

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(ROAD HEARING)**

September 29, 1998

4:00 PM

Mayor Wieczorek called the meeting to order.

Mayor Wieczorek called for the Pledge of Allegiance; this function led by Alderman Girard.

A moment of silent prayer was observed.

The Clerk called the roll. There were eight aldermen present, one aldermen arrived late.

Present: Aldermen Klock, Pinard, Shea, O'Neil, Girard, Rivard (late),
Pariseau, Cashin, Thibault.

Messrs: F. Thomas

Mayor Wieczorek advised that the first purpose of the road hearing was to hear those wishing to speak in favor of or in opposition to proposed street discontinuance petitions; that each petition shall be addressed individually at which time the Public Works Director shall be requested to make a presentation following which those wishing to speak in favor will be heard, followed by those wishing to speak in opposition; that anyone wishing to speak must first step to the nearest microphone when recognized and recite his/her name and address in a clear, loud voice for the record; that each person will be given only one opportunity to speak and any questions must be directed to the Chair.

**A. Petition for Discontinuance
Southerly unused portion of Page Street**

Mayor Wieczorek requested that Frank Thomas, Public Works Director, make a presentation.

Mr. Thomas stated Page Street was dedicated by a subdivision plan on September 7, 1912. The Board of Mayor and Aldermen later accepted Page Street on April 16, 1968 from Candia Road to Holt Avenue. The last road hearing, if you remember correctly, there was a petition by Mr. William Gardner to discontinue Page Street. The Board of Mayor and Aldermen went out and viewed the requested discontinuance and based on opposition from some of the abutters, the Board denied the discontinuance. Right now, what is being requested is the southerly end of Page Street from basically Holt Avenue northerly by three of the abutters down at that end. The Highway Department neither supports or is opposed to the discontinuance. However, we would recommend that if the Board did vote in favor of this request for discontinuance, that they only discontinue 254.09 feet and the reason for that is that is basically the back lines of the two requesting parties on Brennan Street, I believe and St. Pius' Church. So the discontinuance

would have support of the abutters on both sides of that section of paper street. Did I make myself clear? Three abutters requested to discontinue the southerly portion of Page Street to Holt Avenue. If the Board elects to grant the discontinuance, we would urge that you only discontinue that 254 feet because that 254 feet would have the support of the discontinuance by the abutters on both sides of that section of street area.

Mayor Wieczorek called for those wishing to speak in favor.

Gary Gardner, 230 Holt Avenue, Manchester, NH stated I am the one that did submit this petition. I live at the end of the so-called Page Street and Holt Avenue and being a corner lot in Manchester the provisions for me to add on a garage and breezeway, I am unable to do that because of the street being on the side of my house so that is why I have requested to have the street closed so I could put on the addition.

Alderman Cashin asked do you agree with the 254 feet.

Mr. Gardner answered yes. What it is is where my house is and behind my house and the other side of the street.

Ed Tishkevich, St. Pius Church, Manchester, NH stated I am representing St. Pius Church. Unfortunately I missed the first 10 seconds of Mr. Thomas' presentation. It is my understanding that just the 254 feet at the end would be closed. Is that right?

Mr. Thomas replied that would be our recommendation in the Highway Department as all the parties would be acceptable to it.

Mr. Tishkevich asked would it then be my understanding that the abutters on the northerly end would have no problem with that, that they would still have access to their property.

Mr. Thomas answered I think you would have to listen to them but as far as I know they would still have access to their property off of Candia Road.

Mr. Tishkevich stated St. Pius realizes this is a very contentious issue as it was last Spring when it was first presented. We have no opposition to it and it would seem that with the presentation that was made this afternoon, this would give Mr. Gardner access to the most southerly end and perhaps keep the northerly end of that open for the abutters that are here to speak also. At this moment, representing St. Pius, we do not have any opposition with this petition.

Alderman Cashin asked are you saying you favor the petition or you just don't oppose it.

Mr. Tishkevich answered we do not have opposition so I would have to say we are in favor of it.

Guy Lessard, 115 Brennan Street, Manchester, NH stated I spoke to you also back in June, no May, when we had the first meeting on this. My property abuts it also and I am for the discontinuance although it was not my understanding that it was only at 254 feet. I thought it was the entire stretch of road again but we will take whatever is offered, but I wish the whole road would be considered for discontinuance. It is just that I am sorry to see any patch of woods that is left in Manchester to be considered for development. It is nice to see every little patch of woods preserved and my wife who is too afraid to speak wanted me to say that she is with me in this matter also. Thank you.

Mayor Wieczorek called for those wishing to speak in opposition.

Janice Hobbs, 1055 Bridge Street Extension, Manchester, NH stated I am also speaking for my father, Ralph Farley, who lives at 108 Highland Park Avenue. My father is 80 years old and cannot be here today. We jointly own lots 63, 64 and 65 on Page Street Extension. It is a buildable lot. If this street is closed, we will not have a buildable lot. We object to any portion of this street being closed. We have a problem now getting access. At the last hearing on the discontinuance of this road, we went to considerable expense. We hired an attorney. We hired an engineer to tell us what we could and could not do and we went to considerable expense and this discontinuance of this road was put down. Now here is it again. We got an enclosure from the City of Manchester. We got a letter stating there was an enclosure in it minus the enclosure. A few days ago last week, I got the enclosure. It talked about the entire street being closed. Even closing a portion of the street, closing the street from Holt Avenue and leaving access on Candia Road, Candia Road is a very busy intersection. To me what is happening is the abutters are trying to close the road piece by piece and bit by bit. I am against any portion of it being closed. It is all well to say for the abutters who, where it is closed, what happens to the land? The land goes to the abutters on each end. Anyone who abuts the property. What happens is it landlocks our property. Consulting with my attorney, and I will read to you exactly what he said, he gave you a letter on 4/28/98 that was hand delivered to you by Attorney Richard Fradette. He said "It is unlawful taking a property without just compensation to take any action with results in causing land to be inaccessible from a recognized right-of-way. It is the unlawful taking of our property without just compensation and for still other lawful reasons." Now my father has paid taxes on this property for 38 years. I would like to build there some day. There are other things that have happened that are very, very strange. We did not receive that enclosure. I just found out today about the Holt Avenue, that it was only Holt Avenue and to me the entrance to our property on Holt is very important to be able to have that. Anyone who has been around Candia Road knows that it is a very dangerous intersection. You open up a main street out onto that road from that property and it is going to be terrible and I don't think they will ever do it. There is a history of accidents there. If we close down this entrance to Holt, to me it is going to be closed bit by bit. It is going to render our property useless and worthless. Thank you.

Alderman Cashin asked 254 feet, that is not going to landlock your lot. You are still going to have access to it, is that right?

Ms. Hobbs answered I don't have access to my lot because there is a, Mr. Gardner is at the end on Holt Avenue and his father, Mr. Gardner is at the other end and he blocks in the access with a car and with a truck so I do not have access to it from Candia Road.

Alderman Cashin stated my question is if we discontinue 254 feet, can you still get to your lot without the cars being parked there.

Ms. Hobbs replied if the cars were not there, I would be able to get to my lots, yes.

John Puchacz, 103 Brennan Street, Manchester, NH stated I own buildable lots with abut Page Street. The only access to them would be the intersection of Holt Avenue now under discussion and the intersection of Page and Candia Road which is usually blocked by vehicles owned by Mr. Gardner. The surface of Page Street behind my residence is rated impassable by a safety and health hazard created during Mr. Gardner's development of Brennan Street. Half of Page Street behind my home is a trench and the other half is a pile of dirt which was removed to make that trench. I feel that if this partial discontinuation is accepted, the next step will be the discontinuance of the portion of Page Street on Candia Road which would leave my lots landlocked and present me with a dangerous health and safety hazard as an addition to my property. I ask the Mayor and the Board of Aldermen to help remedy this hazard on City property. This trench needs to be filled and the surface of Page Street south of Candia Road returned to passable. My ability to access my property has been impaired by the trench and Mr. Gardner's vehicles. I oppose the discontinuance.

Romeo Dorval, 81 Brennan Street, Manchester, NH stated my property has an additional lot which borders on the paper street called Page Street. I may sound mean spirited and I guess I am. It is very unfortunate for Gary Gardner in the position he is in because when he built his house or his father built the house, he knew exactly where it stood from Page Street that we are talking about and he is in that position today where he is coming before you to ask for the discontinuance of the street so he can go ahead to do what he wants to do. I feel pretty bad for him. Also, when the development occurred, the gully that we are talking about that I hope you have seen, it was necessary to have this drain off of the surface water coming from the south going north. However, it could have been done a lot better than it is now. The developer could have put in a culvert as Mr. Thomas told us recently that would have to be done if the street were to be paved and, therefore, my objection, I second what Ms. Hobbs said and what John Puchacz has said. I am opposed to either end of the street being closed unless that gully is filled and we have access, clear access to Ms. Hobbs property and ours as well. I am sorry and I say

to the Gardners I apologize for what I have said if I have offended them but facts are facts and I am sure that you will take that into consideration.

Maurice Boucher, 39 Brennan Street, Manchester, NH stated I oppose the closing of Page Street.

B. Petition for Discontinuance
A portion of Cohas Avenue from Bodwell Road to
Pahray Lane

Mayor Wieczorek requested that Frank Thomas, Public Works Director, make a presentation.

Mr. Thomas stated Cohas Avenue was accepted by the town on June 15, 1872 from Mammoth Road to Bodwell Road. The width of the acceptance at that time was 75 feet wide and that is wider than normal. The requested discontinuance is to discontinue at 25 foot strip of this right-of-way from Bodwell Road to Pahray Lane so what this discontinuance would do would be to reduce the right-of-way from 75 feet to 50 feet in that area. The reason for the requested discontinuance is that Mrs. Cote's deed reflects out to a 50 foot line. Somewhere along the course of human events, when that lot was laid out, somebody made an error in determining what the right-of-way was. They assumed it was 50 feet and drew up the deed, etc. based on that error and assumption. This will correct that error and the Highway Department does support the discontinuance. So again, we are discontinuing a 25 foot strip, reducing the right-of-way of Cohas Avenue from 75 feet to 50 feet only between Bodwell Road and Pahray Lane.

Alderman Pariseau stated I don't understand why a resident at 1000 Bodwell Road wants to eliminate 25 feet along Cohas Avenue. I mean I think you just said it but it didn't register. Why does she want to go all the way from the end of one street to the other? From Bodwell Road to Pahray Lane?

Mr. Thomas replied well we set that limit as far as going from Bodwell Road to Pahray Lane because, again, what we are doing is we are changing the width of the right-of-way so in order to avoid a jog in the right-of-way between streets it just made sense to go from Bodwell Road to Pahray Lane.

Alderman Pariseau asked so this frontage will be reverted back through quiet title and whatever to the residents of those homes along Cohas Avenue.

Mr. Thomas answered that is correct if they so desire.

Mayor Wieczorek called for those wishing to speak in favor.

Richard Fradette, Manchester, NH stated I appear on behalf of Mrs. Cote and together with Joe Przybyla of Mr. Thomas' department prepared the petition that appears before you. Mrs. Cote is here and we just want you to know that we are here and we do support this petition and request that it be acted on favorably.

Mayor Wieczorek called for those wishing to speak in opposition. There were none.

C. Petition for Discontinuance

Two portions of O'Malley Street from south Elm Street to Trahan Street and from Brown Avenue to Ahern Street

Mayor Wieczorek requests that Frank Thomas, Public Works Director, make a presentation.

Mr. Thomas stated O'Malley Street was built as part of the Elmwood Gardens Housing Project and the Board of Mayor and Aldermen accepted the street on June 25, 1953. As mentioned by the Mayor, the two portions being petitioned for discontinuance is from South Elm Street to Trahan and from Brown Avenue to Ahern Street. The Department supports the discontinuance as long as Police and Fire concur with it because now what you are doing is you are creating a dead end street and I guess there has been some correspondence of that fact. So we do support the discontinuance of the two ends.

Alderman Rivard asked if we discontinue that are they going to expect the Highway Department to maintain the street, pick up garbage and plow it or are we not going to be doing that if we discontinue this.

Mr. Thomas answered not the discontinued portions but in between O'Malley Street we will still be plowing and still be providing the services that we presently provide there.

Alderman Rivard asked but not on the discontinued street.

Mr. Thomas answered not on the small sections of discontinued area, that is correct.

Alderman Pariseau asked so, Frank, those people living at the southerly end of O'Malley towards South Elm will have to bring their garbage to the end of the disclosure.

Mr. Thomas answered I quite frankly don't know where they place their trash right now but obviously if the street is not going to be there, we are not going to be plowing and we won't be picking up trash in that area. I don't have an exact answer for you. We probably can address that when we go out and view the closure. I can give you a better idea of exactly how the remaining services would be provided. I am not aware that there is going to be any impacts.

Alderman Pariseau stated my concern, Frank, is the complaints that I am going to get because the City hasn't plowed nor have they picked up the garbage.

Mr. Thomas replied well again, it is my understanding that the streets in those areas are going to be physically blocked. There will be some construction so that emergency vehicles, I guess, can still cross over them but the purpose is to stop through traffic and make it more of a neighborhood atmosphere so I think it does benefit the abutters. Now again I think as far as the technical aspect of where people that may be affected will put their trash, I think we can better review that out in the field.

Mayor Wieczorek called for those wishing to speak in favor.

Fred Kfoury, 941 Chestnut Street, Manchester, NH stated I am speaking for the Manchester Housing Authority as its Vice Chair. The Manchester Housing and Redevelopment Authority and the Manchester Police Department are in partnership at the Elmwood Gardens to provide and maintain neighborhood safety. This is a community policing substation within the development. At the request of both the Police and the Authority, both ends of O'Malley were temporarily closed almost two years ago. The streets closure limits access to the development reducing the traffic volume and increases child safety. There are approximately 200 apartments in this area in Elmwood Gardens and the total population of over 600, 260 of which are under the age of 10 and another half are under the age of 15. So this would have a definite benefit for the safety of the children in the neighborhood. We have provided you with copies of letters in support for the permanent closure from the Police Department, the Fire Department and Water Works and with your approval we will accommodate any conditions or easements required.

Thank you.

Officer Ken Pitman, 121 Michigan Avenue, Manchester, NH stated I am here representing Chief Mark Driscoll. He submitted a letter which I am sure you all have which indicates the reduction in criminal activity and traffic problems in the area in question on O'Malley Street. I just want to reiterate. I don't want to beat a dead horse but it is a very effective tool when it is worked in conjunction with the community policing. I was the original officer assigned down there. Since the inception of the community policing program down there and the temporary closure on both ends of O'Malley Street, as you can see in front of you by the numbers dictated, it is quite a tool safety wise and as far as cutting down on the crime activity. That is all I have to say.

Mayor Wieczorek called for those wishing to speak in opposition. There were none.

Alderman Pariseau noted we do have letters in support of the closure from Chief Driscoll, Deputy Chief Albin of the Fire Department and from Manchester Water Works, Guy Chabot for the record.

D. Petition for Discontinuance
A portion of Dartmouth Street

Mayor Wiczorek requested that Frank Thomas, Public Works Director, make a presentation.

Mr. Thomas stated Dartmouth Street from West Hancock Street to Log Street was accepted by the Board of Mayor and Aldermen on October 13, 1897. The accepted portion of Dartmouth Street runs through the property or the development of the Log Street apartments. The portion that is being requested for discontinuance, more or less is on their site, and the requested discontinuance was made so that it would clear up a refinancing issue because, again, if you remember and again this was a petition that the Board did go out to view sometime, I believe, within the last year or so and once you get out there you will see that the area to be discontinued you would say was part of their driveway on-site in their development. This petition starts 100 feet in from West Hancock Street so it is beyond the residential houses that front on West Hancock Street. The last time we viewed it, the Board denied the request for discontinuance but the Highway Department, working with Alderman Cashin did some drainage work over there to eliminate a local drainage problem that was the subject of discussion. The Highway Department does support this request.

Alderman Pariseau stated I don't understand why this is here. During the last road hearing, it was tabled and I don't know if anyone forgot to table this but I would go along with whatever the Aldermen recommend and make a motion that we don't have to view this again.

Mayor Wiczorek stated Alderman Pariseau I am going to request that you remove it from the table and then we can act on it.

Alderman Pariseau stated I will second Alderman Cashin's motion.

Alderman Cashin stated, your Honor, I don't mind taking it off the table for discussion. That is fine, but I don't know how it got here and I don't know how it was discussed before we even took it off the table. That is a problem.

Mayor Wiczorek asked how did it get here.

Deputy Clerk Johnson answered it was a tabled item so it automatically appeared on your agenda as a tabled item.

Alderman Cashin replied then it should have been moved to be taken off the table prior to any conversation, shouldn't it.

Mayor Wieczorek responded yes it should be.

Deputy Clerk Johnson stated the Clerk did not know that it was a tabled item.

Alderman Cashin moved to take it off the table for discussion. Alderman Pariseau duly seconded the motion. Mayor Wieczorek called for a vote. There being none opposed, the motion carried.

Mayor Wieczorek called for those wishing to speak in favor.

Richard Fradette, Manchester, NH stated the developer in this case and the actual petitioner in this case is my client, Mr. Sullivan, and we are in favor of the petition as it was written and presented. Thank you.

Alderman Cashin asked would you consider a couple of caveats on the proposal. One that we put a speed bump at the entrance and two that it be an emergency entrance only.

Mr. Fradette answered I believe you have spoken directly with Mr. Sullivan, but the answer is the speed bump, yes but designating it an emergency entrance, as long as there is no barrier that is created, is acceptable but not a permanent barrier or a locked barrier where there is a gate so that it is not subject to a gate but designating it as a sign that says emergency use is not problematic.

Alderman Cashin asked so you have no problem with an emergency use and no problem with a speed bump at the entrance.

Mr. Fradette answered that is correct.

Alderman O'Neil asked what does just assigning it as an emergency use only do.

Alderman Cashin answered hopefully in working with the owner we might be able to work something out to cut the traffic down going onto West Hancock Street.

Alderman O'Neil asked that seems to be the concern there, correct.

Alderman Cashin answered yes it is a concern, but I have to say this, the Highway Department has been most agreeable to us and they have done a lot of work down there and we appreciate it. I am not speaking for the abutters, but I would like at least to try to cooperate with both the abutters and the owner of Log Street if I can. I guess I am trying to facilitate something here to the best of my ability.

Mr. Fradette stated just so the Board understands, it is a title issue. The owner of the development, the roadway presents a title problem so by discontinuing it, it clears that problem.

Mayor Wieczorek called for those wishing to speak in opposition.

George Furrow, 231 W. Hancock Street, Manchester, NH stated I would first like to say what a welcome relief it is to have the long awaited sewage drains placed on both W. Hancock Street and Dartmouth Street. Thank you so much. The City workers do an excellent job and I have my Alderman to thank for this. I tried to approach Mr. Sullivan, the owner of Bass Island Estates with Mrs. Gosselin's and my concerns to see if we could come to a mutual agreement as the Alderman and other board members suggested a concern about the deletion of a portion of Dartmouth Street which abuts our properties. He has not, in any way, contacted us. I approached him on a brief encounter on the evening of April 28, 1998 when you, your Honor, and the Board of Aldermen came by to view the situation on the bus. He wants to have the cloud cleared from his deed so that he can have the freedom to do with his property what he pleases, but he doesn't seem to have any interest in the concerns of our safety with his tenants constantly speeding on Dartmouth Street posing a risk for us to park and exit our properties. His tenants block the street talking to one another, throwing garbage on our properties, tormenting my dogs and the kids entering my property and coming behind the barn and smoking, another safety concern, and the placing of shopping carts on our properties that they take from various stores after emptying them. Also, our privacy has been deleted with our properties being devaluated with the use of Dartmouth Street as a second entrance and exit from Bass Island Estates. We don't have peace or peace of mind anymore. We have had enough. I have asked him to put the fence back up as it originally was and he said there would be no fence. Please note that Mrs. Gosselin has no privacy with his tenants continually using her land as a shortcut. He wouldn't consider enlarging his main entrance or opening up a second means of egress between two of his buildings to Colby Street as I suggested because he said there were houses there. I said what do you think you have here and he said let the Board vote on it or let it stay the way it is, he said I don't care and then he left. I spoke with my Alderman the next day and told him about Mr. Sullivan's non-compromising attitude. I called the Fire Department on July 13, 1998 and spoke to Mr. Dan Daigle to find out what the requirements were. He said they required one means of entering and exiting the property but two would be nice, but they did not require it. It is not the law. On September 24, 1998, I spoke with Chief Dave Albin and he confirmed this. We would like to help Mr. Sullivan clear up his deed, but do not want to be forced or have the terms dictated to us as Mr. Soucher did to us approximately 18 years ago. We would like to have the fence put back up as it originally was so we can live in peace and safety once again. Is this too much to ask to have your deed cleared? We are both opposed to the deletion of Dartmouth Street at this time until it has been addressed and taken care of. We have our rights and we would like to have them respected. We are willing to work with our Alderman and Mr. Sullivan, but we want to be a part of the decision and not forced into accepting Mr. Sullivan's decision as that of our own. If you do approve this, will this 15 feet

deletion that comes across on our properties revert back to us? I also want to state that many people who do not reside in Bass Island Estates also use Dartmouth Street as a shortcut to South Main Street as there is no traffic light on the intersection between W. Hancock Street and South Main Street which is dangerous. With this extra traffic, it poses an additional safety hazard to the residents and children who are walking about on Bass Island Estates. We feel that it would be in his best interest to address the deletion of this extra traffic as it could pose disastrous results. Thank you so much for listening to mine and Mrs. Gosselin's concerns today.

Mrs. Gosselin, 211 W. Hancock Street, Manchester, NH stated I reside on the corner of Dartmouth and W. Hancock Streets. We do have a problem with the street, as you know. I have been living there for over 40 years and we didn't have any problem until this project went up and now we got a lot of noise, a lot of traffic. It is really very bad and they are claiming 15 feet of our street. Well, that is not good either so I hope that something can be done about that. Thank you very much.

E. Petition for Discontinuance
A portion of Arms Street

Mayor Wieczorek requested that Frank Thomas, Public Works Director, make a presentation.

Mr. Thomas stated Arms Street was accepted by the Board of Mayor and Aldermen on February 19, 1985. What is being requested is a 20 foot wide strip along the westerly right-of-way of Arms Street adjacent to the parking lot, the Arms Street Parking Lot that is there. The requested discontinuance is necessitated as a result of the ongoing negotiations with UNH to take over the facility down there. What we would be proposing to do or what is being proposed here is to discontinue that 20 foot strip and utilize that area plus some of the existing parking area to construct some diagonal parking which will then be in turn leased to UNH as part of the total agreement for the purchase of the property on Hackett Hill and the facility in the downtown area. The Highway Department supports this discontinuance.

Alderman Pariseau asked is this property that is being discontinued revert back to the University of NH.

Mr. Thomas answered no, it will still remain City property it will just not be a City street. It will become part of the Arms Street Parking Lot and as such the City has the ability to enter into leasing those parking spaces back to the University system. I should mention that this discontinuance would be subject to this University of New Hampshire land deal going through and that the property down there would be transferred to the University.

Mayor Wieczorek called for those wishing to speak in favor.

Don Clark, Manchester, NH stated I am here on behalf of 1874 Associates, an abutter to both Stark Street and Arms Street. We are in favor of the creation of additional parking in the Millyard in case you haven't heard that before and we urge your support of this and perhaps in effect doing the same thing on Bedford Street in the near future. Thank you.

Mayor Wieczorek called for those wishing to speak in opposition. There were none.

On motion of Alderman Thibault, duly seconded by Alderman Pinard, it was voted to recess the hearing and proceed to view the areas of petitions presented.

Mayor Wieczorek called the meeting back to order to address Dartmouth Street. We will take a vote here.

Mr. Thomas stated we support the requested discontinuance that starts 100 feet in from W. Hancock Street, I guess, subject to the stipulations that Alderman Cashin has placed on the owner of the apartments, which is the speed bump and the posting it as an emergency entrance only.

Mr. Furrow asked will that land revert back to us.

Alderman Cashin answered I don't know, that is up to the Highway Department.

Mr. Thomas stated the discontinuance does not include the first 100 feet of Dartmouth Street off of W. Hancock Street so that area remains public and we will be plowing and picking up trash and what not on it.

Alderman Cashin replied I think you are talking about the 20 feet from the fence or 15 feet.

Mr. Thomas stated you would have to go through petitioning the court to quiet title process but yes they would have the ability to acquire that property.

Alderman Cashin stated in the spirit of cooperation with Sullivan Properties and my abutters they're agreeing to this, I will move that we accept this discontinuance with the caveat that a speed bump be installed at the entrance and that the entrance be posted for emergency use only. Alderman Pariseau duly seconded the motion. Mayor Wieczorek called for a vote. There being none opposed, the motion carried.

On motion of Alderman Cashin, duly seconded by Alderman Thibault it was voted to recess the hearing and proceed to view the areas of petitions presented

Mayor Wieczorek called the meeting back to order at the site of the first petition:

A. Petition for Discontinuance
Southerly unused portion of Page Street

Members of the Board viewed the area of the petition. Mr. Thomas reiterated his earlier comments regarding discontinuance of 254 feet. The petitioner, Gary Gardner, spoke with various members regarding the area.

Alderman Pinard moved to deny the petition. Alderman Girard seconded the motion.

Following brief discussion the motion and second to the motion was withdrawn.

Alderman Pinard moved to table the petition to allow him time for further discussions with Mr. Gardner and residents of the area to see if some issues could be resolved. Alderman Girard duly seconded the motion. The motion carried.

Mayor Wieczorek called a brief recess.

Mayor Wieczorek called the meeting back to order at the site of the second petition:

B. Petition for Discontinuance
A portion of Cohas Avenue from Bodwell Road to
Pahray Lane

Mr. Thomas outlined the area of the petition and again outlined the purpose of the petition was to discontinue 25 feet of the right of way which was not required for the reconstruction of the road. On motion of Alderman Pinard, duly seconded by Alderman O'Neil, it was voted to approve the discontinuance as petitioned reserving any easements required.

Mayor Wieczorek called a brief recess.

Mayor Wieczorek called the meeting back to order at the site of the third petition:

- C.** Petition for Discontinuance
Two portions of O'Malley Street from south Elm Street to Trahan Street and from Brown Avenue to Ahern Street

Mr. Thomas explained the area of the petition noting that a curb would be cut at an angle allowing for emergency vehicle access. Mr. Edwards of the Manchester Housing and Redevelopment Authority was present and presented a rendering of the proposed plans for the area reflecting a parking and grassy area. In response to questions from Alderman Pariseau, Mr. Edwards advised that the westerly three units of each of the buildings abutting the area would bring their trash to the end of the discontinued area within the development and the easterly three units of the buildings would bring their trash to Elm Street. They had management to insure that this would be done by the residents. Mr. Edwards showed the area would be cut off for the undesirable element, they could not easily exit the area.

On motion of Alderman Pariseau, duly seconded by Alderman Shea, it was voted to approve the discontinuance, reserving any easements, subject to meeting Fire Department emergency access requirements now and in the future.

Mayor Wieczorek called a brief recess.

Mayor Wieczorek called the meeting back to order at the site of the fifth petition:

- E.** Petition for Discontinuance
A portion of Arms Street

Mr. Thomas again outlined the area of the discontinuance explaining that the intent was to add parking spaces on a diagonal basis as discussed with UNH as part of an agreement pending for conveyance of 400 Commercial Street. In response to questions raised by Alderman Pariseau, it was noted that there were two other millyard owners leasing spaces in this lot, and there were presently no spaces available. Mr. Thomas also noted that UNH was going to cover some of the costs of the improvements to the lot.

On motion of Alderman Klock, duly seconded by Alderman Girard, it was voted to approve the discontinuance as petitioned, subject to conveyance by the City of 400 Commercial Street to the University of New Hampshire.

There being no further business to come before the Board, on motion of Alderman Cashin, duly seconded by Alderman Pinard, it was voted to adjourn.

A True Record. Attest.

City Clerk