



The State of New Hampshire
Department of Environmental Services

Robert R. Scott, Commissioner



November 18, 2025

48
DEC 17 2025

Her Excellency, Governor Kelly A. Ayotte
and the Honorable Council
State House
Concord NH 03301

REQUESTED ACTIONS

1. Pursuant to RSA 4:40, authorize the Department of Environmental Services (NHDES) to transfer ownership of a small portion of its property located at the state-owned dam known as Souhegan Flood Control Site #35 to the Town of New Ipswich for \$13,000 and receive from the Town an additional \$25,000 for impacts to dam repairs for a total of \$38,000, effective upon Governor and Council approval. The 0.37-acre area to be transferred is located on the north side of Binney Hill Road between the downstream side of Site #35 dam and the Town of New Ipswich owned Smithville Cemetery. Site #35 dam is located on New Ipswich Tax Map 9, Lot 20 and the Smithville Cemetery is located on Tax Map 9, Lot 21.
2. Pursuant to RSA 482:55, funds from the sale of the 0.37-acre area will be deposited to the Dam Maintenance Fund, Account 03-44-442010-3817-009, RA #407531.

EXPLANATION

In 2013 during routine survey work, the NHDES Dam Bureau discovered that the Town of New Ipswich (Town) had expanded the Smithville Cemetery into a portion of land owned in fee by the State without authorization. The expansion was on an area that was intended to be used as a staging area for future repairs to the Souhegan Flood Control Site #35 dam or for other dam-related purposes. Over the course of the past several years, NHDES has worked with the Town and the New Hampshire Office of the Attorney General to develop a solution that would be the least impactful to the parties involved. After performing an engineering analysis, NHDES determined that dam repairs could still occur without reversing the Town's encroachment but at a slightly higher cost. The Town agreed to pay a fair market value of \$13,000 for the 0.37-acre parcel now used as part of the cemetery and to grant to the State access to existing road and lanes within the 0.37-acre area for dam-repair purposes. In addition, the Town agreed to pay the State an additional \$25,000 for the difference between what dam repairs would have cost before the encroachment and what they will now cost. In 2015, the Legislature enacted HB 275, pursuant to Chapter 13:1, Laws of 2015, which allowed the State and the Town to enter into a lot line agreement or boundary adjustment between the State property identified on the New Ipswich tax maps as Map 9, Lot 20 and the Smithville Cemetery, Map 9, Lot 21. In 2023, the Town and the Office of the Attorney General entered into a settlement agreement, memorializing the terms described above

and requiring the transfer to follow the disposal process for state owned land in accordance with RSA 4:40.

NHDES requests permission to make a lot line adjustment with the Town of New Ipswich and to transfer a 0.37-acre area of Tax Map 9, Lot 20 to the Town along with easement rights to State. This transfer will be conditional on the Town fulfilling the terms of the settlement agreement, which includes paying the State a total of \$38,000.

This was presented to Council on Resources and Development (CORD) on May 8, 2025, and voted to Recommend Approval of SLR 2025-001-New Ipswich as submitted. This was also presented to the Long Range Capital Planning and Utilization Committee (LRCPUC) and approved on June 30, 2025.

This transfer request and deed has been approved by the Department of Justice as to form and substance.

We respectfully request your approval.

A handwritten signature in black ink, appearing to read "Robert R. Scott", written over a horizontal line.

Robert R. Scott
Commissioner

Inter-Department Communication

DATE: October 29, 2025

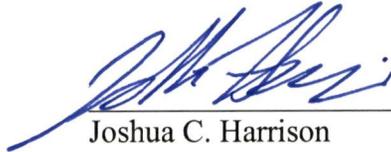
FROM: Joshua C. Harrison
Assistant Attorney General

AT (OFFICE) Department of Justice
Environmental Protection Bureau

**SUBJECT: Lot Line Adjustment Deed, Town of New Ipswich
Re: Souhegan Flood Control Site #35**

TO: Corey Clark, P.E.
Chief Engineer, Dam Bureau
Water Division
New Hampshire Department of Environmental Services

The Office of the Attorney General has reviewed the Lot Line Adjustment Deed from the State of New Hampshire to the Town of New Ipswich and the supporting documents provided in connection with the above referenced conveyance and approves the conveyance for form and substance only. Please note that once approved by Governor and Council, and subsequently signed by all parties, the Lot Line Adjustment Deed should be returned to this office for final review of execution before it is recorded in the appropriate county registry of deeds.



Joshua C. Harrison

Return to:
NH DES Dam Bureau
29 Hazen Drive
P.O. Box 95
Concord, NH 03302-0095

LOT LINE ADJUSTMENT DEED

The STATE OF NEW HAMPSHIRE, by and through the N.H. Department of Environmental Services, located at 29 Hazen Drive, P.O. Box 95, Concord, New Hampshire (“Grantor”) hereby conveys, with quitclaim covenants, to the TOWN OF NEW IPSWICH, a municipal corporation of Hillsborough County, New Hampshire, with a place of business of 661 Turnpike Road, New Ipswich, Hillsborough County, New Hampshire (the “Grantee”), for \$13,000 (thirteen thousand dollars) and other valuable consideration, real property more specifically described and labeled as Area “A” in a plan entitled “Lot Line Adjustment Plan of Land for Tax Map 9, Lots 20 & 21, State of New Hampshire, NHDES-Souhegan Site #35 and Town of New Ipswich Smithville Cemetery, New Ipswich, New Hampshire” dated January 2025 which will be recorded at Hillsborough County Registry of Deeds and hereby incorporated by reference herein. This transfer is for the purpose of adjusting the property boundary along the parties’ shared boundary to provide the Grantee a fee simple interest in an area currently being used as a cemetery. This transfer is consistent with HB 275 of the 2015 session of the N.H. General Court. The property being transferred is currently part of a larger property owned by the Grantor in fee known as Lot 20 as shown on Town of New Ipswich, Tax Map 9. The property being transferred consists of approximately 16,019.99 sq. ft. or 0.37 acres and will become part of lot 21 as shown on Town of New Ipswich, Tax map 9 and is bounded as follows:

Beginning at a 5/8- inch iron rebar found at southeast corner of the grantor property at the corner of stonewalls of the Smithville Cemetery just north of Binny Hill Road in New Ipswich, thence;

N 16° 32’ 43” E, by the land of the grantee, a distance of 103.58 feet, along stonewall to a -inch iron pipe found at the end of the stonewall, thence;

N 78° 02’ 31” W, by land of the grantee, a distance of 139.89 feet to a 5/8-inch iron rebar set near the toe of the dam, thence;

S 18° 55’ 00” W , by land of grantor a distance of 100.00 feet to a 5/8-inch iron rebar set near toe of dam, thence;

S 54° 20' 29" E, by land of the grantor, a distance of 60.64 feet to a 5/8-inch iron rebar set near the north side of Binny Hill Road, thence;

N 88° 56' 30" E, by the north side of Binny Hill Road, a distance of 90.52 feet to the point of beginning.

This transfer is subject to the following access and use easement in favor of the Grantor, its officers, employees, agents, contractors, other personnel, and assigns.

ACCESS AND USE EASEMENT

The Grantor retains the right, in perpetuity, for the Grantor and its officers, employees, agents, contractors, other personnel, and assigns to pass, repass, and otherwise use, including by vehicles and equipment, two access lanes within area "A" as shown on Plan and labeled "Proposed 15 foot wide access easement for the State on existing access lanes" as well as the portion of an existing gravel road within area "A." The Grantee shall ensure that the two access lanes in area "A" and the portion of the gravel road in area "A" are at least 15 feet wide. The Grantor, and its officers, employees, agents, contractors, other personnel, and assigns may use these two accessways and the portion of the gravel road described herein for all reasonable purposes related to maintaining or rebuilding the existing dam portions of which are shown on plan as "Toe of the Dam" and "Top of Flood Control Dam." The Grantee shall not place any grave, gravestone, marker, or other structure within the area reserved for access and use described herein and shall in no way interfere with the access and use provided.

Each party may enforce its rights hereunder by any proceedings available at law or in equity, including seeking the remedies of specific performance and mandatory injunction.

This Lot Line Adjustment Deed and Access and Use Easement shall be binding upon and inure to the benefit of the parties and their respective heirs, successors-in-title, successors and assigns.

IN WITNESS WHEREOF, Robert R. Scott, Commissioner has caused this instrument to be executed on behalf of the State of New Hampshire this ____ day of _____, 2025

executed this document this _____ day of _____, 2025.

STATE OF NEW HAMPSHIRE
Department of Environmental Services

Robert R. Scott, Commissioner date

STATE OF NEW HAMPSHIRE
COUNTY OF _____

The foregoing instrument was acknowledged before me this ____ day of _____, 2025 by Robert R. Scott.

Notary Public/Justice of the Peace [seal]
My Commission Expires: _____

The Town of New Ipswich has caused this instrument to be executed by its duly authorized Board of Selectmen this ____ day of _____, 2025.

Town of New Ipswich by its
Board of Selectmen

Witness

Shawn Talbot, Chairman

Witness

Jason Somero, Selectman

Witness

Lou Alvarez, Selectman

STATE OF NEW HAMPSHIRE
COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____, 2025 by Shawn Talbot, Jason Somero, and Lou Alvarez, being all of the members of the Board of Selectmen of the Town of New Ipswich, on behalf of the Town of New Ipswich.

Notary Public/Justice of the Peace [seal]
My Commission Expires: _____

Approved by the Council on Resources and Development by majority vote at a meeting on **May 8, 2025 (RSA 4:40)**.

Approved by the Long Range Capital Planning and Utilization Committee by majority vote at a meeting on **June 30, 2025 (RSA 4:40)**.

Approved by the New Hampshire Governor and Executive Council on _____ **(RSA 4:40)**

**Governor and Executive Council
Report for Souhegan Site # 35, New Ipswich, N.H.**

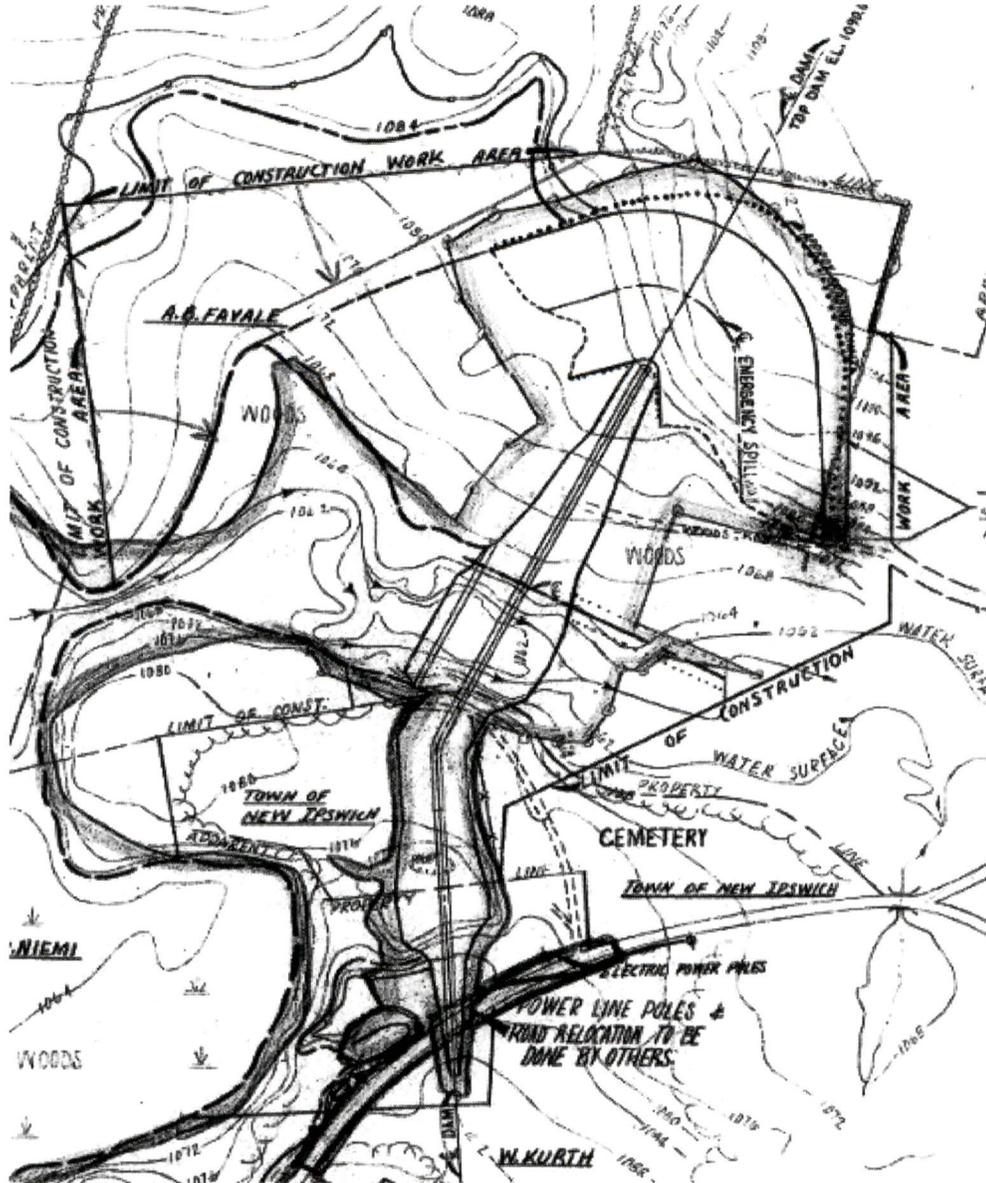
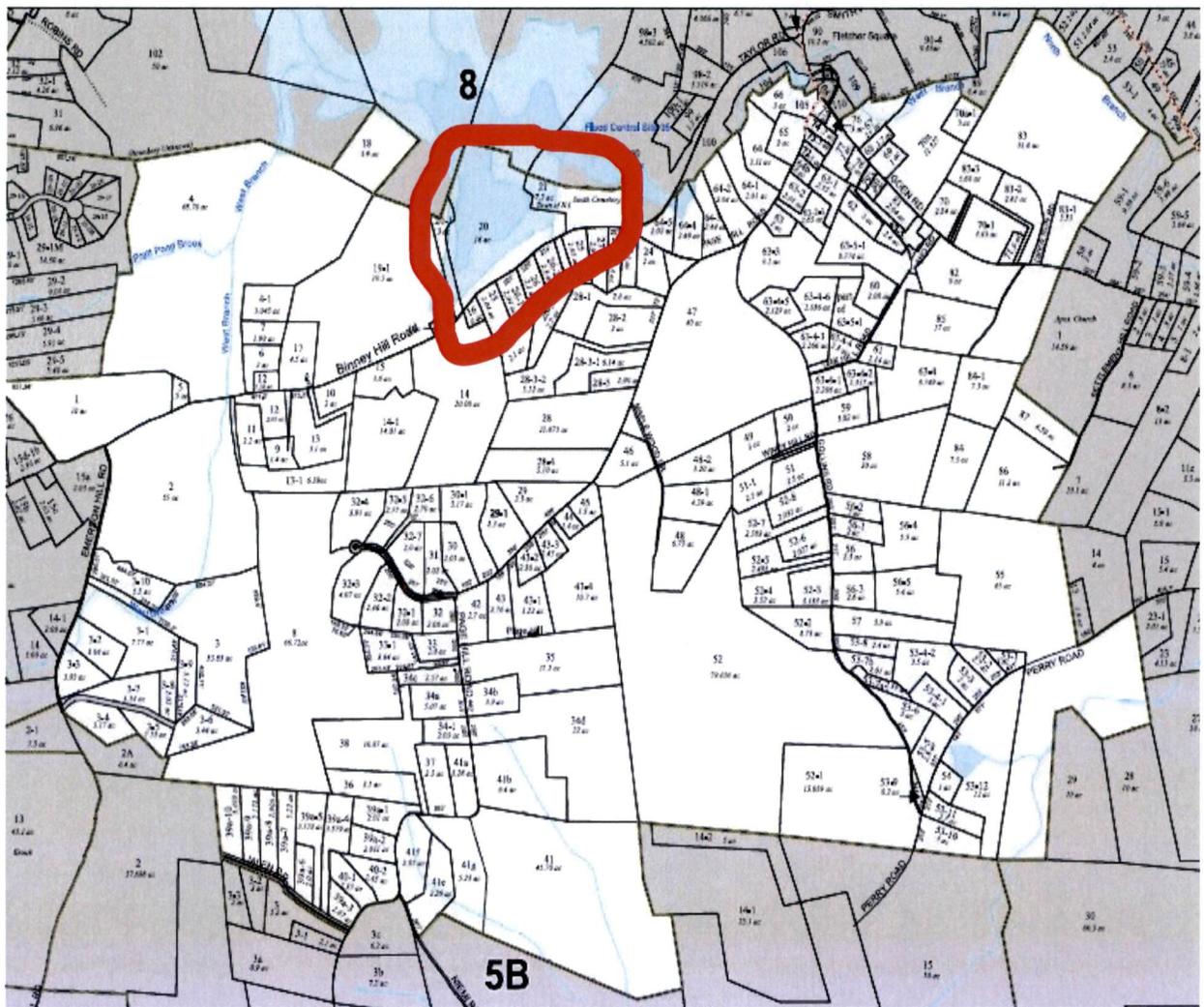


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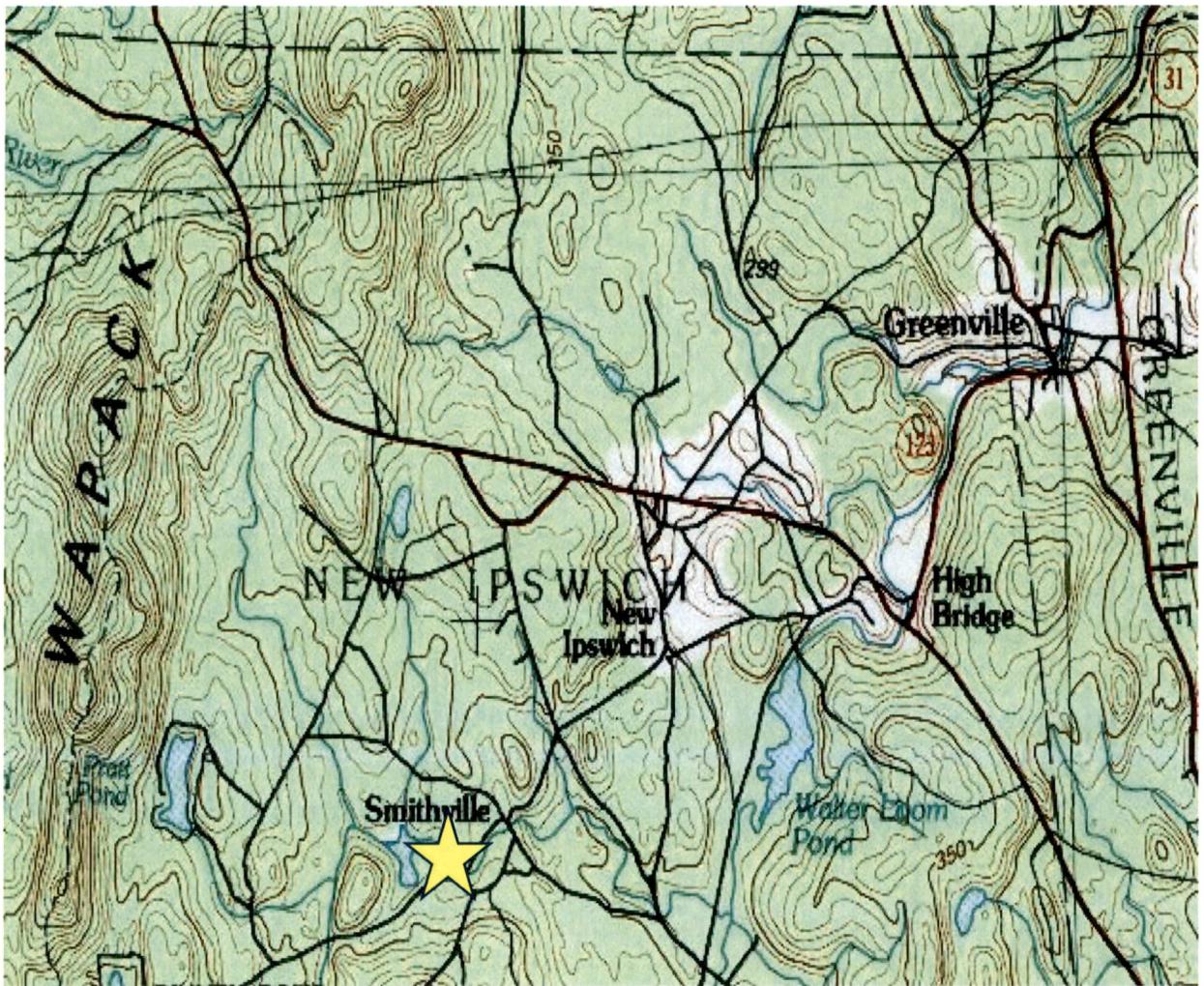
- a. New Ipswich Tax Map 9, showing parcels: see page 2.
- b. USGS Map: see page 3.
- c. 0.37 ac. Area "A" Plan: see page 4.
- d. Base plan: see page 5.

- e. Photos of Souhegan Site 35 & area "A": see pages 6-10.
- f. HB 275 2015 see pages 11-12.
- g. NHDES Lot Line Adjustments Plan Exhibit A: see page 13.
- h. Settlement Agreement: see pages 14-22.
- i. Council on Resource and Development Approval see page 23.
- j. Long Range Capital Planning and Utilization Committee approval: see pages 24-25.

A portion of New Ipswich Tax Map # 9 showing location of both lots on the north.



USGS Map



0.37 acre -Area "A" Plan

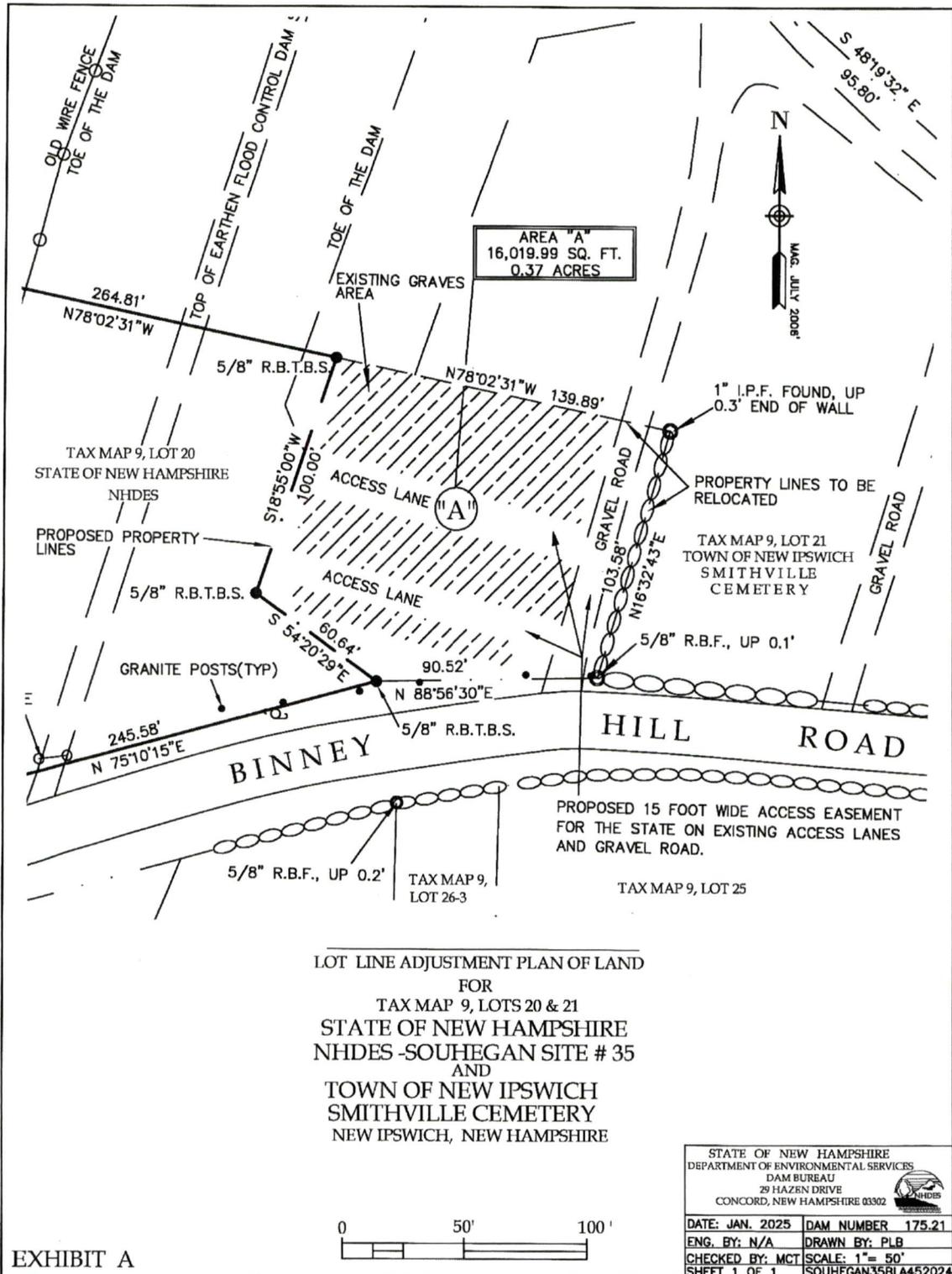


EXHIBIT A

Base Plan showing State NHDES and Town properties in Town of New Ipswich.

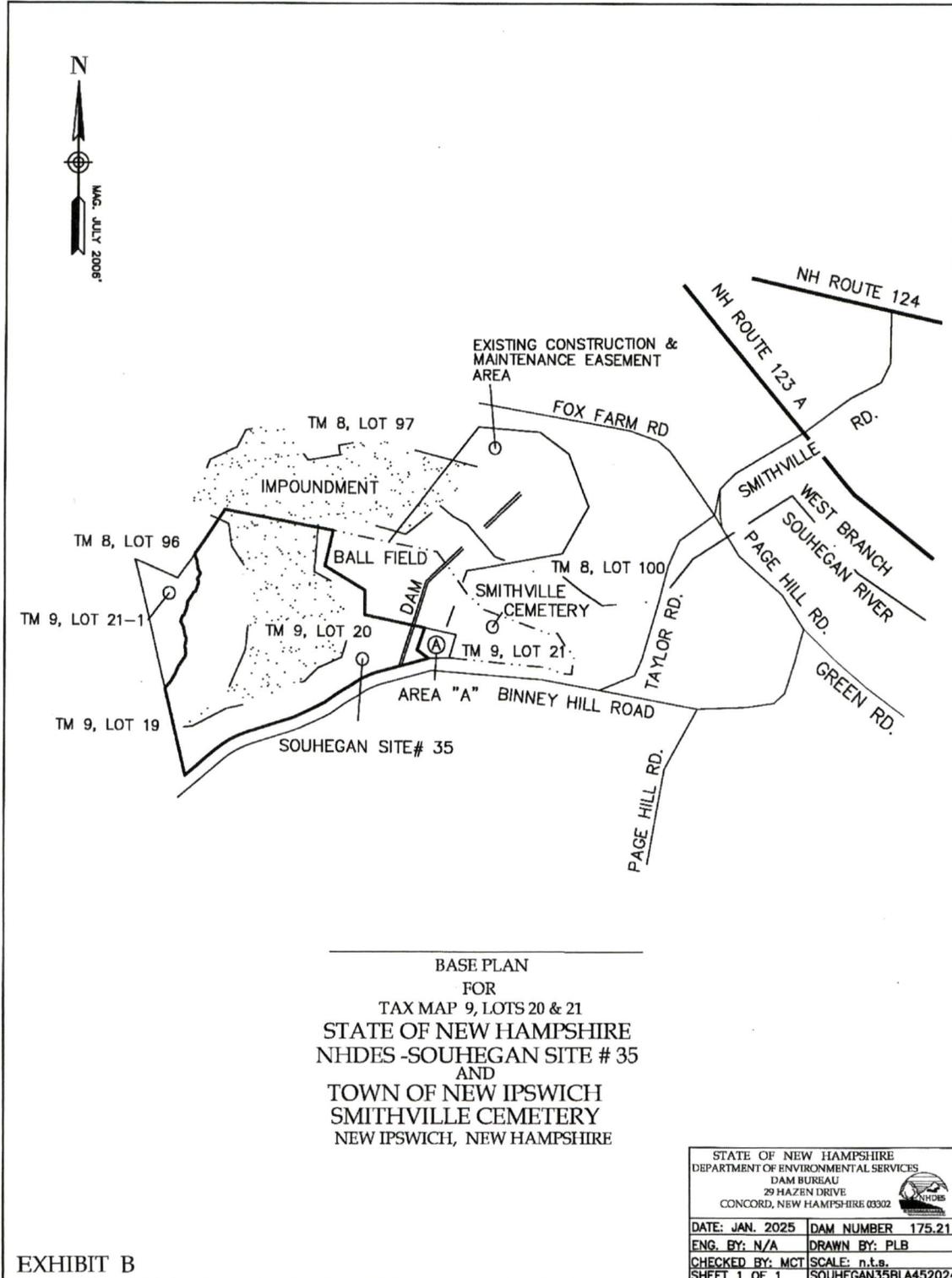


EXHIBIT B

Souhegan Site # 35 and Area "A" Photos

Photo 1: Souhegan Site 35 and area "A" looking northwest from Binney Hill Road east of dam. 8/2016



Photo 2: Cemetery and area "A" looking north along downstream toe of Souhegan Site # 35. 8/2016.



Photo 3: Looking northeast from the toe of Site # 35 into area "A" and Smithville cemetery in foreground. 8/2016.



Photo 4: Looking east from toe of Souhegan Site #35 into area "A" with Smithville Cemetery in foreground. 8/2016.



Photo 5: Looking north along the top of Souhegan Site # 35 dam, cemetery and parcel "A" to the right. 9/2020.



CHAPTER 13
HB 275 – FINAL VERSION

15Apr2015... 1315EBA

2015 SESSION

15-0462
08/05

HOUSE BILL **275**

AN ACT relative to the encroachment of a town cemetery on state-owned land.

SPONSORS: Rep. Coffey, Hills 25; Rep. Parison, Hills 25

COMMITTEE: Municipal and County Government

ANALYSIS

This bill enables the town of New Ipswich to enter into an agreement with the department of environmental services regarding the lot line of a cemetery in New Ipswich.

Explanation: Matter added to current law appears in *bold italics*.
 Matter removed from current law appears ~~[in brackets and struckthrough]~~
 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

CHAPTER 13
HB 275 – FINAL VERSION

15Apr2015... 1315EBA

15-0462
08/05

STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to the encroachment of a town cemetery on state-owned land.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 13:1 Agreement for Lot Line Adjustment; New Ipswich.

2 I. The commissioner of the department of environmental services and the selectmen of the
3 town of New Ipswich may enter into a lot line agreement (boundary adjustment) between the state
4 property identified on the New Ipswich tax maps as Map 9, Lot 20 and the Smithville Cemetery,
5 Map 9, Lot 21.

6 II. The New Ipswich selectmen shall have the authority to utilize their December 31, 2014
7 undesignated fund balance to provide funding for the moving of graves and other related expenses,
8 provided that the amount to be used shall not reduce the town's fund balance to an amount less than
9 5 percent, as determined by the department of revenue administration at the 2014 tax rate setting.

10 III. Should the town have an insufficient undesignated fund balance available to move the
11 necessary graves, the town shall have permission to hold a special town meeting for this purpose.

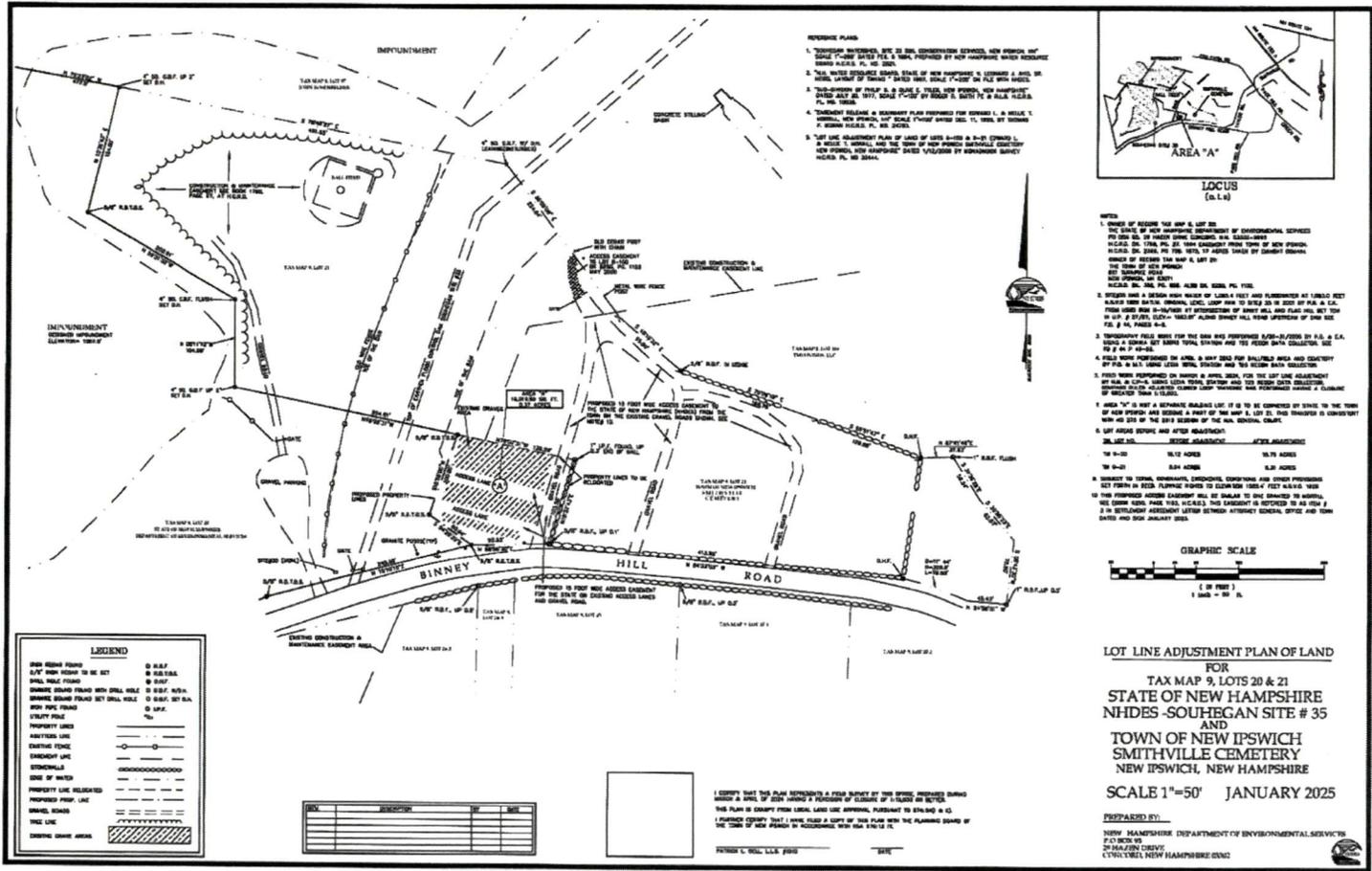
12 13:2 Effective Date. This act shall take effect upon its passage.

13

14 Approved: May 5, 2015

15 Effective Date: May 5, 2015

Lot Line Adjustment Plan between NHDES and the Town of New Ipswich.



AGREEMENT

The State of New Hampshire (“the State”), acting by and through the New Hampshire Department of Environmental Services (“the Department”), and the Town of New Ipswich (“the Town”), desire to resolve various issues relative to the prior, current, and future use of the Smithville Cemetery (“the Cemetery”), located adjacent to Binny Hill Road in New Ipswich, New Hampshire. The parties hereby state and agree as follows:

1. For nine years, the State, the Town and the Department have been working together to solve a complex problem at and around the Cemetery concerning existing grave sites and family rights to bury other family members in certain sites in the Cemetery.
2. Specifically, in April 2013 it was discovered that some gravesites in the Cemetery were located on State land owned in both fee and by easement. Relocating gravesites would have come with substantial emotional and financial expense both to the Town and to the families with relatives buried in the Cemetery.
3. The area surrounding the Cemetery contains enough land owned by both the Town and the State to permit: (i) the existing gravesites to remain undisturbed, and; (ii) the parties to make arrangement for continued use of the Cemetery (via easement deeds, a fee transfer, and payment) consistent with the terms of this Agreement.
4. Exhibit 1, entitled “Exhibit 1 for Souhegan Site #35, Cemetery Site, New Ipswich, N.H.” dated November 2022, depicts and details the areas in question.
5. In 2015, the New Hampshire House and Senate passed HB 275 which was later signed into law by the Governor with an effective date of May 5, 2015. Among other things, HB 275 empowered the Department’s commissioner to enter into a “lot line agreement (boundary adjustment)” with the Town of New Ipswich Board of Selectmen between property generally described in the Town of New Ipswich tax maps as Map 9, Lot 20 and the Smithville Cemetery, being Map 9, Lot 21, all described with more particularity in the attached Exhibit 1.

NOW THEREFORE, in consideration of the foregoing and for other good and valuable consideration, the receipt and adequacy of which are hereby unconditionally acknowledged, and subject to necessary State approvals as described below, the parties hereto agree as follows:

1. All existing filled plots on State fee-owned or easement property may remain undisturbed, such plots depicted on the attached Exhibit 1. Information relative to existing burials is further noted on Exhibit 1-A (Town of New Ipswich Cemetery Board of Trustees dated 10/31/22).
2. There shall be no more graves dug, and no more burials shall occur, in the existing dam easement, shown as Area A on Exhibit 1, except that plots already owned by family

members of those now buried in this area may be used in the future. Plots owned by related family members requiring future burials are set forth in Exhibit 2 (Town of New Ipswich Cemetery Board of Trustees dated 11/01/22). The State's existing dam easement shall be amended consistent with the terms of this Agreement.

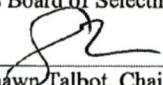
3. The State will grant to the Town in fee simple the area shown on Exhibit 1 as Area C; however, the State shall retain an easement in perpetuity to pass and repass over the entirety of the two areas described on Exhibit 1 as "Access Lane" and over the existing gravel road, the full width and location of such access lanes and road to be surveyed and memorialized in the deed transferring said property. In addition, the Town will grant to the State an easement, similar to the easement granted by the Town to the Morrills recorded in the Hillsborough County Registry of Deeds at Book 6250, page 1103, in a manner that provides full access for all dam-related purposes. In exchange for this fee simple area, the Town will pay the State the amount of \$13,000.00 (thirteen thousand dollars).
4. In addition to the \$13,000.00 (thirteen thousand dollars) described above related to the fee simple transfer, upon execution and final approval of this Agreement and upon obtaining all necessary State approvals as described below, the Town will pay the State \$25,000.00 (twenty-five thousand dollars), which represents the value of the cost differential of toe drain repair with the graves in place. The Town will pay the State a total of \$38,000.00, for payments due hereunder, within 12 months after all deeds anticipated by this agreement have been duly executed.
5. All property transfers and easement contemplated herein will be subject to the normal State processes (RSA 4:40, COD, Long Range Planning, Governor and Council, etc.) unless another process is provided by statute.
6. The Town hereby irrevocably agrees to hold the State harmless for any issues associated with changes in the water table or damages to graves in Areas A and C as shown on Exhibit 1.

signature page follows

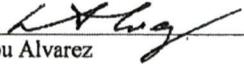
Date: 01-10-23

Town of New Ipswich

By: Its Board of Selectmen


Shawn Talbot, Chair


Jason Somero


Lou Alvarez

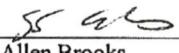
State of New Hampshire, Department of
Environmental Services

By and through its attorney,

The N.H. Office of the Attorney General
John M. Formella

Date: 1/18/23

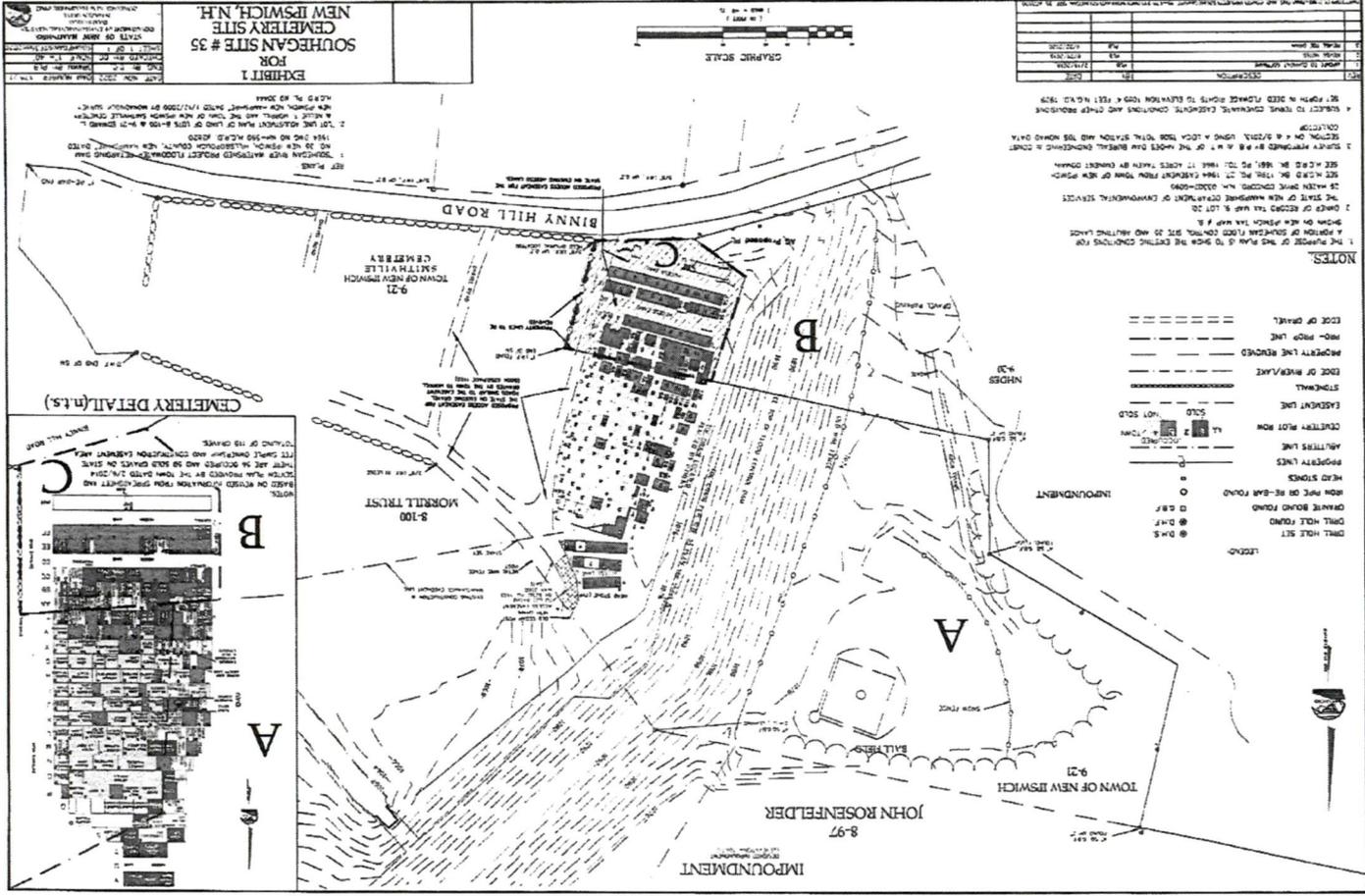
By:


K. Allen Brooks

Senior Assistant Attorney General

EXHIBIT 1

*Existing Condition Plan for Souhegan Site #35 Cemetery Site, New Ipswich, New Hampshire
with Markup*



KMS

EXHIBIT 1-A

*Information relative to existing burials is further noted on Exhibit 1-A
(Town of New Ipswich Cemetery Board of Trustees dated 10/31/22).*

TOWN OF NEW IPSWICH, NH

Cemetary Board of Trustees

11/01/2022

Re: Lots of current burials of spouses, children in Easement area that will require future burials.

Roll-FF- Lots- 11-12-13A Corthell

Roll EE-Lot-8 Muhonen

Roll-CC-Lot-12 Seppala

Roll-BB- Lots 8-9 Maki, Lot-12 Lawrence

Roll-AA- Lots- 8-9 Maki, Lot 12A-B Lawrence

Roll-Z- Lot-12 Lawrence

Roll-Y- Lot-12 Rivers

Roll-G- Lot-8 George Maki

Roll-J-Lot-7B-9A Nancy Jones

Roll-S- Lot-5-7 Edward and Evangeline Aho

Roll-T-Lot-2 Jean Gregory, Lot-3-4 Roger Somero and Bernice Somero

Roll-V-Lot 1A-3 Roger Somero

EXHIBIT 2

*Plots owned by related family members requiring future burials are set forth in Exhibit 2
(Town of New Ipswich Cemetery Board of Trustees dated 11/01/22).*

TOWN OF NEW IPSWICH, NH

Cemetery Board of Trustees

10/31/2022

Re: (Burials in Easement area)

Roll-FF- Lots- 11-12-13A Corthell

Roll-EE- Lot-13A Ober

DD Access Lane

Roll-CC-Lot-12 Seppala

Roll-BB- Lots 8-9 Maki, Lot-12 Lawrence

Roll-AA- Lots- 8-9 Maki, Lot 10A Moran, 10B Frost, Lot- 11A Barlow, Lot- 11B Lifton, Lot 12A-B Lawrence

Roll-Z- Lot- 11 Eugene and Irma Tuomala, Lot-12 Lawrence

Roll-Y- Lot Tuomala, Lot-12 Rivers

Roll-X-Lot 10A Traffie, Lot-10B Lampinen, Lot-11A Simila, Lot-11B E Hangas, AH Hangas H. Niemi, E Hangas

Roll-G-Lot-7 Hyvarinen, Lot-8 George Maki, Joseph Lans

Roll-H-Lot-7 V.Griffen, S,Denomme, Lot- 8 Albert Garham

Roll-I- Lot-7 Bruno Linna, Gertrude Kunelius, Lot-8 Elia and Ann Rasponi

Roll-J-Lot-7B-9A Nancy Jones, Kathy Boyle, Maribeth, Christopher Ryan, Lot-9B Dickson

Roll-K-Lot-7 Arnie Koski Marion Holmes, Lot-9A Hilja Lilius

Roll-L-8-Lot-8 Ann, Leo, Andrew, Ivers Koivula, Lot-9 Bruno and Effie Salo

Roll-M-Lot-7 Arthur Luhtala, Lot-8 Larry Buote, Lot-8 Rich Gagne

Roll-N-Lot-7 Leo Toko, Ellen Irha

Roll-O-Lot-7 George Leel, Lot-8 Laura Leel

Roll-P-Lot-7 Wright

Roll-Q-Lot-6 Toivo Kangas, Lot-7 Eino and Evelyn Wilk

Roll-R- Lot-5 Zackery Aho, Lot-6 Levi and Edith Somero, Lot-7, William and Raili Aho,

Roll-S-Lot-5 Oren Gregory, Lot-5-7 Edward and Evangeline Aho

Roll-T-Lot-2 Jean Gregory, Lot-3-4 Rodger and Bernice Somero

Roll-V-Lot 1A-3 Rodger Somero, Lot 4 Pat Kevine Little

C.O.R.D. Approval



New Hampshire Council on Resources and Development
NH Office of Planning and Development
100 N Main St., Concord, NH 03301

RECOMMENDATION MEMORANDUM

TO: Patrick L. Bell, Land Surveyor/Mapper
NH Department of Environmental Services, Water Division, Dam Bureau

FROM: Brendan McDowell, Staff to CORD and Principal Planner
Office of Planning and Development

DATE: May 9, 2025

Reference: Surplus Land Review 2025-001 - New Ipswich
The Department of Environmental Services requests the 0.37-acre area be added to the Town's existing Smithville Cemetery. The use of the transferred property will continue as a cemetery and the State will reserve access rights on the lanes and gravel road for the operation and maintenance of the Souhegan Flood Control Site.

On May 8, 2025, the Council on Resources and Development (CORD) voted to **recommend approval** of the above referenced Surplus Land Review application SLR 2025-001.

Cc: Heather Shank, Chair of CORD and Director, Division of Planning and Community Development
Pamela Ellis, Staff to Legislative Long Range Capital Planning and Utilization Committee

100 North Main Street, Suite 100
Concord, New Hampshire 03301
603.271.2341
visitnh.gov nheconomy.com choosenh.com



Department of Environmental Services

Robert R. Scott, Commissioner



June 16, 2025

The Honorable David Milz
Chairman, Long Range Capital Planning and Utilization Committee
Room 102, State House
Concord, NH 03301

Re: Transfer of 0.37-acre area with Easements reservation at Souhegan Site # 35 to the Town of New Ipswich.

Dear Chairman Milz and Members of the Committee:

Requested Action

1. Pursuant to RSA 4:40, authorize the Department of Environmental Services (NHDES) to transfer ownership of a small portion of its property located at the state-owned dam known as Souhegan Flood Control Site #35 in New Ipswich for \$13,000 and receive from New Ipswich an additional \$25,000 for impacts to dam repairs for a total of \$38,000. The 0.37-acre area to be transferred is located on the north side of Binney Hill Road between the downstream side of Site #35 dam and the Town of New Ipswich owned Smithville Cemetery. Site #35 dam is located on New Ipswich Tax Map 9, Lot 20 and the Smithville Cemetery is located on Tax Map 9, Lot 21.
2. Pursuant to RSA 4:40(III-a), waive the \$1,100 administrative fee.
3. Pursuant to RSA 482:55, funds from the sale of the 0.37-acre area will be deposited to the Dam Maintenance Fund, Account 03-44-442010-3817-009, RA #407531.

Explanation

In 2013 during routine survey work, the NHDES Dam Bureau discovered that the Town of New Ipswich (Town) had expanded the Smithville Cemetery into a portion of land owned in fee by the State without authorization. The expansion was on an area that was intended to be used as a staging area for future repairs to the Souhegan Flood Control Site #35 dam or for other dam-related purposes. Over the course of the past several years, NHDES has worked with the Town and the New Hampshire Office of the Attorney General to develop a solution that would be the least impactful to the parties involved. After performing an engineering analysis, NHDES determined that dam repairs could still occur without reversing the Town's encroachment but at a slightly higher cost. The Town agreed to pay a fair market value of \$13,000 for the 0.37-acre parcel now used as part of the cemetery and to grant to the State access to existing road and lanes within the 0.37-acre area for dam-repair purposes. In addition, the

www.des.nh.gov
29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095
(603) 271-3503 • Fax: 271-2867 • TDD Access: Relay NH 1-800-735-2964

The Honorable David Milz
Chairman, Long Range Capital Planning and Utilization Committee
Page 2

Town agreed to pay the State an additional \$25,000 for the difference between what dam repairs would have cost before the encroachment and what they will now cost. In 2015, the Legislature enacted HB 275, pursuant to Chapter 13:1, Laws of 2015, which allowed the State and the Town to enter into a lot line agreement or boundary adjustment between the state-owned property identified on the New Ipswich tax maps as Map 9, Lot 20 and the Smithville Cemetery, Map 9, Lot 21. In 2023, the Town and the Office of the Attorney General entered into a settlement agreement, memorializing the terms described above and requiring the transfer to follow the disposal process for state-owned land in accordance with RSA 4:40.

NHDES requests permission to make a lot line adjustment with the Town of New Ipswich and to transfer a 0.37-acre area of Tax Map 9, Lot 20 to the Town along with easement rights to State. This transfer will be conditional on the Town fulfilling the terms of the settlement agreement, which includes paying the State a total of \$38,000.

This was presented to the Council on Resources and Development (CORD) on May 8, 2025, and voted to Recommend Approval of SLR 2025-001- New Ipswich as submitted. Should you have questions, or need additional information, please feel free to contact Corey Clark, Chief Engineer, at 603-271-1961 or corey.j.clark@des.nh.gov

Sincerely,



Robert R. Scott
Commissioner

ec: Christopher Shea, Deputy Legislative Budget Assistant, Office of Legislative Budget Assistant