



**DESIGN PUBLIC HEARING**

**JULY 29, 2021  
6:30 PM**

**FOR THE PROPOSED**

**Reconstruction of East Street (Route 9)  
Project No. 604003  
Project Management**

**IN THE CITY OF PITTSFIELD, MASSACHUSETTS**

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

**JONATHAN GULLIVER  
HIGHWAY ADMINISTRATOR**

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

**THE COMMONWEALTH OF MASSACHUSETTS**  
**MASSACHUSETTS DEPARTMENT OF TRANSPORTATION – HIGHWAY DIVISION**  
**NOTICE OF A PUBLIC HEARING**  
**Project File No. 604003**

A Design Public Hearing will be held by MassDOT to present the design for the proposed Reconstruction of East Street (Route 9) in **Pittsfield, MA**.

WHERE:           Pittsfield City Hall Chambers  
                  70 Allen Street  
                  Pittsfield, MA 01201

WHEN:           **Thursday, July 29, 2021 @ 6:30PM**

PURPOSE:       The purpose of this hearing is to provide the public with the opportunity to become fully acquainted with the proposed Reconstruction of East Street (Route 9) project. All views and comments submitted in response to the hearing will be reviewed and considered to the maximum extent possible.

PROPOSAL:      The project consists of the reconstruction and widening of East Street (Route 9) from the westerly side of the intersection with Lyman Street to the easterly side of the intersection with Merrill Road, for a distance of approximately 3,000 feet or .50 miles within the City of Pittsfield. The improvements include the full depth reconstruction and widening of the existing roadway to provide 12 foot travel lanes in each direction along with the appropriate turn lane/two way left turn lane as needed or a raised center median to separate the traffic. The project will also provide buffered bicycle lanes and sidewalks along each side of East Street (Route 9); ADA/AAB-compliant wheelchair ramps at the intersections; two formal BRTA bus stops; reconstructed traffic signals at the intersections of East Street (Route 9) with Woodlawn Avenue and with Merrill Road; reconstruction of the existing storm drain infrastructure; water line replacement; and new pavement markings and signs. East Street (Route 9) within the project limits consist of both City of Pittsfield layout as well as State Highway Layout.

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

Written statements and other exhibits regarding the proposed undertaking are to be submitted to Carrie Lavalley, P.E., Acting Chief Engineer, MassDOT, 10 Park Plaza, Boston, MA 02116, Attention: **Project Management, Project File No. 604003**. Mailed statements and exhibits intended for inclusion in the public hearing transcript must be postmarked no later than ten (10) business days after the hearing is posted to the MassDOT website listed below. Project inquiries may be emailed to [dot.feedback.highway@state.ma.us](mailto:dot.feedback.highway@state.ma.us).

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 Design Public Hearing or a cancellation announcement will be posted 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 LAVALLEE, 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

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.

## 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.

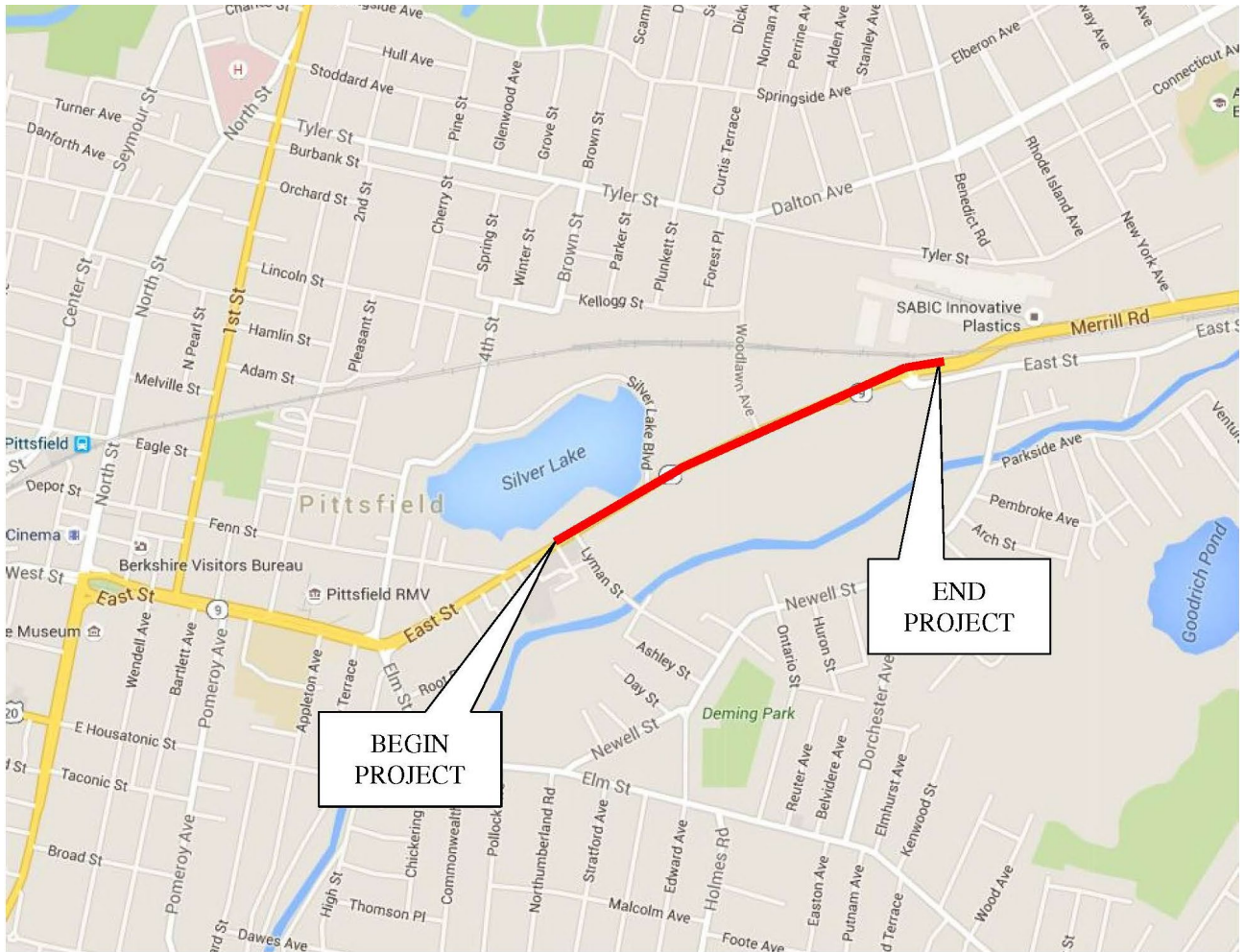
### 4. WHAT IS A FAIR PRICE FOR THE ACQUIRED PARCELS?

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.

# LOCUS MAP



Not to Scale

# **Reconstruction of East Street (Route 9)** **Pittsfield, Massachusetts**

## **Project Location**

The proposed improvements extend approximately 0.50 miles along East Street (Route 9) from the westerly side of the intersection with Lyman Street to the easterly side of the intersection with Merrill Road.

## **Project Purpose**

The purpose of the project is to upgrade the aging infrastructure and introduce pedestrian and bicycle accommodations throughout the corridor.

## **Proposed Improvements**

The following improvements are proposed:

- Full depth reconstruction and widening of the roadway to accommodate new turn lanes
- Upgrade signs and pavement markings
- Stripe 5-foot-wide buffered bicycle lanes on both sides of the roadway
- Construct cement concrete sidewalks along both sides of the roadway
- Construct ADA compliant pedestrian curb ramps
- Install granite curbing along both sides of the roadway
- Install a new drainage system for stormwater
- Reconstruct the existing traffic signals at the intersection of East Street (Route 9)/Woodlawn Avenue and the intersection of East Street (Route 9)/Merrill Road
- Relocate utility poles as necessary

## **Traffic Management**

During construction operations, roadways within the project area will remain open to vehicular traffic. Lane shifts will be implemented where possible to keep two lanes open around the construction operations. Travel lanes may be reduced to one lane at off-peak traffic periods for alternating traffic. Every effort will be made to minimize inconvenience to the travelling public and abutting residents and businesses during construction. Pedestrian and vehicular access to abutting properties will be maintained throughout construction.

## **Right of Way Impacts**

Temporary construction easements will be required for grading impacts to lawns, driveways, and walkways and to restore impacts to adjacent properties. Permanent easements will be required to accommodate the new sidewalk in some locations, for utility pole relocations and overhead utility wires, and for new drainage infrastructure. The City and the MassDOT Right of Way Bureau share the responsibility for acquiring all necessary rights in private and public lands for



the design, construction, and implementation of this project. MassDOT's policy concerning land acquisition will be discussed at this hearing.

### **Project Cost**

The current estimate of the total construction cost of this project is approximately \$9 to \$10 Million.

### **Project Schedule**

The project being presented is at the 25% design stage. Design, permitting and right of way acquisition is anticipated to be complete by Winter of 2024-2025. The earliest that Construction is anticipated to begin is in the Spring of 2026, but the start date is dependent on availability of funding through the Transportation Improvement Program (TIP) programmed by the Berkshire Regional Planning Commission.

THE COMMONWEALTH OF MASSACHUSETTS  
MASSACHUSETTS DEPARTMENT OF TRANSPORTATION  
HIGHWAY DIVISION

FEDERAL AID PROJECT

Pittsfield, MA  
Reconstruction of East Street (Route 9)  
Project File No. 604003

This sheet is provided for your comments. Your input is solicited and appreciated. Please return your sheet, with comments, to a staff member at the meeting, or mail to:

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

The final date for receipt of written statements and exhibits for inclusion into the official hearing transcript will be ten (10) days after the Hearing.

**PLEASE TYPE OR PRINT LEGIBLY.**

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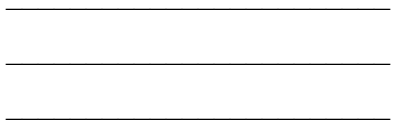
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Carrie Lavallee, P.E.  
Acting Chief Engineer  
MassDOT – Highway Division  
10 Park Plaza  
Boston, MA 02116-3973

RE: Public Hearing  
Reconstruction of East Street (Route 9)  
**PITTSFIELD**  
Project File No. 604003  
Project Management

