

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

DATE: January 18, 2022

FROM: Matt Urban
Chief, Operations Management Section

AT (OFFICE):
Department of Transportation
Bureau of Environment

SUBJECT: Surplus Land- Concord
SP-121321

TO: Jeffrey Lavoie
Bureau of Right-of-Way

The subject parcel has been reviewed to determine if there are any environmental concerns relative to its proposed disposal. The Bureau of the Environment does not object to the disposal of the subject property.

This parcel is located within a ¼ mile of the Merrimack River, a Designated River. Please coordinate with the NHDES River Coordinator (Tracie Sales), prior to the transfer of this parcel.

In accordance with the Stewardship and Oversight Agreement between DOT and FHWA, FHWA review of this parcel is not necessary.

MRU:mru
Attach.
c.c.
Stephen Labonte, via email
Adam Smith, via email
Lisa Weir, via email

**Classification and/or Review of
Surplus Land**

Property Name: Concord, NH
Assoc. Project: Concord, NH
Federal No.: NA
State No.: C-2421

Date: January 18, 2022
Originating Bureau: Right-of-Way
BOE Database No.: SP-121321

Property Location & Description:

Explanation of what prompted disposal of property:

Bureau of Environment Reviewer:

Environmental Parameters: Possess, Absent, Unknown

P	A	U	
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Building or Structures
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Surface Waters
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Wetlands
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Prime Wetlands (on or adjacent to property)
<input type="checkbox"/>	<input checked="" type="checkbox"/>		100 yr Floodplain
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Source Water Protection Area
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Prime Farmland (local or statewide importance)
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	NHB Threatened or Endangered Species / Critical Habitat
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Historical Architectural Resources
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Archeological Resources
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Contamination Issues
<input type="checkbox"/>	<input checked="" type="checkbox"/>		Recreation Use
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Lake Access / Adjacent (within 250 feet)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	River Access / Adjacent (within 250 feet)
<input checked="" type="checkbox"/>	<input type="checkbox"/>		Designated River (within 0.25 miles)
<input type="checkbox"/>			Other

Potential Impact Discussions:

Field Review: 12/21/2021

Existing Site Conditions: The Parcel is located adjacent to South Main Street and Sexton Ave and is a primarily wooded and grassy undeveloped parcel of land. On the day of the site visit, there was evidence of a homeless encampment on the Sexton Ave parcel adjacent to the railroad tracks in a small patch of wooded area. There was no evidence of structures of historic or cultural significance.

Desktop Review: A review of desktop resources determined that the site was within 0.25 miles of a designated river (Merrimack River), however the river and parcel are separated by railroad tracks and I-93. Additional desktop review did not determine the presence of any additional environmental concerns. There is no known history of contamination issues, it is not a source water protection area, the parcel does not provide access to water or have any other recreational value, and it is not a wetland.

Cultural Review: A Cultural Review was completed by the NHDOT's Cultural Resource Program and made a determination that there will be no potential to cause effect to above, or below ground resources. The Cultural Review is attached with this document.

Contamination Review: According to NHDES OneStop the access point is not associated with a remediation site, therefore there are no contamination concerns from a point-source perspective, however statewide analytical data collected by NHDOT, as well as nationwide information, indicates that roadside soils commonly contain metals and

Polycyclic Aromatic Hydrocarbons (PAHs) at concentrations above background conditions. These "Limited Reuse Soils" (LRS) when excavated shall be addressed in accordance with applicable NHDES rules.

NHB Land Owner Inquiry: The box for NHB Threatened or Endangered Species is marked as unknown as the request for information has not been received to date. The initial Land Owner Request was completed on December 20, 2021 and a follow up was sent via email on January 10, 2022 with no response.

This bureau does not object to the transfer of the subject property pending further environmental/archaeological review as noted above.

The Bureau of Environment does not object to the transfer of this property.

Recommended Environmental Classification for the Federal Highway Administration is

- Class II – Categorical Exclusion (send to the Federal Highway Administration for concurrence)
- Class II – Programmatic Categorical Exclusion
- Other _____
- N/A

The Bureau of Environment does not support the transfer of this property.

Attached:

Location Map:



Railroad Layout or ROW Plan:



Aerial Photo:



NHNHB Letter:



Tax Map:



Photographs:



Electronic copy to originating Bureau to be forwarded to:

Rivers Management Advisory Committee:



Required



Not Required

Lakes Management Advisory Committee:



Required



Not Required

DES Rivers Coordinator (Designated Rivers):




Required



Not Required

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

FROM: Stephen G. LaBonte 
Administrator

DATE: December 13, 2021

**AT
(OFFICE):** Department of Transportation
Bureau of Right-of-Way

SUBJECT: Disposal of State Owned Land in Concord

TO: James Marshall, Administrator, Highway Design
Richard Radwanski, District Engineer, District 5
Matt Urban, Chief of Operations Management, Environment
Shelley Winters, Administrator, Rail and Transit
Bill Watson, Administrator, Planning and Community Assistance

The Department has received a request from Konstandinos Luzis whom wishes to acquire 2 parcels of state-owned land adjacent to his property of 89 South Main Street in Concord. State owned parcels are recognized as 105 South Main Street and Sexton Avenue in the City of Concord.

These 2 parcels consisting of approximately .67+/- of an acre were acquired through eminent domain in 1981 for the Storrs Street Extension project.

City of Concord records indicate that these parcels are located in the Urban Commercial District zone (CU) for 105 South Main Street & the Opportunity Corridor Performance District (OCP) zone for Sexton Avenue.

According to the Stewardship and Oversight Agreement between the DOT, FHWA, and FHWA, review of this parcel is not necessary.

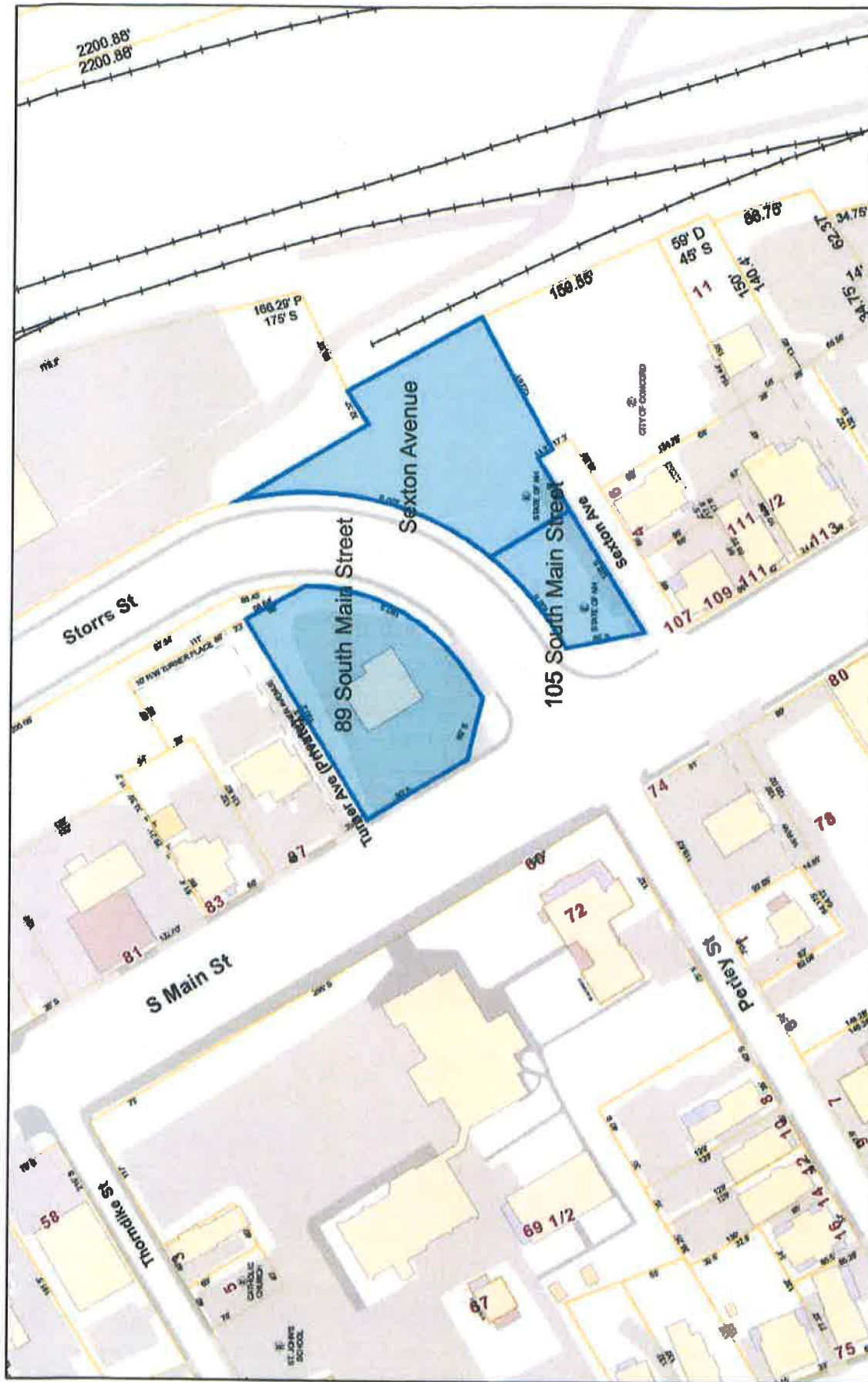
Please review this request to determine if this parcel could be considered surplus to your Bureau's current or future needs. If your Bureau has an interest or concern relative to the disposal of this parcel please notify this Bureau in writing within thirty (30) days.

If you have any questions or concerns on this request please contact Jeffrey Lavoie either via email at jeffrey.a.lavoie@dot.nh.gov or by phone at 603-271-1635.

Reference can be made to the following Plan: Concord C-2421-B sheet 17.

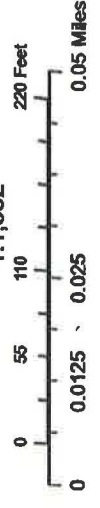
SGL/JAL/jl
Attachments

cc: Caleb Dobbins, Administrator, Highway Maintenance
Jennifer Lane, Administrative Assistant, Commissioner's Office
Adam Smith, Assistant Administrator
Lisa Weir, Chief of Property Management

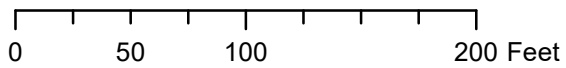


October 22, 2021

1:1,362



Concord, NH SP-121321



1:1,000

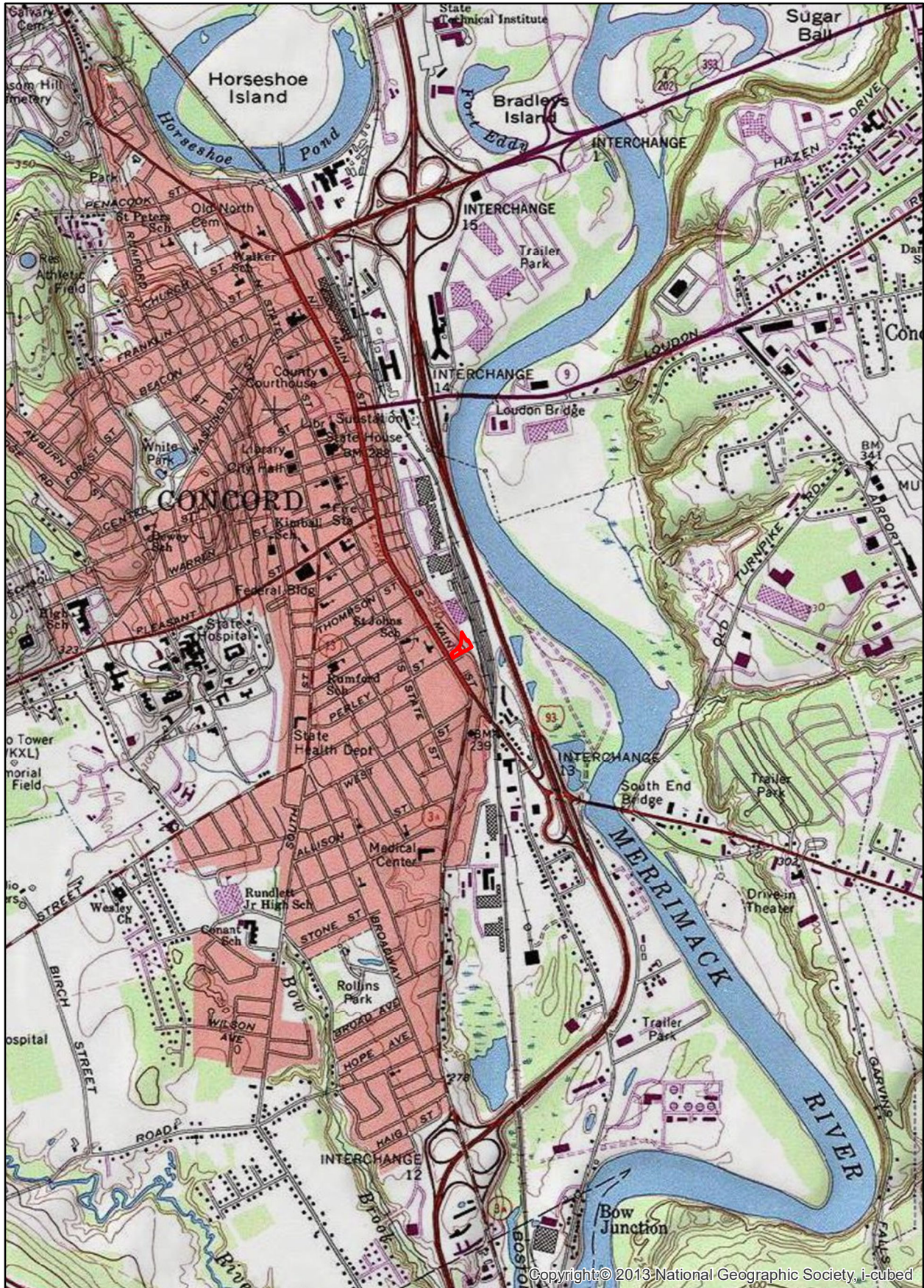
Concord, NH SP-121321



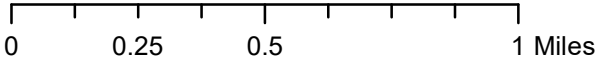
0 175 350 700 Feet

1:3,000

Concord, NH SP-121321



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1:24,000



Photo 1: View of the parcel looking North.



Photo 2: View of the parcel looking South.



Photo 3: View of the parcel looking East.



Photo 4: View of the parcel looking West.



Photo 5: View of the parcel wooded area looking Northwest.

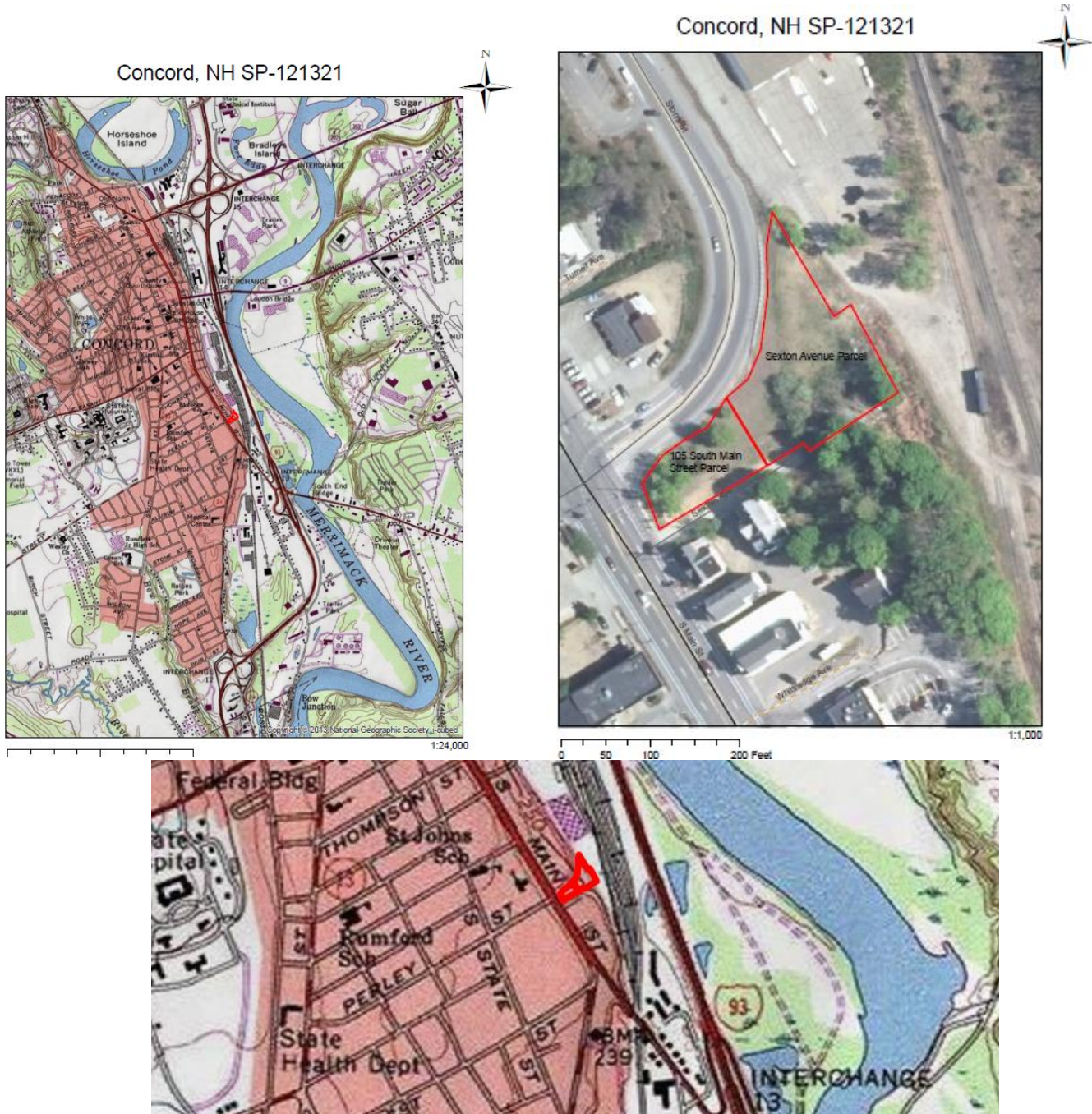


Photo 6: View of the homeless encampment.

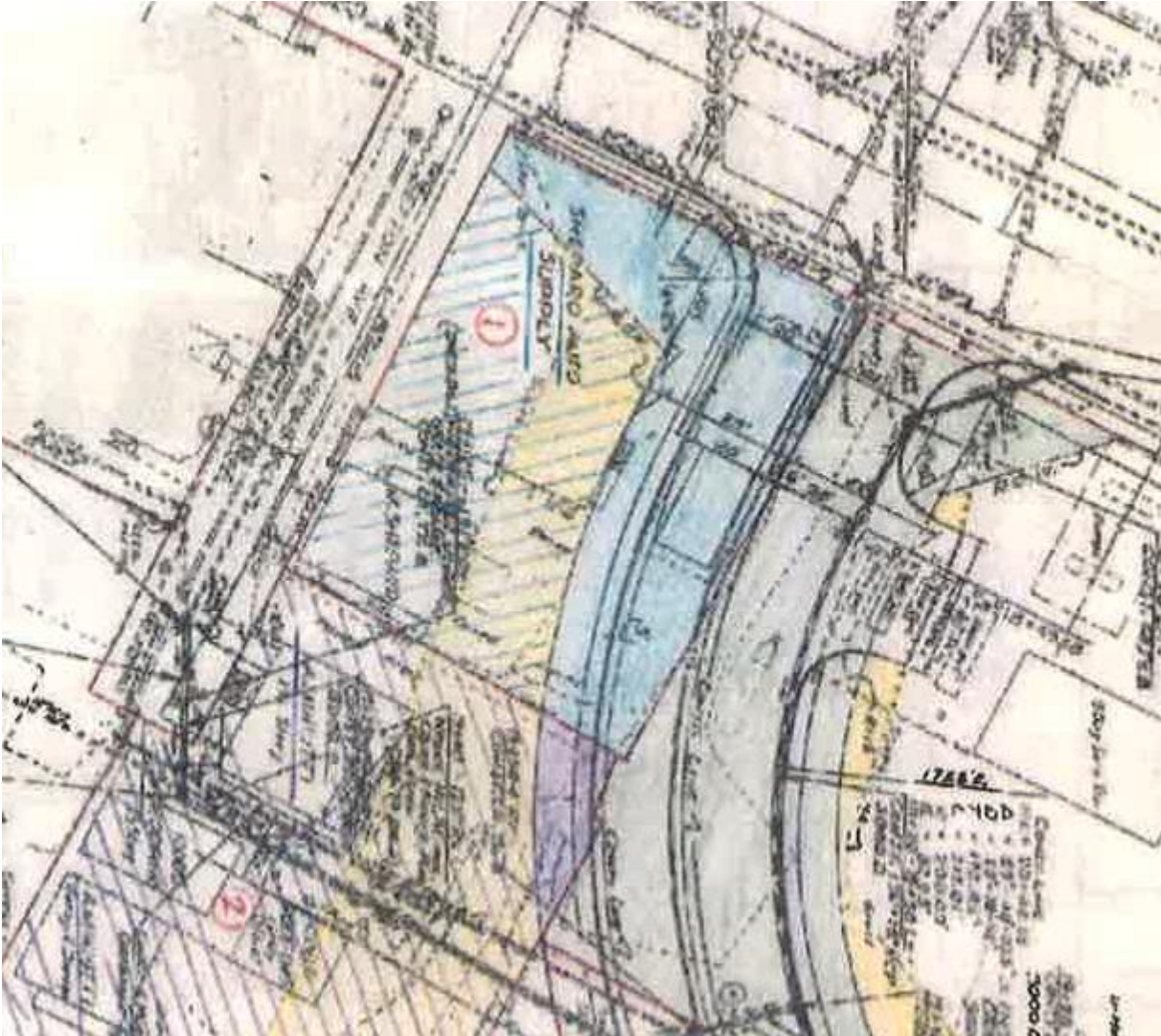
Project Concord Sp-121321 (formerly Concord SP-100813)
NHDOT Cultural Resources Review

For the purpose of compliance with regulations of the National Historic Preservation Act, the Advisory Council on Historic Preservation's *Procedures for the Protection of Historic Properties* (36 CFR 800), the US Army Corps of Engineers' *Appendix C*, and/or state regulation RSA 227-C:9, *Directive for Cooperation in the Protection of Historic Resources*, the NHDOT Cultural Resources Program has reviewed the proposed project for potential impacts to historic properties.

PROJECT PROPOSAL: The Department received a request from Konstandinos Luzis to acquire 2 parcels (.67 acres) of state-owned land (105 South Main St and Sexton Avenue) adjacent to his property at 89 South Main St, Concord. These two parcels were acquired through eminent domain in 1981 for the Storrs Street Extension project (Concord C-2421-B, Sheet 17).

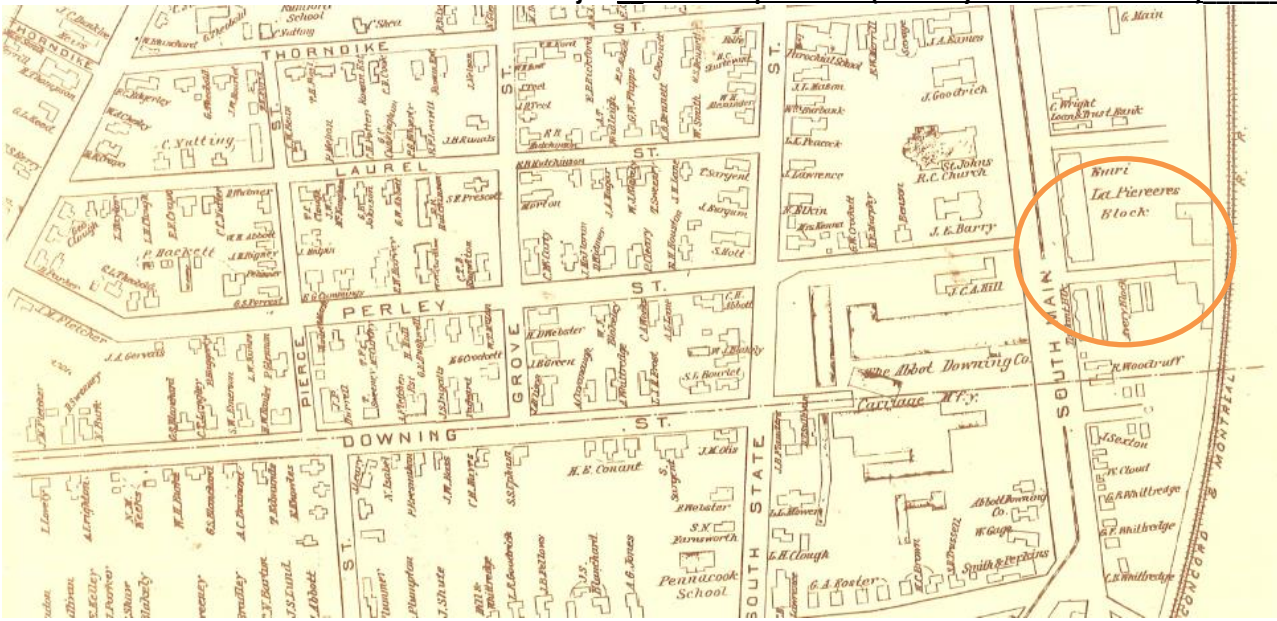


Concord C-2421-B, Sheet 17



1892 Hurd Map of Concord, NH

Project Concord Sp-121321 (formerly Concord SP-100813)

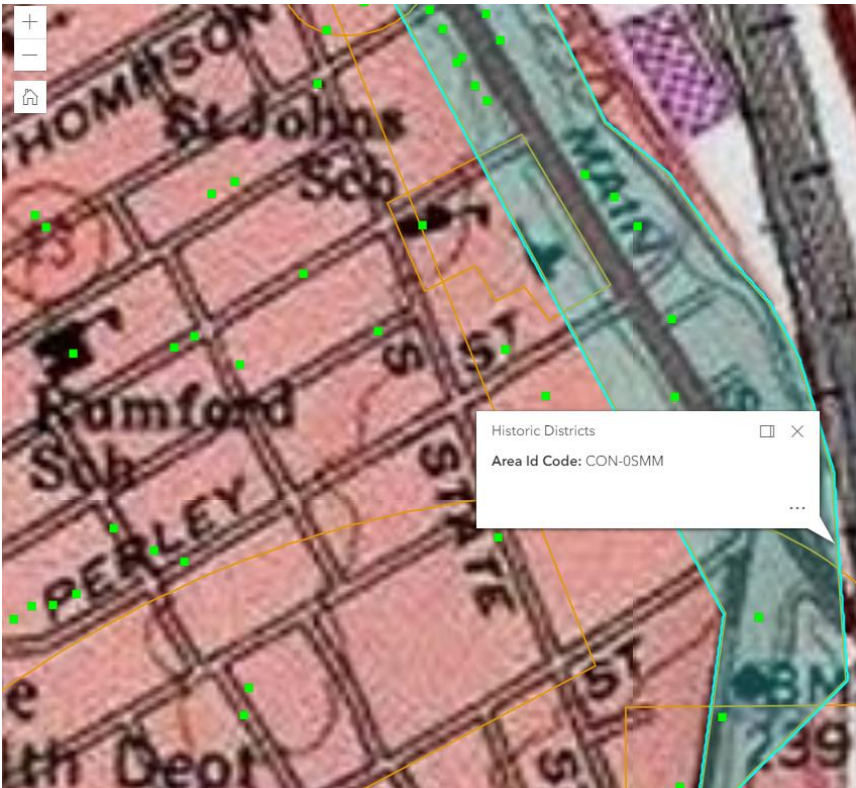


Photos, 12.21.2021





EMMIT Map, 12/29/2021



Above Ground Review

Known/approximate age of structures:
There are no standing structures located on the parcel.

No Potential to Cause Effect/No Concerns

EMMIT Review Results 12/2021

The proposed surplus project area lies within the Concord, South Main Manufacturing District (CON-OSMM Historic District). Concord's Main Street was laid out with the original town plan in 1726, and industry developed post-1813 when Lewis Downing began manufacturing wagons. The railroad in 1842 expanded the supply chain and markets, spurring industry in the area (Mausolf 2012). The District was determined not NR eligible due to lack of integrity (DOE 5/11/2012).

EMMIT also revealed several individually inventoried structures lie in proximity to the proposed surplus parcel including:

To the north of the proposed surplus parcel, east of Main Street and north of Perley St, CON0316 Simard's Esso Service Center, 89-95 South Main Street, constructed 1956, altered c.1980 with second story at rear; determined not NR eligible (3/13/2013).

To the south of the proposed surplus parcel, east of Main Street and south of Perley St, CON0317 John Sexton House, 107-109 South Main Street, constructed 1870, windows altered c.1980; determined NR and SR eligible individually (2/27/2013).

Concerns:

Below Ground Review

Recorded Archaeological site: Yes No

Nearest Recorded Archaeological Site Name & Number: 27-MR-0415 Capt. Paul Robertson Site
 Pre-Contact Post-Contact

Distance from Project Area: 4624 ft northwest of project area

No Potential to Cause Effect/No Concerns

Concerns:

EMMIT (NHDHR Enhanced Mapping & Management Information Tool) review on December 29,2021 revealed no archaeological resources have been recorded in the proposed surplus area.

Results of Former review 2013-2014

Review of this proposed surplus parcel (.63 acre) was formerly undertaken (9/12/2014 email from Sheila Charles to Philip Miles NHDOT ROW; <S:\Environment\SURPLUS LANDS\CONCORD\SP-100813>):

Dear Phillip,

This email responds to your questions regarding the archaeological sensitivity of the Concord parcel (.63 of an acre) located on the southeasterly corner of Main and Storrs (Perley) streets, acquired in 1981 for the construction of the Storrs Street Extension Project.

I conducted some back ground research on this area and did a surface walkover with Matt Urban on 10/22/2013 for the Concord SP-100813 project.

My notes of November 21, 2013 indicate:

The area was not included in the archaeological review associated with the Concord Downtown Streets Project 23717 as the review in this area was limited to the northeast corner of the intersection of South Main and Storrs Streets (Ellen Marlatt of Independent Archaeological Consulting personal communication November 21, 2013).

There are no documented archaeological sites in the area on the NHDHR Archaeological Site Database.

Cartographic research revealed that there are no structures on the 1858 Walling Map. One structure "Emri Ld Piereeres Block" is depicted on the 1892 Hurd Map in the project area north of Perley Strett..

By 1982 the DOT Slopes & Drainage As Built Plans depict (East to West): a Shell Auto Supply, and structures associated with M. Shepard (2.5 story), A. Miniutti (2 story), Rodd Roofing (2 bdgs inc office), and A. Miniutti.

Although formerly (2014), I had some concerns with the property being archaeological sensitive due its location within ¼ mile of the Merrimack River, further cartographic review and consideration of the previous land use and proximity to the railroad corridor indicate the likelihood of substantive below ground disturbances.

Furthermore, surface evidence during the 2014 and 2021 walkover revealed expansive grading and deposition of fill. As such, I have no below ground archaeological concerns for the proposed surplus of the parcel.

Compiled and Reviewed by:



12/29/2021

NHDOT Cultural Resources Staff

Date: