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STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
DIVISION OF FORESTS AND LANDS

172 Pembroke Road Concord, New Hampshire 03301
Phone: 603-271-2214 Fax: 603-271-6488 www.nhdf.org

January 13, 2020

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

REQUESTED ACTION

- 1) Pursuant to RSA 4:40, authorize the Department of Natural and Cultural Resources (DNCR) to exchange, with the Town of Hopkinton, at no cost to the State, 30.3+/- acres of state-owned land known as "Contoocook State Forest" in Hopkinton, NH for a 97-acre +/- parcel of land known as the "Hopkinton Town Forest" that abuts Mast Yard State Forest. No State Funds.
- 2) Pursuant to RSA 227-H:3,I, further authorize DNCR to accept title by Warranty Deed, at no cost to the State, from the Town of Hopkinton a 97-acre +/- parcel of land known as the "Hopkinton Town Forest", abutting Mast Yard State Forest, in the Town of Hopkinton. No State Funds.
- 3) Pursuant to RSA 4:40, III-A, further authorize DNCR to accept a \$1,100 administrative fee from the Town of Hopkinton.

Revenue will be posted to 03-035-035-351010-72000000, Forest Improvement Fund, as follows:

State FY	Class-Account	Description	Amount
2020	003-403585	Revolving Funds	\$1,100

EXPLANATION

The Town of Hopkinton approached the State last year regarding this potential land swap as the Town desires to incorporate the State property, along with other parcels, into a larger proposed economic development initiative. Their plan would aggregate properties adjacent to the intersection of Routes NH 202/US 9 and NH 127 (Maple Street) and then seek to partner with private parties to develop the area into a mixed use residential and commercial district. This area of Hopkinton currently has commercial and industrial uses within the vicinity of the State's land.

Contoocook State Forest is comprised of three individual parcels (9.7 acres, 7.2 acres, and 13.4 acres), which are bisected by Routes 202/9 and Maple Street/Route 127. Due to the parcel configuration, and small size, Contoocook State Forest is not an economically viable working forest. Therefore, DNCR desires to exchange the 30.3-acre Contoocook State Forest for the 97-acre Hopkinton State Forest because of its larger size and strategic location to Mast Yard State Forest. The Hopkinton Town Forest also has approximately 3,500 linear feet of frontage on the Contoocook River, which the Contoocook State Forest does not.

A recently completed appraisal determined that the combined value of the three parcels comprising Contoocook State Forest to be \$68,000 and the Hopkinton Town Forest to be \$105,000.

This request was recommended for approval by the Council on Resources and Development (CORD) on September 12, 2019 and approved by the Long Range Capital Planning and Utilization Committee (Long Range) on November 6, 2019.

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,

A handwritten signature in black ink, appearing to read "Brad W. Simpkins".

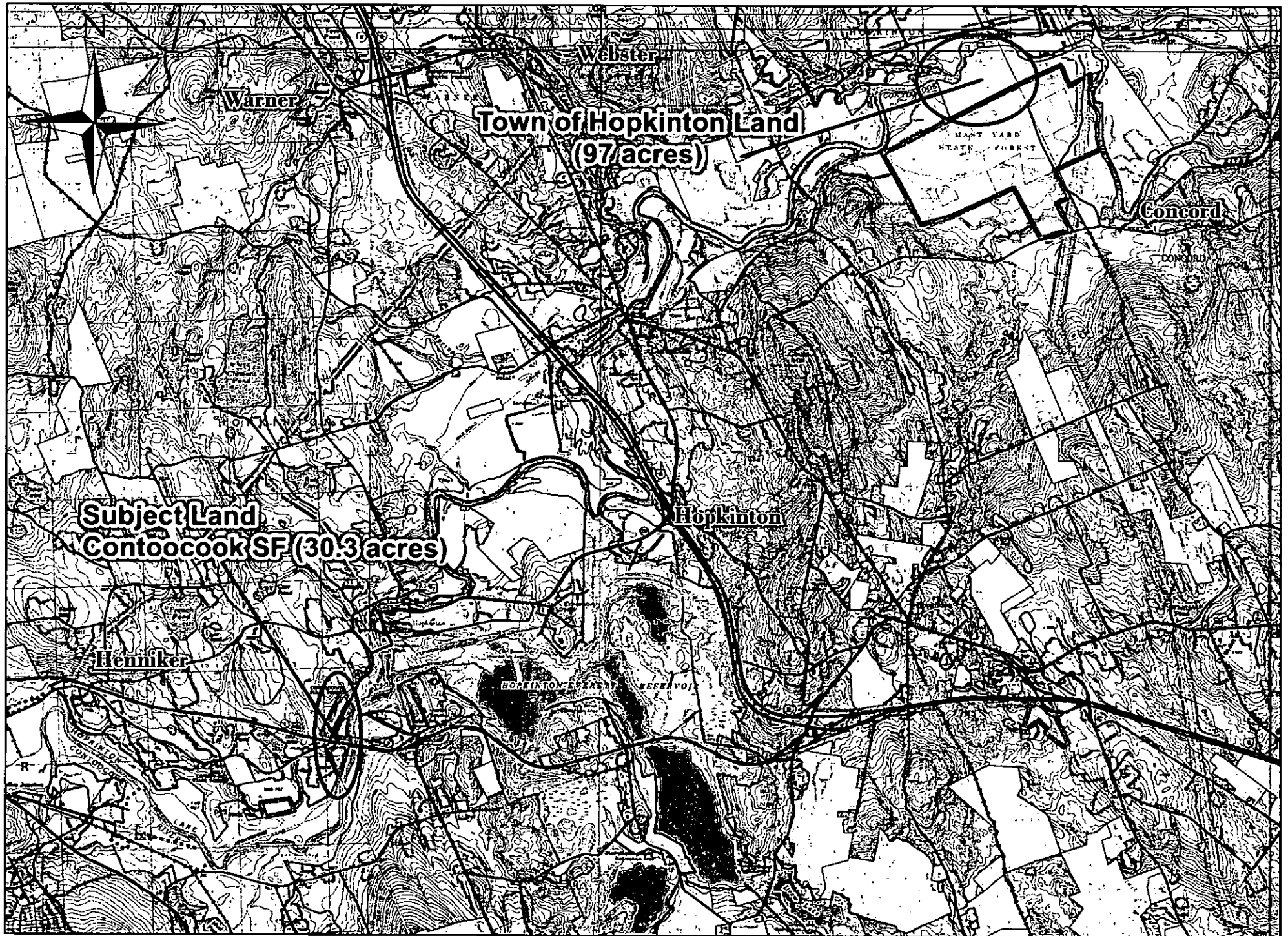
Brad W. Simpkins
Director

Concurred,

A handwritten signature in black ink, appearing to read "Sarah L. Stewart". To the right of the signature is a small circle containing the initials "BWS".

Sarah L. Stewart
Commissioner

Location Map





LRCP 19-039

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

CHRISTOPHER M. SHEA, 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

November 6, 2019

Sarah L. Stewart, Commissioner
Department of Natural and Cultural Resources
172 Pembroke Road
Concord, New Hampshire 03301

Dear Commissioner Stewart,

The Long Range Capital Planning and Utilization Committee, on November 6, 2019, approved the joint request of the Department of Natural and Cultural Resources, pursuant to RSA 4:40, to exchange with the Town of Hopkinton 30.3 acres of state-owned land known as "Contoocook State Forest" in Hopkinton, NH for a 97-acre parcel of land known as the "Hopkinton Town Forest" that abuts Mast Yard State Forest, at no cost, plus an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated October 23, 2019.

Sincerely,

Michael W. Kane
Legislative Budget Assistant

MWK/pe
Attachment

Cc: Tracey Boisvert, Land Management Bureau
Department of Natural and Cultural Resources

New Hampshire Council on Resources and Development


NH Office of Strategic Initiatives
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: Sarah L. Stewart, Commissioner
New Hampshire Department of Natural and Cultural Resources
(Via email to Sarah.Stewart@dnr.nh.gov)

FROM: Michael Klass, Principal Planner 
NH Office of Strategic Initiatives

DATE: September 19, 2019

SUBJECT: Surplus Land Review, SLR 19-007 (Hopkinton)

On September 12, 2019, the Council on Resources and Development (CORD) took action on the following Surplus Land Review application:

Request from the Department of Natural and Cultural Resources to exchange 30.3 acres of state-owned land known as Contoocook State Forest for a 97-acre parcel of forest land known as the Hopkinton Town Forest in Hopkinton, as detailed in request submitted to CORD under cover letter dated June 21, 2019.

At such time, CORD members voted to **RECOMMEND APPROVAL OF SLR 19-007** (Hopkinton).

cc: Tracey Boisvert, Department of Natural and Cultural Resources
(Via email to tracey.boisvert@dnr.nh.gov)
Jared Chicoine, Office of Strategic Initiatives
(Via email to Jared.Chicoine@osi.nh.gov)
Long Range Capital Planning and Utilization Committee
(Via email to Pamela.Ellis@leg.state.nh.us)

INTENT of the PARTIES

Between

THE STATE OF NEW HAMPSHIRE

And

THE TOWN OF HOPKINTON, NEW HAMPSHIRE

Exchange of Fee Simple interests for properties in Hopkinton (Merrimack County), NH

The Town of Hopkinton, having a principle address at 33 Main Street, Hopkinton, New Hampshire 03229-2627 (the Town) and the State of New Hampshire, Acting through the Department of Natural and Cultural Resources, having a principle address at 172 Pembroke Road, Concord, New Hampshire, 03301 (the State or DNCR), hereby agree to work cooperatively towards the bilateral exchange of parcels of land as described below.

BACKGROUND:

The State owns three parcels of land known as Contoocook State Forest (the State Forest), collectively totaling 30.3+/- acres as depicted on a plan entitled "Contoocook State Forest, Hopkinton, New Hampshire" dated October 2002, drawn by DNCR staff, and on file at DNCR's Headquarters Office in Concord.

The three individual parcels (9.7 acres, 7.2 acres, and 13.4 acres) that make up the Forest are bisected by Routes 202 and 9 and Maple Street/Route 127. They could potentially be considered surplus to the mission of the DNCR, Division of Forests and Lands as they are too small to effectively manage as a working forest.

The Town desires to acquire the State Forest as part of a larger economic development. The plan would aggregate properties adjacent to the intersection of Routes NH 202/US 9 and NH 127 (Maple Street), here after referred to as Hart's Corner, and then seek to partner with private parties to develop the area into a mixed use residential and commercial district.

The Town of Hopkinton owns a 97-acre parcel of forested land (the Town Forest) that abuts the eastern side of Mast Yard State Forest.

The State wishes to exchange the State Forest for the Town Forest and the Town wishes to exchange the Town Forest for the State Forest. The Town Forest would better meet the mission of the Division of Forests and Lands and directly abuts other state-owned land known as Mast Yard State Forest.

The Town and the State shall be collectively referred to as the "Parties".

This document (the Agreement), reflects the intent of the Parties. However, any transfer of State lands is subject to approval of the necessary State entities, including but not limited to the Governor and Executive Council. Such approval is not guaranteed.

THE INTENT OF THE PARTIES IS AS FOLLOWS:

1. The Parties agree to forego timber harvesting activities on either the Town Forest or State Forest until after this exchange has been fully executed.
2. The Parties agree that this transaction will be an exchange of fee simple interests only, involving no exchange of funds.
3. The Town shall provide to the State a Warranty Deed for the Town Forest to the State of New Hampshire, acting through the Department of Natural and Cultural Resources.
4. Subject to the necessary approvals, the State shall provide to the Town a Quitclaim Deed for the Forest, from the State of New Hampshire Department of Natural and Cultural Resources.
5. Pursuant to RSA 78-B:2, I, the State and the Town shall pay no transfer tax.
6. All work shall be done in full compliance with all applicable statutes, rules and regulations of the State of New Hampshire and the Town of Hopkinton.
7. The Parties agree to negotiate in good faith.

Executed this 9 day of July, 2019.

TOWN OF HOPKINTON, NEW HAMPSHIRE

By: [Signature]
Jim O'Brien, Select Board Chair

By: [Signature]
Sabrina Dunlap, Select Board Member

By: [Signature]
Anna Wells, Select Board Member

By: [Signature]
Ken Traum Select Board Vice Chair

By: [Signature]
Steven Whitley Select Board Member

STATE

By: [Signature]
Sarah L. Stewart, Commissioner
Department of Natural and Cultural
Resources

By: [Signature]
Brad W. Simpkins, Director
Division of Forests and Lands