New Hampshire Council on Resources and Development

NH Office of Strategic Initiatives
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 ***Via Email Distribution Lists***	Grafton County Board of Commissioners c/o Julie Libby 3855 Dartmouth College Hwy North Haverhill, NH 03774 ***Via Email (jlibby@co.grafton.nh.us)***
Shaun Mulholland Lebanon City Manager City Hall 51 N Park Street Lebanon, NH 03766 ***Via Email (shaun.mulholland@lebanonnh.gov)***	Steven Schneider, Executive Director Upper Valley Lake Sunapee Regional Planning Commission 10 Water Street, Suite 225 Lebanon, NH 03766 ***Via Email (sschneider@uvlsrpc.org)***

FROM: Michael A. Klass, NH Office of Strategic Initiatives
DATE: February 8, 2019

SUBJECT: ***State Owned Land, Surplus Land Review, Lebanon, NH***
2019 SLR 001

RESPONSE DEADLINE: **Monday, March 11, 2019**

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please provide this office with any comment(s) in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for ***March 14, 2019***. Information regarding CORD and its meetings may be obtained at: https://www.nh.gov/osi/planning/programs/cord/index.htm.

The Department of Natural and 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 Rivers and Lakes Program Coordinator, is asked to review this request in accordance with RSA 483-A:5, II.

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

New Hampshire DOT

STATE OF NEW HAMPSHIRE
INTER-DEPARTMENT COMMUNICATION

From: Louis Barker
Railroad Planner

Date: January 10, 2019

At: Bureau of Rail and Transit

Thru: Shelley Winters SW 01/10/19
Administrator

Patrick Herlihy, Director PCH 1/10/19
Division of Aeronautics, Rail & Transit

Subject: Surplus Land Review
Northern Railroad Corridor, Lebanon

To: Jared Chicoine, Director
Office of Strategic Initiatives – Division of Planning

The Department of Transportation, Bureau of Rail & Transit proposes to lease a parcel (approximately 65,100 square feet) of railroad land in City of Lebanon to a railroad shipper at this location for facilities to efficiently and safely transload fuel products from railroad cars to trucks. This property is owned by the State, under the jurisdiction of the Bureau of Rail & Transit, and is currently utilized by Rymes via a Temporary Use Agreement. A copy of a plan and a map that shows the location is provided.

Per RSA 228:54, VIII and RSA 228:57 the Department is allowed to lease State-owned railroad property for continued operation of railroad and the proposed use does not adversely impact the use of property by the State or its Railroad Operator.

This segment of the Northern Railroad Corridor was purchased in August 1999 by the State for the continuation of railroad freight service to New Hampshire customers. A railroad operator has served this location since 2002. This lease will facilitate economical delivery of home heating products to New Hampshire residents. The Department is willing to enter into a lease of a limited area (65,100 square feet) within the former locomotive maintenance facility of this railroad line, provided that the lessee maintains the site, is responsible for all costs to install, use, maintain and remove all improvements, a fence with locking gate and obtains liability insurance naming the State as "Additional Insured". The lease will also include a termination clause and a requirement to remove any improvements in the event the area is needed in the future for railroad operations.

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: John Rymes – Rymes Heating Oils, Inc.
Address: 257 Sheep Davis Road, Concord, NH 03301
Phone Number: (603) 528-6379 ext. 306
E-Mail: johnr@rymes.com

Location of Property: Railroad Avenue, Westboro (West Lebanon)

Acreage: 65,100 square feet

Requested Action: Lease

Term of Lease or Easement: *5-25 years*

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, Johnson Hall, 3rd Floor, 107 Pleasant Street, Concord, NH 03301, susan.slack@nh.gov.

1. **What is the current use of this property?**

   Former locomotive maintenance facility between Connecticut River and the railroad track. Used by applicant under a Temporary Use Agreement with the State and a side track agreement with the Railroad Operator.

2. **What is the proposed use of this property if surplussed?** Please note if proposed use is intended to create a public benefit.

   Use to facilitate railroad shipments and to undertake proposed transloading improvements.

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.

   Existing facility is specific to railroad service, which benefits existing railroad operations and lease will allow for long-term use and improvements to the facilities that increase railroad traffic and enhance economic development. All proposed improvements are subject to State review and approval prior to implementation.

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

   Fuel transload apparatus and short term storage equipment.

5. **Are there historical architectural or archaeological resources identified on this site?** ☒ Yes ☐ No

a. If yes, describe the resource(s)?

State-owned railroad is the historic Northern Railroad. Adjacent facilities for locomotive service may have historical significance. None will be impacted. Proposed work within an open area currently used for transloading fuel products from train car to truck.

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)

Railroad Avenue in Westboro is a residential and commercial area. Adjacent drainage facilities in railroad corridor.

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% (65,100 square feet, railroad corridor extends 60 miles to Concord, NH.)

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)

Railroad Avenue

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.

Proximity to Connecticut River

b. If there are water resources, please describe current public or private access from the site to the water body? ☐ Public ☐ Private ☒ No Access Available

Description: Public access is north of the location, across the tracks and beyond adjacent bulk transload facility and has direct access from US Route 4.

c. How would the proposal affect the access opportunities described in b?

None

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	☐	☒	☐
b. Wetlands (Prime and NWI)	☐	☐	☒
c. Threatened or endangered species	☐	☐	☒
d. Wildlife Action Plan Critical Habitats	☐	☐	☒
e. Increased impervious surface	☐	☐	☒

f.	Potential stormwater flow changes	☐		☐		☒
g.	Agricultural soils of prime, statewide, or local importance	☐		☐		☒
h.	Potential river channel change	☐		☐		☒
i.	Other special designations	☐		☐		☒

Please provide a description for any "yes" responses to question #10.

Project includes a proposed structure for transloading and pad for short-term product storage.

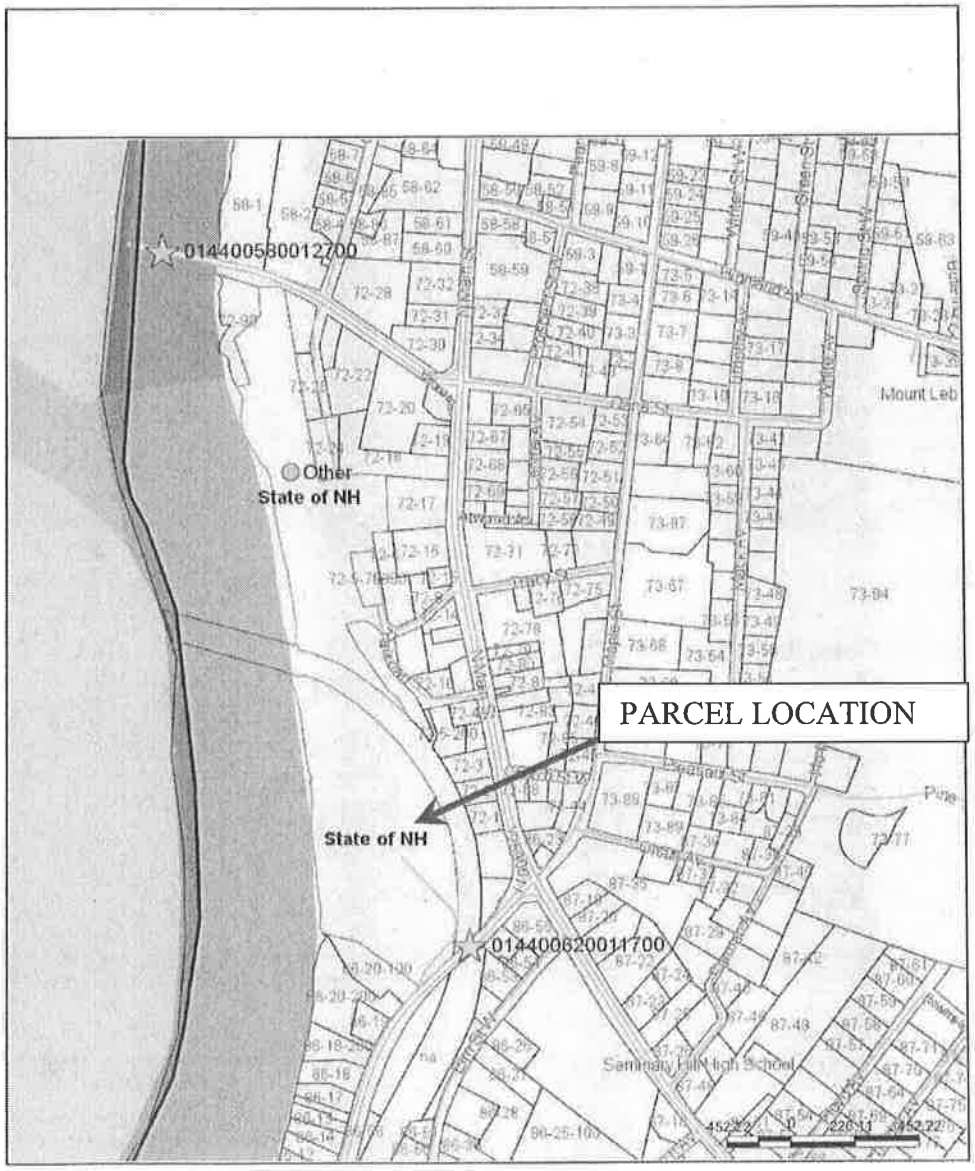
11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within the town.

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

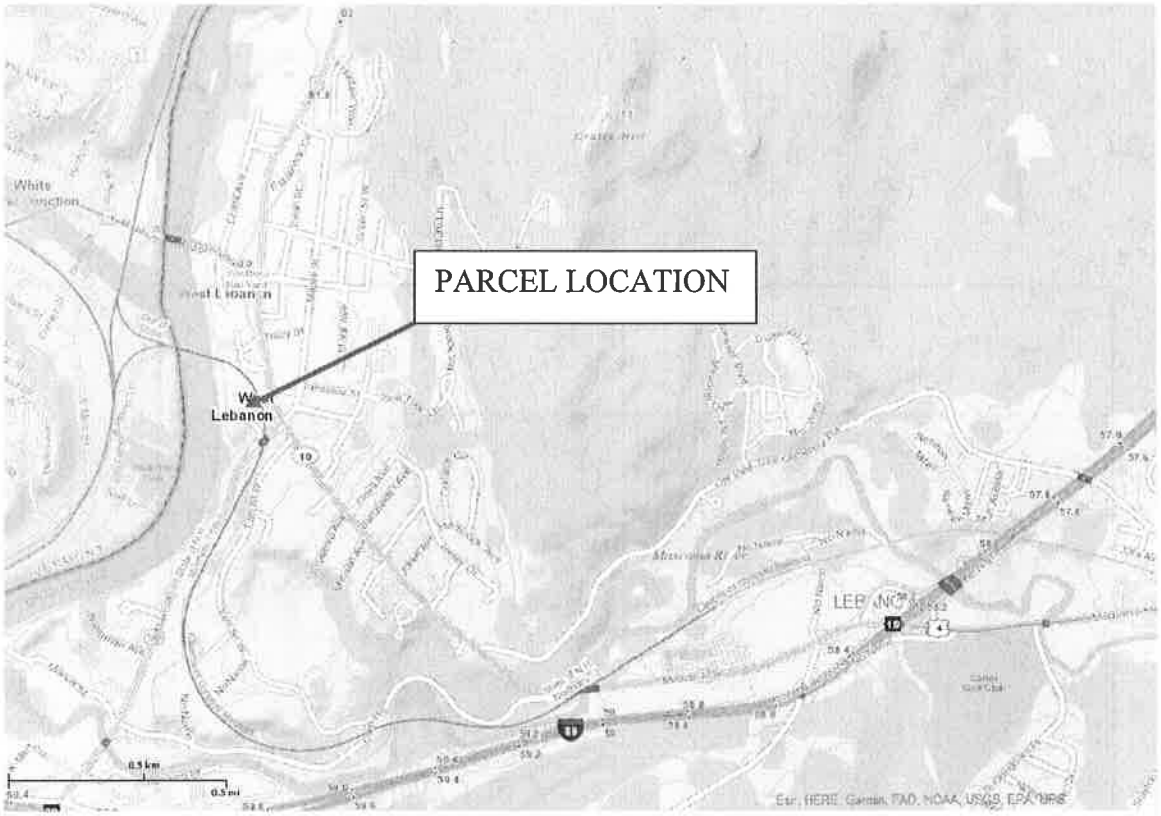
* Maps can be created with GIS, Google, Mapquest, GRANIT data mapper, or any other readily available mapping service.

Please paste any maps and photographs submitted as part of this application here.

1) Tax Map, Department of Revenue Administration

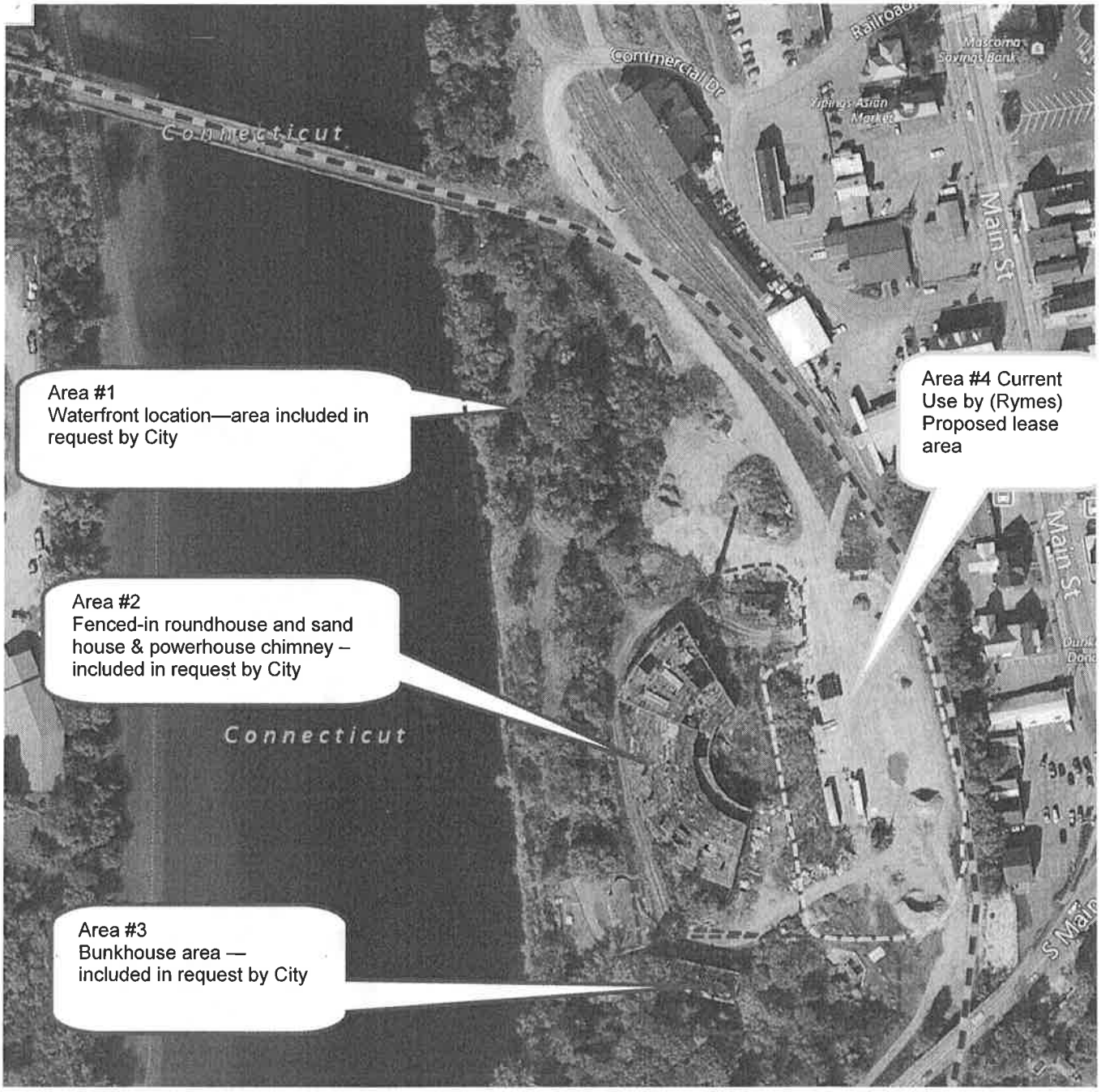


2) Locus



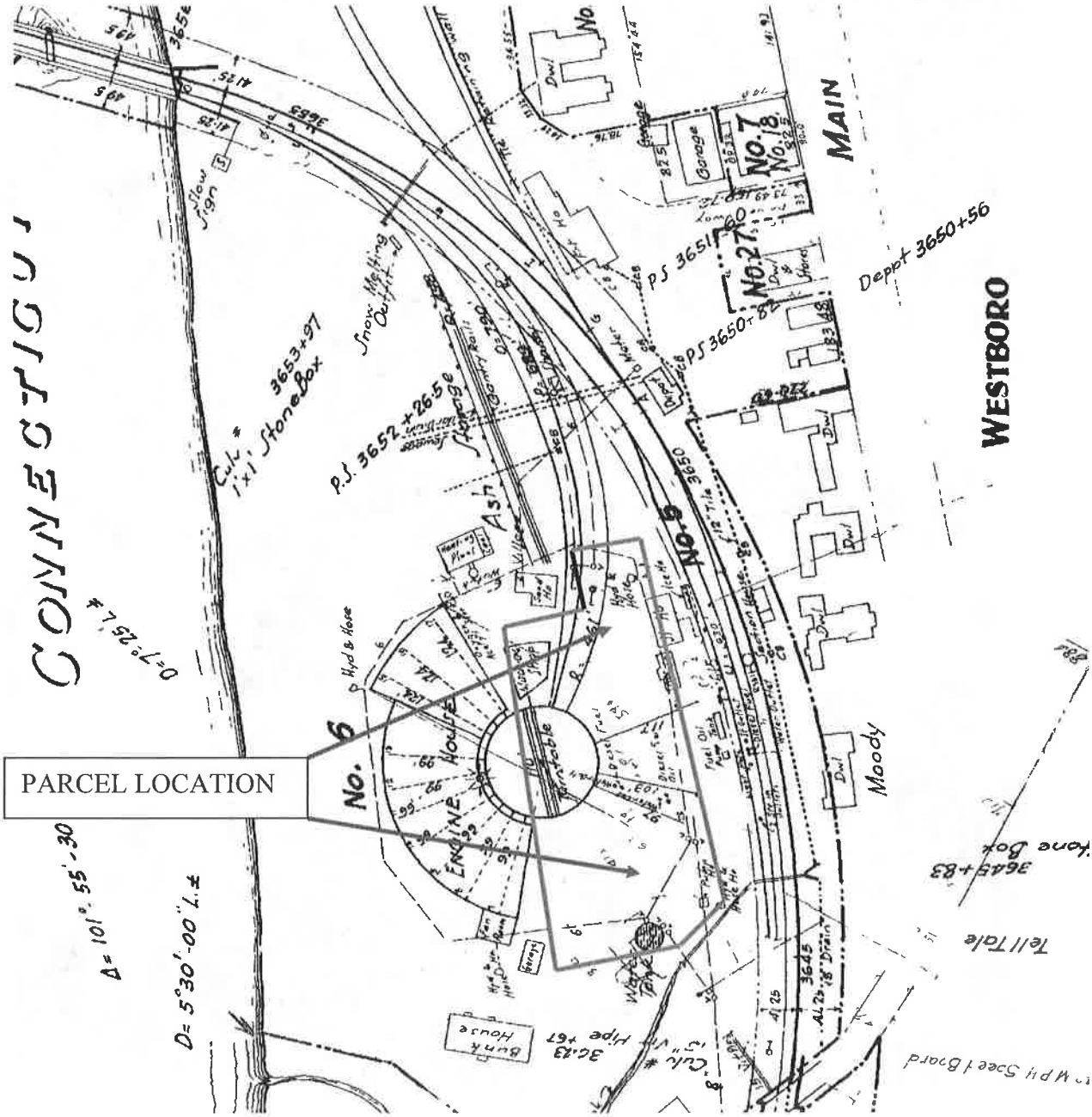
West Lebanon (Westboro) Rail Yard

3) Aerial



Subject Parcel – Area 4
Transload Railroad Car to Truck

4) Val Map (if appropriate and/or not in railroad submittal.



5) Copy of site plan from submittal.