

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

Carol Morrisette, Chair  
Stuart G. O'Brien, Vice Chair  
Elizabeth Boepple  
Timothy Dean  
Sean Dundon  
Bill Hall  
Jack Soley

July 19<sup>th</sup>, 2013

Penelope E. St. Louis  
Corporate Counsel  
MaineHealth  
110 Free Street  
Portland, ME 04101

Jeffrey D. Sanders  
Executive Vice President and Chief Operating Officer  
Maine Medical Center/MaineHealth  
22 Bramhall Street  
Portland, ME 04102-3175

Project Name: **MMC Surgical Facility Addition**  
Project ID: 2013-130  
CBL: 53-D-1,2,7; 53-E-1,2,10,13; 54-H-1; 64-C-1,2  
Address: 22 Bramhall Street, Portland  
Applicant: MaineHealth/Maine Medical Center  
Planner: Jean Fraser

Dear Ms Louis and Mr Sanders:

On July 9<sup>th</sup>, 2013, the Planning Board considered the Level III Site Plan, Conditional Use and Amended Site Location of Development Act application for the roof addition at 22 Bramhall Street that comprises 40,000 sq ft of new floorspace within a 40 foot high building addition on the "Bean 2" (lower) roof.

The Planning Board reviewed the proposal for conformance with the 2005 Conditional Rezoning Agreement and the standards of the Conditional Use Review, Site Plan Ordinance, and Site Location of Development Act.

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Report #30 -13 (attached), and the testimony presented at the Planning Board hearing, the Planning Board voted 5-0 (Dundon and O'Brien absent) to approve the application with the following conditions as presented below:

### 1. **CONDITIONAL USE**

The Planning Board voted 5-0 (Dundon and O'Brien absent) that the proposed plans are in conformance with the conditional use standards of the Land Use Code subject to the following condition:

- i. That the applicant shall submit evidence to the Planning Authority of approval by the FAA, prior to the issuance of a Building Permit.

### 2. **DEVELOPMENT REVIEW**

The Planning Board voted 5-0 (Dundon and O'Brien absent) that the proposed plans are in conformance with Site Plan Standards of the Land Use Code, including Amended Site Location of Development Act under delegated review by Portland, subject to the following conditions of approval:

- i. That the applicant shall implement the mitigation strategies for two minor safety issues in the project area (Congress Street between Weymouth and Ellsworth Street; Intersection of Congress Street and Valley Street) as recommended in the May 29, 2013 letter from Gorrill Palmer, as supported by Tom Errico, Consultant Traffic Engineering Reviewer in e-mail dated July 3, 2013; such implementation shall be coordinated with the Department of Public Services prior to proceeding and be implemented prior to the issuance of a Certificate of Occupancy; and

- ii. That the applicant shall implement the TDM Plan enhancements as proposed in Attachment M to this report prior to the issuance of a Certificate of Occupancy. These comprise a car share parking space that shall be for the car share company utilized on public streets by the City (currently U-Car), in an off-street location to be agreed with the City; and two bike racks (36 bicycle parking spaces) at the corner of Bramhall and Chadwick Streets. If the City changes carshare vendors in the future, MMC will change the company utilizing this space to match the City's new vendor. MMC will provide information on bike rack usage across their campus as part of MMC's ongoing annual reporting on TDM performance; and
- iii. That the applicant shall address the particular technical Fire Prevention standards, as outlined in the e-mail from Captain Chris Pirone of the Fire Department dated June 6, 2013, to the satisfaction of the Fire Department prior to the issuance of a building permit; and
- iv. That any signage shall be subject to separate review and approvals/permits.

#### STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
3. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
4. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
8. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874-8728.

Sincerely,

Carol Morrissette, Chair  
Portland Planning Board

**Attachments:**

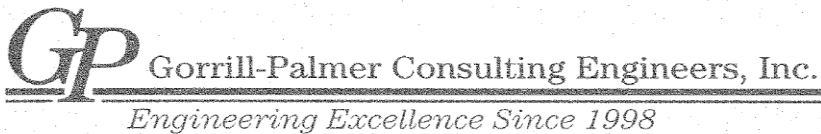
1. Letter from Gorrill Palmer, May 29, 2013
2. E-mail from Tom Errico, Consultant Traffic Engineering Reviewer, July 3, 2013
3. E-mail from Captain Chris Pirone of the Fire Department, June 6, 2013
4. Planning Board Report #30-13
5. Performance Guarantee Packet

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Alexander Jaegerman, FAICP, Planning Division Director  
Barbara Barhydt, Development Review Services Manager  
Jean Fraser, Planner  
Philip DiPierro, Development Review Coordinator, Planning  
Marge Schmuckal, Zoning Administrator, Inspections Division  
Tammy Munson, Inspection Division Director  
Lannie Dobson, Administration, Inspections Division  
Gayle Guertin, Administration, Inspections Division  
Michael Bobinsky, Public Services Director  
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Bill Clark, Project Engineer, Public Services  
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Michelle Sweeney, Associate Engineer  
John Low, Associate Engineer, Public Services  
Rhonda Zazzara, Field Inspection Coordinator, Public Services  
Mike Farmer, Project Engineer, Public Services  
Jane Ward, Administration, Public Services  
Jeff Tarling, City Arborist, Public Services  
Jeremiah Bartlett, Public Services  
Captain Chris Pirone, Fire Department  
Danielle West-Chuhta, Corporation Counsel  
Thomas Errico, P.E., TY Lin Associates  
David Senus, P.E., Woodard and Curran  
Rick Blackburn, Assessor's Department  
Approval Letter File

(paper copies)

William T. Conway, Sebago Technics Inc, 75 John Roberts Road, Suite 1A, South Portland, ME 04106  
Susana Baker, Perkins&Will, 55 Court Street, Boston, MA 02108



PO Box 1237  
15 Shaker Rd.  
Gray, ME 04039

207-657-6910  
FAX: 207-657-6912  
E-Mail: mailbox@gorrillpalmer.com

May 29, 2013

Mr. Marshall Bartlett  
Maine Medical Center  
22 Bramhall Street  
Portland, Maine 04102

Subject: Collision Diagrams Management Program  
Bramhall Campus

Dear Marshall:

Our office recently completed a traffic and parking assessment for planned Bean 2 expansion. That assessment determined that there were five high crash locations in the vicinity of the site between the years of 2009 and 2011. Our office has obtained the collision reports from the MaineDOT for the period from 2009 through 2011 for each of these locations which are included in this letter and summarized below:

#### **St John Street between the intersection of A and C Streets**

Eleven collisions occurred along this section of roadway. Two collisions involved pedestrians crossing St John Street and three involved parked cars with the remainder random in nature. The City of Portland is in the process of completing a project in this area which includes pedestrian improvements at the intersection of "A" Street and St John Street as well as islands to clarify lane use. These improvements may address some of these collisions.

#### **Congress Street between Forest Street and Weymouth Street**

Of the ten collisions which occurred along this section of road, three involved parked vehicles on the easterly side of Congress Street. Two collisions involved vehicles striking parked cars, one involved a vehicle whose operator was under the influence striking a tree, one involved a bicyclist being struck by a driver turning left into the parking garage and four were rear end collisions, with the remaining being random. There does not appear to be a correctable pattern to these collisions.

#### **Congress Street between Weymouth and Ellsworth Street**

Ten collisions occurred along this section of roadway. One collision occurred due to a vehicle traveling the wrong way, one due to intoxication, one due to a driver falling asleep, one involved a pedestrian attempting a mid block crossing, and three involved

parked cars long the northerly side of Congress Street along the curve with the remainder random in nature. The only possible pattern is the three collisions with vehicles parked on the outside of the curve. We recommend this segment be monitored and that the City consider eliminating this parking if this pattern continues.

#### **Intersection of Congress Street with Gillman Street**

Of the ten collisions which occurred at this intersection, five involved traffic exiting the north leg of Gilman Street opposite the approach serving the MMC garage. One collision involved a right turning vehicle exiting the southerly leg of Gilman. One collision involved a pedestrian and the remaining were rear end collisions on Congress Street. There does not appear to be a correctable pattern at this intersection. The traffic volume exiting Gilman is likely not high enough to warrant a traffic light and it would not be desirable given the existing traffic light in close proximity at Valley Street. The Manual on Uniform Traffic Control Devices requires a minimum of 5 crashes in a single year correctable by a traffic signal before consideration can be given to the installation of a traffic light if a volume warrant is not met.

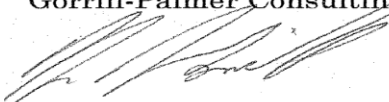
#### **Intersection of Congress Street and Valley Street**

There were a total of twenty three collisions at this intersection over the three year period. Six of the collisions were rear end with the large majority of the remaining collisions angular between vehicles exiting Valley Street and westbound Congress Street. The traffic signals lack sunshields which can improve visibility particularly westbound on Congress Street when the sun is setting. We recommend that the City install sunshields on the traffic signals for at this intersection.

If you have any questions please contact our office.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L. Gorrill, P.E., PTOE  
President

TLG/tlg/JN2776/ Marshall 5-28-13

**From:** Tom Errico <thomas.errico@tylin.com>  
**To:** Jean Fraser <JF@portlandmaine.gov>  
**CC:** David Margolis-Pineo <DMP@portlandmaine.gov>, Katherine Earley <KAS@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Jeff Tarling <JST@portlandmaine.gov>  
**Date:** 7/3/2013 2:18 PM  
**Subject:** MMC Building Addition Project - Final Traffic Comments

Jean - The following represents my final comments and a status update from my June 5th comments.

\* A Traffic Movement Permit was not issued during the 2005 expansion project. In 2005 the applicant provided traffic analyses that indicated new traffic generation did not trigger a Traffic Movement Permit. The applicant should provide a historical summary of traffic changes over the last ten years, combined with traffic from this addition, in an effort to assess whether a Traffic Movement Permit is required.

**Status: The applicant has provided a summary of traffic permits for the project and I concur that the site and this project is in compliance.**

\* I have reviewed the parking demand analysis and how additional vehicles will be accommodated in MMC parking facilities. Based upon information provided, I find parking conditions to be acceptable.

**Status: No comment necessary.**

\* The applicant indicates that the project will be expanding elements of the TDM plan by providing a car share vehicle and adding bicycle parking. Details of these added elements should be provided.

**Status: The applicant has provided supporting information on enhancing their site TDM Plan. I concur with Jeff Levine's Memorandum dated July 3, 2013 that suggests the applicant consider the noted suggestions as alternative measures.**

\* I have reviewed the traffic study prepared by Gorrill-Palmer Consulting Engineers, Inc. and generally find the methods used to be acceptable. I continue to review the safety analysis and the conclusions provided.

**Status: I have reviewed the traffic study and in my professional opinion the project will not have a significant impact on traffic conditions in the vicinity of MMC. The traffic study did identify safety problems in the project area and accordingly the applicant shall be responsible for implementation of mitigation strategies recommended in the study. The applicant shall coordinate with DPS prior to proceeding on the noted recommendations.**

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE  
Senior Associate  
Traffic Engineering Director  
[T.Y. Lin International]T.Y. Lin International  
12 Northbrook Drive  
Falmouth, ME 04105  
207.781.4721 main  
207.347.4354 direct  
207.400.0719 mobile  
207.781.4753 fax

**From:** Chris Pirone  
**To:** Jean Fraser  
**CC:** Benjamin Wallace; Tammy Munson  
**Date:** 6/6/2013 4:22 PM  
**Subject:** Re: MMC Addition (22 Bramhall)

Jean,

Here are Fire Comments which are technical and you may not need for your report. As for site plan there are no comments for fire as there are sufficient hydrants and existing/approved access.

Fire Comments:

- 1.The Fire Protection Engineer will be responsible for the design of the fire protection systems.
- 2.The Fire Protection Engineer shall be present when the installing contractors perform the final commissioning (testing) of the fire protection systems and issue a second stamped letter that they observed the final commissioning of the systems and the systems are installed and function as required by the pertinent codes, standards, and regulations. Fire protection systems include, but are not limited to: fire alarm, sprinkler, standpipe systems and other suppression system equipment.
- 3.The In-Building Radio Enhancement System will have to be commissioned by the designer of that system with documentation of its compliance and performance in accordance with NFPA 1 Annex O. This system shall be monitored by the fire alarm system and the design must be coordinated with the Fire Protection Engineer designing the fire alarm system.

\*NFPA 3 Recommended Practice For Commissioning and Integrated Testing of Fire Protection and Life Safety Systems is a new(2012) NFPA document and its intent is to make life easier for building owners, contractors, designers, and AHJ's.

Captain Chris Pirone  
Portland Fire Department  
Fire Prevention Bureau  
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Portland, ME 04101  
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(f) 207.874.8410