

CITY OF PORTLAND, MAINE

PLANNING BOARD

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March 29, 2018

Maine Medical Center
22 Bramhall Street
Portland, ME 04102
Attn: Alexander Green

William Conway, Sebago Technics
75 John Roberts Road
South Portland, ME 04106

Project Name: **MMC East Tower and Visitor Garage Vertical Expansion
and Relocation of Heliport**
Project ID: #2017-289
Address: 22 Bramhall Street, Portland CBL: 053 D007; 054H001; 064C001
Applicant: Maine Medical Center
Planner: Jean Fraser

Dear Mr. Green:

On March 27, 2018, the Planning Board considered the Level III site plan application for vertical extensions to the existing East Tower (two stories; approximately 60,000 sq ft) and to the existing Visitor's Garage on Congress Street (3 stories to provide an additional 225 parking spaces). The application includes the relocation of the heliport to the roof of the East Tower.

The Planning Board reviewed the proposal for conformance with the site plan standards of the land use code and the requirements of the MMC IOZ Regulatory Framework. The Planning Board voted 6-0 (Stanley absent) to approve the application with the following conditions as presented below:

DEVELOPMENT REVIEW

The Planning Board voted 6-0 (Stanley absent) that 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 March 27, 2018 for application 2017-289 (MMC East Tower and Visitors Garage Overbuild and Relocated Helipad at 22 Bramhall Street) relevant to the site plan regulations; and the testimony presented at the planning board hearing, the planning board finds that the plan is in conformance with the site plan standards of the land use code and the MMC IOZ Regulatory Framework, subject to the following conditions of approval:

- i. That the documentation of the land transfers and street acceptances associated with the sites shall be completed prior to the Certificate of Occupancy;
- ii. That the applicant shall submit evidence from the FAA that the location and height of the construction equipment is acceptable prior to the operation of this equipment, and that the

overbuild heights and helipad relocation is acceptable prior to the Certificate of Occupancy for the overbuild or operation of the helipad whichever is sooner;

- iii. That within 9 months of the date of this site plan approval the applicant shall submit a “*Sound Measurement Plan*” for review and approval by the Planning Authority, for assessing the actual changes in sound impacts on nearby properties between the helipad operating at the existing site and at the new location, including criteria for mitigation where such impacts are severe based on appropriate national standards. The “*Sound Measurement Plan*” is required in the event that the predicted sound levels are incorrect, and it shall be approved and implemented at least 2 months before the helipad is relocated;
- iv. That the applicant shall undertake all construction associated with this site plan in accordance with the Turner CMP dated March 21, 2018 and Detour Plan (MOT) dated March 21, 2018 unless agreed in writing with Planning Authority, including:
 - a. Provision of alternative parking for any parking displaced by the construction either on or off the MCC campus; and
 - b. Coordination with the Seadogs and other event organizers, and with METRO, to ensure safety of all users; and
 - c. Incorporate ongoing monitoring and adjustments in consultation with city representatives; and
 - d. That the Park and Weymouth signal shall meet MUTCD requirements and include pedestrian accommodations, ADA compliance and have full vehicle detection; and
 - e. Minor ROW adjustments such as curb radii at Boynton/Forest Streets, ADA ramps and bus stop pads; and
 - f. Repairs to Weymouth Street prior to/after the detour as agreed with the Department of Public Works.
- v. That the applicant is solely responsible for all activities (physical modification to the ROW, monitoring, revisions to the CMP etc) associated with CMP/detour plans referred to in condition iv. above;
- vi. That the applicant shall take steps as necessary to minimize construction impacts on neighbors, including businesses, in the vicinity of the project, and implement the Communications Plan generally as outlined;
- vii. That the applicant shall comply with the submitted Construction Schedule which notes a Congress Street closure between Monday May 7th to Thursday, June 28th 2018 inclusive. This closure period is dependent upon 1) the City of Portland issuing building permits in a timely manner and 2) the absence of other events beyond the control of the applicant (“force majeure”), including, without limitation, acts of God, war, fire, flood, acts of a sovereign nation or any state or political subdivision or any department or regulatory agency. Unless otherwise justified by 1) or 2) above, if Congress Street is not open to through traffic and pedestrian access on June 29th, that penalties of \$10,000/day will apply for each day of delay;
- viii. That the stormwater system for the Congress Street Hospital Entrance shall add detention capacity in lieu of stormwater separation in order to reduce the burden of the existing and proposed development on the City’s infrastructure. As part of the site plan application for the Congress Street Hospital Entrance the applicant shall set out the strategy and associated

proposals for achieving additional detention or for contributions to other measures that achieve the same objective;

- ix. That the applicant shall finalize a TDM Plan that addresses the Regulatory Framework and Site Plan requirements, for review and approval by the Planning Board prior to the issuance of a Certificate of Occupancy for the East Tower;
- x. That the applicant shall develop a long term public Pedestrian Network Plan (both on and off the ROW) showing the integration of the upper level MMC campus with the Congress Street corridor, including measures to address CPTED principles, for implementation when the retail space beneath the Visitors Garage is available for lease or sale; such plan to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit for the Congress Street Hospital Entrance;
- xi. That the applicant shall implement the following upgrades in the ROW prior to the issuance of a Certificate of Occupancy:
 - a. Update the four (4) pedestrian light fixtures along the Congress Street frontage of the Visitors Garage to LED, and for each add the bracket and LED light fixture at the top of the existing poles.
 - b. Install ADA pedestrian ramps at 4 locations where there are crosswalks near the East Tower.
- xii. That the applicant shall submit an assessment of the existing bicycle parking near the East Tower to confirm whether it meets the City's Technical Standards for the location, number and design of bicycle parking to serve the East Tower as expanded, and add to/relocate or replace bicycle parking as necessary to meet the standards prior to the issuance of a Certificate of Occupancy for the East Tower;
- xiii. That the final parking layout of the Visitors Garage shall meet the City's Technical Manual Standards and all applicable State and Federal standards regarding handicap accessibility;
- xiv. That the applicant shall submit the ability to serve letter regarding wastewater prior to the issuance of a building permit for the East Tower overbuild;
- xv. That any new signage relating to the East Tower or Visitors Garage shall be subject to separate site plan review in the context of the Regulatory Framework and IDP Design Standards by the Planning Authority prior to installation; and
- xvi. That the applicant shall submit a strategy ensuring the space on Congress Street beneath the Visitors Garage is occupied as soon as Turner vacates the space, to be coordinated with the Pedestrian Network Plan subject of condition x. above; such strategy to be submitted for review and approval by the Planning Authority prior to the issuance of a Certificate of Occupancy for the Congress Street Hospital Entrance.

The approval is based on the submitted plans and the findings related to site plan review standards and the requirements of the MMC IOZ Regulatory Framework contained in the Planning Board Report for application #2017-289 which is attached.

STANDARD CONDITIONS OF APPROVAL

Please Note: The following standard conditions of approval and requirements apply to 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 Permitting and Inspections Department.
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 and Urban Development Department and Public Works 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 Works 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. Construction Management Plans The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.
8. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit (s) is required for your site. Please contact the Department of

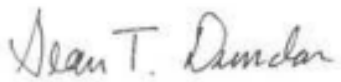
Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

9. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning and Urban Development Department, 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 and Urban Development Department 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, Planner, at (207)874-8728 or jf@portlandmaine.gov

Sincerely,



Sean Dundon, Chair
Portland Planning Board

Attachments:

1. Planning Board Report
2. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Stuart G. O'Brien, City Planning Director, Planning and Urban Development
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William Scott, Chief Surveyor, Public Works
Mike Thompson, Fire
Danielle West-Chuhta, Corporation Counsel
Jennifer Thompson, Corporation Counsel
Victoria Volent, Housing Program Manager, Housing and Community Development
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