



**VIRTUAL DESIGN PUBLIC HEARING**

**NOVEMBER 4, 2021**

**FOR THE PROPOSED**

**BIKEWAY CONSTRUCTION  
from West Park Street to Pleasant Street  
Project No. 607570**

**Project Management**

**IN THE TOWN OF LEE, MASSACHUSETTS**

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

**JONATHAN GULLIVER  
HIGHWAY ADMINISTRATOR**

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

**THE COMMONWEALTH OF MASSACHUSETTS**  
**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION**  
**NOTICE OF A PUBLIC HEARING**  
**Project File No. 607570**

A Live Virtual Design Public Hearing will be hosted on the MassDOT website below to present the design for the proposed Bikeway Construction, from West Park Street to Pleasant Street project in Lee, Massachusetts.

**WHEN: 6:30 PM, Thursday November 4, 2021**

**PURPOSE:** The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Lee Bikeway Construction 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 an approximately 1-mile-long trail, providing accommodations for pedestrian and bicyclists through the town of Lee, and a segment of the Berkshire Bikeway. The shared use path will run along the east side of the Housatonic River, between the Lee Bank on West Park Street and the Big Y on Pleasant Street (Route 102). The shared use path will be an 8- to 10-foot-wide paved surface with a 2-foot-wide gravel shoulder on each side, which will transition to 12-foot-wide pile-supported boardwalks (8-foot travel way with 2-foot shoulders) at three locations where the path crosses brooks and/or wetlands. Improvements to the existing gravel parking lot on Route 102 (opposite Big Y Supermarket) and at the Route 102/Tyringham Road/Big Y entrance intersection to provide access to the parking lot are also proposed.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. The Town of Lee 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., Acting Chief Engineer, via e-mail to [MassDOTProjectManagement@dot.state.ma.us](mailto:MassDOTProjectManagement@dot.state.ma.us) or via US Mail to Suite 6340, 10 Park Plaza, Boston, MA 02116, **Attention: Project Management, Project File No. 607570**. 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 is posted to 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 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 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](http://www.mass.gov/massdot-highway-design-public-hearings).

JONATHAN GULLIVER  
HIGHWAY ADMINISTRATOR

CARRIE E. LAVALLEY, P.E.  
ACTING 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.  
Acting 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).

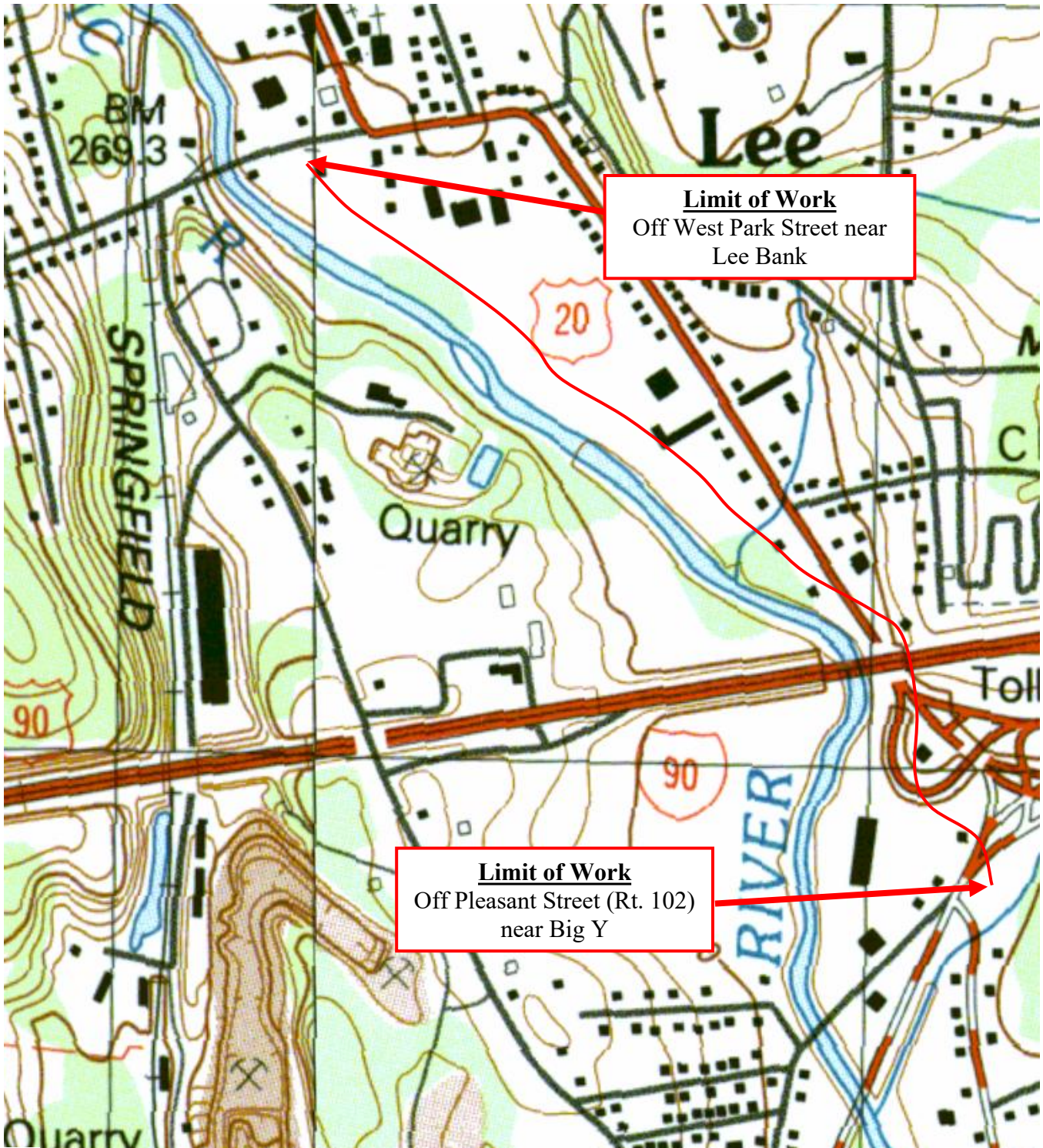
5. MUST I ACCEPT THE MUNICIPALITY OFFER?

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.



LEE BIKEWAY CONSTRUCTION

LOCUS MAP



## Project Purpose and Location

The Town of Lee, acting through the Massachusetts Department of Transportation (MassDOT) Highway Division, proposes to construct an approximately a mile long shared-use path along the easterly side of the Housatonic River, from Lee Bank to the Big Y. The project is designed for pedestrians and bicyclists to have a travel path independent of vehicular traffic.

The proposed path aims to provide a non-motorized transportation alternative for residents, workers, and tourists of all ages and abilities, connecting areas of cultural, economic, social, and natural significance within the town as well as providing recreational opportunities.

## Scope of Work

The proposed path generally consists of a 10-foot-wide hot mix asphalt surface with a 2-foot-wide gravel shoulder on each side. The paved width narrows to 8 feet in the areas adjacent to sensitive environmental resources and wetlands. Where the proposed alignment crosses the existing wetlands, Barnes Brook and an intermittent stream crossing the path transitions to elevated boardwalks, a short span bridge and embedded culvert, respectively. To reduce impacts to these environmentally sensitive areas, the boardwalks/bridges are to be supported on piles. The proposed project includes access paths to local points of interest and public parking areas for path users. The facility will be outfitted with new signs and pavement markings and will include pedestrian and landscape enhancements.

## Traffic Management

Roadway closures and/or detours are not anticipated during construction, as the path alignment for the most part is along the Housatonic River and offset from roadways. However, there will be some roadside/shoulder area construction at the Big Y/Route 102 crossing as well as for construction access at the two ends of the proposed alignment (i.e., West Park Street to Pleasant Street) and impacts to parking spaces in the existing Lee Bank and Big Y parking lots during parking lot reconstruction.

## Right of Way Impacts

For the most part the project alignment is through privately owned properties. The Town will be obtaining permanent easements for the proposed shared-use path. Additionally, temporary construction easements will be needed for construction access and operations. The Town of Lee will be responsible for securing all necessary easements.

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION

FEDERAL AID PROJECT

Lee, MA  
Bikeway Construction  
Project File No. 607570

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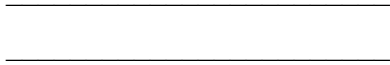
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Carrie E. Lavalley, P.E.  
Acting Chief Engineer  
MassDOT – Highway Division  
10 Park Plaza  
Boston, MA 02116-3973

RE: Virtual Public Hearing  
BIKEWAY CONSTRUCTION  
**LEE**  
Project File No. 607570  
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