

85 JAR



# New Hampshire Fish and Game Department

HEADQUARTERS: 11 Hazen Drive, Concord, NH 03301-6500  
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February 21, 2020

His Excellency, Governor Christopher T. Sununu  
And the Honorable Council  
State House  
Concord, New Hampshire 03301

## REQUESTED ACTION

Authorize the New Hampshire Fish and Game Department to accept the donation of approximately 0.50 acres in the Town of Newmarket, New Hampshire, from Edward and Eriko Antos, upon Governor and Council approval through March 31, 2020, pursuant to RSA 4:8.

## EXPLANATION

Edward and Eriko Antos own approximately 0.50 acres, identified as Lot 27 on the attached plan, which is adjacent to 4.5 acres owned by the NH Fish and Game Department as part of the Great Bay National Estuarine Research Reserve. Combined these properties protect approximately 1,600 ft. of shoreline along Great Bay.

Adjacent to the Antos parcel are four newly developed house lots as shown on the attached map. The Antos' primary residence is Lot 8, in addition to owning the undeveloped Lot 27. Mr. and Mrs. Antos have a desire to protect Lot 27 from development and wish to donate the parcel to the Department. Accepting Lot 27 as a donation has several advantages. It would create an additional buffer to Great Bay, add on to existing Department lands in the area, and the value of the land could be used as match to support land acquisitions with federal funds elsewhere. This property would be a welcome addition to the Great Bay NERR and increase the protected lands on Bayview Drive to approximately 5.0 acres.

Respectfully submitted,

Glenn Normandeau  
Executive Director

Kathy Ann LaBonte  
Chief, Business Division

### **REGION 1**

629B Main Street  
Lancaster, NH 03584-3612  
(603) 788-3164  
FAX (603) 788-4823  
email: reg1@wildlife.nh.gov

### **REGION 2**

PO Box 417  
New Hampton, NH 03256  
(603) 744-5470  
FAX (603) 744-6302  
email: reg2@wildlife.nh.gov

### **REGION 3**

225 Main Street  
Durham, NH 03824-4732  
(603) 868-1095  
FAX (603) 868-3305  
email: reg3@wildlife.nh.gov

### **REGION 4**

15 Ash Brook Court  
Keene, NH 03431  
(603) 352-9669  
FAX (603) 352-8798  
email: reg4@wildlife.nh.gov

# STATE OF NEW HAMPSHIRE

Inter-Department Communication

**DATE** February 19, 2020

**FROM:** Christopher G. Aslin  
Senior Assistant Attorney General

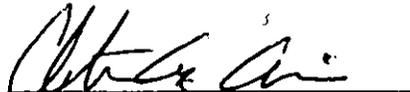
**AT (OFFICE)** Department of Justice  
Environmental Protection Bureau

**SUBJECT:** Antos Acquisition, Newmarket

**TO:** Elizabeth McNaughten, Land Agent  
New Hampshire Fish and Game Department

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The Office of the Attorney General has reviewed the Warranty Deed, for the property located in the Town of Newmarket, New Hampshire owned by Ed and Eriko Antos. The Warranty Deed is approved for form and substance only. Following Governor and Council approval, please submit the fully executed Warranty Deed to this Office for approval of execution prior to recordation in the Registry of Deeds.

  
\_\_\_\_\_  
Christopher G. Aslin

Joanne Ouellette, Windham, NH -	\$ 35.00
Harold Wyman, Keene, NH -	\$100.00
Charles & Constance McDonald, Taunton, MA -	<u>\$100.00</u>
	Total: \$235.00

2f.) The Commission accepted the following donations in memory of Laurence "Larry" Bean, Sanbornton, NH, to be utilized by the Hunter Education Program:

Florence Atherton, Tilton, NH -	\$ 50.00
Elektrisola, Boscawen, NH -	<u>\$150.00</u>
	Total: \$200.00

2g.) The Commission accepted a donation in the amount of \$340.00 from Nelson & Barbara Fontain, Groveton, NH, in memory of Luke Fontain of Groveton, NH, to be utilized by the "Let's Go Fishing Program."

2h.) The Commission accepted a donation in the amount of \$500.00 from Charles Lockwood, Chestnut Hill, MA, in memory of John Lanier, to be deposited into the Small Gifts & Donations Account.

2i.) The Commission accepted a donation in the amount of \$25.00 from Mark & Theresa Grover, Marlborough, NH, in memory of Wayne Palmer, to be deposited into the Small Gifts & Donations Account.

2j.) The Commission accepted a donation in the amount of \$5,483.00 from a variety of donors, in memory of retired District Five Lieutenant, Scott F. LaCrosse, who passed away suddenly on April 2, 2019.

3.) Commissioner Patch moved to accept the donation of .48 acres of land off Bayview Drive, Newmarket, NH, from Edward and Eriko Antos, with a tax assessment value of \$179,400 and Commissioner Green seconded. The vote was unanimous in the affirmative.

4.) Commissioner Green moved to initiate the rulemaking process for rules regarding the sale & use of bait in coastal and estuarine waters and Commissioner Patch seconded. The vote was unanimous in the affirmative.

**INFORMATION ITEMS:**

1.) Kathy LaBonte, Chief, Business Division, reviewed 2 financial statements dated April 30, 2019 & May 31, 2019.

2.) Paul Sanderson, Legal Coordinator, advised the Commission of a recent coyote rule-making petition from the Voices of Wildlife, and described commission responsibilities relative to the petition. The petition requests that the Department establish rules requiring coyote hunters to submit an annual mandatory report, summarizing certain information regarding all coyotes taken while hunting.

Much discussion ensued.

## NEW HAMPSHIRE FISH AND GAME DEPARTMENT

### JUNE 12, 2019 COMMISSION MEETING

Meeting Location: NH Fish & Game Department, 11 Hazen Drive, Concord, NH 03301.

Commissioners Present: R. Phillipson, T. Baldwin, P. McInnis, D. Patch, R. Green, B. Carr, B. Temple  
C. Luppi, M. Lachance, C. Hodgdon & E. Stohl.

Commissioners absent/excused:

Executive Director Normandeau – Present

Chairman Phillipson called the meeting to order at 1:02 p.m., and asked the audience to join in the pledge of allegiance. He informed the audience that the public is entitled to attend all Commission meetings and when recognized by the chairman, the public may speak on any item on the agenda. The Chair reserves the right to limit comment to the extent necessary for the orderly conduct of the meeting.

Chairman Phillipson introduced and welcomed Marc Lachance, newly appointed Belknap County Commissioner.

#### **ACTION ITEMS:**

- 1.) Commissioner Stohl moved to approve the April 18, 2019 Commission Minutes and Commissioner Carr seconded. The vote was unanimous in the affirmative.
- 2.) Consent Agenda - The following items were grouped together and were noticed as consent agenda items to expedite action on routine matters, which may not require public discussion. The Commission voted to approve these matters as presented. Commission members may remove certain items if further public input or discussion is deemed necessary.

Commissioner McInnis moved to approve the consent agenda items 2a.-2j., as presented below, and Commissioner Hodgdon seconded. The vote was unanimous in the affirmative.

- 2a.) The Commission accepted a donation in the amount of \$1,569.00 from the Great Bay Stewards, to support the Great Bay National Estuarine Research Reserve.
- 2b.) The Commission accepted a donation in the amount of \$10.00 from the Minor League Bass Masters, as they overpaid for 3 fishing tournaments and wished to donate the remainder.
- 2c.) The Commission accepted a donation in the amount of \$1,000 from Edwin & Jane Willett, Manchester, NH, for assistance provided to Randy Willette while hiking in the Pemigewasset Wilderness in Franconia, NH, to be deposited into the Search & Rescue Account.
- 2d.) The Commission accepted a donation in the amount of \$50.00 from Tyler Hurlbert, West Hartford, CT, for assistance provided to himself and a friend when they got off trail in the Ammonoosuc Ravine, to be deposited into the Search & Rescue Account.
- 2e.) The Commission accepted the following donations made to the Small Gifts & Donations Account:

The within conveyance is a transfer to the State of New Hampshire and pursuant to RSA 78-b:2(1) it is exempt from the New Hampshire real estate transfer tax. This transfer is also exempt from the LCHIP surcharge pursuant to the New Hampshire RSA 478:17-g, II(a).

**WARRANTY DEED**  
**By Donation**

KNOW ALL PERSONS BY THESE PRESENTS, Ed and Eriko Antos, also know of record as Edward S. Antos and Eriko O. Antos, husband and wife of 1 Bayview Drive, Town of Newmarket, County of Rockingham, State of New Hampshire 03857 (the "Grantor"), for consideration paid, grants to THE STATE OF NEW HAMPSHIRE acting by and through its FISH AND GAME DEPARTMENT, with an address of 11 Hazen Drive, Concord, County of Merrimack, State of New Hampshire 03301 (the "NHFG"), the following:

A certain lot or parcel of land with the buildings thereon situated in Newmarket, County of Rockingham, state of New Hampshire known as Lot 27 on a Plan of Land for Boggy's Properties, LLC and Zapper Properties, LLC and AMB Custom Structures and Design, Inc., dated July 26, 2006 and prepared by Doucet Surveyors and recorded in the Rockingham Country Registry of Deeds at Plan D-34616, said lot consisting of 21,311 ft.<sup>2</sup> (0.49ac), more or less, and described as follows:

Beginning at the Northeasterly corner of the lot herein conveyed, as shown on the Plan referenced herein, and at the Northwesterly corner of land currently owned by Joslin Chidester Trust, and running S 06° 50' East along said Chidester land 102.4 feet to a point in the Northerly sideline of land currently owned by Brian J. and Romy McGlasson;

thence running S 75° 72' W along said McGlasson land 49.6 feet;

thence running S 20° 36' E along said McGlasson land 101.7 feet to the Northerly side of Bay View Road as shown on said Plan;

thence running S 74° 45' W along said Bay View Road 72.5 feet;

thence turning on an arc to the right with a radius of 20 feet and running along said Bay View Road 33.1 feet;

thence continuing N 10° 22' W along said Bay View Drive 151.4 feet;

thence turning on an arc to the right with a radius of 30 feet and running 44.1 feet;

thence running N 73° 48' E along said Lookout Place 105.3 feet to the point of beginning.

Also conveying the right reserved to John F. Conway to obtain water from the well serving said premises, which is located upon the Northerly side off Bay Road, so-called, and which is now or formerly owned by Nicholas Zuk, the rights therein reserved and hereby conveyed being the right to use said well for the period beginning May 1 and ending October 15 of each year, paying therefore a pro-rata share of the charge for electricity for the pump in said well and for any charge for repair and maintenance of said water supply, not including however, the repair and maintenance of the well house.

Reference is also made to a plan known as "Land of Southeastern Investment Corporation, off Bay Road, Newmarket and Durham, New Hampshire, June 1963" by Everett L. Bean, Surveyor, duly recorded in Rockingham County Registry of Deeds at D-14249. The description hereinabove set forth is a composite of Lot No. 16, and Lot No. 15, as shown on the Southeastern Investment Corporation plan.

Meaning and intending to convey all and the same property conveyed to Ed and Eriko Antos by Warranty Deed of AMB Custom Structures and Design, Inc., dated June 8, 2018, and recorded in the Rockingham Country Registry of Deeds at Book 5920, Page 1559.

Being a portion of the property conveyed to AMB Custom Structures and Design, Inc., by Rosemary M. Jaran, by deed dated June 7, 2002, and recorded in the Rockingham County Registry of Deeds at Book 3782, Page 2604; and further described as Parcel 1 in a deed to Robert M. Jaran and Rosemary M. Jaran by Walter Olszanowski and Stephanie Olszanowski dated September 29, 1974 and recorded in the Rockingham County Registry of Deeds at Book 2228, Page 0707.

This conveyance is made subject to the following reserved rights, which are for the benefit of the Grantor, exclusively, and are not transferable:

Retained right to mow and maintain Lot 27 by mowing in late August, and again in late September. This retained right will expire upon the sale of Lot 8, the Grantor's primary residence referenced above as 1 Bayview Drive, Newmarket NH 03857.

The Grantor further reserves the right to enforce certain activities which shall be prohibited on the property such as the placement or construction of new structures, including a developed parking area, lighting, signs or kiosks.

Reference is hereby made to a Release of Road Maintenance Agreement recorded on this day at Book \_\_\_\_\_ Page \_\_\_\_\_. Said Roadway Maintenance Agreement is described in the Warranty Deed from AMB Custom Structures and Design, Inc. to Ed and Eriko Antos at Book 5920, Page 1559.

Reference is further made to a right of first refusal to AMB Custom Structures and Design, Inc., in the event that grantees or their heirs or related entities decide to sell the real estate conveyed herein. The right of first refusal will be signed by the parties hereto and recorded separately in the Rockingham County Registry of Deeds.

This is raw land and not a homestead property.

SELLER:

\_\_\_\_\_  
Ed Antos, a.k.a. Edward J. Antos

\_\_\_\_\_  
Eriko Antos, a.k.a. Eriko O. Antos

STATE OF \_\_\_\_\_  
COUNTY OF \_\_\_\_\_

I, hereby certify that Ed and Eriko Antos, personally appeared before me on this \_\_\_\_ day of \_\_\_\_\_, 2020, (known to me or satisfactorily proven) to be the person described in the foregoing instrument and acknowledged that she executed the same in the capacity therein stated and for the purpose therein contained.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My Commission Expires:

ACCEPTED: STATE OF NEW HAMPSHIRE, FISH & GAME DEPARTMENT

The State of New Hampshire, acting through its Fish and Game Department on this day \_\_\_\_ of \_\_\_\_\_, 2020.

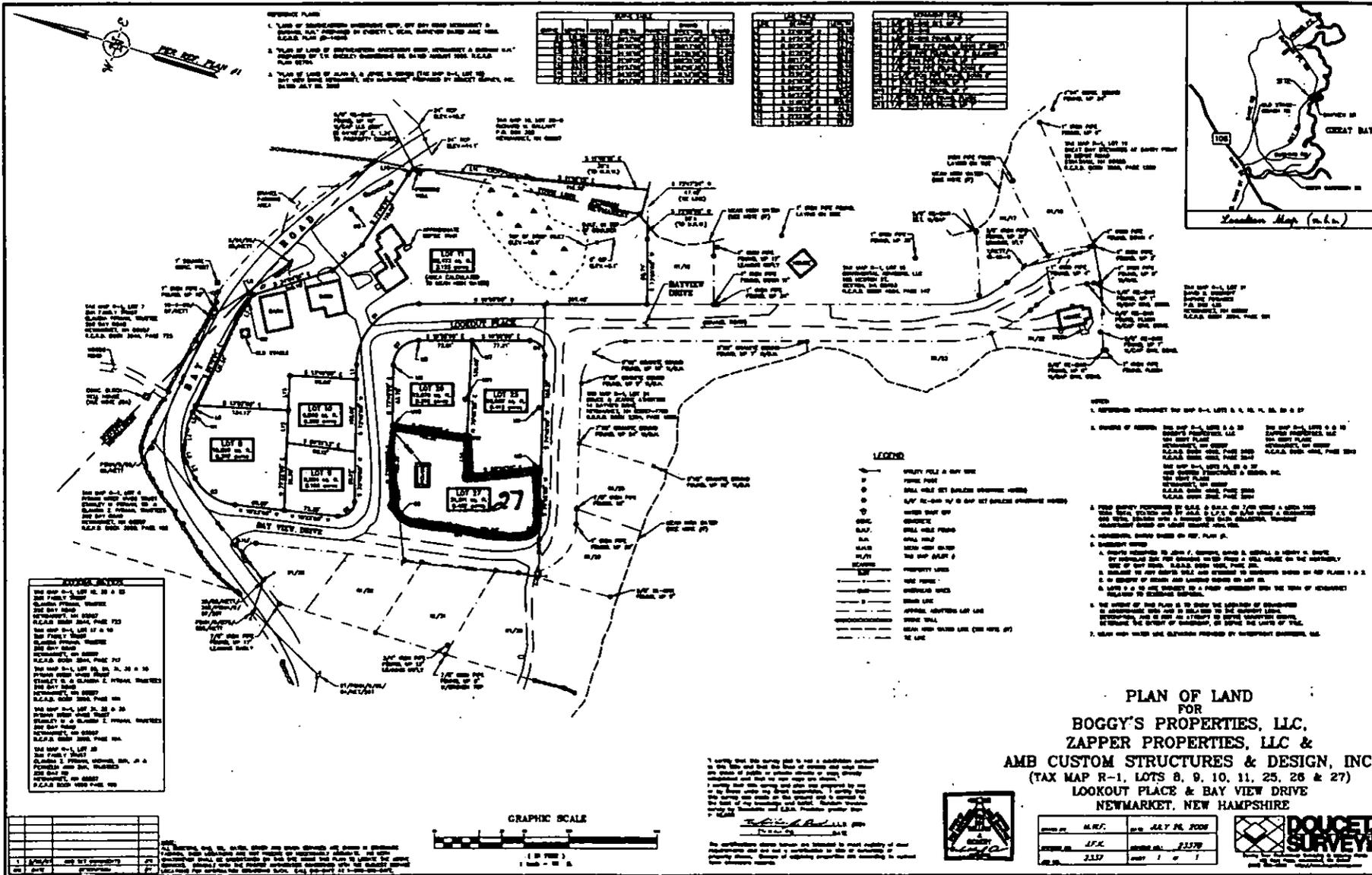
\_\_\_\_\_  
Glenn Normandeau, Executive Director

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK

Personally appeared before me on this \_\_\_\_\_ day of \_\_\_\_\_, 2020, Glenn Normandeau, who acknowledges himself to be the Executive Director for the New Hampshire Fish and Game Department, and as such is duly authorized to executed the foregoing instrument for the purposes therein contained, by signing his name on behalf of the State of New Hampshire.

\_\_\_\_\_  
Notary Public/Justice of the Peace  
My Commission Expires:

Approved by the Governor and Executive Council: \_\_\_\_\_, Item # \_\_\_\_\_



D-34616



**Proposed Antos Land Donation  
Lot R1-27 (0.48 acres)**

**Legend**

**Parcels**  
 [White box] Parcels

**Lands**  
 [Hatched box] NHFG Lands  
 [White box] Other Conservation Land

**Agency**