

Summary of Traffic problems presented at Land Court

AvalonBay retained the engineering firm of Vanasse, Haugen and Bruggen (VHB) to help design Avalon-at-Great-Meadows. Traffic studies were conducted by the VHB traffic engineer, Rick Weiss. Their traffic study included car counts and sight distance assessments at proposed entrances/exits and the crosswalk. A peer review of their data was conducted by a second consulting firm, Bruce Campbell and Associates, on behalf of Bedford.

Our attorneys disclosed the many traffic problems through cross-examination of Rick Weiss for five hours in front of the Land Court Judge. Attorney Tillotson's skillful cross-examination (frequently objected to by AvalonBay and Bedford attorneys) revealed the many traffic problems of concern to Bruce Campbell and Associates as well as to Bedford residents.

In addition to the obvious problem of over-burdening Concord Road near the curve at St. Michael's Church, the exits and entrances proposed for both Davis and Concord Roads have restricted sight distances which do not meet all state guidelines.

Plan A for this project was a main entrance/exit through a vacant house lot (termed "Lot 7", see schematic) onto Davis Road. 144 luxury apartment units were proposed. Because the proposed site is completely surrounded by the White Cedar Swamp and Wetlands, there is no "back" access from Carlisle Road. Therefore, in order to provide two access points to the community to satisfy the Fire Department's safety concerns, a second "emergency" access was planned for the paper road "Patricia Circle." This was designated Plan B. Density was reduced to 122 units, thus slightly lessening the car and pedestrian traffic burden.

A sidewalk was planned to connect the project with Concord Road. Pedestrians would have to cross Concord Road at the corner of Davis Road near St. Michael's church. Sight distances for cars traveling East on Concord Road did not meet state guidelines for the crosswalk. This problem was never resolved.

The Bedford Fire Chief held that having both entrances on Davis Road was not safe. For this reason, AvalonBay proposed Plan C (see Avalon-at-Great-Meadows History) which moved the main entrance/exit onto Concord Rd. Instead of retaining "Lot 7" as the secondary entrance/exit onto Davis Road, AvalonBay chose to use "Patricia Circle" as the emergency exit, thus allowing them to sell "Lot 7." The number of units proposed was increased to 139. This would generate an additional 970 car trips per day.

Rick Weiss prepared a traffic study for the Concord Road exit/entrance. As our attorneys pointed out to the Land Court Judge, measured sight distances to the West are approximately one hundred feet

short of state guidelines under existing traffic conditions. Moreover, if all traffic could be slowed to 30 mph, the sight distances barely meet state guidelines, and require clear sight access behind the St. Michael's Church sign. Planting even one shrub or the creation of one snow pile would cut the sight distance in half.

Bruce Campbell and Associates disagreed with several of the VHB traffic findings. In addition, they recommended that the Concord Road exit be "no left turn." Our attorneys pointed out to the Land Court Judge the wisdom of this recommendation.

Because of the slight curve on Concord Road between Davis Road and Liljegren Way, sight distances to the East from the proposed main entrance are also only marginally safe under existing traffic conditions. Rick Weiss stated that the removal of brush on private property and moving telephone poles back all along Concord Road could improve safety for the exit. But, as pointed out by our attorneys, the principal problem is the curve in the road, not brush.

The proposed location of the cross-walk remained at the intersection with Davis Road. AvalonBay proposed to construct a sidewalk from the Concord Road exit West to the Davis Road crossing. The pedestrian plan, therefore, calls for pedestrians within the project heading toward town center to make at least one road crossing within the project to access the sidewalk leading to Concord Road, walk west to Davis Road, cross to the other side of Concord Road, then walk back east toward town center. Moreover, the only way the location across Concord Rd (see schematic and aerial photos) could be made safe for pedestrians is to slow all traffic on Concord Road approaching the curve at St. Michael's Church, from either East or West, to 25 mph. Since the crosswalk is within 300 feet of the 40 mph speed zone for traffic heading East, this would require a substantial change in existing road use.

As pointed out to the Land Court judge by our attorneys, there was only one public hearing after the final version of Plan C was presented. The "no left turn onto Concord Road" stipulation was not adopted by the Bedford ZBA. Instead, they stipulated that "Patricia Circle" should be a full access entrance and exit to ease the traffic burden at the Concord Road entrance/exit. Importantly, at the final ZBA meeting to discuss the project (after the public hearings were closed), a last minute change was hand-made to the conditions to stipulate "Patricia Circle" as "Exit only." A plan for enforcing this traffic directive was not put forth; since Avalon-at-Great-Meadows is a private community, this will not be enforceable by Bedford police.

In summary, the final plan for Avalon-at-Great-Meadows approved by the Bedford ZBA was never discussed in a public hearing, the recommendations of the peer review traffic study conducted for Bedford were not incorporated into the final permit conditions, and a comprehensive traffic study of the final configuration of exits and entrances was not conducted. We feel certain that Attorney Tillotson conveyed to Judge Lombardi the many problems with the project as proposed, and that although several possibilities have been explored, no safe entrance / exit to the project has been identified.