



DESIGN PUBLIC HEARING

OCTOBER 1, 2019

AT

LEOMINSTER CITY HALL

LEOMINSTER, MASSACHUSETTS

6:30 PM

FOR THE PROPOSED

ROUTE 12 IMPROVEMENTS PROJECT

IN THE CITY OF LEOMINSTER, MASSACHUSETTS

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

**JONATHAN GULLIVER
HIGHWAY ADMINISTRATOR**

**PATRICIA A. LEAVENWORTH, P.E.
CHIEF ENGINEER**

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION
NOTICE OF A PUBLIC HEARING
Project File No. 608561

A Design Public Hearing will be held by MassDOT to discuss the proposed Route 12 improvements at Hamilton Street and Nelson Street in Leominster, MA.

WHERE: Leominster City Hall, 1st Floor Auditorium
25 West Street
Leominster, MA 01453

WHEN: Tuesday, October 1, 2019 @ 6:30PM

PURPOSE: The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Route 12 improvements project. All views and comments made at the hearing will be reviewed and considered to the maximum extent possible.

PROPOSAL: The proposed project consists of safety, mobility and access improvements for all users along Route 12 (North Main Street) from the intersection with Washington Street to the intersection of Lindell Avenue / Hamilton Street. Specifically, the improvements include new sidewalks, new traffic signal equipment, roadway widening, pavement reconstruction, drainage, the addition of dedicated turn lanes and geometric improvements at all intersections. Bicycle accommodations consisting of 5' shoulders are provided throughout the corridor, in accordance with applicable design guides. Additionally, a short section of the Twin City Rail Trail will be constructed as part of the project.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. The Commonwealth of Massachusetts and the City are 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 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. 608561. Such submissions will also be accepted at the hearing. Mailed statements and exhibits intended for inclusion in the public hearing/transcript must be postmarked no later than ten (10) business days after 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 cancellation announcements will be posted on the internet at <http://www.massdot.state.ma.us/Highway/>

JONATHAN GULLIVER
HIGHWAY ADMINISTRATOR

PATRICIA A. LEAVENWORTH, 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,

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.

RIGHT OF WAY ISSUES

A secure right of way is necessary for this project. Temporary construction easements may be required. The state and the municipality are 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.

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.

Project Location Map



Project Description

The Massachusetts Department of Transportation – Highway Division (MassDOT) is proposing the reconstruction of approximately 2,100 feet of Route 12 (North Main Street) between Hamilton Street/Lindell Avenue and Washington Street in Leominster, MA. The project includes an 1,800 foot segment of the Twin Cities Rail Trail (TCRT), a shared-use path that will connect Fitchburg and Leominster and will run parallel to Route 12 (North Main Street) through the project area. Intersection improvements are proposed at the four main intersections within the project limits including new traffic signals at Washington Street, Nelson Street/Water Tower Plaza Driveway and Lindell Avenue/Hamilton Street along Route 12 (North Main Street).

Proposed Improvements

The project includes roadway widening, geometry, traffic signal, and safety improvements, and pedestrian and bicycle accommodation improvements. It also includes a 10 foot shared-use path that runs the full length of the project, which will connect to the proposed Twin Cities Rail Trail (TCRT) at both ends of this project. Other enhancements include new storm drain improvements, granite curb, concrete sidewalk, and landscaping features.

Existing Conditions

The proposed project is located entirely within the City of Leominster, MA. The general footprint of Route 12 (North Main Street) is being utilized throughout the project, while the Twin Cities Rail Trail (TCRT) will be constructed mostly on the existing railroad bed. Route 12 is functionally classified as an Urban Principal Arterial.

Right of Way Impacts

There are few properties that require permanent acquisitions or easements by the City of Leominster for roadway widening, utility pole relocation, and the proposed shared-use path. One parcel will require complete acquisition. Temporary construction easements will be required to accommodate grading at driveways, along the back of sidewalk, and along the proposed shared-use path. MassDOT's policy regarding land acquisitions will be discussed at this hearing.

Maintenance of Traffic During Construction

The intent of this project is that all streets will remain open to through traffic during construction; however, a short-duration detour may be required at Washington Avenue to facilitate drainage improvements at this intersection. Driveway access for abutting properties shall be maintained at all times during construction.

Project Status – Project Schedule

The project has been programmed in the Statewide Transportation Improvement Program for Federal Fiscal Year 2021. The Plans on display this evening are at the 25% Design Stage (Preliminary Design Stage). Comments from this evening will be reviewed and considered to the maximum extent possible.

Project Construction Cost

The project construction costs will be funded with a combination of moneys from the Federal Highway Administration and the Commonwealth of Massachusetts and is currently estimated at approximately \$6.0 million.

Address: _____

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Please Place
Appropriate
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Patricia A. Leavenworth, P.E.
Chief Engineer
MassDOT – Highway Division
10 Park Plaza
Boston, MA 02116-3973

RE: Public Hearing
Route 12 improvements at Hamilton Street and Nelson Street
Leominster
Project File No. 608561
Roadway Project Management Section

