



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-5829

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

June 5, 2015

Her Excellency Governor Margaret Wood Hassan
And Honorable Council
State House
Concord, NH

REQUESTED ACTION

Pursuant to RSA 4:40, the New Hampshire Fish and Game Department (NHFG) respectfully requests approval to convey to the City of Concord a 0.79 acre easement for impacts associated with the replacement of the Sewall's Falls Bridge, effective upon Governor and Council approval. No funding involved.

EXPLANATION

The New Hampshire Fish and game Department manages the 94 acre Sewall's Falls Multi-use Recreation Area along the Merrimack River in Concord. The City of Concord is in the process of replacing the Sewall's Falls Bridge. As part of the construction project they are seeking an easement of 0.79 acres. An area of 15,515 square feet will be used for a perpetual drainage easement, 11,033 square feet will be used to construct an historic display about the old steel trussed bridge and to re-route a section of the Heritage Trail, and 7,877 square feet will be a temporary construction easement.

The City will replace a damaged foot bridge along the Heritage Trail on the property to offset the value of the area to be placed under the easement.

On March 26, 2015 the Council of Resources and Development (CORD) reviewed the proposal and recommended the approval of this request.

On May 27, 2015 the Long Range Capital Planning and Utilization Committee approved this request.

Included in this packet to help with your consideration of this request are:

- A copy of the CORD memorandum;
- A copy of the LRCUPC approval letter;
- A copy of the proposed easement deed;

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Page 2 of 2

A location map;

A map showing the general location of the impact area;

A survey of the proposed easement to be transferred to the City;

A conceptual drawing of the Heritage Park area.

Sincerely,



Glenn Normandeau, Executive Director

STATE OF NEW HAMPSHIRE
Inter-Department Communication

DATE: June 16, 2015

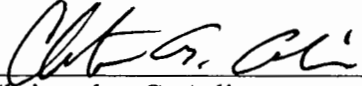
FROM: Christopher G. Aslin
Attorney

AT (OFFICE) Department of Justice
Environmental Protection Bureau

SUBJECT: City of Concord 0.79 Acre Easement

TO: Richard A. Cook, Land Agent
Facilities & Land Division
Fish & Game Department

Please note that the Office of the Attorney General has reviewed the above Easement and approves it for form and substance only.



Christopher G. Aslin

/cmc

New Hampshire Council on Resources and Development

NH Office of Energy and Planning
107 Pleasant Street, Johnson Hall
Concord, NH 03301
Phone: 603-271-2155
Fax: 603-271-2615



TDD Access: Relay NH
1-800-735-2964

MEMORANDUM

TO: Director Glenn Normandeau
Department of Fish and Game

FROM: Susan Slack, Principal Planner *Susan Slack*
NH Office of Energy and Planning

DATE: March 27, 2015

SUBJECT: Surplus Land Review, SLR 15-002-Concord

On March 26, 2015, the Council on Resources and Development (CORD) took action on the following Surplus Land Review application from the Department of Fish and Game:

Request from the Department of Fish and Game to convey a public drainage easement, a heritage park/trail easement and two temporary construction easements on state-owned property on Sewalls Falls Road in Concord to the City of Concord for the reconstruction of the Sewalls Falls Bridge.

CORD members voted to RECOMMEND APPROVAL OF SLR 15-002 as submitted, pending no adverse comments received by the close of the public comment period, which was the close of business on March 26. No adverse comments were received.

cc: Richard Cook, Land Agent, NH Department of Fish and Game
Ed Roberge, City Engineer, City of Concord
Meredith Hatfield, Director, NH Office of Energy and Planning
Chair, Long Range Capital Planning and Utilization Committee



LRCP 15-008

JEFFRY A. PATTISON
Legislative Budget Assistant
(603) 271-3161

MICHAEL W. KANE, MPA
Deputy Legislative Budget Assistant
(603) 271-3161

State of New Hampshire
OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

STEPHEN C. SMITH, CPA
Director, Audit Division
(603) 271-2785

May 28, 2015

Glenn Normandeau, Executive Director
New Hampshire Fish and Game Department
11 Hazen Drive
Concord, New Hampshire 03301

Dear Executive Director Normandeau,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:40, on May 27, 2015, approved the request of the New Hampshire Fish and Game Department to convey a 0.79 acre easement for impacts associated with the replacement of the Sewall's Falls Bridge in Concord at no cost, and assess a \$1,100.00 Administrative Fee, subject to the conditions as specified in the request dated April 17, 2015.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey A. Pattison".

Jeffrey A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment

Cc: Richard Cook, Land Agent ✓
N.H. Fish and Game Department

RETURN TO:
CITY OF CONCORD
COMMUNITY DEVELOPMENT DEPARTMENT
ENGINEERING SERVICES DIVISION
41 GREEN STREET
CONCORD, NH 03301

***DEED OF EASEMENT
PUBLIC DRAINAGE EASEMENT, HERITAGE PARK / TRAIL EASEMENT,
AND TEMPORARY CONSTRUCTION EASEMENT***

THE STATE OF NEW HAMPSHIRE, acting by and through the Fish and Game Department with its principal office at 11 Hazen Drive, Concord, Merrimack County, State of New Hampshire 03301 (“Grantor”), for consideration paid, grants to the CITY OF CONCORD, a municipal corporation with a usual place of business at 41 Green Street, Concord, Merrimack County, State of New Hampshire 03301 (“Grantee”), with QUITCLAIM COVENANTS, a Public Drainage Easement, a Heritage Park / Trail Easement, and two Temporary Construction Easements. All of the easements are located on a piece of property adjacent to the mapped limits of Sewalls Falls Road, Concord, Merrimack County, New Hampshire, known as Map 76, Block 2, Lot 1 on the City of Concord Assessor’s Maps. The portion of the property subject to the easements is known as the Sewalls Falls Multi-Use Recreation Area, and said easements are more particularly identified and described as follows:

Public Drainage Easement

The Grantor conveys a Public Drainage Easement, and the perpetual right and easement to enter upon and to construct, lay, or build, and to reenter as necessity may require, to repair, replace, or maintain a pipe or pipes, swales, storm water detention areas and outfall, and appurtenances in, on, or through a portion of the Grantor’s land as described above, said easement is more particularly identified and described as follows:

Beginning at a granite bound to be set on the easterly right-of-way line of Sewalls Falls Road at the southwest corner of the herein described easement, said granite bound being northeasterly of the southwest corner of the land of the Grantor along the following two courses: North 17° 44' 55" East along the easterly right-of-way line of Sewalls Falls Road a distance of 20 feet, more or less, to a point, thence North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 321.11 feet to said granite bound to be set; thence

North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 325.37 feet to a second granite bound to be set; thence

North 64° 33' 55" East across land of the Grantor a distance of 252 feet, more or less, to the Merrimack River; thence

Southeasterly along the Merrimack River a distance of 22 feet, more or less, to a point; thence

South 64° 33' 55" West across along land of the Grantor a distance of 226 feet, more or less, to a point

South 20° 09' 40" West across land of the Grantor a distance of 77.32 feet to a point; thence

South 21° 52' 15" West across land of the Grantor a distance of 257.67 feet to a point; thence

North 70° 45' 19" West across land of the Grantor a distance of 25.60 feet to said first granite bound to be set on the easterly right-of-way line of Sewalls Falls Road and the point of beginning.

Containing 15,515 square feet, more or less, and meaning and intending to describe a perpetual public drainage easement across a portion of land conveyed to the Grantor by deed of Concord Electric Company, recorded at the Merrimack County Registry of Deeds on December 23, 1969, at Book 1065, Page 370, said easement is shown on a plan entitled "Easement Plat prepared for the City of Concord encumbering the land of the State of New Hampshire, Project Location: Sewalls Falls Road, Concord, NH, Map 76, Block 2, Lot 1," dated Dec. 03, 2014, prepared by Richard D. Bartlett & Associates, LLC, to be recorded herewith at the Merrimack County Registry of Deeds.

The Grantor, its successors, and assigns, agree that they will not, without the consent of the Grantee, alter, erect, or maintain any building or other improvement, including landscaping, upon the above-described easement area that may unreasonably interfere with or endanger the above-granted rights and easement or the operation and maintenance thereof, and that the Grantee may cause to have removed any such building or improvement, including landscaping, that may be wholly or partly within the above-described easement area at the expense of the then owner of the land upon which the above-described easement lies.

Heritage Park / Trail Easement

In addition to the Public Drainage Easement described above, the Grantor also conveys a Heritage Park / Trail Easement, and the perpetual right and easement to enter upon and to construct, lay, or build, and to reenter as necessity may require, to repair, replace, or maintain a park and trail, and appurtenances in, on, or through a portion of the Grantor's land as described above, said easement is more particularly identified and described as follows:

Beginning at a granite bound to be set on the easterly right-of-way line of Sewalls Falls Road at the most westerly corner of the herein described easement, said granite bound being northeasterly of the southwest corner of the land of the Grantor along the following four courses: North 17° 44' 55" East along the easterly right-of-way line of Sewalls Falls Road a distance of 20 feet, more or less to a point, thence North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 321.11 feet to a granite bound to be set at the southwest corner of the public drainage easement as described above, thence North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 325.37 feet to a second granite bound to be set at the northwest corner of the public drainage easement as described above, thence North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 87.86 feet to said granite bound to be set; thence

North 19° 22' 45" East along the easterly right-of-way line of Sewalls Falls Road a distance of 112.81 feet to a point; thence

South 14° 36' 10" East across land of the Grantor a distance of 43.70 feet to a point; thence

South 23° 41' 30" West across land of the Grantor a distance of 58.84 feet to a point;
thence

South 66° 35' 30" East across land of the Grantor a distance of 97.82 feet to a point on a
non-tangent curve; thence

Southwesterly by a curve to the right having a radius of 157.00 feet, a delta angle of 48°
13' 26", and a length of 132.14 feet to a point; thence

Along a non-tangent line North 16° 02' 30" West across land of the Grantor a distance of
136.67 to said granite bound to be set on the easterly right-of-way line of Sewalls Falls Road and
the point of beginning.

Containing 11,033 square feet, more or less, and meaning and intending to describe a
perpetual heritage park / trail easement across a portion of land conveyed to the Grantor by deed
of Concord Electric Company, recorded at the Merrimack County Registry of Deeds on
December 23, 1969, at Book 1065, Page 370, said easement is shown on a plan entitled
"Easement Plat prepared for the City of Concord encumbering the land of the State of New
Hampshire, Project Location: Sewalls Falls Road, Concord, NH, Map 76, Block 2, Lot 1," dated
Dec. 03, 2014, prepared by Richard D. Bartlett & Associates, LLC, to be recorded herewith at
the Merrimack County Registry of Deeds.

Temporary Construction Easements

In addition to the Public Drainage Easement and the Heritage Park / Trail Easement
described above, the Grantor also conveys two Temporary Construction Easements, and the
temporary construction access to construct, improve, grade, landscape, and other necessary work,
including the operation of equipment, upon and across the land of the Grantor, together with the
right of ingress and egress to enter upon and to construct, lay, or build appurtenances in, on, or
through a portion of the Grantor's land as described above, said easements contain 7,877 square
feet and are more particularly identified as Temporary Construction Easement and shown on the
plan entitled "Easement Plat prepared for the City of Concord encumbering the land of the State
of New Hampshire, Project Location: Sewalls Falls Road, Concord, NH, Map 76, Block 2, Lot
1," dated Dec. 03, 2014, prepared by Richard D. Bartlett & Associates, LLC, to be recorded
herewith at the Merrimack County Registry of Deeds. The temporary construction easements

shall automatically expire upon the date that construction of the improvements is completed. Upon the expiration of the temporary construction easements, all of the rights and benefits of Grantee in, to, and under this easement with respect to only the temporary construction easements shall automatically terminate and be of no further force and effect.

For a more particular description of the improvements within the above described easement areas see the plan set entitled "City of Concord, New Hampshire, Bridge Replacement Project, Sewalls Falls Road Over The Merrimack River, Bridge No. 070 / 117, Project No. CIP 22, NHDOT Project No. 12004," prepared by McFarland Johnson, dated December, 2014, and on file at the City of Concord Community Development Department's Engineering Services Division.

Executed by the State of New Hampshire, acting through its Fish and Game Department on this ____ day of _____, 2015.

Glenn Normandeau, Executive Director

State of New Hampshire
County of Merrimack

Personally appeared on this ____ day of _____, 2015, Glenn Normandeau, who acknowledges himself to be the Executive Director for the New Hampshire Fish and Game department, and as such is duly authorized to execute the foregoing instrument for the purposes therein contained, by signing his name on behalf of the State of New Hampshire.

Justice of the Peace/Notary Public
My commission expires: _____

City Council approval for the acceptance of this easement deed was granted on _____, 2015.

ACCEPTED: City of Concord

By: Thomas J. Aspell, Jr.
Title: City Manager
Date: _____, 2015

State of New Hampshire
County of Merrimack

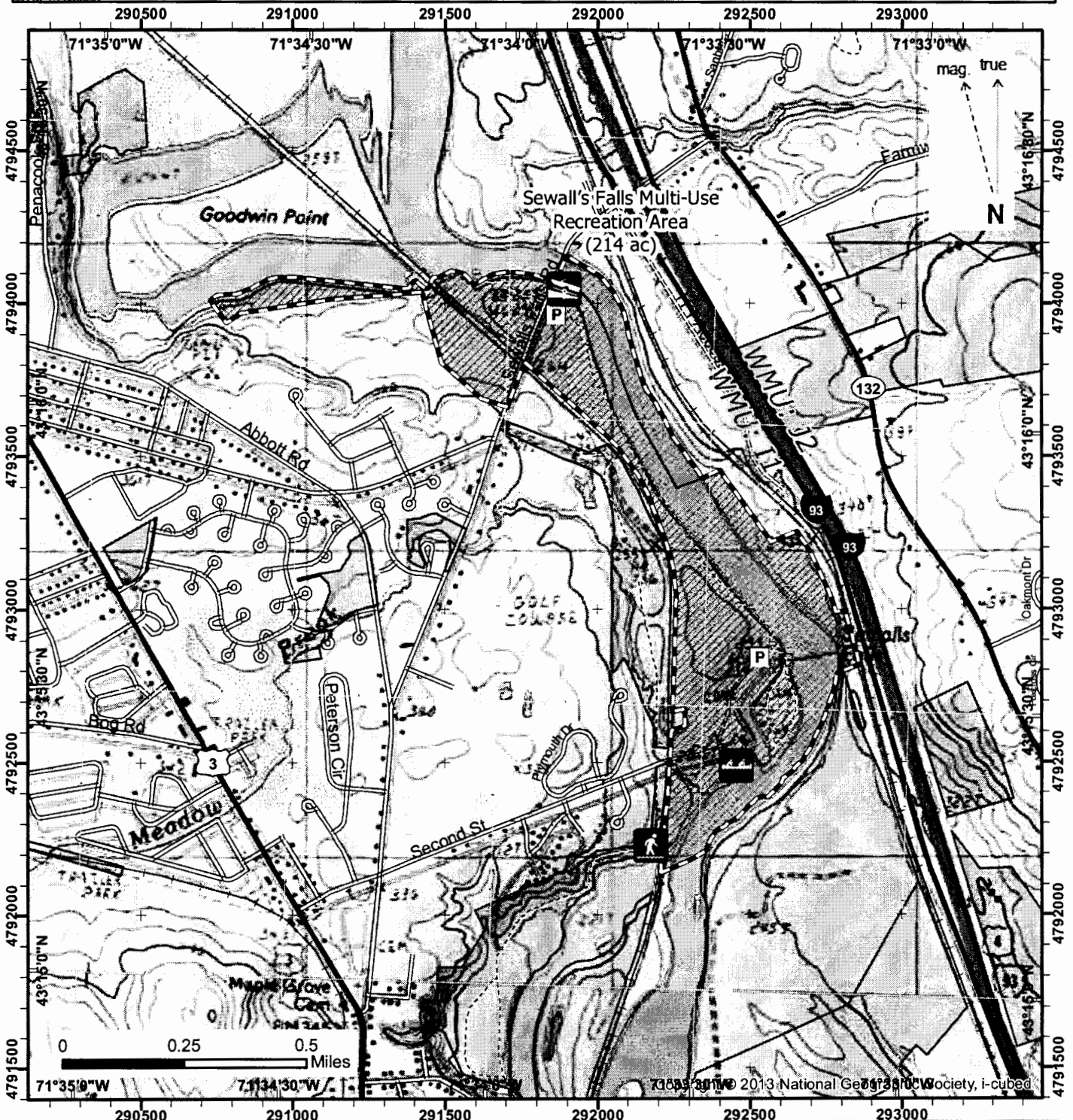
Personally appeared Thomas J. Aspell, Jr., City Manager of the City of Concord, this
____ day of _____, 2015, and acknowledged the foregoing on behalf of the
City of Concord.

Justice of the Peace/Notary Public
My commission expires: _____

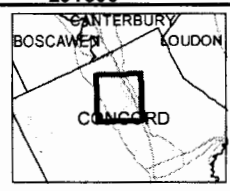


NH Fish and Game Department Wildlife Management Areas

Sewall's Falls Multi-Use Recreation Area (town: Concord, wmu: 11)



Access and/or activities may be Restricted.
 Not all conservation land is open to hunting and NHFGD highly recommends that each hunter personally contact landowners whenever possible and seek permission to hunt.
 For further information, please contact:
 NH Fish and Game Department, Wildlife Division
 11 Hazen Dr, Concord NH 03301-6500
 603-271-2461 Email: wildlife@wildlife.nh.gov



- LOCUS**
- NH Wildlife Management Area
 - Parcel for which NH Fish and Game or NH Dept of Resources & Economic Dev. is fee owner or holds an easement.
 - Other Conservation or Public Land**
 - Municipal
 - State or Federal
 - Other Public
 - Private
 - Wildlife Mgt. Unit boundary
 - Road or Street
 - Unmaintained
 - Trail

Most data presented on this map represent stock data sets obtained from NH GRANIT, at Complex Systems Research Center, UNH. CSRC, under contract to the NH Office of Energy and Planning (OEP), and in consultation with cooperating agencies, maintains a continuing program to identify and correct errors in these data. OEP, CSRC, NHFGD and the cooperating agencies make no claim as to the validity or reliability or to any implied uses of these data.

Site Aerial Map

City of Concord
Proposed Easement located
on the NH Fish
and Game Multi-Use
Recreational Area
Concord, New Hampshire

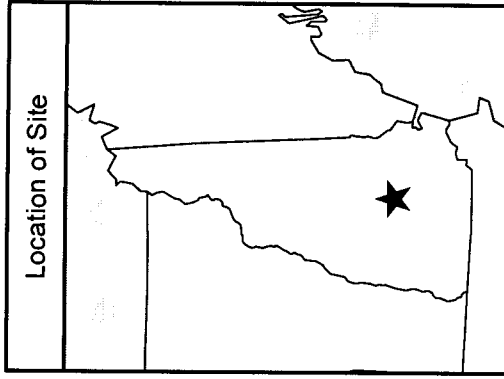
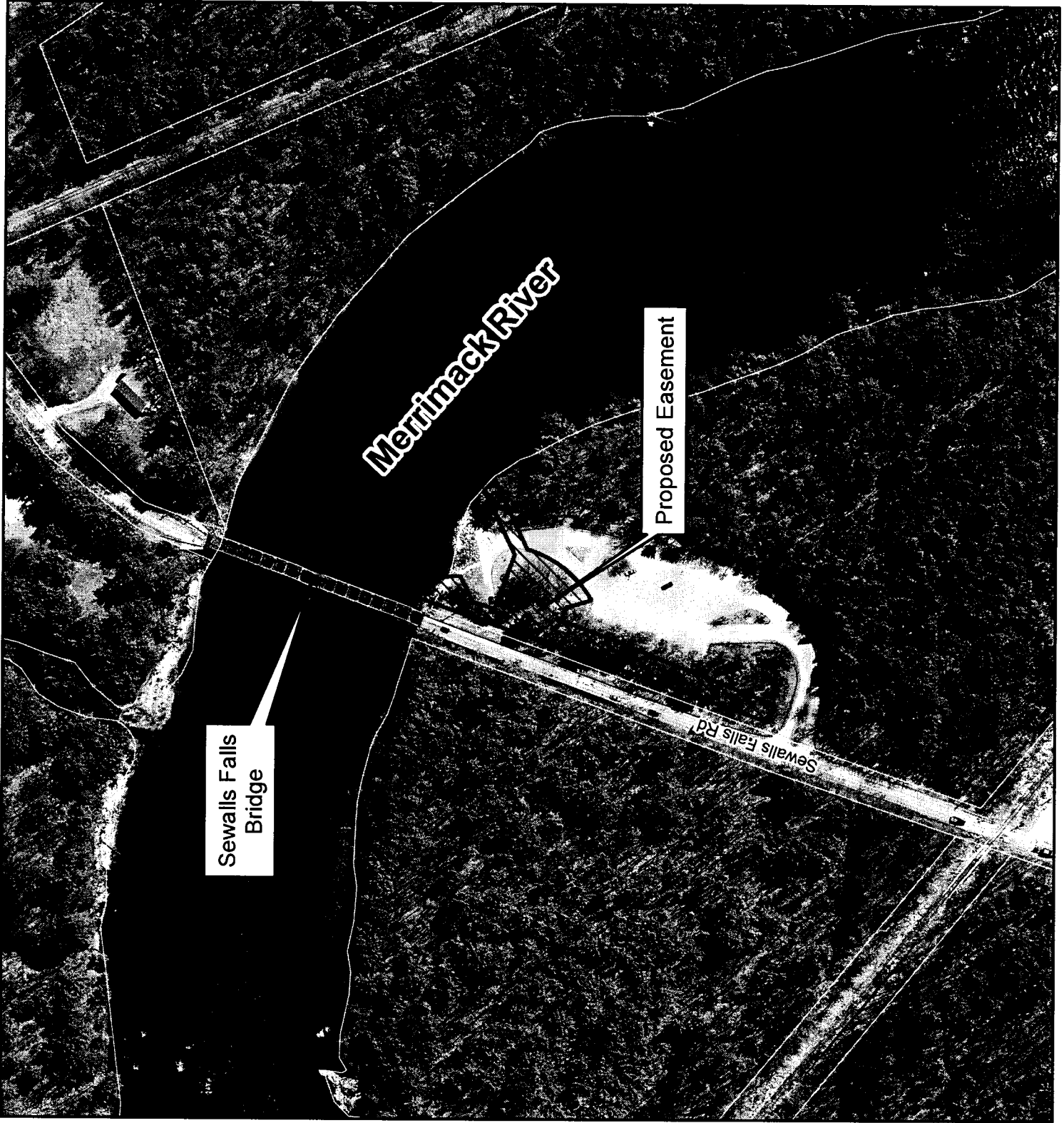
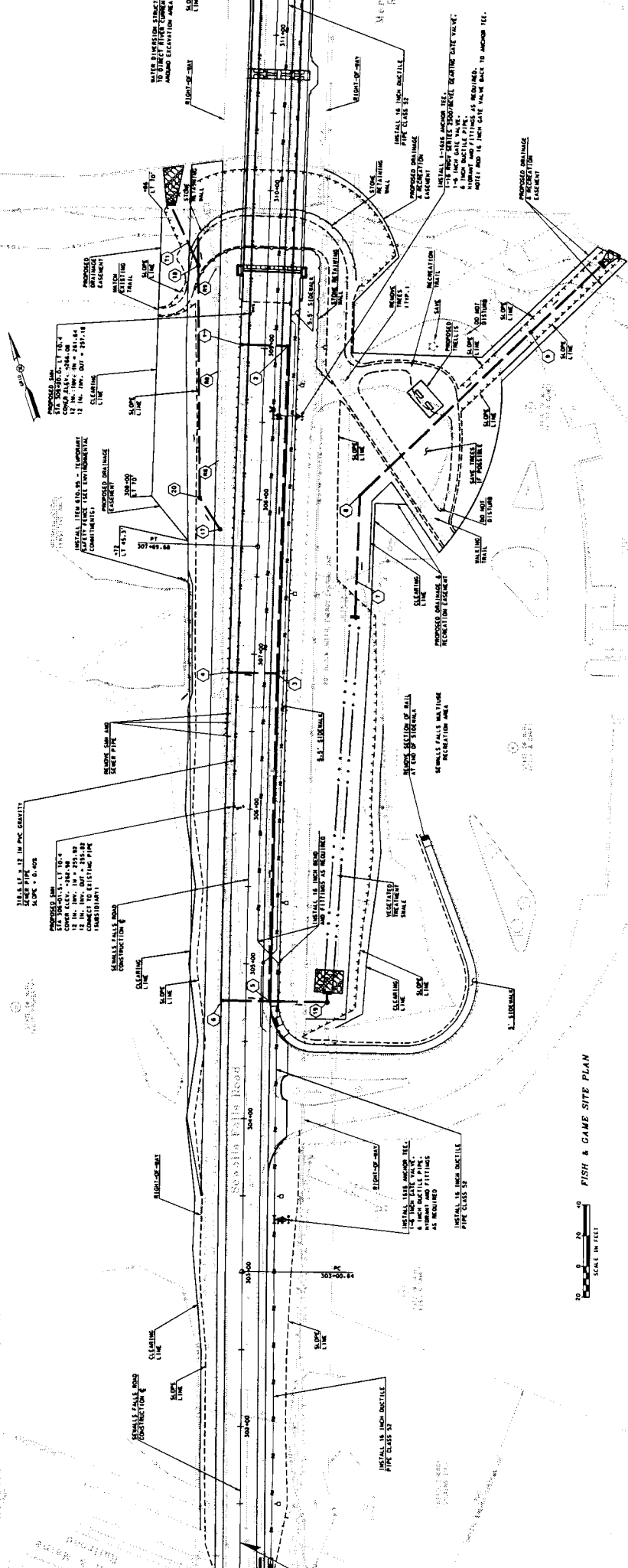


Figure 1

 Proposed Easement
Area





PROPOSED 12" DIA. 12 IN. PVC GRAVITY SLOPE PIPE 4.00% SLOPE 1.00% SLOPE

PROPOSED 12" DIA. 12 IN. PVC GRAVITY SLOPE PIPE 4.00% SLOPE 1.00% SLOPE

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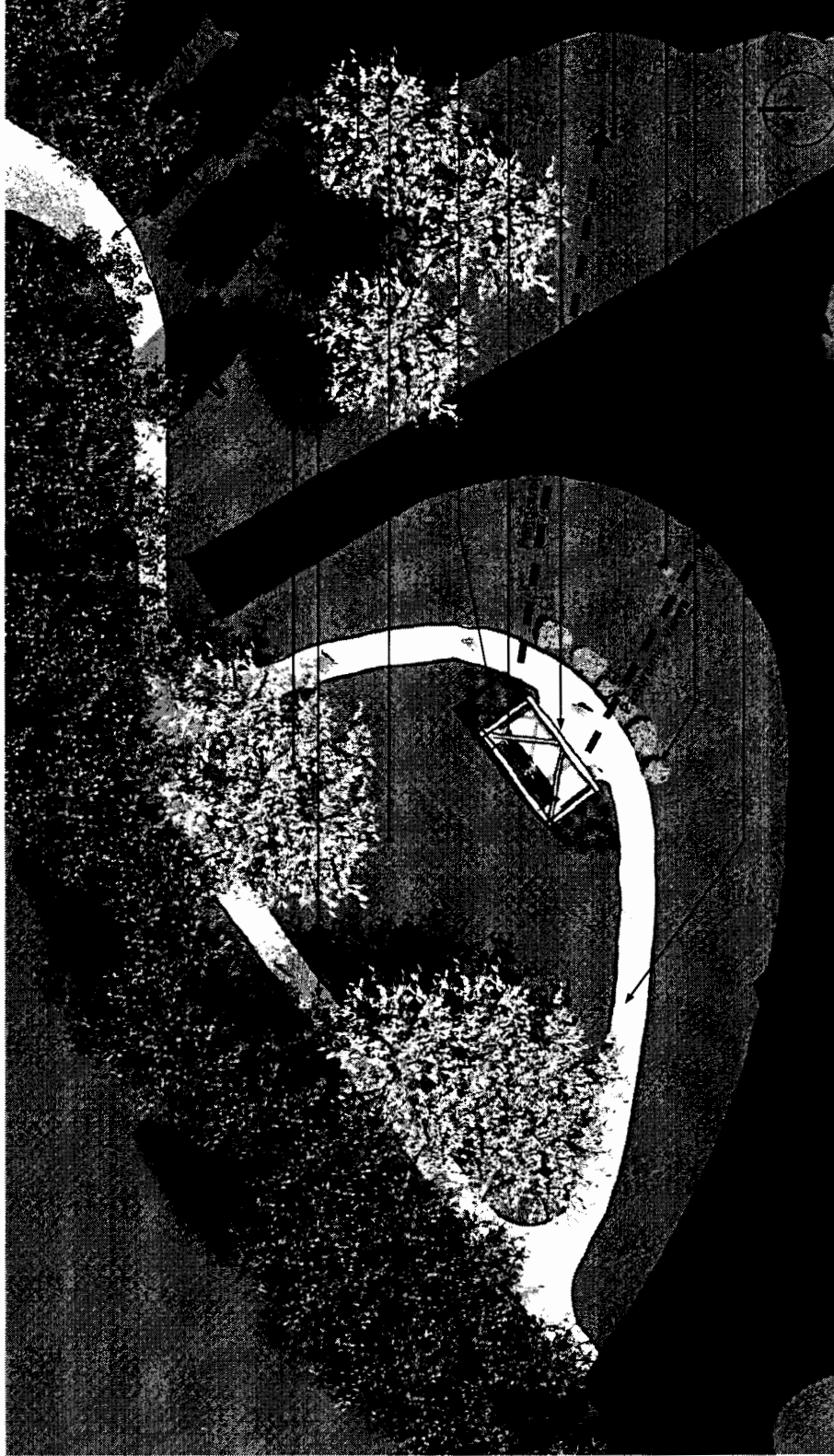
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PROPOSED 12" DIA. 12 IN. PVC GRAVITY SLOPE PIPE 4.00% SLOPE 1.00% SLOPE

70 0 20 40 60 80 100 SCALE IN FEET FISH & GAME SITE PLAN

DESIGN OPTION 3 - PLAN



Design Option 3 is smaller than option two and uses one bridge truss to create the sculptural trellis structure. It is used for the roof and rear support. It is also supported by two new steel columns. The height of the trellis would be 10'. The trellis sits back from the riverwalk surrounded by low shrub planting. Two benches provide respite for visitors to the area. Again, the design of this trellis references the historic bridge. The concept needs review by a structural engineer

Proposed Riverwalk

Existing Vegetation to Remain

Proposed Riverwalk

Existing Vegetation to Remain

Vegetation Thinned Out to Allow Views of the Merrimack River From the New Riverwalk

Low Shrub/Ornamental Grass Planting

ADA Compliant Overlook Area with Bench Seating

Sculptural Trellis Constructed from Existing Bridge Trusses

Selective Vegetation Clearing of Viewshed

Existing Granite Marker to Remain

Placed Boulders Frame Views to the Merrimack River

Proposed Riverwalk

SEWALL FALLS BRIDGE RECONSTRUCTION RIVERWALK WITH OVERLOOK
 Seward Falls Road, Concord, NH

City of Concord, NH

February 23, 2015

