



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

Staff Report for Planning Board

Meeting on August 20, 2025

Project Summary – Minor Subdivision (Condominium)

Project: Conversion to condominium (2025-088)
Property Owner: Granite Center LLC, c/o Foxfire Property Management Inc
Applicant: Jonathan Halle, Warrenstreet Architects, Inc.
Property Address: 100 N. Main Street
Tax Map Lot: 6443Z 15

Determination of Completeness:

To determine completeness of a minor subdivision application, the Board shall consider the requirements of Sections 9.06, 15.01, 15.02, and 35.16(1) of the Subdivision Regulations, the written recommendation of the Planning Division, and 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 said 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.

The Planning Division has 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). Provided the Board determines the application complete, the 65-day period shall commence on August 20, 2025, and end on **October 24, 2025**. If the applicant has not demonstrated compliance with the Subdivision Regulations by the end of the statutory timeline (**October 24, 2025**), the applicant may waive the requirement for Planning Board action within the 65-day time period and consent to an extension of the public hearing as may be mutually agreeable, or the Board may approve, approve conditionally, or deny the application based on the information provided at that time.

Project Description:

The applicant is seeking minor subdivision approval for a two-unit condominium conversion of an existing building at 100 N. Main St in the Central Business Performance (CBP) District. The site is identified as Tax Map Lot 6443Z 15. The purpose of this application is to change the form of ownership of the already-existing building, and no new construction, additions to the building, or changes to the developed site are proposed. The submitted narrative states that the entire fifth floor will be one unit, and the remainder of the building will be the second unit.

Compliance:

The following analysis of compliance with the Zoning Ordinance and Subdivision Regulations is based on a narrative, dated July 15, 2025, prepared by Warrenstreet Architects, Inc; a 1-sheet site plan, dated June 2025, prepared by Richard D. Bartlett & Associates, LLC; a 7-sheet condominium floor plan, dated July 15, 2025, prepared by Jonathan Halle with Warrenstreet Architects, Inc; and the condominium declaration and bylaws.

1. Project Details and Zoning Ordinance Compliance:

Zoning District: Central Business Performance (CBP) District
Existing Use: Mixed-use building
Proposed Use: Use will remain unchanged. Ownership will change to condominium

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

Wetland: None
Wetland Buffers: None

Zoning Code Item	Required	Proposed Unit One	Proposed Unit Two
Minimum Total Area	-----	42,397.53 square feet	6,882.06 square feet
Minimum Buildable Land	-----	Not provided	Not provided
Minimum Lot Frontage	22 feet	Not provided	Not provided
Minimum Front Yard	--- feet	Not provided	Not provided
Minimum Rear Yard	--- feet	Not provided	Not provided
Minimum Side Yard	--- feet	Not provided	Not provided
Maximum Lot Coverage	80%	58.8%	Not provided

2. General Comments:

- 2.1 Section 4.04 of the Subdivision Regulations states that the 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.
- 2.2 Section 6.01(4) *Conformity with Zoning* requires compliance with the Zoning Ordinance at the time the abutter notifications were mailed. Staff was unaware of any nonconformities with the Zoning Ordinance at the time of the mailing.
- 2.3 Section 6.01(5) *Conditional Use Permits* requires submittal of a completed conditional use permit application, if one is required, at the same time as the subdivision application. Staff reviewed for compliance and determined that no conditional use permits are required.
- 2.4 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. 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.
- 2.5 Section 9.02 *Minor Subdivision Application Requirements* requires the filing of certain items for a completed application. 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 permits are required, no state or federal agency permits are required, and requested waivers are described in Item 5 of this staff report.
- 2.6 Staff notes that, 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.
- 2.7 The Assessing Department reviewed the application and noted that the applicant's narrative describes the fifth floor as one separate unit, but the plan shows the fourth floor as being the separate unit.
- 2.8 The Fire Department, Engineering Services Division, and General Services Department had no general comments.

3. Subdivision Regulations Determination of Completeness:

The items below are missing from the submittal and **the Subdivision Regulations REQUIRE the items for the application to be deemed complete.**

None.

Subdivision Regulations Compliance:

The submittal was found to be compliant with all other sections of the Subdivision Regulations except as listed below, noting that the items listed below are missing as required for full compliance but are **not required for the determination of completeness.**

- 3.1 Section 12.02(1)(d) *Title Block* requires the name, address, seal, and signature of the licensed professional who prepared the plan or plat on the plat. While the name and address of the survey firm are present, the signature and seal of the licensed professional are missing from the plat as required. Staff assumes the final plat delivered for recording will contain the signature and seal of the licensed professional.
- 3.2 Section 12.03(2) *Plats* requires that a New Hampshire licensed land surveyor shall prepare the subdivision plat and certify the error of closure. The required error of closure is present, but the certification signature is missing. Staff assumes the final plat delivered for recording will contain the certification signature.
- 3.3 Section 15.02 *Final Plat Requirements* requires that certain information shall be accurately shown or noted on the plat drawing. The submitted subdivision plat contains all the required information except that listed below:
 - 15.02(1) *Licensed Land Surveyor* requires that the final plat shall be prepared, signed, and stamped by a New Hampshire licensed land surveyor. The plat is not signed or stamped by the required licensed land surveyor. Staff assumes the final plat delivered for recording will contain the signature and stamp as required.
 - 15.02(9) *Proposed Use* requires a statement of the proposed type of residential use of any lot (single-family, duplex, multi-family, townhouse) on the plat. Note 6 states: "The intent of this plat is to depict" and needs to be completed with a statement of the proposed use of each of the two proposed condominium units.
- 3.4 Section 17.03(2) *Building Floor Plans* requires that the floor plans shall include a standard Planning Board approval block. The 5-sheet floor plan set is missing the standard Planning Board approval block.
- 3.5 Section 17.04(2) *Common Facilities* requires the location, dimension, and purpose of each common area, and limited common area shall be shown on the floor plans. The square footage and locations of common and limited common areas are shown, but the purpose of each is nor are the dimensions labeled.
- 3.6 Section 17.04(3) *Common Facilities* requires that acceptable means for water metering, water service, and sewer service, including existing and proposed water and sewer service connections be shown on the final plat and the floor plans. There is no water metering or sewer service connection shown on either the final plat or the floor plans. Sewer lines and water lines are shown on the plat.

- 3.7 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 building into a condominium. Option 1 is to install separate water services and water meters for each condominium. Option 2 is to install separate water service valves at the street line and individual meters in the condominium units. Option 3 is to use a single meter for the building with the condominium association assuming responsibility for the water billing, and the fourth option is to install multiple water meters on a single water service where the service enters the building. The water meters and water service valves must be located in an accessible location, where water utility service personnel can enter without passing through individual condominium units. A note shall be added to both the final plat and the floor plans specifying the option chosen.
- 3.8 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. Staff notes that preliminary documents were included with the initial application, and there were no comments from the City Solicitor, Assessing, or the Clerk on the preliminary documents. Final documents will need to be submitted for a final review prior to execution.
- 3.9 The floor plans label the basement, first floor, second floor, third floor, and fifth floor as Unit 1. The fourth floor is labeled as Unit 2. Confirm the accuracy of this labeling and correct as necessary given that the narrative states the fifth floor is Unit 1, with the remainder of the building being Unit 2. It seems odd that the fourth floor would be Unit 2, with the fifth floor being part of Unit 1.
- 3.10 The Assessing Department, Fire Department, Engineering Services Division, and General Services Department reviewed the application and had no compliance requirements.
- 4 Variances:**
- 4.1 No variances are requested.
- 5 Waivers:**
- 5.1 No waivers are requested.
- 6 Conditional Use Permits:**
- 6.1 Conditional use permits are not required for this application.
- 7. Architectural Design Review:**
- 7.1 Architectural design review is not required for a minor subdivision.
- 8. Conservation Commission:**
- 8.1 Appearances before the Conservation Commission are not required 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 motion outlined below:

- 9.2 **Grant minor subdivision approval** for the condominium conversion of 100-110 N. Main St, subject to the following precedent and subsequent conditions:

(a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the condominium final plat and floor plans by the Chair and Clerk of the Planning Board, unless otherwise specified.

1. Revise the condominium final plat and floor plans as follows:
 - a. A New Hampshire licensed land surveyor shall sign and stamp the condominium final plat and the error closure statement. (Sections 12.02(1)(d) and 12.03(2))
 - b. Revise Note 6 on the condominium final plat to complete the sentence by stating the proposed use of the two condominium units. (15.02(9))
 - c. Add the standard Planning Board approval block to the 5-sheet floor plan set. (Section 17.03(2))
 - d. Add the purpose and dimensions to the floor plans of the common and limited common areas. (Section 17.04(2))
 - e. Add to the condominium final plat and the floor plans the water metering, water sewer, and sewer service information for each unit. (Section 17.04(3))
 - f. Add a statement to both the condominium final plat and the floor plans stating which of the water metering and water service options will be utilized for the condominium units. (Section 17.05)
 - g. Confirm the accuracy of the labeling of Unit 1 and Unit 2 on each of the respective floors on the floor plan and correct as necessary.
2. Submit to the Planning Division for review and approval the final condominium declaration and bylaws. (Section 17.06)
3. At the time of recording, provide the recording fees required by the Merrimack County Registry of Deeds for all plans and documents to be recorded. (Section 13.02(13))
4. Ensure that the condominium final plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds, including materials, font size, plan size, margins, and plat layout. (Section 15.02(12))
5. Upon notification from the Planning Division that the project complies with the precedent conditions, Zoning Ordinance, and Subdivision Regulations, deliver to the Planning Division for signature one mylar of the condominium final plat that contains the signature and seal of the appropriate licensed professionals as required by the Subdivision Regulations, and one mylar of the floor plan set that contains the signature and seal of the appropriate licensed professional as required by the Subdivision Regulations. (Sections 9.08(7), 17.02, and 17.03)

(b) Subsequent Conditions

1. The applicant is responsible for compliance with the municipal code, Subdivision Regulations, and Construction Standards and Details for the project, including obtaining necessary variances, waivers, and conditional use permits.

Prepared by: KOB