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CITY OF CONCORD

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

Staff Report for Planning Board

Meeting on April 16, 2025
Project Summary – Minor Subdivision

Project: 313 Loudon Rd Commercial Condo Addition (2025-033)
Property Owner: West Street Keene, LLC
Applicant: TFMoran, Inc
Project Address: 313 Loudon Rd
Tax Map Lot: 46Z 63

Determination of Completeness:

Per Section 9.06 *Determination of Completeness* of the Subdivision Regulations, a completed application will contain the required information listed in Section 15.01 *Required Information* and Section 15.02 *Plat Requirements* of the Subdivision Regulations and will be legible and competently prepared. In making a determination of completeness, the Board shall consider the written recommendation of the Planning Division, as well as any written communications from the applicant, abutters, and parties of interest; **however, no hearing shall be opened nor shall testimony be received on a determination of completeness.** If the application is determined complete, the Board shall open the public hearing on the application. An application which is determined to be incomplete may be revised and resubmitted to a subsequent meeting of the Board for another determination of completeness.

Section 35.16(1) *Determination of Completeness* of the Subdivision Regulations provides additional language regarding the determination of completeness, and states that a completed application shall contain all required information for each stage of the application process; shall be legible and properly prepared; shall accurately portray existing conditions; shall be accompanied by copies of special investigative studies; and shall contain sufficient information and detail for a full review and action by the Board.

The Planning Division reviewed the application for completeness based upon the criteria of the Subdivision Regulations and concludes that all criteria have been met, and that the application contains sufficient information and detail for a full review and action by the Board.

Based upon the Planning Division's review of the application, the Planning Division recommends that the Board move to:

- **Determine the application complete;**
- **State that the project does not meet the criteria for a development of regional impact per RSA 36:55; and,**
- **Open the public hearing.**

If the Board chooses to deem the application incomplete, the Planning Division recommends that the Board move to:

- Determine that the application is incomplete because the project as submitted does not meet Section 12, Section 13, and Section 15 of the Subdivision Regulations, all of which are necessary for a complete determination; and,
- State that the application may be revised and resubmitted to a subsequent meeting of the Board for another determination of completeness.

The Board has 65 days within which to consider and act on the application once the application is determined complete, per RSA 676:4(I)(c). The 65-day period shall commence upon the date of the regular meeting of the Board at which the application was accepted as complete. If the Board determines the application complete on April 16, 2025, then the 65-day review period would end on June 20, 2025. If the applicant has not demonstrated compliance with the Subdivision Regulations by the end of the statutory timeline (June 20, 2025), the applicant may request a postponement or the Board may approve, approve conditionally, or deny the application based on the information provided.

Project Description:

The applicant proposes a minor condominium subdivision, along with a minor site plan application for the construction of an 1,867-square-foot addition for the new unit, at 313 Loudon Road in the Gateway Performance (GWP) District.

On March 16, 2011, the Concord Planning Board conditionally approved a site plan for an 11,650-square-foot building at 313 Loudon Road (Case P0004-11). The approved building comprised two units: Unit 1 – 1,800 square feet and Unit 2 – 9,850 square feet. Only unit 2 was built at the time and now operates as a Dollar Tree retail store.

On July 16, 2003, the Concord Planning Board conditionally approved a minor site plan application for a 3-unit condominium subdivision of existing lot 111F-2-6 at 313 and 317 Loudon Road (Case 2003-066), recorded at the Merrimack County Registry of Deeds as plan 16903.

Compliance:

The following analysis of compliance with the Zoning Ordinance and Site Plan Regulations is based on sheet CS-1 Condominium Site Plan from the 10-sheet plan set, dated March 19, 2025, prepared by TFMoran Inc; a 2-page cover letter dated March 18, 2025, prepared by TFMoran, Inc; an undated and untitled 3-page photo key; an 8-page Milano Land Condominium Owners Association Rules and Regulations document; an 8-page parking easement agreement (Book 3323 pg. 13); a 2-page Easement Deed (Book 3267 pg. 820); an 18-page Amended and Restated Easement Agreement (Book 2829 pg. 1846); and, a 50-page Declaration of Milano Land Condominium document (Book 2666 pg. 1003); a 21-page Reciprocal Easement Agreement (Book 2635 pg. 13).

1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Gateway Performance (GWP) District
Existing Use:	Retail
Proposed Use:	Retail

Overlay Districts:	
Flood Hazard (FH) District	None
Shoreland Protection (SP) District	None

Historic (HI) District None
Penacook Lake Watershed (WS) District None
Aquifer Protection (AP) District None

Zoning Code Item	Required	Proposed
Minimum Total Area	N/A	Lot 46Z 63 - 1.5 +/- acres (The full development area has not been provided)
Minimum Buildable Land	N/A	Lot 46Z 63 – 31,105-square-feet (The full development area has not been provided)
Minimum Lot Frontage	300 feet	691.15 feet (no change from existing – lot frontage is based on the recorded overall condominium plat, not the individual land units that comprise the overall condominium plat)
Minimum Front Yard	25 feet	66 feet
Minimum Rear Yard	25 feet	87 feet
Minimum Side Yard	25 feet	67 feet
Maximum Lot Coverage	85%	Lot 46Z 63 – 48.8% (The full development area has not been provided)
Maximum Building Height	45 feet	Lot 46Z 63 – 17.5 feet
Off-street Parking	<p>Lot 46Z 62 – Restaurant (317 Loudon Rd) 1/75 square feet of gross floor area – $7,962/75 = 106$ spaces</p> <p>Lot 46Z63 – Retail (313 Loudon Rd) 1/200 square feet of gross floor area = $11,880/200 = 60$ spaces</p> <p>Total required = 166 spaces required</p>	<p>220 spaces provided, and shared between 313 Loudon Rd and 317 Loudon Rd via recorded condominium declaration (Book 2666 pg. 1003)</p> <p>10 accessible spaces</p>

1.1 Staff determined that the application as submitted conforms with the Zoning Ordinance.

2. Subdivision Regulations Comments and Compliance:

Comments:

2.1 Per Section 2.02, land to be subdivided shall be of such character that it can be used safely for building purposes without danger to health or peril from fire, flood, or other menace, and land shall not be subdivided until adequate public facilities, open space, public safety services, and transportation facilities exist and proper provisions have been made for stormwater drainage, sewage disposal, potable water supply, and capital improvements such as schools, parks, recreation facilities, transportation improvements, and public safety facilities.

- 2.2 Per Section 2.03, the existing and proposed public improvements shall conform to and be properly related to the proposals shown in the Master Plan and Official Map of the municipality, and it is intended that the regulations shall supplement and facilitate the enforcement of the provisions and standards contained in building and housing code, health codes, and zoning ordinances.
- 2.3 Per Section 4.04, the Subdivision Regulations shall apply to re-subdivisions, minor lot line adjustments, and condominiums. Since the applicant is requesting approval for condominium, the Subdivision Regulations apply.
- 2.4 Per Section 6.01(4) *Conformity with Zoning*, for an application to be determined complete, the proposed application must be in conformity with the Zoning Ordinance at the time the notices are mailed to the abutters notifying them of the Board's consideration of completeness. Notices were mailed on March 27, 2025, for the Board's consideration of completeness on April 16, 2025. The application was considered by staff to conform with the Zoning Ordinance at the time of the mailing.
- 2.5 Per Section 6.01(5) *Conditional Use Permits*, where conditional use permits are required in conjunction with a proposed subdivision, a completed conditional use permit application shall be made at the same time as the subdivision application. Where a conditional use permit is required, no subdivision application may be considered complete without a complete conditional use permit application. The project does not require any conditional use permit applications, and no conditional use permit applications were submitted.
- 2.6 Section 6.02 *Classification of Subdivisions* identifies the classification of subdivisions as minor or major subdivisions. Subdivisions not classified as a minor subdivision shall be major subdivisions. Existing developments proposed for conversion to condominiums, where there will be no change in the use of land and no change in the site layout shall be classified as minor subdivisions. Developments proposed for conversion to condominiums involving a change of use of the land or a change in the site layout shall be classified as major subdivisions. Staff notes that the site is an existing development, and changes to the use of land and site layout are subject to the accompanying minor site plan application.; therefore, the subdivision application shall be classified as a minor subdivision by the Clerk.
- 2.7 Per Section 9.02 *Minor Subdivision Application Requirements*, the applicant shall file certain items for a completed application. These items are a completed application form endorsed by the owner or submitted by the owner's agent with written authorization from the owner; application fee; abutters list; copies of the final plat meeting the requirements in Section 15 *Minor Subdivision Requirements*; complete conditional use permit applications, where applicable; copies of permit applications to state and federal agencies, where applicable; and, any requests for waivers from Subdivision Regulations as set forth in Section 35.11 *Waiver Petition*.
- Staff notes that the application form, owner authorization, application fee, and abutters list were submitted as required. An assessment of compliance with Section 15 *Minor Subdivision Requirements* follows. No conditional use permit applications were required. No permit applications to state and federal agencies are necessary. No waivers were requested.
- 2.8 Per Section 12.01 *Research*, applicants shall familiarize themselves with all city, state, and federal regulations relative to zoning, subdivision, land sales, utilities, drainage, health, buildings,

- roads, and other pertinent data so that the applicants are aware of the obligations, standards expected, and documents to be submitted.
- 2.9 The Engineering Division reviewed the application and provided compliance comments noted in Item 2.32 of this report.
- 2.10 The Fire Department reviewed the application and had no comments.
- 2.11 The Assessing Department reviewed the application and commented that the condominium documents submitted are the reciprocal easements. If the building at 313 Loudon Road is going to be a condo, a new declaration of condominium would be needed. The original land condo documents may or may not need to be amended.
- 2.12 The General Services Department reviewed the application and had no comments.

Compliance:

The following items from Sections 12, 13, and/or 15 of the Subdivision Regulations appear to be missing from the application, all of which are minimum components necessary to determine the application complete.

- 2.13 Section 15.01(1) and Section 15.01(2) require all items set forth in Section 12 *General Requirements for All Drawings*, Section 13.01 *All Applications*, and Section 13.02 *Documentation Required Prior to Recording of Plans*. Information missing from those sections is noted below in numbers 2.14 through 2.26.
- 2.14 Section 12.05 requires the vicinity plan prepared at a scale between 1" = 1000' and 1" = 2000' clearly showing the location of the subdivision plat, and streets, water bodies, city limits, parks, schools, and other significant physical and man-made features. The vicinity plan provided on sheet CS-1 is at a scale of 1" = 2,500' and shall be revised accordingly.
- 2.15 Section 12.06(5) *Other Plans* requires plan references for applicable road, utility, or site improvement plans, which are available in City records. On Sheet CS-1, the applicant shall provide a note referencing the full 10-sheet plan set, with correct title and date for the accompanying minor site plan application and which is available at the Planning Office.
- 2.16 Section 12.08(7) *Buildings and Structures* requires the location, layout, and use of existing buildings and structures with exterior dimensions. The exterior dimensions of the existing 313 Loudon Rd building are missing and shall be added.
- 2.17 Section 12.08(13) *Flood Hazard* requires the existing conditions plan to note as to whether or not the property is located in the City of Concord Flood Hazard Zoning Overlay (FH) District. The Flood Hazard (FH) District is defined in Section 28-3-2 *Flood Hazard (FH) District* of the Zoning Ordinance. Note 5 on sheet CS-1 *Condominium Site Plan* shall be revised to also include the designation if the site is or is not located in the City of Concord's Flood Hazard (FH) District.
- 2.18 Section 12.08(23) *Tabulations* (a) and (b) require the gross acreage in square feet and acres, as well as the square footage of each existing building broken down by floor and use category. Specifically, a tabulation note shall be added providing the sites gross acreage in square feet and acres, as well as broken down by building on Sheet CS-1 *Condominium Site Plan*.
- 2.19 Section 13.01(6) *State and Federal Permits* requires a copy of any application made to a state or federal agency required for the approval of this subdivision. If no state or federal permits are required as part of this application a note shall be added on Sheet CS-1 stating as much.

- 2.20 Section 15.02(7) *Lot Numbers* requires all lots shall be sequentially numbered. On Sheet CS-1, the lot number for Map Block Lot 46Z 63 is incorrectly labeled as Unit 1-2, and shall be revised to the correct Unit 1-3 as referenced on MCRD plan 16903. Additionally, on Sheet CS-1, the sub-unit designations for 311 and 313 Loudon Road shall be provided.
- 2.21 Section 15.03(1) *Abutting Property* requires existing abutting properties including property lines, buildings, wells and septic systems, owner's names and addresses, property addresses, and Tax Assessors Map-Block-Lot Numbers provided on the final plat. Specifically, the property addresses where the owner address is not the same as the property address are missing from Sheet CS-1 and shall be added accordingly.
- 2.22 Section 15.03(4) *Topography* requires existing topographic conditions and all proposed changes in ground elevation at a counter interval of two feet be provided on the final plat. Specifically, the contours are missing from Sheet CS-1 *Condominium Site Plan* and shall be added.
- 2.23 Section 15.03(11) *Municipal Sewer* requires the location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, catch basins, and culverts be provided on the final plat. This information is missing and shall be added to Sheet CS-1 accordingly.
- 2.24 Section 15.03(13) *Municipal Water Supply* requires the location and size of all existing and proposed water mains including hydrants, gates, valves, and blowoffs to be provided on the final plat. This information appears to be missing and shall be added to Sheet CS-1 accordingly.
- 2.25 Section 15.03(15) *Other Utilities* requires the location and size of all existing and proposed underground and overhead non-municipal utilities to be added to the final plat. This information is missing and shall be added to Sheet CS-1 accordingly.
- 2.26 Section 15.03(17) *Conditions of Approval* requires pursuant to RSA 676:3 III, prior to the plat being recorded, those conditions of approval as set forth by the Planning Board which remain to be fulfilled after the recording of the plat shall be duly noted on the plat. This required information is missing and can be satisfied with a note stating "The development is subject to all subsequent conditions of Planning Board approval from Case 2025-033."

The items below appear to be missing from the application, but they are not required as part of the determination of completeness and can be addressed as conditions of approval.

- 2.27 Section 17.03 *Building Floor Plans* requires submittal of floor plans of condominium building units at a scale of 1" = 5', 1" = 10', or 1" = 20' showing the location and horizontal and vertical dimensions of each unit and common area. The units are not labeled as either land units or building units, nor did the submittal include floor plans. It is assumed that the sub units are building units, and need to be labeled accordingly. If in fact the units are building units, then the building floor plans containing the information required by Section 17.03 must be submitted, including: (1) the floor plans being prepared, signed, and stamped by one of the listed required professionals in a format suitable for filing in the Merrimack County Registry of Deeds; (2) the floor plans shall include a standard Planning Board approval block; and, (3) the exterior walls of each unit shall be shown and provisions for ingress to and egress from each unit to common areas shall be shown.
- 2.28 Section 17.04(1) requires that all common facilities on the site shall be shown on the final plat, including parking, driveways, landscaped areas, walkways, signs, solid waste facilities, fire hydrants, light poles, above-ground utilities, fences, walls, and other pertinent common

facilities. It is unclear from the submitted final plat what, if any of the above-listed items are common facilities.

- 2.29 Section 17.04(2) requires location, dimensions, and purpose of each common area and limited common area be shown on the final plat. It doesn't appear that the dimensions for the common area and limited common areas are shown. Additionally, the purpose of each common area and limited common area is not stated as required by this section.
- 2.30 Section 17.04(3) requires that the acceptable means for water metering, water service, and sewer service including existing and proposed water and sewer service connections shall be shown on the final plat and building floor plans. This required information does not appear to be shown on the submitted plat, and there were no building floor plans included with the submittal to analyze for compliance with this requirement.
- 2.31 Section 17.06 *Condominium Declaration and By-Laws* requires that all condominium documents be provided for review and approval as to form and content by the City Solicitor and Clerk. The approved condominium documents shall be considered part of the official approval and shall not be altered to be inconsistent with the recorded plat, without further review and approval by the Board of a revised subdivision application. The application submittal was missing the declaration of condominium and by-laws for review and approval as to form and content for the new sub-unit condominium. Additionally, the applicant shall review the original condominium declaration to determine if it can stand, or will require an amendment as part of this sub-unit condominium. The applicant shall provide an amended declaration, or the original condominium declaration with a corresponding statement indicating that no change is required resulting from this sub-unit condominium creation.
- 2.32 The Engineering Division notes the following items shall be addressed on Sheet CS-1.
 - a. The subject site is incorrectly labeled as Land Condominium Unit 1-2; it should be Land Condominium Unit 1-3 and shall be revised accordingly.
 - b. Within the plan view, Loudon Road is incorrectly labeled as NH Routes 4 – 9 – 202. Loudon Road is NH Route 9 and shall be revised accordingly.
 - c. Within the vicinity plan, Loudon Road is incorrectly labeled as Routes 4, 9, and 202 and shall be revised accordingly per Section 12.05(2) of the Subdivision Regulations. Loudon Road is NH Route 9, and Interstate Route 393 is also US Route 4 and US Route 202.
 - d. The proposed condominium sub unit will have the address of 311 Loudon Road and shall be added to the plan view and included in the title block of the plan along with the address of 313 Loudon Road per Section 15.02(8) *Addresses* of the Subdivision Regulations.

3 Variances:

- 3.1 No variances are requested.

4 Waivers:

- 4.1 No waivers are requested.

5 Conditional Use Permits:

- 5.1 No conditional use permits are requested.

6. Architectural Design Review

6.1 Architectural Design Review is not necessary for this application.

7. Conservation Commission:

7.1 No appearances before the Conservation Commission are necessary for this application.

8. Recommendations:

8.1 Staff recommends that the Planning Board discuss and adopt the findings of fact, which include: information provided in staff reports; the applicant's submission materials; testimony provided during the public hearing; and, other documents or materials provided in the public hearing.

Based on the adopted findings of fact, staff recommends that the Planning Board make the motions outlined below:

8.2 **Grant minor subdivision approval** for the condominium subdivision of 311 and 313 Loudon Road into two sub unit lots, as submitted, subject to the following precedent and subsequent conditions:

(a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the final plat by the Planning Board Chair and Clerk, unless otherwise specified:

1. For compliance with the Subdivision Regulations, revise the plat as follows:
 - a. Per Section 12.05, the vicinity plan provided on sheet CS-1 shall be set at a scale of between 1" = 1,000' and 1" = 2,000'.
 - b. Per Section 12.06(5) *Other Plans*, a note referencing the full 10-sheet plan set, with correct title and date for the accompanying minor site plan application, available at the Planning Office shall be added to Sheet CS-1 *Condominium Site Plan*.
 - c. Per Section 12.08(7) *Buildings and Structures*, the exterior dimensions of the existing 313 Loudon Rd building shall be added.
 - d. Per Section 12.08(13) *Flood Hazard*, Note 5 on sheet CS-1 *Condominium Site Plan* shall be revised to also include the designation if the site is or is not located in the City of Concord's Flood Hazard (FH) District.
 - e. Per Section 12.08(23) *Tabulations* (a) and (b), a tabulation note shall be added to Sheet CS-1 *Condominium Site Plan* providing the sites gross acreage in square feet and acres, as well as broken down by building.
 - f. Per Section 13.01(6) *State and Federal Permits*, the applicant shall provide a copy of any application made to the State or Federal agency required for the approval of this subdivision. If no State or Federal permits are required as part of this application a note shall be added on Sheet CS-1 *Condominium Site Plan* stating as such.
 - g. Per Section 15.02(7) *Lot Numbers*, on Sheet CS-1 *Condominium Site Plan*, the Lot number for Map Block Lot 46Z 63 is incorrectly labeled as Unit 1-2, and shall be revised to the correct Unit 1-3 as referenced on MCRD plan 16903. Additionally, on Sheet CS-1 *Condominium Site Plan*, the sub-unit designations for 311 and 313 Loudon Road shall be provided.
 - h. Per Section 15.03(1) *Abutting Property*, the property addresses where the owner address is not the same as the property address are missing from Sheet CS-1 *Condominium Site Plan* and shall be added accordingly.
 - i. Per Section 15.03(4) *Topography*, the contours are missing from Sheet CS-1 *Condominium Site Plan* and shall be added.

- j. Per Section 15.03(11) *Municipal Sewer*, the location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, catch basins, and culverts shall be provided on Sheet CS-1 *Condominium Site Plan*.
 - k. Per Section 15.03(13) *Municipal Water Supply*, the location and size of all existing and proposed water mains including hydrants, gates, valves, and blowoffs shall be provided on Sheet CS-1 *Condominium Site Plan*.
 - l. Per Section 15.03(15) *Other Utilities*, the location and size of all existing and proposed underground and overhead non-municipal utilities shall be added to Sheet CS-1 *Condominium Site Plan*.
 - m. Per Section 15.03(17) *Conditions of Approval*, a note stating “The development is subject to all subsequent conditions of Planning Board approval from Case 2025-033” shall be added to Sheet CS-1 *Condominium Site Plan*.
 - n. Per Section 17.03 *Building Floor Plans*, floor plans of condominium building units at a scale of 1” = 5’, 1” = 10’, or 1” = 20’ showing the location and horizontal and vertical dimensions of each unit and common area shall be provided. The sub units are not labeled as either land units or building units, and need to be labeled accordingly. If in fact the units are building units, then the building floor plans containing the information required by Section 17.03 must be submitted, including: (1) the floor plans being prepared, signed, and stamped by one of the listed required professionals in a format suitable for filing in the Merrimack County Registry of Deeds; (2) the floor plans shall include a standard Planning Board approval block; and, (3) the exterior walls of each unit shall be shown and provisions for ingress to and egress from each unit to common areas shall be shown.
 - o. Per Section 17.04(1), all common facilities on the site shall be shown on the final plat Sheet CS-1 *Condominium Site Plan*, including parking, driveways, landscaped areas, walkways, signs, solid waste facilities, fire hydrants, light poles, above-ground utilities, fences, walls, and other pertinent common facilities. It is unclear from the submitted final plat what, if any of the above-listed items are common facilities.
 - p. Per Section 17.04(2), the location, dimensions, and purpose of each common area and limited common area shall be shown on the final plat Sheet CS-1 *Condominium Site Plan*. It doesn’t appear that the dimensions for the common area and limited common areas are shown. Additionally, the purpose of each common area and limited common area is not stated as required by this section.
 - q. Per Section 17.04(3), the acceptable means for water metering, water service, and sewer service including existing and proposed water and sewer service connections shall be shown on the final plat Sheet CS-1 *Condominium Site Plan* and building floor plans.
 - r. Per Section 17.06 *Condominium Declaration and By-Laws*, the declaration of condominium and by-law documents for the sub unit condominium shall be submitted for review by the City Solicitor and Clerk. Additionally, the applicant shall provide an amended condominium declaration necessary for this sub-unit condominium addition, alternatively, if no change to the original declaration is required, the application shall provide the original condominium declaration along with a statement indicating as such.
2. For compliance with the Subdivision Regulations, revise the plat as follows:
- a. On Sheet CS-1, the subject site is incorrectly labeled as Land Condominium Unit 1-2; it should be Land Condominium Unit 1-3 and shall be revised accordingly per Section 15.02(8) *Addresses* of the Subdivision Regulations.
 - b. On Sheet CS-1, within the plan view, Loudon Road is incorrectly labeled as NH

Routes 4 – 9 – 202 and shall be revised accordingly to be consistent with the rest of the plan set.

- c. On Sheet CS-1, within the Vicinity Plan, Loudon Road is incorrectly labeled as Routes 4, 9, & 202 and shall be revised accordingly per Section 12.05(2) of the Subdivision Regulations.
 - d. On Sheet CS-1, the proposed condominium sub unit will have the address of 311 Loudon Road and shall be added to the plan view and included in the title block of the plan along with the address of 313 Loudon Road per Section 15.02(8) *Addresses* of the Subdivision Regulations.
3. Prior to the recording of the plat and as required by Section 12.09 *Electronic Submission* of the Subdivision Regulations, digital information from the plat shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards promulgated by the City Engineer. The layers listed in Section 12.09(1) through (8) shall be submitted referencing New Hampshire State Plane Grid Coordinates and shall be based on National American Vertical Datum 1988 (NAVD 88).
 4. Upon notification from the Planning Division that the final plat complies with Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar, one full-size plan set, and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk and subsequent recording of the mylar at the Merrimack County Registry of Deeds. Per Section 15.02(1) *Licensed Land Surveyor*, the final plat drawings shall contain the signature and stamp of the New Hampshire licensed land surveyor who prepared the plat.
 5. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for submittal of required recording fees.
 6. Per Section 15.02(12) *Registry Requirements*, the applicant is responsible for ensuring that the plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds.
 7. Prior to final approval, the applicant shall be notified by the City Clerk that the accompanying minor site plan application (PL-SPM-2025-0023) plan has been approved.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.
 2. Per Section 4.02, no land shall be subdivided or portions of a lot transferred within the corporate limits of the City, until a subdivision plat for said land has been prepared in accordance with the regulations, approved by the Board, endorsed by the Chair and Clerk of the Planning Board, and filed at the Merrimack County Registry of Deeds.
 3. Per Section 4.03 of the Subdivision Regulations, no building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and which is not in conformity with, the provisions of the Subdivision Regulations.
 4. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.12 *Issuance of Building Permits*, no building permit or certificate of occupancy shall be issued within a subdivision until the plat has been approved, the conditions of plat approval have been satisfactorily addressed, and the plat recorded in the Merrimack County Registry of Deeds.

5. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, in accordance with Section 31.13 *Issuance of Certificates of Occupancy*, no Certificate of Occupancy shall be issued within a subdivision until all requisite public improvements have been completed and accepted by the City.
6. Per Section 17.06 *Condominium Declaration and By-Laws*, the approved condominium documents shall be considered part of the official approval and shall not be altered to be inconsistent with the recorded plat, without further review and approval by the Board of a revised subdivision application.

Prepared by: ATB