



CITY OF CONCORD

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Concord Conservation Commission

DATE: August 18, 2016

SUBJECT: Request for the Acceptance of Conservation Easement as part of conditionally approved Subdivision Plan application

Recommendation

Authorize the City Manager to accept the conservation easement, which is the result of the May 18, 2016, Planning Board conditional approval of the following Subdivision Plan application:

- Major Subdivision Plan Application of Robert J. and Melinda A. Harrison at 44 Carter Hill Road with a Conservation Easement totaling 13.56 acres.

Background

The subdivision application listed above is located in the Open Space Residential (RO) District and was approved through the Conditional Use Permit process to allow for the development of a conventional or standard subdivision in the RO District. Article 28-5-46 of the Zoning Ordinance, as adopted by the City Council on March 12, 2007, permits the development of conventional subdivisions within the RO District with the condition that a comparable amount of open space be protected on the property by deed or easement as would otherwise be required by the Cluster Development standards. The open space must be protected by legal instruments recorded in the Merrimack County Registry of Deeds.

The application has received Conditional Final Approval by the Planning Board, and all precedent conditions have been met. The acceptance of the conservation easement has been recommended by the Conservation Commission. The total area proposed for acceptance in the form of a conservation easement is 13.56 acres. The configuration and terms of the easement have been reviewed by the Conservation Commission, and the Commission unanimously recommended the acceptance of the conservation easement.

Discussion

The application of **Robert J. and Melinda A. Harrison** is a conventional subdivision of a 22.59-acre parcel of land on Carter Hill Road, on which there is an existing single-

family residence. The subdivision creates three additional residential building lots. The cluster development standards require that 60% of the lot area (13.55 acres) be set aside as open space. The approved plan protects approximately 13.56 acres with a conservation easement spanning the 4 lots.

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