



CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department

REPORT TO THE MAYOR AND CITY COUNCIL

FROM: Mathew Walsh, Deputy City Manager – Development

DATE: November 1, 2023

SUBJECT: Request to discontinue a portion of the [Old] Stickney Avenue right-of-way

Recommendation:

Approve the attached consent resolution discontinuing a portion of [Old] Stickney Avenue over portions of State-owned property located between 11 and 29 Stickney Avenue.

Background:

A petition was submitted in October 2021 by Brady Sullivan Properties (“Brady Sullivan”) requesting permanent discontinuance of a portion of the [Old] Stickney Avenue right-of-way. The discontinuance was needed to allow redevelopment of property located at 11 Stickney Avenue into multifamily housing. Said property was previously owned by the State of New Hampshire, and recently conveyed to a subsidiary of Brady Sullivan. On October 11, 2022, the City Council adopted Resolution #9504 approving the discontinuance over that portion of the [Old] Stickney Avenue right-of-way located over 11 Stickney Avenue.

Subsequently, it was determined the State of New Hampshire, in collaboration with Brady Sullivan, desires to also discontinue a portion of [Old] Stickney Avenue which runs across the State’s Park and Ride property, located between 11 and 29 Stickney Avenue. Staff understands that the additional discontinuance is being requested, in part, as Brady Sullivan’s new residential development located at 11 Stickney Avenue will be accessed over a portion of the State’s Park and Ride. Please see requests from Attorney John Cronin on behalf of Brady Sullivan dated August 3, 2023, as well as an email from the State of New Hampshire dated October 17, 2023, confirming the request for the discontinuance. Also, please see attached map depicting the area discontinued by Resolution #9504, as well as additional area requested to be discontinued.

Discussion:

On August 16, 2023, the Planning Board reviewed the request to discontinue that portion of [Old] Stickney Avenue located at the State’s Park and Ride. During the Board’s discussion, it was suggested that Brady Sullivan work with the State to secure a 5’ wide easement along the frontage of the State’s Park and Ride property to facilitate a potential route for the future

extension of the Merrimack River Greenway Trail (MRGT) (CIP #543). Following this discussion, the Board voted to recommend that the City Council approve the release of the right-of-way, subject to Brady Sullivan securing a 5-foot easement along the frontage of the State's Park and Ride to accommodate a potential location for the MRGT in the future.

While the Planning Board recommended conditioning the discontinuance on said easement, the City Administration notes that the desired easement area is not within the subject right-of-way, and that the location of the MRGT is still in the planning phase and not currently established. Therefore, the City Administration recommends that the City approve the discontinuance request without the easement condition. However, the City's desire to acquire the aforementioned easement has been communicated to the State, and City Administration will continue to work with the State to secure the easement in the event that it is necessary to accommodate the future development of the MRGT.