

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF RIGHT OF WAY
HIGHWAY LAYOUT COMMISSION PUBLIC HEARING
PEMBROKE X-A000(414), 14477A
INTERSECTION SAFETY IMPROVEMENTS

Hearing held at the Pembroke Academy, 209 Academy Road, Pembroke, New Hampshire on Wednesday, August 8, 2012, in accordance with RSA 230:14 and the Surface Transportation and Uniform Relocation Assistance Act of 1987 to discuss proposed safety improvements to the intersection of U.S. Route 3 and Pembroke Hill Road in the Town of Pembroke, New Hampshire commencing at 7:00 p.m.

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DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

AUG 20 2012

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1 HIGHWAY LAYOUT COMMISSION MEMBERS:

2 Chairwoman Elizabeth Rodd

3 Dick Lemieux

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8 APPEARANCES:

9 Donald Lyford, P.E., Project Manager, NH Department of
10 Transportation, Bureau of Highway Design

11 John Butler, P.E., Preliminary Design Engineer, NH
12 Department of Transportation, Bureau of Highway Design

13 Victoria Chase, Right of Way Engineer, NH Department of
14 Transportation, Bureau of Right of Way

15 Cathy Goodmen, NH Department of Transportation, Bureau
16 of Environment

17 Carol Spoerl, Hearing Coordinator, NH Department of
18 Transportation

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1 P R O C E E D I N G S

2 CHAIRWOMAN RODD: Good evening. This
3 meeting is called to order. Can you hear me?

4 MS. CHASE: Carol, are the speakers on?

5 CHAIRWOMAN RODD: It doesn't sound like
6 it.

7 MS. PITTMAN: Don's working on it. They
8 were.

9 CHAIRWOMAN RODD: I can speak?

10 MS. CHASE: Mr. Labelle, we're ready to
11 go.

12 CHAIRWOMAN RODD: This meeting is called
13 to order. I am Elizabeth Rodd. I'm Chair of this
14 Commission appointed by the Governor and Executive
15 Council. Dick Lemieux and William Remington are
16 also members of the Commission. Mr. Lemieux is
17 not with us this evening.

18 MR. LEMIEUX: The other way around.

19 CHAIRWOMAN RODD: I'm sorry.

20 Mr. Remington is not with us this evening.

21 Mr. Lemieux is certainly with us this evening.

22 Please note the emergency exits are located at the
23 sides and the back of the room. If the fire alarm

1 sounds again --

2 MS. CHASE: Again.

3 CHAIRWOMAN RODD: -- please exit the
4 building via these exits. This hearing is
5 concerned with the layout of the intersection of
6 U.S. Route 3 and Pembroke Hill Road. It is
7 pursuant to RSA 230:14 and the Surface
8 Transportation and Uniform Relocation Assistance
9 Act of 1987.

10 The purpose of this hearing is to
11 determine the necessity of the occasion of the
12 layout and to hear evidence of the economic and
13 social effects of such a location, its impact on
14 the environment and its consistency with the goals
15 and objectives of such local planning as has been
16 undertaken by the town.

17 Following the hearing, this Commission
18 will evaluate all matters brought to our attention
19 and make definite decisions relative to the
20 layout. We will contact each owner whose property
21 is affected and discuss individual concerns. It
22 is, therefore, important that all individuals
23 desiring to make requests or suggestions do so

1 tonight. I would remind you that you have 10 days
2 from the date of this hearing to submit any other
3 material you would like considered by this
4 Commission.

5 At this time I will ask Donald Lyford,
6 the Project Manager at the New Hampshire
7 Department of Transportation, to present in a
8 formal manner the layout which he has proposed.
9 After this, I will open the floor to those who
10 wish to address the Commission.

11 I will request that all desiring to speak
12 signify their desire and, upon recognition by me,
13 step to the microphone, state their name and
14 address, and make your statement. Please print
15 your name and address on the sign-in sheet. This
16 hearing is being recorded, and a transcript will
17 be later prepared.

18 Donald Lyford will now present the
19 layout. Thank you.

20 MR. LYFORD: Thank you, Chairman. Good
21 evening, ladies and gentlemen. I'd first like to
22 introduce people here from the Department who will
23 be helping with tonight's presentation. To my

1 right is Cathy Goodmen. She's with our Bureau of
2 Environment. Next to her is Victoria Chase.
3 She's with our Bureau of Right of Way. Over here
4 to my left is John Butler. He's with our Highway
5 Design section. He'll be describing the project
6 in a few minutes.

7 As you all are quite aware, we're here
8 again to present this project, Pembroke Hill Road
9 and Route 3. We were here in 2007 with the same
10 project but with a different solution to the
11 project. At that time we were proposing a
12 roundabout. That roundabout was not supported by
13 the town officials, so the project never moved
14 forward any further.

15 Recently we did get involved with the
16 town with two community conversation meetings to
17 see what could be done at the intersection, and
18 from those meetings the signalized intersection
19 came forward. We got lots of good input from
20 those meetings. We're also looking for more input
21 tonight either for or against a signalized
22 intersection.

23 After tonight's meeting there will be a

1 Report of Commission that will be developed and
2 presented to the Commission members, and at a
3 later date they will take that information and any
4 testimony from tonight's meeting and decide if
5 there's a necessity for the project. We are
6 hopeful that that will be the case. Right now
7 I'll have John Butler describe the project.

8 MR. BUTLER: Okay. Thank you, Don. Let
9 me get this thing going. Okay. How about now?
10 Do we have it now? There we go. Okay. Let's
11 see. I'm going to -- I think I'm going to do most
12 of my talking off the plans up here, and if we
13 have questions about specific areas, we can use
14 the projector and screen to zoom in.

15 I want to first just describe the types
16 of plans that we have here tonight. The main plan
17 here which shows the proposed improvements to the
18 intersection, I'm doing most of my talking off of
19 this plan. Below that and over here to the side
20 are profiles of the three roadways through the
21 project area. The profiles show the grades, the
22 up and down of the road, as it goes through the
23 project area.

1 This is a profile of Route 3 through the
2 project area. The intersection is right here on
3 this profile. The top profile over here is for
4 Bow Lane, so this shows in this case the way Bow
5 Lane rises up to meet Route 3 at this location.
6 And the profile below is for Pembroke Hill Road.
7 So this one is just the opposite. Pembroke Hill
8 Road comes down as it meets the elevation of
9 Route 3 at the bottom of the hill.

10 I guess, first, to make sure everybody is
11 oriented on the plan here, Route 3 north towards
12 Concord is to the right. So south towards
13 Hooksett is in this direction to the left. Bow
14 Lane is over here. Pembroke Hill Road is this
15 road here. And also to help you get oriented,
16 Donna Drive is right here on the plan.

17 The colors on the plan. The different
18 colors represent different features of the
19 proposed design. The yellow coloration represents
20 proposed travel lanes of the roadways. It's hard
21 to see from back there, but on either side of the
22 yellow is strips of brown. The brown represents
23 proposed paved shoulders on the roadway.

1 Adjacent to that in many areas is a strip
2 of purple. The purple represents either existing
3 or proposed sidewalks. And then kind of adjacent
4 to that, this green coloration that you see
5 represents the proposed grading that's required to
6 construct the proposed improvements.

7 So that kind of represents the full limit
8 of disturbance in order to construct the project.
9 So those are the main colors that are on -- on the
10 presentation plan.

11 Route 3 today through the project area
12 carries about 16,000 vehicles per day on the
13 average day. To give you a sense of the two side
14 roads, Pembroke Hill Road today carries about
15 1,700 vehicles per day, and Bow Lane is the
16 smaller of the two in terms of volume. It carries
17 about 400 vehicles per day on the average day.
18 The speed limit on Route 3, posted speed limit, is
19 35 miles per hour.

20 Some of the environmental constraints
21 that we had to deal with and consider in designing
22 the project, a couple of issues in the southwest
23 quadrant of the intersection here. There are two

1 properties that were both deemed to be
2 historically significant, so minimizing impacts to
3 these properties was an important issue.

4 And in terms of natural resources, there
5 really weren't any wetlands per se in the project
6 area, although we do have Meetinghouse Brook that
7 goes under Route 3 in this location and then goes
8 under Bow Lane in this location, so minimizing
9 impacts to the brook is another important
10 environmental consideration that we had to take
11 into account.

12 Okay. So as far as the proposed
13 improvements, though. What are we proposing to
14 do? As Don's already mentioned, the basic
15 proposal is to signalize the Pembroke Hill Road
16 intersection. So constructing traffic signals at
17 the existing intersection, Route 3 and Pembroke
18 Hill Road; also proposing to realign Bow Lane,
19 which you see in yellow here. Basically move it
20 about 100 feet to the north and line it up
21 opposite Pembroke Hill Road so it will operate as
22 the fourth leg of the signalized intersection.

23 Also proposing to widen Route 3 through

1 the intersection area to provide a center left-
2 turn lane on Route 3. So there would be a left-
3 turn lane for northbound traffic turning left into
4 Bow Lane, left-turn lane for southbound traffic
5 turning left into Pembroke Hill Road, and then
6 also carry that width up to Donna Drive so we'd
7 have a northbound left-turn lane into Donna
8 Drive.

9 To do the widening, we have chosen to do
10 the widening to the western side of Route 3, and
11 the reason for that is because on the eastern side
12 of the road today there's the granite curbing, the
13 sidewalk. There's also a very sensitive, closed
14 drainage system underneath that sidewalk along the
15 eastern side of the road, catch basins,
16 underground drainage pipes, what have you.

17 So if we were to widen the eastern side,
18 we'd basically have to reconstruct all of that.
19 And there is none of that sort of infrastructure
20 today on the western side, so it made sense to us
21 to do the widening to the western side of
22 Route 3.

23 In an effort to minimize impacts to the

1 properties on the western side of Route 3, we are
2 proposing to -- we are proposing to narrow up the
3 shoulders on the sides of Route 3 a little bit
4 over what is out there today. Today the shoulders
5 are six foot wide on one side and eight foot wide
6 on the other side. With this proposal, in the
7 intersection area the shoulders would narrow up to
8 either four feet or five feet. Five feet where
9 it's adjacent to curbing and four feet where it's
10 not adjacent to curbing.

11 Another part of the proposed design is
12 some work to the sidewalk network. We've had
13 several meetings with the local officials and with
14 the local Safe Routes to School Group, and an
15 issue that was important to them was getting
16 pedestrians from the Donna Drive residential
17 development area across Route 3 to the sidewalk on
18 the eastern side of Route 3, easy to get down to
19 Pembroke Academy or perhaps up Pembroke Hill Road
20 to the Hill School which is off of Pembroke Hill
21 Road.

22 So to accommodate that as part of the
23 project, we'd be building a new sidewalk on the

1 western side of Route 3 between Bow Lane and Donna
2 Drive. So pedestrians coming out of Donna Drive,
3 walking down the sidewalk on the west side to the
4 intersection, and we would have crosswalks at the
5 signalized intersection across Route 3 and across
6 Pembroke Hill Road. And there would be an
7 exclusive pedestrian phase in the signals to allow
8 for pedestrian movement at the intersection.

9 In addition to that new sidewalk on
10 Route 3 and also in discussions with Safe Routes
11 to School Group, we are proposing to basically
12 rehabilitate the existing sidewalk on Pembroke
13 Hill Road. It's on the north side of Pembroke
14 Hill Road. Rehabilitate that existing sidewalk
15 from Route 3 up to a point where it's opposite
16 Perley Avenue, which is right here.

17 Perley Avenue provides access down to the
18 Hill School. So the scope of work for that is
19 really pretty minor. You know, we'd be improving
20 the surface of the sidewalk, making it smoother
21 than it is today, and widening it just a little
22 bit. It's about four feet wide today. We propose
23 to make it five feet wide, make it a little more

1 user-friendly, but that -- that's really about
2 it. Pretty minor amount of work to the sidewalk
3 on Pembroke Hill Road.

4 Lastly in terms of sidewalk issues, also
5 proposing to do a similar rehabilitation of the
6 existing sidewalk on the eastern side of Route 3
7 between Pembroke Hill Road and pretty much the
8 northern project limit, which is just a little to
9 the north of Donna Drive.

10 To the south of the intersection, the
11 sidewalk on Route 3 has already been overlaid in
12 the recent past. That's in much better shape than
13 the sidewalk is to the north of Pembroke Hill
14 Road. So similar to the sidewalk on Pembroke Hill
15 Road, we'd be resurfacing the sidewalk, putting in
16 a nice, new, smooth surface on it and, again,
17 looking to widen it a little bit over what is
18 there today.

19 In this case, the existing sidewalk is
20 five feet wide. We'd be looking to widen that
21 probably to six feet wide through the project
22 area. There's a couple reasons for that, and,
23 again, we've had several discussions with -- with

1 town officials.

2 The challenges that the existing sidewalk
3 presents in terms of maintenance. The Pembroke
4 sidewalk is only five feet wide today, and there
5 are many mailboxes along the sidewalk of various
6 shapes and sizes and dimensions. It really
7 hinders the town from being able to maintain that
8 sidewalk. In particular, being able to run the
9 sidewalk snowplow up through there really isn't
10 feasible the way it is today.

11 So looking to widen the sidewalk a little
12 bit to improve the maintainability and also really
13 to bring the sidewalk into compliance in terms of
14 handicap accessibility standards. There needs to
15 be a certain amount of width as the sidewalk
16 passes behind the mailboxes for anyone in a
17 wheelchair to be able to comfortably negotiate the
18 sidewalk.

19 And, lastly, when we do this
20 rehabilitation to the sidewalk through this area,
21 we will be looking at the mailboxes that are out
22 there today. Like I said, kind of a collection of
23 different types and shapes and sizes. But we'd

1 also be looking at it from a roadside safety
2 perspective, meaning if there are any mailbox
3 posts that are considered to be a hazard, if
4 someone were to drive off the road and hit that,
5 you know, we're looking to not have a big, solid
6 granite or stone or concrete pillars for mailbox
7 posts. We're looking to replace those with
8 something a little safer in terms of roadside
9 safety. So that would be another aspect of the
10 sidewalk rehabilitation on Route 3.

11 In terms of property impacts with the
12 proposed improvements. What are the impacts to
13 private properties that are required to construct
14 this proposal? I'll start with Bow Lane. The
15 relocation of Bow Lane primarily impacts this
16 parcel right on the corner of Bow Lane just to the
17 north of Bow Lane today. That's the former gas
18 station.

19 That parcel is currently owned by the
20 Department of Transportation. We purchased it
21 several years ago in anticipation of doing the
22 project here. So primarily the impacts for the
23 relocation of Bow Lane are on State property.

1 However, there is going to be an impact to the
2 first parcel behind the gas station.

3 That's the Lewis property. We do need to
4 acquire a strip of property along the frontage for
5 the relocation of Bow Lane. And there's also some
6 slope work here where we need to set back the
7 embankment in order to not only accommodate the
8 relocation of Bow Lane but also in order to make
9 sure we keep good sight lines along the road and
10 from the driveways around the inside of that curve
11 that we're going to have in Bow Lane. So there is
12 some additional slope impact to this property for
13 that reason.

14 Lastly on Bow Lane, we need to acquire
15 drainage easements on each side of the existing
16 culvert that carries Meetinghouse Brook under the
17 roadway for -- really for future maintenance
18 purposes. We don't envision doing much work at
19 all to the culvert itself as part of this project,
20 but for the town to be able to maintain that or
21 possibly replace it in the future, we'd be looking
22 to acquire drainage easements in order to be able
23 to do that.

1 And, also, a couple small guardrail
2 easements. Today there's a run of guardrail on
3 the north side of Bow Lane at the culvert. It
4 runs between these two driveways, and it kind of
5 wraps around the two driveways. It extends partly
6 onto private property. So, again, in order to
7 have the ability for the town to have the ability
8 in the future to maintain or replace that
9 guardrail, we'd be looking to acquire a couple
10 small easements for that purpose as well.

11 Moving on to Route 3, the widening of
12 Route 3 does require a strip of acquisition from
13 four properties along the western side of
14 Route 3. There's three properties between Bow
15 Lane and Donna Drive, and the fourth one is this
16 first property immediately to the north of Donna
17 Drive. That strip of acquisition is in the
18 neighborhood of 10 to 15 feet wide in general.

19 In addition to that, there are some
20 trees, some landscaping fence that are also going
21 to be impacted by the proposed widening. To be
22 more specific, in front of parcel number four,
23 which is the first parcel just to the south of

1 Donna Drive, the Frederickson parcel, there is a
2 row of -- I call it a large hedgerow. It looks
3 like they're arborvitae between the house and the
4 roadway. Those trees should be fine. We should
5 not be impacting those. We can stay away from
6 those either with a small retaining wall or with a
7 short, steep embankment slope adjacent to
8 Route 3.

9 The next property down is the recently
10 constructed, over 55 housing development that's in
11 this area. The white fence in front of that
12 property will be impacted, and so it will either
13 need to be removed or relocated further back onto
14 the property. There's some smaller caliper trees
15 and shrubs, landscaping shrubs, that are going to
16 be impacted, the ones that are closest to the
17 road.

18 They also have a couple of bigger maple
19 trees out front that will not be directly
20 impacted, but we will be doing some grading,
21 placing some fill in the vicinity of those trees,
22 so over time there may be a negative effect to
23 those trees from the placement of that new fill

1 material, but the trees themselves will not be
2 directly impacted or taken down by this project.

3 The next parcel to the south, parcel 11,
4 is the Jobin/Freeman parcel. There are three
5 maple trees in front of that parcel that are most
6 likely going to have to be removed as part of the
7 project. Our hope had been that we could work
8 around them. The widening comes very close to
9 that. The back of the proposed sidewalk is very
10 close to them.

11 As we develop more of the details of the
12 design, particularly the underground drainage
13 that's going to be necessary underneath the
14 sidewalk on that side of the road in order to
15 construct that and then do the widening in the
16 vicinity of those trees, it's unlikely that we'd
17 be able to save those three maple trees.

18 Also along the property line between the
19 Jobin/Freeman parcel and the 55 housing parcel is
20 a row of pine trees. Some of those closest to the
21 road will be impacted and will need to be removed
22 to accommodate the widening and the slope work for
23 the widening of the roadway.

1 On the plus side of things, when we spoke
2 with the property owners earlier this year at an
3 informational meeting, they had asked if it was
4 possible to construct a supplemental driveway from
5 that property over to Bow Lane because their
6 existing driveway on Route 3 is going to be
7 somewhat impeded from time to time by the backup
8 of cars at the traffic signal on Route 3. So we
9 thought it sounded like a good idea.

10 We talked it over with the Pembroke
11 officials because that does come out on Bow Lane
12 which is a town road. They also felt it would be
13 acceptable as long as we kept it a reasonable
14 distance away from the Route 3 intersection, so we
15 are proposing to construct that supplemental
16 driveway to parcel 11 as part of this project.

17 Lastly along Route 3, the parcel
18 immediately to the south of Bow Lane, parcel 15,
19 the Smith property, we need to widen Route 3 by
20 about four feet in front of that property. There
21 is no sidewalk proposed in this area, but the
22 pavement would be widened by about four feet.

23 And that work, including the grading

1 required to do that, can be done inside the
2 existing right of way, so no impact as far as the
3 grading goes to the property itself. However,
4 they do have some plantings within the right of
5 way that would be impacted and would need to be
6 removed. And then matching into the two
7 driveways, we need to extend partly onto their
8 property with temporary driveway easements in
9 order to make good matches into those two existing
10 roadways.

11 Lastly, impacts along Pembroke Hill
12 Road. On the southeast corner, parcel 14 of
13 the -- the Green Valley School, we do need to
14 acquire a very small triangle of property right in
15 the corner near the intersection in order to
16 accommodate the widening of the intersection
17 throat that we're proposing.

18 One of the issues we had heard was today
19 school buses have a hard time making the right
20 turn in and the right turn out of the intersection
21 and stay within their own lane. So we are going
22 to flatten those corners a little bit in order to
23 make that feasible that a school bus could make

1 those turns without encroaching into an opposing
2 lane. So in order to do that and reconstruct the
3 sidewalk on this corner, we need to acquire a
4 small piece of property from -- from the Green
5 Valley School.

6 Going up Pembroke Hill Road for the
7 sidewalk rehabilitation, there are five properties
8 that we would need to acquire an easement
9 basically, a proposed sidewalk easement we're
10 calling it, in order to encompass the slight
11 widening of the sidewalk and the little bit of
12 grading that's required behind that in order to do
13 that sidewalk rehabilitation.

14 So we're talking an easement strip that's
15 generally in the neighborhood of about five feet
16 wide to be acquired from these five properties
17 where we're doing the sidewalk work along Pembroke
18 Hill Road.

19 The last issue I wanted to talk about are
20 utility impacts. There's a lot of utilities in
21 the project area, both aboveground and
22 belowground. The Town of Pembroke has a sewer
23 main line along the western side of Route 3. The

1 town has a water main line along the eastern side
2 of Route 3.

3 We're still early in the design process,
4 so not all the details have been figured out at
5 this point, but at this point it looks like there
6 would not be impacts to either of those main
7 lines, for the sewer main line or the water main
8 line. It looks like we could work our proposed
9 drainage on the western side around the sewer
10 line.

11 There may, however, be impacts to some of
12 the individual service lines that connect from the
13 water line or the sewer line over to the
14 properties on the western side of Route 3 where
15 we're doing the widening and putting in the new
16 subsurface drainage. So if there are unavoidable
17 conflicts to water or sewer service lines, those
18 lines would need to be relocated, and that would
19 potentially be a cost that would need to be borne
20 by the town because it is a town utility within
21 the State right of way.

22 And I do also know that there is one fire
23 hydrant right on the corner of the 55 housing

1 development driveway. There's a fire hydrant that
2 would have to be relocated as well in that area.

3 In terms of other utilities, there's also
4 a gas line under the western side of Route 3. It
5 looks like we are going to impact a portion of
6 that gas line, again with the drainage that we
7 need to install at least between Bow Lane and
8 Donna Drive. We have already talked with the gas
9 company and made them aware that most likely
10 they're going to need to relocate that portion of
11 the gas line between Bow Lane and Donna Drive.

12 And, lastly, in terms of aerial
13 utilities, we're actually pretty lucky in terms of
14 not impacting. There are many -- many utility
15 poles -- or utility poles are essentially all
16 along the eastern side of Route 3, and we're doing
17 our widening to the west. So it really looks like
18 the only potential conflict might be right at the
19 intersection area where we're installing the new
20 signal poles and mast arms. Those may be in
21 conflict with the aerial utility line, so there
22 may have to be some adjustment to the height of
23 the aerial utility line so they don't conflict

1 with the signal hardware that we need to install.

2 That's a summary of the proposed
3 intersection improvements, and with that I'm going
4 to turn it back to Don.

5 MR. LYFORD: Thank you, John. And I'll
6 ask Victoria to talk about the right of way
7 process.

8 MS. CHASE: Thank you, Don. Chairwoman
9 Rodd, Commissioner Lemieux, ladies and gentlemen,
10 before I go into the right of way procedures for
11 the project, I'd like to mention a couple of
12 items. We have with us on the table as you walk
13 in, a staff member can show you, a handout, a
14 hearing handout map that shows the -- a very small
15 scale of what John has been describing.

16 We also have with us a document called,
17 "Your Land and New Hampshire Highways." It's very
18 helpful for people who are impacted by the project
19 to give them an overview of the right of way
20 acquisition and relocation assistance procedures
21 that we utilize. They are available.

22 Chairwoman Rodd also mentioned a 10-day
23 comment period. There is an address on the upper

1 left-hand side of this handout map that tells you
2 where to send it, and it's valid 10 days from
3 tonight and will have equal weight to what we hear
4 tonight for testimony.

5 If, after reviewing the information
6 received at this hearing, Chairwoman Rodd and her
7 Commission find necessity for the layout, several
8 things will happen. With approval to proceed with
9 the final design of the project, appraisals will
10 be prepared for each of the properties affected by
11 the proposed construction that you see on the
12 plans and that John has been describing.

13 The appraisals will determine the fair
14 market value of the property rights needed for the
15 new construction. Each appraisal is reviewed
16 separately to see that they're accurate and have
17 taken into account all applicable approaches to
18 value.

19 Once the review is complete, the
20 appraisal is given to the Commission to begin
21 discussions with each of the property owners
22 regarding that acquisition. The value in the
23 appraisal will be the offer of compensation used

1 by the Commission.

2 The Commission will contact each property
3 owner and discuss each acquisition separately. We
4 encourage owners at that time to be sure that all
5 their questions have been answered and to bring up
6 any concerns that they feel should be addressed.

7 If the property owner is satisfied with
8 the offer, deeds are prepared, and property
9 ownership is transferred to the State. If the
10 owner is not happy with the figure that the -- the
11 figure of compensation that the State has offered,
12 they can appeal to the New Hampshire Board of Tax
13 and Land Appeals and argue for additional
14 compensation there.

15 It's important that you understand that
16 can be done with or without an attorney. It's
17 also important to understand that either party can
18 appeal the Board's decision to Superior Court if
19 they're not satisfied. Anytime after this hearing
20 or before design approval, all information in
21 support of the hearing is available at the
22 Department's headquarters in Concord for your
23 inspection and copying.

1 That's all I have, Don. Thank you.

2 MR. LYFORD: Thank you, Victoria. Cathy
3 Goodmen will next describe the environmental
4 aspect of the project.

5 MS. GOODMEN: Thank you, Don. Good
6 evening, members of the Commission and Pembroke
7 officials, and ladies and gentlemen. In
8 accordance with the National Environmental Policy
9 Act, the New Hampshire Department of
10 Transportation has considered alternatives to the
11 proposed project and has evaluated the potential
12 impacts this project will have upon the
13 surrounding social, economic, and natural
14 environments.

15 Coordination was undertaken and input
16 received from federal and state agencies,
17 including the U.S. Environmental Protection
18 Agency, the U.S. Army Corps of Engineers, the U.S.
19 Fish and Wildlife Service, New Hampshire Fish and
20 Game Department, New Hampshire Department of
21 Environmental Services, New Hampshire Department
22 of Resources and Economic Development, New
23 Hampshire Natural Heritage Bureau, the New

1 Hampshire Office of Energy and Planning, and the
2 New Hampshire Division of Historical Resources.
3 In addition, input was received from town and
4 regional officials and the general public.

5 After evaluation of the information
6 gathered, an environmental study was prepared.
7 The following is a summary of the major issues
8 contained in that document.

9 An NH DES wetland permit -- Wetlands
10 Bureau permit will be required as there will be
11 some minor impacts to Meetinghouse Brook.

12 There was a former gasoline station, as
13 John mentioned, at the project location on parcel
14 13. This was closed in 2006. The parcel was
15 remediated for petroleum contamination and is
16 still being monitored for ground water
17 contamination.

18 The site will be reviewed before
19 construction takes place, and any contaminants
20 that are there will be removed. Monitoring during
21 construction will be required in case any
22 contamination is still present.

23 In accordance with Section 106 of the

1 National Historic Preservation Act of 1966, the
2 New Hampshire Department of Transportation must
3 take into account the impacts of the project on
4 cultural resources. This project will slightly
5 affect several properties that are eligible for
6 the National Register of Historic Places. The
7 Aaron Wittemore Estate and the Captain William
8 Fife House were noted as eligible for the Historic
9 Register.

10 These impacts are temporary construction
11 easements and a permanent drainage easement which
12 have been determined by the New Hampshire Division
13 of Historic Resources to have no historic effect
14 on the properties.

15 The work will take place in areas that
16 have already been disturbed, so there should be no
17 archaeological resource impacts.

18 If anyone tonight knows of other
19 environmental or cultural resources within the
20 project area, let us know now or within the 10-day
21 comment period following the hearing.

22 A copy of the environmental document
23 draft is available tonight if anyone wants to look

1 at it after the hearing. Thank you.

2 MR. LYFORD: Thank you, Cathy. The
3 project is estimated to cost about a million
4 dollars to construct. Funds for that are 80
5 percent federal funds and 20 percent state funds.
6 No town funds are needed for that construction
7 other than, as John mentioned, there are
8 underground utilities in the area, and if any of
9 those need to be relocated or pieces of those need
10 to be relocated, there will be a town cost for
11 that.

12 If the Commission finds for the layout of
13 the project, we'll move ahead with final design
14 and right of way acquisition. Currently this
15 project is in the 10-year plan for 2015
16 construction, and that's what we're aiming for at
17 this time.

18 We are constructing new sidewalks,
19 connecting them to existing sidewalks, as John
20 mentioned, and the town will need to maintain
21 those sidewalks once the project is completed.
22 We'll process a municipal agreement with the town
23 describing those maintenance responsibilities.

1 Chairman, that concludes the Department's
2 formal presentation of the project. I
3 respectfully ask that you find for the layout of
4 this project as submitted. Thank you.

5 CHAIRWOMAN RODD: Thank you. Before we
6 open the meeting to the general public for
7 questions, I'd like to know if there are any
8 public officials here, any elected officials who
9 would like to be heard. Are there any elected
10 officials here? Would you like to be heard?

11 MS. PAULETTE MALO: No.

12 CHAIRWOMAN RODD: No? All right. That's
13 fine. I will now open the meeting to anyone who
14 would like to be heard. Again, I would ask you to
15 raise your hand and, upon recognition, come to the
16 microphone, give your name and address. Print the
17 information on the sign-in sheet, and make your
18 statement. So anybody who would like to have a
19 word.

20 MR. FREDERICKSON: My name's Rick
21 Frederickson. I live at One Donna Drive. I have
22 two -- two issues really. One -- the first one
23 being that line of hedgerow that you call it, it's

1 very mature, and it provides a really nice screen
2 and sound barrier from the busy road, and I would
3 really like it if you guys wouldn't touch it at
4 all and actually have that in writing that you
5 won't knock those trees down. That's number one.

6 Number two, I don't know what that --
7 moving the road closer to my house will do to
8 my -- like the setback rules if I ever want to put
9 an addition on that side of the house, which is
10 the only side I could logically put one. Does
11 that affect my future ability to do that?

12 The third thing is -- is kind of a --
13 something for the planner to keep in mind. One
14 Donna Drive is already -- is kind of -- my -- my
15 place is kind of sunk in, okay, lower than the
16 Route 3, lower than Donna Drive, okay, and lower
17 than the new 55 and over development that was put
18 behind me, okay. So everything kind of falls into
19 my yard as far as drainage goes.

20 The past couple years I've been getting
21 water in my basement. Also, right off my driveway
22 now all this water is coming down into the front
23 yard and goes down my driveway and is cutting a

1 trough. It's eroding my side yard and pushing my
2 yard into the next guy's yard. I don't know if
3 something you're doing with the drainage could
4 help alleviate that. Those are my three issues.

5 CHAIRWOMAN RODD: Thank you. Is there
6 anybody else who would like to speak? Ma'am.

7 MS. NICHOLS: Wanda Nichols, 389 Pembroke
8 Street. I have just a quick -- quick question.
9 On the intersection, we're at the -- the southeast
10 side of the intersection. There's a big granite
11 planter there. I wondered if you guys had a plan
12 for that. Do we not get questions answered
13 tonight?

14 MS. GOODMEN: Can I answer?

15 MR. LYFORD: We can, yes.

16 MS. GOODMEN: We shouldn't touch that
17 within the project.

18 MS. NICHOLS: Okay. I just -- because
19 you are acquiring a big triangle there.

20 MS. GOODMEN: So it's -- it's pretty
21 small.

22 MS. NICHOLS: Oh, it is?

23 MS. GOODMEN: Yeah.

1 MS. NICHOLS: Okay.

2 MR. LYFORD: Chairman, if I could just
3 explain for the previous speaker? Some questions
4 we don't have answers to, so we won't answer
5 those. Hers was pretty easy, so that's why we
6 answered hers.

7 MR. FREDERICKSON: Okay.

8 MR. LYFORD: We'll send something in
9 writing once we know the answer.

10 MR. FREDERICKSON: Thank you.

11 CHAIRWOMAN RODD: Yes, please.

12 MR. FREEMAN: Harlan Freeman, 404
13 Pembroke Street. The Jobin/Freeman property. Two
14 concerns. Well, actually one is not a concern.
15 One is a thank you. You listened to us about the
16 driveway, the curb cut, and so on. Thank you. We
17 don't want to lose the trees. As you know, it's a
18 buffer. This is the second time we're losing
19 privacy.

20 They put the old folks home in, the 55
21 and above. We had nobody looking over our
22 backyard for years. For the good of the people,
23 they came in. We lost privacy. For the good of

1 the people, we're going to lose the three trees
2 and lose our privacy. That's our concern. When
3 you take the trees down, are you going to put
4 anything there or do we have to do that or --

5 MR. LYFORD: It's still unknown how that
6 will work out. It sort of will depend on how the
7 appraisal sees those trees --

8 MR. FREEMAN: Yep.

9 MR. LYFORD: -- and whether we include
10 them as part of our project or whether you put
11 them back on your own.

12 MR. FREEMAN: Okay. Thank you.

13 CHAIRWOMAN RODD: Thank you. Is there
14 anybody else who would like to come up to the
15 microphone? Please, sir.

16 MR. WELCH: Jody Welch at 202 Pembroke
17 Hill Road. Right on the corner. A couple of
18 questions I have, and really I'm kind of left in
19 the dark, I guess. The -- talking just tonight,
20 the five feet of sidewalk up Pembroke Hill Road,
21 if that gets taken, my truck's not going to fit in
22 my driveway anymore. That's how close my house
23 is.

1 I don't know if there's a way to get
2 another driveway access to Route 3, if that would
3 be any better. And, second, if that's out, is the
4 stop line for this intersection going to be where
5 it sits now? Because as it sits now, if one car's
6 at the stop sign, I can't get in or out of my
7 driveway. If I'm leaving, not that big of a
8 deal. I got to wait. When I come home, I come
9 off of Route 3. I have to stop with the ass of my
10 truck hanging out in Route 3 and wait for them to
11 move before I can go into my driveway.

12 So kind of -- I don't know. Are we going
13 to get contacted before anything goes further or
14 is approved individually? Or do I have to keep
15 guessing at what's going to happen?

16 CHAIRWOMAN RODD: I can answer that. All
17 these concerns are being written down and
18 recorded, and you will be contacted by the
19 Department of Transportation to have your property
20 individually discussed.

21 MR. WELCH: Okay. Because I just bought
22 the house two years ago, so --

23 CHAIRWOMAN RODD: Sure.

1 MR. WELCH: -- evidently this has been
2 going on for a long time, and nobody mentioned it
3 when we bought it.

4 CHAIRWOMAN RODD: Sure.

5 MR. WELCH: So thank you.

6 CHAIRWOMAN RODD: Is there anybody else
7 who would like to speak? No. All right. There
8 being no indication of anyone remaining who
9 desires to be heard, the hearing is now
10 adjourned.

11 (The hearing is adjourned at 7:44 p.m.)

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ERRATA SHEET

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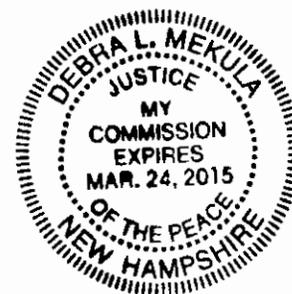
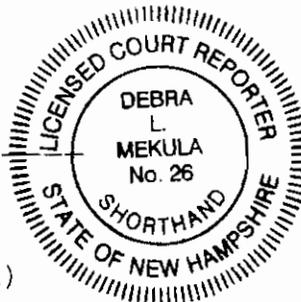
_____ DATE _____

C E R T I F I C A T E

1
2
3 I, Debra L. Mekula, a Licensed Court
4 Reporter and Justice of the Peace of the State of
5 New Hampshire, do hereby certify that the
6 foregoing, to the best of my knowledge, skill and
7 ability, is a true and accurate transcript of my
8 stenographic notes of the New Hampshire Department
9 of Transportation, Bureau of Right of Way
10 Highway Layout Commission Public Hearing, taken at
11 the place and under the circumstances present on
12 the date hereinbefore set forth.

13 I further certify that I am neither attorney
14 or counsel for, nor related to or employed by any
15 of the parties to the action in which this
16 hearing was taken, and further that I am not a
17 relative or employee of any attorney or counsel
18 employed in this case, nor am I financially
19 interested in this action.

20
21 *Debra L. Mekula*
22 Debra L. Mekula, LCR, RMR
23 Licensed Court Reporter
Registered Merit Reporter
N.H. LCR No. 26 (RSA 310-A)



William J. Cass
Director of Project Development,
NH DOT
PO Box 483
Concord NH 03302

August 9, 2012 **RECEIVED**
COMMISSIONERS OFFICE

AUG 16 2012

THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

Dear Mr. Cass,

The town hearing concerning the Rte 3, and Pembroke Hill Rd traffic improvements was very informative and has once again shown new evolution of this project.

We fully understand the need for safety improvements for the public and children in Pembroke, but for the record, this will be the second time this property at 404 Pembroke St will be impacted by Town and State improvements. It will be a sacrifice of my family's privacy and inconvenience once again. So we must write to you on record and voice our concerns so we can work together for a resolve.

Personal Impacts:

First: With the Pembroke Elderly housing unit where we have lost ALL of our back yard privacy and the installation of 3 additional trees which was promised, for added privacy was ignored after fall set in and the project closed. Now we have 19 elderly apartments viewing my family's back yard. Promises were not kept and lip service is what we come to expect from these types of projects.

Secondly: Will be this highway improvement plan you propose to install a traffic light, added turning lanes along with sidewalks. By removing the 3 barrier Maples in the front of our home at 404 Pembroke it will remove our privacy once again from our neighbors and passersby. It will increase the noise emitted from the high traffic level on Rte 3, and reduce our shade we have come to enjoy in the summer months. When those trees are removed, we will begin living in what is called a FISHBOWL. Our safe turn around at the end of our driveway will be removed and eliminate our ability to redirect our vehicles and trailer for a safe departure onto Rte 3.

Suggested resolutions:

1. Don't install a second sidewalk on the Westerly side of Rte 3. This will save our privacy/noise reduction Maples and secure our shade from the summer heat. There is already one sidewalk on Rte 3. Is it really necessary to spend additional money for this luxury in a tight economy? To gain what? Is there so much walking traffic it warrants an additional sidewalk? A push plate for crossing is a great idea at Bow lane to cross there.
2. Adding a paved driveway access to connect our property to Bow Lane will allow us to enter our driveway without further incident. In 2009 we were involved in an accident involving us to be rear ended, waiting to enter our driveway from Rte 3.

202 Pembroke Hill Rd
Pembroke, NH 03275

August 12, 2012

Chairman of the Commission
c/o William Cass 
Director of Project Development
The State of New Hampshire
Department of Transportation
PO Box 483
Concord NH 03301-0483

Mr. Cass,

My name is Jody Welch, the owner of 202 Pembroke Hill Rd, the first house on the corner of the proposed intersection modification, project reference #14477a.

I have some concerns about the safety and accessibility of my driveway with the proposed light. More often than now, with the current configuration and distance between the driveway and stop line, I have to wait for traffic stopped on Pembroke Hill Road to proceed in order to enter my driveway. Stopped in this location, my vehicle blocks any traffic attempting to turn onto Pembroke Hill Road from Route 3. Additionally, my truck, an F350, often partially remains on Route 3 while awaiting entry to my driveway.

I am writing this letter to voice my concerns on this safety issue and how a traffic signal will exacerbate the waiting time, the obstruction of traffic and the safety issues. I would like to request a meeting to discuss possible solutions prior to the start of the project.

I can be contacted via the following methods:
Home phone: 603-210-1089
Cell phone: 603-965-8714
Email: janna@howsyouronion.com
Mail: 202 Pembroke Hill Rd, Pembroke NH 03275

Regards,

Jody Welch



RECEIVED
COMMISSIONERS OFFICE

AUG 14 2012

THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

J Jobin

From: " J Jobin" <j_jobin404@comcast.net>
To: <harlan603@yahoo.net>
Sent: Wednesday, August 08, 2012 6:39 PM
Subject: Re: Pembroke, Route 3/ Pembroke Hill Road and Bow Lane reconstruction and signalization

As we fully understand the need for safety for the public and children, this will be the second time this property at 404 Pembroke street will be impacted by Town and State improvements.

First with the Pembroke Elderly housing unit where we have lost ALL of our back yard privacy and the addition of additional trees which was promised for added privacy was "fluffed" off after fall set in.

Secondly will be this highway improvement plan you propose here today. By removing the 3 noise barrier Maples in the front of our home we will begin living in what we call a FISHBOWL.

Adding the driveway access to the South to connect to Bow Lane will allow us to enter our driveway without further incident. In 2009 we were involved in an accident involving us to be rear ended waiting to enter our driveway. It will get worse with an additional turning lane without that Bow Lane access.

A barrier of trees replanted along Rte 3 will be needed to reduce noise and increase privacy from our neighbors and traffic.

Restitution of the frontage and privacy lost: We propose that the corner lot containing our new driveway become our property footprint at 404.