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

**Staff Report for Planning Board**

**Meeting on June 18, 2025**  
**Project Summary – Minor Subdivision**

Project: Re-subdivision (2025-059)  
Property Owner: St Paul's School  
Applicant: Richard D. Bartlett & Associates, LLC  
Project Address: unaddressed Pleasant St and 310 Pleasant St  
Tax Map Lot: 723Z 28 and 723Z 28-1

**Determination of Completeness:**

Per Section 9.06 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.

When determining if an application is complete, 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 application is determined complete, the Board shall then open the public hearing. An application which is determined to be incomplete may be revised and resubmitted to a subsequent meeting of the Board for consideration.

Section 35.16(1) 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 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.**

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 on June 18, 2025, and end on **August 22, 2025**. If the applicant has not demonstrated compliance with the Subdivision Regulations by the end of the statutory timeline (**August 22, 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 is seeking minor subdivision approval along with certain waivers, for a re-subdivision (lot line adjustment) to annex two acres from unaddressed Pleasant St (Tax Map 723Z Lot 28) to 310 Pleasant St (Tax Map 723Z Lot 28-1) in the Medium Density Residential (RM) District. This would leave the unaddressed Tax Map 723Z Lot 28 with 24.19 acres or 1,053,384 square feet and increase the size of 310 Pleasant St (Tax Map 723Z Lot 28-1) from 1.00 acre or 87,177 square feet to 3.00 acres or 130,827 square feet.

### Compliance:

The following analysis of compliance with the Zoning Ordinance and Subdivision Regulations is based on a 2-sheet plan set, dated May 2025, prepared by Richard D. Bartlett & Associates, LLC.

#### 1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Medium Density Residential (RM) District Open Space Residential (RO) District
Existing Use:	Single-family dwelling on one lot; other lot vacant
Proposed Use:	No change in use
Overlay Districts:	
Flood Hazard (FH) District	None
Shoreland Protection (SP) District	Yes
Historic (HI) District	None
Penacook Lake Watershed (WS) District	None
Aquifer Protection (AP) District	None

Zoning Code Item	Required	Lot 28-1 (310 Pleasant St)	Lot 28 (unaddressed Pleasant St)
Minimum Total Area	12,500 square feet	130,827 square feet	1,053,384 square feet
Minimum Buildable Land	6,250 square feet	56,291 square feet stated in synopsis, but detail map shows 5,000 square feet	Not provided
Minimum Lot Frontage	100 feet	124.49 feet	Over 100 feet
Minimum Front Yard	25 feet	25 feet	Undeveloped
Minimum Rear Yard	25 feet	More than 25 feet	Undeveloped
Minimum Side Yard	15 feet	15 feet west More than 15 feet east	Undeveloped
Maximum Lot Coverage	40%	Existing house and developed site, lot coverage not provided, but existing house is assessed as 5,361	Undeveloped

		square feet, which is much less than the maximum of 52,272 square feet	
Maximum Building Height	35 feet	Existing 2 ½-story house, height not provided. No changes to existing house proposed.	Undeveloped

- 1.1 Staff notes that the buildable land area shown on the detail map of the re-subdivision plat is 5,000 square feet, which is less than the minimum of 6,250 square feet required by Section 28-4-1(h) *Table of Dimensional Regulations* of the Zoning Ordinance. However, the re-subdivision synopsis states the buildable area is 56,291 square feet. The detail map shall be revised to reflect the correct buildable area of 56,291 square feet.

**2. 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, portable water supply, and capital improvements such as 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 4.02, no land shall be subdivided or portions of a lot transferred within the corporate limits of the City of Concord, until a subdivision plat for said land has been prepared in accordance with these regulations, approved by the Board, endorsed by the Chair and Clerk of the Planning Board, and filed at the Merrimack County Registry of Deeds.
- 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 June 3, 2025, for the Board's consideration of completeness on June 18, 2025.
- 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 Per Section 6.01(6) *Re-subdivision of Land*, a minor change in property boundaries involving only the conveyance of property between two or more parcels or lots, and which does not involve the construction of infrastructure or the creation of new lots, shall be deemed a re-subdivision.

The project proposes a change in one boundary line between 310 Pleasant St and unaddressed Pleasant St with no construction of infrastructure or the creation of new lots; therefore, the project is a re-subdivision.

- 2.7 Per Section 6.03(1), there is only a final plat stage for minor subdivisions.
- 2.8 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 are required. No permit applications to state and federal agencies are necessary. The application included requests from waivers as described in Item 5 of this staff report.
- 2.9 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.
- 2.10 The Clerk may allow the applicant to submit topographic information for only that portion of the site to be developed, redeveloped, or where site construction may occur, pursuant to Section 12.08(3) *Topography*. The submitted plat shows topography around the existing house, but does not show topography on the remaining acreage that is undeveloped and is not proposed for development. Additionally, the applicant requests a waiver from showing all topography on the site.
- 2.11 The Assessing Department reviewed the applicant and noted that the parent parcel (unaddressed Pleasant St, Tax Map 723Z Lot 28) is in current use. The two acres being annexed from the parent parcel to 310 Pleasant St (Tax Map 723Z Lot 28-1) will be subject to a land use change tax.
- 2.12 The Engineering Services Division reviewed the application and had no general comments.
- 2.13 The Fire Department reviewed the application and had no general comments.
- 2.14 The General Services Department reviewed the application and had no general comments.

### 3. Compliance with Subdivision Regulations:

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

- 3.1 Per Section 12.03(5) *Wetland* and Section 12.07 *Wetland Delineations*, the wetland boundaries shall be delineated by a New Hampshire certified wetland scientist who shall sign and seal the plan upon which the wetland boundaries are mapped and shall include the date of the delineation.

- The delineation was performed, but no date is indicated nor are the signature and seal of the delineator included. The **applicant requests a waiver** from providing the date of the delineation and the signature and seal of the delineator. With approval of the waiver, these sections are considered complete.
- 3.2 Per Section 12.08(3) *Topography*, existing topographic conditions shall be depicted on either the existing conditions plan or the plat. For minor subdivisions with large remnant parcels where no development is proposed, the Clerk may allow the applicant to submit topographic information for only that portion of the site to be developed or redeveloped. In this case, the topographic conditions for the smaller lot are shown on the existing conditions plan (topographic re-subdivision plat). Additionally, the **applicant requests a waiver** from providing the topographic information for the large remnant lot. With approval of the waiver, this section is considered complete.
- 3.3 Per Section 12.08(7) *Buildings and Structures*, the exterior dimensions of existing buildings and structures shall be shown on the existing conditions plan. This required information is missing, but the **applicant requests a waiver** from providing exterior dimensions of existing buildings. With approval of the waiver, this section is considered complete.
- 3.4 Not all information required by Section 12.08(10) *Municipal Utilities* and Section 12.08(11) *Nonmunicipal Utilities* is provided on the existing conditions plan, but the **applicant requests a waiver** from these two sections. With approval of the waiver, these sections are considered complete.
- 3.5 Not all existing vegetation for the larger lot is shown on the existing conditions plan as required by Section 12.08(20) *Existing Vegetation*, but the **applicant requests a waiver** from showing all existing vegetation on the larger lot. With approval of the waiver, this section is considered complete.
- 3.6 Not all tabulations required by Section 12.08(23) *Tabulations* are shown on the existing conditions plan, but the **applicant requests a waiver** from showing all required tabulations on the existing conditions plan. With approval of the waiver, this section is considered complete.
- 3.7 Per Section 15.03(3) *Tabulations*, the area of contiguous buildable land shall be both noted for each lot and shown on the plat drawing itself. This information is missing from the re-subdivision plat for the large remnant lot. The **applicant requests a waiver** from showing and noting the contiguous buildable land on both lots. With approval of the waiver, this section is considered complete. Staff notes that the RM District has a minimum buildable land area of 6,250 square feet, and the detail map on the re-subdivision plat shows buildable land of 5,000 square feet, which is less than the minimum required, but the synopsis states a buildable area of 56,291 square feet.
- 3.8 Per Section 15.03(4) *Topography*, existing topographic conditions shall be shown on the subdivision plat. This required information is missing from the re-subdivision plat, but the **applicant requests a waiver**. With approval of the waiver, this section is considered complete.
- 3.9 Per Section 15.03(11) *Municipal Sewer*, the location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, etc. shall be shown on the plat. This information is missing, but with approval of the **requested waiver**, this section is considered complete.

- 3.10 Section 15.03(15) *Other Utilities*, the location and size of all existing and proposed underground and overhead nonmunicipal utilities shall be shown on the plat. Not all this information is shown, but with approval of the **requested waiver**, this section is considered complete.

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

- 3.11 Per Section 12.06(4) *Prior Subdivisions or Surveys*, plan references for prior recorded subdivisions or surveys on the properties proposed for subdivision or abutting said properties proposed to be subdivided shall be shown on the plat. Reference information is included on the re-subdivision plat, but the previously-approved subdivision plan, dated Feb. 2025, Plan Number 202500006092, is missing. This missing reference shall be added to the re-subdivision plat for total compliance with this section.
- 3.12 Per Section 15.02(8) *Addresses*, the addresses of each existing and proposed lot shall be noted on the plat as approved by the City Engineer. The detail map shows the address of 310 Pleasant St for purposes of a complete determination, but the address of 310 Pleasant St is not shown on the main drawing area of the re-subdivision plat and shall be added prior to final approval for complete compliance with this section.
- 3.13 Per Section 15.03(5) *Monumentation*, the type and location of existing and required monuments (bounds) at the corners of lots, at points of curvature, tangency, and deflection points along the street rights-of-way shall be shown and labeled on the plat. The monument at the proposed northwest corner of Lot 28-1 is shown on the re-subdivision plat, but it is not labeled as required. Since it is shown, that will suffice for purposes of completeness and the labeling shall be added as a condition of approval. Staff also notes that there is discrepancy between the detail map and the plat itself in that the detail map lists pin setting on 4/2/24 and the plat itself notes pin setting on 4/2/25. This discrepancy shall be resolved as a condition of approval.
- 3.14 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. Recognizing that a performance guarantee will not be required for this application, all monuments shall be set prior to final approval and in accordance with Section 19.04(1) *Street Right-of-Way Monuments*, 19.04(2) *Lot Monuments*, and 19.04(3) *Boundaries and Blazing of Conservation Easements*.
- 3.15 The Assessing Department had no compliance comments.
- 3.16 The Engineering Services Division had no compliance comments.
- 3.17 The Fire Department had no compliance comments.
- 3.18 The General Services Division had no compliance comments.

**4 Variances:**

- 4.1 No variances are requested.

**5 Waivers:**

- 5.1 The applicant requests waivers from the following sections of the Subdivision Regulations:
- a. Section 12.03(5) *Wetland* and Section 12.07 *Wetland Delineations*, to not provide the date of the delineation or the signature and seal of the delineator;
  - b. Section 12.08(7) *Existing Conditions Plan Buildings and Structures*, to not show the exterior building dimensions on the existing conditions plan;
  - c. Section 12.08(10) *Municipal Utilities*, to not show all municipal utilities information on the existing conditions plan;
  - d. Section 12.08(11) *Nonmunicipal Utilities*, to not show all nonmunicipal utilities information on the existing conditions plan;
  - e. Section 12.08(20) *Existing Vegetation*, to not show existing vegetation on the large remnant on the existing conditions plan;
  - f. Section 12.08(23)(a), (b), (c), and (d) *Tabulations*, to not list all required tabulations on the existing conditions plan;
  - g. Section 12.08(3) *Topography*, to not show topography on the existing conditions plan for the large remnant lot;
  - h. Section 15.03(3) *Tabulations*, to not note or show contiguous buildable land area on either lot on the re-subdivision plat drawing;
  - i. Section 15.03(4) *Topography*; to not show topography on the re-subdivision plat;
  - j. Section 15.03(11) *Municipal Sewer*, to not show all municipal sewer data on the re-subdivision plat; and
  - k. Section 15.03(15) *Other Utilities*, to not show all utilities information on the re-subdivision plat.

The applicant provided an analysis of the five waiver criteria listed in Section 35.08 of the Subdivision Regulations, and RSA 674:36(II)(n).

**Staff reviewed the evidence submitted and supports the waiver requests with the condition** that the contiguous buildable land area for 310 Pleasant St (Lot 28-1) be both shown and noted on the re-subdivision plat drawing such that the lot meets the minimum buildable land area requirement of the Zoning Ordinance.

**6 Conditional Use Permits:**

- 6.1 No conditional use permits are requested.

**7 Architectural Design Review:**

- 7.1 Architectural design review is not necessary for this application.

**8 Conservation Commission:**

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

**9 Recommendations:**

- 9.1 Staff recommends that the Planning Board **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, using the criteria of RSA 674:36(II)(n) and Section 35.08 of the Subdivision Regulations, with the condition that the contiguous buildable land area for 310 Pleasant St (Lot 28-1) be both shown and noted on the re-subdivision plat drawing or detail map such that the lot meets the minimum buildable land area requirement of the Zoning Ordinance.
- a. Section 12.03(5) *Wetland* and Section 12.07 *Wetland Delineations*, to not provide the date of the delineation or the signature and seal of the delineator;
  - b. Section 12.08(7) *Existing Conditions Plan Buildings and Structures*, to not show the exterior building dimensions on the existing conditions plan;
  - c. Section 12.08(10) *Municipal Utilities*, to not show all municipal utilities information on the existing conditions plan;
  - d. Section 12.08(11) *Nonmunicipal Utilities*, to not show all nonmunicipal utilities information on the existing conditions plan;
  - e. Section 12.08(20) *Existing Vegetation*, to not show existing vegetation on the large remnant on the existing conditions plan;
  - f. Section 12.08(23)(a), (b), (c), and (d) *Tabulations*, to not list all required tabulations on the existing conditions plan;
  - g. Section 12.08(3) *Topography*, to not show topography on the existing conditions plan for the large remnant lot;
  - h. Section 15.03(3) *Tabulations*, to not note or show contiguous buildable land area on either lot on the re-subdivision plat drawing;
  - i. Section 15.03(4) *Topography*; to not show topography on the re-subdivision plat;
  - j. Section 15.03(11) *Municipal Sewer*, to not show all municipal sewer data on the re-subdivision plat; and
  - k. Section 15.03(15) *Other Utilities*, to not show all utilities information on the re-subdivision plat.
- 9.3 **Grant minor subdivision approval** for the re-subdivision between 310 Pleasant St (Lot 28-1) and unaddressed Pleasant St (Lot 28), 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 re-subdivision plat as follows:
    - a. Per Section 12.06(4) *Prior Subdivisions or Surveys*, plan references for prior recorded subdivisions or surveys on the properties proposed for subdivision or abutting said properties proposed to be subdivided shall be shown on the plat. Reference information is included on the re-subdivision plat, but the previously-approved subdivision plan, dated Feb. 2025, Plan Number 202500006092, is missing. This missing reference shall be added to the re-subdivision plat for total compliance with this section.
    - b. Per Section 15.02(8) *Addresses*, the addresses of each existing and proposed lot shall be noted on the plat as approved by the City Engineer. The detail map shows the address of 310 Pleasant St, but the address of 310 Pleasant St is not shown on the main drawing area of the re-subdivision plat and shall be added prior to final approval for complete compliance with this section.
    - c. Per Section 15.03(5) *Monumentation*, the type and location of existing and required monuments (bounds) at the corners of lots, at points of curvature, tangency, and deflection points along the street rights-of-way shall be shown and



labeled on the plat. The monument at the proposed northwest corner of Lot 28-1 shown on the re-subdivision plat shall be labeled as required, and the discrepancy between the pin setting dates on the detail map and the re-subdivision plat itself shall be resolved.

2. 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. Recognizing that a performance guarantee will not be required for this application, all monuments shall be set prior to final approval and in accordance with Section 19.04(1) *Street Right-of-Way Monuments*, 19.04(2) *Lot Monuments*, and 19.04(3) *Boundaries and Blazing of Conservation Easements*.
  3. Upon notification from the Planning Division that the final plat complies with Planning Board precedent conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar set and one full-size paper plan set for signature by the Planning Board Chair and Clerk and subsequent recording of the mylar set at the Merrimack County Registry of Deeds. The plans 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.
  4. Per Section 13.02(13) *Recording Fees*, the applicant is responsible for recording fees required by the Merrimack County Registry of Deeds for all plans and documents to be recorded.
  5. Per Section 15.02(12) *Registry Requirements*, the applicant is responsible for ensuring that all plats to be recorded comply with the current standards of the Merrimack County Registry of Deeds.
- (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 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.

Prepared by: KOB