

June 2, 2025

City of Concord Planning Board  
City Hall  
41 Green Street  
Concord, New Hampshire 03301

**RE: Waiver RequestS for Clouthier 2-Lot Subdivision (2025-047)  
Curtisville Road, Concord, New Hampshire 03301**

Dear Planning Board:

On behalf of Braydin and Kelsey Clouthier, and in support of the minor subdivision application referenced above, Wilcox & Barton, Inc. hereby requests the following waivers from the Subdivision Regulations:

A waiver to Section 12.08(22) *Abutting Properties*, to not show existing buildings, wells and septic systems that are more than 75' from the property lines on the existing conditions plan.

A waiver to Section 15.03(1) *Abutting Properties*, to not show existing buildings, wells and septic systems that are more than 75' from the property lines on the Subdivision Plan.

A waiver to Section 15.03(10) *Site Improvements*, to not show existing buildings, wells and septic systems that are more than 75' from the property lines on the Subdivision Plan.

The existing conditions and subdivision plans show existing abutting properties, including intersecting property lines and driveways at Curtisville Road. The plans also show wells and septic systems adjacent or within 75' of the property, which there were none found, and the Subdivision Regulations do not have a specific distance. The surrounding lots are large, as expected in the RO zoning district, and developed features are set back from the road right-of-way and property lines.

A waiver to Section 15.03(4) *Topography*, to not show existing topography on the Subdivision Plat.

The plans are presented as a 2-page set and includes topography on Sheet 2. Sheet 1 Subdivision Plan is to be recorded and is more relevant to boundary information and new lot lines. Adding topography clutters up the plan and takes away from the intended purpose.

A waiver to Section 15.03(14) *Wells*, where the municipal water system is not available, the location of all existing and proposed wells and required wellhead protection radii on the site and abutting properties shall be shown on the subdivision plat.

The surveyor notes that typically they do not put wells or protective well radii on Sheet 1 as it will be recorded. It is their opinion that the Registry may not accept a plan with those items as it does not align with the purpose of the plan. Sheet 1 is strictly for Boundary and Title information, which will be permanently recorded. The well radius

and 4k areas are not necessarily proposed, they are only to show that the lot will meet the buildable requirements and should not be permanently recorded.

1. *The granting of the waiver will not be detrimental to the public safety, health, welfare or injurious to other property.*

The Subdivision Plan will all necessary information to subdivide the property and granting the waivers will not be detrimental to the public safety, health, welfare or injurious to other property. The plan set is comprised of 2 sheets and topographic information is shown on Sheet 2 but will not be recorded. The information on abutting properties is shown to the extent possible, within 75' of the property.

2. *The conditions upon which the request for a waiver is based are unique to the property for which the waiver is sought and are not applicable generally to other property.*

The area is zoned RO thus the lots are large. Abutting lots have improvements set back from the road right-of-way and property line. Requested improvements are shown if within 75' of property, of which there are none except driveway aprons which are shown.

Regarding topography, the lot is large, and the plans are drawn at 60 scale. The plan set is comprised of 2 sheets and topographic information is shown on Sheet 2. It is not shown on Sheet 1 Subdivision Plan to make the plan more legible and easier to meet the requirements of the registry for recorded plans.

3. *Because of the particular physical surroundings, shape or topographical conditions of the specific property involved, an unnecessary hardship to the owner would result, as distinguished from a mere inconvenience, if the strict letter of these regulations are carried out.*

Strict conformance to the requirement would result in plans at a greater scale than 60 to show improvements on abutting properties more than 75' from the property line. Adding topography to the Subdivision Plan, due the size of the property and scale at which the plan is drawn, would make it difficult to read. This would cause unnecessary hardship while providing no additional value.

4. *Specific circumstances relative to the site plan or conditions of the land where a site plan is proposed indicate that the waiver will property carry out, or not be contrary to, the spirit and intent of these regulations.*

The plans meet the spirit and intent of the regulations. The surveyor has created a 2-sheet plan set, to provide required information such as topography though not on the Sheet 1 Subdivision Plan which will be recorded. The abutting site features are not shown because of their distance from the property lines.

5. *The waivers will not in any manner vary the provisions of the Zoning Ordinance, Master Plan Reports or Official Map.*

The requested waivers will not in any manner vary the provisions of the Zoning Ordinance, Master Plan or Official Map.

If you have any questions, or require additional information, please contact me at (603) 731-9883.

Very truly yours,  
**WILCOX & BARTON, INC.**



Erin R. Lambert, P.E, LEED AP  
Senior Vice President