



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

Right-of-Way Bureau
February 15, 2019

REQUESTED ACTION

The Department of Transportation, pursuant to RSA 228:31, requests authorization to transfer a 6,160 +/- square foot parcel of State-owned property located in the Town of Londonderry, situated between the north side of Roundstone Drive and the south side of Old Pettingill Road to Hazelton Pettingill, LLC.

This transaction is in exchange for the transfer of an 11,828 +/- square foot parcel of land from Hazelton Pettingill, LLC to the Department of Transportation to be used as an Access Road.

Further authorization is requested to waive the Administrative Fee of \$1,100.00.

This is a no cost transaction, and would be effective upon Governor and Executive Council approval.

EXPLANATION

In 2008, as part of the Bedford-Manchester-Londonderry-Merrimack #11512 Airport Access Project, the Department acquired a right from property rights from Peter J. King Irrevocable Trust of 1988 for the construction of the Airport Access Road and Pettengill Road. As part of this acquisition, an access road was laid out for access to additional land owned by Peter J. King Irrevocable Trust of 1988. A condition was placed in the acquisition deed that Peter J. King Irrevocable Trust of 1998, his successors or assigns (which Hazelton Pettingill, LLC is) for the right to relocate this access road east of its existing location dependent upon future site design by the Grantor, his successors or assigns. Hazelton Pettingill, LLC has the right to relocate the location to a defined point if they are denied full access from their adjacent land by the Town of Londonderry or any of its boards. The Town of Londonderry has written the Department denying the original location but approving the relocation of the Access Road to an allowable location by the acquisition deed.

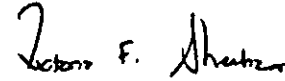
As part of this conveyance to Hazelton Pettingill, LLC, the State will control the access along this Access Road, granting one (1) point of access along the westerly side of the Access Road to provide access to the property owned by Hazelton Pettingill, LLC.

The Department has reviewed this exchange and has determined that it is in the best interest of the State of New Hampshire to enter into this exchange agreement. As the Department owns the underlying fee of the current access road, this exchange must be done in the name of the State of New Hampshire

The Department reviewed the value of the area being transferred and it was determined that the value of the 11,828 +/- square foot parcel that the Department is acquiring from Hazelton Pettingill, LLC is greater than the 6,160 +/- square foot parcel that Hazelton Pettingill, LLC is acquiring from the Department.

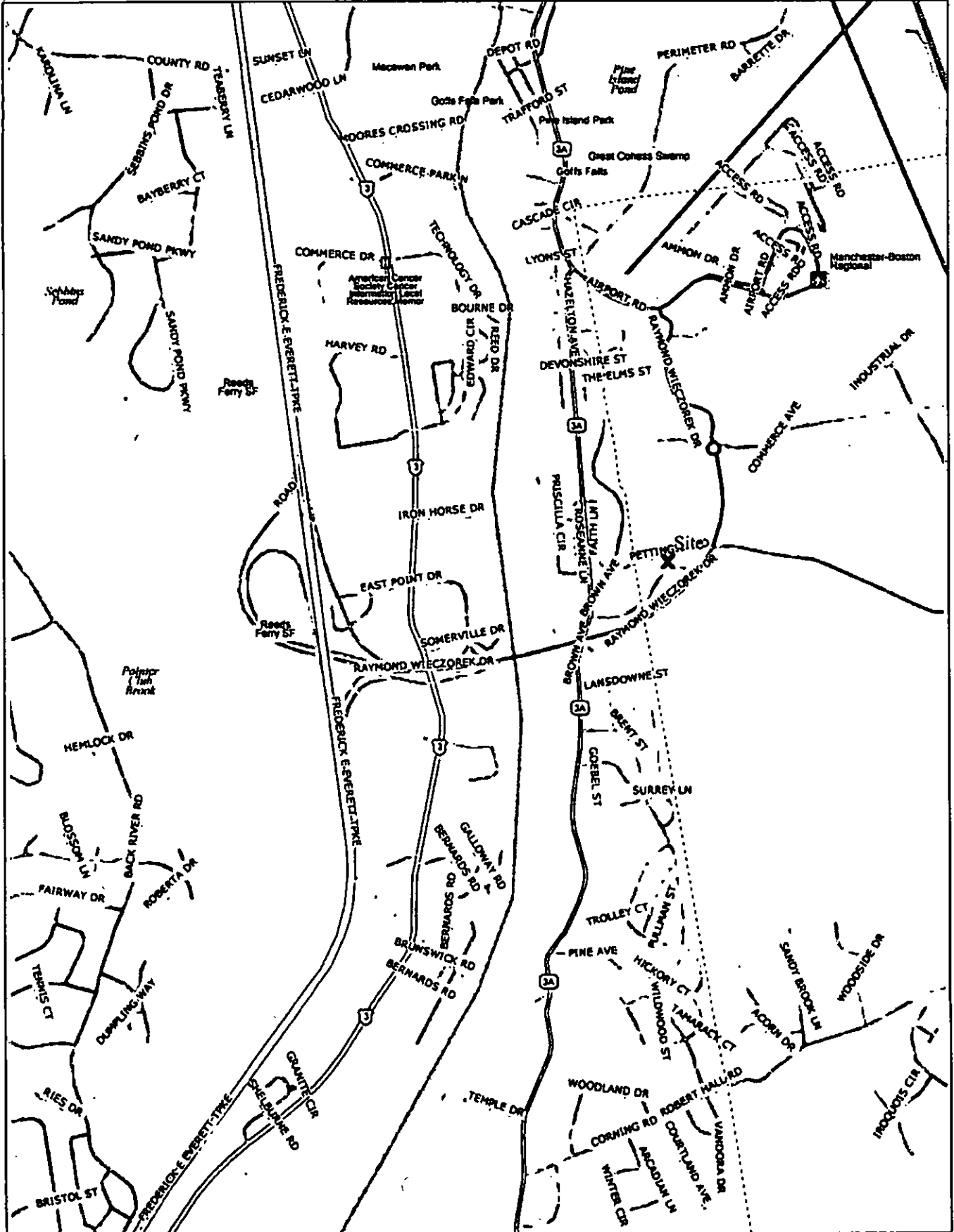
Authorization is requested for the Department to transfer to Hazelton Pettingill, LLC a 6,160 +/- square foot parcel of State owned land in exchange for Hazelton Pettingill, LLC to transfer to the Department of Transportation an 11,828 +/- square foot parcel owned by Hazelton Pettingill, LLC.

Respectfully,



Victoria F. Sheehan
Commissioner

VFS/PJM/pfc
Attachments



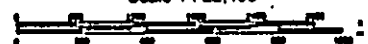
Data use subject to license.

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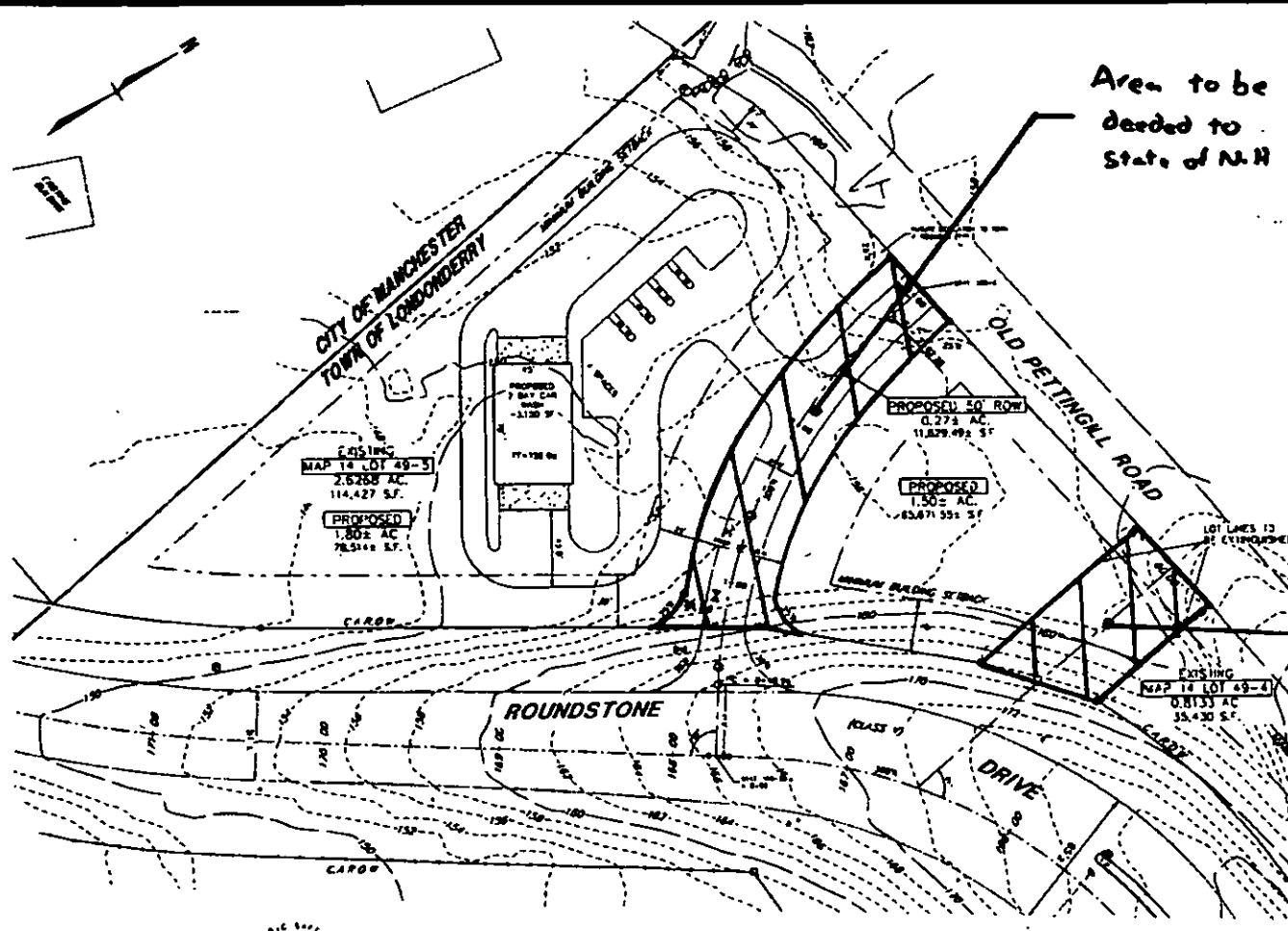


Scale 1 : 22,400

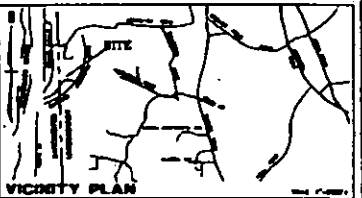


1" = 1,666.7 ft

Data Zoom 13-2



Area to be
dedeed to
State of N.H



- REFERENCE PLANS**
1. Planning for site is based on the latest available topographic map of the project area, and the proposed site plan, which is subject to the approval of the local planning board.
 2. The site plan is based on the latest available topographic map of the project area, and the proposed site plan, which is subject to the approval of the local planning board.
- NOTES**
1. THE PROPOSED ROAD WIDENING SHALL BE CONSTRUCTION TO 20' WIDE.
 2. THE PROPOSED ROAD WIDENING SHALL BE CONSTRUCTION TO 20' WIDE.
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 20. THE PROPOSED ROAD WIDENING SHALL BE CONSTRUCTION TO 20' WIDE.

Area to be dedeed to
Hazelton Pettrungill
LLC

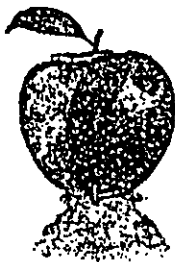
THIS PLAN IS PREPARED FOR THE CITY OF MANCHESTER AND TOWN OF LONDONDERRY, NH. IT IS SUBJECT TO THE APPROVAL OF THE LOCAL PLANNING BOARD AND THE STATE DEPARTMENT OF REVENUE.



TAX MAP 14 LD15 49-4 & 5
SITE LAYOUT PLAN
2.6 TO ROUNDSTONE DRIVE, LONDONDERRY, NH
DRAWN BY
ACCERS ROAD, LLC
PREPARED FOR
ALEX VARAS
SCALE: 1"=60' DECEMBER 14, 2015

TFM Alex Varas, P.E. 1160 North Main Street, Londonderry, NH 03053
Phone: 603.430.4444 Fax: 603.430.4444
taylor@tfm.com

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Town of Londonderry

Planning & Economic Development Department

268B Mammoth Road
Londonderry, New Hampshire 03053
Phone (603) 432-1100 x134
www.londonderrynh.org



May 4, 2018

VIA E-MAIL (Richard.Radwanski@dot.nh.gov)

Richard Radwanski
District 5 - District Engineer
New Hampshire Department of Transportation
16 East Point Drive,
Bedford, NH 03110

RE: Access Road, LLC - Roundstone Drive, Londonderry, NH - Map 14, Lots 4 & 5

Dear Rich,

Access Road, LLC, the owner of Map 14, Lots 4 & 5, located off Roundstone Drive is seeking approval from the Londonderry Planning Board pursuant to a proposed a subdivision and site plan application to (1) relocate the proposed 60 foot wide access point north of Roundstone Drive at approximately station 166+00 to a new location west of the current location and (2) allow a curb cut located off of the relocated 60 foot Access Drive in order to service the new Map 14, Lot 49-5. These two requests are shown on the attached plans entitled "Tax Map 14 Lots 49-4 & 5, Lot Line Adjustment Plan, 2 & 10 Roundstone Drive, Londonderry, NH" prepared by TF Moran, Inc. and dated March 13, 2018 and "Tax Map 14 Lot 49-5, Conceptual Site Plan, 2 & 10 Roundstone Drive, Londonderry, NH" prepared by TF Moran, Inc. dated January 25, 2017 (collectively the "Plans").

The Town of Londonderry Planning Staff supports the relocation of the 60 Foot Access Drive as shown on the Plans, subject to final engineering review, and prefers that the access curb cut into Map 14 Lot 49-5 be provided off the relocated 60 Foot Access Drive as shown on the Plans as part of the proposed development of that lot. Please confirm that these modifications of the existing Access Drive and Curb Cut location are acceptable to your office.

Since the 60 Foot Access Drive is was originally deeded to the State of New Hampshire and referenced in a Warranty Deed at Book 4875, Page 729 in the Rockingham County Registry of Deeds, the Town requests that a recordable form of your consent to these actions be provided to the Planning Board for recording with the Subdivision Plan.

If you have any questions concerning this project, please contact me at 432-1100 ext. 149.

Sincerely,

Colleen P. Mailloux, AICP
Town Planner

cc: Kevin Smith, Town Manger
John R. Trottier, PE, Asst. Director of Public Works & Engineering
Alex Vailas



STEBBINS, LAZOS & VAN DER BEKEN, P.A.
ATTORNEYS AT LAW

December 18, 2018

Charles Schmidt, Administrator
Bureau of Right of Way
New Hampshire Department of Transportation
Room 100
JOM Building
PO Box 483 | 7 Hazen Drive
Concord, NH 03302-0483

Re: Access Road, LLC access off Roundstone Drive, Londonderry, NH
Map 14, Lots 4&5

Dear Mr. Schmidt:

Our client, Hazelton Pettingill, LLC (the successor to Access Road, LLC), the owner of Map 14, Lots 4&5, located off Roundstone Drive in Londonderry, New Hampshire, on October 29 requested that the State of New Hampshire through its Department of Transportation relocate the proposed 60 foot wide access point north of Roundstone Drive at approximately station 166+00 to a new location west of the current location as shown on a plan entitled "Site Plan, Assessors Map 14 Lot 49-5, Proposed Car Wash Facility; 10 Roundstone Drive, Londonderry, NH" prepared by MHF Design consultants Inc. dated October 12, 2018 (the "Plan").

At a recent meeting with the Town of Londonderry Planning and Public Works and their consulting engineer, Stantec, the Town officials requested that Hazelton Pettingill reduce the width of the new right of way location from 60 feet to 50 feet in order to comply with the Town's public road standards. Hazelton Pettingill agreed to do so and has prepared the attached revised plan entitled "Tax Map 14 Lots 49-4 & 5; Site Layout Plan; 2 & 10 Roundstone Drive, Londonderry, NH" dated December 12, 2018 by TFMoran, Inc. (the "Revised Plan"). Please note further that the location of the new ROW Access has not changed and the area of the original 60' Access was 6100 sq. feet and the area of the new 50' Access is 11,800 sq. feet or almost twice as large.

Please amend our prior request to reflect this change in the proposed ROW Access to be deeded to the State of New Hampshire. We would also appreciate an update as to the status of the application and the required approval of the New Hampshire Governor and Council.

Please let us know if you need anything further.

Sincerely,



Nicholas J. Lazos

cc: Client

cc: Richard Radwanski
Division 5
New Hampshire Department of Transportation
16 East Point Drive,
Bedford, NH 03110

cc: Philip Miles
Bureau of Right of Way
Property Management Section
New Hampshire Department of Transportation
Room 100
JOM Building
PO Box 483 | 7 Hazen Drive
Concord, NH 03302-0483