

**LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE**

Legislative Office Building, Room 201

Concord, NH

Tuesday, June 25, 2013

**MEMBERS PRESENT:**

Rep. David Campbell (Chair)

Rep. John Cloutier

Rep. Gus Lerandeau

Rep. Gene Chandler

Sen. David Boutin

Sen. Jim Rausch

Sen. Nancy Stiles

Sen. Sylvia Larsen

ALSO PRESENT: Gerard Murphy (Governor's Office)

Michael Connor (Dept. Admin. Services)

**1. Acceptance of minutes of the May 14, 2013 meeting.**

CHAIRMAN CAMPBELL: I'm going to open up the Long Range Capital Planning and Utilization Committee and welcome back Gus Lerandeau. Gus, glad you're back.

SEN. RAUSCH: Gus, welcome.

CHAIRMAN CAMPBELL: First item of business is approval of the May 14<sup>th</sup> minutes.

**\*\*** SEN. RAUSCH: Recommend approval of the revised minutes.

SEN. LARSEN: Second.

CHAIRMAN CAMPBELL: Senator Rausch moves revised minutes be accepted, seconded by Senator Larsen. All those in favor? Opposed? The minutes are adopted.

\*\*\* {MOTION ADOPTED}

2. Old Business:

CHAIRMAN CAMPBELL: Okay. No Old Business.

3. New Business:

CHAIRMAN CAMPBELL: We will go into New Business. The gentlemen are here from the Department of Transportation, Mr. Miles, Mr. Schmidt. Running a little late; I'm sure you can buzz right through them.

CHARLES SCHMIDT, Administrator, Department of Transportation: Good morning. For the record, I'm Charles Schmidt from the Department of Transportation, Bureau of Right-of-Way. I'm the Administrator. Phil Miles, the Chief of Property Management with me today.

PHIL MILES, Chief, Property Management, Department of Transportation: Good morning.

CHAIRMAN CAMPBELL: Go ahead.

MR. SCHMIDT: LRCP 13-026 we request authorization to amend the listing price from 350,000 to 299,900, allowing negotiations within the Committee's current policy guidelines, assessing \$1,100 administrative fee and further extend the listing agreement with KW Commercial for a term of six months to sell a 3.5 plus or minus acre parcel located on the easterly side of U.S. Route 3 in the Town of Bedford, subject to the conditions as specified in the request dated June 6<sup>th</sup>, 2013, LRCP 12-035, originally approved June 26, 2012.

CHAIRMAN CAMPBELL: Is there a motion?

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**\*\***    REP. CLOUTIER: Mr. Chairman, I move we adopt item 13-026.

CHAIRMAN CAMPBELL: Item has been moved. Is there a second?

SEN. STILES: I'll second.

CHAIRMAN CAMPBELL: Second by Senator Stiles. Discussion? Questions? If not, all those in favor say aye? Opposed?

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN CAMPBELL: Okay. We'll go to 13-027.

MR. SCHMIDT: The Department requests authorization to extend the listing agreement with Shea Commercial Properties, Incorporated, for a term of six months to sell a 28.36 plus or minus acre parcel of State-owned land located at 55 Range Road in the Town of Windham, at the current listing price of \$3,400,000, allowing negotiations within the Committee's current policy guidelines and assess a \$1,100 administrative fee, subject to the conditions as specified in the request dated June 7<sup>th</sup>, 2013, LRCP 12-033, originally approved June 26<sup>th</sup>, 2012.

REP. CAMPBELL: I know the question we all have is what happened? We had this sold, right? Or we had an agreement, I should say.

MR. SCHMIDT: Yeah, we had an agreement and the group basically fell apart. The organizer lost some of his supporters. So with that, they requested to back out during their due diligence.

CHAIRMAN CAMPBELL: They had the legal right to back  
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out?

MR. SCHMIDT: Yes.

CHAIRMAN CAMPBELL: It was due to financing, wasn't due to anything in terms of zoning or -

MR. SCHMIDT: No, no.

CHAIRMAN CAMPBELL: Senator Rausch.

SEN. RAUSCH: Thank you, Mr. Chairman. What happened to the second group?

MR. SCHMIDT: We went back to them right after the first group backed out. At that time, they were -- their comment to us was that they were preoccupied with some business ventures. They would get back to us in June. Our realtor has touched base with them just within the last week. They're putting together a package. We haven't seen it yet, but they are working on it. The realtor has also sat with another group just this week. Again, we haven't received that package, but we anticipate something coming in, and pretty much I think that covers it.

SEN. RAUSCH: Follow-up? Are we satisfied with the realtor?

MR. SCHMIDT: I think -- I think he's turning over. Yeah, he's getting several interested parties. We've had -- I don't know if you know how many off the top of your head, but we have had several. We had four originally that had put in offers. And we have had, I want to say, three or four since then that have stepped forward with interest, so.

CHAIRMAN CAMPBELL: Well, it sounds like he's bringing  
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them to the altar, but we are not closing the deal.

MR. SCHMIDT: The one that did not close it was out of his control.

CHAIRMAN CAMPBELL: Right.

SEN. RAUSCH: Okay.

CHAIRMAN CAMPBELL: Motion.

**\*\*     SEN. RAUSCH: I'll move to approve.**

REP. LERANDEAU: Second.

CHAIRMAN CAMPBELL: Senator Rausch moves and Representative Lerandeau seconds approval of 13-027. All those in favor? Opposed?

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN CAMPBELL: The item is adopted. 13-028.

MR. SCHMIDT: Department requests authorization to sell 0.36 plus or minus of an acre portion of a limited access right-of-way located on the easterly side of the Daniel Webster Highway, U.S. Route 3, in the City of Nashua, directly to the abutters, Chester and Shirley Coulombe for \$21,100, which includes an \$1,100 administrative fee, subject to the conditions as specified in the request dated June 11, 2013.

CHAIRMAN CAMPBELL: Any questions? From the maps it's clear that it's only that one abutter.

MR. SCHMIDT: That's correct. And it's limited access.

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CHAIRMAN CAMPBELL: Do I have a motion?

\*\* REP. CLOUTIER: Mr. Chairman, I move we adopt item 13-028.

SEN. LARSEN: Second.

CHAIRMAN CAMPBELL: Representative Cloutier moves and Senator Larsen seconds the approval of 13-028. Any further discussion? All those in favor say aye? Opposed? The item is adopted.

\*\*\* {MOTION ADOPTED}

CHAIRMAN CAMPBELL: 13-029.

MR. SCHMIDT: The Department requests authorization to sell a 0.4 plus or minus of an acre State-owned parcel located on the southwest side New Hampshire Route 103 in the Town of Warner directly to the Town of Warner for \$6,100 which includes an \$1,100 administrative fee, subject to the conditions as specified in the request dated June 1<sup>st</sup> -- excuse me -- June 11, 2013.

CHAIRMAN CAMPBELL: Any discussion?

\*\* SEN. LARSEN: Move approval.

CHAIRMAN CAMPBELL: Senator Larsen moves the item.

SEN. STILES: Second.

CHAIRMAN CAMPBELL: Seconded by Senator Stiles. Ready for the question? All those in favor say aye? Opposed?

\*\*\* {MOTION ADOPTED}

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CHAIRMAN CAMPBELL: 13-030.

MR. SCHMIDT: The Department requests authorization to sell a 0.21 plus or minus acre portion of the limited access right-of-way located on the southeasterly corner of New Hampshire Route 28 and New Hampshire Route 111 in the Town of Windham directly to Kano Real Estate Developer, LLC, for \$23,100, which includes a \$1,100 administrative fee, subject to the conditions as specified in the request dated June 11, 2013.

CHAIRMAN CAMPBELL: Thank you. Is there any --

**\*\*** SEN. RAUSCH: I'll move approval.

CHAIRMAN CAMPBELL: Senator Rausch moves approval.

SEN. BOUTIN: Second.

CHAIRMAN CAMPBELL: Seconded by Senator Boutin. Any further discussion? Seeing none. All those in favor say aye? Opposed?

**\*\*\* {MOTION ADOPTED}**

CHAIRMAN CAMPBELL: I guess that wraps it up for you, gentlemen.

MR. MILES: Thank you.

MR. SCHMIDT: Thank you very much.

CHAIRMAN CAMPBELL: The next item is from Administrative Services. Mike Connor, you're going to take the point?

MICHAEL CONNOR, Deputy Commissioner, Department of  
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Administrative Services: Yes.

SEN. LARSEN: Could I ask a question?

CHAIRMAN CAMPBELL: Sure. Yeah. Gentlemen from Department DOT.

SEN. LARSEN: Did I miss something in terms of the sale of the property on Pleasant Street in Concord? Did it happen yet?

MR. SCHMIDT: Pleasant Street in Concord.

SEN. LARSEN: Across from the hospital.

MR. SCHMIDT: That's Administrative Services.

SEN. LARSEN: Okay. Sorry. I don't want to miss those things, you know.

MR. CONNOR: Mr. Chairman, fellow members of the Committee, my name is Mike Connor and I work for the Department of Administrative Services where I serve as the Deputy Commissioner. And I'm here today to seek your approval of a utility easement for the Anna Philbrook Center on South Fruit Street in Concord. The building is currently undergoing renovations and the utilities is required for us to provide electrical and telephone services to the building. Renovations are well under way at this point and we're expecting occupancy in November, and I'd be glad to answer any questions you may have.

CHAIRMAN CAMPBELL: Are there any questions?

SEN. LARSEN: Only quickly. You've had problems with the utilities cutting trees. Not -- I mean, the pine trees along Fruit Street.

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MR. CONNOR: Right, there won't be any trees affected by this easement.

SEN. LARSEN: Okay. Good.

CHAIRMAN CAMPBELL: Is there a motion?

**\*\*** SEN. LARSEN: Move approval.

CHAIRMAN CAMPBELL: Senator Larsen moves approval.

SEN. BOUTIN: Second.

CHAIRMAN CAMPBELL: Seconded by Senator Boutin.

SEN. RAUSCH: Just a question. This above ground or they burying --

MR. CONNOR: This is above ground. This is existing electrical service now needs to be upgraded for the renovations and the utility company's refusing to provide the power until we have the easement. So could hold up construction.

SEN. RAUSCH: Thank you.

CHAIRMAN CAMPBELL: Okay. No more questions. All those in favor say aye? Opposed? The item 13-031 is approved.

**\*\*\* {MOTION ADOPTED}**

MR. CONNOR: Mr. Chairman.

CHAIRMAN CAMPBELL: Yes.

MR. CONNOR: I can answer questions on 247 and 249?

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At the last meeting, I believe, that was approved for \$900,000. We have a purchase and sale agreement already in place. We are working out the -- any details with the buyer. We hope to have a closing in July and bring it to Governor and Council, I think, July 17<sup>th</sup>. So that's our plan.

SEN. LARSEN: Did it not go for above the asking price? Was it not --

MR. CONNOR: We actually didn't set an asking price. The appraisal was around \$340,000. I asked for approval not to set an asking price so we could get better prices. And we got \$900,000 so we did much better than if we had set a price of around the appraisal value.

SEN. LARSEN: Great.

MR. CONNOR: That was Dartmouth Hitchcock. They ended up purchasing the property.

CHAIRMAN CAMPBELL: Properly advised the Committee. That's for sure. 13-032 is the Department of Environmental Services. Hi. Good morning.

MARK STEVENS, Land Agent, Water Pollution Division, Department of Environmental Services: Good morning. I'm Mark Stevens. I'm the Land Agent with the Department of Environmental Services.

CHAIRMAN CAMPBELL: Go ahead. Would you like to explain the item to us.

MR. STEVENS: I'd be happy to. We have a proposal here. We own the dam at the outlet of Goose Pond in Canaan, and approximately 14 acres surrounding the dam. During a recent survey of that land, we discovered that an abutting

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landowner has a house that's within a few inches of our property line. One corner of the house is very, very close. This results in her not being able to put a ladder up against the side of her house or walk around the side of her house. It's just too close. So we have looked at it and she's requested that we consider giving her some land around the house. Looking at it, we figure the best way to do it was to effectuate a lot line relocation, which will result in a land swap where we will give her .03 acres around the corner of her house and in return we'll gain .03 acres from her on a different corner of the parcel closer to the dam which is a better deal for us in that it gives us better access to maintenance to the dam, and it gives her access around the corner of her house.

CHAIRMAN CAMPBELL: You're doing a lot line readjustment with the town.

MR. STEVENS: We went for lot line readjustment for the town and it was approved subject conditional upon state entities approving it.

CHAIRMAN CAMPBELL: Okay.

MR. STEVENS: Happy to take any questions.

CHAIRMAN CAMPBELL: Are there any questions?

\*\* SEN. STILES: Move the item.

REP. CLOUTIER: I second that motion.

CHAIRMAN CAMPBELL: Senator Stiles moves and Representative Cloutier seconds adoption of Item 13-025. Any further questions? All those in favor say aye? Opposed? And --

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\*\*\* {MOTION ADOPTED}

MR. STEVENS: Thank you very much.

CHAIRMAN CAMPBELL: That's the end of our agenda. There's another informational item in here that is in the packet for our review. Any comments on that by anybody? If not, I will state to everybody here what I said to Capital Budget, unless there's some pressing need for us to convene, we won't meet over the summer. We plan to meet in September. And when we get closer to September, we'll check everybody's schedule and find a good date. If there's no objection to that, that's how we'll go ahead. And with that.

\*\* REP. LERANDEAU: Motion to adjourn.

REP. CLOUTIER: Second that motion.

CHAIRMAN CAMPBELL: Okay. Motion to adjourn. We are adjourned. Thank you.

(Concluded at 11:46 a.m.)

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## CERTIFICATION

I, Cecelia A. Trask, a Licensed Court Reporter-Shorthand, do hereby certify that the foregoing transcript is a true and accurate transcript from my shorthand notes taken on said date to the best of my ability, skill, knowledge and judgment.

Cecelia A. Trask  
Cecelia A. Trask, LSR, RMR, CRR  
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