

Appendix K – Hilton Park Temporary Occupancy Letter



Victoria F. Sheehan
Commissioner

THE STATE OF NEW HAMPSHIRE
DEPARTMENT OF TRANSPORTATION



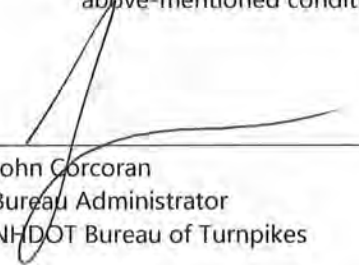
William Cass, P.E.
Assistant Commissioner

**NEWINGTON-DOVER, IMPROVEMENTS TO NH RTE. 16 / SPAULDING
TURNPIKE / GENERAL SULLIVAN BRIDGE
Newington and Dover, New Hampshire
NHDOT Project#: 112385**

The project, as designed, requires a temporary occupancy of approximately 48,000 square feet of Hilton Park in Dover, New Hampshire, from the New Hampshire Department of Transportation (NHDOT) Bureau of Turnpikes. As Hilton Park is operated by a public entity and serves significant public recreational activity, it is subject to federal jurisdiction under Section 4(f) of the Federal Department of Transportation Act of 1966 (23 U.S.C. § 138 and 49 U.S.C. § 303), as amended. The identified temporary occupancy on the NHDOT parcel will be required for the purposes of construction staging. The temporary occupancy area be fenced off for staging will be about 7 percent of Hilton Park. To minimize land disturbance, unpaved areas within the fenced-off staging area are to be protected with temporary geotextile fabric under crushed stone. The Hilton Park driveway off of Dover Point Road will be used for construction access, but will not be fenced off. Approximately 14.5 acres of the 16-acre Hilton Park will remain open and accessible to the public during the temporary occupancy. An existing pavilion located within the staging area will be removed for construction access. Disposition of the pavilion will be coordinated with the NHDOT Bureau of Turnpikes. Disturbed areas will be restored to preexisting conditions once construction is complete including, but not limited to, the removal of any crushed stone and geotextile used on non-paved areas, restoration of any damaged pavement, re-grading as needed, removal of temporary fencing, and placement of loam and seed to re-establish grassed areas.

As the official with jurisdiction over Hilton Park, the NHDOT Bureau Turnpike has reviewed the following temporary conditions that will be in place in regard to the construction impacts and concurs that the temporary impacts to this recreational resource are so minimal as to not constitute a use within the meaning of Section 4(f):

1. The duration of the occupancy of Hilton Park will be temporary, with less than the time needed for construction of the project, and there will be no change in ownership of the land;
2. The scope of the work is minor, as both the nature and the magnitude of the changes to the 4(f) property are minimal;
3. There are no anticipated permanent adverse physical impacts, nor will there be interference with the activities or purpose of the resource, on either a temporary or permanent basis;
4. The land being used temporarily will be fully restored, i.e., the resource will be returned to a condition which is at least as good as that which existed prior to the project;
5. The signatory below, identified as the "official having jurisdiction" is in agreement regarding the above-mentioned conditions.


John Corcoran
Bureau Administrator
NHDOT Bureau of Turnpikes

2/26/20
Date