

**SPECIAL MEETING
BOARD OF MAYOR AND ALDERMEN
(ROAD HEARING)**

October 17, 2023 at 6:00 PM

Mayor Craig called the meeting to order.

Mayor Craig called for the Pledge of Allegiance, this function being led by Alderman Long.

A moment of silence was observed.

The Clerk called the roll.

Present: Aldermen Cavanaugh, Long, Fajardo, T. Sapienza, Kantor, Trisciani, Levasseur, Heath, E. Sapienza, Burkush, Barry, Gamache, George-Kelly

Mayor Craig advised that the purpose of the road hearing is to hear those wishing to speak in favor of or in opposition to the proposed street discontinuance petition, followed by viewing the area petitioned and a determination of the action to be taken on such petitions. The Public Works Director will be requested to make a presentation, following which, those wishing to speak in favor will be heard, followed by those wishing to speak in opposition. Anyone wishing to speak must first step to the nearest microphone when recognized and state his/her name and address in a clear, loud voice for the record. Each person will be given only one opportunity to speak, comments are to be limited to three minutes and any questions must be directed to the Chair.

1. Petition to discontinue a portion of Goffs Falls Road.

Mayor Craig requested that the Public Works Director make a presentation.

Timothy Clougherty, Deputy Public Works, stated in everybody's packet there is information regarding the parcel, which is approximately 50' wide and 430' long. It is a portion of what is known as Old Goffs Falls Road, formerly known as Merrill Road. It is a parcel that is adjacent to Goffs Falls Road that is just east of the South Manchester Rail Trail. I would be happy to provide more of a description when we are at the site but

it is pretty evident what the area is. Quite frankly, I was a little bit confused that this was actually part of the road but again it was a formerly discontinued road. The city does not have any interest in this property.

Alderman T. Sapienza asked if we want to buy the road would we have to buy this parcel back.

Mr. Clougherty stated we would have to buy that parcel along with a whole bunch of other parcels and widen the bridge that is directly adjacent to it.

Mayor Craig called for those wishing to speak in favor of the petition.

John Cronin, Attorney, stated it is my pleasure to represent the Tulleys. With me is Vince Tulley. We submitted the paperwork. This has kind of been a two-year title shuffle. It has been confusing with respect to the title and Old Merrill Road but I think we finally got it worked out. We went to the state who directed us to come back here first and that is why we are here. I would ask Vince to come up and tell you why he is interested in the parcel and what he intends to do with it.

Vince Tulley stated land is at a premium and parking is at a premium. We have two buildings, one on Auto Center Road and Goffs Falls Road. We acquired the building on Goffs Falls Road a few years back and developed it. We added on to the building and with our business we could use more parking. On this piece of land, we would like to add green space for the whole site. We would like to redesign it and obviously it would have to go to the Planning Board. We would like to add additional parking to the site but this piece would be used in our current calculation as green space. We aren't going to do anything on this parcel at all. We are not going to plant anything or dig any holes or park on it at all.

Atty. Cronin stated one other note. We met with the Water Works Department because there is a water line in the area. We told them that if we were fortunate enough to

acquire it, we would grant the easement to the Water Works Department and they were satisfied with that.

Alderman Long stated normally when we discontinue a road, half goes to one abutter and half goes to the other. In this case, this whole discontinuance is going to Tulley?

Mr. Clougherty responded I wouldn't characterize that exactly as what you said. What this action does is basically release the city's interest in ownership for the traveling public. We are releasing any interest the city has relative to this parcel.

Alderman Long asked and how it gets divided...

Mr. Clougherty interjected traditionally, we are discontinuing a street that has parcels on both sides. This isn't always the case. The abutters on either side of the road own the fee interest to the centerline of the road. That is generally what happens. When the city discontinues such a road, we don't actually own any of the fee interest. We don't own the land that our roads are on. We own a right-of-way or an easement. We own the ability to travel across it so all we are doing when we traditionally discontinue a roadway, the same thing here, is we are relinquishing our rights to use that as a roadway in the future. Then the adjacent property owners have to do a title search in order to ascertain ownership of that parcel, the fee interest, in the underlying real estate.

Mayor Craig called for those wishing to speak in opposition to the petition.

There were none.

*On motion of **Alderman Cavanaugh**, duly seconded by **Alderman Long**, it was voted to recess the hearing and proceed to view the area identified in the petition as presented.*

Mayor Craig called the meeting back to order at the site of the petition.

*On motion of **Alderman Long**, duly seconded by **Alderman Burkush**, it was voted to approve the petition to discontinue maintaining all easements.*

*This being a special meeting of the Board, no further business can be presented and on motion of **Alderman Trisciani**, duly seconded by **Alderman Barry**, it was voted to adjourn.*

A True Record. Attest.

A handwritten signature in black ink, appearing to read "Matthew Normand". The signature is fluid and cursive, with a long horizontal stroke at the end.

City Clerk