

PACTS

Portland Area Comprehensive Transportation Committee

Planning Committee Meeting Notice

October 4, 2007
9:00 a.m.
PACTS, 68 Marginal Way, Portland

Agenda

1. **Call to order.**
2. **Minutes of September 6th meeting**
3. **New Funding for Transportation Improvements (Attachment)**
 - A. MaineDOT's Traffic Movement Permit (Steve Landry)
 - B. Portland's informal impact fee system (Tom Errico)
 - C. Next steps
4. **PACTS 2009 High Priority Projects Candidates List (Attachment)**

Presentation and discussion of the list of candidates
5. **Status Reports**
6. **Adjourn**

Next Meeting: November 1st at 9:00 a.m.

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Agenda Item 2: Minutes of September 6th Meeting

Members Present: Donna Larson, Chair, Freeport; Dan Bacon, Scarborough; Dawn Emerson, Yarmouth; Deb Fossum, Gorham; Tex Haeuser, South Portland; Alex Jaegerman, Portland; Molly Just, Westbrook; Robert Kahn, Policy Committee Appointee; Mike Laberge, Maine DOT; Jonathan Labonte, MTA; Steve Linnell, GPCOG; Jon McNulty, Public Transportation; Brooks Moore, Windham; Peter Morelli, Saco; Tom Reinauer, SMRPC; Amanda Stearns (for Amy Lamontagne), Falmouth; Greg Tansley, Vice-Chair, Biddeford.

Members Absent: Gary Guerette, Policy Committee Appointee; Carla Nixon, Cumberland; Maureen O'Meara, Cape Elizabeth; John Perry, FHWA.

Staff and Guests: Julia Dawson, PACTS; John Duncan, PACTS; Ruta Dzenis, SPO; Matti Gurney, GPCOG; Sue McIntyre, GPCOG; Paul Niehoff, PACTS.

1. **Call to Order.** Donna Larson, Chair called the meeting to order at 9:00 a.m. John Duncan welcomed and introduced Robert Kahn to the meeting.
2. **Minutes of August 2nd and August 14th meetings**
Alex Jaegerman moved for approval of the August 2nd and August 14th, meeting minutes, seconded by Molly Just. Vote taken. All were in favor. Minutes were unanimously accepted.
3. **New Funding for Transportation Improvements**
Exploring the potential benefits of using impact fees as a way to fund transportation improvements in our region is a high priority for the PACTS Policy Committee. A survey relating to how traffic impact fees are currently being employed in the region was sent out to Planning Committee members for feedback.

Tom Reinauer provided an overview on what SMRPC has been doing with impact fees in York County and shared what they have learned as a result of a recent project on the Route 236 corridor.

Lessons learned:

- There is interest from communities on impact fees but things move slower once the topic reaches the City Council.
- The process consisted of access management standards, an engineering study, review of funding mechanisms, and scoring.
- Work is sometimes needed on a town's ordinance language when referencing funding.
- PACTS or MaineDOT could hold the monies or a separate PIN could be assigned.
- The impact fee for the Route 236 corridor project will not pay for total cost of all improvements. Several towns require a local match. Over and above that, some funding comes from MDOT sources.
- There is a concern for small businesses in the corridor.
- A travel shed analysis was conducted.

In Tom's view not enough is extracted from businesses. Sometimes transit and parking is ignored. All of these impact fees could be addressed. Mostly intersection projects and road improvements are subject to impact fees. He referenced the Route 236 corridor and noted that there could probably be five intersection improvements that could be cost out and divvied up by the cost per trip. The cost could be spread among everyone. Peak hour traffic would have to be analyzed. An item of concern is whether it is fair for the local communities to pay an impact fee for commuters coming from other areas.

Impact fee discussions continued in reference to sprawl, the SPO, the Maine Turnpike Authority, land use structure, and regional fees. Changes might be needed in the Legislature. The question is who is causing the impact and then who pays for it. It was noted that regional uniformity on impact fees that is administered locally is much simpler. Municipalities could retain local control. Equity could be achieved particularly in timing fees by implementing them incrementally. Saco has a mitigation fee that piggybacks on the MDOT fee. They are now working on a structure that is already in place and that may not change in the future. A discussion followed on whether impact fees discourage business development.

Portland does not have a formal impact fee policy but does administer something similar. Alex said he was intrigued with a mitigation fee. Portland is looking at an alternative mode analysis and what other investments they could make in transit. It is a mitigation fee. He felt the Committee should be pushing in that direction and that the towns should have monies to mitigate traffic. There may be a need for legislation in this area. Portland has discussed one time fees for parking, for instance, to go toward transit solutions. If this were done regionally, it might work. That kind of approach could generate revenue, level the playing field and could provide a solution in reducing traffic. Alex added that he would like to go beyond traffic improvement.

Other ideas and approaches were considered such as whether towns and cities should seek the same local capacity and integrate a fee structure with that. They would have to do the minimum that MaineDOT could do, but it is something to consider. The cost could be passed on and you could get smaller projects on an incremental basis. Peter noted that he liked the idea that some things could be done locally in a comprehensive way. A regional local traffic permit was also discussed. In reference to regional fees, Amanda Stearns felt that the creation of more impact fees within the PACTS area might push development out to rural towns. We should keep appropriate development in our centers but not create an atmosphere that would push that development out. Greg felt that there was a need to look at this more comprehensively along with a need for the flexibility to do so. The idea of a regional funding chest that municipalities could contribute to could provide regional help. Jonathan Labonte suggested that the Committee invite Steve Landry to provide a workshop on MDOT's traffic movement permit. In his view, there is a need to generate new revenues to maintain our existing transportation system and that would not be attained with impact fees.

Other ideas included special assessments districts such as a transportation traffic district. It was noted that there are national models that could be researched. Tom noted that SMRPC goes to all the MDOT traffic movement permit meetings in their region. They comment on the permit itself to the MaineDOT and applicant. They don't have authority at these meetings but it does have an effect as they contribute to the process.

More discussion followed on mitigation fees, traffic impact fees and sales tax. Alex felt an impact fee is not about maintenance but about capacity. It was suggested that we involve state representatives in these discussions. Alex would recommend looking at existing legislation to see what could be done now and what could be recommended for the future.

Potential speakers to invite include: Steve Landry to talk about the traffic movement permit; Tom Errico regarding the Peninsula Traffic Plan; and, Boyd Marley, State Representative, to participate in the discussions.

The next meeting will focus on traffic movement permits. The Policy Committee will be updated on the Planning Committee's progress on this issue. John will write a description of how the Planning Committee's work on this subject will get transmitted to the Policy Committee.

4. The Planning Committee's year Ahead

It was decided to focus on funding for transportation improvements.

5. Status Reports

The status reports were accepted as described in the meeting packet.

Registration is now taking place for the NNECAPA 12th National Conference on Planning History scheduled to take place October 25 – 28, 2007 at the Eastland Park Hotel. Both historians and planners will be presenting. More information is available at www.dcp.ufl.edu/sacrph/conference/conference.html.

John directed the group to the handout developed by the High Priority Projects Committee (HPPC). The group has been working with representatives from the Congressional Delegation. Projects chosen must demonstrate broad public support as well as need. The PACTS Planning Committee is being asked to review the list and provide some feedback.

6. Adjourn

Meeting adjourned at 10:20 a.m.

Agenda Item 3 – New Funding for Transportation Improvements

The September 6th meeting packet included a summary of the survey of members regarding their experience with impact fees. Here is a summary of the discussion that day:

1. Tom Reinauer described his current work developing impact fees in several towns in York County. (He recently hosted a transportation impact fee workshop.)
2. Peter Morelli described Saco's successful mitigation fee ordinance (see below).
3. Alex Jaegerman described Portland experiences with impact fees. The members asked that Tom Errico come to the next meeting to describe Portland's work in more depth.
4. Greg Tansley said that Biddeford would like a regional fee system.
5. Several people spoke of the pros and cons of regional approaches.
6. The members asked that MaineDOT's Steve Landry meet with us – based on the premise that we might want to build upon MaineDOT's successes.

Staff Research

Staff spoke recently with staff at BACTS (Bangor area) and ATRC (Lewiston/Auburn area) on this subject. These MPO's are not working on this subject.

Julia also just read a report prepared for MaineDOT in 2006 by the Margaret Chase Smith Public Policy Center regarding innovations in funding for transportation. The report is organized around five themes: taxation, road pricing, tolls, fees and public/private financing.

Potential Next Steps For Us

1. Build upon experience and/or advice today from Steve Landry and Tom Errico.
2. Create a bonus in our scoring process that rewards TIP proposals for which municipalities can show they have secured developer money to help finance the proposed project.
3. Build upon Saco's experience with its mitigation ordinance.
4. Build upon SMRPC's experiences.
5. Pursue a regional assessment process whose proceeds would be used to finance stormwater-related improvements, or transit purchases or operations, or road improvements.

Connecting with the Policy Committee

It is important that the Policy Committee be comfortable that the Planning Committee is working on this subject. Staff will give the Policy Committee an update on this work at every monthly meeting, and also advise the Chair and Vice Chair of the Policy Committee at monthly meetings with them. The September Policy Committee meeting packet included the following paragraph in the Consent Agenda.

The Planning Committee and staff are looking into the potential for increased use of impact fees in the region. Staff will brief the Policy Committee regularly on this effort.

The Planning Committee will meet with MaineDOT's Steve Landry and the traffic engineer, Tom Errico, on this in October. The investigation into impact fees is one component of the broader find-more-money priority of the Policy Committee. Staff will brief the Planning Committee on the broader funding issues and work-in-progress by the Legislature, MaineDOT and the Maine Better Transportation Association among others, but staff will continue to work primarily with Policy Committee leadership on the broader funding topics.

Saco Ordinance

709-6 IMPLEMENTATION OF OFF-SITE TRAFFIC IMPROVEMENTS.

When improvements to roads or intersections within the study area are required as part of a condition of approval of a site plan, conditional use, or other permit, these improvements must be implemented prior to occupancy of the development except where the following occurs:

1) Maine Department of Transportation Impact Fee is applied.

a. Impact fee payment. The applicant has paid or will pay an impact fee to MaineDOT for future improvements; and

b. Impact Fee Use. The impact fee will be used to make the required improvements by MaineDOT; and

c. Improvement Plan Approval. The improvement plan has been reviewed and approved for implementation by the City and MaineDOT; and

d. Schedule. The improvements are scheduled for implementation within three years of the initial occupancy of the development; OR

2) City of Saco Traffic Mitigation Fee is applied.

The City may impose traffic mitigation fees on projects in addition to and/or in lieu of actual improvements;

The City may impose traffic mitigation fees on the project for their impact on substandard intersections or roadways; OR

3) Where Improvements are to be implemented by MaineDOT or the City of Saco.

The applicant demonstrates that the necessary traffic improvements have been identified by the MaineDOT or the City of Saco as improvements which will be implemented; OR

4. Where Monitoring will be performed by the applicant. The applicant will be responsible for monitoring safety and/or traffic conditions. The approval conditions may also make the applicant responsible for implementation of improvements if the specified monitoring conditions are met.

Agenda Item 4 – PACTS 2009 High Priority Projects Candidates List

On September 5th the High Priority Projects Committee endorsed a *preliminary draft* list of candidate projects from which the Policy Committee will adopt a short list of two or three projects. Our goal is to submit the list of two or three projects to our Congressional Delegation for consideration for “High Priority” funding in the 2009 reauthorization of federal transportation funding for the next several years. MaineDOT is actively involved with staff and the HPP Committee on this.

The HPP Committee has asked staff to share the *preliminary draft* list with the Transit, Planning and Technical Committees during October. The HPP Committee will review comments received, and prepare a short list for consideration by the Policy Committee on November 15th. We will seek public and municipal support for the short list during 2008.

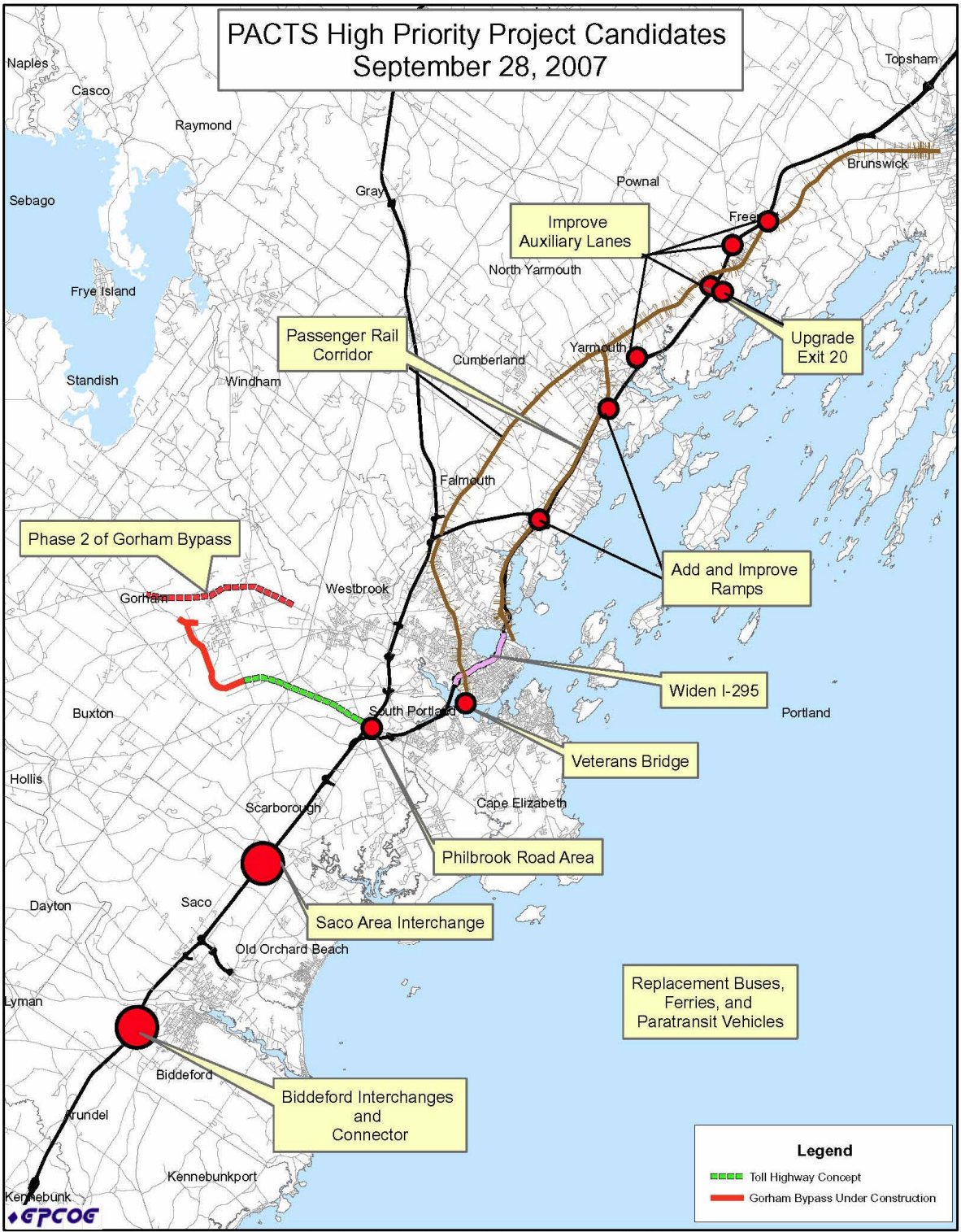
On September 6th we handed out a map and description of the candidates. Here they are again on the next two pages.

We will describe more about the list and the decision making process at your meeting. Feel free to contact Julia Dawson or John Duncan before the meeting.

Members of the Committee are:

- Rick Michaud, Saco (Chair)
- John Bubier, Biddeford
- Donna Larson, Freeport (Planning Committee)
- Gary Williams, MaineDOT
- Dale Doughty, MaineDOT
- Dan Jellis, Yarmouth (Technical Committee)
- Mike McGovern, Cape Elizabeth
- Dave Cole, Gorham
- Tom Meyers, South Portland (Transit Committee)

PACTS High Priority Project Candidates September 28, 2007



Produced by: The Greater Portland Council of Governments - 2007

September 28th Preliminary Draft List of 2009 High Priority Project Candidates

For review by the PACTS Planning, Transit and Technical Committees

Listed in order of suggested priority

<u>Project</u>	<u>Cost Estimate</u>	<u>Studied Enough</u>	<u>Enough Public Support</u>	<u>Issues/Questions</u>
Rebuild Veterans Bridge	\$30,000,000	Yes	Yes	Need clarification on scope and bridge funding options from MaineDOT.
Buses, ferries and paratransit vehicles	\$15,000,000	Yes	Yes	MaineDOT will continue annually to pursue FTA earmark for \$5,000,000 of this.
Phase II of the Gorham Bypass	\$35,000,000	Yes	Yes	Does the upcoming study of potential spur from Turnpike (and possibility of Turnpike financing) undermine the momentum for this bypass?
Widen I-295 in Portland	\$30,000,000	Yes	No	Is there enough public support to satisfy Congressional Delegation?
I-295 in Falmouth, Yarmouth and Freeport	\$50,000,000	?	Yes	Need to do an Envir. Assessment on the three new ramps at Falmouth Spur? Predetermines perception of support for Tpk widening in Portland area?
Upgrade Exit 20 in Freeport	\$11,000,000	?	Yes	MaineDOT's priority is for bridges that are structurally deficient rather than functionally obsolete.
Philbrook Road area	\$10,000,000	?	Yes	Wait to see impact of widened Payne Rd bridge. MaineDOT completed Prelim Design Report in 200x.
Passenger rail to Brunswick	\$100,000,000	No	Yes	Need operating subsidy source, and MaineDOT has just begun 2-year study.
Saco area Interchange etc	\$20,000,000	No	No	Build mostly with Turnpike funds. Needs Tpk study.
Biddeford interchanges and connector	\$30,000,000	No	No	Build mostly with Turnpike funds. Needs Tpk study.

Agenda Item 5: Status Reports

In September, the Policy Committee made a variety of funding decisions, heard several reports, and prepared for a PACTS Process Retreat later this month.

The Transit Committee had a lengthy discussion of a report from a subcommittee developing a new formula for allocating the annual \$2,500,000 in FTA 5307 funds. The Transit Committee will recommend adoption of a formula by the Policy Committee later this fall. The formula will be used first for suballocating the FY 2008 FTA 5307 funds.

The Technical Committee had an excellent discussion with MaineDOT's Steve Harris regarding proposals to improve MaineDOT's local project administration process. MaineDOT is reviewing a set of proposals recently submitted by a subcommittee of the Technical Committee.

Our new TIP Process Committee held their first meeting in September. Donna Larson represents the Planning Committee on it. We will brief you on this work at your next meeting.

David Willauer will brief the Falmouth Council (and Cumberland's?) later this month regarding the MaineDOT's I-295 Corridor Study and the 2006 memorandum of understanding regarding the coordination of land use and transportation investments in that part of Falmouth.

PACTS staff is participating in the Turnpike's toll rate equity study process.

MaineDOT will advise PACTS staff in October on their first quarterly look for obligation authority to finance the local studies per our August 16th proposal.

Jennifer Paul is the new Region One Traffic Engineer for MaineDOT.

John Balicki is the new President of the Bicycle Coalition of Maine.

GPCOG recently completed the USM Bus Study.