

Town of Newington, NH
Board of Selectmen Meeting Minutes
Tuesday, June 18th, 2019 Town Hall

Present: Chair Ted Connors, Selectman Mike Marconi, Selectman, Ken Latchaw, HDC Chair, Lulu Pickering, Chief Project Manager for NHDOT, Keith Cota, Cultural Resources Manager for the Bureau of Environment, Jill Edelmann and Special Projects Coordinator, Karen Anderson.

Consulting Parties:

L. Pickering noted that she was a consulting party for the General Sullivan Bridge Project on behalf of the Historic District Commission and asked if it was appropriate to add Martha Roy, Town Administrator as a consulting party as well. This will insure that the town is noticed on all aspects of the project as it moves forward. K. Cota said that the town will need to send an email to Jamie Sikora requesting that she be added. (Jamie.sikora@dot.gov)

The Board reviewed the status of the outstanding issues from the original record of decision for the Spaulding Turnpike Improvements #11238.

John Frink Rowe Sign: Keith reported that the sign is going to be rebuilt and will be replaced at the end of the project, anticipated for this year.

Bean Farm Mitigation: The work is complete; three landscape easements were acquired to ensure that the plantings will not be removed. Silver maples and lilacs were planted.

Isaac Dow House: The work is complete, the yellowish stones are what was salvaged for the site, the wall has been reset and landscaped, landscape and stone wall easements in place.

Portsmouth Water Boost Station: Keith reported that it was challenging to follow the original agreement for the water boost station due to the highway moving closer to the station and an existing PSNH 100' buffer. As a result, a parcel of land was purchased for the City of Portsmouth to relocate the water tank at some point in the future.

Parallel Access Road: The access road is being used for the construction area at this time. Lulu reported that the Board has been getting public comments about the desirability to have that road opened for public access at the end of the project to eliminate the need for local traffic to pull out onto Route 16 and then pull onto Woodbury Avenue when this connection could be made available. Keith said that the state is looking at building a highway barn on the site and maintain the access as the driveway to that site. They

acknowledge that it does have some value to the abutters. In the past, the town was asked if they wanted the road to be turned over to the town and was told that the town had no interest in taking that over. The state will continue to maintain Mitchell Lane and the access road as a driveway to facilities. There will be bicycle/pedestrian access.

Lulu asked if the state could provide a letter to the town indicating what would be required to make that access road public. Keith noted that Woodbury Avenue is not set up for that type of access, there was never an intent to make that connection. He added that when plans move forward for a maintenance barn, there will be an opportunity for public comment and that request can be made at that time.

Bloody Point: This property consists of approximately 5 acres and a former train station building. There are several options that were discussed in regard to Bloody Point and historic mitigation that would be associated with the General Sullivan Bridge.

Option 1: Transfer the Bloody Point property in its entirety "as is" subject to an agreement on use between the state and the town.

Jill indicated that the state would like to see the building rehabilitated and determine what level of rehabilitation would be done. K. Cota said that the east side would be considered, although the west side would have to be looked into because of the highway right of way.

Option 2: Transfer the Bloody Point property with some level of rehabilitation by the state and an agreement on use that would be acceptable to the town and the state.

Option 3: Transfer of the Bloody Point property "as is" with funds provided for mitigation of another town historical resource such as the Old Stone School.

Jill explained that the Board of Selectmen should come up with a plan of what they want, with options and any other ideas that they may have and submit that to her prior to the July 11th 106 meeting. She will review the suggestions with the appropriate departments.

Ken Latchaw stated that the town would want some assurance that the agreements will include contingencies that the town be able to obtain any necessary state permits to do the work if the property is turned over to the town.

As a separate item, the Board brought to Keith's attention that there continues to be a ponding/flooding problem by Mitchell's gas station. A drain was removed, and it appears that there is a broken drain line.

T. Connors called for a 5-minute break.

Present: Chair Ted Connors, Selectman Mike Marconi, Selectman, Ken Latchaw, Planning Board Chair, Denis Hebert, Special Projects Coordinator, Karen Anderson, Attorney, John Ratigan and Town Administrator, Martha Roy.

Eversource Representatives:

Mark Chalbeck, Distribution Construction Representative
Lauren Cote, Siting and Construction Services
Lucas Turcotte, Forestry Supervisor
Sam Eames, Transmission Construction Representative
Dena Champy, Project Manager
Sarah Allen (via phone) Environmental/Permitting Consultant
Adam Neville (via phone)

AOT Permit:

The meeting was held to update the town on the SRP Preconstruction/Construction Activities. The Army Corps of Engineers permit has been submitted and is in review as an individual permit. A letter was provided from Normandeau Associates indicating that no impact to wetland resources can occur without the permit. Army Corps project manager, Lindsey Lefebvre has confirmed however that clearing within the 100' vernal pool envelope in the Flynn Pit right-of-way is permissible because it is uplands and is not considered a jurisdictional wetlands resource. Attorney Ratigan stated that the work done would be at the applicant's risk.

Distribution Upgrades:

Mark Chalbeck said that Fox Point Road from pole #59 out, Beane Road and the undergrounds have been installed and the voltage conversion will be scheduled. Planned outage notifications will be sent which include a letter and several automated phone calls. Work will continue to Nimble Hill and Coleman Drive next week with the conversion from Thermo Fisher to the town hall. This phase of the work is anticipated to be completed by September 1st.

Transmission Work:

Lauren Cote noted that the rights of way have been staked with black and pink ribbons; environmental sweeps are ongoing. A refreshed letter to abutters is being prepared and will be sent. The road surveys are complete.

Tree Clearing:

Lucas Tucotte told the Board that tree work started this week on Gundalow Landing towards Little Bay Road. The tree work in Flynn Pit is scheduled to begin Wednesday. All wood and chips will be removed. The few trees outside of the right of way were

approved to be removed. A straw waddle/birm will be in place for this work and will be removed at the completion. After Flynn Pit, no tree work will be done until August.

Crossings at Fox Run Construction:

Sam Eames stated that the foundation work at the mall is complete. Workers will be in the area sporadically to check on the work done.

Laydown Lease Agreements:

Dena Champy confirmed to the Board that the settlement agreement is not in jeopardy and they are continuing to look for additional, not alternative lay down areas. She has the check for the first payment to the town and it will be released as soon as the APT permit is received, and the lease is signed. The use of the DPW property is still going to happen although the historical resources at the Old stone School have resulted in that property not being viable as a laydown area.

The engineers continue to work on the AOT permit for the Mark Phillips property. The plan was submitted on Monday, June 17 for the alteration of terrain. She asked if the town could advocate for the permit. Amendments to the lease have been made to reduce the birm to 1' and the stumps are to be removed. The loam will be used for the birm and remainder set aside. Gravel will be out down and after completion the loam will be replaced on top of the gravel if the property is not going to be developed soon. Dena noted that with the wetland areas, the useable space is reduced.

Dena said that they continue to look for additional paved lay down areas that could be available immediately. Discussions are being had with the owners of the former Toys R Us and the China Buffet properties. Sears has indicated that they are not interested. Dena explained that there is a value to having some contractors separated.

After a brief recess, the Board returned to the discussion. Attorney Ratigan asked for confirmation that the full amount of the settlement agreement will be paid to the town, even though the space at the Phillips property is reduced. Dena said that the agreement is not in jeopardy and the 3 payments will be made regardless of the project being completed early or laydown yards no longer being required. The Board indicated that work could proceed in Flynn Pit and that they will support the use of the proposed additional lay down areas on private property.

Bi-weekly/periodic meetings will be scheduled with the town representatives to provide these updates throughout the term of the project.

Meeting adjourned at 11:30

Respectfully Submitted by Karen Anderson