



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

Supplemental Staff Report for Planning Board

Meeting on May 20, 2026
Project Summary – Minor Subdivision

Project: Minor Subdivision (2026-034)
Property Owner: Craig and Gina Weyant
Applicant: Mark Sargent, Richard Bartlett and Associates
Property Address: 17 Clarke St
Tax Map Lot: 393/Z 55

Based on the additional written testimony from the applicant, submitted on Friday May 15, staff has updated recommendations relative to the 2-lot subdivision on Clarke Street as follows:

Determination of Completeness:

Based on staff's review of the application and additional testimony/information, it is recommended 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.

The original memo and comments continue to apply, with the following modifications:

Compliance:

2. General Comments:

- 2.1 The submitted plan does not depict the location of the proposed driveway for the new lot or the relocation of the existing driveway. As a result, staff is unable to determine whether conditional use approval or variances may be required to Section 28-7-8(b) *Access and Driveway Standards* of the Zoning Ordinance. This item must be addressed to verify conformance with Zoning requirements as is required before any application is determined complete. Staff suggests that the applicant consider continuing the determination of completeness and public hearing to a future date certain to allow for the plans to be updated, any relief obtained, and so that the Board does not need to determine the application to be incomplete.

Updated Staff Response: Staff received a proposed driveway relocation and proposed driveway plan on Friday May 15, 2026 for consideration for determination of

completeness and public hearing. Staff can now determine the application complete and confirm no additional variances or conditional use permits are required.

4 Variances:

- 4.1 Until comments 2.1 and 3.9 are addressed, staff is unable to determine if a variance is needed for driveway separation under Section 28-7-8(b). **Updated Staff Comment: based on the additional information/testimony, staff conforms that no zoning relief is needed for the driveway separation.**

9 Recommendations:

- 9.1 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/or, 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:

- 9.2 **Grant the waiver requests below** from the listed sections of the Subdivision Regulations, based on the evidence provided showing that the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Subdivision Regulations are met:

- a. Section 12.07 *Wetland Delineations*, to not provide the signature and seal of the certified wetland specialist on the subdivision plat;
- b. Section 19.05(4) *Useable Lot Area Rectangle*, to not provide the usable lot area rectangle.

- 9.3 **Grant minor subdivision approval** for the two-lot subdivision of Tax Map Lot 393Z 55, 17 Clarke St, 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 subdivision plat as follows:
 - a. Provide the name and address of the owner and applicant in the title block per section 12.02(b)
 - b. Provide the exterior dimensions of the existing structure per section 12.08(7).
 - c. Provide buildings and driveways of abutting properties on subdivision plat per section 12.08(22) and 15.03(1).
 - d. Provide the square footage of each building broken down by floor and use per section 12.08(23)
 - e. Provide the address of the existing and proposed lot on subdivision plat as approved by the City Engineer per section 15.02(8).
 - f. Provide a statement of the proposed type of residential use of any lot per section 15.02(9)
 - g. Provide the names and addresses of the abutting property owners and the Tax Assessors Map-Block-Lot numbers and deed references per section 15.03(3)

- h. Indicate the type of monument to be set on subdivision plat per section 15.03(5)
 - i. Indicate the location of the relocated driveway and proposed driveway for the new lot per section 15.03(9) on the subdivision plat.
 2. Per Section 13.01(6) *State and Federal Permits* and Section 13.02(10) *State and Federal Permits*, a copy of any application made to a state or federal agency required for the approval of this subdivision, including those required for the development of the individual lots, shall be provided. Note 9 on the subdivision plat states that no federal permits are required and that New Hampshire Department of Environmental Services (NHDES) subdivision approval is required for the proposed lots. However, no application has been made to date. At such time that applications are made to NHDES for any of the lots, a copy of the application shall be submitted to the Planning Division.
 3. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for the recording fees required by the Merrimack County Registry of Deeds, or the State of New Hampshire, for all plans and documents to be recorded.
 4. 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.
 5. Per Section 19.04 *Monuments*, a New Hampshire licensed land surveyor shall place permanent reference monuments in the subdivision, as required in the Subdivision Regulations and as approved by the City Engineer. All monuments shall be inspected by the City of Concord. All such monuments shall be set flush with the proposed grade and planted in such a manner that they will not be removed by frost. All monuments shall be properly set prior to the time of the release of the performance guarantee per the Subdivision Regulations. However, recognizing the unique characteristics of this application, a performance guarantee will not be required; therefore, all monuments shall be set in accordance with Section 19.04(1) *Street Right-of-Way Monuments*, Section 19.04(2) *Lot Monuments*, and Section 19.04(3) *Boundaries and Blazing of Conservation Easements*, as applicable, prior to final approval.
 6. Upon notification from the Planning Division that the subdivision plat complies with Planning Board precedent conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar for signature by the Planning Board Chair and Clerk of the Planning Board. The subdivision plat shall contain the signature and seal of the appropriate licensed professionals as outlined in Section 12.03 and Section 15.02(1) of the Subdivision Regulations.
- (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 4.03, 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.

3. Per Section 9.08(10) *Building Permits and Certificates of Occupancy*, no building permit 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.