

New Hampshire Council on Resources and Development

Office of Energy and Planning
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Thursday, September 6, 2007
Office of Energy and Planning
57 Regional Drive, Concord, NH
Time 9:30 A.M.

FINAL AGENDA

I. ROLL CALL AND INTRODUCTIONS

II. MINUTES:

- A. Approval of CORD Meeting Minutes of July 20, 2007. Draft minutes distributed by email on August 23, 2007.

III. DISPOSAL OF STATE OWNED SURPLUS LAND REVIEW (SLR)

Note: The order in which these are taken may change at the Council's request.

A. LEBANON

SLR 07-007

Request to sell approximately 16,500 square feet of land in Lebanon to Howard Laware, Railroad Avenue, Lebanon, NH.

The Department of Transportation requests to sell approximately 16,500 square feet of land in Lebanon to Howard Laware on Railroad Avenue. Mr. Laware is the owner of the former barracks building in the railroad yard and has leased the land under and surrounding the building since his father purchased the building from the Boston and Maine Corporation. Mr. Laware and his family have asked to purchase the land under the building and a small driveway and yard area in order to make the longstanding lease arrangement permanent and to help facilitate future improvements and repairs to the building. DOT reports the parcel is a sufficient distance from the railroad main line track and sidings to maintain current and future railroad operations.

STAFF REPORT

30-day review period ends July 20, 2007

Administrative Services: No comment.

Agriculture, Markets, and Food: No objection.

Bureau of Emergency Management: No comment.

Division of Historical Resources: No comment.

Education: No objection.

Energy and Planning: No comment.

Environmental Services: No objection. Since the lot is serviced by municipal water and sewer it is not required to conform to the minimum 30,000 square foot minimum lot size requirement as specified in DES's Subsurface Systems Bureau administrative rules. Supporting information was not available to determine if there is any residual railroad contamination on the lot. See letter on file.

Fish and Game: No objection.

Housing Finance Authority: No comment.

Health and Human Services: No objection.

Resources and Economic Development: No objection.

Safety Services: No objection.

Transportation: No comment.

Lakes Management Advisory Committee: Not applicable.

Rivers Management Advisory Committee: Recommends approval.

Public Waters Access Advisory Board: No comment.

State Conservation Committee: No objections, but due to the current activity in the area (business development, possible recreational opportunities, historical preservation, hazardous waste clean up) wonders if it would be prudent for the State to maintain its options until these issues have been settled or more fully scoped. See letter on file.

City of Lebanon: Requests the application be tabled until the September CORD meeting as the City has been working with the State on the Westboro property (clean up and revitalization), may take ownership of roughly 8 acres in this area, and has an interest in this property as part of its revitalization plan. The City would like additional time to investigate feasibility and local interest and be able to speak at the next CORD meeting. See email on file.

Per email and phone conversations on September 4, 2007 the City is still interested in pursuing this property and recognizes that the Laware family is as well. The City intends to work with DOT to complete a fair market value assessment of the property to assist them in their final decision-making. As the City has not yet reached a final determination they request that this application remain on the table. See email on file.

July 20, 2007 Discussion: Louis Barker of the Department of Transportation provided the Council with the history behind the acquisition of the building by the Laware family. The Laware family worked for the railroad for many generations and were willed the building, not the surrounding land, when the railroad reduced

operations. The building was converted to a home 50 or 60 years ago and in order for the family to access it they need to cross State-owned land. This is the Laware family's second request to purchase the land – the first being in the late '90's when they were denied. Selling this land will help the Laware family and eliminate property management responsibilities for the State. The sale of this property to the Laware's would result in compensation to the state and if approved an appraisal would be requested. Additionally, the State leases property to a gravel and cement operation located in close proximity to the Laware residence.

Ms. Czysz reported that the City of Lebanon had contacted her, stated they may have an interest in this property and requested that CORD table the request. Chairman Ignatius asked if the City has contacted the Laware family. Ms. Czysz said they have not and that is another reason why they want more time.

Ms. Wilson stated that the West Lebanon railroad yard and rail corridor were reviewed by the NH Division of Historical Resources at the last Cultural Resources meeting where a request was made for a protective deed restriction on the structure. She also noted that the railroad yard is eligible for the National Registry.

Chairman Ignatius recommended tabling this request due to the number of unresolved issues, allowing the City of Lebanon more time to determine their interest, and hopefully providing all parties involved an opportunity for open discussion.

July 20, 2007 Action: MOVED by Chairman Ignatius, seconded by Mr. Carpenter, to TABLE the request and asked that all affected entities work with each other to allow CORD to reach a decision. The motion passed unanimously, 7-0. Due to the lack of a quorum, a ballot vote was issued and the vote was affirmed.

B. NEW HAMPTON

SLR 07-010

Request to grant an easement of 45 linear feet to Patricia Fazio for a sewer service line that crosses the New Hampton Fish Hatchery property.

The Fish and Game Department has received a request from Patricia Fazio of 129 Main Street, New Hampton, Nh for a sewer service line easement that currently crosses New Hampton Fish Hatchery property, New Hampton, NH. The New Hampshire Fish and Game Department purchased land in the Town of New Hampton in 1911 for the New Hampton for the Hatchery. The property that encompasses the hatchery meanders throughout the Town. In 1977 the New Hampton Village Precinct planned and constructed a municipal sewer system. For two homes in Town, and for the Village Precinct itself, the sewer line crosses F&G property. For unknown reasons at the time of construction, easements were not drawn up for the lines that cross Department property so that they could be maintained in the future. The sewer line has no barring on the daily operations at the Hatchery.

STAFF REPORT

30-day review period ends September 26, 2007.

Administrative Services: No comment.

Agriculture, Markets, and Food: No concern.

Bureau of Emergency Management: No comment.

Division of Historical Resources: No comment.

Education: No objection.

Energy and Planning: No comment.

Environmental Services: No concerns since the application will formalize and existing sewer line dating to 1977.

Fish and Game: No comment.

Housing Finance Authority: No comment.

Health and Human Services: No objection.

Resources and Economic Development: No objections and notes there are no Natural Heritage Bureau records on the lot or within 1 mile of the site. See email on file.

Safety Services: No objection.

Transportation: No comment.

Lakes Management Advisory Committee: Not applicable.

Rivers Management Advisory Committee: This application falls under the jurisdiction of the RMAC and will be reviewed at their September 25, 2007 meeting.

Public Waters Access Advisory Board: No comment.

State Conservation Commission: No objection.

Town of New Hampton: No comment.

ACTION: Formal vote requested. Any action is subject to no adverse comments being received during the remainder of the 30-day comment period

C. CLARKSVILLE

SLR 07-011

Request to convey rights of way over specific state owned roads in exchange for other much needed public rights of way over private land.

The Department of Resources and Economic Development (DRED) and the Department of Environmental Services – Water Resource Board (DES) have received a request to grant an easement deed for vehicular and pedestrian access rights over the following state owned roadways: Deadwater Road, Road 36-05, Cedar Stream Road, and First Road to Gaston and Pauline Rodrigue in Pittsburg and Clarksville, New Hampshire. In order to provide for access necessary for desired economic development in Clarksville, and to assuring logging and public recreational access to significant areas of the Great North Woods, including the Connecticut Lakes Headwaters Forest DRED and DES wish to exchange easement rights of access in

perpetuity. The State will offer to Rodrigue vehicular and pedestrian access rights as listed above and detailed in the application in exchange for an additional vehicle and pedestrian access easement that may be used by the State and the public over Deadwater Road.

STAFF REPORT

Complete application was received on September 5, 2007 and distributed on September 6, 2007. Given this is the same date as the CORD meeting no review has been conducted or comments received at this time. DRED has requested that CORD still consider the application at this meeting given the time sensitive nature of the application.

ACTION: Formal vote requested.

IV. OLD BUSINESS

- A. HB710 Study Commission and Mapping State Owned Lands.** Update on the commission to study issues relative to the practice of leasing state-owned real estate on the shores of public waters and OEP progress to compile state agency map data of land holdings in proximity to water bodies.
- B. Smart Growth Report - Implementation Plan.** Complete the implementation plan for the report's prioritized recommendations. This is a continuation of work conducted at the January, March and May CORD meetings. Draft implementation plan distributed by email on August 23, 2007.
- C. State Development Plan.** Overview of progress to date.

V. NEW BUSINESS

- A. Discussion of possible new legislation.** Representative Richard Snow has contacted OEP staff and offered to sponsor new legislation of benefit to CORD in the upcoming session.
- B. CORD rules of procedure.** Presentation of CORD's rules of procedure prepared in 1987 and 1989 and discussion of possible updates to reflect recent statutory changes.

VI. CORD 2007 - 2008 PROPOSED MEETING SCHEDULE

November 1, 2007
January 3, 2008
March 6, 2008

All meetings will be held at the Office of Energy and Planning, 57 Regional Drive, Concord, NH, unless otherwise noticed. Meetings begin at 9:30 AM.

VII. ADJOURNMENT