



DESIGN PUBLIC HEARING

JANUARY 17, 2023

FOR THE PROPOSED

**Sidewalk Construction along Route 28
Project No. 611985**

Project Management

IN THE TOWN OF HARWICH, 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. 611985

A Live (In Person) Design Public Hearing will be hosted by MassDOT at the **Harwich Community Center located at 100 Oak Street, Harwich MA 02645**, in the multipurpose room to present the design for the proposed sidewalk installation on Route 28 from Bank Street to Saquatucket Harbor in Harwich, MA.

WHEN: 6:00 PM – 8:00 PM, January 17, 2023

PURPOSE: The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed sidewalk installation on Route 28 from Bank Street to Saquatucket Harbor 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 sidewalk installation only on the south side of Route 28 from Bank Street to Saquatucket Harbor. Due to the context of the existing area and the potential for numerous negative impacts to abutters, the project only proposes sidewalk on the south side of the road and proposes to retain the existing shoulder (approx. 1-foot wide).

The town hosted a public forum on the project in November 2020 and presented the installation of a sidewalk only on the south side of Route 28 from Bank Street to Saquatucket Harbor.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required.

MassDOT is responsible for acquiring all needed rights in private or public lands. MassDOT'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. Lavalley, P.E., Chief Engineer, via e-mail to MassDOTProjectManagement@dot.state.ma.us or via US Mail to Suite 7550, 10 Park Plaza, Boston, MA 02116, Attention: **Project Management, Project File No. 611985**. 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). 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 www.mass.gov/massdot-highway-design-public-hearings.

JONATHAN GULLIVER
HIGHWAY ADMINISTRATOR

CARRIE E. LAVALLEY, 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. Lavalley, 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

The State is responsible for securing the Right of Way for this project. 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.

PROJECT LOCATION

The project includes the construction of a sidewalk along the south side of Route 28 (Main Street) for 0.63 miles from the Route 28 & Bank Street intersection to the Saquatucket Harbor municipal parking lot, as shown on the above locus map.

PROJECT PURPOSE

The purpose of this project is to improve pedestrian accommodations along Route 28. There is currently no consistent sidewalk connection between the intersection of Snow Inn Road & Route 28 and Saquatucket Harbor. This project will provide a crucial pedestrian link from Harwich Port village district to the recently improved Saquatucket Harbor facilities.

PROPOSED IMPROVEMENTS

The work under this Contract consists of the construction of a consistent, ADA compliant 5-foot wide sidewalk from Bank Street to the Saquatucket Harbor parking lot entrance. The entire length of the project will include reconstructed and newly constructed sidewalks along the south side of the road, new pedestrian curb ramps and crosswalk, and refreshed roadside signage. The project includes construction of approximately 90 feet of retaining wall to support the sidewalk construction over a culvert carrying Cold Brook into Saquatucket Harbor.

Additional work includes unclassified excavation, pavement mill and overlay, cement concrete walks, hot mix asphalt walks and driveways, cement concrete pedestrian curb ramps, granite curb, pavement markings, signs, minor drainage system adjustments, wall construction, and other incidental work.

TRAFFIC MANAGEMENT

A minimum one lane of travel will be maintained throughout the majority of the project timeline. Maintaining traffic flow shall also be closely coordinated with maintaining access to abutting residents. Lane shifts and lane closures (with alternating traffic) along Route 28 are expected to occur with moderate frequency. In some cases, two-way traffic will be maintained by alternating traffic under police control.

RIGHT OF WAY IMPACTS

Temporary and permanent easements will be required along the length of the project to accommodate the proposed work. This includes 28 temporary construction easements and 30 permanent easements for utilities & sidewalk construction. The proposed improvements will require temporary easements for minor grading impacts, driveway reconstruction and sidewalk construction. MassDOT's policy concerning land acquisition will be discussed at this hearing.

PROJECT COST

The preliminary construction cost of this project at this design stage is approximately \$1,366,385.

PROJECT SCHEDULE

The design plans presented are at the 25% design stage. Design, permitting, and right of way acquisition must be completed by March 2024. Construction is anticipated to begin in the Fall of 2024.

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

RE: Public Hearing
Route 28 Sidewalk Construction
HARWICH
Project File No. 611985
Attn: Project Management

