



New Hampshire Council on Resources and Development

CORD Meeting

Date: Thursday, July 8, 2021
Time: 11:00 AM
Location: Department of Business and Economic Affairs
100 N Main St, Concord - Kinsman Conference Room

FINAL AGENDA

I. ROLL CALL AND INTRODUCTIONS

II. MINUTES

A. Approval of May 13, 2021 draft minutes

III. SURPLUS LAND REVIEW

B. 2021 SLR 003 (Laconia)
Request from the Department of Transportation to grant an easement on certain railroad land to the City of Laconia.

IV. OTHER BUSINESS

Reminder – Tentative 2021 Meeting Dates

~~January 14~~

July 8

~~March 11~~

September 9

~~May 13~~

November 10

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

DRAFT MINUTES – May 13, 2021

MEMBERS PRESENT (via remote participation)

Jared Chicoine, Chair, Director, NH Office of Strategic Initiatives (alone)
Shawn Jasper, Commissioner, NH Department of Agriculture (alone)
John Martin, Designee, NH Department of Health and Human Services (alone)
Stephen McLocklin, Designee, NH Department of Administrative Services (alone)
Adam Smith, Designee, NH Department of Transportation (alone)
Marta Modigliani, Designee, NH Department of Safety (alone)
Jack Ruderman, Designee, NH Housing Finance Authority (shared workspace)
Christopher Way, Designee, NH Department of Business and Economic Affairs (alone)
Tracy Boisvert, Designee, NH Department of Natural & Cultural Resources (alone)
Amy Clark, Designee, NH Department of Education (alone)

OTHER PARTICIPANTS

Michael Klass, NH Office of Strategic Initiatives
Stephen Walker, NH Office of Strategic Initiatives

I. ROLL CALL AND INTRODUCTIONS

The meeting was opened at 9:32 AM by Chairman Chicoine who began with a right-to-know compliance checklist as this was a virtual meeting. He finished with a roll call for CORD member attendance.

II. MINUTES

A. Approval of March 11, 2021 draft minutes

MOTION: On a motion by Christopher Way, seconded by Adam Smith, the March 11, 2021 minutes, as revised, were approved unanimously by the Council, with Commissioner Jasper and Amy Clark abstaining (via roll call vote).

III. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

A. Land Conservation Endowment Fund. Discussion regarding endowment disbursement and request for authorization to expend for FYs 2022 and 2023.

Mr. Walker, Conservation Land Stewardship (CLS) Program Director said this was a routine request for disbursement from the Land Conservation Endowment Fund to fund the CLS budget for the upcoming biennium. He noted that the disbursement request includes monitoring of two large DNCR Forest and Lands properties in the northern part of the state, which were added a few years ago.

MOTION: On a motion by Commissioner Jasper, seconded by John Martin, the Council authorized disbursement of funds from the Land Conservation Endowment for Fiscal Years 2022 and 2023, consistent with the Memo from Stephen Walker to CORD dated May 13, 2021. The motion was approved unanimously by the Council (via roll call vote).

- B. Request for CORD approval and authority to update prior authorization concerning easement on certain property located in Danbury, New Hampshire.

Mr. Walker noted that the CLS program monitors this property in Danbury along the Wilmot town line. A few years ago during a routine monitoring visit a large amount of trash was found dumped along the edge of property. The area of the property where the trash was found is used as a turn-around for Town of Danbury road maintenance vehicles when they come to the town line. CLS has worked with the land owner and the Town of Danbury to a) get the trash picked up, b) make sure this doesn't happen again, c) formalize that the Town can use the small turn-around for their road maintenance vehicles. Chris Aslin from the Department of Justice has worked to make sure this use complies with the terms of the conservation easement. An attempt was made two years ago to deal with this situation, but the Town of Danbury took issue with some of the wording at the time, so it took another year and a half to get to this point.

Mr. Martin asked what steps were taken to make sure the dumping doesn't happen again. Mr. Walker replied that there is an agreement with the Town that if the dumping happens again, the Town will be responsible for cleaning it up. The Town will also put up barriers along the edge of the turn-around to prevent future dumping. Mr. Walker also noted that the turn-around/bump out predates the easement.

MOTION: On a motion by Christopher Way, seconded by Shawn Jasper, the Council approved and authorized Director Chicoine to execute updated easement materials for certain property located in Danbury, New Hampshire. The motion was approved unanimously by the Council (via roll call vote).

IV. OTHER BUSINESS

Chairman Chicoine noted that in the Governors' Proposed Budget, HB2, the Governor has proposed the creation of a Department of Energy. As a result, the Office of Strategic Initiatives would be dissolved with the energy functions going to a new Department of Energy, the Planning Division moving to the Department of Business and Economic Affairs (BEA), and the Conservation Land Stewardship Program becoming administratively attached to the Department of Administrative Services. If the budget is passed, the chairmanship of CORD will change,

which the Senate is working out as it takes up the budget. If a budget is passed in June and becomes effective July 1st, CORD would have a new chair at its next meeting on July 8th. If the proposal doesn't make it into the final budget or the budget is not signed by July 8th, Chairman Chicoine will remain Chair.

Chairman Chicoine in response to a question from Ms. Boisvert noted that CORD will reside in the statute pertaining to the Office of Planning and Development at BEA with the Commissioner of BEA likely chairing the Council.

Mr. Way thanked Chairman Chicoine for his leadership of the Council.

Chairman Chicoine noted CORD's next meeting date on July 8, 2021

MOTION: With business completed, Commissioner Jasper moved to adjourn the meeting, which Mr. McLocklin seconded. The motion was approved unanimously by the Council (via roll call vote).

Meeting adjourned at 9:51 AM

Reminder – Tentative 2021 Meeting Dates

~~January 14~~
~~July 8~~

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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.

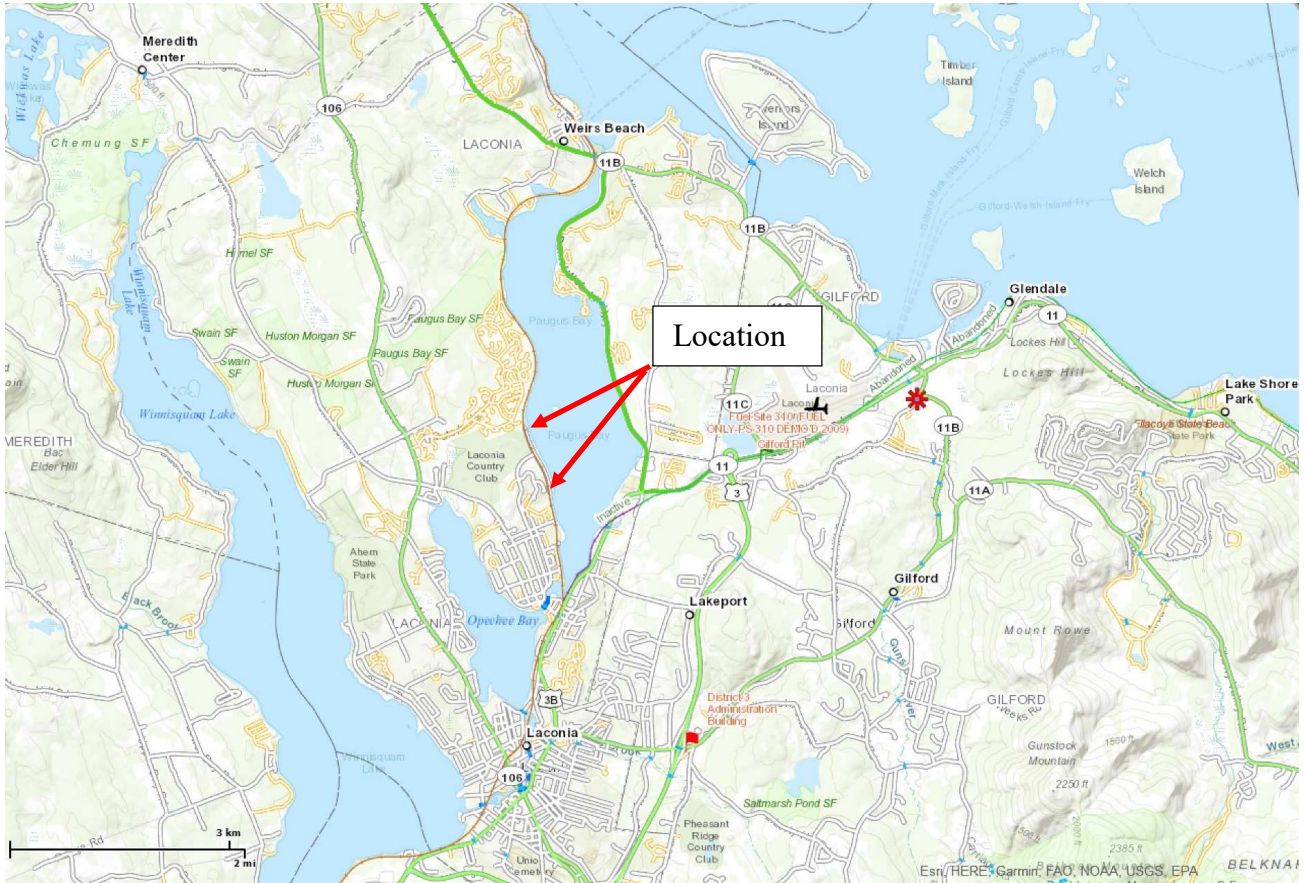
11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within its municipality.

- 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

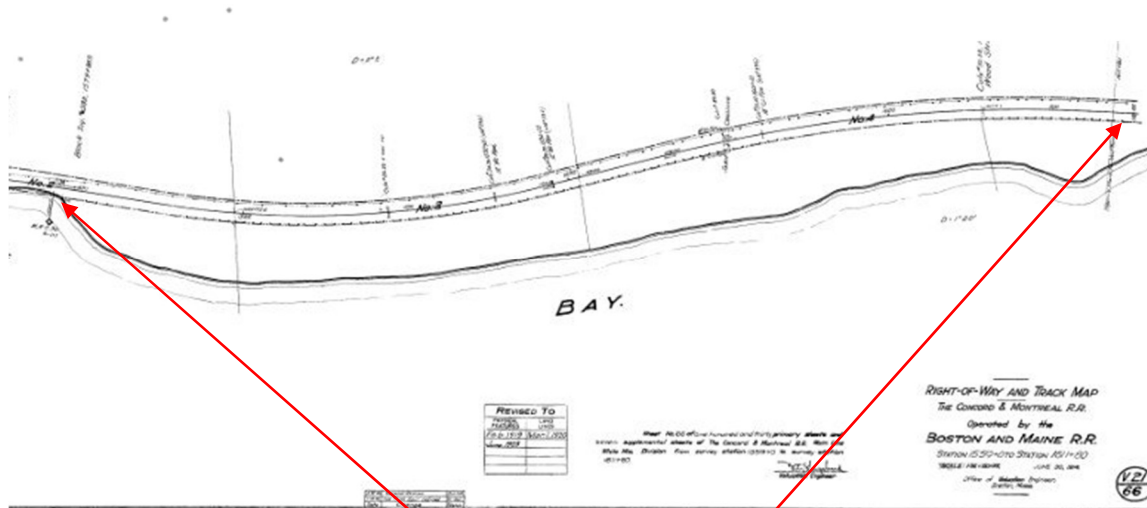
* Maps can be created with GIS, Google, NH GRANIT, or any other readily available mapping service.

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.

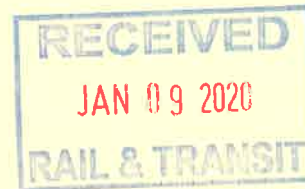
Van Buren Street Crossing at Station 1600+00

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.

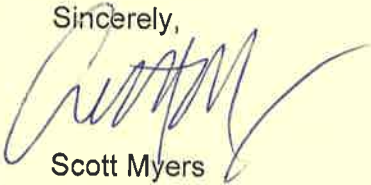
The City requests an easement from the intersection of the City's right of way with the property at 16 Paugus Park Road in the north to the water's edge of Lake Winnepesaukee at the south end of the road. The City requests a 15 foot easement from the edge of the road or the eastern boundary of the railroad 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

Klass, Michael

From: Susan Slack <sslack@lakesrpc.org>
Sent: Tuesday, May 25, 2021 8:21 AM
To: Klass, Michael
Subject: CORD Surplus Land Request Application - 2021 SLR 003 (Laconia)

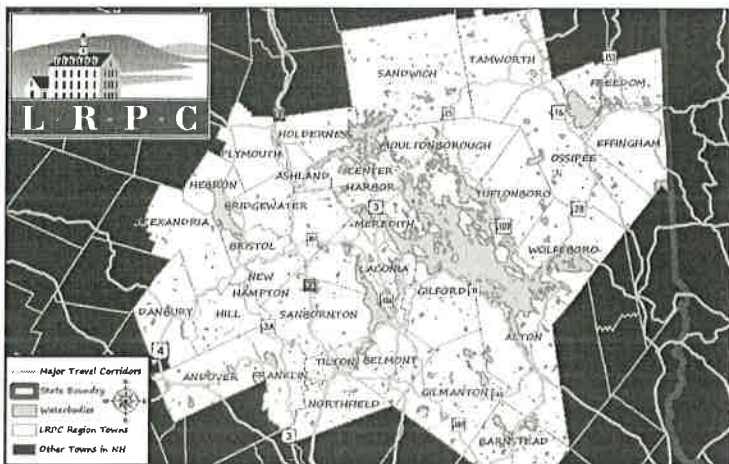
EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.

Hi Mike,

The Lakes Region Planning Commission has no objection to conveyance of this surplus RR property easement to the City of Laconia to improve road drainage along Paugus Park Road.

Best regards,

Susan
Susan Slack
Principal Planner
Lakes Region Planning Commission
103 Main Street, Suite #3
Meredith, NH 03253
Direct: 603-279-5337 | Main: 603-279-8171
www.lakesrpc.org



From: Jeff Hayes <jhayes@lakesrpc.org>
Sent: Tuesday, May 18, 2021 4:48 PM
To: Susan Slack <sslack@lakesrpc.org>; Jessica Bighinatti <jbighinatti@lakesrpc.org>
Subject: Fwd: CORD Surplus Land Request Application - 2021 SLR 003 (Laconia)

FYI easement on RR property. Jeff

Jeffrey Hayes, Executive Director
Lakes Region Planning Commission
103 Main Street Suite 3
Meredith New Hampshire 03253
Mobile: 603-707-9250

Klass, Michael

From: Sales, Tracie
Sent: Tuesday, May 25, 2021 9:28 AM
To: Klass, Michael
Cc: Michele L. Tremblay (MLT@naturesource.net); David W. Packard (appliedforce52@gmail.com); Larry Spencer; Graaskamp, Garret
Subject: RE: CORD Surplus Land Request Application - 2021 SLR 003 (Laconia)

Dear Mike,

On behalf of the Lakes Management Advisory Committee (LMAC), the Rivers Management Advisory Committee (RMAC), and the local river management advisory committees (LACs), thank you for the opportunity to comment on 2021 SLR 003 in Laconia, a proposed easement of railroad property along Paugus Park Road in Laconia to the city.

This proposed property disposal lies within 250 feet of Paugus Bay and is therefore subject to LMAC review. However, LMAC Chair David Packard decided not to convene an LMAC meeting to discuss this SLR. Therefore, the LMAC has no comment on the proposed easement.

Based on the information received, 2021 SLR 003 is not subject to RMAC or local river management advisory committee (LAC) review as the property does not lie within 250 feet of a river, does not provide access to a river, and is not within a designated river corridor.

Please contact me if you have any questions about this response.

Sincerely,
Tracie

Tracie Sales
Rivers & Lakes Programs Administrator
NH Department of Environmental Services
(603) 271-2959

From: Klass, Michael <Michael.A.Klass@osi.nh.gov>
Sent: Tuesday, May 18, 2021 4:01 PM
To: 'dshackett@belknapcounty.org' <dshackett@belknapcounty.org>; 'citymanager@laconianh.gov' <citymanager@laconianh.gov>; 'jhayes@lakesrpc.org' <jhayes@lakesrpc.org>
Cc: Chicoine, Jared <Jared.S.Chicoine@osi.nh.gov>
Subject: CORD Surplus Land Request Application - 2021 SLR 003 (Laconia)

Dear All,

Please find the attached Surplus Land Review application for your review. As reflected in the cover memo, the comment deadline for this request is June 18, 2021, and it is tentatively scheduled to be heard at CORD's July 8, 2021 meeting.

Thank you, and please contact me if you have any questions.

Best,
Mike



NEW HAMPSHIRE DIVISION OF HISTORICAL RESOURCES

State of New Hampshire, Department of Natural and Cultural Resources 603-271-3483
19 Pillsbury Street, Concord, NH 03301-3570 603-271-3558
Voice/ TTY RELAY ACCESS 1-800-735-2964 FAX 603-271-3433
<http://www.nh.gov/nhdhr> preservation@nh.gov

June 7, 2021

RECEIVED

JUN 10 2021

OFFICE OF STRATEGIC
INITIATIVES

Michael A. Klass
NH Council on Resources Development
NH Office of Strategic Initiatives
107 Pleasant Street, Johnson Hall
Concord, NH 03301

Re: State Owned Land, Surplus Land Review, Laconia, NH, 2021 SLR 003
(DHR# 12750)

Dear Mr. Klass:

In accordance with RSA 227C-9, the Division of Historical Resources (DHR) has reviewed the proposed granting to the City of Laconia by the Bureau of Rail and Transit an easement on a parcel of railroad land. This easement would provide for a portion of a City street (Paugus Park Road) and its existing and proposed drainage improvements.

DHR records indicate the subject parcel is part of the National Register-eligible Boston, Concord and Montreal Railroad (ZMT-BCMR). Based on a 1923 valuation map, five culverts and a block signal were located within the project area. If these features still exist, they are considered contributing to the historic resource and impacts from the drainage improvement project should be avoided. If these resources cannot be avoided, consultation with the DHR may be required.

Additionally, the DHR recommends, per consultation with the NHDOT Cultural Resources Program staff, the proposed easement should be conditioned that any ground disturbance shall not occur until it is preceded by a Phase 1A/1B archaeological investigation.

Should you have any questions regarding these comments, please feel free to contact David Trubey, Review & Compliance Coordinator, at 271-2813.

Sincerely,

Nadine Miller
Deputy State Historic Preservation Officer

NM/dwt