

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

January 14, 2002

5:15 PM

Mayor Baines called the meeting to order.

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

A moment of silent prayer was observed.

The Clerk called the roll. There were thirteen Aldermen present.

Present: Aldermen Gatsas, Guinta (arrived late), Sysyn, Osborne, Pinard, O'Neil, Lopez, Shea, DeVries, Garrity, Smith, Thibault, Forest

Absent: Alderman Wihby

Mayor Baines advised that the purpose of the road hearing is 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 Deputy 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
Old Second Street from School Street to Granite Street

Mayor Baines requested that Kevin Sheppard, Deputy Public Works Director, make a presentation.

Mr. Sheppard stated I believe the City Clerk passed out a plan showing the discontinued section of Second Street right-of-way as a proposed Second Street discontinued right-of-way. The State of New Hampshire petitioned the City to discontinue this section of right-of-way the Old Second Street between School Street and Granite Street as shown on that plan. It is the recommendation of the Highway Department to grant the request for discontinuance...that will be part of the Granite Street work that's coming up.

Alderman O'Neil asked, Kevin, how does this affect...I know the State has had some discussions with relocation of one of the businesses that had to be relocated, does this affect this in any way...it would have to be done no matter what happens there.

Ms. Sheppard replied this discontinuance...right now, the City really does not have any rights in that area of the Old Second Street, this would have to be discontinued. The State is an abutter and eventually the State would be able to quit claim that area anyway.

Alderman Thibault stated, Kevin, just to be sure that I understand. On the other side of Granite Street, if you will, on the north side of Granite Street that doesn't affect that section at all, right. We're talking about Granite Street south.

Mr. Sheppard replied Granite Street south is the section that you'll see on the plan.

Alderman Forest asked you would close off that School Street section, just the part from School Street to..

Mr. Sheppard replied just the section from School Street to the north of School Street to the southside of Granite Street.

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.

B. Petition for Discontinuance

Portions of Faltin, Lingard, Upton and Loring Streets

Note: Additional information submitted by Atty. Lazos and forwarded under separate cover to the Board of Mayor and Aldermen and on file for viewing at the City Clerk's Office.

Mayor Baines called for those wishing to speak in favor due to additional information having been presented previously.

Gene Beaudoin stated this basically is a discontinuance of streets that are in our parking lot and when they're done they're going to feel like the streets that are there today, so that we're going to have all of the roads remain in the same road bed that they're in and incorporated into the shopping center and we've provided for easements back to the City in order to have the snow plows to be able to continue to do the plowing that they have to do and we had one abutter to the project who asked for an easement over our property to replace the public road and we've granted that easement. Those folks were here and they just decided to leave and that's the only other abutter that was affected by this. So, we're a pretty straightforward discontinuance.

Attorney Nicholas Lazos stated I, very briefly, have been asked to explain the difference between the first plan that the Aldermen received sometime ago and this plan. The only difference is that we determined that there are some...there is a sewer line and a drainage line that runs under the property which will be relocated as part of our project, so what we have done is we've requested that the Aldermen discontinue those in anticipation of a relocation to somewhere else on the site basically south of the buildings and that's the only difference that we had. I've seen the petition prepared and it's acceptable to my client. Unless there are questions, I have nothing else.

Alderman Garrity stated just to comment early on, I realize that the vote has already passed for the South Beech Street access, I just wanted to publicly go on record as an Alderman that I am opposed to the South Beech Street access.

Mayor Baines requested that Kevin Sheppard, Deputy Public Works Director, make a presentation.

Mr. Sheppard stated again the City Clerk's Office, I believe, provided a colored copy of the proposed discontinuances in a section of land which is going to be dedicated as part of the Loring Street right-of-way. The New England Expedition – Manchester LLC has requested discontinuance of portions of Faltin Drive, Upton Street, Loring Street and dedication of additional an portion of Loring Street in order to accommodate a proposed shopping center development. The request has been shown and summarized and shown in the plan provided by the City Clerk's Office. It is the recommendation of the Highway Department that the Board of Mayor and Aldermen approve the discontinuances and accept dedication of portions of Loring Street, utility easements which Attorney Lazos just spoke about we feel those and street maintenance issues can be addressed during the development process.

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

On motion of Alderman Pinard, duly seconded by Alderman Thibault, it was voted to recess the hearing and proceed and 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
Old Second Street from School Street to Granite Street

Members of the Board viewed the area petitioned. On motion of Alderman Smith, duly seconded by Alderman Thibault, it was voted to discontinue Old Second Street from School Street to Granite Street as petitioned reserving any and all utility easements subject to review and approval of the Public Works Director.

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
Portions of Faltin, Lingard, Upton and Loring Streets**

Members of the Board viewed the area petitioned. Alderman Osborne moved to discontinue portions of Faltin, Lingard, Upton and Loring Streets as petitioned including authorization for the Mayor to execute related deed and as reflected in the revised plan entitled:

“Consolidation/Discontinuance/Dedication Plan South Willow, Lingard, Upton & Loring Streets and Faltin Drive dated 7 January 2002; such discontinuances to be effective upon transfer of title from Don & Carol Real Estate and Donald F. Donovan to The New England Expedition – Manchester, LLC or its assigns, and subject to reserving all utility easements until such time as relocation of utilities has been completed by such LLC or its assigns and approved by the City, and a new easement to the City of Manchester has been granted.

Alderman Pinard duly seconded the motion. The motion carried with Alderman Garrity duly recorded in opposition.

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

A True Record. Attest.

City Clerk