

2020-04

RECEIVED

DEC 13 2021

Planning Division
Concord, NH

December 15, 2021

City of Concord Planning Board
City Hall
41 Green Street
Concord, NH 03301

**RE: Request Waiver for Underground Utilities
Mary F. & Christopher R. Miller Minor Subdivision (2020-04)
23 & 25 Portsmouth Street, Concord, NH 03301**

Dear Planning Board Chair and Members:

At the Planning Board hearing on April 15, 2020, the Board granted Minor Subdivision approval for application 2020-04. The project proposed subdivision of a 0.75-acre lot to create a 0.25-acre single-family lot (23 Portsmouth Street) and a 0.50-acre remainder lot (25 Portsmouth Street) in the Neighborhood Residential (RN) District.

Matt and Elizabeth Finney purchased the property at 23 Portsmouth Street and are building a single-family home. They request a waiver from the Subdivision Regulations, Section 26: Non-Municipal Utilities, 26.02(1) Underground Utilities to install overhead electric, telephone, and cable. The subdivision is limited to the 2 single-family lots created in 2020. There is no possibility of a new road or larger subdivision. The request would be in keeping with the neighborhood. There are overhead lines on the south side of Portsmouth Street and overhead services to the houses on both sides of the road. We offer the following:

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

The request to install overhead electric and telecom services will not impact public health and safety. The services will be the same as those servicing other homes on Portsmouth Street.

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.*

Most subdivisions create a new road or yield several lots. This subdivision created 2 single-family lots in an existing residential neighborhood, and there is no possibility of expansion or creating a new road which makes this different from most subdivisions.

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

Portsmouth Street was recently repaved so minimizing or avoiding disturbances to the new pavement and subgrade preserves the City's investment. Additionally, the cost to install underground electric and telecom for this one home, while all others on the road are overhead, creates unnecessary hardship for the property owners.

4. *Specific circumstances relative to the subdivision or conditions of the land in such subdivision indicate the waiver will properly carry out, or not be contrary to, the spirit and intent of the regulations.*

The requirement for underground utilities for a new subdivision encompasses new roads and many new lots. This minor subdivision created 2 single-family lots on an existing street with no possibility of future expansion. All other homes on Portsmouth Street have overhead services, so granting the waiver will not be contrary to the spirit and intent of the regulations.

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

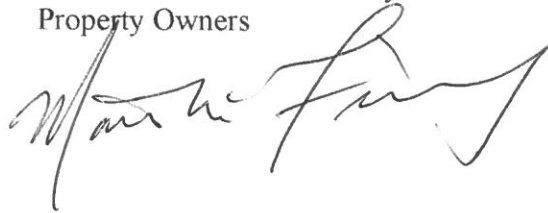
If you have any questions, or require additional information, please contact me at (603) 496-2365.

Very truly yours,

John G. Reardon, Jr.
Reardon Builders



Matthew & Elizabeth Finney
Property Owners



DEC 13 2021

Subdivision Application Waiver Request
23 Portsmouth Street Concord, NH 03301

Planning Division
Concord, NH

2020-04

Map	Block	Lot	Property Owner	Mailing Address	Fee
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Owner/Applicant:
23 Portsmouth St

Matthew and Elizabeth Finney	20 Tahanto Street Concord, NH 03301	1
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Abutters:

481Z	63	City of Concord	
481Z	70	Sally Wright Revocable Trust Sally Wright, Trustee	69 Fisk Road Concord NH 03301-62121
481Z	4	Freedom Properties, LLC	P.O. Box 22
481Z	3	James A. & Amy L. O'Shaughnessy	Contoocook, NH 03229-0022
481Z	71	Mary F. & Christopher R. Miller	26 Portsmouth Street Concord, NH 03301-5486
			25 Portsmouth Street Concord, NH 03301-5487

Other Professionals:

Builder	John Reardon	37 Curtisville Road Concord, NH 03301	6
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Fee Calculation (12/15/2021)

\$5 per abutter x 6 abutters \$30