



**VIRTUAL DESIGN PUBLIC HEARING**

**JUNE 22, 2022**

**FOR THE PROPOSED**

**Independence Greenway Extension  
Project No. 609211  
Project Management**

**IN THE CITY OF PEABODY, 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. 609211**

A Live Virtual Design Public Hearing will be hosted on the MassDOT website below to present the design for the proposed Independence Greenway Extension project in **Peabody, MA**.

**WHEN: 6:30 – 8:00 PM on Wednesday, June 22, 2022**

**PURPOSE:** The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Independence Greenway Extension 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 is a continuation of the existing Independence Greenway eastwards from its present eastern terminus at the North Shore Mall to the Warren Street Extension/Endicott Street intersection in central Peabody. This will extend the existing 5.3-mile Greenway by 7,000 feet (1.3 miles). The Greenway Extension will provide a dedicated and protected 10-foot-wide two-way multiuse path for the full extension. Much of the asphalt pathway will have a 2-foot-wide crushed stone shoulder on each side. Sidewalks will be extended at various locations to accommodate the asphalt path along with new granite curbing and grass at some locations. The project will also include: a Rectangular Rapid-Flashing Beacon (RRFB) and signing for a crossing at North Shore Road to the abandoned Boston and Maine Railroad right-of-way along Proctor Brook; new concrete culverts; a new 80-foot span timber bridge and a new 540-foot timber boardwalk to minimize wetland impacts. New trail heads will be constructed on either end of the Proctor Brook section of the path. This new segment extension, as with all other segments of the Independence Greenway, will eventually be part of the Border to Boston trail.

A secure right-of-way is necessary for this project. Acquisitions in fee and permanent or temporary easements may be required. **The City is responsible for acquiring all needed rights in private or public lands.** 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 6340, 10 Park Plaza, Boston, MA 02116, Attention: **Project Management, Project File No. 609211**. 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 [www.mass.gov/massdot-highway-design-public-hearings](http://www.mass.gov/massdot-highway-design-public-hearings).

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

## **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 required for this project. If your property, or a portion of it, must be acquired by the State or Municipality for highway purposes in the interest of all people of the Commonwealth, your rights are fully protected under the law. Procedures are different depending on whether the State or Municipality is making the acquisitions. Briefly, here are some of the answers to questions you might ask.

### **State Acquisitions**

#### **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.

MassDOT also provides for dispute resolution through the administrative settlement process. You can initiate this by providing documentation and information relative to the value of your property, including but not limited to, an appraisal for our review. If resolution cannot be reached through the administrative settlement process, you can still bring a claim in court for additional monies at any time during the three-year period.

#### **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.

### Municipal Acquisitions

#### 1. REASON FOR PROJECT?

The construction of this project will serve the needs of local users as well as those of the greater surrounding communities. The proposed enhancement has been designed to service 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 process and procedures used in acquiring any necessary rights required for the proposed project.

#### 3. APPRAISALS, DONATIONS, RIGHTS OF ENTRY?

Impacted Property owners are entitled to an appraisal and Just Compensation, however, municipalities will often seek donations of parcels as 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 temporary 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, etc.

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

When donations or Rights of Entry 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 and review 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 (Just compensation), for the rights to be acquired.

#### 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 from the date of the recording of the acquired parcel(s). The owner(s) may be paid pro tanto (for the time being). The pro tanto payment will not prejudice the court's final decision.





**LEGEND:**

 = PROJECT LOCATION

SCALE: 1" = 600'



# **INDEPENDENCE GREENWAY EXTENSION**

## **PROJECT NO. 609211**

### **PROJECT LOCATION**

The project is in the City of Peabody, Massachusetts along Essex Center Drive, Northshore Road, and Endicott Street for an approximate project length of 1.3 miles.

### **PURPOSE**

The purpose of this project is to extend the existing Independence Greenway shared-use path in the City of Peabody to reduce the section of critical gap that exists between the end of the existing Greenway and Downtown Peabody for bicyclist and pedestrian access. The project will provide a continuous shared-use path for bicycles and pedestrians. The proposed improvements also include a crossing of Northshore Road and Endicott Street, as well as a bridge with a boardwalk and three culverts crossing over the Proctor Brook where the proposed trail follows the existing railroad easement.

### **EXISTING CONDITIONS**

Essex Center Drive is classified as a local roadway under the private jurisdiction of the Northshore Mall. It serves mostly as a circulating road for the Northshore Mall and its adjacent office and commercial buildings. There is a second segment, listed by MassDOT as part of the Essex Center Drive, that serves as an underpass under Route 128, connecting the rest of the road and the mall driveway to Northshore Road and Route 128 North. The underpass segment is under MassDOT jurisdiction.

Northshore Road is a local roadway under the City of Peabody jurisdiction. Northshore Road connects the Northshore Mall south entrance with Lowell Street and Route 114, as well as the ramps to Route 128 North. The posted speed limit of Northshore Road is 25 miles per hour (mph) in both directions. Endicott Street is an Urban Collector roadway under the jurisdiction of the City of Peabody. Endicott Street connects Route 114 to Lowell Street just west of Peabody Center and is primarily residential.

Based on traffic counts along Essex Center Drive in 2021, the Average Daily Traffic (ADT) was 12,971 vehicles per day (vpd). Traffic volumes were also taken along Northshore Road and Endicott Street as part of the analysis.

### **PROPOSED IMPROVEMENTS**

The project proposes to extend the existing Independence Greenway shared-use path to Endicott Street, closer to the Peabody Downtown. The improvements include restriping Essex Center Drive, between the trailhead and the underpass, to include a 10-foot-wide raised multiuse path with 2-foot-wide shoulders and a 3-foot-wide buffer. In addition, the existing sidewalk along the underpass will be widened to provide a 10-foot-wide raised multiuse path with a 2-foot-wide shoulders from the curb abutting roadway. The roadway would be restriped in the southbound



direction to have one 11-foot-wide travel lane with 1.5-foot-wide shoulders. The Railroad Right of Way segment would be consistent with cross sections of a 10-foot-wide paved bikeway and two-foot-wide shoulders.

The proposed improvements also include the installation of an enhanced crosswalk treatment across Northshore Road to provide access to the Railroad Right of Way. This treatment is consistent with what has been installed on the trail in West Peabody at the Russell Street crossing. This treatment would include W11-15 signage with a Rectangular Rapid-Flash Beacon (RRFB) at the crosswalk, with standard advance warning signage approximately 200 feet away from the crosswalk. At the crosswalk, passive detection (microwave) would be used to sense oncoming cyclist from either Greenway approach to activate the RRFB as needed.

## **MAINTENANCE OF TRAFFIC DURING CONSTRUCTION**

Major construction components of the project will include full-depth shared-use path construction, grading, culvert installation, clearing and grubbing, and boardwalk installation. It is anticipated that up to half of the roadway will be closed to traffic during the anticipated work hours of 9 AM – 3 PM on weekdays on Northshore Road and Endicott Street at each of the proposed trailhead crossing locations, while work along Essex Center Drive would require one-lane alternating setups. Minimum travel lane widths of 11 feet or existing width will be maintained.

Anticipated temporary traffic control will include, but not be limited to, shoulder closure, half-road closure, lane shifting, quadrant closure and one-lane alternating traffic setup with police/flagger directing traffic where there is insufficient roadway width to accommodate two travel lanes on any of the project roadways. The bicycle accommodations are expected to be similar to existing conditions throughout the construction period. However, the sidewalks along Northshore Road will be closed during construction of the new shared-use path. Temporary crossings, where needed, will be handicap accessible as directed by the Massachusetts Access Board (MAAB) and the federal Americans with Disabilities Act Accessibility Guidelines (ADAAG).

Construction along the railroad easement is not anticipated to result in traffic impacts other than construction vehicle access to and from Northshore Road and Endicott Street. Daytime work is recommended as night work will negatively impact the residences abutting the railroad easement.

## **RIGHT OF WAY**

Temporary construction easements will be required from abutting properties. The temporary construction easements are required for matching the proposed work to existing conditions and to allow the Contractor onto abutting properties to facilitate construction.

## **PROJECT COST**

The total preliminary construction cost estimate for the entire project is approximately \$2.5 million.

## **PROJECT STATUS**

The design plans presented here represent the 25% Design Level. Comments made at this public hearing will be incorporated to the maximum extent feasible in the final design documents. The project is scheduled to be advertised in Fall of 2023 and construction duration is anticipated to last one year which will depend on utility relocation schedules.

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION

FEDERAL AID PROJECT

Peabody, MA  
Independence Greenway Extension  
Project File No. 609211

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

RE: Virtual Public Hearing  
Independence Greenway Extension  
**PEABODY**  
Project File No. 609211  
Attn: Project Management

