



TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, **including back up information**, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: August 16, 2021 Date of Meeting: September 23, 2021
 Submitted by: Attorney Brett Allard
 Department: Time Required: 25 minutes
 Speakers: Attorney Brett Allard Background Info. Yes: No:
 Supplied:

CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:	<input type="checkbox"/>	Recognition/Resignation/Retirement:	<input type="checkbox"/>
Public Hearing:	<input checked="" type="checkbox"/>	Old Business:	<input type="checkbox"/>
New Business:	<input type="checkbox"/>	Consent Agenda:	<input type="checkbox"/>
Nonpublic:	<input type="checkbox"/>	Other:	<input type="checkbox"/>

TITLE OF ITEM

Public Hearing – Request to Release Certain Portions of Previously Dedicated Elizabeth Drive, Squire Road, and Charles Road

DESCRIPTION OF ITEM

The Town Council will hold a public hearing to consider the request filed by RCL Realty LLC to release certain portions of previously dedicated Elizabeth Drive, Squire Road, and Charles Road, in accordance with RSA 231:52. The Council will take testimony to determine whether the requested portions of these roads are still needed for public travel.

REFERENCE (IF KNOWN)

RSA: 231:52 Warrant Article: _____
 Charter Article: Town Meeting: _____
 Other: N/A

EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:	<input type="checkbox"/>	Grant Requirements:	<input type="checkbox"/>
Easel:	<input type="checkbox"/>	Joint Meeting:	<input type="checkbox"/>
Special Seating:	<input type="checkbox"/>	Other:	<input type="checkbox"/>
Laptop:	<input type="checkbox"/>	None:	<input type="checkbox"/>

CONTACT INFORMATION

Name: **Brett Allard** Address: **670 North Commercial Street Suite 108, Manchester, NH**
 Phone Number: **603-623-8700** Email Address: **ballard@bernsteinshur.com**



**TOWN OF MERRIMACK
INTER-DEPARTMENT COMMUNICATION**

DATE: September 15, 2021
AT (OFFICE): Department of Public Works

FROM: Dawn B. Tuomala, PE, LLS, CWS
Deputy Director/Town Engineer

To: Paul Micali,
Town Manager

SUBJECT: Normandy Estates
Un-dedication of parts of
Charles Road, Elizabeth Drive and Squires Drive

The "Normandy Estates" was a subdivision that was approved in January, 1969 and revised on March 24, 1970. Elizabeth Drive was constructed from Charles Road to the beginning of Squires Drive. This section of road was accepted by the Selectmen on July 2, 1990.

The remaining part of Elizabeth Drive and Squires Drive were never built. RCL Realty LLC has been going through the Planning Board process to revise the remaining lots and roads. In order to complete the process they are required to get approval from the Town Council for the un-dedication of the sections of former road that will no longer be needed.

The Public Works Administration has reviewed the plans and approved the un-dedication of these sections (see the highlighted sections on the attached plan).

Should you have any questions please let me know.
Thank you for your help in this matter.

Dawn

CC: Kyle Fox; Director
File

PUBLIC HEARING NOTICE
Town of Merrimack

Notice is hereby given that the Merrimack Town Council will be holding a Public Hearing on **Thursday, September 23, 2021, at 7:00 PM, at the Town Hall, Matthew Thornton Room (8 Baboosic Lake Road, Merrimack)** to consider the request filed by RCL Realty LLC to release certain portions of previously dedicated Elizabeth Drive, Squire Road, and Charles Road in accordance with RSA 231:52.

The Council will take testimony to determine whether the requested portions of these roads are still needed for public travel. For more information on this request and what precise portions of these roads are requested to be released, please visit the Town of Merrimack Community Development Office at 6 Baboosic Lake Road, Merrimack to review the plans.

Comments may be made in person at this hearing or may be forwarded in writing to Becky Thompson, Executive Secretary, Town Council, at bthompson@merrimacknh.gov.

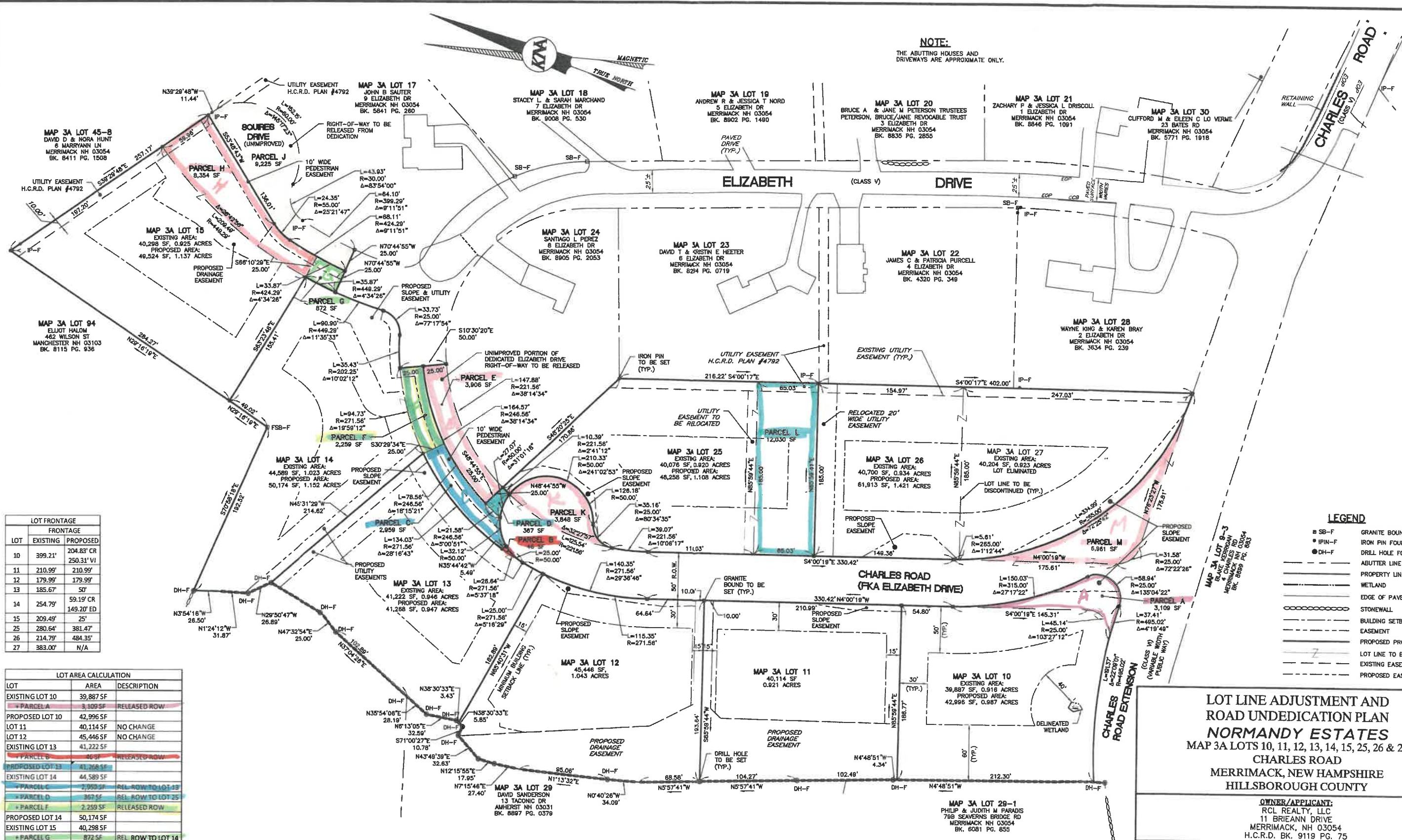
For Town of Merrimack Use:

Posted: August 23, 2021

To Be Published: August 23, 2021 (*Union Leader*)

To Be Published: September 3, 2021 (*Sunday Select Merrimack Edition*)

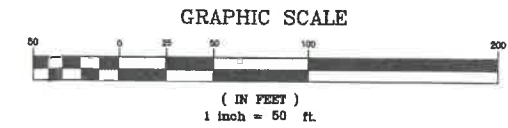
NOTE:
THE ABUTTING HOUSES AND DRIVEWAYS ARE APPROXIMATE ONLY.



LOT FRONTAGE		
LOT	EXISTING	PROPOSED
10	399.21'	204.83' CR
11	210.99'	250.31' VI
12	179.99'	210.99'
13	185.67'	179.99'
14	254.79'	59.19' CR
15	209.49'	149.20' ED
25	280.64'	381.47'
26	214.79'	484.35'
27	383.00'	N/A

LOT AREA CALCULATION		
LOT	AREA	DESCRIPTION
EXISTING LOT 10	39,887 SF	
+ PARCEL A	3,109 SF	RELEASED ROW
PROPOSED LOT 10	42,996 SF	
LOT 11	40,114 SF	NO CHANGE
LOT 12	45,446 SF	NO CHANGE
EXISTING LOT 13	41,222 SF	
+ PARCEL B	46 SF	RELEASED ROW
PROPOSED LOT 13	41,268 SF	
EXISTING LOT 14	44,589 SF	
+ PARCEL C	7,959 SF	REL. ROW TO LOT 13
+ PARCEL D	367 SF	REL. ROW TO LOT 25
+ PARCEL F	2,259 SF	RELEASED ROW
PROPOSED LOT 14	50,174 SF	
EXISTING LOT 15	40,298 SF	
+ PARCEL G	872 SF	REL. ROW TO LOT 14
+ PARCEL H	8,354 SF	RELEASED ROW
PROPOSED LOT 15	49,524 SF	
EXISTING LOT 25	40,076 SF	
- PARCEL K	-3,848 SF	ROW DEDICATION
+ PARCEL I	12,030 SF	FROM LOT 26
PROPOSED LOT 25	48,258 SF	
EXISTING LOT 26	40,700 SF	
- PARCEL L	-12,030 SF	TO LOT 25
+ LOT 27	40,204 SF	LOT ELIMINATED
- PARCEL M	-6,961 SF	ROW DEDICATION
PROPOSED LOT 26	61,913 SF	

UTILITY NOTE
THE UNDERGROUND UTILITIES DEPICTED HEREON HAVE BEEN DRAWN FROM FIELD SURVEY INFORMATION AND/OR PLOTTED FROM EXISTING DRAWINGS. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO GUARANTEES THAT THE UNDERGROUND UTILITIES DEPICTED COMPRISE ALL SUCH UTILITIES IN THE AREA, EITHER IN SERVICE OR ABANDONED. FURTHER, KEACH-NORDSTROM ASSOCIATES, INC. DOES NOT WARRANT THAT THE UNDERGROUND UTILITIES SHOWN ARE IN THE EXACT LOCATION INDICATED ALTHOUGH THEY ARE LOCATED AS ACCURATELY AS POSSIBLE FROM THE INFORMATION AVAILABLE. KEACH-NORDSTROM ASSOCIATES, INC. HAS NOT PHYSICALLY LOCATED THE UNDERGROUND PORTIONS OF THE UTILITIES.



APPROVED BY THE MERRIMACK PLANNING BOARD

CHAIRMAN _____ DATE _____

VICE-CHAIRMAN _____ DATE _____

LEGEND

- SB-F GRANITE BOUND FOUND
- IPIN-F IRON PIN FOUND
- DH-F DRILL HOLE FOUND
- ABUTTER LINE ABUTTER LINE
- PROPERTY LINE PROPERTY LINE
- WETLAND WETLAND
- EDGE OF PAVEMENT EDGE OF PAVEMENT
- STONEWALL STONEWALL
- BUILDING SETBACK BUILDING SETBACK
- EASEMENT EASEMENT
- PROPOSED PROPERTY LINE PROPOSED PROPERTY LINE
- LOT LINE TO BE EXTINGUISHED LOT LINE TO BE EXTINGUISHED
- EXISTING EASEMENT EXISTING EASEMENT
- PROPOSED EASEMENT PROPOSED EASEMENT

LOT LINE ADJUSTMENT AND ROAD UNDEDICATION PLAN
NORMANDY ESTATES
MAP 3A LOTS 10, 11, 12, 13, 14, 15, 25, 26 & 27
CHARLES ROAD
MERRIMACK, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

OWNER/APPLICANT:
RCL REALTY, LLC
11 BRIEANN DRIVE
MERRIMACK, NH 03054
H.C.R.D. BK. 9119 PG. 75

KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3E, Bedford, NH 03110 Phone (603) 687-8881

REVISIONS

No.	DATE	DESCRIPTION	BY
1	4/2/21	RESPONSE TO COMMENTS	SCV
2	4/6/21	ALTERATION OF TERRAIN COMMENTS	SCV
3	6/1/21	NHFG COMMENTS	SCV
4	6/8/21	NOD & ATTORNEY COMMENTS	SCV

DATE: JANUARY 22, 2021 SCALE: 1" = 50'
PROJECT NO: 18-0402-3 SHEET 2 OF 15

U:\projects\1804023\Map\Production Drawings\1804023 LOT LINE ADJUSTMENT-REV1.dwg, 6/10/2021 1:43:53 PM, GP 680p3

TITLE XX TRANSPORTATION

CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Discontinuance of Class IV, V and VI Highways

Section 231:52

231:52 Release by Town. – The mayor and aldermen of a city or the selectmen of a town may release and discharge any way dedicated as aforesaid from all public servitude at any time after such dedication, upon petition by any interested party and notice and hearing thereon, whenever in their opinion such way will not be needed for the accommodation of public travel. All proceedings shall be conducted in the manner provided for the laying out of highways, and any interested party may appeal to the superior court from the decision, as in the case of petitions for laying out highways.

Source. 1913, 121:2. PL 79:6. RL 95:6. 1945, 188:1, part 9:8. RSA 238:8. 1981, 87:1, eff. April 20, 1981.

TITLE XX TRANSPORTATION

CHAPTER 231 CITIES, TOWNS AND VILLAGE DISTRICT HIGHWAYS

Laying Out Highways

Section 231:10

231:10 Owner of Property; Notice. –

Owners shall include tenants for life or years, remaindermen, reversioners, or holders of undischarged mortgages of record whose mortgages are dated not earlier than 20 years prior to date of filing such petition.

I. When the owner resides or lives within the state, notice shall be given to him in person or left at his abode or may be sent to him by certified mail.

II. When the owner does not reside or live within the state, notice may be given to the person, if any, who has the care or possession of the land or may be sent by registered mail to the owner's last known address.

III. If the owner is a person under guardianship or conservatorship notice shall be given to his guardian or conservator. If the owner is under any legal disability a guardian or conservator may be appointed.

IV. When the owner, or his residence, is unknown or uncertain, a copy of such notice, when posted in 2 public places in the city or town in which the land is situate, at least 30 days previous to hearing, shall be deemed sufficient notice to such owner.

Source. RS 49:3, 5, 6. RS 52:4. CS 52:3, 5, 6. GS 61:3-6. GL 67:3-6. PS 67:4-7. PL 74:4-7. RL 90:5-8. 1945, 188:1, part 5:3-7. RSA 234:3-7. 1955, 56:3. 1973, 174:1. 1981, 87:1. 1989, 28:2, eff. June 3, 1989.