

# Cape Cod Metropolitan Planning Organization (MPO)



CAPE COD  
COMMISSION

**Cape Cod Commission Conference Room  
3225 Main Street Barnstable, MA 02630**

## **Minutes: Monday, January 28, 2013**

<u>Name</u>	<u>Representing</u>
Clinton Bench	Deputy Executive Director, Massachusetts Department of Transportation, (MassDOT) Office of Transportation Planning (OTP)/ Chairman, representing Richard A. Davey, Secretary/Chief Executive Officer (CEO), MassDOT
Pamela Haznar, P.E.	MassDOT Highway Division District 5 Office, representing Frank DePaola, P.E., Administrator, MassDOT Highway Division
William Doherty	MPO Representative, Barnstable County Commissioners
Austin Knight	Provincetown Selectman, Sub-Region D Rep., (D= Eastham, Wellfleet Truro, and Provincetown)
John Harris	Cape Cod Commission (CCC) Chairman
Wayne Lamson	Woods Hole, Martha's Vineyard and Nantucket Steamship Authority
Jason Steiding	Mashpee Wampanoag Tribe
Ron Bergstrom	Cape Cod Regional Transit Authority (CCRTA)
Julie Quintero-Schulz	CCRTA
Curtis Sears	Yarmouth Selectman, Sub-Region B Rep., (B= Yarmouth and Dennis)
Paul Lagg	Town of Chatham, Community Development Dept.
Florence Seldin	Town of Chatham, Chair Board of Selectmen
Mark Ells	Town of Barnstable
Tom Mayo	Town of Mashpee
Aimee Eckman	Eastham Selectman, District D Alternate
Gloria Freeman	West Chatham Association, Inc.
Bill Tuxbury	West Chatham Association, Inc.
Sallie K. Riggs	Bourne Financial Development Corporation (BFDC)
Sue Rohrbach	Senator Dan Wolf
Robert Burgmann, P.E.	Greenman -Pedersen, Inc.
Marcia Easterling	LWVF - Transportation Subcommittee
Calli Cenizal	MassDOT Office of Transportation Planning
Timothy Kochan	MassDOT Highway Division District 5
Glenn Cannon, P.E.	CCC Technical Services Director
Priscilla Leclerc	CCC Senior Transportation Planner
Lev Malakhoff	CCC Transportation Engineer
Steven Tupper	CCC Technical Services Analyst
Maria McCauley	CCC Administrative Assistant
Martha Hevenor	CCC Planner II

**Call to order:** Chairman Clinton Bench called the meeting to order at 1:05 p.m.

**Minutes of June 25, 2012 MPO meeting:** Austin Knight motioned to approve the MPO minutes from June 25, 2012 meeting. Bill Doherty seconded the motion. Clinton Bench asked if there are any questions or discussion regarding the content of the minutes.

Bill Tuxbury from West Chatham Association, Inc. inquired whether the West Chatham project will be discussed at today's meeting.

Clinton Bench responded that, as usual, there will be opportunity for public comment during meeting if someone feels that their questions or issues raised were not addressed at the last meeting. In terms of the actual implementation of the project, MPO is not responsible for the construction or design process. Any technical questions should be directed to the town at this point.

Priscilla Leclerc mentioned that she has one correction to the minutes. Word "north" on page 3 (section regarding The West Chatham Assoc. letter to the MPO) needs to be changed to "south".

Clinton Bench asked for unanimous consent to add the change to the motion. Motion was voted unanimously. Mark Ells and J.D. Harris abstained.

**Public Comment:** Clinton Bench inquired if there were any public comments.

Bill Tuxbury, West Chatham Assoc., Inc. stated that they had presented a petition to eliminate turning lane in West Chatham. What is MPO's policy on the issue?

Clinton Bench responded that MPO is responsible for programming of transportation projects which are at least partially funded by federal transportation funds. The role of MPO is to have a continuing planning process that is collaborative and comprehensive. We make determination on readiness of projects and decide in the four year plan how the money will be distributed. In this case, my understanding is that the project is in a low design stage, which means there is still opportunity for further public engagement.

Pam Haznar stated that West Chatham project need form was received from town at least 3 years ago. Town of Chatham was interested in some improvements on Rte. 28 between George Ryder Rd. and Barn Hill Rd. in West Chatham. We realize that there is some opposition in the town and we have been stressing the need for extensive public outreach. Project is still in preliminary design stage. We have not endorsed any concepts at this time. The town had multiple public outreach meetings. The project has approval of the MassDOT Project Approval Committee but it only means that it is eligible for TIP funding.

Priscilla Leclerc added that the West Chatham project is in TIP year 2016. Priscilla also stated that she has included in packets a Town of Chatham letter addressed to Clinton Bench regarding the public outreach proposed for the West Chatham project.

Clinton Bench clarified that this project is in the fourth year of the current TIP. It would not be implemented until October 2015. Since we are not using any federal funds for the design, the town is responsible for the design.

Ronald Bergstrom, CCRTA Chairman, stated that the Town of Chatham is trying to reach consensus, but it is difficult to reach. He would like to avoid a scenario where the town puts together a plan and then it is debated or rejected by the MPO. What are the criteria for the projects to be approved by the MPO?

Clinton Bench responded that, from MassDOT perspective, we want to make sure that common public outreach guidelines and procedures are followed and that public comments are taken into consideration. Every year we pass a new TIP but once a project is placed on TIP, there has to be a very good reason to take it off the TIP.

Bill Doherty said that he believes procedures are being followed in the West Chatham project and that presence of the Chatham Chairman of the Board of Selectmen at this meeting adds to the significance of the letter sent by the town to Clinton Bench. More discussion is not useful at this point.

Florence Seldin, Chatham Board of Selectmen, Chairman, stated that the letter sent by the town reaffirms the town's commitment to the public outreach process. We have hired Howard Stein Hudson Associates as our design consultant and they have an excellent record of following the process. The consultants will be at the Board of Selectmen meeting later in February to present their plans and they will start public outreach in March. We will continue to work with MassDOT to reach the 25% design goal.

J.D. Harris commented that the town that he lives in has completed an improvement project that he is very happy with but at the town meeting (PL clarifies that it was MassDOT public hearing) he attended there were some

public in attendance who were very opposed to the project. How does the public outreach process work in a situation where there is significant opposition to the project?

Clinton Bench replied that he would assume that Board of Selectmen of the town would not move with the project if there is a large opposition to the project. He added that at this point there is not much else to debate on since the West Chatham project is not even at the preliminary design stage.

**Cape Cod Transportation Improvement Program (TIP) Amendment, FFY 2013-2016:** Priscilla Leclerc gave an overview of the TIP requirements and presented slides with some of the TIP previous projects and proposed amendment to the TIP budget. She stated that estimated funds for Cape Cod have not changed, and the new ITS project fits into the estimated funds. The other TIP Amendment project cost adjustments also fit within the available funds to maintain financial constraint.

Austin Knight asked whether Cape Cod fluctuating population is taken into consideration when funds are assigned.

Priscilla responded no, because the funds are assigned based on the census population numbers, along with other formula components.

Bill Doherty commented that we are forced to have infrastructure to support four times the population but we are limited in the ability to get funds.

Priscilla replied that based on the Regional Transportation Plan we are primarily focusing on improvements in the region's most congested areas.

Priscilla continued her presentation by showing some of the completed projects, including Rte. 149 roundabout at exit 5 in West Barnstable.

Mark Ells, Town of Barnstable, commented that there have not been any accident reports at that location since the completion of the construction.

Ron Bergstrom added that the signage is inadequate at the new roundabout for getting to the Route 6 ramps.

Priscilla continued by presenting TIP Highway Amendment. The proposed changes are as follows:

- addition of the ITS improvements to the TIP	\$1,500,000
- increase of Falmouth combined intersections costs by	\$150,785
- increase of Orleans roundabout costs by	\$298,259
- increase of the National Seashore RTA shuttle fund by	\$21,013

Priscilla stated that based on the new MAP-21 regulations TIP Transit funds for 2013 are decreasing and the allocations of the funds have changed. Transit funds for 2014-2016 remain the same. Priscilla asked MPO to vote to release the Draft of the TIP Amendments for the public comment period for 30 days.

Julie Quintero-Schulz, CCRTA, confirmed that the proposed Transit fund total is \$6,886,817, which means reducing transit funds in the region by approximately \$2mln. Julie read e-mail received this morning from Dennis Walsh, CCRTA, explaining that these last minute changes resulted from changed allocations required by MAP-21 regulations.

Bill Doherty asked whether roadbed improvement for Cape Cod Rail was included in this amount.

Julie responded that no, it is not included.

Clinton Bench expressed his concern that this change might be premature and that Rail & Transit Division is not aware of the proposed change.

Bill Doherty wanted to make sure that this is what CCRTA wants and stated that he was surprised that this reduction of funds was not brought up at the CCRTA board meeting.

Julie replied that this is not operating budget we are proposing to reduce. These are funds for capital equipment and that everything CCRTA needs is in the attached spreadsheet that was passed to everyone in the room.

Ron Bergstrom stated that this is just a proposal. We are not going to vote on it until March, so let's put it on the Draft TIP Amendment and then we can still discuss it.

Clinton Bench agreed that whatever MPO is doing today is for public comment purposes. TIP is not changing today. From the MassDOT perspective major changes to TIP funds should be consulted with MassDOT. We also have not provided any RTA's with guidelines how to amend TIP's after the MAP-21 changes, yet. Clinton suggested a motion.

Bill Doherty motions to put Draft of TIP Amendment for public comment. Ron Bergstrom seconded the motion. Priscilla Leclerc asked to clarify which version of the TIP is she supposed to put online.

Clinton Bench and Bill Doherty replied that it is the TIP Amendment just as presented (with the reduced transit funds).

Motion to release the Draft TIP Amendment for public comment was voted unanimously.

**Title VI Compliance Update:** Martha Hevenor, CCC Planner, gave a presentation on Title VI Compliance. She explained that it is a non-discrimination law pertinent to MPO in a way the funds are distributed and explained the difference between Title VI Compliance and Environmental Justice. Martha listed MPO's responsibilities within Title VI Compliance and she also gave an update on addressing the deficiencies within CC MPO Title VI Compliance. She pointed out that MPO notices and agendas have been revised and new complaint procedures have been drafted and incorporated into Public Participation Plan. Complaints are being sent directly to MassDOT.

Bill Doherty asked whether homeless are part of the protected class.

Martha Hevenor responded that they are not protected as homeless but they may fall into a different protected category.

Martha Hevenor stated that MassDOT requires MPO to vote on two assurances regarding compliance with Title VI requirements. Vote of the MPO is needed to allow chairman to sign the assurances.

Calli Cenizal, MassDOT, explained that it applies to all categories that federal money is received in.

Clinton Bench added that the goal is to develop uniform guidelines to follow Title VI rules throughout the region.

Bill Doherty motioned to authorize Clinton Bench to sign the assurances. Austin Knight seconded and the motion was voted unanimously. Clinton Bench proceeded to sign the assurances.

**Unified Planning Work Program (UPWP) FFY2012 Year End Review:** Glenn Cannon, P.E., CCC Technical Services Director, presented an overview of the UPWP projects in FFY 2012. He explained the scope of work within each task and presented slides with projects completed in FFY12, including Canal Area Study, Hyannis Access Study, Orleans Living Streets, Provincetown Shankpainter Road.

**Reports and Other Information:** Pamela Haznar, P.E., Project Development Engineer, MassDOT Highway Division District 5, reported on project updates:

- Bourne/Wareham, Rte. 6/Rte. 28 bridge is about 25% completed; completion scheduled for 2014; traffic pattern will remain the same through the construction (one lane in each direction)
- Sandwich Rte. 130 at the Rte. 6 ramps is 98% completed
- Dennis - Upper County Road Bridge was closed after Thanksgiving and will open by Memorial Day; we are constructing temporary bridge at Rte. 28 and also temporary utility bridge. There is also some clearing and drainage work being done on Rte. 134 in Dennis.

- Harwich – Rte. 137 reconstruction is going very well, about 60% complete; paving and shoulder work will continue as of March 15th
- Yarmouth intersection improvements at Old Townhouse Rd/Forest St. is about 30% complete; completion date is October 2013
- Falmouth National Highway resurfacing project - we were asked to do the daytime work and that sped up the process
- Sandwich Rte. 6 resurfacing project was advertised and bid opening is at the end of February.

Pamela Haznar also presented an updated map of the planned ITS improvements with marked locations of the blue tooth devices readers, called Blue Toads, along Rte. 6 on Cape Cod. She explained that the fastest and the slowest travel times between the reading spots will not be taken into consideration to assure accurate data.

Clinton Bench added that MassDOT will be using data that is commercially available and will not be storing any of the data collected from the cell phone signals.

Sue Rohrbach asked Pam about information regarding safety improvements at Rte. 28 and Bears's Way.

Pam Haznar responded that she spoke with traffic operation section and met with CCC and town staff. Some vegetation clearing was done and lines were painted.

Curtis Sears asked about the highway mileage signs. He believes signs on Rte. 6 should be updated and they should show both the distance to the exit and to the center of town.

Pam Haznar agreed with Curtis and said that they were talking about this topic and are heading in this direction with new signs. MassDOT is looking for local input regarding signs.

Clinton Bench added that standard signs are supposed to show distance to the town center. He asked to let MassDOT know if you know a sign that is clearly wrong.

Ron Bergstrom, CCRTA, mentioned that plans for weekend rail service to Cape Cod are going very well and that they are working on plans to develop property around the new Transportation Center in Hyannis.

Glenn Cannon, Cape Cod Commission, provided a brief update:

- MPO is being recertified by Federal Highway and there will be an onsite review in March 2013
- Hyannis Access and Yarmouth Corridor Study - Hyannis Task Force selected option F for the project (with an underpass under the Airport Rotary); Glenn offered to give a more detailed presentation on Hyannis Access Study at the next MPO meeting
- Cape Cod Canal 100 year anniversary is approaching (in 2014) and there will be a golf tournament in September to raise money for the events

Clinton Bench mentioned that revenue information is available MassDOT website.

Austin Knight inquired about the privatization of the bridges.

Clinton Bench responded that there is no serious conversation about it. Private ventures could be involved down the road.

Ron Bergstrom asked about requiring easy pass on all cars. Is there any discussion about that?

Clinton Bench responded that Mass DOT and governor are looking into different ways of bridging the gap in funding and gas tax, miles traveled, VMT (vehicle miles travelled) pricing are all possible options but there are no final plans.

Curtis Sears commented that wastewater is as much an issue as roadways. Wastewater should be addressed at the same time as the road projects not to tear up the roads twice.

Priscilla Leclerc responded that CCC has received some federal money to look into resolving the wastewater issue and she hopes that they will consider coordinating with road projects.

Bill Doherty asked about possibility of remote participation in next MPO meeting on March 4, 2013 as he will be in Washington, DC at the time.

Clinton Bench replied that he could participate by calling in but remote participation rules have to be set up regarding quorum and voting.

Bill Doherty motioned to adjourn the meeting, and the meeting adjourned at 3:15 pm.

**Attachments:**

- Meeting packet
- Cape Cod TIP Amendment presentation
- Title VI Compliance presentation
- FFY 2012 UPWP Year End Review presentation