

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

August 8, 2000

5:15 PM

Mayor Baines called the meeting to order.

Mayor Baines called for the Pledge of Allegiance, this function being led by Alderman O'Neil.

A moment of silent prayer was observed.

The Clerk called the roll.

Present: Aldermen Gatsas, Levasseur, Sysyn, Clancy, Pinard, O'Neil,
Shea, Pariseau, and Cashin

Absent: Aldermen Wihby, Lopez, Vaillancourt, Thibault and Hirschmann

Mayor Baines advised that the first purpose of the road hearing is to hear those wishing to speak in favor of or in opposition to proposed street/ sidewalk 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
Leandre Street

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

Mr. Thomas stated if you could refer to the handout you received which is basically a summary with comments that we felt would be interesting or important. Leandre Street was dedicated by a plan titled The Noyes Plat dated 1924. The street was accepted by the Board of Mayor and Aldermen on June 25, 1926 from Donald Street 664.55 feet southerly. The request is to discontinue 5 feet of the road at the southerly terminus. The request was basically generated to insure that Leandre Street would not be connected through to the abutting street in the new subdivision. That was a condition of subdivision approval; that the street should not go through. The street is 50 feet wide and we do support the recommendation to discontinue.

Mayor Baines called for those wishing to speak in favor.

Brian Plourde, 207 Pasture Drive, Manchester, NH stated:

I live in the house that abuts where the proposed road was supposed to be. I am in favor of discontinuance because I don't want the road going through next to my house and I think it would actually help both neighborhoods out because it would stop a lot of the flow of traffic traveling around in circles.

Dennis Allard, 98 Leandre Street, Manchester, NH stated:

I am in favor of discontinuing Leandre Street at this time.

Alderman Cashin asked may I go on record as in favor of closing Leandre Street.

Deirdre McConville, 104 Leandre Street, Manchester, NH stated:

I am in support of the discontinuance of Leandre Street because of the atmosphere of the neighborhood. It has been a dead end street and the kids play there a lot. As I see it,

most of the residents of Pasture Lane have already moved in and they seem to have no problem with one entrance and one exit, which is where Pike Road used to be. I guess it is now called Pasture Lane or Pasture Road. I do have a question...what had been bounced back and forth was that Leandre Street was going to be used as an emergency fire road. Right now we have boulders at the end of the road and I was just wondering what the plan was. If it is discontinued will it still be an emergency fire road and how are they going to handle that. That is basically all I have to say.

Mayor Baines asked do you have a response to that, Mr. Thomas.

Mr. Thomas answered even though it is discontinued, it can still be used for emergency vehicles and a gate or something could be put there. I don't know what is called for on the subdivision plan, but there won't be any intent to put any permanent obstructions there. As a matter of fact, when we go out and take a look at the street part of the 5 feet to be discontinued will be part of the existing pavement and we don't have any intention at this time of redoing that.

Alderman Cashin asked how would you feel about it being left as an emergency exit.

Ms. McConville asked do you mean if it gated.

Alderman Cashin answered yes.

Ms. McConville answered as long as that didn't encourage future opening of the street. I am not familiar with how concrete a discontinuance of a street is. When it is discontinued, is it discontinued forever or can it then be revisited and opened again.

Alderman Cashin replied what I would prefer to do is discontinue without making it a fire exit. If we find out down the road that there is a problem then maybe we can go back and look at it.

Ms. McConville responded I do have a comment about that. Had there been a fire right now up to this point, there is no way that the truck would have been able to get down there because the construction company or the site people had their trailer parked there and they had some earth removal equipment parked there along with the boulders that were there. Really, it is a mute point making that into an emergency fire exit. I think they have plenty of ways to get in the other way.

Alderman Levasseur asked when we discontinue a street does the property get split up amongst the abutters and then it goes on the tax roles.

Solicitor Clark stated when you discontinue a street, generally the public servitude is released and there is not a use for the public anymore. It doesn't automatically get added to these people's deeds. They would have to do a quiet title, but the general process is that it goes to the centerline of the street and the property owners abutting the property do own that land.

Alderman Levasseur asked there would be no taxes collected on that property until there was a quieting of the title and you said you would not want to push that issue.

Solicitor Clark answered I believe it does eventually get added to their tax base. The Assessors do add it in, but we don't give a deed to the people showing that they own it. To get something recordable, they have to go through a quiet title petition.

Alderman Levasseur stated I just want to make sure that the people who are asking for this understand that.

Mayor Baines called for those wishing to speak in opposition.

There were none.

B. Petition for Discontinuance
Portion of a sidewalk at 481 Dix Street

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

Mr. Thomas stated this street was dedicated on a plan of lots entitled Lots in Central Park, Manchester, NH dated August 1900. The street was accepted by the Board of Mayor and Aldermen in July 1911 from Lincoln Street to Maple Street. The discontinuance that is being recommended...well it is not being recommended but the discontinuance that is requested is for 1 foot of the right-of-way for the length of the property at 481 Dix Street. The request was generated in order to rebuild the front steps and porch area into the house. Our recommendation is that we don't support this discontinuance. The reason being the Board of Mayor and Aldermen in the past have discontinued portions of right-of-way to clear up existing encumbrances, houses built maybe 100 years ago, one foot or so into the right-of-way, titles were unclear and so the Board has gone along with those discontinuance's. As far as I know, there has never been a discontinuance to allow an encumbrance to take place and that is why we are not supporting that discontinuance. In addition, the second concern that we have is that we have fairly standard right-of-way, the normal street right-of-way is 50 feet. If you discontinue a section of road and take a foot off of that for a small portion it just muddies up the water. Those are the reasons why we don't support that discontinuance. However, it would be up to the Board once they review the area.

Alderman Shea asked how often do you get a request like this.

Mr. Thomas answered we may get one request every year or every other year to clear up, as I mentioned, an existing problem. This is not an existing problem because the stairs presently do not extend into the right-of-way.

Alderman Shea stated my question is how often do you get a request such as this, not an existing encumbrance but a request like this. Have you ever received one before?

Mr. Thomas answered I, quite frankly, am not aware of one.

Alderman Shea asked would this disrupt the sidewalk area in front of the house.

Mr. Thomas answered no it wouldn't because we would only be reducing the width of the sidewalk by 1 foot in that area and there is a fairly wide sidewalk there. I would guess it is about 10 feet wide.

Alderman Shea asked so it would not disrupt the sidewalk area or any people walking on the sidewalk or any plowing of any sort to your knowledge.

Mr. Thomas answered no. That is why I conditioned our recommendation on the Board's opinion after they take a look at it. I understand what the abutters are requesting and quite frankly I understand what they want to do and if I was in their position I probably would do the same thing, however, from an engineering point of view or a point of view of a chief engineer besides being the Public Works Director, I just have to state the facts. This is not normal and it does tend to muddy up the water as far as we would wind up with a section of street right-of-way for that one area of only 49 feet wide.

Alderman Shea stated at this time I would like to speak in favor of it. I have viewed the situation.

Mayor Baines called for those wishing to speak in favor.

Bill Cote, 481 Dix Street, Manchester, NH stated:

My wife and I are requesting this change because we have a front doorway and porch that needs to be replaced. Now I believe Frank mentioned that we are asking for this infringement for the length of our property. That is not true. I am asking for one foot for about 140" just in front of our doorway. We are not talking about the entire 50 feet or whatever that runs along that property line. Again, the door does need to be replaced. When I take the door out I have to take the stairs out. When I take the stairs out I have an existing slab that is anywhere from ½" thick to 4-6" thick. I don't want to put a new porch on there and have a problem with the footing. I want to make that footing 6" all the way through so that my new stairway and doorway are not affected by the elements. Along with that, I am also planning on just extending my doorstep to give us a little bit more room to get in and out of the house because the existing step is only 20" deep. You walk out of the house and you have 20" to get to that first step. I want to take that out and encroach 12" onto the sidewalk. I think that is all I have.

Alderman Levasseur asked, Mr. Thomas, could you respond to that. Does that make a difference in your opinion.

Mr. Thomas answered we recommended if we are going to discontinue the one foot that it shouldn't be just a small section 1' X 3' or whatever. It should be some uniform length from the street intersection down. The property is a corner lot so 100 years from now if a surveyor is ever going to have to re-establish the street line it would be easier if the records indicate that it is 49' wide at the intersection of Lincoln Street down the length of the property. That is why we recommended that if the discontinuance is approved it should be one foot for the full length of the frontage. It would be easier to track in the future.

Alderman Levasseur asked, Mr. Cote, would that be okay with you if it were done that way.

Mr. Cote answered I have no problem with that because that would remove the drainage problem in the wintertime. I don't have gutters on the roof in that area of the house so that would help with drainage.

Mayor Baines called for those wishing to speak in opposition.

There were none.

C. Petition for Discontinuance
Silver Street

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

Mr. Thomas stated this is a portion of Silver Street between Hall and Belmont Street. The origin of the dedication is unknown; however, the street was accepted from Hall to Belmont on July 1, 1902. As mentioned, the discontinuance is between Silver and Hall Street. Silver Street from Hall to Belmont Street. The Highway Department does recommend this for approval. The recommendation that we are making is based on correspondence from St. Anthony's Parish that basically noted that there was a meeting and the abutters were supporting this discontinuance. If the discontinuance is granted, we would also make the discontinuance subject to either blocking off Silver Street at the Hall and Belmont Street end or reducing it down to a normal driveway to close the area in and take away the look of a street.

Mayor Baines called for those wishing to speak in favor.

Dave Brouillet, 39 Maurice Street, Manchester, NH stated:

I am on the School Board at St. Anthony's and I am here to represent the parish and the school. Our biggest concern is safety. Right now, Silver Street abuts one of our schoolyards where the children congregate in the morning, afternoon and during recess. What we are hoping to do...if you are familiar with the area the school is on one side of Silver Street and the rectory and the church are on the other side of Silver Street. Our overall intention is to block that off so we can have a little more flexibility in the future if we are looking at any planned uses for the site. Also, again it is for the safety of the children. Last year, we tried to get the parents to generate better traffic circulation. When we met with the abutters a few months ago, one of their concerns was the circulation of traffic during school. We can understand this. The school was built a long time ago before cars were commonly used. We are trying to deal with that situation so I hope that you vote in favor of this. I would just like to mention that we are willing to work with the Highway Department to address any concerns they might have.

Emile Tetu, 44 Norris Street, Manchester, NH stated:

I own two six-family apartment buildings under Brother 6 Real Estate that abut this corner and I have absolutely no problems with closing this. The safety of the children is an issue. Actually, I think the insurance company made a bigger issue of it last year and were telling us that we would probably have to fence all of this in and so forth. I hope you see that it is going to be a benefit and make this safety factor part of the curriculum in school. One of the problems, I think, is that during recess I am told that the kids play ball and the ball goes out in the street and though they are being monitored they tend to run out into the street to get it and it creates a safety hazard. It will also give us an opportunity, if we do improve the property, that this will be part of our property and will make things somewhat easier for the parish. I hope you will see this the way we do and vote in favor.

Alderman Shea stated I have met with the priest and with the people and I speak in favor of this.

Edgar Wurtle, 711 Silver Street, Manchester, NH wished to be recorded in favor of the petition.

Mayor Baines called for those wishing to speak in opposition.

There were none.

D. Petition for Discontinuance
Massabesic Street

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

Mr. Thomas stated Massabesic Street was recently reconstructed or this intersection, Massabesic at Lake Avenue, was reconstructed recently by the Highway Department. If you know that intersection, it was a wide-open intersection and prone to accidents. What was done there was to reduce the travel width and create more of a normal street intersection with 90-degree turns. As a result, there was some surplus right-of-way of Massabesic Street, which is the subject of the discontinuance. In your Board agenda, there is a plan that shows a triangular piece and that is the subject of the discontinuance. As far as the history of the street, the street was dedicated by a plan of Amoskeag Manufacturing Company dated March 1892. The street was accepted by the Board of Mayor and Aldermen on December 19, 1894 and as I mentioned the discontinuance is a triangular portion at the southwest intersection of Massabesic and Lake Avenue. The Highway Department does support this discontinuance.

Mayor Baines called for those wishing to speak in favor.

Jay Hodes, 440 Hanover Street, Manchester, NH stated:

I am with the law firm of Bossie, Kelly, Hodes & Buckley here in Manchester. I represent Margaret and John Ragonese. The Ragonese's live at 425 Lake Avenue. They have lived there for about 25 years and they are also the owners of the Four Season Supermarket, which is located right at this corner at 425 Lake Avenue and they have been operating that business for about 27 years. The intersection, I am sure you are all familiar with, was reconfigured by the Highway Department because you had three streets that led into this one intersection without any kind of traffic control or traffic light. It was kind of dangerous. The City has done a marvelous job. I think the traffic flow has improved and the safety will be greatly improved. In doing so, the City designed this intersection and built certain traffic islands, which I think you will be able to see tonight and they put pedestrian sidewalks around the perimeter. In doing that, they boxed in a piece of land and a portion of it is this triangular piece. There is a plan in your agenda packet that shows a triangular piece. The remaining piece that is boxed in has always been and is the parking lot for the Four Seasons Market. I don't remember the number of spots, but it must be 9 or 10 spots that my clients have maintained over time. You park right up to the building, the Four Seasons Market. It has always been the parking area but now it is boxed in by the traffic island and it would naturally appear to become part of the property. I think, in fact, when the Highway Department designed it, it was in their mind that this piece of surplus land would be next to the parking area. Really, there doesn't seem to be a practical or sensible use for this piece. My clients are seeking to have the City discontinue the triangular piece and you need to bear that in mind. It is not the whole parking area when you look at it because that did belong to them previously. It is just this corner where Lake Avenue and Hall Street now have a perpendicular intersection. Also, bear in mind some of the abutters we know would prefer that the City maintain this triangular piece and use it for something like parking, but it would be very impractical to do that because frankly and look at it tonight when you are there, you have to cut across my client's property on Hall Street to get into that triangular piece because

the driveway is really where my client's property ended. To get in and out, you would have to use my client's property so there would be all sorts of questions of trespassing and backing out of spots they would be on my client's property. It is not a big enough area to make it a public area or a public parking area and it would cause a lot of disharmony and a lot of confusion. It is a convenience store, as you are aware, and it is short-term parking. People are in and out and it would be disruptive to my clients if other people were using it for parking and things of that nature. Based on that, it would help their business. It is conducive to their business and really by the design that the City put in there it just seems logical and sensible that this be discontinued and made part of my client's parking area and I think you will agree when you see it tonight. My client's are favorably impressed with the job that the City Highway Department did. It appears to have improved the intersection. After having been there for over 20 years, they are good judges of that. The intersection does seem to be safer now. Traffic flow is better and again my clients would ask for your support in granting this petition tonight. It is very important to them, their business and their property. Thank you.

John Ragonese, 425 Lake Avenue, Manchester, NH wished to be recorded in favor of the petition.

Mayor Baines calls for those wishing to speak in opposition.

Regis Chagnon, 443 Lake Avenue, Manchester, NH stated:

The reason I am here this evening is since we built that island I think every day there has been an accident. I think that every day, and I have been taking names and addresses down here, there has either been the Police Department there or people are going over the curb. When the truck comes in to load up at Kay's Baker and loads, they must go over the curb and we can't stop there anymore. They cannot unload their trucks over there anymore. We are bound in right now. We can't do anything. We have no parking. We have nothing. Why didn't the City show us this plan before they did it? Right now, we

are stuck. We have no parking and we can't go anywhere. We have Dave's Roofing and Barbara's Palace and a hardware store and Steve's Restaurant. Why can't they make a parking lot or make the street a little wider so people can park there? Instead of putting an island there, why didn't they at least put a parking space or a couple of parking spaces there? Right now, this is ridiculous. We are having more accidents than before. I am against this completely. Every day I see accidents. Big trucks cannot turn. They come down Lake Avenue and they cannot turn down without going over the island. It is too narrow. The way it is designed is when they come up Massabesic, when a big truckload comes in, he must go way on the other side of the lane to make the turn. This is ridiculous. Whoever designed this...that is all I can say.

Alderman Shea asked are you objecting to the actual island. Do you want that taken out?

Mr. Chagnon answered I am objecting to the way it was designed. I have been there for 16 years and now every day there is somebody on the curb. I have names and addresses of people who have ended up losing their front ends on the island.

Alderman Shea asked you are not objecting to the fact that the people owning the store have that property. You are just objecting to the fact that the island has been extended so there is not enough room for large trucks or other vehicles to get in and out favorably and cars are bumping into it.

Mr. Chagnon answered to me I would change this around a little bit.

Alderman Clancy stated we are going to go out and view the area and I am going to assume that you will be there and you can tell us your concerns then.

**E. Petition for Discontinuance
Old Bridge Street**

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

Mr. Thomas stated this is a section of Bridge Street in front of Trinity High School. You have probably been by that area and thought it was the entrance into their facility, however, that is the accepted portion of Old Bridge Street. The origination of the dedication is unknown, however, the Board of Mayor and Aldermen have accepted Bridge Street from Hall Street to Mammoth Road on October 10, 1868. Again, if you read the correspondence from Trinity High, they were looking for the discontinuance of this road to acquire some land, however, the subject tonight is only the discontinuance of Bridge Street. The Highway Department does support this recommendation. I think it would benefit the school and quite frankly relieve the Highway Department of some maintenance responsibilities.

Alderman Cashin asked you are talking about Area A now.

Mr. Thomas answered just the road area. I believe that was called A. They had requested that grass area between Old Bridge Street and new Bridge Street and that was going to go to the Committee on Lands & Buildings, however, after that letter was written we found out that the State of NH still owns that property.

Mayor Baines calls for those wishing to speak in favor.

Denis Mailloux, Principal of Trinity High School, Manchester, NH stated:

Ken Rhodes and I just wanted to be here this evening to provide any additional information that you may need regarding the request that we submitted.

Ken Rhodes, CLD Engineers, Manchester, NH stated:

We have been working with Trinity High School and I am here to support this request. I prepared an exhibit to show the Old Bridge Street area and to show Area B that may be on your exhibits, highlighted as the area between the Bridge Street alignment and the Old Bridge Street area. This is the grass and tree area in here. As Frank said, the original request was made to the City thinking that the City had control of this area and it actually turns out that it is more probable that the State of NH has control of this and that final title is being cleared up. In the long run, Trinity's goal here is to attempt to consolidate their existing parcel between the fire station, the golf course in the back and St. Theresa's on this side, Old Bridge Street and negotiate with the State of NH for acquisition of as much of this area as is practical to define a new right-of-way along this alignment and then have a parcel of land here that can be used for street circulation improvements, bus access improvements and those kinds of things and for future planning. The one thing that as we go out and view this this evening, again you hold these road hearings on an annual basis and one of the things that we would like to have you consider is if you are going to discontinue this, make it conditional upon the final disposition of this particular land with Trinity High School because one is really not effective without the other. That is our testimony this evening.

Alderman Pariseau asked you don't intend to acquire all of Old Bridge Street.

Mr. Rhodes answered yes. This area right here is actually in front of St. Theresa's. This is the area under consideration here. This is the actual Old Bridge Street constructed here right now.

Alderman Pariseau asked so you do want to go all the way to Mammoth Road.

Mr. Rhodes answered yes.

Alderman Gatsas stated you ended your conversation about disposition of another piece of land by the City to Trinity. Is that with the assumption that the State is going to offer it to the City first?

Mr. Rhodes replied if I said that I misspoke. I am sorry. Trinity is approaching the State of New Hampshire directly on this particular piece of land. As Frank outlined, the request was made to the City thinking that this was part of the old right-of-way and left over land from Derryfield Park. This corridor here was actually cut out of Derryfield Park and it was originally assumed that this remained City land. According to their research and we backed that up a little bit, apparently when they were realigning the interchange over there and doing all of this work, they weren't quite certain where this alignment was going to hold so they took all of the land between the Old Bridge Street right-of-way and here. All of this is State land. So, the high school has to approach the State of NH for this.

Alderman Gatsas asked are you saying that if the State of NH does not give them that land then they don't want Old Bridge Street.

Mr. Rhodes answered we will withdraw the application.

Alderman Gatsas asked why are we putting the cart before the horse then.

Mr. Rhodes answered, as we understand it there is only hearing for a discontinuance of roads in the course of a year and we wanted to try and get that out of the way first before pursuing it further with the State.

Alderman Gatsas stated so we are going to give you an answer and if the State says no then the answer we have given you is not...

Mr. Rhodes interjected that parcel of land really serves no function for the School if we can't acquire the land from the State as well.

Alderman Gatsas stated the letter that we were sent and I don't know if you have seen a copy of it, from Parks & Recreation...

Mayor Baines interjected Ron Johnson is going to speak next.

Alderman Gatsas stated then I will wait.

Ron Johnson, Deputy Director, Parks & Recreation, Manchester, NH stated:

The reason why I am here tonight is I just wanted to provide you some information. We recently sent a letter that was provided to you to the Department of Recreation & Resources Development at the State to determine a couple of things. One being the request from Trinity High School and the second request recently that came before the Senior Center Committee which was to take a portion of the park for the Senior Center. The State...we have used Land & Water Conservation funds to do development at Derryfield Park. Those are Federal funds and when these funds are utilized, the State typically determines...they develop a 6F map, which shows the jurisdictional boundary. If the State and the Federal government want to improve facilities at a park, they want to be assured that they always remain as parkland or as recreation. If, for some reason, the land needs to be taken for public improvement or a private individual would like to request taking a portion of the land such as what has been determined out in front of Trinity High School, they would have to a conversion and plan within the area to convert the park. This is what happened when they originally took the Bridge Street widening project. Looking through our records, we haven't been able to determine if and the land that I am talking about is Area B that has been referred to on the Trinity request on the Todd plan, that was actually State of New Hampshire land or if it did remain part of the

park. So that is why we want to provide it for informational purposes. We haven't had a response from DRED at at this time regarding that property.

Alderman Clancy asked does Parks & Recreation have any use for this land.

Mr. Johnson answered we have maintained the big island out at the intersection of Mammoth Road and...

Alderman Clancy interjected did you clear the brush recently off of there. Who cleaned the brush?

Mr. Johnson answered we have done some brush work, but the school I believe has also done some brush work in there to improve visibility. We have maintained the areas. I think we look at it more as it is right at a gateway. I think our department and the Planning Department are also looking at what the long-term use of the area would be. It is a main gateway coming into the City and it is part of the old park and I think people have become accustomed to just being in a wooded, open area.

Alderman Clancy stated I go by there daily and it is awfully crummy looking and it needs to be cleaned up.

Mr. Johnson replied the main island, the triangular island out by Mammoth Road is a grass island, which we have maintained. The next island back is a wooded island. It is really just a remaining portion. It is actually inundated with poison ivy. That is why we don't send a lot of kids in there when we have our summer crews out doing some maintenance. We do trim the edges of Bridge Street and Mammoth Road where it comes out in the right-of-way.

Alderman Sysyn stated if they did take that corner spot and they left trees around it would still be nice.

Alderman Gatsas asked, Solicitor Clark, could you tell me if that is State land does that become an option of the City first before it can be offered to somebody else.

Solicitor Clark answered it would depend on the action that they took when they first took the land. I believe it was probably acquired by eminent domain or some kind of filing. Generally, when they find land that they have taken is excess to their needs, they do transfer it back to the City. That is a general rule, but in this particular case I would have to see what action they actually took.

Alderman Gatsas asked so if I understand this correctly we are making a decision on something that we don't know if we own or the State owns it.

Mayor Baines answered no.

Alderman Gatsas stated well according to what Ron Johnson just said, he is not sure if the records show that it is State or City land. Is that correct or incorrect?

Mr. Johnson replied no. That would be Area B that they have referenced on their map.

Alderman Gatsas asked we are not sure if that is City or State is that correct.

Mr. Johnson answered that is correct.

Mayor Baines stated the street belongs to us and that is what we are dealing with tonight.

Mr. Rhodes stated the action this evening is for the 50-foot right-of-way. Following up on Ron's correspondence here, one of the things that we did look into and I think one of the reasons that the Highway Department and their surveyor indicated that the City was not in ownership of this particular land was in 1978 Governor & Council in reference to that parks land you have to maintain a certain area of parks and when they took this, the State deeded to the City of Manchester an area over near Stevens Park in about the same acreage and that is the swap that took place so that the State of NH could control this particular area. I think that is what the record will end up showing. Again, we want to make sure and clarify, but for this Board's consideration, later on down the line Joe Przbyla and the survey group over there indicated that this area north of Bridge Street over to Derryfield Park had been part of that original plot.

Alderman Shea asked how large of an area are we talking about here.

Mr. Rhodes answered it is probably about an acre and a half.

Alderman Shea stated not that it is going to be built there, but if the Senior Center were built across the street, you would have to in your opinion say to the State we are using an acre or an acre and a half for a Senior Center and, therefore, we have to supplement that by having additional land set aside for the City's usage. Is that correct?

Mr. Johnson replied we are still awaiting a determination. The State might be able to determine that the Senior Center might be considered a recreational use of the park and that is what I indicated in the letter. Typically it takes a while. They have to go through the regional office in Philadelphia to get a determination and that is why we haven't heard back. It is a possibility.

Alderman Shea asked but any time you replace land normally that the City has that you don't use for recreational purposes, you do have to supplement that with other and use. Is that correct?

Mr. Johnson answered if we have utilized Federal funding and land and water conservation funds and there are a few others that have this provision.

Alderman Cashin asked, Ron, you wrote a letter to Alison McClain right to find out the disposition of this land.

Mr. Johnson answered that is correct.

Alderman Cashin stated you must have had a reason for doing that. Is Parks & Recreation interested in retaining that piece of property?

Mr. Johnson replied the reason for the letter was for the Senior Center and secondly it is between Derryfield Park and the golf course so I think our interest is to see what the long-term use of what that area would be, whether it be parking. Right now we do have a mutual agreement. The school does use parking both at Derryfield Country Club and at Derryfield Park for their students.

Alderman Cashin stated we are going to go out now and look at the Old Bridge Street and we are going to decide if we are going to close that or turn it over. Now they don't want that piece unless they are assured by the City that we are not going to get involved in Parcel B. Now, if Parks & Recreation wants that, you have to tell us tonight.

Mr. Johnson replied I think it would be our opinion that it would be...since it is the original part of the park we would have to say that we would hate to lose any part of the park.

Alderman Cashin asked so you want it.

Mr. Johnson answered that is correct.

Mr. Mailloux stated with all due respect to the wishes of Parks & Recreation, one of our considerations as we look at the islands around the school is this would eventually allow us to change the traffic flow here through the property. Currently, you have a lot of stacking that takes place on Bridge Street and we don't have much room for buses that are dropping off or picking up students. Often times they have to wait on Bridge Street itself. If we are able to include in our planning some rerouting of traffic and we have engaged in some preliminary conversations with the Highway Department with respect to an exit closer to the fire station...again this is just in very general terms, this would allow us to stack traffic on school property, keeping traffic off of Bridge Street and creating a safer situation for everyone. Certainly that would include some additional parking area certainly for buses but we think that would allow us to be a better neighbor to everybody in the area and any of you who travel to and from Manchester in the morning and you travel past us you know that it really does get tough and tied up quite a bit so that is one of our considerations as well.

Alderman Pariseau asked why don't you use the driveway currently on the West Side of the high school building and have the buses come in there and out the other way.

Mr. Mailloux answered we use that as much as possible. It is a very tight area. It is very tight for buses to turn. We try to park as many cars as possible in that area as well. We don't have a lot of parking for students currently.

Alderman Gatsas asked did I understand you saying that you were looking for an opening at Bridge Street to Mammoth Road by the fire station.

Mr. Mailloux answered that is one thing that we discussed very, very loosely but in any planning that we would do we would at least consider alleviating the traffic issues at the same time.

Mr. Thomas stated in preliminary discussions with Trinity High, they have different layouts for the entire area if all of their wishes come true. There is a problem, as mentioned, with left turns into that parking area now. Nothing has been approved. Nothing has been cast in stone. We have looked at a few options on how to improve circulation in the area at Trinity High. Again, that is all for nay if they are not able to pick up the land.

Mayor Baines called for those wishing to speak in opposition.

There were none.

**F. Petition for Discontinuance
North Hampshire Lane**

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

Mr. Thomas stated this discontinuance has been requested by the State of New Hampshire Department of Transportation. The portion of Hampshire Lane in question is located on the south side of Bridge Street, west of Elm Street. During the construction of the Notre Dame Bridge, the State acquired property on that southerly side. The State now would like to sell off a couple of parcels and in order to maximize the value of these two parcels, if this portion of Hampshire Lane was discontinued it would make the land more valuable. If the land is sold by the State, there would be the same sharing that went into acquiring the property, which is 80% Federal and 20% local so if it is sold we would

get 20%. A little history on the alley. It was dedicated by Amoskeag Realty Company and was accepted by the Board of Mayor and Aldermen on June 24, 1927. The portion to be discontinued is from the south side of the street line of Bridge Street approximately 104 feet so the area of the discontinuance is approximately 104' x 20'. We do support this recommendation that was made by the State.

Mayor Baines called for those wishing to speak in favor.

There were none.

Mayor Baines called for those wishing to speak in opposition.

There were none.

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

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

A. Petition for Discontinuance
Leandre Street

Members of the Board viewed the area of the petition. On motion of Alderman Sysyn, duly seconded by Alderman O'Neil, it was voted to discontinue Leandre Street as petitioned reserving any and all utility easements.

Mayor Baines called a brief recess.

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

B. Petition for Discontinuance
Portion of a sidewalk at 481 Dix Street

Members of the Board viewed the area of the petition. Alderman Shea moved to discontinue a portion of a sidewalk at 481 Dix Street as petitioned reserving any and all utility easements. Alderman Sysyn duly seconded the motion. Mayor Baines called for a vote. The motion carried with Alderman Gatsas being duly recorded in opposition.

Mayor Baines called a brief recess.

Mayor Baines called the meeting back to order at the site of the third petition.

C. Petition for Discontinuance
Silver Street

Members of the Board viewed the area of the petition. On motion of Alderman Shea, duly seconded by Alderman Pariseau, it was voted to discontinue a portion of Silver Street as petitioned reserving any and all utility easements.

Mayor Baines called a brief recess.

Mayor Baines called the meeting back to order at the site of the fourth petition:

D. Petition for Discontinuance
Massabesic Street

Members of the Board viewed the area of the petition. On motion of Alderman Clancy, duly seconded by Alderman Pinard, it was voted to discontinue a portion of Massabesic Street as petitioned reserving any and all utility easements.

Mayor Baines called a brief recess.

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

E. Petition for Discontinuance
Old Bridge Street

Members of the Board viewed the area of the petition. On motion of Alderman Sysyn, duly seconded by Alderman O'Neil, it was voted to discontinue Old Bridge Street as petitioned reserving any and all utility easements.

Mayor Baines called a brief recess.

Mayor Baines called the meeting back to order at the site of the sixth petition:

F. Petition for Discontinuance

North Hampshire Lane

Members of the Board viewed the area of the petition. On motion of Alderman Clancy, duly seconded by Alderman Levasseur, it was voted to discontinue a portion of North Hampshire Lane as petitioned reserving any and all utility easements.

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

A True Record. Attest.

City Clerk