



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 the requested meeting date to meet publication deadlines (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

MEETING INFORMATION

Date Submitted: 11/29/2023 Date of Meeting: December 7, 2023
Submitted by: Dawn Tuomala Time Required: 15 Minutes
Department: Public Works Background Info. Supplied: Yes No
Speakers: Dawn

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

Appointment: Recognition/Resignation/Retirement:
Public Hearing: Old Business:
New Business: Consent Agenda:
Nonpublic: Other:

TITLE OF ITEM

Septic Line Easement Request for 17 Jebb Road

DESCRIPTION OF ITEM

Todd Gamache has requested a septic line easement to allow the sewer line from the property on 17 Jebb Road to cross under the road and into the septic system located on 16 Jebb Road (which he also owns).

REFERENCE (IF KNOWN)

RSA: Warrant Article:
Charter Article: Town Meeting:
Other: N/A:

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

Projector: Grant Requirements:
Easel: Joint Meeting:
Special Seating: Other:
Laptop: None:

CONTACT INFORMATION

Name: **Dawn Tuomala** Address: **6 Baboosic Lake Road**
Phone Number: **603-423-8537** Email Address: **dtuomala@merrimacknh.gov**

APPROVAL

Town Manager: Yes No Chair/Vice Chair: Yes No

Hold for Meeting Date:



**TOWN OF MERRIMACK
INTER-DEPARTMENT COMMUNICATION**

DATE: November 29, 2023
AT (OFFICE): Department of Public Works

To: Paul Micali,
Town Manager

FROM: Dawn B. Tuomala, PE, LLS, CWS
DPW Director

SUBJECT: Septic Line Easement
Todd Gamache
16 & 17 Jebb Road
Tax Map 6A-2 Lots 169 and 156-2

Todd Gamache has requested a septic line easement to allow the sewer line from the property on 17 Jebb Road to cross under the road and into the septic system located on 16 Jebb Road (which he also owns).

A copy of the Plan and the Easement deed are attached as backup for the meeting. Both documents have been reviewed and approved by the Town Attorney. We are requesting that the Town Council approve this easement and authorize you to sign as their agent. The documents and the plan can then be recorded in the Hillsborough County Registry of Deeds.

Should you have any questions please let me know.

Thank you for your help in this matter.

Dawn

CC: File

After recording, return to:
Todd Gamache
13 Longview Circle
Pelham, NH 03076

SEPTIC LINE EASEMENT DEED

Town of Merrimack, a municipal corporation with a principal business address of Baboosic Lake Road, Town of Merrimack, County of Hillsborough, and State of New Hampshire 03054 (hereinafter referred to as "Grantor") for consideration paid, grant to Todd Gamache, with an address of 13 Longview Circle, Town of Pelham, County of Hillsborough, and State of New Hampshire 03076, (herein referred to as "Grantee"), a certain septic line easement being more particularly bounded and described as follows to wit:

SEPTIC LINE EASEMENT:

A certain septic line easement shown on a Plan entitled "Proposed Easement Plan Lands of Todd Gamache and the Town of Merrimack, Tax Map 6A-2 Lots 169 & 156-2 Jebb Road, Merrimack, New Hampshire, Hillsborough County" prepared by Keach-Nordstrom Associates, Inc. dated November 21, 2023 and recorded as Plan # _____ at the Hillsborough County Registry of Deeds, said easement being more particularly bounded as follows:

Beginning at an iron rod set at the northeasterly corner of Lot 169 on the westerly side of Jebb Road; thence

North 82° 55' 54" East across said Jebb Road, a distance of 20.90 feet to a point at the southwesterly corner of land now or formerly the Town of Merrimack; thence

South 89° 08' 19" East along the land of said Town, a distance of 16.50 feet to a point at the northwesterly corner of Lot 156-2; thence

South 3° 51' 30" West along said Lot 156-2, a distance of 35.00 feet to a point; thence

South 86° 25' 45" West across said Jebb Road, a distance of 37.31 feet to a point on the easterly line of said Lot 169; thence

North 3° 51' 30" East along said Lot 169, a distance of 35.00 feet to the point of beginning.

Said easement containing approximately 1,139 square feet.

This easement shall include the perpetual right to enter upon the real estate described at any time that the Grantee, its successors or assigns may see fit to construct, maintain, or repair underground sewerage pipelines and/or mains, together with the right to excavate and refill ditches and/or trenches for the location of the said sewerage pipelines and/or mains. The Grantee shall be responsible for all costs relating to the construction, repair and maintenance of the sewerage pipelines and/or main. The Grantee, shall, at the Grantee's (or their successors' or assigns') sole cost and expense, repair an surface disruption caused by it to paved areas, returning same to its previous conditions and shall regrade, replant and reseed any disruption caused by it to the easement area. All work within the easement area shall be performed in a good and workmanlike manner in a timely fashion and pursuant to completion with diligence so as to cause minimal interference with use of Jebb Road by the public, and in no way shall cut off, restrict or prohibit access or use of Jebb Road for any length of time without prior written approval of the Town. Except in emergency situations, Grantee shall provide the Grantor with prior reasonable notice of any construction, maintenance or repairs to be performed. The grant of this easement shall not limit the Grantor or its successors and assigns, right to use the easement area so long as that use does not restrict the Grantee's use as provided for herein, unless the use by Grantor is necessary for public health or safety.

Notwithstanding the foregoing, a permit is required for any work done within the bounds of Jebb Road, including but not limited to, the replacement of existing sewer lines.

There shall be no further expansion of improvements within the easement area on Jebb Road.

The easement shall run with the land as a benefit for 6A-2/169 & 156-2 and a burden upon Jebb Road.

[Signature page to follow]

For title reference see Book 9586, Page 2246.

THIS IS NOT HOMESTEAD PROPERTY.

Dated this _____ day of _____, 2023.

TOWN OF MERRIMACK

By: _____, its _____

STATE OF NEW HAMPSHIRE
COUNTY OF HILLSBOROUGH

Then personally appeared the above-named, _____, duly authorized _____ of Town of Merrimack, known to me to be the person executing the within instrument and acknowledged that he executed same for the purposed therein contained on behalf of the Town of Merrimack.

Dated: _____, 2023

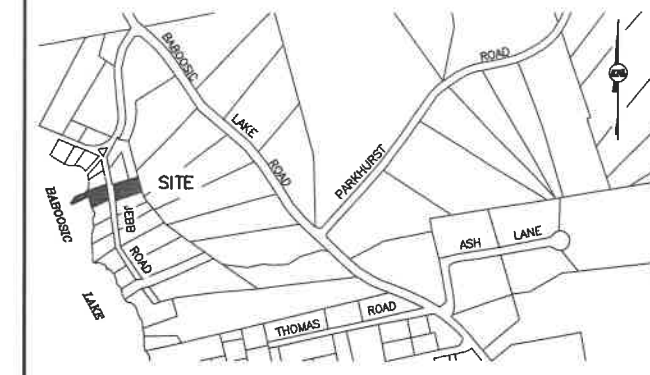
Notary Public/Justice of the Peace
My Commission Expires: _____

LEGEND

- IP-F IRON PIPE FOUND
- ⊙ WELL
- ABUTTER LINE
- ==== PROPERTY LINE
- ==== DRAINAGE LINE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- EASEMENT

REFERENCE PLANS:

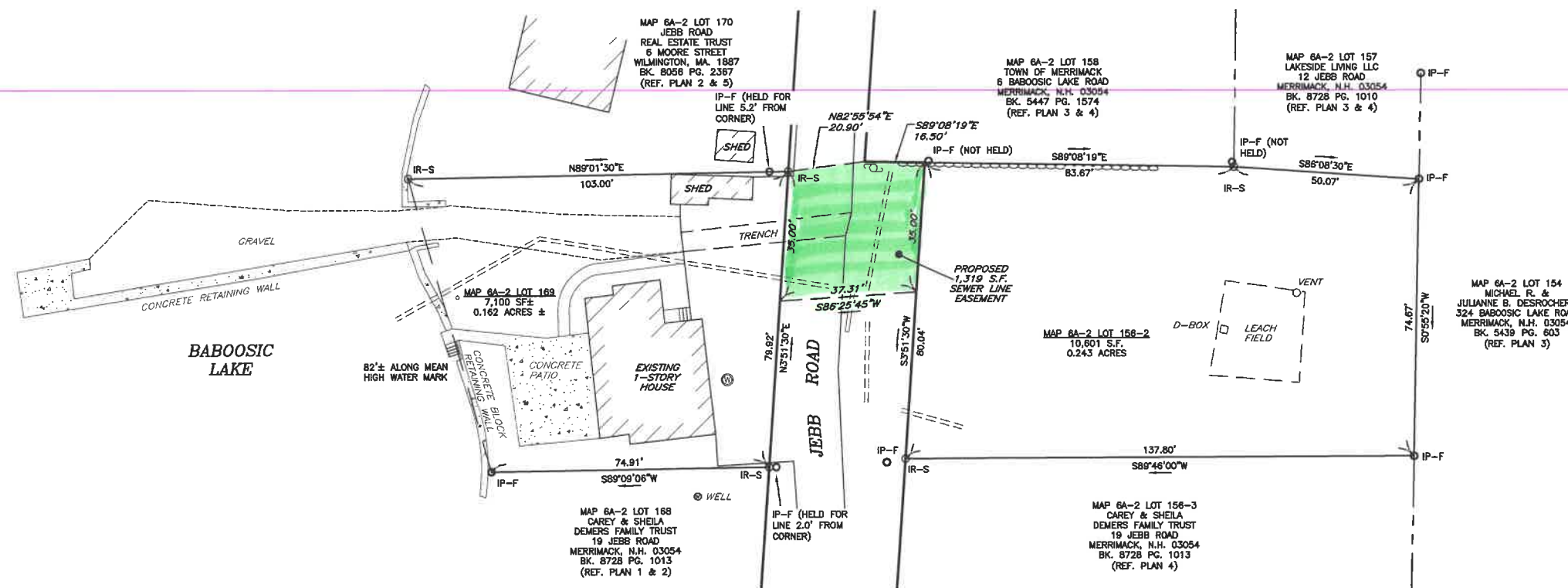
1. "FESSENDEN AND LOWELL'S HOUSE LOTS ON EAST SHORE OF BABOOSIC POND MERRIMACK, N.H." SCALE: 1"=50'. DATED: JULY 3, 1924. PREPARED BY: CLARENCE R. RUSSELL. H.C.R.D. PLAN #528
2. "PLAN OF FESSENDEN & LOWELL'S HOUSE LOTS ON SHORE OF BABOOSIC LAKE MERRIMACK, N.H." SCALE: 1"=50'. DATED: MAY, 1927. PREPARED BY: C.R. RUSSELL. H.C.R.D. PLAN #565
3. "SUBDIVISION PLAN OF LAND IN MERRIMACK, N.H. PREPARED FOR PAUL SHIELDS." SCALE: 1"=100'. DATED: MAY 24, 1977. PREPARED BY: DAVIS, BENOIT & TESSIER, INC. H.C.R.D. PLAN #10207
4. "SUBDIVISION PLAN OF LAND IN MERRIMACK, N.H. PREPARED FOR THE LAKE FRONT ABUTTERS OF WILLIARD I. JEBB LOOP RD. MERRIMACK, N.H." SCALE: 1"=50'. DATED: DECEMBER 12, 1976. LAST REVISED: MAY 18, 1979. PREPARED BY: DAVIS, BENOIT & TESSIER, INC. H.C.R.D. PLAN #12233
5. "LOT CONSOLIDATION FOR ROLAND GAMACH JR. JEBB RD. MERRIMACK, N.H." SCALE: 1"=50'. DATED: OCTOBER 15, 1982. PREPARED BY: DONALD T. JEAN. H.C.R.D. PLAN #15250
6. "PROPOSED UTILITY EASEMENT PLAN LANDS OF SCHLEIFER FAMILY REVOCABLE TRUST AND THE TOWN OF MERRIMACK 24 & 25 JEBB ROAD." SCALE: 1"=20'. DATED: MAY 16, 2019. PREPARED BY: MERIDIAN LAND SERVICES, INC. H.C.R.D. PLAN #40285



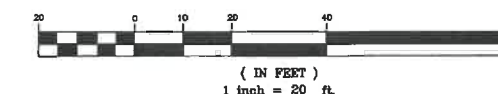
VICINITY PLAN
SCALE: 1" = 500±

NOTES:

1. THE PURPOSE OF THIS PLAN IS TO DEFINE A 1,319 S.F. SEWER LINE EASEMENT OVER JEBB ROAD FOR THE BENEFIT OF MAP 6A-2 LOT 156-2 & MAP 6A-2 LOT 169.
2. EXISTING AREA OF PARCELS: LOT 69 = 7,100 SF±, OR 0.162 ACRES±
LOT 156-2 = 10,601 SF OR 0.243 ACRES
3. OWNER OF RECORD:
TODD GAMACH
13 LONGVIEW CIRCLE
PELHAM, N.H. 03076
BK. 9586 PG. 2246
4. BOUNDARY INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY MADE BY THIS OFFICE ON NOVEMBER 7, 2023.
5. HORIZONTAL AND VERTICAL DATUMS ARE ASSUMED. NORTH ORIENTATION IS MAGNETIC.
6. THE LOCATION OF ANY UNDERGROUND UTILITY INFORMATION SHOWN ON THIS PLAN IS APPROXIMATE. KEACH-NORDSTROM ASSOCIATES, INC. MAKES NO CLAIM TO THE ACCURACY OR COMPLETENESS OF UTILITIES SHOWN. PRIOR TO ANY EXCAVATION ON SITE THE CONTRACTOR OR OWNER SHALL CONTACT DIG SAFE AT 811.



GRAPHIC SCALE



PROPOSED EASEMENT PLAN
LANDS OF TODD GAMACHE AND
THE TOWN OF MERRIMACK
TAX MAP 6A-2 LOTS 169 & 156-2
JEBB ROAD
MERRIMACK, NEW HAMPSHIRE
HILLSBOROUGH COUNTY

PREPARED FOR:
TODD GAMACH
13 LONGVIEW CIRCLE
PELHAM, N.H. 03076
H.C.R.D. BK. 9589 PG. 2246

KEACH-NORDSTROM ASSOCIATES, INC.
Civil Engineering Land Surveying Landscape Architecture
10 Commerce Park North, Suite 3B, Bedford, NH 03110 Phone (603) 827-2881



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.

LAND SURVEYORS CERTIFICATION

"I CERTIFY THAT THIS SURVEY PLAT IS NOT A SUBDIVISION PURSUANT TO THIS TITLE AND THAT THE LINES OF STREETS OR WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW WAYS ARE SHOWN."

LICENSED LAND SURVEYOR _____ DATE _____

REVISIONS

No.	DATE	DESCRIPTION	BY

DATE: NOVEMBER 21, 2023 SCALE: 1" = 20'
PROJECT NO: 23-1031-1 SHEET 1 OF 1