

9.0 STUDY RECOMMENDATIONS

This Chapter presents the coordinated land use, transit and roadway improvement strategies recommended for creating a regional approach to preserving the current transportation investment by minimizing the future need of adding highway capacity. Implementation of the recommendations will provide more efficient land use choices, expanded public transit services and maximize the efficiency of and improve the safety of the existing roadway transportation system. It is important to note that all three categories of strategies – land use, transit and roadway improvement – work together to provide the desired results. Coordinated implementation of all three strategies is integral to the Study recommendations.

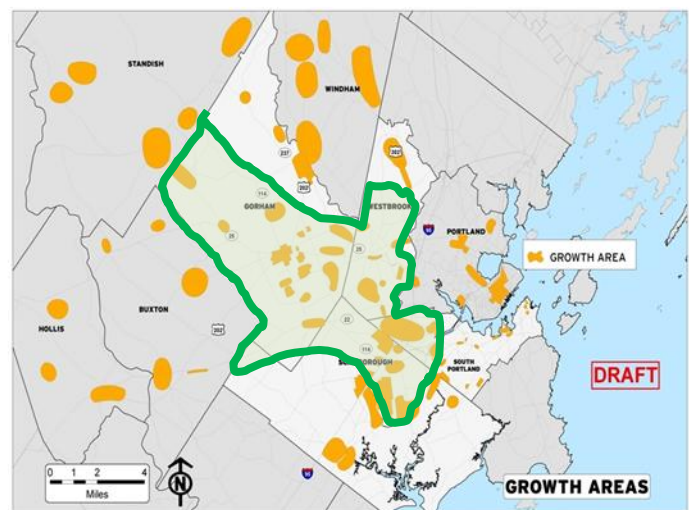
9.1 Land Use Recommendations

This Study recommends that communities begin to take specific actions towards achieving the Urban and Rural Form land use pattern. A key outcome of the Study’s land use recommendations is to relieve growing roadway demand over the next 25 years on major east-west commuting routes that serve the area west of Portland caused by current municipal development trends. The land use recommendations are an integral part of implementing companion study recommendations for transportation improvements. By this we mean that transportation (both road and transit) solutions alone would not be sufficient to manage the traffic congestion that would occur in this region. Roadway solutions alone would probably address short term Study Area traffic congestion problems but would require land use reforms for addressing long term east-west traffic congestion issues. In order to support future growth and economic viability, municipalities must adapt land use development to a pattern that offers a larger number of affordable choices and ultimately a more efficient combination of ways for residents to travel to jobs and services. Only in this way can the public investment in new transportation infrastructure be protected. The proposed actions would build on land use measures already evolving in Gorham, Scarborough, South Portland, Westbrook, and other communities such as Standish and Portland.

The recommendations are divided into two parts.

Part 1 concerns a proposed Land Use Focal Area centered on the four core municipalities that have hosted the Study: Gorham, Scarborough, South Portland, and Westbrook. The Land Use Focal Area

Figure 9-1 - Land Use Focal Area



(Figure 9-1) encompasses the east-west Routes of 22, 25, and 114, and the intersecting north-south Routes of 1 and 202.

Part 2 of the recommendations recognize that land use decisions outside of the Land Use Focal Area would have far-reaching effects on east-west mobility. The Part 2 recommendations ask GPCOG [in cooperation with Southern Maine Regional Planning Commission (SMRPC)] to facilitate a coordinated level of regional land use planning and implementation.

The **Part 1 A** recommendations for the four core communities fall into two categories:

1. Designate future growth areas where the majority of future residential and commercial growth can be directed. With streamlined permitting and necessary improvements, these areas would be highly attractive to developers and give each municipality a competitive edge. Increasing density in these areas would also make these areas affordable and attractive to new residents, and from a transportation perspective, placing jobs and housing in closer proximity would reduce travel distance. This action would conversely deflect growth from other, more rural areas, and maintain communities' rural character into the future.
2. Zone and design these growth areas to include transportation choice by including a denser combination of cohesive residential and commercial development. Design means determination of uses and densities within growth areas. The higher density would increase opportunities for transit service between major growth areas. It would also remove some level of vehicles from existing commuter arterials and town connector roads, as residents avail themselves of jobs and services closer to home.

The **Part 1 B** recommendations for the four core communities fall into three categories:

1. Manage access between the major commuting arterials and the adjacent properties to reduce the number of vehicles entering and exiting, which presently cause congestion and safety problems. Continuation of unlimited vehicle access compromises the arterials' long-term mobility by allowing increasing numbers of vehicles to have access to already busy routes.
2. Consider using fiscal tools, such as Transit-Oriented Development TIFs, to generate municipal revenue that would help pay for transit, including operating expenses and make development in the growth areas more.
3. PACTS should reaffirm its Transportation Project Land Use Policy. The policy says that any project that creates significant new transportation capacity within a corridor must be accompanied by an integrated transportation and land use plan that protects the public transportation investment by preserving corridor capacity and mobility and combating sprawl. This is supported by STPA, which provides major new transportation infrastructure and cost incentives to communities that bring their land use policies and regulations into alignment with the goals of the STPA. The recommendation is for PACTS to affirm their land use policy on other regional studies.

Summary - Recommendation Part 1A above must be implemented in four core communities prior to construction of any new infrastructure; Recommendation 1B above must be implemented prior to completion of such new infrastructure.

Part 2 of the Land Use recommendations recognizes that land use decisions outside of the Land Use Focal Area, including in the remainder of the host municipalities, Portland, and the outer suburbs of Standish, Buxton, and Hollis, would have far-reaching effects on east-west mobility – and on whether the “Urban and Rural Form” regional land use pattern that serves as a reference point for this Study can be realized over the next 25 years. These recommendations ask GPCOG (in cooperation with SMRPC with respect to bordering York County towns) to facilitate a new level of regional land use planning and implementation.

The land use recommendations were determined based upon input from Study Area community planners during the land use workshops conducted as part of the Study. Part 2 recommendations were identified as necessary elements in order to assist with the current challenge of shifting development to growth areas while still allowing all landowners the opportunity to sell their land for development. Both the TOD rights program and model ordinance provisions are key to achieving the Urban and Rural Form land use pattern.

Part 2 Recommendations include:

1. A two-phase residential Transfer of Development Rights program would be developed in conjunction with the communities. The program allows landowners in areas with lower-density zoning to sell a portion or all of their land’s development rights to developers who are building projects in high-density growth areas. Phase 1 is patterned on existing programs (2010) in Gorham and Scarborough; Phase 2 would be regional and allow landowners more latitude by providing a broader opportunity to transfer rights.
2. GPCOG would create model ordinance provisions to aid communities in leveling the development playing field. This means that no municipality can provide community-specific incentives to attract development that are destructive to the goals of the regional transportation system and subsequently put neighboring communities at a disadvantage.

Section 9.5, *Next Steps* identifies the tasks that would guide communities towards implementation of the Land Use recommendations.

9.2 Transit Recommendations

Opportunities

This Study recommends that the most promising transit elements from the Full Transit Scenario should be evaluated in greater detail to determine viability, priority, and funding opportunity. The opportunities to expand and increase public transit service in the Study Area, based on the above assumptions, are significant. The recommendations for expansion and improvements fall into two distinct categories: 1st and 2nd tiers. The intent of the 1st tier recommendations is to identify specific routes, corridors and services that should be advanced for a more detailed

analysis in Phase II of the Gorham East-West Corridor Feasibility Study. Whereas, the 2nd tier recommendations would identify not only routes, corridors, and services, but also changes in public policy, funding and operations that would take more time to evolve.

The Full Transit Scenario identified expansions to existing service as well as proposed new service and modal connection opportunities. All new service opportunities are predicated on previously identified increases in employment and population densities at each end of the proposed transit routes and around intermediate stops along the proposed transit routes. In addition, there are a number of policy, infrastructure and service improvements that can be implemented to facilitate the growth in transit ridership.

Prioritization Criteria

The recommendations identify specific actions and Study directions for the next phases of work as well as specific areas for land use and roadway improvements. The criteria for selecting 1st tier priority transit corridors and services were developed based on an assessment of the most viable corridors and services.

Specifically, the criteria for selecting transit routes and services for Phase II analysis were:

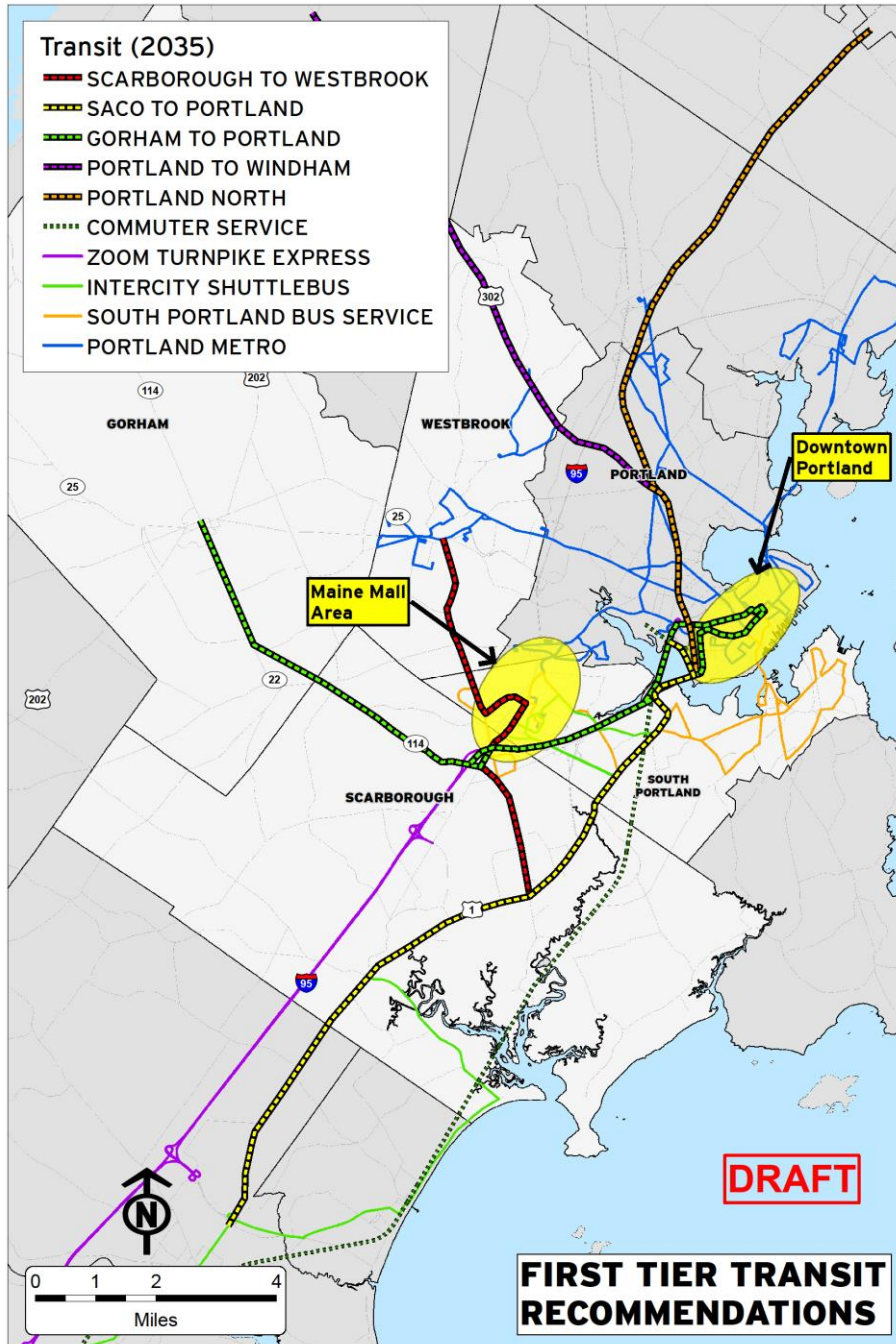
1. Those routes or enhancements that would address growing demand and increase ridership, such as expansion on existing routes and transit circulators needed in the region's principal activity centers in order to gather and disperse transit patrons.
2. Those corridors where congestion is already high (levels of service at E or F) and are projected to continue to degrade over the next few years and where expansion of service or decrease in headways would increase ridership and decrease congestion.
3. The routes would be representative by geography (servicing each of the Study Area communities) and mode (priority bus, express bus and commuter/light rail option).

The 2nd tier priority was given to those routes and enhancements important to expanding the network, addressing ridership needs now or later, and managing congestion for the proposed growth by 2035 that can be evaluated over time, by the state, municipalities and improved regional transit service planning.

The key corridors of concern were identified throughout the Study Area based on current travel patterns and demand/employment centers such as the City Portland, the Maine Mall, the University of Southern Maine, Medical areas as well as potential future employment/growth centers identified by the local and regional planners in each of the four core communities, such as downtown Gorham, downtown Westbrook, Stroudwater Place, etc.

Within the Study Area, public transit routes would also be extended along the four major highway corridors, U.S. Route 1, U.S. Route 302 and State Routes 22 and 25.

Figure 9-2
Full Transit Scenario 1st Tier Recommendations



1st Tier Priority Recommendations

There are three categories of recommendations selected as 1st tier priority based on their potential to reduce traffic congestion and increase public transit ridership:

- Decreasing headways on existing fixed-route and express bus services;
- Providing traffic circulators in two key activity centers; and

- Adding new bus service and connections to ease congestion along the four major highway corridors identified above.

In addition, the Phase II study would need to closely examine the following:

- Specific routing and scheduling parameters;
- Locations of public transit stops;
- Locations of parking facilities and public transit shelters;
- Roadway and intersections improvements required to support transit service assumptions; and
- The need for additional roadway widening for dedicated public transit lanes.

Finally, these corridors need to be examined carefully at the municipal level as priority locations for policy and land use changes necessary to support public transit.

Figure 9-2 illustrates the 1st tier recommendations described in detail in Table 9-1. The areas in yellow indicate routes for which the proposed alignment has not yet been determined and would need to be fully explored in Phase II.

Table 9-1
1st Tier Public Transit Recommendations

New Bus Transit Service				
Transit Route #	Connection	Mode	Route	Headway
1	Downtown Portland Circulator	Local Bus	Connecting the Portland Transportation Center, Bayside, Pulse, Old Port, and Commercial Street, making use of the abandoned rail rights-of-way as well as public streets. Would enhance coverage offered by existing and future radial bus and rail transit service to Downtown Portland.	10 minutes
2	Maine Mall Area Circulator	Local Bus	Connecting the Maine Mall, UNUM, Portland Jetport, Fairchild (Western Ave corridor), Brick Hill, Clarks Pond, Scarborough Gallery, and Target. Would significantly expand the coverage offered by existing and future transit services in this part of the region.	10 minutes
3	Scarborough to Maine Mall to Westbrook	Local Bus	Connecting the Oak Hill intersection, the Maine Mall Circulator, Gannett Drive, Five Star Industrial Park, and downtown Westbrook. This service could transport on the order of 50 passengers in each bus during the peak hour.	10 minutes

4	Saco to Scarborough to Portland	Local Bus	Connecting Saco, Dunstan Corner, Oak Hill, Maine Medical Center (Scarborough), intersection Maine Turnpike Authority (MTA) Exit 45 Turnpike Spur and U.S. Route 1, Cash Corner, and the Portland Transportation Center.	20 minutes
5	Saco to Scarborough to Portland – ZOOM	Express Bus	Add a ZOOM stop at the MTA Exit 42 park and ride lot.	20 minutes
8	Gorham to Maine Mall to Portland	Express Bus	Connecting downtown Gorham, the Maine Mall area (at a circulator stop), and the Portland Transportation Center. This service would transport on the order of 90 passengers in the peak hour. This service includes a bus-only bypass of the Route 22/114 Overlap where it is expected to become increasingly congested in the future and the addition of a bus-only lane on I-295 between Exits 1 and 5.	20 minutes

New Commuter Rail, Light Rail or Express Bus¹				
Transit Route #	Connection	Mode	Route	Headway
15	Saco to Portland along the Amtrak Corridor	Commuter Rail or Express Bus	Connecting Saco and the Portland Transportation Center with stops in Old Orchard Beach, Scarborough, and South Portland.	30 minutes
16	Portland to Westbrook to North Windham	Commuter Rail or Express Bus	Between the Portland Transportation Center and Morrills Corner (with a stop at Woodfords Corner) and continue as express bus service along Route 302 with stops at the Riverside Street growth center, Prides Corner, and North Windham. This service would transport on the order of 80 passengers in the peak hour.	20 minutes
20	Portland North	Express Bus or Commuter / Passenger Rail Service	Connecting the Portland Transportation Center and Brunswick with stops in Yarmouth, and Freeport. This service would transport on the order of 100 passengers in the peak hour ² .	Less than once per hour.

1 – The Express Bus would be the more logical early transit mode option along these three proposed transit routes.

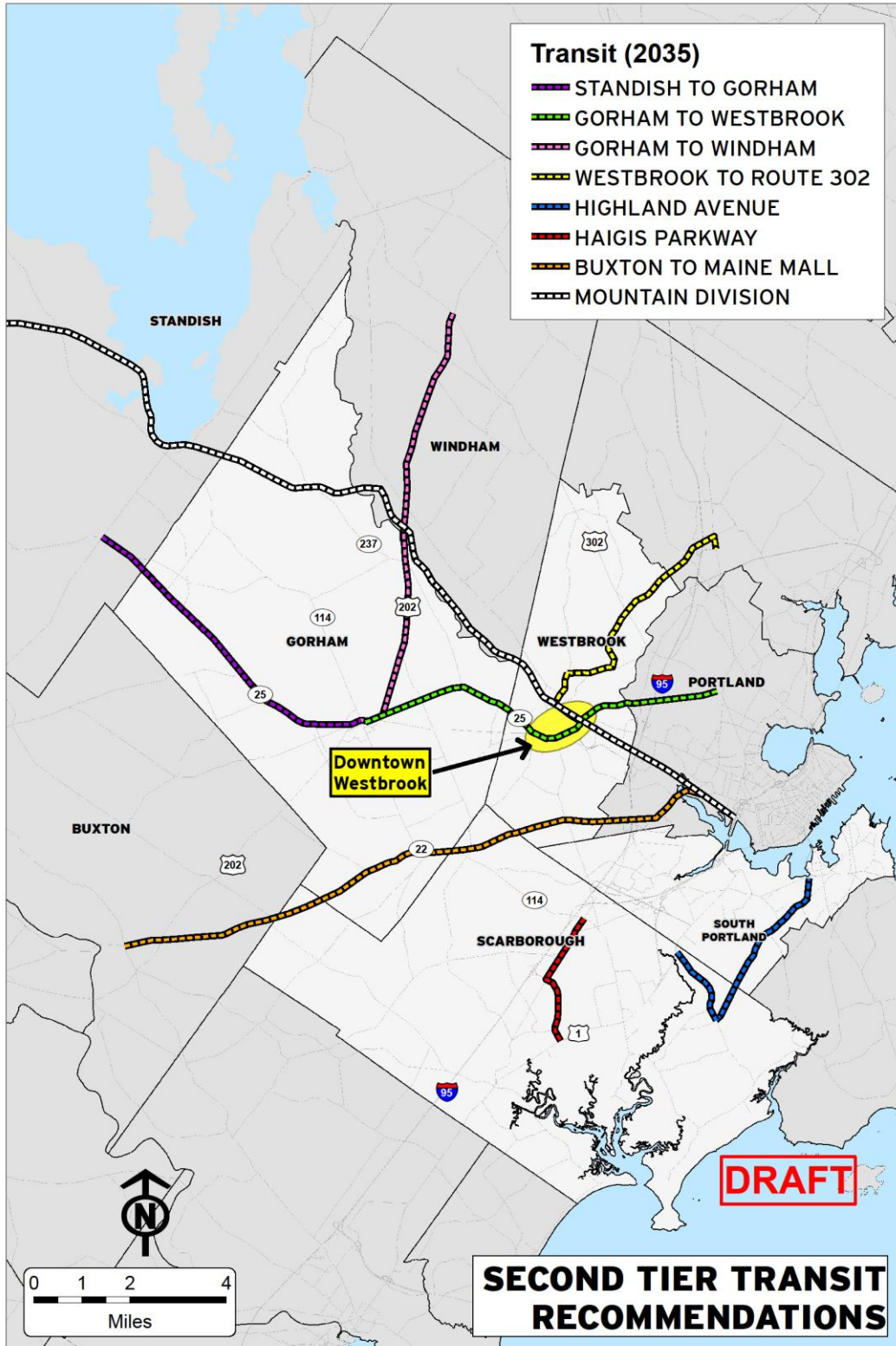
2 – The 100 passengers in the peak hour was used in the development of the transit model and may not necessarily agree with the ridership numbers from the recent MaineDOT “Portland North Alternatives Modes Transportation Study”.

1st Tier Recommendation: Existing Fixed-Route and Express Bus Transit Service

For existing bus transit services in the region, significant reductions in headways during peak hours were found to improve ridership. For this Study, the following headways were tested:

- METRO – 10 minute headways on arterial streets and major collectors;

Figure 9-3
 Full Transit Scenario 2nd Tier Recommendations



- South Portland Bus Service – 10 minute headways on arterial streets and major collectors;
- ShuttleBus (Tri-Town and InterCity) – 20 minute headways; and
- ZOOM – 20 minute headways.

The 1st Tier Public Transit Recommendations are forecasted to carry 1,200 peak hour passengers and provide benefits to roadway segments and intersections along the four major highway corridors that are or would experience LOS E and F.

2nd Tier Priority Recommendations

The following transit routes and corridors provide connections between new and existing transit routes as well as alternative transit options such as commuter rail or light rail. The corridors hold good potential for increasing ridership and connecting key activity centers in the four core communities. The transit routes identified in Table 9-2 would also require an analysis of stops, parking facilities and other amenities to realize their full potential for transit ridership. Figure 9-3 illustrates the 2nd tier recommendations described in Table 9-2.

Table 9-2
2nd Tier Public Transit Recommendations

New Bus Transit Service				
Transit Route #	Connection	Mode	Route	Headway
6	Standish to Gorham	Local Bus	Between Standish (intersection of Routes 25 and 35) and Gorham Village. This service would transport on the order of 10 passengers in the peak hour along a corridor that does not have projected LOS E or F.	20 minutes
7	Gorham to Westbrook to Morrills Corner	Local Bus	Between Gorham Village (center of downtown) and downtown Westbrook along Route 25, and between downtown Westbrook and Morrills Corner in Portland along Warren Avenue. This service would transport on the order of 20-30 passengers in the peak hour. This corridor connects activity centers and has intersection and roadway segments at LOS E and F.	10 minutes
9	Gorham to North Windham	Local Bus	Connecting Gorham Village, Little Falls, the Route 202/302 rotary, and the North Windham commercial district. This service would transport on the order of 10 passengers in the peak hour. The Route 202 corridor connects activity centers and has intersection and roadway segments projected at LOS E and F.	20 minutes

10	Westbrook Downtown to Route 302	Local Bus	Between downtown Westbrook and the Duck Pond area and between downtown Westbrook and the Prides Corner growth center. This service would transport on the order of 20-30 passengers in the peak hour. This corridor connects activity centers and has intersection and roadway segments at LOS E and F.	20 minutes
11	Raymond to Windham	Local Bus	Between Raymond and North Windham. (This Transit Route would connect at the end point of Transit Route 16 in Table 9-1.)	20 minutes
12	Scarborough to South Portland	Local Bus	Between East Scarborough and South Portland along Highland Avenue and between East Scarborough and the U.S. Route 1/Pleasant Hill Road intersection. This service would transport on the order of 20 passengers in the peak hour. This corridor connects activity centers and has intersection and roadway segments at LOS E and F.	20 minutes
13	Maine Mall to Haigis Parkway to Dunstan Corner	Local Bus	Between the Maine Mall Circulator, the MTA Exit 42 area, Haigis Parkway, and Dunstan Corner. This service would transport on the order of 30 passengers in the peak hour. This corridor connects activity centers and may have intersection and roadway segments at LOS E and F.	20 minutes
18	Downtown Westbrook Circulator	Local Bus	Connecting the key destinations in downtown Westbrook, including a potential transit service hub and a transit station at the Mountain Division Rail Line.	10 minutes
19	Buxton to Maine Mall Area Circulator via Route 22	Local Bus	Along the Route 22 corridor connecting the Buxton Municipal Center with South Gorham, UNUM, and the Maine Mall Area Circulator. This service would transport on the order of 35 passengers in the peak hour. This corridor connects activity centers and has intersection and roadway segments at LOS E and F.	10 minutes

New Commuter Rail, Light Rail or Express Bus				
Transit Route #	Connection	Mode	Route	Headway
14	Mountain Division rail line along the existing rail line right-of-way.	Express Bus or Commuter Rail or Light Rail	Connecting the Portland Transportation Center and South Windham/Little Falls with intermediate stops at Rand Road and downtown Westbrook. Continue the rail service to Fryeburg with stops in Sebago Lake Village and Steep Falls. This service would transport on the order of 40 passengers in the peak hour.	20 minutes 40 minutes

17	Westbrook to Gorham	Express Bus or Commuter Rail	Between downtown Westbrook (at the Mountain Division rail line hub) and Gorham Village via an exclusive right-of-way. This service would transport on the order of 40 passengers in the peak hour. This corridor connects activity centers and may have intersection and roadway segments at LOS E and F.	20 minutes
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The 2nd Tier Public Transit Recommendations are forecast to carry 1,300 peak hour passengers and would provide additional benefits to segments of the major transportation corridors in the Study Area that experience LOS E and F.

Full Transit Scenario: Service Enhancements

To realize the potential of the Full Transit Scenario’s expanded transit network in 2035 would require changes in the operations and services currently available and provided in the Study Area. Specifically, in the long-term, other considerations for service enhancements should be identified, evaluated and if feasible accommodated during the planning stage, not only for public transit but also for the benefit of roadways and local development projects in the target corridors including:

- Location of parking facilities to support commuter rail.
- Location of parking facilities to support park and ride for bus service.
- Roadway and intersection improvements to allow for 10 to 30 minute headways on critical corridors (including, but not limited to bus priority lanes and signalization, and dedicated lanes for buses).
- Provision of amenities to support transfers from express bus or light rail to bus service or vice versa.

Full Transit Scenario: Service Needs by Corridor

Institute operational service improvements necessary to expand public transit ridership and the transit network. There are a number of operational services that should be considered and in some instances implemented when feasible to attract and retain ridership. Phase II of the Gorham East-West Corridor Feasibility Study would need to carefully examine the following service needs prior to the selection of new or expanded transit routes for investment.

1. Prioritize those locations and transit routes for operational enhancements (amenities, etc) where ridership potential is the highest.
2. All locations selected must be closely coordinated with municipalities for local incentives for land use controls, parking facilities, transit stops, etc.
3. These locations should also be defined and coordinated with local and regional entities for prioritizing roadway and intersection improvements.
4. Carefully evaluate and locate transit stops to improve access and to decrease travel times. Work with local municipalities to coordinate planning and development review of projects along the corridors to identify strategic locations for public transit stops.

5. Identify and remediate any gaps in existing transit network coverage. Identify those expansion areas or new linkages that would address the gaps and increase ridership.
6. Adjust the schedules according to peak hour opportunities for high priority routes, and time the services based on demand. Publish schedules and allow for phone/web links to schedules, where possible.
7. Evaluate the investment required in roadway and intersection improvements to eliminate potential delays during peak hour travel times. Allow for dedicated roadway lane use during peak hours along high priority routes.
8. Along key corridors, identify locations for transfers and align service schedules for connecting modes to be reliable and reduce wait times. Provide free transfers, and provide adequate amenities at transfer locations (bus shelters, commercial services, etc) where possible.

Once a transit study advisory group has been established to review the findings of Phase II of the Gorham East-West Corridor Feasibility Study, a key action item would be to identify target populations and venues to promote ridership, specifically: students, seniors, the disabled, special events and sports venues as well as commuters. The action would be to identify the populations and develop a set of discounts and marketing strategies to encourage ridership.

Full Transit Scenario: Capital and Operations Cost

The planning level cost estimate in 2010 dollars to implement the Full Transit Scenario³⁰ is summarized below.

Total Capital Cost:	\$84,000,000
Tier 1:	\$61,000,000
Tier 2:	\$23,000,000
Total Annual Operations Cost:	\$41,000,000
Tier 1:	\$27,000,000
Tier 2:	\$14,000,000
Total Estimated System/Network-Wide Facility Cost:	\$28,500,000
Total Estimated Costs	\$153,500,000
Tier 1:	\$88,000,000
Tier 2:	\$37,000,000
Network:	\$28,500,000

³⁰ It is important to note that these estimates do not include costs for rail stations, modifications, etc and are focused only on a transit/bus network.

Summary

The Full Transit Scenario analysis identified a number of improvements to existing public transit routes and service as well as new service and connectors worthy of detailed examination in Phase II of the Gorham East-West Corridor Feasibility Study. It would be important to review these routes with more attention to location of stops, parking facilities and amenities. Obtaining the necessary headways of 10 to 30 minutes during peak hour may require dedicating lanes, widening roads and redesigning intersections for signal priority operations. Off the road stops and shelters and cut outs for stops should also be considered. Coordination with municipal planners will also be needed to identify locations and services necessary to support a transit-first corridor design.

To be effective, all transit improvement must be made in coordination with the Urban and Rural Form land use pattern and roadway improvements identified. They must occur in a coordinated and comprehensive manner.

TRANSIT POLICY OPPORTUNITIES

The 2035 potential PM peak hour public transit mode share of almost six percent represents a significant change in the current approach to designing, operating and managing an integrated transportation system than exists today. It would require a coordinated and integrated approach and the political will and commitment at all levels of government to work together to:

- Coordinate regional land use planning, zoning regulations and policy;
- Consider transit-first standards to roadway design, prioritizing transit modes and operations;
- Channel developments into high density areas with guidelines for transit oriented site design and standards for safe, convenient and comfortable public transit operations and service; and
- Coordinate land use and transportation public policies and funding mechanisms among the local, regional and state governments to create an intermodal regional network for mobility.

Policy Recommendations

To achieve a six to eight percent transit mode share, policy recommendations may include:

Locally

- Concentrated efforts to manage urban development and preserve the form and function of rural areas, with parking limits and restrictions in growth centers, strong transit-oriented urban design and land use zoning for transit priority (access, loading and operations) built into development review and negotiations.
- Condition the approval of new development based on transit access with transit stops on site as opposed to on the roadway corridor –where shelter and amenities are available. This would require new policies for zoning and land use ordinances requiring that site design include such accommodations.

- Channel new development into areas that are already well served by transit, and create new marketing and fare policies to continue to attract new riders.

Regionally/Locally

- Compatible urban land use policies through: regional coordination of land use and transportation planning.
- Dedication and commitment to ensuring that public transit is convenient, comfortable and reliable in a seamless and integrated manner across all jurisdictions.
- A transit-first approach to traffic management whereby public transit is given priority in streetscape designs, intersections, signalization, etc.
- Make public transit competitive with private automobiles by increasing the cost of parking, adding parking restrictions, and setting competitive transit fares (free shuttles and discounted rates for target groups and for special events).

State/Regional/Local

- Initiate public/private financial partnerships with developers to fund transit recommendations.
- Political and financial support for high quality public transit both in the provision of capital and operating assistance.
- Constant effort to improve marketing and outreach to new riders by developing better programs for coordinated travel and discounted fares.

State/Regional/Local Partnerships with Local/Regional Providers

- Reliability and frequency of public transit service: transit operation and quality of service enhancement, transit priority in traffic, transit oriented site design.
- Comfort, safety, and convenience of service: seamless transfers, extended hours of operation, amenities in service stations and stops.
- Invest in technology enhancements to improve communications to riders, facilitate transfers – smart buses (that provide real time information to riders), etc.

TRANSIT PARTNERSHIPS & FUNDING OPPORTUNITIES

As this region is projected to experience sizeable growth in population and employment over the next 25 years, it is critical that the region’s transportation system be in place to manage that growth safely and efficiently. As important to creating the system is engaging the right stakeholders with the same mission and expectations for developing, implementing and managing that network.

As support for transit increases, the opportunities for new and creative partnerships also emerge. The opportunity to engage the private sector formally in the process is critical for transit as it provides a cost effective mechanism for transporting employees. Today, many companies support transit either directly by providing company vans or by using Transportation Management Associations (such as *Go Maine*) to provide incentives for commuting. The private sector can be active participants in other ways, including as:

- An accessory to development (developer builds a commercial or mixed use building and provides space for transit station within or other amenities);
- A direct investment in transit facilities and equipment (vans, stations, etc);
- Financial support of operating costs with advertising (stations, buses, etc);
- A subsidy for employers (paying for the cost of transit or vanpools); and
- A “TIF” – tax increment financing is defined as taking the increased real estate value created by the new or improved transit service and stations, and setting aside the increase in local property taxes to support the transit system.

Phase II of the Gorham East-West Corridor Feasibility Study would present an opportunity to evaluate and establish a collaborative framework to further define the proposed transportation network. To date, this Study has included a broad group of stakeholders, participants and agencies. Going forward, this group would need to involve new stakeholders (such as employers, developers, medical facilities, colleges, industry and property owners) to work together in order to meet the transit, roadway and land use objectives.

As public transit plays a major part in managing future growth in the region, it would require new partnerships to be formed and new participants to be engaged in order to obtain the necessary funding, and develop an integrated regional service and operational network. Consideration should be given to improving regional transit planning coordination and to exploring a regional transit authority that would have the capacity and authority to work with the MaineDOT, the Federal Transit Administration (FTA) and other transit providers. It may be important to have one entity to receive funds and coordinate services. If consideration is given to creating a new type of authority, then it is highly recommended that the entity could be multi-modal and have operating agreements with both public and private operators, including the intercity bus and rail entities. When developing transit opportunities it should consider land use regulations that have a direct impact on density and planning, zoning and development policy as well as integrate pedestrian and bicycle mobility needs and opportunities.

Other partnerships need to stay engaged and can be included on a board or commission. On a broad level, the critical parties to be involved include the following and include potential roles and responsibilities:

- ***Municipalities*** – work in partnership to develop consistent and harmonious transit-first land use policies, ordinances and zoning to promote public transit; work with local developers to prioritize transit design and services into require mitigation and approvals; also implement local roadway, intersection and parking management guidance to support a regional public transit network.
- ***Regional Public/Private Partnerships*** – explore opportunities to improve regional public transit coordination between local transit providers and developers to assist in seeking private, state or federal funds and grants to support the system; establish a regional fare structure and automated collection system; improve coordination and integration between

various service providers; receive funds from a variety of sources; develop partnerships with local providers and federal/state/local agencies.

- **Regional Transportation** – engage the Metropolitan Planning Organization (MPO), and support their potential leadership in this effort, as they prepare their 20 year, long range transportation plan, the annual Unified Planning Work Program[UPWP], and the shorter term (four year) Transportation Improvement Program [TIP]. The MPO TIP is then rolled up into the State’s TIP.
- **State** – work with the local and regional groups to prioritize investments on state roadways and intersections; seek funding to incentivize the promotion of transit-first communities for investments; advocate to the U.S. Department of Transportation for additional resources to fund the planning, development and operation of an integrated public transit network, from technology and marketing to physical improvements.
- **Federal Transit** –engage the FTA early on in the process through alternative analyses studies and required NEPA reviews as it is critical to engage the FTA Region I staff.
- **Other Public Entities** – Engage the United States Environmental Protection Agency (USEPA) in efforts early given their focus and support to reduce fuel consumption, idling, etc. and utilize their grant programs to support planning and capital investments. The U.S. Housing and Urban Development (HUD) may also be a resource to support sustainable development such as land use and transportation initiatives that support new and expanded transit services and operations.

The tasks that would begin to move towards validation, prioritization and identification for funding of these transit recommendations is described in Section 9.5, Next Steps.

9.3 Roadway Improvement Recommendations

This Study recommends that the Roadway Improvement Scenarios identified be elevated to the next level of evaluation with the intent of identifying a preferred strategy. Two roadway improvement scenarios were developed for addressing the majority of the remaining roadway congestion and safety problems in coordination with the 2035 Urban and Rural Form Land Use Scenario with the 2035 Full Transit Scenario for improving east-west travel in the Study Area. One roadway improvement scenario focused on enhancements to the existing roadway system for increasing capacity, such as widening existing roadways that would be less damaging to the regions natural environment. The second roadway improvement scenario had a greater emphasis on adding east-west capacity via the construction of a new roadway on new location similar to the recently completed Gorham Bypass.

Based on the Phase I findings of the analysis and evaluation of the two Roadway Improvement Scenarios, the following conclusions were reached:

- Both Scenarios significantly address mobility and congestion issues that were documented under the 2035 Trends Scenario;
- VHT is sizably reduced when compared to the 2035 Trends Scenario for both the four core communities and full Study Area;
- VMT increases when compared to the 2035 Trends Scenario for Roadway Improvement Scenario 2, and is only slightly reduced for Roadway Improvement Scenario 1;
- Fuel consumption is sizably reduced for both Roadway Improvement Scenarios when compared to the 2035 Trends Scenario; and
- Preliminary resource and property constraint quantification determined there is a fairly equal distribution of constraints between the two Roadway Improvement Scenarios.

As a result of the Phase I analysis and evaluation of both Roadway Improvement Scenarios, it is recommended that both Scenarios be carried forward for further evaluation under Phase II for detailed evaluation under the NEPA process and the United States Army Corps of Engineers *New England Highway Methodology Process* for identifying a preferred roadway improvement scenario that incorporates the future land use and transit initiatives.

The Phase II tasks that would initiate identification of the preferred alternative and implementation of other identified roadway improvements are described in the following steps: (1) Finalization and approval this Report; (2) signing and implementing the Memorandum of Understanding in Section 9.4; and (3) undertaking the Phase II tasks in Section 9.5, Next Steps.

9.4 Draft Memorandum of Understanding

As part of this Study's recommendations, a draft Memorandum of Understanding (MOU) has been developed. This draft MOU would serve as the starting point for communities to work together with MaineDOT, MTA, PACTS and other regional stakeholders towards implementation of the Phase II Transportation and Land Use Action Plan as described below.

MEMORANDUM OF UNDERSTANDING

TO PREPARE A PHASE II TRANSPORTATION-AND-LAND USE ACTION PLAN FOR THE GORHAM EAST-WEST CORRIDOR

This agreement is entered into this _____ day of _____, 2011, by and between such of the Invited Parties listed in Article II as are signatory hereto (the "Participating Parties"), and it shall be or become effective as provided hereinafter in Article III (A).

Whereas the principal East-West routes between the urban core of the Greater Portland region and the western suburbs in the Gorham area, including Routes 22, 25, and 114, and the intersecting North-South Routes 1, 202, the Maine Turnpike (I-95) and I-295, are vital to the economy of the region; and

Whereas at the request of the Towns of Gorham and Scarborough and the Cities of South Portland and Westbrook, the 123rd Maine State Legislature adopted a resolution that directed the Maine Turnpike Authority (MTA) and the Maine Department of Transportation (MaineDOT) to fund a Study, the purpose of which was to develop a series of recommendations to enhance, expand, and preserve highway connections between U.S. Route 1 and the Maine Turnpike with the communities in western Cumberland County; and

Whereas the Gorham East-West Corridor Feasibility Study (Phase I Feasibility Study), led by a Steering Committee consisting of officials from participating municipalities of Gorham, Westbrook, South Portland, and Scarborough, MTA, MaineDOT, and Portland Area Comprehensive Transportation System (PACTS), has been completed as directed by the Legislature; and

Whereas the Phase I Feasibility Study documented existing congestion and safety problems along the main East-West routes and, further, projected that over the next 25 years this area of Maine would receive a significant share of statewide growth, leading to steadily worsening traffic conditions, including a tripling of congested intersections, a shift of traffic to residential roads, and an increase in safety "hotspots"; and

Whereas, current projections indicate that population growth if left unchecked will occur in rural areas rather than existing suburban and urban centers, which will place increased demands on the existing transportation system; and

Whereas the Sensible Transportation Policy Act (STPA) requires coordination between transportation and land use planning in order to enhance economic growth, increase the return from transportation investments, reduce the cost of infrastructure, increase choice in transportation, and reduce environmental impacts; and

Whereas the Phase I Feasibility Study identified a combination of strategies, including channeling population growth into urban and suburban areas in an “Urban and Rural” land use pattern, enhanced transit services and roadway improvements that, if implemented together, would significantly improve mobility and safety in the corridor while supporting economic opportunity, accommodating job and population growth, enhancing quality of life for area residents; and

Whereas the municipalities and agencies that participated in the Phase I Feasibility Study wish to advance the Phase I Feasibility Study to a Phase II action stage.

NOW, THEREFORE, the undersigned Municipalities and Regional, State, and Federal agencies do agree as follows:

I. Purposes

The purposes of this Memorandum of Understanding (MOU) are to (1) endorse, in principle, the findings and recommendations of the Phase I Feasibility Study by June 1, 2011; (2) participate in the refinement and preparation of detailed scopes of work for the recommended Phase II tasks by Fall 2011, and (3) implement the Phase II tasks including such legal agreements as may be necessary by Fall 2013 or a date that shall be amended by the Phase II Study Committee.

Anticipated outcomes of Phase II Tasks would include:

- Identification of growth areas (communities of opportunity) for future land use development by participating municipalities and development of a detailed action plan for designing these areas;
- Development of approaches, policies, and technical materials by the Greater Portland Council of Governments (GPCOG) with participating municipalities to assist the municipalities in implementing the Urban and Rural land use pattern;
- Creation of policy-related incentives to better coordinate transportation and land use decisions by MaineDOT, MTA, and PACTS;
- Continued implementation of PACTS land use policy;
- Identification and prioritization of a first tier of future transit improvements by regional and state agencies, including local municipal actions to support these transit improvements;
- Identification of a recommended and permissible roadway improvement alternative to address east-west mobility and safety including freight rail;

- Prioritization of identified intersection improvements;
- Identification of an alternative to address congestion issues in downtown Standish;
- Development of a schedule to determine the appropriate sequence of implementing land use, transit, and roadway recommendations; and
- Creation of implementation agreements to implement land use, transit and roadway recommendations.

II. Invited Parties

The Parties (the “Invited Parties”) invited to enter into this MOU are:

- A. The following municipalities in a study corridor defined by Routes 22, 25, 114, and 302, including the intersecting Routes 1, 202, the Maine Turnpike (I-95) and I-295: Buxton, Gorham, Hollis, Portland, Scarborough, South Portland, Standish, Westbrook, and Windham;
- B. The following regional organizations: GPCOG and PACTS; and
- C. The following State and Federal agencies: MaineDOT, MTA, the Federal Highway Administration (FHWA), and the Federal Transit Administration (FTA).

III. Effective Date, Timeframe, and Voluntary Nature of MOU

A. **Effective Date:** This MOU will be effective as soon as a sufficient number of municipalities and agencies sign the MOU to satisfy the MTA and MaineDOT of its effectiveness. This decision will be made in consultation with the Phase I Steering Committee.

The endorsement and MOU shall be authorized, respectively, by the municipal officers of the municipalities, the Commissioner of the MaineDOT, the Executive Director of the MTA, the Chair of the Executive Committee of GPCOG, and the Chair of the Policy Committee of PACTS.

If an appropriate number of municipalities and agencies have not signed this MOU by June 1, 2011 (as defined in Section III A above), the MOU shall be null and void, unless all signed municipalities and agencies through their authorized officials agree in writing to extend the deadline.

B. **Funding Contingency:** The effective date of this MOU is contingent on the availability of funds from the MTA and/or the MaineDOT as of that date.

C. **Timeframe:** The term of this MOU shall be until it has been superseded by a new agreement or agreements to implement the Phase II Recommendations or until it has been terminated as described in paragraph III D.

D. Voluntary Participation: Participation in the MOU is voluntary and municipalities can withdraw with 30 days notice in writing. The MOU would be terminated by the withdrawal of (a) such parties that, in the judgment of the State transportation agencies that are funding the preparation of the Phase II Action Plan, in consultation with the Phase II Study Committee (as defined in Section VI), will render this MOU ineffective, or (b) either the MaineDOT or the MTA, with 30 days written notice to the other parties.

IV. Endorsement of Phase I Feasibility Study

The Parties, by signing this MOU, endorse the findings and recommendations of the Phase I Feasibility Study in principle. By so doing, no Party commits itself to any legal obligation or any final course of action; but each Party agrees to work towards identification of Phase II recommendations based on the results of the Phase I Feasibility Study and, upon its completion, to formally consider its adoption and any related agreements.

V. Roles and Responsibilities

The following roles and responsibilities are hereby established under this MOU:

Maine Turnpike Authority:

- Participate in Phase II Study Committee (as defined in Section VI);
- Work with MaineDOT and PACTS to establish incentives and other policy-related initiatives to better coordinate land use and transportation as allowed by STPA;
- Work with GPCOG to evaluate progress on land use policies and actions with municipalities;
- Be lead funding agency for Phase II roadway study; and
- Participate in all other Phase II Tasks led by MaineDOT, PACTS, or GPCOG.

MaineDOT:

- Participate in Phase II Study Committee (as defined in Section VI);
- Work with MTA and PACTS to establish incentives and other policy-related initiatives to better coordinate land use and transportation as allowed by STPA;
- Provide technical assistance funding for Phase II land use tasks to GPCOG and municipalities;
- Work with GPCOG to evaluate progress on land use implementation with municipalities;
- Be lead funding agency for Phase II Transit study;

- Be lead funding agency for Phase I Standish Congestion study; and
- Participate in all other Phase II Tasks led by MTA, PACTS, or GPCOG.

PACTS:

- Participate in Phase II Study Committee (as defined in Section VI);
- Work with MTA and MaineDOT to establish incentives and other policy-related initiatives to better coordinate land use and transportation as allowed by STPA;
- Continue implementation of PACTS Land Use Policy;
- Implement identified intersection improvements within PACTS region; and
- Participate in all other Phase II Tasks led by MaineDOT, MTA, or GPCOG.

GPCOG:

- Participate in Phase II Study Committee (as defined in Section VI);
- Provide technical assistance to municipalities to assist with implementing the Urban and Rural land use pattern identified in the Phase I Feasibility Study;
- Develop and implement land use progress policies and actions reporting system with MaineDOT and MTA;
- Participate in all other Phase II Tasks led by MaineDOT, MTA, or PACTS; and
- Coordinate the GPCOG HUD Sustainability grant efforts with Phase II Study Committee.

FHWA and FTA:

- Participate in Phase II Study Committee (as defined in Section VI); and
- Provide federal insight on funding options and opportunities for Phase II land use, transit, and roadway recommendations.

Participating Municipalities:

- Participate in Phase II Study Committee (as defined in Section VI);
- Identify and recommend growth areas for future land use development within municipal boundaries through traditional comprehensive plan process, with assistance from GPCOG; and

- Create a detailed action plan for implementing growth areas that meets needs of municipality but is consistent regionally with the “Urban-and-Rural” land use development pattern, with assistance from GPCOG.

VI. Phase II Study Committee

The Parties agree to form a Phase II Study Committee (“Committee”), composed of a Committee member and an alternate appointed by and representing each Party. The Committee shall use a consensus-based process for providing guidance to the funding agencies.

VII. Charge to Phase II Study Committee

The Committee, in cooperation with consultants and agencies charged with preparing the technical studies and documents for its consideration and inclusion in the Phase II Action Plan, shall:

A. Establish a **public process to prepare the Phase II Action Plan** that would be carried out by the Parties. The Parties agree to obtain advice from their constituencies as to the actions that should be included in the Phase II Action Plan; and to review with their constituencies and obtain agreement in principle on the major actions to be included, as well as the timeframe and sequence in which the actions are to be implemented. Participating State and Federal agencies agree to communicate with their staffs and responsible divisions and, to the best of their abilities, achieve an understanding within and between the agencies as to the actions, timeframe, and sequence of actions to be included the Phase II Action Plan.

B. Detail and refine a **balanced set of land use, roadway, and transit implementation tasks** as recommended in the Phase I Feasibility Study, consistent with the Urban and Rural land use pattern of development that the Phase I Feasibility Study determined is most compatible with – and necessary to – a comprehensive transportation solution in the Study Area. Specifically, the Committee will:

1. Land Use

- Finalize the geographic definition of the corridor(s) encompassed by Routes 22, 25, and 114 and associated cross routes; and the geographic definition of a Land Use Focal Area that includes appropriate growth areas within each participating municipality, as guided by the participating municipalities in a manner consistent with the recommendations of the Phase I Feasibility Study, local comprehensive plans, and state law;
- Within the defined Land Use Focal Area, develop a detailed action plan for implementing land use actions, as recommended in the Phase I Feasibility Study, including how these actions should be customized to the character and needs of individual municipalities;

- Work with GPCOG to develop needed technical materials to assist with implementing the Urban and Rural land use pattern of development, including preparation of model ordinances and guidelines;
- Cooperate with PACTS in the ongoing implementation of its land use policy, and with MaineDOT and MTA in establishing incentives and other policy-related initiatives to coordinate land use and transportation decisions and in ongoing outreach and education; and
- Develop approaches to implement the Urban and Rural land use pattern of development regionally, as defined and recommended in the Phase I Feasibility Study. Among these approaches, include (a) ways in which communities can cooperate in identifying areas suitable for growth and for conserving rural districts; and (b) local and regional transfer of development rights programs or variations of such programs, which are intended to protect rural landowners' investments while providing incentives for development in defined growth areas (communities of opportunity). Include the types of standards, agreements, fiscal considerations, and actions that would be needed to put such an approach into place.

2. Transit

- Evaluate and refine a detailed plan of “first tier” recommendations for transit expansion, as presented in the Phase I Feasibility Study, in order to validate, prioritize, and schedule the implementation of these transit improvements;
- Identify areas within participating municipalities suitable for Transit-Oriented Development Tax Increment Finance Districts, as enabled by state law (30-A M.R.S. Ch. 206) and that, if established as TIF Districts, could support transit improvements and operations; and
- Research potential transit structures and funding opportunities to better coordinate services between transit providers and/or to secure needed funding for transit services.

3. Road

- Evaluate Roadway Scenario 1 and Roadway Scenario 2 or a combination of the two for roadway improvements, as presented in the Phase I Feasibility Study, to provide additional capacity between Maine Turnpike, I-295 and western communities in the vicinity of Routes 22, 25 and 114;
- Work with PACTS to implement identified intersection improvements on key east-west highway corridors, as identified in the Phase I Feasibility Study; and

- Conduct a Phase I study of alternatives to relieve congestion in Standish Village, including intersection and roadway improvements, other transportation modes, and localized and limited access roadway networks.

C. Identify the **sequence of land use, transit, and roadway improvement actions** to be taken by each Party before additional commitments by the respective Parties are made. The sequencing will consider at least the following categories of actions:

- Actions to be taken upon signing of an Implementation Agreement or Agreements that will come out of Phase II, as outlined below in paragraph D;
- Actions to be taken before (a) the MTA and/or MaineDOT proceed to funding the design phase for Scenario 1 or Scenario 2 roadway improvements and implementation of prioritized Tier 1 transit recommendations and (b) the relevant agencies further evaluate and design “second tier” transit recommendations, as identified in the Phase I Feasibility Study;
- Actions to be taken before “second tier” transit recommendations, as identified in the Phase I Feasibility Study, are implemented;
- Actions to be taken before specific roadway improvements proceed to construction; and
- Transportation investment incentives that may be available from PACTS, MaineDOT and/or the MTA to qualifying municipalities upon their implementation of land use policies and actions under statutory incentive programs such as Maine’s STPA (23 MRSA § 73), Rules adopted pursuant thereto (17-229 CMR Chapter 103), the Transportation Planning Incentive Funding Program (23 MRSA § 73-A), Rules adopted pursuant thereto (17-229 CMR Chapter 106, and other statutes and/or rules providing for such incentives.

This task will include identifying the means by which progress on actions by the Parties will be evaluated and identifying the entity or entities with responsibility for evaluating and reporting progress.

D. Prepare **Implementation Agreement(s)** between or among the parties, as appropriate, to implement the Phase II Recommendations, including a specified sequence of actions by the parties to the agreement(s), for consideration by the legislative body of each municipality and the governing body or authorized official of participating agencies.

VII. Additional provisions

The Parties hereto understand, agree and acknowledge that:

A. Anything herein to the contrary notwithstanding, the parties hereto understand and agree that nothing in this MOU shall obligate MaineDOT to obligate or transfer any funds, and that although the execution of this MOU by MaineDOT manifests its intent to honor its terms and to seek funding to fulfill any obligations arising hereunder, by law any such obligations are subject to available budgetary appropriations by the Maine Legislature and, therefore, this agreement does not create any obligation on behalf of MaineDOT in excess of such appropriations.

B. This MOU is not intended to, and does not, create any right, benefit, or trust responsibility, substantive or procedural, enforceable at law or equity, by a party against the State of Maine, its agencies, its officers, or any person.

C. The parties hereto understand and agree that nothing herein is intended, or shall be construed, to constitute a waiver of any defense, immunity or limitation of liability that may be available to MaineDOT, or any of its officers, agents or employees, pursuant to the Eleventh Amendment to the Constitution of the United States of America, the Maine Constitution, the Maine Tort Claims Act (14 MRSA Section 8101 *et seq.*), any State or Federal statute, the common law or any other privileges or immunities as may be provided by law.

Signed: _____

Title _____

For: _____

Date: _____

9.5 Next Steps

NEXT STEPS

Prior to initiating Phase II, more work must be done to further develop the partnership between all potential parties. It is important to recognize participation in Phase II and subsequent work would be entirely voluntary. Participating municipalities within the Study Area, MPO's, MTA, MaineDOT and others must all agree to take on certain policy and funding-related responsibilities. As such, the MOU must be developed with all parties at the table and agreeable to the final MOU. It is therefore recommended that an Interim Phase be initiated for the purposes of finalizing the MOU to outline the specific tasks to be undertaken, their timelines and the roles and responsibilities of each participant, as well as to refine the tasks to be undertaken in Phase II. This work is expected to be completed by October 2011.