



Meeting Notes

Attendees: See Attached List

Date/Time: 3/14/02 7:00pm

Project No.: 5127200

Place: Kingston Town Hall

Re: Public Officials Meeting

Notes taken by: Senan Murdock

Introduction made by Chris Waszczuk, Project Manager, NHDOT.

The purpose of this meeting is to discuss the proposed project located on NH Route 125 involving its intersection with Hunt Road and Newton Junction Road.

This project is part of the overall larger Plaistow-Kingston Route 125 project (which begins at East Road in Plaistow and continues to Main Street in Kingston). The Hunt Road/Newton Junction Road intersection has been separated out of the main project and deemed a high priority by both communities to accelerate forward due to the many safety problems associated with this location. The focus of this meeting is to discuss this intersection location and gather feedback and input on the conceptual design that has been developed to date. An Advisory Task Force has been formed for the Plaistow-Kingston project that involves quite a few Officials from both communities that will be guiding the development of the project.

Public Participation Process:

C. Waszczuk explained that this project (the Hunt Road/Newton Junction Road intersection) would have its own separate course of open public meetings and own environmental documentation separate from the "main project".

In addition to the ATF meetings and access management meetings for the main project, the Department envisions holding three general public meetings for this project; the first of which is tonight's Public Officials Meeting. The next meeting will likely be a Public Informational Meeting to which all the abutting property owners within the project limits will be formally notified and invited to attend to discuss the project.

Lastly, due to ROW and easements required as part of the project, a formal Public Hearing will also be held to find occasion for the project. Should the project's layout be approved, the project will then proceed forward to final design, right-of-way, and ultimately to construction. Normally, the Public Hearing will conclude the open public meeting forum of the project.

Project Background, Area's Deficiencies, Project Need:

C. Waszczuk explained that Route 125 is a major north-south corridor through this portion of the state with a considerable amount of traffic (13,000 to almost 23,000 vehicles per day use different stretches of this road). In addition to being a commuter route, the southern section is also highly commercialized generating heavier traffic volumes in the southern tier. Route 125 is designated as a principal arterial highway and is part of the National Highway System (NHS), reflecting its importance in the Statewide and Regional transportation network.

A feasibility study was completed in September of 1999 for the segment of Route 125 extending from the East Road intersection in Plaistow to the Kingston/Brentwood T/L. The study is being used as a basis for the current Route 125 project, which has been described by the MPO as the "Westville Bridge to Kingston Bypass" project.

The study revealed several operational, safety and access related deficiencies that exist within the main project limits. Most notably, these deficiencies include:

- Lack of access control;
- Absence of left turn lanes;
- Poor or insufficient illumination;
- Poor alignment and sight lines in various sections;
- Poor configuration or lack of definition at certain intersection locations; and
- Poor level-of-service at the unsignalized intersections.

Several improvement projects, which were recommended by the study, have been completed. These include:

- Signalization and widening project at the New Boston Road intersection (completed 2000);
- Widening project for a left turn lane at Old Coach Road (completed 2000); and
- Widening and intersection improvement project at the NH 121A intersection (completed 2001).

The initial feedback is that these locations are functioning at a higher level-of-service and in a safer manner since the improvements have been completed.

The feasibility study recommended the following long range improvements for the corridor:

- Widen NH 125 south of the Hunt Road/Newton Junction Road intersection to 2 lanes in each direction.
- Maintain 1 lane in each direction north of the Hunt Road/Newton Junction Road intersection.
- Widen the primary intersections to 5 lanes (2 through lanes with exclusive left turn lanes):
 - Danville Road intersection
 - NH 121A intersection
 - Old County Road intersection
 - Hunt/Newton Junction Road intersection
- Help each Town evaluate, plan and implement an access management plan to preserve and effectively manage the traffic flow within the corridor.

The feasibility study also placed a high priority for improvements at the Hunt Road/Newton Junction Road intersection due to the deficient operation and safety problems associated with this location. Due to the configuration of the intersection with the side roads offset, the relatively high volume of traffic, and limited visibility; turning movements at the intersection are awkward and confusing. Long delays and the potential for accidents are high. Accident data collected at the intersection reflects 33 accidents occurred during the period from 1996 through 2000.

C. Waszczuk emphasized that the design developed to date is a conceptual alternative and the Department is seeking input on the design. Several complete property acquisitions, driveway consolidations and driveway access restrictions are proposed with this plan to improve the safety and operation of the intersection.

Tony Grande then gave a brief description of the presentation materials on display, including plans, profiles, typical and critical cross sections, noting color-coding of the various features depicted. T. Grande then discussed the intersection improvement concept in more detail.

- **PROJECT LIMITS:** Project limits begin approximately $\frac{1}{4}$ mile south of Newton Junction Road and proceed northerly, approximately $\frac{3}{4}$ of a mile in length, to the northerly limit approximately 500 ft. north of West Shore Park Road and matching into the recent construction completed as part of the Old Coach Road intersection improvement project.
- **EXISTING CONDITIONS:** Through this section, NH Route 125 is generally a two-lane roadway (one lane in each direction) with 4 ft. – 6ft. wide shoulders, slightly wider shoulders exist between the two side roads. Both Hunt Road and Newton Junction Road are also two-lane roadways with single lane approaches and shoulder widths of 1 ft. – 2 ft.
- **TRAFFIC:** Existing traffic along this section of NH Route 125 is approximately 15,000 vpd and is projected to be approximately 22,000 vpd in 2024. Records indicate that there have been 33 accidents in this vicinity from 1996 through 2000. Currently, both side road approaches experience long delays and operate at a Level of Service F.
- **INTERSECTION DEFICIENCIES:** One of the major reasons for the high volume of accidents at this location is the fact that the two intersections are offset by approximately 200 ft.
- **PROPOSED FIVE-LANE IMPROVEMENTS:** The proposed improvements for this section of NH 125 include a five-lane cross section that will accommodate two through lanes in each direction with protected left-turn lanes. Newton Junction Road will be realigned opposite Hunt Road creating a conventional four-way, signalized intersection.
- **DESIGN ISSUES AND CONTROLS:** Several controls exist within the project area including historic properties (several properties and one district identified within the project limits), wetlands and other environmental resources, steep driveways, and numerous access points. A review of the proposed five-lane cross section was presented using a critical cross section just south of the existing Newton Junction Road intersection.
- **DRIVEWAY CONSOLIDATION/RELOCATION:** As part of this project the Department is proposing some possible actions under the access management evaluation, which include improving spacing of intersections, and in this case reducing the number of intersections by realigning Hunt Road and Newton Junction Road; adding protected left-turn lanes; using

raised medians to control access; and minimizing conflict points or points of access by consolidation or relocation of drives with limited turning movements at specific drives.

- **RIGHT OF WAY AND EASEMENT REQUIREMENTS:** This project will require the acquisition of two properties located along the east side of Route 125. [A residence located in the southeast corner of the Newton Junction Road intersection, and the Bayberry Variety Citgo, located on the northeast corner of the Newton Junction Road intersection.] In addition, strip land acquisitions will be required along the corridor to accommodate the roadway widening. The width of this strip acquisition will vary from several feet up to a maximum of approximately 40 ft., across the length of the various parcel frontages. Along both side roads, similar strip acquisitions will be required with varying widths. The parcel along the northeast section of the relocated portion of Newton Junction Road will have the greatest impact with the roadway moving approximately 65 ft. closer to the house and requiring acquisition of approximately one acre of land. Easements will also be required throughout the project limits for construction and future maintenance purposes.

The National Historic Preservation Act and Consulting Party Solicitation presented by Marc Laurin, NHDOT

M. Laurin explained that for all projects with federal involvement: Under Section 106 of the National Historic Preservation Act, the Department is directed to identify historic properties, evaluate their historic significance, assess the impact of the project on them, and minimize that impact when possible. Historic and cultural resources can include buildings, structures such as bridges, building groups, landscapes, and archaeological sites that are generally more than fifty years old. The Department is in the process of completing the architectural surveys and Phase I of the archaeological surveys for the project area.

To date, historical properties identified as potentially eligible include all sites designated with an "H" on the plans (the property in the southwest quadrant of the intersection, a small historic district east of the intersection on Newton Junction Road, a property north of the intersection located at the corner of Kasher Drive, and two properties located in vicinity of West Shore Park Road). No archaeological resources have been identified to date.

The Federal Highway Administration and the NH Division of Historical Resources will continue to review the project's impacts on the resources in the area as the historical and archaeological studies and design proceed. These agencies will continue to assess the level of impact and review the means by which they may be minimized.

Marc Laurin also requested that if anyone has knowledge of other historic and/or archaeological resources in the project area and are aware of additional groups with historical interests that they please notify the DOT.

The Federal Section 106 regulations have recently been revised to include an offer to owners of historic properties directly affected by a project or agencies that possess a direct interest in the historical resources within a project area, an opportunity to become more involved in an advisory role through meetings and commentary. These parties may become what are known as Consulting Parties to the Section 106 process. Interested parties should indicate their interest in writing to the Federal Highway Administration, in care of Harry Kinter, Special Projects Manager, Realty Office, Federal Highways, 179 Pleasant Avenue, Concord, NH. In the letter, the project name and number should be indicated at the top for reference.

Project Schedule and Funding presented by Chris Waszczuk

C. Waszczuk concluded the Department's presentation by explaining that this project is included in the State's 10-year Transportation Improvement Program as a Federal Aid project for construction in FY 2003. The project will be funded with 80% Federal Funds and 20% State funds with the total construction cost for the project presently programmed to be \$1.75 million.

The schedule, which is highly dependent on the comments received tonight and the amount of work required to address those issues, targets a Public Information meeting in approximately 2 to 3 months with a Public Hearing slated for 3 to 4 months thereafter.

Comments/Questions:

Comment: It was questioned whether the state planned on purchasing property for mitigation purposes as part of the project?

C. Waszczuk: The Resource Agencies have agreed that any mitigation can be addressed through the larger overall project.

Comment: Several attendees raised concerns relative to the final disposition of the Guptill property. It was questioned whether the home could be moved to the back of the parcel as part of the project should the owner desire such action. G. Coppleman, Town Planning Board Chairman, suggested that should the dwelling not be moved that the driveway to the property be relocated onto Hunt Road to provide safer and unrestricted access to the property. It was also questioned whether damage to the house was likely due to increased traffic and vibrations.

C. Waszczuk: Moving the house back is something that could be considered as a mitigation measure, if there are no other reasonable alternatives available and would have to be reviewed with the Resource Agencies and FHWA; however the current proposal has been developed to minimize impacts to the property with the proposed edge of pavement being situated no closer to the house than the existing edge of pavement along Route 125. Relative to potentially relocating the parcel's driveway to Hunt Road, C. Waszczuk stated that it made a lot of sense and could be considered with the owner's input. Coordination with the property owner will be undertaken as the design evolves. Relative to the increased potential of damage to the residence due to vibrations from increased traffic, C. Waszczuk agreed that traffic will increase through the area over time; however, vehicles will not travel any closer to the house than in the present situation. Further investigation relative to matter will be required.

M. Laurin: Added that the investigation of that property has not been completed. We will be looking at the whole property and surrounding areas of the house as potentially historic and determine whether mitigation is required.

Comment: It was questioned what the final disposition of the ROW and adjacent land in the vicinity of the proposed Newton Junction Road intersection was. Plans show sliding

the road over. Does the State retain the ownership of that land or does that go to the property owners?

C. Waszczuk: A determination has not been made at this time. As the project moves forward, the Department will determine whether that land will be required to satisfy other project needs, such as drainage, etc. Should the land not be required for highway purposes, it would become surplus property and could be offered for sale to the adjacent property owner.

Comment: Regarding the gas station, it was questioned whether the State had an interest in acquiring the adjacent contiguous lot also since it appeared that the parcel would be impacted by the proposed work and would likely be unbuildable? Or would the gas station owner be able to relocate the business over to that parcel and get a curb cut there? Also, would the underground gas tanks be impacted and how would they be handled? Would the State be responsible for any remediation should contaminated soils exist and the State purchase the property.

C. Waszczuk: There is quite a sliver of impact on the adjacent parcel. That parcel would be quite narrow and the feasibility of developing that parcel would be limited. However, if that parcel were deemed viable for development, access would be limited to right turns in and out onto Route 125 due to the raised median. Regarding the gas tanks, they would be impacted and removed under this concept.

M. Laurin: Explained that the Department has a hazardous materials consultant on board, which will be investigating this property and others. There is an **ODD** fund, which provides owners and the Department reimbursement for remediation costs. This property will be further evaluated and the issue further investigated.

M. Burlage: Advocated that access be controlled during land acquisition so that future access is precluded where deemed undesirable. He explained that with a physical barrier like a raised median, full service access is not necessarily provided, however he emphasized that a law exists that says properties have a right to two points of access, so if you are combining access points and giving people only one access point, something has to be indicated in that decision so that in the future they don't apply for a new driveway which will require a legal route to acquire it.

G. Coppelman: Commented that the parcel just north of Kingston Motors has an active proposal for expansion before the Kingston planning board. The Town has asked them to strongly consider a one-way in on Route 125 and in and out on Hunt Road. However, the developer has proposed, as part of the new residential development, one parcel fronting on Route 125 to be a commercial property with a commercial access. G. Coppelman expressed concern that the developer will have an issue with an access behind the raised median. He further explained that Kingston does not have commercial zoning, the area is zoned rural residential, which allows commercial activity.

T. Grande: Explained that with this plan in place, it makes a lot of sense to have a right-in on Route 125, with access to the signal via Hunt Road. Regarding the access management concept, this project reflects some specific examples that the Town will need to support and push forward in order for them to be successful. As part of this

project, the Department is trying to help set guidelines in this direction, but it is really up to the Towns to develop an access management plan that will be followed and enforced. T. Grande emphasized that as developments are brought forward to the towns within the corridor, it would be beneficial to coordinate design efforts and access management issues early as the overall project moves forward.

- Comment: It was questioned whether U-Turn access would be allowed at both ends of the raised medians or just at the signals?
- C. Waszczuk: U-turns will only be permitted at the signal and prohibited at the ends of the raised medians.
- R. St. Hilaire: Road Agent for the Town of Kingston suggested that the Newton Junction Road improvements be extended to address a sharp drop off in the profile along with narrow shoulders through the curve approximately 600' east of the project limits.
- C. Waszczuk: Agreed that is a valid concern. However, the need to minimize impacts to the historic district in that area would severely limit the scope of improvements.
- Comment: It was questioned whether a 3-lane section on Route 125 was proposed at the West Shore Park Road intersection? The Boy Scout Camp on West Shore Park Road generates bus traffic for which a center turn lane would be beneficial.
- T. Grande: Yes, the proposed 3-lane section will match into the existing 3-lane section constructed as part of the Old Coach Road intersection project, north of West Shore Park Road.

A lot of discussion focused on Access Management, property owners' rights of access, and the draft Memorandum of Understanding. Several expressed concern that an access management plan and a memorandum of understanding between the Department and the Towns to coordinate the granting of access to highways may be contested by developers and property owners due to the legal rights entitling owners to up to two points of access. L. Komornick questioned whether the Planning Board would have authority to restrict access, since by law properties are entitled to curb cuts. G. Greenwood affirmed that from his 15 years of experience as a Town Planner, the Department has issued driveway permits at the state level with little input from the Planning Boards. Several commented that the laws and the Department's driveway policies or procedures would need to be modified to allow the Memorandum of Understanding to work. Others commented that the Town is concerned about potential legal challenges and associated costs should they try to restrict access. It was suggested that a better, more coordinated process be implemented.

M. Burlage suggested that access be controlled legally by purchasing access rights with a controlled access ROW so that challenges are not brought forth in the future. He expressed concern that if access points were not purchased legally, property owners could try to exercise their access rights in the future and dependent on the community and planning board makeup could possibly be granted access. He explained that the present laws do not allow the Department to deny property owners the right of access. He stated that the Planning Boards have a better chance to restrict access since development must follow the rules and regulations of the Town. He added that driveway permits state that applicant's must follow all the applicable rules and regulations of the community. M. Burlage emphasized that the District Office must be consistent in its approach towards issuing driveway permits and expressed concern that with 47 towns in his District, each with their own

access management ideas, that the Department maintains a consistent approach since different towns have different philosophies.

C. Waszczuk explained that the current draft Memorandum of Understanding is being reviewed by the Attorney General's office. The comments and concerns expressed will be discussed internally with possible modifications made to the document. The Department's "Policy for the Permitting of Driveways and Other Accesses to the State Highway System" may also need to be reviewed and modified. He stated that there is a misconception with regards to access that the State is the sole authority; the Towns have more authority than is realized since Towns can implement rules and regulations to mold development and influence the way properties are accessed. As part of the main NH125 project, an access management plan will be developed for the corridor with input from the abutters to help guide how properties will be accessed.

T. Grande added that an ideal Access Management Plan involves reviewing the corridor, identifying undeveloped parcels and discussing with the town planners what their best estimate for growth and development is and where. With that information in hand, a plan can be developed for this growth with access that will work effectively for all parties. Once an access management plan is in place, the towns can alert developers to where they feel the best location is for them to access the highway from a specific parcel because it has been previously planned out.

G. Coppelman agreed that Access Management Plan gives the Planning Board a much stronger bargaining position when a developer applies for planning approval. He mentioned that it can be a give and take process. He stated that the Town does have an access management plan and it is something that is actively worked on. It puts the Town in a better position to negotiate and to come to some agreeable solution with a developer.

Noted By: CMW MJD

cc: Robert Greer
Chris Waszczuk
Mike Dugas
M. Burlage, District 6
Marty Kennedy, VHB
Town of Kingston Selectboard