

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF RIGHT OF WAY
HIGHWAY LAYOUT COMMISSION PUBLIC HEARING
ROXBURY - SULLIVAN F-X-0121(034), 10439

PROPOSED REPLACEMENT OF THE NH ROUTE 9 BRIDGE OVER
OTTER BROOK IN SULLIVAN, REPLACE OR REMOVE A LARGE
STONE RETAINING WALL IN ROXBURY, REHABILITATE THE
NH ROUTE 9 BRIDGE OVER HUBBARD BROOK IN ROXBURY AND
IMPROVE THE NH ROUTE 9 ROADWAY

Public Hearing held at the Sullivan Town
Hall, 452 Centre Street, Sullivan, New Hampshire
on Tuesday, March 3, 2015, in accordance with
RSA 230:14 and the Surface Transportation and
Uniform Relocation Assistance Act of 1987 to
discuss the above alterations to improve traffic
operations and safety in the Towns of Sullivan and
Roxbury, New Hampshire commencing at 7:00 p.m.

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1 PUBLIC HEARING THUS HELD BEFORE THE HIGHWAY LAYOUT
2 COMMISSION MEMBERS APPOINTED BY THE GOVERNOR AND
EXECUTIVE COUNCIL ON OCTOBER 6, 2014:

3 Terry Clark, Chairman

4 Chris Coates

5 Michael Hoefler

6

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8 NEW HAMPSHIRE DEPARTMENT OF TRANSPORTATION MEMBERS
9 ATTENDING:

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

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

13 Nancy Spaulding, P.E., Right of Way Engineer,
14 NH Department of Transportation, Bureau of Right of Way

15 William Saffian, P.E., Bridge Design Engineer,
NH Department of Transportation, Bureau of Bridge
Design

16 Marc Laurin, Wetland Program Specialist, NH Department
17 of Transportation, Bureau of Environment

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P R O C E E D I N G S

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2 CHAIRMAN CLARK: Everybody have their
3 seats, please. It being seven o'clock, I've
4 always been one to start meetings on time, so I'm
5 going to call this meeting to order. My name is
6 Terry Clark. I'm Chairman of the Commission
7 that's been appointed by the Governor and
8 Executive Council. Chris Coates and Mike Hoefer
9 also are Members of the Commission.

10 This hearing is concerned with the layout
11 of a section of New Hampshire Route 9 from
12 Houghton Ledge Road to Centre Street in the Towns
13 of Roxbury and Sullivan pursuant to RSA 230:14 and
14 the Surface Transportation and Uniform Relocation
15 Assistance Act of 1987.

16 The purpose of the hearing is to
17 determine the necessity of the occasion of the
18 layout and to hear evidence of the economic and
19 social effects of such a location, its impact on
20 the environment, and it's consistent with the
21 goals and objectives of such local planning as has
22 been undertaken by the towns.

23 Before I go any further, is everybody

1 signed in? I'm being asked to make sure that you
2 put your name legibly on the sheet in the back so
3 that we can know who you are. Okay.

4 Following the hearing, this Commission
5 will evaluate all matters brought to our attention
6 and make definite decisions relative to the
7 layout. The Department will contact each owner
8 whose property is affected and discuss individual
9 concerns. It is, therefore, important that all
10 individuals desiring to make requests or
11 suggestions do so tonight. I'm sorry for the bad
12 weather, but we couldn't have that helped, I
13 guess.

14 All right. I would remind you that you
15 have 10 days from the date of this hearing to
16 submit any other materials you would like
17 considered by this Commission, and there should be
18 a -- an address on the -- on the Hearing Notice
19 that's out on the -- on the bulletin board, and if
20 you have any questions, you can ask one of the
21 people, and they'll give you that address.

22 At this time I'm going to ask Don Lyford,
23 the project manager of the New Hampshire

1 Department of Transportation, to present in a
2 formal manner the layout which he's proposed.
3 After this, I'll open the floor to those who wish
4 to address the Commission.

5 I will request that all people desiring
6 to speak, signify their desire and, upon
7 recognition by me, step up to the microphone,
8 state your name and address, and you may make your
9 statements. The hearing is being recorded, and a
10 transcript will later be prepared. Don.

11 MR. LYFORD: Thank you, Chairman,
12 Commission Members. Ladies and gentlemen, thanks
13 for coming to the meeting again tonight. I just
14 want to introduce a few people who are going to
15 help with tonight's presentation. To my right is
16 Nancy Spaulding. She's with our Bureau of Right
17 of Way. To her right is Marc Laurin. He's with
18 our Bureau of Environment. And to his right is
19 John Butler. He's with our Bureau of Highway
20 Design, and he'll be describing the plans in more
21 detail in a few minutes.

22 Once we go through the presentation, as
23 the Chairman said, we'll turn it back to them, and

1 they'll take questions and comments at that time.
2 Tonight we are presenting the Route 9 project.
3 It's basically made up of three segments. One of
4 the segments is the replacement of the brook
5 over -- the bridge over Otter Brook here in
6 Sullivan. The other aspect is removing the stone
7 retaining wall that's down close to Houghton Ledge
8 Road intersection in Roxbury, and then the third
9 piece is to do some pavement treatment to the
10 approximate two-mile gap between Houghton Ledge
11 Road and Centre Street.

12 This project is in the Ten-Year Plan, has
13 some construction funding, although currently does
14 not have enough construction funding to cover the
15 entire project. We'll talk a little bit more
16 about that later on.

17 We've been here, I think, three times in
18 the recent future, once in 2013, twice in 2014;
19 received a lot of input from those meetings. We
20 certainly look for additional input tonight if
21 anybody has any to help us form this project. And
22 at this time I'll have John Butler get ready for
23 the plan.

1 MR. BUTLER: Okay. Thank you, Don.
2 Thank you, Members of the Commission. Good
3 evening, everyone. I'm going to start just by
4 getting everyone oriented on the plans that I'm
5 going to be using for my description of the
6 proposed improvements.

7 This is a plan of the overall project
8 area. I've got a couple plans that are blowups of
9 the area of the bridge over Otter Brook in East
10 Sullivan Village. We've got a few critical cross-
11 sections in various locations along the proposed
12 work; some renderings here of the existing and
13 proposed bridge, again, in Sullivan; and an aerial
14 photo of the overall project area on the end.

15 To get everyone oriented on the big plan
16 here, west towards Keene is in this direction, and
17 so east towards Stoddard is in this direction.
18 Some key features to kind of get you oriented.
19 The Keene/Roxbury town line is right here at this
20 red line. Granite Gorge Ski Area would be right
21 in this location here. Houghton Ledge Road
22 intersects Route 9 right here and winds up the
23 hill in this area.

1 The town line between Roxbury and
2 Sullivan is here. So this is Roxbury. This is
3 Sullivan. And then on the far eastern end of the
4 project area is the intersection of Centre Street
5 here and the intersection with Valley Road here.

6 Below the plan here is a profile of the
7 roadway through the project area, so this shows
8 the grades and the ups and downs of the road as it
9 travels through the project area. Again, it's
10 oriented with east over here to the right-hand
11 side and west over here to the left-hand side
12 similar to the plan above.

13 As Don noted, the overall project in the
14 area that you see colored in yellow on this plan
15 is about two miles long. It's about a two-mile
16 stretch of Route 9 that we're looking to improve.
17 It starts a few hundred feet east of the Keene
18 Town line here in Roxbury and goes to the Centre
19 Street intersection here in Sullivan Village.

20 Again, as Don mentioned, we're looking to
21 break the project up or at least we -- we've kind
22 of approached the project as three subprojects, if
23 you will, our highest priority being replacement

1 of the bridge over Otter Brook. The second
2 highest priority is addressing the retaining wall
3 here in Roxbury on the inside of this curve, and
4 then the third portion of the overall project is
5 addressing the roadway itself within the project
6 limits.

7 Route 9 today carries about 7,000
8 vehicles per day through the project area.
9 Speaking about the replacement of the bridge over
10 Otter Brook in Sullivan Village, I'm going to move
11 to this bigger plan here to talk off of this. It
12 shows a little more detail.

13 The existing bridge was built in the
14 1930s. It is in need of replacement, and so we
15 are proposing to completely replace the bridge.
16 We studied a number of alternatives with different
17 possibilities for replacing the bridge.

18 As Don mentioned, we came to several
19 public meetings to get input on those
20 alternatives, and definitely the input that we got
21 at those meetings has helped guide us to the
22 proposal that you see here in front of you today,
23 but we had looked at alternatives to build a new

1 bridge upstream of the existing bridge and
2 relocate a section of Route 9. We looked at
3 alternatives to build a new bridge somewhere
4 downstream, close downstream, far downstream.

5 We looked at iterations of an alternative
6 like you see on the plan here, which is to build a
7 new bridge essentially where the existing bridge
8 is today. I would say the -- the strong input
9 that we got at the public meetings that we came to
10 was that the community, and particularly this
11 neighborhood area, wanted to see the new bridge
12 essentially get rebuilt where the existing bridge
13 is to minimize the impacts and the intrusion
14 into -- into this village area.

15 And that is in fact what we're proposing
16 to do, which you see on this plan here. Another
17 key consideration besides the public input we got
18 from the local residents is the fact that this
19 area is designated as a historic district. This
20 red line that you see on here is the limits of the
21 East Sullivan Village Historic District, and Marc
22 Laurin is going to speak in a few minutes more a
23 little bit more about the environmental resources

1 in the project area, but minimizing impacts to the
2 historic district was also a key concern in how we
3 ultimately chose this alternative to replace the
4 bridge.

5 So we are proposing to build a new bridge
6 essentially where the existing bridge is today.
7 It will be a little longer than the existing
8 bridge. It will be a little wider than the
9 existing bridge, but it essentially is going to be
10 in the same place, and the alignment of Route 9
11 will stay essentially the same as it is today.

12 The profile of Route 9, the elevation of
13 the bridge, and the roadway in the area of the
14 bridge is going to be raised by about six feet in
15 the area of the bridge itself, and that's so that
16 the new bridge will be above the 100-year flood
17 elevation of Otter Brook.

18 And, as I'm sure many of you are aware,
19 in the past there have been instances where Otter
20 Brook has flooded and has washed out the western
21 approach to the bridge, and it's caused us to have
22 to shut down Route 9 for a period of time. So
23 we're going to make sure the new bridge is high

1 enough so that it passes the hundred-year storm
2 underneath. So, to do that, we have to raise the
3 bridge and the roadway in the vicinity of the
4 bridge by as much as about six feet in the bridge
5 area.

6 So the real challenge -- once we decided
7 that the appropriate alternative was to build a
8 new bridge essentially on the existing alignment,
9 the challenge then was how to maintain traffic on
10 Route 9 while we build the new bridge. Originally
11 we had looked at an alternative that would have
12 constructed a temporary detour bridge immediately
13 upstream of the existing bridge and a temporary
14 detour roadway for maintaining the Route 9 traffic
15 in that location while the new bridge was being
16 built immediately adjacent to it.

17 That had -- that had a lot of engineering
18 challenges, and that also had significant
19 financial challenges for us. In terms of the
20 engineering challenges, the grade of the
21 difference would make that very difficult to
22 construct with the new bridge being several feet
23 higher than the existing roadway or the existing

1 temporary detour bridge and roadway.

2 That would have been a significant
3 complication, and the fact that the angle of the
4 brook here is so severe relative to the alignment
5 of Route 9, the temporary bridge would have had to
6 have been very, very long and very expensive.

7 We had estimated the cost of just the
8 temporary bridge and the temporary detour to be
9 upwards of one million dollars, and that would put
10 a serious strain on the funding that's available
11 for this overall project. So a suggestion was
12 made actually at one of the meetings that we had
13 here in town that we should consider using Valley
14 Road and Centre Street as the temporary detour
15 while we're replacing the bridge.

16 You know, the thought was that that has
17 been used as the detour in the past albeit for a
18 shorter period of time when the western approach
19 to the bridge has washed out in the past with the
20 flooding issues. So we did, we took a more
21 serious look at that idea, and that's what is
22 sketched up on this plan below here.

23 This is what would be a temporary detour

1 using Valley Road and Centre Street for Route 9
2 traffic while the bridge is being replaced. There
3 are some challenges with doing this. Valley Road
4 itself is relatively narrow.

5 There are houses close to the road here,
6 so we're going to have to be sure that we're good
7 at getting, you know, traffic approaching from the
8 west to slow down and, you know, negotiate this
9 area carefully. We're going to have two
10 relatively sharp turns here at the Valley
11 Road/Centre Street intersection and here at the
12 Centre Street/Route 9 intersection. We can make
13 some modest improvements there to help things a
14 little bit.

15 At this intersection we can temporarily
16 build this short curve which will be adequate for
17 both passenger cars and tractor-trailers to
18 negotiate that curve in either direction and stay
19 within their own lane.

20 This is the more challenging turn here at
21 the Valley Road and Centre Street intersection.
22 We are proposing to do a little bit of widening to
23 the inside here to ease that turn as much as we

1 can without getting into Otter Brook. And this
2 layout will be adequate for passenger cars to make
3 this turn in either direction and stay in their
4 own lane.

5 It's not going to be wide enough for
6 full-size tractor-trailers to make either of these
7 turns without using the full width of the roadway
8 to make the turn, so what we intend to do is for
9 those regional truckers we would intend to have a
10 signed truck detour, most likely via Route 101 to
11 Peterborough and 202 up to Hillsborough, and try
12 to get the big trucks off of this route and using
13 that other route as the temporary detour while
14 this is in place. If a large truck does happen to
15 come here while this is in place, it can still
16 negotiate this curve. It's just going to have to
17 wait until there's no traffic in the other
18 direction so it can complete the turn one way or
19 the other.

20 And another challenge with this, we're
21 going to have to be very careful about getting
22 people to slow down as they approach this from the
23 east. In this case you're coming from a

1 relatively high-speed environment, so we're going
2 to have to have some good, aggressive signing and
3 maybe some other measures to make sure people slow
4 down before they hit this first curve here at
5 Centre Street.

6 So there's some challenges with this.
7 It's -- you know, it's not ideal, but we thought
8 it was a reasonable compromise that we would
9 implement this. It's going to be an inconvenience
10 for the residents who live along Valley Road for
11 the period of time that it's in place, but in the
12 interest of solving the engineering challenges and
13 the cost challenges that we would have with a
14 temporary detour bridge in the area of the
15 existing bridge it makes sense to us, and so this
16 is what we are proposing to do as the temporary
17 detour.

18 Now, our goal is that the new bridge
19 would be constructed in one construction season.
20 So that basically means typically from April till
21 Octoberish. So we would envision this detour
22 having to be in place for that construction
23 season, so six to eight months is when this would

1 have to be in place. And then when the bridge is
2 completed, then we'll reroute traffic back over
3 here and remove the temporary adjustments that we
4 made at these three intersections.

5 There are some property impacts still
6 associated with the proposed work here. We've
7 definitely minimized them a great deal beyond some
8 of the other alternatives that we were looking at,
9 but some of the more key impacts to properties
10 immediately in the project area, we do need to
11 acquire a strip of property and a temporary
12 construction easement from parcel 17 here on the
13 corner of Valley Road and Route 9 in the area of
14 the proposed bridge.

15 On parcel 18 here, we are proposing to
16 relocate the driveway to that property a little
17 further to the east in order to improve sight
18 distance for someone pulling out of that driveway
19 further away from the end of the bridge and then
20 the curve on Route 9, and moving that driveway
21 over means we have to extend -- this is actually a
22 shared driveway that serves not only parcel 18; it
23 also serves parcel 12 here adjacent to it, so we

1 have to make this driveway connection which you
2 see in orange here to maintain that connection to
3 parcel 12. So that does have a bit of an impact
4 to parcel 18 in order to make the driveway
5 connection -- the shared driveway connection to
6 parcel 12.

7 Lastly, the East Sullivan Store, which is
8 this property right here on the corner of Centre
9 Street and Route 9, we're proposing to relocate
10 the parking for the store. From the front of the
11 store where today it's head-in parking basically
12 right in front of the store, we're proposing --
13 what you see in orange here, we're proposing to
14 build a parking area adjacent to the store on the
15 store's property. So move that parking out of the
16 highway right of way, move it onto a separate
17 parking area adjacent to the store.

18 Our concern primarily is safety-related.
19 Today with people head-in parking in front of the
20 store, you know, basically the back ends of their
21 cars are right at the very edge of the roadway.
22 To back out, you pretty much have to back out onto
23 the shoulder of the road. We're not very

1 comfortable with that from a safety perspective,
2 so we are proposing to relocate the parking to
3 this side parking area for the store.

4 The last issue in relation to the store
5 is they do have a leach field across the road on
6 Route 9 from the store. This area that you see in
7 green on the plan, we're proposing to construct
8 what we would call storm water treatment, meaning
9 we're going to collect some of the runoff from the
10 roadway, from the pavement, bring it into this
11 area, filter it, take out some of the pollutants
12 before discharging it into Otter Brook.

13 And our intent will be to design this
14 area so that it doesn't impact the leach field
15 from the store. So our intent is for that -- the
16 leach field to be able to stay status quo and be
17 able to stay where it is today. So I think that
18 summarizes the proposed work in the area of the
19 Otter Brook Bridge.

20 I'm going to talk a little bit about the
21 retaining wall area next. So the existing
22 retaining wall, I think it's about a couple
23 hundred feet long here on the inside of this curve

1 near the Houghton Ledge Road intersection right
2 there; a picture of the existing wall here at the
3 bottom of this graphic. What we're proposing to
4 do is actually remove the wall and construct an
5 engineered slope into the hillside adjacent to
6 Route 9.

7 This cross-section on the bottom here
8 depicts generally what we're proposing to do. So
9 the existing roadway is down here at the bottom
10 that you see in this yellow-colored area, and on
11 this side of the road in the brown that is here,
12 that's the existing slope that comes down to the
13 road, and the existing retaining wall is down here
14 at the bottom.

15 We're proposing to remove the retaining
16 wall and remove a fair bit of this earth material
17 and lay the slope back to this area that you see
18 in the black. So that's still quite a steep
19 slope, but it would be specifically engineered and
20 designed to be stable. It would likely be
21 stone-faced in order to keep it stable to keep it
22 from eroding.

23 And doing that does actually impact a

1 section of Houghton Ledge Road up at the top of
2 the embankment. This little area that you see in
3 yellow here is where we would need to relocate
4 Houghton Ledge Road further away from the top of
5 the embankment in order to maintain that
6 connection, that connection for Houghton Ledge
7 Road.

8 We did study, as an alternative,
9 constructing a new retaining wall down here at the
10 bottom of the slope. The advantage of that would
11 have been that it would have minimized the
12 disturbance to the slope itself with the amount of
13 trees that we have to clear in order to build this
14 engineered slope.

15 The downside to that alternative was
16 cost, both the initial cost for doing that was a
17 fair bit more than constructing this engineered
18 slope, and also the long-term maintenance cost is
19 definitely more significant with a retaining wall
20 than with just a simple stone-faced slope, so
21 we've decided to go with this alternative that
22 constructs an engineered slope into the hillside.

23 So primarily the property impacts

1 associated with this portion of the project are on
2 parcel number three, which is here on the inside
3 corner of Houghton Ledge Road. Where we have to
4 move Houghton Ledge Road over, we do need to
5 acquire a strip of property from parcel number
6 three in order to relocate Houghton Ledge Road.

7 The last aspect of the project is the
8 Route 9 roadway itself within the project limits,
9 this two miles of Route 9. We're basically
10 proposing to do modest safety and maintenance-type
11 improvements to this section of road. We're going
12 to improve the pavement. We're going to improve
13 the guardrail. We're going to improve the
14 drainage. But we're going to maintain the
15 existing alignment of the road and the existing
16 profile of the road.

17 We will be widening the road very, very
18 modestly over what is out there today. We're
19 proposing to have two 12-foot wide travel lanes,
20 so one in each direction, and then four-foot wide,
21 paved shoulders on either side of those travel
22 lanes. So that's 32 feet of total pavement is
23 what we're proposing to end up with.

1 The road today varies in width. It
2 averages probably around 30 feet of pavement
3 width, so generally we're talking about widening
4 the pavement by a couple of feet. And, in
5 general, we're looking to do that by holding the
6 edge of the road that's close to Otter Brook. We
7 don't want any impacts going down into Otter Brook
8 and doing that little bit of widening where there
9 is widening required towards the hillside away
10 from the brook.

11 In most cases, that can be done without
12 having any significant impacts into the hillside
13 itself. There are a few areas where that's not
14 the case, these areas that you see in the green
15 coloration here, for example, here, and there's a
16 couple other areas here and here where we will
17 have to do a fair bit of grading into the hillside
18 in order to accommodate that bit of widening that
19 we're looking to do, but for the most part we're
20 not having to chase that slope up into the -- up
21 into the hillside in order to accomplish the bit
22 of widening that we're looking to do.

23 We will most likely do some sort of

1 pavement reclamation process. We don't know
2 exactly yet what we're going to do to refurbish
3 the pavement. A likely candidate would be to
4 grind up the existing pavement, put it back down,
5 compact it, put new pavement on top of that. In
6 an ideal world, if money was no object, we would
7 probably do a full-depth reconstruction of the
8 roadway, meaning we would go down several feet and
9 put in an all new structural section for this
10 roadway, but that's just not in the budget for
11 this project, so we're going to do the best we can
12 with some sort of, most likely, pavement
13 reclamation process.

14 And in terms of property impacts within
15 the roadway improvement area, besides the few
16 areas where it's noted is slope impacts that go
17 onto private property, we need to acquire slope
18 easements in order to do that work. There are
19 also a number of proposed drainage easements at
20 many locations along the roadway that we would
21 need to acquire from many of the property owners
22 that abut the roadway through here.

23 Basically we'd be looking to replace all

1 the drainage on this entire roadway, and there are
2 numerous culverts that carry water from the
3 hillside to the brook side. And anyplace where
4 those culverts extend outside the right of way,
5 which is the case for most of them, we would look
6 to acquire a drainage easement to be able to
7 replace and maintain those pipes in the future.

8 Just two more issues that I'm going to
9 touch on. In terms of utility impacts for the
10 project, it's really pretty straightforward.
11 There are areas of utilities on utility poles.
12 There may likely be some poles that will need to
13 be relocated throughout the project, especially
14 where we have some of these more significant areas
15 of grading that's required.

16 In the area of the bridge replacement,
17 the initial discussions with the utility companies
18 are that they are thinking of rerouting their area
19 lines up Valley Road and down Centre Street and
20 along Route 9. They have to reroute at least
21 temporarily to get out of the way of the bridge
22 construction.

23 They're thinking they may permanently

1 reroute their lines along Valley Road and Centre
2 Street and then back down to Route 9, and that
3 would mean possibly some tree trimming would be
4 required along Valley Road, but those details
5 haven't been -- haven't been fully developed at
6 this point.

7 The last issue that I'm going to touch on
8 is project cost, and Don's going to expand on it a
9 little bit after I'm done. Total project
10 construction cost for what you see here on the
11 plans for all the work that I just described, we
12 estimate at 8.4 million dollars, and that breaks
13 down to about five million dollars to replace the
14 Otter Brook Bridge, about \$900,000 to address the
15 retaining wall, and then about 2.5 million dollars
16 to address the roadway itself for a total of 8.4
17 million dollars. So with that, Don, I'm going to
18 turn it back to you.

19 MR. LYFORD: Thank you, John. We'll have
20 Nancy Spaulding describe the property acquisition
21 process.

22 MS. SPAULDING: Thank you, Don. Good
23 evening, Members of the Commission, ladies and

1 gentlemen. Before I go into the right of way
2 process for this project, there are a couple of
3 items that I would like to mention.

4 First, I would like to point out that if
5 anyone wishes to submit additional testimony as a
6 result of this hearing or in regards to these
7 plans as described, you can address the material
8 to Chairman Terry Clark, care of William Cass, and
9 mail it to the NH D.O.T. address shown on the
10 hearing handout available in the back of the room.
11 Address that, and mail it to the D.O.T. address
12 within the next 10 days of tonight's hearing. It
13 will become part of the official testimony of the
14 hearing. Your letter will receive equal
15 consideration to anything presented here tonight.
16 The handouts are available from any of the
17 Department staff.

18 We also have with us a handout entitled,
19 "Your Land and New Hampshire's Highways." This
20 four-page handout describes the right of way
21 procedures used by the State to purchase land for
22 a public transportation project. The handout is
23 especially useful for those property owners

1 directly affected by the proposed project. These
2 are also available from Department staff on the
3 back table.

4 If, after reviewing the information
5 received at this hearing and during the 10-day
6 comment period, Chairman Terry Clark and the
7 Commission find necessity for the layout, several
8 things will happen. First, with approval to
9 proceed with the design of this project, the
10 Department will begin preparing appraisals for
11 each of the properties affected by the proposed
12 construction that you see on the plans.

13 A staff appraiser from our Department or
14 a fee appraiser from a private consultant firm
15 will contact each property owner to appraise their
16 property. The appraisals will reflect the fair
17 market value of the property rights needed for the
18 new construction. The appraisals are reviewed
19 separately to see that all appraisals are accurate
20 and have taken into account applicable approaches
21 to value.

22 Once this review is complete, the
23 Department's appraisals are given to the

1 Commission to begin discussions with the property
2 owners individually regarding the acquisition.
3 The value in this appraisal will be the offer of
4 compensation used by the Commission.

5 The Department will contact each property
6 owner and discuss each acquisition separately. We
7 urge owners at that time to ask questions and
8 bring up concerns that they feel should be
9 considered.

10 If the property owner is satisfied with
11 the offer, deeds are prepared, and ownership is
12 transferred to the State. If for some reason the
13 owner is not happy with the figures the Commission
14 offers, they can appeal to the New Hampshire Board
15 of Tax and Land Appeals and argue for additional
16 compensation at that time. It is important that
17 you understand that this can be done with or
18 without an attorney. Either party can appeal the
19 Board's decision to the Superior Court if they are
20 unsatisfied.

21 Anytime after this hearing or before
22 design approval, all the information in support of
23 this hearing is available at the Department's

1 headquarters in Concord for your inspection and
2 copying. That's all I have. Thank you.

3 MR. LYFORD: Thank you, Nancy. Marc
4 Laurin will describe the environmental aspects of
5 the project.

6 MR. LAURIN: Thank you. Good evening,
7 Members of the Commission, ladies and gentlemen.
8 Pursuant to the National Environmental Policy Act,
9 the New Hampshire Department of Transportation has
10 evaluated potential impacts the project will have
11 upon social, economic, and environmental issues.

12 Coordination was established, and input
13 has been received from federal and state agencies,
14 including U.S. Army Corps of Engineers, New
15 Hampshire Fish and Game Department, New Hampshire
16 Wetlands Bureau, New Hampshire Heritage Bureau,
17 and the New Hampshire Division of Historical
18 Resources. In addition, input was solicited from
19 and received from town and regional officials and
20 concerned citizens.

21 After evaluation of the information
22 gathered, a Draft Environmental Study and
23 Section 4(f) Evaluation was prepared. The

1 following is a brief summary of the information
2 contained in that document.

3 A noise evaluation was conducted to
4 assess the noise impacts and determine the need
5 and feasibility of noise barriers that would meet
6 the Department's noise abatement policy as this
7 project does not involve substantial alteration to
8 the vertical or horizontal alignment of the
9 existing roadway. The project is not a Type I
10 highway project, and noise impact assessment is
11 not necessary. The project will not have an
12 adverse effect to air quality in the area, nor
13 will it contribute to violations of the National
14 Ambient Air Quality Standards.

15 An initial review of the New Hampshire
16 Department of Environmental Services' OneStop
17 website was conducted to identify the potential
18 for oil or petroleum contamination or hazardous
19 materials within the project corridor.

20 These files indicate that in 2001,
21 underground storage tanks associated with the
22 former gas station located at the Sullivan Country
23 Store were removed, and the site is listed as

1 closed by the New Hampshire Department of
2 Environmental Services.

3 Historical records of possible fuel
4 storage tanks located south of the Centre Street
5 intersection of Route 9 was also identified, and
6 another potential source of subsurface
7 contamination is due to the historic use of this
8 property as the Edwin Locke Tannery, so further
9 evaluation is needed to assess the potential risks
10 from this area, although it's unlikely that any
11 soils historically contaminated by the tannery
12 will be encountered as the majority of the work
13 will consist of excavation within the existing
14 roadway fills that are in that area.

15 Pursuant to Section 106 of the National
16 Environmental Historic Preservation Act of 1966,
17 the Department identified and assessed the
18 project's impacts on cultural resources. These
19 are building, historic districts, structures, and
20 archaeological sites which are generally greater
21 than 50 years of age.

22 The East Sullivan Historic -- Village
23 Historic District and one individually eligible

1 property in Roxbury were determined to be eligible
2 for listing in the National Register of Historic
3 Places.

4 In consultation with the New Hampshire
5 State Historic Preservation Officer and the
6 Federal Highway Administration, it was determined
7 that the project will have an adverse effect on
8 the East Sullivan Historic District due to the
9 removal of the contributing Otter Brook Bridge.
10 There will be no adverse effect to the -- that one
11 individually eligible property in Roxbury.

12 A Memorandum of Agreement addressing the
13 proposed action and outlining the specifics of the
14 appropriate mitigation measures for the adverse
15 impacts to the East Sullivan Village was developed
16 and was signed by the New Hampshire State Historic
17 Preservation Officer, the Federal Highway, D.O.T.,
18 and the Town of Sullivan Historical Society.

19 Archaeologically sensitive areas within
20 the project area are not anticipated to be
21 impacted by the project. There are approximately
22 1.4 acres of wetlands associated with the project
23 at points of impact. I wish it was only 1.4

1 acres. As such, these impacts will require a
2 Major Impact Dredge and Fill Permit from the DES
3 Wetlands Bureau and a State Programmatic General
4 Permit be obtained by the U.S. Army Corps of
5 Engineers.

6 Mitigation discussion will be initiated
7 with the Wetlands Bureau and the Corps. An in
8 lieu fee to the New Hampshire Department of
9 Environmental Services Aquatic Resource Mitigation
10 Fund is being considered. If there are other
11 local mitigation opportunities which the
12 Department should be made aware of, please bring
13 it to our attention during the public hearing and
14 comment period.

15 A search of the New Hampshire Natural
16 Heritage Bureau's database has been conducted for
17 records of any rare plants or animal species or
18 exemplary natural communities within the project
19 limits. Based on currently available information,
20 no species or habitats of concern occur within the
21 area.

22 The project is located within the
23 floodplain of Otter Brook. The proposed bridge

1 will be raised, and its opening to Otter Brook
2 will be increased thereby increasing the hydraulic
3 flows. The anticipated flows will thereby be
4 directed through this widened bridge opening
5 rather than over the approach as has occurred in
6 past flood events. This project, however, is not
7 located in a special flood hazard area and,
8 therefore, requires no further action in regards
9 to the requirements of the National Flood
10 Insurance Program coordination.

11 Minor impacts to the Taves Reservation
12 Conservation property located adjacent to New
13 Hampshire Route 9 in Roxbury and located along
14 Otter Brook will occur. These impacts will not
15 affect the conservation purposes of the property;
16 however, further coordination will be required
17 with the Society for the Protection of New
18 Hampshire Forests, who hold the conservation
19 easement on this property, to reconcile these
20 impacts with the specific conservation easements
21 which are enforced on the land.

22 Storm water detention and water quality
23 treatment measures are being evaluated at two

1 locations within our right of way. These measures
2 would likely have a net benefit to water quality
3 as the project area does not have any currently
4 storm water treatment areas.

5 The contractor responsible for the
6 construction of the project will be required as a
7 contract provision to prepare a Storm Water
8 Pollution Prevention Plan specific to this project
9 and to its construction scheduling prior to the
10 commencement of construction activities. This
11 plan will ensure that all exposed areas where
12 construction activities are ongoing are stabilized
13 using appropriate erosion and sediment control
14 measures. Temporary increases in noise and dust
15 levels are anticipated during construction. These
16 increases are expected to return to normal after
17 construction.

18 If anyone has any natural, cultural or
19 socioeconomic resource concerns associated with
20 this project, again, please bring them to our
21 attention tonight or within the comment period
22 following the public hearing. I have a copy of a
23 Draft Environmental Study, Draft Section 4(f)

1 Evaluation for anyone who wishes to see it or have
2 a copy. You can see me after the hearing if you
3 would like to view it. This concludes my
4 presentation. Thank you.

5 MR. LYFORD: Thank you, Marc. If there
6 is support for the project as proposed tonight and
7 the Commission finds necessity for the project, we
8 would move into final design and right of way
9 acquisition, ultimately getting the project out
10 for contractors to bid.

11 Currently, this is in the Ten-Year Plan
12 for construction in 2017. If things go well, we'd
13 like to get it out early enough in late 2016 so
14 contractors could get the detour in place so
15 they'd have the entire 2017 season to construct.
16 If things get delayed for funding reasons or
17 anything, then we, again, would want to set it up
18 so that a contractor puts the detour in one year
19 so they have the entire next year, so it may be
20 2018 before construction. It depends on funding
21 and the time line from here forward.

22 Currently in the Ten-Year Plan there's
23 only six million dollars for construction, which

1 we would probably have to require that six million
2 dollars to be spent on the bridge replacement and
3 retaining wall removal. The roadway piece -- if
4 we don't get additional construction funds, the
5 roadway piece would have to come along later.

6 The Ten-Year Plan is updated every two
7 years, and it's beginning a new update this year.
8 There will be some public meetings later in this
9 fall where they look for input from the
10 communities and from regional planning and others
11 for priority of projects, so certainly continued
12 town support for this project and a voice at those
13 meetings to try to get additional funding. We
14 would really like to do the entire project all at
15 one time. I think it definitely makes sense,
16 especially if we have large trucks off the road,
17 it would be a good time to do the pavement work at
18 the same time, so.

19 The project is 80 percent federal funds,
20 20 percent state funds. We're not aware of any
21 need for funds from either of the Town of Roxbury
22 or Sullivan. I'm not aware of any town sewer or
23 water or anything like that. The Houghton Ledge

1 Road replacement, we'll do that with the project
2 funds. There won't be any town funds required for
3 that.

4 Chairman Clark, that concludes the
5 Department's formal presentation at this time. I
6 respectfully ask this Commission to find in favor
7 of the layout of the project as presented here
8 this evening.

9 CHAIRMAN CLARK: Thank you very much,
10 Donald. Before I open the public hearing, I was
11 wondering if there are any elected officials who
12 would like to comment. Any town officials here
13 this evening? Okay. I'm going to open the public
14 hearing. Oh, there is. I'm sorry.

15 MR. PATNODE: Yeah, I'm --

16 CHAIRMAN CLARK: Please come up to the
17 microphone, and --

18 MR. PATNODE: Okay.

19 CHAIRMAN CLARK: -- state your name.

20 MR. PATNODE: My name is Gary Patnode,
21 and I'm a selectman in the Town of Sullivan. And
22 I'd just like to comment that when these meetings
23 first started, I know there was a number of other

1 options that were available, and quite a few of
2 'em met with the displeasure of a lot of the
3 citizens and residents in town, and I do think
4 that the Department of Transportation has done a
5 good job weeding through the other options.

6 And I guess there's no doubt that the
7 bridge does need to be replaced, and this does
8 seem like it's the most feasible option with the
9 less disturbance to the town and property. So
10 hopefully we can go forward on that premise, and
11 any other issues that may arise will be discussed
12 and worked out as well. Thank you.

13 CHAIRMAN CLARK: Thank you, Gary. Is
14 there any other comments from anyone? Okay. I'm
15 going to open the public hearing now for members
16 of the public. Anybody wishing to speak on the
17 topic, just come up to the microphone, state your
18 name and your address, and write your name down on
19 the comment pad. So as soon as Gary is done here.
20 Is there anybody -- does anybody -- we have a
21 couple. All right, J.B.

22 MR. MACK: J.B. Mack. I work at
23 Southwest Regional Planning Commission, and we're

1 at 37 Ashuelot Street in Keene. We're the
2 planning commission for 34 towns in southwest New
3 Hampshire, and we have a Transportation Program
4 and a Transportation Advisory Committee that
5 comments on priority regional projects, and I just
6 wanted to state for the record that this project
7 has -- for well over a decade has been a priority
8 for the region, continues to be a priority.

9 As Don Lyford mentioned, there is a
10 Ten-Year Plan process starting up again, and we
11 recently solicited towns, including the Towns of
12 Sullivan and Roxbury, for any comments on any
13 projects existing in the Ten-Year Plan, so it
14 would be great to hear back from the towns if --
15 if there's any support, and, also, any commentary
16 on need for additional funding for the funding
17 shortfall for this project would be helpful to our
18 Transportation Advisory Committee.

19 The reason this is an important project
20 to the region is it's one of our major east/west
21 corridors in Cheshire County. Even people down as
22 far as Hinsdale that want to get to Concord or
23 Manchester might pass through this little bridge

1 right here. And if it -- if something were to
2 happen, and it was to get shut down, that would be
3 a major economic devastation to not just Sullivan
4 but for the rest of Cheshire County, so thanks
5 very much. And I just want to let you know that
6 the Regional Planning Commission supports the
7 project. Thank you.

8 CHAIRMAN CLARK: Thank you, J.B.

9 MR. MACK: Do I have to sign this or --

10 CHAIRMAN CLARK: Yeah, please do.

11 Rebecca Henault.

12 MS. HENAULT: I'm actually all set. They
13 already asked the questions I had.

14 CHAIRMAN CLARK: Okay. Very good.

15 (The court reporter asks Ms. Henault to
16 spell her name.)

17 MS. HENAULT: Rebecca, R-E-B-E-C-C-A.
18 And it's Henault, H-E-N-A-U-L-T.

19 CHAIRMAN CLARK: Okay. Is there anyone
20 else who would like to speak on the matter? Okay.
21 You do have -- you do have a period of time where
22 you can send written comments, as we had mentioned
23 earlier. Please, please think about it, and do

1 that. So --

2 MR. LYFORD: Sir, just one other -- just
3 a reminder that these plans and some of the prior
4 plans that we looked at are also on our website,
5 and the web address is on that hearing handout in
6 the bottom corner if anybody wants to look at them
7 or let other people know that they're there.

8 CHAIRMAN CLARK: Okay. All right.
9 There's no one else? Okay. That being that
10 there's no one else, I'm going to close the public
11 hearing, and I guess if there's no other business
12 before us, then we're adjourned.

13 (The hearing is adjourned at 7:50 p.m.)
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ERRATA SHEET

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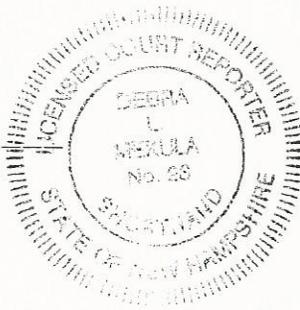
C E R T I F I C A T E

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

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

Debra L. Mekula

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





THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E.
ACTING COMMISSIONER

March 24, 2015

Roxbury-Sullivan
F-X-0121(034)
10439
NH 9 Reconstruction

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

Roxbury Selectmen
3 Middletown Road
Roxbury, NH 03431

Dear Selectmen Davis, Drogue & Cota:

On behalf of William Cass, Director of Project Development I would like to acknowledge your letter of March 12, 2015 regarding the proposed NH 9 reconstruction project in the Towns of Roxbury and Sullivan.

Your concern regarding the proposal to remove the retaining wall and construct an earth slope will be included in the official transcript of the Public Hearing, and will receive the consideration of the Hearing Commission.

Sincerely,

Donald A. Lyford, P.E.
Project Manager

DAL/dal

cc: William Cass, NHDOT Director of Project Development
Nancy Spaulding, NHDOT Bureau of Right of Way



TOWN of ROXBURY, N.H.

Office of the Selectmen

3 Middletown Road
Roxbury, N.H. 03431
(603) 352-4903

Office Hours: Monday 7-9 PM
townofroxburynh@myfairpoint.net

GERRY DAVIS
LOUIS DROGUE
KAREN COTA

Terry Clark
State of New Hampshire
Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

3/12/15

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY

MAR 16 2015

RECEIVED

Re: Roxbury-Sullivan F-X-0121(034) 10439

Terry,

We would like to go on the official record as not in favor of alternate A as it pertains to the retaining wall by Houghton Ledge Road.

Residents on Houghton Ledge Road have voiced several concerns with eliminating the retaining wall (alternate A).

The primary concern is the amount of open space required to do re-grading of the side hill from Houghton Ledge Road to Route 9. The existing trees on this side hill has many advantages. They act as both a visual and sound buffer from traffic on Route 9. Also as you may know the Granite Gorge Ski area located directly across from this location. They makes snow and the equipment used to make snow is quite loud. The ski area also is very illuminated for night skiing. Eliminating this tree buffer may cause light pollution issues for Houghton Ledge residents .

Trees are also an important key to stabilization on a steep side hill and although this new engineered plan allows for grading and drainage, the stabilization will depend on a bed of riprap. Houghton Ledge is on one of the highest hills in Roxbury and the amount of runoff is quite excessive. This newly graded open space would be at high risk of washout of Houghton Ledge road onto Route 9.

Based on these concerns, we feel that alternate B would be a better choice for this location.

Sincerely,
Gerry Davis
Louis Drogue
Karen Cota
Roxbury Selectmen

Gerry Davis
Louis Drogue
Karen Cota



THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



JEFF BRILLHART, P.E.
ACTING COMMISSIONER

March 24, 2015

Roxbury-Sullivan
F-X-0121(034)
10439
NH 9 Reconstruction

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

Mary Ann Kristiansen
80 Houghton Ledge Road
Roxbury, NH 03431

Dear Mary Ann Kristiansen:

On behalf of William Cass, Director of Project Development I would like to acknowledge your letter of March 12, 2015 regarding the proposed NH 9 reconstruction project in the Towns of Roxbury and Sullivan.

Your concern regarding the proposal to remove the retaining wall and construct an earth slope will be included in the official transcript of the Public Hearing, and will receive the consideration of the Hearing Commission.

Sincerely,

Donald A. Lyford, P.E.
Project Manager

DAL/dal

cc: William Cass, NHDOT Director of Project Development
Nancy Spaulding, NHDOT Bureau of Right of Way

MAR 16 2015

RECEIVED

Mary Ann Kristiansen
80 Houghton Ledge Road
Roxbury, NH 03431
603-209-0720

Terry Clark
State of New Hampshire
Dept. of Transportation
PO Box 483
Concord, NH 03302-0483

3/12/2015

RECEIVED
COMMISSIONERS OFFICE

MAR 16 2015

THE STATE OF NEW HAMPSHIRE
DEPT. OF TRANSPORTATION

Re: Roxbury-Sullivan F-X-0121(034) 10439

Mr. Clark,

I would like to go on the record as not in favor of alternate A as it pertains to the retaining wall by Houghton Ledge Road. I live on Houghton Ledge and am very concerned about how the removal of so many trees will increase noise from highway traffic that will reach my home as well as the light and noise from the Granite Gorge Ski Area – both of which are significant. It is a busy commercial highway and the ski area has significant lighting for night skiing, loud snow making equipment, numerous loud events involving snowmobiles and dirt bikes, and a speaker system for music during skiing and events.

While I am not as familiar with how the plan changes the cut where Houghton Ledge meets Route 9, I am also concerned that if our road becomes more visible, that we will see an increase in parking and partying on this remote road. I live alone at the end of that road and that raises concerns for me.

I live on the former Kingsbury Property – which is on the National Register for Historic Homes – choosing alternate B over your current choice of alternate A will mitigate the impact that this improvement on Route 9 will have on this special property, I would appreciate it.

Respectfully yours,

Mary Ann Kristiansen, resident
80 Houghton Ledge Road