AGENDA

SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(ROAD HEARING)

May 23, 2005 **5:30 PM**
Aldermanic Chambers
City Hall (3rd Floor)

1. Mayor Baines calls the meeting to order.

2. Mayor Baines calls for the Pledge of Allegiance.

A moment of silent prayer is observed.

3. The Clerk calls the roll.

4. Mayor Baines advises that the purpose of the road hearing is to hear those wishing to speak in favor of our in opposition to proposed street discontinuance/dissolution petitions, followed by viewing the area of the petitions and determination of the action to be taken on such petitions. Such petitions shall be addressed 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. Anyone wishing to speak must first step to the nearest microphone when recognized and state his/her name and address in a clear, loud voice for the record. Each person will be given only one opportunity to speak and any question must be directed to the Chair.

A. *Petition to discontinue a portion of Gay Street.*

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

Mayor Baines calls for those wishing to speak in favor.

Mayor Baines calls for those wishing to speak in opposition.

B. *Petition for dissolution of Madison Street.*

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

Mayor Baines calls for those wishing to speak in favor.

Mayor Baines calls for those wishing to speak in opposition.

5. Mayor Baines advises that a motion is in order to recess the hearing and proceed to view the areas of petitions presented.

6. Mayor Baines calls the meeting back to order at the site of the first petition.

Item 4A *Petition to discontinue a portion of Gay Street.*
Ladies and Gentlemen, what is your pleasure?

7. Mayor Baines calls the meeting back to order at the site of the second petition.

Item 4B *Petition for dissolution of Madison Street.*
Ladies and Gentlemen, what is your pleasure?

8. Mayor Baines advises that this being a special meeting of the Board, no further business shall be presented and a motion to adjourn would be in order.

4A + 6

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a petition to discontinue a portion of Gay Street be referred to a Road Hearing to be scheduled at a later date by the Office of the City Clerk.

Respectfully submitted,

Clerk of Committee

At a meeting of the Board of Mayor and Aldermen held April 19 2005 on a motion of Ald. O'Neil duly seconded by Ald. Smith the report of the Committee was accepted and its recommendations (adopted) ~~(denied)~~

City Clerk

4A+6

KNA KEACH-NORDSTROM ASSOCIATES, INC.

February 14, 2005

Honorable Board of Mayor and Alderman
City of Manchester
One City Hall Plaza
Manchester, NH 03101

Subject: Petition for Street Discontinuance
Gay Street Extension
Manchester, New Hampshire

Honorable Mayor and Alderman:

On behalf of Summit Packaging Systems, Inc., (Petitioner), owner of the real property located 400 Gay Street (Tax Map 651-A Lot 2) in the City of Manchester, I hereby submit this petition for a right-of-way discontinuance of a portion of Gay Street. The Petitioner represents that for the accommodation of the public there is occasion for the north-end terminus of Gay Street to be discontinued. Presently, the north end of Gay Street has a hammer-head turn-around. The Petitioner proposes to remove this existing turn-around and in its place construct a new cul-de-sac with a dedicated right-of-way to the City of Manchester. Please refer to the attached "Right-of-Way Plan."

We thank you in advance for your consideration of this request.

Sincerely,

Jeffrey W. Lewis, PE

Copy w/ enclosures to: Scott Gilroy, (Summit Packaging)
Mark McLaughlin, (Harvey Construction)
Sue Manchester, (Shaheen, Phinney, Bass & Green)

RECEIVED
FEB 14 2005
CITY CLERK'S OFFICE

Civil Engineering *Land Planning* *Landscape Architecture*

10 Commerce Park North, Suite 3B Bedford, NH 03110 Phone (603) 627-2881 Fax (603) 627-2915

4A
+6

Petition for Street Discontinuance

Location: Gay Street Extension (northern terminus)

Petitioner: Summit Packaging Systems, Inc.
400 Gay Street

To the Honorable Board of Mayor and Aldermen of the
City of Manchester:

The Undersigned respectfully represents that for the accommodation of the public there is occasion for the discontinuance of an existing City street right-of-way, described as follows:

The dead-end portion of Gay Street north of Tax Map 651A Lot 15, as shown on the attached Right-of-Way Plan.

Therefore, the undersigned respectfully requests you to discontinue the above-described portion of Gay Street.

Dated this 7 day of February 2005.

By: Scott Culbey

4A +6

City of Manchester
Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

March 8, 2005

Community Improvement Committee of the Board of Mayor and Aldermen
c\o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION FOR DISCONTINUANCE OF A PORTION OF GAY STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

- That Gay Street was accepted at HS&B book 16 page 118.
- That street ends in a hammerhead as shown on the 1993 survey plan by John T. Hills recorded at the Hillsborough County Registry of Deeds as plan #26482.
- Part of this petition is to replace the existing hammerhead with a cul-de-sac.

The Highway Department supports the discontinuance of the existing hammerhead conditional upon the submittal of design plans and bonding for the replacement cul-de-sac.

Sincerely,

Frank Thomas

Frank Thomas, P.E.
Public Works Director

MJM
cc: File

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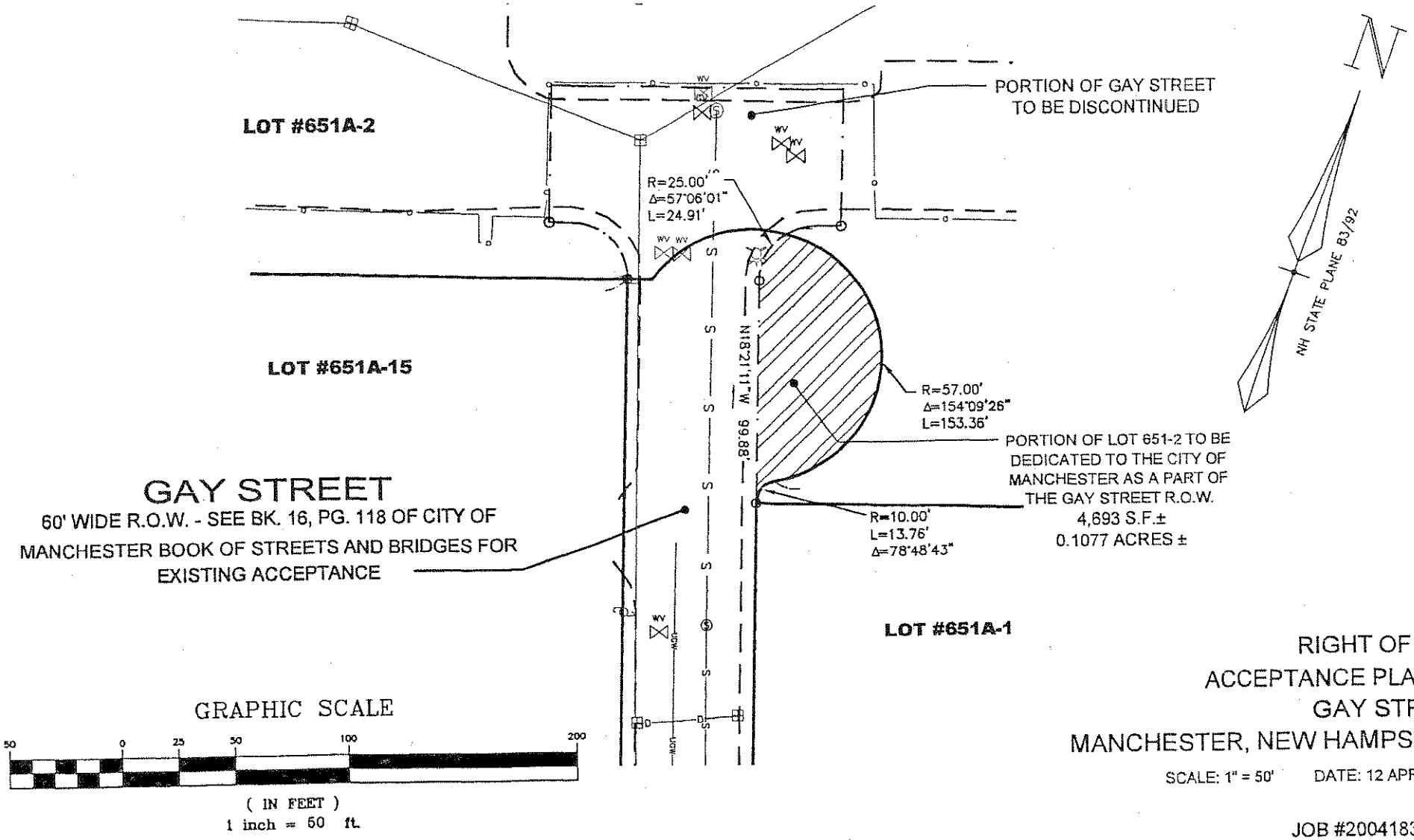
MAR 11 2005
CITY CLERK'S OFFICE

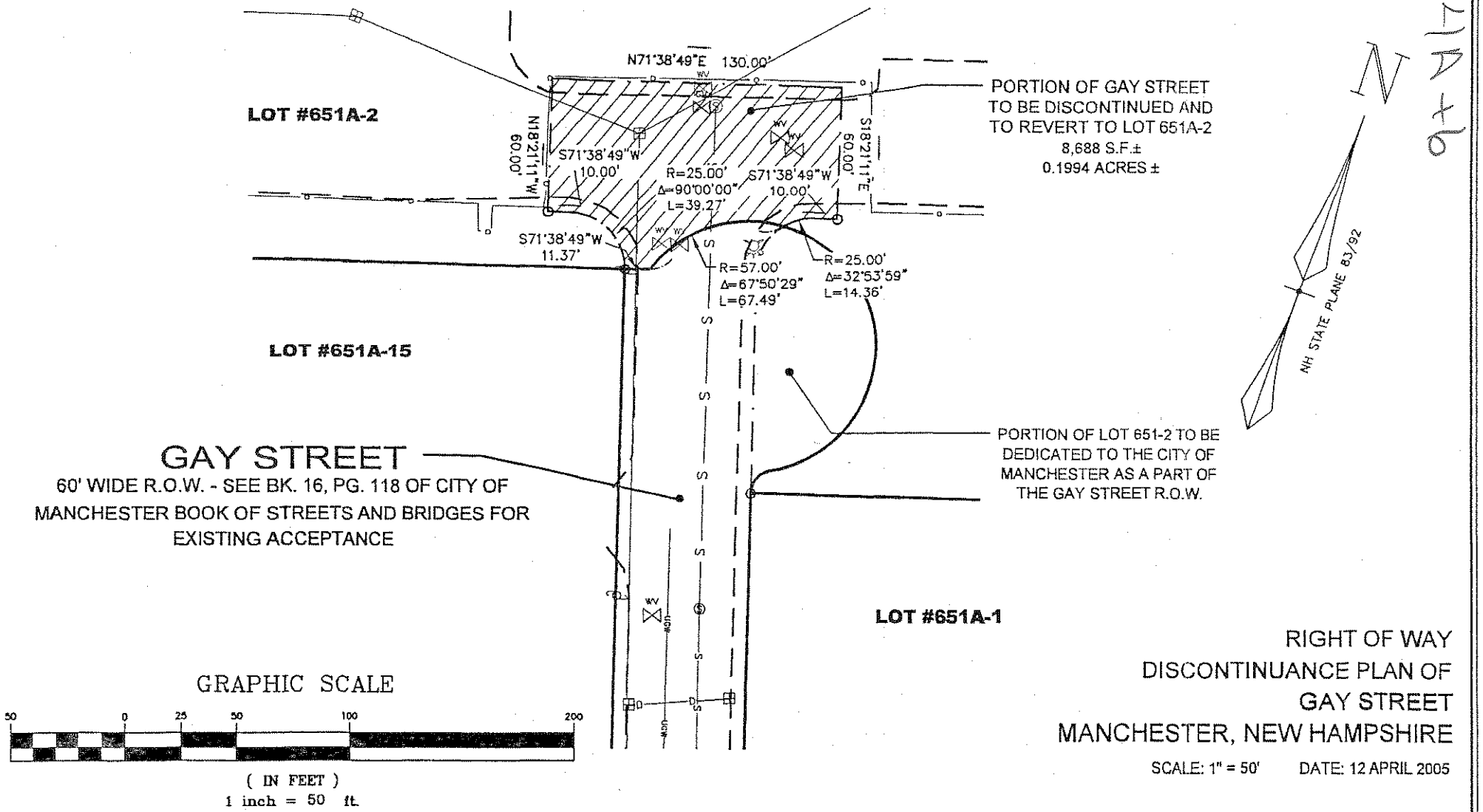


RIGHT OF WAY
ACCEPTANCE PLAN OF
GAY STREET
MANCHESTER, NEW HAMPSHIRE

SCALE: 1" = 50' DATE: 12 APRIL 2005

JOB #2004183_ROW

1 of 6



RIGHT OF WAY
DISCONTINUANCE PLAN OF
GAY STREET
MANCHESTER, NEW HAMPSHIRE

SCALE: 1" = 50' DATE: 12 APRIL 2005

JOB #2004183_ROW

4B+7

To the Board of Mayor and Aldermen of the City of Manchester:

The Committee on Community Improvement respectfully recommends, after due and careful consideration, that a petition for dissolution of Madison Street be referred to a Road Hearing to be scheduled at a later date by the Office of the City Clerk.

At a meeting of the Board of Mayor and Aldermen held April 19, 2005 on a motion of Ald. O'Neil duly seconded by Ald. Smith the report of the Committee was accepted and its recommendations (adopted) ~~(denied)~~

City Clerk

Respectfully submitted,

Clerk of Committee

4B+M

St. George & Spenard
ATTORNEYS AT LAW, P.A.
1193 Hooksett Road • Hooksett, NH 03106
603-625-4LAW • 603-625-4529 • Fax: 603-625-1606
www.6254law.com

Robert C. St. George
Admitted in MA & NH
rstgeorge@6254LAW.com

David F. Spenard
Admitted in MA
dspenard@6254LAW.com

January 19, 2005

Robert St. George, III
41-45 Jefferson Street
Manchester, NH 03101

Dear Honorable Mayor and City Alderman:

Enclosed please find my petition for dissolution of a paper street known as Madison Street. The following plans have also been included to serve as a description of Madison Street.

If you have any questions, feel free to call. I thank you for your time.

Sincerely,

Robert St. George, III

Enclosures

RSG/kas

4B+7

MOTION TO PETITION FOR A DISSOLUTION OF A "PAPER STREET"

To the Honorable Board of Mayor and Alderman of the City of Manchester:

The undersigned respectfully represent that for the accommodation of the public there is occasion for discontinuing a highway/public road.

He now comes before you and request that you consider his petition to dissolve the "paper street" known as Madison Street, in its entirety, more particularly described in a plan obtained from the City of Manchester Highway Department entitled "Plan of Land at Fulton Place belonging to the Estate of Waterman Smith, shown as F3 80"and also a "Plan of House Lots at Fulton Place, shown as 403" enclosed herewith.

He, therefore, request you to discontinue the above-described Madison Street.

Dated at the City of Manchester, New Hampshire this 19th day of January 2005.

By:_____

Robert St. George- Owner
41-45 Jefferson St.

4/B+7

City of Manchester
Department of Highways

227 Maple Street
Manchester, New Hampshire 03103-5596
(603) 624-6444 Fax # (603) 624-6487

Commission
Edward J. Beleski
- Chairman
Henry R. Bourgeois
William F. Kelley
Michael W. Lowry
William A. Varkas

Frank C. Thomas, P.E.
Public Works Director

Kevin A. Sheppard, P.E.
Deputy Public Works Director

January 28, 2005

Community Improvement Committee of the Board of Mayor and Aldermen
City Hall
c\o Leo R. Bernier, City Clerk
One City Hall Plaza
Manchester, New Hampshire 03101

RE: PETITION FOR DISSOLUTION OF MADISON STREET

Dear Committee Members,

We have reviewed the referenced item and have found the following:

- Madison Street was dedicated by a subdivision plan entitled "Plan of Fulton Place" by Franklin Crombie, C.E. dated October 1854. This plan is recorded at the Hillsborough County Registry of Deeds as plan # 306.
- No acceptance of dedication or return of layout for Madison Street was found in the records of the City Clerk.
- It appears Madison Street was never opened nor built for public travel since the dedication in 1853. Being the plan dedication was before 1893 the Board of Mayor and Aldermen would need to release and discharge the dedication.

The Highway Department supports the release and discharge of Madison Street.

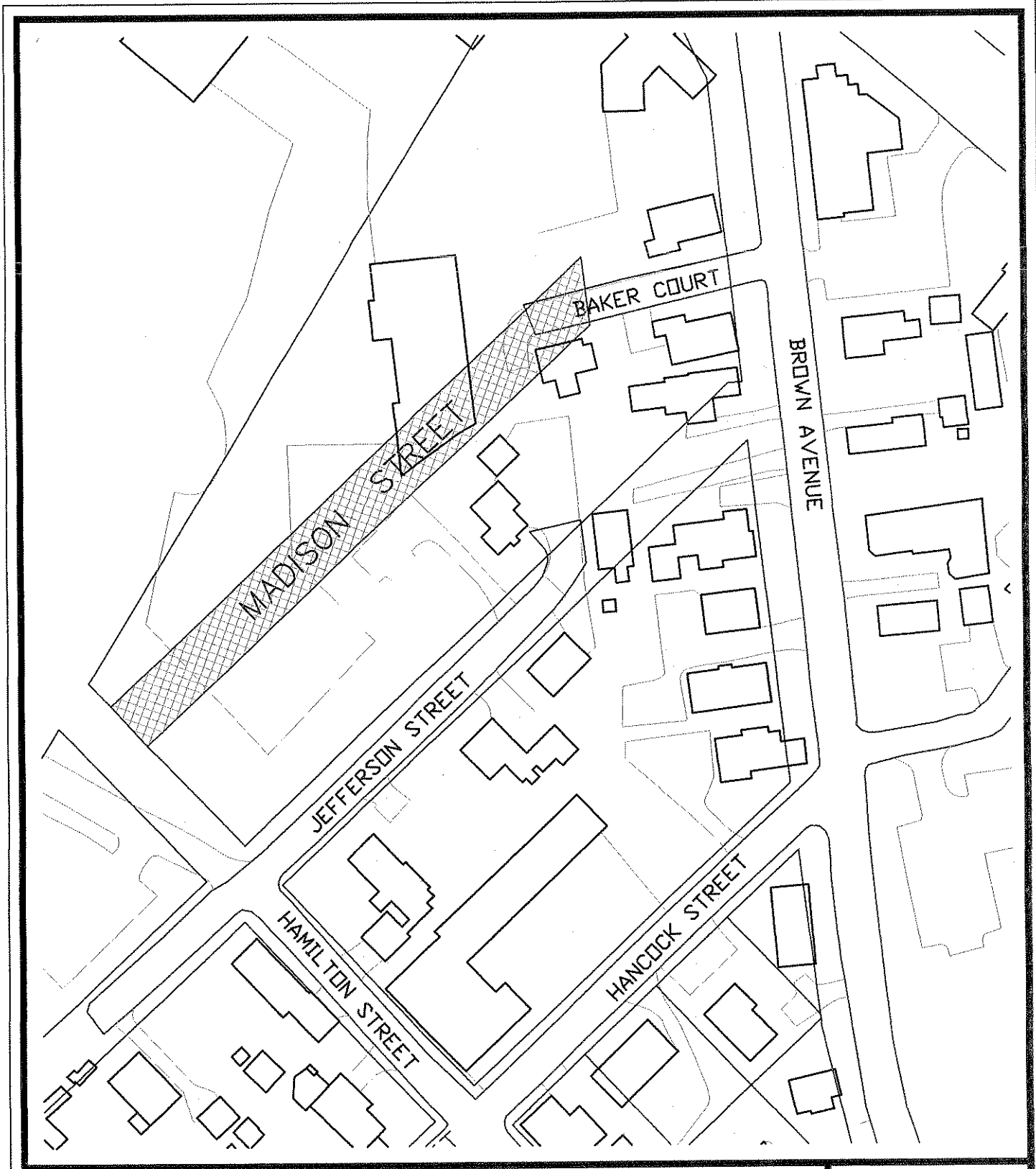
Sincerely,

Frank Thomas

Frank Thomas, P.E.
Public Works Director

MJM
cc: File

RECEIVED
APR 01 2005
CITY CLERK'S OFFICE



PROPOSED RELEASE
MADISON STREET

MANCHESTER, NEW HAMPSHIRE
JANUARY, 2005

NORTH

SCALE
1" = 100'