

JERICO GATEWAY- URBAN COMPACT

Brief Time line and excerpts from meetings and correspondence

4-10-17

City council work session -Extending the Urban Compact North on Route 110

Councilor Rozek proposed that the City take over 1.6 miles on Route 110 so that there is local control of the road. With growth and OHRVs becoming a main tourist attraction, the city needs to control the road access to the trail system which will be good for business along the route. Councilor Nelson added that the trail is open in November; however OHRVs have to be trailered because the State road is closed to ATV's. Mr. Wheeler reported that taking over the road represents a huge liability. Councilors conceded to having Bob Chapman speak. Mr. Chapman stated that he wants to see the City take over up to Jericho Lake Road adding that it is in the best interest of development. Mr. Wheeler said that the Council needs to hear the financial liabilities. It is about 1.6 miles and would cost \$325,000 to cold plane and overlay. When we do pave, there is 1.6 miles in a neighborhood that will not get paved. There are culverts, drainage issues and bridges on the property. Replacing culverts will cost approximately \$50,000. The additional length of highway costs about \$800 to \$1000 per storm to plow. Mayor Grenier asked if some agreement could be made with the State. Mr. Wheeler suggested that the State could repave the older section and make the culvert repairs. Mayor Grenier added that an agreement could be made that the State would take on the repairs when they are needed, as opposed to facing the budget impact all at once. Councilor Rozek moved to authorize the City Manager to negotiate with the Department of Transportation for the possible transfer of 1.6 miles of Route 110 to city maintenance; Councilor Higbee seconded and the motion carried.

9-5-17

Letter from Steve Binette requesting Public meeting to extend Urban Compact to Jericho Park "many significant investments in the Jericho area by local Developers and Binette Realty LLC. have already been made"

9-18-17

Excerpt City Council Meeting - Route 110 Urban Compact

Mr. Wheeler read a letter from Steve Binette into the record.

September 5, 2017 James Wheeler City Manager City of Berlin, New Hampshire Mayor City Council Members City of Berlin, New Hampshire Dear City Manager and Council Members, As a developer, business owner, and taxpayer of the City of Berlin, I am writing this letter to address my view on the urban compact extension along Jericho Road. It is my belief and the belief of many others that the extension of the urban compact from its current limit on Jericho Road to the Jericho Trailhead will benefit the growing and developing Jericho Gateway area and desperately needs to move forward. Not only would the acquisition of the additional 1.6 miles of roadway help to solidify and expand future ATV access to our city by giving the city control over ATV use on this section of roadway, it would also promote and encourage further development near Jericho Mountain State Park, so that the city can fully capitalize on the growing ATV movement that has brought and continues to bring a significant amount of tourism to our region. As you are likely well aware, many significant investments in the Jericho area by local Developers and Binette Realty LLC. have already been made. At Binette Realty, we plan to continue to develop in the Jericho Road area. However, delaying or avoiding the acquisition of this section of Route 110 will be detrimental to our development plans, the development plans of others, and subsequently the development of the Jericho Gateway zone. Therefore, I am requesting that a public meeting be held with the City Manager and City Council members present. At this meeting, myself and other Jericho developers will address our concerns and will present how the urban compact will not only benefit the development on Jericho road, but also how it will benefit the city. Please feel free to reach out to me with any questions via email at steven@rayselectricinc.net or via phone at 752-1370. Looking forward to your response. Regards, Steven Binette Binette Realty LLC.

Mayor Grenier asked to open the meeting to comments from the public and Councilor Rozek moved to allow; Councilor Remillard seconded and the motion carried.

Steve Binette opened by saying that Binette Realty has invested in the Jericho Gateway area. His business at Valley Creek Eatery has seen an influx of tourists; however he is reluctant to invest more until there is some certainty that the city will have control over the area.

Bob Chapman voiced his support for extending the urban compact because he wants to go forward with the development on the former Bass Shoe property. The highway needs to be taken over so that investors can be informed with certainty that the city has control of the road. He also advocated for the city to take over up to Jericho Lake because there is development planned above. He expressed the need to know about the new zoning that was changed and what it means for businesses.

Matt Carter, Manager at the Dalton Store stated that it is critical to have access to the front driveway of the business. ATV use now ends at Jericho Outdoors and there is a dead area of 300 feet. If the city had control, it would be easier to resolve the gray areas of the law and it would attract more businesses. With the State, businesses deal with a lot of resistance. He is in favor of leaving the roadway out of the hands of the state and having it go to the city. Roland Berthiaume commented that he is working on the campground on 110. There is no way to get to Jericho from late fall to the end of mud season. Having the City control the area would give the ability to drive to the convenience store. He advocated moving the urban compact at least to the G. Housen building. Sheriff Brian Valerino stated that he was asked to be here on behalf of the Police Department adding that he wrote the ordinance. He said that the ordinance was written so that the streets close when the State closes the trails. There is one month where the state is closed and the city is open. He emphasized that consistency is important so that visitors to our area are not confused.

Bob Rodrigue representing White Mountain Ridgerunners expressed some concern that extending the urban compact will bring ATV riding to snowmobile trails causing deep ruts that could be a safety issue. He stressed he and the snowmobile club are ATV enthusiasts who work to build and maintain the trails. He suggested that a monitoring system for trail conditions could be created to advise when the trail can support an atv and when soft conditions would not allow riders. Mr. Rodrigue said that he supports the extension and he wants the Council to also consider the sledding side when the decision is made. Mayor Grenier asked if there is a process that has begun with the Trails Bureau to address some of the issues. Mr. Rodrigue noted that there has been some discussion with Clint Savage. It may be possible to keep ATV's off of the main snowmobile trails where the ATVs would only diagonally cross the snowmobile trails. Mayor Grenier said that there needs to be elevated communication between those who maintain the trails to put together a plan for winter and early fall. Matt Carter commented that Maine may have a law that could be reviewed that allows atvs if snowmobile trails are frozen. Mr. Rodrigue also suggested that atv's could have full access until 12/15 when the snowmobile trails open. Mayor Grenier stated that he did not hear anyone opposed to extending the urban compact to the entrance of Jericho Lake Park. Councilor Nelson supported extending to the G Housen building, saying that Jericho Lake is other things besides ATV riding. Extending to Jericho Lake puts the ATV's in with traffic.

Mayor Grenier thanked all for coming and giving insight.

The City has been in contact with DOT regarding this issue. The Council will continue the conversation in non-public session. Steve Binette questioned whether this issue will be resolved prior to the winter. *He added that he may not invest in the winter months if there is no decision. When the opportunity for investment arises, the property has to be ready or the investor will walk away.*

11-20-17 Excerpts

Letter from Jim Wheeler to Phil Beaulieu "As you know, the City has been weighing the positives and negatives of extending the compact further out on Rte. 110 possibly as far as the Jericho Lake Road." However, this would come with a significant financial liability to the City in both operational and capital costs. In order to mitigate these costs we would like to propose the following general items of agreement:

1. Relocation of urban compact line to intersection of Jericho Lake Road
2. NHDOT upgrades drainage structures within section defined by old and new compact line.
3. NHDOT performs crack filling on section.
4. NHDOT overlay's section with 1-1/2" of top course.
5. NHDOT agrees to de-ice and plow through State designated routes in the City (Rte. 110 and Rte. 16) for winter operations.
6. The City and NHDOT Div. 1 will jointly pursue a full upgrade to the relevant section of Rte. 110 as part of the 10 Year Plan.
7. NHDOT completes previously defined work outside the urban compact on East Milan River Road.

2-6-18 Excerpt

Response Letter from Asst, Commissioner Bill Cass to Jim Wheeler-

1. *Relocation of urban compact line to intersection of Jericho Lake Road.* The Department recognizes the importance of the OHRV industry on the North Country and the City of Berlin in particular. We are aware of the value this corridor has as it relates to OHRV tourism and the possible expansion of OHRV based businesses. We are also aware of additional OHRV focused businesses located west of Jericho Lake Road and would urge the City to consider extending this limit further west to encompass these other businesses.

2. *NHDOT upgrades drainage structures within section defined by old and new compact line.* The Department agrees to conduct a drainage inventory in the spring to determine the adequacy of the existing drainage within this section of NH-110. Drainage infrastructure in need of repair will be repaired or replaced as necessary by the Department prior to relocating the urban compact line.

3. *NHDOT performs crack filling on section.* Based on the current crack density of this section of highway, the Department would not recommend crack sealing for this roadway at this time. Crack sealing a roadway with a high crack density would be fairly expensive, yield minimal benefit, and require more in-depth follow up pavement treatments.

4. *NHDOT overlay's section with 1-1 1/2" of top course.* This section of NH-110 was last paved in 2014 with a 3/4" paver shim. Prior to that a 5/8" paver shim was placed in 2005. Based on the schedule of previous treatments and the current condition of the road, the Department recommends the proposed treatment be another 3/4" paver shim. This proposed treatment would likely maintain the roadways current condition until a more comprehensive project could be accomplished through the 10-year plan process.

5. *NHDOT agrees to de-ice and plow through State designated routes in the City (Rte. 110 and Rte. 16) for winter operations.* The Department does not agree with providing any maintenance including winter maintenance operations for any designated State routes within the urban compact limits.

6. *The City and NH DOT Div. 1 will jointly pursue a full upgrade to the relevant section of Rte. 110 as part of the 10 Year Plan.* The Department would be willing to assist in developing a project for submission into the State's 10-year plan. However, the Department cannot guarantee inclusion of this project due to the formal process that exists for advancing these projects through the program. The standard process involves the municipality working with the local Regional Planning Commission (RPC) and their respective Transportation Advisory Committee (TAC). In this case, we suggest working with the North Country Council to put forward a proposed project through the established process. The Department would provide limited support to assist in initial planning and developing the estimated work efforts and associated costs to support the project proposal.

7. *NHDOT completes previously defined work outside the urban compact on East Milan River Road.* In 2014, the District 1 office attempted to conduct a road rehabilitation project on a section of East Milan

Road in Berlin. Due to the lack of appropriate funding at the time, the project was tabled. Currently the Department continues to lack the available funding to move the project forward. Unfortunately it is unlikely that the project would be built as originally proposed as part of this agreement.

8-21-2017

Excerpt City Council meeting

Route 110 Urban Compact

Mr. Wheeler explained that he spoke with Phil Beaulieu, the local DOT Principal Engineer about extending the urban compact on Jericho Road. DOT would not do a full reconstruction but would reconstruct drainage to include six culverts and they would do a grind and one inch overlay on the road. The city would be faced with a more significant upgrade in the future. Funds provided for projects on the ten year plan receive 80% funding and the City would be responsible for 20%. The City would be taking on a section of roadway that we do not currently plow or maintain drainage. That section of road has had inherent drainage problems where the water runs in the road and we would have to respond. Councilor Remillard asked how long culverts can be expected to last and Mr. Wheeler replied that typically it would be a 20 year life and road repair would be about ten years. Councilor Nelson advocated for the City to move the urban compact to Jericho Outdoors. Noting the expense of taking on the additional highway, Mr. Wheeler recommended not to do it.

Councilor Remillard asked if the State would withdraw the offer if the City doesn't act and Mr. Wheeler felt certain that the State would give up the road. ***He said that there is no rush to take on the road since all the businesses currently have access to the trails. He suggested waiting until there is a need.*** Councilor Nelson stated that she would prefer not to wait since we would lose the economic benefit from November to May. Councilor Remillard asked for clarification and Councilor Nelson stated that Jericho Park and city streets are still open November through May; they are only closed in mud season. Councilor Rozek indicated that OHRV's are not allowed on city streets when trails are closed. Mayor Grenier suggested having another discussion with the Police Chief present to get further clarification. Mayor Grenier asked if the State would change culverts as needed or will it need to be an immediate project. *Councilor Rozek asked if there is a time limit and do we want to do this year or next year. Mayor Grenier stated that the issue could be discussed further at a future meeting.*

2-16-18

Excerpt - Memo from Michael Perreault public works director to Jim Wheeler.

Cost of winter maintenance for additional Urban compact 1.9 miles as \$19,164.00

9-?-18

North Country Council Ten year plan proposal Form.

Filled out by Public Works Director Eric Grenier with projected cost. \$4,665,000

10-22-18

Excerpt - City Council Work Session

Ten-Year Plan Project options

The Council reviewed the options available for consideration by North Country Council for the NHDOT Ten-Year Plan. Pamela Laflamme sent a memo outlining the potential projects for consideration, which include the **Route 110 Urban Compact Project**, the Hutchins/Bridge Street Intersection, Cleveland Bridge to Phase I of Route 110, and Downtown in conjunction with the snowmelt feasibility study. Councilor Rozek also suggested that removing the defunct railroad tracks from Main Street, High Street, and Pleasant Street should also be considered. Councilor Rozek mentioned that it would be worth contacting the railroad to see if they would give permission for the city to pull them up.

Mayor Grenier advised that he would like to see option 3, Cleveland Bridge to Route 110, be considered, followed by Route 110.

Councilor Higbee agreed, stating that Cleveland Bridge to Route 110 would finish off the main entrance to the city. Councilor Otis asked about bridges and City Manager Wheeler advised that is under a

different program. Councilor Otis also suggested that the replacement of the box culvert on Coos Street be included in the capital plan.

Councilor Rozek moved to urge the City Manager to apply for the Cleveland Bridge to Phase I of Route 110 project, followed by the Route 110 Urban Compact Project; Councilor Higbee seconded and the motion carried.

11-5-18

Excerpt - City Council Work

Councilor Rozek moved, with a second from Councilor Morgan-Allain to add the City Engineer's recommendations for Boundary Area #1 and Boundary Area #2, along with Pleasant Street from Veteran's Park to Exchange Street, to the Route 16 Project for the NHDOT 10-Year plan, which will be submitted to North Country Council for consideration. So moved, the motion carried.

Community Development Director Pam Laflamme also advised the Council that a vote of support was needed for the Route 110 Urban Compact Project.

Councilor Remillard moved, with a second from Councilor Rozek to show support for the Route 110 Urban Compact Project to Jericho Park. So moved. The motion carried with a vote of 8 for, and one opposed.

11-9-18

Excerpt- Memo Public Works Director Eric Grenier to Pam Laflamme

Route 110

Part 1-Problem

Currently, the City of Berlin urban compact along Route 110 does not encompass all of the developable area within this corridor. Since the ATV boom, development has started in this area, however it is hindered by the City's lack of control of this corridor. NHDOT currently controls and maintains this section of Route 110.

The objective is to coordinate with NHDOT to reconstruct the corridor (approx. 2 miles) and in turn take over control and maintenance responsibilities for this corridor. This will help spur development along the corridor.

In addition, the City would like to tie this corridor into the end of Phase II Route 110 (Completed in 2017) *with a mill and overlay*, such that the entire corridor has been upgraded. Focusing on multi-modal transportation systems, this corridor is heavily used and is the primary access to the Jericho Mtn State Park and Head Pond trail systems. After October 31, this corridor is closed to ATVs by NHDOT, however the trail systems are still open.

Part 2- Need

The city needs to control this corridor to help spur economic development. NHDOT would like to give the City responsibility of this section of road. Additionally, the roadway corridor needs to be reconstructed, as the pavement structure and drainage systems are in need of repair. The commitment of limited resources to this corridor will hopefully, in turn, produce additional revenues for the city. It is critical that the city take this corridor on after it is reconstructed, such that revenues can be maximized and defer maintenance costs.

4-9-2019

Excerpt - Letter from Alex Belenz North Country Council to City of Berlin

This letter is intended to communicate an update regarding the City of Berlin's project proposals for the FY 2021-2030 State wide Ten Year Transportation Plan (TYP). The New Hampshire Department of Transportation (NHDOT) recently completed their review of proposed TYP projects for the North Country Council region. The information in this letter is intended to communicate the results of this review, as well as potential next steps for the City.

Summary (for full text see document): The project area of NH 110 currently features 12-foot travel lanes with minimal (0- 1 foot) shoulders. Full reconstruction of the roadway would require NHDOT to upgrade the roadway to current standards, including a 4-foot shoulder. Widening of roadway would lead to

additional costs related to construction, right-of-way acquisition, and relocation of aerial utilities Roadway widening would also require widening of the E-2 posted Jericho Brook Bridge (near St. Laurent Lane).

- Full Depth reconstruction of roadway involves significant Traffic Control Plan requirements, increasing construction management costs.

Additional potential considerations for this project (not included in NHDOT cost estimate):

- Full depth reconstruction prior to NHDOT turning roadway over to a municipality is **atypical**.

Typical improvements would include resurfacing, and potentially mill and fill or reclamation of roadway.

- A wider shoulder than 4' would be preferable if being proposed for using OHRVs. Any additional shoulder widening *beyond 4'* would be need to be funded by the City of Berlin. This would include right-of-way and drainage costs.

10-1-2019

Commissioned Study-Economic Development & Marketing Strategy- Camoin Assoc. Excerpts:

There is significant opportunity for Berlin in the outdoor recreation and tourism industry, if the right goods and services are made available. The vast natural resources within close proximity of Berlin (including trails, rivers, mountains, and more) has driven increased visitation of all types to the region, including ATVs, hiking, biking, hunting, fishing, boating, birding, and others. These assets are being utilized to varying degrees; however, the lack of tourist amenities in Berlin is a constraint to the city's ability to capitalize on these visitors. The lack of a hotel and limited eating options force those who are visiting Berlin to stay (and spend their money) outside of the city limits. Outdoor recreation assets already exist and are being utilized by locals and visitors throughout the year. Finding ways to build up the tourism and outdoor recreation assets in downtown and **along key corridors like Route 110** Berlin will have fiscal benefits, including both increased economic activity and potentially increased residents and property tax revenue. The same amenities that benefit tourists and encourage increased visitation also are valuable to residents, thus improving quality of life and the potential to attract more residents. VI. Connect Jericho State Park to downtown. V. Make improvements along the Route 110 corridor towards Jericho State Park for all forms of transportation.

7-6-2020

Excerpt - City council meeting

Councilor Eastman thanked everyone for their hard work this year. Councilor Eastman also agreed that they need to discuss Route 110, along with extending the water and sewer in that area. Councilor Eastman advised the state will fix the culverts and resurface the road under the 10-year plan.

7-8 2020

Excerpt - City council meeting

Route 110 Urban Compact Councilor Eastman said that when this was addressed by the Council, there was no urgency to get it done. (referenced 8-21-17 City council meeting) the Mayor Grenier clarified by saying that there was a general push to extend the urban compact to Jericho and there needs to be a lot of work done on the road before the city takes it over. One of the two bridges needs to be replaced and the road needs to be repaved. The State was not willing to do that work now but they encouraged getting the road on the 10 year plan with no guarantee of when it will be funded. Councilor Eastman said that there is development that will come to Jericho Road if water and sewer are extended. He said that there are housing developers waiting in the wings and projects (down south) are being held up by bureaucracy. Mayor Grenier indicated that no one has approached the Planning Board with conceptual designs. Mr. Wheeler noted that extending sewer would mean adding pumping station upgrades of about \$500,000. If we have development that relates to jobs, we can apply for public facilities money for the project. Councilor Eastman asked what is needed to move forward with adding water and sewer and Mr. Wheeler replied we would need a proposed project, with studies on job creation. Councilor Higbee asked how many dollars it takes and how long it would take to get the return on property taxes. Councilor

Eastman said that we would have to wait for developers to show up before water and sewer are put in. Mayor Grenier added that engineered plans would need to come before the Planning Board.

7-20-20

Excerpt - City council work session

Campground Presentation Roland Berthiaume presented his plans for a 200-site campground, along with three commercial lots, and residential lots. Berthiaume advised he has received his permits and has invested approximately \$750,000 into the project, however the cost of the road makes the project not viable. The amount they would have to charge for lots, to cover the cost of the roadway, would be too high. Berthiaume asked if the City would be willing to help find a way to move forward, with assistance obtaining grant funds for the road. Councilor Rozek advised that there has been a lot of interest in that area, and City water and sewer come to the point across the street. Extending the water and sewer lines and improving the pumping station would be an investment for the City, but without a hard commitment it could be a disaster for taxpayers. City Manager Wheeler advised that the proposed development is private property, which makes it difficult to apply for grants. Extending water and sewer to all properties along Route 110 would be something grant money would be available for. If the road was given to the City of Berlin, it would have to go back to the Planning Board for approval, as approval was granted because it was a private road and not maintained by the City. If it was a city street, grants such as Northern Borders would be available, but not until the next round, which would be next summer. If approved, the money would be released after October of 2021, and construction would not begin until 2022. Mayor Grenier advised that the presentation was not about how to get this done, but if the Council would support a public/private partnership to develop the area. Councilor Eastman stated that the City would be investing in a new neighborhood and he would like to help find funding, as Berthiaume has already shown commitment to the project. Councilor Morgan advised she is 100% behind this if the City has the capability to support it. Councilor Higbee stated it is a wonderful concept, but would not want the City to maintain it unless we could be certain that money spent would come back to the city in taxes. The ideal situation would be to help privately fund the road. City Manager Wheeler advised winter maintenance would also need to be considered if it was a city street, with the current resources we have and the fact that we do not currently maintain that section of Route 110. Councilor Rozek pointed out that if it was developed, tax dollars would pay for that.

7-22-20

Joe Kinney- Conway Daily Sun. Excerpt "The new process for the Ten Year Transportation Improvement Plan begins in 2021, let's get the Route 110 compact extension project in Ten Year Transportation Plan for consideration, it's a great opportunity to add infrastructure, economic development, property values and jobs to the North Country region."

8-17-20

Excerpt-Council work session 10 Year Plan

Ms. Laflamme reported that proposals for the 10 Year Plan are due August 28th to North Country Council. She asked the Council if we should resubmit projects from the last round which were \$10 and \$12 million and there was \$6 million available for the whole region. We could phase in projects to make them more manageable. Mayor Grenier proposed doing half of the Glen Ave project with a, mill and overlay and resetting manholes.

Councilor Eastman commented that the change in the Route 110 urban compact was mixed in with a complete reconstruction of Route 110. He said that the State would repair culverts, take care of drainage and maintain the road for 10 years (sic mill and overlay would last 10 yrs.) if the City took it over. Mr. Wheeler noted that there are very serious drainage issues out there as well as a lot of cracks in that road. Councilor Higbee voiced that he likes the idea of focusing on Glen Ave since it is close to the heart of the city.

Councilor Rozek noted that, at some point in the future, he would like to discuss the 110 project to see what can be done, what is realistic and what is not. Councilor Eastman noted that a lot of people have invested a lot of their own money on Route 110. He felt the delay in moving the urban compact is delaying development. Councilor Rozek asked if someone from DOT could come to a meeting to discuss. Councilor Rozek stated that before he could promote taking on additional roadway on Route 110, he would want to be sure the tax revenue will be equal to or more than the cost of maintaining. Councilor Remillard said that we simply want to use part of 110 for atv's and Mr. Wheeler replied that we have asked and to date the State would have to lower the speed and they don't want to do that.

A Sept 21 meeting is Scheduled on the Urban Compact / Jericho Gateway.

Commissioner Sheehan, Asst Commissioner Cass, and District 1 Phil Beaulieu are planning to attend the Zoom Meeting to answer questions.