



Town of Merrimack, New Hampshire

Community Development Department

6 Baboosic Lake Road

Town Hall - Lower level - East Wing

Planning - Zoning - Economic Development - Conservation

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MERRIMACK BICYCLE AND PEDESTRIAN MASTER PLAN WORK GROUP

DRAFT MINUTES

Tuesday, April 28, 2015

Planning Board Members Present: Desirea Falt, Robert Best, Alastair Millns (arrived at 7:35) and Nelson Disco.

Others Present: Community Development Director Tim Thompson, AICP and Resident Pamela Soucy.

1. Call to Order.

Desirea Falt called the Merrimack Bicycle and Pedestrian Master Plan Work Group (Group) meeting to order at 7:32 pm in the Matthew Thornton Meeting Room. Desirea noted that the posted agenda would likely not be followed tonight, as the Group would be discussing the ramifications of the Town Council meeting of April 23.

3. Recap from Town Council Meeting/NRPC Proposal.

Tim Thompson summarized his memo dated April 27 (attached) and the decision by the Town Council to reject the NRPC proposal to assist the group. Tim underscored that the decision was not solely based on the proposal, but the majority of the Council's reluctance to continue sidewalk development in Merrimack particularly in light of on-going maintenance costs.

Robert Best stated he understands the Council's concerns, and noted that a year ago there were zero supporters on the Council, so now having 3 Councilors voting in favor of the NRPC proposal is an improvement. Robert stated that the Staff's recommendation to suspend activity of the group for 1 year is an option, but not the only one. He also stated that due to the Council direction, it is not possible for Staff to assist with the Group regardless of what direction is taken. He cautioned that if the Group is to move forward there exists a danger of confrontation with the Council.

Alastair Millns stated his agreement with the Staff's recommendation to suspend activity until next year. He stated that without a supportive Council the process would go nowhere.

Desirea stated she leans toward continuing in some fashion to gain community support for the project. She said it is important to build a base of support ahead of the next Council election. Tim cautioned that any approach that continues the Group should be carefully considered, as the Council is the appointing authority for the Planning Board. He stated his agreement with Robert that moving forward Staff would not be able to assist.

The group continued to discuss potential means of moving forward either as the Group currently exists or as a separate citizen led group separate from the Planning Board. Discussion of maintenance costs (Alastair & Robert), maintenance prioritization (Nelson Disco), and the lack of concrete costs for construction and maintenance of sidewalks (Alastair, Robert, & Nelson) also took place.

1 Pamela Soucy, resident, asked why sidewalks in places like Shaws exist but are not connected to
2 any other sidewalks. Robert explained the typical Planning Board process for having
3 developers construct sidewalks along their frontage, and that the Town has not funded
4 construction of connecting pieces. He explained that the Planning Board can only deal with the
5 properties in front of them for approval.

6 The Group continued discussion of construction and maintenance costs. Desirea pointed out
7 that coming up with a base cost is difficult because each location will have different costs
8 associated with drainage and topography.

9 Desirea discussed the bike portion of the Group's charge, and that it is separate from the
10 sidewalk questions, referring to information from Nelson regarding wider shoulders and
11 vehicle lane width considerations to accommodate bicyclists and potentially pedestrians if
12 there are no sidewalks.

13 Alastair mentioned that he has a contact that may be able to assist with the costs of winter
14 sidewalk maintenance based on the contact's work in Hollis. He suggested that the Group meet
15 again in a month, without Staff, and come up with a list of tasks/topics and responsibilities for
16 completing them. Tasks/topics should be focused on developing a feasible plan of action and
17 how to engage the public. Robert stated that in order to gain support there needs to be an
18 expectation of what the tax impacts would be. Nelson remarked that he's disappointed the
19 Council turned down a "free plan." Robert responded by stating the Council knows that the plan
20 would recommend new sidewalks, and that was a non-starter for the majority of the Council.
21 Nelson stated that without a plan it would be difficult to estimate costs.

22 The Group discussed the challenges of continuing without Staff support, and the challenges of
23 the State Right-to-Know (RTK) law regarding meeting posting and minutes. Tim cautioned that
24 while a quorum of Planning Board members might not technically be present for the meetings
25 to be subject to RTK, it is a very grey area legally.

26 Robert suggested that perhaps there be no coordinated effort moving forward for now, but that
27 Group members could work individually and discuss during regularly scheduled and properly
28 noticed Planning Board meetings under the agenda item for "other items of concern" that is part
29 of every agenda.

30 Tim offered a compromise recommendation that the Group could be suspended indefinitely,
31 until such time that the Planning Board determined it was appropriate to resume activity.

32 *The Group voted 4-0-0 to recommend to the Planning Board that the activities of the Group be*
33 *suspended indefinitely, until such time that the Planning Board determined it was appropriate to*
34 *resume activity, on a motion by Alastair Millns and seconded by Robert Best.*

35 2. Bike Ped Task List Reporting.

36 4. Review of Legal Counsel's Response

37 Following the vote on the motion from Item #3, the Group determined it was unnecessary to
38 discuss items #2 & 4.

39 5. Other Items of Concern.

40 None.

41 6. Minutes—March 10, 2015.

42 *The minutes from the March 10, 2015 meeting were approved as presented, by a vote of*

1 4-0-0 on a motion made by Nelson Disco and seconded by Robert Best.
2

3 **7. Adjourn.**

4 *The April 28, 2015 meeting of the Merrimack Bicycle and Pedestrian Master Plan Work Group was*
5 *adjourned at 8:29 PM, by a vote of 4-0-0 on a motion made by Alastair Millns and seconded by*
6 *Robert Best.*

DRAFT



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MEMORANDUM

Date: April 27, 2015
To: Desirea Falt, Chair, & Members, Bike/Ped Workgroup
From: Timothy J. Thompson, AICP, Community Development Director
Subject: **Follow Up on Council Meeting of April 23, 2015**

Please find this memo as a follow up to the Town Council meeting on April 23, when the Town Council by a 4-3 vote did not authorize the agreement between the Town and NRPC for data development associated with the Rt. 3 portion of the Work Group's planning process.

As you are aware, the Council's decision on the NRPC proposal was not simply limited to the scope of work that NRPC had proposed for the work on the Rt. 3 corridor. The Council majority questioned the very idea of sidewalk provisions anywhere in town, particularly citing the long term costs the Town would be responsible for, particularly maintenance.

Given the direction that has been given to Staff and the Work Group as it relates to sidewalks, I suggest that the current agenda for the meeting on April 28 be scrapped, and the time be spent discussing how to react to the Council's decision/position, and how best to move forward as a group.

The initial recommendation of Staff is that a suspension of the group's activities until late April of 2016 would be the best course of action. While Staff appreciates the time, effort, and work that has been put into the project to date, without the support of the Town Council, we believe it is counter-productive to continue to pursue the project at this point.

To continue further with the plan under the direction of the current Town Council would be fruitless in Staff's opinion, as there would not be any support for implementation of any plan that comes to fruition. We suggest that at least until the next election, there is little hope for any change of the Council's current position, and that a re-evaluation of strategy following the 2016 Town election would be the best course moving forward.

I will be in attendance at the meeting on 4/28, and welcome a discussion of this recommendation and any other suggestions the group may have moving forward.

Cc: Jillian Harris, AICP, Planning & Zoning Administrator
Donna Pohli, Assistant Planner