

New Hampshire Council on Resources and Development

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Final Minutes – September 12, 2019

MEMBERS PRESENT

Jared Chicoine, Chair, Director, NH Office of Strategic Initiatives
Glen Normandeau, Executive Director, NH Fish and Game Department
Christopher Way, Designee, NH Department of Business and Economic Affairs
Tracy Boisvert, Designee, NH Department of Natural and Cultural Resources
Stephen McLocklin, Designee, NH Department of Administrative Services
Melissa St. Cyr, Designee, NH Department of Health and Human Services
Adam Smith, Designee, NH Department of Transportation
Marta Modigliani, Designee, NH Department of Safety
Clark Freise, Assistant Commissioner, NH Department of Environmental Services

OTHERS PRESENT

Michael Klass, NH Office of Strategic Initiatives
Noah Hodgetts, NH Office of Strategic Initiatives
Mark Doperalski, non-voting member, NH DNCR, Division of Historical Resources
Jared Nylund, Real Property Asset Manager, Department of Administrative Services
Stephen Walker, NH Office of Strategic Initiatives
Paul Godfrey, HNTB Consulting
Dijit Taylor, Executive Director, Land & Community Heritage Investment Program
Jim O'Brien, Chair, Hopkinton Select Board
James Vara, NH Liquor Commission
Andrew Davis, Real Estate and Leasing Administrator, NH Liquor Commission
Tracie Sales, Rivers and Lakes Program Manager, NH Department of Environmental Services

I. ROLL CALL AND INTRODUCTIONS

The meeting was opened at 9:32 AM by Chairman Chicoine. Chairman Chicoine began by noting the sad passing of CORD member Bill Ray, designee of the New Hampshire Housing Finance Authority.

CORD members and guests then introduced themselves.

II. MINUTES - Approval of July 11, 2019 draft minutes

Michael Klass explained that he received communications from Robert Stephens after the last meeting including a request for a copy of the July 11, 2019 meeting audio, which audio was subsequently provided to Mr. Stephens. Mr. Roberts subsequently provided a written request to insert more details in the draft minutes about what the Brentwood Conservation Commission agent, Mr. Donald, had said with respect to their plans for the Brentwood property.

MOTION: On a motion by Director Normandeau, seconded by Mr. Freise, which was approved unanimously by the Council, the Council continued discussion of the July 11, 2019 draft minutes to the next meeting after Mr. Klass has had a chance to review the audio of the meeting.

III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)

Request authorization to pay summer stewardship interns with funds from the Community Conservation Endowment, as approved by LCHIP Board of Directors.

Dijit Taylor, LCHIP Executive Director stated that this is a new request to pay the summer interns who are doing the monitoring from the LCHIP monitoring endowment. Director Taylor noted that the budget submitted to the LCHIP Board of Directors included money to pay for the summer interns and the money to pay the summer interns will come from the income portion of the endowment.

MOTION: On a motion by Mr. Way, seconded by Mr. Freise, the Council approved unanimously the disbursement of to \$11,900 of income from the Community Conservation Endowment to the LCHIP administrative budget to pay for interns carrying out monitoring of interests acquired by LCHIP.

IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

Request for CORD approval and authority to execute easement consent concerning certain property located in Danbury, New Hampshire.

Mr. Walker explained that on a routine monitoring visit of a 695-acre property mostly in Wilmot, partly in Danbury, the Conservation Land Stewardship (CLS) program discovered a turnout on the town line that the Town of Danbury uses to turn plows around and has become a dumping spot, which pre-exists the easement. As a result the land owner and CLS have developed a long term solution, which has been reviewed by DOJ and DNCR to execute a road turnout easement agreement for the small area. As part of the easement the Town will erect a barrier around the 40' x 20' area and will patrol it to prevent further dumping down the steep embankment. The conservation easement will exist in perpetuity and be held by the state through DNCR.

MOTION: On a motion by Director Normandeau, seconded by Mr. Smith, the Council unanimously approved, and authorized Director Chicoine to execute, the easement consent for certain property located in Danbury, New Hampshire.

V. SURPLUS LAND REVIEW

- A. **2019 SLR 06 (Hampton)** - Request from the Department of Administrative Services to dispose of excess land surrounding future new Interstate 95 Northbound and Southbound NH Liquor and Wine Outlet Stores in Hampton.

Jared Nylund, Real Property Asset Manager at the Department of Administrative Services (DAS), gave an overview of 2019 SLR 006. Mr. Nylund stated that the NH Liquor Commission is seeking to dispose by sale all of the land comprising the NH Liquor Commission holdings surrounding and including the I-95 rest-stop stores in Hampton. As part of the sale, the Liquor Commission would retain ownership of the footprint of the future to be built liquor stores on either side of the highway. There is approximately 64 acres adjacent to the northbound side and 23.7 acres on the southbound side. He also noted that the developable uplands on the northbound side are largely limited to the already developed area, with the rest of the northbound area covered by undevelopable wetlands. However, there are several more acres of developable land surrounding the existing rest stop on the southbound side.

Andy Davis, Real Estate and Leasing Administrator for the Liquor Commission, noted that the goal is to end up with two new liquor stores in Hampton and that House Bill 517 from 2017 authorized the Liquor Commission and DOT to conduct feasibility studies of redeveloping the Hampton rest areas into multi-service rest areas similar to the redeveloped Hookset Welcome Centers. DOT was authorized to acquire the properties if they chose. That section of the bill goes on to note that the intent is for the Liquor Commission to develop full-service rest areas which may include a fueling station, food and beverage services, a convenience store, and a new liquor and wine outlet. Statute authorizes the Liquor Commission to sell any surplus land and Chairman Mollica has declared this residual land as surplus. Finally, proceeds of the sale of real property will be used to retire existing Liquor Commission debt. Mr. Davis further noted that the Hampton liquor stores on 95 have been the #1 and #2 stores for sales for a number of years, but have outlived their useful life. The Liquor Commission has completed 36 liquor and wine outlet redevelopments in the last 10 years and has developed a successful model for creating new state of the art stores.

Paul Godfrey of HNTB, a consultant retained by the Liquor Commission, reiterated that the goal is to sell the usable property outside of the footprint that the Liquor Commission will identify and redevelop this land to provide multiple services to motorists including food and fuel. Mr. Godfrey noted that if the process were to move forward and the properties were deemed surplus, the Liquor Commission would retain a commercial property broker. Then it is anticipated that there would be a Request for Qualifications (RFQ) followed by a Request for Proposals (RFP) similar to the Hookset Welcome Center redevelopment process except for the that fact unlike in Hookset, the excess property outside of the future Liquor store footprint would be sold off. The RFQ would seek interested parties to develop the properties and would contain goals for the sale

as well as a process to seek interested parties. From the RFQ process, the Liquor Commission would then develop a short list of potential developers/operators that are qualified based on prior experience. For those that are short-listed, a RFP process would be put in place with the goal of naming a single developer/operator. Mr. Godfrey noted that the DOT and Federal Highway Administration would only need to be involved if modification of highway access was required.

Mr. Godfrey further noted that the northbound and southbound properties are adjacent to the Taylor River and that full survey plans have been completed for both the northbound and southbound areas that identify areas of wetland and upland. A real estate appraisers report was also prepared which shows the approximate value should the sale go through. HNTB has also secured the services of a historic consultant to conduct a historic resources inventory. Mr. Godfrey noted that there is no guarantee that the RFQ/RFP process will identify a willing developer/operator and that the Hookset redevelopment took three times before it was successful.

Mr. Way questioned whether the applicant had communicated with Bureau of Visitor Services and whether there were any concerns generated from their end. Mr. Nylund responded that they had not spoken with Visitor Services to date, but that DOT raised the possibility of including a welcome center into the redeveloped Hampton sites in conjunction with possibility closing an existing welcome center. Mr. Davis added that the Liquor Commission and DOT had communicated with one another and noted the properties were initially offered to DOT, but that DOT has declined purchase of the properties. Once DOT declined acquisition of the Hampton properties, the Liquor Commission went to a third-party developer-operator model. Mr. Davis further explained that Liquor Commission and DOT have discussed reallocating resources from the Seabrook Welcome Center up to the redeveloped Hampton service areas. Mr. Way hoped that this project would not impede expansion plans in other areas.

Mr. Doperalski asked for an update on DHR's request for a Phase 1A survey report. Mr. Godfrey acknowledged receiving the request and answered that it was in process of having that obtained.

Chairman Chicoine then asked if any agencies had any comments that would like to elaborate on or discuss.

Mr. Freise noted that the site is surrounded by important habitat including wetlands which are particular valuable and asked that any motion includes requirements for the RFQ/RFP criteria to include significant emphasis on environmental protection and education.

Ms. Boisvert added that if the Phase 1A survey identified any areas which required a Phase 1B study, that such study would need to happen prior to any development of the area so that archaeological resources could be identified ahead of time. Mr. Davis stated that the Liquor Commission is in the process of amending its contract to retain an archaeologist to complete the Phase 1A survey. Mr. Davis agreed that if archeological resources are identified, there is a commitment by the Liquor Commission to work with DHR staff to make sure those resources are not impacted.

Mr. Klass referenced the existence of other public comments that were received in connection with this application. The Hampton Conservation Commission expressed an interest in purchasing the property if DOT declines. Sizable letters from LMAC and RMAC were submitted and were in the record. Hampton School District also submitted a letter references potential school site.

Mr. Nylund stated that he reached out to the Hampton Conservation Commission and they are particularly interested in protecting the wetlands, which the Liquor Commission is also interested in doing, and they tentatively offered to be a conservation partner – acquire and hold conservation easements on wetlands if neccesary.

Mr. Nylund also spoke with the school district superintendent and understands that the parcel that the school district is interested in is not actually part of this SLR. Rather, it is to the north of the northbound rest area. Mr. Freise noted that he wasn't sure a school was appropriate next to a liquor store and the highway, but that other sites to the north could be appropriate for a school.

MOTION: Mr. Freise made a motion, seconded by Director Normandeau, to recommend Approval of 2019 SLR 006 (Hampton) with the requirement that (1) environmental protection and education be given significant emphasis in the RFQ/RFP evaluation criteria, and (2) that if the Phase 1A archaeological survey identifies any archaeological resources, a Phase 1B investigation must be completed. The motion was approved unanimously by the Council

B. 2019 SLR 007 (Hopkinton) - Request from the Department of Natural and Cultural Resources to exchange 30.3 acres of state-owned land known as Contoocook State Forest for a 97-acre parcel of forest land known as the Hopkinton Town Forest in Hopkinton.

Ms. Boisvert gave an overview of 2019 SLR 007. The Town of Hopkinton requested a land swap with DNCR over a year ago for three separate state-owned tracts bisected by Route 9, which abut three of the four corners of the intersection by Dunkin Donuts (in Henniker). The land was acquired in the 1920's as part of a reforestation initiative by the state and has no encumbrances on it. Total size for the three lots is 30 acres. Some timber harvesting has taken place over the years, but the land is not ideal for state forest management purposes. The property that the Town of Hopkinton is proposing to trade is a 97-acre parcel located in the Hopkinton Town Forest between Mast Yard State Forest and the Contoocook River. From a long-term forest management perspective, the land swap makes a lot of sense from DNCR's perspective.

Jim O'Brien, Chair of the Hopkinton Select Board said for years the Hopkinton Economic Development Committee has been looking for areas to expand its commercial property base and that the Dunkin Donuts on Route 9 (in Henniker) was identified as a suitable location for expanded commercial activity. As a result, at March town meeting a few years the Town created a TIF district to help market this area for commercial development.

Ms. Boisvert noted that the appraisals showed that the Contoocook State Forest properties are worth \$68,000, while the Hopkinton Town Forest property is worth \$105,000 so financially it is a good deal for the state. She also noted that the Phase 1A survey which DHR requested identified three potential hot spot areas that will require a Phase 1B study prior to any development occurring. Mr. O'Brien said the Town of Hopkinton is fine with that.

In response to a question from Mr. Way, Mr. O'Brien noted that any potential project would need a to have a traffic study completed while also noting that the intersection is on the Ten Year Transportation Plan and that there has been discussion of traffic calming measures including a traffic light, which could be problematic, or a roundabout.

Mr. Doperalski in response to question from Mr. Way said that the parcel to the west is pretty flat, but that the two parcels adjacent to the river slope down quickly.

Mr. O'Brien noted that there has been talk of several different uses for the area including everything from a senior living facility to a small box retail store which would create differing levels of traffic.

Mr. O'Brien noted that while the TIF district passed overwhelmingly at town meeting, there is some concern about putting commercial development at a gateway to Hopkinton. However, the majority of townspeople believe it makes sense to expand commercial development in an area that already has a Dunkin Donuts.

Mr. Freise suggested that the Town of the Hopkinton talk to the Water-Sewer Infrastructure Trust Fund about funding for drinking water extensions as the project progresses.

MOTION: Mr. Way made a motion, seconded by Ms. Modigliani to recommend Approval of 2019 SLR 007 (Hopkinton). The motion was approved unanimously by the Council.

VI. OTHER BUSINESS

MOTION: With business completed, Mr. Freise moved to adjourn the meeting, which Director Normandeau seconded. The motion was approved unanimously by the Council.

Meeting adjourned at 10:15 AM.

Reminder – Remaining 2019 Meeting Dates: November 14