

# Cape Cod Metropolitan Planning Organization (MPO)

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



CAPE COD  
COMMISSION

## AMENDED Draft Meeting Minutes: Monday, June 23, 2014

### MPO Members in Attendance

### Representing

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
Pam Haznar	District 5 Projects Engineer, representing Frank DePaola, MassDOT Highway Division Administrator
Austin Knight	Sub-Region D Representative (D= Eastham, Wellfleet, Truro, and Provincetown), Vice Chair
John Harris	Cape Cod Commission, Representative
Florence Seldin	Sub Region C: Alternate (C = Brewster, Chatham, Harwich and Orleans)
Michael Richardson	Sub Region A: Representative (A = Towns of Bourne, Falmouth, Mashpee and Sandwich)
Curtis Sears	Sub Region B: Representative (B = Towns of Dennis and Yarmouth)
Jill Goldsmith	Cape Cod Regional Transit Authority- Alternate (CCRTA)

### Others in Attendance

### Representing

Bryan Pounds	MassDOT, OTP Liaison
Timothy Kochan	MassDOT Highway Division District 5
Dennis Walsh	Cape Cod Regional Transit Authority (CCRTA)
Terry Whalen	Town of Chatham
Leah Sirmin	Community Planner, Federal Highway Administration
Wayne Lamson	Steamship Authority
Sallie Riggs	Bourne Transportation Advisory Committee
Susan H. Rohrbach	Senator Dan Wolf
Joe Rodricks	Town of Dennis
Stephen Buckley	openchatham.com
Sally Urbano	Harwich Resident
Louis Urbano	Harwich Resident
Anne Stewart	Harwich Resident
Rob Steen	Barnstable Resident
Jessica Wielgus	Cape Cod Commission Counsel
Glenn Cannon, P.E.	Cape Cod Commission Technical Services Director
Lev Malakhoff	Cape Cod Commission Senior Transportation Engineer
Steven Tupper	Cape Cod Commission Technical Services Planner
Martha Hevenor	Cape Cod Commission Planner II
Lisa Dillon	Cape Cod Commission Administrative Assistant

### **Call to order:**

Chairman Clinton Bench called the meeting to order at 1:00 p.m. and asked all attendees to introduce themselves. Mr. Bench noted the importance of the meeting given the anticipated endorsements that will be discussed and ultimately voted on by the MPO.

Mr. Bench stated that the meeting is being recorded and that there are sound amplifiers/speakers in the room which is in compliance with ADA guidelines. Mr. Cannon explained that there are assisted listening devices available, as well as a microphone for the public to speak. Mr. Bench stated that if anyone has trouble participating in the meeting for any reason and wishes to do so please alert a member of the staff and your needs to accommodate will be met.

### **Minutes of May 19 2014:**

Upon a motion by Austin Knight to approve the minutes of the April 14, 2014 meeting, seconded by John Harris, the vote was passed unanimously. Curtis Sears and Mike Richardson abstained from the vote.

### **Public Comment:**

Steve Buckley noted that he submitted a comment, which was included in the meeting materials packet, regarding the process set up for the TIP and UPWP. He questioned whether the system currently in place evaluates whether or not proponents are complying with Chapter 2 of the MassDOT "Project Development and Design Guide". He went on to cite the Route 124 in Harwich and Route 28 in West Chatham projects as examples of why he feels that the process needs to be evaluated and be in compliance to Chapter 2.

### **Dedication of the Bass River Bike Bridge in Honor of George Allaire**

Mr. Cannon stated that there has been a request by an MPO Member to dedicate the planned Cape Cod Rail Trail Bridge over Bass River, to George Allaire, DPW Director, and Town of Yarmouth. He noted that, right up to his unexpected passing in April, Mr. Allaire was a key figure in moving the Cape Cod Rail Trail Extension forward and that he had been influential in bicycle planning across Cape Cod for decades.

Mr. Bench noted that the dedication requires an Act of the State Legislature. He suggested that the Staff write a letter from the MPO addressed to a member of the Legislature that represents the location of the Bridge. Mr. Cannon stated that staff has reached out to Senator Wolf in regards to the dedication. Mr. Bench requested Mr. Cannon prepare the letter to Senator Wolf from the MPO and he will sign it on behalf of the MPO.

Upon a motion by Mike Richardson to write a letter to Senator Wolf asking that legislation be filed to name the bridge in honor of Mr. Allaire, seconded by Florence Seldin, the vote was passed unanimously.

Mr. Harris suggested that staff contact the family first and Mr. Cannon stated that he would reach out to the family.

Curtis Sears asked if the Cape Cod Joint Transportation Committee (CCJTC) has been involved with the recommendation and Mr. Cannon stated that they have not but will do so. Mr. Sears stated, along with the family, the Towns should be contacted as well. He noted feeling that a unified voice going back to state brings unity to the request.

Ms. Haznar stated that there is plenty of time to work this out within the project schedule.

Joe Rodricks stated that he spoke to Madeline Allaire and the family is okay with the dedication. Getting something sooner rather than later from the MPO would be good in light of ongoing struggles with the cooperation of the Mass Rail.

Upon a motion by Mr. Sears for Mr. Cannon to provide a letter written to Senator Wolf which will then be brought back to the MPO for signature after the CCJTC and Towns have been consulted, seconded by Ms. Seldin, the vote was passed unanimously.

**Public Participation Plan (PPP):** - Vote to Release Public Participation Plan for Public Review.

- Jessica Wielgus, CCC Counsel
- Martha Hevenor, CCC Planner II

Ms. Wielgus stated that the Public Participation Plan was being brought to the MPO and requested that it be released for Public Comment with the approval of MPO for a 12-week period.

Ms. Wielgus then went over letter dated June 19, 2014 to Bryan Pounds (MassDOT) from the Cape Cod Commission that was included in the meeting packet. She explained that the letter contained redlined edits from staff that are primarily grammatical in nature with a reordering and refinement of the different groups and their functions. Ms. Wielgus reviewed the three grammatical changes which are located on Pages 3 – 5, they are as follows:

Massachusetts Department of Transportation – MassDOT is responsible for Transportation Planning.

Cape Cod Commission- a Native American Representative,

Barnstable County Commissioners - Responsibilities include but not limited to

Ms. Wielgus stated that these changes were recommended by Staff prior to sending to MassDOT for incorporation into the Draft PPP.

Austin Knight motioned to accept edits from Counsel as presented to the PPP in the letter dated June 19, 2014 with the added comments from Counsel for the purpose of review by MassDOT. The motion was seconded by John Harris and the vote was passed unanimously.

Ms. Wielgus stated that staff presented the draft PPP on June 1<sup>st</sup>, but that it had not yet been released for Public Comment. The point of today's presentation is to refine the document as the MPO deems appropriate at which time a vote to release for Public Comment for 12-weeks would be in order.

Upon a motion by Mike Richardson to incorporate the changes as outlined by the June 19, 2014 letter from staff to Bryan Pounds and as presented by counsel, seconded by Mr. Knight, the vote was passed unanimously.

In reference to an earlier comment by Mr. Buckley, Ms. Haznar explained that the Chapter 2 process encourages the Towns to perform Public Outreach as early in the process as possible. This is left up to

the municipalities as they are familiar with their project and the immediate constituent. She went on to express that there had been a lot of success with this process. She noted that when Tim Kochan is made aware of a project, he meets with the Town before a Project Need Form is submitted and asks for documentation of public input. She further noted that some projects have more interest than others.

Mr. Cannon stated that MassDOT is doing a better job of requiring the Town to do public outreach before a project is eligible for TIP funding. The Town receives a letter from MassDOT requiring documentation of public outreach for each project.

Mr. Bench stated that there will be a re-review of the project evaluation criteria later this year due to the MAP-21 guidelines that are coming out.

Ms. Selden asked if Mr. Buckley could be more specific about his comments and where he would like to see Chapter 2 referenced in the document.

Mr. Buckley stated that last fall at a project presentation meeting in the Town of Chatham, various alternatives for West Chatham, Route 28 had been promised at previous Town Meeting to stop the process due the high level of frustration. There were 3 alternative presented the following November and indicated a public hearing would follow. Ms. Selden asked Mr. Buckley if he had a suggestion to the PPP amendment and he did not. Ms. Selden and Mr. Bench agreed that there is no amendment to be made to the proposed PPP. Mr. Cannon stated that this request is something that the staff can address with the board.

Upon a motion by Mr. Bench to release the PPP as amended for public comment for 12 weeks, seconded by Mr. Knight, the vote was passed unanimously.

#### **Cape Cod Transportation Improvement Program (TIP) for FFY 2014-2017 Amendment:**

Vote to Endorse FFY 2014 – 2017 TIP Amendment.

— Dennis Walsh, CCRTA Grant Manager

Mr. Walsh explained that the Amendment presented involves the FFY 2014/2015 Transit Capital program which has been previously approved the CCRTA Advisory Board. Mr. Walsh stated that during the course of the year it became evident that they needed to redistribute some of the federal funds and CCRTA's Capital Improvement Plan (RTACAP). He noted that these capital funds are 80% FTA, 20% MassDOT. These changes are a result of the forward funding which will be submitted in the grant application for the FFY14 funds by June 30, 2014. He explained that currently the FFY 2014 projects are listed in the FFY 2015. These operating subsidies will be applied for by June 2014 for the FFY 14 TIP as a result of the forward funding.

He noted that proposed changes to the TIP include the following line items: The Buy Replacement, Rehab/Renovate – Bus terminal, Acquisition of Bus Support, Equipment/Facilities, Acquire-ADP Hardware, Construction – Bus Shelters, Non Fixed Route ADA Para Service, Operating Assistance and Buy Replacement and show the reallocation of funds.

Mr. Bench asked what has changed since the TIP has been put out for public comment. Mr. Walsh stated that this information has been out for public comment.

Mr. Tupper stated that since the TIP was released for public comment staff was made aware of a Bridge 2014 project with the FHWA Eastern Federal Lands Highway Division. Based on a comment from the FHWA this bridge rehab, which is within the National Seashore, was added to document within the statewide TIP tables.

Mr. Bench asked how the projects that we hope to get funding for on the TIP are fiscally constrained when we don't know the actual cost. Mr. Tupper stated that this project has been added to the appendix and asked Leah Sirmin of FHWA to explain the unique circumstance of this project. Ms. Sirmin explained that this page of the TIP comes directly from the Federal Lands TIP which is maintained by the FHWA. She further explained that the TIP maintained for all federal lands funding is different than the TIP for federal funds that come to the MPO. They deal with project selection and they are reflected in the TIP where appropriate. She clarified that cost ranges are allowed for Federal Lands TIP projects. This information is added to the TIP from the Cape Cod MPO so that the public is aware.

Upon a motion by Mr. Knight to endorse the TIP with changes put out for public comment with the additional Appendix page from the FHWA Eastern Federal Lands Highway Division, seconded by Ms. Seldin, the vote was passed unanimously.

**Cape Cod Transportation Improvement Program (TIP) for FFY 2015-2018:**

Vote to Endorse FFY 2015 – 2018 TIP.

- Steven Tupper, CCC Technical Services Planner
- Dennis Walsh, CCRTA Grant Manager

Mr. Tupper stated that the MPO must now consider endorsement of the 2015-2018 TIP and that the MPO must consider proposed changes from the draft TIP released for public comment. Within the document proposed changes since the release of the draft TIP on May 19, 2014 are highlighted in yellow. He noted that page 10 contained an example of this highlighting. The Appendix of the TIP includes comments from the Town Administrator of Harwich, Federal Highway Administration, MassDOT, and Mr. Stephen Buckley, which have been added to the TIP. Mr. Tupper referred back to the summary sheet which highlights those changes the CCJTC recommended after removing the Harwich Route 124 project. The changes include moving the Dennis, Route 28 Corridor and Streetscape Improvements due to readiness up to FFY 2016 from FFY 2018. Moving that project up to FFY 2016 freed up funding for FFY 2018 and it now includes the intersection of Route 28 at Osterville-West Barnstable Road in Barnstable, and the intersection of Route 28 at Main Street/Depot Road/Queen Anne Road and Crowell Road in Chatham.

Tim Kochan commented that the 2015 Dennis-Yarmouth, CCRT Extension-Bass River Bridge Work PROJECT ID #604488 listed on the summary sheet is actually associated to the Rail Trail Extension, the project number that is associated to this project is #607571. Mr. Tupper thank Mr. Kochan for pointing out this inconsistency on the summary sheet, but explained that the correct number is listed within the TIP document so no correction are required to the document.

Upon a motion by Austin Knight to endorse the version of FFY 2015-2018 TIP being presented by the staff today, seconded by Curtis Sears, the vote was passed unanimously.

Mr. Knight asked with regard to releasing the document for public comments, should it be mentioned that the Route 124 Harwich project has been moved? Mr. Bench stated that this change would be covered in the minutes.

Ms. Haznar stated that the 2018 Barnstable, Route 28/Strawberry Hill Road intersection project is for minor work that has not been fully scoped out. If additional work is needed the cost would go up and therefore may need to be amended. Mr. Cannon stated that this project is also part of the UPWP and the CCC is working with the District to see what work can be done in that location.

Mr. Cannon thanked the board for coming in to make these votes, and noted that the MPO's actions allow for an \$87 million investment in transportation infrastructure in the Region.

Ms. Seldin asked if these projects go out to local contractors. Mr. Cannon stated that there are no provisions for local contractors, but is aware that local firms are frequently winning bids. Mr. Bench stated that there are no guidelines for State procurement. He suggested that any local official that are interested in expanding the number of firms that have access to these types of projects could contact Ms. Haznar at MassDOT who will work with the MassDOT Boston office to assist in prequalification.

### **Unified Planning Work Program (UPWP) for Federal Fiscal Year (FFY) 2015:**

Vote to Endorse FFY 2015 UPWP.

- Glenn Cannon, CCC Director of Technical Services
- Lynn Algren, CCRTA

Mr. Cannon referred to the attached comment letters from MassDOT and the Federal Highway Administration and stated that the comments have been incorporated into the UPWP. The Funding Summary includes Tasks 1 – 6 and the Additional Planning Efforts. The changes within the UPWP are to Tasks, 2.1, 2.6, 3.1, 3.5 and A.2 which are highlighted on the summary sheet.

Ms. Seldin asked what the public input process is for the Cape Cod Canal Transportation Study. Mr. Bench indicated that a Study Advisory Committee has been identified and Mr. Cannon will send that information out.

Mr. Cannon stated that there is an error on Pg. 61, Appendix A – Additional Planning Efforts, the Budget is listed as \$381,680.00, that is the total amount of the contract that the National Park Service has been awarded. \$150,000.00 of that amount will be going into a separate contract for an environmental assessment, and the amount to the Cape Cod Commission is \$231,680.00. Mr. Cannon is asking for an approval with that change.

Mr. Bench mentioned that the scope of Cape Cod Canal project is on pages 62-68.

Upon a motion by Mr. Knight to endorse the UPWP, seconded by Mr. Sears, the vote was passed unanimously.

In reference to the earlier discussion on the Cape Cod Canal Transportation Study, Mr. Cannon noted that the Cape Cod Canal Transportation Study scope of work included in the UPWP does have a project specific Public Participation Plan.

Mr. Bench asked the Committee to sign the endorsement sheet.

### **Reports and Other Information**

Project Updates and Other Regional Reports from MassDOT Highway Division District 5 Office, Cape Cod Regional Transit Authority (CCRTA), and the Cape Cod Commission.

Ms. Haznar gave an update on the following projects:

- Dennis/Yarmouth Rail Trail project stating that the Cape Cod Commission, the Towns, the MassDOT Rail division and MassDOT have been meeting with interested parties and stakeholders monthly which is keeping the project on track. There will be a meeting Thursday at MassDOT, District 5 office. It is expected to be advertised this FFY.
- The Chatham Mitchell River Bridge project has been awarded to SPS New England and the notice to proceed was issued at the end of May.

- The final design for the Bourne/Rte. 28 resurfacing project will be advertised within the next month or so. HSIP funds became available and there was a meeting with the Towns regarding these improvements.
- The bids are open for the Dennis/Orleans, District 5 Median delineation and the work will start after Labor Day.
- The Route 28 at Bearses Way project is at 25% design in which comments are being addressed. There will be a Public Hearing within the next couple of months.
- Ms. Haznar outlined the public outreach and meetings that occurred during the development of the Main Street (Route 28) Intersections and Corridor Project from Barn Hill Road to George Ryder Road in Chatham.
  - In December of 2009 there was an interactive public workshop,
  - In February 2010 a meeting was held to discuss proposed alternative,
  - In June 2010 there was meeting to discuss other alternatives,
  - In September 2010 a public meeting was held to discuss the corridor,
  - And in March of 2011 there was a composite scenarios discussion.

All of these meeting were conducted prior to the approval of the project. In addition to these meetings, public informational meetings where held on April 10, 16 & 25<sup>th</sup>, 2013. The consultant Howard Stein Hudson held workshops with citizens. In June, 2013 there was a briefing to the Board of Selectmen. In November & December, 2013, the Town's Designer addressed all concerns, and a website was set up which is [www.wcroadwaydesign.info](http://www.wcroadwaydesign.info). The project is at 25% design and most comments have been addressed.

Mr. Bench thanked Ms. Haznar for addressing the public participation that occurred on the Chatham Route 28 project. He stated that MassDOT and across the country they are changing the way that they look at projects. The initiative to really look at livability within the Towns and think about how Bicycles and Pedestrians can be accommodated as well as safety and road repair. These projects are reviewed to best suit the needs of the Community. He stated that although there is not always a consensus there is always public outreach.

Mr. Sears stated that Station Ave. has a left turn lane that works to a certain extent but people are using it as a travel lane which is very dangerous. If not handled properly it can become a detriment rather than a positive.

Mr. Walsh stated that the 2<sup>nd</sup> year of the Cape Flyer is going really well and that they perform public outreach through various websites. There was a ribbon cutting ceremony this afternoon for the trolley service which is in full service for the summer. The summer schedule is published on the website as well as tracking of all vehicles for estimated time of arrival.

Mr. Bench stated that MassDOT will be conducting a feasibility study for year-round service on the Cape Flyer along with potentially adding stations. Information regarding this project will be available on the MassDOT Central Transportation Planning Staff (CTPS) when space becomes available.

Mr. Cannon stated that we will be looking for nominees for the next MPO election in early September. After the nominations, MPO Ballots will be mailed out and the MPO nominations will be opened at the MPO meeting on September 15, 2015 and will be voted on at the October 20, 2014 meeting. The MPO Terms begin in 2015.

He stated that the Cape Cod Commission has been working on a variety of projects which have been requested by the Towns that are not listed on the UPWP including:

- Looking at making Adams St. in Bourne a one way street at the request of the Town,

- Assisting the Town of Brewster on the Rte. 6A resurfacing project so they can maximize the livability of the road,
- Assisting the Town of Provincetown move towards implementation of improvements on Shank Painter Rd., and
- There are intersections on Rte 28 in Barnstable that are being reviewed. The Town is specifically concerned with the Rte 28/Rte 130 and Rte 28/Cotuit Rd intersections.

**Next Meeting: Monday, September 15, 2014**

**Adjourn:** Upon a motion by Austin Knight to adjourn the meeting, seconded by Mike Richardson, the meeting was adjourned at 2:45 with a unanimous vote.

**Documents and Exhibits:**

- Agenda, June 23, 2014
- Draft minutes of the May 19, 2014 meeting
- Letter from Glenn Cannon to Bryan Pounds, MPO Liaison with Edits to the MPO Public Participation Plan for June 23, 2014
- Public Participation Plan (DRAFT)
- Cape Cod Transportation Improvement Program (TIP) for FFY 2014-2017 – Amendment: Endorsement Draft
- Cape Cod Transportation Improvement Program (TIP) for FFY 2015-2018 – Endorsement Draft, June 23, 2014
- Summary Sheet, 2015-2018 Draft TIP
- Comments on the Draft FFY 15 UPSW from Federal Highway Administration
- A Letter from the Bourne Police Chief Woodside to Paul Niedzwiecki dated May 5, 2014 requesting technical assistance for Adams Street in Bourne.
- An email from the Provincetown Acting Town Manager requesting technical assistance for the Shank Painter Road project in Provincetown.
- An email from the Brewster Assistant Town Manager requesting technical Assistance for the Route 6A project in Brewster.
- Unified Planning Work Program (UPWP) for FFY 2015, Endorsement Draft and Summary Sheet
- Email from Stephen Buckley with Comments on DRAFT TIP (2014-2018)/ Draft UPWP 2015
- Correspondence regarding Harwich, Route 124