



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

April 20, 2018

**REQUESTED ACTIONS**

1. Pursuant to RSA 4:40, authorize the Department of Natural and Cultural Resources (DNCR) to convey by quitclaim deed, a .25 mile (3.5 acre) portion of Rockingham Recreation Trail, Fremont Branch in Epping, NH to John Grammas, an abutting developer, while preserving a permanent easement for public recreational use. For a value of \$120,000 to be deposited into Accounting Unit 03-35-35-351510-35580000
2. Pursuant to RSA 4:40,III-A, authorize DNCR to accept the \$1,100 administrative fee for deposit into Accounting Unit 03-35-35-351010-72000000, the "Forest Improvement Fund".

**Explanation**

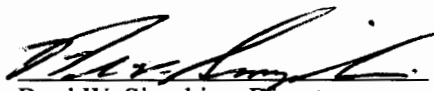
A local developer, who owns the abutting commercial properties to the east, has approached DNCR about acquiring the property, which is needed to square off property lines for future commercial development. DNCR would retain a permanent trail corridor, 30' wide, across the property or on an adjacent property owned by the developer. NH DOT would also continue to hold a reservation for future transportation needs. Developer is responsible for building the replacement trail which would allow for continued recreational access and connectivity of two recreational rail trails in the area. The developer has agreed to pay \$120,000 for the property; those funds are intended to help install a larger box culvert on the adjacent rail trail in Raymond, to address public safety issues for trail users.

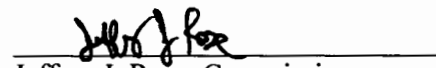
This request was reviewed and approved by the Council on Resource Development on May 11, 2017 and by the Long Range Capital Planning and utilization Committee on November 14, 2017

Your approval is subject to final approval of the legal documents as to form, substance and execution by the NH Department of Justice.

Respectfully submitted,

Approved by,

  
 Brad W. Simpkins, Director  
 Division of Forests and Lands

  
 Jeffrey J. Rose, Commissioner  
 Department of Natural and Cultural  
 Resources

# 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:** Commissioner Jeffrey Rose  
Department of Resources and Economic Development  
**FROM:** Susan Slack, Principal Planner  
NH Office of Energy and Planning  
**DATE:** June 7, 2017  
**SUBJECT:** Surplus Land Review, SLR 17-003-Epping

On May 11, 2017, the Council on Resources and Development (CORD) took action on the following Surplus Land Review application:

Request from the Department of Resources and Economic Development to sell approximately .25-mile section of the Fremont Branch Recreation Trail to John Grammas, an abutting developer, for \$120,000, while retaining a permanent 30-foot wide easement for recreational use across the property or on an adjacent property owned by the developer; proceeds to be used by DRED to install a larger box culvert on the adjacent rail trail in Raymond to address public safety issues; developer is responsible for building the replacement trail to allow for continued recreational access and connectivity of the two recreational trails in the area.

**CORD members voted to RECOMMEND APPROVAL OF SLR 17-003, pending no adverse comments received by the close of the 30-day public comment period, which was on May 26, 2017. No adverse comments were received; however, the Division of Historical Resources has determined that the proposal has no potential to affect the potential eligibility of the railroad corridor for the National Register of Historic Places as long as the applicant is sensitive to any railroad related features and avoids impacting them, and requests that DRED consult with the Division of Historical Resources on the proposed box culvert replacement on the adjacent rail trail in Raymond.**

cc: Chris Gamache, NH Department of Resources and Economic Development  
~~Myles Matteson, Director, NH Office of Energy and Planning~~  
Chair, Long Range Capital Planning and Utilization Committee

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

November 14, 2017

The Long Range Capital Planning and Utilization Committee met on Tuesday, November 14, 2017 at 10:30 a.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative Gene Chandler  
Representative John Cloutier  
Representative Mark McConkey  
Representative Frank Byron (Alternate)  
Representative David Danielson (Alternate)  
Senator William Gannon

Stephen Lorentzen, Department of Administrative Services

Representative Chandler called the meeting to order at 10:30 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative McConkey, seconded by Representative Byron, that the minutes of the September 19, 2017 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 4:39-b APPROVAL OF STATE AGENCY LEASES EXCEEDING 5 YEARS:

LRCP 17-028 Department of Corrections – Jason Smith, Assistant Director of Probation-Parole, Department of Corrections, responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Representative Cloutier, that the Committee approve the request of the Department of Corrections, Division of Administration, of a ten-year renewal lease agreement with Riverside Properties of Nashua, Inc., 22 Kehoe Avenue, Nashua, N.H. 03060 for approximately 3,252 square feet of space located at 3 Pine Street Extension, 1<sup>st</sup> Floor Suite, Nashua, N.H. for the period of December 1, 2017 to November 30, 2027, for an amount not to exceed \$714,342, for the schedule of annual rent and subject to the conditions as specified in the request dated October 17, 2017. MOTION ADOPTED.

RSA 4:39-c DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE:

LRCP 17-033 Department of Transportation – On a motion by Representative Danielson, seconded by Representative Byron, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 3.0 +/- acre parcel of State owned land located on the southeasterly corner of NH Route 101 Exit 5 Westbound off Ramp and NH Route 27 in the Town of Raymond to Rye Harbor Realty Investment LLC for \$161,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 26, 2017. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 17-026 Department of Transportation – Lou Barker, Railroad Planner, Division of Aeronautics, Rail and Transit, Department of Transportation, responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Gannon, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to lease approximately 868 square feet of the State-owned Concord-Lincoln Railroad corridor in the City of Laconia to Bay Reach Realty Group for \$1,500 per year for five years totaling \$7,500, with a five-year renewal provision and a one-time Administrative Fee of \$1,100, subject to the conditions as specified in the request dated July 17, 2017. MOTION ADOPTED.

LRCP 17-029 The Adjutant General's Department – Colonel Warren Perry, Deputy Adjutant General, and Stephanie Milender, Administrator, Department of Adjutant General, responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Representative Cloutier, that the Committee approve the request of the Office of the Adjutant General to dispose of the former State Armory at 110 Hastings Avenue, including buildings and 6.5 acres located in Keene, N.H. and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated September 21, 2017. MOTION ADOPTED.

LRCP 17-030 Department of Natural and Cultural Resources – Chris Gamache, Chief of the Trails Bureau, Department of Natural and Cultural Resources, responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Representative Cloutier, that the Committee approve the request of the Department of Natural and Cultural Resources to sell an approximately .25 mile (3.5 acres) section of the Fremont Branch Recreation Trail, to John Grammas, an abutting developer, for \$120,000, while preserving a permanent easement for public recreational use and assess an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated October 10, 2017. MOTION ADOPTED.

LRCP 17-031 Department of Administrative Services – Stephen Lorentzen, Administrator, Bureau of Plant and Property Management, Department of Administrative Services, responded to question of the Committee.

On a motion by Representative Byron, seconded by Representative McConkey, that the Committee approve the request of the Department of Administrative Services, to enter into a four (4) year Use of Premises Agreement with the County of Hillsborough, 329 Mast Road, Goffstown, N.H. 03045 for leasing of state owned property consisting of 9,433 square feet of office space located in the Hillsborough County Superior Court, 300 Chestnut Street, Manchester, N.H., for the term of January 1, 2018 to December 31, 2021, at a total lease cost of \$495,747.24 to be paid to the State of New Hampshire, for the schedule of annual rent and subject to the conditions as specified in the request dated October 12, 2017. MOTION ADOPTED.

LRCP 17-032 New Hampshire Fish and Game Department – On a motion by Representative Danielson, seconded by Representative McConkey, that the Committee approve the request of the New Hampshire Fish and Game Department to enter into a lease agreement, at no cost, with the Town of Sugar Hill for the purpose of maintaining a public cartop access site at Coffin Pond and pedestrian trails, and further authorization to waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 12, 2017. MOTION ADOPTED.

LRCP 17-034 Department of Administrative Services – Stephen Lorentzen, Administrator, Bureau of Plant and Property Management, and Jared Nylund, Real Property Asset Manager, Department of Administrative Services, responded to question of the Committee.

On a motion by Representative Danielson, seconded by Representative Byron, that the Committee approve, contingent upon clarification of the ownership of the named utility, the request of the Department of Administrative Services, to grant a perpetual water line easement on State land, at no cost, to Aquarion Water Company of New Hampshire, Inc. for the construction, installation, operation, maintenance, repair, and replacement of a water supply main and any related fixtures or equipment as may be necessary to provide water service to the Hampton Circuit Court Facility to be constructed in the Town of Hampton along the eastern side of Timber Swamp Road between the Hampton Park & Ride, the Interstate 95 right-of-way, and a Department of Transportation Highway Maintenance Facility, subject to the conditions as specified in the request dated October 27, 2017. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:67 DISPOSITION OF ACQUIRED OR ABANDONED RAIL PROPERTIES:

LRCP 17-025 Department of Transportation – Lou Barker, Railroad Planner, Division of Aeronautics, Rail and Transit, Department of Transportation, responded to questions of the Committee. Linda Perry of Andover, N.H. was also present.

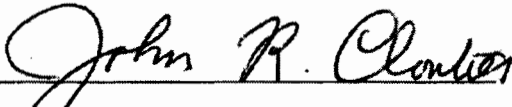
On a motion by Senator Gannon, seconded by Representative Cloutier, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to sell approximately 43,650 square feet (1 acre +/-) of the State-owned Northern Railroad corridor in the Town of Andover to John and Linda Perry for \$8,000, and a one-time Administrative Fee of \$1,100, subject to the conditions as specified in the request dated July 17, 2017. MOTIO ADOPTED. (4-Yes, 2-No)

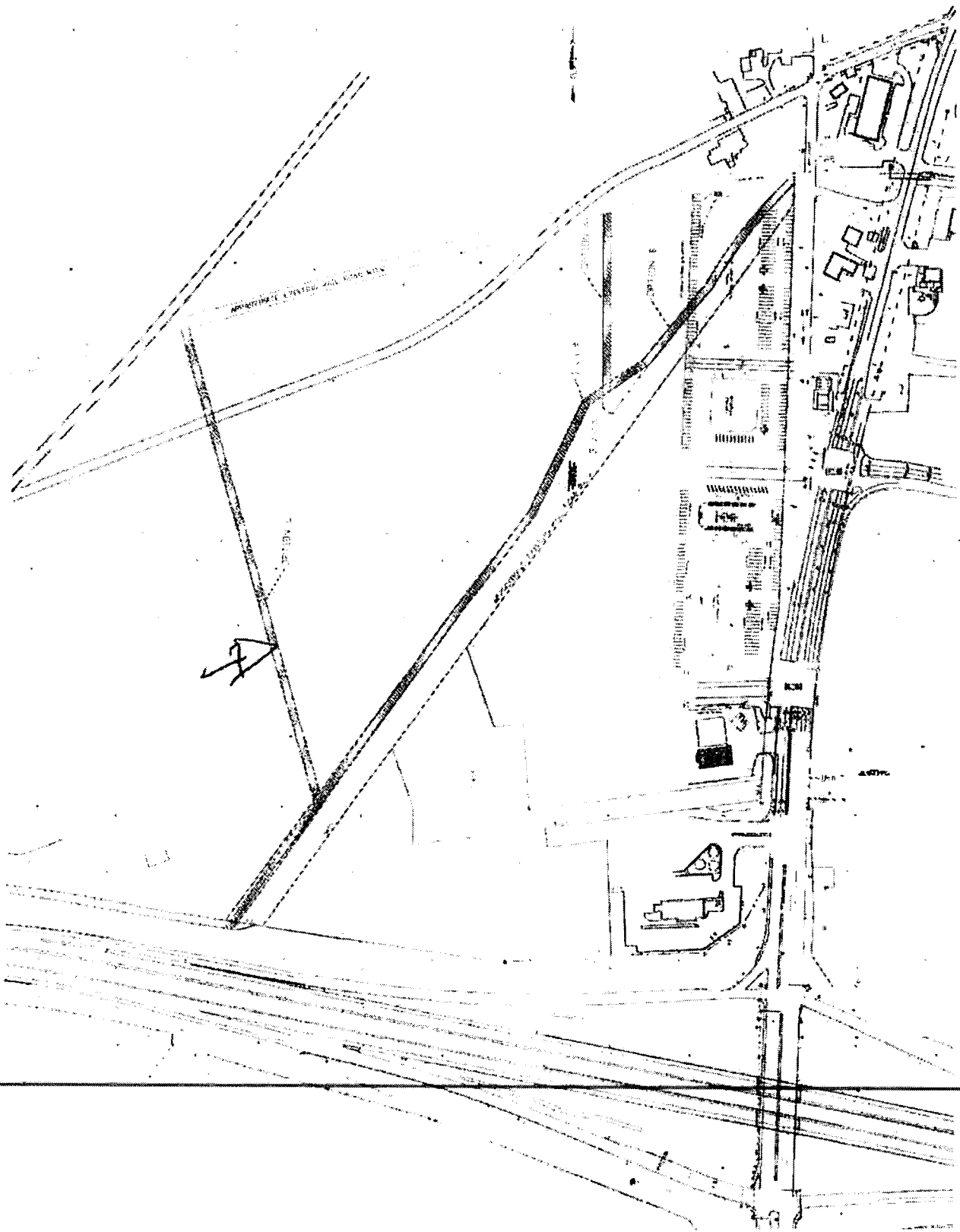
INFORMATIONAL ITEMS:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meeting of the Long Range Capital Planning and Utilization Committee will be at the Call of The Chair. (Where upon the meeting adjourned at 10:48 a.m.)

  
\_\_\_\_\_  
Representative John R. Cloutier, Clerk



**Tax Stamp:** \$ \_\_\_\_\_  
**Grantor exempt:** Reg 802.03(a)  
**Recording Fee:** \$ \_\_\_\_\_  
**L-Chip Surcharge:** \$25.00  
**Return to:**

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## Quitclaim Deed

The **State of New Hampshire**, through its Department of Natural and Cultural Resources (DNCR), 172 Pembroke Road, Concord, New Hampshire, 03301 (Grantor), for consideration paid, grants to John Grammas, 39 Freetown Road, Raymond, NH, 03077 (Grantee), with Quitclaim Covenants,

A certain tract of unimproved land, known to be a part of the Rockingham Recreation Trail, situated between the north side of NH Route 101 and west side of Main Street in the **Town of Epping, County of Rockingham, State of New Hampshire**, shown on a plan entitled, "Standard Boundary Survey, Tax Map 29-Lot 295, Land of the State of New Hampshire", recorded at Rockingham County Registry of Deeds, Plan # \_\_\_\_\_ and more specifically bounded and described as follows:

Beginning at a point on the westerly side of Main Street, so called, and the southerly side of land now or formerly of the State of New Hampshire, said land formerly being the Portsmouth & Concord Branch of the Boston and Maine Railroad, said point being the northeasterly corner of the parcel of land herein described; thence S 02°41'01" W a distance of 165.33 feet, along the westerly side of Main Street, so called, to a point and land now or formerly of Adelpia Agrios Demetrios, LLC; thence turning and running along land now or formerly of said Adelpia Agrios Demetrios, LLC on a non-tangent curve to the left, said curve having a length of 310.97 feet, a radius of 827.78 feet, a delta angle of 21°31'28", with a chord bearing S 50°21'05" W and a chord length of 309.15 feet to a point; thence continuing along land now or formerly of Adelpia Agrios Demetrios, LLC in part, and in part by land now or formerly of John Grammas S 35°59'17" W a distance of 983.00 feet to a point and land now or formerly of 58 Calef, LLC; thence turning and running along land now of formerly of said 58 Calef, LLC N 19°05'29" W a distance of 13.06 feet to and iron rod; thence turning and running along land now or formerly of said 58 Calef, LLC S 35°22'40" W a distance of 744.74 feet to a point and the Limited Access Right-of-Way for New Hampshire Route 101; thence turning and running along said Right-of-Way N 80°44'59" W a distance of 92.06 feet to an iron rod and land now or formerly of Leddy Fields Condominium; thence turning and running along land now or formerly of said Condominium N 35°23'47" E a distance of 844.50 feet to an iron rod; thence turning and running along land now or formerly of said Condominium N 18°56'01" W a distance of 7.68 feet to a point and land now of formerly of Michael Goss; thence turning and running along land now or formerly of said Goss in part, and in part by land now or formerly of Leo E. Grimard 2016 Irrevocable Trust N 35°59'17" E a distance of 613.87 feet to an iron pipe and land now or formerly of Columbia Propane; thence turning and running along land now or formerly of said Columbia Propane S 54°00'43" E a distance of 29.18 feet to an iron rod; thence turning and running along land now or formerly of said Columbia Propane N 35°30'39" E a distance of 228.39 feet to an iron pipe; thence continuing along land now or formerly of said Columbia Propane N 37°26'34" E a distance of 321.17 feet to an iron pipe; thence continuing along land now or formerly of said Columbia propane on a non-tangent curve to the right, said curve having a length of 99.81 feet, a radius of 417.82 feet, a delta angle of 13°41'12", with a chord bearing of N 47°01'58" E and a chord length of 99.57 feet to an iron pipe; thence continuing along land now of formerly of said Columbia Propane N 36°49'45" E a distance of 65.37 feet to an iron rod and land now or formerly of the State of New Hampshire, being formerly the Portsmouth & Concord Branch of the Boston and Maine Railroad; thence turning and running along land now or formerly of the State of New Hampshire on a non-tangent curve to the right, said curve having a length of



38.78 feet, a radius of 2772.86 feet, a delta angle of 00°48'05", with a chord bearing of N 87°41'52" E, and a chord length of 38.78 feet to the westerly side of Main Street, so called, and the point of beginning.

The above described parcel of land having an area of 190,927 square feet, more or less.

The Grantor excepts and reserves to itself a permanent 30 (thirty) foot wide trail easement on the westerly side of the property shown as "Proposed 30' wide Recreation Trail Easement Option A" on said plan. Grantor and Grantee agree that in the event the Grantee develops a recreation trail acceptable to the State over the area shown as "Proposed 30' wide Recreation Trail Easement Option B", Grantor and Grantee may amend this easement by written deed to relocate the easement area from Trail Easement Option A, to Trail Easement Option B and transfer an easement over "Option B" to the State, then the State will give up its rights and interest in the "Option A" area.

The property is conveyed subject to the right retained by the Department of Transportation to restore rail or other transportation service on the property, and to maintain drainage on the property. The Grantee agrees to contact the Division of Historical Resources prior to any major construction or excavation activities on the property.

**MEANING and INTENDING:** to describe a portion of the property transferred to DRED (now DNCR) by New Hampshire Department of Transportation dated December 16, 2009. The transfer was approved by the Governor and Council at their meeting on July 15, 2009, Item 149, and is recorded in Book 5092, Page 1998 Rockingham County Registry of Deeds.

**THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF RESOURCES  
AND ECONOMIC DEVELOPMENT**

By: \_\_\_\_\_  
Jeffrey J. Rose  
Commissioner  
Duly Authorized

COPY FOR YOUR INFORMATION

**STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, ss**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, Jeffrey J. Rose, Commissioner of the Department of Resources and Economic Development of the State of New Hampshire, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that he was duly authorized and executed the same in the capacity therein stated and for the purposes therein contained.

\_\_\_\_\_  
Justice of the Peace/Notary Public  
My Commission Expires: \_\_\_\_\_

(seal or stamp)

38.78 feet, a radius of 2772.86 feet, a delta angle of 00°48'05", with a chord bearing of N 87°41'52" E, and a chord length of 38.78 feet to the westerly side of Main Street, so called, and the point of beginning.

The above described parcel of land having an area of 190,927 square feet, more or less.

The Grantor excepts and reserves to itself a permanent 30 (thirty) foot wide trail easement on the westerly side of the property shown as "Proposed 30' wide Recreation Trail Easement Option A" on said plan. Grantor and Grantee agree that in the event the Grantee develops a recreation trail acceptable to the State over the area shown as "Proposed 30' wide Recreation Trail Easement Option B", Grantor and Grantee may amend this easement by written deed to relocate the easement area from Trail Easement Option A, to Trail Easement Option B and transfer an easement over "Option B" to the State, then the State will give up its rights and interest in the "Option A" area.

The property is conveyed subject to the right retained by the Department of Transportation to restore rail or other transportation service on the property, and to maintain drainage on the property. The Grantee agrees to contact the Division of Historical Resources prior to any major construction or excavation activities on the property.

**MEANING and INTENDING:** to describe a portion of the property transferred to DRED (now DNCR) by New Hampshire Department of Transportation dated December 16, 2009. The transfer was approved by the Governor and Council at their meeting on July 15, 2009, Item 149, and is recorded in Book 5092, Page 1998 Rockingham County Registry of Deeds.

**THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF RESOURCES  
AND ECONOMIC DEVELOPMENT**

By: \_\_\_\_\_  
Jeffrey J. Rose  
Commissioner  
Duly Authorized

**STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, ss**

On this \_\_\_\_\_ day of \_\_\_\_\_, 2018, Jeffrey J. Rose, Commissioner of the Department of Resources and Economic Development of the State of New Hampshire, known to me or satisfactorily proven to be the person described in the foregoing instrument, and acknowledged that he was duly authorized and executed the same in the capacity therein stated and for the purposes therein contained.

\_\_\_\_\_  
Justice of the Peace/Notary Public  
My Commission Expires: \_\_\_\_\_

(seal or stamp)

Approved as to form, substance and execution by the Office of the Attorney General:

Date: \_\_\_\_\_, 2018

\_\_\_\_\_  
John Conforti  
Assistant Attorney General  
of the State of New Hampshire

This conveyance by the State of New Hampshire was authorized by vote of New Hampshire Governor and Executive Council at a meeting held in Executive Council Chambers, Concord, New Hampshire on \_\_\_\_\_, Agenda Item No. \_\_\_\_\_