



Heather Shank  
City Planner

# CITY OF CONCORD

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

## Planning Board

October 21, 2020

### Project Summary – Minor Subdivision

Project: Viers – Minor Subdivision (2020-30)  
Property Owners: J. Matthew & Jany G. Viers  
Address: 5 Ormond Street  
Map/Block/Lot: 631Z/9

### 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 subdivide a 23,052 sf lot into two lots with the new lot (Proposed Lot) consisting of 10,000 sf and the parent lot (Remaining Lot) retaining 13,052 sf in the High Density Residential (RH) District.

### Project Details:

Existing Lot Area:	0.53 ac (207,106 sf)	
Zoning:	Medium Density Residential Space (RO)	
Lot Size Required:	10,000 sf	
Lot Size Proposed:	<b>Proposed Lot:</b> 10,000 sf (0.23 ac) <b>Remaining Lot:</b> 13,052 sf (0.30 ac)	
Lot Frontage Required:	80'	
Lot Frontage Provided:	<b>Proposed Lot:</b> 110' <b>Remaining Lot:</b> 119' Prescott St, 79' Ormond St	
Building Setbacks Required:	15' front; 25' rear; 10' side	*Existing Non-Conformity
Building Setbacks Provided:	11.5' front*; N/A rear**; 3' side*	**Corner Lot

### 1. General Comments

- 1.1 The following comments pertain to the 1 sheet plan set titled "Subdivision Plat prepared for James Matthew & Jany Grace Viers" prepared by Richard D. Bartlett and Associates, LLC, dated August 27, 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 19.05(4) – Useable Lot Area Rectangle, given the Proposed Lot has 4,769 sf of useable area where 6,000 sf is required in the RH District. The

applicant states that the lot will be able to support a single-family house with driveway and an outbuilding within the useable area on the lot and that this is a unique case where the minimum useable area requirement is greater than the minimum buildable area requirement, presents a hardship to the applicant.

**Staff supports this waiver** given the unique situation and that the lot meets the minimum lot size and buildable area requirements and can support a new single-family home.

### 3. Technical Review Comments

- 3.1 On the Vicinity Plan, provide the location of the lot and the scale of the plan should be between 1" = 1,000' and 1" = 2,000', in accordance with Section 12.05 of the Subdivision Regulations (SDR).
- 3.2 Given the lot slopes less than two percent, provide spot elevations at select points no more than 100' apart in all directions, in accordance with Section 12.08(3) (SDR).

### 4. Recommendations

- 4.1 **Grant the waiver** from Section 19.05(4) – Useable Lot Area Rectangle 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 given that the new lot is in a unique situation but meets the minimum lot size and buildable area requirements.
- 4.2 **Grant Minor Subdivision approval** for the two-lot minor subdivision at 5 Ormond 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 all review comments to the satisfaction of the Planning and Engineering Divisions. For all subsequent submissions, the applicant shall provide a response memo addressing/acknowledging all comments.
  - (2) 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).
  - (3) 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.
  - (4) The Licensed Land Surveyor shall sign and seal final plans and mylars.
  - (5) 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.
  - (6) 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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**CITY OF CONCORD**  
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**Community Development Department**

David Cedarholm, PE  
City Engineer

**MEMORANDUM**

**TO:** Sam Durfee, Senior Planner  
**FROM:** Martha Drukker, Associate Engineer  
**DATE:** October 13, 2020  
**SUBJECT:** Plan Review, 5 Ormond St, James Matthew & J'Amy Grace Viers;  
Map 631Z, Lot 79 (2020-30)

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The Engineering Services Division (Engineering) has received the following items for review:

- *Subdivision Plat*, prepared for James Matthew & J'Amy Grace Viers, Map 631Z, Lot 79, 5 Ormond St, Concord, NH, prepared by Richard D. Bartlett & Associates, LLC., dated August 27, 2020.

As a supplement to any comments offered by the Planning Division, Engineering offers the following design related comments. **With subsequent submissions, the applicant should provide a response letter that acknowledges/addresses each of these comments.**

**General Comments**

1. The plans should be stamped and signed by a New Hampshire Licensed Land Surveyor, a New Hampshire Licensed Professional Engineer, a New Hampshire Licensed Landscape Architect or a New Hampshire Licensed Architect as applicable.
2. A note should be added to the plan stating "All utilities shall be installed underground in accordance with Section 26.02(1) of the Subdivision Regulations."
3. Within the Location Map, the lots are indicated as 621 / Z33; 621 / Z37; etc. The correct notation is 631Z / 33; 631Z / 37; etc. In addition, the Map numbers are 631, not 621.
4. The Vicinity Map does not indicate the location of the project.
5. The Map and Lot of the subject parcel is Map 631Z, Lot 9. The title block and Note 7 indicate Map 631Z, Lot 79. In addition, please indicate the Map and Lot in the plan view within that parcel.
6. The original lot has an address of 5 Ormond Street. Please add this information to the plan view within that parcel.

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*engineering@concordnh.gov*

7. The proposed lot will have an address of 48 Prescott Street. Please add this information to the plan view within that parcel.
8. The proposed lot has a proposed driveway that will destroy a 4" X 4" granite bound at the deflection point of the public right-of-way line. A monument should be reset at its original location upon the completion of the driveway construction. Please add a note to the plan and a leader at this location indicating such.
9. The plan indicates that a chain link fence encroaches into the public right-of-way at the northwest corner of the new lot. The fence should be moved out of the right-of-way.

### **Subdivision Plans**

10. Any proposed habitable structure constructed on the new lot will be serviced from the 8" ductile iron water main and 10" CIPP lined vitrified clay sanitary sewer main in Prescott Street. Ensure that proposed services are designed per City of Concord Construction Standards, latest edition.
11. Show on plan the proposed new water and sewer services to the proposed new lot will meet depth and separation distances required in the City of Concord Construction Standards.
12. Provide spot elevations to ensure the proposed driveway will meet city standards.
- 13. Grant the waiver** from Section 19.05(4) – Useable Lot Area Rectangle of the Subdivision Regulations, utilizing the criteria from RSA 674:36(II)(N)(2); Engineering supports this waiver provide that all site grading activities, driveway construction, utility service installation and building lot construction does not result in any encroachments into the public right of way.

### **14. Post-Approval/Pre-Construction Items**

The following items will need to occur prior to the start of construction (unless otherwise noted).

1. The monumentation for the proposed lot lines will need to be set and verified by the Engineering Division (prior to recording the plan).
2. On site fill material, obstructions, excavations or surface water drainage shall not encroach within the public right of way. Property monumentation shall be visible and maintained throughout the construction of the new lot development and verified prior to the issuance of the certificate of occupancy.
3. The applicant/contractor shall set up a pre-construction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc.
4. The following permit(s) will be required from the Engineering Services Division:
  - i. Driveway Permit

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ii. Excavation Permit

iii. Utility Connection Permits – Water & Sewer

5. A Traffic Control Plan will be required to be submitted with the required Excavation and Utility Connection Permits. This plan shall conform to the Manual of Uniform Traffic Control Devices and be submitted 2 weeks in advance of work to commence within the public right of way.
6. To ensure that the proposed improvements within the right-of-way are completed, a financial guarantee will be required for this work. In order to calculate the amount of the financial guarantee, an engineer's cost estimate should be submitted with the final plan submission. The financial guarantee will be required two weeks in advance of the Pre-Construction Meeting. Unit prices used in the estimate should be obtained from the NHDOT *Weighted Average Unit Prices* for the most recent quarter  
<<<http://www.nh.gov/dot/org/projectdevelopment/highwaydesign/documents/WeightedAveragesImperial.pdf>>>.
7. Performance surety (bond, letter of credit, or cash deposit) for site stabilization. The surety amount for this project has been set at \$5,000 (min. amount) based on a 0.23 ac lot size (establish surety prior to pre-construction meeting).
8. Advanced deposit for site construction inspection fees (initial deposit amount determined by Engineering based on the project schedule and estimated services, final inspection fee to be adjusted based on actual services rendered). A project schedule should be submitted a min. of two weeks prior to the pre-construction meeting for use in establishing the deposit amount (submit deposit a min. of three days prior to pre-construction meeting).