

**AGENDA
LEBANON CITY COUNCIL
JUNE 5, 2019**

9. NEW BUSINESS:

9.B – ACCEPTANCE OF RELOCATION OF SUNSET ROCK ROAD

BACKGROUND

In 2005-2006, the City constructed improvements to the Sunset Rock Road/Hardy Hill Road Intersection which resulted in the relocation of boundary lines between the City's rights-of-way and properties owned by Neal Mahutte & Sophia Ouhilal (Tax Map 52, Lot 12) and Arlene E. MacLeod (Tax Map 80, Lot 20).

Once the improvements were completed, the newly relocated portions of the intersection were not presented to the Council for formal acceptance. This was brought to the City's attention by Mr. & Mrs. Lawrence MacLeod who reside at 91 Hardy Hill Road (directly abutting the intersection). To remedy the situation, a survey was completed, and a highway relocation plan drafted for approval along with the deeds necessary to change the affected properties.

On May 13th, the plan was presented to the Planning Board who approved the highway relocation plan per RSA 674:40. The Council is now requested to formally accept it. Once action by the Council is completed, deeds will be executed and recorded with the Registry of Deeds to memorialize the relocation and subsequent adjustment of property boundaries.

ACTION

MOVED, that the Lebanon City Council hereby accepts – under the New Hampshire Law of Dedication and Acceptance – the relocation of Sunset Rock Road (already constructed) as depicted in a survey, to be recorded, entitled “Public Highway Relocation Plan for Neal G. Mahutte & Sophia G. Ouhilal, Arlene E. MacLeod, and City of Lebanon, prepared by Pathways Consulting, LLC, dated June 24, 2016, last revised June 21, 2018, Project No. 11292-01; specifically by accepting the area labeled as “Parcel ‘B’” on said plan as a part of the City highway known as Sunset Rock Road; and further, to completely discontinue as a part of said public highway the areas labeled as Parcels ‘A,’ ‘C’ and ‘D’ on said plan, such discontinuance to take effect only upon the recording of the dedication and acceptance in the Grafton County Registry of Deeds; and further to authorize the City Manager to accept and execute such documents as may be necessary to implement the said relocation, and to cause such documents, as well as the said survey plan, to be recorded in the Grafton County Registry of Deeds.”

Included in this Section:

1. May 13, 2019 Action by the Planning Board to approve the Boundary Line Adjustment and highway relocation plan and authorize the Chair to sign the plat for purposes of recording.
2. June 21, 2018 Public Highway Relocation Plan for Neal G. Mahutte & Sophia G. Ouhilal, Arlene E. MacLeod, and City of Lebanon, prepared by Pathways Consulting, LLC, dated June 24, 2016, last revised June 21, 2018, Project No. 11292-01.

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**LEBANON PLANNING BOARD
FINAL MOTION FOR #PB2018-15-BLA
Agenda Item 6.B**

1. MOTION TO ACCEPT THE APPLICATION AS BEING COMPLETE:

Date: May 13, 2019

Sarah Welsch moved that the Lebanon Planning Board finds the application of **CITY OF LEBANON/NEAL MAHUTTE & SOPHIA OUHILAL/ARLENE MACLEOD** for a Boundary Line Adjustment, #PB2018-15-BLA, **IS/IS NOT** complete enough to accept jurisdiction and commence review.

The motion was seconded by Matthew Hall. The vote on the motion was 9-0.

2. MOTION TO APPROVE THE APPLICATION:

Date: May 13, 2019

Vice-Chair Bruce Garland moved that the Lebanon Planning Board **APPROVE** the application of **CITY OF LEBANON/NEAL MAHUTTE & SOPHIA OUHILAL/ARLENE MACLEOD** for a Boundary Line Adjustment of lands at 15 Sunset Rock Road, Tax Map 52, Lot 12, and 91 Hardy Hill Road, Tax Map 80, Lot 20, and the City's Sunset Rock Road right-of-way, located in Lebanon, NH in the RL-2 zone, #PB2018-15-BLA, as shown on a plan titled "Public Highway Relocation Plan for Neal G. Mahutte & Sophia G. Ouhilal, Arlene E. MacLeod, and City of Lebanon", prepared by Pathways Consulting, LLC, dated June 24, 2016, last revised June 21, 2018, Proj. No. 11292-01, including any and all submissions and testimony provided for and during the public hearing. The Planning Board notes the following:

1. The application was noticed as a boundary line adjustment, however it is not technically a boundary line adjustment because the former triangular area between the two legs of Sunset Rock Road was never legally a separate lot, notwithstanding the City's tax records.
2. The subject plan is approved, but the sole purpose and effect of this action is to approve the relocation of the street for purposes of RSA 674:40.

The motion was seconded by Matthew Hall. The vote on the motion was 9-0.

3. AUTHORIZATION FOR PLAT SIGNING:

Date: May 13, 2019

Vice-Chair Bruce Garland moved that the Lebanon Planning Board authorizes the Chair to sign, if necessary, the plat for **CITY OF LEBANON/NEAL MAHUTTE & SOPHIA OUHILAL/ARLENE MACLEOD**, #PB2018-15-BLA.

The motion was seconded by Matthew Hall. The vote on the motion was 9-0.

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