



CITY OF CONCORD

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Nancy E. Larson, City Planner

DATE: August 21, 2015

SUBJECT: Petition for the discontinuance of a portion of the right-of-way of Merrimack Street in Penacook that lies between the sidewalk and the United Church of Penacook.

Recommendation:

Recommend that the City Council grant the petition of the United Church of Penacook, located at 21 Merrimack Street, Penacook, to discontinue a portion of the right-of-way (see attached preliminary GIS sketch) of Merrimack Street, more specifically, the triangular portion of land that lies between the sidewalk and the church.

Background

A petition for the discontinuance of a portion of the right-of-way of Merrimack Street has been submitted by Reverend Jerry McCann of the United Church of Penacook. A copy of the petition is attached. The purpose of the request is to allow for the church to replace an existing deteriorating accessible ramp at their front entrance, which is partially located within the right-of-way of Merrimack Street. According to Reverend McCann, the existing ramp was constructed in the late 1980's.

Discussion

Preliminary Description of the Area (based on City GIS)

The portion of the right-of-way in question runs southwesterly from the northwest intersection with Community Drive towards Sanders Street for approximately 75 feet, southeasterly for approximately 24 feet to an intersection with Merrimack Street, then northeasterly approximately 78.5 feet along the northerly side of Merrimack Street to the point-of-beginning. The area in question forms a triangle approximately 900 square feet in area.

City Administration and the Engineering and Planning Divisions support the request. Additionally, there appears to be no benefit gained by the City not discontinuing this

portion of right-of-way. Upon discontinuance, the land in the right-of-way will be owned by the abutting property owner of 21 Merrimack Street (Map-Lot: 0543P-33) free and clear of the public highway easement.

At their meeting held on August 19, 2015, the Planning Board voted unanimously to recommend to the City Council that the petition to discontinue a portion of the right-of-way of Merrimack Street in Penacook that lies between the sidewalk and the United Church of Penacook be granted with the following condition:

- Prior to the review by City Council, a survey locating the three bounds within the right-of-way of the proposed area to be discontinued of the right-of-way of Merrimack Street in Penacook that lies between the sidewalk and the United Church of Penacook, and depicting the existing improvements within said area, shall be prepared and submitted by a NH licensed land surveyor. The survey shall be reviewed and approved by the City Surveyor prior to Council review.

As of the writing of this report, the survey has not yet commenced.

Cc: File

Ec: Pastor Jerry McCann, United Church of Penacook
Laura Aibel, P.E., Associate Engineer
Michael Santa, Code Official
Craig Walker, Zoning Administrator
Paul E. Gendron, City Surveyor