



City of Keene
New Hampshire

**MUNICIPAL SERVICES,
FACILITIES AND INFRASTRUCTURE
COMMITTEE
AGENDA
Council Chambers B
October 23, 2019
6:00 PM**

Janis O. Manwaring
Randy L. Filiault
Stephen L. Hooper
Gary P. Lamoureux
Robert B. Sutherland

-
1. Attorney Thomas R. Hanna/BCM Environmental & Land law, PLLC - Recently Discovered Title Problem Relating to the Commercial Street Parking Area
 2. James Phippard/Brickstone Land Use Consultants, LLC - Request to Discontinue Easement for Possible Future Road Extension at Black Brook Road
 3. Councilor Greenwald - Request that Crosswalks be Marked at Hillside Village - Wyman Road
 4. Ashuelot Court Sewer and Water Main Replacement - In Response to Request to Partner in the Installation of Water and Sewer Lines on Ashuelot Court, a Designated Private Road - Public Works Department
 5. Discontinuance of a Portion of the Commercial Street Parking Lot
Resolution R-2019-36
Resolution R-2019-37

Non Public Session
Adjournment



Transmittal Form

October 15, 2019

TO: Mayor and Keene City Council

FROM: Attorney Thomas R. Hanna on behalf of Colonial Theatre Group, Inc.

THROUGH: Patricia A. Little, City Clerk

ITEM: 1.

SUBJECT: Attorney Thomas R. Hanna/BCM Environmental & Land law, PLLC - Recently Discovered Title Problem Relating to the Commercial Street Parking Area

COUNCIL ACTION:

In City Council October 17, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

Site Visit set November 7, 2019 at 5:45 PM.

Public Hearing set November 7, 2019 at 7:00 PM.

ATTACHMENTS:

Description

Communication_BCM Environmental & Land Law

Map_BCM Environmental & Land Law

BACKGROUND:

Currently before the City Council is a petition to discontinue a portion of the Commercial Street Parking Lot. While reviewing the documents and plans associated with that discontinuance another title problem was discovered. This problem relates to the Hamblet property that was also included in the 1969 layout of the parking area. Attorney Hanna indicates in his letter that this second title defect affects the proposed addition to the existing theatre building. Attorney Hanna is requesting that the City Council authorize the City Attorney to work with the Colonial Theatre Group to develop and submit a petition for the discontinuance with the understanding that the formal discontinuance will occur after the Colonial Theatre Group, Inc.'s loan closing.



October 15, 2019

In City Council October 17, 2019.
Referred to the Municipal Services,
Facilities and Infrastructure
Committee. Site Visit set November
7, 2019 at 5:45 PM. Public Hearing
set November 7, 2019 at 7:00 PM.

HAND DELIVERED

The Honorable Mayor and City Council
City of Keene
3 Washington Street
Keene, NH 03431

RE: Colonial Theatre Group, Inc.
89-95 Main Street
("The Colonial Property")
Title Issue Related to the
Commercial Street Parking Area

Assistant City Clerk

Ladies and Gentlemen:

I am writing on behalf of Colonial Theatre Group, Inc. ("The Colonial") to request your assistance with a recently discovered title problem related to the Commercial Street Parking Area.

Currently pending before the City Council is The Colonial's Petition for the Discontinuance of a section of the Commercial Street Parking Area that was taken by a 1969 layout. That Petition has been filed to address a title problem affecting The Hamblet Property located at 20 Commercial Street that The Colonial is purchasing. The recently discovered title problem affects The Colonial Property at 89-95 Main Street. This additional title problem also arises out of the 1969 layout of the Commercial Street Parking Area. The additional issue was not discovered in time to include it in the pending Petition seeking discontinuance of a section of the parking area.

While reviewing the documents and plans related to the title problem affecting The Hamblet Property, Kurt Blomquist discovered that a portion of The Colonial Property at 89-95 Main Street was also included in the City's 1969 layout of the Commercial Street Parking Area. City records indicate that the City subsequently decided to eliminate that section of The Colonial Property from the Commercial Street Parking Area, but the eliminated section was not formally discontinued. The inclusion of a section of The Colonial Property in the 1969 layout, without a subsequent discontinuance, has created a title defect on the affected section of the property.

The section of The Colonial Property that is affected by the 1969 layout of the Commercial Street Parking Area is highlighted (hatched) on the attached preliminary plan prepared by David A Mann, LLS. A full-sized plan will be provided separately. When the survey of the relevant section of The Colonial Property is completed by David Mann, the plan will provide a detailed description of the area affected by the 1969 layout.

Unfortunately, the section of The Colonial Property affected by the 1969 layout is the location of the proposed addition to the existing theater building. The Colonial's lender for the theater expansion project will only close on the loan to provide funding for the project (including

the acquisition of the Hamblet Property) if the title defect arising out of the 1969 layout has been addressed by the City.

A formal vote of discontinuance for this additional section of the Commercial Street Parking Area is required to correct the title defect arising out of the 1969 layout, but it will likely require at least another two months for The Colonial to obtain such a formal discontinuance from the City. The Colonial's proposed expansion project is at risk if The Colonial is not able to close by the date established under its purchase and sales agreement on The Hamblet Property.

Gary J. Kinyon, as attorney for The Colonial's lender, has indicated that the lender will close on the loan and allow the project to go forward as scheduled if the City Council indicates by a formal vote that the additional discontinuance will occur after the closing.

Wherefore, to facilitate the loan closing on the Colonial Theatre Group, Inc., expansion project, I respectfully request that the City Council:

1. Vote to authorize the City Attorney to work with the Colonial Theatre Group, Inc., to develop and submit a petition for the discontinuance of that section of the Commercial Street Parking Area that encumbers property now owned by Colonial Theatre Group, Inc., at 89-95 Main Street as shown on a preliminary plan prepared by David A. Mann, LLS, dated October 15, 2019, with the understanding that the formal discontinuance of such section of the Commercial Street Parking Area will occur after the Colonial Theatre Group, Inc.'s loan closing.

Your consideration of this matter is appreciated.

Sincerely,

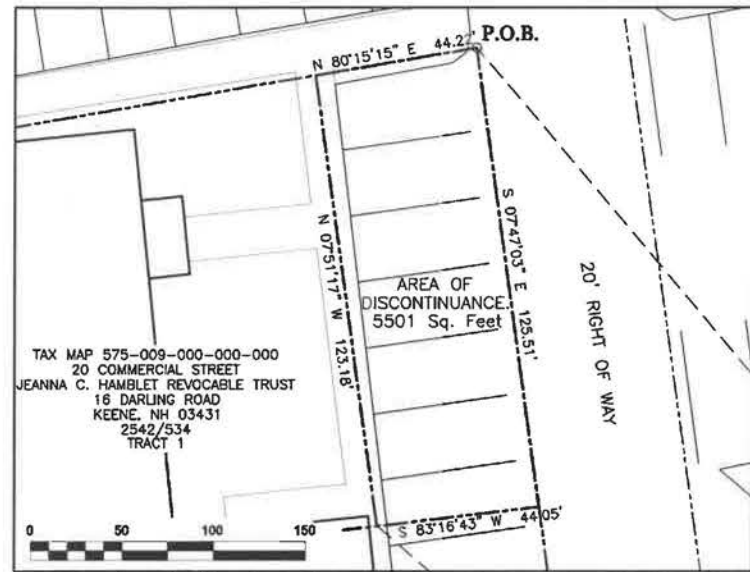


Thomas R. Hanna
BCM Environmental & Land Law, PLLC
41 School Street
Keene, NH 03431
603-352-1928
thanna@hannalandlaw.com

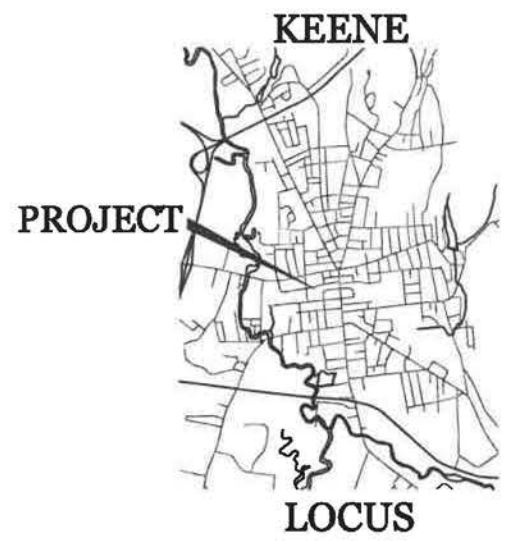
TRH/tss

Enclosures

cc: Thomas P. Mullins, Esq., City Attorney
Donald Lussier, City Engineer
Kürt Blomquist, Director of Keene Public Works
Colonial Theatre Group, Inc.



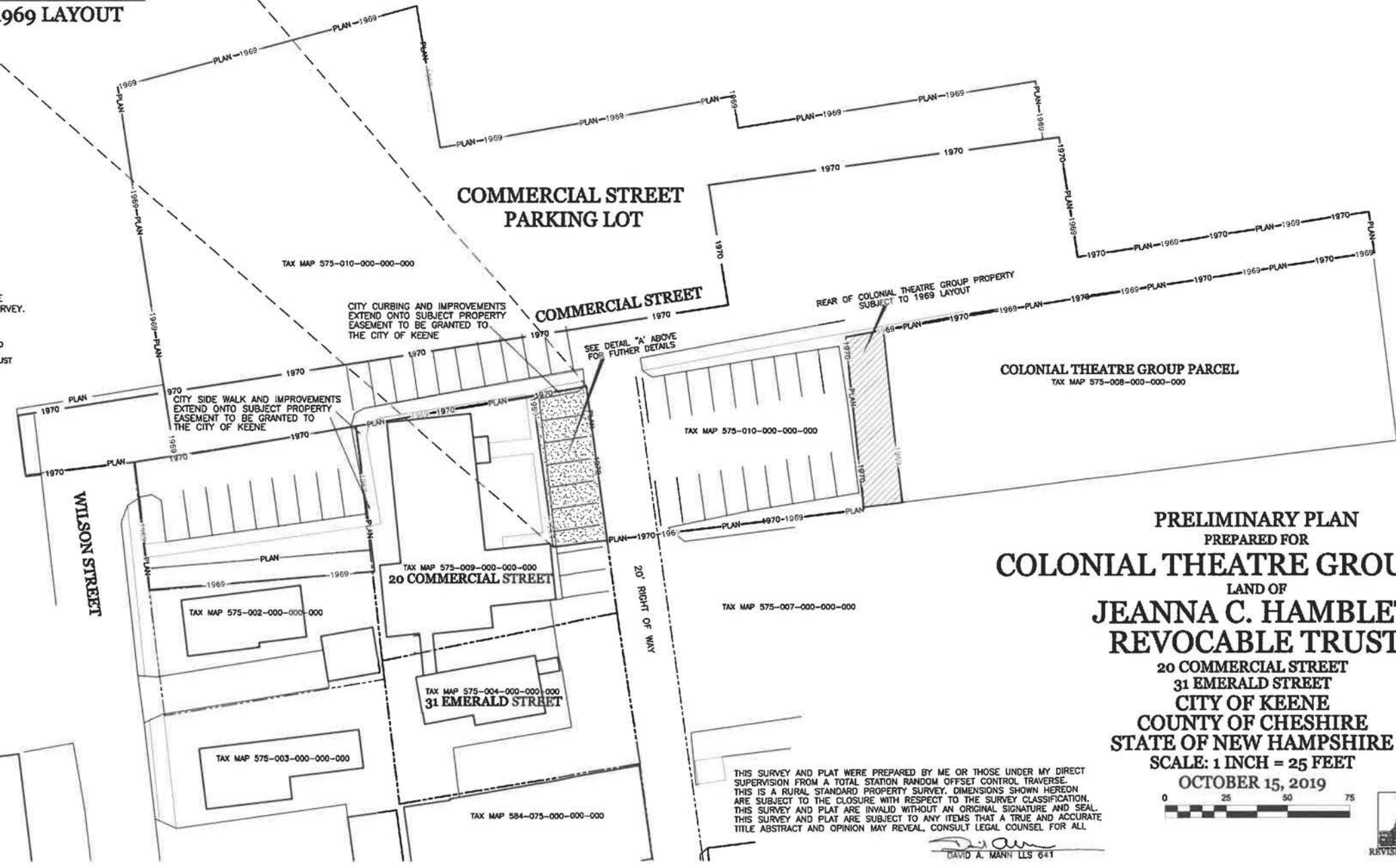
DETAIL "A" : AREA SUBJECT TO 1969 LAYOUT



NOTES

1. BEARINGS ARE BASED ON X90D-OPUS OBSERVATION AND ARE NEW HAMPSHIRE STATE PLANE GRID NORTH.
2. PLAN REFERENCES:
 - A. PLAN OF LATON MARTIN HOMESTEAD, PREPARED BY SAMUEL WADSWORTH, RECORDED IN PLAN BOOK 13 PAGE 21A.
 - B. PLAN FRED H. HAMBLET, PREPARED BY ROY K. PIPER AUGUST 1969, FILED IN PIPER RECORDS CCRD.
 - C. PARCEL OF LAND CITY OF KEENE TO WJ & MT BISHOP, PREPARED BY KED, PLAN #51-2.
 - D. BOUNDARY SURVEY PREPARED FOR THE COLONIAL THEATRE GROUP, DATED JUNE 24, 2019 PREPARED BY DAVID A. MANN SURVEY.
3. ASSESSOR INFORMATION BASED ON TOWN RECORDS:

<p>TAX MAP 575-004-000-000-000 31 EMERALD STREET JEANNA C. HAMBLET REVOCABLE TRUST 16 DARLING ROAD KEENE, NH 03431 2542/534</p>	<p>TAX MAP 575-009-000-000-000 20 COMMERCIAL STREET JEANNA C. HAMBLET REVOCABLE TRUST 16 DARLING ROAD KEENE, NH 03431 2542/534</p>
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LEGEND

- IRON PIN TO BE SET
- IRON PIN FOUND
- POST/MONUMENT FOUND
- DRILL HOLE FOUND
- RAIL ROAD SPIKE FOUND
- UTILITY POLE
- DECIDUOUS TREE
- LIGHT POLE
- UTILITY BOX
- POST
- CATCH BASIN
- CLEAN OUT
- PROPERTY LINE

PRELIMINARY PLAN
 PREPARED FOR
COLONIAL THEATRE GROUP, INC.
 LAND OF
JEANNA C. HAMBLET REVOCABLE TRUST
 20 COMMERCIAL STREET
 31 EMERALD STREET
 CITY OF KEENE
 COUNTY OF CHESHIRE
 STATE OF NEW HAMPSHIRE
 SCALE: 1 INCH = 25 FEET
 OCTOBER 15, 2019

THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION FROM A TOTAL STATION RANDOM OFFSET CONTROL TRAVERSE. THIS IS A RURAL STANDARD PROPERTY SURVEY. DIMENSIONS SHOWN HEREON ARE SUBJECT TO THE CLOSURE WITH RESPECT TO THE SURVEY CLASSIFICATION. THIS SURVEY AND PLAT ARE INVALID WITHOUT AN ORIGINAL SIGNATURE AND SEAL. THIS SURVEY AND PLAT ARE SUBJECT TO ANY ITEMS THAT A TRUE AND ACCURATE TITLE ABSTRACT AND OPINION MAY REVEAL. CONSULT LEGAL COUNSEL FOR ALL

DAVID A. MANN ILS 641



DAVID A. MANN SURVEY
 A DIVISION OF CHASE AND SHAW, INC.
 3 GREENBRIAR ROAD
 KEENE, N.H. 03431
 603 357 5904



Transmittal Form

October 15, 2019

TO: Mayor and Keene City Council

FROM: James Phippard, agent of NH Black Brook, LLC

THROUGH: Patricia A. Little, City Clerk

ITEM: 2.

SUBJECT: James Phippard/Brickstone Land Use Consultants, LLC - Request to Discontinue Easement for Possible Future Road Extension at Black Brook Road

COUNCIL ACTION:

In City Council October 17, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

Communication - Phippard

BACKGROUND:

Mr. Phippard is representing NH Black Brook LLC in their request to discontinue an easement that was acquired by the City to allow for the possibility of a second means of access to the Black Brook Road subdivision. This second means of access now exists in the form of a gated emergency access road from Hillside Village to Ametek (formerly Precitech).



October 02, 2019

Honorable Mayor and City Council
City of Keene
3 Washington Street
Keene, NH 03431

Re: Request to Discontinue Easement for Possible Future Road Extension at Black Brook Road

Dear Mayor and Councilors,

NH Black Brook, LLC is the owner of the property located at 44 Black Brook Road (TMP 221-021-000). This property is the site of Ametek (formerly Precitech) and has recently received Keene Planning Board approval to construct a 7,870 sf building addition and new parking spaces. A portion of the new parking area will be located at the east end of the site where the City of Keene holds an easement for a possible future road extension. That easement is no longer necessary and NH Black Brook, LLC is requesting it be discontinued to allow for the construction of parking spaces needed for their business expansion.

The easement is 60 feet wide and is located at the north side of the cul-de-sac at the end of Black Brook Road. The easement extends northward from the cul-de-sac, across the east side of the NH Black Brook, LLC property, to the property now occupied by Hillside Village. The easement was approved as part of a 6 Lot Subdivision, S-07-97, for Keene Economic Development & Revitalization Corporation by Clough Harbour & Associates, LLP dated September 1997. The subdivision and easement plan were recorded on 7-30-98 at the CCRD, Cabinet 12, Drawer 3, #90 and #91. A copy of the plan is attached.

The subdivision plan called for Black Brook Road to be constructed as a 1400 foot long dead-end road. The purpose of the easement was to allow for the possibility of another road to be constructed to the north and ultimately back to Wyman Road, providing a second means of access to the Black Brook Road subdivision. A second means of access now exists in the form of a gated emergency access road extending from Hillside Village to Ametek (formerly Precitech). This fulfills the purpose of the future road easement.

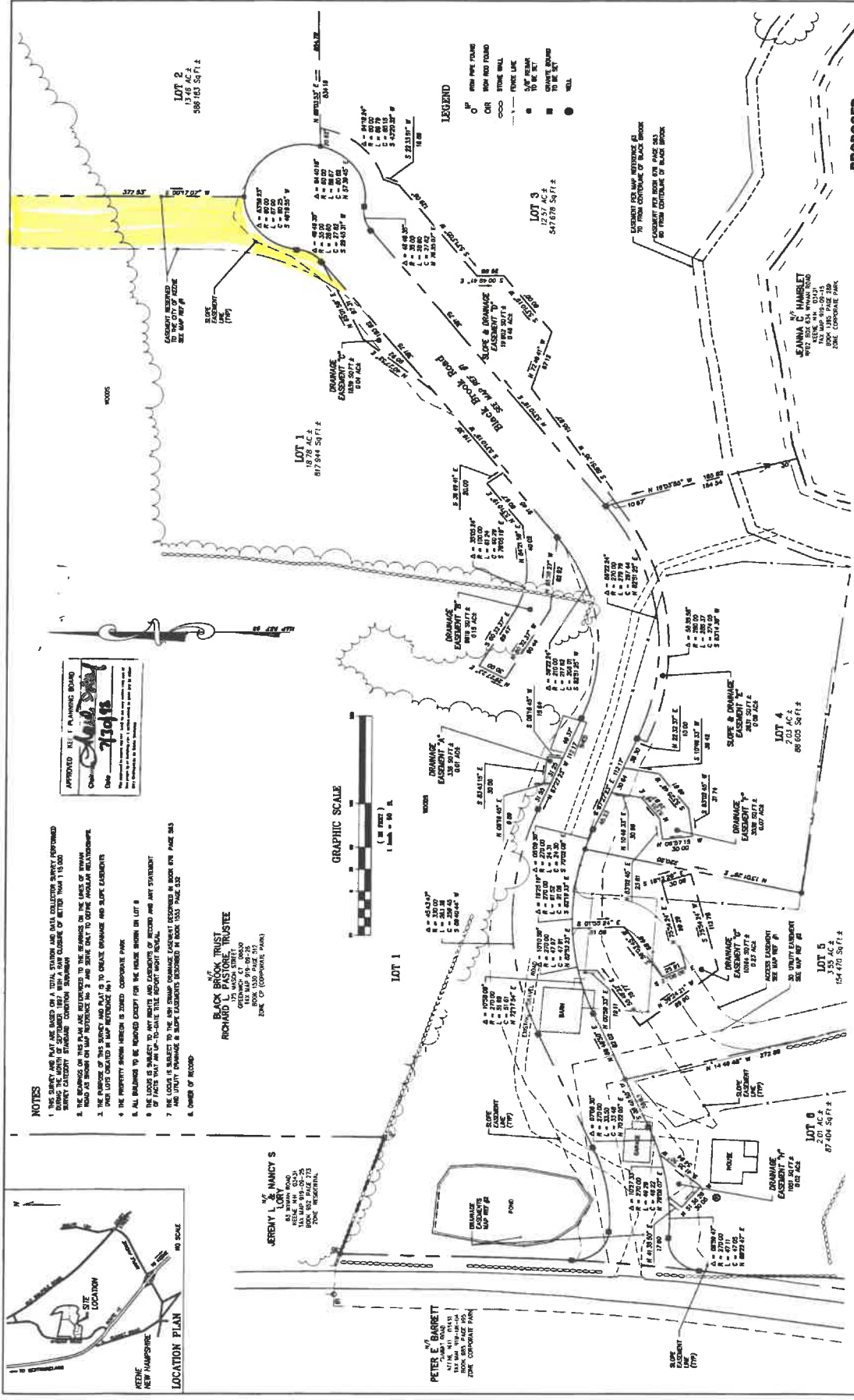
On behalf of NH Black Brook, LLC we are hereby requesting that the City of Keene discontinue the easement for a possible future road extension at the end of Black Brook Road as described above.

Sincerely,

James P. Phippard, agent

In City Council October 17, 2019.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.

Assistant City Clerk



LOT 0
2.0 AC ±
87,401 Sq Ft ±

LOT 1
19.78 AC ±
817,944 Sq Ft ±

LOT 2
13.16 AC ±
588,163 Sq Ft ±

LOT 3
54,070 Sq Ft ±

LOT 4
2.01 AC ±
88,605 Sq Ft ±

LOT 5
1.5 AC ±
64,470 Sq Ft ±

LEGEND

- NEW PIPE PILING
- OR NEW HOOD STAND
- OR COCO STONE WALL
- OR FENCE LINE
- OR 5/8" IRON
- OR 10" IRON
- OR CONCRETE FOUNDATION
- OR WELL

NOTES

- THIS SURVEY AND PLAT ARE BASED ON A TOTAL STATION AND DUAL COLLECTOR SURVEY PERFORMED DURING THE MONTH OF SEPTEMBER, 1997.
- THE BEARING OF THIS PLAT IS BASED ON THE ASSUMPTION THAT THE MERIDIAN IS THE TRUE MERIDIAN.
- THE BEARING OF THIS SURVEY AND PLAT IS TO BE ADJUSTED TO THE TRUE MERIDIAN BY THE USE OF THE MERIDIAN ANGLE.
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GRAPHIC SCALE
1" = 100' ±

LOCATION PLAN
NEW HAMPSHIRE
NO. SCALE

PETER E. BARRETT
N/A, N/A, N/A
1111 W. MAIN STREET
PO BOX 100
NEW HAMPSHIRE 03824
ZONE: CORPORATE PARK

JERRY L. & NANCY S.
63 HUNTER ROAD
N/A, N/A, N/A
1111 W. MAIN STREET
PO BOX 100
NEW HAMPSHIRE 03824
ZONE: CORPORATE PARK

BLACK BROOK TRUST
RICHARD L. PASTORE, TRUSTEE
175 WASH. STREET
N/A, N/A, N/A
1111 W. MAIN STREET
PO BOX 100
NEW HAMPSHIRE 03824
ZONE: CORPORATE PARK

JENNIFER C. HANBLETT
1111 W. MAIN STREET
N/A, N/A, N/A
1111 W. MAIN STREET
PO BOX 100
NEW HAMPSHIRE 03824
ZONE: CORPORATE PARK

PROPOSED SLOPE & DRAINAGE EASEMENTS PLAN
BLACK BROOK ROAD

KEENE ECONOMIC DEVELOPMENT & REVITALIZATION CORPORATION
20 CENTRAL SQUARE, SUITE 1, KEENE, NEW HAMPSHIRE 03431

CHA CLOUGH, HARBOUR & ASSOCIATES LLP
ENGINEERS, SURVEYORS, PLANNERS & LANDSCAPE ARCHITECTS
11 KING COURT, KEENE, NH 03431
TEL: (603)357-2445 FAX: (603)357-8370
DATE: NOV 1997 SCALE: 1" = 50' PROJ: 8784 SHEET: 1 OF 1

NO.	DATE	BY	REVISION/DESCRIPTION
1	11/19/97	JCH	ISSUED FOR PERMIT
2	11/19/97	JCH	ADDED EASEMENTS
3	11/19/97	JCH	ADDED EASEMENTS

I CERTIFY THAT THIS SURVEY AND PLAT WAS PREPARED BY ME OR BY SOME OTHER PERSON UNDER MY CLOSE PERSONAL SUPERVISION.

Jerry L. Clough
JERRY L. CLOUGH, REGISTERED PROFESSIONAL SURVEYOR, NO. 8774 DATE: 11/19/97

MAP REFERENCES

- RECORDS OF THE KEENE ECONOMIC DEVELOPMENT & REVITALIZATION CORPORATION, DATED 02/19/97.
- RECORDS OF THE KEENE ECONOMIC DEVELOPMENT & REVITALIZATION CORPORATION, DATED 02/19/97.
- RECORDS OF THE KEENE ECONOMIC DEVELOPMENT & REVITALIZATION CORPORATION, DATED 02/19/97.
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Recorded July 30, 1998 CAB 12, DR 3, # 091 Cheshire Registry



City of Keene, N.H.
Transmittal Form

October 15, 2019

TO: Mayor and Keene City Council

FROM: Councilor Mitchell H. Greenwald

THROUGH: Patricia A. Little, City Clerk

ITEM: 3.

SUBJECT: Councilor Greenwald - Request that Crosswalks be Marked at Hillside Village - Wyman Road

COUNCIL ACTION:

In City Council October 17, 2019.

Referred to the Municipal Services, Facilities and Infrastructure Committee.

ATTACHMENTS:

Description

Communication_Greenwald

BACKGROUND:

Councilor Greenwald recently met with residents of Hillside Village. One of the issues raised was a safety concern from residential foot traffic crossing Wyman Road. Several of the residents submitted a petition in support of their request.



Mitchell Greenwald
Chairman, Finance Organization and Personnel Committee
Ward 2, City Councilor

In City Council October 17, 2019.
Referred to the Municipal Services,
Facilities and Infrastructure Committee.

October 14, 2019

To: Mayor and Council
City Manager, Elizabeth Dragon

Geni M. Wood
Assistant City Clerk

Re: Hillside Village Crosswalks

Last month at the open house at Hillside Village, I was approached by several residents and staff members to enlist my assistance in having Wyman Road marked and signed for crosswalks in the area where their buildings are located.

There is a significant safety concern regarding foot traffic across the road between their buildings.

I am requesting that this request be referred to MSFI for consideration at their October 23 meeting.

In addition, I request that City staff be prepared at that time with their comments, so this matter may be resolved at the November 7 meeting and not have to wait through another Council / committee cycle. As the weather will be changing, marking the crosswalks is time sensitive.

Thank you,

Mitchell Greenwald



October 15, 2019

TO: Municipal Services, Facilities and Infrastructure Committee

FROM: Kürt D. Blomquist, PE, Public Works Director/Emergency Management Director

THROUGH: Elizabeth A. Dragon, City Manager

ITEM: 4.

SUBJECT: Ashuelot Court Sewer and Water Main Replacement - In Response to Request to Partner in the Installation of Water and Sewer Lines on Ashuelot Court, a Designated Private Road - Public Works Department

RECOMMENDATION:

The Finance, Organization and Personnel Committee recommends the City Manager be authorized to do all things necessary to negotiate and execute agreements with the property owners of Ashuelot Court for the purpose of financing the replacement of the existing sewer and water mains and to accept the mains after work is completed. Any payment plan shall be up to 20 years with annual interest rate of 2.25%. That the City Engineering is authorized to do all things necessary to size the sewer and water mains. Further, the City Manager is authorized to do all things necessary to use Water and Sewer Fund unallocated fund balance to fund the design and construction of the sewer and water main replacement work.

ATTACHMENTS:

Description

Financial Impact

BACKGROUND:

Ashuelot Court is a private street and the water and sewer lines within the street are considered private. The existing water line is 2" black iron and the existing sewer line is 4" clay and go back to the 1930's. These lines serve three (3) properties that are divided into four residences. Over the years, the property owners have experienced service problems with both the water and sewer lines. The property owners in the past have approached the City about replacing both lines. The last time this issue was brought to the City Council was 1993-1994. During the discussion, the City Council agreed to participate with the property owners in the upgrading of the water and sewer lines to City standards in an amount not to exceed \$5,000. This participation was conditioned that the property owners would pay for any cost over that amount, acknowledge that Ashuelot Court was a private street and that the City would be responsible for the maintenance of the water and sewer lines upon their replacement. The property owners at that time did not execute the agreement with the City.

The current property owners on Ashuelot Court have approached the City for the replacement and acceptance for future maintenance of the existing water and sewer lines. The property owners have proposed a contribution of up to \$10,000 towards the cost of the replacement work.

Staff has been looking at how the City may be able to assist the properties owners with the replacement of the water and sewer lines. This has included determining whether establishing a Water and/or Sewer utility District was appropriate or whether there were avenues within City Code and State Statue.

Section 70-91, requires that before the City will take ownership of a private street or utility it must be brought to existing City Standards.

70-91. - Improvements requires that for any existing private street, utility and/or improvement for consideration for acceptance by the City the item(s) would need to be improved to meet City standards.

To assist in bringing the water and sewer mains to City standard the City can act as a lending authority. For the sewer portion, Section 98-543 allows for the establishment of a charge for properties that receive a special benefit from a sewer improvement.

Section 98-543. - Betterment assessment for certain sewer improvements.

(a) Schedule. In accordance with chapter 168 of the Laws of 1941 as amended by chapter 352 of the Laws of 1953, whenever the city council is of the opinion that a particular sewer project, such as, but not limited to a pumping station, treatment and disposal works, sewer line extensions, etc., confers a special benefit on any real estate, it may levy sewer rents in addition to those set forth in section 98-511(a) pertaining to meter rates to defray the cost of construction, management, maintenance, operation, reconstruction, replacement and repair of such sewer projects and for the payment of the interest and principal on any debt incurred. Such costs shall be paid by the owner of any property especially benefited thereby either prior to connection of his property with such sewer projects or within five years, whichever comes first, in accordance with the following schedule:

Commercial property. Properties located in the commercial and business zones or used as such.

- (1) The total estimated cost of the project will be divided by the total number of feet on public ways of all real estate benefited to determine the per-front-foot cost.
- (2) The number of front feet of each parcel will be by the per-front-foot cost to determine the cost to the owner of that lot based on frontage.
- (3) The total estimated cost of the project will be divided by the total number of square feet of land in all real estate benefited to determine the per-square-foot cost.
- (4) The number of square feet of land of each parcel will be multiplied by the per-square-foot cost to determine the cost to the owner of that lot based on square footage.
- (5) The project cost to the owner of each parcel will be the average of the frontage cost and the square-footage cost.
- (6) When the project is completed, the actual project cost will be determined and the owner will be assessed or receive refunds accordingly.

(b) Apportionment. The cost to any owner may be apportioned over 20 years with interest at a rate to be determined by the city council on the unpaid balance. Such projects may be funded by sewer bonds, the cost of which shall come initially from the sewer fund, and payments by owners of properties benefited shall be made to the sewer fund.

(c) Lien. All charges for such sewer rents described in this section shall become a lien upon the real estate especially benefited thereby, commencing from the time such property is actually connected to the city sewer system or five years after the sewer project which benefits that property becomes available to the property, whichever comes first. Such lien shall continue for one year and may be enforced by suit in behalf of the city against the owner of such real estate. If a landowner is permitted to apportion the cost over a period of years, any balance thereof remaining unpaid on the first business day of any year shall become a lien upon the property so benefited for a period of one year in the same manner.

For the water portion, RSA 38:27 provides the ability for the City Council to make an assessment on persons who are served by the water system and whose land receive a special benefit from the water system

improvement. RSA 38:22 provides that a charge for services create a lien upon the real estate.

RSA 38:27 Assessment for Water Supply – The governing body, or board of water commissioners if any, may assess upon the persons who are served by the water system, or whose land receive special benefit from the water system, their just share of expense of constructing, acquiring and operating the system or paying any capital debt or interest incurred for the system.

RSA 38:22 Liens and Collection of Charges. I. Except as provided in paragraph III, all charge for services furnished to patrons by a municipally owned electric, gas, water, or wastewater utility shall create a lien upon the real estate where such services are furnished.

For both the sewer and the water improvements the City Council will need to authorize the City Manager to do all things to negotiate and execute agreements with the property owners receiving special benefit and to file the agreements in the registry of the deeds because the assessments will run with the properties not just the current owners.

For the agreements, the City Council will needs to designate a rate of interest and a term for the assessments. In discussion with the property owners, they are interested in the maximum term of 20 years. The City Council can consider an interest rate that represents the amount of interesting earnings if the City keeps the funds in the unallocated fund. The current rate is approximately 2.25%.

The City Engineer has reviewed the work necessary to upgrade the water and sewer lines to City Standards and estimates the total cost are approximately \$33,885 for sewer and \$50,536 for water for a total of \$84,421. The property owners received a private estimate (2018) of \$26,075 for the sewer line only.

Attached is a spreadsheet that gives an idea on what the financial impact to each property owner.

Ashuelot Court Financing

Estimated cost to each property owner.

Initial investment by property owners. \$10,000

Property Information

	Size Acre	SF	Frontage LF	Ave. Water Consumption (HCF)
Barrett (27 Ashuelot Ct)	0.24	10,454	71	13
Doyle (23 Ashuelot Ct)	0.19	8,276	57	3
Kalich (17 - 19 Ashuelot Ct)	0.521	22,695		
Unit 1			75	34
Unit 2			76	33

Distribution of Sewer Cost

LF	SF
\$7,364	\$7,303
\$5,912	\$5,782
\$7,779	\$7,927
\$7,883	\$7,927

Distribution of Water Cost

LF	SF
\$12,860	\$12,754
\$10,325	\$10,097
\$13,585	\$13,843
\$13,766	\$13,843

Sewer Improvements

Total Cost	\$33,885
Investment	\$4,947
To be Finance	\$28,938
Cost/LF	\$104
Cost/SF	\$0.70

Sewer Financing (Annual Payment)

	0.00%	2.25%
Barrett	(\$368)	(\$451)
Doyle	(\$296)	(\$362)
Kalich		
Unit 1	(\$389)	(\$477)
Unit 2	(\$394)	(\$483)

Water Financing (Annual Payment)

	0.00%	2.25%
Barrett	(\$643)	(\$788)
Doyle	(\$516)	(\$633)
Kalich		
Unit 1	(\$679)	(\$832)
Unit 2	(\$688)	(\$843)

Water Improvements

Total Cost	\$50,536
Investment	\$0
To be Finance	\$50,536
Cost/LF	\$181
Cost/SF	\$1.22

Based on 2.25% Interest

Cost to Participates

	Initial			Annual		
	Sewer	Water	Total	Sewer	Water	Total
Barrett (27 Ashuelot Ct)	\$1,225	\$1,275	\$2,500	\$451	\$788	\$1,239
Doyle (23 Ashuelot Ct)	\$1,490	\$1,010	\$2,500	\$362	\$633	\$995
Kalich (17 - 19 Ashuelot Ct)						
Unit 1	\$1,116	\$1,384	\$2,500	\$477	\$832	\$1,309
Unit 2	\$1,116	\$1,384	\$2,500	\$483	\$843	\$1,326



CITY OF KEENE

Resolution R-2019-36

In the Year of Our Lord Two Thousand andNineteen.....

A RESOLUTIONRelating to the Discontinuance of a Portion of the Commercial Street.....
Parking Lot

Resolved by the City Council of the City of Keene, as follows:

WHEREAS: Commercial Street and the Commercial Street Parking Area are a public highway and a public parking area in the City of Keene;

WHEREAS: A Petition has been filed for the discontinuance of a section of the Commercial Street Parking Area that was included in the 1969 Return of Layout of Commercial Street and Parking Area;

WHEREAS: The City Council has determined that there is good reason for the requested discontinuance;

WHEREAS: The City of Keene and Jeanna C. Hamblet, as Trustee of the Jeanna C. Hamblet Revocable Trust dated January 30, 2007, are the only owners of property abutting the section of the Commercial Street Parking Area to be discontinued;

WHEREAS: Written notice has been given to said owners of the property abutting the section of the Commercial Street Parking Area to be discontinued as required by RSA 231:43; and

WHEREAS; Jeanna C. Hamblet, As Trustee of the Jeanna C. Hamblet Revocable Trust dated January 30, 2007, has given her consent to the discontinuance and waived any damages related thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keene:

That the City Council of the City of Keene hereby discontinues that portion of the Commercial Street Parking Area that was taken from Fred H. Hamblet and Sophie K. Hamblet by the 1969 Layout of Commercial Street and the Commercial Street Parking Area, more specifically bounded and described in said layout as follows:

Beginning at a bound on the southerly side of Commercial Street and being 20 feet easterly on the north easterly corner of the building on the premises;

Thence, S 87° - 35' E on the southerly side of Commercial Street 47 feet to a bound at a Right of Way;

Thence, S 4° W along a Right of Way 65' to a point;

Thence, N 89° - 10' W a distance of 47 feet to a point;

Thence, N 5° - 35' E a distance of 65 feet more or less to the point of beginning.

BE IT FURTHER RESOLVED:

That the City Manager be, and hereby is, authorized to give written consent to said discontinuance of a section of the Commercial Street Parking Area, and a waiver of damages, with the final form and content of the consent and waiver to be subject to review and approval by the City Attorney.

Dated: _____

Kendall W. Lane, Mayor

In City Council September 19, 2019.
Site Visit set for October 17, 2019 at 5:45 PM.
Public Hearing set for October 17, 2019 at 7:05 PM.
Referred to the Municipal Services, Facilities and
Infrastructure Committee.



City Clerk



CITY OF KEENE

Resolution R-2019-37

Nineteen

In the Year of Our Lord Two Thousand and

A RESOLUTION~~Relating to Acceptance of a Warranty Deed to Correct the Sidewalk and~~
~~Curbing Encroachment Problem – Commercial Street Parking Lot~~
Resolved by the City Council of the City of Keene, as follows:

WHEREAS: Portions of the City’s sidewalk and related curbing in the Commercial Street Parking Lot (Tax Map 575-010-000-000-000) encroach on property owned by Jeanna C. Hamblet, as Trustee of the Jeanna C. Hamblet Revocable Trust dated January 30, 2007;

WHEREAS: The areas of encroachment are shown as Areas “A” and “B” and highlighted in red on a plan entitled “Boundary Survey Plan prepared for Jeanna C. Hamblet Revocable Trust” dated June 24, 2019, as revised through August 12, 2019; and

WHEREAS: Jeanna C. Hamblet, as Trustee of the Jeanna C. Hamblet Revocable Trust dated January 30, 2007, is willing to provide the City with a sidewalk easement to correct the sidewalk/curbing encroachment problem, and to waive any damages related thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Keene:

That the City Manager be, and hereby is, authorized to accept and record a warranty deed from Jeanna C. Hamblet, as Trustee of the Jeanna C. Hamblet Revocable Trust dated January 30, 2007, or her successors or assigns, to the City of Keene conveying a sidewalk easement for City sidewalks that are currently encroaching on the Hamblet property. The final form and content of the deed to be subject to review and approval by the City Attorney.

Dated: _____

Kendall W. Lane, Mayor

In City Council September 19, 2019.
Site Visit set for October 17, 2019 at 5:45 PM.
Public Hearing set for October 17, 2019 at 7:00 PM.
Referred to the Municipal Services, Facilities and
Infrastructure Committee.


City Clerk

PASSED