



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  
November 5, 2019

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the Department of Transportation to sell a 2.1 +/- acre parcel of State-owned land located on the westerly side of North Main Street, just south of the Spaulding Turnpike Exit 15 Northbound off ramp in the City of Rochester, to 400 North Main Street, LLC for \$33,100.00 which includes the \$1,100.00 Administrative Fee, effective upon Governor and Executive Council approval.

It has been determined by the Division of Finance that this parcel was originally purchased with 80% Federal Funds, 20% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156	<u>FY 2020</u>
Administrative Fee	\$1,100.00
04-096-096-960015-0000-UUU-409279	<u>FY 2020</u>
Sale of Parcel	\$6,400.00
(20% of \$32,000.00)	
04-096-096-963515-3054-401771	<u>FY 2020</u>
Consolidated Federal Aid	\$25,600.00
(80% of \$32,000.00)	

**EXPLANATION**

The Department has received a request from 400 North Main Street, LLC who wishes to acquire a parcel of State owned land on the westerly side of North Main Street, just south of the Spaulding Turnpike Exit 15 Northbound off ramp in the City of Rochester.

The parcel, consisting of 2.1 +/- acres, was acquired by the Department in 1957 in connection with the construction of the Spaulding Turnpike. It was brought to the Department's attention that this parcel has been incorporated with the use of the abutting parcel for many years which has included Thompson Center Arms, and Smith and Wesson and not used for right of way purposes. The State parcel has been noted on City of Rochester Tax Maps as being part of the abutting parcel. Both parcels are contaminated as a result of their prior use. 400 North Main Street, LLC is currently remediating both its site as well as the State parcel through the Brownfields Program. This site is also registered on the DES OneStop website.

The abutting parcel was purchased by 400 North Main Street, LLC in 2012 and was the former Thompson Center Arms (TCA) manufacturing facility. Adjacent to the Spaulding Turnpike, 400 North Main Street, LLC intends to

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redevelop the site with Brownfield status. 400 North Main Street, LLC had no reason to believe that it did not have a clean title to the entire 13.1 acres including the State owned parcel. The State-owned parcel had been used and occupied openly by TCA for decades.

400 North Main Street, LLC purchased their property for \$1,150,000.00 and have spent more than \$1,317,000.00 cleaning up the property sufficiently to redevelop the land. In addition there will be monitoring costs of \$25,000 to \$30,000 per year related to the contamination once the site is cleaned up.

Conditions of this sale will include:

- No access will be granted along North Main Street or the Spaulding Turnpike to the parcel.
- The Department should retain slope easement as shown on the highway plans.
- The Department will retain a landscape easement where existing evergreen trees will not be cut down.
- Buyer is releasing the Department from any and all claims and causes action the Buyer may have against the Department related to the Department's ownership and transfer of this property.

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.

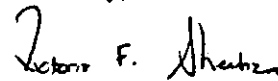
An appraisal completed by Bergeron Commercial Appraisal (an appraisal firm approved to provide appraisal services for the Department ) factoring in the clean-up costs for this parcel estimated the value of the parcel to be \$32,000.00.

The Long Range Capital Planning and Utilization Committee at their September 10, 2019 meeting approved the request that the Department may sell this portion of state owned land directly to 400 North Main Street, LLC for \$32,000.00, plus an Administrative Fee of \$1,100.00.

In accordance with RSA 4:39-c, the Town of Rochester has been offered this property at the approved purchase price and they did not express an interest in purchasing the property. The New Hampshire Housing Finance Authority was also offered the property at the approved price in accordance with RSA 204-D: 2 and they did not express an interest in purchasing the property.

Authorization is respectfully requested to sell this portion of State-owned land to 400 North Main Street, LLC.

Sincerely,



Victoria F. Sheehan  
Commissioner

VFS/PJM/sjn  
Attachments



LRCP 19-030

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 7, 2019

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

Dear Mr. LaBonte,

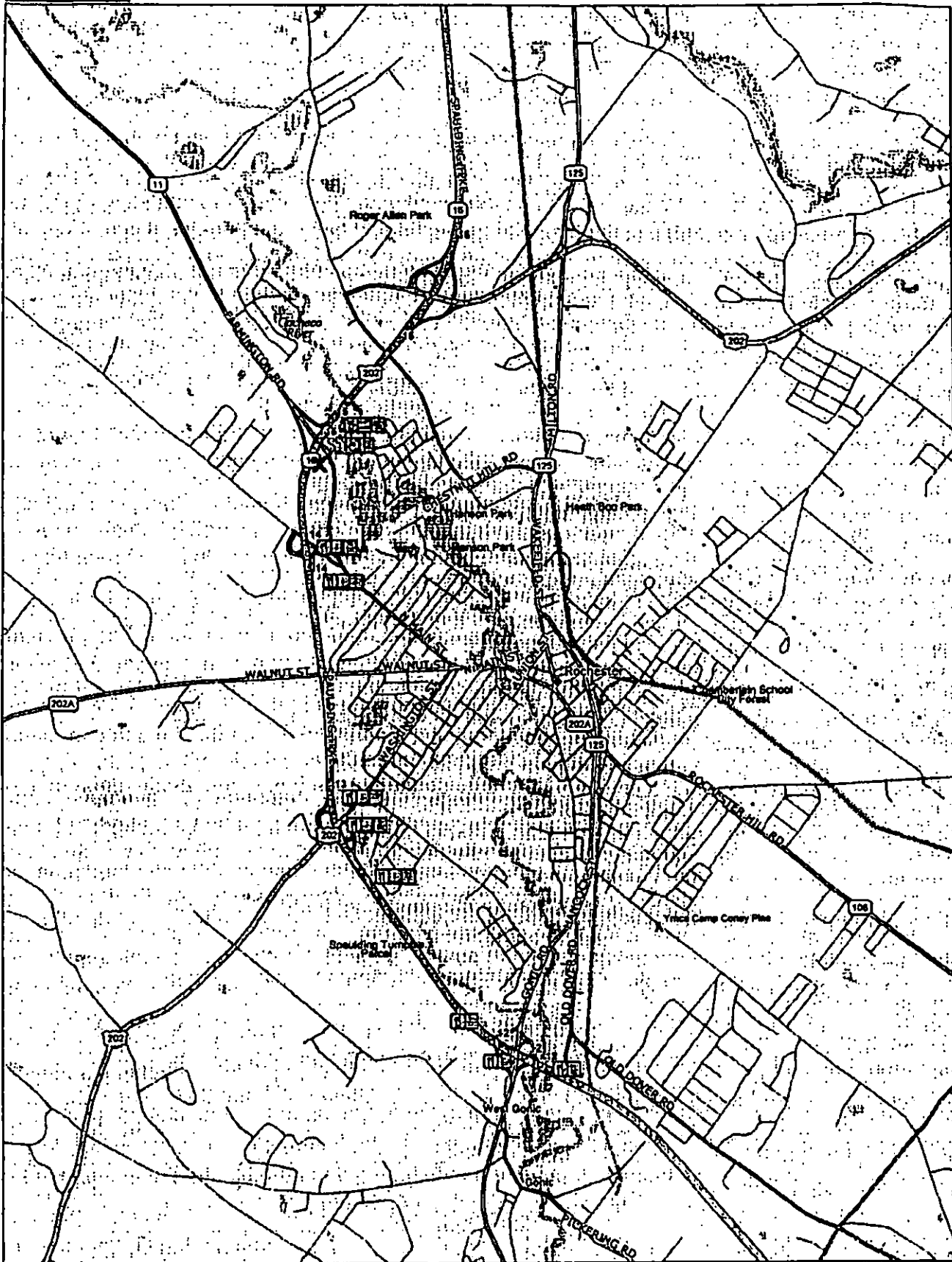
The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on September 10, 2019, approved the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 2.1 +/- acre parcel of State owned land located on the westerly side of North Main Street, just south of the Spaulding Turnpike Exit 15 Northbound Off Ramp in the City of Rochester directly to 400 North Main Street, LLC for \$33,100 which included a \$1,100 Administrative Fee, subject to the conditions as specified in the request dated September 5, 2019.

Sincerely,

A handwritten signature in cursive script, appearing to read "Christopher M. Shea".

Christopher M. Shea  
Deputy Legislative Budget Assistant

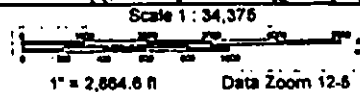
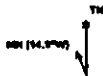
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Attachment



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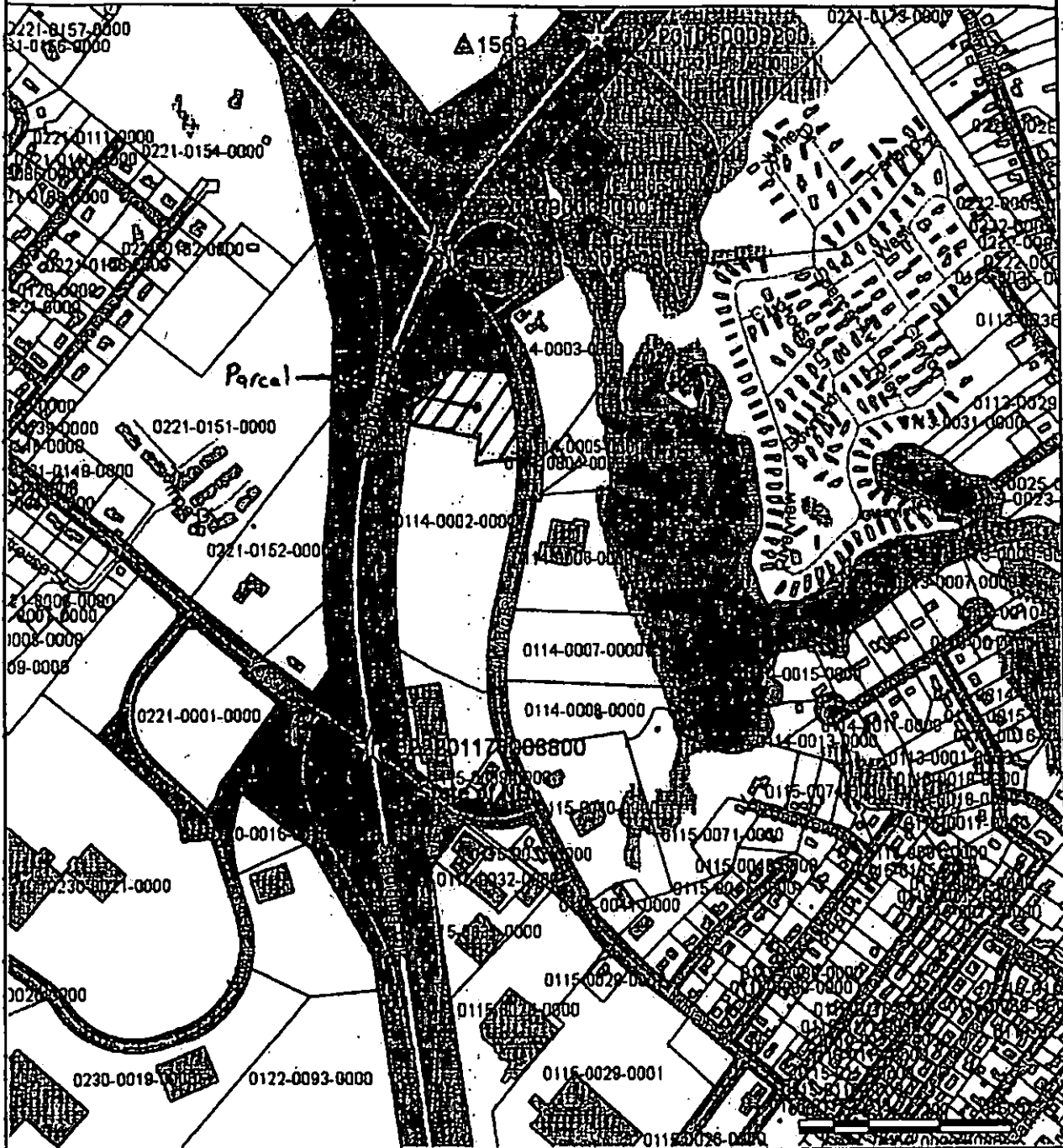
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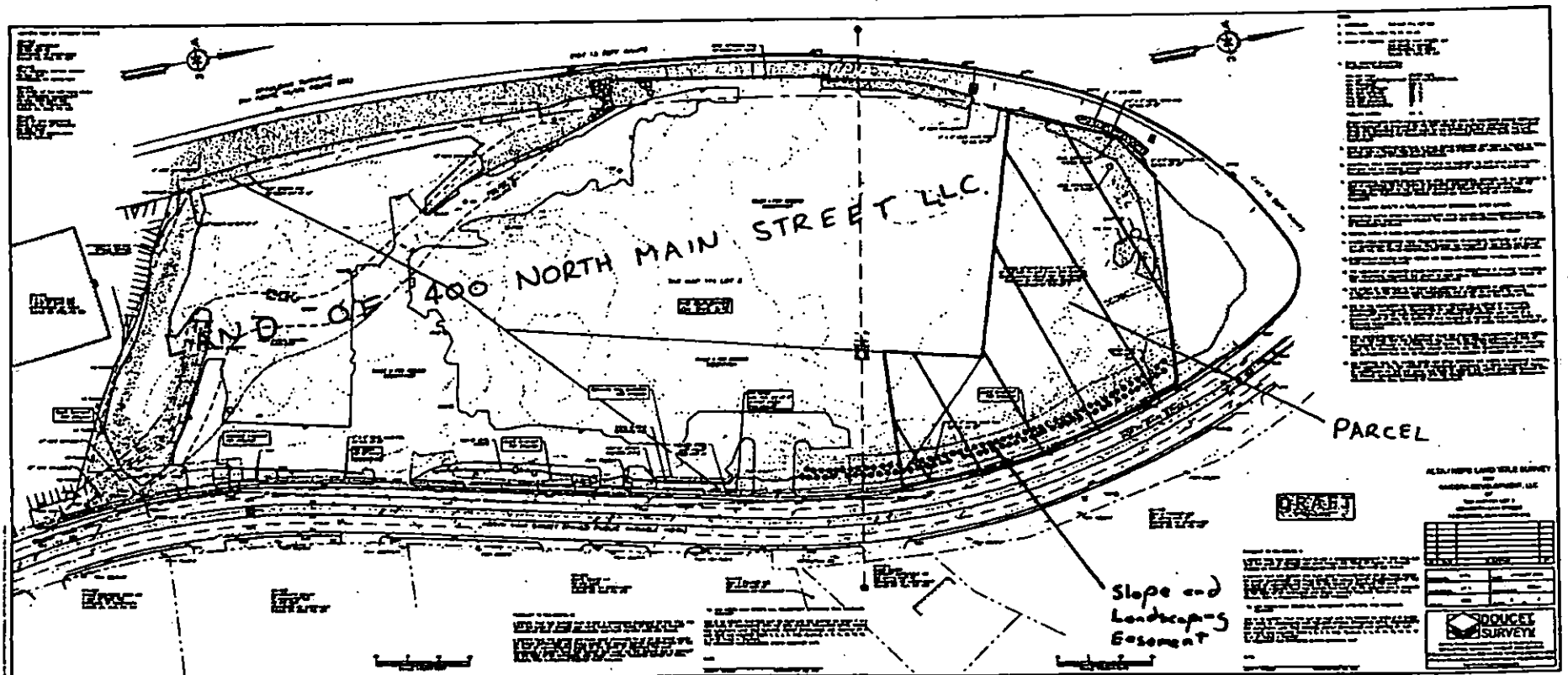


STATE OF NEW HAMPSHIRE  
DEPARTMENT OF REVENUE  
ADMINISTRATION

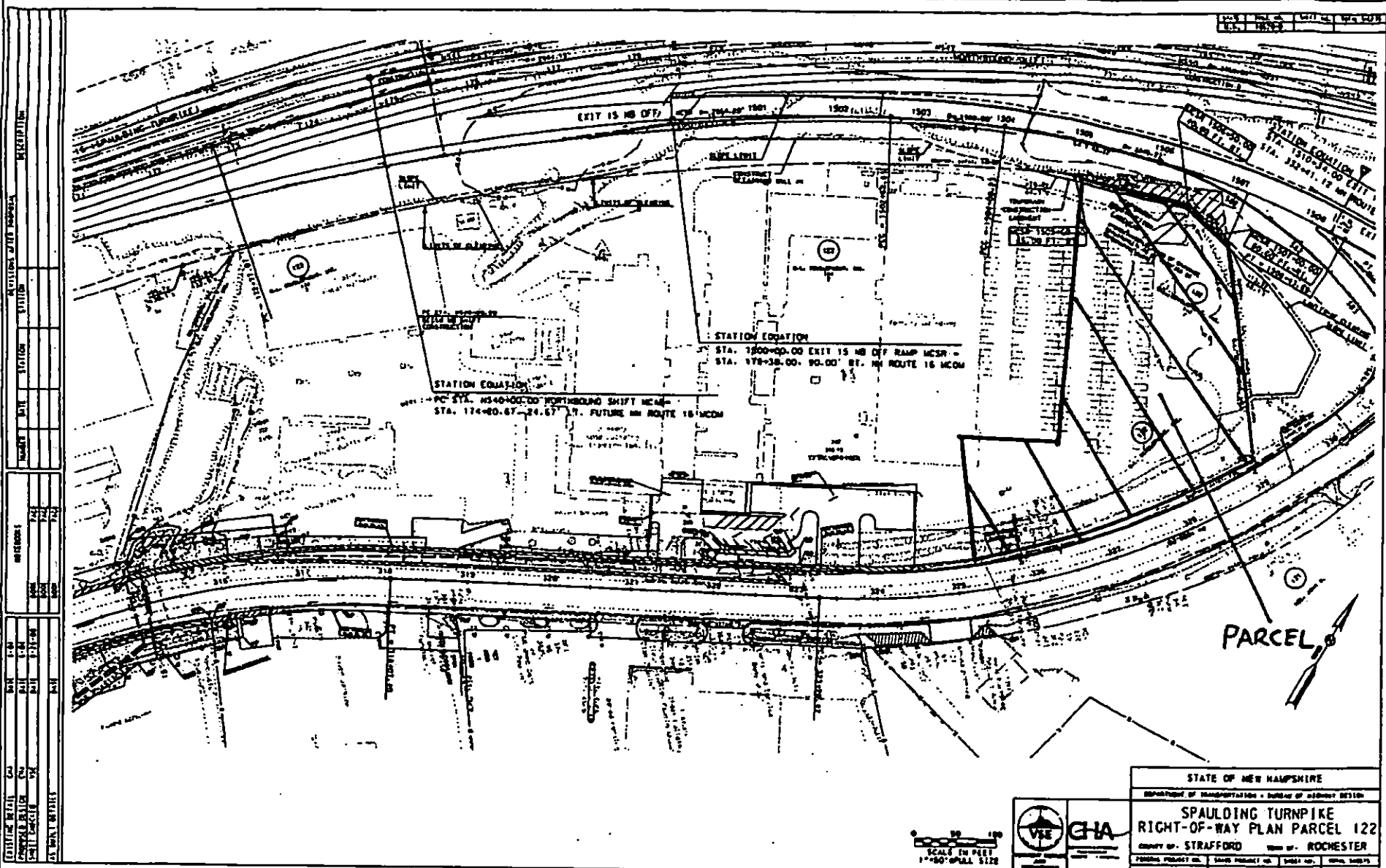
MOSAIC PARCEL  
MAP SHARING  
POOL



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.



1"=50' PL. 122



DATE	BY	CHKD.	APP'D.
10/15/53	J.M.	J.M.	J.M.
10/15/53	J.M.	J.M.	J.M.
10/15/53	J.M.	J.M.	J.M.
10/15/53	J.M.	J.M.	J.M.

STATE OF NEW HAMPSHIRE  
 Department of Transportation - Bureau of Highway Design  
 SPAULDING TURNPIKE  
 RIGHT-OF-WAY PLAN PARCEL 122  
 COUNTY OF STRAFFORD TOWN OF ROCHESTER  
 FEDERAL PROJECT NO. STATE PROJECT NO. SHEET NO. TOTAL SHEETS  
 10420-D

SCALE IN FEET  
 1"=50' PL. 122

