DESIGN PUBLIC HEARING

NOVEMBER 14, 2017

AT

TEWKSBURY TOWN HALL – MAIN HALL
1009 MAIN STREET
TEWKSBURY, MA 01876

6:00 PM

FOR THE PROPOSED

MAIN STREET (ROUTE 38), SALEM ROAD, AND SOUTH STREET INTERSECTIONS PROJECT
PROJECT NO. 608346
ROADWAY PROJECT MANAGEMENT SECTION

IN THE TOWN OF TEWKSBURY, MASSACHUSETTS

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

JONATHAN L. GULLIVER
HIGHWAY ADMINISTRATOR

PATRICIA A. LEAVENWORTH, P.E.
CHIEF ENGINEER
A Design Public Hearing will be held by MassDOT and the Town of Tewksbury to discuss the proposed Main Street (Route 38), Salem Road and South Street intersections project in the Town of Tewksbury, MA.

WHERE: Tewksbury Town Hall – Main Hall
       1009 Main Street
       Tewksbury, MA 01876

WHEN: Tuesday, November 14, 2017 at 6:00 PM

PURPOSE: The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Main Street (Route 38) at Salem Road and South Street intersections project. All views and comments made at the hearing will be reviewed and considered to the maximum extent possible.

PROPOSAL: The purpose of this project is to address safety and operational deficiencies at the three intersections formed by the triangular configuration of Main Street (Route 38), Salem Road, and South Street in Tewksbury. The project includes new roadway pavement, new traffic signals at Main Street/South Street and Salem Road/South Street, minor geometric roadway improvements, drainage system modifications, new and reconstructed sidewalks and wheelchair ramps, and improved bicycle accommodations through the provision of dedicated bike lanes and shared use lanes.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. The Town of Tewksbury and MassDOT are jointly responsible for acquiring all needed rights in private or public lands. MassDOT’s policy concerning land acquisitions will be discussed at this hearing.

Written views received by MassDOT subsequent to the date of this notice and up to five (5) days prior to the date of the hearing shall be displayed for public inspection and copying at the time and date listed above. Plans will be on display one-half hour before the hearing begins, with an engineer in attendance to answer questions regarding this project. A project handout will be made available on the MassDOT website listed below.

Written statements and other exhibits in place of, or in addition to, oral statements made at the Public Hearing regarding the proposed undertaking are to be submitted to Patricia A. Leavenworth, P.E., Chief Engineer, MassDOT, 10 Park Plaza, Boston, MA 02116, Attention: Roadway Project Management, Project File No. 608346. Such submissions will also be accepted at the hearing. Mailed statements and exhibits intended for inclusion in the public hearing transcript must be postmarked within ten (10) business days of this Public Hearing. Project inquiries may be emailed to dot.feedback.highway@state.ma.us

This location is accessible to people with disabilities. MassDOT provides reasonable accommodations and/or language assistance free of charge upon request (including but not limited to interpreters in American Sign Language and languages other than English, open or closed captioning for videos, assistive listening devices and alternate material formats, such as audio tapes, Braille and large print), as available. For accommodation or language assistance, please contact MassDOT’s Chief Diversity and Civil Rights Officer by phone (857-368-8580), fax (857-368-0602), TTD/TTY (857-368-0603) or by email (MassDOT.CivilRights@dot.state.ma.us). Requests should be made as soon as possible prior to the meeting, and for more difficult to arrange services including sign-language, CART or language translation or interpretation, requests should be made at least ten (10) business days before the meeting.

In case of inclement weather, hearing/meeting cancellation announcements will be posted on the internet at http://www.massdot.state.ma.us/Highway/

JONATHAN L. GULLIVER               PATRICIA A. LEAVENWORTH, P.E.
HIGHWAY ADMINISTRATOR               CHIEF ENGINEER
Dear Concerned Citizen:

The Massachusetts Department of Transportation (MassDOT) is committed to building and maintaining a transportation infrastructure that is both safe and efficient for all who use our roadways, bridges, bicycle facilities and pedestrian paths, while maintaining the integrity of the environment.

As part of the design process for this project, we are conducting this public hearing to explain the proposed improvements, listen to your comments and answer any questions you may have. At the conclusion of the hearing, MassDOT will review all of your comments and, where feasible, incorporate them into the design of the project.

We recognize that road and bridge construction can create inconveniences for the public. MassDOT places a great deal of emphasis on minimizing the temporary disruptive effects of construction.

MassDOT encourages input from local communities and values your opinions. Please be assured that we will undertake no project without addressing the concerns of the community.

Sincerely,
Patricia A Leavenworth, P. E.
Chief Engineer
WHAT IS A PUBLIC HEARING?

WHY A PUBLIC HEARING?

To provide an assured method whereby the Commonwealth of Massachusetts can furnish to the public information concerning the State’s highway construction proposals, and to afford every interested resident of the area an opportunity to be heard on any proposed project. At the same time, the hearings afford the Commonwealth an additional opportunity to receive information from local sources which would be of value to the State in making its final decisions to what design should be advanced for development.

WHY NOT A VOTE ON HIGHWAY PLANS?

The hearings are not intended to be a popular referendum for the purpose of determining the nature of a proposed improvement by a majority of those present. They do not relieve the duly constituted officials of a State highway department of the necessity for making decisions in State highway matters for which they are charged with full responsibility.

WHAT DOES A PUBLIC HEARING ACCOMPLISH?

It is designed to ensure the opportunity for, or the availability of, a forum to provide factual information which is pertinent to the determination of the final alternative considered by the state to best serve the public interest, and on which improvement projects are proposed to be undertaken.

It is important that the people of the area express their views in regard to the proposal being presented, so that views can be properly recorded in the minutes of the meeting. These minutes will be carefully studied and taken into consideration in the determination of the final design.
FOR STATE HIGHWAY RIGHT OF WAY

TO SAFEGUARD THE PROPERTY OWNER

If your property, or a portion of it, must be acquired by the State for highway purposes in the interest of all people of the Commonwealth, your rights are fully protected under the law. Briefly, here are some of the answers to questions you might ask.

1. WHO CONTACTS ME?

Representatives of the Right of Way Bureau of the Massachusetts Department of Transportation’s Highway Division. They will explain the impacts and your rights as protected under Massachusetts General Laws Chapter 79.

2. WHAT IS A FAIR PRICE FOR MY PROPERTY?

Every offer is made to ensure that an equitable value is awarded to you for the property, or to appraise the “damage” to the property as a result of the acquisition. MassDOT appraisers, independent appraisers, MassDOT “Review Appraisers” and a Real Estate Appraisal Review Board may all contribute in arriving at an award of damages. The State also pays a proportionate part of the real estate tax for the current year for fee takings, and interest from the date the property is acquired to the payment date, on all impacts.

3. MUST I ACCEPT THE DEPARTMENT’S OFFER?

No. If, after the figure established as market value has been offered to the owner, the owner feels he or she is not being offered a fair price, he or she has the right, within three years, to appeal to the courts. Pending a court decision, he or she can be paid on a “pro-tanto” basis (or “for the time being”) that in no way prejudices the court appeal.

4. WHAT WILL HAPPEN TO MY HOUSE?

The owner will have the opportunity to buy back his or her house, provided he or she has a location to which it can be moved, and the proper permits for its removal. If the owner does not wish to repurchase, the house will be advertised for bids. The highest bidder, who must also have a location and permits for removal, will be awarded the house. Otherwise, the structure will be slated for demolition.

5. WHAT HAPPENS IF I MUST RELOCATE?

In addition to the market value of the property, the Department pays certain relocation benefits for both owners and tenants of acquired residences and businesses who meet eligibility requirements. Assistance in relocation is also provided. Department brochures are available for details on these benefits.
FOR MUNICIPAL RIGHT OF WAY

RIGHT OF WAY ISSUES

A secure right of way is necessary for this project. Temporary construction easements may be required. Your municipality is responsible for acquiring all necessary rights in private or public lands. If your property is affected, your rights are fully protected under law.

1. REASON FOR PROJECT

The completion of this project will serve local needs. The proposed enhancement will also be in the interest of others in the greater community, and provide for the public good.

2. WHO CONTACTS ME?

Representatives of the municipality have already contacted or will contact you. They will explain the procedures used in acquiring any necessary rights in land.

3. WHAT ABOUT DONATIONS? WHAT IS A RIGHT OF ENTRY?

Town officials will often seek donations, of parcels, where permanent rights are required. This procedure will minimize the acquisition cost for your community.

A Right of Entry is a document that is signed by the owner. It allows the Contractor to perform certain types of work on the owner’s land. The work is usually minor in nature and frequently consists of loaming/seeding behind sidewalks, new driveway apron work, grading/sloping, and wetland protection, etc. The rights granted are temporary in nature.

4. WHAT IS A FAIR PRICE FOR THE ACQUIRED PARCELS?

In the event that donations are not considered, or completed, every effort will be made to ensure that an equitable value is awarded. Municipal and/or outside appraisers will complete an appraisal. Consideration is given to the type of rights needed, whether in fee, permanent or temporary easements. The appraisal will be the basis for arriving at a fair price (for damages that result).

5. MUST I ACCEPT THE MUNICIPALITY OFFER?

No, if the owner feels that the offer is not fair the owner may petition the courts. This action does not stop or delay the acquisition. The action must occur within 3 years. The owner(s) may be paid pro tanto (for the time being). The pro tanto payment will not prejudice the court’s final decision.
PROJECT DESCRIPTION

PROJECT LOCATION AND PURPOSE

The Massachusetts Department of Transportation (MassDOT) and the Town of Tewksbury are proposing pedestrian and vehicular safety and operational improvements along Main Street (Route 38), Salem Road, and South Street. This project will address safety and operational deficiencies at the three intersections formed by the triangular configuration of Main Street (Route 38), Salem Road, and South Street. The project extends 1,600 feet along Main Street (Route 38) from approximately 300 feet north of Salem Road to approximately 400 feet south of South Street. Salem Road will be reconstructed from Main Street (Route 38) to approximately 250 feet east of South Street. The project limits on South Street begin approximately 50 feet north of Salem Road and extend to approximately 150 feet south of Main Street (Route 38).

PROPOSED IMPROVEMENTS

The project includes new roadway pavement, new traffic signals at Main Street/South Street and Salem Road/South Street, minor geometric roadway improvements, drainage system modifications, new and reconstructed sidewalks and wheelchair ramps, and improved bicycle accommodations through the provision of dedicated bike lanes and shared use lanes, new school zone beacons, upgraded signs and pavement markings, and other incidental work associated with the above improvements.

TRAFFIC MANAGEMENT

During typical construction operations, all roadways in the project area will remain open to residents during construction. Occasional short traffic disruptions and lane/shoulder closures may occur, but every effort will be made to minimize inconvenience to the travelling public. Pedestrian and vehicular access to abutting properties will be maintained throughout construction.

RIGHT OF WAY IMPACTS

Permanent easements will be required as part of this project for roadway widening, sidewalk construction, utility pole relocations, and traffic signal equipment. Temporary construction easements will also be required. The Town of Tewksbury will be responsible for securing all necessary easements within the Town layout on Salem Road and South Street. MassDOT will secure any easements needed within the State Highway Layout on Main Street (Route 38).

PROJECT COST

The current estimate of the total construction cost of this project is approximately $2.9 million.

PROJECT SCHEDULE

The design plans on display are at the preliminary design stage. Comments made at this Public Hearing will be incorporated into the project’s final design documents to the maximum extent feasible. All design, permitting and right of way acquisition is expected to be completed by December 2018, with construction anticipated to begin in the Summer of 2019.
THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION
HIGHWAY DIVISION

FEDERAL AID PROJECT

TEWKSBURY, MA
MAIN STREET (ROUTE 38), SALEM ROAD, AND SOUTH STREET
INTERSECTIONS PROJECT
Project File No. 608346

This sheet is provided for your comments. Your input is solicited and appreciated. Please return your sheet, with comments, to a staff member at the meeting, or mail to:

Patricia A. Leavenworth, P.E., Chief Engineer
MassDOT – Highway Division
10 Park Plaza, Boston, MA 02116-3973
Attn: Roadway Project Management

The final date for receipt of written statements and exhibits for inclusion into the official hearing transcript will be ten (10) days after the Public Hearing.

PLEASE TYPE OR PRINT LEGIBLY.

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Name: _________________________________ Title: _________________________________
Organization: __________________________________________________________________
Address: ________________________________________________________________________
Patricia A. Leavenworth, P.E.
Chief Engineer
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116-3973

RE: Public Hearing
   Main Street (Route 38), Salem Road, and South Street
   Intersections Project
   Tewksbury, Massachusetts
   Project File No. 608346
   Roadway Project Management