

Walpole-Charlestown, 14747

July 29, 2010

Jerry Coogan:

Good evening, and thank you for coming tonight. My name is Jerry Coogan and I am the Chairman of this Commission appointed by the Governor and Executive Council. To my right is John Simonds from the City of Claremont, New Hampshire, Joel McCarty from the Town of Alstead, and they are also members of this Commission. This is a three-member Commission. I would also like to mention that we have Executive Councilor, John Shea, who is a member of the five member Governor's Council. John? Where are you? Okay, John Shea.

This hearing is concerned with the layout of a section of New Hampshire Route 12 in the Towns of Walpole and Charlestown. It is pursuant to New Hampshire RSA 230:14 and the Surface Transportation and Uniform Relocation Assistance Act of 1987.

The purpose of this hearing is to determine the necessity of the occasion of the layout and to hear evidence of the economic and social effects of such a location, its impact on the environment, and its consistency with the goals and objectives of such local planning as has been undertaken by the Towns. Following this hearing, the Commission will evaluate all matters brought to our attention and make definite decisions relative to the layout. We will contact each owner whose property is affected and discuss individual concerns. It is, therefore, important that all individuals desiring to make requests or suggestions, do so tonight. I would remind you that you have 10 days after this hearing to submit other material that you would like to have considered by this Commission.

At this time, I would like to ask Donald Lyford, the Project Manager, of the New Hampshire Department of Transportation to present, in a formal manner, the layout which he has proposed. After this I will open up the floor to those who wish to address the Commission. I will request that all desiring to speak signify their

desire, come to the podium, or come to the microphone, state their name and be recognized by me and then make their statements.

This hearing is being recorded and a transcript will be available later. So, when you come forward, please state your name, where you live, your address, speak slowly and quietly, and make your information public.

At this time I would like to introduce Donald Lyford from the New Hampshire Department of Transportation. Don has been Project Manager for the Department for 25 years and has been through this in many communities, and he is going to present the layout of this proposed New Hampshire Route 12. Don?

Don Lyford:

Thank you Chairman, members of the Commission, and ladies and gentlemen. First, I would like to introduce people who will be involved in today's presentation. From the Upper Valley - Lake Sunapee Regional Planning Commission is Nate Miller. He's been a great help to us in this project, facilitating meetings and getting us to this hearing today. Next to him is Deborah Turcott Young.

This is a joint hearing in conjunction with the Land and Community Heritage Investment Program. We have impacts to LCHIP property which is why she is here. Next to me is Jon Evans. He is with the Environmental Bureau from the Department. Next to him is Victoria Chase, she's with the Right-of-Way Bureau, and at the table with the filing is C.R. Willeke. He's been involved throughout this process of alternative development and will be presenting the proposed project in a couple of minutes.

Today we are presenting the Route 12 project which starts in North Walpole Village at approximately the Main Street intersection and continues all the way up to the Route 12-A intersection in South Charlestown. This project is in the State's Ten-Year Plan and has funding in three construction seasons which we'll talk about in more detail. It has been reviewed at many other meetings throughout the process, with advisory committee meetings, public information meetings, and we've gotten input at those meetings. We've been able to incorporate much of that input into the project; but again, what I'm looking for from you, right now, is comments, questions, and to see if there are other things we need to incorporate into the project.

At this time Nate Miller will go over the public involvement approach that was used for this project and the alternatives that were considered.

Nate Miller:

I would like to talk a little bit about the process that we undertook with you folks from both communities to develop the design part of it that C.R. is going to talk about in detail in a few minutes, and as Don mentioned, this project starts at the intersection of Routes 12 and 12-A, in South Charlestown and ends at Main Street in North Walpole. It's just under three miles and if you look at the Ten-Year Plan, you'll see that the project description says to reconstruct the roadway, add shoulders and improve drainage. And that sounds awfully simple, and then when you look at this picture you can start to see that it's not quite that simple.

What we have is the road that is sandwiched between the Connecticut River and an active rail line. We have some riverbank stability issues along that Connecticut River bank that actually contact the road in many places, and we also have a road that has a lot of regional importance. It is the only road, essentially, that actually connects Charlestown and North Walpole. If you wanted to take an alternate route between the two communities, you would have to drive many miles out of your way, to say the least. So, recognizing that, we employed a different type of project development process than the Department of Transportation would normally go through, and that process is called the "context sensitive solutions process." I am not going to read this definition, but the words "collaborative interdisciplinary approach" essentially means that the Department of Transportation worked with a broad variety of folks in both Charlestown and Walpole, collaboratively, working together over the course of almost two years to develop this design.

All decisions were made by consensus that folks agreed with and could live with solutions that were developed. Essentially the CSS process is geared to balance the needs of the Department of Transportation, which are obviously safety and mobility in terms of vehicles and freight commercial vehicles, with the needs of the two communities: environmental needs, historical needs, and community values. So, the idea is that we're not sacrificing one end of the scale in favor of the other end of the scale, and we're developing solutions that meet both needs, and I hope that we've done that.

To guide us through this process, we put together a Project Advisory Committee that was about 35-people strong, and we had very good engagement and participation from just about every member of that committee over the course of the two years of developing this project.

We had Town officials from the Towns of Charlestown and Walpole and the Village of North Walpole, as well. We had business representatives; we had abutters who lived along that stretch of road; we had resource agencies, like the Connecticut River Joint Commission, and the Fall Mountain school district was involved. The job of that entire list was to provide guidance to the Department of Transportation, as that group of people are the experts on the road; they are the people who live, work and recreate on this Route 12 corridor, so it is important that the Department be able to tackle their knowledge and be able to develop their design with that local knowledge in hand, and I think we've done that, hopefully.

We went through a series of steps beginning in late 2007. We'll talk about these steps in just a minute.

The first step was to develop a problem statement, and that sounds simple, but you can't solve a problem until you know what the problem is, and so that group of 35 people agreed on every word that is written in the problem statement.

I'm not going to read it all, but I'll give you a summary and you folks who know this corridor and travel it every day know what many of the problems are: the lanes are narrow, there's no adequate shoulders, the guardrails, or old cable guardrail in a lot of ways are leaning and in very rough shape. The road is obviously located between the river and the railroad. There are some drainage issues that occasionally cause pooling on the road, hydroplaning, and icing; there's obviously a long history of erosion, river bank instability along the road; it's not bicycle or pedestrian friendly, by any means, and the road is also a national scenic byway and the condition of the road right now doesn't really facilitate that use.

The next step for this Board Committee was to develop a vision statement: what they wanted the project to look like and function like when it was done; how they wanted the road to be. I'm not going to read this, but I will provide a summary. Essentially, there are common sense things here. The Committee wanted the road to look good, and function well, not only for passenger vehicles, but for commercial vehicles, for rail, passenger rail and freight, for bicyclists and pedestrians. They wanted some shoulders on the road, but for right now there are minimal shoulders, and in many areas no shoulder. They wanted adequate shoulders and adequate guardrail for safety. They wanted cyclists and pedestrians to be able to use it efficiently, and they wanted increased access for parking and

recreational access to the river so residents can enjoy the Connecticut River.

After we developed the problem statement and the vision statement, the next step, before we started developing design alternatives, was to develop a system for evaluating alternatives, and it was important that we did this before we developed alternatives, so that we weren't skewing the evaluation criteria in favor of a certain preferred alternative of a member of the Committee or a group or sub-segment of the Committee, rather we wanted all to agree on the criteria that would be used to evaluate alternatives beforehand, so that everybody went into it with an open mind and every alternative got evaluated according to the same set of criteria.

We ended up with about a little over 30 different criteria in all of these different categories: access, esthetics or how the road looks, the economic vitality that is provided by the road, specifically for businesses along the corridor, obviously environmental concerns were a major portion of the criteria, impacts to the Connecticut River, and sensitive habitat along the Connecticut River. The ease of constructability and the costs of the alternatives were considered under that implementation category. Quality of life, obviously, and, of course, safety being really a fundamental consideration.

This is just one sample of the way that these different alternatives were screened. This is just one page of one alternative that we looked at. Every question, every one of these 35 questions, this is one page, each alternative had about three pages of questions that had to be answered on a variety of those different topics.

The Committee agreed and came to consensus on the answer on every single question for every single alternative and it took us about six to eight months to go through that process.

At the end of screening the alternatives, they determined whether the alternative was reasonable or unreasonable. If it was unreasonable, we didn't look at it anymore. That was the end of the line for that alternative. If it was reasonable, then essentially it was put on the short list and at the end of that shortlisting process we picked the preferred alternative. The best of that short list is what you see on the board and what C.R. will talk about in a few minutes.

These are the alternatives that were considered. The first alternative always is do nothing. We can just leave the road alone and see how that works. So, we did look at that alternative.

Options two and three are what you might call bookend options. Option two is called railroad as control. We said what if we don't touch the railroad at all, and what would that look like in terms of the impacts to the Connecticut River? So we looked at that alternative. Option three was on the other end of that alternative. We said, what if we didn't touch the river at all, how would that look in terms of impacts to the railroad? And we flushed that alternative out.

We did this with a series of alternatives that we call alternative number four, and alternative number four said, well, what if we moved Route 12 to the other side of the railroad tracks? How would that look? And, so, there are sub-alternatives here that go up and up the hill and look at different impacts that way.

The fifth alternative said, well, what if we wanted to keep the road on its current alignment. What if we wanted the road to be on its exact alignment today, what type of engineering measures would need to be in place to allow that to happen safely and very quickly you are into some very complex engineering, like rock anchors into the river bed and the river bank slope. So, with those alternatives, there were some aspects of some alternatives that were good and there were some alternatives that weren't so good.

So the Committee decided to look at hybrid options and the hybrid options were really combinations of alternatives two and three; the river as a control, and the railroad as a control, and so we looked at two different options, sort of dividing the project area roughly in three segments.

The first number is the southern, more or less mile of the project, and the second number being the middle mile of the project, and then the third segment being roughly the northern third of the project. And we looked at hybrid options three, two, two, which was option three in the south, two in the middle and option two in the north, and we looked at option three, two, three, which was option three in the south, two in the middle and three in the north.

Ultimately, after screening these alternatives, the Committee determined the following unreasonable. These stopped, went no further, they weren't going to work and do nothing obviously was not an alternative that folks found to be feasible.

Railroad as a control, there were elements that were positive, but not for its entirety along a three mile stretch, the environmental impacts were too great. The option number four that relocated the road to the

other side of the railroad tracks had too many impacts in North Walpole Village and some of the businesses, particularly Len-Tex, and for quality of life reasons and other environmental reasons such as the big cuts that would be required to engineer that alternative, that was determined to be unreasonable. And option five, which was very, very expensive with that complex rock anchoring system that carefully would be required to keep the road on its current line, was also unreasonable. That left us with the short list of these alternatives and I covered them very briefly, but essentially, after reviewing all of these alternatives in detail and looking very carefully at the short list of alternatives that members of the two communities found to be reasonable, they selected option three, two, three, which is relocating the road and the railroad away from the river in the southern part of the project, having some impacts on Meany's Cove and leaving the railroad in its current alignment in the middle part of the project and once again, relocating both the road and the railroad away from the Connecticut River in the northern part of the project.

C.R. will talk about that in just a few minutes in detail, but for now I'll toss it back to Don Lyford.

Don Lyford:

Thank you, Nate. Jon Evans will now talk about the environmental aspects of the project.

Jon Evans:

Good evening, members of the Commission, ladies and gentlemen.

Pursuant to the National Environmental Policy Act, the New Hampshire Department of Transportation has evaluated alternatives to the proposed project and the potential impacts this project will have upon the surrounding social, economic and natural environments. Coordination was established and input received from Federal and State agencies, including the U.S. Army Corps of Engineers, the U.S. Fish and Wildlife Service, the Federal Emergency Management Agency, the New Hampshire Department of Environmental Services, the New Hampshire Fish and Game Department, the New Hampshire Office of Energy and Planning, the New Hampshire Department of Resources and Economic Development, the New Hampshire Natural Heritage Bureau, and the New Hampshire Division of Historical Resources. In addition, input was received from both the Towns of Walpole and Charlestown, regional officials, as well as concerned citizens. After evaluation of the information gathered, an environmental study and section 4-F evaluation was prepared. The following is a brief summary of the information contained in those documents.

Completion of the proposed project is not expected to noticeably increase noise levels or impact air quality at any of the adjacent residences. Temporary increases in noise and dust levels are anticipated during construction of the project. These temporary increases are expected to return to normal after construction. Construction of the proposed highway improvements will require the permanent acquisition of approximately 23 acres as well as approximately 14 acres of permanent easements outside the limits of the existing Right-of-Way. This project will not require the removal of any residential or commercial structures. It is not anticipated that these acquisitions will have a substantial effect on the tax base of either Walpole or Charlestown.

One conservation property (Parcel 12), which C.R. will talk about later, has been identified within the project area. This property is known as the Fall Mountain State Forest and is owned by the New Hampshire Department of Resources and Economic Development and was acquired through the Land and Community Heritage Investment Program. Both the U.S. Fish and Wildlife Service and the Nature Conservancy hold easements on this property. The proposed project will require the acquisition of approximately 4.54 acres of this property located to the east of the existing railroad. Pursuant to RSA 227-M, this public hearing is being held in conjunction with the Land and Community Heritage Investment Program. Compensation for the proposed impacts will be negotiated with all of the involved parties prior to construction.

The proposed project will require dredge and fill activities within areas under the jurisdiction of the Department of Environmental Services Wetlands Bureau and the U.S. Army Corps of Engineers totaling approximately 1.5 acres. The Department has been and will continue to coordinate with the appropriate agencies to ensure that all wetland impacts are minimized to the maximum extent practicable.

The entire length of the project is located within ¼ mile of the Connecticut River. In order to promote water quality, the Department will incorporate appropriate treatment measures into the design of the project. The contractor will also be required to prepare a stormwater pollution prevention plan prior to the commencement of construction activities.

The proposed project will require impacts within the floodway and floodplain of the Connecticut River. The Department has been and will continue to coordinate with the New Hampshire Office of Energy and Planning and the Federal Emergency Management

Agency in order to insure that area flooding conditions will not be adversely affected by the proposed project.

The project area has been evaluated and reviewed by the New Hampshire Division of Historical Resources for the presence of cultural resources. From these reviews it was established that the Sullivan County Railroad, otherwise known as the New England Central Railroad, is eligible for the National Register of Historic Places. As the proposed action required the relocation of the railroad, it was determined by the New Hampshire Division of Historical Resources and the Federal Highway Administration that this project will have an adverse effect on the railroad.

Archeological investigations also indicated the presence of one archeological site within the project area. The Department has been and will continue to coordinate with the New Hampshire Division of Historical Resources to determine the appropriate mitigation for the previously mentioned impacts.

If anyone has any natural, cultural or socioeconomic resource concerns associated with this project, please bring them to our attention tonight or within the comment period following the hearing.

Copies of the environmental study and programmatic section 4-F evaluation are available for review after the hearing..

Don Lyford:

Thank you. Victoria Chase will review the acquisition process.

Victoria Chase:

Thank you, Don, members of the Commission, ladies and gentlemen, before I go into the Right-of-Way procedures associated with the project, there are a couple of things I would like to stress. To submit additional testimony as a result of the hearing with regard to the plans, you can address the material to chairman Jerry Coogan, c/o William Cass and mail it to the address shown in this hearing handout map which is on the table, near the door where you came in or you may get it from any other Department staff and they will get you a copy of that. It will become part of the official record and will receive equal consideration to anything presented tonight.

We also have with us tonight a handout entitled "Your Land and New Hampshire Highways," also available on the table which describes the Right-of-Way acquisition and relocation assistance procedures that are utilized by the State. This booklet is especially helpful for those individual property owners affected by this proposed project, but if you want to know what is going on with

your neighbor, it might interest you, as well. Again, they are available from any of the Department's staff or on the table where you came in.

If after reviewing the information received at the hearing and during the 10-day comment period, Chairman Coogan and the Commission find necessity for this layout, several things will happen. First, with approval to proceed with the design of this project, appraisals will be prepared for each of the properties affected by the proposed construction that we are going to see in detail. The appraisals will determine the fair market value of the property rights needed for the new construction.

Each of these appraisals are reviewed separately to be sure that they are accurate and have taken into account all of the applicable approaches to value. Once this review is complete, the Department's appraisals are given to the Commission to begin discussions with the property owners regarding the acquisition. The value in this appraisal will be the offer of compensation used by the Commission.

The Commission will contact each property owner and discuss each acquisition separately. We encourage owners at that time to ask any questions and bring up any concerns that they feel should be considered. If the property owner is satisfied with the offer, deeds are prepared and ownership is transferred to the State. If the owner is not happy with the figures the Commission offers, they can appeal to the New Hampshire Board of Tax and Land Appeals and argue for additional compensation there. It is important that you understand that this can be done with or without an attorney. It is also important that you understand that either party can appeal the Board's decision to the Superior Court, if they are not satisfied.

Any time after this hearing or before design approval, all information in support of this hearing is available at the Department's headquarters in Concord for your inspection and copying.

That's all I have, Don, thank you.

Don Lyford:

Thank you, Victoria. Deborah Turcott will now talk about the LCHIP involvement.

Deborah Turcott Young:

Good evening members of the Commission, ladies and gentlemen, my name is Deborah Turcott Young, and I am the Executive

Director of the Land and Community Heritage Investment Program. I am here tonight to represent the Board of Directors for LCHIP.

As you know already Parcel 12 which is identified on the map is a parcel that LCHIP has funded as a project for Fall Mountain. That parcel being funded by LCHIP means that public dollars have gone into it. As a result, in the process of transfer of land, LCHIP is required to hold a public hearing where we can hear your concerns. We have chosen, tonight, to hold this public hearing in conjunction with the Department of Transportation to minimize your impacts and facilitate the best process possible. As a result we encourage you to make any comments tonight or within the public comment period.

A transcript of what you see tonight will be provided to the LCHIP Board of Directors and they will then take that into consideration as they review this possible land transaction for the project, whether to approve it and also what the possible compensation would be. Thank you.

Don Lyford:

Thank you, Deborah. C.R. Willeke has given extensive time to the plan development, and will explain the proposal.

C.R. Willeke:

Thank you, Don, ladies and gentlemen, I appreciate it and thank you to all you guys for coming out tonight. I also would like to thank the Committee for all the hard work they've done over the time that we have done this project.

I am basically going to talk to you in three parts to my presentation tonight. I am going to show you some examples of pictures of some existing conditions to reference the talk about, the problems facing us, and to show you some visuals of the problems out there. I also want to show you the proposed design; hopefully that proposed design meets the vision statement that the PAC Committee came up with, and I want you guys, when we're all done tonight, to give us your comments.

Then I am going to show you some refinements that we've made. We came out here in January and we have refined the plan, and so, I would like to show you some of those highlights.

Here are some of the existing conditions. The railroad, as Nate pointed out, is very close to the road, probably less than 10 feet between them, and also there are obviously, as you know, cars that go off the road; there have been several cars off the road in this location and they got hung up on the railroad tracks. This is an

active railroad; Amtrak goes through there, generally twice a day, on most days, so that is one of the issues that everything is very close together.

The river is also close. This is on the north end of the job, the Connecticut River, and it is a substandard guardrail very close to the river. We also have slope stability concerns and this is more on the southern segment of the job. On the North Walpole end of the job, the slopes going down to the river here are very steep and they are potentially unstable. Geologists have done some drilling near there, and they have alerted us that they would prefer us to move the road away from those unstable slopes.

Some of the other issues that we have are a lot of ledge on the job. There is a tall hillside to the east of the railroad tracks and a portion of double tracks, this is the main line they use and then if Amtrak is going through, there will be a sideline here for other railroad cars to get out of the way while Amtrak is on their schedule.

Can you guys all hear me alright?

The other thing is that on Route 12 the pavement is very narrow. We have about two 12-foot lanes, and there is an area that has less than a 12-foot lane in each direction, and a very minimal shoulder. You can see here that when wide loads go through, the cars driving over there get out of the way. I like this picture here because it shows a lot of everything in one shot. It shows how close the railroad is, it shows how narrow the road is, and it shows how uncomfortable it would be if you were a bicyclist or a pedestrian out there. You wouldn't really want to be out there and it also shows the river and how close it is.

So, when we talked about the hybrid options and the one that we are going to present tonight, if we just think of it in segments, and I just want to point out to you that I like this picture here. This is 12-A which goes over to the High School in Fall Mountain. Our job is, depending on how you look at it, ending or beginning, right here before the intersection in this area proceeding south, so the northern segment would include the area around the farmland and where this main body of the Connecticut River, where it comes in close to the road. The middle segment is near the Meany's Cove area which is this area up here, pretty tall hillside here to the east of the tracks; it's got a very high elevation, was one of our controls when we were designing the job, and then the southern end is where the main body of the river comes back in. It's hard to see, but I like that area because it kind of shows you the three major segments of the job.

The proposed project up here is option three, two, three and, I'll highlight it here quickly, and go through it in a little more detail. This is the proposed design that we have. The pros are that it avoids the river and the instability of the slopes down to the river in the southern segment. Down in the North Walpole area, it avoids that by shifting the road to the east and also shifting the railroad to the east, and avoids the large cuts off the hillside in the middle. Next to the Cove, the hillside is so tall in that area that this option avoids that. It actually does the widening to the west toward the Connecticut River, towards Meany's Cove, actually.

In the northern segment it's pushing east again similar to that option three, and so that avoids the Connecticut River in the northern segment. When we go under 12-A, by pushing east, it enables us to put the design in there that we want which is two 12-foot lanes and a four-foot shoulder on each side, and I'll get into that in a minute. If we shift westerly, a bridge appears in our way, so it helps us to shift east in this location and get those improvements under the bridge that goes over 12-A.

Some of the negatives are that it involves a lot of railroad work. In the southern segment and in the northern segment we have to move the railroad over while they are actively using their existing line and get them operational, and then we would have that space available to put the road in. The other impact would be that it does impact the Cove. The hillside is so large up here, in the middle segment, that really we need to push westerly there and there are some minor sliver fills into the Cove, and I'll show those in a minute.

This is a picture of the southern segment and I think what I will do is try to just explain some of the plans so if you guys are coming up, we'll talk about the colors we use. I also use, what we call typical sections, is if you are driving on the road, all these typical sections are driving northbound towards Charlestown and the colors there will show you what that typical section is like. This is the Len-Tex building; this is Church Street in North Walpole, obviously heading towards Charlestown; Connecticut River is up on the top of the page. The yellow is the proposed road, two 12-foot lanes; the brown next to the yellow is the shoulders, four-foot shoulder on either side. The purple is the proposed railroad, so we are shifting the railroad over where you see a big purple swath; there's one in the southern segment and then there's one in the northern segment where you will see purple. That is the new railroad corridor. The green is the slope work that we need to take the proposed design and to actually match it to the existing ground. You see a lot of green in this

southern section and that is because we are into the hillside here. We are not into the enormous hillside in the middle, but we are into a pretty tall hillside here. This type of work we've done before so we feel confident we can do it, but there are fairly good size cuts in the southern section.

So those are the general colors that we use on our plans and this area here would be the southern segment. We shifted the road about 40 to 50 feet easterly in this area, and in this middle area, the Cove area, it has two spots; we have a residential area and we're somewhat shifted to the east and we're working our way back to where the existing road is. We're about in the same space, but we're wider with four-foot shoulders on either side. This is also the middle segment where the Cove comes in and we have some wetland impacts in the Cove and then from where the river comes in, this is the northern segment and we've moved away, we've moved easterly. There is a large wetland here, too, and we felt that it would impact that by widening the road and would not impact the Connecticut River. I think we are about 1.5 acres of wetland impact which is what we are estimating.

So in the southern segment, I'll try using these typical sections and later, afterwards, if you have questions on it, feel free to ask, when we get all done.

This shows you the Connecticut River down here and this spot is Station 3028 and so on the plan you can see Station 3028, so it's right in here. This is one of the biggest hillside cuts that we have. It's about a 50 to 60 foot cut showing the yellow road, the brown shoulders, the existing Route 12 is here, the new Route 12 is here and the new railroad track is over here, then we have to match into the ground which is the brown line here which is the existing ground.

In the middle segment, this is a picture of some houses. Here the tracks would still be moving easterly in this area and the road would be getting wider with shoulders, but we have refined that since the January meeting and I'll touch base on that in a minute. This is also the middle segment. This is the Cove area, and the railroad is up here and the large hillside is up here and because the railroad is so much higher than the road and the hillside is elevated, it was better to move this way with the improvements and feasible. So this would be an area where we would have a small fill section. We've got our yellow road, a little bit taller on this particular spot than where the road is today, and this green soil fill is showing the Cove. The Cove is shallow – three to four feet deep, so it is not a majorly deep area.

This is a picture of the wetland in the northern segment and you can see it over here and a typical section that corresponds to it. We have avoided the Connecticut River. We've brought our road easterly from the existing alignment of the road where it is today. We have moved the railroad over and increased the buffer. The buffer is also the one thing where we wanted to do with this job, the tracks and the road, the two facilities so close together; we are gaining, in this northern segment, 10 to 14 feet of additional space between the two facilities. There is still not a lot of room to move them way apart, but that's going to be a tremendous increase from what we have today.

This is another similar area of wetland that comes out of Jabes Meadow Brook, it is a shallow wetland and that will have some low fills into there. Just north of there is the Augustinowicz Parcel, and a retaining wall that the railroad had built back when the railroad had gone in. The new tracks are going to be pretty much where that wall is today, and so we are proposing to build a new retaining wall, sort of at the top of this slope in order to make space for that. We are also showing an easement behind the wall to build the wall and then an easement to maintain it in the future. If it ever had problems, if it was in disrepair, we could get in there and repair the wall. So they should be able to use that space as they are today.

This is 12-A going over both the railroad and Route 12 and this is the typical section, the railroad is going to move closer to the bridge here, but the railroad requirements call for at least 14 feet of space, so there is enough room to slide the existing tracks over, about 10 feet and still have that 14 feet of space. There is, also, enough vertical clearance here that the railroad has so that they could still go under.

So that is basically a summary of the design. We have the south, the middle, the north, move the road and railroad over in both the south and the north, and then in the middle segment we are transitioning back in, and some of our widening ends up going in near the Cove areas.

Some of the refinements that we have from January are that we modified the easterly shift of the highway in the Cove area to lessen the impacts of the homes. Before, we basically had our four-foot shoulder going towards the homes that are in the Cove there. We were able to pull that easterly so that there is a very minimal disruption with the new shoulder going in. It may be a foot closer than it is today, but it is going to be basically about the same as

where it is today and all the widening is going to be easterly. So we basically extended some of the railroad relocation in order to do that.

We added potential drainage easements. The drainage design at this point is not a precise design. Therefore, if we are at a hearing and we need to acquire property, and you wanted to say, hey, we may need a drainage easement in this area or we may need an area to treat water for water quality purposes, we have added those. The abutters who have been through the process and hadn't seen those, they just got put on the website earlier this week.

So, there's drainage easements, water quality easements, there is a potential future boat launch that Fish and Game wanted to possibly put in, we were going to reserve an easement so that they, at some later date, can possibly put a small boat launch in, and that boat launch area is right here, kind of where the middle segment and the northern segment meet.

We have also tried to include some pull-offs along the corridor, as well, but we didn't really go overboard, just kind of tried to replace what was there today.

I would like to show you an example of an easement area. This is on Parcel 14, which is the first home that you get to in the Cove. This is the road heading north, this way to Charlestown, and as you can see, the driveway and the slope work don't really have too much effect, and the blue line here is the existing Right-of-Way line, not a lot of impacts. However, when we started looking at drainage, there is a drainage pipe that goes under the road. So, we are showing an easement, so if we have to clean that pipe and maintain that pipe, upsize the pipe as we design the drainage, and then maintain it, in the future, we will have an ability to cross the property out to where the drainage would go towards the river. We have also shown a pretty big potential water quality area, but we're not sure what the final requirements are for the permits and the water quality permits.

So in these couple of areas you will see, on the plans, we noted that they were close to the river but they were up enough where we might be able to store water coming off the road or just have it filter into the grass before it goes into the river. This may or may not be necessary. We are just kind of being conservative at this point to say there is a potential that we would like to use some space here, because the space is very limited between the road and the river, so we are looking for spots that we could treat water, have a better

water quality prior to it going into the river. So, as we open it up later, if you guys have questions, we will be happy to answer that.

That concludes my presentation, and I'll turn it back over to Don. Thank you.

Don Lyford:

Thank you, C.R. If there is support for our proposal and the Commission finds for the layout and we gain Federal Highway approval, we will move into Final Design and Right-of-Way acquisition. This includes development of detailed contract plans, purchase of needed property rights, permitting and putting a project out for contractors to bid on. We envision, due to the layout of the project area and funding available in the Ten-Year Plan, that we have multiple construction contracts over several years. We are hopeful, if all goes well, that we could have the first contract for bids by contractors in 2012. But things need to fall into place to make that timeframe.

This project is funded with 80% Federal funds and 20% State funds. At this time we're not aware of any Town funds that will be expended on adjustments to water or sewer lines as they are just outside the project area. Funding in the Ten-Year Plan includes \$4 million dollars in 2012, \$4 million dollars in 2013 and \$5 million dollars in 2015, which is only \$13 million dollars. As C.R. has mentioned, we are estimating the project to cost \$15 to \$20 million dollars for the entire construction project. As we get additional information such as subsurface information and the amount of ledge to remove and the cost of railroad relocations, we may find that the construction will not cost as much as our estimates show. However, we could also find that the cost is \$15 to \$16 million and we'll have to stage our construction over several years and seek other funding to get the entire project into Final Design. We do envision sort of the first contract being relocation of the railroad track, as we definitely need to move the railroad before we can move the road. But as we get into the Final Design details, we may find it is advantageous to combine some of the roadway with the railroad relocations and combine funding years.

As Nate mentioned, we've had the Project Advisory Committee involved throughout the process that has definitely been a big help in the process of making decisions about alternatives, so my vision is to keep the Committee involved through Final Design to help us gain input as we get into the Final Design. The Committee is also a great way to get information back to the Towns so they know what's going on with the project.

Mr. Chairman, that completes the Department's formal presentation of this New Hampshire Route 12 reconstruction project. I respectfully ask this Commission to find in favor of the layout of the project as presented here this evening.

Jerry Coogan:

Thank you, Don, and your excellent staff at the DOT and thank you, Jon, and thank you, Nate. Before we open the meeting to public comments and questions, I would like to see if there are any elected officials who would like to speak, State Reps, Senators, Executive Councilors, local Selectmen, and any elected officials?

Yes sir, could you please come to the microphone and state your name?

Yes, please continue, Jim.

Jim McClammer:

I'm the State Representative to the State and I also serve in the House Resources Recreation and Development Committee, and I am also an Environmental Consultant by trade. I have been involved in a number of large development projects including linear projects such as this. One of the first things I think about in this project in terms of I-93 and some of the challenges that I-93 has created for the State and the environment as a result of this development, is that I see questions, and comments. So my first comment is I believe from what I've seen as the alternative has been chosen here, the preferred alternative really does seem like it balances the needs of the engineering needs, the economic needs in terms of cost, and the environmental impacts, that you have done a good job in reducing potential environmental impacts. So I am a proponent of the preferred alternative that is shown here tonight. But, I do have some concerns, okay, and most of them are environmental.

Number one is indirect impacts. One of the things I have argued about, quite a bit on I-93 as you well know, is when you widen the road and make it more accessible, you have greater traffic and you have a greater number of people traveling on it. So, will this indeed increase the amount of traffic that will be within our communities, is my first comment.

Number two is, as with I-93, I know that when you widen the road that more people use it and in the winter time it becomes a problem to keep ice off of it. The location of the road here, adjacent to the Connecticut River would imply that probably you are going to be using some salt, and so you brought up the potential that stormwater treatment may be implemented. I would hope that indeed you have some kind of a policy of low salt usage or some alternative salt

because salt has created a tremendous problem for these communities adjacent to I-93 in the eastern part of the State. I would hope that indeed you take salt use into consideration as a potential impact on water falling on the Connecticut River as well as the weather situation to it.

I would also like to make a comment that indeed that you have done a great job in reducing the impact on only 1.5 acres of wetland, particularly in this sensitive environment. So, credit to the designers.

Next comment has to do with the LCHIP funds that purchased the parcel that now is in Nature Conservancy and another party holds on that parcel just north of Len-Tex. I understand that it's about 4.5 acres of land that will be, I believe, taken by fee as opposed to some easement over it. I would hope, that, indeed, that parcel is looked at carefully to make sure that there aren't any sensitive species on there because if this does have the current habitat where indeed you could harvest them to the species, and also if indeed there is no significant impacts that at least there be some way to compensate for the loss of that LCHIP parcel. LCHIP, as you may well know, we have fund here that has been taken by dear Governor to be put in the General Fund, most of it, and I think that Deb Turcott can spend it better than I can. What does it stand on? Fifty percent of all the funds are going to be taken and put into the general fund so the funds are limited. So, whatever those funds are used for, hopefully, we'll be able to retain those properties and not have them go by way of development.

My final point is this, and this is something that, I think, is of concern to me and other communities along the Connecticut River, and that is the flood storage issue. We have reports that a number of communities and asked these communities, what is the problem with the FEMA mapping along the Connecticut River Valley, that we have a number of properties that have been flooded, that have not flooded during our 500-year storm on 2005, but FEMA shows these properties within a 100-year flood plain. My concern is there are areas in South Charlestown now that flood on an annual basis that indeed if we are going to be putting in fill material into the 100-year flood plain that there should be some mechanism that would compensate for whatever flood storage that is lost by this project, and that ends my comments.

Jerry Coogan:

And thank you very much, Jim. Just to explain this process, the DOT receives all these comments that go back to the office that now have a response and that will be part of the record.

Does anybody else have some comments or elected officials, State Reps. any Town officials that would like to make a statement?

David Edkins:

Good evening, my name is David Edkins and I live at 326 Main Street in Walpole, New Hampshire. I am the Administrative Assistant to the Selectmen in the Town of Charlestown, New Hampshire and my Selectboard has asked me to appear before you tonight to express their unqualified support for this project and for the process that has led to this alignment. As I said, I live in Walpole, I work in Charlestown, so I travel this stretch of road every single day, and it gets scary, sometimes. As you well know there have been several fatal accidents, several near-misses on this stretch of road, so this project is desperately needed. I won't go on and on other than just to express the Charlestown Selectboard's unqualified support for this project as is currently designed.

Jerry Coogan:

Thank you, David, do we have any other Town officials, local officials that would like to comment, as well as members of the public. Everyone is encouraged and welcome to come over to the microphones, state your name, your address, and please share your concerns.

The purpose of this hearing is a public hearing tonight to receive comments and seek your information. Yes, sir!

Mike Gallagher:

My name is Mike Gallagher. I live in South Charlestown on Wetherby Road. I am just curious, I have seen a lot of construction on the Interstate and they always have another lane that they always keep open all the time. Is there going to be detours going in other directions to get around all this construction or will there always be a road open north and south on this lane?

Jerry Coogan:

Don, would you care to respond?

Don Lyford:

Sure, we do see the need to maintain two lanes of traffic in each direction, especially with the initial project of relocating the railroad. When we get to relocating the road, it will be more difficult maintaining the existing road. However, we envision keeping traffic flowing through the area without a signed detour; we can use alternating one-way traffic to help keep disruptions to through traffic as little as possible. Also there will be times when we will need to stop traffic completely during blasting, but we will keep those to a minimum. I am sure some people will seek alternative routes up in Vermont, North Charlestown or something to get around.

Jerry Coogan:

Thank you, are there any other comments? Yes, Christine.

Christine Walker:

Thank you Commissioners. I am Christine Walker with the Upper Valley - Lake Sunapee Regional Planning Commission, and I have been asked to speak on behalf of the Transportation Advisory Committee.

The Transportation Advisory Committee is made up of members who are appointed by Towns throughout the region and they do a number of things; they look at projects for the transportation enhancement programs, and they also lend their assistance to the Ten-Year Plan.

This project came up 20 years ago and was asked to be put on the Ten-Year Plan for transportation within New Hampshire, for the following reasons. There were safety issues on this road, the position of the railway and the river made for dangerous situations, there is limited or non-existent guardrails at this point in time, there are safety concerns.

Right now this area is part of the national scenic byway system which is actually a tri-state national scenic byway. There are a number of reasons, including the things that you have heard here tonight, that the Transportation Advisory Committee felt it was important to place this project on the Ten-Year Plan, and we thank you for the process that you have used within the context of sensitive solutions. It seems to have worked really well and thank you.

Jerry Coogan:

Thank you. Are there any other comments or questions? Yes, sir.

Peter Powers:

My name is Peter Powers; I live on Duffy Street, North Walpole. I wrote a letter to the New Hampshire Department of Transportation about this project, and I would hope that you share this with them, so that I can get my answers.

I was at the January meeting and my comment then is what it is now. We are avoiding the river. There's nothing more than delaying what the river is going to do. Where this project starts in front of Len-Tex is an unstable bank, it has been an unstable bank, and you are going to build a road and you are not going to have a good foundation for that road. That road at some point is going to fall in right in front of Len-Tex and you are going to close your new \$20 million road. My point is, if you are going to do the road, let's do it right and let's start with a good foundation and build from there.

Don has the letter, he can share it. If you need any other backup, I have that.

Jerry Coogan:

Thank you, sir. Any other comments and questions? Yes, sir.

Aare Ilves:

My name is Aare Ilves, I live at 70 Dell Street in Charlestown. I was a member of the Transportation Advisory Committee back in the 1990s and I was a member, at that point, we were pushing this project and hoping that it will get done in the future. I am glad that it is finally getting to the point where it will be done, and I fully support the plan and what they have proposed. My concern is that it might be up to five years before this project is finished, and with the safety issues, with poor guardrails and the edge of the river where a number of people have lost their lives by going through the guardrails and landing in the river, whether there will be something done to prevent some more people from going through in the next five years. It seems like about every year or two somebody else goes through and lands in the river, and I would like to see that something be done to prevent that from happening while this project is being built, rather than just leaving the guardrails as they are until the new road is built and new guardrails are being put in. Thank you.

Don Lyford:

District 4 is putting together a guardrail project in which we hope to put up guardrail in September extending the rail that currently exists in North Walpole.

Jerry Coogan:

Is there anybody else that would like to share some comments? Yes, Tim.

Tim Murphy:

Thank you, Jerry, my name is Tim Murphy, I'm with Southwest Region Planning Commission. This project not only spans the two Towns of Walpole and Charlestown and also spans two regions and on behalf of the Southwest Region Planning Commission's Transportation and Advisory Committee, this very important project has been, for many years, supported in the inclusion of the Ten-Year Plan, and we have been a part of this process and applaud the efforts of the group and their communities for being involved in a context-sensitive solutions process. I just wanted to express the support that the Transportation Advisory Committee has for all of their effort. Thank you.

Jerry Coogan:

Thank you. Yes, ma'am.

Tamela Conrad-Seavey: My name is Tamela Conrad-Seavey and I live at 2560 Bellows Falls Road which is the very first property in Charlestown. I believe it is Map 14, and this gentleman over here mentioned the area for a water storage, yeah, right there, I own that piece of property now, and I would like to know, exactly, what you are talking about for water storage. Are you going to put tanks? Or, just...I need to know, you know...

C.R. Willeke: Yes, I'm glad you asked and that's why we put it in the slide show.

Tamela Conrad-Seavey: Okay.

C.R. Willeke: We don't know, we wouldn't envision any tanks. We want to be conservative and it was identified by some drainage engineers as something that was higher than the river, but lower than the road in a relatively vegetated area. It may be as simple as just saying keep it vegetated when the water goes through there. What may be more complex saying, maybe shape the ground so that it can hold a pond or like a gravel wetland where water would go in and percolate down through. But we don't really know yet what we need, and actually we don't think that is going to be required. The space between the new road and the new railroad is going to provide a lot of our area for our water to be treated. But some of the areas need, we need some more areas and turn spots and that seems to be a reasonable area. Also, it's the first time you guys have seen it and we have, as Victoria mentioned, we have the process that we go meet with you guys as the design goes on and explain what it is exactly. But don't envision any tanks or apparatus there; maybe some sort of low spot.

Tamela Conrad-Seavey: Alright, thank you.

David Edkins: Just to add briefly to my remarks before, I would really like to thank the Department of Transportation and the Upper Valley - Lake Sunapee Region Planning Commission for their patience and the process that we went through to arrive at this solution. The context sensitive solutions process worked very well in designing this project. As a matter of fact, I even understand that the Regional Planning Commission has received the national award for this project. So I would really like to thank the Department and the Regional Planning Commission for guiding us through this process and coming to a, designing a project that has really achieved near universal consensus from the committee that worked on it.

Jerry Coogan: Yes sir?

Charlie Lennon:

Hi, I am Charlie Lennon and I represent Len-Tex Corporation and the two buildings at the southern end of the project. I just wanted to mention that the way the plan is drawn for the DCR Real Estate parcel, the new railroad Right-of-Way seems to get a little wider than the, actually considerably wider, about 10 to 20 feet wider, it looks like, than the existing railroad Right-of-Way and – right there, exactly – I didn't really see any reason for the growth in the railroad right-of-way. It would mean taking more of our land, of course, I am sure you are going to be very generous and money is nice, but we would rather have the land, so I'm just asking the DOT to look at that again, and see if you could make the width of the Right-of-Way there the distance from the easternmost track to the edge of the Right-of-Way consistent with the existing width of the Right-of-Way. That would be great! And the other thing is that there is an old drainage culvert under the tracks in that vicinity, the vicinity of that jog. Also, I would think it should probably be retained, rebuilt and improved on. It was put there for a reason by the railroad and it would probably still come in handy. So, I would ask the DOT to take a look at that, too. Thanks so much.

Jerry Coogan:

Thank you. Do I see any other folks that would like to comment or question? Seeing there are no further comments or questions, I will call this meeting to a conclusion and call an adjournment. I would also like to let you guys know that you have 10 days after this meeting to provide me with any written comments to the DOT at the address listed on the plan.

Thank you very much for your participation.

End of hearing.

RECEIVED

JUN 25 2010

NH Department of Transportation District 4
19 Base Hill Road
Swanzey, NH 03446

June 23, 2010

NHDOT - DIST. #4

An open letter to the NH Department of Transportation in regards to the upcoming public meeting related to the Route 12 Project between North Walpole and Charlestown, NH.

In order to not take too much time in the upcoming Public meeting regarding the project I would like to submit my observations and questions now. They are as follows:

1. After the last public meeting there was to be further assessment of the potential slope failure in North Walpole. Has the assessment been done?
2. Back in 1996 and 1997 both Edward Kyle (at that time Assistant Administrator in the DOT and the Corp. of Engineers stated that the "erosion control mats" referred to in the last public meeting where at best "a temporary measure". Has that changed? Has the temporary measure become permanent? Indeed Mr. Kyle stated that a permanent long term solution will require filling the hole in the river bed at the base of the bank, establishing an armored toe and reconstructing a suitable slope from the river to the roadway. Is that option being considered?
3. At the last public meeting and as headlined in the Eagle Times it was stated that "the mats are working". Based on a New England Power Topographic Plan it appears that the "mats" are approx. 40 feet offshore in 25 to 30 feet of water. The dimensions of the "mats" would indicate that they have, if successful, raised the bottom of the river 5 feet. How is a mat that is 40 feet offshore in 20 to 25 feet of water going to protect the river bank and adjacent route 12?
4. There was, at the last meeting, some discussion related to environmental concerns and limitations. I would like to make the following observations:
 - a. Destabilized soil can:
 - i. Clog fish gills
 - ii. Bury fish and aquatic insect habitat
 - iii. Decrease water clarity
 - iv. Increase water temperature. (decrease oxygen)(Provide a more hospitable habitat for invasive plants)
 - v. Change the course of the channel

In other words: Doing nothing is a choice and can have consequences. Often times more harmful than taking action.

Thank you for taking the time to read this and I look forward to your answers at the public hearing.



Peter A. Powers

Duffy St., North Walpole, NH 03609
802-376-5062 (Cell)

Cc: Eagle Times, The Shopper

NH Dept of Transportation
Box 483, Hazen Drive
Concord, NH 03302-0483

July 30, 2010

Attn: Donald Lyford PE

Don,

Enclosed find map giving location of "mats". The scribbling on the map is mine.

Peter A. Powers
6 Duffy St
North Walpole, NH 03609

July 31,2010

Re: Route 12 road project Charlestown , NH

To William J Cass 

We were out of town and unable to attend the meeting on July 29th due to an unexpected emergency. We were told by people that attended the meeting that you wanted a twenty foot easement from the wall east towards my house. This will leave me with about ten feet of back yard and I will lose two very nice trees that give nice shade in the summer. And it also will devalue my house so much it will be almost impossible to sell if I wanted to. I also have a garden out there every year which there will be no room for and young children and their friends that play out there every day.

I had heard nothing about this twenty foot easement before the last meeting .I am ok with the wall but I don't want to lose that much land on that river side of the house that was one of the main reasons I bought this place. It does not matter if it will be lawn or not ,I need my property to extend further out than ten feet.

With heavy equipment going across my lawn and working close to the house I think there will be damage to my property I think if you are going to do that you should move my house back twenty feet

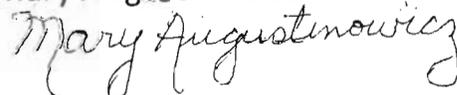
There are too many details to mention in this letter. The State is going to have to compensate me very well for this.

Sincerely,

Vincent Augustinowicz 603-445-5680


Eugene Augustinowicz 603-445-5507


Mary Augustinowicz





THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



GEORGE N. CAMPBELL, JR.
COMMISSIONER

July 15, 2010

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

VINCENT F AUGUSTINOWICZ
PO BOX 36
CHARLESTOWN NH 03603 0170

Re: PUBLIC HEARING
WALPOLE-CHARLESTOWN, A000(487), 14747

Dear VINCENT F AUGUSTINOWICZ:

The project referenced above, reconstruction and widening of NH 12, as proposed, might affect your property. The enclosed notice of a Public Hearing is being sent to you since the proposed project will either require property acquisition from you or your property is in close proximity to the project.

The Public Hearing has been scheduled for 7:00 p.m., Thursday, July 29, 2010, at the North Walpole Elementary School located at 17 Cray Road in North Walpole, New Hampshire. This is a joint public hearing with the New Hampshire Land and Community Heritage Investment Program. The hearing provides an opportunity for all interested parties to comment on the proposed project. If you have questions or would like to schedule an appointment to see the plans, please contact Donald Lyford, Project Manager at (603) 271-2165.

Written statements can be submitted within ten (10) days of the Public Hearing. Any material you wish to have considered should be sent to William J. Cass, Director of Project Development, NHDOT, PO Box 483, Concord, NH 03302-0483. Anything submitted within the ten (10) day comment period will be included in the transcript of the hearing.

Any individuals needing assistance or auxiliary communication equipment due to sensory impairment or other disability, should contact William J. Oldenburg, Bureau of Right-of-Way, NHDOT, PO Box 483, Concord, NH 03302-0483 - TDD access: Relay NH 1-800-735-2964. Notification of the need for assistance must be made no later than 7 days before the hearing. This project will be administered according to the requirements of Title VI of the Civil Rights Act of 1964 and related statutes to ensure nondiscrimination.

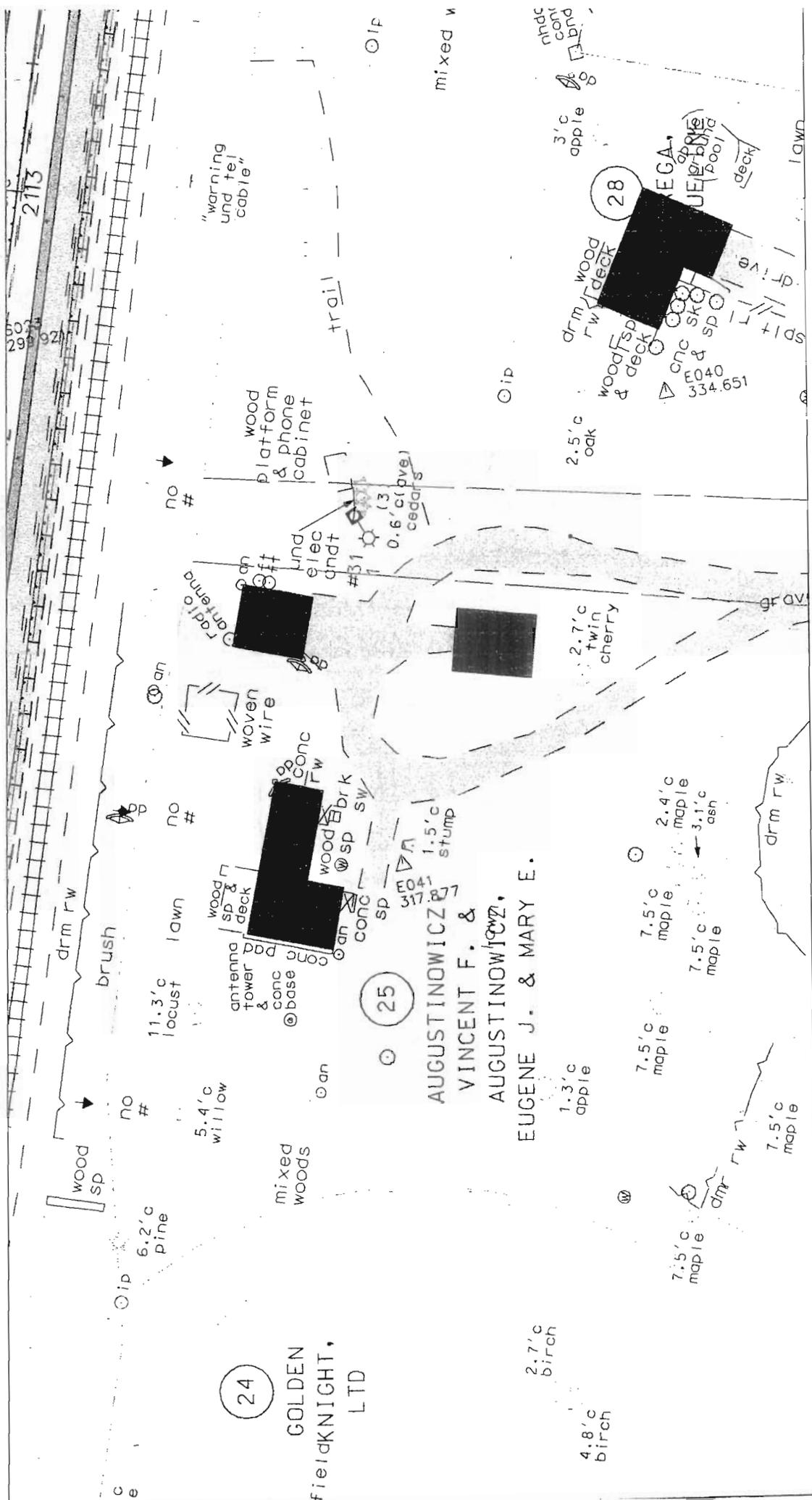
Sincerely,

William J. Oldenburg, PE
Administrator

WJO/lmc
Enclosure

Bureau of Right-of-Way
JO Morton Building - Room 100
7 Hazen Drive
Concord, NH 03302-0483
Tel: (603)-271-3222
Fax: (603) 271-6915

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: RELAY NH 1-800-735-2964 • INTERNET: WWW.NHDOT.COM



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JULY 29, 2010

Re: WALPOLE-CHARLESTOWN 14747
PUBLIC HEARING
NO. WALPOLE ELEMENTARY SCHOOL

Attention: Jerry Coogan, Chairman of the Commission
c/o William J. Cass, Director of Project Development
New Hampshire Department of Transportation
PO Box 483, 7 Hazen Drive
Concord, NH 03302-0483

RECEIVED
COMMISSIONERS OFFICE

AUG 05 2010

THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

Dear Sir:

Due to information received during the Public Hearing process for the above-referenced project I(we) hereby make the following request of the Commission:

Please find attached a copy of the deed for my property, NH DOT Project Parcel #17 on which I have circled the wording related to my deeded water rights to a spring on the east side of NH Rt #12.

Also, included is a 5-page packet of sketches indicating the location of the above mentioned spring and a second spring that is located on the west side of NH Rt #12; both of these springs service my property.

I (we) understand that I (we) will be notified in writing of the Commission's decision regarding this request. I (we) also understand that this request will be included as part of the official record.

Signed:

Judith E. Konesko

Name:

Judith E. Konesko
(Please Print)

Address:

PO Box 1245
Charlestown, NH 03603

Phone: #

603-445-5204

NH DOT Project Parcel #

17

UUI74U

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that We, STELLA P. KONESKO, a widow, of P.O. Box 305, Bellows Falls, Vermont 05101, and ALEXANDER A. KONESKO, married, of P.O. Box 162, Bellows Falls, Vermont 05101, FOR CONSIDERATION PAID, grant, to ALEXANDER A. KONESKO and JUDITH KONESKO, mailing address: PO Box 162 Bellows Falls, VT. 05101 husband and wife, as joint tenants, with WARRANTY COVENANTS, the following described real property situated in Charlestown, Sullivan County, New Hampshire:

Certain lands in the Town of Charlestown, County of Sullivan, State of New Hampshire, described as follows:

Beginning at an iron pin on the westerly side of the highway leading from the village of North Walpole to Charlestown, New Hampshire, said iron pin being 33 feet northerly of an elm tree on lands now or formerly of James P. Meany and running thence northwesterly 270 feet more or less to an iron pin near the top of the bank, said iron pin being 72 feet northeasterly from an iron pin on the westerly line of lands now or formerly of James P. Meany; running thence north 33 degrees, 10 minutes east 214.3 feet to an iron pin; thence north 52 degrees, 20 minutes east 208.5 feet to an iron pin; thence north 66 degrees, 31 minutes east 183.4 feet to an iron pin; thence continuing from the last described direction 30 feet more or less to the easterly side of the North Walpole-Charlestown highway; thence southeasterly along the westerly side of said highway 585 feet more or less to the place of beginning.

Meaning hereby to convey the northerly portion of that plot of ground shown in a plan designated as "Bellows Falls Hydro-Electric Corp., plan of part of C.L. Haynes' lot to be conveyed to R.H. Fintel, Charlestown, New Hampshire, scale--one inch equals 100 feet, dated October, 1930," and being further designated by "E-4377" and being a part of the land described as parcel one in the deed of Bellows Falls Hydro-Electric Corp. to James P. Meany, said deed being dated the 9th day of November, 1936 and recorded in the Sullivan County Registry in Volume 256, Page 500.

Conveyance is also made of the right of the grantees, their heirs or assigns to maintain a spring and to take water therefrom and maintain a pipe line from the spring now supplying the premises described above, said spring being situated on the easterly side of the North Walpole-Charlestown highway and on land described as parcel two in the above referred-to deed.

Being all and the same premises conveyed to Stella P. Konesko and Alexander A. Konesko by deed of Stella P. Konesko dated March 23, 1987

and recorded at Volume 730 , Page 565 of the Sullivan County Registry of Deeds.

The within conveyance is a Noncontractual transfer in accordance with New Hampshire R.S.A. 78-B:2 (IX), and therefore, no transfer stamps are due hereon.

IN WITNESS WHEREOF, We have hereunto set our hands this 9th day of March, 1993.

[Signature]
Witness

Stella P. Konesko
STELLA P. KONESKO

to both
Witness

Alexander A. Konesko
ALEXANDER A. KONESKO

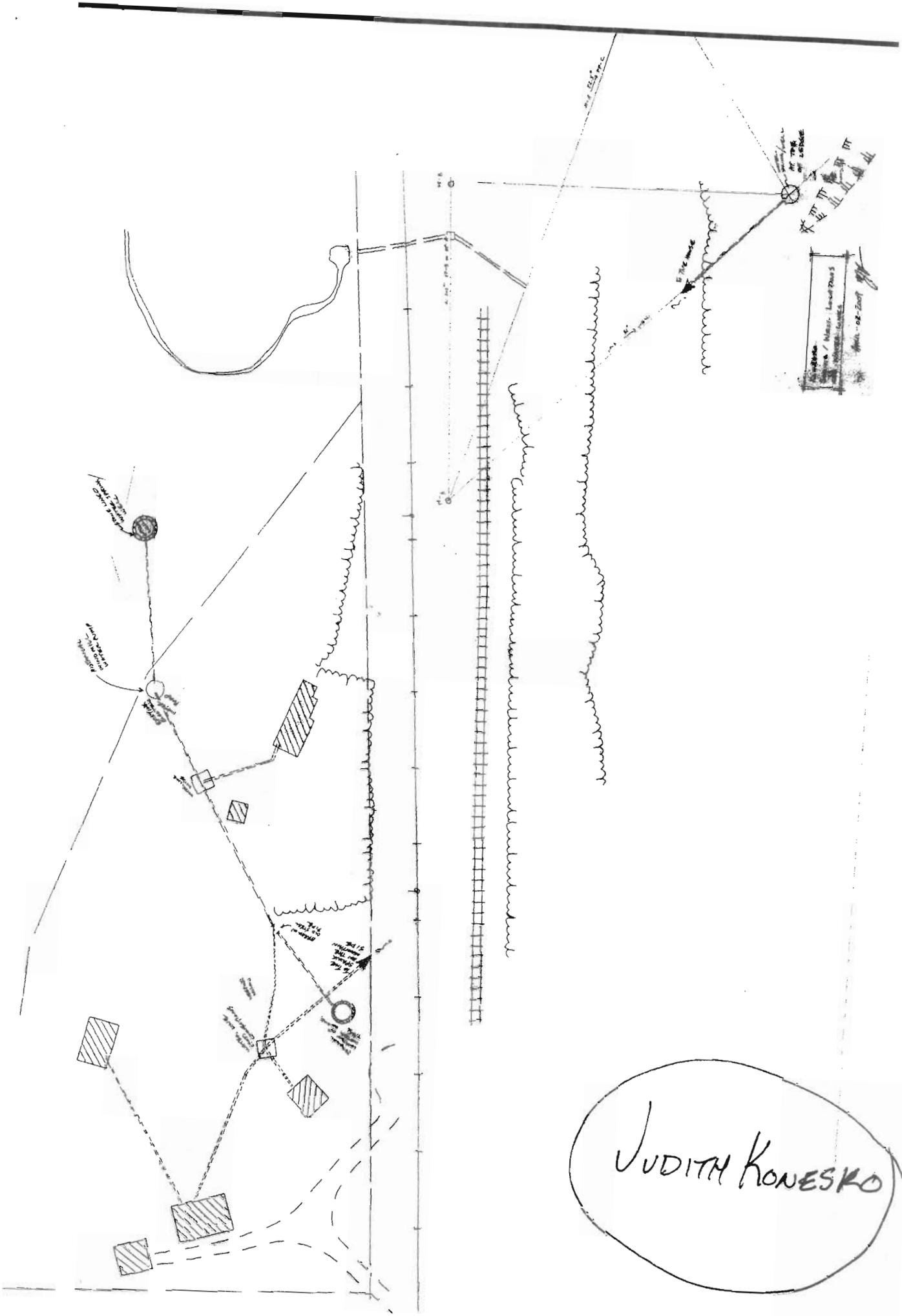
STATE OF NEW HAMPSHIRE
COUNTY OF SULLIVAN, ss.

The foregoing instrument was acknowledged before me, the undersigned officer, this 9th day of March, 1993 by Stella P. Konesko and Alexander A. Konesko, mother and son.

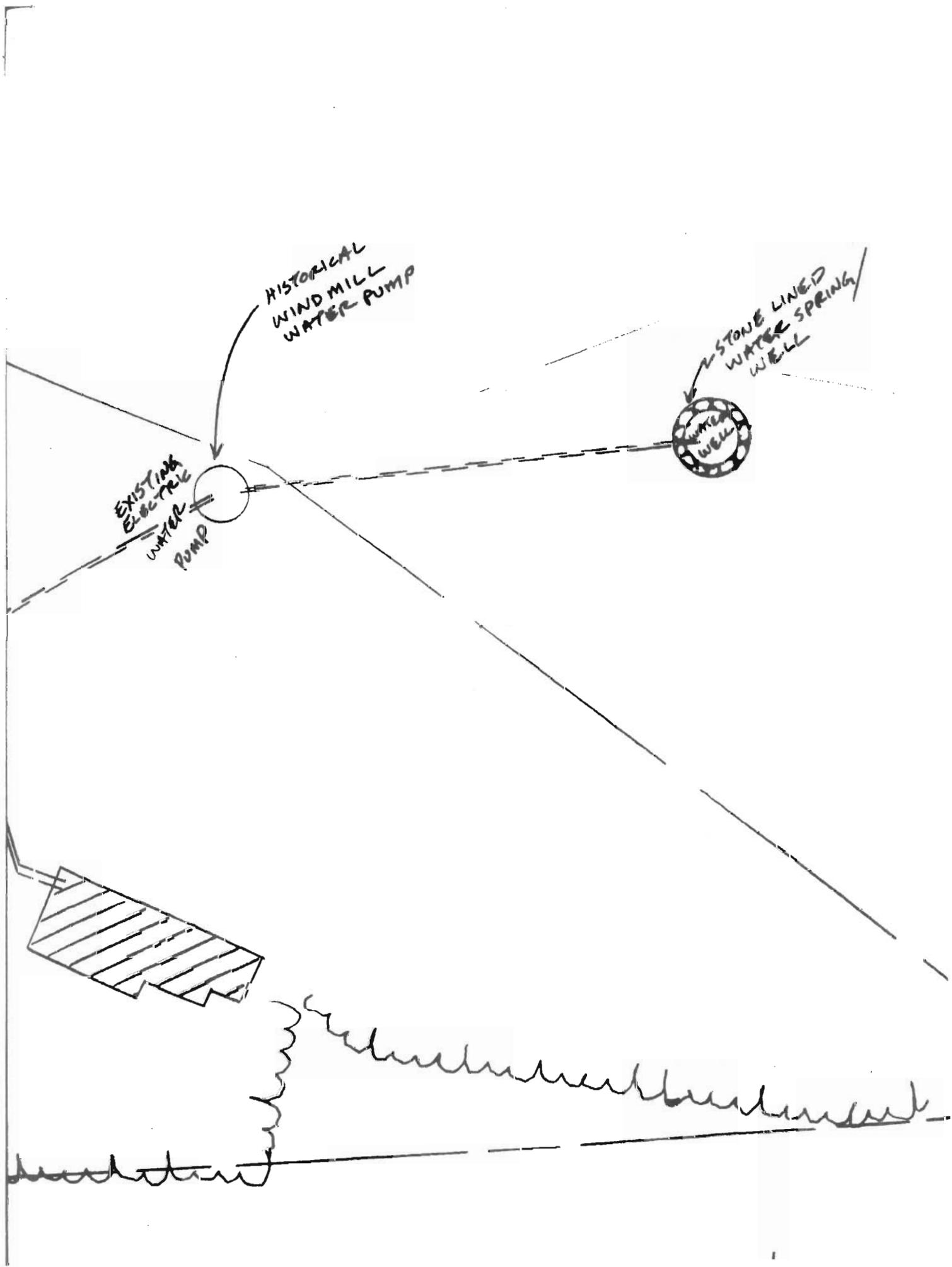
Before me, [Signature]
Notary Public
My commission expires
OMER C. AHERN, JR., Notary Public
My Commission Expires January 10, 1995

RECORDED
1993 MAR 18 AM 11:29
SULLIVAN COUNTY
REGISTRY OF DEEDS

[Handwritten]



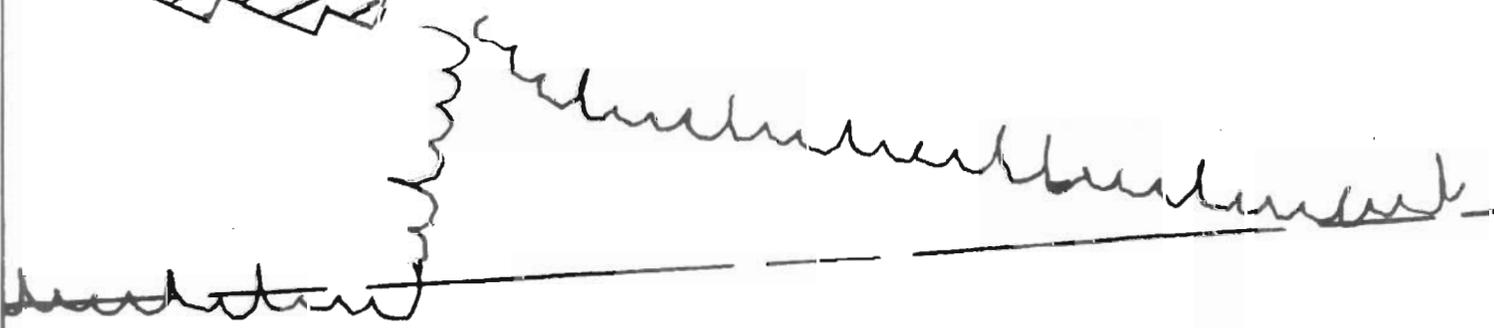
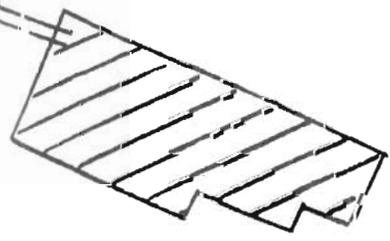
JUDITH KONESKO

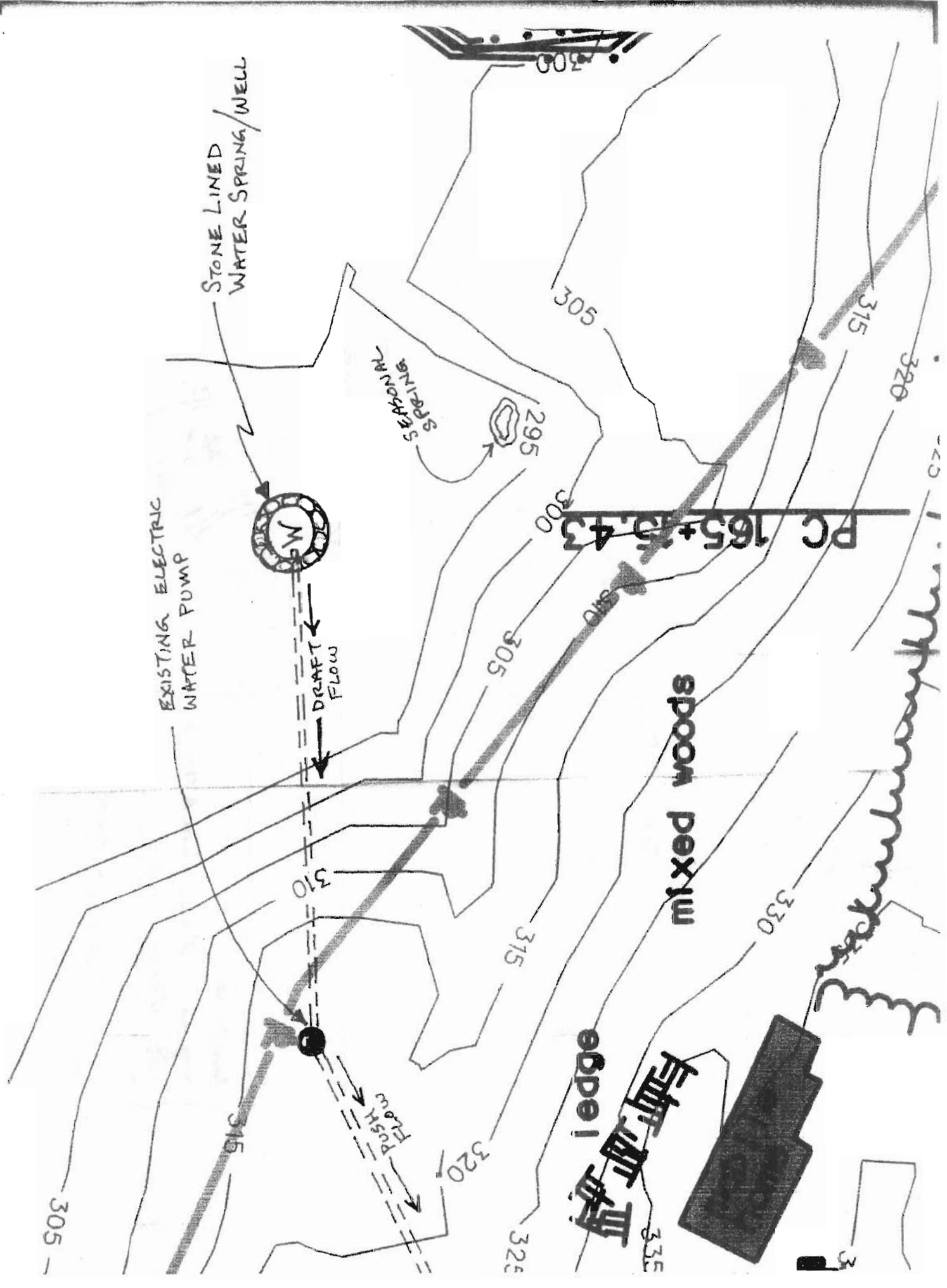


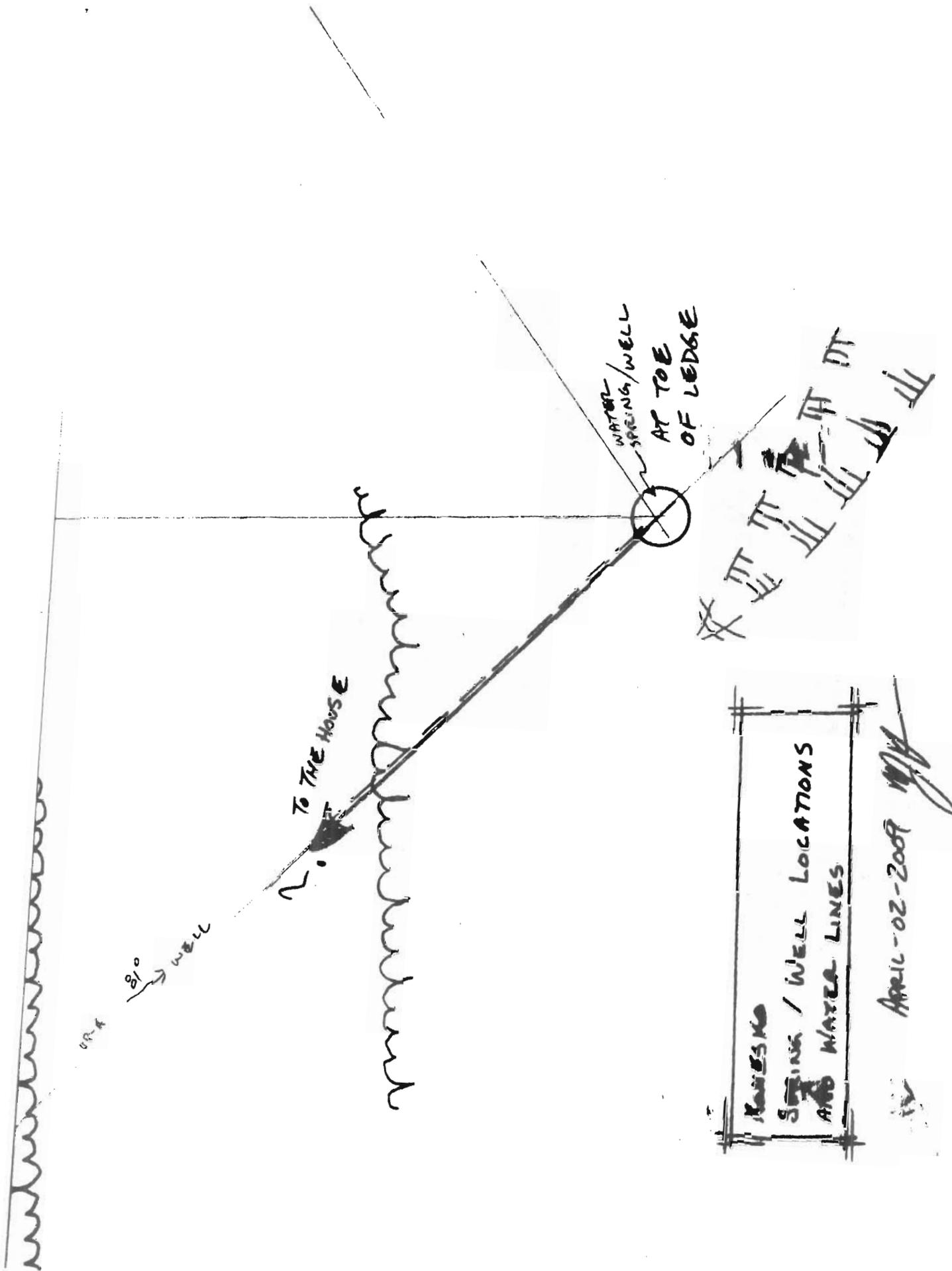
EXISTING
ELECTRIC
WATER
PUMP

HISTORICAL
WIND MILL
WATER PUMP

STONE LINED
WATER SPRING/
WELL







NAME NO
 SPRING / WELL LOCATIONS
 AND WATER LINES

APRIL-02-2009 *[Signature]*

IV

405 400 395 385 380 375 370 365 360 355 350 345 340 335

405 400 395 385 380 375 370 365 360 355 350 345 340 335

WATER SPRING/WELL AT TOE OF LEDGE



365

WATER TO HOUSE LINE



350

360

370

375 370 365 360 355 350 345 340 335



365

