



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



William Cass, P.E.
Assistant Commissioner

COMMISSION MEETING MINUTES

BEDFORD X-A001(143), 13953

7 HAZEN DR, ROOM 112/113, CONCORD NH

February 17, 2016

9:00 A.M.

NAMES OF COMMISSION MEMBERS PRESENT

THOMAS DE BLOIS
JOHN BRADY JR

NAMES OF ADDITIONAL PEOPLE PRESENT AT THE MEETING

Chuck Schmidt, Administrator, Bureau of Right-of-Way
Nancy Spaulding, ROW Engineer, Bureau of Right-of-Way
Stephen Bernard, Chief ROW Appraiser, Bureau of Right-of-Way
John Johnson, ROW Agent Supervisor, Bureau of Right-of-Way
Linda Schoffield, ROW Agent, Bureau of Right-of-Way
Dena Rae, ROW Agent, Bureau of Right-of-Way
Karen Kimel, Clerk IV, Bureau of Right-of-Way
Matthew Broadhead, Attorney, Office of Attorney General

DESCRIPTION OF SUBJECT MATTER DISCUSSED

Commission member De Blois called the meeting to order at 9:00 A.M. for the Bedford #13953 project. He gave an opening statement which described the purpose of the meeting and then introduced N. Spaulding, the Right-of-Way Engineer.

N. Spaulding introduced the Right-of-Way staff attending the meeting. She reviewed the plans explaining the color scheme and orientation, and then reviewed each parcel the Department is looking to acquire.

Relative to parcel #004, Tuxman LLC, is identified on the plan; the Department is looking to acquire 714 square feet of permanent slope easement and 2,024 square feet of temporary driveway easement.

Relative to parcel #027, Met Revocable Trust of 2003, is identified on the plan; the Department is looking to acquire 1,599 square feet of permanent drainage/slope easement.

Relative to parcel #035, Aspinwall Trust, is identified on the plan; the Department is looking to acquire 2,816 square feet of permanent drain/slope easement.

Relative to parcel #058, One Constitution Drive LLC, is identified on the plan; the Department is looking to acquire 0.02 acres of commercial land and 642 square feet of permanent drain/slope easement.

Relative to parcel #036, Robert Starace Homes LLC is identified on the plan; the Department is looking to acquire 1.877 acres of residential land with 1 structure single family residence.

N. Spaulding requested to go into non-public session to discuss ongoing negotiations.

Commission member De Blois motioned to move to a non-public session to discuss financial information regarding ongoing negotiations listed in Exhibit A. J. Brady seconded. The Commission voted by roll call unanimously in favor to move to non-public session at 9:15 A.M.

Sealed Minutes A

Commission member De Blois moved to reconvene to a public session. J. Brady seconded. The Commission voted by roll call unanimously to reconvene to a public session at 9:20 A.M.

Commission member De Blois motioned to seal the minutes of the non-public session as disclosure of the minutes publicly would render the proposed action ineffective. J. Brady seconded. The Commission voted by roll call unanimously in favor to seal the minutes of the non-public session.

N. Spaulding stated the Department is requesting that the Commission purchase the properties outlined at the offer prices listed in the Confidential Exhibit A; and should the offer not be accepted by the owner within 30 days, then to acquire it by condemnation pursuant to RSA 498-A:4 & 5 within 90 days from the expiration of the 30-day period.

Commission member De Blois motioned to acquire by purchase the properties listed on a second document entitled Exhibit A "Parcel Values for Property to be Purchased or Acquired by Condemnation" for the offer price listed on that document and should the offer not be accepted by the owner within 30 days, condemnation proceedings pursuant to RSA 498-A:4 & 5 and shall be commenced within 90 days from the expiration of the 30 day period. And to authorize the Commissioner of the Department of Transportation and/or the Administrator of the Bureau of Right-of-Way to act as the Agent for the Commission for purposes of executing the Notice of Offer to Purchase and Declaration of Taking documents in connection with the project. J. Brady seconded.

Commission member De Blois motioned with respect to parcels #036 and #058 additional authorization is provided to DOT to negotiate with the property owners as discussed in non-public session. J. Brady Jr seconded.

Commission member De Blois concluded the meeting reminding all that if members of the public have questions they may contact Victoria Chase, Project Manager or Charles Schmidt, Administrator of Bureau of Right-of-Way upon adjournment of the meeting.

The meeting was adjourned at 9:35 A.M.

DECISIONS REACHED

The Commission voted unanimously in the affirmative to acquire by purchase the properties at the offer price listed and should the offer not be accepted by the owner within 30 days, condemnation proceedings pursuant to RSA 498-A:4& shall be commenced within 90 days from the expiration of the 30 day period.

The Commission voted unanimously in the affirmative to authorize the Commissioner of the Department of Transportation and/or the Administrator of the Bureau of Right-of-Way to act as the Agent for the Commission for purposes of executing the Notice of Offer to Purchase and Declaration of Taking documents in connection with the project.

The Commission voted unanimously in the affirmative with respect to parcels #036 and #058, additional authorization is provided to DOT to negotiate with the property owners as discussed in non-public session.

Minutes Taken By Karen Kimel Dated 2/17/14

Cc: Victoria Sheehan, William Cass, Christopher Waszczuk, Matthew Broadhead, Victoria Chase, Chuck Schmidt, Nancy Spaulding, Stephen Bernard, John Johnson, Dena Rae, Linda Schoffield, Karen Kimel

Noted By: N. Spaulding