

Walsh, Matthew

From: Walsh, Matthew
Sent: Thursday, October 17, 2024 3:56 PM
To: 'Councilor Brown'; 'Councilor Fennessy'; 'Councilor Foote'; 'Councilor Grady Sexton'; 'Councilor Horne'; 'Councilor Keach'; 'Councilor Kretovic'; 'Councilor Kurtz'; 'Councilor McLaughlin'; 'Councilor McNamara'; 'Councilor Schlosser'; 'Councilor Schultz'; 'Councilor Sekou'; 'Councilor Todd'; 'Mayor Champlin'
Cc: Aspell, Thomas; LeBrun, Brian; Bonenfant, Janice
Subject: Steve Duprey / 31 Samuel Drive Utility and Pedestrian Easements
Attachments: 2005 Subdivision Plan MCRD 17750.pdf; Duprey Easement Modification Proposal 08-02-2024.pdf

Honorable Mayor and Members of the City Council:

I hope this email finds you well! It has come to our attention that Steve Duprey has been contacting City Councilors with a request to modify a City owned 35' wide pedestrian and utility easement located on his property located at 31 Samuel Drive.

For background, Mr. Duprey acquired the property at 31 Samuel Drive in 2020. The City's easements located on Mr. Duprey's property (as well as that of his neighbor) were established in 2005 as part of Planning Board subdivision approval which created the Samuel Drive neighborhood. Please see attached 2005 Subdivision Plan. Mr. Duprey's property is identified as Lot #7. His neighbor's property – shown as Lot #8 – is also encumbered by the easement.

Specifically, the easements were established to facilitate installation of water and sewer utilities which support Samuel Drive, as well as pedestrian connectivity with the City's Langley Parkway right-of-way (which is presently a driveway to the City's water tower and a walking trail). Presently, the pedestrian connectivity is provided in the form of a trail over Mr. Duprey's property. However, over the years, there has been discussion of potential sidewalk at this location. Design of a sidewalk would require compliance with ADA. Given wetland and topographic issues at this location, it is important for the City to maintain a large easement area to give us maximum flexibility / opportunity to design and construct an ADA compliant sidewalk at this location.

Mr. Duprey desires to reduce the size of the pedestrian easement from 35' to 6'.

Separately, there is a cul-de-sac at the end of Samuel Dr., which residents of the neighborhood have, or wish to, landscape. The cul-de-sac is part of the City's rights-of-way for Samuel Drive and is within the City's jurisdiction. Mr. Duprey and his neighbors are seeking permission to maintain it. This could be accomplished through a variety of mechanisms, including the City's Adopt-A-Spot Program or a License Agreement.

The Legal Department has had discussions with Mr. Duprey's attorney about these issues.

With all this in mind, City Administration plans to bring Mr. Duprey's requests to City Council as part of the Council's November 12 agenda with a recommendation that they be referred to the Community Development Department, Planning Board, TPAC, and potentially other departments / committees for review and recommendation.

I hope this information is helpful. In accordance with RSA 91-A, please refrain from any "reply all" responses to this email.

Best Regards,

Matt Walsh
Deputy City Manager - Development



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