

Cape Cod Metropolitan Planning Organization (MPO)

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CAPE COD
COMMISSION

DRAFT Meeting Minutes of August 1, 2016

MPO Members in Attendance

David Mohler
Pam Haznar
Leo Cakounes
Jessica Rapp Grassetti
Harold Mitchell
Brandon Wilcox
Jill Goldsmith
R. Patrick Ellis
Sims McGrath
Robert Weinstein

Representing

MassDOT, Office of Transportation Planning, representing Stephanie Pollack, MassDOT Secretary/Chief Executive Director
MassDOT Highway Division, District 5 representing Thomas Tinlin, MassDOT Acting Highway Administrator
Barnstable County Commissioner
Barnstable Town Council
Cape Cod Commission
Federal Highway Administration
Representing the Cape Cod Regional Transit Authority
Sub Region A: Bourne, Falmouth, Mashpee and Sandwich
Sub Region C: Brewster, Chatham, Harwich and Orleans
Sub Region D: Eastham, Wellfleet, Truro and Provincetown

Others in Attendance

Gabriel Sherman
Timothy Kochan
Brendan Mullan
Tom Currier
Daniel Santos, P.E.
Terry Whalen
Tom Temple
Tom Andrade
John Fuller
Kristen Bryd
Wayne Lamson
Lance Lambros
Sallie Riggs
Stephen Buckley
Bill Tuxbury
Gloria Freeman
David Burns, MD
Dan Meservey
Patty Daley
Glenn Cannon
Steven Tupper
Lev Malakhoff
Patrick Tierney
Lisa Dillon

Representing

MassDOT, OTP Liaison
MassDOT Highway Division, District 5
MassDOT
MassDOT
Barnstable, Town of
Chatham, Town of, DPW
Chatham, Town of, DPW
Dennis, Town of, DPW
Cape Cod Regional Transit Authority
Cape Cod Regional Transit Authority
Steamship Authority
District Representative for State Senator Vinny deMacedo
Bourne Financial Development Corporation
openchatham.com
West Chatham Association
Chatham Citizen
West Chatham Association
Dan Meservey
Cape Cod Commission
Cape Cod Commission
Cape Cod Commission
Cape Cod Commission
Cape Cod Commission
Cape Cod Commission

Call to Order:

The Chairman, David Mohler called the meeting to order at 1:00 and asked that members and the public introduce themselves.

Minutes of June 27, 2016:

Upon a motion to approve the DRAFT minutes of June 27, 2016 by Patrick Ellis, seconded by Robert Weinstein, the vote was passed unanimously. Jessica Rapp Grasseti abstained from the vote.

Public Comment:

Bill Tuxbury spoke of the significant opposition by the public on the West Chatham project and the increasing cost associated with the project. He stated that the high cost can only be associated as a beautification project. He submitted accident reports from the Chatham Police Department to Mr. Cannon and Mr. Tupper for appropriate distribution, which included an additional 2 years of reports (2014-2016). Mr. Tuxbury stated that he supports postponing the project but hopes it will be removed from the TIP at least until the design is refined and realistic, which means lower costs, no taking of private property, with respect of the people and their local, state and federal dollars.

Dan Meservey stated that he is aware that we are trying to delay the project. He feels that things said about speeding and safety issues are not relevant, as police reports do not support that. He is thankful for the delay as the construction process is difficult on the businesses who are just getting back on their feet after another construction project. He feels that this is not a safety project but a wish list project and would rather the project be dismissed.

Steven Buckley referred to the article in the Cape Cod Times on July 29, 2016, p A3 (attached) regarding the exit numbers. Mr. Buckley ran into Mr. Fraser, the reporter, and this article is a result of that conversation. He was hoping that the article would bring out the fact that no one was aware of this project. He pointed out the highlighted sections of the document, and commented that if we are satisfied with 3 people participating we have low standards. He asked if these changes are being made then why are we going through the exercise? He received a shrugging of the shoulders. He feels that no one know what's going on and if things always move forward in this manner, the public will never be aware. If you want to continue the distrust in government, keep doing exactly what you're doing.

Proposed Metropolitan Planning Organization (MPO) Rulemaking: The Federal Highway Administration and Federal Transit Authority propose to amend the regulatory definition of "metropolitan planning area" (MPA) in [23 CFR 450.104](#) to meet conditions in [23 U.S.C. 134\(e\)\(2\)](#) that require the MPA include the entire urbanized area (UZA) and the contiguous area expected to become urbanized within a 20-year forecast period. The effect of this proposal is that parts of Plymouth, Marion, Wareham and Carver would become part of the UZA and this UZA would need to produce a single metropolitan transportation plan and a single transportation improvement plan (TIP). MassDOT staff will describe the proposed changes to the regulations and their effect on Cape Cod transportation planning followed by discussion by the Cape Cod Metropolitan Planning Organization with a potential vote to authorize staff to submit a comment letter on this proposal. – MassDOT staff

Mr. Mohler presented a document outlining the MPO coordination and planning area reform. He stated that the public comment period ends on August 26, 2016. In summary, it will require MPO boundaries to be in line with MPA (Metropolitan Planning Area) boundaries which are census defined. Assuming that the ruling becomes final, there is an exception where if a Governor and an affected MPO certify that the current boundaries are appropriate for a specific reason, the current boundaries will be kept. The map shows the current Urbanized Area boundaries. Other MPO are commenting in opposition to the rules. Each MPO will be required to adopt a unified TIP and UPWP. MassDOT has not taken an official position.

Mr. Weinstein commented as a representative of Truro that while looking at the map he would not recommend basing the MPO on population since the MPO is focusing on our infrastructure and Rte. 6 is a vital road to the entire cape. He feels that we need to redefine the categories.

Brandon Wilcox added that this does affect about a third of the nation's MPO's and the comment about which urbanized areas will be affected would only be the existing MPO's per the proposed rulemaking.

Patty Daley added the one difference is the nature of our seasonal economy which can make us different from Old Colony and SRPEDD. We don't have a lot of industrial development here and unlikely to see big road projects as well as other characteristics that make us different that communities over the bridge. These are the kinds of things that staff could put into a draft letter in opposition.

Jessica Rapp Grasseti asked why wouldn't add the entire Barnstable County in our MPO by included Provincetown and Truro as the state highways goes all the way to Provincetown. She would like to see the entire Cape be part of the MPO.

Mr. Mohler stated that a letter should be drafted that states the MPO's strong preference to maintain our existing boundaries and list the reasons. The document is due on August 26th. Mr. Tupper stated that a draft will be ready in a week everyone will have 2 days to review the document, if there are comments, REPLY ALL so that everyone can see the changes, at which time staff will put together a final letter to be submitted.

Federal Fiscal Year 2017 Unified Planning Work Program (UPWP): The Cape Cod Metropolitan Planning Organization (CCCMPO) will discuss and potentially vote whether to endorse the UPWP. The UPWP is a list of transportation planning studies scheduled for funding and completion as outlined in the Federal Fiscal Year 2017 (October 1, 2016 to September 30, 2017) UPWP document. Cape Cod Commission staff will give a presentation outlining the comments received on the Federal Fiscal Year 2017 UPWP that was released for public comment at the June 27, 2016 CCMPO meeting. – Lev Malakhoff, Cape Cod Commission Senior Transportation Engineer

Mr. Malakhoff presented a power point. The presentation listed the activities within each task of the UPWP, FY2017 Funding Summary, geographical mapping of the proposed task areas and the responses to MassDOT comments. The UPWP FFY 2017 document was also included.

Mr. Cakounes commented on healthy transportation, increasing bike paths, and complete streets design aspect of the UPWP. He stated that we are spending time and money to comply with regulations but we are also getting pushback from the communities that don't want to be forced to meet the Complete Street design. He suggested looking at something like "rural character roads". Mr. Malakhoff stated that the character of Cape Cod supports the reason why people come here, but there are things that we should be trying to do such as not applying a cookie cutter approach, there are other things that we can do to share the roads such as narrowing the lanes. Mr. Cakounes stated that he would like to the document to reflect the fact that we are looking at the rural aspect and incorporating that. Patrick Ellis added that in the first exercise give to Complete Streets process to the towns was the task of prioritizing the roads in their communities, and to pick the streets where Complete Streets would apply and to remove the roads in your community that will never fit that community. Ms. Haznar added that there is no cookie cutter solution. Each road needs to be looked at for character, functional classification the types of constraints, and there is a design exception process if you don't meet the standard Complete Street design. There a Complete Street Program in which there are additional funds outside of the TIP are available and there is a \$50,000 prioritization grant and there are a few thresholds which need to be met to qualify.

Upon a motion to approve the FFY 17 UPWP with the insertion of the FY2017 UPWP Funding Summary by Jessica Rapp Grasseti, seconded by Robert Weinstein, the vote was passed unanimously.

Federal Fiscal Years 2016-2019 Transportation Improvement Program (TIP) Transit Administrative Adjustment: The TIP is a recommended list of transportation projects to be advertised and eventually constructed using Massachusetts Department of Transportation, Federal Highway Administration and Federal Transit Administration funding for Federal Fiscal Years 2016 to 2019 (October 1, 2015 to September 30, 2019). Cape Cod Commission staff will give a presentation on the transit administrative adjustment (to accurately reflect the federal funding portion of the Hyannis Loop transit service) that was made to the existing Federal Fiscal Years 2016 to 2019 TIP. – Steve Tupper, CCC Transportation Planner

Mr. Tupper stated that there was an adjustment to the Hyannis Loop Project where money was taken from the highway side and put into the Transit side for a 3-year project by the Cape Cod Regional Transit Authority. It was intended to transfer over for transit use. The figures were updated to accurately reflect what the body wanted.

Federal Fiscal Years 2016-2019 Transportation Improvement Program (TIP) Highway Amendment: The Cape Cod Metropolitan Planning Organization (CCCMPO) will discuss and potentially vote whether to endorse the TIP Amendment.

The TIP Amendment is a recommended list of transportation projects (broken into lists of highway and transit projects) to be advertised and eventually constructed using Massachusetts Department of Transportation, Federal Highway Administration and Federal Transit Administration funding for Federal Fiscal Years 2016 to 2019 (October 1, 2015 to September 30, 2019). Cape Cod Commission staff will give a presentation outlining the comments received on the amended list of projects to be constructed during the Federal Fiscal Years 2016-2019 that was released for public comment at the June 27, 2016 CCMPO meeting. - Steve Tupper, CCC Transportation Planner

Mr. Tupper presented a power point. The presentation included the TIP amendment schedule, a slide which included some of the public comments and the Amendment Summary sheet for FFY 16.

Jill Goldsmith stated that the Chatham project is at 100% design and Mr. Tupper stated that he is aware of that and more detail will be discussed during TIP Development agenda item.

Upon a motion to approve the TIP Highway Amendment as presented by Leo Cakounes, seconded by Jessica Rapp Grasseti, the vote was approved. Jill Goldsmith opposed.

Federal Fiscal Years 2017-2021 Transportation Improvement Program (TIP) Development: The Cape Cod Metropolitan Planning Organization (CCCMPO) will discuss and potentially vote whether to endorse the TIP. The TIP is a recommended list of transportation projects to be advertised and eventually constructed using Massachusetts Department of Transportation, Federal Highway Administration and Federal Transit Administration funding for Federal Fiscal Years 2017 to 2021 (October 1, 2016 to September 30, 2021). Cape Cod Commission staff will give a presentation outlining the comments received on the Federal Fiscal Years 2017-2021 TIP that was released for public comment at the June 27, 2016 CCMPO meeting. - Steve Tupper, Cape Cod Commission Transportation Planner

Mr. Tupper presented a power point. The presentation included the Development Schedule, Project Selection Factors, Public Comment Summary, the Federal and State Programs for Transit Funding, 2017-2021 CCRTA TIP Project Summary, Highway Funding for MPO Projects, FFY 2017-2021 Regional Targets, FFY 2017-21 MPO Highway Projects as released for Public Comment, "As Released for Public Comment – with UPDATED costs", Options to Maintain Financial Constraint and the Cape Cod 2017-21 TIP: Statewide Program Highway Projects.

Gloria Freeman stated that her letter was missing from the packet, as well as comments from others. Mr. Tupper stated that if comments are missing he will look back for them, also stating that if there are concerns at this time, he encouraged them to be aired. Ms. Freeman stated that she wrote a letter supporting the amendment regarding the West Chatham project. The letter also stated all the reasons why she believes it should be dropped from the TIP list. Mr. Tuxbury stated that he also submitted a letter supporting the amendment.

Mr. Tupper presented options to move project since 2018 is over budget to maintain financial constraint. Discussion included comments by Ms. Goldsmith who stated that the Chatham project has a revised estimate and she believes that it came in at \$3,864,000. Mr. Tupper stated that this is the latest information but that 4% inflation must be added to that. Ms. Haznar confirmed the new cost of \$4,244,931. She stated that there would be no road closures, at least one lane would be open at all times for this project and would anticipate that it would take more than a year. Mr. Cakounes suggesting splitting the cost over 2 years and Mr. Mohler stated that we are unable to do so as per FHWA guidance.

Mr. Ellis asked the status of design for the Falmouth, Rte. 28A @ Rte. 151 project. Mr. Ellis feels that it is also important that people are aware of the funding source for the design of projects.

Ms. Haznar gave some MassDOT updates:

2017 Projects:

- Corridor Improvements on Rte. 28 from Dennis Commons Drive to Upper County Rd in Dennis is a state highway and the town is paying for the design. ROW plans have just been approved
- Bourne, Rte. 6 & Rte. 28 Bypass Rd, resurfacing and related work is a state highway project and will be designing in house or possibly a consultant
- Harwich, Improvements at Rte. 124 Park and Ride is a MassDOT project

2018 Projects:

- Intersection improvements at Rte. 28 & Osterville-West Barnstable Rd in Barnstable is a high crash location, MassDOT is the proponent and it is a state highway
- Intersection improvements at Rte. 28A and Rte. 151 in Falmouth has not had a design public hearing, is at 25% design and MassDOT is the proponent and paying for the design. It is a high crash location the design has been delayed because they haven't decided on a signal or roundabout
- Rte. 28 /George Ryder Rd to Barn Hill Rd in Chatham is a state highway; the town is the proponent for the project and they have paid up to the 25% design stage and MassDOT is now paying for the design

2019 Projects:

- Intersection improvements at Rte. 28 and Yarmouth Rd in Barnstable is at 25% design, design public hearing held 2/18/16. This is a state highway and MassDOT is paying for the design
- The design of the Wellfleet, intersection improvements at Rte. 6 and Main St are being paid for by the town and the project is pre 25%. There was a road safety audit done at the location and this is a state highway

2020 Projects:

- Rte. 151 in Mashpee is a municipal road and the design is being paid by the municipality. MassDOT is waiting for a design schedule and pre 25% design
- Bourne, Belmont Circle Multi-modal improvements is a state highway and MassDOT is turning this over to a design consultant

2021 Projects:

- Rte. 28 at Main Street, Depot Rd, Queen Anne Rd and Crowell Rd in Chatham the town is the proponent and a majority of the work is on state highway is at pre 25% design. MassDOT has met with the town and MassDOT is waiting for a schedule.

Mr. Santos asked what the options are for maintain financial constraint and have we looked into the scope of the affected projects? Mr. Tupper indicated that we have not, but could be considered. Ms. Haznar stated that they just received the 100% design plans for Chatham and they will be looked at for cost savings also Rte. 28A @ Rte. 151 , Rte. 28 @ Osterville-West Barnstable Rd in Barnstable are at 25% design and at this time, these are the best estimates. MassDOT will always look at cost savings particularly because there is an issue. Ms. Haznar added that prices have gone up dramatically this year. Dr. David Burns asked how often a Board of Selectmen order a road change and where thousands and people and business do not want it? Mr. Mohler stated that there are projects with disputes in communities, we as an entity deal with the elected representatives of the community and we rely on them to make recommendations as to what the city or town want. Terry Whalen asked if the CCJTC has commented on the recommended options to maintain financial constraint and seeing a chart with the design status would be helpful. Mr. Tupper stated that the information came after the CCJTC meeting therefore he compiled all the information and forwarded it to the CCJTC members asked them to review and express concerns. He added that Ms. Haznar gave the most recent updates which include the design status. Mr. Cakounes asked clarifying questions before making stating that he supports Option #2. Jill Goldsmith asked what happens if a project is removed from the TIP? And if the town has to reapply? Mr. Tupper stated that it stays in the process but will be moved to the "projects in need of funding" table. Mr. McGrath stated that he supports Commissioner Cakounes recommendation of Option #2 explaining that it reduces the number of years that the projects are moved out. Mr. Cakounes asked if this board has deal with a situation such as this before where the public is against a project on the TIP. Mr. Mohler stated that is in the MPO's power to decide not to fund a project and put it on the list for future review. Mr. Tupper stated that we have had projects that have been contentious, but it does get tougher when projects are in a close timeframe. Mr. Tupper referred to the Rte. 124 Harwich project. That project was removed from the TIP after the public appealed to the local government which then came to the MPO at which time it was removed. Mr. Tupper stated that the

MPO looked to the higher elected officials as they recommend the projects. Mr. Tuxbury added comments which support removing the project. Mr. Meservey stated that the plan with two roundabouts and bike path extension is not a good plan. Mr. Buckley added that Rte. 124 in Harwich compared to Chatham is that Rte. 124 Harwich where able to convince their BOS to pull the project out, the Chatham project differs in that it has the support of the BOS. The Chatham planning process is over 6 years and Rte. 124 Harwich was under the radar. Mr. Cakounes asked if there are members of the public that would like to speak in favor of the Chatham project. Patty Daley stated that this is not specially an Agenda item. Mr. Tupper stated that he has attended a few of the meetings and that there were voices from both sides at the 25% design hearing. Mr. Cakounes asked if there was anyone that would like to take the Chatham project and place it in the "Projects in Need of Funding" list. Mr. McGrath stated that as the representative for the Chatham Sub Region he has spent time on the topic. It has been noted that the BOS under several different configurations as the personal has changed and they have continued to support the project. They have continued to vote resources for the design and he is not able to take the highest bodies opinion and the votes from prior town meetings and deny them. Mr. Burns stated that funds have never been allocated by the town. Ms. Goldsmith stated that it was funded in 2007. She stated that this needs to be an agenda item if you pull a project off that is at 100% design so that you can get a fair representation of the vote. 5 people speaking against it today doesn't do justice to the others that want to speak. Mr. Mohler stated that cities and town are responsible to show up when their projects are on the TIP. Harold Mitchell stated that members have spoken in favor of option and suggested taking a vote.

Upon a motion to approve the 2017-2021 TIP Development with Option 2 by Leo Cakounes, seconded by Jessica Rapp Grasseti, the vote was approved unanimously.

Mr. Tupper stated that the Statewide Program Highway Project in 2017, Harwich-Brewster, Rte. 6 resurfacing project it was requested that the onramps and off-ramps be extended at exit's 10 & 11 and the district and there are ongoing discussions.

Upon a motion incorporate the changes and release to the public FFY 2017-2011 TIP including the option 2 changes and other minor changes presented today by Leo Cakounes, seconded by Jessica Rapp Grasseti, the vote was passed unanimously.

Upon a motion that the changes are not significant enough to require a new public comment period because they do not impact FY 2017 and continued discussion will take place on the FY 18- FY21 over the next year by Leo Cakounes, seconded by Jessica Rapp Grasseti, the vote was passed unanimously.

Upon a motion to Endorse the FY 17- FY 21 TIP as so described, second by Jessica Rapp Grasseti, the vote was passed unanimously.

Mr. Mohler signed the endorsement sheet and passed around for signature.

Reports: MassDOT Highway Division District 5 Staff will give a status report on existing and planned transportation projects underway across Cape Cod. Cape Cod Regional Transit Authority and Cape Cod Commission staff will report on recent staff activities.

Ms. Haznar gave further updates as follows:

- Rte. 6 signage the project meeting was advertised 2 x in the CC Times reported by the Legislative Liaison in Boston as well as the legislators spread the word to the constituents, the Cape Cod Commission and the Cape Cod Chamber were also notified and were also asked to get the word out. It was posted on the Cape Cod Commission website as well as MassDOT website as well as twitter and Facebook
- 2015, Barnstable/Bearses Way @ Rte. 28 was awarded to Lawrence Lynch and work will begin after Labor Day
- Dennis-Harwich, Rte. 6 was awarded to Lawrence Lynch and work will begin after Labor Day. MassDOT received notification that Harwich was concerned with exits 10 & 11 and MassDOT is looking at what improvements can be made
- Harwich Dennis Brewster Orleans does include storm water improvements in the resurfacing project
- Truro/Wellfleet bike path is at PS&E and was amended into the 2017 TIP

No update was given by the CCRTA

Ms. Rapp Grassetti commented that on May 13th a MassDOT notification went out regarding the Tree Trimming on Rt.e 28. there are now signs from Hyannis to the Mashpee Rotary that are obstructed by overhanging trees as well as overgrown vegetation. Ms. Haznar will follow up.

Adjourn

Upon a motion to adjourn the meeting at 3:10 pm by Jessica Rapp Grassetti, second by Sims McGrath the vote was passed unanimously.

Next Meeting: Monday, September 19, 2016

Documents and Exhibits:

Agenda, August 1, 2016

Minutes, June 27, 2016

Metropolitan Planning Organization Coordination and Planning Area Reform

UPWP FFY 2017 Power Point

Letter to Paul Niedzwiecki from MassDOT dated 7/20/16 RE: Draft 2017 UPWP, comments

UPWP FFY 2017 Plan

FFY 2016-2019 TIP Transit Administrative Adjustment Power Point

FFY 2016-2019 TIP Transit Administrative Adjustment, summary sheets

FFY 2016-2019 TIP Highway Amendment, Power Point

FFY 2017-2021 TIP Development, Power Point

FFY 2017-2021 TIP Comment Matrix

FFY 2017-2021 TIP Program Plan

Letter to Paul Niedzwiecki from MassDOT dated 7/22/16 RE: FFY 2017-2021 TIP comments

Email from Rosalie Ray dated 7/22/16 to Glenn Cannon RE: TIP

Email from Judy Patterson, dated 7/19/16 to Glenn Cannon RE: Draft TTY 2016-2019 TIP – Proposed Delay

Email from minitruck2@comcast.net, dated 7/17/16 to Glenn Cannon RE: Draft FFY 2016-2019 TIP

Email from Dr. Burns, dated 7/16/16 to Glenn Cannon RE: Support delay of project #606596

Email from Mary McCauley dated 7/18/16 to Glenn Cannon RE: West Chatham Roadway Project

Email from Judith B. Kelley dated 7/18/16 to Glenn Cannon RE: West Chatham Roadway Project

Email from Michaele Beauchemin dated 7/19/16 to Glenn Cannon RE: West Chatham Roadway Project