





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

From:  Louis Barker
Railroad Planner

Date: November 8, 2022

At: Bureau of Rail and Transit

Thru: Shelley Winters  11/09/22
Director, Division of Aeronautics, Rail & Transit

Subject: Surplus Land Review
Concord-Lincoln Railroad Corridor, Belmont

To: Taylor Caswell, Commissioner
Department of Business and Economic Affairs

The Bureau of Rail & Transit proposes to lease approximately 375 feet of water frontage on the state-owned Concord-Lincoln Railroad Corridor in the Town of Belmont to an abutter for installation, use and maintenance of a dock in accordance with RSA 228:57-a. This law allows leasing of state-owned railroad waterfront to landowners whose property abuts the railroad property, and for which the proposed use does not adversely impact the use of property by the State or its Railroad Operators.

Explanation: The Sun Lake Village Association proposes three seasonal finger docks (5 slips) in a multiple slip configuration. The request is for a lease of 375 feet of frontage along the boundary of Sun Lake Village and state property to cover the number of slips requested. Bureau staff has met with the applicant and inspected the site. The Bureau is willing to enter into a lease for waterfront access for 375 linear feet at the edge of the railroad corridor, provided that the lessee meets Department of Environmental criteria, obtains a dock permit and install a pedestrian at-grade crossing and protection including, but not limited to, a crossing surface and signage. In addition, the applicant is aware that the proposed access will cross the Belmont segment of the WOW Trail and appropriate safety measures will be required to mitigate impacts to the trail facility. The lease will also include a termination clause and a requirement to remove any improvements in the event the location of the dock lease adversely impacts future use of the corridor.

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: Transportation

Agency Contact Person: Louis A. Barker
Address: NHDOT, Bureau of Rail & Transit, PO Box 483, Concord, NH 03302
Phone Number: (603) 271-2425
E-Mail: Louis.barker@dot.nh.gov

Applicant Contact Person: Don House
Address: Sun Lake Village Docks LLC 51 Sun Lake Drive, Belmont, NH 03220
Phone Number: (508) 344-4612
E-Mail: Donhouse@metrocast.net

Location of Property: US Route 3, Belmont NH

Acreage: 375 linear feet

Requested Action: Lease

Term of Lease or Easement: 5 years with option for 5 year renewal

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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?

Vacant

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

Dock and recreation facility per the terms of RSA 228:57-a

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.

Subdivision approval over 20 years ago. Some of the parcels improved 2005-2020

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

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

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

☒ Yes ☐ No

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

Railroad itself is eligible for National Historical Register. Boston, Concord & Montreal RR.

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)

6 houses on qualifying property that corresponds to this request.

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).

<0.01 %, request 375 feet, rail line is approximately 73 miles.

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)

No. Applicant will enter into a Crossing Agreement with the State of New Hampshire to cross the railroad.

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.

Lake Winnisquam

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.

RSA 228:57-a

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

Currently subject to railroad operations from April 1 to December. Winter recreation during off season shutdown per an Agreement between NHDOT and NHDNCR.

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

Proposed private access will include safety features at both crossings of the railroad and the Belmont segment of the WOW trail.

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 checked="" type="checkbox"/>	<input 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 type="checkbox"/>	<input checked="" 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.

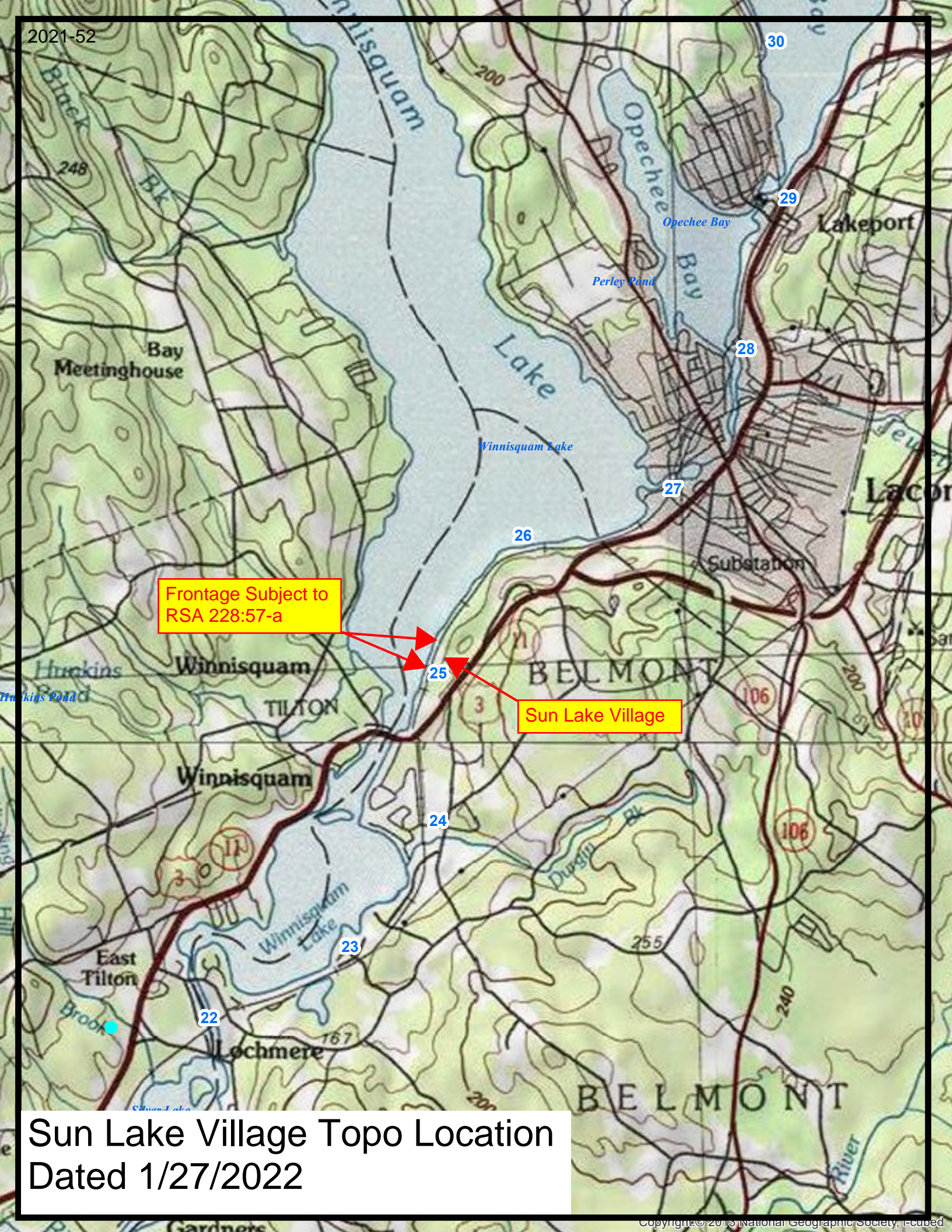
Slope from abutting property to level of railroad 6-8 feet. Response to request including requirement for engineered stairway design with appropriate setbacks.

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.



Frontage Subject to
RSA 228:57-a



Sun Lake Village

Sun Lake Village Topo Location
Dated 1/27/2022

Sun Lake Village

Aerial Location

Legend

-  Belmont
-  Sun Lake Dr

Concord-Lincoln Railroad Corridor

Location Proposed Dock
and Pedestrian Crossing

Lake Winnisquam

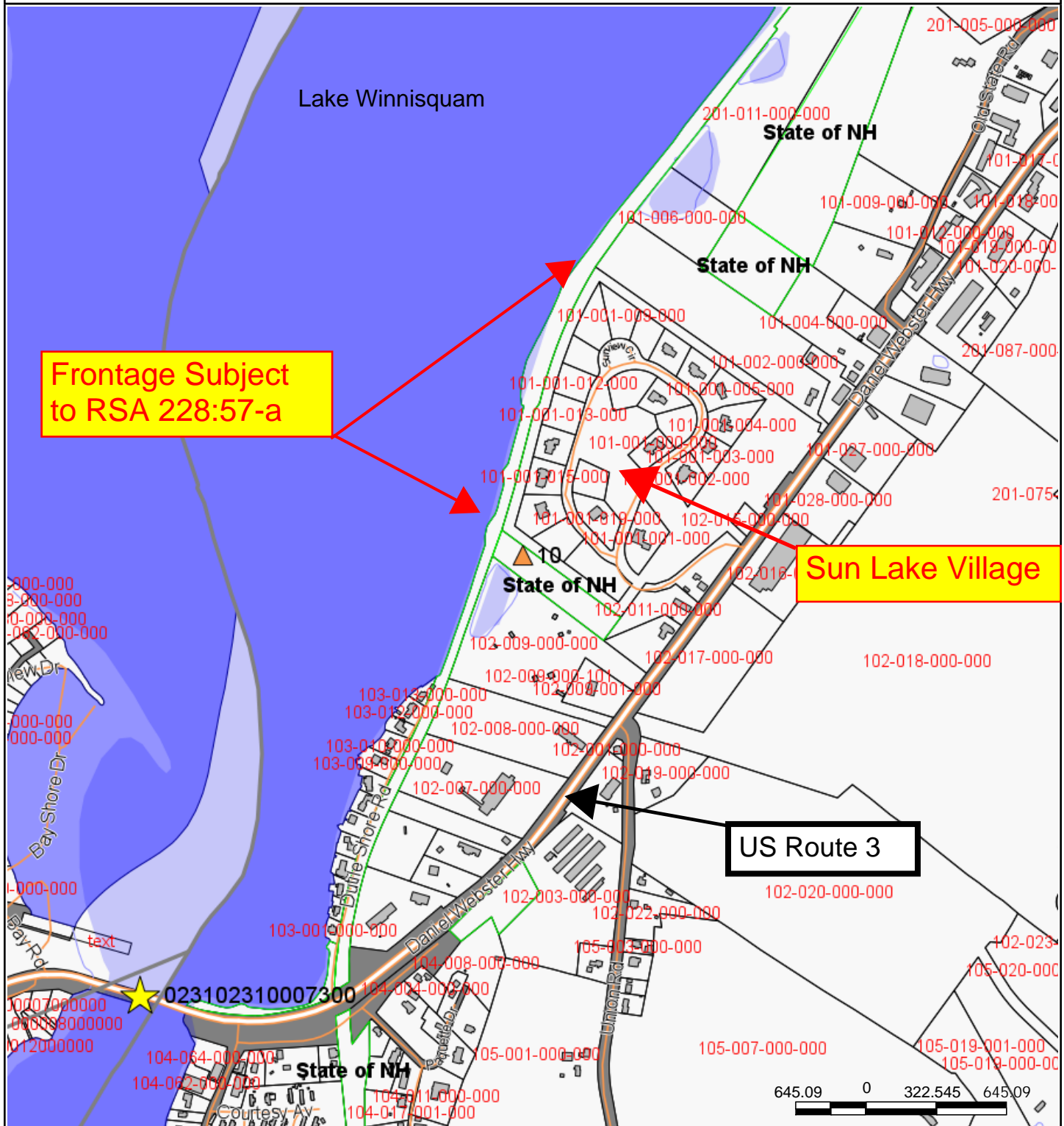
To Laconia

US Route 3

Belmont 845-447Y

WINNISQUAM





BELMONT, N.H.

LEASE LOCATION

SUN LAKE VILLAGE

Approximate Crossing
Location, Station 1353+50

BELMONT

Lake Winnisquam

Kind of Instrument	Date of Instrument	Grantor	Grantee	Recorded Book Page	Recorded Date	Remarks
Award	Aug 3, 1847	John L. Kezer	B C & M R R	Files of Sec of State NH	1 331 Dec 6, 1847	
War. Rel & Rec	Feb. 3, 1848	John L. Keasor	"	13 175 Sept. 1, 1851		
Receipt	" 1 "	"	"	Not recorded		
War. Rel & Rec	Feb. 4, " "	"	"	" 12 313 May 20 1848		
War. Rel & Rec	Feb. 25, 1846	John L. Keasor	"	10 231 Apr. 8, 1847		
War. Rel & Rec	Jan 30, 1847	B C & M R R	Daniel G. Ladd	15 270 Feb. 8, 1850		
War. Rel & Rec	Feb 6, 1850	"	Charles F. Ladd	18 178 Sept. 1, 1851		
War. Rel & Rec	June 19, 1848	Charles Ladd	B C & M R R	13 240 " " "		
War. Rel & Rec	June 20, 1849	Stephen Gale	"	" " "		
War. Rel & Rec	Jan 24, 1864	B & M R R	Kenneth E Shaw	" " "		