



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, NH 03301

Bureau of Rail & Transit
August 26, 2021

REQUESTED ACTION

Pursuant to RSA 4:40 and 228:67, authorize the Department of Transportation to sell a 43,650 square foot (1 acre +/-) parcel of state-owned land, located on the Conway Branch Railroad Corridor in the Town of Ossipee, to Mark McConkey for eight thousand dollars (\$8,000.00) and the one-time administrative fee of \$1,100.00, effective upon Governor and Executive Council approval.

It has been determined by the Department's Division of Finance that this parcel was originally purchased with 80% Federal Funds and 20% General Funds and that the sale income and the one-time administrative fee will be credited as follows:

04-096-096-960015-0096-UUU-402156	<u>FY 2022</u>
Administrative Fee	\$1,100.00
04-096-096-960010-2991-403532	<u>FY 2022</u>
Railroad Property Sale	\$1,600.00
(20% of \$8,000)	
04-096-096-963515-3054-401771	<u>FY 2022</u>
Consolidated Federal Aid	\$6,400.00
(80% of \$8,000)	

EXPLANATION

The Department of Transportation received an inquiry from Mark McConkey, whose property abuts the state-owned Conway Branch Railroad Corridor in the Town of Ossipee. Mr. McConkey requested to acquire approximately one (1) acre of state-owned railroad property to manage issues with his existing parking and access that impact, or may potentially impact, planned improvements on his abutting private property. The Department reviewed the request and determined that the subject parcel is ancillary to the State's needs, and would not impact current trail use or future rail use on this abandoned railroad corridor, and was thus amenable to the disposition.

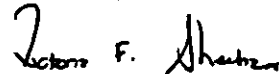
RSA 228:67 allows the Department to sell state-owned railroad property that is no longer needed by the State to political subdivisions of the State for public uses and if none want such properties, the

Commissioner may sell them in accordance with RSA 4:40. The Town of Ossipee expressed no interest in the subject parcel and therefore the Department proposes to sell the parcel to Mark McConkey.

The Long Range Capital Planning and Utilization Committee approved the sale on April 2, 2021, (LRCP 21-002).

Authorization is requested to sell the parcel of land as described to an abutter as outlined above.

Sincerely,

A handwritten signature in black ink, appearing to read "Victoria F. Sheehan".

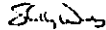
Victoria F. Sheehan
Commissioner

Attachments

Approved by the Long Range Capital Planning
and Utilization Committee 04/02/2021

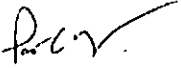
LRCP 21-002


STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION

From: Shelley Winters 
Administrator

Date: December 15, 2020

AT: Dept. of Transportation
Bureau of Rail and Transit

Thru: Patrick C. Herlihy 
Director, Division of Aeronautics, Rail & Transit

Stephen LaBonte 
Administrator, Bureau of Right-of-Way

Subject: State-owned Conway Branch Railroad Corridor
Proposed Sale – Mark McConkey (RSA 4:40, RSA 228:67)

To: Chair and Committee Members
Long Range Capital Planning and Utilization Committee

REQUESTED ACTION

Department of Transportation, pursuant to the provisions of RSA 4:40 and RSA 228:67, requests authorization to sell an approximately 0.93-acre parcel on the state-owned Conway Branch Railroad Corridor in the Town of Ossipee to Mark McConkey for a total of \$8,000. There is also a required one-time administrative fee of \$1,100, of which the Department is already in receipt of \$500.

This parcel is located on a segment of the Conway Branch Railroad Corridor that was purchased with Federal Highway Administration Funds therefore a Council on Resources and Development recommendation is not required.

EXPLANATION

RSA 228:67 allows the Department to sell portions of railroad properties that are no longer needed for transportation purposes. The railroad originally acquired additional land in this area, including the subject parcel, for freight and short-term storage of commodities shipped by rail. While the railroad corridor itself no longer has active railroad service, the actual alignment of the railroad corridor has been retained by the State to allow for future railroad operation on this corridor. The Department has reviewed this request and determined that the sale will not interfere with the use of the railroad corridor for interim recreational use or potential railroad restoration. In addition, this proposed sale will relieve the State of the burden of demolishing, and properly disposing of hazardous materials, as the subject property contains a dilapidating railroad structure.

A staff appraiser from the Department completed an opinion of value (attached) to determine the contributory value of the 0.93-acre state-owned parcel to the market value of the adjoining property. The appraiser prepared a Land Sale Analysis in the Ossipee, NH area and determined the sale value of the subject parcel as of August 2019 to be \$24,800. However, as the subject parcel contains a dilapidated railroad structure that would require costly and time-consuming demolition and disposal of hazardous materials, it was agreed that the property would be sold to Mr. McConkey as-is and he would raze the building and dispose of demolition debris. As such, the negotiated proposed sale price of this parcel is \$8,000 plus a one-time administrative fee of \$1,100.

Authorization is therefore requested to sell the subject parcel of property on the state-owned Conway Branch Railroad corridor in Ossipee, NH to Mark McConkey, as outlined above.

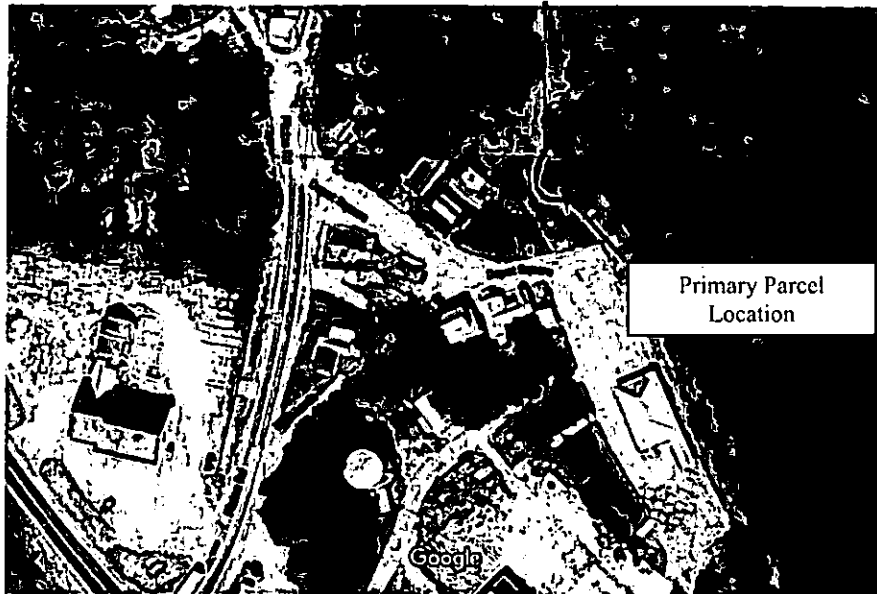
Attachments

1) Location Map – Ossipee, NH
Mount Whittier/West Ossipee



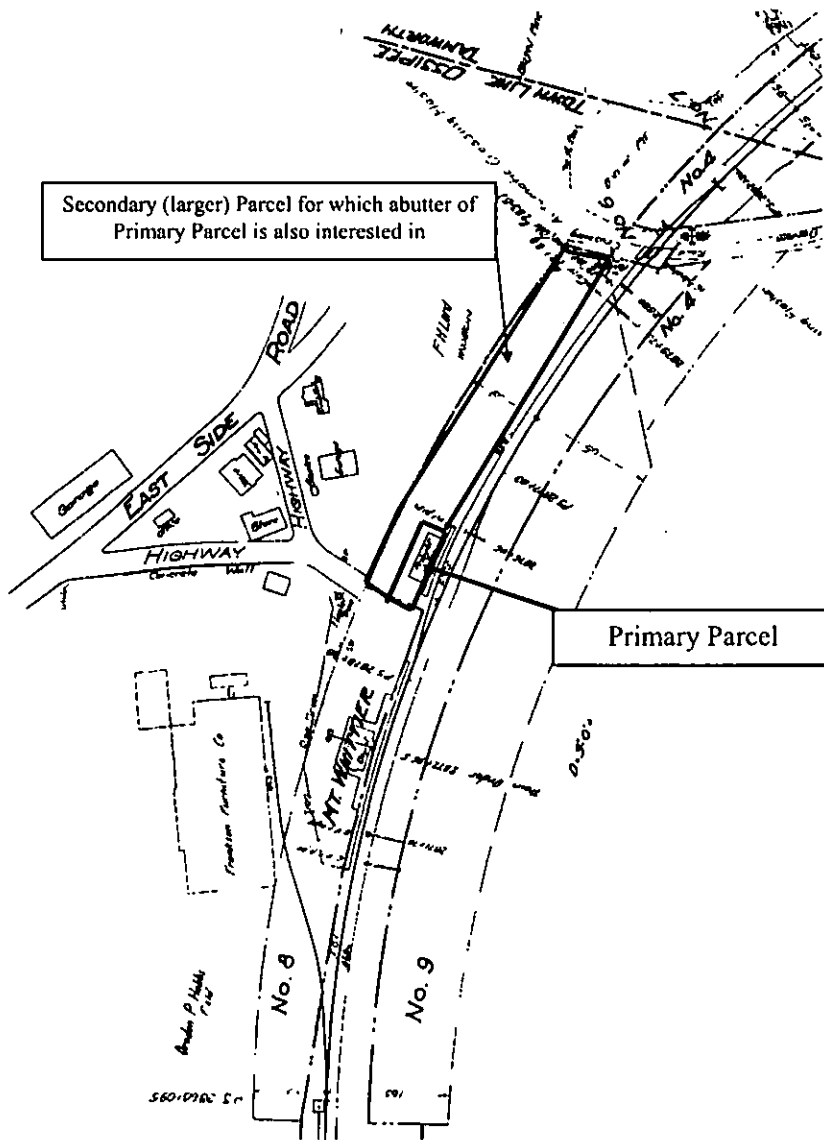
East of intersection NH Route 16 and NH Route 41.
South of NH Route 41 at-grade crossing location on Conway Branch Railroad Corridor in the
Town of Ossipee.

2) Aerial



Primary Parcel location only

- 3) Val Map 4.1NH/55
Boston & Maine RR - June 30, 1914
Conway Branch - Ossipee (Mt. Whittier)



4) Tax Map

