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CITY OF CONCORD
New Hampshire's Main Street™
Community Development Department
Planning Division

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: AnneMarie Skinner, AICP
City Planner

DATE: October 2, 2024

SUBJECT: Accept and appropriate funds related to Sidewalk Reserve Fund

Recommendation:

Accept this report recommending that the City Council accept and appropriate the sum of \$23,000.00, received from Sheep Davis Limited Partnership, to the Sidewalk Reserve Fund.

Background:

As part of the City's development permitting process associated with site plan and subdivision applications, it is normal and customary for applicants to be required to design and construct sidewalks as a condition of approval for their developments. Said sidewalks are typically an off-site improvement along the frontage of the applicant's property. Once completed, the sidewalks are accepted by the City and become part of the municipal sidewalk network. Occasionally, this approach may result in isolated sidewalk segments which are disconnected from the rest of the sidewalk system.

As such, in May 2019, the Planning Board amended Section 21.02 of the City's Site Plan Review Regulations, and created the following provision: "When an isolated section of sidewalks is proposed or required, the (Planning) Board may require the applicant to set aside equivalent funds to be placed in a City escrow account to allow for the future construction of a sidewalk, instead of constructing an isolated section of sidewalk."

No parallel provision was expressly included in the Subdivision Review Regulations. However, the Planning Board has the express ability to grant waivers to Subdivision requirements, including sidewalks, in accordance with Section 35.08 – 35.10 of the Subdivision Review Regulations.

Following the establishment of this provision in 2019, the ability of an applicant to make payment in lieu of constructing the sidewalk has been interpreted as a financial donation, which the City may use to design and construct sidewalks anywhere in the community.

Discussion:

Payment in the amount of \$23,000.00 has been received from Sheep Davis Limited Partnership for public sidewalk along Sheep Davis Rd associated with the multi-family development located at 303 Sheep Davis Rd. Staff requests that the City Council accept the funds and appropriate to the Sidewalk Reserve Fund.