

June 28, 2005

Mr. Paul D. Gray
Vice President Planning
Maine Medical Center
22 Bramhall Street
Portland, ME 04102-3175

RE: Applications for Conditional Use, Housing Replacement Plan, Site Plan, Site Location of Development, Street Discontinuance, Acceptance and Land Transfer Plan Approvals for the Charles Street Expansion project of the Maine Medical Center

CBLs: 53D001, 53D002, 53D007, 53E001, 53E002, 53E010, 53E013, 53G001, 53G013, 54C006, 54C010, 54D006, 54D007, 54H001, 64C001, and 64C002.

Dear Mr. Gray:

On May 31, 2005, the Portland Planning Board voted unanimously to approve Maine Medical Center's applications for Expansion of a Hospital as a Conditional Use in the R-6 Residential Zone, Replacement of Housing as a Conditional Use, Housing Replacement Plan, Site Plan, Site Location of Development (acting under its delegated authority), for the Maine Medical Center campus in the vicinity of Bramhall, Charles, Crescent, Ellsworth, Wescott, Gilman and Congress Streets.

The Site Plan and Site Location of Development approvals were granted for the project with the following condition(s):

- i. The applicant shall comply with the recommended conditions of approval pertaining to traffic and the traffic signal upgrade at Bramhall and Congress Street as set forth in the development review memos by Tom Errico dated May 11, 2005 and May 25, 2005.
- ii. MMC shall comply with the four conditions related to parking recommended by John Peverada in his review memo of May 19, 2005.
- iii. MMC shall carry out each of the recommended actions related to stormwater management and infrastructure contained in the review memo by Stephen Bushey, dated May 26, 2005, with the proviso that MMC will endeavor as much as possible to locate all stormwater quality units on MMC property rather than in the City right-of-way, and shall have Public Works Authority review and approve of final stormwater and utility locations within the public right-of-way.
- iv. MMC shall follow the recommended landscape plan improvements recommended by the City

Arborist in his review memo dated May 27, 2005, but shall not be required to place a sidewalk along the edge of the Gilman Street curve, as described therein.

- v. MMC shall carry out the Fire Department's recommended conditions of approval, as set forth in Deputy Chief Michael Shutts' email of May 27, 2005.
- vi. MMC shall submit a revised Alternative Transportation/Travel Demand Management Plan for Planning Board review and approval, prior to issuance of a certificate of occupancy for the parking garage, which shall provide additional incentives for employees to use transit.
- vii. MMC shall obtain all required license agreements and permits for way-finding and directional signs from the City, and shall modify sign designs as requested by the City when needed to protect traffic sight lines.
- viii. MMC shall submit to the Planning Board, for its review and approval, revised architectural design details of the façade of the Congress Street parking garage that are consistent with the Downtown Urban Design Guidelines, provided that MMC may proceed, at its own risk, with foundation, utility and excavation work pending such design review.
- ix. MMC shall provide a crosswalk from the south side of Crescent Street to the Crescent Street entrance to the new parking garage, so that those persons wishing to reach the east end of the garage on any level or wishing to use the stair tower need not cross egress traffic and ingress traffic to do so. MMC shall use some form of internal barrier within the top level of the garage on the east end to separate pedestrians from turning car traffic. Such revisions shall be submitted for Planning Authority for review and approval.
- x. That as a condition of site plan approval (a condition separate and distinct from other regulations) MMC shall be subject to all terms and conditions contained within the Conditional Rezoning of this site (relating to the Helipad/Helicopter Landing Pad, including the provisions on flight routes, the fly neighborly program, the helipad operating guidelines, equipment and mitigation) and any changes to any of these provisions shall require a review of the site plan by the Planning Board.
- xi. MMC shall properly engineer the design of the sidewalk along Congress Street in front of its property so that it adequately joins the existing City sidewalk, which engineering may include a pattern of ramping and leveling off. Such design shall be subject to the review and approval of the Public Works Department.
- xii. MMC shall return the Munson property to residential use prior to the issuance of a certificate of occupancy for the parking garage, it being agreed that the property will never be used in any other capacity for so long as MMC owns said property.
- xiii. That MMC deed to the City, for public use, access to all pocket parks shown on the plan, and the access way between Congress Street and Crescent Street.
- xiv. MMC shall work with Public Works and staff to prepare an inventory of needed public improvements northerly of the site in the Parkside neighborhood for inclusion on the list of potential public improvements to be installed by the City.

The Housing Replacement Plan approval was granted with the following condition:

- i. Prior to a building permit being issued for the new development MMC shall comply with recommended conditions in the Housing Replacement Plan review memo of Wendy Cherubini, dated July 5, 2004.

Also on May 31, 2005, the Planning Board voted unanimously,

To recommend to the City Council the street discontinuances and the proposed street lay out for the realigned streets shown on the Sebago Technics Plan, titled "Street Vacation (sic)/Acceptance and Land Transfer Plan" dated December 10, 2004.

The above listed approvals are based on the submitted site plan and the findings related to site plan review standards as contained in Planning Report #35-05, which is attached.

Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, 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.
6. 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.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at

874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 Sarah Hopkins, Development Review Service Manager, at 874-8720.

Sincerely,

Lee Lowry III, Chair
Portland Planning Board

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Rick Seeley, Senior Planner, Greater Portland Council of Governments
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Fire Prevention
Assessor's Office
Approval Letter File