

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE

MINUTES

June 6, 2018

The Long Range Capital Planning and Utilization Committee met on Wednesday, June 6, 2018 at 10:00 a.m. in Room 201 of the Legislative Office Building.

Members in attendance were as follows:

Representative John Graham, Chairman  
House Speaker Gene Chandler  
Representative John Cloutier  
Representative Mark McConkey  
Representative David Danielson (Alternate)  
Senator Dan Feltes  
Senator William Gannon  
Senator Bob Giuda  
Mac Zellem, Governor's Office

Representative Graham called the meeting to order at 10:00 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative McConkey, seconded by Senator Gannon, that the minutes of the February 21, 2018 meeting be accepted as written. MOTION ADOPTED.

NEW BUSINESS:

RSA 4:39-b APPROVAL OF STATE AGENCY LEASES EXCEEDING 5 YEARS:

LRCP 18-018 Department of Business and Economic Affairs – Taylor Caswell, Commissioner, Department of Business and Economic Affairs, presented the request and responded to questions of the Committee.

On a motion by Senator Feltes, seconded by Senator Gannon, that the Committee **conditionally approve** the request of the Department of Business and Economic Affairs, for approval of a ten-year lease agreement with Maple Valley Manchester Partners, LLC dba Brady Sullivan Properties, 670 Commercial Street, Suite 303, Manchester, N.H. 03101, for approximately 17,897 square feet of space located at One Eagle Square, Suite 100 and 200, Concord, N.H. 03301, for the period of August 1, 2018 to July 31, 2028, for an amount not to exceed \$3,919,443.60, subject to the schedule of annual rent and certain limited improvements as specified in the request dated May 3, 2018, **contingent upon the Governor signing HB 1356 into law**. MOTION ADOPTED. (5-Yes, 3-No)

The Committee requested the Department of Business and Economic Affairs prepare a cost benefit analysis in terms of construction as an alternative to leasing and submit it to the Capital Budget Committee in 2019.

LRCP 18-019 Department of Health and Human Services – David Clapp, Director of Facilities, Department of Health and Human Services, presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Feltes, that the Committee approve the request of the Department of Health and Human Services for approval of a ten-year renewal lease agreement with C&C Thibodeau Properties, LLC, PO Box 1700, Conway, N.H. 03818, for approximately 14,500 square feet of space located at 71 Hobbs Street, Conway, N.H. 03818, retroactive to June 1, 2018 through May 31, 2028, for an amount not to exceed \$3,490,298.40, subject to the schedule of annual rent and conditions as specified in the request dated May 8, 2018. MOTION ADOPTED.

RSA 4:39-c DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE:

LRCP 18-011 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief Property Manager, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Feltes, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell a 5.63 +/- acre parcel of State owned land located on the easterly side of N.H. Route 125 in the Town of Kingston by a sealed bid process to the general public with a minimum bid price of \$35,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated March 8, 2018. MOTION ADOPTED.

This request (LRCP 09-010) was originally approved by the Long Range Capital Planning and Utilization Committee on April 21, 2009, with subsequent action taken on January 26, 2010 (LRCP 10-004), March 22, 2011 (LRCP 11-008) and January 31, 2012 (LRCP 12-002).

LRCP 18-012 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief Property Manager, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Giuda, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to lease a 9,782 square foot parcel of State owned land located on the southeast quadrant of the Interstate 93, Exit 12 Interchange in the City of Concord to South Main Realty, LLC for five (5) years at \$7,500 per year plus a one-time \$1,100 Administrative Fee, with an option for an additional five (5) years at a renegotiated value, subject to the conditions as specified in the request dated March 15, 2018. MOTION ADOPTED.

LRCP 18-023 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief Property Manager, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Feltes, that the Committee approve the request of the Department of Transportation, Bureau of Right-of-Way, to sell an access point through the Limited Access Right-of-Way (LAROW) on N.H. Route 125 in the Town of Kingston directly to Kingston Crossing, LLC for \$192,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 15, 2018. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 18-024 New Hampshire Fish and Game Department – Richard Cook, Land Agent, New Hampshire Fish and Game Department, presented the request and responded to questions of the Committee. Frank Michel, Attorney, Meredith, N.H. was also present to address the Committee.

On a motion by Representative McConkey, seconded by Senator Giuda, that the Committee approve the request of the New Hampshire Fish and Game Department of the sale of a 2.23 acre parcel of land located near Peppercorn Road in the Town of Ashland to Courtney Craig Smith, Jr. of 238 Monroe Street, Philadelphia, Pennsylvania 19147 for the fair market value of \$4,000, plus an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 16, 2018. MOTION ADOPTED.

LRCP 18-025 New Hampshire Fish and Game Department – Richard Cook, Land Agent, New Hampshire Fish and Game Department, presented the request and responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Representative McConkey, that the Committee approve the request of the New Hampshire Fish and Game Department to; 1) lease an approximately three (3) acre lot containing an existing privately owned camp on Greenough Pond in Wentworth's Location to the North Country Outing Club of Milan, N.H. for a period of ten years ending June 30, 2028, at a cost starting at \$4,409.89 and waive the \$1,100 Administrative Fee, and 2) lease an approximately one (1) acre lot containing an existing privately owned camp on Greenough Pond in Wentworth's Location to Donald Couture of Berlin for a period of ten years ending June 30, 2028 at a cost starting at \$4,409.89 and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 15, 2018. MOTION ADOPTED.

LRCP 18-026 Department of Natural and Cultural Resources – Christopher Gamache, Chief of the Trails Bureau, Division of Parks and Recreation, Department of Natural and Cultural Resources, responded to questions of the Committee.

On a motion by Senator Giuda, seconded by Senator Gannon, that the Committee **amend** the request of the Department of Natural and Cultural Resources to sell approximately 0.18 acres of land located along the edge of the Presidential Rail Trail in Gorham to Jeanne Anne Lariviere, an abutting land owner, for a value of \$1,000 plus a **reduced Administrative Fee of \$500, not \$1,100**, subject to the conditions as specified in the request dated May 22, 2018. MOTION FAILED. (4-Yes, 5-No)

On a motion by Representative McConkey, seconded by Representative Danielson, that the Committee approve the request of the Department of Natural and Cultural Resources to sell approximately 0.18 acres of land located along the edge of the Presidential Rail Trail in Gorham to Jeanne Anne Lariviere, an abutting land owner, for a value of \$1,000 plus an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated May 22, 2018. MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:57-a LEASING CERTAIN PORTIONS OF RAILROAD PROPERTIES:

LRCP 18-013 Department of Transportation – Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation, responded to questions of the Committee.

On a motion by House Speaker Chandler, seconded by Senator Giuda, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to enter into a lease, retroactive to January 1, 2018, for approximately 450 +/- square feet on the State-owned Portsmouth Branch Railroad corridor in the City of Manchester, located on the East side of Route 28B near the Massabesic Circle, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,100 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 3, 2018. MOTION ADOPTED.

This request (LRCP 16-033) was originally approved by the Long Range Capital Planning and Utilization Committee on November 30, 2016.

LRCP 18-014 through LRCP 18-017 Department of Transportation – Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation, responded to questions of the Committee.

On a motion by House Speaker Chandler, seconded by Senator Giuda, that the Committee approve as a block the Department of Transportation, Bureau of Rail and Transit, lease requests LRCP 18-014 through LRCP 18-017 as submitted. MOTION ADOPTED. [LRCP 18-014 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 450 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on the North side of Queen City Avenue, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,400 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-036) November 30, 2016), LRCP 18-015 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 450 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on the South side of Queen City Avenue, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,500 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-037) November 30, 2016), LRCP 18-016 Department of Transportation

– authorization to enter into a lease, retroactive to January 1, 2018, for approximately 300 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the Town of Salem, located on the West side of Route 28 (across from Dyer Ave), under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,400 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-034) November 30, 2016), and LRCP 18-017 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 1,000 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on the South side of Route 101 at the Frontage Street Underpass, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$23,400 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 19, 2018 (Originally approved (LRCP 16-035) November 30, 2016)]

LRCP 18-020 Department of Transportation – Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation, responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Feltes, that the Committee approve the request of the Department of Transportation, Bureau of Rail and Transit, to lease an approximately 3,900 square foot (.09 acres) parcel on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester to Redimix Companies, for \$1,000 per year for five (5) years, with a five-year renewal provision, and a one-time \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 16, 2018. MOTION ADOPTED.

RSA 4:39-c DISPOSAL OF HIGHWAY OR TURNPIKE FUNDED REAL ESTATE, RSA 228:67 DISPOSITION OF ACQUIRED OR ABANDONED RAIL PROPERTIES, AND RSA 4:40 DISPOSAL OF REAL ESTATE:

LRCP 18-027 Department of Transportation – Charles Schmidt, PE, Administrator, and Phillip Miles, Chief Property Manager, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee. Also present were Ryan Aylesworth, Town Manager, and Meredith Smith, Chair, Select Board, Town of Enfield.

On a motion by Senator Feltes, seconded by Senator Giuda, that the Committee **amend** and approve the request of the of the Department of Transportation, Bureau of Right-of-Way, to sell a 2.6 +/- acre parcel of State owned land located on the easterly side of Main Street, adjacent to Lake Mascoma, in the Town of Enfield directly to the Town of Enfield for \$128,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated May 23, 2018, **with the following changes on page 1 of the bullet points under “Conditions of the sale would include:”** **First bullet point would read;** “The parcel shall be used for recreational purposes. There would be a reversionary clause in the deed that if the parcel would cease being used for recreational purposes, **as defined by local regulations,** that the parcel



would be sold back to the Department for the value that the Town acquired it for.” **Second bullet point would read;** “The parcel will have a building restriction and therefore not allow any development on this parcel. Buildings would be allowed for recreational or educational purposes, **as approved by the Department and consistent with local regulations.**” and **Third bullet point would read;** “This parcel will be open to **the general public.**” MOTION ADOPTED.

RSA 4:40 DISPOSAL OF REAL ESTATE AND RSA 228:57-a LEASING CERTAIN PORTIONS OF RAILROAD PROPERTIES (continued):

Louis Barker, Railroad Planner, Bureau of Rail and Transit, Department of Transportation, requested the Committee reconsider item LRCP 18-017. Michael Cawley, Outdoor Media, was also present to address the Committee.

On a motion by Senator Feltes, seconded by Senator Giuda, that the Committee reconsider as a block the Department of Transportation, Bureau of Rail and Transit, lease requests LRCP 18-014 through LRCP 18-017. MOTION ADOPTED.

On a motion by Senator Feltes, seconded by Senator Giuda, that the Committee approve as a block the Department of Transportation, Bureau of Rail and Transit, lease requests LRCP 18-014, LRCP 18-015, and LRCP 18-016 as submitted. MOTION ADOPTED. [LRCP 18-014 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 450 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on the North side of Queen City Avenue, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,400 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-036) November 30, 2016), LRCP 18-015 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 450 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on the South side of Queen City Avenue, under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,500 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-037) November 30, 2016), LRCP 18-016 Department of Transportation – authorization to enter into a lease, retroactive to January 1, 2018, for approximately 300 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the Town of Salem, located on the West side of Route 28 (across from Dyer Ave), under a Participating Lease to Outfront Media at a rate of 30% of the annual advertising income, with a minimum base rent of \$1,400 per year for a period of five (5) years through December 31, 2022, with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 4, 2018 (Originally approved (LRCP 16-034) November 30, 2016)]

On a motion by Senator Giuda, seconded by Senator Feltes, that the Committee **amend** and approve the request of the Department of Transportation, Bureau of Rail and Transit, to enter into a lease, retroactive to January 1, 2018, for approximately 1,000 +/- square feet on the State-owned Manchester and Lawrence Railroad corridor in the City of Manchester, located on

the South side of Route 101 at the Frontage Street Underpass, under a Participating Lease to Outfront Media at a rate of 35% of the annual advertising income, with a minimum base rent of \$23,400 per year **not for five (5) years through December 31, 2022, but instead for a period of ten-years through December 31, 2027, with the condition that the City of Manchester be notified of the lease changes by the Department and/or the lessee,** with a five-year renewal provision, and waive the \$1,100 Administrative Fee, subject to the conditions as specified in the request dated April 19, 2018. MOTION ADOPTED.


This request (LRCP 16-035) was originally approved by the Long Range Capital Planning and Utilization Committee on November 30, 2016.

INFORMATIONAL ITEMS:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next regular meetings of the Long Range Capital Planning and Utilization Committee were previously scheduled for 10:00 a.m.; Wednesday, September 5, 2018, and Thursday, November 29, 2018. (Where upon the meeting adjourned at 11:15 a.m.)

  
Representative John R. Cloutier, Clerk