



THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION



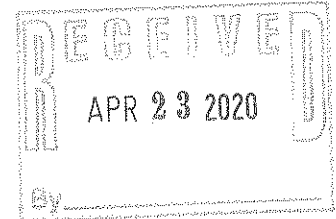
Victoria F. Sheehan  
Commissioner

William Cass, P.E.  
Assistant Commissioner  
(W-4654-3)

April 17, 2020

Diane Ricciardelli, Town Administrator  
Town of Warner  
PO Box 265  
Warner NH 03278

Re: **Sale of State Owned Property in Warner  
Warner I-89-1(49)14, P-5309D, Parcel 3**



Dear Ms. Ricciardelli:

I am writing today in response to your March 9, 2020 letter with some questions concerning the 1.8 +/- ac portion of the Interstate 89 Limited Access Right of Way as well as the adjacent 9 +/- Ac parcel of State owned land located outside the Interstate 89 Limited Access Right of Way that the Town of Warner is interested in acquiring from the State of New Hampshire

First, you requested that the Town be allowed to substitute the use of Bekaert Hinge Joint Field Fence 10-47-6 fencing instead of chain link fence along the new right of way line. The Department has reviewed this request and will allow the use of the Bekaert Hinge Joint Field Fence 10-47-6. This fencing will be installed at the Town's expense and maintained by the Town once installed.

Concerning the 9 Ac parcel, the sale of this parcel to the Town of Warner was approved by the Governor and Executive Council on September 27, 2017. The Federal Highway Administration (FHWA) has requested that we wait and dispose of both parcel (being the 9 +/- Ac and the 1.8 +/- Ac parcels) at the same time.

The approved value for the 9 +/- Ac parcel was \$7,100.00 which includes the \$1,100.00 Administrative Fee. The original appraised value of the 9 +/- Ac value was \$12,000 which was reviewed and adjusted to the approved value of \$6,000. The value of \$7,100.00 which includes the Administrative Fee was approved and is all set.

Concerning the lots being merged together prior to the sale, this would be at the discretion of the Town. As noted, FHWA has requested that the two (2) parcel be sold at the same time, but not that they be merged prior to the sale. The Department's plan was to treat them as two (2) separate sales, which may be the easier at this point especially since one (1) sale has already been approved by the Governor and Executive Council.

Conditions of this sale of the 1.8 +/- ac parcel are as follows:

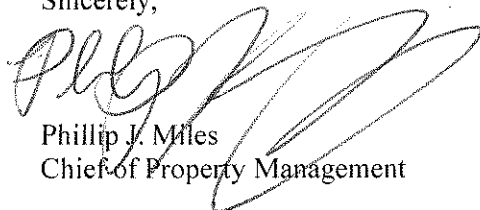
- o No access will be allowed to Interstate 89 from this parcel
- o The purchaser of this parcel would at their expense have a right of way adjustment plan prepared by a Licensed Land Surveyor describing the parcel being sold, and record this plan at the Merrimack County Registry of Deeds. The Department will use this plan to prepare deeds for the sale of this parcel.

- The purchaser of this parcel will, at their expense, erect a four (4) foot Bekaert Hinge Joint Field Fence 10-47-6. around the new right of way limits to be established as well as install concrete bounds at boundary corners, both in accordance with State specifications.
- Before any subsurface disturbance is done on the property, the perspective buyer shall conduct at their expense, a Phase 1A archeological investigation of the property to be done following the guidelines specified by the State archeologist at the New Hampshire Division of Historic Resources (NHDHR) and using an archeologist qualified under 36 CFR Part 61. The archeological investigation may require several phases, as deemed appropriate by NHDHR. A report of findings must be provided to NHDHR. NHDHR will review the results of the archeological investigation and concur with site recommendations.
- Prior to any excavation on the site, the Town of Warner shall complete a Phase 1A investigation to identify areas of obvious disturbance and archaeological sensitivity.
- Prior to any construction of a recreational trail or development of the site, the Town of Warner shall coordinate with NH Fish & Game Nongame and Endangered Wildlife Program.
- At this area is a portion of the Interstate 89 Limited Access Right of Way, statewide analytical data collected by NHDOT, as well as nationwide information, indicates that roadside soils commonly contain metals and Polycyclic Aromatic Hydrocarbons (PAHs) at concentrations above background conditions. These "Limited Reuse Soils" (LRS) when excavated shall be addressed in accordance with applicable NHDES rules.

If the Town is satisfied with the explanation above and wishes to proceed with the sale of this parcel with the stated conditions is acceptable to the Town of Warner, please send me a letter stating the Town's interest in the property. Upon receiving your response, I will prepare a submission to the Long Range Capital Planning and Utilization Committee requesting authorization for the sale of this 1.8+/- acre parcel to the Town of Warner for the amount of \$3,600.00 which will also include an Administrative Fee of \$1,100.00. But, I must also caution you to the fact that this Committee has the authority to change this value if they deem necessary.

I request that you please contact me within thirty (30) days concerning your interest in this parcel.

Sincerely,



Phillip J. Miles  
Chief of Property Management

PJM/jl  
Enclosure

cc: Adam Smith, Assistant Administrator

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