Appendix F — List of Preparers

Appendix F—List of Preparers including their Responsibilities and Qualifications

VANASSE HANGEN BRUSTLIN, INC.			
Personnel	**Title**	**Qualifications**	**Responsibilities**
Dr. William J. Barry	Senior Environmental Scientist	Ph.D. in Zoology from Michigan State University with emphasis in ecology and animal behavior. Six years as Assistant Professor of Zoology at Connecticut College. Twenty-two years experience as an environmental consultant.	Chief editor of the EA. Overall supervision of the preparation of the environmental assessment.
Mr. Anthony Grande, P.E.	Senior Highway Engineer	B.S. in Civil Engineering from the University of Lowell. Seventeen years experience in surveying and civil engineering primarily related to preliminary and final design of transportation facilities.	Oversaw development of designs for project alternatives.
Mr. Martin Kennedy, P.E.	Project Manager, Senior Traffic Engineer	B.S. in Civil Engineering from Northeastern University. Over 20 years experience in transportation planning, traffic operations, and traffic impact assessment.	Project management and oversaw traffic operations evaluation.
Mr. Senan Murdock, P.E.	Highway Engineer	B.S. in Civil Engineering from University of Vermont. Eleven years experience in highway engineering.	Developed preliminary designs.
Mr. Christopher Argue	Environmental Scientist	B.S. in Environmental Biology from Syracuse University. Twelve years experience in hazardous materials studies.	Performed ISA studies.
Mr. Jacob Tinus	Wetland Scientist	B.S. in Biology from SUNY at Potsdam, M.S. in Resource Management and Administration, Antioch College. Five years experience in natural resource investigations.	Reviewed and performed wetland delineations and functional assessments. Authored related sections.
Mr. Thomas Wholley	Air & Noise Specialist	B.S. in Civil Engineering from Lowell Technological Institute. Twenty-five years experience in preparing and reviewing air quality and noise analyses.	Authored air quality and noise sections.
PRESERVATION COMPANY			
Ms. Lynne Monroe	Architectural Historian	B.A. from University of Pennsylvania, advanced study in Historic Preservation at Boston University.. Nineteen years experience in historic preservation. Experience in historic architectural surveys and National Register Nominations.	Performed historical resources surveys.

VICTORIA BUNKER INC.			
Dr. Victoria Bunker	Archaeologist	Ph.D. in Archaeology from Boston University. Fifteen years experience as Prehistoric Site and Consulting Archaeologist. Eight years experience in conducting cultural resources review and impact evaluation.	Authored archaeological resources section.
NH DEPARTMENT OF TRANSPORTATION			
Personnel	**Title**	**Qualifications**	**Responsibilities**
Mr. Chris Waszczuk, P.E.	Project Manager	B.S. in Civil Engineering from University of Massachusetts, Amherst. Eighteen years experience in project management and bridge and highway design engineering.	Project Management.
Mr. Robert W. Lyford, P.E.	Chief, Data Resources	B.S. in Civil Engineering from University of Massachusetts. M.S. in Civil Engineering from Purdue University. Twenty-eight years experience in transportation planning and traffic analysis.	Reviewed traffic and transportation sections.
Mr. Marc Laurin	Senior Environmental Manager, Bureau of Environment	B.A. in Biology from SUNY at Potsdam. Sixteen years experience in environmental impact assessment and document preparation with specialized training in wetlands.	Coordinated all environmental studies. Principal reviewer.
Dr. Joyce McKay	Historian, Bureau of Environment	B.A. in Anthropology from Indiana University. M.A. in History Museum Studies from Cooperstown Graduate Program (SUNY-Oneonta). Ph.D. in Anthropology with specialization in historical archaeology from Brown University. Thirty years of experience in historic building management, archaeological survey, and Section 106 and 4(f) coordination.	Reviewed historical and archaeological sections.
Mr. Charles Hood	Chief, Project Development, Bureau of Environment	B.S. in Forestry from University of New Hampshire. Thirty-one years experience in environmental impact assessment and document preparation, with specialized training in noise analysis.	Principal reviewer.
Mr. Michael Dugas, P.E.	Preliminary Design Supervisor	B.S. in Civil Engineering from Virginia Tech. Seventeen years experience in roadway design.	Reviewed proposed design of roadway elements.

Mr. Dale O'Connell	Contamination Project Manager, Bureau of Environment	B.A. in Earth Science from University of New Hampshire. Eleven years experience in geotechnical issues.	Reviewed hazardous materials sections.
Mr. Russell A. St. Pierre	Air Quality/Noise Analyst	A.A.S. in Forestry from Paul Smith College. B.S. in Computer Science from Franklin Pierce College. Eleven years of experience in environmental impact evaluation and document preparation with specialized training in air quality analysis and noise analysis.	Reviewed air quality and noise sections.
FEDERAL HIGHWAY ADMINISTRATION			
Personnel	**Title**	**Qualifications**	**Responsibilities**
Mr. William F. O'Donnell., P.E.	Environmental Program Manager	B.S. in Civil Engineering from Northeastern University. Thirty-nine years experience with additional training in air and noise analysis, water quality, ecological impacts, historic and archaeological preservation, and hazardous waste.	Principal Reviewer.
Mr. Harry S. Kinter	Special Programs Manager	B.A. in History from Pennsylvania State University. M.A. in History from Indiana University of Pennsylvania. Thirty-two years experience including specialized training in appraisal, relocation assistance, administration and management, historic and archaeological preservation, hazardous materials studies, social impacts, aesthetic impacts, and landscaping.	Reviewed cultural resources, socioeconomic, and hazardous materials sections.

Appendix G — Project Commitments

Project Commitments

A. Transportation/Traffic

The proposed improvements to NH 125, including access management measures, will be incorporated in the project's final design as described in Sections 2.2.4, 3.3 and 3.4.

B. Wetlands

The final mitigation package as described in Section 4.3.4.2 will involve three components:

> The already acquired 5.9-hectare (14.7-acre) Sullivan Properties (three parcels) in Kingston. Wetland creation, habitat restoration, and stormwater mitigation will occur on approximately 1.2 hectares (3 acres), with the remaining +/- 4.7 hectares (12 acres) providing a conservation buffer to Bayberry Pond.
>
> Acquisition of a conservation easement on a portion of either the parcel identified as Map R-5/Lot 1C), totaling approximately 16.2 hectares (40 acres) that borders the northwest shoreline of Bayberry Pond in Kingston or a portion of the parcel identified as Map R-2, Lot 11, totaling 12.1 hectares (30 acres) that borders the southwest corner of the pond. Either parcel will provide additional protection to the pond and its adjacent wetlands.
>
> Acquisition of a conservation easement on the entire parcel identified as Map 6/Lot 15, totaling approximately 17.7 hectares (43.8 acres), in the Kelly Brook watershed in northwest Plaistow. This acreage will add to a block of approximately 202 hectares (500 acres) of existing conservation lands in this area.

C. Surface Water Resources

Mitigation for potential surface water impacts will include the incorporation of detention basins and grassed swales for treating highway runoff prior to its being discharged into open water bodies.

D. Groundwater Resources

Highway runoff will be directed to grassed swales and appropriately sized detention basins located along the highway and affected secondary roads to provide for the treatment of runoff. Consistent with the *Recommended Best Management Practices for Groundwater Protection Associated with New and Improved Roadway Co*nstruction (NHDES 1995), highway runoff will be directed to grassed swales and diverted out of

the one Source Water Protection Area to the extent practical. Other BMPs will also be evaluated during final design to determine their efficacy for further reduction of runoff contaminants. NHDOT will continue to implement its Well Replacement Policy on a case-by-case basis when a water quality problem is identified as having been caused by highway maintenance activities.

NHDOT will coordinate with Town emergency response officials concerning protocols which should be followed if a hazardous waste spill occurs along NH 125. No such plan is currently in place. NHDOT will continue to investigate opportunities to reduce its use of road salt for deicing purposes as technology in snow and ice control continues to advance.

E. Floodplains

The existing culvert at Kelly Brook (a 72 inch RCP constructed in the 1950's) will be replaced with an 8 foot x 8 foot prefabricated concrete box culvert that will reduce existing backwater conditions at this location. Additional minimization of encroachment into the 100-year floodplain and floodway will be attempted if practicable during final design.

Loss of floodwater storage will be compensated for primarily at the proposed wetland restoration site in Kingston. In addition, preservation of 12-16 hectares (30-40 acres) of wetlands and uplands adjacent to Bayberry Pond in Kingston and an equal amount of land in the watershed of Kelly Brook in Plaistow will permanently protect these areas from development and any consequent effects on flood flows and storage.

As required by FEMA, a Letter of Map Revision will also be prepared to reflect the reduced floodplain in the Kelly Brook area.

F. Wildlife

The final design of the new culvert at Kelly Brook will include a "wildlife shelf" to allow passage of wildlife under NH 125 so as to ensure the connectivity of the riparian travel corridor along the brook.

G. Air Quality

Mitigation measures for controlling fugitive dust emissions during construction will include wetting and stabilization of all work areas, cleaning paved roadways, and scheduling construction to minimize the amount and duration of exposed earth.

H. Noise

To the extent practicable, construction and the associated noise will be restricted to daylight hours.

I. Visual Resources

To minimize visual intrusion of various features of the Proposed Action, landscape treatments for the medians and screening measures will be considered in the project's final design

J. Archaeological/Historical Resources

More intensive field sampling will be accomplished in the archaeologically sensitive areas that will be disturbed by the project. These studies will identify the significance, location and extent of any archaeological resources. An archaeologist will monitor all work within 8 meters (25 feet) of Happy Hollow Cemetery as delineated by the existing stonewall. If human remains or grave-associated artifacts are found during construction, the NHSHPO will be immediately notified and the appropriate course of action determined. Work will immediately cease until the appropriate treatment and recordation of the graves and their immediate setting are approved by the State Archaeologist.

For the two eligible historic properties (Tozier House, #PLI0038, and Morey/Stegmaier House, #PLI0034) affected by strip right-of-way takings, the property owners will be consulted as to the type and size of trees that will be planted to replace existing vegetation screens. Additional minimization of slope impacts will also be explored.

K. Socio-Economic Resources

The acquisition of 7 residential properties will result in the displacement of households occupying those dwellings. A survey was conducted by the NHDOT of available replacement housing which found that an adequate number of functionally similar, decent, safe and sanitary residential dwellings for sale/rent/lease as well as sufficient residential land for sale was available in the project area and surrounding towns to accommodate any and all displacements. The available housing in the area appears to be sufficient and within the financial means of displacees. Last resort housing will be made available if the need presents itself, in accordance with Chapter 10 of the NHDOT, Right-of-Way Relocation Policy and Procedures Manual. Furthermore, any individuals with disabilities or elderly relocates will be specifically identified prior to the acquisition stage and their special needs addressed accordingly.

The 2 businesses that are displaced due to project implementation will be eligible for relocation benefits in addition to the fair market value for the acquired property, which will include Relocation Advisory Assistance services. The Conceptual Relocation Plan will determine the number of sites available for relocation of these businesses.

L. Hazardous Materials

Prior to right-of-way acquisition, on-site interviews will need to be conducted with property owners whose properties are listed as having USTs or for which there is no documentation substantiating their removal. In addition PSI (Preliminary Site Investigations) may be necessary to determine the extent of involvement with LUST sites. The objective of these PSIs would be to determine the current status of the historical contamination and its location relative to the acquisition.

M. Construction

To mitigate potential sedimentation impacts during construction, a well-defined drainage and erosion control program incorporating latest BMPs will be implemented. Construction schedules will require that areas stripped of vegetation be limited in size and either surfaced or vegetated as quickly as possible after initial exposure. Temporary erosion checks during the construction period will be installed in appropriate locations. With proper diversions of flow, installation of silt retention basins, and construction carefully scheduled to limit soil exposure, erosion during construction should be minimized. Streamside areas cleared of vegetation will be revegetated as quickly as possible.

A Traffic Control Plan will be instituted to reduce short-term impacts associated with increased truck traffic on secondary roads, problems with access to businesses or homes during construction, and to minimize construction zone delays.

Appendix H— Conceptual Relocation Study

STATE OF NEW HAMPSHIRE

INTER-DEPARTMENT COMMUNICATION

FROM: Wanda Druding
Right-of-Way Agents

DATE: July 30, 2004

AT: Dept. of Transportation
Bureau of Right of Way

SUBJECT: **Plaistow-Kingston, 10044-B**
MGS-STP-T-X-5375(010)
Conceptual Study

8/6/04

TO: Christopher Waszczuk, Project Manager
Highway Design

THRU: Michael deMartelly
Chief Right-of-Way Agent

A study was conducted on the above referenced project as to the number of possible displacements. This report follows the guidelines prescribed by the New Hampshire Department of Transportation, Right-of-Way Relocation Policy and Procedures Manual, Chapter 10, and the FHWA Technical Advisory dated October 30, 1987.

I. The following is an estimate of the displacements likely to occur under the above referenced project. It is understood that design modifications may ultimately change the total number of displacements.

All the estimated acquisition costs include only those complete acquisitions that are comprised of land and buildings and do not reflect any partial acquisitions of land only or entire acquisitions of land parcels.

The tax assessment cards from the Towns of Plaistow and Kingston were used to derive the estimated acquisition costs. Plaistow assessment values are at 91%. For this report, the assessment values for the Town of Plaistow will be adjusted upward to 100% evaluation. The Town of Kingston is already assessing at 100%, therefore no adjustment will be made.

Two residential properties in the Town of Plaistow will be affected by the project. One parcel is residential owner occupied while the other is residential tenant occupied. Due to the limited number of houses on the market in the Town of Plaistow finding a replacement house for these property owners may be difficult. However, there is adequate housing in surrounding towns to meet these needs. The number of houses for rent in the Town of Plaistow is limited.

Five residential properties will be affected in the Town of Kingston. Three parcels are residential owner occupied, one is residential tenant occupied and the last home is located along side the owner's business. Two businesses will be affected in the Town of Kingston. There are a reasonable number of houses on the market in the Town of Kingston. Finding a replacement house for these property owners should not be difficult. The number of houses for rent in the Town of Kingston is limited.

Totals for the proposed alignment

(2) Single residence - Plaistow (owner occupied or rental)
(4) Single residence - Kingston (owner occupied or rental)
(1) Business and residence - Kingston
(1) Business - Kingston

Estimated Acquisition costs	=	$1,951,700.00 (assessed value not appraised)
Estimated Relocation Costs	=	$ 829,300.00

Total Costs = $2,781,000.00

In general, the social and economic characteristics of the displacees place them in the average income bracket for the area. There appears to be no special ethnic or racial make-up of the families likely to be displaced. Any relocatees that are elderly or individual with disabilities will be specifically identified prior to the acquisition stage and their special needs addressed according to title VI and other regulations.

II. A survey was conducted of available housing on the market. The survey for the Town of Plaistow indicated a limited number of functionally similar, decent, safe and sanitary residential houses for sale. The multiple listing service for the Town of Plaistow shows a limited number of replacement homes for sale, ranging in value from $270,000 - $315,000.

A survey for the Town of Kingston indicated an adequate number of functionally similar, decent, safe and sanitary residential houses for sale. The multiple listing service for the Town of Kingston shows an adequate number of replacement homes for sale, ranging in value from $240,000 - $375,000.

III. There appears to be no discernible impacts on the neighborhood. It also appears that there is no need for special relocation considerations to resolve the needs of the displacees.

IV. Should locating affordable housing for any residents displaced by the alignment within the housing inventory prove unfeasible, last resort housing will be made available, if necessary, in accordance with Chapter 10 of the New Hampshire Department, Right-of-Way Relocation Policy and Procedures manual and governing regulations.

V. The select alignment cannot be implemented without causing the displacement of two (2) active businesses, an automotive dealership and an automotive repair shop. The displaced businesses may be eligible for relocation benefits on top of the fair market value for the acquired property. An eligible business may choose from:

Payment for actual reasonable moving expenses and
Business Re-establishment expenses
OR
Fixed business payment

All displaced businesses will be eligible for Relocation Advisory Assistance Services if they so choose.

The assessed values of the businesses do not coincide with the market value of similar business in the area. Comparables in the area range in value form $800,000.00 to $990,000.00.

VI. Through public informational meetings and discussions with local officials, area residents and property owners, the Department has been made aware of the general concerns as well as some specific concerns with respect to the displacement of homes and/or businesses. At this time, it would appear that relocating the residential displacees could be accomplished without undue hardship. The businesses on the other hand may accrue some hardship.

VII. The acquisition and the relocation program will be conducted in accordance with the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. A Right of Way Agent will be assigned to manage any relocation problems of the affected parties.

Any further information or assistance regarding acquisitions on this project may be obtained by contacting the New Hampshire Department of Transportation. Physical evidence of this report is available through the Bureau of Right-of-Way, John O. Morton Building, 7 Hazen Drive, Concord, New Hampshire.

WAD/dmp

cc: William P. Janelle, Administrator, Bureau of Right-of-Way
William R. Hauser, Administrator, Bureau of Envionment

8/3/2004

PLAISTOW - KINGSTON

Conceptual Study

Property Uses

RESIDENTIAL

Corridors: DEFAULT

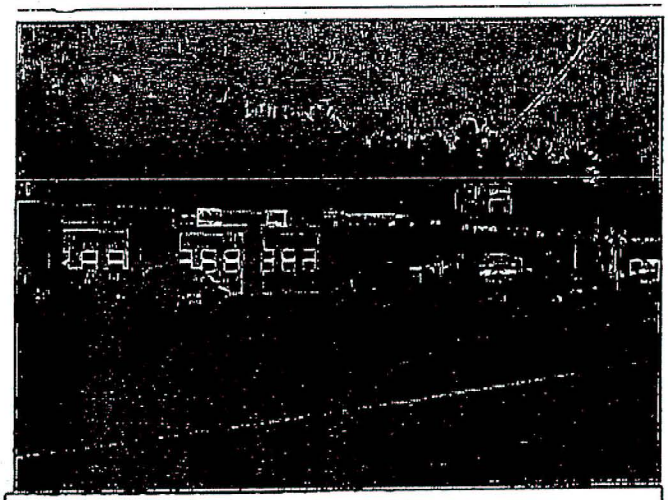
Parcel Number: 001 Map/Lot: R5/10
Property Location: 42 ROUTE 125
City/Town: , KINGSTON

Owner(s):
LEATE, KATHLEEN
42 RTE 125
KINGSTON, NH 03848

LEATE-VARNEY, SHANNON
42 RTE 125
KINGSTON, NH 03848

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

Parcel Value:	$212,100.00
Replacement Housing Payment:	$87,900.00
Rental Supplement Payment:	$0.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$305,000.00



Property Uses

RESIDENTIAL BUSINESS

Corridors: DEFAULT

KINGSTON FOREIGN AUTO

Parcel Number: 002 Map/Lot: R5/11
Property Location: 44 ROUTE 125
City/Town: , KINGSTON

Owner(s):
GEOFFROY, ROBERT
46 RTE 125
KINGSTON, NH 03848

Estimated Number Of Employees: 2
Number of Structures: 1
Total Units: 0

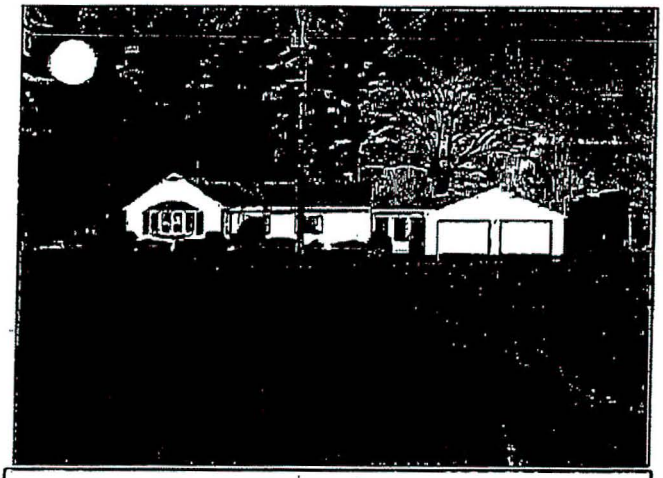
Parcel Value:	$336,300.00
Replacement Housing Payment:	$90,700.00
Rental Supplement Payment:	$0.00
Moving Cost:	$5,000.00
Business Reestablishment:	$125,000.00
Other:	$0.00
Total Costs:	$557,000.00

ALL APPLIED DOLLAR VALUES ARE ESTIMATED ONLY AND BASED ON A PRELIMINARY REVIEW

8/3/2004

PLAISTOW - KINGSTON

Conceptual Study



Property Uses

RESIDENTIAL

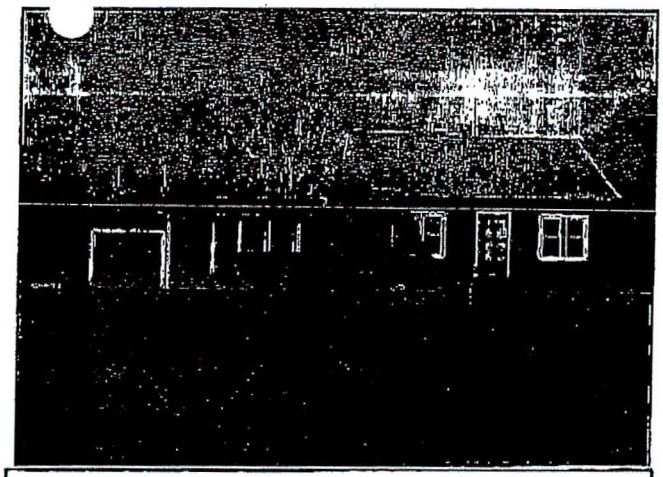
Corridors: DEFAULT

Parcel Number: 152 Map/Lot: 44/3
Property Location: 192 PLAISTOW ROAD
City/Town: , PLAISTOW

Owner(s):
LEBLANC, VIRGINIA
192 PLAISTOW RD
PLAISTOW, NH 03865

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

Parcel Value:	$173,300.00
Replacement Housing Payment:	$106,700.00
Rental Supplement Payment:	$0.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$285,000.00



Property Uses

RESIDENTIAL RENTAL

Corridors: DEFAULT

Parcel Number: 173 Map/Lot: R-3/19
Property Location: 14 ROUTE 125
City/Town: , KINGSTON

Owner(s):
BROX INDUSTRIES INC
1471 METHUEN ST
DRACUT, MA 01826

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

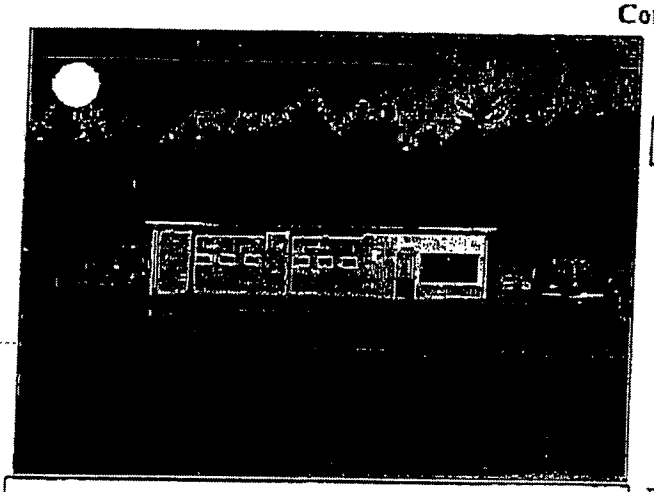
Parcel Value:	$284,600.00
Replacement Housing Payment:	$22,150.00
Rental Supplement Payment:	$5,250.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$317,000.00

ALL APPLIED DOLLAR VALUES ARE ESTIMATED ONLY AND BASED ON A PRELIMINARY REVIEW

8/3/2004

PLAISTOW - KINGSTON

Conceptual Study



Property Uses

BUSINESS

Corridors: DEFAULT

WHITNEY'S GARAGE

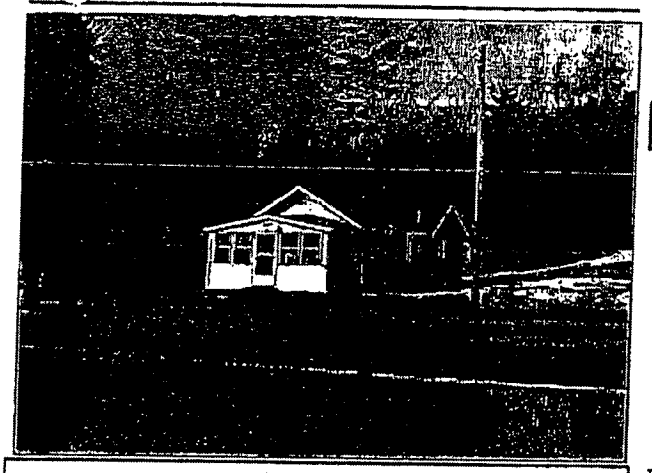
Parcel Number: 178A Map/Lot: R-3/28A
Property Location: 22 RTE 125
City/Town: , KINGSTON

Owner(s):
WHITNEY, ROBERT
1 DORRE RD
KINGSTON, NH 03848

WHITNEY, DONNA
1 DORRE RD
KINGSTON, NH 03848

Estimated Number Of Employees: 1
Number of Structures: 1
Total Units: 0

Parcel Value:	$211,900.00
Replacement Housing Payment:	$0.00
Rental Supplement Payment:	$0.00
Moving Cost:	$0.00
Business Reestablishment:	$125,100.00
Other:	$0.00
Total Costs:	$337,000.00



Property Uses

RESIDENTIAL

Corridors: DEFAULT

Parcel Number: 179 Map/Lot: R-3/28B
Property Location: 26 ROUTE 125
City/Town: , KINGSTON

Owner(s):
WHITNEY, JASON
26 RTE 125
KINGSTON, NH 03848

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

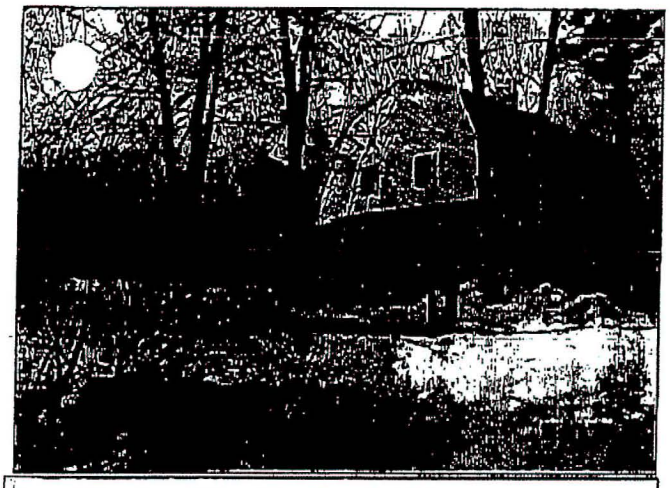
Parcel Value:	$229,800.00
Replacement Housing Payment:	$70,200.00
Rental Supplement Payment:	$0.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$305,000.00

ALL APPLIED DOLLAR VALUES ARE ESTIMATED ONLY AND BASED ON A PRELIMINARY REVIEW

8/3/2004

PLAISTOW - KINGSTON

Conceptual Study



Property Uses

RESIDENTIAL

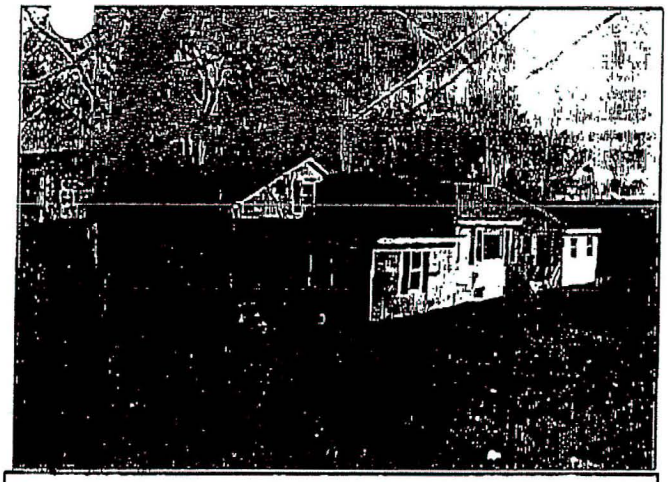
Corridors: DEFAULT

Parcel Number: 181 Map/Lot: R-2/13A
Property Location: 32 ROUTE 125
City/Town: , KINGSTON

Owner(s):
FREDRICK, KENNETH
32 RTE 125
KINGSTON, NH 03848

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

Parcel Value:	$339,300.00
Replacement Housing Payment:	$40,700.00
Rental Supplement Payment:	$0.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$385,000.00



Property Uses

MULTI-FAMILY RENTAL RESIDENTIAL

Corridors: DEFAULT

Parcel Number: 346 Map/Lot: 27/30
Property Location: 85 PLAISTOW ROAD
City/Town: , PLAISTOW

Owner(s):
COTTAGE PLAZA LLC
23A WENTWORTH AVE
PLAISTOW, NH 03865

Estimated Number Of Employees: 0
Number of Structures: 1
Total Units: 0

Parcel Value:	$164,400.00
Replacement Housing Payment:	$115,350.00
Rental Supplement Payment:	$5,250.00
Moving Cost:	$5,000.00
Business Reestablishment:	$0.00
Other:	$0.00
Total Costs:	$290,000.00

ALL APPLIED DOLLAR VALUES ARE ESTIMATED ONLY AND BASED ON A PRELIMINARY REVIEW

Appendix I — Correspondence Relative to Draft EA

U.S. Department
of Transportation
**Federal Highway
Administration**

19 Chenell Drive
Concord, New Hampshire
03301

August 31, 2005

New Hampshire Division Office

In Reply Refer To:
HDANH

Mr. Willie R. Taylor, Director
Office of Environmental Policy and Compliance
U.S. Department of the Interior
1849 C Street, NW, MS 2340
Washington, DC, 20240

Subject: Section 106 Memorandum of Agreement
Plaistow-Kingston, MGS-STP-T-X-5375(010), 10044B

Dear Mr. Taylor:

Enclosed for your information is a copy of the executed Memorandum of Agreement (MOA) for the referenced project as you requested in your letter of May 13, 2005. We trust that this satisfies your concerns about the measures to minimize harm to the affected 4(f) resources on this project. The terms of this MOA are the product of numerous consultations between this office, the New Hampshire State Historic Preservation Officer, and the New Hampshire Department of Transportation.

Please advise at your earliest convenience if you have additional questions or need any further information.

If we do not hear from you within 45 days, we will assume that you find the measures to minimize harm satisfactory.

Sincerely yours,

Kathleen O. Laffey
Division Administrator

Enclosure
HSK/WOD/kol copies to Bill & Harry
File 10044B
Efile 400.160
Bill Hauser, NHDOT
Jim McConaha, SHPO

BUCKLE UP AMERICA

United States Department of the Interior
OFFICE OF THE SECRETARY
Washington, DC 20240

TAKE PRIDE IN AMERICA

ER 04/752

MAY 13 2005

RECEIVED
COMMISSIONER'S OFFICE
MAY 2 2005
THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

Ms. Kathleen O. Laffey
Division Administrator
Federal Highway Administration
279 Pleasant Street, Suite 204
Concord, New Hampshire 0331-7502

Dear Ms. Laffey:

This is in response to a request for the Department of the Interior's (Department) review and comment on the Draft Environmental Assessment for **NH Route 125 Reconstruction**, Plaistow to Kingston, Rockingham County, New Hampshire.

10044B

Section 4(f) Comments

This project has the potential to affect a number of cultural resources listed or determined eligible for listing on the National Register of Historic Places. An Adverse Effect determination will evoke Section 106 proceedings resulting in a Memorandum of Agreement which would establish stipulations to mitigate these effects.

An initial determination of Adverse Effect has been made and mitigation measures drafted through joint consultation of the New Hampshire Department of Transportation, the Federal Highway Administration, and the State Historic Preservation Officer. The final determination will be made after the public response period.

We concur that there are no feasible or prudent alternatives to this project but cannot agree to the measures to minimize harm pertaining to cultural resource preservation until the Memorandum of Agreement is signed by the State Historic Preservation Officer. This would avert the necessity for Section 106 pursuit. We request the opportunity to review and comment on the resolution documentation in order to offer our agreement to the provisions to the measures to minimize harm.

We appreciate the opportunity to provide these comments.

Sincerely,

Willie R. Taylor
Director, Office of Environmental
Policy and Compliance

cc:
Mr. David J. Brillhart, P.E.
Director, Project Development
New Hampshire Department of Transportation
Concord, New Hampshire 03301-7502

New Hampshire DOT

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CAROL A. MURRAY, P.E.
COMMISSIONER

PLAISTOW-KINGSTON
MGS-STP-T-X-5375(010), 10044-B
NH 125 Improvements
(Plaistow Mitigation Parcel, Map 6 Lot 15)

Bureau of Highway Design
Room 200
Tel: (603) 271-2171
Fax: (603) 271-7025

December 7, 2004

Mr. Robert R. McGirr
34 Old Mill Road
Falmouth, ME 04105

Dear Mr. McGirr:

I am writing in response to your letter, which was received November 12, 2004, and to follow up on our telephone conversation on December 7th, relative to the project involving the proposed improvements to NH 125 in the towns of Plaistow and Kingston.

I understand that you and four other trustees, identified as the Frog Pond Realty Trust ("Trust"), own a 44-acre parcel (Plaistow Map 6 Lot 15) that has been identified as a potential mitigation parcel for the subject project. I also understand that the Trust is very interested in preserving the property, entertaining the idea of a conservation easement to address the project's wetland mitigation issues, and has placed a conceptual residential subdivision plan on hold for the time being with a request that the future disposition of the property be resolved as quickly as possible.

The Department proposes to proceed forward with your request to advance the acquisition of a conservation easement on your property. However, I would like to caution that a number of things need to be accomplished to both confirm that we can purchase your property under the protective buying provisions of the federal regulations and that the appraisal process is complete. First the Federal Highway Administration (FHWA) will need to concur that your property can be purchased with federal funds so early in the process. Typically the preliminary design and environmental documentation would need to be completed, Public Hearing held, and layout and design approval granted prior to purchasing property for a project. Some level of evaluation and justification will need to be developed to obtain FHWA approval.

Secondly, the property will need to be evaluated in terms of its potential to contain hazardous materials. This will occur as soon as FHWA's approval is received.

Thirdly, the property will need to be appraised as to its fair market value and the value of a conservation easement restriction. Once the appraisal is completed, it will be reviewed by the Department for accuracy and completeness.

Following completion of the appraisal process the Department will proceed with negotiating the purchase of a conservation easement on your property. The entire process will take approximately six months to complete.

I am telling you these things not to dissuade you, but to give you an understanding of the constraints the Department is under. I think the process can progress relatively smoothly, but it will be somewhat time consuming. I have attached a sample conservation easement deed listing the typical conditions of the conservation easement.

As discussed, please pass this information to the other members of the Trust. Should you have any questions or comments regarding the easement language or other project related matters, please don't hesitate to call me at 271-6675. If you have questions relative to the right-of-way acquisition process, please contact Bill Janelle, Administrator of the Bureau Right-of-Way, at 271-3222. Thank you for your cooperation.

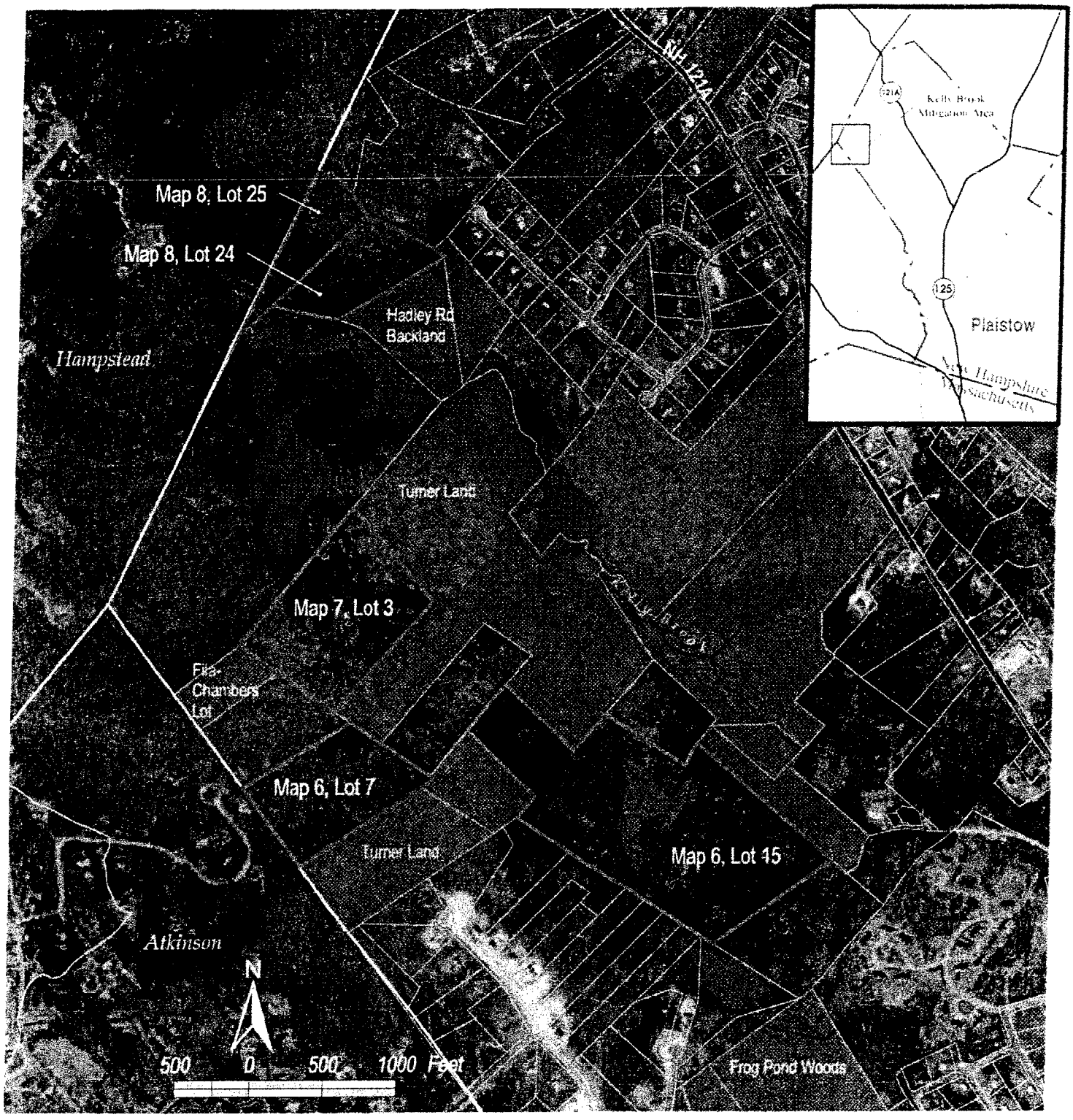
Sincerely,

Christopher M. Waszczuk, P.E.
Project Manager

Enclosure (Sample Conservation Easement Language)

cc: J. Brillhart (letter only)
B. Hauser (letter only)
B. Janelle (letter only)
V. Chase

S:\PLAISTOW\10044B\LETTER\MCG120704.DOC



Potential Mitigation Site

Watershed Boundaries

Plaistow Tax Parcels

Surface Waters

NWI Wetlands

Conservation Lands (GRANIT)

Vanasse Hangen Brustlin, Inc.

Figure 4.3-3
Kelly Brook Watershed Conservation Area
Plaistow, New Hampshire

Aerial: 1998 B&W Digital Orthophoto. GRANIT GIS System

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CAROL A. MURRAY, P.E.
COMMISSIONER

PLAISTOW-KINGSTON
MGS-STP-T-X-5375(010), 10044-B
NH 125 Reconstruction
(Plaistow Mitigation Parcel, Map 6 Lot 15)

Bureau of Highway Design
Room 200
Tel. (603) 271-2171
Fax (603) 271-7025

December 7, 2004

RECEIVED
BUREAU OF ENVIRONMENT
DEC 09 2004
N.H. DEPARTMENT OF TRANSPORTATION

Ms. Kathleen O. Laffey
Division Administrator
Federal Highway Administration
279 Pleasant Street, Room 204
Concord, NH 03301

Dear Ms. Laffey:

I am writing in regard to a request to expeditiously resolve the future disposition of a property in Plaistow, which has been identified as a potential wetland mitigation parcel as part of the above referenced NH 125 Reconstruction project. As indicated in the Department's response to the property owner (letter attached), the Department is amenable to advance the purchase of a conservation easement on the property and requests your approval.

The property in question is an undeveloped parcel, approximately 44 acres in size, located in the Kelly Brook watershed area (excerpt of plan attached). The parcel (Map 6 Lot 15) is shown as one of five potential mitigation sites in Plaistow. Of the five sites, the subject parcel has been identified as the preferred mitigation site to mitigate (by virtue of procuring a conservation easement) the anticipated project impacts to the wetlands in Plaistow and will add to the large block of existent conservation land in the Kelly Brook watershed. The property owners have expressed interest in preserving the property, entertaining the idea of a conservation easement to address the project's wetland mitigation issues, and have placed a conceptual residential subdivision plan on hold for the time being with a request that the future disposition of the property be resolved as quickly as possible. As such, the Department proposes to advance the purchase of a conservation easement on the property under the provisions of the protective buying clause of the federal regulations.

Prior to purchasing the property, the Department will confirm that the property is not a historic resource and is not the site of hazardous materials. The Department understands that continued federal participation for the acquisition of the conservation easements on this property will be contingent on it being included with the final right-of-way for the project and the project actually being constructed. Should a portion of the property be surplus to the project, the sale of such surplus property would be credited to FHWA at the same ratio as the participation involved in the purchase.

The Department believes this current request is in keeping with Federal Regulations 23 CFR 710.503 (a), and (b). As such, 1) the project is included in the currently approved STIP; 2) the project is being conducted within the context of an extensive public participation process (a Public Hearing

JOHN O. MORTON BUILDING • 7 HAZEN DRIVE • P.O. BOX 483 • CONCORD, NEW HAMPSHIRE 03302-0483
TELEPHONE: 603-271-3734 • FAX: 603-271-3914 • TDD ACCESS: RELAY NH 1-800-735-2964 • INTERNET: WWW.NHDOT.COM

rev 5/03

was recently held on November 3rd, 2004); 3) the property would not appear to be subject to the provisions of 23 U.S.C. 138 and final confirmation will be made prior to the purchase; and 4) the Department will comply with procedures of the Advisory Council on Historic Preservation prior to purchasing the property. Further, the Department believes the advanced purchase of the property is warranted under the provisions of the protective buying clause since conceptual development plans for a residential subdivision have been initiated and tenuously placed on hold at the owner's discretion. It would be in everyone's best interests to purchase the conservation easement and preclude its potential sale and development in light of the higher real estate costs associated with an improved parcel.

Should you have further questions or comments, please don't hesitate to call me at 271-6675.

Sincerely,

Christopher M. Waszczuk, P.E.
Project Manager

Attachment (owner's letter dated received 11/12/04, Kelly Brook mitigation sites, Dept's letter dated 12/7/04)

CMW

cc: J. Brillhart
B. Hauser
B. Janelle
V. Chase

S:\PLAISTOW\10044B\LETTER\LAF120704 DOC

Chairperson Ruth L. Griffin, Executive Councilor
c/o David J. Brillhart
Director of Project Development
The State of New Hampshire
Department of Transportation
P.O. Box 483
Concord, NH 03302-0483

RECEIVED
COMMISSIONERS OFFICE
NOV 1 - 2004
THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

Subject: Proposed Roadway Improvements
Route 125
Plaistow to Kingston, New Hampshire
MGS-STP-X-5375(010)
10044-B

Dear Councilor Griffin:

This letter is being submitted for inclusion in the official record of the subject project.

I am one of five trustees of the Frog Pond Realty Trust ("Trust") which owns Plaistow Map 6, Lot 15, a 44-acre+/- parcel commonly referred to as Frog Pond Woods. This lot has been identified by the Committee overseeing the subject project as a "potential mitigation site" associated with the Kelly Brook Conservation Area. Among the five trustees, only I received notice of the public meeting on November 3, 2004 at the Pollard School, apparently because the Plaistow Tax Assessor records do not identify all the members of the Trust. The other Trustees were unfortunately unable to attend that meeting and I did not make a statement for the record at the public meeting. This letter serves, as well as possible given obvious logistical and time constraints, the issues and concerns which we would like to bring to your attention.

Each Trustee represents the third generation of ownership of this parcel that began in 1934 with its purchase by our grandfather, Arthur Scribner, a local farmer and logger. It has been passed down through his son and my uncle, Dr. Robert Scribner, and others within the family to the current trustees over the past 70 years and has been a source of pride within the family for as long as I can remember. We have managed the property responsibly as a woodlot and animal habitat and have had a woodlot conservation plan for years. As a family, we have had the property professionally managed by licensed foresters, although it has only been selectively harvested twice in the past 50 years that I can recall. We believe that we have been good caretakers of the land. None of the Trustees or our ancestors are developers or land speculators.

Further, we recognize that the property abuts others which over time have been acquired by the Town and now form the Kelly Brook Conservation Area. The Trust's property is within the upper watershed of Kelly Brook, an area critical to the continued health of surface waters and groundwater associated with the Brook. At more than 40 acres, the Frog Pond property also represents the largest undeveloped, privately-owned parcel in the immediate area. Adding our parcel to the Conservation Area would create a very special contiguous ecological refuge, groundwater protection zone, unique passive recreational area, or more, totally well in excess of

100 acres. Furthermore, the Frog Pond property already has access via the Carlton Path off Route 121A and which extends throughout the entire parcel which could be minimally improved in order to provide vehicular or pedestrian access, for example to nature trails.

The Trust also recognizes that the pressure for residential development of this parcel increases continually. In the past year alone, a consortium of three local companies approached the Trust with a proposal to design a subdivision. As the Trustees had no knowledge of the Special Committee's desires to place conservation easements and/or otherwise restrict development of our land prior to the receipt of notice on October 16, 2004, we agreed to allow the developers to proceed. At this time, the initial conceptual plan for a residential subdivision of the parcel has been completed. Obviously, the existing conceptual plan and potential future development of the property are handicapped until the Committee's actions for acquisition, easements, or other legal actions are finalized and we have put the plans for a subdivision on hold for the time being.

We believe that the Frog Pond Woods property provides a unique ecological and recreational parcel if left undeveloped; additionally, we are philosophically in agreement with the preservation of the property. That said, we are also concerned about the financial implications of the Committee's actions regarding this property.

We therefore respectfully ask that the Committee proceed as quickly as possible in helping us to resolve the future disposition of the property. The Trust looks forward to working with the Committee, and appropriate federal, state, and local agencies to address wetlands mitigation and preservation issues.

Thank you for your time.

Sincerely,

Robert R. McGirr
34 Old Mill Road
Falmouth, ME 04105
tel: 207.781.5913
email: rrmcgirr@maine.rr.com

cc: William Crane
Nancy McGir
Mary Ann Scott
Kathleen Winters

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE	October 19, 2004
MEMORANDUM FOR:	Marc Laurin, DOT Bureau of Environment
FROM:	June Hammond Rowan, Water Resources Planner OEP
SUBJECT:	Plaistow-Kingston, 10044B MGS-STP-T-X-5375(010)

I have reviewed the information on floodplains in the Draft Environmental Assessment (EA) for the Plaistow-Kingston Reconstruction of NH 125.

The draft EA appears to adequately address the concerns of the National Flood Insurance Program.

If I can be of further assistance you may contact me at (603) 271-2155 or at June.HammondRowan@nh.gov.

Thank you

LETTER OF TRANSMITTAL

Date: June 10, 2005
Bureau: Environment
Project: Plaistow-Kingston
Project No.: 10044B
MGS-STP-X-5375(010)

To: Jennifer DeLong
National Flood Insurance Program
Office of Energy and Planning
57 Regional Drive, Suite 3
Concord, NH 03301-8519

Jennifer:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via the following items:

COPIES	DATE	DESCRIPTION
1	February 9, 2005 (Revised 3/14/05)	Preliminary Replacement Options - Kelly Brook/Rte 125 Culvert & Backup Floodplain and Floodway Calculations

THESE ARE TRANSMITTED as checked below:

☐ For approval
☒ For your use
☐ As requested
☐ For review and comment
☐ Approved as submitted
☐ Approved as noted
☐ Returned for corrections
☐ Returned for your use

REMARKS: The enclosed memorandum report completed by VHB, the Department's engineering consultant, reviews the options considered for improving the hydraulics at the Kelly Brook crossing in Plaistow, NH associated with the above referenced project. The floodplain and floodway impact calculations completed for the project are also presented.

The recommended culvert option will reduce an existing backwater condition upstream of NH Route 125 by approximately four feet, will decrease velocities in the culvert areas resulting in more efficient and improved the hydraulics through the area. As part of the final design tasks for the project a Letter of Map Revision will be completed and submitted by the Department.

Please contact me if you have any questions or require further information.

Marc G. Laurin
Senior Environmental Manager
E-mail – mlaurin@dot.state.nh.us
Room 160 - Tel. (603) 271-4044

MGL:mgl
Enc.
cc: C. Waszczuk, e-mail
s:\projects\design\10044b\050610tr-delong.doc

LETTER OF TRANSMITTAL

Date: June 10, 2005
Bureau: Environment
Project: Plaistow-Kingston
Project No.: 10044B
MGS-STP-X-5375(010)

To: Rich Roach
Regulatory Branch
US Army Corps of Engineers
696 Virginia Road
Concord, MA 01742-2751

Rich:

WE ARE SENDING YOU ☒ Attached ☐ Under separate cover via the following items:

COPIES	DATE	DESCRIPTION
1	February 9, 2005 (Revised 3/14/05)	Preliminary Replacement Options - Kelly Brook/Rte 125 Culvert & Backup Floodplain and Floodway Calculations

THESE ARE TRANSMITTED as checked below:

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Please contact me if you have any questions or require further information.

Marc G. Laurin
Senior Environmental Manager
E-mail – mlaurin@dot.state.nh.us
Room 160 - Tel. (603) 271-4044

MGL:mgl
Enc.
cc: C. Waszczuk, e-mail
s:\projects\design\10044b\050610tr-roach.doc

From: Hammond Rowan, June [June.HammondRowan@nh.gov]
Sent: Tuesday, November 30, 2004 2:13 PM
To: Marc Laurin
Cc: Richard Roach (E-mail)
Subject: Plaistow-Kingston 10044B MGS-STP-T-X-5375(010)

Marc,
As we discussed today, I spoke to Dave Knowles at FEMA about the above referenced project.

FEMA suggests that a Conditional Letter of Map Revision be completed for this project to assure that there will be no changes to the floodway or floodplain that will increase flooding. However, if DOT is satisfied that they necessary hydrologic and hydraulic analyses have been completed, then a Letter of Map Revision could be submitted after the project has been completed.

My suggestion is to review data from your consultant to make sure the floodway and floodplain impacts have adequately been analyzed and addressed in the project design. The draft Environmental Assessment refers to compensatory mitigation being provided. Please make sure that the rate of flow of water moving through the project area has also been adequately addressed.

Lastly, I suggest that you check with the local officials to make sure that the project complies with local floodplain development ordinances. I suggest contacting the Selectmen and Building Inspector. The number at the Kingston town office is 642-3342.

Please contact me if you have any other questions.

June Hammond Rowan
Water Resources Planner
Office of Energy and Planning
57 Regional Drive, Suite 3
Concord, NH 03301-8519
603-271-2155, fax 603-271-2615
e-mail: June.HammondRowan@nh.gov
website: www.nh.gov/oep

From: Knowles, David [David.Knowles@dhs.gov]
Sent: Friday, November 12, 2004 3:02 PM
To: Marc Laurin
Cc: HammondRowan, June; Gino Infascelli (E-mail); Bill O'Donnell (E-mail); Richard Roach (E-mail); Goetz, Mike
Subject: RE: File No: NAE 2004-1342 Plaistow-Kingston, 10044B

Thank you Marc.

Sounds like some thought has gone into the impact on the NFIP materials. I take it that the Letter of Map Revision request (since the hydraulic conditions are changing in a detailed study area) is part of the labor and expenses for the project. Also, since Mill Pond is Zone A, and considering the size, in acres, of the proposed development, computation of the 100-year (base) flood elevation for the pond would be part of the requirements under the NFIP. If Bartlett Brook is a Zone A, computation of the base flood elevation at the impact site is necessary.

Dave

David R. Knowles, P.E.
The Department of Homeland Security's
Federal Emergency Management Agency
Region I
99 high Street, Sixth Floor
Boston, MA 02110-2320
(617) 956-7570 (desk tel.)
(617) 956-7574 (fax)

-----Original Message-----
From: Marc Laurin [mailto:MLaurin@dot.state.nh.us]
Sent: Friday, November 12, 2004 2:32 PM
To: Richard Roach (E-mail); David Knowles (E-mail)
Cc: June Hammond Rowan (E-mail); Gino Infascelli (E-mail); Bill O'Donnell (E-mail)
Subject: RE: File No: NAE 2004-1342 Plaistow-Kingston, 10044B

Impacts to the floodplains within the project area have been evaluated in the Draft Environmental Assessment. Following is a summary of these investigations. We will schedule a discussion of the impacts at a future resource agency meeting.

Within the project area NH 125 crosses three mapped 100-year floodplains: Kelly Brook in Plaistow, Mill Pond Stream and Bartlett Brook in Kingston. Kelly Brook is the only one with a mapped floodway. The Pow Wow River is beyond the project limits.

The proposed action will impact a total of 0.81 hectares (1.99 acres) of the 100-year floodplains of these streams. The total volume affected by these impacts is 8,389 cubic-meters (6.8 acre-feet). These include minor encroachment of 0.05 hectares (0.14 acres) in the Kelly Brook floodway.

The culvert carrying Kelly Brook under NH 125 has been puposely enlarged from a 1.8 meter (6-foot) circular culvert to a 2.4 meter (8-foot) box culvert. This measure will reduce existing backwater conditions and result in a reduction of 0.9 meters (3 feet) in the upstream 100-year flood elevation. In addition, culvert velocities will be reduced and the new design will provide for wildlife crossing opportunity.

The proposed action will not result in more that 0.3 meter (1 foot) increase in the flood elevation of any of the streams crossed by the project and will not pose a significant risk to property loss or hazard to life.

-----Original Message-----
From: Roach, Richard A NAE [mailto:Richard.A.Roach@nae02.usace.army.mil]
Sent: Friday, November 12, 2004 11:31 AM
To: Marc Laurin
Cc: 'NH DES WB GINO Infascelli'
Subject: FW: File No: NAE 2004-1342

Marc, Let's discuss this. What are the effects on flood plains or floodways? Will the crossings of waterways mentioned be rebuilt or replaced? Are they control points for flooding? Perhaps Chris W. can clarify this at our next Resource Agency meeting? Rich

-----Original Message-----
From: Knowles, David [mailto:David.Knowles@dhs.gov]
Sent: Friday, November 12, 2004 9:27 AM
To: Richard A. (email) Roach (E-mail)
Cc: Goetz, Mike; Hatch, George; HammondRowan, June
Subject: FW: File No: NAE 2004-1342

RE: NH Dept. of Trans., Plaistow-Kingston 10044B

Rich

I'm availing myself of this less formal method of commenting on the reference project because you, Marc Laurin of the NHDOT and Bill O'Donnell of the FHWA are all quite familiar with FEMA's interest in proposed projects as they relate to our administration of the National Flood Insurance Program (NFIP). The requirements of this office are very similar, if not exactly the same, for most large NHDOT projects involving improvements over, at or near watercourses.

In the referenced project, work is planned to widen Rt. 125 in Plaistow and Kingston. From a review of the Flood Insurance Study documents for the two communities, it is apparent that the proposed project will impact one or more NFIP delineated Special Flood Hazard Areas (SFHAs). In particular, the proposed development will impact the Rt. 125 crossing of Kelly Brook in Plaistow and may also impact the Rt. 125 crossing of the PowWow River in Kingston (not having seen the project drawings, I'm not quite sure if the proposed widening reaches as far north as the PowWow River). In addition, the proposed work may also impact the SFHA shown for Mill Pond in Kingston.

Kelly Brook and PowWow River are both shown as detailed study areas(Zones A6/A1
and Zone AE respectively)on the Flood Insurance Rate Maps (FIRMs) for the communities. Kelly Brook also has a designated floodway (PowWow River may also have a floodway but I failed to look). Mill Pond is designated as an approximate zone (Zone A).

In delineated SFHAs, specific requirements apply under the NFIP. This email is simply a formal notice that the project is of concern to FEMA. If the specific NFIP regulations have been addressed by the NHDOT, and permitting activities include an assurance that the project meets the minimum requirements of the NFIP, no further action in response to our

concerns is required. If the NHDOT is not sure what NFIP requirements apply, or what actions are required under the NFIP for the proposed work along Rt. 125, please contact the NH State Coordinator for the NFIP, Ms. June Hammond Rowan, at the NH Office of Energy and Planning, at 603) 271-1762, or me as noted below.

Thank you.

Dave

David R. Knowles, P.E.
The Department of Homeland Security's
Federal Emergency Management Agency
Region I
99 high Street, Sixth Floor
Boston, MA 02110-2320
(617) 956-7570 (desk tel.)
(617) 956-7574 (fax)

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Cc: June Hammond Rowan (E-mail); Gino Infascelli (E-mail); Bill O'Donnell (E-mail)
Subject: RE: File No: NAE 2004-1342 Plaistow-Kingston, 10044B

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RE: NH Dept. of Trans., Plaistow-Kingston 10044B

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and Zone AE respectively)on the Flood Insurance Rate Maps (FIRMs) for the communities. Kelly Brook also has a designated floodway (PowWow River may also have a floodway but I failed to look). Mill Pond is designated as an approximate zone (Zone A).

In delineated SFHAs, specific requirements apply under the NFIP. This email is simply a formal notice that the project is of concern to FEMA. If the specific NFIP regulations have been addressed by the NHDOT, and permitting activities include an assurance that the project meets the minimum requirements of the NFIP, no further action in response to our concerns is required. If the NHDOT is not sure what NFIP requirements apply, or what actions are required under the NFIP for the proposed work along Rt. 125, please contact the NH State Coordinator for the NFIP, Ms. June Hammond Rowan, at the NH Office of Energy and Planning, at 603) 271-1762, or me as noted below.

Thank you.

Dave

David R. Knowles, P.E.
The Department of Homeland Security's
Federal Emergency Management Agency
Region I
99 high Street, Sixth Floor
Boston, MA 02110-2320
(617) 956-7570 (desk tel.)
(617) 956-7574 (fax)

Appendix J — Report of the Commissioner

REPORT OF THE COMMISSIONER

PLAISTOW-KINGSTON, MGS-STP-T-X-5375(010), 10044-B

NH ROUTE 125 RECONSTRUCTION

PUBLIC HEARING

November 3, 2004 -- POLLARD SCHOOL GYMNASIUM -- 7:00 PM

As a result of the Public Hearing held on November 3, 2004 for the **PLAISTOW-KINGSTON, MGS-STP-T-X-5375(010), 10044-B** project, the following layout with limitations to access is established as shown on the Hearing Plan and as described below:

Beginning at a point along NH Route 125 at the intersection of East Road and Joanne Drive in the Town of Plaistow and continuing north approximately three and eight tenths (3.8) miles to a point approximately five hundred (500') feet south of the Hunt Road/Newton Junction Road intersection with NH Route 125 in the Town of Kingston. The project will then continue from a point at approximately the southern intersection of NH Route 125 and Old Coach Road in Kingston and continue north approximately one and two tenths (1.2) miles to a point approximately three hundred (300') feet south of the Stoney Brook Road intersection in the Town of Kingston. In addition, the project includes a jug-handle and associated highway widening along the west side of NH Route 125 approximately one thousand (1000') feet north of the Hunt Road/Newton Junction Road intersection with NH Route 125 (NHDOT project no. 10044-C, this project was previously approved and construction began in the spring of 2004).

The section of NH Route 125 to the south of the Hunt Road/Newton Junction Road intersection is proposed to have two lanes in each direction separated by a raised median island and five (5') foot shoulders. The section of NH Route 125 north of the Hunt Road/Newton Junction intersection is proposed to have one lane in each direction and ten (10') foot shoulders.

Other work included with this project involves, construction of a new service road east of and parallel to NH Route 125 from a point one thousand three hundred (1300') feet north of Joanne Drive to Old Road, with a new connector road to this proposed service road starting at a new signalized intersection two thousand one hundred (2100') feet north of Joanne Drive. Danville Road will be reconstructed from the NH Route 125 intersection west approximately six hundred (600') feet and the Danville Road /NH Route 125 intersection will be signalized. NH Route 121A (Main Street) will be reconstructed starting approximately five hundred (500') feet east of NH Route 125 to a point approximately one thousand (1000') feet west of NH Route 125 at the Walton Road intersection, and the existing signals will be replaced. Old County Road will be reconstructed approximately four hundred (400') feet east and approximately four hundred (400') feet west of the NH Route 125 intersection. The NH Route 125/Old County Road intersection will be signalized. Kingston Road will be extended north on new alignment approximately two thousand (2000') feet to intersect with NH Route 125 opposite Roadstone Drive at a new signalized intersection. The existing Kingston Road connection with NH Route 125 will be discontinued. Colonial Road will be reconstructed for approximately one thousand (1000') feet at the north end and this intersection will be signalized with Debra Road, which will be reconstructed for approximately six hundred (600') feet on new alignment to intersect NH Route 125 opposite Colonial Road. The southern connection of Colonial Road and NH Route 125 will be discontinued. The southern intersection of Meeks Road with NH Route 125 will be reconstructed for approximately three hundred fifty (350') feet and the northern intersection with NH Route 125 will be discontinued.

Portions of Old Road, Rose Avenue, Jesse George Road, Roadstone Drive, Dorre Road, and the northern connection of Old Coach Road intersecting with NH Route 125 will all have minor approach work as part of this project. Also the northern connection of Walton Road with NH Route 125 will be relocated as part of this project.

To compensate for environmental impacts associated with this project's construction the following parcels, or portions thereof, have been identified for possible acquisition and placement into conservation. In Kingston west of Bayberry Pond and adjacent to the Dorre Road Town Forest, a portion of Tax Map R-5 Lot 1C and a portion of Tax Map R-2 Lot 11 is proposed. In the northwest section of Plaistow just west of NH Route 121A, parcels identified on the Town's tax maps as Map 6 Lot 15, Map 6 Lot 7, Map 7 Lot 3, Map 8 Lot 24, and Map 8 Lot 25 are proposed.

Limitations of access on NH Route 125 are as follows:

PLAISTOW

WILLIAMS, Richard E. & Janice M. (Parcel 101): One (1) point of access; access is also available via East Road.

EIGHTY PLAISTOW ROAD TRUST (Parcel 102): One (1) point of access.

PEST-END, Inc. (Parcel 103): One (1) point of access.

CRANIUM PROPERTIES LLC (Parcel 104): One (1) point of access.

COLONNA, Theresa J. (Parcel 105): One (1) point of access.

WILLIAM A. CONTE MARITAL TRUST (Parcel 106): One (1) point of access.

WILLIAM A. CONTE MARITAL TRUST (Parcel 107): One (1) point of access.

WILLIAM A. CONTE MARITAL TRUST (Parcel 109): Zero (0) points of access; access available via parcel 110.

WILLIAM A. CONTE MARITAL TRUST (Parcel 110): Two (2) points of access.

MEARS REALTY Corp. (Parcel 111): Two (2) points of access.

NNA Associates (Parcel 113): One (1) point of access at the proposed signal.

MINASIAN, Stephen G., BARSAMIAN, Robert P., & SCUDERI, Philip J. (Parcel 114): One (1) point of access.

SENTER AUTO REALTY TRUST (Parcel 115): One (1) point of access.

ST GEORGES PLACE LLC (Parcel 116): One (1) point of access.

BEST DRY CLEANERS, Inc (Parcel 117): One (1) point of access.

PORT, Barbara (Parcel 118): One (1) point of access.

132 PLAISTOW ROAD REALTY TRUST (Parcel 119): Zero (0) points of access; access available via Rose Avenue.

JJAMBS LLC (Parcel 120): Zero (0) points of access; access available via Rose Avenue.

2 DANVILLE ROAD REALTY LLC (Parcel 121): One (1) point of access; access also available via Danville Road.

142 PLAISTOW ROAD REALTY LLC (Parcel 128): Two (2) points of access.

VSH REALTY, Inc (Parcel 129): Zero (0) points of access; access via parcel 128.

146 PLAISTOW ROAD REALTY TRUST (Parcel 130): Zero (0) points of access; access available via Jesse George Road and parcel 131.

146 PLAISTOW ROAD REALTY TRUST (Parcel 131): One (1) point of access.

148 PLAISTOW ROAD REALTY LLC (Parcel 132): One (1) point of access.

SMITH, John F. (Parcel 133): One (1) point of access.

SMITH, John F. (Parcel 136): Zero (0) points of access; access available via Main Street.

PPW REALTY TRUST (Parcel 137): Two (2) points of access.

ZACHARY & JOHN REALTY TRUST LLC (Parcel 138): One (1) point of access.

PPW REALTY TRUST (Parcel 139): Zero (0) points of access; access via parcel 138.

LARRY'S CLAM BAR, Inc. (Parcel 140): Zero (0) points of access; proposed connection via parcel 140A.

LARRY'S CLAM BAR, Inc.(Parcel 140A): One (1) point of access.

HAGGETT, Lawrence C. & Verna A. (Parcel 142): Two (2) points of access.

LARRY'S CLAM BAR, Inc. (Parcel 143): Two (2) points of access.

BRIBEC LLC (Parcel 144): One (1) point of access.

GARABEDIAN FAMILY TRUST (Parcel 150): One (1) point of access.

LEBLANC, Virginia P. (Parcel 151): One (1) point of access.

LEBLANC, Virginia P. (Parcel 152): Zero (0) points of access; access available via Old County Road.

SUMMA HUMMA REALTY LLC (Parcel 156): One (1) point of access; access also available via Old County Road.

GRANVILLE REALTY ASSOCIATES (Parcel 157): One (1) point of access; access also available via Old County Road.

HORIZON REALTY ASSOCIATION (Parcel 158): Zero (0) points of access.

NICKY REALTY TRUST (Parcel 159): Zero (0) points of access; access available via parcels 159A, 161, & 162.

NICKY REALTY TRUST (Parcel 159A): Zero (0) points of access; access available via parcels 161 & 162.

GREGOIRE, Richard & Sue E. (Parcel 161): Zero (0) points of access; access available via parcel 162.

214 PLAISTOW ROAD REALTY TRUST (Parcel 162): One (1) point of access.

214 PLAISTOW ROAD REALTY TRUST (Parcel 162A): Zero (0) points of access; access available via parcel 162.

214 PLAISTOW ROAD REALTY TRUST (Parcel 164): Zero (0) points of access; access available via parcels 162 & 162A.

DCF REALTY LLC (Parcel 165): Zero (0) points of access; access available via parcel 165A.

DCF REALTY LLC (Parcel 165A): Two (2) points of access.

PLAISTOW STORAGE REALTY TRUST (Parcel 299): Two (2) points of access.

PLAISTOW STORAGE REALTY TRUST (Parcel 299A): Zero (0) points of access; access available via parcel 299.

PLAISTOW STORAGE REALTY TRUST (Parcel 299B): Zero (0) points of access; access available via parcel 299C or via parcel 299 through parcel 299A.

PLAISTOW STORAGE REALTY TRUST (Parcel 299C): One (1) point of access.

CHAYA BROTHERS REALTY LLC (Parcel 303): One (1) point of access.

NEALE REALTY TRUST (Parcel 304): One (1) point of access.

DODGE FAMILY REAL ESTATE CO. LLC (Parcel 305): Zero (0) point of access; access available via Old County Road.

R&B REALTY TRUST (Parcel 308): One (1) point of access; access also available via Old County Road.

LEBLANC REALTY TRUST (Parcel 309): One (1) point of access.

SASHA REALTY TRUST (Parcel 310): One (1) point of access.

TOWN OF PLAISTOW (Parcel 311): Zero (0) points of access.

TOWN OF PLAISTOW (Parcel 312): Zero (0) points of access.

RAY, Norman E. Jr., RAY, Doris F., & RAY, David M. (Parcel 313): One (1) point of access; access also available via parcel 313A.

RAY, Norman E. Jr., RAY, Doris F., & RAY, David M. (Parcel 313A): One (1) point of access; access also available via parcel 313.

BRESNAHAN REALTY TRUST (Parcel 315): One (1) point of access to be shared with parcel 316 with the driveway located at the property line.

BRESNAHAN REALTY TRUST (Parcel 316): Two (2) points of access with one point of access to be shared with parcel 315 with the driveway located at the property line.

RER REALTY TRUST (Parcel 317): One (1) point of access.

TAYLOR, Richard A. Jr. (Parcel 318): One (1) point of access.

SANBORN REALTY TRUST (Parcel 319): One (1) point of access.

WILLIAM H. SANBORN REVOCABLE TRUST (Parcel 320): Zero (0) points of access; access available via Main Street and parcel 319.

SMITH, John F. (Parcel 322): One (1) point of access.

J&J REALTY TRUST (Parcel 323): Zero (0) points of access; access available via parcel 323-1.

POST FAMILY TRUST CONDOMINIUM ASSOCIATION (Parcel 323-1): One (1) point of access.

SAKKAS LLC (Parcel 324): Zero (0) points of access; access available via parcel 323-1.

ASPROGIANNIS, Dimitrios & Stelios (Parcel 325): Two (2) points of access.

TAVITIAN, Satinig (Parcel 328): Zero (0) points of access; access available via Jesse George Road.

PENTOLIROS, Hope (Parcel 329): One (1) point of access; access also available via Jesse George Road and proposed town road stub.

CASS-OHAN REALTY TRUST (Parcel 330): One (1) point of access; access also available via proposed town road stub.

DANOS, Aristotelis (Parcel 333): One (1) point of access.

PRECIOUS REALTY LLC (Parcel 334): One (1) point of access to be shared with parcel 335 with the driveway located at property line; access also available via the proposed service road.

107 PLAISTOW ROAD REALTY TRUST (Parcel 335): One (1) point of access to be shared with parcel 334 with the driveway located at property line; access also available via the proposed service road.

DUARCHY REALTY LLC (Parcel 336): Zero (0) points of access; access available via parcel 337.

125 EQUITABLE LLC (Parcel 337): One (1) point of access; access also available via the proposed service road.

DUARCHY REALTY LLC (Parcel 338): One (1) point of access.

BACZAK, Inc. (Parcel 339): Zero (0) points of access; access available via proposed service road connector.

BARONS INDUSTRIAL PARK CONDO ASSOCIATION (Parcel 340): Zero (0) points of access; existing driveway to become Town maintained service road connector.

MARINO, Mark A. & Paula F. (Parcel 341): Zero (0) points of access; access available via proposed service road connector.

COTTAGE PLAZA LLC (Parcel 342): Two (2) points of access.

DAKOTA REALTY Corp. (Parcel 343): One (1) point of access.

BGC REALTY TRUST (Parcel 344): One (1) point of access.

PLAISTOW REALTY TRUST (Parcel 345): Two (2) points of access.

COTTAGE PLAZA LLC (Parcel 346): Zero (0) points of access; access via parcel 346A. (See finding No. 21)

COTTAGE PLAZA LLC (Parcel 346A): One (1) point of access. (See finding No. 21)

PROCESS ENGINEERING, Inc. (Parcel 347): One (1) point of access. (See finding No. 21)

MILLS, Ronald G. & Carol K. (Parcel 348): One (1) point of access. (See finding No. 21)

AARON M. SINGER REALTY TRUST (Parcel 349): One (1) point of access.

AMERICAN OIL CHANGE Corp. (Parcel 350): One (1) point of access.

MACISAAC, John (Parcel 351): One (1) point of access.

DAVEY, Joseph (Parcel 352): One (1) point of access.

DAVEY, Joseph (Parcel 353): One (1) point of access.

KINGSTON

STATE OF NH (formerly Leate-Varney) (Parcel 1): One (1) point of access.

GEOFFROY, Robert, C. (Parcel 2): One (1) point of access.

GEOFFROY, Robert, C. (Parcel 3): One (1) point of access.

BAYBERRY PARK LTD (Parcel 4): One (1) point of access.

JASE REALTY TRUST (Parcel 5): One (1) point of access.

MATHEWS, Gary & MATHEWS, Robert G. (Parcel 6): One (1) point of access.

HANSON, Michael E. & Angelina D. (Parcel 7): One (1) point of access.

LEATE, George W. Jr. & Kathleen A. (Parcel 23): Two (2) points of access.

SANDRA R. PHILBRICK LLC (Parcel 24): One (1) point of access with access located on Old Coach Road.

SAMOISETTE, Richard A. & Brenda J. (Parcel 25): Two (2) points of access.

TOWN OF KINGSTON (Parcel 26): Two (2) points of access.

TASBAK LLC (Parcel 53): One (1) point of access.

TASBAK LLC (Parcel 54): One (1) point of access; access shall be entrance only, exit shall be via parcel 53 or parcel 52.

TUPELO, LLC (Parcel 55): One (1) point of access.

TUPELO, LLC (Parcel 56): One (1) point of access.

TUPELO, LLC (Parcel 57): Zero (0) points of access; access available via Parcel 56.

JOHN D. LANCASTER TRUST (Parcel 58): One (1) point of access.

YOUNG, Roger S. (Parcel 59): One (1) point of access.

JEFF-RE REALTY TRUST (Parcel 168): Two (2) points of access.

WILLIAM S. BARTLETT, JR. REVOCABLE TRUST (Parcel 169): Two (2) points of access.

STATE OF NH (Parcel 169-1): Two (2) points of access as established by deed (Book 1575, Page 154) recorded in the Rockingham County Registry of Deeds on February 7, 1961.

GALLOWAY, John & Brenda Rose (Parcel 172): One (1) point of access identified as Roadstone Drive, a private road.

BROX INDUSTRIES Inc. (Parcel 173): One (1) point of access.

DONNA C. DAMPHOUSSE REVOCABLE TRUST (Parcel 174): Two (2) points of access.

DONNA C. DAMPHOUSSE REVOCABLE TRUST (Parcel 174A): Zero (0) points of access; access available via Dorre Road.

WHITNEY, Robert W. & Donna Y. (Parcel 178A): Two (2) points of access with one access to be entrance only and the second access to be exit only.

WHITNEY, Jason T. (Parcel 179): One (1) point of access.

R&C LIVING TRUST (Parcel 180): One (1) point of access.

FREDERICK, Kenneth D. (Parcel 181): One (1) point of access.

SPE REAL ESTATE LLC (Parcel 182): One (1) point of access.

HARRON CABLEVISION OF NH, Inc. (Parcel 183): One (1) point of access.

SWANBURG, Judith A. & Lloyd G. (Parcel 184): Zero (0) points of access (property to be acquired).

CHAMBERS, Michael J. (Parcel 186): One (1) point of access.

STANLEY, Joshua R. (Parcel 189): One (1) point of access.

KAUNAS LLC (Parcel 190): Two (2) points of access.

RD 125 REALTY Corp. (Parcel 191): One (1) point of access.

SAMOISETTE, Richard A. & Brenda J. (Parcel 193): Zero (0) points of access; access available via Old Coach Road.

NASON, Glory M. (Parcel 194): Zero (0) points of access; access available via Old Coach Road.

NH PEABODY LLC (Parcel 195): Two (2) points of access.

SEACOAST DIGITAL COMPUTERS, Inc. (Parcel 201): One (1) point of access.

ROBERT H. BAXTER REVOCABLE TRUST (Parcel 202): One (1) point of access.

ROBERT H. BAXTER REVOCABLE TRUST (Parcel 202B): Two (2) points of access with one access to be entrance only and the second access to be exit only.

SEBETES, John Peter Jr. (Parcel 205): Zero (0) points of access; access available via Old Coach Road.

STATE OF NH (Parcel 206): One (1) point of access; access to be shared with parcel 207 at the property line.

BSS REALTY TRUST (Parcel 207): Two (2) points of access; one access to be shared with parcel 206 at the property line.

MOTIVA ENTERPRISES LLC (Parcel 208): One (1) point of access located opposite improved Meeks Road.

WHITE, Frank A. & Elisabeth C. (Parcel 209): One (1) point of access.

EARLY, Richard P. Sr. & Dorothy (Parcel 210): Zero (0) points of access.

CAMPERS INN OF KINGSTON, Inc. (Parcel 211): One (1) point of access.

FLAIR REALTY LLC (Parcel 212): Two (2) points of access with one access to be exit only.

FLAIR REALTY LLC (Parcel 213): One (1) point of access to be entrance only and shared with parcel 214 at property line, exit via parcel 212.

FLAIR REALTY LLC (Parcel 214): One (1) point of access to be entrance only and shared with parcel 213 at property line, exit via parcel 212.

STATE OF NH (Parcel 250): Zero (0) points of access. Zero (0) points of access along NH 125 was previously established within the existing LAROW under project S-4515 c. 1963.

CAMPERS INN OF KINGSTON, Inc. (Parcel 252): Zero (0) points of access.

LUPACZYK, Stephen E. & LEWIS, Darcy (Parcel 253): Zero (0) points of access; access available via Meeks Road.

BOISSELLE, Ronald N. (Parcel 254): Zero (0) points of access; access available via Meeks Road.

OVITT LLC (Parcel 258): Two (2) points of access.

OLOFSON, Kerry & Troy (Parcel 264): Zero (0) points of access; access available via Meeks Road.

MORRISSEY, Leonard P. & Erna P. (Parcel 265): Zero (0) points of access; access available via Meeks Road.

RODGERS, Mary L. (Parcel 266): Zero (0) points of access; access available via Meeks Road.

PARKER REALTY TRUST (Parcel 267): One (1) point of access.

PARKER REALTY TRUST (Parcel 268): Zero (0) points of access; access available via parcel 267.

INTERNATIONAL MINERALS & CHEMICAL Corp. (Parcel 269): One (1) point of access.

111 MAIN LLC (Parcel 270): One (1) point of access.

KAUNAS LLC (Parcel 271): One (1) point of access.

MAILLE, Richard & LINNEHAN, Renate (Parcel 272): One (1) point of access.

COMEAU FAMILY REALTY TRUST (Parcel 273): Two (2) points of access.

KINGSTON MEMORIAL POST #1088 VFW (Parcel 274): One (1) point of access.

KINNEY, Wayne E. (Parcel 275): One (1) point of access shared with parcel 275A at property line.

KINNEY, Wayne E. (Parcel 275A): One (1) point of access shared with parcel 275 at property line.

TOWN OF KINGSTON (Parcel 278): Zero (0) points of access; access available via Colonial Road.

CARA MARIA REALTY TRUST (Parcel 279): One (1) point of access.

CROWELL, Phyllis L. (Parcel 282): Zero (0) points of access; access available via Colonial Road.

BURTT, Irene M. (Parcel 283): One (1) point of access for existing 50' right of way established by deed (Book 2662, Page 1749) recorded at the Rockingham County Registry of Deeds on February 20, 1987.

JODA NEW VENTURE LLC (Parcel 284): Zero (0) points of access; access available via 50' right-of-way on parcel 283.

CARRIKER, Russell L. (Parcel 285): One (1) point of access.

TOWN OF KINGSTON (Parcel 286): Zero (0) points of access.

PREMIER REALTY TRUST (Parcel 287): One (1) point of access.

MASSAPAUG REALTY TRUST (Parcel 288): Zero (0) points of access; access available via Kingston Road Extension.

R&G REALTY TRUST (Parcel 290): One (1) point of access; additional access available via Kingston Road Extension.

NICOR, Inc. (Parcel 290-1): Zero (0) points of access.

STATE OF NH (Parcel 290-2): Zero (0) points of access (parcel will be eliminated by new ROW).

DAHER, Carlos M. & Christine (Parcel 291): One (1) point of access.

THOMAS, Russell K. Jr. (Parcel 292A): Zero (0) points of access; access available via Kingston Road Extension.

STATE OF NH (Parcel 293): Zero (0) points of access; access available via Kingston Road Extension.

The above limitations of access are established in accordance with RSA Section 230:46.

The following decisions are the Department's resolution of issues as a result of the testimony presented at the November 3, 2004 Public Hearing and written testimony subsequently submitted.

1) Ms. Merilyn Senter; Chairperson of Plaistow Board of Selectmen, expressed gratitude and satisfaction with the current proposal. She noted support from the Board of Selectmen, Police Department, and Fire Department. She also noted interest and support for a raised median further south of the project limits to resolve the serious safety concerns on NH 125 between the state line and Westville Bridge.

   Mr. Glenn Coppelman, representing the Kingston Planning Board, expressed support for the project with the exception of the construction timeline for the Kingston segments. He advocated the northern segments of the project be constructed sooner than planned should additional funding become available.

   Representative Kevin Camm expressed support for the project stating that he is in favor of the improvements to the highway as they are proposed.

   Mr. Glenn Greenwood, Rockingham Planning Commission and Chairman of the project's Advisory Task Force, noted that there was a remarkable degree of cooperation between both Towns in progressing the project's design forward and commended the Department on the incorporation of access management into the project. He explained that in his opinion the long-term integrity of the corridor will be increased resulting in less need for future public expenditures to protect the safety of the corridor.

   Response: The Department acknowledges and appreciates the communities' support. Access management is and will continue to be an important component of the project to effectively preserve the corridor's capacity and enhance the long-term safety along NH 125. The Department is committed to incorporate the access management elements of the project and balance the transportation, mobility, and safety needs of the corridor with the access concerns of the abutting property owners.

   Should additional funding become available, the Department, through the 10-Year Plan process, will look to advance segments of the project to be constructed sooner than currently planned.

2) Representative Kevin Camm noted a concern from some business owners regarding the raised median and the ability of customers to readily reverse direction to access properties. He questioned whether "U-turns" would be permitted at the signalized intersections.

   Mr. Daniel Mastroianni, 3 Newton Junction Road, Kingston, (owner of parcels #55, #56, & #57) expressed objection to the proposed raised median stating that it will negatively affect his business at 49 Route 125 (parcel #56). He suggested, if the raised median is installed, that an opening in the median be provided to allow vehicles access to his property at 49 Route 125 (parcel #56).

   Mr. Thomas Greer, 59 Route 125, Kingston, (owner of parcels #52, #53, & #54) expressed objection to the raised median citing the larger volume of truck activity into his growing business located at 59 Route 125 (parcels #52 & #53). He acknowledged the need for the widening of NH 125, but suggested two-way left turn lanes would be preferable.

   Mr. Donald Reis, 87 Plaistow Road, Plaistow, (part-owner of parcels #344 & #345) expressed concern that the raised median will negatively affect his business located at

87 Plaistow Road (parcel #345). He stated that 40% of his customers travel from the north and will either need to use the service road to gain access to his business or will need to travel past his business and turn around at East Road/Joanne Drive.

Response: The Department believes the proposed raised median is the safest and most cost-effective treatment to handle the growing volume of traffic (23,000 vehicles per day (vpd) on NH 125 just north of East Road in 2001 and projected to exceed 31,000 vpd in twenty years) and the inherent conflict between the through traffic seeking to travel through the corridor and the local traffic seeking to access the adjacent businesses and abutting properties. The numerous uncontrolled driveways along the corridor, not only adversely affect the efficient flow of traffic, but in certain cases lead to potentially hazardous and confusing situations as motorists try to enter and exit the highway. National studies have shown that raised medians reduce crashes by over 40% in urban areas and 60% in rural areas. The safety benefits of raised medians become more pronounced where traffic volumes exceed 20,000 vpd.

The Department has tried to balance the safety and transportation issues and the access concerns of the businesses and abutting property owners. Directional median openings are provided at various locations along the corridor, to provide left turn access into properties from NH 125. Left turns out of properties will be precluded at these locations. "U-turns" will be permitted at the directional median openings and at all the signalized intersections to provide the ability for passenger cars to reverse direction. Trucks and vehicles with trailers will need to travel to the proposed "jug-handle", "slip-ramp", and designated truck turn locations to be afforded an opportunity to reverse direction. Six such truck-turn locations have been incorporated into the project.

Directional median openings have been provided to allow passenger cars full access from NH 125 into parcel #53 (Mr. Greer's property) and parcel #56 (Mr. Mastroianni's property) to reduce the effect of the median on those businesses. Passenger cars leaving those businesses will have an opportunity to turn around, if so desired, at the Hunt Road / Newton Junction Road signalized intersection. Trucks leaving those businesses will need to travel to the proposed "jug-handle", approximately 1000' north of the Hunt Road / Newton Junction Road intersection, to change direction and head south. A "slip-ramp" is provided at the new Debra Road / Colonial Road intersection for large trucks heading south needing to access parcels #53 and #56 but unable to utilize the directional median openings.

The Department acknowledges that the raised median will preclude direct left-turn access to a fair amount of properties along the NH 125 corridor and a percentage of the vehicles will need to travel further to reach a property. However, overall travel along the corridor is envisioned to be safer, more orderly, and more efficient when the project is completed. The Department plans to provide adequate signage along the corridor to clearly identify turn-around locations and access avenues.

3) Mr. Donald Clark, 10 Walton Road, Plaistow; Mr. & Mrs. James & Barbara Follet, 13 Walton Road, Plaistow; Ms. Maryellen Pelletier, 22 Walton Road, Plaistow; Ms. Virginia Waltz, 2 Walton Road, Apt. 2A, Plaistow; Ms. Cecile McKinney, 2 Walton Road, Apt. 3H, Plaistow; Mr. & Mrs. Cort and Barbara Dixon, 24 Shady Lane, Plaistow; requested Walton Road's connection with NH 125 be discontinued. They expressed concern with the current high volume of traffic and unsafe speed on Walton Road, and that Walton Road was being used as a "cut-through" to avoid the traffic signals at the Main Street / NH 125 intersection. Further, they fear the proposal would add more traffic onto Walton Road.

Mr. & Mrs. Cort and Barbara Dixon (owner of parcel #147), requested Walton Road's connection with NH 125 not be relocated aside their residence and in the vicinity of their driveway. They expressed concern with a diminished quality of life due to headlight splash and increased noise adversely affecting their property. They noted concern with reduced safety exiting their driveway onto the relocated entrance of Walton Road. Additionally, they stated that all of the business traffic accessing Sawyer's Function Hall (parcel #148) would be directed towards their home and would need to pass their residence should the proposal be constructed.

Mr. Ron LeBlanc, 57 Meditation Lane, Atkinson, NH, (owner of parcels #148, #308, & #309) expressed concern and objection to the proposal to relocate Walton Road's connection with NH 125 from in front of Sawyer's Function Hall (parcel #148) further south towards Shady Lane. He noted that considerable traffic and congestion is evident in the vicinity of the banquet facility during election periods (voting occurs at the facility), and expressed concern that congestion would worsen if the entry way is moved to the south.

Ms. Leigh Komornick, Plaistow Planning Coordinator, stated that the Safety Committee, in a meeting on November 10, 2004, voted unanimously in favor of keeping the Walton Road connection with NH 125 open, as shown on the current plans.

Ms. Merilyn Senter; Chairperson of Plaistow Board of Selectmen, stated in a letter dated December 7, 2004 that the Board of Selectmen met on December 6th to discuss disconnecting Walton Road from NH 125 and after careful consideration, the Board of Selectmen is not in favor of closing Walton Road to through traffic.

Response: The Department is aware that on at least six occasions between May 2003 and December 2004, town-level meetings were held by the Plaistow Board of Selectmen to discuss the closure of Walton Road and seek input from the town's safety officials and the general public. Prior to the project's Public Hearing, in a letter dated March 1, 2004 and more recently in a letter dated December 7, 2004, the Town expressed its position to not close Walton Road to through traffic. Since Walton Road is a town road under the Town's jurisdiction, the Department defers to the Town's position and will maintain Walton Road's connection with NH 125.

In response to concerns raised objecting to the relocation of Walton Road's connection with NH 125, the Department has reviewed the location and proposes to shift the intersection approximately 100' north of the previously proposed location. This new location will better accommodate the driveway to the Dixon residence, as the driveway, being further removed from the new intersection, will be in a safer location. The new location of Walton Road's connection with NH 125, being further removed from the Dixon residence, will also reduce the owner's concerns relative to headlight splash and noise. Additionally, the new location will have the added benefit of providing a more direct connection for business traffic accessing the Sawyer's Function Hall. Traffic seeking to access the Function Hall from NH 125 will not need to pass by the Dixon residence.

4) Mr. Robert Whitney, 26 Route 125, Kingston, (owner of parcel #178A), requested a break in the median for the entire length of his property frontage (parcel #178A). He stated that the median, as proposed, would have a negative financial impact on his business.

Mr. Whitney acknowledged that the building on his property was identified as being impacted and acquired by the project. He noted that a double entrance to his property exists today and requested two entrances be provided to his property as part of the project.

Response: The Department has provided a directional median opening (to allow vehicles to make a left from NH 125) at Dorre Road. Since Mr. Whitney's property is a corner parcel with frontage on NH 125 and Dorre Road, full access to the property from NH 125 via Dorre Road will be realized.

The Department is amenable to providing two access points to the parcel from NH 125 with one access being designated as a right-in only and the second designated as a right-out only.

5) Mr. Jason Whitney, 26 Route 125, Kingston, (owner of parcel #179) requested a directional median opening be provided to access his property. He suggested the emergency median opening, proposed just north of his property line, possibly serve to provide access to his property or the median opening be enlarged to provide

emergency access and left turn access to his property and the property on the opposite side of NH 125.

Response: The subject residence is adversely impacted by the proposed widening and improvements to NH 125. As such, the building has been identified as an acquisition as part of the project. The Department feels adding another directional median opening in close proximity to the proposed directional median opening at Dorre Road will compromised the long-term safety in the area. In reviewing the overall layout and spacing of access, the Department believes the proposed locations for the emergency median opening and the directional median openings best accommodate access to the surrounding properties while preserving the long-term safety in the area.

6) Representative Kevin Camm noted concerns from business owners regarding the type of median treatment proposed for the project. He noted that business owners had expressed concern that the median could become unsightly over a period of time.

Response: The Department proposes to provide a landscaped median as part of the project. The landscaping is envisioned to be of a type capable of thriving in a relatively adverse environment and requiring little maintenance. The landscaping plan will be developed with input from the towns during the project's final design. The Department envisions the Towns of Plaistow and Kingston will be responsible for the maintenance and routine upkeep of the landscaping within their respective communities. Maintenance agreements with the respective Towns to outline responsibilities will be developed and executed during the project's final design.

7) Executive Councilor Ruth L. Griffin noted the proximity of the Beede Waste Oil Superfund site, which is situated in the Kelly Brook area, to the potential mitigation parcels proposed in Plaistow, and questioned whether the Superfund site could have an adverse affect on groundwater in the vicinity of the mitigation parcels.

Response: The Beede Waste Oil Superfund site is located approximately ½ mile down gradient of all of the proposed Kelley Brook Conservation Area mitigation parcels. As a general rule, groundwater moves in the same direction as surface watercourses; thus, the groundwater in the vicinity of the mitigation parcels should not be adversely affected by the Superfund site.

8) Representative Kevin Camm expressed concern with the amount of land (approximately 98 acres) proposed to be purchased for mitigation. He questioned whether federal funds (80%) would be used to help defray the cost of the mitigation.

Response: The mitigation proposed to compensate for the direct impacts to wetlands as a result of the project is consistent with the mitigation ratios (approximately 14 to 1 in this case) as established in the Code of Administrative Rules of the New Hampshire Department of Environmental Services. The cost of the proposed mitigation will be paid for with federal (80%) and state highway (20%) funds.

9) Mr. Laurence Radford, 9 Colonial Road, Kingston, (owner of parcel #277) expressed concern with the layout of his proposed driveway connection. He stated that the re-alignment and relocation of the end of his driveway would make access in and out of his property more difficult for his 36-foot long motor home and automobile towing operation. He requested his driveway remain in the same location or be flared and widened to accommodate the larger vehicles.

Response: The Department has reviewed Mr. Radford's driveway and re-positioned the driveway to match into the existing drive location. The end of the driveway is proposed to be flared to accommodate a single-unit truck. Some clearing of trees along the inside of the curve south of the driveway will be necessary to provide adequate visibility for vehicles exiting the driveway. A temporary construction easement will need to be procured in order to undertake the clearing.

10) Mr. Robert Kalil, 6 Lakeside Drive, Atkinson, (owner of parcel #116) expressed concern with the location of the proposed driveway to his property in Plaistow. He felt that vehicles would have a difficult time entering and exiting his property once NH 125 is widened and the driveway positioned in front of his building. He suggested the driveway be relocated further north and expressed a willingness to re-arrange his parking layout.

Response: The Department has reviewed the driveway to parcel #116 and has revised the location of the driveway to coincide with the circulation aisle of the existing parking lot. The layout will be further refined with input from the owner during the project's final design.

11) Mr. Robert Williams, 95A Plaistow Road, Plaistow, (representing Baron's Associates, owner of parcel #340) noted that his property is located to the rear of the buildings fronting NH 125. He noted a multi-business sign advertising his business and others is located adjacent to NH 125 and appears to be impacted by the proposed construction for the access road. He questioned the disposition of the sign.

Response: The sign, if impacted by the proposed work, will be relocated as an element of the right of way negotiations.

12) Mr. Steve Marullo, speaking for his mother-in-law, Virginia LeBlanc, 192 Plaistow Road, Plaistow (parcel #152), expressed concern for his mother-in-law, who is 85 years old and has resided in the current address for 50 years. Her residence is impacted and proposed to be removed to accommodate the proposed improvements along NH 125 and at the Old County Road intersection.

Response: The Department acknowledges and is sensitive to Mr. Marullo's concerns regarding his mother-in-law. The Department will make every effort reasonably possible to minimize the level of disruption to Ms. LeBlanc and make the relocation and transition to a new home as smooth as possible.

13) Mr. Donald Reis, 87 Plaistow Road, Plaistow, (part-owner of parcels #344 & #345) expressed concern with the location of the proposed service road as it ends at his parking lot and directs vehicles through the parking and service area of his property. He suggested that approximately 20 of his 80 parking spaces would be potentially impacted by the location of the service road.

Response: The Department acknowledges Mr. Reis' concern and has revised the location of the service road to end shy of the property. The new termination of the service road will avoid any impacts to the parking and service area.

14) Mr. Kenneth Frederick, 32 Route 125, Kingston, (owner of parcel #181) noted that his property has been identified to be acquired as part of the project and requested, as soon as the project is approved, that the Department acquire his property as an early acquisition. He noted that his property has been on the market and he cannot sell it because of the project's affect on the property.

Response: Due to Mr. Frederick's hardship of not being able to sell his property because of the project's impact on the property, the Department will pursue the early acquisition of Mr. Frederick's property.

15) Ron LeBlanc, 57 Meditation Lane, Atkinson, NH, (owner of parcels #148, #308, & #309) expressed concern that the widening of NH 125 in front of his building (parcel #309) will preclude the ability for vehicles to pass along the front of the building, as they can today. He requested that, at the very least, a walkway be provided to allow access to the building's front entryway.

Mr. LeBlanc expressed concern that one of the access points to parcel #308 was proposed to be eliminated. He stated that preliminary plans for further development of

the corner parcel have been completed. He requested an access be provided from the property onto Old County Road opposite the Dodge Agway (parcel #305) driveway.

Response: The Department has reviewed parcel #309 and notes that the building's front entrance is situated only a few feet from the existing right-of-way line. The Department acknowledges that the widening of NH 125 will extend to within 11 feet of the right-of-way line and will eliminate the existing vehicular drive that provides access to the front of the building. The Department proposes to construct a walkway leading from the driveway and parking area to the entrance leading to the front of the building. Modifications to the building front entrance, if necessary, will be handled as an element of the right of way negotiations.

The Department has shown a potential new driveway (identified on the Public Hearing Plan as an orange dashed line) leading from the parking lot on parcel #308 to intersect Old County Road opposite the Dodge Agway driveway. Should the owner provide the necessary temporary construction easements and location for the new driveway, the Department will construct the driveway as part of the project.

16) Mr. Val Danos, 113 Plaistow Road, Plaistow, (representing his father, owner of parcel #333) stated that he has received permits to construct a 20,000 square foot building on parcel #333, which is situated at the corner of NH 125 and Old Road. The proposed service road bisects the development's building and parking lot. He expressed concern relative to the proposed service road impacting his development plans, which he and his family have spent four years engineering and acquiring the necessary land and permits.

Response: The Department has reviewed the proposed service road and Mr. Danos' proposed development. Since the development precludes the construction of the service road's connection with NH 125 without severely impacting the development, the Department proposes to terminate the service road shy of Mr. Danos' property and the adjacent wetland.

The service road will still maintain access to the new signalized intersection opposite the former drive-in theater property. Truck turning capabilities lost with the elimination of the service road's connection with NH 125 are proposed to be replaced utilizing Danville Road and Jesse George Road. Minor improvements and widening to Jesse George Road are proposed as part of the project to accommodate trucks using Danville Road and Jesse George Road to change direction.

17) Mr. Glenn Coppelman, representing the Kingston Planning Board, questioned whether the Town would be saddled with the responsibility for any contamination on properties being acquired for the project or would the State assume such responsibility.

Response: The Department's current investigations have revealed no major contamination issues within the project limits. Any contamination that exists within the limits of the project layout will be considered as part of the property appraisal process and either be addressed by the responsible party or by the construction contract.

18) Mr. Jay Davey, 13 Main Street , Plaistow, (owner of parcels #352 & #353) expressed concern with the proposed acquisition of a corner of his property for the construction of a "jug-handle". He questioned why the service road was not extended to Joanne Drive, in lieu of the "jug-handle", to provide truck-turning capabilities.

Response: The service road is not proposed to be extended to Joanne Drive due to the vast extent of wetlands in the area.

The Department has reviewed Mr. Davey's proposed development plan and the "jug-handle" layout, and will modify the proposed highway improvements to incorporate the driveway from the development into the "jug-handle". The six parking spaces

impacted by the project will be replaced elsewhere on the property when the NH 125 improvements and the "jug-handle" are constructed.

19) Ms. Teresa Bolduc, 30 Old County Road, Plaistow, (owner of parcel #154) questioned how much of Old County Road was proposed to be widened in front of her property and what the extent of the proposed work was.

Response: The proposed improvements on Old County Road, in vicinity of Ms. Bolduc's property, are designed to transition into the existing width of Old County Road just west of the property. A minor widening of the pavement of approximately 1' to 5' is proposed along the property's frontage. In addition, the roadside along the property's frontage and the driveway will be re-graded for a distance approximately 10' beyond the existing right-of-way to match the proposed work to the existing driveway and adjacent ground. Temporary drive and construction easements will need to be procured to undertake the work depicted beyond the existing right-of-way line.

20) Mr. George Hall, Brox Industries, 1471 Methuen Street, Dracut, MA, (representing Brox Industries, owner of parcel #173) acknowledged the Department's proposal to acquire and remove the existing single family dwelling at the corner of NH 125 and Roadstone Drive. He requested a driveway apron to the property be constructed near the northern property boundary as part of the project.

Response: As part of the project, the Department will construct a driveway apron (30' wide) near the northern limit of the property, as requested.

21) Mr. Gerry Carbone, 23 Wentworth Avenue, Plaistow, (owner of parcels #346 and #346A) acknowledged the Department's proposal to remove the existing building on parcel #346 should it remain at the time of construction. He noted his plans to redevelop the property in the future and raise the property to the existing road grade prior to the NH 125 expansion. Also, he noted plans to pursue a common driveway entrance with the adjoining property owners (parcels #347 & #348) to the south in the interest of consolidating their driveways.

Response: The Department acknowledges Mr. Carbone's intent to raise the grade of the property to the existing road grade prior to the proposed NH 125 work.

In the event the elevation of parcel #346 is not raised, the proposed widening of NH 125 will preclude the ability to match into the current driveway due to the existing grade differences. As such, the Department will work with the owner to relocate the driveway to the southern property boundary or onto parcel #346A where the grades are more manageable. The Department will compensate the owner for impacts to the property.

In the event Mr. Carbone (parcels #346 and #346A) and the adjoining property owners (parcels #347, & #348) develop a legal agreement for a common driveway entrance to their properties, and eliminate their current driveways or access points, the Department will construct said common driveway match, in lieu of the currently proposed driveway matches. In doing so, the one point of access to NH 125 for parcels #346A and #348, previously provided in the *Limitations of Access* section of this Report, would be voided.

22) Police Chief Stephen Savage, Chairman of Plaistow Highway Safety Committee requested turn lanes (a thru/left lane and a dedicated right turn lane) be provided on Old County Road as part of the project. He noted that a significant industrial subdivision located on Old County Road not far from the intersection generates a considerable volume of truck traffic; a pending 8-lot industrial subdivision on Old County Road is expected to generate increased truck traffic; the commencement of EPA's reclamation project at the Beede Waste Oil Superfund site is expected to generate 50 to 100 trucks per day over an extended timeframe; and the Town's pending recreation field project located off of Old County Road will further increase traffic volumes.

Response: A standard intersection design layout is proposed for the Old County Road intersection. This layout will accommodate striping for separate turn lanes. During the project's final design, the traffic volumes at the intersection will be verified and a separate right turn lane provided if warranted by the traffic volumes.

23) Mr. & Mrs. Robert & Anne Lumnah, 135 Route 125, Kingston, (owner of parcel #258) requested a southbound left turn lane be provided in front of their retail property (parcel #258) in Kingston.

Response: The proposed two-way left turn lane on NH 125 will be extended north approximately 800 feet to provide a protected area for left turning vehicles desiring to access the driveway to the retail property.

24) Mr. Brian Pendleton, TEC, Inc., Ten New England Business Center Drive, Suite 107, Andover, MA (representing parcel #113) stated that the owner is not opposed to the construction of the future connector roads on the property (parcel #113) in Plaistow. However, he expressed concern that given the location of the signalized intersection, the future connector roads will require the filling of wetlands. He suggested the signalized intersection be moved further north so the connector roads can avoid the wetlands or the portions of the future connector road that impact wetlands be constructed as part of the project.

Mr. Pendleton also noted the following questions concerning the control of access:

a) Will the project define a single access point for each parcel located along the corridor?
b) Will the property owners be able to provide input as to where access will be located?
c) Will an owner be able to relocate an established access point as part of a future project?

Response: The Department has closely coordinated the project with Town Officials and has identified the proposed location of the signalized intersection as the best location to efficiently serve the traffic in the area and best provide the developed properties not too distant access to a signalized intersection. Based on the Town of Plaistow's 2002 Zoning Ordinances concerning wetlands, the Department believes that the owner/developer could procure the necessary permits for the construction of the future connector road since no other viable route to the signalized intersection, which does not cross the wetlands, exists. The design and construction of the future connector road will need to minimize, and possibly mitigate, the impacts to the wetland.

Since the future connector road is intended to primarily serve private interests, the Department does not propose to construct a portion of the road as part of the project. The final design and layout of the future connector road will be at the discretion of the owner/developer.

In response to the above listed questions, the following is provided:

a) The layout has defined a specific number of access points to each parcel abutting NH 125 and the controlled access right-of-way. The specific number of access points is denoted on the plans and in the *Limitations of Access* section of this Report.
b) The Department has strived to match into the existing location of driveways where access is intended to be maintained. In locations where a driveway does not exist or the property owner intends to relocate his current driveway, the owner's input will be considered in the final location of the access point.
c) The owner will be able to relocate his access location as long as the new location is situated such that it does not adversely affect the safe and efficient movement of traffic on the highway and into and out of the property.

25) Mr. Francis X. Quinn, Jr., 82 Court Street, Portsmouth, (representing parcel #172) stated that the owners are opposed to the proposed construction of the future connector roads within their parcel, particularly from Dorre Road to Roadstone Drive, as the roads would cross over sensitive wetlands. Mr. Quinn suggested there are alternative routes available that would not impact parcel #172 and preserve the wetlands between Dorre Road and Roadstone Drive.

Ms. Brenda Galloway, P.O. Box 809, Plaistow, (owner of parcel #172), expressed objection to the future connector roads connecting to Roadstone Drive, which they own and maintain. She stated the future connector roads would have an adverse impact on their business, which operates out of Roadstone Drive.

Response: The future connector roads depicted on the Public Hearing Plan are a planning tool to be used by the towns of Plaistow and Kingston to better manage future access along the corridor and to provide as many commercial properties as possible access to signalized intersections. These connections are not proposed to be constructed as part of the project. The connector road locations would be determined by the owner/developer and constructed by same as redevelopment of properties along NH 125 occurs. The towns (more specifically the Planning Boards) would work with the owner/developer to incorporate elements of the future connections into the individual site plans. In certain instances, this may mean the construction of a portion of the new road, or the provision of an easement or an internal parking lot connection between adjacent properties.

26) Mr. & Mrs. David & Marjorie Joy, 9 Meeks Road, Kingston, (owner of parcel #260) acknowledged the need to widen NH 125 in vicinity of Meeks Road to provide 10' wide shoulder areas. However, they expressed concern that needless inconvenience for the residents of the Meeks Road area will result should the northern end of Meeks Road be discontinued and the southern end improved. They suggested the proposal for Meeks Road is unnecessary and both ends should remain open for travel.

Response: Under the existing conditions, both the north and the south ends of Meeks Road intersect NH 125 at highly skewed angles and along relatively steep vertical grades. The poor intersection alignment at each end currently limits visibility. The proposed layout will improve the NH 125 intersection at the south end of Meeks Road while eliminating the intersection at the north end. Where the north end currently exists, a turn-around will be provided. Access to NH 125 at both locations is not necessary given the relatively low volume of traffic that is generated along Meeks Road. Of the two locations, the south end of Meeks Road intersects NH 125 at a more moderate grade of 4.5% as opposed to the steeper 6.2% grade of NH 125 in the vicinity of the north end intersection. The proposed improvement will eliminate the skewed angle and better align the south end intersection directly opposite the driveway to the gasoline station on the west side of NH 125. In addition, the improvement will provide a two-way left turn lane on NH 125 at the south end of Meeks Road. This will result in safer and more efficient access to Meeks Road.

27) Ms. Phyllis Crowell, 27 Route 125, Kingston, (owner of parcel #282) requested evergreen trees be planted to replace the trees that will be removed in front of her home. She requested the two culverts that cross her land be replaced and drainage adequately designed to eliminate drainage problems on her property and pavement cracking on Colonial Road. She expressed concern with the loss of access from NH 125 to her property, noting that oil delivery trucks would not be able to service her home via Colonial Road due to the steep slopes and constraints within her property. She requested the path from NH 125 to the existing steps be maintained.

Response: During final design, the Department will look to minimize impacts to the trees along the property's frontage. The resulting loss of trees and natural vegetation will be treated as an element of the right-of-way negotiations.

The Department will closely review the drainage conditions in the vicinity of Ms. Crowell's property during the project's final design. Runoff from NH 125 will be controlled through the use of curbing, and drainage will be adequately designed to

reduce the drainage related problems emanating from the highway and negatively affecting her property.

For safety considerations, access from NH 125 to the property is proposed to be precluded. The oil company (Buxton Oil) serving Ms. Crowell's property was contacted to discuss issues concerning oil delivery via Colonial Road. A representative of Buxton Oil stated that oil deliveries can be made to Ms. Crowell's home from her driveway off Colonial Road.

The existing path located within the confines of the property's boundaries will not be impacted by the proposed work along NH 125.

28) Mr. Mark Taitz, Continental Biomass Industries, Inc. (CBI), 22 Whittier Street, Newton, NH, noted his firm's interest in acquiring parcel #347 (formerly owned by Process Engineering, Inc.). He stated that a purchase and sales agreement has been signed by CBI to purchase the property. He requested notification of all future meetings. He also requested a copy of an enlarged plan showing the proposal for NH 125 and the service road from Joanne Drive to Old Road.

Response: The Department acknowledges CBI's interest in parcel #347 and will notify Mr. Taitz of all future meetings concerning the property. An excerpt of the Hearing plan showing the proposed improvements along NH 125 and the proposed service road has been forwarded to CBI under separate cover.

29) Mr. Thomas Greer, 59 Route 125, Kingston, (owner of parcels #52, #53, & #54) requested a third driveway be provided at the southern end of parcel #54 to largely service truck access.

Response: One point of access, as an entrance only driveway, is proposed for parcel #54. The exit is intended to be via parcel #53 or #52. The owner, at his discretion may submit an application for the driveway to the Department's District Six Maintenance Office. The driveway, once constructed, will be matched into by the project.

30) Mr. Daniel Mastroianni, 3 Newton Junction Road, Kingston, expressed concern that the proposed future connector road shown through the middle of his property (parcels #55, #56, & #57) would direct commercial truck activity through a residential area on Happy Hollow Road.

Response: The future connector roads are a planning tool to be used by the towns of Plaistow and Kingston to better manage future access along the corridor and to provide as many commercial properties as possible access to signalized intersections. These connections are not proposed to be constructed as part of the project. The connector road locations would be determined by the owner/developer and constructed by same as redevelopment of properties along NH 125 occurs. The towns (more specifically the Planning Boards) would work with the owner/developer to incorporate elements of the future connections into the individual site plans. In certain instances, this may mean the construction of a portion of the new road, or the provision of an easement or an internal parking lot connection between adjacent properties.

One of these potential future connections extends from the Landscapers Depot (parcels #52, #53, & #54) southward to the planned signalized intersection at Colonial Road / Debra Road. The layout of the future connections in this area would likely not occur unless parcels along this section of the corridor are redeveloped and some transformation of the residential properties close to NH 125 to commercial properties results. The connections would most likely be incorporated into future site plans with the actual connections potentially closer to NH 125, away from the predominantly residential areas.

31) Mr. Daniel Mastroianni requested the early acquisition of the house located on parcel #56, which is adversely impacted by the proposed improvements to NH 125 and identified to be acquired as part of the project.

Response: The Department will pursue the acquisition of the residential building on parcel #56 along with all the necessary easements and right-of-way on parcels #55, #56, and #57 as expeditiously as possibly, once layout approval is received, the Federal Highway Administration issues a finding of no significant impact (FONSI) for the project, and right-of-way acquisition plans are prepared.

32) Mr. Robert McGirr, 34 Old Mill Road, Falmouth, ME, stated that he is one of five trustees of Frog Pond Realty Trust, which owns an approximate 44-acre parcel (Map 6, Lot 15) that has been identified as a potential mitigation property in the Town of Plaistow. He noted that the Trust is interested in the preservation of the parcel, but is concerned with the financial implications of the property being identified as potential mitigation for the project. He noted the parcel is under continual development pressure and requested action on the future disposition of the parcel be advanced as quickly as possible.

Response: The Department will pursue the early acquisition of a conservation easement on the subject 44-acre parcel under the protective buying provisions of the federal regulations (23 CFR 710.503).

33) Mr. Robert Greenough Emerson III, 638 Main Street, Hingham, MA, expressed adamant objection to the total acquisition of his land (Map 7, Lot 3) that has been identified as a potential mitigation parcel in the Town of Plaistow. He stated that the property has been in his family for 240 years, is landlocked, and no interest exists to develop or sell the property. He suggested his family's long-term ownership is complementary to the conservation interests in the area and money allocated for mitigation should be used elsewhere. He noted that at some point in the future, he may be interested in granting a permanent conservation easement with or without restrictions.

Response: The Department plans to pursue the acquisition of a conservation easement on a separate parcel (Map 6 Lot 15) to fulfill the mitigation requirements for the project. Although the subject parcel was identified as a potential mitigation parcel, the Department, at this time, does not plan to pursue its acquisition.

4/15/05
Date

Carol A. Murray, P.E.
Commissioner
N.H. Department of Transportation

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Appendix K — Report of the Special Committee and Meeting Minutes

REPORT OF THE SPECIAL COMMITTEE

FOR

PLAISTOW-KINGSTON, MGS-STP-T-X-5375(010), 10044-B

NOVEMBER 3, 2004 POLLARD SCHOOL GYMNASIUM 7:00 P.M.

PROJECT DESCRIPTION

Beginning at a point along NH Route 125 at the intersection of East Road and Joanne Drive in the Town of Plaistow and continuing north approximately three and eight tenths (3.8) miles to a point approximately five hundred (500') feet south of the Hunt Road/Newton Junction Road intersection with NH Route 125 in the Town of Kingston. The project will then continue from a point at approximately the southern intersection of NH Route 125 and Old Coach Road in Kingston and continue north approximately one and two tenths (1.2) miles to a point approximately three hundred (300') feet south of the Stoney Brook Road intersection in the Town of Kingston. In addition, the project includes a jug-handle and associated highway widening along the west side of NH Route 125 approximately one thousand (1000') feet north of the Hunt Road/Newton Junction Road intersection with NH Route 125 (NHDOT project no. 10044-C, this project was previously approved and construction began in the spring of 2004).

The section of NH Route 125 to the south of the Hunt Road/Newton Junction Road intersection is proposed to have two lanes in each direction separated by a raised median island and five (5') foot shoulders. The section of NH Route 125 north of the Hunt Road/Newton Junction intersection is proposed to have one lane in each direction and ten (10') foot shoulders.

Other work included with this project involves, construction of a new service road east of and parallel to NH Route 125 from a point one thousand three hundred (1300') feet north of Joanne Drive to Old Road, with a new connector road to this proposed service road starting at a new signalized intersection two thousand one hundred (2100') feet north of Joanne Drive. Danville Road will be reconstructed from the NH Route 125 intersection west approximately six hundred (600') feet and the Danville Road /NH Route 125 intersection will be signalized. NH Route 121A (Main Street) will be reconstructed starting approximately five hundred (500') feet east of NH Route 125 to a point approximately one thousand (1000') feet west of NH Route 125 at the Walton Road intersection, and the existing signals will be replaced. Old County Road will be reconstructed approximately four hundred (400') feet east and approximately four hundred (400') feet west of the NH Route 125 intersection. The NH Route 125/Old County Road intersection will be signalized. Kingston Road will be extended north on new alignment approximately two thousand (2000') feet to intersect with NH Route 125 opposite Roadstone Drive at a new signalized intersection. The existing Kingston Road connection with NH Route 125 will be discontinued. Colonial Road will be reconstructed for approximately one thousand (1000') feet at the north end and this intersection will be signalized with Debra Road, which will be reconstructed for approximately six hundred (600') feet on new alignment to intersect NH Route 125 opposite Colonial Road. The southern connection of Colonial Road and NH Route 125 will be discontinued. The southern intersection of Meeks Road with NH Route 125 will be reconstructed for approximately three hundred fifty (350') feet and the northern intersection with NH Route 125 will be discontinued.

Portions of Old Road, Rose Avenue, Jesse George Road, Roadstone Drive, Dorre Road, and the northern connection of Old Coach Road intersecting with NH Route 125 will all have minor approach work as part of this project. Also the northern connection of Walton Road with NH Route 125 will be relocated as part of this project.

To compensate for environmental impacts associated with this project's construction the following parcels, or portions thereof, have been identified for possible acquisition and placement into conservation. In Kingston west of Bayberry Pond and adjacent to the Dorre Road Town Forest, a portion of Tax Map R-5 Lot 1C and a portion

of Tax Map R-2 Lot 11 is proposed. In the northwest section of Plaistow just west of NH Route 121A, parcels identified on the Town's tax maps as Map 6 Lot 15, Map 6 Lot 7, Map 7 Lot 3, Map 8 Lot 24, and Map 8 Lot 25 are proposed.

Upon the foregoing Petition, the Governor and Executive Council assembled on June 23, 2005, appointed:

Hon. Ruth L. Griffin, Councilor, District No. 3, Portsmouth
Hon. Raymond J. Wieczorek, Councilor, District No. 4, Manchester
Hon. Peter J. Spaulding, Councilor, District No. 2, Hopkinton

a Special Committee to hold a hearing in accordance with the provisions of Chapter 230:45, RSA, to determine whether there is occasion for the laying out of NH Route 125 in the Towns of Plaistow and Kingston.

Upon said hearing held in the Pollard School Gymnasium, 120 Main Street in the Towns of Plaistow and Kingston on November 3, 2004, after interested parties appeared, and having heard and read all of the evidence the Special Committee received, for the accommodation of the public there is occasion for the laying out of the highway petitioned for and the limitation of access.

Given under our hands this 23 day of June, 2005.

Ruth L. Griffin

Raymond J. Wieczorek

Raymond J. Wieczorek SPECIAL COMMITTEE

Peter J. Spaulding

New Hampshire DOT
Department of Transportation

CAROL A. MURRAY, P.E.
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

JEFF BRILLHART, P.E.
Assistant Commissioner

SPECIAL COMMITTEE MEETING MINUTES

PLAISTOW - KINGSTON, MGS-STP-X-T-5375(010), 10044-B

STATE HOUSE, EXECUTIVE COUNCIL CHAMBERS, CONCORD, NH

June 22, 2005 2:45 P.M.

NAMES OF SPECIAL COMMITTEE MEMBERS PRESENT

Ruth L. Griffin, Chairwoman
Raymond J. Wieczorek
Peter J. Spaulding

NAMES OF COMMISSION MEMBERS PRESENT

Leroy Syphers, Member
Clifford Taylor, Member

NAMES OF ADDITIONAL PEOPLE PRESENT AT THE MEETING

Carol Murray, Commissioner, NHDOT
David J. Brillhart, Assistant Commissioner, NHDOT
William Janelle, Right-of-Way Bureau Administrator, NHDOT
Christopher Waszczuk, Project Manager, NHDOT
Wanda M.A. Druding, Right-of-Way Agent, NHDOT
Lynne Riel, Clerk IV, NHDOT
George Leate, Public
Vincent Iacozzi, Public
John Galloway, Public
Brenda Galloway, Public

DESCRIPTION OF SUBJECT MATTER DISCUSSED

Chairwoman Griffin called the meeting to order at 2:45 P.M. for the Plaistow – Kingston 10044B project. Councilor Griffin explained the purpose of the meeting and asked Mr. Waszczuk to state the issues brought forth at the public hearing held on November 3, 2004 and the Department's resolutions of said issues as written in the Report of the Commissioner. Councilor Griffin also introduced Commissioner Murray and Assistant Commissioner Brillhart.

Commissioner Murray thanked everyone present for their patience in waiting to attend the meeting originally schedule for 12:00 noon. She also thanked members of the project Advisory Task Force and town officials for their time and effort in making this project successful, noting many meetings were held to gather input and formulate the proposal.

Mr. Waszczuk presented a general overview of the project, which is intended to improve safety, increase capacity, relieve congestion, and enhance the safe and efficient access to the abutting properties along the corridor. He noted that in addition to the infrastructure improvements planned for the corridor, the project incorporates access management elements which are intended to preserve the long-term capacity and function of the highway while balancing the needs of the motorists with the access concerns of the abutting property owners. He noted the access management elements include raised medians, controlled access right-of-way, service road connections to signalized intersections, consolidations of driveways, designated left turn lanes, and turn avenues for trucks. He continued with a review of each of the thirty-three (33) issues brought forth at the public hearing and the Department's resolution of said issues as listed in the Report of the Commissioner.

Relative to Issue #2 whereby concern was expressed that the raised median island proposed under this project will limit the left turn movements into businesses and residents along NH Route 125, Commission member Clifford Taylor and Councilor Griffin requested clarification on how a passenger vehicle, delivery trucks or emergency vehicles are to reverse direction and access businesses and residents on the opposite side of the roadway. Mr. Waszczuk noted that twelve (12) directional median openings that provide direct access to the properties on the opposite side of the highway are proposed. Vehicles will be allowed to make u-turns at all signalized intersections. U-turns will also be permitted at the directional median openings. Six (6) jug-handles, slip-ramps, and/or designated routes will be constructed along the median roadway allowing larger trucks the ability to reverse direction. In addition, six emergency median openings for emergency vehicles are proposed.

Relative to Issue #3, Councilor Griffin recalled considerable concern raised by the residences of the Walton Road neighborhood. Mr. Waszczuk noted that Walton Road is a town road under the Town's jurisdiction and the Town's position is to maintain Walton Road's connection with NH 125. To alleviate concerns raised by a private owner, the Department proposes to shifted the intersection approximately 100' north of the previously proposed location. This new location will better accommodate a driveway and reduce concerns relative to traffic, noise, and headlight splash.

Relative to Issue #16, Councilor Griffin requested clarification on how the Department proposes to remedy truck turning capabilities lost with the elimination of the service road's connection with NH 125. Mr. Waszczuk, referring to a reduce copy of the Hearing Plan, explained that large trucks traveling north on NH 125 would need to continue to the proposed signalized intersection at Danville Road, turn left onto Danville Road, right onto Jesse George Road, and right again on NH 125 to access properties on the west side of NH 125. Minor widening and improvements to Jesse George Road(as shown on the plan excerpt) will be required to handle the new traffic movement.

Relative to Issue #22, Councilor Griffin noted that Town Officials are concerned about the intersection of Old County Road and NH Route 125. The right-of-way width and pavement of Old County Road will need to allow for a striping of a left and right turn lanes onto NH Route 125 to accommodate the future growth and truck activity anticipated at the signalized intersection. Mr. Waszczuk noted that the pavement layout proposed for the intersection location will allow for said stripping and lane separation as requested by the Town.

Relative to Issue #26, Councilor Griffin noted her opposition to closing the north intersection of Meeks Road with NH Route 125, stating that she is not in favor of creating an elongated cul-de-sac or dead end streets. Councilor Griffin requested that north end of Meeks Road remain open to NH Route 125 unless significant evidence can be brought forth to support the closure. Commissioner Murray stated that the Department will confirm the position of the Town and the Project's Advisory Task Force before making any final decision regarding Meeks Road.

Commission member Cliff Taylor appreciated all the work and effort done by NHDOT and members of the community in making this project successful. Commission member Leroy Syphers concurred with member Taylor, and stated his appreciation for the Department's concern in addressing public safety and listening to the owner's concerns.

Councilor Griffin requested a motion to accept or not accept the project as presented. Councilor Ray Wieczorek motioned to accept the project. Commission member, Cliff Taylor seconded the motion. Again, Councilor Griffin stated her opposition to the closing of Meeks Road until further proof of necessity was given. Councilor Griffin called for a vote.

DECISION REACHED

All members of the Special Committee and the Commission voted unanimously to accept the project as presented. Councilor Spaulding was not present at time of vote. Meeting adjourned at 3:34 P.M.

Respectfully yours,

Lynne E. Riel

Dated: June 23, 2005

Lynne E. Riel
Clerk IV

LER/ler

cc: James Moore, Director of Project Development
Christopher Waszczuk, Project Manager
Wanda M.A. Druding, Right-of-Way Agent
All Attendees
File with Public Hearing Information

RECEIVED

JUL 1 9 2005

BUREAU OF HIGHWAY DESIGN
NH DEPT OF TRANSPORTATION

INFO		ACTION
☐ GREEN		☐
☐ CASS		☐
☐ COTA		☐
☐ FUDALA		☐
☐ LANDRY		☐
☐ LYFORD		☐
☐ OLDENBURG		☐
☐ ORDWAY		☐
☐ SCHMIDT		☐
☐ VOGT		☐
☒ WASZCZUK		☐
☐ WHELAN		☐
☐ ROADSIDE		☐
☐ CONTRACTS & SPECS		☐
☐		☐
☐		☐
☐		☐
☐ RETURN TO:		