

Process for Control of Access Modifications

The safety and mobility of the corridor will need to be analyzed in order for the Commissioner to make an initial decision as to whether the proposed break may be allowable. The Chief Engineer, using the platform of the Engineering Council and the resources it provides, will make a formal recommendation to the Commissioner

This process will consist of two stages of review. The first stage determines whether or not the applicant meets the minimal requirements set forth by 23 MRSA Sec. 704. If those conditions are not met the applicant is notified as such. The request will be instantly denied if it is for a break in Control of Access on a roadway that is within the original design life of the facility (normally 20 years). If the review finds that requirements of the statute are met, a second stage review is required to meet all the requirements that creating a break in COA entails.

Stage 1 Review

1. Requests for breaks in Control of Access are directed through the Region Engineers to bring to the Engineering Council.
2. Chief Engineer and Engineering Council will review request to determine whether or not request meets the requirement of statute and/or if it is prudent.
3. At this time, in order to determine the impact on public safety and mobility of the corridor, a traffic study may be requested from the applicant showing the usage of the proposed break.
4. Applicant notified either that :
 - a. the proposed break does not meet merits of statute and request is denied
 - b. the proposed break does meet the merits and the request will now go to stage 2 of the review process.

Stage 2 Review (only for COA acquired with Federal-aid funding)

1. Applicant required to submit traffic study to the Department showing the traffic impacts on the roadway system. The study will be as required in MaineDOT Chapter 305 Rules and regulations pertaining to the traffic movement permit. The applicant is responsible for any mitigation needed to maintain proper level of service
2. Applicant required to provide a “before and after” appraisal on the parcel(s) that will be receiving the break in COA. MaineDOT will review and comment on this appraisal until acceptance.
3. Applicant will pay MaineDOT the current fair market value of the difference as identified by the appraisal provided in (2).
4. Payment received by applicant will be put toward projects eligible under Title 23 U.S.C.
5. Administrative fee will be charged for staff time at the going rate at the time of application.

Upon formal approval of the proposed break (inclusive of payment) in COA, a commission record item is presented by the Chief Engineer. Once signed by the Commissioner, a modified R/W plan showing the break will be formally recorded