



State of New Hampshire

DEPARTMENT OF ADMINISTRATIVE SERVICES

25 Capitol Street – Room 120
Concord, New Hampshire 03301

Charles M. Arlinghaus
Commissioner
(603) 271-3201

Joseph B. Bouchard
Assistant Commissioner
(603) 271-3204

Catherine A. Keane
Deputy Commissioner
(603) 271-2059

March 29, 2022

Taylor Caswell, Commissioner
NH Department of Business and Economic Affairs
Office of Planning and Development
100 North Main Street, Suite 100
Concord, NH 03301

**RE: Council on Resources and Development (CORD) Surplus Land Review (SLR) Request –
Proposed Ground Lease of Sylvester Superfund Site in Nashua**

Dear Commissioner Caswell:

The Department of Administrative Services (DAS), acting on behalf of the Department of Environmental Services (DES), proposes to lease to Gilson Road Solar, LLC (an as-yet unformed special purpose entity) approximately 25.78 acres of land at the Sylvester Superfund Site in Nashua, consisting of the “cap” of a capped landfill and the abutting State land, for the purpose of constructing, installing, operating, and maintaining a commercial solar power generation facility. The proposed solar farm installation shall not penetrate the ground and will be constructed/installed entirely on the surface. DES shall retain responsibility for the subsurface capped landfill and the State’s other existing obligations with regard to the Sylvester Superfund Site.

Please submit this proposal to the Council on Resources and Development for review. If you have any questions, then please contact Jared Nylund, DAS Real Property Asset Manager at 271-7644.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ch Arlinghaus".

Charles M. Arlinghaus, Commissioner

Enclosures

Cc: Gary Lunetta, Director of Procurement and Support Services
Michael Summerlin, Project Manager, NHDES Superfund Sites Management Section
Jared J. Nylund, Real Property Asset Manager

Council on Resources and Development
REQUEST FOR SURPLUS LAND REVIEW ACTION

Name of Requesting Agency: Administrative Services (on behalf of NHDES)

Agency Contact Person: Jared Nylund, Real Property Asset Manager
Address: 25 Capitol Street, Concord, NH
Phone Number: (603) 271-7644
E-Mail: jared.j.nylund@das.nh.gov

Applicant Contact Person: Same as above
Address: _____
Phone Number: _____
E-Mail: _____

Location of Property: North of Gilson Road, Nashua, NH (City Parcel ID Nos. D-460 and D-79A)

Acreage: 25.78 acres (approximately)

Requested Action: Proposed ground lease of a State-owned Superfund site to a solar farm developer/operator

Term of Lease or Easement: Maximum combined option and lease term up to 47 years

Please complete ALL questions below, submit one digital copy and one hardcopy original of the complete application to the Office of Strategic Initiatives, Johnson Hall, 3rd Floor, 107 Pleasant Street, Concord, NH 03301, michael.klass@osi.nh.gov.

1. What is the current use of this property?

The two abutting parcels of land to be leased (the parcels to be leased are together hereinafter the "Property") comprise the site of a former gravel pit and waste disposal area condemned and acquired by the State in the early 1980s. Since then, the Property has been the site of environmental remediation by the State and the USEPA under the federal Superfund program (CERCLA). The majority of the Property is surrounded by chain-link fence topped with barbed wire. The fencing prevents trespassing into the waste disposal/remediation area. Below grade, the waste disposal area is surrounded by a bentonite slurry wall tied into bedrock and an impervious cap was installed to cover the contained area and prevent the infiltration and contamination of rainwater. The Property is maintained by NHDES in agreement with, and under the authority of, EPA. Drainage features consistent with capped landfills are also present on the Property (e.g., swales, retention basins).

2. What is the proposed use of this property if surplusd? Please note if proposed use is intended to create a public benefit.

To lease the Property to a special purpose entity that will construct, install, and operate a commercial solar farm on site to generate electrical power, creating the public benefit of generating renewable energy. The proposed use is consistent with the Superfund remedy in-place at the site and serves as a beneficial reuse that achieves an EPA goal for Superfund waste sites. Responsibility for maintaining the remedy and the capped remediation area on the Property will remain with the State, but some maintenance will be performed by the lessee.

3. Does the proposed use of this property entail new development? Yes No
- a. If yes, is it consistent with adjacent and existing development? Yes No
- b. Please describe how the proposed new development differs from or is similar to its surroundings. Also indicate how it may initiate a future change in the use of the property or surroundings.

Surrounding properties are primarily residential, consisting of single-family house lots and manufactured housing parks. One industrial building, owned by the City of Nashua, is located on a parcel that abuts the Property. The proposed use of the Property is not likely to initiate a future change in the use of the surrounding properties. Currently, the Property is dominated by a capped landfill. The proposed use involves the installation of solar panels and associated connections and equipment on the surface of the cap.

4. Are there any structures located on this property? Yes No
- a. If yes, please describe the structures including how many and what kind.

There are three premanufactured sheds on the Property housing valving systems formerly associated with the historically active groundwater extraction and treatment remedy. The active remedy is no longer operating and the sheds are used for storage and staging during periodic groundwater sampling events.

5. Are there historical architectural or archaeological resources identified on this site? Yes No
- a. If yes, describe the resource(s)?

- b. If no, contact the NH Division of Historical Resources prior to application submission.

6. Is there any existing development or structures on adjacent sites? Yes No
- a. If yes, describe the use and number of structures of adjacent sites.
If no, where is the nearest development? (Describe distance, use, and number)

See 3b above.

7. Does the site represent the entire state property in this location? Yes No
- a. If no, please describe its relationship to the entire state holding (percentage of total acreage, percentage of overall rail length, etc).

8. Is access to this property available? Yes No
- a. If yes, how is the site accessed? (from rail, water, across applicant's property, etc)

Access to the parcels is from Gilson Road by deeded access easement over abutting City of Nashua land with frontage on Gilson Road.

- b. If yes, is there a potential for public access interruption? Yes No

9. Are there water resources related to this property such as:

Lakes/Ponds - Yes No Rivers - Yes No Wetlands - Yes No

a. If yes, please indicate the size or extent of such resources.

At the northeasterly edge of the Property, there exist wetland areas associated with Lyle Reed Brook. Lyle Reed Brook meanders through this wetland area. Portions of Lyle Reed Brook are monitored periodically through surface water sampling in conjunction with groundwater monitoring events performed for the monitoring of progress of the remedy at the Superfund Site.

b. If yes, is the property located within 250 feet of a lake/pond or river?

No. The Nashua River is located approximately 2,000 feet northeast of the Property. Lyle Reed Brook discharges to the Nashua River.

c. If yes, please describe any municipal regulations and/or Shoreland Water Quality Protection Act (RSA 483-B) provisions that apply to the development of the property.

We are not aware of any such provisions that apply to development of the Property.

d. If there are water resources, please describe current public or private access from the site to the water body. Public Private No Access Available

There is no public access to the wetlands of Lyle Reed Brook over the Property. The portions of Lyle Reed Brook that flow through the Property and continue through the manufactured home community are posted to prevent swimming, not that the waterway is very inviting for recreation.

e. How would the proposal affect the access opportunities described in d?

n/a

10. Please identify any other significant resources or sensitive environmental conditions known to be located on or adjacent to this property.

	Yes (property)	Yes (adjacent property)	No
a. Steep slopes.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Wetlands (Prime and NWI)	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c. Threatened or endangered species	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d. Wildlife Action Plan Critical Habitats	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e. Increased impervious surface.....	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f. Potential stormwater flow changes.....	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g. Agricultural soils of prime, statewide, or local importance.....	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h. Potential river channel change	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i. Other special designations	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a description for any "yes" responses to question #10.

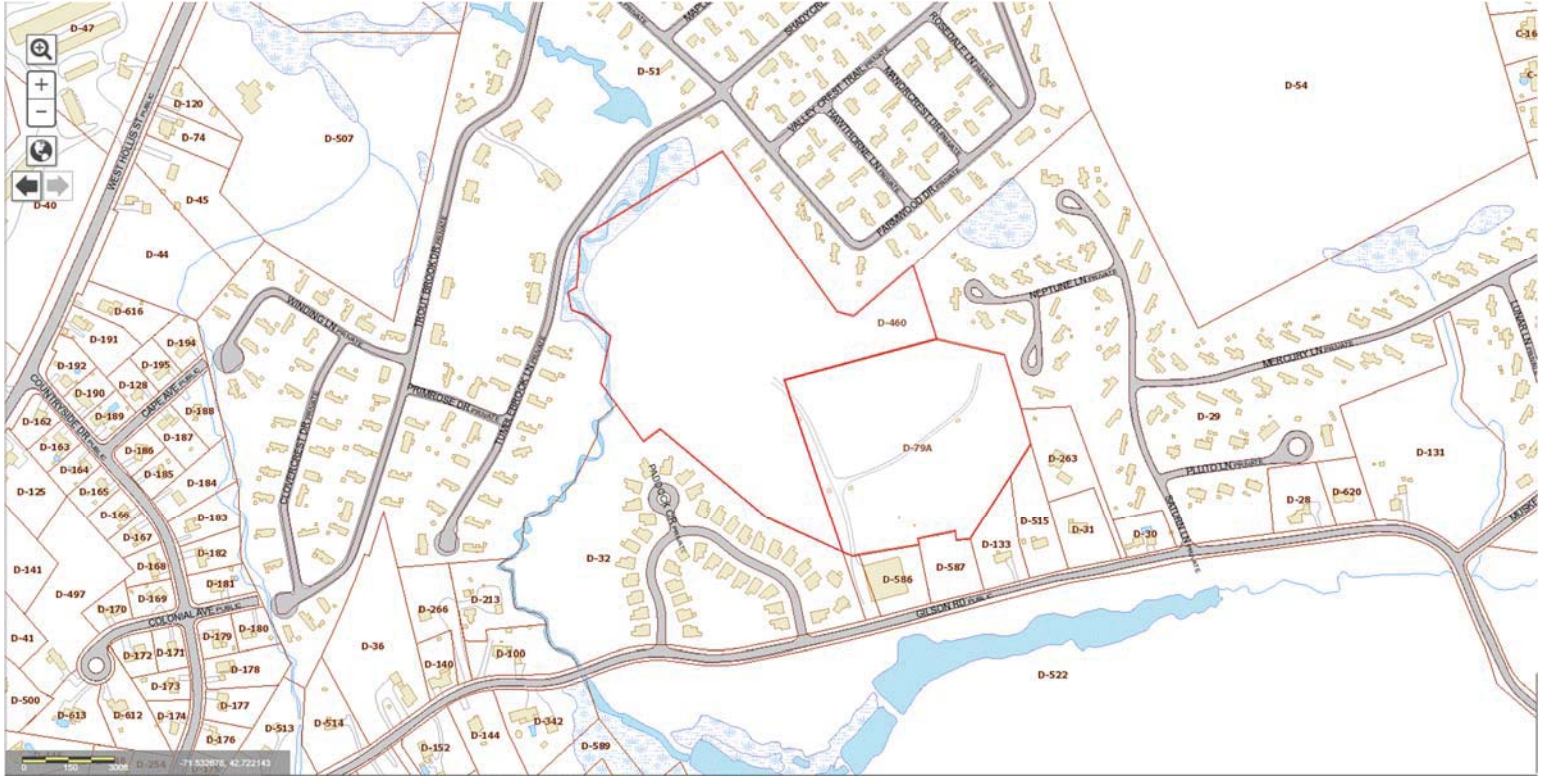
- A. Landfill cells on the Property have established steep side slopes. Although steep, they are still maintained with mowing.
- B. NWI mapped PEM1E and PF01/4E wetlands adjacent to the Property along the northern and western boundaries, respectively. Nashua has deemed these same wetlands as "critical".
- E. Existing gravel roadways may be "improved" with additional sand and gravel dressing by developer. Sand and gravel pads may be placed beneath solar panel ballast structures for support of panel systems.
- G. Very small portion of the Property and portions of abutting parcels contain agricultural soils of local importance.
- I. The Property is a federally-designated CERCLA Superfund Site.

11. Attach photographs and maps of the property. Maps should highlight the requested property location and help to adequately place the property within its municipality.

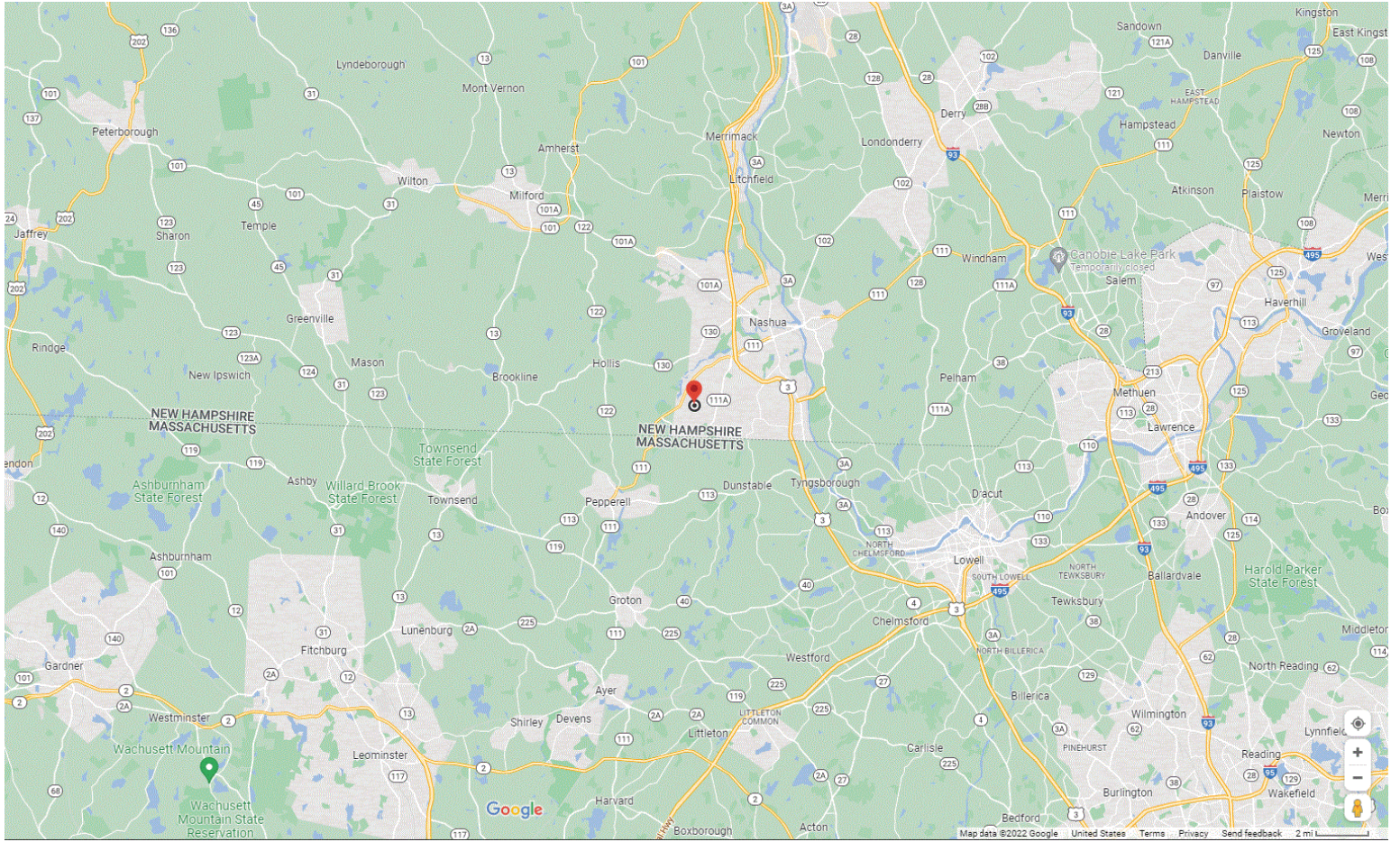
- a. Municipal tax map copy showing all abutters
- b. General location map with scale, north arrow, nearby roads, and water bodies/features*
- c. Aerial Photograph*
- d. Any site plans for new or proposed development prepared at the time of application
- e. Maps depicting rail lines, wetlands, conservation lands, rare species and exemplary natural communities or topographic features are welcome but not required

* Maps can be created with GIS, Google, NH GRANIT, or any other readily available mapping service.

Please paste any maps and photographs submitted as part of this application here.



Tax Map Detail
Sylvester Superfund Site
North of Gilson Road (Tax Parcel Nos. D-79A and D-460)
Nashua, New Hampshire



**General Location of Sylvester Superfund Site
North of Gilson Road
Nashua, New Hampshire**

Site Locus Plan Sylvester-Gilson Road Superfund Site



Legend

- State
- County
- City/Town
- Railroads
 - Active
 - Abandoned
 - Inactive
 - Out of State
- Turnpikes
- Interstates
- US Routes
- State Routes
- Local Roads
- Stream Centerlines
 - Perennial Stream
 - Intermittent Stream
 - Artificial Paths
- Water Bodies
 - Lake/Pond
 - Reservoir
 - Swamp/Marsh
 - Estuary
- Other Water Features
 - River
 - Spillway
 - Inundation Area
 - Dam/Weir
 - Canal/Ditch
 - Rapids

Map Scale
1: 6,010
© NH GRANIT, www.granit.unh.edu
Map Generated: 2/2/2022

Notes



REV	DATE	DESCRIPTION OF REVISION

NEW ENGLAND SOLAR GARDEN CORP.
36 MAPLEWOOD AVE.
PORTSMOUTH, NEW HAMPSHIRE 02801

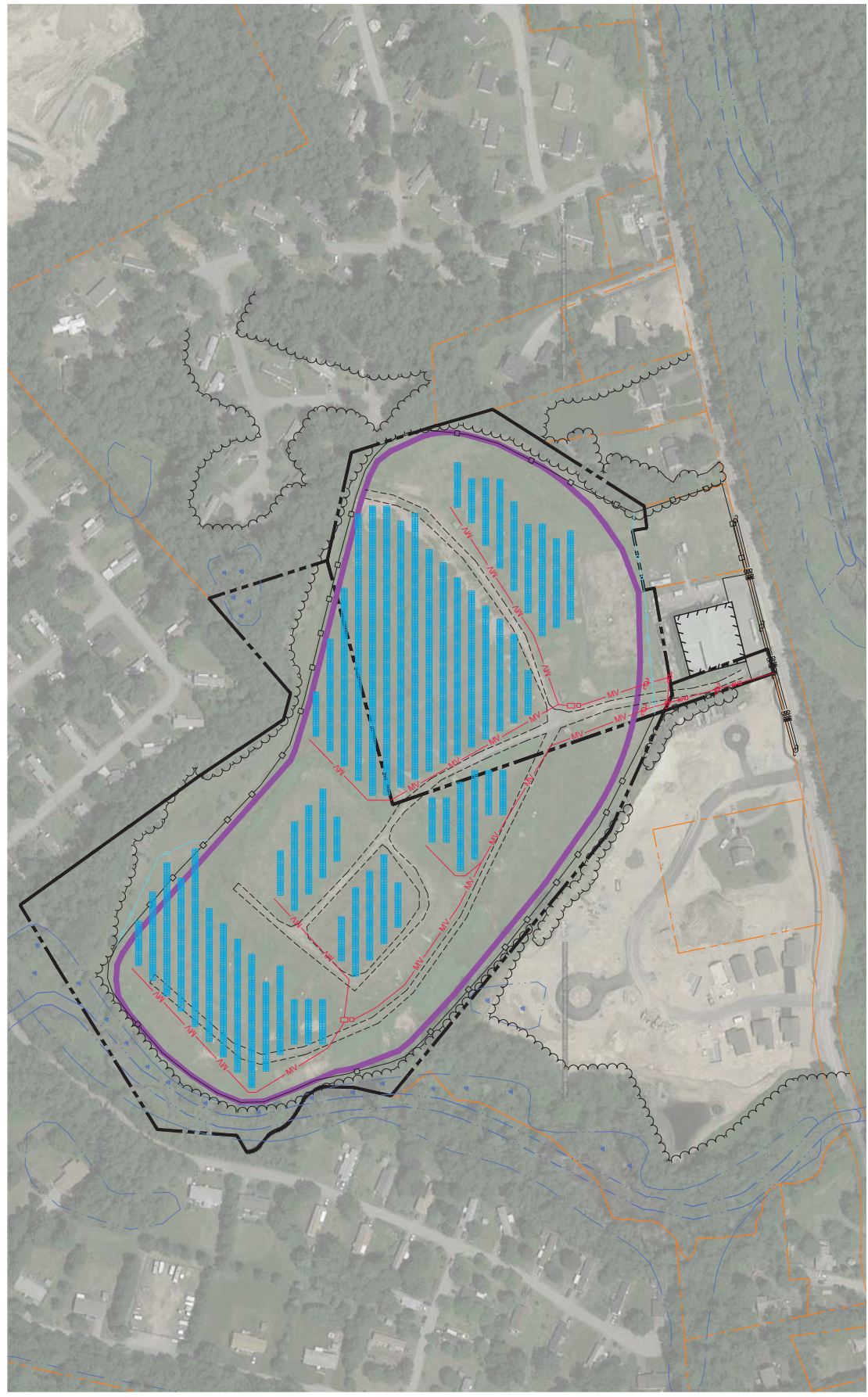
DATE: 7/23/20
MR. 7/23/20
AK 7/23/20

PROJECT NO: 2019-001

1" = 100'

NEW ENGLAND SOLAR GARDEN CORP.
PROPOSED CONDITIONS
SOLAR ARRAY DEVELOPMENT PLAN
REAR OF 57 GILSON RD NASHUA, NH

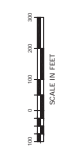
DATE: 7/23/20
DRAWN BY: [Name]
CHECKED BY: [Name]
SCALE: AS SHOWN
D.T.L.O.



SOLAR PROGRAM TOTALS
 NO. 27 STRINGS: 272
 NO. MODULES (BALLASTS): 7,344
 MODULE RATING: 390W
 ARRAY OUTPUT: 2.0MW AC/2.86MW DC

SITE CIVIL TOTALS
 USE EXISTING INFRASTRUCTURE
 ALL MV CONDUIT IS ABOVEGROUND

- LEGEND**
- PROJECT PARCEL
 - TOWN SETBACK ZONING
 - TRAIL / PATH
 - WETLANDS
 - BACKWATER WETLANDS
 - TOWN SETBACK ZONING
 - BUILDING
 - OVERHEAD ELECTRIC
 - SURVEY WALL / COP
 - TREE LINE
 - PROP. GRAVEL ROAD
 - PROP. GRAVEL DRIVE
 - PROP. US ELEC. FENCE
 - PROP. SOLAR ARRAY
 - 0MW
 - PROP. OH ELECTRIC
 - PROP. CULM. CAPPING
 - PROP. TREE LINE NO STUMPING



Farmland Soil Plan - Gilson Road Superfund Site



Legend

- Parcels
 - Parcel Polygons
 - Attributes for Additional Lines
- State
 - County
 - City/Town
 - Turnpikes
 - Interstates
 - US Routes
 - State Routes
- Local Roads
- Farmland Soils
 - Conditional Prime Farmland
 - <all other values>
 - All areas are prime farmland
 - Farmland of local importance
 - Farmland of statewide importance
- Stream Centerlines
 - Perennial Stream
 - Intermittent Stream
- Artificial Paths
- Water Bodies
 - Lake/Pond
 - Reservoir
 - Estuary
 - Swamp/Marsh
- Other Water Features
 - River
 - Siphway
 - Inundation Area
 - Dam/Veir
 - Canal/Ditch
 - Rapids

Map Scale
 1: 3,005
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 Map Generated: 2/24/2022

Notes

