

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 <i>Via Email Distribution Lists</i>	Belknap County Board of Commissioners c/o Debra Shackett, County Administrator 34 County Drive Laconia, NH 03246 <i>Via Email (dshackett@belknapcounty.org)</i>
	Scott Myers City Manager 45 Beacon Street E City Hall Laconia, NH 03246 <i>Via email (citymanager@laconianh.gov)</i>	Jeffrey Hayes, Executive Director Lakes Region Planning Commission Humiston Building 103 Main Street, Suite 3 Meredith, NH 03253 <i>Via Email (jhayes@lakesrpc.org)</i>

FROM: Michael A. Klass, NH Office of Strategic Initiatives

DATE: May 18, 2021

SUBJECT: *State Owned Land, Surplus Land Review, Laconia, NH
2021 SLR 003*

RESPONSE DEADLINE: **Friday, June 18, 2021**

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.a.klass@osi.nh.gov.

The Council on Resources and Development will consider the request at its meeting tentatively scheduled for **July 8, 2021**. 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.



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

From: Louis Barker
Railroad Planner

Date: May 4, 2021

At: Bureau of Rail and Transit

Thru: Shelley Winters
Administrator

Patrick Herlihy, Director
Division of Aeronautics, Rail & Transit

Subject: Council on Resources and Development - Surplus Land Review
Concord-Lincoln Railroad Corridor, City of Laconia

To: Jared Chicoine, Director
Office of Strategic Initiatives

Per RSA 228:57, the Bureau of Rail & Transit proposes to grant an easement on a parcel of railroad land in the City of Laconia, approximately 52,492 square feet (1.215 acres), to the City of Laconia for a portion of a City street (Paugus Park Road) and existing and proposed drainage improvements to that street. This law allows the Department to transfer or sell such rail properties to any other state department or agency, or political subdivision of the state, which will utilize such properties for public uses, such as an easement, on state-owned railroad property and the proposed use does not adversely impact the use of property by the State or its Railroad Operators.

Explanation: The Bureau is willing to grant an easement of 52,492 square feet (1.215 acres) at the edge of the railroad corridor, provided that the Grantee at its cost reconstruct, excavate, install and maintain all ditches, culverts and pavement for Paugus Park Road. Due to the alignment of the track within the corridor and the proximity of Paugus Bay the area to be encumbered by the easement is not likely to be needed in the future for railroad operations.

Additionally, the Bureau recommends per the Department's Bureau of Environment, the proposed easement should be conditioned that any ground disturbance, ditching, etc. shall not take place until it is preceded by an archaeological Phase 1A/1B investigation as indicated by NHDOT and NHDHR cultural resources consultation, the cost of which shall be borne by the Applicant (City of Laconia).

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: Stephen LaBonte, Administrator, Bureau of Right-of-Way

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Department of Transportation

Agency Contact Person: Louis A. Barker
Address: PO Box 483 (7 Hazen Drive) Concord, NH 03302
Phone Number: 603.271.2425
E-Mail: Louis.barker@dot.nh.gov

Applicant Contact Person: Wes Anderson, Director of Public Works, City of Laconia
Address: 27 Bisson Avenue, Laconia, NH 03246
Phone Number: 603-528-6379 x 301
E-Mail: andersonw@city.laconia.nh.us

Location of Property: Paugus Park Road, Laconia, NH (Concord-Lincoln RR Corridor)

Acreage: 1.215 acres

Requested Action: Recommendation for Granting Easement

Term of Lease or Easement: In perpetuity.

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Please complete ALL questions below, submit one digital copy and one hardcopy original of the complete application to the Office of Strategic Initiatives, Johnson Hall, 3rd Floor, 107 Pleasant Street, Concord, NH 03301, michael.klass@osi.nh.gov.

1. What is the current use of this property?

Existing drainage, City Street between railroad track and abutting properties. Current City encroachments.

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

Allow City of Laconia to maintain & improve drainage and continue to utilize a portion of City Street on state-owned railroad property.

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 use of the property or surroundings.

4. Are there any structures located on this property? Yes No

a. If yes, please describe the structures including how many and what kind.

Culverts and portion of Paugus Park Road surface.

5. Are there historical architectural or archaeological resources identified on this site?

Yes No

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

Railroad corridor has potential for historic designation as it was constructed in the 1845-1855 timeframe. Archeological Survey Phase 1A/1B should be completed, by and at the expense of the Applicant, before transfer of property is consummated via issuance of an easement.

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)

East side of Paugus Park Road is developed with residences on each lot.

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).

< 0.1%

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)

City Street, Paugus Park Road

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 **Rivers** - Yes No **Wetlands** - Yes No

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

Paugus Bay, drainage outfall.

b. If yes, is the property located within 250 feet of a lake/pond or river?

Yes

c. If yes, please describe any municipal regulations and/or Shoreland Water Quality Protection Act (RSA 483-B) provisions that apply to the development of the property.

Existing Conditions

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

Access to water is from privately-owned properties on east side of Paugus Park Road.

e. How would the proposal affect the access opportunities described in d?

No effects will result. Existing Conditions will be maintained.

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. Wildlife Action Plan Critical Habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Increased impervious surface	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f. Potential stormwater flow changes.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g. Agricultural soils of prime, statewide, or local importance	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h. Potential river channel change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Other special designations	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

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

Existing road drainage has failed during prior weather events. Part of the justification for this easement is the enhancements to Paugus Park Road drainage to be located within as it should mitigate the impact of extreme weather events.

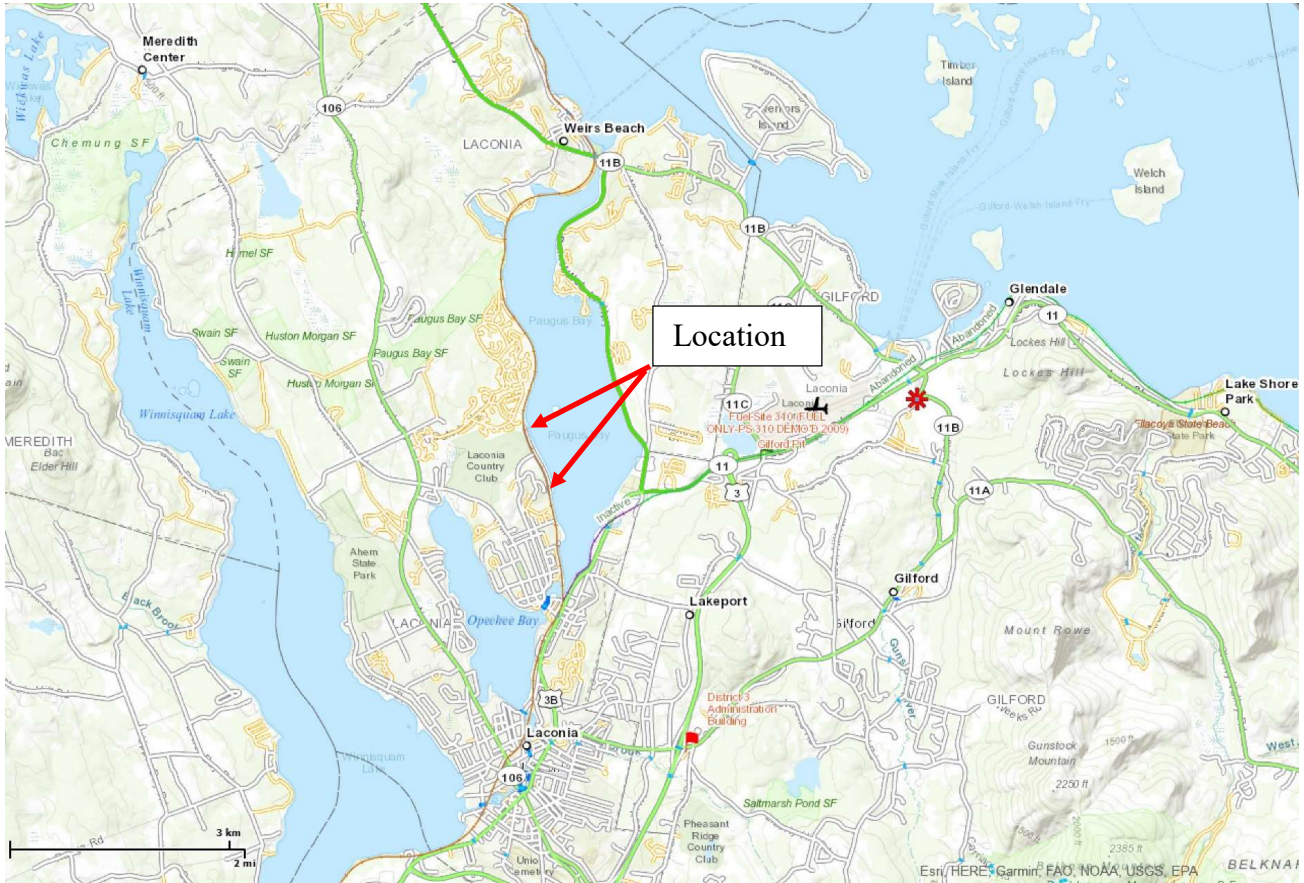
11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within its municipality.

- 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

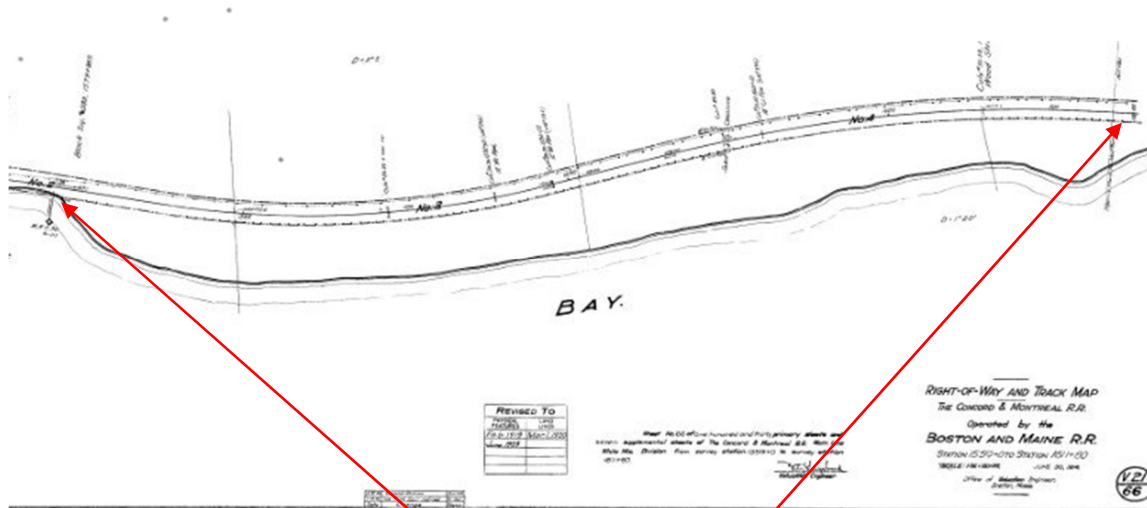
* Maps can be created with GIS, Google, NH GRANIT, or any other readily available mapping service.

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

Locus Map



Aerial – Paugus Park Road, Laconia



Limits of Easement

- 1) Valuation Map (Section 21, Sheet 66). Paugus Bay, Laconia
 Paugus Park Road not shown. Parallel to and bordering State-owned Railroad Corridor.
 Railroad corridor 66' wide. Baseline offset 28' to east (lake side) and 38' to the west.

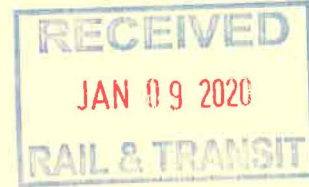
Van Buren Street Crossing at Station 1600+00

Estimated North leg of proposed easement:

$$\begin{aligned}
 235' \times 13' &= 3,055 \text{ square feet} \\
 1178' \times (15+18)/2 &= \underline{19,437 \text{ square feet}} \\
 &22,492 \text{ square feet +/-}
 \end{aligned}$$

Estimated South leg of proposed easement:

$$\begin{aligned}
 2030' \times 15' &= \underline{30,450 \text{ square feet}} \\
 \text{Total} &= 52,942 \text{ square feet +/-}
 \end{aligned}$$



December 20, 2019

Shelley Winters, Administrator
New Hampshire Department of Transportation
Bureau of Rail and Transit
PO Box 483
Concord, NH 03302-0483

Re: Request for an easement in the State railroad right of way along Paugus Park Road

Dear Ms. Winters:

The City of Laconia requests an easement to construct and maintain a drainage system along Paugus Park Road, and to maintain, repair and reconstruct Paugus Park Road, a Class V road that is partially in the State railroad right of way.

The City requests an easement from the intersection of the City's right of way with the property at 16 Paugus Park Road in the north to the water's edge of Lake Winnepesaukee at the south end of the road. The City requests a 15 foot easement from the edge of the road or the eastern boundary of the railroad easement, whichever is further from the railroad tracks. This section of the proposed easement will extend from the south edge of the intersection of the State's driveway with the City's right of way at 29 Paugus Park Road in the north to the water's edge of Lake Winnepesaukee at the south end of the road. The City also requests an easement that begins 10 feet from the eastern rail of the railroad tracks to the eastern boundary of the rail right of way. This proposed easement would begin at the south edge of the intersection of the State's driveway with the City's right of way at 29 Paugus Park Road North to the intersection of City's right of way with the property boundary of 16 Paugus Park Road North.

The City intends to use the land in the proposed easement to construct, repair and maintain the drainage system that will collect storm water from both the road and the railroad right of way. Additionally, the easement will formalize the City's ability to maintain Paugus Park Road, a Class V public highway, that was partially built in the State railroad right of way and provide adjacent parallel parking where feasible.

The City also requests that the Long Range Capital Planning and Utilization Committee waive the administrative fee since the drainage system will also collect storm water from the railroad right of way. Thus, the proposed drainage improvements will be a benefit to the State.

A check for \$500 is enclosed for the administrative fee for processing this request.

Sincerely,

A handwritten signature in blue ink, appearing to read "Scott Myers", with a long, sweeping flourish extending to the right.

Scott Myers
City Manager

Attachments