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# CITY OF CONCORD

*New Hampshire's Main Street™*  
**Community Development Department**

## Planning Board

January 19, 2022

### **Project Summary – Amendment to Minor Subdivision Plan**

Project: Mary F. & Christopher R. Miller Subdivision Amendment (2020-04)  
Property Owners: Matthew & Elizabeth Finney and Mary F. & Christopher R. Miller  
Address: 23 and 25 Portsmouth Street

The Applicant is requesting an amendment to the previously approved 2-lot Minor Subdivision at 23-25 Portsmouth Street in the Neighborhood Residential District (RN).

#### **1. Project Background:**

- 1.1 At the April 15, 2020, meeting, the Planning Board approved a minor subdivision for the creation of a new single-family residential lot. The remainder lot (25 Portsmouth Street) was previously developed with a single-family residence.
- 1.2 The new single-family residence at 23 Portsmouth Street is currently under construction by the new owners. The current property owner is requesting a waiver to Section 26.02(1) *Underground Utilities* (Subdivision Regulations) which requires that all utilities be buried underground for new subdivisions, including existing buildings.
- 1.3 Currently, all surrounding properties in that neighborhood are serviced by overhead utilities. Further, it is unlikely that there will be any additional subdivisions in that neighborhood due to existing lot sizes; therefore, these will likely be the only houses with underground utilities. No further development of the existing house lot is proposed.
- 1.4 Engineering Services Division staff reviewed the request, and have no comments.
- 1.5 Since overhead utilities are compliant with the character and context of the surrounding neighborhood, and burying the lines pose a financial hardship, staff supports the waiver request.

#### **2. Recommendation**

- 2.1 Staff recommends that the Planning Board grant the waiver to Section 26.02(1) *Underground Utilities*, of the Subdivision Regulations, to not require the installation of overhead utilities at 23 and 25 Portsmouth Street, utilizing the criteria of RSA 674:44(1) which states that strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations.

Prepared by: BAF

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