



Meeting Notes

Newington Dover Spaulding Turnpike Widening 11238

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Attendees: NHDOT – K. Cota, P. Salo, W. Johnson
VHB – P. Clary
CHA – R. Pinckney
Dover City Council – M. Crago, D. Hooper, W. Garrison, K. Lavertu, M. Joyal, R. Carrier, K. Weston, M. Weeden

Date/Time: April 3, 2013 – 7:00 pm

Project No.: 52012.01

Place: Dover City Council Chambers

Re: N-D City Council Workshop Project Update

Notes taken by: NHDOT

Mr. Cota, through coordination efforts with Dover City Manager, Michael Joyal, was requested to provide the City Council with an update of the overall Newington-Dover project and specifically Contract Q. Mr. Cota opened the presentation by introducing himself and the rest of the design team present. The presentation consisted of the following:

- Project Overview by Mr. Cota
- Contract Q Overall Contract Overview by Mr. Pinckney
- Contract Q Utility Impacts and Relocations by Mr. Clary
- Contract Q Soundwall Update by Mr. Clary

The following questions were asked during or following the presentation:

1. Councilor Crago – Where marine clay is present and won't be removed, what type of fill will be placed on top of it? ANSWER (Mr. Clary): There are gravels and sand just beneath the pavement that are free draining materials. The material beneath the sand is the Department's embankment-in-place material which is not a totally free draining material. The Department's Bureau of Materials and Research will provide a recommendation for a different material if they feel it is appropriate. This was the case at Exit 3 where they included a sand layer for every five feet of embankment height.
2. Councilor Crago – How is the reimbursement of utility relocation determined? ANSWER: (Mr. Clary) In this case, it is a shared cost between the NHDOT and the City. The design and construction costs are the full responsibility of the NHDOT if the utilities are within City owned ROW, a City owned utility easement or if the utility pre-dated the state roadway. If the utilities are within the NHDOT ROW through sufferance, the City does not receive any design reimbursement and limited construction reimbursement.
3. Councilor Crago – Are there any septic systems being impacted by the project? ANSWER (Mr. David White, Dover City Engineer): We are not aware of any septic systems being impacted.
4. Councilor Weston – Regarding the utility costs, did we have to get a permit to place the pipes within the State ROW, and why is it a City cost to relocate them? ANSWER (Mr. Clary): Yes, the City entered into an agreement with the NHDOT to construct the pipes



A M M A N N W H I T E N E Y

- within the ROW, and that agreement states that the City is responsible for relocation costs should the NHDOT request relocation.
5. Councilor Hooper – What is the soundwall composed of, will it keep sound from residents, and what does the transparent wall look like? ANSWER (Mr. Clary): The NHDOT primarily uses a wood soundwall, and for this project that is the case except for the consideration of a transparent wall along Pomeroy Cove. All soundwall material types will reduce the sound levels for the residences. The slides of the transparent soundwall are later in the presentation.
 6. Councilor Hooper – What is the life expectancy of the wood soundwalls? ANSWER (Mr. Clary): Wood soundwalls are expected to last 25 years and the NHDOT is responsible for the cost to replace them.
 7. Councilor Hooper – What is the effectiveness of the wood soundwalls versus other material types? Waiting 5 years for the ivy growth is too long. ANSWER (Mr. Clary): All the soundwall material types (wood, concrete, plastic, etc) are manufactured to provide the required 5 -10 decibel reduction in sound.
 8. Councilor Weston – Can homeowners install plants, trees, shrubs, etc. on their side of the wall? ANSWER (Mr. Cota): All of the soundwalls are within the ROW and the NHDOT needs to have access to the homeowner side for maintenance concerns, and therefore would not want owners to plant too close to the walls. The NHDOT can work with property owners on plantings, if desired, taking into consideration the room required for NHDOT maintenance activities.
 9. Councilor Weeden - From the Dover Toll Plaza to the south the speed limit is 50 MPH. Will this change after the project? ANSWER (Mr. Clary): The NHDOT typically decides on the speed limit after construction is completed, but it will not be less than 50 MPH and could be raised to a maximum of 55 MPH.
 10. Councilor Weston – What was the design speed? ANSWER (Mr. Cota): The design speed is 60 MPH, since this is a transitional area coming from I-95, where it would be a 70 MPH design, and the existing Little Bay Bridges limit the sight distance over the crest of the bridge, a 60 MPH was utilized.
 11. Councilor Hooper – I am a State Representative and I would use the wood soundwall as it is cheaper and offers more privacy.
 12. Councilor Garrison – What is the life expectancy of the transparent soundwall? ANSWER (Mr. Clary): The life expectancy of the transparent soundwall is about 40 years.
 13. Deputy Mayor Robert Carrier – The cost differential for the soundwall is \$23/sf, so could we utilize the cost saved by using the wood soundwall to offset the City's utility relocation costs? ANSWER (Mr. Cota): No, the utility reimbursement rules are set by State statute.
 14. Councilor Weeden – Why do we need to have a soundwall adjacent to Pomeroy Cove, as there are no houses there? ANSWER (Mr. Clary): The soundwalls begin on the southern side of Pomeroy Cove to reduce the noise from vehicles travelling north that carry across the cove to the houses on the point.
 15. Councilor Weeden - What will the noise levels be following construction? ANSWER (Mr. Clary): Noise models were developed for pre and post construction conditions based on federal noise guidelines through a cost-benefit ratio to determine if the noise levels warranted soundwalls. This analysis indicated that the noise levels exceeded the threshold and would benefit from a proposed soundwall.
 16. Councilor Crago – How high is the soundwall? ANSWER (Mr. Clary): The soundwall height varies from 10' to 14'.
 17. City Manager Michael Joyal – Who makes the final decision on the soundwall type at Pomeroy Cove? ANSWER (Mr. Cota): During the Public Hearing process, the NHDOT

committed to studying the use of a transparent wall to maintain the scenic view for travelers, assuming the construction costs would be similar. The selection of the transparent soundwall with increased safety characteristics for added protection of those utilizing the Pomeroy Cove pathway increases the overall cost for the 1,000 foot long segment at the Cove by approximately \$800,000. With the Wentworth Terrace and Cote Drive neighborhoods supporting a wood soundwall, we are seeking the City's feedback on the wall type as we will discuss this at the upcoming public meeting. Ultimately, NHDOT makes the final decision but considers the feedback received from the stakeholders.

18. Mr. Cota – The NHDOT will not utilize condemnation for the proposed temporary construction easements required for the sidewalk construction on Dover Point Road (West). Therefore, the City is asked to assist the NHDOT in negotiating with the abutters to acquire these temporary easements, if necessary, or the sidewalk, as currently designed, will not be constructed.
19. Councilor Crago – The NHDOT will not purchase property to construct the sidewalks?
ANSWER (Mr. Cota): At the April 9, 2013 meeting, we will explain to the property owners that in order to construct the sidewalk, the slope work will extend into their property since the sidewalk panel is higher than the existing ground. The proposed sidewalk will remain within the existing ROW but the slope work to support the sidewalk extends onto their property and requires a temporary construction easement to allow the contractor to enter onto their property during construction. There are four properties that require a temporary construction easement.
20. Councilor Hooper – Thank you for the presentation and being so responsive to the public.
21. Councilor Weston – Is there flexible utility pipe on the market that can handle these settlement concerns? ANSWER (Mr. Cota): That is a question for the City Engineer, but it is doubtful. There will be impacts to your facilities and we have minimized the impacts to your facilities by modifying our design. Settlement of the soft soils will also create impacts. The reimbursement of design and construction costs, as stated previously, both require force account agreements prior to design or construction commencing. Otherwise, the efforts are not eligible for reimbursement. The reimbursement costs for construction are determined once the bid costs are known. The City must provide the money for the reimbursement prior to construction starting so that the NHDOT can pay contractor for the work when it is completed.
22. City Manager Michael Joyal – The NHDOT has been working with the City and the City needs to consider design costs. The City needs approximately \$40,000 to perform an engineering study and preliminary analysis on the options for the water and sewer lines, which include impacts from the proposed soundwalls north of Exit 6. Although, no firm relocation costs are known at this point, it could be \$1,000,000.
23. Councilor Weston – The wastewater treatment plant improvements are occurring at a cost of \$30,000,000. Where does the money for this come from, and also for the utility relocations for this project? ANSWER (City Manager Michael Joyal): Some of the utility relocations are being reimbursed. All of the other improvements are paid for through user fees. When the City made the original installations, we knew that some of the existing water and sewer lines would be eligible for reimbursement and some would not.
24. Councilor Weston – This could be a huge cost to the users. Could the cost for the sidewalk construction be applied to the utility relocations, if the sidewalk was not constructed? ANSWER (Mr. Cota): The NHDOT doesn't have the option of reallocating costs from the sidewalk to the utilities. The utility reimbursements are established by State statute and we have designed the project to minimize impacts.
25. Councilor Weston – It was worth a try.

26. Councilor Weston – What was the final outcome of signaling the pedestrian crossing at the roundabout? ANSWER (Mr. Cota): Thank you for bringing this up. Where the roundabout will be a two-lane roundabout, new MUTCD guidelines dictate that a pedestrian signal is required. Therefore, the NHDOT will design and construct this. However, the City will be required to maintain the signal.
27. Councilor Weston – The City is happy with this, as it will save money since originally the City was responsible for the design and construction costs.
28. Councilor Garrison – The City’s cost of the utility relocations along with the wastewater treatment plan upgrades are concerning. Why has it taken three years for the NHDOT to realize the utility cost issue? ANSWER (Mr. Cota): Over the course of project development, we’ve planned our resources to address Contracts L and M first, with our geotechnical focus on those contracts. We prioritize our work efforts accordingly and would have liked to focus on this contract earlier. The NHDOT will work with the City on selecting a relocation option so that the financial liabilities are known. If the City will not be able to secure funding for the utility relocations, the NHDOT needs to know now, as the project is a \$250,000,000 investment in this area for the State.
29. Councilor Garrison – When do the utility lines need to be relocated? ANSWER (Mr. Cota): The construction schedule is still being developed with utility relocations being a portion of the schedule. The 60% utility relocation designs need to be completed by August 1, 2013, so that NHDOT can better determine construction scheduling and sequencing. If the City determines that it will construct their relocations, the relocations should be completed prior to the Contract Q beginning. If the utility relocations are to be included within Contract Q, the designs need to be completed for advertising.
30. Councilor Garrison – Are the utility impacts north of the toll plaza within the ROW? City Manager Michael Joyal - The soundwalls are over the utility lines in some locations. Do we have other options? ANSWER (Mr. Cota): The NHDOT will work with the City to determine if they want to have direct access to the utility lines once relocated, or deal with potential relocations later and have the soundwall foundations straddle the utilities where they cross the soundwall alignment.
31. Councilor Garrison – Is there a long term plan to extend three lanes from the toll plaza to the Rochester improvements? ANSWER (Mr. Cota): There are no plans to widen the turnpike at this time, but the overall plan is reviewed every two years.
32. Councilor Garrison – There is a potential for a bottleneck here, so we will be here in ten years to move the utilities again. If the residents along Boston Harbor Road are not willing to negotiate for the temporary easement, will the sidewalk be constructed? ANSWER (Mr. Cota): If the easements are not secured, then the sidewalk will not be constructed.
33. Councilor Garrison – With the elimination of Exit 5, and more traffic along the road, is there a legal concern with no sidewalks? ANSWER (Mr. Cota): To clarify, there will be a sidewalk from Hilton Park on the east side of Dover Point to the Hilton Park driveway on the west side of Dover Point. There potentially won’t be a sidewalk from the Newick’s area to where the sidewalk ends currently near the DMV. If the sidewalk isn’t constructed, the NHDOT will repave the roadway and provide a shared use shoulder for pedestrians and bicyclists. The NHDOT will not condemn on these properties to construct the sidewalk, but would provide the design, as completed to date, to allow the City to finish the design and construction in the future. All of these future costs would be the responsibility of the City, instead of the NHDOT, if not included in this contract.
34. City Manager Michael Joyal – The City will be responsible for the maintenance of the sidewalk and, if the sidewalk is constructed, it will require utility relocations. As a result, a wider shoulder area may be better for the City.

35. Councilor Crago – Is the sidewalk meeting on April 9th? ANSWER (Mr. Cota): Yes, the NHDOT has sent out letters regarding the meeting and we will discuss the sidewalk similar to the discussions tonight.
36. Councilor Crago – The City needs to approve the design along Dover Point Road (West), and the sidewalk could be more of a liability considering future maintenance costs. ANSWER (Mr. Cota): The City was in support of the sidewalk at the time of the Public Hearing, and the NHDOT has advanced the design of the sidewalk based on previous discussion with the City. If there is a change of heart, the Department needs to know.
37. Deputy Mayor Carrier – There was previous discussion about the relocation of Dover Toll Plaza, where does this stand? ANSWER (Mr. Cota): There are no current discussions or plans to relocate the toll plaza.
38. Deputy Mayor Carrier – The General Sullivan Bridge is full of rust, in disrepair, missing pavement and red listed. Is this bridge still able to be rehabilitated? ANSWER (Mr. Cota): In 2006 it was confirmed as an historic resource and the State Historic Preservation Office wanted to rehabilitate it. The NHDOT has had inspections of the structure and the foundations performed to determine the integrity of the bridge. The foundations are good shape. The structure is being looked at cautiously to determine the condition of the gusset plates and superstructure elements. The entire deck system needs to be replaced. A \$27,000,000 threshold was established for rehabilitation that is still considered prudent. If it is determined, through additional inspection and design advancement, that the estimated construction cost exceeds this threshold, the NHDOT will need to reconsider the decision to rehabilitate the structure and potentially re-open the NEPA process regarding this structure. It will be at least 2014 before we have additional answers for the consideration of treatments for this bridge. The latest inspection identified issues that resulted in narrowing a portion of the bridge and posting it for reduced loading. The bridge will be maintained and inspected, but will be closed if necessary.
39. City Manager Michael Joyal – The City sent a letter to the NHDOT Commissioner, regarding the stormwater treatment requirements, to meet or exceed the MS4 permit conditions for the Great Bay Estuary. Recognizing that the Newington-Dover project permits were issued prior to the 2009 regulatory requirements for nutrient limitation for Great Bay, the City encourages the NHDOT to do as much as they can to reduce nutrient loadings and requests monitoring to verify that removal efficiencies are being met. ANSWER (Mr. Cota): The EPA's proposed regulations are still in draft form. The NHDOT will exceed the project permit requirements regarding nutrient loading as most of the stormwater runoff from the turnpike will be collected and treated before being released. The treated discharge will be cleaner after the project is completed than what exists today. The NHDOT Commissioner has responded formally to the City's letter, and has had correspondence with the NHDES Commissioner who has indicated that the NHDOT is required to follow the current project permits.
40. Councilor Crago – Over the last few weeks, it appears that NHDOT will be affected by the proposed regulations moving forward. ANSWER (Mr. Cota): The NHDOT will be affected by the MS4 regulations and will work with municipalities to meet the regulations for proposed improvements.

Citizen Forum opened and closed without any questions.

Meeting Notes Completed
And Submitted By:

VHB

Cc: NHDOT, VHB, CHA, CEI