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CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

December 18, 2019

Project Summary – Minor Subdivision

Project: Spiewak – Minor Subdivision (2019-58)
Property Owners: Scott and Julie Spiewak
Address: 232 South Street
Map/Block/Lot: 10/1/1

Determination of Completeness:

Determine the application complete and open the public hearing. As part of the motion, indicate that the project does not meet the criteria for a Development of Regional Impact (DRI), per RSA 36:55.

Project Description:

The applicant is proposing a lot line adjustment between 18 (Lot A), 12 (Lot B) Iron Works Road, and 232 South Street (Lot C). The lot line adjustment will annex 2.8 acres from 232 South Street and divide it evenly between 18 and 12 Iron Works Road.

Project Details:

Zoning:	Single Family (RS)
Existing Use:	Single Family Residence
Existing Lot Size:	Lot A: 0.31 ac (13,470 sf) Lot B: 0.35 ac (15,090 sf) Lot C: 9.86 ac (429,501 sf)
Lot Size Required:	12,500 sf
Lot Size Proposed:	Lot A: 1.454 ac (63,320 sf) Lot B: 1.451 ac (63,200 sf) Lot C: 6.95 ac (302,742 sf)
Lot Frontage Required:	100'
Lot Frontage Provided:	Lot A: 120.91' Lot B: 120.65' Lot C: 213.15'
Building Setbacks Required:	25' front; 25' rear; 15' side
Building Setbacks Provided:	25' front; 25' rear; 15' side

1. General Comments

- 1.1 The following comments pertain to the 1 sheet plan set titled "Land of Spiewak, Scott & Julie Lot Line Adjustment Plan" prepared by H. H. Amsden & Sons, dated October 28, 2019.
- 1.2 Please see the comments from the Engineering Division under a separate memo.

2. Waivers

2.1 The applicant has requested waivers from the following sections of the Subdivision Regulations:

- Section 12.07 Wetland Delineation
- Section 12.08(3) Topography
- Section 15.03(15) Non-Municipal Utilities

The applicant states that the application is a lot line adjustment where no future development is proposed. As a result, the delineation of wetlands, topography, and non-municipal utilities would be costly and unnecessary and the granting of the waivers would not be detrimental to public safety, health, or welfare. For these reasons, **staff supports these waivers.**

3. Technical Review Comments

All previous comments have been addressed by the applicant.

4. Recommendations

4.1 **Grant the following waivers to form the Subdivision Regulations**, utilizing the criteria from RSA 674:36(II)(N)(2): Specific circumstances relative to the subdivision, or conditions of the land in such subdivision, indicate that the waiver will properly carry out the spirit and intent of the regulations:

- Section 12.07 Wetland Delineation
- Section 12.08(3) Topography
- Section 15.03(15) Non-Municipal Utilities

4.2 **Grant Minor Subdivision approval** for the minor subdivision, subject to the following conditions to be fulfilled within one year and prior to endorsement of the final plan by the Planning Board Chairman and Clerk, unless otherwise specified:

- (1) Waiver(s) granted are to be noted and fully described on the plan including date granted and applicable Section number(s) of the Site Plan Regulations. Should the Board vote to deny the waiver(s), the applicant shall comply with said submission requirement(s).
- (2) Prior to the final plat being signed by the Planning Board Chair and Clerk, digital information shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information System (GIS) and tax maps. The information shall be submitted in accordance with Section 12.09 of the Subdivision Regulations.
- (3) The Licensed Land Surveyor shall sign and seal final plans and mylars.
- (4) The Applicant shall submit two checks for recording the plan at the Merrimack County Registry of Deeds (including a separate check in the amount of \$25.00 for the LCHIP fee). Both checks are to be made payable to the Merrimack County Registry of Deeds.
- (5) The Applicant shall deliver to Planning one (1) plan set(s) and one (1) mylar(s) for endorsement by the planning Board Chairman & Clerk and recording at the Registry of Deeds.

Prepared by: SCD

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