

New Hampshire Council on Resources and Development

NH Office of Energy and Planning
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: CORD Members and
Other Interested Parties

Belknap County Board of Commissioners
34 County Drive
Laconia, NH 03246

Scott Myers, City Manager
45 Beacon Street East
Laconia, NH 03246

Jeffrey Hayes, Executive Director
Lakes Region Planning Commission
103 Main Street, Suite 3
Meredith NH 03253

FROM: Susan Slack, NH Office of Energy and Planning 

DATE: April 7, 2015

SUBJECT: *State Owned Land, Surplus Land Review, City of Laconia, NH
SLR 15-005-A-H*

RESPONSE DATE: May 7, 2015

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response date indicated above. Responses may be emailed to susan.slack@nh.gov. The Council on Resources and Development will consider the request at the *next meeting scheduled for May 14, 2015*. Further information regarding upcoming CORD meetings may be obtained at: <http://www.nh.gov/oep/programs/CORD/>.

The Department of Cultural Resources is asked to review this request in accordance with RSA 227-C:9.

Members of the Public Water Access Advisory Board are asked to review this request in accordance with RSA 233-A.

The Lakes Management and Protection Program, through the Lakes Coordinator, is asked to review this request in accordance with RSA 483-A:5, II.

The Rivers Management and Protection Program, through the Rivers Coordinator, is asked to review this request in accordance with RSA 483:8, VII and 14.



**STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION**

From: Louis Barker
Railroad Planner

Date: March 23, 2015

At: Bureau of Rail and Transit

Thru: Shelley Winters *sw 01/23/15*
Administrator

Patrick Herlihy, Director *Perf 3/25/15*
Division of Aeronautics, Rail & Transit

Subject: Surplus Land Review
Concord to Lincoln Railroad Corridor, Laconia

To: Meredith Hatfield, Director
Office of Energy and Planning

The Bureau of Rail & Transit proposes to lease water-frontage for up to 8 individual parcels (minimum 50 linear feet) of railroad land in Laconia to abutters at the end of Massachusetts Avenue to permit use and maintenance of pedestrian crossings, docks and waterfront access on Lake Winnepesaukee per RSA 228:57-a. This law allows leases of State-owned railroad property to landowners whose property is separated from public waters by the railroad, for the purpose of constructing docks or mooring fields. The owners of the abutting property have leased the railroad property since the 1990s.

The abutter's properties have historically crossed the railroad to access the lakeshore and maintain their docks. The Bureau is willing to renew the leases of limited frontage (50' - 75') at the edge of the railroad corridor, provided that the lessee construct and maintain a crossing facility in the railroad corridor and install appropriate signs to alert pedestrians. Each lease will also include a termination clause in the event the area is needed in the future for railroad operations.

Attached to the Application Form is a listing of the lessees with dates of previous CORD and Long Range Capital Planning and Utilization Committee approvals.

Please submit this request to the Council on Resources and Development to determine if this land is surplus to the needs and interests of the State.

Feel free to contact me with any questions.

Enc.

cc: Charles R. Schmidt, PE, Administrator, Bureau of Right-of-Way

**Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION**

Name of Requesting Agency: Department of Transportation, Bureau of Rail & Transit

Agency Contact Person: Louis A. Barker
 Address: PO Box 483, 7 Hazen Drive, Concord, NH 03302-0483
 Phone Number: (603) 271-2425
 E-Mail: lbarker@dot.state.nh.us

Applicant Contact Person: List attached
 Address: Massachusetts Avenue, Paradise Drive and Brittany Lane,
Laconia, NH 03246
 Phone Number: List Attached
 E-Mail: List Attached

Location of Properties: Laconia, NH

Acreage: 50-75 Linear Feet (each)

Requested Action: Lease of Railroad waterfront property RSA 228:57-a

Term of Lease or Easement: 5 year with provision for a 5 year renewal

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Please complete ALL questions below, submit one digital copy, one hardcopy original, and three photocopies of the complete application to the Office of Energy and Planning, 57 Regional Drive, Concord, NH 03301, susan.slack@nh.gov.

1. What is the current use of this property?

Access to and maintenance of docks.

2. What is the proposed use of this property?

Access to water, use and maintenance of docks for recreational purposes.

3. Does the proposed use of this property entail new development? Yes No
 a. If yes, is it consistent with adjacent and existing development? Yes No
 b. Please describe how the proposed new development differs from or is similar to its surroundings. Also indicate how it may initiate a future change in the property or surroundings use.

No changes at this time. However, any waterfront proposals will be referred to NHDES for review and appropriate approvals prior to NHIDOT decisions. (Renewal of dock permits)

4. Are there any structures located on this property? Yes No
 a. If yes, please describe the structures including how many and what kind?

Dock encroaches into railroad corridor.

5. Are there historical architectural or archaeological resources identified on this site? Yes No
 a. If yes, describe the resource(s)?

b. If no, contact the NH Division of Historical Resources prior to application submission.

6. Is there any existing development or structures on adjacent sites? Yes No

a. If yes, describe the use and number of structures of adjacent sites.
If no, where is the nearest development? (Describe distance, use, and number)

Houses of the abutters, north from Massachusetts Avenue.

7. Does the site represent the entire state property in this location? Yes No

a. If no, please describe its relationship to the entire state holding (percentage of total acreage, percentage of overall rail length, etc).

< 1%

8. Is access to this property available? Yes No

a. If yes, how is the site accessed? (from rail, water, across applicant's property, etc)

Is accessible from the abutters properties to the West.

b. If yes, is there a potential for public access interruption? Yes No

9. Are there water resources related to this property such as:
Lakes/Ponds - Yes No OR Rivers - Yes No?

a. If yes to either, please indicate the size or extent of such resources.

Location is within 250 of Lake Winnepesaukee.

b. If there are water resources, is there currently public or private access to the site and water body? Public Private No Access Available

c. If there is currently no access (9b), will the proposed use provide new public or private access to the water body? Public Private No New Access

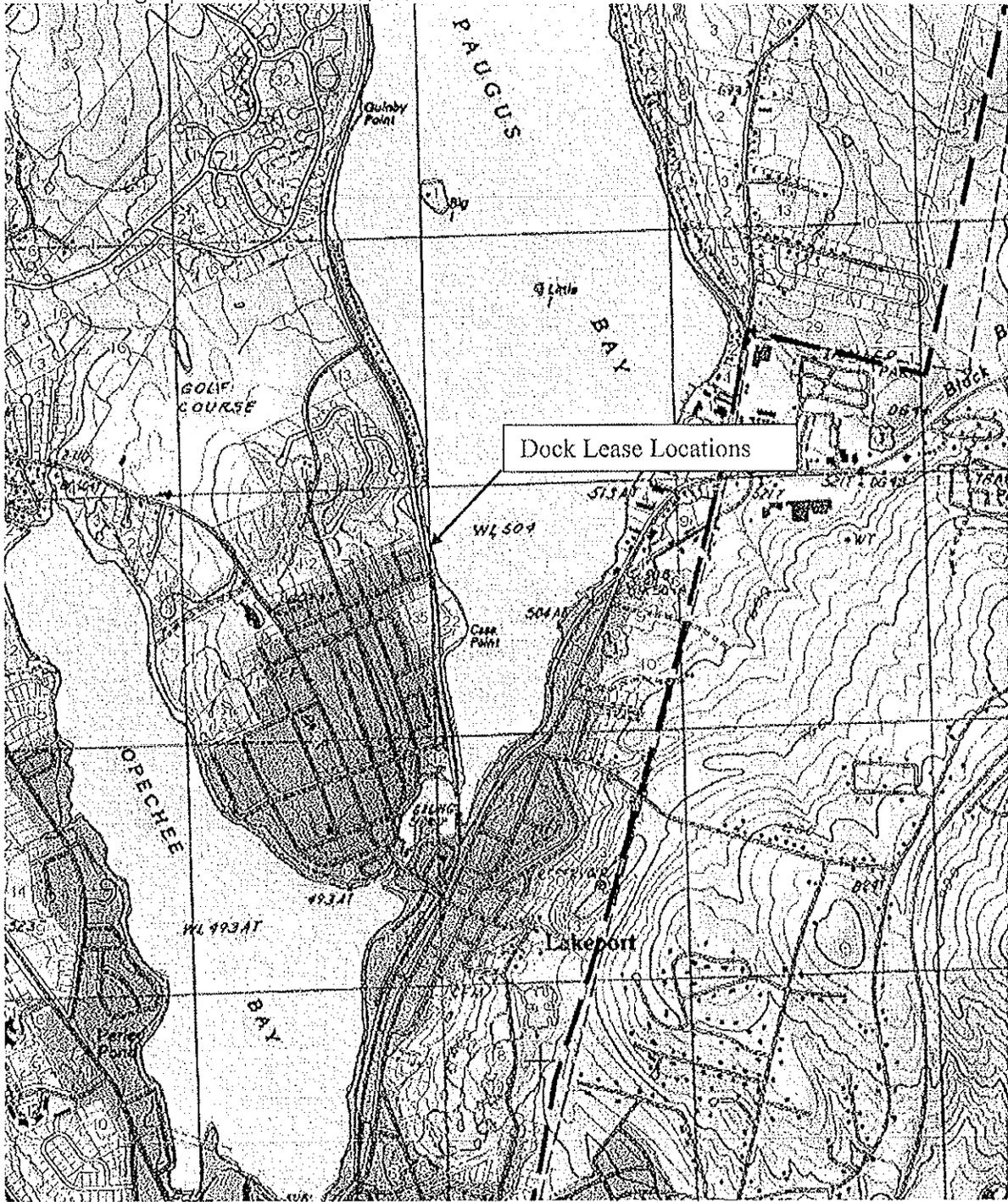
10. Please identify any other significant resources or sensitive environmental conditions known to be located on or adjacent to this property.

	Yes (property)	Yes (adjacent property)	No
a. Steep slopes.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b. Wetlands (Prime and NWI)	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c. Threatened or endangered species.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Increased impervious surface.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Potential stormwater flow changes.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Agricultural soils of prime, statewide, or local importance.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Potential river channel change.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Other special designations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

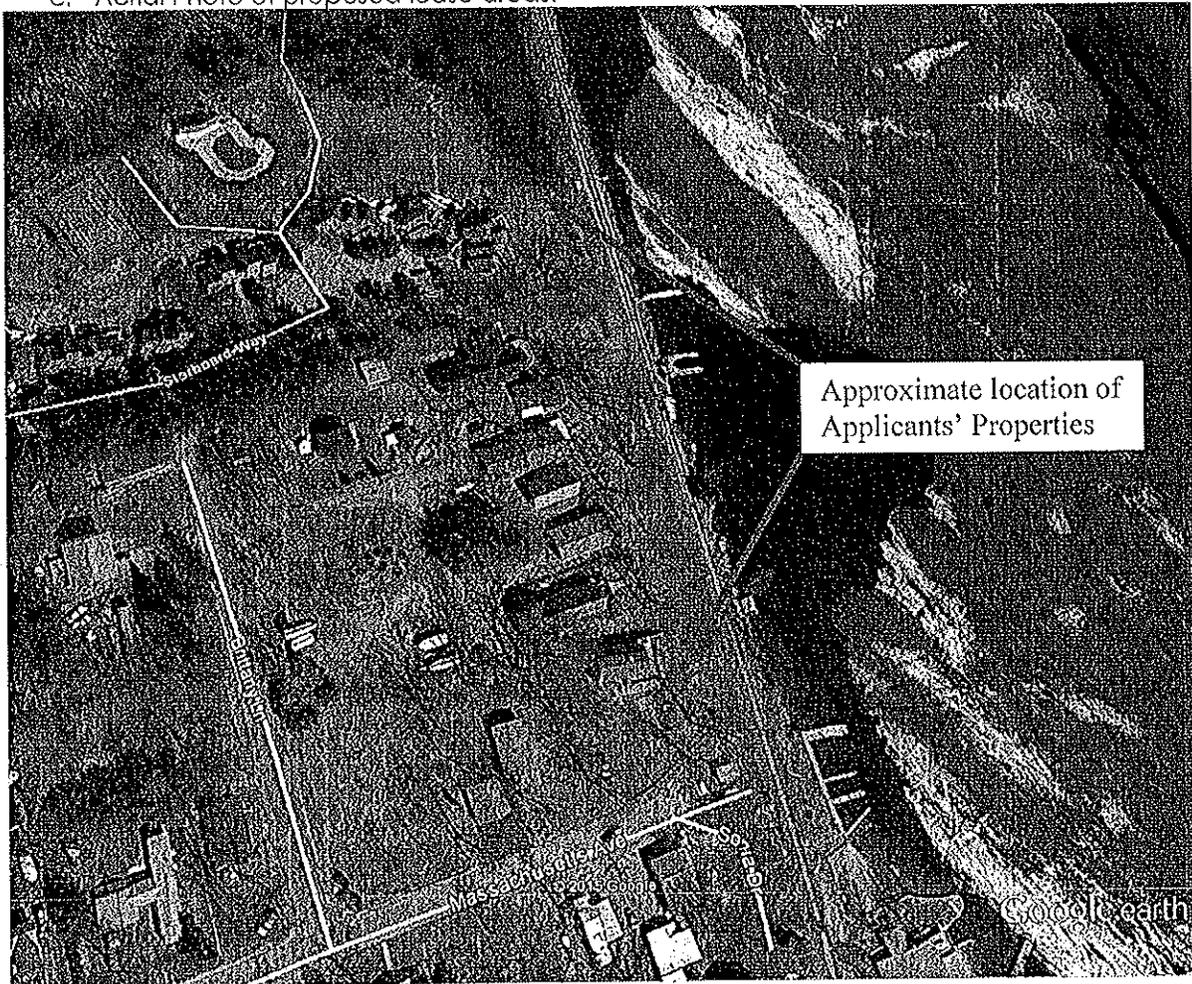
11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within the town.

- a. Municipal tax map copy showing all abutters
- b. General location map with scale, north arrow, nearby roads, and water bodies/features*
- c. Aerial Photograph*
- d. Any site plans for new or proposed development prepared at the time of application
- e. Maps depicting rail lines, wetlands, conservation lands, rare species and exemplary natural communities, or topographic features are welcome but not required

b. Topographic Map, Laconia, NH



c. Aerial Photo of proposed lease areas.



d. n/a

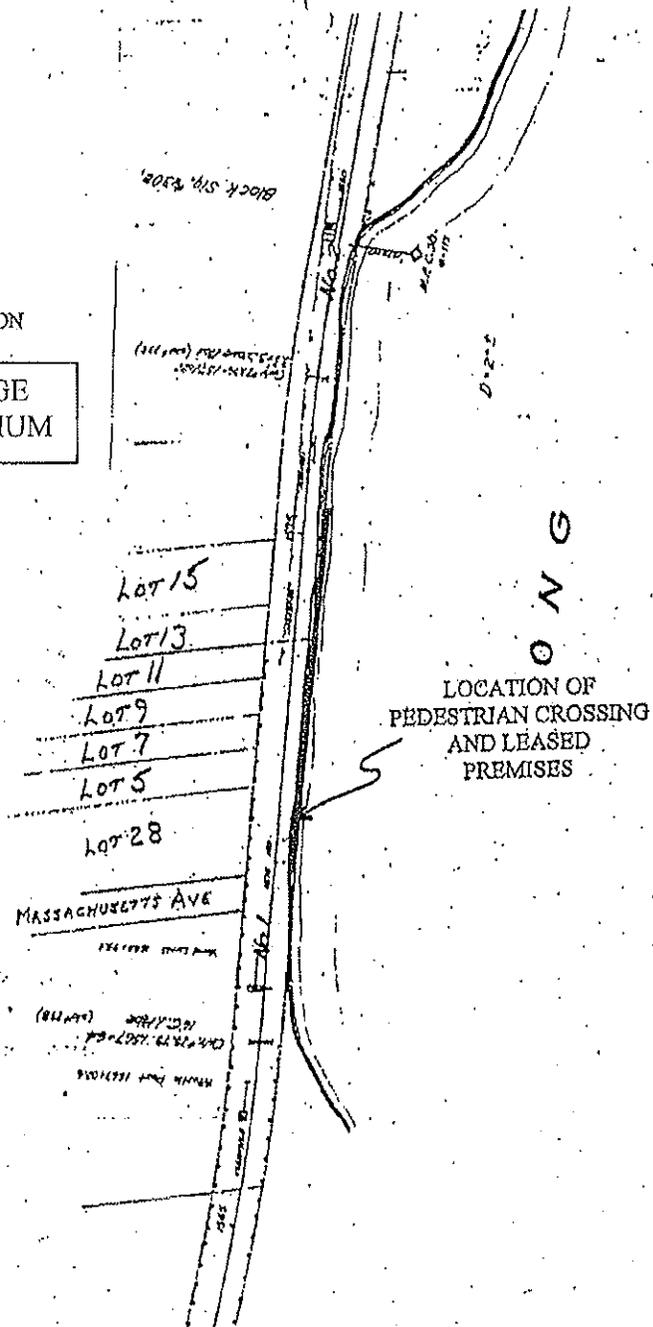
e. Excerpt from Valuation Section 21/67 – Station 1878+00+/-

LEASED AREA

EXHIBIT A

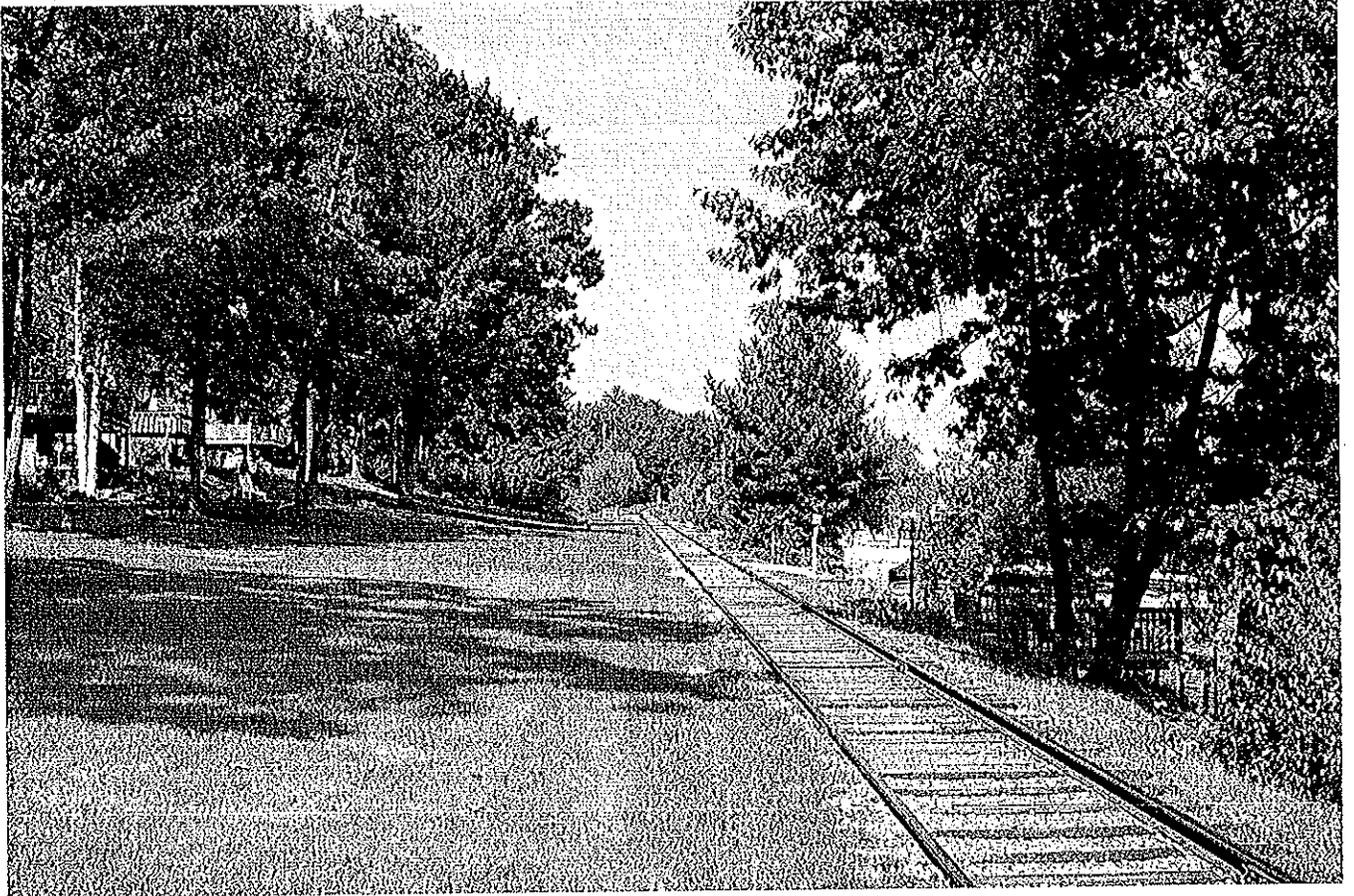
NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION
BUREAU OF RAIL & TRANSIT

DOCK LEASE FRONTAGE
50 LINEAR FEET MINIMUM



Initial *AK*

Photo of Location



Anthony and Barbara DeStefano
c/o Debra Iuliano
9 Seneca Road
Winchester, MA 01890
(781) 7221-2303

CORD Approval: 11/9/2000
LRCPUC Approval: 4/13/2010

Paul and Cynthia Gillis
166 Tispaquin Street
Middleboro, MA 02346
(603) 524-7089

CORD Approval: 9/23/1999
LRCPUC Approval: 4/13/2010

Raymond Spinosa
5 Paradise Drive
Laconia, NH 03246
(781) 858-8271

CORD Approval: 7/ 7/ 1994
LRCPUC Approval: 4/13/2010

Steve Marino
7 Paradise Drive
Laconia, NH 03246
(603) 839-0032

CORD Approval: 9/23/1999
LRCPUC Approval: 4/13/2010

Michael and Elizabeth Hurley
PO Box 6074
Laconia, NH 03247
(603) 569-9670

CORD Approval: 4/ 4/ 2005
LRCPUC Approval: 4/13/2010

William Ratcliffe
121 Parkview Avenue
Lowell, MA 01852
(603) 524-3258

CORD Approval: 11/9/2000
LRCPUC Approval: 4/13/2010

David and Carol Zogopoulos
37 Brittany Lane
Laconia, NH 03246
(603) 528-1245

CORD Approval: 7/ 7/1994
LRCPUC Approval: 4/13/2010

Breakwater Unit Owners Association
C/o Harvard Management
14 Country Club Drive
Gilford, NH 03249
(603) 528-1988

CORD Approval: 9/18/2002
LRCPUC Approval: 4/13/2010