

COMMITTEE ON INFRASTRUCTURE

OCTOBER 25, 2023

7:00 PM

Aldermanic Chamber

ROLL CALL

PUBLIC COMMENT

COMMUNICATIONS

From: Wayne R. Husband, P.E., Senior Traffic Engineer
Re: O-23-061 Traffic changes on Woodward Avenue

From: Sam Durfee, Planning Manager
Re: Referral from the Board of Aldermen on proposed Resolution R-23-163, authorizing the granting of an Easement to Public Service of New Hampshire d/b/a Eversource Energy for Tax Map 43, Lot 105 and 106

UNFINISHED BUSINESS

NEW BUSINESS – RESOLUTIONS

R-23-163

Endorsers: Mayor Jim Donchess
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Thomas Lopez

**AUTHORIZING CITY TO GRANT AN EASEMENT TO PUBLIC SERVICE OF NEW HAMPSHIRE D/B/A
EVERSOURCE ENERGY FOR TAX MAP 43, LOT 105 AND LOT 106**

NEW BUSINESS – ORDINANCES

O-23-061

Endorsers: Alderman Alex Comeau
Alderman-at-Large Melbourne Moran, Jr.

AUTHORIZING TRAFFIC CHANGES ON WOODWARD AVENUE

O-23-063

Endorsers: Alderman Richard A. Dowd
Alderman-at-Large Michael B. O'Brien, Sr.
Alderman Patricia Klee
Alderman-at-Large Melbourne Moran, Jr.
Alderman Derek Thibeault
Alderman-at-Large Lori Wilshire

AUTHORIZING STOP SIGNS AT THE INTERSECTION OF CHARLOTTE STREET AND BEAUVIEW AVENUE

TABLED IN COMMITTEE

L Deerwood Drive – Lot H-103

- tabled at 6/28/23 meeting

GENERAL DISCUSSION

PUBLIC COMMENT

REMARKS BY THE ALDERMEN

ADJOURNMENT



THE CITY OF NASHUA

*Division of Public Works
Engineering Department*

"The Gate City"

Memorandum

Date: October 19, 2023
To: Committee on Infrastructure
From: Wayne R. Husband, P.E., Senior Traffic Engineer
Cc: Daniel Hudson, City Engineer
Subject: O-23-061 Traffic changes on Woodward Avenue

The proposed Legislation for traffic changes on Woodward Avenue includes the following:

1. Changing the street to a one-way street in the southeasterly direction between Gilman Street and Lewis Street (it is currently a two-way street).
2. Changing the speed limit to 25 miles per hour (mph) for the entire length (the speed limit is currently 30 mph).
3. Adding a stop sign on the south end of Woodward Avenue at its intersection with Lewis Street.

The Division of Public Works supports this Legislation for the following reasons:

1. Woodward Avenue between Gilman Street and Lewis Street is less than 16 feet in width (less than 14 feet in width at some locations). This is a less than desirable travel width for two-way traffic.
2. Given the less than desirable travel width and lack of sidewalks, a lower speed limit of 25 mph would be more appropriate.
3. The proposed stop sign on the south end of Woodward Avenue at Lewis Street (northwest corner of intersection) meets the warrants for a stop sign in the Manual on Uniform Traffic Control Devices (MUTCD). The stop sign will merely reinforce the appropriate yielding of the right of way by motorists at this intersection.



City of Nashua
Planning Department
229 Main Street
Nashua, New Hampshire 03061-2019

Planning & Zoning 603 589-3090
WEB www.nashuanh.gov

MEMORANDUM

Date: October 19, 2023

To: Ald. Lori Wilshire, President, Board of Aldermen
Ald. Michael O'Brien, Chair, Committee on Infrastructure

From: Sam Durfee, Planning Manager

RE: Referral from the Board of Aldermen on proposed Resolution R-23-0163, authorizing the granting of an Easement to Public Service of New Hampshire d/b/a Eversource Energy for Tax Map 43, Lot 105 and Lot 106.

At the Nashua City Planning Board's regularly scheduled meeting of October 19, 2023 the Planning Board voted unanimously to make a **favorable** recommendation on R-23-0163.

If you have any questions concerning this notification, please contact me at 589-3112 or via durfees@nashuanh.gov.

cc: Mayor Jim Donchess
Donna Graham, Legislative Assistant
Dan Healey, City Clerk
Scott LeClair, Chair, NPCB



RESOLUTION

AUTHORIZING CITY TO GRANT AN EASEMENT TO PUBLIC SERVICE OF NEW HAMPSHIRE D/B/A EVERSOURCE ENERGY FOR TAX MAP 43, LOT 105 AND LOT 106

CITY OF NASHUA

In the Year Two Thousand and Twenty-three

RESOLVED by the Board of Aldermen of the City of Nashua that the Mayor is authorized to grant an easement deed to Public Service of New Hampshire d/b/a Eversource Energy, for the premises known as tax map 43, Lot 105 and Lot 106, substantially in the attached form.

FURTHER RESOLVED, that the Mayor, with the assistance of Corporation Counsel, is authorized to prepare and execute all necessary documents to effectuate such easement.

LEGISLATIVE YEAR 2023

RESOLUTION: R-23-163

PURPOSE: Authorizing City To Grant An Easement To Public Service of New Hampshire D/B/A Eversource Energy for Tax Map 43, Lot 105 And Lot 106

ENDORSERS: Mayor Jim Donchess

COMMITTEE ASSIGNMENT: Committee on Infrastructure Planning Board

FISCAL NOTE: None.

ANALYSIS

This resolution authorizes the City to grant an easement deed to Public Service of New Hampshire, d/b/a Eversource Energy, for Tax Map 43, Lot 105 and Lot 106.

Charter §77(f) provides that the Planning Board “shall review and make recommendations to the mayor and board of aldermen on . . . on the purchase and sale of any land by the city.” An executory interest is an interest in land.

Approved as to form: Office of Corporation Counsel

By: /s/Celia K. Leonard

Date: September 20, 2023

Return to:

Attn: Eugenia N Snyder
PSNH dba Eversource Energy
PO Box 330
Manchester, NH 03105-0330

EASEMENT DEED

KNOW ALL MEN BY THESE PRESENTS, that the CITY OF NASHUA, a municipal corporation, with a mailing address of 229 Main Street, Nashua, New Hampshire 03061 (“Grantor”) for consideration, grants to PUBLIC SERVICE COMPANY OF NEW HAMPSHIRE, a New Hampshire corporation, doing business as Eversource Energy, with its principal place of business and mailing address at 780 North Commercial Street, P.O. Box 330, in Manchester, County of Hillsborough, State of New Hampshire 03105 (“Grantee”), and its successors and assigns, the following easement rights, with NO COVENANTS, in property located in the City of Nashua, in the County of Hillsborough, State of New Hampshire:

The perpetual RIGHT and EASEMENT to construct, maintain, repair, rebuild, inspect, operate, patrol and remove overhead and underground lines and facilities consisting of wires, cables, ducts, manholes, poles and towers, together with foundations, crossarms, braces, anchors, guys, grounds, and other equipment for the transmission and distribution of electric current, communications, signals, data, or other intelligence (collectively, the “Utilities”) over, under, and across a portion of the Grantor’s land situated in said City of Nashua, identified by the Nashua assessor as tax map 43 as Lot 105 and lot 106 respectively (the “Grantor’s Premises”), and which portions are identified as such and depicted on plans of land recorded at the Hillsborough County Registry of Deeds as Plan #37483 and Plan #37289 (the “Easement Areas”). Provided that Grantee shall provide prior written notice of any work, including plans, to Grantor prior to commencing any work allowed by this Easement for prior written approval of Grantor, except in the case of emergency repair or maintenance where such prior notice on the part of the Grantee is not possible, but in such instance Grantee shall supply notice of the work commenced at the earliest practical opportunity. Prior written approval will not be unreasonably withheld, and all such work shall be done in a workmanlike manner and at a time mutually agreeable to Grantee and Grantor (barring the emergency exception). Written notice and approval shall include the use of electronic mail.

Meaning and intending to describe and convey easement rights in a portion of the same premises conveyed to the Grantor by deed of the Boston & Maine Corporation, dated December 19, 2011, recorded at said Registry in Book 8370, Page 2079 located on the northerly side of the Nashua River, subject to any and all other rights, restrictions and reservations of record.

This conveyance shall include the right to cut, trim or clear and keep clear the Easement Areas of all trees and underbrush which materially adversely impact Grantee's rights hereunder by such means as the Grantee may select, to remove all structures or obstructions which are found within the limits of the said Easement Areas which are 1) not owned or maintained by the Grantor and 2) materially adversely impact Grantee's rights hereunder, and to pass and repass on, over and across the said Easement Areas, and to pass over the Grantor's Premises to and from the Easement Areas as reasonably required with personnel, vehicles and equipment for the lawful exercise of the rights granted herein. Provided that Grantee shall provide prior written notice of any work, including plans, to Grantor prior to commencing any work allowed by this Easement for prior written approval of Grantor, which approval will not be unreasonably withheld, and all such work shall be done in a workmanlike manner and at a time mutually agreeable to Grantee and Grantor. Written approval shall include the use of electronic mail.

Grantor reserves the right to relocate, in its sole discretion, the Easement Areas or Utilities at its sole expense. Grantor shall provide prior written notice of such relocation to Grantee. Grantor also expressly reserves the right to landscape the Easement Areas at its sole expense. Grantor shall provide prior written notice of such work to Grantee.

In exercising its reserved and other rights hereunder, Grantor shall not unreasonably materially interfere with Grantee's rights hereunder.

This is not homestead property of the Grantor.

City authority to grant this Easement is in Resolution R-23 _____
" _____ " passed by the City's Board of Aldermen on _____.

The City as grantor is exempt from real estate transfer tax pursuant to NH Rev 802.03(a).

EXECUTED by the undersigned duly authorized representative of the Grantor
this _____ day of _____, 2023.

CITY OF NASHUA

By: _____
Name: James W. Donchess
Title: Mayor

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH:

The foregoing instrument was acknowledged before me this _____ day of _____, 2023, by James W. Donchess the Mayor of the City of Nashua, on behalf of the City.

Commission expires:

Notary Public/Justice of the Peace
Printed Name:



ORDINANCE

AUTHORIZING TRAFFIC CHANGES ON WOODWARD AVENUE

CITY OF NASHUA

In the Year Two Thousand and Twenty-Three

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the new underlined language in the appropriate alphabetical order as shown:

1. In Article III “Stop and Yield Intersections”, Section 320-4 “Stop intersections”, subsection D:

“§ 320-4. Stop intersections.

...

- D. The following intersections are hereby designated as stop or through streets, and authority is hereby granted for the erection of a stop sign at the corner so designated in accordance with the tenor of this chapter:

Stop Sign on	Sign Location	At Intersection of
...		
<u>Woodward Avenue</u>	<u>Northwest corner</u>	<u>Lewis Street”</u>

2. In Article VI “Speed Limits”, Section 320-23 “Speed Limit Signs”, subsection B:

“§ 320-23. Speed Limit Signs.

...

B. The following streets shall have a speed limit as indicated:

Name of Street	Speed Limit	Location
...		
<u>Woodward Avenue</u>	<u>25</u>	<u>Entire length”</u>

3. In Article VII “One-Way Streets”, Section 320-27 “One-way streets at all times”:

“§ 320-27. One-way streets at all times.

The following streets are hereby designated as one-way streets:

Name of Street	Direction of Travel	Location
...		
<u>Woodward Avenue</u>	<u>Southeasterly</u>	<u>From Gilman Street to Lewis Street”</u>

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective at the time of removal and installation of the appropriate sign(s).

LEGISLATIVE YEAR 2023

ORDINANCE: O-23-061
PURPOSE: Authorizing traffic changes on Woodward Avenue
ENDORSERS: Alderman Alex Comeau

COMMITTEE Committee on Infrastructure
ASSIGNMENT:

FISCAL NOTE: Materials, Labor and Vehicle Overhead: \$548

ANALYSIS

This legislation establishes the portion of Woodward Avenue from Gilman Street to Lewis Street as a one-way street in a southeasterly direction, authorizes a stop sign on one side of Woodward Avenue at its intersection with Lewis Street, and establishes a 25 m.p.h. speed limit on Woodward Avenue.

NH RSA 265:63 allows the board of aldermen to pass this legislation if the board determines, on the basis of an engineering or traffic investigation, that the prima facie speed normally permitted by NH RSA 265:60 and NRO 320-23 is greater or less than is reasonable and safe under the conditions found to exist upon these streets. The speed limit for these streets may not be decreased to less than 25 mph. NH RSA 265:63.

The erection, removal and maintenance of all traffic control devices must conform to applicable state statutes and the latest edition of the manual on Uniform Traffic Control Devices. RSA 47:17 VIII (a). The Board should consult with the City Traffic Engineer to determine if this ordinance is in compliance.

Approved as to form: Office of Corporation Counsel

By: Douglas Clarke

Date: 21 September 2023



ORDINANCE

AUTHORIZING STOP SIGNS AT THE INTERSECTION OF CHARLOTTE STREET AND BEAUVIEW AVENUE

CITY OF NASHUA

In the Year Two Thousand and Twenty-Three

The City of Nashua ordains that Part II “General Legislation”, Chapter 320 “Vehicles and Traffic”, Article III “Stop and Yield Intersections”, Section 320-4 “Stop intersections”, subsection D of the Nashua Revised Ordinances, as amended, be hereby further amended by adding the following new underlined language in the appropriate alphabetical order:

“§ 320-4. Stop intersections.

...

- D. The following intersections are hereby designated as stop or through streets, and authority is hereby granted for the erection of a stop sign at the corner so designated in accordance with the tenor of this chapter:

Stop Sign on	Sign Location	At Intersection of
...		
<u>Beauview Avenue</u>	<u>Northeast corner</u>	<u>Charlotte Street</u>
<u>Beauview Avenue</u>	<u>Southwest corner</u>	<u>Charlotte Street</u>
...		
<u>Charlotte Street</u>	<u>Southeast corner</u>	<u>Beauview Avenue</u> ”

All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

This ordinance shall become effective at the time of removal and/or installation of the necessary sign(s) and/or device(s).

LEGISLATIVE YEAR 2023

ORDINANCE: O-23-063

PURPOSE: Authorizing stop signs at the intersection of Charlotte Street and Beauview Avenue

ENDORSER(S): Alderman Richard A. Dowd

COMMITTEE ASSIGNMENT: Committee on Infrastructure

FISCAL NOTE: Materials, Labor and Vehicle Overhead: \$443

ANALYSIS

This legislation authorizes three stop signs at the intersection of Charlotte Street and Beauview Avenue in order to create an all-way stop.

The erection, removal and maintenance of all traffic control devices must conform to applicable state statutes and the latest edition of the Manual on Uniform Traffic Control Devices. RSA 47:17 VIII (a). The Board should consult with the city's Traffic Engineer to determine if this ordinance is in compliance.

Approved as to form: Office of Corporation Counsel

By: Dorothy Clarke

Date: 4 October 2023