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

REPORT TO MAYOR AND THE CITY COUNCIL

FROM: Beth Fenstermacher, Assistant City Planner, on behalf of the Concord Conservation Commission

DATE: September 15, 2017

SUBJECT: Request for the Acceptance of Conservation Easement as part of conditionally approved Subdivision Plan application

Recommendation

Authorize the City Manager to accept the conservation easement, which is the result of the July 19, 2017, Planning Board conditional approval of the Major Subdivision Plan Application of H. Byers Smith & Marian Smith Trust/Jeffrey Knight at 393 Mountain Road (Tax Map 122, Block 4, Lot 3) with a Conservation Easement totaling 16.785 acres.

Background

The subdivision application listed above is located in the Open Space Residential (RO). Per Article 28-4-7 of the Zoning Ordinance (ZO), all major subdivisions within the RO District shall meet the requirements of the Cluster Subdivision. Per these ZO requirements, a minimum of 60% of the total parent tract shall be dedicated to open space and protected by legal instruments recorded in the Merrimack County Registry of Deeds.

The Major Subdivision application for the 7-lot cluster subdivision has received Conditional Final Approval by the Planning Board. The total area proposed for acceptance in the form of a conservation easement is 16.785. The configuration and terms of the easement have been reviewed by the Conservation Commission, and the Commission unanimously recommended the acceptance of the conservation easement.

Discussion

The application of H. Byers Smith & Marian Smith Trust/Jeffrey Knight is a cluster subdivision of a 26.39 acre parcel of land on Mountain Road, currently occupied by a single family residence. The subdivision creates 7 single-family residential building lots, and one Open Space remainder lot with 1/7th undivided ownership interest among the owners of the seven residential lots. The cluster development standards require that 60%

of the lot area (13.195 acres) be set aside as open space. The approved plan protects a total of 18.62, approximately 16.785 acres with a conservation easement on the Open Space lot, and protects an additional 1.835 acres of open space buffers protected through restrictive covenants spanning the 7 lots.

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