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CITY OF CONCORD

New Hampshire's Main Street™
Community Development Department

Planning Board

April 15, 2020

Project Summary – Minor Subdivision

Project: Bye Street – Minor Subdivision (2020-06)
Property Owners: Winter Street Investments, LLC
Address: 1-3 Bye Street
Map/Block/Lot: 534-P-54

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 to convert an existing duplex into a 2-unit residential condominium.

Project Details:

Existing Lot Area: 0.16 ac (7,121 sf)
Zoning: Neighborhood Residential (RN)
Existing Use: Duplex
Lot Size Required: 10,000 sf
Lot Size Proposed: 7,121 sf (0.16 ac) *Pre-existing non-conformity*
Lot Frontage Required: 80'
Lot Frontage Provided: 143.75' (Bye Street)
Building Setbacks Required: 15' front; 10' side
Building Setbacks Proposed: 14.5' front*; 13' side
* Pre-existing non-conformity

1. General Comments

- 1.1 The following comments pertain to the 2-sheet plan set titled "Condominium Site Plat prepared for Winter Street Properties, LLC" prepared by Richard D. Bartlett & Associates, LLC, dated March 16, 2020 and revised through May 14, 2020.
- 1.2 Please see the comments from the Engineering Division under a separate memo.

2. Waivers

- 2.1 The applicant has requested a waiver from Section 15.02(3) *Final Plan Requirements: Scale* – The applicant requests this waiver given the small lot size requires a larger scale to show adequate detail though a 1" = 10' scale is not one of the required scales stipulated by the regulations. Staff agrees with this reasoning and **supports this waiver request.**

3. Technical Review Comments

- 3.1 Provide a copy of the Declaration of Condominium documents and Bylaws for review by City Staff, in accordance with Section 17.01(4) (SDR).

4. Recommendations

- 4.1 **Grant the waiver** from Section 15.02(3) of 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:

- 4.2 **Grant Minor Subdivision approval** for the two-unit condominium minor subdivision at 1 & 3 Bye Street, 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) Address Technical Review Comments, noted above, to the satisfaction of the Planning Division.
- (2) Address Review Comments from Engineering Services, to the satisfaction of the Engineering Division.
- (3) 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).
- (4) 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.
- (5) The Licensed Land Surveyor shall sign and seal final plans and mylars.
- (6) 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.
- (7) 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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