



CITY OF CONCORD

New Hampshire's Main Street™

City Manager's Office

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Thomas J. Aspell, Jr.
City Manager

MEMORANDUM

TO: Nivelles Street Property Owners

FROM: Matthew R. Walsh, Director of Redevelopment, Downtown Services,
& Special Projects

DATE: August 29, 2018

SUBJECT: Lawful Uses of Nivelles Street Rights-of-Way and Basic Parking Regulations

As you may know, the City Parking Committee met on August 16, 2018 to discuss a request filed by Derek and Kristy Ruiz, owners of 40 Nivelles Street, to eliminate on-street parking between #10 and #40 Nivelles Street (both sides of the roadway). After receiving public testimony, the Committee decided to not recommend that the City Council change parking regulations on Nivelles Street at this time.

However, in response to several questions raised by the public, the Parking Committee directed City staff to provide a letter to all property owners on Nivelles Street concerning permitted uses of the Nivelles Street right-of-way, as well as basic parking regulations governing the street. Thus, you have been sent this memorandum.

Nivelles Street Right-of-Way: Nivelles Street is a public highway. It has a fifty foot wide right-of-way, which may be used for vehicular and pedestrian travel, and other uses reasonably incidental to travel, such as parking. The right-of-way also accommodates public utilities (water, sewer, drainage, gas, electric, telephone, and cable television), as well as maintenance activities, such as snow plowing.

1. **Prohibited:** Unless a license has been granted by the City Council, the following uses or activities are prohibited within the right-of-way:
 - a. Construction of homes, garages, additions, decks, porches, patios, sheds, fences, septic systems, wells, irrigation systems, private drainage systems (such as sump-pump discharge pipes), tree houses, basketball hoops, or any other private building or structure.
 - b. Storage of vehicles (including boats and recreational vehicles) and materials (such as firewood).

- c. Any other private structure or encumbrance, which interferes, or may interfere, with vehicular or pedestrian travel, parking, utilities, or maintenance of roadway or utility infrastructure located within the right-of-way.
2. **Permitted Uses:** The following uses are permitted within the right-of-way:
 - a. Placement of mailboxes which do not interfere with travel, parking, utilities, or maintenance of infrastructure located within the right-of-way.
 - b. Public utilities, including but not limited to, water, sewer, gas, electric, telephone, and cable television.
 - c. Planting of grass, street trees, or other vegetation, provided said vegetation does not interfere with vehicular or pedestrian travel, parking, utilities, or maintenance of roadway or utility infrastructure located within the right-of-way.

Parking Regulations: The following is a summary of some of the basic parking regulations governing Nivelles Street:

1. Vehicles must be parked at least five feet (5') from all driveways (including your own vehicle adjacent to your driveway) and fire hydrants. You must also park at least twenty feet (20') from a street intersection.
2. Vehicles must be parked in the same direction as traffic.
3. In the case of Nivelles Street, on-street parking is permitted on both sides of the roadway. However, a twelve foot (12') wide travel way must be maintained on the street at all times (including the winter months).
4. Vehicles cannot be parked for more than forty eight (48) hours continuously in the same spot.
5. It is illegal to park a commercial vehicle, recreational vehicle, trailer (including boat, recreational vehicle, or utility trailers), or recreational equipment on the street or within the right-of-way without specifically obtaining authorization by the Chief of Police or his designee.
6. Washing of vehicles in the public right-of-way is prohibited.
7. Advertising vehicles for sale in the right-of-way is prohibited.
8. No vehicle may be parked in the right-of-way whenever a parking ban is declared. You can sign up for parking ban notifications by visiting the "Notify Me" page on the City's website (www.concordnh.gov).

In closing, the Parking Committee hopes this information is useful. Please contact me should you have any questions.