

**CITY COUNCIL MEETING**

**AGENDA ITEM VIII**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*March 3, 2014 City Council Meeting*

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**Subject: Late Items**

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**City Council to consider acceptance of NH DOT Compensation for ROW Taking & Easements at the Intersection of Industrial Park Drive and South Main Street also known as Route 3.**



**CITY OF FRANKLIN  
COUNCIL AGENDA REPORT**

*March 3, 2014 City Council Meeting  
Late Item*

**From:** Richard Lewis, Director of Planning and Zoning

**Subject:** **Acceptance of NH DOT Compensation for ROW Takings & Easements**

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**Proposed Motion:**

*"I move that the Franklin City Council accept the offer of compensation in the amount of \$1700.00 from the NH Department of Transportation for the taking of City land and Temporary Construction Easements associated with the improvements to the intersection of Industrial Park Drive and South Main Street, also known as Route 3, and authorize the City Manager to endorse any documents associated with the execution of the agreement."*

**Discussion:**

The City Manager and I met on Monday, February 24<sup>th</sup> with Donald Labelle, a Right-of-Way agent from NH DOT. He presented the City with a plan showing some portions of the proposed improvements to the intersection of Industrial Park Drive and Route 3, South Main Street. This project has been in the works for many years, and the State is now planning on advertising the construction work in the Spring of 2015. According to Mr. Labelle, the construction work may be completed during the 2015 season. The overall work involves the installation of new turning lanes to improve access into the business park, the installation of improved drainage systems, and the reconstruction of Route 3 between the Park entrance and the intersection with Route 127 west. In order to complete the entire project, the NH DOT is working with approximately 12 property owners on taking and easement agreements.

Both the City Manager and I believe that the NH DOT is making a reasonable and fair compensation offer. The funds will be directed to the City's General Fund. At a future point in time, City staff may recommend that the funds be directed towards utility or roadway work associated with the overall improvement in this area that might be the responsibility of the City.

**Alternatives:**

If the City Council did not accept the offer, the only known course of action is to challenge the offer on the grounds that it is not adequate compensation.

**Attachments:**

1. Proposed Compensation Agreement
2. Section of Plan showing the taking [green shaded] & easement areas [orange shaded]



# ESTIMATE OF COMPENSATION (EOC) STATE OF NEW HAMPSHIRE

Department of Transportation, Office of Right of Way

This form does not constitute an appraisal as defined by USPAP.

Project Name:	FRANKLIN	Owner:	City of Franklin
Project Number:	13928A	Owner:	
Federal Project No:	x-A000(737)	Parcel Address:	
Parcel No:	12		599-601 So. Main St. Franklin, NH

Before Area:	2.363 ac.	Current Use:	Industrial/Mixed
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Acquisition: 3,485 sq. ft. in fee simple, 3,825 sq. ft. temporary easements

### Sales Data:

The sales used for this estimate indicate a unit value of \$ 0.35

### Acquisition Summary:

Permanent Easement:

% X Area x Unit Value		x		sf x		=	\$
% X Area x Unit Value		x		sf x		=	\$

Temporary Construction Easement

% x Area X Unit Value	0.35	x	3825	sf x	\$0.35	=	\$468.56
% x Area X Unit Value		x		sf x		=	\$

Fee:

% X Area x Unit Value	100		3485	sf x	\$0.35	=	\$1,219.75
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Other Compensable Items:

		x		=	\$
		x		=	\$
		x		=	\$

Total Amount of Compensation:

1688.31 \$  
Rounded to: 1700 \$

This form is prepared in conformity with NHDOT policy and procedures. This format is approved by the FHWA, which encourages its use for simple acquisitions involving minor impacts where the remainder is undamaged. I understand I am entitled to an appraisal, I wish to proceed with the waiver at this time.

Owner(s) \_\_\_\_\_ Date: \_\_\_\_\_  
Agent Don Peller Date 2-24-2014

Owner(s) \_\_\_\_\_ Date: \_\_\_\_\_

IN CONSIDERATION OF THE ABOVE THE STATE SHALL ALSO AGREE TO THE FOLLOWING:

Award for Taking: \$ 1700.<sup>00</sup>  
Additional Items \$ \_\_\_\_\_  
Total Award: \$ 1700.<sup>00</sup>

NO OBLIGATIONS OTHER THAN THOSE SET FORTH HEREIN WILL BE RECOGNIZED. For THE STATE OF NEW HAMPSHIRE (Subject to the approval of Governor and Council) By:

Member: \_\_\_\_\_ Owner: \_\_\_\_\_  
Agent: Don Peller Owner: \_\_\_\_\_  
Date: 2-24-2014

Administrator: \_\_\_\_\_ Date: \_\_\_\_\_

