

July 25, 2012

**STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF HIGHWAY DESIGN**

CONFERENCE REPORT

PROJECT: BARRINGTON
X-A001(173)
16178
US 202 / NH 9 Intersection Safety Improvements (HSIP)

DATE OF CONFERENCE: July 18, 2012

LOCATION OF CONFERENCE: Early Childhood Learning Center, Barrington

ATTENDED BY: **PUBLIC HEARING COMMISSION**
Richard Adams, Chairperson
William Gregsak
Thomas Tatarczuch

NHDOT
Bill Oldenburg Victoria Chase
John Butler Christine Perron

OTHERS
See attached sign-in sheet.

SUBJECT: Public Hearing

NOTES ON CONFERENCE:

A public hearing was held for the above-noted project on July 18, 2012. A transcript of the hearing is available in the Bureau of Right-of-Way. The following is a summary of the questions and comments made at the hearing, and the Department's response to those comments.

1. John Scruton, Barrington Town Administrator, voiced his support for the project. He noted that his preference would be to have the left turn lane included in the design, but understood that it would require significant additional cost.
2. John Allard, Barrington resident, expressed the following comments and questions:

- a. He expressed his preference for the alternative design that makes US Route 202 the free-flow movement. He is concerned with the speed of traffic on the westbound NH 9 approach coming down the hill, and felt that making them stop at the intersection would be a way to control their speed.
- b. He asked if the bypass shoulder was designed to accommodate tractor trailers.
- c. He wanted to know how much additional property would be required from Parcel #2 with the left turn lane alternative.

Response:

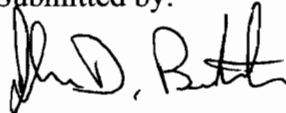
- a. The Department has considered all the issues associated with the US 202 free-flow alternative and with the left turn lane alternative, and feels that the proposed design presented at the public hearing provides the most cost-effective solution while considering the issues of safety, efficient operations, property impacts, and impacts to cultural and natural resources.
 - b. The bypass shoulder will accommodate tractor trailers going around a vehicle that is stopped to make a left hand turn.
 - c. There is only a small amount of additional property required from Parcel #2 with the left turn lane alternative as compared to the proposed design, however, there are also impacts to three additional properties that are not impacted by the proposed design.
3. Steve Young, Barrington resident, asked if traffic would be routed along Gooseneck Lane during construction.

Response: US 202 and NH 9 traffic will not be detoured along any local roads, including Gooseneck Lane, during construction.

4. Terri Frank, Barrington resident, requested that measures be taken to reduce traffic speed along US 202 and NH 9. She suggested additional signage.

Response: The project area will be reviewed by the Bureau of Traffic to insure that appropriate signage is provided on the approaches to the intersection.

Submitted by:



John D. Butler, PE
Preliminary Design Supervisor

ATTACHMENTS: Chairperson Preliminary Statement
Project Manager Statement
Design Presentation Outline
Right-of-Way Statement
Environment Statement
Meeting Sign-in Sheet

NOTED BY: W. Oldenburg

cc: W. Cass D. DePorter
W. Oldenburg C. Perron
W. Lambert M. Dugas
V. Chase

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PRELIMINARY STATEMENT**BY****RICHARD ADAMS, CHAIR****BARRINGTON 16178**

THIS MEETING IS CALLED TO ORDER. I AM RICHARD ADAMS, CHAIR OF THIS COMMISSION APPOINTED BY THE GOVERNOR AND EXECUTIVE COUNCIL. WILLIAM GRECSAK AND THOMAS TATARCZUCH ARE ALSO MEMBERS OF THIS COMMISSION.

THIS HEARING IS CONCERNED WITH THE RECONSTRUCTION OF US 202 AND NH 9 TO IMPROVE SAFETY. IT IS PURSUANT TO 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.

IMMEDIATELY FOLLOWING THE HEARING, THIS COMMISSION WILL EVALUATE ALL MATTERS BROUGHT TO OUR ATTENTION, AND MAKE DEFINITE DECISIONS RELATIVE TO THE LAYOUT. THE DEPARTMENT 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.

AT THIS TIME, I WILL ASK WILLIAM OLDENBURG, 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 THE FLOOR TO THOSE WHO WISH TO ADDRESS THE COMMISSION. I WILL REQUEST THAT ALL DESIRING TO SPEAK SIGNIFY THEIR DESIRE AND UPON RECOGNITION BY ME, STEP TO THE MICROPHONE, STATE THEIR NAME AND ADDRESS, AND MAKE THEIR STATEMENTS. PLEASE PRINT YOUR NAME AND ADDRESS ON THE SIGN IN SHEET. THIS HEARING IS BEING RECORDED AND A TRANSCRIPT WILL LATER BE PREPARED.

WILLIAM OLDENBURG WILL NOW PRESENT THE LAYOUT.

THANK YOU BILL

BEFORE I OPEN THE HEARING FOR COMMENTS, CONCERNS OR QUESTIONS, I WOULD LIKE TO KNOW IF WE HAVE ANY ELECTED OFFICIALS WITH US THIS EVENING THAT WOULD LIKE TO BE HEARD?

ANY TOWN OFFICIALS?

I WILL NOW OPEN THE MEETING TO ANYONE DESIRING TO BE HEARD. AGAIN I WOULD ASK YOU TO RAISE YOUR HAND AND, UPON RECOGNITION BY ME, COME TO THE MICROPHONE, STATE YOUR NAME AND ADDRESS AND MAKE YOUR STATEMENTS. PLEASE BE SURE THAT YOU HAVE PRINTED YOUR NAME AND ADDRESS ON THE SIGN IN SHEET LOCATED ON THE PODIUM.

THERE BEING NO INDICATION OF ANYONE REMAINING WHO DESIRES TO BE HEARD, THIS HEARING IS ADJOURNED. THE COMMISSION WILL TAKE A 15 MINUTE RECESS AND RECONVENE FOR A MEETING TO DISCUSS THE PROPOSED PROJECT. THIS MEETING IS A PUBLIC PROCEEDING UNDER RSA CHAPTER 91-A. THE INTENT OF THIS MEETING IS NOT TO CONTINUE TAKING TESTIMONY, BUT INSTEAD THE MEETING SERVES AS DECISION-MAKING FOR THE HEARING COMMISSION. THE PUBLIC MAY OBSERVE THE PROCEEDINGS. IF THE COMMISSION REQUIRES ADDITIONAL TIME TO CONSIDER THE TESTIMONY PRESENTED HERE TONIGHT, A FINDING OF NECESSITY MEETING HAS BEEN SCHEDULED FOR WEDNESDAY, AUGUST 1, 2012.

HEARING ADJOURNED AT _____.

Barrington
16178
Public Hearing
7/18/12

Thank you Mr. Chairman, members of the Commission, ladies and gentlemen good evening. It is a pleasure this evening to present what the Department of Transportation proposes for improvements to the intersection of US 202 and NH 9 in the Town of Barrington. My name is Bill Oldenburg and I'm the Project Manager for this project. Tonight's meeting is a Public Hearing to present the Department's preferred alternative to improve the safety of the intersection, and to get public comment and testimony.

Before I get started, I'd like to introduce several of my colleagues from the Department who will be helping with tonight's presentation. On my right is Victoria Chase. She is the Right-of-Way Engineer and she will be providing a brief summary of the right-of-way process for the project. On her right, is Christine Perron and she is the Environmental Manager for the project and she will provide a brief overview of the environmental study that has been completed for the project. Also at the Board is John Butler. He is one of our senior Preliminary Design engineers and he will be presenting the plans this evening and discussing the detailed aspects of the design. I would also like to acknowledge our Right-of-Way folks that are doing the recording this evening Linda Smith and Don LaBelle and transcriptionist Deb Mekula. We will try to be succinct as possible on presenting all of the information, but anticipate our presentation will take about 30 minutes. And then Commission Chairman Adams will open it up for your comments.

As everyone is aware US 202 and NH 9 are major east-west highways for the state and service many communities within the region. This project serves to provide for safety upgrades of this intersection.

The project limits where US 202 and NH 9 are combined extend approximately 400 feet from the intersection west towards Northwood. US 202 extends approximately 300 feet north from the intersection towards Rochester and NH 9 extends approximately 400 feet from the intersection towards Barrington.

This intersection came to our attention thru work we had been doing on the Highway Safety Improvement Program. The HSIP was included in the last reauthorization of the Federal Highway Program and came about from concerns by the FHWA and other agencies involved in highway safety, about the number of fatalities that were occurring on our nations highways. They set a goal to reduce fatal and serious injury crashes and as part of that initiative they provided funding for modest safety improvements, which would achieve a significant reduction in fatalities and serious injury crashes. The State receives about \$6.5 million each year to be used at various identified locations around the State. This program is also intended to be data driven, and any location where we intend to utilize these funds has to have a crash history that demonstrates a need. Our crash statistics showed that during 2002 to 2009 there were 12 crashes at this intersection, including 1 fatality and 3 severe injury accidents. 66% of the crashes involved more than 1 vehicle.

The primary purpose and need for this project is to improve the safety of the intersection. In developing the project we looked at numerous options that improved safety but also attempted to limit the impacts to the abutters. In March 2011 the Department met with the Town's Selectboard to discuss the intersection improvements. Discussions of this intersection and the various alternatives that were studied were also presented at a public informational meeting in February 2012. Several important issues were considered in the design: safety, efficient operation, property impacts and historic and natural resources. Based upon

these issues, our studies and input from the public meetings, the design that is shown on the boards and will be presented tonight is the Department's preferred alternative.

The plans you see here tonight are preliminary plans. Much more engineering work will be required to get these to a point where we can identify exactly the right-of-way impacts and to develop plans that are suitable for construction. The plans will be developed in more detail to determine the drainage needs, utility relocations, final grading, and this typically takes place if we have a positive public hearing. Based on your input tonight there may be some modifications made to the plans. Tonight's meeting is a significant milestone in the project, where it transitions from the preliminary design phase to the final design and right-of-way procurement phase.

At this time I would like to ask John Butler to present the plans in more detail. John.....

Thank you John. As this project will involve acquisitions of property and easements and I'd like to ask Victoria Chase to talk about the right-of-way process. Victoria....

Thank you Victoria. As part of this project the Department must consider and document environmental impacts as a result of the project. At this time I would like to ask Christine Perron to provide a summary of the environmental study completed for the project. Christine....

Thank you Christine.

The Department will study all of the issues that are raised and make recommendations on how they should be addressed. These recommendations will be presented to the hearing commission at a public meeting. The hearing commission will then make a decision on the necessity for the project. If there are no substantive issues raised tonight that will change the design, or that cannot be readily addressed, the finding of necessity for this project will be held tonight immediately following this hearing. An alternative date of August 1, 2012 has been scheduled for this meeting, if the commission cannot make their decision tonight. If there is a positive decision by the Commission the project will move to the final design phase and the right-of-way process will begin. Once all of the necessary approvals are done, permits and right-of-way procured, the project will advertise for construction, which we are anticipating for early 2014. This project will most likely take only 1 construction season to complete, ending in fall of 2014.

The project cost is estimated at roughly \$600,000. 100% of the cost of the project will be funded by Federal HSIP funds and State funds. As designed there are no Town funds anticipated for this project.

This concludes the Department's presentation. I'd like to thank all of you for your attentiveness and patience. I know we provided a lot of information fairly quickly. I would like to thank the Town staff

for their time and effort in assisting us in this project. At this time I would like to formally request Mr. Chairman that the Commission find occasion for the necessity for the layout of the project as presented this evening. Thank you for your consideration and attention.

Barrington 16178 Public Hearing

July 18, 2012

Existing Conditions

- plan orientation
- colors
- speed limits: 45 mph on US 202, 40 mph on NH 9
- describe existing intersection configuration
- traffic data: 2012 ADT: US 202/NH 9 = 7130 vehicles
US 202 = 4190 vehicles
NH 9 = 3180 vehicles
- environmental constraints:
 - cemetery – historic
 - wetlands (prime)
- issues expressed at previous meetings
 - confusion over who has the ROW
 - poor sight distance

NE quadrant – historic

Proposed Layout

- Consolidate US 202 SB into a single leg
- Widen shoulder on US 202/NH 9 EB for bypass shoulder
- Tree clearing to improve sight distance to and from intersection
- Property impacts:
 - 25' +/- strip acquisition from Parcel #2
 - multiple ownership
 - Two small drainage easements from Parcel # 1
- Utility impacts: relocate 2 to 4 poles

Other Alternatives

- Left Turn Lane
 - significantly longer & more expensive
 - more property impacts
 - proposed layout addresses the major safety concerns
- US 202 as Free Flow
 - suggested at Feb. Public Info meeting
 - curve needs to be flattened
 - property impacts
 - more expensive
 - NH 9 WB coming down a steep grade to a STOP sign
 - Operationally
 - Good: US 202 SB free flow
 - Bad: NH 9 WB heavy left turn must stop

**COMMISSION HEARING SPEECH
FOR VICTORIA**

BARRINGTON 16178

JULY 18, 2012

THANK YOU, BILL, CHAIRMAN ADAMS, MEMBERS OF THE COMMISSION, LADIES AND GENTLEMEN. BEFORE I GO INTO THE RIGHT-OF-WAY PROCEDURES FOR THIS PROJECT, THERE ARE A COUPLE OF THINGS I'D LIKE TO MENTION. WE HAVE WITH US TONIGHT A MAP SHOWING THE PROJECT AND A HANDOUT ENTITLED "YOUR LAND AND NEW HAMPSHIRE HIGHWAYS" WHICH DESCRIBES THE RIGHT-OF-WAY ACQUISITION AND RELOCATION ASSISTANCE PROCEDURES THAT ARE UTILIZED BY THE STATE. THESE ITEMS ARE MOST USEFUL FOR THOSE PROPERTY OWNERS AFFECTED BY THIS PROPOSED PROJECT. THESE ARE AVAILABLE FROM THE DEPARTMENT'S STAFF.

IF AFTER REVIEWING THE INFORMATION RECEIVED AT THIS HEARING, CHAIRMAN ADAMS 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 YOU SEE ON THE PLANS. THE APPRAISALS WILL DETERMINE THE FAIR MARKET VALUE OF THE PROPERTY RIGHTS NEEDED FOR THE NEW CONSTRUCTION.

THESE APPRAISALS ARE REVIEWED SEPARATELY TO SEE THAT ALL ARE ACCURATE AND HAVE TAKEN INTO ACCOUNT ALL APPLICABLE APPROACHES TO

VALUE. ONCE THIS REVIEW IS COMPLETE, THE DEPARTMENTS' 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 URGE OWNERS AT THAT TIME TO ASK QUESTIONS AND BRING UP 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 YOU UNDERSTAND THAT THIS CAN BE DONE WITH OR WITHOUT AN ATTORNEY. EITHER PARTY CAN APPEAL THE BOARD'S DECISION TO THE SUPERIOR COURT IF THEY ARE UNSATISFIED.

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 BILL. THANK YOU.

BARRINGTON 16178
PUBLIC HEARING STATEMENT

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

Pursuant to the National Environmental Policy Act, the Department has evaluated alternatives to the proposed project and the potential impacts this project will have on the surrounding social, economic, and natural environments. Coordination was established and input received from Federal and State environmental agencies, including the US Army Corps of Engineers, NH Department of Environmental Services, the State Historic Preservation Office, and town and regional officials. After evaluation of the information gathered, an environmental document was prepared. The following is a brief summary of the information contained in that document.

- 1) The proposed project will require work within areas under the jurisdiction of the DES Wetlands Bureau and the US Army Corps of Engineers. The total wetland impact is expected to be approximately 2,000 sq. ft and is associated with roadside drainage. There will be no impacts to the Hale Pond Prime Wetland or the Prime Wetland Buffer, which is defined by DES as 100 feet from the edge of the prime wetland. Anticipated impacts do not meet the State's mitigation thresholds. The Department will continue to coordinate with the appropriate agencies to ensure that all wetland impacts are minimized and all permits are secured prior to construction.
- 2) State regulations prohibit the spread of invasive plants listed on the NH Prohibited Species List. The project area contains Japanese barberry, Oriental bittersweet, and multiflora rose, all of which are prohibited invasive plants. Appropriate best management practices will be implemented to prevent construction activities from spreading existing invasive plants and introducing new plants into the project area.
- 3) Stone walls are located throughout the project area and were assessed according to the State of New Hampshire Roadside Stone Wall Reconstruction Policy. Approximately 100 linear feet of stone wall will be impacted by the Proposed Action along the south side of 202 & 9. Following coordination with the State Historic Preservation Office, it was agreed that this impacted stone wall would be reconstructed in-kind.

- 4) Pursuant to Section 106 of the National Historic Preservation Act, the NH Department of Transportation, in coordination with the Federal Highway Administration and State Historic Preservation Office, must take into account the impacts of the project on cultural resources. The project area has been evaluated and reviewed for historic properties and archeological sensitivity.

The land surrounding the intersection was part of the Thomas Wright Hale farm and house site from the early 1780s to the early 1920s. The house stood on the north side of the road just east of the intersection until it burned down in the early 1940s. The surviving house site is an un-filled cellar hole and foundation. There are stone walls throughout the property, and along the roads and property boundaries. Most interior walls are located on the land north and northeast of the house site where farm activity would have been concentrated. The Hale family cemetery is located west of the intersection on the north side of the road.

It was determined that the Proposed Action will not impact areas of the former Hale homestead that still retain a high potential for historic archaeological information. Therefore, the project-related impacts will have no effect on cultural resources under Section 106 of the National Historic Preservation Act.

A copy of the environmental document is available for anyone who wishes to review it after the hearing.

Barrington Finding of Necessity Meeting
 July 18, 2012 Early Childhood Learning Center, Barrington

Please PRINT Name	Address
JOHN SCRUTTON	TOWN ADMINISTRATOR BARRINGTON
JOHN AUMAN	RESIDENT
STEVE YOUNG	RESIDENT
TERRI FRANK	RESIDENT
Marlene Allard	Resident
Wayne Whiggin	Resident
Dorothy Whiggin	Resident
Frank Gaudinello	Resident
Jeffrey Kengerin	Resident
Joel Sherburne	Resident Historical Society President

