

**Land Use and Development Code Amendment: Access Management**

**Council Item 2023- Order #22-92**

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**Town of Gorham  
Planning Board  
January 8, 2024**

**ITEM 1 Land Use and Development Code Amendment – Discussion:** proposed amendment to the Land Use and Development Code to revise standards for access management regarding curb cuts on arterials and designated collectors consistent with the Town’s Comprehensive Plan.

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**AMENDMENT TRACKING**

<b>DESCRIPTION</b>	<b>COMMENTS</b>	<b>STATUS</b>
<b>Town Council</b>	Order #22-92	8/2022, 8/2023
<b>TC Ordinance Committee</b>		12/2022, 1/2023, 2/2023, 3/2023, 4/2023, 5/2023, 6/2023
<b>Planning Board</b>		9/2023
<b>Planning Board Public Hearing</b>		10/2023
<b>Planning Board CPIC</b>		11/2023
<b>Planning Board CPIC</b>		12/4/2023
<b>Planning Board Meeting</b>		1/8/2024

**Memo completed by Charles Norton, Town Engineer, Carol Eyerman, Town Planner, and Damon Yakovleff, Assistant Planner**

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### 1. OVERVIEW

The Town Council has recommended revisions to the Town’s access management standards for arterial and collector roads. The purpose of the revision is to improve public safety by reducing crashes and improving mobility. The Town Council Ordinance Committee’s recommendations were developed based on input from the Town’s Engineer, the Towns’ third-party traffic engineer Barton and Loguidice as well as Town Staff.

The Planning Board discussed this item at its meeting in September 2023 and October 2023, then referred the item to the Planning Board Comprehensive Plan Implementation Committee (CPIC) where the item was discussed at workshops in November and December 2023. The CPIC referred the item, with revisions, back to the Planning Board for a Public Hearing.

The Planning Board CPIC recommended changes to integrate the standards for access management into other provisions of Town ordinances. In addition, appropriate waiver provisions that facilitate improved safety in designs should be discussed and added as needed.

The Town’s 3<sup>rd</sup> Party Traff Engineer Barton and Loguidice completed a review of updates to these recommendations on 11/29/2023 with the following comments made:

- Reviewed updated definitions to “State highway” and “Corner clearance”
- Reviewed and made suggestions for changes to definitions for “Maine DOT Defined Compact Area” and “Backage Road”
- Clarified in section e) that a traffic study “may” be required by the Planning Board
- Clarified that a second entrance may be one-way-in or one-way-out
- Proposed that the list of roadway classifications be reviewed to check that designations are correct.

A review of other ordinances for consistency by staff indicated that there is an inconsistency in the standards for Clustered Residential Subdivisions, found in Chapter 2, Section 2-4 A, 6, Streets. The ordinance currently specifies that driveways should be separated by 500 feet along Arterials and Collectors. Staff recommends that the ordinance instead refer to the new standards this land use code species for Section 2-5, H to ensure that the ordinance sections are consistent with each other.

### 2. PROPOSED ACCESS MANAGEMENT TECHNICAL STANDARDS

Additions are underlined: deletions are ~~struck-out~~

#### Section 2-5 Minimum Standards for the Design and Construction of Streets and Ways

##### D. DEFINITIONS

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**Access:** A public or private point of entry or exit from land adjacent to a public highway or roadway utilized by motorized vehicles, typically described as an entrance or driveway depending on the land use and/or volume of traffic generated by the use.

**Access Point:** The intersection of an existing or proposed access with the public right-of-way.

**Access Management:** Access Management is the proactive management of vehicular access points to land parcels adjacent to all manner of roadways. Good access management promotes safe and efficient use of the transportation network and maintains the posted speed limit on Arterial and Collector Roadways.

**Corner Clearance:** The minimum distance measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of an entrance excluding its radii.

**Double Frontage Lots:** A double frontage lot is a parcel of land that has sufficient frontage on two public streets; whereby, minimum corner clearance standards to the parcel can be met based upon Town of Gorham Access Management Standards.

**Intersection/Entrance Spacing:** Intersection/entrance or driveway spacing is the measured distance between access facilities on a roadway. The separation distance is measured from the edge of the proposed street/entrance or driveway to the edge of the existing street/entrance, excluding the corner radii.—.

**Shared Entrances:** A single entrance or driveway serving two or more developable parcels. A shared driveway may cross a lot line or be on the parcel line, and the owners may have an easement for the shared use.

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**Parcel Interconnectivity:** The ability to enter or exit adjacent properties or parcels without entering or exiting the public highway or roadway system via internal connections between two or more properties or parcels. This can be accomplished by use of “frontage or backage” roads as well as direct connections between adjacent properties or parcels.—.

**Number of Entrances:** Access to and from the public right-of-way to a proposed development shall be via a formal entrance.—. Entrances shall be designed and constructed to accommodate the appropriate level of traffic volumes and design vehicle, and provide for safe and efficient connection to arterials, ~~collectors~~collectors, and local roads.

**State Highway:** ~~All of~~All the right-of-way that may have been laid out by the State, county or town as defined by MRS Title 23.

**Corner clearance:** The minimum distance, measured parallel to a highway, between the nearest curb, pavement or shoulder line of an intersecting public way and the nearest edge of a driveway excluding its radii as defined in Chapter 299 Highway Driveway and Entrance Rules.

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Maine DOT Defined Compact Area: A section of the highway where structures are nearer than 200 feet apart for ~~a distance of 1/4~~ of a mile, unless otherwise defined in MRS Title 23.

Backage road: Roadways or connections that accommodate entering/exiting traffic at the rear of parcels and provides parcel interconnectivity that reduces entering and exiting traffic from the main street.

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### **H. Standards for Access Management**

#### **a) Corner Clearance**

The minimum corner clearance for all streets, entrances and/or driveways on Compact Classified Arterials and both major and minor collector roadways must be 100-feet for un-signalized intersections and 125-feet at signalized intersections except at no time will a street, entrance or driveway be located on the radius of the two intersecting roadways. The minimum corner clearance on all local (both private and public roadways) shall be 75-feet.

#### **b) Double Frontage Lots**

The preference is for access to be provided at the lower classified roadway~~—~~. In addition, the following shall be confirmed:

Where a site has frontage on two or more streets on all Compact Area Arterial, Major and Minor Collector roads, access to the proposed site will be from the lower classification of street unless the higher classification of street has less potential for traffic congestion and for hazards to both vehicle traffic and pedestrians. A traffic analysis, whose scope is defined by Town Staff, will be required to determine the preferred frontage for access. For developments with significant traffic volumes of 50 or more peak hour trips, access to both frontages will be considered based upon a detailed traffic study clearly demonstrating ~~a traffic~~ safety and congestion benefits will result.

Maine DOT's Entrance and Driveway rules apply to all Non-Compact Roadways; Maine DOT's Region 1 office shall be consulted for these classified roadways~~—~~.

#### **c) Intersection/Entrance Spacing**

Any street, entrance or driveway located on all arterial and major collector roads shall be separated from any other existing or proposed street, ~~entrance~~, or driveway in accordance with the following table. (The proposed access shall also consider the existing

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location of streets, entrances and driveways across a road or highway and meet the same standards)

<u>POSTED SPEED IN (MPH)</u>	<u>SEPARATION DISTANCE (FEET)</u>
<u>25 OR LESS</u>	<u>90</u>
<u>30</u>	<u>105</u>
<u>35</u>	<u>130</u>
<u>40</u>	<u>175</u>
<u>45</u>	<u>265</u>
<u>50</u>	<u>350</u>

The Planning Board may relax these standards only upon finding, based upon a traffic study, that the location of the street, entrance or driveway closer than these minimum standards is necessary for effective utilization of the site or provides an opportunity for sharing access with an adjacent parcel reducing the total number of required site access openings and will not cause unreasonable congestion and safety hazards.

### **d) Shared Entrances**

The Planning Board shall consider, where feasible, opportunities for shared entrances and driveways between adjacent parcels on all arterial and major collector roadways. The Planning Board may require the performance of a traffic study to determine if the proposed single entrance or driveway access serving two or more parcels improves roadway safety and congestion.—.

### **e) Parcel Interconnectivity**

The Planning Board shall consider, where feasible, opportunities for direct connections between parcels or the use of “frontage or backage” roads between adjacent parcels on all arterial and major collector roadways.—. The Planning Board may require the performance of a traffic study to determine if the proposed interconnection of two or more parcels improves roadway safety and congestion.—.

New developments shall consider and plan their sites to allow for future parcel interconnectivity via one of the methods described above and can be required to provide parcel interconnectivity with an adjacent existing parcel via an easement.—. Planning Board shall consider requiring a new development to provide their half of a direct parcel connection if an agreement to complete a full connection cannot be made with the adjacent parcel, or money can be held in escrow to make the improvement in the future.

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A detailed traffic study may be required to determine the appropriate type of parcel interconnectivity and design that will provide optimal traffic operations and safety.

#### f) **Number of Entrances**

New developments will be allowed one primary entrance that meets the Town Standards. The Planning Board shall consider opportunities for shared entrances and parcel interconnectivity where feasible to reduce the number of curb-cuts on arterial and collector roadways. New developments generating 50 or more peak hour trips may be allowed a secondary entrance, or two one-way entrances. A formal traffic study, defined by the Planning Board and Town Staff, shall determine justification for the additional entrance(s).

The Planning Board shall consider restrictions of movements to proposed entrances where it can be shown through a traffic study that safety concerns warrant it.

#### g) **Access Management Applicable Roadways**

**The Access Management Regulations for the Town of Gorham shall apply to the following roadways:**

Route 114 (Arterial)

Route 25 (Arterial)

Route 202 (Arterial)

Route 22 (Arterial)

Route 237 (Arterial)

Route 112 (Arterial)

Brackett Rd. (Collector)

New Portland Rd. (Arterial)

Day Rd. (Collector)

McLellan Rd. (Collector)

Flaggy Meadow Rd. (Collector)

North Gorham Road (Collector)

Wilson Road (Rural Sub-Collector)

Dunlap/Plummer Road (Rural Sub-Collector/Collector)

Libby Ave (Collector), Excluding Libby Ave from Rte. 202 to end.

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Huston Road (Collector)

Wescott Road (Rural Sub-Collector), Between Rte. 114 and Plummer Road

Spiller Road (Collector)

Dingley Spring Road (Collector)

Wood Road (Rural Sub-Collector)

Deering Road (Collector)

Burnham Road (Collector)

Mitchell Hill Road (Collector)

Saco Street (Collector)

Bartlett Road (Industrial/Commercial)

Middle Jam Road (Rural Sub-Collector)

Queen Street (Rural Sub-Collector), Between Rte. 202 & Rte. 237

### H.I. STANDARDS FOR PRIVATE WAYS

#### I. J. SUBDIVISION, PRIVATE ~~WAYWAY~~, AND SITE CONSTRUCTION MONITORING OF PUBLIC IMPROVEMENTS

### SECTION 2-4 - RESIDENTIAL

#### A. CLUSTERED RESIDENTIAL DEVELOPMENT

##### 6.

b) Streets: access from public ways, internal circulation and parking shall be designed to provide for vehicular and pedestrian safety and convenience, emergency and fire equipment, snow clearance, street maintenance, delivery and collection services. Streets shall be laid out and constructed consistent with local requirements. Driveways shall be located on to interior road networks to the greatest extent practical. ~~No more than one driveway per 500' of road frontage shall be allowed~~ Curb cuts for driveways and new streets on

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any collector roads, arterial roads, or Maine State DOT number routes shall meet standards for access management as specified in the Land Use and Development Code, Section 2-5, H.