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

**Staff Report for Planning Board**

**Meeting on October 16, 2024**  
**Project Summary – Minor Subdivision**

Project: Carriage House Condominium (2024-067)  
Property Owner: 87 South Main St, LLC  
Applicant: Richard D. Bartlett & Associates, LLC  
Property Address: 87 South Main Street  
Tax Map Lot: 7413Z 38

**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.**

An application which is determined to be incomplete may be revised and resubmitted to a subsequent hearing of the Board for another determination of completeness. If it is determined that the application is complete, only then shall the Board open the public hearing on said application.

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 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 New Hampshire RSA 36:55; and,**
- **Open the public hearing.**

If the Board chooses to deem the application incomplete, the Board would move to:

- Determine that the application is incomplete;
- State the reasons why and list the items needed for a complete determination; and,
- State that the application may be revised and resubmitted to a subsequent hearing 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 New Hampshire 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 October 16, 2024, and end on **December 20, 2024**. If the applicant has not demonstrated compliance with the Subdivision Regulations by the end of the statutory timeline (**December 20, 2024**), 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 for a condominium conversion for two existing structures at 87 South Main Street in the Urban Commercial (CU) District.

Tax Map Lot 7413Z 38 is addressed as 87 South Main Street and contains an existing commercial building and a parking structure with a single-family dwelling on the upper story.

The intent of this application is to change the form of ownership of the already existing and improved lot and no new construction is proposed.

**Compliance:**

The following analysis of compliance with the Zoning Ordinance and Subdivision Regulations is based on a narrative, dated August 29, 2024, prepared by Richard D. Bartlett & Associates, LLC; a 2-sheet condominium plat, dated August 13, 2024, prepared by Richard D. Bartlett & Associates, LLC; a 2-sheet waiver request, dated August 29, 2024, prepared by Richard D. Bartlett & Associates, LLC; a 28-sheet Declaration of Condominium; and a 13-sheet By-Laws of The Carriage House Condominium Owners Association.

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

Zoning District:	Urban Commercial (CU) District
Existing Use:	87 S Main St – Office Building, parking structure and Single Family Residential
Proposed Use:	85 S Main St – Office Building 87 S Main St – Parking Structure and single family residential
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	12,500 square feet	18,538 square feet
Minimum Buildable Land	6,250 square feet	18,538 square feet
Minimum Lot Frontage	100 feet	Not Provided
Minimum Front Yard	15 feet	Not Provided
Minimum Rear Yard	15 feet	Not Provided
Minimum Side Yard	15 feet	Not Provided
Maximum Lot Coverage	80%	71%

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

**2. Subdivision Regulations Compliance and 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 Staff notes that, 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 a 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 October 1, 2024, for the Board’s consideration of completeness on October 16, 2024.

The application was considered by staff to conform with the Zoning Ordinance at the time of the mailing.

2.5 Staff notes that, 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, there will be no change in the use of land, and there will be no change in the site layout; therefore, the subdivision application shall be classified as a minor subdivision by the Clerk.

- 2.7 Per Section 6.02(5) *Voluntary Mergers* and Section 11.01 *Procedure for Voluntary Merger*, the property ownership for the parcels must be the same for all parcels. Staff notes that the site is one parcel, so this is not applicable.
- 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 were required. No permit applications to state and federal agencies are necessary. The application included requests from waivers as described in Item 4 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 Engineering Division noted that water and sewer utilities are shared by the two buildings as described in the Declaration of Condominium document. Section 2-401 of the Declaration of Condominium states that the water service is not separately metered but a note on the plan shows that the buildings are separately metered. Which is the case?
- 2.11 The Fire Department noted that the project was reviewed and since this building is a multiple occupancy, it is critical for the owner to be aware that a sprinkler suppression system may be required depending on the use of the commercial space.
- 2.12 The Assessing Department noted that a full description is not stated for Exhibit A of the Condo docs.

Provide the full description, including the metes and bounds description, as part of Exhibit A *Submitted Land* as indicated in Article 2-100 Description of Land of the Declaration of Condominium for the Carriage House Condominium documents.

Staff suggests adding this description below the reference to the recorded plan of Exhibit A.

2.13 The General Services Department had no comments.

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

- 2.14 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 2.15 through 2.30.
- 2.15 Section 12.02(1)(b) *Title Block* requires that the name and address of the owner and the applicant be included in the title block. This information appears to be missing. Specifically, the owner name and owner address are missing.
- 2.16 Section 12.02(3) *Standard Notes* requires listing the notes set forth in Appendix B. The plat does not appear to contain all information as required by Appendix B. Specifically, additional required tabulations of use, area, parking existing and proposed, useable and buildable land area, etc, as applicable.
- 2.17 Section 12.02(4) *Conditions of Planning Board Approval* requires listing conditions of approval which remain to be fulfilled after plat recording. This requirement can be satisfied by adding a note that states: “The development is subject to all subsequent conditions of Planning Board approval from Case 2024-067.” In the area reserved for Planning Board conditions on sheet 1 of 2.
- 2.18 Section 12.03(5) *Wetland* requires that 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. It appears that sheet does not contain the signature and seal of the required certified wetland scientist. If the site does not contain any wetlands, a note needs to be added to both the existing conditions plan and the subdivision plat stating that the site does not contain any wetlands.
- 2.19 Section 12.06(2) *Easements* requires showing on the plat the plan or deed references for recorded easements for the purposes of providing access, utilities, and drainage. A note needs to be added to the plat stating that there are no existing recorded easements for utilities or drainage for clarification and confirmation.

Staff notes that the underground electric and fiber optic services for the carriage house cross the property line of 89 South Main Street Lot 7413Z 39 to the south with no reference of what allows this crossing. A note added stating what allows the crossing, or an easement shall be obtained prior to final approval.

- 2.20 Section 12.07 *Wetland Delineations* requires that the existing conditions plan and the subdivision plat contain the signature and seal of the New Hampshire certified wetland scientist who performed the wetland delineation, as well as the date of the wetland delineation. If the site does not contain any wetlands, a note needs to be added to both the existing conditions plan and the subdivision plat stating that the site does not contain any wetlands.

- 2.21 Section 12.08(13) *Flood Hazard* requires that a notation as to whether or not the property is located in a Flood Hazard Zoning Overlay District be noted on the existing conditions plan, along with the location of the boundary line of the Flood Hazard Zoning Overlay District if it transects the property, and the required finished floor elevation if all or a portion of the property is located within a flood hazard area. This required information appears to be missing and should be included as part of Note 7 on sheet 1 of 2.
- 2.22 Section 12.08(14) *Aquifers* requires that the existing location plan show the boundaries and label for each water systems protection area. This information appears to be missing from that plan. If the site does not contain any water system protection area, a note shall be added to the existing conditions plan stating that the site does not contain any water systems protection areas.
- 2.23 Section 12.08(15) *Shoreland Protection* requires that the existing conditions plan show the boundaries and label for the shoreland protection overlay district and the natural vegetative and woodland buffers associated with that district. If the site does not contain any shoreland protection overlay districts, a note shall be added to the existing conditions plan stating that the site does not contain any shoreland protection overlay districts.
- 2.24 Section 12.08(17) *Solid Waste and Outside Storage* requires that the type and location of existing solid waste disposal facilities be shown on the existing conditions plan. Also required is showing the locations, dimensions, height, and types of material or equipment stored in existing outside storage areas. If the site does not contain any solid waste areas, a note shall be added to the existing conditions plan stating that the site does not contain any solid waste areas. If the site does not contain any outside storage areas, then the note shall be added to the existing conditions plan stating as much.
- 2.25 Section 12.08(19) *Setbacks and Buffers* requires that setbacks and buffers shall be shown and dimensioned, including wetland buffers, shoreland protection district buffers, buffers to bluffs, and residential district buffers. If the site does not require or contain any of the stated buffers, a note shall be added to the existing conditions plan stating as much.
- 2.26 Section 12.08(23)(b) *Tabulations* requires that the square footage of each existing building broken down by floors and use be listed on the existing conditions plan. This information appears to be missing from said plan as required.
- 2.27 Section 15.01(3) *Required Information* requires that the application provide a wetland delineation and wetland buffers, where applicable. If the site does not contain any wetland or wetland buffers, a note shall be added to the subdivision plat stating as much.
- 2.28 Section 15.02(8) *Street Names and Addresses* requires the address of each existing and proposed lot to be noted on the plat as approved by the City Engineer. The City Engineer will confirm the proposed allocation of 85 South Main and 87 South Main Street to the two buildings on the site.
- 2.29 Section 15.03(13) *Municipal Water Supply* requires showing the location and size of all existing and proposed water mains, including hydrants, gates, valves, and blowoffs. Unless the applicant has data stating otherwise, the ¾" CT water line on South Main Street servicing the hydrant shall be revised to show a 6-inch line per city water valve #2163 record.

- 2.30 Section 15.03(17) *Conditions of Approval* requires that the 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 appears to be missing from the plat, and can be satisfied with a note stating: “The development is subject to all subsequent conditions of Planning Board approval from Case 2024-067.” In the area reserved for Planning Board conditions on sheet 1 of 2.

**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.**

- 2.31 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.
- 2.32 Section 17.05 *Acceptable Water Metering and Water Service* requires demonstration of one or more of four provisions for water metering and water service for the conversion of the existing buildings into a condominium. The site plan and condominium documents shall be revised to clearly show how compliance with this section will be achieved.

Staff notes that the Site Plan indicates that 85 South Main Street is separately metered, while Section 2-401 *Utility Systems* of the Condominium Declaration states the water line is not separately metered. Prior to final approval, the applicant shall show compliance with one or more of the provisions of Section 17.05 *Acceptable Water Metering and Water Service*.

- 2.33 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. Prior to final review and approval, the condominium declaration document shall also be revised to include the metes and bounds description as part of Exhibit A *Submitted Land* as referenced in Article 2-100 *Description of Land* of the Declaration of Condominium for the Carriage House Condominium documents.

**3 Variances:**

- 3.1 At the meeting held on April 6, 2022, the Zoning Board of Adjustment granted the applicant's requested variances as follows:
- Article 28-4-2(j) *Table of Principal Uses*, along with supplemental standards contained in Article 28-5-7 to allow for concurrent construction of a single family dwelling on upper story of said parking structure, where such a use is allowed only as a conversion of an existing nonresidential structure in a CU-Urban Commercial District.

No additional zoning relief appears to be required for the application as submitted.

**4 Waivers:**

- 4.1 The applicant requests waivers from the following sections of the Subdivision Regulations:
- 15.02(3) *Scale*

- 15.03(11) *Municipal Sewer*

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)(2).

**Staff reviewed the evidence submitted and supports the waiver requests.**

**5 Conditional Use Permits:**

- 5.1 No conditional use permits are requested.

**6 Architectural Design Review:**

- 6.1 No architectural design review is required for a subdivision.

**7 Conservation Commission:**

- 7.1 No appearances before the Conservation Commission are necessary for a subdivision 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 the waiver requests below** from the listed sections of the Subdivision Regulations, using the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Subdivision Regulations:

- 15.02(3) *Scale* – To allow a scale of 1" = 10' where normally a scale of 1"=20', 1"=30', 1"=40', 1"=50', or 1"=60' is required.
- 15.03(11) *Municipal Sewer* – To not provide location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, catch basins, and culverts other than what has been provided for onsite and adjacent storm drains.

- 8.4 **Grant minor subdivision approval** for the two-unit condominium subdivision of 87 South Main Street, 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. Section 12.02(1)(b) Title Block requires that the name and address of the owner and the applicant be included in the title block. This information appears to be missing. Specifically, the owner name and owner address are missing.
  - b. Section 12.02(3) Standard Notes requires listing the notes set forth in Appendix B. The plat does not appear to contain all information as required by Appendix B. Specifically, additional required tabulations of use, area, parking existing and proposed, useable and buildable land area, etc, as applicable.
  - c. Section 12.02(4) Conditions of Planning Board Approval requires listing conditions of approval which remain to be fulfilled after plat recording. This requirement can be satisfied by adding a note that states: "The development is subject to all subsequent



- conditions of Planning Board approval from Case 2024-067.” In the area reserved for Planning Board conditions on sheet 1 of 2.
- d. Section 12.03(5) Wetland requires that 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. It appears that sheet does not contain the signature and seal of the required certified wetland scientist. If the site does not contain any wetlands, a note needs to be added to both the existing conditions plan and the subdivision plat stating that the site does not contain any wetlands.
  - e. Section 12.06(2) Easements requires showing on the plat the plan or deed references for recorded easements for the purposes of providing access, utilities, and drainage. A note needs to be added to the plat stating that there are no existing recorded easements for utilities or drainage for clarification and confirmation. Staff notes that the underground electric and fiber optic services for the carriage house cross the property line of 89 South Main Street Lot 7413Z 39 to the south with no reference of what permits this use. A note added stating what permits this use, or an easement shall be obtained prior to final approval.
  - f. Section 12.07 Wetland Delineations requires that the existing conditions plan and the subdivision plat contain the signature and seal of the New Hampshire certified wetland scientist who performed the wetland delineation, as well as the date of the wetland delineation. If the site does not contain any wetlands, a note needs to be added to both the existing conditions plan and the subdivision plat stating that the site does not contain any wetlands.
  - g. Section 12.08(13) Flood Hazard requires that a notation as to whether or not the property is located in a Flood Hazard Zoning Overlay District be noted on the existing conditions plan, along with the location of the boundary line of the Flood Hazard Zoning Overlay District if it transects the property, and the required finished floor elevation if all or a portion of the property is located within a flood hazard area. This required information appears to be missing and should be included as part of Note 7 on sheet 1 of 2.
  - h. Section 12.08(14) Aquifers requires that the existing location plan show the boundaries and label for each water systems protection area. This information appears to be missing from that plan. If the site does not contain any water system protection area, a note shall be added to the existing conditions plan stating that the site does not contain any water systems protection areas.
  - i. Section 12.08(15) Shoreland Protection requires that the existing conditions plan show the boundaries and label for the shoreland protection overlay district and the natural vegetative and woodland buffers associated with that district. If the site does not contain any shoreland protection overlay districts, a note shall be added to the existing conditions plan stating that the site does not contain any shoreland protection overlay districts.
  - j. Section 12.08(17) Solid Waste and Outside Storage requires that the type and location of existing solid waste disposal facilities be shown on the existing conditions plan. Also required is showing the locations, dimensions, height, and types of material or equipment stored in existing outside storage areas. If the site does not contain any solid waste areas, a note shall be added to the existing conditions plan stating that the site does not contain any solid waste areas. If the site does not contain any outside storage areas, then the note shall be added to the existing conditions plan stating as much.
  - k. Section 12.08(19) Setbacks and Buffers requires that setbacks and buffers shall be

- shown and dimensioned, including wetland buffers, shoreland protection district buffers, buffers to bluffs, and residential district buffers. If the site does not require or contain any of the stated buffers, a note shall be added to the existing conditions plan stating as much.
- l. Section 12.08(23)(b) tabulations requires that the square footage of each existing building broken down by floors and use be listed on the existing conditions plan. This information appears to be missing from said plan as required.
  - m. Section 15.01(3) Required Information requires that the application provide a wetland delineation and wetland buffers, where applicable. If the site does not contain any wetland or wetland buffers, a note shall be added to the subdivision plat stating as much.
  - n. Section 15.02(8) Street Names and Addresses requires the address of each existing and proposed lot to be noted on the plat as approved by the City Engineer. The City Engineer will confirm the proposed allocation of 85 South Main and 87 South Main Street to the two buildings on the site.
  - o. Section 15.03(13) Municipal Water Supply requires showing the location and size of all existing and proposed water mains, including hydrants, gates, valves, and blowoffs. Unless the applicant has data stating otherwise, the ¾" CT water line on South Main Street servicing the hydrant shall be revised to show a 6-inch line per city water valve #2163 record.
  - p. Section 15.03(17) Conditions of Approval requires that the 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 appears to be missing from the plat, and can be satisfied with a note stating: "The development is subject to all subsequent conditions of Planning Board approval from Case 2024-067." In the area reserved for Planning Board conditions on sheet 1 of 2.
  - q. 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.
  - r. Section 17.05 *Acceptable Water Metering and Water Service* requires demonstration of one or more of four provisions for water metering and water service for the conversion of the existing buildings into a condominium. The site plan and condominium documents shall be revised to clearly show how compliance with this section will be achieved. Staff notes that the Site Plan indicates that 85 South Main Street is separately metered, while Section 2-401 *Utility Systems* of the Condominium Declaration states the water line is not separately metered. Prior to final approval, the applicant shall show compliance with one or more of the provisions of Section 17.05 *Acceptable Water Metering and Water Service*.
  - s. 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. Prior to final review and approval, the condominium declaration document shall also be revised to include the meets and bounds description as part of Exhibit A *Submitted Land* as referenced in Article 2-100 *Description of Land* of the Declaration of Condominium for the Carriage House Condominium documents.

2. The plat shall list all approved variances, waivers, and conditional use permits with the section numbers and description, and date of approval.
  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 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.
  7. 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.
- (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 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.
  3. 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