



Victoria F. Sheehan  
Commissioner

JUL 22 2020 10:25 AM  
**THE STATE OF NEW HAMPSHIRE**  
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.  
Assistant Commissioner

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

Bureau of Right-of-Way  
July 9, 2020

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation (Department) to sell 15,036+/- square feet of land, located off of the westerly side of Interstate 93 and the southerly side of Appletree Lane (f/k/a Pillsbury Road) in the Town of Londonderry to Pillsbury Realty Development, LLC. (Pillsbury Realty), for \$59,600.00, which includes an \$1,100.00 Administrative Fee. In addition, Pillsbury Realty will deed two parcels of land containing approximately 2,256+/- square feet to the Department as described below, effective upon Governor and Executive Council approval.

The Department's Bureau of Finance and Contracts determined that above noted portion of Interstate 93 was purchased in 1961 with 90% Federal funds and 10% Highway Funds.

Funding is to be credited to the Highway Fund as follows:

04-096-096-960015-0000-UUU-402156	<u>FY 2021</u>
Administrative Fee	\$1,100.00
04-096-096-963515-3054-401771	<u>FY 2021</u>
Sale of Parcel	\$52,650.00
(90% of \$58,500 – Consolidated Federal Aid)	
04-096-096-960015-0000-UUU-409279	<u>FY 2021</u>
Sale of Parcel	\$5,850.00
(10% of \$58,500 - Highway)	

**EXPLANATION**

The Department received a request from Pillsbury Realty to acquire a parcel of State owned land approximately 15,036 +/- square feet, located off the westerly side of Interstate 93, and the southerly side of Appletree Lane in the Town of Londonderry.

The parcel at the end of Appletree Lane, and the underlying fee of the southerly half of Appletree Lane, consists of land once proposed for a turnaround.

Appletree Lane, discontinued as a through road in 2017, was severed by the upgrade to the Interstate 93 corridor. This area is not identified as State owned land on local tax maps and historically the Town of Londonderry has taxed this area as part of land owned by Pillsbury Realty.

This parcel also conflicts with a Master Plan and Development Agreement filed by Pillsbury Realty with the Town of Londonderry, whereby an Edgewood Retirement Community of 15.4 +/- acres is under consideration.

Likewise, a portion of this parcel also conflicts with a site plan application filed by Edgewood Retirement Community (Edgewood) (pursuant to authorization of the purchase agreement with Pillsbury Realty), for proposed site improvements to be located upon the subdivided parcel.

With the Department's acknowledgement, Edgewood presented its site plan application to the Londonderry Planning Board on October 9, 2019, and received conditional approval. One of the conditions of the site plan approval, and consolidation/lot line approval, is to acquire this parcel.

Conditions of this sale include:

1. No access will be granted from this parcel to Interstate 93.
2. Pillsbury Realty, at their expense, will submit a right-of-way adjustment plan prepared by a land surveyor licensed in the State of New Hampshire, showing the proposed area of conveyance. Approved plans require submission to the Department, and recorded with Rockingham County Registry of Deeds.

As part of the purchase price of \$59,600.00, Pillsbury Realty will transfer in fee two parcels of land owned by Pillsbury Realty, identified as one 481 square foot parcel, and one 1,775 square foot parcel. Acquisition of these parcels will allow the Department to have a consistent property line along the boundary where the driveway to a detention pond is located. The value of these parcels has been calculated and deducted from the purchase price.

The Department has determined the 15,036 +/- square foot parcel to be surplus to its needs and interest. Approval of the sale of this property, by the Council of Resources and Development is not necessary per RSA 4:39-c whereas the parcel was purchased with Highway funds.

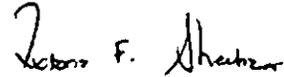
In 2020, appraisals completed by Fremeau Appraisal Inc., and approved by the Department, determined an opinion of value for each parcel is as follows:

- 15,036 +/- sq. ft. parcel \$69,000.00
- 481 Sq. ft. and 1,775 Sq. ft. parcel combined \$10,500.00

On June 22, 2020, the Long Range Capital Planning and Utilization Committee approved the Department's request to sell a parcel of State owned land to Pillsbury Realty for \$59,600.00, which includes an \$1,100.00 Administrative Fee, and to accept deeds for two other parcels (Item 20-007).

The Department is respectfully requesting authorization to sell this portion of land, as described above to Pillsbury Realty.

Respectfully,

  
Victoria F. Sheehan  
Commissioner

VFS/DAD/  
Attachments



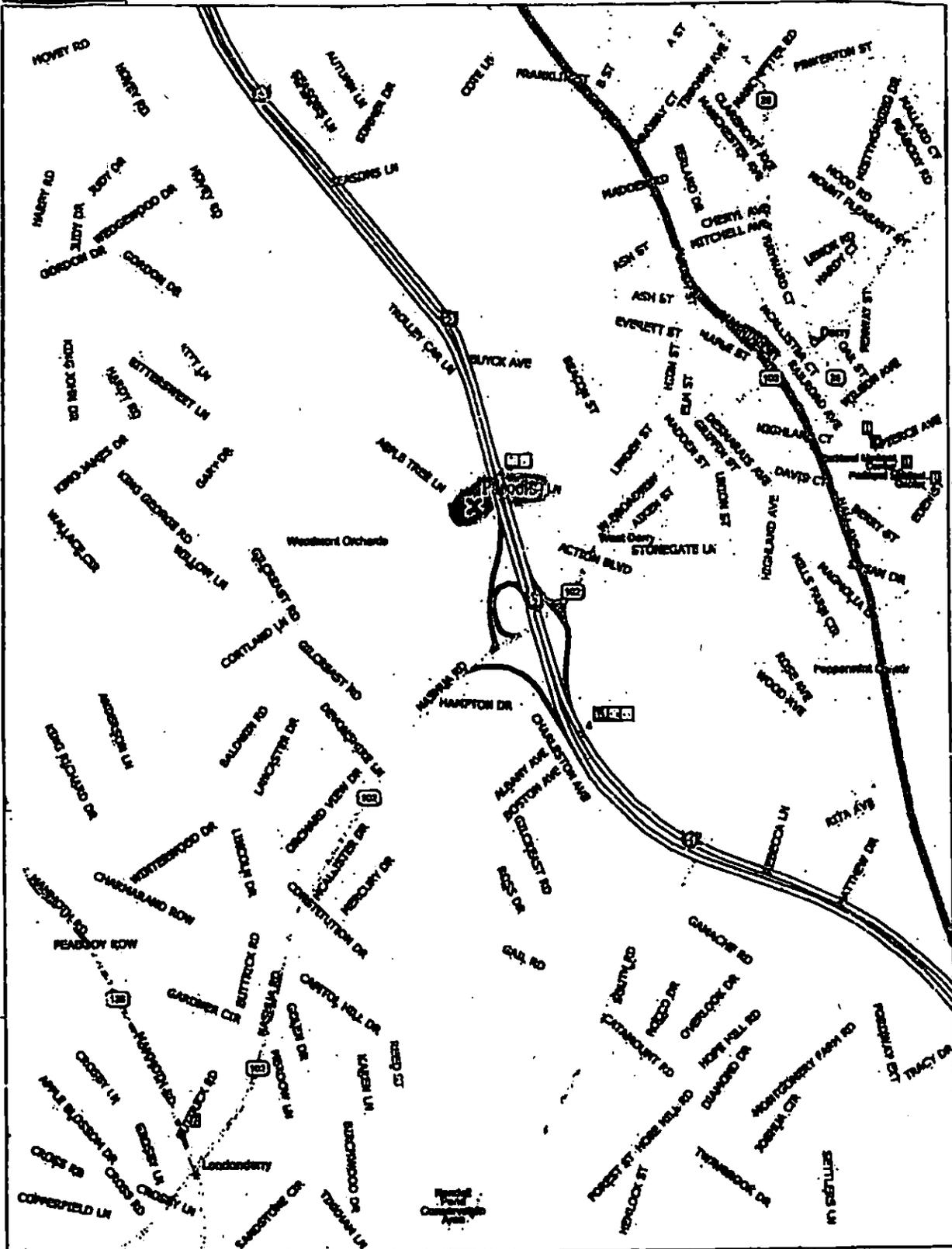
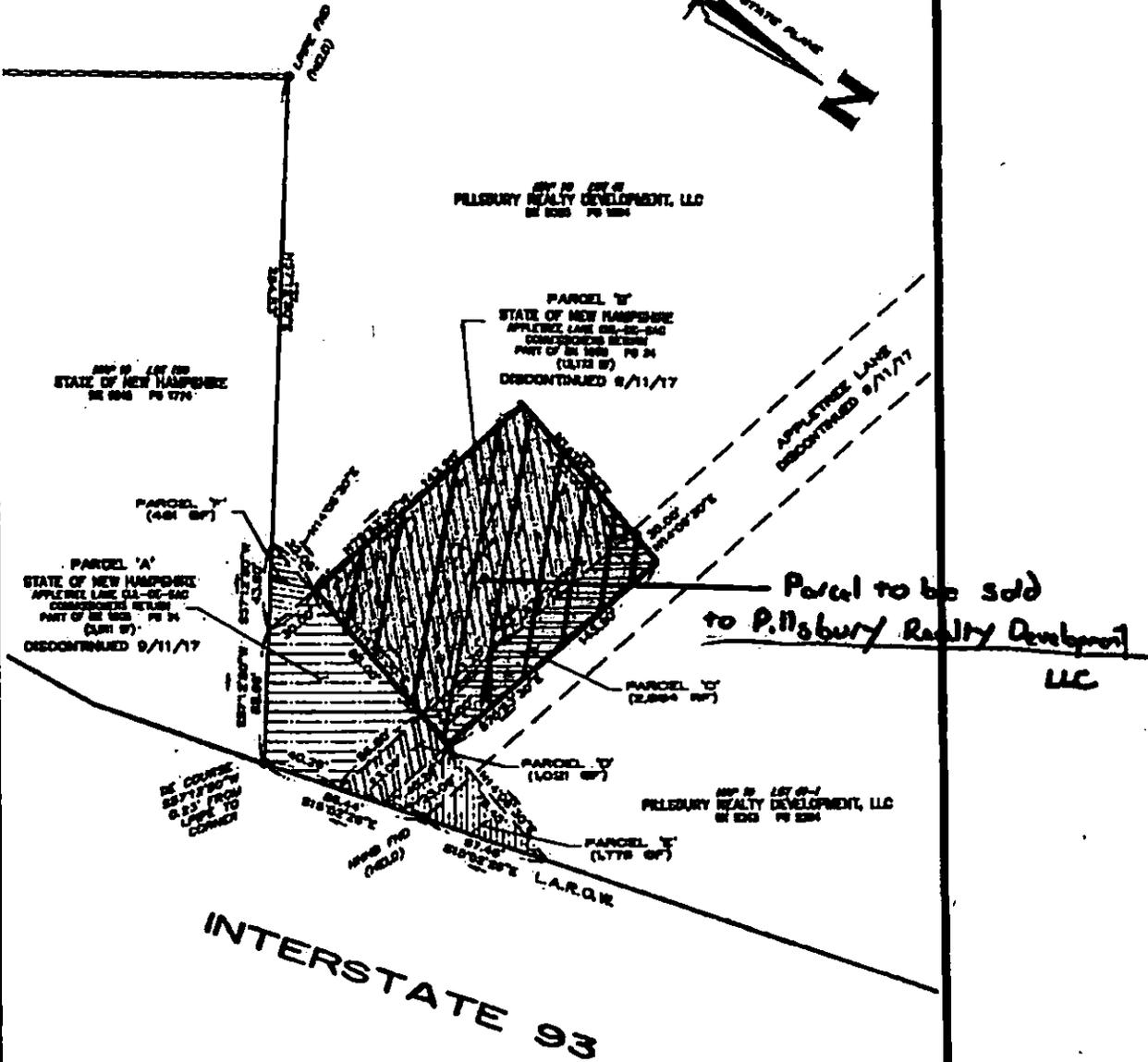
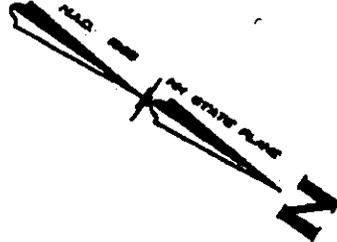


EXHIBIT 'A'  
**MAP 10 LOT 41**  
**APPLETREE LANE**  
**LONDONDERRY, N.H.**  
 01/30/20 25 0 SCALE 1" = 50'

**HSI** Hyatt/Swanson, Inc.  
 Civil Engineers/Land Surveyors  
 3 Congress Street, Hudson, NH 03052  
 100 Middle Street, Burlington, MA 01803

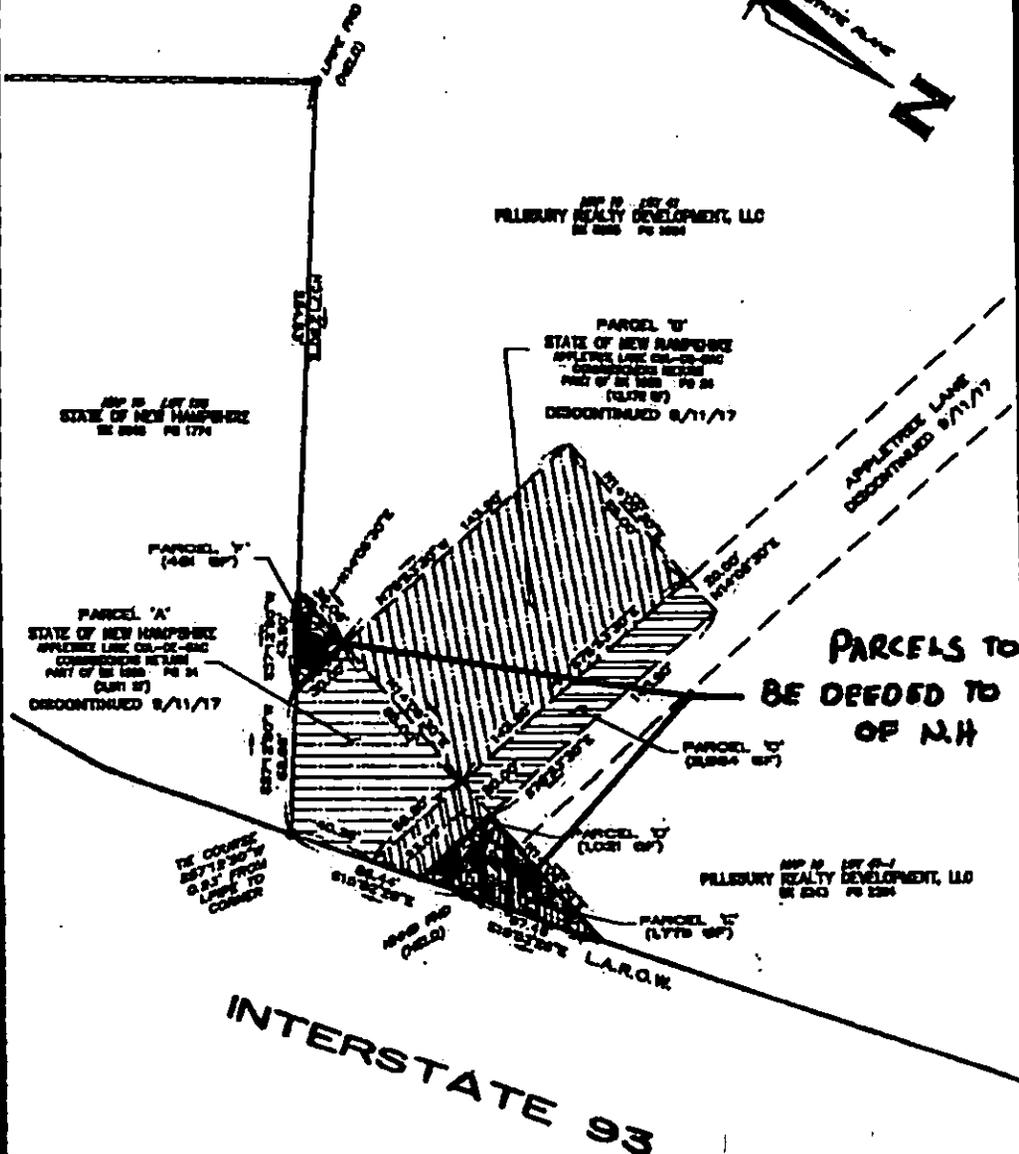
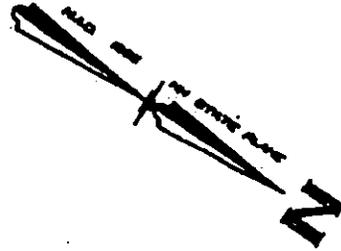


THIS PLAN IS NOT FORWARDED FOR RECORDING FOR ANY OTHER REASON

DATE REVISIONS: 01/30/20 (1)	SCALE: 1" = 50'	BY: HSI
LOCATION: 1000-01-1000 (13C)		PG: 1000

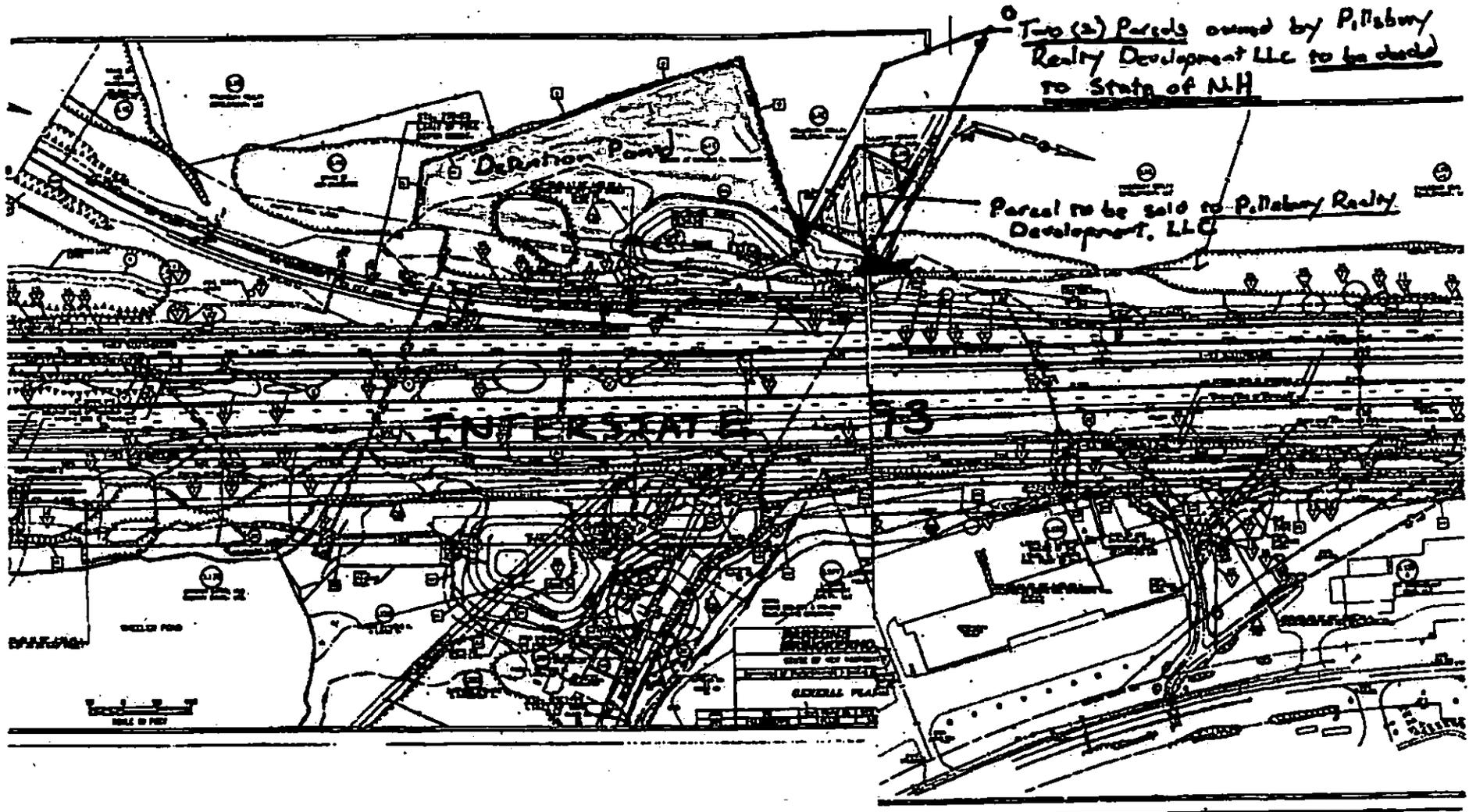
EXHIBIT 'A'  
 MAP 10 LOT 41  
 APPLETREE LANE  
 LONDONDERRY, N.H.  
 01/30/20 25 0 SCALD' - 50

**HESI** Ryan/Szymon, Inc.  
 Civil Engineering and Surveying  
 3 Casper Street, Hudson, NH 03051  
 113 Main Street, Burlington, MA 01803



THIS PLAN IS NOT FORMATED FOR RECORDING PER ASB 12/18/17

DEED BOOK/BOOK EXHIBIT/AAA	FILED IN-	5908
LOCATION IN DEED-880/880/880/880		PL 12/18/17





LRCP 20-007

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

CHRISTOPHER M. SHBA, 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

June 22, 2020

Stephen G. LaBonte, Administrator  
Department of Transportation  
Bureau of Right-of-Way  
John O. Morton Building  
Concord, New Hampshire 03301

Dear Mr. LaBonte,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on June 22, 2020, amended, to correct an error in the request, and approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a parcel of State owned land consisting of 15,036 square feet located near the westerly side of Interstate 93 in the Town of Londonderry directly to Pillsbury Realty Development, LLC in exchange for two (2) parcels of land owned by Pillsbury Realty Development, LLC totaling 2,256 square feet also located near the westerly side of Interstate 93 in the Town of Londonderry, as well as \$59,600, which includes a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated February 24, 2020.

Sincerely,

*/s/ Michael W. Kane*

Michael W. Kane  
Legislative Budget Assistant

MWK/pe  
Attachment

Cc: Adam Smith, Assistant Administrator  
Bureau of Right-of-Way