

New Hampshire Council on Resources and Development

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FINAL MEETING MINUTES – May 12, 2016

MEMBERS PRESENT

Meredith Hatfield, Chair, Director, NH Office of Energy and Planning
Robert Beaulac, Designee, NH Department of Administrative Services
William Carpenter, Designee, NH Department of Resources and Economic Development
Timothy Drew, Designee, NH Department of Environmental Services
Richard Cook, Designee, NH Fish and Game Department
William Ray, Designee, NH Housing Finance Authority
Nancy Spaulding, Designee, NH Department of Transportation
Amy Clark, Designee, NH Department of Education
Elizabeth Muzzey, Designee, NH Department of Cultural Resources
Lorraine Merrill, Commissioner, NH Department Agriculture, Markets and Food

OTHERS PRESENT

Rick Minard, NH Office of Energy and Planning
Tracey Boisvert, NH Office of Energy and Planning
Steve Walker, NH Office of Energy and Planning
Susan Slack, NH Office of Energy and Planning
Kellie Walsh, NH Office of Energy and Planning
Jared Nylund, NH Department of Administrative Services
Allen Brooks, NH Department of Justice
Matt Leahy, Society for the Protection of New Hampshire Forests
Will Abbott, Society for the Protection of New Hampshire Forests
Jim O'Brien, The Nature Conservancy

I. ROLL CALL AND INTRODUCTIONS

The meeting was opened at 9:48 a.m. by Ms. Hatfield. CORD members and guests introduced themselves.

II. MINUTES

The draft minutes from the January 14 CORD meeting were reviewed. Mr. Drew noted a typo on page 4 under SLR 15-007, in paragraph three, to remove the word “disposal.”

ACTION: On a motion made by Mr. Beaulac, seconded by Mr. Carpenter, the minutes of January 14, 2016 were unanimously approved, including the correction suggested by Mr. Drew.

III. DISPOSAL OF STATE-OWNED SURPLUS LAND

A. ASHLAND – SLR 16-002

Mr. Nylund spoke on behalf of the NH Liquor Commission, which is requesting approval to dispose of by sale the Ashland Liquor Store property located at the intersection of U.S. Route 3 and West Street in Ashland. It consists of approximately 0.41 acres, a single-story concrete block commercial retail building with approximately 3,600 square feet of interior space, and pavement on three sides of the building for vehicular access and parking. Mr. Nylund explained that the disposal of the liquor store in Ashland is part of a state effort to expand other stores such as the Plymouth store and the New Hampton store.

Ms. Hatfield noted that CORD had received comments from the Rivers Management Advisory Committee (RMAC) and the Lakes Management Advisory Committee (LMAC) noting that the property is located outside the jurisdiction of both committees because it is not within 250 feet of any river or lake.

ACTION: On a motion by Mr. Beaulac, seconded by Ms. Muzzey, CORD unanimously approved the request of the Department of Administrative Services, on behalf of the NH Liquor Commission, to recommend the disposal of the Ashland Liquor Store property by sale.

B. STEWARTSTOWN – SLR 16-004

Mr. Carpenter spoke on behalf of the Department of Resources and Economic Development (DRED), which is requesting to transfer ownership of three small sections of nonessential railroad corridor to an abutting landowner in exchange for permanent trail easements on three large parcels of privately held land, protecting more than 4 miles of OHRV and snowmobile trail in Stewartstown, Colebrook and Stratford. Mr. Carpenter explained that the three small parcels have been leased to the abutting landowner by the Department of Transportation in the past. Mr. Carpenter explained that the Trails Bureau does not need the parcels and that in exchange, the Bureau will receive permanent trail easements on the three other parcels within Coos County. Therefore, the Trails Bureau feels this is a benefit for the State, and with CORD's approval the Bureau will move forward with appraisal work for the parcels.

Ms. Hatfield asked for clarification about the location of the trails on the maps provided.

Ms. Hatfield also noted that CORD has received comment from the Rivers Management Advisory Committee (RMAC) and Lakes Management Advisory Committee (LMAC) noting that the property is located outside the jurisdiction of both

committees because it is not within 250 feet of a river or lake. Ms. Hatfield noted that the public comment period for this SLR request would not expire until June 6, 2016.

Mr. Drew stated that the Department of Environmental Services is still in the process of reviewing the application.

Ms. Muzzey asked for clarification on the two structures that appear on the GIS maps. Mr. Carpenter stated he believes it is a hardware store or storage structures belonging to the business on the other side of the trail. Ms. Hatfield noted that the SLR states that the proposed areas are connected to an existing hardware store and garage that have been in use since the late 1980s by the current landowner.

Ms. Muzzey requested that DRED provide photos of the structures to the Department of Cultural Affairs in order to assist with its review process. Mr. Carpenter said DRED will provide current photos of the structures before the end of the comment period.

Mr. Drew asked for clarification on where the 4 miles of trail are in Coos County. Mr. Carpenter said they are in Colebrook, Stewartstown and Stratford. Ms. Hatfield requested that DRED show on a map the properties it will receive in the proposed exchange. Mr. Carpenter will provide a map to CORD members showing where the properties and 4 miles of trail are located.

Ms. Spaulding asked if DRED will obtain appraisals of the parcels. Mr. Carpenter stated that in addition to appraisals of the three parcels, DRED plans to also obtain appraisals of the corridor easements. Ms. Spaulding asked for confirmation that the abutting landowner owns the properties involved in this exchange.

Ms. Hatfield asked CORD members if they would like to act on SLR 16-004 subject to comments received before the close of comment period, or table the SLR request until the July CORD meeting.

ACTION: On a motion by Mr. Drew, seconded by Mr. Cook, CORD voted unanimously to table SLR 16-004 until the July meeting. Mr. Carpenter abstained.

C. EPPING – SLR 16-003

Mr. Carpenter spoke on behalf of the Department of Resources and Economic Development (DRED), which is requesting to sell 3 acres of railroad corridor to an abutting developer for \$120,000, with a permanent trail easement on the existing corridor retained by DRED; proceeds will be used by DRED to improve a safety issue on an abutting railroad corridor in Raymond by enlarging and improving a tunnel for trail users. Mr. Carpenter explained that for about eight years, DRED and the developer have discussed the exchange of the 3 acres and the developer is now prepared to proceed with the exchange. Mr. Carpenter also noted that the map given to CORD members shows three proposals for where the trail will exit the existing trail; DRED is in favor of Option A.

Mr. Carpenter also noted the land is estimated to be worth about \$60,000 and the developer is willing to purchase the land for \$120,000 because money is needed to address the safety issue with the underground road crossing. Mr. Carpenter said if recommended by CORD, DRED will conduct an appraisal to assure the land's fair market value. However, Ms. Hatfield noted that the materials prepared by DRED suggest that the developer believes that the value has already been established.

Ms. Hatfield requested clarification regarding the underground crossing. Mr. Carpenter stated it is a culvert crossing under the road in Raymond.

Ms. Hatfield asked if the trail would be rerouted if this exchange was made. Mr. Carpenter stated that enough of the corridor would be reserved to provide for trail use. Ms. Hatfield confirmed the purpose of rerouting the trail would be to accommodate the expansion of a retail development adjacent to the corridor.

Ms. Hatfield asked if the developer owns the property that he will convey. Mr. Carpenter stated the developer will not convey the property; rather the state will reserve the corridor area shown on the map. Ms. Hatfield then asked whether the state would surplus the land and retain an easement for access, and Mr. Carpenter confirmed that this was the case. Ms. Muzzey asked if there would be a permanent easement, and Mr. Carpenter confirmed that it will be.

Ms. Spaulding asked if DRED has seen the development plans. Mr. Carpenter stated the developer cannot show development plans yet due to setbacks on the corridor that will be violated until he owns the property. Ms. Hatfield noted there is a plan showing the trail and Route 125 as well as a proposed retail store and that the proposed retail store appears to go to the edge of the trail.

Ms. Hatfield asked for clarification on how the \$120,000 purchase price came about. Mr. Carpenter stated no appraisal work has been done yet to confirm that number, but that his understanding is that the developer is willing to pay that amount unless the appraised value is higher; if so, he will pay the higher value.

Ms. Spaulding asked if DRED has been in contact with the Epping Planning Board. Mr. Carpenter stated the developer has not yet. Ms. Spaulding expressed concern about the proximity of the intersection to the proposed area.

Mr. Drew noted there was a wetland permit issued in 2004; however, DES is still in the process of reviewing to see if it is still valid. Mr. Drew also stated the area is prime wetland.

Mr. Cook requested more information about the public benefit resulting from the exchange. Mr. Beaulac requested more information about the width of the trail and how much of the trail will be left for future expansion. Mr. Beaulac cautioned about the proposal possibly causing traffic challenges for trail users in the future.

Ms. Muzzey requested additional larger scale mapping and further information to help identify if the rail corridors have historic value. Ms. Clark requested current photos of

the trail. Mr. Cook requested that DRED forward the information requested to CORD members before the next meeting.

Ms. Hatfield asked CORD members whether they were ready to vote on the item, or if they wished to table it and wait for additional information from DRED.

ACTION: On a motion by Mr. Beaulac, seconded by Mr. Drew, CORD voted to table SLR 16-003 until the July meeting. Mr. Carpenter abstained.

IV. RSA 9-B SMART GROWTH REPORT

A. Update from Office of Energy and Planning

Ms. Hatfield thanked CORD members for providing responses to the survey sent to state agencies. She noted the draft report is on OEP's website and OEP staff would appreciate comments and suggestions.

Mr. Drew suggested adding more concrete examples about the progress made over the last six years regarding the siting or locating of state agencies. Ms. Slack suggested adding more text about the Governor Hugh J. Gallen campus park.

Ms. Merrill suggested discussing more of the policy changes that have been made in state agencies as well as communities encouraging a more smart growth approach.

Ms. Slack requested CORD members send OEP any suggestions or examples via email.

Ms. Hatfield stated OEP staff will continue work on the report and will provide another draft prior to the July meeting.

V. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

A. Information Updates – Livermore Falls State Forest (LCIP State fee-owned property)

i. Department of Cultural Affairs presentation on archaeological work at Livermore Falls State Forest beach area

Ms. Muzzey gave an update about the river access area at Livermore Falls in Campton. Ms. Muzzey said the area has a high geological and historical value and that DRED and members of the community have been working to improve the access to the site and the safety of the site.

Ms. Muzzey stated DRED and the Department of Cultural Resources have been working together to figure out the best area to provide restrooms. Ms. Muzzey stated that the Department of Cultural Resources holds a field school in archaeology each year and that staff from the Department of Cultural Affairs will be working with avocational archaeologists who attend the field school to survey and map the historical foundations and other structures in the beach area at Livermore Falls.

Ms. Boisvert suggested providing a follow up summarizing the findings from the field school survey. Ms. Hatfield suggested DRED also provide an update at a future CORD meeting about progress at Livermore Falls.

VI. OTHER BUSINESS

A. Nash Stream State Forest (LCIP State fee-owned property)

Ms. Hatfield noted that CORD received a letter from the Appalachian Mountain Club, The Nature Conservancy, and Society for the Protection of New Hampshire Forests raising questions and issues about CORD's role related to the Nash Stream property and existing and potential expansion of ATV trails there.

Ms. Hatfield stated OEP will review the letter in further detail and consult with the Department of Justice. Ms. Hatfield suggested holding an interim CORD meeting before the scheduled July meeting specifically to discuss the letter. She also suggested DRED and the Department of Fish and Game be prepared to discuss issues in the letter and that she can provide specific questions to each agency about what issues should be addressed, if it would be helpful.

Ms. Hatfield asked about the status of the updated Management Plan for Nash Stream. Mr. Carpenter stated that seven of the eight chapters are completed. Mr. Carpenter stated that chapter 8, the recreation chapter, is on hold because the technical team needs to gather additional information about a proposal given to DRED in late spring to expand ATV trails in the state forest. Mr. Carpenter stated DRED's goal to have a final draft ready for CORD review as soon as possible.

Ms. Hatfield stated that OEP will propose dates in June to hold a CORD meeting for the purpose of discussing a response to the letter.

Ms. Hatfield adjourned the meeting at 10:30 a.m.

Respectfully Submitted,

Meredith A. Hatfield, Chair
Director, NH Office of Energy and Planning

MAH/kw