



**APPROVED MINUTES  
NASHUA REGIONAL PLANNING COMMISSION  
Executive Committee  
January 18, 2012**

**Present:**

Janet Langdell, Chair  
Dave Hennessey  
Rick Maddox  
Karin Elmer  
Howard Dilworth  
Mike Fimbel

**Absent:**

Bill Condra  
Andy Seale  
Peter Baker

**Staff:**

Kerrie Diers, Executive Director  
Tim Roache, Assistant Director  
Julie Chizmas, Transportation Planner, NRPC  
Karen Baker, Program Assistant, NRPC

**Others:**

Kathy Hersh, City of Nashua  
Paul Lockwood, NHDES  
Nick Alexander, NHDOT  
James Vayo, Nashua Renaissance Committee

**I. Call to Order:**

Langdell called the meeting to order and asked for introductions at 6:05 PM.

**II. Minutes:**

The Executive Committee reviewed the December 14, 2011 meeting minutes. Langdell commented there were typos that she would email to K. Baker rather than go through them at the meeting. Dilworth commented that the City of Berlin had a RFP out for qualified independent Certified Public Accountants to perform municipal financial audits in Berlin. Langdell asked if the inquiry at the last meeting on whether it was an NRPC bylaw requirement to go out for bid was addressed. Response was that it was determined and discussed that it was best practices as opposed to a bylaw requirement. Elmer motioned to accept the minutes as amended. Hennessey seconded the motion. There was no further discussion. The motion passed with Maddox abstaining.

**III. Public Hearings**

**Public Participation Plan – Action Item – PUBLIC HEARING OPENED AT 6:07pm**

Roache discussed the Public Participation Plan Public referring to the memo included in the agenda packet. He summarized the background, the proposed change, the public comment period and comments received, and the recommendation. He explained that the change was to allow for a flexible public comment period between 10 and 30 days. The length of the comment period will be based on various factors including the magnitude of the changes being proposed, the relative sensitivity of the projects included, and any factors that require timely actions, e.g. emergency maintenance, federal funding lapses, etc.

He added that this update was noticed in the Nashua Telegraph, the NRPC website, and through the NRPC electronic mailing to interested parties and exceeded the federally

required 45 day period, opening on October 27, 2011 and running through December 30, 2011. Comments were received from Peter Baker of Hollis, NH who is also a member of the Commission and sat on the Executive Committee. Roache summarized the table with Baker's comments and informed the group that all comments were addressed and incorporated into the Public Participation Plan. He concluded that the TTAC met on January 11, 2012 and recommended approval of the update to the Public Involvement Process for Transportation Planning by the NRPC Executive Committee.

Langdell referred to comments from the Fall Executive Committee meeting. Maddox asked who would be determining the timeframe on public comment periods. Roache said the interagency group which consists of MPO, NHDOT, FHWA, EPA and NHDES representatives and it would be based on the complexity of the amendment and knowledge of the MPO and the project. Maddox commented that a minor project in someone's mind may not be minor in another's mind. He added that criteria would need to be set and not to be subjective. Roache said there would be opportunity for additional discussion.

Hennessey motioned to approve the update for a flexible public comment period to the Public Participation Plan with a second from Dilworth. There was no further discussion. All were in favor and the motion passed.

#### **PUBLIC HEARING CLOSED AT 6:13pm**

#### **STIP Amendment #4 - Action Item – PUBLIC HEARING OPENED 6:15pm**

Roache began the STIP Amendment #4 Public discussion referring to the memo included in the agenda packet. He summarized that the NRPC had received from the NH DOT Amendment #4 to the adopted Nashua Metropolitan Area 2011 – 2014 Transportation Improvement Program (TIP). The NRPC is amending the TIP to account for changes to projects within the Nashua region and to maintain consistency with the Statewide TIP (STIP). He continued pointing out that there were various statewide projects and 4 projects in Nashua included in the amendment. He summarized the Nashua Projects:

- Nashua – 101A Widening and improvements, Phase I
- Nashua – NH 130 Broad Street reconstruction
- Nashua – Transit purchase of two new CNG buses
- Nashua – US 3 New project for planning analyses in support of the development of a southbound off ramp on US 3 at Exit 36 in Nashua, NH/Tyngsborough, MA

Roache explained that the proposed amendments to the projects in the Nashua region are necessary to ensure that the TIP and STIP reflect the anticipated project schedule and maintain fiscal constraint requirements. The proposed changes made by STIP Amendment 4 trigger a new conformity determination of the SE NH 8-hour Ozone Nonattainment Area but are outside of the NRPC region and therefore, the Nashua Metropolitan Area Air Quality Conformity Analysis (2011 – 2035), adopted June 15, 2011, continues to be valid.

Roache also informed the group that a legal notice was placed in the Nashua Telegraph, accepting public comments through Friday, January 13, 2012 and as of this time no comments were received. He added that NRPC staff reviewed the amendment in consultation with the NH DOT, NH DES, US EPA, FHWA, FTA and representatives of the MPOs, and the proposed changes in this amendment were presented to the Transportation Technical Advisory Committee (TTAC) at their January 11th meeting.

Concerns were raised from Nashua representatives at the TTAC and they could not support the 101A project without funds getting used for the NH 130 project. The TTAC did motion to

recommend that the NRPC Executive Committee approve all the proposed changes in the STIP A-4 except:

1. The proposed changes to the Route 101A widening (Project ID 10136A) and
2. the proposed changes to Broad Street reconstruction (Project ID 13931)

pending an adequate explanation of the proposed changes to these projects.

Additionally, the TTAC requested the NH DOT provide an explanation as to why these projects are being amended based on a draft Ten Year Plan. Further, the TTAC requested the NHDOT explain why the unexpended funds from the proposed project changes have not been reallocated in a manner consistent with the comments provided by the City of Nashua letter dated November 20, 2011.

Langdell asked if there were any questions.

Dilworth said he could not support the TRAC Project which encourages local high school students to explore opportunities in transportation careers. The proposed amendment would be added to the TIP with \$68,000 over FYs 2012-2014.

Alexander explained that the TRAC program federal money and that it was not new and teaches students about engineering and bridge building. Dilworth commented that it was new to the amendment and had concerns about DOT running the curriculum where there are already existing programs within the schools.

There were questions on general fund changes for the E. Hollis Street project and if support was being asked in lieu of what would be taken away. Fimbel felt the NH 130, Coburn Ave project was for safety and should be kept on the front burner. Roache said it is proposed to be removed from the Ten Year Plan.

Diers summarized that in spring the TYP came out and the RPC's were asked what their priorities were. This was brought to the TTAC for input where an evaluation of the projects was done along with a letter to the NHDOT with a list of priorities. Additionally, there was a follow up letter from the City with priorities. There was no response from the DOT and the Draft TYP came out with competing priorities. Decisions were made on the competing priorities and deferred projects were swapped out in support of others. This is not reflective in this proposed amendment.

A member of the group asked if the proposed amendment did not pass and NTS was not able to get the 2 new CNG busses, would the Derry/Salem fixed route transportation not happen. Roache said they could run diesel and a portion of it could be approved. There was question on Coast being the provider for transportation in the Derry/Salem area. Roache explained that it was CART and they were too small to provide service and put out an RFP for service.

Alexander was asked why the proposed amendments were based on the draft Ten Year Plan. He explained that the TYP has been through Governor and Council and the GACIT Hearings and there is usually no changes, but it is expedient to start TYP changes to maintain constraint.

Hersh asked Alexander how long for Legislature to vote. Alexander responded the end of June. She also asked why the changes did not reflect the letters. Alexander responded that they were not looking in 2011 when they started. They looked at letters, authorized projects for 2011 but they did not think about PE and ROW. Additionally, DOT heard the Broad Street Parkway was the number 1 priority in which they heard and responded.

Alexander explained that in the Ten Year Plan there was a 33% reduction in anticipated revenue and preservation of the existing system is the focus with everything else taking a back seat. He added that DOT is not in a position to change what is already done. He continued saying that funds for PE and ROW can be reallocated to East Hollis Street but there would be a process to follow. You could not progress to final and would have to wait for another TYP cycle to come around for construction. He added that as soon as the City is ready to work, the money can be reallocated, but this would have to come back in an amendment to TTAC to get it back in the TIP.

Hersh had concerns that the City would be giving up money on 101A and NH 130 with no commitment from DOT on whether ROW and PE money would still be there. Alexander said that DOT would commit the funds but they have to go through the amendment process, but you would see the money in May.

Maddox questioned the E Hollis project in which Roache said it was in the TYP. Maddox commented that the process seemed backward and on a Draft TYP. Roache said that this was the voice of the local communities driving the process and that there was a quorum that agreed with the City.

Langdell asked if the priority letters submitted at the time included the East Hollis Street project. Roache answered that it was and both Hudson and Nashua met on this. Langdell felt that if it was a priority back then, it should have been worked out already. Diers reminded the group that the TYP starts every 2 years and that we are talking about 2 different plans.

Maddox questioned the NH130-Broad Street project and the Broad Street Parkway project. Roache clarified that the Broad Street Parkway was different than the NH130-Broad Street project. For further clarification, Hersh explained to Maddox both projects. Maddox asked how the NH130 project got so high on the TYP. Hersh explained that was due to the amount of traffic and the High School being there. She further explained that an E. Hollis Master Plan was done in 2004 and that the City had been looking at this for a long time. Roache added that the NH130 project was not necessarily high in the TYP, and it had been delayed year after year, but never taken off. He added that this happens to several projects in the TYP. Elmer commented that there were no traffic nightmares and that is another reason. Hennessey elaborated on traffic issues and thanked Hersh for clarification on the project. Dilworth said we may see the project again in amendment 5.

Langdell asked if there were no further comments that they wrap up the discussion. Roache summarized that DOT provided an explanation put a commitment on the table for PE and ROW and that a motion was needed for approval on the whole amendment or on the one recommended by TTAC. Roache added that the 101A project is not eliminated, just delayed.

**Fimbel motioned to approve the recommendation by TTAC in regards to STIP Amendment # 4/recommending in favor in its entirety. A second came from Maddox.**

Elmer asked for some clarification from Roache on the results and asked if he was satisfied. Roache felt that the explanation and commitment offer from NHDOT made sense. Hersh also felt comfortable but asked if it made sense to take 2 projects and move them to Amendment 5.

Elmer asked if she agreed, when would the 101A project start. Alexander said it would happen through preliminary design and final engineering design would be needed for construction. Hennessey was bothered by the 101A project being taken out and felt this would only accelerate what is already going on and make it harder to widen. He added this is a major problem, makes the conceptual become less valuable, and it is the whole linkage of the western towns to Nashua.

Roache felt there was some confusion and explained the 101A project and processes in more detail. Elmer felt that the 101A widening needs to be done now. She added that you will never have traffic flow on this road flow again if there is redevelopment.

Fimbel asked Hersh if the Planning Board was involved and aware of re-development on 101A. Hersh said yes and they were in negotiations based on future. She added that the corridor plan is used as a blue print. Fimbel asked if this included interconnected roads. Hersh said yes.

Maddox summarized a bit to the group in regards to the proposed projects in the Amendment and said this is where Nashua wants to move their money. Diers asked for a summary of the impact of the motion as currently proposed. Roache explained:

- 101A will have funds delayed beyond 2014
- NH 130 would be removed from the TIP and deferred from the Ten Year Plan

Roache added that this allows DOT to commit PE and ROW funds from the NH 101A project to the East Hollis Street Project. This transfer of funds will formally take place in Amendment 5. He added we will make sure the minutes reflect our understanding of the commitment of the DOT commitment.

Dilworth motioned to approve STIP Amendment #4 based on the commitment by NH DOT to transfer unobligated funds for preliminary engineering and right-of-way from Project #10136A to the Nashua East Hollis Street Reconstruction project (#16314) through Amendment 5 with the exception of the TRAC project. Maddox seconded the motion for discussion. Dilworth said he already stated his feelings. He added that he was not going to vote on it.

Alexander said that if the TRAC project does not get voted on for the region, it will be taken away from the region.

Dilworth voted on Amendment #4 to remove TRAC. It was opposed by all others with a 5/1 vote. Fimbel's original motion was then voted on with opposition from Dilworth and all others in favor for a 1/5 vote.

## **PUBLIC HEARING CLOSED AT 7:12pm**

### **IV. Mid-Year Budget Review**

Diers reviewed the Mid-Year Budget with the group. She informed that there were some line adjustments due to contracts. The Broadband Rural Addressing project contract was in place. She added that she put in a \$10,000 estimate for the TCSP Exit 36S project explaining that it may be just 3 months of this fiscal year. She pointed out the SRTS-101A reduction for Amherst & Merrimack and the HUD Regional Planning Grant Estimate of \$30,000 included in the budget which is scheduled to start February 1, 2012. She continued pointing out the increase in expenses, the salaries that went up due to the replacement of a planner and to cover extra help with the HUD Grant.

Elmer asked if a finance person was hired. Diers said yes they had and she has 8 years' experience and she will be part time. Hennessey asked about the professional services line item and if it was salaries. Diers explained that increases to the professional services line were mostly Robin O'Shea our QuickBooks consultant.

Langdell asked about line item 7504 and if that was part of HUD and the Sustainable Communities. Diers said that it was not, but it was for the grant to get the grant writer. Elmer asked if they vote on the mid-year budget. Diers said there was no need to vote and that it was just informational and for review. Maddox added that the budget was already voted on in June.

**V. Discussion: HB 1561 – Discontinuing Regional Planning Commissions**

Diers informed the group that there was going to be a hearing on February 9th at 10:30AM and that Bill Condra, who is also a State Representative, will testify. She met with him on Monday to discuss and sent a draft letter to him and to Langdell for review. Dilworth commented that the letter was perfect and focus for Nashua as we area ahead of everyone else. Langdell said she wanted to look at the letter and also send it to Representative Belanger who sits on the board that hears the testimony. She also suggested sending the letter to all BOS and Legislators. Diers said she would send out the letter and that she just sent talking points. Langdell suggested putting it on NRPC letterhead to make others aware. Fimbel asked if those that sit on boards are opposed or for HB 1561. Diers said they vote what they feel or study. Dilworth explained the process a little. Diers felt we may have a lot of support, but need to have a good showing. Maddox commented that:

- How leadership feels is what will happen
- Getting the word out about RPC's

Langdell said to put a dollar value in of what we do and how much it saves towns. She was also pleased that Condra was going to testify. Diers added that there is a lot of misconception of RPC's, but our communities find value in us. Diers added that if the letter sounds good, she will send to the committee and send out talking points and put out via Constant Contact. Elmer suggested broadcasting on NHPA with the date and time of the hearing to have planners come.

**VI. December Committee and Financial Reports**

Diers said she did not have the SVTC Financials, only the NRPC Financials. She referred to the NRPC Financials saying they looked pretty good at 50% on income and 47% on expenses. She felt they were on good track.

She added that the rent was not allocated properly and that \$7,000 is utilities and that the utilities have gone down since they have been doing the renovations to the building and there is no longer a heavy electricity user in the building. Diers said that Robin was not done invoicing and Circuit Rider was not included in the December figures.

Diers reviewed the Committee reports that she emailed to the group. She informed the group about the Legislative Breakfast with the NHARPC and how each of the RPC's take a different topic and set up around the room. Elmer spoke about the Rail and Transit speaker they had at a previous meeting. The suggestion was that once we reinstate the legislative meeting to have him come speak at it. Dilworth spoke of where rail was in Vermont. Diers added that the NH Rail Authority is still in business, at least for another year.

**VII. Old Business**

Diers reviewed the Directors Report and pointed out when each item would be discussed. She informed the group of the new NRPC Menu of Services which was presented to the iTRaC Advisory Board at the last meeting. Dilworth suggested doing a menu of services on Capital Improvement Plans. Diers said that NRPC has a pretty good process down for Capital Improvement plans.

Diers referred to the Energy program that Longval had just wrapped up with a savings of \$450,000 annually by just being in the program. She added that there will be discussion on whether you think service should continue. Funding is done in April but she wondered if staff time should be allocated. Langdell suggested it be a topic for the February Executive Committee or March Commission meeting. Diers suggested looking at the City of Nashua and maybe pulling something together with them. Hennessey commented explaining the services and the good in them is the reason for regional plans to coming together.



Diers talked about having a discussion on identified services and strategic planning.

Maddox asked for the floor show on information on the Master Plan Menu of Services that he missed. Diers said there is only formatting left to do and then it will be sent out. She added that it would cost \$95,000 to Hudson Master Plan at the highest tier. Maddox felt that was high since Hudson only paid \$27,000 the last time they did a Master Plan. He added that you need to show value. He suggested a sliding scale. Diers commented that public input is a huge amount of the time and cost.

**VIII. Adjourn**

Motioned to adjourn at 8:01 by Maddox; second by Elmer. Unanimous.

TMR/kmb  
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