit Owner shall pay to the Association, or its authorized representative, monthly, or as otherwise required by the Association, the Unit Owner's proportionate share, as assessed by the Board of Directors, of the expenses of maintenance, repair, replacement, insurance, administration and operation of the Common Elements and of any reserves for operation, maintenance or replacement established by the Board of Directors. Such proportionate share shall be equivalent to the Common Expense Liability as set forth in Schedule B attached hereto:
 - (1) any other Common expense associated with the maintenance, repair or replacement of a Limited Common Element shall be assessed against the Unit(s) to which that Limited Common Element is assigned equally,
 - (2) any Common expense which, in the judgment of the Board of Directors of the Association, benefits fewer than all of the Units shall be assessed exclusively against the benefited Unit(s), and
 - (3) notwithstanding anything to the contrary, if any Common expense is caused by the misconduct of any Unit Owner, the Board of Directors may assess that expense exclusively against that unit owner.

Payment thereof shall be in such amount and at such times as may be provided by the By-laws or the Rules and Regulations of the Association and shall be subject to annual review. Provided, however, with regard to (1) and (2) above, if all Units have similar Limited Common Elements, then all Units shall pay such expenses in accordance with their Common Expense Liabilities.

In the event of the failure of a Unit Owner to pay such assessments when due, the amount

thereof shall constitute a lien on the Unit, as provided by the Condominium Act. Such assessments shall be the personal obligation of the Unit Owner who owns the Unit at the time such assessments become due and such personal liability shall not pass to successor Owners of the Unit unless such successor Owner agrees to assume the obligation. Any lien for delinquent Common expense assessments or other charges that the Association has on a Unit will be subordinate to a first mortgage on the Unit if the mortgage was recorded either before or after the date on which the assessment sought to be enforced becomes delinquent. A lien against the Unit so purchased for assessments imposed pursuant to this Declaration or the Act shall not be affected by such sale, conveyance or other transfer of the Unit, unless a foreclosure of a first mortgage is involved, in which case the foreclosure will extinguish any lien for any assessments that were payable before the foreclosure sale, but will not relieve any subsequent unit owner from paying further assessments. Assessments will begin as to all existing Units including Units owned by the Declarant, upon the first Unit sale by the Declarant.

- B. Electricity, gas, cable television and telephone services shall be supplied by the public utility company serving the area directly to each Unit through a separate meter and each Owner shall be required to pay the bills for such services consumed or used in his Unit. The electricity serving the Common Elements shall be separately metered, and the Association shall pay all bills for such services consumed in the Common Elements as a Common Expense assessable to all the owners of the Units. At the time of initial installation, water and sewer services will be supplied to the structure without being separately metered. Heat for the Common Elements, and hot water, cold water and sewer expenses shall be assessed to each Unit as a Common Expense, in accordance with their Common Expense Liabilities; provided, however that the Association reserves the right to submeter and then separately charge for hot water, cold water and sewer services supplied to the Units as Service Charges. Unit Owners shall take reasonable steps to conserve such utilities as are not separately metered. If a Unit Owner fails to take reasonable steps to conserve such utilities and/or wastes such utilities, the Board of Directors may assess that Unit Owner for that Unit Owner's disproportionate use of such utilities.
- C. No adjustment to the Common Expense Assessments against Unit(s) shall be allowed or made based on the frequency or intensity of use of Common Elements or Limited Common Elements, except as expressly provided in this Declaration.
- D. In the event of the failure of a Unit owner to pay such assessments when due, the amount thereof shall constitute a lien on the Unit, as provided by the Condominium Act. Each Unit is subject to a lien in favor of the Association for the unpaid Common Expense Assessments, interest and costs of collection as provided in the Condominium Act, which lien may be foreclosed in like manner as a mortgage on real estate. No foreclosure of the Association's lien shall release the Owner from any personal liability for any unpaid portion of the lien. The recordation of this Declaration constitutes record notice of the

lien. Such lien for Common Expense Assessments shall not have priority over a first mortgage securing a loan to purchase a Unit, and upon foreclosure of such first mortgage, any liens for then-existing Common Expense Assessments automatically shall be released but without releasing the responsible Unit owner from any personal liability for the liability secured by the released lien.

- E. No Owner shall be liable for Common Expense Assessments until the later to occur of (i) sixty (60) days after the first conveyance of any Unit to a purchaser or (ii) until the Association makes its first Common Expense Assessment or (iii) a certificate of occupancy is first issued for the Unit.
- F. Real estate taxes are to be separately taxed to each Unit Owner for such owner's Unit and the corresponding percentage of ownership in the Common elements, as provided in the Act. However, in the event that for any year such taxes are not separately assessed to each Unit Owner, but are taxed on the Property as a whole, then each Unit Owner shall pay a proportionate share thereof in accordance with such owner's relative percentage of ownership interest in the Common elements, excluding units already assessed by the City directly to purchasers of such units. Unit Owners, including Declarant if Declarant then owns one or more Units, shall pay full property taxes, both real estate and personal property taxes, if any, assessed on the Property.
- G. If pickup of trash and recycled materials is not provided by the City of Portland, periodic trash pickup for ordinary household waste and any pickup of recycled materials shall be the responsibility of the Association, and the cost of thereof shall be assessed as a Common Expense liability. The Association may make reasonable rules concerning waste disposal, and may restrict disposal of and/or separately assess individual owners for the costs of disposing of waste which in volume, composition and/or any other characteristic exceeds or deviates from ordinary household waste.

Section 8.2 Service Charges. The Association shall have the express power, but not the obligation, to separately charge a Unit and the Owner for services rendered to that Unit, and interest and costs of collection in connection with service charges. Such charges shall be a lien on the Unit with the same status as a lien for Common Expense Assessments under the Condominium Act, this Declaration and Bylaws, which lien for service charges may be foreclosed in like manner as a mortgage on real estate. The recordation of this Declaration constitutes record notice of the lien. The Board may assess service charges, which may include without limitation: (i) the cost of reimbursement if an Owner damages the Common Elements or fails to perform maintenance and repair work required; (ii) fees, if any, established by the Board for the use and maintenance of water, sewer and/or other utility services and equipment; (iii) insurance premiums on permanent improvements to Units installed by Owners and insured by the request of the Owner with the Association's hazard insurance carrier.

Section 8.3. Payment of and Lien for Assessments, Service Charges, Etc.

- A. Each Unit Owner shall pay to the Association the following amounts: (i) on the first day of each month or on such other date that the Board may determine, one-twelfth (1/12th) of the annual Common charges for Common Expenses (including Limited Common Expenses, and Service Charges and revised Common Expenses including revised Limited Common Expenses) assessed against his Unit; (ii) all special assessments and any other sums duly levied against the Unit pursuant to this Declaration, the Bylaws, the Rules and Regulations or the Condominium Act which are assessed against Unit Owners; and (iii) fines, penalties and fees as provided by this Declaration, the Bylaws, or the Condominium Act, all interest and late charges and legal fees and other costs of collection thereof.

If for any reason the Association shall revise its annual budget and as a result the Common Expenses or Limited Common Expenses are increased, then commencing on the next day assessments are due each Unit Owner shall pay to the Association or its authorized representative such revised annual Common Expenses, including Limited Common Expenses, assessed against his Unit.

- B. The total annual assessment levied against each Unit for Common Expenses, Limited Common Expenses, Service Charges, any special assessments, other sums duly levied against the Unit pursuant to this Declaration, the Bylaws, the Rules and Regulations, or the Act, all interest and late charges, all legal fees and other costs of collection thereof, and all fines, penalties and fees as provided in this Declaration or the Bylaws: (i) shall constitute the personal liability of the Owner of the Unit so assessed; and (ii) shall, until fully paid, constitute a lien against the Unit in favor of the Association as provided in Section 1603-116 of the Condominium Act.

Such lien is prior to all other liens and encumbrances on a Unit except (a) liens and encumbrances recorded before the recordation of this Declaration, (b) a first priority mortgage recorded before or after the date on which the assessment sought to be enforced becomes delinquent, and (c) statutory liens for real estate taxes and other governmental assessments or charges against the Units; provided, however, that such lien is not subject to the provisions of 14 M.R.S.A. Section 4651 and 18-A M.R.S.A. Section 2-201, et seq. as they or their equivalents may be amended or modified from time to time.

If any assessment is payable in installments, upon a default by such Unit Owner in the timely payment of any two (2) installments in any fiscal year, the maturity of the remaining total of the unpaid installments may be accelerated at the option of the Board, and the entire balance of the assessment may be declared due and payable in full.

- C. The lien for assessments described in subparagraph B. may be enforced and foreclosed by the Association in like manner as a mortgage on real estate as provided in the Condominium Act, or by any other means presently or hereafter provided by law or in equity. A suit to recover a money judgment for unpaid

assessments, interest, fines, penalties, and costs of collection may be maintained against the Unit Owner personally without foreclosing or waiving the lien securing such assessments, and a foreclosure may be maintained notwithstanding the pendency of any suit to recover a money judgment.

Section 8.4. Liability. Multiple Owners of a Unit shall each be jointly and severally liable with one another for all unpaid Common Expense Assessments, Limited Common Expenses, special assessments, Service Charges, interest, fees, penalties and costs of collection during their period of Unit ownership up to the time of the grant or conveyance. A grantee shall not be prevented from exercising any right to recover from the grantor such amounts paid for those Common Expenses Assessments, service charges, etc. arising prior to the conveyance. A grantee or proposed purchaser under a purchase and sale contract for a Unit may obtain, upon request and the payment of such fee as may be established from time to time by the Board, a statement from the Association setting forth the amount of unpaid Common Expense Assessments and service charges, interest, penalties and costs of collection against the Unit as of the date of grant or conveyance and such other information required by the Condominium Act. The grantee shall not be liable for, and the Unit conveyed shall not be subject to a lien for any unpaid amounts due from the grantor before the statement date in excess of the amount set forth in the statement except interest and costs of collection accruing thereafter.

Section 8.5. Budget. The proposed budget approved by the Association's Board shall be adopted unless rejected by a sixty-six percent (66%) or greater vote of all Owners. After the first conveyance of an individual Unit (as distinguished from the conveyance of the entire project), the budget must contain funding for an adequate reserve for replacements of improvements to the Common Elements and to those Limited Common Elements that the Association is obligated to maintain.

Section 8.6. Working Capital Fund. Contemporaneous with the initial conveyance of each Unit by Declarant to a party other than a successor Declarant, the Unit purchaser shall pay to Declarant an amount equal to two (2) months' estimated Common Expense charges for each such Unit, and Declarant shall contribute such payment from the Unit purchaser to a working capital fund established by the Declarant as provided below. Such working capital fund shall be established by Declarant, prior to the conveyance of the first Unit, as a segregated account, owned by and in the name of the Association, established at a Maine financial institution insured by the Federal Deposit Insurance Corporation or other equivalent federally sponsored insurance. The Declarant may reimburse itself from such payments collected at closing from Unit purchasers if the Declarant has made the working capital fund payment for the Units in advance of the closing on the initial conveyance of such Units. Working capital fund payments from Unit purchasers shall not be credited against or deemed to be prepayment of any Assessments against Units by the Association. During the Declarant Control Period, the Declarant shall not use the working capital fund described above in this paragraph to offset its expenses, to make the required capital reserve contributions for Units owned by the Declarant (except to reimburse itself as provided above), to fund initial construction costs or to mitigate a budget shortfall.

ARTICLE 9 MAINTENANCE AND REPAIR

Section 9.1. General Maintenance Responsibilities. The Units and Common Elements shall be maintained and repaired by each Unit Owner and the Association in accordance with the provisions of Section 1602-107(a) of the Condominium Act.

Section 9.2. Maintenance of Common Elements. Generally the Association shall be responsible for the maintenance, repair and replacement of the Common Elements, including but not limited to exterior lighting, sidewalk snow removal, parking area snow removal and yard maintenance, all as determined by the Board; provided, however, that regardless of any other Common element maintenance decisions, it is the non-delegable responsibility of the Association to ensure that: (1) snow removal from sidewalks and parking areas is undertaken in a timely fashion; (2) snow may only be stored within the temporary snow storage areas as shown on the subdivision recording plat; (3) any snow that cannot be stored on site shall be physically removed and transported offsite within 24 to 48 hours following a snow storm; (4) snow transported offsite shall be brought to a Maine DEP-approved “snow dump” or meet the exemption requirements specified within Chapter 573 when the above requirements cannot be met due to an abundance of snow; the snow contractor shall be responsible for any damage to vegetation, landscaping, curbing, lighting, fencing etc. resulting from their activities; and (6) the snow contractor shall use salt or chloride substitute to deice the parking lot.

It is possible that the Unit Owners will opt to be self-managed (managing themselves and volunteering to take on certain maintenance tasks to minimize expenses) rather than hiring a professional to manage condominium affairs and to provide workers to perform necessary tasks. However, in either case, to facilitate coordinated management and sound fiscal stewardship, no Owner shall undertake any maintenance, repair or replacement activities which will alter the appearance of any Common Element or undertake activities which will involve the expenditure of Association funds without prior authorization from the Board. If repair or replacement of a Common Element shall be necessitated by the negligence, neglect or misconduct of fewer than all of the Unit Owners, such cost shall be assessed to the Unit Owner(s) responsible as a Service Charge.

Section 9.3. Maintenance of Limited Common Elements. Generally, the Association shall maintain, repair and replace the Limited Common Elements, all as determined by the Board of Directors; provided however that each Unit Owner shall maintain the interior and exterior surfaces of door and window glass, but the Association may elect to wash exterior windows and assess the Unit as a Service Charge or as part of the Common Charges. Except as specifically provided to the contrary in this Declaration, the Association may assess Limited Common Expenses applicable to particular Unit(s) to such Unit(s) if the item giving rise to the expense shall be uniquely for the benefit of such Unit(s) only. If such repair or replacement of the Limited Common Elements shall be necessitated by the negligence, neglect or misconduct of fewer than all of the Unit Owners, such cost shall be assessed to the Unit Owners responsible as a Service Charge.

Section 9.4. Maintenance of Unit/Repair Responsibility. Each Unit Owner shall keep and

maintain his or her Unit and its equipment, appliances and appurtenances in good order, condition and repair and in a clean and sanitary condition, whether such maintenance and repair shall be structural or non-structural, ordinary or extraordinary. Each Unit Owner shall perform promptly all maintenance and repair work within his own Unit which, if omitted, would affect the Condominium in its entirety (or any part thereof) or would affect a part belonging to one or more other Unit Owners, and each Unit Owner shall be expressly responsible for any damages or liabilities resulting from his failure to do so. If any Unit Owner fails to perform such maintenance or repair after reasonable notice from the Association, in the event of an emergency negatively affecting a Common Element or another Unit, the Association through its officers or managing agent, if any, shall have the right, but not the obligation, to enter the Unit and perform such emergency mitigation in the name of the Unit Owner. The Association, after notice to the owner and opportunity to be heard before the Board, shall be entitled to assess the expense thereof as a Service Charge due in full at the time of the next regular monthly payment.

Each Unit Owner shall maintain the interior surface of windows in the Unit, including periodic washing. No Unit Owner shall deposit any trash, dirt, debris or other substance from the Unit onto the Common Elements or Limited Common Elements, except in designated trash disposal areas.

No person shall impair nor remove any acoustical, sound-deadening, or fire-resistant material from the walls, floors or ceilings of a Unit without replacing the same with materials of equal or greater such qualities. No Unit Owner shall overload the electrical wiring of the Condominium. Each Unit shall deposit only food waste in any garbage disposal system and only toilet tissue and human waste in the toilets. No Unit Owner shall operate any machinery, appliances, accessories or equipment in such a manner as to cause, in the judgment of the Board, as appropriate, an unreasonable disturbance or make any alterations, repairs or modifications to or connection with the electrical or plumbing systems without the prior written consent of the Board. Additional major appliances may not be installed in a Unit without the prior written consent of the Board.

Unit Owners shall maintain the interior of their Units during the heating season at a temperature of at least 55 degrees Fahrenheit at all times. All maintenance, repair, and replacement of internal installations of the Unit such as water, light, power, sewerage, telephones, sanitary installations, exterior surfaces of doors, window glass, lamps, and all other accessories belonging to the Unit area shall be performed at the Unit Owner's expense.

Each Unit Owner shall be responsible for all damage to any other Units or to the Common Elements resulting from his or her failure or negligence to make any of the repairs required by this Article or if the Unit Owner otherwise fails to maintain the Unit in the condition required by this Article. Each Unit Owner shall perform his or her responsibility in such manner as shall not unreasonably disturb or interfere with the other Unit Owners. Each Unit Owner shall promptly report to the Board or any managing agent any defect or need for repairs for which the Association is responsible.

To the extent that any damage to a Unit is covered by the Association's insurance, the Unit

Owner shall be responsible for (i) payment of the first \$250 of the insurance deductible, if any (or such other amount established by the Rules and Regulations) and for (ii) uninsured damage to any Common Element or Unit for which the Unit Owner is otherwise responsible due to the fault or negligence of the Owner.

Section 9.5. Liability of Owner. Each Unit Owner shall be liable, and the Association shall have a lien against his or her Unit, for all costs of maintaining, repairing or replacing any portion of another Unit or of the Common Elements including Limited Common Elements to the extent that such costs are caused by or attributable to such Unit Owner's act, neglect or carelessness or by that of such Unit Owner's guests, employees, agents, lessees, invitees, or their pets. The Association shall have the right to repair any damage so caused, to cure or correct the cause of the damage and to maintain or replace such damaged Unit or Common Element to the extent the Association deems necessary and appropriate. Such liability shall include any increase in insurance rates occasioned by uses, misuse, occupancy, or abandonment of any Unit or its appurtenances. Nothing herein contained, however, shall be construed to modify any waiver by insurance companies of rights or subrogation against such Unit Owner.

Section 9.6. Management Contracts. It is yet to be determined whether this twelve (12) Unit condominium will opt to enter into a management contract. However, if the Board opts to enter into such a contract, no management contract may be for a term exceeding three (3) years and any such contract shall be terminable for cause upon 30 days' notice. Any professional management contract entered into by the Association prior to the expiration of the Declarant Control Period may be terminated without cause and without penalty at any time after the expiration of such control upon written notice.

Section 9.7. Exterior Appearance. The Association may adopt reasonable rules and regulations regulating antennas, satellite dishes, window shades and blinds, or any other structures or things that affect the appearance of the exterior of the Building. Without prior approval of the Board, Owners shall not erect fences, signs, structures, plant or remove trees, shrubs or flowers or materially alter the landscape or grading in the Common Elements, or do anything to alter the exterior or outside appearance of the structure.

ARTICLE 10 CONDOMINIUM ASSOCIATION

Section 10.1. The Association. The Association is an association of Unit Owners organized pursuant to Section 1603-101 of the Condominium Act as a nonprofit corporation under the Maine Non-Profit Corporation Act. The membership of the Association at all times shall consist exclusively of all Unit Owners, or in the event of a termination of the Condominium as provided in the Condominium Act, of all former Unit Owners entitled to distributions of proceeds, or their heirs, successors or assigns. Persons having an interest in a Unit solely as security for an obligation shall not be considered members. Each Unit Owner shall automatically become a member of the Association, which membership shall continue as long as she or he continues as a Unit Owner, and upon the termination of the interest in the Condominium, his or her membership and any

interest in the assets of the Association shall be automatically transferred and inure to the next Unit Owner or Owners succeeding in interest. The Association shall have all the powers granted pursuant to the Bylaws, the Condominium Act and the Maine Non-Profit Corporation Act.

Section 10.2. Board of Directors Powers; Declarant Control Period. Except as otherwise provided in Section 1603-103(b) of the Condominium Act, the Board of Directors may act on behalf of the Association and shall have all of the powers necessary or appropriate for the administration of the Association.

- A. During the Declarant Control Period, the Board of Directors shall be composed of three (3) natural persons. The Declarant shall have the right during the Declarant Control Period to appoint, remove and replace from time to time any and all members of the Board of Directors, and officers of the Association, without the necessity of obtaining resignations. The directors appointed by the Declarant need not be Unit Owners.
- B. The Declarant Control Period shall expire sixty (60) days after the closing of sales of seventy-five percent (75%) of the Units by the Declarant, or three (3) years from the date of the first Unit sale by Declarant, whichever occurs first. Following the expiration of the Declarant Control Period, the affairs of the Association shall be governed by a Board of Directors composed of three (3) persons, each of whom shall be a Unit Owner or, in the case of a Unit Owner which is a corporation, partnership, trust or estate, a designated agent thereof. The Directors shall be elected in accordance with the Bylaws. No Unit may have more than one Unit Owner or designated agent serving on the Board at one time. The Directors so elected shall serve until their successors are elected, in accordance with the Bylaws.
- C. The transition from Declarant-appointed members of the Board to the Unit Owners generally shall occur at expiration of the Declarant Control Period or at such earlier date as the Declarant in its sole discretion shall specify. By written notice duly recorded in said Registry of Deeds specifically referring to this Section, the Declarant may voluntarily surrender the right to appoint and remove officers and members of the Board of Directors prior to the termination of the Declarant Control Period, but in that event the Declarant may require, for the duration of the Declarant Control Period that specified actions of the Association or Board, as described in a recorded instrument executed by the Declarant, be approved by the Declarant before such action can become effective.

Section 10.3. Rules and Regulations. The Board of Directors shall have the power from time to time to adopt, amend and enforce Rules and Regulations relative to the operation, use and occupancy of the Units and the Common Elements, consistent with the provisions of this Declaration, Bylaws and the Condominium Act including, but not limited to, the appointment of such committees and the enactment and enforcement of such enforcement procedures and penalties for violations as the Board shall deem appropriate.

Any such Rules and Regulations shall be adopted or amended, by means of appropriate resolutions duly approved by the Board. Notice of such Rules and Regulations and any amendment thereto shall be sent to each Owner or occupant of a Unit promptly after the adoption thereof, and shall bind all Owners, their heirs and assigns, any residents, tenants, invitees, guests and other persons entering upon the Property.

ARTICLE 11 INSURANCE

Section 11.1. General. No later than the date of the first conveyance of a Unit to a person other than the Declarant, the Association shall obtain and maintain as a Common Expense the policies of insurance for the Condominium as are required by the Condominium Act and the Bylaws, to the extent such policies shall be reasonably available. If such insurance is not maintained, then the Association shall give written notice thereof to the Unit Owners and the eligible Mortgage Holders. To the extent that such insurance subsequently becomes unavailable, the Association shall obtain as a substitution the most comparable insurance available. The Board is hereby irrevocably appointed as attorney-in-fact for each Unit Owner and for each Mortgagee and Eligible Mortgage Holder and for each owner of any other interest in the Property, for purchasing and maintaining the insurance, for the collection and disposition of any insurance, including distribution pursuant to Section 1603-113(c) of the Condominium Act, for the negotiation of losses and execution of releases of liability, and for the execution of all documents, and performance of all other acts necessary to accomplish these purposes.

Section 11.2. Institutional Mortgage Programs. If in a request to the Association forwarded by an Eligible Mortgage Holder (as defined in Section 12.3 below), a mortgage is identified as being subject to the requirements of the Federal Home Loan Mortgage Corporation, the Federal National Mortgage Association, the Veterans' Administration, the Federal Housing Administration or other recognized institutional mortgage programs, then the Association shall maintain such hazard and other insurance policies and coverage required under said mortgage programs and identified in said notice from the institutional mortgage holder, to the extent such insurance is available to the Association at a commercially reasonable cost.

ARTICLE 12 MORTGAGES OF UNITS; RIGHTS OF ELIGIBLE MORTGAGE HOLDERS AND OTHER HOLDERS, INSURERS OR GUARANTORS OF MORTGAGES

Section 12.1. Right to Mortgage. Each Unit Owner shall have the right to mortgage or encumber his own respective Unit together with the Common Element Interest, Common Expense Liability and voting rights (the "Allocated Interests") appurtenant to such Unit.

Except as otherwise permitted by Section 1603-112 of the Condominium Act and subject to this Declaration, no Unit Owner shall have the right or authority to mortgage or otherwise encumber in any manner whatsoever the Common Elements or any part thereof

except his own Unit and his own respective Allocated Interests appurtenant to his Unit.

Section 12.2. Mortgage Foreclosure. Any mortgagee of a Unit holding a recorded first mortgage on a Unit that obtains title to the Unit pursuant to the remedies provided in the mortgage, or through a completed foreclosure of the mortgage, or through deed (or assignment) in lieu of foreclosure, shall take the Unit with the Allocated Interests appurtenant thereto free of such claims and liens for unpaid assessments for Common expenses, interest and costs levied against such Unit which accrue prior to the acquisition of title to such Unit by the mortgagee, other than the proportionate share of the Common expenses which become due and payable from and after the date on which the mortgagee shall acquire title to the Unit through a completed foreclosure or deed (or assignment) in lieu of foreclosure.

In the event the Association adopts any right of first refusal or purchase option arising in the event of the sale or transfer of a Unit, it shall not impair the right of an institutional mortgage lender to foreclose its mortgage, to accept a deed in lieu of foreclosure after written notice of default which deed identifies the circumstances classifying it as such a deed, or to dispose or lease a Unit so acquired.

Section 12.3. Eligible Mortgage Holder, Notice. "Eligible Mortgage Holder" means the holder of record of a recorded first Mortgage encumbering a Unit (a "Mortgage") which has delivered written notice to the Association, by prepaid United States Mail, return receipt requested, or by delivery in hand securing a receipt therefore, stating: (1) the name and address of the holder of the Mortgage, (2) the name and address of the owner of the Unit encumbered by such Mortgage, (3) the identifying number of such Unit, and (4) containing a statement that such Mortgage is a recorded first mortgage. The Secretary or manager of the Association shall maintain such information.

Eligible Mortgage Holders shall have all rights specified in the Condominium Act. Furthermore, after the filing of a request by the Eligible Mortgage Holder, the Board shall cause notice to be sent to the Eligible Mortgage Holders (and any insurers or guarantors of such mortgages identified in the request) of any one or more of the following events affecting the mortgaged Unit(s), if so requested.

- A. Default by the owner of a mortgaged Unit in the payment of monthly Common Expenses, assessments, service charges, or other amounts due the Association that continues for sixty (60) days or as required by the Condominium Act;
- B. The lapse, cancellation, expiration or material modification of insurance required to be maintained under this Declaration or Bylaws of the Association;
- C. A material amendment to this Declaration requiring the consent of Eligible Mortgage Holders as provided in Section 12A below;
- D. Termination of the Condominium pursuant to Section 1602-118 of the Condominium Act or any condemnation proceeding against any of the Property;

- E. Change in the Allocated Interests of a Unit, voting rights, a change in Unit boundaries or the subdivision of a Unit;
- F. Default or violation of the condominium Documents, or any proceedings by the Association relating thereto;
- G. The merger or consolidation of the Condominium with another condominium; or
- H. Such other events specified in the Condominium Act.

Section 12.4. Approval Rights of Eligible Mortgage Holders. For a material amendment to this Declaration or any of the actions specified below but subject in any event to the provisions of the Condominium Act, approval must be obtained from Eligible Mortgage Holders representing in the aggregate at least Fifty-One percent (51%) of the votes of Units subject to mortgages held by Eligible Mortgage Holders. An amendment affecting any of the following shall be deemed material:

- A. Voting rights in the Association;
- B. Change in percentage liability for Common expenses, assessment liens for Common expenses, or the subordination of liens for Common expenses Assessments;
- C. Reduction in reserves for maintenance, repair and replacement of Common Elements;
- D. Responsibility for maintenance and repairs;
- E. Reallocation of Allocated Interests or rights to the use of Common Elements or Limited Common Elements;
- F. Alteration of the definitions of the boundaries of any Unit, including the partition or subdivision of a Unit;
- G. Convertibility of Units into Common Elements or vice versa;
- H. Expansion or contraction of the Condominium, or the addition, annexation or withdrawal of property to or from the Condominium;
- I. Hazard insurance or fidelity bond requirements;
- J. Imposition of any restrictions on the leasing of Units;
- K. Imposition of any restrictions on an Owner's right to sell or transfer his or her Unit;

- L. Restoration or repair of the Property (after damage or destruction, partial taking by eminent domain or condemnation) in a manner other than that specified in the Declaration;
- M. Any action to terminate the Condominium after substantial damage, destruction or condemnation occurs;
- N. Any provisions of this Article or any other provision of this Declaration that expressly benefits mortgage holders, insurers or guarantors;
- O. The merger or consolidation of the Condominium with another condominium or the subjection of the Condominium to a master association;
- P. Any change in the Association's right to lien a Unit for unpaid Common Expense Assessments or a change in the priority of such liens;
- Q. Any one-time increase in monthly Common Expense Assessments by more than twenty-five percent (25%);
- R. Any material reduction in the funding of reserves for maintenance, repair and replacement of Common Elements and Limited Common Elements; or
- S. Any provisions of this Article.

When Owners are considering termination of the Condominium for reasons other than substantial damage, destruction or taking by eminent domain of the Condominium, the Eligible Mortgage Holders representing at least sixty-seven percent (67%) of the votes of Units subject to mortgages held by Eligible Holders must consent to such termination.

The approval of any Eligible Mortgage Holder to such a material amendment to this Declaration shall be presumed when an Eligible Mortgage Holder is sent a written request for approval of a proposed amendment by registered or certified mail, return receipt requested, and then fails to submit a response within 30 calendar days after the notice is received.

Section 12.5. Mortgagee Priority. No provision of the Condominium Documents shall be deemed or construed to give a Unit Owner, or any other person, priority over the rights of any Eligible Mortgage Holder under its mortgage in the case of a distribution of insurance proceeds or condemnation awards for losses to or taking of Units, Common Elements, or both.

Section 12.6. Records. An Eligible Mortgage Holder may examine the books, records and accounts of the Association at reasonable times with reasonable advance notice to the Treasurer of the Association; provided, however, that Declarant shall have the right to withhold information in the books, records and accounts of the Association relating primarily to the construction and Unit sale activities of Declarant. The Association shall maintain current copies of this Declaration, the Association's articles of incorporation,

Bylaws, and other Rules and Regulations concerning the Condominium as well as its own books, records, and financial statements available for inspection by Unit Owners or by any eligible Mortgage Holder, insurers, and guarantors of first mortgages that are secured by Units available during normal business hours. Upon written request, any eligible Mortgage Holder may obtain an audited statement of the Association's fiscal affairs prepared by an independent certified public accountant once the Condominium has been established for a full fiscal year, which statement shall be prepared at the Eligible Mortgage Holder's expense.

ARTICLE 13 DAMAGE, DESTRUCTION, TERMINATION, REMOVAL

Section 13.1. Repair. Any portion of the Property damaged or destroyed shall be repaired or replaced promptly by the Association unless:

- A. The Condominium is terminated under Section 13.3;
- B. Repair or replacement would be illegal under any state or local health or safety statute or ordinance; or
- C. One hundred percent (100%) in interest of the Unit Owners vote not to rebuild, including every owner of a Unit or Limited Common Element which would not be rebuilt, and including the consent of the Eligible Mortgage Holders as required herein.

Insurance deductibles and the cost of repair or replacement in excess of insurance proceeds and reserves or not covered by any insurance shall be a Common Expense.

Section 13.2. Application of Insurance Proceeds. If the entire Condominium is not completely repaired or replaced:

- A. The insurance proceeds attributable to the damaged Units and Common Elements shall be used to restore the damaged areas to a condition compatible with the remainder of the Condominium;
- B. The insurance proceeds actually received by the Association and attributable to Units that are not rebuilt, including without limitation the interest in the Common Elements and in Limited Common Elements, shall be distributed to such Owners and their mortgagees; and
- C. The remainder of the proceeds shall be held in trust to be distributed to the Owners and their mortgagees in accordance with the Condominium Act.

Any loss covered by such insurance shall be adjusted by the Association, which shall exclusively represent all Owners in any proceedings, negotiations, settlements or agreements in connection therewith. As such, each Owner, except the Declarant (or its successors and assigns) with respect to Unsold Units, hereby irrevocably constitutes and

appoints the Association its true and lawful attorney, with full power of substitution, to represent such Owner in any proceedings, negotiations, settlements, or agreements in connection with adjusting a loss covered by such insurance. The foregoing power of attorney conferred upon the Association by this Declaration, being coupled with an interest, shall be irrevocable so long as any such person (other than the Declarant) owns a Unit. This power of attorney shall not be affected by the disability or incompetence of such an Owner. The insurance proceeds shall be paid to the Association as trustee for the Owners and lien holders as their interests may appear. Mortgagees' liens shall transfer in order of priority to the insurance proceeds. Notwithstanding the provisions of this Section 13.2, Section 13.3 of this Declaration governs the distribution of insurance proceeds if the Condominium is terminated. If the members vote not to rebuild any Unit, that Unit's percentage interest in the Common Elements shall be automatically reallocated to the then-remaining Units in proportion to their percentage interests prior to the reallocation, and the Association shall promptly prepare, execute and record an amendment to this Declaration reflecting the reallocation. Unless an Owner has requested and received written confirmation from both the Association and the Association's hazard insurance carrier of optional insurance coverage for the owner's fixtures, permanent improvements and betterments within the Unit, the Owner shall be responsible for the expense of repair or replacement thereof.

Section 13.3. Termination of Condominium. Except in the case of taking of all the Units by eminent domain, the submission of the Property to the Condominium Act herein shall not be terminated unless (i) eighty percent (80%) in voting interest of all of the then Owners in accordance with the Condominium Act and (ii) the percentage of the Eligible Mortgage Holders required by Article 12 shall agree to such revocation or removal of the Property from the provisions of the Condominium Act, their agreement to be established by written instrument duly recorded.

Section 13.4. Removal. Upon removal of the Property from the Condominium Act pursuant to Section 13.3, the provisions of Section 1602-118 of the Condominium Act shall govern. Removal shall not bar the subsequent re-submission of the Property to the Condominium Act.

ARTICLE 14 EMINENT DOMAIN

Section 14.1. General. In the event a unit, part of a Unit, or Common Element is proposed to be acquired or acquired by eminent domain, it shall be handled in accordance with 1601-108 of the Condominium Act.

Section 14.2. Power of Attorney. In the event of a proposed acquisition by eminent domain, the Association shall have the right, but not the obligation, to act and intervene on behalf of Owners. As such, each Owner, except the Declarant (or its successors or assigns) with respect to unsold Units, hereby irrevocably constitutes and appoints the Association its true and lawful attorney, with full power of substitution, to represent such Owner in any proceedings, negotiations, settlements, or agreements in connection with a proposed acquisition by eminent domain. The foregoing power of attorney conferred upon the Association by this Declaration, being coupled with an

interest, shall be irrevocable so long as any such person (other than the Declarant) owns a Unit. This power of attorney shall not be affected by the disability or incompetence of such an Owner. Nothing contained in this Section or this Declaration, however, shall entitle any Owner or other person to priority over a first mortgagee of a Unit pursuant to its mortgage instrument in the right to receive eminent domain awards for the taking of Units and/or Common Elements.

ARTICLE 15 GENERAL PROVISIONS

Section 15.1. Conflict of Laws. This Declaration shall be governed and construed according to the laws of the State of Maine. If any provision of this Declaration, the Bylaws, or the Rules and Regulations, or any section, sentence, clause, phrase, or word therein, or the application thereof in any circumstances be judicially held in conflict with any applicable laws, including, but not limited to, the Condominium Act, then the laws shall be deemed controlling; but the validity of the remainder of this Declaration, the Bylaws and Rules and Regulations, and the application of any such provision, section, clause, phrase, or word in other circumstances shall not be affected thereby.

Section 15.2. Severability. The provisions of this Declaration shall be deemed independent and severable. If any term, covenant, provision, phrase or other element of this Declaration, the Bylaws, any deed to a Unit, or the Rules and Regulations is held to be invalid or unenforceable for any reason whatsoever, such holdings shall not affect, alter, modify, or impair in any manner, any other term, covenant or provision, phrase or other element of such documents.

Section 15.3. Waiver. No provision contained in this Declaration shall be deemed to have been abrogated or waived by reason of any failure to enforce the same irrespective of the number of violations or breaches which may occur.

Section 15.4. Dispute between Unit Owner(s), Association and/or Declarant. In any dispute between one or more Unit Owners and the Declarant regarding the Common Elements, the Board of Directors shall act for the Unit Owners, and any agreement with respect thereto by the Board shall be conclusive and binding upon the Unit Owners. All claims, disputes and other matters in question between (i) the Declarant, on the one hand, and the Association or any Unit Owner(s) on the other hand, or (ii) the Association, on the one hand, and any Unit Owner on the other hand, arising out of or relating to a Unit, the Common Elements, the Limited Common Elements, this Declaration, the Bylaws, the Rules and Regulations, or the deed to any Unit or the breach thereof, or the course of dealing between any Unit Owner, the Association and/or the Declarant, except for claims which have been waived by the acceptance of a deed, shall be submitted to mediation in accordance with the Maine Residential Real Estate Mediation Rules or such other rules as they may agree upon, using the services of a mediator acceptable to all parties to the dispute (which acceptance must be made in good faith). The parties are bound to mediate in good faith and pay their respective mediation fees. If such mediation fails, the parties may have resort to available legal remedies.

Section 15.5. Headings. The headings used in this Declaration and the table of contents are inserted solely as a matter of convenience for the readers of this Declaration and shall not be relied upon or used in construing the effect or meaning of any of the provisions of this Declaration. References in this Declaration to Articles and Sections without references to the document in which they are contained are references to this Declaration.

Section 15.6. Interpretation. The provisions of this Declaration shall be liberally construed in order to effectuate Declarant's desire to create a uniform plan for development and operation of the Condominium and to permit compliance with the requirements of the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association. The use of the singular number in this Declaration shall be deemed to include the plural, the plural the singular, and the use of any one gender shall be deemed applicable to all genders.

Section 15.7. Effective Date. This Declaration shall become effective when it and the Plat and Plans have been recorded.

Section 15.8. Schedules. All schedules attached to this Declaration are hereby made a part of this Declaration.

Section 15.9. Notice. Any notice required or given pursuant to this Declaration to the Association or to any Unit owner may be delivered to any Association director or officer or such to Owner respectively either by delivering it in person, by sending it to his or her Unit by United States mail, postage prepaid, or by delivering it to the Unit by hand, or as otherwise permitted by the Bylaws. If such notification is of a default or lien, then it shall be sent by certified United States mail, return receipt requested, postage prepaid, addressed to the Unit Owner at the address which the Unit Owner shall designate in writing and file with the Secretary of the Association, or if no such address is so designated, the address of the Unit of such Unit Owner who is the record owner thereof.

IN WITNESS WHEREOF, ONEJOY PLACE LLC has caused this Declaration to be executed by West Port Development, LLC, its Manager, by Todd M. Alexander, its Manager, thereunto duly authorized, as of the _____ day of _____, 201__.

WITNESS:

ONEJOY PLACE LLC

By: West Port Development, LLC
Its: Manager

By: _____
Todd M. Alexander
Its Manager

STATE OF MAINE
COUNTY OF CUMBERLAND ss.

_____, 201__

Then personally appeared the above-named Todd M. Alexander, in his capacity as Manager of West Port Development, LLC, the Manager of ONEJOY PLACE LLC, and acknowledged the foregoing instrument to his free act and deed in his said capacity and the free act and deed of said West Port Development, LLC, in its capacity as Manager of ONEJOY PLACE LLC, and the free act and deed of said of ONEJOY PLACE LLC.

Before me,

Notary Public
Maine Attorney at Law

Print name

My commission expires_____

LIMITED JOINDER
TO
DECLARATION OF ONEJOY CONDOMINIUM

The undersigned, _____, as Mortgagee under a Mortgage and Security Agreement from Onejoy Place LLC, dated _____, 201__, and recorded in the Cumberland County Registry of Deeds in Book _____, Page _____ (the "Mortgage"), hereby submits the premises located in the City of Portland, Maine as described in Schedule A of the Declaration, being the premises subject to the Mortgage, to the provisions of the Maine Condominium Act for the sole and limited purposes of compliance with said Act and for the creation and granting of easements, licenses, uses, rights and privileges as described in the Declaration, provided that such consent shall not be construed to make said _____, as Mortgagee, the Declarant or to impose on it any obligations or liabilities whatsoever under the Declaration or otherwise, including without limitation, any obligation or liability of any kind to any purchaser of any Units, and said Mortgagee makes no warranties or covenants to any person or party as to title, merchantability, fitness for any particular purpose, physical condition or otherwise as to the premises, express or implied.

The undersigned hereby agrees that the mortgage lien and security interest under the Mortgage shall be subject to the provisions of the Maine Condominium Act, as amended, and shall attach to the Units created pursuant to the Declaration. The undersigned further agrees that in the exercise of its rights as Mortgagee under the Mortgage, it does and will recognize the establishment of a condominium by the Declaration.

IN WITNESS WHEREOF, _____ has caused this instrument to be executed by _____, its _____, as of the _____ day of _____, 201__.

WITNESS:

By: _____

Its: _____

Print name

STATE OF MAINE

COUNTY OF CUMBERLAND ss.

_____, 201__

Then personally appeared the above-named _____, the
_____ of _____, and
acknowledged the foregoing instrument to his/her free act and deed in his/her said
capacity and the free act and deed of said _____.

Before me,

Notary Public

Maine Attorney at Law

Print name

My commission expires_____

SCHEDULE A

LEGAL DESCRIPTION

A certain lot or parcel of land, together with the buildings and improvements thereon, situated easterly of, but not adjacent to, Brackett Street in the City of Portland, County of Cumberland and State of Maine bounded and described as follows:

Commencing at a point at the intersection of the easterly sideline of Brackett Street with the northerly sideline of Spring Street;

Thence, N 35°12'30" W along the easterly sideline of said Brackett Street 402.21 feet to a drill hole and the southerly sideline of a private right of way known as Joy Place;

Thence, N 54°47'30" E along the southerly sideline of said Joy Place 92.00 feet to the true point of beginning;

Thence, from the true point of beginning, N 35°12'30" W along the easterly sideline of said Joy Place 87.90 feet to the land now or formerly of Brian R. Chick as described in Deed recorded in the Cumberland County Registry of Deeds (the "Registry") in Book 25236, Page 109;

Thence, N 54°47'30" E along land of said Chick 2.83 feet to a point;

Thence, N 25°54'27" W along land of said Chick 26.85 feet to a point;

Thence, S 54°47'30" W along land of said Chick 2.17 feet to land now or formerly of Kimberly A. Roseberry as described in Deed recorded in said Registry in Book 28025, Page 112;

Thence, N 35°12'30" W along land of said Roseberry 25.86 feet to land now or formerly of Basha LLC as described in Deed recorded in said Registry in Book 29175, Page 300;

Thence, N 55°37'30" E along land of said Basha LLC a distance of 28.71 feet to land now or formerly of David R. Shedd and Susan Shedd as described in Deed recorded in said Registry in Book 31201, Page 5;

Thence, S 35°07'44" E along land of said Shedd 24.51 feet to a point;

Thence, N 56°22'18" E along land of said Shedd 13.68 feet to land now or formerly of Nathan W. Kimble as described in Deed recorded in said Registry in Book 13439, Page 62;

Thence, S 35°02'54" E along land of said Kimble and land now or formerly of Parkside Properties, LLC as described in Deed recorded in said Registry in Book 16808, Page 29, a distance of 103.09 feet to land now or formerly of Charles L. Morris and Katherine A. Gilbert as described in Deed recorded in said Registry in Book 21909, Page 50;

Thence, S 54°56'21" W along land of said Morris and Gilbert 13.53 feet to a point;

Thence, S 35°07'44" E along land of said Morris and Gilbert 11.90 feet to land now or formerly of the City of Portland;

Thence, S 54°47'30" W along land of said City of Portland 33.51 feet to the easterly sideline of said Joy Place and the point of beginning; containing 5,851 sf.

The above described premises are hereinafter referred to as the "Premises."

Reference is made to a plan entitled "Boundary Survey at 1 Joy Place, Portland, Maine made for Onejoy Place LLC" dated August 24, 2016 by Owen Haskell, Inc., and recorded in said Registry of Deeds in Plan Book 216, Page 330 (the "Plan").

The Premises are conveyed together with a right of passageway, in common with others, over a strip of land formerly known as Tinkhams Court, so-called, being approximately twenty-four (24) feet in width and extending from Brackett Street in a northeasterly direction to the Premises, and a right of passageway, in common with others, over a twelve (12) foot wide passageway extending from the most easterly end of said Tinkhams Court in a northwesterly direction along the southwesterly side of the Premises, said Tinkhams Court and said passageway being now known as Joy Place, which Tinkhams Court and said passageway are shown on the Plan as Joy Place and being more particularly bounded and described as follows:

Beginning at a point on the easterly sideline of said Brackett Street, said point of beginning being distant 402.21 feet as measured along said easterly sideline of Brackett Street on a bearing of N 35°-12'-30" W from the northwesterly side of Spring Street;

Thence N 54°-47'-30" E along land of City of Portland 92.00 feet to a point;

Thence N 35°-12'-30" W along land now or formerly of Albert Bresette, being the Premises, 87.90 feet to a point;

Thence S 54°-47'-30" W along land now or formerly of Brian R. Chick 12.00 feet to a point;

Thence S 35°-12'-30" E along lands now or formerly of Hazel G. Boyd et al and Brett Plymale 64.00 feet to a point;

Thence S 54°-47'-30" W along said land of Plymale 80.00 feet to a point;

Thence S 35°-12'-30" E along said Brackett Street 23.90 feet to the point of beginning.

All bearings are magnetic in the year 1967.

Subject to the condition that said Tinkhams Court and said passageway, now known as

Joy Place, are to be kept open and unobstructed forever.

Also hereby conveying all other right, title and interest that the Declarant may have in and to said Joy Place as shown on the Plan.

Being the same premises conveyed to the Declarant by Deed of Albert Bressette dated August 31, 2016, and recorded in the Cumberland County Registry of Deeds in Book 33404, Page 272.

SCHEDULE B

UNIT NUMBERS; COMMON ELEMENT INTERESTS; COMMON EXPENSE LIABILITY; VOTE

UNIT NUMBER	COMMON ELEMENT INTEREST AND COMMON EXPENSES LIABILITY	VOTE
1	1/12	1
2	1/12	1
3	1/12	1
4	1/12	1
5	1/12	1
6	1/12	1
7	1/12	1
8	1/12	1
9	1/12	1
10	1/12	1
11	1/12	1
12	1/12	1

SCHEDULE C

REDUCED COPIES OF PLAT AND PLANS

[To be attached]

INCLUSIONARY ZONING | WORKFORCE HOUSING INFORMATION
ONEJOY | PORTLAND, ME

Number of Workforce Housing Units	1	10% of total units, rounded down
Deed Restricted Unit	1A	one-bedroom unit; 100% of units at the property are 1BR units
Form of Deed Restriction	See Note	City of Portland Affordable Housing Agreement and Option to Purchase
Maximum Household Income for Qualified Buyer	\$69,000 (2017 figure)	120% AMI level for 1 person household in Portland MSA; qualified buyers will be determined using their Adjusted Gross Income as measured against the 120% AMI level in the year of sale
Maximum Allowable Price	TBD	Set by formula described in Inclusionary Zoning Implementation Guidelines for Developers of Homeownership Housing, pp 3, 4; The City of Portland has not posted its Maximum Allowable Price by bedroom size for 2017
Marketing	See Note	The developer will follow the Marketing and Selection terms described in the Inclusionary Zoning Implementation Guidelines for Developers of Homeownership Housing pp 7, 8, 9

AFFORDABLE HOUSING AGREEMENT AND OPTION TO PURCHASE
(Must be recorded with the deed to the property as an Exhibit)

This AGREEMENT made this ____ day of _____, 201__, by and between The City of Portland, corporation body politic and corporate with a mailing address of 389 Congress Street, Me 04101 (the “City”) and _____, whose mailing address is _____, _____, (the “Owner”).

WITNESSETH:

WHEREAS, the City has established a workforce housing requirement under its land use codes which is intended to encourage production of housing that is affordable for households with moderate income that is in line with the HUD Greater Portland Metropolitan Statistical Area median incomes, in accordance with the City's Zoning Ordinance, as amended from time to time (including Chapter 14, Article VII, §19-7-4, the “Affordable Housing Provision”), and to broaden opportunities for home ownership for such households; and

WHEREAS, Owner has purchased Unit # ____ in the _____ Condominium in the City, which Unit is more particularly described on **Exhibit A**, attached hereto and made a part hereof, being referred to as the “Property”; and

WHEREAS, in order to fulfill the provisions of the Workforce Housing Ordinance, Owner agreed and hereby agrees to certain restrictions on the resale of the Property, including restrictions on the price at which the Property may be sold, the parties who may purchase the Property, an occupancy restriction, and the grant of an option to purchase the Property to the City, all on the terms and conditions hereinafter provided and in accordance with Maine law, including 33 M.R.S.A. Sec. 121 *et seq.*;

NOW THEREFORE, Owner and the City, in consideration of the conveyance of the Property to Owner, and of the mutual undertakings set forth herein, hereby agree as follows:

1. **Parties’ Intent.** The terms and conditions contained herein have been freely and voluntarily accepted by the parties, each with the independent and informed advice of legal counsel. The provisions and restrictions contained herein exist to further the mutual purposes and goals of Owner and the City set forth herein to create and preserve access to decent and affordable housing and home ownership opportunities for moderate-income people in the City of Portland. It is the express understanding and intent of the parties that the terms and conditions hereof will enhance the marketability of the Property by making the Property affordable to moderate income families who, without such provisions, would be unable to afford property in the City similar to the Property.

2. **Transfer to Qualified Moderate Income Buyer.** Except as may be set forth herein, Owner may sell, transfer, or otherwise dispose of the Property only to a Qualified Buyer, as that term is defined herein. Any purported sale, transfer or other disposition to any other person or entity done without following the procedures set forth below, or in violation of the price limitations set forth below,

shall be **null and void**. For purposes hereof, the parties agree that the term “**Qualified Buyer**” means a moderate income person or household with a gross income not exceeding 120% of the HUD Greater Portland Metropolitan Statistical Area median income figures for a household of that size.

3. **Transfer to Owner’s Heirs.** If the Owner should die still owning the Property, then upon receipt of notice from the personal representative of the decedent’s estate given within ninety (90) days of the death of such Owner (or the last surviving co-owner if the Property was owned in joint tenancy), the City shall, except for good cause shown, consent to a transfer of the Property to one or more of the following:

- A. the spouse or domestic partner of the deceased Owner (in cases where such spouse was not a joint tenant with Owner); or
- B. the child or children of the deceased Owner; or
- C. member(s) of the deceased Owner’s household who have resided in the Property for at least three years prior to the Owner’s death.

Any subsequent transfer by a transferee under A, B, or C, above, shall be subject to the terms of this Agreement.

4. **Notice to the City; Procedure for Sale; the City’s Option to Purchase.**

A. In each instance that Owner intends to effect a sale, transfer or disposition of the Property to a third party, then prior to listing the Property for sale or entering into a purchase and sale agreement, or otherwise taking any steps to consummate the sale of the Property, Owner shall first give the City written notice of such intent (the “**Notice of Intent**”) addressed to the City at the address set forth above or at such other address as the City shall provide to Owner by written notice.

B. Within ten (10) days of receiving the Notice of Intent, the City shall determine (1) the qualifications and income guidelines for a Qualified Buyer hereunder, and (2) Owner’s “**Maximum Allowable Price**” as determined under Section 5, below. The City shall communicate the results of such determinations to Owner within said ten (10) day period (the “**Notice of Determination**”).

C. Owner shall market the Property to Qualified Buyers at a price not to exceed the Maximum Allowable Price. The City shall have the right in all cases to determine whether a proposed buyer is a Qualified Buyer, as defined herein. The City shall have ten (10) days from the date it receives the information about a prospective buyer in which to determine if Owner’s prospective buyer is indeed a Qualified Buyer hereunder. Owner shall provide the City with whatever reasonable information the City requests in order to make the determinations required under this subsection. All information provided regarding any prospective Qualified Buyer shall be kept and maintained in confidence by the City. The Qualified Buyer shall agree to be bound by the terms and conditions of this Agreement and, as part of the purchase of the Property, shall assume, in writing, all of the

obligations of the “Owner” hereunder.

D. In the event that Owner is unable to find a ready, willing and able Qualified Buyer for the Property after marketing the property for at least 180 days (such period being the “**Restricted Period**”) following the Notice of Determination, then the Owner shall notify the City that it wants to market the Property to non-qualified buyers. Owner grants to City the option to purchase the Property after the expiration of the Restricted Period on the terms set forth below

(i) Owner must establish, to the City’s reasonable satisfaction, that Owner made good faith efforts to market the Property for the entire Restricted Period for sale to Qualified Buyers at a price not in excess of the Maximum Affordable Price;

(ii) Upon a determination by City of such marketing efforts, which the City shall make within ten days after the last day of the Restricted Period, the City has thirty (30) days to decide if it will exercise its option to purchase the Property for the Maximum Allowable Price.

(iii) If the City decides to exercise its option to purchase, it shall provide a notice of exercise of the option (the “Notice to Exercise”) to the Owner. Failure to provide a Notice to Exercise within thirty (30) days of the determination that good faith efforts have been made to market the Property to Qualified Buyers shall cause the City’s option to expire.

(iv) The City shall consummate its purchase of the Property within thirty (30) days of the date of service of the Notice to Exercise (the “City Closing Period”). Owner shall cooperate fully with in City’s efforts to acquire the Property and shall take all reasonable steps necessary to clear any title defects. If the City fails to close on the Property within the City Closing Period for any reason other than liens voluntarily placed on the Property by Owner, then Owner shall immediately be free to sell the Property to a non-Qualified Buyer.

E. If the City decides not to exercise its option to purchase (including as a result of a failure to give a Notice to Exercise), Owner shall be free to sell the Property to a non-Qualified Buyer at any such agreed sale price **provided however**, that to the extent the agreed sale price exceeds the Maximum Allowable Price (as determined pursuant to Section 5 below), then any amount between the actual sale price and the Maximum Allowable Price (the “**Excess**”) shall be paid to the City at the time of the closing on the sale of the Property, and such Excess is to be set aside for affordable housing purposes by the City. Upon the payment of the Excess, if any, Owner and Owner’s heirs, successors and assigns, shall thereafter be free to sell the Property free of the terms and conditions of this Agreement, which shall be deemed terminated.

F. At the request of Owner, and provided there has been full compliance by Owner with the terms of this Agreement, the City shall execute a written statement in recordable form

acknowledging such compliance, including compliance with a sale of the Property which results in the release of the Owner and the Property from the terms of this Agreement.

5. **Determination of Maximum Allowable Price.** The Maximum Allowable Price for purposes of this Agreement shall be the highest price affordable to a **moderate** income person or household as determined the definition of “affordable” contained in Section 14-485 of the City’s Code and under the implementing regulations adopted by the Portland Planning Board as of the month in which the Owner signs any purchase and sale agreement with a Qualified Buyer, other buyer (as permitted under this Agreement) or the City (pursuant to the City’s exercise of its option).

6. **Construction and Duration.** The covenants contained herein shall run with the land and shall be perpetual. Owner covenants and agrees for himself, his heirs, personal representatives and assigns that the rights and restrictions contained herein shall be for the benefit of the City, its successors and assigns, and shall be binding on all future purchasers of the Property. Owner and the City agree and intend that this Agreement and the covenants contained herein are to be interpreted as “Affordable Housing Covenants” as defined by 33 M.R.S.A. Sec. 121 and satisfy the provisions of Section 19-7-4 C. (4) of the Affordable Housing Provision of the Zoning Ordinance.

7. **Applicability of This Agreement to Mortgagees.** Notwithstanding anything to the contrary contained herein, the terms of this Agreement shall not apply to the following types of transfers of the Property:

- A. Transfers by the Owner to a mortgagee in lieu of foreclosure;
- B. Transfers by a mortgagee immediately following a transfer to such mortgagee by deed in lieu of foreclosure;
- C. Transfers by a mortgagee of Owner pursuant to and as a result of a foreclosure judgment and sale;
- D. Transfers by a mortgagee immediately following a transfer to such mortgagee as a result of a foreclosure; or
- E. Transfers by the transferee of any transfer described in subsection C above which results from a mortgage servicing relationship between a servicing lender and a governmental entity serving as a secondary market mortgage purchaser;

provided, however, that this Agreement shall apply in full to all subsequent transfers of the Property not described in subsections A through E of this Section 7, and any such subsequent transferees shall own the Property as an “Owner” subject in all respects to all of the terms and conditions of this Agreement. The provisions in this paragraph shall apply in the same manner to all subsequent holders of mortgages on the Property.

8. **Other Requirements Incorporated into this Agreement.** In addition to the above restrictions, the Property shall be subject to the standards set forth in the Ordinance, including without limitation, that preference shall be given first to City residents, and then to employees of the City in regard to any sale of the Property and that all housing units shall be owner-occupied..

9. **Disbursement of Insurance and Eminent Domain Proceeds.** In the event Owner receives proceeds as a result of a complete eminent domain taking of the Property, Owner and the City shall share in such proceeds such that Owner shall receive an amount equal to no more than the Maximum Allowable Price as determined under Section 5 above, with the City receiving the balance of the proceeds, if any. If there occurs a partial eminent domain taking, or if Owner receives any insurance proceeds as a result of any casualty loss to the Property, then the parties shall share in the proceeds on a pro-rata basis, with Owner receiving a percentage of the Maximum Allowable Price based on the diminution of value of the Property, with the City receiving the balance of the proceeds, if any.

10. **Miscellaneous.** Any sale or transfer conducted contrary to the terms and conditions contained herein shall be null and void. All sales or transfers shall be subject to all terms and conditions contained herein. If any portion of this Agreement is declared unenforceable by a court of competent jurisdiction, such declaration shall not affect the validity or enforcement of the remaining provisions hereof. Notices hereunder shall be in writing and sent by first class mail, certified, return receipt requested, addressed to the recipient at the address given above. If the City or its successors or assigns shall change addresses, it shall give notice of the new address in the manner provided in this paragraph.

IN WITNESS WHEREOF, the parties have executed this Agreement as of the day and year first written above.

WITNESS:

THE CITY OF PORTLAND

By: _____

Name:

Title:

Owner

Print name:

Owner

Print name:

STATE OF MAINE
CUMBERLAND, SS

_____, 200_

Personally appeared the above-named _____, and
acknowledged the foregoing instrument to be his/her/their free act and deed.

Before me,

Notary Public/Attorney at Law

Print name:

My Commission Expires:

EXHIBIT A

PROPERTY DESCRIPTION

MEMORANDUM

TO: JEAN FRASER, CITY OF PORTLAND
FROM: TODD ALEXANDER, RENEWAL HOUSING ASSOCIATES, LLC
SUBJECT: PARKING, ONEJOY PLACE LLC SITE PLAN APPLICATION
DATE: JULY 31, 2017
CC: MICHAEL TADEMA-WIELANDT

Dear Jean:

This memorandum is intended to address the parking demand, parking standards and parking management plan for our 12-unit condominium development at 1 Joy Place.

To summarize the information contained in this memorandum, we request that the Planning Board utilize the discretion granted to the board under Sec 14-332.1.(k).3) to make a determination that the project meets its site plan parking requirements by providing a total of 11 parking spaces, 2 of which are in a tandem orientation. We believe that the 11 spaces adequately meet the parking needs of the project due to the unique conditions described herein.

PARKING DEMAND:

The Planning Board requested data on parking usage to estimate the potential demand for parking at 1 Joy Place. We surveyed a number of comparable properties and collected the following data on parking for one-bedroom, rental and for-sale properties:

Market Rate Rental Property, West End: Three (3) out of 24 1BR renters 'opted out' of the opportunity to rent a designated parking space that was available for their unit.

Market Rate Rental Property, West End/Arts District: Five (5) out of 52 existing 1BR and Studio renters did not require a parking space that was available for lease with their unit.

Mixed Income Rental Property, West End/Downtown: Three out of 43 units do not have a designated parking space. A 'natural screening' takes place and the units routinely stay 100% occupied by renters who do not have cars.

Market Rate For-Sale Project, East End: Two out of 12 1BR condo purchasers opted not to purchase a parking space available for their unit.

The above data suggest that the typical parking demand for one-bedroom, market rate housing products on the peninsula is .9 spaces per housing unit. In other words, approximately 90% of one-

bedroom households require a parking space. We believe the demand for parking spaces at 1 Joy Place will likely be at or below the average demand for the following reasons;

1. The units at Joy Place are small and intended to appeal predominantly to single-person households. All of the condos are one-bedroom units, 9 of which are less than 600 SF.

2. The prices for condominiums at 1 Joy Place will be affordable to households in the 100% to 120% AMI range. This target market—middle income, one-person households—are more likely to not own a car, or are more likely to be attracted to a housing opportunity in which a car is not necessary.

3. The property is located in close proximity to a UHaul Carshare location (corner of Pine and Brackett) and regional Metro bus stops.

4. The property is located within walking distance of major employment centers, including downtown Portland and the MaineMed and Mercy campuses.

5. The property will appeal to buyers who use bikes as their primary transportation, by providing both indoor and outdoor secure bike storage areas.

PARKING SITE PLAN REQUIREMENTS AND STANDARDS:

Parking requirements for the proposed development can be met by one, or a combination, of the following options;

A. provision of on-site parking spaces at a ratio of 1 space per housing unit

B. payment of a fee in lieu

C. provision of a shared-use vehicle, with one shared-use vehicle equaling 6 (50%) of the required parking spaces

D. off-site parking spaces, located within 1,500 feet of the proposed development site, provided the spaces are controlled by deed or lease of no less than 5 years. Note, per Sec 14.334a, it appears that these spaces do not have to be available for full-time use.

E. establishment of different parking requirements by the Planning Board based on unique conditions that result in a lesser parking demand than the existing parking requirement of one space per unit. (Sec 14-332.1.(k).3)

Based on the parking demand information gathered from other properties, as well as the specific characteristics of the resident profile at Onejoy, we believe that the actual parking demand will be ten to eleven spaces. We request that the board, under Sec. 14-332.1.(k).3, establish a parking requirement for the project that consists of a total of eleven (11) on and off-site parking spaces, two of which can be provided in a tandem orientation. Onejoy will meet its parking requirement through the following;

1. Three (3) on-site parking spaces, two (2) of which are in a tandem orientation.
2. A long-term lease for eight (8) parking spaces located at 699 Congress Street. Enclosed is a signed Letter of Intent between Onejoy Place LLC and a private parking lot owner and operator.

PARKING MANAGEMENT PLAN:

We will employ the following Parking Management Plan to administer the use of a) Joy Place private driveway, b) the on-site parking spaces and c) the off-site parking lease.

Joy Place driveway: Joy Place is a private right of way in which four property owners have easements recorded with their deed allowing for the right to use Joy Place to access their respective properties. Onejoy Place LLC is one of the four property owners. Each property owner's deed states that Joy Place must remain open and unobstructed forever. We will enforce this requirement through the following steps; i) posted signs along Joy Place indicating no parking, fire access and ii) provisions in the Condominium Declaration and Association Bylaws stipulating that parking is not allowed on Joy Place. As part of our site plan, an off-street parking spot for one of the abutters, 165 Brackett, will be improved to comply with city parking standards to limit the potential for vehicles utilizing that space to impede access on Joy Place.

On-Site Parking Spaces: The use of the on-site spaces will be as follows;

Space #1: Available for sale on a first-come, first-serve basis to a buyer of any unit at the property.

Spaces #2 and #3 (Tandem Block): Available for sale on a first-come, first-serve basis to a buyer of unit 1A, 1B, 1C or 1D. (1st floor, ADA accessible units).

Off-Site Parking Lease: The association will enter into a lease agreement for the provision of eight (8), off-site parking spaces prior to receiving a certificate of occupancy for the project. The lease agreement will have a 5-year term with an option to renew. Once the lease agreement is effective, the declarant, Onejoy Place LLC, will be responsible for the lease payments on all spaces until units are sold and parking spaces are reserved. Only association members who utilize off-site parking will be responsible for an additional parking fee in their monthly dues. Onejoy Place LLC will be responsible for any lease payments for unreserved parking spaces for the balance of the lease term in order to ensure that the association will meet its obligations under the agreement to lease the required eight (8) parking spaces.

CONFIDENTIAL

TO: TOM WATSON, PORT PROPERTY MANAGEMENT
FROM: TODD ALEXANDER, RENEWAL HOUSING ASSOCIATES LLC
SUBJECT: LETTER OF INTENT FOR PARKING, ONEJOY PLACE LLC
DATE: AUGUST 1, 2017

Dear Tom:

Thank you for meeting by phone to discuss our parking needs for our company's 12-unit residential condominium project located at 1 Joy Place in the West End.

This Letter of Intent ("LOI") sets forth the principal terms under which the applicant and declarant for the condominium project, Onejoy Place LLC, agrees to rent parking spaces from <Port Property Management> in the parking lot located at 699 Congress Street.

Lessee: Onejoy Place LLC

Lessor: Port Property Management

Number of Parking Spaces: Eight (8)

Location: The spaces will be provided in the Lessor's parking lot located at 699 Congress Street in Portland, Maine (CBL 47-C-21-22-40)

Lease Rate: \$ 125 per parking space, per month

Effective Date of Lease: Upon issuance of a certificate of occupancy for the Lessee's 12-unit condominium project located at 1 Joy Place, estimated to be in the 3rd or 4th Quarter, 2018.

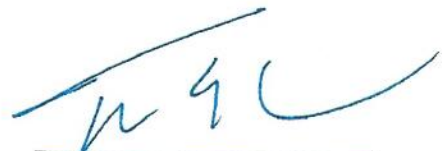
Term of Lease: Five (5) years from the Effective Date

Other Considerations: The lease agreement shall include a provision to allow the Lessee an option to renew the lease at expiration.

Both parties agree that this Letter of Intent shall serve as the basis for a lease agreement that includes standard provision and terms for such parking contracts and that shall be mutually acceptable to both parties.



Onejoy Place LLC
by its Sole Member, Renewal Housing Associates LLC
by its Member, West Port Development LLC
by its Sole Member, Todd M. Alexander



Thomas E. Watson
President
Port Property Management

August 29, 2017

Jean Fraser
City of Portland
389 Congress Street, 4th Floor
Portland, Maine 04101

**Subject: Onejoy Place
Revised Plans & Additional Information**

Dear Jean:

Terradyn Consultants has prepared revised Site Plans and assembled additional information for Onejoy Place resulting from the city's decision to not allow a sidewalk to be constructed on the 157 Brackett Street parcel. The revised plans and documents described below will be uploaded to the city's electronic plan review system as separate documents.

1. The previously proposed sidewalk located on the 157 Brackett Street parcel has been removed from the plan. A 5' wide brick surface will be installed on the south side of the Joy Place right-of-way, and three flush planting beds will be constructed within the brick surface. Each planting bed will feature a tree and low-growing ground cover plantings. A total of six precast concrete light bollards will be installed on either side of the planting beds in place of the previously proposed light poles. The flush brick surface treatment will indicate a walking path for pedestrians, but will still be available for vehicles to maneuver.

The clear width of Joy Place will remain similar to the previously proposed plan with the exception of three trees that will be installed within 20" of the southern property boundary and the six light bollards that will be installed on the property boundary. The clear width will be a minimum of 21.5' at the tree locations.

Reference: Revised Plans
C-2.2 Existing Conditions & Removals Plan
C-2.3 Construction Management Plan
C-3.0 Site Layout Plan
C-4.0 Grading, Drainage & Erosion Control Plan
C-5.0 Utility Plan
C-6.0 Site Details
C-6.1 Utility & Drainage Details
L-1 Landscape Plan
P-1.0 Photometric Lighting Plan

2. The applicant has updated the previously submitted parking memorandum to describe the anticipated parking demand for Onejoy Place, parking requirements for the project, and proposed parking management strategies. The memo has been uploaded to the city's electronic plan review system. A combination of on-site and off-site parking spaces will be provided to meet the requirements. A copy of an option to lease the required number of off-site parking spaces is attached to the memorandum.

Reference: parking memorandum_onejoy.pdf (V2)

3. The two bike hitches previously proposed to be located at the end of the sidewalk between Joy Place and 157 Brackett Street have been relocated to the north side of the building, in the vicinity of the solid waste and kayak storage.

Reference: Plan Sheet C-3.0 Site Layout Plan

4. The plan includes three street trees along the south side of the Joy Place right-of-way.

The location and shape of the project parcel and Joy Place Right of Way make it impossible to provide the 12 street trees required by ordinance. The applicant proposes to contribute the value of 9 trees to the City of Portland Tree Fund in accordance with Section 4.6.4.f of the Technical Manual to fully meet the street tree standard.

Reference: Plan Sheet L-1

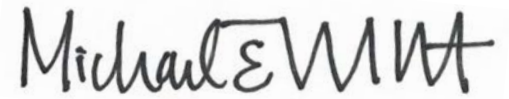
5. A draft Recording Plat has been prepared by Owen Haskell, Inc., the project surveyor. Owen Haskell is in the process of revising the plat to reflect the revisions described above. The revised plat will be uploaded to the e-plan system when it is available.

Reference: Plan Sheet C-2.1

We believe that the information described above fully addresses all outstanding comments from city staff and peer reviewers, and we request to be placed on the next available Planning Board agenda to request approval for the project. If you have any questions or require anything additional, please contact me directly.

Sincerely,

TERRADYN CONSULTANTS LLC

A handwritten signature in black ink, reading "Michael E. Tadema-Wielandt". The signature is written in a cursive, flowing style with a large initial "M".

Michael E. Tadema-Wielandt, P.E.
Vice President

cc Todd Alexander, Renewal Housing Associates, LLC
David Lloyd, Archetype, P.A.

1 Joy Place (CBL #045 E049; ID#2017-128) comments

2 messages

Hazel Holmes <hazelholmes@gmail.com>

Fri, Jun 23, 2017 at 11:02 AM

To: planningboard@portlandmaine.gov, Mat Holmes <mat.holmes@gmail.com>, bab@portlandmaine.gov
Cc: jf@portlandmaine.gov

This email outlines some concerns around the plan for the building being constructed at 1 Joy Place (CBL #045 E049; ID#2017-128).

We (Hazel and Mathew Holmes) live at 167 Brackett Street and are abutters along the passageway that runs in front of the new condo's main front entrance. By deed, we have a right of way to our property using that passageway that we need to keep open for access to the back of our property.

Because we'll need to use the right of way for vehicle access (landscaping trailers, loads of compost for the backyard garden, or appliance deliveries to the kitchen, etc.), we want to make sure that the right of way is passable by vehicle, and maintains its 12' width.

Looking at the submitted plan, it is not clear that the passageway remains sufficiently open. There wasn't a scale on the landscaping plan, so I couldn't measure it to confirm the width. I know it is tight with 1 Joy Place structure being built right up to the edge of right of way.

I also could not tell if the low-growing vinca is actually growing in a raised bed that would impinge on the travel lane.

We ask that the paving and landscaping keep the right of way a clear 12' wide, allowing for vehicles, without running into/over planting beds.

We also have some notes on the fence that is being build to separate the passageway and Joy Place building from our back yard.

To recap, we request that the project:

- Use a fence on our property line that is **7' or taller** and that has **no gaps between fence boards** (to maintain visual privacy between the passage between our buildings and our back yard).
- Use **solid material (wood) for fence gate** material, also for privacy.
- **Relocate gate 3-6 feet from the corner where it is located** on the plan (existing plantings on our property are in the way if it stays the corner location and would obstruct passage)
- Confirm that our deeded right of way is a clear **12' wide** and allows for vehicle passage.

We have shared these concerns with Todd Alexander, and he has said that he'll make the needed changes. I am writing to the planning board so the comments are on record and the issues are not lost in the planning process.

We are unfortunately not able to attend the upcoming neighborhood meeting because of travel plans.

Thank you,
Hazel and Mat Holmes

Support for One Joy Place

1 message

Peter Tousignant <petetousignant@gmail.com>

Fri, Jun 30, 2017 at 2:37 PM

To: jf@portlandmaine.gov

Cc: jlevine@portlandmaine.gov, bab@portlandmaine.gov

Jean,

I live at 30 Winter Street in Portland and am writing to voice my support for the proposed residential development at One Joy Place, for the public record. My support is based on the merits of the proposed project itself and the positive track record of the developer. The project will replace the structurally unsound remains of an old building with modern for-sale housing that is desperately needed in the West End. The proposed building is appropriately scaled for the neighborhood and will attract homeowners to the area. The proposed development also adequately addresses the City's parking requirements. The developer has worked closely with municipal leadership to propose improvements to the adjacent City-owned parking lot in exchange for parking access for One Joy Place residents. All aspects of the project have been thoughtfully designed, and the project would seem to adequately address all municipal requirements.

I have known the developer, Todd Alexander, professionally and personally for approximately 10 years. He has a successful track record of developing housing projects across the country. Additionally, he lives in the West End and has demonstrated a profound commitment to the improvement of the neighborhood. Todd recently-developed West Port Lofts on Tate Street, which like One Joy Place, replaced an underutilized parcel with much-needed modern for-sale housing. Todd has the experience and expertise to see One Joy Place through to successful completion.

As you know, the dilapidated structure that currently sits on the Joy Place site is both an eyesore and a physical hazard. Todd Alexander has patiently and persistently worked with the City to craft a plan that will finally redevelop the site. He took the proactive step of fencing the property once he had site control, but the neighborhood will still be best served by seeing this project be approved quickly, so that the existing structure can be demolished and replaced with new housing as quickly as possible.

Thank you very much.

-Peter

Peter Tousignant
[207-229-3557](tel:207-229-3557)

Re: 1 Joy Place

1 message

brett plymale <brettplymale@hotmail.com>

Wed, Jul 5, 2017 at 11:37 AM

To: Jean Fraser <jf@portlandmaine.gov>

Hi Jean,

I have three parking spaces for my tenants, one for each unit. Unit 1 parks along side the building, Units 2&3 park directly behind the building. Currently the 3rd floor tenants have an extra car, a red Ford Ranger, and have been temporarily parking to right side of Joy Place. They are a married couple and are in the process of downsizing to a one car family- but the lease on the first car doesn't run out until the fall. They're great tenants I've been very upfront that this is temporary.

Thanks,

Brett

Sent from my iPhone

On Jul 5, 2017, at 11:14 AM, Jean Fraser <jf@portlandmaine.gov> wrote:

Brett

Thank you for your comments, which will be included in the packet going to the Planning Board on Friday.

I note that your tenants appear to be parking partly on the private street Joy Place - and that may be an issue re emergency access to the rear new building.

Could you confirm how many parking spaces you own and their configuration- ie are they all on your property? (is the entirety of the spaces on your property?)

thank you

Jean

On Sun, Jul 2, 2017 at 11:03 PM, brett plymale <brettplymale@hotmail.com> wrote:

Hi Jean,

My name is Brett Plymale, and I'm the owner of 165 Brackett St, a property

which shares a common driveway with Joy Place. I bought this 3 unit building in 2000 and have seen a lot of changes on the street over the past 17 years. For as long as I've owned my building, Joy Place has been a delapidated eyesore and magnet for people with seemingly nowhere else to go. Just yesterday I found an empty vodka bottle along with empty beer cans near to where my tenants park and I know that no one in the building would have been so inconsiderate.

It is my understanding that Todd Alexander and his group are in the process of site plan approval for a 12 unit building directly behind my property. Over the past couple of years, Todd has reached out at several points to let me know the state of the project and to listen to my concerns and answer any questions. Initially, I was thinking that it would probably be a 4 or 5 unit building that would replace the existing structure at 1 Joy Place. When I learned that a 12 unit building was being proposed I had some doubts about how the footprint of Joy Place could comfortably accommodate that amount of new housing, and how they were going to address an obvious impeding parking issue.

That being said, I understand the need for more housing in the neighborhood. I understand that developers need to invest in projects that have prospects for a good return. And, I understand that something has to be done with 1 Joy Place. It simply cannot stay as it is.

I was happy to learn that there would be no parking on the property for the residents of Joy Place and that all concerned parties are committed to uphold the integrity of our deeded shared driveway. It is imperative that the driveway remain clear for emergency vehicles and for my tenants to be able come and go from their parking spaces without fear of being blocked in or their spaces being taken.

From the site plans that Todd has shared with me, it looks like there has been considerable attention paid to improve the look of the driveway, walkway and Reiche School parking lot. With those improvements, along with a functional property operating at Joy Place, I think Todd's plans are a step in the right direction. Again, I'm hoping the amount of units won't overwhelm the neighboring properties, mine included, but my concerns are outweighed by the need for improvement of Joy Place.

Thanks,
Brett

Brett Plymale
274 Concord St. west
Portland, ME 04103
[207-776-8962](tel:207-776-8962)

1 Joy Place

1 message

Tim Gebhardt <timg@gpmmaine.com>

Wed, Jul 5, 2017 at 11:57 AM

To: jf@portlandmaine.gov

Cc: bab@portlandmaine.gov, jlevine@portlandmaine.gov

Dear Jean:

I am writing to express my strong support for the project at 1 Joy Place Portland. This property has been a community liability for years and we are thrilled to have such a high quality project being proposed.

As neighbors, abutters, community members, and business owners the new building and improved sidewalk represents a great improvement over the existing conditions. The site plan is extremely well thought out and the emphasis on walkability will benefit area businesses. The handsome building design will make a great addition to the cityscape.

From a market point of view, dense, low cost, high quality housing is exactly what the city needs to attract and retain people.

Buyers of these units may be in a position to build wealth and financial security for roughly the price of renting; what is more, the project may likewise be attractive to older people who have downsized and may be looking for a more affordable situation that does not involve private car ownership.

In any case, we see this project as a triple bottom line winner with great community benefits.

Thank you,

Tim Gebhardt CMCA

Joy Place

1 message

Nathan Kimble Benchmark

<nkimble@benchmarkmaine.com>

To: jf@portlandmaine.gov

Wed, Jul 5, 2017 at 12:15
PM

Hello Jean,

I'm the owner of 100 Winter Street and share a boundary with Joy Place. The lot and buildings on it have been in disrepair and uninhabitable for decades. It's been encouraging to see it final become a useful and contributing part of the city. Although disappointed that the original plan didn't make it to fruition, I'm pleased to see and am generally supportive of Renewal Housings proposed current plan. This is a vast improvement over the current situation that exists at the lot, the adjacent driveway and parking lot. The improvements for sidewalk and city parking in exchange for some overnight and weekend parking is a reasonable solution that will help to define and make workable these three difficult and unique parcels. I look forward to seeing it progress.

Nathan Kimble

Broker | Owner

Benchmark Residential & Investment Real Estate
One Hundred Congress, Portland, ME, USA

Tel. +1(207)650-2487

Email nkimble@benchmarkmaine.com

MLS 008487

Local - Savvy - Responsive

One Joy Place

1 message

Trevor Watson <trevorewatson@gmail.com>

Wed, Jul 5, 2017 at 2:01 PM

To: jf@portlandmaine.gov

Cc: bab@portlandmaine.gov, jlevine@portlandmaine.gov

To Portland Planning Board:

My name is Trevor Watson and I own 33 West Street, I support Renewal Housing Associates development proposal for One Joy Place. This has been an eyesore for over a decade and this inventive proposal should be applauded as it will significantly enhance this area which should be of critical concern for the city due to close proximity to Reiche School.

I'm also very impressed with the thoughtful consideration to accommodate developments parking burden while simultaneously improving city infrastructure via public/private mutually beneficial plan which will generate a continued revenue stream, while also increasing spaces available to Reiche School.

This project will be a great benefit to the neighborhood, school and create much needed housing. Todd and gang should be commended for this proposal, as well as their history of reaching out to the neighborhood throughout this process.

Thank you,

TEW

Joy Place

1 message

Jed Rathband <jed@stonestrowconsulting.com>

Wed, Jul 5, 2017 at 9:57 PM

To: jf@portlandmaine.gov

Cc: bab@portlandmaine.gov, jlevine@portlandmaine.gov

To: Jean Fraser,

Re: Joy Place

From: Jed Rathband, 38 Spruce Street, Portland

Date 7/7/17

Ms. Fraser,

I am writing in support of the proposed Joy Place development that is currently under consideration. The lot in question is a short stroll from my apartment and currently it doesn't have much going for it. However, I do believe the proposal before you could be a really great solution for a parcel that has been underutilized for years.

The plan allows for much needed housing and will contribute to the street life in an area of the West End that feels rather vacant. The added benefit is the additional parking spots on the City owned land that the developer is willing to shoulder.

I'm sure area business will benefit by having more patrons, the school will benefit as hopefully more families move in to the neighborhood and an otherwise blighted lot will be improved. A win-win for the city and the neighborhood.

Thank you for your consideration,

Jed Rathband

Google Groups

1 Joy Place

Kim Roseberry <roseberry00@gmail.com>

Jul 8, 2017 2:07 PM

Posted in group: **Planning Board**

Dear Planning Board,

I am writing to you in regards to the development at 1 Joy Place, the property that abuts my house. I am unable to attend the 7/11 workshop and therefore would like to submit my comments here.

Firstly, 12 new units with only parking for 4 vehicles is an unreasonable burden to place on the neighborhood. Brackett Street recently lost several spaces with the new sidewalk configurations. Parking is INCREDIBLY difficult, and 12 units means there will be between 12 and 24 new vehicles on the streets. This is entirely unsustainable and the developer should be required to provide at least 12 parking spots.

Secondly, the 12 units are an average of less than 300 sqft each based on the advertised 3591sqft of floor space, not even considering the area deducted for common areas like hallways and stairs. I do not consider such small spaces as "apartments" but something closer to dormitory rooms. These cannot be considered quality living spaces, and are a clear attempt to maximize profit for the developer through packing people in as tightly as possible.

Thirdly, the recently Portland Comprehensive Plan is meant to address affordable housing in the city. Yet, here we have a development that does little to meet the intentions of that plan. One out of 12 units slated as "affordable" is a weak gesture to meet weak guidelines and nothing more.

In the end, this development will cause additional crowding in an already strained neighborhood, and will exacerbate the affordability issues that exist. I cannot give my support to this project, but rather would like to voice my objection to the development .

Best,
Kimberly Roseberry
173 Brackett St.
Portland, ME 04102

Google Groups

Joy Place

Nance Parker <nance.parker1@gmail.com>

Jul 11, 2017 9:20 AM

Posted in group: **Planning Board**

I am unable to attend the planning board meeting tonight but have been to numerous previous meetings about this same proposal. So I would like to state in writing yet again my concerns. While Portland keeps reiterating the need for affordable housing this proposal gives us only 1 out of 12 units of so-called "affordable" housing, the understanding is that 11 will be "unaffordable" housing. Our neighborhood doesn't need that we already have one of those buildings on the corner. The builders/ profiteers are providing 4 parking spaces for these 12 units! Is this a joke? where are the the potential 8 plus cars parking? On the roof? Most likely neither the planning board nor the builders have ever had to find parking on Brackett Street. We are already at over capacity. Then the thought of these said 8-12 cars entering Brackett St from Joy Place at anytime of the day , let alone in the morning when school is in session is a frightening thought. Once again has any of you looked at the chaos that is now Brackett St in the morning ? We have 2 popular grocery stores [Fresh Approach & Rosemont] with countless delivery trucks.all day, we have a dance and yoga studio with classes changing every hour, there are school busses , parents drop-offs 300 children, never mind ambulances [we are between 2 hospitals] The road is over used ,too narrow and filled to capacity. We have reached saturation in our neighborhood and on Brackett Street. Please consider these factors before you allow ANOTHER high -end apartment to be put in. The consequences of which affect the quality of our life here in Portland. Sincerely Nance Parker, 139 Brackett St. and director of Shoestring Theater 155 Brackett St

Google Groups

1 Joy Place; re: Public Hearing 9/26/2017

Bill Stauffer <bstauffer@eco-story.com>

Sep 18, 2017 3:51 PM

Posted in group: **Planning Board**

Dear Portland Planning Board: As I have in the past I am strongly opposing approval for this plan because of the inadequate ration of parking spots to units proposed for construction. Four parking spaces for 12 units is insufficient and against current codes. We now have parking space issues throughout the peninsula and approval of plans like this only exacerbate the problem. Thank you,

Bill Stauffer

PH: (207) 699-5727 x11

FX: (207) 699-2321

Storrey Property Management, LLC

151 Newbury Street
Portland, ME 04101

USA

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James Dealaman <jdealaman@portlandmaine.gov>

One Joy Place

Adam Frederick <adamjamesfrederick@gmail.com>

Fri, Sep 22, 2017 at 8:17 AM

To: planningboard@portlandmaine.gov

Hello,

\$300,000 condos are NOT what is needed in Portland. I have lived on Brackett street for 3 years, and in Portland for 15 years, and grew up 15 minutes from Portland. Portland is my home.

I have been a major contributor to the creative musical culture of this town, and we are being swiftly priced out of our community. My rent has gone up 3x in the past two years as a result of the gentrification of the peninsula.

The city that I, my wife, my colleagues, family and friends have helped to turn into an exciting, vibrant, creative and "desirable" place, will very soon no longer have a place for us. It is offensive that this gem of a town is going the way of Dumbo, of Williamsburg; too hip to hang on to those who made it hip.

Building get-away condos for wealthy New Yorkers and Bostoners is a waste of all that makes Portland such a wonderful place. It is time that you, the representatives of true Portlanders, start representing those who already live and work here, and stop the unchecked march toward a soulless destination city for the uninspired wealthy.

Pull the plug on One Joke Place and instead build actual AFFORDABLE housing (Read; rents below \$1,200, condos below 130k) for those who make this city worth writing about, worth traveling to, worth living in.

If you don't start planning carefully, we will have a peninsula full of empty crash pads for the rich, empty culture, empty purpose.

To borrow a phrase from our frightening leader; Portland first, Portland first, Portland first!

Regards,
Adam Frederick

Sent from my iPhone

**James Dealaman** <jdealaman@portlandmaine.gov>

1 Joy Place

Linda Carleton <lindacarleton01@gmail.com>

Fri, Sep 22, 2017 at 1:23 PM

To: planningboard@portlandmaine.gov

I'm writing to express my strong opposition to the 1 Joy Place project off Brackett Street as it is currently proposed. I am disappointed that it has only the one requisite affordable unit at a time when Portland is in such dire need of affordable housing, but my main opposition is due to its lack of parking. As you likely know, parking in this part of Portland is already a nightmare, in part because of daytime Reicke school traffic and in part because this section of Brackett Street is at the corner of Parking District 2. That means that none of us can park to the north of Brackett Street and State Street to our East has metered parking all day. The problem is, of course, compounded on street cleaning days.

It seems unconscionable to allow erection of a 12 unit project of high-end housing for people who will almost certainly have one or more cars when there are only four parking spaces provided.

I strongly hope that you will vote against the current proposal.

Linda Carleton
207 Spring Street (corner of Spring and Brackett)
Portland

(207) 504-4628

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF ALL REGULATIONS ADMINISTERED BY THE LOCAL UTILITY COMPANIES AND THE CITY OF PORTLAND.
2. THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCES, EXITS, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS.
3. ALL REQUIRED AND NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSION AND THE FINAL SERVICE CONNECTIONS.
4. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR THE ELEVATION OF THE EXISTING UTILITIES AS SHOWN ON THESE PLANS IS BASED ON RECORDS OF THE VARIOUS UTILITY COMPANIES AND, WHERE POSSIBLE, MEASUREMENTS TAKEN IN THE FIELD. THIS INFORMATION IS NOT TO BE RELIED ON AS BEING EXACT OR COMPLETE. THE CONTRACTOR MUST CALL THE APPROPRIATE UTILITY COMPANY AND DIG SAFE (1-888-DIGSAFE). IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS, AT NO EXTRA EXPENSE TO THE OWNER.
5. MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE OWNER AND THE CONTRACTOR IS RESPONSIBLE FOR COMPLYING WITH ALL EROSION CONTROL MEASURES SHOWN ON THE PLANS. ADDITIONAL EROSION CONTROL MEASURES SHALL BE INSTALLED IF DEEMED NECESSARY BY ONSITE INSPECTIONS OF THE OWNER OR THEIR REPRESENTATIVES AT NO ADDITIONAL COST TO THE OWNER.
6. ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PLAN REVIEW. ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
7. ALL MATERIALS AND CONSTRUCTION METHODS SHALL CONFORM TO PROJECT CONTRACT SPECIFICATIONS, AND THE CITY OF PORTLAND TECHNICAL MANUAL STANDARDS, WHICHEVER IS MORE STRINGENT.
8. TOPOGRAPHIC AND BOUNDARY SURVEY INFORMATION WAS PROVIDED BY OWEN HASKELL, INC. BENCHMARK = HYDRANT BONNET BOLT ON WEST SIDE OF BRACKETT STREET, ELEVATION 142.96, NGVD 1929 DATUM.
9. FEMA MAP COMMUNITY PANEL NUMBER 230051 0013 B. THE SITE IS LOCATED IN A C ZONE.
10. THE PROPERTY SHOWN ON THIS PLAN MAY BE DEVELOPED AND USED ONLY AS DEPICTED IN THIS APPROVED PLAN. ALL ELEMENTS AND FEATURES OF THE PLAN AND ALL THE PROPERTY WHICH APPEARS IN THE RECORD OF THE PLANNING BOARD PROCEEDINGS ARE CONDITIONS OF THE APPROVAL. NO CHANGE FROM THE CONDITIONS OF APPROVALS IS PERMITTED UNLESS AN AMENDED PLAN IS FIRST SUBMITTED TO AND APPROVED BY THE PLANNING AUTHORITY.
11. ALL SIGNAGE SHALL CONFORM TO THE STANDARDS FOR SIZE, HEIGHT, LOCATION AND REFLECTIVITY SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).
12. ALL CURB SHALL CONFORM TO THE FOLLOWING SPECIFICATIONS AS NOTED ON THE PLANS: GRANITE CURB SHALL MEET THE REQUIREMENTS OF MaineDOT SPECIFICATIONS 609.03 AND CITY OF PORTLAND TECHNICAL STANDARDS.
13. ALL DIMENSIONING UNLESS OTHERWISE NOTED IS TO THE FACE OF CURB OR FACE OF BUILDING.
14. THE FACILITY IS SERVICED BY PUBLIC WATER, SEWER, AND UNDERGROUND POWER. THE PROJECT INCLUDES UPDATES TO THE POWER SERVICE INCLUDING THE INSTALLATION OF NEW UNDERGROUND SYSTEM. SEE SITE ELECTRICAL PLANS FOR DETAILS.
15. THE CONTRACTOR IS REQUIRED TO NOTIFY THE CITY OF PORTLAND PUBLIC WORKS INSPECTION SERVICES DIVISION (874-8300 EXT. 8838), CODE ENFORCEMENT OFFICE AND DEVELOPMENT REVIEW COORDINATOR IN WRITING THREE (3) DAYS PRIOR TO THE BEGINNING OF CONSTRUCTION. A PRE-CONSTRUCTION MEETING MAY BE REQUIRED TO INCLUDE THE PUBLIC WORKS AUTHORITY OR DEVELOPMENT REVIEW COORDINATOR.
16. AN APPROVED SET OF PLANS AND ALL APPLICABLE PERMITS MUST BE AVAILABLE AT THE CONSTRUCTION SITE.
17. WARNING SIGNS, MARKERS, BARRICADES OR FLAGMEN MUST BE EMPLOYED ON ADJACENT STREETS AS NECESSARY. THE CONTRACTOR SHALL COORDINATE AND SEEK APPROVAL FROM THE PUBLIC SERVICE DIVISION FOR THE PLACEMENT/PARKING OF EQUIPMENT WITHIN THE PUBLIC RIGHT OF WAY.
18. CONSTRUCTION DEBRIS SHALL BE CONTAINERIZED AND DISPOSED OF IN ACCORDANCE WITH THE CITY OF PORTLAND'S SOLID WASTE ORDINANCE CHAPTER 12. ALL DEMOLITION MATERIAL FROM THE PROJECT SITES SHALL BE TAKEN TO THE RIVERSIDE RECYCLING FACILITY OR AS OTHERWISE DIRECTED PENDING THE RESULTS OF A HAZARDOUS BUILDING MATERIALS SURVEY AS AUTHORIZED AND COORDINATED BY THE OWNER. ALL SALVAGED MATERIAL WITHIN THE PUBLIC R.O.W. (SIDEWALKS, BRICKS, GRANITE CURB) NOT REUSED SHALL BE DISPOSED OF AS DIRECTED BY THE PORTLAND PUBLIC WORKS DEPARTMENT AT NO EXTRA COST TO THE OWNER.
19. ANY DAMAGE TO PUBLIC OR PRIVATE PROPERTY RESULTING FROM CONSTRUCTION ACTIVITIES SHALL BE REPAIRED BY THE CONTRACTOR AT THEIR EXPENSE.
20. PROPERTY MARKERS AND STREET LINE MONUMENTS SHALL BE PROPERLY PROTECTED AT ALL TIMES DURING CONSTRUCTION TO INSURE INTEGRITY. IF DISTURBED THEY SHALL BE REPLACED BY A SURVEYOR REGISTERED IN THE STATE OF MAINE AT THE CONTRACTOR'S EXPENSE.
21. THE OWNER SHALL BE RESPONSIBLE TO COORDINATE THE PERFORMANCE OF A HAZARDOUS MATERIALS INSPECTION OF THE PROPERTY.
22. A STREET OPENING PERMIT MUST BE OBTAINED FROM THE CITY OF PORTLAND PUBLIC WORKS DEPARTMENT PRIOR TO BEGINNING ANY WORK WITHIN THE CITY RIGHT-OF-WAY. ALL WORK WITHIN THE PUBLIC RIGHT OF WAY SHALL BE COMPLETED IN CONFORMANCE TO THE CITY'S RULES AND REGULATIONS FOR EXCAVATION ACTIVITIES IN PUBLIC RIGHT OF WAYS.
23. CONTRACTOR MUST MAINTAIN THROUGH TRAFFIC ON ADJACENT STREETS AT ALL TIMES.
24. ALL METHODS AND MATERIALS USED IN THE CONSTRUCTION OF THE IMPROVEMENTS IDENTIFIED HEREIN SHALL CONFORM TO THE CITY OF PORTLAND CONSTRUCTION AND TECHNICAL STANDARDS AND SPECIFICATIONS AND/OR CURRENT MaineDOT STANDARDS AND SPECIFICATIONS, WHICHEVER IS MORE STRINGENT.
25. SITE WORK FOR BUILDING SHALL INCLUDE GRADING THE BUILDING PAD AREA (DEFINED AS THE BUILDING FOOTPRINT PLUS 5'-0" BEYOND THE EXTERIOR WALL) TO A GRADE 18" BELOW THE GROUND FLOOR FINISH ELEVATION. ALL WORK SHALL INCLUDE EXCAVATION (INCLUDING ROCK REMOVAL AND EXISTING FOUNDATION DEMOLITION) AND BACKFILL OF ALL FOOTINGS AND FOUNDATIONS. INSTALLATION OF PERIMETER FOUNDATION DRAINS, EXCAVATION AND BACKFILL OF ALL UNDERSLAB UTILITIES AND PLACEMENT OF ALL AGGREGATES BELOW THE FLOOR SLAB AND ADJACENT FOUNDATION WALLS IN ACCORDANCE WITH THE CONTRACT PLANS AND SPECIFICATIONS. (SEE ARCHITECTURAL AND STRUCTURAL PLANS FOR ADDITIONAL DETAILS PERTAINING TO ANY BUILDING RELATED FOUNDATION WORK).

11. SUBGRADE FILL PLACED BENEATH ALL PERMANENT PAVEMENT, SIDEWALK OR CONCRETE SURFACES EXCLUDING ANY BUILDING AREAS, SHALL BE GRANULAR BORROW. SUBGRADE FILL PLACED BENEATH ALL LANDSCAPE AREAS EXCEPT THOSE ADJACENT THE FOUNDATION SYSTEMS MAY BE A COMMON BORROW MATERIAL SUITABLE FOR EMBANKMENT CONSTRUCTION. FREE FROM FROZEN MATERIAL, PERISHABLE RUBBLE, PEAT, ORGANICS, ROCKS LARGER THAN 12" IN DIAMETER, VEGETATION AND OTHER MATERIAL UNSUITABLE FOR ROADWAY AND SUBGRADE CONSTRUCTION. EXCAVATED ON-SITE MATERIALS MAY BE USED FOR FILL PROVIDED THE MATERIAL IS FREE FROM UNSUITABLE MATERIAL DESCRIBED IN THIS NOTE AND UPON APPROVAL OF THE ENGINEER. EXCAVATED ONSITE MATERIALS MAY NOT BE USED AS COMPACTED STRUCTURAL FILL BENEATH THE BUILDING AREAS OR AS FOUNDATION BACKFILL. GRANULAR BORROW AND COMMON BORROW SHALL COMPLY WITH MaineDOT SPECIFICATIONS.
12. ALL FILLS SHALL BE PLACED IN LAYERS NOT MORE THAN 12" LOOSE DEPTH AND COMPACTED BY HEAVY COMPACTION EQUIPMENT. MINIMUM COMPACTION SHALL BE 95% OF MAXIMUM DENSITY ASTM 1557, MODIFIED AND FIELD DENSITY ASTM D2922 (NUCLEAR METHODS).
13. THE CONTRACTOR SHALL ANTICIPATE THAT GROUNDWATER WILL BE ENCOUNTERED DURING CONSTRUCTION AND SHALL INCLUDE SUFFICIENT COSTS WITHIN THEIR BID TO PROVIDE DEWATERING AS NECESSARY. NO SEPARATE PAYMENT SHALL BE MADE TO THE CONTRACTOR FOR DEWATERING.

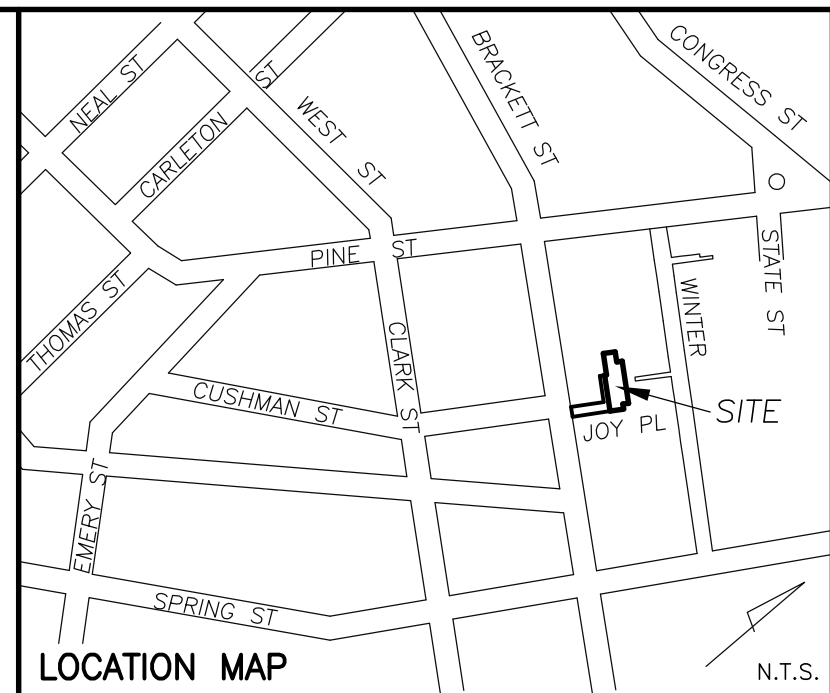
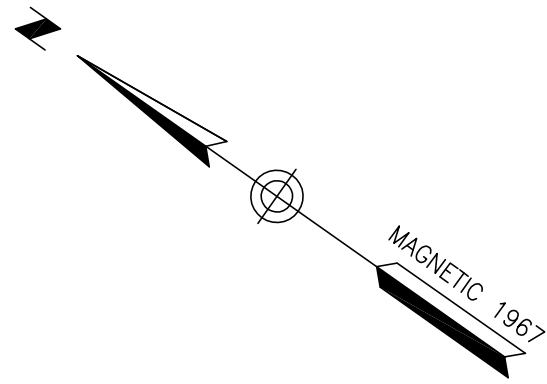
1. ALL CONSTRUCTION SHALL COMPLY WITH 2009 NFPA 1 CHAPTER 16 SAFE GUARDS DURING BUILDING CONSTRUCTION, ALTERATION AND DEMOLITION OPERATIONS.
2. ANY CUTTING AND WELDING WORK PERFORMED ONSITE SHALL REQUIRE A "HOT WORK" PERMIT FROM THE PORTLAND FIRE DEPARTMENT.
3. THE GENERAL CONTRACTOR SHALL POST EMERGENCY CONTACT INFORMATION ON THE PROJECT SITE PROPERTY DURING CONSTRUCTION IN THE EVENT OF AN AFTER HOURS EMERGENCY. THIS CONTACT INFORMATION SHALL ALSO BE PROVIDED TO THE PORTLAND FIRE DEPARTMENT.
4. IF THE SITE IS SECURED BY TEMPORARY OR PERMANENT FENCING WITH LOCKED GATES, THEN THE APPLICANT OR ASSIGNED REPRESENTATIVE SHALL PURCHASE A KNOX PADLOCK FROM THE PORTLAND FIRE DEPARTMENT TO ALLOW ACCESS BY THE PORTLAND FIRE DEPARTMENT.
5. STREETS SHALL MAINTAIN A 20' WIDTH FOR FIRE DEPARTMENT ACCESS AT ALL TIMES.
6. FIRE HYDRANTS SHALL NOT BE BLOCKED OR ENCLOSED BY FENCING. A 3' CLEARANCE SHALL BE MAINTAINED AT ALL TIMES AROUND FIRE HYDRANTS.

1. THIS PROJECT IS SUBJECT TO THE TERMS AND CONDITIONS OF THE SITE PLAN REVIEW PERMIT FROM THE CITY OF PORTLAND WHICH WILL BE MADE A PART OF THE CONTRACT BID DOCUMENTS. THE CONSTRUCTION WILL BE GOVERNED BY THE ZONING ORDINANCES WHICH ARE AVAILABLE FOR VIEWING AT THE OFFICE OF THE ENGINEER OR THE MUNICIPAL OFFICE.

DIMENSIONAL REQUIREMENTS (B-1 ZONE)		
STANDARD	REQUIRED	PROVIDED
MIN. LOT SIZE	NONE	5,851
MIN. LOT AREA PER DWELLING UNIT	435 SF	465 SF
MIN. STREET FRONTAGE	20 FT	87.90 FT
MIN. LOT WIDTH	NONE	87.90 FT
MIN. FRONT YARD	NONE	0 FT
MAX. FRONT YARD	10 FT	0 FT
MIN. REAR YARD	10 FT	10 FT
MIN. SIDE YARD	NONE	4 FT
MAX. STRUCTURE HEIGHT	45 FT	34 Ft
MAX. IMPERVIOUS SURFACE	90%	62.2%
PARKING	1 SPACE PER UNIT (12 SPACES)	14 TOTAL SPACES 4 ON SITE SPACES & 10 OFF SITE SPACES THRU LEASE AGREEMENT WITH CITY OF PORTLAND

	EXISTING PROPERTY LINE
	PROJECT SITE BOUNDARY
	EXISTING SETBACK LINE
	PROPOSED EASEMENT
	EXISTING MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	PROPOSED CONTOUR
	EXISTING STORMDRAIN
	PROPOSED STORMDRAIN
	EXISTING SANITARY SEWER
	PROPOSED SANITARY SEWER
	EXISTING WATER LINE
	PROPOSED WATER LINE
	EXISTING UNDERDRAIN
	PROPOSED UNDERDRAIN
	EXISTING OVERHEAD ELECTRIC & TELEPHONE
	PROPOSED OVERHEAD ELECTRIC & TELEPHONE
	EXISTING UNDERGROUND ELECTRIC & TELEPHONE
	PROPOSED UNDERGROUND ELECTRIC & TELEPHONE
	EXISTING EDGE OF PAVEMENT
	PROPOSED EDGE OF PAVEMENT
	EXISTING EDGE OF GRAVEL
	PROPOSED EDGE OF GRAVEL
	EXISTING CURB
	PROPOSED CURB
	PROPOSED FENCE
	SILT FENCE
	TEST PIT
	EXISTING VALVE
	PROPOSED VALVE
	EXISTING HYDRANT
	EXISTING LIGHT POLE
	PROPOSED LIGHT POLE
	EXISTING UTILITY POLE
	EXISTING CATCH BASIN
	PROPOSED CATCH BASIN
	EXISTING DRAIN MANHOLE
	PROPOSED DRAIN MANHOLE
	EXISTING SEWER MANHOLE
	PROPOSED SEWER MANHOLE
	EXISTING SPOT GRADE
	PROPOSED SPOT GRADE
	SURVEY CONTROL POINT
	EXISTING MONUMENT
	EXISTING IRON PIPE
	EXISTING SIGN
	PROPOSED SIGN
	EXISTING BUILDING
	PROPOSED BUILDING
	PROPOSED CONCRETE
	PROPOSED PAVEMENT
	PROPOSED BRICK

[illegible]



PLAN REFERENCES

1. "STANDARD BOUNDARY SURVEY ON BRACKETT STREET, PORTLAND, MAINE MADE FOR PORTLAND WEST, INC." DATED DECEMBER 14, 2000 BY OWEN HASKELL, INC.
2. CITY OF PORTLAND STREET SHEETS.
3. "PLAN OF PROPERTY IN PORTLAND, MAINE MADE FOR CITY OF PORTLAND SCHOOL DEPARTMENT" DATED FEB. 6, 1975 BY H.I. & E.C. JORDAN SURVEYORS.
4. "CONDOMINIUM PLAT, BLUE SKYES CONDOMINIUM, 75 GRAY STREET & 103 BRACKETT STREET, PORTLAND, MAINE MADE FOR RECORD OWNER FRANCIS R. CLOUTIER" FEBRUARY 27, 2017 BY OWEN HASKELL, INC.
5. "REICHE SCHOOL - BRACKETT STREET CROSSWALKS EXISTING CONDITIONS PLAN, PINE STREET TO SPRING STREET," BY CITY OF PORTLAND, MAINE, PUBLIC WORKS DEPARTMENT, ENGINEERING DIVISION DATED FEB. 18, 2016. PLAN NUMBER 882/49.

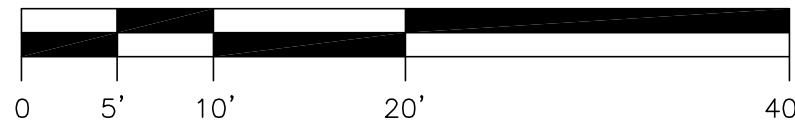
NOTES

1. OWNER OF RECORD: ONEJOY PLACE LLC, C.C.R.D. 33404 PAGE 272.
 2. PARCEL IS SHOWN AS LOT 48 & 49 BLOCK E ON CITY OF PORTLAND'S ASSESSORS MAP 45.
 3. BASIS OF BEARINGS ARE MAGNETIC 1967 PER PLAN REFERENCE 1.
 4. ELEVATIONS ARE BASED ON CITY PORTLAND VERTICAL DATUM.
 5. COORDINATES ARE STATE PLANE COORDINATE SYSTEM, MAINE WEST ZONE, NAD 1983 BASED ON MONUMENT LOCATIONS PROVIDED BY THE CITY OF PORTLAND DEPARTMENT OF PUBLIC WORKS ENGINEERING DIVISION.
 6. SEWER LATERALS TAKEN FROM PLAN REFERENCE 5.
- CITY CONTROL POINTS USED:
T104-24-1204 N: 297735.40 E:2926587.54
T124-26-1269 N: 297422.56 E:2926942.98

LEGEND

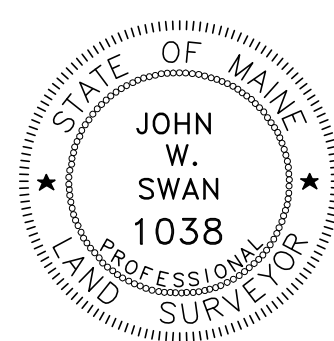
- IRON PIPE OR ROD FOUND
- UTILITY POLE
- WATER VALVE
- MANHOLE
- HYDRANT
- DECIDUOUS TREE
- FENCE
- CURB
- OHW OVERHEAD WIRES
- W WATER LINE
- G GAS LINE

GRAPHIC SCALE



CERTIFICATE

OWEN HASKELL, INC. CERTIFIES THAT THIS PLAN IS BASED ON, AND THE RESULT OF, AN ON THE GROUND FIELD SURVEY AND THAT TO THE BEST OF OUR KNOWLEDGE, INFORMATION AND BELIEF, IT CONFORMS TO THE BOARD OF LICENSURE FOR PROFESSIONAL LAND SURVEYORS' CURRENT STANDARDS OF PRACTICE, WITH THE EXCEPTION OF MARKERS NOT SET AT ALL CORNERS.



APRIL 14, 2017
DATE

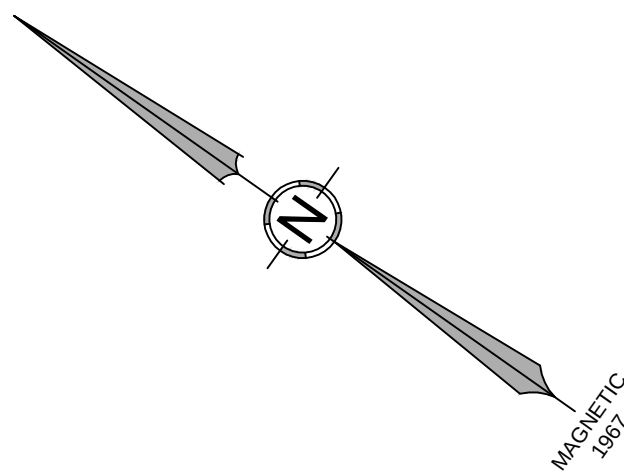
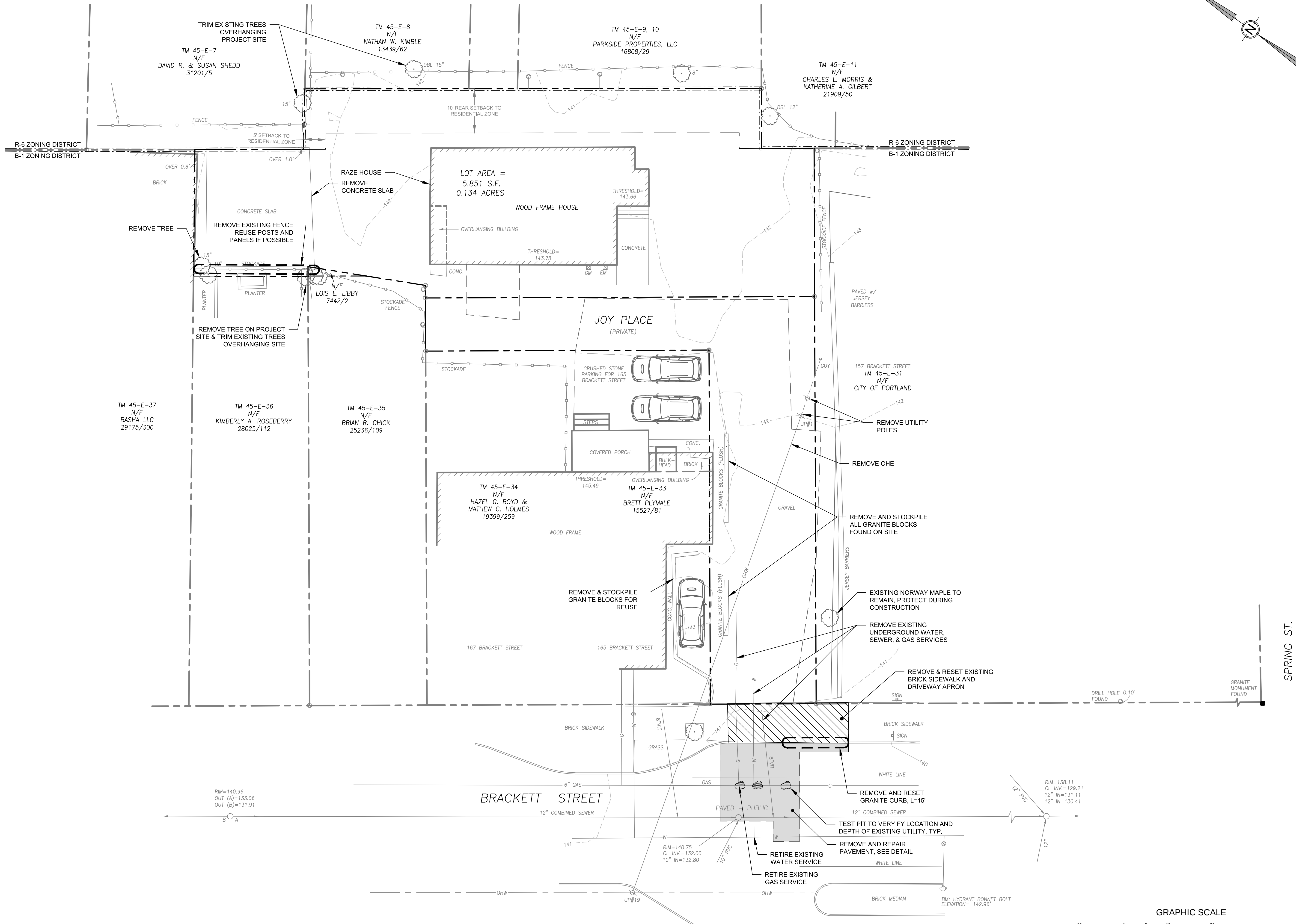
JOHN W. SWAN, PLS. NO. 1038

UTILITY NOTE

THE UNDERGROUND UTILITIES SHOWN HAVE BEEN LOCATED FROM FIELD SURVEY INFORMATION AND EXISTING DRAWINGS. THE SURVEYOR MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES SHOWN COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. THE SURVEYOR FURTHER DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH HE DOES CERTIFY THAT THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. THE SURVEYOR HAS NOT PHYSICALLY LOCATED THE UNDERGROUND UTILITIES. CALL 1-800-DIGSAFE AT LEAST THREE BUSINESS DAYS BEFORE PERFORMING ANY CONSTRUCTION. DUE TO OSHA CONFINED SPACE REQUIREMENTS, ALL INVERTS AND PIPE SIZES MUST BE VERIFIED PRIOR TO ANY CONSTRUCTION.

SPRING ST.

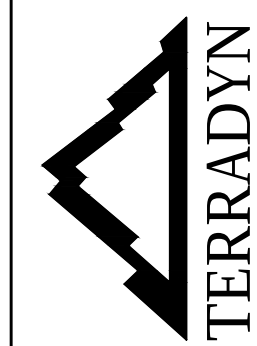
REV. 1	3-6-17	MISC. UPDATE, ADD TOPOGRAPHY
OWNER OF RECORD: ONEJOY PLACE LLC THREE CANAL PLAZA, SUITE 501, PORTLAND, MAINE 04101 C.C.R.D. BOOK 33404 PAGE 272		
BOUNDARY SURVEY AT 1 JOY PLACE, PORTLAND, MAINE MADE FOR ONEJOY PLACE LLC 3 CARROLL STREET, PORTLAND, MAINE		
OWEN HASKELL, INC. 390 U.S. ROUTE ONE, FALMOUTH, ME 04105 (207) 774-0424 PROFESSIONAL LAND SURVEYORS		
Drawn By	RS	Date
Trace By	JLW	AUGUST 24, 2016
Check By	JWS	Scale
Book No.	FILE	1" = 10'
		Job No. 2014-086P
		Drwg. No. 1



P.E.: MICHAEL E. TADMAWIELANDT
DATE: 9-13-2017

NO.	DATE	REVISIONS
1	4-25-2017	APPROVED FOR REVIEW
2	8-7-2017	REVISED PER STAFF & PEER REVIEW COMMENTS
3	8-29-2017	REVISED SIDEWALK ON ADJUTING CITY PARCEL
4	9-13-2017	REVISED PER STAFF COMMENTS

545 CONGRESS STREET
SUITE 310
PORTLAND, ME 04102
P.O. BOX 329
111 ELDERRIDGE LANE
NEW GLoucester, ME 04260



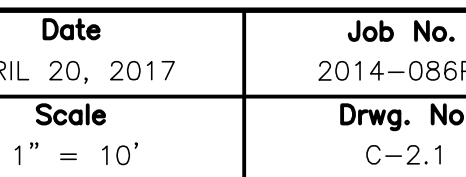
OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradyconsultants.com

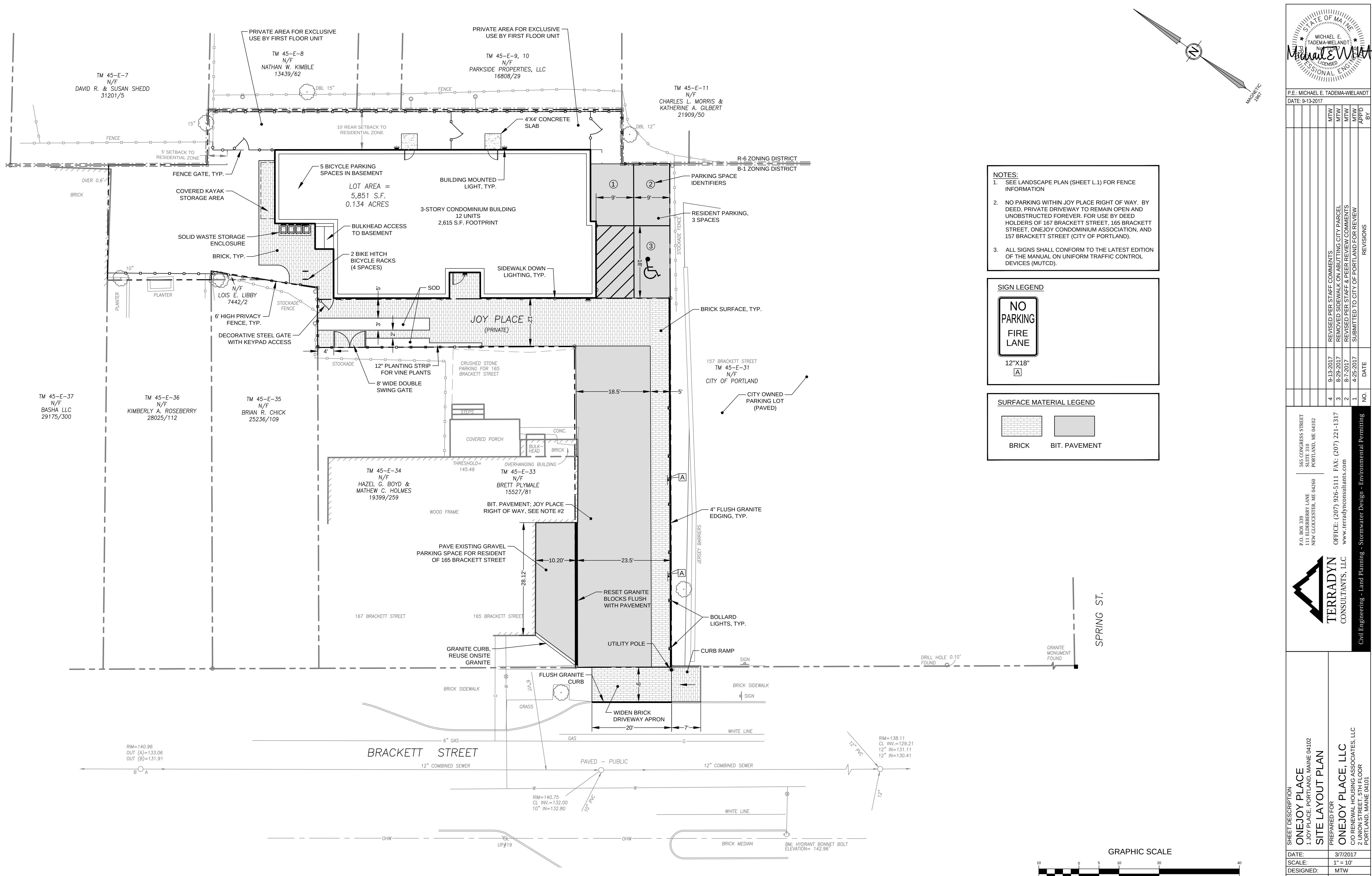
Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

SHEET DESCRIPTION
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE 04102
EXISTING CONDITIONS & REMOVALS

DATE: 3/7/2017
SCALE: 1"=10'
DESIGNED: MTW
JOB NO.: 1704
FILE: 1704-EC.DWG
SHEET C-2.2

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101





- NOTES:
- SEE LANDSCAPE PLAN (SHEET L.1) FOR FENCE INFORMATION
 - NO PARKING WITHIN JOY PLACE RIGHT OF WAY. BY DEED, PRIVATE DRIVEWAY TO REMAIN OPEN AND UNOBSTRUCTED FOREVER. FOR USE BY DEED HOLDERS OF 167 BRACKETT STREET, 165 BRACKETT STREET, ONEJOY CONDOMINIUM ASSOCIATION, AND 157 BRACKETT STREET (CITY OF PORTLAND).
 - ALL SIGNS SHALL CONFORM TO THE LATEST EDITION OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

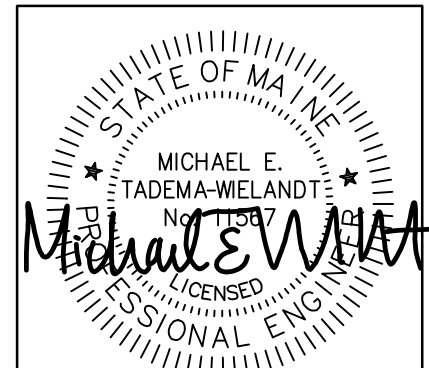
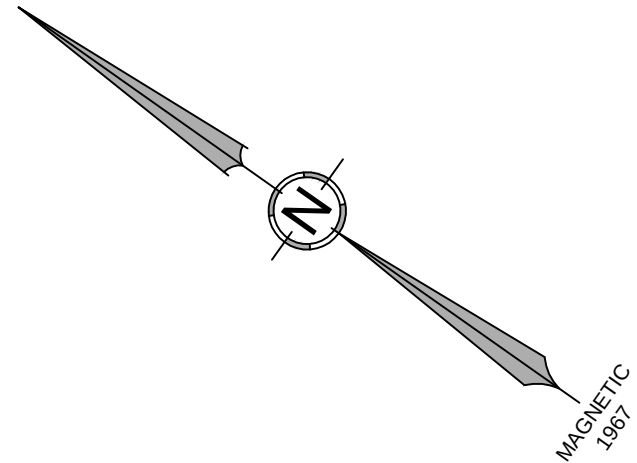
SIGN LEGEND

12"x18"
[A]

SURFACE MATERIAL LEGEND

BRICK

BIT. PAVEMENT



P.E.: MICHAEL E. TADEMA-WIELANDT
DATE: 9-13-2017

NO.	DATE	REVISIONS	BY
1	9-13-2017	REVISED PER STAFF COMMENTS	MTW
2	8-29-2017	REMOVED SIDEWALK ON ADJUTING CITY PARCEL	MTW
3	8-7-2017	REVISED PER STAFF & PEER REVIEW COMMENTS	MTW
4	4-25-2017	SUBMITTED TO CITY OF PORTLAND FOR REVIEW	MTW
5		APPD	

565 CONGRESS STREET
SUITE 310
PORTLAND, ME 04102

P.O. BOX 339
111 ELDERBERRY LANE
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN
CONSULTANTS, LLC

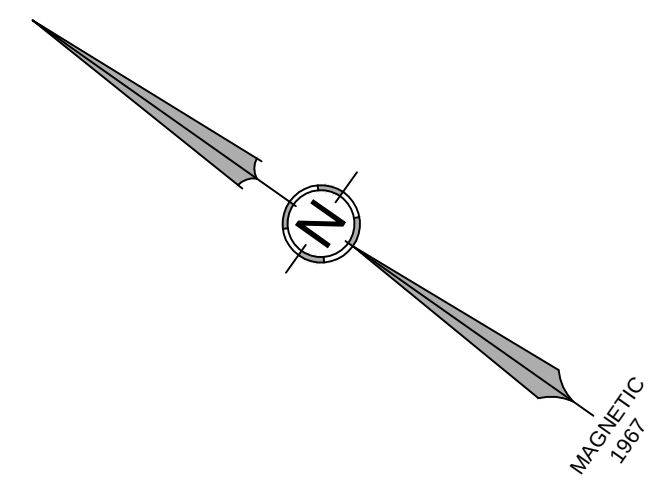
Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

SHEET DESCRIPTION
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE 04102

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101

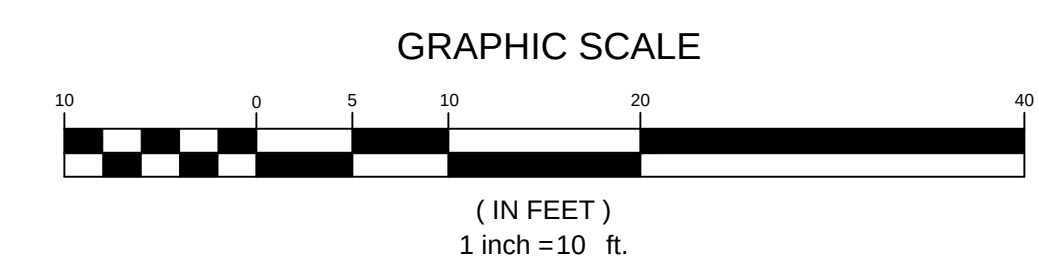
DATE: 3/7/2017
SCALE: 1" = 10'
DESIGNED: MTW
JOB NO: 1704
FILE: 1704-BASE.DWG
SHEET **C-3.0**

PRELIMINARY - NOT FOR CONSTRUCTION

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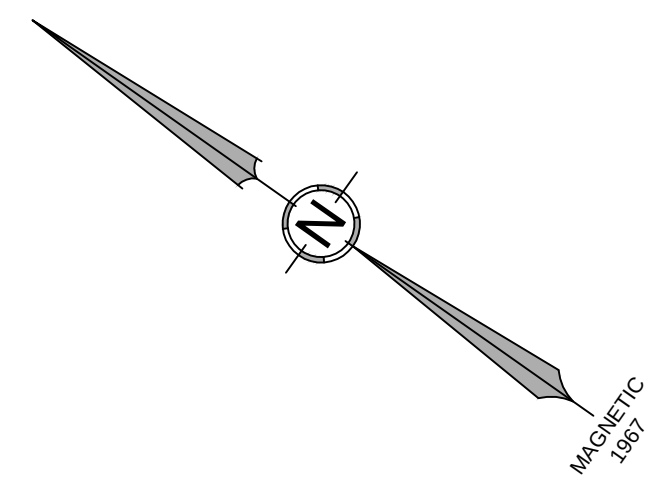
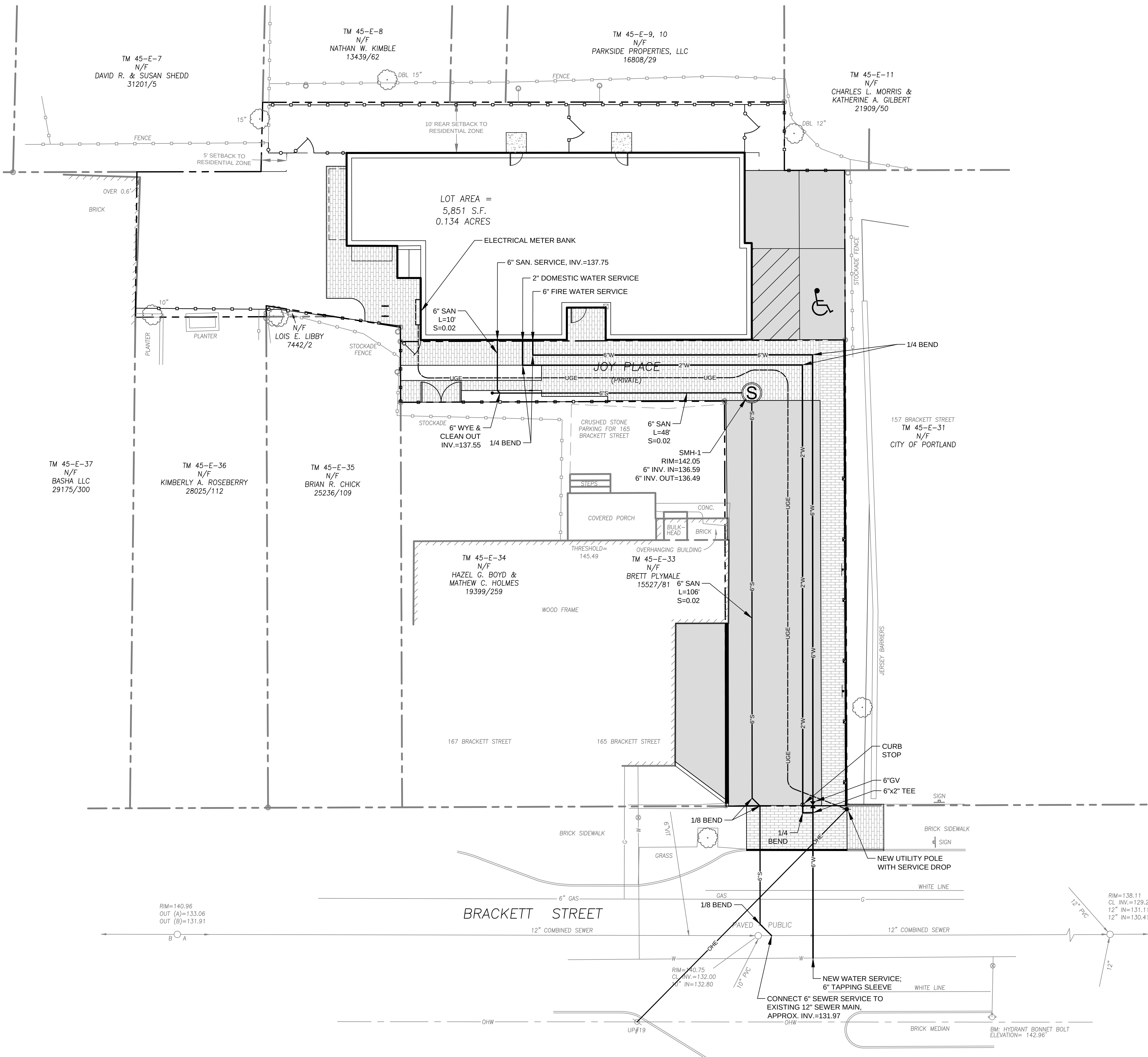

TERRADYN
CONSULTANTS, LLC

STORM DRAIN APPURTENANCE SCHEDULE				
STRUCTURE	TYPE/DIA.	RIM	INV. IN / DIA. (FROM)	INV. OUT / DIA. (TO)
CB-1	4" TYP. CB (SEE DETAIL)	141.14	136.02 / 8" (DMH-1)	135.77 / 12" (BRACKETT ST.)
DMH-1	24" NYLOPLAST DRAIN BASIN	142.25	137.92 / 8" (ROOF DRAINS)	137.82 / 8" (CB-1)



PRELIMINARY - NOT FOR CONSTRUCTION

SHEET DESCRIPTION	
ONEJOY PLACE 1 JOY PLACE, PORTLAND, MAINE 04102	
GRADING, DRAINAGE & EROSION CONTROL PLAN	
PREPARED FOR	
ONEJOY PLACE, LLC C/O RENEWAL HOUSING ASSOCIATES, LLC 2 UNION STREET, 5TH FLOOR PORTLAND, MAINE 04101	
DATE:	3/7/2017
SCALE:	1" = 10'
DESIGNED:	MTW
JOB NO:	1704
FILE: 1704-BASE.DWG	
SHEET	C-4.0



P.E.: MICHAEL E. TADEAMA-WIELANDT
DATE: 9-13-2017

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1	4-25-2017	SUBMITTED TO CITY OF PORTLAND FOR REVIEW	MTW
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TERRADYN
CONSULTANTS, LLC

Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

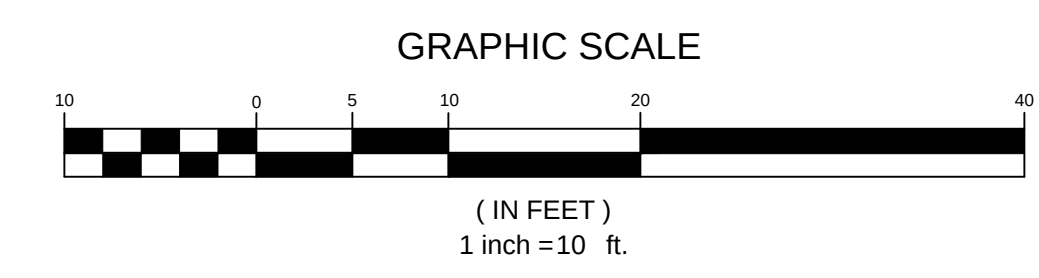
SHEET DESCRIPTION
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE 04102

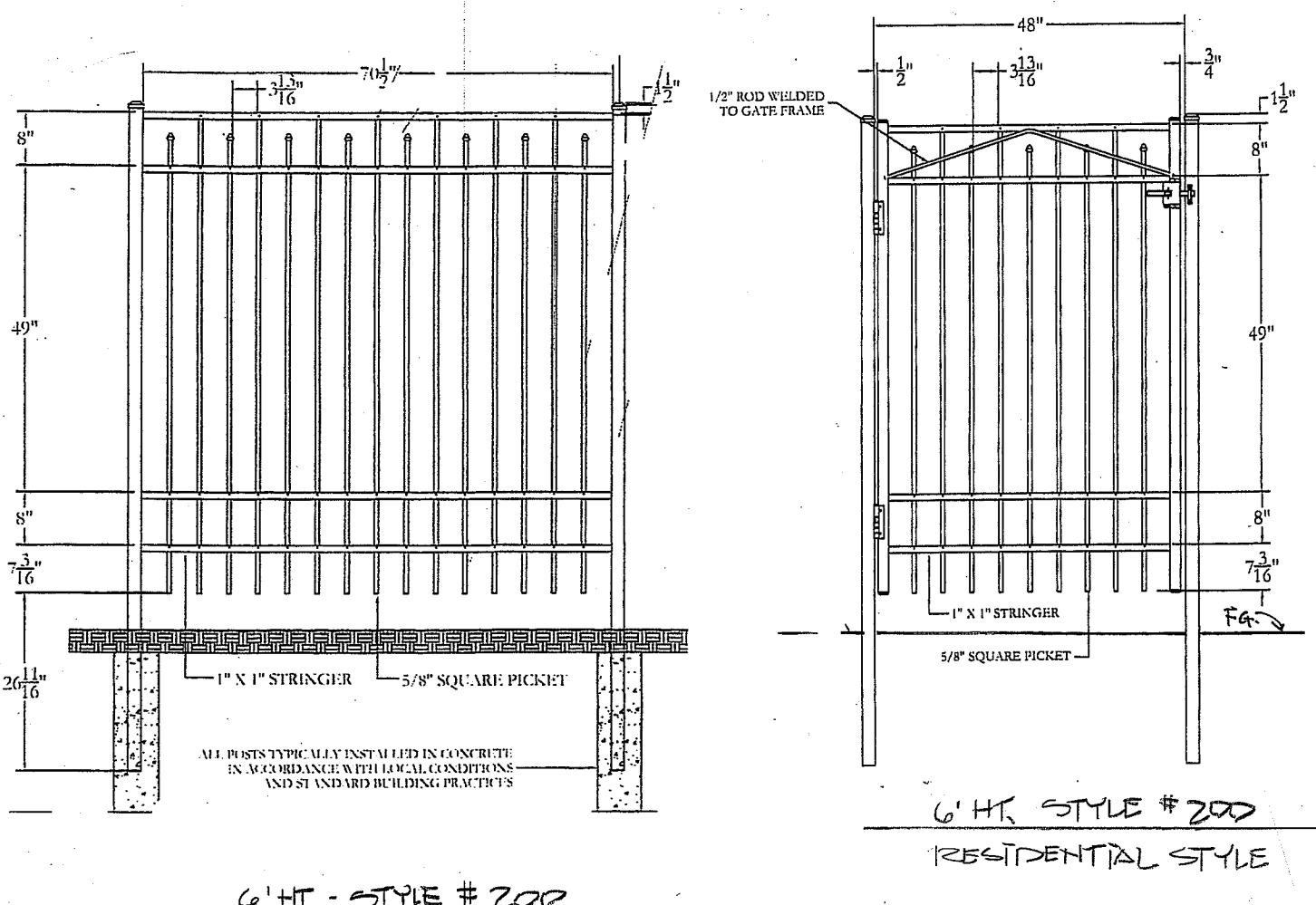
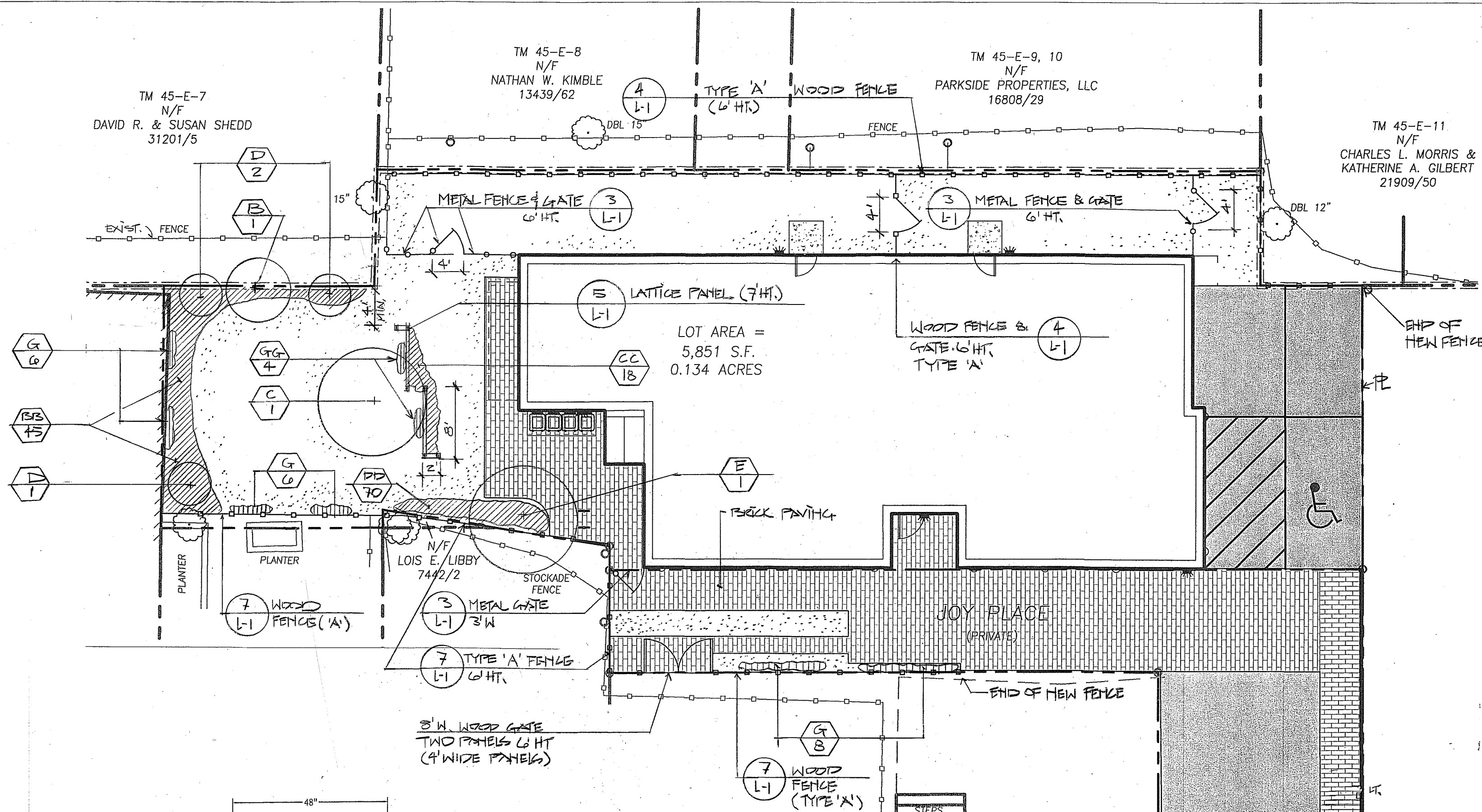
UTILITY PLAN

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101

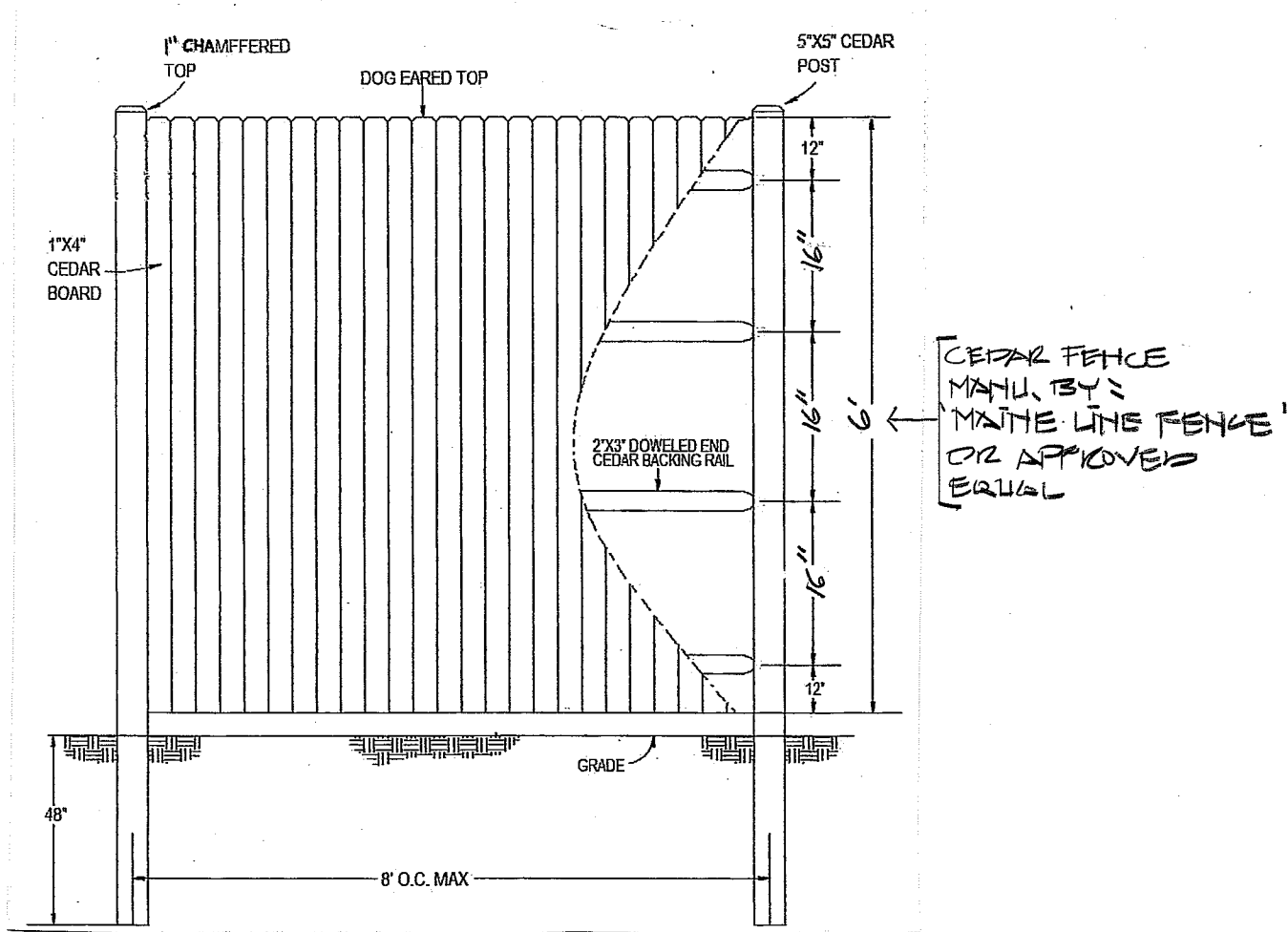
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SCALE: 1" = 10'
DESIGNED: MTW
JOB NO: 1704
FILE: 1704-BASE.DWG
SHEET **C-5.0**

PRELIMINARY - NOT FOR CONSTRUCTION

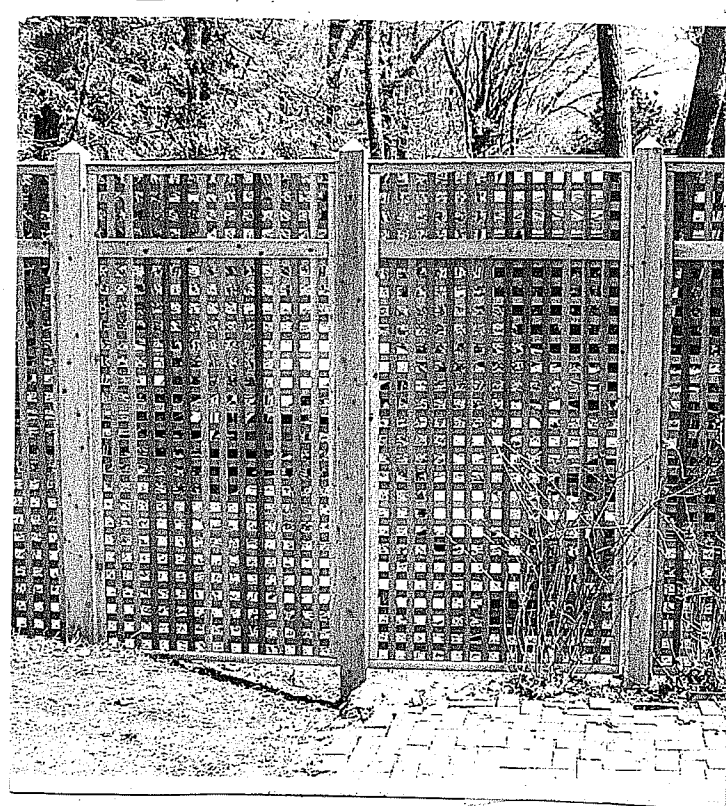




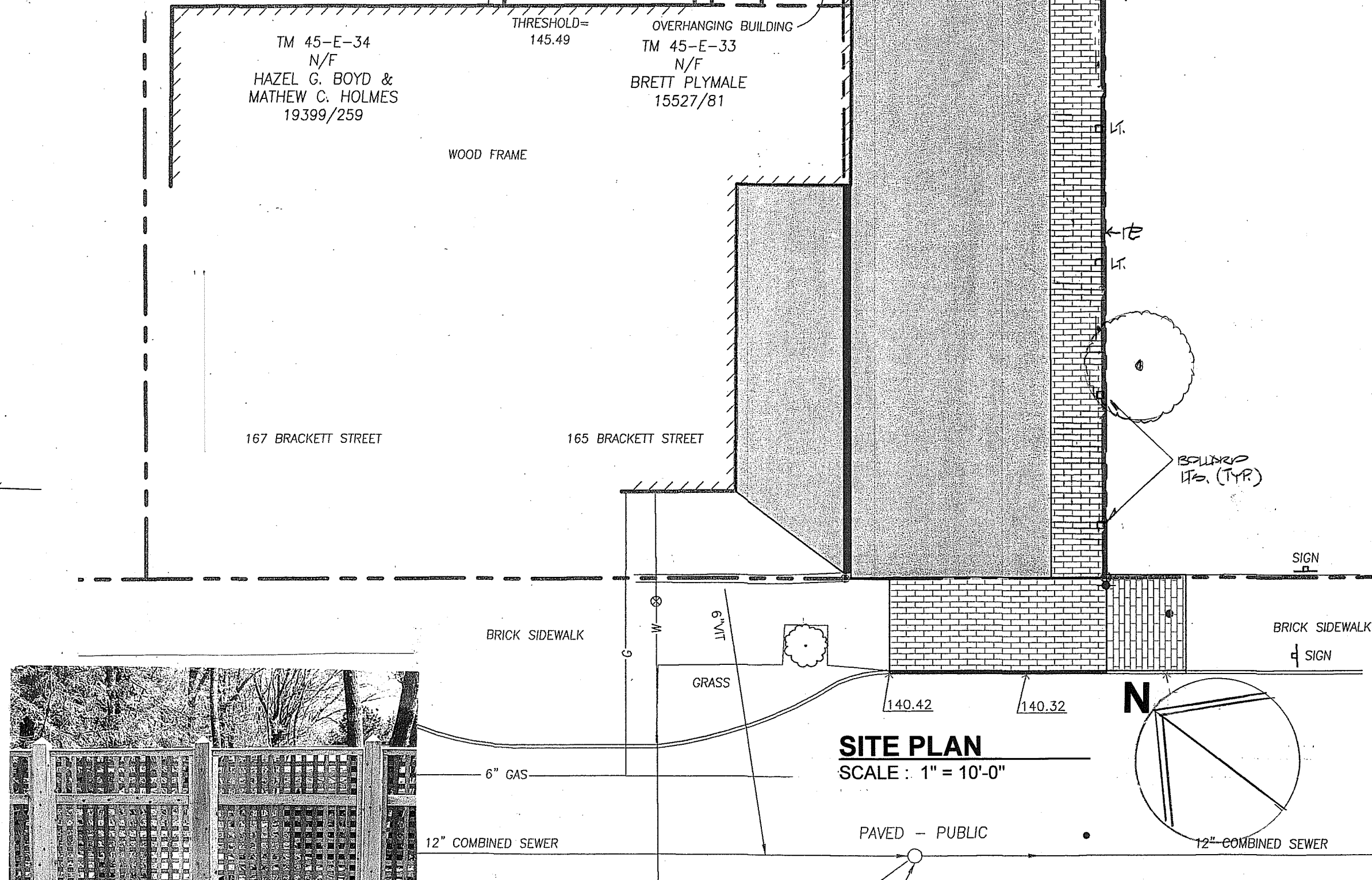
3
METAL FENCE & GATE
DETAIL NTS



4
WOOD FENCE DETAIL [TYPE 'A']



5
WOOD LATTICE PANEL



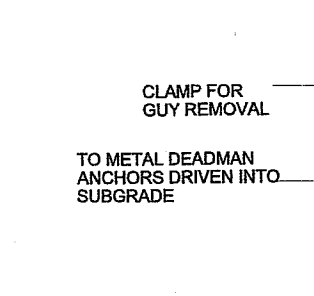
BRACKETT STREET

PLANTING NOTES

- The contractor shall supply all plants in quantities sufficient to complete the work shown on plan. Any discrepancies between quantities shown on plant list and those required by this drawing shall not entitle contractor to additional remuneration.
- Any plant substitutions must be approved by the owner.
- Any tree or shrub which comes over or under any utility shall be relocated on the site by the landscape architect.
- All lawn areas to have 6\" of topsoil unless noted otherwise.
- All trees and shrubs shall be placed in the designated areas as shown on the plan and before planting shall be approved by the landscape architect.
- The contractor shall relocate any tree or shrub as directed by the landscape architect.
- All plant material installed shall meet the specifications of the American Standard for Nursery Stock (latest edition) as set forth by the American Association of Nurserymen.
- The landscape contractor shall replace or repair to original condition any and all utilities, paving, curbing, etc., damaged as a result of their operations at no additional cost to the owner.

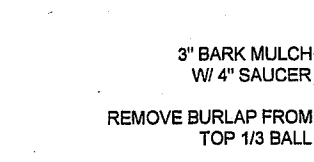
NOTES:

- TREE SHALL BEAR SAME RELATION TO GRADE AS PRIOR TO PLANTING.
- NEVER CUT A LEADER, THIN BRANCHES & COLLAGE BY 1/3 RETAINING NORMAL TREE SHAPE.
- SECURE GUYS W/ RUBBER HOSE & #12 GALV. WIRE SIM. TO STAKING NOTE 'A'.
- 2\" GALV. TURNBUCKLE (3 GUYS/TREE)



1 **TREE PLANTING** **DETAIL** NTS

NOTE: SHRUBS SHALL BEAR SAME RELATION TO GRADE AS PRIOR TO PLANTING.



SOIL MIX NOTES:
4 PARTS TOPSOIL, 1 PART HUMUS FOR EVERGREENS
4 PARTS TOPSOIL, 1 PART MANURE FOR DECIDUOUS SHRUBS

2 **SHRUB PLANTING** **DETAIL** NTS

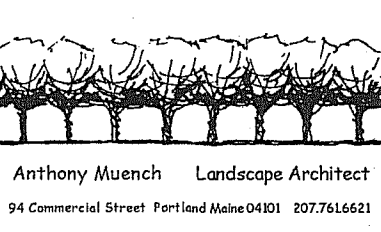
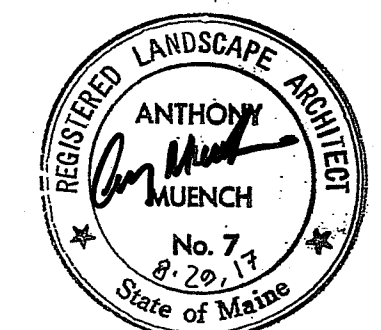
PLANT LIST

TREES, SHRUBS & VINES

KEY	COMMON & BOTANICAL NAME	SIZE	ROOT	QTY	NOTES
B	COCKSPUR THORNLESS HAWTHORNE C. CRUZGALLI 'INERMIS'	1 1/4 Cal.	B&B	1	
C	AMUR MAPLE A. GINNALA 'FLAME'	6' HT	B&B	1	SINGLE STEM
D	SHASTA VIBURNUM V. PLICATUM VAR. TOMENTOSUM 'SHASTA'	4-5' HT	B&B	3	3 CANES
E	CORNELIAN CHERRY C. MAS	4-5' HT.	B&B	1	3 TRUNK
F	'SUMMER SNOWFLAKE' VIBURNUM V. PLICATUM VAR. TOMENTOSUM 'SUMMER SNOWFLAKE'	#5	CONT	2	
G	VIRGINIA CREEPER Parthenocissus Quinquifolia	—	CONT	18	Vine

PERENNIALS

BB	DAYLILY VAR. HEMEROCALLIS	PTD	45	BLOOM IN JULY THRU SEPT
CC	ASTILBE X ARENDISIS 'WHITE GLORY'	PTD	18	
DD	WILD GINGER ASARUM EUROPEUM	CONT	70	@ 9\" oc



Anthony Muench Landscape Architect
94 Commercial Street Portland Maine 04101 207.763.6431

NOT FOR CONSTRUCTION

ONEJOY PLACE CONDOMINIUM
1 JOY PLACE, PORTLAND, MAINE

LANDSCAPE PLAN

L.1

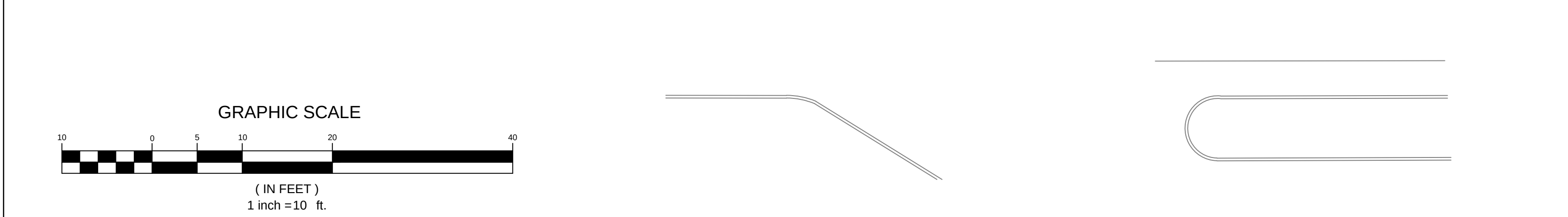
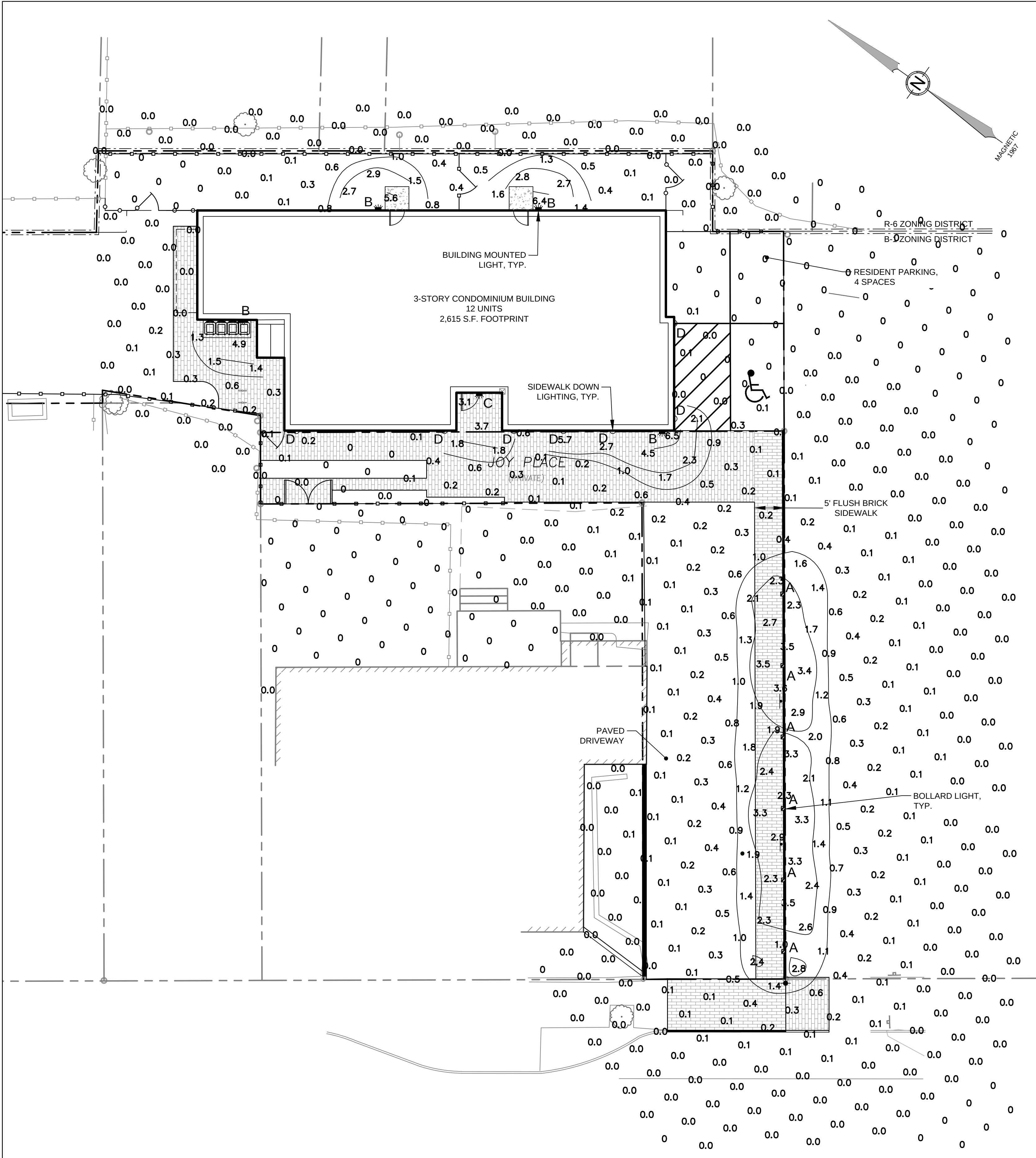
REV. 9.13.17
REV. 8.7.17
REV. 8.26.17



NOT TO SCALE



C-6.0



PRELIMINARY - NOT FOR CONSTRUCTION

CB9S – Contemporary Concrete Bollard – 9" Square

TYPE

- Available in 3000K, 4000K and 5000K CCT
- Body and cap are composed of precast concrete reinforced with an internal cage structure of steel
- Grills are cast aluminum with stainless steel hardware
- Inner lens is sealed to the grill frame
- Integral prewired ballast module
- Electrical module is silicone gasketed for weather tight operation
- Color of grill feature TDC polyester powder coat finish with choice of 15 standard colors

TYPE	QTY	GRILL TOP STYLE
CB9 S		

1. BOLLARD
QTY (each)
CB9 S 24
CB9 S 36
CB9 S 42
CB9 S 24
CB9 S 36
CB9 S 42

2. LAMP/BALLAST
120-277VAC (50/60Hz) Input
27LED-WW 28 watts, IES Type 9, 3000K CCT
27LED-WW 28 watts, IES Type 9, 4000K CCT
27LED-WW 28 watts, IES Type 9, 5000K CCT

3. CONCRETE FINISH
MCS (Marble Concrete, standard color B&W)
AGN (Exposed aggregate finish)

4. COLOR
Standard Color
WH White
BL Black
BLT Matte Black
DB Dark Bronze
DGN Dark Green
TT Titanium
WCS Weathered Copper
MCS Bronze Metallic
YSU Yellow
CST Copper
MAL Matte Aluminum
AGN Antique Green
LG Light Gray

5. OPTIONS
RSC (A single gang junction box, cast nylon, weatherproof cover only. Great for use in wet locations)
Color Coated Concrete (Based on Dark color, for custom colored aggregate, customer must provide aggregate, sand, and solvent)

6. MOUNTING
EXT (External mounting)
Note: Internal mounting not available with CB9S

SPECIFICATIONS
CONCRETE BODY AND CAP
The body and cap are composed of precast concrete reinforced with an internal cage structure of steel. The concrete bodies are one piece castings with a minimum wall thickness of 3/72mm. All threaded inserts are welded to the steel reinforcing cage and cast in place. The base plate for anchoring is 1/4" hot dipped galvanized steel.
GRILL
Grills shall be cast aluminum, minimum wall thickness of .020 inches. All castings shall be pure aluminum #355 alloy, free of any foreign material or porosity. Grills shall have cast-in-place, integral mounting lugs for attachment to the concrete base. The inner lens shall be sealed to the grill frame. CB9 shall have a lightly etched DR acrylic lens. CB9 and CB9 S models shall have an etched acrylic lens. The grill assembly shall have a silicone gasket on the top and bottom for weather tight operation. Precision stainless steel screws may be loosened for service access.
CUTOFF
Models with cutoff grill provide IES cutoff classification meaning less than 2.5% of light is emitted above 90° horizontal.
ELECTRICAL MODULE
The electrical module consists of the ballast module and lamp housing. All housing parts are aluminum with stainless steel hardware. The ballast module is powered on an aluminum strap mounted to the underside of the lamp housing. The electrical module is silicone gasketed for weather tight operation.

See next page

JOB TYPE NOTES

RUBIX - model: FM-W2505, FM-W2510

LED Ceiling/Wall Mount

Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION
Energy Star rated and CEC Title 24 compliant, this versatile Rubix model is available for both wall and ceiling mounting. Die cast aluminum constructed with etched glass for durability in exterior environments, Rubix delivers a substantial lumen output with a minimalist design.

FEATURES

- Energy Star® rated
- CEC Title 24 Compliant
- Wall or Ceiling Mount
- IP65 Rated, ETL & cETL Wet Location Listed
- Die-Cast Aluminum Construction
- Universal Voltage Input (120V - 277V)
- Dimming: ELV (120V) or 0-10V

SPECIFICATIONS
Construction: Aluminum with etched glass.
Power: Integral driver in luminaire, 120V - 277V input.
Light Source: High output LED
Mounting: Mounts directly to junction box
Dimming: 0-10V Dimming: 100%-10% (120V only)
ELV Dimming: 100%-120% (120V only)
Color Temp: 3000K
CRI: 90
Rated Life: 70,000 hours
Standards: Energy Star® rated, IP65 Rated, ETL & cETL Wet Location Listed, CEC Title 24 Compliant, Dark Sky Friendly.

Beam Photometry

Example: FM-W2510-WT

RUBIX - model: WS-W2504, WS-W2505

LED Wall Mount

Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION
Available in single and twin-light configurations, this die cast aluminum LED wall luminaire is wet location listed for a broad range of exterior lighting applications. Designed with a square profile, this version of Rubix mounts upwards or downwards.

FEATURES

- Energy Star® rated
- CEC Title 24 Compliant
- Mounts up or down
- IP65 Rated, ETL & cETL Wet Location Listed
- Die-Cast Aluminum Construction
- Universal Voltage Input (120V - 277V)
- Dimming: ELV (120V) or 0-10V

SPECIFICATIONS
Construction: Aluminum with etched glass.
Power: Integral driver in luminaire, 120V - 277V input.
Light Source: High output LED
Mounting: Mounts directly to junction box
Dimming: 0-10V Dimming: 100%-10% (120V only)
ELV Dimming: 100%-120% (120V only)
Color Temp: 3000K
CRI: 90
Rated Life: 70,000 hours
Standards: Energy Star® rated, IP65 Rated, ETL & cETL Wet Location Listed, CEC Title 24 Compliant, Dark Sky Friendly.

Beam Photometry

Example: WS-W2504-GH

Model: WL-LED200

LEDme® Step Light

Fixture Type:
Catalog Number:
Project:
Location:

PRODUCT DESCRIPTION
Vertical rectangle LEDme® Step Light. Designed for safety and style on stairways, patios, decks, balcony areas, walkways and building perimeters. Features an architectural design. Energy efficient for long lasting indoor and outdoor lighting solutions. Creates an attractive, romantic impression at night.

FEATURES

- 316 marine grade cast stainless steel (SS) available
- Direct wiring, no driver needed
- Low profile, flush to wall aesthetics with no visible hardware
- 60,000 hour rated life
- Balanced lighting, free of shadows with minimum glare
- Fits into 2" x 4" J-Box with minimum inside dimensions of 3 1/2" x 2 1/2" x 2 1/2" includes bracket for J-Box mount.
- Up to 200 features can be connected in parallel
- Replaceable LED module
- 5 year WAC Lighting product warranty

SPECIFICATIONS
Construction: Die-cast aluminum or 316 marine grade cast stainless steel
Power: Direct wiring, no remote driver needed. Input voltage: 120V or 277V AC 50/60Hz
Light Source: 3000K CCT Samsung HW-AC High Power LED, CRI: 85
Optional color lenses. Total power consumption of 3.9W
Mounting: Fits into 2" x 4" J-Box with minimum inside dimensions of 3 1/2" x 2 1/2" x 2 1/2" includes bracket for J-Box mount.
Dimming: Dim to 10% with electronic low voltage (ELV) dimmer. Approved dimmers: Lutron Nova-T NTELV-300 & NTELV-600, Lutron Vista VTELV-600, Lutron Diva DVELV-300P, Lutron Skylark SELV-300P, Lutron Maestro MDELV-600
Standards: IP66, UL & cUL listed for wet locations

FINISHES

Example: WL-LED200F-AM-BZ

LIGHT FIXTURE TABLE						
LABEL	LIGHT FIXTURE	MANUFACTURER	MANUFACTURERS ID	NUMBER OF LIGHTS	MOUNTING HEIGHT	MOUNTING LOCATION
A	BOLLARD LIGHT	ARCHITECTURAL AREA LIGHTING	CB9S-42-CUTOFF-FLAT-27LED-WW	6	3.5'	BOLLARD
B	RUBIX LED WALL MOUNT	WAC LIGHTING	WS-W2504	4	8'	WALL
C	RUBIX LED CEILING MOUNT	WAC LIGHTING	FM-W2505	1	9'	CANOPY CEILING
D	LEDme STEP LIGHT	WAC LIGHTING	WL-LED200-C-WT	7	1.5'	WALL AT SIDEWALK

NOTES:
1. LIGHTING PLAN PREPARED USING DESIGN MASTER PHOTOMETRICS SOFTWARE
2. ONLY PROPOSED LIGHTING FIXTURES ARE MODELED
3. DEPRECIATION FACTOR FOR LED IS 0.90

P.E.: MICHAEL E. TADEAMA-WELANDT
DATE: 9-13-2017

REVISED PER STAFF COMMENTS	REMOVED SIDEWALK ON ABUTTING CITY PARCEL	REMOVED PER STAFF & PEER REVIEW COMMENTS	SUBMITTED TO CITY OF PORTLAND FOR REVIEW	REVISIONS	DATE	NO.
4	9-13-2017	3	8-29-2017	2	8-7-2017	1
4	9-13-2017	3	8-29-2017	2	8-7-2017	1
4	9-13-2017	3	8-29-2017	2	8-7-2017	1
4	9-13-2017	3	8-29-2017	2	8-7-2017	1

565 CONGRESS STREET
SUITE 310
PORTLAND, ME 04102

P.O. BOX 339
111 ELDERBERRY LANE
NEW GLOUCESTER, ME 04260

OFFICE: (207) 926-5111 FAX: (207) 221-1317
www.terradynconsultants.com

TERRADYN CONSULTANTS, LLC

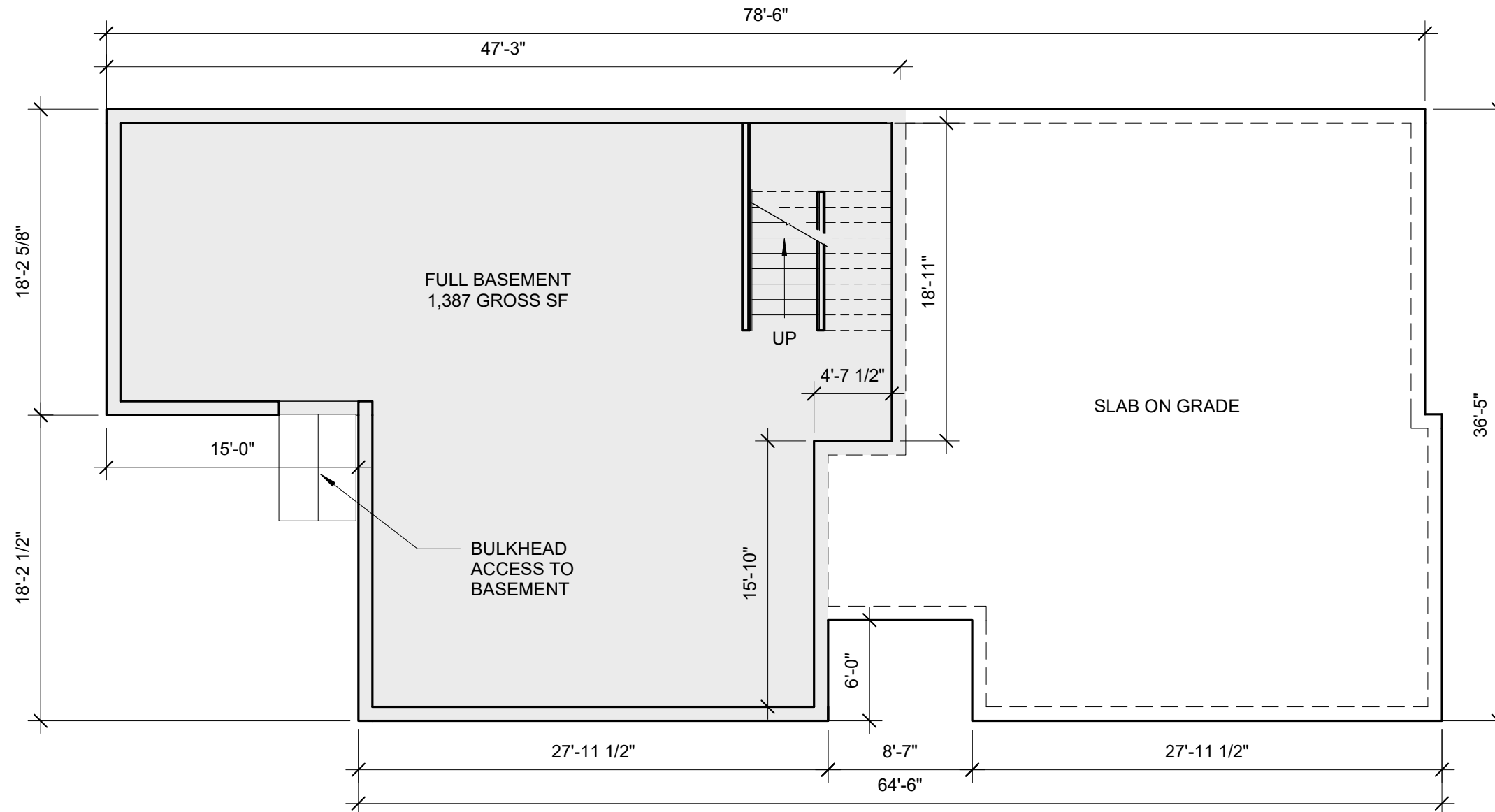
Civil Engineering - Land Planning - Stormwater Design - Environmental Permitting

SHEET DESCRIPTION
ONEJOY PLACE
1 JOY PLACE, PORTLAND, MAINE 04102

PHOTOMETRIC LIGHTING PLAN

PREPARED FOR
ONEJOY PLACE, LLC
C/O RENEWAL HOUSING ASSOCIATES, LLC
2 UNION STREET, 5TH FLOOR
PORTLAND, MAINE 04101

DATE: 3/7/2017
SCALE: 1" = 10'
DESIGNED: MTW
JOB NO: 1704
FILE: 1704-PHOTOMETRICS
SHEET **P-1.0**



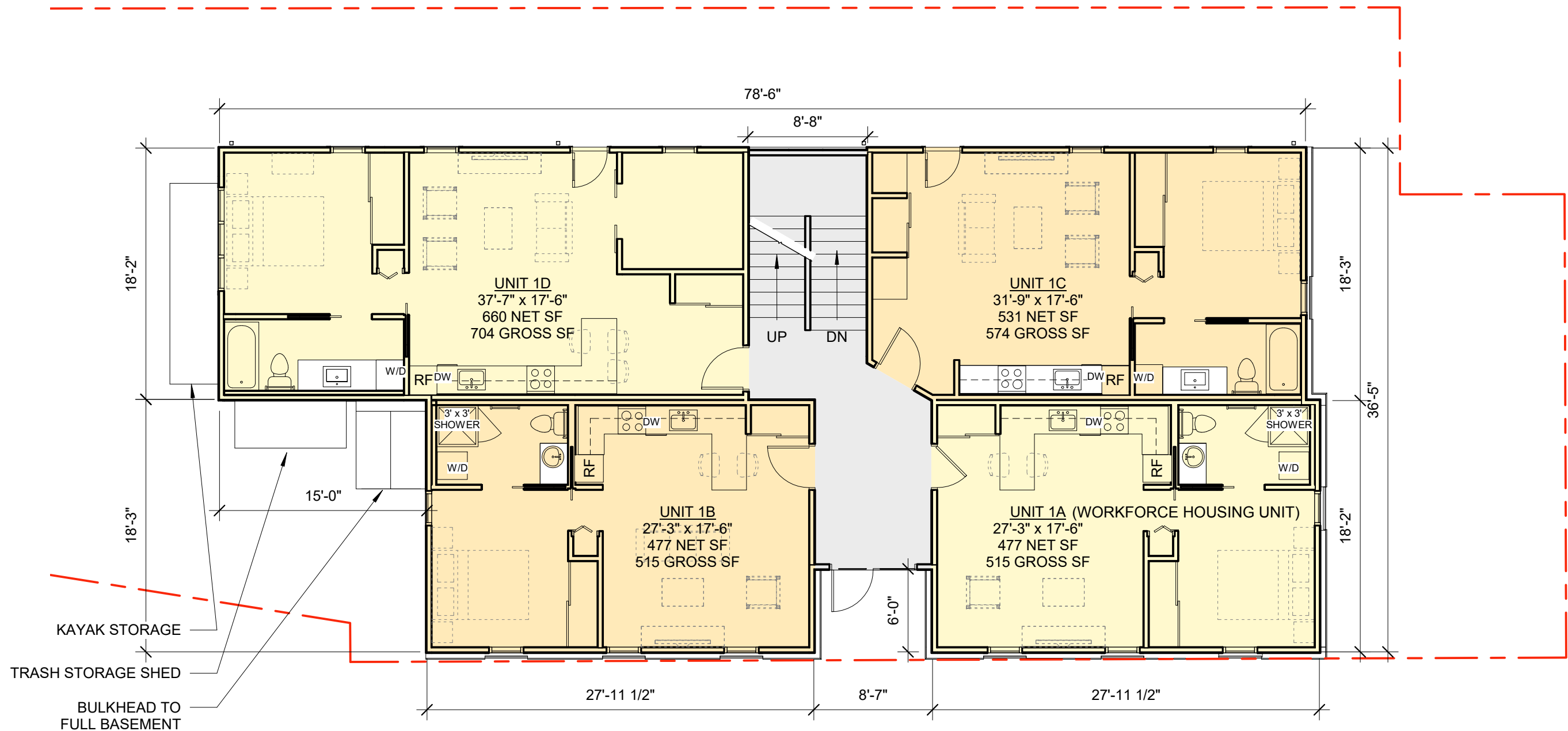
1 | BASEMENT

1/8" = 1'-0"

PROJECT NORTH



1 | 1ST FLOOR
1/8" = 1'-0"



2,615 GROSS SF
PROJECT NORTH



Architect:
ARCHETYPE
Architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Date: 05/30/2017
Scale: 1/8" = 1'-0"

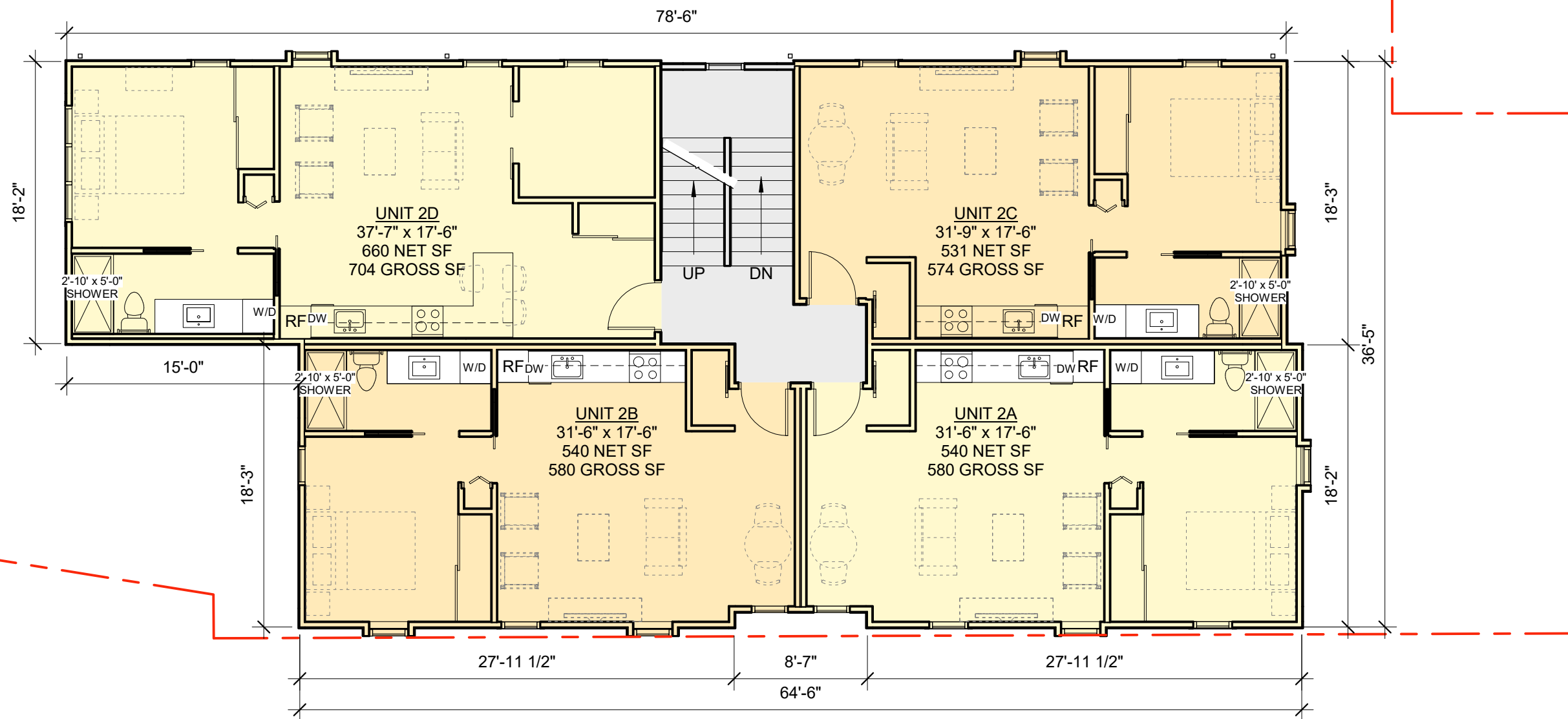
1ST FLOOR PLAN

JOY PLACE

A1.01

1 | 2ND FLOOR
1/8" = 1'-0"

2,618 GROSS SF
PROJECT NORTH

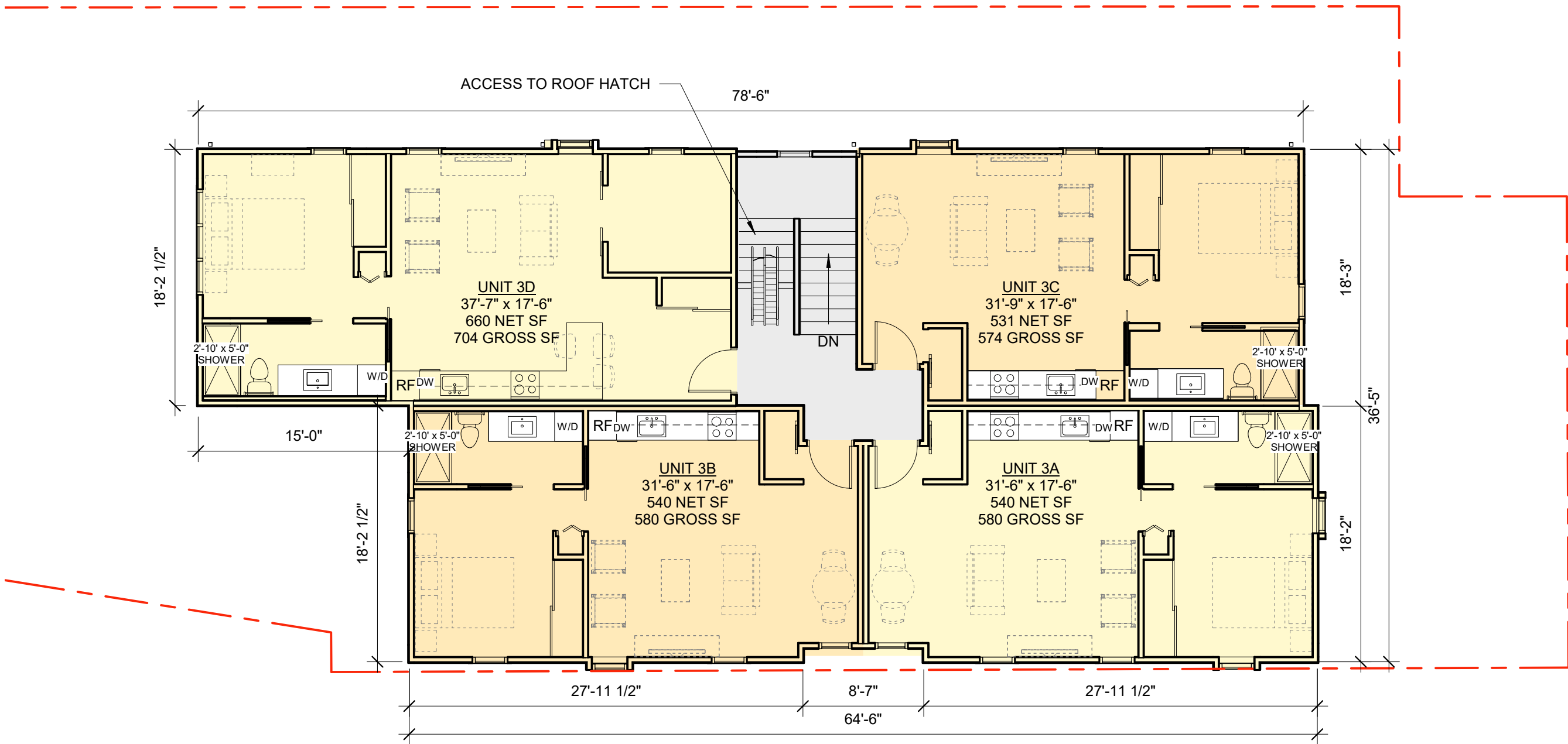


Architect:
ARCHETYPE
architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 Fax (207) 772-4056

Date: 05/19/2017
Scale: 1/8" = 1'-0"
2ND FLOOR PLAN

Project: JOY PLACE

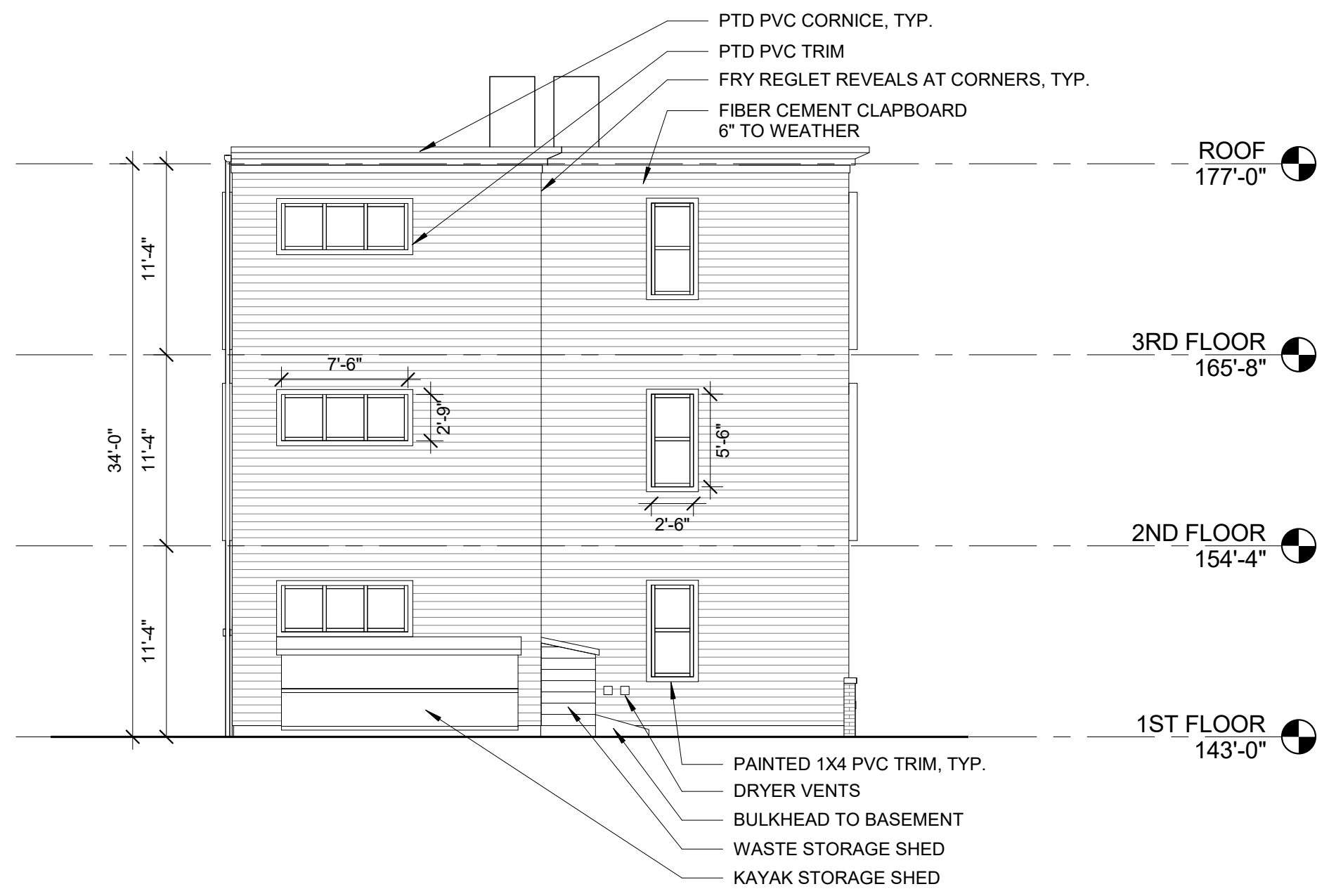
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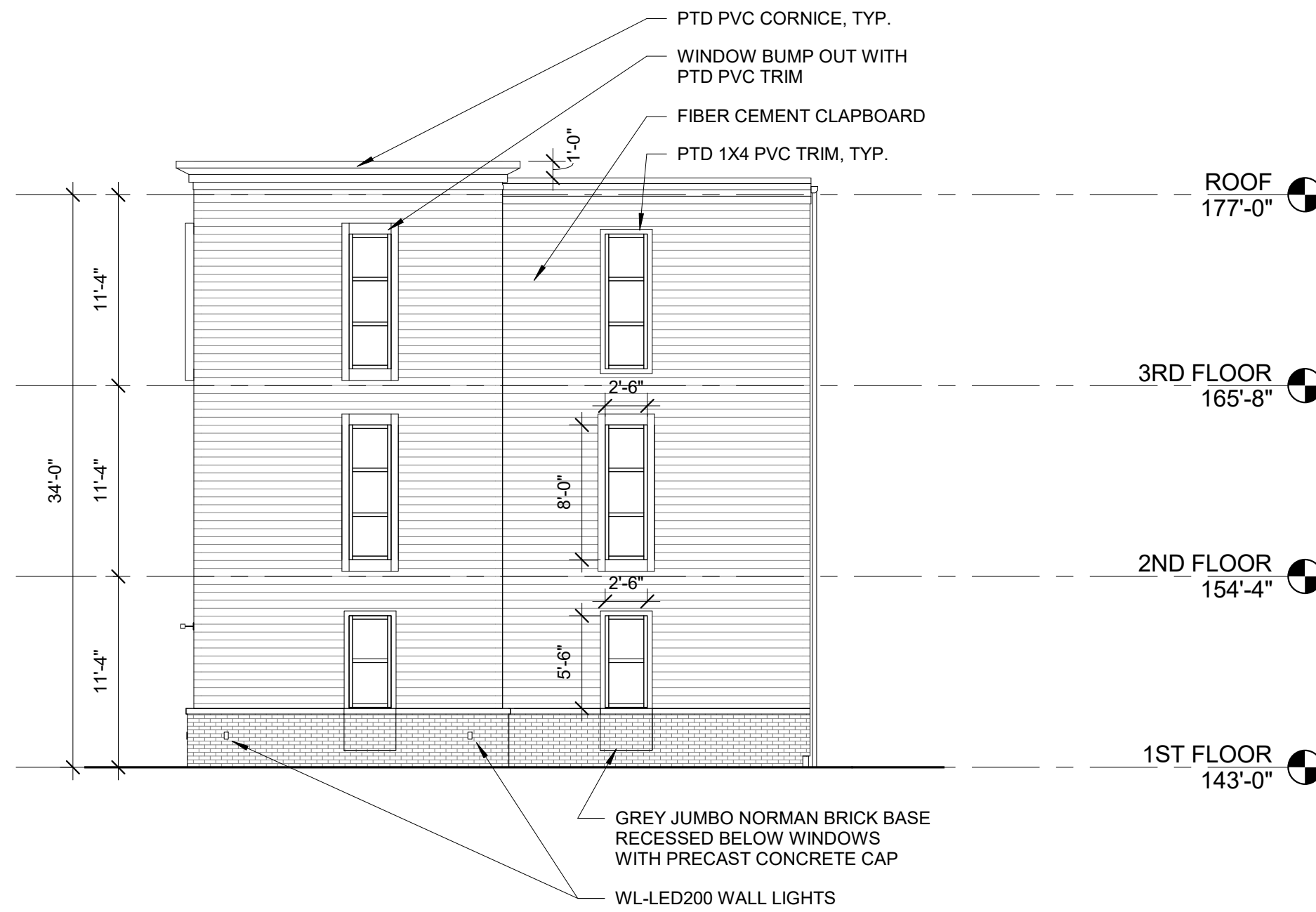
1 | 3RD FLOOR
1/8" = 1'-0"

2,618 GROSS SF
PROJECT NORTH

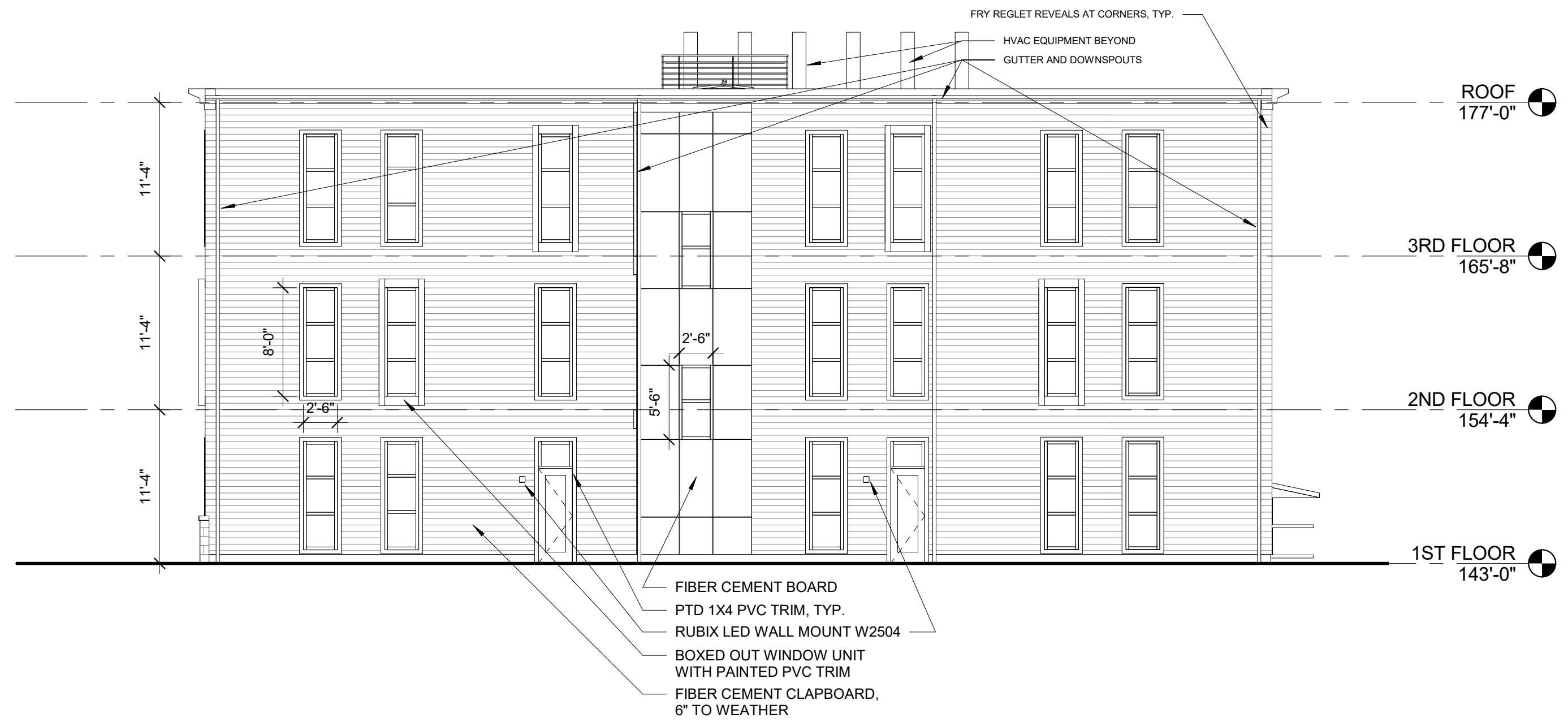




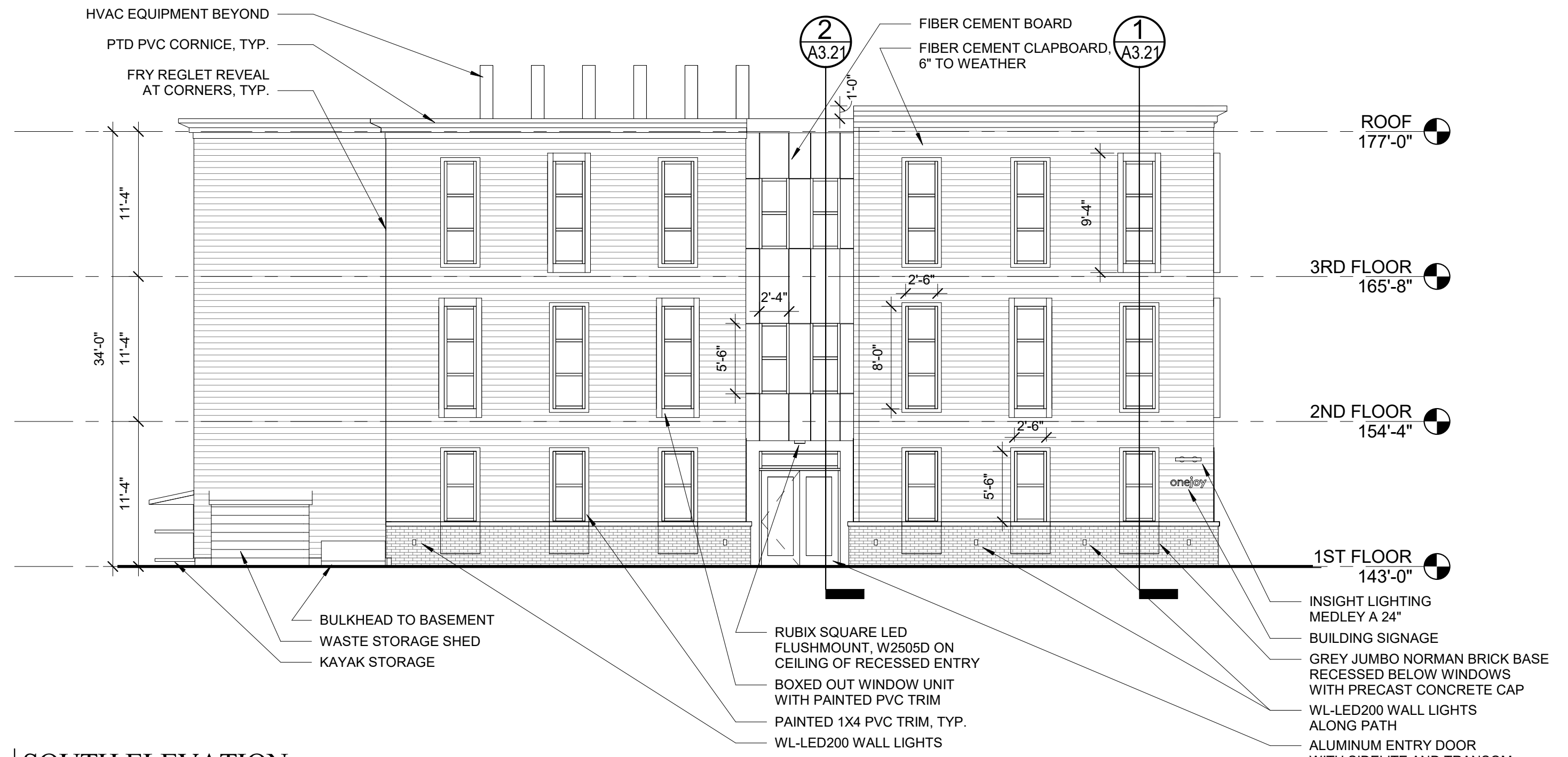
4 | WEST ELEVATION
1/8" = 1'-0"



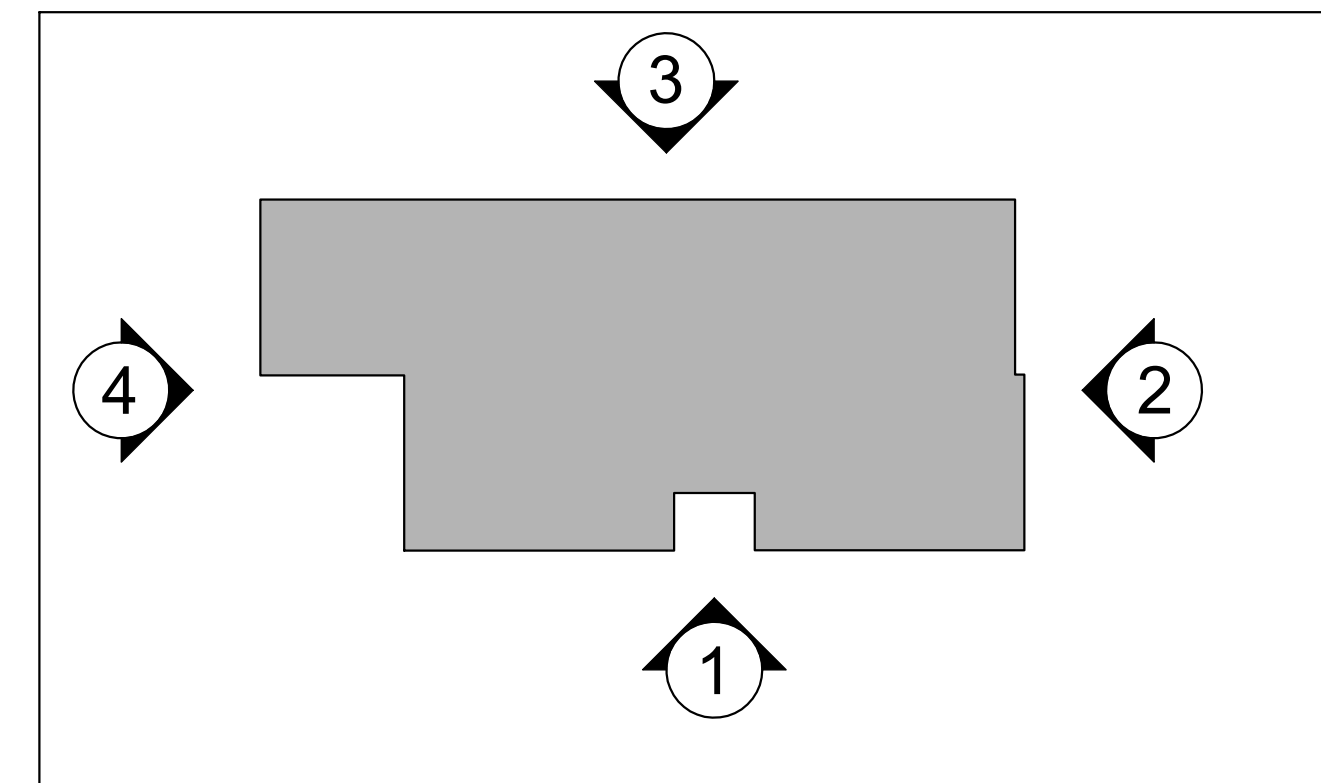
2 | EAST ELEVATION
1/8" = 1'-0"



3 | NORTH ELEVATION
1/8" = 1'-0"



1 | SOUTH ELEVATION
1/8" = 1'-0"



Prepared For:

Onejoy Place LLC
c/o Renewal Housing
Associates LLC
2 Union Street, 5th Floor
Portland, ME 04101

Consultant:

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architects
48 Union Wharf Portland, Maine 04101
(207) 772-6022 ARCHETYPE@ARCHETYPEPA.COM

Project:

onejoy
WEST END • PORTLAND

Revisions:

Date: 13 JUNE 2017
Scale: As indicated

BUILDING
ELEVATIONS

A2.01