

The Route 156 Bike Way and Sound View Improvements Committee
Unapproved Minutes of December 08, 2015 4:30 PM Memorial Town Hall, Old Lyme, CT

Committee Members Present: Mary Jo Nosal, Rob Haramut, Skip Sibley (by phone until 5:30PM), Jim Lamos (arrived at 5:00PM), Angelo Faenza, Frank Pappalardo, Bonnie Reemsnyder (arrived at 5:15PM), and John McDonald.
Project Engineers Present: Kurt Prochorena and Will Walters of BSC Group
DOT Liaison Team Present: Andrew J. Carrier-Sr. Project Manager and James Kulpa of VHB for David Head
Community Members Present: Michaelle Pierson, Phoebe Lamos and Joanne Lishing

Welcome: The meeting was called to order when a quorum was reached at 4:45 PM. Committee members gave Andrew and James a project summary. Andrew said he is well versed in the project as our VHB CTDOT liaisons report to him as the program manager. Andrew reports to Scott Roberts of CTDOT who is a town resident. Andrew supported our approaches to the regulatory issues, particularly the permitting concerns surrounding the restrooms which would have been a major pitfall for the project. He felt with the regulatory concerns addressed we have a good chance to move forward without too many delays with the next phase which includes our specific construction schedule. He advised us to finish the design and move forward with the bidding phase of the project.

Final Design Workshop

Kurt and Will provided the Committee with a design packet for the meeting, which included the: agenda, revised Opinion of Probable Cost dated 12/8/15, lighting options, Off-site Work area details, street tree options, bump-out and tree pit paving options, and final design items including the requested final draft of responses to the DOT comments on the preliminary design.

Lighting Options for Hartford Avenue: Kurt reminded the Committee that lighting modifications were not part of the original scope. The revised scope and budget revisions will transfer the cost for the conduit and handholds (about \$24,000) and be included in the plan for new arms and fixtures on the existing 11 poles and removal of the existing lighting equipment. He provided lighting options from APEX Lighting Solutions, a lighting distributor familiar with CTDOT projects. The styles of arms include some noted to be similar to original Sound View arms (see fixture at Portland and RT 156) and a photo previously provided by Jim. Some fixtures resemble those used at the Mystic River Bridge and in Deep River.

Cost and photometric analyses will be key factors in the final decision. Additionally, as stressed by Kurt and Andrew, the poles need to accommodate modern lighting arms and fixtures which are photometrically appropriate (lighting coverage, shielding, LED color). Eversource will need to certify that their existing poles are structurally suitable for the new fixtures, arms and required drilling, and approve and coordinate the work. There is a possibility that the utility may not be support new lighting or respond in a timely fashion. Andrew reminded all that this is a federal project and CTDOT can assist in setting up the required utility coordination meeting which will include Eversource.

Kurt will summarize the height of the fixtures and size of the arms and provide the Committee with options for input. Pricing estimates will be provided for decisions and photometric analysis.

Off-Site Work on Hartford Avenue – 7 private properties

Will detailed that: (1) the west side of Hartford Avenue, nearing the proposed green at the south end of the project, the road has a pronounced cross slope (5-7%) most likely due to repeated road overlays. The east side slope is more normal. (2) The current curb height reveals generally vary between 4 ½ to 7 inches (vs. usual 6 inches if starting a project from scratch.) As the new 6 ft. sidewalks will extend further into the road, our engineers recommend that the curb heights remain similarly varied in height to minimize the required off-site work. BSC Group's transportation manager confirmed that this will be acceptable to DOT and concerns that driver's may jump a shorter curb while parking is mitigated with the planned parallel parking.

Angelo noted that most of the identified private property owners had changed their concrete frontage because of water backing up into their properties and would need assurance that the drainage would not get worse. Will responded that for the very specific, identified locations, we will go back as far needed to get positive drainage from the property to the street.

In some instances on Hartford Avenue, the existing curbing is only 2-3 inches. BSC will not put in a new curb that is less than 4 ½ inches. By analyzing the condition of the road and looking at the right-a-way, this plan minimizes the off-site work and transitions the curbing as much as possible. If forced to hold to 6 inch reveals, the properties affected will increase to 12 or possibly even more.

The committee concurred that the new sidewalks are safer, will reduce foot traffic on the road and will improve the property values. Kurt reminded the Committee that sidewalks were initially planned to be 8 ft. wide but were reduced to 6 ft. to minimize issues (drainage, off-site work), resulting from the existing condition of the road.

Jim suggested we keep in mind that there are a few spots where parallel parking may be a concern for smaller cars opening their passenger side doors into the curb. Kurt said they would take a look at that and consider allocating spots to other vehicles.

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Rights to work on private property which is outside the 50 foot right-of way

Kurt and Andrew had an earlier discussion about what was needed to get permission to work on the 7 private properties of interest.

Andrew explained that an easement would be required if the Town wanted the right to do the work on the owner's property in perpetuity which would require recording the right on the land record. However, an easement is not required for two reasons: 1) in actuality, what is required is the temporary right to access an owner's property, to regrade it for their benefit and give uniformity to the project, and 2) if the owner denies the Town access to the property and denies permission to construct on the property, the sidewalk project would still be put in on the right-of-way and the dissenting property owner's property will be left alone and any eventual work would be at his/her expense.

In the case of denial, BSC should be advised to "smooth out" the differences in grade, if possible. For example, utilize vertical granite curbing at the back of the side walk. Andrew felt we may have a good outcome because pointed BSC did a good job of narrowing down the issues and specifying the problem areas.

Bonnie joined the meeting and shared that in the past we have provided "temporary easements" which were not recorded. CTDOT uses "temporary easement" when you are paying for it and is a different process. In our case, we are looking for rights. We are not paying for the rights and you either get their permission or we don't. Based on the photos provided, Andrew feels we can do everything needed by requesting a right. He then provided template Temporary Rights Agreement letters to secure the rights e.g. Town of Portland, to Bonnie for her and the Town Attorney's review. The Agreement terminates once the construction is concluded.

There was no template letter provided for a property owner that denied the Town the right and stipulated that the Town was moving forward. Andrew said in this event, we either fix the plans or go around them or just do it.

These Rights need to be in signed and in place before we even advertise for the project for construction. Letters should be sent to the property owner's address of record via certified mail. Additional letters may need to be sent to the owner's other residences. Angelo will review the addresses provided by Kurt for additional addresses.

Andrew suggested including a copy of the specific work being planned be included with the letter.

Street Trees

Seven typical species of street tree was recommended by BSC. The trees do well in tree pits, do not drop fruit, do not get too tall, and are tolerant of the shoreline environment. Bonnie will share this information with the Tree Commission which is scheduled to meet on December 17th. Bonnie indicated that the Commission is inclined to choose a variation in the trees to protect for the possibility of disease.

Final Design Process

The final draft letter of responses to DOT comments on the preliminary design was sent to David by BSC Group on November 19 and awaits his approval. Mary Jo felt there was confusion regarding when BSC Group could begin the final design process. Andrew clarified that typically he would not see any comments until the next submission and therefore the comments would correlate to the current plans. He added that he could not approve a response to comments without the plans. BSC Group will include the comments and updates with the next deliverable.

Mary Jo inquired whether the next submissions should include the recommendations for signage and stripping on Route 156 which were in the preliminary report. Andrew's understanding is that we wanted signage on Route 156, we hired BSC to provide recommendations for the signage and stripping, and our hope was that DOT would include our recommendations when they work on 156. He recommended we continue to include the recommendations in continued reports so that they stay in front of DOT and that they see that the expectations of the town is that they DOT handle the recommendations when they do their next project. Andrew said it important for our project to share with the public the recommendations for signage and striping on 156. But, let the public know that it will not be paid for or built when the contractor is hired for the Hartford Avenue improvements but it is still part of our plan.

Jim questioned the genesis of the project which included a bike way from the Baldwin Bridge to Sound View and which was shared as such with all homeowners along 156. Andrew clarified that the bike way signage and striping is part of the plan but we have to differentiate the plan from *our project* which is hiring a contractor for the streetscape. DOT had plans to do the work on our behalf and requested this work not be in our plan. The timing of the project and plans for DOT to work on 156 do not align. Mary Jo said the Committee had been missing the explanation that DOT asked us to take this aspect out of our project. Bonnie reminded all that we do not have control over this as 156 is a state road. We also discussed in presentations the pending improvements to the Lt. River Bridge and that the hope was that the DOT would consider the bike way during that project. Andrew reiterated that it was important to continue to put these recommendations in our submissions.

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DOT Required Submission Check List

This list will be submitted with each design submission namely, the preliminary report, semi-design and final design reports. It is a summary of each phase of the project.

Budget Estimate – as of 12/8/15

The estimate is a work in progress and will be updated as we progress through design. The demolition and sidewalk work outside the right-of way and lighting was added.

The estimate of \$761,000 exceeds our budget estimate of \$751,000 and we will need to refine the estimates accordingly.

Tree Pits and Curb Extension Options

- Each tree pit grate is mortared in place but insert can be removed for cleaning.
- Committee members had various opinions on the look and safety of the raised vs. flush bump-outs and the purpose of them.
 - Public Works has expressed a preference for a flush extension because of snow plowing.
 - Will pointed out that a raised bump-out requires a catch basin or dry well. So each flush bump out saves you \$2000.
 - Garbage cans need to be placed on the extension to ease garbage collection of up to 3x/week.
 - Kurt clarified that with the flush extensions will not allow for the bike racks and benches.
- The type of curb extension is a needed decision point for the Committee.
- Curb extension materials were discussed. Pavers of natural stone (granite), or manufactured products (simulated brick or simulated stone) are durable, and tolerate some movement. Stamped concrete has been known to have workmanship and repair issues. There are concerns with cracking, too.
- The paver curb extensions are set on a durable granular base and mortared in place. They are not easily movable but water will not be able to dislodge them.
- There is a warranty on the contractor to remedy any concerns for workmanship and products (not a bond) for any time-frame we desire.
- Kurt will email the Committee the options for their feedback.

Jim offered that fencing around the tree pits, as in NYC, be considered to keep people, bikes and dogs off the trees. Angelo said these were removed in Blue Back as people were tripping over them. Kurt concurred and stated they have used tree fencing if there is no tree pit grate. He will share examples.

Committee Decisions needed - (lights, bump-outs, bike racks, benches, and kiosk)

- Andrew observed that there are many design decisions that remain to be made and inquired as to the plan for efficiently making these decisions. Per Kurt, we are 50% through our final design time frame allocation per our revised schedule. He will provide electronic form for committee feedback.
- We are carrying 8 bike racks and 5 benches – we would not have a place for benches on the flush bump-outs.
- We are carrying an additional kiosk at \$13,000 that may be considered optional.
- Kurt will prepare a graphic to include two garbage containers and benches for a decision. Perhaps we can place the benches/racks elsewhere. Andrew cautioned against blocking site lines with obstacles on the bump-outs.

Feedback from VHB

- Andrew noted that the 7 areas of off-site work concern were based on the plan for raised bump-outs. He asked if the flush bump-outs will alleviate any of these properties of concern, especially area #3. Kurt said BSC would check this and verify reveals.
- Andrew clarified Mary Jo's question about funding the off-site work on private property with public funds. He said, as long as the work is a requirement of the project, provides uniformity and consistency and fixes drainage, they want to use the funds to do the project right. So it is allowed to spend the federal grant on the private property work. The estimate of about \$23,000 on a \$751,000 project is not a problem. It is not OK to use the money for add-ons to assist a resident.
- Andrew provided the process for BSC to serve as project inspector. If the Town included in their legal advertisement for selection of a design firm a request for optional inspection services it would be allowable. Andrew had advised the Town to include that line originally. If this was included, and if we want to BSC provide these services and BSC wants to do the work, we should start negotiating cost and fee.
The cost is based on contract days and the inspector has to be there when the contractor is working. BSC should identify their inspector and he/she would need to be approved by the District. The funding for the inspections is included in the BSC estimate of probable construction cost and is in the incidentals. Bonnie asked Andrew to please put this information in an email to us.

- A new State law requires municipalities to incorporate anti-discrimination and affirmative action requirements into bid documents and contracts with State funded projects. The law requires a 25% set aside for small business enterprises (SBE) and 25% of that to minority businesses. Andrew said that because we are not using any State funds, (this is a federally funded project), the law does not affect our project.

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- However, there will be a DBE requirement for our project. VHB will recommend the DBE percentage to DOT based on the project design specifics. There are many DBE firms that do streetscape work so we will have a DBE assignment, perhaps around 15%.

Project Schedule dated 12/8/15

- BSC is 50% through the final design process. Specifically, we are in the semi-design phase. The semi-design submission is estimated for week ending 1/15/16.
- The semi-final submission is at the 60-70% completed point. At the 70-90% point, they don't expect design changes. Rather it is to assure that we have responded to comments and determine if you are done. So the semi-final design should resolve questions and outstanding decisions made.

- Final design construction component phase follows:

Bidding period beginning week ending 2/12/16 and ends around 6/24/16. This period includes:

21 day bid period

14 day review period

14 day pre-award period

42 days for an award meeting and Contractor completes required CTDOT forms.

21 day CTDOT review period

21 day Town Contracting

A Town Meeting is required once we know the bid cost. Most likely during the 42 review period.

Construction start is right after Labor Day week-end.

Next Meeting: to resolve outstanding items and approve the minutes of 11/9/15 will be **12/21 at 4:30PM**

Motion: motion to approve the revised project schedule updated 12-8-15 which reflects a Fall 2016 construction start, was made by Frank and seconded by Angelo. There was no discussion and motion passed. Voting in favor - Mary Jo, Rob, Jim, John, Angelo, Frank and Bonnie. There were none opposed and no abstentions.

Public Comment: no one from the public was present at this point.

Motion: motion to adjourn at 6:45 PM, was made by Mary Jo and seconded by Bonnie. There was no discussion and the motion passed. Voting in favor-Mary Jo, Rob, Jim, John, Angelo, Frank and Bonnie. There were none opposed and no abstentions.

Respectfully submitted by Mary Jo Nosal, Acting Clerk 12-13-15