



MEMORANDUM

TO: Laura Buono, Town Administrator, Town of Hillsborough
Micael P. Soucy, Clerk, Hillsborough County Board of Commissioners
Michael Tardiff, Executive Director, Central New Hampshire Regional Planning Commission
Members, Council on Resources and Development (CORD)

FROM: Heather Shank, Director, Division of Planning and Community Development
Brendan McDowell, Principal Planner, Office of Planning and Development

DATE: November 8, 2024

SUBJECT: Surplus Land Review
2024 SLR 006 – Hillsborough

The Council on Resources and Development (CORD) will hold a public meeting on the attached request on December 12, 2024, from 3-4 pm in the Kinsman Conference Room at the Department of Business and Economic Affairs (DBEA), 100 N. Main Street, Concord.

Please review the request and provide any comments in writing to Brendan.McDowell@livefree.nh.gov by December 3, 2024.

Please note, the application is also reviewed by the following organizations:

- The Department of Natural and Cultural Resources/NH Division of Historical Resources, in accordance with RSA 227-C:9.
- Members of the Public Water Access Advisory Board, in accordance with RSA 233-A.
- The Lakes Management and Protection Program, through the Rivers and Lakes Program Coordinator, in accordance with RSA 483-A:5, II.
- The Rivers Management and Protection Program, through the Rivers and Lakes Program Coordinator, in accordance with RSA 483:8, VII and 14.

For more information, see [DBEA – Office of Planning & Development – CORD](#).



STATE OF NEW HAMPSHIRE
DEPARTMENT OF MILITARY AFFAIRS AND VETERANS SERVICES

BUSINESS ADMINISTRATION
STATE MILITARY RESERVATION
4 PEMBROKE ROAD
CONCORD, NEW HAMPSHIRE 03301-5652

David J. Mikolaities, Major General
The Adjutant General

Warren M. Perry
Deputy Adjutant General

Phone: 603-225-1360
Fax: 603-225-1341
TDD Access: 1-800-735-2964

October 29, 2024

Taylor Caswell, Commissioner
Heather Shank, Chair, Council on Resources and Development (CORD)
NH Department of Business and Economic Affairs
100 North Main Street, Suite 100
Concord, New Hampshire 03301

**RE: CORD Surplus Land Review- Proposed Grant of Highway Drainage Easement to
Town of Hillsborough, New Hampshire**

Dear Mr. Caswell and Ms. Shank,

The Department of Military Affairs and Veterans Services (DMAVS) proposes to dispose by sale to the Town of Hillsborough of a perpetual highway drainage infrastructure easement over a small area of land abutting the West Main Street (New Hampshire Routes 9 and 202) right-of-way, situated in the northeasterly corner of the state-owned parcel of land located at 140 West Main Street in the Town of Hillsborough, New Hampshire, which parcel is known as the New Hampshire Army National Guard Hillsborough Readiness Center property (the "Host Property"). The Department further proposes to dispose by sale to the Town of Hillsborough of a temporary construction easement over a narrow strip of land directly abutting the West Main Street right-of-way, located between the two driveways that provide vehicular access to and from the Host Property.

The Town has proposed a sidewalk construction project along the south side of West Main Street, including along the roadway frontage of the Host Property at 140 West Main Street. The proposed disposal consists of a temporary construction and sign easement affecting a narrow strip of land abutting West Main Street having an area of approximately 1,094 square feet and a permanent ditch, drain, stormwater management and culvert easement affecting an approximately 467-square-foot area of land located in the northeasterly corner of the Host Property. No permanent improvements will be made within the proposed temporary easement area, as it will primarily be used for access to the work area within the right-of-way and for temporary storage and staging of equipment and materials, and the temporary easement will expire on its own terms at the end of the easement term specified in the easement deed.

CORD Surplus Land Review- Proposed Grant of Highway Drainage Easement to
Town of Hillsborough, New Hampshire
October 29, 2024
Page 2 of 2

Please submit the attached Surplus Land Review application to CORD for the requested review and recommendation for disposal of the proposed easements.

Sincerely,



Erin Zayac
Administrator of Business Operations

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Department of Military Affairs and Veteran Services

Agency Contact Person: Erin Zayac, Administrator of Business Operations
Address: 4 Pembroke Road, Concord, NH 03301
Phone Number: 603-225-1361
E-Mail: erin.m.zayac@dmavs.nh.gov

Applicant Contact Person: Same as above
Address: _____
Phone Number: _____
E-Mail: _____

Location of Property: 140 West Main St, Hillsborough, NH (Tax Map 11P, Lot 344)

Acreage: 1,094 SF Temporary Construction Easement and 467 SF Permanent Ditch, Drain, & Culvert Easement (approximately 0.036 acres combined)

Requested Action: Recommendation to dispose of the easements by sale to the Town of Hillsborough

Term of Lease or Easement: 2-year maximum term to be proposed for temporary easement; no term for perpetual easement

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Please complete ALL questions below and submit one digital copy via email and one hardcopy with original signatures, of the completed application to:
NH Bureau of Economic Affairs
Attn: NH Office of Planning & Development
100 North Main St, Suite #100,
Concord, NH 03301
Attn: Stephanie N. Verdile, Principal Planner brendan.m.mcdowell@livefree.nh.gov

1. What is the current use of this property?

The area to be affected by the proposed temporary easement is a small grass lawn area abutting the roadway between the two existing driveways that are used for access to and from the host parcel. The area to be affected by the perpetual easement includes part of another, smaller grass lawn area in the northeasterly corner of the host parcel (also abutting the roadway) and extends southerly away from the roadway near the shared boundary with the abutting parcel to the east and into an existing paved parking area within the host parcel.

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

The Town of Hillsborough is proposing a sidewalk project along the frontage of the host parcel. The temporary easement area will be used for access to the sidewalk construction area within the abutting right-of-way, possible temporary excavation related to the abutting sidewalk project, and also for the temporary placement, staging, and storage of construction equipment and materials. After the work is complete, the temporary easement area will be returned by the Town to its pre-project condition, after which the State's use of the area will remain the same as it is now. The perpetual

easement area will accommodate new highway drainage infrastructure to be constructed, installed, and maintained by the Town, specifically including a storm water drain, a surface water drainage ditch, and a subsurface drainage culvert. The new drainage infrastructure to be permanently constructed and installed within the perpetual easement area will be owned by the Town, and the Town's rights and obligations to maintain, repair, and replace such infrastructure will be perpetual.

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 its 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?

There are two buildings (Readiness Center and Vehicle Maintenance Shop) and a few ancillary structures located within the host parcel. There are no structures within either of the proposed easement areas except for the pavement covering the parking area into which the proposed perpetual easement area extends.

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

Yes No

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

There are no historical resources identified within either of the proposed easement areas. However, there are three structures located within the host parcel that are eligible for listing in the National Register of Historic Places. Due to the presence of these structures within the host parcel, the Department believes that it has an obligation to seek review by the New Hampshire Department of Historical Resources to determine whether the proposed easement areas will affect such historical resources.

- 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)

This location is within the Town of Hillsborough urban compact and is surrounded by developed lots featuring commercial structures, single-family homes, a country club and restaurant, and a 9-hole golf course.

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).

The host parcel includes a total of 7.8 +/- acres of land, out of which the Town is asking for easements over areas totaling 0.036 acres (~ 0.46%).

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)

Access to the host parcel is directly from and to West Main Street by way of two paved driveways.

- 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 **OR** Wetlands - Yes No?

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

"Property" shall be defined to mean the proposed easement areas for all purposes in response to this item 9. A small portion of the southernmost area of the host parcel is wetland. No wetlands are located within the proposed easement areas. There is a small wetland drainage swale on the eastern host parcel boundary which begins in an area adjacent to the proposed new sidewalk project. The Contoocook River forms the southern boundary of the host parcel, which is more than 400 feet from either of the proposed easement areas.

- b. If yes, briefly describe how the requirements of RSA 483-B (Shoreland Water Quality Protection Act) apply to potential development of this property:

The SWQPA does not apply to either of the proposed easement areas.

- c. If yes, briefly describe how any municipal zoning requirements for buffers or setbacks from lakes, rivers or wetlands apply to potential development of this property:

No wetlands buffer or setback requirements apply to the proposed easement areas.

- d. Is the property within 250 feet of a lake/pond or river/stream? Yes No

- e. If lakes or rivers are related to this property, describe current public or private access from the site to the water body? Public Private No Access Available

Description: A majority of the host parcel is fenced and gated with a lock. Contoocook River pedestrian access is possible along host parcel boundaries. However, no formal or informal public or private access appears to have been established, improved, or maintained over the host parcel to the river, whether by footpath, easement, or otherwise.

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

N/A

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 checked="" type="checkbox"/>	<input type="checkbox"/>	<input 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
- i. Other special designations

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

The Contoocook River forms the southern boundary of the host parcel but is more than 400 feet from either of the proposed easement areas. Only other wet area close to the proposed project site is a wet drainage swale area located along the eastern property boundary, extending southerly from West Main Street along the parcel boundary with ultimate discharge to the southern wetland and river area. The swale is not shown on any Prime or NWI wetlands maps.

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

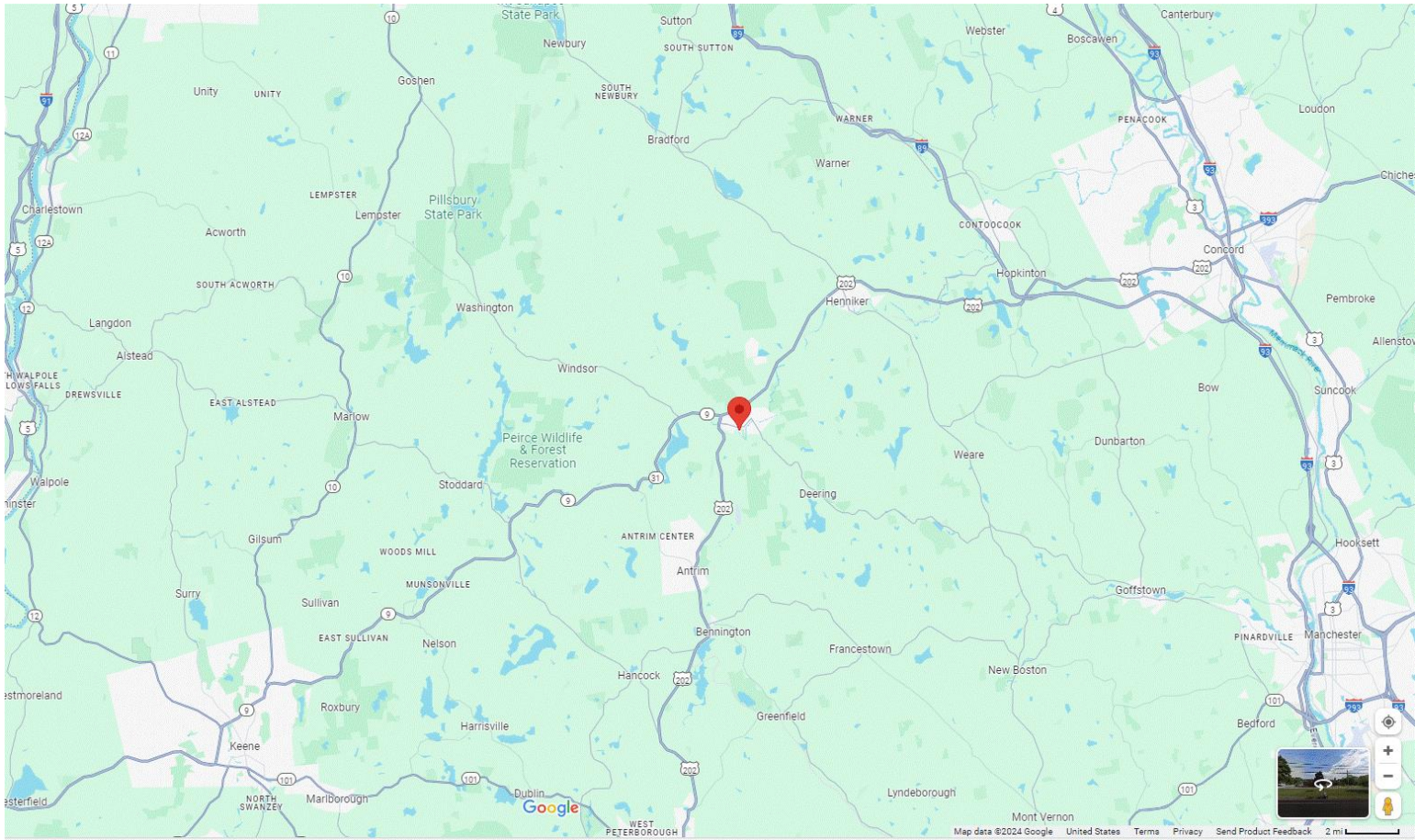
* Maps can be created with GIS, Google, Mapquest, GRANIT data mapper, or any other readily available mapping service.

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



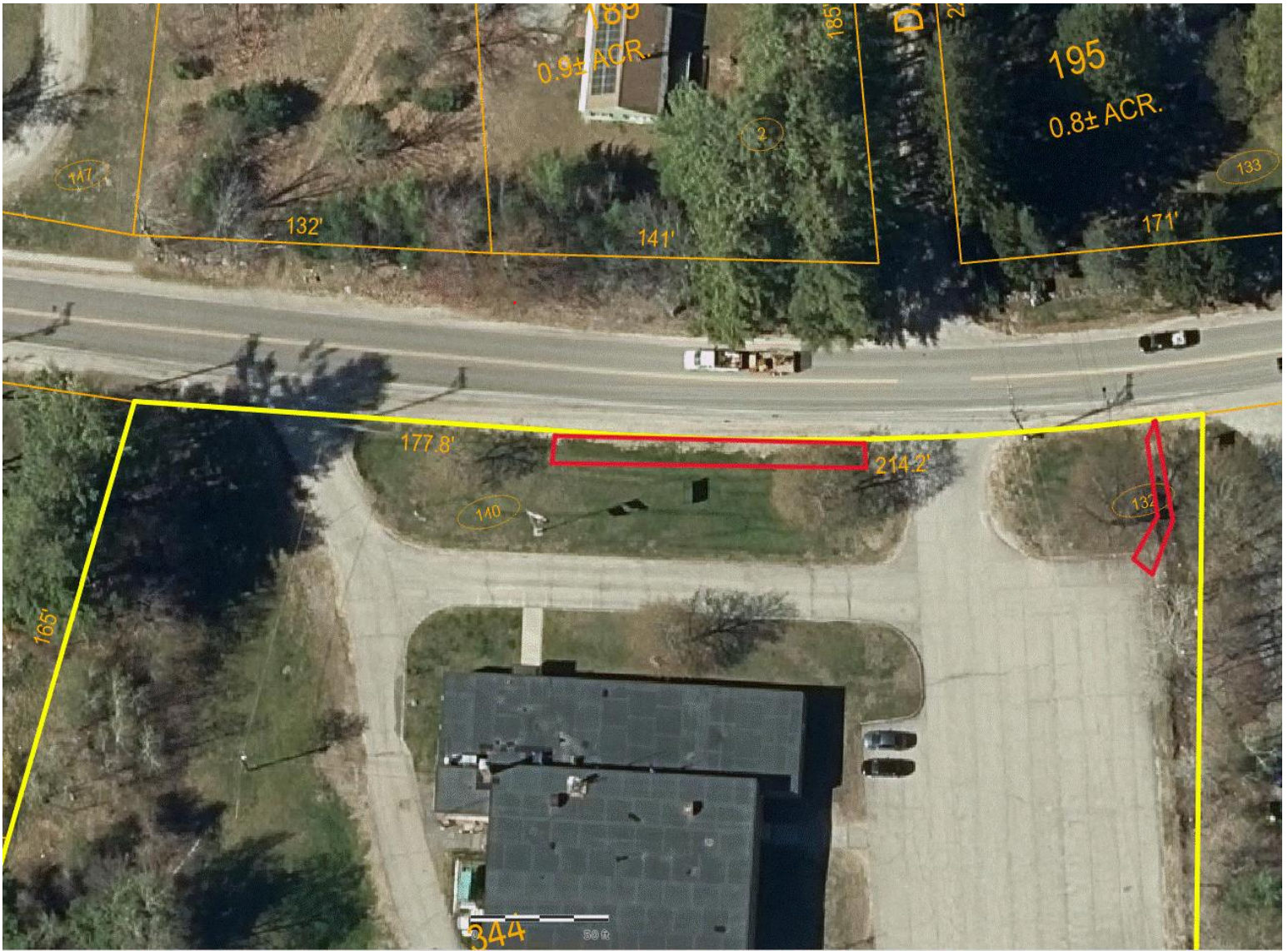
140 West Main Street (NH Routes 9 and 202)
Hillsborough, New Hampshire
Town of Hillsborough GIS Tax Map Detail

(host parcel appears outlined in yellow above)



140 West Main Street (NH Routes 9 and 202)
Hillsborough, New Hampshire
Google Location Map

(approximate location marked by red pin at center of map detail above)



140 West Main Street (NH Routes 9 and 202)
Hillsborough, New Hampshire
Town of Hillsborough GIS Aerial Imagery Map

(approximate proposed easement areas are outlined in red above:
strip along frontage = temporary construction easement
area in top right corner of parcel = perpetual drainage easement)

SDR PROCESSED
 NEW DESIGN
 SHEET CHECKED
 AS BUILT DETAILS

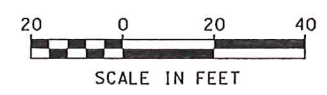
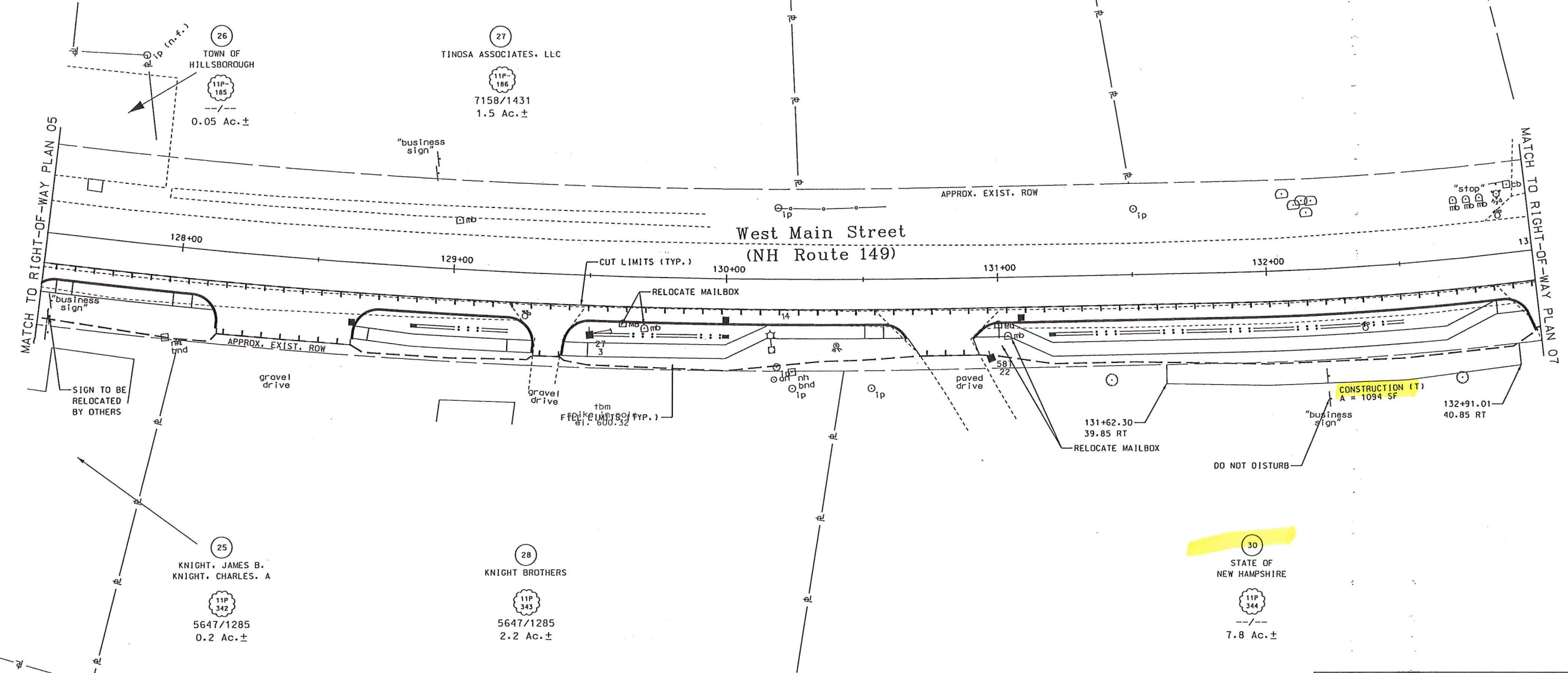
DATE
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NUMBER
 DATE
 STATION
 STATION

STATION

REVISIONS AFTER PROPOSAL
 DESCRIPTION

PAR. NO.	PROPERTY OWNER	TOTAL AREA OF PARCEL AC	AREA OF TAKE AC	EASEMENTS			
				PERMANENT		TEMPORARY	
				SF	TYPE	SF	TYPE
25	KNIGHT, JAMES B. & KNIGHT, CHARLES. A.	0.2	--				
26	TOWN OF HILLSBOROUGH	0.05	--				NOT USED
27	TINOSA ASSOCIATES, LLC	1.5	--				NOT USED
28	KNIGHT BROTHERS	2.2	--				NOT USED
29	KAB PROPERTIES, LLC	0.9	--				NOT USED
30	STATE OF NEW HAMPSHIRE	7.8	--			1094	CONSTRUCTION
31	LUIZ, TRUSTEE, KATHRYN A.	0.90	--				NOT USED



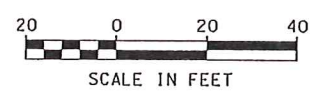
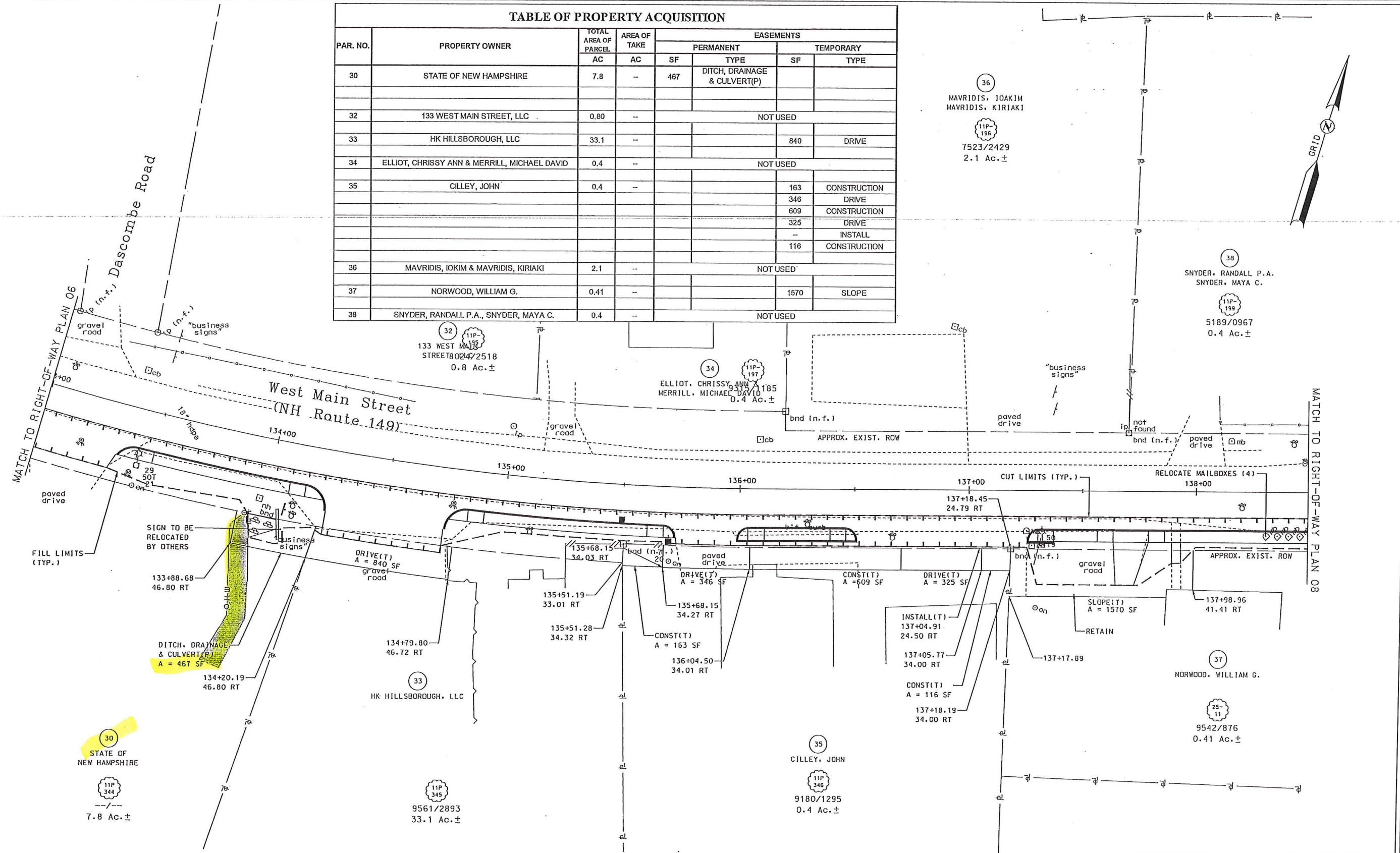
D&K NO. 324277



TOWN OF HILLSBOROUGH, NEW HAMPSHIRE			
RIGHT-OF-WAY PLAN 06			
DGN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
41368rowplans	41368	9	12

SDR PROCESSED	DATE	DATE	DATE	DATE
NEW DESIGN	7/3/2024	7/3/2024	7/3/2024	7/3/2024
SHEET CHECKED	BMB			
AS BUILT DETAILS				

TABLE OF PROPERTY ACQUISITION						
PAR. NO.	PROPERTY OWNER	TOTAL AREA OF PARCEL	AREA OF TAKE	EASEMENTS		
		AC	AC	PERMANENT	TEMPORARY	
				SF	TYPE	SF
						TYPE
30	STATE OF NEW HAMPSHIRE	7.8	--	467	DITCH, DRAINAGE & CULVERT(P)	
32	133 WEST MAIN STREET, LLC	0.80	--		NOT USED	
33	HK HILLSBOROUGH, LLC	33.1	--		840	DRIVE
34	ELLIOT, CHRISSY ANN & MERRILL, MICHAEL DAVID	0.4	--		NOT USED	
35	CILLEY, JOHN	0.4	--		163	CONSTRUCTION
					346	DRIVE
					609	CONSTRUCTION
					325	DRIVE
					--	INSTALL
					116	CONSTRUCTION
36	MAVRIDIS, IOKIM & MAVRIDIS, KIRIAKI	2.1	--		NOT USED	
37	NORWOOD, WILLIAM G.	0.41	--		1570	SLOPE
38	SNYDER, RANDALL P.A., SNYDER, MAYA C.	0.4	--		NOT USED	



D&K NO. 324277



TOWN OF HILLSBOROUGH, NEW HAMPSHIRE			
RIGHT-OF-WAY PLAN 07			
DCN	STATE PROJECT NO.	SHEET NO.	TOTAL SHEETS
41368rwp1ans	41368	10	12