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MEMORANDUM

TO: Laura Wiener (RTAC Chair),
Michael Callahan (CTPS Staff),
Hayes Morrison (TIP Manager)

by e-mail only

FROM: Jeffrey S. Dirk, P.E., PTOE 

DATE: November 18, 2009

SUBJECT: RTAC Comment Letter

We are in receipt of a draft letter that has been prepared for consideration by the Regional Transportation Advisory Council (RTAC) regarding the Project Need Form (PNF) and Project Initiation Form (PIF) prepared in support of the Pedestrian Bridge proposal by the Town of Foxborough. As you may be aware, we prepared the filings on behalf of the Town of Foxborough. Based on our review of the draft letter, we are concerned that the letter raises several issues that may not be correct with respect to the facts of the Pedestrian Bridge Project as outlined in the Town's submission to MassDOT. In an effort to reconcile the information upon which the RTAC is acting, we have set forth below certain responses to clarify the concerns raised in the draft letter so that the final RTAC letter might reflect, with accuracy, the merits of the proposed Pedestrian Bridge Project. We believe this Project is an important traffic and safety improvement which has been discussed, on the Town and State level, for over ten (10) years as an important improvement for this Region as recognized by MassDOT. Further, the project presents an opportunity for critical economic stimulus and substantial development, generating growth and significant new employment in the Commonwealth.

Specifically, we offer the following in response to the concerns raised in the draft RTAC letter:

1. "No plans have been submitted to the Planning Board..."

Clarification: The pedestrian bridge project concept originated with Town and State planning and public safety officials, as reflected in Chapter 16 of the Acts of 1999, a regional infrastructure initiative and subsequent recommendations of local public safety officials and the Planning Board. The pedestrian bridge project, as initiated and supported by the Town of Foxborough (most recently in the PIF/PNF filing), is a design/build MassDOT project and has been the subject of regular discussion with the Planning Board and Town officials, including extensively, in May, 2009, as part of a MEPA NPC (EEA No. 12037) and most recently as October, 2009 before the Planning Board.

Also, with respect to potential development on the adjoining parcels, conceptual site plans for a life science/high-tech office complex were submitted to the Town and reviewed with the Planning Board in connection with the filing, last spring, of the NPC to the MEPA office (EEA No. 12037). While

preliminary, these plans were prepared taking into account relevant design, engineering, traffic, environmental and other site considerations. A detailed site plan approval filing will be made and reviewed with the Planning Board upon the completion of tenants' specific design requirements.

2. "The project does not promote rapid economic development..."

Clarification: The project location, a state-designated Growth District, is exactly the type of location where transportation funding is appropriate and required, as approximately \$800M in private investment has already been made on the south side of the proposed bridge by way of rapid economic development following the previous designation of this area as an Economic Development Area by the Commonwealth and Town of Foxborough. The north side of Route 1 is also in the Economic Development Overlay Area District and in the Growth District, however, further growth has been inhibited by Route 1, which, due to the high rate of speed on this state highway and the risk to pedestrians crossing, serves as an obstruction to further comprehensive integrated development. Funding of the bridge project will provide for significant employment in the region and provides the critical pedestrian connection across the state highway to allow for comprehensive private development within the Growth District along both sides of Route 1, portions of which may begin to occur imminently as the bridge project is assured to proceed. As indicated in the MEPA Certificate on the NPC, following the completion of this necessary pedestrian connection, this development has the potential of attracting 3,000-4,000 new skilled jobs within the contemplated high-tech office campus, as well as numerous opportunities for new or expanded industrial and/or commercial uses along the corridor.

3. "The operator of the elevator has not been identified..."

Clarification: At the request of MassDOT, operation and maintenance of the elevators (studied and provided in preliminary design to ensure compliance with the ADA) and other bridge maintenance will be the responsibility of the private sector. This important operations and maintenance commitment by the private sector is a key public benefit of this project for the Town and the Commonwealth post-construction and another reason justifying the funding of the project.

4. "It may be possible for the project to be privately funded..."

Clarification: The project cannot be privately funded. If the need for the project and the right of way required to complete the project were both in the private domain, private funding, if available, might be required. However, the bridge is to span the Commonwealth right of way and connects public sidewalks on either side of the state highway. Due to present traffic speeds and the width of the state highway (100'+), pedestrian safety can be improved by the project to minimize the risk of future pedestrian/vehicular conflicts, while lessening vehicular trips and congestion on Route 1. This public safety responsibility is inherently a public need, not a private one. The fact that this public project can also result in significant additional private investment is a key public benefit of this project but, resulting additional economic development and job creation spurred by private investment has not and cannot occur in this location until this public safety issue is overcome.

We appreciate the opportunity to clarify the concerns raised in the draft RTAC letter. If you should have any questions regarding the project or would like to discuss the above in more detail, please do not hesitate to contact me directly at 978-474-8800. Thank you.