



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

Staff Report for Planning Board

Meeting on December 17, 2025

**Project Summary –Major Site Plan Architectural Design Review, and
Conditional Use Permit Applications**

Project: Phenix Block – Major Site Plan (2025-125)
Property Owner: Phenix Hall, LLC
Applicant: Northpoint Engineering, LLC
Property Address: 34-42 North Main St
Tax Map Lot: 6443Z 28

Determination of Completeness:

When determining the completeness of a major site plan application, the Board shall consider the requirements of Sections 11.05 and 36.14(1) of the Site Plan Regulations, the written recommendation of the Planning Division, and any written communications from the applicant, abutters, and parties of interest; **however, no hearing shall be opened nor shall testimony be received on a determination of completeness.**

While the regulations require that the determination of completeness and the public hearing be held at separate meetings for a major site plan, the applicant has requested a waiver from Sections 6.03(2)(c) and 11.05 of the Site Plan Regulations to allow for the determination of completeness and public hearing in the same meeting. If the waiver from Sections 6.03(2)(c) and 11.05 is granted and it is determined that the application is complete, the Board shall then open the public hearing on the application.

Staff reviewed the application for completeness based upon the criteria of the Site Plan Regulations, and concluded that all criteria for completeness have been met, or will be met with granting of waiver requests, and that the application contains sufficient information and detail for a full review and action by the Board.

Based upon staff's review of the application, it is recommended that the Board move to:

- **Grant the waiver from Sections 6.03(2)(c) and 11.05 of the Site Plan Regulations based on the evidence provided showing that the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations are met;**
- **Determine the application complete;**
- **State that the project does not meet the criteria for a development of regional impact per RSA 36:55; and**
- **Open the public hearing.**

The Board has 65 days within which to consider and act on the application once the application is determined complete, per RSA 676:4(I)(c). Provided the Board determines the application complete, the 65-day period shall commence on December 17, 2025, and end on **February 20, 2026**. If the applicant has not demonstrated compliance with the Site Plan Regulations by the end of the statutory timeline

(February 20, 2026), the applicant may waive the requirement for Planning Board action within the 65-day time period and consent to an extension of the public hearing as may be mutually agreeable, or the Board may approve, approve conditionally, or deny the application based on the information provided at that time.

Project Description:

The applicant is proposing a 6-story infill of Phenix Ave (Lot 28) along with a new building connection to the Phenix Block (Lot 27). The infill of Phenix Ave will include an open-air lobby on the main floor with pedestrian access to both Main Street and Low Ave. The upper floors will include accessory space to Phenix Hall, including a main lobby on the third floor and a balcony lobby on the fourth floor. In addition to interior renovations of the existing Phenix Hall building, two new external elevator shafts will be constructed on the rear side of the building adjacent to Low Ave and a new emergency staircase will be constructed on the south side of the building.

The redevelopment of the area surrounding Phenix Hall has been a significant economic development aspiration of the applicant and has been identified as a key redevelopment location by the City as well, to the extent that the project location is specifically discussed in the City's 1997 Downtown Master Plan.

The applicant is proposing the complete redevelopment of the Phenix Block (Lot 27) for a new, 8-story, mixed-use building. The new building will have a small parking garage and some limited retail space on the lower level accessible from Low Ave. The second floor will be comprised of office space and the third through sixth floors will be residential apartments (36 units total) – a combination of one-, two-, and three-bedroom units. The top floor will be a restaurant venue with outdoor seating on the roof deck. A separate major site plan application (PL-SPR-2025-0049) has been submitted for that redevelopment. While two separate site plan applications have been submitted for each parcel (Lot 27 and Lot 28), both applications utilize the same plan set and for all intents and purposes, are a single project.

In order to accommodate the infill portion of the new building of Lot 28, the applicant has also submitted an accompanying minor subdivision application (PL-MIS-2025-0047) for the discontinuance of the existing Phenix Ave and lot line adjustment to reapportion the property lines between Lot 27 and Lot 28 resulting from the discontinuance of Phenix Ave.

Compliance:

The following analysis of compliance with the Zoning Ordinance and Site Plan Regulations is based on an undated 2-page narrative; a 14-sheet civil plan set titled "Phenix Block Redevelopment", prepared by Northpoint Engineering, LLC, dated October 2025; a 16-sheet architectural plan set titled Phenix Block, prepared by SMP Architecture, dated October 13, 2025; two, undated, 3-page waiver request narratives; and, a 3-page waiver narrative titled "Application No. 2025-123; Major Site Plan and CUP; 56 N. Main Street, Concord, NH" prepared by Gallagher, Callahan, & Gartrell, dated November 24, 2025

1. Project Details and Zoning Ordinance Compliance:

Zoning District:	Central Business Performance (CBP) District
Existing Use:	Retail and office
Proposed Use:	Commercial retail, office, and assembly
Overlay Districts:	
Flood Hazard (FH) District	None
Shoreland Protection (SP) District	None
Historic (HI) District	None
Penacook Lake Watershed (WS) District	None

Aquifer Protection (AP) District None
Wetland: None
Wetland Buffer: None

Zoning Code Item	Required	Existing (Lot 28)	Proposed (Lot 28)
Minimum Total Area	N/A	9,550-square-feet	11,863-square-feet
Minimum Buildable Land	N/A	8,380-square-feet	8,380-square-feet
Minimum Lot Frontage	22 feet	84 feet	84 feet
Minimum Front Yard	N/A	0	0
Minimum Rear Yard	N/A	9.5 feet	0
Minimum Side Yard	N/A	0	0
Maximum Lot Coverage	N/A	100%	100%
Maximum Building Height	80 feet	Less than 80 feet	Less than 80 feet

- 1.1 Per Section 29.2-1-2(a)(1) of the Zoning Ordinance, any person or entity which seeks to undertake new development within the City of Concord, shall pay impact fees to the City in the manner and in the amounts set forth in the ordinance. An applicant for the development of permitted nonresidential uses shall qualify for a waiver of the transportation facilities impact fees, but the waiver request must be received prior to the Clerk's calculation of the impact fees. The Clerk determines the impact fee at the time of building permit application, and **the applicant must request the waiver prior to the date of the determination.**

2. General Comments:

- 2.1 Per Section 6.01(4) of the Site Plan Regulations, staff was unaware of any nonconformities with the Zoning Ordinance at the time the abutter notifications were mailed.
- 2.2 Per Section 6.01(5) of the Site Plan Regulations, a completed conditional use permit application if required shall be made at the same time as the site plan application. No conditional use permit applications are required for this application. Two Conditional Use Permit applications were submitted with the accompanying major site plan application for Lot 27.
- 2.3 Per Section 12.01 *Research* of the Site Plan Regulations, applicants are responsible for familiarizing themselves with all city, state, and federal regulations relative to zoning, site plan design and approval, land sales, utilities, drainage, health, buildings, roads, and other pertinent data so that the applicants are aware of the obligations, standards expected, and documents to be submitted.
- 2.4 Per Section 25.01 *Nonmunicipal Utilities General Requirements* of the Site Plan Regulations, the applicant is responsible for all coordination with the utility companies to ensure that utilities are installed in accordance with the Board-approved plans. Staff recommends that the applicant coordinate with all nonmunicipal utilities providing services to the site to ensure the existing services are adequate. Any changes to the utilities after the Board's conditional approval will require either administrative approval or an amendment to the conditional approval depending upon the changes proposed.
- 2.5 Per Section 15.03 *Existing Condition Plan*, where minimal changes are proposed to the site, the Clerk may allow the applicant to reduce the amount or extent of the information required from Section 15.03 to be shown on the existing conditions plan provided that the proposed extent and impacts of the proposed improvements to the site, and City at large, can be satisfactorily reviewed and sufficient information is provided on the plan for the Planning Board to act on the

- application. Accordingly, as the majority of the site remains unchanged, the Planning Board Clerk has determined to reduce the amount or extent required from Section 15.03 as noted below:
- a. Section 15.03(23)(b), (c), (d), (e), and (f), to not require the applicant to provide the required tabulations on the existing conditions sheet.
- 2.6 Per Section 15.04 *Proposed Site Plan*, where minimal changes are proposed to the site, the Clerk may allow the applicant to reduce the amount or extent of the information to be required from Section 15.04 to be shown on the site plan provided that the proposed extent and impacts of the proposed use and improvements to be made to the site can be satisfactorily reviewed and sufficient information has been provided for the Planning Board to act on the application. Accordingly, and whereas the majority of the site remains unchanged, the Planning Board Clerk has determined to reduce the amount or extent required from Section 15.04 as noted below:
- a. Section 15.04(6) *Topography*. The applicant has provided a separate grading and drainage sheet as part of the plan set.
 - b. Section 15.04(11) *Parking, Loading, Access*. Section 28-5-48 *Central Business Performance (CBP) District Standards* of the Zoning Ordinance provides separate requirements for development within the CBP District, which include no parking requirements.
 - c. Section 15.04(13) *Municipal Sewer*. The applicant has provided a separate Utility Plan sheet as part of the plan set.
 - d. Section 15.04(14) *Drainage & Erosion Control*. The applicant has provided a separate Grading & Drainage sheet and Erosion Control sheet as part of the plan set.
 - e. Section 15.04(17) *Municipal Water Supply*. The applicant has provided a separate Utility Plan Sheet as part of the plan set.
 - f. Section 15.04(19) *Other Utilities*. The applicant has provided a separate Utility Plan Sheet as part of the plan set.
 - g. Section 15.04(26) *Lighting*. The applicant has provided a separate Lighting Sheet as part of the plan set.
- 2.7 Staff notes that no building or tenant signage has been proposed in conjunction with this application. Section 16.03(11) *Signs* of the Site Plan Regulations does allow, if tenancy is unknown at the time of site plan submittal, a master sign plan or sign permits may be submitted for architectural design review prior to occupancy of the building or specific tenant space.
- 2.8 Staff notes that that Planning Board has the authority to, and may require third party investigations or reviews, at the applicant's expense, in order for the Planning Board to satisfactorily complete its review in accordance with Section 13.01(8) *Impact Studies* and Section 13.01(9) *Special Investigative Studies or Third Party Reviews* of the Site Plan Regulations.
- 2.9 The Assessing Department and Fire Department had no general comments.
- 2.10 The Engineering Services Division general comments are noted in the attached 8-page memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated November 10, 2025.
- 2.11 Staff requests that the Board provide guidance on the staff report for this application and the related application for 56 North Main St (2025-123). For the purposes of the Board's review of the determination of completeness for both applications, separate memos have been prepared for the Board's consideration. Staff requests the Board determine if separate memos for both applications are desired for the public hearings, or if combining the memos for both applications into a single staff report would assist the Board in the review of the interrelated projects moving forward. Staff is willing to consider both approaches, and will defer to the Board as to how best to provide review for the related projects moving forward.

- 2.12 Staff notes that Section 28-5-48 *Central Business Performance (CBP) District Standards* of the Zoning Ordinance provides supplemental ordinance considerations for development within the CBP district, including, but not limited to: removal of certain dimensional regulations; the removal of off-street parking, off-street loading, and off-street loading for refuse containers.

3. Site Plan Regulations Determination of Completeness:

The items below are missing and **the Site Plan Regulations REQUIRE the items for the application to be deemed complete (unless a waiver from the requirement is otherwise approved).**

- 3.1 Section 12.03(4), Section 16.02(1) *Preparation*, and Section 16.03(1) *Preparation*, requires architectural elevations shall be signed and sealed by a New Hampshire Licensed Architect, or a New Hampshire Licensed Professional Engineer, as allowed by the State of New Hampshire professional licensing boards. Specifically, the 16-sheet architectural plan set titled Phenix Block, prepared by SMP Architecture, dated October 13, 2025 is missing the sign and seal of a New Hampshire Licensed Architect and shall be provided.
- 3.2 Section 12.04(9) requires zoning district designations and boundaries to be shown clearly on the location plan. Specifically, the area plan on the cover sheet satisfies the requirements of the required location plan, with the exception that zoning district boundaries shall be provided along Storrs Street where the Central Business Performance (CBP) District and Opportunity Corridor Performance (OCP) District boundaries meet.
- 3.3 Section 13.01(6) requires a copy of any application made to a State or Federal agency required for the approval of this site plan, including those required for the development of off-site improvements be submitted as part of the application. Specifically, Note 21 on sheet 3 Site Plan states that a NHDES Sewer Connection Permit is required, and a copy of this application shall be provided to the City.
- 3.4 Section 13.02(4) *Other Public Easements*, requires Warranty Deeds or Deeds of Easement for any other public use shown on the plat or required by the Planning Board. Staff notes this application has been submitted in conjunction with a minor subdivision application for the discontinuance of Phenix Ave and lot line adjustment between the two subject parcels. Prior to final approval of the major site plan application, the minor subdivision application (PL-MIS-2025-0047) shall receive final approval and an access easement and plan, to provide public pedestrian access between North Main Street and Low Ave, shall be prepared, reviewed and approved by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content, and recorded with the Merrimack County Registry of Deeds. Additionally, the easement plan shall be included in the civil plan set.
- 3.5 Section 13.02(8) *State and Federal Permits*, requires copies of all state and federal permits to be submitted to the Planning Division for review and approval prior to the issuance of a certificate of approval. Specifically, Note 21 on sheet 3 Site Plan states that a NHDES Sewer Connection Permit is required, and an approved application shall be provided to the City.
- 3.6 Section 15.03(9) *Easements or Right-of-Way*, requires on the existing conditions plan the location, dimensions, and purpose of any easements or rights-of-way be clearly shown. Specifically, the dimensions of the existing Phenix Ave and Low Ave shall be provided.
- 3.7 Section 15.03(25) *Historic Structures or Sites*, requires on the existing plan, the location and description of any historic structures or sites listed or eligible for the National or State Registers of Historic Places, and any historic markers on the site or abutting properties or rights-of-way.

- Specifically, the applicant shall provide a note stating whether or not the site is historic, or eligible for the National or State Registers of Historic Places.
- 3.8 Section 15.04(4) *Proposed Use* requires each site plan shall clearly identify each existing and proposed use planned for the site. Specifically, Note 6 on Site Plan indicates the proposed use, but shall also include the existing use of the property in the description.
- 3.9 Section 15.04(9) *Streets and Rights-of-Way* requires on the site plan, the location and the right-of-way and traveled way widths of all existing and proposed streets, alleys, and other public ways. Specifically, the proposed public access way between North Main Street and Low Ave shall clearly shown on the site plan.
- 3.10 Section 15.04(12) *Easements and Rights-of-way* requires on the site plan the location, width, and purpose of existing and proposed easements for road rights-of-ways, utilities, drainage, slope, open space or conservation easements and any other easement as required. Specifically, the boundary and width of the proposed public access way easement shall be shown on the site plan.
- 3.11 Section 16.02(18) *Demolition Plan* requires the demolition plan to show the extent of removal of all building, structures, pavement, and landscaping, etc. Specifically, the removal plan does not appear to show the full scope of removal to property disconnect municipal water services. Additionally, it is unclear how the building is being serviced by non-municipal utilities, including natural gas, electrical and telecommunications. The required removal for the discontinuance or installation of these nonmunicipal utilities shall be considered and shown as part of the removals and restoration limits. Additionally, the demolition plan appears to show a metal sculpture streetscape element on North Main Street within the removal limits, with no clear indication if this feature is to be preserved or removed. A callout shall be added to the plan set indicating if this fixture is to be preserved, removed, relocated, or replaced. Additionally, notes and applicable construction details shall be provided in the plan set clearly establishing how whatever action taken is to be accomplished.
- 3.12 Section 16.02(19) *Traffic Control Plan* requires where work is required or proposed within or immediately adjacent to a travel way of a public street or common private drive, a traffic control plan shall be submitted to the satisfaction of the City Engineer. Specifically, the proposed development has potential to significantly pose impacts daily vehicle and pedestrian traffic on Low Ave, North Main Street, Phenix Ave pedestrian connection, as well as festivities typically held on North Main Street. The applicant shall provide a conceptual traffic control plan demonstrating how these impacts will be mitigated prior to final approval by the Planning Board. As a subsequent condition of approval prior to the issuance of a building permit, staff recommends the Board require the applicant to submit a complete traffic control plan, prepared by a qualified and licensed engineer, subject to the review and approval by the City Engineer.
- 3.13 Section 16.02(20) *Offsite Improvement Plan* requires where off-site improvements are required or proposed, an off-site improvement plan shall be submitted in compliance with the Standards of the City of Concord Subdivision Regulations, unless waived by the Planning Board. Staff recommends the Planning Board waive the requirement to provide a separate offsite improvement plan, as the proposed parcels to be developed are relatively small and the full scope of offsite improvements can be clearly shown within the provided plan set.
- 3.14 Section 16.02(22) *Construction Details* requires construction details shall be provided for all utilities, driveways, and parking areas, pavement markings, sidewalks and patios, drainage facilities and structures, information, regulatory and directional signage, outdoor recreation facilities, common mailboxes, street furniture, solid waste receptacles, buffer walls and fences,

retaining walls, landscaping, and site lighting. Specifically, the herringbone brick pattern on the Paving Pattern for 7'-0" wide brick furniture zone doesn't appear to match the pattern installed on North Main Street. The pattern of brick shall be verified to match what was installed along North Main Street. Staff recommends the applicant also contact City Engineering about utilizing the same details which were used as part of the original construction of all North Main Street facilities.

- 3.15 Section 16.03(5) *Windows, Doors, and Roofs* requires the type and pitch of roofs shall be noted on the elevations. The size and spacing of all windows and door openings shall be noted on the elevations. Specifically, the type and slope of roofs, size and spacing of windows and doors appear to be missing from the elevations and shall be added.
- 3.16 Section 16.03(8) *Dimensions*, requires horizontal and vertical dimensions shall be provided on the architectural elevations including the maximum height to the top of the roof, any mansard, roof top structure, mechanical equipment, cupola, flag pole, or other appurtenant structure. A vertical dimension from the average ground level on each side of the building to the top of each floor shall be provided. Specifically, none of the required horizontal or vertical dimensions appear to be shown and shall be provided.
- 3.17 The Assessing Department and Fire Department had no determination of completeness compliance comments.
- 3.18 The Engineering Services Division compliance comments are noted in the attached 8-page memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated November 10, 2025.

Site Plan Regulations Compliance:

The submittal was found to be compliant with all other sections of the Site Plan Regulations, except as listed below, noting that the items below are missing as required for full compliance but are **not required to deem the application complete. determination of completeness.**

- 3.19 Section 17.04 *Addressing* requires that an address shall be provided for each building, rental space or condominium unit shown on the site plan. The applicant shall obtain the address of each building, or unit, from the City Engineering Division and add it to the site plan. Specifically, the applicant shall confirm with the City Engineering Division that no change of addressing is required for any of the new or redeveloped buildings.
- 3.20 Section 21.02 *Sidewalks Required* requires sidewalks shall be required adjacent to the site along projects on City Streets within the Urban Growth Boundary. Specifically, the regulations require the applicant to provide a sidewalk along the project's frontage on Low Ave. Given the existing and proposed conditions of Low Ave, staff recommends that the Board either require the applicant to set aside equivalent funds to be placed in a City escrow account to allow for the future construction of a sidewalk, or request a waiver for the installation of a sidewalk in this location.
- 3.21 Section 21.05 *Design Standards* requires sidewalks shall be constructed in conformity to the City of Concord Construction Standards and Details. Specifically, the applicant shall add a new note, or modify the existing Note #15 on Sheet 3 – *Site Plan*, to also note that all work along North Main Street shall conform to the City of Concord Construction Standards and Details as well as the proposed, and as constructed, construction standards and details associated with the City's CIP 460 Downtown Streetscape Improvement project. If there is a discrepancy between standards, the strictest standard shall apply unless otherwise approved by the City Engineer.

- 3.22 Section 22.02 *Construction Standards* requires all public and private storm water drainage facilities shall be constructed to the standards contained herein and the Construction Standards and Details of the City of Concord. Specifically, Section 6.02.B.4.a of the Construction Standards requires the 8-inch HDPE proposed in Low Ave entering CB 8631 shall be constructed with RCP and PVC materials.
- 3.23 Section 23.04(1) *Construction Standards* requires the applicant shall install facilities for the supply and distribution of water including fire protection capabilities, in a manner prescribed by the City of Concord Construction Standards and Details. Specifically, Note 8 on Sheet 5 – Utility Plan proposes a ¾ PVC water service as shown on the plan. Staff could not locate where this service is proposed, however the material does not conform, and potentially the size pending its location with the City of Concord Construction Standards, and both Section 5.02.D *Water Services* and Section 5.03.D.3 shall be reviewed for compliance and the note shall be revised accordingly. Additionally, the note specifies it is shown on the plan, however staff could not locate this reference on the plan view, and a callout shall be added as to where this note applies.
- 3.24 Section 23.04(1) *Construction Standards* requires the applicant shall install facilities for the supply and distribution of water including fire protection capabilities, in a manner prescribed by the City of Concord Construction Standards and Details. Specifically, the applicant proposes to replace the existing water main in existing Phenix Ave with a 10-inch HDPE SDR11 water main. This material is not permitted by Section 5.02.C *Water Mains* of the Construction Standards and Details and shall be revised, unless the applicant demonstrates that this material either meets or exceeds the standards to the satisfaction of the City Engineer, or a waiver is otherwise obtained.
- 3.25 Section 24.03 *Design Standards for Municipal Sanitary Sewers* requires where extensions of the municipal sanitary sewers are required, said facilities shall be constructed in a manner set forth in Section 24, Sanitary Sewage Disposal of the City of Concord Subdivision Regulations and the City of Concord Construction Standards and Details. Specifically, the applicant is proposing to replace the existing sanitary sewer in existing Phenix Ave with a 12-inch HDPE SDR 11 pipe. This material is not permitted by Section 4.02.B Gravity Sewer Mains of the Construction Standards and shall be revised, unless the applicant demonstrates that this material either meets or exceeds the standards to the satisfaction of the City Engineer, or a waiver is otherwise obtained. Additionally, staff notes this same sanitary sewer segment also has a callout to refer to Note 12A, which appears to identify the material as being 12-inch SDR 11 PVC. This discrepancy shall also be resolved.
- 3.26 Section 24.04 *Design Standards for Service Connections* requires service connections to the municipal sanitary sewer system shall be constructed in accordance with the standards contained in the City of Concord Construction Standards and Details. Specifically, the applicant proposes a 4-inch PVC sanitary sewer service for the existing Phenix Hall building. Section 4.03.B.13.b of the City of Concord Construction Standards requires a minimum 6-inch service lateral for commercial use and this service shall be revised accordingly. Additionally, the size and material of the existing sanitary service proposed to be connected into shall be confirmed, and if less than 6-inches, or found in substandard condition, it shall be replaced accordingly per Section 24.05 *Substandard Connections* of the Site Plan Regulations.
- 3.27 Section 24.05 *Substandard Connections* states the Board may require existing substandard service connections to be replaced or upgraded upon recommendation of the City Engineer. Specifically, the applicant is proposing to construct a fire escape addition on the southern side of the existing Phenix Hall building. This addition will be placed over an existing sanitary sewer service that appears to be combination of 6-inch clay or asbestos cement pipe, with a possible 5-inch clay wye

- connection included. Staff suggests the relocation of this service to avoid the conflict below the proposed fire escape addition. However, at a minimum, the applicant shall replace the service to be a minimum size of 6-inches and with material compliant with the City of Concord Standards and suitable for location below the building addition. If the applicant believes these criteria are already met, they shall provide a sewer inspection video, demonstrating the pipes material, condition, and size for compliance, subject to the approval of the City Engineer.
- 3.28 Section 25.03 *Utilities in Public Streets* requires where private utilities need to be constructed within public street rights-of-way, they shall be constructed and located in accordance with the City of Concord Construction Standards and Details, and the City of Concord Subdivision Regulations. Where the location of existing utilities or other physical impediments, including sensitive environmental areas such as wetlands, preclude the placement of utilities as specified in the above referenced City regulations, the Planning Board may approve alternative utility layouts or placement based on the recommendations of the City Engineer. Specifically, the applicant has not proposed any improvements for non-municipal utilities. For this reason, staff cannot make any determinations, however the applicant should be aware of our regulations. Additionally, any and all impacts for the removal or installation of non-municipal utilities if applicable, shall be included, and connected to, the final restoration limits for any other work associated with the project.
- 3.29 Section 29.01 *General Requirements* requires all external building and site lighting shall be designed to minimize glare and spillover of on-site lighting as well as sky glow. External site lighting is not required, but where provided these standards shall govern the design and placement of lighting fixtures. Full cutoff fixtures are required for all parking lots, loading areas, and affixed building lighting. Specifically, the details on Sheet 14 *Lighting Fixture Schedule* are difficult to read in detail. A note stating that all fixtures shall be full cut-off fixtures shall be added to both Sheet 13 *Site Lighting Layout* and Sheet 14 *Lighting Fixture Schedule*.
- 3.30 Section 29.04 *Building and Façade Lighting* requires all building and canopy lighting shall meet the standards contained in Article 28-7-7(j), Illumination of Parking Areas of the City of Concord Zoning Ordinance, and the standards established herein. Specifically, 28-7-7(j) requires all parking lot lighting shall be subject to a four to one (4:1) uniformity ratio, which is the ratio of average illumination to minimum illumination. The Avg/Min ratios for both the Open Lobby and pass thru stair_Planar both exceed this 4:1 ratio requirement and shall be revised for compliance.
- 3.31 Section 29.04 *Building and Façade Lighting* states sconces may be used to highlight architectural features but at least seventy-five (75) percent of the lighting shall be directed downward. Building lighting shall not cause sky glow, nor shall any direct or reflective glow intrude on any abutting property. Specifically, the building lighting plan does not appear to be fully developed, however Night View 1, on Sheet 5 of the architectural drawings appear to show building lighting directed upward on the building and does not meet the 75% downward requirement. A complete lighting plan shall be prepared, which clearly demonstrates how the lighting is to highlight the architectural features of the building while causing no sky glow and conforming with downward lighting requirements.
- 3.32 Section 29.05 *Canopy Lighting* requires all light fixtures mounted in canopies must be recessed or flush with the bottom surface of the canopy. Canopy lighting and shall not shine or glare directly on abutting properties or public rights-of-way. Light levels under canopies shall have a maximum illumination of twenty (20) foot-candles, and shall be subject to a four (4) to one (1) uniformity ratio between average illumination and minimum illumination. Specifically, the pass-through stair

- canopy proposed, as shown on Sheet 13 *Site Lighting Layout* appears to exceed both the maximum illumination and the uniformity ratio permitted, and shall be revised for compliance.
- 3.33 Section 29.07 *Nuisance and Glare* requires any bright light shining onto adjacent property or streets which results in nuisance glare or disabling glare shall not be permitted. Light trespass beyond property boundaries greater than two tenths (0.2) foot candles anywhere above the horizontal plane shall be considered non-compliant. All outdoor lighting fixtures shall be designed, installed, located and maintained such that glare onto adjacent properties or public rights of way shall be minimized and all direct illumination kept within the boundaries of the property on which the fixture is located. Specifically, Sheet 13 *Site Lighting Layout* appears to show light trespass in amounts greater than 0.2-foot candles along both Low Ave and North Main Street and shall be revised for compliance.
- 3.34 The Planning Board approval block, as shown on the cover sheet, shall also be provided on Sheet 3 -*Site Plan*.
- 3.35 Section 13.02(2) *Utility and Drainage Slope Easements* requires deeds of easements for new, extended or expanded utility and drainage rights-of-way located outside of any existing or proposed street right-of-way. Specifically, the applicant is proposing to install a 6-inch sanitary sewer service for Tax Map 6443Z Lot 27 which will require connecting to the City's existing sanitary sewer main located on Tax Map 6443Z Lot 10. A utility easement deed and easement plan for the connection on Tax Map 6443Z Lot 10 shall be prepared, subject to the approval of the Clerk of the Planning Board, City Engineer, and City Solicitor as to form and content, and recorded with the Merrimack County Registry of Deeds prior to final approval.
- 3.36 Section 12.06(2) *Easements* requires plan or deed references for recorded easements, whether public or private, on the properties proposed for development; and existing easements on abutting properties, which are for the purposes of providing access, utilities or drainage to the properties proposed to be developed. Specifically, the applicant is proposing to replace the City's municipal sanitary sewer main, in the existing Phenix Ave and Low Ave, and crossing the proposed new Tax Map 6443Z Lot 28 boundaries. Specifically, this work involves replacing a portion of sewer on Tax Map 6443Z Lot 10. The applicant shall include a specific reference to the City's recorded right-of-way deed, Book 1428 Page 682, and the associated easement plan, City Permanent Plan Number 1777, and show this easement on the plan set.
- 4. Variances:**
- 4.1 No variances are requested.
- 5. Waivers:**
- 5.1 The applicant requests a waiver from the following section of the Site Plan Regulations:
- Section 16.02(12)(b), to not require a drainage study including 10- and 25-year storm runoff estimates, including all calculations.
 - Section 16.02(15) *Landscape Plan* & 27.03 *Landscape Plans*, to not require a stamped landscape plan showing the location of existing, required, and proposed landscaping, a plant schedule showing all proposed plant material, and landscape construction details.
 - Section 6.03(2)(c) *Site Plan* and Section 11.05 *Determination of Completeness*, to allow for the determination of completeness and public hearing in the same meeting.
- 6. Conditional Use Permits:**
- 6.1 No conditional use permits are required for this application.

7. Architectural Design Review:

- 7.1 The applicant appeared before the Architectural Design Review Committee on December 2, 2025. The application was reviewed for conformity with the Architectural Design Guidelines; harmony and compatibility with existing architectural character of the site, district, or location; integration into site design of significant natural features on site and abutting properties; and the integration of landscaping, parking, and site features into the overall design of the project. The Architectural Design Review Committee recommended that the Planning Board approve the application as submitted with the following conditions: the E&P Hotel building, the upper floor window and masonry pattern shall be adjusted to diminish the scale of the building; the windows are all recessed on the exterior and with expressed muntin's; the trim details are to look red or stone on the building; the mechanical unit screen over the linking connector building shall not be translucent, glow, or call attention in any way; the bay bumpouts shall not be EIFS or stucco, but another material; and, prior to issuance of a building or construction, the applicant shall return to the Architectural Design Review Committee with physical samples of all materials for the buildings, including colors and patterns, and a lighting plan, which shall be in compliance with the Architectural Design Guidelines and Main Street Design Guide.

8. Conservation Commission:

- 8.1 Appearances before the Conservation Commission are not required for this application.

9. Recommendation:

- 9.1 Staff recommends that the Planning Board vote to **continue the public hearing to a date certain of the February 18, 2026** Planning Board meeting so that the applicant may address staff comments and any items raised by the Planning Board by revising the plan and providing a response narrative. Unless otherwise agreed to in writing by the City Planner, any revisions shall be submitted no later than **Wednesday, January 21, 2026 at 4:00pm** to allow time for staff to review and revise the staff report for the February 18, 2026 Planning Board meeting accordingly.



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

Michael S. Bezanson, PE
City Engineer

MEMORANDUM

TO: Alec Bass, Assistant City Planner
FROM: Paul Gildersleeve, PE and Pete Kohalmi, PE
DATE: November 10, 2025
SUBJECT: Phenix Block Redevelopment & Phenix Hall Renovations– Major Site Plan, Waivers, LLA, and CUP- Engineering Review
34-56 N. Main St; Map 6443Z, Lots 27 and 28; City Projects 2025-122, 123, and 125

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

- Site Improvement Plans by Northpoint Engineering, LLC, dated October 8, 2025
- Resubdivision Plat by Richard D. Bartlett & Assoc., dated October 8, 2025
- Project Narrative, received October 15, 2025
- CUP Requests, received October 15, 2025
- Waiver Requests, received October 15, 2025

As a supplement to any comments offered by the Planning Division, Engineering offers the following design related comments. With subsequent submissions, the applicant shall provide a response letter that acknowledges or addresses each of these comments and discusses any additional changes to the plans.

1. General Comments

- a. Show the pre- and post-development roof drain flows for the 2-, 10-, and 25-year flood, pursuant to City of Concord Site Plan Regulations (CSPR) 16.02(12)(b) and 22.07(1). Peak flow rates post-development should not exceed pre-development conditions.
- b. The applicant does not show how pedestrian and vehicular traffic will be routed around the work site. Traffic control plans will need to show these details.

- c. Phenix Avenue is proposed to be discontinued and the 25-foot wide right-of-way area is largely proposed to be converted to what is called an “open air lobby” with reserved rights for pedestrian access between North Main Street and Low Avenue. Because of the 10-foot elevation difference proposed between this “open air lobby” and Low Avenue, an elevator has been proposed to provide an accessible public pathway between North Main Street and Low Avenue. Although an elevator could be designed in this situation to meet the requirements of ADA/PROWAG, the City does not desire to take on the significant on-going maintenance associated with an elevator. If this “open air lobby” is proposed to be a City sidewalk, please propose a reasonable alternative for an accessible pathway, such as a ramped access way that meets ADA/PROWAG. It is understood that this may need to be accomplished by sacrificing some of the proposed basement space underneath the so-called “open air lobby”.
- d. Because Phenix Avenue is proposed to be discontinued as a public right-of-way and a building is proposed above and below the proposed “open air lobby”, public water and public sanitary sewer utility mains in Phenix Avenue need to be addressed in some manner as part of the proposed project. It is understood that there is some history with the development of the proposed plan with the previous City Engineer. It was recognized that the proposed plan would need approval from the City Engineer, as the proposal does not meet the City’s Construction Standards. Although the proposed utility changes could physically be constructed, as attested by a local contractor during meetings with Engineering Services Division staff, the proposal is not desirable for the following reasons. First, new City infrastructure (public water and public sanitary sewer mains) are being proposed beneath a building. Although there is an “open air lobby” above, there is also basement and mechanical room space proposed directly above the utilities. There will be no ability to excavate and access these utilities for any maintenance. Second, the pipe sleeves proposed to mitigate the lack of access to the utility mains will require significant access pits be excavated on both ends of the “open air lobby” to cut and remove the proposed pipe at depths greater than 12-feet and 15-feet to install replacement pipe when needed. This would be a very significant effort causing very significant disturbance to both North Main Street and Low Avenue at very significant cost. Third, the pipe material proposed is not an approved pipe material according to the City’s Construction Standards. It is understood that HDPE pipe is proposed in an attempt to mitigate the lack of access to maintain the mains in a normal manner, however the City’s maintenance crews are not equipped to provide maintenance to HDPE pipes. Fourth, the proposed pipe within a sleeve underneath a building will not allow for normal leak detection

and monitoring of the City's utility mains. Issues would likely not be detected until the issue became significant, likely affecting private property. As such, please propose relocation of the public water and public sanitary sewer mains within City right-of-way. It is likely that public water could be looped from the 20-inch water main in North Main Street at the intersection with Depot Street, along Depot Street to the intersection with Low Avenue, and along Low Avenue to the existing 10-inch water main. It is also likely that the public sanitary sewer could be relaid/laid in North Main Street from the intersection with Phenix Avenue to the intersection with Depot Street, and along Depot Street to an existing sanitary sewer manhole at the intersection of Low Avenue.

- e. The City owns in fee, two strips of land within the public highway limits of Phenix Avenue, with both being 6.81 feet wide. The northerly strip abuts the southerly line of Map 6443Z, Lot 27, and the southerly strip abuts the northerly line of Map 6443Z, Lots 28 & 28A. See MCRD Book 898, Page 344.
- f. The Resubdivision Plat contemplates a public highway discontinuance of Phenix Avenue, and a lot line adjustment between Map 6443Z, Lot 27 and Map 6443Z, Lots 28 & 28A. Prior to the lot line adjustment occurring, the Concord City Council will need to vote on the public highway discontinuance of Phenix Avenue, and vote on the conveyance of the two strips of land to Ciborowski Associates, LLC (Map 6443Z, Lot 27) and Phenix Hall, LLC (Map 6443Z, Lots 28 & 28A).
- g. Any discontinuance of a city street requires input and a recommendation from the planning board. See Concord Code of Ordinances 30-2-20(d)(10).

30-2-20 - Community Development Department.

(d) The Division of Community Planning shall be under the immediate supervision of the City Planner. It shall perform the following functions:

(10) Make recommendations of Mapped Line of Future Streets, street acceptances or discontinuances, and disposition of tax deeded properties on behalf of the Planning Board.

- h. A draft petition and resolution of the proposed discontinuance will need to be submitted to the City Council.

2. Conditional Use Permit

- a. The applicant is applying for a conditional use permit under Article 28-4-1(g)(6) and 28-4-1(g)(2), to allow a portion of the proposed mixed-used building to be constructed to a maximum height of 89.5', and to allow a partial obstruction of views of the State House Dome from Interstate 93,

respectively. The requirements of Article 28-9-4(b)(4)(a-g) have been addressed. Engineering takes no position on these requests as they are non-technical in nature.

3. Waiver Request from 16.02(12)(b)

- a. A waiver has been requested from 16.02(12)(b), which requires a drainage study for the 10- and 25-year storms, including pre- and post-development characteristics. Since the roof area appears to increase post-development, the roof drains would need to be sized to handle this increased flow and velocity. A pre- and post-development calculation is needed to ensure more flows are not collected downstream of the roof drains. The 2-year flows required by CSPR 22.07(a) are also needed. Therefore, Engineering does not support this waiver request.

4. Sheet 1 of 1, Existing Conditions Plat

- a. Show the ROW width of Phenix Avenue, pursuant to CSPR 15.04(9).
- b. Please include a list of plan references pursuant to CSPR 12.06(4,5).
- c. Show the existing electric and telephone lines, pursuant to CSPR 15.03(11).
- d. Show landscaping irrigation conduit on Main St. The City can provide plans for reference.

5. Sheet 2 of 11, Removals Plan

- a. Please show disposition of the snow melter on the sidewalk in front of Phenix Ave.
- b. What is the function and disposition of the inspection port against the north side of the Phenix Hall building?
- c. What is the disposition of the metal sculpture in the sidewalk in front of the alley?
- d. What is the disposition of the existing water and sewer mains under Phenix Ave?
- e. What is the disposition of the monitoring well on the southeast corner of Phenix Hall where an elevator is to be installed?
- f. Note 5 calls for existing water services to be cut and capped outside the trench limits of the new foundation and then abandoned in place. However,

Concord's Construction Standards require water service abandonment at the water main.

6. Sheet 3 of 11, Site Plan

- a. Indicate which parking spaces will be restriped in Low Avenue.
- b. Site Plan shows granite pavers in the sidewalk area where a raised sculpture feature exists today. Some feature is necessary in this area to accommodate the change in grade from below the granite step to above the granite step that exists in the middle of the sidewalk area along North Main Street. The Grading & Drainage Plan does not adequately address how this will be resolved. Please indicate whether the raised sculpture feature will be replaced in-kind or with some other feature around which the grade of the granite pavers could be gradually adjusted to match existing grades.

7. Sheet 4 of 11, Grading and Drainage Plan

- a. Turn off the water and sanitary sewer symbols.

8. Sheet 5 of 11, Utilities Plan

- a. Since the roof drain from Lot 27 is in the Low Avenue ROW, revise the roof drain material from HDPEP to either RCP, PVC, or DIP, pursuant to City of Concord Construction Standards and Details (CCSD) Section 6(2)(4)(a).
- b. Include a tee wye and invert callout where the proposed 6" sewer service on Lot 27 connects to the sewer main.
- c. Show MH 9693 on the storm line in Low Avenue, as shown in the included City of Concord GIS pdf.
- d. Show the sewer service from Lot 28 connecting to the existing sewer line with a tee wye. Include an invert callout for the tee wye.
- e. An existing water-valve symbol is shown on the southeast corner of the Lot 28 building. Please show how this valve connects to a water line.
- f. Please show the proposed water service for the proposed building on Lot 27. Fire suppression connections shall be identified.
- g. Show a sewer clean-out near the connection to the main in Low Ave.
- h. The sewer service for Phenix Hall shall be a minimum of 6" dia.

- i. Clarify or depict how the public will access the proposed walkway and the proposed elevator shaft at the former Phenix Ave and state who will maintain this proposed walkway and elevator shaft. Please provide a detail of this proposed walkway and elevator shaft.
- j. A relocated water service is shown for Phenix Hall. Provide size and material for this service. Provide a shut-off.
- k. A call-out near the eastern end of the proposed water main refers to the sleeve as 15" dia. Other details indicate this to be 18" dia.
- l. Construction Note 3 refers to the 2016 Construction Standards. Please revise to the 2020 Construction Standards.
- m. Construction Note 9 refers to obtaining permits from General Services but it is the Engineering Division who issues Utility Connection and Excavation permits.

9. Sheet 6 of 11, Utilities Profiles

- a. On the Sewer Profile show the existing 12" AC sewer main (and upstream MH) in an existing linetype. Show the existing 12" AC sewer pipe and MH on the downstream section of the profile near station 1+58, also in an existing linetype. Show the existing sewer pipe and MH. Disregard this comment if the sewer design will be revised as commented above in 1d.

10. Sheet 7 of 11, Erosion Control Plan

- a. The Proposed Construction Exit and Silt Fence shown in the legend cannot be found on the plan. Please show these on the plan and detail sheets, or remove them from the legend. Also show a detail of the catch basin inlet protection that is shown in the legend and plan view.

11. Sheet 8 of 11, Construction Details

- a. Show callouts for Details C-1 and M-1 in plan view, or remove the details from this sheet if they're not needed.
- b. On the Concrete Sidewalk Finish Detail, the note "Expansion or Control Joint" states to see plans; should this not refer to sheet 9? Also, two notes refer to this sheet for additional details, even though they are not located on this sheet but sheet 9 instead. Please revise.
- c. On the Sanitary Sewer Main/Service Trench Detail, and the Water Main/Service Trench Detail on Sheet 9, note the Open-Air Lobby floor section as a surface type (instead of cross country/under roadway).

12. Sheet 9 of 11, Construction Details

- a. In the Joint Details, revise the depth of the joints for the Tooled Control Joint and the Saw Cut Control Joint to be $\frac{1}{4}$ slab thickness. Also, revise the width of the cut in these two details, and the Expansion Joint Detail, to $\frac{5}{16}$ " to $\frac{1}{4}$ ", pursuant to CCSD Section 3(3)(O)(4).
- b. In the Pedestrian Concrete Sidewalk and Brick Paver Details, revise W1.4xW1.4 to W2.9xW2.9, pursuant to CCSD Section 3(2)(D)(3).
- c. Please add a Granite Paver Detail to depict construction of these pavers in a manner consistent with the existing pavers.

13. Sheet 10 of 11, Construction Details

- a. On the Paving Pattern at Utility Detail, Note 1, specify which specifications are being referred to.
- b. Include a bituminous paving section for the area of Low Avenue that will be removed.

State/Federal Permits

The project may require the following state and/or federal permit(s) associated with the site design:

- EPA General Construction Permit
- NHDES Alteration of Terrain Permit
- NHDES Sewer Connection Permit

Per Site Plan Regulation 13.02 (8) and/or Subdivision Regulation 13.02 (10), a copy of the State and Federal permit(s) shall be submitted to the City prior to final approval.

Post-Approval/Pre-Construction Requirements

The following items are required prior to the start of construction:

1. The following permit(s) will need to be obtained from the Engineering Services Division:
 - Excavation Permits for Drainage, Sewer, and Water
 - Other permits deemed necessary by the City Engineer

Please note that all Engineering permits must now be applied for online using the City's new Citizen Self Service (CSS) Permit Portal, which can be found here:

<http://concordnh.gov/1915/Engineering-Permits-Fees>

2. Per Site Plan Regulation 36.24, the Applicant is responsible for paying engineering permit inspection fees to ensure work is consistent with City standards and the Approved Plans.

Prior to scheduling the pre-construction meeting, the Applicant should apply for the required Engineering permits listed above and provide an estimate of the anticipated number of inspections for review by Engineering. The Applicant shall provide a project schedule when applying for the required permits.

The permit fees shall be paid prior to scheduling the pre-construction meeting.

3. Establish a performance surety (bond, letter of credit, or cash deposit) for work within the Right-of-Way and proposed public improvements or common private improvements per Subdivision Regulation 10.09, prior to subdivision plat signature (13.02 (7), and 30.01. An engineer's cost estimate, prepared by the Applicant and based on the current NHDOT weighted average unit prices, shall be submitted a minimum of two weeks prior to scheduling the pre-construction meeting.
4. When above requirements have been met, request to set up a pre-construction meeting with the Engineering Services Division to discuss construction requirements, site inspections, associated fees, schedules, etc. Engineering permits will not be authorized (unless explicitly stated otherwise) until final revised plans have been submitted and approved to the satisfaction of Planning and Engineering.

Construction Requirements

1. Shop drawings/submittals shall be submitted to Engineering for the proposed water, sewer, drainage improvements as applicable.
2. Per Site Plan Regulation 12.09, prior to issuance of a Certificate of Occupancy (CO), the contractor shall submit digital as-built drawings that are to the satisfaction of Engineering and conforming to the Engineering as-built checklist. A copy of the as-built drawing requirements is available on the Engineering Services Division section of the City of Concord website.
3. Retaining wall design drawings (stamped Structural Engineer licensed in the State of NH) shall be submitted to Engineering for proposed retaining walls that are greater than 4 feet high. In addition, walls greater than 48 inches require a Building Permit from the Code Administration Office.