

AGENDA

COMMITTEE ON LANDS AND BUILDINGS

August 29, 2005
Aldermen Thibault, Roy,
Gatsas, Osborne, Porter

5:30 PM
Aldermanic Chambers
City Hall (3rd Floor)

1. Chairman Thibault calls the meeting to order.
2. The Clerk calls the roll.
3. Communication from Dick Dunfey, Secretary/Treasurer of the Manchester Housing and Redevelopment Corporation, seeking authorization to proceed with the acquisition of the Masters property located at 354 Hackett Hill Road at a negotiated price of \$275,000.00.
Gentlemen, what is your pleasure?
4. Communication from Dick Dunfey, Secretary/Treasurer of the Manchester Housing and Redevelopment Corporation, advising that the Board of Trustees have approved a proposal from J P Sercel Associates, Inc. to acquire (at \$1.3 million) and develop the French Hall property at Hackett Hill.
Gentlemen, what is your pleasure?
5. Communication from Thomas Bowen, Water Works Director, advising of a request from Dick Anagnost of Anagnost Companies, Inc. and Dick Dunfey of MHRA to purchase 16+/- acres of property at fair market value on Karatzas Avenue for the purpose of constructing additional "workforce housing".
Gentlemen, what is your pleasure?
6. Communication from Ken Edwards, MHRA Assistant Executive Director, responding to the Committee's request of June 28th relating to Fisher Cats parking at the former JacPac site.
Gentlemen, what is your pleasure?

7. Communication from Atty. Peter Tamposi, on behalf of Richard Exline, requesting the conveyance of Parcel "A" and termination of an access easement.
(Note: previously addressed by the Committee and voted to receive and file on 04/28/2005.)

Ladies and Gentlemen, what is your pleasure?

8. Communication from David Baughman seeking authorization for use of unused railroad tracks abutting 303 Belmont Street for the purpose of additional tenant and visitor parking and storage of snow.

Gentlemen, what is your pleasure?

TABLED ITEMS

A motion is in order to remove any of the following items from the table for discussion.

NOTE: In reference to Items 9, 10, 11 & 12 a draft City of Manchester policy regarding private sector use of the former Portsmouth Branch Railroad Line ROW submitted by Planning is attached. All items were retabled on either 01/10/2005 or 05/02/2005 pending review by Parks & Recreation, Planning, Assessors and City Solicitor to work on a procedure for all departments. Proposed policy and procedure dated July 6, 2005 submitted by the City Solicitor's office enclosed.

NOTE I: Policy on right-of-way policy submitted on behalf of Alderman Osborne without a fee enclosed.

9. Land between Valley and Grove Streets previously owned by B&M Railroad.
(Tabled 05/26/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$57,448
Planning – do not dispose, license might be considered with conditions
Parks & Recreation – do not dispense, temporary use license or agreement subject to conditions to be considered

10. Land at Belmont/Valley/Grove Streets formerly owned by B&M Railroad.
(Tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$26,484
Planning – recommend license for usage subject to conditions
Tax Collector – no interest, not tax-deeded parcel

11. Land at Maple/Somerville Streets formerly owned by B&M Railroad.
(Tabled 07/27/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$21,084
Planning/Parks – do not dispose, recommend license for usage subject to condition

12. Communication from Greg Grace, Vice President of PMC Wire requesting access to their plant from Valley Street, which would require crossing the former Portsmouth Branch rail corridor.
(Tabled 05/02/2005 pending standard policy for purchasing railroad land to be submitted by Planning.)

13. Communication from Attorney Michael Kasten, on behalf of Steve and Anna Saco, proposing to enter into a Boundary Line Agreement with the City for property located at West Shore Avenue and Bodwell Road abutting Crystal Lake.
(Note: Tabled 04/18/2005 pending review by Alderman DeVries.)

14. Discussion of area for dog park.
(Note: Tabled 04/18/2005 pending submission of formal layout for the dog park and lease agreement.)

15. Communication from Robert MacKenzie, Director of Planning, relative to the Blacksmith Shop on Second Street.
(Note: Tabled 11/15/2005 pending further review by the CIP Committee.)

16. Communication from Russel Johnson, PSNH, seeking authorization to place a padmount transformer and cement slab (8' x 8') and situated approximately 5 feet from the back of the Visitors Center at Veterans Park.
(Note: Tabled 07/19/2005 at the request of PSNH pending further discussions with Intown Manchester.)

17. Communication from Gerald Hebert, Sr., requesting to purchase Lots 246-3, 6 & 7 on Page Street between London and Bridge Streets.
(Note: Tabled 07/19/2005 pending additional information from the Board of Assessors and Planning Department.)

18. If there is no further business, a motion is in order to adjourn.



Dick Dunfey
Secretary/Treasurer

M A N C H E S T E R
HOUSING AND REDEVELOPMENT CORPORATION

William B. Cashin
President
Marie E. Donohoe
Vice-President
George N. Copadis
Trustee
Fern G. Gelinas
Trustee
M. Mary Mongan
Trustee

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August 19, 2005

Henry Thibault, Chairman
City of Manchester
Lands and Buildings Committee
One City Hall Plaza
Manchester, NH 03101

RE: Acquisition of 354 Hackett Hill Road

Dear Chairman Thibault:

On August 18, 2005 Manchester Housing and Redevelopment Corporation Board of Trustees approved acquisition of the Masters property at 354 Hackett Hill Road, Manchester, New Hampshire.

Enclosed is a plan which illustrates the location of the Masters property in relation to the French Hall property and the overall Northwest Business Park property on Hackett Hill Road. This is the only non-conforming residential property within the boundaries of our Hackett Hill property and acquisition of this property was anticipated by the Hackett Hill Master Plan.

We have negotiated a price of \$275,000.00 for the purchase of 2.75 acres including a three bedroom, two bath single family home with detached two story barn, without any real estate commissions. This price is consistent with the value established during the Master Planning process of \$100,000.00 per acre. An estimated \$300,000.00 budget line item for acquisition was included with Board of Mayor and Aldermen approval of the first phase of the Hackett Hill Master Plan. Eliminating this residential property from the Northwest Business Park will provide the opportunity for additional business park development and avoid the negative marketing issues and potential conflicts between a residential abutter and business uses within the park.

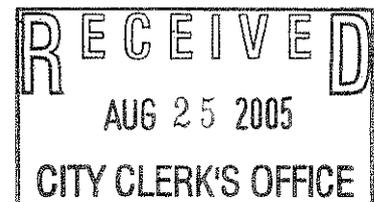
With City of Manchester concurrence, we will proceed with acquisition of the property.

Thank you.

Sincerely,

MANCHESTER HOUSING AND REDEVELOPMENT CORPORATION

Dick Dunfey
Secretary/Treasurer



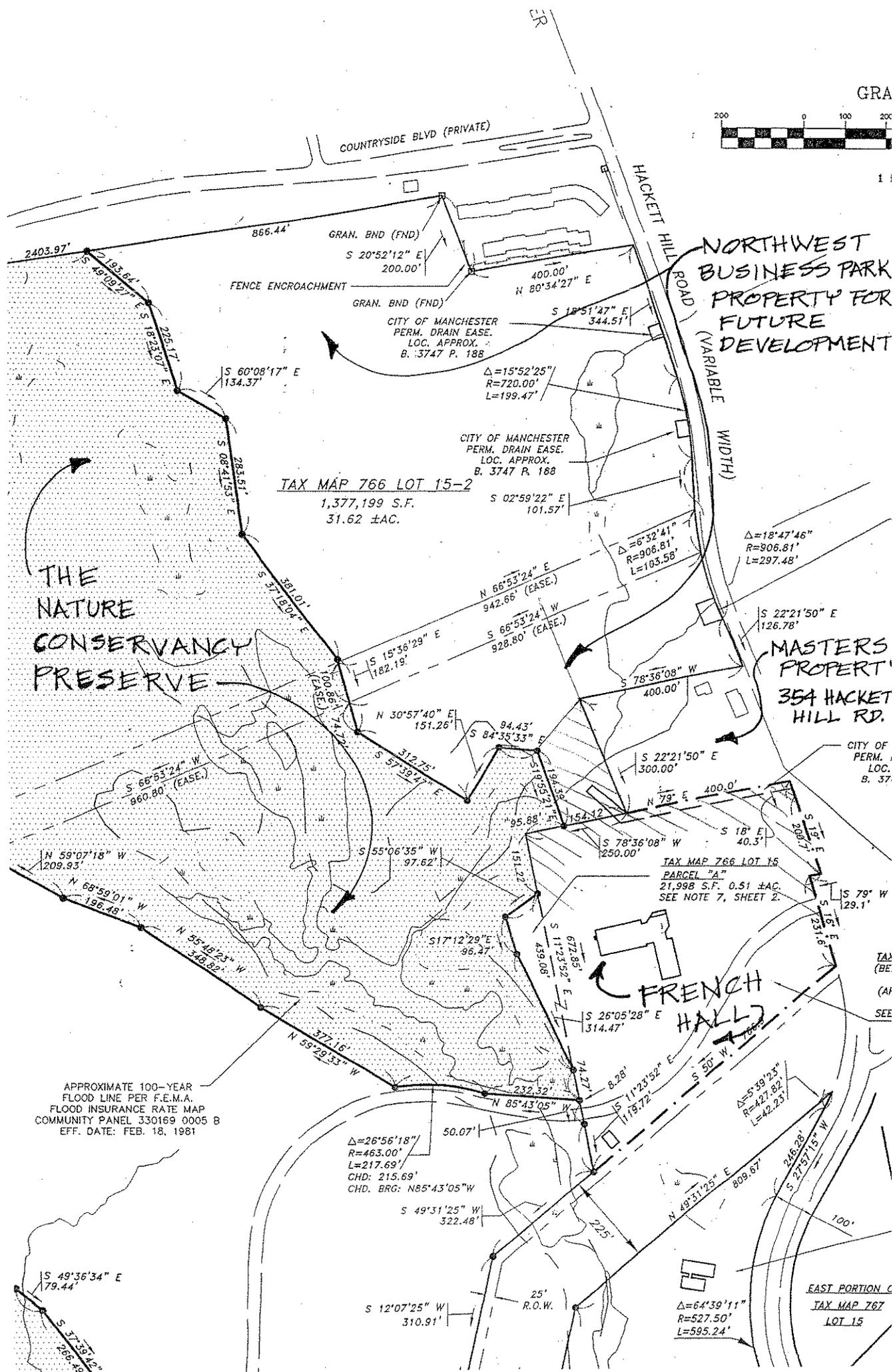
cc: Robert A. Baines, Mayor
Thomas Clark, Esq.
Paul Borek, Economic Development Director
Robert S. MacKenzie, AICP

198 Hanover Street, Manchester, New Hampshire 03104-6125
603 624-2100 FAX 603 624-2103 TDD 1 800-545-1833, ext. 590



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GRA



APPROXIMATE 100-YEAR FLOOD LINE PER F.E.M.A. FLOOD INSURANCE RATE MAP COMMUNITY PANEL 330109 0005 B EFF. DATE: FEB. 18, 1981

NORTHWEST BUSINESS PARK PROPERTY FOR FUTURE DEVELOPMENT

THE NATURE CONSERVANCY PRESERVE

MASTERS PROPERTY 354 HACKETT HILL RD.

FRENCH HALL

TAX MAP 766 LOT 15-2
1,377,199 S.F.
31.62 ± AC.

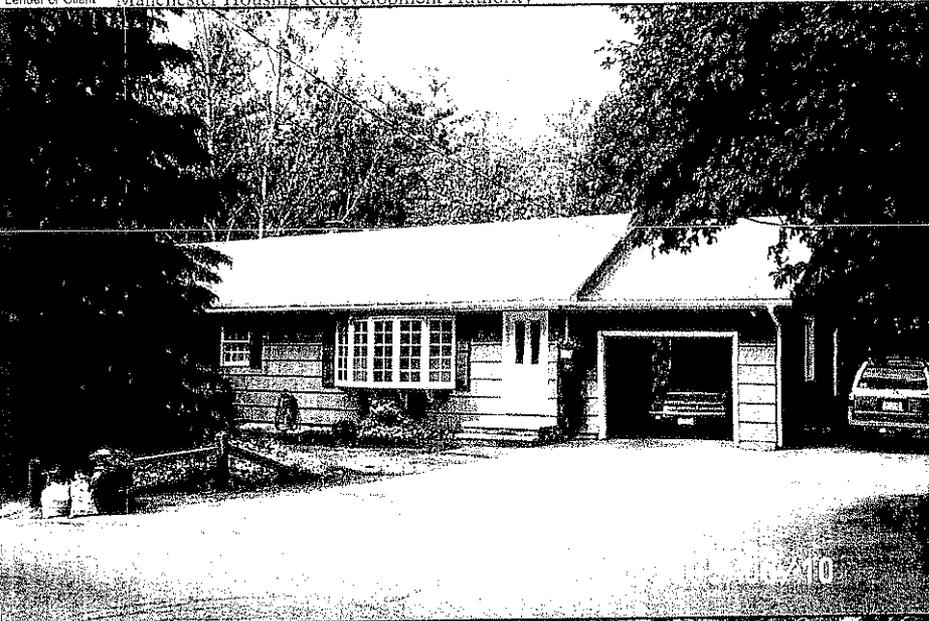
TAX MAP 766 LOT 15 PARCEL "A"
21,998 S.F. 0.51 ± AC
SEE NOTE 7, SHEET 2.

EAST PORTION OF TAX MAP 767 LOT 15

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PHOTOGRAPH ADDENDUM

Borrower or Owner Masters, Ronald & Ann
Property Address 354 Hackett Hill Road
City Manchester County Hillsborough State NH Zip Code 03102
Lender or Client Manchester Housing Redevelopment Authority



**FRONT VIEW OF
SUBJECT PROPERTY**



**REAR VIEW OF
SUBJECT PROPERTY**



**STREET SCENE OF
SUBJECT PROPERTY**

LETTER OF INTENT

Subject to the terms and conditions hereof, Seller as hereinafter defined, agrees to sell to Buyer, as hereinafter defined, and Buyer agrees to purchase the land and building as more specifically described herein:

- Buyer:** Manchester Housing and Redevelopment Corporation (MHRC),
198 Hanover Street, Manchester, NH 03104
- Seller:** Ronald and Ann Masters
- Property Address:** 354 Hackett Hill Road, Manchester, NH 03102
- Purchase Price:** \$275,000.00 (Two Hundred Seventy Five Thousand and 00/100)
- Deposit:** \$5,000 upon acceptance of this Agreement, to be held in escrow by
Counsel for the MHRC, William H. Craig, 84 Bay Street, Manchester, NH
03104
- Transfer of Title:** 90 (ninety) days from a fully executed and duly authorized Purchase and
Sales Agreement, or sooner, at a mutually acceptable time and place.
- Deed:** Marketable Title shall be conveyed by Warranty Deed and shall be free
and clear of all encumbrances except usual public utilities serving the
property and restrictive covenants of record.
- Possession:** Free of all personal property and encumbrances except as herein stated,
is to be given on transfer of title.
- Title:** If Buyer desires an examination of title, it shall pay the cost thereof. If,
upon examination of title, it is found that the title is not marketable, this
Agreement may be rescinded at the option of the Buyer and deposit shall
be returned to the Buyer. Any fees related to recording instruments to
clear title shall be paid by the Seller.
- Adjustments:** Taxes, special assessments, rents, water and sewage bills shall be
prorated as of day of Closing unless otherwise stated.
- Property Included:** 3 bedroom ranch style single family dwelling with one car attached
garage and detached 1 ½ story storage building on a 2.75+/- acre parcel.
- Due Diligence:** Buyer shall be granted a 30 (thirty) day due diligence period commencing
from the time of the fully executed Agreement, to perform all analysis
(financial and otherwise), investigations, inspections, environmental
assessment, engineering or any other items which the Buyer considers
necessary to evaluate the property. Within five (5) days of the date of the
fully executed Agreement, Seller shall provide Buyer with all financial
statements, environmental reports and assessment, and all other reports,
assessments, investigations and other documents Seller possesses with
respect to the property. Should the results of any such analysis,
investigations, inspections, assessments or other items be for any reason
whatsoever unsatisfactory to the Buyer, the Buyer may, in its sole

discretion, elect to terminate the Agreement and have the deposit returned, provided that Buyer send written notice of such election to the Seller within 5 (five) business days from the end of the due diligence period.

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Buyer's Default: If the Buyer shall default in the performance of the obligations under this Agreement, then the Seller's sole remedy is that the deposit may, at the option of the Seller, become the property of the Seller as reasonable liquidated damages, and the Seller shall not have any further recourse against the Buyers.

Prior Statements: All representations, statements, and agreements heretofore made between the parties are merged in this Agreement, which alone fully and completely expresses their respective obligations. This Agreement is entered into by each party after opportunity for investigation, neither party relying on any statement or representations not embodied in this Agreement, made for the Seller, on the Seller's behalf, by the Seller's Agents and/or the Seller's representatives.

Financing: None

Contingencies: This agreement is contingent on MHRC Board approval and the City of Manchester concurrence. In the event the MHRC and the City of Manchester do not approve the purchase the deposit in full will be returned and this Agreement shall be null and void. If the Buyer is unable to obtain the required approvals at the first meeting, in September, of the Board of Mayor and Aldermen, the deposit in full will be returned and this Agreement shall be null and void unless extended with written consent of the Buyers and Seller.

SEEN AND AGREED TO BY:

Seller: Ronald and Ann Masters

By: Ronald Masters
Ronald Masters

7/14/05
Date

By: Ann Masters
Ann Masters

July 14, 2005
Date

Buyer: Manchester Housing and Redevelopment Corporation

By: Dick Dunfey
Dick Dunfey
Secretary/Treasurer

7-15-05
Date



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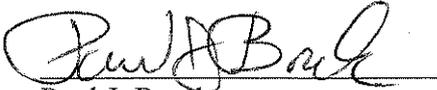
CITY OF MANCHESTER

Manchester Economic Development Office



MEMORANDUM

TO: Land & Buildings Committee
Board of Mayor & Alderman

FROM: 
Paul J. Borek
Director

DATE: August 25, 2005

RE: J. P. Sercel Associates, Inc.
Advanced Laser Manufacturing Technologies
Purchase of French Hall

Enclosed please find the recommendation of the Manchester Housing & Redevelopment Authority (MHRA) regarding the purchase of French Hall in the Northwest Business Park at Hackett Hill by J.P. Sercel Associates, Inc. (JPSA). I have met with JPSA President Jeff Sercel several times and have toured his research and production facility in Hollis, NH. I fully endorse the selection of JPSA for the following reasons:

- JPSA is a private, for-profit business enterprise engaged in sophisticated research and development of laser systems and equipment for numerous client applications around the world.
- JPSA has been in business for 14 years and is growing rapidly after moving from consulting to laser system development and production.
- JPSA President Jeff Sercel previous started and sold another laser company prior to starting JPSA.
- JPSA has relationships with numerous southern New Hampshire suppliers and allied industry companies. As such, JPSA's location in Manchester could help attract other research and technology companies to the Northwest Business Park at Hackett Hill.
- Laser systems and laser applications to the fields of medicine (medical vision and diagnostic optics and biotechnology), defense, and biometrics (automated identification based on physiological or behavioral characteristics for security purposes) are among the fastest growing industries in the U.S.

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- Laser cleaning technology and laser cutting machines (with industrial applications including aerospace alloys, stainless steel composites, ceramics, marble, glass, mica, rubber and wood) have particular applications to southern New Hampshire's concentration of electronics and semiconductor industries.
- As identified in the Hackett Hill Research Park Master Plan and the Northwest Business Park Development Plan Cooperation Agreement with the MHRA (Nov. 6, 2002), JPSA best complies with the following planning goals set for the development of the park:
 - *Building long-term commercial tax base.* Hackett Hill offers Manchester's primary opportunity for adding new property to the tax roles. It also offers the opportunity to reverse the decline in the percentage of the tax base of commercial uses versus residential uses. As such, a major goal is to focus on uses that can provide immediate tax benefits as well as long-term growth in taxable assessed value
 - *Providing employment opportunities.* Uses which provide a number of new employment opportunities are preferred. Focus is on research & development, light manufacturing and headquarters office employment.
 - *Competitive Opportunities.* Manchester competes with other communities for new and expanding businesses. While the City has a reemerging downtown, many businesses are looking for more rural/suburban settings near highways. Hackett Hill should focus on both bringing in businesses which would not otherwise consider a City location and providing an opportunity to retain expanding businesses which have outgrown a central city location.
 - *Development Vision.* The general vision is for a quality commerce park with opportunities for research and development companies, light manufacturing and corporate offices. New uses should meet these objectives or provide a complementary use to them.
- Finally, JPSA has offered to pay the full asking price of \$1.3 million and will invest another \$1.3 million in immediate improvements to the building and grounds. In the next few years, JPSA plans to expand the existing 31,000 square-foot building to 100,000 square feet.
- JPSA will move 46 jobs to Manchester and plans to generate an additional 80 – 100 quality jobs over the next five years.
- JPSA has the financial capacity to purchase the building, having already secured an approval for financing from the Citizens Job Bank loan fund.

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Dick Dunfey
Secretary/Treasurer



M A N C H E S T E R
HOUSING AND REDEVELOPMENT CORPORATION

William B. Cashin
President

Marie E. Donohoe
Vice-President

George N. Copadis
Trustee

Fern G. Gelinis
Trustee

M. Mary Mongan
Trustee

August 22, 2005

Henry Thibault, Chairman
City of Manchester
Lands and Buildings Committee
One City Hall Plaza
Manchester, NH 03101

RE: Sale of French Hall

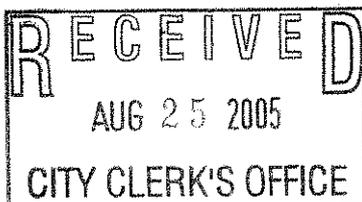
Dear Chairman Thibault:

On August 18, 2005, the Manchester Housing and Redevelopment Corporation Board of Trustees approved a proposal from J P Sercel Associates, Inc. of Hollis, New Hampshire to acquire and develop the French Hall property at Hackett Hill. Enclosed is a copy of the Letter of Intent to purchase which has been approved by Manchester Housing and Redevelopment Corporation counsel, Bill Craig, for this purpose.

J P Sercel Associates, Inc.'s business consists of laser technology design, development and production of specialized equipment for markets worldwide. It currently employs forty-six scientists, administrative staff and production technicians. It has outgrown its 21,000 square foot facility in Hollis and intends to bring its entire operation to Manchester. It has offered the full asking price of \$1,300,000.00 for the property, which it will immediately rehabilitate at a cost of approximately \$1,300,000.00. In addition it will immediately begin planning for future expansion which will result in a total of 100,000 square feet on the property within five years.

This is an allowed use under the Research Park Zone and is exactly the kind of business a Research Park is designed to accommodate. In discussions we have had with Lee Ann Woods of Angelou Economics (the consultant currently preparing Manchester's Strategy for the New Economy,) she indicates that laser technology is one of the fastest growing segments of the technology industry and would be an ideal use to kick off Manchester's Northwest Business Park.

The Manchester Housing and Redevelopment Corporation Board of Trustees considered five other proposals to purchase French Hall and we have included a copy of the summary which outlines some of the details of these proposals. The proposal from J P Sercel Associates, Inc. provides the highest and best use for the property consistent with the objectives established for the Research Park, including quality employment opportunities and increased tax base. We have enclosed brochures provided by J P Sercel Associates, Inc. to illustrate the specialized types of products they have designed, developed, produced and marketed.



198 Hanover Street, Manchester, New Hampshire 03104-6125
603 624-2100 FAX 603 624-2103 TDD 1 800-545-1833, ext. 590



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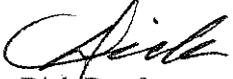
Page 2
Henry Thibault, Chairman

With City of Manchester concurrence, we will proceed with a Land Disposition Agreement as we have done in past development projects for the City.

Thank you.

Sincerely,

MANCHESTER HOUSING AND REDEVELOPMENT CORPORATION



Dick Dunfey
Secretary/Treasurer

cc: Robert A. Baines, Mayor
Thomas Clark, Esq.
Paul Borek, Economic Development Director
Robert S. MacKenzie, AICP

LETTER OF INTENT

- Seller:** Manchester Housing and Redevelopment Corporation (MHRC),
198 Hanover Street, Manchester, NH 03104
- Buyer:** J P Sercel Associates, Inc., 17 D Clinton Drive, Hollis, NH 03049 and/or assigns,
satisfactorily to MHRC which shall not be unreasonably withheld.
- Property Address:** 220 Hackett Hill Road, Manchester, NH 03101
- Purchase Price:** \$1,300,000 (One Million Three Hundred Thousand Dollars)
- Deposit:** \$60,000 upon acceptance of this Letter of Intent, to be held in escrow by the
Seller.
- Additional Deposit:** \$60,000 in additional deposit due upon completion of Due Diligence.
- Balance of
Purchase Price:** \$1,180,000 due at closing in the form of cash, certified funds, or bank draft.
- Transfer of Title:** Within the timeframe required from a fully executed Land Disposition Agreement, or
sooner, at a mutually acceptable time and place. Buyer agrees it has received a standard
form of Land Disposition Agreement.
- Deed:** Title shall be conveyed by deed conveying marketable title and shall be free and
clear of all encumbrances except usual public utilities serving the property and restrictive
covenants of record.
- Possession:** Free of all personal property and encumbrances except as herein stated,
is to be given on transfer of title.
- Title:** If Buyer desires an examination of title, he shall pay the cost thereof. If,
upon examination of title, it is found that the title is not marketable, this
Letter of Intent may be rescinded at the option of the Buyer and deposit shall
be returned to the Buyer. Any fees related to recording instruments to
clear title shall be paid by the Seller.
- Adjustments:** Taxes, special assessments, rents, water and sewage bills shall be
prorated as of day of Closing unless otherwise stated.
- Property Included:** 31,000 +/- SF office building on a 10+/- acre parcel, as referenced above.
- Due Diligence:** Buyer shall be granted a forty-five (45) day due diligence period commencing
from the date the City of Manchester approves the Letter of Intent, to perform all
analysis (financial and otherwise), investigations, inspections, environmental
assessment, engineering, title examination or any other items which the Buyer considers
necessary to evaluate the property.
- Within five (5) days of the date the City of Manchester approves the Letter of Intent,
Seller shall provide Buyer with all financial statements, environmental reports
and assessment, and all other reports, assessments, investigations and
other documents Seller possesses with respect to the property. Should the
results of any such analysis, investigations, inspections, assessments or
other items be for any reason whatsoever unsatisfactory to the Buyer, the

Buyer may, in its sole discretion, elect to terminate the Letter of Intent and have the deposit returned, provided that Buyer send written notice of such election to the Seller within 5 (five) business days from the end of the due diligence period.

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Buyer's Default: If the Buyer shall default in the performance of the obligations under this Letter of Intent, then the Seller's sole remedy is that the deposit may, at the option of the Seller, become the property of the Seller as reasonable liquidated damages, and the Seller shall not have any further recourse against the Buyers.

Prior Statements: All representations, statements, and agreements heretofore made between the parties are merged in this Letter of Intent, which alone fully and completely expresses their respective obligations. This Letter of Intent is entered into by each party after opportunity for investigation, neither party relying on any statement or representations not embodied in this Letter of Intent, made for the Seller, on the Seller's behalf, by the Seller's Agents and/or the Seller's representatives.

Financing: The Buyer shall provide a financing commitment satisfactory to the MHRC which supports the purchase price and the cost of improvements within forty-five (45) days after approval of the Letter of Intent by the City of Manchester and prior to execution of a Land Disposition Agreement. The Land Disposition Agreement shall be executed within ten (10) days after the Due Diligence period has expired.

Contingencies: This Letter of Intent is contingent on MHRC Board approval and the City of Manchester concurrence. In the event the MHRC and the City of Manchester do not approve the sale to J P Sercel Associates, Inc. or its assigns, the deposit in full will be returned.

Additional Contingencies: Prior to Closing, the buyer shall provide plans for building and site improvements to 220 Hackett Hill Road, including schematic architectural plans which illustrate the location and layout of an additional 70,000 square feet of building construction.

Improvements shall be in accordance with the Northwest Business Park Development Plan and closing shall be contingent upon execution of a mutually satisfactory Land Disposition Agreement between J P Sercel Associates, Inc. and Manchester Housing and Redevelopment Corporation.

SEEN AND AGREED TO BY:

Seller: Manchester Housing and Redevelopment Corporation (MHRC)

By: _____ Date _____
Dick Dunfey
Secretary/Treasurer

Buyer: J P Sercel Associates, Inc. and/or Assigns

By: _____ Date _____
It's Authorized Agent

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OPTIONS	USE	PURCHASE PRICE	ZONING	EMPLOYMENT	SIZE	IMMEDIATE INVESTMENT INCLUDING OFFERING PRICE	FUTURE DEVELOPMENT	COMMENTS
Herrington Catalogue	Catalogue Sales Office/Call Center Warehouse	\$1,300,000	Requires Variance	160 Full Time 240-290 Seasonal	Existing 31,000 sq. ft. bldg. & 64,000 sq. ft. warehouse addition	\$4,540,000	Additional 20,000 sq. ft. warehouse	Not ideal use. Inconsistent with objectives for Business Park. May have adverse effect on future development. Currently in Londonderry, New Hampshire
Easter Seals	12,000 sq. ft. professional offices, Relocation of 30 bed female resident program from Webster Street. 247 facility.	\$1,300,000	Requires Variance	Up to 100 employees	Existing 31,000 sq. ft. bldg.	\$6,000,000	N/A	Incompatible use. Exempt from paying full taxes. Have offered to pay taxes if necessary. Program to be relocated from Webster Street, Manchester, New Hampshire.
Dynamic Network Services	Hi-tech internet service provider Incubator Space	\$1,300,000	Allowed Use	Current 12-16 More with renovation of French Hall 2nd floor	One half (1st floor) of existing bldg. 15,000 sq. ft. 2nd floor to be renovated when a tenant is identified	\$1,750,000	Intends to create a technology center and rehab 1/2 building. Rehab balance of building and remainder of site as soon as feasible.	Good use, very small operation. Full site utilization questionable. Currently on Sundial Avenue in Hesser Center, Manchester, New Hampshire in leased space.
Dr. Vacalla	Alzheimers Research/ Care facility (day care, housing, research clinic)	\$1,300,000	Requires Variance	10-20 + volunteers	Existing 31,000 sq. ft. bldg.	\$2,387,600	30,000 sq. ft. residential addition \$3,600,000	Incompatible use. New start up.
Mass College of Pharmacy and Health Sciences	College campus	\$1,450,000	Conditional use	25 Staff 200 Students	Existing 31,000 sq. ft. building and expansion to between 61,000 and 81,000 sq. ft.	\$5,150,000	Intends to add 30,000 to 50,000 sq. ft. for 400 student classrooms and housing \$13,650,000.00	Not ideal use. Inconsistent with objectives for Business Park. May have adverse effect on future development. Currently on Elm Street, Manchester, New Hampshire. Exempt from paying full taxes.
JPSA	Laser technology, design, development and production of specialized equipment for markets world wide	\$1,300,000	Allowed use	46 Immediate. 80-100 more over 5 years.	Existing 31,000 sq. ft. bldg plus expansion to 100,000 sq. ft. within 5 years	\$2,600,000	Intends to expand as business grows to 10,000 sq. ft. full site utilization within 5 years.	Excellent use. Could result in spin off business in park. Has had to turn away business due to space limitations at existing facility. Currently in leased space in Hollis, New Hampshire

REPORT: Hackett Hill Research Park Recommendations

PRESENTED BY: ANGELOUECONOMICS

TARGET: LASER TECHNOLOGY & BIOMETRICS

Industry Overview

There are multiple industry segments in which laser technology and biometrics are a part. From a consumer standpoint, the most known use of laser is in surgery, primarily in optics (i.e. laser eye surgery). However, there are multiple uses for laser technology even within the medical and health services field. And optics alone has cross-over applications, most recently in the area of security.

Medical

Health services have been one of the fastest-growing industries in the United States in recent years. The U.S. health care market is estimated to be worth \$1.3 trillion annually and employs 12 million, after adding 2 million jobs through the 90s. The industry's employment is expected to grow 26 percent by 2010 and employ over 14 million.

The use of lasers in medical optics is strong, and growing rapidly. This is true from cosmetic surgery, as well as surgery related to aging, i.e. cataracts. The latest advances in laser vision technology and state-of-the-art diagnostic equipment are important -- this works to determine suitability, as well as procedural need.

These advances along with so many others have helped the health service industry in the U.S. outpace population growth by 2-3 times, **biotechnology has grown at an even faster rate**. Biotechnology and the equipment and pharmaceuticals within, will continue to be in high demand. Medical equipment is expected to add another 50,000 jobs in the same time period, a growth rate of 1.6 percent. Medical equipment does include a number of laser applications, and is increasingly including those associated with biometrics.

Additionally, research and testing facilities for medical technology are expected to net an additional 244,000 jobs during the period from 2000-2010, growing at an annual rate of 3.3 percent. All told, biotechnology and medical equipment/medical devices should add nearly 400,000 jobs nationwide by the end of the current decade.

Defense

The U.S. government, too, will demand biomedical products to support efforts to detect and protect against chemical and biological agents. Competition for biotech and biomedical firms will be fierce, as almost every major metro includes biotechnology among its list of target industries. The key to successfully attracting technologies related at this time is working to attract and develop defense applications.

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Currently, most biotechnology clusters are located in the Northeast (New Jersey and Boston), the Research Triangle, and California. New contenders in recent years include Central Texas and Salt Lake City. This is where the DOD is focused in their needs for technology development and applications.

The U.S. security market is broad and includes market segments such as surveillance and monitoring, access control, biometrics, computer security, fire/burglar alarms, and home automation, just to name a few. As most know, the industry has received greater recognition due to the attacks of September 11th. Many security users, including the federal government, have increased purchases of equipment and services to beef up protection of vital assets. The advanced security industry does not include traditional security measures such as guards.

The overall U.S. security market is a multi-billion industry with a double-digit growth rate. The industry is divided into three main end-use segments: commercial, government, and residential. In 2002 the U.S. security market had record revenues of \$23.4 billion. Industry consultants the Freedonia Group expect revenue to more than double to over \$48 billion by 2009. Revenue growth is just as fast outside the United States. Western Europe and Japan are the largest markets outside the U.S., but East Asia, Latin America, and the Middle East have the strongest revenue growth.

Commercial security purchases will grow considerably from \$14 billion in 2002 to \$29 billion in 2009. A combination for decreasing prices and increased demand from industrial and utility users is driving this growth. The fastest growing commercial markets are healthcare and financial services due to increased crime and corporate fraud.

The most recent developments in security include the use of laser technology and biometrics. Its use is in development for overseas and combat use. These technologies are in use today – and expanding – at the Southern Border of the U.S.; this includes finger-printing and facial recognition.

There is a great deal of product development in laser technology and biometrics specific to retinal identification, finger & palm prints, hand & finger geometry, and vein identification methods, among others.

Research & Development. R&D in government data security has increased dramatically since the increased terrorist concerns following the September 11th attacks. Virtually every government defense agency, including the Departments of Defense and Homeland Security, all branches of the US military, and the National Institutes of Health, funds major research projects.. Widely spread computer viruses have led the *private sector* to increase product development in network security, as well. Because the nature of the industry involves staying one step ahead of terrorists and hackers, R&D will always be an important part of this industry.

Focus: Laser Research and Technologies

Laser technology has application across numerous trades and industries; this is why it is a highly attractive target for Manchester, NH. The technology and products are already being utilized throughout many of the companies in the area. Additionally, it has vocational technology components for which educational programming is easily produced.

Laser technology grows daily. Its current applications include: cutting, drilling, welding, marking, micro-machining, and solar cell cutting. The mediums on which it works include: metals, non-metals, ceramics, composites, plastics, rubber, and glass. As examples of use, laser drilling has been used in jet engines and angioplasty; and laser optics are now being used by the Department of Defense for human identification.

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AE believes Manchester can work to develop this laser company opportunity through a cross-over strategy – for both **existing businesses** (ex: electronics and semiconductors – using laser technology for parylene ablation, i.e. surface coatings and fastenings), **and developing industries** (ex: laser optics in ophthalmology, and security methods in human identification).

There are research dollars to be accessed for this technology, as well as from corporations looking for application labs, and research and development for their specific needs (the trucking industry is the most recent example – they have on-going work in RFID applications).

Focus: RFID

Radio frequency Identification (RFID) first appeared in tracking and access applications during the 1980s. These wireless AIDC systems allow for non-contact reading and are effective in manufacturing and other hostile environments where bar code labels could not survive. RFID has established itself in a wide range of markets including livestock identification and automated vehicle identification (AVI) systems because of its ability to track moving objects.

Bar Code Technology

Since their invention in the early 1950s bar codes have accelerated the flow of products and information throughout the global business community. Coupled with the improvements in data accuracy that accompanies the adoption of bar code technology over keyboard data entry, bar code systems are critical elements in conducting business in today's global economy. Bar code technology encompasses the symbologies that encode data to be optically read, the printing technologies that produce machine-readable symbols, the scanners and decoders that capture visual images of the symbologies and convert them to computer-compatible digital data, and the verifiers that validate symbol quality.

Focus: Biometrics

Biometrics is an automated method of recognizing a person based on a physiological or behavioral characteristic. Among the features measured are face, fingerprints, hand geometry, handwriting, iris, retinal, vein, and voice. Biometric technologies are becoming the foundation of an extensive array of highly secure identification and personal verification solutions. As the level of security breaches and transaction fraud increases, the need for highly secure identification and personal verification technologies is becoming apparent.

Biometric-based solutions are able to provide for confidential financial transactions and personal data privacy. The need for biometrics can be found in federal, state, and local governments, in the military, and in commercial applications. Enterprise-wide network security infrastructures, government IDs, secure electronic banking, investing and other financial transactions, retail sales, law enforcement, and health and social services are already benefiting from these technologies.

Biometric-based authentication applications include workstation, network, and domain access, single sign-on, application logon, data protection, remote access to resources, transaction security, and Web security. Trust in these electronic transactions is essential to the healthy growth of the global economy. Utilized alone or integrated with other technologies such as smart cards, encryption keys and digital signatures, biometrics are set to pervade nearly all aspects of the economy and our daily lives.

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Utilizing biometrics for personal authentication is becoming convenient and considerably more accurate than current methods (such as the utilization of passwords or PINs). This is because biometrics links the event to a particular individual (a password or token may be used by someone other than the authorized user), is convenient (nothing to carry or remember), accurate (it provides for positive authentication), can provide an audit trail and is becoming socially acceptable and inexpensive.

Biometrics is ideal for applications that require unique, absolute, and secure user identification, such as access control, social service benefits distribution, prisoner identification, time and attendance, labor management, law enforcement, banking, and personal computer and network security. Even users in traditionally conservative fields such as healthcare are exploring biometric identification systems. For example, one hospital uses a patient's fingerprint to streamline registration, decrease errors such as duplicate records, and curtail dishonest practices.

The highest demand for biometrics is through the Department of Defense, and increasingly in Asia where many of the actual products utilizing the technology and components are being manufactured.

To our knowledge, there is no comprehensive center on the East Coast for development of these technologies and components. The demand for biometrics will only grow – and with the technology centers in Massachusetts, and the applications in Europe and Asia, Manchester, NH is well-situated for exploitation of this opportunity. Manchester has the space available for testing, development, applications, and manufacturing facilities – potentially under "one roof" (i.e. Hackett Hill).

Other Applications

Laser systems offer innovative **laser cleaning technology** for industrial surface treatment, cleaning and paint removal applications. Laser technology removes contaminants, production residue and coatings without damaging the substrate. The laser cleaning systems combine power and versatility with the lowest operating cost of all industrial cleaning methods.

Laser cutting machines are capable of work areas measuring 120" x 72" x 36" up to 1/2" thick. Lasers can be utilized to do production runs or single-piece prototypes. Applied laser processes on materials including aerospace alloys, stainless steel, composites, ceramics, marble, glass, mica, rubber, and wood.

With lasers, small and deep holes can be drilled on formed 3-dimensional parts made out of a variety of high-temperature alloys, precision holes can be completed on jet engine components, and laser technology and applications allow for specific geometry and control for all applications.

RESEARCH PARKS

Throughout the 80s and into the 90s, research parks have been a popular economic development strategy for urban as well as rural regions of all economic status. For regions faced with economic decline due to decreasing manufacturing concentrations, research parks are viewed as a strategy to restructure and refocus the economy in other sectors of employment. For areas fairing well, a research park may be perceived as an insurance policy to maintain levels of employment, as well as carry an economy into the next century. Research parks have been defined as "organizational entities that sell or lease spatially contiguous land and/or buildings to businesses or other organizations whose principal activities are basic or

applied research or development of new products or processes." This definition excludes high-technology centers such as Silicon Valley, industrial parks, and office parks.

The Association of University Related Research Parks (AURRP) defines the term research park or science park as a property-based venture that has: (1) existing or prospective land and buildings intended primarily for private and public research and development facilities, high-technology and science-based companies, and support services; (2) a contractual and/or formal ownership or operational relationship with one or more universities or other institutions of higher education, and science research; (3) a role in promoting research and development by the university in partnership with industry, assisting in the growth of new ventures, and promoting economic development; and (4) a role in aiding the transfer of technology and business skills between the university and industry tenants.

Most research parks are affiliated with one or more universities, and are focused on attracting research and development firms. Stanford Industrial Park was the first university-related research park in the U.S., while Research Triangle Park (RTP) is the currently the largest university-related research park. The Boston-Cambridge area has many commercial ventures by the Cabot and Forbes Company, which prefers the term "science parks." These areas, which line Route 128 all around the Boston Metropolitan Area, are primarily linked to Harvard University and Massachusetts Institute of Technology.

Since competition is high, it is necessary to examine why a region would look to employ a research park as an economic development strategy. A review should be given of three reasons why a region might undertake the costly and lengthy process of developing a research park. First, a region may seek "**reindustrialization**" -- the objective here is to create new jobs in new industries to replace jobs in declining industries; in some developing economies, the decline is the result of basic agricultural jobs that are disappearing. In older, more mature economies the decline is occurring in extractive and basic manufacturing industries, resulting from earlier epochs of industrialization: industries that range from coal mining to iron and steel production, textiles to automobile manufacturing. Product-cycle and trade theory suggests that as economies develop, and they will specialize in sectors where they have some kind of advantage relative to other regions. This usually implies moving up the skill learning curve into more sophisticated products made in more sophisticated ways.

The second reason why a region might build a research park is to **involve itself in such high-growth industries** as computers, software, and biotechnology, which are thought to increase a region's economic status. As nations and regions develop, moving up the skill and learning curves, they are likely to develop increasing disparities between one geographical area and another. In particular, the newer industries are likely to develop in regions where they can draw from agglomerated economies. The research park is instituted then to generate new jobs, increase income, and increase economic activity within the region.

The final reason a region may want to use the research park strategy is to help in **the creation of synergies between firms and industries**. Synergy may be defined as the formulation of "new and valuable information through human interaction." Synergies are a strong reason companies should consider research parks.

A significant number of research parks have resulted from various kinds of cooperation or partnership between the public and private sectors. These are usually promoted by regional or local governments, often in association with nearby universities, and together with the private companies that occupy the resulting space. Governments typically view research parks as an emergence of a new industrial space, defined both by the location of the new industrial sectors and by the use of new technologies in all sectors. At the same time, such new industrial space is globally interdependent and therefore can be seen as a worthwhile policy investment. Research parks are just one facet of "cities and regions as the last entrepreneurs." Cities and

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regions have a greater response capacity to generate targeted development projects, negotiate with multinational firms, foster the growth of small and medium firms, and create conditions that will attract the new sources of wealth, power, and prestige.

In this process of generating new growth, cities and regions compete with each other. **Advocates of creating research parks argue that such competition becomes a source of innovation, of efficiency, of a collective effort to create a better place to live and a more effective place to do business.**

What is a Research Park?

- Master planned property and buildings designed primarily for private/public research and development facilities, high technology and science based companies, and support services
- A role in promoting research and development through industry partnerships, assisting in the growth of new ventures and promoting economic development
- A role in aiding the transfer of technology and business skills between university and industry teams
- A role in promoting technology-led economic development for the community or region

About Research Parks in the United States & Canada:

- Currently represent over 41,000 acres of land; have over 2,900 tenants in their parks and employ over 235,000 people. The total capital investment exceeds \$9 billion.
- Represent over 94,000,000 million square feet of office and laboratory space, and plan to add another 32 million square feet over the next several years. More than 430 staff manage the parks.
- 83% of the parks are not-for-profit entities
- 62% have a business incubator component
- 70% of the parks were established using public funds
- 73% of the parks lease their land
- 37% of the parks have an operating budget greater than \$1,000,000 per year
- 61% of the parks use public incentives to attract tenant development
- The majority of the research parks were established in the decades of the 1980's and 1990's

Dynamic research parks encourage relationships with the private sector and transfer of technology and expertise from the research arm of Universities and/or federal departments, to the ever-changing business environment. The parks work to gain private industry commitments in order to move the developments to market, creating economy. These state-of-the-art business and research communities provide access to cutting-edge research, a skilled workforce and a favorable business climate - all in a region renowned for its unmatched natural beauty and superb quality of life.

Research parks can change a region's economic stability, enterprise/ownership mix, productivity, product mix, by position on product cycle, wage structure, in-/out-migration patterns, labor force participation rate, structural unemployment rate, poverty/unemployment rates, level of income inequality, spatial form, land and housing prices, and labor-management relations. Each individual research park will have a different impact. Variation of the impacts depends on the economic structure of the region and its surrounding areas, the internal organization/management of the park, and the external linkages between the park and key institutions, including state and local governments, universities and other research institutions, and the region's existing businesses. Key to its overall success is a defined Master Plan, including a direction for the type of business and industry to be a part of the on-going operation.

Lastly, a research park alone is not an effective economic booster. In addition to its original objectives, research parks need to employ heavy marketing strategies in order to compete and be successful in the information age and the global economy. Critical to its overall success will be adding such tactics as business incubation processes and technology-transfer programs – these will help to generate results.

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CONCLUSION

Manchester, New Hampshire has the opportunity to create a genuine point-of-difference for the community, as well as lead in technology breakthroughs for the world at-large, through the proper development of Hackett Hill, its research park.

Technology must drive the park -- in consideration of infrastructure, as well as with tenants. In creating Hackett Hill as a competitive research park, technology research and development must lead the effort. Additionally, there will need to be an effort to create programming in coordination with the colleges and universities throughout the region -- including: Dartmouth.

The opportunity before Manchester for the location of the laser research company to Hackett Hill could not be more ideal. This is a functioning, operational company with a terrific management track record for success. The company is well established and experiencing growth -- given its need for a larger facility -- with plans outlining additional growth in the near future. This company is in a field of study that is fast-growing, and highly regarded by two of the most sophisticated and demanding "industries" in the United States today: the Department of Defense and Logistics/Transportation -- Consumer Goods industry segment.

This company's location to Hackett Hill will immediately stimulate the "research" component of the research park. And because the company already is working with the government, national recognition will come immediately to Hackett Hill and Manchester, NH, if positioned and promoted correctly. This will lead to interest for other government facilities, as well as from other companies looking for a similar geographical location, and/or synergies which can be created through these technologies -- again, laser technologies cross multiple industry platforms.

It is critical to recognize the importance of strategy for Hackett Hill, not only for marketing purposes, but also in generating proper synergy and development, company-to-company. Proper strategy will lead to product developments which exponentially generate positive and sustainable economic growth for Manchester.

The laser technology company is an ideal tenant and business partner for Hackett Hill and Manchester, New Hampshire.

APPENDIX

AN ARTICLE

Biometrics and RFID - Safe Choices to Meet Emerging Security Needs

Automatic Identification and Data Collection (AIDC) technologies provide the safety and security that users want today

War, terrorism and financial fraud have created a new appreciation for security, and for the reliability and convenience that AIDC technologies can provide. These technologies, including radio frequency identification (RFID), biometrics and the venerable bar code, have long provided the foundation upon which successful security systems were built.

Today more businesses, agencies, transportation providers and facility managers need to broaden and deepen their security programs like never before. AIDC technologies have advanced and matured to ensure they will continue to be the technologies of choice to meet today's elevated security needs for users of all sizes.

Specifically, AIDC technologies deliver improved performance, and are easier to integrate and more cost effective than ever before. These improvements are the natural result of maturing markets and emerging standards. The advancements have been especially dramatic in RFID and biometrics technologies, which each deserve a fresh look from potential users. Standards for these technologies are maturing, which will make them easier to compare and integrate than ever before, without sacrificing performance or security.

"The solutions that users are looking for may not include the technology they assume they need," says Dan Mullen, interim CEO of AIM Global (www.aimglobal.org).

"Today's needs may best be solved with a combination of technologies. That's typically how it's always been with automatic identification technology, and it's more true now than ever."

For example, bar code ID cards are considered more secure than photo ID cards without bar codes, and RFID proximity cards provide an even higher level of security. A company that currently uses photo ID cards and wants to upgrade its security might assume it needs a bar code or RFID system. However, biometrics is now an appropriate option, because the technology is reliable and cost effective. Biometrics may also be used in combination with bar codes or RFID to form a layered solution that increases security exponentially and provides additional benefits that the user may not have considered.

Layered security systems increasingly feature a biometric component, whether the user is a company trying to crack down on payroll fraud or a government agency responsible for securing the country's borders. These types of security needs converge in the

transportation industry, which has been an enthusiastic early adopter of many AIDC technologies.

"Proximity cards are one of the highest forms of ID, and are considered very secure. But they can still be used for buddy punching," says Jimmy Bianco, vice president of sales and marketing for Control Module Inc. (www.controlmod.com). "If you combine biometrics with the prox card you eliminate that problem."

Concerns about buddy punching—the practice where employees fraudulently clock their co-workers in or out to give them credit for time that wasn't actually worked—led Continental Airlines to implement a fingerprint ID system to augment their automated employee time and attendance recording system. The company expanded the system from Control Module after it saved an estimated \$100,000 in the first year.

The same electronic terminals used for time and attendance can also be used to control electronic locks and secure access to restricted areas of airport facilities. The application provides an excellent example of how the technology can provide a secure foundation upon which additional applications can be built. It is this kind of reliable, flexible security that makes biometrics such an excellent choice to meet emerging security needs.

Architects of some of the farthest-reaching and highest security applications have taken notice. The Border Security Act of 2002 requires all U.S. entry visas to have a biometric component by 2004, and also specifies biometrics for new passport requirements. Biometrics are one component of the multi-technology Common Access Card (CAC), the next-generation ID cards that have been issued to more than 1.5 million U.S. military personnel. The Transportation Security Agency (TSA) will include biometrics in its new ID cards, which is one reason that a major research study by Allied Business Intelligence predicted that biometric security systems would be in place at every major airport in North America, Asia and Europe within five years. Other countries are already using biometrics for citizen ID, voter identification and security applications.

"As systems require more and more security, biometrics will be the authentication vehicle," says Bianco. "Until you tie a token to a person, which biometrics does, you don't have the ultimate form of security."

That is not to say high-security applications will be the exclusive domain of biometrics technology. RFID is another important technology for future security needs, and is used to secure assets as well as people.

"RFID technology can be used in a wide variety of ways to secure people, assets and facilities such as identifying people; controlling access to secure areas; securing, tracking and monitoring fuel trucks, luggage carriers and other service vehicles; routing passenger baggage through bomb detection, screening and sortation equipment; and securing and tracking cargo", according to John Shoemaker, Vice President of Corporate Development at Matrics, Inc. (www.matrics.com).

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The NEXUS program combines fingerprinting, digital photographs and RFID to facilitate swift and secure border crossings between the U.S. and Canada. To enroll in the program, frequent travelers are interviewed, fingerprinted and subject to a background check. If accepted, they receive a NEXUS photo ID card that includes an embedded RFID chip.

With that card, a NEXUS program participant can access specially designated crossing lanes. Once in the lane, he or she holds the card up to an RFID reader positioned in front of the inspection booth. The reader flashes the participant's photo and information onto a computer screen inside the booth. The inspector verifies that the photo on the screen matches the vehicle occupant and, if all checks out, authorizes the car to proceed. If there is more than one NEXUS participant in the vehicle, the reader and screen can display several photos for visual identification at once.

RFID is also the driver behind a similar program used to identify international cargo, instead of passengers. More than 40 partners, including many of the busiest ocean ports in the world, numerous multinational customs agencies and other government bodies, logistics companies, and technology providers are cooperating in the Smart & Secure Tradelanes (SST) program to track and secure cargo. Cargo containers are inspected at the port of origin and locked with an RFID cargo seal. Project participants are building a worldwide network of readers and sensors to track the movement of the tagged cargo and detect unauthorized movements. RFID, satellite tracking and Internet-based reporting all play a role in the system.

Savi Technology (www.savi.com) is a key contributor to the SST program and has recently won contracts from the U.S. Departments of Defense and Department of Transportation to test its RFID-based electronic seals for similar applications, including munitions and hazardous materials tracking.

"This kind of new technology will help to enhance the security of our nation's transportation system by enabling us to track cargo shipments," U.S. Secretary of Transportation Norman Mineta said in announcing the Savi contract.

Private fleet operators can also take advantage of wireless security and tracking technology. Old Dominion Freight Lines, a less-than truckload (LTL) trucking company headquartered in Thomasville, NC, installed RFID gate readers to control vehicle access to its terminals and a wireless LAN system to track the location and status of vehicles and containers once they entered the facilities. The system has paid for itself in less than a year at each location where it has been installed by improving freight handling efficiency and reducing shipping errors, in addition to increasing security.

It is clear from both the amount and level of activity that users have more confidence in biometrics and RFID than ever before. A major reason they are deploying with confidence has been the emergence of interoperable technology and standards, which have brought some stability to the fast-changing, high-growth industries.

"Standards need to be developed for these technologies to really grow," said AIM's Mullen. "For large users, standards can always add value. Big users look for standards-based solutions because it usually means support is available from multiple vendors."

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There are numerous RFID and biometrics standards activities underway at industry, national and international levels. While the volume of standards work is too large to chronicle here, a few projects merit mention. The ISO, which is the leading international standards authority, and whose standards carry the weight of law in some countries, established a new committee, ISO JTC1 SC37, in December 2002, to spearhead biometrics standards. ISO has already ratified several RFID standards and many more are close to being finalized. In May, ISO formally became involved with the SST program to gain insight to set international supply chain security and visibility standards.

The adoption pattern and standards activity for biometrics and RFID are remarkably similar to those of bar code and wireless local area networks (LAN), which each found eager early markets in defense and logistics and became very successful, mainstream technologies after strong standards emerged. In each case, pre-standard technology performed well and had the functionality to solve problems. Standards made the technologies easier to compare and integrate, but early adopters gained many benefits by creating applications before standards were in place.

"As long as a technology is sound and meets your needs, there is no need to wait for new developments. Business doesn't stop because new technology is coming," says Director Michael Guillory of Intermec Technologies Corp. (www.intermec.com), who is the company's chief authority and representative on standardization efforts. "If we waited because new technology was in the pipeline, no computer would ever have been bought and people would still be using pencil and paper."

In the current environment, many potential users are wondering if they should wait any longer to take advantage of advanced AIDC functionality. Because of the maturity and improvements in the technologies, organizations don't have to wait any longer, as many successful systems have demonstrated.



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MANCHESTER WATER WORKS

281 LINCOLN ST., MANCHESTER, NEW HAMPSHIRE 03103-5093 Tel. (603) 624-6494

July 22, 2005

Board of Mayor and Aldermen
Committee on Lands and Buildings
City of Manchester
One City Hall Plaza
Manchester, NH 03101

RE: SURPLUS LAND SALE

Dear Aldermen:

The Board of Water Commissioners at their meeting on Wednesday, July 20, 2005, took action to declare as surplus to the department's needs, a 16±-acre parcel of land in Manchester on Karatzas Avenue. Enclosed for your information is a copy of staff's memorandum to the Board which discusses the parcel.

The action by the Board of Water Commissioners was taken as a result of a request made jointly by Dick Anagnost of Anagnost Companies, and Dick Dunfey of the Manchester Housing and Redevelopment Authority, for consideration of sale of the property at fair market value to the joint public/private partnership for the purpose of constructing additional "workforce housing" in the area. A copy of their June 7, 2005 letter is attached for your consideration.

The Committee's favorable consideration of the request including the necessary waiver to sell the property to the partnership, is therefore respectfully requested. The parties will be available at the next scheduled Lands and Buildings Committee meeting to explain the proposal and to answer any questions which the Committee may have.

Sincerely,

Thomas M. Bowen, P.E.
Director

TMB:ds

Enclosure

cc: C. Arthur Soucy, President, Board of Water Commissioners
Mayor Robert A. Baines
Dick Anagnost, Anagnost Companies
Dick Dunfey, Manchester Housing and Redevelopment Authority
Thomas Clark, City Solicitor
Robert Beurivage, P.E., Assistant Director, MWW

BOARD OF WATER COMMISSIONERS

C. ARTHUR SOUCY
President

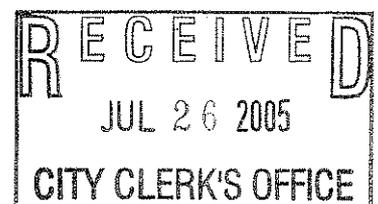
DONALD P. COUTURIER
Clerk

JAMES W. CRAIG
PATRICIA H. CORNELL
RICHARD M. BUNKER
LOUIS C. D'ALLESANDRO

Ex Officio
HON. ROBERT A. BAINES
Mayor

THOMAS M. BOWEN, P.E.
Director and Chief Engineer

ROBERT BEURIVAGE, P.E.
Asst. Director



Memo

July 13, 2005

TO: BOARD OF WATER COMMISSIONERS

FROM:  THOMAS M. BOWEN, P.E., DIRECTOR

RE: KARATZAS AVE. LAND

At the June 29, 2005 meeting of the Board of Water Commissioners, a presentation was made to the Board by Dick Anagnost of Anagnost Companies, Inc. and Ken Edwards of the Manchester Housing Authority regarding their interest in purchasing the property at fair market value as a joint venture in order to construct workforce housing units on the property.

With regard to the Karatzas Avenue property, the following information is pertinent:

- The Manchester Water Works purchased the original 16.3-acre parcel in July of 1925.
- In 1961 approximately .4 acres of the parcel were sold to the State of New Hampshire as part of the I-93 and Rt. 101 construction project.
- There are two easements across the property in the vicinity of the eastern boundary, a 10-foot wide Public Service Company easement for the benefit of an abutter located to the north, and a 30-foot gas utility easement for the Northeastern Gas Transmission Company.
- The intended use of the property when purchased in 1925 was an alternate site for the construction of a high service storage reservoir that would be compatible elevation-wise with the high service system, that is the reservoirs located in Derryfield Park.
- On two occasions in the 1980s the parcel was declared surplus by the Board of Water Commissioners with appraisals sought in August of 1983, however, it is unclear why the property was not sold at that time.

As outlined at the June Board meeting, the procedure for the sale of Water Works' property is that it must first be declared surplus by the Board of Water Commissioners. The sale must then be approved by the Board of Mayor and Aldermen and in accordance with Section 34.21 of the City Code of Ordinances, it must be sold as a public offering unless the BMA determines that it would be in the best interest of the City to do otherwise.

IT IS THEREFORE RECOMMENDED THAT THE BOARD OF WATER COMMISSIONERS RENEW THEIR DETERMINATION THAT THE KARATZAS AVENUE PROPERTY IS SURPLUS TO THE DEPARTMENT'S OPERATIONAL NEEDS, AND SHOULD THE BOARD WISH TO CONSIDER THE OFFER FOR SALE TO THE ANAGNOST COMPANIES AND THE MANCHESTER HOUSING AUTHORITY AS A JOINT PUBLIC/PRIVATE PARTNERSHIP, THAT A LETTER BE FORWARDED TO THE BOARD OF MAYOR AND ALDERMEN SEEKING THE NECESSARY WAIVER FROM THE PROCUREMENT CODE.

bwcmem4

Attachments

Manchester Water Works

281 Lincoln St., Manchester, NH 03103, tel. 603-624-6494, fax: 603-628-6020

5 OLD WELLINGTON ROAD APARTMENTS, LLC

33 SOUTH COMMERCIAL STREET, MANCHESTER, NH 03101

PHONE: (603) 669-6194 ✧ FAX: (603) 644-3657

Date: June 7, 2005

To: C. Arthur Soucy
President, Board of Water Commissioners
City of Manchester, Water Works
Business Office
281 Lincoln Street
Manchester, NH 03103

From: Dick Anagnost
Anagnost Companies

Dick Dunfey
Manchester Housing and Redevelopment Authority

Re: Karatzas Avenue Property

Dear C. Arthur Soucy,

Please accept this letter as a formal request to purchase the Water Works owned property containing 14 Acres more or less located on Karatzas Avenue and Old Wellington Road (Parcel # 551-13).

The parcel would be purchased by a joint public/private partnership between The Manchester Housing and Redevelopment Authority and The Anagnost Companies for the purpose of building workforce housing on the property.

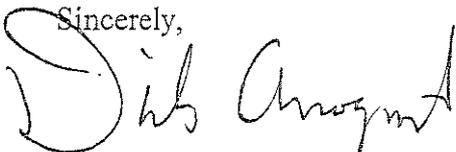
We are currently in the process of completing a similar project on Old Wellington Road on a parcel of Land formally owned by the City of Manchester.

We propose to purchase the property at Fair Market Value, subject to planning board approval. Fair Market Value would be determined by each of us hiring an independent M.A.I. Appraiser to establish its value.

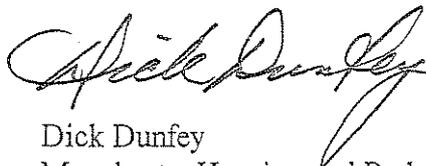
I am sure you are aware of the housing crunch in which Manchester finds itself at this time. The ability to utilize this excess piece of land (which is not to our knowledge part of the watershed) to cost effectively provide our teachers, firefighters, police officers, etc., a clean and affordable place to live would be a great advantage to the City of Manchester at this point and time.

We would be pleased to make a presentation to your board, should you so desire. Please contact me with any questions you may have.

Sincerely,



Dick Anagnost
Anagnost Companies



Dick Dunfey
Manchester Housing and Redevelopment Authority

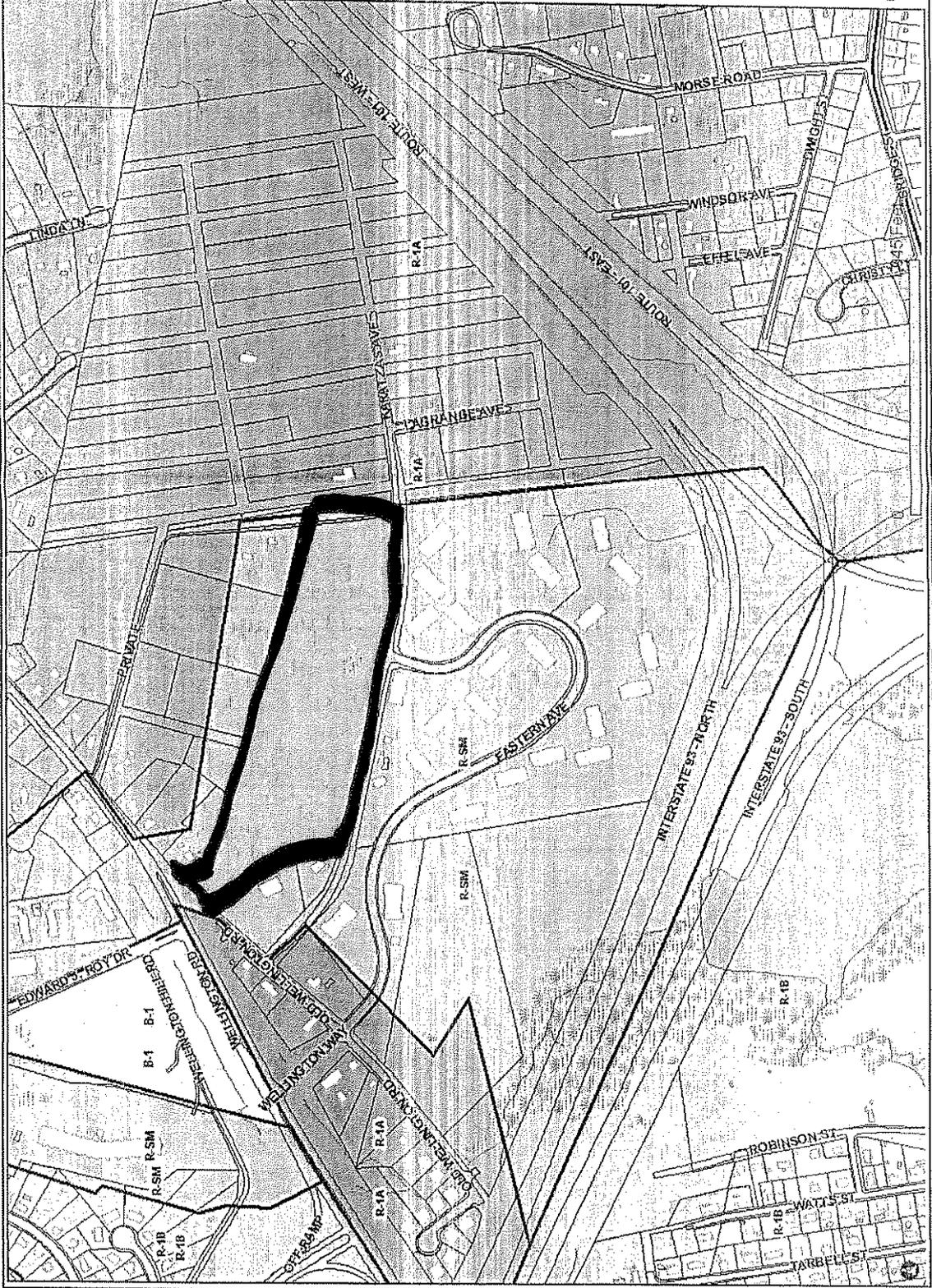
**City of Manchester,
NH**

Geographic Information System

GIS Map Print
Karatzas Ave Zoning

Subject Property Data
 Last Updated: 06/16/2005
 GIS ID: 247-15
 Parcel ID: MANCHESTER WATER WORKS
 Owner: WASHINGTON FC
 Location: 4300043
 City/County: 311 LINGULAR ST
 Owner Addr: MANCHESTER, NH 03104
 Parcel Area: 45
 Land Use Code: 202400
 Building Volume: 0
 Total Value: 202400
 Land Use: 4000 TAx C

Disclaimer
 The City of Manchester, NH warrants as to the accuracy, reliability, or completeness of the information and is not responsible for any errors, omissions, or for results obtained from the use of this information.



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Dick Dunfey
Executive Director



M A N C H E S T E R
HOUSING AND REDEVELOPMENT AUTHORITY

George N. Copadis
Chair
William B. Cashin
Vice-Chair
Marie E. Donohoe
Commissioner
M. Mary Mongan
Commissioner
Fern G. Gelinis
Commissioner

July 5, 2005

Henry Thibault, Chairman
City of Manchester
Lands and Buildings Committee
One City Hall Plaza
Manchester, NH 03101

RE: Fisher Cats Parking at Tyson Foods/Jac-Pac Property

Dear Chairman Thibault:

At the Lands and Buildings Committee meeting on June 28, 2005, a request was made that the Manchester Housing and Redevelopment Authority report to the Committee regarding the use of the Jac-Pac site for Fisher Cats parking.

As I mentioned at the meeting, the use of Jac-Pac, for Fisher Cats parking, had been discussed with City Departments just prior to the beginning of the 2005 baseball season and it was concluded that Jac-Pac should be held in reserve until demand warranted reconsideration. Attached are copies of memos to the Mayor from Bill Jabjiniak and to the Board of Aldermen from the Mayor regarding baseball parking at the Jac-Pac site. We have revisited this issue and continue to believe the Jac-Pac site should remain in reserve. Opening Jac-Pac would produce very little or no demand and would require a lot attendant, shuttle bus and further dilute use of other City lots which are currently not being used to capacity.

As illustrated by the enclosed pictures, there is no access from the Jac-Pac site to the Fisher Cats Stadium. The Riverwalk is closed with a fence and gate at both ends of the Chinburg construction site just beyond Jac-Pac. The area of the Jac-Pac site closest to the Riverwalk is fenced and the only opportunity for parking is outside the Jac-Pac main gate on Hancock Street. This is a long walk up to Elm Street, north on Elm Street to Auburn Street and west toward the Fisher Cats Stadium. A recent review indicates that there are no cars parked at the Jac-Pac site during Fisher Cats games and for the reasons stated above, we do not recommend using the site for that purpose for the remainder of this baseball season. We will continue to explore additional interim uses for the property and buildings to generate income from the site and will bring opportunities to you, for consideration, if and when they develop.

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Thank you again for your support of the CMC parking lease.

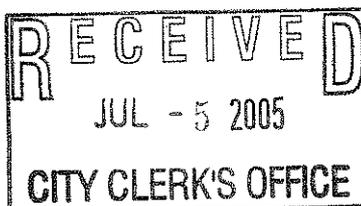
Sincerely,

MHRA I, Inc.



Kenneth R. Edwards
Assistant Executive Director, MHRA

cc: Mayor Baines
Bill Jabjiniak
Bill Craig, Esq.
Dick Dunfey



CITY OF MANCHESTER

OFFICE OF THE MAYOR

Robert A. Baines
Mayor



March 28, 2005

To: Aldermen

From: Bob Baines *Rob*

Re: Ballpark Parking Plan

One City Hall Plaza

Manchester, NH 03101-1932

one: 603.624.6500 (V/TTY)

Fax: 603.624.6576

www.ManchesterNH.gov

As you know, city staff has been working diligently to address issues related to the opening of the new Fisher Cats Ballpark. Attached is a report from Bill Jabjiniak on a coordinated effort. If you have any questions or suggestions, please contact Bill.

In addition, the morning following the opening of the stadium on April 7, I will be meeting with staff at 10 am in the Primary Room to assess the traffic and parking issues. We will welcome you input as well.



CITY OF MANCHESTER

OFFICE OF THE MAYOR

Robert A. Baines
Mayor

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Memo to: Mayor Robert A. Baines
From: Bill Jabjiniak *BJ*
Subject: Ballpark Parking
Date: March 22, 2005

One City Hall Plaza

Manchester, NH 03101-1932

Phone: 603.624.6500 (V/TTY)

Fax: 603.624.6576

www.ManchesterNH.gov

In reference to your email of March 16, 2005, city staff met to discuss several issues related to parking, traffic flow and the use of former Tyson Foods property for parking.

Attached to this memo is a copy of the parking map as compiled by the New Hampshire Fisher Cats. This plan was developed through cooperation between the team, Traffic, Police and this office. The team in conjunction with the Police Department believes that sufficient parking is available north of Granite Street on Commercial Street.

The second item is a signage plan coordinating signage for the Arena, Ballpark and Gill Stadium. All public lots will be designated with the standard "P" symbol with the hours of operation clearly displayed. Signs are also being coordinated with the State of New Hampshire to route traffic from I-293 utilizing exits 4, 5 and 6.

Please note all school busses used for the six weekday games that begin at 11:05 AM will be staged along S. Bedford Street behind WMUR after drop off in front of the stadium. Manchester Transit Authority will be offering free shuttle service during the opening two nights (April 7 & 8) in addition to the six weekday games that begin at 11:05 AM.

Meters along S. Commercial Street travelling both northerly and southerly will be bagged for the opening two nights. There will not be a dedicated bus lane due to the infrequent nature of the shuttle but the bagging of the meters will assist the Police Department with pedestrian control.

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The use of the former Tyson Foods property was discussed at length. The attached map highlights the property. As noted, access can only be obtained via Queen City Avenue. There are spaces for approximately 109 cars. Two concerns regarding security are, this area was utilized heavily as a cut through to avoid the traffic signal at Elm and Queen City. A barrier would have to be installed just past the parking area to address this problem. The second issue is this becomes a dumping area for discarded furniture and appliances.

Another concern raised by MTA is personnel related. Drivers on weeknights must have a minimum of 8 hours rest before driving their morning shift. This could create a shortage of drivers for regular bus routes.

The unanimous staff recommendation in regards to utilizing the Tyson Foods property is to have a plan in place but not implement until an assessment of parking problems is completed. MTA will provide buses and the Traffic Department will collect revenues but again the plan will not be implemented until after the first home stand is complete.

If you have any questions, please do not hesitate to contact me.

CC: Michael Colby
Ken Edwards
Dave Smith
Karyn Porter
Rich Valenti
Shawn Fournier
Steve Tierney
Tom Lolicata
Frank Thomas



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FENCE ACROSS RIVERWALK
SOUTH END

06/28/2005



CONSTRUCTION FROM SOUTH END

06/28/2005

10



CONSTRUCTION FROM NORTH END

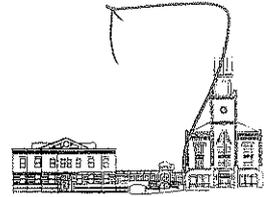


FENCE ACROSS RIVERWALK
NORTH END



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

August 10, 2005

Peter N. Tamposi, Esq.
Nixon Peabody LLP
Attorneys at Law
889 Elm Street
Manchester, NH 03101-2019

Re: Property located at 1823 Candia Road

Dear Attorney Tamposi:

Please be advised that your previous communication relative to the above-referenced was received and filed on April 18, 2005 by the Committee on Lands and Buildings. Enclosed are excerpts of that meeting as well as the January 10, 2005 meeting. In reviewing the minutes you will note that it was found that the City has not found this property surplus to City needs.

We will forward your latest communication to the Committee for their information at their next tentatively scheduled meeting to be held on August 29, 2005.

Sincerely,



Carol A. Johnson
Deputy City Clerk

Enclosures

pc: Richard Exline
Daniel Muller, Esq.
Joseph M. Wichert
Martin Miccio
Frank Thomas



NIXON PEABODY LLP

ATTORNEYS AT LAW

889 Elm Street

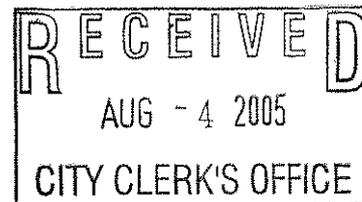
Manchester, New Hampshire 03101-2019

(603) 628-4000

Fax: (603) 628-4040

Direct Dial: (603) 628-4014

E-Mail: ptamposi@nixonpeabody.com



August 3, 2005

VIA HAND DELIVERY

Committee on Lands and Buildings
Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
Once City Hall Plaza
Manchester, New Hampshire 03101

Re: Property at 1823 Candia Rd.

Dear Committee Members:

You will recall this office represents Richard Exline with respect to his request for the conveyance of .23 acres of city property and for the termination of a right of way over Mr. Exline's property. As you initially requested, we made inquiry to the City of Manchester Department of Highways to obtain their assent to the transfer. By letter of December 16, 2004, a copy of which I attach for your review, the Department of Highways offered a few relatively minor comments with respect to the transfer.

To address these concerns, my client retained Joseph M. Wichert, L.L.S., Inc., a licensed land surveyor, to assemble a Lot Line Adjustment Plan. Unfortunately, due to the widening of Candia Road and the plethora of conflicting surveys, the task was not an easy one. I should note that Martin Miccio, the City Chief of Survey, was very helpful in assisting Mr. Wichert and we appreciated his input. In response to the December 16, 2004 memo from Mr. Frank Thomas of the Manchester Highway Department we offer the following comments:

- Mr. Whichert has completed a preliminary survey of the entire 10 acre City owned property (lot 522-5). The lot line adjustment plan as submitted would meet the requirements for submission to the Manchester Planning Board for this type of minor lot line adjustment.
- The submitted lot line adjustment plan shows the 4 parcels that were excepted from the subject tract (Lots 522-1, 2, 3 & 493-23). The plan also shows the 2 rights of ways, one being the 20' wide ROW across the Exline property and the other being the 20' wide access point from Groveland Avenue.

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- As stated above, the plan shows the 2 access points that currently exist. In addition to these areas, the City also owns 4 other properties that abut the 10 acre City owned property (lot 522-5). It would seem that 2 of the properties (lots 492-16 & 20) are viable points of access to the rear lot. Also keep in mind that lot 522-5 abuts another City owned property to the North (lot 522-4) which has frontage on Candia Road. The 20' wide access across the Exline property currently goes over his existing driveway and thru an existing outbuilding.

I have attached for you review a copy of Mr. Wichert's Lot Line adjustment plan. We would appreciate it very much if you would approve of the conveyance of Parcel "A" depicted on the attached to Mr. Exline and extinguish the right of way referenced above. If you need additional information, please do not hesitate to call. If you require a hearing on this matter, kindly place the matter on your agenda as soon as possible and let us know of the date. Thank you for your consideration.

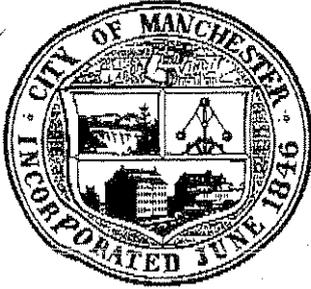
Very truly yours,



Peter N. Tamposi

PNT:jsf
Enclosures

cc: Richard Exline
Daniel Muller, Esq.
Joseph M. Wichert
Martin Miccio
Frank Thomas



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Boleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

December 16, 2004

Committee on Lands and Buildings
Board of Mayor and Aldermen
c/o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PROPERTY AT 1823 CANDIA ROAD

Dear Committee Members,

We have reviewed the request of Attorney Peter Tampsoi to convey 0.23 acres to his client, Richard Exline, and to terminate a right of way over the Exline's land to the City's property. The property in question is shown in the Assessor's records as Map 522 Lot 5. It is approximately 10 acres of woodland between Candia Road and Route 101 and between Groveland Avenue and other land of the City. The City acquired this property May 1972 from Burton A. Cook (HCRD 2212-449).

The Highway Department has the following comments:

- Other than a sketch, the subdivision plan fails to show the boundaries of the remaining City land after the subdivision. As the subject of subdivision the boundaries of the City land must be shown.
- The deed granting the land to the City is subject to 2 rights of way and 4 land exceptions. It would be necessary to identify the location of those grants in relation to the City's boundaries to be assured they are not in the area of this request.
- There appears to be only two access points into the City's land. The 20' access from Candia Road, subject of this proposal, would be eliminated. The second access is a 20' unimproved strip of land next to 109 Groveland Avenue. The validity of the Groveland Ave access point should be assessed, as it is not referenced in the City's deed.

The proposal does not address the encroachment of the shed onto land of Map 522 Lot 2. Is it possible the shed will have to be moved even if the City conveys the land to Mr. Exline?

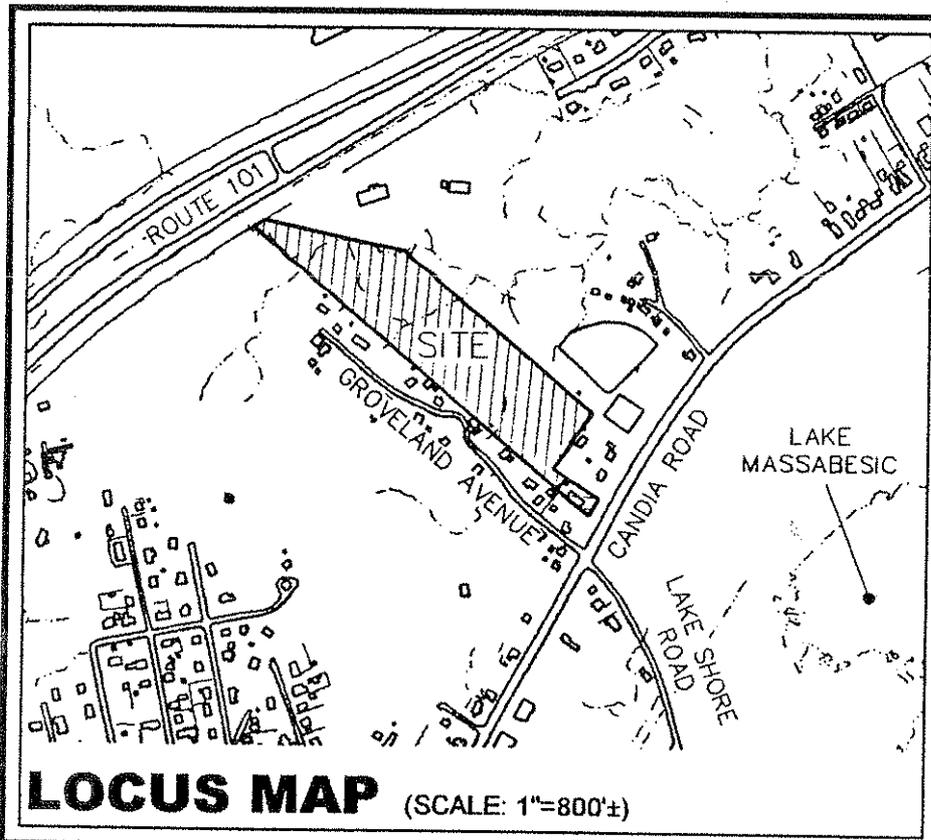
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If further information of this site id needed I can be contacted at the Highway Department, 624-6444 extension 301

Sincerely,



Frank Thomas, P.E.
Public Works Director



NOTES:

- 1.) THE SUBJECT PARCELS ARE: LOT #1 ON THE CITY OF MANCHESTER TAX MAP #522. THE OWNER OF RECORD IS RICHARD E. EXLINE OF 1832 CANDIA ROAD, MANCHESTER, NH. V. 6231 P. 1129; AND LOT #5 ON THE CITY OF MANCHESTER TAX MAP #522. THE OWNER OF RECORD IS CITY OF MANCHESTER PARKS & REC., 625 MAMMOTH ROAD, MANCHESTER, NH. V. 2212 P. 449.
- 2.) THE SUBJECT PARCEL IS ZONED R-1A. MINIMUM LOT SIZE IS 12,500 SQ. FT. MINIMUM LOT FRONTAGE = 100'. SETBACKS ARE AS FOLLOWS: FRONT = 25', SIDE = 20' AND REAR = 30'.
- 3.) THIS PLAN IS THE RESULT OF AN ACTUAL FIELD SURVEY PERFORMED BY THIS OFFICE IN JUNE & JULY OF 2005. I, JOSEPH M. WICHERT, NHLS #783, CERTIFY THAT THE WORK WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION. THIS OFFICE HAS ONLY MADE BOUNDARY LINE DETERMINATIONS FOR LOT 522-1 AND PARCEL A.
- 4.) THE INTENT OF THIS PLAN IS TO SHOW THE PROPOSED LOT LINE ADJUSTMENT BETWEEN LOT #1 AND LOT #5. APPROVAL OF THIS PLAN WILL NOT RESULT IN AN INCREASE IN THE NUMBER OF BUILDING LOTS.
- 5.) PARCEL A IS NOT TO BE CONSIDERED A SEPARATE BUILDING LOT BUT WILL HENCEFORTH BE COMBINED WITH AND BECOME PART OF LOT 522-1. SEE PLAN VIEW FOR SPECIFIC DIMENSIONS AND AREAS.



Chairman Thibault asked does it have to go to CIP.

Alderman Roy stated there is a small dollar amount for a doorway change and this would just expedite it if it went directly to CIP.

Chairman Thibault called Steve Tellier forward.

Steve Tellier, Chairman, Board of Assessors stated what I have before you in green outlines the Assessor's general office area. The immediate area highlighted by yellow is the conference room in question. I spoke with City Clerk Leo Bernier as well as Mayor Baines who came down to look at our operation. We have employees in hallway areas and in a very tiny cubicle. The Mayor and the City Clerk concurred. We also checked on the use in 2004 of this conference room and it was used a total of eight times. Five of those times was with staff from the Assessor's Office. The Mayor and City Clerk concurred that that would be a good segway and a good use for that facility. The small area in blue that you see highlighted before you is actually an area in a bearing wall that is a window that exists behind the metal stud and sheetrock. The funding required would be \$5,000 to \$6,000 that I got as an estimate from Tim Clougherty and Kevin Sheppard of the Highway Department on what it would cost to open that metal stud area and provide a door there. I have also spoken with Bob MacKenzie and Sam Maranto regarding the possibility of a small amount of funds being found in a remaining CIP amount and I am going to work with them. I would ask to refer this to CIP and I will earmark the funding request to CIP.

On motion of Alderman Roy, duly seconded by Alderman Porter it was voted to refer this item to CIP for funding.

Chairman Thibault addressed Item 5 of the agenda:

Communication from Atty. Peter Tamposi, on behalf of Richard Exline, requesting a modest lot line adjustment and the termination of an access easement owned by the City.

Board of Assessors –value range \$3,000 – \$3,500

Planning – no report submitted

Tax Collector – no interest, not tax-deeded parcel

Highway – comments submitted

Parks – no report submitted

Alderman Porter stated the only question that I have...I was looking at the map and I also took a ride out there and according to Ron Ludwig they don't have a pressing need to retain the property, however, there is another abutter directly, well obviously adjacent because he is an abutter to that property. This is a unique property in that it is in back of two separate properties on different streets. Mr. Exline's property is on Candia Road and the other, Mr. Dougherty's, is on Groveland. That piece of land is directly behind Mr. Dougherty and Mr. Exline. I think in keeping with the typical way that we dispose of property, assuming it is found surplus that either or both of the abutters could have an opportunity to either bid on it or purchase it. It wouldn't make sense for someone else to own it other than those two immediate abutters. I am kind of reluctant to go ahead this evening and approve this without at least having Mr. Dougherty weigh in. Maybe he is not even interested in it but I think we should at least make an attempt to find out.

Alderman Roy stated before we discuss selling this or who we should be selling it to, I think the conversation whether or not this is surplus property should come into play. I have severe reservations as to whether or not the existing right-of-way and what the attorney labeled Parcel A, the 1/4 acre, should be considered surplus property. This is one of the few remaining City-owned acreages over five or seven acres and it also does abut Youngsville Park, which has been used for many years now. I would have extreme reservations as to whether this is surplus and should be disposed of.

Mr. MacKenzie stated we have just briefly reviewed it today. We have not provided a report because I did want to do a little bit more research in speaking with Ron Ludwig. We would normally be hesitant about getting rid of parklands. We have chipped away at many of our parks for public purposes. We have used parklands for other uses so unless it was clearly not needed for park use we probably would not identify parkland as surplus.

Alderman Osborne asked is Mr. Tamposi here this evening or someone representing him.

Alderman Roy moved to receive and file. There was no second.

Alderman Porter stated I think rather than just receive and file it and kill it immediately I think that maybe a little bit of information possibly from Ron Ludwig as far as the Parks Department needing it. One solution to this rather than do the full request would be to move the property line slightly so that Mr. Exline's shed is not on the City's property. That, I think, would not be an unreasonable



thing. It is 3,700 square feet roughly so we are not talking about a substantial parcel, however, I would rather not just receive and file and if my colleague would consider tabling it I would appreciate it.

Chairman Thibault asked Ron Ludwig to come forward.

Ron Ludwig, Parks, Recreation & Cemetery Director stated I would echo the comments of Mr. MacKenzie in terms of our position on any piece of parkland is to be protective of it. We looked at this particular piece and given the configuration of the small parcel, it is like a little flag or tail on the end that kind of weighed into our decision to say that we could probably recommend it as surplus, however, it is a piece of property that is contiguous to a larger piece and we hate to relinquish any rights to that kind of property but maybe there is another way to adjust the situation that the gentleman is in as well.

Chairman Thibault stated I am just wondering if it should go to the Parks & Recreation Commission to make a decision on it before it comes to us.

Mr. Ludwig responded I am of the understanding that the Parks Commission wouldn't have...I mean they may have an opinion and it may be nice to ask them next Tuesday, which I could certainly do but I think the decision really comes down to this Board and our recommendation.

Alderman Roy stated I have a question for you, Ron, but first I will concur with the Alderman from that ward that I will support tabling it if that is his wish. The question I have is the triangular piece, which would be, I believe, along Route 101 to the north of this property, have you seen the aerial that we were handed, you have Youngsville Park to the right, Lot 522 and Lot 5, which is a City-owned parcel and then to the top of the page you have a triangular piece with what looks like two industrial buildings on it or possibly three. Who owns that property? Does anyone know? So hypothetically from Candia Road through Youngsville Park and Lot 522 and Lot 5 through to the state highway is all City or State owned property. While I do have consideration for the Alderman in that area I would have a great concern about selling off part of this property but I will support the tabling motion.

Alderman Porter replied I would like to explain the reason for tabling. Perhaps...do you know Ron off hand how much of a lot adjustment might accommodate a shed because I think that now we have discussed this, that shed could become a potential problem if the Exlines were to sell the property. They

have a shed, which is encroaching City property. It has probably been that way for many, many years but Steve Tellier did you...how many feet would it require to adjust or accommodate the shed?

Alderman Gatsas stated while they are looking I don't have a problem with where the Alderman from the ward is going but if you take a look three lots down there is another shed that is encroached.

Steve Tellier, Chairman, Board of Assessors stated that is correct. I was going to bring your attention to that. It encroaches on another lot as well.

Alderman Gatsas replied so we would be opening up a can of worms here.

Mr. Tellier responded that is correct. Generally...the total parcel request is a little over 3,400 or almost 3,500 square feet so the initial request is nominal in nature and if you look at the sketch it would square off to some degree most of the other abutters but as far as the encroachment of the shed it appears to encroach on more than just the City land.

Alderman Osborne asked how many worms would this involve. You are saying one or two sheds. How many would there be total do you think that would be encroaching City property?

Mr. Tellier answered it is only one shed but from the sketch...if you look at Item 5 in your agenda it is a little bit hard to see but you can see the smaller...when you see the plan before you, you can see the parcels at the top of the page but if you look below that you can see a blow up of the parcel in question. You can see the house, where it is situated on the lot towards the dotted line 2/3 of the way leading to the left. You can see where the shed encroaches on other land as well. It appears to be on the neighbor's lot.

Alderman Osborne asked so what would correcting both of these involve.

Mr. Tellier answered actually you are only correcting the City's portion of the encroachment. The other portion of encroachment is on private property. That is a problem for his neighbor and I don't believe it would affect the City at all.

Alderman Porter stated perhaps you can show me this. I am probably missing something. I am not seeing where it encroaches.

Mr. Tellier showed Alderman Porter the sketch.

Alderman Porter asked so even if he acquired this whole thing he would still be encroaching on the neighbor.

Mr. Tellier answered that is correct.

Alderman Porter moved to table the item. Alderman Roy duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

Chairman Thibault addressed Item 6 of the agenda:

Communication from Donna Wood advising of her interest to purchase the former fire station at Weston and Concord Streets.

Board of Assessors – no report submitted

Planning – recommend not be considered “surplus”

Tax Collector – no report submitted

Alderman Osborne moved to receive and file. Alderman Roy duly seconded the motion. Chairman Thibault called for a vote. There being none opposed, the motion carried.

TABLED ITEMS

7. Communication from Urban Ponds Restoration Program reference: Black Brook/Maxwell Pond Stream Restoration Proposal.
(Tabled 08/10/2004 – public hearing scheduled for Thursday, January 20, 2005 at 7:00 PM in the Aldermanic Chambers of City Hall.)

This item remained on the table.

8. Land between Valley and Grove Streets previously owned by B&M Railroad.
(Tabled 05/26/2004 pending standard policy for purchasing railroad land to be submitted by Planning.)
Board of Assessors – value range \$57,448
Planning – do not dispose, license might be considered with conditions
Parks & Recreation – do not dispose; temporary use license or agreement subject to conditions to be considered

Chairman Thibault called for a vote on the motion to sell the property to Mr. Bonardi for \$20,000 subject to consolidation with Lot 7A. There being none opposed, the motion carried.

12. Communication from Robert MacKenzie, Director of Planning, relative to the Blacksmith Shop on Second Street.

Alderman Gatsas moved to receive and file. Alderman Osborne duly seconded the motion.

Alderman Roy stated there is no sense in receiving and filing it if we requested the CIP Committee to review this. They may be looking for funding. They may be looking for it to be in the budget. I would move to put it back on the table.

Alderman Gatsas responded let's send it to CIP.

Chairman Thibault stated it is in CIP.

Alderman Gatsas replied no it isn't. Let's send it to them so they have it. That is why I said receive and file.

Alderman Roy stated receive and file and send it to CIP are two different motions.

Alderman Lopez stated being on the CIP Committee there are funds involved and I think the appropriate motion would be to receive and file it here until we find the funds.

Alderman Roy asked receive and file and not leave it up for discussion.

Alderman Lopez answered I meant table it. I'm sorry.

Alderman Osborne duly seconded the motion to table. Chairman Thibault called for a vote. The motion carried with Alderman Gatsas being duly recorded in opposition.

13. Communication from Attorney Peter Tamposi, on behalf of Richard Exline, requesting a modest lot line adjustment and the terminations of an access easement owned by the City.

Alderman Porter moved to receive and file. When we looked into this awhile ago there was also another abutter who was very interested in the same piece. Part of it is parks land and I don't think we should be doing anything with this. Alderman Roy duly seconded the motion.



Chairman Thibault called for a vote. The motion carried with Alderman Gatsas being duly recorded in opposition.

14. Land between Valley and Grove Streets previously owned by B&M Railroad.
15. Land at Belmont/Valley/Grove Streets formerly owned by B&M Railroad
16. Land at Maple/Somerville Streets formerly owned by B&M Railroad.

Mr. Tellier stated I think it would be appropriate to defer to Tom Arnold. My understanding is that there has been some work done outside of our purview. I took the liberty of writing several discussion points that I forwarded to the Solicitor's Office and Planning and Parks and I know they have been working on this. Perhaps the Solicitor's Office might have something more to say on it.

Alderman Porter stated I think the role of the Assessors I don't think is to advise this Committee on whether we should do something or not. I think they have given a report on the value. I think any other questions should not be directed to the Assessors but either Planning or the Solicitor, whichever would be the proper place to go. The Assessors have given us a value estimate and I think at this point there are other considerations other than...I don't think that the prime motivation in doing this or not doing this is the money received. It is whether it would be appropriate to do or not and that is out of the purview of the Assessors.

Chairman Thibault stated in talking to Parks they are not in favor of doing anything.

Alderman Osborne asked Mr. Arnold is there anything at all on this drawn up.

Deputy Solicitor Arnold answered as I alluded to earlier, there was a policy drafted and it was presented to this Committee. This Committee made comments that they wanted staff to develop a procedure for applications for use of this right-of-way. The policy made clear that it was the policy decision not to allow private use of this right-of-way except in exceptional circumstances. Staff was asked to come up with a procedure by which someone who thinks they have exceptional circumstances could apply and also staff was asked to come up with a method for valuing the use of the property for purpose of charging a fee. That was directed to Parks & Recreation, Planning and the City Clerk. I guess I got involved by happenstance when Jane Hills called me on behalf of one of the people who was interested in using the right-of-way. I have contacted various departments and

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DAVID BAUGHMAN
4 FOX HOLLOW DRIVE
SAUGUS, MA 01906
978-941-2099

June 27, 2005

Board of Mayor and Alderman
Attn: City Clerk's Office
One City Hall Plaza
Manchester, NH 03101

re: Unused Railway Parcel

Dear Board,

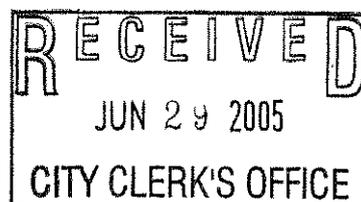
It is my understanding that the Board of Mayor and Alderman review requests for city property not being used by the city. I am the owner of 303 Belmont Street, which abuts an unused railroad track. There has been recent construction activity on this property which I understand may be used for future parking.

As an abutter to this unused city owned property, it would be useful to me and help to relieve traffic on Belmont Street, if I could utilize this area for additional tenant and visitor parking. I would like to formally request that the Board consider providing me the rights to utilize this area for snow storage and parking for the occupants and visitors of 303 Belmont Street.

Respectfully,



David Baughman





**City of Manchester
Office of the City Solicitor**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ci.manchester.nh.us

9-12 7/19/05 - Tabbed-
Staff to come back
with revisions

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
~~Kenneth R. Bernard~~
Michele A. Battaglia
Marc van Zanten

July 6, 2005

Committee on Lands and Buildings
c/o Leo Bernier, Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

**Re: Policy Regarding Private Use of the Former Portsmouth Branch Railroad
Right of Way**

Gentlemen:

At the request of the Committee on Lands and Buildings, City staff from the Planning Department, Parks, Recreation and Cemetery Department as well as the City Solicitor's office met to develop a policy for private use of the former Portsmouth branch railroad right of way including a procedure for a private person or entity to apply to use a portion of the former right of way. A proposed policy and procedure is enclosed.

Staff will be in attendance when the Committee considers the attached policy should there be any questions.

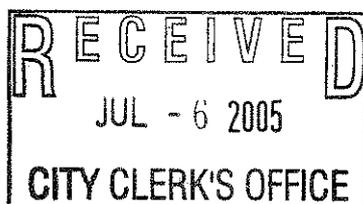
Very truly yours,

Thomas I. Arnold, III
Deputy City Solicitor

TIA/hms

enclosure

pc: Charles Deprima
David Beauchense



9-12

*City of Manchester Policy
Regarding
Private Sector Use of
the Former Portsmouth Branch Railroad Line Right-of-Way*

1. *BECAUSE* the conveyance deed which transferred the former Portsmouth Branch Line right-of-way from the State of New Hampshire to the City of Manchester requires that the City of Manchester “shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public”, and
2. *BECAUSE* that same deed requires that “Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process”; and
3. *BECAUSE* that same deed requires that the “City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor”; and
4. *BECAUSE* that same deed reserves to the State of New Hampshire “a transportation easement, 30 feet in width, crossing all the [parcels associated with the former Portsmouth Branch Line ROW] for any mode of public travel. . . .”, and
5. *BECAUSE* any application by the City for state and federal Section 106 historic review which would be necessitated by any alteration to the former Portsmouth Branch railroad corridor would represent a significant time and monetary expense to the City;
6. It is *CONSEQUENTLY* the policy of the City of Manchester to

PROMOTE the development of authorized public recreational uses along the former Portsmouth Branch railroad corridor; and, in order to satisfactorily ensure this end,

DISCOURAGE private sector uses on the former Portsmouth Branch railroad corridor.
7. In any exceptional case where the City is considering the authorization of private sector use of any portion of the former Portsmouth Branch railroad corridor, it is also the policy of the City of Manchester to ensure the following:
 - (a) That any terrain alteration activities will be strictly limited to removal of steel rails and wooden ballast works, the installation of recreational trails, and/or installation of a loam and grass seed cover and work will be carried out under the supervision, and to the satisfaction, of the Parks, Recreation and Cemetery Department;
 - (b) That all approved terrain alteration, recreational trail installation, and/or loam and grass seeding activity will be carried out and paid for by the authorized private sector entity;
 - (c) That no structure including fencing, not related to recreational trail usage will be constructed or placed within any portion of the former Portsmouth Branch railroad corridor;
 - (d) That the general public will retain continual freedom of movement over the Portsmouth Branch railroad corridor;

9-12

- (e) That no use will be authorized if its current or future purpose is to satisfy, or aid in satisfying for any private sector person or entity, any zoning ordinance, site plan or subdivision requirement, or any other municipal ordinance or regulation;
 - (f) That no use will be authorized if any activity associated with that use would sufficiently alter the former Portsmouth Branch railroad corridor in such a way as to necessitate any state or federal evaluation under the Section 106 historic review process;
 - (g) Except in cases of extreme hardship, that any and all uses permitted by the City shall be by written revocable license;
 - (h) That any and all issued licenses shall contain a provision which will allow it to be revocable by the City, in its sole discretion at any time for any reason. Upon revocation the private person or entity shall return Portsmouth Branch corridor to its original condition or to such condition as the Parks, Recreation and Cemeteries Department shall agree; and
 - (i) That any issued license may contain any provision deemed reasonable by the City Solicitor to carry out the intent of this policy or for any other purpose.
8. Procedure: Any person or entity wishing to use a portion of a former Portsmouth Branch railroad corridor shall:
- (a) Submit a written application to the Committee on Lands and Buildings (c/o the City Clerk) which shall include a listing of the specific uses planned for the former Portsmouth Branch railroad corridor and shall also include a site plan of the affected area which has been prepared and signed by a licensed surveyor. The site plan shall, at minimum, show the boundaries of the former Portsmouth Branch railroad corridor, the location of the applicant's property, and existing and proposed site conditions.
 - (b) The City Clerk shall send a copy of the application to the Planning and Community Development Department and to the Parks, Recreation and Cemeteries Department for review and recommendation.
 - (c) Once the City Clerk has received the recommendations of the Planning and Community Development and Parks, Recreation and Cemeteries Departments, the application along with the departmental recommendations shall be placed on the agenda of the Committee on Lands and Buildings for Committee action.
 - (d) Should the Committee on Lands and Buildings recommend that the uses proposed in the written application, as it may be amended, be allowed, that recommendation shall then be sent to the Board of Mayor and Aldermen for action.
9. If the Board of Mayor and Aldermen votes to allow the proposed use, the applicant shall pay an annual nonrefundable fee for the revocable license issued by the City equal to the real estate taxes the applicant would pay if the applicant owned the property which they are using as determined by the Board of Assessors, and collected by the City Clerk.



**City of Manchester
Office of the City Solicitor**

One City Hall Plaza
Manchester, New Hampshire 03101
(603) 624-6523 Fax (603) 624-6528
TTY: 1-800-735-2964
Email: solicitor@ci.manchester.nh.us

Thomas R. Clark
City Solicitor

Thomas I. Arnold, III
Deputy City Solicitor

Daniel D. Muller, Jr.
~~Kenneth R. Bernard~~
Michele A. Battaglia
Marc van Zanten

August 1, 2005

Leo Bernier, Clerk
Committee on Lands and Buildings
One City Hall Plaza
Manchester, New Hampshire 03101

Re: Railroad Right-of-Way Policy

Dear Leo:

Alderman Osborne has requested that I provide you with a version of the proposed railroad right-of-way policy that does not require a fee be paid for a revocable license. A version of the policy, as requested by Alderman Osborne, is enclosed.

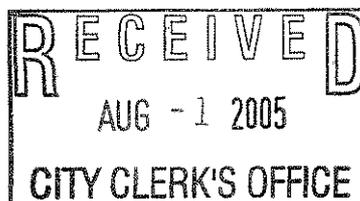
Thank you for your assistance.

Very truly yours,

Thomas I. Arnold, III
Deputy City Solicitor

TIA/hms

pc: Charles DePrima
David Beauchesne



*City of Manchester Policy
Regarding
Private Sector Use of
the Former Portsmouth Branch Railroad Line Right-of-Way*

9-12

1. *BECAUSE* the conveyance deed which transferred the former Portsmouth Branch Line right-of-way from the State of New Hampshire to the City of Manchester requires that the City of Manchester “*shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public*”, and
2. *BECAUSE* that same deed requires that “*Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process*”; and
3. *BECAUSE* that same deed requires that the “*City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor*”; and
4. *BECAUSE* that same deed reserves to the State of New Hampshire “*a transportation easement, 30 feet in width, crossing all the [parcels associated with the former Portsmouth Branch Line ROW] for any mode of public travel. . . .*”, and
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9-12

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 - (f) That no use will be authorized if any activity associated with that use would sufficiently alter the former Portsmouth Branch railroad corridor in such a way as to necessitate any state or federal evaluation under the Section 106 historic review process;
 - (g) Except in cases of extreme hardship, that any and all uses permitted by the City shall be by written revocable license;
 - (h) That any and all issued licenses shall contain a provision which will allow it to be revocable by the City, in its sole discretion at any time for any reason. Upon revocation the private person or entity shall return Portsmouth Branch corridor to its original condition or to such condition as the Parks, Recreation and Cemeteries Department shall agree; and
 - (i) That any issued license may contain any provision deemed reasonable by the City Solicitor to carry out the intent of this policy or for any other purpose.
8. Procedure: Any person or entity wishing to use a portion of a former Portsmouth Branch railroad corridor shall:
- (a) Submit a written application to the Committee on Lands and Buildings (c/o the City Clerk) which shall include a listing of the specific uses planned for the former Portsmouth Branch railroad corridor and shall also include a site plan of the affected area which has been prepared and signed by a licensed surveyor. The site plan shall, at minimum, show the boundaries of the former Portsmouth Branch railroad corridor, the location of the applicant's property, and existing and proposed site conditions.
 - (b) The City Clerk shall send a copy of the application to the Planning and Community Development Department and to the Parks, Recreation and Cemeteries Department for review and recommendation.
 - (c) Once the City Clerk has received the recommendations of the Planning and Community Development and Parks, Recreation and Cemeteries Departments, the application along with the departmental recommendations shall be placed on the agenda of the Committee on Lands and Buildings for Committee action.
 - (d) Should the Committee on Lands and Buildings recommend that the uses proposed in the written application, as it may be amended, be allowed, that recommendation shall then be sent to the Board of Mayor and Aldermen for action.

JMS VALLEY GROVE, LLC
P.O. BOX 6482
MANCHESTER, NH 03108-6482
603-626-7333

9

Alderman Henry R. Thibault
Chairman of Lands and Building Committee
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Dear Mr. Thibault.

After speaking with Mr. Osborne, Mr. Johnson and the DPW, they recommended that I direct my requests to your office. My brother Mark and I own and manage the Valley Grove Apartments located in the 700 series on Valley and Grove Streets, just north of Belmont. Since purchasing the property we have dedicated our efforts to capital improvements of the buildings interiors. Now that spring is upon us, we would like to positively enhance our neighborhood by maintaining the rail bed that separates the properties. Specifically, we would like to create an open space area that would be conducive for children to play unimpeded by the liability surrounding the iron rails and the wooden supports below them.

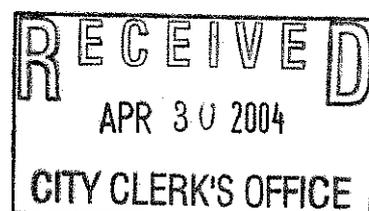
Our proposals would not, in any way, financially burden the city and would in fact lessen or eliminate a potential hot spot for injury. Mark and I would like to remove the railroad tracks, spread loam and seed creating a grassed play area for the children of the apartment complex. Our plans do not include the use of any recreational structures or any outside contractors. Rough drawings of our intentions are included herein.

We certainly would appreciate any of your recommendations.

Sincerely,



Steve Mscisz
Manager
JMS Valley Grove Apartments
603-626-7333



9

VALLEY ST.

744
VALLEY
APTS

PARKING

722
VALLEY
APTS

LUIGIS
REST

BELMONT ST.

FENCE

NEW
FENCE

PROPOSED
AREA

NEW
FENCE

FENCE

RAIL BED

FENCE

FENCE

PARKING

PARKING

739
GROVE
APTS

733
GROVE
APTS

GROVE ST.

9

To: Committee on Lands and Buildings
From: Board of Assessors
Date: December 15, 2004

Re: Map 129 Lot 12
Owner of abutting property- MMSM LLC
Address: 722- 744 Valley St & 733 Grove Street
Request to Purchase Property or Lease/License Property

The Assessors have completed an analysis of the estimated market value of the above referenced property. An analysis of the available assessing records has been completed. A review of sales of excess B & M railroad tract land has also been completed. The following is a summary of important facts, and the value estimate:

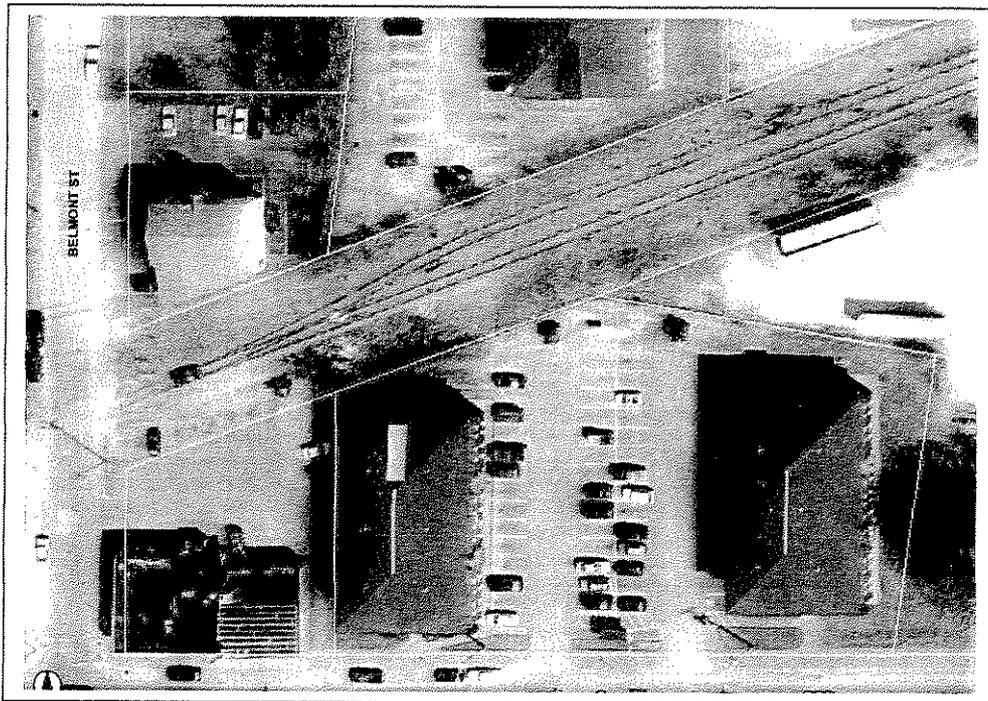
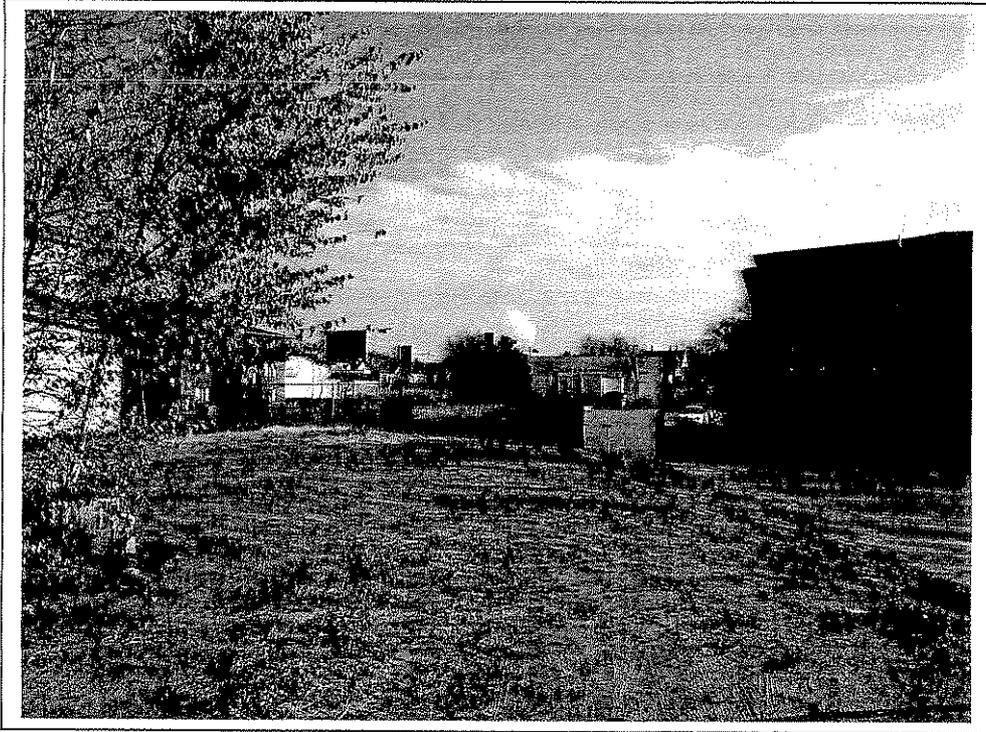
Property Location	Land is located between Valley and Grove Street & Belmont and Taylor
Assessors Map/Lot	Map 129 Lot is not assigned
Property Owner	City of Manchester, NH
Deed Book/Page	Deeded 1/10/02 Book 6561 Page 1308
Date Acquired	Jan 11, 2002
Improved/Vacant	Vacant
Total Land Area	14,362
Current Zoning	RDV Which means Any permitted use
Easements/Restrictions	Railroad
Utilities Available	All
Total Current Assessment	\$0
Indicated Range of Value/Unit	\$4.00 per foot
Indicated Range of Value	\$57,448
Comments	We are using \$4.00 per sq. ft, which is what B & M is selling land to individuals that purchase land in areas like this one.

Respectfully submitted by the Board of Assessors,

Thomas C. Nichols

9

JMS Valley Grove Apartments





Robert S. MacKenzie, AICP
Director

July 22, 2004

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Disposition of city-owned land located between Valley and Grove Streets previously owned by the B&B Railroad Company*

Dear Committee Members:

This is to provide a report pursuant to Section 23½ pertaining to the above-referenced city-owned land.

The City recently received a letter from JMS Valley Grove LLC inquiring about the possibility of acquiring, or receiving permission to use, an approximately 200 foot long section of the city-owned former Portsmouth Branch rail corridor which passes between the Valley Grove Apartment complex which is located on Valley and Grove Streets a short distance to the east of Belmont Street. The specific purpose for their request is to acquire land which may be used as a private playground for the lessees of their several abutting apartment buildings; one aspect of their plan involves fencing off any city-owned land they may acquire for their private and exclusive use.

Evidence from a recent site visit appears to indicate that agents for JMS Valley Grove LLC have already erected a timber barrier across the former rail ROW at the east end of their properties, removed and disposed of at least 200+ feet of city-owned steel rails and supportive timber ballast which previously crossed that area, and they have proceeded to loam, seed and water that city-owned land in a manner conducive to exclusive private use. Thus, through their current request, JMS Valley Grove, LLC, appears to be seeking retroactive authorization to use and/or own land which they have already altered and occupied without permission.

Surplus Determination: The Planning Department has reviewed the affected properties and communicated with the Parks Department about this matter and we wish to report, as we have in similar cases in the past, that in transferring ownership of this ROW to the City, the State of New Hampshire included a deed provision which requires that the subject rail ROW be used as a recreational trail. With this in mind, it would appear that any kind of sale of this former rail ROW to private sector interests would be in violation of this agreement and, as a result, we do not recommend that any portion of the ROW be determined surplus to City needs.

Disposition: While the applicant's development of the subject land in advance of any formal permission to use it is improper, our sense is that their proposed use of the land is inoffensive and we would recommend the following disposition: if it would not obstruct or otherwise compromise any portion of the City's future pedestrian/ bicycle trail plan, the Committee may wish to recommend that a license be issued to JMS Valley Grove LLC allowing their use of an appropriate portion of the subject ROW for their playground needs. Our advice is based on the condition that (a) no private fence be placed on any part of the ROW; (b) no permanent structure be erected on the ROW; and (c) the public continue to have, as it does now, freedom of movement along the entire length of the former rail corridor.

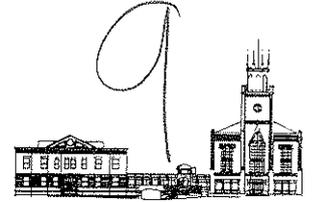
Sincerely,

Robert S. MacKenzie
Director of Planning

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management

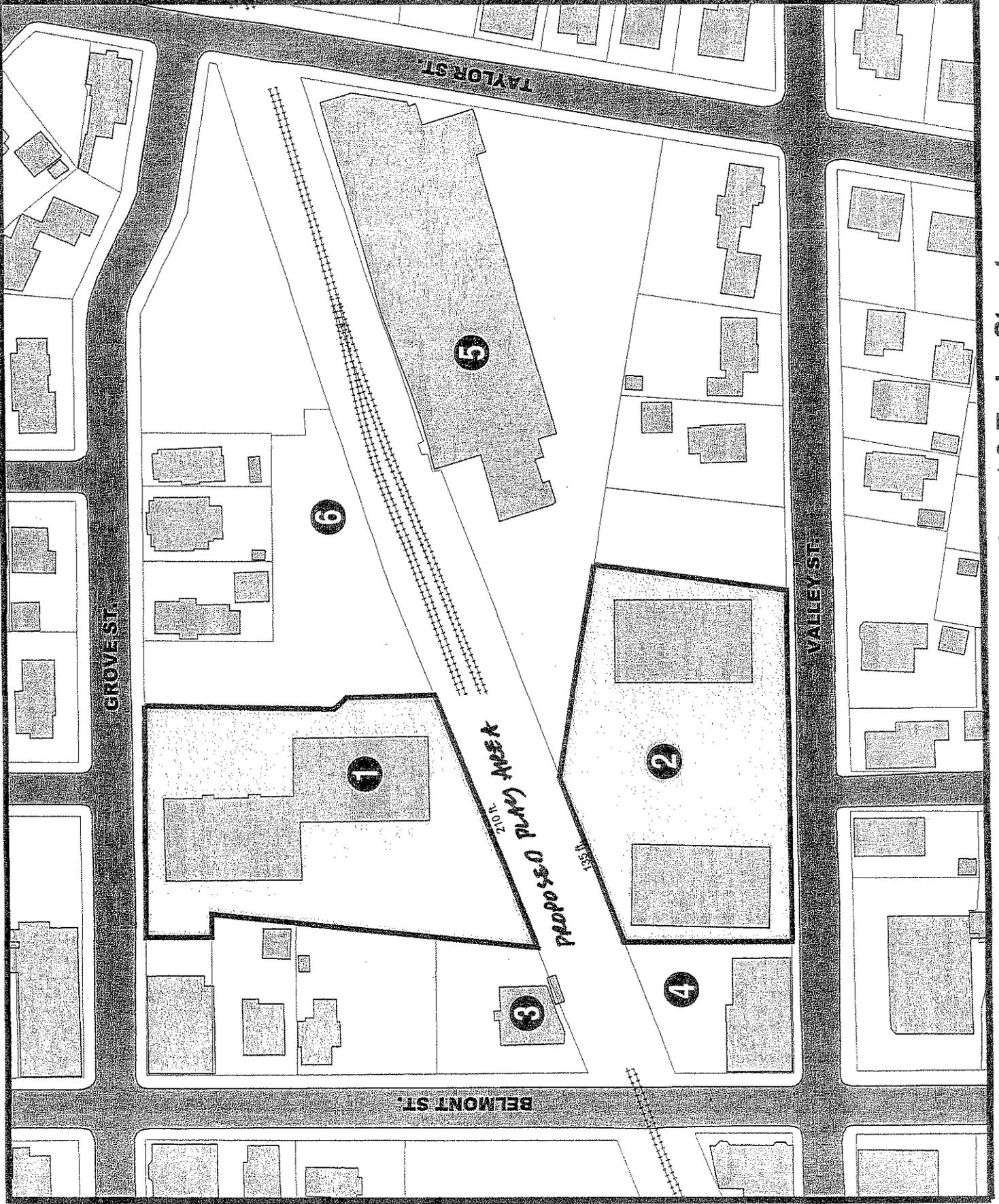


Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us

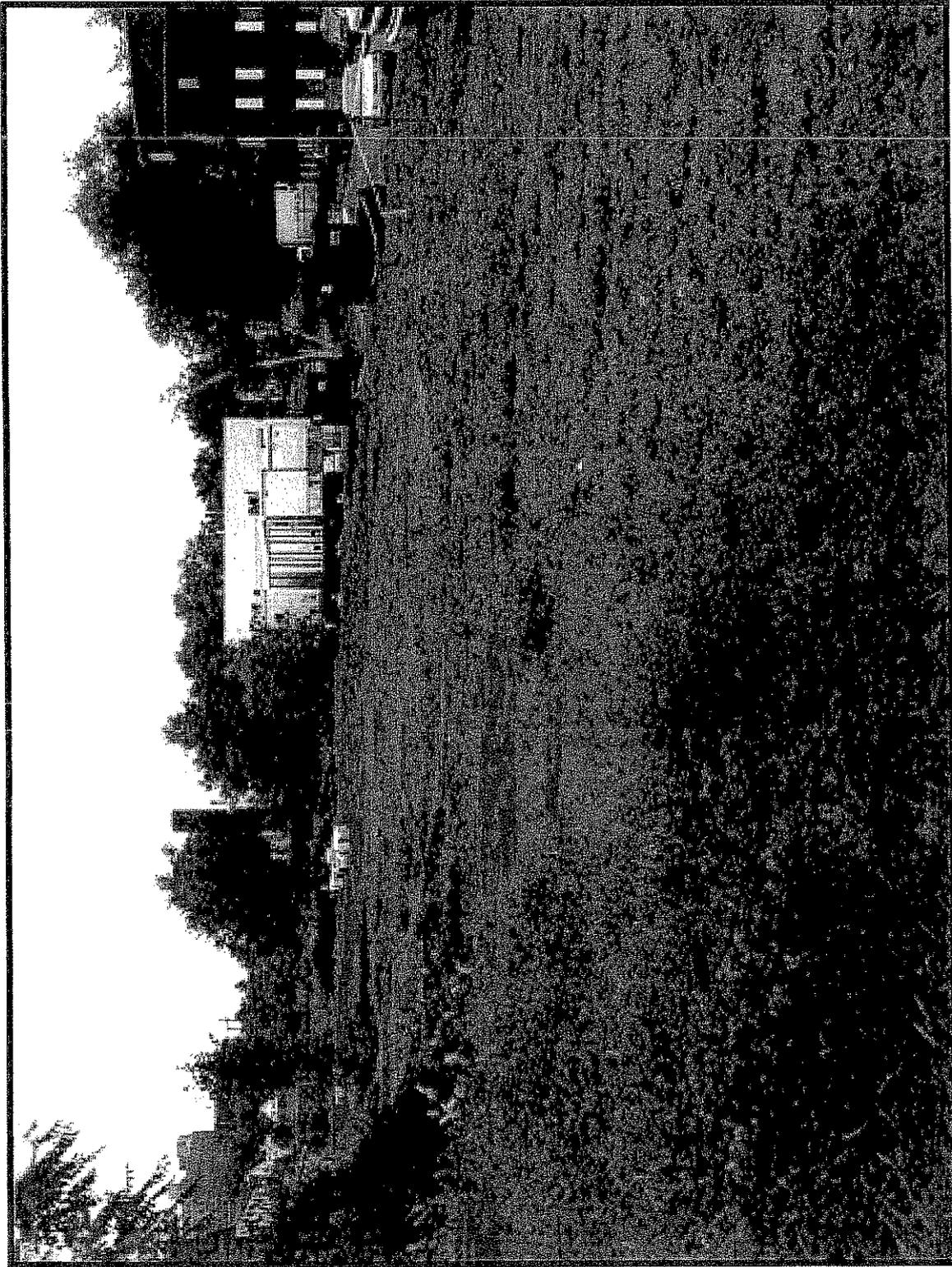
PARCEL INFO

- ① TM 129 / Lot 6
733 Grove St.
MMSM LLC
1.04 Acres
- ② TM 129 - Lot 12
744 Valley St.
MMSM LLC
1.00 Acre
- ③ TM 129 - Lot 10
303 Belmont St.
- ④ TM 129 - Lot 11
706 Valley St.
Luigi's Pizza
- ⑤ TM 129 - Lot 17
324 Taylor St.
Standard Uniform
Rental Service



Map created on 7/9/04 by the City of Manchester Planning & Community Development Department (DJB).
All data shown on this map derived from the City of Manchester GIS.
Map scale: One inch = 100 feet.

Vicinity of Varney, Grove, Belmont & Taylor Streets



VALLEY GRADE-9 RR ROW 7/19/04 VIEW EAST



CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Joseph Sullivan
Sandra Lambert
Ronald Ludwig, Director

July 26, 2004

Alderman Henry Thibault, Chairman - Lands & Buildings Committee
Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Thomas Arnold, Deputy City Solicitor
David Beauchense, Planning & Community Development

10

**To the Honorable Board of Mayor and Alderman of the City of
Manchester: Lands & Buildings Committee**

I am writing you today to request a meeting to acquire property previously owned by Boston & Maine Railroad Co., now owned by The State of New Hampshire. Said property is located at Belmont Street with Valley St. as a cross street on the southwest and Grove St. on the Northeast. It is located on map #128.

The reason for this request is that I own Property & Business located at 706 to 722 Valley Street, said property is behind my business known as Luigi's Pizza Bar & Grille. I would like to clean up old railroad tracks and use it as additional parking. I understand that said property is to be used as a Bike trail. Property's width is approximately 50 feet 20 feet should be adequate for bike trail the remaining 30 feet is what I would like to redevelop and use as additional parking. Enclosed is a rough drawing for the redevelopment and use of property.

I look forward to meeting with you to discuss this matter further. Thank You!!

Dated at the City of Manchester, New Hampshire this 8th day of September 2003.

BY: 
Rallitsa M. Kostakis

⊙

AND

15-B+1-S M
778 FC.
Coal

1160.53

78.94

(10)

UMP 11/84

D-100-63

UMP 1/63

CONCORD

145.90
154.77

243.10 (OVERALL)

42,283 #
0.971 AC.

5-2-82

(12)

122.68

11776
5935
7701

10,564 #
0.242 AC.

UMP 3/79

5-2-82

102.00

UMP 7/72

367.50 (OVERALL)

722

206716

5935

78.00

265.50

267.50

20089

20089

20089

20089

20089

20089

20089

20089

2005337

2002 JAN 11 PM 1:39

10

#557
Manchester
City Solicitor
18-34
2

KNOW ALL MEN BY THESE PRESENTS

THAT, The State of New Hampshire, whose mailing address is the Department of Transportation, 1 Hazen Drive, P.O. Box 483, Concord, NH 03302-0483, pursuant to RSA 4:40 and RSA 228:67, for considerations paid to it in hand before the delivery hereof, well and truly paid by the City of Manchester, a municipal corporation, whose mailing address is 1 City Hall Plaza, Manchester, NH 03101-2097, has remised, released and forever QUITCLAIMED, and by these presents, does remise, release and forever quitclaim unto said City of Manchester, its successors, and assigns forever:

Any and all interest the State of New Hampshire has in a portion of the abandoned Portsmouth Branch railroad corridor, including all stations, buildings, bridges, structures, crossings, culverts and improvements thereon and including all appurtenances thereto and formerly owned by the Boston and Maine Corporation, the Elliot Hospital of the City of Manchester, 67 Willow Street Realty, L.L.C., and the Flying Horse Realty, Inc., located in the City of Manchester, bounded and described as follows:

Parcel 1:

Beginning at a point designated as Engineering Station 1967+70+/- located on the westerly sideline of Page Street as shown on Railroad Valuation Plan V28NH, Map 38; thence running generally in a westerly direction to a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 2:

Beginning at a point designated as Engineering Station 2002+90+/- located on the westerly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2008+05+/- at the easterly sideline of Hall Road as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 3:

Beginning at a point designated as Engineering Station 2021+70+/- located on the westerly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2080+80+/- at the easterly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41.

Parcel 4:

Beginning at a point designated as Engineering Station 2094+12+/- as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a northwesterly direction to a point designated as Engineering Station 2104+28+/- at the easterly sideline of Elm Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 6200, Pages 40 - 48 on January 11, 2000, said parcels containing an area of 12.45 acres, more or less.

BK6561PG1308

10
Parcel 5:

Beginning at a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2002+44+/- located on the easterly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 5719, Pages 215 – 221 on May 21, 1996, said parcel containing an area of 0.66 acres, more or less.

Parcel 6:

Beginning at a point designated as Engineering Station 2008+61+/- located on the westerly sideline of Hall Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2021+76+/- at the easterly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Elliot Hospital of the City of Manchester by an easement recorded in the Hillsborough County Registry of Deed in Book 5645, Pages 1085 – 1087 on August 1, 1995, said parcel containing an area of 0.60 acres, more or less.

Parcel 7:

Beginning at a point designated as Engineering Station 2081+13+/- located on the westerly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a westerly direction to a point designated as Engineering Station 2083+33+/- at the easterly sideline of Willow Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the 67 Willow Street Realty, L.L.C. by an easement recorded in the Hillsborough County Registry of Deed in Book 6513, Pages 131 – 132 on October 30, 2001, said parcel containing an area of 0.15 acres, more or less.

Parcel 8:

Beginning at the southerly most point of said premises, at an iron pin with cap to be set: thence along a curve westerly along said parcel with a radius of 962.57 feet, a distance of 470.56 feet to a point; thence N8°25'43"W a distance of 108.31 feet to a point; thence along a curve southeasterly with a radius of 932.57 feet to a point on Willow Street in Manchester, New Hampshire; thence S13°52'44" east a distance of 45.99 feet to the point of beginning, as shown on plan entitled "Easement Plan of Land prepared for Flying Horse Realty Inc., in Manchester, NH, scale 1" = 40", Date: January 11, 2000", prepared by Duval Survey, Inc., 14 Dartmouth Street, Hooksett, NH 03103, and recorded in the Hillsborough County Registry of Deeds as Plan No. 30334.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Flying Horse Realty, Inc., by an easement recorded in the Hillsborough County Registry of Deed in Book 6208, Pages 26 – 27 on February 9, 2000, said parcel containing an area of 0.34 acres, more or less.

BK6561P61309

As a further condition of this instrument, the City of Manchester agrees to the following:

- 1.) The City of Manchester shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public.
- 2.) Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process.
- 3.) The City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor.

Excepting and Reserving, to the State of New Hampshire by or through its Department of Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the above-described parcels for any mode of public travel, including, but not limited to, vehicular, railroad, bus, or other form of mass transit, pedestrian, bicycle, snowmobile (not including motorcycles) or other form of recreational travel.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging to the City of Manchester, its successors and assigns forever.

IN WITNESS WHEREOF, The State of New Hampshire has caused its name to be set and its seal to be hereunto affixed by the Commissioner of the New Hampshire Department of Transportation, duly authorized and executed this 14th day of December, 20 01.

Signed, Sealed and Delivered
in the presence of

Diane Hartford

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

Carol A. Murray
Commissioner

THE STATE OF NEW HAMPSHIRE COUNTY OF MERRIMACK

On this 14th day of December, 20 01, before me, Diane Hartford the undersigned officer, personally appeared the Commissioner of the Department of Transportation, and that as such Commissioner, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of the State of New Hampshire as the Commissioner of the Department of Transportation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

DIANE L. HARTFORD
Notary Public
My Commission Expires July 2nd 2004

Diane L. Hartford
NOTARY PUBLIC

Approved by New Hampshire Council on Resources and Development on July 14, 2000.
Approved by Long Range Capital Planning and Utilization Committee on August 22, 2001.
Approved by Governor and Executive Council on October 10, 2001, Item # 146.

BK6561P61310

10
To: Committee on Lands and Buildings
From: Board of Assessors
Date: December 15, 2004

Re: Map 129
Owner- Litsas LLC- Peter Kostakis
Request to Purchase Property or Lease/License Property

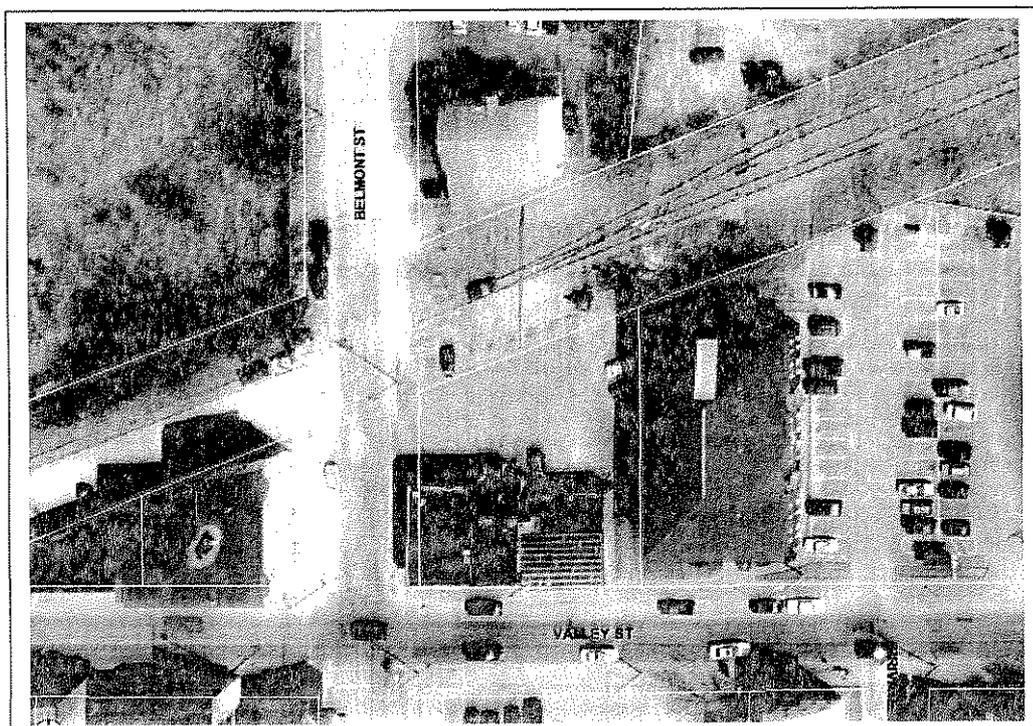
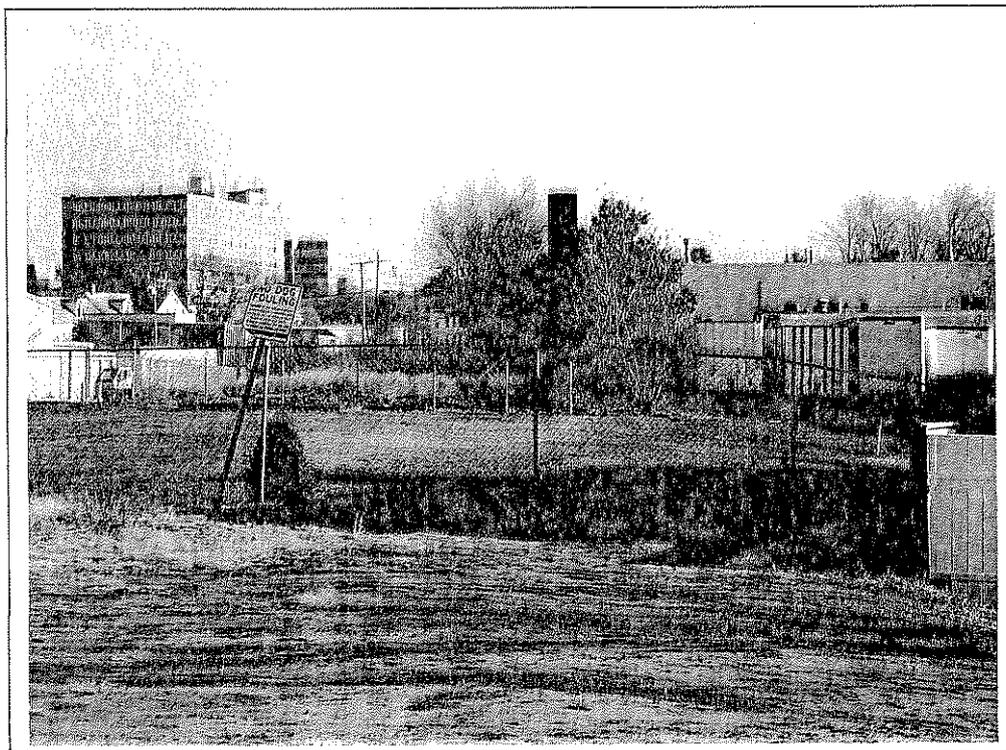
The Assessors have completed an analysis of the estimated market value of the above referenced property. An analysis of the available assessing records has been completed. A review of sales of excess B & M railroad tract land has also been completed. The following is a summary of important facts, and the value estimate:

Property Location	Land is located Valley and Belmont St. in back of Luigi's Pizza
Assessors Map/Lot	Map 129 Lot is not assigned
Property Owner	City of Manchester, NH
Deed Book/Page	Deeded 1/10/02 Book 6561 Page 1308
Date Acquired	Jan 11, 2002
Improved/Vacant	Vacant
Total Land Area	6,621
Current Zoning	RDV Which means Any permitted use
Easements/Restrictions	Railroad
Utilities Available	All
Total Current Assessment	\$0
Indicated Range of Value/Unit	\$4.00 per foot
Indicated Range of Value	\$26,484
Comments	We are using \$4.00 per sq. ft, which is what B & M is selling land to individuals that purchase land in areas like this one.

Respectfully submitted by the Board of Assessors,

Thomas C. Nichols

Luigi's Pizza



Current Owner: ITSAS LLC
 12 VALLEY ST
 MANCHESTER, NH 03103

Additional Owners:
 2017
 MANCHESTER, NH

VISION

CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)	
Description	Code	Assessed Value	Yr. Code
COM LAND.	3260	44,200	2002 3260
COMMERC.	3260	130,200	2002 3260
COMMERC.	3260	4,900	2002 3260
Total		179,300	Total: 179,300

This signature acknowledges a visit by a Data Collector or Assessor

EXEMPTIONS		OTHER ASSESSMENTS	
Year	Type/Description	Amount	Comm. Int.
Total: 179,300			

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card) 125,700
 Appraised XF (B) Value (Bldg) 2,900
 Appraised OB (L) Value (Bldg) 4,900
 Appraised Land Value (Bldg) 44,200
 Special Land Value

Total Appraised Card Value 177,700
 Total Appraised Parcel Value 179,300
 Valuation Method: Income Valuation

Net-Total Appraised Parcel Value 179,300

BUILDING PERMIT RECORD		MISH/CHANGE/HISTORY	
Permit ID	Issue Date	Date	Purpose/Result
		10/3/2000	DP
		8/30/1990	00

LAND LINE VALUATION SECTION			
Unit Price	I. Factor	S.I. C. Factor	Nhhd. Adj.
4.18	1.00	1.00	1.00
10,564.00 SF			
Total Card Land Units 10,564.00 SF		Parcel Total Land Area: 10,564 SF	
Total Card Land Value 44,200		Total Land Value 44,200	

DR-LUIGI'S PIZZA
 DBA-VALLEY MAJOR APPLIANC
 E PARTS

CONSTRUCTION DETAIL

Element	Cd	Ch	Description	Element	Cd	Ch	Description
30- Model	04		Restaurant	Heat & AC	04		AVERAGE
Grade	03		Commercial Average	Frame Type	02		WOOD FRAME
Stories	1		1 Story	Baths/Plumbing	02		AVERAGE
Occupancy	02			Ceiling/Wall	06		CEIL & WALLS
Exterior Wall 1	20		Brick/Masonry	Rooms/Prtns	02		AVERAGE
2	12		Cedar or Redwd	% Common Wall	0		
Roof Structure	01		Flat	Wall Height	12		
Roof Cover	02		Rolltd Compos	CONDO/MOBILE HOME DATA			
Interior Wall 1	05		Drywall/Sheet	Element	Code		Description
2	07		Pine Paneling	Complex			Factor
Interior Floor 1	12		Hardwood	Floor Adj			
2	14		Carpet	Unit Location			
Heating Fuel	03		Gas	Number of Units			
Heating Type	03		Hot Air-no Duc	Number of Levels			
AC Type	01		None	% Ownership			
Bedrooms	00		Zero Bedrooms	COST/MARKET VALUATION			
Bathrooms	0		Zero Bathrms	Unadj. Base Rate			73.00
Total Rooms				Size Adj. Factor			0.98489
Bath Type				Grade (Q) Index			1.01
Kitchen Style				Adj. Base Rate			72.62
				Bldg. Value New			314,227
				Year Built			1910
				Eff. Year Built			(AV) 1941
				Nrml Physcl Dep			60
				Functn Obslnc			
				Econ Obslnc			
				Spec. Cond. Code			
				Spec. Cond %			40
				Overall % Cond.			
				Deprec. Bldg Value			125,700

MIXED USE

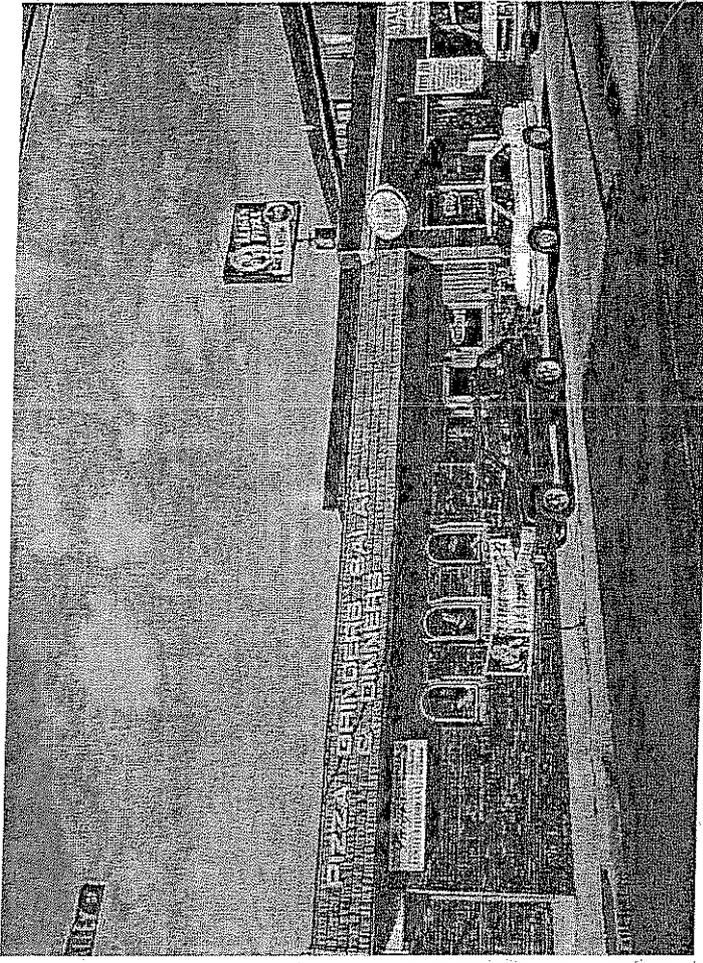
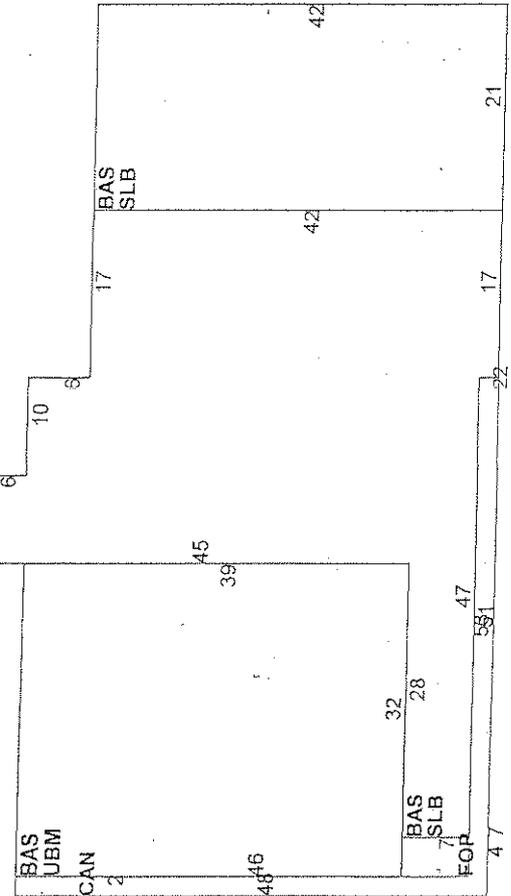
Code	Description	Percentage
3260	REST/CLUBS	100

OB-OUTBUILDING & YARD ITEMS(L) / X-BUILDING EXTRA FEATURES(B)

Code	Description	LB	Units	Unit Price	Yr.	Dp Rt	%Cnd	Apr. Value
PAV1	PAVING-ASPHALT	L	7,305	0.90	1990	0	73	4,800
SGN4	W/MOTOR & LTS	L	1	88.00	1986	0	63	100
CLR1	COOLER	B	54	20.00	1941	1	100	400
A/C	AIR CONDITION	B	3,086	2.00	1941	1	100	2,500

BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Gross Area	Eff. Area	Unit Cost	Undeprac. Value
BAS	First Floor	3,968	3,968	3,968	72.62	288,156
CAN	Canopy	0	198	40	14.67	2,905
FOP	Porch, Open, Finished	0	28	7	18.16	508
SLB	Slab	0	2,720	0	0.00	0
UBM	Basement, Unfinished	0	1,248	312	18.16	22,657
TTL Gross Liv/Lease Area					8,162	4,327 Bldg Val.
						314,227



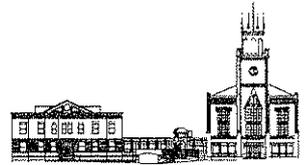


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Milliard Design Review Committee

January 12, 2004

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
City Hall - One City Hall Plaza
Manchester, N.H. 03101

RE: *Disposition of city-owned land on Belmont Street previously owned by the B&M Railroad Company*

Dear Committee Members:

This is to provide a report pursuant to Section 23½ pertaining to the above-referenced city-owned land.

The City recently received a letter from the owner of Luigi's Pizza Bar & Grille, which is located on the northeast corner of Valley and Belmont Streets, inquiring about the possibility of acquiring a portion of the city-owned former rail corridor which passes immediately to the north of their pizzeria. More specifically, the request is to acquire the nearest abutting 30 feet of an existing 60 foot wide ROW for the purpose of providing a larger parking area for the subject restaurant.

Surplus Determination: The Planning Department has reviewed this property and communicated with the Parks Department about this matter and has discovered that there is a plan to run a future pedestrian/bicycle trail system over the former rail ROW – for the purpose of connecting the RiverWalk along the Merrimack River to the state's Rockingham Trail, which essentially runs between Hampton and Lake Massabesic. As such, we do not believe that the former rail ROW is surplus to city needs.

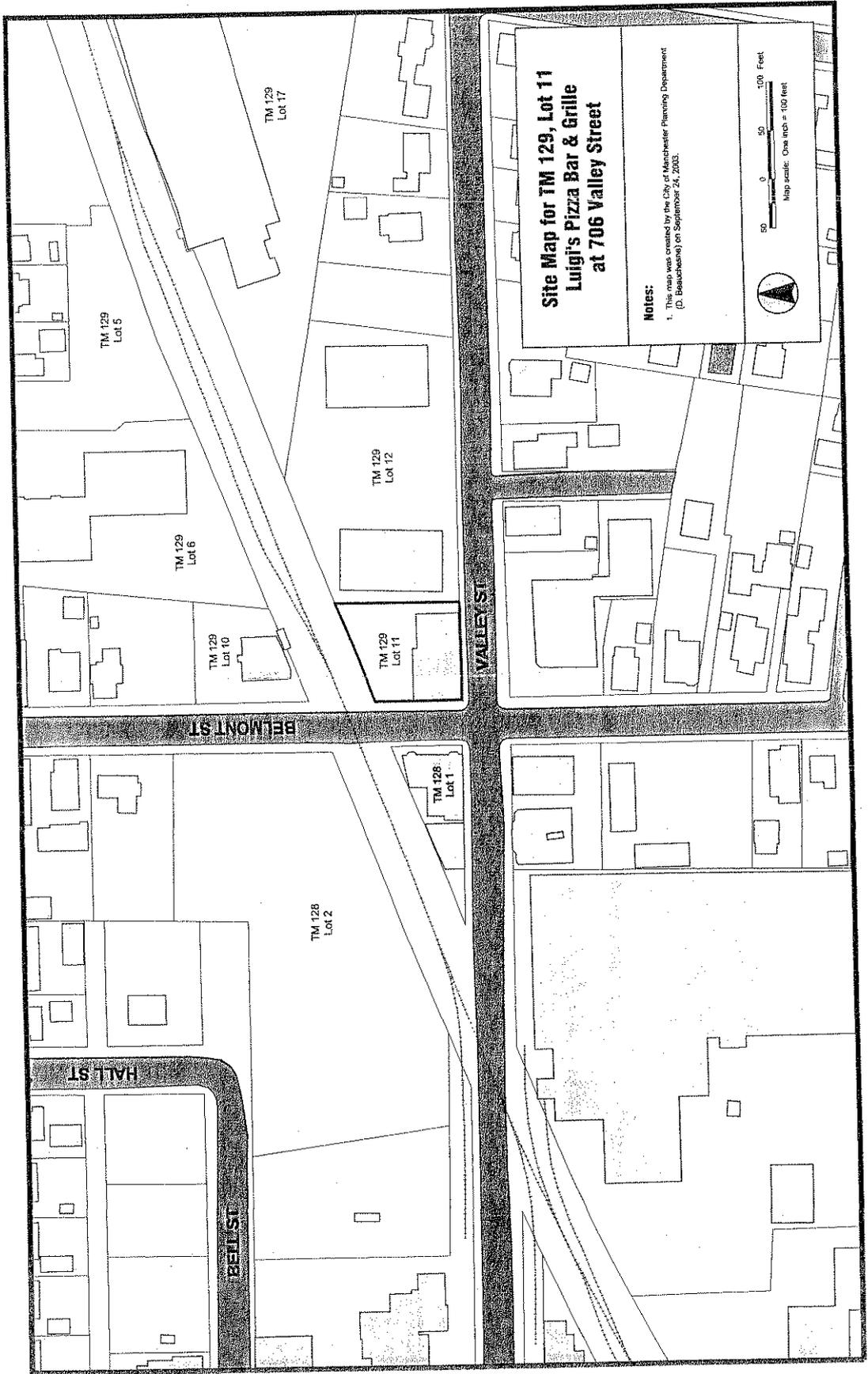
Disposition: If it could be determined in advance that it would not obstruct or otherwise compromise any portion of the City's future pedestrian/bicycle trail plan, we suggest that the Committee consider recommending the possibility that a license be issued to Luigi's Pizza Bar & Grille allowing their private use of an appropriate portion of the subject ROW for their parking needs.

Sincerely,

Robert S. MacKenzie
Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us

10





CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Joseph Sullivan
Sandra Lambert
Ronald Ludwig, Director

July 26, 2004

Alderman Henry Thibault, Chairman - Lands & Buildings Committee
Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

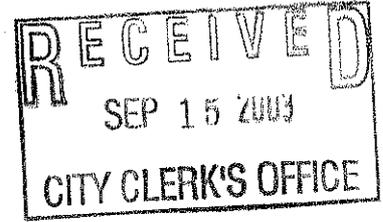
cc: Thomas Arnold, Deputy City Solicitor
David Beauchense, Planning & Community Development



**City of Manchester
Office of the Tax Collector**

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101
(603) 624-6575 (Phone)
(603) 628-6162 (Fax)

Joan A. Porter
Tax Collector

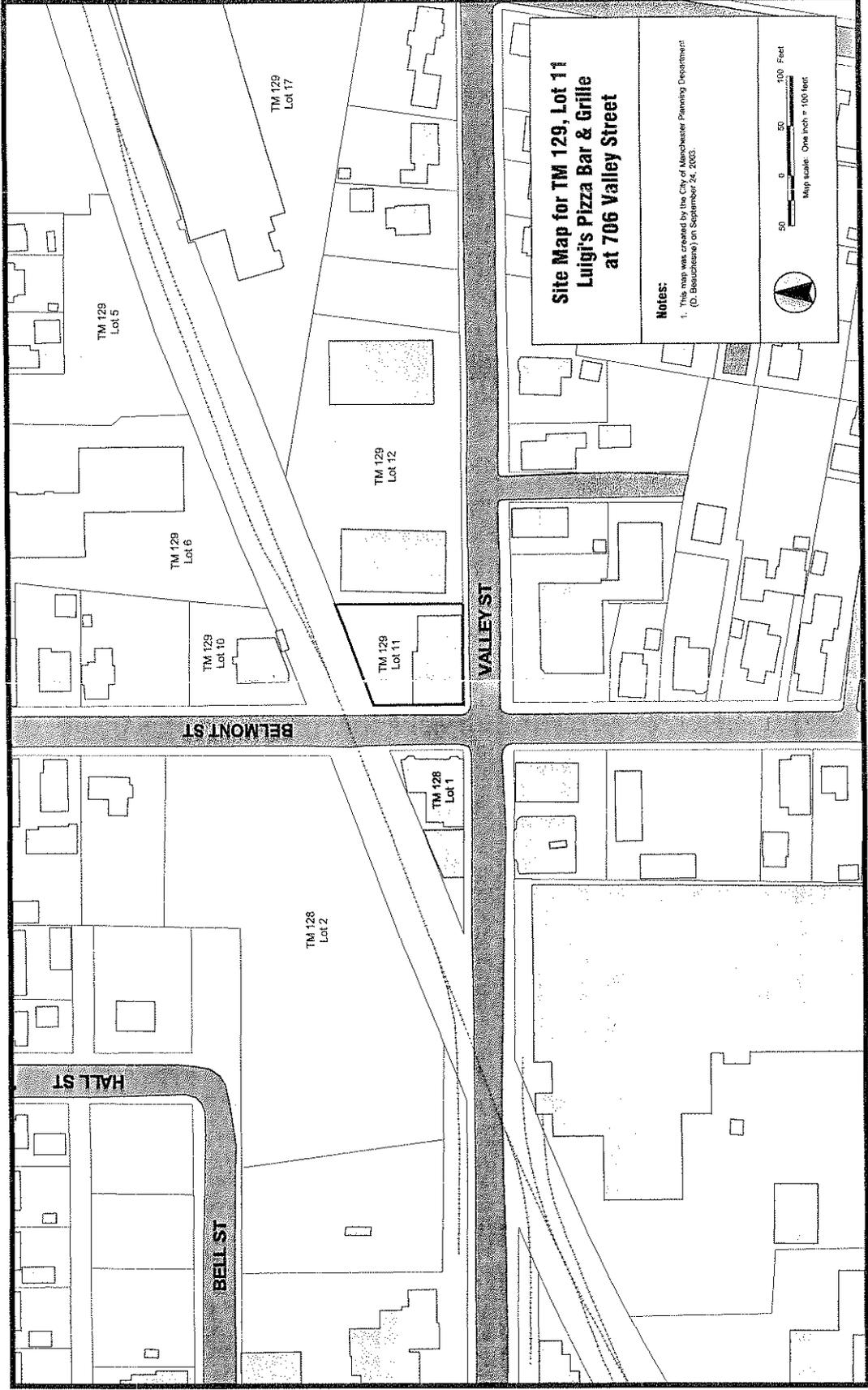


Memorandum

DATE: SEPTEMBER 12, 2003
TO: CITY CLERK
FROM: JOAN PORTER, TAX COLLECTOR *JAP*
RE: PURCHASE OF RAILROAD PROPERTY

Since this is not a tax-deeded property, the Tax Collector's office has no interest in its disposition.

10



J.C.'S Auto Sales



118 Maple ST. ♦ Manchester, NH 03103
Phone 1-603-645-6160 ♦ Fax 1-603-645-6160

MANCHESTER

04 APR 27 AM 11:52

April 26, 2004

City Hall, City Clerks office
One City Hall Plaza
Manchester, NH, 03102

To Whom It May Concern,

My name is Gerald P. Cloutier. I am the owner of the property at 118 Maple St. It has come to my attention that the city of Manchester has aquired the abutting land on 118 Maple St. that was the former property of the Boston and Maine Railroads. I am interested in purchasing this property from the City of Manchester. Recently it has come to my attention that I am not in compliance with the parking codes that the city regulates. If able to purchase this piece of property on the corner of Maple St. and Sommerville. St. I will be in compliance with the City. I would appreciate it if you can look into this matter for me. If you can advise me on my next step in aquiring this property, who to contact, what the price might be. I would appreciate it. Thank-you for this consideration. I will be looking forward to hearing from you.

Sincerely,

Gerald P. Cloutier

65 Winter St
Manchester NH 03102

Home 606 7279
Work 645 6160
Cell 582 2522

2005337

2002 JAN 11 PM 1:39

557
Manchester
City Solicitor

KNOW ALL MEN BY THESE PRESENTS

18-34
THAT, The State of New Hampshire, whose mailing address is the Department of Transportation, 1 Hazen Drive, P.O. Box 483, Concord, NH 03302-0483, pursuant to RSA 4:40 and RSA 228:67, for considerations paid to it in hand before the delivery hereof, well and truly paid by the City of Manchester, a municipal corporation, whose mailing address is 1 City Hall Plaza, Manchester, NH 03101-2097, has remised, released and forever QUITCLAIMED, and by these presents, does remise, release and forever quitclaim unto said City of Manchester, its successors, and assigns forever:

Any and all interest the State of New Hampshire has in a portion of the abandoned Portsmouth Branch railroad corridor, including all stations, buildings, bridges, structures, crossings, culverts and improvements thereon and including all appurtenances thereto and formerly owned by the Boston and Maine Corporation, the Elliot Hospital of the City of Manchester, 67 Willow Street Realty, L.L.C., and the Flying Horse Realty, Inc., located in the City of Manchester, bounded and described as follows:

Parcel 1:

Beginning at a point designated as Engineering Station 1967+70+/- located on the westerly sideline of Page Street as shown on Railroad Valuation Plan V28NH, Map 38; thence running generally in a westerly direction to a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 2:

Beginning at a point designated as Engineering Station 2002+90+/- located on the westerly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2008+05+/- at the easterly sideline of Hall Road as shown on Railroad Valuation Plan V28NH, Map 39.

Parcel 3:

Beginning at a point designated as Engineering Station 2021+70+/- located on the westerly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2080+80+/- at the easterly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41.

Parcel 4:

Beginning at a point designated as Engineering Station 2094+12+/- as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a northwesterly direction to a point designated as Engineering Station 2104+28+/- at the easterly sideline of Elm Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 6200, Pages 40 - 48 on January 11, 2000, said parcels containing an area of 12.45 acres, more or less.

BK6561Pg1308

Parcel 5:

Beginning at a point designated as Engineering Station 1997+50+/- as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2002+44+/- located on the easterly sideline of Mammoth Road as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Boston and Maine Corporation by a deed recorded in the Hillsborough County Registry of Deed in Book 5719, Pages 215 - 221 on May 21, 1996, said parcel containing an area of 0.66 acres, more or less.

Parcel 6:

Beginning at a point designated as Engineering Station 2008+61+/- located on the westerly sideline of Hall Street as shown on Railroad Valuation Plan V28NH, Map 39; thence running generally in a westerly direction to a point designated as Engineering Station 2021+76+/- at the easterly sideline of Massabesic Street as shown on Railroad Valuation Plan V28NH, Map 39.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Elliot Hospital of the City of Manchester by an easement recorded in the Hillsborough County Registry of Deed in Book 5645, Pages 1085 - 1087 on August 1, 1995, said parcel containing an area of 0.60 acres, more or less.

Parcel 7:

Beginning at a point designated as Engineering Station 2081+13+/- located on the westerly sideline of Union Street as shown on Railroad Valuation Plan V28NH, Map 41; thence running generally in a westerly direction to a point designated as Engineering Station 2083+33+/- at the easterly sideline of Willow Street as shown on Railroad Valuation Plan V28NH, Map 41.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the 67 Willow Street Realty, L.L.C. by an easement recorded in the Hillsborough County Registry of Deed in Book 6513, Pages 131 - 132 on October 30, 2001, said parcel containing an area of 0.15 acres, more or less.

Parcel 8:

Beginning at the southerly most point of said premises, at an iron pin with cap to be set; thence along a curve westerly along said parcel with a radius of 962.57 feet, a distance of 479.56 feet to a point; thence N8°25'43"W a distance of 108.31 feet to a point; thence along a curve southeasterly with a radius of 932.57 feet to a point on Willow Street in Manchester, New Hampshire; thence S13°52'44" east a distance of 45.99 feet to the point of beginning, as shown on plan entitled "Easement Plan of Land prepared for Flying Horse Realty Inc., in Manchester, NH, scale 1" = 40", Date: January 11, 2000", prepared by Duval Survey, Inc., 14 Dartmouth Street, Hooksett, NH 03103, and recorded in the Hillsborough County Registry of Deeds as Plan No. 30334.

Meaning and intending to convey all the railroad corridor conveyed to the State of New Hampshire by the Flying Horse Realty, Inc., by an easement recorded in the Hillsborough County Registry of Deed in Book 6208, Pages 26 - 27 on February 9, 2000, said parcel containing an area of 0.34 acres, more or less.

BK 6561 PG 1 SUR

As a further condition of this instrument, the City of Manchester agrees to the following:

- 1.) The City of Manchester shall use and manage the abandoned railroad corridor as a recreational trail for use by the general public.
- 2.) Any future alterations by the City of Manchester to the abandoned railroad corridor shall necessitate review by the Federal Highway Administration relative to the Section 106 historic review process.
- 3.) The City of Manchester must obtain approval from the New Hampshire Department of Transportation before selling any portion of the abandoned railroad corridor.

Excepting and Reserving, to the State of New Hampshire by or through its Department of Transportation of any successor agency, a transportation easement, 30 feet in width, crossing all the above-described parcels for any mode of public travel, including, but not limited to, vehicular, railroad, bus, or other form of mass transit, pedestrian, bicycle, snowmobile (not including motorcycles) or other form of recreational travel.

TO HAVE AND TO HOLD said premises, with all the privileges and appurtenances thereunto belonging to the City of Manchester, its successors and assigns forever.

IN WITNESS WHEREOF, The State of New Hampshire has caused its name to be set and its seal to be hereunto affixed by the Commissioner of the New Hampshire Department of Transportation, duly authorized and executed this 14th day of December, 20 01.

Signed, Sealed and Delivered in the presence of

Diane Hartford

STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

Carol O. Murray
Commissioner

THE STATE OF NEW HAMPSHIRE

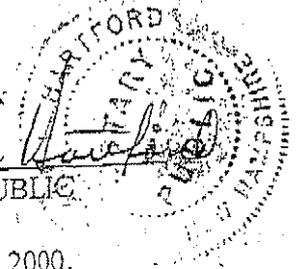
COUNTY OF MERRIMACK

On this 14th day of December, 20 01, before me, Diane Hartford the undersigned officer, personally appeared the Commissioner of the Department of Transportation, and that as such Commissioner, being authorized so to do, executed the forgoing instrument for the purposes therein contained, by signing the name of the State of New Hampshire as the Commissioner of the Department of Transportation.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

DIANE L. HARTFORD
Notary Public
My Commission Expires July 17, 2004

Diane L. Hartford
NOTARY PUBLIC



Approved by New Hampshire Council on Resources and Development on July 14, 2000.
Approved by Long Range Capital Planning and Utilization Committee on August 22, 2001.
Approved by Governor and Executive Council on October 10, 2001, Item # 146.

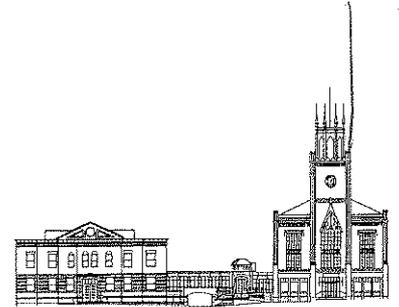
BK 656 1 P6 13 10



CITY OF MANCHESTER, NH

Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
Tel: (603) 624-6520 – Fax: (603) 628-6288
E-mail: assessors@ci.manchester.nh.us
Web: www.ManchesterNH.gov



Steven G. Tellier, Chairman
Thomas C. Nichols
Stephan W. Hamilton

Christine Hanagan
Assistant to Assessors

To: Committee on Lands and Buildings
From: Board of Assessors
Date: December 15, 2004

Re: Map/Lot: 0361/0001 – Note: This is the Abutter's Lot
Owner: Gerald P. Cloutier
Request to Purchase or Lease/License Land

The Assessors have completed an analysis of the estimated market value of the above referenced property. An examination of the available assessing records has been completed. A review of sales of excess B&M Railroad tracts of land has also been done. The following is a summary of important facts and the value estimate:

Property Location	Maple and Somerville Streets
Assessors Map/Lot	Not Assigned
Property Owner	City of Manchester
Deed Book/Page	Not Assigned
Date Acquired	N/A
Improved/Vacant	Vacant
Total Land Area	5,271 sq. ft.
Current Zoning	RDV
Overlay District	N/A
Easements/Restrictions	Railroad
Utilities Available	All
Total Current Assessment	\$0
Indicated Range of Value/Unit	\$4.00
Indicated Range of Value	\$21,084
Comments	We are using \$4.00 per sq. ft. which is the rate at which B&M is selling land to individuals who purchase land in areas such as this one. However, this lot is located in a good commercial area. On the open market the location of the lot could add considerable contributory value to the abutting property.

Respectfully submitted,
BOARD OF ASSESSORS

Steven G. Tellier, Chairman

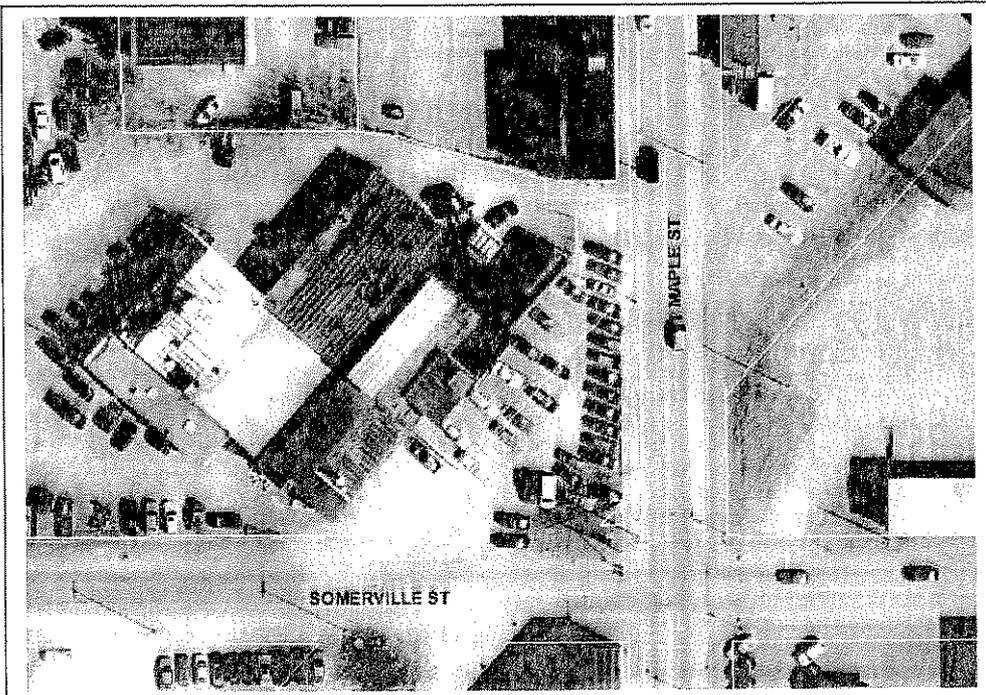
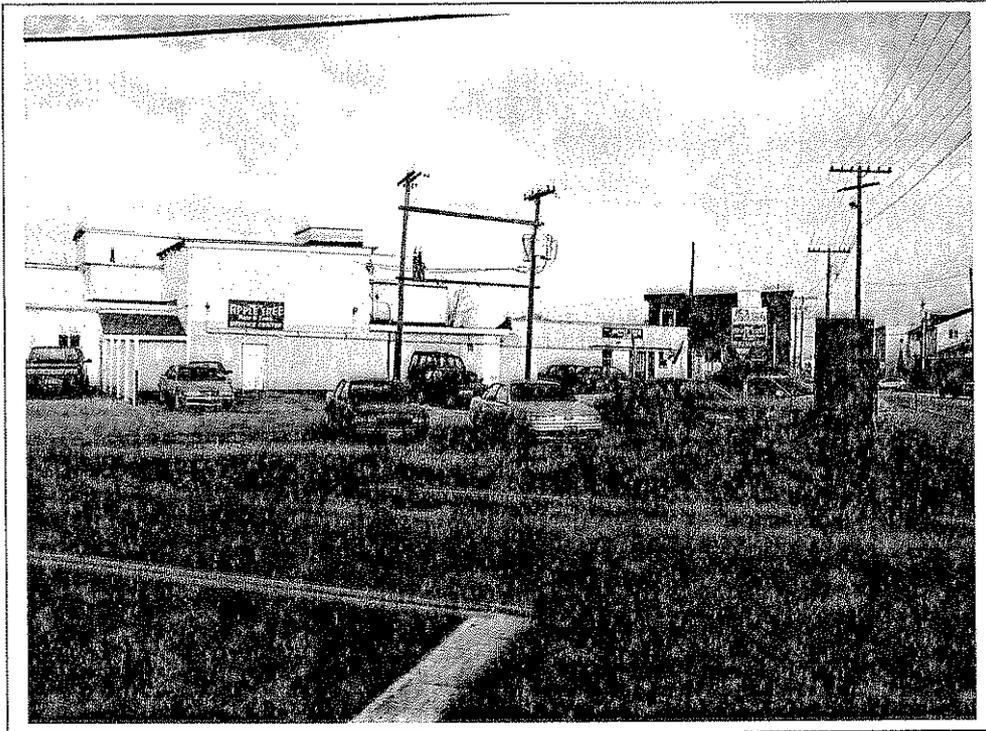
Thomas C. Nichols

Thomas C. Nichols, Assessor

Stephan W. Hamilton, Assessor

17

Maple and Somerville
J.C. Auto Sales





Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

May 24, 2004

Committee on Land and Buildings
Honorable Board of Mayor and Aldermen
Manchester City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

Re: *Disposition of City-owned former rail ROW parcel abutting 118 Maple Street*

Dear Committee Members:

The City has received a written request by Mr. Gerald Cloutier, owner of J. C.'s Auto Sales (corner of Silver, Somerville and Maple Streets), seeking the opportunity to purchase a small triangular-shaped 5,271 s.f. section of the former B & M Portsmouth Branch rail line which abuts his property (see attached map). Mr. Cloutier's stated goal in such a purchase is that it would assist in resolving his used car business' on-site parking problems. At its widest, the subject city-owned parcel is app. 60' wide and contains the former railroad's steel rails and timber ballast which are still in place running down the middle of the parcel.

Surplus Determination: The Planning Department has communicated with the Parks, Recreation and Cemeteries Department in reviewing this property and has determined that the City has long-term plans to install a bike/pedestrian trail along the former Portsmouth Branch railroad line through this part of town to connect the state's Rockingham Recreational Trail on the east side of the city with the CrossTrails hub in the vicinity of the south Millyard ballfield. It was also found that the State of New Hampshire, in deeding the former rail ROW to the City, not only reserved a 30' wide transportation easement on the property for possible future rail uses but also maintained a right to approve any sale of the rail ROW which the City may wish to undertake. In view of these long-range plans and restrictions, our recommendation is that the subject parcel continue to be maintained in city ownership and not be declared surplus.

Disposition: Given the real commercial need by J. C.'s Auto Sales for added on-site parking, we feel that the City could reasonably enter into a lease agreement with Mr. Cloutier which would allow him to use approximately 30' of that portion of the subject parcel which is closest to his 118 Maple Street business such lease to include a reversionary clause that would allow the City to construct a recreational trail at any apt future date. The Committee may wish to consider this option.

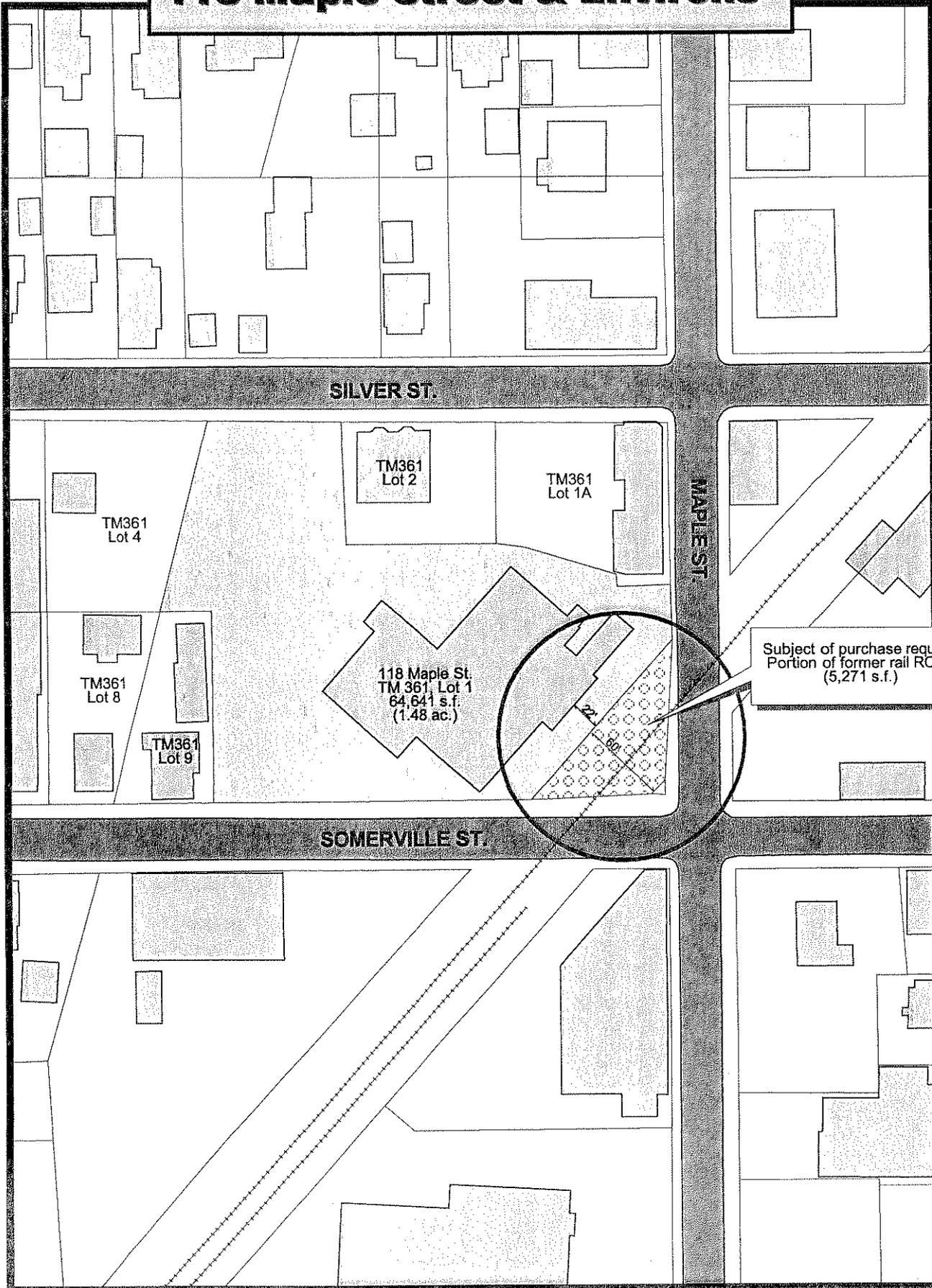
Sincerely,

Robert S. MacKenzie
Director of Planning & Community Development

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One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us

118 Maple Street & Environs





CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
(603) 624-6569 Fax

COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Joseph Sullivan
Sandra Lambert
Ronald Ludwig, Director

May 21, 2004

Alderman Henry Thibault, Chairman - Lands & Buildings Committee
Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Abandoned Rail Corridor Land Purchase request – Gerald Cloutier

Dear Alderman Thibault:

I would like to provide some comments regarding the request of Mr. Gerald Cloutier of J. C.'s Auto Sales to purchase a portion of the former Manchester and Portsmouth railroad line at 118 Maple Street. This property was transferred to the City from the State of New Hampshire on December 14, 2001.

The State of New Hampshire placed several conditions within the deed, including use and management restrictions and the need to obtain approval from the State before selling any portion of the property. Furthermore the State has reserved a (30') transportation easement on the property.

According to the City Master Plan, abandoned rail corridors throughout Manchester were identified as future greenways and trail connectors to the neighborhoods. We are currently working on two trail projects on abandoned rail corridors including the Piscataquog Trailway and South Manchester Rail Trail.

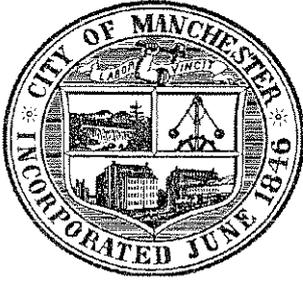
The property in question has also been identified as a connector to the Rockingham Recreational Trail, which the State currently manages from I-93 in Manchester easterly to the town of Newfields. As funding becomes available, we would like to improve this section of rail corridor for a recreational trail.

In view of the restrictions placed on this property by the State and the City's long range plans for recreational trails, we would recommend that the Board of Aldermen deny a fee simple purchase of this property. Instead, the Board may consider a lease agreement allowing use of the property with a reversionary clause that would allow the City to construct a recreational trail at a future date.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Ronald E. Ludwig, Director
Robert A. MacKenzie, Planning Director



City of Manchester
Office of the Tax Collector

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

Memorandum

DATE: April 30, 2004
TO: Land & Building Committee
FROM: Joan A. Porter, Tax Collector
RE: L Corner of Maple St/Somerville St

As the parcel referenced above is not a Tax-Deeded property, the Tax Collector's office has no interest in its disposition nor any further information to contribute.



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COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Joseph Sullivan
Sandra Lambert
Ronald Ludwig, Director

July 26, 2004

L+B
Items # 8, 9 + 10

Alderman Henry Thibault, Chairman - Lands & Buildings Committee
Board of Mayor & Aldermen
One City Hall Plaza
Manchester, NH 03101

Re: Abandoned Rail Corridors

Dear Alderman Thibault:

In 2001, the New Hampshire Department of Transportation transferred ownership of the Manchester and Portsmouth Branch railroad corridor to the City for use as a recreational trail. However, the state placed several restrictions on the use of this property that must be considered before a decision is made regarding requests from abutters to utilize portions of this property.

At the May 26, 2004 Lands and Buildings Committee meeting, a vote was taken to table these requests pending development of a standard policy by City staff. I recently met with Tom Arnold from the City Solicitor's Office and David Beauchense from the Planning Department to discuss what should be included in this policy. While our meeting was productive, we will need some additional time to develop a written policy for your review.

In view of the restrictions placed on this property by the State and the City's long range plans for a recreational trail, it is certain that we will not recommend fee simple purchases. It may be possible to develop an agreement for temporary use that would not include any structures with a reversionary clause that would allow the City to construct a recreational trail at a future date.

We will have our recommendations for this policy available for your next scheduled meeting.

Sincerely yours,

Ron Johnson, Deputy Director

cc: Thomas Arnold, Deputy City Solicitor
David Beauchense, Planning & Community Development

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PMC A DIVISION OF ROCKBESTOS SURPRENANT CABLE CORPORATION
680 HAYWARD STREET, MANCHESTER, NH 03103 • (603) 622-3500
SPECIALIZING IN WIRE & CABLE FOR THE SENSOR INDUSTRY • FAX (603) 622-8149

Mr. Hank Thibault
Chairman of the Lands and Buildings Committee
c/o City Clerk
1 City Hall Plaza
Manchester, NH 03103

Dear Mr. Thibault;

PMC Wire manufactures wire and cable products and is located in Ward 7 between Valley Street and Hayward Street and adjacent to Hoitt Furniture. PMC has about 90 full-time employees and relocated to this location about six years ago from Londonderry after significantly upgrading the facility (formerly the International Paper plant).

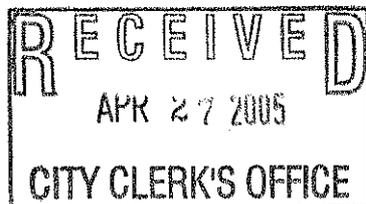
We have been working with Jane Hills from the Economic Development office over the past year in an effort to obtain truck access to the plant from Valley Street. It is our intention to eliminate the passage of semi-trucks through the residential neighborhood en-route to the plant by accessing Valley Street directly. We also intend to improve the landscaping and overall appearance of the facility along the street when constructing the truck entrance. However, access to the plant from Valley Street involves crossing the former Portsmouth Branch rail corridor. It is our intention to remove the steel rails and hazardous timber rail ties and install a naturalized walking trail with trees and landscaping when constructing the access across the rail bed.

Currently, a significant amount of litter blows across the road from the plaza and collects in this area. This garbage catches in and around the timbers, rail tracks, and scrub bushes and is difficult to keep clean. We believe our proposal would significantly improve the neighborhood and help establish a section of the proposed "rails-to-trails" project.

I attended a city government meeting in early January and understand that a policy regarding rail bed usage is being developed. I look forward to discussing this further with you and would be glad to provide any additional information you may require regarding this project.

Sincerely,

Greg Grace
Vice President of Operations





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Alderman Hank Thibault
Chairman of the Lands and Buildings Committee
c/o City Clerk
1 City Hall Plaza
Manchester, NH 03103

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Currently, a significant amount of litter blows across the road from the plaza and collects in this area. This garbage catches in and around the timbers, rail tracks, and scrub bushes and is difficult to keep clean. We believe our proposal would significantly improve the neighborhood and help establish a section of the proposed "rails-to-trails" project.

We will work closely with the City Parks Department to insure that our improvements do not impede future anticipated uses to the rail corridor, and we will meet all site requirements as determined by other city departments. We also understand that we are not requesting to purchase any part of the rail trail, nor to create a permanent easement.

By creating a new truck access point, we will be able to free up some of our existing building and site to facilitate anticipated business expansion and the creation of additional jobs for Manchester.

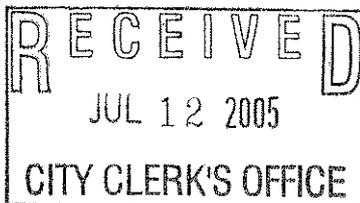
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12

Sincerely,

Greg Grace
Vice President of Operations



13

4/18/05 - Tabbed.

Alfano, Baroff & Kasten

Professional Association

Attorneys

10 Commerce Park North ■ Suite 13B ■ Bedford ■ New Hampshire 03110
Phone: 603.647.4200 ■ Fax: 603.647.4664

Michael J. Kasten, Esq.

Direct Dial: 603.668.9330
mkasten@alfanobaroff.com

February 11, 2005

Board of Mayor and Alderman
Attn. Committee on Lands and Buildings
One City Hall Plaza
Manchester, N.H. 03101

City of Manchester
Office of City Clerk
Attn. Tom Arnold, Esq.
One City Hall Plaza
Manchester, N.H. 03101

Re: Boundary Line Agreement Lot #37, Tax Map #506, West Shore Avenue,
Manchester, N.H.

Dear Committee on Lands and Buildings and Tom,

I represent Steve and Anna Sacco, the owners of the above-referenced lot which abuts City owned property at the intersection of West Shore Avenue and Bodwell Road abutting Crystal Lake. The Saccos recently completed a survey of the property revealing an discrepancy in the boundary line between the Sacco's lot and the City's lot.

The Saccos and their engineer, Joseph Wichert, have met with Mr. Miccio of the Highway Department to discuss the boundary line issue and arrive at a plan.

Based on these discussions, we are proposing entering into a Boundary Line Agreement to place the boundary line at the location set forth on the attached plan.

I have enclosed the following materials:

- a. A Plan showing the area of discrepancy and the proposed Boundary Line.
- b. A proposed Boundary Line Agreement to be recorded in the Hillsborough County Registry of Deeds.

On behalf of the Saccos, I would greatly appreciate if the Committee could put this on its agenda at the next regularly scheduled meeting and inform us, through Tom Arnold, of your recommendation and decision.

Should you have any questions, please do not hesitate to call.

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Sincerely,

A handwritten signature in cursive script that reads "Michael Kasten".

Michael Kasten, Esq.

cc. Steve and Anna Sacco
Joseph Wichert, L.L.S.

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BOUNDARY LINE AGREEMENT

THIS BOUNDARY LINE AGREEMENT is made as of this ____ day of _____, 2005 by and between Stephen Sacco and Anna Sacco as owner of Tax Map 506 Lot 37 (as defined below) ("Lot 37 Owner"), and The City of Manchester as owner of Tax Map 815 Lot 2 (as defined below) ("Lot 2 Owner").

RECITALS

Whereas, the Owner of Lot 37 and the Owner of Lot 2 own adjoining land in the City of Manchester, Hillsborough County, New Hampshire;

;

Whereas, Lot 37 Owner acquired title to Lot 37 by virtue of a deed recorded in Book 5176, Page 1674 in the Hillsborough County Registry of Deeds (the "Registry");

Whereas, Lot 2 Owner acquired title to Lot 2 by virtue of a deed from recorded in Book 1017, Page 40 in the Registry;

Whereas, the boundary line between Lot 37 and Lot 2 is in dispute and cannot be located by reference to the data in the relevant deeds or on the ground by reason of the loss or obliteration of the monuments and boundaries named therein; and

Whereas, The Survey prepared by Joseph M. Wichert, LLS described herein, locates numerous bounds set in the area and although there are plans of the property on record, the existence of numerous bounds and the lack of detail on the prior plans results in the boundary line being in dispute; and

Whereas, Lot 37 Owner and Lot 2 Owner desire to settle the dispute and establish the precise boundary line in the manner provided in New Hampshire RSA 472.

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NOW THEREFORE, the Owner and Lot 37 and the Owner of Lot 2 agree as follows:

1. The Easterly boundary of lot 37 where it abuts lot 2 shall be and run as follows: Beginning at point on the easterly line of West Shore Avenue thence running S 18°23'56"E a distance of 41.26 feet to a point; thence S 10°33'25 E a distance of 95.00 feet to an iron rod; thence turning and running S 52°27'38 W a distance of 62.83 feet to a point; thence turning and running S , as shown on Plan of land entitled _____ dated _____ and recorded as Plan # _____ in the Hillsborough County Registry of Deeds.

2. The Owner of Lot 37 and the Owner of Lot 2 shall cause the Surveyor to place suitable and permanent monuments at each end and at each angle of the boundary so agreed upon and as shown on the Boundary Plan.

3. This Agreement shall constitute a full and final agreement and settlement of the dispute regarding the boundary line between Lot 37 and Lot 2.

4. The City of Manchester grants to Stephen and Ann Sacco, with quitclaim covenants, all property on the westerly side of the above described line.

5. Stephen and Ann Sacco grant to the City of Manchester, with quitclaim covenants, all property on the easterly side of the above described line.

WITNESS our signatures this _____ day of _____, 2005.

Witness

Stephen Sacco

Witness

Ann Sacco

STATE OF NEW HAMPSHIRE
COUNTY OF _____

On this _____ day of _____, 2005, then personally appeared before me the above-named Stephen Sacco and Ann Sacco, and acknowledged the foregoing to be their free act and deed.

Notary Public:
My Commission Expires:

13

City of Manchester

Witness

By: _____

STATE OF NEW HAMPSHIRE

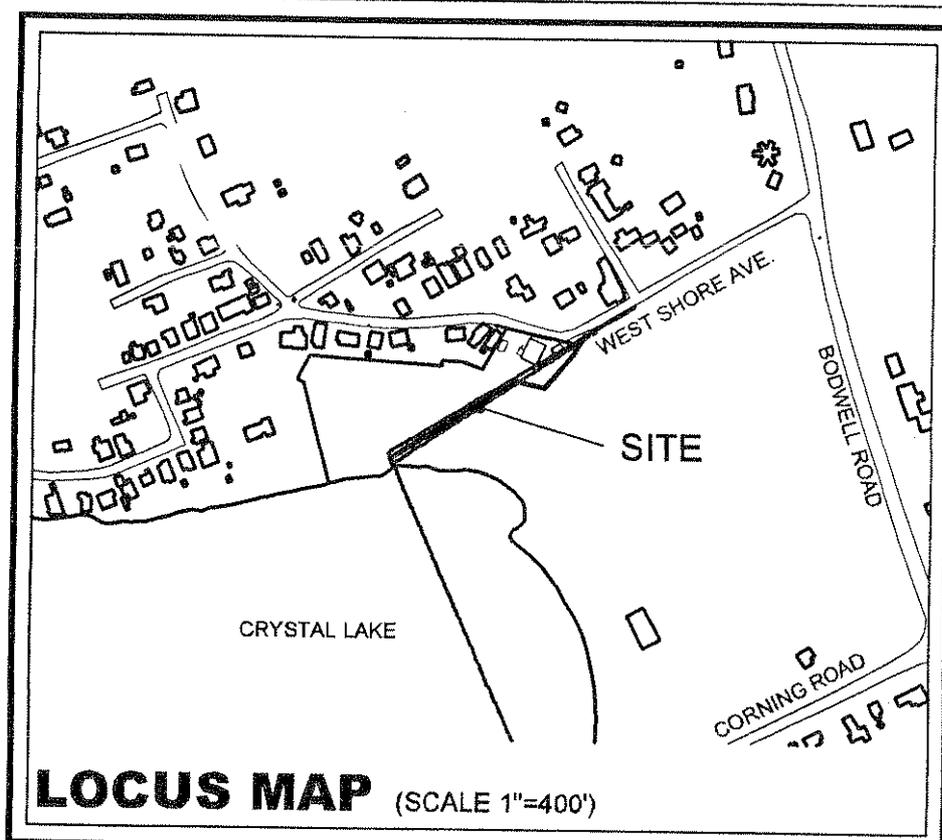
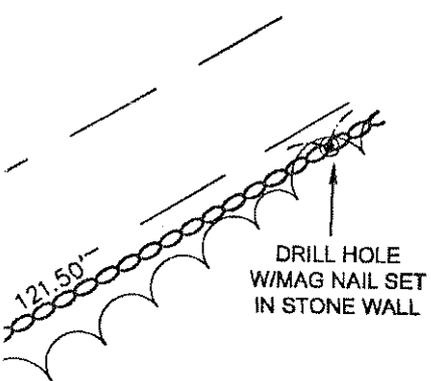
COUNTY OF _____

On this _____ day of _____, 2005, then personally appeared before me the above-named _____, duly authorized _____ and acknowledged the foregoing to be of his free act and deed on behalf of the City of Manchester.

Notary Public:

My Commission Expires:

13



NOTES:

- 1.) THE SUBJECT PARCELS ARE LOT# 37 ON THE CITY OF MANCHESTER TAX MAP #506, OWNERS OF RECORD ARE STEPHEN AND ANNA SACCO OF 100 WEST SHORE AVENUE, MANCHESTER, NH 03109. V.5176 P.1674, AND LOT #2 ON THE CITY OF MANCHESTER TAX MAP #815, OWNER OF RECORD IS THE CITY OF MANCHESTER, ONE CITY HALL PLAZA, MANCHESTER, NH, 03101, V.1017 P.40.
- 2.) THE SUBJECT PARCEL IS ZONED R-1B. MINIMUM LOT SIZE IS 7,500 SQ. FT. MINIMUM LOT FRONTAGE = 75'. SETBACKS ARE AS FOLLOWS: FRONT = 20', SIDE = 10' AND REAR = 30'.
- 3.) THE INTENT OF THIS PLAN IS TO SHOW THE AGREED COMMON BOUNDARY LINE BETWEEN THE SUBJECT PARCELS.
- 4.) THE BEARINGS AND COORDINATE SYSTEM SHOWN ARE TIED INTO THE CITY OF MANCHESTER GIS SYSTEM USING GPS OBSERVATIONS.
- 5.) THE BOUNDARY LINES SHOWN ARE BASED ON AN ACTUAL FIELD SURVEY OF THE SUBJECT PARCEL IN APRIL - OCTOBER OF 2003. I, JOSEPH M. WICHERT, NHLLS #783 CERTIFY THAT THE WORK WAS PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION.

14



CITY OF MANCHESTER

Office of the City Clerk

11/10/04 - Highway 10
leave with R.D. DeVries
& come back to
Committee at a later
date
on policy



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

Memo To: Kevin Sheppard, Deputy Director Public Works
Ronald Johnson, Deputy Director Parks, Recreation & Cemetery
Bob MacKenzie, Planning Director

From: Valerie E. Fysh *VEF*
Administrative Assistant

Date: September 3, 2004

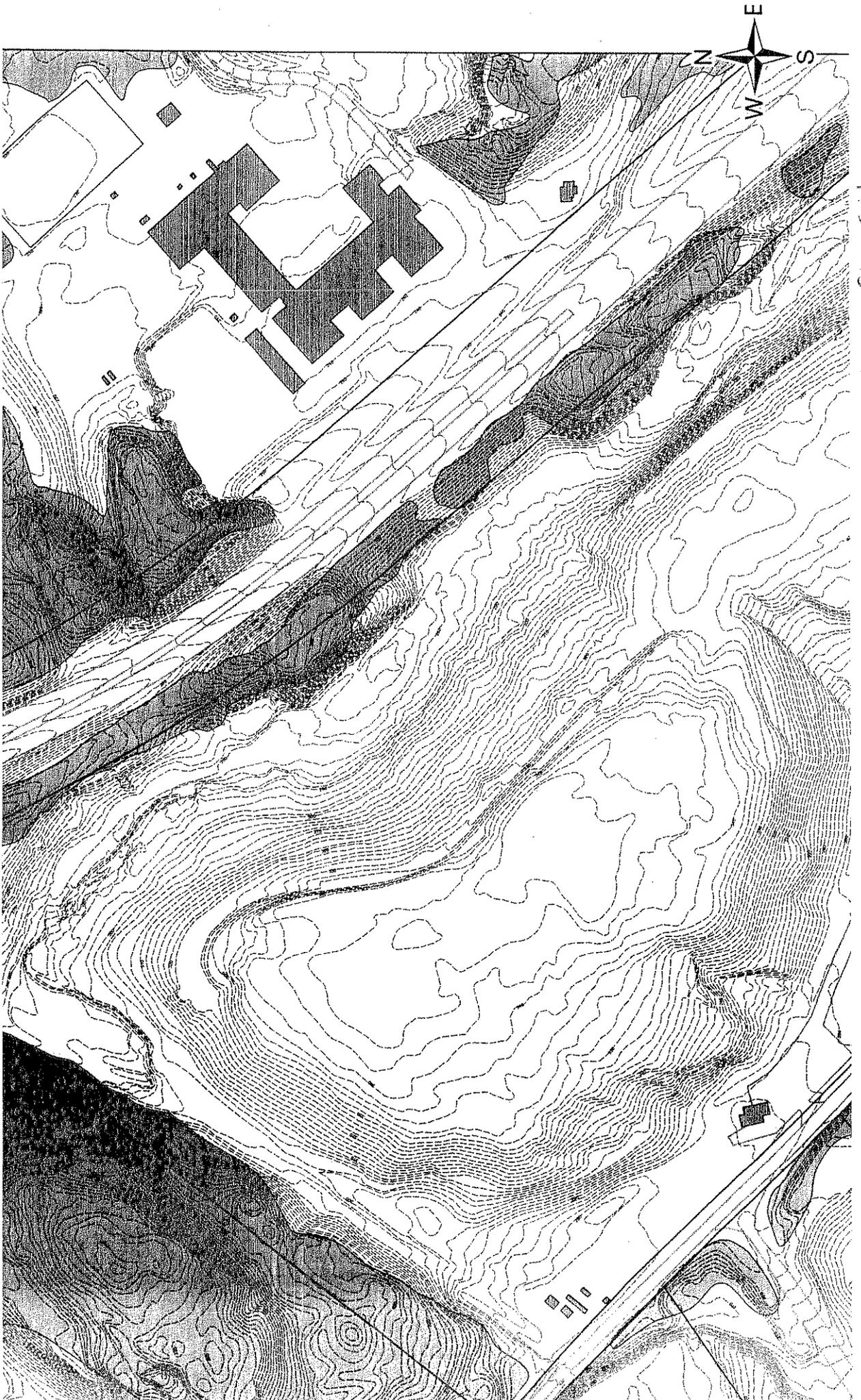
Re: Request from Committee on Lands & Buildings

On July 27, 2004 the Committee requested that heads of any departments that could have input into the site selection for a dog park meet, in conjunction with the animal shelter, to determine the best and most feasible economic site within the city. At the meeting the committee discussed three sites, the landfill on Dunbarton Road, Straw Road, and West Mitchell Street.

The Committee had asked that the information be forwarded to them prior to their next meeting, however, that date is unknown at this time. We will notify you once the date has been determined.

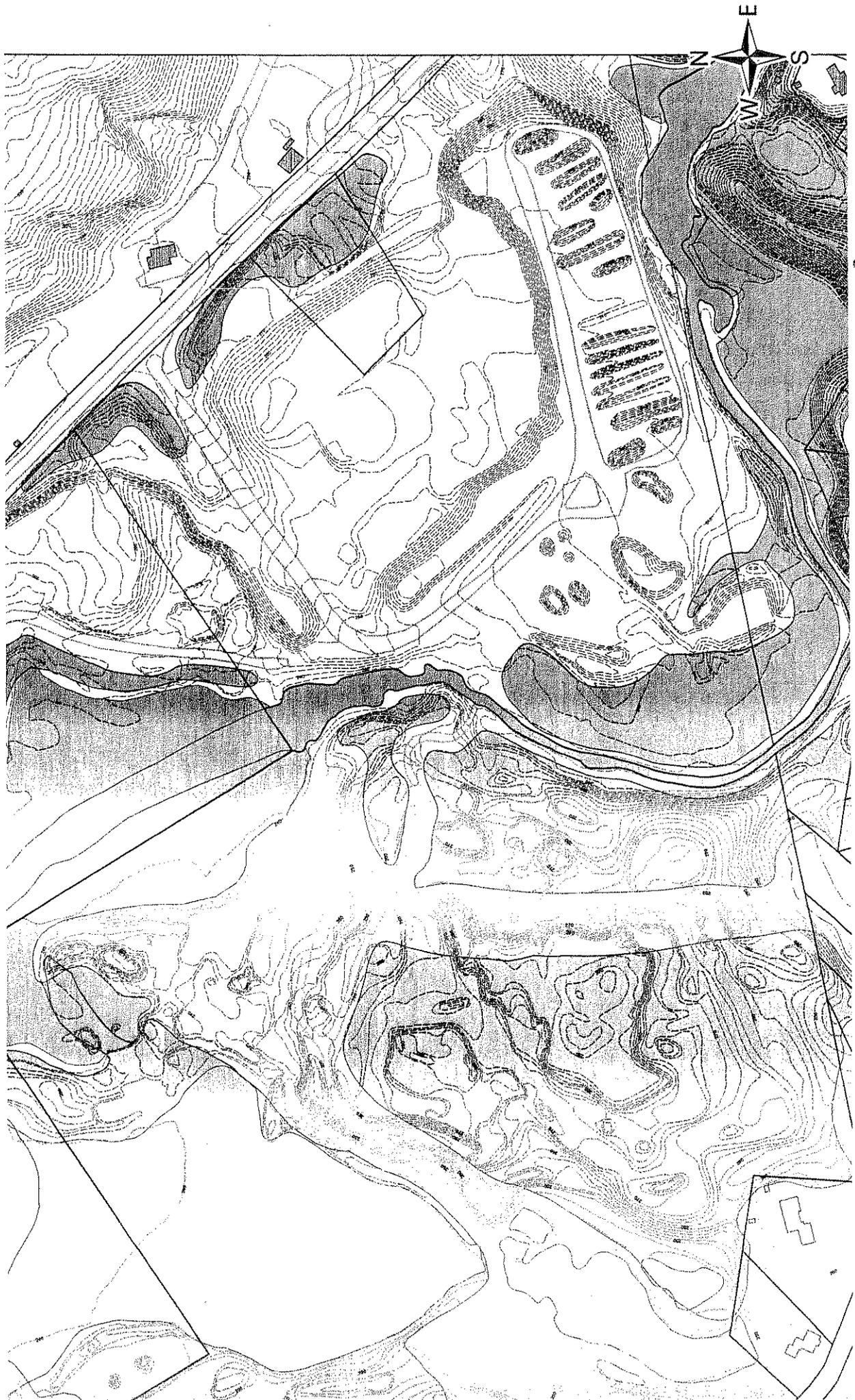
I have enclosed a copy of the minutes as well as copies of three site maps from the meeting for your reference. Please contact me should you have any questions.

pc: Frank Thomas



Landfill Site

14



Staw Road Site



West Mitchell St. Site
4



**City of Manchester
Parks, Recreation & Cemetery Department**

Inter-Office Correspondence

Memo to: Mr. Leo Bernier, City Clerk

From: Ron Ludwig *RL*

Date: September 7, 2004

Re: Request for Information Dog Park
West Mitchell/Pine Grove Cemetery

Attached is the information requested from the Committee on Lands and Buildings at their July 27, 2004 meeting. According to the memo from the Clerks Office no date has been set for this meeting at this point. Could you kindly include our response to the Request for Information on the next agenda? Thank You.

07 SEP -6 PM 59

MANCHESTER
RECEIVED
SEP 10 2004



CITY OF MANCHESTER
Parks, Recreation & Cemetery Department

625 Mammoth Road
Manchester, NH 03104-5491
(603) 624-6565 Administrative Office
(603) 624-6514 Cemetery Division
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COMMISSION

George "Butch" Joseph, Chairman
Steve Johnson, Clerk
Michael Worsley
Dennis Smith
Sandra Lambert
Ronald Ludwig, Director

14

September 7, 2004

Committee on Lands and Buildings
Alderman Henry Thibault, Chairman
One City Hall Plaza
Manchester, NH 03101

Re: Request for Information
Property off West Mitchell St./Pine Grove Cemetery
Possible Dog Park

RECEIVED
MANCHESTER
04 SEP -8 P 2:00

Dear Committee Members,

The Department has been asked to respond to a request to possibly locate a Dog Park off West Mitchell ST behind the Brown and Mitchell Softball Field in the Pine Grove Cemetery. After speaking with the Cemetery Supervisor, Mr. Gerry Coulter, and other members of our staff we have determined that this site would not be an appropriate location. Even though it appears that a large amount of space exists in this area it is still in close proximity to Cemetery lots and graves that have already been sold. Also in the opinion of those who have years of experience at the Cemetery, a Dog Park would not be a good fit when the services are being conducted in this general location.

As also requested, I will continue to keep an eye open for other sites that may be a better fit for this type of facility.

Should the Committee have additional questions I would be more than happy to respond.

Sincerely,

Ronald E. Ludwig
Director



**City of Manchester
Department of Highways**

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

September 9, 2004

Land and Buildings Committee of the
Honorable Board of Mayor and Aldermen
CITY OF MANCHESTER
One City Hall Plaza,
Manchester, New Hampshire 03101

Re: Dog Park Site

Dear Committee Members:

I am writing in response to the Committee's request for input into the site selection for a dog park. Two of the sites warrant our comment:

- The *first* site is located off of Straw Road. We would not recommend this site for several reasons, including the site is utilized for material storage, the site does have areas of wetland and the access to the site is not desirable. Due to the limited storage capacity at our Dunbarton Road site, we will need to continue storing material at this location.
- The *second* site is the landfill and/or the small area of land to the west of the existing Animal Shelter. These areas would be acceptable subject to the areas being fenced and having a controlled access.

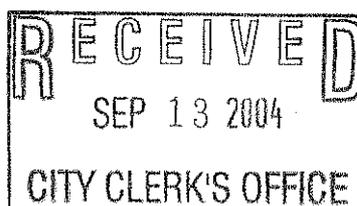
Although the park may potentially be located on land of the Highway Department, it is our assumption that all maintenance of the area will be done by a private group. I will be available should you have any questions pertaining to this matter.

Sincerely,

Kevin A. Sheppard, P.E.
Deputy Public Works Director

/cd

cc: Frank C. Thomas, P.E.
Alderman Betsi DeVries



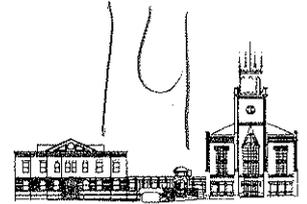


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

November 10, 2004

Lands & Buildings Committee
Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

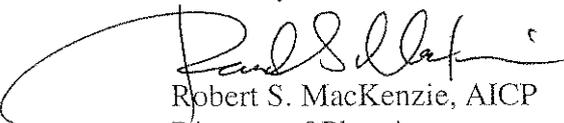
re: Dog Park

Honorable Committee Members:

This is in regards to the search for a suitable location for a dog park. Of the sites that have been mentioned, it would be our opinion that the landfill area would be the most suitable location.

If you have any questions, I will be available at your next meeting.

Sincerely,



Robert S. MacKenzie, AICP
Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us

14
Mr. Sheppard answered that is one of the reasons that I believe the Highway Commission wanted a six-month trial period to see what the noise levels may be. The Flying Club has told us that there should not be issues with noise. They are looking at the hours of 10 AM to sunset but that is one of the concerns the Highway Commission had also. That is one thing that we are going to observe during the six-month trial period.

Alderman Roy stated I know they seem to have a considerable amount of insurance coverage. Any worries with the abutting highway.

Mr. Sheppard responded no. I believe the state would not allow them to fly over the highway. They would be limited to the air right above the landfill. Our recommendation is the same as the Highway Commission's recommendation. A six month trial period and negotiation of a usage agreement with the City Solicitor's approval.

Alderman Porter moved to allow the NH Flying Tigers R/C Club, Inc., to use the Dunbarton Road Sanitary Landfill for model activities on a six month trial period with negotiation of a usage agreement under approval of the City Solicitor's Office. Alderman Osborne duly seconded the motion.

Deputy City Clerk Johnson stated before you take a vote on that I just want to make you aware that there is another item coming into the Committee this evening that was supposed to be taken earlier from Alderman DeVries regarding dog parks and the sanitary landfill area was one of the considerations. I don't know if you want to defer action on this and take that up so you at least have an understanding of what the potential use could be.

Chairman Thibault stated okay we will hold the vote on that item. Kevin, do you have any recommendation on Alderman DeVries' request for a dog park?

Mr. Sheppard replied that is something we could take a look at. We could work together with the flying club and the dog park. We would have to sit down and take a look at the uses for both.

Alderman DeVries stated I think basically what I would like to request of the Lands and Buildings Committee at this point in time...as you well know there has been a lot of interest in establishing a dog park somewhere within the City. There are three parcels of land where I have done a preliminary walk through. These by no means are the only possible parcels in the City. What I would like to do is quickly show you the three that have been identified and then have you notify Parks & Recreation, Highway and any other department that may have future

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needs to get feedback so we can determine whether or not they are available for the use of a dog park. What we have in mind would not be tax dollar driven. This would be a public/private venture where the City can determine based on their future needs for parcels whether or not they could give a possible lease or disallow the use of City owned parcels. The fundraising hopefully will be done as a separate entity so we do not have to look to the taxpayers to support this effort. I do also envision a governing body that will be set-up of interested volunteers who will help establish the rules as well as maintenance for this project. Starting off first the easiest of them but probably my personal least favorite would be the landfill. I have already had conversations with the Highway Director, Frank Thomas, and he has indicated that that would be appropriate within the limitations of the encapsulation of the landfill.

Mr. Tellier asked are you referring to the landfill, Alderman.

Alderman DeVries answered yes within the fenced enclosure at the landfill. That would be the easiest of the parcels for us to deal with. It is not my favorite just because we cannot...it has restrictions for use because it will be down on the level area, which is very long and narrow and not as conducive to all of the activities that we envision for this parcel but certainly we would make use of it if it is the only parcel that is available to us. Directly across the street from the landfill is the Manchester Animal Shelter. Stretching beyond the shelter and out towards Straw Road is the second parcel of interest for me and this is one that I have not heard from the Highway Department specifically. They have today a dirt road that comes down off of Straw Road that goes down into an area where they temporarily will store granite pieces and other such items. That is probably the most preferred area because it is not only more scenic but has the opportunity for some shade trees. There is a Black Brook that runs through that area so the governing body could make a decision as to, being those that are making up the rules and will help locate this park within the permitted land, they can decide if they want to have access into the brook or how that might work best for the dog park. There are distinct advantages to these two parcels in that there could be a collaboration that we could make with the Manchester Animal Shelter. I say that because today they really do not have adequate facilities to really exercise the dogs that they would have there on a temporary or a more long-term basis. If we do locate at either of these locations I think there is a partnership that we can make with the Animal Shelter where we can get them some access to the fenced area and they probably would very much encourage either of these locations. Stretching out towards the animal shelter there are also other areas at the landfill that the Highway Department uses and I would like to take a look at the other portions of that particular City-owned parcel with the Highway Department to see where they would steer me on that parcel.

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Mr. Tellier stated while we are here for the benefit of the Committee the parcel highlighted is the animal shelter. The next parcel highlighted here is the landfill. This parcel being highlighted is the City's drop-off facility.

Alderman DeVries responded the third one stretching out towards Straw Road...all of the rest of that parcel is also City-owned.

Mr. Tellier stated this is the one she is referring to on Straw Road.

Alderman DeVries stated I believe that might even be the dirt road that goes down into that that is showing on the map. It currently looks like...if you go down on Straw Road you can see you look down into it and there is a wide open field at the bottom and you will see the pieces of granite that have been stored there. There is great potential on that site. The third parcel that I identified and this is certainly not a complete or conclusive inventory of the lands. It was several months ago that I spent some time looking at the City lands and looking for parcels that I felt would be remote from existing neighborhoods so that there would not be serious noise issues to deal with. The third parcel is down stretching between the Pine Grove Cemetery and the Brown-Mitchell ball field off of West Mitchell Street. The advantage to that particular parcel is...I believe it is a little bit more central to a high-density population so it probably is not considered quite as remote as the landfill is for the City. The difficulty with that particular parcel is that parking today is an extreme issue, which would require additional fundraising in order to grade some sort of a road that would stretch in behind the ball field and to grade out an area that would allow sufficient parking. So there are some pluses and minuses. The good thing is that certainly with the cemetery abutting this property on several sides it does lend to it being remote but still within a very, as you can see on the picture that is up now, it is a very dense neighborhood. This is down off of the Calef Road corridor. It is closer to the inner-city. The request I would make of the Committee at this time is if they could formally contact the different departments to see if there were any issues for future use with either of these three parcels that I have identified and if you could specifically contact Parks & Recreation, Water Works and the Highway Department and ask if they have any suggestions of other parcels several acres in size that they think might satisfy the needs to establish a dog park so that this Committee can identify and look at those more closely.

Alderman Roy asked how many acres are you looking for as a minimum or maximum.

Alderman DeVries answered I don't think we have made an actual determination of minimum or maximum. We feel that two to three acres would be wonderful. It really depends on the parcel, the topography of that particular parcel...what we are

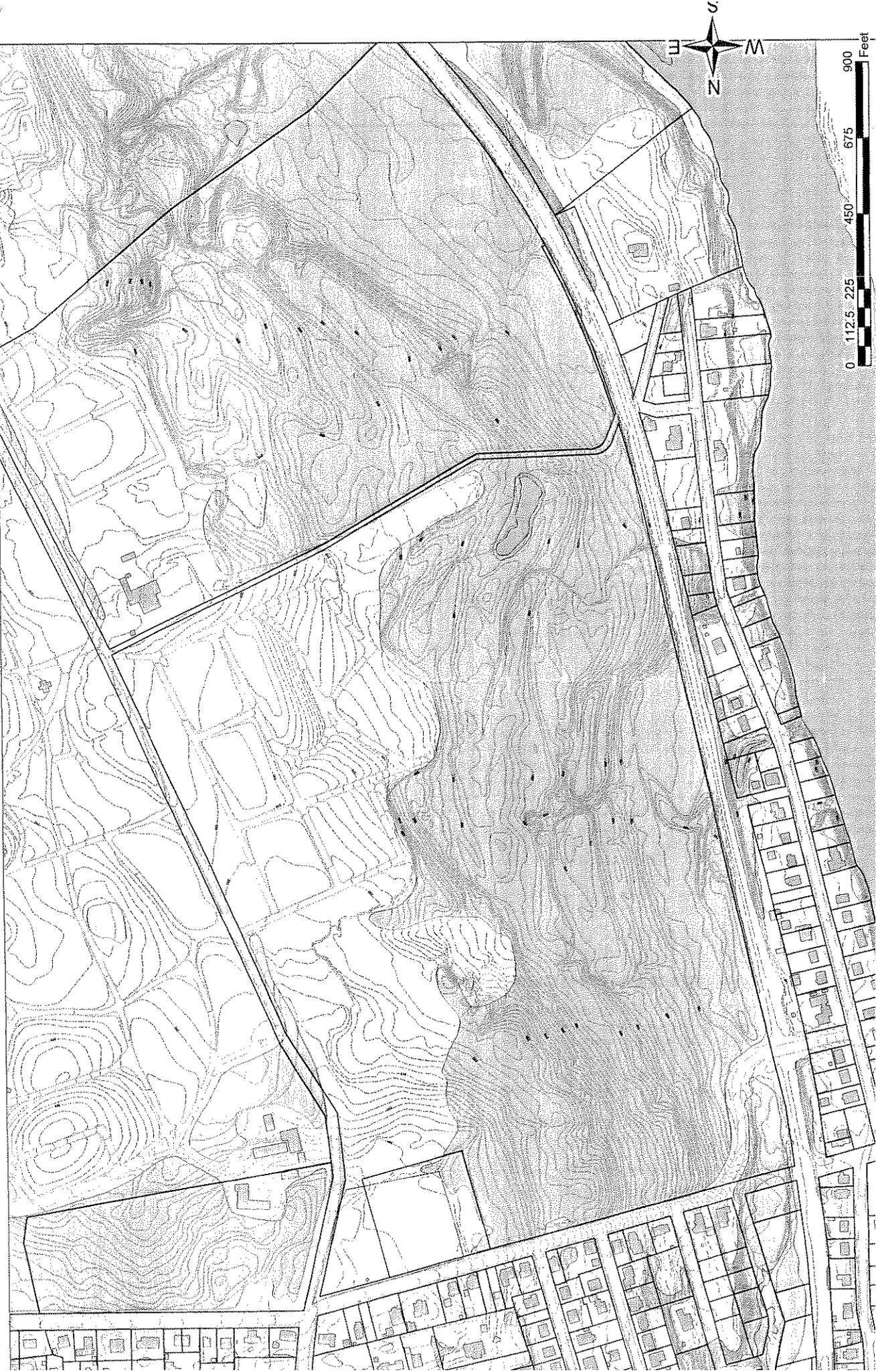
1:25000 - 1:25000 - 1:25000 - 1:25000



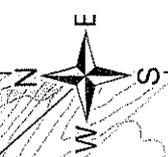
0 100 200 400 600 800 Feet

14

Topography Annual Base A-161 D-1000



716241 - Arroyo - Park - Act - Dec 1965



3

Maples Animal Park and Meadows



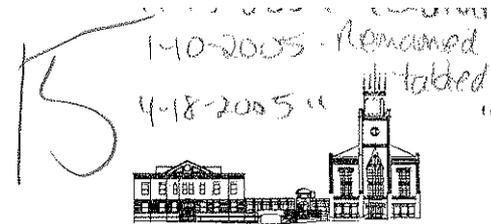


Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

November 8, 2004

Lands and Buildings Committee
City Hall
Manchester, NH 03101

Re: *Blacksmith Shop on Second Street*

Honorable Committee Members:

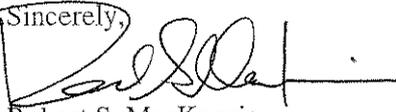
A For Manchester group has been interested in acquiring the Blacksmith Shop on Second Street for preservation. It has requested funding for this acquisition from the SEPP (Supplemental Environmental Protection Program) which is funded from sewer use fees. The acquisition cost would be between \$250,000 and \$300,000.

In my opinion, the property is worth considering for acquisition. It is located on Bass Island, which is in a "Regulatory Floodway", it is a historic building and it is located across from a City park – Bass Island Park. There are, however, three issues which would have to be resolved.

- 1) *Eligibility for SEPP Funding.* One of the main purposes of the SEPP agreement was for land conservation. It should be determined whether this parcel – which contains a building – would be consistent with the SEPP program. The SEPP Committee would make this determination (this committee also includes representatives of the EPA and State DES, the City's two partners in the overall CSO/SEPP agreement)
- 2) *Funding Amount.* The SEPP committee has committed \$100,000 for land protection on Bass Island. The committee in conjunction with the City's EPD would have to determine whether there are adequate funds to cover the cost of acquisition.
- 3) *Ownership entity.* There should be a review of the proper ownership of the property. This would include a determination of an adequate maintenance plan with budget and proper use plan. This would be consistent with the ownership and management of the Hackett Hill preserve which was acquired with SEPP funds.

I am seeking the Board's concurrence with this approach.

Sincerely,


Robert S. MacKenzie
Director of Planning

C: Mayor Robert A. Baines
Thomas Clark, Esq.
Thomas Seigel
Jane Beaulieu

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us

11/15/02-Talbot

15



CITY OF MANCHESTER

Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to
Planning Board
Zoning Board of Adjustment
Heritage Commission
Millyard Design Review Committee

Robert S. MacKenzie, AICP
Director

October 10, 2002

To Whom It May Concern:

This is regarding the application for funding under the LCHIP program for Bass Island. This island rests strategically at the confluence of the Piscataquog and Merrimack Rivers and is significant historically, as a natural resource and as an urban green space within a highly urbanized area.

The island is a historic location from both the time of the native american indians to the urban development of the City. The blacksmith shop is a surprising remnant of a past economy. The island is also located within a regulatory floodway and if returned primarily to a natural state will help prevent downstream flooding. As a green space it expands upon the existing Bass Island Park across the street and provides access to both branches of the Piscataquog River and has relatively short distance to the Merrimack River.

The site is recommended for park expansion in the City's "Riverfront Development Plan completed in 1999 and is recognized in the recently released "Gateway Corridor and Civic Center Area" Plan.

This letter is to provide our department's strong support for the application.

Sincerely,

Robert S. MacKenzie, AICP
Director of Planning & Community Development

Preservation

Not An Option.....A Responsibility.

Civic Engagement: Create full opportunity for citizens, businesses, and communities to participate in and influence the natural resource, environmental and economic decisions that affect them.

Source: President's Council on Sustainable Development

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Bass Island Preservation and Restoration Project

Purpose :

To preserve the land at the mouth of the Piscataquog River, a designated protected river.

Place a conservation easement on the land, create more public greenspace and access to the Merrimack River. Reduce city impervious surface.

To restore the blacksmith shop and create an enterprise that will be self sustaining, such as kayak and bike rentals, service and sales. This enterprise will also work to establish a city park with gardens and trails.

Benefits:

Establish an Historic Landmark. Create a destination and increase tourism. Preserve wildlife habitat by stabilizing the riverbanks.

Catalyst for a Second Street "Landscape Revitalization Program", reducing pollution and eliminating blithe.

Land will enhance and link the Piscataquog River Trail Corridor and the newly developed Baseball Park Project.

Establish community gardens for Families In Transition.

Reduce crime.

Partners: EPA, DES, City of Manchester, FOR MANCHESTER, NH Preservation Alliance, PWA, Red Oak Properties, Families in Transition, National Parks Service

Selling Price:

Blacksmith Shop and Land - \$300,000

James McDowell's - \$700,000

SEPP Funds requested - \$100,00

Other Sources of funding: LCHIP, Land and Water Conservation Fund, Community Development Block Grants, National Parks Service Historic Preservation Fund Grants and Technical Preservation Services, National Trust for Historic Preservation, NH Charitable Foundation, NH Humanities Council

CURRENT OWNER		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
MCDOWELL, JAMES S		1 All Public		1 Paved		1 Urban		Code 3900	
66 MAIN ST		5 Curb & Gutter		6 Sidewalk				Appraised Value 206,875	
ALLENSTOWN, NH 03275-1714		6 Sidewalk						Assessed Value 206,900	
Additional Owners:								2017	
								MANCHESTER, NH	

TOPO		UTILITIES		STRT/ROAD		LOCATION		CURRENT ASSESSMENT	
1 Level		1 All Public		1 Paved		1 Urban		Code 3900	
1 Suitable		5 Curb & Gutter		6 Sidewalk				Appraised Value 206,875	
		6 Sidewalk						Assessed Value 206,900	
								2017	
								MANCHESTER, NH	

ACCOUNT #		SALE DATE		SALE PRICE		V.C.	
13428184				0			
Land Adjust		BK VOLTAGE		OTHER ASSESSMENTS		PREVIOUS ASSESSMENTS (HISTORY)	
NO						Yr. Code Assessed Value Yr. Code Assessed Value	
Voided						2001 3900 206,900 1991 3830	
NO						1991 3830 217,800	
Total SF						800	
87120						Total: 206,900	
Zone						Total: 218,600	
C						Total: 206,875	
Frontage/Dep						Total: 206,900	
No						Total: 218,600	
Parcel Zip						Total: 206,875	
03102-4819						Total: 206,875	

GIS ID:

RECORD OF OWNERSHIP

MCDOWELL, JAMES S

Year	Type/Description	Amount	Code	Number	Amount	Comm. Int.
NOTES						
1 VACANT LAND						
FIREWOOD FOR SALE						
\$160 PER CORD						
Total: 0						
0						
0						
0						
206,875						

APPRaised VALUE SUMMARY

Appraised Bldg. Value (Card) 0

Appraised XF (B) Value (Bldg) 0

Appraised OB (L) Value (Bldg) 0

Appraised Land Value (Bldg) 206,875

Special Land Value

Total Appraised Card Value 206,875

Total Appraised Parcel Value 206,875

Valuation Method: Cost/Market Valuation

Net Total Appraised Parcel Value 206,875

BUILDING PERMIT RECORD		VISIT/CHANGE HISTORY																
Permit ID	Issue Date	Date	Purpose/Result															
		5/2/2000	SW															
		1/11/1991	14 Other															
			60 Meas & Int Insp.															
LAND LINE VALUATION SECTION																		
B#	Use Code	Description	Zone	D	Frontage	Depth	Units	Unit Price	I. Factor	S.I. C. Factor	Nbhd. Adj.	Notes-Adj/Special Pricing	Adj. Unit Price	Land Value				
1	3900	DEVEL LAND					87,120.00	SF	1.90	1.00	1	1.00	631	1.00	SPCL(WF8)Notes:	1.90	206,875	
Total Card Land Units														2.00 AC	Parcel Total Land Area:	2.00 AC	Total Land Value:	206,875

15

CURRENT OWNER		UTILITIES		STRT./ROAD		LOCATION	
ETSCH, CARL H	1 Level	1 All Public	1 Paved	1 Urban			
	1 Suitable	5 Curb & Gutter	6 Sidewalk				
SUPPLEMENTAL DATA Account # 14322464 RAD OR CAD RAD = 590 Land Adjust NO Old LDC Voided NO Sketch Note Total SF 13562 Land Class C Zone 03102-4819 Frontage/Dep No							

RECORD OF OWNERSHIP		BK-VOL/PAGE		SALE DATE		SALE PRICE		V.C.	
ETSCH, CARL H									0

EXEMPTIONS		OTHER ASSESSMENTS	
Type/Description	Amount	Description	Number
Total:			

CURRENT ASSESSMENT		PREVIOUS ASSESSMENTS (HISTORY)	
Description	Code	Yr.	Code
COM LAND	3160	2001	3160
COMMERC.	3160	2001	3160
COMMERC.	3160	2001	3160
Total		Total:	

APPRaised VALUE SUMMARY	
Appraised Bldg. Value (Card)	45,400
Appraised XF (B) Value (Bldg)	600
Appraised OB (L) Value (Bldg)	6,000
Appraised Land Value (Bldg)	63,125
Special Land Value	
Total	125,725

BUILDING PERMIT RECORD		VISIT/CHANGE HISTORY	
Permit ID	Issue Date	Date	Purpose/Result
		2/27/2001	DP 00 Meas & Int Insp.
		5/2/2000	SW 01 Meas/Int Estimate
		1/11/1991	00 Meas & Int Insp.

LAND-LINE VALUATION SECTION		BUILDING PERMIT RECORD		OTHER ASSESSMENTS	
Use Code	Description	Amount	Insp. Date	% Comp.	Date Comp.
3160	COMM WHESE	13,562.00 SF	3.72	1.00	1

LAND-LINE VALUATION SECTION		BUILDING PERMIT RECORD		OTHER ASSESSMENTS	
Use Code	Description	Amount	Insp. Date	% Comp.	Date Comp.
3160	COMM WHESE	13,562.00 SF	3.72	1.00	1
Total Card Land Units		13,562.00 SF			13,562 SF

VISION

15

This signature acknowledges a visit by a Data Collector or Assessor

DBA= BLACKSMITHING
 H.E. NETSCH AND SONS
 WHESE/ STORAGE
 VACANT BLDG
 FOR SALE-GLOBAL COMM.

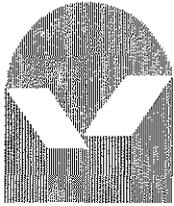
CITY IS PURCHASING PER OWNER

Net Total Appraised Parcel Value

125,725

125,725

15



Meehan Architects, P.A.

140 WEST MERRIMACK STREET, PO BOX 992, MANCHESTER, NH 03105-0992

UNIQUE COMMERCIAL & RESIDENTIAL PROJECTS
MEMBER AMERICAN INSTITUTE OF ARCHITECTS
WEB PAGE: www.meehanarchitects.com
E-MAIL: meehanar@nh.ultranet.com
FAX: 603-668-2739
TEL: 603-668-6802

October 10, 2002

Jane Beaulieu
For Manchester
793 Somerville Street
Manchester, NH 03103

Re: Bass Island Project

Dear Jane,

This letter is intended to document my visual impressions of the Netsch Blacksmithing Building on Bass Island in Manchester, NH.

On Tuesday October 8, 2002 I toured the building both inside and out, viewed your conceptual sketches, and discussed your ideas for the building's future.

The exterior of the building on the Second Street side is in reasonably good condition except that the doors and windows may require replacement or upgrade. The condition of the remainder of the exterior varies, with the wing adjacent to the river needing the most attention.

The main central interior area of the building possesses high ceilings with wood trusses, a slab on grade which appears to be in good shape and probably is salvageable.

The wing to the north possesses a second story office space over a portion of the first floor, high ceilings and large sliding doors at the front and rear walls. This space is also in reasonably good shape.

The rear wing needs some work to improve it's appearance and structural integrity but probably could be salvaged.

The river side wing is in need of total replacement or major reconstruction. The walls are being braced by cables and the slab has a major crack and has moved toward the river.

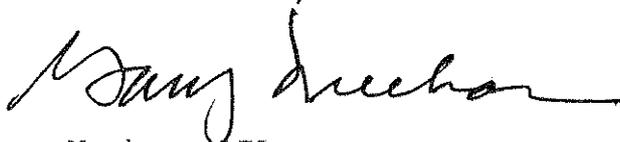
I would recommend that a Structural Engineer be retained to do a closer inspection of the roof, walls and floors.

15

Please call me if you have any further questions regarding this report.

Sincerely,

MEEHAN ARCHITECTS, P.A.

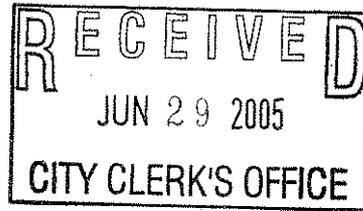
A handwritten signature in black ink, appearing to read "Gary Meehan". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary Meehan, AIA
President

GM/kmf



**Public Service
of New Hampshire**



Public Service Company of New Hampshire
370 Amherst Street,
Nashua, NH 03063
1-800-662-7764

7/19/05 - 16
Tabled

The Northeast Utilities System

Russel D. Johnson
Southern Division Circuit Manager
(603) 882-1387 X5250
(603) 880-1906 FAX

June 27, 2005

The Honorable Board of Mayor and Aldermen
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Honorable Members of the Board:

Representatives from PSNH recently met with Chuck DePrima, Manchester Parks and Recreation, to discuss obtaining permission to place a padmount transformer within the confines of Veterans Park. An increase in power requirements for the downtown area, e.g. the rehabilitation of 795 Elm Street, requires that we add to our available capacity.

The plan, which we discussed with Chuck, would involve the installation of an above ground padmount transformer within the gates of the park located along the back wall of the Visitors Center on the corner of Merrimack and Hanover Sts. The area occupied by the padmount transformer and cement slab would amount to 8 ft by 8 ft and would be situated approximately 5 feet from the back of the building (approximate location shown on enclosed plan). However, the precise location of the pad and the path and orientation of conduits may be dictated by other underground utilities located in the area.

The plan to install the padmount within the confines of the park is an alternative to an earlier proposal, discussed with Peter Capano, Manchester Highway, to install an additional 'network' transformer. This transformer, which would be added to the downtown 'network system' would be installed in a manhole in the sidewalk adjacent to the park on Merrimack Street. We would then trench to the existing manhole (#49) located on Merrimack Street (between Elm and Chestnut).

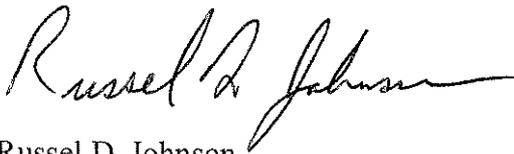
There are several advantages to the padmount transformer option. It reduces loading on the downtown network system supplied by our Brook Street substation, thereby reserving capacity for future development of existing buildings served by the network. This option eliminates the need for the significant excavation associated with the installation of an 8 ft by 17 ft network vault in the sidewalk along the south side of Merrimack Street. Therefore, the corresponding

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access panels and grating in the sidewalk required to provide access and cooling for the network transformer would no longer be needed.

In addition, this option completes the first step of a PSNH project to create an alternate feed from the switchgear located near the Manchester Police Department to the switchgear located on the southerly side of Veteran's Park. The completion of this alternate feed will provide the ability to backfeed the Manchester Police Department, the GSA building, and this proposed transformer.

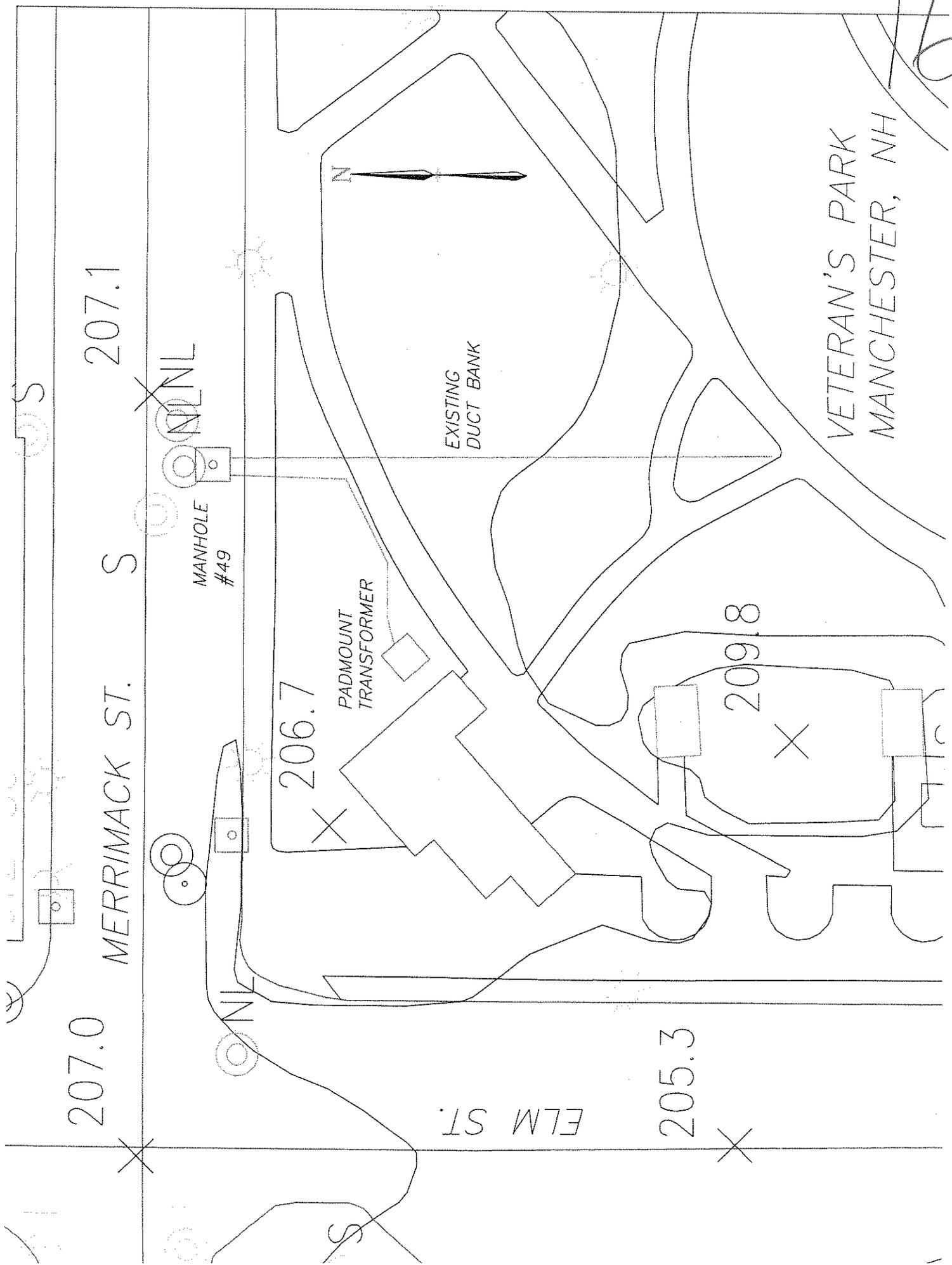
Please contact me with any questions or comments regarding this request.

Sincerely,



Russel D. Johnson
Southern Division Circuit Manager

cc: Robert T. Hybsch
George W. Kellermann
Peter Capano, City of Manchester
Chuck DePrima, City of Manchester



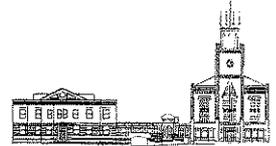
VETERAN'S PARK
MANCHESTER, NH

10



CITY OF MANCHESTER

Office of the City Clerk



Leo R. Bernier
City Clerk

Carol A. Johnson
Deputy City Clerk

Paula L-Kang
Deputy Clerk
Administrative Services

Matthew Normand
Deputy Clerk
Licensing & Facilities

Patricia Piecuch
Deputy Clerk
Financial Administration

July 20, 2005

Mr. Gerald W. Hebert, Sr.
1175 Page Street
Manchester, NH 03104

Dear Mr. Hebert,

At their meeting last evening, the Committee on Lands and Buildings discussed the request you submitted to purchase Lots 246-3, 6 and 7 currently owned by the City.

Following the discussion, the Committee tabled the request pending additional information from the Planning and Assessing Departments with their input as to what could be built on these adjoining lots, as well as what zoning would allow in the area.

This request will be visited again at the Committee's next meeting. Please contact Paula Leblond-Kang in the City Clerk's office for the date and time of the Committee's August meeting.

In the event you have any questions regarding this letter, please do not hesitate to contact me.

Sincerely,

Leo R. Bernier
City Clerk

Copy: Robert MacKenzie, Planning Department
David Beauchesne, Planning Department
Steve Tellier, Board of Assessors

H 624-1844
C 533-0220
O 668-1871

Gerald and Muriel Hebert
1175 Page Street
Manchester, NH 03104

17

July 17, 2005

City of Manchester, NH
Committee on Land and Buildings
C/o City Clerk's office
1 City Hall Plaza
Manchester, NH 03101

Dear Mr. Chairman,

I am writing regarding a parcel of property located on Page Street in Manchester. located between London Street and Bridge Street, a vacated parcel which belongs to the city, Lots 3, 6 and 7, which abuts our lot: 0246-0002.

We have resided here for thirty years and we would like to acquire this parcel, as in the near future we hope to build a retirement home on our lot, 0246-0002, but we lack 25 feet of frontage to build.

As you know, this is not desirable property, it is located at the bottom of the hill and there is always water running through the property all year long. The Highway Department has to come often, to open the trench for the water to run through, as it builds up ice, water etc., on the street.

There is approximately 30 feet of dry land between the road and the build up of water in the designated water shed area. We feel that for this reason, the property would be of no use to anyone else. However, it would give us the extra 25 ft frontage required to build.

We don't know if this is acceptable or financially feasible for us to acquire. We are in a position to offer \$5,000. Please advise, we appreciate sincerely your time and consideration.

Yours truly,


Gerald W. Hebert, Sr.

cc/Mary Sysyn, alderman



**City of Manchester
Office of the Tax Collector**

City Hall
One City Hall Plaza - West
Manchester, New Hampshire 03101 Joan A. Porter
(603) 624-6575 (Phone) Tax Collector
(603) 628-6162 (Fax)

Memorandum

DATE: JULY 18, 2005
TO: LAND & BUILDINGS COMMITTEE
FROM: JOAN A PORTER, TAX COLLECTOR
RE: LAND AT PAGE/MICHIGAN AVE

On December 17, 2003 the City of Manchester conducted an auction (for the second time) in an attempt to sell the three parcels located at Map 246 Lots 3, 6 and 7. The minimum bid was set at \$60,000. There was a final bid of \$57,000. However, a wetlands engineer surveyed the property and determined that one could not build on this lot due to the extent of the wetlands. As such, the highest bidder withdrew. The second bidder was contacted and likewise was not interested based on the engineer's report.

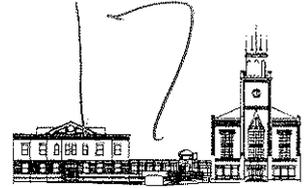
This was brought to the attention of the BMA on January 14, 2004 and it was voted to refer the matter to the Land & Buildings Committee for further review and report. No action has been taken since that time.



Robert S. MacKenzie, AICP
Director

CITY OF MANCHESTER
Planning and Community Development

Planning
Community Improvement Program
Growth Management



Staff to:
Planning Board
Heritage Commission
Millyard Design Review Committee

July 18, 2005

Lands & Buildings Committee
Honorable Board of Mayor and Aldermen
City Hall
One City Hall Plaza
Manchester, New Hampshire 03101

re: Sale of Property off Page Street

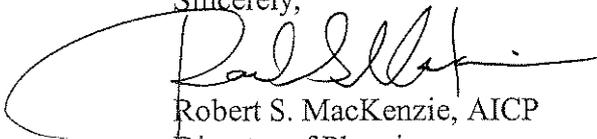
Honorable Committee Members:

This is in regard to the City owned land off Page Street. We have previously recommended that this property be deemed surplus and sold. It is my understanding that the property has not sold at auction. This is likely due to the significant amount of wetland on the site that does make it well suited for an individual building lot.

I am aware that an abutter has expressed an interest in purchasing this property and combining it with a small abutting vacant lot to make a suitable building site. Given the difficulty in developing the site as is, selling the property to the abutter would be an appropriate means of disposing of the property.

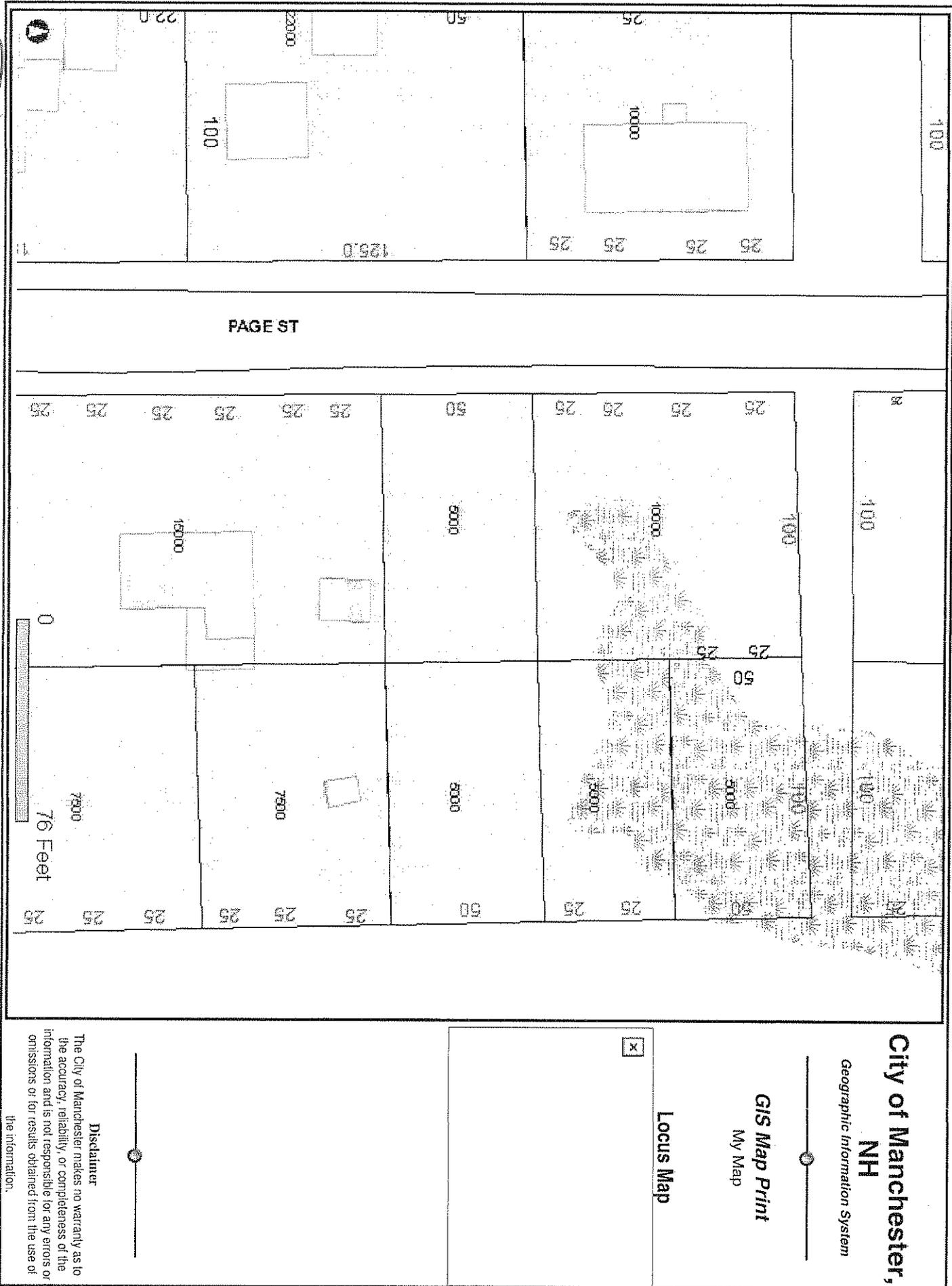
If you have any questions, I will be available at your next meeting.

Sincerely,



Robert S. MacKenzie, AICP
Director of Planning

One City Hall Plaza, Manchester, New Hampshire 03101
Phone: (603) 624-6450 FAX: (603) 624-6529
E-mail: planning@ci.manchester.nh.us
www.ci.manchester.nh.us



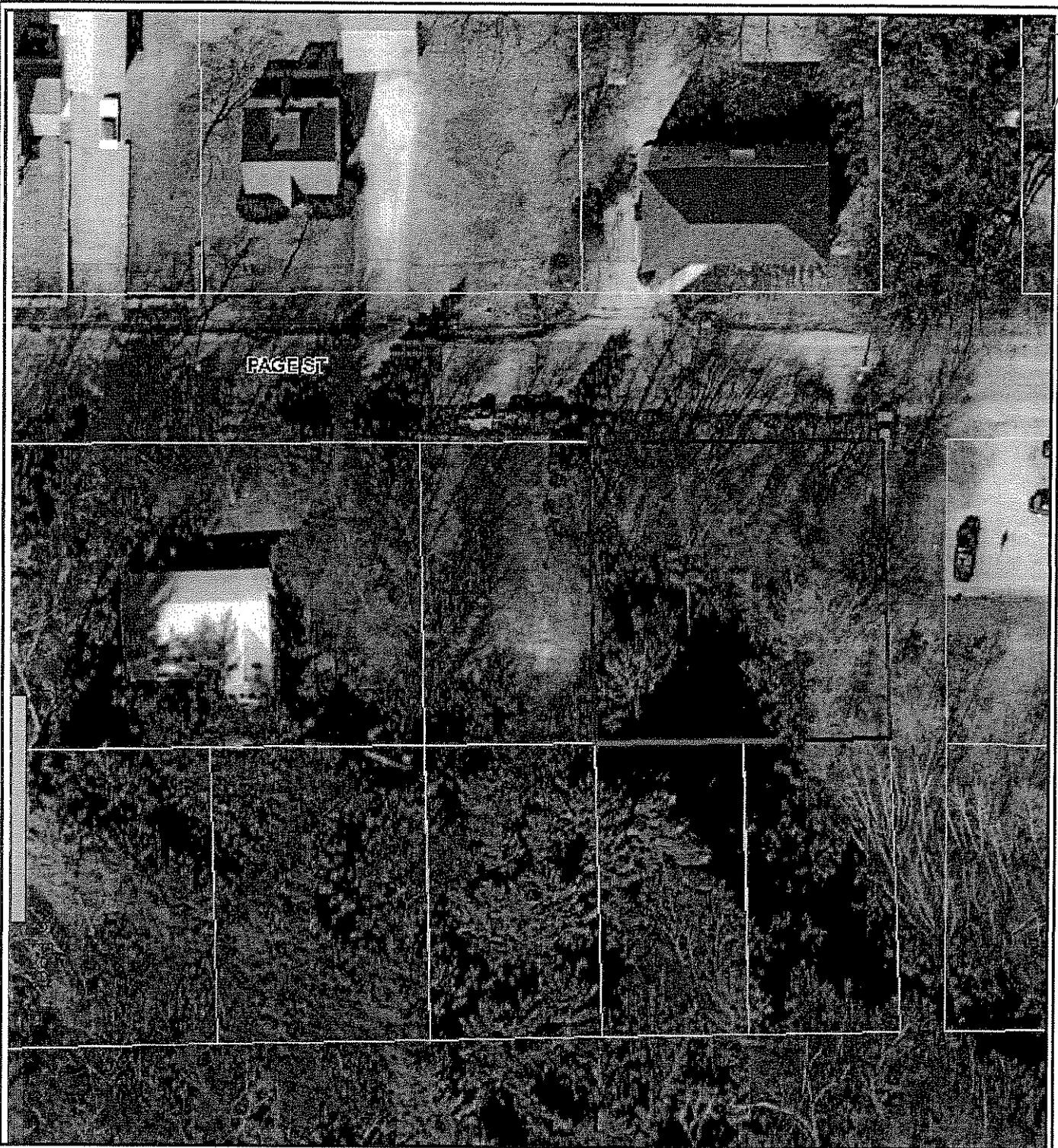
**City of Manchester,
NH**

Geographic Information System

GIS Map Print
My Map

Locus Map

Disclaimer
The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.



**City of Manchester,
NH**

Geographic Information System

*GIS Map Print
My Map*

Locus Map



Disclaimer
The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.



Mr. Tellier stated what I have up on the screen before you is an aerial view. I will proceed to clear it up. Myself and staff inspected the site several days ago as well as on a preceding location. The letter is pretty self-explanatory. There was a minimum bid previously on that site for \$57,000 but the bidder brought in a wetlands engineer and it was determined that the site was much too wet and did not have a dry enough area to provide an adequate building envelope for improvement. If you will give me a minute I will try to get you a better picture to show you the extent of the wetlands. As you can see that center green area...I don't have a laser pointer but there is a significant amount of wetlands on that site. The only thing that might, as I indicated in my letter, if someone were to petition for quiet title to acquire the additional 25 feet on the discontinued portion they may or may not have an adequate building envelope for improvement. I seriously doubt it at this point because of the extent of the wetlands involved. At that point we revised the value. Its primary use would be residual land for either the abutters or possibly the site across the street or kiddie corner as parking or just to meet setback requirements. The building to its east, I believe, is a set of condos. They may wish to acquire it. At the top of the picture you can see a large building. That is a set of four condos. They did petition to quiet title. That site does own 25 feet. Where you see the parking lot it appears to approach a little bit over on to the discontinued road but they did petition for quiet title some time ago and they do own half that street. With that being the case we would revise the value to \$7,500 to \$10,000. My recommendation at this point would be to notify abutters and just go to auction.

Alderman Porter moved to declare the property surplus and move it to public auction.

Alderman Roy asked Steve the process to quiet title, if it was done for this unit here will take care of the other 25' parcel.

Mr. Tellier responded Tom would probably be most appropriate to answer that.

Deputy Solicitor Arnold replied it might have but I would tend to doubt it. I would think that when the condo association applied to quiet title they only applied for their half of the road would be my guess but without seeing the documentation I couldn't be definite.

Alderman Roy asked what would the cost to the City be to quiet title on the rest of the remaining land abutting City property.

Deputy Solicitor Arnold answered it would probably be a pretty minimal filing fee. Our office could probably handle it, however, I question whether it would be necessary at this point. If the other side of this street did a quiet title then that

City of Manchester, NH

Geographic Information System

GIS Map 246

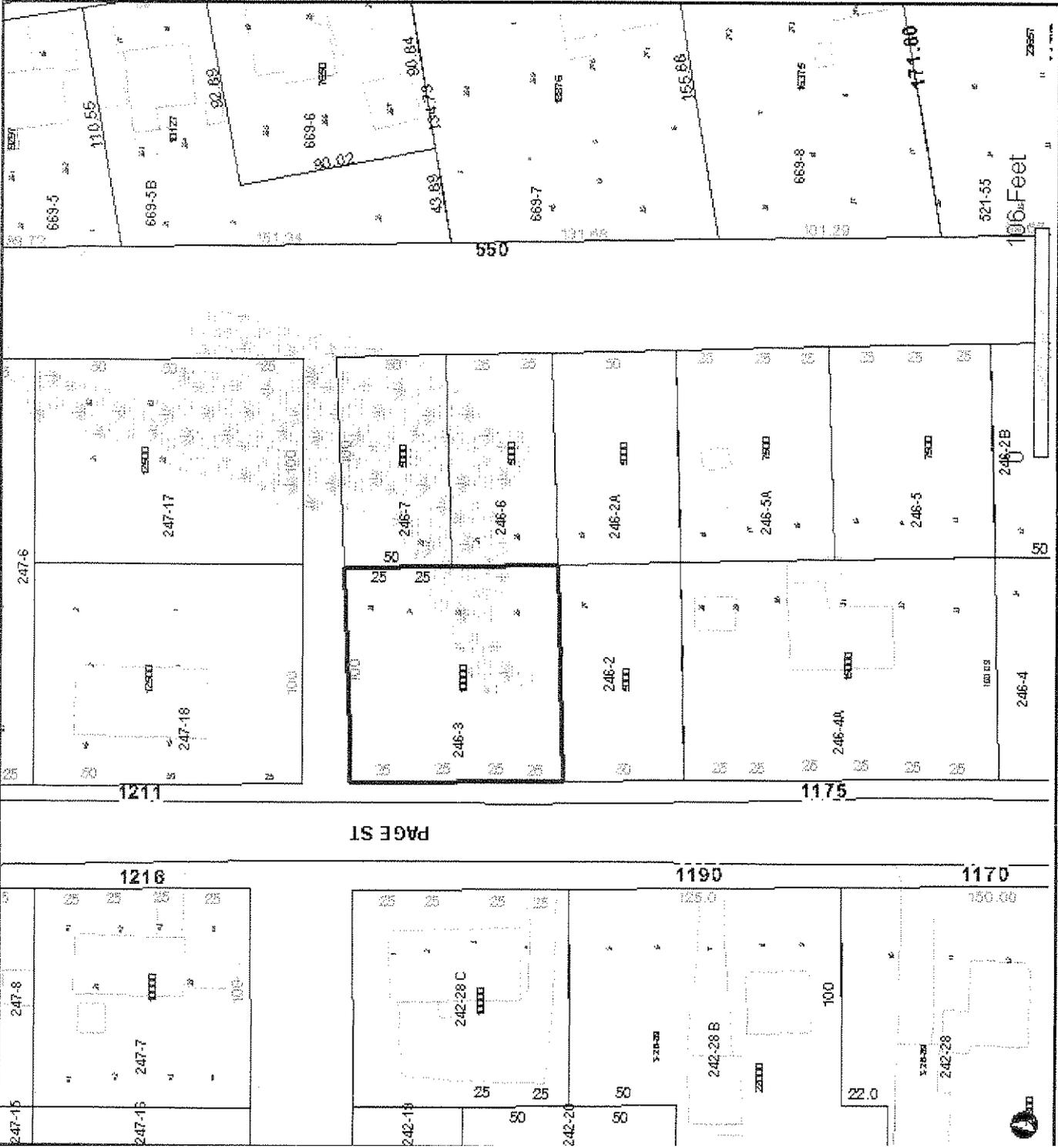
My Map

Subject Property Data

Last Updated Feb 25, 2005
 GIS_ID 246-3
 ParcelID 246-3
 Owner CITY OF MANCHESTER TAX COLLECTOR
 Location PAGE ST
 Account # 3437548
 Co-Owner
 Owner Addr. 908 ELM ST
 Owner City MANCHESTER, NH 03101
 Total Land Area 0.2285684
 Land Value 9000
 Building Value 0
 Total Value 9000
 Land Use NON TAX C

Disclaimer

The City of Manchester makes no warranty as to the accuracy, reliability, or completeness of the information and is not responsible for any errors or omissions or for results obtained from the use of the information.

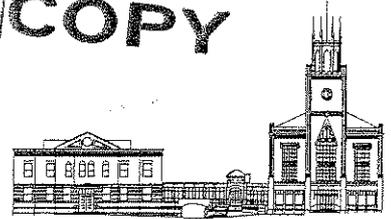




CITY OF MANCHESTER Board of Assessors

One City Hall Plaza, West Wing
Manchester, New Hampshire 03101
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E-Mail: assessors@ci.manchester.nh.us
Website: www.ci.manchester.nh.us

 **COPY**



Steven G. Tellier, Chairman
Paul W. Porter, Jr.
Thomas C. Nichols

Lee Ann Provencher
Assistant to Assessors

To: City Clerk
From: Board of Assessors
Date: July 19, 2005
Re: Surplus Property
Map 246 Lot(s) 3, 6 & 7
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St. A recent bidder discovered after hiring a wetlands engineer, that due to an inordinate amount of wetlands on site that the parcel is unable to be developed under present conditions. There is evidence of wetland area attributable to all three contiguous parcels. Potential value may increase with the addition of the discontinued portion of the abutting paper street. However, at present the most appropriate use appears to nearby abutters.

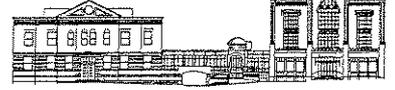
After review of the factors surrounding this site, it is the opinion of our Board that the sites present use would be residual land for ancillary building or to meet setback or parking needs and should be valued accordingly.

After analyzing similar unimproved land sales and taking into account the significant wetlands, a value in the range of \$7,500 - \$10,000 would be appropriate.



CITY OF MANCHESTER Board of Assessors

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Steven G. Tellier, Chairman
Paul W. Porter, Jr.
Thomas C. Nichols

Lee Ann Provencher
Assistant to Assessors

To: City Clerk
From: Board of Assessors
Date: May 24, 2004
Re: Surplus Property
Map 246 Lot(s) 3, 6 & 7
L/O located page St

Pursuant to a request from the Office of the City Clerk, the potential value range for the subject property is listed below. Please note that lot #3 has road frontage on Page St and, although there appears to be some wetland area attributable to all three sites, with the addition of the discontinued portion of the abutting paper street, the lot may be able to be improved upon.

After analyzing similar unimproved land sales, the previous value of \$60,000 would be appropriate.