



Victoria F. Sheehan  
Commissioner

THE STATE OF NEW HAMPSHIRE  
DEPARTMENT OF TRANSPORTATION

MAR04'22 PM 1:06



William Cass, P.E.  
Assistant Commissioner

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

Bureau of Right-of-Way  
February 23, 2022

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the New Hampshire Department of Transportation (Department) to sell 0.37 +/- acres of state-owned land located on the southeasterly side of Central Street in the Town of Hudson. The sale will be directly to Nottingham Square Corporation and Central Hudson LLC (Grantees) for \$83,090.00, which includes an \$1,100.00 Administrative Fee, effective upon Governor and Executive Council approval.

The Department's Bureau of Finance and Contracts has determined the parcel was originally purchased with 100% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156	<u>FY 2022</u>
Administrative Fee	\$1,100.00
04-096-096-960015-0000-UUU-409279	<u>FY 2022</u>
Sale of Parcel	\$81,990.00
(100% of \$81,990.00)	

**EXPLANATION**

The Department received a request from Prunier & Prolman P.A. on behalf of the Grantees to acquire the subject parcels which consist of three separate parcels of vacant land. Acquiring the three parcels which abut the Grantee's land would enable them to expand and improve their existing property. The three parcels were purchased in 1947 for the relocation of Central Street and are described as follows, and can be referenced on the attached plans:

- Parcel B 0.17 ± acres
- Parcel C 0.18 ± acres
- Parcel D 0.02 ± acres

Pursuant to RSA 4:39-c, this sale has been reviewed by the department, and determined to be surplus to our operational needs and interests. The sale will include the following conditions:

- The Grantees will be required to solicit a NH Licensed Land Surveyor to survey and prepare a perimeter boundary line survey to be submitted to the department for review and approval. Upon approval by the department, the Grantees are required to record the plan in the Hillsborough County Registry of Deeds, from which the department will prepare the conveyance deed. The Grantees will supply a full-size copy of the recorded plan and draft description of the surveyed parcel(s).

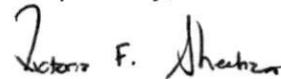
Disclosure: The Grantees have been notified that research done on NHDES OneStop Database revealed there are two inactive asbestos disposal sites located on or in the immediate vicinity of parcels B, C and/or D. No specific records for these sites were available on the database. The two sites are located at 77 Central St and 1 Melendy Road.

At the September 13, 2021 meeting of the Long Range Capital Planning and Utilization Committee (Committee) the request (LRCP 21-032) was approved to allow the Department to sell the subject property directly to Nottingham Square Corporation and Central Hudson LLC for \$90,000.00 and to assess an \$1,100.00 administrative fee. After negotiations with the Grantee, the Bureau of Right-of-Way agreed to sell the parcels for \$81,990.00 which is within the 10% negotiation allowance guidelines established by the Committee. The Committee stated: "In negotiating the price of a property sale, the final sale should be no more that 10 percent below the amount approved by the committee."

Pursuant to RSA 4:39-c, the department has solicited interest from the Town of Hudson, who declined the offer of interest. Pursuant to RSA 204-D:2, the department also solicited interest from the New Hampshire Housing Finance Authority, who also declined the offer of interest.

The Department respectfully requests authorization to sell the subject property, as noted above.

Respectfully,



Victoria F. Sheehan  
Commissioner

VFS/ARP  
Attachments

**STATE OF NEW HAMPSHIRE**  
**INTER-DEPARTMENT COMMUNICATION**

**FROM:** Stephen G. LaBonte   
Administrator

**DATE:** August 23, 2021

**AT:** Dept. of Transportation  
Bureau of Right-of-Way

**SUBJECT:** Sale of State Owned Lands in Hudson  
RSA 4:39-c

**TO:** Representative John Graham, Chairman  
Long Range Capital Planning and Utilization Committee

**REQUESTED ACTION**

The New Hampshire Department of Transportation (Department), pursuant to RSA 4:39-c, requests authorization to sell 0.37 +/- of an acre of vacant land located on the Southeasterly side of Central Street in Hudson New Hampshire. The sale will be directly to Nottingham Square Corporation, and Central Hudson LLC (Grantees), in the amount of \$91,100.00, which includes an \$1,100.00 Administrative fee. The sale will be subject to conditions as specified in this request.

**EXPLANATION**

The Grantees, represented by Prunier & Prolman P. A., submitted a request to acquire 4 parcels on Central Street in Hudson, the Department is only offering to convey 3 parcels, at the offered amount.

The three parcels totaling 0.37 of an acre, were purchased in 1947 for the relocation of Central Street, and are described as follows:

Parcel B 0.17 ± of an acre  
Parcel C 0.18 ± of an acre  
Parcel D 0.02 ± of an acre

The Grantees had a survey performed that revealed a discrepancy between the centerline of the 1947 project, as originally designed and constructed. The plan called for a southerly right of way line with a 43 foot offset from centerline, however, the centerline was adjusted north of its planned location, maintaining the intended 43 foot offset.

In late 1947, the Department conveyed land to the abutters that lay between the Southerly sideline of the Central Street Right of Way as originally designed, and the abutters' respective properties. The intent seems to have been to convey all land up to the southerly sideline of the Right of Way, but the deeds conveying the surplus land reference the sideline as originally designed, whereas the sideline as constructed lies several feet north, this has created four remnant parcels owned by the Department.

The current abutters (Grantees) and their predecessors have occupied these remnant parcels until recently, as they believed they were the owners of these parcels. Since learning the results of the survey, they have requested that the Department review whether these remnant parcels could be disposed of as surplus property.

- As a condition of this sale, the Grantees will be required to commission a NH Licensed Land Surveyor, to survey and prepare a Right of Way Adjustment plan, to be submitted to the Department for review and approval. Upon approval by the Department, the Grantees are required to record the plan at the Hillsborough County Registry of Deeds. The Buyer will supply a full size copy of the recorded plan and draft description of the surveyed parcel(s).
- The Grantees have been notified that research done on NHDES OneStop Database revealed there are two inactive asbestos disposal sites located on or in the immediate vicinity of parcels B, C and/or D. No specific records for these sites were available on the database. The two sites are located at 77 Central Street and 1 Melendy Road.

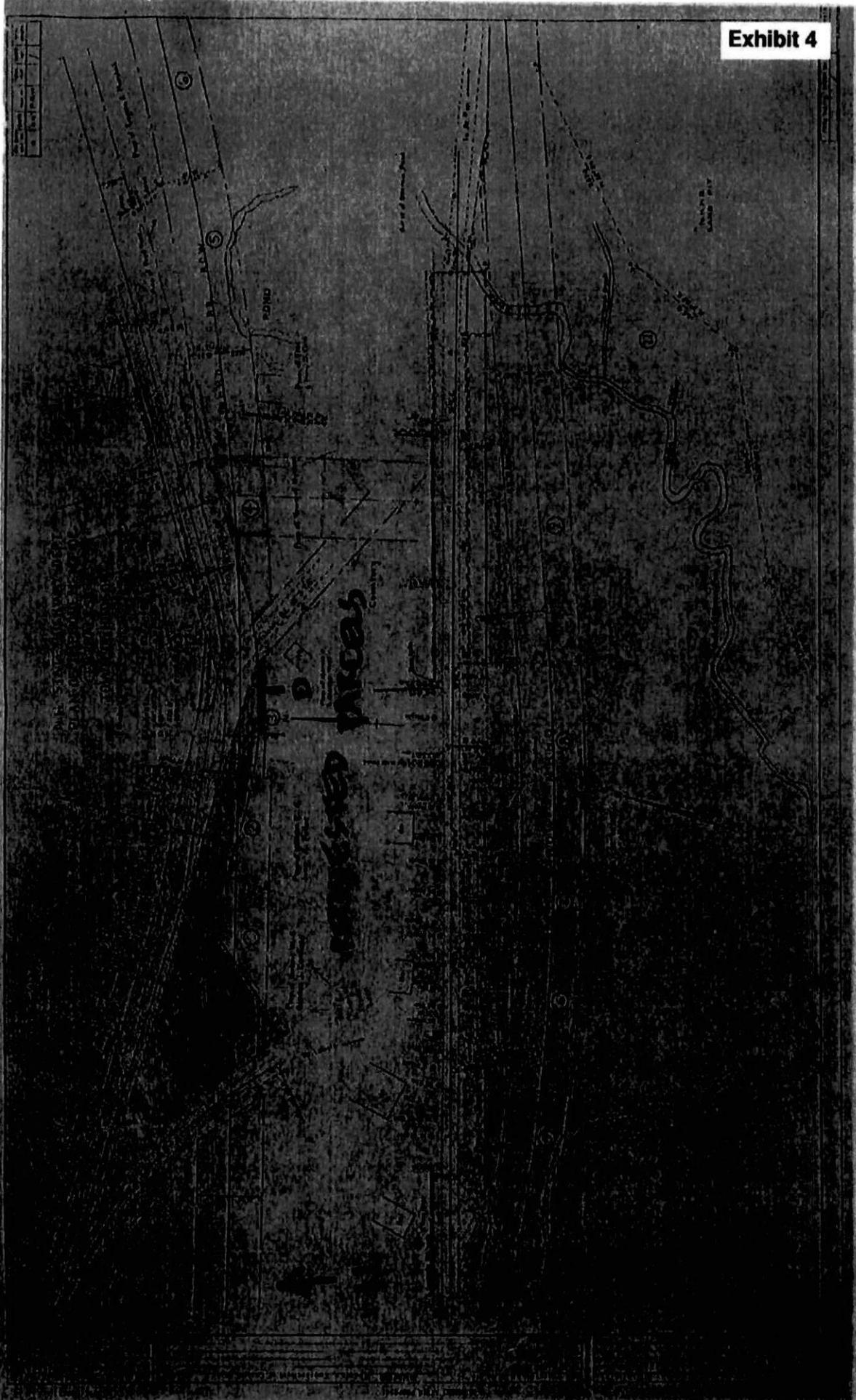
A Staff Right-of-Way Appraiser from the Department evaluated the subject property and concluded it does have an independent highest and best use. The Appraiser then prepared a market/contributory value appraisal using the sales comparison approach, that adheres to the requirements of the Right of Way Manual and the Uniform Standards of Professional Appraisal Practice. This appraisal report was reviewed and approved by a qualified review appraiser. The subject property's contributory value as of May 21, 2020 was concluded to be \$90,000.00.

Pursuant to RSA 4:39-c, and RSA 204-D:2 the Department will offer the property to the Town of Hudson, and the New Hampshire Housing Finance Authority.

The Department respectfully requests authorization to sell the subject parcels as outlined above.

SGL/ARP/jl  
Attachments





**Pacuk, Andrew**

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**From:** arolman <arolman@prunierlaw.com>  
**Sent:** January 14, 2022 11:20 AM  
**To:** Pacuk, Andrew; LaBonte, Stephen  
**Subject:** Surplus Land Request, Central Street, Hudson  
**Attachments:** KNA Surplus Plan 1.14.2019.pdf

**EXTERNAL: Do not open attachments or click on links unless you recognize and trust the sender.**

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Gentlemen,

Following up on our client's request to the State: Nottingham Square Corp. offers \$81,990 to purchase Parcels B, C, and D as shown the attached Surplus Land Disposal Plan, dated January 14, 2019 as prepared by Keach-Nordstrom Associates, Inc. If possible, Nottingham would like to close in late April/early May. If this proposal is acceptable, please advise as to our next steps.

Thank you and thanks for your patience.

Andy Prolman

Andrew A. Prolman  
Prunier & Prolman, P.A.  
20 Trafalgar Square, Suite 100  
Nashua, NH 03063  
(603) 883-8900  
(603) 883-7959 (Fax)  
[arolman@prunierlaw.com](mailto:arolman@prunierlaw.com)

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**NEW HAMPSHIRE  
HOUSING**

**DEAN J. CHRISTON**  
Executive Director  
dchriston@nhhfa.org

DEPT. OF TRANSPORTATION  
BUREAU OF RIGHT OF WAY

SEP 23 2021

**RECEIVED**

September 21, 2021

Stephen G. LaBonte, Administrator  
Bureau of Right of Way  
New Hampshire Department of Transportation  
JO Morton Building, Room 100  
7 Hazen Drive  
P.O. Box 483  
Concord, NH 03302-0483

RE: Hudson property

Dear Mr. LaBonte:

New Hampshire Housing Finance Authority is not interested in purchasing the property in Hudson, described in your letter of September 14, 2021.

Thank you for giving us the opportunity to review this parcel.

Sincerely



Dean J. Christon  
Executive Director

DJC:clp  
Enclosures

**NEW HAMPSHIRE HOUSING FINANCE AUTHORITY**

32 Constitution Drive, Bedford, NH 03110  
Mail PO Box 5087, Manchester, NH 03108

603.472.8623  
**NHHFA.org**





**TOWN OF HUDSON**  
**Office of the Town Administrator**  
12 School Street  
Hudson, New Hampshire 03051



Stephen A. Malizia, Town Administrator – [smalizia@hudsonnh.gov](mailto:smalizia@hudsonnh.gov) – Tel: 603-886-6024 Fax: 603-598-6481

DEPT. OF TRANSPORTATION  
BUREAU OF RIGHT OF WAY

SEP 23 2021

RECEIVED

September 20, 2021

Stephen G. Labonte  
NHDOT Bureau of Right of Way  
JO Morton Building – Room 100  
7 Hazen Drive PO Box 483  
Concord, NH 03302-0483

**RE: Sale of State Owned Land in Hudson  
Hudson, 31229 and Hudson, M-5229(003), C-2432B**

Dear Mr. Labonte;

The Town of Hudson is in receipt of your letter dated September 14, 2021 regarding the NHDOT's proposal to sell .037 +/- of an acre of state-owned land, comprised of three contiguous parcels, located on the Southerly side of Central Street in the Town of Hudson. Please consider this letter the Town of Hudson's official response to the offer to sell the property to the municipality in which the property is located. The Town of Hudson has no interest in purchasing the property and declines the opportunity to do so.

Please feel free to contact me should you have any questions or if you need additional information. I may be reached by telephone at (603) 886-6024 or by email at [smalizia@hudsonnh.gov](mailto:smalizia@hudsonnh.gov).

Sincerely,

Stephen A. Malizia  
Hudson Town Administrator