
TOWN OF FALMOUTH, MEMORANDUM

TO: NATHAN POORE
FROM: PETE CLARK
SUBJECT: REQUESTED EASEMENT CHANGE, 12 CHESTNUT STREET
DATE: 3/21/2008
CC: MAP/LOT U17-007-00A

Related to Mr. Lincoln Hayes request to shift the easement on his property to afford more room for remodeling the structure at 12 Chestnut Street, I have reviewed the layout of the proposed new easement and the existing sewer.

The sewer line is fairly shallow and roughly located at the edge of the existing easement. Mr. Hayes proposes to shift the easement such that the sewer would be located roughly in the center of a new easement on the property. In my opinion this arrangement would facilitate the work if any future sewer repairs are required

I have also contacted Bill Plouffe who recommends that the owner survey the property, prepare a property plan showing the easement, and file this document with the Registry of Deeds. Conditional on the owner's agreement to Bill's recommendation, I support their request that the Town consider redrawing the easement.

I believe Mr. Hayes is somewhat reluctant to risk the cost of any survey or legal work without assurance that the new easement arrangement is agreeable. Consequently, I would propose seeking Council authorization to negotiate the new easement conditional on the owners assuming any costs to prepare and file plans and documents that are acceptable to the Town Attorney and showing an easement acceptable to the department.

Please let me know if you have questions or if I could provides any additional details.