

REPORT OF THE COMMISSIONER

WALPOLE-CHARLESTOWN, X-A000(487), 14747
NH ROUTE 12

Commission

PUBLIC HEARING

July 29, 2010 -- North Walpole Elementary School -- 7:00 PM

The following decisions are the Department's resolution of issues as a result of the testimony presented at the July 29, 2010 Public Hearing and written testimony subsequently submitted for the Walpole-Charlestown, X-A000(487), 14747, project described as:

Reconstruct and widen NH Route 12 (Church Street) beginning at a point in the existing traveled way in North Walpole at the intersection with Main Street and extending north to a point approximately two and seven tenths (2.7) miles to its intersection with NH Route 12A in South Charlestown. The NH 12 reconstruction will widen the roadway by adding four-foot wide shoulders to improve the safety of motor vehicles, bicyclists and pedestrians. The roadway will also be shifted to the east to diminish the hazard that the unstable banks of the Connecticut River pose to NH 12 in the north and south segments of the project area. The road realignment will necessitate the relocation of approximately two and two tenths (2.2) miles of New England Central Railroad track.

1. Former State Representative James McClammer, expressed support for the proposed alternative and had the following concerns/questions:
 - a. Will the project increase the amount of traffic that will be within the area communities?
 - b. Will the Department look at low salt usage or alternatives to salt because of the proximity of the road to the Connecticut River?
 - c. Are there any sensitive species on the portion of the Nature Conservancy/ Land and Community Heritage Investment Program (LCHIP) property that is being purchased by the project?
 - d. Will the Department compensate LCHIP for the loss of this portion of the property?
 - e. Will the Department compensate for whatever flood storage is lost because of the project?

Response: The Department appreciates the support for the project. Resolution of concerns/questions are:

- a. The type of improvements proposed for NH 12 do not provide additional traffic capacity, so the project is not expected to encourage or stimulate more traffic growth than would otherwise occur in the region.
- b. The Department currently monitors the amount of salt used on State roadways to be as efficient as possible, yet still provide a safe, reasonable level of service. The proximity of this road to the river creates a challenge to balance environmental impact and safety. The Department will continue to monitor the use of road salt, utilize deicing materials as efficiently as possible in accordance with best management practices and the Department's winter maintenance policy, and seek economic alternatives to salt as practical.
- c. The Department is coordinating with LCHIP and the NH Natural Heritage Bureau to ensure sensitive species are identified. At this time none have been identified within the portion of the parcel impacted by the project.
- d. The Department continues to discuss an agreeable compensation package for this impact with the entities that have interest in this property.
- e. Preliminary flood storage discussions have been held with FEMA. The impacts to flood storage will be further investigated. Any flood storage loss will be coordinated with the appropriate resource agencies to determine the proper course of action. The need for a FEMA Flood Insurance Rate Map revision is also being investigated.

2. Mr. Peter Powers, Duffy Street, North Walpole, had the following observations and questions regarding the riverbank in North Walpole:
- a. At the previous Public Informational meeting it was noted that the potential for slope failure in North Walpole would be further assessed, has that assessment occurred?
 - b. Back in 1996 and 1997 it was stated that the erosion control mats placed in the river by others were a temporary solution, is that still true? At that time it was also noted that a permanent solution would be to establish an armored toe at the base of the riverbank, is that option still being considered?
 - c. At previous meetings it has been stated that the erosion mats that were placed some 40 feet offshore in 25 to 35 feet of water are working. How do these mats protect the riverbank and adjacent NH 12?
 - d. Regarding environmental concerns, destabilized soil can clog fish gills, bury fish and aquatic insect habitat, decrease water clarity, increase water temperature (decreasing oxygen and providing a more hospitable habitat for invasive plants) and change the course of the channel. Doing nothing is a choice, but can have consequences.

Response: Resolution of observations/questions are:

- a. Since the previous Public Informational meeting the Department investigated the riverbank conditions in North Walpole and assessed the potential for slope failure. The relationship of the river to the roadway in the vicinity of the former slope failure is such that the roadway is not in danger of failure. Monitoring of the slope does not show any movement at this time.
 - b. The erosion mats previously placed by others in the river have allowed the river bottom to stabilize and there is no plan to remove them or perform additional measures, so they have become a long-term solution. While the placement of stone to armor the toe of the slope at the base of the riverbank is an alternative, at this time it does not appear necessary to pursue this type of treatment for this area.
 - c. The erosion control mats that were placed in the river have allowed the river bottom to stabilize and raise the elevation of the river bottom adjacent to the toe of the riverbank. The slope of the riverbank below the water line is much flatter and more stable now than it was prior to the erosion mats being placed. This condition provides more support for the toe of the riverbank thus leading to a more stable overall condition and less threat to NH 12.
 - d. River habitats change constantly due to the dynamics of the overall system. Trying to control erosion of one relatively small area, such as the former slope failure, does not alter the long-term effects of those habitat changes. The proper erosion and sediment control measures will be employed during construction for the section of roadway that is being rebuilt to ensure the surrounding natural environment is not negatively impacted by the project.
3. Ms. Judith E. Konesko, NH 12, Charlestown (parcel 17), expressed concern with potential impacts to her deeded water supply which currently originates from a spring on the east side on NH 12, is piped under the railroad and the roadway to another storage/source on the west side of NH 12, and then to her house.

Response: The Department will work with Ms. Konesko to maintain a water supply to her property. As the project design continues, a solution to identify how the water will be supplied will be developed and reviewed with Ms. Konesko, the property owner.

4. Vincent, Eugene & Mary Augustinowicz, NH 12, Charlestown (parcel 25), expressed concern with the proposed twenty-foot (20') easement associated with the construction of the retaining wall along their property.

Response: In order to allow for the construction and future maintenance of the proposed retaining wall, an easement is required from the Augustinowiczs that extends onto their property twenty feet (20') from the face of the proposed wall. The Department will do what it can to keep the impacts to the property to a minimum, but ultimately it will need to purchase an easement for this structure. The Department will work with the property owner to identify ways to mitigate these impacts.

5. Mr. Charlie Lennon, Len-Tex Corporation, Walpole (parcels 4 & 6), suggested the proposed right-of-way width for the railroad corridor be the same width as the railroad currently has, not the wider layout shown on the Public Hearing Plan. He also suggested the drainage culvert under the railroad in the vicinity of the Len-Tex property be retained, rebuilt or improved to provide needed drainage for the area.

Response: The Department will review the proposed right-of-way width through Final Design and adjust as necessary. The intent is to replace the railroad right-of-way with the same or nearly the same width that the railroad currently has. An overall drainage review for impacted segments of the railroad and roadway will be included in the final design of the project with the intent to improve or at least maintain drainage that exists. At that time it will be determined if this existing drainage structure is adequately sized and in the proper location to handle the anticipated volume of water.

6. Mr. Fred Poisson, 191 Old State Road, Charlestown (parcel 19), suggested he should be compensated for reduced property value that will result from the railroad being moved closer to his property.

Response: The Department will review property impacts as the project continues. In compliance with State and Federal procedures, compensation is usually applicable to direct physical property impacts. Since there is not a direct impact to this property it is not anticipated that compensation will be forthcoming.

June 8, 2011
Date


George N. Campbell, Jr.
Commissioner
N.H. Department of Transportation