



October 19, 2016

City Council
City of Concord
41 Green St.
Concord, NH 03301

RE: Right-of-way encroachment

Dear Council Members,

This letter is my formal request for a Discontinuance Petition of a portion of right-of-way (ROW) held by the city at 46 Broad Cove Drive. My reason for the request is two-fold; first the current housing structure sits partially in the ROW and second, to make improvements to the property which would be in the current ROW.

I have attempted to research the history of the property as best as I can. It appears that most of the structures along the Contoocook River were initially built as "cottages", which includes my home. In the book "Reflections Along The Contoocook" by Thelma B. Heath, second printing 1993, Contoocook River Improvement Society, Publishers, Penacook, NH, there is a map of the section of the river where 46 Broad Cove is located. It details the structures along the river and has my property listed as #103, "The Oaks". Also in the publication is a list of cottages along the east side of Broad Cove Road which details the owner, name of the cottage, and the year built. 46 Broad Cove Drive is listed as #103 and was built by the "Dudley Bros." It is called "The Oaks" and was built in 1910 making the structure approximately 115 years old. I have also found a Topo Map, ca. 1927 which is a composite map made from 4 separate old USGS maps which show a structure at the approximate location of 46 Broad Cove Drive.

The mortgage plot plan which I receive when I obtained my mortgage shows that the right-of-way just touches the front of the house. It was my belief, when I purchased the property that the structure was out of the ROW. I was not aware that a portion of the structure was in the ROW until I had a survey done. It appears that the ROW on Broad Cove Drive is 66 feet wide and not the standard 50 foot wide ROW which was believed to be the case.

The city issued "Approval for Construction" permits for the waste disposal system located at the property. These permits were issued in 1972-1973 and stamped by the City of Concord Bldg. Inspection. A portion of the septic system, the leach field and distribution box and are in the ROW.

This is all of the information I could find as of this point in time. When examining the construction of the building, the structure of the sills and joists indicate that the portion closest to the road is the main structure of the building and would have been constructed first. There was a small porch along the riverside and it extended partway up the Northside. Both of these sections eventually were incorporated into the main part of the home. The "L" portion is an addition which was put on by the previous owners and is along the river and does not encroach on the ROW.

My intention is to remove the front door and stoop which is facing the road and move it to the yard side which would be a safer entrance for the property. I would be constructing an approximate 8 foot by 10 foot porch on the yard side which would allow for safer access to my home. Also, I believe that my septic system is reaching its end of life and will need to be replaced in the near future. It is my understanding that the city does not currently have any plans to expand Broad Cove Drive and that the property currently in the ROW is surplus to the city's needs. I would like to have the petition of discontinuance granted in order to be compliant with all laws and regulations and to proceed with the process of moving the main entrance to the home.

I thank you for your time and consideration. I look forward to hearing from you on what steps I will need to take to facilitate these projects. Please feel free to contact me with any questions or concerns.

Sincerely,

A handwritten signature in black ink that reads "Robert M. Beaulac". The signature is written in a cursive style with a large initial "R" and "B".

Robert M. Beaulac
46 Broad Cove Drive
371-3718
RMBeaulac@comcast.net