

**STAFF REPORT**

AGENDA ITEMS #: 23-31  
COUNCIL MTG OF: March 21, 2023  
FROM: David Caron, Town Administrator  
OFFERED BY: Administration  
PREPARED BY: Administration  
SUBJECT: Request to sell town owned land.

**PURPOSE:** To receive authorization to sell surplus tax acquired property located off Chancellor Drive.

**TOWN ADMINISTRATOR COMMENTS:** Please see comments within this staff report.

**BACKGROUND:**

Tom Lannan has requested Town Council consideration to sell land off Chancellor Drive. The two lots requested by Mr. Lannan were obtained by the Town via tax deed in 1951 and 1968 and comprise approximately 38 acres.

You may recall that Mr. Lannan originally approached the Council in 2021 to swap land located at his subdivision at the end of Datillo Road for a town parcel at the end of Forest Drive. Part of the proposal was to have Lannan construct a parking area and construct trails between Datillo and the subject parcels. The Conservation Commission became involved and opined on two issues. First, the land proposed to be swapped to the Town is mainly wetlands and has little to no conservation value to the Town. Second, the land off Chancellor is not actively managed by the Conservation Commission.

When the Town Council rejected the land swap, Mr. Lannan approached the Town to gauge interest in selling the Forest Drive (and Wildwood) properties and returning them to the tax rolls. The Council concurred to sell, and through an onsite auction conducted by James St. Jean, netted \$225,000 to the Town through this sale.

The two lots under current consideration is located between Mr. Lannan's subdivision and Overledge/Quaker/Chancellor Drives. The Assessing and Planning Offices conducted research on these lots:

- 1) Received by the Town via tax deed in 1951 and 1968.
- 2) Previously reserved by the Board of Selectmen for recreation, conservation, or school purposes in 1984.
- 3) The Derry School District ultimately constructed an elementary school on Eastgate Drive and West Running Brook on South Main Street.
- 4) The Derry Conservation Commission does not actively manage the property, nor does it have plans to include the parcels in its inventory of passive recreation areas.
- 5) The recently completed study by UNH on recreational facilities and opportunities in Derry did not identify this land for future recreation use.
- 6) The area is zoned Low-Medium Density Residential which requires two acre lots and 150 feet of road frontage, single-family homes only.
- 7) The current assessments on the properties are \$218,700 for the 10.4-acre parcel and \$342,400 for the 28-acre parcel.

The land under consideration is 14013 and the parcel immediately to its right; Chancellor Drive is located above the subject parcels and below is the Lannan subdivision, an extension of Daniel Road.



#### **DISCUSSION:**

The properties abut seven homes on Chancellor Drive, Quaker Drive and Overledge Drive. I would suspect that a successful purchaser may seek to connect the cul-de-sac at the end of Daniels to Chancellor, or alternatively extend Chancellor Drive through these parcels. Chancellor Drive is currently a dead-end street with seven residences.

#### **FISCAL IMPACT:**

The Town would receive income from the sale of the two lots; and would incrementally absorb expenses providing municipal and school services to these new, subdivided lots.

#### **RECOMMENDED MOTION:**

Please see Resolution #2023-022 (Please read the motion.)

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## RESOLUTION

Number 2023-022

To Authorize the Sale of Tax Deeded Lots

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WHEREAS, Section 5.1 of the Town Charter establishes the Town Council as the legislative and governing body of the Town; and

WHEREAS, RSA 80:76 sets forth the procedure for conveying tax deeded properties to the Town; and

WHEREAS, the Town received tax deeds on Lots 14013 and 14015 from the Tax Collector for non-payment of property taxes; and

WHEREAS, a former Board of Selectmen in 1984 voted to reserve these lots for recreation, conservation or education purposes; and

WHEREAS, the Conservation Commission has reviewed and determined the lots are not part of the Commission's trail systems or conservation holdings; and

WHEREAS, these properties are not required for school purposes; and

WHEREAS, the Recreation Facilities Plan completed by the UNH Department of Recreation Management and Policy did not identify nor include these lots into the Plan;

NOW, THEREFORE, BE IT RESOLVED IN COUNCIL that that Town Council hereby declares these lots surplus to the Town's needs and authorizes the Town Administrator to dispose of these properties through public auction.

This Resolution shall take effect immediately upon its passage.

Adopted: March 21, 2023

Attest:

X \_\_\_\_\_  
\_\_\_\_\_, Council Chair

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

X \_\_\_\_\_  
Cristina Guilford, Town Clerk

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