



A Metropolitan Planning Organization (MPO)
Administered by Southern Maine Planning and Development Commission

KACTS
Members:

Berwick

Eliot

Kittery

South Berwick

York

Maine Turnpike
Authority

MaineDOT

Southern Maine
Planning and
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Policy Committee Meeting Minutes Wednesday, September 20, 2023, at 9:30 a.m.

Voting Members Present: James Bellissimo (Berwick), Jeff Brubaker (Eliot), David Rich (Kittery), Jason Garnham (Kittery), Denise Clavette (South Berwick), Dean Lessard (York), Dylan Smith (York – Chair), Tom Reinauer (YCCAC – Vice Chair), Steve Cole (MaineDOT), Stephanie Carver (SMPDC/KACTS)

Additional Attendees: Dale Doughty (MaineDOT), Paige Melius (FHWA), Marissa Fink (SMPDC/KACTS), Dean Williams (SMPDC/KACTS), Chris Osterrieder (Kennebunk), Laurie Smith (Kennebunkport), Carol Murray (Wells), Thomas Morely (Portsmouth Naval Shipyard)

1. Welcome and introduction

Dylan Smith, KACTS chairman, opened the meeting. Attendees introduced themselves.

2. Opportunity for Public Comment

There were no public comments.

3. Approval of Minutes from the August 17, 2023, KACTS Committee Meeting

Jeff Brubaker suggested a correction to the minutes. Under the KACTS Federal Urban Area Update item, Jeff suggested that the minutes be changed to clarify a comment received from Eliot which resulted in a *small portion* of Route 101 being classified as an urban collector.

Jeff Brubaker made a motion to approve the minutes as corrected, seconded by Stephanie Carver. Motion passed unanimously.

4. KACTS Federal Urban Area Update and MaineDOT MOU

Stephanie Carver reviewed that this topic was discussed at the previous KACTS policy committee meeting on August 17th, and that the vote to approve the new boundary was tabled until today's meeting. Since then, there was a meeting with the Town of York staff, and Paige Melius (FHWA), in which the town's concerns around the maintenance and responsibilities of Route 1 were discussed. There was also discussion at the last KACTS policy committee meeting about whether the KACTS committee's vote is required to move forward with approval of the new boundary. Stephanie clarified that it is not a federal requirement that the MPO vote in support of the boundary prior to DOT moving forward, but that voting has been the typical practice with other MPOs in the state.



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Stephanie emphasized that it is in the authority of FHWA and DOT to move the boundary forward as they see fit from a planning perspective, but that what we are hearing from FHWA and DOT is their preference to have the MPO's support. Dale clarified that the ultimate agreement on the boundary is between the MPO and the governor's office. Paige Melius added that the boundary is then approved by FHWA.

Chris Osterrieder raised the question of whether the Kennebunk select board should take any action to show support for the new boundary since Kennebunk will soon be joining the MPO. Dylan commented that he and Dean Lessard had discussed this question for the Town of York. Stephanie responded to Chris that there is nothing in the guidelines that indicate or require local action because the MPO boundary is not at the discretion of the local municipality to approve. Dean Williams added that all we are considering is the federal functional classification of roads, and almost all those roads that are changing to an urban function are state roads anyway, so not much is at stake from a local perspective which is why it's a federal decision with the state and MPO's input. Paige clarified that the MPO boundary is based on the census and that the goal is to ensure towns' access to the resources they need via the MPO. Stephanie added that the purpose of the smoothing process is to make sure the boundary makes sense from a planning perspective as well as for capital management.

Dean Lessard commented that he felt the meeting with York went well, adding that the town manager emailed yesterday that the board of selectman could support Route 1 being included in light of what had been discussed at the previous KACTS policy committee meeting regarding the DOT's new evolving policies for highway corridor priority 1 and 2 and their new program for capital improvement funding.

Dale Doughty (MaineDOT) shared the specifics of the new program. In the past, capital allocation has gone stale with the rate of inflation and has not been consistent with the philosophy of having the MPOs engaged in TIPs and how that interacts with the STIP. The new program aims to solve these issues and fund projects holistically while engaging MPOs in all activities. There are six strategies of the program, one of which is how to handle asset management on priorities 1 and 2. The strategies are laid out so that the MPO can utilize its subregional knowledge of what projects we should be investing in, and DOT fills the role of asset management. This new proposal will allow the MPO to have more influence regionally and subregionally, and to be able to bring in special funding for larger transformative projects. Ultimately there will be an MOU between DOT and MPOs.

Dean Williams suggested moving the MOU item up in the meeting agenda; Dylan and Stephanie expressed support for this change.



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MaineDOT MOU Updates (item moved up in the agenda)

Stephanie reviewed that MaineDOT and the MPOs met in person the previous week to continue discussion of developing an MOU between the MPOs and MaineDOT, and to discuss changes to capital programming and how improvements will be funded in the future. Dale Doughty (MaineDOT) outlined a new program in which the MPOs would no longer receive direct funding for capital projects. Instead, DOT would manage those funds with more significant involvement from the MPOs in selecting and prioritizing projects. Stephanie summarized that what we lose in directly receiving the funding, we hope to gain in having more input into the projects that go into our TIP and how they are funded, and more access to federal grant opportunities for larger projects.

Dale summarized the presentation that he delivered at the recent meeting of MaineDOT and the MPOs. The overall goal of the new program is for the MPOs to have more influence. Dale reviewed the program's six strategies:

1. Planning and scoping transformative projects
2. Development of corridor management plans – DOT would like to develop these throughout the state, and the MPOs are better positioned to develop these with their subregional knowledge.
3. Urban partnership initiative – An additional \$3M of funding, similar to the MPI program that will go specifically towards projects that are urban.
4. Paving highway corridor priority 3 and 4
5. Paving highway corridor priority 1 and 2
6. Cooperative MaineDOT work plan development

Stephanie added that KACTS has historically received very little annual capital funding – a little over \$600,000 in federal funding, plus state and local match, for a total of under \$800,000 – which is not enough to get projects done. The hope is that this new program will give KACTS more input, more prioritization, and more opportunity to get larger projects accomplished in our region.

Dean Lessard applauded FHWA and everyone involved in these changes, expressing his hope that the program allows municipalities to get projects done.

Stephanie made a motion to approve the new urban boundaries as proposed for the KACTS planning and capital areas. Tom Reinauer seconded the motion.

Dean Lessard and Dylan Smith added that the Town of York supports the MPO boundary changes based on the PowerPoint as presented today and the MPO capital funding



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policies as presented today, and the MOU letter that will come out later this fall that will formalize these new policies as presented today.

Steph made a motion to amend the motion as follows: "Motion to approve the new urban boundaries for KACTS planning and capital areas based on the implementation of the policies identified and discussed today in MaineDOT's presentation." Paige clarified that in the event that those policies are not implemented as discussed today, KACTS can revisit the boundary. Denise Clavette seconded the amendment. Motion passed unanimously.

Stephanie thanked Dale for presenting today and answering everyone's questions.

5. Project Candidate for KACTS Capital Funding for CY2026 Allocation

Proposed Action: Approve South Berwick's request for KACTS Capital Funds, in the amount of \$520,000, to complete PDR for two intersections on Route 236.

Stephanie reviewed that two meetings ago, the KACTS committee voted to put aside our capital allocation into our WIN due to a lack of viable candidates that aligned well with our funding level. A planning study has been completed by Sebago Technics and South Berwick would like to have a vote today allocate the KACTS capital funding to allow them to move forward with designing the improvements to Route 236.

Denise Clavette began her presentation by thanking KACTS staff for connecting the Town with DOT. The current project stems from a traffic study that was conducted 10 to 15 years ago upon which no further action was taken due to concerns and lack of momentum around making changes to Main Street. At South Berwick's public hearing on the 2023 Sebago Technics Study, the public who attended were supportive of the project. The study area is about 1,000 linear feet comprised of businesses, residences, and schools, all located within a half mile of South Berwick's downtown. Commuters from neighboring communities use Main Street as a primary thoroughfare: 19,500 vehicles pass through the area per day.

Denise reviewed the following takeaways from the study: the intersections of Portland Street, Dow Highway, and Academy Street are high crash locations. Both unsignalized intersections with Route 236 at Portland Street and Main Street warrant traffic signalization for 8-hour volumes. The study indicated that Academy Street and Norton Street also warrant signalization, but the Town Council and community are more interested in Portland Street and Maine Street signals. Roundabouts were explored but ruled out due to significant land acquisition that would be needed and parking that would be lost. The estimated cost for construction is about 2.5 million.



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Stephanie informed KACTS that she and Dean Williams worked with MaineDOT on an estimate of \$520,000 for cost of design (includes local and state match). If that number increases once we get into the details of the project, South Berwick will come back to the committee. Dean Lessard asked if Route 236 and Route 4 are category 3 and 4 priorities; Dean Williams responded that Route 236 is an HCP 2 and part of Route 4 going to Dover is also HCP 2. Dean Lessard asked if the Town has recognized when funding is available. Denise responded that Dale Doughty was looking at advancing FY26 funding and having it available this coming year for Preliminary Design. Steve Cole commented that each municipality along the length of 236 has major adjustments they'd like to see, so it behooves the DOT to consider it as a corridor-wide project.

Tom asked for confirmation that South Berwick will be committed to the local match. Denise confirmed that the Town will be providing the match. South Berwick has already allocated \$500,000 to this project and will be allocating another \$500,000 in the next year.

Dylan asked for clarification on why roundabouts were not considered. Denise responded that the primary reasons were land acquisition and loss of parking. Stephanie added that historic and cultural resources would also be impacted.

Tom Reinauer asked for clarification of whether the \$520,000 is 100% of the cost which is 80% federal, meaning that there will be some federal KACTS funding left that would go into the holding WIN. Stephanie confirmed that any remaining funds from 2026 allocation will remain with the MPO until expended for cost overruns or other capital expenditures.

James Bellisimo made a motion approve South Berwick's request for KACTS Capital Funds, in the amount of \$520,000, to complete PDR for two intersections on Route 236. Dean Lessard seconded the motion. Motion passed unanimously.

6. SMPDC Updates

TMP Process: Dean proposed formalizing a process in which SMPDC is notified when there is a TMP that may trigger a section 7 or if there is a traffic scoping study. This would address instances that have occurred in both SMPDC's wider region and within the KACTS region where DOT misses notifying SMPDC of projects that they should be aware of. Dean gave the example of a TMP in Berwick where DOT asked the developer to put \$45,000 toward construction of the project in South Berwick that KACTS just approved PDR funding for. When there are projects like this that affect neighboring towns, or if there is a potential traffic scoping study that would result in improvements to a corridor that SMPDC is already working on, it is important that SMPDC/KACTS be made aware. Dean



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suggested that when we do the MOU with DOT we can improve coordination with them, but DOT has asked us to also rely on the KACTS members to notify SMPDC.

Tom Reinauer informed the group that a process for this was previously in place 8 to 10 years ago, the KACTS committee required KACTS staff – including SMPDC staff – to attend all TMP meetings within the KACTS planning area. Outside the KACTS area, SMPDC would send a letter to the municipality asking if they would like SMPDC staff to attend, which they usually did if they didn't have their own planning staff. Tom added that it is required by Maine State law that MaineDOT notify the regional planning agencies when there is a meeting, which was usually done by Patrick Adams when he was at DOT, and sometimes this gets missed by the regional traffic engineers due to high turnover.

Dean Williams responded that he has communicated with DOT about the law to notify SMPDC, but it did not seem to be clear to them that this was a requirement. Dean acknowledged that it sounds like attempts to formalize this process have happened before, and he suggested that when we bring in the new KACTS municipalities we can formalize a process in which KACTS towns notify KACTS staff of TMP meetings.

Stephanie asked Steve Cole if he receives notifications of TMP meetings and if he can help with this process. Steve responded that he does not receive those notices, and that he would be happy to work with KACTS and SMPDC and the District to work out a process for SMPDC to receive notifications.

SS4A Grant Process: An RFP was put out for a Safety Action Plan for the Safe Streets for All Grant. The RFP received a response from a very qualified firm, WSP, who was selected by a volunteer scoring committee made up of KACTS committee members. We are now in the negotiation process with WSP and hope to have a contract in the next month.

Eastern Trail Feasibility Study: VHB is conducting the feasibility study. The towns will be invited to a kickoff meeting and an email will be sent out with a doodle poll.

Stephanie provided updates on the following:

SMPDC Hiring: SMPDC has hired a new planner, Mikala Jordan, who will be starting in early December. She previously worked at the Wasatch Front Regional Council in Utah and has experience with relevant projects in regional planning. She will be working on planning projects and grants with the MPO including long range planning projects, as well as land use and housing, including the Joint Land Use project.



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UPWP Draft: The UPWP draft will be discussed at our next meeting. The UPWP will identify regional projects that were discussed at the last KACTS committee meeting, including an active transportation plan, long range plan, and EV siting plan. The draft UPWP will be sent out in advance to give everyone time to review and make comments before the next meeting.

7. Municipal Project Updates

Dean Lessard informed KACTS that the advertising date for the village improvement project has been pushed from December to April.

Jeff shared that Eliot has no updates but expressed thanks to DOT and KACTS for recent coordination in meetings for Eliot's local projects.

8. Other Business

Stephanie informed KACTS that October 18th is the target date for our next meeting, which will go back to the usual hybrid setup. A doodle poll will be sent out to confirm availability.