


**STATE OF NEW HAMPSHIRE**  
**INTER-DEPARTMENT COMMUNICATION**

December 29, 2004

**FROM** David J. Brillhart, P.E.   
Assistant Commissioner

NH Department of Transportation  
Commissioner's Office

**SUBJECT** **BEDFORD**  
**(NH 101 Reconstruction)**

**TO** William Cass, Bureau of Highway Design  
William Oldenburg, Bureau of Highway Design

On December 8 the Commissioner and I met with the Bedford Town Council, Town Staff, and various members of the School Board. The topic was constructing improvements to NH 101 (essentially the segment between the NH 101/Wallace Road intersection and the NH 101/Nashua Road intersection) as proposed in the July 2002 Bedford Route 101 Corridor Study. The impetus for the meeting is an upcoming vote in March, 2005 for constructing a new high school off Nashua Road. As such the Town continues to be very supportive of the recommendations from the Corridor Study, and would like to see portions of the proposed recommendations constructed in the near future, particularly if the school is approved.

The Town questioned whether the project could be bonded and constructed by the Town, with the Town being reimbursed the capital costs in the year the construction is programmed in the State's Ten Year Plan (currently programmed for 2012). They also asked if the interest incurred could be reimbursed, or at the very least serve as part of any matching funds required. The Town would also offer right-of-way and possibly mitigation lands that could speed the project along and serve as needed match.

The key elements to be constructed would be the connector road between Nashua Road and Wallace Road, a bridge over NH 101 providing access between the area served by Nashua Road and the Town Center (with only eastbound access onto NH 101), and appropriate improvements to the NH 101/Wallace Road intersection. The connector road would act as a frontage road connecting the Nashua Road area (and the new school), as well as businesses along the south side of NH 101 to the signalized intersection at Wallace Road. Assuming the connector road reduces access points along NH 101 and potentially some amount of traffic, the connector road could be considered an element of the overall improvements to NH 101.

If the school is approved in March 2005, it could be constructed as early as September, 2007, at which time the connector road would need to be in place, and preferably the bridge over NH 101 as well.

In preparation for the school vote, the Town would like confirmation that the Town could advance the project with their own funds and be reimbursed by 2012. In addition, the Town would like an estimate of what the local match might be for the project elements. Lastly, the Town questioned whether the project could be completed by September, 2007.

In the final analysis it was agreed that the project has merit, the timelines are ambitious, and further discussions between the Town and the Department are warranted. In anticipation of further discussions with the Town, a number of issues (some of which were noted during the meeting) need to be considered. They including the following:

1. The corridor study is an important first step in resolving what improvements may be constructed along NH 101. It provides excellent direction as to what the ultimate project may be. With that said it is very much conceptual in nature and the project needs to proceed through the preliminary design/environmental evaluation/formal approval phase before the real details of the improvements are well understood. (This phase is then followed by final design, right-of-way (ROW) acquisition and construction.)
2. While elements of the transportation infrastructure can be reconstructed without necessarily having a full appreciation for the entire system, the segmenting of larger projects without understanding how the project as a whole will operate is problematic for permitting agencies and the Federal Highway Administration (FHWA). Typically the project to be developed would have logical and easily recognized termini based on the idea that whatever is constructed within the project limits will not unduly limit or force choices that might otherwise not have merit for other areas outside the project limits.

At this time, with only the corridor study limits for guidance, the project limits presumably need to extend from the NH 101/NH 114 intersection to Bedford/Amherst town line. Further discussions with FHWA would be required to formally propose the project limits. Were the project to go forward with consideration of only the connector road, the bridge, and the NH 101/Wallace Road intersections, and it was later found that such a project resulted in segmenting the larger NH 101 corridor project, designs would be brought to a halt until the appropriate length of corridor was formally designed and studied.

3. With only a superficial understanding of the issues associated with the NH 101 corridor through Bedford, the design of the project would appear to be comparable to the Kingston-Plaistow NH 125 project. Both had corridor studies completed. Both highways have developed somewhat haphazardly over time with sizeable commercial activity taking place in various areas along the highways. Both are considering a widening to four lanes, raised median islands, meaningful access management, construction of frontage roads, construction in a phased approach based on priorities, involve high costs/insufficient funding, are major regional priorities, etc., etc.

4. Relative to advancing construction using Town funds to be reimbursed with federal aid and state funds, such an idea is novel, and potentially precedent setting. The benefits include: 1) improving the transportation infrastructure in a more timely manner; 2) fully engaging the community in the development of the project; 3) potentially expanding the project funding to include local participation; 4) constructing the project sooner may limit the project cost which likely will increase due to inflation. The drawbacks or pitfalls may include: 1) concern that fixing the payback date for this project may limit choices relative to other projects in the Ten Year Plan as the Plan is updated and project schedules are adjusted every two years; 2) FHWA may be reticent of participating in the future as philosophy and standards change over time; 3) given Department priorities based on the Ten Year Plan schedule, the Department's ability to properly manage or oversee the project is problematic.
  
5. Relative to the issues specifically raised by the Town, responses include the following:
  - FHWA will be contacted regarding obligating federal funds. GACIT (the Governor's Advisory Commission on Intermodal Transportation) and the Attorney General's Office should also be contracted. Ultimately, the Legislature may also need to weigh in.
  
  - Regarding processing a project consisting of a new bridge over NH 101, a connector road, and the NH 101/Wallace Road intersection in 33 months, the schedule is very ambitious, particularly given other Department priorities. If the segmentation issue were to be resolved favorably (so it is not an issue), and given that much of the project involves local roadways, so municipal management is reasonable (and of course all goes well in terms of permitting and right-of-way), the schedule is possible, albeit difficult.
  
  - In terms of the highway project permitting and assuring reasonable access to the new school no matter the status of the highway project, the Town should be strongly encouraged to construct the potential connector roadway as a driveway for the new school. As the highway project is brought along, the driveway's location and benefits can be formally documented as part of the federal NEPA process, and whatever additional improvements are needed to make the driveway a public road can be constructed as part of the highway project.
  
  - Given continued development along the NH 101 Corridor and the potentially long timeframe until the corridor is fully addressed, the Town and the Department should put together a Memorandum of Understanding (MOU) relative to access management along NH 101. Such an understanding reached by the Town and the Department regarding US 3 in Bedford has proved to be very helpful in planning the US 3 corridor.

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6. Following further internal discussions to consider the issues contained in this memo, and any overlooked issues, a meeting with Town staff will be arranged. (A tentative meeting date with the Town is January 20, 2005 at 8:30 a.m. in the Commissioner's Conference Room.)

Hopefully this is of some help.

DJB/kh

cc: C. Murray  
L. Knowlton  
J. Moore  
C. Green  
W. Hauser  
H. Morrill  
K. Hickey, Town of Bedford