



**VIRTUAL DESIGN PUBLIC HEARING**

**April 25, 2023**

**FOR THE PROPOSED**

**BIKE PATH BRIDGE CONSTRUCTION, NORTH CENTRAL PATHWAY OVER ROUTE 140**

**Project No. 609108**

**Project Management**

**IN THE CITY OF GARDNER, MASSACHUSETTS**

**COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION**

**JONATHAN GULLIVER  
HIGHWAY ADMINISTRATOR**

**CARRIE E. LAVALLEE, P.E.  
CHIEF ENGINEER**

**THE COMMONWEALTH OF MASSACHUSETTS**  
**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION**  
**NOTICE OF A PUBLIC HEARING**  
**Project File No. 609108**

A Live Virtual Design Public Hearing will be hosted on the MassDOT website below to present the design for the proposed BIKE PATH BRIDGE CONSTRUCTION, NORTH CENTRAL PATHWAY OVER ROUTE 140 project in **Gardner, MA**.

**WHEN: 6:30 PM, April 25, 2023**

**PURPOSE:** The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed BIKE PATH BRIDGE CONSTRUCTION, NORTH CENTRAL PATHWAY OVER ROUTE 140 project. All views and comments submitted in response to the hearing will be reviewed and considered to the maximum extent possible.

**PROPOSAL:** The proposed project consists of a new bicycle and pedestrian bridge and paved shared-use path approaches to the bridge, as well realigned paved access driveways on the north and south side of Route 140 (Green Street). The proposed shared-use path will be 10 feet in width 3-foot shoulders for a total width of 16 feet. The access roads will be 11 feet wide and constructed with gravel south of Route 140 and paved with hot mix asphalt north of Route 140. The project length is approximately 1,400 linear feet. No changes to Route 140 are proposed as a part of this project.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. **The City of Gardner is responsible for acquiring all needed rights in private or public lands.** The City's policy concerning land acquisitions will be presented in the hearing.

Project inquiries, written statements and other exhibits regarding the proposed undertaking may be submitted to Carrie E. Lavallee, P.E., Chief Engineer, via e-mail to [MassDOTProjectManagement@dot.state.ma.us](mailto:MassDOTProjectManagement@dot.state.ma.us) or via US Mail to Suite 7550, 10 Park Plaza, Boston, MA 02116, Attention: **Project Management, Project File No. 609108**. Statements and exhibits intended for inclusion in the public hearing transcript must be emailed or postmarked no later than ten (10) business days (14 calendar days) after the hearing is hosted on the MassDOT website listed below.

This hearing is accessible to people with disabilities. MassDOT provides reasonable accommodations and/or language assistance free of charge upon request (e.g interpreters in American Sign Language and languages other than English, live captioning, videos, assistive listening devices and alternate material formats), as available. For accommodation or language assistance, please contact MassDOT's Chief Diversity and Civil Rights Officer by phone (857-368-8580), TTD/TTY at (857) 266-0603, fax (857) 368-0602 or by email ([MassDOT.CivilRights@dot.state.ma.us](mailto:MassDOT.CivilRights@dot.state.ma.us)). Requests should be made as soon as possible and prior to the hearing, and for more difficult to arrange services including sign-language, CART or language translation or interpretation, requests should be made at least ten business days before the hearing.

This Live Virtual Design Public Hearing or a cancellation announcement will be hosted on the internet at [https://www.mass.gov/orgs/highway-division/events?\\_page=1](https://www.mass.gov/orgs/highway-division/events?_page=1).

JONATHAN GULLIVER  
HIGHWAY ADMINISTRATOR

CARRIE E. LAVALLEE, P.E.  
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,

Carrie E. Lavallee, 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.

## **RIGHT OF WAY CONCERNS**

Your Municipality is responsible for securing the right of way for this project. If your property, or a portion of it, must be acquired by the Municipality 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. 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: 609108

Description: GARDNER - North Central Pathway Bridge over Route 140 (Green Street)

LOCUS MAP



## Scope of Work

The proposed project consists of improvements to approximately 1400 linear feet (LF) of the North Central Pathway in the City of Gardner, a project which is funded by MassDOT. Route 140 (Green Street) is an NHS roadway that is under jurisdiction of the City of Gardner. Surrounding land uses are rural open space lands. A paved segment of the North Central Pathway is situated within a utility corridor owned by the City of Gardner and New England Power (National Grid) and terminates on the northerly side of Route 140 (Green Street) in the project area. The utility corridor continues on the south side of Route 140 (Green Street). The two segments of the path at their intersection with Route 140 (Green Street) are offset by approximately 150 feet. Route 140 (Green Street) poses a barrier to extending the path to the south.

A new bicycle and pedestrian bridge and paved shared use path approaches to the bridge and realigned paved access maintenance driveways are proposed on the north and south side of Route 140 (Green Street). The proposed shared use path will be 10 feet in width with 3-foot shoulders for a total width of 16 feet. The access roads will be 11 feet wide and constructed with gravel south of Route 140 and paved with hot mix asphalt north of Route 140. Two existing parking spaces on the north side of Route 140 will remain. No changes to Route 140 (Green Street) are proposed as a part of this project. MassDOT resurfacing project 608891 is proposing buffered bike lanes along Route 140 (Green Street) in the project area.

In addition to the 1400 linear feet (LF) of pathway improvements, an approximate 400 LF access driveway will be provided on the northerly side of Route 140 (Green Street) and a 700 LF access driveway will be provided on the southerly side of the roadway to accommodate maintenance vehicles. The access driveways are proposed to be 11 feet in width and constructed with gravel south of Route 140 and paved with hot mix asphalt north of Route 140. Both access drives will be gated. Infiltration trenches for stormwater runoff are proposed adjacent to both the northerly and southerly segments of the path.

No changes to Route 140 (Green Street) are proposed as a part of this project. MassDOT resurfacing project 608891 is proposing buffered bike lanes along Route 140 (Green Street) in the project area.

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION

FEDERAL AID PROJECT

Gardner, MA  
BIKE PATH BRIDGE CONSTRUCTION, NORTH CENTRAL PATHWAY OVER ROUTE  
140  
Project File No. 609108

This sheet is provided for your comments. Your input is solicited and appreciated. You may e-mail comments directly to [MassDOTProjectManagement@dot.state.ma.us](mailto:MassDOTProjectManagement@dot.state.ma.us) or you may mail this sheet with any additional comments to:

Carrie E. Lavallee, P.E., Chief Engineer  
MassDOT – Highway Division  
10 Park Plaza, Boston, MA 02116-3973  
Attn: Project Management

Statements and exhibits intended for inclusion in the public hearing transcript must be emailed or postmarked no later than ten (10) business days after the hearing.

**PLEASE TYPE OR PRINT LEGIBLY.**

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Organization: \_\_\_\_\_

Address: \_\_\_\_\_

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Please Place  
Appropriate  
Postage Here

Carrie E. Lavallee, P.E.  
Chief Engineer  
MassDOT – Highway Division  
10 Park Plaza  
Boston, MA 02116-3973

RE: Virtual Public Hearing  
BIKE PATH BRIDGE CONSTRUCTION, NORTH CENTRAL PATHWAY OVER  
ROUTE 140  
**CITY OF GARDNER**  
Project File No. 609108  
Attn: Project Management

