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**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



*Victoria F. Sheehan*  
Commissioner

*William Cass, P.E.*  
Assistant Commissioner

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

Bureau of Right-of-Way  
July 24, 2018

**REQUESTED ACTION**

Pursuant to RSA 4:39-c, RSA 4:40, RSA 228:31 and RSA 228:67, authorize the Department of Transportation to sell a 2.6 +/- acre parcel of State owned land located on the easterly side of Main Street, adjacent to Lake Mascoma in the Town of Enfield to the Town of Enfield for \$127,500.00 plus an \$1,100.00 Administrative Fee, effective upon Governor and Executive Council approval.

This parcel is a combination of two parcels, one parcel 1.5 +/- Ac in size managed by the Department's Bureau of Right of Way and a 1.1 Ac +/- parcel managed by the Department's Bureau of Rail and Transit. It has been determined by the Division of Finance that the 1.5 +/- Ac portion of the larger parcel (which is 58% of the total parcel area) was originally purchased with 33.23% Federal Funds, 66.77% Highway Funds. It has also been determined by the Division of Finance that the 1.1 +/- Ac portion of the larger parcel (which is 42% of the total parcel area) was originally purchased with 80% Federal Funds, 20% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156 Administrative Fee	FY 2019 \$1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel [(58% of area times \$127,500.00) (66.77%)]	\$49,376.42
04-096-096-963515-3054-401771 Consolidated Federal Aid [(58% of area times \$127,500.00) (33.23%)]	\$24,573.58
04-096-096-963515-3054-401771 Consolidated Federal Aid [(42% of area times \$127,500.00) (80%)]	\$42,840.00
04-096-096-964010-2991-403532 Railroad Property Sale [(42% of area times \$127,500.00) (20%)]	\$10,710.00

## EXPLANATION

The Department of Transportation has received a request from the Town of Enfield requesting the opportunity to purchase a parcel of State owned land located on the easterly side of Main Street, adjacent to Lake Mascoma in the Town of Enfield.

This parcel, consisting of 2.6 +/- acres, is the combination of two (2) contiguous parcels acquired by the Department. A 1.5 +/- Acre parcel was acquired by the Department in 2001 for the reconstruction of Main Street through this area in connection with the reconstruction of the bridge over Mascoma Lake. Also, a 1.1 +/- Acre parcel was acquired by the Department in 1995 that is an ancillary portion of the railroad corridor which is currently used by the State as the Northern Rail Trail corridor.

The Town of Enfield has had a long standing interest in acquiring ownership in this parcel for development of Mascoma Lakeside Park. The Community has a Lakeside Park Committee actively working towards making this space safe, accessible and user friendly, creating a transportation hub and recreational area that serves residents and visitors of the entire Upper Valley and beyond. A charrette has been created for potential future development of this parcel's long term use, including a multi-use public building, amphitheater, public restrooms, information kiosk and parking lot. The Town currently has a memorandum of understanding with the Department for this parcel concerning the daily maintenance and supervision of the parcel.

Conditions of the sale would include:

- The parcel shall be used for recreational purposes. There would be a reversionary clause in the deed that should the parcel cease being used for recreational purposes as defined by local regulations, the parcel would be sold back to the Department for the value that the Town acquired it for.
- The parcel will have a building restriction and therefore not allow any development on this parcel. Buildings would be allowed for recreational or educational purposes as approved by the Department and consistent with local regulations.
- This parcel will be open to the general public.
- This parcel has a Railroad House cellar hole, as shown on the attached plan and if any work is to impact the area within 50 meters (165 feet) (the buffer zone) of the cellar hole, an archeological Phase II Determination of Eligibility is required to determine site significance and ascertain site boundaries. This investigation would also determine if a deeply buried undisturbed Native American site might also be present. The Department's Bureau of Environment suggests that avoidance of the archeological site is recommended, however, the following alternatives are presented:
  - If the foundation and the surrounding area within the buffer zone of the Railroad House Site is avoided and not subjected to any subsurface impacts, no further archeological investigation is warranted.
  - If the area in and around the foundation (within the buffer zone) is filled, additional investigation may not be needed dependent on the project design. The N.H. Division of Historic Resources as well as the Department's concurrence must occur.

- If proposed plans include subsurface impacts to the Railroad House Site and the buffer zone, an Archeological Phase II Determination of Eligibility is needed. Results will then determine whether a Phase III Data Recovery is subsequently warranted.
- A condition will be placed in the deed that the location of the sidewalk/emergency bypass cannot be relocated without approval of the Department.
- In the event that railroad service is restored to the railroad corridor abutting the subject parcel, the Department may require that the existing crossing to this parcel over the railroad corridor be closed, protected with signals and gates or other appurtenances, or replaced with a bridge or underpass, as per the discretion of the Department. All costs associated with construction, maintenance and repair of an at-grade or grade separated crossing will be the responsibility of the Town of Enfield. The Town will hold the Department harmless from any impacts on the property resulting from restoration of rail services.
- The Town will be allowed to establish reasonable fees for non-resident parking and other uses of the property. All requests for establishing fees must be submitted in writing for prior approval by the Department and the Public Water Access Advisory Board (PWABB).
- The parcel is subject to a 6,600 Sq. Ft. drainage easement located on the westerly portion of the parcel.

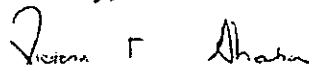
This request has been reviewed by this Department and it has been determined that the requested area is surplus to its operational needs and interest.

The Long Range Capital Planning and Utilization Committee at their May 16, 2017 meeting amended and approved the request that the Department sell this state owned land directly to the Town of Enfield for \$127,500.00 plus an Administrative Fee of \$1,100.00 subject to certain conditions of the sale. These changes are noted in the Long Range approval letter, and have been incorporated into this submission, under the section Conditions of the sale, noted above.

In accordance with RSA 204-D:2, the New Hampshire Housing Finance Authority was offered the property at the approved price and responded to the Department that they are not interested in purchasing the property.

Authorization is respectfully requested to sell this State owned land to the Town of Enfield.

Sincerely,



Victoria F. Sheehan  
Commissioner

VFS/PJM/pfc  
Attachments



LRCP 18-027

MICHAEL W. KANE, MPA  
Legislative Budget Assistant  
(603) 271-3181

CHRISTOPHER M. SHEA, MPA  
Deputy Legislative Budget Assistant  
(603) 271-8181

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

June 6, 2018

Charles R. Schmidt, P.E., Administrator  
Department of Transportation  
Bureau of Right-of-Way  
John O. Morton Building  
Concord, New Hampshire 03301

Dear Mr. Schmidt,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, RSA 228:67 and RSA 4:40, on June 6, 2018 amended and approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 2.6 +/- acre parcel of State owned land located on the easterly side of Main Street, adjacent to Lake Mascoma, in the Town of Enfield directly to the Town of Enfield for \$128,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 23, 2018, with the following changes on page 1 of the bullet points under "Conditions of the sale would include:"

First bullet point would read;

"The parcel shall be used for recreational purposes. There would be a reversionary clause in the deed that if the parcel would cease being used for recreational purposes, as defined by local regulations, that the parcel would be sold back to the Department for the value that the Town acquired it for."

Second bullet point would read;

"The parcel will have a building restriction and therefore not allow any development on this parcel. Buildings would be allowed for recreational or educational purposes, as approved by the Department and consistent with local regulations."

Third bullet point would read;

"This parcel will be open to the general public."

Sincerely,

Michael W. Kane  
Legislative Budget Assistant

MWK/pc  
Attachment

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



**New Hampshire Housing**  
*Bringing You Home*

Dean J. Christon  
Executive Director  
e-mail: dchriston@nhhfa.org

July 12, 2018

DEPT. OF TRANSPORTATION  
RIGHT-OF-WAY

JUL 19 2018

RECEIVED

Charles R. Schmidt, PE  
Administrator  
New Hampshire Department of Transportation  
JO Morton Building, Room 100  
7 Hazen Drive  
P.O. Box 483  
Concord, NH 03302-0483

RE: Enfield Property

Dear Mr. Schmidt:

The New Hampshire Housing Finance Authority is not interested in purchasing the property in Enfield, described in your letter of June 14, 2018.

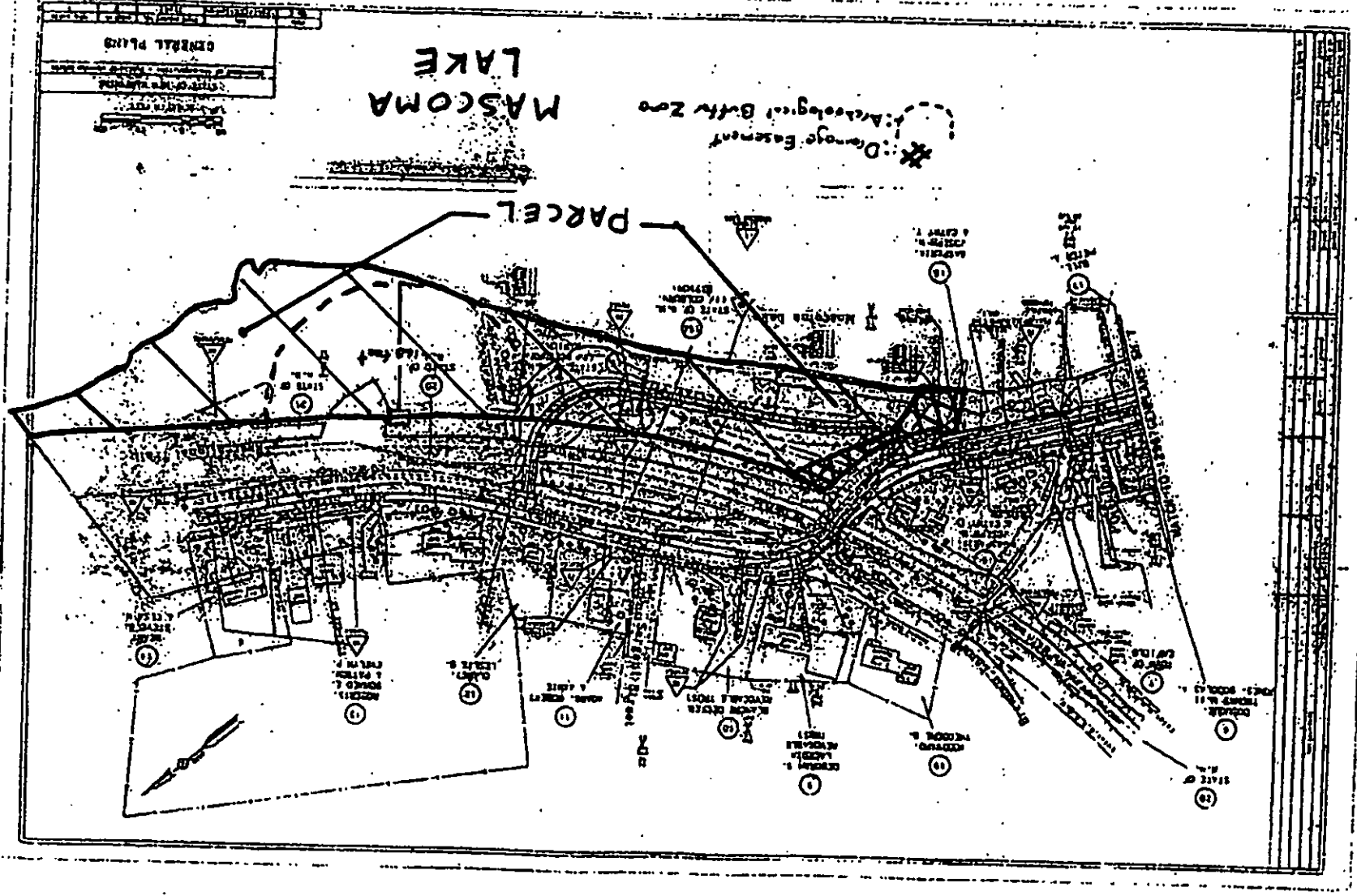
Thank you for giving us the opportunity to review this parcel.

Sincerely,

  
Dean J. Christon  
Executive Director

DJC:clp  
Attachments

New Hampshire Housing Finance Authority



GENERAL PLANS

MASCOMA LAKE

\* Damage Easement  
Aerological Buffer Zone

PARCEL



STATE OF N.H.

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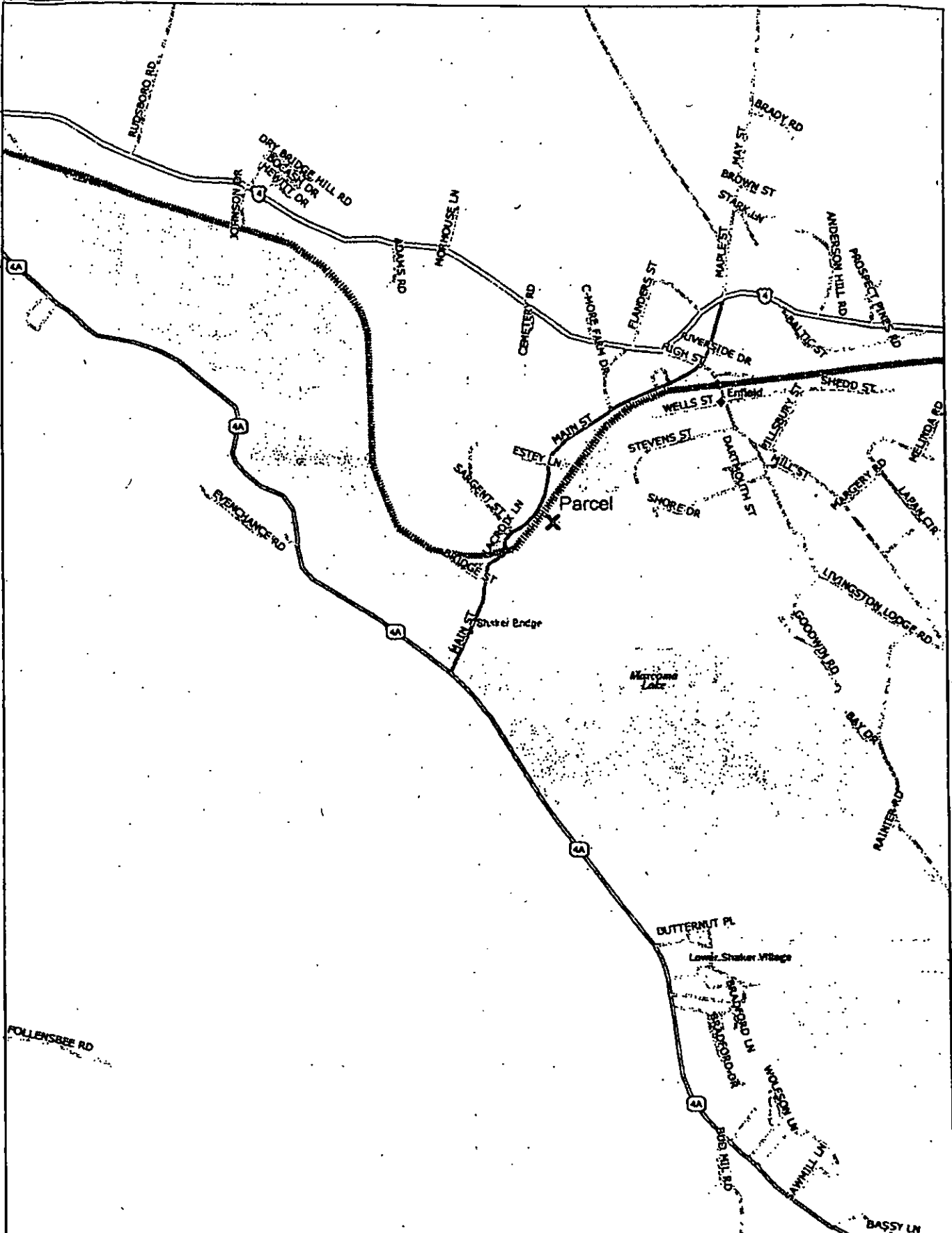
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STATE OF N.H.

MASCOMA LAKE

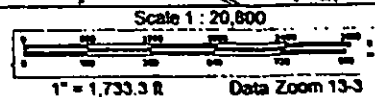
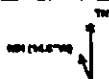
STATE OF N.H.



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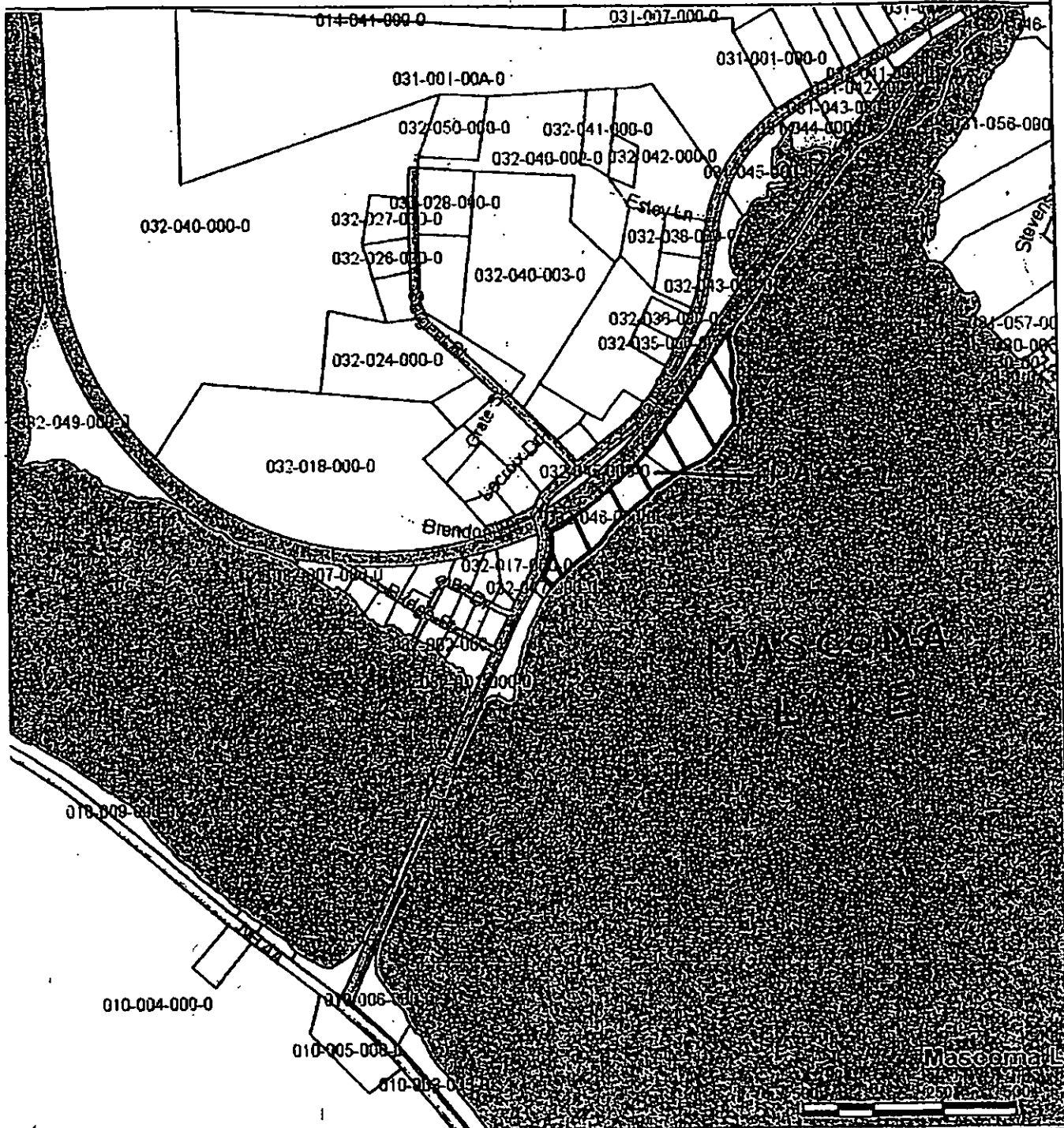
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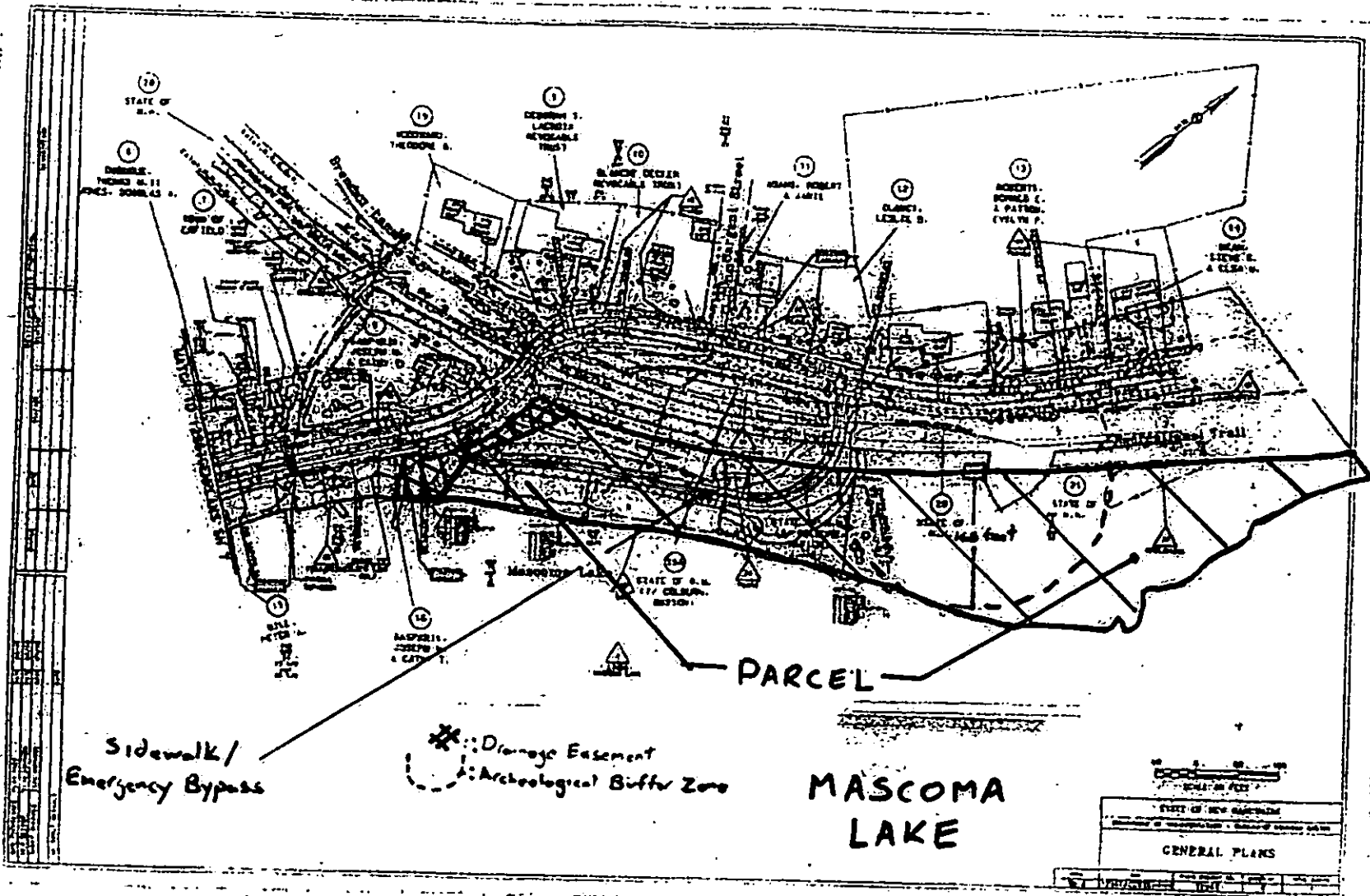
STATE OF NEW HAMPSHIRE  
DEPARTMENT OF REVENUE  
ADMINISTRATION

MOSAIC PARCEL  
MAP SHARING  
POOL



This map was compiled using data believed to be accurate; however, a degree of error is inherent in all maps. This map was distributed "AS-IS" without warranties of any kind, either expressed or implied, including but not limited to warranties of suitability to a particular purpose or use. No attempt has been made in either the design or production of the maps to define the limits or jurisdiction of any federal, state, or local government. Detailed on-the-ground surveys and historical analyses of sites may differ from the maps.





Sidewalk/  
Emergency Bypass

\* Drainage Easement  
Archaeological Buffer Zone

PARCEL  
MASCOMA  
LAKE

STATE OF NEW HAMPSHIRE  
 DEPARTMENT OF REVENUE & TAXATION  
 DIVISION OF CONSTRUCTION & GENERAL PLANS  
 GENERAL PLANS