



Town of Brewster

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Office of:
Select Board
Town Administrator

MEMORANDUM

TO: Select Board
FROM: Peter Lombardi, Town Administrator
RE: Status Update on Millstone Road Project
DATE: February 21, 2021

In 2015, Town Meeting approved a \$10M road bond to undertake several major road reconstruction projects across town. The Town first completed significant upgrades to both Underpass and Snow Roads. In Spring 2017, the Town solicited bids for engineering services and hired Vanasse, Hangen, Brustlin, Inc (VHB) to prepare plans for similar upgrades to Millstone Road.

Public Input & Design Process/Timeline

As the project got underway, the Town held a community forum in August 2018, seeking input from residents, particularly those most impacted by the project. This forum was well attended (100+ residents). VHB then worked with the Town to bring the project through to 25%, or conceptual, design. After the survey and initial design work was completed, the Select Board was provided an update on the status of the project design in July 2019 and indicated their support for the project as currently constituted. The Town then hosted another public forum in September 2019 to give an update to residents and to collect further feedback at the early design stage. Prior to this meeting, the Town sent postcards to all residents who lived on Millstone and in the neighborhoods directly adjacent notifying them of this session – almost 1000 in all – attendance and participation at this forum was robust as well (100+ residents).

Taking this collective input into account, VHB proceeded to work with the Town to complete 75% design. Once finished, the Town, in an effort to help residents on Millstone Road understand the anticipated impact of the proposed project as currently designed, had the limits of work staked at two locations on each abutting parcel. Again, the Town notified all residents on Millstone of this plan and made sure that the work was completed before our third community forum, held on November 30, 2020, which was similarly well attended (70+ households). It is important to note that these stakes do not, for the most part, identify where the proposed edge of curbing or sidewalk is located. Rather, their location reflects the outermost impact of the project in terms of any grading work required to connect the edge of the paved surface to the

natural grade and surrounding elements. The minutes from each of these public sessions, summarizing comments made by Town officials and residents in attendance, are included in your packet.

Project Goals

At the September 2019 community forum, the Town outlined the following goals for this project:

- Provide ADA compliant sidewalk for entire length of road
- Improve safety of roadway for all users
 - Vehicles: improve roadway geometry
 - Pedestrians: add sidewalk
 - Bicyclists: widen space to operate within road
- Provide better interconnections with existing transportation network (Cape Cod Rail Trail, Nickerson Park, 6A, etc)
- Improve drainage facilities along roadway

These goals informed our design process and were consistent with initial public feedback and other key Town planning documents including the 2016 Biking Brewster Strategy produced by the Bikeways Committee and the 2018 Vision Plan (see Purpose #2 in Community Infrastructure and the related white paper included in your packet). It is also consistent with the Select Board's recent Climate Change and Net Zero Resolution made in October 2020. The project has been identified as a goal in recent Select Board Strategic Plans.

Complete Streets

Following a presentation by the Cape Cod Commission's Transportation Program Manager on the state's Complete Streets program in December 2019, the Select Board adopted a Complete Streets policy in January 2020. This policy further supports the Town's efforts to design this road project with all users in mind. It also explicitly stresses the importance of being context-sensitive in applying this approach to future projects. In most relevant part, the policy states as follows:

"The context-sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility, and infrastructure conditions."

Several other key points on the Complete Streets program include:

- After adopting a policy, the Town must then undertake a Prioritization Planning process that invites broad community input and feedback into what locations and which elements residents support in terms of potential upgrades to our existing transportation infrastructure

- After a Prioritization Plan is complete, the Town would then be eligible for up to \$400k in competitive state grant funds to cover costs associated with certain elements of future road projects that enhance mobility and safety
- Participation in this program does not require the Town to impose state design standards on future road projects; even if we secure grant funding under this program, we retain local discretion on the project design details
- Over 250 towns across the Commonwealth, including dozens of rural communities and a half dozen other Cape towns, have adopted a Complete Streets policy
- At our September 2019 community forum on Millstone, the Town referenced best practices in Complete Streets road design, including 5 foot bike lanes and sidewalks on both sides of the road, and specifically acknowledged that we had no plans to apply this template to our project based on local conditions and preferences

Design Elements

As you know, Millstone Road is a major arterial road in Brewster, measuring approximately 2.5 miles from Route 137 (Long Pond Road) to Route 6A (Main Street). In general, Millstone carries approximately 75% of the traffic volume of Underpass Road. The paved surface of Millstone currently varies from 22 to 24 feet, with 10 to 11 foot travel lanes and a variable shoulder and/or berm of 0 to 1 foot on each side. The Town's Right-of-Way (ROW) is 40 feet wide. There are some intermittent catch basins but most stormwater runs off the shoulder today.

The proposed 75% design calls for 11 foot travel lanes and 2 foot shoulders. For comparison purposes, most subdivision roads off Millstone Road have 11 foot travel lanes and a 1 foot shoulder/berm on each side. A new 5 foot sidewalk is proposed along Millstone for the length of the project, on the east side of the road from Long Pond Road to Fern Lane, on both sides from Fern to Lund Farm, and then on the west side from Lund Farm to Main Street. Based on site constraints, the sidewalk runs directly adjacent to the road for approximately 1/3 of the project. In these locations, the Town proposes to install 5 inch asphalt curbing. For the balance of the project (about 2/3), a 12 inch Cape Cod asphalt berm and 3 foot grass strip is proposed between the road edge and sidewalk. 12 inch berm is proposed on the edge of road opposite the sidewalk. This curbing will serve to properly direct stormwater to the new catch basins. Depending on the existing grade behind the edge of the newly paved surfaces, additional grading work may be required.

In addition, sightlines are proposed to be improved by reconfiguring the road with the ROW in two key locations – at Agassiz & Cliff Pond and between Lund Farm & Pilgrims. The vertical configuration of the road is not proposed to be changed in any significant way.

Permitting & Approvals

After the third public forum in November 2020, the Town began moving through state and local permitting processes. This project requires filing a Notice of Intent with the Brewster Conservation Commission and an Environmental Notification Form with MA EPA. Since Millstone Road has been designated as a scenic road, a joint hearing of the Planning Board and Tree Warden is also required due to the proposed removal of trees in the public way.

In addition, since a small portion (approximately 10,000 square feet) of the western boundary of Nickerson State Park adjacent to Joe Long Road is located within the proposed road layout for this project, the Town was required to file a Special Act to the state legislature to formally convey this parcel to the Town. Town Meeting unanimously approved this article in September 2020. The proposed sidewalk at this location is intended to make it safer for residents and visitors to access the extensive trail system in Nickerson via a nearby trailhead. State officials at the Department of Conservation and Recreation have expressed support for this project and this particular transaction but must follow specific statutory processes relative to the disposition of protected conservation land.

Response to Resident Concerns

The Town has aimed to be deliberative and transparent in our planning for this project, recognizing its impact on the neighborhood and community. Consistent with the Select Board's Public Engagement policy of January 2019, we have sought resident input early on and at each step in the design process. After the third community forum, our DPW Director met with over 30 residents out in the field to address site specific questions and concerns they had. While community feedback, until recently, was generally positive and supportive of the project (with a few notable exceptions), a marked shift in public sentiment has occurred over the past two months.

Shortly after the first Conservation Commission hearing in December 2020, I reached out to Bill Henchy, representing the then newly formed Save Millstone Road group, to better understand the concerns of residents with whom he was in contact. At that point, Bill Henchy and Maureen Finley had each filed memorandum to the Conservation Commission relative to the Notice of Intent but the Town had not received any emails or letters from other residents expressing their concerns about, or opposition to, the project.

I engaged with Bill in his role as principal of this citizen group to listen to their concerns and see if we could address them by making alterations to the proposed project design. The Town agreed to first suspend and then cease local and state permitting activities while these discussions were ongoing out of respect for that process and to demonstrate good faith. It is important to note that these discussions were initiated by the Town before any Save Millstone Road yard signs were installed and letter writing campaigns to Town officials and the local press were begun. Bill and I spoke by phone

on a weekly basis over the past two months and have followed up by email on a regular basis as well. These discussions recently culminated in a tentative agreement in principle regarding certain changes to the project design, although a handful of outstanding issues appear to remain.

Proposed Resolution

A primary goal of Save Millstone Road residents is to reduce the overall project footprint. With this in mind, the Town agreed to the following:

- Reduce paved shoulder on each side from 2 feet to 1
- Reduce sidewalk width from 5 feet to 4 (the minimum required under state law)
- Shift sidewalk along entire road adjacent to curb (eliminate 3 foot grass strip for 2/3 of project length unless residents request it and the Town can accommodate their request)

Making these changes serves to reduce the total project width by a minimum of 3.5 feet from what was proposed at the 75% design mark. In locations where the grass strip will be eliminated, the project width will be reduced by a total of 6.5 feet. While we plan to generally follow the existing centerline, we make some allowances to account for specific site conditions. Although the ROW is 40 feet wide, since the road was not formally laid out when it was originally paved several decades ago, the existing paved surface meanders from one side of the ROW to the other. As we worked through the 75% design process, we prioritized minimizing the impact of this project on private property, keeping the number of permanent easements to approximately 10 over the 2.5 mile road. In this redesign scenario, we want to ensure that we maintain the ability to shift the road slightly from its existing location to continue to minimize the project impact on private property and even the Town's ROW adjacent to those properties to the greatest extent possible. We anticipate that the need for permanent easements will be further reduced or potentially eliminated entirely taking this approach.

Another concern of residents as relayed to us through these discussions is the potential for increased traffic speed if the road were to be straightened at those two locations. While these changes were intended to improve driver safety, the Town agreed to maintain the existing horizontal road configuration, eliminating those two proposed changes.

Areas of mutual agreement include doing all that we can to reduce the speed limit on Millstone and to enhance our traffic enforcement efforts there as well as improving the safety of both drivers and bikers at the Rail Trail crossing by working with DCR officials to enhance sightlines and to be innovative in making design improvements at this location.

To complete this redesign, the Town would have to issue a change order directing VHB to develop a new 75% design. We estimate that the redesign work will cost approximately \$140k and take another 3-4 months to complete. Based on the changes to the scope of work, construction costs are anticipated to be reduced by about \$310k

(eliminating the grass strip actually increases costs by almost \$100k due to the installation of curbing instead of berm). In total, our estimated project cost will now be about \$170k less than our original 75% design projections.

Next Steps

The draft memorandum included in the packet lays out in detail the specific elements that the Town has agreed to. We would append any such document to the VHB change order to ensure clarity in their redesign process and direction. In representing Save Millstone Road, Bill Henchy has stated that he will not agree to give the Town discretion to make minor modifications to the location of the new paved surface from the existing centerline. Again, we want to retain this discretion to minimize the impact of the project on resident's properties and/or existing landscape features within the ROW.

In addition, while the Town has agreed to sit down with Save Millstone Road's representatives and VHB to review this memo and other technical concerns in detail, provide a draft copy of the new 75% design documents to them once available, to re-stake the limits of work based on the new design once completed, and to hold another community forum seeking additional resident input based on this reworked design, Save Millstone Road's representatives seek even greater input in the redesign process. Lastly, Bill Henchy has stated that Save Millstone Road will not agree to cease their campaign in opposition to the project even with these agreed upon changes to the project design.

The Town has gone to great lengths to listen and accommodate the concerns voiced by residents through this process. At this stage, we feel like the original priority goals of the project have largely been retained, and that we have made significant changes to the design consistent with the input we have received as much as possible. The few remaining outstanding issues are driven by practical considerations on the Town's behalf. We certainly recognize that some residents may still not support this project for various reasons, but we hope that they appreciate the effort we have made to seek consensus and an amicable resolution. I look forward to your feedback and I hope to undertake the proposed redesign process in the near future so that we can continue to make progress on this important project.