

**City of Concord Planning Board**  
**December 17, 2025 - Draft**  
**Minutes**

The regular monthly meeting of the Concord Planning Board was held on December 17, 2025, at 7:00 p.m., in City Council Chambers at 37 Green St, Concord.

Attendees: Dina Condodemetraky, David Fox, Matthew Hicks, Teresa Rosenberger (Ex-Officio for City Manager), Amanda Savage, Eaton Tarbell, Jeff Santacruce, Councilor Brent Todd, and Chair Richard Woodfin

Absent: Mayor Byron Champlin, Alternate Chiara Dolcino, and Alternate Frank Kenison

Staff: Tim Thompson, AICP – (Assistant Director of Community Development / Acting City Planner), Alec Bass (Assistant City Planner – Community Planning), Krista Tremblay (Administrative Technician III), Peter Kohalmi (Associate City Engineer), and Matt Walsh (Deputy City Manager – Community Development) and Mike Bezanson (City Engineer)

**1. Call to Order**

Chair Woodfin called the meeting to order at 7:01 p.m.

**2. Roll Call**

The Acting Clerk of the Planning Board, Tim Thompson, did the roll call, noting that a quorum is present.

**3. Approval of Meeting Minutes**

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Planning Board voted 7-0-2 to approve the November 19, 2025, Planning Board meeting minutes, as written. Member Santacruce and Member Savage abstained as they were not present at the meeting.

**4. Agenda Overview**

At the request of the applicant agenda item 5A on the consent agenda will be held in conjunction with agenda item 7B which is the same applicant.

Agenda item 9G was originally a consent item and has been removed at the request of the applicant.

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Planning Board voted 9-0-0 to continue agenda items 9A to a date certain of February 18, 2026, at the request of the applicant.

**4A. 2026 Planning Board Meeting Schedule**

**5. Architectural Design Review by Consent**

Member Tarbell recused from the consent agenda due to conflict with agenda 5E.

On a motion made by Member Savage, seconded by Member Hicks the Board voted 8-0-0 to approve agenda items 5C-5H as submitted, subject to the recommendations of the Architectural Design Review Committee.

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5A. Alex Stoyle, on behalf of Monitor Statesman, LLC, requests an architectural design review recommendation for exterior changes of a building at 10 Pleasant St Extension, in the Central Business Performance (CBP) District. (PL-ADR-2025-0133) (2025-121)

This item was pulled from consent to be heard with agenda item 7B.

5B. Woodard & Curran, on behalf of Radius Recycling, Inc, and Prolerized New England Co, LLC, requests approval for a major site plan application for the construction of new on-site stormwater treatment facilities and other certain site improvements at Tax Map 793Z Lot 9, addressed as 25 Sandquist St in the Opportunity Corridor Performance (OCP) and Open Space Residential (RO) Districts. (PL-SPR-2025-0051) This application has been withdrawn by the applicant.

This application was withdrawn by the applicant.

5C. Classic Signs Inc, LLC, on behalf of Hodges Development Corp. and Hodges Property Inc, requests an architectural design review recommendation to replace an existing free-standing sign panel with a new 84-square-foot externally illuminated free standing sign panel (SP-0660-2025) at 241 Loudon Road in the Gateway Performance (GWP) District. (PL-ADR-2025-0134) (2025-126)

The Planning Board approved the application as submitted.

5D. Sousa Signs, LLC, on behalf of Ulta Beauty and Brixmore Capitol SC LLC, requests architectural design review recommendations for a new 133.4-square-foot internally illuminated building wall sign (SP-0665-2025), and a new 40-square-foot internally illuminated building wall sign (SP-0666-2025) at 80 Storrs Street in the Opportunity Corridor Performance (OCP) District. (PL-ADR-2025-0137) (2025-129)

The Planning Board approved the application as submitted.

5E. NEOPCO Signs, on behalf of Meridian Land Services, Inc and EWT 54, LLC, requests an architectural design review recommendation for a new 10.67-square-foot non-illuminated hanging building sign (SP-0670-2025) at 95 North State Street in the Civic Performance (CVP) District. (PL-ADR-2025-0138) (2025-130)

The Planning Board approved the application as submitted.

5F. NEOPCO Signs, on behalf of After Thai Dessert House, Siam Orchid, and Twelve Dynasty Realty, LLC, requests an architectural design review recommendation for a new 14-square-foot internally illuminated building wall sign (SP-0673-2025) at 12 North Main Street in the Central Business Performance (CBP) District. (PL-ADR-2025-0139) (2025-131)

The Planning Board approved the application as submitted.

5G. Signarama of Concord, on behalf of Optima Dermatology and Granite State Terrace, LLC, requests architectural design review approvals for a new 28.5-square-foot internally illuminated building wall sign (SP-0668-2025) and a new 10.85-square-foot externally illuminated tenant panel on a relocated freestanding pylon sign (SP-0669-2025) at 171 Pleasant St in the Institutional (IS) District. (PL-ADR-2025-0140) (2025-132)

The Planning Board approved the application as submitted.

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5H. In accordance with Section 28-9-4(f)(8) Request for Reconsideration of the Zoning Ordinance, New England Life Care, on behalf of TDL Investments LLC, requests reconsideration of the architectural design review decision made by the Planning Board at their September 17, 2025 meeting where the Board conditionally approved a new 14.3-square-foot internally illuminated wall sign (SP-0630-2025) and a 21. 25-square-foot internally illuminated panel replacement (SP-0631-2025) in an existing freestanding sign at 374 Loudon Rd in the Gateway Performance (GWP) District. (2025-098) (PL-ADR-2025-0117)

The Planning Board approved the revised application, dated September 5, 2025 as submitted, with the condition that the opaque background be removed and be replaced with a frosted background applied to the entire free-standing sign panel to cut the light by 50%.

**6. Determination of Completeness Items by Consent**

6A. Wilcox & Barton, Inc, on behalf of Daval Realty Associates LLC, and Banks Chevrolet, requests approval for a major site plan application and a conditional use permit for certain uses in the Aquifer Protection District for the construction of a parking lot and other site improvements at Tax Map 782Z Lot 8, addressed as 234 Airport Road in the Highway Commercial (CH), Single-Family Residential (RS), and Open Space Residential (RO) Districts. (2025-134) (PL-SPR-2025-0052) (PL-CUP-2025-0105) (Determination of Regional Impact only) (Determination of completeness continued to January 21, 2026)

On a motion made by Member Hicks, seconded by Member Savage, the **Board voted to:**

Determine the application to be a development of regional impact and continue the determination of completeness for the major site plan and conditional use permit applications at 234 Airport Road, to a date certain of **Wednesday, January 21, 2026**.

***\*\*End of Consent Agenda\*\****

**7. Public Hearings**

7A. The City of Concord requests a public hearing in accordance with RSA 675:54 for the renovation and construction of an approximate 18,000-square-foot building addition and associated site improvements for a new police station at Tax Map 583Z Lot 10, addressed as 4 Bouton Street in the Institutional (IS) District. (2025-138) (PL-SPR-2025-0055)

Member Tarbell recused due to a conflict with an abutting property.

Mr. Thompson stated this project is for the construction of a new Police Headquarters for the City at 4 Bouton Street, and calls for the adaptive reuse of the former Concord Group Insurance building and construction of an 18,000-square-foot building addition and associated site improvements resulting in a facility of approximately 57,000 square feet in size. The City Council has already appropriated the funding for the project (CIP #643), so tonight's focus is on the design and construction of the facility. Per RSA 674:54, this project is subject to a non-binding review by the Planning Board. The

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Planning Board should provide comments and feedback to the City's design team as the project proceeds into the final design and construction stages of the process. In accordance with the state law, governmental land uses are exempted from local land use regulations, but we welcome the feedback from the Board relative to the project design.

Director of Special Projects and Strategic Initiatives Beth Fenstermacher (41 Green St, Concord) presented the application. Ms. Fenstermacher gave a brief overview of the proposed site improvements involved with the current building and the building addition.

Chair Woodfin had a question submitted from a member of the public asking if vehicle maintenance will be taking place on site.

Ms. Fenstermacher responded yes, there will be maintenance on site as is the case with the current Police Station on Green Street.

Chair Woodfin asked if the site would be gated on the new north side and no access for the public.

Ms. Fenstermacher responded correct.

Member Santacruce highlighted concerns regarding site circulation, crosswalks, ADA compliance and snow storage.

Chair Woodfin opened the public hearing and asked if there were questions from the audience.

Tom Kolly (51 Auburn St, Concord) representing the day care center behind the site inquired about maintaining access through a gate for a propane tank for daycare center. They want to know if there is a way to change or help out. Mr. Kolly had concerns about police checking the lights on their vehicles and noise.

Roy Schweiker (12 Chapel St, Concord) noted there is a large communication tower that will not be moved to the new police station and asked if leaving where it is will be appropriate or if there would be a need to move the tower.

Chair Woodfin closed the public hearing.

Ms. Fenstermacher stated there is existing gate. They did abutter outreach and there is discussion about closing the gate because of the day care. Ms. Fenstermacher stated they can add that back in to accommodate access for their propane tank.

Chair Woodfin did not know if they can help with noise because they have to run through the check list to make sure everything is good. Ms. Fenstermacher stated it is a policy and if it is a concern the police can work with the neighbors.

Chair Woodfin asked about the tower. Ms. Fenstermacher stated the primary form of communication is fiber. Ms. Fenstermacher stated to move the tower would cost up to two million dollars and they are not moving it. Chair Woodfin asked if the tower will be needed in the future. Ms. Fenstermacher

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does not know the answer.

Chair Woodfin stated that because this is a review of a governmental land use under RSA 674:54, there is no decision to be made by the Planning Board, and that the staff memos and public testimony tonight would constitute the non-binding feedback of the Board.

**7B. Alex Stoyle, on behalf of the City of Concord, requests an architectural design review approval for site improvements at Tax Map 7412Z Lot 14, addressed as 75 Storrs Street, in the Central Business Performance (CBP) District. (2025-119) (Continued by owner until January 21, 2026)**

Mr. Thompson stated these applications relate to 2 separate parcels, the former “Lighting Place” building at 10 Pleasant Street Extension, and the “pocket park” located on the Storrs Street Municipal Parking Garage parcel at 75 Storrs St. These were initially intended to be continued as incomplete, however, the applicant has now paid the outstanding invoices that were preventing formal action. The Applicant and the City have a license agreement in place to allow for the use of the pocket park area as an accessible entrance to the basement as well as patio space and outdoor seating for a restaurant located on the basement floor of the building. The applicant is solely responsible for the costs, design, any all required permitting, installation, ownership, operation and maintenance of improvements constructed on the City’s property. ADRC has made recommendations relative to the City’s property, which are in your packet, but recommends that the 10 Pleasant Street Extension ADR be presented to ADRC for a formal recommendation prior to the Planning Board taking final action (the applicants have not been present at the previous 2 ADRC meetings). While there are recommendations for the City parcel, Staff recommends that the Board table formal action on the 2 applications until such time that ADRC has made recommendations for the building changes. Alternatively, the Board can act on the City parcel and table the building improvement application.

Alex Stoyle (56 Church St, Concord) presented the application. Mr. Stoyle stated there will be a craft cocktail bar in the basement and a Revelstoke coffee on the first floor with a kitchen and the top floor will be an office. They are working with the city to get an agreement to use the park for outdoor seating and accessibility for the basement. The only way to use the basement is to use the park to get an ADA entrance. There is not enough room in the building for an elevator.

Chair Woodfin asked about the train historical marker.

Mr. Stoyle stated the sign is there.

Member Santacruce asked about the outdoor seating on the left.

Mr. Stoyle stated all of it will stay in park.

Member Santacruce noted it will not be a public park anymore.

Mr. Thompson stated there is a license agreement that City Council approved that allows Mr. Stoyle to utilize this pocket park for the seating for the future use of the building. Mr. Thompson noted it is similar for what Cheers has for their outdoor seating.

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Member Santacruce asked about the original agreement when this park was built.

Mr. Walsh stated when this park was built between 2005 and 2007 it was left over space from the Storrs St parking garage and it was done as a pocket park because they had left over piece of land to beautify.

Ms. Rosenberger asked if there is a fee Mr. Stoyle will have to pay. Mr. Thompson stated there is no fee for the license to utilize the park. However, they will pay property taxes generated by the use of that area.

Member Santacruce asked if the sign is recommended to go into that flower area next to the fence its intended purpose goes away.

Mr. Thompson noted the intent is to move the existing sign on site. Mr. Thompson noted the conditions provided by architectural design review committee: the existing heritage sign shall be relocated along the Pleasant Street extension so that the reader is looking toward Storrs St when viewing; landscaping trees shall not be fruit or nut bearing; a detail of the fence shall be provided, including material; a license with the City of Concord shall be in place prior to final approval; and, additional spot grades shall be provided along the accessible route to show how the slope will interact and blend with the adjacent seating areas to assure safety and accessible compliance.

Member Santacruce noted the sign looks to be four to six feet wide and thinks they need to coordinate with the fire department to make sure the sign does not impede the fire hydrant. Mr. Thompson noted there are additional comments provided by the fire marshal relative to the fire hydrant that needs to be clear on all four sides.

Member Tarbell asked about the license agreement. Mr. Thompson noted the city has the right to require removal of any private improvements at the city's discretion.

Chair Woodfin stated he is inclined to get feedback from architectural design review committee.

Member Savage stated there was no discussion at ADRC about what is on the other side of the sign but that there was discussion about the pitch of the ramp.

Mr. Thompson noted for agenda item 5A which is the building at 10 Pleasant Street Extension. There is no recommendation on that because ADRC want to have a conversation with the applicant. Member Savage responded correct, it was in regards to certain types of window and doors.

Member Santacruce noted the sign has text that people will read and if you put it where it is proposed by the fire hydrant the street is not level. Member Santacruce stated the sign needs to be down at a level landing.

Chair Woodfin stated they need architectural design review and recommend to kick it back. The sign location by the fire hydrant, the back of the sign, sight lines.

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Mr. Thompson noted there is no recommendation on the building.

Mr. Stoyle noted the location of the sign will be dictated by the demolition of the arch.

Member Santacruce noted the corner is a good spot because it is visual from two different corners.

Councilor Todd agrees with the comments and not sure if architectural design review committee will be able to come up with a solution.

Member Savage noted there was ADR comment to work with city staff and engineering.

Mr. Thompson stated the recommendation from ADR now is vague that it has to be on the Pleasant Street side.

Member Santacruce thinks they would work with engineering to find a location and then have them come back to Planning Board.

Member Savage made a motion to approve the application as submitted, with the following conditions: the sign is approved in placement with the City Engineering staff so that it not obstructing site lines views of the intersection and is ADA accessible from the sidewalk; landscaping trees shall not be fruit or nut bearing; a detail of the fence shall be provided, including material; a license with the City of Concord shall be in place prior to final approval; and, additional spot grades shall be provided along the accessible route to show how the slope will interact and blend with the adjacent seating areas to assure safety and accessible compliance; and, the trellis will be addressed as part of Engineering review. Member Hicks seconded the motion.

Discussion

Councilor Todd asked if in the motion you are talking about the sign and the trellis.

Member Savage responded not the trellis just the sign. Member Savage noted there has not been any conversation about the trellis at ADR or with the application.

Mr. Stoyle stated the sculpture has been a confusing part of this because they were told in the beginning no one knew who owned it. They were told it can be removed.

Chair Woodfin stated he is going to recommend to send it back to ADR.

Member Savage stated the trellis was not discussed at ADR.

Chair Woodfin thinks there is some significance to the trellis with the pieces of metal.

Member Santacruce stated if the trellis is significant to the train station then it should stay there.

Chair Woodfin wants to get clarification on what that is and why it is there.

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Mr. Walsh stated the Chamber of Commerce with the city run a public art program downtown and that might be a part of the program.

Member Santacruce stated that process did not start until Main Street was done.

Mr. Walsh will look into it.

Chair Woodfin noted there is a motion and a second to approve the park.

Mr. Thompson noted for 75 Storrs Street.

Chair Woodfin asked if there is any other discussion on that topic.

Member Santacruce added that the trellis will be addressed as part of engineering.

Chair Woodfin asked all in favor. With a vote of 9-0-0 the motion passed unanimously.

Chair Woodfin stated he did not ask for public testimony and opened the public hearing. Chair Woodfin asked for a motion to reconsider the approval.

Member Savage made a motion to reconsider the approval for public discussion. Chair Woodfin seconded. All in favor. 9-0-0 the motion passed unanimously.

Chair Woodfin opened the public hearing.

Roy Schweiker (12 Chapel St, Concord) stated when he sees a plaque or thing it is on the side of whatever. Mr. Schweiker suggested to have on the other side of Storrs St where the station was instead of a lot not associated with the train station.

Chair Woodfin closed the public hearing.

On a motion made by Member Savage, seconded by Member Hicks the Board voted 9-0-0 to approve the application as submitted, with the following conditions: the sign is approved in placement with the City Engineering staff so that it not obstructing site lines views of the intersection and is ADA accessible from the sidewalk; landscaping trees shall not be fruit or nut bearing; a detail of the fence shall be provided, including material; a license with the City of Concord shall be in place prior to final approval; and, additional spot grades shall be provided along the accessible route to show how the slope will interact and blend with the adjacent seating areas to assure safety and accessible compliance; and, the trellis will be addressed as part of Engineering review.

5A. Alex Stoyle, on behalf of Monitor Statesman, LLC, requests an architectural design review recommendation for exterior changes of a building at 10 Pleasant St Extension, in the Central Business Performance (CBP) District. (PL-ADR-2025-0133) (2025-121)

This agenda item was pulled from consent to be heard after agenda item 7B and was voted on separately.

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Chair Woodfin asked if the Board wanted to make a recommendation to return to ADR.

Mr. Thompson stated there needs to be a separate motion for agenda 5A.

Mr. Stoyle stated he was able to dig up a plan from the previous owners. He is asking for Planning Board approval for the building improvements to move the door where there is now a window. So, there will be an ADA compliance for public use. Mr. Stoyle noted this was previously approved by ADR in the minutes.

Chair Woodfin stated the Board follows a regimented process and you need to check the boxes to get to the next one. Chair Woodfin noted whether it is the same place or not it still needs to go to ADR to be back to the table with their recommendations. Chair Woodfin stated he wants feedback from ADR. Chair Woodfin noted nothing can move forward tonight without ADR feedback.

Mr. Thompson stated the recommendation from ADR in December was to continue the application to a date certain January 21, 2026 Planning Board meeting to allow the applicant to return to ADR to provide more detailed and complete application including as to how the relocated entrance will interact with the alley way. Mr. Thompson stated the motion would be to approve the ADR recommendation.

On a motion made by Member Savage, seconded by Member Fox, the Board voted 9-0-0 to continue the application to the date certain of the January 21, 2026 Planning Board meeting to allow the applicant to return to ADR to provide a more detailed and complete application, including how the relocated entrance will interact with the alleyway.

## **8. Design Review Applications**

8A. Eastern Development, requests a preliminary design review for certain amendments proposed to a previously approved 8-unit, cluster subdivision (Case 2023-140) at 15 Hot Hole Pond Rd in the Open Space Residential (RO) District. (2025-136) (PL-PDR-2025-0001)

Mr. Thompson stated the applicant is requesting the Board provide non-binding feedback as part of the preliminary design review application submitted regarding the previously approved 8-unit subdivision (signed by the Chair and Clerk on June 2, 2025). The applicant specifically is requesting feedback from the Board on the following items:

1. The use of Cape Cod Berm (asphaltic concrete) in place of granite curbing through the common private drive;
2. To not require street trees along the full length of the common private drive, limiting plantings to the cul-de-sac area;
3. To allow a residential dead end common private drive to exceed the maximum length of 1,000 feet;
4. To allow 3-inches of hot bituminous pavement to be placed for the common private drive where normally 4-inches is required; and,
5. To increase the total number of units from 8-units to 9-units.

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Staff recommends the Board review the requests with the applicant and provide non-binding feedback considering the materials provided by staff from the Planning & Engineering Divisions as well as from the Fire Marshal, all included in the Board's packet.

Chair Woodfin asked about number nine on the staff report: staff recommends that the Planning Board proceed to determine the application for the design review phase as incomplete.

Mr. Thompson stated in this instance when the staff memo was drafted the applicant had not paid the invoice required for the application to be submitted to the Planning Board and the abutter notification. Statutorily there is no requirement for a determination of completeness for a design review application because it is a preliminary step that does not require a public hearing. The Concord regulations do have a completeness component to them. Staff has determined the fee was the only applicable piece for the completeness part of this application.

Ryan Taber (PO BOX 2671, Concord) is looking for modification of street trees requirement, cape cod berm over granite curbing and three inches of pavement where four is required. Mr. Taber is trying to minimize in the areas where it does not make sense in a steep area.

Chair Woodfin asked if it is all riprap.

Mr. Taber responded yes, anything over four to one is riprap. Mr. Taber stated it is very steep.

Mr. Bass had concern on how trees would go in on the riprap side of the banking. Mr. Bass suggested to create levels to get the trees in there.

Chair Woodfin asked if the city does not have an overwhelming objection to it.

Mr. Bass stated the trees that are proposed below the overhead were ornamental trees that the city construction standards have identified as appropriate below overhead utilities where the mature heights do not get particularly high. There could be a good conservation of what is the left expectancy of those trees on that slope and what could be done to mitigate that with grading.

Mr. Thompson stated the key in the direction the Board can give is to have an understanding that there needs to be conservations between the applicant and city staff in the predevelopment.

Mr. Taber noted there are inspections required for landscaping.

Member Savage stated when they do go to identify what trees are existing he is counting trees on his property line and not the adjacent property.

Mr. Bass noted they want everything on the plan that is signed prior to construction.

Mr. Taber noted the next one is cape cod berm instead of granite curbing. Mr. Taber quoted from section 20.1(3) curbing for residential private common drives, document was not provided, as is depicted in a plan granite curbing for a private common drive be consistent with vertical granite, salt granite or asphalt concrete material constructed with the city of Concord construction details. Mr.

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Taber stated asphalt berm is listed as an allowed material. Mr. Taber noted anything over 6% required curbing which is addressed in the plan. Mr. Taber stated over the 6% there is no material selected and relies back on what is allowed within the regulation. Mr. Taber is asking based on this road can he do cape cod berm. Mr. Taber stated he has seen cape cod berm in the city.

Mr. Bass stated he cannot speak for Engineering, however, this would be a waiver. The construction standards allow for vertical granite and sloped granite curbing. There are provisions within the subdivision regulations where there is a conflict the more restrictive applies. The City of Concord allows granite curbing and with the slope of this drive is so steep it is important to have a more durable viable material in those locations to collect the run off.

Mr. Bezanson stated granite curb is in the standard and other bituminous curb will be substandard compared to granite curb.

Mr. Taber stated this is a private non-public maintained road and the regulations should hold greater weight than the standards. Mr. Taber thinks the regulations supersedes the standards. Mr. Taber noted it is installed by the city and it is on Hot Hole Pond which is 13% and there has been no issues with it over the past 10 years.

Chair Woodfin stated that will be a tougher one once you come forward with a plan. Chair Woodfin stated he is not in favor of cape cod berm and it has been addressed in the past especially on steep slopes. Chair Woodfin noted whether it can be done here or there this is the location we are talking about and he is not in support. Chair Woodfin noted Mr. Taber will have to submit a waiver.

Mr. Taber asked why would it be a waiver if it is allowed in the regulation. Mr. Thompson stated the waiver would be for section 35.04 of the Subdivision Regulations which says whenever a provision is more restrictive or imposes a higher standard that shall control which is in reference to the construction standards.

Mr. Taber asked who is to determine granite curbing is more restrictive than cape cod berm or vice versa. Mr. Taber noted there are four different types of curbing allowed in the regulations for common private drives. Mr. Taber stated the regulations are legally binding and he does not know if the standards are legally adopted into the regulations or if the regulations are adopted by the city.

Chair Woodfin stated that is a topic for city staff and it comes to Planning Board with a recommendation that staff says yes, we are in support of this waiver or no we are not in support of this waiver for these reasons.

Mr. Taber asked if the City Solicitor say by right of regulations they are legally adopted and the standards are not then the legally adopted regulation has to be enforced.

Chair Woodfin stated the city will have to weigh in on that piece of it.

Member Santacruce noted the standard D-11 is where private common drives for three to eight dwelling units specifically shows in the detail a five-inch reveal with sloped granite curb. The city standard detail does specifically say granite curb.

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Chair Woodfin stated if it is granite curb is it all the way up and does not want to design it for Mr. Taber. Chair Woodfin suggested to look for options and come back to the city to say this is what I want to do on this project.

Mr. Taber stated on eight units he is only required over 6% and on nine units it would be required on both sides.

Chair Woodfin noted that will need some work.

Mr. Taber asked what is the next step and how can he get the Planning Board to approve this.

Mr. Bass noted Mr. Taber can discuss with the City Solicitor's office about why in the regulations it supersedes everything and permitted by regulation to install bituminous curb. Staff will then give their position to the Board. From there it would need a waiver to allow or not allow the use of that material.

Mr. Thompson stated it would be important for Mr. Taber to receive feedback from the Board tonight that assuming the granite curb is determined to be the required element and a waiver is required is the Board in support of that as the feedback he needs to make decisions moving forward. Mr. Thompson noted everything tonight is non-binding.

Member Hicks asked if the Board heard this on a different application and voted on it.

Mr. Thompson noted when they were looking at the amendment that was previously submitted there was discussion and the consensus of the Board was that granite was going to be required.

Member Hicks noted it was a split vote.

Mr. Thompson asked if that is still the Board's position and want to provide the information to Mr. Taber so he can make decisions on a formal application.

Member Fox asked about the viability for Mr. Taber between the ninth unit verses the cost of the curb because it changes the guideline. Member Fox asked if you were to weigh what it will cost with granite curbing all up the road does that offset the sale of the ninth unit.

Mr. Taber stated it depends on when you build it. if you build it now the cost will be higher. If you wait until spring it will be less. Mr. Taber stated originally when he designed this it had nine units with curbing up and down both sides. If that is what he is going back to he is trying to go with cape cod berm instead of granite curbing.

Member Fox asked if it serves him better to go from nine to eight and then address the issue. Member Fox stated it was his understanding is that an eight-unit subdivision changes curbing issues does it not.

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Mr. Taber responded yes, for eight units there is only curbing on 6% slope or greater or deemed necessary by engineering. It is approximately 1440 feet on this site. If there were nine units it would be around 2300 linear feet of curbing.

Member Fox asked if the ninth unit pays for the curbing.

Mr. Taber responded yes, that is the whole point of trying to get the ninth unit and makes the balance of the project a lot better.

Chair Woodfin noted the question on the table is would the Board be in support of asphalt cape cod berm verses granite curbing.

Member Fox noted he would rely on the Solicitor for a recommendation.

Chair Woodfin is not comfortable doing it until they know what city staff recommends.

Mr. Thompson asked Mr. Bezanson from an engineering perspective, regardless of the City Solicitor interpretation, the preference from Engineering would be granite curbing because of the construction standards.

Mr. Bezanson responded that is correct.

Chair Woodfin noted the applicant would request a waiver.

Mr. Thompson stated the question for the Solicitor is whether section 35.04 applies to the construction standards.

Mr. Taber asked if that is the case and he is reading it correctly would everybody support that.

Chair Woodfin stated if the City Solicitor agrees with you then he thinks they would.

Mr. Taber stated the next amendment is pavement thickness. Mr. Taber noted common private drives shall be serviced with a minimum of three-inch bituminous pavement per city construction standards. Other streets and non-private drives require a minimum of four inches for common private drives. Staff has commented that the detail states four inches. The regulations stated a common private drive and a public right of way are two different types of pavement so it is classified as two different types of streets. Mr. Taber noted one detail for two different types of roads does not work. You cannot have two details for two different types of streets. Mr. Taber stated by right of the regulations the three inches should be allowed. Mr. Taber noted they will need to get the city solicitor involved.

Chair Woodfin stated it is the same topic and the same end result.

Mr. Taber asked if the City Solicitor's office determines the regulation supersedes the detail would the Board support the amendment for the reduced pavement.

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Chair Woodfin stated also with Engineering weighing in and he cannot speak for the Board. If there were grounds to make that decision.

Member Fox asked Engineering if because of the slope is there any erosion concern going from three to four.

Mr. Taber stated erosion does not factor in because all you are doing is going from four inches to three inch compact. The determination is not your pavement thickness it is the aggregate subbase in correct materials and correct compaction that determines the strength and durability of the road.

Mr. Bezanson stated there are details that are included in the regulations.

Chair Woodfin stated if there is a waiver to be had he will need weight behind the Solicitor's office.

Mr. Taber asked if the City Solicitor agrees with what he is saying would the Board support that amendment.

Chair Woodfin responded yes.

Mr. Bass noted the Board previously denied this waiver request.

Mr. Taber asked why is there only one detail and there are two different types of roads.

Member Santacruce stated there are more than one detail. There are details for city streets and common private drives. Both details show four inches.

Mr. Taber asked why do you have regulations that say four inch and there are two details that say four inch. Mr. Taber noted the last one is road length that would be a waiver because regulations say 1000 foot. Mr. Taber corresponded with the fire department which is in the staff report. Mr. Taber took the report and did the factual research on how this road length change would conform under all NFPA citations that all set back.

Chair Woodfin asked for staff perspective as it was denied before.

Mr. Bass stated the Board did not take any action.

Mr. Thompson stated the design was revised to a roadway length of less than 1,000 feet.

Mr. Bass noted at that time staff recommended against granting that waiver they limit private common drives and streets all to 1,000 feet. This is for general safety, applicability, proper planning and proper design of all infrastructure of driveway and roads. It would be something that the Board can consider.

Member Santacruce stated to his knowledge of the NFPA most of the regulations are there for the authority of having jurisdiction. Which in this case would be the city Fire Chief.

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Mr. Taber stated under road length and under NFPA there is nothing limiting road length for any NFPA code. Mr. Taber noted it is a very unique site specifically there is a section that is over 15% grade.

Chair Woodfin stated Mr. Taber can go back to the fire chief and if the Fire Chief has to back down there for a fire at the end of the road are they comfortable getting a ladder truck down the road.

Mr. Taber noted the road is 24 feet wide and the minimum is 20 feet.

Chair Woodfin stated the Board will not decide it without the Fire Chief feedback.

Mr. Taber asked if the fire chief is ok with it would the Board be ok with it.

Chair Woodfin responded if the fire department is good with it and thinks they would be in favor of it.

Member Santacruce stated they trust the technical experts.

Mr. Thompson noted the ninth unit is dependent on getting that extra road length. Mr. Thompson noted this is a public meeting and there is no hearing component.

## **9. Site Plan, Subdivision, and Conditional Use Permit Applications**

**9A. Orr & Reno, on behalf of Arts Alley LLC, requests approval for a conditional use permit, pursuant to Section 28-6-9(b)(2), for wall signs to be placed above the sills of the first story windows and more than 25-feet above grade, on the building addressed as 22 South Main St in the Central Business Performance (CBP) District. (2025-133) (PL-CUP-2025-0104)**

Continued to a date certain of February 18, 2026 at the request of the applicant as noted in item 4 above.

**9B. TFMoran and Unutil Energy Systems, Inc. request approval for a major site plan application, architectural design review, a conditional use permit for essential public utilities and appurtenances, a conditional use permit for a bluff buffer disturbance, and certain waivers from the Site Plan Regulations, including a waiver to allow the determination of completeness and public hearing in the same meeting, for the construction of a new substation, at Tax Map 494Z Lot 44, addressed as 1-7 McGuire Street, in the Industrial (IN) District. (2025-105) (PL-SPR-2025-0047).**

On a motion made by Member Santacruce seconded by Councilor Todd **the Board voted 9-0-0 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.**

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Mr. Thompson stated this application calls for major site plan, architectural design review, and conditional use permit approvals for the rebuild of the existing Utilil West Concord Substation and associated pole storage yard. According to the applicant, the proposed improvements to the public utility infrastructure are necessary due to the age of the existing infrastructure and the growing electrical demand in the Concord area. The site proposed for the rebuild is an existing fully developed site with office/warehouse buildings built in 1965, parking, and landscaping. The rebuilt substation is proposed in the southerly portion of the property, replacing what is now a very large area of gravel. City Staff is recommending the application be determined as complete, and conditional approval of the major site plan, ADR, and CUP applications in accordance with the proposed conditions of approval in the staff memo.

Nick Golon (48 Constitution Dr, Bedford) and Nathan Sherwood (30 Energy Way, Exeter) are present to represent this application. Mr. Golon stated the substation dates back to 1940's. They will be installing new technology to meet the growing electrical demand in the Concord area. They will relocate the pole storage area. They will update storm water management. Mr. Golon noted the lot is nearly nine acres and the work is confined to the southerly corner. Mr. Golon noted the site plan show the proposed substation in the south east corner. There is a large rectangular block that is hatched along the front of the property and that is the relocation of the pole storage yard. Mr. Golon noted they did seek and receive approval for a variance for the structure to be located in a bluff buffer. Mr. Golon stated they received a variance to mid-lay contours within that bluff and that was specific to a ravine. Mr. Golon noted they will need to apply for an alteration of terrain permit and shoreline permit. Mr. Golon noted the hatched area exhibits the area of the bluff buffer that will be impacted. Mr. Golon stated they met with the Architectural Design Review Committee and the Conservation Commission. Mr. Golon noted the existing substation is about 4000 square feet and the proposed is approximately 22,000 square feet. Mr. Golon handed out two documents and they will be added to the end of the minutes. Mr. Golon stated they have requested waivers. Mr. Golon noted staff pointed out there are waivers that are requested that they do not need and would withdraw those waivers.

Member Santacruce asked in the lower right-hand corner there is a driveway existing and you are proposing a gate that is narrower than the driveway opening since they have large trucks.

Mr. Golon noted they will need to enlarge the gate.

Member Santacruce noted the drainage opening in the curb goes into a pond and asked how it will be maintained in the winter.

Mr. Golon stated in lieu of using riprap or stone curb cut due to the elevation and grade.

Member Santacruce noted there is a waiver request for cape cod berm instead of granite curbing. Member Santacruce stated given the last application he will not support that waiver. Member Santacruce noted on the site plan in the snow storage the gate is opening out into the snow storage area.

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Mr. Golon noted the fence is provided to get the snow to that location. Mr. Golon stated historically the city has allowed bituminous curb and through recent revelations that has changed. Mr. Golon noted there has been a focus on the construction specifications as the leading implement to enforce this rule. The site has bituminous curb now. It is an unnecessary expense to require granite curbing where there is a curb alternative that is currently in use. Mr. Golon stated if the waiver is denied he will have to change the plan and would ask the Board to pause to think about other projects that have been approved in the past two to three years.

Councilor Todd wanted to know that the leprechaun arborvitae that is being suggested to replace the bittersweet is not a native species. It is a hybrid of native and non-native species. Councilor Todd asked if they considered native species.

Mr. Golon noted they did and this is the preferred source of vegetation Utilit prefers due to overhead lines and salt tolerance.

Chair Woodfin asked if there is any member of the audience that wishes to speak on this application.

Roy Schweiker (12 Chapel St, Concord) stated he does not have concern with this site plan and at the same time they are doing a substation on Bridge Street which does not require approval. Mr. Schweiker noted that substation has been a thorn in the side of the city for years in terms of development for that area.

Mr. Bass stated prior to closing the public hearing noted staff was recommending denial of the screen waivers. One was to require opaque fencing and they do not consider privacy mesh over a chain link fence to be solid and opaque. Mr. Bass noted for the Board this site is zoned industrial and abuts two mixed-use zoning districts. One which has residential uses and the other is more office. Mr. Bass stated they felt it to be important to make sure the applicant explored every opportunity possible not to encumber any of those sights or visually protect those sights.

Chair Woodfin noted the substation by the Common Man had the same question come up regarding the slate wall on the fence.

Mr. Golon stated it is a function of public safety police and fire need to see it.

Member Santacruce asked can they put the slates for the side that faces residential to the south because there is no access for police and fire.

Mr. Golon stated it would not be their preference to shield a portion and then needing to maintain those slates. Mr. Golon noted what do you see when those slates are install. Typically, they are defaced with spray paint.

Chair Woodfin asked about the three waivers.

Mr. Bass stated there are three waivers for screening. One of them is for outside storage which requires solid opaque fencing. The other two have language that the Board in the case of exceptional grades or exceptional large equipment can require the applicant to do the best they can.

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Mr. Thompson noted 9.4 (a & b) would be satisfied by the proposal by the applicant and 9(c) the Board will need to act on.

Mr. Golon stated they would not maintain the waiver request for the opaque fence.

Chair asked if there is any member of the audience to provide testimony, with none, Chair Woodfin closed the public hearing.

Mr. Thompson noted for the Board there was a staff determination that this might be regional impact and there are supplemental materials in the packet for comments from the Central NH Regional and Town of Pembroke. Mr. Thompson noted with not making that finding being made tonight they can be considered as public comment.

Chair Woodfin stated the findings of fact include the information provided in the staff reports; the applicant's submission materials; testimony provided during the public hearing; and/or other documents or materials provided in the public hearing.

On a motion made by Member Hicks, seconded by Councilor Todd, the Board voted 5 in favor (Tarbell, Todd, Fox, Rosenberger and Hicks) to 4 opposed (Condodemetraky, Savage, Woodfin and Santacrue) to **grant the waiver requests below from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:**

- a. **Section 16.02(22) *Construction Details* to not use Section 3(2)(c) of the City's Construction Standards and Details to allow the use of bituminous concrete curb within the proposed project area.**

On a motion made by Member Santacrue, seconded by Councilor Todd, the Board voted 9-0-0 to **determine** that section 20.06 *Solid Waste Facility Screening* does not apply to this project, is satisfied, and no waiver is necessary.

On a motion made by Member Santacrue, seconded by Councilor Todd, the Board voted 9-0-0 to **grant the conditional use permit** for Section 28-2-4(j) *Table of Principal Uses K.11 Essential public utilities and appurtenances* of the Zoning Ordinance as submitted, to allow use of a portion of the site as a substation and associated pole storage yard (essential public utilities and appurtenances).

- a. Prior to final approval, the accompanying major site plan application shall receive final approval, and the conditional use permit approval shall share the same final approval date for the purposes of establishing the date of decision by the Planning Board

On a motion made by Member Santacrue, seconded by Member Hicks, the Board voted 9-0-0 to **grant the conditional use permit** for Section 28-4-4(d) *Conditional Use Permits Required for Certain Disturbance of Bluffs and Buffers* of the Zoning Ordinance as submitted, to allow for the disturbance to buffers to bluffs to rebuild the existing Unitil West Concord Substation and associated pole storage yard, with the following conditions:

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- a. Prior to final approval, the accompanying major site plan application shall receive final approval, and the architectural design review approval shall share the same final approval date for the purposes of establishing the date of decision by the Planning Board.

On a motion made by Member Santacruce, seconded by Member Hicks, the Board voted 9-0-0 to **grant architectural design review approval** for the relocation and construction of the existing Unitil West Concord Substation and associated pole storage yard at Tax Map Lot 494Z 44, located off of McGuire St, as submitted, with the following conditions:

- a. Prior to final approval, the accompanying major site plan application shall receive final approval, and the architectural design review approval shall share the same final approval date for the purposes of establishing the date of decision by the Planning Board.

On a motion made by Member Santacruce, seconded by Councilor Todd, the Board voted 9-0-0 to **grant major site plan approval** for the construction of a new electrical substation, pole storage yard, and other associated site improvements at Tax Map 494Z Lot 44, addressed as 1-7 McGuire Street, in the Industrial (IN) District, as submitted, and subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void.
  1. Revise the plan sheet/set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Construction Standards and Details, as follows:
    - a. Per Sections 12.07 *Wetland Delineation*, 15.01(1), 15.01(6), and 16.01(1), Sheet C-05 is missing the signature and seal of the New Hampshire certified wetland scientist, and the existing conditions plan is missing the date of the wetland delineation. This required information shall be added to both sheets accordingly.
    - b. Per Section 15.03(4) *Soils*, the legend lists soils type 26E, but the plan view has it labeled as 43E. Either the legend is incorrect, or the labeling on the plan view is incorrect and needs to be corrected.
    - c. Per Section 15.03(13) *Flood Hazard*, the required Flood Hazard Zoning Overlay (FH) District notation on the existing conditions sheet is missing and shall be added.
    - d. Per Section 15.03(14) *Aquifers*, the site is in the AP Overlay District, but the boundary for the district and its label are missing from the existing conditions plan. The missing information shall be added.
    - e. Per Section 15.03(19) *Setbacks and Buffers*, the existing conditions plan is not showing the bluff or the 50-foot-wide bluff buffer and both shall be added.
    - f. Per Section 15.03(22) *Abutting Properties* on the existing conditions plan, the abutting properties are shown, along with the names and addresses of the property owners, however, the actual address of the abutting property is missing from the labeling and shall be added.
    - g. Per Section 15.03(24) *Zoning*, the Zoning District Boundary lines, including Overlay Districts with labels be provided on the site plan.

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- h. Per Section 15.04(25) *Outside Storage*, the locations to be used for materials and storage shall be added to the site plan along with labels, type, and dimensions of required screening. Details shall be provided for any screening material, or fencing to be used.
- i. Per Sections 13.01(6) *State and Federal Permits*, 13.02(8) *State and Federal Permits*, 15.01(2), and 16.01(2) *Required Information*, prior to final plan approval, all required State and Federal Permits shall be provided to the City Planning Division.
- j. The 20-foot wide swing gate located near the south corner of the project shall be redesigned to accommodate the full width of the driveway.
- k. Due to the unusually large equipment, Leprechaun Arborvitae landscaping shall be provided to provide feasible screening, as shown on the buffer plan provided during the public hearing, to satisfy section 26.02 *Mechanical Equipment* and 26.03 *Screening of Outside Storage* of the Site Plan Regulations.

2. The 30-foot wide swing gate at the exit of the pole bunker area appears to restrict access to Sanitary Sewer Manhole 1038 and needs to be adjusted so that the City may access and maintain facilities located within the sewer easement. The fence should also be relocated to be outside of the proposed sanitary sewer easement.
3. Revise the plan set for compliance with the Site Plan Regulations and Construction Standards and Details as noted in the attached memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated October 7, 2025.
4. Per Section 13.02(2) *Utility and Drainage Slope Easements*, a new utility easement deed and easement plan shall be prepared and submitted for review as to form and content by the Clerk of the Planning Board, City Engineer, and City Solicitor. Additionally, the existing utility easement between the City and Unitil shall be extinguished.
5. List all approved variances, waivers, and conditional use permits, with section numbers, descriptions, and date of approval on the cover sheet or site plan sheet. Unless otherwise noted, the plan set shall comply with any waivers denied by the Planning Board.
6. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets, including civil, landscaping, lighting, and architectural plans for endorsement by the Planning Board Chair and Clerk.

(b) **Subsequent Conditions** – to be fulfilled as specified.

1. Unless otherwise permitted by Site Plan Regulation or New Hampshire State Statute, the site plan approval shall expire should the use or construction so authorized not be active and substantially developed, as defined by the Site Plan Regulations, within 3-years of final approval.
2. Copies of all required state and federal permits shall be submitted to the Planning Division prior to the issuance of building permits or commencement of demolition or construction. (Sections 13.01(6), 13.02(8), 23.08, and 24.09)
3. No building permit shall be issued until the site plan has been approved by the Planning Board and the pre-construction conditions of approval have been satisfactorily addressed

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as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all site and building improvements have been completed to the satisfaction of the Clerk of the Planning Board according to the approved plans and conditions of Planning Board approval. (Section 11.09(6))

4. The applicant, successors, and assigns shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season. (Section 27.07(8))
5. Existing invasive species shall be removed. All trash, construction material, and debris shall be removed. Dead and dying trees which present a potential hazard to existing and proposed structures shall be removed. (Section 27.07(10))
6. The site shall be graded and cleared in accordance with the Construction Standards and Details and Section 27.08 of the Site Plan Regulations.
7. Erosion control measures shall be installed and maintained in accordance with Section 27.09 of the Site Plan Regulations, the State of New Hampshire Department of Environmental Services, and the Construction Standards and Details. Sedimentation and erosion control measures shall be installed prior to the start of construction, and shall be monitored and maintained during construction, and removed after final site stabilization as required by Section 27.09(4) *Monitoring and Maintenance*.
8. Temporary sediment and erosion control devices shall not be removed until permanent stabilization is established for the entire site. All temporary erosion and sediment control measures shall be removed after the completion of construction. (Section 27.09(5))
9. A site stabilization guarantee shall be provided to ensure that sites are properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site, if upon notice, the applicant has not stabilized or restored the site. (Section 27.11)
10. The Clerk shall inspect the exterior appearance of sites to determine if the exterior of a building, site, and signage are in conformity with the architectural design review approval granted by the Planning Board. No certificate of occupancy may be issued prior to a determination by the Clerk that the site is consistent with the Board's approval. (Section 33.08)
11. If there is a conflict between regulations, rules, statutes, provisions or law, or the approved plan set, whichever provisions are the more restrictive or impose higher standards shall control, unless a specific waiver from the provision has been granted by the Planning Board. (Sections 36.04 and 36.05)
12. No site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits shall be issued prior to satisfactory completion of pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy unless the site is found to comply with the approved site plan and the conditions of Planning Board approval. (Sections 36.15 and 36.24)
13. Temporary certificates of occupancy are only issued under certain circumstances and only for the items outlined in Section 36.18, only in winter conditions to defer certain weather-dependent items to spring.
14. It shall be the duty of the Clerk to enforce the regulations and to bring any violations or lack of compliance herewith to the attention of the City Solicitor. (Section 36.19)

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15. Prior to the issuance of a certificate of occupancy, digital as-built drawings shall be provided conforming to the Engineering Services Division's as-built checklist. (Sections 12.09, 13.02(11), and 36.25)
16. Where a public facility, public utility, or public improvement is to be constructed, a financial guarantee shall be provided. (Sections 13.02(5) and 36.26)

9C. Northpoint Engineering, LLC, on behalf of Ciborowski Associates, LLC and Phenix Hall, LLC, requests approval for a minor subdivision application for a lot line adjustment and the discontinuance of Phenix Ave at Tax Map 6443Z Lot 27, addressed as 56 North Main St and Tax Map 6443Z Lot 28, addressed as 2 Phenix Ave, in the Central Business Performance (CBP) District. (2025-122)(PL-MIS-2025-0047)

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Board voted 9-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and open the public hearing.

Mr. Thompson stated this application is one of 3 on the agenda tonight relative to the Phenix Block redevelopment project. This portion of the project requests a minor subdivision, lot line adjustment and discontinuance of Phenix Avenue to facilitate the proposed development that is part of the 2 related applications. In addition to Planning Board approval, City Council approval is also necessary for the actual discontinuance of the public right-of-way (Phenix Ave). Staff is recommending the application be determined complete and continuance of the public hearing to a date certain of February 18, 2026 so that the public hearing takes place on the same night as the two accompanying major site plan applications for the Phenix Block project.

Mr. Pollack (214 North Main St, Concord) asked to have all three applications read into the record so they can be heard all together, determine the applications complete, to grant a waiver to open the public hearing and continue to a date certain of February 18, 2026.

Chair Woodfin asked to have agenda item 9D and 9E read in together to be discussed as one project and voted on separately.

Mr. Thompson stated he can read in the other two.

Member Santacruce asked when would the 65-day clock start.

Mr. Thompson stated the 65-day clock would start tonight and the applicant is understanding of that.

Mr. Pollack noted the February meeting falls within the 65 days.

Mr. Thompson noted there are a lot of moving pieces and they are trying to keep these on a path that there is enough time for the applicant to address the concerns we have now, submit revisions so there is time for a decision.

Mr. Pollack would like to speak to all of the three applications tonight.

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Mr. Thompson noted they will need to provide three separate motions. Mr. Thompson read agenda item 9D and 9E into the record. Mr. Thompson stated these applications are the second and third of 3 on the agenda tonight relative to the Phenix Block redevelopment project. These portions of the project request approval for 2 major site plan, architectural design review and 2 CUPs (one for the maximum height of the building and the other for partial obstruction of the State House dome) as available through recently approved Zoning ordinance amendments adopted by the City Council. The two existing buildings on Lot 27 will be removed to make way for a new, 8-story, mixed-use building with a connection to the Phenix Hall Building on lot 28. The new mixed-use building is proposed to contain some limited retail space on the lower level, office space on the second level, the third through sixth floors will be 36 residential apartments, and the top floor is proposed to be a restaurant venue with outdoor seating on a roof deck. 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. Staff is recommending the applications be determined complete and continuance of the public hearings to a date certain of February 18, 2026 so that all 3 of the public hearing and potential decisions can take place on the same night.

Ari Pollack, Mark Ciborowski (18 N Main St Ste 202, Concord) and Jason Lacombe (30 S Main St, Concord) presented the application. Mr. Pollack stated this involves the preservation of Phenix Hall, the construction of a new connector building a new mixed-use building at the location of the former CVS and the E&P Hotel.

Mr. Lacombe presented a video of the project for all three buildings with day and night time views.

Mr. Pollack noted the new mixed-use building proposed where the CVS and E&P building stand the seven stories are ground floor retail, second floor for office, the third through six floors are 36 apartments and the seventh floor the conditional use for building height is the roof top restaurant proposal.

Chair Woodfin asked about the flat elevation and if they are changing the sidewalk. Mr. Lacombe responded no.

Chair Woodfin suggested bird friendly glass as a design piece with large expanses of glass.

Member Fox asked what is the timeline from start to finish and inquired if the construction will impact traffic.

Mr. Pollack stated it is a two season build and there will be construction and traffic impacts. Mr. Pollack noted they will work with city staff to minimize the disruptions.

Member Fox asked if there will be sidewalk interruption in front of those buildings.

Mr. Pollack responded yes.

Member Fox asked if they will lose the parking in front of the building.

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Mr. Pollack stated it will be impacted but they do not know how much.

Mr. Ciborowski noted there are ten parking spaces in front of the Phenix Block.

Member Santacruce noted they are still working on the lighting. However, our regulations say to limit up lighting and on the night time renderings show up lighting. Member Santacruce asked for them to take that regulation into consideration. Member Santacruce stated whatever happened in the past is with previous boards is in the past however, it was approved as this will have impact to downtown.

Chair Woodfin asked about height and the dome from the highway. Chair Woodfin noted on the southern end of the new building there is a screened area for the elevator that goes along the back of the building and asked if there is nothing else up there.

Mr. Pollack noted that is the parapet for the mechanicals.

Chair Woodfin asked if there will be solar.

Mr. Pollack stated they have not considered it at this point.

Chair Woodfin opened the meeting to any member of the audience to speak on behalf of this application.

Jim Rosenberg (107 Storrs St, Concord), partner at Shaheen and Gordon, stated the firm's building will be in the shadow of this building and likes the pedestrian pass through. Mr. Rosenberg noted the plan for the project keeps with the shared values downtown. Mr. Rosenberg trusts Mr. Ciborowski and his history and vision for downtown. Mr. Rosenberg is in support of this project.

Joe Conway (64 N Main St, Concord) and Theodora Conway (64 N Main St, Concord) are the abutters to the north. They have been working with Mr. Ciborowski for the past two and a half years. Mr. Conway stated they are excited about his project. With that excitement came some concerns about the height for the engineering and impact that was not constructed to handle additional snow load from an eight-story building next to them. They have worked through a lot of issues to accommodate the snow load to stay with their building. They came to a plan that everyone agrees on and the plan is wonderful for the city.

Ron Rayner (29 Rumford St, Concord) has been following this project and in support. It is a great addition to Main Street and a positive thing. Mr. Rayner noted the E&P building is in the national register historic district and it is not on the national historic register. Mr. Rayner noted there was a fire and it was damaged. The Heritage Commission approved the demolition of a building. Mr. Rayner asked what lead to the decision to demolish and build a new or verses restoration and preservation. Mr. Rayner noted parking in the central business performance district is not mandated that each unit have a certain number of parking spaces. Mr. Rayner noted parking downtown is atrocious. Mr. Rayner noted in the report there will be parking under one of the buildings but there is no number. Mr. Rayner noted with 36 units there will be 48 to 50 cars. Where are all of these cars going to go? Mr. Rayner asked for a payment in lieu of. Mr. Rayner asked about the interconnection of the Phenix Block and Phenix Hall. Mr. Rayner asked about the open air lobby.

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Member Santacruce stated the architectural plans level 0 shows 20 parking spaces on the floor plan.

John Chorlian (80 School St, Concord) is in support of this project. Mr. Chorlian has followed this project for years and this is a grand ambitious project. Mr. Chorlian asked the Board to support this project.

Sue McCoo (56 N Main St, Concord) noted she owns four businesses downtown. Ms. McCoo stated it is a great project.

Roy Schweiker (12 Chapel St, Concord) stated in the new master plan they should forbid all up lighting and façade lighting of buildings.

Chair Woodfin asked for applicant to come back to the table.

Mr. Ciborowski stated two years ago he bought on North State Street a surface lot with 18 spaces. There is a service lot on Low Ave.

Chair Woodfin asked about the E&P restoration that has been sitting vacant and if they looked at restoring it.

Mr. Ciborowski looked at it many different ways and there were many issues that could not be addressed.

Mr. Thompson stated Mr. Ciborowski was in front of the Heritage Commission in late 2023 regarding a forthcoming application for an RSA 79-E Tax Incentive for this project and because he is proposing to tear down a building that is eligible for inclusion in the historic district is the decision from Heritage Commission did approve and he can now move forward with City Council for the 79-E application.

Chair Woodfin suggested to recess the public hearing to a date certain of February 18, 2026.

Mr. Thompson stated there will need to be three motions for agenda item 9C, 9D and 9E.

On a motion made by Member Hicks, seconded by Member Savage the Board voted 9-0-0 to **continue the public hearing for the minor subdivision application for a lot line adjustment and discontinuance of Phenix Ave at 56 North Main St and 2 Phenix Ave, to a date certain of Wednesday, February 18, 2026.**

9D. Northpoint Engineering, LLC, on behalf of Ciborowski Associates, LLC, requests approval for a major site plan application, a conditional use permit to allow a portion of a proposed mixed-use building to be constructed to a maximum height of 89feet-6inches from area average grade, a conditional use permit application to allow the partial obstruction of views of the State House Dome, and certain waivers from the Site Plan Regulations for the construction of a new 8-story, mixed use building at Tax Map 6443Z Lot 27, addressed as 56 North Main Street in the Central Business Performance (CBP) District. (2025-123) (PL-SPR-2025-0049) (PL-CUP-2025-0101) (PL-CUP-2025-0102)

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Mr. Thompson read this agenda item into the record on agenda item 9C.

On a motion made by Member Condodemetraky, seconded by Councilor Todd the Board voted 9-0-0 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; and**
- **State that the project does not meet the criteria for a development of regional impact per RSA 36:55**

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Board voted 9-0-0 to continue the public hearing for the major site plan application for the redevelopment of the Phenix Block at 56 North Main Street to a date certain of Wednesday, February 18, 2026.

9E. Northpoint Engineering LLC, on behalf of Phenix Hall, LLC, requests approval for a major site plan application and certain waivers from the Site Plan Regulations for the construction of a 6-story addition and other site improvements at Tax Map 6443Z Lot 28, addressed as 2 Phenix Ave in the Central Business Performance (CBP) District. (2025-125) (PL-SPR-2025-0050)

Mr. Thompson read this agenda item into the record on agenda item 9C.

On a motion made by Member Hicks, seconded by Member Fox, the Board voted 9-0-0 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; and**
- **State that the project does not meet the criteria for a development of regional impact per RSA 36:55.**

On a motion made by Member Hicks seconded by Member Savage the Board voted 9-0-0 to continue the public hearing for the major site plan application for the redevelopment of the Phenix Block at 34-42 North Main Street to a date certain of Wednesday, February 18, 2026.

9F. Nobis Group, on behalf of HP Hood, LLC, requests approval for a major site plan application and certain waivers from the Site Plan Regulations for the construction of a new 4,800-square-foot wastewater pretreatment building, installation of multiple process tanks, and other associated site improvements at Tax Map 491Z Lot 26, addressed as 330 North State St in the Industrial (IN), Open Space Residential (RO) and Neighborhood Residential (RN) Districts. (2025-137) (PL-SPR-2025-0054)

Member Rosenberger recused from this agenda item due to a conflict with a client and left the meeting.

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Mr. Thompson stated this project requests major site plan and architectural design review approval and is to improve the HP Hood facility's wastewater quality through the installation of an industrial pretreatment facility. This facility is necessary due to the General Service Department action against HP Hood, which requires HP Hood to reduce Biological Oxygen Demand (BOD) in their wastewater, which impacts the City's wastewater treatment facility functionality. The project will include a 4,800 square foot wastewater pretreatment building located on the southeast portion of the site, the installation of process tanks, including a 125,000-gallon equalization tank, 100,000-gallon recirculation tank, 14,000-gallon Moving Bed Biofilm Reactor (MBBR), and a 12,000-gallon sludge holding tank. City Staff is recommending the application be determined as complete, and conditional approval of the major site plan and ADR per the recommendations in the staff memo.

On a motion made by Councilor Todd, seconded by Member Hicks, the Board voted 9-0-0 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.**

Chris Nadeau (18 Chenell Dr, Concord) and Patrick Mason (330 N State St, Concord) presented the application. Mr. Nadeau stated they are proposing to build a 4800 square foot building for waste water treatment plant in the back-right corner of the property. There are four tanks for waste water treatment. There are three parking spaces for employees. It went to architectural design review and their only comment was on the color of the building. They asked to darken it up and they have changed to a dark gray. There are a few staff comments in reference to screening and sidewalk.

Chair Woodfin had two questions asking if there is any pretreatment being done now on the site.

Mr. Mason responded yes, they currently equalize and neutralize the PH before it is discharged to the city's collection system. Mr. Mason noted this will be more.

Chair Woodfin asked if it will smell.

Mr. Mason noted they have considered that as well. All of the tanks are covered and pretreatment equipment is housed inside of the building. They are not generating biogas it tends to have an earthy odor. The pretreatment process is under aeration conditions.

Chair Woodfin asked what is BOD.

Mr. Thompson noted it is biological oxygen demand.

Chair Woodfin asked about screening and sidewalk connection.

Mr. Nadeau stated for the sidewalk this is an industrial site and does not make sense. Mr. Nadeau noted for screening they darkened the building.

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Mr. Thompson noted 9.3 (a) – (hh) in the staff report if the applicant is comfortable can be withdrawn because they are not necessary based on the staff review. Mr. Thompson stated staff is recommending granting the waivers in 9.2. The only waiver recommending denial on was the screening of mechanical equipment.

Member Santacruce noted everything is contained in the building and there is no open storage. Member Santacruce is in support of the waiver to not have the screening.

Chair Woodfin asked if there is any member of the public that would like to speak on this application. Chair Woodfin asked about the sidewalk.

Mr. Bass stated this might have been requirement for regulations to connect buildings to sidewalks and it was not a part of the requested waivers. The Board can discuss and grant not to require a sidewalk to this building.

Member Santacruce noted this is a controlled area with a gate and a fence.

Chair Woodfin asked if there is any member of the audience that would like to speak on this application, and with no response, closed the public hearing.

Chair Woodfin stated the findings of fact include the information provided in the staff reports; the applicant's submission materials; testimony provided during the public hearing; and/or other documents or materials provided in the public hearing.

On a motion made by Member Hicks, seconded by Member Santacruce, the Board voted 8-0-0 to grant the waiver requests below from the listed sections of the Site Plan Regulations, based on evidence provided showing that the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations are met:

- a. **Section 12.03(1) to allow for the submitted existing conditions plan in its entirety to be prepared, signed and sealed by a licensed engineer and not a licensed NH land surveyor.**
- b. **Section 12.07 *Wetland Delineation*, to not provide the signature and seal of the wetland scientist on the site plan;**
- c. **Section 15.02 (8) The address of each existing and proposed building or use shall be noted on the site plan as approved by the City Engineer, as well as, addresses for abutting properties.**
- d. **Section 16.02 (15) *Landscape Plan*, to provide no landscaping and tree plantings for the development. Because of this, a waiver is requested to not provide landscape plans from a landscape architect.**
- e. **16.02(19) *Traffic Control Plan*, to provide this information prior to construction to be completed by the site contractor with the condition the City Engineer approves the traffic control plan prior to the issuance of a building permit.**
- f. **Section 18.02 *Parking Lot Design Policy*, to not provide landscaping within the proposed parking area. Due to the required 2 parking spaces and 3 proposed parking spaces no parking lot landscaping is required by the City of Concord Zoning Ordinance. Due to**

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heavy truck traffic and existing storage of trailers supporting the main facility, landscaping would prohibit traffic flow from the daily operations.

- g. Section 18.13 *Interior Parking Lot Landscaping*, to provide internal parking lot landscaping calcs based on only the project area. Since the proposed parking lot will only have 3 spaces no interior lot landscaping is required. Due to heavy truck traffic and existing storage of trailers supporting the main facility, landscaping would prohibit traffic flow from the daily operations.
- h. Section 18.17 *Tree plantings*, to not provide tree plantings within the proposed parking area. Due to the required 2 parking spaces and 3 proposed parking spaces no tree plantings are required by the City of Concord Zoning Ordinance. Due to heavy truck traffic and existing storage of trailers supporting the main facility, tree installation would prohibit traffic flow from the daily operations.
- i. Section 20.05 *Screening of Loading Areas* and Section 26.05 *Residential Uses in Mixed Use or Non-residential Zones*, to not provide the required screening.
- j. Section 21.03 *Connection to Public Sidewalks*, to not provide a public sidewalk connection to the proposed building.
- k. Section 26.02 *Mechanical Equipment*, to not provide the required screening.

On a motion made by Member Hicks, seconded by Member Santacruce, the Board voted 8-0-0 **to grant architectural design review approval for the construction of a wastewater pretreatment building, installation of multiple process tanks, and other associated site improvements at Tax Map 491Z Lot 26, addressed as 330 N State St with the following conditions:**

- a. The siding of the building, doors, and tanks be made of a darker color, such as grey; and, prior to final approval.
- b. Prior to final approval, the accompanying major site plan application shall receive final approval, and the architectural design review approval shall share the same final approval date for the purposes of establishing the date of decision by the Planning Board.

On a motion made by Member Savage, seconded by Member Hicks, the Board voted 8-0-0 **to grant major site plan approval** for the construction of an wastewater pretreatment building, installation of multiple process tanks and other associated site improvements at Map 491Z Lot 26, addressed as 330 N State St, as submitted, and subject to the following conditions:

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void.
  - 1. Revise the plan sheet/set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Construction Standards and Details, as follows:
    - a. Per Section 16.02(14)(d), the applicant shall provide the required location, type, dimensions, setbacks, and screening for solid waste receptacles and dumpsters on the site. Details shall also be provided.
    - b. Per Section 16.03(5) *Windows, Doors, and Roofs*, the applicant shall note the size and spacing of all windows and door openings on the architectural elevations.

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- c. Per Section 16.03(7), the applicant shall provide the proposed colors and materials to be used for all siding, roofs, foundations, trim, doors, windows, mechanical equipment, and all other appurtenant features shall be noted on the architectural elevations.
- d. Per Section 16.03(8) the applicant shall provide 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.
- e. Per Section 13.01(6) *State and Federal Permits*, 13.02(8) *State and Federal Permits*, 15.01(2), and 16.01(2) *Required Information*, the applicant shall provide final permit approval for all required state and federal agencies.

2. Revise the plan set for compliance with the Site Plan Regulations and Construction Standards and Details as noted in the attached memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi dated December 3, 2025.
3. Revise the plan set to only show the Planning Board Approval Block on the Cover Sheet and the Site Plan sheet.
4. List all approved waivers with the section numbers, descriptions, and date of approval on the cover sheet or site plan sheet. Unless otherwise noted, the plan shall comply with the regulatory requirements in any instances where waivers were denied by the Planning Board.
5. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets, including civil, landscaping, and lighting plans and architectural elevations, for endorsement by the Planning Board Chair and Clerk.

(b) **Subsequent Conditions** – to be fulfilled as specified:

1. Unless otherwise permitted by Site Plan Regulation or New Hampshire State Statute, the site plan approval shall expire should the use or construction so authorized not be active and substantially developed, as defined by the Site Plan Regulations, within 3-years of final approval.
2. The applicant is responsible for compliance with the City's municipal code, Site Plan Regulations, and Construction Standards and Details, unless a variance, waiver, or conditional use permit is granted.
3. Copies of all required state and federal permits shall be submitted to the Planning Division prior to the issuance of building permits or commencement of demolition or construction. (Sections 13.01(6), 13.02(8), 23.08, and 24.09)
4. No building permit shall be issued until the site plan has been approved by the Planning Board and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy shall be issued until all site and building improvements have been completed to the satisfaction of the Clerk of the Planning Board according to the approved plans and conditions of Planning Board approval. (Section 11.09(6))
5. The applicant, successors, and assigns shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free

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from pests and disease. Tree stakes and guys shall be removed after the first growing season. (Section 27.07(8))

6. Existing invasive species shall be removed. All trash, construction material, and debris shall be removed. Dead and dying trees which present a potential hazard to existing and proposed structures shall be removed. (Section 27.07(10))
7. The site shall be graded and cleared in accordance with the Construction Standards and Details and Section 27.08 of the Site Plan Regulations.
8. Erosion control measures shall be installed and maintained in accordance with Section 27.09 of the Site Plan Regulations, the State of New Hampshire Department of Environmental Services, and the Construction Standards and Details. Sedimentation and erosion control measures shall be installed prior to the start of construction, and shall be monitored and maintained during construction, and removed after final site stabilization as required by Section 27.09(4) *Monitoring and Maintenance*.
9. Temporary sediment and erosion control devices shall not be removed until permanent stabilization is established for the entire site. All temporary erosion and sediment control measures shall be removed after the completion of construction. (Section 27.09(5))
10. A site stabilization guarantee shall be provided to ensure that sites are properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site, if upon notice, the applicant has not stabilized or restored the site. (Section 27.11)
11. The Clerk shall inspect the exterior appearance of sites to determine if the exterior of a building, site, and signage are in conformity with the architectural design review approval granted by the Planning Board. No certificate of occupancy may be issued prior to a determination by the Clerk that the site is consistent with the Board's approval. (Section 33.08)
12. If there is a conflict between regulations, rules, statutes, provisions or law, or the approved plan set, whichever provisions are the more restrictive or impose higher standards shall control, unless a specific waiver from the provision has been granted by the Planning Board. (Sections 36.04 and 36.05)
13. No site construction, or change of use of land, shall occur in violation of the Site Plan Regulations and the Zoning Ordinance. No building permits shall be issued prior to satisfactory completion of pre-construction conditions of Planning Board approval. The Clerk shall not approve any certificate of occupancy unless the site is found to comply with the approved site plan and the conditions of Planning Board approval. (Sections 36.15 and 36.24)
14. Temporary certificates of occupancy are only issued under certain circumstances and only for the items outlined in Section 36.18, only in winter conditions to defer certain weather-dependent items to spring.
15. It shall be the duty of the Clerk to enforce the regulations and to bring any violations or lack of compliance herewith to the attention of the City Solicitor. (Section 36.19)
16. Prior to the issuance of a certificate of occupancy, digital as-built drawings shall be provided conforming to the Engineering Services Division's as-built checklist. (Sections 12.09, 13.02(11), and 36.25)
17. Where a public facility, public utility, or public improvement is to be constructed, a financial guarantee shall be provided. (Sections 13.02(5) and 36.26)

9G. Gallagher Callahan & Gartrell PC, on behalf of The City of Concord, and Concord Coach Lines, Inc, requests approval for a major site plan application, a conditional use permit application pursuant to Section 28-7-10(d) to pay a fee in lieu of installing the required trees, and certain waivers from the Site

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Plan Regulations for the construction of a temporary parking lot to support the State's adjacent bus terminal at Tax Map 6414Z Lot 92, an unaddressed parcel on Storrs Street in the Opportunity Corridor Performance (OCP) District. (2025-135) (PL-SPR-2025-0053) (PL-CUP-2025-106) (Pulled from Consent Agenda by applicant)

Mr. Thompson stated this project proposes a temporary parking lot on City owned property that would be leased to Concord Coach Lines for use as an overflow parking area to support the busing and transportation services offered by CCL, Manchester Transit, and Greyhound at the Concord Transportation Center located at 30 Stickney Avenue. CCL approached the City with a request to lease the property for this parking use, and a lease agreement with CCL is nearing completion, which would allow the temporary use of the City's property for a period of time until the City is ready to proceed with improvements associated with the Storrs Street North project (CIP #18). As part of the lease agreement, CCL is fully responsible for the costs of the temporary parking improvements contemplated by this application, will be responsible for lease payments to the City and payment of property taxes for the use during the lease term, and lastly will be responsible for the removal of the improvements upon the initiation of the Storrs Street North project. City Staff is recommending the application be determined as complete, and conditional approval of the major site plan and conditional use permit per the recommendations in the staff memo.

On a motion made by Councilor Todd, seconded by Member Condodemetraky, the Board voted 8-0-0 to:

- Grant the waiver from Section 6.03(2)(c) and Section 11.05 of the Site Plan Regulations using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations to allow for the determination of completeness and public hearing at the same meeting;
- Determine the application complete;
- State that the project does meet the criteria for a development of regional impact per RSA 36:55; and,
- Open the public hearing.

Ari Pollack (214 N Main St, Concord), Thomas D'Aguiar (2 Bedford Farms Dr Suite 200, Bedford) and Benjamin Blunt (30 Stickney Ave, Concord) presented the application. Mr. Pollack noted the State's parking areas for this bus terminal is congested. Mr. Pollack noted Concord Coach has started conversations with the City and NH Department of Transportation to add parking to make safer. The city owns a parcel of land wedged between the new Brady Sullivan project and the U-Haul. It is perfect for parking. They have arranged a lease of this parcel. The city offered Concord Coach a ten-year lease with opportunity to end the lease after five years. Mr. Pollack stated they requested waivers to mitigate cost for curbing, show a landscape plan and modify a storm water design. They asked for a conditional use permit that will allow them to make a payment into the tree fund. The parking area will be paved, fenced and illuminated.

Mr. D'Aguiar stated they are proposing around 230 parking spaces. The lot is oddly shaped. They are trying to maximize parking. There are old monitoring wells with no containments. They are requesting a few waivers from landscaping. The storm water management they are looking for a waiver for the peak rates of run off for the 100-year storm. The system is designed to enclose and encapsulate the 100-year storm with no flooding to the parking lot.

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Mr. Pollack noted the U-Haul property has an odd configuration like an upside-down pan handle. The pan handles run between the city's parcel and the states parking parcel. As a result of that you will see a condition of approval recommended by staff that they arrange a license or easement or some land right to cross over a portion of the pan handle to be used as an access point to the city's parcel from the states parcel. They have approached their neighbor from U-Haul and they are agreeable to renting those rights. They are waiting for the Boards approval.

Chair Woodfin asked if there is a way to move the primary entrance of the upside pan handle so it is a little father to the north so it lines up with a direct shot down the aisle.

Mr. Blunt they are trying to mitigate how much they are asking of them.

Mr. Pollack stated staff recommendation on that issue asked they do their best to line that up.

Mr. Thompson stated the way he proposed the condition was if they are unable to accommodate that with U-Haul we get written notification.

Chair Woodfin asked if they will fence the property.

Mr. Pollack responded yes.

Chair Woodfin asked about the bump outs on the fencing to accommodate snow storage at each end. Chair Woodfin asked if they are putting in curbing.

Mr. Pollack responded no curbing.

Member Santacruce asked if they have to cross the state property for access.

Mr. Blunt responded yes.

Member Santacruce noted they are not the land owner and if their easement is for access to that lot and not access to the city's lot.

Mr. Pollack responded that is correct.

Member Santacruce stated they would need an easement from the state.

Mr. Pollack stated they are already utilizing the property from the state.

Member Santacruce asked about the abutter because there is an access easement for the Stickney Ave development project.

Mr. Pollack stated they are also aware.

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Member Santacruce noted if their access easement is issued to the state for the use of the current parking lot that is not access for you to gain access to the city's parcel.

Mr. Pollack stated they do not need to trespass over the Brady-Sullivan property.

Member Santacruce noted looking at the plan in the farthest southern access isle it crosses into that easement area.

Mr. Pollack stated if it does it will need to be revised.

Chair Woodfin opened the public hearing and asked if any member of the audience wished to speak on the application.

Roy Schweiker (12 Chapel St, Concord) noted when you drive in there is an area on the right that originally was for car pool people because it was further away from the bus station. Mr. Schweiker suggested to allow for gravel instead of pavement. Mr. Schweiker also commented on the fence because he likes to walk through to the bus station.

Chair Woodfin asked if there is any other member of the audience that wishes to speak on this application, there was none, Chair Woodfin closed the public hearing.

Mr. Thompson stated with regards to the fence that is not something from the city required it was a proposal from Concord Coach.

Mr. Pollack stated they would like a fence.

Member Hicks asked about gravel verses pavement because people are parking on grass so why pave it.

Mr. Pollack stated city standard is paving they have asked for a waiver to modify the design with pavement thickness.

Chair Woodfin closed the public hearing.

Mr. Thompson stated with regard to the waiver in 9.3 they have reached a resolution between the city and the applicant so rather than recommending denial of the waiver we recommend a partial waiver to section 22.07(1). Such that the applicant works collaboratively to determine the design and appropriate drainage system for the temporary parking lot improvements with the engineering division to the satisfaction of city staff. Mr. Thompson noted the second item is because this is a major site plan it does require architectural design review and there is nothing here that is architectural. Mr. Thompson would be comfortable to grant architectural design review as part of your motion.

Chair Woodfin stated the findings of fact include the information provided in the staff reports; the applicant's submission materials; testimony provided during the public hearing; and/or other documents or materials provided in the public hearing.

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On a motion made by Councilor Todd, seconded by Member Hicks, the Board voted 8-0-0 to **grant the waiver requests below from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations:**

- a. 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;
- b. Section 18.17 *Tree Plantings*, to not require internal and perimeter trees to be planted (see also the associated CUP for payment in lieu of planting); and
- c. Section 18.19 *Curbing and Guardrails*, to not require curbing of the parking area.

On a motion made by Councilor Todd, seconded by Member Condodemetraky, the Board voted 8-0-0 to **partially grant the waiver request below from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations, conditioned providing a minimum pavement section appropriate for this parking lot of 6" of gravel, 6" of crushed gravel and 3" of hot mix asphalt:**

- a. Section 18.20 *Construction Standards*, to not require the typically required pavement section in the parking area.

On a motion made by Councilor Todd, seconded by Member Condodemetraky, the Board voted 8-0-0 to **partially grant the waiver request below from the listed sections of the Site Plan Regulations, using the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations, conditioned that the applicant shall work collaboratively to determine and design an appropriate drainage system for the temporary parking lot improvements with the Engineering Division to the satisfaction of City Staff.**

- a. Section 22.07(1) *Storm Water Design Standards for Site Plans with Significant Impact, Storm Events*, to not require compliance with standards associated with the 100-year storm event.

On a motion made by Councilor Todd, seconded by Member Fox, the Board voted 8-0-0 to **grant the conditional use permit from Section 28-7-10(d), which allows a fee to be paid to the City of Concord Urban Tree Fund in lieu of planting trees.**

On a motion made by Councilor Todd, seconded by Member Fox, the Board voted 8-0-0 to **grant Architectural Design Review** for the

- a. Prior to final approval, the accompanying major site plan application shall receive final approval, and the architectural design review approval shall share the same final approval date for the purposes of establishing the date of decision by the Planning Board.

On a motion made by Councilor Todd, seconded by Member Condodemetraky, the Board voted 8-0-0 to **grant major site plan approval** for the 237-space temporary parking facility for Concord Coach Lines and the City of Concord, at the unaddressed parcel on Storrs Street (Tax Map Lot 6414Z 92), in the Opportunity Corridor Performance (OCP) District, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – Per Section 7.08(9) *Expiration of Approval*, approved site plans shall meet all precedent conditions and obtain the signature of the Chair and Clerk of the Planning

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Board within one year of the date of the Planning Board meeting where conditional final approval was granted; otherwise said plans shall be null and void. Precedent conditions are as follows:

- a. Revise the plan sheet/set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Construction Standards and Details, as follows:
  - i. Per Sections 13.01(6) *State and Federal Permits*, 13.02(8) *State and Federal Permits*, 15.01(2), and 16.01(2) *Required Information*, prior to final plan approval, all required State and Federal Permits shall be provided to the City Planning Division.
  - ii. Per Section 15.04(12) *Easements and Rights-of-way* the applicant shall provide appropriate information on the site plan regarding access across the U-Haul parcel (641Z 32), whether by easement or license agreement. In addition, a copy of the applicable documentation allowing access over this parcel shall be provided to the City.
  - iii. The applicant shall note all waivers granted on the site plan (and shall revise the minimum pavement section to 6" of gravel, 6" of crushed gravel and 3" of hot mix asphalt per Engineering Division recommendations for the partially granted waiver to Section 18.20).
  - iv. The applicant shall revise the plans and supplemental documents as necessary to comply with regulatory requirements should any waiver request be denied.
  - v. The applicant shall note the Conditional Use Permit granted on the site plan, or if not granted, revise the plans as necessary to comply with Section 28-7-10(d) of the Zoning Ordinance.
- b. Vehicle turning templates shall be provided to verify the parking area is navigable by emergency vehicles, and the plan shall be revised as necessary to ensure proper emergency access to the entire parking area to the satisfaction of the Fire Marshal.
- c. The fence surrounding the perimeter of the parking area shall be revised meeting the approval of the Assistant Director of Community Development to eliminate snow storage and compatibility with fencing on abutting property concerns.
- d. To the extent practicable, the applicant shall revise the design of the access to the parking area from the adjacent State of NH parking area, such that the access to the proposed parking area is lined up with the drive aisle from the State's lot. In the event that the license from U-Haul is not able to accommodate this modification, the applicant shall provide written documentation from U-Haul to the Community Development Department stating such.
- e. The applicant shall address all applicable comments from the Engineering Services Division memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated December 8, 2025.
- f. Upon notification from the Planning Division that the plan set complies with Planning Board conditions, the Zoning Ordinance, Site Plan Regulations, and Concord Construction Standards and Details, the applicant shall deliver to the Planning Division two full-size plan sets and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk. The plan sets shall contain the signature and seal of the appropriate licensed professionals as outlined in the Site Plan Regulations.

(b) **Subsequent Conditions** – to be fulfilled as specified:

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1. Unless otherwise permitted by Site Plan Regulation or New Hampshire State Statute, the site plan approval shall expire should the use or construction so authorized not be active and substantially developed, as defined by the Site Plan Regulations, within 3-years of final approval.
2. No construction shall commence until the lease agreement between the City of Concord and Concord Coach Lines is signed by both parties, the site plan has received final approval, and the pre-construction conditions of approval have been satisfactorily addressed as determined by the Clerk of the Planning Board. No certificate of occupancy (if applicable) or usage of the parking area shall be issued /allowed to commence until all site improvements have been completed to the satisfaction of the Clerk of the Planning Board according to the approved plans and conditions of Planning Board approval.
3. The applicant, successors, and assigns shall be responsible for the regular maintenance of all plantings and other landscape features. Plant materials shall be maintained alive, healthy, and free from pests and disease. Tree stakes and guys shall be removed after the first growing season.
4. Existing invasive species shall be removed. All trash, construction material, and debris shall be removed. Dead and dying trees which present a potential hazard to existing and proposed structures shall be removed.
5. The site shall be graded and cleared in accordance with the Construction Standards and Details and Section 27.08 of the Site Plan Regulations.
6. Erosion control measures shall be installed and maintained in accordance with Section 27.09 of the Site Plan Regulations, the State of New Hampshire Department of Environmental Services, and the Construction Standards and Details. Sedimentation and erosion control measures shall be installed prior to the start of construction, and shall be monitored and maintained during construction, and removed after final site stabilization as required by Section 27.09(4) Monitoring and Maintenance.
7. Temporary sediment and erosion control devices shall not be removed until permanent stabilization is established for the entire site. All temporary erosion and sediment control measures shall be removed after the completion of construction.
8. A site stabilization guarantee shall be provided to ensure that sites are properly stabilized. The City Engineer may call said financial guarantee, and stabilize a disturbed site, if upon notice, the applicant has not stabilized or restored the site.
9. If there is a conflict between regulations, rules, statutes, provisions or law, or the approved plan set, whichever provisions are the more restrictive or impose higher standards shall control, unless a specific waiver from the provision has been granted by the Planning Board.
10. Prior to the issuance of a certificate of occupancy (if applicable) or commencement of the applicant's use of the parking area, digital as-built drawings shall be provided conforming to the Engineering Services Division's as-built checklist.
11. Where a public facility, public utility, or public improvement is to be constructed, a financial guarantee shall be provided.

#### **10. Amendments**

Planning Board recommendations regarding an ordinance amending the Code of Ordinances, Title IV, Zoning Code; Chapter 28, Zoning Ordinance, Article 28-2, Zoning Districts and Allowable Uses,

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by amending Section 28-2-3-The Zoning Map, 28-2-3(b)(1) The Zoning Overlay District Maps; together with a report from the Assistant City Planner - Zoning.

Mr. Thompson stated this proposed Zoning Amendment is required by FEMA to reference the updated Flood Insurance Study documents and maps updated by the Federal Government that take effect in January. City Staff asks that the Board recommend that the City Council approve the amendments at their meeting on January 12, 2026.

On a motion made by Member Hicks, seconded by Member Fox, the Board voted 8-0-0 to recommend that the City Council approve the amendments at their meeting on January 12, 2026.

**11. Other Items**

In accordance with RSA 36:56 and 36:57, the Town of Boscawen is noticing the City of Concord, and the City of Concord Planning Board of a Development of Regional Impact for review and to provide comment.

Mr. Thompson stated this is a project located in Boscawen, but accessed through property on Elm Street in Concord. Boscawen is seeking comment and feedback from the City per the regional impact statutes. City Staff recommends that the Board direct staff to communicate with Town of Boscawen on City comments relative to the proposed 6-unit multi-family development.

Mr. Bass stated staff has reviewed it. They will be sharing staff comments because they will be using our sanitary sewer. The street naming and the driveway portion within the City of Concord meets our standards. Their storm water will not impact us.

Member Hicks asked about curbing on our section. The house is not in Concord but the street is.

Mr. Walsh stated they are building six units and this is a private drive. Mr. Walsh does not believe curbing is required on the private drive.

Mr. Bass stated it is at the discretion of the city.

Mr. Walsh stated eight is the magic number and if the grading issue of 6%.

Mr. Bass stated we will hold them to build to our standards.

On a motion made by Member Hicks, seconded by Member Savage, the Board voted 8-0-0 to direct staff to communicate with Town of Boscawen on City comments relative to the proposed 6-unit multi-family development.

**Other Business**

Any other business which may legally come before the Board.

**Adjournment**

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On a motion made by Member Hicks, seconded by Councilor Todd, the Board voted 8-0-0 to adjourn the meeting at 11:11p.m.

The next regular meeting is Wednesday, January 21, 2026, at 7:00 p.m.

TRUE RECORD ATTEST:

*Krista Tremblay*

Krista Tremblay

Administrative Technician III

DRAFT





Rec'd 2025/12/17 C P B mto