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New Hampshire DOT
Department of Transportation

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION

CHRISTOPHER D. CLEMENT, SR.
COMMISSIONER

JEFF BRILLHART, P.E.
ASSISTANT COMMISSIONER

His Excellency, Governor John H. Lynch
and the Honorable Council
State House
Concord, New Hampshire 03301

Bureau of Right-of-Way
October 9, 2012

REQUESTED ACTION

Pursuant to RSA 4:39-c and 228:31, AUTHORIZE the Department of Transportation to sell and grant an access point through the Limited Access Right-of-Way of NH Route 111 for the connection of Frye Road and NH Route 111 in Danville to the Town of Danville for twenty-five thousand five hundred ($25,500.00) dollars plus a one thousand one hundred ($1,100.00) dollar Administrative Fee, effective upon Governor and Executive Council approval.

It has been determined by the Division of Finance that this parcel was originally purchased with 50% Federal Funds and 50% Highway Funds.

Funding is to be credited to the Highway Fund as follows:

04-096-096-960015-0000-UUU-402156 Administrative Fee	FY 2013 $1,100.00
04-096-096-960015-0000-UUU-409279 Sale of Parcel	FY 2013 $12,750.00
04-096-096-963515-3054-401771 Consolidated Federal Aid	FY 2013 $12,750.00

EXPLANATION

The Department of Transportation has received a request from the Town of Danville for the granting of an access point through the Limited Access Right-of-Way to provide access to a Town road (Frye Road) and NH Route 111 in Danville (Federal project # Hampstead – Danville – Kingston S-28(10), State project # S-7759).

In 1968, when the current location of NH Route 111 was laid out and constructed through this area, NH Route 111 was designated a Limited Access Right-of-Way (LAROW) highway where access to the new NH Route 111 was not permitted. As part of this construction, Huntington Hill Road (now Frye Road) was bisected by NH Route 111, and Frye Road was not granted access to NH Route 111, dead-ending the road on each side of NH Route 111.

The Department has received a request from the Town of Danville to allow Frye Road to gain access to NH Route 111 to spur commercial development in the area. This would involve the granting of access through the LAROW of NH Route 111 and constructing an at-grade intersection on NH Route 111 with Frye Road. The Town has received proposals for the development of a 53,000 square foot retail center and the development of a medical center and a continual care residential center campus on properties near this proposed access point.

This request has been reviewed by this Department and it has been determined that the granting of this access point is surplus to our operational needs and interest. When originally laid out, NH Route 111 was designed to be a four (4) lane Limited Access highway. NH Route 111 presently functions as a two-lane Controlled Access facility with access via at-grade intersections at specific locations. Granting of this access point is compatible with the present established character of NH Route 111.

The requested access would support proposed development of land abutting Frye Road and allow access to residential homes and the local roadway networks. This request has been brought forward to the Department previously. The Department has conditionally supported this request.

The Federal Highway Administration's (FHWA) policy is that any change to access control for other than highway purposes is a disposal of rights subject to the payment of fair market value. While the access point does tie into the Town of Danville's road system and serves a highway purpose, the primary intent is for development purposes. Accordingly, the Department is seeking compensation for this break in access.

On June 26, 2012 the Long Range Capital Planning and Utilization Committee amended and approved a request to sell this point of access to the Town of Danville for twenty-five thousand five hundred ($25,500.00) dollars plus an Administrative Fee of one thousand one hundred ($1,100.00) dollars.

Authorization is requested for the granting of this access point as outlined above. Following the Governor and Executive Council's approval an access deed will be issued.

Respectfully,

Christopher D. Clement, Sr.
Commissioner

CDC/PJM/dd
Attachments

DEPT. OF TRANSPORTATION
RIGHT-OF-WAY
JUN 29 2012
RECEIVED

LRCP 12-037

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State of New Hampshire

OFFICE OF LEGISLATIVE BUDGET ASSISTANT
State House, Room 102
Concord, New Hampshire 03301

RICHARD J. MAHONEY, CPA
Director, Audit Division
(603) 271-2785

June 26, 2012

Charles R. Schmidt, P.E., Administrator
Department of Transportation
Bureau of Right-of-Way
John O. Morton Building
Concord, New Hampshire 03301

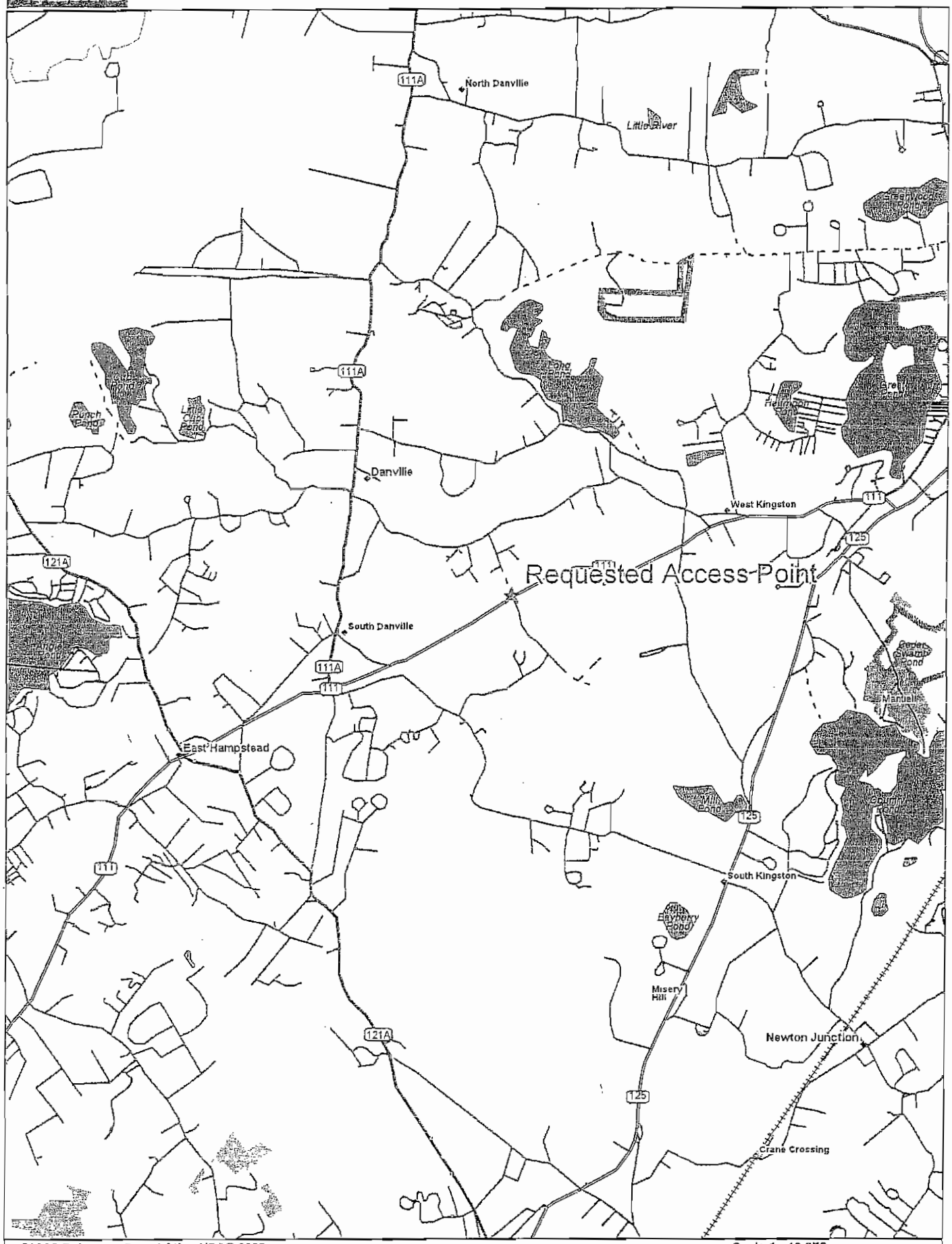
Dear Mr. Schmidt,

The Long Range Capital Planning and Utilization Committee, pursuant to the provisions of RSA 4:39-c, on June 26, 2012, **amended** and approved the request from the Department of Transportation, Bureau of Right-of-Way, to grant an access point through the Limited Access Right-of-Way of NH Route 111 for the connection of Frye Road and NH Route 111 in Danville to the Town of Danville for the **amended cost of $25,550, plus an $1,100 Administrative Fee** subject to the conditions as specified in the request dated June 12, 2012.

Sincerely,

Jeffry A. Pattison
Legislative Budget Assistant

JAP/pe
Attachment



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TN
MN (15.8°W)

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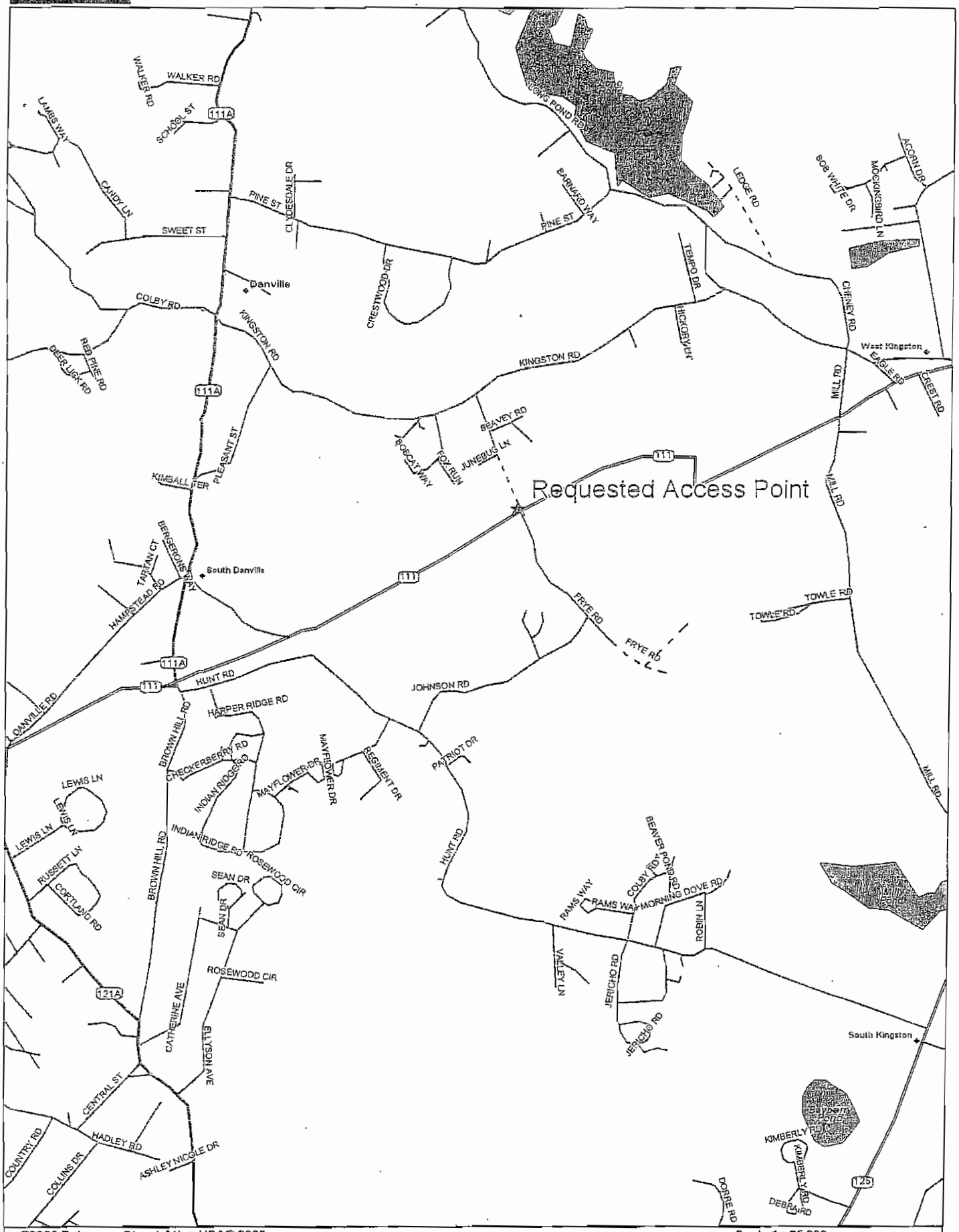
1" = 3910 ft



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TN
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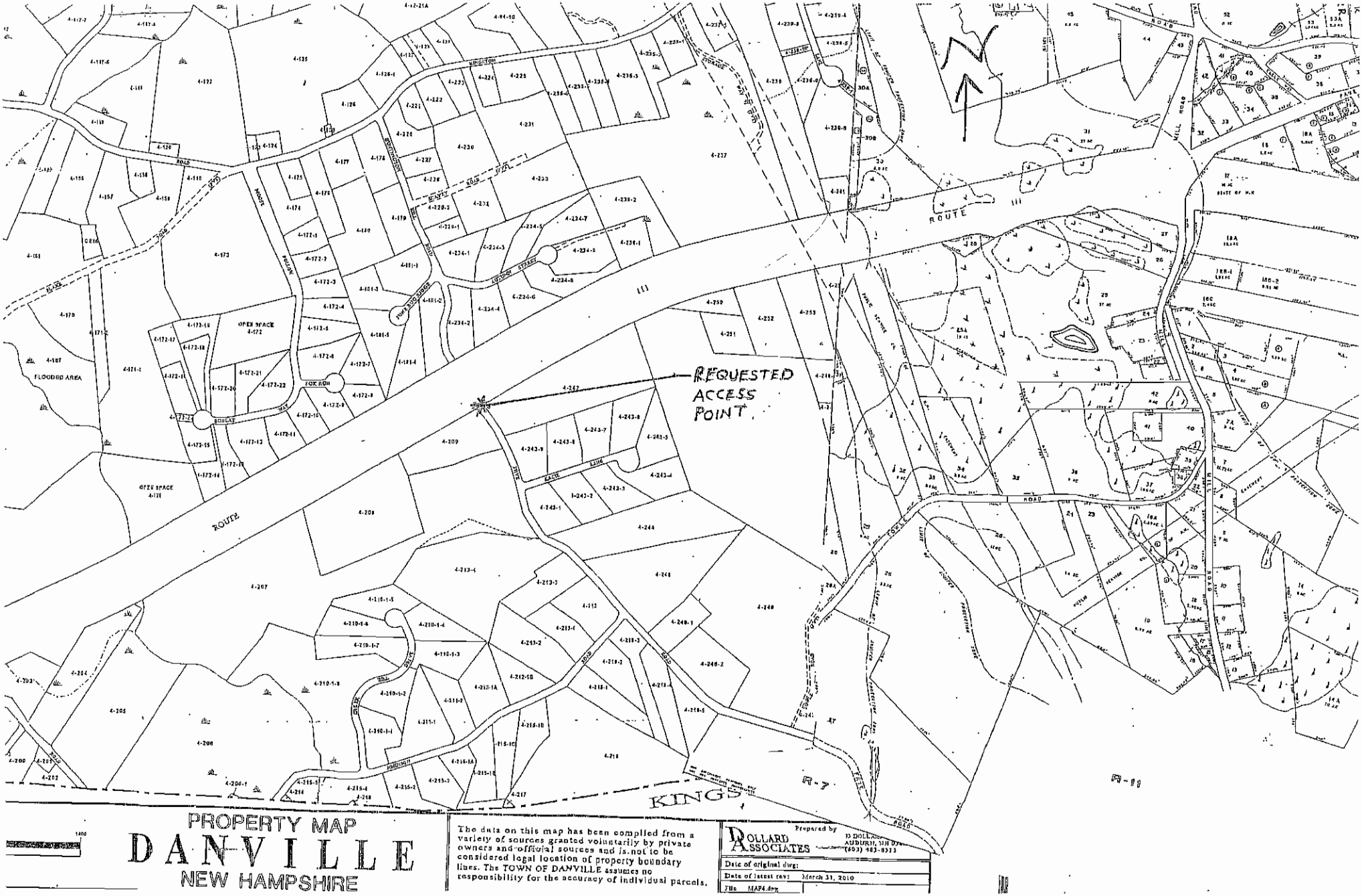
1" = 2080 ft



PROPERTY MAP
DANVILLE
NEW HAMPSHIRE

The data on this map has been compiled from a variety of sources granted voluntarily by private owners and official sources and is not to be considered legal location of property boundary lines. The TOWN OF DANVILLE assumes no responsibility for the accuracy of individual parcels.

Prepared by
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Date of original dwg:	
Date of latest rev:	March 31, 2010
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