



**Maine Turnpike Authority  
Pre-Application Meeting – York Toll Replacement Project**

**October 5, 2016**

On October 5<sup>th</sup>, 2016, the Maine Turnpike Authority held a public informational meeting on its proposed relocation of the MTAs mainline toll plaza in York, Maine. The meeting was held at the MTA York Maintenance Facility, and was attended by approximately 52 members of the public. All members of the public who signed the meeting sign-up sheets are listed on the roster attached to these minutes as Exhibit A.

The meeting was conducted by MTA Executive Director Peter Mills. Also present were members of MTA staff, including Bruce Van Note, Director of Planning, Sara Zografos, Planner & Agency / Liaison, and employees of the MTA's consultant, Jacobs Engineering, including Rod Emery and Owens McCullough from Sebago Technics.

Executive Director Peter Mills called the meeting to order at 7 P.M. He explained that the purpose of the meeting was in part to comply with the Natural Resource Protection Act, which required that an applicant hold a public meeting concerning a proposed project before a permit application is filed. Mr. Mills noted that information on how the public could become involved in the permitting process was available on a handout near the entrance and would be further explained at the end of the meeting.

Mr. Mills stated that the MTA would also be applying for a wetland impact permit with the Army Corps of Engineers (ACOE) under the Clean Water Act and was required to comply with the terms of a MaineDEP General Permit governing MTA compliance with Maine's Site Location of Development law.

1. Executive Director Peter Mills stated that in 2011, when he became Executive Director of the MTA he had determined that a fresh and comprehensive examination of the possibilities of All Electronic Toll collection should be undertaken, in response to concerns expressed by citizens of York as well as a series of written questions on the subject by Jay Clement of the Army Corps of Engineers which the MTA had received in 2010. Mr. Mills explained that the he had decided that this was a decision that should be decided by the MTA's board. In order to provide a sound basis for the decision the MTA had issued a Request for Proposals in the summer of 2011, as a result of which CDM Smith had been hired to conduct a comprehensive study of AET at York. He said that the study had been a lengthy one in part because the MTA also did a survey in 2012 to

generate data on the composition of MTA cash paying users and where they came from that would support the CDM study.

2. At this point a member of the public, Kathy Loane, asked if the MTA were basing its conclusions on 2011 data. Mr. Mills responded that the cash survey data referenced was obtained in 2012-2013. Ms. Loane asked if E-Z Pass ridership had increased since then and Mr. Mills replied that it had, partly due to the MTA's efforts to increase participation. Mr. Mills said that MTA users paying cash represented approximately 30.5% of MTA revenue in 2015, with York collecting over \$15 million in cash annually. He said that due to the general growth in traffic over the past few years, cash as a percentage of MTA revenue has held steady or slightly decreased – E-Z Pass increases had not necessarily been at the expense of cash.
3. Kathy Loane asked if the CDM Study had covered all toll plazas on the Maine Turnpike. Mr. Mills answered that the study had included the Gardiner Toll at I-295 as well because Gardiner was a “standalone” toll and a possible good candidate for AET. Mr. Mills stated that the bottom line of the CDM Study was AET was *feasible* on the Maine Turnpike but not *practicable*. He noted that the New Hampshire DOT had recently come to the same conclusion.
4. A member of the public asked when the MTA had last consulted with other AET facilities, such as the Tobin Bridge, to determine how much those facilities were able to recover from unpaid tolls. Mr. Mills answered that he had been to conventions and met with people involved in these types of projects, but that the people who knew the most on the subject were the consulting firms, including CDM Smith, who were involved in designing and implementing these projects. These consultants had access to information about AET, including losses related to AET, that were often not available to the public. Nevertheless, Mr. Mills noted, there had been a recent newspaper article describing the significant losses that Massachusetts was experiencing from its AET system.
5. Mike Estes, a member of the public, asked about agreements with other states to suspend registrations of toll violators. Mr. Estes said that Massachusetts had high fees and implemented suspensions for toll violators and said that if that type of law existed in Maine it would drive more people to E-Z Pass. He mentioned that E-Z Pass transponders were given away in Massachusetts, whereas they were sold in Maine. Another member of the public, David Loane, commented that he believed it was simple to pay online in Massachusetts for Tobin Bridge tolls.
6. Mr. Mills replied that the MTA did have reciprocity agreements with New Hampshire and Massachusetts but did not receive plate numbers through the system unless there were numerous violations on a single plate. Other jurisdictions, such as Canada, Vermont and Connecticut would not share information at all, and New Hampshire, while it shared information, charged \$3 a plate. Mr. Mills said that it typically cost about \$1.20 to look up a license plate, which was a lot of money for a \$3 toll. Mr. Mills stated that these costs and others had been included in the calculations of CDM Smith when it

studied the practicability of AET on the Maine Turnpike. Mr. Mills reiterated that CDM Smith had nationwide experience in AET systems and had stated in their report that recouping the losses of an AET system at York would require doubling the toll there for cash payers or requiring others to make up the difference.

7. Mike Estes commented that he believed failure to pay tolls was a crime. Mr. Mills responded that under AET systems such a crime did not occur until notice is received and not paid, because AET operated under a billing system.
8. Kathy Loane commented that technology was changing all the time. She stated that she believed the MTA was going to spend \$36 million to destroy parts of York forever, only to find out afterwards that it wasn't necessary.
9. Mr. Mills responded that the issue with AET was not technology, but other systems and processes, particularly the expense and difficulty of obtaining registration information from other jurisdictions and collecting tolls from residents of those jurisdictions. Mr. Mills stated that the MTA had a legal obligation to describe the environmental impacts of the project as proposed, and that was the purpose of the meeting tonight. He said that he thought it was time for the presentation that would describe those impacts.
10. Mr. Mills described the proposed project purpose, and introduced Rod Emery of Jacobs Engineering who presented a slide show on the project, a copy of which presentation is attached to these minutes and incorporated herein. Mr. Emery described the AASHTO standards governing toll plazas, the traffic model used to determine the necessary number of lanes at the toll plaza, the 24 categories used to evaluate alternative sites for the plaza and the refined analysis that was conducted on five "short list" sites, including enhanced surveys and wetland delineation. He explained that the existing location (mile marker 7.3) had scored the lowest on the evaluation, did not meet basic engineering and safety standards, had one of the highest wetland impacts and the most abutter impacts. Mr. Emery stated that the site at 8.8 had been selected as the preferred alternative because it met all engineering and safety criteria, including location and sight distance, had one of the smallest wetland impacts and the least number of abutter impacts. Mr. Emery explained the configuration of the proposed plaza, including the configuration of lanes, the parking lot and access road and the tunnel under the plaza.
11. Sara Zografos of the Maine Turnpike Authority described the projected impacts to natural resources for the preferred alternative. She said that the proposed site had been shifted slightly to the north and the access driveway had been redesigned to minimize vernal pool and wetland impacts. She said that the project as proposed would impact approximately 1.4 acres of wetlands and of that 1.4 acres there would be .13 acre of habitat for state threatened and endangered species, with no impacts to habitat of federally listed threatened or endangered species. Ms. Zografos said there were 1.4 acres of impact to vernal pool buffer areas, zero impacts to vernal pools of special significance and 24 linear feet of stream impacts. Ms. Zografos reported that the project would require

a Natural Resources Protection Act Tier 3 Permit from the MaineDEP, a Category 2 General Permit under the Clean Water Act, and compliance with the MTA's General Permit under the Site Location of Development Act. Ms. Zografos reported that the MTA had agreed to provide \$170,000 for an animal crossing on Route 236 in Eliot, Maine, which was a location that had been selected by Maine's Inland Fisheries and Wildlife Department. The MTA had also agreed to place a conservation easement on approximately 22 acres owned by the MTA adjacent to the project site, and to pay in lieu mitigation fees amounting to \$219,000 for wetland impacts and \$62,000 for vernal pool impacts. Ms. Zografos stated that the MTA's mitigation cost, including the cost of the animal crossing, but excluding the value of the preservation property, was approximately \$450,000.

12. A member of the public stated that he believed if the AET plaza were built at the site of the existing plaza there would be no environmental impacts. Executive Director Peter Mills responded that an AET Plaza would not be built at the existing site – if the MTA were to build one it would probably be at Mile 8.8.
13. Rod Emery of Jacobs Engineering reviewed other environmental aspects of the proposed plaza. He stated that the project would meet the Maine DEP's Stormwater General Standards for new impervious area. Mr. Emery reported that models showed the plaza would achieve an approximately 16% reduction in air pollution in the vicinity. He said that a noise study modeling 11 receptors had shown that four nearby sites would experience an approximately 1 decibel increase in noise, which was a level of increase barely perceptible to the human ear. Mr. Emery reported that the plaza had been designed with LED cutoff fixtures to eliminate light trespass. He said the lights were also designed with a color tone that should further minimize adverse effects of the lights.
14. Representative Patty Hymanson of York asked how the plaza would be remediated to an AET Plaza once the MTA's traffic had reached 85% ETC traffic.
15. Executive Director Peter Mills responded that he was not aware of any study stating the 85% was the "cutoff" for an ETC system. He said that there were AET toll facilities in the United States that had similar percentages.
16. Kathy Loane asked how many days a year the cash lanes at the proposed plaza would be open. Mr. Mills responded that there would be four cash lanes open northbound and 5 cash lanes southbound at the plaza, and that a great deal of study and work had gone into estimating the cash demand at that plaza 15 to 20 years into the future. Mr. Mills stated that public meetings had been held where citizens of York had participated with the consultants developing these projections. He said the resulting studies were available, and thought that they were posted on the MTA's website.
17. A homeowner in the Whippoorwill subdivision asked about the impact of the proposed plaza on conservation property adjacent to the subdivision, south of the project site. She



noted that the circles showing species habitat on the slides presented overlapped with the Whippoorwill conservation area.

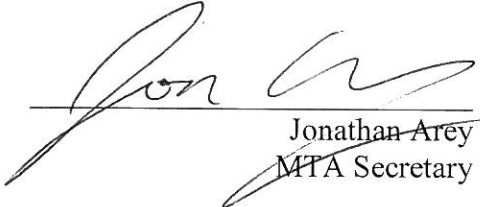
18. Mr. Mills responded that to the extent this project had any impact on habitat, those impacts had been addressed through an MOA with Maine Inland Fisheries and Wildlife. Mr. Mills stated that there would be no interference from the project with the use of Whippoorwill's conservation land. He said that noise impacts to Whippoorwill were imperceptible according to the noise study, which was available on the MTA website. Mr. Mills said that the commenter was welcome to read that study and call him on his cell phone to discuss it.
19. A member of the public said that she was a homeowner at Whippoorwill and asked about the impact on the night sky behind her house. Mr. Mills responded that he believed she would be pleased with the arrangements the MTA had planned for the plaza lighting.
20. A member of the public stated that there were threatened and endangered species impacted by this project and that species didn't make the federal endangered species list easily. She said that the region in which this project was situated was a unique region in Maine and that the people who lived in that region had a special connection to it that others could not understand.
21. Executive Director Peter Mills clarified that the species involved were not on the federal list. Mr. Mills noted that the proposed project did not increase or decrease traffic and that special fencing was proposed to prevent animals from crossing the road. He stated that at Route 236 in Eliot there were many turtles being killed crossing the road and that was why the MTA had been asked to contribute to a crossing being built there, in cooperation with MaineDOT. Mr. Mills also noted that the MTA had proposed conserving most of the approved eight lot subdivision it had purchased north of the project site, which could potentially be given to a local land trust to manage. He noted that the MTA was also working with the York Water District to facilitate conservation of some of the District's property on the southern side of the highway.
22. York Town Manager Steven Burns asked about a slide from the presentation showing the comparison of five potential ORT sites. Mr. Burns stated that the position of the Town of York was that AET was a viable option that had to be considered in the environmental alternatives analysis. Mr. Burns said the Town of York would lose the fight on the toll plaza if it started talking about environmental impacts. He said that the issue was not with the MTA's environmental analysis, which was probably correct, but with the MTA's Project Purpose statement and the question of what constituted a "practicable" alternative.
23. Executive Director Peter Mills responded that in a regulatory framework there was a sequence in which issues needed to be addressed. Mr. Mills said that the need to deal with the AET question as a threshold question had been obvious to him within a few weeks of coming to the MTA in 2011. He said this was why the MTA had involved the

town and local citizens in numerous public meetings and discussions with MTA board, consultants and staff on this subject, and it was why the MTA had exhaustively answered the ACOE's questions on why the AET business model was not practicable on the Maine Turnpike. Mr. Mills said that is why the MTA had asked the ACOE for and received an appropriate Project Purpose Statement that included cash collection before going this far in the process. Mr. Mills said that it would not have been prudent to go through the alternatives work and design work the MTA had hired Jacobs to do if AET was still an option – that would be an awkward and wasteful method of operation which no public or private entity should be coerced to pursue. He said that the MTA would include a complete description of why the MTA had rejected AET with its permit application and that any member of the public was free to read and respond to that.

24. Rep. Patty Hymanson asked what the projections were for when AET would become viable. She said that she remembered a date of 2043 being mentioned.
25. Executive Director Peter Mills responded that the MTA had made a deliberate decision to collect cash for the indefinite future. He said that he believed 2043 was an estimate of service life for the projected plaza.
26. Rep. Hymanson asked if the MTA had considered fatal crashes at the Hampton Toll Plaza in its evaluation.
27. Mr. Mills responded that the MTA had been created for safety reasons in 1941 and that Representative Hymanson was “preaching to the choir” where safety is concerned.
28. Joan Jarvis, a member of the public, commented that she was extremely disappointed in the meeting location, and could only hear half of much of what had been said due to the building's acoustics. Mrs. Jarvis said that over 90% of York residents had voted to keep the toll plaza where it was. Mrs. Jarvis stated that she favored fiscal responsibility, environmental protection, and not taking property for a project that would soon be obsolete. She said her number one issue was safety and that there had been two fatalities at New Hampshire's Hampton Toll Plaza so far. She said that the MTA wanted to put a barrier in the middle of the road where people were driving 70 mph.
29. Peter Mills responded that the proposed toll plaza would not include a barrier across the highway. He stated that it would include open lanes in the middle of the road and cash lanes on the sides of the highway.
30. David Linney, a member of the public, stood and asked the audience if anyone from surrounding towns had attended the meeting. There was no response.
31. Michael Wallek stated that he believed the concrete structures shown on the plan between the ORT and cash lanes constituted a barrier in the highway. He said that he believed people were affected by visual barriers and would slow down even if the barriers were not physically obstructing the highway.

32. Rod Emery of Jacobs Engineering addressed the difference between the MTA's proposed plaza and the Hampton plaza. He explained that an important engineering standard for toll plaza design was to have the same number of lanes approaching a mainline toll plaza as there are lanes on the mainline. Mr. Emery noted that the approach to Hampton was a four lane highway, but that two of these lanes were diverted to the cash collection lanes – this created a narrowing of the mainline and a lot of weave in the traffic pattern right at the gore area where the traffic separated. Mr. Emery stated that the York Plaza as designed allowed travelers in the three travel lanes of the mainline to continue through the ORT lanes. There would be a divergence in cash traffic to the side but the design would avoid most of the weaving across traffic that occurred at Hampton.
33. Steven Kosacz asked how many toll collectors were currently in service at the York Toll. He stated that he believed it cost the MTA \$263,500 per lane per year to staff the current plaza. Mr. Kosacs said that the MTA currently paid very liberal wages and benefits and that costs would increase when the minimum wage went up to \$12 an hour.
34. Mr. Mills answered that staffing was done according to historic traffic numbers and varied from day to day and even during a day. He said that the MTA was collecting over \$15.5 million in cash a year at York.
35. Mr. Kosacz asked how the annual traffic on the Maine Turnpike compared to annual MassPort toll usage. Mr. Mills replied that it would require some research to answer that question.
36. Mr. Mills explained that the purpose of the meeting was to explain the design of the project, the project's environmental impacts, and to explain how the public could become involved in the permitting process. Mr. Mills said that within the next couple of weeks the MTA would submit a formal application to DEP under the Natural Resources Protection Act, and a copy of that application would be posted on the MTA's website. Mr. Mills stated that the public would be free to make comment on the application. He said that abutters to the project would receive notice of the application. He said that there was an informational sheet by the door that described the method by which the public could participate in the process. He noted that it was possible to become an "interested person" who would receive notice of progress on the permit, would receive copies of any draft decisions by the DEP and would be able to submit written comments to the DEP. Mr. Mills explained that the contact at MaineDEP for this application was Bob Green and that Mr. Green's contact information was included on the handout. He said that actions members of the public or interested persons could take included requests to the DEP Commissioner for a public hearing and requests that the Board of Environmental Protection take jurisdiction of the permit application.

37. Todd Bezold of Chases Pond Road asked why an AET facility could not be built at the current site. He asked if the roadway at the current site would have to be remediated when the toll booth was removed.
38. Rod Emery of Jacobs Engineering explained engineering deficiencies at the current site, including lack of adequate distance separating it from the nearby interchange, the site's location on a curve at the bottom of a hill, and soil conditions that were unsuitable for installation of loop detectors required by the ETC system. Mr. Emery said that the current site would require remediation when the toll booth was removed, but the remediation would not be as extensive as would be required to install electronic toll collection equipment at the site.
39. Randy Small asked if the wetland impacts shown by Jacobs for construction of an ORT site at the site of the current toll plaza were impacts that already existed or further impacts that would be created by construction of an ORT plaza at that location.
40. Owens McCullough of Sebago Technics replied that the impacts shown were additional impacts due to the fact that an ORT Plaza at mile 7.3 would require additional pavement, including pavement added by larger tapers and wider lanes
41. Steven Kovacs asked if the MTA's position was that revenue leakage made AET impossible at this time, and whether the question was essentially one of lost revenue.
42. Mr. Mills responded that the MTA did not consider AET impossible, but did consider it not practicable. He said that aside from loss of revenue there was the additional expense of a customer service center to administer an AET collection system and the traffic diversion and impact on local roads that was projected to result from the increased toll in an AET system.
43. Mr. Mills closed the public meeting at approximately 8:45 P.M., and said that he would be available for discussion or to answer questions from members of the public for as long as needed after the meeting.

  
Jonathan Arrey  
MTA Secretary

10/25/16  
Date