

LONG RANGE CAPITAL PLANNING AND UTILIZATION COMMITTEE
MINUTES

November 28, 2022

The Long Range Capital Planning and Utilization Committee met on Monday, November 28, 2022 at 9:30 a.m. in Room 201-203 of the Legislative Office Building

Members in attendance were as follows:

Representative John Graham
Representative Mark McConkey
Representative David Milz
Representative John Cloutier
Representative Michael Edgar (Alternate)
Senator Regina Birdsell
Senator Lou D'Allesandro
Senator John Reagan (Alternate)

Karen Rantamaki, Department of Administrative Services

The Chair called the meeting to order at 9:30 a.m.

ACCEPTANCE OF MINUTES:

On a motion by Representative Milz, seconded by Representative Cloutier, that the minutes of the September 19, 2022 meeting be accepted as written. MOTION ADOTPED. (6-Yes; 0-No)

OLD BUSINESS:

LRCP 22-026 Additional Information Department of Administrative Services – Information requested September 19, 2022 to LRCP 22-026 Department of Administrative Services – acting on behalf of the Department of Environmental Services, requests approval to grant an exclusive option to Gilson Road Solar, LLC, a New Hampshire limited liability company to be formed by solar farm developer Andrew Kellar d/b/a NH Solar Garden, to lease approximately 25.78 acres of land at the Sylvester Superfund Site located near Gilson Road in Nashua, NH, consisting primarily of the “cap” of a capped landfill and the abutting/surrounding State land, for a total term of up to 45 years, following an option term of up to 2 years, for the purpose of constructing, installing, operating, and maintaining a 1-5 megawatt capacity commercial solar power generation facility. Proposed exclusive option fees to obtain the right to lease the subject property are \$1,000 for the first 12 months and \$1,000 each for two successive option period extensions of 6 months, and after the option is exercised and construction is complete, proposed annual rent of the initial 25-year lease term is the product of the nameplate generation capacity of the facility (in megawatts of alternating current) and \$10,000, subject to the conditions as specified in the request dated August 30, 2022, tabled September 19, 2022.

On a motion by Representative Milz, seconded by Senator Birdsell, that request FIS 22-026 be removed from the table. MOTION ADOPTED. (7-Yes; 0-No)

Jared Nylund, Real Property Asset Manager, Department of Administrative Services and Christopher Ellms, Deputy Commissioner, Department of Energy, responded to questions of the Committee.

On a motion by Representative Milz, seconded by Senator Birdsell, that the Committee approve the request of the Department of Administrative Services, acting on behalf of the Department of Environmental Services, for approval to grant an exclusive option to Gilson Road Solar, LLC, a New Hampshire limited liability company to be formed by solar farm developer Andrew Kellar d/b/a NH Solar Garden, to lease approximately 25.78 acres of land at the Sylvester Superfund Site located near Gilson Road in Nashua, NH, consisting primarily of the "cap" of a capped landfill and the abutting/surrounding State land, for a total term of up to 45 years, following an option term of up to 2 years, for the purpose of constructing, installing, operating, and maintaining a 1-5 megawatt capacity commercial solar power generation facility. Proposed exclusive option fees to obtain the right to lease the subject property are \$1,000 for the first 12 months and \$1,000 each for two successive option period extensions of 6 months, and after the option is exercised and construction is complete, proposed annual rent of the initial 25-year lease term is the product of the nameplate generation capacity of the facility (in megawatts of alternating current) and \$10,000, subject to the conditions as specified in the request dated August 30, 2022. MOTION ADOPTED. (7-Yes; 0-No)

NEW BUSINESS:

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

LRCP 22-045 Department of Administrative Services – Sarah Lineberry, Superintendent Court Facilities, and Brian Young, Assistant Administrator, Division of Plant and Property, Department of Administrative Services, presented the request and responded to questions of the Committee.

On a motion by Senator Birdsell, seconded by Senator Reagan, that the Committee approve the request of the Department of Administrative Services to enter into a ten (10) year lease renewal agreement with the Bar Harbor Bank & Trust, 82 Main Street, PO Box 400, Bar Harbor, ME 04609 for approximately 4,191 square feet of space to be provided in an existing building located at 15 Antrim Road, Hillsborough, NH 03244 to house the 6th Circuit-District Division-Hillsborough Courthouse for the period of March 1, 2023 with rental payments commencing immediately thereafter and expiring 10 years later on February 28, 2033, for a total lease amount of \$690,189.82, subject to the schedule of annual rent and conditions as specified in the request dated November 14, 2022. MOTION ADOPTED. (7-Yes; 0-No)

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

LRCP 22-038 Department of Transportation – Stephen LaBonte, Administrator, 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 Birdsell, that the Committee approve the request of the Department of Transportation to amend LRCP 22-016, approved May 23, 2022, to dispose of state-owned land located at 1 Cronin Road in the Town of Exeter by increasing the acreage size to 3.16 +/- acres from 2.88 +/- acres, with an increased sale price from \$501,100 to \$576,100, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated October 20, 2022. MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-039 Department of Transportation – Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Cloutier, seconded by Representative Milz, that the Committee approve the request of the Department of Transportation to grant a Permanent Utility Easement to the Town of Hooksett in the amount of \$4,000, which includes an Administrative Fee of \$1,100 pursuant to RSA 4:40, III-a, subject to the conditions as specified in the request dated November 3, 2022 (Temporary use and occupancy agreement originally granted (LRCP 22-018) May 13, 2022). MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-040 Department of Transportation – Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee. **The Department clarified that the request had a typographical error and that the property is located on the southerly side of NH Route 9 (Franklin Pierce Highway), not (Mount Major Highway) as listed in the request.**

On a motion by Senator Birdsell, seconded by Representative Cloutier, that the Committee approve the request of the Department of Transportation to sell 0.25 +/- of an acre of state-owned land within the Limited Access Right of Way (LAROW) located on the southerly side of NH Route 9 (Franklin Pierce Highway) in the Town of Sullivan, directly to the Town of Sullivan for \$4,600, which includes an \$1,100 Administrative Fee, subject to the conditions as specified in the request dated November 4, 2022. MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-041 Department of Transportation – Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Senator Birdsell, seconded by Senator Reagan, that the Committee approve the request of the Department of Transportation to dispose of two parcels of state-owned

land located on Enterprise Drive (f/k/a Indian Rock Road) in the Town of Windham by entering into a listing agreement for a term of one year with NAI Norwood Group at the listing price of \$995,000, for both parcels, allowing negotiations within the Committee's current policy guidelines and pursuant to RSA 4:40, III-a, assessing an Administrative Fee of \$1,100 per parcel, and subject to the conditions as specified in the request dated November 10, 2022. MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-042 Department of Transportation – Stephen LaBonte, Administrator, 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 Representative Milz, that the Committee approve the request of the Department of Transportation to sell 0.75 +/- of an acre of state-owned land located behind and abutting 512 Eastman Road in the Town of Conway directly to Payton Cressy, the abutter, in the amount of \$56,100, which includes Administrative Fee of \$1,100, subject to the conditions as specified in the request dated November 10, 2022. MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-043 Department of Transportation – Stephen LaBonte, Administrator, Bureau of Right-of-Way, Department of Transportation presented the request and responded to questions of the Committee.

On a motion by Representative Cloutier, seconded by Representative Milz, that the Committee approve the request of the Department of Transportation to sell a 0.2 +/- of an acre parcel of state-owned land located at the intersection of Martin Road and NH Route 101 in the Town of Epping, directly to 46 Martin Road, LLC in the amount of \$1,000, and pursuant to RSA 4:40, III-a, assess an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated November 10, 2022. MOTION ADOPTED. (7-Yes; 0-No)

LRCP 22-044 Department of Transportation – Stephen LaBonte, Administrator, 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 Birdsell, that the Committee approve the request of the Department of Transportation to sell 0.09 +/- of an acre of state-owned land located between NH Route 10 and Ralston Road in the Town of Haverill directly to the abutting owner, Jack Brill, in the amount of \$1,900, plus an Administrative Fee of \$1,100, subject to the conditions as specified in the request dated November 10, 2022. MOTION ADOPTED. (7-Yes; 0-No)

RSA 4:40 DISPOSAL OF REAL ESTATE:

FIS 22-036 Department of Transportation – Louis Barker, Railroad Planner, Department of Transportation, presented the request and responded to questions of the Committee.

On a motion by Representative McConkey, seconded by Senator Reagan, that the Committee approve the request of the Department of Transportation to lease approximately 0.47 acres on the state-owned Ashuelot Branch Railroad Corridor in the Town of Winchester, NH to Winchester Precision for \$1,000 per year for five years, plus a one-time Administrative Fee of \$1,100 of which the Department is in receipt of \$500, subject to the conditions as specified in the request dated October 20, 2022. MOTION ADOPTED. (7-Yes; 0-No)

MISCELLANEOUS:

None

INFORMATIONAL:

The informational materials were accepted and placed on file.

DATE OF NEXT MEETING AND ADJOURNMENT:

The next meeting of the Long Range Capital Planning and Utilization Committee will be at the Call of The Chair. Whereupon the meeting adjourned at 10:012 a.m.



Representative David Milz, Clerk