

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

CORD Meeting Thursday, May 10, 2018

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DRAFT MINUTES – January 11, 2018

MEMBERS PRESENT

Jared Chicoine, Chair, Director, NH Office of Strategic Initiatives
Robert Beaulac, Designee, NH Department of Administrative Services
Tracey Boisvert, Designee, NH Department of Natural and Cultural Resources
Richard Cook, Designee, NH Fish and Game Department
William Ray, Designee, NH Housing Finance Authority
Christopher Way, Designee, NH Department of Business and Economic Affairs
Shawn Jasper, Designee, Commissioner, NH Department of Agriculture

OTHERS PRESENT

Elizabeth Muzzey, Director, Division of Historical Resources
Dijit Taylor, Executive Director, LCHIP
Will Abbott, VP of Policy & Land Management, Society for the Protection of NH Forests
Michael Klass, NH Office of Strategic Initiatives
Stephen Walker, NH Office of Strategic Initiatives
Amanda Hollenbeck, NH Office of Strategic Initiatives
Danielle Carver, NH Office of Strategic Initiatives

I. ROLL CALL AND INTRODUCTIONS

The meeting was opened at 9:32 A.M. by Chairman Chicoine. CORD members and guests introduced themselves.

II. MINUTES

A. Approval of November 16, 2017 meeting minutes

Mr. Cook commented that on page three, paragraph two, seventh line ‘as it’ should be inserted between the phrase ‘trail heads’.

MOTION: On a motion by Mr. Beaulac, seconded by Mr. Cook, the November 16, 2018 meeting minutes with Mr. Cook’s proposed amendment were approved unanimously by the council.

III. LAND AND COMMUNITY HERITAGE INVESTMENT PROGRAM (LCHIP)

Ms. Taylor gave an overview of LCHIP Stewardship Fund. Ms. Taylor requested approval to draw from the Stewardship Fund for incentive payments for grant recipients who have properly taken care of and reported on the status of the resources they protected with assistance from LCHIP. Ms. Taylor then reviewed how LCHIP property protection terms differ based on if it is a historic resource or natural resource and that these terms follow the LCHIP Criteria guidelines. The LCHIP Stewardship Fund used for these incentive grants is the the same fund used for the Conservation Land Stewardship program and therefore Ms. Taylor needs approval from both the LCHIP and CORD board members.

Ms. Taylor stated that she is seeking approval to expend from the LCHIP Community Conservation Endowment fund for the purpose of making these incentive payments to grant recipients. The request is for \$200/unit for 243-254 properties. Properties will receive between 1-4 units depending on property details.

MOTION: Mr. Ray moved that CORD endorse expenditure of \$200 per unit, or approximately \$73,400, from the LCHIP Community Conservation Endowment fund as incentive payments for submittal of reports documenting acceptable, timely monitoring of LCHIP-supported resources in calendar year 2017. Mr. Beaulac seconded. The council voted unanimously to approve the motion.

IV. LAND CONSERVATION INVESTMENT PROGRAM (LCIP)

A. LCIP Annual Report

Mr. Walker reviewed the timeframe for annual report submittal and explained this year's timing. Mr. Walker noted that Tracy Boisvert left the department at the end of last fiscal year after almost 10 years. He stated that as of November 9, 2017 the department is again fully staffed with Mr. Walker filling Ms. Boisvert's prior position and Ms. Hollenbeck filling Mr. Walker's prior position.

Mr. Walker then reviewed the FY17 LCIP Annual Report. He noted that the text portion does not change much from year to year, but Mr. Walker did add in some clarifications that he thought would be helpful. Mr. Walker also noted that some conservation easement issues can take years to rectify so the issue may be present in multiple annual reports.

Mr. Walker asked if there were any questions and went on to say that questions to his department are encouraged at any time. He also welcomed the CORD members to join him or Ms. Hollenbeck on a monitoring visit.

Mr. Walker noted that Appendices C and D of the report were provided by the Department of Fish and Game and the Department of Natural and Cultural Resources, respectively.

Ms. Muzzey added that the comment section in the database print out of the LCIP Annual Report was very helpful and pointed out how impressive it was that so many land owners were contacted.

Mr. Walker added that in his opinion the connections made with the land owners are the most important part about monitoring. Mr. Walker went on to say that it is the people who manage the land that will change it; the land does not change on its own. He said that they are a resource to the land owners, not just people that come and monitor the land. Mr. Walker also noted that they sometimes work with foresters as well. The foresters may look after large properties, while the land owners may live elsewhere.

Mr. Cook added that Fish and Game really appreciates the work of the CLS program. He said they do a great job and represent the State's interest in the field well. He went on to say that the program knows when to solve problems themselves and when to get additional agencies involved, like Fish and Game or the Department of Natural and Cultural Resources. Ms. Boisvert seconded that opinion.

Ms. Taylor commented that LCIP depends on the clean, useful, informative reports provided by the CLS program.

MOTION: On a motion by Mr. Ray to accept and approve the 2017 LCIP Annual Report, seconded by Mr. Cook, the council voted unanimously to approve the motion.

V. OTHER BUSINESS

A. Back-Up Designees

Mr. Klass said that he communicated with the DOJ and was advised that member agencies could designate both a primary and alternate designee. Mr. Klass then asked each member to provide OSI with a primary and an alternate designee in case the primary designee is unable to attend and needs to send a back-up.

B. LCIP and CLS Graphs

Mr. Walker distributed two LCIP graphs and briefly reviewed them. He noted that a number of existing easements allow for additional future subdivision, which means that the acreage won't change even though the number of land owners will increase.

The meeting was adjourned at 9:59 A.M.

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MEMORANDUM

TO: CORD Members and
Other Interested Parties
Via Email Distribution List

Charles Smith, Town Administrator
20 Highland Street,
P.O. Box 517
Ashland NH 03217
Via Email (townadmin@ashland.nh.gov)

Grafton County Board of Commissioners
c/o Sam Norcross
3855 Dartmouth College Hwy
N. Haverhill, NH 03774
Via Email (snorcross@co.grafton.nh.us)

Jeffrey Hayes, Executive Director
Lakes Region Planning Commission
Humiston Building
103 Main Street, Suite 3
Meredith, New Hampshire 03253
Via Email (jhayes@lakesrpc.org)

FROM: Michael A. Klass, NH Office of Strategic Initiatives
DATE: March 29, 2018
SUBJECT: *State Owned Land, Surplus Land Review, Town of Ashland, NH
SLR 18-001*

RESPONSE DEADLINE: **April 30, 2018**

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for **May 10, 2018**.

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.



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

February 6, 2018

Jared Chicoine, Director
NH Office of Strategic Initiatives
Governor Hugh J. Gallen State Office Park
Johnson Hall, 3rd Floor
107 Pleasant Street
Concord, NH 03301

Dear Jared:

The New Hampshire Fish and Game Department requests the Council on Resources and Development review the attached surplus property application to determine if the subject parcel is surplus to the needs of the State. The Department proposes to convey to Mr. Courtney C. Smith 2.23 acres of the Church Hill Wildlife Management Area off of Peppercorn Drive in Ashland at fair market value as determined by a certified residential appraiser.

The Church Hill WMA in Ashland was created when NHDOT transferred lands surplus to their needs to the Department in 1972. NHDOT had purchased 510+/- acres for the construction of Interstate 93 in 1962. Ever since the original transfer there has been uncertainty about exactly how much land was transferred and where the boundaries were located.

In 1980 William and Patricia Koning purchased a 20.65 acre parcel part of the Owl's Nest Development in Ashland. The Koning went on to construct a house and several other structures on the property. In 1999 the Konings conveyed the land and buildings to Courtney C. Smith, the current landowner.

Since 2015 the Department has been working with Sabourn and Tower Surveying and Septic Design of Woodstock, NH to research and survey the extent and location of the WMA. In January, 2017 Sabourn and Tower provided a preliminary plan showing what they believe are the boundaries of the WMA. One of the findings of their work was that 2.23 acres of the land that was believed to be part of the parcel purchased and developed by Koning actually belongs to the State.

After consultations with the Office of the Attorney General, Mr. Smith and his attorney, we are proposing to sell the 2.23 acres to Mr. Smith at fair market value as determined by an appraisal by a NH certified residential appraiser.

Attached please find a completed Request for Surplus Land Review Action application and several maps and documents for consideration by the Council including:

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-9306
email: reg4@wildlife.nh.gov

CORD 5

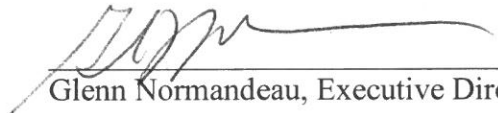
- An appraisal of the 2.23 parcel;
- Ashland Tax Map 7 with the Church Hill WMA highlighted*;
- A location map showing the Church Hill WMA*;
- An aerial photograph showing the 2.23 acre parcel;
- A pdf of a preliminary plan provided by Sabourn and Tower Surveying and Septic Design;
- A blow-up of the inset in the preliminary plan showing the 2.23 acre parcel;
- Photographs of the subject property.

**These maps do not represent the actual boundaries of the WMA.*

If you require any additional information or have questions about the application, please contact Richard Cook, Land Agent at 271-1133.

Thank you.

Sincerely,



Glenn Normandeau, Executive Director

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Fish and Game Department

Agency Contact Person: Richard Cook
Address: 11 Hazen Drive, Concord NH 03301
Phone Number: 603 271-1133
E-Mail: Richard.cook@wildlife.nh.gov

Applicant Contact Person: Courtney Craig Smith Jr.
Address: 238 Monroe Street, Philadelphia PA 19147
Phone Number: 215 928 0952
E-Mail: smithjrccsiii@gmail.com

Location of Property: Peppercorn Drive, Ashland, NH

Acreage: 2.23

Requested Action: Transfer 2.23 acres of Church Hill WMA to Craig Smith

Term of Lease or Easement: _____

.....

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, susan.slack@osi.nh.gov.

1. What is the current use of this property?

A recent survey done for NHFG discovered that the 2.23 acres that contains a residence and other accessory buildings belonging to Mr. Smith is actually located on land owned by the State.

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

In order to rectify this situation we propose to do a boundary line agreement with Mr. Smith and convey the 2.23 acres to him for fair market value as determined by an appraisal done be a certified residential appraiser..

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.

Mr. Smith is the owner of a lot described as 143 Peppercorn Road in Ashland. The property at the time of purchase was believed to be 20.65 acres. Mr. Smith built a residence and associated structure over time. A recent survey done on behalf of the NH Fish and Game Department discovered that MR. Smith's house and other structures are

located on land owned by the State.

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

Yes No

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

b. If no, contact the NH Division of Historical Resources prior to application submission.

A DHR Request for Review was submitted on 2/5/2018

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)

The adjacent lot to the north also has residential structures on it.

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 State's ownership has been determined by a recent survey to be 168.89 acres

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)

Both the State's property and other land owned by Mr. Smith are accessed from Pepercorn Drive. In 1993 the State and a previous owner of Mr. Smith's property entered into reciprocal right-of-way easements across each other's property to provide access to the lands.

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.

There is an intermittent stream with several very small (less than 100 square feet) associated wetlands near the right of way.

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

No

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.

- 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

The stream and associated wetlands are accessible from the existing right-of-way.

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

It will have no effect.

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 checked="" 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.

Much of the area is steep and rocky

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.

<p>FROM: Kristen Eldridge Kristen Eldridge Appraisals PO Box 806 Meredith, NH 03253</p> <p>Telephone Number: (603) 279-5568 Fax Number:</p>	<h2 style="margin: 0;">INVOICE</h2> <table border="1" style="width: 100%; border-collapse: collapse; margin-top: 5px;"> <tr><th style="background-color: #cccccc;">INVOICE NUMBER</th></tr> <tr><td style="text-align: center;">17179</td></tr> <tr><th style="background-color: #cccccc;">DATE</th></tr> <tr><td style="text-align: center;">12/08/2017</td></tr> <tr><th style="background-color: #cccccc;">REFERENCE</th></tr> <tr><td>Internal Order #: 17179</td></tr> <tr><td>Lender Case #:</td></tr> <tr><td>Client File #:</td></tr> <tr><td>Main File # on form: 17179</td></tr> <tr><td>Other File # on form:</td></tr> <tr><td>Federal Tax ID:</td></tr> <tr><td>Employer ID:</td></tr> </table>	INVOICE NUMBER	17179	DATE	12/08/2017	REFERENCE	Internal Order #: 17179	Lender Case #:	Client File #:	Main File # on form: 17179	Other File # on form:	Federal Tax ID:	Employer ID:
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Main File # on form: 17179													
Other File # on form:													
Federal Tax ID:													
Employer ID:													
<p>TO:</p> <p>Courtney C Smith, Jr. 238 Monroe Street Philadelphia, PA 19147</p> <p>Telephone Number: Fax Number: Alternate Number: E-Mail: smithjrccsiii@gmail.com</p>													
DESCRIPTION													
<p>Lender: Courtney C Smith, Jr. Client: Courtney C Smith, Jr. Purchaser/Borrower: Property Address: 143 Peppercorn Rd City: Ashland County: Grafton State: NH Zip: 03217 Legal Description:</p>													
FEES													
	AMOUNT												
appraisal report	600.00												
SUBTOTAL													
	600.00												
PAYMENTS													
	AMOUNT												
Check #: Date: Description: paid in full Check #: Date: Description: Check #: Date: Description:	600.00												
SUBTOTAL													
	600.00												
TOTAL DUE													
	\$ 0.00												

APPRAISAL OF REAL PROPERTY



LOCATED AT

143 Peppercorn Rd
Ashland, NH 03217

FOR

Courtney C Smith, Jr.
238 Monroe Street
Philadelphia, PA 19147

OPINION OF VALUE

Value of Boundary Line Adjustment: \$4,000

AS OF

9/29/2017

BY

Kristen Eldridge
Kristen Eldridge Appraisals
PO Box 806
Meredith, NH 03253
(603) 279-5568
keldridge@metrocast.net

Kristen Eldridge Appraisals
PO Box 806
Meredith, NH 03253
(603) 279-5568

12/08/2017

Courtney C Smith, Jr.
238 Monroe Street
Philadelphia, PA 19147

Re: Property: 143 Peppercorn Rd
Ashland, NH 03217
Borrower:
File No.: 17179

Opinion of Value: \$ Value of Boundary Line Adjustment: \$4,000
Effective Date: 9/29/2017

In accordance with your request, we have appraised the above referenced property. The report of that appraisal is attached.

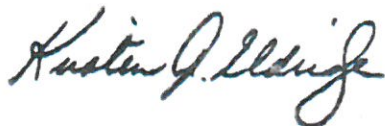
The purpose of the appraisal is to develop an opinion of market value for the property described in this appraisal report, as improved, in unencumbered fee simple title of ownership.

This report is based on a physical analysis of the site and improvements, a locational analysis of the neighborhood and city, and an economic analysis of the market for properties such as the subject. The appraisal was developed and the report was prepared in accordance with the Uniform Standards of Professional Appraisal Practice.

The opinion of value reported above is as of the stated effective date and is contingent upon the certification and limiting conditions attached.

It has been a pleasure to assist you. Please do not hesitate to contact me or any of my staff if we can be of additional service to you.

Sincerely,



Kristen Eldridge
License or Certification #: NHCR-289
State: NH Expires: 08/31/2018
keldridge@metrocast.net

LAND APPRAISAL REPORT

File No.: 17179

SUBJECT	Property Address: 143 Peppercorn Rd		City: Ashland		State: NH		Zip Code: 03217																																																																																																		
	County: Grafton		Legal Description: Book 3757 Page 234 Grafton County Registry of Deeds																																																																																																						
	Assessor's Parcel #: 7-1-9		Tax Year: 2016		R.E. Taxes: \$ 11,832		Special Assessments: \$ 0.00																																																																																																		
ASSIGNMENT	Market Area Name: Ashland		Map Reference: ala mode		Census Tract: 9611.00																																																																																																				
	Current Owner of Record: Courtney C. Smith, Jr.		Borrower (if applicable):																																																																																																						
	Project Type (if applicable): <input type="checkbox"/> PUD <input type="checkbox"/> De Minimis PUD <input type="checkbox"/> Other (describe)		HOA: \$		<input type="checkbox"/> per year		<input type="checkbox"/> per month																																																																																																		
	Are there any existing improvements to the property? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes		If Yes, indicate current occupancy: <input type="checkbox"/> Owner <input checked="" type="checkbox"/> Tenant <input checked="" type="checkbox"/> Vacant <input type="checkbox"/> Not habitable																																																																																																						
	If Yes, give a brief description: The subject has a home, small cottage, and apartment over a garage. For the purpose of this appraisal, the value of the improvements to 143 Peppercorn Road are not considered. See tax card for the town's description of these buildings, plus photographs included in the photographic addendum. The appraisal assignment considers land value only.																																																																																																								
	The purpose of this appraisal is to develop an opinion of: <input type="checkbox"/> Market Value (as defined), or <input checked="" type="checkbox"/> other type of value (describe) boundary line adjustment value																																																																																																								
	This report reflects the following value (if not current, see comments): <input checked="" type="checkbox"/> Current (the Inspection Date is the Effective Date) <input type="checkbox"/> Retrospective <input type="checkbox"/> Prospective																																																																																																								
	Property Rights Appraised: <input checked="" type="checkbox"/> Fee Simple <input type="checkbox"/> Leasehold <input type="checkbox"/> Leased Fee <input type="checkbox"/> Other (describe)																																																																																																								
	Intended Use: boundary line adjustment																																																																																																								
	Intended User(s) (by name or type): client																																																																																																								
MARKET AREA DESCRIPTION	Client: Courtney C Smith, Jr.		Address: 238 Monroe Street, Philadelphia, PA 19147																																																																																																						
	Appraiser: Kristen Eldridge		Address: PO Box 806, Meredith, NH 03253																																																																																																						
	<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <th colspan="3">Characteristics</th> <th colspan="2">Predominant Occupancy</th> <th colspan="2">One-Unit Housing</th> <th colspan="2">Present Land Use</th> <th colspan="2">Change in Land Use</th> </tr> <tr> <td>Location:</td> <td><input type="checkbox"/> Urban</td> <td><input checked="" type="checkbox"/> Suburban</td> <td><input type="checkbox"/> Rural</td> <td><input checked="" type="checkbox"/> Owner</td> <td>PRICE</td> <td>AGE</td> <td>One-Unit</td> <td>90%</td> <td><input checked="" type="checkbox"/> Not Likely</td> <td></td> </tr> <tr> <td>Built up:</td> <td><input type="checkbox"/> Over 75%</td> <td><input checked="" type="checkbox"/> 25-75%</td> <td><input type="checkbox"/> Under 25%</td> <td><input type="checkbox"/> Tenant</td> <td>\$(000)</td> <td>(yrs)</td> <td>2-4 Unit</td> <td>%</td> <td><input type="checkbox"/> Likely *</td> <td><input type="checkbox"/> In Process *</td> </tr> <tr> <td>Growth rate:</td> <td><input type="checkbox"/> Rapid</td> <td><input checked="" type="checkbox"/> Stable</td> <td><input type="checkbox"/> Slow</td> <td><input checked="" type="checkbox"/> Vacant (0-5%)</td> <td>50</td> <td>Low</td> <td>new</td> <td>5%</td> <td colspan="2">* To:</td> </tr> <tr> <td>Property values:</td> <td><input type="checkbox"/> Increasing</td> <td><input checked="" type="checkbox"/> Stable</td> <td><input type="checkbox"/> Declining</td> <td><input type="checkbox"/> Vacant (>5%)</td> <td>600</td> <td>High</td> <td>200</td> <td>Comm'l</td> <td>5%</td> <td></td> </tr> <tr> <td>Demand/supply:</td> <td><input type="checkbox"/> Shortage</td> <td><input type="checkbox"/> In Balance</td> <td><input checked="" type="checkbox"/> Over Supply</td> <td></td> <td>140</td> <td>Pred</td> <td>40</td> <td></td> <td>%</td> <td></td> </tr> <tr> <td>Marketing time:</td> <td><input type="checkbox"/> Under 3 Mos.</td> <td><input type="checkbox"/> 3-6 Mos.</td> <td><input checked="" type="checkbox"/> Over 6 Mos.</td> <td></td> <td></td> <td></td> <td></td> <td></td> <td>%</td> <td></td> </tr> </table>		Characteristics			Predominant Occupancy		One-Unit Housing		Present Land Use		Change in Land Use		Location:	<input type="checkbox"/> Urban	<input checked="" type="checkbox"/> Suburban	<input type="checkbox"/> Rural	<input checked="" type="checkbox"/> Owner	PRICE	AGE	One-Unit	90%	<input checked="" type="checkbox"/> Not Likely		Built up:	<input type="checkbox"/> Over 75%	<input checked="" type="checkbox"/> 25-75%	<input type="checkbox"/> Under 25%	<input type="checkbox"/> Tenant	\$(000)	(yrs)	2-4 Unit	%	<input type="checkbox"/> Likely *	<input type="checkbox"/> In Process *	Growth rate:	<input type="checkbox"/> Rapid	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Slow	<input checked="" type="checkbox"/> Vacant (0-5%)	50	Low	new	5%	* To:		Property values:	<input type="checkbox"/> Increasing	<input checked="" type="checkbox"/> Stable	<input type="checkbox"/> Declining	<input type="checkbox"/> Vacant (>5%)	600	High	200	Comm'l	5%		Demand/supply:	<input type="checkbox"/> Shortage	<input type="checkbox"/> In Balance	<input checked="" type="checkbox"/> Over Supply		140	Pred	40		%		Marketing time:	<input type="checkbox"/> Under 3 Mos.	<input type="checkbox"/> 3-6 Mos.	<input checked="" type="checkbox"/> Over 6 Mos.						%																											
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<p>Market Area Comments: Neighborhood is defined as the low density town of Ashland. Ashland is a town of approximately 2200 people. Density is 194 persons per square mile. The median household income is \$45,938, and the poverty rate is 13.8%. The largest employer is Rochester Shoe Tree Co., Inc. which has 90 employees. The median commuting time, by car, is 21 minutes. The largest employment center is in nearby Plymouth, which has a hospital and public university. See addendum for market conditions. At this time there are 16 residential lots on the market in MLS, is Ashland. These listings have a median list price of \$165,000 and a median days on market of 231. There have been five sales in the past year in the same category. The median sales price is \$56,000 and the median days on market is 141. This indicates an oversupply of available lots, with a three year absorption rate. The marketing time for large view properties in the greater region, like the subject, tends to be significantly longer with marketing times often over a year.</p>																																																																																																									
SITE DESCRIPTION	Dimensions: see site map		Site Area: 18.42																																																																																																						
	Zoning Classification: RR		Description: 40000 s.f. minimum lot size (per soils and slopes ordinance), 100 ft. minimum lot frontage																																																																																																						
	Uses allowed under current zoning: mostly residential		Do present improvements comply with existing zoning requirements? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Improvements																																																																																																						
	Are CC&Rs applicable? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Unknown		Have the documents been reviewed? <input type="checkbox"/> Yes <input type="checkbox"/> No		Ground Rent (if applicable) \$ /																																																																																																				
	Comments:																																																																																																								
	Highest & Best Use as improved: <input checked="" type="checkbox"/> Present use, or <input type="checkbox"/> Other use (explain)																																																																																																								
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FEMA Spec'l Flood Hazard Area <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No FEMA Flood Zone X FEMA Map # 33009C1010E FEMA Map Date 2/20/2008																																																																																																									
Site Comments: The subject is described in the "before" scenario. See addendum. Later in the report, the subject is valued per the "after" scenario, which is also described in the addendum.																																																																																																									



LAND APPRAISAL REPORT

File No.: 17179

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s): **town records**

TRANSFER HISTORY	1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/listing:	
	Date:		
	Price:		
	Source(s):		
	2nd Prior Subject Sale/Transfer		
	Date:		
Price:			
Source(s):			

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 1		COMPARABLE NO. 2		COMPARABLE NO. 3	
Address	143 Peppercorn Rd Ashland, NH 03217	Coach Road Bridgewater NH 03222		Lot 44.2 Coach Road Bridgewater NH 03222		Lot 44.1 Coach Road Bridgewater NH 03222	
Proximity to Subject		7.05 miles SW		7.05 miles SW		7.05 miles SW	
Sale Price	\$ N/A	\$ 113,783		\$ 87,500		\$ 87,500	
Price/	\$	\$ 3,792.77		\$ 5,833.33		\$ 5,833.33	
Data Source(s)	Insp	mls/broker		mls/broker		mls/broker	
Verification Source(s)	Site/Town						
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	+(-) \$ Adjust	DESCRIPTION	+(-) \$ Adjust	DESCRIPTION	+(-) \$ Adjust
Sales or Financing Concessions	N/A	none reported		none reported		none reported	
Date of Sale/Time	N/A	12/7/2017		8/30/2017		8/30/2017	
Rights Appraised	Fee Simple	Fee Simple		Fee Simple		Fee Simple	
Location	rural/avg	rural/avg		rural/avg		rural/avg	
Site Area	18.42	30		15		15	
Views	mntns-very good	mntns-very good		mntns-very good		mntns-very good	
Net Adjustment (Total, in \$)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -20,844		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 6,156		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 6,156	
Adjusted Sale Price (in \$)		Net 18.3 % \$ 92,939		Net 7.0 % \$ 93,656		Net 7.0 % \$ 93,656	
Gross 18.3 % \$ 92,939		Gross 7.0 % \$ 93,656		Gross 7.0 % \$ 93,656		Gross 7.0 % \$ 93,656	

Summary of Sales Comparison Approach See addendum for comments on adjustments. Sales #1 through #3 given greatest weight, as they are most similar to the subject in terms of size and view. Sale #4 is offered as it is in the town of Ashland, however this sale is much smaller and the views are not as expansive.

PROJECT INFORMATION FOR PUDs (if applicable) The Subject is part of a Planned Unit Development.

Legal Name of Project:

Describe common elements and recreational facilities:

Indicated Value by: Sales Comparison Approach \$ 93,400

Final Reconciliation See addendum.

This appraisal is made "as is", or subject to the following conditions: THIS IS THE "BEFORE SCENARIO" WHERE THE PROPERTY IS BEING VALUED BEFORE THE PROPOSED BOUNDARY LINE ADJUSTMENT. Per instructions to appraiser, value is land only. No value to improvements is considered.

This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.

Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 93,400, as of: 9/29/2017, which is the effective date of this appraisal. If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.

A true and complete copy of this report contains 35 pages, including exhibits which are considered an integral part of the report. This appraisal report may not be properly understood without reference to the information contained in the complete report, which contains the following attached exhibits:

Limiting cond./Certifications Narrative Addendum Location Map(s) Flood Addendum Additional Sales

Photo Addenda Parcel Map Hypothetical Conditions Extraordinary Assumptions Hypothetical Conditions

Client Contact: _____ Client Name: Courtney C Smith, Jr.
E-Mail: _____ Address: 238 Monroe Street, Philadelphia, PA 19147

APPRAISER: *Kristen Eldridge*
Appraiser Name: Kristen Eldridge
Company: Kristen Eldridge Appraisals
Phone: (603) 279-5568 Fax: _____
E-Mail: keldridge@metrocast.net
Date of Report (Signature): 12/08/2017
License or Certification #: NHCR-289 State: NH
Designation: _____
Expiration Date of License or Certification: 08/31/2018
Inspection of Subject: Did Inspect Did Not Inspect (Desktop)
Date of Inspection: 9/29/2017

SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
Supervisory or Co-Appraiser Name: _____
Company: _____
Phone: _____ Fax: _____
E-Mail: _____
Date of Report (Signature): _____
License or Certification #: _____ State: _____
Designation: _____
Expiration Date of License or Certification: _____
Inspection of Subject: Did Inspect Did Not Inspect
Date of Inspection: _____



The Supplemental Addendum

File No. 17179

Owner	Courtney C. Smith, Jr.						
Property Address	143 Peppercorn Rd						
City	Ashland	County	Grafton	State	NH	Zip Code	03217
Appraiser	Kristen Eldridge						

Purpose and Function of the Appraisal

The purpose of this summary appraisal report is to provide the client with an accurate, and adequately supported, opinion of the market value of the subject property in a "before" and "after" scenario, in order to determine the value of the proposed boundary line adjustment.

The function of the appraisal is to assist the client in evaluating the change in value of the subject property after a proposed boundary line adjustment.

Boundary Line Adjustment

The client is the owner of a lot described as 143 Peppercorn Road, Ashland. The property was, at time of purchase, believed to be a 20.65 acre lot.

The lot is improved by a variety of buildings, described within this report and on the tax cards attached, however the appraiser was instructed to disregard the value of the buildings, as this is a boundary line issue. Therefore, this is a hypothetical report valuing land only.

Since the purchase of the subject property, it was revealed that there was a boundary line issue with the property. It was discovered that the State of New Hampshire owned 2.23 acres of this building lot. This area is shown on a map, attached, entitled Boundary Line Adjustment. The 2.23 acres described as "overlap area" on the map happens to be located where the client/owner's house and other associated buildings are sited.

Therefore, at this time the client/owner owns a lot that is 18.42 acres. This is described as the "before" scenario, and that land is valued in this report at \$93,400.

The "after" scenario is when the boundary line adjustment has been accomplished, and the lot is restored to the 20.65 acres. This land is valued in this report at \$97,400.

Intended Use and User

The intended user of this report is the client as noted, and its successors and/or assigns. The intended use of this report is to assist the user in making a boundary line adjustment. The appraisal report, including any data, opinion of value, certification and statement of limiting conditions is being performed exclusively for the benefit of and at the request of the stated client. The appraisal and opinion of value shall not be utilized or relied upon by any buyer, seller, loan applicant, or any third party; and no contract shall be deemed to exist between said individuals and the appraiser. Any use of this appraisal report by any other user or for any other intended use is strictly prohibited.

Additional Scope of the Appraisal

The scope of this assignment includes, but is not limited to, an inspection of the subject property and research, collection and analysis of real estate activity in the subject market area. Information is obtained from, but not limited to, multiple listing services, town/assessing/tax offices, census data, registry of deeds, knowledgeable appraisers, real estate brokers/agents, parties involved in sales transactions, builders/developers, etc. When and if conflicting data was found, the source considered to be the most reliable was used. Supporting documentation that is not provided in this report is retained in the appraisal work file or office. The depth of discussion is specific to the needs of the client and the intended use as stated within this report.

The appraiser's conclusion of value is based upon the extraordinary assumption that there are no hidden or unapparent conditions of the property that might impact the opinion of value. The appraiser is not a building or environmental inspector, contractor, or engineer. The appraiser has conducted a visual inspection of only the accessible areas of the property. The appraiser has noted any readily observable defects/deficiencies which might impact the livability or marketability of the property. The appraiser makes no representations, guarantees, or warranties.

If a site assessment/survey/deed is not furnished, the appraiser cannot guarantee that the property is free of

The Supplemental Addendum

File No. 17179

Owner	Courtney C. Smith, Jr.				
Property Address	143 Peppercorn Rd				
City	Ashland	County	Grafton	State	NH Zip Code 03217
Appraiser	Kristen Eldridge				

encroachments or easements and recommends further investigation. In the case where the appraiser has been able to obtain a copy of the deed, it is included in this report; however the appraiser is not a title abstractor and cannot be responsible for any additional easements, deeds, etc. that may have been also executed.

Sales data used in this report has been confirmed with the applicable assessor's office, the multiple listing service, agent/broker, buyer, seller and/or any other party involved in the transaction. The appraiser has made a diligent effort to confirm the sales data through two or more sources.

Market Overview

The Northern New England Real Estate Network collects data on sales of real estate, but only for properties sold by its members. The 1980's brought rapid increases of value to the Lakes Region. That period also brought a dramatic oversupply of housing, particularly in the condominium market. Central N.H. felt the economic recession early, with decreases in prices seen from 1989 to 1994. From 1994 to 1998, a great deal of the market was predominantly stable with no significant appreciation seen. The exception to that was the waterfront and water access market, which began seeing areas of appreciation starting in 1997.

From 1998 through 2001, the real estate market was very strong, partially fueled by low interest rates and a strong economy, and appreciation ranged from .25% per month to as much as 2% per month throughout the market. Beginning in 2002, appreciation started to stabilize throughout some of the market, with the exception of vacant land and low-end "starter" housing, which continued to appreciate.

The market peaked in mid 2006, whereupon the market started to predominantly decline, showing an oversupply of available housing and vacant building lot. In areas where there was significant oversupply, days on market have often crept over the six month mark into 200+ days. The absorption rate was averaging about eighteen months, with a strong buyer's market, and a glut of available housing.

By the first quarter of 2010, values had declined significantly across the state. For example, Belknap County values had declined about 21% from the peak in 2006, Coos County had declined by 33%, and Carroll County had declined by 27%.

From 2011 to 2013 market conditions indicated a mixture of decline and stability. The decline was particularly notable for vacant land, as there was very little interest in building residential properties.

From 2014 to 2016 the market was predominantly stable. In 2017 there are a variety of sectors of the market that are showing appreciation. Housing starts are picking up, low end residential and all price ranges of waterfront are in demand. The oversupply of vacant land is easing, and the supply of all residential listings is decreasing. Days on market, overall, are becoming much shorter.

Neighborhood

The subject neighborhood predominantly consists of single family homes of predominantly high quality, exhibiting good maintenance. There is easy access to major highway, schools, shopping, employment centers, and all public facilities.

Transportation: It is common and typical in the subject market for there to be no public transportation. The lack of public transportation is not adverse to either value or marketability.

Subject Information

Prior Services

This appraiser has not performed appraisal services to the subject property within the three-year period immediately preceding acceptance of this assignment.

Exposure Time

A reasonable exposure time for the subject property, at the market time stated in this report, would be 12 months as of the effective date of the report.

The Supplemental Addendum

File No. 17179

Owner	Courtney C. Smith, Jr.				
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Private Septic System: It is common and typical in the subject market area for there to be no municipal sewerage system, requiring the use of community or on-site septic systems. The use of such systems does not detract from the marketability or value of the subject. The value conclusion assumes that this private system would conform to state standards.

Private Water: It is common and typical in the subject market area for there to be no municipal water system requiring the use of private, community, or lake water systems. The use of such a system does not detract from the marketability or value of the subject. The value conclusion assumes that the quantity and quality of the water would be adequate and meet health standards.

Subject Site – Highest and Best Use

Highest and best use is considered in light of the physically possible, legally permissible, financially feasible, and maximally productive uses of the property. The area is residential in nature. The lot appears to be suitable for residential use. Residential use is a legal use, and would appear to be financially feasible. Therefore, the appraiser considers that the highest and best use of the property is residential use.

Adjustments to Sales

Location:

Sale #4 included river frontage. A 10% adjustment is applied.

Site:

Acreage adjusted at \$1800 per acre as indicated by market data in the region.

View:

Sales #1 through #3 have mountain views that are equally appealing to the subject's very good mountain views. Sale #4 has mountain views that are inferior to the subject's views. A 10% adjustment is applied.

Other:

Sale #4 included a 2 car garage and a foundation. Adjustments based on market data.

Final Reconciliation of Value

The Income Approach was considered but not developed as it is not appropriate for vacant residential land.

The Cost Approach was not developed as it is not appropriate for vacant land.

The Sales Comparison Approach was considered and developed. This approach provides the only reliable indication of the subject's value in this instance. This approach reflects the actions of buyers and sellers in the market place and, as such, is the best indicator of the subject's value. The comparable sales utilized are believed to be the best available and, as adjusted, are believed to provide a reliable indication of the subject's value.

Change in Value - Boundary Line Adjustment

The "before" value is \$93,400.

The "after" value is \$97,400.

The value of the boundary line adjustment is \$4,000.

LAND APPRAISAL REPORT

File No.: 17179

My research did did not reveal any prior sales or transfers of the subject property for the three years prior to the effective date of this appraisal.

Data Source(s): town records

TRANSFER HISTORY	1st Prior Subject Sale/Transfer	Analysis of sale/transfer history and/or any current agreement of sale/listing.
	Date:	
	Price:	
	Source(s):	
	2nd Prior Subject Sale/Transfer	
	Source(s):	

SALES COMPARISON APPROACH	FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 1	COMPARABLE NO. 2	COMPARABLE NO. 3	
	Address	143 Peppercorn Rd Ashland, NH 03217	Coach Road Bridgewater NH 03222	Lot 44.2 Coach Road Bridgewater NH 03222	Lot 44.1 Coach Road Bridgewater NH 03222	
	Proximity to Subject		7.05 miles SW	7.05 miles SW	7.05 miles SW	
	Sale Price	\$ N/A	\$ 113,783	\$ 87,500	\$ 87,500	
	Price/	\$	\$ 3,792.77	\$ 5,833.33	\$ 5,833.33	
	Data Source(s)	Insp	mls/broker	mls/broker	mls/broker	
	Verification Source(s)	Site/Town				
	VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	+(-) \$ Adjust	DESCRIPTION	+(-) \$ Adjust
	Sales or Financing	N/A	none reported		none reported	
	Concessions					
	Date of Sale/Time	N/A	12/7/2017		8/30/2017	
	Rights Appraised	Fee Simple	Fee Simple		Fee Simple	
	Location	rural/avg	rural/avg		rural/avg	
	Site Area	20.65	30	-16,830	15	+10,170
Views	mtns-very good	mtns-very good		mtns-very good		
Net Adjustment (Total, in \$)		<input type="checkbox"/> + <input checked="" type="checkbox"/> - \$ -16,830		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$ 10,170		
Adjusted Sale Price (in \$)		\$ 96,953		\$ 97,670	\$ 97,670	

Summary of Sales Comparison Approach See addendum for comments on adjustments. Sales #1 through #3 given greatest weight, as they are most similar to the subject in terms of size and view. Sale #4 is offered as it is in the town of Ashland, however this sale is much smaller and the views are not as expansive.

PROJECT INFORMATION FOR PUDs (if applicable) The Subject is part of a Planned Unit Development.

Legal Name of Project:

Describe common elements and recreational facilities:

Indicated Value by: Sales Comparison Approach \$

Final Reconciliation See addendum.

This appraisal is made "as is", or subject to the following conditions: THIS IS THE "AFTER SCENARIO" WHERE THE 2.23 ACRE BOUNDARY LINE HAS BEEN ADDED TO THE SUBJECT ACREAGE. Per instructions to appraiser, value is land only. No value to improvements is considered.

This report is also subject to other Hypothetical Conditions and/or Extraordinary Assumptions as specified in the attached addenda.

Based upon an inspection of the subject property, defined Scope of Work, Statement of Assumptions and Limiting Conditions, and Appraiser's Certifications, my (our) Opinion of the Market Value (or other specified value type), as defined herein, of the real property that is the subject of this report is: \$ 97,400, as of: 9/29/2017, which is the effective date of this appraisal.

If indicated above, this Opinion of Value is subject to Hypothetical Conditions and/or Extraordinary Assumptions included in this report. See attached addenda.

ADDITIONAL COMPARABLE SALES

File No.: 17179

FEATURE	SUBJECT PROPERTY	COMPARABLE NO. 4		COMPARABLE NO. 5		COMPARABLE NO. 6	
Address	143 Peppercorn Rd Ashland, NH 03217	177 N Ashland Rd Ashland, NH 03217					
Proximity to Subject		0.93 miles SW					
Sale Price	\$ N/A	\$	90,000	\$		\$	
Price/	\$	\$	17,307.69	\$		\$	
Data Source(s)	Insp	mls/broker					
Verification Source(s)	Site/Town						
VALUE ADJUSTMENT	DESCRIPTION	DESCRIPTION	+(-) \$ Adjust	DESCRIPTION	+(-) \$ Adjust	DESCRIPTION	+(-) \$ Adjust
Sales or Financing	N/A	none reported					
Concessions							
Date of Sale/Time	N/A	1/4/2016					
Rights Appraised	Fee Simple	Fee Simple					
Location	rural/avg	rural/river	-9,000				
Site Area	20.65	5.2	+27,810				
Views	mtns-very good	mtns-good	+9,000				
		2 car garage	-10,000				
		foundation	-8,000				
Net Adjustment (Total, in \$)		<input checked="" type="checkbox"/> + <input type="checkbox"/> - \$	9,810	<input type="checkbox"/> + <input type="checkbox"/> - \$		<input type="checkbox"/> + <input type="checkbox"/> - \$	
Adjusted Sale Price (in \$)		\$	99,810	\$		\$	
Summary of Sales Comparison Approach							

Subject Photo Page

Owner	Courtney C. Smith, Jr.				
Property Address	143 Peppercorn Rd				
City	Ashland	County	Grafton	State	NH Zip Code 03217
Appraiser	Kristen Eldridge				



Subject near front of property

143 Peppercorn Rd	
Sales Price	N/A
Gross Living Area	725
Total Rooms	4
Total Bedrooms	2
Total Bathrooms	1
Location	rural/avg
View	lake & mtns
Site	18.42
Quality	Average/Fair
Age	59



Subject near rear of property



Subject Street

Interior Photos

Owner	Courtney C. Smith, Jr.						
Property Address	143 Peppercorn Rd						
City	Ashland	County	Grafton	State	NH	Zip Code	03217
Appraiser	Kristen Eldridge						



barn on site



shed on site



logging road



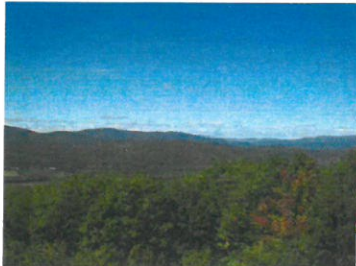
apartment/garage



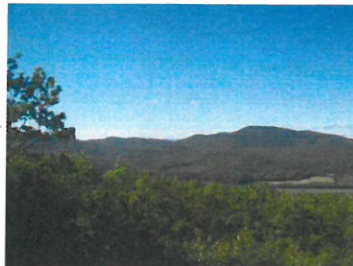
s.f. home



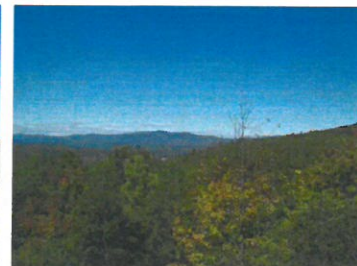
showing portion of cottage



mountain views



mountain views



mountain views

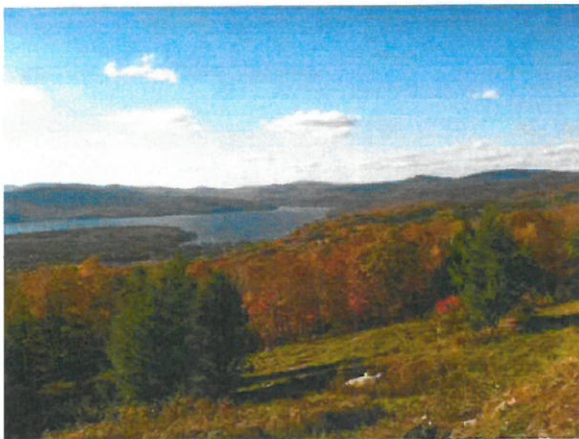
Comparable Photo Page

Owner	Courtney C. Smith, Jr.				
Property Address	143 Peppercorn Rd				
City	Ashland	County	Grafton	State	NH
Appraiser	Kristen Eldridge				
				Zip Code	03217



Comparable 1

Coach Road
 Prox. to Subject 7.05 miles SW
 Sale Price 113,783
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location rural/avg
 View
 Site 30
 Quality
 Age



Comparable 2

Lot 44.2 Coach Road
 Prox. to Subject 7.05 miles SW
 Sale Price 87,500
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location rural/avg
 View
 Site 15
 Quality
 Age



Comparable 3

Lot 44.1 Coach Road
 Prox. to Subject 7.05 miles SW
 Sale Price 87,500
 Gross Living Area
 Total Rooms
 Total Bedrooms
 Total Bathrooms
 Location rural/avg
 View
 Site 15
 Quality
 Age

Comparable Photo Page

Owner	Courtney C. Smith, Jr.						
Property Address	143 Peppercorn Rd						
City	Ashland	County	Grafton	State	NH	Zip Code	03217
Appraiser	Kristen Eldridge						



Comparable 4

177 N Ashland Rd
Prox. to Subject 0.93 miles SW
Sale Price 90,000
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location rural/river
View
Site 5.2
Quality
Age

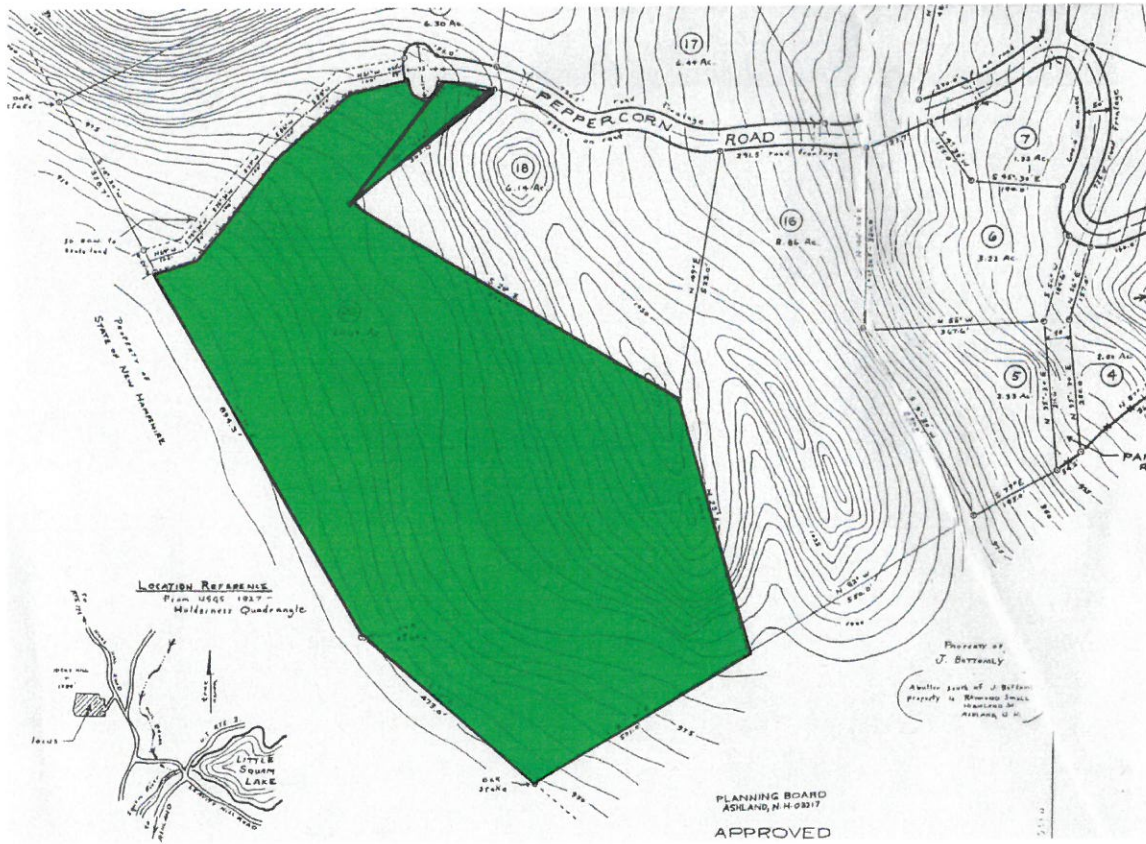
Comparable 5

Prox. to Subject
Sale Price
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location
View
Site
Quality
Age

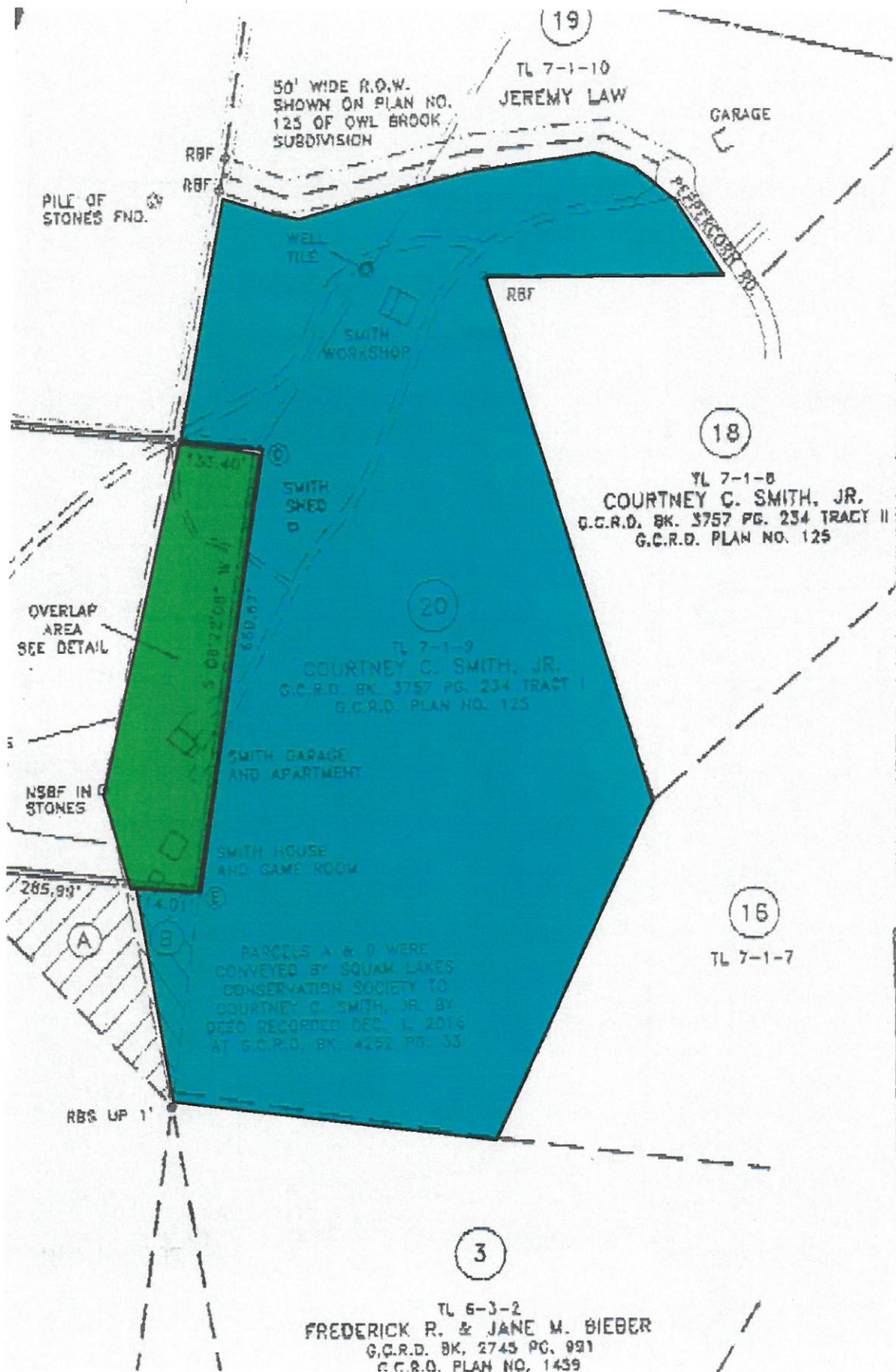
Comparable 6

Prox. to Subject
Sale Price
Gross Living Area
Total Rooms
Total Bedrooms
Total Bathrooms
Location
View
Site
Quality
Age

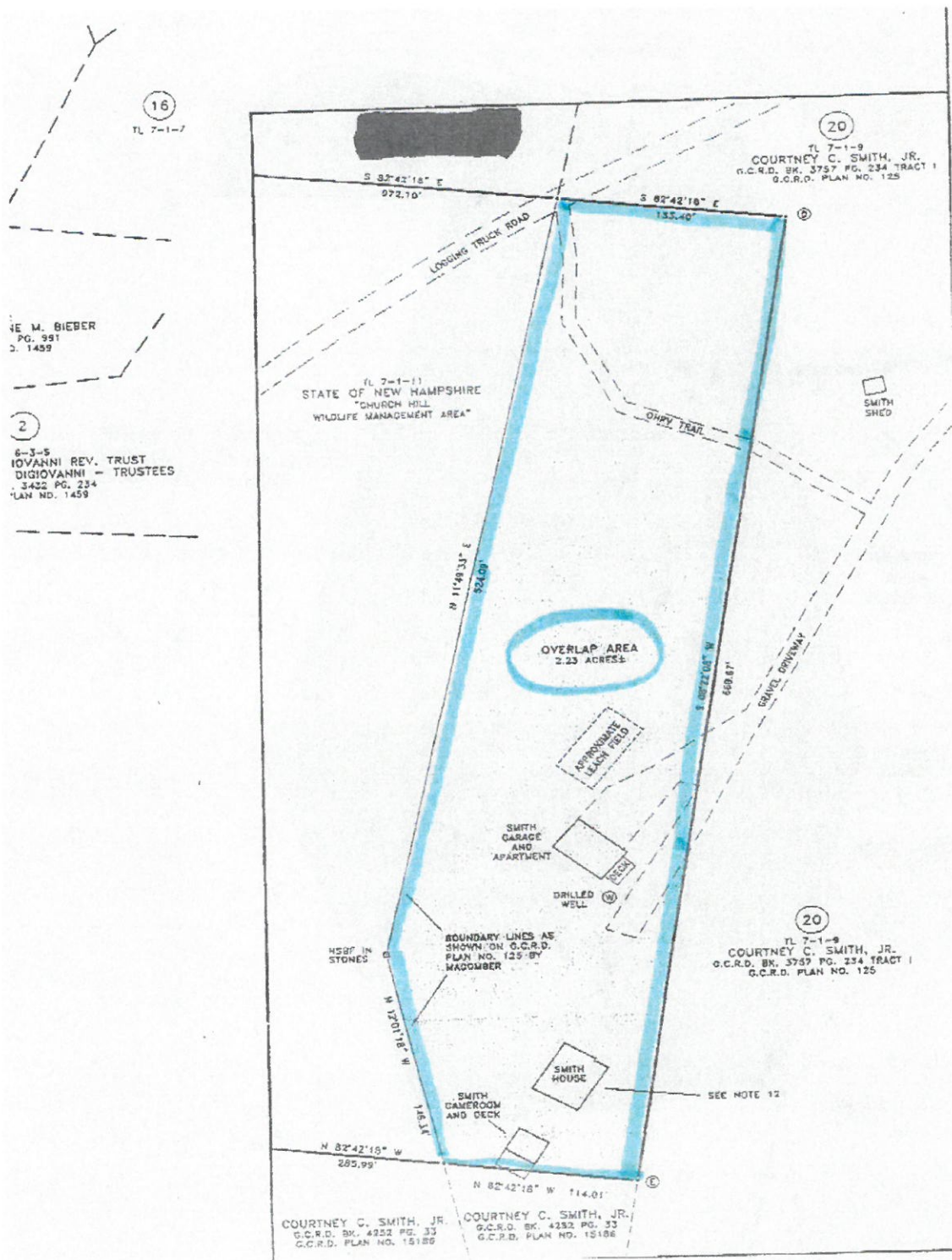
Subject Lot on Owl Brook map dated October 1973



Subject "before" is blue; subject "after" is blue & green

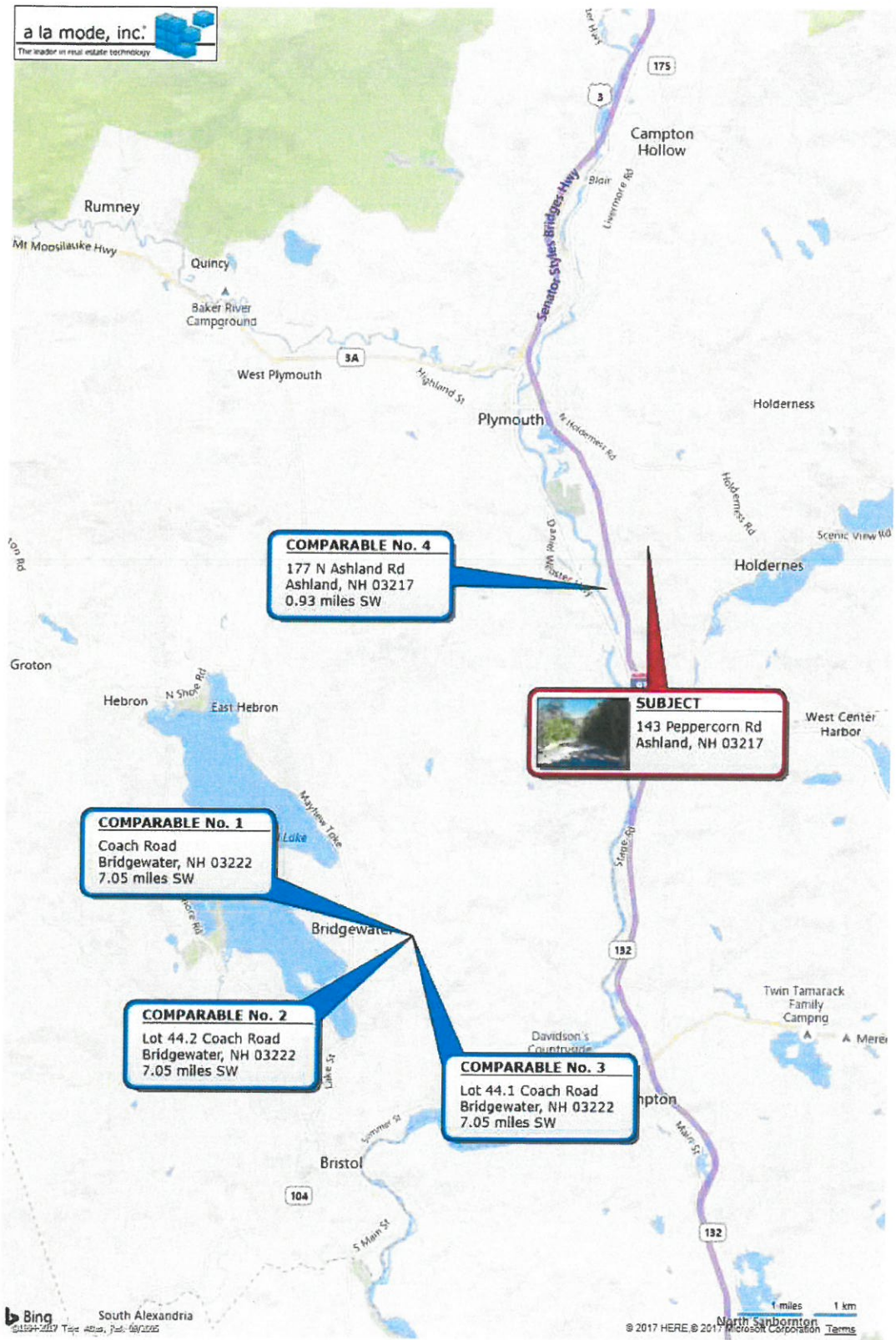


Boundary Line Adjustment



Location Map

Owner	Courtney C. Smith, Jr.				
Property Address	143 Peppercorn Rd				
City	Ashland	County	Grafton	State	NH
Appraiser	Kristen Eldridge				
				Zip Code	03217



Property Location: 143 PEPPERCORN ROAD
 Vision ID: 1342 Account #004302 MAP ID: 007/001/0091/1 Bldg # 1 of 3 Card 1 of 3 State Use: 1090 Print Date: 09/29/2017 10:47

CURRENT ASSESSMENT
 TOPO: 5 Well, 6 Septic, 3 Rural
 STRT/ROAD: 1 Paved
 UTILITIES: 3 Rural
 Description: RESIDENTIAL, RES LAND, RESIDENTIAL, CULAND
 Code: 1090, 1090, 1090, 7400
 Appraised Value: 306,200, 112,400, 27,500, 39,400
 Assessed Value: 306,200, 112,400, 27,500, 633
 Total: 485,500

PREVIOUS ASSESSMENTS (HISTORIC)
 Yr. Code Assessed Value Yr. Code Assessed Value
 2016 1090 306,200 2014 1090 299,500
 2016 1090 112,400 2014 1090 112,400
 2016 1090 27,500 2014 1090 27,500
 2016 7000 559,201 2014 7000 559,201
 Total: 446,659

RECORD OF OWNERSHIP
 BK-VOL/PAGE SALE DATE (y/m/d) SALE PRICE V.C.
 3757/234 12/09/2010 U 550,000
 3520/0257 05/07/2008 U 415,000
 2379/0453 03/15/1999 U 415,000

EXEMPTIONS
 Year Type Description Amount Number Comm. Int.
 2016 1090 0
 2016 1090 415,000
 2016 1090 415,000
 2016 7000 559,201

OTHER ASSESSMENTS
 Code Description Number Amount Comm. Int.
 0001/A NBHD/SUB STREET INDEX NAME TRACING BATCH

ASSESSING NEIGHBORHOOD
 STREET INDEX NAME TRACING BATCH

NOTES
 2008 PU: ROOF SHINGLES REPLACED - N/C
 08: MULTI SALE W/7-1-8 & 6-3-1.
 2008 REVIEWS-ADJ SITE-TOPO, ADJ BARN
 DEP. ADJ BLDGS CD-2 & CD-3.
 10 M&L: ADJ'D LNT. WDK SIZES & SKETCH
 10/2010 FOR SALE \$599K

BUILDING PERMIT RECORD
 Permit ID Issue Date Type Description Amount Insp. Date % Comp. Date Comp. Comments
 B-28-07 06/18/2007 RF Roofing 11,896 0 0 STRIP & RE-ROOF AS

LAND LINE VALUATION SECTION
 Zone Fringeage Depth Units Units Price Factor A Factor B Factor C ST Idx S.I. Adj. Notes: Adj. S.I=VIEW/TOPO
 1 1090 MULTI HSES MDL-01 43,560 SF 1.07 AC 18.63 AC 1.38 1.7500 0.9942 5 0.90 0.00 0.00 1.16
 1 1090 MULTI HSES MDL-01 1.07 AC 2,500.00 0.8459 5 1.00 0.00 0.00
 1 7400 OTHER 18.63 AC 2,500.00 0.8459 5 1.00 0.00 0.00

APPRaised VALUE SUMMARY
 Appraised Bldg. Value (Card) 206,700
 Appraised XF (B) Value (Bldg) 1,100
 Appraised OB (L) Value (Bldg) 27,500
 Appraised Land Value (Bldg) 112,400
 Special Land Value 39,400
 Total Appraised Parcel Value 485,500
 Valuation Method: C
 Adjustment: 0
 Net Total Appraised Parcel Value 485,500

VISIT/CHANGE HISTORY
 Date Type IS ID Cl. Purpose/Result
 04/25/2016 JB 00 Measur+Listed
 10/04/2010 SB 00 Measur+Listed
 02/19/2008 JB 15 Pick-Up Measure
 08/07/2007 RB 00 Measur+Listed
 05/25/2004 MG 14 Vision Field Review

CU Camd
 Rec Y/N Notes: Adj. S.I=VIEW/TOPO
 N 0.00
 N 0.00
 N 1.00
 N 1.00
 CUI

Special Pricing
 Unit Price Land Value
 2,485.50 2,650
 2,114.75 39,400

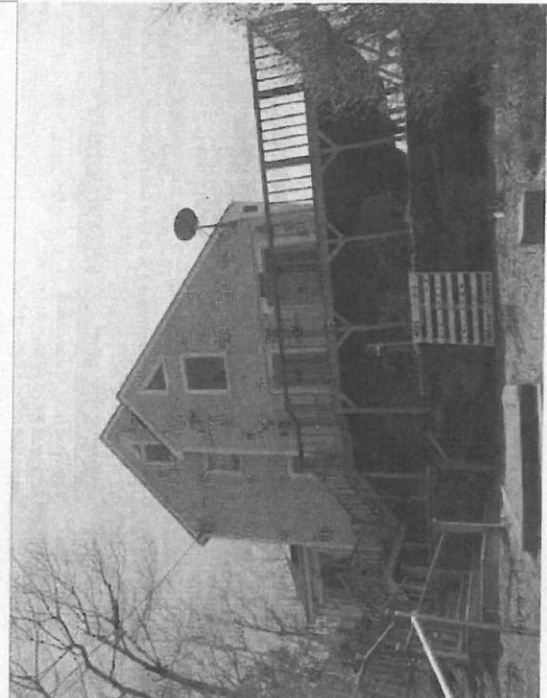
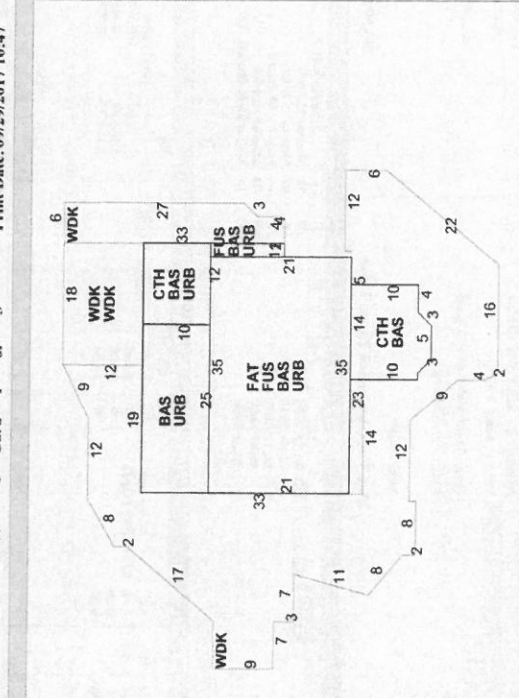
Total Card Land Units: 20.70 AC Parcel Total Land Area: 20.7 AC Total Land Value: 151,800

VISION

Property Location: 143 PEPPERCORN ROAD
 Vision ID: 1342
 Account #004302
 MAP ID: 007/001/009/1
 Bidg Name: 1 of 3
 See #: 1 of 1
 Card 1 of 3
 State Use: 1090
 Print Date: 09/29/2017 10:47

CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)	
Element	Cd. Ch. Description	Element	Cd. Ch. Description
07	Modern/Contemp	07	Gray
01	Residential	MIXED USE	
05	Average ±20	1090 MULTISES MDL-01	
2	2 Stories	Percentage 100	
1	Occupancy		
11	Exterior Wall 1		
11	Exterior Wall 2		
03	Roof Structure		
03	Roof Cover		
05	Interior Wall 1		
07	Interior Wall 2		
09	Interior Flr 1		
14	Interior Flr 2		
02	Heat Fuel		
05	Heat Type		
01	AC Type		
03	Total Bedrooms		
2	Total Bathrooms		
0	Total Half Baths		
1	Total Xtra Fixts		
7	Total Rooms		
02	Bath Style		
02	Kitchen Style		

OB-BUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)		BUILDING SUB-AREA SUMMARY SECTION	
Code	Description	Living Area	Gross Area
BRNS	2 STORY	1,281	1,281
LNT	LEAN-TO	0	0
SHDI	SHED AVG	147	715
HKTH	HEARTH	757	757
		0	1,127
		0	2,080
		2,185	6,254
TH, Gross Liv/Lease Area:		2,185	6,254



Tax Card pg 3

Property Location: 143 PEPPER CORN ROAD
 Account #004302
 MAP ID: 007 001 / 009 /
 Bidg # 2 of 3
 Bidg Name: 1 of 1 Card 2 of 3
 State Use: 1902
 Print Date: 09/29/2017 10:47

CURRENT OWNER
 SMITH JR., COURTNEY C
 238 MONROE STREET
 PHILADELPHIA, PA 19147
 Additional Owners:
 Other ID: 001397
 PICK-UP YR

TOPO. UTILITIES STREET/ROAD LOCATION
 5 Well
 6 Sewer
 1 Paved
 3 Rural

SUPPLEMENTAL DATA
 Description: RESIDENTIAL, RESIDENTIAL, RESIDENTIAL, CU LAND

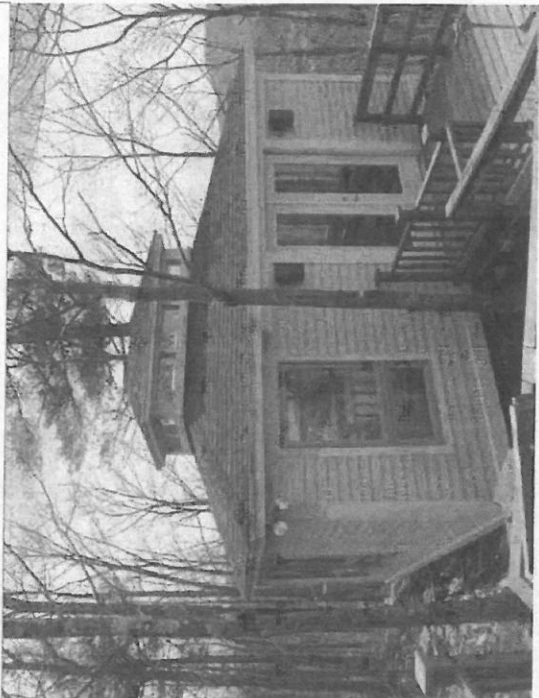
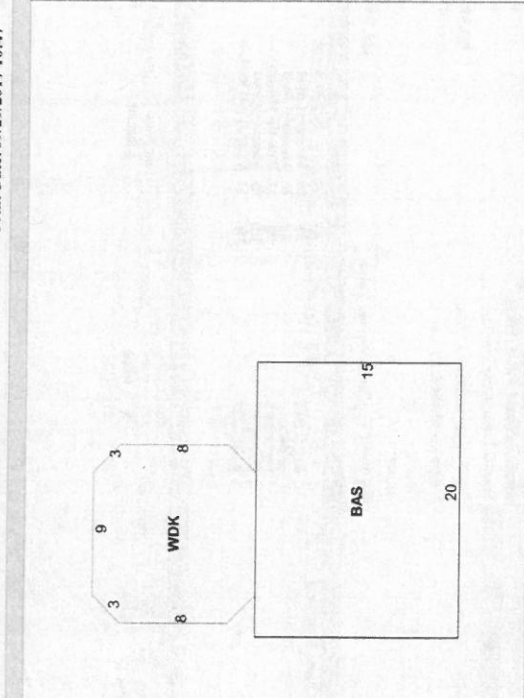
ASSOC PID#
 001397

RECORD OF OWNERSHIP

Year	Type	Description	Amount	Code	Description	Number	Amount	Comm. In.
2016			446,659				440,359	440,359
2015			446,659				440,359	440,359
2014			446,659				440,359	440,359
2013			446,659				440,359	440,359
2012			446,659				440,359	440,359
2011			446,659				440,359	440,359
2010			446,659				440,359	440,359
2009			446,659				440,359	440,359
2008			446,659				440,359	440,359
2007			446,659				440,359	440,359
2006			446,659				440,359	440,359
2005			446,659				440,359	440,359
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1998			446,659				440,359	440,359
1997			446,659				440,359	440,359
1996			446,659				440,359	440,359
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1956			446,659				440,359	440,359
1955			446,659				440,359	440,359
1954			446,659				440,359	440,359
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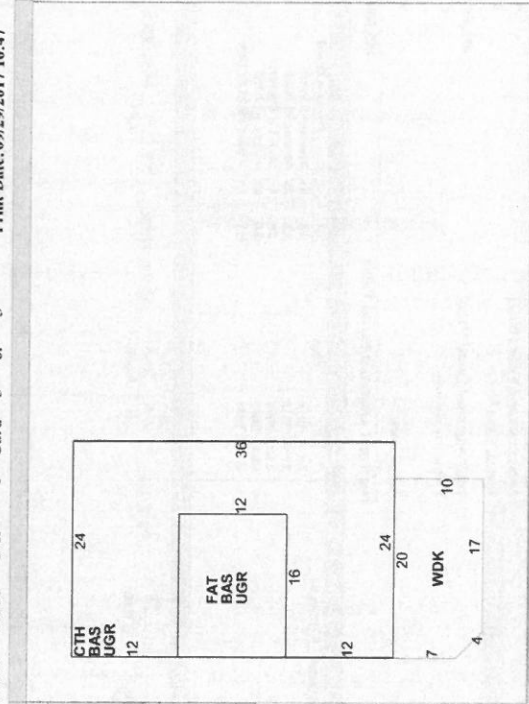
Property Location: 143 PEPPERCORN ROAD
 Vision ID: 1342
 Account #004302
 MAP ID: 007/001/0009/1
 Bldg #: 2 of 3
 Card 1 of 3
 State Use: 1090
 Print Date: 09/29/2017 10:47

Bldg Name:
 Sec #: 1 of 1
 Card 2 of 3



CONSTRUCTION DETAIL		Element	Cl.	Ch.	Description	Code	Description	Unit	Cost	Underprec.	Value			
Style	05	Cottage												
Model	01	Residential												
Grade	01	Minimum												
Stories	1													
Occupancy	1													
Exterior Wall 1	11	Clapboard		07	Gray									
Exterior Wall 2	11													
Roof Structure	03	Gable/Hip												
Roof Cover	10	Wood Shingle												
Interior Wall 1	05	Drywall/Sheet												
Interior Wall 2														
Interior Flr 1	14	Carpet												
Interior Flr 2														
Heat Fuel	04	Electric												
Heat Type	07	Electric Basebrd												
AC Type	01	None												
Total Bedrooms	00													
Total Bath	1													
Total Xtra Fixtr	0													
Total Rooms	1													
Bath Style	01	Old Style												
Kitchen Style														
COST/MARKET VALUATION														
Adj. Base Rate:									95.75					
Net Other Adj:									30,162					
Replace Cost									1,125,000					
AYB									31,287					
EYB									1990					
Dep Code									1997					
Remodel Rating									A					
Year Remodeled														
Dep %									16					
Functional Obslnc									10					
External Obslnc									0					
Cost Trend Factor														
Condition														
% Complete									74					
Overall % Cond									23,200					
Apprais Val									0					
Dep % Ov									0					
Dep Ov Comment														
Misc Imp Ov									0					
Misc Imp Ov Comment														
Cost to Cure Ov									0					
Cost to Cure Ov Comment														
OB-OUTBUILDING & YARD ITEMS(U) / XF-BUILDING EXTRA FEATURES(B)														
Code	Description	Sub	Descrpt	L/B	Units	Unit Price	Pr	Code	Dr	Rt	Cost	%Cond	Apr	Value
BUILDING SUB-AREA SUMMARY SECTION														
Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Underprec.	Value							
BAS	First Floor	300	300	300	95.75	28,726								
WDK	Deck, Wood	0	148	15	9.70	1,436								
Ttl. Gross Liv/Lease Area:		300	448	315		31,287								

Property Location: 143 PEPPERCORN ROAD
 Account #004302
 MAP ID: 007/001/009/1
 Bldg #: 3 of 3
 Sec #: 1 of 3
 Card 3 of 3
 Bldg Name:
 State Use: 1090
 Print Date: 09/29/2017 10:47



CONSTRUCTION DETAIL		CONSTRUCTION DETAIL (CONTINUED)							
Element	Ch. Description	Element	Ch. Description						
06	Conventional	07	Gray						
01	Residential	MIXED USE							
02	Below Average	1090 MULTI USES MDL-01							
1	Stories	Percentage 100							
08	Exterior Wall 1	WOOD ON SHEATH							
03	Exterior Wall 2	Gable/Hip							
03	Roof Structure	Asph/F Gls/Cmp							
05	Roof Cover	Drywall/Sheet							
07	Interior Wall 1	K Pine/Wood							
07	Interior Wall 2	Carpet							
14	Interior Flr 1	Vinyl/Asphalt							
05	Interior Flr 2	Gas							
03	Heat Fuel	Forced Air-Duc							
04	Heat Type	None							
01	AC Type	1 Bedroom							
01	Total Bedrooms	Adj. Base Rate: 80,26							
01	Total Bthms	Net Other Adj: 3,600.00							
01	Total Half Baths	Replace Cost: 100,316							
03	Total Xtra Fixrs	AYB: 1985							
03	Total Rooms	EYB: 1993							
02	Bath Style	Dep Code: A							
02	Kitchen Style	Remodel Rating: 20							
		Year Remodeled: 5							
		Functional Obslnc: 75							
		External Obslnc: 75,200							
		Cost Trend Factor: 0							
		Condition: 0							
		% Complete: 0							
		Overall % Cnd: 0							
		Apprais Val: 0							
		Dep % Ovr: 0							
		Dep Ovr Comment: 0							
		Misc Imp Ovr: 0							
		Misc Imp Ovr Comment: 0							
		Cost to Cure Ovr: 0							
		Cost to Cure Ovr Comment: 0							
		OB-OUTBUILDING & YARD ITEMS(L) / XF-BUILDING EXTRA FEATURES(B)							
Code	Description	Sub. Descrpt	L/R Units	Unit Price	Gale	Exp Rt	Cnd	% Cnd	Apr Value
BUILDING SUB-AREA SUMMARY SECTION									
BAS	First Floor		864		864		864		69,346
CTH	Cathedral Ceiling		0	672	67	8,000	5,378		8,000
FAT	Attic, Finished		38	192	38	15,890	3,050		3,050
UGR	Garage, Basement		0	864	216	20,070	17,337		17,337
WDK	Deck, Wood		0	196	20	8,190	1,605		1,605
Tot. Gross Liv/Lease Area:									100,316

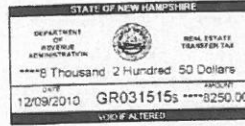
BK 3757 PG 0234

Doc # 0017916 Dec 9, 2010 1:35 PM
Register of Deeds, Grafton County

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228



WARRANTY DEED
Statutory Short Form

MARGARET R. MERRILL, formerly known as MARGARET R. SMITH, a married person, of 143 Peppercorn Road, Ashland, Grafton County, New Hampshire 03264 for consideration paid, grants to **COURTNEY C. SMITH, JR.**, an unmarried person, of 238 Monroe Street, Philadelphia, Philadelphia County, Pennsylvania 19147, with WARRANTY COVENANTS:

Three certain tracts or parcels of land situated in Ashland, Grafton County, State of New Hampshire, bounded and described as follows:

TRACT I:

A certain tract or parcel of land, with any buildings and improvements thereon, situated in Ashland, Grafton County, New Hampshire, being Lot #20 as shown on a plan entitled "OWL BROOK ASHLAND, NEW HAMPSHIRE PHASE III - LOTS 1 - 20 PROPERTY OF J. BOTTOMLY", scale 1" = 100', dated October 1973, by Elwin E. Macomber and John March, recorded in the Grafton County Registry of Deeds as Plan Number 125, more particularly bounded and described as follows:

Beginning at an iron pin set in the ground on the southerly side of Peppercorn Road, so-called;

thence due West 363.0 feet, more or less, to an iron pin set in the ground;

thence South 20° East, 825.0 feet, more or less, to an iron pin set in the ground;

thence South 25° West, 550.0 feet, more or less, to an iron pin set in the ground;

thence North 81° 30' West, along land now or formerly of J. Bottomley, 501.0 feet, more or less, to an oak stake set in the ground;

thence North 10° West, 473.0 feet, more or less, to an oak stake set in the ground;

BK 3757PG 0235

thence North 10° 30' East, along land now or formerly of the State of New Hampshire, 894.3 feet, more or less, to an iron pin set in the ground;

thence continuing along the same course 25 feet, more or less, to a point;

thence South 69° East, 100 feet, more or less, to a point;

thence North 79° 30' East, 90 feet, more or less, to a point;

thence North 76° 30' East, 100 feet, more or less, to a point;

thence North 77° East, 100 feet, more or less, to a point;

thence North 86° East, 100 feet, more or less, to a point;

thence North 84° East, 100 feet, more or less, to a point;

thence South 61° East, 100 feet, more or less, to a point;

thence South 63° East, 28 feet, more or less, to a point;

thence in a general southeasterly direction along the edge of a turnaround 25 feet to an iron pin set in the ground;

thence following said turnaround and continuing along the southerly side of said Peppercorn Road 225.0 feet, more or less, to the point of beginning.

Said tract is computed to contain 20.65 acres, more or less.

Also conveying an easement in common with others to pass and repass over Peppercorn Road to and from Hicks Hill Road. Said right of way is for pedestrian and/or vehicular traffic.

EXCEPTING AND RESERVING to Stanley W. Jackson, his heirs and assigns, such rights of way or easements as may be necessary for the installation of electric power lines to Owl Brook, Phase III.

Also EXCEPTING AND RESERVING to the State of New Hampshire a 25 foot wide right of way along the southwest boundary of the lot herein conveyed from the turnaround at the end of Peppercorn Road to the property now or formerly of the State of New Hampshire.

The above-described premises are conveyed SUBJECT TO the covenants and restrictions dated July 23, 1973, and recorded in said Registry, Book 1199, Page 294, as amended by Owl Brook

BK 3757PG0236

Maintenance Corporation corporate vote of June 7, 1979, and recorded in said Registry, Book 1378, Page 473.

This conveyance is SUBJECT TO Notices of Current Use Taxation by the Town of Ashland, recorded in the Grafton County Registry of Deeds in Book 1504, Page 827; Book 1562, Page 400; Book 1562, Page 982; Book 1670, Page 448; Book 1670, Page 951; Book 1816, Page 432; Book 1912, Page 351 and Book 1966, Page 529.

TRACT II:

A certain tract or parcel of land, with any buildings and improvements thereon, situated in Ashland, Grafton County, New Hampshire, being Lot #18 as shown on a plan entitled "OWL BROOK ASHLAND, NEW HAMPSHIRE PHASE III - LOTS 1 - 20 PROPERTY OF J. BOTTOMLY", scale 1" = 100', dated October 1973, by Elwin E. Macomber and John March, recorded in the Grafton County Registry of Deeds as Plan Number 125, more particularly bounded and described as follows:

Beginning at an iron pin set in the ground on the southerly side of Peppercorn Road, so-called;

thence due West 363.0 feet, more or less, to an iron pin set in the ground;

thence South 20° East, 825.0 feet, more or less, to an iron pin set in the ground;

thence North 49° East, 523.0 feet, more or less, to an iron pin set in the ground on the southerly side of Peppercorn Road;

thence in a general northwesterly direction along the southerly side of Peppercorn Road, 535.0 feet, more or less, to the point of beginning.

Said tract is computed to contain 6.14 acres, more or less.

Also conveying an easement in common with others to pass and repass over Peppercorn Road to and from Hicks Hill Road. Said right of way is for pedestrian and/or vehicular traffic.

EXCEPTING AND RESERVING such rights of way or easements as may be necessary for the installation of electrical power lines to Owl Brook, Phase III.

The above-described premises are conveyed SUBJECT TO the covenants and restrictions dated July 23, 1973, and recorded in said Registry, Book 1199, Page 294, as amended by Owl Brook Maintenance Corporation corporate vote of June 7, 1979, and recorded in said Registry, Book 1378, Page 473.

BK 3757 PG 0237

TRACT III:

Beginning at a point in the Bruns-Greenleaf property line 150 feet easterly of the northbound center line of Interstate Route 93;

thence northerly parallel to said northbound center line to a point easterly of and directly opposite Station 12214N & 73.99;

thence northerly to a point 200 feet easterly of and directly opposite Station 12216N & 73.99;

thence northerly parallel to the northbound center line to a point easterly of and directly opposite State 15 N & 00;

thence northerly to a point in the Greenleaf-Batchelder line on a course which if extended would pass through a point 100 feet easterly of and directly opposite Station 20 N & 00;

thence easterly along said land now or formerly of Batchelder to land now or formerly of the heirs of Edward Robie;

thence southerly along land now or formerly of Robie to land now or formerly of Bruns;

thence westerly along land now or formerly of Bruns to the point of beginning.

The area of the above tract is estimated to be 62.5 acres.

The above-described premises are part of Lot #44 in the first division of lots in Holderness (now Ashland).

The premises are conveyed SUBJECT TO all public utility rights of way.

This conveyance is SUBJECT TO Notices of Current Use Taxation by the Town of Ashland, recorded in Grafton County Registry of Deeds in Book 1912, Page 351 and Book 1966, Page 528.

There is also conveyed herewith an easement across a gravel roadway as conveyed to the within "Grantors" by Deed of Easement of the State of New Hampshire Fish and Game Department, recorded in Grafton County Registry of Deeds at Book 2055, Page 0993 and is SUBJECT TO the conditions contained within said deed.

This conveyance is SUBJECT TO an easement granted by the within "Grantors" to the New Hampshire Fish and Game Department by Deed of Easement, recorded in Grafton County Registry of Deeds at Book 2055, Page 0990 and is SUBJECT TO the conditions contained within said deed.

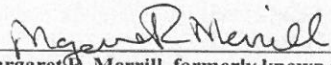
BK 3757PG0238

MEANING and INTENDING to describe and convey the same premises described in Quitclaim Deed of Courtney C. Smith, Jr. to Margaret R. Smith, dated January 20, 2004, recorded in the Grafton County Registry of Deeds in Book 3520, Page 0257.

This is not homestead property of the Grantor's Spouse.

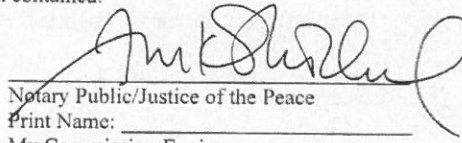
Real property taxes assessed against the premises for the tax year beginning 1 April 2010 shall be prorated between the parties as of the date of delivery of the deed.

Executed this 7th day of December, 2010.


Margaret R. Merrill, formerly known as Margaret R. Smith

STATE OF NEW HAMPSHIRE
COUNTY OF BELKNAP

The foregoing instrument was acknowledged before me this 7th day of December 2010, by Margaret R. Merrill, formerly known as Margaret R. Smith, who is known to me or satisfactory proven to me to be the person whose name is subscribed herein, and who executed the foregoing instrument for the purposes herein contained.


Notary Public/Justice of the Peace
Print Name: _____
My Commission Expires: _____





[This space for Registry Use]

278

4252-0033

12/01/2016 11:31 AM Pages: 2
REGISTER OF DEEDS, GRAFTON COUNTY



Lucy J. Mendenhall
C/II
L-CHIP
SHA104341

DEED

The Squam Lakes Conservation Society, a NH voluntary corporation with a place of business at US Route 3, Holderness, NH and a mailing address of PO Box 696, Holderness, NH 03245, for consideration paid, grants to Courtney C. Smith, Jr., single, of 238 Monroe Street, Philadelphia, PA 19147, two parcels of land in Ashland, Grafton County, NH, further described as follows:

Two triangular shaped parcels of land shown as Parcel A and Parcel B on plan "Boundary Line Adjustment between Squam Lakes Conservation Society and Courtney C. Smith, Jr." dated 3-8-16 2016 by Sabourn and Tower, Licensed Land Surveyors, approved by the Ashland Planning Board June 1, 2016, recorded Grafton County Registry of Deeds as Plan # 15186.

Parcel A is conveyed with Warranty Covenants. Parcel B is conveyed with Quitclaim Covenants.

PARCEL A:

Beginning at a point in the easterly line of the "Robie Lot" so called, being Tract II, Parcel 8 of deed from the Nancy D. Dailey Trust to Squam Lakes Conservation Society dated October 28, 2015, and recorded Book 4167, Page 536 (Point I); thence N 44-25-35 W a distance of 502.12 feet to a point at land believed to be owned by the State of New Hampshire known as the Church Hill Wildlife Management Area (Point II); thence on state land S 82-42-18 E a distance of 285.99 feet to a point at the westerly sideline of land of Courtney C. Smith, Jr. (Tax Lot 7-1-9, Plan Lot 20) as it is shown on Plan #125 (Point III); thence on Smith land S 12-01-18 E, a distance of 307.49 feet to a brass rod (Point VI)(due to differing magnetic orientation the bearing of this line is shown as S 10 E on said plan #125); thence S 09-55-26 E a distance of 21.86 feet on Tax Lot 6-3-2, now or formerly of Bieber to the point of beginning. Parcel A being 1.02 acres, more or less.

Meaning and intending to convey as Parcel A part of Tract II, Parcel 8 of Warranty deed from the Nancy D. Dailey Trust to the Squam Lakes Conservation Society, dated October 28, 2015, recorded Book 4167, Page 536. This larger tract is sometimes known as the Roby or Robie Lot.

PARCEL B:

Beginning at Point III as described above; thence S 82-42-18 E a distance of 114.01 feet to Point IV; thence S 08-22-08 W a distance of 290.47 feet to a point at land of Bieber (Point V); thence N 80-42-18 W a distance of 6.86 feet on Bieber to a brass rod (Point VI); thence N 12-01-18 W a distance of 307.49 feet to the point begun at (Point III). Being .40 acre more or less.

Meaning and intending to convey as Parcel B part of Tract II, Parcel 8 of Warranty deed from the Nancy D. Dailey Trust to the Squam Lakes Conservation Society, dated October 28, 2015, recorded Book 4167, Page 536. Parcel B apparently overlaps part of Ashland Tax Lot 7-1-9 (Plan Lot 20) of Grantee as shown on Plan #125 first above referenced. The purpose of this conveyance of Parcel B is to waive and extinguish any claim of Grantor herein to Tax Lot 7-1-9.

All distances being more or less.

Parcels A and B are not separate lots, but are merged for all municipal purposes with adjoining Ashland Tax Lot 7-1-9 owned by Grantee. Parcels A and B shall not hereafter be conveyed separate from Lot 7-1-9. For Grantee's title to Tax Lot 7-1-9, see Tract 1 of deed recorded Book 3757, Page 234.

Subject to any lien for Current Use Assessment. See Book 1912, Page 351 and Book 1966, Page 528. By acceptance of this deed Grantee agrees to pay any change of use tax.

Undeveloped land.

Date: July 1 2016.

Squam Lakes Conservation Society

By: [Signature]
Carl Metzger, President, Duly authorized

STATE/Commonwealth of NEW HAMPSHIRE, GRAFTON COUNTY:

The foregoing was acknowledged before me by Carl Metzger, as President of the Squam Lakes Conservation Society on July 1, 2016.

[Signature]
Notary Public

My Commission expires: September 3 2019.

[Affix seal of office]

Draft Deed Triangles A and B 6.29.16



Assumptions, Limiting Conditions & Scope of Work

File No.: 17179

Property Address: 143 Peppercorn Rd	City: Ashland	State: NH	Zip Code: 03217
Client: Courtney C Smith, Jr.	Address: 238 Monroe Street, Philadelphia, PA 19147		
Appraiser: Kristen Eldridge	Address: PO Box 806, Meredith, NH 03253		

STATEMENT OF ASSUMPTIONS & LIMITING CONDITIONS

- The appraiser will not be responsible for matters of a legal nature that affect either the property being appraised or the title to it. The appraiser assumes that the title is good and marketable and, therefore, will not render any opinions about the title. The property is appraised on the basis

of it being under responsible ownership.

- The appraiser may have provided a plat and/or parcel map in the appraisal report to assist the reader in visualizing the lot size, shape, and/or orientation. The appraiser has not made a survey of the subject property.

- If so indicated, the appraiser has examined the available flood maps that are provided by the Federal Emergency Management Agency (or other data sources) and has noted in the appraisal report whether the subject site is located in an identified Special Flood Hazard Area.

Because

the appraiser is not a surveyor, he or she makes no guarantees, express or implied, regarding this determination.

- The appraiser will not give testimony or appear in court because he or she made an appraisal of the property in question, unless specific arrangements to do so have been made beforehand.

- The appraiser has noted in the appraisal report any adverse conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) observed during the inspection of the subject property, or that he or she became aware of during the normal research involved

in performing the appraisal. Unless otherwise stated in the appraisal report, the appraiser has no knowledge of any hidden or unapparent conditions of the property, or adverse environmental conditions (including, but not limited to, the presence of hazardous wastes, toxic substances, etc.) that would make the property more or less valuable, and has assumed that there are no such conditions and makes no guarantees or

warranties, express or implied, regarding the condition of the property. The appraiser will not be responsible for any such conditions that do exist

or for any engineering or testing that might be required to discover whether such conditions exist. Because the appraiser is not an expert in the

field of environmental hazards, the appraisal report must not be considered as an environmental assessment of the property.

- The appraiser obtained the information, estimates, and opinions that were expressed in the appraisal report from sources that he or she considers to be reliable and believes them to be true and correct. The appraiser does not assume responsibility for the accuracy of such items

that were furnished by other parties.

- The appraiser will not disclose the contents of the appraisal report except as provided for in the Uniform Standards of Professional Appraisal Practice, and any applicable federal, state or local laws.

- An appraiser's client is the party (or parties) who engage an appraiser in a specific assignment. Any other party acquiring this report from the

client does not become a party to the appraiser-client relationship. Any persons receiving this appraisal report because of disclosure requirements

applicable to the appraiser's client do not become intended users of this report unless specifically identified by the client at the time of the assignment.

- The appraiser's written consent and approval must be obtained before this appraisal report can be conveyed by anyone to the public, through advertising, public relations, news, sales, or by means of any other media, or by its inclusion in a private or public database. Possession of this

report or any copy thereof does not carry with it the right of publication.

- Forecasts of effective demand for the highest and best use or the best fitting and most appropriate use were based on the best available data concerning the market and are subject to conditions of economic uncertainty about the future.

The Scope of Work is the type and extent of research and analyses performed in an appraisal assignment that is required to produce credible assignment results, given the nature of the appraisal problem, the specific requirements of the intended user(s) and the intended use of the appraisal report. Reliance upon this report, regardless of how acquired, by any party or for any use, other than those specified in this report by

the Appraiser, is prohibited. The Opinion of Value that is the conclusion of this report is credible only within the context of the Scope of Work, Effective Date, the Date of Report, the Intended User(s), the Intended Use, the stated Assumptions and Limiting Conditions, any Hypothetical Conditions and/or Extraordinary Assumptions, and the Type of Value, as defined herein. The appraiser, appraisal firm, and related parties

assume no obligation, liability, or accountability, and will not be responsible for any unauthorized use of this report or its conclusions.

Additional Comments (Scope of Work, Extraordinary Assumptions, Hypothetical Conditions, etc.):

Certifications & Definitions

File No.: 17179

Property Address: 143 Peppercorn Rd	City: Ashland	State: NH	Zip Code: 03217
Client: Courtney C. Smith, Jr.	Address: 238 Monroe Street, Philadelphia, PA 19147		
Appraiser: Kristen Eldridge	Address: PO Box 806, Meredith, NH 03253		

APPRAISER'S CERTIFICATION

I certify that, to the best of my knowledge and belief:

- The statements of fact contained in this report are true and correct.
- The credibility of this report, for the stated use by the stated user(s), of the reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, impartial, and unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report and no personal interest with respect to the parties involved.
- Unless otherwise indicated, I have performed no services, as an appraiser or in any other capacity, regarding the property that is the subject of this report within the three-year period immediately preceding acceptance of this assignment.
- I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice that were in effect at the time this report was prepared.
- I did not base, either partially or completely, my analysis and/or the opinion of value in the appraisal report on the race, color, religion, sex, handicap, familial status, or national origin of either the prospective owners or occupants of the subject property, or of the present owners or occupants of the properties in the vicinity of the subject property.
- Unless otherwise indicated, I have made a personal inspection of the property that is the subject of this report.
- Unless otherwise indicated, no one provided significant real property appraisal assistance to the person(s) signing this certification.

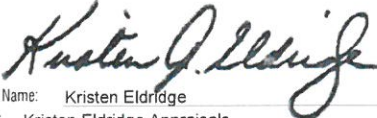
Additional Certifications:

DEFINITION OF MARKET VALUE *:

Market value means the most probable price which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller each acting prudently and knowledgeably, and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated;
2. Both parties are well informed or well advised and acting in what they consider their own best interests;
3. A reasonable time is allowed for exposure in the open market;
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents the normal consideration for the property sold unaffected by special or creative financing or sales concessions granted by anyone associated with the sale.

* This definition is from regulations published by federal regulatory agencies pursuant to Title XI of the Financial Institutions Reform, Recovery, and Enforcement Act (FIRREA) of 1989 between July 5, 1990, and August 24, 1990, by the Federal Reserve System (FRS), National Credit Union Administration (NCUA), Federal Deposit Insurance Corporation (FDIC), the Office of Thrift Supervision (OTS), and the Office of Comptroller of the Currency (OCC). This definition is also referenced in regulations jointly published by the OCC, OTS, FRS, and FDIC on June 7, 1994, and in the Interagency Appraisal and Evaluation Guidelines, dated October 27, 1994.

Client Contact:	Client Name: Courtney C Smith, Jr.
E-Mail:	Address: 238 Monroe Street, Philadelphia, PA 19147
APPRAISER	SUPERVISORY APPRAISER (if required) or CO-APPRAISER (if applicable)
	Supervisory or Co-Appraiser Name:
Appraiser Name: Kristen Eldridge	Company:
Company: Kristen Eldridge Appraisals	Phone: _____ Fax: _____
Phone: (603) 279-5568	E-Mail:
E-Mail: keldridge@metrocast.net	Date Report Signed:
Date Report Signed: 12/08/2017	License or Certification #: _____ State: _____
License or Certification #: NHCR-289	Designation:
Designation:	Expiration Date of License or Certification:
Expiration Date of License or Certification: 08/31/2018	Inspection of Subject: <input type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect (Desktop)
Inspection of Subject: <input checked="" type="checkbox"/> Did Inspect <input type="checkbox"/> Did Not Inspect (Desktop)	Date of Inspection:
Date of Inspection: 9/29/2017	



Appraiser Credentials

File No. 17179

Owner	Courtney C. Smith, Jr.		
Property Address	143 Peppercorn Rd		
City	Ashland	County	Grafton
State	NH	Zip Code	03217
Appraiser	Kristen Eldridge		

Kristen A. Eldridge NHCR 289

Professional Licenses, Affiliations and Positions

New Hampshire Real Estate Appraisers Board- 2005 to 2011
 Chairman - 2008 to 2009
 Vice Chairman - 2007 to 2008
 Chairman, Grievance Committee - 2005 to 2008
 Appraisal Institute- 2012 to 2014
 Board of Directors 2012 to 2014
 National Association of Independent Fee Appraisers – past member
 Treasurer of N.H. Chapter 2001-2006
 New Hampshire Certified Residential Appraiser's License #NHCR 289
 New Hampshire Real Estate Broker's License
 Lakes Region Board of REALTORS, Affiliate Member

Professional Experience

1996 to present - Kristen Eldridge Appraisals, owner/appraiser
 1997 to present - Compass Rose Buyer Brokers, co-owner
 1994 to 1997 - The Exclusive Buyer Agency, Managing Broker
 1993 to 1996 - McLean Associates, Associate Appraiser
 1991 to 1993 - Jacobs Appraisal Associates, Associate Appraiser
 1984 to 1990 - Preferred Properties, Inc., Sales Associate
 1983 to 1984 - Century 21 Keewaydin Properties, Sales Associate and Rental Agent
 1980 to 1982 - Stonewood Realty, Sales Associate and Office Manager

General Education

Bates College - Lewiston, Maine - Bachelor of Arts
 University of Bath, England
 Franklin Pierce College - Concord, New Hampshire - Teacher's Certificate Program

Appraisal Education

28 hours of continuing education every two years, as required by NH Real Estate Appraiser Board, including but not limited to the following:

Real Estate Finance Statistics and Valuation Modeling 2012
 Yellow Book Standards – 2008
 Principals of Tax Abatement - 2005
 Enhancing Your Practice with WinTotal - 2004
 Appraising Historic Properties 2003
 When is the Comparable a Comparable? 2003
 Appraising 1-4 Family Properties - 1993, 2002
 Gramm-Leach-Bliley Act 2001
 Factory Built Housing - 2000
 Relocation Report Writing - 2000
 Marshall & Swift Residential Cost Manual - 2000
 Recent HUD Revisions to FHA Appraisal Standards - 1999, 2008
 Supporting Sales Comparison Grid Adjustments for Residential Properties – 1999, 2011
 Yield Capitalization - 1997
 URAR Form Writing - 1997
 Investment Analysis for Real Estate Appraisers - 1997
 How to Value a Small Business - 1996
 Fundamentals of Real Estate Appraisal - 1992
 Uniform Standards of Professional Appraisal Practice - 1992
 Advanced Real Estate Appraisal - 1992

Appraisal Teaching Experience

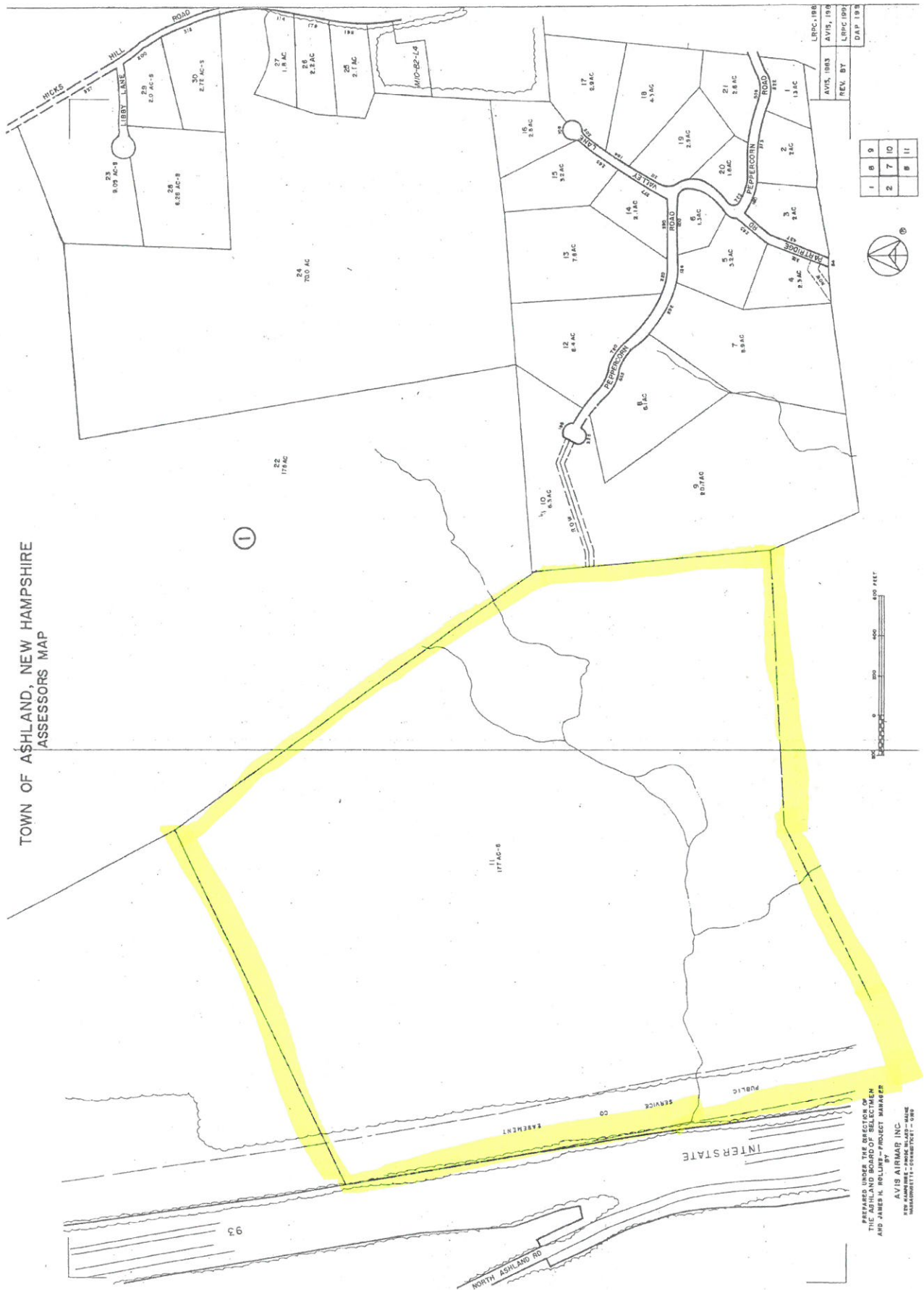
New Hampshire Job Training Council-Taught Technical Writing for Appraisers and Case Studies for the Residential Real Estate Apprentice Appraisal Training Program - 1993

New Hampshire Technical College - Laconia NH - Adjunct Professor - Real Estate Appraisal

Appraisal Experience

Since 1980, Mrs. Eldridge has estimated market values of single family residential, condominium, land, 2-4 family, and seasonal properties throughout New Hampshire. Mrs. Eldridge has prepared numerous Fannie Mae, Freddie Mac, Equity, Relocation, and Narrative style appraisals for area banks, out of state lenders, attorneys, financial planners, and private individuals. Mrs. Eldridge has been accepted by Belknap County District Court, Belknap County Probate Court, N.H. Superior Court, N.H. Bankruptcy Court, and N.H. Board of Tax and Land Appeals as an expert witness.

TOWN OF ASHLAND, NEW HAMPSHIRE
ASSESSORS MAP

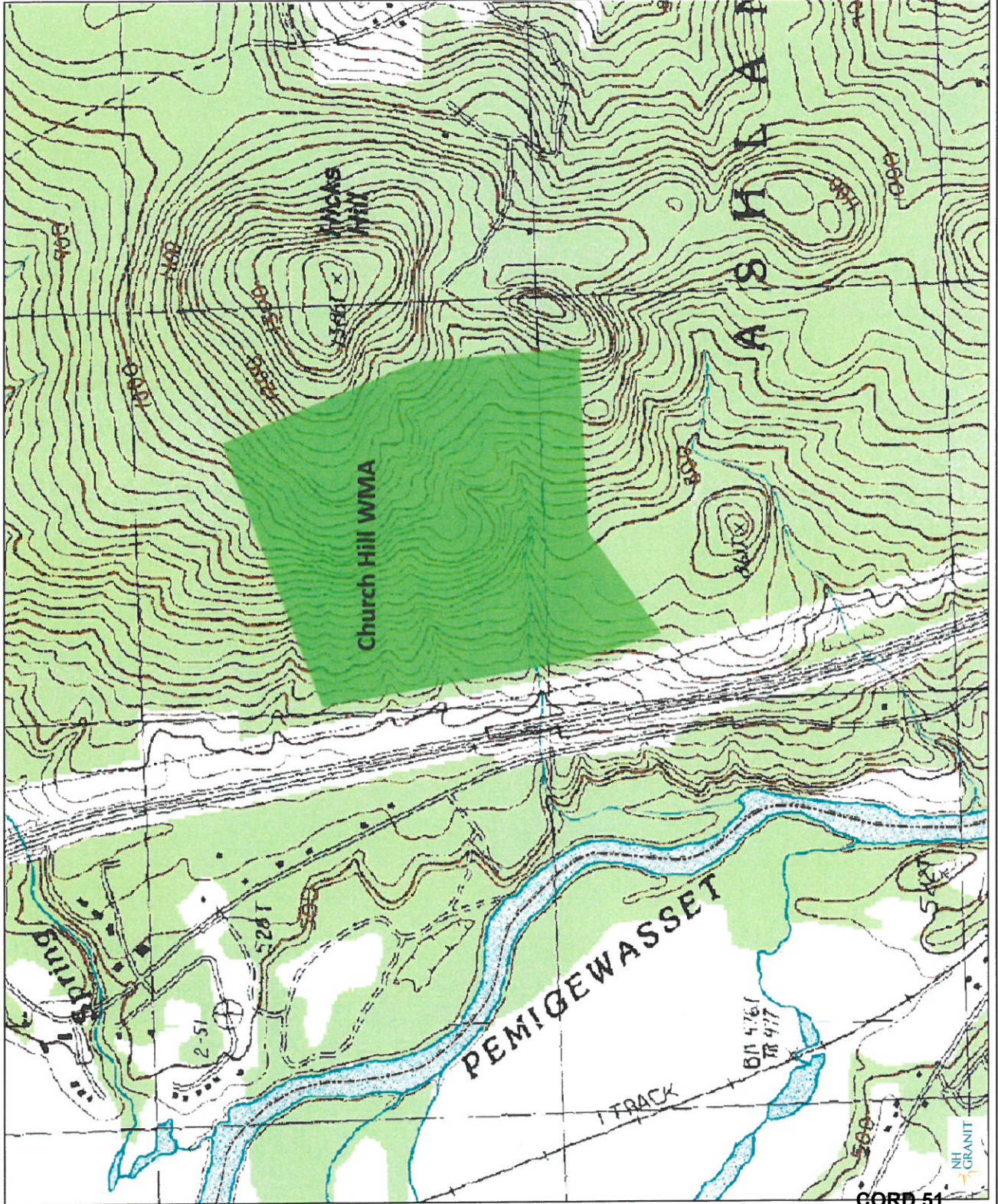


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APPROVED UNDER THE ORDER OF THE
TOWN BOARD OF SELECTMEN
AND JAMES H. ROLLINS - PROJECT MANAGER
AVIS AIRBORNE, INC.
NEW HAMPSHIRE - DORSCH BLADE - WIND
MASSACHUSETTS - COMBUSTION - CDR

Church Hill WMA, Ashland



Legend

- State
- County
- City/Town
- Conservation and Public Land

Map Scale

1: 13,074

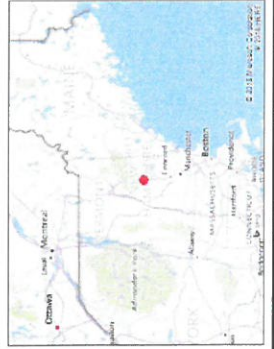
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Map Generated: 2/5/2018



Notes

A recent survey has discovered that the area belonging to the State may be less than is shown on this map.



Church Hill WMA, Ashland



Legend

- Polygons
- State
- County
- City/Town
- NH 2015 1-foot RGB

Map Scale

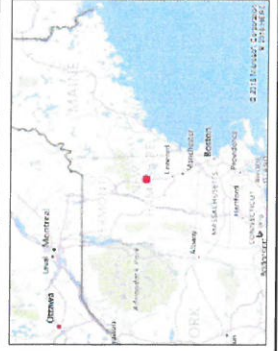
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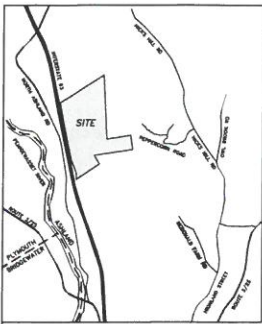
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Map Generated: 2/5/2018



Notes





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- 35856" PT
- 35904" PT
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- 38784" PT
- 38832" PT
- 38880" PT

16

TL 7-1-7

TL 7-1-22
JOHN J. MORIARTY
G.C.R.D. BK. 2929 PG. 725

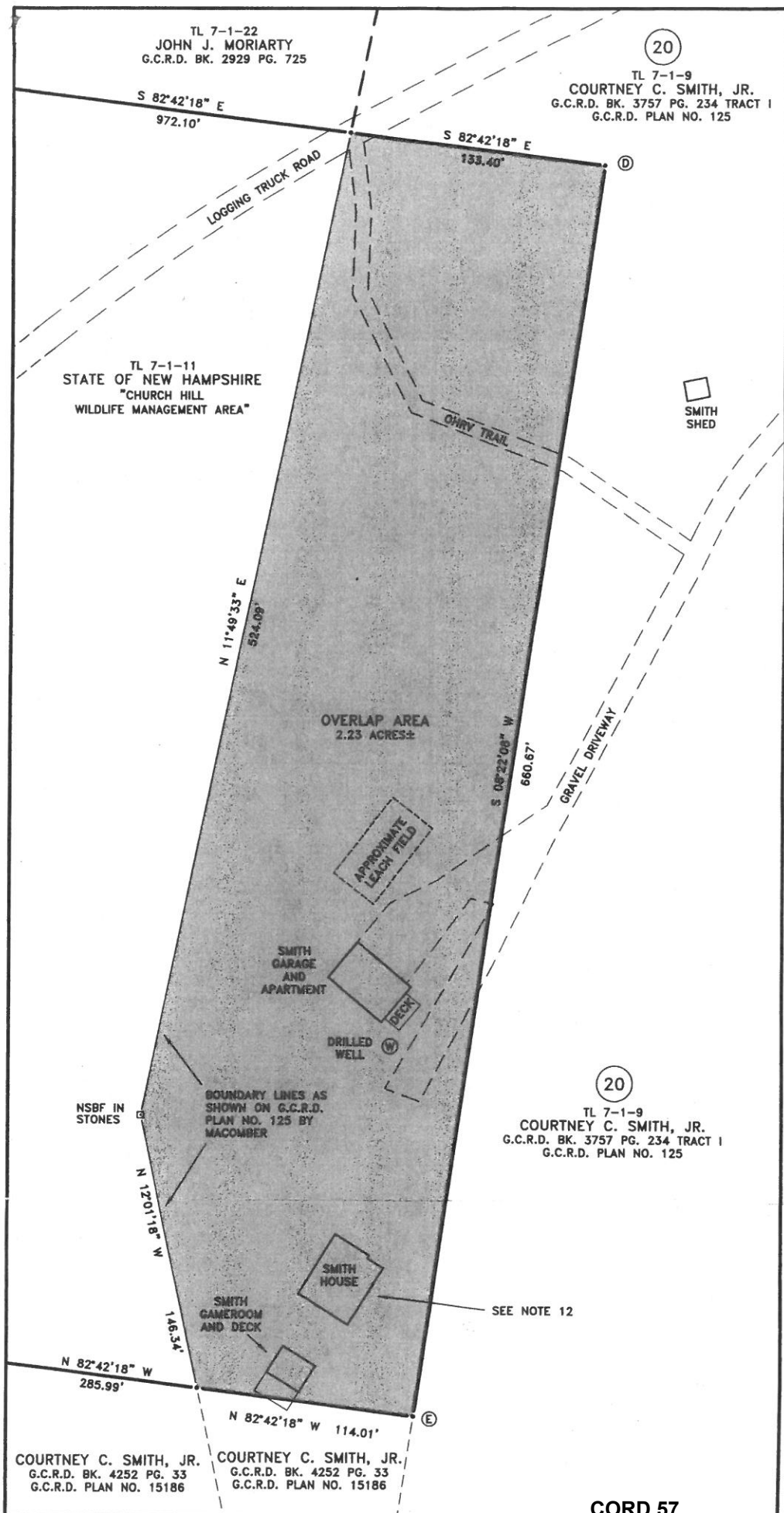
20

TL 7-1-9
COURTNEY C. SMITH, JR.
G.C.R.D. BK. 3757 PG. 234 TRACT I
G.C.R.D. PLAN NO. 125

BIEBER
191
9

5
INI REV. TRUST
VANNI - TRUSTEES
PG. 234
D. 1459

TL 7-1-11
STATE OF NEW HAMPSHIRE
"CHURCH HILL
WILDLIFE MANAGEMENT AREA"



20

TL 7-1-9
COURTNEY C. SMITH, JR.
G.C.R.D. BK. 3757 PG. 234 TRACT I
G.C.R.D. PLAN NO. 125

COURTNEY C. SMITH, JR.
G.C.R.D. BK. 4252 PG. 33
G.C.R.D. PLAN NO. 15186

COURTNEY C. SMITH, JR.
G.C.R.D. BK. 4252 PG. 33
G.C.R.D. PLAN NO. 15186

CORD 57

OVERLAP AREA DETAIL SCALE: 1"=50'

Interior Photos

Owner	Courtney C. Smith, Jr.						
Property Address	143 Peppercorn Rd						
City	Ashland	County	Grafton	State	NH	Zip Code	03217
Appraiser	Kristen Eldridge						



barn on site



shed on site



logging road



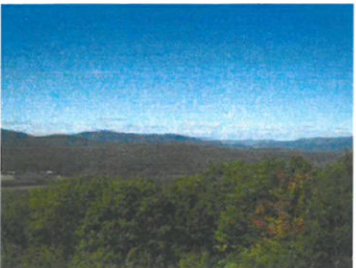
apartment/garage



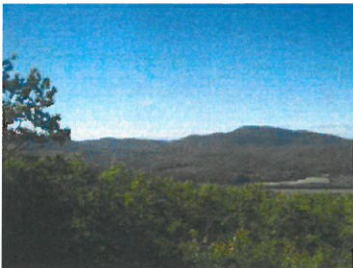
s.f. home



showing portion of cottage



mountain views



mountain views



mountain views

Subject Photo Page

Owner	Courtney C. Smith, Jr.		
Property Address	143 Peppercorn Rd		
City	Ashland	County	Grafton
		State	NH
		Zip Code	03217
Appraiser	Kristen Eldridge		



Subject near front of property

143 Peppercorn Rd
Sales Price N/A
Gross Living Area 725
Total Rooms 4
Total Bedrooms 2
Total Bathrooms 1
Location rural/avg
View lake & mtns
Site 18.42
Quality Average/Fair
Age 59



Subject near rear of property



Subject Street



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 13, 2018

Michael A. Klass
Principal Planner
Division of Planning
New Hampshire Office of Strategic Initiatives
3rd Floor, Johnson Hall
107 Pleasant Street
Concord, NH 03301

RE: CORD SURPLUS LAND REVIEW (SLR 18-001) – REQUEST TO TRANSFER 2.23 ACRES OF THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT'S CHURCH HILL WILDLIFE MANAGEMENT AREA TO CRAIG SMITH OFF PEPPERCORN DRIVE IN ASHLAND, NH

Dear Mr. Klass:

In response to your recent request, the New Hampshire Department of Environmental Services (NHDES) has completed its review of the subject proposal. Based on a review of pertinent files, Geographic Information System databases, and staff discussions, NHDES offers the following findings and recommendations.

NHDES has completed its review of the proposed land transfer and found no apparent environmental or public health issues related to this request. Therefore, NHDES has no further interests in the transaction.

Thank you for the opportunity to comment.

Sincerely,

Timothy W. Drew
Administrator
Public Information and Permitting Unit
Office of the Commissioner

Enc.

cc: Robert R. Scott, Commissioner, NHDES
Tracie Sales, Rivers & Lakes Management, NHDES
Mark Stevens, Land Agent, NHDES

Klass, Michael

From: Sales, Tracie
Sent: Thursday, April 5, 2018 8:40 AM
To: Klass, Michael
Cc: 'Michele L Tremblay'; David W. Packard (david.packard@graniteshorepower.com); Michael Hodder (pbmike@mailbox.org); Larry Spencer; Drew, Tim
Subject: RE: CORD – 2018 SLR 001 (Ashland) Application

Dear Mike,

On behalf of the Rivers Management Advisory Committee (RMAC), the Lakes Management Advisory Committee (LMAC), and the local river management advisory committees (LACs) thank you for the opportunity to comment on SLR 18-001 Ashland regarding the sale of 2.23 acres of the Church Hill Wildlife Management Area in Ashland to an abutter. Based on the information provided, this SLR is not subject to RMAC, LMAC, or LAC review as the property proposed for sale is more than 250 feet from any river or lake, and does not lie within the corridor of a designated river.

Please contact me if you have any questions about this response on behalf of the Rivers and Lakes Management and Protection Programs.

Sincerely,
Tracie

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

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'snorcross@co.grafton.nh.us'; 'jhayes@lakesrpc.org'; 'townadmin@ashland.nh.gov'; Chicoine, Jared
Subject: CORD – 2018 SLR 001 (Ashland) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As noted in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301
Main - 603-271-2155 | Direct - 603-271-6651
Fax - 603-271-2615 | www.nh.gov/osi/planning/

Klass, Michael

From: Winters, Shelley
Sent: Friday, March 30, 2018 9:01 AM
To: Klass, Michael
Subject: RE: CORD – 2018 SLR 001 (Ashland) Application

Michael,

The NH Department of Transportation's Bureau of Rail & Transit appreciates the opportunity to review. The Bureau of Rail & Transit does not need this property now or in the foreseeable future for railroad, bicycle & pedestrian, or transit purposes.

Shelley Winters

Administrator, Bureau of Rail & Transit
New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-0483
Tel: (603) 271-3497

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'snorcross@co.grafton.nh.us'; 'jhayes@lakesrpc.org'; 'townadmin@ashland.nh.gov'; Chicoine, Jared
Subject: CORD – 2018 SLR 001 (Ashland) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As noted in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301
Main - 603-271-2155 | Direct - 603-271-6651
Fax - 603-271-2615 | www.nh.gov/osi/planning/



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

RECEIVED

February 6, 2018

9357 MI

APR 09 2018

OFFICE OF STRATEGIC INITIATIVES

Jared Chicoine, Director
NH Office of Strategic Initiatives
Governor Hugh J. Gallen State Office Park
Johnson Hall, 3rd Floor
107 Pleasant Street
Concord, NH 03301

NH Division of Historical Resources	
Concurs - NO ADVERSE IMPACTS TO HISTORIC RESOURCES	
<i>[Signature]</i>	
Name	_____
Date	<i>2/5/18</i>

Dear Jared:

The New Hampshire Fish and Game Department requests the Council on Resources and Development review the attached surplus property application to determine if the subject parcel is surplus to the needs of the State. The Department proposes to convey to Mr. Courtney C. Smith 2.23 acres of the Church Hill Wildlife Management Area off of Peppercorn Drive in Ashland at fair market value as determined by a certified residential appraiser.

The Church Hill WMA in Ashland was created when NHDOT transferred lands surplus to their needs to the Department in 1972. NHDOT had purchased 510+/- acres for the construction of Interstate 93 in 1962. Ever since the original transfer there has been uncertainty about exactly how much land was transferred and where the boundaries were located.

In 1980 William and Patricia Koning purchased a 20.65 acre parcel part of the Owl's Nest Development in Ashland. The Koning went on to construct a house and several other structures on the property. In 1999 the Konings conveyed the land and buildings to Courtney C. Smith, the current landowner.

Since 2015 the Department has been working with Sabourn and Tower Surveying and Septic Design of Woodstock, NH to research and survey the extent and location of the WMA. In January, 2017 Sabourn and Tower provided a preliminary plan showing what they believe are the boundaries of the WMA. One of the findings of their work was that 2.23 acres of the land that was believed to be part of the parcel purchased and developed by Koning actually belongs to the State.

After consultations with the Office of the Attorney General, Mr. Smith and his attorney, we are proposing to sell the 2.23 acres to Mr. Smith at fair market value as determined by an appraisal by a NH certified residential appraiser.

Attached please find a completed Request for Surplus Land Review Action application and several maps and documents for consideration by the Council Including:

REGION 1
629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2
PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3
225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4
15 Ash Brook Court
Keene, NH 03431
(603) 352-9669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

CORD 64

REQUEST FOR REVIEW

Date: February 5 2018

Applicant: NH Fish and Game Department

Project: Church Hill WMA Boundary Line Agreement

Ashland
9357

RESPONSE REQUESTED BY: March 5, 2018

This request is forwarded to the NH Division of Historical Resources for review and comment. The National Historic Preservation Act of 1966 requires federal agencies to consider the effects of federal actions, including those that they fund, to ensure that the proposed actions are in agreement with national policies relating to the preservation of historical and cultural properties and resources.

FOR MORE INFORMATION CONTACT: Randy L. Curtis, Federal Aid Administrator
Telephone: (603) 271-0801

COMMENTS: Check one. Please include any additional comments on a separate sheet.

- CONCUR (Project, as described, has no adverse impacts to historic or cultural resources)
- CONCUR WITH CONDITIONS (Indicate major reservations about the project and the specific substantive changes or modifications desired.)
- DO NOT CONCUR (Summarize the major reasons for recommending disapproval, including documentation or references to plans, statutes, etc.)
- TECHNICAL COMMENTS (No formal position, technical comments may be attached.)
- NO COMMENT

** NON-RECEIPT OF THIS REVIEW IMPLIES CONSENT

PLEASE RETURN THIS SHEET ONLY

Reviewer's Signature: Naeline Miller Date: 2/12/18

Reviewer's Name: Naeline Miller Title: Pres. Project Reviewer
Please Type or Print

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 List</i>	Coos County Board of Commissioners c/o Jennifer Fish P.O. Box 10 West Stewartstown, NH 03597 <i>Via Email (jennifer.fish@cooscountynh.us)</i>
		Michelle Moren-Grey, Co-Executive Director & Chief Executive Officer North Country Council 161 Main Street Littleton, NH 03561 <i>Via Email (mmoren@nccouncil.org)</i>

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

DATE: March 29, 2018

SUBJECT: *State Owned Land, Surplus Land Review, Wentworth's Location, NH 2018 SLR 002 (Couture)*

RESPONSE DEADLINE: **April 30, 2018**

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for **May 10, 2018**. 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.



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

March 14, 2018

Jared Chicoine, Director
NH Office of Strategic Initiatives
Governor Hugh J. Gallen State Office Park
Johnson Hall, 3rd Floor
107 Pleasant Street
Concord, NH 03301

Dear Jared:

The New Hampshire Fish and Game Department requests the Council on Resources and Development review the two attached surplus property applications to determine if the licensing of two small camp lots within the Greenough Ponds Wildlife Management Area is in the interest of the State.

In 2013 the Department acquired the 934 acre WMA in Wentworth's Location and Errol. This property surrounds both Greenough Pond and Little Greenough Pond. The leases were in place for many years prior to the State taking ownership of the land.

On the northern shore of Greenough Pond is a one acres lease lot containing several buildings belonging to Donald Couture of Berlin, NH. On the eastern shore of the pond is a three acre lease lot with several buildings belonging to North Country Outdoor Club.

Attached please find a completed Request for Surplus Land Review Action application and several maps and documents for consideration by the Council including:

- A Request for Surplus Land Review Action for each lease lot;
- A description of the properties;
- An aerial photograph of the Greenough Ponds WMA;
- A survey plan of the WMA showing the lease lots;
- An aerial photograph of each of the proposed lease lots;
- A Wentworth's Location tax map of the area;
- A copy of the existing lease on each of the lots; and
- Photographs of the subject property.

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-8669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

CORD 67

If you require any additional information or have questions about the application, please contact Richard Cook, Land Agent at 271-1133.

Thank you,

Sincerely,



Glenn Normandeau, Executive Director

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: NH Fish and Game Department

Agency Contact Person: Richard Cook
Address: 11 Hazen Drive, Concord, NH 03301
Phone Number: 271-1133
E-Mail: Richard.cook@wildlife.nh.gov

Applicant Contact Person: Donald Couture
Address: 635 Fourth Street, Berlin, NH 03570
Phone Number: 603 752-4476
E-Mail: _____

Location of Property: Wentworth's Location

Acreage: 1+/- acres

Requested Action: Recommend approval for NHFG to lease Greenough Pond camp lot

Term of Lease or Easement: 10 years

.....

Please complete ALL questions below, submit one digital copy, one hardcopy original, and three photocopies of the complete application to the Office of Energy and Planning, Johnson Hall, 3rd Floor, 107 Pleasant Street, Concord, NH 03301, susan.slack@nh.gov.

1. What is the current use of this property?

Lease held by Donald Couture

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

Lease held by Mr. Couture

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 property or surroundings use.

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

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

See attached description

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

Yes No

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

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)

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 State owns the 934 acre Greenough Ponds Wildlife Management Area surrounding the lease area. Greenough Pond is a great pond thus also owned by the State. The leased area is about 0.1 percent of the State's land ownership in the immediate area.

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)

From Old Greenough Pond Road or from Greenough Pond

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?

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

230 acre Greenough Pond

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

Description: This land was acquired by the State in 2013 and has been leased to the applicant since that time. The camp lot is surrounded by State owned property. The water access is from the lake frontage of the camp lot. Public access to the pond is from a carry-down access located on the eastern shore of the pond.

c. How would the proposal affect the access opportunities described in b?

No affect

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 checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Wetlands (Prime and NWI)	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Threatened or endangered species.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Wildlife Action Plan Critical Habitats.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

CORD 70

i. Other special designations

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

Steep Slopes - The property drops quite steeply from Old Greenough Pond Road to the Pond. Much of the surrounding land is steep.

Wetlands - The Greenough Ponds Wildlife Management Area contains significant wetlands associated with inlets and the outlet to the Pond.

Threatened and Endangered Species - Common loons are known to nest on Greenough Ponds.

Wildlife Action Plan Critical Habitats - The Wildlife Management Area contains deer wintering areas and low-elevation spruce-fir forests.

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.

The Greenough Pond Wildlife Management Area consists of approximately 934 acres of land area, including forestland, wetlands, ponds and streams. The majority of the Property is undeveloped forestland. Elevations range from approximately 1,400 feet at the Greenough Pond outlet stream (Greenough Brook) in the southwestern corner of the property, to just over 2,000 feet on a hilltop on the northwestern edge of the property. In addition to the 934 acres of land area, the property includes two ponds, Greenough Pond at 230 acres, and Little Greenough Pond at 40 acres.

Two lease lots on Greenough Pond have been leased to private citizens for the maintenance and use of recreational camps. NHFG owns the underlying land beneath these camps, but the structures on each lease lot are privately owned. According to a North Country Outdoor Club member the North Country Outdoor Club (NCOC) camp was assembled from several Brown Company logging camps around 1970. It was operated as a club for Brown Company executives until the number of executives in the region eventually dwindled with the consolidation of timber company ownerships. Eventually, membership was opened to non-executives. The club is currently operated with a set number of members, and new members need to be invited to join. This large camp structure and associated outbuildings is located near the southeast corner of Greenough Pond. The second camp on Greenough Pond is located on a prominent rocky point on the northern end of the pond. This camp structure, currently owned by Donald Couture of Berlin, is reportedly over 100 years old. It has a large, handsome porch and offers a commanding view of the pond. Like NCOC, Couture's lease lot also includes several accessory structures, including a couple of log structures in disrepair and a second smaller, but well-maintained shoreline cabin.

Both camp lessees have installed propane tanks at the camp structures and store boats, lawn mowers, and other items associated with residential use on the lease lots. The NCOC lease lot includes the remains of an old dock, which now exists only as a pile of timbers down by the boat launch area.

NHFG proposes to enter into a Recreational Cabin and Site License Agreement such as is used for similar situations on the Connecticut Lakes Wildlife Management Area. Any ground-disturbing activities must be approved by the Licensor (NHFG) prior to any activity as described in Section 7 of the Agreement.

The Agreement will be for ten years with options to renew.

A complete list of privately owned buildings on the Greenough Pond leases can found in the following table:

Table 1: Recreational Improvements

Structure	Dimensions
<i>Camp #1 COUTURE</i>	
Lease Camp	46 x 27 feet
Ancillary structure (smaller camp)	Building: 21 x 18 feet, Porch: 10 x 12 feet
Ancillary structure (log building)	19 x 24 feet
Ancillary structure (outhouse)	4 x 5 feet
Dock	Float: 12 x 12 feet Ramp: 3 x 12 feet, Plus 4 x 16 feet
<i>Camp #2 NORTH COUNTRY OUTDOOR CLUB</i>	
Lease Camp #2 North Country Outdoor Club	Building: 38 x 38 feet Porch: 7 x 16 feet
Ancillary structure (wood shed)	14 x 18 feet
Ancillary structure (generator shed)	9 x 9 feet
Ancillary structure (outhouse)	Building: 4 x 4 feet, on concrete footer
Ancillary structure (boat house)	8 x 12 feet
Wooden Boat Ramp on Greenough Pond	6 x 8.5 feet
Additional Wooden Boat Ramp on Greenough Pond	8.5 x 14.5 feet
Collapsed log structure	13 x 13 feet
Woodshed and Propane Storage	8 x 12 feet

Greenough Pond WMA



Legend

- State
- County
- City/Town
- NH 2015 1-foot RGB

Map Scale

1: 25,977

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Map Generated: 3/14/2018



Notes



Couture Lease Lot, Greenough Pond WMA



Legend

- State
 - County
 - City/Town
- NH 2015 1-foot RGB

Map Scale

1: 6,494

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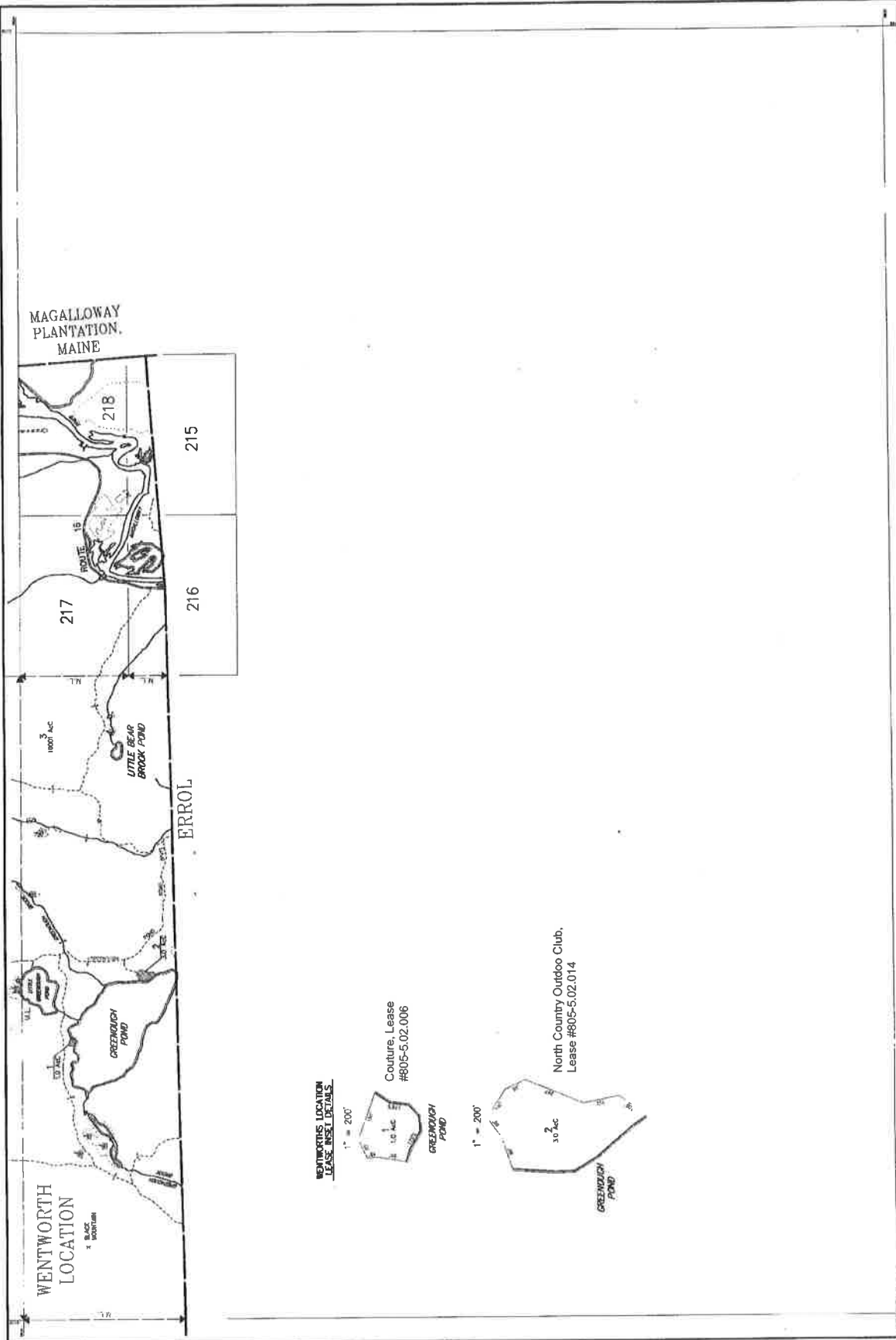
Map Generated: 3/14/2018



Notes



CORD 77



WENTWORTH
LOCATION
BLACK
LOCATION

MAGALLOWAY
PLANTATION,
MAINE

ERROL

215

216

217

218

1000' AC
LITTLE BEAR
BROOK POND

GREENOUGH
POND

WENTWORTH LOCATION
LEASE INS. DETAILS

1" = 200'



Couture, Lease
#805-5.02.006

GREENOUGH
POND

1" = 200'



North Country Outdoor Club,
Lease #805-5.02.014

GREENOUGH
POND

PROPERTY MAPS
COOS COUNTY
UNINCORPORATED PLACES
NEW HAMPSHIRE

INDEX DIAGRAM MAP NO. **1624**

SCALE 1" = 1600'

REVISED TO: APRIL 1, 2008

LEGEND

PRODUCED IN 1992 BY
CARTOGRAPHIC ASSOC. INC.
PROFESSIONAL CONSULTANTS
11 ALBERTA STREET, LITTLETON, NEW HAMPSHIRE 03021
(603)444-5799 - (603)237-8240 - FAX (603)444-1268

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AND DOES NOT CONSTITUTE A WARRANTY
OR GUARANTEE. THE USER ASSUMES
ALL LIABILITY FOR ANY DAMAGE, LOSS,
OR INJURY RESULTING FROM THE USE
HEREOF.

COMPILED FROM: MAY 11, 1992

License No. GPWMA-1

Mr. Donald Couture
635 Fourth Avenue.
Berlin, NH, 03570

**GRENOUGH PONDS WILDLIFE MANAGEMENT AREA
RECREATIONAL CABIN AND SITE LICENSE AGREEMENT**

The State of New Hampshire, acting through The Fish and Game Department, with its principal office at 11 Hazen Drive, Concord, NH 03301 ("Licensor"), and Donald Couture, with an address 635 Fourth Avenue, Berlin, NH 03570 ("Licensee") enter and execute this Recreational Cabin and Site License Agreement (the "Agreement") effective as of March 26, 2014.

IN CONSIDERATION of the payments to be made and the mutual covenants set forth herein, the parties agree as follows:

1. DEFINITIONS: As used herein the following terms shall have the following meanings:
 - a. "Licensee" shall include Donald Couture claiming entitlement to use the Licensed Site pursuant to this Agreement.
 - b. The "Licensor" shall include The Fish and Game Department, its employees, agents and contractors.
 - c. The "Licensed Site" shall mean the area of land described in Paragraph 3 of this Agreement.
 - d. The "Licensed Premises" shall mean the buildings, improvements and fixtures located on the "Licensed Site."

2. GREENOUGH PONDS WILDLIFE MANAGEMENT AREA PURPOSE: Licensee hereby acknowledges that the Licensed Site is located within the Greenough Ponds Wildlife Management Area that was established for the following conservation purposes:
 - A. To assure that the property will be retained in a predominantly natural, forested, and open space condition;
 - B. To protect and conserve the native biological diversity and natural habitats of the property, including but not limited to the conservation values or interests of the property, and any rare plants and animals, exemplary natural communities, and significant wildlife and fish habitats, and the ecological processes that sustain these natural heritage features;
 - C. To preserve, conserve and compatibly manage the property for the protection of water quality and aquatic habitat of the Greenough Ponds.

License No. GPWMA-1

D. To sustain the property's remote, undeveloped open spaces for the enjoyment, education, and benefit of the general public;

E. To provide for public pedestrian outdoor recreational uses of the property, such as hiking, bird watching, cross-country skiing, hunting, trapping, and fishing; and to provide for public use through snowmobiling on designated trails.

F. To manage the Wildlife Management Area to protect and conserve the array of wildlife and fish species and habitats native to the region and appropriate to the landscape, particularly those species identified by state or federal agencies as species of conservation concern.

3. DESCRIPTION OF THE LICENSED SITE

Town: Wentworth's Location

County: Coos

State: New Hampshire

Description: The licensed site shall include 1.0 acres on the north side of the Greenough Pond known at Wentworth's Location Tax Map 1624, Lot 1.

4. **TERM:** The term of this Agreement commences upon Approval of the New Hampshire Governor and Executive Council and ending June 30, 2018. At the expiration of said term, this Agreement shall terminate without notice to Licensee. The parties acknowledge that future agreements will be for four (4) year terms.

5. **FEES:** During the term of this Agreement, Licensee shall make annual license payments to the Licensor in accordance with the following schedule:

<u>License Fee</u>	<u>Due Date</u>	<u>Period Covered</u>
\$3,981.57		7/1/2013—6/30/2014 (prorated to and due on date of G&C approval)
\$4,070.15	7/1/2014	7/1/2014 – 6/30/2015
\$4,160.72	7/1/2015	7/1/2015 – 6/30/2016
\$4,253.30	7/1/2016	7/1/2016 – 6/30/2017
\$4,347.93	7/1/2017	7/1/2017 – 6/30/2018

License fee increases based upon a four year average of the change in the Consumer Price Index.

Pursuant to RSA 72:23 the Licensee shall pay and discharge when due and payable, any and all taxes, charges, assessments, and other impositions levied upon the buildings, improvements, and fixtures on the Licensed Site. Failure of Licensee to pay such taxes and/or the imposition of a lien on the Licensed Site, or such buildings, structures, or improvements by any governmental authority or creditor as a result of such failure shall constitute a default of this Agreement and shall be cause to terminate this License.

Payment of License fees shall be paid within 30 days from the due date. For all amounts paid between thirty and fifty-nine days of the due date, Licensee shall pay an additional \$25.00 processing fee in addition to the amounts prescribed above. For all amounts paid between sixty and eighty-nine days of the due date, Licensee shall pay an additional \$50.00 processing fee in addition to the amounts

License No. GPWMA-1

prescribed above. Upon non-payment for ninety days and any day thereafter, the Licensor may, at its sole discretion, terminate this Agreement in its entirety.

6. **USE AND OCCUPATION OF LAND:** The Licensor hereby permits Licensee to enter upon and occupy seasonal buildings and other improvements on the Licensed Site for the purpose of hunting, fishing, trapping and engaging in other outdoor recreation on the Licensed Site, but for no other purpose. Licensee shall not engage in any commercial activities on the Licensed Site, including receipt of compensation for guests staying there, and shall not engage in any use of the Licensed Site not specified herein without the prior written consent of the Licensor.

Neither the Licensed Site nor the camp thereon shall be used as a primary home or year-round residence.

Licensee will at all times during the term of this License observe and conform to all laws, ordinances, rules, and regulations now or hereafter made by any governmental authority, for the time being applicable to said Licensed Site and/or any buildings and improvements thereon, or use thereof.

7. **ACCESS:** The Licensor hereby licenses Licensee to enter upon other land owned by the Licensor for the purpose of gaining access to the Licensed Site. Licensee shall have the right to use any open road on other land of the Licensor while traveling to and from said Licensed Site, subject to those restrictions described in Paragraph 8.

Any license fee received by the Licensor is for the use of the Licensed Site only and is not to be construed as providing Licensee with any greater rights of access over the Licensor's property or other property of the State of New Hampshire than is provided to the general public. Except, Licensee is entitled to thirty (30) days written notice prior to any annual anniversary date of this lease in order to terminate such access rights over the Licensor's property.

Licensee agrees that it travels over the roads and land of the Licensor at Licensee's own risk. Licensee shall indemnify, hold harmless, defend and reimburse the Licensor and the State from and against any and all claims, actions, suits, damages, liabilities, costs or expenses, including reasonable attorneys' fees, or any kind of nature whatsoever on account of injuries to or death of any person or damage to property arising out of the travel of Licensee over the land of the State of New Hampshire.

8. **CONDITIONS:** Licensee shall comply with each and every condition set forth below. Where the conditions here differ from the requirements of a governmental jurisdiction, the more restrictive shall apply. Licensee shall not construct or establish on the Licensed Site any building or other improvements without the prior written consent of the Licensor. Licensee has sole responsibility to obtain all necessary permits at its own cost and expense from any governmental authority to place, construct, or maintain any buildings or other improvements on the Licensed Site.

The Licensor shall, at any time and in its sole discretion, have the right to make reasonable changes in or additions to these conditions, and any such changes or additions shall, upon written notice to Licensee, become a part of this Agreement.

A. Existing Structure Improvements: Any renovation or reconstruction, including the existing seasonal dock shall conform to all applicable laws and regulations, and be subject to the approval process described in Paragraph 8C. Permission to use the existing seasonal dock is granted to Mr. Couture personally. Said permission shall expire upon the death of Mr. Couture, or the transfer of this Agreement to anyone other than Mr. Couture.

B. Improvement Approval: Licensee shall obtain written consent of the Licensor prior to any renovation, reconstruction, or other improvements of any kind on the Licensed Site. The Licensor shall not give such consent until Licensee has supplied detailed improvement plans including the following:

- a statement of the intended use
- dimensioned sketches showing plan and vertical views of the proposed improvements
- a dimensioned sketch showing proposed improvement location and setback distances with respect to lot lines, shoreline, wetlands, gray water and waste disposal features, water source, driveway and parking area, and existing improvements.

The Licensor will approve the proposed improvement provided that it meets the above standards and otherwise meets, in the Licensor's sole judgment, these development criteria: (1) compatible with the natural surroundings; (2) unobtrusive on the landscape; (3) modest in size (i.e. the aggregate footprint of the impervious surfaces, inclusive of decks and other structures, shall not exceed 1,000 square feet in area and 25 feet in height, unless the impervious surfaces of existing improvements currently exceed such dimensions, in which case there shall be no further expansion of such improvements); (4) has low impact on the environment; and (5) not otherwise degrading natural resource values. The Licensor may impose reasonable conditions on its approval of the proposed project in order to meet these criteria.

Once approval has been granted, the required permits must be obtained and a copy forwarded to the Licensor for their record keeping prior to construction.

Failure to undertake the proposed activities in accordance with the approvals under this paragraph and all applicable laws and regulations shall constitute a default under this License Agreement.

C. Use of Mobile Accommodations: Mobile homes and large motor homes/RV shall not be used on the Licensed Site. Other mobile accommodations (small RV, travel trailer, truck camper, tent trailer, tents) shall not be used as camp or accessory structures, and any other use of same (interim use during camp construction, or short term use by Licensee's guests) must meet regulatory requirements.

D. Sanitary Waste and Gray Water Disposal: The construction, expansion, use, and maintenance of any sanitary waste facilities or gray water system on the Licensed Site must comply with State Plumbing Codes and regulations. Any construction, reconstruction or placement of these must meet the approval and other requirements of paragraph 8C. No drains, sewers, or wastewater outlets shall empty on the surface of the ground or empty into any lake, pond, bog or stream.

E. Road Construction / Maintenance: Licensee shall not improve any road, driveway or associated parking area without the prior written consent of the Licensor. Construction shall be at Licensee's expense.

Licensee must provide an on-lot or off-lot parking area in a manner to avoid obstruction of any road open to travel. Said lot must be approved by the Licensor prior to construction.

Road maintenance (including snow plowing) on the Licensor's land will be performed only as necessary for the Licensor's management activities and the State's operations. Maintenance of any road is not implied and should not under any circumstances be expected. However, when the Licensor ceases to maintain a road it owns necessary for Licensee's access to the Licensed Site, Licensee may maintain said road with permission of and in accordance with the specifications of the Licensor.

F. Road Use: The Licensor retains the right to close, lock, or otherwise restrict access along, through, or over roads, gates, or rights of way under their control at any time during periods of saturated road conditions or high fire danger, or when management operations make traveling hazardous in the opinion of the Licensor, or for other purposes deemed necessary by the Licensor.

G. Gates: No gate, cable or chain to restrict access shall be installed without prior written consent of the Licensor. Any consented gate, cable or chain will be erected at Licensee's expense and design and locks and keys must conform to the Licensor's standards. The Licensee must provide keys to the Licensor for all gates, cables and chains erected on the Licensed Site.

Except for the above provision, Licensee shall not restrict passage over existing roads or rights of way by any means, including locking, closing, or erecting barriers.

H. Utilities: The expansion of public or private utilities systems into areas not currently serviced will not be allowed.

I. Housekeeping: Licensee shall maintain all buildings and other improvements located on the Licensed Site during the term of this License Agreement in sound, safe and proper order. Failure to maintain the Licensed Site to acceptable standards of neatness and cleanliness, in the sole judgment of the Licensor, shall constitute a default under this Agreement.

Licensee shall dispose of all garbage, trash, and other solid waste by removing all such material from the property and depositing of same at an approved facility maintained for such purpose at sole cost to Licensee. Notwithstanding any prior practice, positively no disposal shall take place on or in any land or waters of the Licensor or neighboring owners.

Any building materials shall be stored in an orderly fashion. Only those materials needed for work in progress shall be stored on the Licensed Site. When work is completed, materials and construction debris shall be removed in a timely manner.

No unregistered vehicles shall be stored on the Licensed Site or any other land of the Licensor. Any unauthorized vehicle shall be removed at the expense of Licensee.

J. Hazardous Materials: No combustible or hazardous materials or substances shall be kept on the Licensed Site, except that Licensee may keep reasonable quantities of those materials commonly used for ordinary household purposes or recreational activities, provided they are stored, used, and ultimately disposed of in a lawful manner.

K. Landscaping: Licensee shall not cut, use or remove any timber, trees, wood or other forest products on the Licensed Site for any purpose including firewood, except for clearing activity done in accordance with an approved building permit, without prior written permission. Licensee shall take all reasonable precautions to prevent unauthorized persons from doing any cutting or destruction of live trees or other plant growth on the Licensed Site. Debris from authorized cutting shall not be piled off lot, within 100 feet of any water body, or within fifty feet of the centerline of any roads. Removal of dead or hazardous problem trees from the Licensed Site shall be coordinated with the Licensor's representative and accomplished at Licensee's expense.

Licensee shall not introduce any non-native plant or animal species, except for domestic pets that will be properly restrained, or any invasive plant or animal species on the License Site or other land of the Licensor. "Non-native" means species that do not naturally occur in the Androscoggin River Watershed. This prohibition applies to all plant species including grass seed, ornamental plants, shrubs, trees, and vegetables.

Any earth or soil removal or relocation by any means is prohibited without permission of the Licensor.

State laws strictly regulate any shoreline alteration or improvements such as, but not limited to, docks, piers, beaches, dredging or filling that could affect water quality or wildlife habitat. Licensee shall not make such alterations or improvements without obtaining the Licensor's permission in writing prior to undertaking such work and complying with said laws.

No fences are allowed without approval of the Licensor.

L. State Recreational Use Laws: Licensee shall fully comply with all State statutes, rules, and regulations dealing with fishing, wildlife, and recreational use of public and private property. The Licensee shall cooperate with the State of New Hampshire Fish and Game Department in the enforcement of public safety and the protection of resources.

M. Fire Prevention: All chimneys shall be equipped with adequate spark arrestors. The opening of any chimney shall be at least 3 feet horizontally and 10 feet vertically from any overhanging tree.

Outdoor fires are prohibited unless written landowner permission and a fire warden permit are obtained. No incinerators shall be permitted on Licensed Site.

N. Fire and Vandalism: Licensee shall use every precaution to prevent damage to the timber, trees, wood and other forest resources on the Licensed Site, and improvements thereon from fire, vandalism, or malicious mischief. Licensee shall take all reasonable action to suppress any fire,

License No. GPWMA-1

which occurs on the Licensed Site and shall immediately report fire or other damage to the Licensor and appropriate authorities.

Licensee shall be liable to the Licensor for any damages incurred by the Licensor as a result of any fire caused by Licensee.

O. Firewood: Licensee shall have the right to utilize dead and down timber only on the Licensed Site and solely for use as fuel wood on the Licensed Site.

P. Restricted Use of Licensed Site and other lands of the Licensor: Licensee shall not use snowmobiles on any plowed roads located on other land of the Licensor. Licensee shall not use all-terrain vehicles (ATV's) on roads or on the Licensed Site.

Licensee shall not interfere with logging or other forestry operations on the Licensed Site or Adjoining Land by, for example, blocking roads with vehicles or causing damage to roads by driving over them during adverse climactic conditions. Licensee shall not interfere or meddle with the property of others, including, but not limited to, any cut wood fiber, logging equipment, dams, boats, tools, signs, notices, utility lines, communication towers, or other property whether on the Licensed Site or other lands of the licensor, and Licensee shall prevent such interference by any invitees, guests, employees or agents of Licensee.

Licensee shall be liable for all damage caused by Licensee to the Licensed Site, or other lands of the Licensor, its property and its operations. Any damage caused by Licensee shall be an event of default under this Agreement. Licensee shall reimburse the Licensor for the costs and losses associated with any such damage or interference.

Monumentation indicating boundaries of the Licensed Site shall not be disturbed in any way.

Q. Nuisance Behavior: Licensee shall not engage in any noxious, dangerous, or offensive activity or any activity that may be or result in a nuisance to other persons lawfully present on land of the Licensor, or any activity that may result in a diminution in the value of the Licensor's land.

R. Right to Pass: The rights granted to Licensee pursuant to this License Agreement shall not in any way affect the right of the Licensor to enter upon, use and enjoy the Licensed Site at any and all times for any purpose, including forestry, land management, timber harvesting, road construction, maintenance and the like. To the extent that any portion of the Licensed Site is claimed to be situated within fifty feet of the centerline of any road, the parties acknowledge the right of the State of New Hampshire and its agents to enter upon and use such portion of the Licensed Site for road repair, reconstruction and maintenance. The Licensor shall have the right to enter upon the Licensed Site, the buildings, and/or other improvements located thereon for any purpose, including inspection of the Licensed Site, buildings and/or other improvements or in the event of an emergency. Licensee acknowledges that the Licensor's activities may affect the Licensee's enjoyment of the Licensed Site, and Licensee expressly consents to such activities and in particular any visual, noise and/or aesthetic impacts.

S. The Licensor shall inspect the Licensed Site periodically to monitor Licensee's compliance with the provisions of this Paragraph.

9. ENCUMBRANCES: Licensee shall not at any time mortgage or otherwise encumber the Licensed Site. However, nothing contained herein shall prevent Licensee from giving a mortgage on buildings and improvements erected by Licensee; provided however, that under no circumstances will the existence of such mortgage or encumbrance diminish or alter any of the rights of the Licensor hereunder, particularly with reference to termination of this lease and regaining possession of the leased property upon termination. Any mortgagee or creditor of Licensee shall be limited to the same rights of Licensee, which shall not be in any way enlarged or altered by the existence of the mortgage or encumbrance.

10. RIGHT OF FIRST REFUSAL: In the event Licensee desires to sell or convey or offer to sell the Licensed Premises or buildings allowed by the license or if the Licensee receives an offer from a third party to purchase the licensed premises and the Licensee desires to accept such an offer, the Licensee must first offer the Premises to the Licensor for fair market value as determined by an appraisal provided by a New Hampshire certified general appraiser obtained by the Licensor. The sale and purchase of the Licensed Site at fair market value will close within 180 days of the offer, unless a longer period is agreed to by the parties.

11. TRANSFERS AND ASSIGNMENTS: Licensee shall not transfer, assign or otherwise encumber this License Agreement or any rights arising hereunder without the prior written consent of the Licensor. This License and camps allowed by this license shall not be transferred to and subsequently owned by more than two individuals at any one time. In approving any assignments or transfers hereunder, the Licensor may require the transferee or assignee to pay to the Licensor an additional administrative processing fee not to exceed fifty percent (50%) of the annual lease fee for this License Agreement in the year the transfer or assignment is approved by the Licensor. The Licensor may transfer or assign this License Agreement at any time for any reason. The Licensor may request additional information as part of its evaluation of a prospective Licensee, and has no obligation to issue a Site License Agreement to any party that the Licensor, in its sole discretion, determines to be an unsuitable Licensee.

12. DEFAULT/TERMINATION FOR CAUSE: If Licensee shall fail to pay the license fee as provided herein, or shall fail to pay all taxes, charges and assessments as provided herein, or shall fail to comply with any of the conditions or regulations of this license or any subsequent reasonable changes in or additions to said regulations imposed pursuant to Paragraph 8 hereof, the Licensor need not make demand of the actual rent due and shall have the right at its option at any time thereafter to terminate this License, re-enter and take possession of the Licensed Site after giving (30) days advance notice in writing to Licensee. If, during said thirty (30) day period, after receipt of notice of termination from the Licensor, Licensee shall cure any default, the notice to terminate shall automatically be vacated; otherwise the same shall remain in full force and effect. Such right of termination shall be in addition to any other rights or remedies, which the Licensor may have at law. No waiver by the Licensor of any default shall operate as a waiver of any other default or of the same default on a future occasion. In the event of a termination for cause, the Licensor shall not be liable to refund to Licensee any payments made by Licensee hereunder.

13. OWNERSHIP OF BUILDING AND OTHER IMPROVEMENTS: Any buildings or improvements presently located on the Licensed Site or subsequently established on the Licensed Site by Licensee during the term of this Agreement shall become the property of the Licensor upon termination of this Agreement unless removed by Licensee not later than one hundred eighty (180) days following termination of this Agreement. If Licensee removes any buildings or improvements on the Licensed Site, Licensee shall restore the Licensed Site to a condition satisfactory to the Licensor, or the Licensor may restore the Licensed Site to a satisfactory condition and Licensee shall reimburse the Licensor for any costs associated with such restoration.

14. HOLD HARMLESS AND INDEMNIFICATION: Licensee shall indemnify, hold harmless, defend and reimburse the Licensor generally, and the State when the Licensed Site or improvements encroach upon the State's roads and lands, from and against any and all claims, actions, suits, damages, liabilities, costs or expenses, including reasonable attorneys' fees, or any kind of nature whatsoever on account of injuries to or death of any person or damage to property arising out of any act or omission of Licensee in its use of the Licensed Site or Adjoining Land.

15. NOTICES AND PAYMENT: Any notice required to be given hereunder shall be either mailed, certified mail return receipt requested, or personally delivered, via U.S. mail, postage prepaid, to the Licensee or the Licensor at their respective addresses listed on page 1 of this License Agreement. Notice shall be deemed given on the day it is received. Payment of fees shall be made by check or money order to the Licensor and shall be delivered to or mailed by regular first class mail to the Licensor's address set forth on page 1 of this License Agreement.

16. INSURANCE: Licensee shall take out and maintain during the term of this License Agreement, automobile, personal injury and property damage liability insurance covering its use of the Licensed Site and other lands of the Licensor and the use of vehicles on, to and from the Licensed Site, and the enjoyment of all the rights in and to the Licensed Site granted in this License Agreement in an amount satisfactory to the Licensor. Certificates indicating the amount of such coverage shall be presented to the Licensor within thirty (30) days of execution of this license and shall provide at least thirty days' written notice to the Licensor in the event of cancellation, termination or other material change in the scope of such insurance coverage. Such policies of insurance shall name the Licensor as an additional insured.

17. NO WARRANTIES: The Licensor, hereby, makes no express or implied warranties to Licensee as to the Licensor's right, title or interest in the Licensed Site or as to the adaptability or suitability of the Licensed Site or for the uses set forth herein.

18. ENTIRE AGREEMENT: This License Agreement supersedes all prior oral and written agreements between the parties with respect to the subject matter hereof. Any modification or addition to this License Agreement shall be in writing and duly executed by the parties hereto.

19. MISCELLANEOUS: All of the above respective covenants, obligations, representations, warranties and indemnities of the parties hereto shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto and shall continue in full force and effect for the duration of this License Agreement and, where applicable, shall survive the termination of this License Agreement.

License No. GPWMA-1

22. NON WAIVER OF RIGHTS: The failure of either party to insist in any one or more instances upon strict performance of any of the provisions of this License, or to take advantage of any right hereunder, shall not be construed as a waiver of any such provision nor the relinquishment of any such rights, but the same shall continue and remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

WITNESS:

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT

Richard Cook

Glenn Normandeau
Glenn Normandeau, Executive Director

WITNESS:

LICENSEE

Latte Collins

Donald W. Couture
Donald Couture



36. Donald Couture camp lease lot frontage on Greenough Pond, facing N



37. Small cabin on Couture camp lease lot, facing N



42. Large rotting cabin on Couture lease lot, facing NE



43. Outhouse on Couture lease lot, facing NW



46. Main camp structure on Couture lease lot, facing S



47. Front porch of main camp structure on Couture lease lot, facing E



50. Small cabin on Couture lease lot, facing SE



51. Dock on Couture lease lot, facing S



Coös County Commissioners' Office

P.O. Box 10
West Stewartstown, N.H. 03597
603-246-3321
fax: 603-246-8117

April 27, 2018

Michael A. Klass
NH Office of Strategic Initiatives
Concord, NH
Sent via email, Michael.klass@osi.nh.gov

Dear Mr. Klass,

This letter is in response to your memorandums dated March 29, 2018 in regards to State Owned Land, Surplus Review, Wentworth Location, NH. On behalf of the Coös County Commissioners, I am writing to convey the Commissioners support for the licensing of two small camp lots within Greenough Ponds Wildlife Management Area in the Unincorporated Place of Wentworth Location.

It is in the best interest of the Unincorporated Place of Wentworth Location that the camp belonging to Donald Couture of Berlin, NH (2018 SLR 002) and the camp belonging to the North Country Outing Club (2018 SLR 003) continue to remain in its current status.

Sincerely,

Jennifer A. Fish
Coös County Administrator

COMMISSIONERS

THOMAS M. BRADY, Jefferson • PAUL R. GRENIER, Berlin • RICK SAMSON, Stewartstown

CORD 93

Klass, Michael

From: Sales, Tracie
Sent: Wednesday, April 11, 2018 9:10 AM
To: Klass, Michael
Cc: David W. Packard (david.packard@graniteshorepower.com); Michael Hodder (pbmike@mailbox.org); 'tquarles@devinemillimet.com'; Black, Kathryn
Subject: RE: CORD – 2018 SLR 002 and CORD - 2018 SLR 003 (Wentworth's Location) Applications

Dear Mike,

On behalf of the Lakes Management Advisory Committee (LMAC), thank you for the opportunity to comment on SLR 18-002 and SLR 18-003 Wentworth's Location regarding the lease renewals of 1 acre and 3 acres, respectively, of NHF&G Wildlife Management Area on Greenough Pond in Wentworth's Location. Based on the information provided, these SLRs are subject to LMAC review as the properties proposed for lease are within 250 feet of the pond and provide direct access to it.

Because these proposed lease renewals extend an existing condition previously approved by the LMAC, the LMAC Chair and Vice Chair have determined that the LMAC will not object to SLR 18-002 or SLR 18-003 under the LMAC's categorical exclusion process for reviewing SLRs with expected *de minimis* impact on the lake or pond, or public access to it.

Please contact me if you have any questions about this response on behalf of the Lakes Management Advisory Committee.

Sincerely,
Tracie Sales

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

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'jennifer.fish@cooscountynh.us'; Chicoine, Jared; 'mmoren@nccouncil.org'
Subject: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike

Klass, Michael

From: Sales, Tracie
Sent: Thursday, April 5, 2018 9:42 AM
To: Klass, Michael
Cc: 'Michele L Tremblay'; Larry Spencer; Black, Kathryn
Subject: RE: CORD – 2018 SLR 002 and CORD - 2018 SLR 003 (Wentworth's Location) Applications

Dear Mike,

On behalf of the Rivers Management Advisory Committee (RMAC) and the local river management advisory committees (LACs), thank you for the opportunity to comment on SLR 18-002 and SLR 18-003 Wentworth's Location regarding the lease renewal of 1 acre and 3 acres, respectively, of NHF&G Wildlife Management Area on Greenough Pond in Wentworth's Location. Based on the information provided, these SLRs are not subject to RMAC or LAC review as the properties proposed for lease are more than 250 feet from any river, and do not lie within the corridor of a designated river.

Please contact me if you have any questions about this response on behalf of the Rivers Management and Protection Program.

Sincerely,
Tracie

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

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'jennifer.fish@cooscountynh.us'; Chicoine, Jared; 'mmoren@nccouncil.org'
Subject: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 24, 2018

Michael A. Klass
Principal Planner
Division of Planning
New Hampshire Office of Strategic Initiatives
3rd Floor, Johnson Hall
107 Pleasant Street
Concord, NH 03301

RE: CORD SURPLUS LAND REVIEW (SLR 18-002) – REQUEST FOR PROPOSED LICENSING OF ONE-ACRE CAMP LOT TO DONALD COUTURE BY THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT AT GREENOUGH PONDS WILDLIFE MANAGEMENT AREA IN WENTWORTH'S LOCATION AND ERROL, NEW HAMPSHIRE

Dear Mr. Klass:

In response to your recent request, the New Hampshire Department of Environmental Services (NHDES) has completed its review of the subject proposal. Based on a review of pertinent files, Geographic Information System databases, and staff discussions, NHDES offers the following findings and recommendations.

Based on a review by the NHDES Subsurface Systems Bureau (See Section 8-D of the Lease Agreement, License No. GPWMA-1) and the Wetlands Bureau (overall Section 8 conditions), measures for environmental protection in the Greenough Ponds Wildlife Management Area appear to be adequately addressed by the New Hampshire Fish and Game Department's lease agreement and deed for the subject property. As stated in Section 8-A (Existing Structure Improvements) of the Lease Agreement, any changes to the existing seasonal dock must first be approved by the NHDES Wetlands Bureau. NHDES has no additional concerns relative to the ongoing lease of the Couture lot.

Thank you for the opportunity to comment.

Sincerely,

Timothy W. Drew
Administrator
Public Information and Permitting Unit
Office of the Commissioner

Enc.

cc: Robert R. Scott, Commissioner, NHDES
Tracie Sales, Rivers & Lakes Management, NHDES
Mark Stevens, Land Agent, NHDES

Klass, Michael

From: Winters, Shelley
Sent: Friday, March 30, 2018 8:57 AM
To: Klass, Michael
Subject: RE: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Michael,

The NH Department of Transportation's Bureau of Rail & Transit appreciates the opportunity to review and the Bureau of Rail & Transit does not need this property now or in the foreseeable future for railroad, bicycle & pedestrian, or transit purposes.

Shelley Winters

Administrator, Bureau of Rail & Transit
New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-0483
Tel: (603) 271-3497

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'jennifer.fish@cooscountynh.us'; Chicoine, Jared; 'mmoren@nccouncil.org'
Subject: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301
Main - 603-271-2155 | Direct - 603-271-6651
Fax - 603-271-2615 | www.nh.gov/osi/planning/

REQUEST FOR REVIEW

Date: March 14, 2018

2018 SLR 002 + 003

Applicant: NH Fish and Game Department

Project: Greenough Pond WMA Camp Lot Leases

9518

RESPONSE REQUESTED BY: April 14, 2018

This request is forwarded to the NH Division of Historical Resources for review and comment. The National Historic Preservation Act of 1966 requires federal agencies to consider the effects of federal actions, including those that they fund, to ensure that the proposed actions are in agreement with national policies relating to the preservation of historical and cultural properties and resources.

FOR MORE INFORMATION CONTACT: Richard Cook, Land Agent
Telephone: (603) 271-1133

COMMENTS: Check one. Please include any additional comments on a separate sheet.

CONCUR (Project, as described, has no adverse impacts to historic or cultural resources)*

CONCUR WITH CONDITIONS (Indicate major reservations about the project and the specific substantive changes or modifications desired.)

DO NOT CONCUR (Summarize the major reasons for recommending disapproval, including documentation or references to plans, statutes, etc.)

TECHNICAL COMMENTS (No formal position, technical comments may be attached.)

NO COMMENT

** NON-RECEIPT OF THIS REVIEW IMPLIES CONSENT

PLEASE RETURN THIS SHEET ONLY

Reviewer's Signature: Nodine Miller Date: 3/26/18

Reviewer's Name: Nodine Miller Title: Preservation Project Reviewer
Please Type or Print

* The cabins have high architectural integrity. We encourage the camp owners to explore NH state Register listing to honor the properties.

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 List</i>	Coos County Board of Commissioners c/o Jennifer Fish P.O. Box 10 West Stewartstown, NH 03597 <i>Via Email (jennifer.fish@cooscountynh.us)</i>
		Michelle Moren-Grey, Co-Executive Director & Chief Executive Officer North Country Council 161 Main Street Littleton, NH 03561 <i>Via Email (mmoren@nccouncil.org)</i>

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

DATE: March 29, 2018

SUBJECT: *State Owned Land, Surplus Land Review, Wentworth's Location, NH 2018 SLR 003 (North Country Outing Club)*

RESPONSE DEADLINE: April 30, 2018

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for **May 10, 2018**. 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.



New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500
(603) 271-3421
FAX (603) 271-1438

www.WildNH.com
e-mail: info@wildlife.nh.gov
TDD Access: Relay NH 1-800-735-2964

March 14, 2018

Jared Chicoine, Director
NH Office of Strategic Initiatives
Governor Hugh J. Gallen State Office Park
Johnson Hall, 3rd Floor
107 Pleasant Street
Concord, NH 03301

Dear Jared:

The New Hampshire Fish and Game Department requests the Council on Resources and Development review the two attached surplus property applications to determine if the licensing of two small camp lots within the Greenough Ponds Wildlife Management Area is in the interest of the State.

In 2013 the Department acquired the 934 acre WMA in Wentworth's Location and Errol. This property surrounds both Greenough Pond and Little Greenough Pond. The leases were in place for many years prior to the State taking ownership of the land.

On the northern shore of Greenough Pond is a one acres lease lot containing several buildings belonging to Donald Couture of Berlin, NH. On the eastern shore of the pond is a three acre lease lot with several buildings belonging to North Country Outdoor Club.

Attached please find a completed Request for Surplus Land Review Action application and several maps and documents for consideration by the Council including:

- A Request for Surplus Land Review Action for each lease lot;
- A description of the properties;
- An aerial photograph of the Greenough Ponds WMA;
- A survey plan of the WMA showing the lease lots;
- An aerial photograph of each of the proposed lease lots;
- A Wentworth's Location tax map of the area;
- A copy of the existing lease on each of the lots; and
- Photographs of the subject property.

REGION 1

629B Main Street
Lancaster, NH 03584-3612
(603) 788-3164
FAX (603) 788-4823
email: reg1@wildlife.nh.gov

REGION 2

PO Box 417
New Hampton, NH 03256
(603) 744-5470
FAX (603) 744-6302
email: reg2@wildlife.nh.gov

REGION 3

225 Main Street
Durham, NH 03824-4732
(603) 868-1095
FAX (603) 868-3305
email: reg3@wildlife.nh.gov

REGION 4

15 Ash Brook Court
Keene, NH 03431
(603) 352-8669
FAX (603) 352-8798
email: reg4@wildlife.nh.gov

CORD 100

If you require any additional information or have questions about the application, please contact Richard Cook, Land Agent at 271-1133.

Thank you,

Sincerely,



Glenn Normandeau, Executive Director

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: NH Fish and Game Department

Agency Contact Person: Richard Cook
Address: 11 Hazen Drive, Concord, NH 03301
Phone Number: 271-1133
E-Mail: Richard.cook@wildlife.nh.gov

Applicant Contact Person: North Country Outing Club, Rick Fournier, President
Address: 115 Spruceville Road, Milan 03588
Phone Number: 603 752-6111
E-Mail: _____

Location of Property: Wentworth's Location

Acreage: 2+/- acres

Requested Action: Recommend approval for NHFG to lease Greenough Pond camp lot

Term of Lease or Easement: 10 years

.....

Please complete ALL questions below, submit one digital copy, one hardcopy original, and three photocopies of the complete application to the Office of Energy and Planning, Johnson Hall, 3rd Floor, 107 Pleasant Street, Concord, NH 03301, susan.slack@nh.gov.

1. What is the current use of this property?

Lease held by North Country Outing Club

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

Lease held by North Country Outing Club

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 property or surroundings use.

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

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

See attached description

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

Yes No

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

CORD 102

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)

[Empty text box]

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 State owns the 934 acre Greenough Ponds Wildlife Management Area surrounding the lease area. Greenough Pond is a great pond thus also owned by the State. The leased area is about 0.3 percent of the State's land ownership in the immediate area.

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)

From Greenough Pond Road or from Greenough Pond

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?

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

230 acre Greenough Pond

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

Description: This land was acquired by the State in 2013. Access to the pond from the camp lot is from their water frontage. Public access to the pond is from a carry down access site north of the NCOC lease lot.

c. How would the proposal affect the access opportunities described in b?

No affect

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 checked="" type="checkbox"/>	<input type="checkbox"/>
c. Threatened or endangered species.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d. Wildlife Action Plan Critical Habitats.....	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input 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"/>

GORD 103

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

Steep Slopes - Much of the surrounding land is steep.

Wetlands - The Greenough Ponds Wildlife Management Area contains significant wetlands associated with inlets and the outlet to the Pond.

Threatened and Endangered Species - Common loons are known to nest on Greenough Ponds.

Wildlife Action Plan Critical Habitats - The Wildlife Management Area contains deer wintering areas and low-elevation spruce-fir forests.

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.

The Greenough Pond Wildlife Management Area consists of approximately 934 acres of land area, including forestland, wetlands, ponds and streams. The majority of the Property is undeveloped forestland. Elevations range from approximately 1,400 feet at the Greenough Pond outlet stream (Greenough Brook) in the southwestern corner of the property, to just over 2,000 feet on a hilltop on the northwestern edge of the property. In addition to the 934 acres of land area, the property includes two ponds, Greenough Pond at 230 acres, and Little Greenough Pond at 40 acres.

Two lease lots on Greenough Pond have been leased to private citizens for the maintenance and use of recreational camps. NHFG owns the underlying land beneath these camps, but the structures on each lease lot are privately owned. According to a North Country Outdoor Club member the North Country Outdoor Club (NCOC) camp was assembled from several Brown Company logging camps around 1970. It was operated as a club for Brown Company executives until the number of executives in the region eventually dwindled with the consolidation of timber company ownerships. Eventually, membership was opened to non-executives. The club is currently operated with a set number of members, and new members need to be invited to join. This large camp structure and associated outbuildings is located near the southeast corner of Greenough Pond. The second camp on Greenough Pond is located on a prominent rocky point on the northern end of the pond. This camp structure, currently owned by Donald Couture of Berlin, is reportedly over 100 years old. It has a large, handsome porch and offers a commanding view of the pond. Like NCOC, Couture's lease lot also includes several accessory structures, including a couple of log structures in disrepair and a second smaller, but well-maintained shoreline cabin.

Both camp lessees have installed propane tanks at the camp structures and store boats, lawn mowers, and other items associated with residential use on the lease lots. The NCOC lease lot includes the remains of an old dock, which now exists only as a pile of timbers down by the boat launch area.

NHFG proposes to enter into a Recreational Cabin and Site License Agreement such as is used for similar situations on the Connecticut Lakes Wildlife Management Area. Any ground-disturbing activities must be approved by the Licensor (NHFG) prior to any activity as described in Section 7 of the Agreement.

The Agreement will be for ten years with options to renew.

A complete list of privately owned buildings on the Greenough Pond leases can found in the following table:

Table 1: Recreational Improvements

Structure	Dimensions
<i>Camp #1 COUTURE</i>	
Lease Camp	46 x 27 feet
Ancillary structure (smaller camp)	Building: 21 x 18 feet, Porch: 10 x 12 feet
Ancillary structure (log building)	19 x 24 feet
Ancillary structure (outhouse)	4 x 5 feet
Dock	Float: 12 x 12 feet Ramp: 3 x 12 feet, Plus 4 x 16 feet
<i>Camp #2 NORTH COUNTRY OUTDOOR CLUB</i>	
Lease Camp #2 North Country Outdoor Club	Building: 38 x 38 feet Porch: 7 x 16 feet
Ancillary structure (wood shed)	14 x 18 feet
Ancillary structure (generator shed)	9 x 9 feet
Ancillary structure (outhouse)	Building: 4 x 4 feet, on concrete footer
Ancillary structure (boat house)	8 x 12 feet
Wooden Boat Ramp on Greenough Pond	6 x 8.5 feet
Additional Wooden Boat Ramp on Greenough Pond	8.5 x 14.5 feet
Collapsed log structure	13 x 13 feet
Woodshed and Propane Storage	8 x 12 feet

Greenough Pond WMA



Legend

- State
- County
- City/Town
- NH 2015 1-foot RGB

Map Scale

1: 25,977

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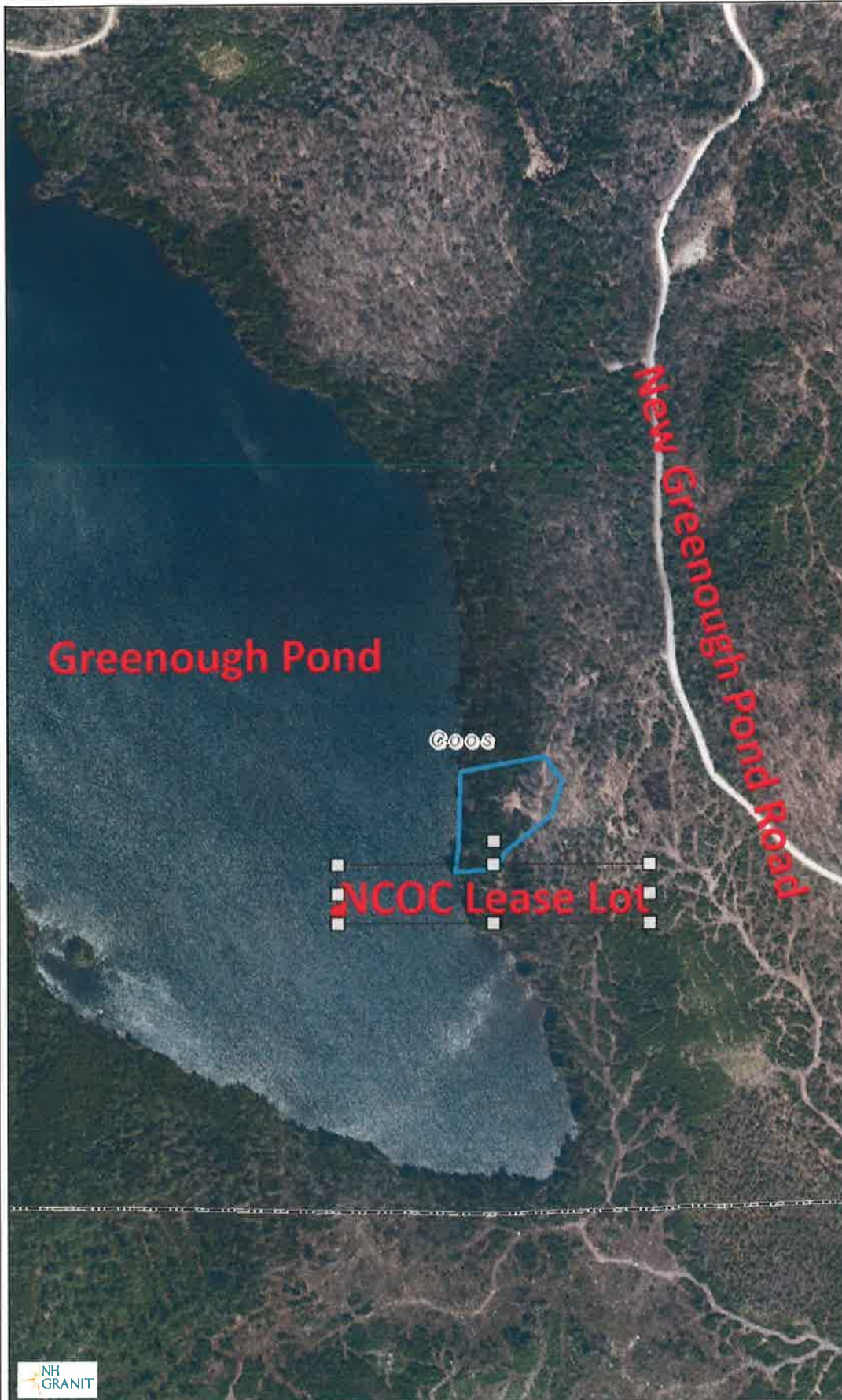
Map Generated: 3/14/2018



Notes



NCOC Lease Lot, Greenough Pond WMA



Legend

- State
- County
- City/Town
- NH 2015 1-foot RGB

Map Scale

1: 6,494

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Map Generated: 3/14/2018



Notes



License No. GPWMA-2

Elmer Lang
115 Spruceville Road
Milan, NH, 03588

**GRENOUGH PONDS WILDLIFE MANAGEMENT AREA
RECREATIONAL CABIN AND SITE LICENSE AGREEMENT**

The State of New Hampshire, acting through The Fish and Game Department, with its principal office at 11 Hazen Drive, Concord, NH 03301 ("Licensor"), and Elmer Lang, a member of the North Country Outdoor Club, with an address 115 Spruceville Road, NH 03588 ("Licensee") enter and execute this Recreational Cabin and Site License Agreement (the "Agreement") effective as of March 26, 2014.

IN CONSIDERATION of the payments to be made and the mutual covenants set forth herein, the parties agree as follows:

1. DEFINITIONS: As used herein the following terms shall have the following meanings:
 - a. "Licensee" shall include Elmer Lang (a member of the North Country Outing Club) and invitees claiming entitlement to use the Licensed Site pursuant to this Agreement.
 - b. The "Licensor" shall include The Fish and Game Department, its employees, agents and contractors.
 - c. The "Licensed Site" shall mean the area of land described in Paragraph 3 of this Agreement.
 - d. The "Licensed Premises" shall mean the buildings, improvements and fixtures located on the "Licensed Site."

2. GREENOUGH PONDS WILDLIFE MANAGEMENT AREA PURPOSE: Licensee hereby acknowledges that the Licensed Site is located within the Greenough Ponds Wildlife Management Area that was established for the following conservation purposes:
 - A. To assure that the property will be retained in a predominantly natural, forested, and open space condition;
 - B. To protect and conserve the native biological diversity and natural habitats of the property, including but not limited to the conservation values or interests of the property, and any rare plants and animals, exemplary natural communities, and significant wildlife and fish habitats, and the ecological processes that sustain these natural heritage features;
 - C. To preserve, conserve and compatibly manage the property for the protection of water quality and aquatic habitat of the Greenough Ponds.

License No. GPWMA-2

D. To sustain the property's remote, undeveloped open spaces for the enjoyment, education, and benefit of the general public;

E. To provide for public pedestrian outdoor recreational uses of the property, such as hiking, bird watching, cross-country skiing, hunting, trapping, and fishing; and to provide for public use through snowmobiling on designated trails.

F. To manage the Wildlife Management Area to protect and conserve the array of wildlife and fish species and habitats native to the region and appropriate to the landscape, particularly those species identified by state or federal agencies as species of conservation concern.

3. DESCRIPTION OF THE LICENSED SITE

Town: Wentworth's Location

County: Coos

State: New Hampshire

Description: The licensed site shall include that portion of Wentworth's Location Tax Map 1624, Lot 2 which lies north and west of a line fifty feet south and east of the road running within said tax lot from Greenough Pond Road to Greenough Pond.

4. **TERM:** The term of this Agreement commences upon Approval of the New Hampshire Governor and Executive Council and ending June 30, 2018. At the expiration of said term, this Agreement shall terminate without notice to Licensee. The parties acknowledge that future agreements will be for four (4) year terms.

5. **FEES:** During the term of this Agreement, Licensee shall make annual license payments to the Licensor in accordance with the following schedule:

<u>License Fee</u>	<u>Due Date</u>	<u>Period Covered</u>
\$3,981.57		7/1/2013—6/30/2014 (prorated to and due on date of G&C approval)
\$4,070.15	7/1/2014	7/1/2014 – 6/30/2015
\$4,160.72	7/1/2015	7/1/2015 – 6/30/2016
\$4,253.30	7/1/2016	7/1/2016 – 6/30/2017
\$4,347.93	7/1/2017	7/1/2017 – 6/30/2018

License fee increases based upon a four year average of the change in the Consumer Price Index.

Pursuant to RSA 72:23 the Licensee shall pay and discharge when due and payable, any and all taxes, charges, assessments, and other impositions levied upon the buildings, improvements, and fixtures on the Licensed Site. Failure of Licensee to pay such taxes and/or the imposition of a lien on the Licensed Site, or such buildings, structures, or improvements by any governmental authority or creditor as a result of such failure shall constitute a default of this Agreement and shall be cause to terminate this License.

Payment of License fees shall be paid within 30 days from the due date. For all amounts paid between thirty and fifty-nine days of the due date, Licensee shall pay an additional \$25.00 processing fee in

License No. GPWMA-2

addition to the amounts prescribed above. For all amounts paid between sixty and eighty-nine days of the due date, Licensee shall pay an additional \$50.00 processing fee in addition to the amounts prescribed above. Upon non-payment for ninety days and any day thereafter, the Licensor may, at its sole discretion, terminate this Agreement in its entirety.

6. **USE AND OCCUPATION OF LAND:** The Licensor hereby permits Licensee to enter upon and occupy seasonal buildings and other improvements on the Licensed Site for the purpose of hunting, fishing, trapping and engaging in other outdoor recreation on the Licensed Site, but for no other purpose. Licensee shall not engage in any commercial activities on the Licensed Site, including receipt of compensation for guests staying there, and shall not engage in any use of the Licensed Site not specified herein without the prior written consent of the Licensor.

Neither the Licensed Site nor the camp thereon shall be used as a primary home or year-round residence.

Licensee will at all times during the term of this License observe and conform to all laws, ordinances, rules, and regulations now or hereafter made by any governmental authority, for the time being applicable to said Licensed Site and/or any buildings and improvements thereon, or use thereof.

7. **ACCESS:** The Licensor hereby licenses Licensee to enter upon other land owned by the Licensor for the purpose of gaining access to the Licensed Site. Licensee shall have the right to use any open road on other land of the Licensor while traveling to and from said Licensed Site, subject to those restrictions described in Paragraph 8.

Any license fee received by the Licensor is for the use of the Licensed Site only and is not to be construed as providing Licensee with any greater rights of access over the Licensor's property or other property of the State of New Hampshire than is provided to the general public. Except, Licensee is entitled to thirty (30) days written notice prior to any annual anniversary date of this lease in order to terminate such access rights over the Licensor's property.

Licensee agrees that it travels over the roads and land of the Licensor at Licensee's own risk. Licensee shall indemnify, hold harmless, defend and reimburse the Licensor and the State from and against any and all claims, actions, suits, damages, liabilities, costs or expenses, including reasonable attorneys' fees, or any kind of nature whatsoever on account of injuries to or death of any person or damage to property arising out of the travel of Licensee over the land of the State of New Hampshire.

8. **CONDITIONS:** Licensee shall comply with each and every condition set forth below. Where the conditions here differ from the requirements of a governmental jurisdiction, the more restrictive shall apply. Licensee shall not construct or establish on the Licensed Site any building or other improvements without the prior written consent of the Licensor. Licensee has sole responsibility to obtain all necessary permits at its own cost and expense from any governmental authority to place, construct, or maintain any buildings or other improvements on the Licensed Site.

The Licensor shall, at any time and in its sole discretion, have the right to make reasonable changes in or additions to these conditions, and any such changes or additions shall, upon written notice to Licensee, become a part of this Agreement.

License No. GPWMA-2

A. Existing Structure Improvements: Any renovation or reconstruction, shall conform to all applicable laws and regulations, and be subject to the approval process described in Paragraph 8B.

B. Improvement Approval: Licensee shall obtain written consent of the Licensor prior to any renovation, reconstruction or other improvements of any kind on the Licensed Site. The Licensor shall not give such consent until Licensee has supplied detailed improvement plans including the following:

- a statement of the intended use
- dimensioned sketches showing plan and vertical views of the proposed improvements
- a dimensioned sketch showing proposed improvement location and setback distances with respect to lot lines, shoreline, wetlands, gray water and waste disposal features, water source, driveway and parking area, and existing improvements.

The Licensor will approve the proposed improvement provided that it meets the above standards and otherwise meets, in the Licensor's sole judgment, these development criteria: (1) compatible with the natural surroundings; (2) unobtrusive on the landscape; (3) modest in size (i.e. the aggregate footprint of the impervious surfaces, inclusive of decks and other structures, shall not exceed 1,000 square feet in area and 25 feet in height, unless the impervious surfaces of existing improvements currently exceed such dimensions, in which case there shall be no further expansion of such improvements); (4) has low impact on the environment; and (5) not otherwise degrading natural resource values. The Licensor may impose reasonable conditions on its approval of the proposed project in order to meet these criteria.

Once approval has been granted, the required permits must be obtained and a copy forwarded to the Licensor for their record keeping prior to construction.

Failure to undertake the proposed activities in accordance with the approvals under this paragraph and all applicable laws and regulations shall constitute a default under this License Agreement.

C. Use of Mobile Accommodations: Mobile homes and large motor homes/RVs shall not be used on the Licensed Site. Other mobile accommodations (small RV, travel trailer, truck camper, tent trailer, tents) shall not be used as camp or accessory structures, and any other use of same (interim use during camp construction, or short term use by Licensee's guests) must meet regulatory requirements.

D. Sanitary Waste and Gray Water Disposal: The construction, expansion, use, and maintenance of any sanitary waste facilities or gray water system on the Licensed Site must comply with State Plumbing Codes and regulations. Any construction, reconstruction or placement of these must meet the approval and other requirements of paragraph 8C. No drains, sewers, or wastewater outlets shall empty on the surface of the ground or empty into any lake, pond, bog or stream.

License No. GPWMA-2

E. Road Construction / Maintenance: Licensee shall not improve any road, driveway or associated parking area without the prior written consent of the Licensor. Construction shall be at Licensee's expense.

Licensee must provide an on-lot or off-lot parking area in a manner to avoid obstruction of any road open to travel. Said lot must be approved by the Licensor prior to construction.

Road maintenance (including snow plowing) on the Licensor's land will be performed only as necessary for the Licensor's management activities and the State's operations. Maintenance of any road is not implied and should not under any circumstances be expected. However, when the Licensor ceases to maintain a road it owns necessary for Licensee's access to the Licensed Site, Licensee may maintain said road with permission of and in accordance with the specifications of the Licensor.

F. Road Use: The Licensor retains the right to close, lock, or otherwise restrict access along, through, or over roads, gates, or rights of way under their control at any time during periods of saturated road conditions or high fire danger, or when management operations make traveling hazardous in the opinion of the Licensor, or for other purposes deemed necessary by the Licensor.

G. Gates: No gate, cable or chain to restrict access shall be installed without prior written consent of the Licensor. Any consented gate, cable or chain will be erected at Licensee's expense and design and locks and keys must conform to the Licensor's standards. The Licensee must provide keys to the Licensor for all gates, cables and chains erected on the Licensed Site.

Except for the above provision, Licensee shall not restrict passage over existing roads or rights of way by any means, including locking, closing, or erecting barriers.

H. Utilities: The expansion of public or private utilities systems into areas not currently serviced will not be allowed.

I. Housekeeping: Licensee shall maintain all buildings and other improvements located on the Licensed Site during the term of this License Agreement in sound, safe and proper order. Failure to maintain the Licensed Site to acceptable standards of neatness and cleanliness, in the sole judgment of the Licensor, shall constitute a default under this Agreement.

Licensee shall dispose of all garbage, trash, and other solid waste by removing all such material from the property and depositing of same at an approved facility maintained for such purpose at sole cost to Licensee. Notwithstanding any prior practice, positively no disposal shall take place on or in any land or waters of the Licensor or neighboring owners.

Any building materials shall be stored in an orderly fashion. Only those materials needed for work in progress shall be stored on the Licensed Site. When work is completed, materials and construction debris shall be removed in a timely manner.

No unregistered vehicles shall be stored on the Licensed Site or any other land of the Licensor. Any unauthorized vehicle shall be removed at the expense of Licensee.

License No. GPWMA-2

J. Hazardous Materials: No combustible or hazardous materials or substances shall be kept on the Licensed Site, except that Licensee may keep reasonable quantities of those materials commonly used for ordinary household purposes or recreational activities, provided they are stored, used, and ultimately disposed of in a lawful manner.

K. Landscaping: Licensee shall not cut, use or remove any timber, trees, wood or other forest products on the Licensed Site for any purpose including firewood, except for clearing activity done in accordance with an approved building permit, without prior written permission. Licensee shall take all reasonable precautions to prevent unauthorized persons from doing any cutting or destruction of live trees or other plant growth on the Licensed Site. Debris from authorized cutting shall not be piled off lot, within 100 feet of any water body, or within fifty feet of the centerline of any roads. Removal of dead or hazardous problem trees from the Licensed Site shall be coordinated with the Licensor's representative and accomplished at Licensee's expense.

Licensee shall not introduce any non-native plant or animal species, except for domestic pets that will be properly restrained, or any invasive plant or animal species on the License Site or other land of the Licensor. "Non-native" means species that do not naturally occur in the Androscoggin River Watershed. This prohibition applies to all plant species including grass seed, ornamental plants, shrubs, trees, and vegetables.

Any earth or soil removal or relocation by any means is prohibited without permission of the Licensor.

State laws strictly regulate any shoreline alteration or improvements such as, but not limited to, docks, piers, beaches, dredging or filling that could affect water quality or wildlife habitat. Licensee shall not make such alterations or improvements without obtaining the Licensor's permission in writing prior to undertaking such work and complying with said laws.

No fences are allowed without approval of the Licensor.

L. State Recreational Use Laws: Licensee shall fully comply with all State statutes, rules, and regulations dealing with fishing, wildlife, and recreational use of public and private property. The Licensee shall cooperate with the State of New Hampshire Fish and Game Department in the enforcement of public safety and the protection of resources.

M. Fire Prevention: All chimneys shall be equipped with adequate spark arrestors. The opening of any chimney shall be at least 3 feet horizontally and 10 feet vertically from any overhanging tree.

Outdoor fires are prohibited unless written landowner permission and a fire warden permit are obtained. No incinerators shall be permitted on Licensed Site.

N. Fire and Vandalism: Licensee shall use every precaution to prevent damage to the timber, trees, wood and other forest resources on the Licensed Site, and improvements thereon from fire, vandalism, or malicious mischief. Licensee shall take all reasonable action to suppress any fire,

License No. GPWMA-2

which occurs on the Licensed Site and shall immediately report fire or other damage to the Licensor and appropriate authorities.

Licensee shall be liable to the Licensor for any damages incurred by the Licensor as a result of any fire caused by Licensee.

O. Firewood: Licensee shall have the right to utilize dead and down timber only on the Licensed Site and solely for use as fuel wood on the Licensed Site.

P. Restricted Use of Licensed Site and other lands of the Licensor: Licensee shall not use snowmobiles on any plowed roads located on other land of the Licensor. Licensee shall not use all-terrain vehicles (ATV's) on roads or on the Licensed Site.

Licensee shall not interfere with logging or other forestry operations on the Licensed Site or Adjoining Land by, for example, blocking roads with vehicles or causing damage to roads by driving over them during adverse climactic conditions. Licensee shall not interfere or meddle with the property of others, including, but not limited to, any cut wood fiber, logging equipment, dams, boats, tools, signs, notices, utility lines, communication towers, or other property whether on the Licensed Site or other lands of the licensor, and Licensee shall prevent such interference by any invitees, guests, employees or agents of Licensee.

Licensee shall be liable for all damage caused by Licensee to the Licensed Site, or other lands of the Licensor, its property and its operations. Any damage caused by Licensee shall be an event of default under this Agreement. Licensee shall reimburse the Licensor for the costs and losses associated with any such damage or interference.

Monumentation indicating boundaries of the Licensed Site shall not be disturbed in any way.

Q. Nuisance Behavior: Licensee shall not engage in any noxious, dangerous, or offensive activity or any activity that may be or result in a nuisance to other persons lawfully present on land of the Licensor, or any activity that may result in a diminution in the value of the Licensor's land.

R. Right to Pass: The rights granted to Licensee pursuant to this License Agreement shall not in any way affect the right of the Licensor to enter upon, use and enjoy the Licensed Site at any and all times for any purpose, including forestry, land management, timber harvesting, road construction, maintenance and the like. To the extent that any portion of the Licensed Site is claimed to be situated within fifty feet of the centerline of any road, the parties acknowledge the right of the State of New Hampshire and its agents to enter upon and use such portion of the Licensed Site for road repair, reconstruction and maintenance. The Licensor shall have the right to enter upon the Licensed Site, the buildings, and/or other improvements located thereon for any purpose, including inspection of the Licensed Site, buildings and/or other improvements or in the event of an emergency. Licensee acknowledges that the Licensor's activities may affect the Licensee's enjoyment of the Licensed Site, and Licensee expressly consents to such activities and in particular any visual, noise and/or aesthetic impacts.

License No. GPWMA-2

S. The Licensor shall inspect the Licensed Site periodically to monitor Licensee's compliance with the provisions of this Paragraph.

9. ENCUMBRANCES: Licensee shall not at any time mortgage or otherwise encumber the Licensed Site. However, nothing contained herein shall prevent Licensee from giving a mortgage on buildings and improvements erected by Licensee; provided however, that under no circumstances will the existence of such mortgage or encumbrance diminish or alter any of the rights of the Licensor hereunder, particularly with reference to termination of this lease and regaining possession of the leased property upon termination. Any mortgagee or creditor of Licensee shall be limited to the same rights of Licensee, which shall not be in any way enlarged or altered by the existence of the mortgage or encumbrance.

10. RIGHT OF FIRST REFUSAL: In the event Licensee desires to sell or convey or offer to sell the Licensed Premises or buildings allowed by the license or if the Licensee receives an offer from a third party to purchase the licensed premises and the Licensee desires to accept such an offer, the Licensee must first offer the Premises to the Licensor for fair market value as determined by an appraisal provided by a New Hampshire certified general appraiser obtained by the Licensor. The sale and purchase of the Licensed Site at fair market value will close within 180 days of the offer, unless a longer period is agreed to by the parties.

11. TRANSFERS AND ASSIGNMENTS: Licensee shall not transfer, assign or otherwise encumber this License Agreement or any rights arising hereunder without the prior written consent of the Licensor. This License and camps allowed by this license shall not be transferred to and subsequently owned by more than two individuals at any one time. In approving any assignments or transfers hereunder, the Licensor may require the transferee or assignee to pay to the Licensor an additional administrative processing fee not to exceed fifty percent (50%) of the annual lease fee for this License Agreement in the year the transfer or assignment is approved by the Licensor. The Licensor may transfer or assign this License Agreement at any time for any reason. The Licensor may request additional information as part of its evaluation of a prospective Licensee, and has no obligation to issue a Site License Agreement to any party that the Licensor, in its sole discretion, determines to be an unsuitable Licensee.

12. DEFAULT/TERMINATION FOR CAUSE: If Licensee shall fail to pay the license fee as provided herein, or shall fail to pay all taxes, charges and assessments as provided herein, or shall fail to comply with any of the conditions or regulations of this license or any subsequent reasonable changes in or additions to said regulations imposed pursuant to Paragraph 8 hereof, the Licensor need not make demand of the actual rent due and shall have the right at its option at any time thereafter to terminate this License, re-enter and take possession of the Licensed Site after giving (30) days advance notice in writing to Licensee. If, during said thirty (30) day period, after receipt of notice of termination from the Licensor, Licensee shall cure any default, the notice to terminate shall automatically be vacated; otherwise the same shall remain in full force and effect. Such right of termination shall be in addition to any other rights or remedies, which the Licensor may have at law. No waiver by the Licensor of any default shall operate as a waiver of any other default or of the same default on a future occasion. In the event of a termination for cause, the Licensor shall not be liable to refund to Licensee any payments made by Licensee hereunder.

License No. GPWMA-2

13. OWNERSHIP OF BUILDING AND OTHER IMPROVEMENTS: Any buildings or improvements presently located on the Licensed Site or subsequently established on the Licensed Site by Licensee during the term of this Agreement shall become the property of the Licensor upon termination of this Agreement unless removed by Licensee not later than one-hundred and eighty (180) days following termination of this Agreement. If Licensee removes any buildings or improvements on the Licensed Site, Licensee shall restore the Licensed Site to a condition satisfactory to the Licensor, or the Licensor may restore the Licensed Site to a satisfactory condition and Licensee shall reimburse the Licensor for any costs associated with such restoration.

14. HOLD HARMLESS AND INDEMNIFICATION: Licensee shall indemnify, hold harmless, defend and reimburse the Licensor generally, and the State when the Licensed Site or improvements encroach upon the State's roads and lands, from and against any and all claims, actions, suits, damages, liabilities, costs or expenses, including reasonable attorneys' fees, or any kind of nature whatsoever on account of injuries to or death of any person or damage to property arising out of any act or omission of Licensee in its use of the Licensed Site or Adjoining Land.

15. NOTICES AND PAYMENT: Any notice required to be given hereunder shall be either mailed, certified mail return receipt requested, or personally delivered, via U.S. mail, postage prepaid, to the Licensee or the Licensor at their respective addresses listed on page 1 of this License Agreement. Notice shall be deemed given on the day it is received. Payment of fees shall be made by check or money order to the Licensor and shall be delivered to or mailed by regular first class mail to the Licensor's address set forth on page 1 of this License Agreement.

16. INSURANCE: Licensee shall take out and maintain during the term of this License Agreement, automobile, personal injury and property damage liability insurance covering its use of the Licensed Site and other lands of the Licensor and the use of vehicles on, to and from the Licensed Site, and the enjoyment of all the rights in and to the Licensed Site granted in this License Agreement in an amount satisfactory to the Licensor. Certificates indicating the amount of such coverage shall be presented to the Licensor within thirty (30) days of execution of this license and shall provide at least thirty days' written notice to the Licensor in the event of cancellation, termination or other material change in the scope of such insurance coverage. Such policies of insurance shall name the Licensor as an additional insured.

17. NO WARRANTIES: The Licensor, hereby, makes no express or implied warranties to Licensee as to the Licensor's right, title or interest in the Licensed Site, or as to the adaptability or suitability of the Licensed Site or for the uses set forth herein.

18. ENTIRE AGREEMENT: This License Agreement supersedes all prior oral and written agreements between the parties with respect to the subject matter hereof. Any modification or addition to this License Agreement shall be in writing and duly executed by the parties hereto.

19. MISCELLANEOUS: All of the above respective covenants, obligations, representations, warranties and indemnities of the parties hereto shall be binding upon the heirs, successors, executors, administrators and assigns of the parties hereto and shall continue in full force and effect for the duration of this License Agreement and, where applicable, shall survive the termination of this License Agreement.

License No. GPWMA-2

22. NON WAIVER OF RIGHTS: The failure of either party to insist in any one or more instances upon strict performance of any of the provisions of this License, or to take advantage of any right hereunder, shall not be construed as a waiver of any such provision nor the relinquishment of any such rights, but the same shall continue and remain in full force and effect.

IN WITNESS WHEREOF, the parties have hereunto set their hands as of the day and year first above written.

WITNESS:

STATE OF NEW HAMPSHIRE
FISH AND GAME DEPARTMENT

Richard Cook

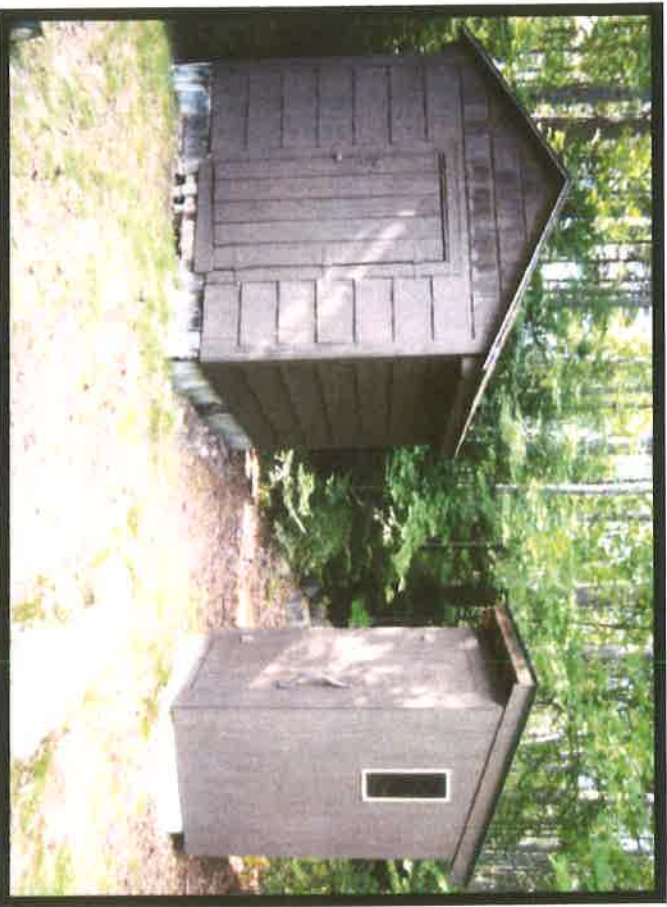
Glenn Normandeau
Glenn Normandeau, Executive Director

WITNESS:

LICENSEE

Janet Roborge

Elmer Lang
Elmer Lang



64. Generator shed and outhouse at North Country Outdoor Club camp lease lot, facing N



65. Main camp structure at North Country Outdoor Club camp lease lot, facing SW



66. Main camp structure at North Country Outdoor Club camp
lease lot, facing N



67. Main camp structure at North Country Outdoor Club camp
lease lot, facing E



72. Remains of old dock near Greenough Pond boat launch area at North Country Outdoor Club camp lease lot, facing S



73. Boat house and Greenough Pond boat launch area at North Country Outdoor Club camp lease lot, facing SW

Klass, Michael

From: Winters, Shelley
Sent: Friday, March 30, 2018 8:56 AM
To: Klass, Michael
Subject: RE: CORD – 2018 SLR 003 (Wentworth's Location, NCOC) Application

Michael,
The NH Department of Transportation's Bureau of Rail & Transit appreciates the opportunity to review and from the Bureau of Rail & Transit does not need this property now or in the foreseeable future for railroad, bicycle & pedestrian, or transit purposes.

Shelley Winters

Administrator, Bureau of Rail & Transit
New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-0483
Tel: (603) 271-3497

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:49 PM
To: Klass, Michael
Subject: FW: CORD – 2018 SLR 003 (Wentworth's Location, NCOC) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301
Main - 603-271-2155 | Direct - 603-271-6651
Fax - 603-271-2615 | www.nh.gov/osi/planning/

RECEIVED

MAR 30 2018

REQUEST FOR REVIEW

OFFICE OF STRATEGIC INITIATIVES

Date: March 14, 2018

Applicant: NH Fish and Game Department

Project: Greenough Pond WMA Camp Lot Leases

9518

RESPONSE REQUESTED BY: April 14, 2018

This request is forwarded to the NH Division of Historical Resources for review and comment. The National Historic Preservation Act of 1966 requires federal agencies to consider the effects of federal actions, including those that they fund, to ensure that the proposed actions are in agreement with national policies relating to the preservation of historical and cultural properties and resources.

FOR MORE INFORMATION CONTACT: Richard Cook, Land Agent
Telephone: (603) 271-1133

COMMENTS: Check one. Please include any additional comments on a separate sheet.

- CONCUR (Project, as described, has no adverse impacts to historic or cultural resources)*
- CONCUR WITH CONDITIONS (Indicate major reservations about the project and the specific substantive changes or modifications desired.)
- DO NOT CONCUR (Summarize the major reasons for recommending disapproval, including documentation or references to plans, statutes, etc.)
- TECHNICAL COMMENTS (No formal position, technical comments may be attached.)
- NO COMMENT

** NON-RECEIPT OF THIS REVIEW IMPLIES CONSENT

PLEASE RETURN THIS SHEET ONLY

Reviewer's Signature: Nadine Miller Date: 3/26/18
 Reviewer's Name: Nadine Miller Title: Preservation Project Reviewer
Please Type or Print

* The cabins have high architectural integrity. We encourage the camp owners to explore NH State Register listing to honor the properties.

Klass, Michael

From: Sales, Tracie
Sent: Thursday, April 5, 2018 9:42 AM
To: Klass, Michael
Cc: 'Michele L Tremblay'; Larry Spencer; Black, Kathryn
Subject: RE: CORD – 2018 SLR 002 and CORD - 2018 SLR 003 (Wentworth's Location) Applications

Dear Mike,

On behalf of the Rivers Management Advisory Committee (RMAC) and the local river management advisory committees (LACs), thank you for the opportunity to comment on SLR 18-002 and SLR 18-003 Wentworth's Location regarding the lease renewal of 1 acre and 3 acres, respectively, of NHF&G Wildlife Management Area on Greenough Pond in Wentworth's Location. Based on the information provided, these SLRs are not subject to RMAC or LAC review as the properties proposed for lease are more than 250 feet from any river, and do not lie within the corridor of a designated river.

Please contact me if you have any questions about this response on behalf of the Rivers Management and Protection Program.

Sincerely,
Tracie

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

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'jennifer.fish@cooscountynh.us'; Chicoine, Jared; 'mmoren@nccouncil.org'
Subject: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning

Klass, Michael

From: Sales, Tracie
Sent: Wednesday, April 11, 2018 9:10 AM
To: Klass, Michael
Cc: David W. Packard (david.packard@graniteshorepower.com); Michael Hodder (pbmike@mailbox.org); 'tquarles@devinemillimet.com'; Black, Kathryn
Subject: RE: CORD – 2018 SLR 002 and CORD - 2018 SLR 003 (Wentworth's Location) Applications

Dear Mike,

On behalf of the Lakes Management Advisory Committee (LMAC), thank you for the opportunity to comment on SLR 18-002 and SLR 18-003 Wentworth's Location regarding the lease renewals of 1 acre and 3 acres, respectively, of NHF&G Wildlife Management Area on Greenough Pond in Wentworth's Location. Based on the information provided, these SLRs are subject to LMAC review as the properties proposed for lease are within 250 feet of the pond and provide direct access to it.

Because these proposed lease renewals extend an existing condition previously approved by the LMAC, the LMAC Chair and Vice Chair have determined that the LMAC will not object to SLR 18-002 or SLR 18-003 under the LMAC's categorical exclusion process for reviewing SLRs with expected *de minimis* impact on the lake or pond, or public access to it.

Please contact me if you have any questions about this response on behalf of the Lakes Management Advisory Committee.

Sincerely,
Tracie Sales

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

From: Klass, Michael
Sent: Thursday, March 29, 2018 3:47 PM
To: Klass, Michael
Cc: 'jennifer.fish@cooscountynh.us'; Chicoine, Jared; 'mmoren@nccouncil.org'
Subject: CORD – 2018 SLR 002 (Wentworth's Location, Couture) Application

Dear All,

Please find the attached Surplus Land Review memo and application for your review and comment. As reflected in the memo, the comment deadline is April 30, 2018. As of now, there will be three SLR applications heard at CORD's May 10th meeting.

I note that there are two different SLR applications concerning land in Wentworth's Location. You will receive two separate packets (with two separate docket numbers) that were filed under a single cover letter. Please contact me with any questions.

Best,
Mike



Coös County Commissioners' Office

P.O. Box 10
West Stewartstown, N.H. 03597
603-246-3321
fax: 603-246-8117

April 27, 2018

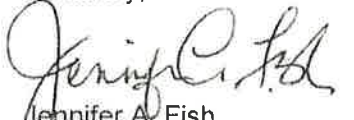
Michael A. Klass
NH Office of Strategic Initiatives
Concord, NH
Sent via email, Michael.klass@osi.nh.gov

Dear Mr. Klass,

This letter is in response to your memorandums dated March 29, 2018 in regards to State Owned Land, Surplus Review, Wentworth Location, NH. On behalf of the Coös County Commissioners, I am writing to convey the Commissioners support for the licensing of two small camp lots within Greenough Ponds Wildlife Management Area in the Unincorporated Place of Wentworth Location.

It is in the best interest of the Unincorporated Place of Wentworth Location that the camp belonging to Donald Couture of Berlin, NH (2018 SLR 002) and the camp belonging to the North Country Outing Club (2018 SLR 003) continue to remain in its current status.

Sincerely,



Jennifer A. Fish
Coös County Administrator

COMMISSIONERS

THOMAS M. BRADY, Jefferson • PAUL R. GRENIER, Berlin • RICK SAMSON, Stewartstown

CORD 129



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 24, 2018

Michael A. Klass
Principal Planner
Division of Planning
New Hampshire Office of Strategic Initiatives
3rd Floor, Johnson Hall
107 Pleasant Street
Concord, NH 03301

RE: CORD SURPLUS LAND REVIEW (SLR 18-003) – REQUEST FOR PROPOSED LICENSING OF THREE-ACRE LEASE LOT AND BUILDINGS TO NORTH COUNTRY OUTING CLUB BY THE NEW HAMPSHIRE FISH AND GAME DEPARTMENT AT GREENOUGH PONDS WILDLIFE MANAGEMENT AREA IN WENTWORTH'S LOCATION AND ERROL, NEW HAMPSHIRE

Dear Mr. Klass:

In response to your recent request, the New Hampshire Department of Environmental Services (NHDES) has completed its review of the subject proposal. Based on a review of pertinent files, Geographic Information System databases, and staff discussions, NHDES offers the following findings and recommendations.

Based on a review by the NHDES Subsurface Systems Bureau (See Section 8-D of the Lease Agreement, License No. GPWMA-2) and the Wetlands Bureau (overall Section 8 conditions), measures for environmental protection in the Greenough Ponds Wildlife Management Area appear to be adequately addressed by the New Hampshire Fish and Game Department's lease agreement and deed for the subject property. As stated in Section 8-A (Existing Structure Improvements) of the Lease Agreement, any changes to the existing dock (currently in ruins on the shorefront) or boat launch must first be approved by the NHDES Wetlands Bureau. NHDES has no additional concerns relative to the ongoing lease of the North Country Outing Club lot.

Thank you for the opportunity to comment.

Sincerely,

Timothy W. Drew
Administrator
Public Information and Permitting Unit
Office of the Commissioner

Enc.

cc: Robert R. Scott, Commissioner, NHDES
Tracie Sales, Rivers & Lakes Management, NHDES
Mark Stevens, Land Agent, NHDES

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 List</i>	Coos County Board of Commissioners c/o Jennifer Fish P.O. Box 10 West Stewartstown, NH 03597 <i>Via Email (jennifer.fish@cooscountynh.us)</i>
Robin Frost, Town Manager Town of Gorham 20 Park Street Gorham, NH 03581 <i>Via Regular 1st Class Mail and Email (rfrost@gorhamnh.org)</i>	Michelle Moren-Grey, Co-Executive Director & Chief Executive Officer North Country Council 161 Main Street Littleton, NH 03561 <i>Via Email (mmoren@nccouncil.org)</i>

FROM: Michael A. Klass, NH Office of Strategic Initiatives
DATE: April 4, 2018
SUBJECT: *State Owned Land, Surplus Land Review, Gorham, NH
 2018 SLR 004*

RESPONSE DEADLINE: May 4, 2018

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for **May 10, 2018**.

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
DEPARTMENT of NATURAL and CULTURAL RESOURCES
Division of Forests and Lands

172 PEMBROKE ROAD CONCORD, NEW HAMPSHIRE 03301
PHONE: 271-2214 FAX: 271-6488 WWW.NHDFL.ORG

March 20, 2018

Jared Chicoine, Director
Office of Strategic Initiatives
107 Pleasant Street
Johnson Hall, 3rd Floor
Concord, NH 03301

RE: Sale of 0.18 acres of the Presidential Rail Trail to an abutter, Gorham

Dear Director Chicoine:

The Department of Natural and Cultural Resources (DNCR) proposes to sell 0.18 acres of state land located along the edge of the Presidential Rail Trail in Gorham. The sale comes at the request of the abutter, Jeanne Anne Lariviere, who is the current owner of Brae Burn Village, a manufactured home community in Gorham. A survey recently completed for Brae Burn Village, as part of a plan to sell the Village to a Cooperative, identified an encroachment involving portions of four manufactured homes. We believe that these encroachments occurred prior to the State's ownership.

The proposal is to sell an area measuring approximately 22 feet x 360 feet, which is just enough land to resolve the encroachment. The State's property in this area is 99 feet wide and the sale would have no impact on the management of the trail or on the public's use of the trail. An appraisal completed in November 2017 estimated the value to be \$1,000.

Please submit this proposal to the Council on Resources and Development (CORD) for review. We kindly request that item be placed on the next agenda in order to ensure timely subsequent review by the Long Range Capital Planning and Utilization Committee and the Governor and Executive Council. If you have any questions, please contact either Tracey Boisvert or Bob Spoerl at (603) 271-2214.

Sincerely,

A handwritten signature in black ink that reads "Jeffrey J. Rose".

Jeffrey J. Rose, Commissioner

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Department of Natural and Cultural Resources

Agency Contact Person: Tracey Boisvert or Chris Gamache
Address: 172 Pembroke Road, Concord, NH, 03301
Phone Number: 603-271-2214
E-Mail: tracey.boisvert@dncr.nh.gov or christopher.gamache@dncr.nh.gov

Applicant Contact Person: Heidi J. Barrett-Kitchen, Esquire
Address: Donahue, Tucker&Ciandella, PLLC, Towle House, Suite 2, 164 NH Rte. 25, Meredith, NH, 03253
Phone Number: 603-766-6208
E-Mail: _____

Location of Property: Gorham, New Hampshire

Acreage: 0.18 acre to be surplusd

Requested Action: Approve transfer of a portion of the state property known as the Presidential Rail Trail to Jeanne A. Lariviere. The purpose is to eliminate an encroachment by four manufactured houses in the Brae Burn Village Mobile Home Park.

Term of Lease or Easement: Transfer of fee ownership

.....
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, susan.slack@osi.nh.gov.

1. What is the current use of this property?

Adjacent to but not critical to operations of an all season recreation trail.

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

Residential

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.

Prior to DNCR's ownership, 4 manufactured homes were partially constructed on the railroad property. When a recent survey was done for the park owner to sell the property to a Cooperative, the encroachment was discovered. The proposal is to sell enough property so the owner can sell the Brae Burn Village property to the Cooperative unencumbered by the encroachment.

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

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

4 manufactured homes

5. Are there historical architectural or archaeological resources identified on this site? Yes No

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

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)

Residential manufactured homes within Brae Burn Village and other residences on the other side of the State land.

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).

This recreation trail is an old rail line that went from Haverhill to Dummer. NH DOT transferred management of the Jefferson to Gorham section to DRED (now DNCR) in 2010. The property is 99 feet wide in this area and we would only be selling 22 feet of that width. The sale would have no impact on the management of the trail or on the public's use of the trail.

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)

Currently across the applicants property.

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.

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

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.

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

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

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 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"/>

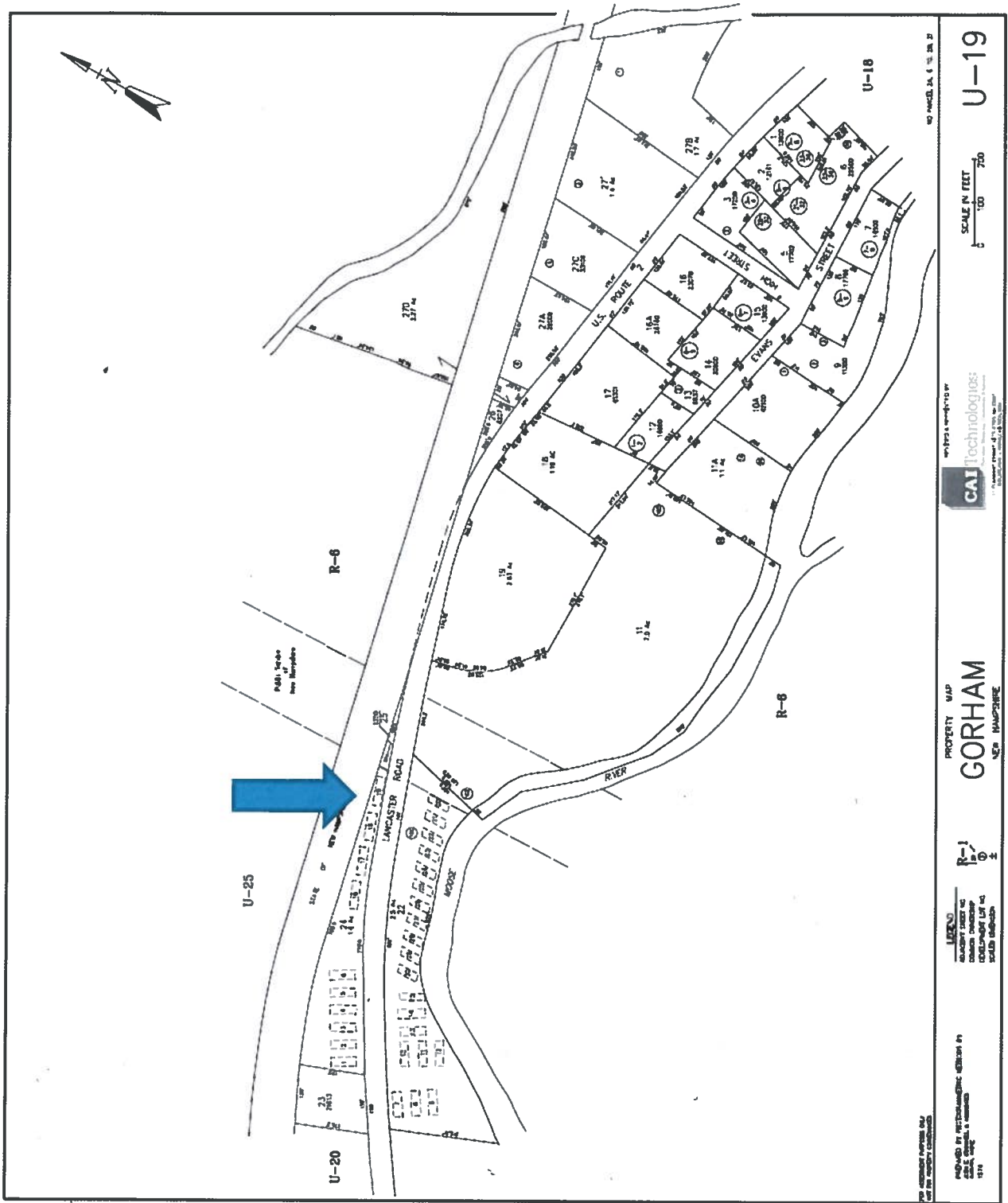
Please provide a description for any "yes" responses to question # 10.

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.

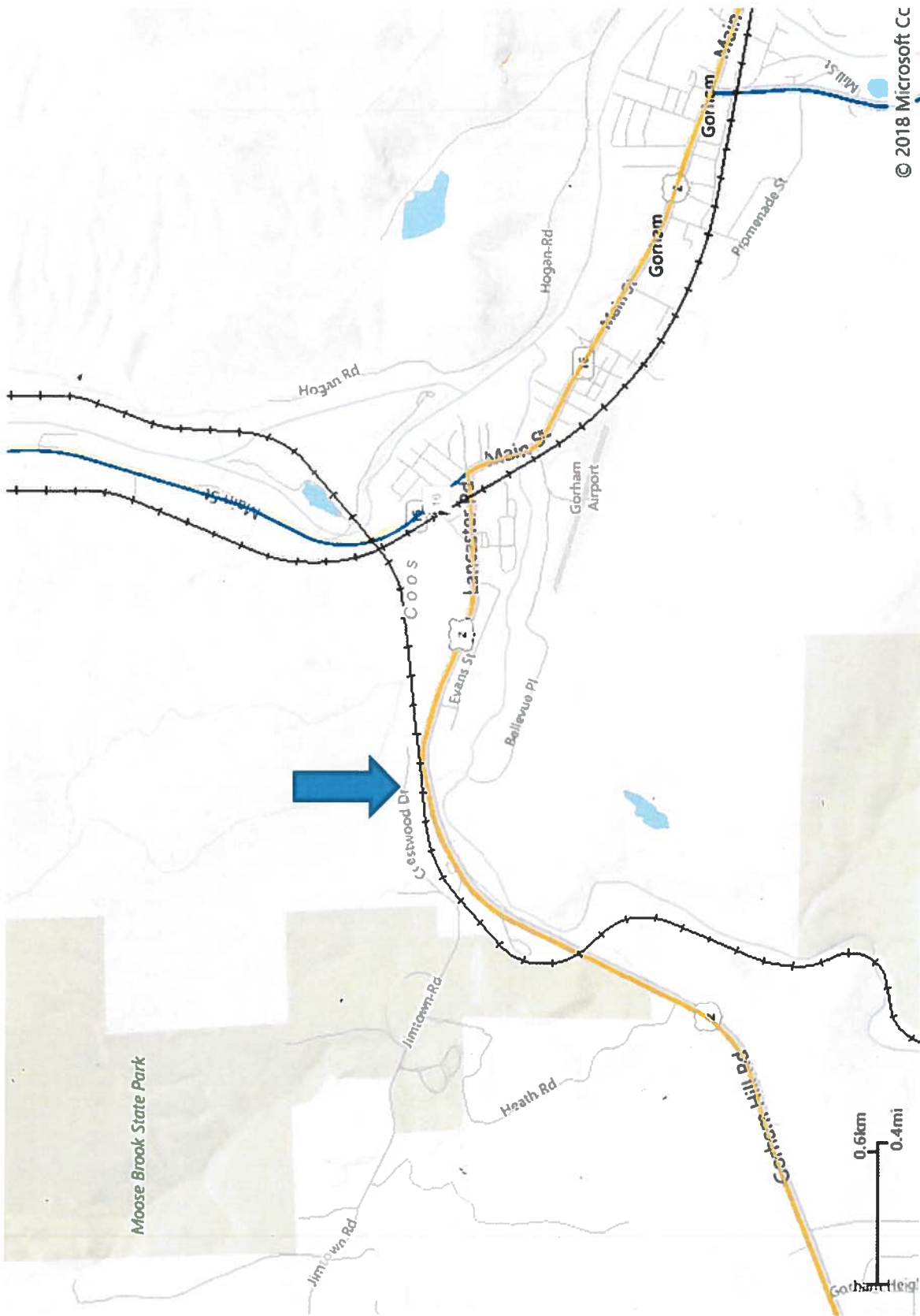
- a. Municipal tax map copy showing all abutters
- b. General location map with scale, north arrow, nearby roads, and water bodies/features*
- c. Aerial Photograph*
- d. Any site plans for new or proposed development prepared at the time of application
- e. Maps depicting rail lines, wetlands, conservation 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.

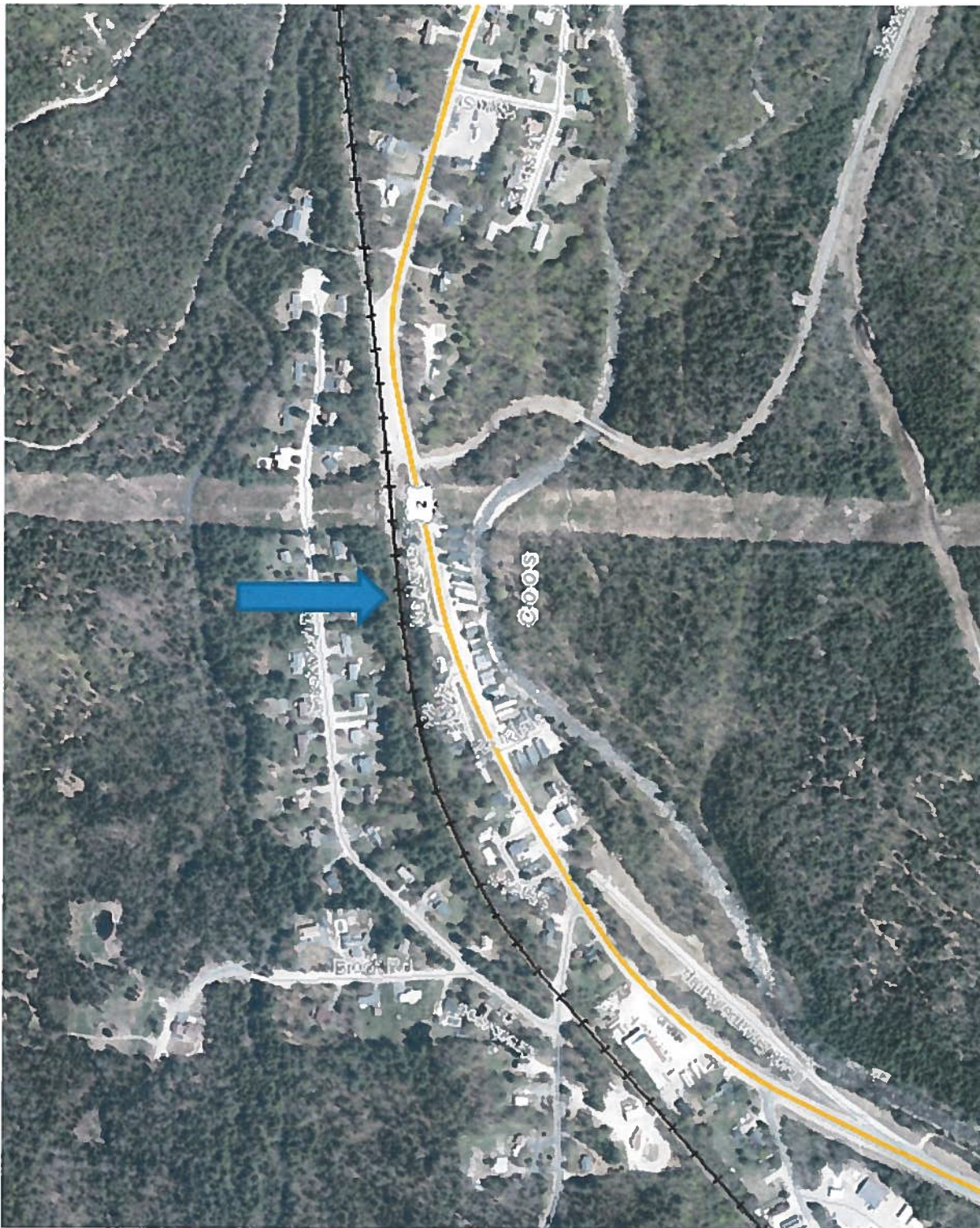
Please paste any maps and photographs submitted as part of this application here.



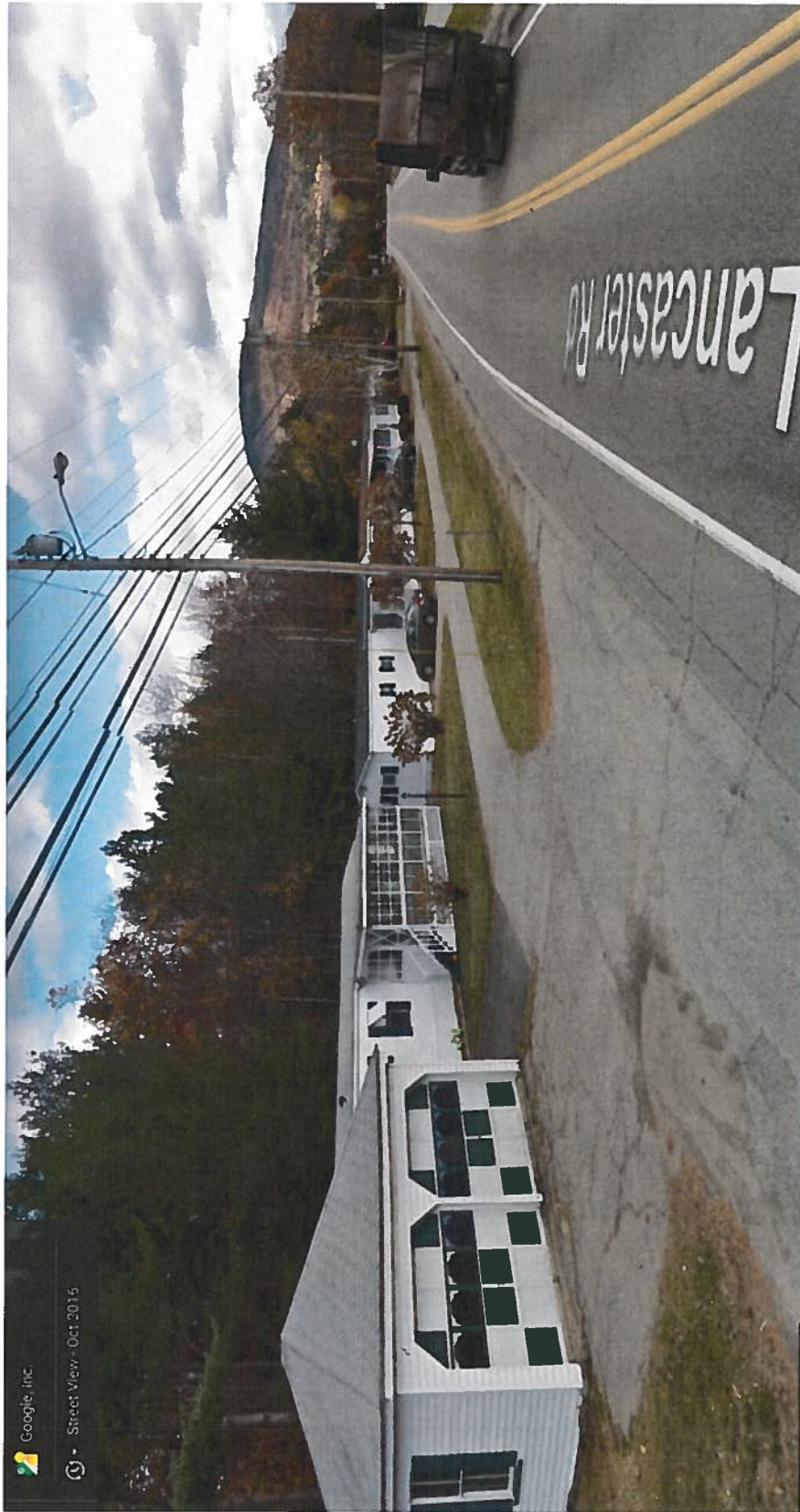
Gorham Tax Map U-19



Location Map



Aerial Photo



Google Street View



Klass, Michael

From: Winters, Shelley
Sent: Wednesday, April 25, 2018 3:59 PM
To: Klass, Michael
Subject: RE: CORD Applications – 2018 SLR 004 (Gorham)

Michael,
The NH Department of Transportation’s Bureau of Rail & Transit appreciates the opportunity to review this request. Please note that the Bureau of Rail & Transit is not opposed to this request provided that it does not impact the track (trail) alignment and that there is sufficient offset from the centerline of the RR corridor and sufficient remaining width of the corridor to accommodate the potential restoration of railroad service.

Thank you,
Shelley

Shelley Winters

Administrator, Bureau of Rail & Transit
New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-0483
Tel: (603) 271-3497

From: Klass, Michael
Sent: Wednesday, April 04, 2018 3:52 PM
Cc: 'jennifer.fish@cooscountynh.us'; 'mmoren@nccouncil.org'; 'rfrost@gorhamnh.org'; Chicoine, Jared; Boisvert, Tracey
Subject: CORD Applications – 2018 SLR 004 (Gorham)

Dear All,

Please find the attached Surplus Land Review memo and application package for your review and comment. As reflected in the memo, the comment deadline for this request is May 4th, 2018.

As of now, there will be five (5) SLR applications heard at CORD’s May 10th meeting. For your convenience, all five requests will be available tomorrow online [here](#).

Please contact me with any questions.

Best,
Mike

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
Division of Forests and Lands

172 PEMBROKE ROAD CONCORD, NEW HAMPSHIRE 03301
PHONE: 271-2214 FAX: 271-6488 WWW.NHDFL.ORG

9607
2018 SLR004

March 20, 2018

Jared Chicoine, Director
Office of Strategic Initiatives
107 Pleasant Street
Johnson Hall, 3rd Floor
Concord, NH 03301

RE: Sale of 0.18 acres of the Presidential Rail Trail to an abutter, Gorham

Dear Director Chicoine:

The Department of Natural and Cultural Resources (DNCR) proposes to sell 0.18 acres of state land located along the edge of the Presidential Rail Trail in Gorham. The sale comes at the request of the abutter, Jeanne Anne Lariviere, who is the current owner of Brae Burn Village, a manufactured home community in Gorham. A survey recently completed for Brae Burn Village, as part of a plan to sell the Village to a Cooperative, identified an encroachment involving portions of four manufactured homes. We believe that these encroachments occurred prior to the State's ownership.

The proposal is to sell an area measuring approximately 22 feet x 360 feet, which is just enough land to resolve the encroachment. The State's property in this area is 99 feet wide and the sale would have no impact on the management of the trail or on the public's use of the trail. An appraisal completed in November 2017 estimated the value to be \$1,000.

Please submit this proposal to the Council on Resources and Development (CORD) for review. We kindly request that item be placed on the next agenda in order to ensure timely subsequent review by the Long Range Capital Planning and Utilization Committee and the Governor and Executive Council. If you have any questions, please contact either Tracey Boisvert or Bob Spoerl at (603) 271-2214.

Sincerely,

Jeffrey J. Rose, Commissioner

RECEIVED

APR 13 2018

OFFICE OF STRATEGIC
INITIATIVES

Conditions required for NEPA & Section 106 of the NHPA have been met.	
<input checked="" type="checkbox"/>	No Known Historic Resources
<input type="checkbox"/>	No Resources Present
<input type="checkbox"/>	No Adverse Effect
If plans change or resources are discovered in the course of this project, you must contact the Division of Historical Resources as required by federal law and regulation.	
NH State Historic Preservation Officer	

4-10-18

CORD 142



The State of New Hampshire
Department of Environmental Services



Robert R. Scott, Commissioner

April 17, 2018

Michael A. Klass
Principal Planner
Division of Planning
New Hampshire Office of Strategic Initiatives
3rd Floor, Johnson Hall
107 Pleasant Street
Concord, NH 03301

RE: CORD SURPLUS LAND REVIEW (SLR 18-004) – REQUEST TO SELL 0.18-ACRE OF RAILROAD RIGHT-OF-WAY TO BRAE BURN VILLAGE TO RESOLVE AN ENCROACHMENT ONTO STATE PROPERTY IN GORHAM, NEW HAMPSHIRE

Dear Mr. Klass:

In response to your recent request, the New Hampshire Department of Environmental Services (NHDES) has completed its review of the subject proposal. Based on a review of pertinent files, Geographic Information System databases, and staff discussions, NHDES offers the following findings and recommendations.

Based on the NHDES review, there will be no issues regarding the proposed sale as long as wastewater is not proposed to be disposed on the adjusted land and there is no expansion of use at the park, with reference to Item #3 noted on the *Request for Surplus Land Review Action* form. Should those conditions change, evaluations and approvals would likely be required from NHDES.

Thank you for the opportunity to comment.

Sincerely,

Timothy W. Drew
Administrator
Public Information and Permitting Unit
Office of the Commissioner

Enc.
cc: Robert R. Scott, Commissioner, NHDES
Tracie Sales, Rivers & Lakes Management, NHDES
Robert Tardif, Administrator, Subsurface Systems Bureau, NHDES

Klass, Michael

From: Sales, Tracie
Sent: Wednesday, April 11, 2018 11:51 AM
To: Klass, Michael
Cc: 'Michele L Tremblay'; 'Larry Spencer'; David W. Packard (david.packard@graniteshorepower.com); Michael Hodder (pbmike@mailbox.org); Black, Kathryn; 'tquarles@devinemillimet.com'
Subject: RE: CORD Applications – 2018 SLR 004 (Gorham)

Dear Mike,

On behalf of the Rivers Management Advisory Committee (RMAC) and the Lakes Management Advisory Committee (LMAC), thank you for the opportunity to review SLR 18-004 in Gorham, the proposed sale of 0.18 acres along the Presidential Rail Trail to an abutter to resolve an encroachment.

Based on the information provided, this Surplus Land Review is not subject to LMAC or Local River Management Advisory Committee review as the property proposed for sale is more than 250 feet from any lake, does not provide access to a lake, and does not lie within the corridor of a designated river. The property is located within 250 feet of a river, and is therefore within the area of interest of the RMAC.

Because the property proposed for sale is located on the opposite side of NH Route 2 from the Moose River and the impact of the sale on the river and the public's access to it is expected to be negligible, the RMAC Chair and Vice Chair have determined that the RMAC does not object to SLR 18-004 in Gorham under the RMAC's categorical exclusion process for reviewing SLRs with *de minimis* impact on the river, or public access to it.

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

Sincerely,
Tracie Sales

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

From: Klass, Michael
Sent: Wednesday, April 4, 2018 3:52 PM
Cc: 'jennifer.fish@cooscountynh.us'; 'mmoren@nccouncil.org'; 'rfrost@gorhamnh.org'; Chicoine, Jared; Boisvert, Tracey
Subject: CORD Applications – 2018 SLR 004 (Gorham)

Dear All,

Please find the attached Surplus Land Review memo and application package for your review and comment. As reflected in the memo, the comment deadline for this request is May 4th, 2018.

As of now, there will be five (5) SLR applications heard at CORD's May 10th meeting. For your convenience, all five requests will be available tomorrow online [here](#).

Please contact me with any questions.

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 List</i>	Rockingham County Board of Commissioners c/o Brenda Santos 119 North Road Brentwood, NH 03833 <i>Via Email (bsantos2@co.rockingham.nh.us)</i>
David Sullivan, Town Administrator Town of Windham 4 N Lowell Road Windham, NH 03087 <i>Via Email (dsullivan@windhamnh.gov)</i>	Sylvia von Aulock, Executive Director Southern New Hampshire Planning Commission 438 Dubuque Street Manchester, NH 03102 <i>Via Email (svonaulock@snhpc.org)</i>

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

DATE: April 4, 2018

SUBJECT: *State Owned Land, Surplus Land Review, Windham, NH
2018 SLR 005*

RESPONSE DEADLINE: May 4, 2018

Please review the attached information to determine if your organization has any interest in this transaction. If there is an interest, please notify this office of your intent in writing by the response deadline indicated above. Responses may be emailed to Michael.klass@osi.nh.gov. The Council on Resources and Development will consider the request at its meeting scheduled for **May 10, 2018**.

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
DEPARTMENT of NATURAL and CULTURAL RESOURCES
Division of Forests and Lands

172 PEMBROKE ROAD CONCORD, NEW HAMPSHIRE 03301
PHONE: 271-2214 FAX: 271-6488 WWW.NHDFL.ORG

March 20, 2018

Jared Chicoine, Director
Office of Strategic Initiatives
107 Pleasant Street
Johnson Hall, 3rd Floor
Concord, NH 03301

RE: Transfer of Old Rail Corridor to the Town of Windham for Development as a Recreation Trail

Dear Director Chicoine:

The Department of Natural and Cultural Resources (DNCR) proposes to transfer to the Town of Windham fee title to approximately a 3/8 mile unmanaged and unmaintained section of the Fremont Branch old rail corridor, which is part of the larger Rockingham Recreational Trail System. The Town of Windham has received a transportation grant to construct a tunnel underneath Interstate 93, which would allow this section of trail to be connected to another recreational trail segment that the town owns/manages to the west. The approximate total acreage to be surplusd is approximately 3.3 acres and the width of the rail corridor in this area is 82.5 feet.

Please submit this proposal to the Council on Resources and Development (CORD) for review. We kindly request that item be placed on the next agenda in order to ensure timely subsequent review by the Long Range Capital Planning and Utilization Committee and the Governor and Executive Council. If you have any questions, please contact either Tracey Boisvert or Bob Spoerl at (603) 271-2214.

Sincerely,

BWS



Jeffrey J. Rose, Commissioner

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Dept. of Natural and Cultural Resources

Agency Contact Person: Tracey Boisvert or Chris Gamache
Address: 172 Pembroke Road, Concord, NH 03301
Phone Number: 603-271-2214
E-Mail: tracey.boisvert@dncr.nh.gov or christopher.gamache.dncr.nh.gov

Applicant Contact Person: David Sullivan, Town Administrator
Address: 4 North Lowell Road, Windham, NH 03087
Phone Number: 603-432-7732
E-Mail: dsullivan@windhamnh.gov

Location of Property: Near North Lowell Road, Windham NH

Acreage: 3.3 +/- acres

Requested Action: Approve transfer of old rail corridor property to the Town of Windham for construction of a recreation path that will connect existing paths.

Term of Lease or Easement: n/a – this is transfer of fee interest

.....

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, susan.slack@osi.nh.gov.

1. What is the current use of this property?

This is an old rail corridor which is in use to the north as a recreation trail but this section is unused and unmaintained due to the I-93 corridor blocking it.

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

The Town of Windham has proposed a tunnel be built as part of the I-93 widening project and intends to use it as a connector to other Town recreation paths.

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.

The property would be cleared of brush and debris and developed as a recreation path that would provide recreation opportunities to the abutting homes and other homes in the neighborhood.

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)?

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)

A few private residences and a day care center

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).

This portion represents approximately 3/8 of a mile of a 17 mile trail (Windham to Epping).

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)

Public parking at Windham Depot, a four way junction of a State managed trail and a Town managed path. There is parking available on the west side of I-93 so when connected, ample access will be available.

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.

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

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.

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

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

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 type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Threatened or endangered species.....	<input type="checkbox"/>	<input type="checkbox"/>	<input 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.

There are wetlands to either side of the property. The drainage pattern along the property where it intersects with the I-93 corridor may change due to the tunnel construction and the I-93 widening project.

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.

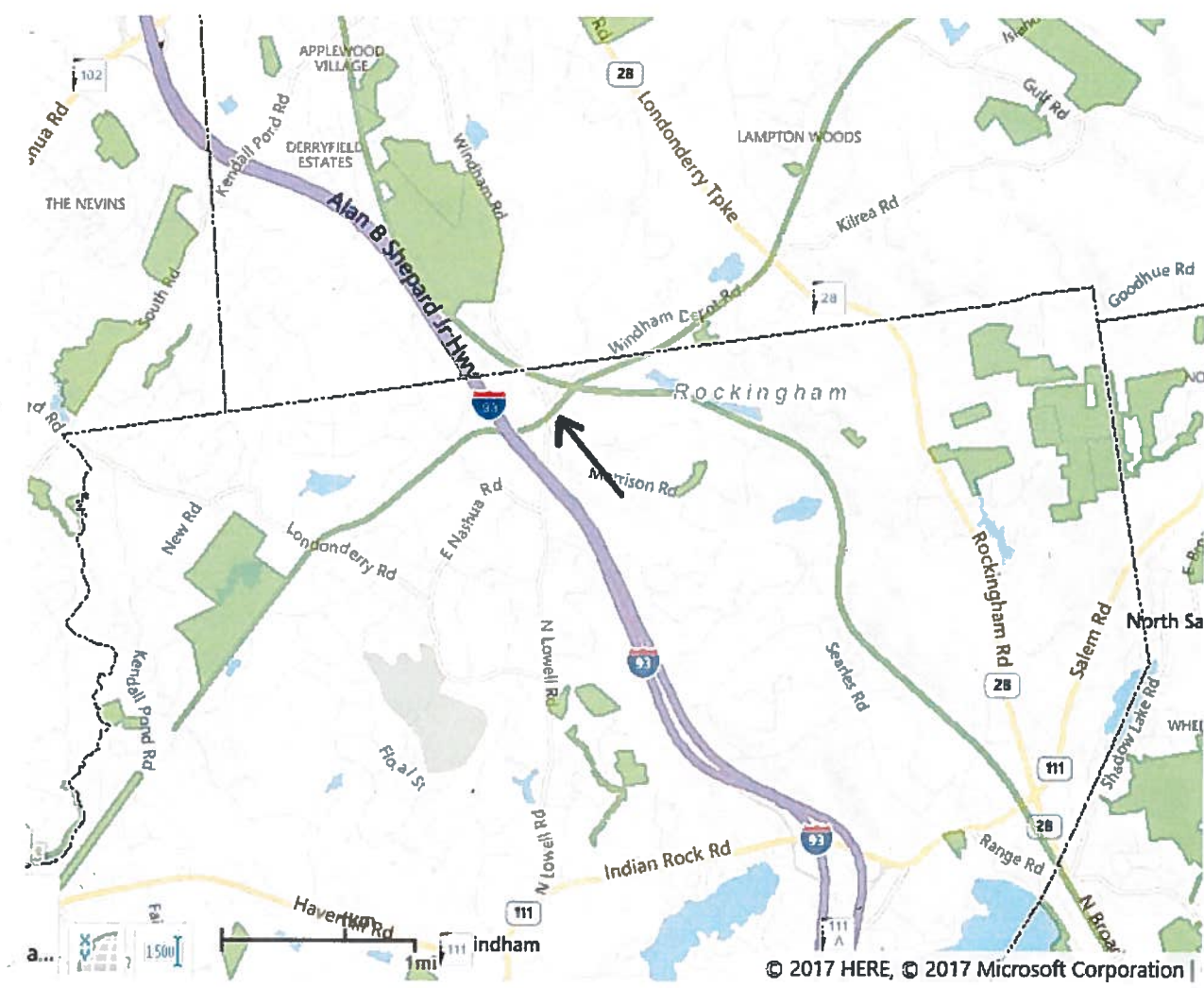
- a. Municipal tax map copy showing all abutters
- b. General location map with scale, north arrow, nearby roads, and water bodies/features*
- c. Aerial Photograph*
- d. Any site plans for new or proposed development prepared at the time of application
- e. Maps depicting rail lines, wetlands, conservation 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.

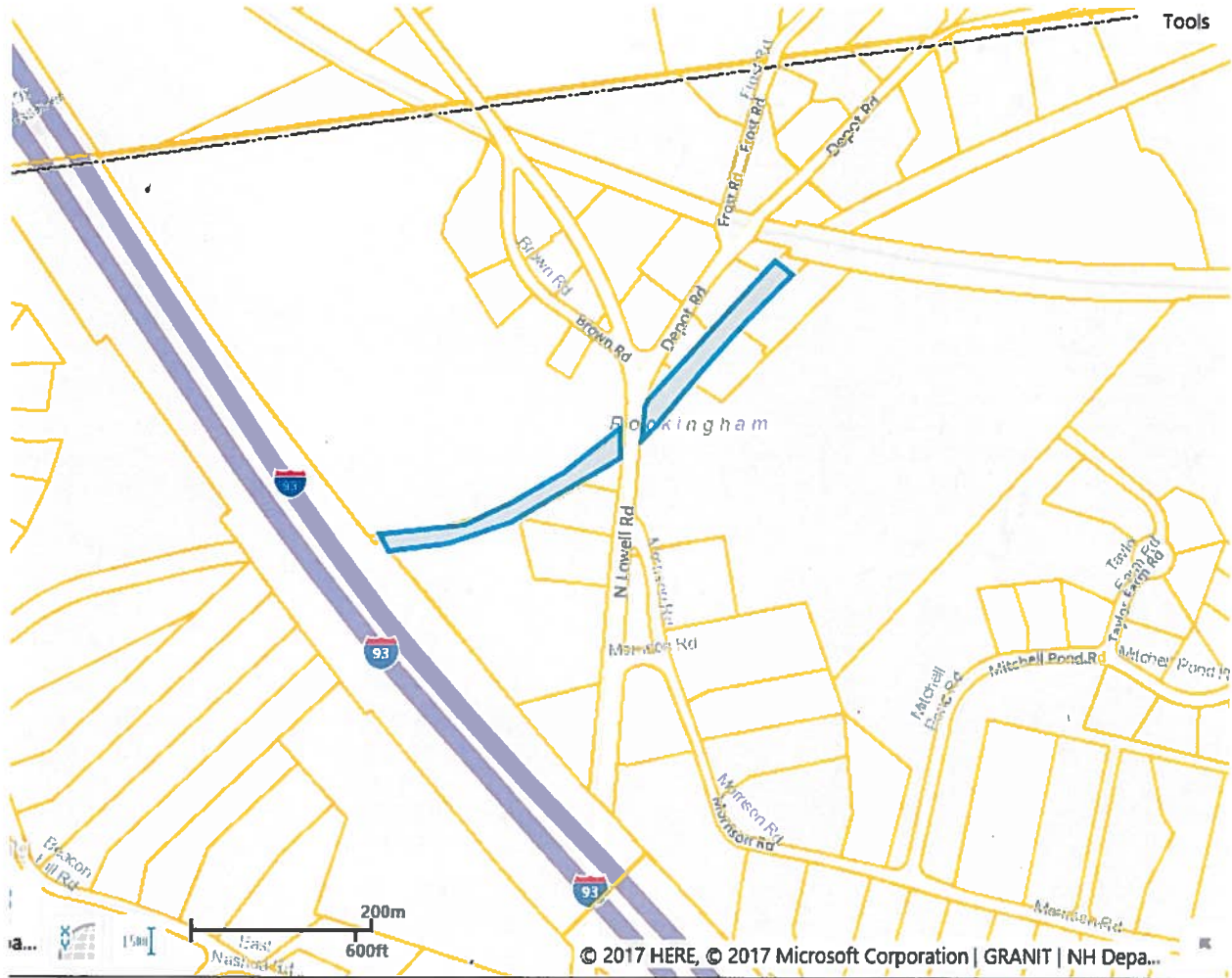
General Location Map

The green lines represent the larger rail corridor. Black arrow notes the area in question



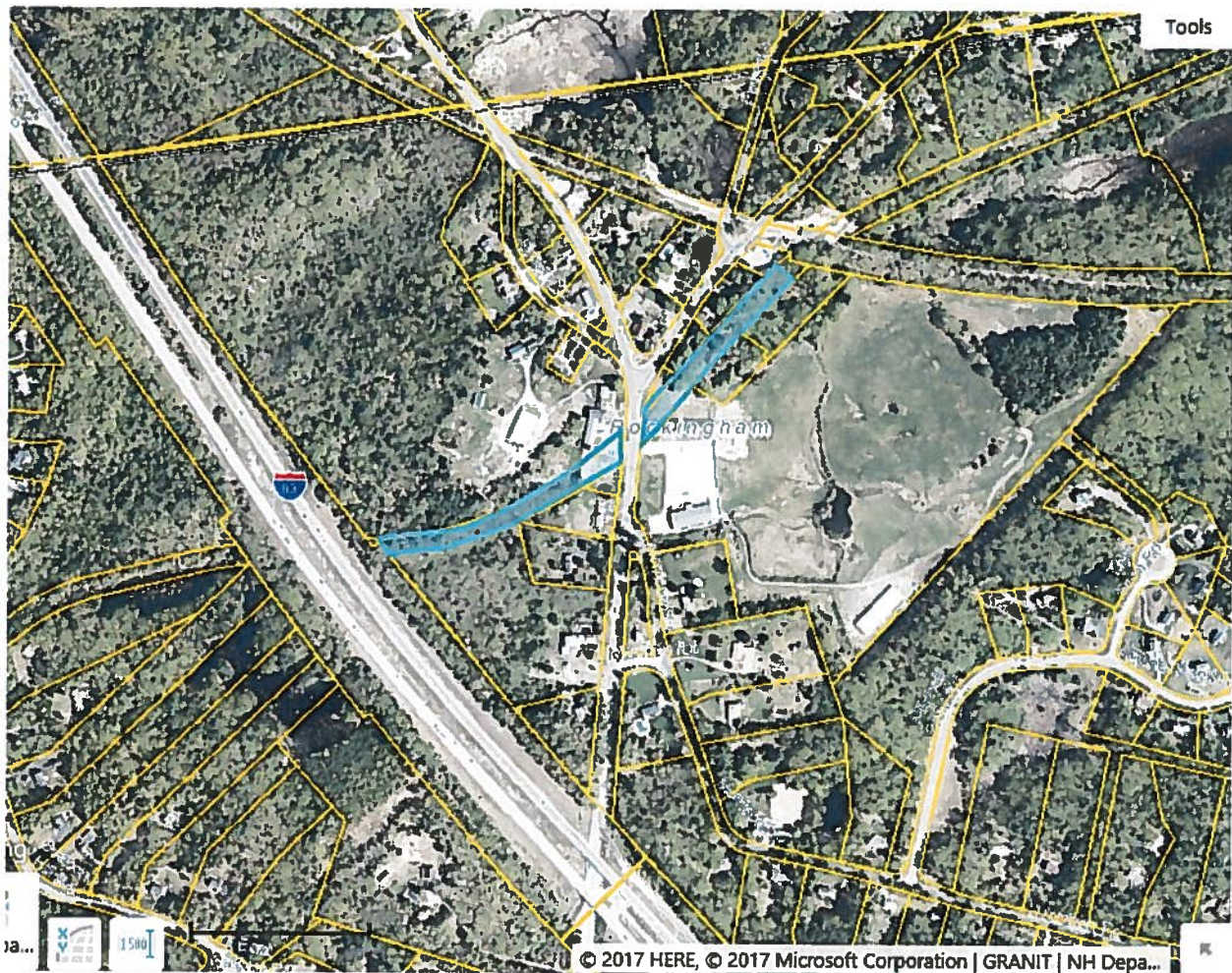
Tax Map Detail

Approx. location of old rail corridor section to be transferred to the Town of Windham is shaded in blue



Aerial View

Approx. location of old rail corridor section to be transferred to the Town of Windham is shaded in blue



Klass, Michael

From: Winters, Shelley
Sent: Wednesday, April 25, 2018 3:17 PM
To: Klass, Michael
Subject: RE: CORD Applications – 2018 SLR 005 (Windham)

Michael,
The NH Department of Transportation's Bureau of Rail & Transit appreciates the opportunity to review this request. Please note that the Bureau of Rail & Transit is supportive of this request with the understanding that it is being done to facilitate the (future) construction or connection of trails in the area of the Windham Depot and Manchester & Lawrence RR trail junction.

We are, however, concerned that while temporal realities may not allow for quality trail connectivity immediately, future generations might possibly want to benefit from the potential off-highway trail connectivity that the Windham Greenway could offer. As such, we are wondering if the transfer will require that the Town retain the corridor at least for conservation purposes or otherwise offer it back to DNCR? If not it might be shortsighted to permit the possibility of a subsequent transfer of a part of the corridor from the Town to an abutter, specifically an abutter that is not in favor of the trail network. Restricting the use or purpose for future trail connectivity/use or reverting back to the State would ensure that the property does not subsequently transfer and preclude valuable transportation opportunities.

Thank you,
Shelley

Shelley Winters
Administrator, Bureau of Rail & Transit
New Hampshire Department of Transportation
PO Box 483
Concord, NH 03302-0483
Tel: (603) 271-3497

From: Klass, Michael
Sent: Wednesday, April 04, 2018 3:53 PM
Cc: 'bsantos2@co.rockingham.nh.us'; Sylvia Von Aulock; 'dsullivan@windhamnh.gov'; Chicoine, Jared; Boisvert, Tracey
Subject: CORD Applications – 2018 SLR 005 (Windham)

Dear All,

Please find the attached Surplus Land Review memo and application package for your review and comment. As reflected in the memo, the comment deadline for this request is May 4th, 2018.

As of now, there will be five (5) SLR applications heard at CORD's May 10th meeting. For your convenience, all five requests will be available tomorrow online [here](#).

Please contact me with any questions.

Klass, Michael

From: Sales, Tracie
Sent: Wednesday, April 11, 2018 8:38 AM
To: Klass, Michael
Cc: 'Michele L Tremblay'; 'Larry Spencer'; David W. Packard (david.packard@graniteshorepower.com); Michael Hodder (pbmike@mailbox.org); Black, Kathryn; 'tquarles@devinemillimet.com'
Subject: RE: CORD Applications – 2018 SLR 005 (Windham)

Dear Mike,

On behalf of the Rivers Management Advisory Committee (RMAC) and the Lakes Management Advisory Committee (LMAC), thank you for the opportunity to review SLR 18-005 in Windham, the proposed title transfer of 3/8 mile of the Fremont Branch rail corridor to the Town of Windham.

Based on the information provided, this Surplus Land Review is not subject to RMAC, LMAC or LAC review as the property proposed for transfer is more than 250 feet from any river or lake, does not provide access to a river or lake, and does not lie within the corridor of a designated river.

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

Sincerely,
Tracie Sales

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

From: Klass, Michael
Sent: Wednesday, April 4, 2018 3:53 PM
Cc: 'bsantos2@co.rockingham.nh.us'; Sylvia Von Aulock; 'dsullivan@windhamnh.gov'; Chicoine, Jared; Boisvert, Tracey
Subject: CORD Applications – 2018 SLR 005 (Windham)

Dear All,

Please find the attached Surplus Land Review memo and application package for your review and comment. As reflected in the memo, the comment deadline for this request is May 4th, 2018.

As of now, there will be five (5) SLR applications heard at CORD's May 10th meeting. For your convenience, all five requests will be available tomorrow online [here](#).

Please contact me with any questions.

Michael A. Klass
Principal Planner
New Hampshire Office of Strategic Initiatives – Division of Planning
107 Pleasant Street, Johnson Hall, 3rd Floor, Concord, NH 03301



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



April 13, 2018

Michael A. Klass
Principal Planner
Division of Planning
New Hampshire Office of Strategic Initiatives
3rd Floor, Johnson Hall
107 Pleasant Street
Concord, NH 03301

**RE: CORD SURPLUS LAND REVIEW (SLR 18-005) – REQUEST TO TRANSFER OLD RAIL
CORRIDOR TO THE TOWN OF WINDHAM FOR DEVELOPMENT AS A RAIL TRAIL**

Dear Mr. Klass:

In response to your recent request, the New Hampshire Department of Environmental Services (NHDES) has completed its review of the subject proposal. Based on a review of pertinent files, Geographic Information System databases, and staff discussions, NHDES offers the following findings and recommendations.

The simple transfer of the 3/8-mile (~ 3.3 acres) unmanaged and unmaintained section of the Fremont Branch old rail corridor to the town of Windham in and of itself will not create apparent impacts to the local environment or public health. However, any future land disturbance activities or other work scheduled for the rail trail corridor may require the issuance of environmental permits from NHDES.

Thank you for the opportunity to comment.

Sincerely,

Timothy W. Drew
Administrator
Public Information and Permitting Unit
Office of the Commissioner

Enc.
cc: Robert R. Scott, Commissioner, NHDES
Tracie Sales, Rivers & Lakes Management, NHDES
Mark Stevens, Land Agent, NHDES



STATE OF NEW HAMPSHIRE
DEPARTMENT of NATURAL and CULTURAL RESOURCES
Division of Forests and Lands

172 PEMBROKE ROAD CONCORD, NEW HAMPSHIRE 03301
PHONE: 271-2214 FAX: 271-6488 WWW.NHDFL.ORG

9269
2018 SLR 005

March 20, 2018

Jared Chicoine, Director
Office of Strategic Initiatives
107 Pleasant Street
Johnson Hall, 3rd Floor
Concord, NH 03301

RE: Transfer of Old Rail Corridor to the Town of Windham for Development as a Recreation Trail

Dear Director Chicoine:


The Department of Natural and Cultural Resources (DNCR) proposes to transfer to the Town of Windham fee title to approximately a 3/8 mile unmanaged and unmaintained section of the Fremont Branch old rail corridor, which is part of the larger Rockingham Recreational Trail System. The Town of Windham has received a transportation grant to construct a tunnel underneath Interstate 93, which would allow this section of trail to be connected to another recreational trail segment that the town owns/manages to the west. The approximate total acreage to be surplusd is approximately 3.3 acres and the width of the rail corridor in this area is 82.5 feet.

Please submit this proposal to the Council on Resources and Development (CORD) for review. We kindly request that item be placed on the next agenda in order to ensure timely subsequent review by the Long Range Capital Planning and Utilization Committee and the Governor and Executive Council. If you have any questions, please contact either Tracey Boisvert or Bob Spoerl at (603) 271-2214.

Sincerely,

BWS


Jeffrey J. Rose, Commissioner

NH Division of Historical Resources
Concurs

Name
4/9/18
Date

RECEIVED

APR 13 2018

OFFICE OF STRATEGIC
INITIATIVES

CORD 156

*****Summary provided for convenience and reference purposes only.
Please refer to actual comments for exact language.*****

SLR: 18 SLR 1	Town:Ashland
Comments Due: April 30, 2018	Applicant: F&G
<i>Division of Historical Resources:</i>	concur; no adverse impacts to historic resources
<i>Environmental Services:</i>	no further interests in transaction
<i>Fish and Game:</i>	n/a
<i>Transportation (Rail & Transit):</i>	does not need this property
<i>Lakes Management Advisory Committee:</i>	not subject to reiew
<i>Rivers Management Advisory Committee:</i>	not subject to reiew
<i>Local River Management Advisory Committee:</i>	not subject to reiew

*****Summary provided for convenience and reference purposes only.
Please refer to actual comments for exact language.*****

SLR: 18 SLR 2	Town: Wentworth's Location
Comments Due: April 30, 2018	Applicant: F&G
<i>Division of Historical Resources:</i>	concur with note (The cabins have high architectural integrity. We encourage the camp owners to explore NH State Register listing to honor the properties.)
<i>Environmental Services:</i>	Based on a review by the NHDES Subsurface Systems Bureau (See Section 8-D of the Lease Agreement, License No. GPWMA-1) and the Wetlands Bureau (overall Section 8 conditions), measures for environmental protection in the Greenough Ponds Wildlife Management Area appear to be adequately addressed by the New Hampshire Fish and Game Department's lease agreement and deed for the subject property. As stated in Section 8-A (Existing Structure Improvements) of the Lease Agreement, any changes to the existing seasonal dock must first be approved by the NHDES Wetlands Bureau. NHDES has no additional concerns relative to the ongoing lease of the Couture lot.
<i>Transportation (Rail & Transit):</i>	does not need this property
<i>Lakes Management Advisory Committee:</i>	no objection
<i>Rivers Management Advisory Committee:</i>	not subject to review
<i>Local River Management Advisory Committee:</i>	not subject to review
<i>Coos County Commissioners:</i>	support

*****Summary provided for convenience and reference purposes only.
Please refer to actual comments for exact language.*****

SLR: 18 SLR 3	Town: Wentworth's Location
Comments Due: April 30, 2018	Applicant: F&G
<i>Division of Historical Resources:</i>	concur with note (The cabins have high architectural integrity. We encourage the camp owners to explore NH State Register listing to honor the properties.)
<i>Environmental Services:</i>	Based on a review by the NHDES Subsurface Systems Bureau (See Section 8-D of the Lease Agreement, License No. GPWMA-2) and the Wetlands Bureau (overall Section 8 conditions), measures for environmental protection in the Greenough Ponds Wildlife Management Area appear to be adequately addressed by the New Hampshire Fish and Game Department's lease agreement and deed for the subject property. As stated in Section 8-A (Existing Structure Improvements) of the Lease Agreement, any changes to the existing dock (currently in ruins on the shorefront) or boat launch must first be approved by the NHDES Wetlands Bureau. NHDES has no additional concerns relative to the ongoing lease of the North Country Outing Club lot.
<i>Transportation:</i>	does not need this property
<i>Lakes Management Advisory Committee:</i>	no objection
<i>Rivers Management Advisory Committee:</i>	not subject to review
<i>Local River Management Advosiry Committee:</i>	not subject to review
<i>Coos County Commissioners Office:</i>	support

*****Summary provided for convenience and reference purposes only.
Please refer to actual comments for exact language.*****

SLR: 18 SLR 4	Town: Gorham
Comments Due: May 4, 2018	Applicant: DNCR
<i>Division of Historical Resources:</i>	no known historic resources
<i>Environmental Services:</i>	Based on the NHDES review, there will be no issues regarding the proposed sale as long as wastewater is not proposed to be disposed on the adjusted land and there is no expansion of use at the park, with reference to Item #3 noted on the Request for Surplus Land Review Action form. Should those conditions change, evaluations and approvals would likely be required from NHDES.
<i>Transportation (Rail & Transit):</i>	Please note that the Bureau of Rail & Transit is not opposed to this request provided that it does not impact the track (trail) alignment and that there is sufficient offset from the centerline of the RR corridor and sufficient remaining width of the corridor to accommodate the potential restoration of railroad service.
<i>Lakes Management Advisory Committee:</i>	not subject to review
<i>Rivers Management Advisory Committee:</i>	no objection
<i>Local River Management Advosiry Committee:</i>	not subject to review

*****Summary provided for convenience and reference purposes only.
Please refer to actual comments for exact language.*****

SLR: 18 SLR 5	Town: Windham
Comments Due: May 4, 2018	Applicant: DNCR
<i>Division of Historical Resources:</i>	concur
<i>Environmental Services:</i>	The simple transfer of the 3/8-mile (~ 3.3 acres) unmanaged and unmaintained section of the Fremont Branch old rail corridor to the town of Windham in and of itself will not create apparent impacts to the local environment or public health. However, any future land disturbance activities or other work scheduled for the rail trail corridor may require the issuance of environmental permits from NHDES.
<i>Transportation:</i>	<p>Please note that the Bureau of Rail & Transit is supportive of this request with the understanding that it is being done to facilitate the (future) construction or connection of trails in the area of the Windham Depot and Manchester & Lawrence RR trail junction.</p> <p>We are, however, concerned that while temporal realities may not allow for quality trail connectivity immediately, future generations might possibly want to benefit from the potential off-highway trail connectivity that the Windham Greenway could offer. As such, we are wondering if the transfer will require that the Town retain the corridor at least for conservation purposes or otherwise offer it back to DNCR? If not it might be shortsighted to permit the possibility of a subsequent transfer of a part of the corridor from the Town to an abutter, specifically an abutter that is not in favor of the trail network. Restricting the use or purpose for future trail connectivity/use or reverting back to the State would ensure that the property does not subsequently transfer and preclude valuable transportation opportunities.</p>
<i>Lakes Management Advisory Committee:</i>	not subject to review
<i>Rivers Management Advisory Committee:</i>	not subject to review
<i>Local River Management Advosiry Committee:</i>	not subject to review

STATE OF NEW HAMPSHIRE
STATE TREASURY
CUSTODIAL ACCOUNT AGENCY AGREEMENT

THIS AGREEMENT, entered into by and between the State of New Hampshire Treasury ("State Treasury") as Custodian for the Land Conservation Endowment Monitoring Fund ("Account") and the Council on Resources and Development ("CORD") ("Agency"), authorizes the State Treasury to invest and reinvest in legal investments allowable under RSA 6:8 for the benefit of the Account in compliance with the below instructions. Additionally, the individual(s) designated as Authorized Agents ("Agent(s)") is/are duly authorized to transact on behalf of the Agency and/or authorized to receive statements and account reconciliations of the aforementioned Account.

1. Investment Objective

In accordance with RSA 11:5, all trust funds in the custody of the State Treasurer shall be invested and reinvested in legal investments allowable under RSA 6:8, and all Trust Fund Administrators ("Administrator") shall notify the State Treasurer, at least biennially, of the investment objective of any funds under their control. The aforementioned investment objectives are established by RSA 11:5 and are set forth in the attached Addendum A.

In compliance with RSA 11:5, I, Jared Chicoine, as Administrator of the above referenced Account, designate Growth/Income (*subject to the attached investment policy*) to be the investment objective for the Account.

Unless specified otherwise in writing by the Administrator, the State Treasurer will provide an annual report on the financial activities of the Account in accordance with RSA 11:5-b.

2. Authorized Agent(s)

On the following page, indicate one of the following levels of authority for those authorized on the Account:

Inquiry Only (I) - This authorization allows the Agent(s) to inquire in the account specified only. They may receive statements and reconciliations for the Account.

All (A) - This authorization allows the Agent(s) to initiate account transactions on behalf of the Agency in addition to receiving statements and reconciliations for the Account.

STATE OF NEW HAMPSHIRE
STATE TREASURY
CUSTODIAL ACCOUNT AGENCY AGREEMENT

NAME	TITLE	AUTHORIZATION(Check One)
Jane Lemire	Business Director	<input type="checkbox"/> I <input checked="" type="checkbox"/> A
Barbara Shea	Fiscal Manager	<input type="checkbox"/> I <input checked="" type="checkbox"/> A
Fran Manginot	Accountant II	<input checked="" type="checkbox"/> I <input type="checkbox"/> A
Stephen Walker	CLSP Program Director	<input checked="" type="checkbox"/> I <input type="checkbox"/> A
		<input type="checkbox"/> I <input type="checkbox"/> A

The parties shall update the terms of this agreement biennially in accordance with RSA 11:5. This update shall be initiated by the State Treasurer.

By signing below, both parties agree to the terms as outlined within this agreement.

(Date) (Jared Chicoine, Director and Trust Fund Administrator)

(Date) (William F. Dwyer, State Treasurer and Custodian)



**STATE OF NEW HAMPSHIRE
OFFICE OF THE GOVERNOR**

CHRISTOPHER T. SUNUNU
Governor

**STATE OF NEW HAMPSHIRE
BY HIS EXCELLENCY
CHRISTOPHER T. SUNUNU, GOVERNOR**

Executive Order 2017-06

An order establishing the Lake Sunapee Public Boat Access Development Commission

WHEREAS, efforts to construct a public boat access site at the "Wild Goose" property on Lake Sunapee (the "Wild Goose Property") began with the purchase of the Wild Goose Property in 1990; and

WHEREAS, the efforts to construct a public boat access site at the Wild Goose Property have met with significant local opposition, including extensive litigation involving multiple appeals to the New Hampshire Supreme Court; and

WHEREAS, the construction of a public boat access site at the Wild Goose Property has yet to begin; and

WHEREAS, the wetlands permit for the construction of a public boat access site at the Wild Goose Property expired on August 28, 2017 and was not renewed following removal of funding for the project from the 2018-2019 Capital Budget by the New Hampshire legislature; and

WHEREAS, it is necessary to assemble a variety of perspectives in order to develop a new plan for development of the Wild Goose Property and expansion of public boat access at Lake Sunapee that will be amenable to and be supported by relevant public and private stakeholders.

NOW, THEREFORE, I, CHRISTOPHER T. SUNUNU, GOVERNOR of the State of New Hampshire, by the authority vested in me by Part II, Article 41 of the New Hampshire Constitution, do hereby order that:

1. There is hereby established the Lake Sunapee Public Boat Access Development Commission. The Commission shall research and evaluate both potential alternative opportunities for development of the Wild Goose Property and potential alternative opportunities for expansion of public boat access at Lake Sunapee.
2. The Commission shall prepare a report detailing its recommendations for submission to the Governor, the Commissioner of the Department of Environmental Services, the Commissioner of Natural and Cultural Resources and the Executive Director of the Fish and Game Department by March 1, 2018. In preparing its report, the Commission shall solicit and review input from all relevant public and private stakeholders.
3. The Commission's report shall include an evaluation of the following factors:

107 North Main Street, State House - Rm 208, Concord, New Hampshire 03301
Telephone (603) 271-2121 • FAX (603) 271-7640
Website: <http://www.governor.nh.gov/> • Email: governorsununu@nh.gov
TDD Access: Relay NH 1-800-735-2964

- a) the potential for expansion of existing Lake Sunapee public access points;
- b) traffic safety;
- c) boating safety;
- d) construction and other development costs;
- e) input from all relevant public and private stakeholders;
- f) environmental concerns, including but not limited to storm water runoff, wetland impacts, and shoreland impacts;
- g) safety, aesthetic and lifestyle impacts specific to residents on Lake Sunapee;
- h) any other factors that the Commission deems relevant to its evaluation.

4. The Commission shall consist of the following members:

- a) one state representative, appointed by the Speaker of the House;
- b) one state senator, appointed by the President of the Senate;
- c) the Executive Director of the New Hampshire Fish and Game Department, or designee;
- d) the Chairman of the New Hampshire Public Water Access Advisory Board, or designee;
- e) the Commissioner of the New Hampshire Department of Environmental Services, or designee;
- f) the Commissioner of the New Hampshire Department of Natural and Cultural Resources, or designee;
- g) one resident of the Town of New London, appointed by the Town of New London Board of Selectmen;
- h) one resident of the Town of Newbury, appointed by the Town of Newbury Board of Selectmen;
- i) one resident of the Town of Sunapee, appointed by the Town of Sunapee Board of Selectmen;
- j) three public members, appointed by the Governor, who are either residents of the Towns of New London, Newbury or Sunapee, or who own property on the shore of Lake Sunapee; and
- k) three additional members, appointed by the Governor.

5. The Governor shall appoint the chair from the membership. The Commission shall meet at the call of the Chair but not less than once per month.

Given under my hand and seal at the Executive Chambers in Concord, this 19th day of September, in the year of Our Lord, two thousand and seventeen, and the independence of the United States of America, two hundred and forty-one.


GOVERNOR OF NEW HAMPSHIRE

Neil Levesque, Chair
The Lake Sunapee Public Boat Access Development Commission

February 28, 2018

The Honorable Chris Sununu
Governor of New Hampshire
State House
Concord, NH 03301

Dear Governor Sununu:

Pursuant to Executive Order 2017-06 please accept this report of the Chair and Majority of the Lake Sunapee Public Boat Access Development Commission.

The recommendations of this report provide the people of the state of New Hampshire with **1) near-term increase in access for trailered boats on Lake Sunapee, 2) allow the NH Department of Fish and Game to explore new options for deep water boat access points, 3) provide increased access for the public to Lake Sunapee, 4) end the long-term divisions and concerns associated with the Wild Goose boat launch site.**

New Hampshire is a small state with a history of constituencies working together to find realistic and workable solutions to problems in a practical way. It is in that spirit that we submit the following findings and recommendations.

History and Background

New Hampshire's lakes and ponds are held in trust by the state for the benefit of the public. In the 1980s, increased development along the shorelines of New Hampshire major water bodies threatened the public's access. In response, then-Governor Judd Gregg worked to better ensure public boat access and, in 1991, the Office of State Planning issued its Public Access Plan for Lakes, Ponds and Rivers (the Plan). The comprehensive Plan outlined existing law and suggestions for how to expand and ensure public access, potential hurdles and proposed boat access plans. In response to the Plan, the NH legislature took action, passing NH RSA 233-A, creating the state's public boat access plan, specifying, the Fish and Game Department (the Department) as the entity responsible for the plan and creating the Public Water Access Advisory Board (PWAAB). The Department was also authorized to collect a fee on boat registration to support its Boat Access Program, currently \$5/registration. (With these funds, many times used to match to US Fish and Wildlife Service funds, the Department operates its boat access program.)

During the same time period, in Newbury, an entity seeking to develop approximately 103 acres on the flank of Mt. Sunapee and including a 3-acre piece of property on Lake Sunapee went bankrupt. Local interest in preserving this property was strong. Newbury and the Lake Sunapee Protective Association (LSPA), in particular, worked hard to make it happen, the LSPA

contributing \$10,000 for the appraisal. Ultimately, the state purchased the property through the Land Conservation Investment Program, a state-funded program created for conservation purposes that no longer exists. Contemporaneously, there was much discussion of the use of the 3-acre shore land piece for public access to Lake Sunapee. The property lies on the short, residential Birch Grove Road, formerly Route 103, which originally closely followed the Lake Sunapee shoreline along the base of Mt. Sunapee as it drops to the lake. At one time, it was the location of the Wild Goose Cottages. The anticipated intensity of the use of the Wild Goose property at the time of purchase is disputed. Locally, given road safety and environmental concerns, only low impact cartop boat/canoe access was ever supported. In 1991, The LCIP directed DRED to assign the Wild Goose property to the Department. As a piece of state-owned land, oversight authority for Wild Goose, fell to the Council on Resources and Development (CORD).

During the 1990s, Fish and Game, assisted by PWAAB, assessed the public access points on the state's water bodies, particularly, its 10 largest lakes, including Lake Sunapee. At 4,136 acres, Lake Sunapee is the state's 5th largest lake, with frontage in the towns of Newbury, New London and Sunapee. As part of the process, the locally based Lake Sunapee Boat Access Advisory Committee was formed. The Department analyzed public access points on Lake Sunapee. As reported in detail in the Intertown Record, dated June 1, 1999, after a great deal of study, Fish and Game announced that it was abandoning plans to use Wild Goose for anything other than car top boat/canoe site because of road safety concerns and because developing the wooded, steeply sloping site, then \$750,000, did not meet its cost-benefit analysis. It decided to look elsewhere. The goal then, as it remains today, was to find a site that could accommodate 30-35 parking spaces for trailered boat access.

By 2004, when other existing opportunities failed, PWAAB recommended to the Department to develop its only remaining option, the Wild Goose site, for trailered boat access. By the late 2000s, with strong local opposition and much controversy, the Department unveiled its plan for the site. The plan called for extensive excavation, blasting and dredging to create a dual boat launch and 43 parking spaces (31 for trailer boats). The LSPA and Newbury unsuccessfully litigated the issuance of the Department of Environmental Services (DES) permits, CORD's approval of proposed plan given the terms of the original acquisitions and prevailing statutes (NH RSA 162-C), and Newbury's jurisdiction over road safety requirements. In June 2016, the Department sought approval of a \$2.1 million capital budget request to construct Wild Goose that included \$150,000 for road safety improvements. Governor Chris Sununu included the funding in his draft 2018-1019 Capital Budget, but it was removed by the legislature. Currently being litigated, the DES permits elapsed in August 2017. Governor Sununu issued Executive Order 2017-06 in September 2017, creating this Commission in an effort to solve the Lake Sunapee public boat access challenge.

The Department's effort to construct the Wild Goose boat launch has been fraught with difficulty, high costs, safety and community concerns and litigation. The Fish and Game Commission and sporting/fishing groups, particularly in Sullivan County, have strenuously supported it. For almost three decades, the high impact plan to create a boat launch for trailered boats has been controversial, dividing people and communities. It has cost the Department, the state and constituencies hundreds of thousands of dollars. The result is a stalemate, the

Department has not fulfilled its responsibilities under RSA 233-A and the public still does not have increased access to Lake Sunapee.

The Work of the Commission

Executive Order 2017-06 outlined the two main charges of the Commission to develop a new plan for the development of the Wild Goose property and to plan for expansion of public boat access that will be amenable to and be supported by relevant public and private stakeholders.

The Lake Sunapee Public Boat Access Development Commission met six times. Advance notice of these meetings was provided to stakeholders and the media. The public and stakeholders provided extensive input to the Commission at several meetings, including in Newbury, N.H., and Concord, N.H. All meetings were open to the public and audio recorded. The Commission also received extensive background materials during the numerous public hearings, by mail and email, including environmental impact statements, Lake Sunapee boat usage data, traffic studies, media reports, agency decisions and press releases, and court decisions relating to the Wild Goose project. The Commissioners toured Lake Sunapee public boat access sites (at the Wild Goose and Sunapee State Park locations) with representatives of the Department and the Division of State Parks.

Members of the public provided extraordinary insight into issues that weighed heavily on the Commission and the Commission is grateful to the public for their contributions to this report.

The safety concerns of the Wild Goose site voiced to the Commission by police, fire and emergency officials were critical to the recommendations outlined below.

The members of the Commission, some with long standing, deeply held beliefs on the subject at hand, worked cooperatively and in a civil manner during these deliberations. In the end, the seven unanimous findings reflect the common ground gained during this process.

The Issues

Boat access is not as simple citizen pedestrian access. The large, trailered deeper draft vessels require space, maneuverable parking, dockage and deeper water to access water bodies. Providing access to larger boats involves expensive shore land property, traffic safety upgrades, extensive engineering, and heavy construction, all at great expense. As noted in 1991 Public Boat Access Plan recommendations, among other things, public access requires land, the efficient use of funding and concern for environmental, socio-economic and abutter conflicts. In particular, the Plan recognized that active recreation at boat ramps in residential areas would cause valid abutter concerns, if not adequately buffered.

Reasonableness.

NH RSA 233-A, pursuant to which the Department operates the state's public boat access program, does not allow for the important consideration of what is reasonable, especially considering the availability of valuable shore property which is suitable for the development of a

boat ramp able to accommodate large boats. For instance, the Plan recommends 10-15 acres for a boat launch that could accommodate 40 parking spaces like that being proposed for Wild Goose. The Department, faced with public boat access challenges, seeks to place a large boat facility in a 3-acre site. While DES determined that with extensive engineering, the state's environmental requirements were met, road safety and community concerns are not. Not having any other alternatives, the Department seeks to fulfill its responsibilities by constructing the Wild Goose boat launch on land the state owns. But, clearly, the Wild Goose site poor location for a 40-space double boat launch for all the reasons local residents and the Towns of Newbury, New London and Sunapee shared with the Commission.

Therefore, at the heart of the issue is the disagreement over what is "reasonable" capacity for access. The position of the Department has been that the state should provide access for 100% of boat-types, 100% of the time, for free, for any as many boats, regardless of the costs, concerns of the community, and safety hazards. This is as realistic as a motorist expecting the state to construct a highway for the capacity of the busiest day of the year, without regard to community, safety nor cost.

In seeking to fulfill its mission, the Department has expended hundreds of thousands of dollars in untold hours of staff time, engineering fees and litigation costs. The local residents, organizations and towns have done the same, fighting what they perceived to Fish and Game's unreasonable proposal. Emotions have run high.

In its determined pursuit of Wild Goose boat ramp's construction, the Fish and Game Commission, as supported by PWAAB, did not give sufficient consideration to what was reasonable in relation to other concerns, most notably traffic safety, inadequate residential buffering, expense, existing boat access and environmental impact. But for the fact that the state owns Wild Goose, it is unlikely that Fish and Game would have selected this challenging site to build a boat launch.

Existing Access

While the Department is required by law to provide a public boat access area on Lake Sunapee, it is worthwhile to review existing access on the lake. There are five boat launches on Lake Sunapee, all free and open to the general public, except the ramp at the State Beach for which there is a fee. The Commission received testimony from the LSPA, backed by data generated through the Lake Host aquatic invasives program, showing that thousands of boats are accessing the lake annually, approximately $\frac{3}{4}$ of which are motorized boats. The program runs during the summer during business hours, so more boats than the LSPA has checked have access the lake. The number of boats has steadily increased over the past several years. Area towns rely on boat visitors for tourism dollars. In fact, representatives of the Town of Sunapee testified that it recently invested \$40,000 to improve Sunapee Harbor boat ramp and parking lot. Thus, there is relatively extensive motorized boat access on Lake Sunapee already. There is no access crisis. Nevertheless, there is not enough parking at locations that can accommodate larger boats. The Commission, unanimously, acknowledged in our findings the need for more deep-water access for boats on Lake Sunapee.

Road Safety

The Commission heard a great deal of testimony from local emergency services personnel from Newbury and New London expressing their strong opposition to the construction of the Wild Goose boat ramp because of existing traffic hazards. Sunapee, Newbury and New London all wrote to Commission to reconfirm these concerns. In fact, Route 103, from its intersection with Route 103A to the Mount Sunapee traffic circle is already a dangerous stretch of road with a lengthy crash history. Newbury provided ample documentation to the NH Department of Transportation when applying for a Highway Road Safety Audit grant. In awarding the grant, by letter dated June 8, 2016, the DOT asserted that such grants are made where there are “serious safety issues.” DOT issued Road Safety Audit report May 8, 2017. The audit outlines the car access challenges from both of the skewed intersections from Birch Grove Road with Route 103, including insufficient site distances, the steep incline of road to Route 103 and the contours of Route 103 itself. Route 103 carries a great deal of east-west commuter, tourist and truck traffic at road speeds of 50 mph and more. The improvements needed to make access onto Route 103 safe for vehicles with trailered boats safe would be extensive and very expensive. The Fish and Game plan included only \$150,000 for road improvements and while it has had many discussions with DOT about the site, no permit application was ever made and approved. Sufficient improvements would only add to the expense for this cash-strapped agency. Furthermore, because Wild Goose is a state project, the Town of Newbury has no jurisdiction to require the state to make any improvements, safety or otherwise, to Birch Grove Road. The Commission cannot, in good conscience, recommend proceeding with a project when such grave public safety concerns exist.

Environmental Impacts

Lastly, the Commission received testimony on the environmental impact of the construction of the Wild Goose. The LSPA provided evidence of the extensive excavation, blasting and dredging necessary to make Wild Goose an acceptable boat ramp. Although the LSPA and many others feel they were inappropriately issued, DES did issue the necessary permits, but as evidenced by the over \$2 million capital budget request, the extensive excavation makes Wild Goose very expensive.

State Beach

None of these arguments are new. For this reason, the State Beach has been the focus of much attention as a viable alternative. The Commission looked closely at this option and greatly appreciates the cooperation and input of the Division of State Parks, specifically its director, Phil Bryce, a member of the Commission.

The current use of Sunapee State Park boat launch provides interesting information. In the summer, the boat trailer parking is utilized 33% percent of the time on weekdays and close to 100% on favorable weather weekends. Four of the six fishing tournaments on Lake Sunapee in 2017 were based from the Sunapee State Boat Launch. The State Beach boat ramp is not as deep as the boat ramps at Sunapee Harbor or at Georges Mills. For approximately seventy-five years it has been used as a boat launch without dredging to the channel (called Chandler

Brook). Reportedly, the lake directly in front of the channel was at one time dredged. The depth of the channel is variable depending on the time of the year and rainfall. The conclusion is that the State Park launch is well-utilized, and is a preferred location for launching fishing boats, but it is at maximum capacity on summer weekends. An increase in parking would increase access to the lake, but would not accommodate deeper draft vessels without dredging at Sunapee State Park. Additionally, Director Bryce expressed valid concerns that greatly increasing boat traffic at the beach would be counter to its primary mission of providing beach access for the public. Some members of the Commission strongly believe that dredging of the mouth of the channel at the State Beach would be an overall solution to boat access on Lake Sunapee.

Clearly, there are no perfect answers to this twenty-seven year conflict.

Findings

The Commission approved the following unanimously by the members present at the 2/14/18 meeting.

1. Currently, there is not enough accessible parking capacity for trailers at deep water boat ramps on Lake Sunapee available to the general public.
2. For twenty-seven years the NH Department of Fish and Game has attempted to construct a boat launch at the Wild Goose site. This proposal has been met with opposition which has divided communities, prompted litigation, and has delayed the Department from its obligation to comply with RSA 233-A to provide public boat access to Lake Sunapee as called for by that statute.
3. The New Hampshire General Court in 2017 did not support the capital funding for the construction of the Wild Goose boat launch.
4. Currently, the status of the Wild Goose Site permits are as follows: The Department of Environmental Services wetlands permit is in litigation. The Department has taken the position it cannot be extended. The Alteration of Terrain permit has expired and the Shoreline Water Quality Permit is in force.
5. There are unresolved traffic and safety concerns regarding trailer boat traffic patterns entering and exiting Route 103 to and from the Wild Goose Site.
6. Sunapee State Park cannot serve as a replacement for the deeper water, thirty-one trailer boat parking space, Wild Goose site.
7. The New Hampshire Division of State Parks is committed to exploring additional boat trailer parking at Sunapee State Park, for park visitors, outside of current parking lots. This development would increase access in the near term for trailered boats.

Recommendations

The Chair, joined by the majority of the Commission further recommend the following:

1. *We strongly recommend* that the Wild Goose site be removed from consideration as a Department of Fish and Game boat launch site by way of CORD transferring the property to the Division of State Parks by the power granted to CORD in RSA162-C:6. This action will release the Department from its focus on the Wild Goose development and

empower it to find a more acceptable alternative for a deeper-water boat access point on Lake Sunapee. The transfer of the property to the Division of State Parks is the right course. The Division has a strong and successful history of providing public access to public waters for recreational purposes as defined by RSA 271:20-a, I. Upon transfer, the Division of Parks should make its own determination as to the suitability of site's use, consistent with its mission to provide public access. This may include providing fishing, car top boat/canoe access, picnicking, or even camping opportunities at the Wild Goose site. The Commission anticipates that the Division will work closely with area communities in developing any plans to avoid the pitfalls of Department's Wild Goose experience. It should be fully expected that the Division of State Parks will charge fees to compensate for any expenditures at the site.

After twenty-seven years of division, strife and ongoing traffic safety concerns, it is time for the Fish and Game to be released of this site, so it can comply with its obligations under RSA 233-A.

2. The New Hampshire Department of Fish and Game should be charged with and strongly supported by the state and local constituencies with finding an alternative site for compliance with RSA 233-A. The Department should immediately begin work on locating a new alternative. Towns and stakeholders, including many who served on this Commission, have stated their willingness to assist in this effort. In the short term, the Department should consider remedies that will help increase access to Lake Sunapee, such as free trailer parking in areas near existing boat launches.
3. Ideally, the New Hampshire General Court should make the Department whole for expenditures relating to developing the Wild Goose site, so that the Department is in a stronger position to develop alternatives.
4. Should the Division of State Parks seek to increase trailered boat parking at the State Beach, it is hoped that the state will approve necessary funding to make it possible. This is the most viable solution to increased parking in the near term.

There are two considerable variables with these recommendations.

1. That the Division of State Parks will be sufficiently motivated to comply with their stated commitment to create more boat access at Sunapee State Beach. That town, state, and recreational enthusiasts work closely with the Division of State Parks to advance the additional parking spaces outside of the existing parking lots.
2. That the Department of Fish and Game is allowed to find and develop an alternative deep-water boat launch site on Lake Sunapee. In the strongest possible terms, the Commission recommends that the state and area communities assist the Department in this effort, so that the challenge of increased access is a joint effort.

It is our hope that the stakeholders and elected officials in the future work to ensure that these recommendations be followed, so that, at long last, the public's right to increased boat access to Lake Sunapee be provided.

Signed,
Neil Levesque, Chair
Senator Ruth Ward
David Kidder
Nancy Marashio
Suzanne Gottling
Vahan Sarkisian
Steve Puksta
Peter Stanley
Dennis Pavlicek

Abstained:
Eugene Forbes, Department of Environmental Services
Phil Bryce, Director of State Parks
Robert Dufresne, NH Wildlife Federation

Attached:
Letter from Robert Dufresne
Minority Report
Executive Order 2017-06



Robert Dufresne, Vice President
New Hampshire Wildlife Federation
54 Portsmouth Street
Concord, NH 03301

February 28, 2018

Neil Levesque, Chair
The Lake Sunapee Public Boat Access Development Commission

Dear Mr. Levesque:

After serving as Vice Chair for the Lake Sunapee Public Boat Access Development Commission and on behalf of the New Hampshire Wildlife Federation I am writing to inform you of the Federation's decision to abstain from both Majority and Minority reports for the following reasons:

- the Majority report does not outline an adequate deep water ramp replacement for the Wild Goose site;
- the Majority report recommends the Fish & Game Department divests the Wild Goose site with no alternative property provided;
- we recommend the Governor and Legislature make meaningful progress on complying with RSA 233-A within the next 24 months;
- if meaningful progress is not made in this reasonable time period, then Wild Goose should be funded and construction should begin thereafter.

Sincerely,

A handwritten signature in black ink that reads "Robert Dufresne". The signature is written in a cursive, flowing style.

Robert Dufresne

MINORITY REPORT

Recommendations

The undersigned Commission members respectfully disagree with the Majority Reports' recommendations and take issue with some parts of its "History and Background" discussion. After multiple meetings, public input and site visits to the Wild Goose site and the Sunapee State Park beach and boat launch only, the Commission conducted its final deliberations on February 14, 2018. At that meeting, all of the members present reached a consensus on the seven findings that are set out at page six of the Majority Report. The Chair then went on to give his recommendations at that meeting, with which the undersigned members cannot agree.

The consensus findings of the Commission, in summary, is that there is a need for more trailer boat parking capacity at deep water boat ramps on Lake Sunapee. The only current such ramps, at George's Mills and Sunapee Harbor have either no, or extremely limited and inconvenient, parking. It should be noted that the Town of Sunapee, at any time, could restrict these two boat ramps to town residents only, thus excluding the rest of the general public. The Commission's consensus findings also conclude that the boat launch at the Sunapee State Park beach cannot serve as a suitable "replacement for the deeper water, thirty-one trailer boat parking space, Wild Goose site". Thus, there is no dispute there is no currently existing deep-water publicly accessible trailer boat access site on Lake Sunapee and that there is a need for such a site. Under the Majority's recommendations, that situation will continue, despite the purchase of the Wild Goose site by the LCIP program in 1992 to serve as the primary, public boat access for Lake Sunapee. Finishing the development of the Wild Goose site as proposed by the Department is the only realistic way to provide the type of site that the Commission agrees Lake Sunapee lacks and needs. Finishing the development of Wild Goose would also allow the Department to fulfill its obligations under the statewide public boat access program to provide such access to Lake Sunapee, a mandate that the Majority Report agrees needs to be fulfilled (see p. 2-3 and RSA 233-A).

The Majority's recommendation to abandon Wild Goose without any proposed substitute site is an abandonment of the Commission's charge to "develop a new plan for the development of the Wild Goose Property and expansion of public boat access at Lake Sunapee ...". Unfortunately, the only expansion of public boat access recommended by the Majority is that the Division of Parks and Recreation consider adding an unspecified number of trailer boat parking spaces for the Sunapee State Park's shallow-water boat ramp. As to Wild Goose, its recommendations are to abandon it as a trailer boat site and turn it over to the Division of Parks and Recreation with no directive other than that that Division: "should make its own determination as to the suitability of site's use, consistent with its mission to provide public access. This may include providing fishing, car top boat/canoe access, picnicking or even camping opportunities at the Wild Goose site". Such a recommendation does nothing to address needed public boat access to Lake Sunapee. Instead, the undersigned Commission members, consistent with the Commission's consensus findings, recommend that the traffic issues of Wild Goose be addressed further so that there can be more confidence in the safety of trailer boat and vehicle combinations entering and exiting Birch Grove Road. This was the one problem with the Wild Goose site identified in the Commission's consensus findings. This issue has been

repeatedly raised and addressed over the years as the Department developed its plans for Wild Goose. The Department of Transportation was repeatedly questioned about these issues and agreed with the Department's outside engineers that their changes to the western Route 103/Birch Grove Road intersection, including moving

some guard rails to increase sight lines were sufficient. Those changes are in the Department's current Wild Goose plans. The undersigned Commission members agree that additional traffic control and safety measures should be considered, including: possible signage prohibiting left turns across Route 103 by trailer boat/vehicle combinations; possible reductions or adjustment of speed limits and zones, and possible warning traffic lights, activated by sensors that read a boat trailer. With such traffic controls and improvements, the undersigned recommend that Wild Goose be funded and completed. The permits that have expired can be renewed. It is important to clarify the Majority's cost statements at p. 2 and understand that the estimated 2.1M project cost will be paid 75% by the U.S. Fish and Wildlife Service and only 25% by state funding. Less than 550K of state funds will be needed, all paid for over time by the direct funding from the five dollar per annual boat registration fee.

The undersigned Commission members strongly believe that Wild Goose provides the only realistic possibility for providing adequate public boat access to Lake Sunapee in the next few years. The citizens of New Hampshire have waited too long for an adequate trailer boat access site on Lake Sunapee. They should not face the prospect of another 27 years of no action.

The Majority Report's History and Background Section

Commission members first saw this largest, five page section of the Majority Report on the afternoon of February 26, 2018. If time permitted, a further meeting of the Commission could have attempted to review and modify this section to attempt to reach a consensus. While much of this section states relevant history and facts, there is an important omission and an overall tone of this section that suggests that Wild Goose is a very poor choice for a trailer boat access site and that "but for the fact that the state owns Wild Goose, it is unlikely that Fish and Game would have selected this challenging site to build a boat launch". (p. 4).

The simplest rebuttal to this claim is that not only Fish and Game, but the LCIP and the Federal U.S. Fish and Wildlife Service thought it was very suitable for a boat launch. DES and DOT approved all of Fish and Game's plans for the development of Wild Goose and DRED's Division of Parks and Recreation supported the project.

The Majority Report in making this argument concludes that the three acre Wild Goose site is too small for the proposed 31 trailer boat and 9 car top parking spaces and boat ramp. Three acres, however, is typical of the size where the Department has successfully built large trailer boat access sites. The Department's sites at Newfound Lake, Squam Lake, Winnisquam Lake, Ossipee Lake/Pine River and Lake Winnepesaukee at Downing's Landing are all three acres or less. The Majority Report is not complete in its recitation of relevant history at p. 2. In discussing the Department's 1999 decision to abandon Wild Goose, it leaves out the history provided to the Commission by the Department's Executive Director that that decision was made only because at the time it looked like the Department could acquire both the Georges Mills boat ramp and sufficient adjacent land for trailer boat parking. When that fell through, the

Department had no choice but to return to Wild Goose and no other alternative site on Lake Sunapee has surfaced in the many years since.

Finally, the undersigned Commission members would like to point out that the Commission had just under half of its members that were residents of, or Lake Sunapee lakeshore owners, in the three towns bordering the Lake. The Commission heard repeatedly from residents of the nearby cities of Newport and Claremont that they were long-time boaters and lake users who supported Wild Goose and who felt that they should have had a place on the Commission.

Respectfully submitted,

Thomas Quarles
Glen Normandeau
Re. Peter Hansen

New Hampshire Council on Resources and Development

SMART GROWTH REPORT

To

Governor Margaret Wood Hassan
and the
New Hampshire General Court

July 2016

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APPENDIX

APPENDIX A	NEW HAMPSHIRE SMART GROWTH LEGISLATION AND REPORT HISTORY
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I. INTRODUCTION

In 2000, the New Hampshire Legislature recognized the impact of state agency decisions on local land use patterns and enacted RSA 9-B, *State Economic Growth, Resource Protection, and Planning Policy* (see Appendix A). This statute requires each state agency to consider “smart growth” principles when providing advice, expending funds, or distributing grant monies for public works, transportation, or major capital improvement projects, and for the construction, rental, or lease of facilities.

“Smart growth” means the control of sprawl, which is the excessive use of land per unit of development. Smart growth can take a variety of forms, many of which are identified in RSA 9-B.

Although it is the responsibility of all of the state’s municipalities to engage in their own planning efforts, the state and its many agencies play an important role in encouraging or influencing patterns of development. The state may locate new offices or build highways that draw citizens into downtown areas where they will be more likely to frequent shops and restaurants and encourage even greater development of our village and city centers. Similarly, other local projects that the state funds, such as local water supply and sewer improvements, or the protection of watershed resources or critical habitat, can result in more efficient use of land.

New Hampshire Council on Resources and Development Mission Statement

New Hampshire’s state agencies, through their policies, programs, and operations, will serve as a role model to promote sustainable land use and community development that conserves energy, natural resources, the built environment and infrastructure, promotes vibrant communities, and strives to provide a high quality of life for all New Hampshire citizens.

Adopted on March 7, 2007

RSA 9-B:6 requires the Council on Resources and Development (CORD) to prepare a report every four years on the following:

- I. Progress by state agencies in considering the state’s policy on smart growth when providing advice or expending state or federal funds.
- II. Progress by the state agencies represented on CORD in coordinating their activities to encourage smart growth.
- III. Efforts to encourage development in accordance with the principles of smart growth by regular review of state operating procedures, granting policies, and regulatory framework.
- IV. Suggested policy changes or legislation that CORD believes would strengthen the state’s ability to achieve smart growth.

Since the first report in 2000, CORD has asked state agencies to evaluate their current actions that may have an impact, either positive or negative, on smart growth, and how best to address these issues in the future. Additionally, CORD has asked the agencies to identify statutes that might conflict with RSA 9-B, and how to coordinate smart growth efforts.

Starting in 2006 and 2015, respectively, CORD also sought the input of the state's 234 municipalities and nine Regional Planning Commissions. Through the direct emailing of the state's communities and Regional Planning Commissions, CORD distributed an electronic survey and invited municipal boards, councils and commissions to offer their input on the practices of state agencies and progress in meeting the requirements of RSA 9-B.

In September 2015, the New Hampshire Office of Energy and Planning (OEP), on behalf of CORD emailed surveys to 12 state agencies, 234 municipalities, and nine Regional Planning Commissions. The survey questions posed to state agencies, which are the same questions from past surveys, and responses from eight state agencies are summarized in this report. The survey questions posed to the municipalities and the Regional Planning Commissions and the responses by 23 municipalities and one Regional Planning Commission are also included in this report.

II. UPDATE ON NEW SMART GROWTH POLICIES

Since the last update of CORD's 2010 report, New Hampshire's economy has continued to rebound from the Great Recession of 2009. This has been a period of slow population growth – just over one percent between 2010 and 2015, according to Census estimates, and most of that growth was in New Hampshire's four southeastern counties (Strafford, Rockingham, Hillsborough, and Merrimack). Other parts of the state saw no overall population change in those five years, or even slight declines in population.

The Great Recession was also a period of limited housing starts and limited commercial development, which has prompted many, particularly on the municipal level, to evaluate economic development and land use policies and adapt to shifting demographic trends. These trends indicate an estimated eight percent increase in statewide population between 2010 and 2040, according to projections by the OEP. In addition, the birthrate is expected to decline over that time, while the death rate will increase, leading to a "natural decline" (excess of deaths over births) in the population; any population increases will be due to in-migration. Significantly, the population of people over 65 is expected to more than double, while the population under age 15 is expected to decrease by 14 percent.

Much of the enthusiasm and energy for following smart growth principles is found on the municipal level, where communities have focused on revitalizing downtown centers and adopting flexibility in land use regulations to encourage mixed-use development and diversity in housing and transportation options to meet the needs of New Hampshire's changing demographics. The new smart growth initiatives in New Hampshire since CORD's 2010 report include the following on the next pages.

Accessory Dwelling Units

In 2016 New Hampshire enacted an accessory dwelling unit (ADU) law (RSA 674:71 through 674:73), a bipartisan effort to encourage greater diversity in housing options to meet market demand for smaller and more affordable living units. Requiring municipalities to permit one attached ADU per single-family residence in all zoning districts that allow single-family homes will help to meet workforce demand for affordable housing as well as help to meet the needs of older citizens to live independently in their communities. ADUs also meet smart growth principles by increasing the availability of housing without the need for more land development and more infrastructure. The ADU law takes effect in June 2017.

Complete Streets

Many New Hampshire municipalities, both large and small, are seeing the benefits of adopting Complete Streets policies, a shift in transportation planning that calls for design and operation of the entire roadway right-of-way to enable safe access for all – including pedestrians, bicyclists, motorists and public transit riders – rather than designing roads only with vehicles in mind.

Concord, Portsmouth, Keene, Dover, Swanzey, Wolfeboro and many other municipalities have adopted Complete Streets policies. There is no one standard policy – each is designed to reflect the unique circumstances and needs of individual municipalities. Complete Streets projects in New Hampshire have included sidewalks and trails, designated bike lanes (or wide paved shoulders), attractive and accessible public transportation stops, frequent and safe crossing opportunities, median islands, accessible pedestrian signals, curb extensions, narrower travel lanes, roundabouts, and more.

Complete Streets make it easier to walk or bike to work, school or downtown; provide connections to various parts of town; and improve safety for pedestrians, bicyclists and motorists. They can relieve traffic congestion, support community economic development, and enhance healthy community efforts.

In 2016, the New Hampshire legislature approved a study of the benefits of a Complete Streets policy for the NH Department of Transportation (DOT). According to Smart Growth America, 32 state governments have adopted Complete Streets policies. A state level Complete Streets policy would encourage planning cooperation between individual municipalities and DOT, particularly in towns and cities in which state highways are the main downtown streets.

Granite State Future Statewide Snapshot

A three-year planning effort, spearheaded by New Hampshire's nine Regional Planning Commissions, culminated in 2015 in the publication of **The Statewide Snapshot** which focused on opportunities for future collaboration on transportation and land use issues, economic development, resource management, housing, public health, energy, and cultural, historic and natural resources preservation. The program also resulted in the development of regional plans for each of the nine Regional Planning Commissions, which in turn can be used to coordinate with municipal master plans.

The New Hampshire Livability Principles were developed as a common set of organizing ideas within the Regional Plans and The Statewide Snapshot. The Livability Principles combine the smart growth indicators found in RSA 9-B with the Federal Partnership Livability Principles of the U.S. Department of Housing and Urban Development (HUD), U.S. Department of Transportation and U.S. Environmental Protection Agency, as well as with the themes identified in municipal master plans.

The Livability Principles include:

- Traditional Settlement Patterns
- Housing Choice
- Transportation Choice
- Community and Economic Vitality
- Natural Resources Functions and Quality
- Climate Change and Energy Efficiency

Community Challenge Grant and Municipal Technical Assistance Grant Programs

In 2011, the New Hampshire Housing Finance Authority led a consortium of state agencies, institutions and organizations in developing the Community Challenge Planning Grant Program, funded with a \$1million, three-year grant from HUD. Other state agency partners included the OEP, DOT, the NH Department of Environmental Services (DES) and the Community Development Finance Authority. In addition, several leading New Hampshire nonprofits were participating partners, as was the University of New Hampshire Cooperative Extension.

The program provided 37 competitive matching grants to municipalities interested in changing land use regulations to fulfill the visions of their community master plans and to help enhance local economic, environmental and social sustainability. Projects funded included business corridor improvements, downtown form-based code initiatives, pedestrian and bicycling plan development, mixed-use zoning and low-impact development guidelines, workforce housing ordinance development, energy efficiency initiatives, village center visioning, and traditional neighborhood overlay zone initiatives.

Expanding upon the success of the Community Challenge Grant Program, New Hampshire Housing partnered in 2016 with Plan New Hampshire, several state agencies, nonprofits and business organizations on the **Municipal Technical Assistance Grant Program**, through which competitive matching grants will be awarded to municipalities to adapt land use regulations and policies to encourage a range of housing choices, mixed-use development, form-based codes, energy efficiency measures, and pedestrian and transit-oriented development projects.

III. SMART GROWTH PROGRESS: STATE AGENCIES

In the Fall of 2015, CORD sought input from several state agencies relative to their progress on smart growth matters and what CORD could do to further assist state agencies in meeting the smart growth requirements. A survey was distributed electronically to the state agencies represented on CORD and a select number of other agencies. The following are the questions (in italics) that were asked followed by a summary of responses.

A. OFFICE SITING

In an attempt to support downtown revitalization efforts, does your agency locate its own offices in downtown areas and in existing buildings whenever practical?

State agency responses to the 2015 survey showed a continued awareness of this issue. The state agencies that responded to the survey reported that they were either located in a downtown area or are in locations outside of downtown and have not relocated since the 2010 survey.

- **Department of Administrative Services** continues to seek opportunities to redevelop vacant state owned space for use by state agencies. The continued improvements to existing buildings in the Hugh J. Gallen State Office campus allowed additional state agencies, some of which were in leased buildings outside of downtown Concord, to move into state-owned buildings. Some examples include:
 - **Office of Energy and Planning** relocated in 2011 from a leased building outside of downtown to the Johnson Hall building.
 - Several of the **state's licensing boards and commissions** were consolidated and moved in 2013 into the renovated Anna Philbrook Center building.
 - **Department of Employment Security** consolidated and relocated in 2014 to the renovated Tobey building.
 - A vacant portion of the Main Building on campus was also renovated for use by **Shared Services, Corrections, and the Department of Health and Human Services**.
- **NH Housing Finance Authority's** program rules award a significant number of points for projects applying for Low Income Housing Tax Credits that are either in existing downtown or neighborhood infill sites or involve adaptive reuse of building; or are located in formally designated community revitalization areas (e.g. HUD Enterprise Zones, Main Street Programs, historic districts, designated blighted areas or otherwise targeted areas). In addition, in 2016 New Hampshire Housing partnered with Plan NH on the Municipal Technical Assistance Grant program designed to offer technical assistance grants to municipalities to encourage more diversity in housing options for New Hampshire residents.

Siting government offices can often be a smart growth challenge. The location of a new Merrimack County Courthouse is an example of the many factors at play that affect the feasibility of locating government buildings and services in downtown areas. In the case of the Merrimack County Courthouse, which has been in Concord's downtown since the 19th century, those factors include the interests of several levels of government: the state leases the building from the county; the county also houses its county attorney and sheriff's department offices in the building; and the city has a planning and development interest in keeping the building and its services downtown.

Plans to construct a new courthouse have been discussed for more than a decade but progress was slowed due to the difficulty in finding a suitable downtown location and the economic downturn of 2009. Funds were included in the state's 2015 capital budget with the goal of keeping the courthouse downtown. When a downtown location plan fell through, the approved capital budget included a plan to construct a new courthouse in the state's office complex on Hazen Drive, outside of downtown. In the meantime, local developers were working on a plan for another downtown location plan, and design of the Hazen Drive location was delayed while those plans took shape.

In 2016, House Bill 1349 was approved and signed by Governor Hassan to remove a restriction in the capital budget requiring the courthouse to be built on Hazen Drive, and Merrimack County accepted a Concord developer's plan to build a new courthouse next to the existing courthouse and renovate the older structure for use as county administrative offices.

B. AGENCY POLICY

Does your agency's mission statement and/or rules reflect the state's policy on smart growth? If not, are there plans to revise?

The 2015 survey results continue to show that many state agencies believe their missions either support or are consistent with some smart growth principles.

- **Department of Administrative Services**, Bureau of Planning and Management includes the following text in each lease request for proposals (RFP): Proposals that offer office space located in existing and/or "downtown" buildings shall be shown favorable preference during the RFP review process. This favorable preference is required by RSA 9-B, the State of New Hampshire's "Smart Growth" initiative.
- **Department of Environmental Services** continues addressing sprawl and supporting smart growth to be priorities for the Department. Promoting smart growth practices is a significant component of the Department's mission to "help sustain a high quality of life for all citizens by protecting and restoring the environment and public health in New Hampshire." Coordination with other departments and agencies on issues relative to better management of development and broad-scale long-term term planning issues remains a DES priority. The Department continues to review its program activities, policies and rules to identify ways to better support and promote the state's smart growth. DES is also implementing two policy documents that encourage smart growth.

The efficient use of land is a key consideration of the agency's 2010-2015 Strategic Plan and the encouragement of greater infill and redevelopment within or near existing community centers is a key goal of the New Hampshire Climate Change Action Plan.

- **Department of Cultural Resources, Division of Historical Resources'** mission is to promote the use and conservation of historical properties for the education, inspiration, pleasure, and enrichment of the citizens of New Hampshire. Historical properties may be buildings, structures, landscapes, sites or districts; the reuse of both individual resources and historic villages, complexes, neighborhoods and downtowns, falls squarely in line with both the sustainability and the smart growth movements.
- **Department of Resources and Economic Development** recognizes that well planned economic development is essential to the well-being and prosperity of New Hampshire citizens; it facilitates, where possible, "smart" economic growth across the state. The Department recognizes that New Hampshire's strength as a state lies in the ability to balance business creation with responsible management of our natural resources.
- **Department of Transportation's** mission is Transportation Excellence Enhancing the Quality of Life in New Hampshire. Transportation excellence in New Hampshire is fundamental to the state's sustainable economic development and land use, enhancing the environment and preserving the unique character and quality of life. The Department provides safe and secure mobility and travel options for all of the state's residents, visitors and goods movement through a transportation system and services that are well maintained, efficient and reliable, and provide seamless interstate and intrastate connectivity.
- **Fish and Game Department's** mission supports several aspects of the Smart Growth policy. Through their habitat protection programs, the Department works to protect viable wildlife habitat, clean water and viewscapes.
- **Office of Energy and Planning** is required to take a leadership role in encouraging smart growth and preserving farmland, open space land, and traditional village centers, as stated in RSA 4-C:1. OEP must also encourage and assist planning, growth management, and development activities of municipalities and groups of municipalities with the purpose of encouraging smart growth.
- **NH Housing Finance Authority's** 2014 Housing Study pointed out a mismatch between the state's housing stock and the shrinking and aging households that occupy that stock. The creation of accessory dwelling units (ADU) was suggested as one possible solution to housing barriers experienced by both aging households and young households. The information in the study was instrumental in the eventual enactment in 2016 of legislation that will allow ADUs in most residential zones, utilizing existing buildings or already developed sites.

C. AGENCY GRANTS AND TECHNICAL ASSISTANCE

In providing grants, technical assistance, education, and other forms of assistance to local communities and others, does your agency give priority to projects that strengthen village centers and downtown areas?

The progress toward implementing smart growth principles continues to occur through the state agencies' grant and technical assistance programs. Based on the 2015 survey results, most of the agencies responded that the grants they provide or the programs they coordinate in some way help to promote smart growth principles.

- **Department of Cultural Resources, Division of Historical Resources** has two primary granting programs as well as a new program from the Federal Emergency Management Agency. The Certified Local Government Grant Program is available to communities who have demonstrated a commitment to using preservation planning and tools; grants range from resource identification, to public outreach and education and rehabilitation projects. The Moose Plate Grant Program is their bricks and mortar program, offering rehabilitation dollars to projects that conserve historical properties and keep them in active community use. The Storm Recovery and Disaster Planning Grants for Historic Properties program provides a new source of grant funding to help property owners and communities plan for future disasters. Pre-disaster planning for historic and cultural resources is critical to help ensure better protection of these irreplaceable resources the next time a major disaster strikes.
- **Department of Resources and Economic Development's** sponsored programs seek to strengthen village and downtown areas through securing current jobs and facilitating the creation of new jobs. The Department has strong ties to regional planning commissions and downtown merchant associations to create opportunities for area development. The Department also has ongoing relationships with communities and encourages them to implement smart growth activities (e.g., retention/expansion of existing employers, proper zoning, and the tailoring of industry to available parcels).
- **Department of Transportation** continues to provide funding opportunities through the Safe Routes to School program and the Transportation Alternatives Program, which support the strengthening of transportation access to and from community areas such as village and downtown centers.
- **Fish and Game Department** assists municipalities to ensure that future growth has minimal impact on habitats through its Wildlife Action Plan, which was updated in 2015.
- **Office of Energy and Planning** encourages smart growth decision-making through numerous programs including the Weatherization Assistance Program, which helps to maintain the cost effectiveness and structural integrity of existing residences, reducing the need for new home construction; the Municipal and Regional Assistance Program,

which directly aids municipalities in developing and implementing local ordinances and “best practices” that promote smart growth and deter sprawl; and the Floodplain Management Program, which provides technical assistance and education to communities on adopting regulations that guide development to help promote flood resiliency.

- **NH Community Development Finance Agency** supports the development of vibrant and resilient communities by providing financial resources to nonprofits, community development organizations, counties, municipalities, and for-profit businesses through a variety of grant programs that create affordable housing, support the formation of new jobs and help retain existing employment for low and moderate income New Hampshire residents. CDFA administers nearly \$25 million in funding resources, which includes a combination of state tax credits and federal Community Development Block Grant (CDBG) and Energy Reduction Funds.
- **NH Housing Finance Authority’s** Low Income Housing Tax Credit program, the largest source of multi-family development capital in the state, heavily favors projects that exhibit smart growth principles. In addition, New Hampshire Housing partnered with Plan NH in 2016 to continue public education on the many benefits of compact development and diversity of housing types and costs, with the goal of public support for local land use regulations that create opportunities for compact development and more housing choices. The availability of smaller minimum lot sizes is an important factor in the provision of affordable housing in the state. Higher density development also can lead to increased land conservation, lower energy consumption, less need to segregate populations by age or income, broader community participation, and more efficient transportation.

D. COORDINATION

RSA 162-C:2, XII calls for CORD to coordinate state actions to meet the state’s smart growth principles. What can CORD do to help your agency assess its smart growth impact and identify opportunities to meet the requirements of RSA 9-B?

CORD, by statute, is required to coordinate state actions to meet the state’s smart growth principles. As part of the 2015 survey, state agencies were asked what CORD could do to help agencies assess their smart growth impact and identify opportunities to meet the requirements of RSA 9-B. Overall, agencies continue to express a desire for CORD to be the state’s lead coordinator and information source on smart growth principles. Below is a summary of the responses.

Many respondents to the 2015 survey stated they would like CORD to assume this role in bringing together key agencies influencing land use and development and in state efforts to implement the actions related to land use that are contained in various state policy documents such as the New Hampshire Climate Change Action Plan and State Energy Strategy.

Other responses indicated a desire for CORD to be more involved in state actions such as providing a smart growth review of state projects to ensure that they comply, to the greatest extent possible, with the state's smart growth principles and address important natural resource and community conservation objectives. Agencies also expressed that more emphasis should be placed on the consideration of smart growth policies in the regulatory review of state actions.

E. CONFLICTS

What conflicts do you see between the state's smart growth principles and laws that constrain or guide your agency's actions and policies?

The responses from the 2015 survey continue to reflect the responses from previous years' surveys. Though many agencies could not identify conflicts between existing statutes and the smart growth policy contained in RSA 9-B, a few were noted.

One of the conflicts mentioned is in regards to the state procurement law, which requires agencies to accept "the lowest cost conforming proposal," which often for leased properties is outside of downtowns. Also noted were the state and federal requirements for parking, which can be prohibitive for a state agency seeking a downtown location.

F. CHANGES

What policy or legislative changes would be necessary or beneficial to better aid your agency's ability to implement the smart growth principles of RSA 9-B?

The following are some of the responses that state agencies suggested for policy or legislative changes that are needed to better implement smart growth principles.

- Fund a separate, non-lapsing fund, continually appropriated to the Department of Environmental Services for the purpose of paying costs associated with startup and continued operation of the Integrated Land Development Permit program.
- Provide adequate promotional materials, combined with funding, to ensure the delivery of the product is successful. Like all aspects of economic development, the ability to translate a message or a policy is directly dependent upon the level of resources provided to the project.
- Need for a statewide economic development plan.
- Create a statewide smart growth coordinator who would assist agencies with smart growth efforts, educate, and ensure consistency among state agencies.
- Increase funding for programs such as Land and Community Heritage Investment Program (LCHIP) and other land conservation efforts would allow for additional land protection in support of smart growth policies.

IV. SMART GROWTH: MUNICIPAL AND REGIONAL CONCERNS

To prepare for this report, in September 2015 CORD sought the views of the state's municipal officials and Regional Planning Commissions relative to the performance of state agencies on smart growth matters. A survey was distributed electronically to all planning boards and Regional Planning Commissions in the state. The following are the questions asked (*italics*) followed by a summary of responses.

A. STATE AGENCY IMPACT ON LAND USE PATTERNS

How do state agency policies, actions, rules and regulations affect the pattern of land use in your region?

Municipal responses to the survey indicate that some state agency actions can have significant impacts on land use patterns in New Hampshire's towns and cities, particularly those of the DOT and DES. DOT decisions on state highway and intersection improvements, as well as driveway access permitting, have a direct effect on local development patterns. Environmental permitting by DES, especially shoreland, terrain alteration and wetland permitting, has an impact on the density of local development. Some municipalities express concern about scattered and premature development on the local level resulting from the issuance of these state permits, and highlight DES's lack of resources to adequately enforce state regulations. Other municipalities recognize the importance of designing local zoning regulation to complement state shoreland, terrain alteration and wetland rules. DES soil-based policies on septic system design have enabled increased housing density, according to some municipalities, which reduces the likelihood of scattered, dispersed development. However, lack of state funding assistance to municipalities for new wastewater treatment systems makes compact local development patterns more difficult for municipalities to achieve.

B. STATE LAW CONFLICTS WITH SMART GROWTH PRINCIPLES

Do you know of state laws or policies that conflict with the smart growth principles in RSA 9-B?

Some municipalities expressed frustration with what they perceive as DOT's reluctance to establish or maintain sidewalks along state highways in municipal downtowns, or permit narrow roads in town centers, traffic calming, on-street parking, placement of street trees and other measures that are accepted smart growth methods. One municipality responded to the survey by describing its experience in receiving a Transportation Enhancement Grant to improve pedestrian connectivity and vehicular circulation in its town center, only to have DOT require it to remove from its plan elements for pedestrian sidewalks and crosswalks, and traffic circulation improvements (raised medians) because they would result in additional maintenance costs for DOT.

Responses to the survey indicated that some municipalities believe DES wetland regulations permit development too close to sensitive natural resource areas, such as vernal pools, unless they fall within the jurisdiction of the Shoreland Water Quality Protection Act (RSA 483-B), or

unless municipalities take on the task of designating prime wetlands (RSA 482-A:15). They are concerned that such development has a direct impact on the quality of the state's surface waters and they advocate for scientifically defensible wetland buffer zones to aid municipalities in protecting these resources and promote smart growth development.

Some responses criticized the legislature's 2011 changes to the Shoreland Water Quality Protection Act (RSA 483-B), particularly provisions on shoreline clearing, as conflicting with RSA 9-B (smart growth), and said the provisions should be restored.

Other municipal concerns focused on state underfunding of water and sewer infrastructure projects, historic resource preservation and natural resource conservation, as well as reduced technical assistance funding for OEP and the Regional Planning Commissions, all of which undermine municipal smart growth efforts.

One municipal response suggested updating municipal record retention rules (RSA 33-A) to allow for more electronic storage, instead of requiring paper copies, which would result in more efficient use of resources.

C. STATE AGENCIES CONSISTENT WITH SMART GROWTH PRINCIPLES

Do state agencies act in a manner that is consistent with the principles of smart growth in RSA 9-B?

Most municipal survey responses indicated that state agencies generally act in a manner consistent with smart growth principles, given their funding and regulatory restraints. Enabling statutes permitting municipalities to utilize Innovative Land Use Controls (RSA 674:21) and enact historic preservation regulations were cited as helping towns and cities achieve smart growth principles. The state's Current Use Taxation program and shoreland protection laws were cited as aiding in wildlife habitat and water quality protection.

D. STATE LEVEL RECOMMENDATIONS TO ENCOURAGE SMART GROWTH

What state-level changes to statute, administrative rules, policy, or procedure would you recommend to encourage smart growth?

Municipalities responding to the survey suggested increased resources for additional technical assistance from OEP on smart growth techniques and model ordinances and expressed a need for guidance and education on "smart" zoning.

Some respondents also said state agencies should support Granite State Future's recommendations in The Statewide Snapshot, including:

- development of a state natural resource conservation plan as well as an agricultural preservation plan;
- support for energy efficiency programs, including building energy codes;

- increasing state resources for water infrastructure on a regional basis;
- providing funding to support updates to local master plans, zoning and land development regulations and land conservation efforts;
- strengthening DOT's authority to review land uses that create new traffic demand impacts on state highways and its ability to incorporate multimodal traffic mitigation strategies; and
- requiring that the use of state funds incorporate consideration of climate change impacts into development and redevelopment projects to insure that limited state funds are invested wisely and efficiently.

Other survey respondents suggested dedicating state funding for mass transit options, including rail, to reduce air pollution and vehicle miles traveled; and encouraging regional housing and transportation improvements initiatives.

V. CONCLUSIONS AND RECOMMENDATIONS

Although population changes and development patterns have shifted since 2000, state agencies must continue to incorporate smart growth principles into agency decisions, policies and procedures, and facility siting. It is also important for the state agencies to lead by example and to strengthen the smart growth opportunities of regions and municipal entities through education and partnerships. Since the establishment of the state's smart growth policy, there have been many successes and progress by state agencies in incorporating smart growth principles into their decision-making. These successes need to continue and be built upon.

CORD encourages and supports the ongoing and future actions of individual state agencies, organizations, and municipalities that strive to implement smart growth actions and ideals into their siting decisions, policies, and programs. But it is also important for CORD to take a leadership role in addressing smart growth and developing new approaches to decision-making as well as seeking out additional partnership opportunities with regional and municipal entities.

A. RECOMMENDATIONS

The following recommendations were developed to aid in the implementation of these planning efforts and collaboration.

- A. CORD should be a leader in promoting and coordinating the implementation of smart growth principles. CORD's tasks could include:
 - 1) Review annually how CORD is meeting its responsibilities regarding smart growth and to review the implementation status of these recommendations.

- 2) Establish a regular CORD meeting agenda item for brief smart growth updates from member agencies to present current or new initiatives.
 - 3) Implement the requirements in the following sections of RSA 162-C:2:
 - a. Determine a process to resolve differences or conflicts concerning development, resource management, or the encouragement of smart growth which result from the work of any agency represented on the council in developing policies, plans, or programs. (Section V)
 - b. Develop criteria and procedures for reviewing and coordinating the distribution of funds by state agencies to local and regional entities to encourage consistency with and provide support for the state's smart growth policies. (Section X)
 - c. Review actions of state agencies to ensure, in consultation with the Long Range Capital Planning and Utilization Committee established by RSA 17-M:1-3, that these actions are taken into consideration in the long range capital improvement program that is updated every 2 years in conjunction with the capital budget process, and provide recommendations to the Governor regarding whether the actions are consistent with New Hampshire's smart growth policies under RSA 9-B:5 (Section XI).
 - 4) Coordinate with and assist in the implementation of other agencies' and organizations' work to promote smart growth, through their recent policy and planning initiatives, as resources and opportunities permit.
- B. State agencies are encouraged to request CORD's comments on any programs, policies, or agency siting decisions they may be making to provide advice on their consistency with smart growth principles and how they might better support smart growth.
 - C. State agencies are encouraged to collaborate with other agencies to achieve decision-making that draws on their varied strengths.
 - D. State agencies should coordinate with municipalities and Regional Planning Commissions as they work to incorporate smart growth concepts into their decisions.
 - E. State agencies should continue building and using the GRANIT database in their decision making process. Reliable information is essential to the success of efforts to monitor growth trends and to assess the impact of sprawl. The GRANIT database is a vitally important tool to state agencies and to the public.

Nash Stream Forest Management Plan



State of New Hampshire
Department of Natural and Cultural Resources

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ATV and UTV Use

Existing Trails: Maintain the current ATV & UTV trails on the property.

In May of 2016 a letter from the Society for the Protection of New Hampshire Forests, the Appalachian Mountain Club, and the Nature Conservancy was sent to the Council on Resources and Development (CORD) questioning the legality of the West Side Trail and the Kelsey Notch Trail. CORD spent several months re-examining the issue and determined that the West Side Trail was consistent with their management obligations under RSA 162-C:6. However, CORD found that they had insufficient information to determine if the Kelsey Notch Trail was consistent with RSA 162-C:6. To make a determination and to allow the Kelsey Notch Trail to provisionally re-open in the spring of 2017, CORD requested DNCR provide the following by January of 2017:

1. An updated coarse and fine filter analysis of the Kelsey Notch Trail, pursuant to RSA 215-A:43.
2. An updated interagency MOA between DNCR and Fish and Game for monitoring and enforcement, pursuant to RSA 215-A:42.
3. Continuation of the written agreements between DNCR and the local ATV/UTV club for use and maintenance, pursuant to RSA 215-A:42.

West Side Trail: Maintain and execute a current MOA between DNCR and Fish and Game for monitoring and enforcement. Maintain and execute a current MOA with the North Country ATV Club for continued use and maintenance of the trail.

Kelsey Notch Trail: The trail shall be allowed to remain open on a provisional basis in its current location for the next three years. Based upon the annual reporting that is required through the MOA between DNCR and Fish and Game, as well as additional information and studies that CORD feels are necessary, CORD shall make a determination at the end of this period to:

1. Find the trail consistent with RSA 162-C:6 and recognize it as a designated trail, or
2. Require additional information and extend the provisional period, or
3. Find Kelsey Notch inconsistent with RSA 162-C:6 and discontinue its use.

New Trail Proposals: Evaluate and review new trail proposals for consideration in this plan revision.

“East-West Corridor Trail” - A proposal was submitted by the Nash Stream OHRV Task Force (part of the North Country OHRV coalition) for an East-West Corridor Trail across the south end of Nash Stream as part of the “Ride the Wilds” trail system. The proposal was reviewed by the Nash Stream Technical Team which raised significant concerns with the location of the proposed trail. Upon review from CORD, the request was deemed to be inconsistent with both the management vision as well as RSA 162-C:6.

“Southern Connector Trail” - As a result, a new request from the OHRV community was proposed to review the one mile southern connector portion of the original request as a stand-alone project. The Southern Connector Trail would connect the existing West Side Trail to services south of Nash Stream.

The Nash Stream Citizens Committee voted to include the review of this proposal in the current plan. For the proposal to move forward it must pass the following steps:

- Review by the DNCR land management process
- Evaluation by the Nash Stream Technical Team
- Passage of the coarse and fine filter criteria
- Acknowledgement by DNCR and Fish and Game that adequate resources are available for the monitoring, maintenance, and enforcement of the new section of trail
- Updated MOU between DNCR and Fish and Game
- MOU with local club for maintenance
- Approval by the Nash Stream Forest Citizen's Committee
- Approval by the Council on Resources and Development (CORD)
- Three year provisional period

Future Trail Expansion: Since the inception of the property, the recreational focus has been on traditional low-impact uses. ATV and UTV riding was never intended to be a major component of the recreation plan. While the original plan called for *no* motorized wheeled vehicles, the 2002 revision allows for *limited* motorized access in response to public demand for this developing sport and important economic driver in the North Country. This plan will continue to emphasize traditional, low-impact, recreation as well as offer *limited* ATV and UTV access at Nash Stream Forest, consistent with the 2002 Vision for the property.

- No additional trails beyond the proposed Southern Connector Trail shall be considered during the life of this plan.
- Future requests for *limited* expansion of the ATV and UTV trail system at Nash Stream shall occur during scheduled management plan revisions and shall require review by DNCR, stakeholders, the Technical Team, the Citizens Advisory Committee, and approval by CORD (see **11.5 Recreation Management Guidelines, # 4**).
- No trails for ATV or UTV use shall be permitted on the Nash Stream Road north of the West Side Trail.
- ATV and UTV use will continue to be limited to the edges, or fringe, of the property, and will be prohibited within the core of the forest

Other Uses

Multi-use Trails: There is an existing network of maintained roads, skid trails, and historic paths present on the property. There are no plans to develop any new non-motorized multi-use trails. DNCR will assess other recreation opportunities within the property in the next 10 year planning cycle and determine if an expanded use is consistent with the vision of the property. Monitor current uses allowed and assess its impact and close sections of trail if determined to be necessary.

Accessibility: Continue to provide universal access to persons with disabilities through maintenance of existing resources and policy programs. DNCR uses the latest edition of the United States Department of Agriculture's "Accessibility Guidebook for Outdoor Recreation and Trails" publication as best management practices in the construction and maintenance of new recreational trails on State Reservations when practicable. In addition, all recreational trails on State Reservations allow for accessibility in accordance with DNCR's policy on the "Use of Other Power Driven Mobility Devices" (see Exhibit H). Monitor feedback from all user groups to identify and propose potential areas of

Stark voters to decide if ATVs can continue using town roads as part of trail system

By JOHN KOZIOL
Union Leader Correspondent



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A pair of ATVs parked outside a restaurant in Gorham are signs of the economic benefits of the Ride The Wilds trail system in the North Country. At Town Meeting, voters in Stark will consider whether ATVs are a nuisance and safety risk and therefore should be prohibited from operating on municipal roads. (John Koziol/Union Leader Correspondent)

STARK — Town Meeting voters in this small community will have what could be a big say in the operation of Ride The Wilds, billed as the largest interconnected ATV trail system in the Northeast.

Dedicated in 2013, the more than 1,000 miles of trails have

been hailed as an economic tonic for upper Coos County. According to the New Hampshire

Bureau of Trails, some 70 percent of Ride the Wilds (RTW) trails are on private property, with the balance split between municipal and state land.

Some 17 North Country towns, as well as the city of Berlin, allow all-terrain vehicles and off-highway recreational vehicles to be operated on municipal roads.

In Stark, vehicles have been on town roads since 2015.

Stark Town Constable William Joyce said he has observed “a significant increase in the number of complaints from residents with homes along the trails’ roads,” including late-night riding, noise, speed, dust and riding in unpermitted areas.

Writing in the 2017 Stark Town Report, Joyce said one person reported that he had been “run off the road by an ATV due to speed and auxiliary high-intensity lights.”

If approved, a petitioned warrant article would “close all Stark roads to ATV and OHRV

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vehicle travel beginning April 15, 2018.”

The closing would have a direct impact on the southern-most, east-west corridor in the RTW system that now links the Androscoggin and Connecticut river valleys.

Chris Gamache, head of the NH Bureau of Trails, said “Corridor D” was always meant to be temporary.

The plan had been for the RTW trail in Stark to go through the south end of the Nash Stream State Forest, but when the forest plan was adopted in 2017, it did not include that provision.

The forest plan won’t be up for review for another decade, said Gamache.

He is hopeful that “we can find a resolution” of the Corridor D problem, “but it’s not a fast process.”

Ride The Wilds grew “very quickly,” he said, and residents of communities where it is located need to recognize that “future economic growth is going to come with some growing pains.”

Stephen Clorite is vice president of the North Country OHRV Coalition, which oversees RTW, as well as vice president of the NH Off-Highway Vehicle Association and president of the Androscoggin Valley ATV Club.

On Sunday he said he shared Gamache’s optimism that a resolution to Corridor D will be found.

Clorite expects that Stark voters will defeat Article 16 at Town Meeting on March 13 because he believes that most are supportive of ATVs.

If the measure is adopted, he said it would mean some scrambling for the state and his organizations, because “as it sits right now, Corridor D is the only viable option unless we get permission to go through some conservation property.”

He acknowledged that Ride The Wilds has experienced “growing pains” and that the trail network’s economic benefit needs to be spread out more evenly.

Clorite said he and the OHRV community support Fish and Game giving grants to cover the cost of towns policing the trails as well as the department’s plan to hire two officers whose exclusive responsibility would be to patrol Ride The Wilds.

Without Corridor D, said Clorite, “what you’re going to end up with is more localized riding and less riding through the entire system and you’ll get more localized economic impact.”

The riders, however, will still come.

“Riders will ride,” said Clorite, “because they know what we have to offer,” and the challenge is to “get them to spend their money across the board rather than in one area or another.”

Even though Stark is largely residential, he said “there are some cottage industries there that are looking to capitalize” on having Ride The Wilds come through the town.

jkoziol@newstote.com

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Town constable hopes to draw attention to problems with the Ride the Wilds ATV trails



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A view on Monday of the Percy Peaks from Northside Road in Stark. A week ago Tuesday, voters at Town Meeting defeated a warrant article that would have advised the Board of Selectmen to prohibit ATVs from operating on all town roads, including Northside Road. (John Koziol/Union Leader Correspondent)

By JOHN KOZIOL
Union Leader Correspondent

sidebar STARK — The author of a defeated petitioned warrant article to ban ATVs from town roads hopes the effort alerts lawmakers in Concord that all is not well on the North Country ATV trails.

Since its opening in 2013, Ride the Wilds — an interconnected, 1,000-mile long system of ATV trails — has been hailed as a savior for the economically depressed North Country.

Eighteen communities in Coos County allow ATVs to use municipal roads as a connector to Ride the Wilds.

However, riders operating late at night or on prohibited roads have caused problems for residents, according to Bill Joyce, the Stark town constable.

In Stark, plans to run a trail through the lower Nash Stream State Forest fell through, but the ATVs were still able to operate on 11.8 miles of town roads, providing riders access to Groveton in the west and from there, south to Lancaster, and to West Milan in the east and points north.

But some of those ATV riders, Joyce wrote in his letter in the 2017 Town Report, operated late at night, and on prohibited roads. Some ATVs created excessive noise and dust, he said, adding that in one instance, a resident told him that he had been “run off the road by an ATV due to speed and auxiliary high-intensity lights.”

Joyce drafted the language of the now-defeated Article 16 and circulated the article, but because he is the town moderator, he did not sign it. He did, however, introduce the article at Town Meeting, after recusing himself.

If Article 16 had passed — it failed by a vote of 29 in favor, 94 opposed — it would have served only to advise the board of selectmen on their adoption of future ordinances; the current ordinance allowing ATVs on town roads expires in November.

Joyce said there were several positive takeaways from the Article 16 experience, noting that for starters, the 200 voters who came out to the Town Meeting was about three times the annual average of the past five decades.

“We’ve never even been close” to that many voters, said Joyce.

Joyce says complaints about ATVs on town roads have also been reported in Colebrook, Stewartstown, Groveton and Gorham. He said Article 16 was “an exercise in bringing attention down to the people in Concord” who, he thinks, can reduce some of the issues these communities are dealing with because of Ride The Wilds.

“The Legislature really caused the problem” of ATVs on town roads, Joyce continued, adding that it should address the problem, possibly by creating an eight-person unit that would be tasked solely with patrolling Ride the Wilds.

He repeated his contention, from his letter in the 2017 Town Report, that, despite assistance by N.H. Fish and Game conservation officers, there is no way he can effectively do that job in Stark.

Joyce thanked the Milan Trail Huggers for the club’s posting of signs alerting riders to the town ordinance and speed limits and also for its commitment to minimizing impacts in Stark.

Stephen Clorite, who is vice president of the North Country OHRV Coalition, which oversees Ride the Wild and is also vice president of the NH Off-Highway Vehicle Association, has previously told the Union Leader that the long-term plan is to find an alternative to running on Stark roads.

Paved roads, he said, are not good for ATV tires and riders want to be in the woods.

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Town constable hopes to draw attention to problems with the Ride the Wilds ATV trails



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A view on Monday of the Percy Peaks from Northside Road in Stark. A week ago Tuesday, voters at Town Meeting defeated a warrant article that would have advised the Board of Selectmen to prohibit ATVs from operating on all town roads, including Northside Road. (John Koziol/Union Leader Correspondent)

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BUSINESS & ECONOMY

Neighbors Sue Gorham, State Agencies Claiming OHRV Trail 'Nuisance'

 By Nancy West  March 27, 2018



Charles Martin Photo

Gorham OHRV Trail

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By Nancy West, InDepthNH.org

Homeowners near the OHRV trail and trailhead in Gorham are suing the town and state agencies that sanction them arguing the noise, fumes and menacing behavior they bring to their neighborhood make it impossible to enjoy their homes.

The OHRV trail head and trail in their neighborhood has resulted in a high volume of usage, sometimes thousands of OHRVs in a week, according to the lawsuit filed by Hopkinton attorney Arthur Cunningham.

CORD 210

"The folks in this Gorham neighborhood have had a very tough time dealing with the OHRVs and the State and Town," Cunningham told InDepthNH.org. "It's become friend against friend, business against people and their homes and government, state and town, that has been unresponsive."

In the lawsuit filed in Coos County Superior Court, Cunningham wrote that the vehicles bring "reckless operation, speeding, noise, illegal after hours use, noxious exhaust fumes, dust, litter, public urination and obnoxious and threatening personal behavior of trail users that has substantially and unreasonably interfered with plaintiffs' right to the quiet enjoyment of their homes."

Gorham is a town in Coos County with about 2,848 people located in the White Mountains.

The homeowners in Gorham who are suing are Lois and Harry Stearns, Nancy and Bruce Neil, Mark and Heather Malia, Audrey and Rene Albert, Priscilla and Albert Bergeron, Sandra Lemire, Diane Holmes and Michael Pelchat.

Cunningham detailed an incident on Aug. 22, 2016, when Audrey Albert observed a trail user trespassing and urinating in her yard.

"When (she) asked him to get off her property, the man said: 'If you don't like it why don't you move. I'm here to ride.' Plaintiff Albert advised the Gorham Police that she was shaking and scared," Cunningham wrote.

In another incident on Sept. 10, 2017, Lois and Harry Stearns reported to Gorham police that four OHRVs stopped across the brook from her home and stated: "See, that's the house"; revved their engines and took off, as if to target and threaten them, the lawsuit states.

"The use of the OHRV trail head and trail in plaintiffs' neighborhood as approved and sanctioned by the town and state has caused plaintiffs harm that exceeds any customary interferences that plaintiffs must suffer in organized society and is an appreciable and tangible interference with their property rights," Cunningham said.

Messages left with Gorham and the state seeking comment weren't immediately returned. The story will be updated when they do. (Gorham Town Manager Robin Frost returned a call and said the town hadn't been served yet.)

The use of the OHRV trail head and trail has been and will continue to be a nuisance for which the neighbors have no adequate remedy at law, he said. Cunningham said the town has failed to enforce the zoning regulations.

The state of New Hampshire operates a trail system on public highways, abandoned rail beds and on private property that is utilized by off-highway recreational vehicles (OHRVs,) Cunningham said. A portion of the trail system is located in Gorham, which hosts a portion of the trail system.

The suit is filed against the town of Gorham and the commissioners of the Department of Transportation, Department of Natural and Cultural Resources, and the Department of Resources and Economic Development.

The homeowners are demanding a jury trial, **permanent removal of the OHRV trail head and trail from their neighborhood**, damages for the diminution of the fair market value of their homes, attorney fees, expert fees and expenses of litigation of this case.
