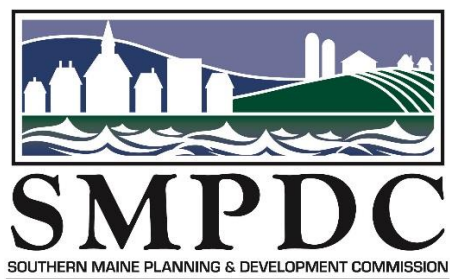


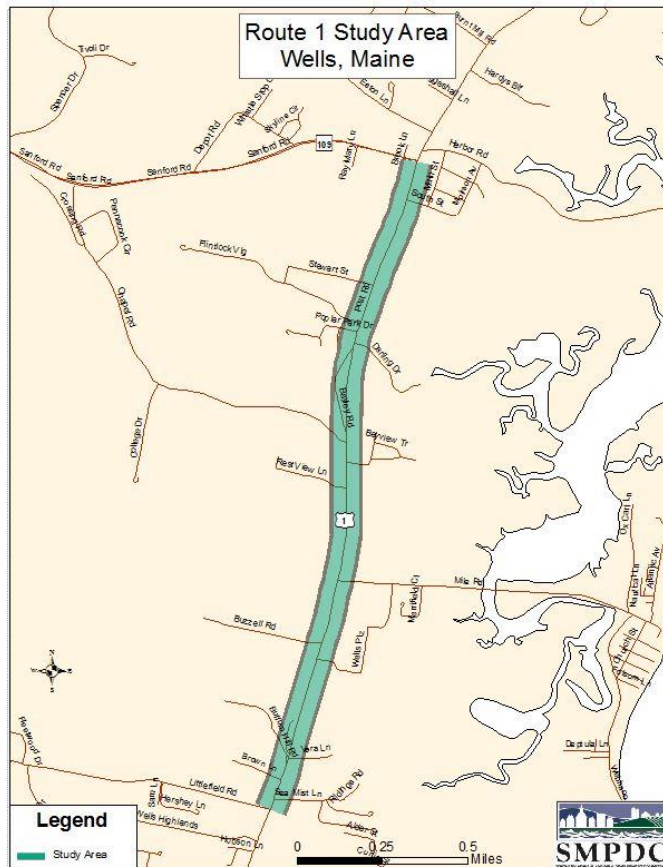
Wells Traffic Inventory and Research for Future Bypass Feasibility



December 13, 2018

Introduction

Southern Maine Planning and Development Commission (SMPDC) was hired by the Town of Wells in early 2018 to assist in researching several different options for alleviating traffic on Route 1 in Wells. Specifically, the area of concern is Route 1 between Sanford Road/Route 109 and Littlefield Road/Route 9B during the summer season. A map of the study area is shown below.



The study area includes approximately 2 miles of Route 1, which is classified as a Minor Arterial and has an average daily traffic volume of approximately 17,000 vehicles per day (2013). The corridor has four signalized intersections located at Route 109, Mile Road, Wells Plaza and Route 9B. Three of these signals were upgraded to Adaptive Signal Control in 2015. Route 1 is also considered a Priority One Corridor as part of the Maine Department of Transportation's (MaineDOT) Highway Corridor Priority rating system.

The Town of Wells has worked with MaineDOT on a few different options to help with traffic congestion in this area, including lane restriping and upgrading traffic signals at three of the key intersections. Despite some improvement traffic congestion still persists, particularly during the peak tourist season. Compared to other months of the year, summer traffic volumes on Route 1 increase by 300% and reach 21,000 vehicles on an average day in August.

MaineDOT Customer Service Levels - MaineDOT has developed a process for prioritizing highway and bridge candidate projects for their annual Work Plan according to Customer Service Levels (CSL). MaineDOT has developed CSL ratings regarding Safety, Road Condition, and Service (which takes congestion into account). Facilities are rated on an A through F scale. MaineDOT currently lists the following grades for the corridor in each category:

- **Safety** – A
- **Condition** – B, although there is a small section with a D grade
- **Service** – F, between Littlefield Road and Wells Plaza entrance
 - D, between Wells Plaza and Mile Road
 - F, between Mile Road and Chapel Road
 - D, between Chapel Road and Route 109

The most recent MaineDOT projects completed in the corridor are listed below:

Year	Location	Project Description
2015	Intersections of Mile Road, Wells Plaza and 9B	Upgrade Signals to Adaptive Signal Control
2016	Ogunquit Town Line north 3.72 miles	Maintenance Paving
2017	Chapel Road Intersection	Intersection Improvements & prohibit left turns

Recent Traffic Studies

The most recent traffic analysis conducted in study area were all completed for three developments occurring in the vicinity of the Route 1/Route 109 intersection and the Route 1/Harbor Road intersection. All of these reports focused on the capacity of these two intersections, and the Level of Service (LOS) at each location. Level of service is a qualitative measure that describes operations by letter designation. The levels range from A - very little delay to F - extreme delays. Level of service "D" is generally considered acceptable in urban locations while LOS "E" is generally considered the capacity of a facility and the minimum tolerable level.

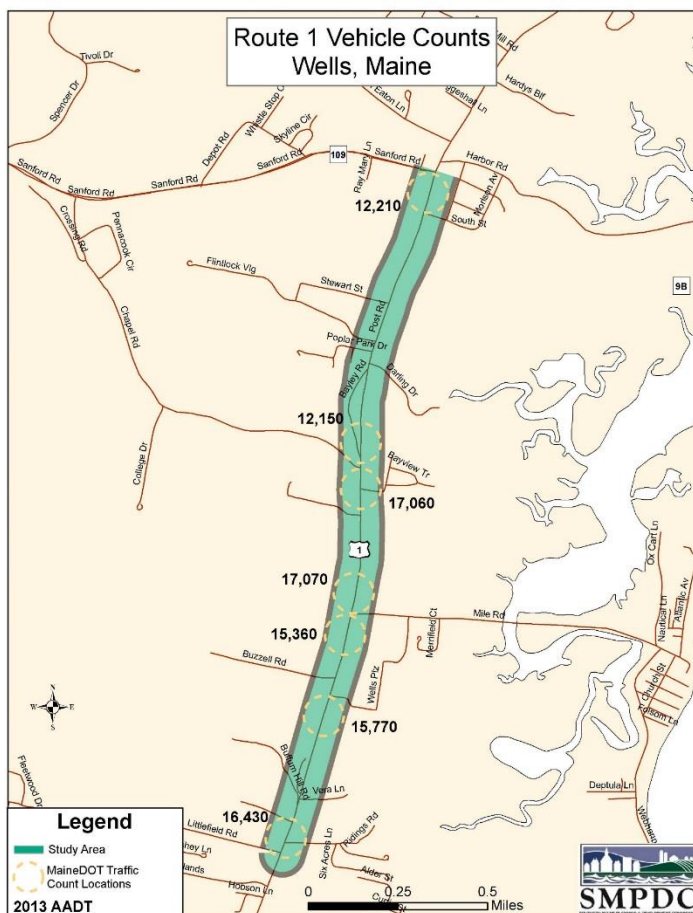
Year	Development	Prepared by	Conclusion
2015	Cumberland Farms	Maine Traffic Resources	Intersection would still operate with acceptable LOS
2017	York County Federal Credit Union	Maine Traffic Resources	Route 109/Route 1 intersection would still operate with acceptable LOS
2018	New Public Safety Building	William Bray Consulting Services	Minimal change in vehicle trips with new building

All the studies conclude that the Route 109 and Route 1 intersection remains operating at an acceptable Level of Service after the developments are completed. Although outside the current study area for this report, it is noted that the Route 1 and Harbor Road intersection currently operates a LOS of "F" for people attempting to make a left turn onto Route 1 from Harbor Road. This delay would not change based on the new developments.

Copies of the full reports can be obtained by contacting staff at Town Hall.

Current Conditions

Traffic Volumes



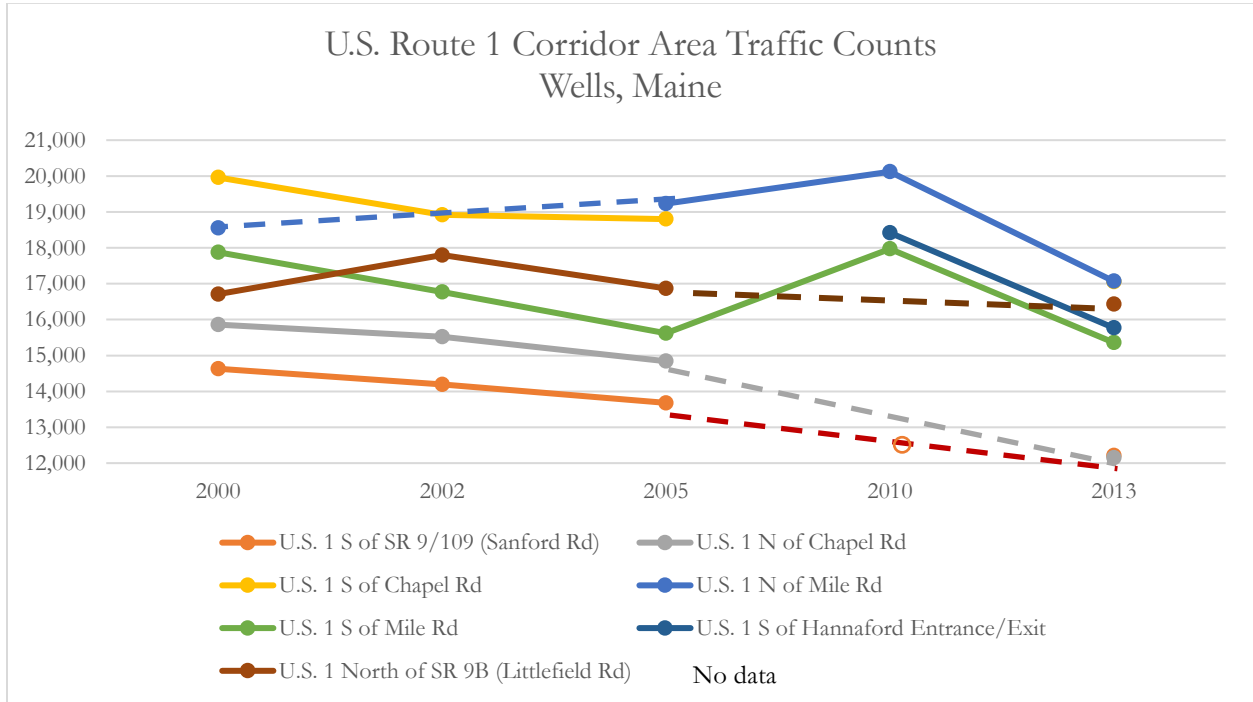
The most recent traffic count data on Route 1 in the project area was collected in 2013. Key locations and historical traffic counts, where available are shown in Table 1 on the next page and the map to the left. The historical data generally shows a downward trend in traffic volumes during the time period shown. Although no more recent data is available, it is expected that volumes have increased since 2013.

The corridor also experiences much higher traffic volumes during the summer months. The closest count location collecting year-round traffic data is located on Route 1 at the Wells/Ogunquit border. At that location, an average day in August had a count of 21,000 vehicles per day. In January, that volume dropped to 7,000 vehicles per day. Funding did not allow for any type of capacity analysis for Route 1 or the three intersections.

Table 1 – Historical Traffic Volumes

Location	2000	2002	2005	2010	2013
U.S. 1 S of SR 9/109 (Sanford Rd)	14,630	14,190	13,680		12,210
U.S. 1 N of Chapel Rd	15,860	15,520	14,840		12,150
U.S. 1 S of Chapel Rd	19,960	18,920	18,800		17,060
U.S. 1 N of Mile Rd	18,550		19,230	20,120	17,070
U.S. 1 S of Mile Rd	17,880	16,770	15,620	17,970	15,360
U.S. 1 S of Hannaford Entrance/Exit				18,420	15,770
U.S. 1 North of SR 9B (Littlefield Rd)	16,710	17,800	16,870		16,430

Figure 1

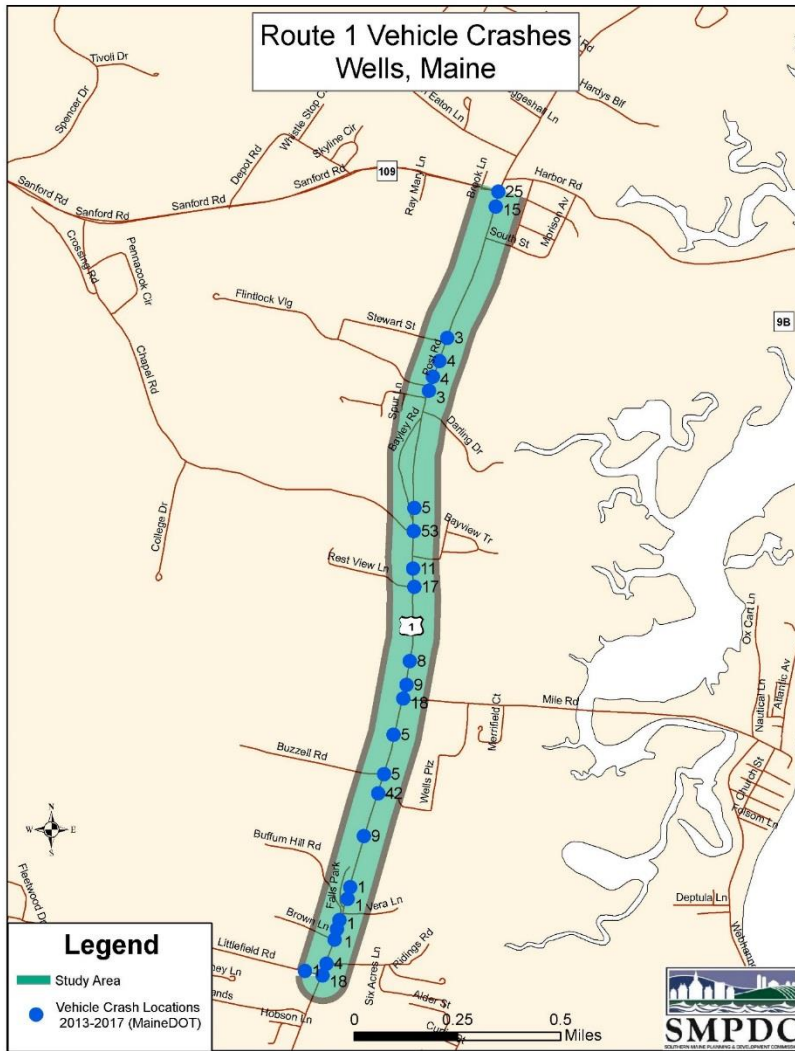


Crash History

SMPDC obtained collision data for the study area from MaineDOT for the five year period between 2013 and 2017 for the study area. The Route 1 study area has experienced 299 reported crashes in the past five years. Total crashes for each year are shown below, and locations are shown on the following page.

Year	Number of Crashes
2017	51
2016	61
2015	69
2014	63
2013	55

Corridor Crash Locations 2013-2017



To determine whether a location has a high incidence of crashes, MaineDOT uses two criteria to define a High Crash Location (HCL). Both criteria must be met in order to be classified as an HCL.

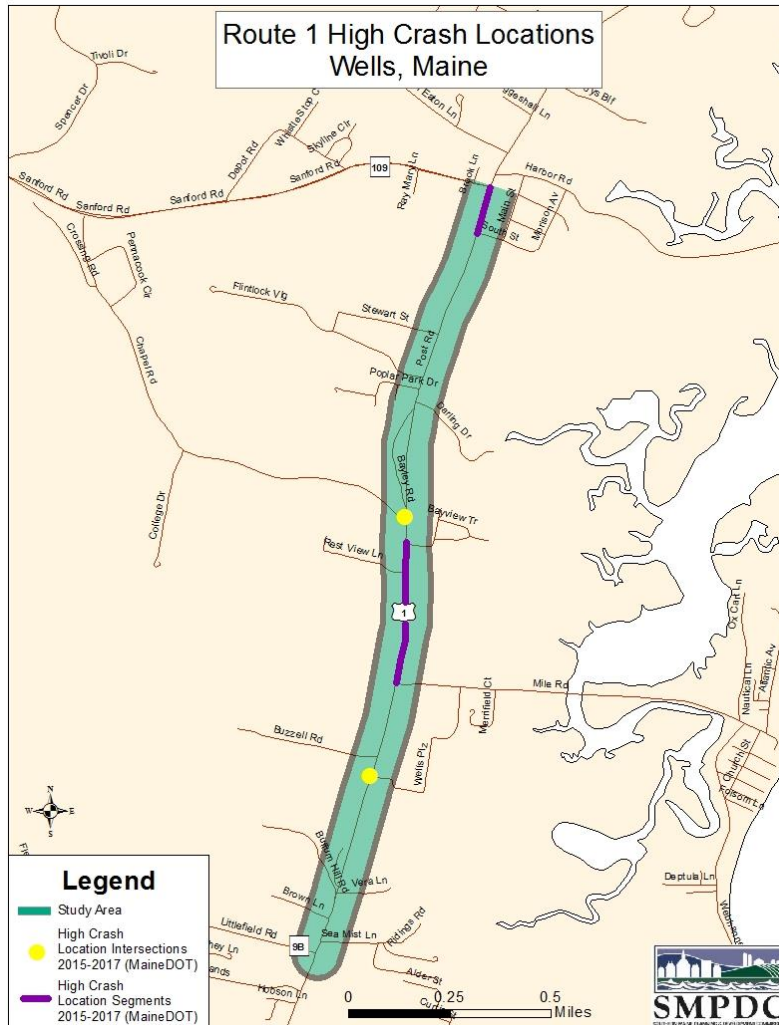
1. A critical rate factor (CRF) of 1.00 or more for a three year period. A CRF compares the actual crash rate to the rate for similar intersections in the state. A CRF of less than 1.00 indicates a crash rate that is not significantly above average and:
2. A minimum of eight crashes over the same three year period.

This portion of Route 1 in Wells has four High Crash Locations on the latest listing from MaineDOT. The locations are listed in Table 2, and on the map on the following page.

The two HCL segments on Route 1 have a higher percent of crashes with injuries than the two intersections locations.

Table 2 – High Crash Locations 2015-2017

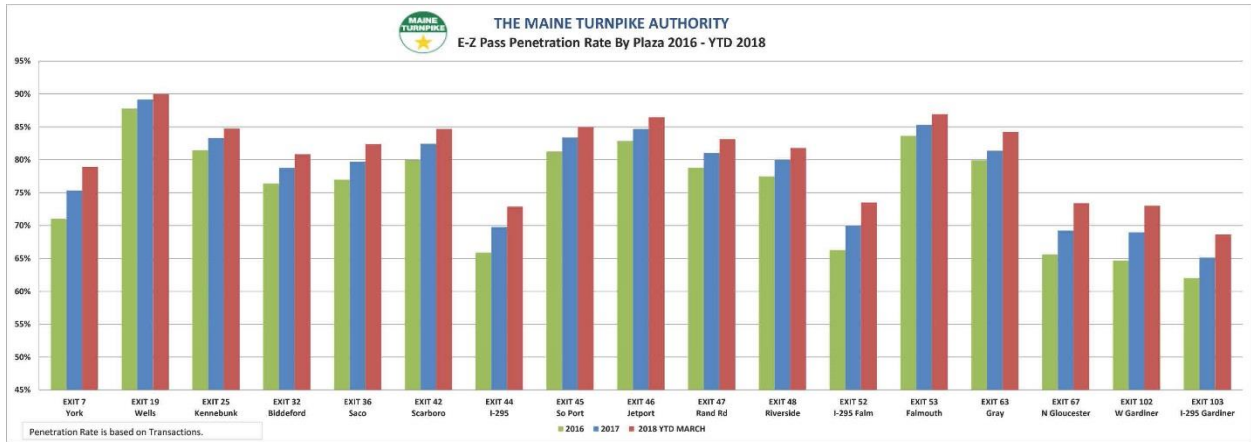
Intersection or Road Segment Description	Total Crashes	Percent Injury
Intersection of Route 1 and Entrance to Wells Plaza	27	18%
Intersection of Route 1 and Chapel Road	29	17.2%
Intersection of Route 1 and Mile Road to Intersection of Route 1 and Bayview Terrace	26	30.8%
Intersection of Route 1 and South Street to Intersection of Route 1 and Sanford Road (Route 109)	11	27.3%



Maine Turnpike Data

As part of the planning effort, SMPDC staff reviewed traffic data from the Maine Turnpike Authority. Specifically, exit-to-exit data was gathered for both 2016 and 2017. Although data only includes E-ZPass transactions, the percent of all transactions by E-ZPass has grown steadily over the years, and now represents approximately 80%. There is no origin or destination data available for cash transactions.

Exit 19 in Wells has the highest percent of EZ Pass penetration within the Turnpike system, with 90% of all toll transactions occurring with EZ Pass as opposed to cash. The chart below shows the penetration rates by exit.



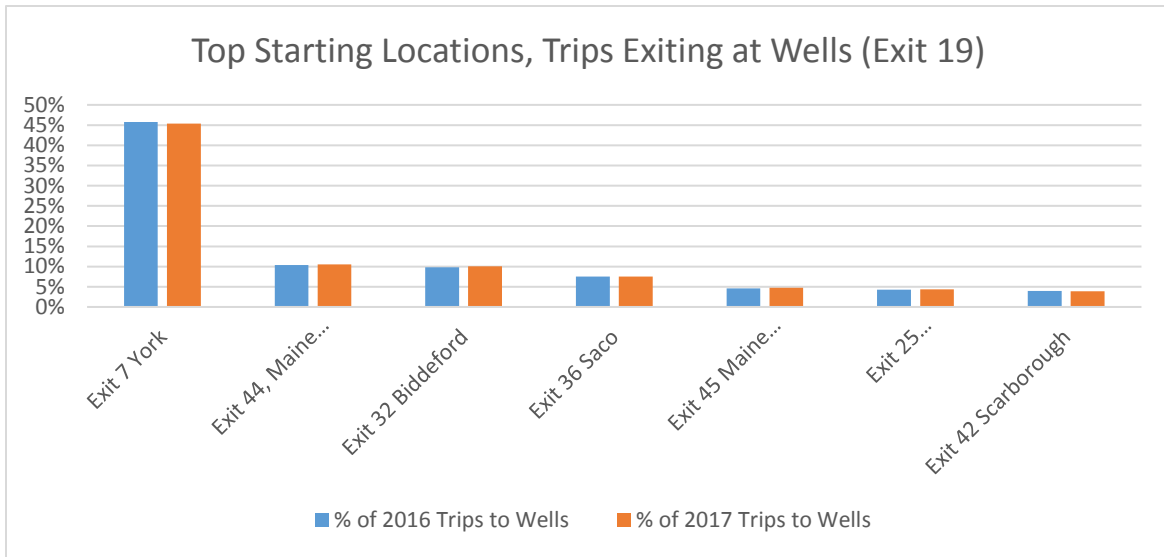
There were a total of 4,398,863 EZ Pass transactions in Wells in 2017, with about an equal number entering (2,191,460) and exiting (2,207,403). An equal number of vehicles traveled north and south when entering at Wells, and the exiting numbers are very similar. The total directional traffic is shown below.

	Year	2016	2017
Entered at Wells, traveled North		1,127,501	1,182,804
Entered at Wells, Traveled South		973,348	1,008,656
Exited at Wells from North		1,113,272	1,171,388
Exited at Wells from South		996,428	1,036,015

Overwhelmingly, the most Turnpike traffic exiting in Wells comes through the York toll plaza, with over 1 million of these trips in 2017. Then next closest in terms of volume is Exit 44, followed closely by Exit 32 in Biddeford. The top seven origins for vehicles exiting in Wells are shown in the table and chart on the following page.

Origins of Vehicles Exiting in Wells

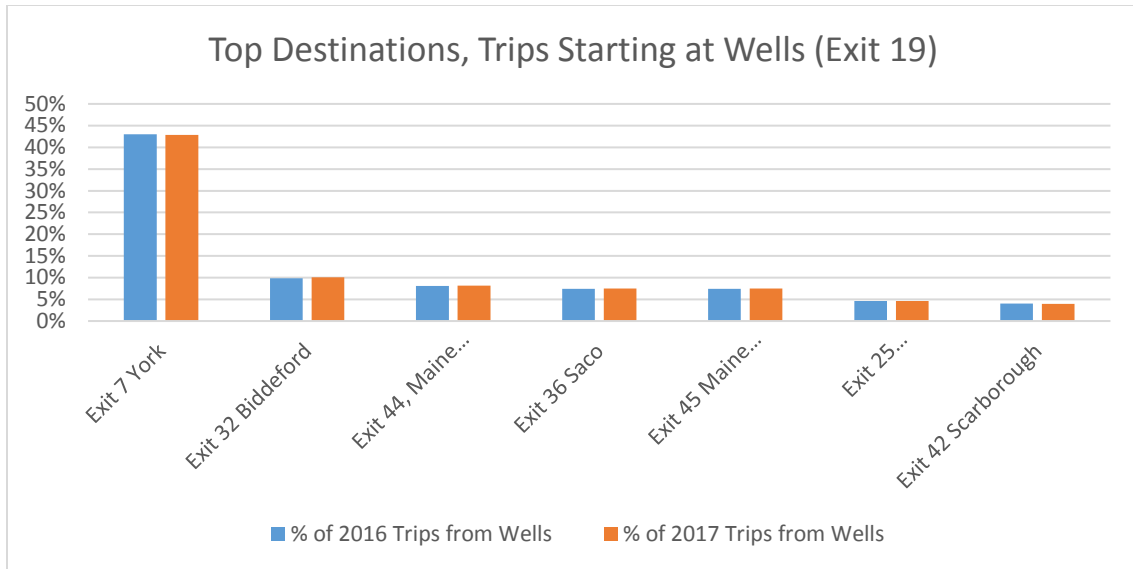
	2016	% of 2016 Trips to Wells	2017	% of 2017 Trips to Wells
Exit 7 York	965,791	46%	1,000,993	45%
Exit 44 I-295	218,272	10%	232,783	11%
Exit 32 Biddeford	207,352	10%	221,577	10%
Exit 36 Saco	158,928	8%	166,379	8%
Exit 45 Maine Mall	97,679	5%	104,048	5%
Exit 25 Kennebunk	91,016	4%	96,691	4%
Exit 42 Scarborough	84,303	4%	85,551	4%



Similar to the traffic exiting Wells, the York toll plaza is also the primary destination for vehicles entering the Turnpike at Exit 19. The Table below shows the top seven destinations for vehicles entering the Turnpike in Wells.

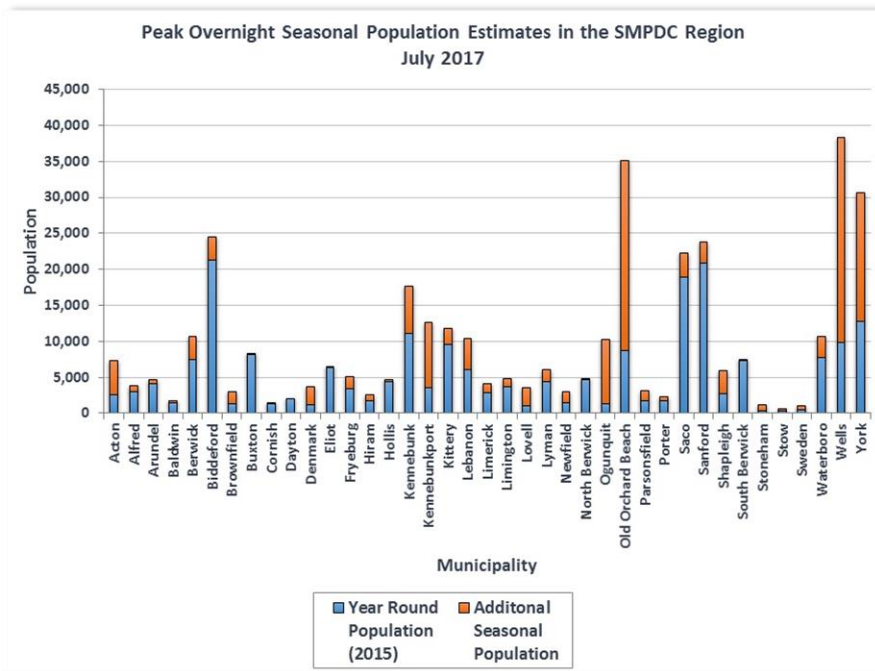
Top Destinations from Wells

	2016	% of 2016 Trips from Wells	2017	% of 2017 Trips from Wells
Exit 7 York	903,947	43%	938,936	43%
Exit 32 Biddeford	206,137	10%	220,811	10%
Exit 44 I-295	169,555	8%	179,423	8%
Exit 36 Saco	156,185	7%	163,823	7%
Exit 45 Maine Mall/Payne Rd	155,647	7%	164,875	8%
Exit 25 Kennebunk	97,596	5%	101,548	5%
Exit 42 Scarborough	83,934	4%	87,178	4%



Seasonal Population

One of the largest contributing factors to traffic volumes and traffic congestion on Route 1 is the influx of visitors during the summer season. Based on estimates from SMPDC, the population in Wells increases by approximately 28,400 people on a typical summer day – from a year round population of 9,869 to 28,461.



When looking at SMPDC estimates for communities in the region, Wells has the highest increase in summer visitors and residents than any other community in York County – Old Orchard Beach is a close second and York has a substantial increase as well.

Ongoing Town Efforts

The Town of Wells has worked on several different projects over the years with the goal of reducing traffic congestion in the Route 1 corridor.

Town-Wide Wayfinding Program

In June of 2018, the Town released a Request for Proposals for Phase One of a Wayfinding Program. The Town's wayfinding program's goal is to provide consistent and attractive information to assist the traveling public to navigate efficiently to key destinations within the Town. To achieve this, the first phase of the project will:

- Identify policies, criteria, and graphic conventions for wayfinding;
- Coordinate with the Town staff and seek input from stakeholders;
- Consider wayfinding needs for tourism including Beach Entrance Regulatory signage and all modes of travel including motorized vehicles, bicyclists and pedestrians; and
- Identify ways that wayfinding can enhance and reflect the distinctive and creative character of the Town

Shoreline Explorer

The Town has been supporting the Shoreline Explorer system financially for a number of years. The SE provides trolley and bus service within Wells and other communities along the southern Maine coast.

The trolley routes, Blue Route 4 and 4b, operate between the end of June and Labor Day each year, and run between the hours of 9:00 a.m. and 11:00 p.m. The trolley routes connect to the Ogunquit Trolley at the Majestic Regency Hotel, the SE Orange #5 route at Wells Plaza, and the Amtrak Downeaster and Greyhound at the Wells Transportation Center. It also connects to the SE Aqua 7 route and the In Town Trolley in Kennebunk Lower Village.



The Orange Line/Route #5 operates year-round and runs between downtown Sanford and Wells Plaza, with other stops in Wells including Gregoire's Campground, the Wells Transportation Center and York County Community College.

Shoreline Explorer Ridership - 2017

Blue Route 4	44,431
Blue Route 4b (new in 2017)	4,471
Orange Route 5	2,274

More information is available on the Shoreline Explorer web page: <http://www.shorelineexplorer.com/>

Event Parking and Trolley Service

For events taking place at the Harbor Community Park and other areas of Wells, the Town institutes a satellite parking plan at the High School and provides free trolley service to and from the event site. One recent effort included the Wells Brew fest on July 14th, where parking was prohibited at the Wells Harbor Park but free parking was provided at the school with trolley service running back and forth continuously throughout the afternoon.

Wells Transportation Center

The Wells Transportation Center is located off of Route 109/Sanford Road, across from Exit 19 of the Maine Turnpike. It accommodates passenger trains, buses, vans, taxis, trolleys, and bicycles. It includes a handicap accessible train platform and 1,600 square foot building to accommodate ticketing and traveler services.

The Town of Wells and the Wells Chamber of Commerce have partnered to provide a variety of traveler services at the Center. There is a comfortable lobby and waiting area, restrooms with baby changing stations, a pay phone, vending machines, ATM and information on Wells and the Seacoast Region. Train Station Hosts assist with travel needs and connecting transportation.

There is ample parking at the Transportation Center to accommodate travelers, a Park and Ride lot reserved for carpoolers and Bus and RV parking. The parking lots and train platforms are well lighted and handicap accessible.

The centerpiece for the Transportation Center is the Amtrak Downeaster passenger train service. There are five daily round trips between Wells and North Station in Boston. Service is also provided as far north as Brunswick certain times during the day. Other stops include Freeport, Portland, Old Orchard Beach (seasonal) and Saco in Maine, Dover, Durham-UNH, and Exeter, New Hampshire and Haverhill and Woburn in Massachusetts.

The Transportation Center is served by taxi, limousine, trolley, airport shuttle, daily express bus to Foxwoods Casino and tour buses that use the facility as a pick-up point. Two of the Shoreline Explorer routes provide service to and from the Center – the year round Orange Line (Route 5) and the seasonal Blue Line (Route 4b).

Long Term Options

Part of the study effort included researching two options for alleviating Route 1 traffic congestion that have been discussed recently and also in the past. One is a new Maine Turnpike partial interchange at Littlefield Road. The other idea is utilizing an existing Right of Way owned by Central Maine Power (CMP) for a possible bypass road, traveling from Littlefield Road to either Chapel Road or Sanford Road (Route 109).

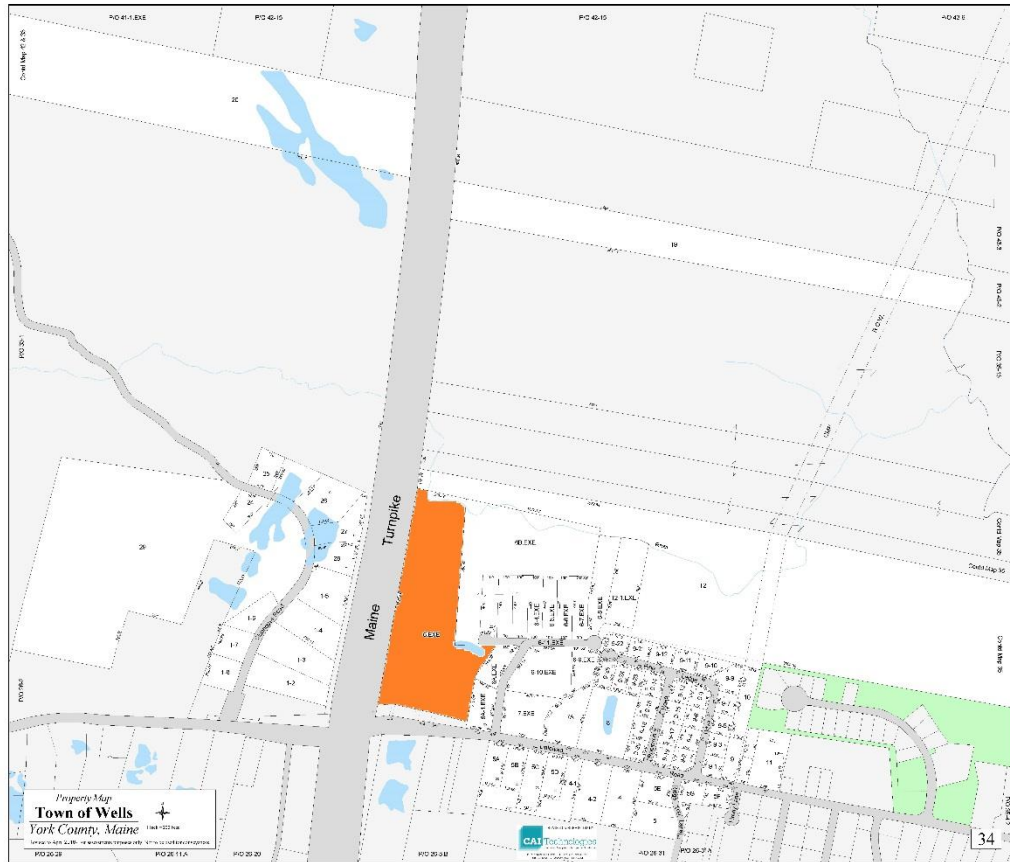
The purpose of investigating these two options was to obtain a definitive answer from both the Maine Turnpike and CMP as to whether these are actually feasible or worthy of further study and effort. Both options are summarized and discussed below.

Partial Interchange at Littlefield Road/Route 9B

One suggestion to alleviate congestion in the study area on Route 1 is to construct a partial interchange that would connect to Littlefield Road. The Town owns property in the northeast quadrant of that area – north of Littlefield Road and east of the Maine Turnpike (see parcel map on the following page).

The partial interchange would be a northbound on ramp only, allowing people to access the Maine Turnpike northbound and provide another option for travel in the area.

Location of Property Owned by the Town of Wells





The Maine Turnpike Authority has a policy entitled “Policy for Initiating Studies of Existing and New Interchanges and Access Roads”, which describes the criteria that need to be met for the Authority to consider further study. The requirements for the MTA to consider a request are included below, and the full Policy is included as Appendix A.

Any municipality (a "proponent") may request that the Authority undertake preliminary studies of modifications to an existing interchange and related access road or studies of a new interchange and related access road that the Authority or the Department has not otherwise determined should be studied (a "proposed project") by submitting a written justification to the Authority and the Department. Information submitted by the proponent may be preliminary in nature but should be of sufficient detail to warrant expenditure of Authority funds on further study and include at a minimum the following:

- (a) A preliminary statement of the purpose of and need for the proposed project. This statement should identify existing and anticipated capacity, safety, and/or accessibility deficiencies and the basic project objectives. Technical measures such as traffic volumes, level of service, delays, queues, travel times, accident data, pedestrian data, land use data, and other relevant information should be supplied, to the extent that this information is available to or may be developed by the proponent without burdensome expense, as determined by the MTA, to demonstrate the need for the proposed project.*
- (b) Provide a written statement by the municipality (ies) that the proposed project would be consistent with the applicable municipal comprehensive plan(s).*
- (c) A list of alternatives that the proponent believes are worthy of consideration.*

This need not be exhaustive, but should include any alternatives that have been previously considered or discussed, even in a preliminary manner.

- (d) Documentation of any previous studies that have been conducted.*
- (e) Minutes, records and transcripts if available of any public meetings or hearings that have occurred relative to the requested project.*
- (f) A statement of why the expenditure of Authority funds for the proposed project would be justified under 23 MRSA § 1974(3) which statement shall address, at a minimum, the factors listed under 1974(3) as A, B, D, E, F, H, I and L.*

Following receipt of the information that is prepared and submitted by the proponent, the Authority and MaineDOT will jointly consider whether the proposed project warrants further study based, in part, on the following criteria:

- 1. The proposed project would not conflict with the Enabling Act authorizing the Department/Authority Interchange Program, the Department's Statewide Transportation Plan and the other requirements of the Authority's current 10 Year Planning Report;*
- 2. Funding for the planning, location, design, construction and maintenance of the Project is reasonably likely to be available;*
- 3. The proposed project would not adversely affect the operation of the transportation system and Turnpike;*
- 4. The proponent has demonstrated, at the sole judgment of the Authority, that community support for the proposed project exists at the local and regional levels;*
- 5. The proponent has documented the transportation purpose and need for the proposed project in terms of existing or anticipated capacity, safety, and/or accessibility deficiencies and a sufficient relationship of the proposed action to the Turnpike and its patrons;*
- 6. The Department has made a preliminary determination that the proposed action would be consistent with state transportation plans and policies;*
- 7. The proponent has demonstrated that the proposed action would be consistent with the applicable municipal comprehensive plan(s); and*
- 8. The judgment of the Department and the Authority as to the priority of such project relative to other projects that are under review or development at the time.*

Town and SMPDC staff met with representatives from the Maine Turnpike Authority on May 24th to discuss the idea and provide information. As of this date (12/13/18), the Town is still awaiting a response from the Turnpike Authority regarding this option. Town staff will continue to work on this.

Utilization of the Central Maine Power (CMP) Easement

Another option that has been suggested is the possibility of using an existing CMP Right of Way for a future roadway or bypass. The ROW begins near Littlefield Road east of the Maine Turnpike, and travels

in a general north/northeast direction, crosses Chapel Road northwest of College Drive and continues northeast crossing Sanford Road/Route 109.

SMPDC staff contacted CMP staff regarding the ROW, and the Town has sent a letter describing the location and gauging whether this idea has merit. A copy of the letter is included at the end of the report.

Conclusion – The CMP Property Management Division reviewed this option and has rejected the idea. Response below:

CMP has completed its review of the Town’s request to use unbuilt transmission line corridor for the purpose of constructing a U.S. Route 1 bypass.

For future operational purposes, unless an alternate location for the transmission line corridor could be identified and provided, CMP is unable to accommodate the Town’s request at this time.

Recommendations

Corridor Safety Audit – work with MaineDOT to conduct a more in-depth analysis of the corridor, including crash diagrams, an on-site meeting and development of recommendations for improving safety and traffic flow.

Traffic Signals – our conversation with staff at Electric Light indicated that the three intersections in the corridor with signals have not been evaluated in a year or more. We recommend that the Town work with Electric Light to evaluate the signal timing and determine whether it is still affective.

Traffic Data Collection – The latest count data available is from 2013, which is now outdated and not very useful for evaluating the corridor. The Town should work with MaineDOT and SMPDC to conduct new counts as soon as feasible. This should include 12-hour Turning Movement Counts at all three signalized intersections. The Town should hire a professional traffic engineering firm to evaluate the data and recommend any changes to signal timing.

Corridor Analysis – The Town should consider working with MaineDOT to fund a more in depth analysis of the corridor, and hire a professional engineering firm to complete the study. As mentioned earlier in the report, the available traffic data is outdated and not of much use. A complete reevaluation of the traffic and safety conditions would provide the Town and MaineDOT with additional, specific recommendations to improve traffic flow.

Public Transportation – Continue to support the Shoreline Explorer service, and work with York County Community Action Corporation and area businesses on strategies to increase ridership.
<http://www.shorelineexplorer.com>

Striping and Lane Configuration – The Town should work with the MaineDOT Region One Traffic Engineer to revisit the current lane configuration in the corridor. In particular, one idea that has been discussed is changing the Right Turn Only lane north of Wells Plaza to at through and right turn lane.

Appendix A

Maine Turnpike Authority

Policy for Initiating Studies of Existing and New Interchanges and Access Roads

Whereas, in 1981 the legislature authorized the Maine Department of Transportation ("Department")/ Maine Turnpike Authority ("Authority") Interchange Program through the enactment of 23 MRSA §§1965(1)(P) and 1974(3) (see appendix A for statute language); and

Whereas, the Sensible Transportation Policy Act (23 MRSA §§73, 1961(5)), adopted in December, 1991, and the rules and regulations promulgated thereunder, further defined the roles and responsibilities of the Authority and the Department in respect to the planning, location, funding, design and construction of interchanges on the Maine Turnpike;

Whereas, responsibilities for development and implementation of interchange projects on the Maine Turnpike were further defined in the February 13, 1997 Interchange Agreement between the Department and the Authority (that agreement as modified or replaced from time to time being the "Interchange Agreement");

Whereas, modifications to existing Turnpike interchanges and access roads, and construction of additional Turnpike interchanges and access roads related thereto may be beneficial to the local, regional, and state transportation network, and the Turnpike;

Whereas, it is the Authority's responsibility to set the level of revenues that should be committed to interchange projects based, among other things, on the relationship of each project to the public's use of the turnpike and the orderly regulation and flow of vehicular traffic using the turnpike.

Whereas, the results of planning for interchange projects and the Authority's determinations under Section § 1974(3) to date identify additional interchanges at Grove Street, Sabattus / Lewiston and South Main / Route 136 Auburn at locations to be determined as active interchange projects for which support from Authority resources is justified;

Whereas, the planning for interchange projects and related access roads, the Authority's determinations and the availability of Authority resources further suggest that the relationship of future projects may require contributions from entities other than the Authority;

Whereas, as stated in the MTA 2004-2013 Ten Year Plan, the Authority wishes to adopt a policy relating to the identification, planning, design and construction of and funding for future interchange projects and related access roads; and

Now, Therefore, Be it Resolved that the following be adopted as the official policy of the Maine Turnpike Authority regarding interchanges:

Interchange Project Information Submittals:

Any municipality (a "proponent") may request that the Authority undertake preliminary studies of modifications to an existing interchange and related access road or studies of a new interchange and

related access road that the Authority or the Department has not otherwise determined should be studied (a "proposed project") by submitting a written justification to the Authority and the Department. Information submitted by the proponent may be preliminary in nature but should be of sufficient detail to warrant expenditure of Authority funds on further study and include at a minimum the following:

- (a) A preliminary statement of the purpose of and need for the proposed project. This statement should identify existing and anticipated capacity, safety, and/or accessibility deficiencies and the basic project objectives. Technical measures such as traffic volumes, level of service, delays, queues, travel times, accident data, pedestrian data, land use data, and other relevant information should be supplied, to the extent that this information is available to or may be developed by the proponent without burdensome expense, as determined by the MTA, to demonstrate the need for the proposed project.
- (b) Provide a written statement by the municipality (ies) that the proposed project would be consistent with the applicable municipal comprehensive plan(s).
- (c) A list of alternatives that the proponent believes are worthy of consideration. This need not be exhaustive, but should include any alternatives that have been previously considered or discussed, even in a preliminary manner.
- (d) Documentation of any previous studies that have been conducted.
- (e) Minutes, records and transcripts if available of any public meetings or hearings that have occurred relative to the requested project.
- (f) A statement of why the expenditure of Authority funds for the proposed project would be justified under 23 MRS § 1974(3) which statement shall address, at a minimum, the factors listed under 1974(3) as A, B, D, E, F, H, I and L.

Because planning and implementation of transportation projects must be done in accordance with the Sensible Transportation Policy Act, the proponent should describe, and commit to fulfill, its role in assisting the Authority and Department in complying with the Act and the rules and regulations promulgated thereunder.

Each proponent should submit documentation of the actions of its governing body that authorize the submission and the commitments of the proponent contained therein. The Authority may require that such documentation include the opinion of outside counsel to the proponent regarding the valid and binding nature of the undertakings in question. Each proponent should submit documentation of its coordination with other municipalities in the region and the positions of those municipalities with respect to the proponent's proposed project.

Following receipt of the information that is prepared and submitted by the proponent, the Authority and Department will jointly consider whether the proposed project warrants further study based, in part, on the following criteria:

1. The proposed project would not conflict with the Enabling Act authorizing the Department/Authority Interchange Program, the Department's Statewide Transportation Plan and the other requirements of the Authority's current 10 Year Planning Report;
2. Funding for the planning, location, design, construction and maintenance of the Project is reasonably likely to be available;
3. The proposed project would not adversely affect the operation of the transportation system and Turnpike;
4. The proponent has demonstrated, at the sole judgment of the Authority, that community support for the proposed project exists at the local and regional levels;
5. The proponent has documented the transportation purpose and need for the proposed project in terms of existing or anticipated capacity, safety, and/or accessibility deficiencies and a sufficient relationship of the proposed action to the Turnpike and its patrons;
6. The Department has made a preliminary determination that the proposed action would be consistent with state transportation plans and policies;
7. The proponent has demonstrated that the proposed action would be consistent with the applicable municipal comprehensive plan(s); and
8. The judgment of the Department and the Authority as to the priority of such project relative to other projects that are under review or development at the time.

The Authority may not undertake a study unless the proponent commits to participate in the study through funding, staff involvement, technical resources, and/or other suitable means. At its sole discretion, the Authority may segment a study into component elements or may implement a phased study. Before initiating a study, the Authority will require a Memorandum of Agreement (MOA) be entered into, which will detail the Authority and the proponent's respective commitments. This MOA will bind the proponent to pay a certain percentage of costs related to the study, planning and preliminary design of the proposed project, which percentage will be negotiated and may depend, in part, on the proponent's level of commitment of other resources and, when applicable, the proponent's ability to obtain funding from other interested municipalities or organizations. The maximum percentage required shall normally be 20%, unless the project's primary justification is to promote specific economic development rather than to benefit the transportation system or a region as a whole, in which case a greater percentage may be required. The proponent will not be required to pay for costs relating to the final design, permitting, construction or operation of the project, except for those costs incurred due to changes made at the request of the proponent when said changes, in the opinion of the Authority, are not necessary for proper functioning of the project. The Authority may require, as a condition of the MOA, that the municipality institute a policy of requiring impact fees from future developments that will create or increase traffic impacts on the project, which impact fees shall be paid to the Authority to use for future repair, maintenance and modification of the project.

In those instances where the proposed project is located on a non-toll section of the Interstate Highway System, the proponent will work with the Authority and/or Department to prepare a formal request to the Federal Highway Administration for approval to add a new or modified access point to the Interstate Highway System.

The Authority will consider each proposed project and provide the proponent with a written decision within one hundred and eighty (180) calendar days of receipt of a submission meeting the requirements of this policy as to whether the proposed project has been accepted for recommendation to the Authority's board for final approval, conditionally accepted for recommendation, or denied for further study. The Authority reserves the right, in its sole discretion, to reject any proposed project, to stipulate conditions on which further study of a proposed project will be approved, and/or to require that any information submitted by the proponent be supplemented, completed or clarified before consideration by the Authority. The Authority's authorization of a study of a proposed project does not in any way assure that the proposed interchange or related access road will be constructed.

Funding for Future Interchange Projects:

The amount of any funding for a proposed project to modify an existing interchange or for a proposed new interchange project from Authority resources must be determined by the Authority on a case-by-case basis under the provisions of 23 MRSA §1974(3). Accordingly, any determination to study a new interchange project initially and every decision at each stage of planning and development thereafter whether to continue with the development process or not will involve an assessment of the availability of funds from its own and possibly other sources to complete and operate such project.

Questions Regarding This Policy

This interchange policy has been approved by the Maine Turnpike Authority and is effective as of January 27, 2006. It is subject to revision or amendment, with Authority approval, without prior notice. Anyone with questions regarding this policy should contact the Authority's Government Relations Department at 871-7771, x111.

§ 1974. Use of turnpike revenues

3. REVENUES FOR ADDITIONAL INTERCHANGES. In addition to interchanges which have been incorporated into the turnpike, the authority shall authorize turnpike revenues to be utilized for interchanges determined pursuant to the terms and conditions of this section, provided that the department shall request use of revenues by submitting a proposed program for additional interchanges or improvements to existing interchanges, and provided that the authority shall have and exercise sole discretion to set the level of revenues, and provided further that the additional interchanges or improvements have or would have a sufficient relationship to the public's use of the turnpike and the orderly regulation and flow of vehicular traffic using the turnpike so that the use of the turnpike revenues is warranted to pay all or any portion of the cost of maintaining or constructing such additional interchanges or improvements and all or a portion of the access roads required in connection therewith.

In making the determination of whether a sufficient relationship exists, the department and the authority shall consider the following factors, no one of which may necessarily be determinative:

- A. The existing road network;
- B. The traffic impact of the construction or reconstruction on the existing road network;
- C. The probable change in departmental or authority expenditures resulting from construction or maintenance;
- D. The relative number of vehicles using or expecting to use those access roads on the way to or from the turnpike;
- E. The road distance of those access roads or portions thereof from the nearest entrance to or exit from the turnpike;
- F. The effect the construction or improvement will have on the flow of traffic to, from and on the turnpike, and in diverting vehicular traffic off or away from the turnpike;
- G. The probable availability of turnpike revenues to make the payments;
- H. The availability of alternative roads to or from the turnpike;
- I. Priority shall be given to the construction or improvement of interchanges and related access roads which will promote industrial and economic development of communities adjacent to or near the turnpike, whose present lack of access tends to discourage that development. In determining the extent of effect on industrial and economic development, the department and the authority shall consider existing, committed, proposed and potential development. The first priority for the use of available toll revenues for interchanges shall be for new or a modification of present interchanges and access roads to provide the necessary access for the development of industrial parks in Lewiston and Auburn. The authority and the department shall make every effort to begin construction or modification of interchanges by January 2, 1984;
- J. Financial condition of the turnpike and financial impact of maintenance, improvement and construction;
- K. The existence of any seasonal interchanges which with nominal capital expenditure could be placed into year-round operation; and
- L. Such other factors deemed relevant, including, but not limited to, expert opinion.

In state fiscal year 1990-91, the authority shall make a \$ 6,300,000 early payment representing amounts agreed to be paid by the authority for the Scarborough interchange project.

REPEALED. 1991, I.B. 1, § 8; Laws 1993, c. 680, § A-26, eff. April 14, 1994.