



T.F. BERNIER, INC.
Land Surveyors~Designers~Consultants

50 Pleasant Street, P.O. Box 3464
Concord, NH 03302-3464

Environmental Permitting
State and Local Permitting
Land Surveying
Aerial Mapping
Aerial Photography

Tel. (603) 224-4148
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July 8, 2022

Richard S. Woodfin, Chair
City of Concord Planning Board
41 Green Street
Concord, NH 03301

Re: Amended Subdivision Approval Request
Assessors Map 33Z Lot 17
Horse Hill Road and Blackwater Road
Concord, NH 03303

Dear Chair Woodfin and Members of the Board:

Please find attached an amended subdivision plan for the property noted above. The purpose of this plan is to request a waiver to allow for two utility poles and two short sections of overhead wires on the lots numbered 17-1 and 17-2 on the original subdivision. A subdivision plan was completed by S&H Land services and approved by this planning board on March 17, 2021, and recorded at the Merrimack County Registry of Deeds as plan# 202100010269.

The previous owner / builder is requesting two waivers of the city's subdivision regulations to resolve an issue that occurred between Unitil, the city's Department of Public Works / Engineering Department and the subdivision regulations. We are requesting the following waivers to the City of Concord Subdivision Regulations,

Waiver Request #1

Section: 26.02 (1): Underground Utilities: Except in the Industrial (IN) Zoning District, all utility facilities including, but not limited to, gas, steam, electric power, telephone, telecommunication, and CATV cables, shall be located underground throughout the subdivision. Whenever existing utility facilities are located above ground on the property proposed for subdivision, the above ground utilities shall be removed and placed underground;

Rational: Due to Unitil's understanding of the wishes of the city, two telephone poles were installed outside of the right-of-way on the private property. This resulted in 2.9' of overhead utilities on the subdivided lot 17-2 and 2.4 feet of overhead utilities on lot 17-1 in violation of this regulation. After extensive discussion with the city officials, it was determined that a waiver request was the least offensive resolution.

Waiver Request #2

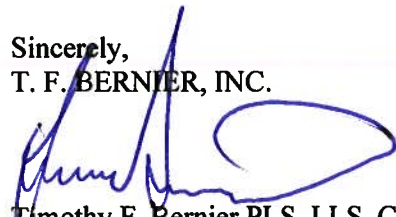
If the board deems it to be required, the following waiver is also requested.

Section 26.02 (2): Location: Utilities shall be located within street rights-of-way in accordance with the typical street cross-sections, as contained in Section 20, Street Layout and Access Standards and Section 21, Design Standards for Streets and Private Drives.

Rational: Based on Unital's understanding of what they were told by city officials, two telephone poles were installed outside of the right-of-way. This appears inconsistent with this section of the regulations. This resulted in the need for the prior waiver as well as this request.

Thank you for your time and consideration of this request. If you have any questions or need additional information, please give us a call.

Sincerely,
T. F. BERNIER, INC.



Timothy F. Bernier PLS, LLS, CWS
President

enclosures

cc: file 020-56



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ABUTTERS LIST
Amended Subdivision
Horse Hill Road L.L.C.

<u>MAP</u>	<u>LOT</u>	<u>OWNERS</u>
33Z	17-1	Brian Z. Evans Melissa R. Gibson 120 Horse Hill Road Concord, NH 03303
33Z	17-2	Alan Craig Kateri Kendall- Craig 124 Horse Hill Road Concord, NH 03303

<u>MAP</u>	<u>LOT</u>	<u>ABUTTERS</u>
33Z	17	Black Water Loop LLC 211 Bog Road Concord, NH 03303
33Z	16	Susan M. Fanelli 73 Wykagyl Terrace New Rochelle, NY 10804
36Z	2	City of Concord 41 Green Street Concord, NH 03301
33Z	34	Madison Elizabeth Allard Bryce J. Keaton 1 Warner Road Concord, NH 03303
33Z	4	The Laura M. Jobin Family, Trust of 2006 Richard D. Jobin, Trustee 75 South Main Street Unit 7, PMB 176 Concord, NH 03301
33Z	5	Norman Lacoy Betsey N. Lacoy 85 River Road Concord, NH 03303

33Z	15 & 11	Lee A. Day Patricia A. Day 48 Blackwater Road Concord, NH 03303
33Z	21	Chocolate Doves Soaring Trust Christopher Condodemetraky & Dina Saunders Condodemetraky, Trustees 19 Pearl Street Concord, NH 03301
33Z	18	Janet M. Bourne 116 Horse Hill Road Concord, NH 03303
33Z	31	William E. Bowen Elizabeth A. Bowen 119 Horse Hill Road Concord, NH 03303
33Z	32	Donna R. Craig 129 Horse Hill Road Concord, NH 03303
33Z	33	Mellissa Canfield 139 Horse Hill Road Concord, NH 03303

Professional Consultants

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