



Tuck O'Brien
City Planning Director, Planning Division

July 11th, 2016

Motherhouse Associates, LP &
Sea Coast at Baxter Woods Associates, LLC
100 Commercial Street, Suite 414
Portland, ME 04101

Frederick Licht, PE
Licht Environmental Design, LLC
35 Fran Circle
Gray, ME 04039

Attn. Kevin Bunker and Matt Teare

Project Name: **Subdivision of the McAuley site & conversion of the Motherhouse for senior housing**
Project ID: #2015-110
Address: 605 Stevens Avenue CBL: 136 E006001
Applicant: Motherhouse Associates, LP & Sea Coast at Baxter Woods Associates, LLC
Planner: Jean Fraser

Dear Sirs:

Thank you for your letter dated July 7, 2016 requesting an extension of the Planning Board approval for the conversion of the Motherhouse for senior housing, and associated subdivisions, located at 605 Stevens Avenue. The approval was granted on August 11, 2015 and a copy of approval letter is attached. I understand that your request is based on the fact that related legal appeals have delayed the ability to commence construction of the project within one-year of the approval date.

In my capacity as Planning Director and under the provisions of Section 14-532 (c) expiration of site plan approval, I am granting your request to extend your approval to August 10, 2017.

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

Sincerely,

Stuart G. O'Brien
City Planning Director

Attachments:

1. Request letter from Licht Environmental Design, LLC dated 7.7.2016
2. Planning Board approval letter August 2015

Electronic Distribution: cc:

Jeff Levine, AICP, Director of Planning and Urban Development
Barbara Barhydt, Development Review Works Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator, Planning
Mike Russell, Director of Building Inspections
Ann Machado, Zoning Administrator, Inspections Division
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Chris Branch, Director of Public Works
Katherine Earley, Engineering Works Manager, Public Works
Bill Clark, Project Engineer, Public Works
Doug Roncarati, Stormwater Coordinator, Public Works

Greg Vining, Associate Engineer, Public Works
Michelle Sweeney, Associate Engineer
John Low, Associate Engineer, Public Works
Rhonda Zazzara, Field Inspection Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Public Works
Keith Gautreau, Fire Department
Danielle West-Chuhta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File



July 07, 2016

(Via Email and USPS)

J 14.067

Tuck O'Brien, Planning Director
Planning and Urban Development Department
Planning Division
389 Congress Street, 4th Floor
Portland, Maine 04101

Motherhouse Senior Housing
605 Stevens Avenue
Motherhouse Lot 3 - Level III Site Plan Request for Extension of Approval
(CBL 136 E006001)

Dear Tuck:

On behalf of Motherhouse Associates, LP and Sea Coast at Baxter Woods Associates, LLC we are requesting an extension of the LIII Site Plan approval for the 605 Stevens Avenue Motherhouse, Lot 3 Site Plan approval granted on August 11, 2015.

This extension is requested under City Code Chapter 14-532 (c) 2 – Expiration of Site Plan Approval. As you are aware the project approvals were appealed by opponents to the project causing a delay in the ability to commence construction within one-year of the Site Plan approval. The applicants are seeking a one-year extension from the expiration of the existing approvals.

Thank you for your consideration of this request.

Sincerely,

A handwritten signature in black ink, appearing to read 'Rick Licht', is written over a light blue horizontal line.

Frederic (Rick) Licht, PE, LSE
Principal

Cc: (via email - PDF copy)
Matt Teare; Sea Coast at Baxter Woods Associates, LLC
Kevin Bunker; Motherhouse Associates, LP
Ron Epstein; Jensen, Baird, Gardner & Henry
Natalie Burns; Jensen, Baird, Gardner & Henry
Maurice Selinger III; Curtis-Thaxter
Pat Carroll; Carroll Associates, Landscape Architects
Andrew Johnston; Stantec
Rex Croteau, Titcomb Associates, Surveyors

CITY OF PORTLAND, MAINE
PLANNING BOARD

Stuart O'Brien, Chair
Elizabeth Boepple, Vice Chair
Sean Dundon
Dave Eaton
Bill Hall
Carol Morrissette
Jack Soley

August 14, 2015

Motherhouse Associates, LP &
Sea Coast at Baxter Woods Associates, LLC
100 Commercial Street, Suite 414
Portland, ME 04101

Frederick Licht, PE
Licht Environmental Design, LLC
35 Fran Circle
Gray, ME 04039

Attn. Kevin Bunker and Matt Teare

Project Name: **Subdivision of the McAuley site & conversion of the Motherhouse for senior housing**
Project ID: #2015-110
Address: 605 Stevens Avenue CBL: 136 E006001
Applicant: Motherhouse Associates, LP & Sea Coast at Baxter Woods Associates, LLC
Planner: Jean Fraser

Dear Sirs:

On August 11, 2015, the Planning Board considered the proposed subdivision of the McAuley Campus into 4 lots for the Master Plan Development of a Senior Living Campus, and the proposed subdivision and rehabilitation of the former St Joseph's Convent (known as the Motherhouse) into 88 units of affordable and market rate senior housing, at 605 Stevens Avenue, Portland. The Planning Board reviewed the proposals for conformance with the standards of the Subdivision Ordinance and Site Plan Ordinance. The Planning Board voted 6-0 (Easton recused) to approve the applications with the following waivers and conditions as presented below.

A. WAIVERS

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the planning board hearing:

1. **Street Trees:** The Planning Board voted 6-0 (Eaton recused) that it finds that the applicant has demonstrated that site constraints prevent the planting of all required street trees. The Planning Board voted 6-0 (Eaton recused) to waive the site plan standard (*Section 14-526(b)(iii)*) requiring one street tree per unit for multi-family development and concludes that the applicant shall make a financial contribution of \$5,600 for 28 trees to Portland's Tree Fund.
2. **Parking Aisle width:** The Planning Board voted 6-0 (Eaton recused) to waive the requirement of Section 1.14 of the City's Technical Manual that show a 24 ft. wide drive aisle is required for perpendicular parking, to allow a reduction to 22 foot aisle width for the parking area in the north exit drive on Stevens Avenue in order to minimize impact on this historic character of the area.

3. **Number of driveways:** The Planning Board voted 6-0 (Eaton recused) to waive the requirement of Section 1.7.1.8 *Number of driveways* that does not permit more than 2 driveways for any site, to allow 3 driveways because 2 of the driveways are one-way and the third driveway functions as a shared driveway.

B. SUBDIVISION REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on August 11, 2015 for application 2015-110 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board voted 6-0 (Eaton recused) that it finds that the plans are in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plats unless otherwise stated:

- i. The applicant shall finalize and cross-reference the two subdivision plats and associated condominium documents for review and approval by Corporation Counsel, the Department of Public Services, and the Planning Authority prior the plats being signed by the Planning Board; and
- ii. That the 73 parking spaces on Lot #3 (Motherhouse Lot) shall be solely for the residential tenants of the Motherhouse with no other lots having easement rights for parking on Lot #3. All of the easements as identified on the Plat, including those regarding the shared driveways and parking areas, shall be finalized to the satisfaction of the Corporation Counsel, Department of Public Services, Traffic Engineering Reviewer and the Planning Authority, and executed prior to the release of the signed subdivision plat; and
- iii. That the recommendations of the City Arborist in comments dated 7.22.2015 regarding the protection of preserved trees and follow up tree care (particularly large heritage Red Oaks) shall be advised to all contractors and implemented during construction and after, to include no storage of materials within the drip line of trees and tree save measures as per ISA trees and construction recommendations as noted.

C. SITE PLAN REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on August 11, 2015 for application 2015-110 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the planning board voted 6-0 (Eaton recused) that it finds that the plan is in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

- i. That the applicant shall prepare and submit a Parking Management Plan, for review and approval prior to the issuance of a Certificate of Occupancy, that addresses the issues outlined in the comments of the Traffic Engineering Reviewer dated 8.6.2015, and conduct a monitoring survey (including a survey of tenants automobile ownership) after the Motherhouse is fully occupied, the time period to be determined in consultation with the Planning Authority and the results advised to the Planning Authority; and

- ii. That the applicant shall work with the City and METRO to: (a) facilitate the placement of a METRO bus shelter in the vicinity of the site (located to benefit the residents of the Motherhouse), to include the provision of a bus shelter pad on the site if possible. If not possible the applicant shall document that the project meets the relevant ordinance waiver criteria; and (b) to determine a location for a new ADA compliant crosswalk on Stevens Avenue that would be constructed by the City and the applicant shall contribute \$15,800 to be placed in escrow to be used to construct the ADA compliant crosswalk; and
- iii. That the final proposals for any changes to the site and features between the Motherhouse and Stevens Avenue be submitted for review and approval by the City's Historic Program Manager, well in advance of implementation, to ensure that these address the site plan historic resources compatibility requirements; and
- iv. That the applicant shall address the comments of the Peer Engineering Reviewer dated 8.5.2015 regarding catchbasin information, and the further inspection of the existing 12" Corrugated Plastic Pipe installed below the ball fields to verify condition and suitability for reuse, both prior to the issuance of a building permit; and
- v. The developer/contractor/subcontractor must comply with conditions of the submitted and approved stormwater management plan and sediment and erosion control plan and associated inspection and maintenance manual, based on City standards and state guidelines. The owner/operator of the approved stormwater management system and all assigns shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements. A stormwater maintenance agreement for the stormwater drainage system shall be submitted, signed and recorded with a copy to the Planning Division and Department of Public Services prior to the issuance of a building permit; and
- vi. That the applicant shall address the comments of the Traffic Engineering Reviewer dated 8.6.2015 regarding the sight lines to pedestrians for the exit drive on Stevens Avenue, and the ramp design at the Walton Street driveway, both prior to the issuance of a building permit; and
- vii. That the outstanding capacity to serve regarding wastewater shall be submitted to the Planning Authority prior to the issuance of a building permit; and
- viii. That all external site lighting shall be full cut off in design, and prior to the issuance of a building permit the applicant shall submit further information in respect of area in front of the Motherhouse (driveway and stairs near entrance), to confirm that the light levels meet City standards.

The approval is based on the submitted plans and the findings related to site plan and subdivision review standards as contained in Planning Report for application #2015-110 which is attached.

STANDARD CONDITIONS OF APPROVAL

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

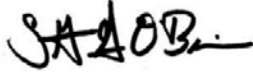
1. **Subdivision Recording Plat** The two revised recording plats listing all conditions of subdivision approval must be submitted for review and signature prior to the posting of a performance guarantee. The performance guarantee must be posted prior to the release of the recording plats for recording at the Cumberland County Registry of Deeds.

2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plans or outlined in a notice and the plans or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval.
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or the Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Services Department prior to the release of a subdivision plat for recording at the Cumberland County of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Service's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
10. **Department of Public Services Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Services Dept. prior to the issuance of a certificate of occupancy.

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. 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 or at jf@portlandmaine.gov.

Sincerely,



Stuart O'Brien, Chair
Portland Planning Board

Attachments:

1. City Arborist comments dated 7.22.2015
2. Traffic Engineering Reviewer comments dated 8.6.2015
3. Peer Engineering Reviewer comments dated 8.5.2015
4. Planning Board Report
5. City Code, Chapter 32
6. Sample Stormwater Maintenance Agreement (Site Plan site only, not subdivision)
7. Performance Guarantee Packet

Electronic Distribution:

cc: Jeff Levine, AICP, Director of Planning and Urban Development
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPiero, Development Review Coordinator, Planning
Ann Machado, Acting Zoning Administrator, Inspections Division
Tammy Munson, Inspections Division Director
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Lannie Dobson, Administration, Inspections Division
Brad Saucier, Administration, Inspections Division
Michael Bobinsky, Public Services Director
Katherine Earley, Engineering Services Manager, Public Services
Bill Clark, Project Engineer, Public Services
David Margolis-Pineo, Deputy City Engineer, Public Services
Doug Roncarati, Stormwater Coordinator, Public Services
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Mike Farmer, Project Engineer, Public Services
Jane Ward, Administration, Public Services
Jeff Tarling, City Arborist, Public Services
Jeremiah Bartlett, Public Services
Keith Gautreau, Fire Department
Jennifer Thompson, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
David Senus, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

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{The 7 attachments (4 pages) are not included in this set}