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

Staff Report for Planning Board

Meeting on November 19, 2025
Project Summary – Minor Subdivision

Project: Re-subdivision (2025-124)
Property Owner: 2 Granite Place LLC,
Applicant: Richard D. Bartlett & Associates, LLC
Project Address: 1 Granite Pl, Unaddressed Granite Pl, 1 Granite Pl, & Unaddressed Penacook St.
Tax Map Lot: Map 583Z, Lots 63, 63-1, 64 and Map 651Z, Lot 68

Determination of Completeness:

Per Section 9.06 of the Subdivision Regulations, a complete application will contain the 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 it is determined that the application is complete, the Board shall then open the public hearing on the application. An application which is determined to be incomplete may be revised and resubmitted to a subsequent meeting of the Board for another determination of completeness.

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 does contain sufficient information and detail for a full review and subsequent 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. If the Board determines

the application complete on November 19, 2025, then the 65-day review period would end on **January 23, 2026**. If the applicant has not demonstrated compliance with the Site Plan Regulations by the end of the statutory timeline (**January 23, 2026**), the applicant may request a postponement or the Board may approve, approve conditionally, or deny the application based on the information provided.

Project Description:

2 Granite Place, LLC is requesting a re-subdivision of Map 651Z, Lot 68, which consists of 106.72 acres of undeveloped land off Penacook Street, and properties identified as Map 538Z Lot 64 which consists of 41.27 acres off Rumford Street upon which sits the north building wing and associated amenities of former Lincoln Financial Insurance Co. campus known as 2 Granite Place, and Map 583Z, Lot 63-1 which consists of 27.84 acres fronting on Rumford and Penacook Street. The State of New Hampshire is the current owner of property identified as Map 583Z, Lot 63 which consists of 6.41 acres upon which is the south building wing and associated amenities of the former Lincoln Financial Insurance Co. campus known as 1 Granite Place. The State of New Hampshire desires to acquire the land, buildings, primary access way, parking areas, etc., known as 2 Granite Place, the parties are proposing a lot line adjustment to accomplish the task with the intent to merge the lot with 1 Granite Place. An access easement over the secondary access will be conveyed to the State of New Hampshire.

2 Granite Place, LLC intends to convey 11.61 acres of Lot 64, to the State of New Hampshire . The remaining portions of Lot 64, consisting of a total of 29.66 acres, will be annexed to Lot 63-1, together with 95.59 acres of undeveloped land of Map 651Z, Lot 68, thus creating a new lot area for Lot 63-1 consisting of 153.09 acres. The applicant intends to convey the 153.09 acre parcel to the City of Concord. Specifically, a conservation easement or deed covenant restricting future development is proposed to be placed upon 134.89 acres Lot 63-1 to preserve public access to the trail system. The remaining 18.2 +/- acres of the parcel are intended for future taxable development by a developer to be selected by the City.

The remaining portion of Map 651Z Lot 68 will be subdivided into one new residential lot of 0.26 acres fronting on Penacook Street and the residual land consisting of 10.51 acres will be a residential lot fronting on Little Pond Road. As a result of this application, there will be no net change in the number of lots. Lot 64 will no longer exist and its frontage will be transferred to the State of NH. Lot 63 will continue to front on Rumford and Penacook Street and obtain additional non-contiguous frontage for access to the recreational trails on Penacook Street, one small residential lot will front on Penacook Street, and the remainder of Lot 68 will continue to front on Little Pond Road.

Upon completion of this re-subdivision, the total number of lots pre and post approval will remain the same (4 total lots).

Compliance:

The following analysis of compliance with the Zoning Ordinance and Subdivision Regulations is based on a dated narrative of October 13, 2025 submitted October 15, 2025, prepared by Richard D. Bartlett & Associates, LLC, and a 4-sheet re-subdivision plat, dated October 13, 2025, prepared by Richard D. Bartlett & Associates, LLC.

1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Single-Family Residential (RS) District Open Space Residential (RO) District
Existing Use:	Office Buildings and Undeveloped Land
Proposed Use:	Re-subdivision
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 RO	Required RS	Map 583z Lot 63-1	Map 583z Lot 63	Map 651z Lot 68	Lot 1
Minimum Total Area	87,120 square feet	12,500 square feet	6,668,817 square feet	68,866 square feet	457,723 square feet	26,994 square feet
Minimum Buildable Land	20,000 square feet	6,250 square feet	68,854 square feet	784,891 square feet	8712 Square feet	5,000 Square feet
Minimum Lot Frontage	200 feet	100 feet	1052.49 feet	244.62 feet on Rumford St	50 feet	138.91 feet
Minimum Front Yard	50 feet	25 feet	Undeveloped	Not provided	Undeveloped	Undeveloped
Minimum Rear Yard	50 feet	25 feet	Undeveloped	Not provided	Undeveloped	Undeveloped
Minimum Side Yard	40 feet	15 feet	Undeveloped	Not provided	Undeveloped	Undeveloped
Maximum Lot Coverage	10%	40%	Undeveloped	Not provided	Undeveloped	Undeveloped
Maximum Building Height	35 feet	35 feet	Undeveloped	Not provided	Undeveloped	Undeveloped

- 1.1 As proposed, the project complies with the Zoning Ordinance, following the granting of the variance noted it item 4 below.

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 November 3, 2025, for the Board's consideration of completeness on November 19, 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 6.03(1), there is only a final plat stage for minor subdivisions.
- 2.7 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 in Item 3 of this staff report. **No conditional use permit applications are required. No permit applications to state and federal agencies are necessary for this application. The application included requests from waivers as described in Item 5 of this staff report.**
- 2.8 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.
- 2.9 Section 19.05(9) *Conservation Lots* states where lots are proposed to be permanently protected as conservation or open space, exclusive of public parks and recreation areas, and conveyed to the City, the State of NH, the Federal government, or a private conservation agency, the requirements for demonstrating buildable area and useable lot area do not apply. However, buildable lot area must be shown if the buildable lot area needs to be used to establish residential density as part of a cluster subdivision or to meet the buildable open space requirements of a cluster subdivision. Staff notes the applicant proposes to place a portion of Map Block Lot 583Z 63-1 into conservation and Section 19.05(9) may apply to portions of that lot. However, buildable and useable areas must be provided for any portion of the lot not proposed for conservation.
- 2.10 The Assessing Department commented that the entire property located at Tax Map & Lot 651/ Z 68 (currently 106.72 acres) is enrolled into Current Use. Proposed Lot #1 (shown as .62 acres) does not meet the minimum acreage requirements to remain eligible for current use as a stand-alone parcel. Once the contiguous parcel is sold, and no longer under identical ownership, the land would be removed from current use and a Land Use Change Tax would be issued. The other proposed residential lot, shown as area "G" on the plans and consisting of 10.51 acres, does meet

the 10-acre requirement to remain in CU. However, any land impacted by improvements/development (driveways, utilities, homesite, etc..) would need to be removed from current use and would also trigger a Land Use Change Tax to be issued. If the area impacted by development of the parcel exceeds .51-acres, the property would no longer have the necessary 10 qualifying acres and the entire property would be removed from current use.

- 2.11 The Fire Department reviewed the application and had no comments.
- 2.12 The Engineering Services Division reviewed the application and commented that Easements will be necessary for the water line and the underground telephone and alarm infrastructure that crosses the site from Penacook Street and that the proposed residential lot on Penacook Street will have an address of 104 Penacook Street and that the residential lot on Little Pond Road will have an address of 16 Little Pond Road.
- 2.13 The General Services Department reviewed the application and had no 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 Sections 12.02(4) *Conditions of Planning Board Approval*, and 15.03(17) *Conditions of Approval* a note on the subdivision plat stating conditions remaining to be fulfilled after recording shall be required. This can be satisfied by adding a note stating that Case 2025-124 shall abide by all subsequent conditions from the Planning Board's decision on November 19, 2025.
- 3.2 Per Section 12.08(7) *Building and Structures* requires the location, layout, use, and exterior dimensions of existing buildings and structures. While the existing conditions plan does show the location and layout of existing buildings, and the use, the exterior dimensions of the existing buildings on the site are missing and shall be provided. Unless a waiver is approved by the Planning Board.
- 3.3 Per Section 12.08 (7) *Lot Numbers*, all lots shall be sequentially numbered. For existing lots, the City Tax Assessors Map- Block- Lot numbers shall be used. The plat shows a Tax Map and Lot number on the newly subdivided 10.51-acre parcel. The Tax -Map and Lot number shall be removed and shall be numbered sequentially.
- 3.4 Per Section 12.08 (23) *Tabulations(d)*, The existing useable land area calculations for residential development and net land area calculations for non-residential development shall be shown on the existing conditions sheet or the final plat. Only the 10.51-acre parcel and .62-acre parcel provide the useable land area tabulation. The applicant shall submit the useable land area tabulations for the remaining parcels or submit a waiver to satisfy the requirement.
- 3.5 Per 15.02(8) *Addresses*, the address of each existing and proposed lot shall be noted on the plat as approved by the City Engineer. Proposed addresses are not noted on the plat for the new lots being created. The proposed residential lot on Penacook Street will have an address of 104 Penacook Street. The proposed residential lot on Little Pond Road will have an address of 16 Little Pond Road. To satisfy this requirement the address' shall be added to the proposed subdivision plat.

- 3.6 Per Section 15.03 (1) *Abutting Property*, existing abutting properties including property lines, buildings, wells and septic systems, owner's names and addresses, property addresses, and Tax Assessors Map-Block-Lot numbers. The abutting septic systems are missing from the plat. Unless a waiver is approved by the Planning Board.
- 3.7 Per Section 15.03(3) *Tabulations*, requires to be provided on the final plat the areas of each lot in square feet and/or acres for new and existing lots, expressed to the nearest square foot and/or nearest hundredth of an acre. The area of contiguous buildable land shall be tabulated for each lot and shown on the plat drawing.

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.

- 3.8 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 copies of this application have been included as part of this application 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.
- 3.9 Per Section 13.02(3) *Open Space*, a conservation easement and easement plan shall be provided for the proposed conservation area on Map Block Lot 583Z 63-1. The conservation easement deed and plan is subject to the review and approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The conservation easement deed and plan shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.
- 3.10 Per Section 13.02(9) *Agreement to Convey a Private Easement*, an agreement to convey a private easement shall be provided where easements or common facilities are to benefit the future owners of the individual lots including, but not limited to, vehicular and pedestrian access, drainage, utility, and access for maintenance purposes. The format of an agreement to convey an easement shall be approved by the City Solicitor and the Clerk of the Planning Board shall conform to the format contained in Appendix C, Easements and Legal Documents, and shall be recorded in the Merrimack County Registry of Deeds with the subdivision plat.
- a. The resubdivision leaves multiple existing utilities crossing throughout separate lots and an agreement to convey utility easement deeds and easement plans for all water, sewer, fire alarm, and other nonmunicipal utilities such as gas, electrical, and telecommunications shall be submitted by the applicant subject to review and approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The agreement shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.
- b. An agreement to convey an access easement deed and easement plan shall be provided to allowing shared driveway access from Rumford Street between Map Block lot 583Z 63 and Map Block Lot 583Z 63-1 shall be submitted by the applicant subject to the review and

approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The agreement shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.

- 3.11 Section 19.05(3) *Buildable Lot Area* requires a minimum buildable lot area shall be provided for each new lot, as set forth in the City of Concord Zoning Ordinance. Specifically, none of the proposed resubdivided lots provide the required minimum buildable lot area shown on the plan and shall be provided.
- 3.12 Section 19.05(4) *Useable Lot Area Rectangle* requires each lot intended for development purposes shall contain within the lot a minimum contiguous area of useable land. The minimum contiguous area of useable land shall be the result of multiplying the minimum lot size by the maximum lot coverage in percent, or 10,000 square feet, whichever is less. The minimum lot size and maximum lot coverage as a percent is defined in Article 28-4-1(h), Table of Dimensional Regulations in the City of Concord Zoning Ordinance. The minimum contiguous area of useable land shall be rectangular in shape, with no horizontal dimension which is less than sixty (60) feet. Specifically, the required useable lot rectangle is not shown for Map Block lot 583Z 63 and Map Block Lot 583Z and shall be provided.
- 3.13 The Assessing Department reviewed the application and had no compliance requirement comments.
- 3.14 The Fire Department reviewed the application and had no compliance requirement comments.
- 3.15 The Engineering Services Division reviewed the application and had no compliance requirements.
- 3.16 The General Services Department reviewed the application and had no compliance requirement comments.

4 Variances:

- 4.1 The applicant received a variance to allow for 50 feet of frontage for the proposed 10.51 acre residential lot from the Zoning Board of Adjustments on November 5, 2025 (Case# 0327-2025).

5 Waivers:

- 5.1 The applicant requests waivers from the following sections of the Subdivision Regulations:
 - a. Section 12.03(5) & 15.01(3) *Wetland*;
 - b. Section 12.07 *Wetland Delineations*;
 - c. Section 12.08(3) & 15.03(4) *Topography*;
 - d. Section 12.08(10) *Municipal Utilities*;
 - e. Section 12.08(11) *Non-Municipal Utilities*;
 - f. Section 12.08(12) & 15.03(12) *Wells and Septic*;
 - g. Section 12.08(16) *Signs*;
 - h. Section 12.08(7) *Solid Waste & Outside Storage*;
 - i. Section 12.08(18) *Lighting*;
 - j. Section 12.08 (20) *Vegetation*;
 - k. Section 12.08(23) (b)(c) *Tabulation*;
 - l. Section 15.03(11) *Municipal Sewer*.

For Item 5.1(a) through (e), and 5.1(g) through (k) the applicant provided an analysis of the five waiver criteria listed in Section 35.08 of the Subdivision Regulations, and the criteria in RSA 674:36(II)(n). Staff reviewed the criteria and found the criteria to be satisfactorily addressed, the applicant has provided sufficient information from the Subdivision Regulations without additional information required by these sections for the Board to act on this application, and recommends the Board approve these waivers.

For Item 5.1(f), the applicant provided an analysis of the five waiver criteria listed in Section 35.08 of the Subdivision Regulations, and the criteria in RSA 674:36(II)(n). Staff reviewed the criteria and found the criteria to be satisfactorily addressed for Section 12.08(12) but not Section 15.03(12), as the intent and spirit of the regulations is to ensure any new lots can be developed, and the applicant should conduct the necessary test pits to verify the lot can be serviced with a septic system. Staff recommends the Board approve a waiver to Section 12.08(12) with the condition that the required State and Federal Permits be submitted at the time of submission of Building Permits, and deny the waiver from Section 15.03(12), and that the applicant shall provide the test pit location and test pit logs prior to final approval.

6 Conditional Use Permits:

- 6.1 A conditional use permit was granted by the Planning Board on May 21, 2025 from section 28-7-11(f) driveway separation to allow 30.1 feet where 40 feet is required (Case # 2025-042).

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 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 12.03(5) & 15.01(3) *Wetland*, to not provide the signature and seal of the certified wetland specialist on the subdivision plat;
- b. Section 12.07 *Wetland Delineations*, to not provide the signature and seal of the certified wetland specialist on the subdivision plat;
- c. Section 12.08(3) & 15.03(4) *Topography*, to not provide additional existing topographic conditions;
- d. Section 12.08(10) *Municipal Utilities*, to not provide additional location, size, material, and type of municipal utilities currently serving the subdivision, including all structures, valves, hydrants, meters, and other appurtenances;
- e. Section 12.08(11) *Non-Municipal Utilities*, to not provide additional location, type and size, where applicable, of the non-municipal utilities which currently serve the subdivision, including transformers, switch boxes, and other appurtenance;

- f. Section 12.08(12) *Wells and Septic Systems*, to not provide the location of existing wells and subsurface waste disposal systems on the property and on immediately adjacent property, if new wells and septic systems are proposed;
- g. Section 12.08(16) *Signs*, to not show additional size and location of existing signs;
- h. Section 12.08(7) *Solid Waste & Outside Storage*, to not provide additional type and location of existing solid waste disposal facilities. All existing outside storage areas noting dimensions, height, and types of material or equipment stored;
- i. Section 12.08(18) *Lighting*, to not provide additional type and location of existing outdoor lighting
- j. Section 12.08 (20) *Vegetation*, to not provide additional location, type, and size of existing trees on the site, or in the case of heavily wooded portions of the site, the edge of clearing;
- k. Section 12.08(23) (b)(c) *Tabulation*, to not provide Square footage of each existing building broken down by floor and use category and to not provide Impervious surface coverage in square feet and percent;
- l. Section 15.03(11) *Municipal Sewer*, to not provide additional location, size, rim, and invert elevations of existing and proposed sanitary and storm sewers including manholes, catch basins, and culverts.

9.3 **Deny the waiver request below** from the listed section of the Subdivision Regulations, because the request does not meet the criteria of RSA 674:36(II)(n)(1) or (2) or Section 35.08 of the Subdivision Regulations:

- a. Section 15.03(12) *Septic Systems*, to not provide test pit locations and soil and data test results sufficient to submit an application for subdivision approval to the State of NH Department of Environmental Services

9.4 **Grant minor subdivision approval** for the lot line adjustment and four-lot resubdivision of Tax Map 583Z Lots 63 and 64, Tax Map 583Z Lot 63-1, and Tax Map 651Z Lot 68 located at Granite Place in the Single Family Residential (RS) and Open Space Residential (RO) Districts, 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. Per Sections 12.02(4) *Conditions of Planning Board Approval*, and 15.03(17) *Conditions of Approval* a note on the subdivision plat stating conditions remaining to be fulfilled after recording shall be required. This can be satisfied by adding a note stating that Case 2025-124 shall abide by all subsequent conditions from the Planning Board's decision on November 19, 2025.
 - b. Per Section 12.08(7) *Building and Structures* the exterior dimensions of the existing buildings on the site are missing and shall be provided.
 - c. Per Section 12.08 (7) *Lot Numbers*, all lots shall be sequentially numbered. For existing lots, the City Tax Assessors Map- Block- Lot numbers shall be used. The plat shows a Tax Map and Lot number on the newly subdivided 10.51-acre parcel. The Tax -Map and Lot number shall be removed and shall be numbered sequentially.
 - d. Per Section 12.08 (23) *Tabulations*(d), the existing useable land area calculations for residential development and net land area calculations for non-residential development shall be shown on the existing conditions sheet or the final plat.
 - e. Per 15.02(8) *Addresses*, the address of each existing and proposed lot shall be noted on the plat as approved by the City Engineer. Proposed addresses are not noted on the plat for the new lots being created. The proposed residential lot on Penacook Street

will have an address of 104 Penacook Street. The proposed residential lot on Little Pond Road will have an address of 16 Little Pond Road. To satisfy this requirement the address' shall be added to the proposed subdivision plat.

- f. Per Section 15.03 (1) *Abutting Property*, the abutting septic systems are missing from the plat and shall be provided.
- g. Per Section 15.03(3) *Tabulations*, the area of contiguous buildable land shall be tabulated for each lot and shown on the plat drawing.
- h. Per Section 13.01(6) *State and Federal Permits* and Section 13.02(10) *State and Federal Permits*, a copy of the approved NHDES subdivision application shall be provided to the City Planning Division prior to final approval.
- i. Per Section 13.02(3) *Open Space*, a conservation easement and easement plan, or a deed restriction limiting future development, shall be provided for the proposed conservation area on the 134.89-acre portion of the 153.09-acre lot to be conveyed to the City. The conservation easement deed and plan or deed restriction is subject to the review and approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The conservation easement deed and plan or deed restriction shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.
- j. Per Section 13.02(9) *Agreement to Convey a Private Easement*, an agreement to convey utility easement deeds and easement plans for all water, sewer, fire alarm, and other nonmunicipal utilities such as gas, electrical, and telecommunications shall be submitted by the applicant subject to review and approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The agreement shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.
- k. Per Section 13.02(9) *Agreement to Convey a Private Easement*, an agreement to convey an access easement deed and easement plan shall be provided to allow shared driveway access from Rumford Street between the State of NH parcels and the proposed City parcel, as well as access rights across the State of NH parcel along the driveway between the main access driveway and the southeastern parking areas, shall be submitted by the applicant subject to the review and approval by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content. The agreement shall be recorded with the Merrimack County Registry of Deeds along with the resubdivision plat.
- l. Section 19.05(3) *Buildable Lot Area*, the resubdivided lots shall provide the required minimum buildable lot area shown on the plan.
- m. Section 19.05(4) *Useable Lot Area Rectangle* the required useable lot rectangle is not shown for Map Block lot 583Z 63 and Map Block Lot 583Z and shall be provided.
2. 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.
3. 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.
4. 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.

5. Per Section 19.05(3) *Boundaries and Blazing of Conservation Easements*, monuments for the boundaries of conservation easements shall be provided in the same manner as lot monuments. The border of conservation easements shall be blazed with paint and/or signed in a manner approved by the Clerk upon recommendation of the Conservation Commission.
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 and one full size plan 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.