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**THE STATE OF NEW HAMPSHIRE**  
**DEPARTMENT OF TRANSPORTATION**



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*William Cass, P.E.*  
*Commissioner*

*David Rodrigue, P.E.*  
*Assistant Commissioner*

*Andre Briere, Colonel, USAF (RET)*  
*Deputy Commissioner*

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

Bureau of Right-of-Way  
June 16, 2023

**REQUESTED ACTION**

Pursuant to RSA 4:39-c and 228:31, authorize the New Hampshire Department of Transportation (Department) to grant an access point through the Limited Access Right-of-Way (LAROW) on the northerly side of NH Route 4 (Hoit Road) at Old Boyce Road in the City of Concord. The sale will be to Robert and Mary Ann Wolfe (Grantees), for \$44,100, which includes the \$1,100 administrative fee, effective upon Governor and Executive Council approval.

The Department's Bureau of Finance and Contracts determined this parcel, over which this access point will run, was originally purchased with 90% Federal Funds and 10% Highway Funds.

Funding is to be credited as follows:

04-096-096-960015-0000-UUU-402156	<u>FY 2024</u>
Administrative Fee	\$1,100
04-096-096-960015-0000-UUU-409279	<u>FY 2024</u>
Sale of Parcel	\$4,300
(10% of \$43,000)	
04-096-096-963515-3054-401771	<u>FY 2024</u>
Consolidated Federal Aid	\$38,700
(90% of \$43,000)	

**EXPLANATION**

The Department received a request from Sulloway & Hollis P.L.L.C., on behalf of the Grantees, to acquire an access point through the LAROW to their adjacent parcel, located in Canterbury. The City of Concord developed plans to upgrade the intersection of Old Boyce Road, NH Route 4, and Whitney Road by constructing a roundabout. The grantees retained the services of Fuss & O'Neill (Engineers), upon discovering that the City's plan would have a negative effect on access to their property. The Engineers modified the roundabout plans, which the City incorporated into their final design. With the

limited frontage of their parcel on Old Boyce Road and the LAROW boundary across that frontage, the parcel will be landlocked without granting this access point.

The granting of this access point was reviewed by the Department and determined from the Grantees parcel through the limited access LAROW to Old Boyce Road could be accommodated. The sale will include the following conditions:

- The Grantees shall be required to apply for a driveway permit through the Department's District 5 Office and shall follow the Department's Driveway Permit Policy.
- The Grantees shall be responsible for all local and state land use approvals precedent to the closing.

At the May 26, 2023, meeting of the Long-Range Capital Planning and Utilization Committee, the request (LRCP 23-016) was approved allowing the Department to grant an access point to Robert and Mary Ann Wolfe for the market value of \$44,100 which includes the \$1,100 administrative fee.

The Department respectfully requests authorization for the granting of this access point as noted above.

Respectfully,



William J. Cass  
Commissioner

WJC/SJN  
Attachments

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Trusted Advisors for Changing Times

April 24, 2023

**Via email only (Stephen.G.LaBonte@dot.nh.gov)**

Stephen G. LaBonte, Administrator  
NH Department of Transportation  
Bureau of Right-of-Way  
Post Office Box 483  
7 Hazen Drive, Room 100  
Concord, New Hampshire 03302-0483

RE: Granting of an Access Point in Concord/Canterbury  
Concord-Canterbury, I-93-2(10)44, P-5264D

Dear Mr. LaBonte:

I am responding to your letter dated April 19, 2023 regarding the above-referenced matter.

Our clients, Robert and Mary Ann Wolfe, remain interested in acquiring the Access Point, and agree with the offer of \$43,000, plus \$1,100 administrative fee.

Please proceed with the necessary documentation and let me know if you need anything from our clients.

Very truly yours,



Kelly Ovitt Puc, Esq.  
(Electronic Signature)

Cc: Mr. and Mrs. Robert Wolfe  
Sandra J. Newman, Property Management (Sandra.J.Newman@dot.nh.gov)

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

**LRCP 23-016**

**FROM:** Stephen G. LaBonte   
Administrator

**DATE:** May 4, 2023

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

**SUBJECT:** Granting of an Access Point in Concord/Canterbury  
RSA 4:39-c

Approved by the Long Range  
Capital Planning & Utilization  
Committee May 26, 2023

**TO:** Representative Mark McConkey, 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 grant an access point through the Limited Access Right of Way (LAROW) on the NH Route 4 (Hoit Road) at Old Boyce Road in the City of Concord. The access point will be granted directly to Robert and Mary Ann Wolfe (Grantees) in the amount of \$44,100, which includes the \$1,100 administrative fee, pursuant to RSA 4:40, III-a. The sale will be subject to conditions as specified in this request.

**EXPLANATION**

The Department received a request from Sulloway & Hollis P.L.L.C., on behalf of the Grantees, to acquire an access point through the LAROW to their adjacent parcel, located in Canterbury. The City of Concord developed plans to upgrade the intersection of Old Boyce Road, NH Route 4, and Whitney Road by constructing a roundabout. The Wolfe's retained the services of Fuss & O'Neill (Engineers), upon discovering that the City's plan would have a negative effect on their access. The Engineers modified the roundabout plans, which the city incorporated into their final design. With the limited frontage to their parcel on Old Boyce Road and the LAROW boundary across that frontage, the parcel will be landlocked without granting access.

The Department acquired 12 +/- acres of land from Richard and Edna Sanborn in 1958 for \$13,520 via Warranty Deed. The land acquired was improved with a four-room house which was sold via public auction, and subsequently removed. After a departmental review, it was determined that granting this access point is surplus to the Department's operational needs. This access point will be conveyed with the following conditions:

- The Grantees shall be required to apply for a driveway permit through the Department's District 5 office and shall follow the Department's Driveway Permit Policy.
- The Grantees shall be responsible for all local and state land use approvals precedent to the closing.

A Staff Appraiser from the Department evaluated the property and concluded it does not have an independent highest and best use. They then prepared a contributory market value appraisal using the sales comparison approach that adheres to the requirements of the Right of Way Manual. The subject property's contributory opinion of value as of October 7, 2022, was concluded to be \$43,000.

The Department respectfully requests authorization to grant this access point as outlined above.

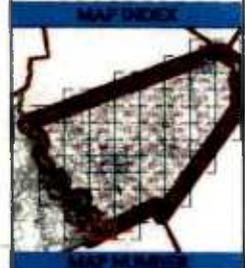
SGL/SJN/jl  
Attachments





Town of  
**CANTERBURY**  
Merrimack County  
New Hampshire

- LEGEND**
- Lot-Sub-Acreage 12-1
  - 200 Ac's
  - Dimensions (Feet) 150.00'
  - Private & ROW Access
  - River
  - Wetland
  - Lake or Pond
  - Transmission Line
  - Conservation Easement
  - Exempt Property
  - Town Owned Land
  - Open Space
  - Structure
- ZONING**
- Residential
  - Rural
  - Agricultural-Conservation
  - Commercial
  - Industrial
  - Natural Resource
  - Center Historic District
  - Shaker Historic Overlay District
  - Shaker Village Museum Preservation District



THE HORIZONTAL DATUM IS THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM, NAD 83  
FOR ASSESSMENT PURPOSES  
NOT TO BE USED FOR CONVEYANCES

REVISIED APRIL 1, 2017



**MAP NOTES**

**267**

