

City of Portland
 Development Review Application
 Planning Division Transmittal Form

Application Number: 2014-124 **Application Date:** 07/09/2014
CBL: 073 A001001 **Application Type:** Zoning Contract/Conditional Rezoni
Project Name: Mercy Master Plan Update
Address: 175- FORE RIVER PARKWAY
Project Description: Update to the Master Plan to include Phase II Hospital relocation and expansion.

Distribution List:

Planner	Barbara Barhydt	Parking	John Peverada
Zoning	Marge Schmuckal	Design Review	Alex Jaegerman
Traffic Engineer	Tom Errico	Corporation Counsel	Danielle West-Chuhta
Civil Engineer	David Sensus	Sanitary Sewer	John Emerson
Fire Department	Chris Pirone	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

AGENCY	PERMIT	DATE
City of Portland	Mercy Hospital – Medical Office Building – Certificate of Occupancy	10/21/2007
MaineDEP	Site Location of Development Act Minor Amendment Permit #L-20775-19-V-M Snow Storage Area	12/18/2007
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: Amendment to Northern Open Space and Realignment of “Marsh Trail” (trail section east of the pond) – Vicinity of Fore River	02/26/2008
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: Reuse of Existing Building for Maintenance and Storage Facility – Vicinity of Fore River	03/25/2008
MaineDEP	Site Location of Development Permit & Natural Resources Protection Act Permit #L-20775-19-P-M & L-20775-2F-Q-N – Activity Adjacent to a Protected Natural Resource Water Quality Certification	05/13/2008
City of Portland	Mercy Hospital Phase 1 – Amendment to Approve Site Plan: Drainage Modifications and Relocation of Marsh Trail (trail section east of pond) – Vicinity of Fore River (201 Fore River Parkway)	08/12/2008
City of Portland	Mercy Hospital Phase 1 – Amendment to Approve Site Plan: Bus Shelter Installation – Vicinity of Fore River (201 Fore River Parkway)	08/13/2008
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: Service Area Gate and Access Area – Vicinity of Fore River (201 Fore River Parkway)	11/21/2008
MaineDEP	Site Location of Development Act Minor Revision Permit #L-20778-19-R-M Contaminated Soil Berms Mercy Hospital	01/12/2009
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: “Berms” and Regrading Activity Near Maintenance Building (south part of site) – Vicinity of Fore River (201 Fore River Parkway)	01/30/2009
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: Southerly Driveway Modifications to Allow Left Turn – Vicinity of 175 Fore River Parkway	8/3/2010
MaineDEP	Commissioner’s Certification of Completion of Remedial Actions under a VRAP Mercy Hospital Fore River Campus	12/12/2011
MaineDEP	Site Location of Development Act & Natural Resources Protection Act Permit #L-20775-18-T-A & L-20775-TG-U-N	03/22/2013
	Tier 3 Wetland Alteration Water Quality Certification Phase II Relocation Project	
ACOE	Army Corps of Engineers Permit #NAE-2012-00084	04/10/2013

AGENCY	PERMIT	DATE
MaineDEP	Site Location of Development Act Minor Revision Permit #L-20775-19-V-M Snow Storage Area	12/20/2013

R:\2149.01\Permit List.docx

PERMIT LIST FOR MERCY HOSPITAL

AGENCY	PERMIT	DATE
ACOE	Army Corps of Engineers Permit General Permit #200200262 – Approved	04/25/2002
MaineDOT	Traffic Movement Permit – Mercy Health Systems of Maine	05/13/2002
Boston & Maine Corporation Railroad	Engineering Requirements – Proposed Fencing and Drainage – Approved	05/26/2002
City of Portland	Mercy Hospital – Amendment to Contract Zone Agreement Between City of Portland and Mercy Hospital	06/10/2002
Boston & Maine Corporation Railroad	Proposed Utilities and Private Grade Crossing Relocation – Approved	06/24/2002
MaineDEP	Site Location of Development & Natural Resources Protection Act Permit #L-20775-19-A-N & L-20775-TG-B-N – Water Quality Water Quality Certification Mercy Health System of Maine`	06/26/2002
MaineDEP	Site Location of Development Permit #L-20775-19-F-T Transfer Findings of Fact & Order Mercy Hospital Campus	06/27/2003
MaineDEP	Site Location of Development Permit #L-20775-19-G-M – Modification Findings of Fact & Order – Mercy Hospital Campus	06/30/2003
MaineDEP	Site Location of Development Permit & Natural Resources Protection Act Permit # L-20775-19-H-M & L-20775-TG-I-M – Water Quality Certification Modification Mercy Hospital New Hospital Campus	07/22/2004
MaineDEP	Site Location of Development Permit #L-20775-19-J-M Minor Revision/Modification – Mercy Hospital	07/13/2005
MaineDEP	Commissioner’s Certification of Completion of Remedial Actions under a VRAP I-295 Connector Road	12/15/2005
ACOE	Army Corps of Engineers #NAE-2005-3927 Transfer Request to Mercy Hospital	03/07/2006
MaineDOT	Traffic Movement Permit #06-00035-A- M Mercy Hospital Ambulatory Care Unit, Hospital and Medical Offices	03/13/2006
City of Portland	Mercy Hospital Master Plan – Mercy Hospital Development Project – Phase 1 Vicinity of Fore River	08/08/2006
City of Portland	Mercy Hospital – Amendment to Plan (Elevations of Proposed Short Stay Hospital Building)	02/2/2007
City of Portland	Mercy Hospital – Amendment to Approved Site Plan: Modification to Parking Lot Layout (Mercy Hospital south part of site) – Vicinity of Fore River	10/15/2007



Table 1 Master Plan Comparison Data

Site Data	2001	2006	2014
Site Size (not including mudflats)	Original 42 acres above high tide	42 acres less the following: <ul style="list-style-type: none"> Fore River Parkway = 7.55 Ac Total Site size = 34.45 Ac	42 acres less the following: <ul style="list-style-type: none"> Fore River Parkway = 7.55 Ac Veterans Bridge = 1.48 Ac Veterans Bridge easement = 0.34 Ac Total Site size = 32.63 Ac
Available Development area	As part of original CZA and DEP permitting, the following developable area reductions occurred: <ul style="list-style-type: none"> North Open Space = 3.32 Ac South Open Space = 1.33 Ac Preserved Wetland (pond area) = 4.89 Ac Estimated Fore River Parkway ROW = 7 Ac Actual Available for development = 25.46 Ac	Following completion of the Fore River Parkway in 2004 the available land area was revised to be 24.91 Ac	Following completion of the Veterans Memorial Bridge in 2012 the available land area was revised based on the following: <ul style="list-style-type: none"> North Open Space = 3.32 Ac South Open Space 0.99 Ac Fore River Parkway ROW = 7.55 Ac Veterans Bridge ROW and Easement = 1.82 Ac Preserved Wetland (Pond Area) = 4.89 Ac Available for Development = 23.43 Ac Per the DEP/ACOE approval of filling in the pond then available land increases to 28.32 Ac
Building Program	Hospital Space = 300,000 SF Medical Office Building = 75,000 SF Ambulatory Care Center = 58,000 SF	Phase 1 Hospital = 137,832 SF Phase 1 MOB = 80,054 SF Future Hospital Expansion = 200,000 SF Future MOB = 75,000 SF Future Office Building = 45,000 SF Existing Maintenance Building = 7,016 SF Total Building Area = 544,902 SF	Phase 1 Hospital = 137,832 SF Phase 1 MOB = 80,054 SF Future Hospital Expansion = 322,000 SF Future MOB = 60,000 SF Future MOB = 108,000 SF Existing Maintenance Building = 7,016 SF Total Building area = 714,902 SF
Trip Generation	Total Building area = 433,000 SF Original TMP <ul style="list-style-type: none"> 784 Trips a.m., peak hour adjacent street 687 trips p.m., peak hour adjacent street 990 trips p.m., peak hour generator 1,251 Surface Parking Spaces	No update completed for TMP since only Phase 1 was completed. Total Building Area = 544,902 SF	No update completed for TMP. Due to VMB reconstruction an updated TMP is required.
Parking	1,251 Surface Parking Spaces	Phase 1 Surface parking 783 Spaces Future with Parking Garage = 1,267 to 1,467 Spaces	Surface Spaces = 560 Parking Garage = 1,200 Total = 1,760
Parking per Code	Hospital at 1 space per 500 SF = 600 Spaces Medical Office at 1 space per 400 SF = 333 Spaces Total Required = 933 Spaces	Hospital Spaces = 675 Spaces Office Spaces = 500 Spaces Total Required = 1,175 Spaces	Hospital Spaces = 920 Spaces Office Spaces = 620 Spaces Total Required = 1,540 Spaces
Impervious Surface and Ratio (Max allowable per CZA = 80%)	Approximately 22 ac or 65%	Phase 1 = 13.31 Ac or 38.6 % Master Plan would be less than 50%	Total Required = 1,540 Spaces 18.18 Ac or 55%

Mercy at the Fore



Table 1 Master Plan Comparison Data (cont.)

Building footprint (excluding parking garage(s))	183,335 SF	Phase 1 Hospital = 28,000 SF (approx.) Phase 1 MOB = 20,000 SF (approx.) Future Hospital = 45,000 SF (approx.) Future MOB = 35,000 SF (approx.) Total = 128,000 SF	Phase 1 Hospital = 28,000 SF (approx.) Phase 1 MOB = 20,000 SF (approx.) Future Hospital = 116,980 SF Future MOB = 55,000 SF Total = 219,980 SF
Open Space	35%	61.4%	45%

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 South Portland, ME 04106
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 F: 207.775.1121
 www.fstinc.com

FAY, SPOFFORD & THORNDIKE
 Offices in: Massachusetts, New Hampshire, Maine, Connecticut and New York



July 16, 2014

Ms. Barbara Barhydt
Development Review Services Manager
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

**Subject: Mercy at the Fore
195 Fore River Parkway
Applicant: Mercy Hospital
Contract Zoning Agreement Amendment**

Dear Barbara:

As requested in your July 10, 2014 email transmission, we offer the attached Section 2 of the Site Location of Development Amendment application previously prepared on behalf of Mercy Hospital (Mercy). Section 2 provides evidence of Mercy's interest in the Fore River property; namely copies of the deeds reflecting purchase of the property from Merrill Industries and Portland Terminal Co. We trust this will satisfy your current needs for adequate Title, Right or Interest in the property.

Secondly, we included a copy of the original Contract Zone Agreement and an amendment made to the CZA within our recently submitted package of materials accompanying the Contract Zone Agreement application form, for background. At this time we foresee no changes to the text of the CZA, but effectively an update of the Master Plan supporting these documents. As we have discussed, Mercy has continued to refine their planning expectations for the site, since the original Phase 1 construction and occupancy in 2008. As a result, they sought and have now been given approval by the Maine Department of Environmental Protection and the U.S. Army Corps of Engineers for changes to the Master Plan that involve development activity within the previously protected wetland/gravel pit area in the middle of the property. As part of this current submission we have provided updated plan documents that are intended to replace and/or supplement the previous Master Plan documents. We trust that these materials are sufficient to allow the processing of the application to commence.

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Ms. Barbara Barhydt
July 16, 2014
Page 2

If you require additional information, please advise this office and we will endeavor to address these needs accordingly.

Sincerely,

FAY, SPOFFORD & THORNDIKE, LLC



Stephen Bushey, P.E., C.P.E.S.C.
Senior Principal Engineer

SRB/smk

Attachments: Attachment A – MeDEP SLDA Section 2 – Title, Right and Interest

c: Bob Nutter, Vice President and Chief Operating Officer
Mike Connolly, Facilities Manager

ATTACHMENT A

**MeDEP Site Location of Development Amendment
Section 2 – Title, Right and Interest**

SECTION 2

TITLE, RIGHT, AND INTEREST

2.0 Overview

Mercy Hospital owns the property as evidenced in the accompanying deeds. Mercy hospital currently is entered into a lease agreement with Health Care REIT, Inc. as they own the medical office building. Mercy has also recently transferred approximately 1.48 acres of land to the Maine Department of Transportation for the construction of the Fore River Parkway and the Veterans Memorial Bridge.

2.1 Deeds/Boundary Survey/Options

The purchase deeds held by Mercy Hospital are attached.

2.2 Plan Reference

ALTA/ACSM Land Title Survey Prepared for Health Care REIT, Inc.

2.3 Attachments

Attachment A Deed – Portland Terminal Co. to Mercy Hospital

Attachment B Deed – Merrill Industries to Mercy Hospital

ATTACHMENT A

Deed:

Portland Terminal Co. to Mercy Hospital

RELEASE DEED

PORTLAND TERMINAL COMPANY, a corporation duly organized and existing under the laws of the State of Maine, with offices at Iron Horse Park, North Billerica, Middlesex County, Massachusetts 01862 (the "Grantor"), for consideration paid to it by **MERCY HOSPITAL**, a Maine non-profit corporation, having a mailing address of 144 State Street, Portland, Maine 04101-3795 (the "Grantee"), hereby grants to the Grantee all the Grantor's right, title and interest, without any warranties or covenants of title whatsoever, in a certain parcel of land, and the buildings, bridges, structures, crossings, fixtures and improvements thereon, if any, situated in Portland, Cumberland County and State of Maine (the "Premises") described as follows:

**See Exhibit "A" Attached Hereto and
Made a Part Hereof by Reference**

This conveyance is subject to the following reservations, conditions, covenants and agreements:

1. This conveyance is made without granting any right of way, either by necessity or otherwise, over any remaining land or location of the Grantor, except as provided in Exhibit A.
2. Intentionally Omitted.
3. Intentionally Omitted.
4. Intentionally Omitted.
5. By the acceptance of this deed and as part consideration therefor, the Grantee hereby assumes any and all agreements, covenants, obligations and liabilities of the Grantor in respect to any underground facilities, drainage culverts, walls, crossings and/or other structures of any nature and description located in whole or in part within the Premises.
6. By the acceptance of this deed and as part consideration therefor, the Grantee agrees to irrevocably waive, give up and renounce any and all claims or causes of action against

the Grantor in respect of claims, suits and/or enforcement actions (including any administrative or judicial proceedings and any remedial, removal or response actions) ever asserted, threatened, instituted or requested by any person and/or governmental agency on account of: (a) any release of oil or hazardous materials or substances of any description on, upon or into the Premises in contravention of any ordinance, law or statute (including, but not limited to, the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (42 U.S.C. § 9601, et seq., as amended)); and (b) any and all damage to real or personal property, natural resources and/or harm or injury to persons alleged to have resulted from such release of oil or hazardous materials or substances.

7. By the acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to build and forever maintain fences (together with any necessary gates), suitable to the Principal Engineering Office of the Grantor, along the boundaries of the Premises which are common to remaining land or location of the Grantor (the "Fences"), if Fences are ever required in the sole and reasonable opinion of said Principal Engineering Officer.
8. This conveyance is subject to the following restriction for the benefit of other land or location of the Grantor, to wit: that from the date of delivery of this deed, the Grantor shall not be liable to the Grantee or any lessee or user of the Premises (or any part thereof) for any damage to any buildings or property upon them caused by fire, whether communicated directly or indirectly by or from locomotive engines of any description upon the railroad operated by the Grantor, or otherwise. The aforementioned restriction shall not apply to wanton, willful or intentional acts of the Grantor.
9. By acceptance of this deed and as part consideration therefor, the Grantee hereby agrees to make no use of the Premises which, in the sole and reasonable opinion of the Principal Engineering Officer of the Grantor, materially adversely affects, materially increases or decreases drainage to, from, upon or in any remaining land or location of the Grantor. The Grantee agrees to indemnify and save the Grantor harmless from and against any and all loss, cost, damage or expense including, but not limited to, the cost of defending all claims and/or suits for property damage, personal injury or death arising out of or in any way attributable to any breach of the foregoing covenant.
10. The Grantor excepts from this conveyance any and all overhead, surface or underground signal and communication line facilities of the Grantor located within the limits of the Premises and this conveyance is subject to the Grantor's use of any such facilities in their present locations and entry upon the Premises from time to time to maintain, repair, replace, renew, relay or remove such facilities.
11. Whenever used in this deed, the term "Grantor" shall not only refer to the Portland Terminal Company, but also its successors, assigns and affiliates and the term "Grantee" shall not only refer to the above named Grantee, but also the Grantee's successors, assigns and grantees, as the case may be.

12. The several exceptions, reservations, conditions, covenants and agreements contained in this deed shall be deemed to run with the land and be binding upon the Grantee forever. In addition to the acceptance and recording of this deed, the Grantee hereby signifies assent to the said several exceptions, reservations, conditions, covenants and agreements, by joining its execution.

IN WITNESS WHEREOF, the said Portland Terminal Company, has caused this Release Deed to be executed in its name and its corporate seal to be hereto affixed by David A. Fink, its Chief Executive Officer, thereunto duly authorized this 26th day of June, 2002.

GRANTOR: PORTLAND TERMINAL
COMPANY, a Maine corporation

By David A. Fink
David A. Fink
Its Chief Executive Officer

SEAL

COMMONWEALTH OF MASSACHUSETTS

COUNTY OF MIDDLESEX, ss.

On June 26, 2002, personally appeared the above-named David A. Fink, Chief Executive Officer of said Portland Terminal Company in his said capacity, and acknowledged the foregoing to be his free act and deed and the free act and deed of said Corporation.

Before me,

Pamela J. Primeau
Notary Public

Printed Name: Pamela J. Primeau

My Commission Expires March 28, 2003

SEAL

The Grantee hereby accepts and agrees to become bound by the several reservations, conditions, covenants and agreements contained in this deed.

GRANTEE: MERCY HOSPITAL, a Maine non-profit corporation




Witness

By: HOWARD R. BUCKLEY
Name: HR Buckley
Title: President

STATE OF MAINE
CUMBERLAND, ss.

June 25, 2002

Then personally appeared HOWARD R. BUCKLEY the PRESIDENT of Mercy Hospital and acknowledged the foregoing Deed of Easement to be his/her free act and deed in his/her said capacity and the free act and deed of the said Mercy Hospital, before me.



~~Notary Public~~: Attorney At Law
My Commission Expires:
Ande A. Smith, Esq.

EXHIBIT A
to
RELEASE DEED

GIVEN BY PORTLAND TERMINAL COMPANY TO MERCY HOSPITAL

LEGAL DESCRIPTION OF THE PREMISES

That certain parcel of land described as follows is released to Grantee:

A certain lot or parcel of land with buildings thereon situated on the northerly side of the Blue Star Memorial Highway (Route #1) at the Veteran's Memorial Bridge on the Fore River in the City of Portland, County of Cumberland and State of Maine as shown on a plan entitled "Land in Portland, ME. Portland Terminal Company to Mercy Hospital", Sale: 1: = 100', dated June 29, 2001, as amended to date, by Owen Haskell, Inc., which plan is being recorded herewith (the "Conveyancing Plan"), which lot or parcel of land is bounded and described as follows:

Commencing at a rod marking a point 50.00' westerly of and at right angles to the center line of the main track marking a P.C. Station of 23 + 11.35 as shown on right of way and track map Portland Terminal Company dated June 30, 1916 revised March 1938 filed in the Portland Terminal Company in V1-D over 1-A; Said rod being approximately 675' northerly of the northerly right of way line of said Route #1;

Thence northerly along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track, N 10° 46' 19" W a distance of 482.85' to a rod opposite station 18 + 28.50;

Thence continuing along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track N 10° 57' 07" W a distance of 290.08' to a rod opposite station 15 + 38.42;

Thence continuing along land of Portland Terminal Company N 9° 29' 00" W a distance of 197.09' to a rod marking the westerly right of way line for the existing spur track and being 33.00' westerly and opposite P.C. Station 2 + 00.64' as shown on said railroad plan;

Thence continuing along land of Portland Terminal Company and being along said right of way line of said spur track along a curve to the left whose radius is 922.37', an arc distance of 185.63' to a rod on the westerly edge of a paved drive, said rod being found on a chord of N 22° 33' 26" W a distance of 185.32' and said rod being the Point of Beginning;

Thence continuing along land of Portland Terminal Company and following the westerly edge of said paved drive S 9° 2' 42" W a distance 110.67' to a rod;

Thence continuing along land of Portland Terminal Company on the following courses:

N 78° 59' 25" W a distance of 42.80' to a rod;

S 10° 55' 38" E a distance of 580.68' to a rod, said rod being 160.00' westerly of and at right angles to the centerline of the main track opposite said Station 18 + 28.50';

S 78° 59' 25" W a distance of 446.63 feet to a tie point;

Continuing S 78° 59' 25" W a distance of 133' ± to the easterly bank of the Fore River and continuing to the approximate low water line a total distance of 1165' ±;

Thence northerly, northwesterly, westerly, northeasterly and southwesterly following the approximate low water line a distance of 2550' ± to the easterly right of way line of Route 295;

Thence N 17° 19' 15" E along said right of way line 760' ±;

Thence N 50° 25' 55" E along said right of way line 176.00 feet;

Thence easterly along said right of way line and along a curve to the left whose radius is 375.00', an arc distance of 7.14' to a point and the southwesterly right of way line for the existing spur track and land of Portland Terminal Company, said point being found on a chord of S 84° 55' 24" E a distance of 7.14';

Thence S 54° 28' 52" E along land of Portland Terminal Company 116.36';

Thence southeasterly along said land and a curve to the left whose radius is 988.44' an arc distance of 283.21' to a tie point, said tie point being located the following courses and distance from the aforementioned tie point:

N 36° 35' 47" W 23.62';

N 36° 20' 10" W 1202.64';

N 41° 38' 20" W 452.20 and said tie point being found on a chord of

S 62° 42' 17" E a distance of 282.24';

Thence continuing southeasterly and easterly along said land and a curve to the left whose radius is 988.37' an arc distance of 247.17' to a point said point being found on a chord of S 78° 04' 38" E a distance of 246.53';

Thence S 85° 15' 29" E along said land 439.84';

Thence continuing southeasterly along said land and a curve whose radius is 922.37', an arc distance of 1102.20' to the Point of Beginning, said point being found on a chord of S 51° 01' 30" E, 1037.78'.

Above courses are grid north.

Meaning and intending to release that certain parcel of land identified as the "Portland Terminal Parcel" on the Conveyancing Plan.

TOGETHER WITH all of Grantor's rights and interests in and to the easements and rights of way reserved by Grantor in its deed to Merrill Terminal, Inc. ("Merrill") dated July 27, 1998 and recorded in the Cumberland County Registry of Deeds at Book 14022 Page 302 (the "Merrill Deed"). Such easements are described as follows:

(a) A permanent non-exclusive easement and right of way over the "Reserved Right of Way", being a fifty (50') foot right of way or so much land as required to establish a public way in accordance with all governmental specifications and requirements, over, upon, across, under and through the portion of the land conveyed to Merrill in the Merrill Deed (the "Merrill Parcel") to the boundary of the Merrill Parcel, more particularly identified as the "APPROXIMATE LOCATION OF 50' WIDE 'RESERVED RIGHT OF WAY' AND UTILITY EASEMENT" (the "Reserved Right of Way") on an unrecorded survey plan of the Merrill Parcel entitled "Standard Boundary Survey, Route 1 Blue Star Memorial Highway: Portland Terminal Company to Merrill Industries, Inc." prepared for Merrill Industries, Inc. by Owen Haskell, Inc. and dated May 19, 1998, Job No. 97109P, (hereinafter referred to as the "Merrill Plan"), for all purposes of access of any description necessary and convenient, including, but not limited to, pass and repass on foot and with vehicles, machinery, utilities and drainage of every nature and description.

(b) A permanent non-exclusive easement over, under, across, upon and through the Reserved Right of Way, as shown on the aforementioned Merrill Plan, for utility purposes, including for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing pipes, conduits and other utility facilities and equipment. Said easement shall be located in a manner as not to interfere unreasonably with Merrill's use of the Merrill Parcel.

(c) The right to access and/or tap into any existing or future utilities located within the Reserved Right of Way as shown on the Merrill Plan; subject, however, to the right reserved by Grantor to access and/or tap into electrical distribution facilities located on the Merrill Parcel for purposes of obtaining electrical power suitable for the use and operation of its railroad signaling and communications equipment or for any other railroad purpose.

Grantor agrees that, if the Grantee herein should acquire some or all of the Merrill Parcel, then upon the occurrence of such acquisition or acquisitions, Grantor shall allow for the

relocation of its interconnection to said electrical distribution facilities at Grantee's cost and in such a fashion as to not unreasonably or unsafely interfere with Grantor's railroad operations.

TOGETHER WITH the same easements and rights of way granted to Merrill in the Merrill Deed over, upon, across, under and through the "50' WIDE 'GRANTED RIGHT OF WAY' AND UTILITY EASEMENT" depicted on the Merrill Plan (the "Granted Right of Way"), to the extent such Granted Right of Way is located on other land owned by Grantor and not on the land conveyed herein. Such easements and rights of way are described as follows:

(a) the permanent non-exclusive easement and right of way over the adjacent land of Grantor, being a permanent non-exclusive fifty (50') foot easement and right of way, or so much land as required to establish a public way in accordance with all governmental specifications and requirements, over, upon, across, under and through the retained land of Grantor, which is shown and included in the "50' WIDE 'GRANTED RIGHT OF WAY' AND UTILITY EASEMENT" on the Merrill Plan, for all purposes of access of any description necessary and convenient, including, but not limited to, pass and repass on foot and with vehicles, machinery, utilities and drainage of every nature and description;

(b) the permanent non-exclusive easement over, under, across, upon and through said "50' WIDE 'GRANTED RIGHT OF WAY' AND UTILITY EASEMENT", over Grantor's retained land, for utility purposes, including for the purpose of accessing, constructing, installing, operating, maintaining, modifying, repairing, replacing, relocating and removing pipes, conduits and other utility facilities and equipment, together with the right to access and/or tap into any existing or future utilities located within the said "50' WIDE 'GRANTED RIGHT OF WAY' AND UTILITY EASEMENT".

The Grantor may relocate such portion of the said Granted Right of Way that is located on other land owned by Grantor and not on the land conveyed herein, provided that Grantor (1) gives reasonable notice of the intended relocation, (2) pays all costs of relocating any improvements or facilities located within the right of way, (3) carries out such relocation in a manner that does not materially interfere with the uninterrupted passage on foot and with vehicles and machinery or with the uninterrupted provision of utility services through such right of way, and (4) records a plan or plans showing the relocated boundaries of such right of way.

TOGETHER WITH, the non-exclusive right, in common with others, including without limitation, Grantor and its successors and assigns, for access and egress and the right to install utilities over, in, and under that certain right-of-way in common with Cumberland County, Maine pursuant to the reservation of rights and easements set forth in the deed from Grantor to the Inhabitants of the County of Cumberland, State of Maine dated

November 9, 1990 and recorded in the Cumberland County Registry of Deeds at Book 9382, Page 61.

[W0030863.7][W0030863.5]

A-5

RECEIVED
RECORDED REGISTRY OF DEEDS

2002 JUN 27 PM 1:12

CUMBERLAND COUNTY

John B O'Brien

ATTACHMENT B

Deed:

Merrill Industries to Mercy Hospital

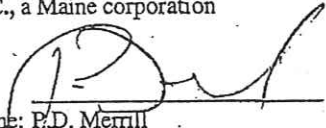
QUITCLAIM DEED WITH COVENANT

MAINE REAL ESTATE TAX PAID

MERRILL INDUSTRIES, INC., a corporation duly organized and existing under the laws of the State of Maine, with offices in Portland, Maine (hereinafter "Merrill" or the "Grantor"), for consideration paid to it, grants to MERCY HOSPITAL, a Maine non-profit corporation, having a mailing address of 144 State Street, Portland, Maine 04101-3795 (the "Grantee"), with Quitclaim Covenant, the land, buildings, and the fixtures in the City of Portland, Cumberland County, Maine, described more particularly in EXHIBIT A, attached hereto and made part hereof by reference.

IN WITNESS WHEREOF, the said Merrill Industries, Inc., has caused this Quitclaim Deed to be executed in its name and its corporate seal to be hereto affixed by P.D. Merrill, its President, thereunto duly authorized this 9th day of October, 2002.

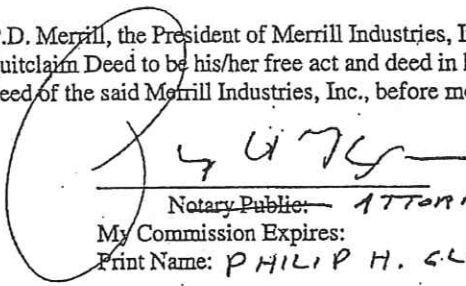
GRANTOR: MERRILL INDUSTRIES, INC., a Maine corporation

By: 
Name: P.D. Merrill
Its: President

STATE OF MAINE
CUMBERLAND, ss.

October 9, 2002

Then personally appeared P.D. Merrill, the President of Merrill Industries, Inc. and acknowledged the foregoing Quitclaim Deed to be his/her free act and deed in his/her said capacity and the free act and deed of the said Merrill Industries, Inc., before me,


~~Notary Public:~~ ATTORNEY AT LAW
My Commission Expires:
Print Name: PHILIP H. GLEASON



August 18, 2014

Ms. Jean Fraser, Planner
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

**Subject: Mercy at the Fore
195 Fore River Parkway
Applicant: Mercy Hospital
Contract Zoning Agreement Amendment**

Dear Jean:

We have received your July 31, 2014 email with preliminary review comments regarding Mercy Hospital's request for an Amended Contract Zone Agreement. For ease of reference, we have repeated your comment (*italics*) followed by our response and Supplemental information.

Comment 1:

A Master Plan (similar to the 2001 Concept Plan) that includes and identifies the already completed phases as well as future phases so one can see the overall final build out; and

Response:

As part of the July 7, 2014 submission we had included Plate 2, the Overall Site Plan, which depicts the full build out scenario currently contemplated by Mercy Hospital. This plan, in its current form or modified, as to be determined through this current review process, will serve as the Amended Master Plan moving forward. We are open to working with you on the best means of presenting the Master Plan, given the complexity and size of the Mercy at the Fore development. As you know, the Mercy Master Plan has evolved from a single sheet drawing in 2001 to a multiple sheet series of plans (2006) covering various aspects of the site. As discussed further below, it is worthwhile to present a summary comparison of the Mercy's development plans as it existed and was approved in 2001, subsequently amended in 2006 and as is now proposed. A tabular presentation of this information has been prepared and accompanies this letter.

Comment 2:

The data as related to what was approved in 2001 Master Plan (all phases); what was approved in the 2006 Master Plan (all phases) and what is proposed now in the amended Master Plan (all

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phases, including already completed Phase 1). We would like to understand whether any of the associated data (e.g. floor area, parking requirements; trip generation, etc.) are now increased in the latest Master Plan as compared to the 2001 Plan attached to the CZA. For example, does the TMP in place cover all of the proposed traffic from the amended Master Plan (all phases)?

So we are requesting a single "master plan" that is comparable to the 2001 and 2006 plans showing all phases on one plan; and a data table that sets out the following information (what was permitted, consistent with what was represented on the master plans) for each of the three Master Plans (2001 Master Plan as attached to the approved CZA; 2006 Master Plan all phases; proposed amended Master Plan - all phases):

- *Trip Generation*
- *Parking space numbers*
- *Impervious surface and ratios*
- *Building Floorspace*
- *Building footprint*
- *Open Space areas (identify north and south separately)*
- *Wetland/pond area*
- *Areas lost or dedicated to the Fore River Parkway and Veterans Bridge (as these have changed since 2006) (or revise total site area available to Mercy to reflect these)*

Once we have received this information in a table form, we can better understand the scale and nature of the proposed amendments and determine if and what wording (in the original 2001 CZA) might be reconsidered.

I would note that the 2001 Master Plan was a one page plan ("Concept Master Plan" attached to the CZA, where as the 2006 "Master Plans" (of which you submitted the plans but not the text) was a requirement of the 2001 CZA but were not a part of it. So further discussion is suggested on whether the amended CZA just has a single "Concept Master Plan" or also an updated version of the 2006 Master Plan including text. If you are proposing to add a detailed series of plans as an update to the 2006 Master Plan (with phasing) to the Agreement, then the wording of the CZA may need to be reconsidered. In any case that wording may need to relate to the more recent Site Plan ordinance wording regarding master plans.

Response:

The accompanying table (*Table 1 Master Plan Comparison Data*) has been prepared as a summary of the information outlined above. We trust this informational form helps simplify the overall history of the site and the planning path that Mercy has followed over time. Clearly there are some aspects of the project moving forward that will require updated permitting, including the Traffic Movement Permit with the DOT and the Site Plan review with the City. However, despite the increased development program, we are confident that Mercy's current plans remain well within the land use and development intensity contemplated by the original CZA and Master Plan. Based on the site conditions in place we believe that Mercy's plans continue to

FAY, SPOFFORD & THORNDIKE

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provide ample open space, parking, access, and utilities infrastructure among other things, to satisfy the provisions within the CZA.

In addition to *Table 1* we are preparing a brief permitting summary listing the various permits and timelines that have been involved with the project. This will be provided to you under separate cover by Tuesday afternoon.

We look forward to presenting to the Planning Board at the August 26, 2014 workshop meeting. As we discussed, since the Board consists of entirely new membership since the 2006 review period, we suggest a Powerpoint presentation of the site, the development activity, permitting history, and related information will be worthwhile. We will prepare this material and share with you prior to the meeting so that we can be on the same page for the presentation. As always, your assistance is appreciated. If you require additional information, please contact this office.

Sincerely,

FAY, SPOFFORD & THORNDIKE, LLC



Stephen Bushey, P.E., C.P.E.S.C.
Senior Principal Engineer

SRB/smk

Attachment : Table 1

C: Mike Connolly, Mercy Hospital
Bob Nutter, Mercy Hospital

FAY, SPOFFORD & THORNDIKE

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Attachments:

c: Bob Nutter, Vice President and Chief Operating Officer
Mike Connolly, Facilities Manager

*R:\2149.08\Admin\Level III Site Plan Application -City of Portland\Contract Zoning Amendment\LOR #2\2149.08 2014.08.04-
Barhydt-Amended CZA Application LOR#2.doc*

ATTACHMENT A

MERCY HOSPITAL AMENDED CONDITONAL REZONING AGREEMENT

Policy Questions

8.18.2014/Jean Fraser

A. REQUEST FOR POLICY INPUT

1. Application for amended CZA:

An application has been received for an amended CZA with 3 plans submitted (Overall Site Plan which is similar to the Concept Master Plan in the 2001 CZA; Grading/Drainage and Utilities)- but they are not proposing any revision to the CZA text. This application will be considered at a Planning Board Workshop on **August 26, 2014** and I am seeking some policy input into the PB Memo that needs to be completed this week. I would like to make clear staff recommendations regarding the approach to a **revised master plan**, and **issues to highlight/add in the CZA text** - and would appreciate your thoughts urgently.

2. Current situation:

Mercy has built Phase 1 of the 2006 Master Plan (hospital, MOB and parking/landscaping). The new Phase 2 is different and results in an overall increase in floorspace, parking and impervious area on a different net site (because Veterans Bridge took land, but wetland now filled). It is understood that Phase 2 itself will be phased, and we just received (as requested, from applicant) a table comparing the total build out (2001; 2006; and 2014) with data re floorspace, parking etc so we can see what was permitted for the full build out compared to the revised proposed build out. The "Concept Master Plan"s for 2001, 2006 and 2014 are set out in the **BACKGROUND** in section **B** below.

3. Policy Question 1 re Master Plan:

Assuming that the amended CZA should include at least one plan that shows the final intended build out (ie a plan that corresponds with the 2001 and 2006 versions- see **B BACKGROUND** below), there are 2 policy questions regarding the way to handle the phasing and master plan:

- What form should the 2014 revised master plan take; what text/plans etc and what other content to address the likely phasing of the next phase? {the current submission includes (in addition to overall site plan) a grading and drainage plan and utility plan for the "new" build out} ?
- When should the 2014 detailed master plan be prepared- as part of amended CZA, or as part of the next site plan application? Note: the 2006 detailed "Master Plan" was 18 pages of text and 8 plans, and not within the CZA but part of the first site plan, as the CZA required it to be prepared via the following provision:

"Prior to development on the property, Mercy shall provide a master plan of the campus. The master plan shall include the following: the location of building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of building(s); proposed building envelopes; phasing and timing of development; private development restrictions; and such other information necessary and sufficient to ensure compliance with the standards of this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time."

A Master Plan booklet meeting these requirements was submitted and approved in 2006 in association with site plan approval of Phase 1- see **B BACKGROUND** below.

There appear to be four options:

- i. Update 2006 Master Plan within the framework of the 2001 CZA and include in the amended CZA (wording in CZA similar to 2001): the main benefit of this is that it would be straightforward to review (because the format would be an update of an existing master plan) and both City and Mercy would have clarity regarding the intentions re open spaces and trails (some are impacted by the new layout and Veterans Bridge construction) and any other key issues (see **Policy Question 2** below re new headings in CZA) as it would be part of amended CZA.

- ii. As i., but develop the revised Master Plan after the CZA as part of the next site plan - (text of the amended CZA would remain similar to that in 2001). The main benefit is the avoidance of detailed discussions at CZA level in absence of site plan, and flexibility/ better timetable for Mercy.
- iii. Create new Master Plan within framework of recent Site Plan ordinance for master plans and include in the amended CZA (revise text accordingly). The amended CZA wording would need to be updated and there would need to be a revised format agreed for the master plan document. It may not fit well into the Site Plan ordinance because much of the site is already analyzed with infrastructure fixed (eg re access, open spaces). The advantage (to Planning) (in addition to having some key issues pinned down) is that the Site Plan ordinance requirements include more analysis of design with photomontages/models which could be helpful in assessing the increased scale of development which is being requested by Mercy in the CZA- though this may not be very important at this location.
- iv. As iii., but deferred until the first site plan application is submitted.

4. Policy Question 2 re Items to add/strengthen in the CZA:

The 2001 CZA text included the following headings and these may need amending, particularly re open space:

- Permitted uses
- Open Spaces and easements/access
- Development standards including: design; landscaping; pedestrian orientation; vehicle access and circulation; preservation of natural features; signs; master plan
- Dimensional requirements

The policy question is what other “headings” might be added (and how) to give greater weight to issues that are important to Planning/City Council now that didn’t arise in 2001? - such as:

- i. Mitigation for loss of wetland to be in Portland;
- ii. Pedestrian links/trails;
- iii. Public transit/ TDM;
- iv. Contribution to Bikeshare
- v. Screening of mechanical plant and parking;
- vi. Potential amendment to TMP
- vii. Reconsideration of Maintenance Building (BLDG H on 2014 Plan) as its SP approval ends in 2018.

B. BACKGROUND: CHRONOLOGICAL SEQUENCE OF CONCEPT MASTER PLANS AND MASTER PLANS

1. 2001 CZA:

The first CZA included a single “Concept Master Plan” (the original was not colored; this is as approved in CZA and was based on MDEP and TMP approvals):

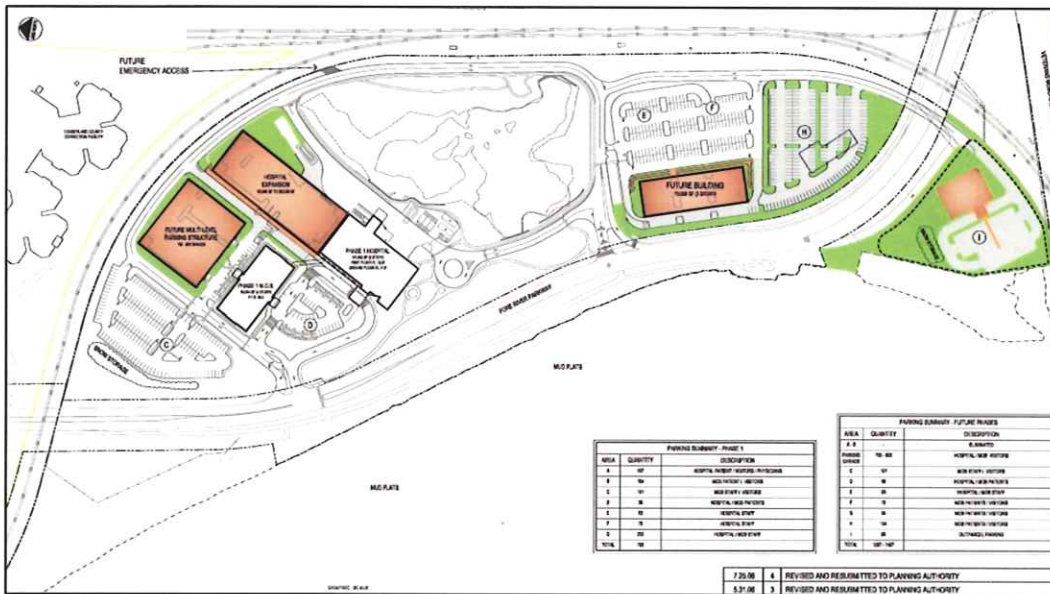


2. 2006 Master Plan (Approved as part of the Site Plan approval for Phase 1):

The Phase 1 Site Plan was submitted at the end of 2005 for the new hospital and one medical office building, with associated landscaping and parking. The application included a Master Plan which was approved with 18 pages of text and seven “schematics” based on the total build out and covering:

- Phase 1;
- Future Phases (see below);
- Service and Bus Circulation Routes;
- Visitors/Staff Circulation Routes;
- Landscape and Open Space;
- Utility Schematic
- Future Phases concept planting plan

The 2006 “Future Phases” sheet is below (and is comparable with the 2001 Concept Master Plan above and the 2014 submitted “Overall Site Plan” below.



3. 2014 Revised Overall Site Plan (shows total build out, so equivalent to a “Concept Master Plan” in amended CZA application:

The submission includes the following plan, along with 2 other plans re grading, drainage and utilities, and a description of the future development, terming all of the new build (colored on this plan) as “phase 2”.





Table 1 Master Plan Comparison Data	
Site Data	2014
Site Size (not including mudflats)	42 acres less the following: <ul style="list-style-type: none"> Fore River Parkway = 7.55 Ac Veterans Bridge = 1.48 Ac Veterans Bridge easement = 0.34 Ac Total Site size = 32.63 Ac
Available Development area	Following completion of the Veterans Memorial Bridge in 2012 the available land area was revised based on the following: <ul style="list-style-type: none"> North Open Space = 3.32 Ac South Open Space 0.99 Ac Fore River Parkway ROW = 7.55 Ac Veterans Bridge ROW and Easement = 1.82 Ac Preserved Wetland (Pond Area) = 4.89 Ac Available for Development = 23.43 Ac
Building Program	Per the DEP/ACOE approval of filling in the pond then available land increases to 28.32 Ac Phase 1 Hospital = 137,832 SF Phase 1 MOB = 80,054 SF Future Hospital Expansion = 322,000 SF Future MOB = 60,000 SF Future MOB = 108,000 SF Existing Maintenance Building = 7,016 SF
Trip generation	Total Building area = 544,902 SF No update completed for TMP since only Phase 1 was completed.
Parking	Phase 1 Surface parking 783 Spaces Future with Parking Garage = 1,267 to 1,467 Spaces
Parking per Code	Hospital Spaces = 675 Spaces Office Spaces = 500 Spaces Total Required = 1,175 Spaces Phase 1 = 13.31 Ac or 38.6 % Master Plan would be less than 50%
Impervious Surface and Ratio (Max allowable per CZA = 80%)	Surface Spaces = 560 Parking Garage = 1,200 Total = 1,760 Hospital Spaces = 920 Spaces Office Spaces = 620 Spaces Total Required = 1,540 Spaces 18.18 Ac or 55%

Mercy at the Fore



Table 1 Master Plan Comparison Data (con't)

Building footprint (excluding parking garage(s))	183,335 SF	Phase 1 Hospital = 28,000 SF (approx.) Phase 1 MOB = 20,000 SF (approx.) Future Hospital = 45,000 SF (approx.) Future MOB = 35,000 SF (approx.) Total = 128,000 SF	Phase 1 Hospital = 28,000 SF (approx.) Phase 1 MOB = 20,000 SF (approx.) Future Hospital = 116,980 SF Future MOB = 55,000 SF Total = 219,980 SF
Open Space	35%	61.4%	45%

FAY, SPOFFORD & THORNDIKE
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www.fstinc.com



July 7, 2014

Ms. Barbara Barhydt
Development Review Services Manager
Planning and Development Department
City of Portland, Maine
389 Congress Street
Portland, Maine 04101-3509

Subject: Mercy at the Fore
195 Fore River Parkway
Applicant: Mercy Hospital
Contract Zoning Agreement Amendment

Dear Barbara:

On behalf of Mercy Hospital (Mercy), we are pleased to provide the accompanying Amended Contract Zoning Agreement application for their proposed activities at the Fore River campus. The completed form is contained in Attachment A to this submission. Mercy is proposing an Amended Master Plan that will allow them to move forward with the next phases of expansion at the Fore River property. The Master Plan is a part of the Contract Zoning Agreement that Mercy and the City agreed upon on December 3, 2001. The Master Plan now reflects Mercy's most recent development intentions that include the next phases of building and site development activity as Mercy and their new partner, Eastern Maine Healthcare Systems (EMHS), remain committed to the relocation and expansion at the Fore River campus.

As we have discussed, in the fall 2012 Mercy completed permitting with the Maine Department of Environmental Protection and the U.S. Army Corps of Engineers related to the proposal to basically fill in the existing onsite pond. As is outlined in the Development Description contained in Attachment B to this submission, Mercy's team completed an intensive analysis of future site programming and planning that ultimately places much of the future onsite expansion within the central part of the site, thus resulting in elimination of the existing pond. The regulatory agencies have issued permits supporting these findings, thus Mercy is now looking ahead towards completing more detailed Site Plans and permitting with the City. To initiate the process with the City, we have completed the accompanying Contract Zoning Application form and assembled supporting materials including plans and narrative that provide an overview of Mercy's future phase proposals.

The current Master Plan reflects numerous site development modifications when compared to the original Master Plans and approvals. The current Master Plan actually includes a series of drawings outlining current conditions and proposed measures for various site development

Ms. Barbara Barhydt
July 7, 2014
Page 2

elements, including, but not limited to, site layout, grading and drainage, utilities and stormwater management. These current drawings will require additional detailing as part of the Level III Site Plan review process. We believe these plans convey more than ample information as it relates to the Master Plan review. The plans continue to show development activities that comply with the CZA with respect to Land Use, Development Standards, and dimensional standards. On that basis, we foresee no changes to the approved CZA terms and conditions, but rather simply an update to the Master Plan development program and supporting graphics. Once accepted by the City, we foresee additional Level III Site Plan submissions occurring in advance of building permitting and construction commencement over the upcoming months. This City acceptance of the Amended Master Plan will trigger Mercy to fulfill their MeDEP Condition of Approval related to their participation in the In Lieu Fee Program that requires Mercy pay an amount of \$834,156.00 for resource impacts related to the Phase II development program.

Since the original 2001 Contract Zoning Agreement, Mercy has undergone multiple reviews and changes, some of which are highlighted as follows:

- December 3, 2001 – Original Contract Zoning Agreement with City of Portland
- June 26, 2002 – Original Maine Department of Environmental Protection Site Location of Development Permit Order issued (L-20775-19-A-N)
- August 8, 2006 – Portland Planning Authority approves revised Master Plan and Phase 1 Site Plan
- September 2006 – September 2008 – Phase 1 Hospital and Medical Office Building are constructed and Occupancy begins in 2008
- Fall 2012 – Mercy completes programming update for Future Phase II activities related to Hospital relocation and expansion to the Fore River Campus
- March 2013 – MeDEP issues Amended Permit Order related to Phase II Hospital relocation and expansion at Fore River Campus
- April 2013 – U.S. Army Corp of Engineers issues Permit Authorization related to Phase II Hospital relocation and expansion at Fore River Campus
- July 2013 – New Veterans Memorial Bridge is completed, impacting nearly 2 acres of Mercy land at south end of site
- October 2013 – Mercy Hospital and Eastern Maine Healthcare complete merger resulting from year-long due diligence by EMHS

To aid with the understanding of the process completed by Mercy's team for the Phase II activities, we have included in this submission various parts of the DEP/USACOE permitting materials. We have also included a copy of the original Contract Zoning Agreement and copies of the Master Plans as contained in the original 2001 documents and 2006 documents (see Attachment C). Finally, the current Master Plan, as depicted in a series of development drawings, is contained in Attachment D to this submission.

Ms. Barbara Barhydt
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We appreciate the Planning Authority's consideration on these matters and look forward to meeting with the Planning Board once again. We look forward to presenting to the Planning Board at their next available meeting.

If you have any questions or require any additional information, please contact our office.

Sincerely,

FAY, SPOFFORD & THORNDIKE, LLC



Stephen Bushey, P.E., C.P.E.S.C.
Senior Principal Engineer

SRB/smk

Enclosures: Attachment A – Application Form
Attachment B – Development Description
Attachment C – Contract Zone Agreement and Previous Master Plans
Current Master Plan Drawing Set

c: Bob Nutter, Vice President and Chief Operating Officer
Mike Connolly, Facilities Manager

ATTACHMENT A

APPLICATION FORM



Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

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

Office Hours

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

PROJECT NAME: Mercy Hospital - Fore River Campus - Master Plan Update

PROPOSED DEVELOPMENT ADDRESS:

175 & 195 Fore River Parkway

PROJECT DESCRIPTION:

Update to Master Plan to include Phase II Hospital relocation and expansion

CHART/BLOCK/LOT: See Plan Set Cover Sheet for List

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Mercy Hospital, Attn: Mike Connolly Business Name, if applicable: Address: 144 State Street City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207-879-3000 Home# Cell # Fax# e-mail: connollym@mercyme.com
Owner – (if different from Applicant) Name: SAME AS APPLICANT Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Stephen Bushey, P.E. Name: Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : South Portland, ME Zip Code:	Agent/Representative Contact information Work # 207-775-1121 Cell # 207-756-9359 e-mail: sbushey@fstinc.com
Billing Information Name: Mercy Hospital, Attn: Mike Connolly Address: 144 State Street City/State : Portland, ME Zip Code: 04101	Billing Information Work # 207-879-3000 Cell # Fax# e-mail: connollym@mercyme.com

Engineer Stephen Bushey, P.E. Name: Fay, Spofford & Thorndike Address: 778 Main Street, Suite 8 City/State : South Portland, ME Zip Code: 04106	Engineer Contact Information Work # 207-775-1121 Cell # 207-756-9359 Fax# e-mail: sbushey@fstinc.com
Surveyor John Swan Name: Owen Haskell, Inc. Address: 390 US Route 1, Unit 10 City/State : Falmouth, ME Zip Code: 04105	Surveyor Contact Information Work # 207-774-0424 Cell # Fax# e-mail: jswan@owenhaskell.com
Architect Ellen Belknap Name: SMRT, Inc. Address: 144 Fore Street City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work # 207-772-3846 Cell # Fax# e-mail: ebelknap@smrtinc.com
Attorney Matthew Manahan Name: Pierce Atwood LLP Address: Merrill's Wharf 254 Commercial Street City/State : Portland, ME Zip Code: 04101	Attorney Contact Information Work # 207-791-1189 Cell # Fax# e-mail: mmanahan@pierceatwood.com

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Copies of deeds were previously submitted and are on file with the City.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property.
(For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.
(Applicant may utilize the City Zoning Map or Parcel Map as a source.) See Attachment A

Existing Use: Describe the existing use of the subject property:

Medical Campus

Current Zoning Designation(s): Contract Zone

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

Medical/Hospital relocation and expansion

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

<p>Zoning Map Amendment ___ \$2,000.00 (from ___ zone to ___ zone)</p> <p>Zoning Text Amendment ___ \$2,000,000 (to Section 14-___)</p> <p>Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00</p> <p>Conditional or Contract Zone <input checked="" type="checkbox"/> \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)</p>	<p>The City invoices separately for the following:</p> <ul style="list-style-type: none">• Notices (\$.75 each)• Legal Ad (% of total Ad)• Planning Review (\$40.00 hour)• Legal Review (\$75.00 hour)• <p>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.</p>
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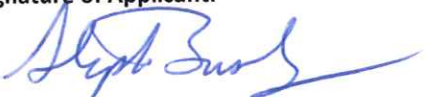
APPLICATION SUBMISSION:

1. All plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file names which can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal>

2. **The submission shall include the following materials:**
 - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
 - b. Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations and compatible with the surrounding neighborhood.

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.

Signature of Applicant: 	Date: July 7, 2014
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ATTACHMENT B

DEVELOPMENT DESCRIPTION

ATTACHMENT B

DEVELOPMENT DESCRIPTION

1.0 Project Overview – Mercy Hospital Phase 2 Relocation

Background and Purpose of the Move to the Fore River Campus

In the early 2000s, Mercy Hospital's strategic plan identified important objectives that could not be achieved at the 3.5-acre State Street site, given its age, size, location and Portland's Historic District constraints. Four priority objectives of the strategic plan are listed below. They represent the purpose for which the Fore River project was conceived and implemented:

- **Mercy must assure “state of the art” technological infrastructure** consistent with industry norms and standards of care;
- **Mercy must assure short-term and long-term excellence** in program plans and facilities to support them;
- **Mercy must assure strong physician relationships** enhanced by improved facilities; and
- **Mercy must solidify itself as a health care employer of choice** by providing safe, comfortable, and technologically advanced facilities.

When it became apparent that the State Street facility could not meet important strategic goals, Mercy engaged a technical team to work with the Hospital's management and Board to find a new home. The team developed six criteria for evaluating prospective sites:

- A 50-acre parcel was the goal for siting a new facility with 25 acres being the minimum;
- Easy accessibility from interstate highways and major roadways;
- Easy accessibility to public transportation;
- Convenient to doctor's offices, many of which are located on the Portland peninsula;
- Proximity to Maine Medical Center to avoid duplication of highly specialized equipment; and
- A site where Mercy would be welcomed by the neighborhood and the community at large.

Selection of the Fore River Site

Finding a location that satisfied all criteria was difficult. Three dozen potential locations were identified and reviewed. Of those, only the Fore River site met all six criteria while also minimizing natural resource impacts. The City of Portland Planning and Economic Development Department endorsed the Fore River site, as did the Maine Department of Environmental Protection (MeDEP) as evidenced by the granting of Permit Approvals L-20775-A-A-N & L-20775-TG-B-N and subsequent amendments.

The Fore River site was formerly owned by Merrill Industries and the Portland Terminal Co. and contained multiple sets of railroad tracks that were used to store railcars. The combined 85.5-acre parcel consisted of 43.5 acres of tidal mudflats and 42 acres of undeveloped land above the mudflats. Four wetland areas totaling over four acres were present in the upland area. Three small linear wetland areas were located within former drainage ditches along old railroad track paths. The fourth and largest wetland was a 3.6-acre former gravel pit that had been excavated to provide gravel for the original Veterans Memorial Bridge and for railroad operations.

Mercy retained a team of hospital planning architects and consultants to develop an initial Master Plan for the Fore River parcel. Numerous development layouts were refined over time as Mercy's understanding of the site's natural resources became known. During the initial planning phase in 2001/2002, the most desirable site layout was identified; however, it would have resulted in over three acres of wetland filling. In order to minimize natural resource impacts, the selected design layout in 2002 reduced the proposed wetland impacts to 0.92 acres, which involved the filling of the three former rail line drainage ditches.

Phase 1 design plans were developed from 2004 through 2006, and in September 2006 the Phase 1 construction commenced. The Phase 1 program maintained resource impacts to the originally permitted 0.92 acres, thus avoiding any significant impacts to the former gravel pit wetland located in the middle of the site. The Phase 1 program, consisting of the 137,832 SF Hospital and 80,000 Medical Office Building, was completed and opened in September 2008.

Status of the Two-Phase Move to the Fore River Campus

Mercy chose to abandon their State Street site and move to the Fore River campus in order to meet important strategic obligations and maintain appropriate standards of care that were in jeopardy if the Hospital were to remain at State Street. A two-phase move was planned, with the intent of fully completing the relocation in time for Mercy's 100-year anniversary in 2018. The first phase of the move to the Fore River campus was completed in 2008 with the construction of the Phase 1 hospital facility and an adjoining medical office building (MOB). Ancillary facilities including surface parking for 783 vehicles, utilities, snow storage and a maintenance building were also constructed. The Phase 2 planning effort has also continued since that time.

In the five-year period that the hospital has been maintaining both the State Street campus and the Fore River campus, Mercy has become acutely aware of the operational and financial problems of maintaining two interdependent campuses. Mercy ramped up the Phase 2 planning process with the intent of developing applications and seeking the appropriate State and Federal permits in late 2012. The initial planning and preliminary design of the Phase 2 campus has revealed new and unexpected challenges. Phase 2 opportunities previously considered during the 2004-2006 design phase are now considered problematic and constrained due to changing programs and space needs associated with current and anticipated healthcare delivery.

As it stands today, Mercy finds the Phase I hospital at the Fore River campus to be highly constrained in terms of its expansion options. The Phase 2 hospital was always intended to be to the east of Phase 1, and that has not changed. However, Mercy has

undergone substantial growth over the past decade and continues to need to expand its role as a community hospital. The current Phase 2 hospital build-out is projected to incorporate 200,000 to 250,000 square feet of hospital space along with approximately 72,000 square feet for an Ambulatory Care Center (ACC) to be directly connected to the hospital. These projections represent an increase in programming and space needs over what was contemplated in 2006.

The useable portion of the 42-acre Fore River campus has shrunk over time. The Fore River Parkway and the final grading of the Phase 1 property have constricted expansion opportunities toward the river on the west. Construction of the new Veterans Memorial Bridge has further constrained the south end of the site. All major utility entries, hospital gases and emergency generators are optimally located immediately south of the Phase 1 hospital, so as to service the intended Phase 2 expansion, but they restrict development in the southwest portion of the site. The Mercy Team has determined that there is approximately less than 20 acres of developable land remaining at the Mercy Fore River site, as shown on Figure 1 following this section.

The Mercy staff, working with architects specializing in hospital planning, has now discovered that there is insufficient space to the north of the Phase 1 Hospital to accommodate the current needs and, especially, future expansion beyond the planned Phase 2 Hospital. The presence of the 3.5 acre wetland adjacent to the existing Hospital poses a significant constraint and, therefore, an enormous challenge for the Phase 2 expansion. Building Phase 2 of the Hospital to the south of the wetland is not an option. Whether there is separation of facilities by a mile or by 200 yards, the operational, safety and logistical problems are similar. These issues are summarized below:

- **There are safety issues** associated with medical staff, patients and visitors walking or otherwise being transported through parking lots and across access and egress points on the campus. Safety is also a concern when patients looking for the emergency room come to the wrong Hospital location.
- **There are serious health care risks** for patients being wheel-chaired or bussed between Hospital facilities for testing, evaluation, etc. When time is of the essence, the need to transport a patient between buildings can be life-threatening.
- **There are important issues of attraction and retention of staff** in a competitive market when facilities are less than top-notch and physician insurability is vulnerable to non-routine patient logistic practices associated with moving patients between buildings.
- **The inefficiency and inconvenience of a dual-facility campus costs Mercy \$9.5M per year** to maintain and results in on-going yearly financial loss. Similar losses would be sustained in a divided Fore River campus because of busing requirements and duplication of operations such as imaging, laboratories, food services, cafeteria, security, plant engineering, and environmental services.

The Present Purpose and Need

Mercy's project purpose is to construct a Phase 2 Hospital build-out with 250,000 square feet of hospital space and approximately 72,000 square feet for an Ambulatory Care Center (ACC) to be directly connected to the existing Phase 1 Fore River Hospital, while

maximizing site safety and allowing for a future Phase 3 expansion that would be in close proximity to the ACC. Future medical offices and structured parking also are part of the Phase 2 planning and each plays a vital role in Mercy's long term viability. The need to complete the move to the Fore River campus is now front and center on Mercy's agenda, and the Hospital finds itself in an untenable situation. The Hospital has struggled to maintain appropriate standards of care in a temporary two-site facility. This has resulted in issues with the patient and staff safety; patient, visitor and staff frustration; physician dissatisfaction; and substantial financial losses. Dual facilities and divided services result in less than best-practice medical delivery. A team of experienced hospital architects and engineers have assessed the combination of physical constraints and present and future Hospital growth requirements at the Fore River campus. They have concluded that a fully integrated and connected campus – the desire of all parties – is impossible without impacting the three-acre wetland. Mercy has considered the available alternatives to create a campus that will allow appropriate standards of care and has found that filling the wetland has become a necessity for the current and future viability of the Hospital.

1.1 Development Proposal

Mercy Hospital is proposing to develop their Phase 2 Hospital campus on the Fore River development site over the next 2-6 year period. The current development master plan includes the following uses:

- a. The Phase 2 Hospital expansion wherein all State Street hospital functions are relocated to the Fore River campus. This will include an additional 322,000 SF of Hospital program area over a 116,980 SF building footprint;
- b. A 72,000 SF Acute Care Center (ACC) will be established within the 322,000 SF Hospital program area;
- c. A medical office building of 60,000 SF within a 15,000 SF footprint;
- d. A medical office building of 108,000 SF within a 40,000 SF footprint;
- e. Accessory uses, including but not limited to, parking facilities and structures (for 1,800-2,000 parking spaces), utility services, stormwater management systems, and site amenities. The parking garages include a 51,800 SF structure containing 750 parking spaces and 33,800 SF structure containing 450 spaces;
- f. Continued use of public open space along the waterfront at the north and south ends of the campus; and
- g. Continued use of the south end of the campus for snow storage and/or remote parking.

All of the above facilities will be developed primarily to support the main use of the site as a hospital campus, although it is anticipated that some use of support facilities by others in the neighboring community may occur.

Future development on the site is anticipated to include some of the aforementioned possible uses.

Other ancillary development features will include parking facilities, utility service relocations, advanced stormwater management systems, and site amenities. Parking for the campus will include both surface and structural parking facilities. The parking needs for the project will likely exceed 1,800 spaces to meet local zoning requirements and facility needs.

The Phase 2 development is expected to include multiple buildings, some owned by the applicant and some potentially owned by others. The new structures may be a mix of single and multi-level buildings developed in a campus-like setting. The anticipated building footprint(s) will exceed 229,560 SF. The buildings may be freestanding or linked, depending upon the phasing and ultimate development program proposed. The buildings will be constructed on conventional spread footing foundations or end bearing piles.

The Maine Department of Transportation has previously used a portion of the property for the construction of the Fore River Parkway (FRP) and most recently the new Veteran's Memorial Bridge (VMB). The MDOT has previously completed natural resources permitting associated with the FRP and VMB separately from the proposed Hospital development.

Two separate access drives will continue to provide access to the Hospital campus off the FRP. These access locations remain fixed due to geometric and sight line constraints along the Fore River Parkway. These fixed locations also contribute to the planning and layout challenges. Access off County Way is limited to emergency vehicles only, as it requires crossing of Pan Am Railway's tracks.

The Hospital campus will continue to be served by public water, sewer, natural gas, and nearby communication, cable, and electric utilities. Onsite water service consists of a 12" water main. A 42" sanitary sewer interceptor borders the site along its easterly border. The Hospital will continue to manage its wastewater flow stream in a similar fashion to the existing facilities at both Fore River and State Street. Communications, cable, and electric utilities are located on the project site. Some relocation of Phase 1 utilities is likely during Phase 2 construction.

The Phase 2 project's proposed stormwater management systems will provide water quality treatment measures to treat the new structure area developed as part of the Phase 2 expansion. The intent is to meet the current MeDEP Chapter 500 Standards and City of Portland Standards including treatment of at least 95% of new structure area and 80% of the Phase 2 developed area. Stormwater quantity control is not required since the site will be discharging to tidal waters.

Extensive landscaping including perimeter tree plantings will continue to be provided for buffering and aesthetic benefits. The site design includes substantial open space necessary to satisfy local requirements associated with the Contract Zone Agreement negotiated between Mercy Hospital and the City of Portland.

1.2 Existing Conditions

The Mercy Campus currently contains the 137,832 SF Phase 1 Hospital and an approximately 80,000 SF medical office building both of which are located north of the

former gravel pit wetland located in the middle of the site. Site access is from two primary driveways. The northerly, unsignalized driveway allows left and right turn entering off the Fore River Parkway, but only right turn exiting onto the Parkway. The southerly signalized driveway allows entering and exiting movements in each direction. The south end of the site currently contains a surface parking lot for 324 vehicles. A small maintenance building remains at the site's south end also. A snow storage area at the far south end of the site will remain.

The site's parking is spread out over five surface parking lots. The northerly lots contain over 400 spaces used by the medical office building staff and visitors as well as by the Phase 1 Hospital patients, visitors and some staff. The southerly parking lot is used by Phase 1 Hospital staff as well as for remote parking for State Street Hospital staff. Mercy currently runs a shuttle bus between the parking lot and the State Street facility. Drainage systems within these parking lots capture and convey stormwater runoff to the Fore River.

Mercy maintains the entire site and those areas not covered by building or parking are well landscaped and managed with manicured lawn and planting beds. A generous amount of trees and shrubs compliment the site's appearance.

1.3 Natural Resources

In 2012 Normandeau Associates completed an onsite investigation to delineate wetlands and to identify resources that may be subject to regulatory review as part of the proposed amended development process. A copy of their wetlands report can be provided upon request. The wetlands were delineated according to the 1987 Corps of Engineers Wetlands Delineation Manual (Technical Report Y-87-1) as clarified in Performance Standard and Supplemental Definitions for use with the 1987 Corps Manual (August 1, 1995). This multi-parameter approach uses the characteristics of vegetation, soils and hydrology in determining wetland boundaries.

The largest area identified as a wetland lies within the former gravel pit area centrally located within the site. The entire gravel pit area is approximately 3.8 acres, of which approximately 3.49 acres have been delineated as wetland. The wetland's predominant features are a shallow pond created by the excavation of the pit to near or below the groundwater table. The water levels in the pit are controlled by a 15" outfall pipe and the seasonal groundwater levels in the area. The bottom of the pit is at approximately elevation 8, whereas original historic elevations varied between elevations 20 to 30 feet. Most resource maps including the USDA-SCS Medium Intensity soils map for Cumberland County and the USGS topographic map identify the area as a gravel pit. These maps confirm that the pit and the resultant pond are manmade features.

The pit wetland area was improved during the Phase 1 construction. These improvements include a substantial cleanup of solid waste including tires, white goods, garbage and related debris that had been deposited or collected in the pit area. The work also included a reclamation effort involving surface stabilization of the former pit side slopes and ground surfaces above standing water. Terra-seeding was used to place a mix of mulch and vegetative seeding in order to establish permanent vegetation on the pit's perimeter slopes. This effort has been highly successful in stopping erosion into the pit wetland.

1.4 Construction Schedule

The Phase 2 project is currently under design with a targeted construction start date for 2014/2015 following a successful Certificate of Need Finding from the State of Maine. Project completion is forecast by 2018.

The project will be phased beginning with the placement of fill in the borrow pit to create temporary parking facilities. The temporary facilities will allow subsequent construction of the parking garage followed by the main Phase 2 Hospital expansion. The Hospital expansion effort involves a coordinated effort that maintains ongoing Hospital functions and service throughout the Phase 2 duration.

1.6 Figures, Plates, Photos, and Drawings

Figures showing the proposed Mercy Hospital site are appended to this section and include:

Figure	Title
1	DeLorme Location Map
2	USGS Topographic Map
3	Property Tax Map
4	Zoning Map (Contract zone agreement applies)
5	Aerial Photography
6	Abutting Land Use Map
7	FEMA Flood Map
8	USDA SCS Soils Map
9	MGS Sand and Gravel Aquifer Map
10	Surficial Geology Map
11	NWI Map – Not Available
12	Fresh-Water Wetlands Map – Not Published

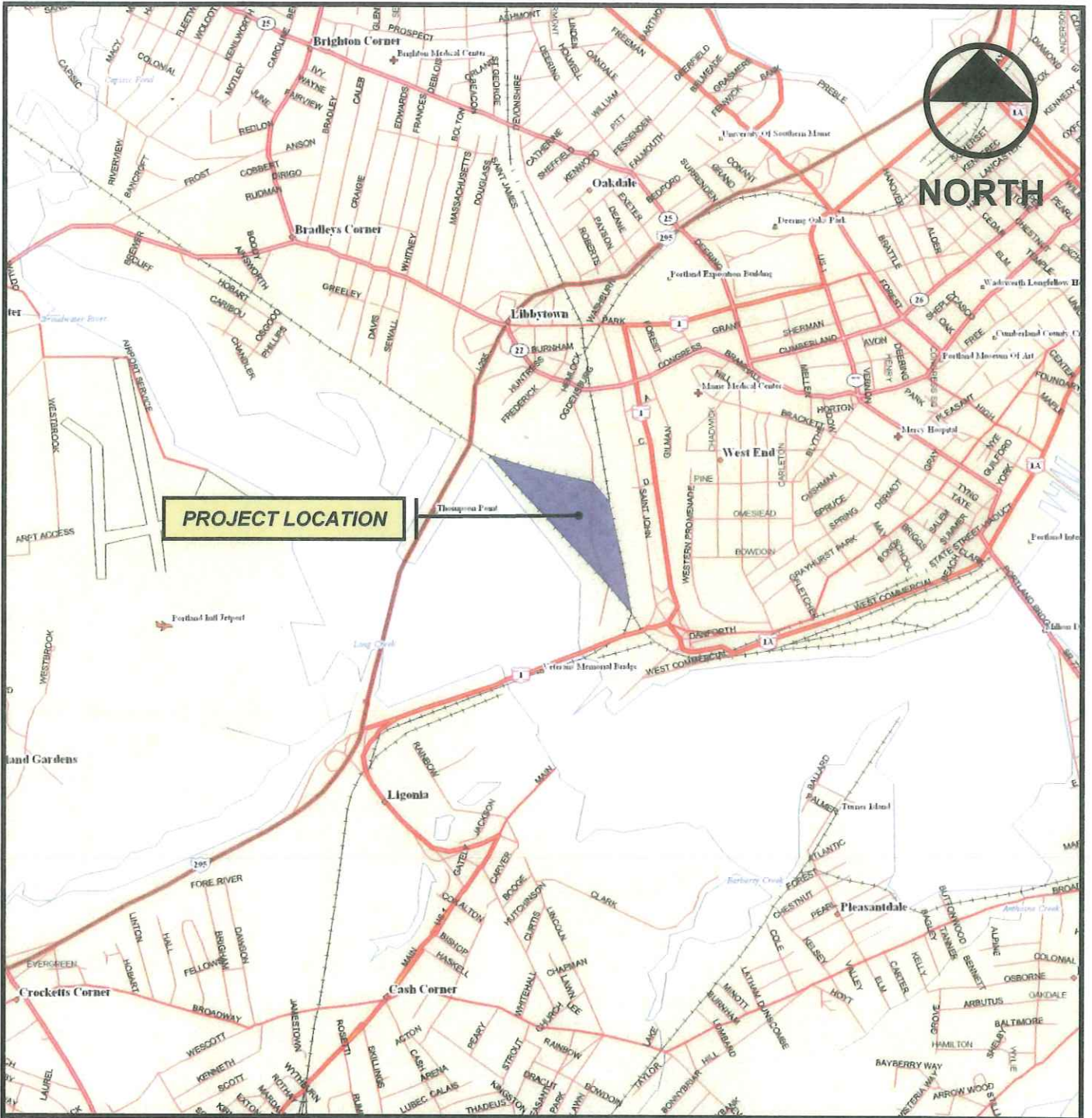
Colored plates follow the figures and include:

Plate Number	Description
1	Existing Conditions
2	Overall Layout Plan
3	Grading Plan
4	Utility Plan

Drawings provided in support of the MeDEP application include:

Sheet Number	Description
C-1.0	Cover Sheet
C-1.1	General Notes and Legend
C-2.0A	Boundary Survey – 1 of 2
C-2.0B	Boundary Survey – 2 of 2
C-2.1	Overall Existing Conditions Plan
C-2.2	Demolition and Removals Plan
C-3.0	Overall Site Plan

Sheet Number	Description
C-3.1	Site Layout Plan (North)
C-3.2	Site Layout Plan (South)
C-4.0	Overall Grading and Drainage Plan
C-4.1	Grading Plan (North)
C-4.2	Grading Plan (South)
C-4.3	Site Layout and Grading Plan of Elevated Parking Deck Level 1
C-4.4	Stormwater Management Plan (North)
C-4.5	Stormwater Management Plan (South)
C-5.0	Erosion and Sediment Control Plan (North)
C-5.1	Erosion and Sediment Control Plan (South)
C-5.2	Interim Phase 2A Plan
C-6.0	Overall Utility Plan
C-6.1	Utility Plan (North)
C-6.2	Utility Plan (South)
C-7.0	Stormwater Details Subsurface Sand Filter
C-7.1	Stormwater Details StormTech® Chamber Storage Details
C-7.2	Stormwater Details Underdrained Grassed Soil Filter
C-7.3	Stormwater Details Underdrained Bioretention Cell
C-7.4	Stormwater Details Filterra® Units
C-7.5	Stormwater Details StormFilter® Treatment Units
C-8.0	Erosion and Sediment Control Details
C-8.1	Erosion and Sediment Control Details
C-8.2	Erosion and Sediment Control Details
C-9.0	Current Conditions Watershed Map
C-9.1	Post-Development Watershed Map
C-10.0	Site Sections



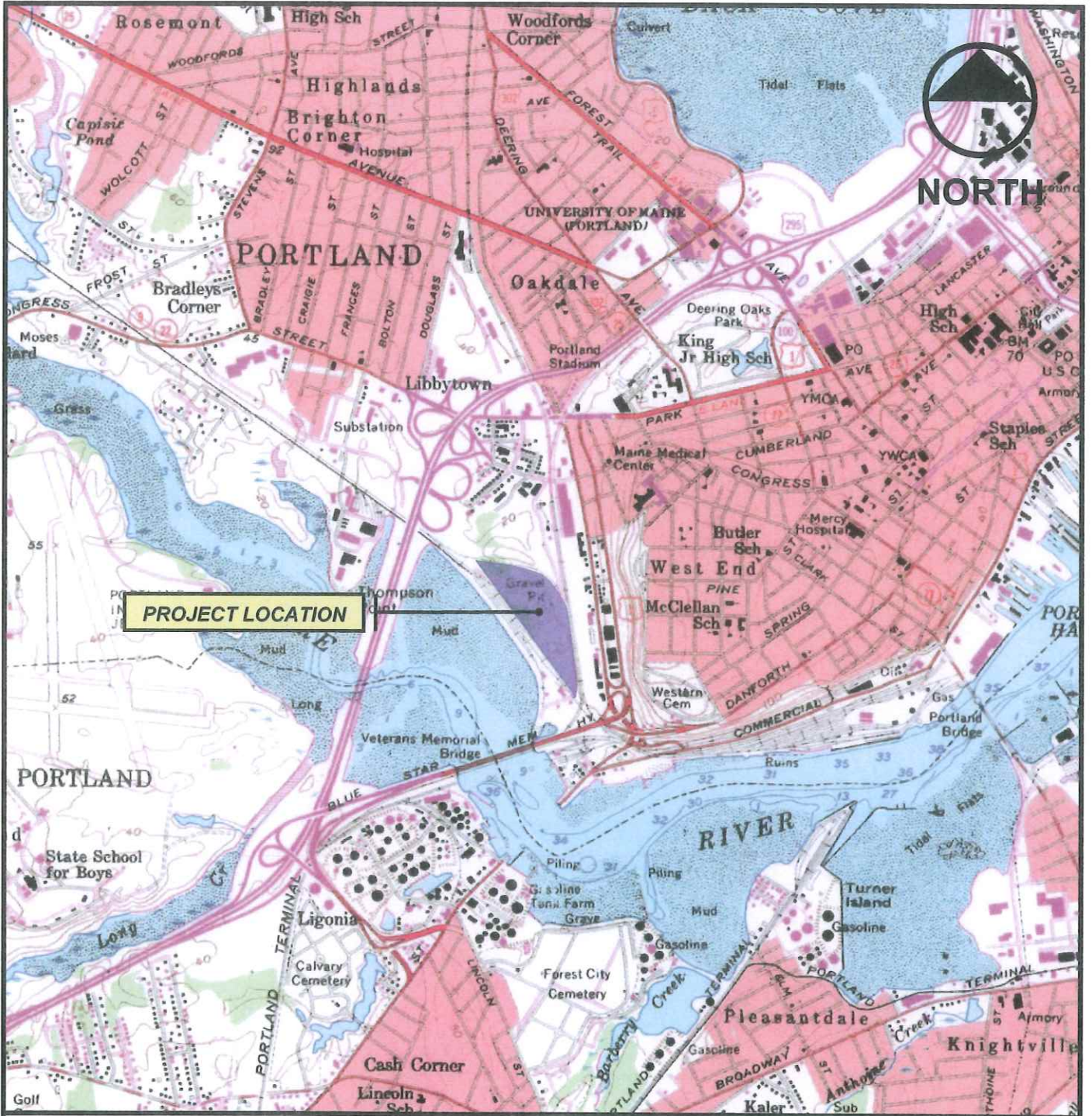
DeLORME LOCATION MAP
Mercy Health System of Maine – Portland, Maine
 SOURCE: DeLORME MAPEXPERT; DATED: 1993



DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, MAINE 04106
 TEL. 207-775-1121
 FAX 207-879-0896

DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 2000'+-
CHECKED	SRB	JOB NO.	2149

FIGURE
1



USGS TOPOGRAPHIC MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: TOPOSCOUT; Coastal Maine CD-ROM, USGS Portland West Quadrangle, 7.5 Minute Series (Topographic)



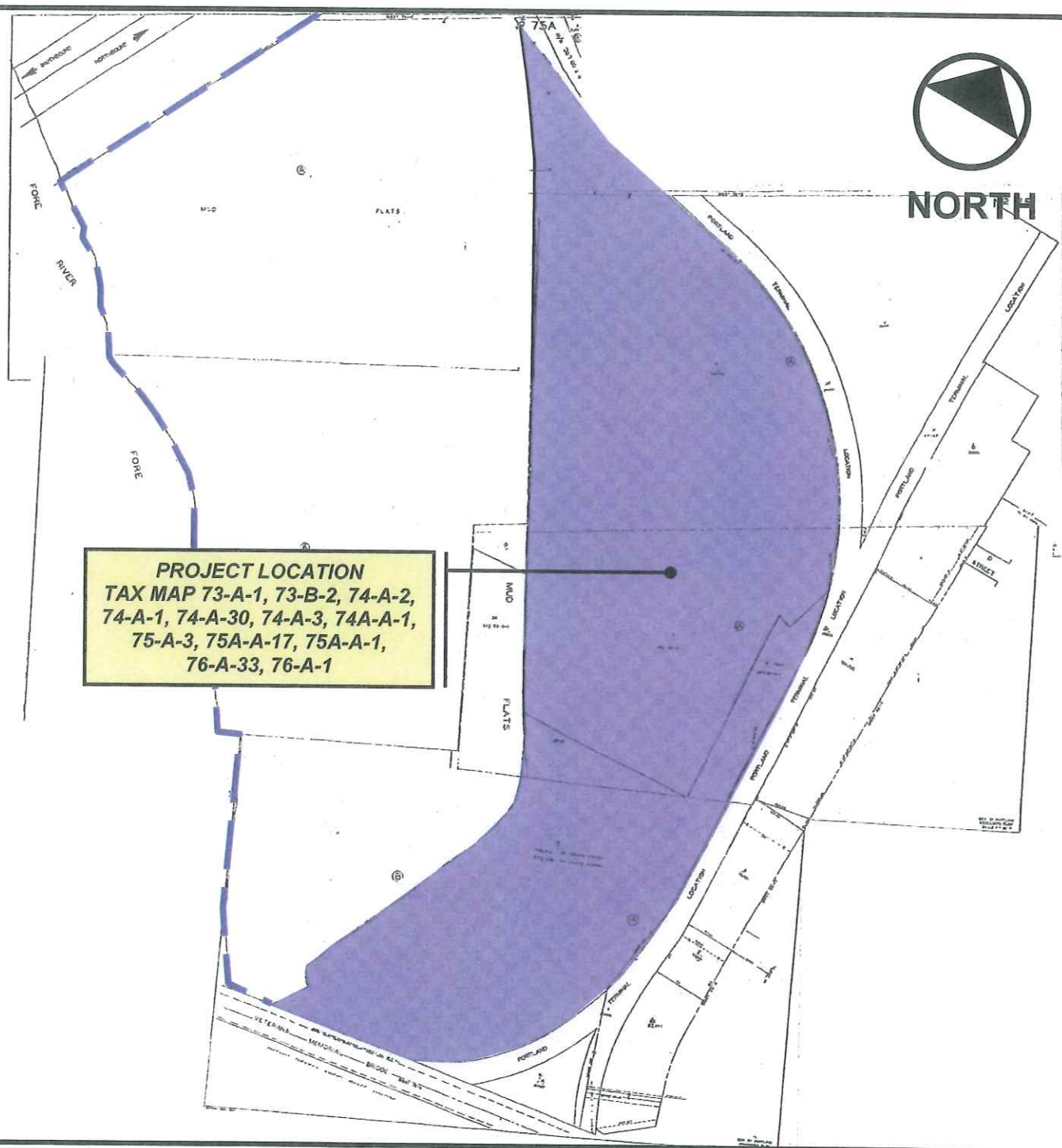
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DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 2000'+-
CHECKED	SRB	JOB NO.	2149

FIGURE
2



NORTH



PROJECT LOCATION
TAX MAP 73-A-1, 73-B-2, 74-A-2,
74-A-1, 74-A-30, 74-A-3, 74A-A-1,
75-A-3, 75A-A-17, 75A-A-1,
76-A-33, 76-A-1

PROPERTY TAX MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: CITY OF PORTLAND ASSESSORS PLAN, MAP NUMBERS: 73, 74, 74A, 75 & 75A

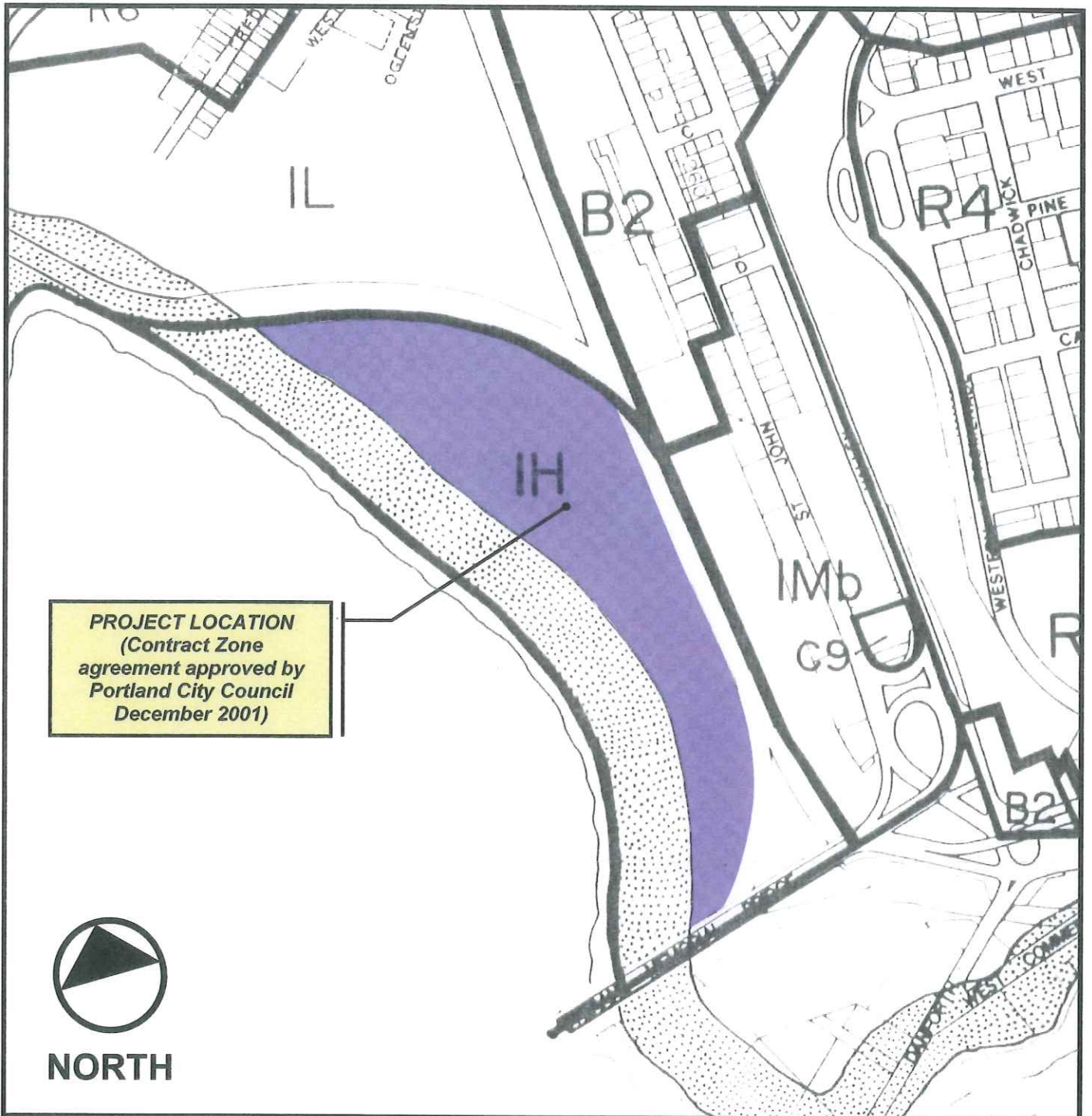


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DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	N.T.S.
CHECKED	SRB	JOB NO.	2149

FIGURE

3



PROJECT LOCATION
 (Contract Zone
 agreement approved by
 Portland City Council
 December 2001)



ZONING MAP
 Mercy Health System of Maine – Portland, Maine
 SOURCE: GPCOG, Cartographic Division; DATED: 1991



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DESIGNED	SRB	DATE	JUNE 2001
DRAWN	JDL	SCALE	N.T.S.
CHECKED	SRB	JOB NO.	2149

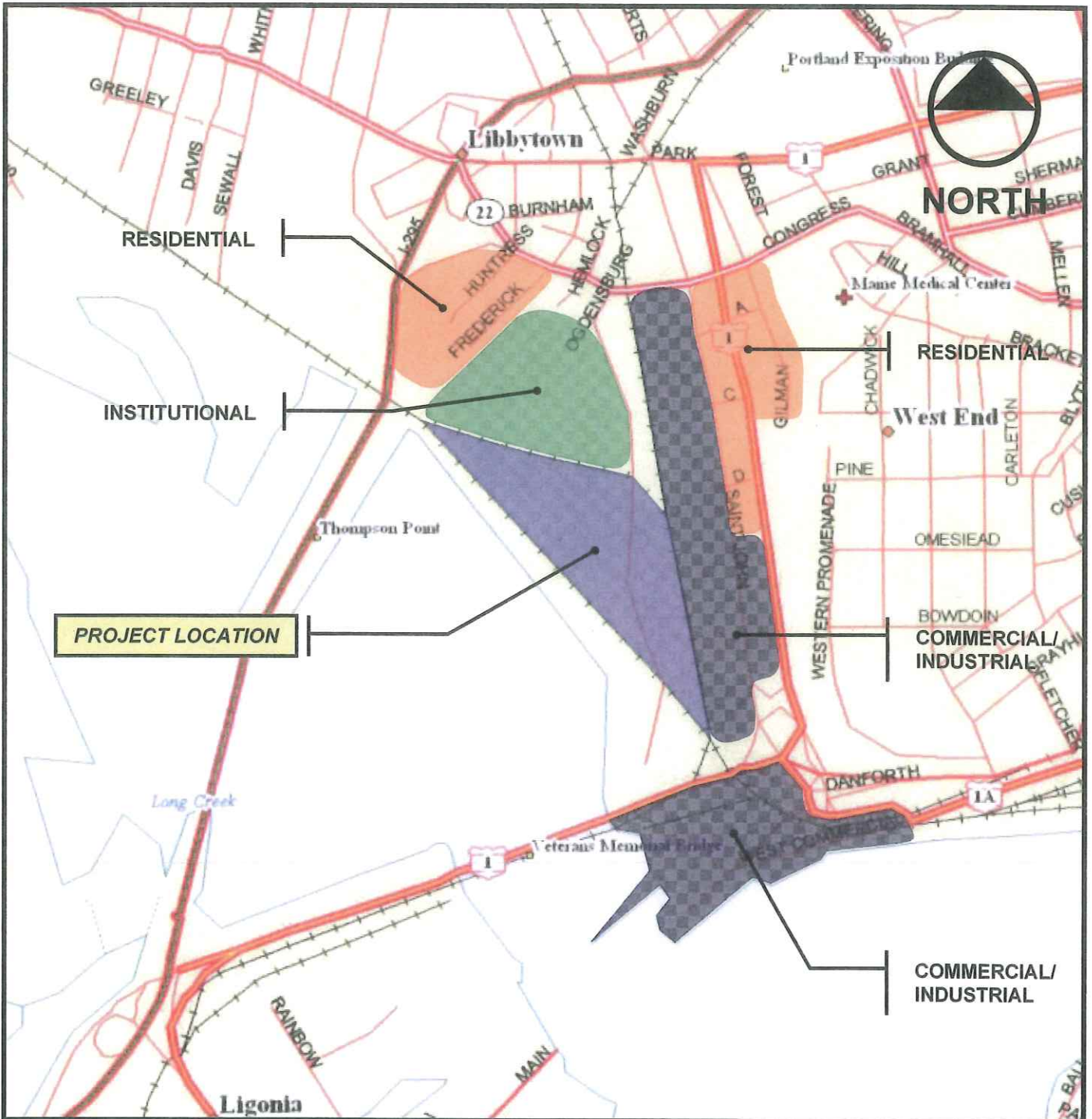
FIGURE
4



AERIAL PHOTOGRAPH
Mercy Health System of Maine – Portland, Maine
SOURCE: GPCOG; Greater Portland Council of Governments;
DATED: 4-25-95; SCALE: 1" = 500'+-

FIGURE

5



DeLORME ABUTTING LAND USE MAP
 Mercy Health System of Maine – Portland, Maine

SOURCE: DeLORME MAPEXPERT; DATED: 1993



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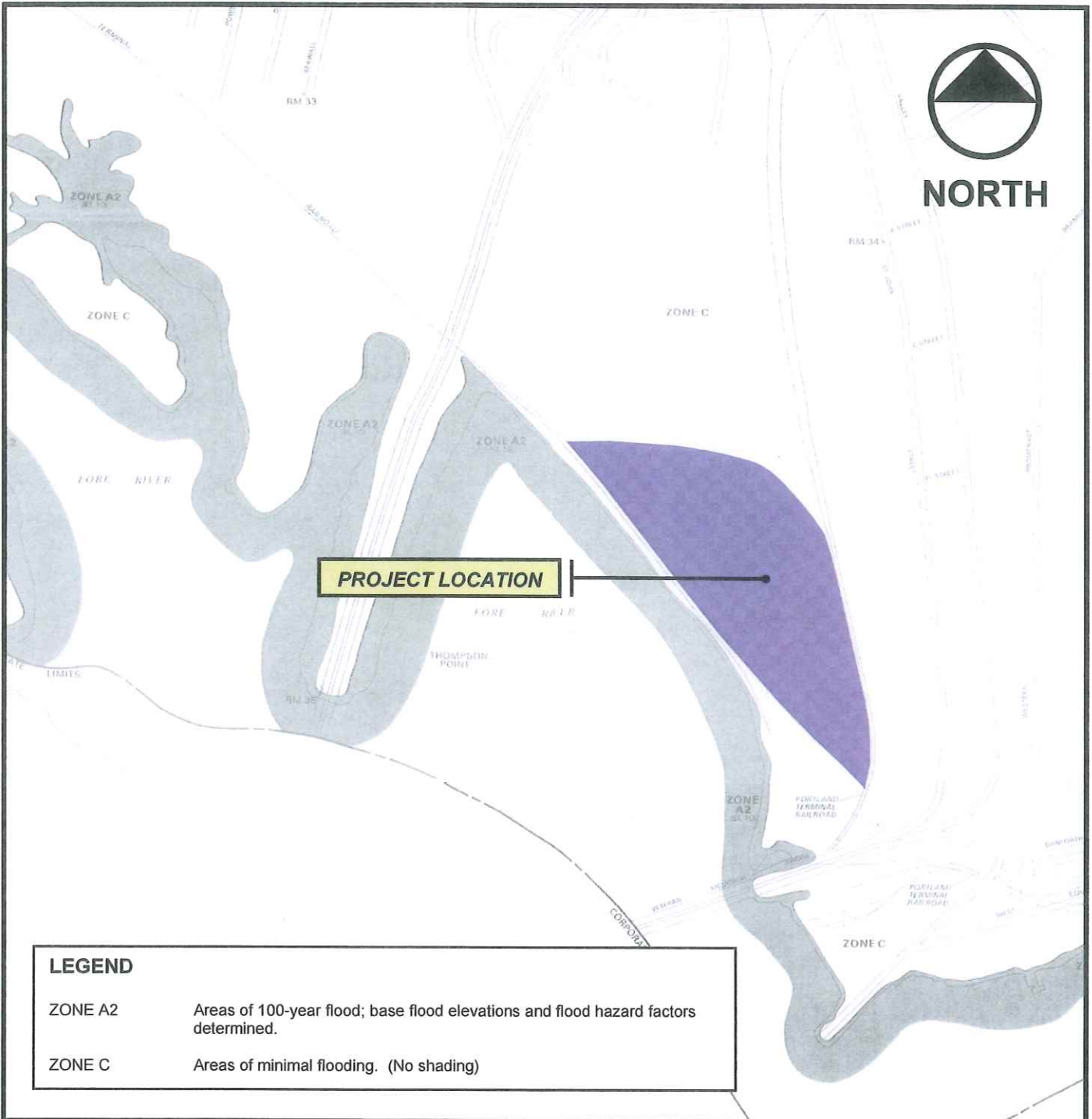
DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 1000'+-
CHECKED	SRB	JOB NO.	2149

FIGURE

6



NORTH



LEGEND	
ZONE A2	Areas of 100-year flood; base flood elevations and flood hazard factors determined.
ZONE C	Areas of minimal flooding. (No shading)

FLOOD MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: FIRM; FLOOD INSURANCE RATE MAP, CITY OF PORTLAND, MAINE CUMBERLAND COUNTY;
COMMUNITY-PANEL NUMBERS: 230051 0013 B AND 230051 0016 B; EFFECTIVE DATE: JULY 17, 1986

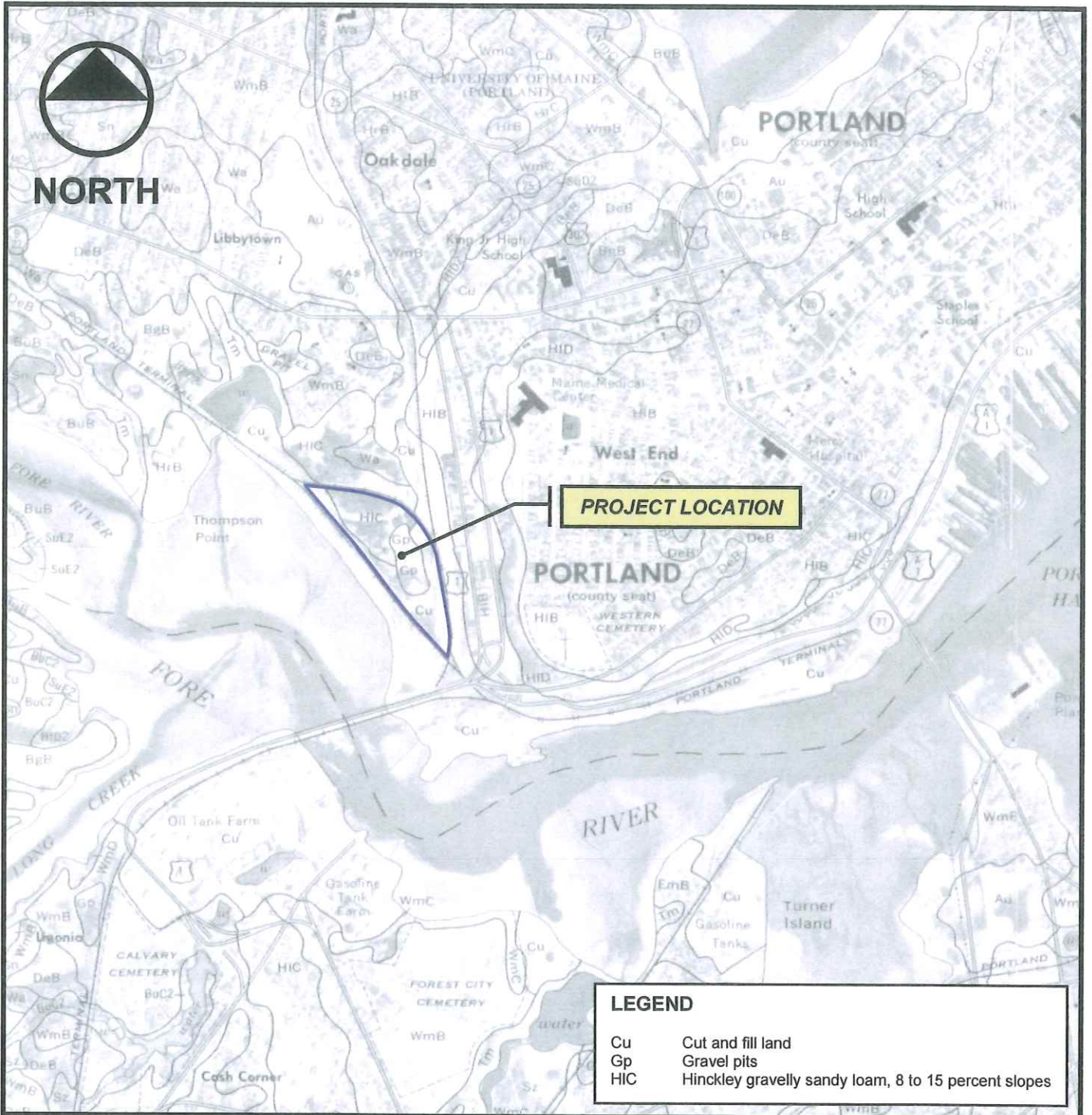


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DESIGNED	SRB	DATE	OCT. 2001
DRAWN	JDL	SCALE	1" = 800'+-
CHECKED	SRB	JOB NO.	2149

FIGURE

7



USDA SOILS MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: SOIL SURVEY OF CUMBERLAND COUNTY, MAINE; SHEET NUMBERS: 82 & 86



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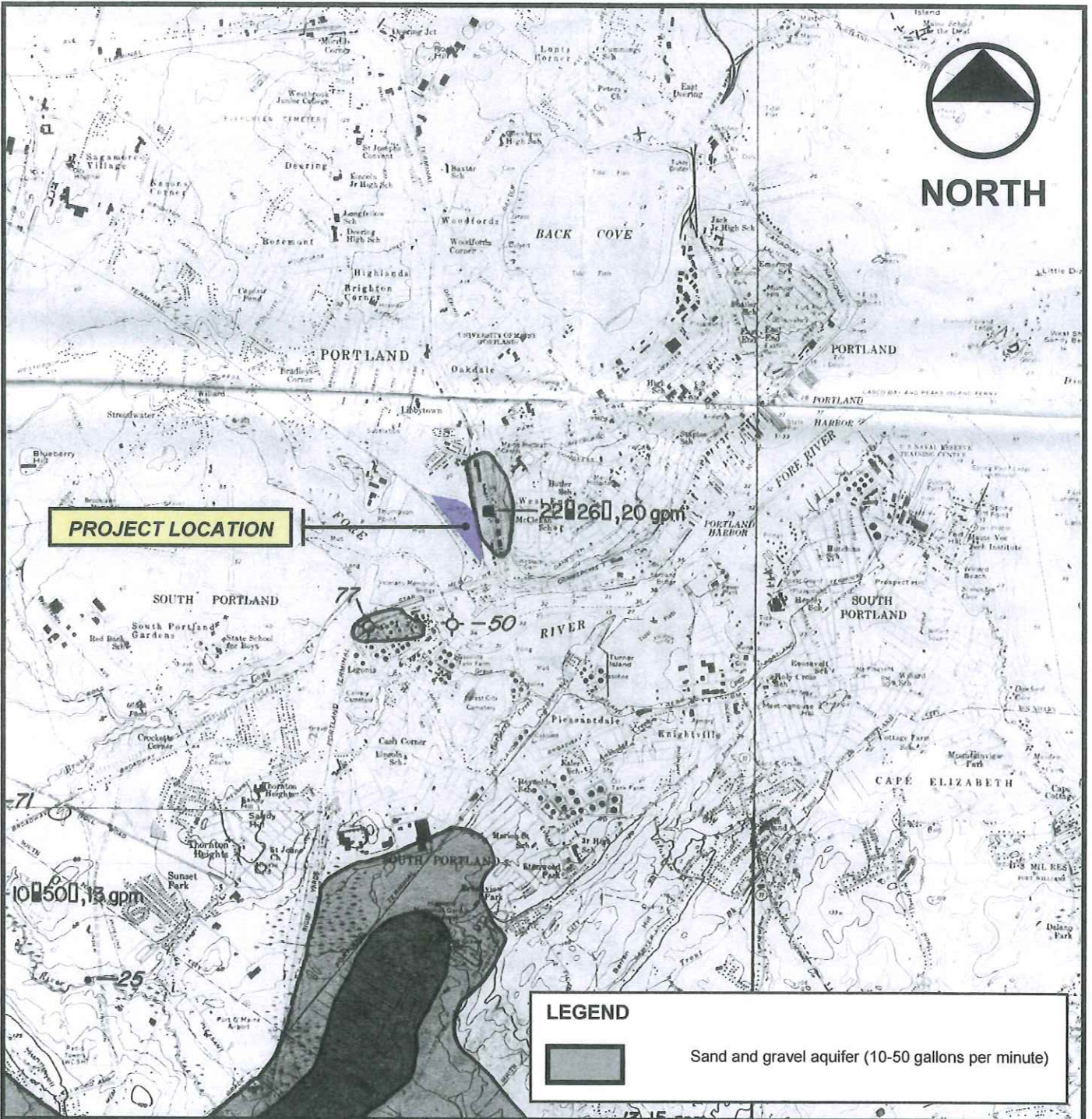
DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 1667'+-
CHECKED	SRB	JOB NO.	2149

FIGURE

8



NORTH



MGS SAND AND GRAVEL AQUIFER MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: SAND AND GRAVEL AQUIFERS, MAP 5, CUMBERLAND AND YORK COUNTIES, MAINE; DATED: 1979

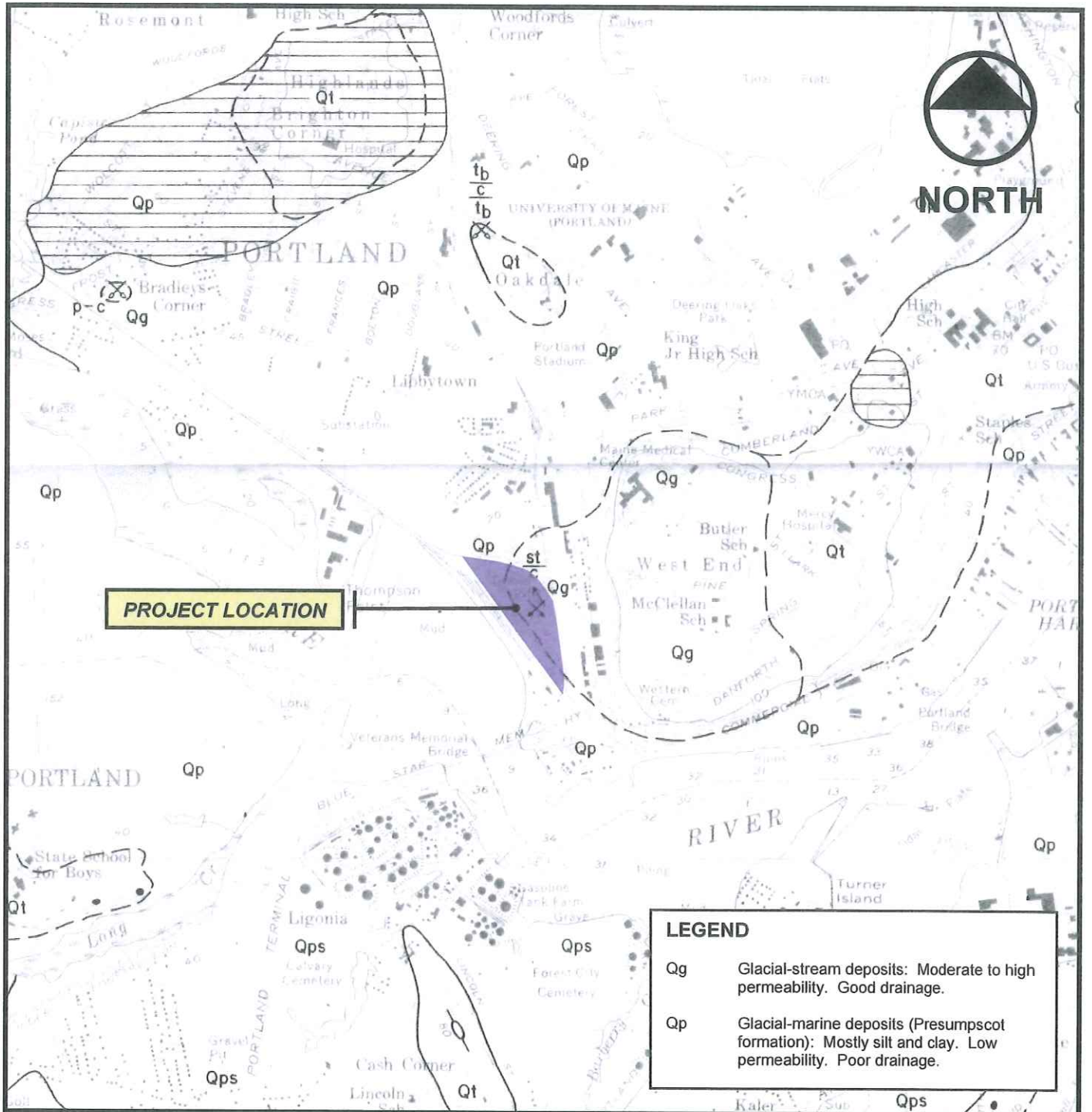


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DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 4167'+-
CHECKED	SRB	JOB NO.	2149

FIGURE

9



MGS SURFICIAL GEOLOGY

Mercy Health System of Maine – Portland, Maine

SOURCE: RECONNAISSANCE SURFICIAL GEOLOGY OF THE PORTLAND WEST QUADRANGLE, MAINE;
OPEN-FILE NO. 76-47; DATED: 1976



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DESIGNED	SRB	DATE	MARCH 2001
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CHECKED	SRB	JOB NO.	2149

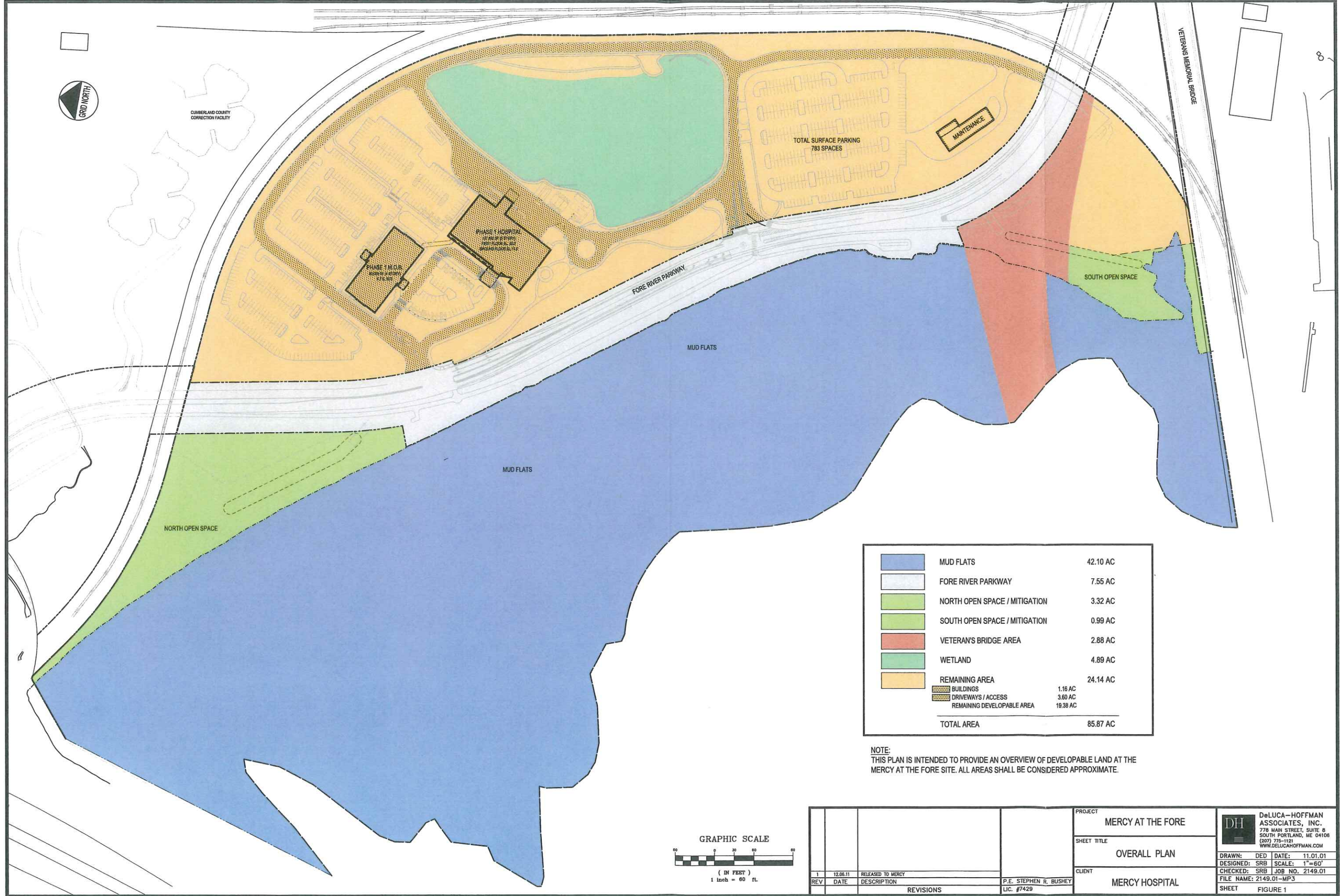
FIGURE

10



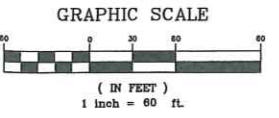
CIMBERLAND COUNTY CORRECTION FACILITY

VETERAN'S MEMORIAL BRIDGE



	MUD FLATS	42.10 AC
	FORE RIVER PARKWAY	7.55 AC
	NORTH OPEN SPACE / MITIGATION	3.32 AC
	SOUTH OPEN SPACE / MITIGATION	0.99 AC
	VETERAN'S BRIDGE AREA	2.88 AC
	WETLAND	4.89 AC
	REMAINING AREA	24.14 AC
	BUILDINGS	1.16 AC
	DRIVEWAYS / ACCESS	3.60 AC
	REMAINING DEVELOPABLE AREA	19.38 AC
TOTAL AREA		85.87 AC

NOTE:
THIS PLAN IS INTENDED TO PROVIDE AN OVERVIEW OF DEVELOPABLE LAND AT THE MERCY AT THE FORE SITE. ALL AREAS SHALL BE CONSIDERED APPROXIMATE.



REV	DATE	DESCRIPTION	REVISIONS
1	12.08.11	RELEASED TO MERCY	

P.E. STEPHEN R. BUSHEY
LIC. #7429

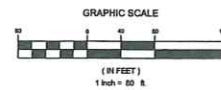
PROJECT	MERCY AT THE FORE
SHEET TITLE	OVERALL PLAN
CLIENT	MERCY HOSPITAL
DRAWN: DED DATE: 11.01.01 DESIGNED: SRB SCALE: 1"=60' CHECKED: SRB JOB NO. 2149.01 FILE NAME: 2149.01-MP3 SHEET FIGURE 1	DeLUCA-HOFFMAN ASSOCIATES, INC. 778 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 (207) 775-1123 WWW.DELUCAHOFFMAN.COM

CUMBERLAND COUNTY, MD



NOTE
 INFORMATION ON THIS PLAN WAS COMPILED OF SEVERAL DOCUMENTS.
 AS-BUILT PLANS BY SHAW BROS. DATED 2008, SURVEY PLAN PREPARED BY
 OWEN HASKELL DATED 2001, CONSTRUCTION PLANS PREPARED BY
 DELUCA-HOFFMAN ASSOCIATES DATED SEPTEMBER 2006. EXACT LOCATION
 OF UTILITIES SHALL BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.

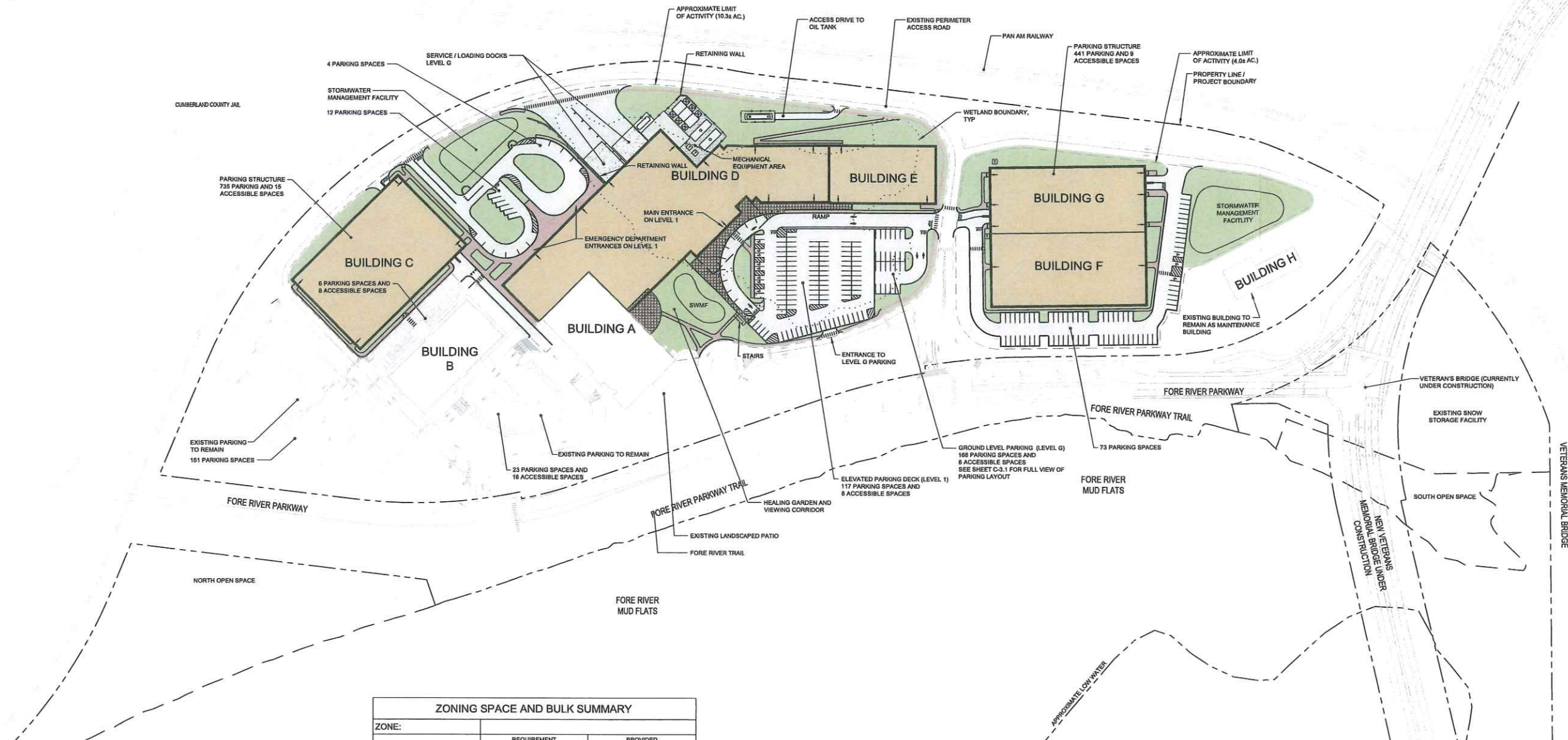
PRELIMINARY - NOT FOR CONSTRUCTION



PROJECT		MERCY AT THE FORE MASTER PLAN	
SHEET TITLE		EXISTING CONDITIONS	
CLIENT		MERCY HOSPITAL	
DESIGNED BY	DATE	DESIGNED BY	DATE
DRW	07/20/12	F.E. STEPHEN R. BURNEY	MAY 2012
CHECKED BY	DATE	CHECKED BY	DATE
SMB		SMB	
FILE NAME	2143.08.03	JOB NO.	2143.08
SHEET		SHEET	PLATE 1

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 WWW.DELUCAHOFFMAN.COM

DRAWN: DEB DATE: MAY 2012
 SCALE: 1" = 80'
 CHECKED: SMB
 JOB NO.: 2143.08
 FILE NAME: 2143.08.03
 SHEET: PLATE 1

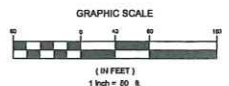


PLAN REFERENCES:
 1. OWEN WASKELL SURVEY DATED JUNE 29, 2001.
 2. PHASE 1 PLANS BY DELUCA-HOFFMAN ASSOCIATES DATED SEPTEMBER 2008.
 3. VETERANS MEMORIAL BRIDGE PLANS BY T.Y. LIN DATED 2010

ZONING SPACE AND BULK SUMMARY		
ZONE:	REQUIREMENT	PROVIDED
YARD DIMENSIONS		
FRONT SETBACK	20 FT	- FT
SIDE SETBACK	10 FT	10 FT
REAR SETBACK	10 FT	10 FT
MAXIMUM IMPERVIOUS LOT COVERAGE	80%	86.40%
MAXIMUM BUILDING HEIGHT	90 FT	TBD

PARKING SUMMARY		
PARKING REQUIREMENTS		
HOSPITAL - 1 SPACE / 500 S.F.		
MEDICAL - 1 SPACE / 400 S.F.		
	GROSS AREA	REQUIRED SPACES
HOSPITAL	387,832	776
MEDICAL	320,000	800
TOTAL	707,832	1576
PROVIDED SPACES		
AREA	EXISTING	PROPOSED MASTER PLAN
NORTH	443	1287
SOUTH	310	523
TOTAL	753	1790

BUILDING SUMMARY			
BUILDING	USE	GROSS S.F.	FOOTPRINT S.F.
A	EXISTING HOSPITAL	137,832	37,566
B	EXISTING MEDICAL OFFICE BUILDING	80,000	20,014
C	FUTURE PARKING GARAGE	N/A	N/A
D	FUTURE HOSPITAL / AMBULATORY CARE CENTER EXPANSION	322,000	118,980
E	FUTURE MEDICAL OFFICE BUILDING	60,000	15,000
F	FUTURE MEDICAL OFFICE BUILDING	108,000	40,000
G	FUTURE PARKING GARAGE	N/A	N/A
H	EXISTING MAINTENANCE FACILITY	7,016	7,016



PRELIMINARY - NOT FOR CONSTRUCTION

PROJECT: MERCY AT THE FORE MASTER PLAN SHEET TITLE: OVERALL SITE PLAN CLIENT: MERCY HOSPITAL		DRAWN: DED CHECKED: SBH FILE NAME: 2149-08-SITE LAYOUT SHEET: PLATE 2	DESIGNED: BSK CHECKED: SBH DATE: MAY 2012 SCALE: 1" = 80' JOB NO: 2149-08	DELUCA-HOFFMAN ASSOCIATES, INC. 779 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 WWW.DELUCAHOFFMAN.COM
1 05.26.12 SUBMITTED TO MDDP WITH MAJOR SITE PLAN ALIGNMENT APPLICATION 2 06.14.12 REVISIONS	T.Y. STEPHEN R. BUSHEY I.C. # 742			



CUMBERLAND COUNTY JAIL

STORMWATER MANAGEMENT ZONE D-b
 ZONE D-b
 GRASSED UNDERDRAINED SOIL FILTER

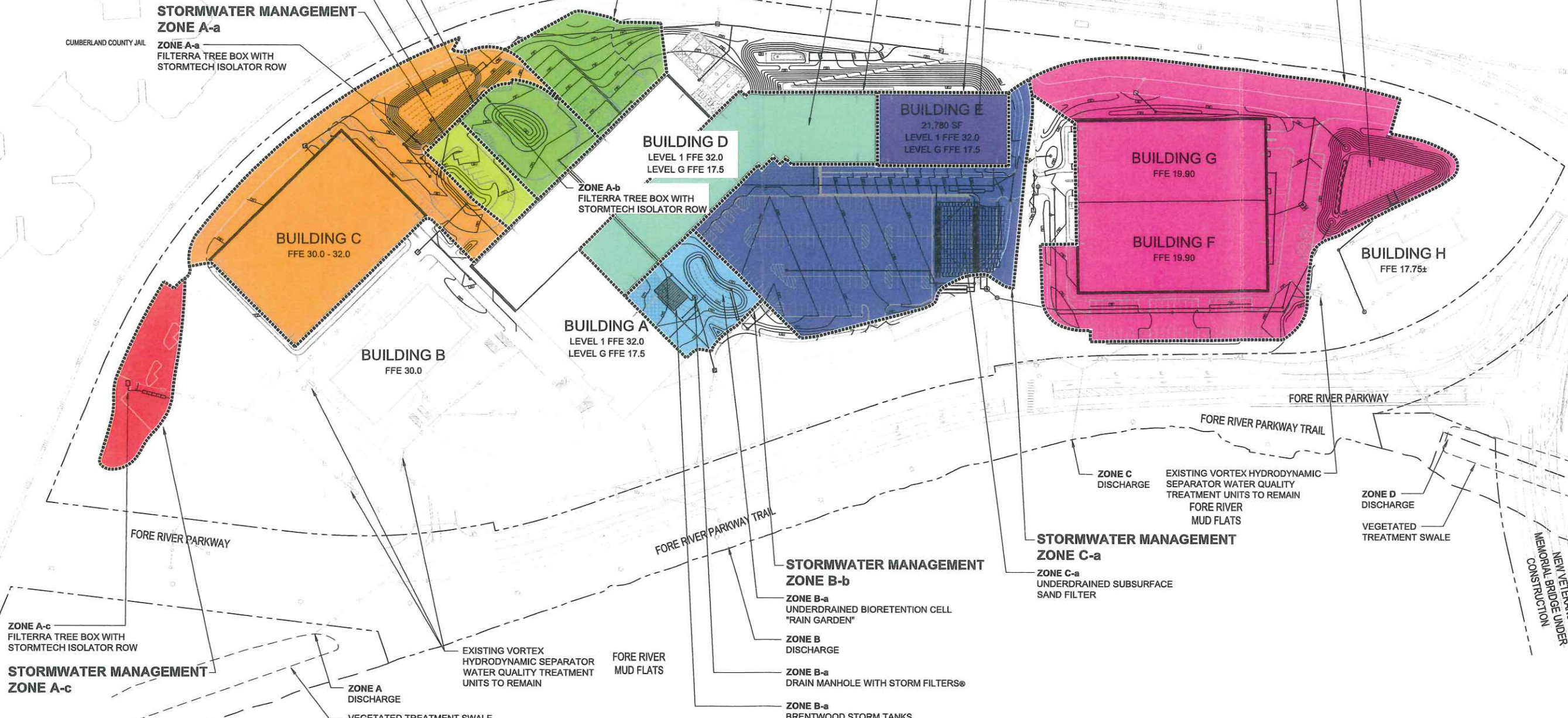
STORMWATER MANAGEMENT ZONE A-a
 ZONE A-a
 FILTERRA TREE BOX WITH STORMTECH ISOLATOR ROW

STORMWATER MANAGEMENT ZONE B-a
 STORMWATER MANAGEMENT ZONE A-b

STORMWATER MANAGEMENT ZONE C-b
 ZONE C-b
 BUILDING ROOF DRAIN TRIBUTARY TO UNDERDRAINED SUBSURFACE SOIL FILTER

STORMWATER MANAGEMENT ZONE C-c
 ZONE C-c
 FUTURE BUILDING ROOF DRAIN TRIBUTARY TO UNDERDRAINED SUBSURFACE SOIL FILTER

STORMWATER MANAGEMENT ZONE D-a
 ZONE D-a
 GRASSED UNDERDRAINED SOIL FILTER

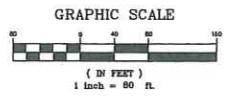


Summary of Water Quality Treatment													
Storm Water Management Zone	Inlet Subcatchment	Treatment Approach	Total Treated Area (sq)	Impervious Area (sq)				Required Water Quality Filter Surface Area (sq) (When Applicable)	1 Yr 24-hr Storm Event Peak Flow Rate (cfs)	Stormtech Isolator Row Chambers Required (SA)	StormFilter Cartridges (SA) (Where Applicable)	Stormtech Isolator Row Chambers (SC-760) Provided (SA)	Provided Water Quality Volume (cu)
				Roof (sq)	Pavement, Gravel, etc (sq)	Total Impervious Area (sq)	Pervious Area (sq)						
A-a	A13	Filters Tree Bed	0.37	0.00	0.37	0.37	0.00	N/A	0.06	2.00	3	N/A	400' Tree Box
A-b	A10	Filters Tree Bed	0.47	0.00	0.35	0.35	0.11	N/A	0.00	4.00	0	N/A	6'x6' Tree Box
A-c	A4	Filters Tree Bed	0.91	0.00	0.33	0.33	0.16	N/A	0.00	4.00	0	N/A	6'x6' Tree Box
Total Treatment Area Discharge A			1.75	0.00	0.88	0.88	0.28	0					
B-a	Inlet B6 through B7	StormFilter Cartridges by Cortech	0.82	0.00	0.85	0.85	0.88	2,091	N/A	1.34	N/A	N/A	(11) 12" High StormFilter Cartridges by Cortech
B-b	Surface runoff and Inlet B13	Bio Retention Cell	0.91	0.00	0.00	0.00	0.42	931	919	0.42	N/A	N/A	1,143
Total Treatment Area Discharge B			1.73	0.00	0.85	0.85	0.49	3,022	919				2,600
C-a	Parking Platform - Inlet C4	Subsurface Sand Filter	2.18	0.00	2.04	2.04	0.14	7,850	4,892	4.87	24.4	N/A	20
C-b	Portion of Building D Roof Drain	Subsurface Sand Filter	1.10	1.10	0.00	0.00	4,000	2,000	2.89	13.0	N/A	14	13,478
C-c	Building E Roof Drain	Subsurface Sand Filter	0.89	0.89	0.00	0.00	1,817	1,000	1.18	9.9	N/A	14	8900
Total Treatment Area Discharge C			4.17	1.99	2.04	2.04	0.14	13,420	8,892				
D-a	Inlet D4 through D7 and D9 - CD 40 (Building G and H)	Water Quality Filter	4.27	0.81	2.86	2.86	1.41	12,370	7,874	7.86	N/A	N/A	12,875
D-b	Inlet D28 through D33 (Building C)	Water Quality Filter	2.43	0.80	1.73	1.73	0.88	7,283	4,400	4.48	N/A	N/A	7,825
Total Treatment Area Discharge D			6.70	0.91	3.29	3.29	2.09	21,133	12,274				4,428
TOTAL TREATED AREA			12.84	2.81	7.35	7.35	3.87						

NOTES AND ASSUMPTIONS:

- All areas are based on the Deluca Hoffman Associates (P) drawings dated July 2012.
- The required water quality volumes have been computed based on Sections 7.1, 7.2, 7.3 and 7.4 of the Maine DEP Volume III BMP's Technical Design Manual. The volume is computed to be 1" times the subcatchment impervious area and 0.4" times the subcatchment landscaped area.
- The required filter surface area has been computed based on Sections 7.1, and 7.2 of the Maine DEP Volume III BMP's Technical Design Manual. The Underdrained Grassed Filter and Subsurface Sand Filter areas are computed to be 9% of the subcatchment impervious area and 2% times the subcatchment vegetated area. The Underdrained Bioretention Cell filter area is computed to be 7% of the subcatchment impervious area and 3% times the subcatchment vegetated area.
- The 1 year peak flow rates have been computed using HydroCAD a computer Hydrologic Modeling software. The rainfall intensity are defined from the TR-55 Manual for Cumberland County, ME.
- Subsurface storage system using a Stormtech SC-760 chamber system. All isolator rows have been computed per section 7.3.3 Pretreatment Isolator Row of the Maine DEP Volume III BMP's Technical Manual. One chamber is required for each 0.2 cu ft of the computed 1 year peak flow rate.
- The required number of StormFilter Cartridges by Cortech is computed to be one 12" cartridge per 202 Cubic feet of Water quality volume.
- The owner reserves the right to use an alternate tree box filter device provided it has been approved by the Maine DEP Chapter 600 and the City of Portland.

PRELIMINARY - NOT FOR CONSTRUCTION



REV	DATE	DESCRIPTION	REVISIONS
1	07.20.12	SUBMITTED TO MEHP WITH MAJOR SITE PLAN AMENDMENT APPLICATION	

PROJECT
MERCY AT THE FORE MASTER PLAN

SHEET TITLE
OVERALL GRADING AND DRAINAGE PLAN

CLIENT
MERCY HOSPITAL

DESIGNER
DeLUCA-HOFFMAN ASSOCIATES, INC.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.735.1121
WWW.DELUCAHOFFMAN.COM

DRAWN
SDB

DATE
MAY 2012

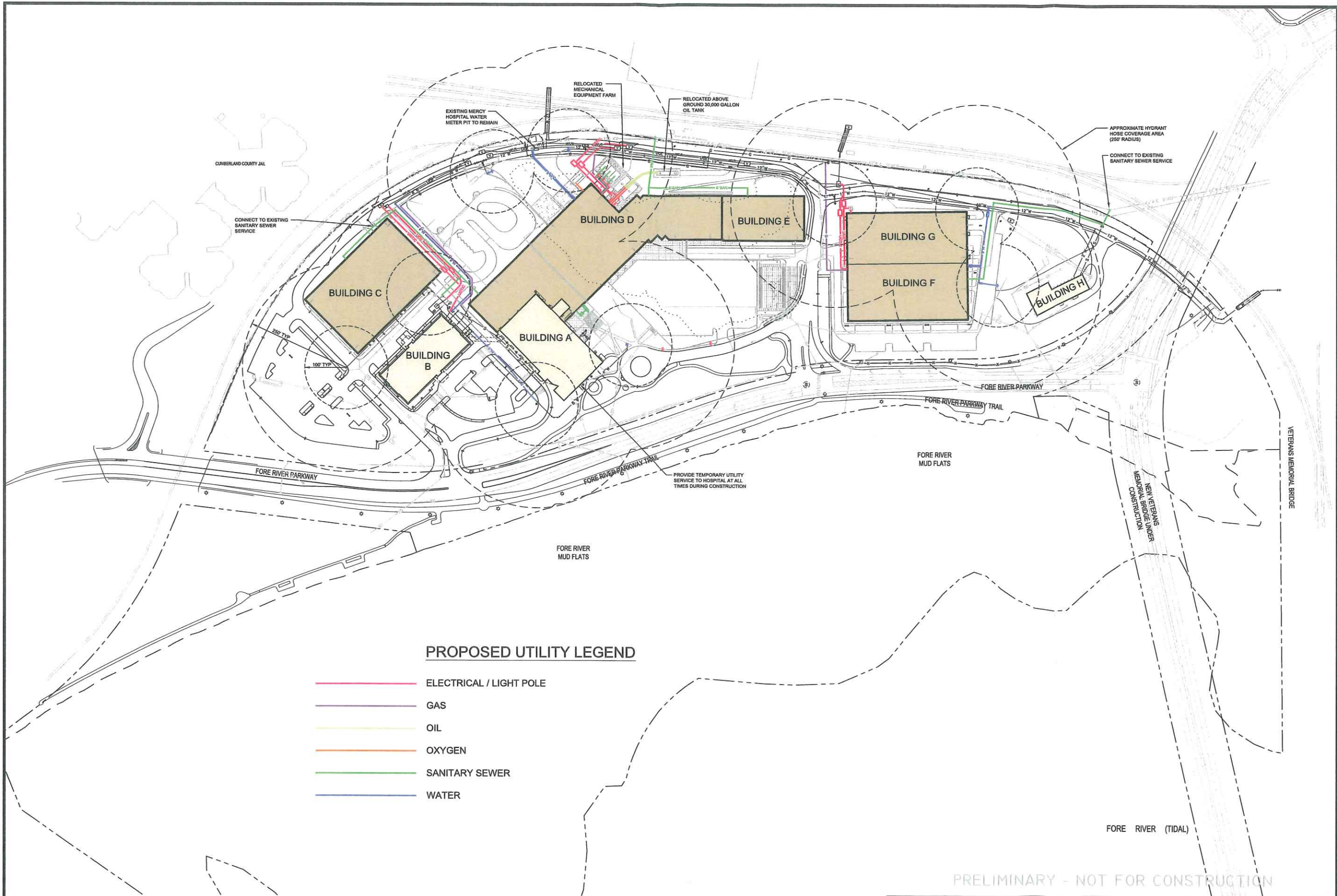
SCALE
1" = 80'

CHECKED
SDB

JOB NO.
2143.08

FILE NAME
2143.08-GRADING

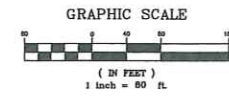
SHEET
PLATE 3



PROPOSED UTILITY LEGEND

- ELECTRICAL / LIGHT POLE
- GAS
- OIL
- OXYGEN
- SANITARY SEWER
- WATER

PRELIMINARY - NOT FOR CONSTRUCTION



REV	DATE	DESCRIPTION	REVISIONS
1	07.30.12	SUBMITTED TO DEED WITH WALKER SITE PLAN AMENDMENT APPLICATION	

PROJECT	MERCY AT THE FORE MASTER PLAN
SHEET TITLE	OVERALL UTILITY PLAN
CLIENT	MERCY HOSPITAL

DeLUCA-HOFFMAN ASSOCIATES, INC. 778 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 207.775.1121 WWW.DELUCAHOFFMAN.COM	DRAWN: DEB DATE: MAY 2012 CHECKED: SRS SCALE: 1" = 50' FILE NAME: 2148.00-UTILITY SHEET: PLATE 4
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R:\2148.00\2148.00-UTILITY.dwg Date: 12/29/12 11:25 AM

ATTACHMENT C

**CONTRACT ZONE AGREEMENT AND
PREVIOUS MASTER PLANS**

2149/47

G



January 11, 2002

MATTHEW D. MANAHAN
DIRECT
207.791.1189
E-MAIL
MManahan@PierceAtwood.com

Penny A. Littell, Esq.
City of Portland
One City Center
P.O. Box 9546
Portland, Maine 05112-9546

RE: Mercy Hospital

Dear Penny:

Enclosed please find an original of the Contract Zone Agreement between the City of Portland and Mercy Hospital, executed by Howard Buckley on behalf of Mercy.

Penny, thanks very much for all your assistance and hard work on this project. Also, thanks to Alex, Sarah, and Jonathan for their hard work and creative thinking.

Sincerely,

Matthew D. Manahan

One Monument Square
Portland, ME 04101-1100
207.791.1100 v
207.791.1350 f

MDM/dcu
Enclosure

cc: Alex Jaegerman (w/enclosure)
Sarah Hopkins (w/enclosure)
Jonathan Spence (w/enclosure)

77 Winthrop Street
Augusta, ME 04330-5552
207.622.6311 v
207.623.9367 f

115 Court Street
P.O. Box 1009
Portsmouth, NH 03802-1009
603.433.6300 v
603.433.6372 f

Six Harris Street
Newburyport, MA 01950
978.465.9599 v
978.465.9945 f

EMAIL
info@pierceatwood.com

WEB SITE
www.pierceatwood.com

**CONTRACT ZONE AGREEMENT
BETWEEN
CITY OF PORTLAND
AND
MERCY HOSPITAL and MERCY HEALTH SYSTEM OF MAINE**

AGREEMENT made this 3rd day of December, 2001 by and between the **CITY OF PORTLAND**, a body corporate and politic, located in Cumberland County and State of Maine (hereinafter the "**CITY**") and **MERCY HOSPITAL**, a nonprofit corporation located in the City of Portland and **MERCY HEALTH SYSTEM OF MAINE**, a nonprofit corporation located in the City of Portland, and each of their successors and assigns (hereinafter collectively "**MERCY**").

W I T N E S S E T H

WHEREAS, **MERCY** has determined that it can no longer meet the long term needs of the community from its 144 State Street location; and

WHEREAS, **MERCY** has located a Portland site, a contiguous tract of land (called the Fore River Site) large enough to meet **MERCY'S** long term needs (including a mix of uses both taxable and tax-exempt) while being easily accessible and convenient to doctors, public transportation, and the Maine Medical Center; and

WHEREAS, **MERCY** requested a rezoning of the Fore River Site (also referred to herein as the "**PROPERTY**"), which is located in Portland at Map 73, Block A, Lot 1; Map 73, Block B, Lot 2; Map 74, Block A, Lot 1; Map 75, Block A, Lot 3; and Map 75, Block A, Lot 33, in order to permit the establishment and operation of a hospital campus on up to 42 acres of land; and

WHEREAS, the Planning Board of the City of Portland, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Code §§ 14-60 to 14-62 and 14-264, and after notice and hearing and due deliberation thereon, recommended the rezoning of the **PROPERTY** as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY** by and through its City Council has determined that said rezoning would be and is pursuant to and consistent with the **CITY'S** comprehensive land use plan and consistent with the purposes of the I-H zone and its existing and permitted uses; and

WHEREAS, the **CITY** has determined that the proposed development will be designed and operated so that it will prevent undue adverse environmental impacts, substantial diminution of the value or utility of neighboring structures, or significant hazards to the health or safety of neighboring residents by controlling noise levels, emissions, traffic, lighting, odors, and any other potential negative impacts of the proposal; and

WHEREAS, the **CITY** has determined that because of the unusual nature and unique location of the proposed development it is necessary and appropriate to impose by agreement the following conditions and restrictions in order to ensure that the rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the **CITY** authorized the execution of this Agreement on December 3, 2001;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. Effective upon the recording of deeds transferring title ownership from Merrill Industries, Inc. and Portland Terminal Company to **MERCY** and receipt by the

CITY of a statement from **MERCY** that **MERCY** has so recorded said deeds, the **CITY** hereby amends the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Portland City Code, by adopting the map change amendment shown on Attachment 1, and by designating the **PROPERTY** a Helistop Overlay Zone limited to a single helistop; provided however, that this contract rezoning shall become null and void, and the **PROPERTY** shall revert to the I-H zone, in the event that **MERCY** fails to acquire said **PROPERTY** before August 1, 2003. The **CITY** shall not issue **MERCY** any building permits until **MERCY** has purchased the **PROPERTY**.

2. *Permitted Uses.* **MERCY** shall be authorized to establish and maintain the following uses on the **PROPERTY**:

- a. Hospitals, clinics, and medical research facilities.
- b. Community living arrangements, congregate care facilities, intermediate care facilities, long term or extended care facilities, and sheltered care group homes.
- c. Office complexes and professional offices.
- d. Day care facilities and adult day care facilities.
- e. Exercise and fitness centers and health clubs.
- f. Personal services, restaurants, and retail establishments of no more than 50,000 square feet, except that there shall be no drive through facilities.
- g. Dwellings, hotels, motels, inns, and rooming units; and lodging houses for hospital or clinic employees or volunteers and patients' family members.
- h. Teaching centers.
- i. Accessory uses, including, but not limited to, parking facilities and structures, utility services, stormwater management systems, and site amenities.

The uses listed in subparagraphs e, f, and g shall be functionally related, physically oriented, and complementary to the medical uses of the site.

3. The uses on the **PROPERTY** will be within multiple buildings to be constructed in phases, some owned by **MERCY** and some owned by others. The new structures will be a mix of single and multi-level buildings developed in a campus-like setting. The buildings may be freestanding or linked, depending upon the phasing and ultimate development program proposed.

4. The first phase of construction will include a medical office building, which may be built concurrently with an ambulatory care facility. The medical office building, its associated land, and its personal property shall be taxed based on a market value of, at minimum, \$7.5 million dollars. The hospital shall be built in either the first or second phase of construction.
5. A portion of the **PROPERTY** will be transferred to the Maine Department of Transportation ("MDOT") without a fee for its construction of the proposed Commercial Street Connector roadway (hereinafter referred to as the "**CONNECTOR**").
6. Upon its purchase of the **PROPERTY**, **MERCY** shall record in the Cumberland County Registry of Deeds a deed granting to the **CITY** an easement in perpetuity over the portion of the **PROPERTY** identified as "Open Space" on Attachment 2, which easement shall grant to the public access to such Open Space for recreational activities during daylight hours.

Such open space may be used in the calculation of the impervious surface requirements contained in paragraph 11 of this Agreement.

In addition, **MERCY** shall cooperate with the City in the creation of a pedestrian trail and bike path at least along the perimeter of the **PROPERTY** as shown, generally, on Attachment 2. Once the location of the pedestrian trail and bike path is determined, **MERCY** shall record in the Cumberland County Registry of Deeds a deed granting to the **CITY** an easement in perpetuity for the benefit of the public, which easement shall grant access along and over such path and trail for recreational activities during daylight hours and when trails are customarily available to the public for such use, covering all portions of such path and trail located on land not owned by MDOT.

These easements shall be subject to the review and approval of the Corporation Counsel's Office.

7. For purposes of calculating impervious surface required in paragraph 11 below, land separated by the MDOT **CONNECTOR** may be included, but any intertidal lands shall not be included in said calculation.
8. Access to the **PROPERTY** via County Way shall be permitted for service vehicles only provided that **MERCY** demonstrates to the **CITY'S** Traffic Engineer that County Way provides an adequate level of service to the **PROPERTY** and **MERCY** provides evidence of its right, title or interest to access said street.
9. For purposes of front yard setbacks, the front yard for each building developed on the **PROPERTY** shall have as the front yard the area between the building and the **CONNECTOR**.

The **PROPERTY** shall be developed substantially in accordance with the conceptual master plan shown on Attachment 2, provided, however, that each building, whether classified as a major or minor development, shall be subject to site plan review by the Planning Board, and if applicable, subdivision review by the Planning Board. Any site plan review applications shall fully comply with the detailed site plan application requirements contained in article V (site plan) of the Land Use Code. The Planning Board may permit deviations from the conceptual master plan, as long as the deviations are consistent with the purposes of this Agreement.

10. *Development Standards.* All site plans may be approved by the Planning Board only if, in addition to the dimensional requirements of paragraph 11 and the applicable provisions of article IV (subdivisions) and article V (site plan), the development meets the following development standards:
- a. *Design relationship to site:* Development proposals shall demonstrate a reasonably unified design of the site in a campus-like setting, including the architecture, the layout of the buildings, pedestrian and vehicular circulation plan, open space, drainage, and the topography, soil conditions, vegetation, and other natural features of the site. Integration of open spaces and natural features shall be achieved by incorporation of outdoor amenities for the benefit of users of the site, such as jogging and walking trails, gardens, and benches. The proposed layout of buildings and uses shall demonstrate compatibility between the buildings and other site features within the site. Consideration shall be given to compatibility of proposed perimeter on-site development with the existing and future uses off-site but adjacent to the **PROPERTY**.
 - b. *Landscaping:* Development proposals shall include a landscape program. All land areas not covered by structures, parking areas, or circulation facilities shall be landscaped and maintained. In order to soften the visual impact of large expanses of pavement in parking lots, vegetation shall be planted or retained in islands or planting strips where required by article IV (subdivisions) and article V (site plan) of the Land Use Code.
 - c. *Pedestrian Orientation:* Development proposals shall include an integrated pedestrian circulation system, including internal sidewalks, to take advantage of the topography and natural features of the site and providing for safe pedestrian access to all buildings and parking areas with the ability to conveniently access all developed portions of the site without additional driving. The pedestrian circulation system shall link with the shoreline trail feature of the site.
 - d. *Vehicular Access and Circulation:* The primary access to serve the entire development will be from two access points or two access points and a slip lane from the **CONNECTOR** as may be further developed or modified by joint agreement of the City, MDOT and the applicant.

- Vehicular circulation through internal driveways and roadways will provide safe and orderly access to all developed portions of the site.
- e. *Buffers and screens:* Development proposals shall include appropriate measures of a dense and continuous nature (for example, a double staggered row of white pine twenty-five (25) feet on center, etc.) in order to buffer parking lot visibility from public roads.
 - f. *Preservation of natural features:* Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands; provided any such program shall consider and be sensitive to the need to preserve such natural features.
 - g. *Architectural design:* All buildings shall be designed or approved by a registered architect in the State of Maine. The scale, texture, colors, and massing of the buildings shall be coordinated. The full range of high-quality, permanent, and traditional or contemporary building materials and technology may be incorporated in a manner so that the development as a whole embodies distinguishing attributes that achieve the developer's desired degree of excellence and are in conformance with the architectural guidelines provided in any private development restrictions. Particular emphasis shall be placed on the appearance of building facades from public streets and highways including the **CONNECTOR**, from driveway and parking areas, and from other nearby buildings. Building elevation drawings shall be submitted which indicate architectural style, exterior finishes and color, building height and scale, and location and scale of window and door openings. Samples of exterior building materials shall also be submitted.
 - h. *Signs:* Signage shall be focused internally to the site or to the **CONNECTOR** and shall not be oriented or scaled to address Route 1 or Interstate 295, with the exception of the hospital and major office buildings. Development proposals shall identify all proposed signage. Signs shall be designed in proportion and character with the building facades. All signs shall be constructed of permanent materials and shall be coordinated with the building and landscaping design through the use of appropriate materials and finishes.
 - i. *Master plan:* Prior to development on the **PROPERTY, MERCY** shall provide a master plan of the campus. The master plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions;

and such other information necessary and sufficient to ensure compliance with the standards in this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time.

11. *Dimensional Requirements.* The following dimensional requirements shall apply to the **PROPERTY** as a whole, and not additionally to individual lots (if any) within the **PROPERTY**:
 - a. Maximum impervious surface ratio: Eighty (80) percent;
 - b. Maximum building height: Ninety (90) feet;
 - c. Minimum front yard landscaped buffer: Twenty (20) feet from the edge of the **CONNECTOR** right-of-way shall be in the form of a landscaped buffer provided, however, that the area within such buffer may include a retaining wall, walkway, trail, or pathway but no buildings, roadways, parking areas, or other expanses of pavement;
 - d. Minimum side yards: Ten (10) feet;
 - e. Minimum rear yard: Ten (10) feet;
 - f. Pavement setback from lot boundaries: Fifteen (15) feet.
12. The provisions of this Agreement, including the permitted uses listed in paragraph 2, are intended to replace the uses and requirements of the underlying I-H zone.
13. Pursuant to Code § 14-264(d), all development plans shall include complete information of processes, materials, or methods of storage to be used by the development and shall specify how hazardous impacts to neighboring properties will be prevented.

The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit **MERCY**, any entity affiliated with **MERCY** that takes title to the **PROPERTY**, their successors and assigns, and any party in possession or occupancy of said **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. **MERCY** shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the **PROPERTY**.

If any of the restrictions, provisions, conditions, or portions 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 shall not affect the validity of the remaining portions hereof.

MERCY agrees not to challenge the legality of the provisions contained within paragraph 4 of this contract.

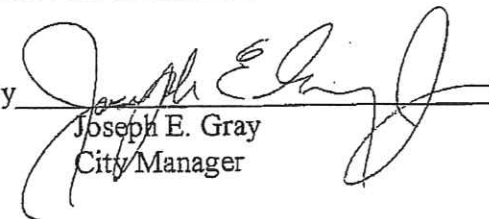
Except as expressly modified herein, the development, use, and occupancy of the subject premises shall be governed by and comply with the provisions of the Land Use Code of the City of Portland and any applicable amendments thereto or replacement thereof.

In the event that **MERCY** or any successor fails to continue to utilize the **PROPERTY** in accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breach. The resolution may include a recommendation to the City Council that the site be rezoned to only I-H or any successor zone and that the Agreement be terminated, requiring a cessation of the hospital campus use.

WITNESS:



CITY OF PORTLAND

By 

Joseph E. Gray
City Manager

WITNESS:

MERCY HOSPITAL

Joseph E. Gray

By Howard Buckley
Howard Buckley
President and CEO

WITNESS:

MERCY HEALTH SYSTEM OF MAINE

Joseph E. Gray

By Howard Buckley
Howard Buckley
President and CEO

STATE OF MAINE
CUMBERLAND, ss.

Date: 12/17/01, 2001

Personally appeared before me the above-named Joseph E. Gray, in his capacity as City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Before me,

Sonia T. Bean
Notary Public/Attorney at Law
SONIA T. BEAN
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES JANUARY 10, 2002

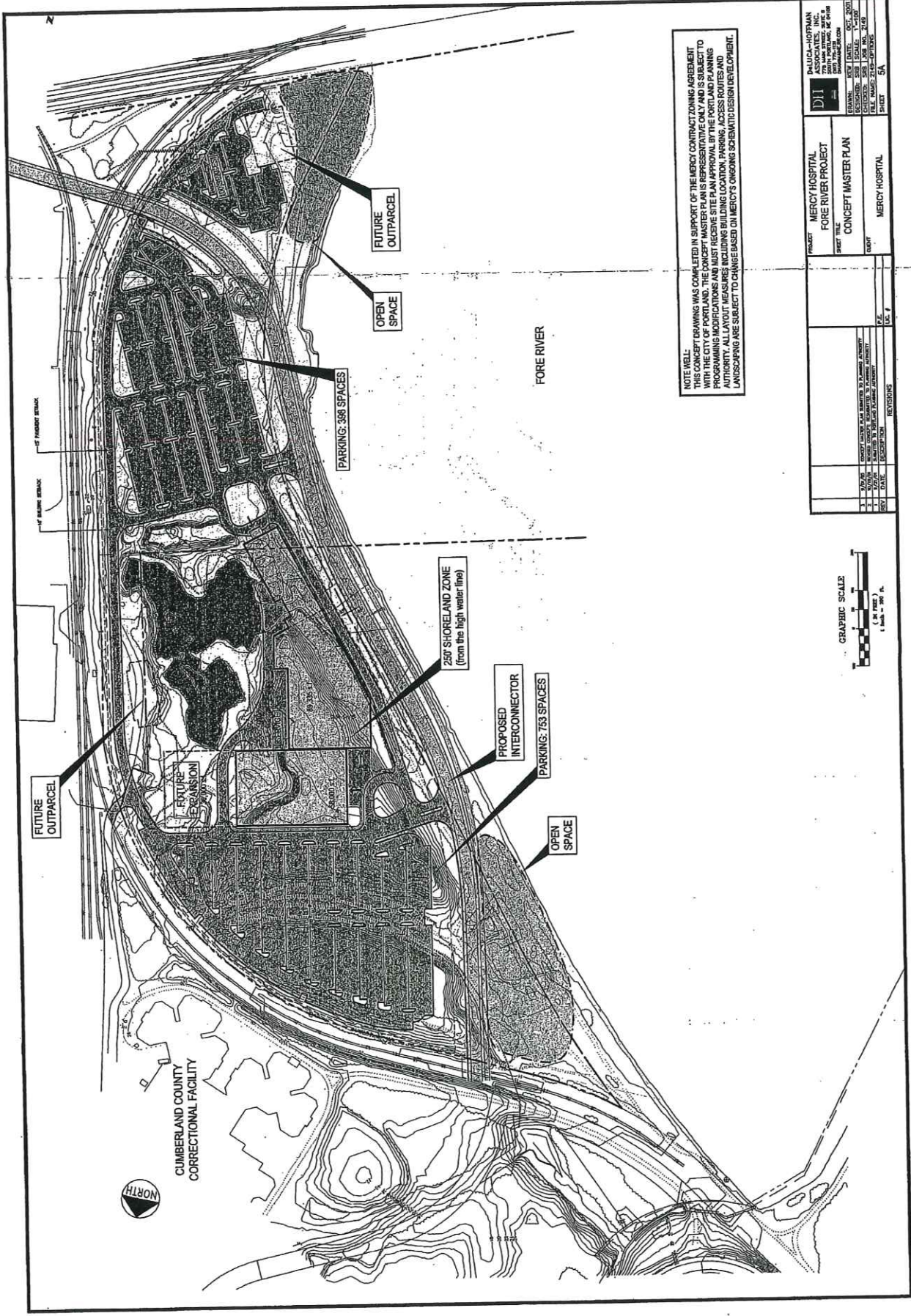
STATE OF MAINE
CUMBERLAND, ss.

Date: January 10, 2002

Personally appeared before me the above-named Howard Buckley, in his capacity as President and CEO, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Mercy Hospital and Mercy Health System of Maine, Inc.

Before me,

Daniel M. Snow
Notary Public/Attorney at Law
DANIEL M. SNOW



NOTE WELL:
 THIS CONCEPT DRAWING WAS COMPLETED IN SUPPORT OF THE MERCY CONTRACTING AGREEMENT WITH THE CITY OF PORTLAND. THE CONCEPT MASTER PLAN IS NOT A FINAL PLAN AND IS SUBJECT TO PROGRAMMING MODIFICATIONS AND REVISIONS. THE CITY OF PORTLAND HAS REVIEWED THE CONCEPT MASTER PLAN AND HAS APPROVED THE BUILDING LOCATION, PARKING, ACCESS ROUTES AND LANDSCAPING ARE SUBJECT TO CHANGE BASED ON MERCY'S ONGOING SCHEMATIC DESIGN DEVELOPMENT.

		D.J. JASTRAN ASSOCIATES, INC. 775 W. 10TH AVE., SUITE 200 PORTLAND, OREGON 97208 TEL: 503.241.1111 FAX: 503.241.1112 WWW.DJI-INC.COM	
PROJECT: MERCY HOSPITAL FORE RIVER PROJECT		SHEET TITLE: CONCEPT MASTER PLAN	
SHEET NO.: 01		SHEET TOTAL: 01	
DATE: 08/11/2011		DATE: 08/11/2011	
DRAWN BY: J. JASTRAN		CHECKED BY: J. JASTRAN	
DESIGNED BY: J. JASTRAN		FILE NAME: 21101-01.DWG	
PROJECT NO.: 21101		SHEET NO.: 01	
PROJECT: MERCY HOSPITAL		SHEET: 01	
REVISIONS		DATE	
1		08/11/2011	
2		08/11/2011	
3		08/11/2011	
4		08/11/2011	
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7		08/11/2011	
8		08/11/2011	
9		08/11/2011	
10		08/11/2011	



CUMBERLAND COUNTY
 CORRECTIONAL FACILITY

Corporation Counsel

Gary C. Wood



CITY OF PORTLAND

Associate Counsel

Charles A. Lane
Elizabeth L. Boynton
Donna M. Katsiaficas
Penny Littell

RECEIVED

JUN 12 2002

June 11, 2002

Matthew D. Manahan

Matthew D. Manahan, Esq.
Pierce Atwood
One Monument Square
Portland, ME 04101-4033

Dear Matt:

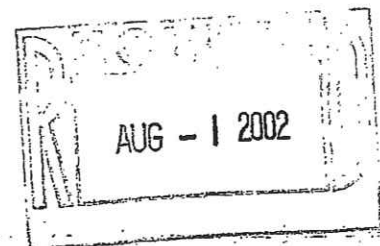
Enclosed please find an executed duplicate original Amendment to Mercy's Contract Zone. Please feel free to contact me should you have any questions.

Sincerely,

Penny Littell
Associate Corporation Counsel

PL:hs
Enclosure

O:\OFFICE\PENNY\LTRS\2002\Manahan061102.doc



**AMENDMENT TO
CONTRACT ZONE AGREEMENT
BETWEEN
CITY OF PORTLAND
AND
MERCY HOSPITAL and MERCY HEALTH SYSTEM OF MAINE**

WHEREAS, the **CITY OF PORTLAND**, a body corporate and politic, located in Cumberland County and State of Maine (hereinafter the "**CITY**") and **MERCY HOSPITAL**, a nonprofit corporation located in the City of Portland, and **MERCY HEALTH SYSTEM OF MAINE**, a nonprofit corporation located in the City of Portland, and each of their successors and assigns (hereinafter collectively "**MERCY**"), are parties to the Contract Zone Agreement Between City of Portland and Mercy Hospital and Mercy Health System of Maine (hereinafter "**AGREEMENT**"), which is attached hereto and incorporated herein; and

WHEREAS, at the time of execution of the **AGREEMENT**, and as stated in Paragraph 5 of the **AGREEMENT**, **MERCY** anticipated that it would transfer a portion of the so-called Fore River Site to the Maine Department of Transportation (hereinafter "**MDOT**") without a fee for the construction of the Commercial Street Connector roadway, and that **MDOT** would pay for the necessary improvements; and

WHEREAS, the funding available to **MDOT** for this project instead requires that **MDOT** exercise its power of eminent domain and pay just compensation for that portion of the Fore River Site designated for the Commercial Street Connector roadway, and therefore **MERCY** will assist with funding of the necessary improvements; and

WHEREAS, this change in funding for the project remains consistent with the intent of the **CITY OF PORTLAND** and **MERCY** in signing the **AGREEMENT**;

NOW, THEREFORE, on this 10 day of ^{June 2002}~~May 2002~~, in consideration of the

mutual promises made by each party to the other, the parties covenant and agree to amend the AGREEMENT by deleting the phrase "without a fee" from Paragraph 5 so that it states as follows:

"A portion of the PROPERTY will be transferred to the Maine Department of Transportation ("MDOT") for its construction of the proposed Commercial Street Connector roadway (hereinafter referred to as the "CONNECTOR")."

WITNESS

Sonia Boer

CITY OF PORTLAND

By *Joseph E. Gray*
Joseph E. Gray
City Manager

WITNESS

Kelley J. Song

MERCY HOSPITAL

By *Howard Buckley*
Howard Buckley
President and CEO

WITNESS

Kelley J. Song

MERCY HEALTH SYSTEM OF MAINE

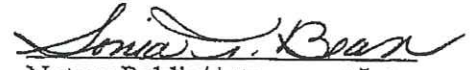
By *Howard Buckley*
Howard Buckley
President and CEO

STATE OF MAINE
CUMBERLAND, ss.

Date: 6/10/, 2002

Personally appeared before me the above-named Joseph E. Gray, in his capacity as City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Before me,

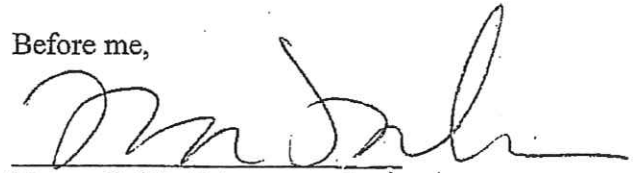

Notary Public/Attorney at Law
SUSAN T. BROWN
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES SEPTEMBER 10, 2003

STATE OF MAINE
CUMBERLAND, ss.

Date: June 5, 2002

Personally appeared before me the above-named Howard Buckley, in his capacity as President and CEO, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Mercy Hospital and Mercy Health System of Maine, Inc.

Before me,


Notary Public/Attorney at Law

FREDERICA JACKSON
Notary Public, Maine
My Commission Expires May 1, 2008

2001 ORIGINAL MASTER PLAN



CUMBERLAND COUNTY
CORRECTIONAL FACILITY

FUTURE
OUTPARCEL

10' BUILDING SETBACK
15' PAVEMENT SETBACK

FUTURE
EXPANSION
36,000 s.f.

SERVICE

58,000 s.f.

89,335 s.f.

100 SPACES

PARKING: 398 SPACES

OPEN
SPACE

FUTURE
OUTPARCEL

250' SHORELAND ZONE
(from the high water line)

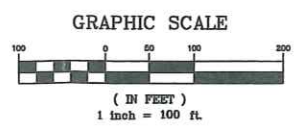
PROPOSED
INTERCONNECTOR

PARKING: 753 SPACES

OPEN
SPACE

FORE RIVER

NOTE WELL:
THIS CONCEPT DRAWING WAS COMPLETED IN SUPPORT OF THE MERCY CONTRACT ZONING AGREEMENT WITH THE CITY OF PORTLAND. THE CONCEPT MASTER PLAN IS REPRESENTATIVE ONLY AND IS SUBJECT TO PROGRAMMING MODIFICATIONS AND MUST RECEIVE SITE PLAN APPROVAL BY THE PORTLAND PLANNING AUTHORITY. ALL LAYOUT MEASURES INCLUDING BUILDING LOCATION, PARKING, ACCESS ROUTES AND LANDSCAPING ARE SUBJECT TO CHANGE BASED ON MERCY'S ONGOING SCHEMATIC DESIGN DEVELOPMENT.



REV	DATE	DESCRIPTION	P.E.	LIC. #
3	9/01/05	CONCEPT MASTER PLAN SUBMITTED TO PLANNING AUTHORITY		
2	10/19/01	REVISED CONCEPT; RESUBMITTED TO PLANNING AUTHORITY		
1	9/21/01	SUBMITTED TO PORTLAND PLANNING AUTHORITY		

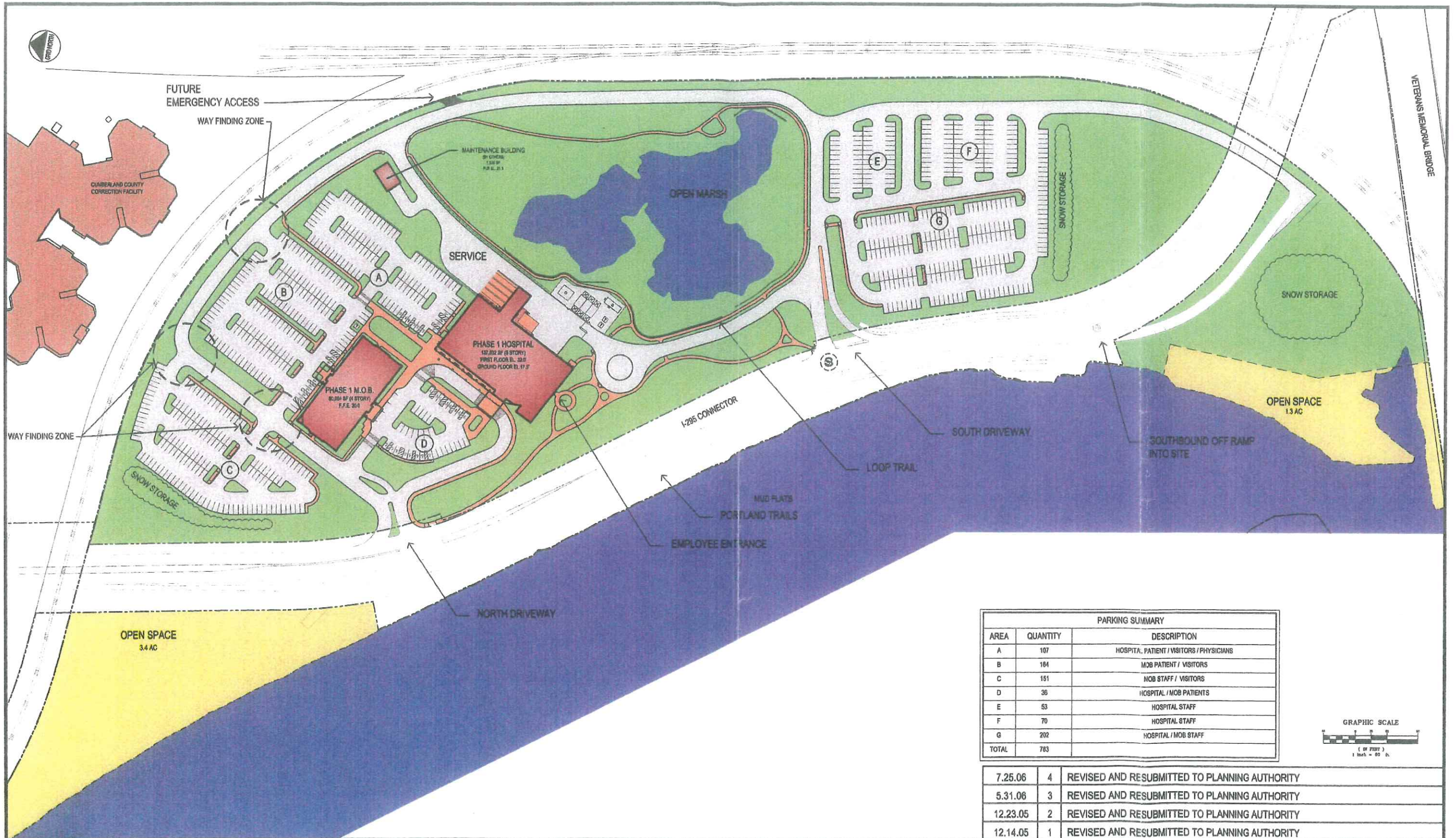
PROJECT
**MERCY HOSPITAL
FORE RIVER PROJECT**

SHEET TITLE
CONCEPT MASTER PLAN

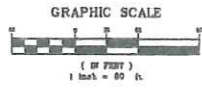
CLIENT
MERCY HOSPITAL

DH DeLUCA-HOFFMAN
ASSOCIATES, INC.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
(207) 775-1121
DH@DMHARR.COM

DRAWN: KEW DATE: OCT, 2001
DESIGNED: SRB SCALE: 1"=100'
CHECKED: SRB JOB NO. 2149
FILE NAME: 2149-OPTIONS
SHEET **5A**



PARKING SUMMARY		
AREA	QUANTITY	DESCRIPTION
A	107	HOSPITAL, PATIENT / VISITORS / PHYSICIANS
B	184	MOB PATIENT / VISITORS
C	151	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL STAFF
F	70	HOSPITAL STAFF
G	202	HOSPITAL / MOB STAFF
TOTAL	783	



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



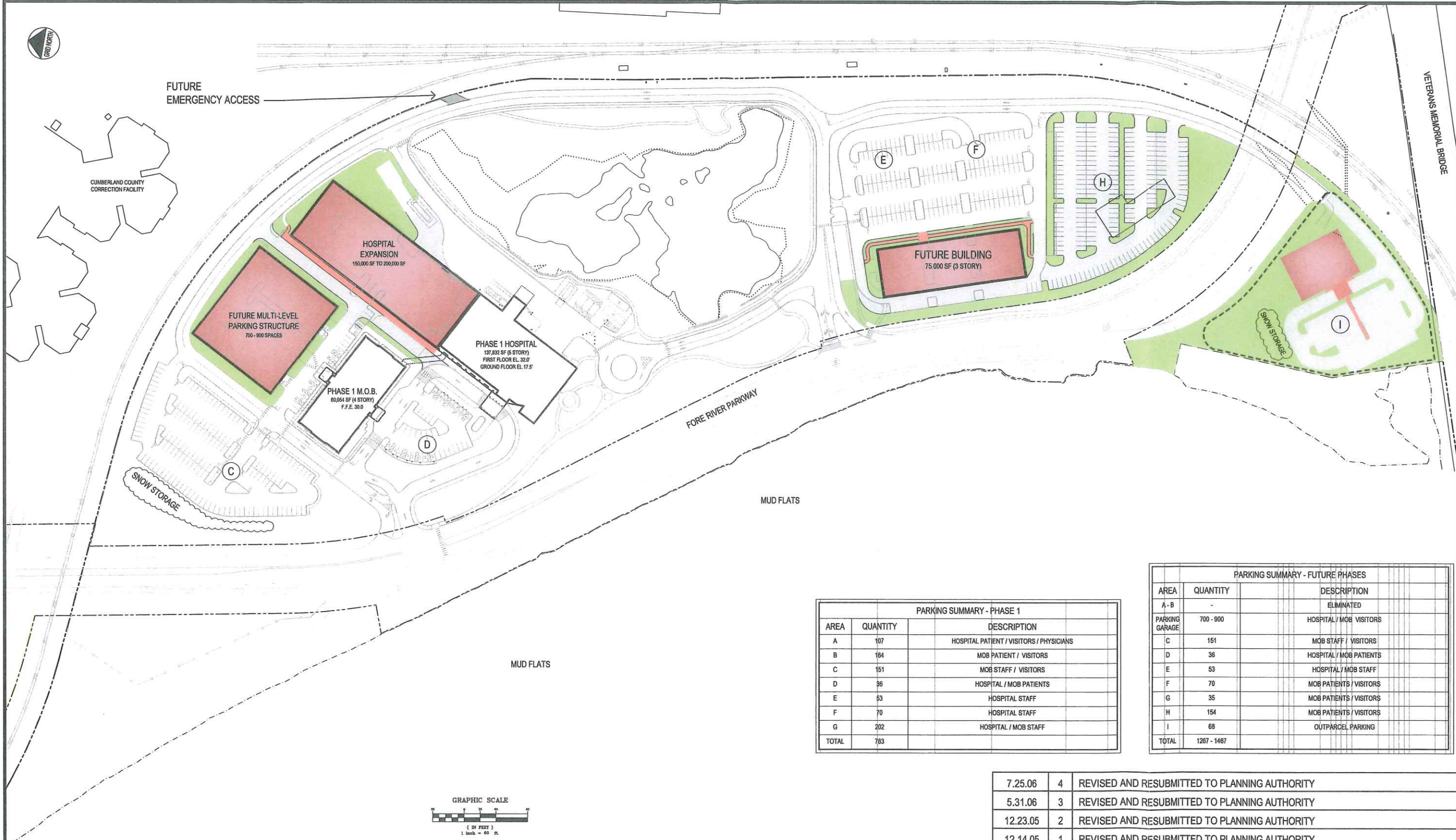
DeLuca-Hoffman Associates, Inc.
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
 207.775.1121
 WWW.DELUCAHOFFMAN.COM

DRAWN: DED DATE: 12.07.05
 DESIGNED: - SCALE: AS NOTED
 CHECKED: SRB JOB NO. 2149.01
 FILE NAME: 2149.01-MP3

MERCY HOSPITAL
 FORE RIVER PROJECT

MASTER PLAN - PHASE 1

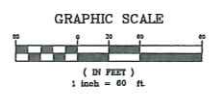
FIGURE
 1 of 6



PARKING SUMMARY - PHASE 1		
AREA	QUANTITY	DESCRIPTION
A	107	HOSPITAL PATIENT / VISITORS / PHYSICIANS
B	164	MOB PATIENT / VISITORS
C	151	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL STAFF
F	70	HOSPITAL STAFF
G	202	HOSPITAL / MOB STAFF
TOTAL	783	

PARKING SUMMARY - FUTURE PHASES		
AREA	QUANTITY	DESCRIPTION
A - B	-	ELIMINATED
PARKING GARAGE	700 - 900	HOSPITAL / MOB VISITORS
C	151	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL / MOB STAFF
F	70	MOB PATIENTS / VISITORS
G	35	MOB PATIENTS / VISITORS
H	154	MOB PATIENTS / VISITORS
I	68	OUTPARCEL PARKING
TOTAL	1287 - 1467	

7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



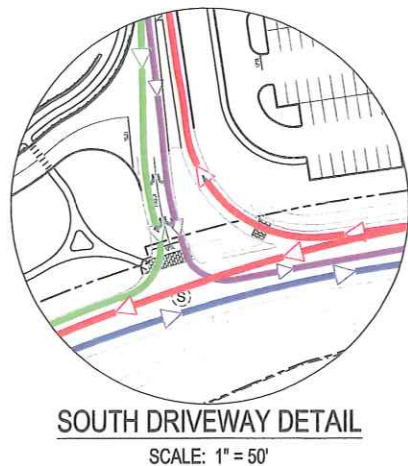
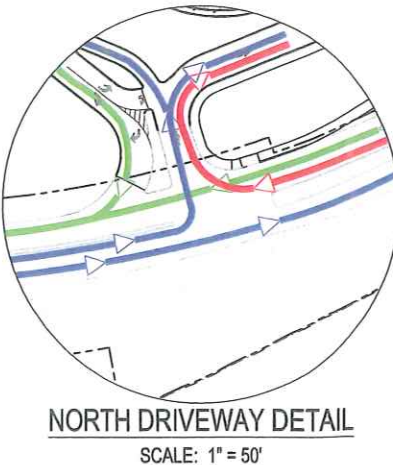
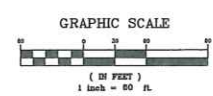
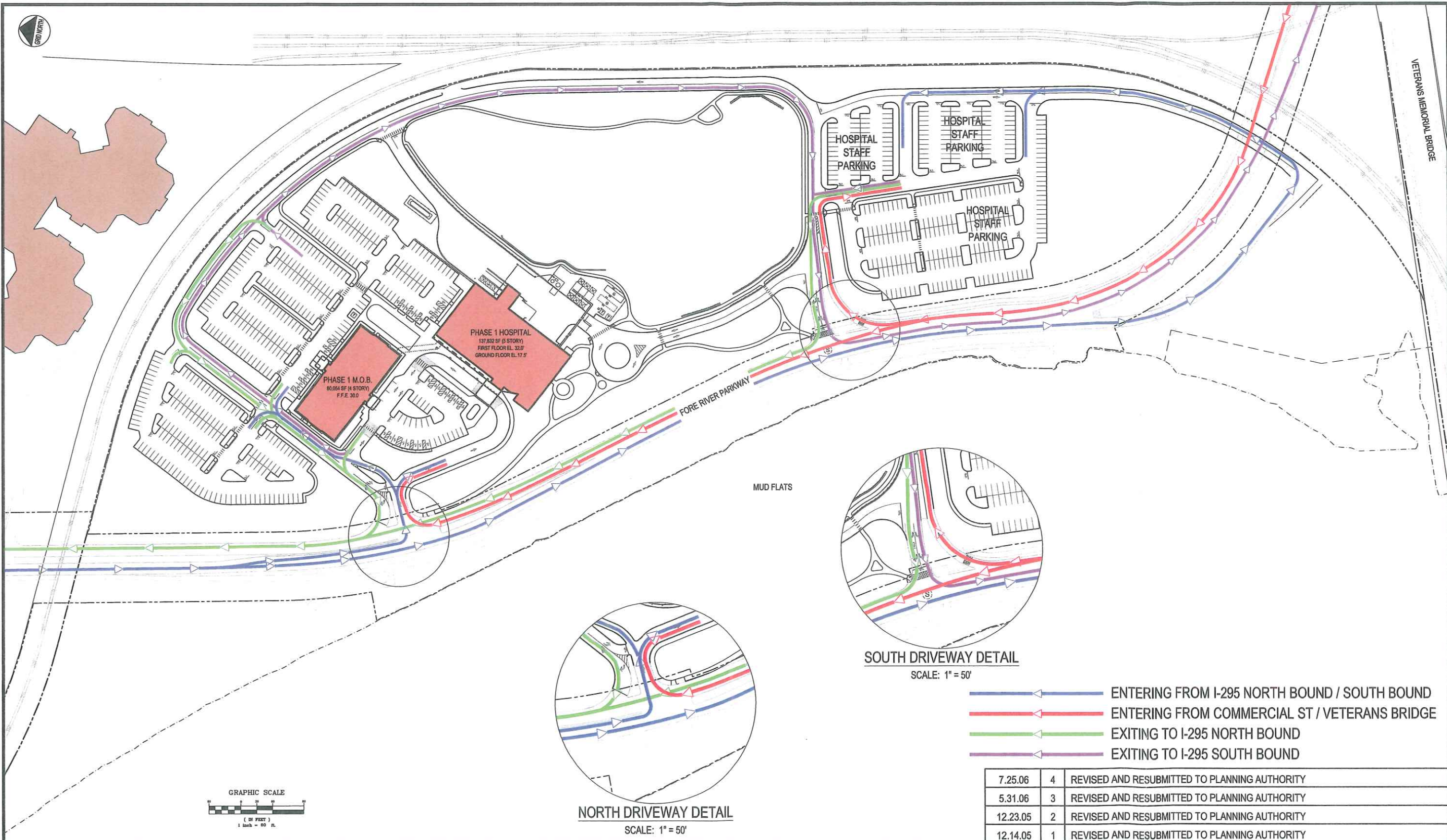
DH
 DeLuca-Hoffman Associates, Inc.
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
 207.775.1121
 WWW.DELUCAHOFFMAN.COM

DRAWN: DED DATE: 12.07.05
 DESIGNED: - SCALE: AS NOTED
 CHECKED: SRB JOB NO. 2149.01
 FILE NAME: 2149.01-MP3

**MERCY HOSPITAL
 FORE RIVER PROJECT**

MASTER PLAN - FUTURE PHASES

FIGURE
2 of 6



- ▶ ENTERING FROM I-295 NORTH BOUND / SOUTH BOUND
- ▶ ENTERING FROM COMMERCIAL ST / VETERANS BRIDGE
- ▶ EXITING TO I-295 NORTH BOUND
- ▶ EXITING TO I-295 SOUTH BOUND

7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY

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CHECKED:	SRB	JOB NO.:	2149.01
FILE NAME:	2149.01-MP3		

MERCY HOSPITAL
 FORE RIVER PROJECT

MASTER PLAN
 VISITOR/STAFF CIRCULATION ROUTES



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY

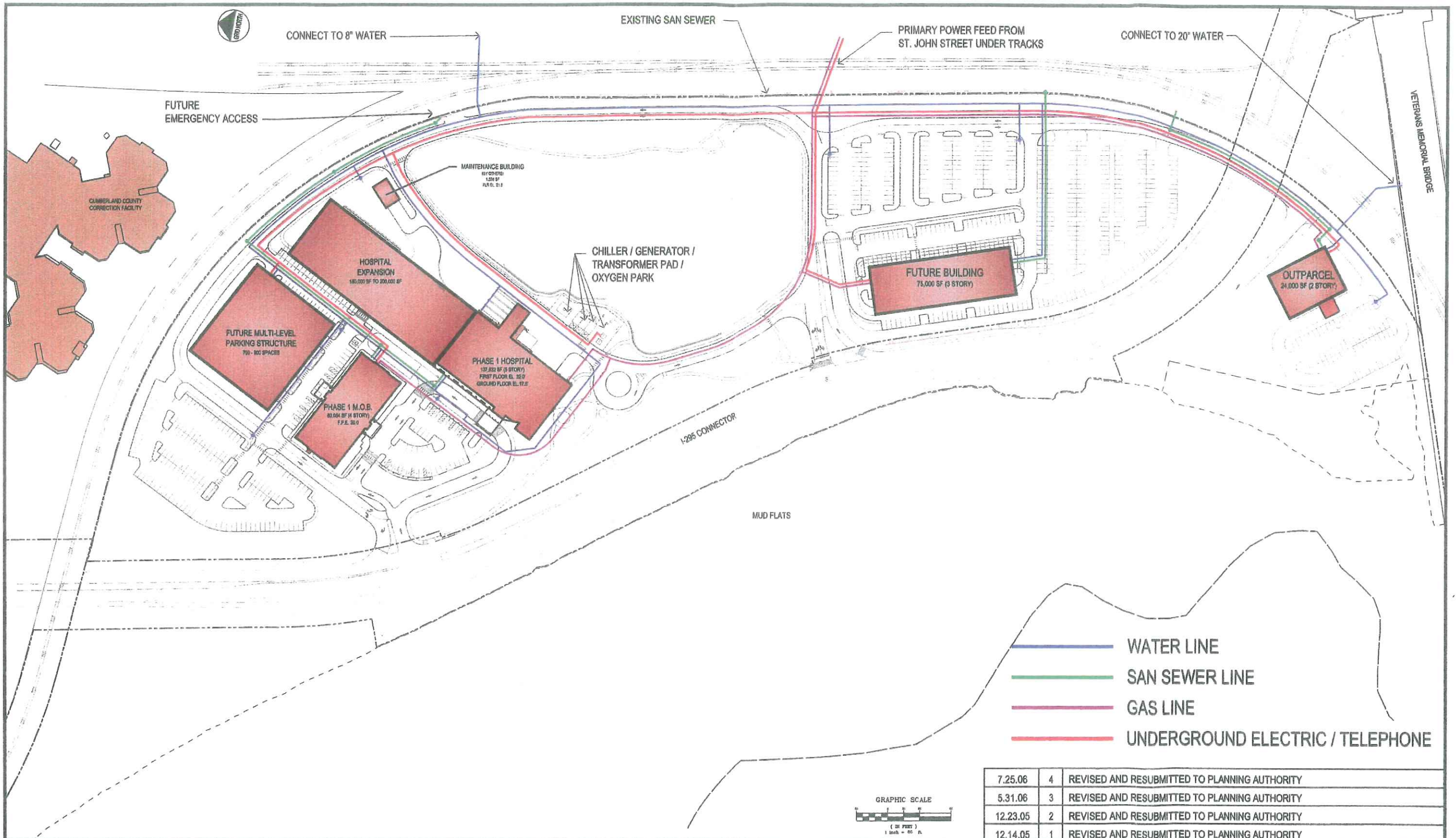
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DRAWN:	DED	DATE:	12.07.05
DESIGNED:	-	SCALE:	AS NOTED
CHECKED:	SRB	JOB NO.:	2149.01
FILE NAME:	2149.01-MP3		

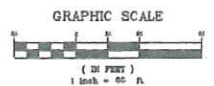
**MERCY HOSPITAL
 FORE RIVER PROJECT**

**MASTER PLAN
 LANDSCAPE AND OPEN SPACE**

FIGURE
5 of 6



- WATER LINE
- SAN SEWER LINE
- GAS LINE
- UNDERGROUND ELECTRIC / TELEPHONE



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY

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DESIGNED:	-	SCALE:	AS NOTED
CHECKED:	SRB	JOB NO.:	2149.01
FILE NAME:	2149.01-MP3		

**MERCY HOSPITAL
 FORE RIVER PROJECT**

MASTER PLAN - UTILITY SCHEMATIC

FIGURE
6 of 6

Jean Fraser - Mercy amended CZA - PB memo for Tues Aug 26th PB workshop

From: Jean Fraser
To: kara@trails.org
Date: 8/22/2014 5:45 PM
Subject: Mercy amended CZA - PB memo for Tues Aug 26th PB workshop
Attachments: Final PB Memo 8.22.2014 Mercy amended CZA.pdf

Kara

I attach the staff PB Memo for information; the entire Memo with all attachments is on the City's website at:

<http://www.portlandmaine.gov/AgendaCenter/ViewFile/Agenda/08262014-569?html=true>
(item 3)

You will see that the PB Workshop will be considering the basis for the review and trying to understand the scale of/implications of the proposed changes.

There are several references in the Memo to the possibility of requesting an enhanced southern open space (with good trail connections) as a trade off (so to speak) for the loss of the existing wetland feature/amenity.

If you want to send a brief / preliminary comment for the Board (which I would circulate at the Workshop) please get it to me by noon on tuesday.

Thank you
Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Jean Fraser - PB memo for Tues Aug 26th PB workshop (4:30pm) re Mercy amended CZA

From: Jean Fraser
To: Bushey, Stephen
Date: 8/22/2014 1:55 PM
Subject: PB memo for Tues Aug 26th PB workshop (4:30pm) re Mercy amended CZA
Attachments: Final PB Memo 8.22.2014 Mercy amended CZA.pdf; Tom Errico comments 8.20.2014 - RE_2002 TMP for Mercy.pdf; PB Agenda 8-26-14.pdf

Steve,

Please find attached the staff Memo, the one staff review comment (Tom Errico) and the PB Meeting agenda.

The entire PB Memo with all attachments is on the City's website at:

<http://www.portlandmaine.gov/AgendaCenter/ViewFile/Agenda/08262014-569?html=true> (item 3)

You will see that I slightly reorganized (split up) your attachments to minimize confusion for the Board- ie I separated the Contract Zoning Agreement from the 2006 Master Plan since they are separate and were not really associated. We wanted the Board to appreciate how vague the CZA is and appreciate that there scope to interpret the CZA as allowing the scale of change that is proposed (ie not go back to City Council for an amendment and rely on a Master plan update instead, reviewed only by the Board) - we want to leave it to the Board to decide.

We also left your three "overall" plans as maybe all replacing the CZA Conceptual Master Plan if it goes forward as a CZA Amendment- since that ? is still unanswered, I didn't spend time on whether only one of those 3 plans (the Overall Site Plan) or all three, or a revised version, should go forward as the amended "Conceptual Master Plan".

I think it would be helpful (after you amplify on the background and reason for this etc) for you/Mercy to clarify what is included in the first construction phase (next site plan) over and above the hospital extension and ambulatory care unit.

My presentation will focus on the "jurisdictional" question of whether or not an amended CZA (plan/text) is needed, and then discuss the master plan review framework. Barbara will not be at the meeting; I think Alex will be there (although he is sick today) and maybe our attorney (to advise the Board on what decisions the Board can/cannot make etc).

It would probably be helpful for us to talk late on Monday re the presentations so that all aspects are covered but not duplicated too much.

Please call if there is anything else in the PB Memo that causes any concern.

Thank you
 Jean



**Memorandum
Department of Planning and Urban Development
Planning Division**

TO: Stuart O'Brien, Chair and Members of the Portland Planning Board
FROM: Jean Fraser, Planner
DATE: August 22nd, 2014
RE: **Amendment to Conditional Zoning Agreement for Mercy (Hospital) at the Fore
175-195 Fore River Parkway**
Mercy Hospital, Applicant
Project #2014-124
CBL 073-A001001

MEETING DATE: August 26th, 2014

I. INTRODUCTION

Mercy Hospital has applied for an amendment to the 2001 Conditional Zoning Agreement (CZA) to allow for a revised and larger development program for the next phase of development on this 42 acre site on the Fore River. The applicant has not proposed any revised wording for the CZA and has submitted three plans (Plans P1-P3) as potential amended "Conceptual Master Plans" for attachment to the CZA.

The 2001 CZA (in Attachment X) allowed rezoning from I-H to a range of permitted uses that included medical and many other uses (eg restaurants and retail, dwellings, hotels) as long as they were functionally related to the medical uses. It contains one "Conceptual Master Plan" as an attachment.

The Phase 1 Mercy development for a hospital and MOB (the MOB is not in Mercy ownership) was completed in 2008 and since then the hospital has joined with Eastern Maine Healthcare Systems (EMHS) and re-evaluated their strategy for consolidating the hospital at the Fore River Site (leaving the State Street site). The need for a larger building program prompted the proposal to fill in the 3.5 acre wetland in the center of the site. This required MDEP permits as at the time of the original CZA the pond was required (by MDEP) to be preserved.

The MDEP issued a permit for the filling of the pond and amended layout in early 2013 and Mercy would like to proceed in 2014/2015 with the hospital expansion (250,000 sq ft) and an Ambulatory Care Center (72,000 sq ft); two medical office buildings are indicated for future development. Structured parking, stormwater management systems and site amenities are proposed as part of the final build out, but the application does not clarify when these are intended to be constructed.

This Memorandum aims to:

- Clarify the current proposals in terms of comparison with what was previously permitted;
- Clarify the 2001 CZA provisions regarding the Planning Boards jurisdiction for reviewing the proposed amendments and whether an amended CZA is necessary (noting issues related to the framework for updating the Master Plan);
- Analyze the proposed amendments and identify issues to be addressed; and
- Clarify what further Workshops are needed.

Notices have been sent to XXX property owners and interested citizens in the vicinity of the project and a legal advertisement was published in the XX and XX, 2014 editions of the *Portland Press Herald*. No

public comment has been received to date.

II. BACKGROUND

The previous permitting for this site is outlined below (see Attachment X for details):

- 2001- City Council approved CZA with an attached Conceptual Master Plan (single plan)
- 2001-2002 TMP and MDEP permits obtained by Mercy
- 2006- Planning Board approved the Phase 1 (Hospital and Medical Office building with associated parking and landscaping) and a Master Plan document (text and several plans complying with CZA requirements- plans included in Attachment X);
- 2007-2010- Numerous amendments to the 2006 Site Plan approval relating to the maintenance building, trails and open space, and building/siting amendments
- 2010-2013- Veterans Bridge design necessitated reconfiguration of Fore River parkway and southern open space
- 2012-2014 MDEP amendment to SLOD obtained by Mercy

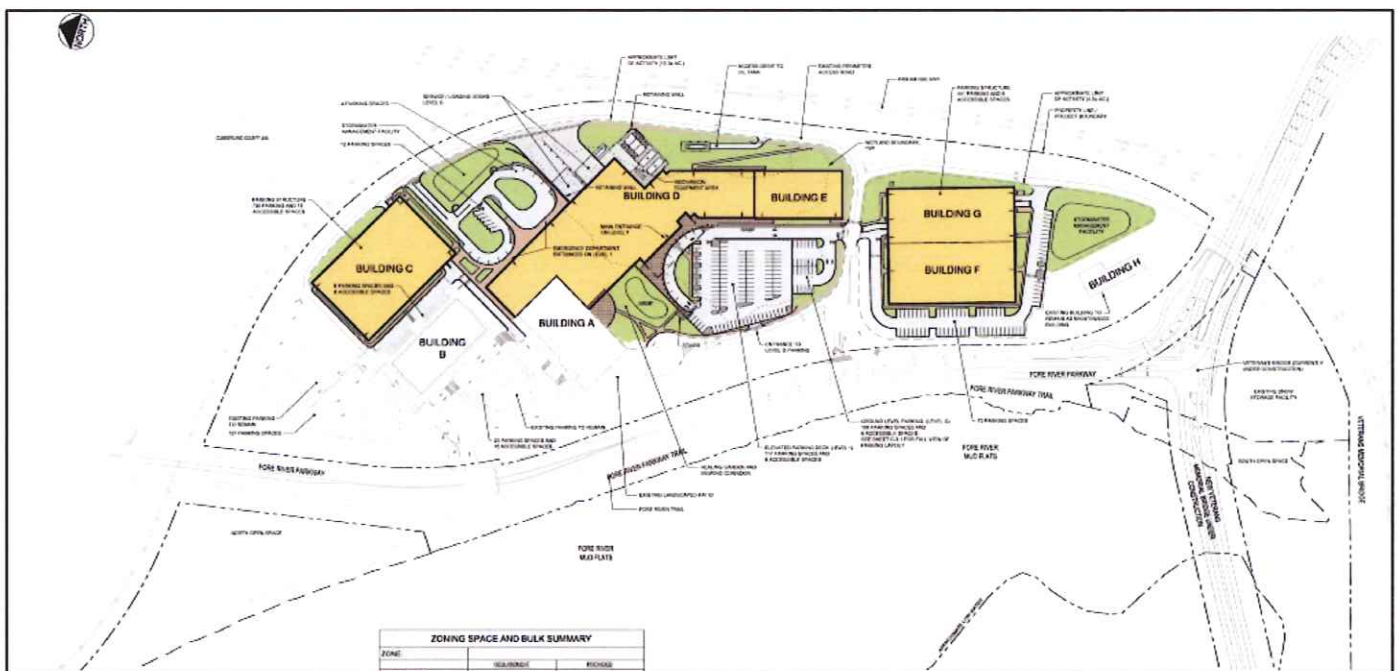
The proposed amendments do not alter the vehicular access and northern Phase 1 area, but include the following key changes from the 2001/2006 approved proposals:

- The 3.5 acre central wetland (currently with a public trails around most of it) is filled in and will accommodate a sunken 2-level parking structure;
- The anticipated “final build-out” building footprint increases from 183,335 sf to 219,980 sf and floorspace increases from 433,000 sf to 714,902 sf;
- The southern public open space, already compromised by the new Veterans Bridge alignment, is not functionally integrated.

Required reviews: The proposal has been submitted as a request to amend the 2001 CZA as based on earlier staff advice. The detailed submission raises a number of questions regarding whether an amended CZA is required, or whether the applicant could proceed directly to a level III site plan application that includes an updated master plan and the next phase of development.

III. PROPOSED AMENDED CONCEPTUAL MASTER PLAN

The proposals are described in Attachment X, which focuses on the conceptual “Overall Site Plan” (Plan X) as below:



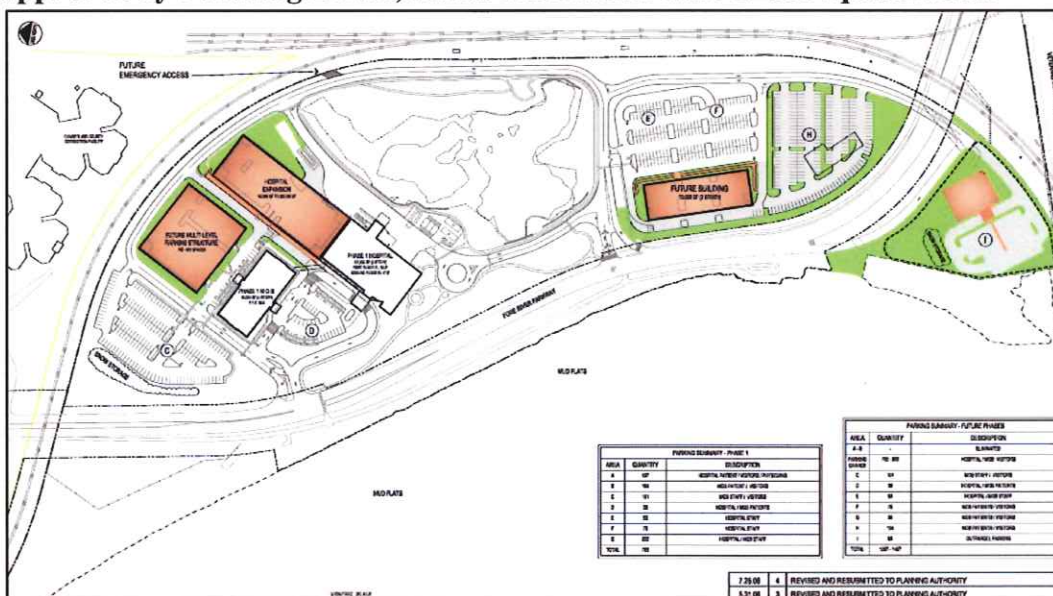
The “Overall Site Plan” (and possibly the other two submitted plans re drainage, grading and utilities) are proposed to replace the 2001 Conceptual Master Plan attached to the CZA. The conceptual submitted plans are supported by the detailed plans (from the MDEP SLOP permitting package) showing the detail for the full build out. The detailed proposals have not been reviewed, and the phasing of the elements and parking is not clear (though described on page x of Attachment X). It is assumed that the stormwater system was considered closely as part of the MDEP review and approval of the amended SLOD, and the need for an amendment to the TMP would need to be assessed as part of an updated master plan and at the site plan stage for the next construction phase (see Section V below).

For comparison, the “Conceptual Master Plans” as approved in 2001 (CZA) and the 2006 (Master plan as approved with Site Plan) are inserted below:

2001 CZA “Conceptual Master Plan”:



2006 Master Plan, Plan of Future Phases in color (phase 1 as complete and not colored), as approved by Planning Board, but in accordance with CZA requirements:



A comparison of the underlying data for the three “Conceptual” plans for full build out (2001, 2006 and

2014) was submitted by the applicant (Attachment X) with key data extracted below:

Site Data	2001	2006	2014
Usable site (taking account loss for roads/bridges and adding in filled pond area in 2014)	25.46 acres	24.91 acres	28.32 acres
Building footprint	183,335 sf	128,000 sf	219,980 sf
Building floorspace			
Parking	1251 surface spaces	1467, some in garage	1760, more in garage
Impervious surface (acres)	Approx 22 acres	Approx 13 acres	Approx 18 acres

IV. 2001 CZA PROVISIONS REGARDING WHETHER AN AMENDED CZA IS NEEDED AND FRAMEWORK FOR UPDATING THE MASTER PLAN

The 2001 CZA is included at Attachment X and includes the following headings. Staff understand that the text was drafted to provide flexibility as the development progressed.

- Permitted uses
- Open Spaces, trails and associated easements/access
- Development standards including: design; landscaping; pedestrian orientation; vehicle access and circulation; preservation of natural features; signs; master plan
- Dimensional requirements

As is commonly included in Conditional Rezoning documents, there is a provision that the development would be developed substantially in accordance with the “Conceptual Master Plan” (Plan X and as above) as quoted below:

*After 9 The **PROPERTY** shall be developed substantially in accordance with the conceptual master plan shown on Attachment 2, provided, however, that each building, whether classified as a major or minor development, shall be subject to site plan review by the Planning Board, and if applicable, subdivision review by the Planning Board. Any site plan review applications shall fully comply with the detailed site plan application requirements contained in article V (site plan) of the Land Use Code. The Planning Board may permit deviations from the conceptual master plan, as long as the deviations are consistent with the purposes of this Agreement.*

The threshold question that would determine whether or not the current proposals require an amendment to the 2001 CZA is whether or not the Planning Board considers they are “substantially in accordance” with the Conceptual Master Plan. The Planning Board has considerable jurisdiction to permit “deviations” and are requested to make a determination as to whether an amended CZA is necessary.

As listed above and evident in comparing the “full build out” plans above, it appears that the most significant changes from the 2001 Conceptual Master Plan are the loss of the central pond, the increase in building footprint and floorspace, and the “marginalization” of the southern open space. Each of these modifications has implications which would need to be addressed in any case by an updated Master Plan, Site Plans and TMP assessment for each construction phase (see **Section V** below for staff analysis of these and several of the other amendments).

These changed features are not identified specifically in the text of the CZA, although para 10f refers to the pond area:

Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands; provided any such program shall consider and be sensitive to the need to preserve such natural features.

The proposals appear to include larger buildings, and that is covered, along with other issues, in the CZA provision that requires a Master Plan document:

10 i Master plan: *Prior to development on the PROPERTY, MERCY shall provide a master plan of the campus. The master plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions; and such other information necessary and sufficient to ensure compliance with the standards in this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time.*

A Master Plan to address this provision was submitted for review and approval in 2006 in association with the site plan for Phase 1 hospital and MOB. The Master Plan was approved with 18 pages of text and seven “schematics” based on the total build out and covering:

- Phase 1 and Future Phases;
- Service and Bus Circulation Routes;
- Visitors/Staff Circulation Routes;
- Landscape and Open Space, including future phases concept planting plan;
- Utility Schematic;
- Private development restrictions which included design guidelines.

Since then the Land Use Ordinance for Site Plans has been amended to include provision for Master Plans that allow phasing of development for up to 6 years. The new standards are similar to the “headings” in the mercy 2001 CZA (and the approved Master Plan was very detailed), but includes additional requirements for a neighborhood meeting and more extensive modelling/graphic 3d analysis.

Once the Board determines whether the proposed amendments require an amended CZA, a second key question is whether the updating of the Master Plan should address the original CZA requirements or the new Site Plan ordinance requirements. Staff recommend that the updated master plan follow the format of the 2006 Master Plan since many of the issues anticipated in the recent Site Plan Ordinance Master Plan provision have already been addressed, though additional information should be provided to address the issues identified below. An updated Master Plan would most likely be submitted together with the Site Plan application for the first phase of new construction.

V. ANALYSIS OF AMENDMENTS

Staff have reviewed the amended development and suggest the following key issues result from the amendments and need to be addressed in the updated Master Plan and future Site Plans for each construction phase (over and above basic infrastructure issues such as stormwater and revised landscape).

Amendment	Issues
Loss of the 3.5 acre central pond and associated public trail	The retention of the central pond was a key component of the original layout and its preservation was considered very important by the MDEP at that time. Portland Trails have a license for a publicly accessible trail around most of the pond. It is understood that the MDEP have recently approved the filling of this pond but will require mitigation in the form of a large fee to the MDEP which may not be used for any wetland mitigation in Portland. Staff suggest that some compensatory amenity should be included on the Mercy site, eg the enhancement of the southern open space (see below).
Increase in building footprint (183,335 sf to 219,980 sf) & floorspace (433,000 sf to	The 2001 CZA included provisions (para 3 and 10a) that the development would be in a “campus-like setting” and have a “unified design” with features such as open spaces, jogging and walking trails, gardens and benches. The proposed larger and closer buildings potentially could erode this character and limit the amenities. The Master Plan should include illustrations etc to show how CZA objectives would be met with larger building program, including the way the development addresses the Fore River Parkway, and the current “Private Development Restrictions” may need updating.

714,902 sf) Amendment	Issues
Southern open space “marginalized”	The southern public open space was previously an area between a development parcel and the Fore River and was expected to be dedicated to public use and enjoyment. The development parcel was given interim approval for a snow dump pending building construction. The “land take” for the new Veterans Bridge alignment has left the triangle of Mercy land between the railroad and the new Veteran's Bridge undevelopable, and it is no longer shown for an office building and is indicated to continue as a snow dump in winter. The area would make an attractive public open space and the new Veterans Bridge layout would allow for it to be connected to the trail system along the Fore River as well as link to the interior Mercy pedestrian system. This provision would offset the loss of the pond and trail. The master plan update should consider what recreational uses might be appropriate and confirm the functional integration of the southern triangle site.
Increase in trip generation	The 2002 TMP allowed for a level of trip generation as associated with the 2001 anticipated (lower) floorspace development. The 2006 (now constructed) phase 1 development was well below that level, but the next phase of the amended development may trigger an amendment to the TMP. Tom Errico, Traffic Engineering reviewer, has advised that the updated Master Plan should include estimates of traffic generation and capacity analyses of the two drive entrances to the site (Attachment X). The increased scale of development will be taking place in the context of likely traffic changes in the vicinity (eg Thompson Point) and the Master Plan needs to confirm that the proposed build out is feasible in terms of the existing traffic infrastructure.
Increase in parking provision with 2/3 in structured parking garage	The submitted data summary (Attachment X) suggests that the final build out would require 1760 parking spaces, and it is proposed that 1200 of these would be in structured parking. The proposals have not confirmed that the structured parking would be constructed as part of the next construction phase. During the review of the phase 1 development (now constructed) there was a staff concern that the parking provision (all surface) would not meet the total demand and TDM proposals were identified to help reduce parking demand and a monitoring condition was also included. Extensive surface parking was allowed on the future development parcels pending development. Mr Errico has identified the need for a preliminary analysis of parking demand as part of the updated Master Plan (Attachment X). The phasing of the amended build-out and associated parking (with screening landscape) should be clarified. The role of TDM should also be clarified in this context.
Retention of the maintenance building (Building H on Plan X)	<p>In 2008 Mercy decided to convert an existing metal framed building on the site to a maintenance building for an area that was shown on the 2006 master plan as for parking for a future large building. The building did not conform to the overall “development restrictions” and the site plan approval included the following condition:</p> <p><i>That the applicant shall submit a Site Plan application for its proposals for providing a permanent maintenance facility (ie one that meets Contract Zone Agreement design standards and allows for the removal or alteration of the maintenance facility to be in compliance with the CZA design standards) either in conjunction with the next Site Plan application for development on the Mercy Fore River site which would be reviewed by the Planning Board, or by April 1, 2018, whichever is the sooner;</i></p> <p>The amended proposals show the retention of this maintenance building although it was considered in 2008 to be an “interim accessory structure” and not reviewed as a permanent building. The retention of this building will need further consideration and it should at least be included in the next site plan application.</p>

Once the process for the review is agreed, the following subjects (linked to the analysis above) are suggested for further Workshop discussion based on additional information from the applicant:

- Phasing the new “phase 2”
- Traffic analysis including traffic, pedestrians/bicyclists, public transit, TDM
- Amenities, open space, trails, landscape etc in the “campus-like” setting including southern open space and screening of surface parking areas
- Stormwater systems
- Architecture and design issues including maintenance building

VI. NEXT STEPS

Suggested next steps include:

- Planning Board to determine whether the amended “Conceptual Master Plan” requires an amended CZA that must be approved by the City Council;
- Planning Board to clarify the framework for updating the Master Plan (CZA provisions or Site Plan ordinance or CZA provisions with some additional items requested);
- Determine subjects and sequence/timing for future PB workshops.

ATTACHMENTS *[not yet sorted out]*

requirements in the CZA. Staff recommend that the updated master plan follow the format of the 2006 Master Plan since many of the issues anticipated in the recent Site Plan Ordinance Master Plan provision have already been addressed, though additional information should be provided to address the issues identified below. An updated Master Plan would most likely be submitted together with the Site Plan application for the first phase of new construction.

V. ANALYSIS OF AMENDMENTS

Staff have reviewed the amended development and suggest the following key issues result from the amendments and need to be addressed in the updated Master Plan and future Site Plans for each construction phase (over and above basic infrastructure issues such as stormwater and revised landscape).

Amendment	Issues
Loss of the 3.5 acre central pond and associated public trail	The retention of the central pond was a key component of the original layout and its preservation was considered very important by the MDEP at that time. Portland Trails have a license for a publicly accessible trail around most of the pond. It is understood that the MDEP have recently approved the filling of this pond but will require mitigation in the form of a large fee to the MDEP which may not be used for any wetland mitigation in Portland. Staff suggest that some compensatory amenity should be included on the Mercy site, eg the enhancement of the southern open space (see below).
Increase in building footprint (183,335 sf to 219,980 sf) & floorspace (433,000 sf to 714,902 sf)	The 2001 CZA included provisions (para 3 and 10a) that the development would be in a “campus-like setting” and have a “unified design” with features such as open spaces, jogging and walking trails, gardens and benches. The proposed larger and closer buildings potentially could erode this character and limit the amenities. The Master Plan should include illustrations etc to show how CZA objectives would be met with larger building program, including including the way the development addresses the Fore River Parkway, and the current “Private Development Restrictions” may need updating.
Amendment	Issues
Southern buildable site reduced , open space opportunity “marginalized”	The southern public open space was previously an area between a development parcel and the Fore River and was expected to be dedicated to public use and enjoyment. The development parcel was given interim approval for a snow dump pending building construction. The “land take” for the new Veterans Bridge alignment has left the triangle of Mercy land between the railroad and the new Veteran's Bridge undevelopable, and it is no longer shown for an office building and is indicated to continue as a snow dump in winter. The area would make an attractive public open space and the new Veterans Bridge layout would allow for it to be connected to the trail system along the Fore River as well as link to the interior Mercy pedestrian system. This provision would offset the loss of the pond and trail. The master plan update should consider what recreational uses might be appropriate and confirm the functional integration of the southern triangle site.
Increase in trip generation	The 2002 TMP allowed for a level of trip generation as associated with the 2001 anticipated (lower) floorspace development. The 2006 (now constructed) phase 1 development was well below that level, but the next phase of the amended development may trigger an amendment to the TMP requiring MDOT's review . Tom Errico, Traffic Engineering reviewer, has advised from the City's perspective that the updated Master Plan should include estimates of traffic generation and capacity analyses of the two drive entrances to the site (Attachment X). The increased scale of development will be taking place in the context of likely traffic changes in the vicinity (eg Thompson Point), † and the Master Plan needs to confirm that the proposed build out is feasible in terms of the existing traffic infrastructure.
Increase in parking provision with 2/3 in structured parking garage	The submitted data summary (Attachment X) suggests that the final build out would require 1760 parking spaces, and it is proposed that 1200 of these would be in structured parking. The proposals have not confirmed that the structured parking would be constructed as part of the next construction phase. During the review of the phase 1 development (now constructed) there was a staff concern that the parking provision (all surface) would not meet the total demand and TDM proposals were identified to help reduce parking demand and a monitoring condition was also included. Extensive surface parking was allowed on the future development parcels pending development. Mr Errico has identified the need for a preliminary analysis of parking demand as part of the updated Master Plan (Attachment X). The phasing of the amended build-out and associated parking (with screening landscape) should be clarified. The role of TDM should also be clarified in this context.

B. ~~Policy~~ ~~Policy~~ ~~C. Board~~ Board's Guidance on Review Framework

The threshold questions for the Planning Board are ~~that would determine~~ whether or not the current proposals require an amendment to the 2001 CZA ~~is whether or not the Planning Board considers they are as being in~~ "substantially in accordance" with the Conceptual Master Plan and related to this is whether ~~revisions to the master plan are contemplated within the agreement and could be reviewed through the development review process.~~ The Planning Board has considerable jurisdiction to permit "deviations" and are requested to make a determination as to whether an amended CZA is necessary.

As listed above and evident in comparing the "full build out" plans above, it appears that the most significant changes from the 2001 Conceptual Master Plan are the loss of the central pond, the increase in building footprint and floorspace, and the "marginalization" of the southern open space. Each of these modifications has implications which would need to be addressed in any case by an updated Master Plan, Site Plans and TMP assessment for each construction phase (see Section V below for staff analysis of these and several of the other amendments).

These changed features are not identified specifically in the text of the CZA, although para 10f refers to the pond area:

Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands; provided any such program shall consider and be sensitive to the need to preserve such natural features.

~~The proposals appear to include larger buildings, and that is covered, along with other issues, in the CZA provision that requires a Master Plan document:~~

~~**10 i**—**Master plan:** Prior to development on the PROPERTY, MERCY shall provide a master plan of the campus. The master plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation; architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions; and such other information necessary and sufficient to ensure compliance with the standards in this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time.~~

A Master Plan to address ~~this the~~ provision ~~cited above~~ was submitted for review and approval in 2006 in association with the site plan for Phase 1 hospital and MOB. The Master Plan was approved with 18 pages of text and seven "schematics" based on the total build out and covering:

- Phase 1 and Future Phases;
- Service and Bus Circulation Routes;
- Visitors/Staff Circulation Routes;
- Landscape and Open Space, including future phases concept planting plan;
- Utility Schematic;
- Private development restrictions which included design guidelines.

Since then the Land Use Ordinance for Site Plans has been amended to include provision for Master Plans that allow phasing of development for up to 6 years. The new standards are similar to the "headings" in the mercy 2001 CZA (and the approved Master Plan was very detailed), but includes additional requirements for a neighborhood meeting and more extensive modelling/graphic 3d analysis.

~~Once Upon the Board's guidance on determines~~ whether or not the proposed amendments require an amended CZA, a second key question is whether the updating of the Master Plan should address the original CZA requirements or the new Site Plan ordinance requirements. ~~(Excerpt the master plan~~

A comparison of the underlying data for the three “Conceptual” plans for full build out (2001, 2006 and 2014) was submitted by the applicant (Attachment X) with key data extracted below:

Site Data	2001	2006	2014
Usable site (taking account loss for roads/bridges and adding in filled pond area in 2014)	25.46 acres	24.91 acres	28.32 acres
Building footprint	183,335 sf	128,000 sf	219,980 sf
Building floorspace			
Parking	1251 surface spaces	1467, some in garage	1760, more in garage
Impervious surface (acres)	Approx 22 acres	Approx 13 acres	Approx 18 acres

Threshold Question - Conceptual Master Plan, Approved

IV. ^{for} **2001 CZA PROVISIONS REGARDING MASTER PLAN, AND OPTIONS FOR REVIEW**
WHETHER AN AMENDED CZA IS NEEDED AND FRAMEWORK FOR UPDATING
THE MASTER PLAN

A. ^{2001 CZA Provision} ~~CZA 2001 CZA Provision~~

The 2001 CZA is included at Attachment X and includes the following headings listed below. Staff understand that the text was drafted to provide flexibility as the development progressed.

- Permitted uses
- Open Spaces, trails and associated easements/access
- Development standards including: design; landscaping; pedestrian orientation; vehicle access and circulation; preservation of natural features; signs; master plan
- Dimensional requirements

As is commonly included in Conditional Rezoning documents, there is a provision that the development would be developed substantially in accordance with the “Conceptual Master Plan” (Plan X and as above) as quoted below:

*After 9 The **PROPERTY** shall be developed substantially in accordance with the conceptual master plan shown on Attachment 2, provided, however, that each building, whether classified as a major or minor development, shall be subject to site plan review by the Planning Board, and if applicable, subdivision review by the Planning Board. Any site plan review applications shall fully comply with the detailed site plan application requirements contained in article V (site plan) of the Land Use Code. The Planning Board may permit deviations from the conceptual master plan, as long as the deviations are consistent with the purposes of this Agreement.*

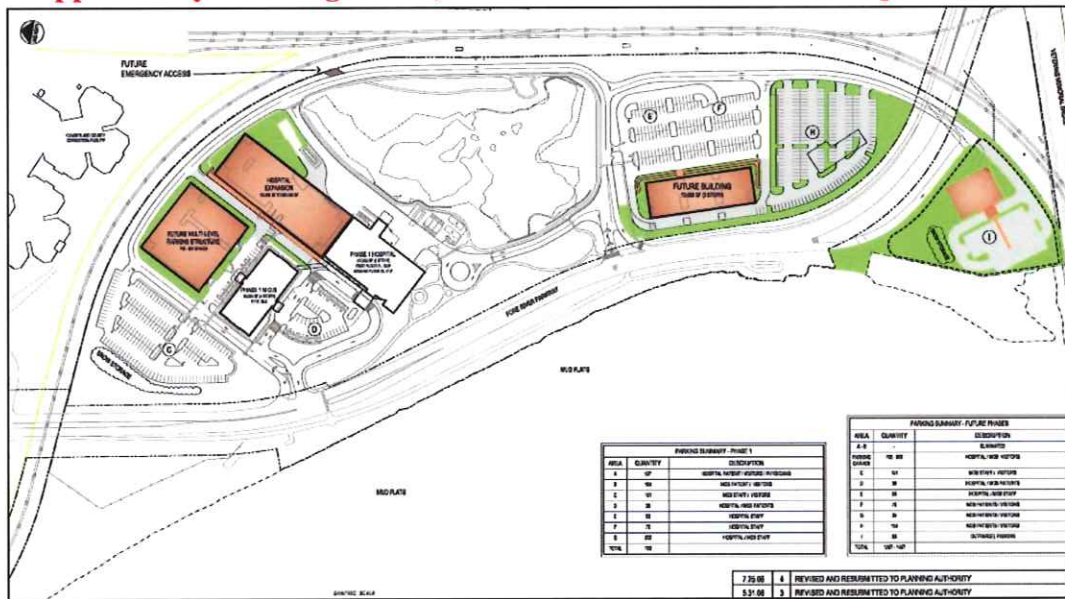
In addition, the CZA includes a provision that the hospital must prepare a master plan for the hospital campus and the provision contemplates revisions to the master plan over time. The requirement is as follows:

10 i Master plan: Prior to development on the PROPERTY, MERCY shall provide a master plan of the campus. The master plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions; and such other information necessary and sufficient to ensure compliance with the standards in this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time.

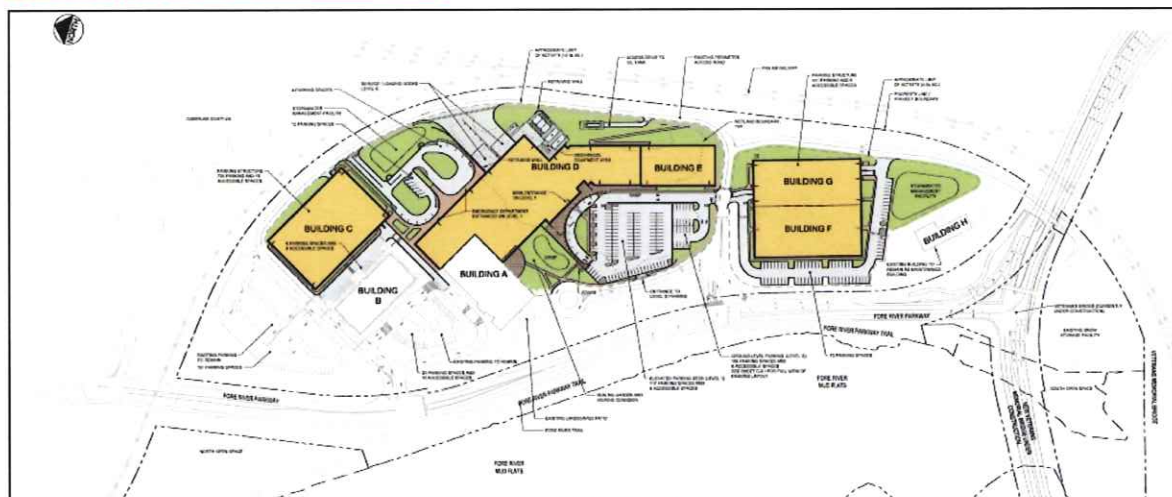
2001 CZA "Conceptual Master Plan":



2006 Approved Master Plan, Plan of Future Phases in color (phase 1 as complete and not colored), as approved by Planning Board, but in accordance with CZA requirements:



2014 Proposed Overall Site Plan



Notices have been sent to XXX property owners and interested citizens in the vicinity of the project and a legal advertisement was published in the XX and XX, 2014 editions of the *Portland Press Herald*. No public comment has been received to date.

II. PREVIOUS APPROVALS AND BACKGROUND

The previous permitting for this site is outlined below (see Attachment X for details):

- 2001- City Council approved CZA with an attached Conceptual Master Plan (single plan)
- 2001-2002 TMP and MDEP permits obtained by Mercy
- 2006- Planning Board approved the Phase 1 (Hospital and Medical Office building with associated parking and landscaping) and a Master Plan document (text and several plans complying with CZA requirements- plans included in Attachment X);
- 2007-2010- Numerous amendments to the 2006 Site Plan approval relating to the maintenance building, trails and open space, and building/siting amendments
- 2010-2013- Veterans Bridge design necessitated reconfiguration of Fore River parkway and southern open space (see elvshmg plans)
- 2012-2014 MDEP amendment to Site Location of Development Act (SLODA) permit obtained by Mercy

The proposed amendments do not alter the vehicular access and northern Phase 1 area, but include the following key changes from the 2001/2006 approved proposals:

- The 3.5 acre central wetland (currently with a public trails around most of it) is filled in and will accommodate a sunken 2-level parking structure;
- The anticipated “final build-out” building footprint increases from 183,335 sf to 219,980 sf and floor space increases from 433,000 sf to 714,902 sf;
- The southern public open space, already compromised by the new Veterans Bridge alignment, is not functionally integrated.

Required reviews: The proposal has been submitted as a request to amend the 2001 CZA as based on earlier staff advice. The detailed submission raises a number of questions regarding whether an amended CZA is required, or whether the applicant could proceed directly to a level III site plan application that includes an updated master plan and the next phase of development. This jurisdictional question will be discussed in more detail below and the planning staff are seeking the Board’s guidance

III. PROPOSED AMENDED CONCEPTUAL MASTER PLAN

The proposals are described in Attachment X, and focus on the conceptual “Overall Site Plan” (Plan X), which is presented on page 3. as below. The “Overall Site Plan” (and possibly the other two submitted plans re drainage, grading and utilities) are proposed to replace the 2001 Conceptual Master Plan attached to the CZA. The conceptual ~~submitted~~ plans are supported by the detailed plans (from the MDEP ~~SLOP~~ SLODA permitting package) showing the detail for the full build out. The detailed proposals have not been reviewed, and the phasing of the elements and parking ~~is are~~ not clear (though described on page x of Attachment X). ~~It is assumed that the~~ The revised stormwater system was considered ~~elosely~~ as part of the MDEP review and approval of the amended SLODA, ~~and the~~ The need for an amendment to the Traffic Movement Permit (TMP), which was reviewed and granted by the Maine Department of Transportation (MDOT) would need to be assessed as part of an updated master plan and at the site plan stage for the next construction phase (see Section V below).

For comparison, the “Conceptual Master Plans” as approved in 2001 (CZA) and the 2006 (Master plan as approved with Site Plan) and the proposed Overall Site Plan are inserted below:



**Memorandum
Department of Planning and Urban Development
Planning Division**

TO: Stuart O'Brien, Chair and Members of the Portland Planning Board
FROM: Jean Fraser, Planner
DATE: August 22nd, 2014
RE: **Amendment to Conditional Zoning Agreement for Mercy (Hospital) at the Fore
175-195 Fore River Parkway**
Mercy Hospital, Applicant
Project #2014-124
CBL 073-A001001

MEETING DATE: August 26th, 2014

I. INTRODUCTION

Mercy Hospital has applied for an amendment to the 2001 Conditional Zoning Agreement (CZA) to allow for a revised and larger development program for the next phase of development on this 42 acre site on the Fore River. The applicant has not proposed any revised wording for the CZA and has submitted three plans (Plans P1-P3) as potential amended "Conceptual Master Plans" for attachment to the CZA.

The 2001 CZA (in Attachment X) allowed rezoning from I-H to a range of permitted uses that included medical and many other uses (eg restaurants and retail, dwellings, hotels) as long as they were functionally related to the medical uses. It contains one "Conceptual Master Plan" as an attachment. One of the conditions of the agreement was a requirement that Mercy Hospital prepare a master plan.

The Master Plan and the Phase 1 Mercy development for a hospital and medical office building (-MOB) (the MOB is not in Mercy ownership) was were approved in 2006 and construction was completed in 2008. The MOB is under separate ownership and since then recently the hospital has joined with Eastern Maine Healthcare Systems (EMHS). and Mercy has re-evaluated their strategy for consolidating the hospital at the Fore River Site (leaving the State Street site) and the potential build-out of the site. Their need for a larger building program prompted the proposal to fill in the 3.5 acre wetland in the center of the site. This required MDEP permits as at the time of the original CZA the pond was required (by MDEP) to be preserved.

The MDEP issued a permit for the filling of the pond and amended layout in early 2013 and Mercy would like to proceed in 2014/2015 with the hospital expansion (250,000 sq ft) and an Ambulatory Care Center (72,000 sq ft); two medical office buildings are indicated for future development. Structured parking, stormwater management systems and site amenities are proposed as part of the final build out, but the application does not clarify when these are intended to be constructed.

This Memorandum aims to:

- Clarify the current proposals in terms of comparison with what was previously permitted;
- Clarify the 2001 CZA provisions regarding the Planning Boards jurisdiction for reviewing the proposed amendments and whether an amended CZA is necessary (noting issues related to the framework for updating the Master Plan);
- Analyze the proposed amendments and identify issues to be addressed; and
- Clarify what further Workshops are needed.

ATTACHMENTS *[not yet sorted out]*

Retention of the maintenance building (Building H on Plan X)	<p>In 2008 Mercy decided to convert an existing metal framed building on the site to a maintenance building for an area that was shown on the 2006 master plan as for parking for a future large building. The building did not conform to the overall “development restrictions” and the site plan approval included the following condition:</p> <p><i>That the applicant shall submit a Site Plan application for its proposals for providing a permanent maintenance facility (ie one that meets Contract Zone Agreement design standards and allows for the removal or alteration of the maintenance facility to be in compliance with the CZA design standards) either in conjunction with the next Site Plan application for development on the Mercy Fore River site which would be reviewed by the Planning Board, or by April 1, 2018, whichever is the sooner;</i></p> <p>The amended proposals show the retention of this maintenance building although it was considered in 2008 to be an “interim accessory structure” and not reviewed as a permanent building. The retention of this building will need further consideration and it should at least be included in the next site plan application.</p>
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Once the process for the review is agreed, the following subjects (linked to the analysis above) are suggested for further Workshop discussion based on additional information from the applicant:

- Phasing the new “phase 2”
- Traffic analysis including traffic, pedestrians/bicyclists, public transit, TDM
- Amenities, open space, trails, landscape etc in the “campus-like” setting including southern open space and screening of surface parking areas
- Stormwater systems
- Architecture and design issues including maintenance building

VI. NEXT STEPS

Suggested next steps include:

- Planning Board ~~to determine~~ provide guidance on whether the amended “Conceptual Master Plan” requires an amended CZA that must be approved by the City Council;
- Planning Board to clarify the framework for updating the Master Plan (CZA provisions or Site Plan ordinance or CZA provisions with some additional items requested);
- Determine subjects and sequence/timing for future PB workshops.

Suggested next steps include:

- Planning Board to determine whether the amended “Conceptual Master Plan” requires an amended CZA that must be approved by the City Council;
- Planning Board to clarify the framework for updating the Master Plan (CZA provisions or Site Plan ordinance or CZA provisions with some additional items requested);
- Determine subjects and sequence/timing for future PB workshops.

ATTACHMENTS:

Staff Review comments

1. Traffic Engineering Review comments 8.20.2014

Public comments (none at the time PB Memo completed)

Applicant’s Submittal

- A. FST Cover letter 7.7.2014
- B. CZA Application
- C. Development Description
- D. Copy of 2001 Contract Zoning Agreement
- E. FST Cover letter re Comparison Table 8.18.2014
- F. Master Plan Data Comparison Table (2001/2006/2014)
- G. State Permits 2013
- H. History of Permitting

Plans

- P1. 2001 Conceptual Master plan (part of CZA)
- P2. 2006 Master Plan- Extract of Plans
- P3. 2014 Existing Conditions
- P4. 2014 Existing areas and associated data
- P5. Proposed Overall Site Plan
- P6. Proposed Overall Grading and Drainage Plan
- P7. Proposed Overall Utility Plan
- P8. (Supporting info) 2012 MDEP submitted amended detailed site development plans



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I. INTRODUCTION

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The 2001 CZA (in Attachment D) allowed rezoning from I-H to a range of permitted uses that included medical and many other uses (eg restaurants and retail, dwellings, hotels) as long as they were functionally related to the medical uses. It contains one "Conceptual Master Plan" as an attachment (also attached in Plan P1). One of the conditions of the agreement was a requirement that Mercy Hospital prepare a Master Plan.

The Master Plan and the Phase 1 Mercy development for a hospital and medical office building (MOB) were approved in 2006 and construction was completed in 2008. The MOB is under separate ownership and recently the hospital has joined with Eastern Maine Healthcare Systems (EMHS). Mercy has re-evaluated their strategy for consolidating the hospital at the Fore River Site (leaving the State Street site) and the potential build-out of the site. Their need for a larger building program prompted the proposal to fill in the 3.5 acre wetland in the center of the site. This required MDEP permits as at the time of the original CZA, the pond was required (by MDEP) to be preserved.

The MDEP issued a permit for the amended layout and filling of the pond in early 2013 (Attachment G) and Mercy would like to proceed in 2014/2015 with the hospital expansion (250,000 sq ft) and an Ambulatory Care Center (72,000 sq ft); two medical office buildings are indicated for future development. Structured parking, stormwater management systems and site amenities are proposed as part of the final build out, but the application does not clarify when these are intended to be constructed.

This Memorandum aims to:

- Clarify the current proposals in terms of comparison with what was previously permitted;
- Clarify the 2001 CZA provisions regarding the Planning Boards jurisdiction for reviewing the proposed amendments and whether an amended CZA is necessary (noting issues related to the framework for updating the Master Plan);
- Analyze the proposed amendments and identify issues to be addressed; and
- Clarify what further Workshops are needed.

Notices have been sent to 66 property owners and interested citizens in the vicinity of the project and a legal advertisement was published in the August 18 and 19, 2014 editions of the *Portland Press Herald*. No public comment has been received to date.

II. PREVIOUS APPROVALS AND BACKGROUND

The previous permitting for this site is outlined below (see Attachment H for details):

- ck
- 2001- City Council approved CZA with an attached Conceptual Master Plan (single plan)
 - ~~2001~~ 2001-2002 TMP and MDEP permits obtained by Mercy
 - 2006- Planning Board approved the Phase 1 (Hospital and Medical Office building with associated parking and landscaping) and a Master Plan document (text and several plans complying with CZA requirements- plans included in Plan P2);
 - 2007-2010- Numerous amendments to the 2006 Site Plan approval relating to the maintenance building, trails and open space, and building/siting amendments
 - 2010-2013- Veterans Bridge design necessitated reconfiguration of Fore River parkway and southern open space (Existing conditions plans included at Plan P3 and Plan P4)
 - 2012-2013 MDEP amendment to Site Location of Development Act (SLODA) permit obtained by Mercy

The proposed amendments do not alter the vehicular access, the northern open space, nor the northern part of the Phase 1 area, but include the following key changes from the 2001/2006 approved proposals:

- The 3.5 acre central wetland (currently with a public trails around most of it) is filled in and will accommodate a sunken 2-level parking structure;
- The anticipated “final build-out” building footprint increases from 183,335 sf to 219,980 sf and floor space increases from 433,000 sf to 714,902 sf;
- The southern public open space, already compromised by the new Veterans Bridge alignment, is not functionally integrated.

Required reviews: The proposal has been submitted as a request to amend the 2001 CZA as based on earlier staff advice. The detailed submission raises a number of questions regarding whether an amended CZA is required, or whether the applicant could proceed directly to a level III site plan application that includes an updated Master Plan and the next phase of development. This jurisdictional question will be discussed in more detail below and the planning staff are seeking the Board’s guidance

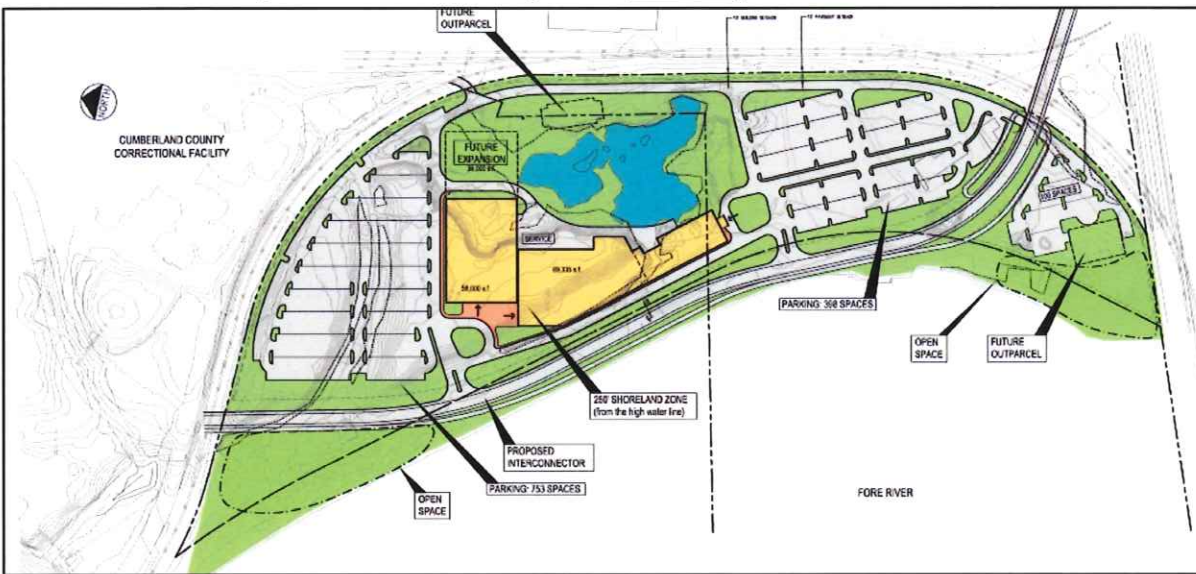
III. PROPOSED AMENDED CONCEPTUAL MASTER PLAN

The proposals are described in Attachment C, and focus on the conceptual “Overall Site Plan” (Plan P5), which is presented on page 3. The “Overall Site Plan” (and the other two submitted plans re drainage, grading and utilities in Plans P6 and P7) are proposed to replace the 2001 Conceptual Master Plan attached to the CZA. The conceptual plans are supported by the detailed plans (from the MDEP SLODA permitting package) showing the detail for the full build out (Plan P8). The detailed proposals have not been reviewed, and the phasing of the elements and parking are not clear (though described on page 4 of Attachment C).

The revised stormwater system was considered as part of the MDEP review and approval of the amended SLODA (Attachment G). The need for an amendment to the Traffic Movement Permit (TMP), which was reviewed and granted by the Maine Department of Transportation (MDOT) in 2002, would need to be assessed as part of an updated Master Plan and at the site plan stage for the next construction phase (see **Section V** below).

For comparison, the “Conceptual Master Plans” as approved in 2001 (CZA), as part of the 2006 (Master Plan as approved with Site Plan), and the proposed 2014 Overall Site Plan are inserted below:

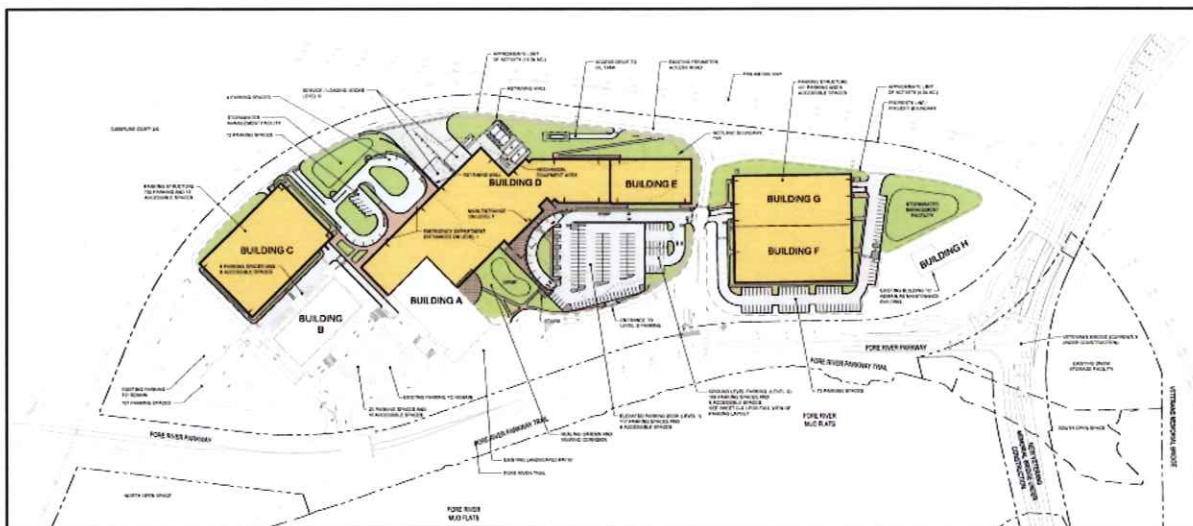
2001 CZA "Conceptual Master Plan" (also in Plan P1):



2006 Approved Master Plan, Plan of Future Phases: (also in Plan P2) Future phases in color, and Phase 1 as complete and not colored



2014 Proposed Overall Site Plan (also in Plan P5):



A comparison of the underlying data for the three “Conceptual” plans for full build out (2001, 2006 and 2014) was submitted by the applicant (Attachment F) with key data extracted below in Table 1:

Table 1

Site Data	2001	2006	2014
Usable site (taking account loss for roads/bridges and adding in filled pond area in 2014)	25.46 acres	24.91 acres	28.32 acres
Building footprint	183,335 sf	128,000 sf	219,980 sf
Building floorspace	433,000 sf	544,902 sf	714,902 sf
Parking	1251 surface spaces	1467, some in garage	1760, more in garage
Impervious surface (acres)	Approx 22 acres	Approx 13 acres	Approx 18 acres

IV. THRESHOLD QUESTIONS REGARDING THE 2001 CZA PROVISIONS AND THE REVIEW FRAMEWORK FOR THE AMENDMENTS

A. 2001 CZA Provisions

The 2001 CZA is included at Attachment D and includes the headings listed below. Staff understand that the text was drafted to provide flexibility as the development progressed.

- Permitted uses → add from BB.
- Open Spaces, trails and associated easements/access
- Development standards including: design; landscaping; pedestrian orientation; vehicle access and circulation; preservation of natural features; signs; Master Plan
- Dimensional requirements

As is commonly included in Conditional Rezoning documents, there is a provision that the development would be developed substantially in accordance with the “Conceptual Master Plan” (Plan P1 and as above) as quoted below:

*After 9 The **PROPERTY** shall be developed substantially in accordance with the conceptual Master Plan shown on Attachment 2, provided, however, that each building, whether classified as a major or minor development, shall be subject to site plan review by the Planning Board, and if applicable, subdivision review by the Planning Board. Any site plan review applications shall fully comply with the detailed site plan application requirements contained in article V (site plan) of the Land Use Code. The Planning Board may permit deviations from the conceptual Master Plan, as long as the deviations are consistent with the purposes of this Agreement.*

font { In addition, the CZA includes a provision that the hospital must prepare a Master Plan for the hospital campus and the provision contemplates revisions to the Master Plan over time. The requirement is quoted:

***10 i Master Plan:** Prior to development on the **PROPERTY**, **MERCY** shall provide a Master Plan of the campus. The Master Plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions; and such other information necessary and sufficient to ensure compliance with the standards in this section. Master Plans are dynamic representations that assist in guiding projects through phased development. Master Plans are flexible and adaptable to changes that occur within the development process. The Master Plan shall be subject to periodic revision and update as needed and as phased development occurs over time.*

B. BOARD’S GUIDANCE ON REVIEW FRAMEWORK

The threshold questions for the Planning Board are whether or not the current proposals require an amendment to the 2001 CZA as being in “substantially in accordance” with the Conceptual Master Plan, and related to this is whether the revisions to the Master Plan could be reviewed through the development review process as they are contemplated within the agreement. The Planning Board has considerable jurisdiction to permit “deviations” and are requested to make a decision as to whether an amended CZA is necessary.

As listed above and evident in comparing the “full build out” plans above, it appears that the most significant changes from the 2001 Conceptual Master Plan are:

- The loss of the 3.5 acre central pond, which is described by the MDEP as having wildlife value (Attachment G) and currently is partially ringed by a public Portland Trail;
- An increase in building footprint and floorspace, though the usable site has increased because of the pond filling; and
- The impact on the southerly open space (subject of an easement to the City from Mercy which grants public access for recreational activities during daylight hours), which adjoins the southern development parcel fronting the Fore River. The parcel is now reduced in size due to the Veteran’s Bridge construction and no longer suitable for development, so there is potential for enhanced public open space with improved integration into the site.

includes relevant... These changed features are not identified specifically in the text of the CZA, although para 10a *graph 10* refers to the objective of a “campus-like setting” and para 10f indirectly refers to the pond area:

Para 10a Design relationship to site: *Development proposals shall demonstrate a reasonably unified design of the site in a campus-like setting, including the architecture, the layout of the buildings, pedestrian and vehicular circulation plan, open space, drainage, and the topography, soil conditions, vegetation, and other natural features of the site. Integration of open spaces and natural features shall be achieved by incorporation of outdoor amenities for the benefit of users of the site, such as jogging and walking trails, gardens, and benches. The proposed layout of buildings and uses shall demonstrate compatibility between the buildings and other site features within the site.....*

Para 10f Preservation of natural features: *Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands; provided any such program shall consider and be sensitive to the need to preserve such natural features.*

Each of these modifications has implications which would need to be addressed in any case by an updated Master Plan, Site Plans and TMP assessment for each construction phase (see **Section V** below for staff analysis of these and other aspects of the amendments).

A Master Plan to address the CZA provision cited above was submitted for review and approval in 2006 in association with the site plan for Phase 1 hospital and MOB. The Master Plan was approved with 18 pages of text and seven “schematics” (see Plan P2) and included:

- Phase 1 and Future Phases;
 - Access and Circulation Routes;
 - Landscape and Open Spaces, including future phases concept planting plan;
 - Utility Schematic;
 - Architecture and Private development restrictions which included design guidelines.
- extract in B*

Since then the Land Use Ordinance for Site Plans has been amended to include provision for Master Plans that allow phasing of development for up to 6 years. The new standards are similar to the “headings” in the Mercy 2001 CZA (and the approved Master Plan was very detailed), but includes additional requirements for a neighborhood meeting and more extensive modelling/graphic 3d analysis.

Upon the Board’s guidance on whether or not the proposed amendments require an amended CZA, a second key question is whether the updating of the Master Plan should address the original CZA requirements (excerpted above, 10i of the CZA) or the new Site Plan ordinance requirements. Staff recommend that the updated Master Plan follow the format of the 2006 Master Plan since many of the issues anticipated in the recent Site Plan Ordinance Master Plan provision have already been addressed, though additional information should be provided to address the issues identified below. An updated Master Plan would most likely be submitted together with the Site Plan application for the first phase of new construction.

V. ANALYSIS OF AMENDMENTS

Staff have reviewed the amended development and suggest the following key issues (in Table 2 below) result from the amendments and need to be addressed in the updated Master Plan and future Site Plans for each construction phase (in addition to basic infrastructure issues eg stormwater and revised landscape).

Table 2

Amendment	Issues
Loss of the 3.5 acre central pond and associated public trail	The retention of the central pond was a key component of the original layout and its preservation was considered very important by the MDEP at that time. Portland Trails have a license for a publicly accessible trail around most of the pond. It is understood that the MDEP have recently approved the filling of this pond but will require mitigation in the form of a large fee to the MDEP, ^{it is not known if} which may not be used for any wetland mitigation in Portland. Staff suggest that some compensatory amenity should be included on the Mercy site, eg the enhancement of the southern open space (see below).
Increase in building footprint from 183,335 sf to 219,980 sf; floorspace increases from 433,000 sf to 714,902 sf	The 2001 CZA included provisions (para 3 and 10a) that the development would be in a “campus-like setting” and have a “unified design” with features such as open spaces, jogging and walking trails, gardens and benches. The proposed larger and closer buildings potentially could erode this character and limit the amenities. The Master Plan should include illustrations etc to show how CZA objectives would be met with larger building program, including the way the development addresses the Fore River Parkway, and the current “Private Development Restrictions” may need updating.
Southern buildable site reduced, open space opportunity	The southern public open space was previously an area between a development parcel and the Fore River and was expected to be dedicated to public use and enjoyment. The development parcel was given interim approval for a snow dump pending building construction. The “land take” for the new Veterans Bridge alignment has left the triangle of Mercy land between the railroad and the new Veteran's Bridge undevelopable, and it is no longer shown for an office building and is indicated to continue as a snow dump in winter. The area would make an attractive public open space and the new Veterans Bridge layout would allow for it to be connected to the trail system along the Fore River as well as link to the interior Mercy pedestrian system. This provision would offset the loss of the pond and trail. The Master Plan update should consider what recreational uses might be appropriate and confirm the functional integration of the southern triangle site.
Increase in trip generation	The 2002 TMP allowed for a level of trip generation as associated with the 2001 anticipated (lower) floorspace development. The 2006 (now constructed) phase 1 development was well below that level, but the next phase of the amended development may trigger an amendment to the TMP requiring MDOT’s review. Tom Errico, Traffic reviewer, has advised from the City’s perspective that the updated Master Plan should include estimates of traffic generation and capacity analyses of the two drive entrances to the site (<u>Att. 1</u>). The increased scale of development will be taking place in the context of likely traffic changes in the vicinity (eg Thompson Point), and the Master Plan needs to confirm that the proposed build out is feasible in terms of the existing traffic infrastructure.
Increase in parking provision with 2/3 in structured parking garage	The submitted Master Plan data summary (<u>Attachment F</u>) suggests that the final build out would require 1760 parking spaces, and it is proposed that 1200 of these would be in structured parking. The proposals do not confirm whether the structured parking would be part of the next construction phase. During the review of the phase 1 development (now constructed) staff were concerned that the parking provision (all surface) would not meet the total demand and TDM proposals were identified to help reduce parking demand and a monitoring condition was also included. Extensive surface parking was allowed on future development parcels pending development. Mr Errico has identified the need for a preliminary analysis of parking demand as part of the updated Master Plan (<u>Att. 1</u>). The phasing of the amended build-out and associated parking (with screening landscape) and TDM measures should be clarified.
Retention of the maintenance building (Building H on <u>Plan P5</u>)	In 2008 Mercy decided to convert an existing metal framed building on the site to a maintenance building for an area that was shown on the 2006 Master Plan as for parking for a future large building. The building did not conform to the overall “development restrictions” and the site plan approval included the following condition: <i>That the applicant shall submit a Site Plan application for its proposals for providing a permanent maintenance facility (ie one that meets Contract Zone Agreement design standards and allows for the removal or alteration of the maintenance facility to be in compliance with the CZA design standards) either in conjunction with the next Site Plan application for development on the Mercy Fore River site which would be reviewed by the Planning Board, or by April 1, 2018, whichever is the sooner;</i> The amended proposals show the retention of this maintenance building although it was considered in 2008 to be an “interim accessory structure” and not reviewed as a permanent building. Its retention will need further consideration and it should at least be included in the next site plan application.

Once the process for the review is agreed, the following subjects (linked to the analysis above) are suggested for further Workshop discussion based on additional information from the applicant:

- Phasing of the new “phase 2”
- Traffic analysis including traffic, pedestrians/bicyclists, public transit, TDM
- Amenities, open space, trails, landscape etc in the “campus-like” setting including the southern open space and screening of surface parking areas
- Stormwater systems
- Architecture and design issues including the maintenance building

VI. NEXT STEPS

Suggested next steps include:

- Planning Board provide guidance on whether the amended “Conceptual Master Plan” requires an amended CZA that must be approved by the City Council;
- Planning Board to clarify the framework for updating the Master Plan (CZA provisions or Site Plan ordinance or CZA provisions with some additional items requested);
- Determine subjects and sequence/timing for future PB workshops.

ATTACHMENTS:

Staff Review comments

1. Traffic Engineering Review comments 8.20.2014

Public comments (none at the time PB Memo completed)

Applicant’s Submittal

- A. FST Cover letter 7.7.2014
- B. CZA Application
- C. Development Description
- D. Copy of 2001 Contract Zoning Agreement
- E. FST Cover letter re Comparison Table 8.18.2014
- F. Master Plan Data Comparison Table (2001/2006/2014)
- G. State Permits 2013
- H. History of Permitting

Plans

- P1. 2001 Conceptual Master plan (part of CZA)
- P2. 2006 Master Plan- Extract of Plans
- P3. 2014 Existing Conditions
- P4. 2014 Existing areas and associated data
- P5. Proposed Overall Site Plan
- P6. Proposed Overall Grading and Drainage Plan
- P7. Proposed Overall Utility Plan
- P8. (Supporting info) 2012 MDEP submitted amended detailed site development plans

Jean Fraser - Re: Request policy input into PB Memo for 8.26.14 re Mercy amended CZA

From: Alex Jaegerman
To: Barbara Barhydt; Jean Fraser; Jeff Levine; Jennifer Thompson
Date: 8/18/2014 5:29 PM
Subject: Re: Request policy input into PB Memo for 8.26.14 re Mercy amended CZA

One further issue I would like to put on the table is that in exchange for the loss of the pond and trail, and the compromise of the southerly open space previously dedicated to the public in the earlier versions, and pre- new Veterans Bridge, that the land of the former Veteran's Bridge (owned by whom? the State?) and the remaining triangle of Mercy land between the railroad and the new Veteran's Bridge, be designated public open space. It is currently practically undevelopable, as they no longer show an office building there, and they use it for a snow dump in winter. Maybe they could still do that on part of the property.

There is a good aerial photo of this area on my Downeaster Calendar in my office.

Alex.

>>> On 8/18/2014 at 3:30 PM, in message <53F25468.46F : 48 : 33355>, Jean Fraser wrote:

Hello all

Please see attached (short) WORD note with 2 policy questions and background. I would like to make specific recommendations to the Planning Board and therefore would like to discuss/agree an approach on these asap.

The 2 policy questions generally are:

1. What framework and timing for revised master plan (as next phase will also be phased and impacts "public" areas in addition to filling of wetland) - whether as per existing Master Plan (based on 2001 CZA wording) or revise to address Site Plan Master Plan approach; I have just received from the applicant the attached table that outlines the changes as between 2001 (first CZA) , 2006 (site plan & master plan) and current proposals - there is a considerable increase in 2014 over 2001 (I had not realized it was so much larger - floorspace goes from 433,000 sf to 714,902 sf).
2. What "Headings" to add to CZA eg TDM/public transit/bikeshare; wetland mitigation; TMP amendment; and future of maintenance building (was given temp SP approval) and a few other possibilities

I also attach the 2001 CZA text for information (the associated "Concept Master Plan" is in the *Background* section of my note).

It would be good to meet on this if you have time... I am around today until at least 4:30 pm but Barbara is out so maybe tomorrow???

thanks
 Jean

Jean Fraser - Re: Fwd: Notice - Upcoming PB Meeting 8-26-14

From: Jean Fraser
To: Wooldrik, Kara
Date: 8/15/2014 4:05 PM
Subject: Re: Fwd: Notice - Upcoming PB Meeting 8-26-14

Hello Kara

I understand from the agent, Ste (paid) in lieu of finding a mitigat

substantial and has not yet been

The City has not been involved will bring up the question of w

consideration of the amended CZA don't know.

The original CZA did not require pedestrian trail and bike path the site had to connect to the

but did require the creation of a pedestrian circulation system on

I anticipate that the first Wor current Board members were about the 2001 Contract Zor handle a revision to the Master Plan now that we ordinance.

with background as none of the were approved and have no idea d will be considering how to " ordinance within the Site Plan

It might be helpful for you to send some comments (for me to include in the Workshop Memo) that highlight Portland Trails "interest" or issues since you have the trail easements for quite a large trail network there. There might be some benefit for us to meet with you to reconsider the trail and open space functions/objectives at the Mercy site given both the Veterans Bridge changes to the site and the new objectives of the hospital.

Let me know what you think is most appropriate from your perspective.

Thank you
 Jean

*Jean Fraser, Planner
 City of Portland
 874 8728*

>>> Kara Wooldrik <kara@trails.org> 8/14/2014 11:27 AM >>>

Hi Jean.

I hope your Summer is going well. I just wanted to check in on the Mercy Hospital workshop. I know that this has been in process since long before I was at Portland Trails. There was momentum two years ago but that fell off. At that time, they were looking for another local wetland to support for mitigation purposes. Can you give me an update on where this is now? I can call you this afternoon, if that would be easiest.

I have a conflicting meeting next week so I won't be able to attend.

Thanks you,
Kara

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

From: **Jennifer Yeaton** <JMY@portlandmaine.gov>
Date: Thu, Aug 14, 2014 at 11:04 AM
Subject: Notice - Upcoming PB Meeting 8-26-14
To: Jennifer Yeaton <JMY@portlandmaine.gov>
Cc: Lannie Dobson <LDobson@portlandmaine.gov>

Good Morning,

Attached is the legal ad for the upcoming Planning Board meeting to be held on 8-26-14. Should you have any questions on a project, please contact the assigned planner as shown below:

1. 195 Fore River Parkway; Master Plan Update; Mercy Hospital - Jean Fraser, Planner at 874-8728 or jf@portlandmaine.gov

2. 899 Riverside Street; Text Amendment; Spurwink - Shukria Wiar, Planner at 756-8083 or shukriaw@portlandmaine.gov

3. 145 Washington Avenue; Map Amendment; Ron Gan (Representing Munjoy Hill Homes) - Christine Grimando, 874-8608 or cdg@portlandmaine.gov

Jennifer Yeaton, Office Manager
Planning and Urban Development
City of Portland
389 Congress St., 4th Floor
Portland ME 04101

jmy@portlandmaine.gov

(207)874-8719

(207)756-8258 (fax)

Subscribe to our quarterly newsletter, Under the Clock Tower:

<http://www.portlandmaine.gov/planning/undertheclocktower.asp>

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--

Kara Wooldrik
Executive Director
Portland Trails
305 Commercial Street
Portland, ME 04101
207.775.2411
www.trails.org

Portland Trails -a nonprofit membership-based urban land trust that preserves green space for public access and connects people with places

Do you appreciate Portland's trails? [Support](#) them today.

Jean Fraser - Mercy amendment to CZA

From: Jean Fraser
To: Steve Bushey
Date: 7/31/2014 2:37 PM
Subject: Mercy amendment to CZA
CC: Barhydt, Barbara

Spoke to Steve B 8-7-14
 He is working on response.
 We agreed mtg may be needed
 to ① clarify phasing within
 Phase 2

② how to handle as re
 Master Plan - Master Plan
 ③ text amend to CZA - City's OS
 - TMP

Steve

We have completed a preliminary review of the amended Conditional Zoning Agreement- which as submitted primarily relates to an update regarding the layout of the site and the loss of the wetland area.

The amended CZA Master Plan would set out the revised maximum build out and its associated infrastructure with indicative parking etc- whether already built, phased or future. The submissions focus on the data for whats been built and whats planned, but we need to better understand the overall scale of change for the final build out:

1. A Master Plan (similar to the 2001 Concept Plan) that includes and identifies the already completed phases as well as future phases so one can see the overall final build out; and
2. The data as related to what was approved in 2001 Master Plan (all phases); what was approved in the 2006 Master Plan (all phases) and what is proposed now in the amended Master Plan (all phases, including already completed Phase 1). We would like to understand whether any of the associated data (eg floor area, parking requirements; trip generation etc) are now increased in the latest Master Plan as compared to the 2001 Plan attached to the CZA. For example, does the TMP in place cover all of the proposed traffic from the amended Master Plan (all phases)?

So we are requesting a single "master plan" that is comparable to the 2001 and 2006 plans showing all phases on one plan; and a data table that sets out the following information (what was permitted, consistent with what was represented on the master plans) for each of the three Master Plans (2001 Master Plan as attached to the approved CZA; 2006 Master Plan all phases; proposed amended Master Plan - all phases):

- Trip Generation
- Parking space numbers
- Impervious surface and ratios
- Building Floorspace
- Building footprint
- Open Space areas (identify north and south separately)
- Wetland/pond area
- Areas lost or dedicated to the Fore River Parkway and Veterans Bridge (as these have changed since 2006) (or revise total site area available to Mercy to reflect these)

Once we have received this information in a table form, we can better understand the scale and nature of the proposed amendments and determine if and what wording (in the original 2001 CZA) might be reconsidered.

I would note that the 2001 Master Plan was a one page plan ("Concept Master Plan" attached to the CZA, where as the 2006 "Master Plans" (of which you submitted the plans but not the text) was a requirement of the 2001 CZA but were not a part of it. So further discussion is suggested on whether the amended CZA just has a single "Concept Master Plan" or also an updated version of the 2006 Master Plan including text. If you are proposing to add a detailed series of plans as an update to the 2006 Master Plan (with phasing) to the Agreement, then the wording of the CZA may need to be reconsidered. In any case that wording may need to relate to the more recent Site Plan ordinance wording regarding master plans.

Please do not hesitate to contact me if any of the above needs further clarification- I understand that you just spoke with Barbara so I hope this helps clarify re some of the detail.

Thank you
Jean

*Jean Fraser, Planner
City of Portland
874 8728*

Site plan review process
14-524 (a) (1)
J. C
Master Development
Plan Review
Process
Standards

- (v) *Staff Review*: When the application meets the submittal requirements, the preliminary plan will be distributed to the City departments for review and comments.
- (vi) *Written review*: Written comments from the reviewers shall be provided to the applicant, which will include a planning staff recommendation to submit a revised preliminary plan or to submit an application for a final site plan.

(3)

c. *Master Development Plan Review.*

- (i) *Application process*: Applicants for Level III site plan reviews may submit a Master Development Plan for a large, multi-phase development program consisting of multiple buildings and associated site improvements on a site of one (1) acre or more of total land area, which is designed as a cohesive and integral development program. The purpose of a Master Development Plan is to provide for a mix of land development responsive to the assets of a site. A Master Development Plan is a well-integrated development in terms of land uses, functional activities, and major design elements such as buildings, roads, utilities, drainage systems and open space. The Master Development Plan is deemed appropriate to large scale mixed use projects that are intended to be developed in phases. The Master Development Plan shall be reviewed by the Planning Board and may be reviewed independently or concurrently with review as a site plan for a phased development. A Master Development Plan must address the submission requirements of Section 14-527.
- (ii) The site plan review process for a Master Development Plan shall proceed in the same manner as a Preliminary Site Plan, as detailed in Sec. 14-524 (3)(b) (ii)-(vi).

(iii) *Standards of Review.* A Master Development Plan shall adhere to the following general requirements and features, and shall meet the Master Development Plan Site Plan Standards of 14-526 (d) (9):

- a. A designated tract of land consisting of a parcel or parcels of contiguous land or land on both sides of a public street, totaling one (1) acre or more;
- b. Developed in a comprehensive, design-integrated manner, according to an overall master development plan;
- c. Consistent with the objectives of this ordinance;
- d. Consistent with the City's Comprehensive Plan and consistent with City Council approved master plans and facility plans for off-premise infrastructure, including but not limited to, trails, pedestrian and bicycle network, view corridors, environmental management, sewer and stormwater, streets, or other facilities (see Section 15 of the Technical Manual);
- e. Developed so as to locate buildings and improvements in a manner that provides usable open space, preserves significant natural features, as defined by the site plan ordinance standards, and preserves existing trees to the maximum extent possible;
- f. Developed so as to be in conformance 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 Master Plan shall be developed so as to 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;

- g. An efficient use of land which properly considers topography and protects significant natural features including, but not limited to, waterways, wetlands, floodplains and wildlife;
- h. An efficient use of land demonstrating full coordination of its own site development and surrounding context including, but not limited to, the land uses and functions contemplated, architecture, open space and pedestrian networks, vehicular access and circulation, and all other infrastructure;
- i. Linked and coordinated with surrounding land uses, infrastructure and off-site public facilities, including but not limited to the public school system, where appropriate, in a manner that is safe, efficient, non-injurious to the public, and an improvement or benefit to the public where possible;
- j. Designed with sizing of street and other infrastructure systems to accommodate the overall service demand of the Master Plan;
- k. Designed to create a street grid pattern that reflects average city block sizes of the neighborhood for street connectivity;
- l. Designed as to create a cohesive identity through building scale, massing, and articulation; use of quality exterior materials, architectural detailing at

pedestrian scale; consistency of design and materials for streetscape and pedestrian amenities; framing of outdoor open space and linkages; a clear conveyance of the function and significance of various buildings, entrances, and features; and to generally comply with design and development standards of the zone in which it is located;

- m. Inclusive of provisions for the ownership and maintenance of usable open space as appropriate; and
- n. For areas proposed as future development phase(s), the proposed interim conditions shall be managed and maintained to ensure stable, safe and attractive site conditions.

(iv) *Phasing.* One or more phases of the Master Development Plan may be reviewed as a final level III site plan concurrently with the review and approval of the Master Development Plan.

d. *Neighborhood Meetings for Level III Site Plans and Master Development Plan Applications.*

(i) *Neighborhood Meeting for Level III Site Plans:*

Timing and location of meeting. An applicant for a subdivision of five or more units or lots and all other Level III site plan review categories shall conduct at least one neighborhood meeting within thirty (30) calendar days of filing a preliminary site plan, if applicable, or within twenty-one calendar days of filing a final site plan and the neighborhood meeting will be held on a date no less than seven (7) calendar days before a public hearing, if no preliminary plan is submitted. The meeting shall be held at a convenient location within the City of

contained in Section 14-525.

- (ii) *Required Workshop for Master Development Plan:* A workshop with the Planning Board is required for a Master Development Plan application. The workshop will be scheduled on a date that follows the scheduled date of the required neighborhood meeting. The proposal will be scheduled for the next available Planning Board meeting that meets all public noticing requirements contained in section 14-524.
- (iii) *Workshop Procedures:* The Planning Board workshop shall be informational and shall not result in any formal approval or disapproval of the project. The Board shall review the submission to determine if the information provides a clear understanding of the site and identifies opportunities and constraints of the site and proposed development, air public comments questions and issues, and provide direction to the applicant regarding issues to be addressed during the final review process.

f. *Planning Board Master Development Plan Decisions.*

- (i) *Review and approval:* An applicant proposing a Master Development Plan is seeking approval for an overall concept of development that may be brought for Final Plan approval in two or more phases and in a phase sequence that extends beyond the timeframes allowed above for Final Plan expiration of approvals. Master Development Plan approval may be sought separately or currently with the Phase I Final Level III site plan approval, and shall have an initial approval period of six (6) years, with potential extension periods as provided for in section 14-532(d).
- (ii) *Review process.* The site plan review process for a Master Development Plan shall proceed in the same manner as a Preliminary Site Plan as detailed above, Sec. 14-524 (3)(b)(i)-(vi) and

as a Master Development Plan as detailed above, Sec. 14-524 (3)(c)(i)-(iii).

(iii) *Public hearing.* The Planning Board shall consider a Master Development Plan at a public hearing that meets all public noticing requirements contained in Section 14-32 and the Site Plan ordinance.

(iv) *Decisions.* The Planning Board shall approve, approve with conditions, or deny a Master Development Plan application based upon the applicable review standards. The Planning Board may waive site plan or technical standards related to the Master Development Plan application based upon the applicable review standards. An approval, including an approval of waivers, establishes the general parameters to be adhered to for the development, including the supporting documentation for floor area ratio and/or residential density, general types of uses, building coverage, generalized open space plans and infrastructure systems.

A Master Development Plan approval shall not be construed as final authorization of the development. Approval shall confer pending proceeding status upon the development with the effect of maintaining the applicability of regulations in effect at the time of approval for as long as the master Development Plan approval remains valid, including permissible extensions if granted.

All Level III site plans for each phase shall be in general conformance with the Master Development Plan.

g. *Final Plan.*

(i) *Application Process:* All applications for Level II or Level III site plans shall submit a final plan for review by the Planning Authority or the Planning Board.

14-527

(d) *Level II and Level III Preliminary Site Plan Submissions.* A preliminary site plan is an optional submittal as part of the Level II and III site plan application review process. If the applicant elects to submit a preliminary site plan for review, it shall include the following information:

1. Proposed grading and contours;
2. Existing structures with distances from property lines;
3. Proposed site layout and dimensions for all proposed structures, paved areas, and pedestrian and vehicle access ways;
4. Preliminary design of proposed stormwater management system in accordance with Section 5 of the Technical Manual;
5. Preliminary infrastructure improvements;
6. Preliminary Landscape Plan in accordance with Section 4 of the Technical Manual;
7. Location of significant natural features located on the site as defined in Section 14-526 (b)(1);
8. Proposed buffers and preservation measures for significant natural features, as defined in Section 14-526(b)(1);
9. Location, dimensions and ownership of easements, public or private rights of way, both existing and proposed.
10. Exterior building elevations.

(e) *Master Development Plan.* A Master Development Plan is an optional submittal as part of the Level III site plan application review process. If the applicant elects to submit a Master Development Plan for review, it shall include the following information in addition to the general submission requirements of Sec. 14-527 (c)(d):

1. A neighborhood context map, at a scale not less than one (1) inch equals one hundred (100) feet, providing a graphic description of the neighborhood in which the

tract lies, including roads, utilities and other public facilities, major existing buildings and structures. There shall also be a statement and/or plan as to the general impact of the proposed Master Development Plan upon the area, indicating how the Master Development Plan relates to surrounding properties and what measures will be taken to create appropriate transitions and access from the subject property to abutting public properties (i.e. parks, waterfront, etc.) or other neighboring tracts (if applicable).

2. A conceptual site plan drawn to a scale of not less than one (1) inch equaling fifty (50) feet, or series of drawings at the same scale, and any necessary supporting information, showing:
 - (i) The approximate boundary lines of existing and proposed lots within and immediately adjacent to the Master Development Plan, with approximate areas and dimensions. With respect to residential areas, the proposed density, lot configuration, circulation and a typical plot plan shall be included in the application.
 - (ii) An analysis of the natural features of the site, including existing and/or adjacent natural waterways, wetlands, floodplains, topography, soil conditions and other natural features requested or required by the Planning Authority.
 - (iii) An analysis of the designated view corridors, historic resources, and archeological resource associated with the site.
 - (iv) Existing/proposed buildings and other significant structures, building groupings, exterior building elevations and entrances, parking areas, and other significant physical features of the site.
 - (v) Context drawings, perspective renderings, photographic montages, or computer generated graphics depicting the proposed development within the surrounding building and environmental context. Building elevation drawings shall include the following:

14-527
Context

- a. Illustrations of all sides of the structures;
- b. Views of major entries or prominent building features;
- c. Illustration of building articulation and elements;
- d. Building finish composition; and
- e. Pedestrian and streetscape elements of the Master Development Plan.

The submission shall include a digital three-dimensional model tied to a specific location that is submitted as a KML, KMZ, DXF, or DWG file on a CD or DVD or such format as approved by the Planning Authority. It is the applicant's responsibility that the model is complete and represents the proposed development accurately using best practice modeling techniques and layering standards.

- (vi) Major circulation patterns surrounding and serving the site, the existing and proposed lines of streets (including the street width), ways, easements and any public areas within or next to the site.
- (vii) Major landscaping elements, features, open space, and plans for preservation of natural features.
- (viii) An analysis of the public safety services needed to support the master plan.
- (ix) An analysis of the anticipated impacts on the public school system to support the Master Development Plan.
- (x) A generalized drainage plan for the site, indicating drainage ways, flow, points of outfall, and indicating impacts of development on affected drainage basins. The plan shall

include contour information at not less than two-foot (2') contour intervals and document anticipated quantities of run-off characteristics. General statements concerning storm water management techniques shall also be submitted with the application.

- (xi) The plan shall clearly show Master Development Plan boundaries, north arrow, date, scale, legend, the title "Master Development Plan Concept Site Plan" followed by the formal project name, and the name(s) of applicant(s), engineer(s), designer(s) and/or agent(s).
- (xii) A traffic analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies, including current traffic counts for streets surrounding the project, analysis of the existing capacity of those streets, projections of the amount of traffic that will be generated by the proposed development, and the ability of the street system to absorb the increased traffic without decreasing the level of service below an acceptable level - said level to be determined by the Planning Authority in concert with the Department of Public Services. In cases where the Master Development Plan is subject to a Traffic Movement Permit (TMP) for all phases, the TMP submissions and review shall supersede these requirements.
- (xiii) A utilities analysis and recommendations prepared by a registered professional engineer qualified to conduct such studies. Said analysis shall contain an inventory of existing utilities including, but not limited to, storm sewers and drains, sanitary sewers, electrical lines, fire alarm boxes and lines, gas lines/mains, water mains, lighting, curb and gutter, etc. Said inventory shall illustrate utility locations, sizes, diameters, carrying capacity and present load on the system. The engineer's report shall state if the current system is capable of

adequately serving the proposed development. If the current utility system is found to be inadequate for the proposed development, the report shall confirm the deficiencies and make recommendation(s) as to the infrastructure improvements necessary to properly service the proposed development and maintain the existing service. The report shall also present a formal plan for infrastructure improvements, documenting timing, funding mechanisms and coordination with the City; and

(xiv) Any other supportive information the applicant feels may be beneficial in the evaluation of the request.

(xv) The Planning Authority or Planning Board may reduce the level of information required at the Master Development Plan review stage, provided more detailed supportive documentation is provided at final Level III Site Plan Review of the Master Development Plan or phases thereof.

(f) *Level II and III Final Site Plans.* A final site plan for a Level II or III site plan application shall be based upon a standard stamped boundary survey meeting City of Portland standards, be stamped by a professional engineer licensed to practice in the State of Maine, shall be submitted with all required written submittals and shall include the following information:

1. Existing and proposed structures, as applicable, and distance from property lines;
2. Approximate location of structures on parcels abutting the site;
3. All streets and intersections adjacent to the site and any proposed geometric modifications to those streets or intersections;
4. Location, dimensions and materials of all existing and proposed driveways, vehicle and pedestrian access ways, and bicycle access ways, with corresponding curb lines;

Corporation Counsel
Gary C. Wood



CITY OF PORTLAND

*Planning
Reference Copy*

Associate Counsel
Charles A. Lane
Elizabeth L. Boynton
Donna M. Katsiaficas
Penny Littell

RECEIVED

JUN 12 2002

June 11, 2002

Matthew D. Manahan

Matthew D. Manahan, Esq.
Pierce Atwood
One Monument Square
Portland, ME 04101-4033

Dear Matt:

Enclosed please find an executed duplicate original Amendment to Mercy's Contract Zone. Please feel free to contact me should you have any questions.

Sincerely,

Penny Littell
Associate Corporation Counsel

PL:hs
Enclosure

O:\OFFICE\PENNY\LTRS\2002\Manahan061102.doc

**MERCY HOSPITAL CONTRACT
ZONE**



**AMENDMENT TO
CONTRACT ZONE AGREEMENT
BETWEEN
CITY OF PORTLAND
AND
MERCY HOSPITAL and MERCY HEALTH SYSTEM OF MAINE**

WHEREAS, the **CITY OF PORTLAND**, a body corporate and politic, located in Cumberland County and State of Maine (hereinafter the "**CITY**") and **MERCY HOSPITAL**, a nonprofit corporation located in the City of Portland, and **MERCY HEALTH SYSTEM OF MAINE**, a nonprofit corporation located in the City of Portland, and each of their successors and assigns (hereinafter collectively "**MERCY**"), are parties to the Contract Zone Agreement Between City of Portland and Mercy Hospital and Mercy Health System of Maine (hereinafter "**AGREEMENT**"), which is attached hereto and incorporated herein; and

WHEREAS, at the time of execution of the **AGREEMENT**, and as stated in Paragraph 5 of the **AGREEMENT**, **MERCY** anticipated that it would transfer a portion of the so-called Fore River Site to the Maine Department of Transportation (hereinafter "**MDOT**") without a fee for the construction of the Commercial Street Connector roadway, and that **MDOT** would pay for the necessary improvements; and

WHEREAS, the funding available to **MDOT** for this project instead requires that **MDOT** exercise its power of eminent domain and pay just compensation for that portion of the Fore River Site designated for the Commercial Street Connector roadway, and therefore **MERCY** will assist with funding of the necessary improvements; and

WHEREAS, this change in funding for the project remains consistent with the intent of the **CITY OF PORTLAND** and **MERCY** in signing the **AGREEMENT**;

NOW, THEREFORE, on this ^{June 2002} ~~May 2002~~ 10 day of ~~May 2002~~, in consideration of the mutual promises made by each party to the other, the parties covenant and agree to amend the **AGREEMENT** by deleting the phrase "without a fee" from Paragraph 5 so that it states as follows:

"A portion of the **PROPERTY** will be transferred to the Maine Department of Transportation ("MDOT") for its construction of the proposed Commercial Street Connector roadway (hereinafter referred to as the "**CONNECTOR**")."

WITNESS

Sonia Bear

CITY OF PORTLAND

By

Joseph E. Gray
Joseph E. Gray
City Manager

WITNESS

Kelley J. Smy

MERCY HOSPITAL

By

Howard Buckley
Howard Buckley
President and CEO

WITNESS

Kelley J. Smy

MERCY HEALTH SYSTEM OF MAINE

By


Howard Buckley
Howard Buckley
President and CEO

STATE OF MAINE
CUMBERLAND, ss.

Date: 6/10/, 2002

Personally appeared before me the above-named Joseph E. Gray, in his capacity as City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Before me,



Notary Public/Attorney at Law
OSCAR T. BESS
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES MAY 10, 2003

STATE OF MAINE
CUMBERLAND, ss.

Date: June 5, 2002

Personally appeared before me the above-named Howard Buckley, in his capacity as President and CEO, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Mercy Hospital and Mercy Health System of Maine, Inc.

Before me,


Notary Public/Attorney at Law

FREDERICA JACKSON
Notary Public, Maine
My Commission Expires May 1, 2008

PIERCE ATWOOD

January 11, 2002

MATTHEW D.
MANAHAN

DIRECT
207.791.1189

E-MAIL
MManahan@
PierceAtwood.com

Penny A. Littell, Esq.
City of Portland
One City Center
P.O. Box 9546
Portland, Maine 05112-9546

RE: Mercy Hospital

Dear Penny:

Enclosed please find an original of the Contract Zone Agreement between the City of Portland and Mercy Hospital, executed by Howard Buckley on behalf of Mercy.

Penny, thanks very much for all your assistance and hard work on this project. Also, thanks to Alex, Sarah, and Jonathan for their hard work and creative thinking.

Sincerely,



Matthew D. Manahan

MDM/dcu
Enclosure

cc: Alex Jaegerman (w/enclosure)
Sarah Hopkins (w/enclosure)
Jonathan Spence (w/enclosure)

One Monument Square
Portland, ME 04101-1100
207.791.1100 v
207.791.1350 f

77 Winthrop Street
Augusta, ME 04330-5552
207.622.6311 v
207.623.9367 f

115 Court Street
P.O. Box 1009
Portsmouth, NH 03802-1009
603.433.6300 v
603.433.6372 f

Six Harris Street
Newburyport, MA 01950
978.465.9599 v
978.465.9945 f

EMAIL
info@pierceatwood.com

WEB SITE
www.pierceatwood.com

**CONTRACT ZONE AGREEMENT
BETWEEN
CITY OF PORTLAND
AND
MERCY HOSPITAL and MERCY HEALTH SYSTEM OF MAINE**

AGREEMENT made this 3rd day of December, 2001 by and between the **CITY OF PORTLAND**, a body corporate and politic, located in Cumberland County and State of Maine (hereinafter the "**CITY**") and **MERCY HOSPITAL**, a nonprofit corporation located in the City of Portland and **MERCY HEALTH SYSTEM OF MAINE**, a nonprofit corporation located in the City of Portland, and each of their successors and assigns (hereinafter collectively "**MERCY**").

W I T N E S S E T H

WHEREAS, MERCY has determined that it can no longer meet the long term needs of the community from its 144 State Street location; and

WHEREAS, MERCY has located a Portland site, a contiguous tract of land (called the Fore River Site) large enough to meet **MERCY'S** long term needs (including a mix of uses both taxable and tax-exempt) while being easily accessible and convenient to doctors, public transportation, and the Maine Medical Center; and

WHEREAS, MERCY requested a rezoning of the Fore River Site (also referred to herein as the "**PROPERTY**"), which is located in Portland at Map 73, Block A, Lot 1; Map 73, Block B, Lot 2; Map 74, Block A, Lot 1; Map 75, Block A, Lot 3; and Map 75, Block A, Lot 33, in order to permit the establishment and operation of a hospital campus on up to 42 acres of land; and

WHEREAS, the Planning Board of the City of Portland, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Code §§ 14-60 to 14-62 and 14-264, and after notice and hearing and due deliberation thereon, recommended the rezoning of the **PROPERTY** as aforesaid, subject, however, to certain conditions; and

WHEREAS, the **CITY** by and through its City Council has determined that said rezoning would be and is pursuant to and consistent with the **CITY'S** comprehensive land use plan and consistent with the purposes of the I-H zone and its existing and permitted uses; and

WHEREAS, the **CITY** has determined that the proposed development will be designed and operated so that it will prevent undue adverse environmental impacts, substantial diminution of the value or utility of neighboring structures, or significant hazards to the health or safety of neighboring residents by controlling noise levels, emissions, traffic, lighting, odors, and any other potential negative impacts of the proposal; and

WHEREAS, the **CITY** has determined that because of the unusual nature and unique location of the proposed development it is necessary and appropriate to impose by agreement the following conditions and restrictions in order to ensure that the rezoning is consistent with the **CITY'S** comprehensive land use plan; and

WHEREAS, the **CITY** authorized the execution of this Agreement on December 3, 2001;

NOW, THEREFORE, in consideration of the mutual promises made by each party to the other, the parties covenant and agree as follows:

1. Effective upon the recording of deeds transferring title ownership from Merrill Industries, Inc. and Portland Terminal Company to **MERCY** and receipt by the

CITY of a statement from **MERCY** that **MERCY** has so recorded said deeds, the **CITY** hereby amends the Zoning Map of the City of Portland, dated December 2000, as amended and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Portland City Code, by adopting the map change amendment shown on Attachment 1, and by designating the **PROPERTY** a Helistop Overlay Zone limited to a single helistop; provided however, that this contract rezoning shall become null and void, and the **PROPERTY** shall revert to the I-H zone, in the event that **MERCY** fails to acquire said **PROPERTY** before August 1, 2003. The **CITY** shall not issue **MERCY** any building permits until **MERCY** has purchased the **PROPERTY**.

2. *Permitted Uses.* **MERCY** shall be authorized to establish and maintain the following uses on the **PROPERTY**:
- a. Hospitals, clinics, and medical research facilities.
 - b. Community living arrangements, congregate care facilities, intermediate care facilities, long term or extended care facilities, and sheltered care group homes.
 - c. Office complexes and professional offices.
 - d. Day care facilities and adult day care facilities.
 - e. Exercise and fitness centers and health clubs.
 - f. Personal services, restaurants, and retail establishments of no more than 50,000 square feet, except that there shall be no drive through facilities.
 - g. Dwellings, hotels, motels, inns, and rooming units; and lodging houses for hospital or clinic employees or volunteers and patients' family members.
 - h. Teaching centers.
 - i. Accessory uses, including, but not limited to, parking facilities and structures, utility services, stormwater management systems, and site amenities.

The uses listed in subparagraphs e, f, and g shall be functionally related, physically oriented, and complementary to the medical uses of the site.

3. The uses on the **PROPERTY** will be within multiple buildings to be constructed in phases, some owned by **MERCY** and some owned by others. The new structures will be a mix of single and multi-level buildings developed in a campus-like setting. The buildings may be freestanding or linked, depending upon the phasing and ultimate development program proposed.

4. The first phase of construction will include a medical office building, which may be built concurrently with an ambulatory care facility. The medical office building, its associated land, and its personal property shall be taxed based on a market value of, at minimum, \$7.5 million dollars. The hospital shall be built in either the first or second phase of construction.
5. A portion of the **PROPERTY** will be transferred to the Maine Department of Transportation (“MDOT”) without a fee for its construction of the proposed Commercial Street Connector roadway (hereinafter referred to as the “**CONNECTOR**”).
6. Upon its purchase of the **PROPERTY**, **MERCY** shall record in the Cumberland County Registry of Deeds a deed granting to the **CITY** an easement in perpetuity over the portion of the **PROPERTY** identified as “Open Space” on Attachment 2, which easement shall grant to the public access to such Open Space for recreational activities during daylight hours.

Such open space may be used in the calculation of the impervious surface requirements contained in paragraph 11 of this Agreement.

In addition, **MERCY** shall cooperate with the City in the creation of a pedestrian trail and bike path at least along the perimeter of the **PROPERTY** as shown, generally, on Attachment 2. Once the location of the pedestrian trail and bike path is determined, **MERCY** shall record in the Cumberland County Registry of Deeds a deed granting to the **CITY** an easement in perpetuity for the benefit of the public, which easement shall grant access along and over such path and trail for recreational activities during daylight hours and when trails are customarily available to the public for such use, covering all portions of such path and trail located on land not owned by MDOT.

These easements shall be subject to the review and approval of the Corporation Counsel’s Office.

7. For purposes of calculating impervious surface required in paragraph 11 below, land separated by the MDOT **CONNECTOR** may be included, but any intertidal lands shall not be included in said calculation.
8. Access to the **PROPERTY** via County Way shall be permitted for service vehicles only provided that **MERCY** demonstrates to the **CITY’S** Traffic Engineer that County Way provides an adequate level of service to the **PROPERTY** and **MERCY** provides evidence of its right, title or interest to access said street.
9. For purposes of front yard setbacks, the front yard for each building developed on the **PROPERTY** shall have as the front yard the area between the building and the **CONNECTOR**.

The **PROPERTY** shall be developed substantially in accordance with the conceptual master plan shown on Attachment 2, provided, however, that each building, whether classified as a major or minor development, shall be subject to site plan review by the Planning Board, and if applicable, subdivision review by the Planning Board. Any site plan review applications shall fully comply with the detailed site plan application requirements contained in article V (site plan) of the Land Use Code. The Planning Board may permit deviations from the conceptual master plan, as long as the deviations are consistent with the purposes of this Agreement.

10. *Development Standards.* All site plans may be approved by the Planning Board only if, in addition to the dimensional requirements of paragraph 11 and the applicable provisions of article IV (subdivisions) and article V (site plan), the development meets the following development standards:

- a. *Design relationship to site:* Development proposals shall demonstrate a reasonably unified design of the site in a campus-like setting, including the architecture, the layout of the buildings, pedestrian and vehicular circulation plan, open space, drainage, and the topography, soil conditions, vegetation, and other natural features of the site. Integration of open spaces and natural features shall be achieved by incorporation of outdoor amenities for the benefit of users of the site, such as jogging and walking trails, gardens, and benches. The proposed layout of buildings and uses shall demonstrate compatibility between the buildings and other site features within the site. Consideration shall be given to compatibility of proposed perimeter on-site development with the existing and future uses off-site but adjacent to the **PROPERTY**.
- b. *Landscaping:* Development proposals shall include a landscape program. All land areas not covered by structures, parking areas, or circulation facilities shall be landscaped and maintained. In order to soften the visual impact of large expanses of pavement in parking lots, vegetation shall be planted or retained in islands or planting strips where required by article IV (subdivisions) and article V (site plan) of the Land Use Code.
- c. *Pedestrian Orientation:* Development proposals shall include an integrated pedestrian circulation system, including internal sidewalks, to take advantage of the topography and natural features of the site and providing for safe pedestrian access to all buildings and parking areas with the ability to conveniently access all developed portions of the site without additional driving. The pedestrian circulation system shall link with the shoreline trail feature of the site.
- d. *Vehicular Access and Circulation:* The primary access to serve the entire development will be from two access points or two access points and a slip lane from the **CONNECTOR** as may be further developed or modified by joint agreement of the City, MDOT and the applicant.

Vehicular circulation through internal driveways and roadways will provide safe and orderly access to all developed portions of the site.

- e. *Buffers and screens:* Development proposals shall include appropriate measures of a dense and continuous nature (for example, a double staggered row of white pine twenty-five (25) feet on center, etc.) in order to buffer parking lot visibility from public roads.
- f. *Preservation of natural features:* Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands; provided any such program shall consider and be sensitive to the need to preserve such natural features.
- g. *Architectural design:* All buildings shall be designed or approved by a registered architect in the State of Maine. The scale, texture, colors, and massing of the buildings shall be coordinated. The full range of high-quality, permanent, and traditional or contemporary building materials and technology may be incorporated in a manner so that the development as a whole embodies distinguishing attributes that achieve the developer's desired degree of excellence and are in conformance with the architectural guidelines provided in any private development restrictions. Particular emphasis shall be placed on the appearance of building facades from public streets and highways including the **CONNECTOR**, from driveway and parking areas, and from other nearby buildings. Building elevation drawings shall be submitted which indicate architectural style, exterior finishes and color, building height and scale, and location and scale of window and door openings. Samples of exterior building materials shall also be submitted.
- h. *Signs:* Signage shall be focused internally to the site or to the **CONNECTOR** and shall not be oriented or scaled to address Route 1 or Interstate 295, with the exception of the hospital and major office buildings. Development proposals shall identify all proposed signage. Signs shall be designed in proportion and character with the building facades. All signs shall be constructed of permanent materials and shall be coordinated with the building and landscaping design through the use of appropriate materials and finishes.
- i. *Master plan:* Prior to development on the PROPERTY, MERCY shall provide a master plan of the campus. The master plan shall include the following: The location of the building(s) on the site; infrastructure of the site; identification of common areas; traffic circulation, architectural character and treatment of the building(s); proposed building envelopes; phasing and timing of the development; private development restrictions;

and such other information necessary and sufficient to ensure compliance with the standards in this section. Master plans are dynamic representations that assist in guiding projects through phased development. Master plans are flexible and adaptable to changes that occur within the development process. The master plan shall be subject to periodic revision and update as needed and as phased development occurs over time.

11. *Dimensional Requirements.* The following dimensional requirements shall apply to the **PROPERTY** as a whole, and not additionally to individual lots (if any) within the **PROPERTY**:
 - a. Maximum impervious surface ratio: Eighty (80) percent;
 - b. Maximum building height: Ninety (90) feet;
 - c. Minimum front yard landscaped buffer: Twenty (20) feet from the edge of the **CONNECTOR** right-of-way shall be in the form of a landscaped buffer provided, however, that the area within such buffer may include a retaining wall, walkway, trail, or pathway but no buildings, roadways, parking areas, or other expanses of pavement;
 - d. Minimum side yards: Ten (10) feet;
 - e. Minimum rear yard: Ten (10) feet;
 - f. Pavement setback from lot boundaries: Fifteen (15) feet.
12. The provisions of this Agreement, including the permitted uses listed in paragraph 2, are intended to replace the uses and requirements of the underlying I-H zone.
13. Pursuant to Code § 14-264(d), all development plans shall include complete information of processes, materials, or methods of storage to be used by the development and shall specify how hazardous impacts to neighboring properties will be prevented.

The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit **MERCY**, any entity affiliated with **MERCY** that takes title to the **PROPERTY**, their successors and assigns, and any party in possession or occupancy of said **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. **MERCY** shall file a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the Book and Page locations of the deeds for the **PROPERTY**.

If any of the restrictions, provisions, conditions, or portions 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 shall not affect the validity of the remaining portions hereof.

MERCY agrees not to challenge the legality of the provisions contained within paragraph 4 of this contract.


Except as expressly modified herein, the development, use, and occupancy of the subject premises 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.

In the event that **MERCY** or any successor fails to continue to utilize the **PROPERTY** in accordance with this Agreement, or in the event of a breach of any condition(s) set forth in this Agreement, the Planning Board shall have the authority, after hearing, to resolve the issue resulting in the breach. The resolution may include a recommendation to the City Council that the site be rezoned to only I-H or any successor zone and that the Agreement be terminated, requiring a cessation of the hospital campus use.

WITNESS:



CITY OF PORTLAND

By 

Joseph E. Gray
City Manager

WITNESS:

MERCY HOSPITAL

Joseph E. Gray

By Howard Buckley
Howard Buckley
President and CEO

WITNESS:

MERCY HEALTH SYSTEM OF
MAINE

Joseph E. Gray

By Howard Buckley
Howard Buckley
President and CEO

STATE OF MAINE
CUMBERLAND, ss.

Date: 12/17/01, 2001

Personally appeared before me the above-named Joseph E. Gray, in his capacity as City Manager, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Before me,

Sonia T. Bean
Notary Public/Attorney at Law
SONIA T. BEAN
NOTARY PUBLIC, MAINE
MY COMMISSION EXPIRES JANUARY 10, 2002

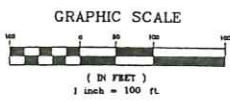
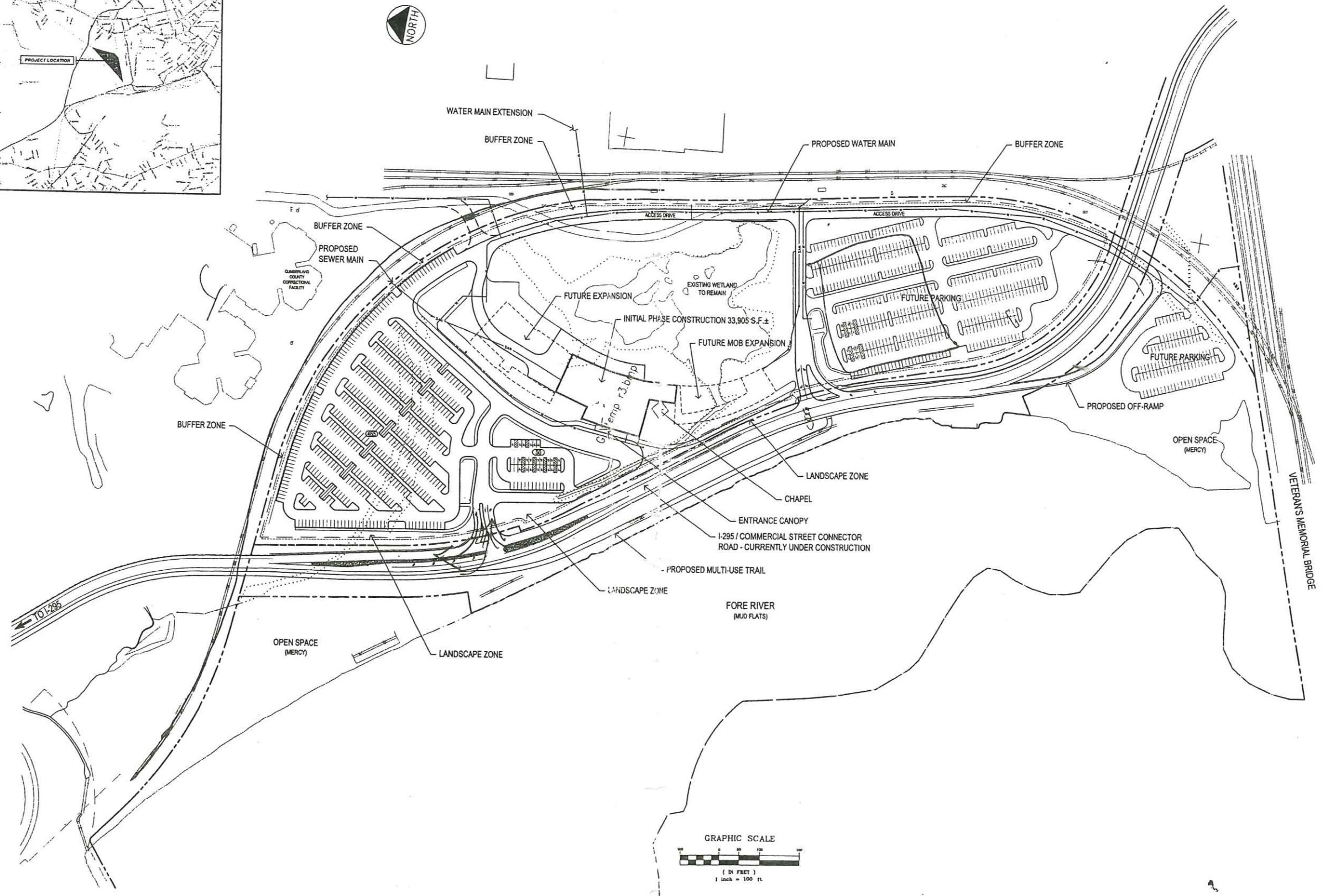
STATE OF MAINE
CUMBERLAND, ss.

Date: January 10, 2002

Personally appeared before me the above-named Howard Buckley, in his capacity as President and CEO, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of Mercy Hospital and Mercy Health System of Maine, Inc.

Before me,

Daniel M. Snow
Notary Public/Attorney at Law
DANIEL M. SNOW




MERCY of Portland, Maine
at the heart of healing
MERCY HEALTH SYSTEM OF MAINE
 Portland, Maine

TK&A
 TSOI/KOBUS & ASSOCIATES
 ARCHITECTS & ASSOCIATES, INC.
 One Brattle Square P.O. Box 5114
 Cambridge, MA 02238-9114
 Tel: 617 475 4600 Fax: 617 475 4445
 www.tka-architects.com

CIVIL
 DELUCA HO-FMAN ASSOCIATES
 77B MAIN STREET
 SUITE 4
 SOUTH PORTLAND, ME 04106

CON SUBMISSION 12/30/03

Key Plan

Stamp

P.E. STEPHEN BUSHEY
 LIC. #7428

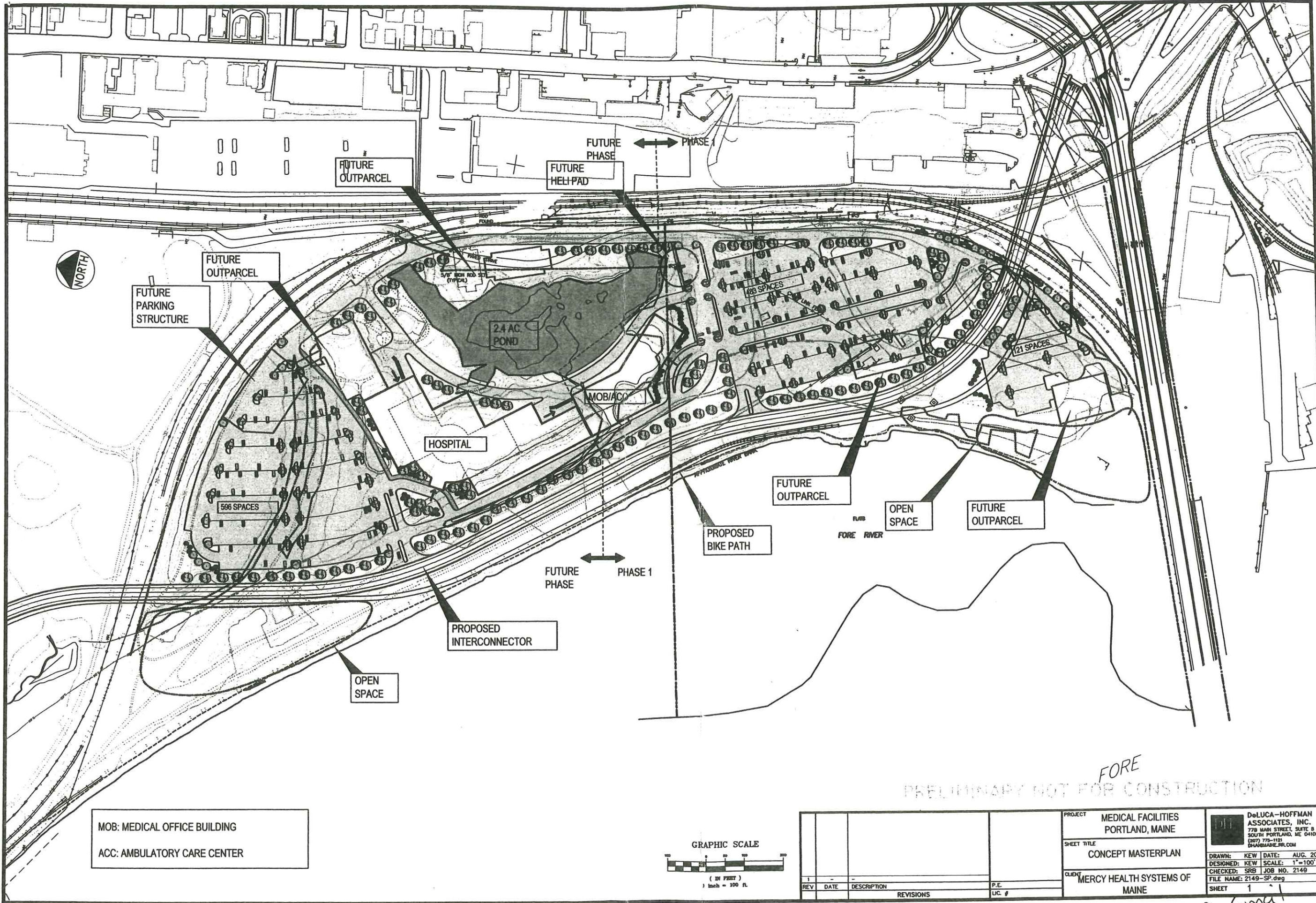
Revisions

No.	Description	Date

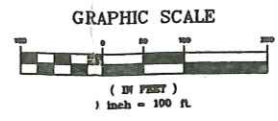
Drawing Title

PRELIMINARY SITE PLAN

Job Number 22010-00 Drawing No.
 Drawn by
 Checked by MJC
 Date DECEMBER 21, 2003
 Scale C-1



MOB: MEDICAL OFFICE BUILDING
 ACC: AMBULATORY CARE CENTER



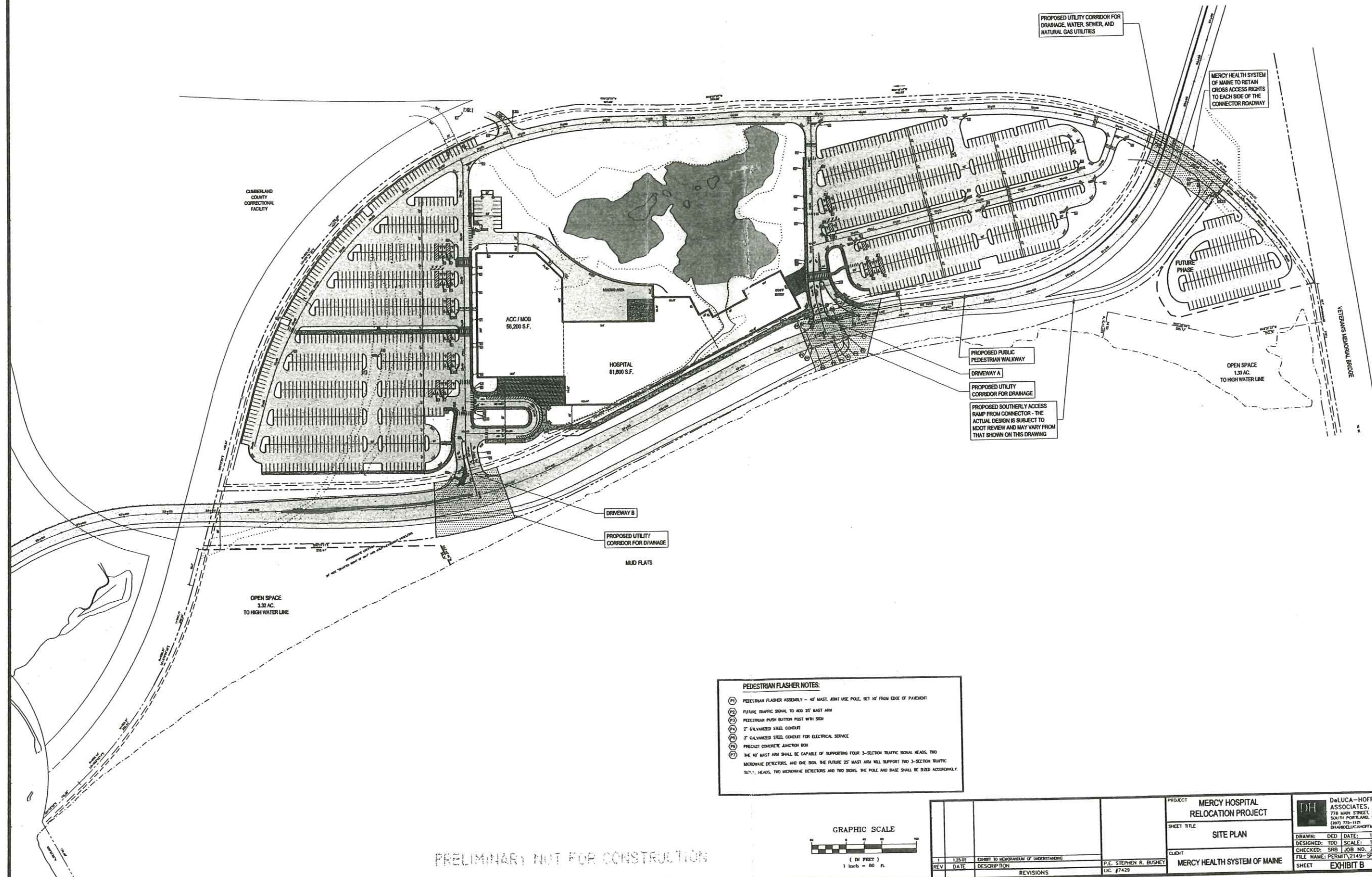
FORE
 PRELIMINARY NOT FOR CONSTRUCTION

PROJECT		MEDICAL FACILITIES PORTLAND, MAINE		DeLUCA-HOFFMAN ASSOCIATES, INC. 778 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 (207) 775-1121 DR@DMHAE.FIR.COM	
SHEET TITLE		CONCEPT MASTERPLAN		DRAWN: KEW DATE: AUG. 2001 DESIGNED: KEW SCALE: 1"=100' CHECKED: SRB JOB NO. 2149 FILE NAME: 2149-SP.dwg	
CLIENT		MERCY HEALTH SYSTEMS OF MAINE		SHEET 1	
REV	DATE	DESCRIPTION	REVISIONS	P.E.	LC #

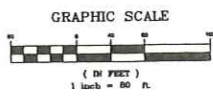
To City Council



THESE DRAWINGS ARE FOR STATE PERMIT APPLICATIONS ONLY. THESE DRAWINGS SHALL NOT BE USED FOR CONSTRUCTION.



PEDESTRIAN FLASHER NOTES:
(1) PEDESTRIAN FLASHER ASSEMBLY - 40' MAST ARM USE POLE, SET 10' FROM EDGE OF PAVEMENT
(2) FLUORESCENT TRAFFIC SIGNAL TO ADD 25' MAST ARM
(3) PEDESTRIAN PUSH BUTTON POST WITH SIGN
(4) 2" GALVANIZED STEEL CORNUCOPIA
(5) 2" GALVANIZED STEEL CONDUIT FOR ELECTRICAL SERVICE
(6) PRECAST CONCRETE JUNCTION BOX
(7) THE 40' MAST ARM SHALL BE CAPABLE OF SUPPORTING FOUR 3-SECTION TRAFFIC SIGNAL HEADS, TWO MICROWAVE DETECTORS, AND ONE SIGN. THE FUTURE 25' MAST ARM WILL SUPPORT TWO 3-SECTION TRAFFIC SIGNAL HEADS, TWO MICROWAVE DETECTORS AND TWO SIGNS. THE POLE AND BASE SHALL BE SIZED ACCORDINGLY.



PRELIMINARY NOT FOR CONSTRUCTION

PROJECT: MERCY HOSPITAL RELOCATION PROJECT		DeLUCA-HOFFMAN ASSOCIATES, INC. 778 MARK STREET, SUITE 8 SOUTH PORTLAND, ME 04106 (207) 775-1121 DSHAW@DELUCAHOFFMAN.COM	
SHEET TITLE: SITE PLAN			
CLIENT: MERCY HEALTH SYSTEM OF MAINE		DRAWN: DEJ DATE: 11.01.01 DESIGNED: TDD SCALE: 1"=80' CHECKED: SRB JOB NO. 2149 FILE NAME: PERMIT_2149-SP SHEET: EXHIBIT B	
REV	DATE	DESCRIPTION	P.L.E. STEPHEN R. BUSHNET LIC. #7429
1	1.25.07	EXHIBIT TO MEMORANDUM OF UNDERSTANDING	
REVISIONS			

To DEP



DH
III

Mercy Health System Private Development Restrictions
Incorporating City of Portland staff edits to DRAFT received from Mark Johnson Dec, 2007

Version as of Aug 2008

**Mercy Health System – Fore River Campus
Private Development Restrictions**

Outline:

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1. Introduction

In accordance with requirements as set forth in the Contract Zone Agreement (CZA) between the City of Portland and Mercy Hospital and Mercy Health System of Maine, hereinafter referred to as “Mercy”, and conditions of Site Plan Approval, this document constitutes in its entirety Private Development Restrictions that shall apply to all development and construction on the Mercy Fore River Campus following the initial construction of **the** Phase I hospital and medical office building facilities.

Background

Located on the Fore River between I-295 and the Veterans’ Memorial Bridge, the 28 +/- acre Mercy campus is a highly visible “gateway” component at the base of the Portland peninsula’s west end. The site is served by the Fore River Parkway (the “Parkway”) and associated pedestrian and bicycle paths, making it easily accessible in addition to being a defining element in the urban fabric of the city.

The site is roughly divided into thirds: the northernmost containing the Phase I Mercy Hospital, medical office building, and parking; the central pond related area; and the southernmost area designated for employee parking and future mixed-use development according to the Master Plan. Two small portions of the Mercy property lie to the river side of the Parkway, the northernmost being dedicated open space, and the southernmost being designated for additional mixed-use development and open space.

Per the CZA, land use on the site is restricted to:

- a. Hospitals, clinics, and medical research facilities.
- b. Community living arrangements, congregate care facilities, intermediate care facilities, long term or extended care facilities, and sheltered care group homes.
- c. Office complexes and professional offices.
- d. Day care facilities and adult day care facilities.
- e. Exercise and fitness centers and health clubs.
- f. Personal services, restaurants, and retail establishments of no more than 50,000 square feet, except that there shall be no drive through facilities.
- g. Dwellings, hotels, motels, inns, and rooming units: and lodging houses for hospital or clinic employees or volunteers and patients’ family members.
- h. Teaching centers.
- i. Accessory uses, including, but not limited to, parking facilities and structures, utility services, stormwater management systems, and site amenities.

The following sections address Design Goals and Objectives, and Design Standards. The first establishes the basis and framework for design of future development at the Mercy Fore River Campus. The information in this section is provided to guide and inform the overall design approach to new building and site improvements. The second – Design

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Standards – is set forth as **more detailed** basic minimum requirements for new construction on the campus. Taken together, these will be applied to new development proposals by reviewing authorities including the Mercy Healthcare System of Maine. **All** future development on the Campus shall comply with these goals, objectives, and standards in addition to all applicable city, state, and federal standards and requirements. In the event there is a conflict between this and other standards, the more stringent shall apply. In the following sections, “should” means the developer/designer must make every reasonable effort to comply with a particular goal or objective. The word “shall” means the developer/designer must comply with a particular standard unless express written approval of variance or waiver from that standard is obtained from the authority having jurisdiction.

The goals, objectives, and standards contained herein are not intended to restrict creativity or innovation on the part of the developer/designer, but are intended to help create a harmonious campus development for the betterment of those who work within, visit, and otherwise experience it as part of the City of Portland.

2. Design Goals and Objectives

The overall objective guiding development of the Mercy Fore River Campus site is to create a medical services oriented campus consisting of an integrated assemblage of buildings of varying sizes and functions coordinated with associated site improvements. New development shall be designed and constructed to be functionally cohesive and aesthetically consistent with Phase I development and the surrounding community. The campus shall be developed substantially in accordance with the Master Plan as approved in the CZA.

Site Development

Site improvements and development should be functionally efficient and support building uses while enhancing environmental and visual quality within the campus, and as it relates to the surrounding urban context. This is to be achieved as follows:

- A. Site context: New development should generally be well suited to the existing site constraints of topography and natural features, and relate to the surrounding Phase I infrastructure. This recognizes the fact that the site is bounded on all sides by existing rail- and roadways, and to an extent, the Fore River, limiting somewhat its direct relation to the adjoining urban areas. Because of the tight and relatively flat nature of the site, there should be no drastic elevation changes required or proposed.
- B. Vehicular circulation and parking: The development density of the site requires significant amounts of roads and parking for user, staff, emergency, and service access. These improvements are intended to be visually screened and oriented for

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- the greatest convenience of movement of pedestrians between vehicle and building entrances. New on-site vehicle movement shall be designed so as to not interfere with pedestrian movement. A core pedestrian zone linking major campus elements should dominate, with vehicle circulation and parking being located around its perimeter.
- C. Pedestrian circulation: Pedestrian connections between buildings, from parking areas to buildings, and from the surrounding city walkway network, should be clearly defined, direct, well lit and maintained, safe, and efficient to use. They should reinforce the walkable nature of the campus and provide easy access also to related public spaces and trail amenities on- and off-site. Pedestrian-oriented plazas, entry courts, and terraces should be incorporated into new development to provide places for rest and gathering, and relate to building functions and Phase I development.
- D. Planting: Existing vegetation should be preserved to the greatest extent practicable in accordance with the City of Portland standards. New planting should be used to soften and screen the impact of vehicular parking and service areas, reinforce desired visual elements and architecture, provide shade and enhance walks and drives, and provide relief and visual interest in pedestrian-oriented spaces. New planting should be appropriate for the site and growing conditions, and include native species. Invasive species **shall** be avoided.
- E. Site furnishings and amenities: Elements such as benches, bollards, bicycle storage racks, drinking fountains, and trash receptacles, serve to provide comfort, relief, convenience, and safety, in the pedestrian environment. These elements should be consistent with existing development, and integrated into new development and included in pedestrian areas..
- F. Lighting: Site lighting throughout the campus should be consistent with Phase I development with respect to fixture performance, style, and color, for general illumination of parking and roadways. Special emphasis lighting for individual buildings (architectural accent) and pedestrian-oriented spaces (lower height poles and/or bollard type). These styles may differ depending on type of area use and proximity to other areas, but should be limited to types compatible with those used for general site lighting. A related family of fixtures should be used. Overall, a sufficient and safe level of lighting shall be provided in accordance with all applicable codes and standards, in particular those of the City of Portland and the Illumination Engineering Society of North America. Lighting shall be designed to minimize or eliminate light pollution and trespass per those standards.
- G. Buffers and screens: Vehicle parking, service, and utility areas **shall** be screened from view from adjoining properties, traveled ways, and walks. Planting, earth berms, walls, fencing, and other architectural type devices should be used to achieve maximum screening of these areas.

- H. Signage: Signs help to provide the user and visitor to the campus much needed information, direction, and guidance. A comprehensive signage plan exists that provides a consistent, predictable, and legible sign system that provides easily accessible information and facilitates independent wayfinding throughout the campus.

New signs shall be placed at locations proximate to decision points (intersections, entrances, etc.) at sufficient distance and of adequate size to be easily identifiable and readable by the viewer without having to slow drastically, preventing unsafe conditions. New signs should be graphically consistent with those throughout the campus, with an established hierarchy of size dependant upon level of importance and viewer travel speed.

Building Development

Building form and size will vary dependent upon function. In general, buildings should be oriented to the pedestrian realm and located to facilitate pedestrian movement and access between them, creating significant exterior spaces and strengthening intra-campus relations. Buildings within the campus should share common architectural elements consistent with Phase I development to reinforce a unified campus appearance. This is to be achieved as follows:

- A. Building Orientation and Form: New building construction may present a strong visual impression to the Parkway while but shall maintain pedestrian level orientation with an inward focus on campus pedestrian linkages and spaces. Main entrances shall be designed and oriented to the pedestrian realm. Forms should relate to existing campus construction to create a harmonized appearance. Detailing in masonry patterns, variations in wall plane setbacks and openings, should be used to create interest and avoid a box-like appearance.
- B. Scale: New building construction should relate to nearby buildings and the intervening spaces with emphasis on pedestrian orientation and the human scale. Special attention should be given to ground floor levels including entries, canopies, doors, and fenestration. The goal is to provide interest and emphasis to provide strong visual cues that will guide and direct users through use of more monumental proportioning, while maintaining a human scale in detail.
- C. Massing/Composition: New construction shall relate and respond to existing buildings and landscape spaces as discussed above. Height limitations defined in the CZA shall dictate form and massing relative to desired program area, however, buildings shall be designed to positively relate to and reinforce the pedestrian environment and human scale. Architectural elements such as arcades and articulation of forms shall be used to break down large masses.

- D. **Materials and Color:** Building materials shall be of the highest quality, and colors shall be chosen for lasting durability and shall relate well to those which exist on campus.
- E. **Exterior Components:** Pedestrian related elements such as arcades, entry courts, etc., are encouraged wherever possible.
- F. **Mechanical Appurtenances:** Equipment for utilities and services such as elevators (overruns), heating, ventilation, electrical supply and cooling, should be screened from public view whether roof- or ground-mounted. Penthouses, rooftop screens, or architectural screens at the ground level should be used for this purpose along with suitable landscape. The material used to screen rooftop appurtenances shall be consistent with that used elsewhere on the building.

3. Design Standards

The following site and building design standards shall be utilized for all new construction proposed for the Mercy Fore River Campus site to insure it is integrated into the existing Phase I campus environment, and creates a cohesive relation to the city.

Site Development

- A. **Site Context and Relation:** New development shall fit to the existing topography to the greatest extent practicable, with little or no drastic change in elevation. Where applicable, natural features and elements shall be preserved. Building space and bulk requirements as defined in the CZA shall be maintained. For purpose of front yard setbacks, the front yard for each building shall be the area between the building and the Parkway.
- B. **Vehicular circulation and parking:** Parking aisles shall be oriented towards building entries, reducing the need for pedestrians to cross traffic lanes. If required, proposed changes to established vehicular circulation and parking shall be consistent with that established in Phase I development. Planting, earth berms, or other means shall be used to screen parking from view as described herein and per City standards. Parking areas shall contain planted islands and end caps that meet or exceed City standards in terms of size and total area to reduce the heat island effect and provide visual relief.

Drives and roads shall be kept to the minimum width required for safe and efficient access. Vertical and sloped granite curbing shall be used where pedestrian walks must be located immediately at or adjacent to road edges for pedestrian safety, and to direct and control stormwater runoff in a safe and efficient manner. Pedestrian crosswalk and areas of refuge shall be located where walkways cross drives and roads, and appropriate signage and warnings installed.

- C. Pedestrian circulation: Walks for primary pedestrian circulation shall be 6-feet wide, but in no instance shall pedestrian walkways be less than 5-feet wide except for limited service type access walks. This does not preclude the use of wider walks proximate to building entries as in the case of entry plazas or terraces, in which case provision shall be made for planting areas to soften the meeting of pavement to building face, where appropriate. Walks proximate to buildings shall be of well detailed and finished cast-in-place concrete. Accent paving consisting of precast concrete, brick, or natural stone pavers, is encouraged to call attention to and set apart areas of special interest such as building entries or pedestrian gathering areas. (Note: When used, these special materials shall be coordinated with the overall campus palette). Primary circulation in and around campus shall be accessible in accordance with the Americans with Disabilities Act Accessibility Guidelines (ADAAG).
- D. Planting: Planting shall be installed in accordance with city requirements for buffering and screening. Street tree planting shall be installed that is well adapted to survive and thrive in the urban environment. Tree species used along drives and in parking areas shall be chosen in keeping with those currently established in Phase I development to help define different campus areas and promote wayfinding.

Special attention shall be paid to tree planting in paved areas to insure that adequate soil mix, water, and air are made available to foster healthy tree growth and reduce the risk of pre-mature death and need for replacement. A minimum 3-foot depth of planting soil shall be provided in parking islands and end caps. Plant materials shall be vigorous, healthy, and well developed, typical of their species and kind. Plant sizes shall be a minimum as listed below (proportions to be per American Association of Nurserymen Standards, latest edition):

- Large deciduous trees: 3-inch caliper
- Small flowering trees: 1.5 – 2-inch caliper
- Evergreen trees: 6-8 feet height
- Large shrubs: 3-4 foot height
- Small shrubs: 18-24-inch spread
- Groundcovers: #2 container
-

Plant choices should consist primarily of native or established species, grown in similar climatic regions (New England) and suitable for the environmental conditions found on the site. No invasive species as designated by the Maine Department of Environmental Protection shall be allowed.

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Plant spacing in masses should not exceed 75% of mature plant width. Plant placement shall not create visual or physical obstruction such that unsafe or insecure conditions result.

- E. Site furnishings and amenities: A palette of site elements including benches, bollards, trash receptacles, and bicycle racks has been established and shall be utilized to the greatest extent practicable. Substitutions, if necessary, or new elements, shall be consistent with this palette and subject to approval. The existing palette includes:
- Bollards: Precast concrete; 36" height, 5000 psi, reinforced, with light sand-blast finish.
 - Bicycle racks: "Ribbon Rack", size varies, Schedule 40 TP 304 stainless steel (ASTM A312); available from AAA Ribbon Rack Co., Division of Brandir International, Inc., New York, NY (1-800-849-3488), or approved equal. Finish to be satin # 4. Mounting to be standard in-ground.
 - Benches:
 - In building areas: Esplanade Series, Model ES-3, surface mount, color from standard manufacturer's range. FairWeather Site Furnishings, Port Orchard, Washington. 1-800-323-7198.
 - In open space areas: Landscape Series, Model L-2 with Ipe, permanent embed mount. FairWeather Site Furnishings, Port Orchard, Washington. 1-800-323-7198.
 - Tree grates: R-8706 180 degree Square. Neenah Foundry Co., Neenah, WI. 1-414-725-7000.
 - Aluminum edging and stone mulch:
 - Edge material to be aluminum, 6063 alloy, T-6 hardness. Size 3/16" X 4" with 4" offset interlocking snap connection system. Minimum wall thickness to be 0.110". Sections to be 16' min., with loops for stakes at 2' o.c. Stakes to be aluminum, 6061 alloy, T-6 hardness. Color and surface to be mill finish. Provide as manufactured by Permaloc Corporation, or equal
 - Stone mulch to be rounded river stone, 2"-3" diameter max. to 3/4" diameter min., washed and free from all foreign and organic material.
 - Trash receptacles: Esplanade Series Accessories Model TR-8 with spun steel top, surface mount, color from standard manufacturer's range. FairWeather Site Furnishings, Port Orchard, Washington. 1-800-323-7198.
 - Tree pit drains and aeration sheets:
 - Tree pit drains: "Spee-D-Basin" NDS #100, with 6-inch plastic riser and plastic grate NDS #40 (black). National Diversified Sales, Newbury Park, CA. 1-800-235-3533.

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- Aeration sheets: “Awkwadrain 112” and plastic end connector. American Wick Drain, Matthews, NC. 1-800-242-9425.

F. Lighting: General site lighting shall be as follows:

Kim Lighting Era® Series, pulse start metal halide, full cut-off distribution, as follows (match existing pole types and finish color):

- Drives and roadways: Kim Era® Series, 30-foot height
- Parking areas: Kim Era® Series, 25-foot height
- Building mounted – public exposure: Kim Era® Series, wall mount
- Building mounted – service areas: Kim Wall Director

Project specific lighting such as pedestrian and building accent fixtures shall be compatible with the family of fixtures defined above, subject to approval.

G. Buffers and screens: Screening shall be provided in accordance with City requirements for service and utility areas, loading areas, and vehicle parking. Screening shall be of a dense and continuous nature as described in the following options:

- Architectural screens: For building mounted (roof top) applications or areas immediate adjacent to buildings such as service and loading areas, utilize materials aesthetically compatible with building exteriors of lasting quality such as brick or metal panel systems (louvered or solid as appropriate). Concrete block systems of acceptable aesthetic quality (split or ground face, for example) may be considered, subject to approval. Screen height shall be typically 6 to 8 feet, or demonstrated to be sufficient to effectively block views.
- Earth berms: Mounded earth berms, especially when coupled with plantings or site walls, is an effective landscape screen mechanism where space allows. When employed, berms shall be of sufficient height to provide screening or sufficient buffering of areas and shall be a minimum of 3-feet high. Additional elements such as walls or planting placed on berms, when taken in conjunction with the berms, shall totally screen the areas. (Note that the berm height can effectively be used to reduce height of companion plantings and walls). Berm slopes shall be no steeper than 3H:1V. Variation of height, alignment, and side slope of berms shall be utilized as appropriate to create a more natural appearance.
- Site walls: Site walls shall be constructed of quality long-lasting materials such as brick or stone. When in close proximity to buildings, walls shall be constructed as defined in Architectural Screens (above). Precast concrete unit walls in a retaining mode may be utilized for

more utilitarian applications as grades allow where not exposed to direct view or where space is available to screen and soften the exposed wall face with planting.

- Planting: Plant materials for buffers and screens shall be of sizes listed herein and placed to effectively block views to designated areas. Evergreen species are most effective for the purpose, and shall be varied and combined with deciduous and other evergreen species to add interest and minimize large mono-cultural expanses of planting. Single-row planting shall be avoided. Double-row staggered placement of screen plants shall be employed at a minimum. Appropriate plant species shall be used with respect to available space and mature size of plants to prevent overgrown situations that may cause operational interference or security and safety issues.

H. Signage: Signs for basic traffic control and direction shall be installed in accordance with the Manual of Uniform Traffic Control Devices. Signs for campus direction, information, and wayfinding shall be graphically coordinated in accordance with a campus signage plan as discussed above. Sign materials shall be of a high and long-lasting quality subject to approval. Major site signs shall be consistent with existing and configured and placed in accordance with city requirements.

Building Development

The following shall be considered and incorporated into the design and construction of new buildings and building additions so they properly relate to and are consistent with Phase I development.

- A. Form, massing, and scale: In elevation, buildings shall incorporate a defined base-middle-top design framework. This can be achieved through proportioning fenestration and detailing or by changing materials. Buildings shall be detailed to create vertical and horizontal articulation. Changes in wall planes, vertical window orientation, and vertical detail elements shall be employed to relieve long horizontal lines and forms and create interest. Detailing in masonry patterns, variations in wall plane setbacks, fenestration and other design details, may be used to create interest and avoid a box-like appearance. Large expanses of blank wall shall be avoided on facades visible from the public way.
- B. Materials: New development shall be designed and constructed utilizing enduring materials, components, and systems which will promote building longevity. Sustainable and “green” design technologies are encouraged. Exterior materials shall be consistent with those existing. Granite, brick, precast concrete or cast stone, and high-quality metals shall be used to appropriately relate color and texture to the campus and surrounding urban context. Surfaces that are highly reflective or capable of producing excessive glare shall be avoided.

- C. Exterior detail: Building elevations shall relate to existing buildings and promote a consistent image for the campus. Placement of fenestration, doorways, columns, and other components shall create a finely detailed and human-oriented environment. Large expanses of blank wall shall be avoided. Entrances shall be oriented to the pedestrian realm and emphasized with architectural form and elements such as canopies or porticoes, the rhythm of elements shall be such that monotonous repetition is minimized, and trim and detail elements shall be integrated into the design to provide interest.

- D. Accessibility: All new construction shall meet or exceed accessibility requirements as defined in ADAAG. Where exterior ramps or other elements are required for accessibility, they shall be fully integrated into the overall design of building and landscape.

- E. Roofs: Flat roofs shall be hidden from view by parapets. Rooftop mounted equipment shall be screened with compatible architectural screen materials or enclosed in a penthouse. Other roof forms may be employed to aid in breaking down large continuous masses in elements such as skylights, clerestories, monitors, or other raised roof areas; or in entry accent structures such as porticoes, canopies, etc. Roof materials, where possible, should be more reflective to minimize heat island effect, though should be avoided when visually obtrusive from off-site.

4. Development Review Process

All new development and construction on campus is subject to review and approval by the authorities having jurisdiction. This includes review under the Site Location of Development Law by the Maine Department of Environmental Protection and the City of Portland relative to the standing permits listed below.

City of Portland:

- Contract Zone Agreement (as amended June 10, 2002)
- Master Plan and Site Plan Phase I: Application #2005-0192 (approval date August 22, 2006)

Maine Department of Environmental Protection:

- Site Location of Development and Natural Resource Protection Act permits: Original Order #L-20775-19-A-N and L-20775-TG-B-N

Note: Permits and review by other state and federal agencies including the Maine Department of Transportation (Traffic Movement Permit), Maine Department of Environmental Protection (Voluntary Response Action Plan), U.S. Army Corps of Engineers (Section 404, Programmatic General Wetlands Permit), Federal Aviation Administration (Notice of Proposed Construction or Alteration; Form

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7460-1), have been obtained during the course of campus development to date. It is the responsibility of the developer to determine applicability of these to proposed development and the need for additional permits or modification or amendment to standing permits.

Prior to approval by these entities, development proposals and plans shall be reviewed and approved by Mercy Hospital and Mercy Health System of Maine for compliance with these Private Development Restrictions as follows.

1. Proposals submitted for review shall be done so in triplicate to the attention of the Mercy Facilities Director. The submission and review process may occur concurrently with other reviews, but shall be completed prior to final receipt of municipal and state approvals. In no instance shall materials be submitted later than sixty (60) calendar days prior to expected receipt of municipal and state approvals, and preferably, should be submitted on or about the same time as municipal and state submissions are made.
2. At a minimum, submissions shall contain copies of plans and supporting documentation being submitted for state and municipal reviews. Additional information and details may be requested by Mercy to facilitate its review.
3. Developers may be called upon to meet with Mercy to present proposed designs and further discuss their details.
4. Final written notice of decision will be issued to the developer by Mercy, detailing areas of concern or non-compliance as may be required, which shall be revised and resubmitted by the developer for review.

RECREATIONAL TRAIL EASEMENT

MERCY HOSPITAL, a nonprofit corporation located in the City of Portland, County of Cumberland, and the State of Maine (hereinafter referred to as "Grantor"), GRANTS, as a gift to PORTLAND TRAILS, a Maine nonprofit corporation (hereinafter referred to as "Holder"), in perpetuity, the following described Recreational Trail Easement (hereinafter referred to as "Easement"), over the "Property" as more fully described below.

Recitals

- A. Grantor owns a parcel of land located along the Fore River in the City of Portland, State of Maine, as more particularly described in **Exhibit A** attached hereto and made a part hereof (the "Property").
- B. In order to comply with the requirements of Paragraph 6 of the Contract Zone Agreement Between City of Portland and Mercy Hospital and Mercy Health System of Maine (hereinafter referred to as the "Contract Zone Agreement"), Grantor has agreed to grant Holder an Easement in perpetuity over the pedestrian paths and bicycle paths on the Property.
- C. This Easement is established pursuant to Title 33 Maine Revised Statutes Annotated Section 1581, et. seq.

NOW THEREFORE, Grantor establishes this Easement on, over, and across the Property as follows:

1. **Recreational Purpose.** This Easement is for the purpose of providing the general public the right to use certain trails on the Property for pedestrian and bicycle uses.
2. **Easement.** Grantor hereby grants to Holder a perpetual easement in gross, in common with Grantor and others, for pedestrian and bicycle use by the general public of those trails on the Property as particularly depicted on the "Recreational Trail Easement Plan" attached as **Exhibit B** and incorporated herein. Reserving to Grantor the right to make minor modifications to the location of the trails shown on the Recreational Trail Easement Plan, subject to the review and approval of the Holder and provided that Grantor shall be obligated to obtain all necessary permits and approval for such modifications.
3. **Signage.** Grantor shall install and maintain trail signs directing the general public to the trail location provided for by this Easement. Such signage shall be of a type, number and location approved by Holder.

4. Rules.

(a) With respect to the Easement granted herein, use by the general public shall be limited to daylight hours only and use by the general public shall be limited to recreational activities only.

(b) This Easement does not permit the general public or anyone other than Grantor to use the Easement for commercial, political or any other non-recreational activities on the Property, including, without limitation, soliciting, demonstrating or picketing, even if such activities are conducted simultaneously with, or as part of an otherwise permitted recreational activity and Holder acknowledges and agrees that Grantor may take action to prohibit such activities on the Property without additional consent of Holder.

(c) Grantor reserves the right to establish additional rules from time to time regarding the use of all such trails, which rules are subject to the review and prior written approval of the Holder. Grantor reserves the right to prohibit animals from some or all of the trails subject to this Easement.

(d) Either Grantor or Holder may enforce these rules, but Holder shall have no obligation to enforce these rules. Both Grantor and Holder acknowledge that this Easement is established for public use of the trails, on foot or by bicycle without charge, and Grantor and Holder agree to take no action to prohibit, discourage or charge a fee for public access to and use of the trails during daylight hours, except in compliance with the terms of this Easement.

5. Grantor acknowledges and agrees that it shall be responsible for obtaining all necessary permits or consents from the City of Portland for any amendment to this Easement and for any relocation of the trails shown on the Recreational Trail Easement Plan.

6. Holder, or its duly authorized agents, shall have the right to access the trails shown on the Recreational Trail Easement Plan by foot or by vehicle for the purpose of monitoring or inspecting said trails. The Grantor, its successors and assigns, shall be responsible for any and all costs associated with ownership, control, operation, maintenance, and upkeep of the trails.

7. The parties acknowledge and agree that this Easement is for "recreational activities" as such term is defined in 14 M.R.S.A. § 159-A(1)(B) and that Grantor and Holder shall be entitled to the liability protection set forth in such statute.

8. In the event the Holder shall cease to exist or shall cease to be willing or able to hold this Easement, then Holder shall assign this Easement to either (a) an entity that is a publicly supported, non-profit 501(c) (3) organization with a substantially similar purpose as Holder, which entity must be approved by the City of Portland, Maine or (b) the City of Portland, Maine.

9. Upon a written request from Holder, Grantor shall grant to Holder an additional easement to extend that portion of the trail located in the "North Open Space" on the Recreational Trail

Easement Plan from the "End Of Trail" in a northerly or northwesterly direction (as designated by Holder) to the boundary of the Property. The purpose of such extension will be to connect such trail to another trail located outside of the Property, and such extension of the easement will be subject to all other terms and conditions set forth herein.

10. The failure or delay of the Holder, for any reason whatsoever, to do any action required or contemplated hereunder, or to discover a violation or initiate an action to enforce this Easement shall not constitute a waiver, laches, or estoppel of its rights to do so at a later time.

11. Only Holder and Grantor may bring an action to enforce this grant, and nothing herein should be construed to grant any other individual or entity standing to bring an action hereunder, unless otherwise provided by law.

12. The interpretation and performance of this Easement shall be governed by the laws of the State of Maine. Except with respect to Section 4(b), which shall be liberally construed in favor of Grantor's right to prohibit non-recreational activities on the Property (a) any general rule of construction to the contrary notwithstanding, this Easement shall be liberally construed in favor of the grant to effect the recreational purpose of this Easement; and (b) if any provision in this instrument is found to be ambiguous, an interpretation consistent with the recreational purposes of this Easement shall govern.

IN WITNESS WHEREOF, MERCY HOSPITAL, has caused these presents to be signed and sealed in its corporate name by Eileen F. Skinner, its President, hereunto duly authorized, this 28th day of February 2008.

Signed, sealed, and delivered in the presence of:

Diana D. Sanders
Witness

MERCY HOSPITAL

By: Eileen F. Skinner
Its: President
Name: Eileen F. Skinner

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

Date: *February 28*, 2008

Personally appeared the above named Eileen F. Skinner, the President of MERCY HOSPITAL, and acknowledged the foregoing instrument to be her free act and deed in said capacity, and the free act and deed of said corporation.

Before me,

Robin R. Poulin

Notary Public/Attorney at Law

Type or print name of notary

My commission expires:

ROBIN R. POULIN
Notary Public, Maine
My Commission Expires December 3, 2011

SEAL

EXHIBIT A

PARCEL I

A certain lot or parcel of land with buildings thereon situated on the northerly side of the Blue Star Memorial Highway (Route #1) at the Veteran's Memorial Bridge on the Fore River in the City of Portland, County of Cumberland and State of Maine as shown on a plan entitled "Land in Portland, ME. Portland Terminal Company to Mercy Hospital", Sale: 1: = 100', dated June 29, 2001, as amended to date, by Owen Haskell, Inc., which plan is recorded in the Cumberland County Registry of Deeds at Plan Book 202, Page 431 (the "Conveyancing Plan"), which lot or parcel of land is bounded and described as follows:

Commencing at a rod marking a point 50.00' westerly of and at right angles to the center line of the main track marking a P.C. Station of 23 + 11.35 as shown on right of way and track map Portland Terminal Company dated June 30, 1916 revised March 1938 filed in the Portland Terminal Company in V1-D over 1-A; Said rod being approximately 675' northerly of the northerly right of way line of said Route #1;

Thence northerly along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track, N 10° 46' 19" W a distance of 482.85' to a rod opposite station 18 + 28.50;

Thence continuing along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track N 10° 57' 07" W a distance of 290.08' to a rod opposite station 15 + 38.42;

Thence continuing along land of Portland Terminal Company N 9° 29' 00" W a distance of 197.09' to a rod marking the westerly right of way line for the existing spur track and being 33.00' westerly and opposite P.C. Station 2 + 00.64' as shown on said railroad plan;

Thence continuing along land of Portland Terminal Company and being along said right of way line of said spur track along a curve to the left whose radius is 922.37', an arc distance of 185.63' to a rod on the westerly edge of a paved drive, said rod being found on a chord of N 22° 33' 26" W a distance of 185.32' and said rod being the Point of Beginning;

Thence continuing along land of Portland Terminal Company and following the westerly edge of said paved drive S 9° 2' 42" W a distance 110.67' to a rod';

Thence continuing along land of Portland Terminal Company on the following courses:

N 78° 59' 25" W a distance of 42.80' to a rod;

S 10° 55' 38" E a distance of 580.68' to a rod, said rod being 160.00' westerly of and at right angles to the centerline of the main track opposite said Station 18 + 28.50';

S 78° 59' 25" W a distance of 446.63 feet to a tie point;

Continuing S 78° 59' 25" W a distance of 133' ± to the easterly bank of the Fore River and continuing to the approximate low water line a total distance of 1165' ±;

Thence northerly, northwesterly, westerly, northeasterly and southwesterly following the approximate low water line a distance of 2550' ± to the easterly right of way line of Route 295;

Thence N 17° 19' 15" E along said right of way line 760' ±;

Thence N 50° 25' 55" E along said right of way line 176.00 feet;

Thence easterly along said right of way line and along a curve to the left whose radius is 375.00', an arc distance of 7.14' to a point and the southwesterly right of way line for the existing spur track and land of Portland Terminal Company, said point being found on a chord of S 84° 55' 24" E a distance of 7.14';

Thence S 54° 28' 52" E along land of Portland Terminal Company 116.36';

Thence southeasterly along said land and a curve to the left whose radius is 988.44' an arc distance of 283.21 to a tie point, said tie point being located the following courses and distance from the aforementioned tie point:

N 36° 35' 47" W 23.62';

N 36° 20' 10" W 1202.64';

N 41° 38' 20" W 452.20 and said tie point being found on a chord of S 62° 42' 17" E a distance of 282.24';

Thence continuing southeasterly and easterly along said land and a curve to the left whose radius is 988.37' an arc distance of 247.17' to a point said point being found on a chord of S 78° 04' 38" E a distance of 246.53';

Thence S 85° 15' 29" E along said land 439.84';

Thence continuing southeasterly along said land and a curve whose radius is 922.37', an arc distance of 1102.20' to the Point of Beginning, said point being found on a chord of S 51° 01' 30" E, 1037.78'.

Above courses are grid north.

Meaning and intending to describe that certain parcel of land identified as the "Portland

Terminal Parcel" on the Conveyancing Plan.

PARCEL II

A certain lot or parcel of land with buildings thereon situated on the northerly side of the Blue Star Memorial Highway (Route #1) at the Veteran's Memorial Bridge on the Fore River in the City of Portland, County of Cumberland and State of Maine as shown on a plan entitled "Land in Portland, ME. Portland Terminal Company to Mercy Hospital", Sale: 1: = 100', dated June 29, 2001, as amended, by Owen Haskell, Inc., which plan is recorded in the Cumberland County Registry of Deeds at Plan Book 202, Page 431 (the "Conveyancing Plan"), which lot or parcel of land is bounded and described as follows:

Beginning at a rod marking a point 50.00' westerly of and at right angles to the center line of the main track marking a P.C. Station of 23 + 11.35 as shown on right of way and track map Portland Terminal Company dated June 30, 1916 revised March 1938 filed in the Portland Terminal Company in V1-D over 1-A; Said rod being approximately 675' northerly of the northerly right of way line of said Route #1;

Thence northerly along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track, N 10° 46' 19" W a distance of 482.85' to a rod opposite station 18 + 28.50;

Thence continuing along land of Portland Terminal Company and being 50.00' westerly of the centerline of said main track N 10° 57' 07" W a distance of 290.08' to a rod opposite station 15 + 38.42;

Thence continuing along land of Portland Terminal Company N 9° 29' 00" W a distance of 197.09' to a rod marking the westerly right of way line for the existing spur track and being 33.00' westerly and opposite P.C. Station 2 + 00.64' as shown on said railroad plan;

Thence continuing along land of Portland Terminal Company and being along said right of way line of said spur track along a curve to the left whose radius is 922.37', an arc distance of 185.63' to a rod on the westerly edge of a paved drive, said rod being found on a chord of N 22° 33' 26" W a distance of 185.32';

Thence continuing along land of Mercy Hospital described in that certain deed given by Portland Terminal Company dated June 26, 2002 and recorded in the Cumberland County Registry of Deeds in Book 17783, Page 289, shown on the Conveyancing Plan as the "Portland Terminal Parcel" and following the westerly edge of said paved drive S 9° 2' 42" W a distance 110.67' to a rod;

Thence continuing along said land of Mercy Hospital on the following courses:

N 78° 59' 25" W a distance of 42.80' to a rod;

S 10° 55' 38" E a distance of 580.68' to a rod, said rod being 160.00' westerly of and at right angles to the centerline of the main track opposite said Station 18 + 28.50';

S 78° 59' 25" W a distance of 446.63 feet to a tie point;

Continuing S 78° 59' 25" W a distance of 133' ± to the easterly bank of the Fore River and continuing to the approximate low water line a total distance of 1165' ±;

Thence along a southerly, easterly, southerly, easterly and westerly line following the approximate low water line a distance of 1800' ± to the northerly right of way line of said Route #1;

Thence by the northerly right of way line of said Route #1 N 71° 56' 20" E a distance of 455' ± to the easterly bank of said Fore River;

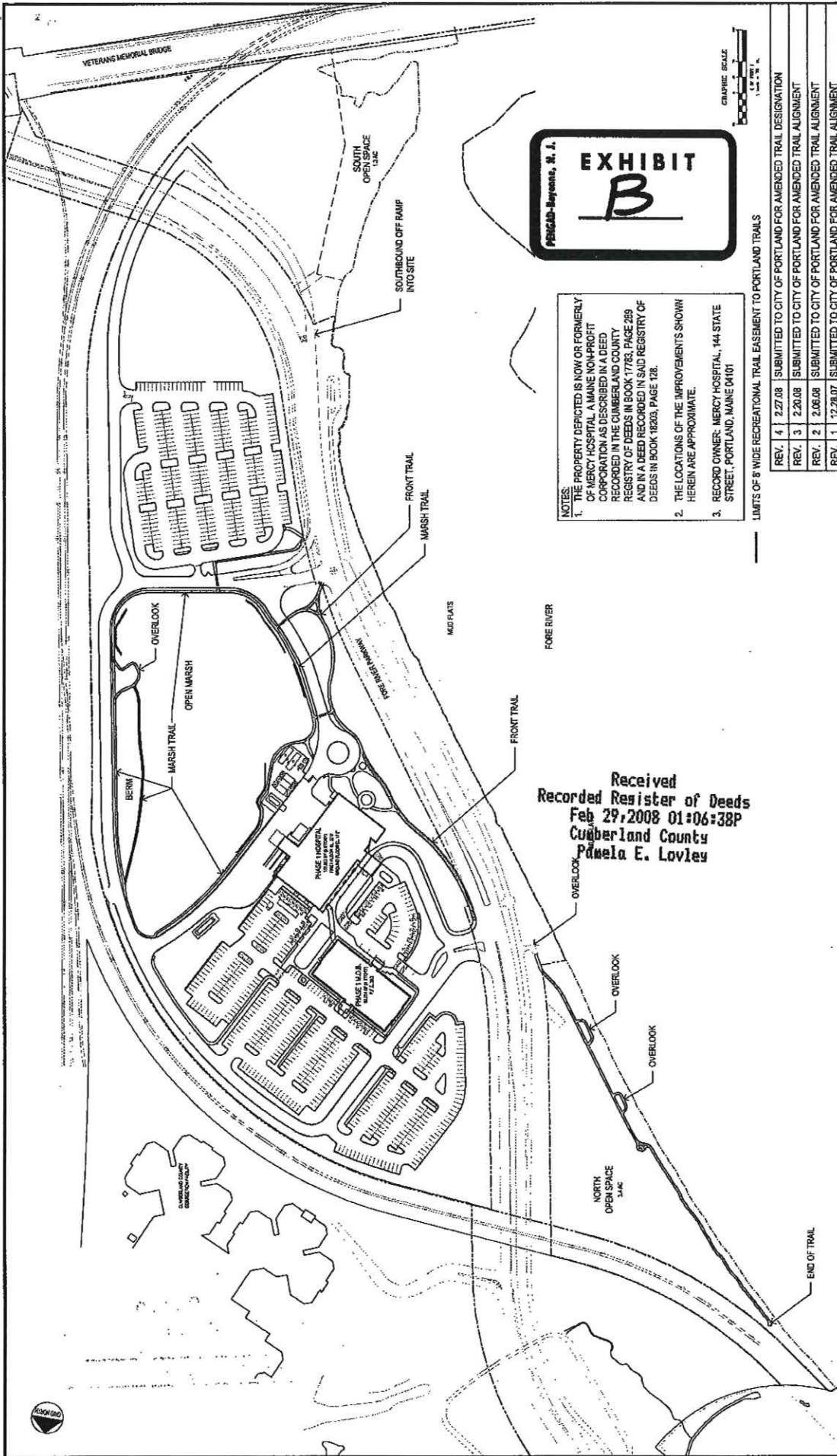
Thence continuing by said northerly right of way line of Route #1 on same course of N 71° 56' 20" E a distance of 125.37' to a tie point, said tie point being located the following courses and distances from the aforementioned tie point: S 9° 02' 28" E 1006.02 and S 16° 59' 00" W 273.21;

Thence continuing by said northerly right of way line of Route #1 on same course of N 71° 56' 20" E a distance of 244.63' to a point being 50.00' northerly of the centerline of said main track and opposite Station 32 + 86.66, at the intersection of a non-tangent curve;

Thence continuing along land of Portland Terminal Company along a curve to the left whose radius is 831.95' an arc of 920.02' whose chord is N 21° 53' 19" E 873.85 to the point of beginning.

Above courses are grid north.

Meaning and intending to describe that certain parcel of land identified as the "Merrill Parcel" on the Conveyancing Plan, and further meaning and intending to describe that certain parcel of land described in the deed of Portland Terminal Company to Merrill Industries, Inc. ("Merrill") dated July 27, 1998 and recorded in the Cumberland County Registry of Deeds at Book 14022, Page 302 (the "Merrill Deed").



NOTES:

1. THE PROPERTY DEPICTED IS NOW OR FORMERLY OF MERCY HOSPITAL, A MAINE NON-PROFIT CORPORATION AS DESCRIBED IN A DEED RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 17783, PAGE 289 AND IN A DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 18203, PAGE 128.
2. THE LOCATIONS OF THE IMPROVEMENTS SHOWN HEREIN ARE APPROXIMATE.
3. RECORD OWNER: MERCY HOSPITAL, 144 STATE STREET, PORTLAND, MAINE, 04101

REV. 4	2.27.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL DESIGNATION
REV. 3	2.20.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT
REV. 2	2.08.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT
REV. 1	12.28.07	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT

Received
 Recorded Register of Deeds
 Feb 29, 2008 01:06:38P
 Cumberland County
 Pamela E. Lovley

FIGURE
 1

**MERCY HOSPITAL
 FORE RIVER PROJECT**

DRAWN:	DEB	DATE:	11.20.07
DESIGNED:		SCALE:	AS NOTED
CHECKED:	SRB	JOB NO.:	2149.01
FILE NAME:	2149.01.MP3		

DeLuca-Hoffman Associates, Inc.
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
 207.775.1121
 WWW.DELUCAHOFFMAN.COM



Recording Date 9/16/08
Recording Time 3:52 PM
Book 26346
Page 137

FIRST AMENDMENT TO RECREATIONAL TRAIL EASEMENT

THIS FIRST AMENDMENT TO RECREATIONAL TRAIL EASEMENT (this "Amendment") is made and entered into as of this 17th day of September 2008, by and between **MERCY HOSPITAL**, a Maine nonprofit corporation located in the City of Portland, State of Maine ("Mercy"), and **PORTLAND TRAILS**, a Maine nonprofit corporation located in the City of Portland, State of Maine.

RECITALS:

A. Mercy owns certain parcel of land located along the Fore River in the City of Portland, State of Maine, as more particularly described in Exhibit A to the "Recreational Trail Easement" (defined below) (the "Mercy Property"); and

B. In connection with the development of the Mercy Property, Mercy conveyed to Portland Trails certain recreational easements over the Mercy Property, all as more particularly described in the Recreational Trail Easement, dated February 28, 2008 and recorded in the Cumberland County Registry of Deeds in Book 25855, Page 253 (the "Recreational Trail Easement"); and

C. The parties now wish to amend Exhibit B to the Recreational Trail Easement to reflect minor modifications to the locations of the trails.

NOW, THEREFORE, for valuable consideration and the covenants and agreements hereinafter set forth and in furtherance of the parties' understanding, it is agreed as follows:

1. Attached hereto as **EXHIBIT B** is an Amended and Restated Recreational Trail Easement Plan, prepared by Deluca-Hoffman Associates, Inc., dated November 20, 2007 and revised August 28, 2008 (the "Revised Recreational Trail Plan") that reflects the as-built locations of the trails on the Mercy Property. The parties agree that said Revised Recreational Trail Plan hereby replaces and supersedes the Recreational Trail Easement Plan attached to the Recreational Trail Easement as **EXHIBIT B** (the "Original Recreational Trail Plan").

2. Portland Trails hereby RELEASES to Mercy any and all easement rights it has as to the trails shown on the Original Recreational Trail Plan. Mercy hereby GRANTS to Portland Trails easements over the trails shown on the Revised Recreational Trail Plan in accordance with

the terms and conditions set forth in the Recreational Trail Easement as modified by this Amendment.

3. Except as expressly set forth in this Amendment, all other terms and conditions of the Recreational Trail Easement shall remain in full force and effect and are hereby ratified by the parties.

IN WITNESS WHEREOF, the Parties have hereunto set their hands and seals as of the date first set forth above.

WITNESS:

MERCY HOSPITAL, a Maine nonprofit corporation

Diana Sandus

By: Ethan T. St
Its:
Name:

PORTLAND TRAILS, a Maine nonprofit corporation


Jane Violette

By: Brent M. Bridges
Its: President
Name: Brent M. Bridges

STATE OF MAINE
COUNTY OF CUMBERLAND, s.s.

On September 18th, 2008, personally appeared the above-named
Eileen F. Skinner, President+CEO of Mercy Hospital, and acknowledged the
foregoing instrument to be ~~his~~ free act and deed in ~~his~~ said capacity and the free act and deed of
Mercy Hospital. ~~her~~ ~~her~~

Before me,



Notary Public/Attorney at Law

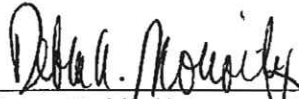
Name: _____

ROBIN R. POULIN
Notary Public, Maine
My Commission Expires December 3, 2011

STATE OF MAINE
COUNTY OF CUMBERLAND, s.s.

On September 17, 2008, personally appeared the above-named
Brent M. Bridges, President of Portland Trails, and acknowledged the
foregoing instrument to be his free act and deed in his said capacity and the free act and deed of
Portland Trails.

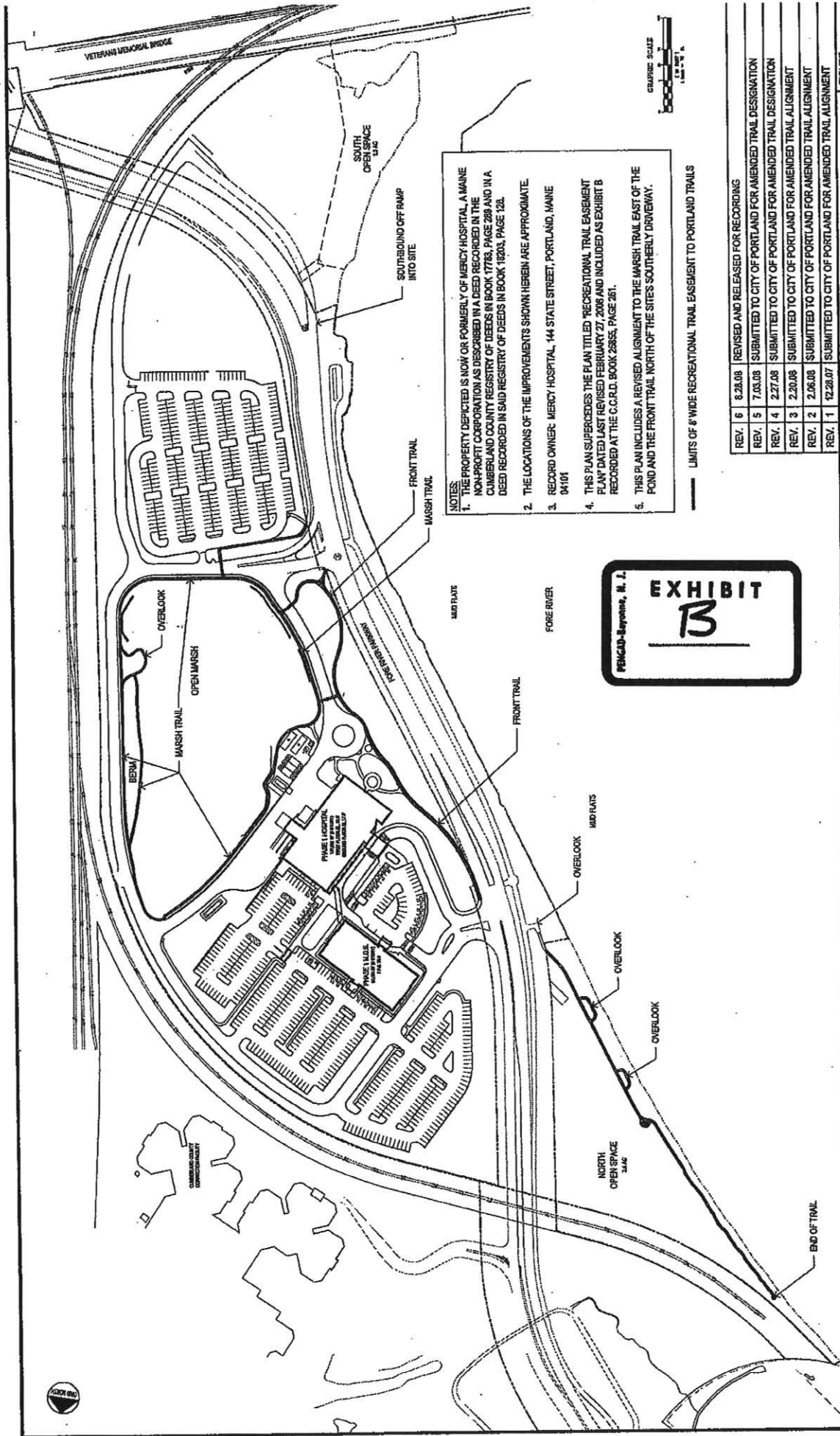
Before me,



Notary Public/Attorney at Law

Name: _____

DEBRA A. MORIARTY
Notary Public, Maine
My Commission Expires September 27, 2012



NOTES:

1. THE PROPERTY DEPICTED IS NOW OR FORMERLY OF MERCY HOSPITAL, A MAINE NON-PROFIT CORPORATION AS DESCRIBED IN A DEED RECORDED IN THE CUMBERLAND COUNTY REGISTRY OF DEEDS IN BOOK 17783, PAGE 289 AND IN A DEED RECORDED IN SAID REGISTRY OF DEEDS IN BOOK 18203, PAGE 128.
2. THE LOCATIONS OF THE IMPROVEMENTS SHOWN HEREIN ARE APPROXIMATE.
3. RECORD OWNER: MERCY HOSPITAL, 144 STATE STREET, PORTLAND, MAINE 04101
4. THIS PLAN SUPERSEDES THE PLAN TITLED "RECREATIONAL TRAIL EASEMENT PLAN" DATED LAST REVISED FEBRUARY 27, 2008 AND INCLUDED AS EXHIBIT B RECORDED AT THE C.C.R.D. BOOK 28952, PAGE 261.
5. THIS PLAN INCLUDES A REVISED ALIGNMENT TO THE MARSH TRAIL EAST OF THE POND AND THE FRONT TRAIL NORTH OF THE SITES SOUTHERLY DRIVEWAY.



— LIMITS OF 8' WIDE RECREATIONAL TRAIL EASEMENT TO PORTLAND TRAILS



REV. 6	8.28.08	REVISED AND RELEASED FOR RECORDING
REV. 5	7.03.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL DESIGNATION
REV. 4	2.27.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL DESIGNATION
REV. 3	2.20.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT
REV. 2	2.06.08	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT
REV. 1	12.28.07	SUBMITTED TO CITY OF PORTLAND FOR AMENDED TRAIL ALIGNMENT

FIGURE
1

**AMENDED AND RESTATED
RECREATIONAL TRAIL
EASEMENT PLAN**

**MERCY HOSPITAL
FORE RIVER PROJECT**

DRAWN:	DED	DATE:	11.20.07
DESIGNED:	-	SCALE:	AS NOTED
CHECKED:	SRB	JOB NO.:	2149.01
FILE NAME:	2149.01-NP3		

DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
WWW.DELUCAHOFFMAN.COM



CONSERVATION EASEMENT

MERCY HOSPITAL, a nonprofit corporation located in the City of Portland, County of Cumberland, and the State of Maine (hereinafter referred to as "Grantor"),

GRANTS, as a gift to the CITY OF PORTLAND, a body corporate and politic, located in the County of Cumberland and the State of Maine (hereinafter referred to as "Holder"),

with QUITCLAIM COVENANT, in perpetuity, the following described Conservation Easement in two certain parcels of land (hereinafter referred to as the "Easement Parcels") more particularly described in Schedule A, which is attached hereto and made a part hereof.

Recitals

WHEREAS, the Easement Parcels are part of a larger parcel of land owned by Grantor located along the Fore River in the City of Portland, State of Maine, as more particularly described in Schedule B attached hereto and made a part hereof (the "Property");

WHEREAS, in order to comply with the requirements of Paragraph 6 of the Contract Zone Agreement Between City of Portland and Mercy Hospital and Mercy Health System of Maine (hereinafter referred to as the "Contract Zone Agreement"), Grantor has agreed to grant Holder an easement in perpetuity over the Easement Parcels, granting public access over the Easement Parcels for recreational activities during daylight hours;

WHEREAS, the grant of the Conservation Easement will benefit the people of the City of Portland, and the State of Maine;

NOW THEREFORE, Grantor establishes this Conservation Easement on, over, and across the Property consisting of the following:

Terms

1. The Holder's rights hereunder shall be limited to permitting public access to the Easement Parcels for recreational activities during daylight hours. In no event shall such public access or recreational activities interfere with Grantor's "Stormwater Facility", as such term is defined below, or Grantor's right of access thereto.

2. Grantor agrees that it shall not construct or place any permanent structures on the Easement Parcels or increase the impervious surface of the Easement Parcels, without the prior written approval of the Maine Department of Environmental Protection, which approval shall not be unreasonably withheld.

RESERVING to Grantor, its successors and assigns the right to use the Easement Parcels so long as such use is not inconsistent with the restrictions set forth in Paragraph 2 above. Without limiting the generality of the foregoing, Grantor expressly reserves the right to construct, operate,

maintain, repair, replace, and enlarge a stormwater management facility, comprised of ditches, swales, and similar facilities from time to time (the "Stormwater Facility").

The parties acknowledge and agree that this easement is for "recreational activities" as such term is defined in 14 M.R.S.A. § 159-A(1)(B) and that Grantor shall be entitled to the liability protection set forth in such statute.

IN WITNESS WHEREOF, MERCY HOSPITAL, has caused these presents to be signed and sealed in its corporate name by Eileen F. Skinner, its President, hereunto duly authorized, this 9th day of October, 2002.

Signed, sealed, and delivered
in the presence of:

MERCY HOSPITAL

Kelley J. Snig
Witness

By: Eileen F. Skinner
Its: President
Name: Eileen F. Skinner

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

Date: October 9, 2002

Personally appeared the above-named Eileen F. Skinner, the President of MERCY HOSPITAL, and acknowledged the foregoing instrument to be her free act and deed in said capacity, and the free act and deed of said corporation.

Before me, Beryl C. McGrath
Notary Public/Attorney at Law

Beryl C. McGrath

Type or print name of notary

My commission expires: 9-23-2006

SEAL

BERYL C. McGRATH
Notary Public, Maine
My Commission Expires September 23, 2006

As approved Aug. 2006
 Condition relates to
 implementation
 monitoring.

7.2



Alternative Transportation/Travel Demand Management Plan

TDM Objective: To establish a set of strategies that encourages Mercy employees to use alternatives to driving to work unaccompanied. This would enable Mercy to successfully provide parking to all employees, visitors, patients, and physicians in the designed parking plan, which has been established at 5% below Mercy's anticipated parking capacity need.

The literature on travel demand management (TDM) identifies three basic goals for TDM programs:

1. decreasing driving alone
2. reducing the number of trips per week
3. reducing the number of peak hour trips

Goals:

Mercy's Alternative Transportation/Travel Demand Management Plan includes objectives and strategies for each goal:

Strategy	Objective	Tactics
Decrease driving alone	<ul style="list-style-type: none"> • Establish and market a Mercy Rideshare Program • Promote use of public transportation to Mercy campus • Promote walking and bicycle use. 	<ul style="list-style-type: none"> • Use Mercy Intranet as a portal for an in-house rideshare electronic "matching program"; market through employee orientation program. • Provide incentives for carpooling, such as preferential parking for carpools of 2 or more persons at Fore River site, or monthly prize raffles. • Evaluate financial incentives for car pooling. • Promote public transportation alternatives through employee newsletters, intranet, and employee orientation. • Offer employees a 50% subsidy for use of monthly bus passes; investigate using a Section 132F Plan • Encourage managers to review work schedules and provide employee flexibility in work start times to meet bus schedules. • Meet with public transportation providers to review existing service levels and opportunities to improve service levels. • Ensure availability of bike racks and shower facilities. • Construct pedestrian connector and encourage its use.

Stagger the arrivals at Mercy Fore River	<ul style="list-style-type: none"> • Increase use of compressed work schedules. • Increase use of flexible hours 	<ul style="list-style-type: none"> • Expand use of 4/10 and 3/36 work schedules to departments beyond nursing (currently over 80% of nurses are on compressed schedules) • Encourage managers to evaluate opportunities for increased use of flexible hours.
Reduce peak hour trips	Continue to refine three-shift schedule.	<ul style="list-style-type: none"> • Encourage managers to evaluate opportunities to shift employee schedules away from traditional patterns.

Implementation:

Mercy Fore River will target formal implementation of the Plan on with the opening of the new facility.

Measures:

Given that the current parking plan is sized at 5% below predicted need, Mercy will strive to have a parking use rate of 95% or lower at all times (or establish a confidence level of 95% that a space is available for the "next arriving vehicle"). Mercy will also strive to have zero parking complaints related to availability of spots (vs. proximity of spots).

Monitoring:

Annually, covering all shift times, Mercy will monitor parking space usage and traffic turnover to determine traffic flow and lot usage against hospital staff and visitor traffic. The responsibility for this function will be held by the Director of Plant and Engineering who will work with the Manager of Security to implement monitoring plans. These will include examining parking space vacancy rates/shifts in comparison to the numbers of employees and patients. Mercy's monitoring will be implemented in a way that reviews parking lot usage during peak times as well as different seasons. Mercy will use direct feedback as well as patient and employee satisfaction surveys, to monitor parking complaints.

Fall Back Alternatives:

In the event that TDM efforts are not successful or successful enough, Mercy would use some combinations of fallback alternatives, such as remote parking with shuttles or seeking additional parking on-site. Ultimately, the parking management plan, and thus the TDM plan, calls for a parking garage with implementation of Phase II.

CITY OF PORTLAND, MAINE

PLANNING BOARD

Kevin Beal, Chair
Michael Patterson, Vice Chair
John Anton
Lee Lowry III
Shalom Odokara
David Silk
Janice E. Tevanian

August 22, 2006

Mr. Stephen R. Bushey, PE
DeLuca Hoffman Associates Inc.
778 Main Street- Suite 8
South Portland, ME. 04106

Mr. Tim Prince
Vice President Planning & Ancillary Affairs
Mercy Hospital
144 State Street
Portland, ME 04101

**RE: Mercy Hospital Master Plan
Mercy Hospital Development Project – Phase 1
Vicinity of Fore River
Application ID Number: 2005-0192; Chart 073, Block A, Lot 1001**

Dear Mr. Bushey and Mr. Prince,

On August 8, 2006, the Portland Planning Board considered Mercy Hospital's revised Master Plan (July, 2006) and its Phase 1 proposals for a 137,832 square foot short stay Hospital Building, an 80,054 square foot Medical Office Building, 783 parking spaces and associated access, servicing, landscaping and other site features. Approval was granted for the project by the following motions:

On the basis of the Revised Master Plan, site plans and materials submitted by the applicant and on the basis of information contained in Planning Report #43-06 relevant to standards for site plan regulations set forth in or authorized by the City of Portland Code of Ordinances and the requirements of the Contract Zone Agreement, and other findings as follows:

1. The Planning Board voted 5-0 (Odokara and Anton absent) that the Revised Master Plan dated July 2006 is in conformance with the Contract Zone Agreement of 2001, subject to the following conditions of approval:
 - i. That the applicant prepare and submit a Private Development Restriction document, as required by Clause 10i of the Contract Zone Agreement, which document shall be reviewed and approved by the Planning Authority; and
 - ii. That the applicant shall submit to the Planning Board a Traffic Study for each phase of development (beyond the initial phase) that comports with the requirements of a Traffic Movement Permit; and

- iii. That the Planning Board's approval of the Revised Master Plan does not limit the City's right to require additional site features and amenities (so far not identified or shown in the Revised Master Plan) in connection with any future Site Plan or Subdivision application for this site.
2. The Planning Board voted 5-0 (Odokara and Anton absent) to waive the City's Technical Standard (Section III 3 A which requires parking spaces to measure 19 feet by 9 feet) to allow a total of 303 parking spaces within the first phase of the Mercy Hospital development to be 18 feet in length.
3. The Planning Board voted 5-0 (Odakara and Anton absent) to waive the City's Technical Standard (Section XV 4 C relative to light pole fixture height) to allow the light pole heights to be 25 feet in the parking areas and 30 feet at the drive aisles, as shown in the plan.
4. The Planning Board voted 5-0 (Odakara and Anton absent) that the plan is in conformance with the Site Plan standards of the Land Use Code, subject to the following conditions of approval:
 - i. The applicant shall amend the survey, for review and approval by the City Engineer, so that it is tied to the vertical datum of NGVD 1929 and into the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD1983(HARN) Datum and the U.S. Survey Foot as the unit of measure; and
 - ii. That the applicant shall conduct a post-occupancy Parking Demand Study that documents actual field conditions for review and approval by the City. The scope of the Study shall be coordinated and approved by the City. If the Study identifies deficiencies, the applicant shall be responsible for developing a plan that addresses the problem, as approved by the City; and
 - iii. That the applicant shall implement the submitted Transportation /Travel Demand Management Plan (TDM Plan) within one month from the issuance of the Certificate of Occupancy for the Phase 1 Hospital (short stay); and
 - iv. The applicant shall submit an annual TDM report that outlines the program for review and approval by the Planning Authority, with an initial report submitted within 12 months following the issuance of the Certificate of Occupancy for the Phase 1 Hospital (short stay). The report shall summarize the current program elements and participation in the program. The TDM monitoring program shall be conducted in parallel with the Parking Monitoring Study, with the scope of the Study agreed with the Planning Authority prior to conducting the Study; and
 - v. That the applicant shall continue to meet with METRO and use its best endeavors to ensure a reasonable public transit service is in operation to service the site prior to the issuance of the Certificate of Occupancy for the Phase 1 Hospital (short stay); and
 - vi. That the applicant shall submit for review and approval by the Planning Authority, revisions related to traffic signs and road markings, the detail of several crosswalks, and annotations related to future signal installation to address the items 11-15 and 17-21 of Tom Errico's comments of August 3, 2006; and

- vii. The applicant shall revise the site plan to show the location of bike racks and staff shower facilities on the site; and
- viii. That no more than 783 parking spaces may be built and/or provided within Phase 1 of the Mercy Development; and
- ix. That the applicant shall install on the site all of the planting and landscaping shown in Plans LP101, LP102, LP103, LP201 and LP202 within one year of the issuance of the Certificate of Occupancy for the first completed building; and
- x. That the applicant shall submit revised plans for review and approval by the Planning Authority which clearly show the details and extent of tree preservation, protection methods, and other requirements. The submission should include a Tree Protection and Vegetation Management Plan that clearly identifies these elements; and
- xi. That the applicant shall submit, for review and approval by the Planning Authority, further planting information and details to address the comments in the Memorandum from Pat Carroll dated August 2, 2006 and the e-mailed Recommendation from Jeff Tarling dated August 3, 2006; and
- xii. That the applicant shall submit further information regarding lighting levels and submit revisions as necessary for review and approval by the Planning Authority; and
- xiii. That the applicant shall submit, for review and approval by the Planning Authority, the elevations, materials and other information in respect of the maintenance building shown on the site plan; and
- xiv. That the applicant shall submit revised plans, for the review and approval by the Planning Authority, to achieve improved screening and integration of the service area, and associated tanks, structures and apparatus, through baffles and relocation of planting; and
- xv. That the applicant shall submit, for the review and approval by the Planning Authority, the complete information of processes, materials, or methods of storage to be used by the development and specify how hazardous impacts to neighboring properties will be prevented (as required in para 13 of the Contract Zone Agreement); and
- xvi. The storage of compressed gases shall comply with NFPA 55, and the applicant shall provide a compliance letter from a design professional to the Fire Department; and
- xvii. The applicant shall provide a public access easement, in compliance with Para 6 of the Contract Zone Agreement, for the pedestrian trail and bike path network within the Mercy site (Fore River waterside trails; the loop trail around the wetland area; and the "front" trail that connects the two access drives but excluding the staff-only "spur" path to the Phase 1 Hospital Building), to be approved by the Corporation Counsel; and
- xviii. That the applicant shall submit, for review and approval by the Planning Authority, all outstanding capacity to serve letters; and
- xix. That the applicant shall submit, for review and approval by the Planning Authority, revised plans that show 12 inches of special backfill material over all pipes to meet City standards; correct references to BMPs; and 7 inch reveals for granite curbing where it is located with the City's Right of Way (see DRC memorandum of August 3, 2006); and

- xx. That the applicant shall discuss and agree with Portland Trails, the City of Portland Public Works Department and the City of Portland Department of Parks and Recreation, a co-ordinated signing, management and maintenance regime that ensures that all areas within and adjacent to the site are maintained to a high standard of amenity and safety; and
- xxi. That the applicant shall provide the Portland Trail signage, subject to agreement with Portland Trails and to all necessary approvals and permits, as it relates to or is located on the Mercy site; and
- xxii. That the applicant shall submit a construction program, including measures being taken to avoid any impacts to surrounding streets and properties, for review and approval by the Planning Authority prior to the start of construction; and
- xxiii. That the applicant shall submit further information on the noise levels of any generator likely to be used on the site and confirm what measures will be taken to meet the noise standards of the City's Ordinance; and
- xxiv. The Fire Department Connections on building #1 (Phase 1 Hospital) at the loading dock must be kept unobstructed at all times and should be striped "Fire Lane" on the plans; and
- xxv. The Fire Alarm system shall require the use of Master boxes.

The approval is based on the submitted site plan and the findings related to conditional use and site plan review standards as contained in Planning Report #43-06, 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.)
7. 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 Jean Fraser at 874-8728.

Sincerely,

Kevin Beal, Chair
Portland Planning Board

Attachments: Planning Board Report #43-06 (excluding attachments);
Comments from Tom Errico, Traffic Engineering Reviewer, dated August 3, 2006;
Memorandum from Pat Carroll dated August 2, 2006;
E-mail from Jeff Tarling dated August 3, 2006;
Memorandum from DRC (Woodard & Curran) dated August 3, 2006)

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Jean Fraser, Planner
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
Greg Cass, Fire Prevention
John Peverada, Parking control
Assessor's Office
Approval Letter File

Attachment 1: re condition 4. vi

From: "Thomas Errico" <terrico@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: Thu, Aug 3, 2006 1:49 PM
Subject: Mercy Hospital

Jean-

I have provided the following update to my previous comments.

1. The applicant should provide a response as it relates to the current Build-out program and how it complies with details contained in the Maine Department of Transportation Traffic Movement Permit. The following presents a comparison of both:

MaineDOT Permit

- * 60,000 square foot Ambulatory Care Unit
- * 75,000 square foot Medical Office Building
- * 300,000 square foot Hospital with 250 beds
- * Total = 435,000 square feet of building space

Master Plan Application

Initial Phase

- * 138,000-139,000 square foot Hospital
- * 75,000-80,000 square foot Medical Office Building
- * Total = 213,000-219,000 square feet of building space

Future Phases

- * 150,000 to 200,000 square foot Hospital Expansion
- * 75,000 square foot Medical Office Building
- * 40,000 square foot Building Space
- * Total = 265,000-315,000 square feet of building space

* Combined Total = 478,000-534,000 square feet of building space.

It is my opinion that the current MaineDOT Traffic Permit will allow for the applicant to proceed with the Initial Phase of the project. Modification of the Traffic Movement Permit may be required before proceeding with future phases. A condition should be included that requires the applicant to submit traffic studies for each construction phase (beyond the initial phase) that documents traffic generation and whether the project complies with the Traffic Movement Permit.

2. The build-out plan illustrates a Future Emergency Access near the Cumberland County Correction Facility. The applicant should discuss the issues that prevent this connection from being implemented during Phase 1.

The applicant will be providing a gated emergency access during Phase 1 that complies with City Fire Department standards. I have no further comment.

3. The configuration of the internal intersection on the North Driveway concerns me. An expanded view illustration should be provided that depicts lane and traffic control details and provides information on traffic volumes expected to be traveling through this intersection.

I met with the Applicant and the plans have been revised and improved. I have no further comment.

4. The configuration of the internal intersection on the South Driveway concerns me. An expanded view illustration should be provided that depicts lane and traffic control details and provides information on traffic volumes expected to be traveling through this intersection.

I met with the Applicant and the plans have been revised and improved. I have no further comment.

5. I would suspect that a significant number of visitors either Drop-off or pick-up patients at the main Hospital Entrance. To minimize traffic volumes on the main North Driveway Entry/Exit Roadway, there may be some benefit to providing a direct connection from the Hospital frontage area to Parking Lots 'A' and 'B' (similar to the future build-out plan). This will increase pedestrian/vehicle conflicts, but I believe appropriate design features can be implemented to address this issue.

The applicant has responded to this issue and I find the plans to be acceptable.

6. The applicant should provide an explanation of the operations of The Shuttle Bus Service and the need for such service.

The applicant has responded to this issue and I find the plans to be acceptable.

7. There was some previous discussion that the applicant may be considering the use of the proposed Phase 1 parking supply for use by State Street employees. What is the status of this program?

The applicant has responded to this issue and this comment is no longer valid.

8. It appears that delivery trucks will need to access the loading docks of the Hospital via the South Driveway circulatory intersection. It appears that a gate will be provided, preventing delivery vehicles from accessing the loading area. How will the gate be managed? Also, how will deliveries take place at the MOB Building?

The applicant has responded to this issue and I find the plans to be acceptable.

9. The crosswalk on the South Driveway is illustrated differently from other crosswalks. The applicant should provide an explanation on the proposal for crosswalks on-site.

The applicant is proposing raised crosswalks at some locations. A construction detail has been provided and I have no further comment.

10. The applicant has provided a detailed Parking Study. The Applicant should provide supporting documentation used in the development of parking generation rates for all each specific users. Upon receipt of that information, I will provide an opinion of parking adequacy for the site.

I have reviewed the applicant's parking information and it appears that adequate parking will be provided during Phase 1 with 781 spaces. It is my recommendation that the applicant conduct a post-occupancy parking demand study that documents actual field conditions for review and comment by the City. The scope of the study will be coordinated and approved by the City. If the Study identifies deficiencies, the applicant will be responsible for developing a plan that addresses the problem, as approved by the City. I would note that related to this effort is the monitoring and refinement of the Travel Demand Management program discussed below.

11. The warning signs for the crosswalks on site should be revised to comply with the Manual on Uniform Traffic Control Devices, Federal Highway Administration.

12. The site plan notes that a stop sign will be installed at the southerly driveway at the Connector. This location will be signalized and the stop sign note should be deleted. I would also note that the applicant will be responsible for all costs/efforts necessary for the activation of the traffic signal at this location.

13. A pedestrian crosswalk sign on the egress approach of the southerly driveway is not required. This sign should be deleted.

14. The applicant is proposing a "street print" paving crosswalk at the southerly driveway within the City right-of-way. The City Engineer should review and approve the construction details.

15. The crosswalk at the main entrance is noted to be constructed with "brick pavers". Signage is provided that notes that it will be a "raised" crosswalk although it is unclear whether the crosswalk is intended to be raised. The applicant shall provide details of the crosswalk if it is to be raised.

16. The applicant has requested a waiver for the parking stall size. I support the waiver for 9 feet by 18 feet parking stalls.
17. The wayfinding plan indicates a crosswalk warning sign is to be installed on the Connector in the southbound direction in advance of the southerly driveway. This sign should be deleted. Appropriate warning signs have been provided for as part of the Connector project.
18. The wayfinding plan uses "diamond" shaped warning signs for directing motorists to either Commercial Street or Congress Street. I would suggest using another sign type.
19. A set of I-295 directional signs should be installed at the egress from the main Hospital Drive.
20. Sheet C-28 notes that the future signal (by others). The applicant is responsible for installing all necessary equipment for the activation of the traffic signal.
21. The plan illustrated the designation of 32 ridesharing parking spaces. The plan should include signs and/or pavement markings that clearly define the use of these spaces by carpool/vanpools. The applicant will need to manage these spaces as part of the TDM Plan.
22. I have reviewed the proposed management plan and offer the following comments:
 - o The applicant should submit an annual TDM report that outlines the program for review and comment by the City. I would suggest that an initial report be provided within 12 months following occupancy of Phase 1. The report should summarize the current program elements and participation in the program. I would suggest that the TDM monitoring program be conducted in parallel with the Parking Monitoring Study. This will allow a full review of transportation on site. Prior to conducting the study, the Applicant shall meet with the City to discuss the scope of work for this effort.
 - o The TDM plan notes the availability of bike racks and shower facilities on site. The site plan should include these elements.

Please call me if you have any questions, or comments.

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
(207) 871-1785 Phone
(207) 871-5825 Fax

CC: jpc@portlandmaine.gov

Attachment 2: re condition 4. xi (1st of 2 docs)

CARROLL ASSOCIATES

75 MARKET STREET PORTLAND, ME 04101
PHONE 207.772.1332 FAX 207.772.0712

LANDSCAPE ARCHITECTS

PROJECT MEMO: Mercy Hospital

TO: Jean Fraser
FROM: Pat Carroll
DATE: August 2, 2006

RE: Landscape Review

Our office has recently received the submission plans and support documents dated July 25, 2006 from Deluca Hoffman Associates and SMRT, and have the following comments:

1. The proposed revisions to the Master Plan and Planting Plan relating to building massing, circulation, parking, and open space/ landscaping are consistent with addressing the issues and comments voiced in previous memorandums and meetings with the Applicant's Designers. In general, we find no serious concerns with the Master Plan Document and the Site Plan Submittal as currently proposed. The proposed use of landform and extensive plantings should effectively buffer and screen the bulk of parking from view from the 295 Connector, provide adequate screening of adjacent industrial uses, and provide an attractive setting for the new Hospital.
2. Specific Planting Plan (Sheets LP-101,102, 103, 201, 202, and 501) comments include:
 - Ground plane treatment should be identified on the plan. It is unclear where manicured lawn, sod, meadow, conservation, or non-mowed grass areas are proposed, as well as extent of mulched landscape beds. We assume that all disturbed areas (including the Phase 2 parking lot and South End Open Space) will be revegetated and stabilized as part of the project.
 - Protection and preservation of existing vegetation on the site is critical, especially around the pond and at the northeast corner of the site as indicated. Other related site plans (Demolition, Erosion Control, Layout and Grading Plans) do not indicate these areas of protection and need to be revised to clearly indicate the extent of tree preservation, protection methods, and other requirements. Details indicating approach to tree protection and notes on the drawings relating to activities adjacent to these areas need to be submitted. A Tree Protection and Vegetation Management Plan that clearly identifies these elements would be very beneficial in establishing these requirements.
 - The treegrate and tree planting detail within the treegrate needs to be revised to clearly indicate the scope of work proposed here. It is my understanding in discussions with the Applicant that the structural soil and subsurface drainage indicated is being revised.
 - The applicant proposes to locate plantings on the upper portion of the slope along the east side of the connector to provide a better screening, which we agree with. A planting detail or written requirements for planting trees and shrubs on the connector slope as well as other places where the grade is 2:1 slope or greater should be developed to insure that excessive cut/fill slopes or exposed root balls do not occur when planted in these locations.
 - Some minor conflicts between pole lighting and tree placement are noted. We believe this can be adjusted in the field during tree installation after light pole bases have been installed.
 - It is not noted but assumed that all landscaping indicated on the submitted drawings will be installed as part of this phase, and subsequent future phases of the Hospital, MOB, parking lot expansion and Open Space South Development will be reviewed at the time these projects are brought forward.

Please contact me if you have any questions or concerns. I believe the evolution of the project has been positive and the project when built will result in a positive "Gateway" for the City.

Attachment 2: re condition 4. xi (2nd of 2 docs)

From: Jeff Tarling
To: Jean Fraser
Date: Thu, Aug 3, 2006 9:00 AM
Subject: Re: Mercy Hosp- Landscape Plan

Jean-

The latest Landscape Plan for the Mercy Hospital site shows much improvement and addresses the concerns raised at our last review.

I support the Memo sent by Carroll Associates in regards to the Mercy Hospital landscape review and offer the following comments:

This latest plan show major landscape improvements in the following areas:

- 1) Parking lot tree planting and pedestrian circulation. The added trees and sidewalks along the parking rows will improve pedestrian safety while providing landscape planting space to help define and buffer the parking layout.
- 2) The addition of trees / landscaping near the Maintenance building is an improvement over the last plan.

Recommendations - The Plant List does not show an overall total of plant quantities. Without seeing the total quantities the native / non-native species ratio is unclear. Consideration of additional tree species should be considered to add diversity due to the large plant quantities needed. I would be available to work with the applicant to review additional plant choices.

MERCY HOSPITAL

REVISED MASTER PLAN
(for consideration at August 8, 2006,
Public Hearing)

Prepared for:

Mercy Hospital
144 State Street
Portland, Maine 04101

Prepared by:

DeLuca-Hoffman Associates, Inc.
778 Main Street, Suite 8
South Portland, Maine 04106
(207) 775-1121
dhai@delucahoffman.com

July 2006

Planning File
Copies
(as endorsed 8.8.06)

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- Appendix A Figures
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1.0 INTRODUCTION

1.1 Purpose

The purpose of the Mercy Hospital Fore River Site Master Plan is to provide a guideline for the development activities for the Fore River Site as contemplated in the Mercy Hospital Contract Zone Agreement approved by the City of Portland. The Master Plan is intended as a fluid document to permit maximum flexibility in building and landscape design and to ensure high quality construction that considers the site's landscaping, building orientation and form, coordination of uses and parking, lighting and other site amenities and creation of private/public open spaces. The Master Plan is intended to fulfill the requirements of the Contract Zone Agreement that specifically requires Planning Authority approval of a Master Plan prior to Site Plan consideration.

1.2 Development Overview

Mercy Hospital is proposing to develop a new hospital campus on their Fore River development site. The current development plan may include the following uses:

- a. Hospitals, clinics, and medical research facilities.
- b. Community living arrangements, congregate care facilities, intermediate care facilities, long-term or extended-care facilities, and sheltered care group homes.
- c. Office complexes and professional offices.
- d. Day care facilities and adult day care facilities.
- e. Exercise and fitness centers and health clubs.
- f. Personal services, restaurants, and retail establishments of no more than 50,000 square feet (SF), except that there shall be no drive-through facilities.
- g. Dwellings, hotels, motels, inns, and rooming units; and lodging houses for hospital or clinic employees or volunteers and patients' family members.
- h. Teaching centers.
- i. Accessory uses, including but not limited to, parking facilities and structures, utility services, stormwater management systems, and site amenities.

All of the above facilities will be developed primarily to support the main use of the site as a hospital campus, although it is anticipated that some use of support facilities by others in the neighboring community may occur. The current Phase 1 development proposal is for the completion of a four-story, 80,000 SF Medical Office Building (MOB) and a 137,310 SF hospital structure containing four levels plus a

ground floor. Future development on the site is anticipated to include some of the aforementioned possible uses.

Other ancillary development features will include parking facilities, utility services, stormwater management systems, and site amenities. Parking for the campus will be primarily surface lots during Phase 1 and surface and structured parking in the future. The parking needs for the project will likely exceed 780 spaces to meet local zoning requirements and facility needs during Phase 1 and over 1,300 spaces during future phases.

1.3 Existing Conditions

Mercy Hospital has purchased approximately 85.5 acres of land located along the Fore River in Portland, Maine (the development site). The property was formerly owned by Merrill Industries, Inc. and the Portland Terminal Company. The lands consist of approximately 43.5 acres of mudflats along the Fore River and 34.5 acres of undeveloped or semi-developed land located along the Fore River waterfront. Approximately 7.5 acres of land has been transferred to the Maine Department of Transportation to allow the construction of the I-295 Connector project. Approximately 27 acres of the remaining land is available for development. Within this area the site is basically divided into two prominent areas by the location of an existing pond in the center of the site. The pond is within a former gravel pit. The north end of the site and the south end generally define the overall development area. Figures contained in Appendix A identify the site location on various resource maps.

The site generally extends from just east of the recently constructed I-295 Exit 5 interchange ramps easterly along the Fore River to the Veteran's Memorial Bridge. The site is bounded to the north and east by an active railroad line operated by Guilford Industries. The tracks to the north are traveled multiple times each day by the Downeaster passenger train service, while the tracks to the east service both the Downeaster service as well as regular Portland Terminal freight service. Farther to the northeast, commercial development lines St. John Street. Existing commercial establishments along St. John Street include Barber Foods, Century Tire, Redlon & Johnson and the Union Station Plaza. The Cumberland County Correctional Facility is located to the north of the property on the north side of the tracks. The Correctional Facility's activities are primarily focused to the north, facing Congress Street; thus the jail facility is generally buffered from the Mercy site by existing wooded land on that site. Appendix B contains various photos depicting the site's relationship to adjacent uses and views. It is clear that while the site is located within an urban setting, it stands somewhat isolated from its neighbors due to the railroad tracks along a majority of its boundaries.

The site's topography slopes from approximately elevation 24 feet along the active rail tracks that are on the north and east sides of the site to the riverfront, where the elevation is approximately 10 feet. The higher knolls on the northerly side of the site rise to elevation 38 feet towards the northeast center of the site. It is anticipated that

the knolls will be lowered as part of the proposed project. The bottom of the former gravel pit is approximately elevation 8 feet (NGVD).

The site's wooded areas are characterized by deciduous tree growth and dense undergrowth. Approximately one half of the site is densely vegetated. The southerly side is mostly open area that contains ground vegetative cover with grasses and stockpiles of topsoil and miscellaneous debris. Some of the ground area on the southerly side is bare earth, a result of previous activity on the site.

Overall the site can generally be classified as undeveloped. The property has historically been accessed by a paved drive from County Way and Congress Street. This drive passes adjacent to the Cumberland County Jail and crosses at grade over the railroad tracks into the site. This access will be used for emergency purposes in the future. The new I-295 Connector proceeds from north to south and includes bridge overpasses over the northerly and southerly rail tracks. Each bridge provides for an elevated view of the Mercy development site, while the roadway along the middle of the site generally passes through nearer to existing grade.

The site contains multiple wetland areas. Several areas consist of former ditches adjacent to abandoned rail track beds. These will be impacted as part of the development. A wetland pond exists within the former gravel pit in the center of the site. The site design has been prepared to minimize impacts to this wetland and to maintain the tree canopy surrounding the pond as much as possible.

1.4 Original Master Plan

The preliminary Master Plan that was submitted in 2001 in support of the Contract Zone Agreement contained the following programming elements:

- A five story 300,000 SF Hospital
- A three story 75,000 SF Medical Office Building
- A two story 58,000 SF Ambulatory Care Center.
- Surface parking for as many as 1,000 spaces
- Outparcel development at the south end of the property

The original Master Plan was intended to depict the general site conditions and building envelopes contemplated for development. As required by the Contract Zone Agreement, this current submission is intended to update the Master Plan representation of the programming contemplated for the site development and provide a greater level of detail to the Planning Authority prior to their Site Plan review of the project. This current July 2006 Revised Master Plan is intended for consideration by the Planning Board at their August 8, 2006 scheduled Public Hearing. A copy of the original Master Plan figure submitted in 2001 in support of the original Contract Zone review and approval is contained in Appendix C to this submission.

2.0 APPLICABLE ORDINANCES AND CODES

2.1 Design and Site Development

All design and site development activities within the Fore River Site shall comply with the current applicable local, state and federal ordinances and codes including, but not limited to, City of Portland Site Plan review, Department of Environmental Protection Site Location of Development and Natural Resources Protection Acts, State of Maine Voluntary Remedial Action Plan (VRAP) requirements, and U.S. Army Corps of Engineers Water Quality Certification.

2.2 Americans with Disabilities Act (ADA)

All components of the Fore River Development site shall be designed to provide full accessibility in accordance with current ADA guidelines. Site and building planning shall incorporate ramps and accessible features to overcome site conditions.

3.0 DEVELOPMENT STANDARDS

3.1 Site Plans

All site plans may be approved by the Planning Board only if, in addition to the dimensional requirements outlined below and the applicable provisions of Article IV (subdivisions) and Article V (site plan) of the City of Portland Code of Ordinances, the development meets the following development standards:

3.1.1 Design Relationship to Site

Development proposals shall demonstrate a reasonably unified design of the site in a campus-like setting, including the architecture, the layout of the buildings, pedestrian and vehicular circulation plan, open space, drainage, and the topography, soil conditions, vegetation, and other natural features of the site. Integration of open spaces and natural features shall be achieved by incorporation of outdoor amenities for the benefit of users of the site, such as jogging and walking trails, gardens, and benches. The proposed layout of buildings and uses shall demonstrate compatibility within the site. Consideration shall be given to compatibility of proposed perimeter development with the existing and future uses adjacent to the property.

3.1.2 Landscaping

Development proposals shall include a landscape program. All land areas not covered by structures, parking areas, or circulation facilities shall be landscaped and maintained. In order to soften the visual impact of large expanses of pavement in parking lots, vegetation shall be planted or retained in islands or planting strips where required by Article IV (Subdivisions) and Article V (Site plan) of the Land Use Code.

3.1.3 *Pedestrian Orientation*

Development proposals shall include an integrated pedestrian circulation system, including internal sidewalks, to take advantage of the topography and natural features of the site. They shall provide for safe pedestrian access to all buildings and parking areas and conveniently access all developed portions of the site without additional driving. The pedestrian circulation system shall link with the shoreline trail feature of the site.

3.1.4 *Vehicular Access and Circulation*

The Maine Department of Transportation has used a portion of the property for the construction of the I-295/Commercial Street Connector. The connector roadway provides a new link between Outer Congress Street, I-295 and the Commercial Street Corridor. From west to east, the connector extends from the I-295 Exit 5 interchange and crosses the Guilford Transportation railroad tracks above grade and proceeds across the property generally along the Fore River frontage. The Veterans Bridge Interchange has been reconstructed for the new connector roadway. The connector work includes a pedestrian walkway/bikeway along the Fore River frontage. Two separate access drives to the hospital campus have been provided off the Commercial Street Connector. A third southbound off ramp has also been constructed to provide access for site bound traffic traveling from the Exit 5 Interchange direction. Additional gated emergency access will likely be provided off an existing access route behind the County Correctional Facility.

3.1.5 *Buffers and Screens*

Development proposals shall include appropriate measures of a dense and continuous nature (for example, a double staggered row of white pine twenty-five (25) feet on center, etc.) in order to buffer parking lot visibility from public roads. Buffer plantings to provide wind buffering and reduce off-site noise shall be incorporated where feasible.

3.1.6 *Preservation of Natural Features*

Development proposals shall identify the extent to which the developer will preserve natural features including, but not limited to, existing vegetation, flood plains, rock outcroppings, surface water bodies, drainage swales and courses, and wetlands, provided any such program shall consider and be sensitive to the need to preserve such natural features.

3.2 **Dimensional Requirements**

The following dimensional requirements shall apply to the property as a whole, and not to individual lots (if any) within the property:

3.2.1 *Maximum Impervious Surface Ratio*

Eighty (80) percent.

3.2.2 *Maximum Building Height*

Ninety (90) feet.

3.2.3 *Minimum Front Yard Landscaped Buffer*

Twenty (20) feet from the edge of the connector right-of-way. Retaining walls, walkways, trails and pathways may occur within the landscaped buffer. Buildings and expanses of paved surfaces for vehicular use are prohibited.

3.2.4 *Minimum Side Yards*

Ten (10) feet.

3.2.5 *Minimum Rear Yard*

Ten (10) feet.

3.2.6 *Pavement Setback from property*

Fifteen (15) feet; twenty (20) feet from connector right of way.

4.0 **OVERALL LAYOUT**

4.1 **General Design Intent**

Mercy Hospital has selected a phased development program that balances their business needs and economic capacity. The programming currently consists of the following elements:

- Initial Phase
 - 138,000-139,000 SF Hospital
 - 75,000-80,000 SF Medical Office Building
- Future Phases
 - Parking Structure(s) to support 700-900 parking spaces (to be built prior to Hospital expansion)
 - 150,000 to 200,000 SF Hospital Expansion
 - 75,000 SF Medical Office Building
 - up to 40,000 SF additional building space
- Total building space equal to 500,000 to 600,000 SF can be supported on the campus

4.2 **Building Orientation**

The development layout is governed by the following site conditions:

- Location of the driveway access locations along the Connector
- Location of the wetland pond within the center of the site

- Naturally high ground within the northern sections of the site.
- Building envelopes available within the north and south sections. Neither area is large enough by itself to support the campus program, therefore requiring a “bridge” between them.

The Master Plan building envelopes allow for the following key elements:

- Building connectivity for the Phase 1 Medical Office Building and Hospital.
- Adequacy of Phase 1 surface parking within reasonable proximity to each building’s entrance.
- Future accessibility to a parking structure proximate to the Hospital, the expansion and the Phase 1 Medical Office Building.
- Remote staff parking on the south end of the site, to be facilitated by the use of onsite shuttle service to the hospital staff entrance.
- The hospital’s prominence on higher elevations of the site provides for views over the Connector Road to the Fore River and also overlooks the onsite wetland pond.
- Allows capacity for building expansion.
- A designated access route from the northerly driveway to the southerly driveway.

5.0 ARCHITECTURE

5.1 General Design Intent

The client requested a building that embodies the faith-based nature of their institution. The design approach is to utilize the pointed arch motif of Gothic Revival, a style that has historically had a great depth of meaning for Roman Catholic institutions in our country. This approach is given a modernist overlay with concentrated areas of glass wall and metal panel, with generally clean lines throughout. The client also wished to maintain a sense of continuity with their existing facility. Finally, the prominent waterfront location bears a direct relationship to the historic brick waterfront structures of downtown Portland.

5.2 Building Footprint

The hospital is centrally located on the high point of the site to enhance visibility from all directions. The rectangular footprint of the hospital is oriented north-south to both maximize access to sunlight and to optimize views from patient windows of the Fore River to the west and the pond to the east. The building’s four floors above a partially exposed ground level maximize the building’s height with the available program while minimizing the impact on the site. The Medical Office Building is located perpendicular to the Hospital in an L-shaped alignment so that future connections to the Hospital Expansion and a multi-level parking garage may be easily facilitated.

5.3 Building Massing

The massing of the building steps in, on both the east and west elevations as a response to the programmatic requirements within. A prominent location is created for the chapel with a full-height diagonal slice at the southwest corner of the building. The Medical Office Building is sited perpendicular to the hospital on the west elevation in an L-shaped configuration, creating an entry court for both buildings that opens directly onto the connector road and river. The Medical Office Building is oriented in a manner that will allow access from each side. The revised building location places the MOB closer to its allocated parking areas.

5.4 Building Façade/Materials

The façade is composed of traditional Portland red brick with light cast stone highlights. Gothic cast stone tracery throughout and stained glass windows at the chapel convey the faith-based nature of the institution. A brick arcade and entry canopy create an inviting approach on the west elevation. The majority of windows throughout are traditional punched openings, counterbalanced by the full height glass and metal panel slice at the southwest corner of the building. The windows on the west and south elevations are combined in a larger scale to read strongly at a distance from across the river. Traditional sloped metal roofing covers the chapel. The MOB will follow the Hospital's lead with a complementary building face, glass and accents to mirror the Hospital building. Future buildings will also follow these building and materials patterns and character.

5.5 Roofline

The main roofline of the Hospital building is a clean modernist horizontal edge accented with a large scale pediment centered over the main entry that is a direct reference back to the client's original building. The overall massing of the Hospital building is softened with the cascading sloped rooflines along the east and west elevations. The MOB will follow with a horizontal roofline that will fall below the Hospital's. Future buildings will follow with similar rooflines.

5.6 Service Areas

Service areas for the hospital are located along the partially exposed ground floor level on the east side (rear) of the building. These service areas are partially screened from view from the new connector road by the hospital itself. The semi-trailer loading area is located to the northeast corner and will be shielded from general view by the building. Dumpsters and other service related activities will be buffered by appropriate screening. The MOB service area will be minimal. The future hospital expansion will generally rely on the Phase 1 Hospital service area, as the loading area has been sized based on the Hospital's full build-out. Service areas for future buildings will be placed to consider buffering and shielding from important views to the extent practicable.

5.7 Building and Site Lighting

Ground-mounted and building-mounted lighting will provide general illumination of the building and safety and security over building entrances and walks and within parking fields. Building mounted lighting will place specific emphasis on the Phase 1 Hospital arcade and entrance canopy along the westerly elevation. Site Lighting will be provided throughout the campus with the use of "Heritage" style fixtures that blend traditional architecture with modern performance. Fixture heights shall not exceed 30 feet along primary drives, 25 feet within parking fields and 12 to 15 feet around pedestrian walks and building perimeters.

6.0 PARKING AND PEDESTRIAN CIRCULATION

(See Schematics 1 and 2 of 6 in Appendix D)

6.1 Overall Assessment of Need

Currently the Phase 1 Master Plan Schematic depicts the following parking summary.

Phase 1 Use	Building Size	Fore River Site Parking Phase 1	
		Required by Code	Provided on Schematic
Hospital – 1 SP/500 SF	137,832 SF	276	
MOB – 1 SP/400 SF	80,000 SF	<u>200</u>	
Total		476	783

Assuming similar ratios are allocated for the future development phases, the expected parking demand at the Fore River site can be summarized as follows:

Future Phases	Building Size	Fore River Site Parking Future Phases	
		Required by Code	Provided on Schematic
Hospital – 1 SP/500 SF	300,000 SF	600	Parking Garage – 900 Surface Parking - <u>611</u>
MOB/Offices – 1 SP/400 SF	174,000 SF	<u>435</u>	
Total		1,035	1,511

6.2 Visitor/Staff/Physicians/Shifts

Walker Parking Consultants has completed an allocated parking demand analysis for the initial project phase that is summarized as follows:

	Statistics	2007		Demand
		Daily	Ratio	
HOSPITAL BUILDING				
Inpatient Beds	44		0.36	16
Annual Outpatients	87,040	349	0.36	126
Employees	570		0.43	246
Staff Physicians	29		0.50	15
Admitting Physicians	40		0.50	20
Subtotal				423 spaces
MEDICAL OFFICE BUILDING				
Hospital Outpatient uses	16,277	66	0.36	24
Hospital Employees	84		0.43	37
Physician Tenants (sq. ft.)	53,600		5.50	295
Subtotal				356 spaces
	Total			779 spaces

6.3 Pedestrian Connectivity

Pedestrian sidewalks will link the recently constructed Portland Trails network along the waterfront to each primary site entrance and to the site's internal sections. A pedestrian crossing signal has been installed on the I-295 Connector at the southerly driveway. Pedestrian linkage will include overlooks of the wetland pond and also connectivity to the open spaces at each end of the site.

The north open space area, slated for construction in Mercy's Phase 1 of development, will include pathways that will enable completion of the linkage between the Thompson's Point area to the already paved and in-place Connector sidewalk/trail system. It is understood that these pathways will be surfaced in stone dust and not cleared during the winter months, similar to the "primitive" trail from Thompson's Point to which they will join.

Mercy will extend its path system in the north open space along the river to the northernmost property line, where it is to be met by Portland Trails construction.

Plans for the south open space include pathway access similar to that in the northern area, though this will require a bridge/boardwalk type of access stemming from the southern terminus of the paved Connector walkway system below the roadways slip lane. Development of this area will not occur until the future, with completion scheduled for sometime on or about occupancy of the Phase 2 Hospital expansion. Phase 1 will include planting shade trees associated with the stormwater treatment berms, and the loaming and seeding of disturbed areas not otherwise surfaced.

Site-related pedestrian circulation will include designated sidewalk routes from the surface parking areas to the buildings. A hard surface, landscaped pedestrian sidewalk will also connect the southerly staff parking area to the staff entrance at the south end of the hospital. A shuttle van will also transport hospital staff from the employee parking lots to the hospital entrance. Appropriate signage will be provided to aid in the understanding of onsite and offsite pedestrian facilities.

7.0 ACCESS AND CIRCULATION

(See Schematic Figures 3 and 4 of 6 in Appendix D)

7.1 Major Entrances and Exits

- Northerly Driveway
 - Eastbound left and westbound right turn entering
 - Eastbound exiting only to I-295 North

- Southerly Driveway
 - Westbound right turn entering only
 - Eastbound exiting to I-295 North
 - Westbound exiting to I-295 South

- Eastbound Slip Lane
 - Eastbound entering movement into site only

7.2 Secondary Access

Emergency access will be provided from the existing at-grade crossing behind the Cumberland County Correctional Facility.

7.3 Internal Site Circulation

Designated access drive connection to be provided between the north and south driveways. Wayfinding measures including signage will be provided to direct travelers to the appropriate driveways for north and south access from the site. Landscaping and lighting selection will provide distinction from adjacent parking and interior circulation and pedestrian areas.

7.4 Bus Routes

Metro will serve the site from their Congress Street route that involves bus travel from St. John Street through the Veteran's Bridge intersection. Service will approach the site from the Connector traveling westbound and enter into northerly driveway. They will pick up at the Hospital and Medical Office Building front entrances and proceed westbound on the Connector to Congress Street. Metro service is expected to follow a routine service schedule to the site and provide linkage to many greater Portland neighborhoods for both employees and patients/visitors.

7.5 Alternative Transportation/Travel Demand Management Plan

The development operations will be conducted in a manner to promote transportation demand alternatives. This will include strategies that encourage employees to use alternatives to driving to work unaccompanied. This will enable Mercy and other tenants to successfully provide parking to all employees, visitors, patients, and physicians in the designed parking plan, which has been established at 5% below the anticipated parking capacity need. A Transportation Demand Management Plan will be implemented and monitored by Mercy in order to improve and measure success.

8.0 LANDSCAPING AND OPEN SPACE

(See Schematic Figures 5 and 6 of 6 in Appendix D)

8.1 Design Intent

Mercy Hospital looks to "heal" the development site through its approved remedial action plan and landscaping program. The clean up and coverage of exposed soils and disturbed areas will be accomplished in a manner that beautifies the site and builds upon its waterfront location.

The project's landscaping program will be designed to meet the City's Arboricultural Specifications and Standards of Practice and Landscape Guidelines. The design shall

use tree and landscaping species that are suitable for the property's environmental conditions. All materials shall be of appropriate hardness, be suitable to the site's soils conditions and generally complement existing landscaping in the surrounding areas, including the I-295 Connector. All areas not otherwise used for buildings, paved parking areas, landscaping or otherwise naturally vegetated will be covered with topsoil and grassed. Specific landscape detail and emphasis will be placed on the open spaces between the buildings and the Connector Road simply due to the visual importance and site appearance from the Connector, I-295, and the Veteran's Bridge viewsheds.

8.2 Planting Design

Plantings utilized throughout the site are chosen to fulfill the functions listed below. Plant types used vary in type and size, some being native, and are placed to take full advantage of individual plant characteristics, such as form, mature size, and seasonal interest.

- Highlight and accent building entrances and specialty areas; gardens, terraces, etc.
- Define major entry, intersection, and focal points.
- Soften and screen the visual impact of parking and service/utilitarian areas from views within and from outside the site.
- Help define areas and travel sequences within the site to aid in identification of circulation patterns and wayfinding.
- Provide an aesthetically pleasing environment for patients, staff, and visitors.

This is accomplished by means of the following:

1. Establish a hierarchical planting structure defining major site components.
2. Use Green Ash to line and identify the primary site circulation loop from the north entry, around the pond, to the south entry, and along the eastern drive to the south end of the site (access from Connector eastbound).
3. Use Ginkgo and Red Maple to line and identify secondary circulation drives adjoining the hospital and through the southern parking area.
4. Use single species in individual parking "cells" or blocks, to define and create identity for each, much like a color-coding for each sub-lot. Species include European Hornbeam, Chinese Elm, and Ornamental Pear.
5. Use flowering accent trees such as Crabapple, Ornamental Pear, and Serviceberry, to highlight primary intersections and points of emphasis.
6. Utilize a mix of deciduous and evergreen species around the site perimeter to screen parking areas, and integrate the site into the background of mixed-

species vegetation at the base of the Western Promenade. Evergreens are used on the slope between the Connector and south parking, which will screen views of the south parking areas, augmenting the street trees planted in the Connector right-of-way. The eastern side of the site at the property line is planted in a mix of deciduous and evergreen trees. The planting on the berm on the east side of the south parking is augmented with shrubs. Mixed planting is shown at the northwest corner to soften views to the northern parking from those southbound on the Connector, reinforcing the natural screening by existing vegetation and lower position of the parking in the landscape.

7. Introduce accent planting in the pond area proximate to the walking path.
8. Existing vegetation is preserved to the greatest extent practicable, and is incorporated into the overall plan as a screening and naturalizing element.

8.3 Open Space Design

Through constituting what essentially amounts to “leftovers” from the Connector, the open spaces at the north and south ends of the project area adjacent to the Fore River represent an excellent opportunity for recreation resources. Character-defining elements of the area include:

- Close proximity to the water’s edge, with a few limited opportunities for shoreline access.
- Expansive views to the Fore River north of the Veteran’s Bridge.
- Access potential from an established pedestrian system (Portland Trail network).
- Remnants of past uses including wharves, rail lines and access ways that speak to Portland’s industrial “working waterfront” heritage.
- New, state-of-the-art stormwater treatment swales that reflect the latest environmental thinking in run-off water quality, the form of which includes long, geometric, swales and berms in the landscape.
- Large open areas of essentially flat land in varying degrees of natural succession vegetation re-establishment.
- Somewhat secluded from view, and the sometimes haunt of Portland’s transient population, raising questions of security.

Taken together, these elements offer an opportunity for the creation of passive-oriented recreation areas with interpretive potential. The concepts shown seek to achieve this by:

1. Utilizing and integrating the regular geometry of the stormwater swales and berms into the open space design. The swales are reminiscent of the Cumberland & Oxford Canal system that used to terminate in the nearby turning basin. The linear arrangement is incorporated into the composition as a foil for

a bosque of trees, across which pathways with footbridges are located to draw the user into the area. Interpretive signage could be installed at some future date to provide information about the treatment system and water quality issues, as well as nearby canal history.

2. At the south end, a boardwalk bridge connects the end of the existing trail to the open space area along remnants of an existing granite-clad wharf. Other remnants of the wharf system exist at the extreme southern end. Both offer opportunities for historic information and interpretation. Water access at the south end is possible, creating the opportunity for kayak entry.
3. At the north end, the remains of a railroad spur to the former wharves organize the alignment of a path between it and the water's edge. Volunteer tree growth, primarily birches, in and amongst the tracks, creates a unique "decomposition" of an industrial area back to the natural. Old internal access drives are geometrically incorporated with allees of trees, with a sitting area with benches focused on the water at their confluence.
4. Opportunities are created along stone dust pathways (south and north) for benches seating.
5. Disturbed areas not otherwise treated are given back to a naturalized field state, or, where active recreation activities (Frisbee, kite flying, etc.) are possible, mown lawn.

8.4 Phasing

Phase 1 planting and open space improvements will include:

1. Plantings in the north and south parking areas.
2. Plantings at the north and south site entrances.
3. Perimeter screen/buffer plantings.
4. Plantings around Phase 1 hospital and medical office buildings.
5. Screen plantings around service/loading area.
6. "Structural" planting in the green space south of the hospital building between the access drive and Connector to include trees and lawns only.
7. Full development of north open space including stone dust paths, footbridges, benches, and plantings. The path will be constructed to a point at the northernmost property line where it will be met by pending Portland Trails construction. Trail directional signage will be installed in coordination with Portland Trails.

8. Partial development of the south open space to include a portion of planned shade tree planting, general cleanup, and grassing of disturbed and un-revegetated areas.

Phase 2 planting and open space improvements will include:

1. Plantings in the expanded south parking area.
2. Plantings at the Phase 2 hospital building expansion.
3. Plantings at the Phase 2 medical office building.
4. Development of garden areas for staff, patients, and visitors, south of the hospital building between the access drive and Connector, building upon the "structure" of trees installed in Phase 1.
5. Completion of the south open space to include stone dust paths, footbridges, benches, and plantings.

8.5 Wind Buffering

In addition to the front yard buffer areas, the parking areas will contain landscaped longitudinal barrier islands at regular intervals. Tree plantings and other landscape measures will be positioned to provide winter wind buffering of the building's front entrances and provide protection in the wide open spaces.

8.6 General Site Character/Construction Materials

8.6.1 Parking Lot Surfaces

Parking lot surfaces will be hot bituminous asphalt. Standard or pervious concrete may be used in service areas.

8.6.2 Walkways

Walks within reasonable proximity to the building shall be reinforced concrete. More remote walks may consist of poured, integrally tinted concrete, pervious concrete or hot bituminous asphalt. Several pedestrian paths to open spaces and around the open marsh in the middle of the site may be bituminous asphalt or stone dust.

8.6.3 Curbs/Islands

Curbs shall be vertical or sloped granite. Landscaped islands shall also be sloped or vertical granite.

8.6.4 Walls

Site retaining walls, where necessary, shall be segmented block retaining walls. Decorative walls at the main entrances shall have a masonry or poured concrete core and stone veneer (granite or limestone) constructed on an appropriate foundation. Retaining walls as an extension of the building façade shall be poured concrete with a veneer of material to complement the building materials.

8.6.5 Fencing

Chain link fencing may be used along the railroad ROW to provide separation and site security. Vinyl coating shall be used where appropriate.

8.7 Lighting/Signage

Parking area and pedestrian lighting shall be of high quality construction and materials and with a character that complements the architectural features and style of the building. The site lighting shall meet the City of Portland strict requirements regarding minimum, average and maximum levels of illumination, maximum wattage and mounting height. All signage at main entrance and way finding signs throughout the site shall be of a character and quality consistent with that of the building. Signs shall be illuminated at the entrances, with consistent graphics and logo (custom screen printing) throughout the project.

8.8 Open Spaces

Public open space shall be provided at each end of the property's water frontage. During the first development phase, the open spaces should generally be offered for passive recreational opportunity. The northerly open space shall be connected to the Portland Trails network by a stone dust path extension during Phase 1. The southerly open space shall be restored to a grassed condition. The primary purpose of these spaces is to allow waterfront access. Future improvements to these spaces will include an extension of the far southerly end of the Portland Trails piece to the site's southerly open space and also landscaping enhancements within these spaces.

Existing Pond (Former Borrow Pit)

(See Design Drawing contained in Site Development plan set)

Reclamation measures are proposed for the side slopes of the former gravel pit and as an enhancement to its wetland conditions:

- Approximately 0.5 acres of upland side slope will be stabilized with topsoil, and vegetative ground cover.
- Debris including tires, metals and other debris will be removed from around the former pit.
- Several methods are possible to complete the placement of material over the side slope areas. Reinforced turf may be used on the steeper slopes (>3:1). Alternatively, the project may involve the service of an Erosion Control vendor

such as Mulch-Maine-ia, who provides the pneumatic placement of organic soil mulch along slopes. The use of a pneumatic application of organic mulch appears appropriate and well suited to the Mercy Hospital project. The use of this type of equipment will minimize disturbances on the existing slopes, yet provide the maximum ability to place material in and around the existing tree growth.

To complement the placement of the organic soil mulch the plan includes mixing vegetative material into the compost. Mulch-Maine-ia uses Terra-seeding to inject fertilizers, grass seeds, wild flower and other granular material into the organic material. This process will result in a fully vegetated side slope surface around the wetland pond perimeter.

9.0 Utilities

(See Schematic Figure 6 of 6 in Appendix D)

The proposed hospital campus shall be served by public water, sewer, natural gas, and nearby communication, cable, and electric utilities. Nearby water service consists of 20" and 8" water mains near the Veteran's Bridge and off St. John Street, respectively. A 42" sanitary sewer interceptor borders the site along its easterly border. The Hospital will continue to manage its wastewater flow stream in a similar fashion to the existing facility on State Street in Portland. Communications, cable, and electric utilities are located in the project vicinity and will be brought in either overhead or underground into the site.

The project's proposed stormwater management systems shall provide for onsite water quality treatment prior to the discharge of runoff to the Fore River. Quantity control is not required due to the nearby tidal conditions of the Fore River. The project will include enhancements to the former borrow pit including improved vegetative buffers and side slope stabilization to aid in stormwater water quality treatment prior to discharge to the Fore River and tidal conditions.

APPENDIX A

FIGURES



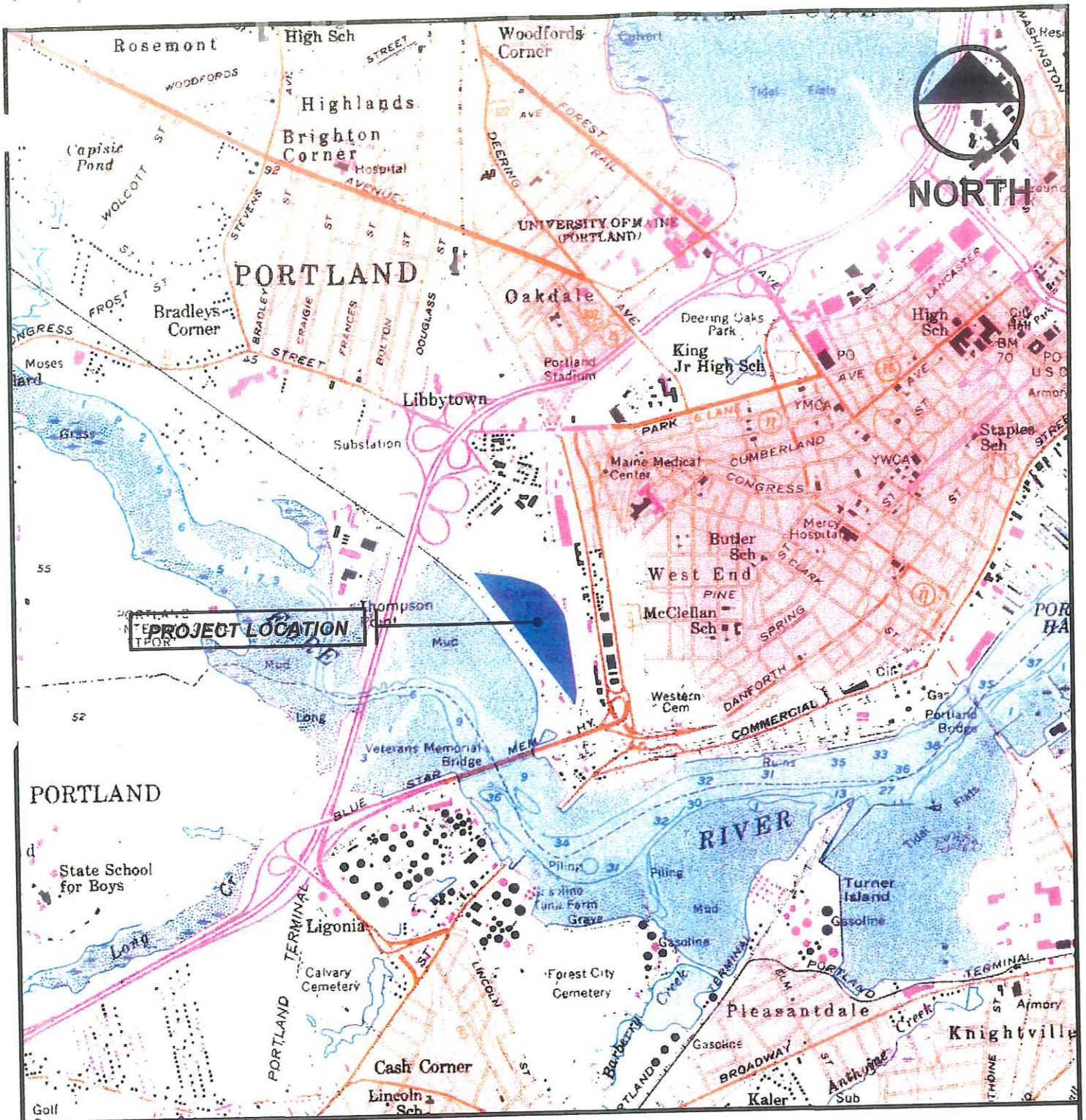
DeLORME LOCATION MAP
 Mercy Health System of Maine – Portland, Maine
 SOURCE: DeLORME MAPEXPERT; DATED: 1993



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DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 2000'+-
CHECKED	SRB	JOB NO.	2149

FIGURE
1



USGS TOPOGRAPHIC MAP

Mercy Hospital Feasibility Study – Portland, Maine

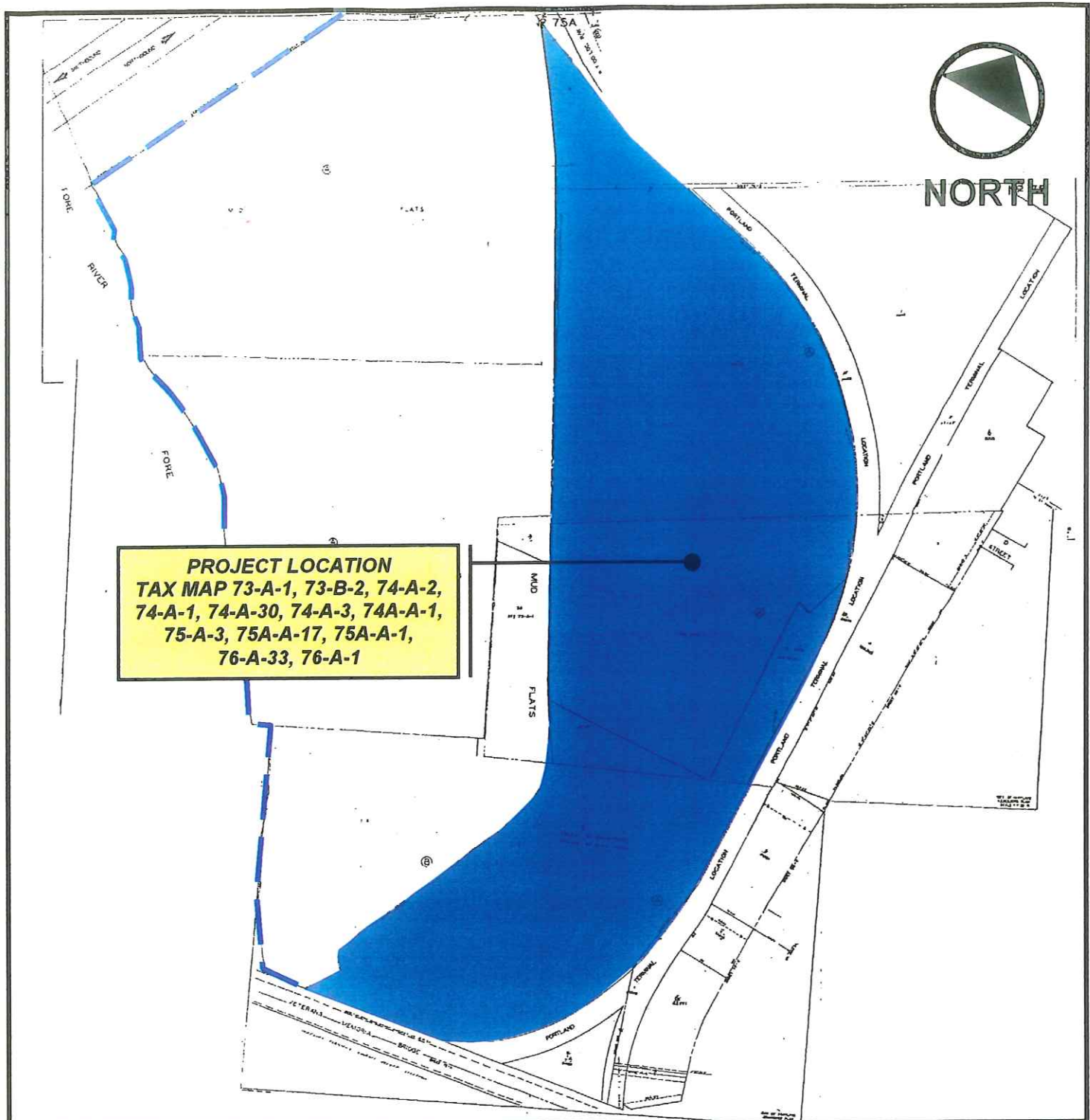
SOURCE: TOPOSCOUT; Coastal Maine CD-ROM, USGS Portland West Quadrangle, 7.5 Minute Series (Topographic)



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FIGURE
1



PROPERTY TAX MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: CITY OF PORTLAND ASSESSORS PLAN, MAP NUMBERS: 73, 74, 74A, 75 & 75A

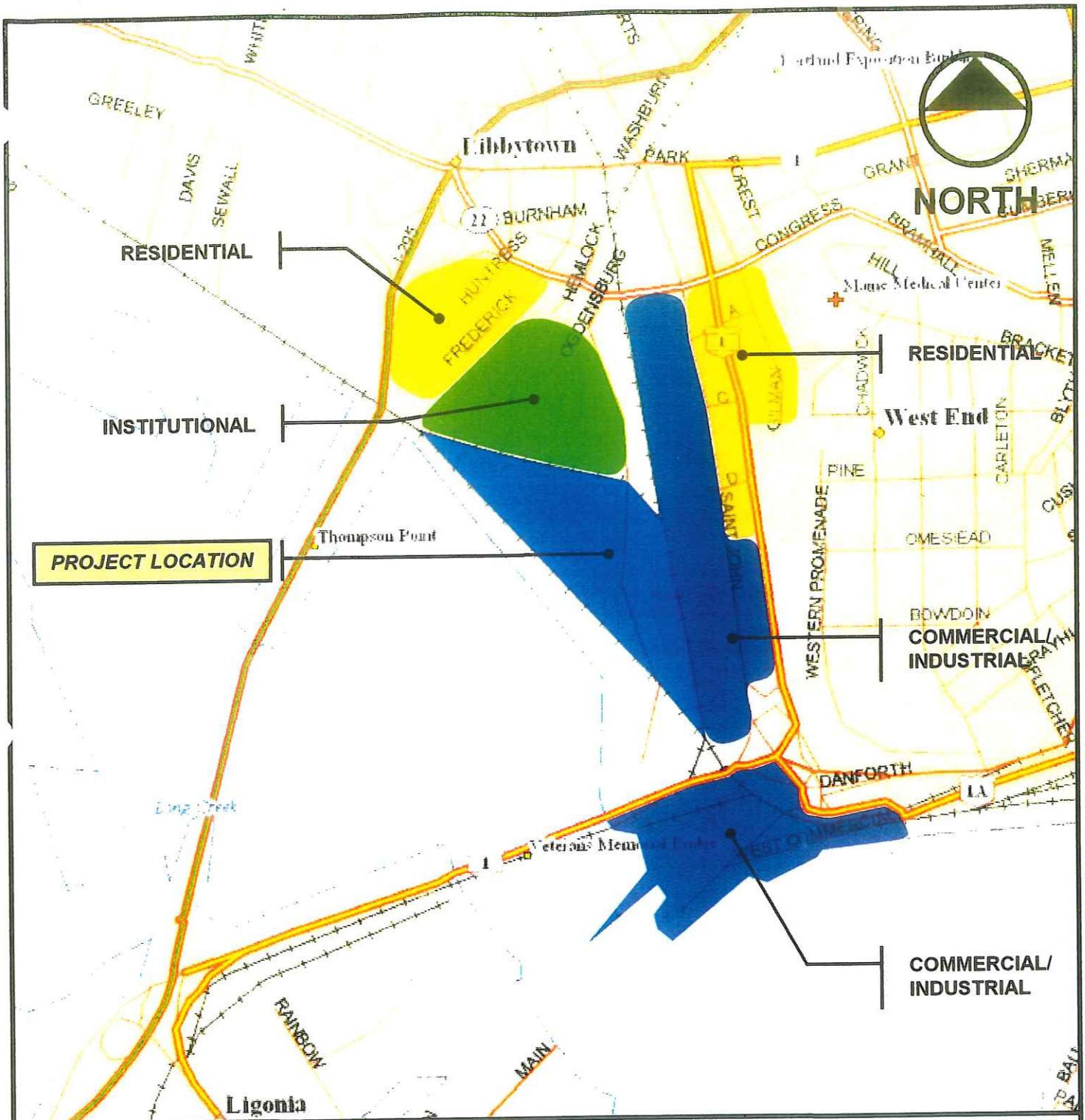


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FIGURE

3



DeLORME ABUTTING LAND USE MAP
 Mercy Health System of Maine – Portland, Maine
 SOURCE: DeLORME MAPEXPERT; DATED: 1993



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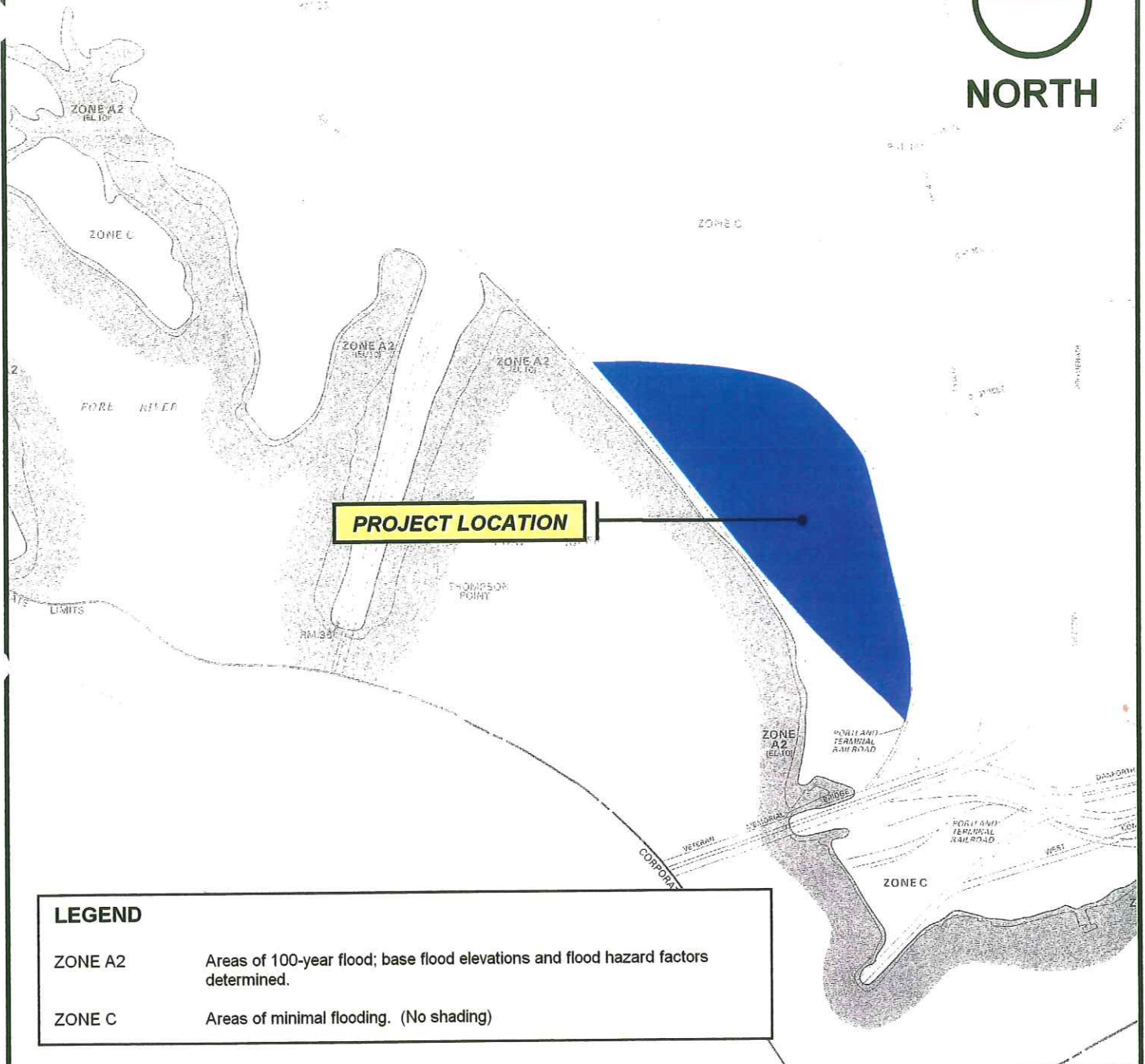
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DRAWN	JDL	SCALE	1" = 1000'+-
CHECKED	SRB	JOB NO.	2149

FIGURE

6



NORTH



FLOOD MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: FIRM; FLOOD INSURANCE RATE MAP, CITY OF PORTLAND, MAINE CUMBERLAND COUNTY;
COMMUNITY-PANEL NUMBERS: 230051 0013 B AND 230051 0016 B; EFFECTIVE DATE: JULY 17, 1986



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DESIGNED	SRB	DATE	OCT. 2001
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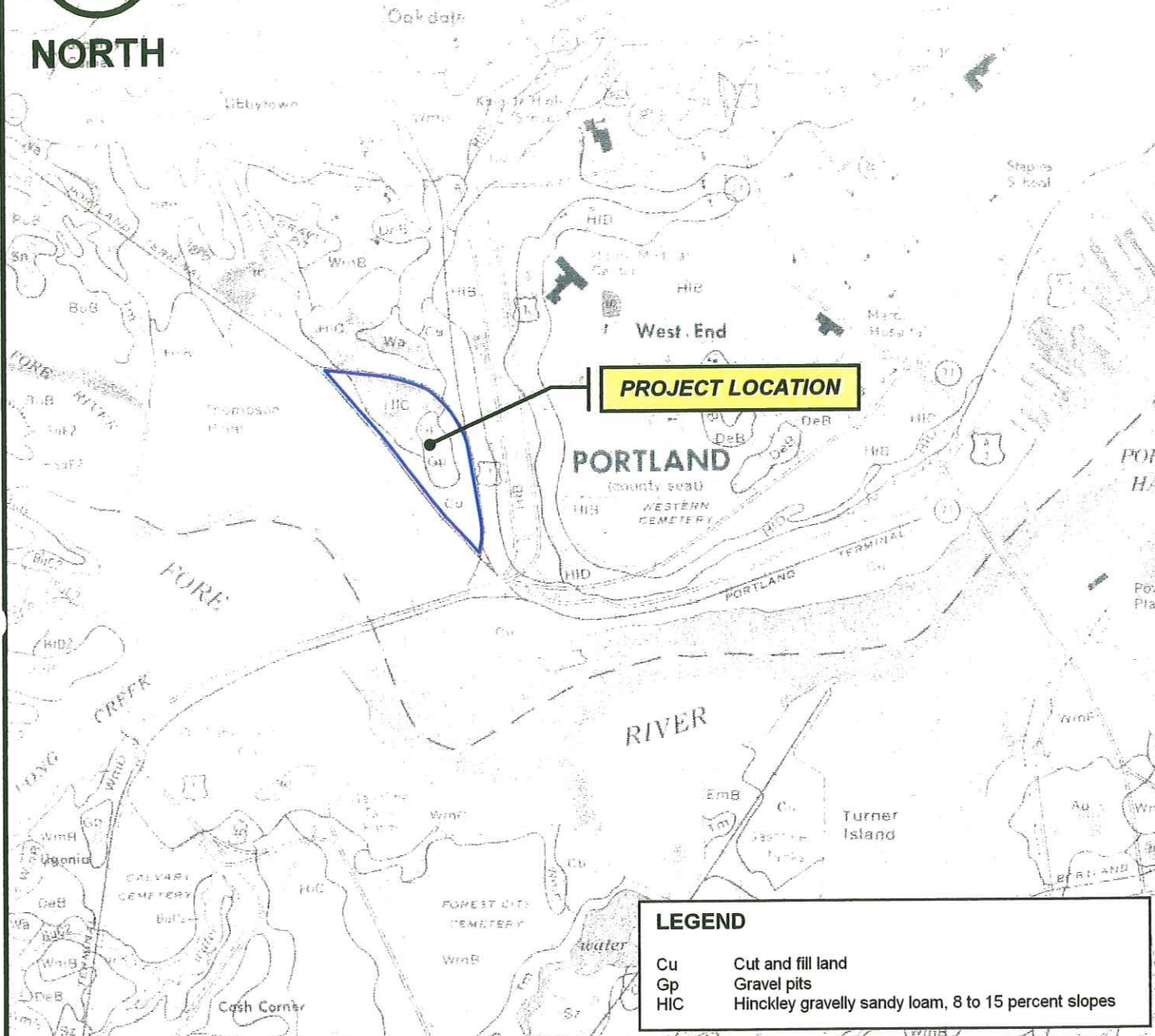
FIGURE

7



NORTH

PORTLAND



PROJECT LOCATION

LEGEND	
Cu	Cut and fill land
Gp	Gravel pits
H1C	Hinckley gravelly sandy loam, 8 to 15 percent slopes

USDA SOILS MAP

Mercy Health System of Maine – Portland, Maine

SOURCE: SOIL SURVEY OF CUMBERLAND COUNTY, MAINE; SHEET NUMBERS: 82 & 86



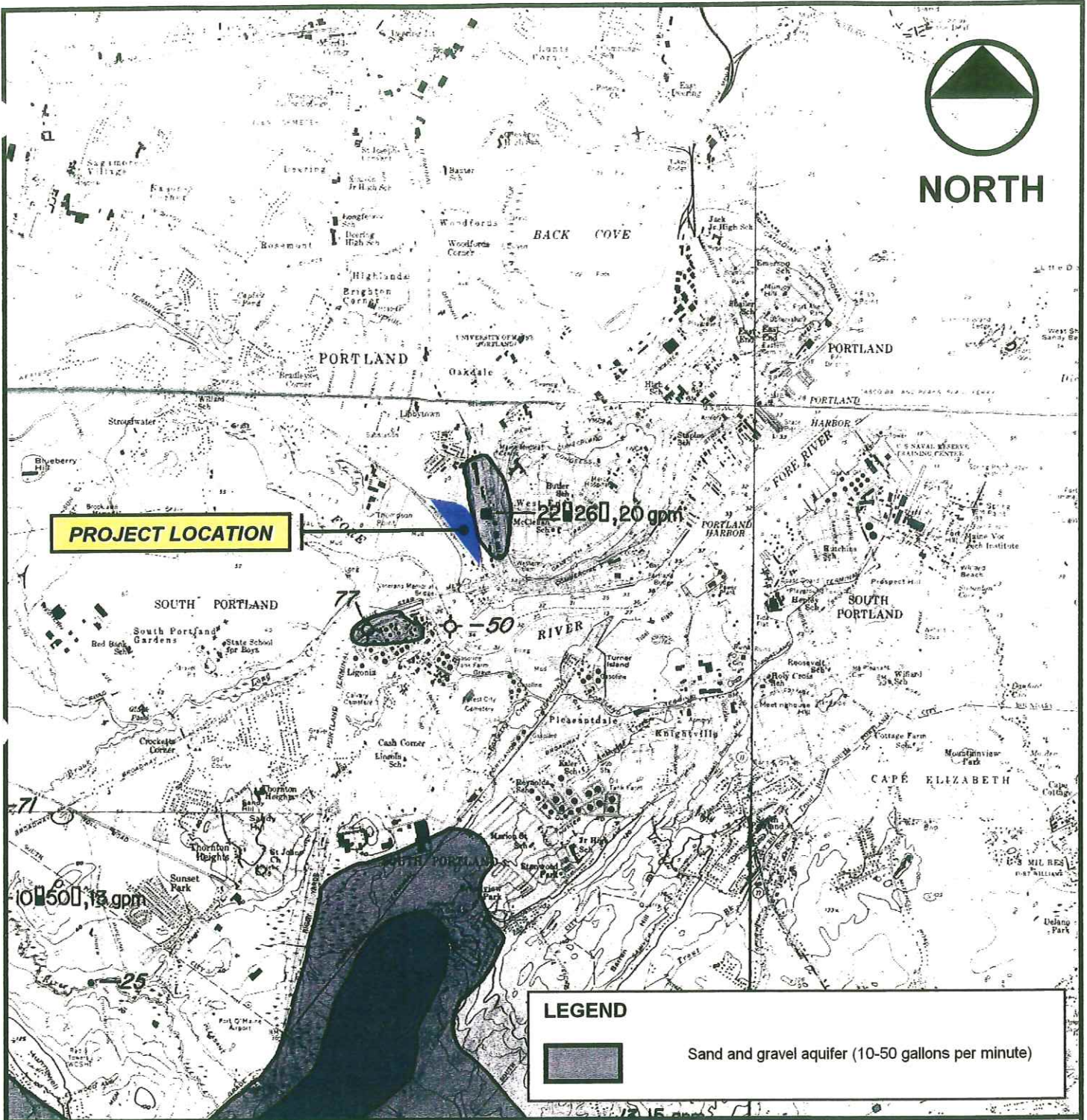
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DESIGNED	SRB	DATE	MARCH 2001
DRAWN	JDL	SCALE	1" = 1667'+-
CHECKED	SRB	JOB NO.	2149

FIGURE
8



NORTH



MGS SAND AND GRAVEL AQUIFER MAP

Mercy Health System of Maine – Portland, Maine

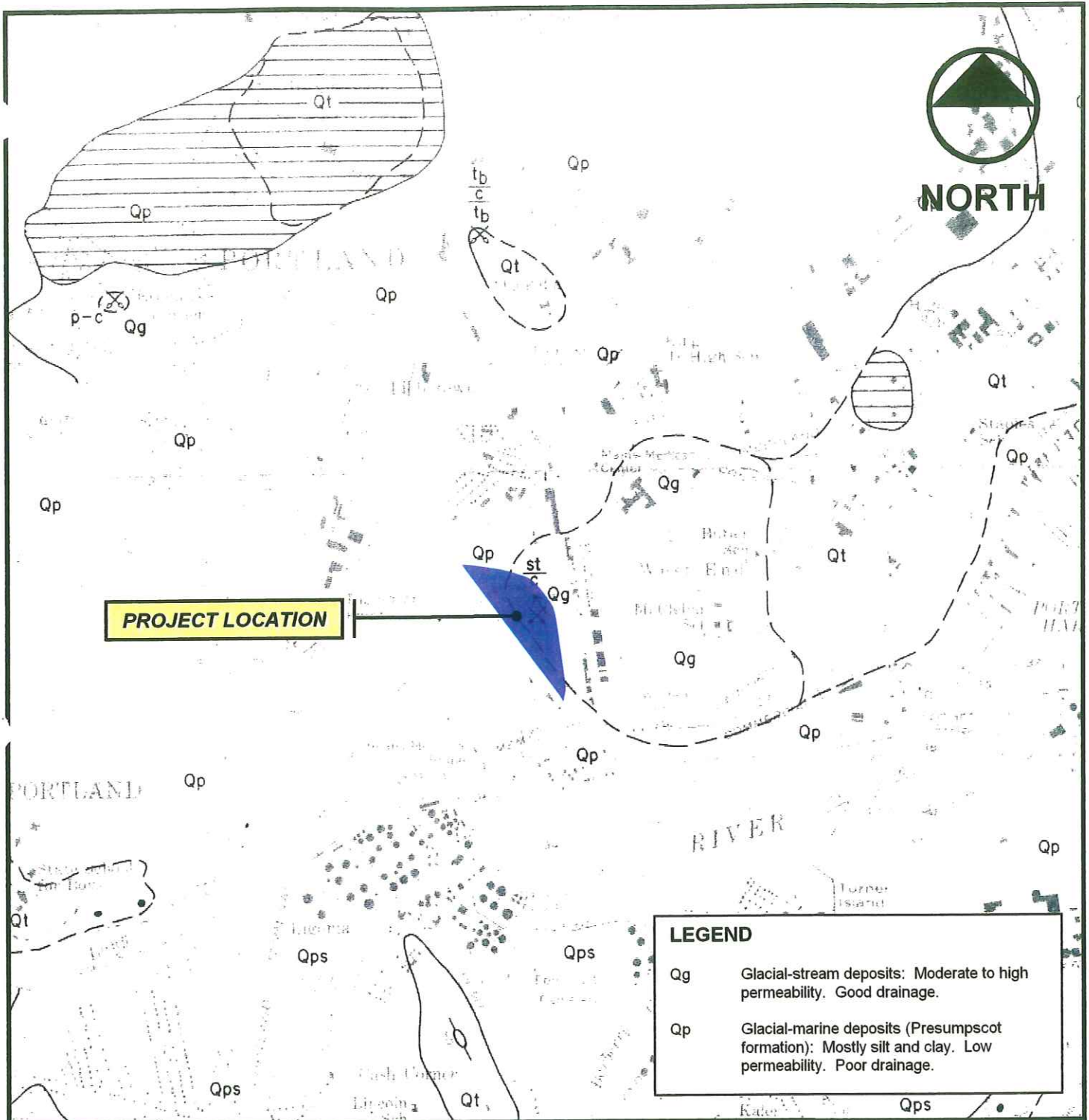
SOURCE: SAND AND GRAVEL AQUIFERS, MAP 5, CUMBERLAND AND YORK COUNTIES, MAINE; DATED: 1979



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DRAWN	JDL	SCALE	1" = 4167'+-
CHECKED	SRB	JOB NO.	2149

FIGURE
9



MGS SURFICIAL GEOLOGY

Mercy Health System of Maine – Portland, Maine

SOURCE: RECONNAISSANCE SURFICIAL GEOLOGY OF THE PORTLAND WEST QUADRANGLE, MAINE;
 OPEN-FILE NO. 76-47; DATED: 1976



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FIGURE
10

APPENDIX B

PHOTOGRAPHS



PHOTO 1



PHOTO 2

DH

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E-MAIL: dhai@delucahoffman.com

Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05

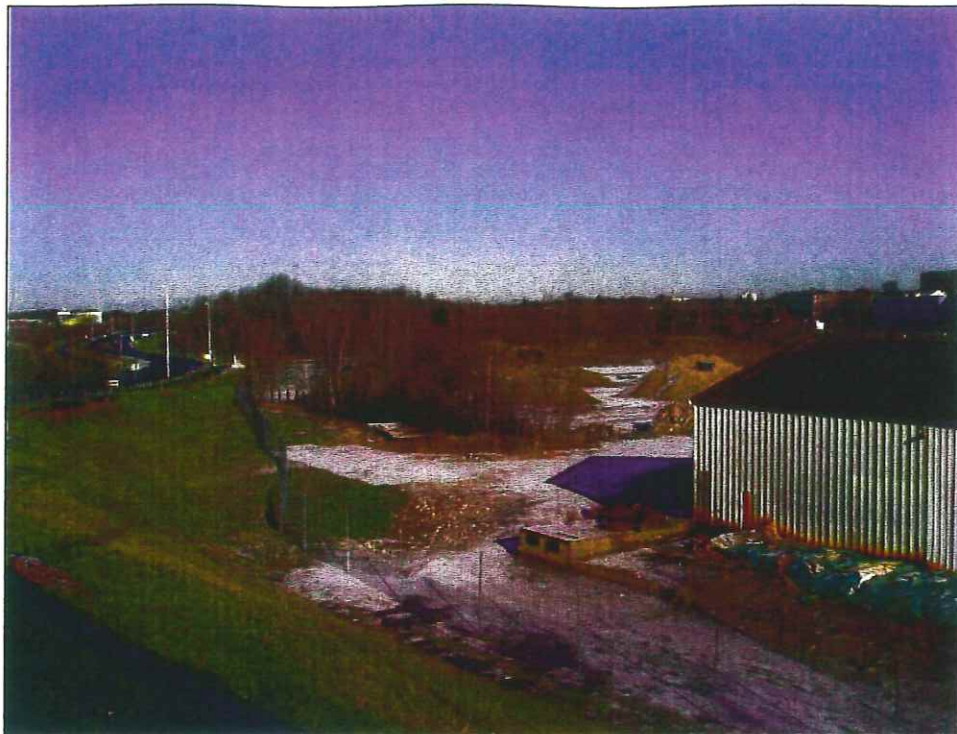


PHOTO 3

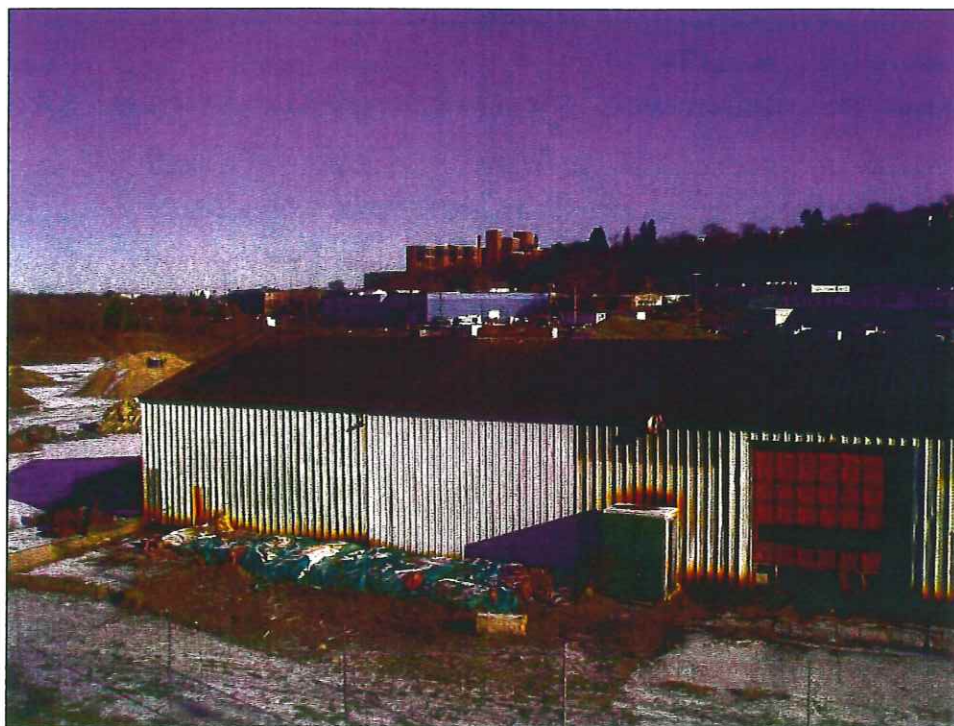


PHOTO 4



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Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05



PHOTO 5



PHOTO 6



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SOUTH PORTLAND, MAINE 04106
TEL. 207-775-1121
FAX: 207-879-0896
E-MAIL: dhai@delucahoffman.com

Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05



PHOTO 7

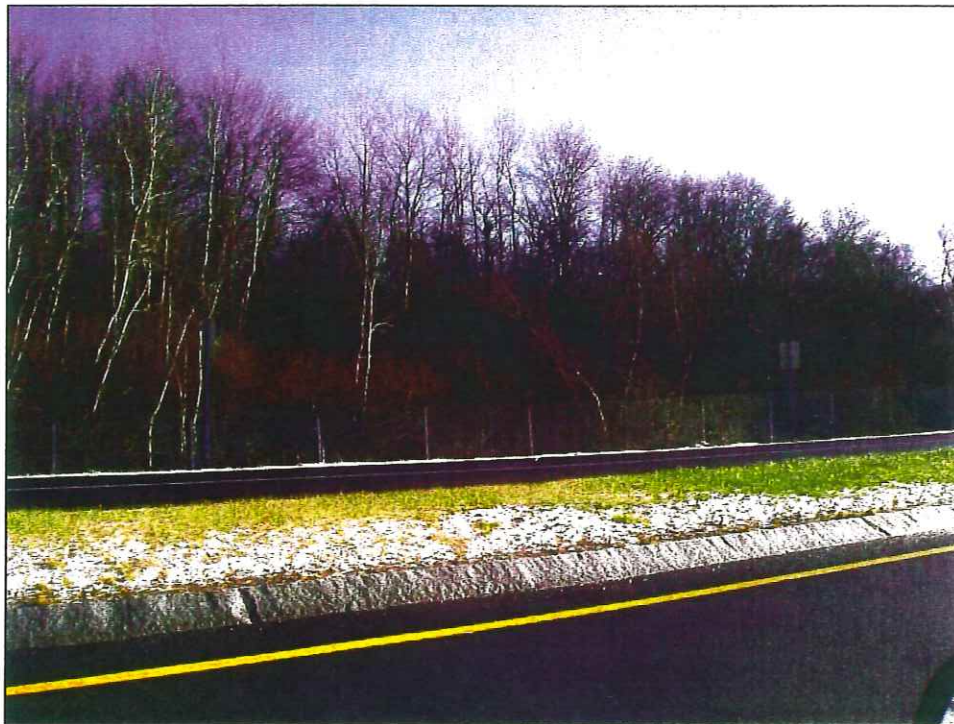


PHOTO 8



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SOUTH PORTLAND, MAINE 04106
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FAX: 207-879-0896
E-MAIL: dhai@delucahoffman.com

Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05



PHOTO 9

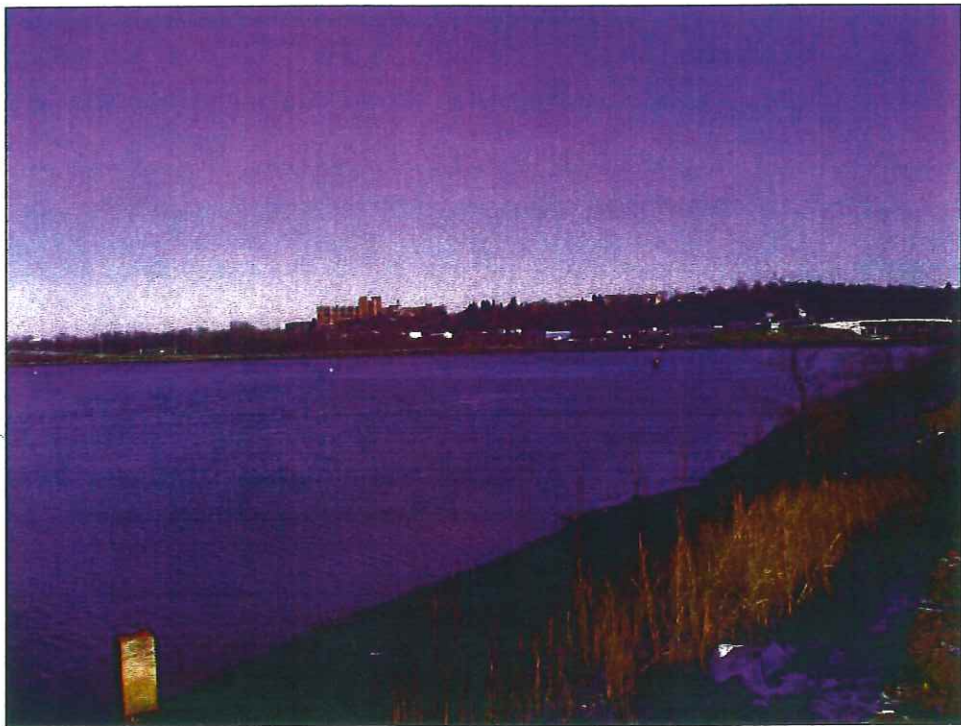


PHOTO 10



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CONSULTING ENGINEERS
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SOUTH PORTLAND, MAINE 04106
TEL. 207-775-1121
FAX: 207-879-0896
E-MAIL: dhai@delucahoffman.com

Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05

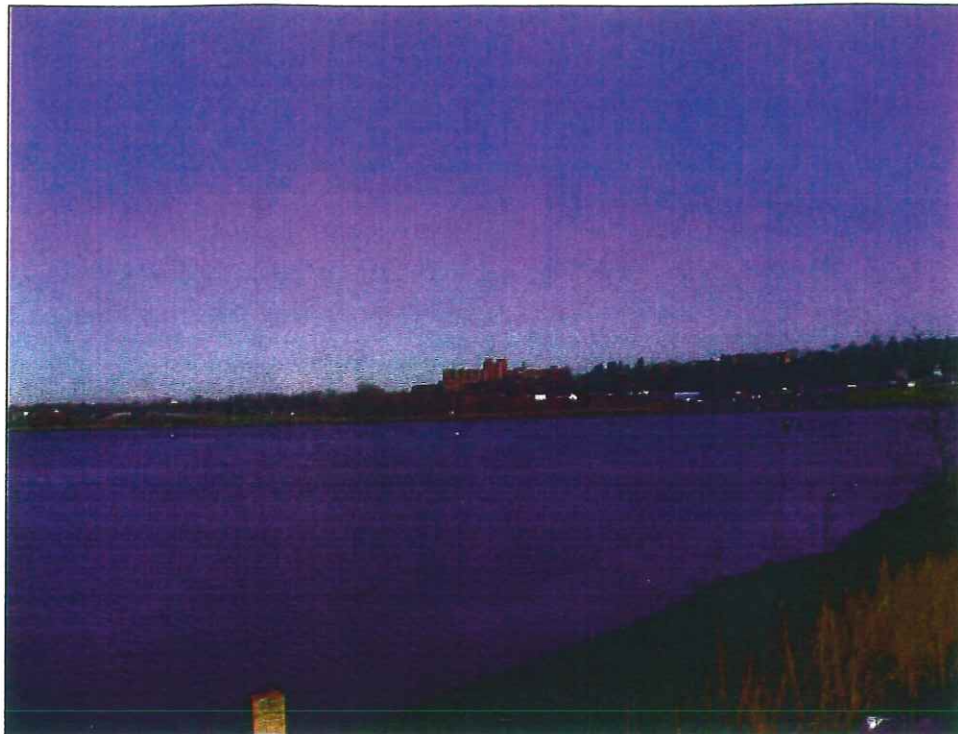


PHOTO 11



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SOUTH PORTLAND, MAINE 04106
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FAX: 207-879-0896
E-MAIL: dhai@delucahoffman.com

Mercy Hospital – Fore River Relocation Project
Photos taken 12-5-05



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MercyH

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Aerial



Photo074

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Prom

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S

MercyH

S

Prom



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APPENDIX C

ORIGINAL MASTER PLAN



CUMBERLAND COUNTY
CORRECTIONAL FACILITY

FUTURE
OUTPARCEL

10' BUILDING SETBACK

15' PAVEMENT SETBACK

FUTURE
EXPANSION
35,000 s.f.

58,000 s.f.

SERVICE

89,335 s.f.

PARKING: 398 SPACES

OPEN
SPACE

FUTURE
OUTPARCEL

250' SHORELAND ZONE
(from the high water line)

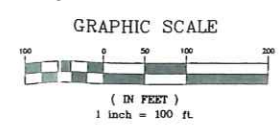
PROPOSED
INTERCONNECTOR

PARKING: 753 SPACES

OPEN
SPACE

FORE RIVER

NOTE WELL:
THIS CONCEPT DRAWING WAS COMPLETED IN SUPPORT OF THE MERCY CONTRACT ZONING AGREEMENT WITH THE CITY OF PORTLAND. THE CONCEPT MASTER PLAN IS REPRESENTATIVE ONLY AND IS SUBJECT TO PROGRAMMING MODIFICATIONS AND MUST RECEIVE SITE PLAN APPROVAL BY THE PORTLAND PLANNING AUTHORITY. ALL LAYOUT MEASURES INCLUDING BUILDING LOCATION, PARKING, ACCESS ROUTES AND LANDSCAPING ARE SUBJECT TO CHANGE BASED ON MERCY'S ONGOING SCHEMATIC DESIGN DEVELOPMENT.



REV	DATE	DESCRIPTION	P.E.	LIC. #
3	9/01/05	CONCEPT MASTER PLAN SUBMITTED TO PLANNING AUTHORITY		
2	10/19/01	REVISED CONCEPT; RESUBMITTED TO PLANNING AUTHORITY		
1	9/21/01	SUBMITTED TO PORTLAND PLANNING AUTHORITY		

PROJECT	MERCY HOSPITAL FORE RIVER PROJECT
SHEET TITLE	CONCEPT MASTER PLAN
CLIENT	MERCY HOSPITAL

DII	DeLUCA-HOFFMAN ASSOCIATES, INC. 778 MAIN STREET, SUITE 8 SOUTH PORTLAND, ME 04106 (207) 775-1121 DHAID@MAINE.RR.COM	
	DRAWN: KEW	DATE: OCT, 2001
	DESIGNED: SRB	SCALE: 1"=100'
	CHECKED: SRB	JOB NO. 2149
		FILE NAME: 2149-OPTIONS
		SHEET 5A



Deluca-Hoffman Associates, Inc.
 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
 207.775.1121
 WWW.DELUCAHOFFMAN.COM

FILE NAME:	2149.01-MP3	
CHECKED:	SRB	JOB NO. 2149.01
DESIGNED:	-	SCALE: AS NOTED
DRAWN:	DED	DATE: 12.07.05

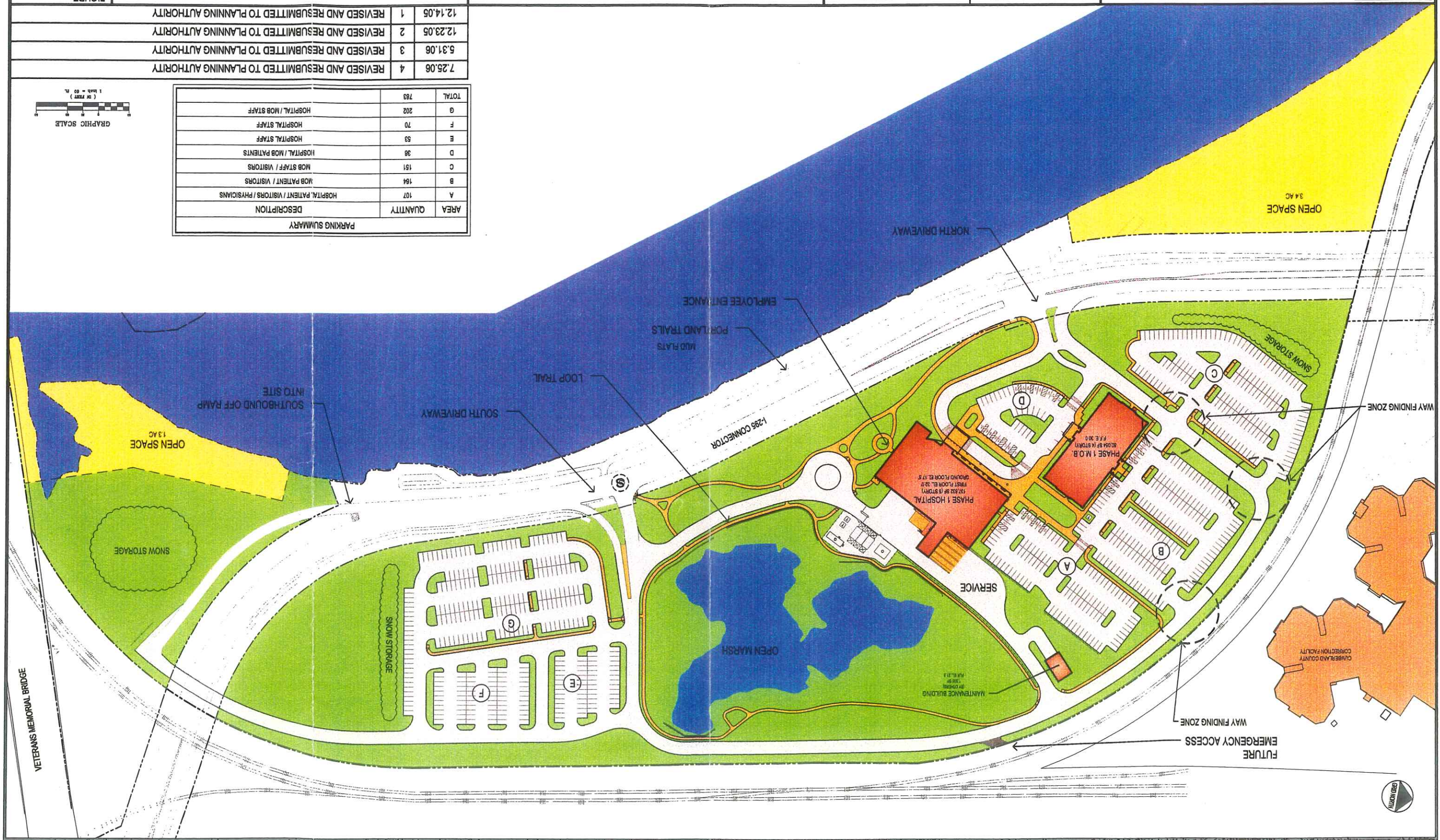
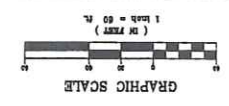
MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN - PHASE 1

1 of 6

7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY

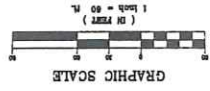
AREA	QUANTITY	DESCRIPTION
A	107	HOSPITAL, PATIENT / VISITORS / PHYSICIANS
B	164	MOB PATIENT / VISITORS
C	151	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL STAFF
F	70	HOSPITAL STAFF
G	202	HOSPITAL / MOB STAFF
TOTAL	783	



FILE NAME:	2149.01-MP3
CHECKED:	SRB JOB NO. 2149.01
DESIGNED:	SCALE: AS NOTED
DRAWN:	DED DATE: 12.07.05

MERCY HOSPITAL FORE RIVER PROJECT

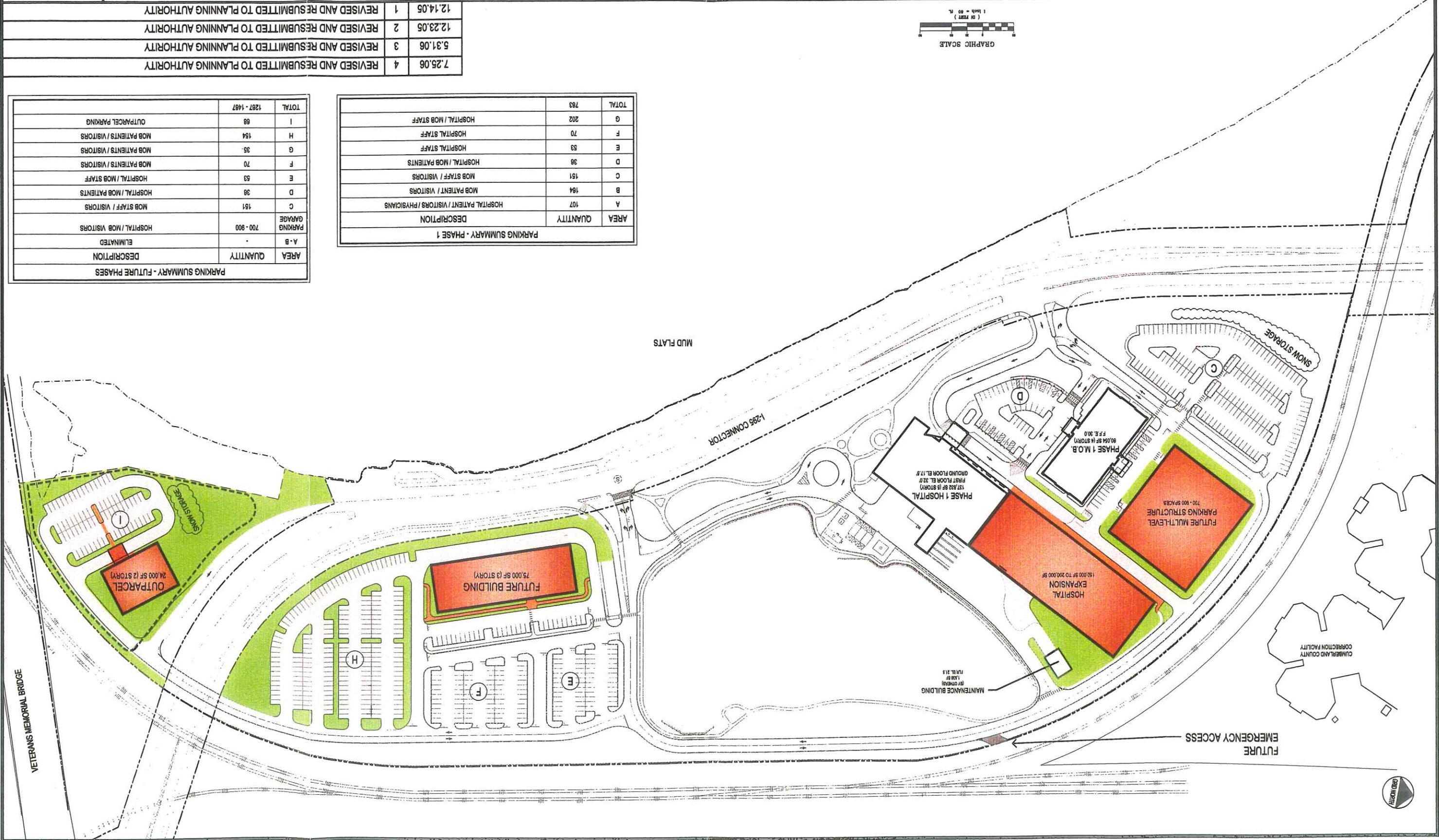
MASTER PLAN - FUTURE PHASES



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY

AREA	QUANTITY	DESCRIPTION
A	107	HOSPITAL PATIENT / VISITORS / PHYSICIANS
B	164	MOB PATIENT / VISITORS
C	161	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL STAFF
F	70	HOSPITAL STAFF
G	202	HOSPITAL / MOB STAFF
TOTAL	783	

AREA	QUANTITY	DESCRIPTION
A - B	-	ELIMATED
PARKING GARAGE	700 - 900	HOSPITAL / MOB VISITORS
C	161	MOB STAFF / VISITORS
D	36	HOSPITAL / MOB PATIENTS
E	53	HOSPITAL / MOB STAFF
F	70	MOB PATIENTS / VISITORS
G	36	MOB PATIENTS / VISITORS
H	164	MOB PATIENTS / VISITORS
I	68	OUTPARCEL PARKING
TOTAL	1287 - 1487	





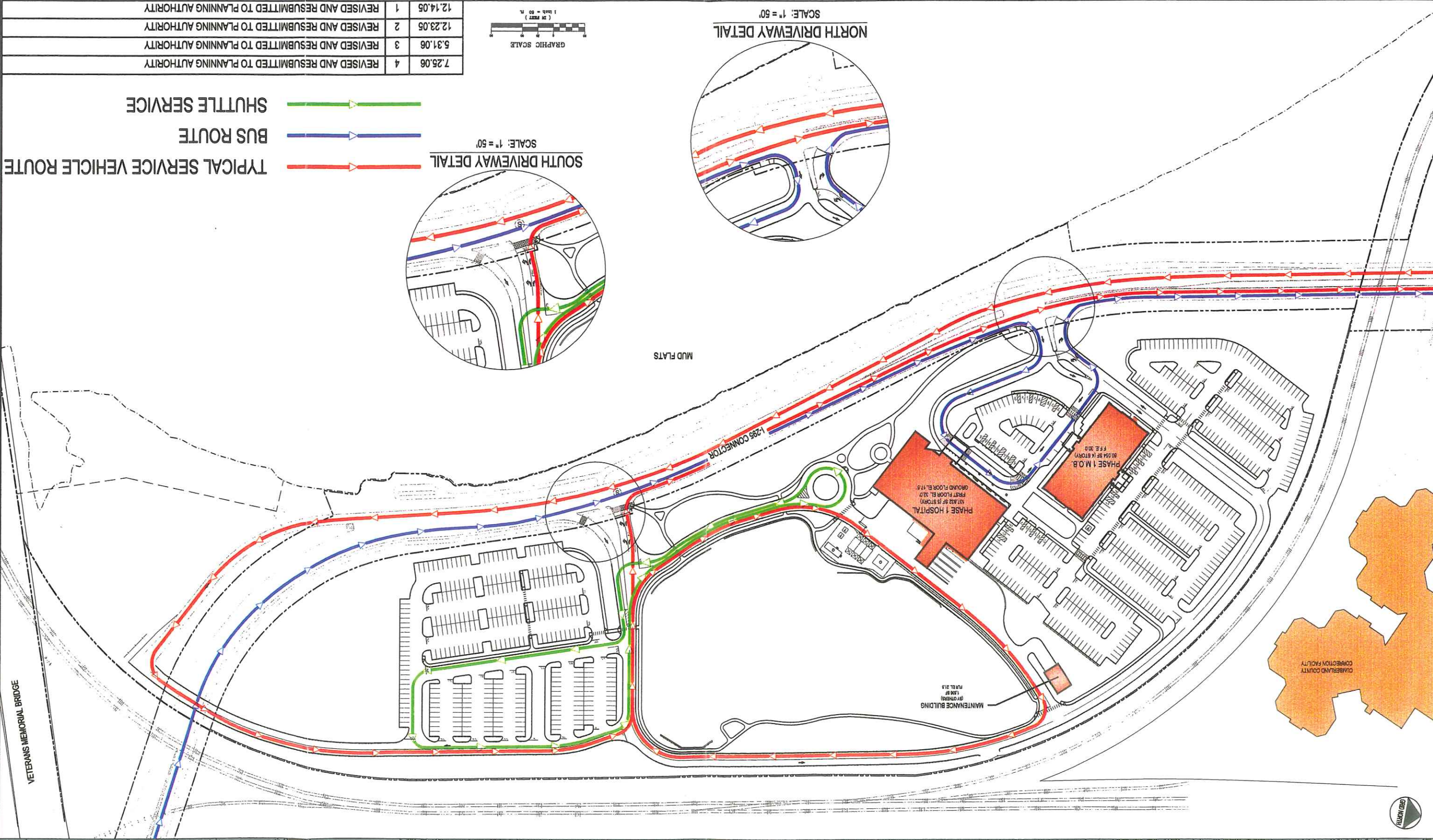
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 778 MAIN STREET, SUITE 8
 SOUTH PORTLAND, ME 04106
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 WWW.DELUCAHOFFMAN.COM

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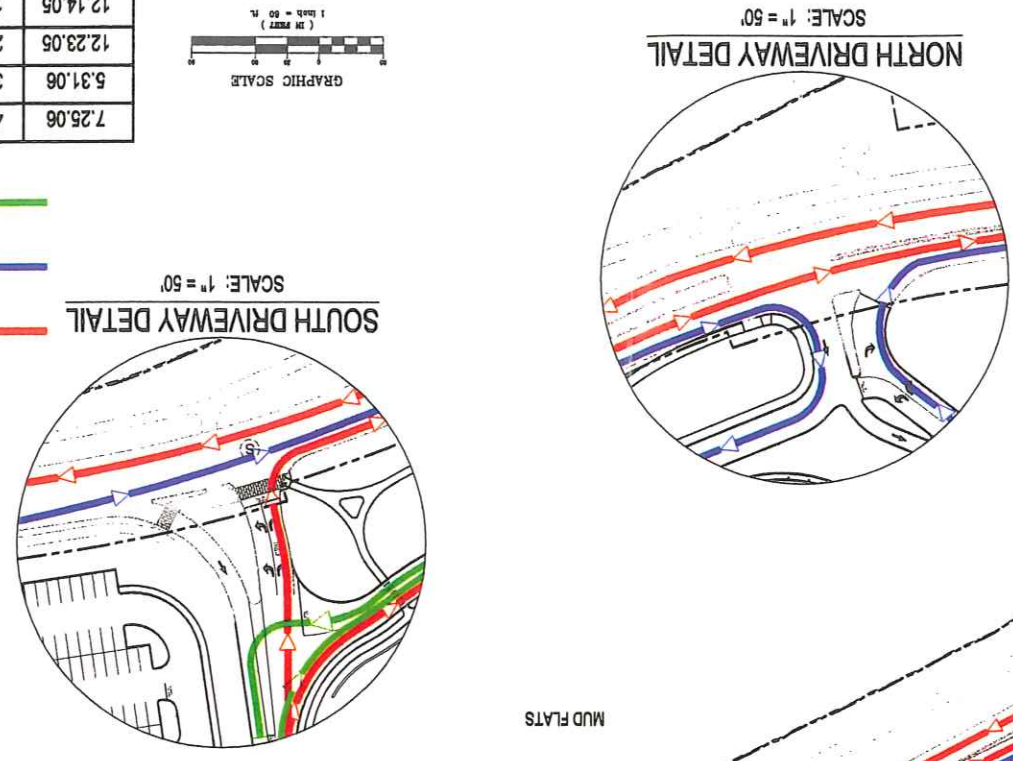
MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN SERVICE & BUS CIRCULATION ROUTES

3 of 6



- TYPICAL SERVICE VEHICLE ROUTE
- BUS ROUTE
- SHUTTLE SERVICE



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



VETERANS MEMORIAL BRIDGE

ORISLAND COUNTY
CORRECTION FACILITY

MAINTENANCE BUILDING
100' x 100'
1ST FLOOR EL. 11.5

PHASE 1 HOSPITAL
137' x 225' (15 STORIES)
FIRST FLOOR EL. 32.7
GROUND FLOOR EL. 17.5

PHASE 1 M.O.B.
50' x 60' (4 STORIES)
F.F.E. 30.0

MUD FLATS

1-286 CONNECTOR



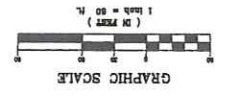
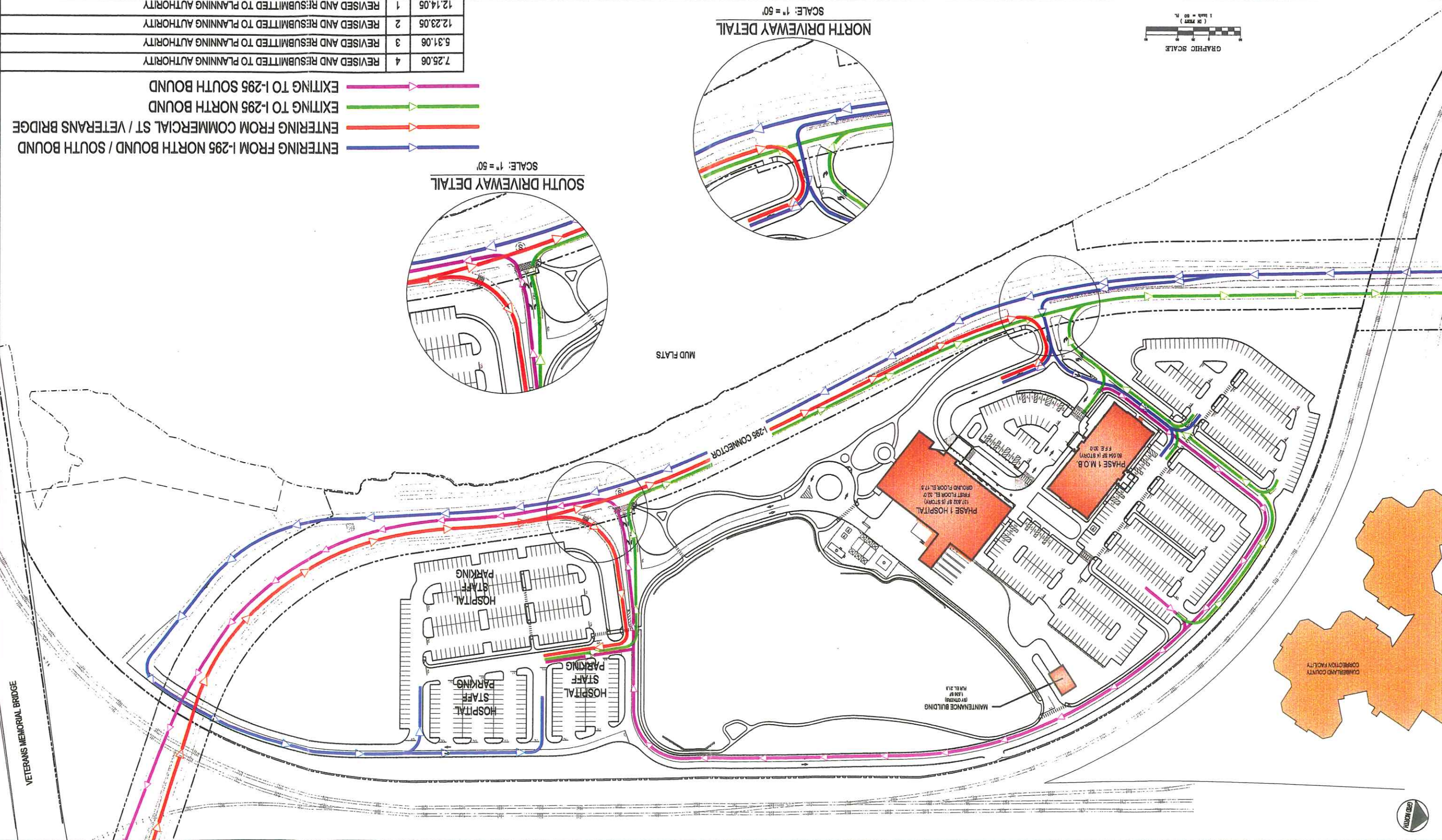
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 SOUTH PORTLAND, ME 04106
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DRAWN:	DED	DATE: 12.07.05

MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN VISITOR/STAFF CIRCULATION ROUTES

4 of 6



NORTH DRIVEWAY DETAIL
 SCALE: 1" = 50'

SOUTH DRIVEWAY DETAIL
 SCALE: 1" = 50'

- ENTERING FROM I-295 NORTH BOUND / SOUTH BOUND
- ENTERING FROM COMMERCIAL ST / VETERANS BRIDGE
- EXITING TO I-295 NORTH BOUND
- EXITING TO I-295 SOUTH BOUND

7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



VETERANS MEMORIAL BRIDGE

CORRECTION FACILITY

MUD FLATS

I-295 CONNECTOR

HOSPITAL STAFF PARKING

HOSPITAL STAFF PARKING

HOSPITAL STAFF PARKING

HOSPITAL STAFF PARKING

MAINTENANCE BUILDING

PHASE 1 HOSPITAL

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

PHASE 1 MOB

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PHASE 1 MOB



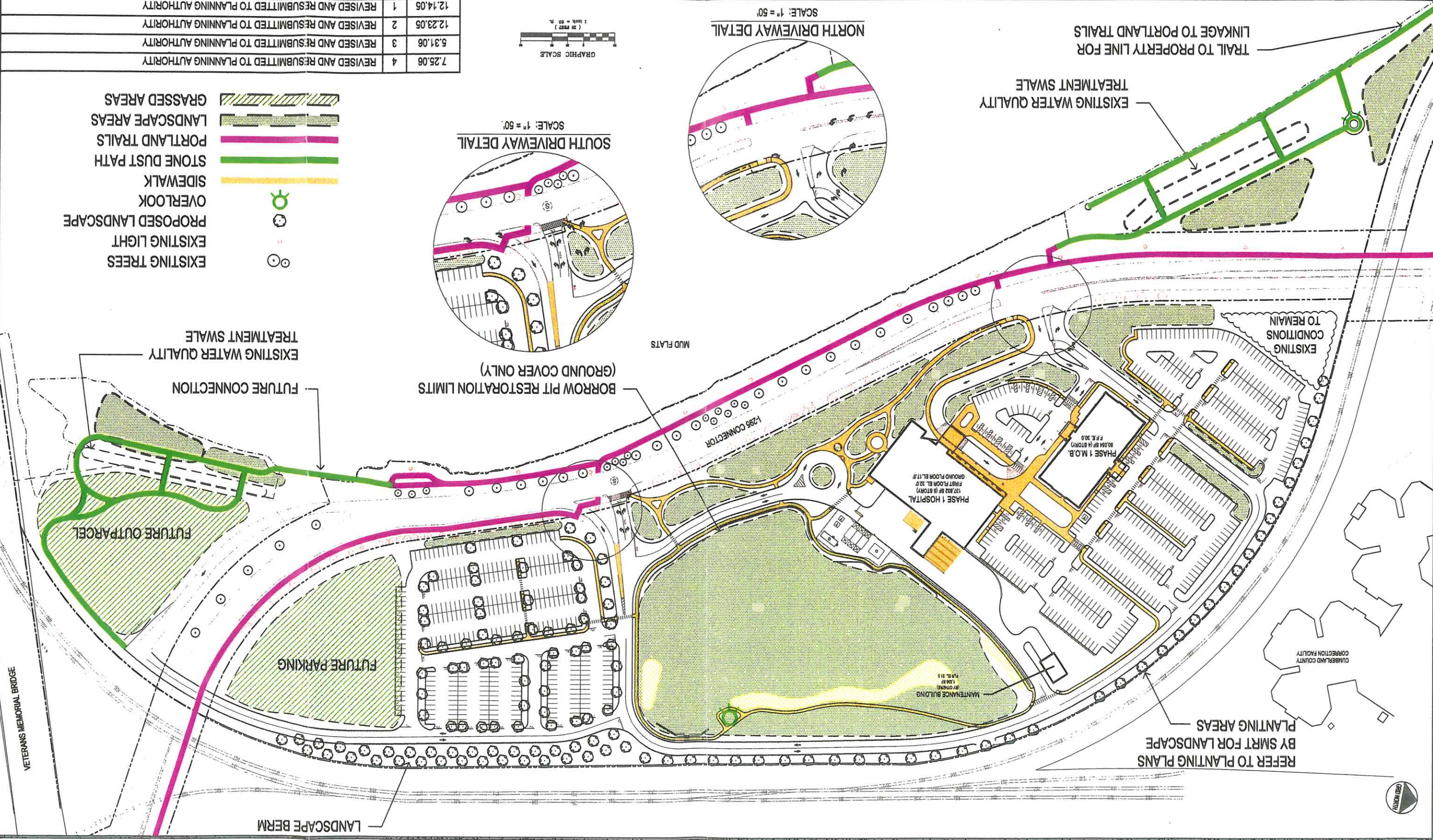
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JOB NO.:	2149.01

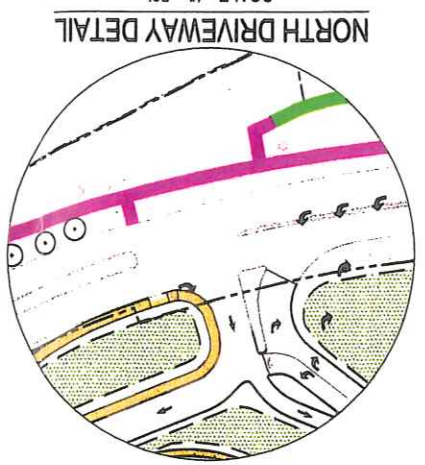
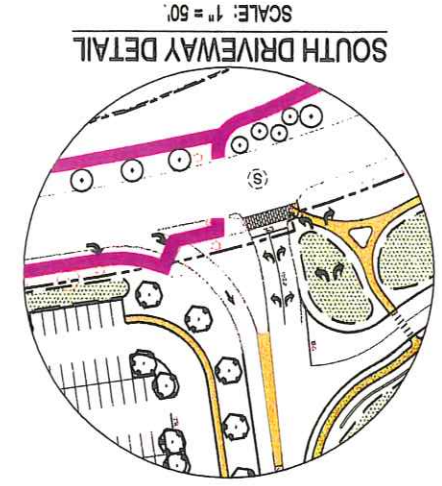
MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN LANDSCAPE AND OPEN SPACE

5 of 6



- EXISTING TREES
- EXISTING LIGHT
- PROPOSED LANDSCAPE OVERLOOK
- SIDEWALK
- STONE DUST PATH
- PORTLAND TRAILS
- LANDSCAPE AREAS
- GRASSED AREAS



7.25.06	4	REVISD AND RE-SUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISD AND RE-SUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISD AND RE-SUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISD AND RE-SUBMITTED TO PLANNING AUTHORITY





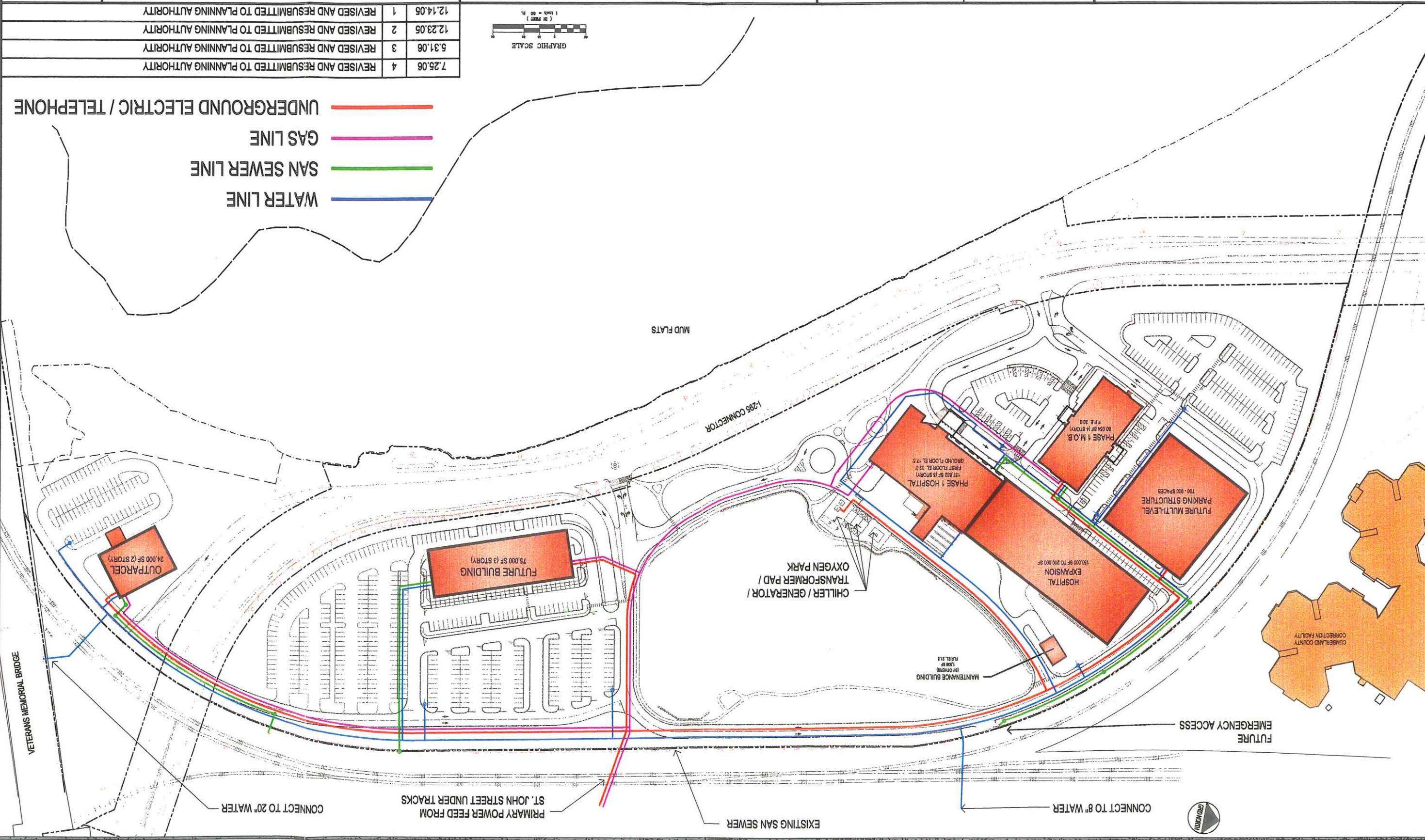
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MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN - UTILITY SCHEMATIC

6 of 6
FIGURE



7.25.06	4	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



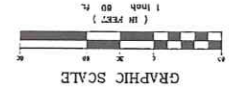
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FILE NAME:	2149.01-MP		
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DESIGNED:	-	SCALE:	AS NOTED
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MERCY HOSPITAL FORE RIVER PROJECT

MASTER PLAN - FUTURE PHASES CONCEPT PLANTING PLAN

5.31.06	3	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.23.05	2	REVISED AND RESUBMITTED TO PLANNING AUTHORITY
12.14.05	1	REVISED AND RESUBMITTED TO PLANNING AUTHORITY



ARCHITECTURE
ENGINEERING
PLANNING



LEGEND

- LARGE SHADE TREES
- SMALL ACCENT TREES
- EVERGREEN TREES
- SHRUBS



SITE DEVELOPMENT PLANS

FOR

MERCY HOSPITAL

FORE RIVER HOSPITAL RELOCATION PROJECT AMENDED MASTER PLAN / PHASE II EXPANSION

PORTLAND, MAINE

JULY 2012

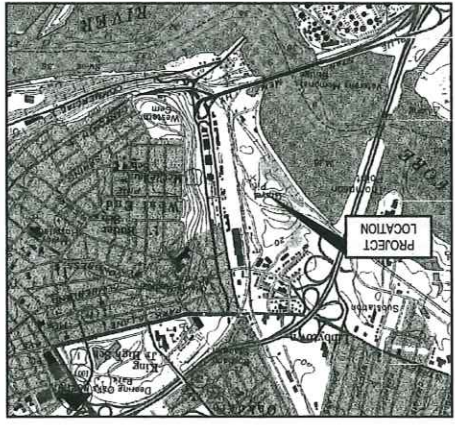
PERMITTING DOCUMENTS - MEDER MAJOR PROJECT AMENDMENT

OWNER TAX MAP-BLOCK-LOT NUMBER

73-A-1	MERCY HOSPITAL
73-B-2 (MUD FLATS)	MERCY HOSPITAL
73-B-7	MERCY HOSPITAL
74-A-1	MERCY HOSPITAL
74-A-2	MERCY HOSPITAL
74-B-11	MERCY HOSPITAL
74-B-12	MERCY HOSPITAL
74-B-30 (MUD FLATS)	MERCY HOSPITAL
74-A-1 (MUD FLATS)	MERCY HOSPITAL
74-A-2 (MUD FLATS)	MERCY HOSPITAL
75-A-3	MERCY HOSPITAL
75-B-4	MERCY HOSPITAL
75-A-1 (MUD FLATS)	MERCY HOSPITAL
75-A-17	MERCY HOSPITAL
75-B-33	MERCY HOSPITAL
76-B-33	MERCY HOSPITAL
76-B-1 (MUD FLATS)	MERCY HOSPITAL
76-B-2	MERCY HOSPITAL

CURRENT OWNER / APPLICANT

MERCY HOSPITAL
144 STATE STREET
PORTLAND, MAINE 04101
CONTACT: ROBERT NUTTER
V.P. HUMAN RESOURCES AND SUPPORT SERVICES
(207) 879-3000



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C-91	POST DEVELOPMENT WATERSHED MAP
C-100	SITE SECTIONS

UTILITIES

WATER:
PORTLAND WATER DISTRICT
22 DOUGLAS STREET
PORTLAND, MAINE 04104
CONTACT: RICO SPUGNARDI

SEWER:
CITY OF PORTLAND
PUBLIC SERVICES DIVISION
55 PORTLAND STREET
PORTLAND, MAINE 04102
CONTACT: DAVID MARGOLIS-PINCO, DEPUTY CITY ENGINEER

ELECTRIC:
CENTRAL MAINE POWER
162 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: JAMIE COUGH

TELEPHONE:
STORMWATER DETAILS STORMTECH CHAMBER STORAGE DETAILS
5 DAVIS HILL FARM ROAD
PORTLAND, MAINE 04103
CONTACT: SUE SERRETTE

NATURAL GAS:
NORTHERN UTILITIES / UNILIT
1075 FOREST AVENUE
PORTLAND, MAINE 04103
CONTACT: MIKE SMITH

DIG SAFE:
888.344.2233
CALL BEFORE YOU DIG

PERMITS / APPROVALS

TYPE:
LOCAL
PORTLAND WATER DISTRICT
22 DOUGLAS STREET
PORTLAND, MAINE 04104
CONTACT: RICO SPUGNARDI

SITE PLAN PERMIT:
CITY HALL, CONGRESS STREET
PORTLAND, MAINE 04103
CONTACT: BARBARA BARRHYDT

BUILDING PERMIT:
CITY OF PORTLAND CODE ENFORCEMENT OFFICE
CITY HALL, CONGRESS STREET
PORTLAND, MAINE 04103
CONTACT: CHRISTINE WOODRUFF

STATE
MAINE DEP SITE LOCATION OF DEVELOPMENT ACT PERMIT:
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
312 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: CHRISTINE WOODRUFF

PROTECTION ACT (NRPA) PERMIT:
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
312 CANCO ROAD
PORTLAND, MAINE 04103
CONTACT: CHRISTINE WOODRUFF

UTILITY OPENING PERMITS:
CITY OF PORTLAND PUBLIC SERVICES DIVISION
55 PORTLAND STREET
PORTLAND, ME 04102

MAINE DOT TRAFFIC PERMIT:
MAINE DEPARTMENT OF TRANSPORTATION
DIVISION 6 OFFICE
PLEASANT HILL ROAD
SCARBOROUGH, MAINE 04074
CONTACT: BRIAN KEEZER

MAINE VOLUNTARY RESPONSE ACTION PLAN (VRAP):
MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION
17 STATE HOUSE STATION
AUGUSTA, MAINE 04330-0017
ATTN: NICHOLAS HODGKINS
207.623.8367

FEDERAL NPDES PERMIT:
U.S. ENVIRONMENTAL PROTECTION AGENCY
REGION 1
JFK FEDERAL BUILDING, ROOM 2209
BOSTON, MASSACHUSETTS 02203-2211

ARMY CORPS OF ENGINEERS SECTION 404 PERMIT:
U.S. ARMY CORPS OF ENGINEERS
R22 BOX 1855
MANCHESTER, MAINE 04351
ATTENTION: JAY CLEMENT
207.623.8367

STATUS/DATE ISSUED:

MASTER PLAN / CONTRACT ZONE AMENDMENT
TO BE COMPLETED SUMMER / FALL 2012

TO BE DETERMINED:

PERMIT ORDER
L-20775-19-AN
L-20775-TG-8-N
THRU L-20775-19-0-A

TO BE DETERMINED:

WETLAND CONSULTANT:
Normandeau Associates
8 FUNDY ROAD
FALMOUTH, MAINE 04105
CONTACT: MARGIA BOWEN / IAN BROADWATER
207.777.7717

CERTIFICATE OF COMPLETION FILED AND RECORDED:

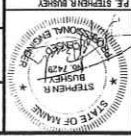
ENVIRONMENTAL ENGINEER:
Hoffman Engineering, Inc.
640 TEN ROD ROAD
NORTH KINGSTOWN, RHODE ISLAND 02882
CONTACT: BOB HOFFMAN
401.294.9032

CORPS PGID #02-046:

PROJECT CONSULTANT:
Tewhey Associates
P.O. BOX 238
GORHAM, MAINE 04038-0238
CONTACT: JOHN TEWHEY
207.839.4261

I HEREBY ACKNOWLEDGE THAT THESE PLANS AND SPECIFICATIONS WERE PREPARED UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MAINE AND THAT I AM COMMITTED TO PREPARE THIS DOCUMENT.

REV	DATE	DESCRIPTION
1	07/25/12	ISSUED TO MEDER WITH VARIOUS PERMITS AND REVISIONS TO REFLECT
2	07/25/12	REVISED SUBURFACE SAND FILTER UNITS AND REVISIONS TO REFLECT



PROJECT	MERCY AT THE FORE
SHEET TITLE	MASTER PLAN
CLIENT	MERCY HOSPITAL
SHEET	COVER SHEET
C-10	

CONSULTANT LIST

CIVIL ENGINEER:
Deluca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, MAINE 04106
CONTACT: STEPHEN BUSHBY
207.776.1121

ARCHITECT:
SMART
144 FORE STREET
PORTLAND, MAINE 04104
CONTACT: ELLEN BELKNAP
207.772.3848

SURVEYOR:
Owen Haskell, Inc.
390 U.S. ROUTE 1, SUITE 10
FALMOUTH, MAINE 04105
CONTACT: JOHN SWAN
207.774.0424

WETLAND CONSULTANT:
Normandeau Associates
8 FUNDY ROAD
FALMOUTH, MAINE 04105
CONTACT: MARGIA BOWEN / IAN BROADWATER
207.777.7717

ENVIRONMENTAL ENGINEER:
Hoffman Engineering, Inc.
640 TEN ROD ROAD
NORTH KINGSTOWN, RHODE ISLAND 02882
CONTACT: BOB HOFFMAN
401.294.9032

PROJECT CONSULTANT:
Tewhey Associates
P.O. BOX 238
GORHAM, MAINE 04038-0238
CONTACT: JOHN TEWHEY
207.839.4261

PRELIMINARY - NOT FOR CONSTRUCTION

GENERAL NOTES:

- SPECIFICATIONS SHALL REFER TO THE PROJECT MANUAL FOR CONSTRUCTION
- THIS PROJECT WILL BE SUBJECT TO THE TERMS AND CONDITIONS OF ALL PERMITS ISSUED BY THE CITY OF PORTLAND, THE DEPARTMENT OF ENVIRONMENTAL PROTECTION, THE CITY OF PORTLAND, THE DEPARTMENT OF ENGINEERS, LOCAL UTILITY COMPANIES AND THE CITY OF PORTLAND.
- THE CONTRACTOR SHALL REFER TO THE ARCHITECTURAL PLANS FOR EXACT LOCATIONS AND DIMENSIONS OF THE ENTRANCE, FINISH, PRECISE BUILDING DIMENSIONS, AND EXACT BUILDING UTILITY ENTRANCE POINTS. ENTRANCES IN MOST LOCATIONS REQUIRE STRUCTURAL STAIRS. REFER TO THE ARCHITECTURAL AND STRUCTURAL DRAWINGS FOR INFORMATION ON THE STRUCTURAL STAIR ENTRIES.
- ALL REQUIRED AND NECESSARY INSPECTIONS AND/OR CERTIFICATIONS REQUIRED BY CODES AND/OR UTILITY SERVICE COMPANIES SHALL BE PERFORMED PRIOR TO ANNOUNCED BUILDING POSSESSIONS AND THE FINAL SERVICE CONNECTIONS.
- THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT THE LOCATION AND/OR 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 OBTAIN THE APPROPRIATE UTILITY COMPANY AND DIG SAFE AT LEAST 72 HOURS BEFORE THE START OF ANY EXCAVATION TO LOCATE THE LOCATION OF UTILITIES WHICH MAY CONFLICT WITH THE PROPOSED RELOCATE ALL EXISTING UTILITIES WHICH CONFLICT WITH THE PROPOSED IMPROVEMENTS SHOWN ON THE PLANS.
- MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE PROJECT AND PROVIDING THE OWNER WITH A SET OF THE FINAL RECORD DRAWINGS WHEN THE PROJECT IS COMPLETE.
- THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RECORD DRAWINGS THROUGHOUT THE PROJECT AND PROVIDING THE OWNER WITH A SET OF THE FINAL RECORD DRAWINGS TO THE OWNER.
- ALL MATERIAL SCHEDULES SHOWN ON THE PLANS ARE FOR GENERAL INFORMATION ONLY. THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
- ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR.
- THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
- ALL MATERIALS AND CONNECTIONS SHALL CONFORM TO THE PROJECT SPECIFICATIONS, THE CITY OF PORTLAND AND SERVING UTILITY REQUIREMENTS. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SHALL APPLY AT NO EXTRA COST TO THE OWNER.
- THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RECORD DRAWINGS THROUGHOUT THE PROJECT AND PROVIDING THE OWNER WITH A SET OF THE FINAL RECORD DRAWINGS WHEN THE PROJECT IS COMPLETE.
- THE CONTRACTOR IS RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH OUT THE LIFE OF THE PROJECT.
- THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING ACCESS AT ALL TIMES. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL TEMPORARY MARKINGS, SIGNAGE AND INCIDENTALS TO MAINTAIN SAFE VEHICLE AND PEDESTRIAN ACCESS THROUGH OUT THE LIFE OF THE PROJECT.
- ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS OF THE MAINE STATE DEPARTMENT OF TRANSPORTATION, AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.
- STREET PARKING SPACES AND ROWWAYS AS SHOWN, INCLUDING PARKING SPACES, STRIP PARKING AREAS, DRIVEWAYS AND SIDEWALKS, PAINTED ISLANDS AND FIRE LANES, (ALL MARKINGS EXCEPT MEDIAN ISLANDS AND CENTERLINES TO BE CONSTRUCTED USING YELLOW TRAFFIC PAINT).
- SEE DETAILS FOR PARKING STALL DIMENSIONS, HANDICAP SYMBOLS, SIGNS AND SIGN POSTS.
- STOP BARS SHALL BE 12" WIDE.
- PAINTED ISLANDS SHALL BE 4" WIDE DIAGONAL LINES @ 3'-0" O.C. BORDERED BY 4" WIDE LINES.

SITE LAYOUT NOTES:

- ALL HANDICAP PARKING SPACES ARE TO RECEIVE HANDICAP SIGNS AND PAVEMENT MARKINGS AS ILLUSTRATED ON THE DETAIL SHEETS.
- BUTIMINOUS CONCRETE CURB AND GRANITE CURB SHALL MEET THE REQUIREMENTS OF MDT 702.01, 703.07, AND 609.04.
- ALL DIMENSIONS, UNLESS NOTED OTHERWISE, IS TO THE FACE OF CURB OR THE FACE OF THE BUILDING.
- EXCEPT WHERE INDICATED OTHERWISE, THE PAVEMENT IS TO BE STANDARD DUTY PAVEMENT. SEE DRAWINGS C-3.1 AND C-3.2 FOR PAVEMENT TYPE.
- ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS OF THE MAINE STATE DEPARTMENT OF TRANSPORTATION, AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.
- STREET PARKING AREAS, DRIVEWAYS AND SIDEWALKS, PAINTED ISLANDS AND FIRE LANES, (ALL MARKINGS EXCEPT MEDIAN ISLANDS AND CENTERLINES TO BE CONSTRUCTED USING YELLOW TRAFFIC PAINT).
- SEE DETAILS FOR PARKING STALL DIMENSIONS, HANDICAP SYMBOLS, SIGNS AND SIGN POSTS.
- STOP BARS SHALL BE 12" WIDE.
- PAINTED ISLANDS SHALL BE 4" WIDE DIAGONAL LINES @ 3'-0" O.C. BORDERED BY 4" WIDE LINES.

GRADING & DRAINAGE NOTES:

- ALL STORM DRAIN PIPE SHALL BE SMOOTH BORE INTERIOR PROVIDING A MANINGS ROUGHNESS COEFFICIENT OF n = 0.013 OR LESS.
- PROVIDE TURF REINFORCEMENT IN AREAS INDICATED ON THE PLANS.
- AN "AS-BUILT" CERTIFICATION OF THE STORMWATER DRAINAGE SYSTEM BY A REGISTERED ENGINEER IS REQUIRED PRIOR TO THE OWNER ACCEPTING THE BUILDING AND PROPERTY. THE CONTRACTOR IS SPECIFICALLY CAUTIONED THAT ANY DEVIATION FROM THE PLANS MAY DELAY THE ACCEPTANCE OF THE PROJECT.
- A DETAILED O&M MANUAL FOR STORMWATER MANAGEMENT SYSTEMS IS (WILL BE) FILED WITH THE CITY OF PORTLAND AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION DURING THE PERMIT REVIEW PROCESS. A SPECIFIC MANUAL HAS BEEN PREPARED FOR USE OF DEVELOPMENT PERMIT APPLICANTS.
- SEE EXISTING CONDITIONS FOR BENCHMARK INFORMATION.
- SEE GRADING, DRAINAGE AND EROSION/SEDIMENT CONTROL FOR PROPOSED GRADING OF DISTURBED AREAS NOT TO BE PAVED, SOODED OR OTHERWISE TREATED SHALL RECEIVE 4" LOAM, SEED, FERTILIZER AND MULCH.
- MINIMUM COMPACTON REQUIREMENTS:
- SUBGRADE AND BASE GRAVEL BELOW PAVED OR CONCRETE AREAS 95%
- SUBGRADE FILL BELOW PAVED AREAS 90%
- TRENCH BEDDING MATERIAL AND SAND BLANKET BACKFILL 95%
- BELOW LOAM AND SEED AREAS 90%
- STRUCTURAL FILL WITHIN PROPOSED BUILDING AREA 95%
- SELECT FILL ADJACENT BUILDING FOUNDATIONS, EXTERIOR FOUNDATIONS, AND WITHIN 8 INCHES OF THE SLAB-ON-GRADE OPTIMUM MOISTURE CONTENT AS DETERMINED AND CONTROLLED IN ACCORDANCE WITH ASTM D-1557.

UTILITY NOTES:

- ALL REQUIRED UTILITIES SERVING THE PROJECT SHALL BE COORDINATED AND CONSTRUCTED BY THE DIVISION 2 CONTRACTOR TO WITHIN 6 FEET OF THE BUILDINGS, AT A LOCATION COORDINATED WITH THE DIVISION 1 OR 16 CONTRACTOR AND THE BUILDING PLANS. DIVISION 2 SHALL BE RESPONSIBLE FOR UNDERGROUND UTILITIES SHALL CONSIST OF TRENCHING AND BACKFILLING WITH VERDORUM TRENCHING AND BACKFILLING NECESSARY TO COMPLETE THE WORK.
- ALL SANITARY SEWER WORK SHALL MEET THE STANDARDS OF THE MAINE STATE PLUMBING CODE AND CITY OF PORTLAND PUBLIC WORKS DEPARTMENT.
- THE CONTRACTOR SHALL COORDINATE THE INSTALLATION OF ELECTRIC SERVICE WITH CENTRAL MAINE POWER.
- COORDINATE ALL UTILITY WORK WITH THE APPROPRIATE UTILITY COMPANY. ALL UTILITY WORK SHALL CONFORM TO THE STANDARDS OF THE UTILITY COMPANY AND PROJECT SPECIFICATIONS.
- THE LOCATION OF THE NEW UTILITY SERVICES AND CONNECTIONS SHALL BE COORDINATED WITH THE SERVING UTILITY COMPANY.
- UNDERGROUND ELECTRICAL, CONDUIT MATERIAL AND INSTALLATION SHALL CONFORM TO UTILITY COMPANY STANDARDS AND PROJECT SPECIFICATIONS, WHICH EVER IS MORE STRINGENT.
- ADJUST ALL MANHOLES, CATCH BASINS, CURB BOXES, ETC. WITHIN LIMITS OF WORK TO FINISH GRADE.
- ALL UNDERGROUND CONDUITS SHALL HAVE NYLON PULL ROPES TO FACILITATE PULLING CABLES.
- THE CONTRACTOR SHALL OBTAIN PAY FOR, AND COMPLY WITH ALL REQUIRED PERMITS, ARRANGE FOR ALL INSPECTIONS, AND SUBMIT COPIES OF ACCEPTANCE CERTIFICATES TO THE OWNER PRIOR TO COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL PROVIDE AND INSTALL ALL BOXES, FITTINGS, CONNECTORS, COVERS PLATES AND OTHER MISCELLANEOUS ITEMS NOT NECESSARILY DETAILED ON THE DRAWINGS TO RENDER INSTALLATION OF UTILITIES COMPLETE AND OPERATIONAL, AT NO EXTRA EXPENSE TO THE OWNER.
- A 10 FOOT MINIMUM EDGE TO EDGE HORIZONTAL SEPARATION SHALL BE PROVIDED BETWEEN ALL WATER AND SANITARY SEWER LINES. AN 18 INCH OUTSIDE TO OUTSIDE VERTICAL SEPARATION SHALL BE PROVIDED AT ALL WATER AND SANITARY SEWER CROSSINGS.
- THE CONTRACTOR SHALL PHASE UTILITY CONSTRUCTION AND PROVIDE TEMPORARY SERVICES AS REQUIRED TO PROVIDE CONTINUOUS SERVICE TO THE JOB SITE. TEMPORARY SERVICES SHALL COMPLY WITH ALL FEDERAL, STATE LOCAL AND UTILITY COMPANY STANDARDS. COORDINATE ALL TEMPORARY SERVICES WITH UTILITY COMPANY, OWNER AND AFFECTED BUSINESSES.
- LANDSCAPE NOTES: (SUBJECT TO COORDINATION WITH LANDSCAPE DRAWINGS, IN CASE OF CONFLICT, THE ASSOCIATION OF NURSERYMEN, STANDARDS AND SHALL BE SUBJECT TO THE APPROVAL OF THE OWNER AND AFTER PLANTING. PLANTS REPRESENTATIVE BEFORE AND AFTER PLANTING.
- PLANT SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER INSPECTION AND GUARANTEED PERIOD.
- ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 4" LOAM AND SEED.
- THREE (3) INCH BARK MULCH IS TO BE USED AROUND THE TREE AND SHRUB PLANTING AS SPECIFIED IN THE DETAILS. WHERE BARK MULCH IS USED IN A CURBED AREA, THE BARK SHALL BE THE TOP INSIDE EDGE OF THE CURB. ALL OTHER AREAS SHALL RECEIVE 4" LOAM AND SEED.
- COMPLETE THE PLANTING AS SHOWN.
- PARKING AREA PLANTING ISLANDS TO HAVE A MINIMUM 4" TOPSOIL. REMOVE ALL CONSTRUCTION DEBRIS BEFORE TOPSOILING. TOPSOIL SHALL BE PLACED TO TOP OF CURB.
- ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNER OR THE OWNERS REPRESENTATIVE PRIOR TO ARRIVAL ON THE SITE.
- NO SUBSTITUTION OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PLANTING AND LAWNS AGAINST DAMAGE FROM ONGOING CONSTRUCTION. THIS PROTECTION SHALL BEGIN AT THE TIME THE PLANT IS INSTALLED AND CONTINUE UNTIL THE FORMAL ACCEPTANCE OF ALL THE PLANTINGS.
- SEE PLANTING DETAILS FOR WEED BARRIER INFORMATION.
- ALL PLANTING LOCATED AT THE ENTRANCE TO THE PROJECT OR AT INTERSECTIONS WITHIN THE SITE WILL BE MAINTAINED AND WILL NOT EXCEED 3 FEET IN HEIGHT WITHIN A TRIANGLE FORMED 25 INTO THE DRIVEWAY AND 25 ALONG THE TRAVEL WAY.

LOCAL APPROVALS, WAIVERS, AND VARIANCES

- THE CONSTRUCTION PLANS ARE TO BE SUBMITTED TO THE CITY OF PORTLAND FOR THEIR REVIEW AND APPROVAL.
- MAINTENANCE OF EROSION CONTROL MEASURES IS OF PARAMOUNT IMPORTANCE TO THE PROJECT AND PROVIDING THE OWNER WITH A SET OF THE FINAL RECORD DRAWINGS WHEN THE PROJECT IS COMPLETE.
- THE CONTRACTOR IS RESPONSIBLE FOR MAINTAINING RECORD DRAWINGS THROUGHOUT THE PROJECT AND PROVIDING THE OWNER WITH A SET OF THE FINAL RECORD DRAWINGS TO THE OWNER.
- ALL MATERIALS AND CONNECTIONS SHALL CONFORM TO THE PROJECT SPECIFICATIONS, THE CITY OF PORTLAND AND SERVING UTILITY REQUIREMENTS. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SHALL APPLY AT NO EXTRA COST TO THE OWNER.
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- ALL MATERIALS AND CONNECTIONS SHALL CONFORM TO THE PROJECT SPECIFICATIONS, THE CITY OF PORTLAND AND SERVING UTILITY REQUIREMENTS. IN CASES WHERE THESE CONFLICT THE MOST STRINGENT SHALL APPLY AT NO EXTRA COST TO THE OWNER.
- THE CONTRACTOR SHALL PREPARE HIS OWN MATERIAL SCHEDULES BASED UPON HIS PRIOR TO ORDERING MATERIALS OR PERFORMING WORK.
- ALL SCHEDULES SHALL BE VERIFIED IN THE FIELD BY THE CONTRACTOR.
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- ALL TRAFFIC CONTROL SIGNS INDICATED ON THE SITE LAYOUT PLAN ARE TO MEET ALL REQUIREMENTS OF THE MAINE STATE DEPARTMENT OF TRANSPORTATION, AND THE AMERICANS WITH DISABILITIES ACT REQUIREMENTS.
- STREET PARKING AREAS, DRIVEWAYS AND SIDEWALKS, PAINTED ISLANDS AND FIRE LANES, (ALL MARKINGS EXCEPT MEDIAN ISLANDS AND CENTERLINES TO BE CONSTRUCTED USING YELLOW TRAFFIC PAINT).
- SEE DETAILS FOR PARKING STALL DIMENSIONS, HANDICAP SYMBOLS, SIGNS AND SIGN POSTS.
- STOP BARS SHALL BE 12" WIDE.
- PAINTED ISLANDS SHALL BE 4" WIDE DIAGONAL LINES @ 3'-0" O.C. BORDERED BY 4" WIDE LINES.

LANDSCAPE NOTES:

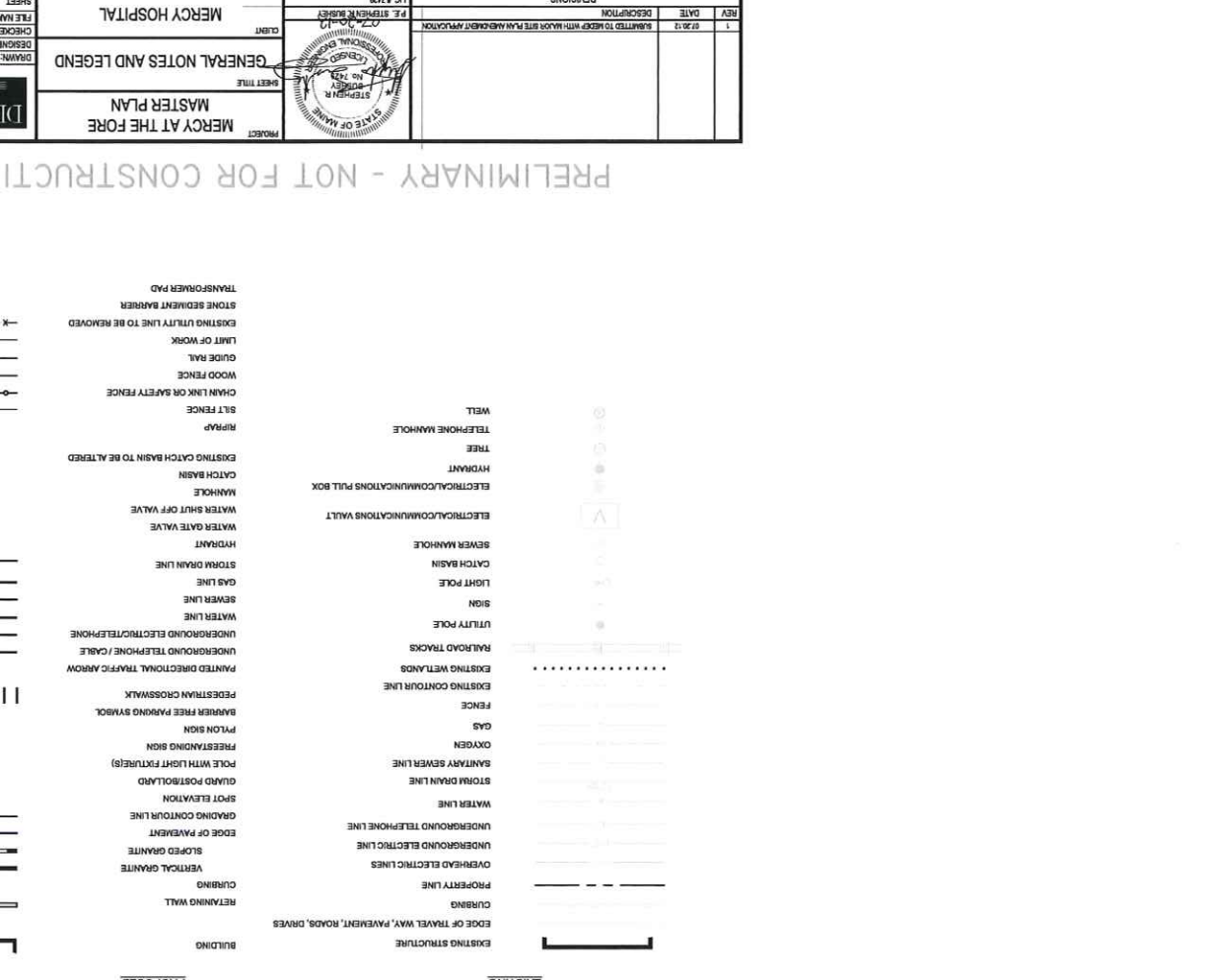
- ALL PLANTING SHALL BE GUARANTEED FOR A PERIOD OF ONE (1) YEAR AFTER INSPECTION AND GUARANTEED PERIOD.
- ALL DISTURBED AREAS NOT TO BE PAVED OR OTHERWISE TREATED SHALL RECEIVE 4" LOAM AND SEED.
- THREE (3) INCH BARK MULCH IS TO BE USED AROUND THE TREE AND SHRUB PLANTING AS SPECIFIED IN THE DETAILS. WHERE BARK MULCH IS USED IN A CURBED AREA, THE BARK SHALL BE THE TOP INSIDE EDGE OF THE CURB. ALL OTHER AREAS SHALL RECEIVE 4" LOAM AND SEED.
- COMPLETE THE PLANTING AS SHOWN.
- PARKING AREA PLANTING ISLANDS TO HAVE A MINIMUM 4" TOPSOIL. REMOVE ALL CONSTRUCTION DEBRIS BEFORE TOPSOILING. TOPSOIL SHALL BE PLACED TO TOP OF CURB.
- ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNER OR THE OWNERS REPRESENTATIVE PRIOR TO ARRIVAL ON THE SITE.
- NO SUBSTITUTION OF PLANT MATERIALS SHALL BE ALLOWED WITHOUT THE PRIOR WRITTEN APPROVAL OF THE OWNER.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL PLANTING AND LAWNS AGAINST DAMAGE FROM ONGOING CONSTRUCTION. THIS PROTECTION SHALL BEGIN AT THE TIME THE PLANT IS INSTALLED AND CONTINUE UNTIL THE FORMAL ACCEPTANCE OF ALL THE PLANTINGS.
- SEE PLANTING DETAILS FOR WEED BARRIER INFORMATION.
- ALL PLANTING LOCATED AT THE ENTRANCE TO THE PROJECT OR AT INTERSECTIONS WITHIN THE SITE WILL BE MAINTAINED AND WILL NOT EXCEED 3 FEET IN HEIGHT WITHIN A TRIANGLE FORMED 25 INTO THE DRIVEWAY AND 25 ALONG THE TRAVEL WAY.

EROSION CONTROL NOTES:

- PRIOR TO BEGINNING ANY LAND DISTURBING ACTIVITIES, CLEARING AND GRADING LIMITS SHALL BE STAMPED BY THE CONTRACTOR BASED ON THE LIMITS OF GRADING SHOWN ON THE DRAWINGS AND ACCEPTED BY THE OWNERS REPRESENTATIVE IN THE FIELD. AFTER THE CLEARING AND GRADING LIMITS HAVE BEEN ACCEPTED, THE CONTRACTOR SHALL INSTALL THE PERIMETER SILT FENCES AND THE CONSTRUCTION ENTRANCES ASSOCIATED WITH THE PROJECT.
- ALL GRADING AREAS GRADED FOR CONSTRUCTION SHALL BE GRADED, LOADED, SEEDED AND MULCHED AS SOON AS POSSIBLE. TEMPORARY/PERMANENT SEED MIXTURES SHALL CONFORM TO THE SEEDING PLAN CONTAINED IN THE EROSION CONTROL PROJECT.
- LIMIT DISTRIBUTION OF THE SEEDING SOILS. THE NATIVE CLAYEY OR SILTY SOILS SHOULD NOT BE BROKE-ROLLED. SHOULD THE SUBGRADE BECOME VIBRATING OR DIFFICULT TO WORK, DISTURBED AREAS SHOULD BE EXCAVATED AND BACKFILLED WITH COMPACTED SELECT FILL OR CRUSHED STONE AT NO EXTRA EXPENSE TO THE OWNER.
- ALL STORM DRAIN INLETS AND OUTLETS NOT PAVED AREAS ARE TO RECEIVE RIPRAP AND PAVED AREAS AWAY FROM THE BUILDINGS.
- SILT REMOVED FROM AROUND INLETS AND BEHIND THE SILT FENCES SHALL BE PLACED ON A TOPSOIL STOCKPILE AND MIXED INTO TOPSOIL FOR USE IN LANDSCAPING OPERATIONS.
- LAND DISTURBING ACTIVITIES SHALL BE ACCOMPLISHED IN A MANNER AND SEQUENCE WHICH CAUSE THE LEAST PRACTICAL UNPROTECTED DENuded AREAS ON THE SITE DURING CONSTRUCTION.
- THE CONTRACTOR IS CAUTIONED THAT FAILURE TO COMPLY WITH THE SEQUENCE OF CONSTRUCTION, EROSION / SEDIMENT CONTROL PLAN, AND OTHER PERMIT REQUIREMENTS MAY RESULT IN MONETARY PENALTIES AS ENFORCED BY THE MEDEP OR LOCAL AGENCIES. THE CONTRACTOR SHALL BE ASSESSED ALL SUCH PENALTIES AT NO COST TO THE OWNER OR PERMITTEE.
- A FULL EROSION CONTROL PLAN ACCOMPANIES THIS DRAWING SET AND IS ALSO CONTAINED IN THE DIV 2 SPECIFICATIONS.
- PROVIDE INLET PROTECTION BARRIERS AROUND ALL EXISTING AND PROPOSED STORM DRAINAGE INLETS AS SHOWN AND MAINTAIN FOR THE DURATION OF THE PROJECT UNTIL PAVEMENT HAS BEEN INSTALLED.
- INSPECT EROSION AND SEDIMENT CONTROL DEVICES AFTER EACH STORM OF 0.25 INCH OR GREATER. REPAIR/REPLACE AS NECESSARY TO MAXIMIZE EFFICIENCY. REPLACE ALL FILTERS WHEN SEDIMENT IS 1/2 THE STRUCTURE HEIGHT.
- INSTALL CURLEUX EROSION CONTROL MAT OR EQUAL ON ALL SLOPES STEEPER THAN 3:1.
- THE CONTRACTOR SHALL INSTALL ALL EROSION CONTROL MEASURES IN ACCORDANCE WITH THE MAINE EROSION & SEDIMENT CONTROL HANDBOOK FOR CONSTRUCTION. BEST MANAGEMENT PRACTICES, CUMBERLAND COUNTY SOIL AND WATER CONSERVATION DISTRICT AND MAINE DEPARTMENT OF ENVIRONMENTAL PROTECTION, MARCH 1991.

SPACE AND BULK REQUIREMENTS	PROVIDED	REQUIRED
1. EXISTING ZONE:	80%	80%
2. PARCEL SIZE:	35 ACRES	
3. SPACE AND BULK:		
4. PARKING REQUIREMENT:		
HOSPITAL - 1 SPACE/600SF	776 SPACES	806 SPACES
MEDICAL OFFICE - 1 SPACE/400SF	800 SPACES	986 SPACES
MAXIMUM BUILDING HEIGHT	90 FT.	TBD
MAXIMUM FRONT YARD LANDSCAPE BUFFER	20 FT.	10 FT.
MINIMUM SIDE YARD	10 FT.	10 FT.
MINIMUM REAR YARD	10 FT.	10 FT.
PAVEMENT SETBACK FROM LOT BOUNDARIES	15 FT.	15 FT.

LEGEND



PRELIMINARY - NOT FOR CONSTRUCTION

MERCY AT THE FORE MASTER PLAN

GENERAL NOTES AND LEGEND

CLIENT: MERCY HOSPITAL

PROJECT: MERCY AT THE FORE MASTER PLAN

DESIGNED BY: DILL ASSOCIATES, INC.

DATE: MAY 2012

CHECKED BY: [Signature]

SCALE: N.T.S.

SHEET: C-1.1

LEASE PARCEL

PARCEL A A certain parcel of land, together with any improvements thereon, situated easterly of the I-295 Connector...

UTILITY AREA 2 OVER LAND OF THE PORTLAND TERMINAL COMPANY A CERTAIN LOT OR PARCEL OF LAND WITH THE BUILDINGS THEREON SITUATED NORTHERLY OF THE BLUE STAR MEMORIAL HIGHWAY (ROUTE #1) AT THE VETERAN'S MEMORIAL BRIDGE ON THE FORE RIVER IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN ENTITLED 'Plan of Proposed Lease Parcel off I-295 Connector, Portland, Maine for Mercy Hospital' dated September 20, 2006 by Owen Haskell, Inc., in the City of Portland, County of Cumberland, State of Maine being bounded and described as follows:

COMMENCING ON THE easterly sideline of the I-295 Connector and the southerly sideline of land now or formerly of the Portland Terminal Company...

THENCE S 85° 15' 34" E along said land a distance of 172.55 feet to the Point of Beginning...

THENCE S 27° 46' 25" W a distance of 276.95 feet; THENCE S 62° 13' 35" E a distance of 33.00 feet; THENCE CONTINUING S 27° 46' 25" E a distance of 25.00 feet...

THENCE S 27° 46' 25" W a distance of 13.49 feet; THENCE N 27° 46' 25" W a distance of 90.00 feet; THENCE CONTINUING N 62° 13' 35" W a distance of 33.00 feet...

THENCE N 10° 49' 14" W a distance of 52.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

THENCE N 10° 49' 14" W a distance of 52.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

THENCE N 10° 49' 14" W a distance of 52.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

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UNDERGROUND UTILITY LINE EASEMENT - MAIN LINE

A CERTAIN LOT OR PARCEL OF LAND, BEING TWENTY (20) FEET WIDE, SITUATED NORTHERLY OF THE BLUE STAR MEMORIAL HIGHWAY (ROUTE #1) AT THE VETERAN'S MEMORIAL BRIDGE ON THE FORE RIVER IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN ENTITLED 'PLANS FOR LANDMARK HEALTHCARE FACILITIES, LLC' DATED JANUARY 16, 2007 BY OWEN HASKELL, INC., THE CENTERLINE OF WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A ROD MARKING A POINT 50.00 FEET WESTERLY OF AND AT RIGHT ANGLES TO THE CENTER LINE OF THE MAIN TRACK MARKING A P.C. STATION OF 23 + 11.35 FEET AS SHOWN ON RIGHT OF WAY AND TRACK MAP PORTLAND TERMINAL COMPANY DATED JUNE 30, 1916 REVISED MARCH 1938 FILED IN THE PORTLAND TERMINAL COMPANY IN V1-D-OVER APPROXIMATELY 675' NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF SAID ROUTE #1...

THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

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THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

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THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

UNDERGROUND UTILITY LINE EASEMENT - SPUR

A CERTAIN LOT OR PARCEL OF LAND, BEING TWENTY (20) FEET WIDE, SITUATED NORTHERLY OF THE BLUE STAR MEMORIAL HIGHWAY (ROUTE #1) AT THE VETERAN'S MEMORIAL BRIDGE ON THE FORE RIVER IN THE CITY OF PORTLAND, COUNTY OF CUMBERLAND AND STATE OF MAINE AS SHOWN ON A PLAN ENTITLED 'PLANS FOR LANDMARK HEALTHCARE FACILITIES, LLC' DATED JANUARY 16, 2007 BY OWEN HASKELL, INC., THE CENTERLINE OF WHICH IS BOUNDED AND DESCRIBED AS FOLLOWS:

COMMENCING AT A ROD MARKING A POINT 50.00 FEET WESTERLY OF AND AT RIGHT ANGLES TO THE CENTER LINE OF THE MAIN TRACK MARKING A P.C. STATION OF 23 + 11.35 FEET AS SHOWN ON RIGHT OF WAY AND TRACK MAP PORTLAND TERMINAL COMPANY DATED JUNE 30, 1916 REVISED MARCH 1938 FILED IN THE PORTLAND TERMINAL COMPANY IN V1-D-OVER APPROXIMATELY 675' NORTHERLY OF THE NORTHERLY RIGHT OF WAY LINE OF SAID ROUTE #1...

THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

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THENCE N 10° 49' 14" W a distance of 53.84 feet; THENCE N 10° 49' 14" W a distance of 32.20 feet; THENCE N 10° 46' 21" E a distance of 400.04 feet...

Survey Prepared By Owen Haskell, Inc. 390 U.S. Route One, Unit 10 Falmouth, Maine 04105 Phone: (207) 774-0424 File/Sheet No. 2011-115P

Fore River Medical Complex, LLC City of Portland County of Cumberland State of Maine ML Site No. 23022 Sheet 2 of 2

CORPORATE HEADQUARTERS: 1742 Georgetown Road, Suite H Hudson, Ohio 44236 Fax: (330) 342-6224 Phone: (330) 342-6231 WWW.MILLMILLAND.COM

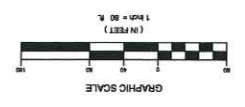
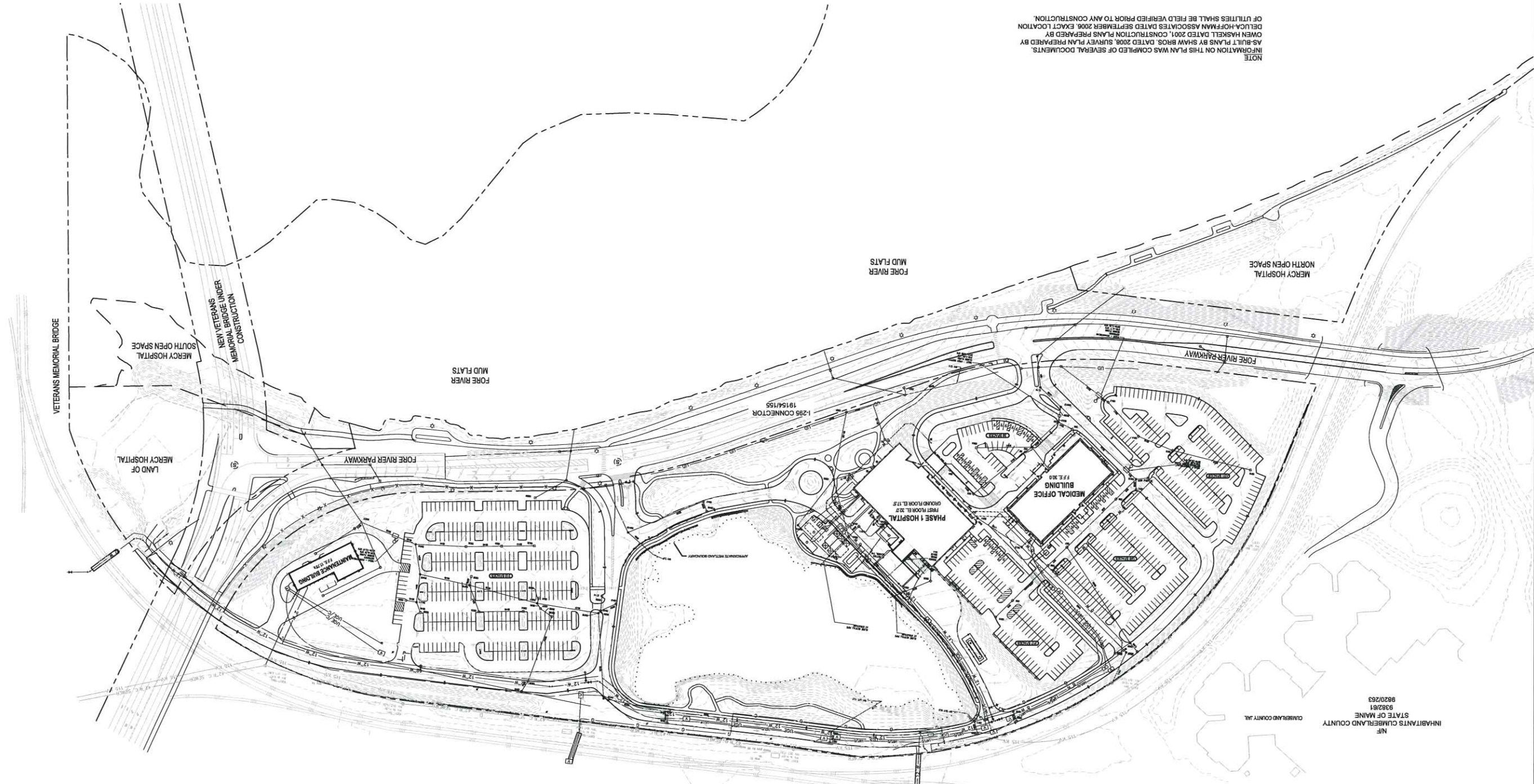


Millland National Real Estate Due Diligence



NF
 INHABITANTS LUMBERLAND COUNTY
 STATE OF MAINE
 850281
 8820283
 CAMBERLAND COUNTY, MAINE

NOTE
 INFORMATION ON THIS PLAN WAS COMPILED OF SEVERAL DOCUMENTS.
 AS-BUILT PLANS BY SHAW BROS. DATED 2008, SURVEY PLAN PREPARED BY
 OWEN HASSELL DATED 2001, CONSTRUCTION PLANS PREPARED BY
 DELUCA-HOFFMAN ASSOCIATES DATED SEPTEMBER 2006, EXACT LOCATION
 OF UTILITIES SHALL BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.



REV	DATE	DESCRIPTION
1	02/20/11	ISSUED TO OWNER WITH MARKS SITE PLAN REVISIONS

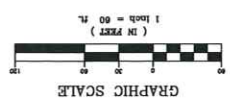
PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	DELUCA-HOFFMAN ASSOCIATES, INC.
DATE	MAY 2010
SCALE	1" = 80'
CHECKED BY	218108
JOB NO.	218108
FILE NAME	218108.DWG

SHEET
 C-2.1

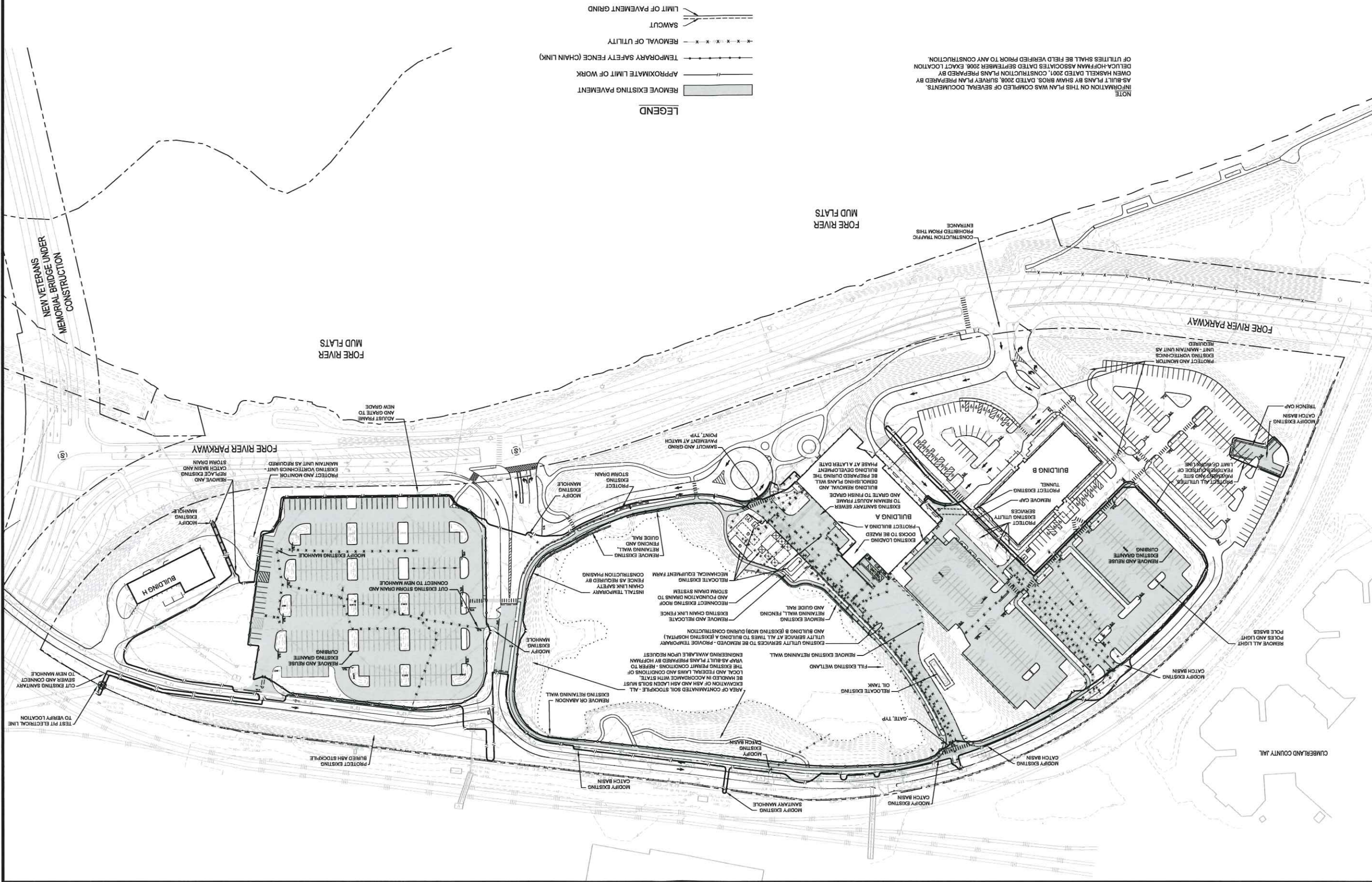
PRELIMINARY - NOT FOR CONSTRUCTION

NF
 UNION STATION LIMITED PARTNERSHIP
 1014423
 ST. JOHN STREET ASSOCIATES LIMITED PARTNERSHIP
 6864210
 NF

PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	DELUCA-HOFFMAN ASSOCIATES, INC.
DATE	MAY 2012
SCALE	1" = 60'
CHECKED BY	2149.M
JOB NO.	2149.M
FILE NAME	2149.DEMOITION
SHEET	C-22



PRELIMINARY - NOT FOR CONSTRUCTION



- LEGEND**
- REMOVE EXISTING PAVEMENT
 - APPROXIMATE LIMIT OF WORK
 - TEMPORARY SAFETY FENCE (CHAIN LINK)
 - REMOVAL OF UTILITY
 - SAWCUT
 - LIMIT OF PAVEMENT GRIND

NOTE
 INFORMATION ON THIS PLAN WAS COMPILED OF SEVERAL DOCUMENTS
 AS BUILT PLANS BY SHAW BROS. DATED 2008, SURVEY PLAN PREPARED BY
 OWEN HASSELL DATED 2001, CONSTRUCTION PLANS PREPARED BY
 DELUCA-HOFFMAN ASSOCIATES DATED SEPTEMBER 2006. EXACT LOCATION
 OF UTILITIES SHALL BE FIELD VERIFIED PRIOR TO ANY CONSTRUCTION.

NEW VETERANS
 MEMORIAL BRIDGE UNDER
 CONSTRUCTION

FORE RIVER
 MUD FLATS

FORE RIVER
 MUD FLATS

FORE RIVER PARKWAY

FORE RIVER PARKWAY

BUILDING H

BUILDING A

BUILDING B

CUMBERLAND COUNTY JAIL

TEST PIT ELECTRICAL LINE
 SEWER AND CONNECT
 TO NEW MANHOLE

REMOVE AND
 MODIFY
 EXISTING
 MANHOLE

PROTECT AND MONITOR
 EXISTING WETLANDS UNIT
 MAINTAIN UNIT AS REQUIRED

REMOVE EXISTING
 FENCING AND
 RETAINING WALL

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

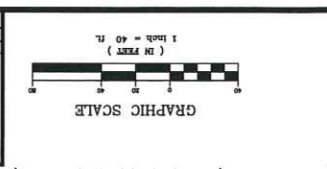
REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

REMOVE EXISTING
 SANITARY SEWER
 AND GRATE TO FINISH GRADE
 TO REMAIN ADJUST FRAME

SHEET	C-32
CLIENT	MERCY HOSPITAL
PROJECT	MERCY AT THE FORE
MASTER PLAN	
SITE LAYOUT PLAN SOUTH	
DESIGNED BY	DL
CHECKED BY	
DATE	
SCALE	1" = 40'
JOB NO.	21828A
FILE NAME	21828 SITE LAYOUT

PROJECT: MERCY AT THE FORE
 MASTER PLAN
 SITE LAYOUT PLAN SOUTH
 CLIENT: MERCY HOSPITAL

REV	DATE	DESCRIPTION
1		SUBMITTED TO MERCY WITH MAJOR SITE PLAN AMENDMENT APPLICATION



PAVEMENT MARKING LEGEND

ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE STANDARDS FOR SIZE, HEIGHT, LOCATION, COLOR, INSTALLATION AND REFLECTIVITY SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

SHOW ON SITE LAYOUT PLAN.

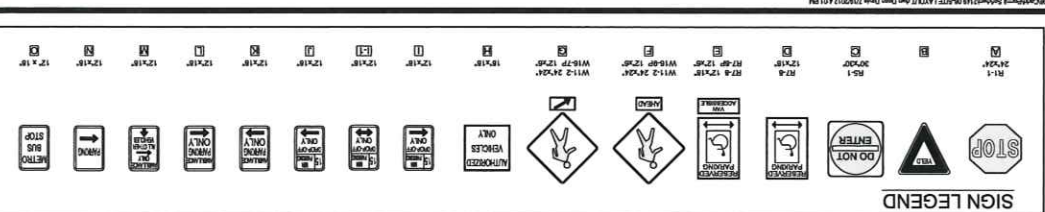
ALL PARKING STALLS TO BE 4" WIDTH SINGLE SOLID WHITE LINE EXCEPT AS NOTED.

12" ST. 1/2" WIDTH DOUBLE YELLOW CENTERLINE

4" SWL 4" WIDTH SOLID WHITE LINE

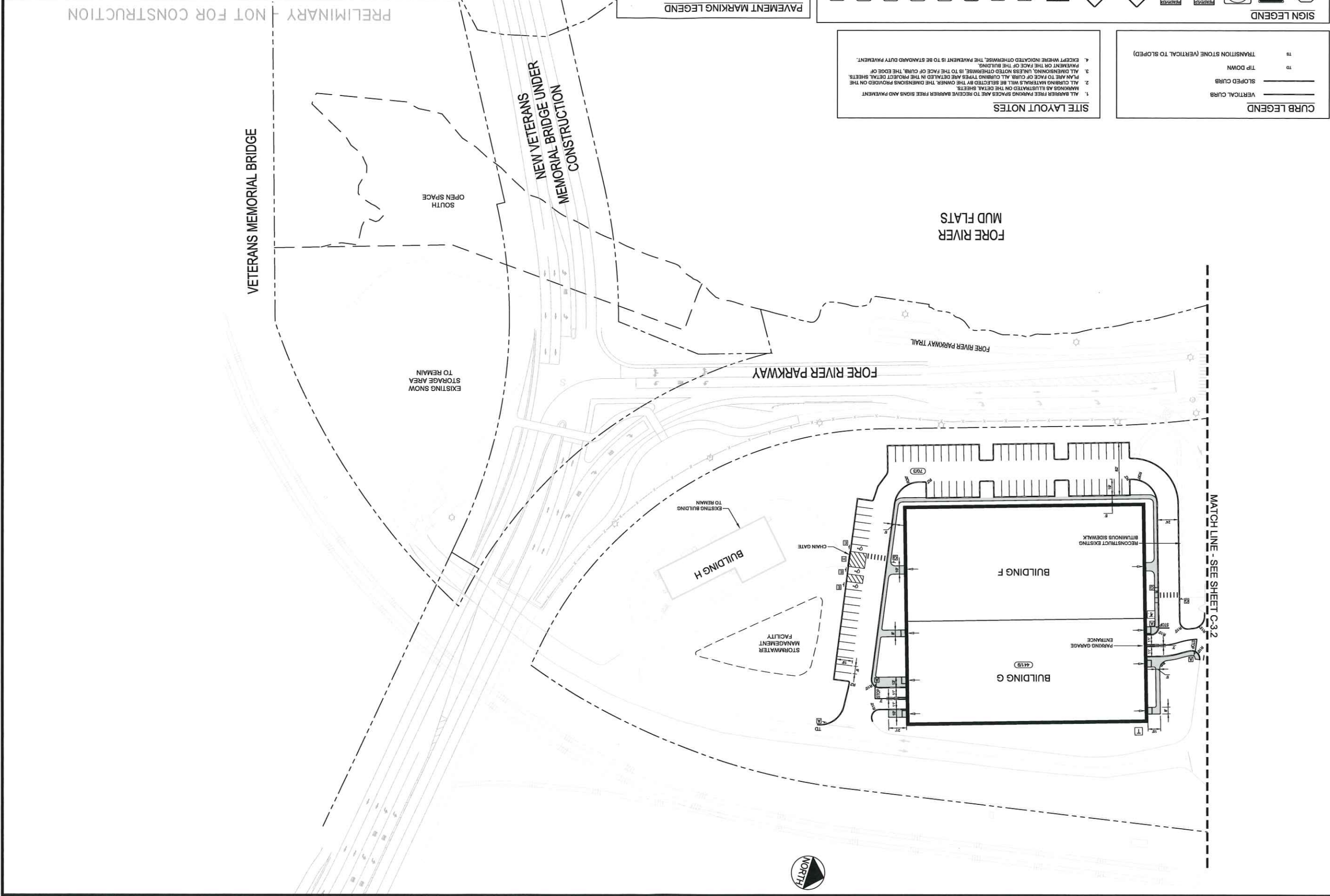
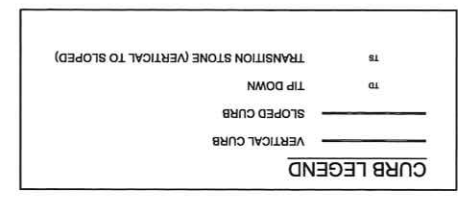
4" TLL 4" WIDTH SOLID YELLOW LINE

4" DYL 4" WIDTH DOUBLE YELLOW CENTERLINE

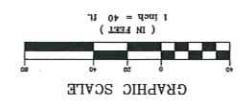


SITE LAYOUT NOTES

- ALL BARBER FREE PARKING SPACES ARE TO RECEIVE BARBER FREE SIGNS AND PAVEMENT.
- ALL CURBING MATERIALS WILL BE SELECTED BY THE OWNER. THE DIMENSIONS PROVIDED ON THE MARKINGS AS ILLUSTRATED ON THE DETAIL SHEETS.
- PLAN LINE TO FACE OF CURB. ALL CURBING TYPES ARE DETAIL IN THE PROJECT DETAIL SHEETS. UNLESS NOTED OTHERWISE, IS TO THE FACE OF CURB, THE EDGE OF PAVEMENT OR THE FACE OF THE BUILDING.
- EXCEPT WHERE INDICATED OTHERWISE, THE PAVEMENT IS TO BE STANDARD DUTY PAVEMENT.

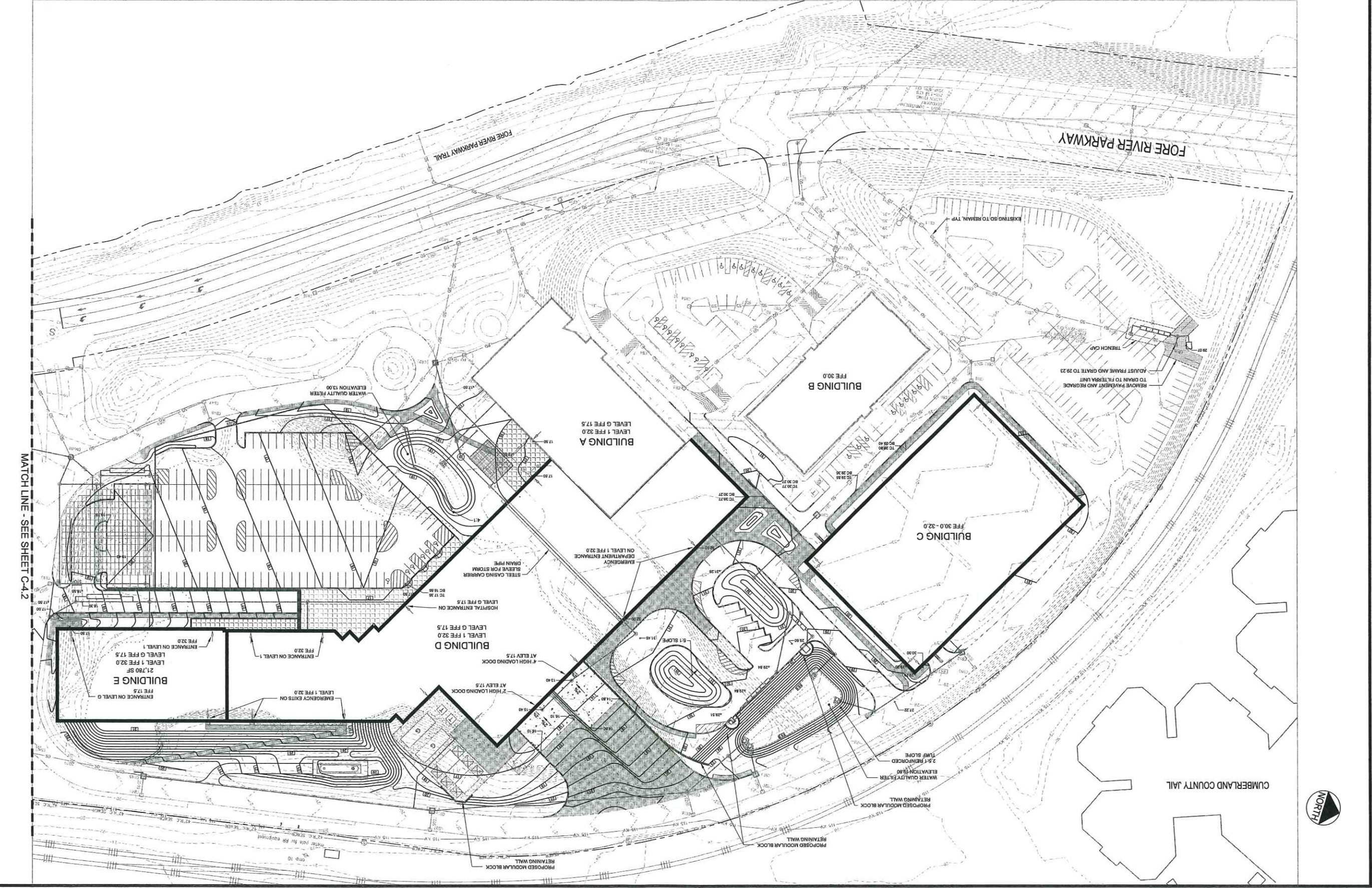


SHEET: C-4.1		CLIENT: MERCY HOSPITAL		LIC. # 1428	
DESIGNED: JON NO. 2149.00		PROJECT: MERCY AT THE FORE		DATE: MAY 2012	
CHECKED: JON NO. 2149.00		SHEET TITLE: GRADING PLAN NORTH		SCALE: 1" = 40'	
DRAWN: JON NO. 2149.00		PROJECT: MERCY AT THE FORE		DATE: MAY 2012	
PROJECT: MERCY AT THE FORE		PROJECT: MERCY AT THE FORE		DATE: MAY 2012	



REV.	DATE	DESCRIPTION
1	05/22/12	ISSUED FOR PERMITS TO CONSTRUCTION
2	05/22/12	ISSUED FOR PERMITS TO CONSTRUCTION

PRELIMINARY - NOT FOR CONSTRUCTION



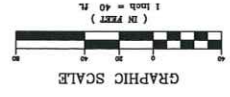
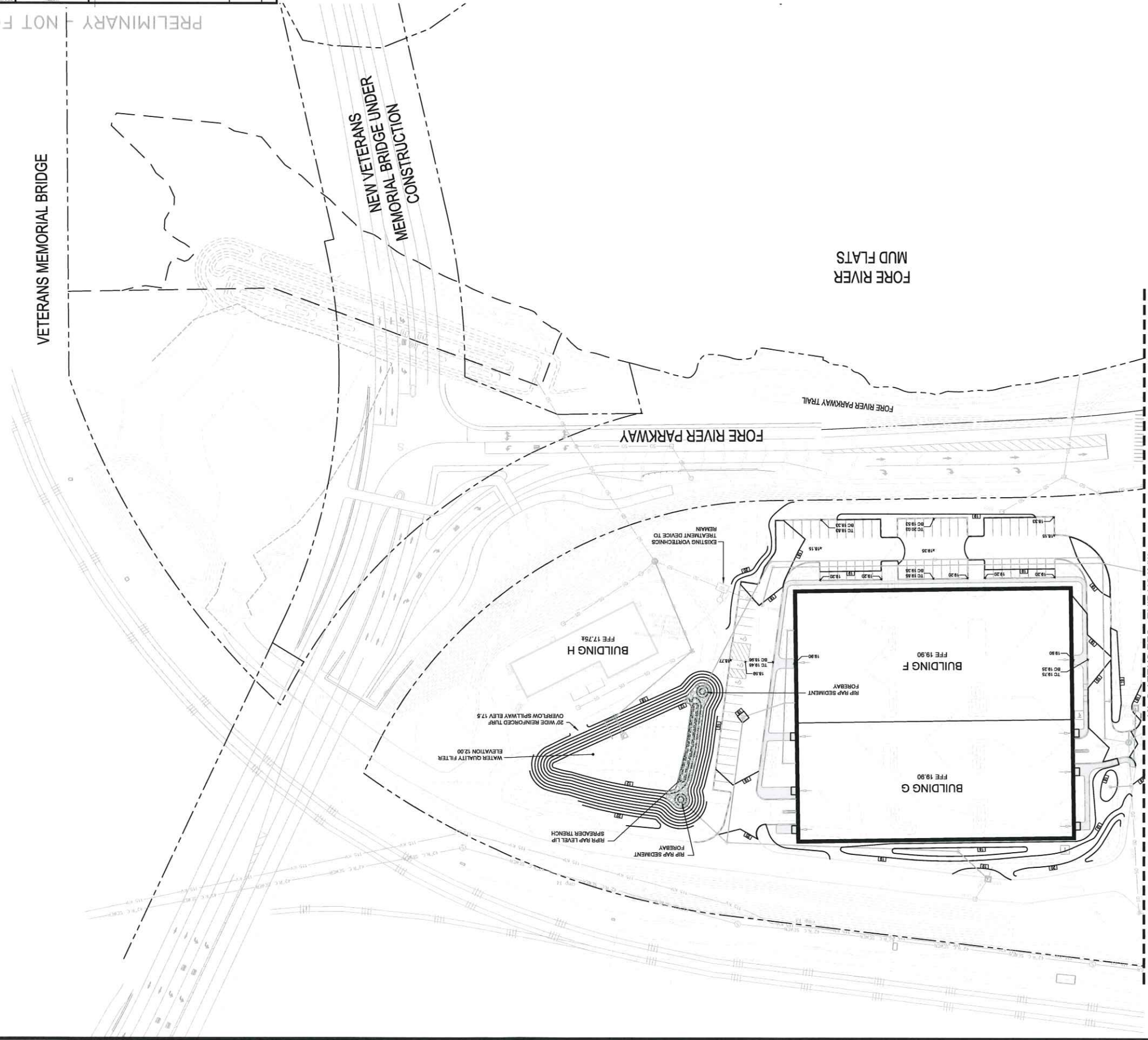
MATCH LINE - SEE SHEET C-4.2



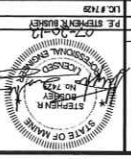
CUMBERLAND COUNTY JAIL



MATCH LINE - SEE SHEET C4.1



REV	DATE	DESCRIPTION
1	02-14-11	SUBMITTED TO MERCY WITH MAJOR SITE PLAN AMENDMENT APPLICATION

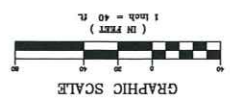


PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	DLI
DATE	MAY 2012
SCALE	1" = 40'
JOB NO.	2149.00
SHEET	C-4.2

PRELIMINARY - NOT FOR CONSTRUCTION

SHEET		C-4.3	
CLIENT		MERCY HOSPITAL	
PROJECT		MERCY AT THE FORE MASTER PLAN	
SHEET TITLE		SITE LAYOUT AND GRADING PLAN LEVEL 1	
DESIGNED BY		DH ASSOCIATES, INC.	
CHECKED BY		SIN	
DATE		MAY 2012	
JOB NO.		2149.00	
FILE NAME		2149.00-LEVEL 1	
SHEET NO.		1	
TOTAL SHEETS		1	

REV		DATE	DESCRIPTION
1	02/12		STARTED TO KEEP WITH EXISTING SITE PLAN MEASUREMENT POSITION



PAVEMENT MARKING LEGEND

ALL SIGNAGE AND STRIPING SHALL CONFORM TO THE STANDARDS FOR SIZE, HEIGHT, LOCATION, COLOR, INSTALLATION AND REFLECTIVITY SET FORTH IN THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES (MUTCD).

ALL PARKING STALLS TO BE 4' WIDTH SINGLE SOLID WHITE LINE EXCEPT AS SHOWN ON SITE LAYOUT PLAN.

- 4' DWEL (4' WIDTH DOUBLE YELLOW CENTRAL LINE)
- 4' SWL (4' WIDTH SOLID WHITE LANE LINE)
- 4' SWL (4' WIDTH SOLID WHITE LANE LINE)
- 12' SWL (12' WIDTH SOLID WHITE STOP LINE)
- 12' SWL (12' WIDTH SOLID WHITE STOP LINE)

SITE LAYOUT NOTES

- ALL BARRIER FREE PARKING SPACES ARE TO RECEIVE BARRIER FREE SIGNS AND PAVEMENT.
- ALL CURBING MATERIALS WILL BE SELECTED BY THE OWNER. THE DIMENSIONS PROVIDED ON THE MARKINGS AS ILLUSTRATED ON THE DETAIL SHEETS.
- ALL DIMENSIONING LINES NOTED OTHERWISE, IS TO THE FACE OF CURB, THE EDGE OF PAVEMENT OR THE FACE OF THE BUILDING.
- EXCEPT WHERE INDICATED OTHERWISE, THE PAVEMENT IS TO BE STANDARD DUTY PAVEMENT.

CURB LEGEND

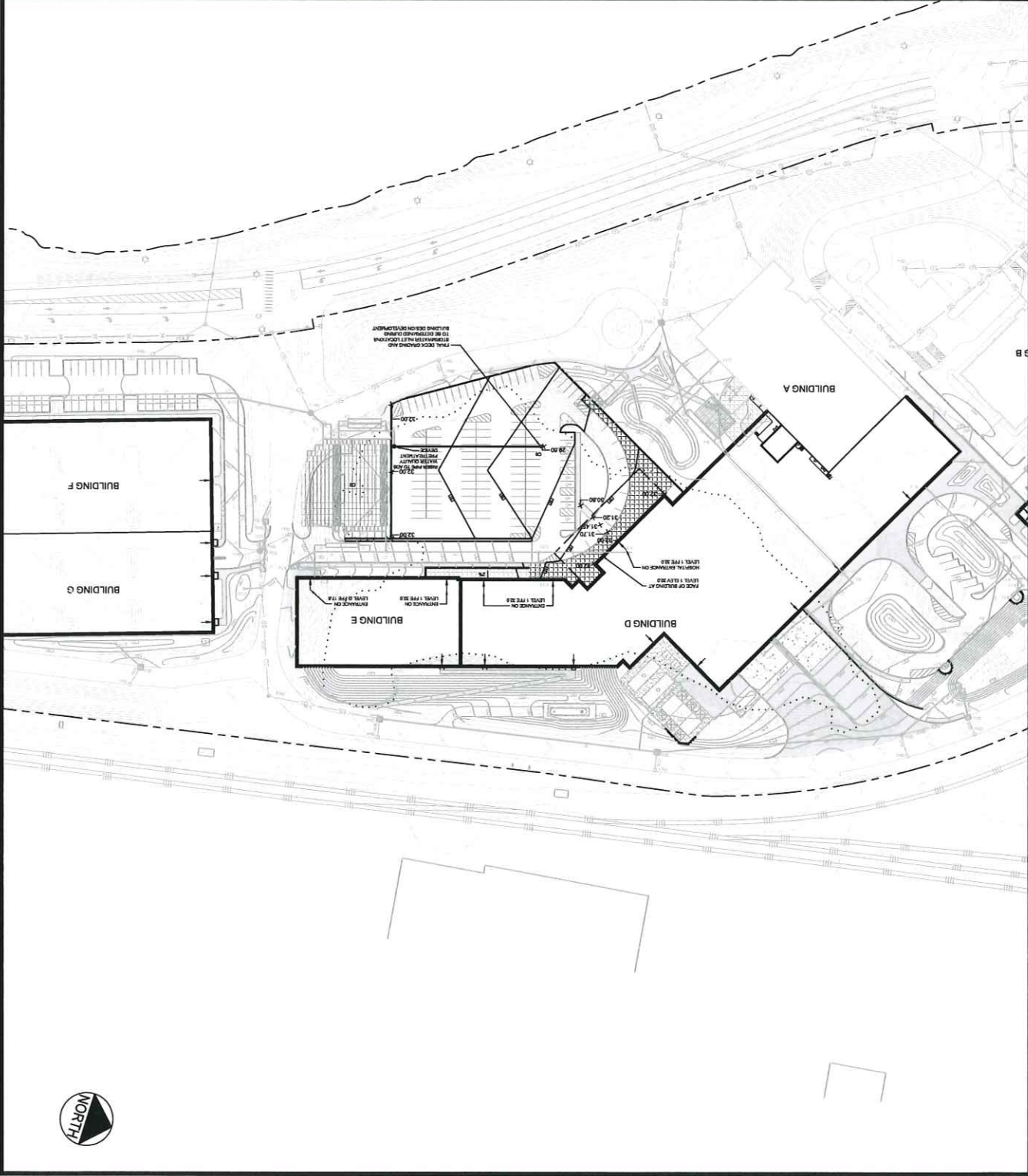
- VERTICAL CURB
- SLOPED CURB
- TIP DOWN
- TRANSITION STONE (VERTICAL TO SLOPED)

SIGN LEGEND

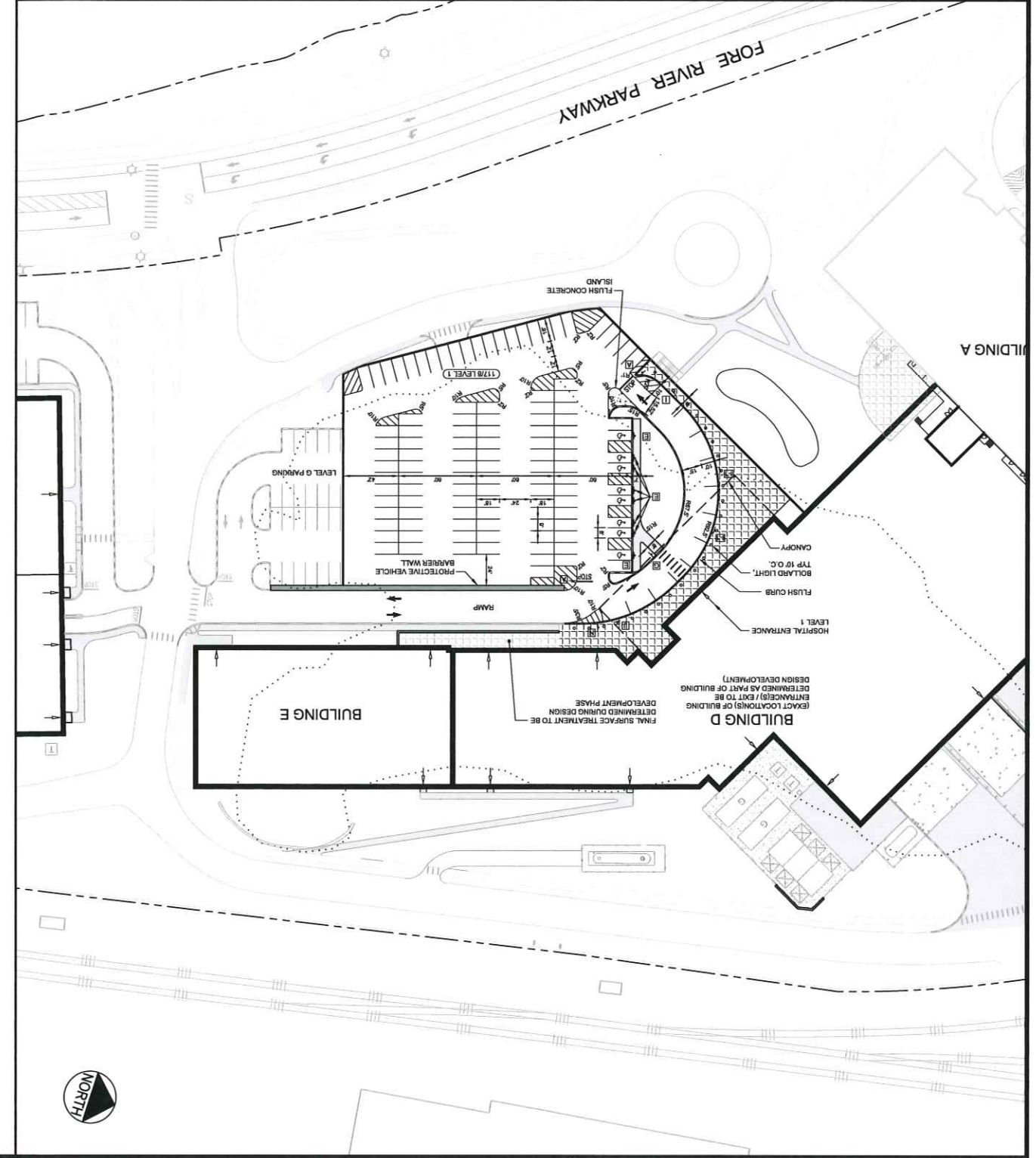
100' @ 100' PARKING SPACE - STANDARD / ACCESSIBLE

PRELIMINARY - NOT FOR CONSTRUCTION

GRADING AND DRAINAGE PLAN - LEVEL 1



SITE LAYOUT PLAN - LEVEL 1

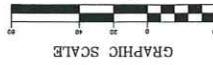


PRELIMINARY - NOT FOR CONSTRUCTION

- NOTES**
- INSTALL FABCO STORM SACK FILTER BAGS IN ALL CATCH BASIN FILTERS TRIBUTARY TO WATER QUALITY BMP D-4. FILTER BAGS WILL SERVE AS SEDIMENT ACCUMULATION PRETREATMENT FOR THE GRASSED UNDERDRAIN SOIL FILTER D-4.
 - STORM DRAIN MANHOLE @ STORM DRAIN MANHOLE
 - MODIFY EXISTING CATCH BASIN

LEGEND

- STORM DRAIN MANHOLE
- CATCH BASIN M.E.T.
- MODIFY EXISTING CATCH BASIN



REV	DATE	DESCRIPTION
1	07/21/12	REVISIONS
2	07/21/12	REVISIONS

PROJECT: MERCY AT THE FORE
SHEET TITLE: STORMWATER MANAGEMENT PLAN NORTH
CLIENT: MERCY HOSPITAL

NO.	DATE	BY	CHECKED BY	APP. NO.
1	07/21/12
2	07/21/12

PROJECT: MERCY AT THE FORE
SHEET TITLE: STORMWATER MANAGEMENT PLAN NORTH
CLIENT: MERCY HOSPITAL

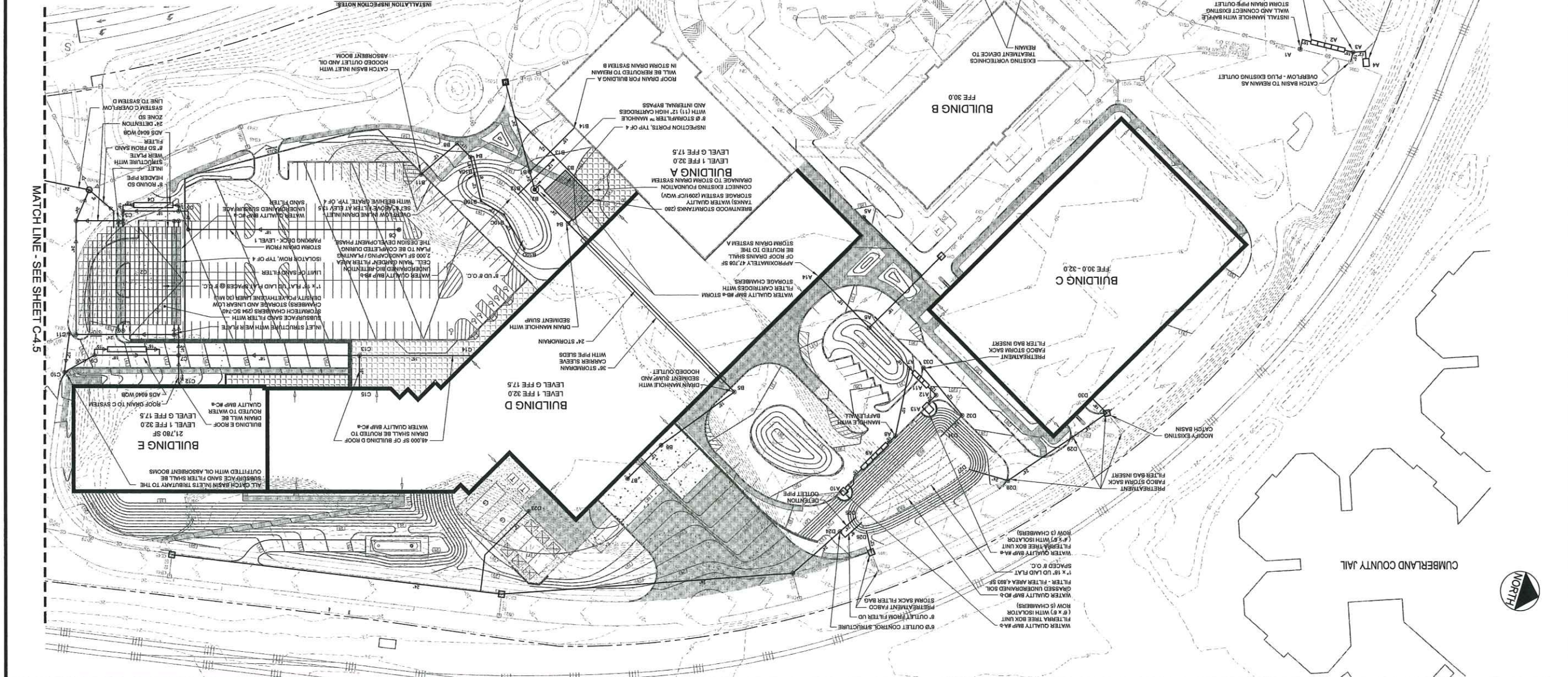
THE ENGINEER WILL ALSO BE REQUIRED TO OVERSEE THE INSTALLATION OF THE SUBSURFACE WATER STORAGE AND SPECIFICATIONS. THE STONE, FABRIC, CHAMBERS AND IMPERMEABLE LINER (IF APPLICABLE) ARE INSTALLED PER THE PROJECT DETAILS AND SPECIFICATIONS.

STORMWATER PREPARATION AND GENERAL CONSTRUCTION:

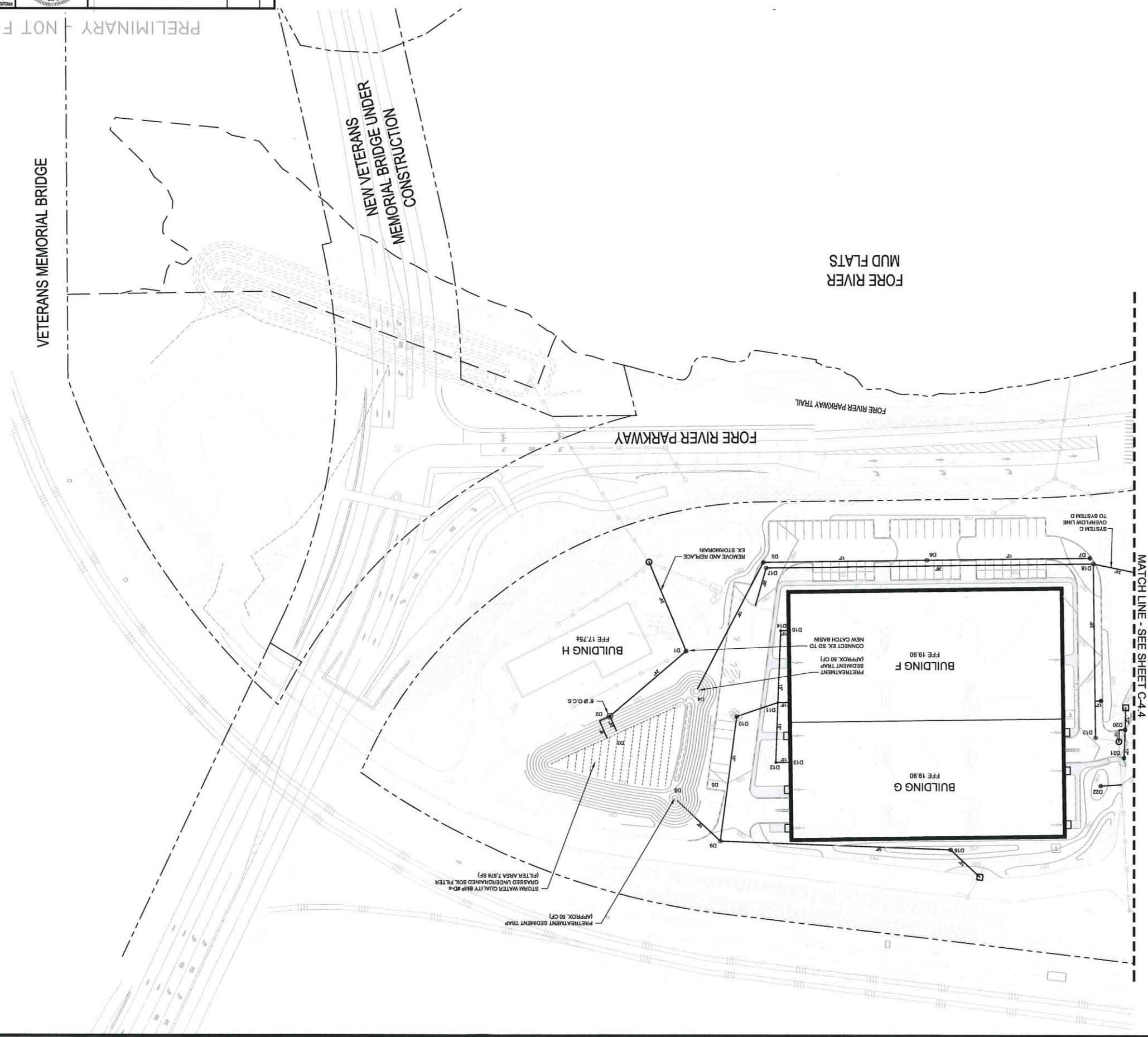
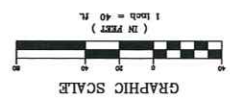
- STORMWATER PREPARATION SHALL BE INSTALLED PER THE PROJECT DETAILS AND SPECIFICATIONS.
- STORMWATER PREPARATION SHALL BE INSTALLED PER THE PROJECT DETAILS AND SPECIFICATIONS.
- STORMWATER PREPARATION SHALL BE INSTALLED PER THE PROJECT DETAILS AND SPECIFICATIONS.

INSPECTION IS REQUIRED BY A PROFESSIONAL ENGINEER AND SHALL CONSIST OF AN APPROPRIATE NUMBER OF VISITS TO THE SITE TO INSPECT THE FOLLOWING:

- UNDERDRAIN GRASSED SOIL FILTER:
- UNDERDRAIN SUBSURFACE SAND FILTER:
- UNDERDRAIN SUBSURFACE SAND FILTER:



PROJECT: MERCY AT THE FORE		SHEET: C-45	
CLIENT: MERCY HOSPITAL		DATE: 2/14/12	
DESIGNED BY: PLAN SOUTH		JOB NO: 214808	
DRAWN BY: STORMWATER MANAGEMENT		SCALE: 1"=40'	
PROJECT: MERCY AT THE FORE		SHEET TITLE: MASTER PLAN	
PROJECT: STORMWATER MANAGEMENT		SHEET TITLE: PLAN SOUTH	
PROJECT: MERCY HOSPITAL		SHEET TITLE: C-45	



PRELIMINARY - NOT FOR CONSTRUCTION

VETERANS MEMORIAL BRIDGE

NEW VETERANS
MEMORIAL BRIDGE UNDER
CONSTRUCTION

FORE RIVER
MUD FLATS

FORE RIVER PARKWAY

FORE RIVER PARKWAY TRAIL

BUILDING H
FFE 17.75L

BUILDING F
FFE 19.90

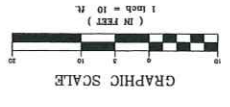
BUILDING G
FFE 19.90

MATCH LINE - SEE SHEET C-44

STORM WATER QUALITY BMP #0-4
(FILTER AREA 7,878 SF)
GRASSED UNDERDRAINED SOIL FILTER
(APPROX. 50 CF)
PRETREATMENT SEDIMENT TRAP

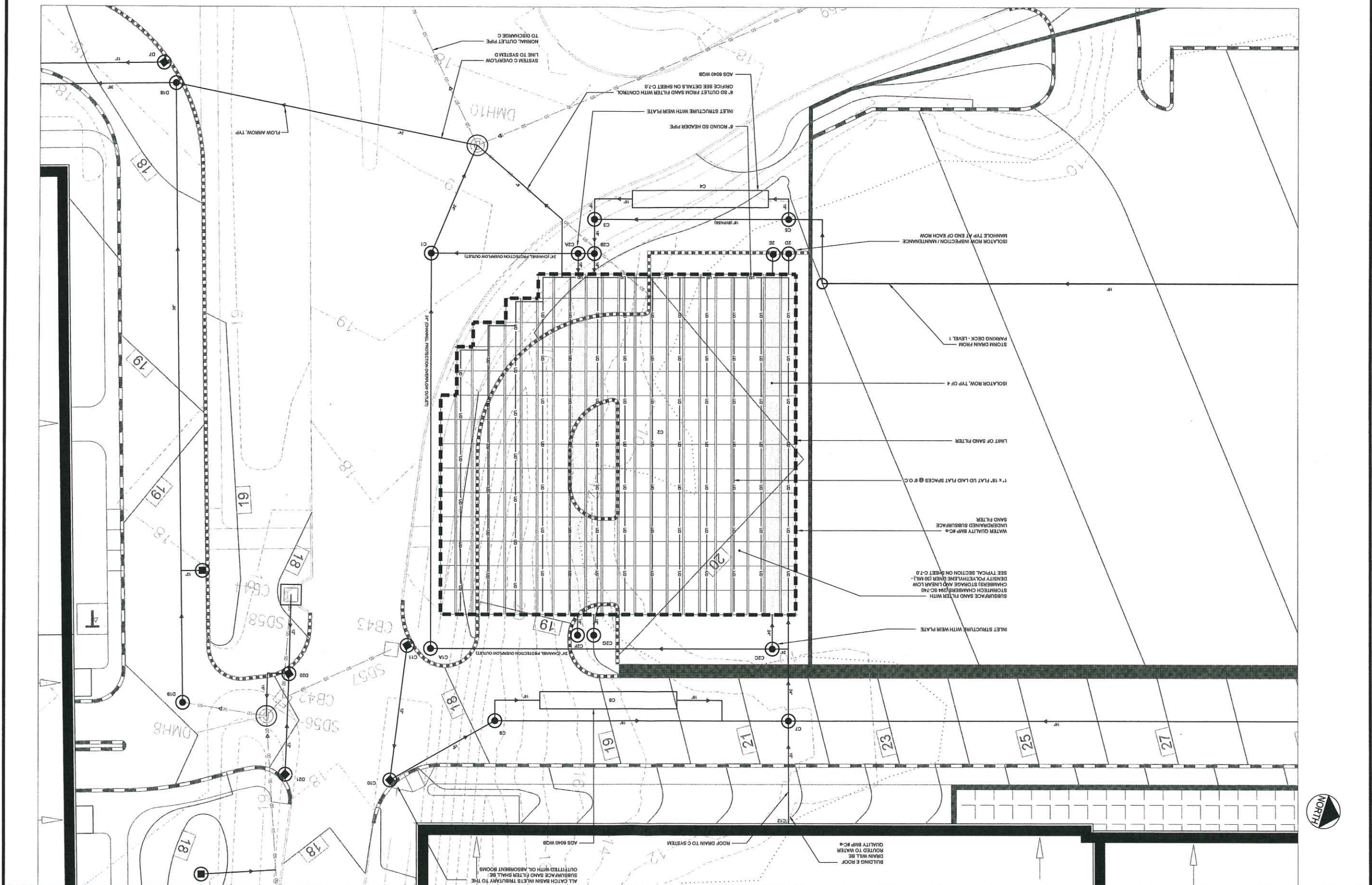


PROJECT: MERCY AT THE FORE		SHEET NO: C-4.8	
SUBPROJECT: MASTER PLAN		DATE: MAY 2012	
CLIENT: MERCY HOSPITAL		DESIGNED BY: [Signature]	
SUBPROJECT: STORMWATER MANAGEMENT PLAN		CHECKED BY: [Signature]	
SUBPROJECT: SUBSURFACE SAND FILTER		SCALE: 1" = 10'	
PROJECT LOCATION: 3149 GARDEN SUBSURFACE SAND		DRAWN BY: [Signature]	
PROJECT LOCATION: 3149 GARDEN SUBSURFACE SAND		FILE NAME: 3149 GARDEN SUBSURFACE SAND	



REV	DATE	DESCRIPTION
1	05/15/12	ADDED SHEET NUMBER TO CORNERS BY NESTOR

PRELIMINARY - NOT FOR CONSTRUCTION



ALL CATCH BASIN INLETS TRIBUTARY TO THE SUBSURFACE SAND FILTER SHALL BE OUTFITTED WITH OIL ABSORBENT BOOMS

BUILDING E ROOF DRAIN WILL BE ROUTED TO WATER QUALITY BMP #4

ROOF DRAIN TO C SYSTEM

ADS 6040 WOB

SURFACE SAND FILTER WITH STORMTECH CHAMBERS (24 SC-740 CHAMBERS) STORAGE AND UNDERLOW DENSITY POLYETHYLENE LINER (50 MIL) SEE TYPICAL SECTION ON SHEET C-7.0

WATER QUALITY BMP #4 UNDERPAVED SUBSURFACE SAND FILTER

1" x 18" FLAT U/LD FLAT SPACES @ 8" O.C.

LIMIT OF SAND FILTER

ISOLATOR ROW, TYP OF 4

STORM DRAIN FROM PARKING DECK - LEVEL 1

ISOLATOR ROW INSPECTION / MAINTENANCE MANHOLE TYP AT END OF EACH ROW

INLET STRUCTURE WITH WEIR PLATE

Ø ROUND SD HEADER PIPE

Ø SD OUTLET FROM SAND FILTER WITH CONTROL ORIFICE SEE DETAILS ON SHEET C-7.0

ADS 6040 WOB

SYSTEM C OVERFLOW LINE TO SYSTEM D

NORMAL OUTLET PIPE TO DISCHARGE C

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

24" CHANNEL PROTECTION OVERFLOW OUTLET

LEGEND

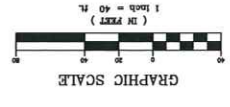
- INLET PROTECTION (STONE OR HAY SEDIMENT BARBER)
- FILTERBA INLET PROTECTION (PER MANUFACTURERS REQUIREMENTS)
- RIRAP OUTLET PROTECTION
- GRLEX BLANKET
- REINFORCED TURF
- EROSION CONTROL MESH
- POTENTIAL BUILDING LAYDOWN PAD
- CRUSHED STONE OR APPROVED EROSION CONTROL MATERIAL
- SEDIMENT BASIN
- WASH DOWN AREA
- STONE CONSTRUCTION ENTRANCE
- MATERIAL STOCKPILE

SCHEDULE OF SILT FENCE REQUIREMENTS

SILT FENCE	TYPE OF INSTALLATION	TIME OF INSTALLATION
SF1	TO TRAP SEDIMENT ALONG THE GRADING EDGE WHERE THE NEW CONTOURS NEARLY PARALLEL THE EXISTING CONTOURS	AT INITIAL SITE PREPARATION; PRIOR TO OTHER WORK
SF2	TO TRAP SEDIMENT FROM THE WORK AREA; INSTALL IN SHORT SECTIONS PARALLEL TO EXISTING CONTOURS, TYPICALLY OCCURS WHERE PROPOSED AND EXISTING CONTOURS FORM A V SHAPE	AT INITIAL SITE PREPARATION; PRIOR TO OTHER WORK
SF3	TO TRAP SEDIMENT ALONG THE BASE OF PROPOSED CONTOURS; AFTER NEW GRADE IS SHAPED, THIS SHALL BE TYPICALLY IN CUT AREAS	DURING CONSTRUCTION

INSTALL: ALLOW SILT FENCE TO BE SHIPPED NEW GRADE TO BE WORK IN AREA AND MINIMIZED BETWEEN SHAPED. THIS SHALL BE

- NOTES:**
1. ALL CATCH BASINS TO HAVE 4' UNDERDRAIN PER DETAIL L ON SHEET C-5.4
 2. ALL SUBSURFACE DETENTION AREAS ARE NOT TO BE PLACED ON LINE; TRIBUTARY AREA IS LIMITED TO 75% VEGETATION COVER
 3. ALL RUNOFF FROM DISTURBED AREAS SHALL BE DIRECTED TO A FILTERING DEVICE DESIGNED TO LIMIT DISCHARGE TO A MAXIMUM TURBIDITY OF 280 NTU. THE FILTERING DEVICE MAY BE BUT IS NOT LIMITED TO SAND FILTERS, EROSION CONTROL MIX, STRAW WHITTLES, FLOCCULATION CHEMICALS, DIRT BAGS AND SILT FENCE.
 4. STOCKPILES TO BE TEMPORARILY SEEDED AND MULCHED AS REQUIRED BY THE PROJECT SPECIFICATIONS
 5. THE CONSTRUCTION SHALL TREAT DISTURBED AREAS AND MULCHED AND CONSTRUCTION HALL PATH WITH DUST CONTROL BMPs TO LIMIT ALL FUGITIVE DUST



REVISIONS

REV	DATE	DESCRIPTION
1	05/23/12	SUBMITTED TO MERCY WITH HAZARD RISK MITIGATION APPLICATION



PROJECT: MERCY AT THE FORE
MASTER PLAN

CLIENT: MERCY HOSPITAL

DESIGNED BY: EROSION AND SEDIMENT CONTROL PLAN SOUTH

DATE: MAY 2012

SCALE: 1" = 40'

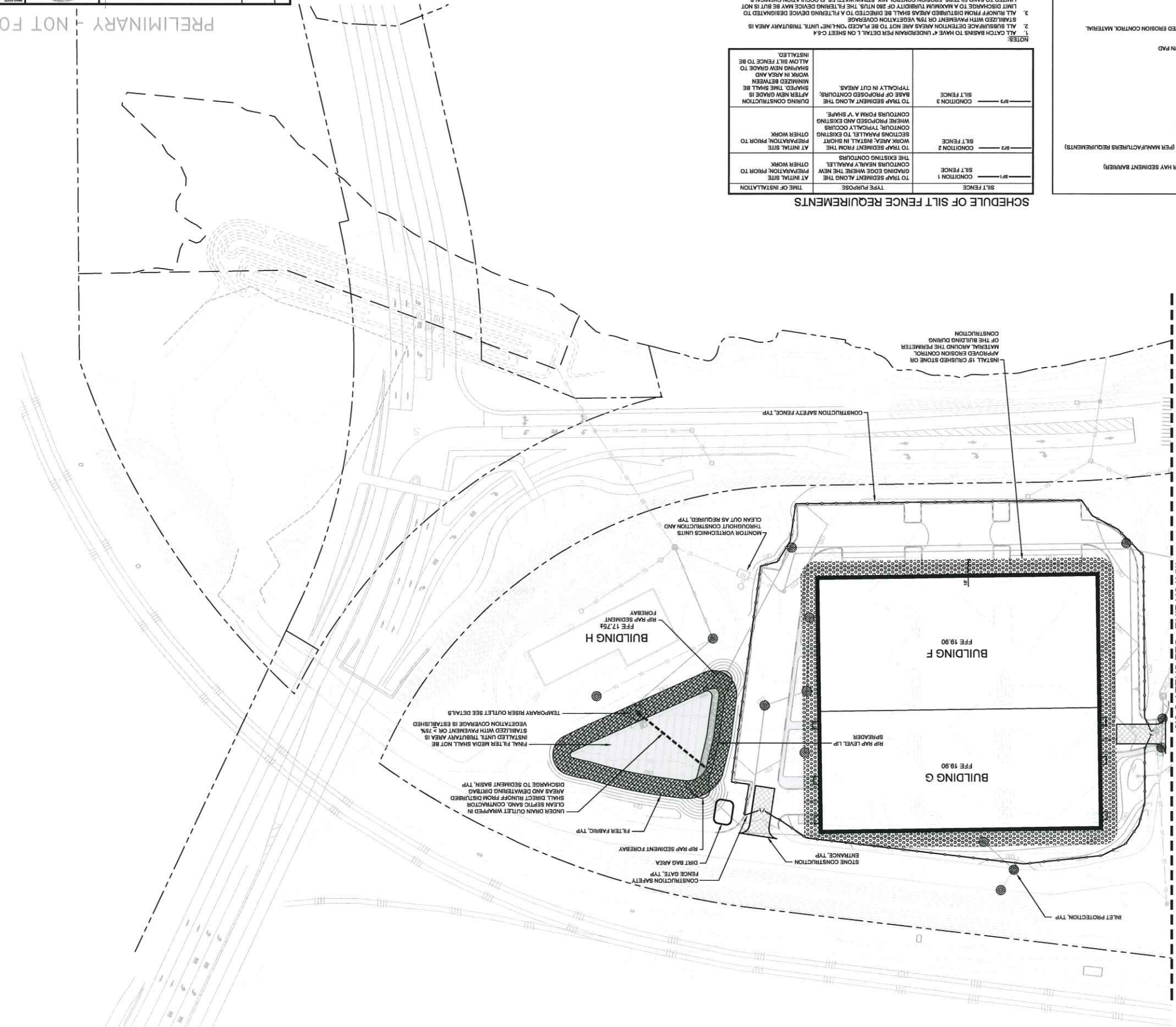
JOB NO.: 2149.08

FILE NAME: 2149.08.EROSION

DRAMA: DED DATE: MAY 2012

ASSOCIATES, INC.
7700 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
WWW.DELUCA-HOFFMAN.COM

PRELIMINARY - NOT FOR CONSTRUCTION

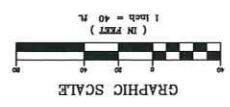


MATCH LINE - SEE SHEET C-5.0



CITY JAIL

FORE RIVER PARKWAY

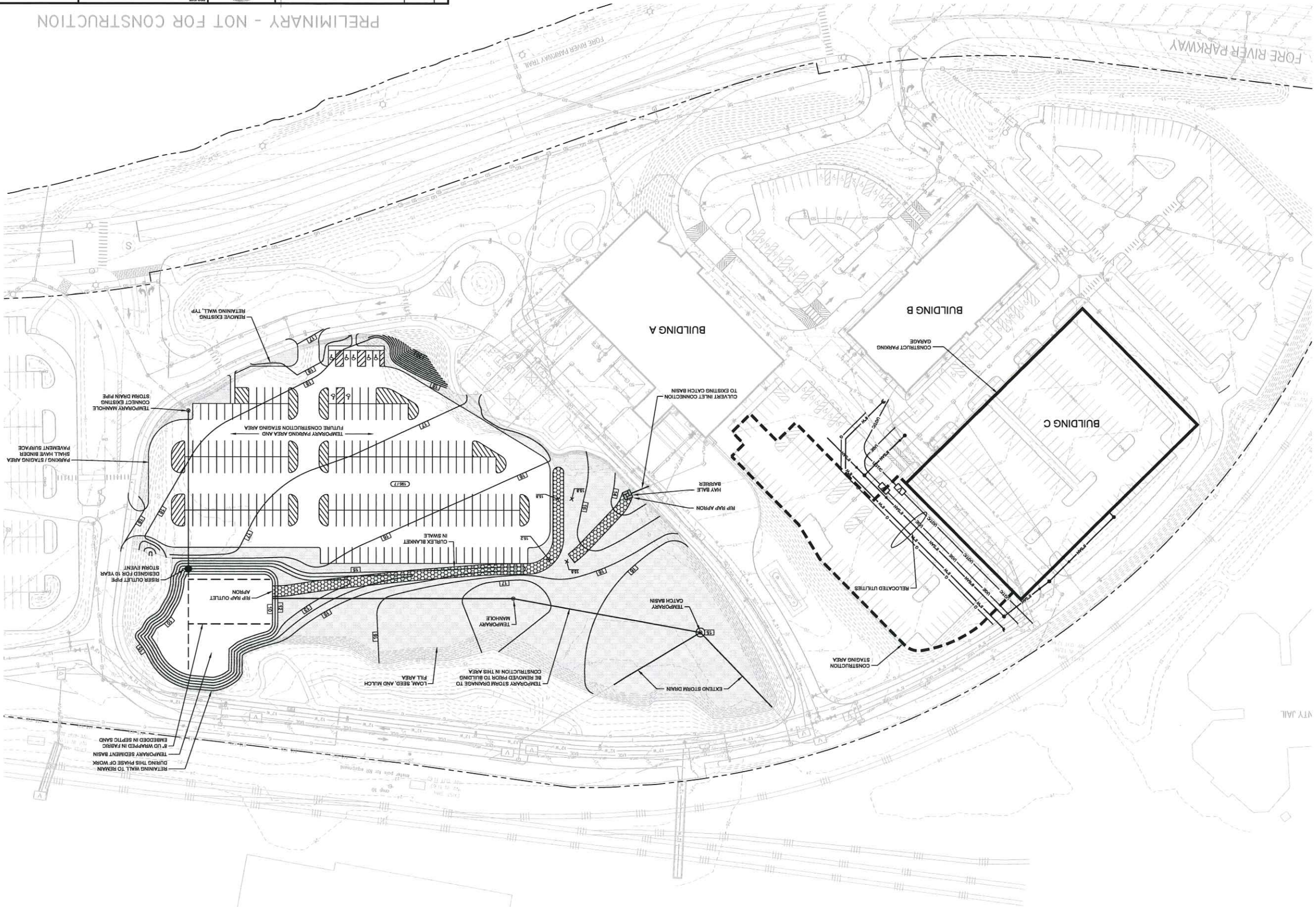


REV	DATE	DESCRIPTION
1	02.24.12	SUBMITTED TO MERCY WITH HAZARD SITE PLAN REVISION APPLICATION

PROJECT	MERCY AT THE FORE
MASTER PLAN	
INTERIM PHASE 2A PLAN	
CLIENT	MERCY HOSPITAL

SHEET	C-5.2
DESIGNED	BRJ
CHECKED	BRJ
DATE	MAY 2012
SCALE	1" = 40'
JOB NO.	21493
FILE NAME	21493.PHASE2

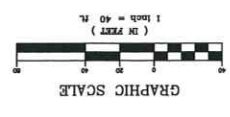
PRELIMINARY - NOT FOR CONSTRUCTION



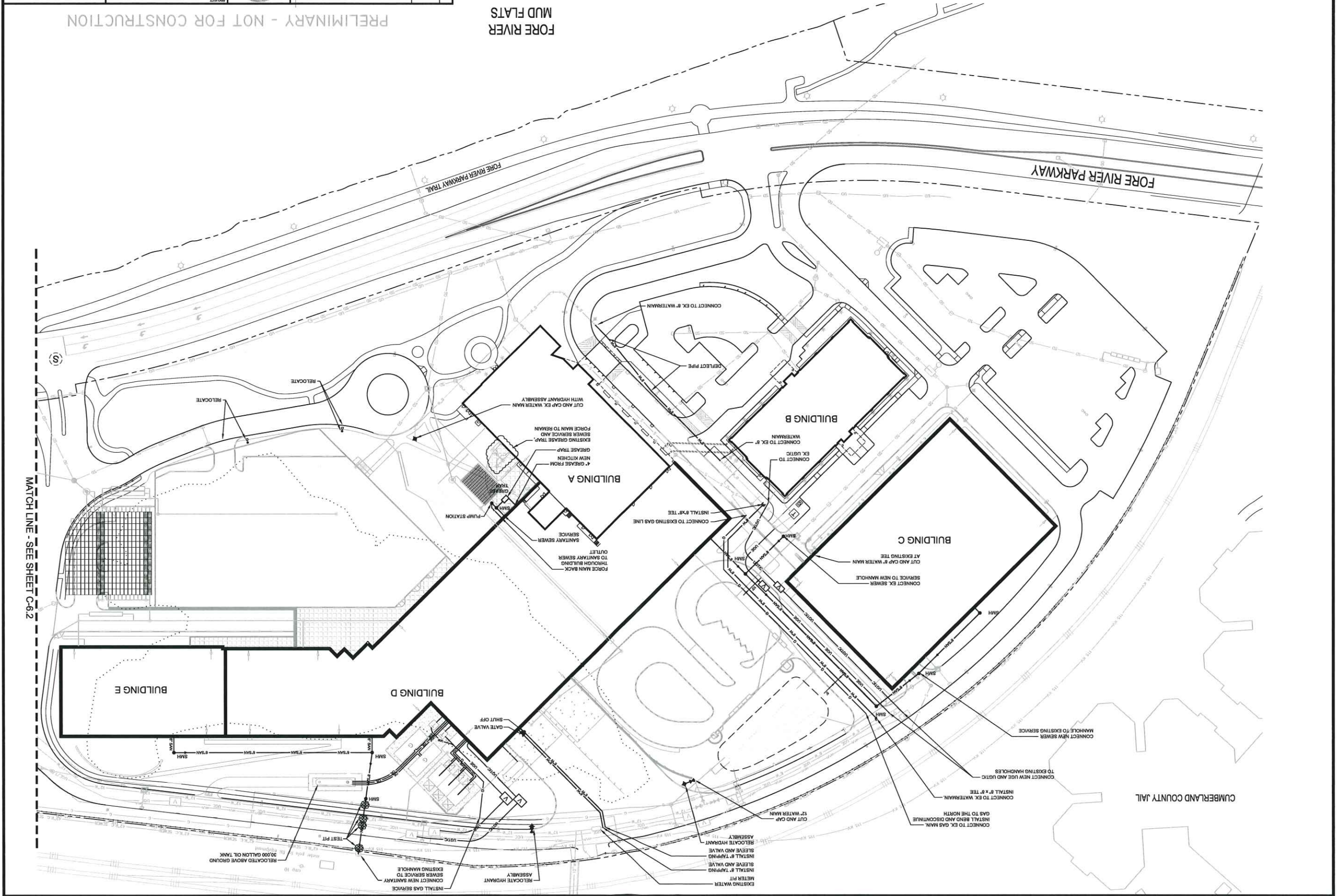
PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	DLI
DATE	MAY 2012
SCALE	1" = 40'
JOB NO.	214928
SHEET	C-6.1

REV	DATE	DESCRIPTION
1	02.20.12	ISSUED TO MERCY WITH REVISIONS AND SITE PLAN AMENDMENT APPLICATION

REV	DATE	DESCRIPTION
1	02.20.12	ISSUED TO MERCY WITH REVISIONS AND SITE PLAN AMENDMENT APPLICATION



PRELIMINARY - NOT FOR CONSTRUCTION
FORE RIVER MUD FLATS



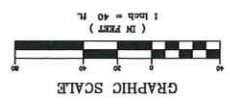
MATCH LINE - SEE SHEET C-6.2

UNLAWFUL TO REPRODUCE OR TRANSMIT IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, WITHOUT PERMISSION IN WRITING FROM THE DESIGNER.

PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	SSS
CHECKED BY	SSS
DATE	2/19/08
SCALE	1"=40'
JOB NO.	2149-UTILITY
SHEET	C-6.2

PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED BY	SSS
CHECKED BY	SSS
DATE	2/19/08
SCALE	1"=40'
JOB NO.	2149-UTILITY
SHEET	C-6.2

REV	DATE	DESCRIPTION
1	02/20/08	SUBMITTED TO MERCY WITH ASKS FOR PLAN REVISIONS



PRELIMINARY - NOT FOR CONSTRUCTION

VETERANS MEMORIAL BRIDGE

NEW VETERANS UNDER
MEMORIAL BRIDGE UNDER
CONSTRUCTION

FORE RIVER
MUD FLATS

FORE RIVER PARKWAY

BUILDING F

BUILDING G

BUILDING H

MATCH LINE - SEE SHEET C-6.1

CONNECT NEW SANITARY
SEWER SERVICE TO
EXISTING MANHOLE

TEST PIT TO VERIFY
LOCATION OF
ELECTRICAL LINE

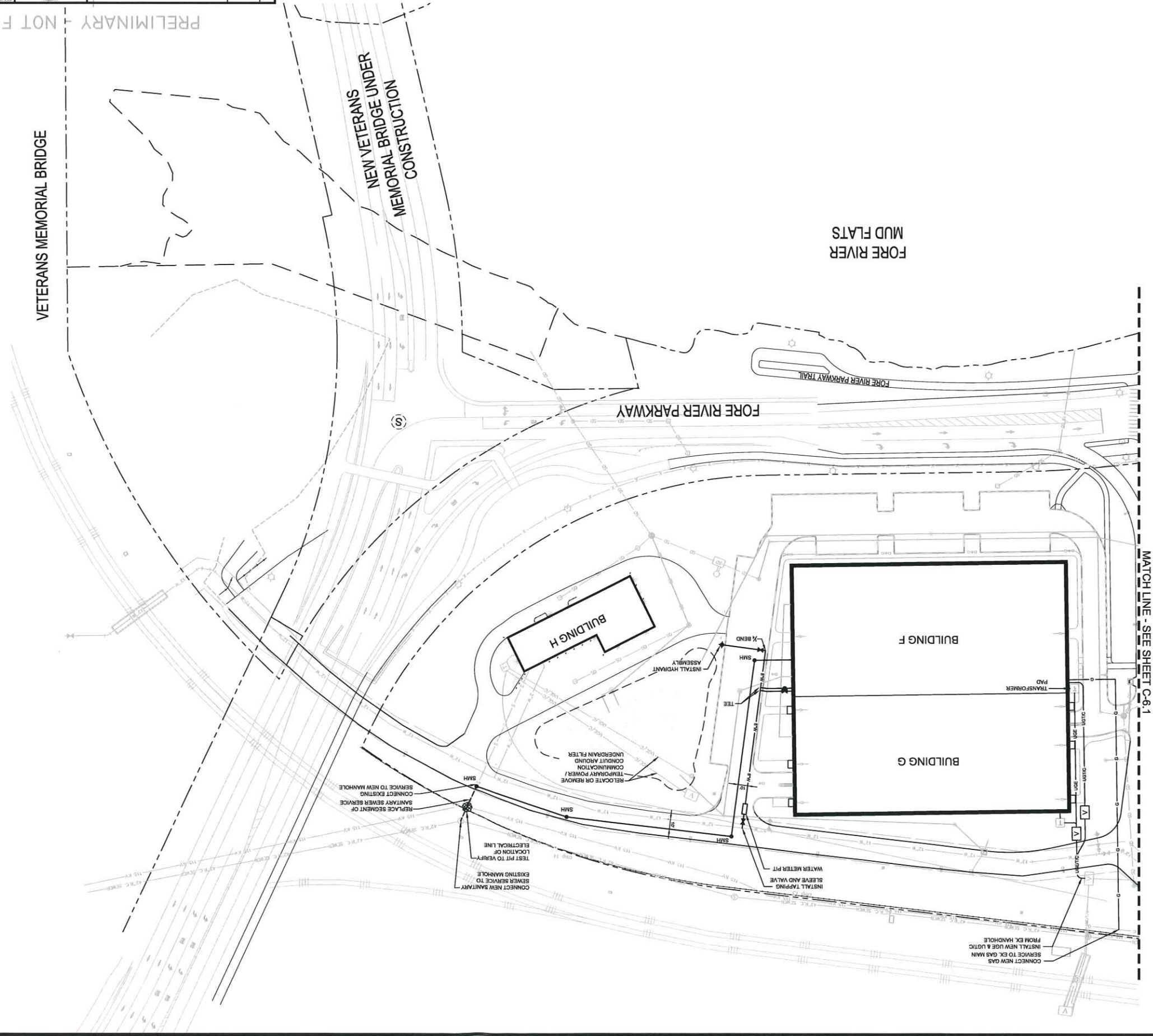
REPLACE SEGMENT OF
SANITARY SEWER SERVICE
CONNECT EXISTING
SERVICE TO NEW MANHOLE

RELOCATE OR REMOVE
TEMPORARY POWER/
COMMUNICATION
CONDUIT AROUND
UNDERMAIN FILTER

INSTALL HYDRANT
ASSEMBLY

INSTALL TAPPING
SLEEVE AND VALVE
WATER METER FIT

CONNECT NEW GAS
SERVICE TO EX. GAS MAIN
INSTALL NEW USE & UGTC
FROM EX. MANHOLE

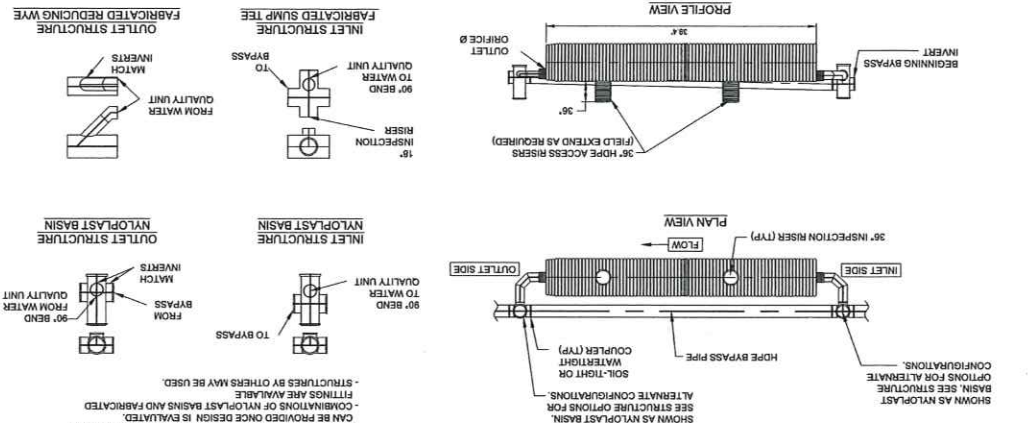


<p>DLUCA-HOFFMAN ASSOCIATES, INC. 3000 PORTLAND, ME 04106 TEL: 603-883-1133 WWW.DLUCA-HOFFMAN.COM</p>	<p>PROJECT: MERCY AT THE FORE SHEET TITLE: STORMWATER DETAILS CLIENT: MERCY HOSPITAL</p>	<p>DATE: MAY 2012 DESIGNED BY: JOHNSON CHECKED BY: JOHNSON DATE: 2/14/12</p>
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① 6040 WQ (A/B) XX 60 IN. 40 FT STORM WATER QUALITY UNIT

MODEL #	MAN PIPE DIA.	SIZE	TREAT.	FLOW RATE (GFS)	INLET Ø	OUTLET Ø	ELEVATION
6040WQBX	60"	3.12	CFS	200	15"	15"	17.5'
6040WQBX	60"	0.0075	CFS	200	15"	15"	17.5'
6040WQBX	60"	0.0106	CFS	140	14.61"	14.61"	17.5'

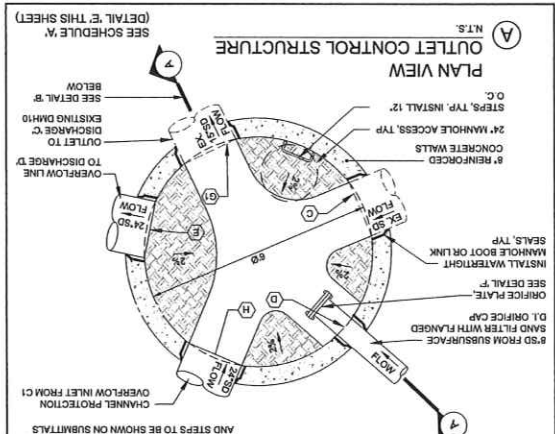
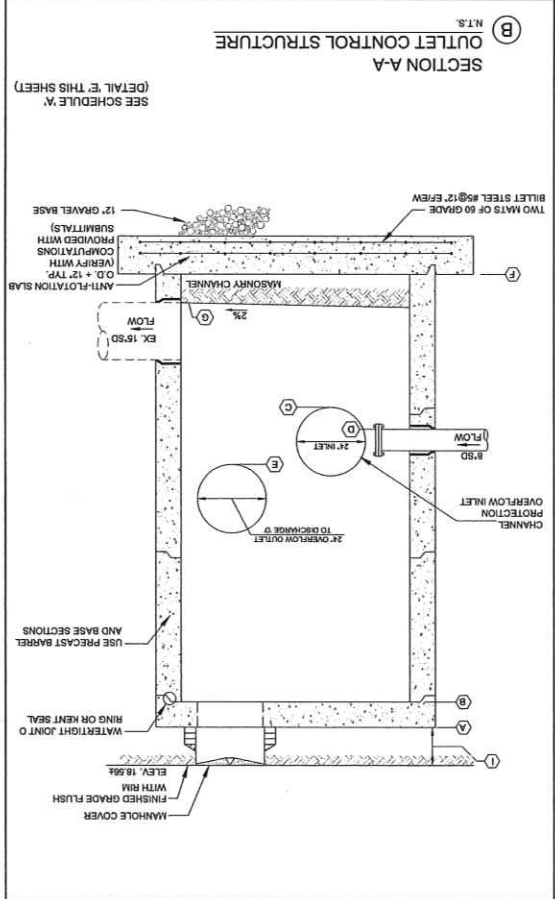
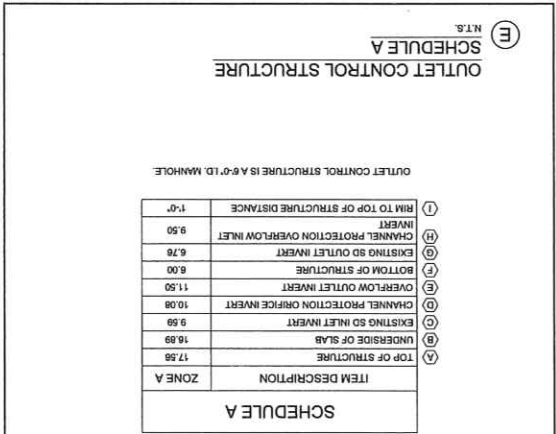
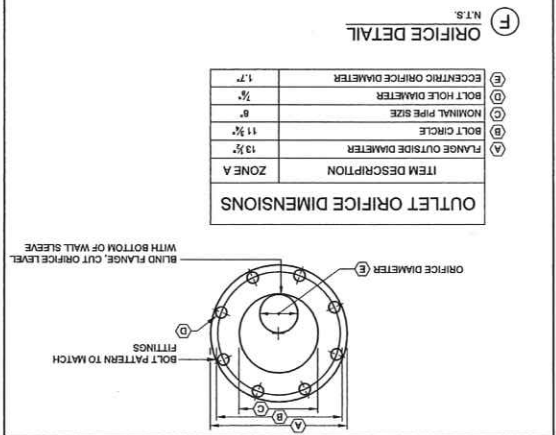
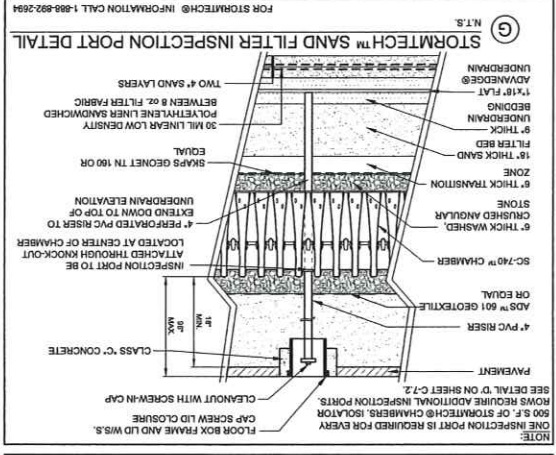
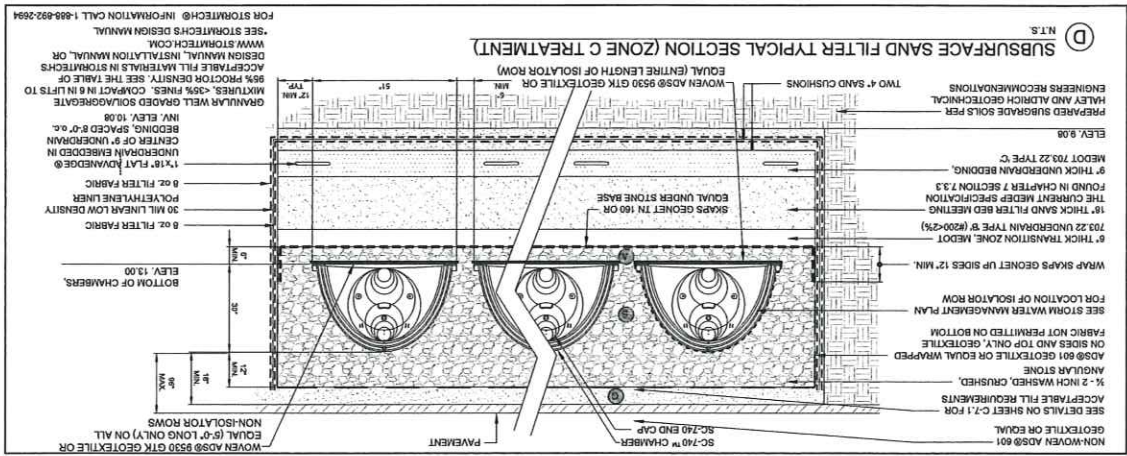
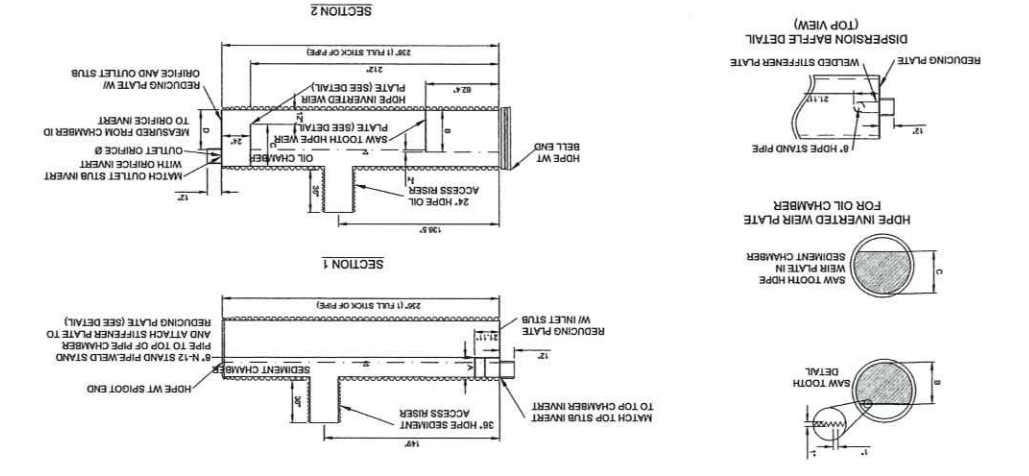
- NOTES:
- SEE STANDARD DETAILS STD-601 AND STD-502 FOR STORM WATER QUALITY UNIT PRODUCT DETAILS. SEE A503.COM FOR INFORMATION.
 - REFERENCE TECHNICAL NOTE 1.03 FOR ADDITIONAL DESIGN DETAILS.
 - ELEVATION CHANGE DENOTES THE ELEVATION FROM FROM INVERT OF BYPASS AT INLET TO INVERT OF BYPASS AT OUTLET.



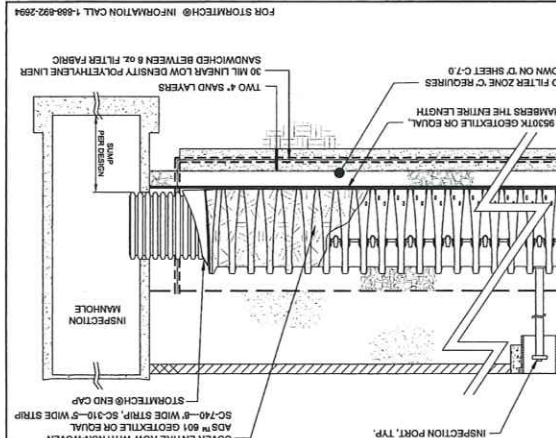
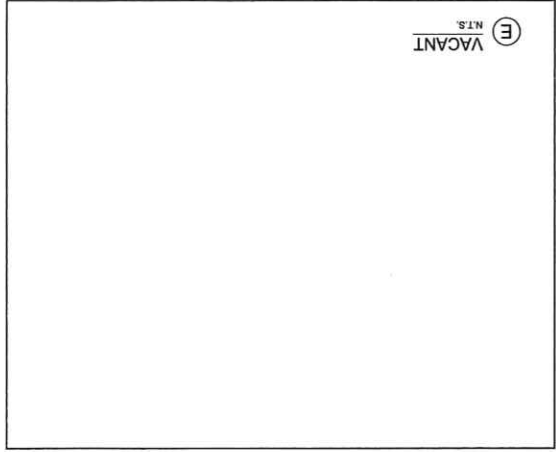
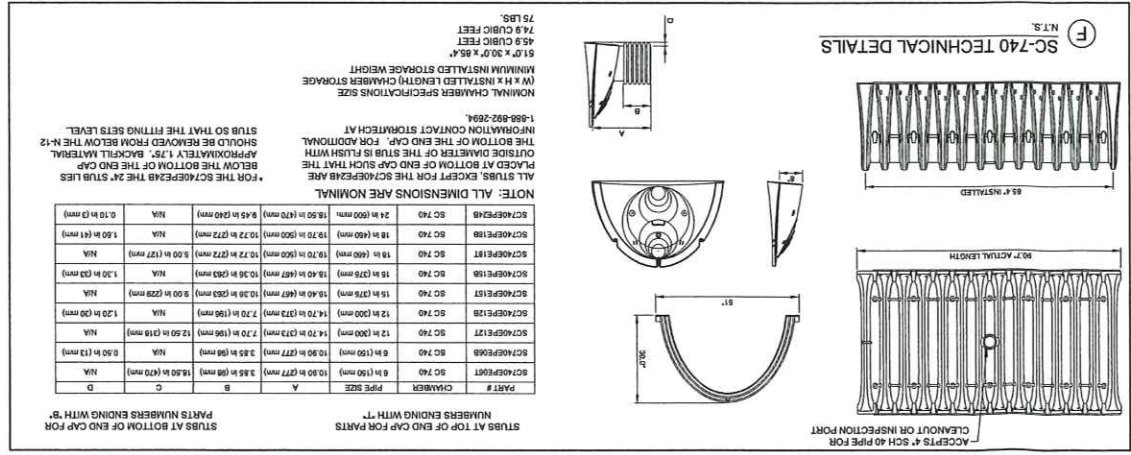
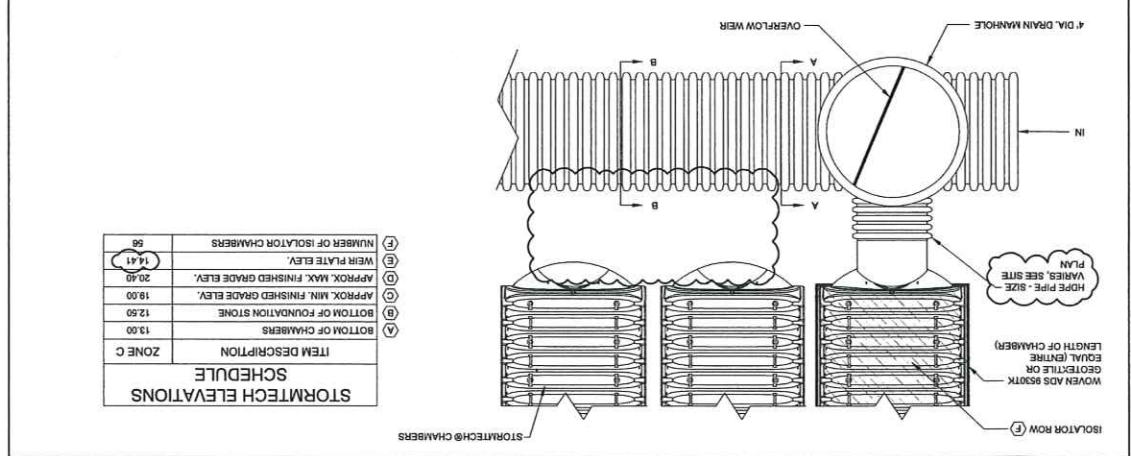
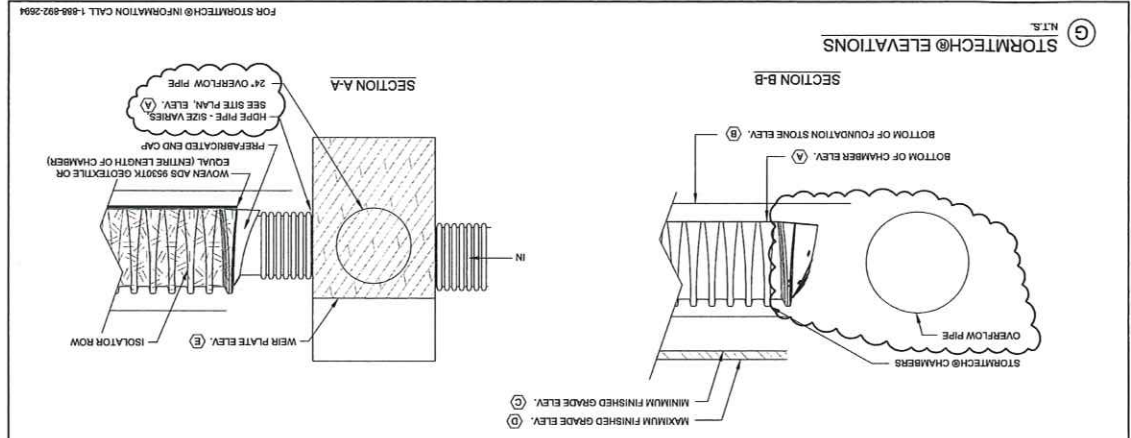
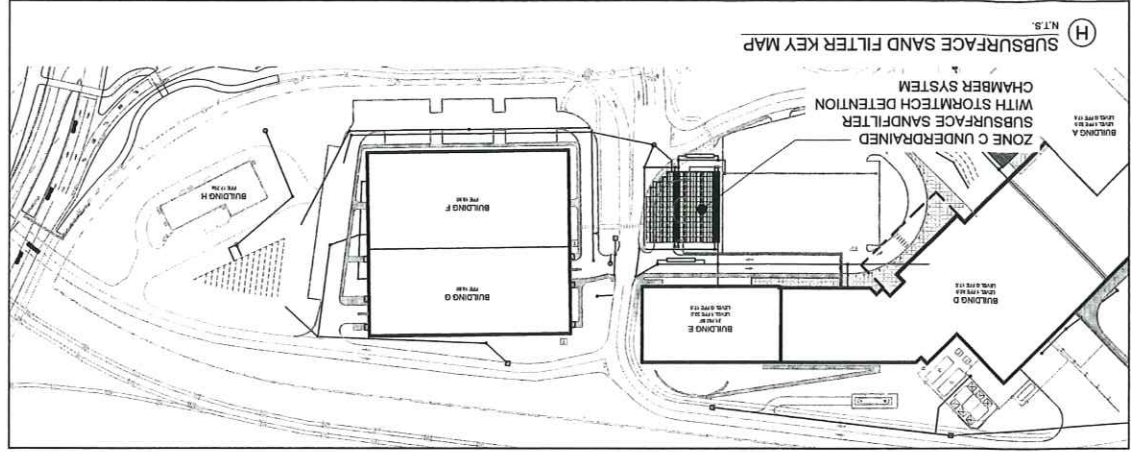
② STANDARD 40 FOOT STORM WATER QUALITY UNIT

PRODUCT #	MAN PIPE DIA.	FLOW RATE, SIZE	TREAT.	INLET DIA.	OUTLET DIA.	STUB DIA.	ORIFICE DIA.	A	B	C	D
3640WQBX	36"	3.23 CFS	140	10"	10"	10"	9.9"	13.26'	24"	24"	24"
3640WQBX	36"	1.60 CFS	200	10"	10"	10"	8.08"	13.26'	24"	24"	24"
4240WQBX	42"	3.66 CFS	160	12"	12"	12"	11.75"	16.1'	30"	30"	28"
4240WQBX	42"	1.83 CFS	200	12"	12"	12"	8.31"	16.1'	30"	30"	28"
4840WQBX	48"	4.78 CFS	140	12"	12"	12"	12.15"	18.1'	36"	36"	34"
4840WQBX	48"	2.39 CFS	200	12"	12"	12"	9.5"	18.1'	36"	36"	34"
6040WQBX	60"	6.23 CFS	140	15"	15"	15"	14.61"	18.9'	48"	48"	43"
6040WQBX	60"	3.12 CFS	200	15"	15"	15"	10.34"	18.9'	48"	48"	43"

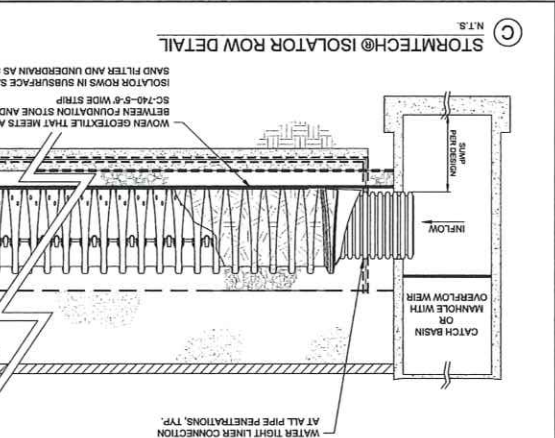
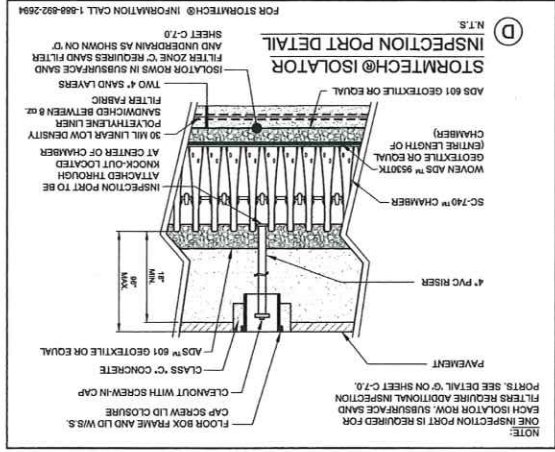
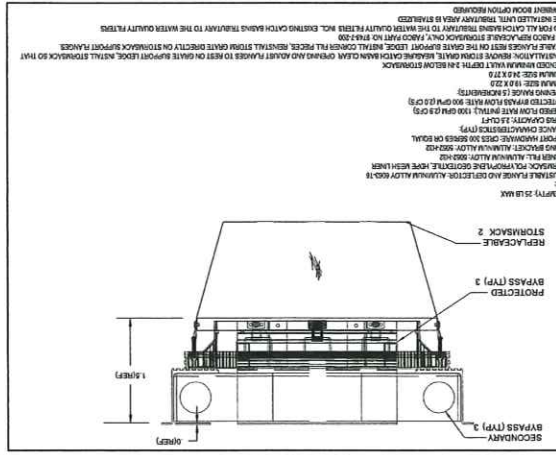
- NOTES:
- THE UNIT WILL BE SHIPPED AS 2 PIECES, SECTION 1 AND SECTION 2.
 - ALL DIMENSIONS ARE NOMINAL.
 - ALL FITTING CONNECTIONS WILL BE MADE USING A STANDARD BELLOWS OR FLAT COUPLER.



REVISIONS REV. NO. DATE DESCRIPTION 1 07/25/12 SUBMITTED TO REVIEW WITH MAJOR REVISIONS AND APPLICATION 2 08/14/12 REVIEWED FOR CLARITY TO REFLECT CHANGES TO SUBSURFACE FILTER LAYER		PROJECT: MERCY AT THE FORE SHEET TITLE: STORM WATER STORAGE DETAILS CLIENT: MERCY HOSPITAL	SHEET NO.: C-7.1 FILE NAME: 214393.DWG CHECKED: SRS DESIGNED: BER DATE: MAY 2012 PROJECT: MERCY AT THE FORE SHEET TITLE: STORM WATER STORAGE DETAILS CLIENT: MERCY HOSPITAL
DALLON-HOFFMAN ASSOCIATES, INC. 3000 PENNSYLVANIA, SUITE B HOUSTON, TEXAS 77002 281.416.1111 WWW.DALLON-HOFFMAN.COM			

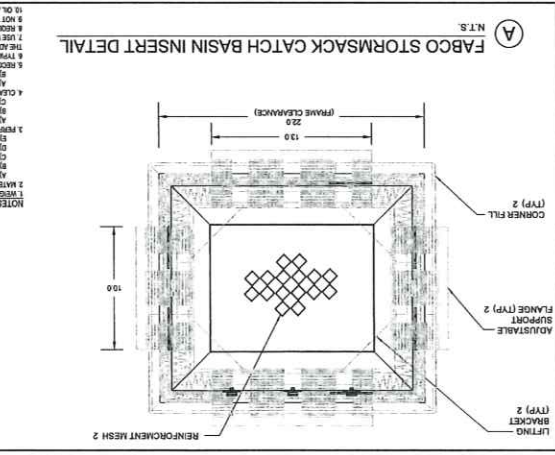


MATERIAL LOCATION	DESCRIPTION	ASHTO M45 DESIGNATION	COMPACT/DENSITY REQUIREMENTS
CHAMBERS FROM 18" TO GRADE ABOVE	PER ENGINEER'S PLANS, NATIVE SOILS FOR	N/A	PREPARE PER ENGINEER'S PLANS, PAVED INSTALLATIONS
FILL MATERIALS ABOVE CHAMBERS (24" FOR UNPAVED INSTALLATIONS)	GRAVULAR WELL-GRADED SOIL/AGGREGATE	3.357, 4.467, 5.1	COMPACT IN 6" LIFTS TO A MINIMUM 95% STANDARD PROCTOR DENSITY; ROLLER GROSS WEIGHT NOT TO EXCEED 20,000 LBS.
EMBEDMENT ABOVE CHAMBERS	OF PARTICLES BETWEEN 1/2" TO 2" INCH	3.357, 4.467, 5.1, 5.9	NO COMPACTON REQUIRED
FOUNDATION STONE BELOW CHAMBERS	WASHED ANGULAR STONE WITH THE MAJORITY OF PARTICLES BETWEEN 1/2" TO 2" INCH	3.357, 4.467, 5.1	STANDARD PROCTOR DENSITY

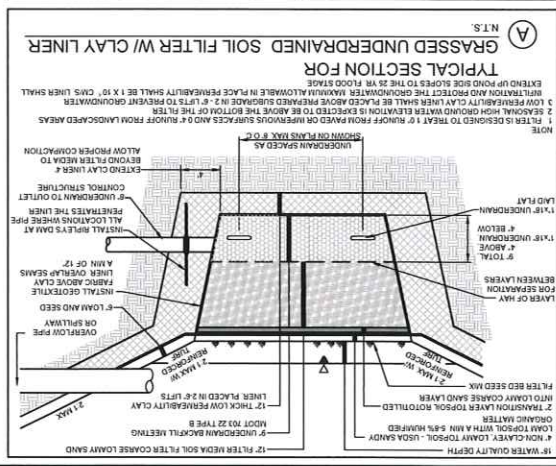


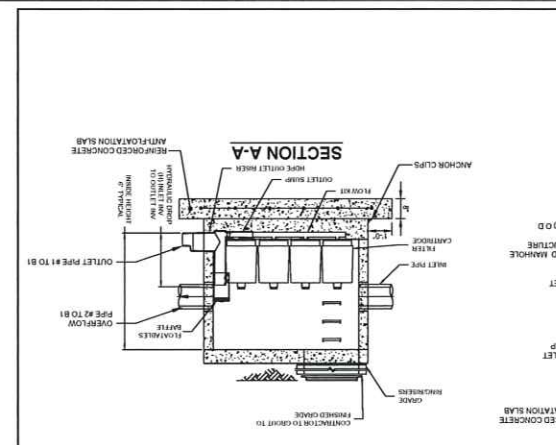
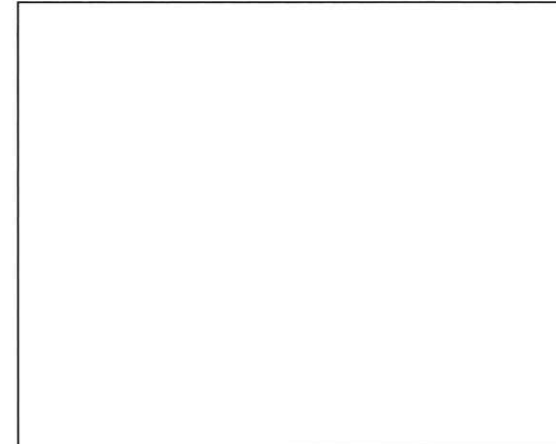
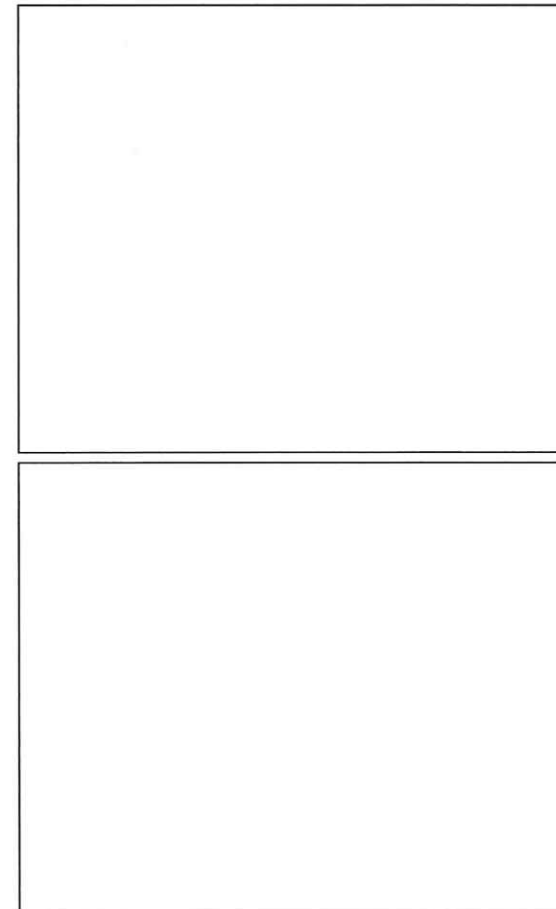
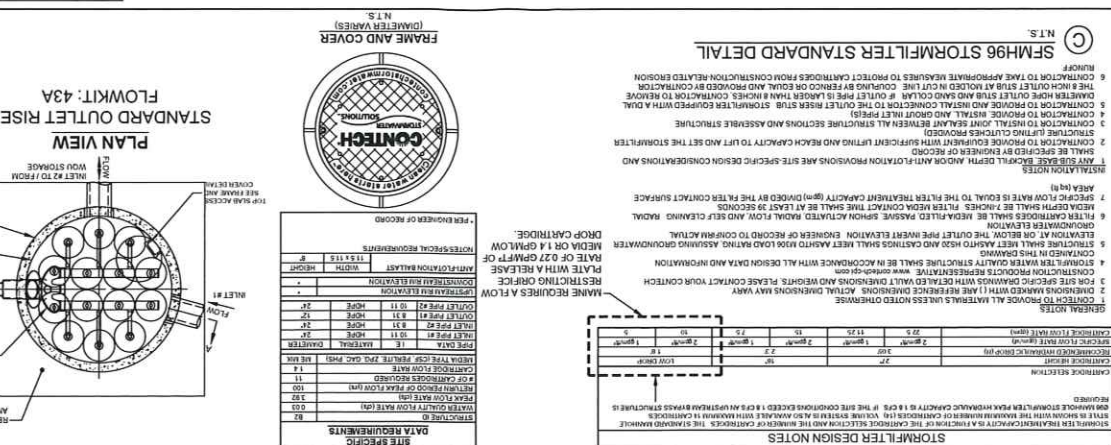
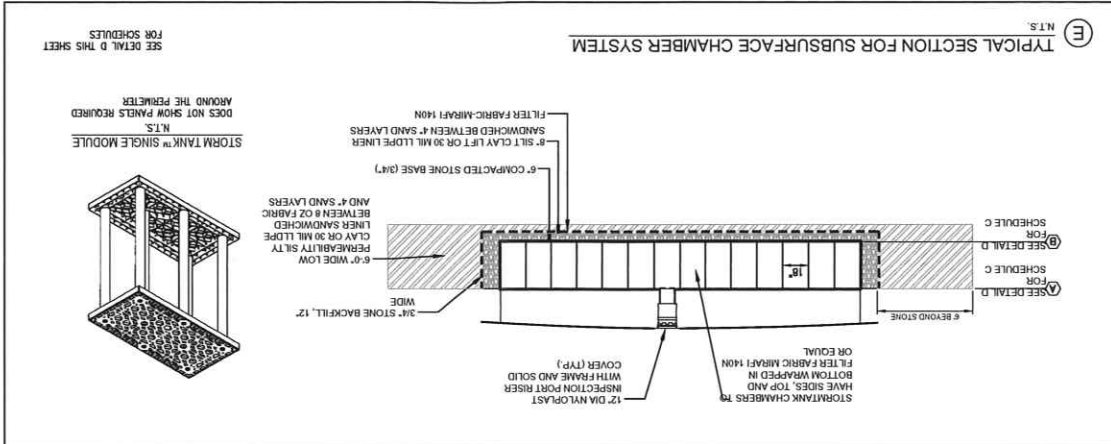
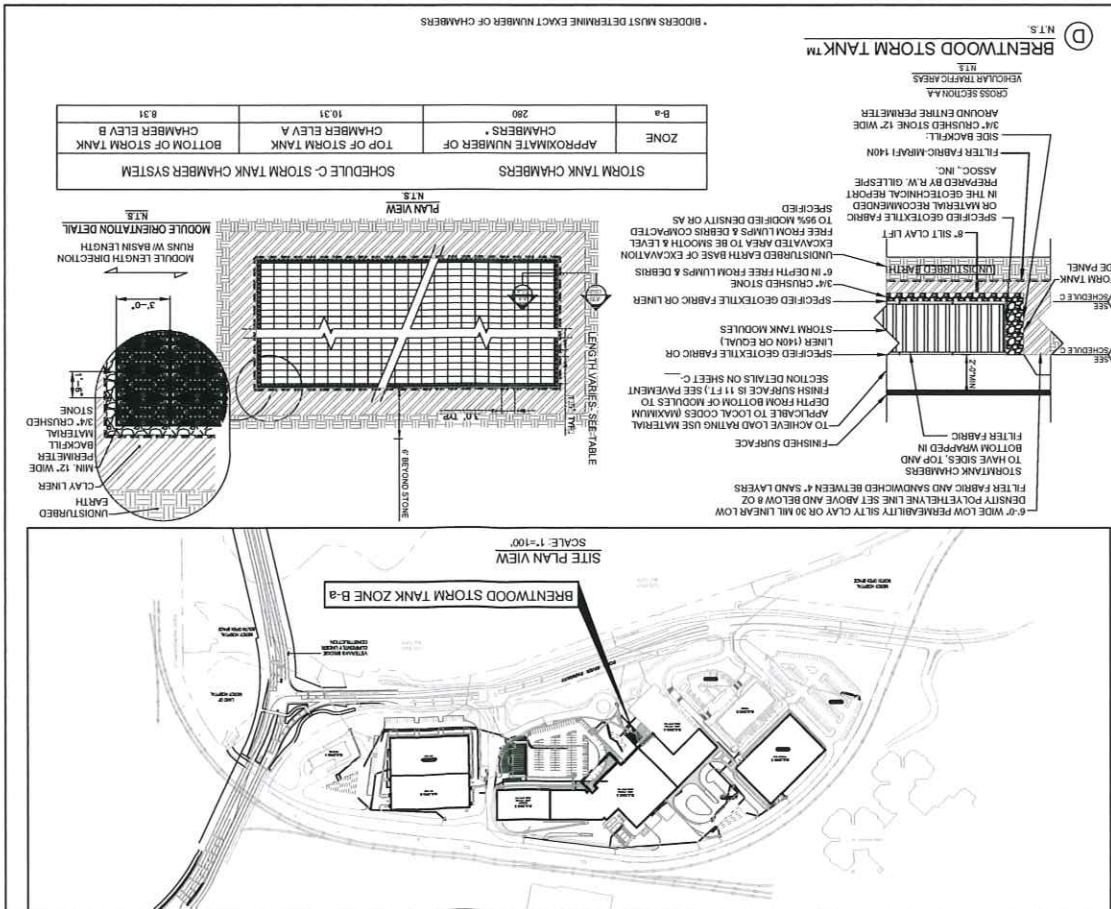
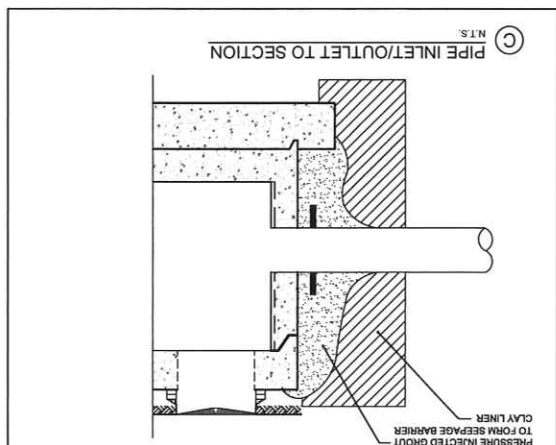
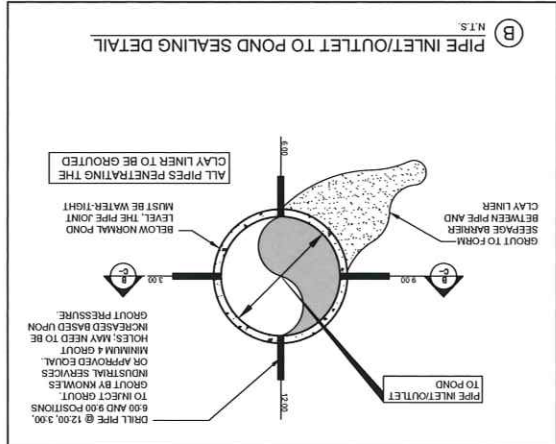
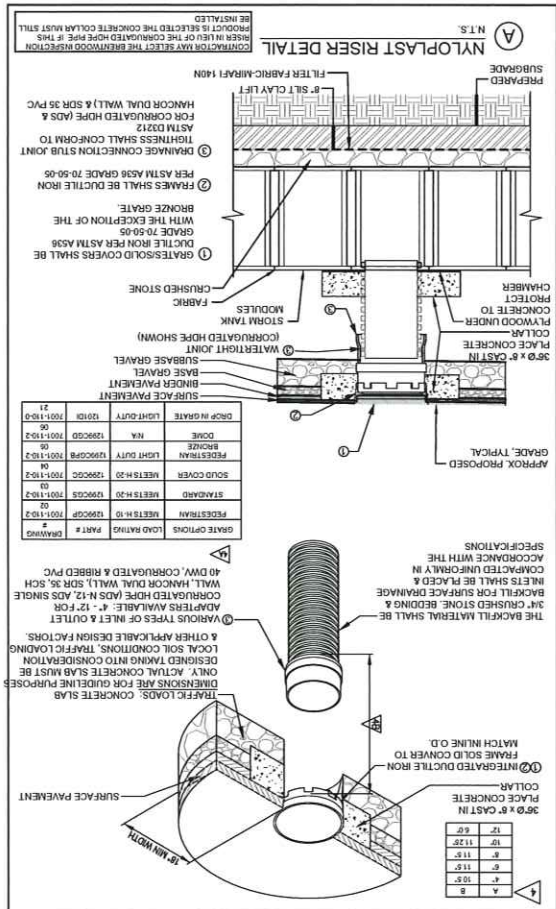
PLEASE NOTE: THE LISTED ASHTO DESIGNATIONS ARE FOR GRADATIONS ONLY. THE STONE MUST ALSO BE WASHED CRUSHED ANGULAR. FOR EXAMPLE, THE STONE MUST BE SPECIFIED AS WASHED, CRUSHED, ANGULAR NO. 4 STONE.

NOTES:
 1. THE INSTALLATION OF STORMTECH@ CHAMBERS SHALL BE IN ACCORDANCE WITH THE LATEST STORMTECH@ INSTALLATION INSTRUCTIONS.
 2. THE CONTRACTOR IS ADVISED TO REVIEW AND UNDERSTAND THE INSTALLATION INSTRUCTIONS FROM THE STORMTECH@ INSTALLATION CALL 1-888-892-2694 OR VISIT WWW.STORMTECH.COM TO RECEIVE A COPY OF THE LATEST STORMTECH@ INSTALLATION INSTRUCTIONS.



PRELIMINARY - NOT FOR CONSTRUCTION



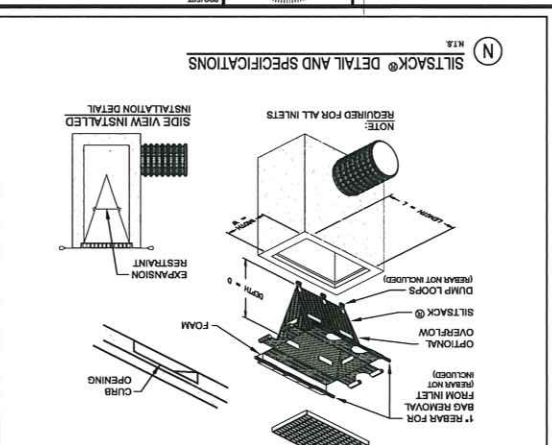
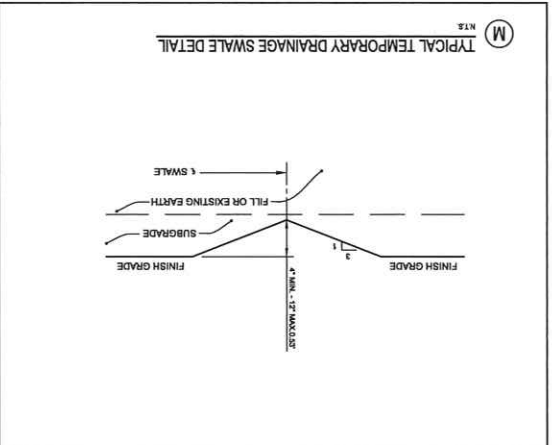
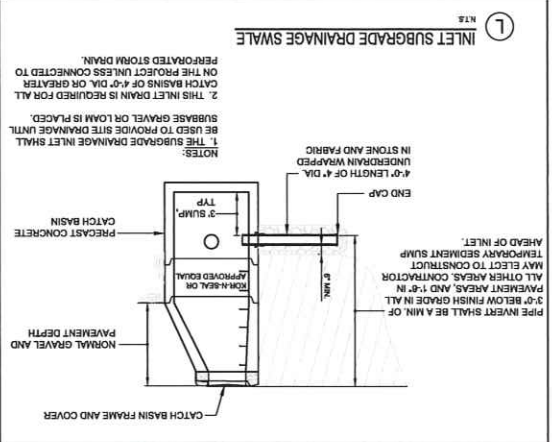
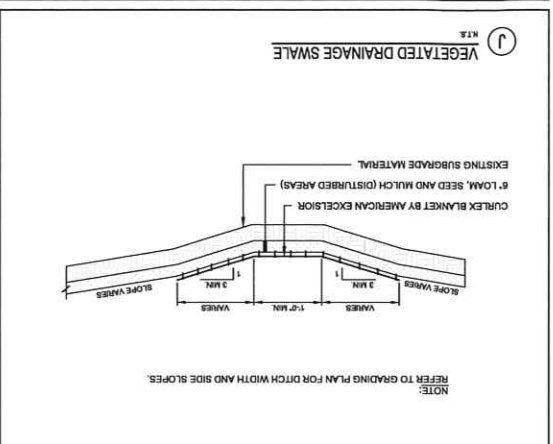
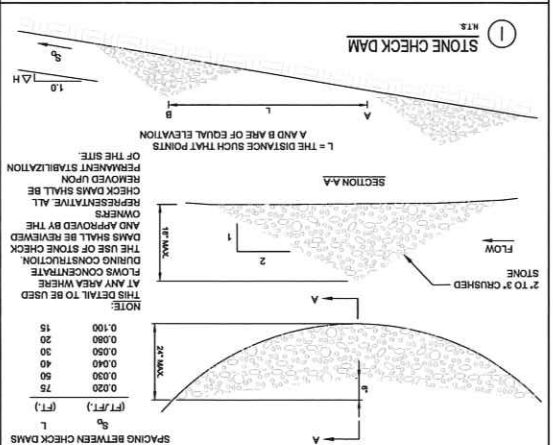
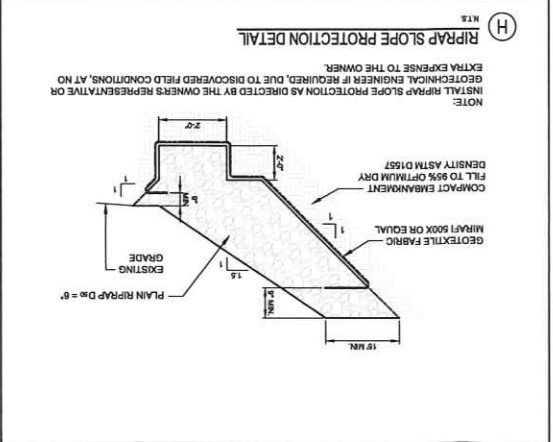
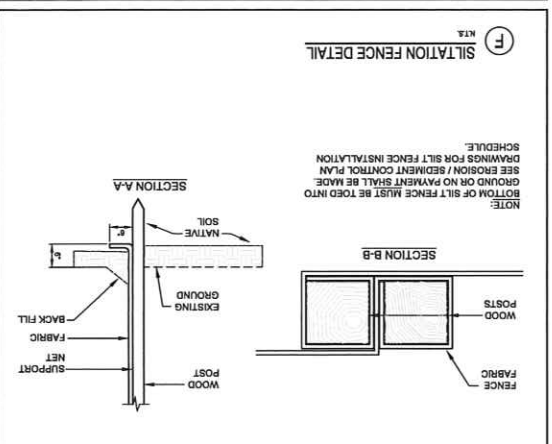
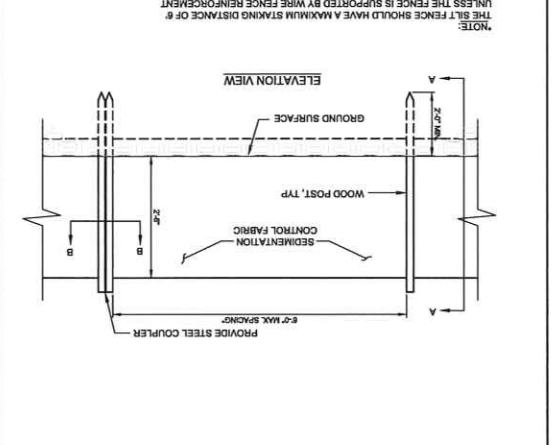
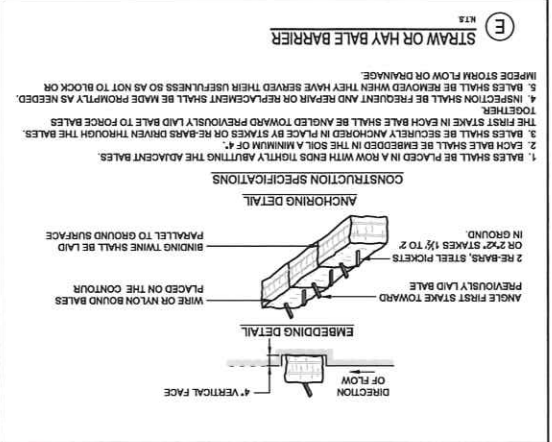
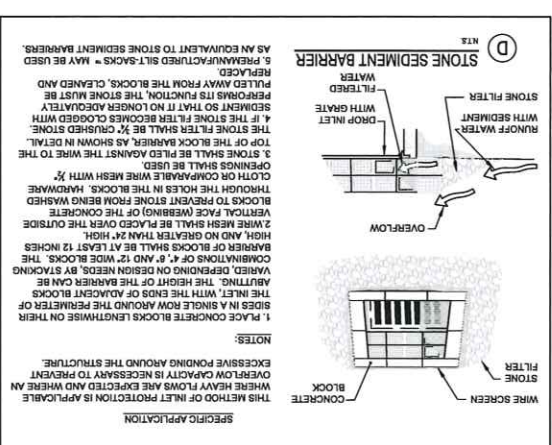
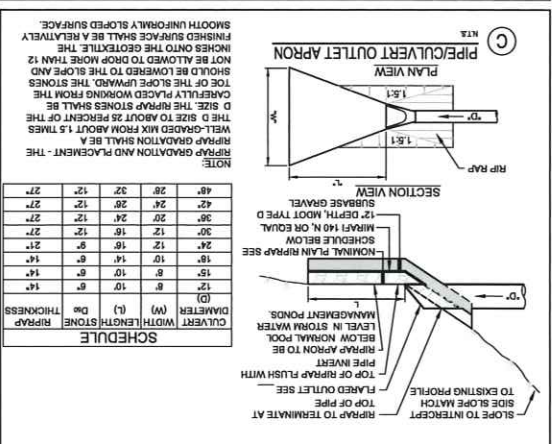
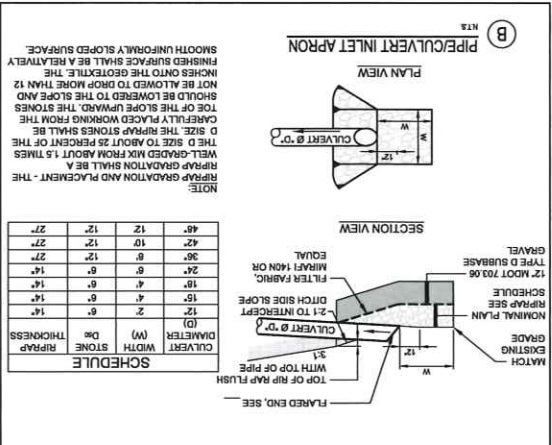
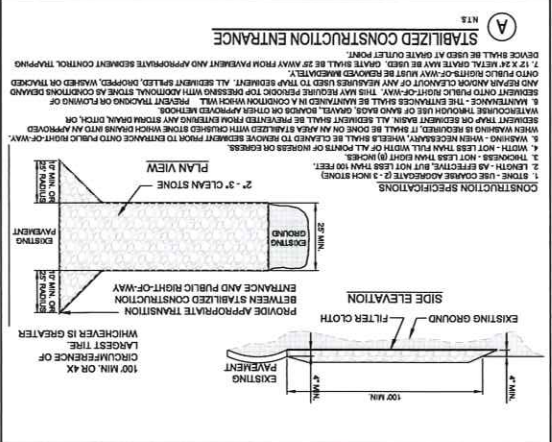


REV	DATE	DESCRIPTION
1	07-20-17	SUBMITTED TO MERCY HOSPITAL FOR MANAGEMENT APPLICATION

PROJECT: MERCY AT THE FORE
SHEET TITLE: MASTER PLAN
CLIENT: STORMWATER TREATMENT UNITS
MERCY HOSPITAL

DESIGNER: DALUCA-HOFFMAN ASSOCIATES, INC.
778 MAIN STREET, SUITE # 200
ROCKFORD, ILLINOIS 61101
WWW.DALUCA-HOFFMAN.COM

DATE: MAY 2012
SCALE: N.T.S.
SHEET NO: 218/26
FILE NAME: 2189.00A.DET
C-75

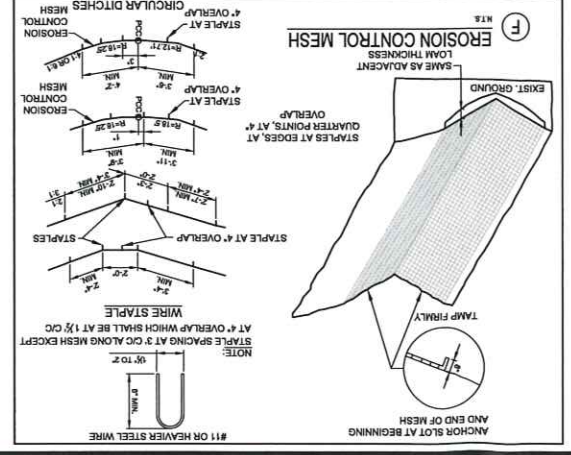
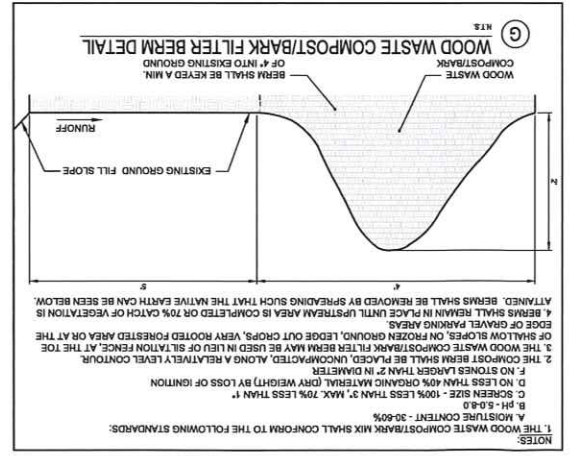
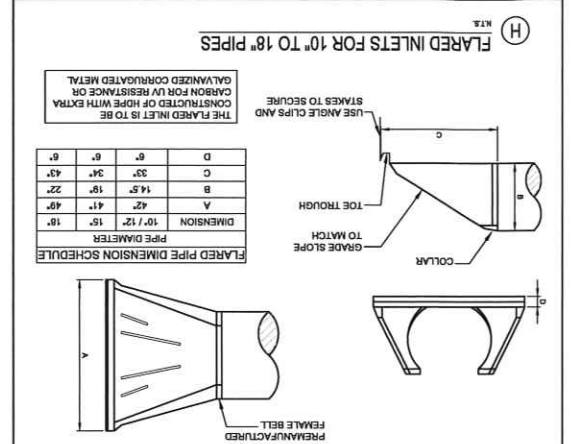
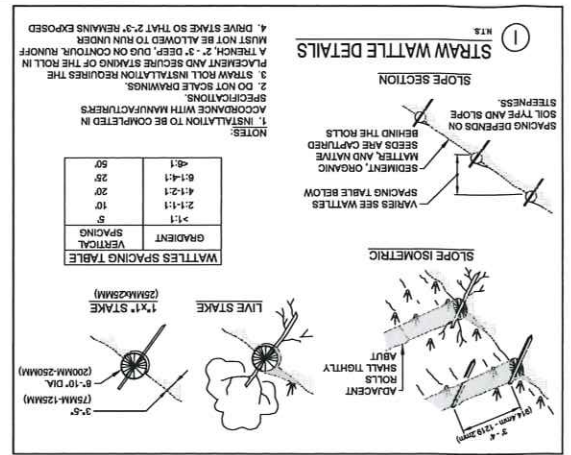
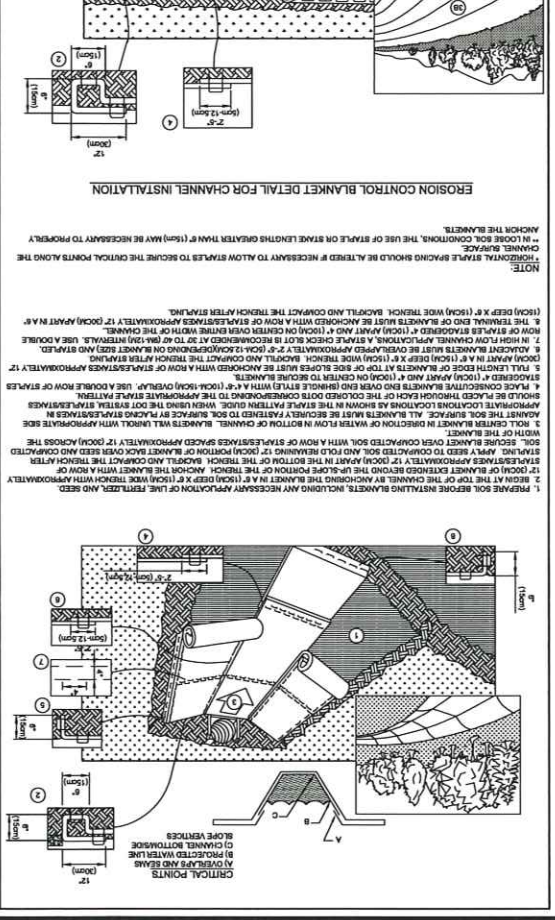
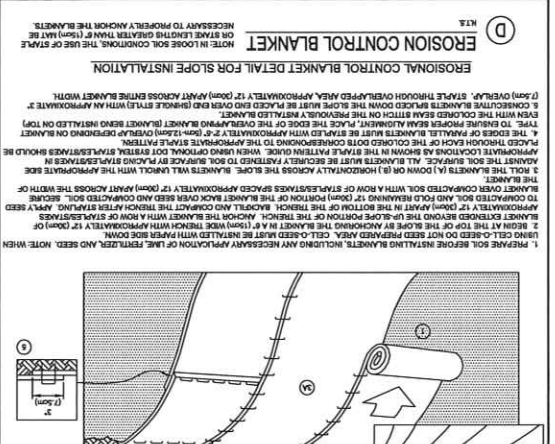
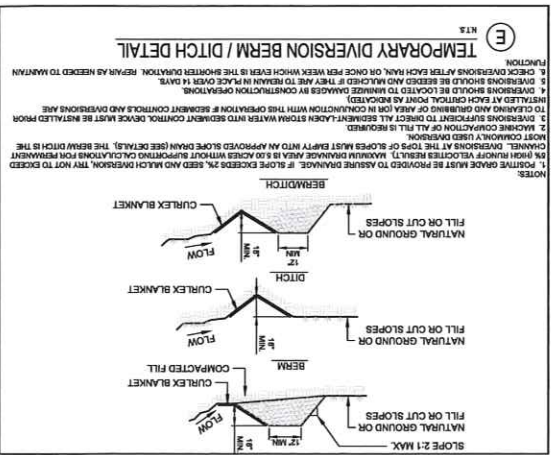
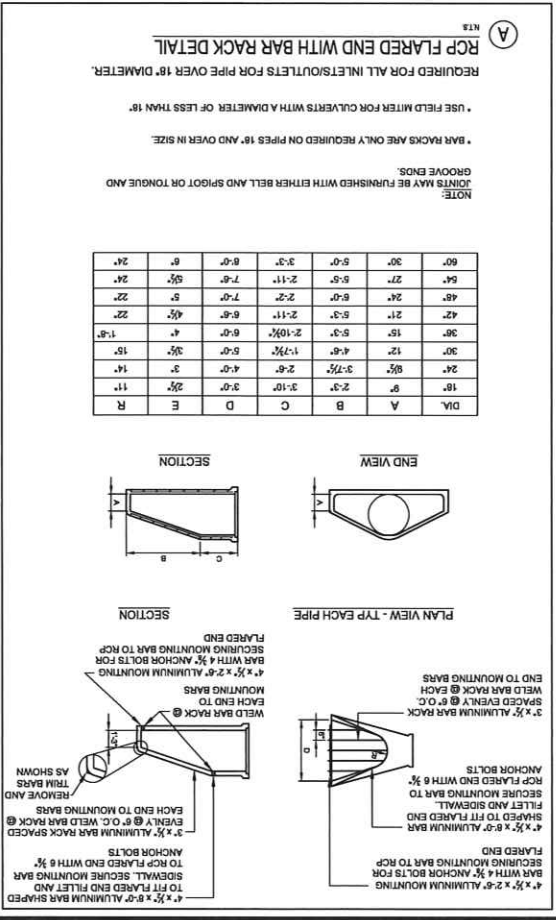
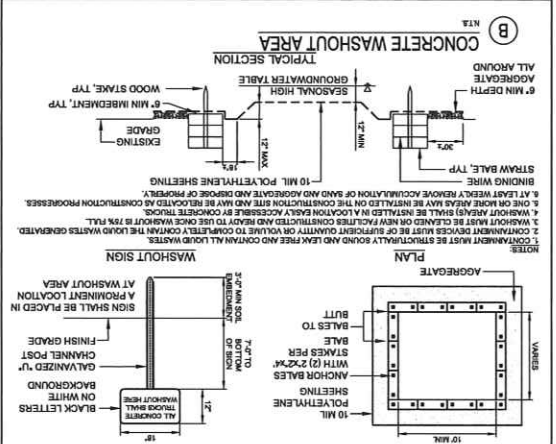
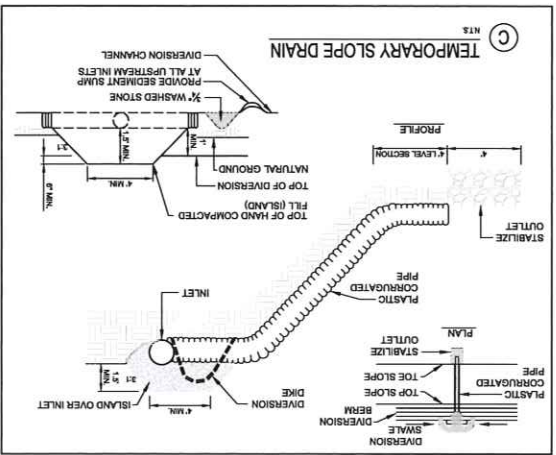


REVISIONS

REV	DATE	DESCRIPTION
1	2/21/13	SUBMITTED TO OWNER WITH MAJOR SITE PLAN AMENDMENT

PROJECT: MERCY AT THE FORE
 SHEET TITLE: EROSION AND SEDIMENT CONTROL DETAILS
 CLIENT: MERCY HOSPITAL
 SHEET NO.: C-8.0
 DATE: MAY 2013
 SCALE: N.T.S.
 JOB NO.: 2149.00
 CHECKED: SSB
 FILE NAME: 2149.00.C

ASSOCIATES, INC.
 207 W. 11th St.
 South Portland, ME 04106
 DELUCA-HOFFMAN



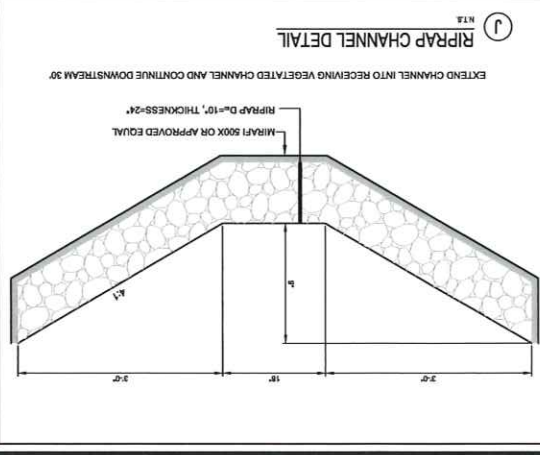
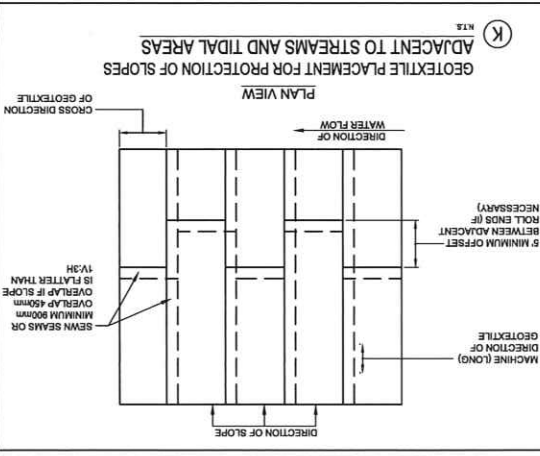
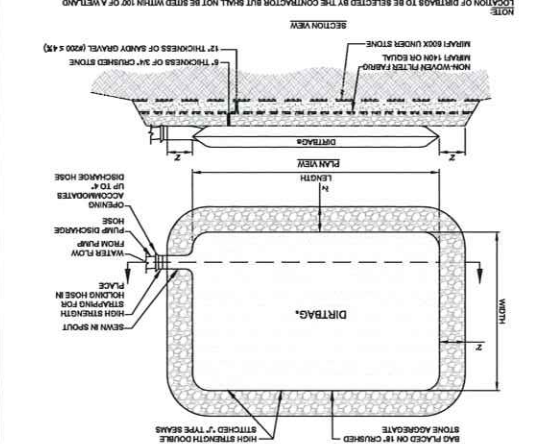
DIRTBAG AND SPECIFICATIONS FOR DEMATERING DETAIL

1. THE DIRTBAG SHALL BE INSTALLED IN ACCORDANCE WITH THE MANUFACTURER'S INSTRUCTIONS. THE DIRTBAG SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL AND SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL.

2. THE DIRTBAG SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL AND SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL.

3. THE DIRTBAG SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL AND SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL.

4. THE DIRTBAG SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL AND SHALL BE INSTALLED IN A LINE WITH THE DRAINAGE CHANNEL.



REV	DATE	DESCRIPTION
1	02/13	ISSUED FOR PERMIT WITH AVOID ERM PLACEMENT OPTION

REVISIONS

PROJECT: MERCY AT THE FORE
SHEET TITLE: EROSION AND SEDIMENT CONTROL DETAILS
CLIENT: MERCY HOSPITAL

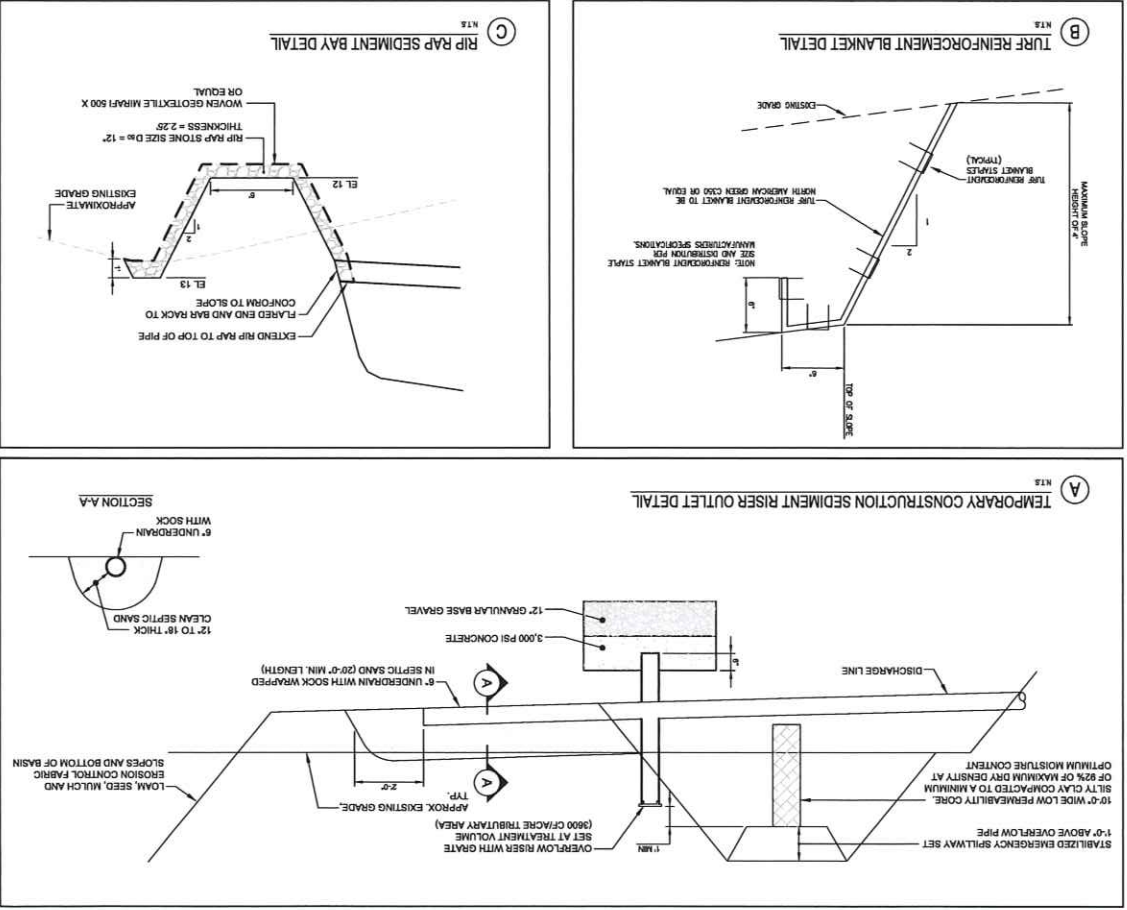
DESIGNED: [Signature]
CHECKED: [Signature]
DATE: [Date]

PROJECT: MERCY AT THE FORE
SHEET TITLE: EROSION AND SEDIMENT CONTROL DETAILS
CLIENT: MERCY HOSPITAL

DESIGNED: [Signature]
CHECKED: [Signature]
DATE: [Date]

ASSOCIATES, INC.
1000 SOUTH MONTANA, SUITE 200
DENVER, CO 80202

DELUCA-HOFFMAN ASSOCIATES, INC.



REV	DATE	DESCRIPTION
1	02-20-13	SUBMITTED TO DEPOT WITH MAJOR SITE PLAN AMENDMENT APPLICATION

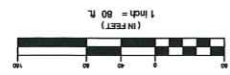
PROJECT	CLIENT
MERCY AT THE FORE	MERCY HOSPITAL
MASTER PLAN	CONTROL DETAILS
EROSION AND SEDIMENT	

DESIGNED	DATE
MM	MAY 2012

FILE NAME	SHEET
2149-00-01	C-02

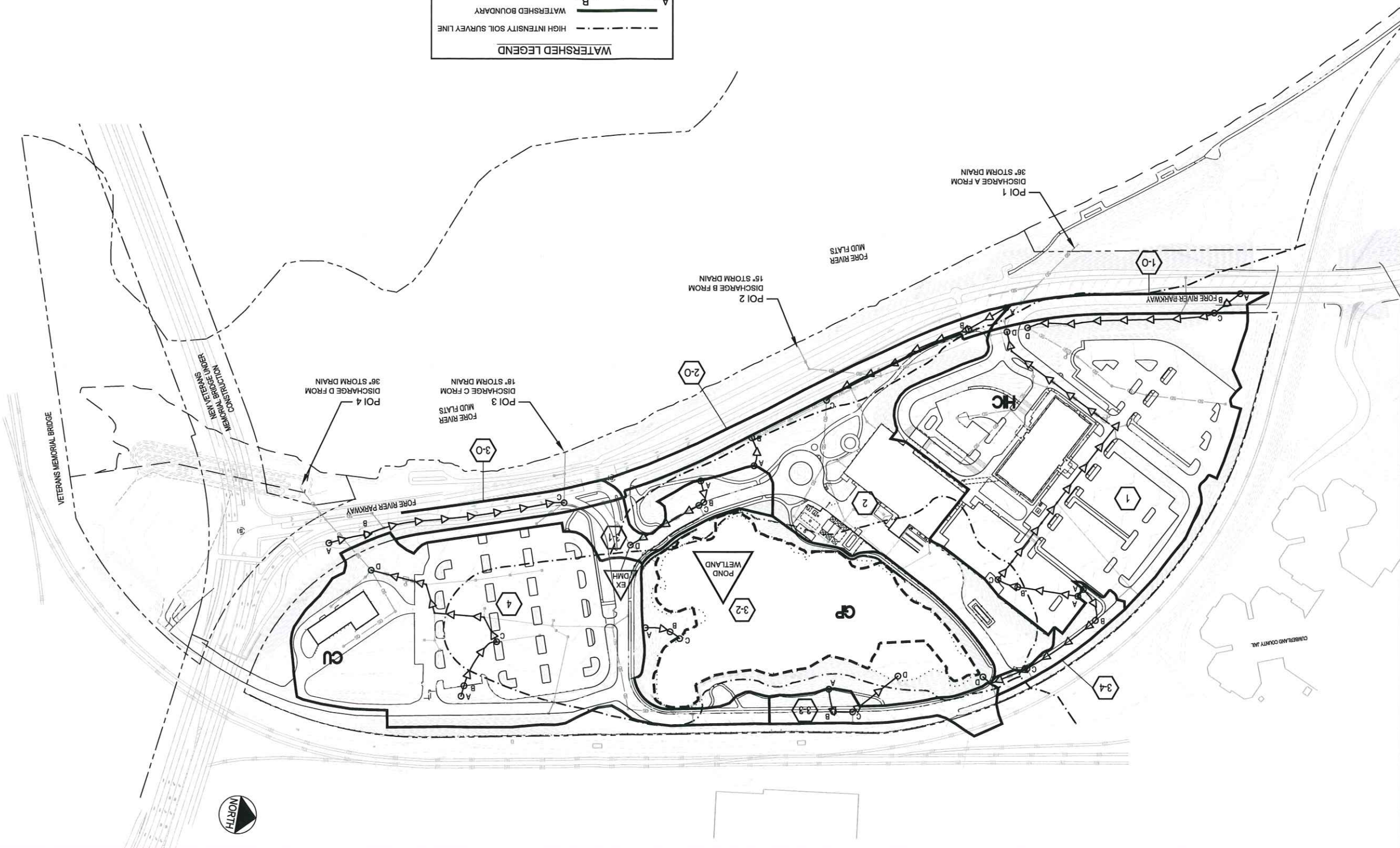
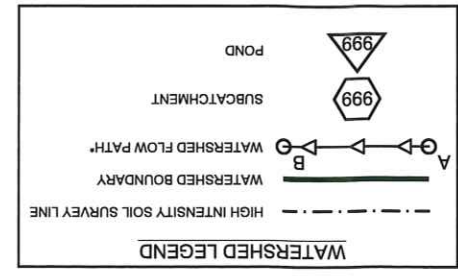
PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
DESIGNED	WATERSHED MAP
CHECKED	CURRENT CONDITIONS
DATE	MAY 2012
SCALE	1" = 80'
JOB NO.	214808
FILE NAME	214808.WSD
SHEET	C-9.0

REV	DATE	DESCRIPTION
1	02.28.12	SUBMITTED TO MERCY WITH HAZARD RISK MANAGEMENT APPROVAL



PRELIMINARY - NOT FOR CONSTRUCTION

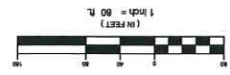
NOTE:
 THE MODEL ASSUMES THE MINIMUM TIME OF CONCENTRATION (Tc) IS 6.0 MINUTES (AS RECOMMENDED BY THE TR-55 MANUAL). ALL TC PATHS SHOWN ARE LESS THAN THE MINIMUM 6.0 MINUTE REQUIREMENT AND THEREFORE A DIRECT ENTRY OF 6.0 MINUTE WAS USED IN THE RUNOFF COMPUTATIONS.



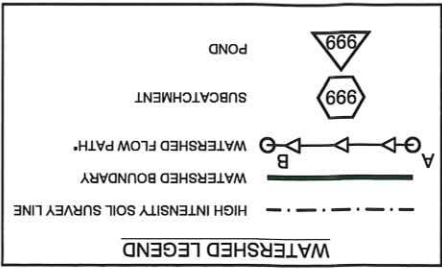
REV	DATE	DESCRIPTION
1	02.28.17	ISSUED TO USER WITH MARK SET PLAN AND CONSTRUCTION PLAN

PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
SHEET TITLE	POST DEVELOPMENT WATERSHED MAP
DESIGNED BY	SSB
CHECKED BY	SSB
DATE	02.28.17
SCALE	1" = 80'
JOB NO.	2149.08
FILE NAME	2149.08.WSD

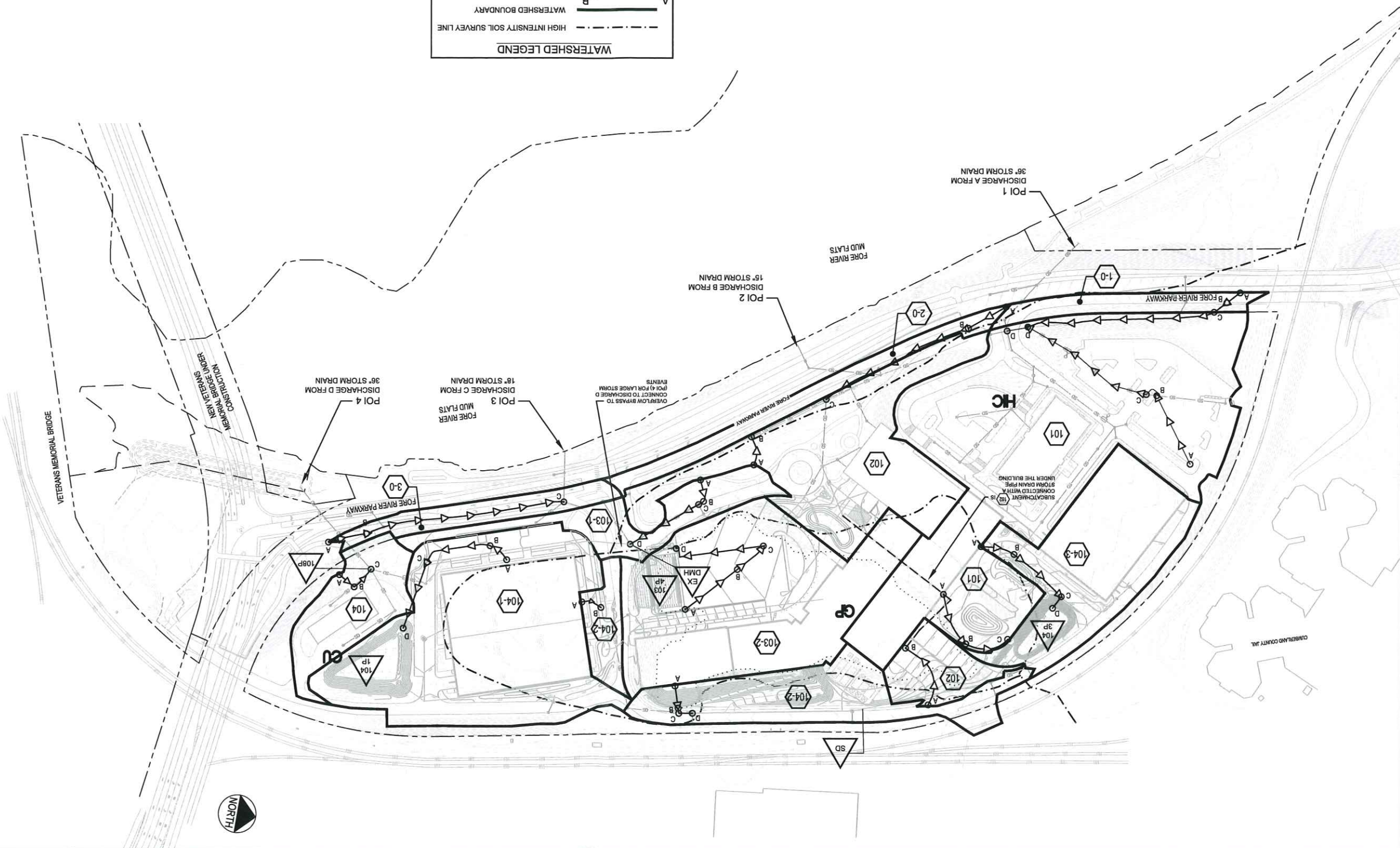
PROJECT	MERCY AT THE FORE
CLIENT	MERCY HOSPITAL
SHEET TITLE	POST DEVELOPMENT WATERSHED MAP
DESIGNED BY	SSB
CHECKED BY	SSB
DATE	02.28.17
SCALE	1" = 80'
JOB NO.	2149.08
FILE NAME	2149.08.WSD



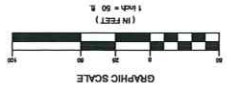
NOTE:
 THE MODEL ASSUMES THE MINIMUM TIME OF CONCENTRATION (TOC) IS 6.0 MINUTES (AS RECOMMENDED BY THE TR-55 MANUAL). ALL TOC PATHS SHOWN ARE LESS THAN THE MINIMUM 6.0 MINUTE REQUIREMENT AND THEREFORE A DIRECT ENTRY OF 6.0 MINUTE WAS USED IN THE RUNOFF COMPUTATIONS.



PRELIMINARY - NOT FOR CONSTRUCTION



PRELIMINARY - NOT FOR CONSTRUCTION



PROJECT: MERCY AT THE FORE		SHEET TITLE: SITE SECTIONS	
CLIENT: MERCY HOSPITAL		DATE: MAY 2012	
DESIGNED BY: AS NOTED		CHECKED BY: 2149-08-SECTIONS SITE	
DRAWN BY: DALUCA-HOFFMAN		SCALE: AS NOTED	
PROJECT: 7700 MAINE STREET, SUITE 200, PORTLAND, ME 04106		SHEET NO.: C-10.0	

