

City of Concord Planning Board
May 20, 2026 - Draft
Minutes

The regular monthly meeting of the Concord Planning Board was held on May 20, 2026, at 7:00 p.m., in City Council Chambers at 37 Green St, Concord.

Attendees: Dina Condodemetraky, Matthew Hicks, Eaton Tarbell, Councilor Brent Todd, Paige Wilber, Alternate Leon LaFreniere, and Chair Richard Woodfin

Absent: David Fox, Amanda Savage, Teresa Rosenberger (Ex-Officio for City Manager), and Alternate Frank Kenison

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

1. Call to Order

Chair Woodfin called the meeting to order at 7:00 p.m.

2. Roll Call

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

Chair Woodfin appointed Alternate Leon LaFreniere as a voting member for Member Fox.

3. Approval of Meeting Minutes

On a motion made by Member Hicks seconded by Councilor Todd, the Planning Board voted 6-0-0 to approve the April 15, 2026, Planning Board meeting minutes, as written.

4. Agenda Overview

On a motion made by Member Hicks, seconded by Councilor Todd, the Planning Board voted 6-0-0 to continue agenda items 6C to a date certain of June 17, 2026, at the request of the applicant.

On a motion made by Member Hicks, seconded by Councilor Todd, the Planning Board voted 6-0-0 to continue agenda items 8C to a date certain of June 17, 2026, at the request of the applicant.

On a motion made by Member Wilber, seconded by Councilor Todd, the Planning Board voted 6-0-0 to continue agenda items 8D no date certain at the request of the applicant.

On a motion made by Alternate Member LaFreniere, seconded by Councilor Todd, the Planning Board voted 6-0-0 to continue agenda items 9F to a date certain of June 17, 2026, at the request of the applicant.

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On a motion made by Member Hicks seconded by Councilor Todd, the Planning Board voted 6-0-0 to continue agenda items 9G to a date certain of July 15, 2026, at the request of the applicant.

5. Architectural Design Review by Consent

On a motion made by Member Tarbell, seconded by Member Hicks, the Board voted 6-0-0 to approve agenda items 5A-5C as submitted, subject to the recommendations of the Architectural Design Review Committee.

- 5A. Wall Street Dental Group, PLLC, on behalf of 16 Wall St LLC, and Wall Street Dental Group, requests an architectural design review approval for a new 8.81-square-foot externally illuminated freestanding sign (SP-0755-2026) to replace an existing freestanding sign, at 16 Wall Street in the Civic Performance (CVP) District. (2026-032) (PL-ADR-2026-0172)

The Planning Board approved the application as submitted.

- 5B. Green Bear Signs and Graphic, LLC, on behalf of Flomac Limited Partnership, and Back Nine, requests an architectural design review approval for a new 35-square-foot internally illuminated building wall sign (SP-0759-2026) at 8 Loudon Rd in the Gateway Performance (GWP) District. (2026-036) (PL-ADR-2026-0174)

The Planning Board approved the application as submitted.

- 5C. Spectrum Signs and Graphics, on behalf of B & L Transmissions, LLC, and 603 Bar-B-Q, requests an architectural design review approval for a new 42-square-foot internally illuminated free standing sign panel (SP-0762-2026), to replace an existing freestanding sign panel, at 388 Loudon Rd in the Gateway Performance (GWP) District. (2026-039) (PL-ADR-2026-0177)

The Planning Board approved the application as submitted.

6. Determination of Completeness Items by Consent

- 6A. Wilcox & Barton Inc, on behalf of 3JB, LLC, requests major site plan approval, architectural design review approval, and certain waivers from the Site Plan Regulations for the construction of a new 2-story, 3,500-square-foot commercial addition with basement, and the conversion of existing structures into 5 residential units, and certain site improvements at Tax Map 7413Z Lot 9, addressed as 47-49 South State St. As part of the major site plan, the applicant also requests conditional use permit approval pursuant to Section 28-7-11(f) Driveway Separation Alternatives to allow an existing driveway to remain 174-feet from an intersection where 200-feet is required. (2026-040) (PL-SPR-2026-0060) (PL-CUP-2026-0111)

On a motion made by Member Wilber, seconded by Member Tarbell, the Board voted 6-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and set the public hearing for June 17, 2026.

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6B. Wilcox & Barton Inc, on behalf of Two Wheeler Holdings, LLC, requests major site plan and architectural design review approvals for the conversion of an existing 30,310-square-foot building along with a 2,470-square-foot addition for a car dealership, 70,270-square-feet of additional pavement for driveways, parking, and vehicle storage, and other associated site improvements at Tax Map 782Z Lot 44, addressed as 110 Manchester Street in the Highway Commercial (CH) and Office Park Performance (OFP) Districts. (2026-044) (PL-SPR-2026-0061)

On a motion made by Member Wilber, seconded by Member Tarbell, the Board voted 6-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and set the public hearing for June 17, 2026.

6C. Northpoint Engineering, LLC, on behalf of Granite Municipal Manufacturing & Sales, LLC, requests major site plan and architectural design review approvals for the construction of 3 new 31,200-square-foot gross area, 4-story buildings for mixed flex industrial and self-storage use, a new 2,040-square-foot gross area, 2-story building office and caretaker apartment building, and associated site improvements at Tax Map 40Z Lot 6, addressed as 52 Locke Road in the Industrial (IN) and Open Space Residential (RO) Districts. As part of the major site plan application, the applicant also requests conditional use permit approval pursuant to Section 28-4-3(d) Conditional Use Permits Required for Certain Disturbance of Wetland Buffers to allow for the previous 54,781-square-feet of temporary wetland buffer impact for tree clearing and 2,936-square-feet of permanent wetland buffer impact for grading associated with the proposed stormwater management system. (2026-045) (PL-SPR-2026-0062) (PL-CUP-2026-0114) (Applicant has requested to continue the determination of completeness to the date certain of June 17, 2026)

This agenda item was continued to a date certain of June 17, 2026 in agenda item 4.

7. Extension Requests by Consent

7A. Wilcox & Barton, Inc, on behalf of Braydin and Kelsey Clouthier and Braydin Plumbing and Heating, LLC, requests a one-year extension to meet the precedent conditions of approval for the 2-lot minor subdivision application conditionally approved by the Planning Board on June 18, 2025, located at Tax Map 42Z Lot 28, an unaddressed Curtisville Road property in the Open Space Residential (RO) District. (2025-047) (PL-EXT-2026-0030)

On a motion made by Chair Woodfin, seconded by Councilor Todd, the Board voted 6-0-0 to grant a **one-year extension** to meet the precedent conditions of approval for the 2-lot minor subdivision application conditionally approved by the Planning Board on June 18, 2025, located at Tax Map 42Z Lot 28, an unaddressed Curtisville Road to an extension date of June 18, 2027.

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

Public Hearings

8. Design Review Applications

- 8A. Merrimack County Savings Bank/NH Mutual Bancorp, on behalf of Capitol Street Associates and Ransmeier & Spellman, and NH Trust, requests architectural design review approvals for two new non-illuminated building walls signs of 18.5-square-feet (SP-0760-2026) and 23.75-square-feet (SP-0761-2026), to replace two existing building wall signs at 1 Capitol St in the Central Business Performance (CBP) District. (2026-037) (PL-ADR-2026-0175)

Mr. Bass stated ADR did not take any action on this item due to a lack of quorum at their meeting resulting from a recusal. ADR did not make a recommendation on this item. The Board can consider the application and act on the application or they can send it back to ADR. Staff recommended the Board take action.

The consensus of the Board was to take action.

Chair Woodfin opened the public hearing.

Member Condodemetraky arrived at 7:08 p.m.

There being no public testimony, Chair Woodfin closed the public hearing.

On a motion made by Chair Woodfin, seconded by Member Hicks, the Board voted 7-0-0 to grant Architectural Design Review approval as submitted.

- 8B. Classic Signs Inc. LLC, on behalf of GMX-RP-SCU-Concord LLC, Dundee Investments LLC, and Service Credit Union requests architectural design review approvals for two new 33.28-square-foot internally illuminated building wall signs (SP-0751-2026 and SP-0752-2026) and a new 30.5-square-foot internally illuminated freestanding sign panel (SP-0753-2026) to be placed on an existing freestanding sign, at 285 Loudon Rd in the Gateway Performance (GWP) District. (2026-043)(PL-ADR-2026-0178)

Mr. Bass noted that ADR recommended approval as submitted. After the ADRC hearing staff noted a discrepancy in the tenant panel pylon, so the application was pulled from Consent for a public hearing. Mr. Bass contacted the applicant and they confirmed the sign will have a blue background with the white copy and it will be located below the Raising Caine's tenant panel. Mr. Bass recommended a motion for the approval.

Chair Woodfin opened the public hearing for public testimony and with none closed the public hearing.

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On a motion made by Chair Woodfin, seconded by Member Hicks, the Board voted 7-0-0 the Planning Board granted Architectural Design Review approval as submitted with the condition that the free-standing sign tenant panel shall have a blue background with white copy, and will located in the available spot below the current Raising Cane's sign, which received approval on May 21, 2025.

- 8C. Wilson & Wilson Architects, on behalf of Spring Corner Condominium, and Nonna's Place, LLC, requests an architectural review approval for a 650-square-foot façade alteration for the construction of a loggia to the front of an existing restaurant along Pleasant Street and the relocation of an existing 12-square-foot freestanding pylon sign at Tax Map 7411Z Lot 100, addressed as 60 Pleasant Street, 62 Pleasant Street, and 2-10 N Spring St in the Civic Performance (CVP) District. (2026-033)(PL-ADR-2026-0173) (Continued to June 17, 2026 at the request of the applicant)

This agenda item was continued to a date certain of June 17, 2026 in agenda item 4.

- 8D. Cobb Hill Construction, on behalf of Concord Feminist Health Center, and Equality Health Center, requests an architectural design review approval for the replacement of an existing storefront, sidelights, and transom, along with the installation of a fence along the north side of the building at 38 South Main Street in the Central Business Performance (CBP) District. (2026-038) (PL-ADR-2026-0176) (The applicant has requested to continue this application to no date certain)

This agenda item was continued to no date certain in agenda item 4.

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

- 9A. Eastern Development requests minor subdivision approval for a 2-unit condominium conversion at Tax Map 202Z Lot 21, addressed as 184 Sewalls Falls Road in the Single-Family Residential (RS) District. (2026-027) (PL-MIS-2026-0050)

Mr. Thompson stated this minor subdivision application proposes a condominium conversion of a proposed duplex at 184 Sewalls Falls Road. The completeness issues that necessitated the continuance of the application in April have been addressed, and the plans are prepared by a licensed land surveyor. The remaining items to be addressed are fairly minor in nature, and can be addressed as conditions of approval. Staff is recommending the Board determine the application complete, not of regional impact, and following the public hearing recommend granting conditional approval in accordance with the recommendations in the staff memo.

On a motion made by Member Condodemetraky, seconded by Member Tarbell the Board voted 7-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and open the public hearing.

Mark Sargent (18 Chenell Dr, Concord) presented the application. The property is at 184 Sewalls Falls Rd it has an area of 3.09 acres. There is 323 feet of frontage on Sewalls Falls Rd. It is vacant and they were granted a conditional use permit to allow encroachments in the wetland buffer. The

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proposal is to create a two-unit condex with a shared driveway from Sewalls Falls Rd. There would be a limited common area for each one of the units. The utilities are underground. There will be a single water line separated with two separate meters.

Chair Woodfin opened the public hearing, after receiving no public testimony, Chair Woodfin 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 Wilber, seconded by Member Hicks, the Board voted 7-0-0 to **grant minor subdivision approval** for the duplex condominium conversion of 184 Sewalls Falls Road, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** - to be fulfilled within one year and prior to signature of the subdivision plat by the Chair and Clerk of the Planning Board, unless otherwise specified:
1. Revise the subdivision plat as follows:
 - a. Per Section 12.02(4) and Section 15.03(17) the "Planning Board Conditions" note shall be updated with the case number (2026-027) and date of approval (May 20, 2026).
 - b. Per Section 12.03 (5) and Section 12.07 the applicant shall provide the required NH Certified Wetland Scientist signature and seal are and the date of the wetland delineation on the final plat.
 - c. Per Section 12.08(23)(c) the applicant shall provide the proposed impervious surface coverage in square feet and percentage on the plat.
 - d. Per Section 15.02(8) the addresses of the two units shall be labeled as 184 Sewalls Falls Road, Unit 1, and 184 Sewalls Falls Road, Unit 2.
 - e. Per Section 15.03(3) the applicant shall provide the contiguous buildable land information on the plat.
 - f. Per Sections 17.04 and 17.05 the applicant shall revise the plans to indicate that one water and one sewer service from the main lines may serve the duplex in common areas, if the condominium association will be responsible for maintenance, and also with requirement that each unit have a separate sewer and water connection in their respective limited common areas with sewer clean-outs and water valves.
 - g. Note 16 is almost identical to note 9. Please remove.
 2. Revise the Construction and Floor Plans as follows:
 - a. Per Section 17.03(1) the floor plans shall be revised/updated to be signed and stamped by a NH Licensed Surveyor, Architect or Professional Engineer.
 - b. Per Section 17.03 (2) the standard Planning Board approval block shall be provided on the floor plans.
 3. Per Section 17.06 the declaration of condominium and by-laws shall be subject to review and approval by the City Solicitor and the Clerk of the Board, including, but not limited to the

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following:

- a. The declaration of condominium shall also be updated to indicate maintenance responsibilities for the water and sewer services, which shall meet the approval of the Planning Board Clerk, Engineering Services Division, and City Solicitor.
 - b. Schedule A—Submitted Land of the Condominium Declaration—For Limited Common Area 2, the last leg of the area should read "...101.00 feet to the point of beginning".
4. The plat shall list, describe, and date all approvals, variances, waivers, and conditional use permits received. The application shall also be revised to conform with any denials made by the Board.
 5. Prior to the recording of the plat and as required by Section 12.09 Electronic Submission of the Subdivision Regulations, digital information from the plat shall be provided to the City Engineer for incorporation into the City of Concord Geographic Information (GIS) and tax maps. The digital information shall be submitted in a format and media conforming to standards promulgated by the City Engineer. The layers listed in Section 12.09(1) through (8) shall be submitted referencing New Hampshire State Plane Grid Coordinates and shall be based on National American Vertical Datum 1988 (NAVD 88).
 6. Per Section 15.02(12) Registry Requirements, the applicant is responsible for ensuring that the plat, and all condominium documents to be recorded complies with the current standards of the Merrimack County Registry of Deeds
 7. Upon notification from the Planning Division that the final condominium documents comply with the Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division the final and signed original condominium documents required as part of the subdivision application for recording at the Merrimack County Registry of Deeds.
 8. Upon notification from the Planning Division that the final plat complies with Planning Board conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one mylar, one full-size plan set, and one 11x17 plan set for endorsement by the Planning Board Chair and Clerk and subsequent recording of the mylar at the Merrimack County Registry of Deeds. Per Section 15.02(1) Licensed Land Surveyor, the final plat drawings shall contain the signature and stamp of the New Hampshire licensed land surveyor who prepared the plat and any other licensed professional as required by Section 9.08(7) of the Subdivision Regulations.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. Per Section 13.02(13) Recording Fees, the applicant is responsible for submittal of required recording fees.
 2. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.
 3. Per Section 17.06 Condominium Declaration and By-Laws, the approved condominium documents shall be considered part of the official approval and shall not be altered to be

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- inconsistent with the recorded plat, without further review and approval by the Board of a revised subdivision application.
4. Utility details were shown on the plan submitted for the Excavation Permits. Those details will need to be adhered to during construction unless otherwise approved by the Engineering Division.
 5. Upon completion of the residential units indicated as “Not Yet Begun” on the plat, the applicant shall provide a copy of the final recorded condominium plans indicating the as-built condition per the requirements of the State Condominium Act.
 6. Per Section 4.03 of the Subdivision Regulations, no building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and which is not in conformity with, the provisions of the Subdivision Regulations.
- 9B. Stonefield Engineering and Design, on behalf of Associated Enterprises Inc, request major site plan, architectural design review approval, 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 conversion of an existing 15,341-square-foot office building into 21 residential dwelling units and associated site improvements at Tax Map 6414Z Lot 1, addressed as 103 North State Street in the Civic Performance (CVP) District. As part of the major site plan, the applicant also requests conditional use permit approvals. One, pursuant to Section 28-4-5(e)(1) of the Zoning Ordinance, to not require a non-residential use for a lot greater than 20,000-square-feet that is located within a performance district. The second, pursuant to Section 28-7-8(c)(2) of the Zoning Ordinance, to allow for an existing driveway on an arterial road with less than 200-feet of separation from adjacent drives, be expanded to 24-feet in width, to accommodate 2-way traffic. (2026-028)(PL-SPR-2026-0059) (PL-CUP-2026-0108) (PL-CUP-2026-0115)

Mr. Thompson stated this application calls for the adaptive re-use of the commercial office building at 103 N. State Street, converting the commercial space into 21 residential apartment units, as well as associated site improvements. In addition to site plan approval, CUPs are necessary for lot size and driveway separation. There are 2 primary concerns staff has relative to the design of the project, which would require either relief from the Zoning Board, or potentially a need to reduce the density be able to design the site to comply with regulatory requirements. The issues are the accessible path from the parking to the building entrance being within the 24’ wide access drive for the site, and the design of the dumpster and access to it requiring a complicated turning movement in order to properly access the site and the dumpster. Staff is recommending the Board determine the application complete, not of regional impact, and following the public hearing recommend continuing the application to July 15 in order to address the concerns raised in the staff review.

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Board voted 7-0-0 to determined your application to be complete, not a development of regional impact, granted a waiver from Section 6.03(2)(c) and 11.05 of the Site Plan Regulations, and opened the public hearing.

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Adam Drake (120 Washington St, Salem MA), Dick Elvison and Craig Jones presented the application.

Chair Woodfin asked about staff concerns relative to ADA accessibility and the dumpster enclosure location.

Mr. Drake stated the applicant is seeking site plan approval and two conditional use permits to renovate and convert an office building at 103 North State Street to convert into a multi-unit residential building. The existing parcel is about a half an acre in the civic performance district is developed with a vacant office building. They are replacing the 27 parking spaces with a smaller 21 space parking lot. They will improve the overall existing vehicle circulation. They will provide a dumpster enclosure. The existing 16-foot-wide driveway is not ADA compliant and they will replace with a 24-foot-wide full movement driveway. This will give room for the four-foot striped ADA compliant path and it is within the 24-foot drive isle. Mr. Drake noted the 24 foot is reserved for commercial uses. Mr. Drake stated introducing the striping can decrease speeds and lead to a safer overall design. The existing landscaping is over grown and in poor condition. They are proposing to rehabilitate the existing landscaping and 40 new evergreens of three different varieties along with two new maples to screen the parking facilities. They are seeking relief for the number of trees along the parking lot. They did not want conflicting trees competing with the existing tree canopies on site.

Chair Woodfin stated the 24-foot width for the access is a regulatory requirement and is concerned about the turning plans and does not know if a truck can turn around. He remained concerned about the ADA compliance for the striping in the driveway.

Mr. Kohalmi, Mr. Bass and the applicants discussed the ADA compliance issues, the proposed design and regulatory compliance.

Mr. Thompson suggested a design solution could be the relocation of the dumpster to a parking space on the northerly side of the parking area, so that the truck access is a simpler maneuver. He noted that such a recommendation would require a redesign, or zoning relief for the parking requirements.

The Board and applicant continued to discuss concerns and potential options for addressing the compliance issues with the walkway and dumpster location.

Chair Woodfin opened the hearing for public testimony.

Tom Graham (12 Chandler St, Boscawen) inquired about the location of snow storage.

Roy Schweiker (12 Chapel St, Concord) does not know how many people will be living in this place with a wheel chair. Mr. Schweiker does not feel walking in the road is a good thing. If there was one less unit they could gain a parking space. This is a tight situation.

Chair Woodfin closed the public hearing.

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Member Condodemetraky stated Mr. Schweiker had a good point to suggest to fewer units so they can have better parking.

Mr. Thompson stated in the staff memo it was noted to reduce the density.

Councilor Todd liked the handicap space is in the best location given the layout but that does not preclude from taking Mr. Thompson's suggestion and using the next space over to be the dumpster space.

Mr. Thompson noted resolving the dumpster issue does not resolve to the issue with the accessible walkway being in the driveway travel way.

Member Hicks suggested to continue the application.

Mr. Drake stated snow storage will be on the property unless needs to be transported out due to volume and there will be wall mounted lights on the building.

On a motion made by Chair Woodfin, seconded by Member Hicks, the Board voted 7-0-0 to continue the public hearing to a date certain of July 15, 2026.

9C. Advantage Signs, on behalf of New Hampshire Retirement System, requests approval for a conditional use permit, pursuant to Section 28-6-9(b)(2), for a wall sign above the sills of the first story windows and more than 25-feet above grade, and architectural design review approval for a new building wall sign at 80 Commercial Street in the Opportunity Corridor Performance (OCP) District. (2026-031)(PL-CUP-2026-0109) (PL-ADR-2026-0171)

Mr. Thompson stated this application is simply to provide the necessary conditional use permit approval for the NH Retirement System's new sign which will be more than 25' above grade at 80 Commercial St. Staff has reviewed the submitted information, and evaluated the CUP criteria. Staff is recommending the Board determine the application complete, not of regional impact, and following the public hearing recommend granting conditional CUP approval in accordance with the recommendations in the staff memo.

On a motion made by Member Condodemetraky, seconded by Councilor Todd the Board voted 7-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and open the public hearing.

Josh Messinger (128 Hall St Suite C, Concord) presented the application.

Chair Woodfin opened the public hearing.

There being no public testimony, Chair Woodfin closed the public hearing.

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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 7-0-0 to **grant architectural design review approval** for a new 37.2-square-foot internally illuminated building wall sign 80 Commercial Street in the Opportunity Corridor Performance (OCP) District as submitted.

On a motion made by Alternate Member LaFreniere, seconded by Member Hicks, the Board voted 7-0-0 to **grant conditional use permit approval** to allow the proposed signage on a 3-story or more building, above 25 feet from grade at Tax Map Lot 59Z 7, addressed as 80 Commercial Street, based on the evidence provided showing that the criteria of Section 28-9-4(b) have been met, with the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – to be fulfilled within two years and prior to signature of the conditional use permit plat by the Chair and Clerk of the Planning Board, unless otherwise specified.
 - 1. Revise the conditional use permit plat as follows:
 - a. Provide the Planning Board Approval Block on the 2-sheet, signage plan.
 - 2. Upon notification from the Planning Division that the project complies with the precedent conditions, Zoning Ordinance, and Site Plan Regulations, deliver to the Planning Division for signature one full-size or 11x17 conditional use permit plan set.
- (b) **Subsequent Conditions**
 - 1. The applicant is responsible for compliance with the municipal code, Site Plan Regulations, and Construction Standards and Details, including obtaining necessary variances, waivers, and conditional use permits.

9D. Richard D. Bartlett & Associates, a division of Nobis Group, on behalf of Craig and Gina Weyant, requests minor subdivision approval for a 2-lot subdivision, and certain waivers, at Tax Map 393Z Lot 55, addressed as 17 Clarke Street in the Neighborhood Residential (RN) and Open Space Residential (RO) Districts. (2026-034) (PL-MIS-2026-0052)

Mr. Thompson stated this minor subdivision application proposes a 2-lot subdivision at 17 Clarke St. While staff initially recommended that the application be continued or found to be incomplete, due to missing information about the separation of the proposed driveways, the applicant did provide supplemental information after the Staff Report was completed last week, alleviating the concern that the project may not comply with Zoning requirements. Based on the additional materials presented by the applicant late on Friday, Staff is recommending the Board determine the application complete, not of regional impact, and following the public hearing recommend granting conditional approval in accordance with the recommendations in the supplemental staff memo.

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On a motion made by Member Condodemetraky, seconded by Member Wilber the Board voted 7-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and open the public hearing.

Mark Sargent (214 N. State St, Concord) and Tim Young presented the application. The property has an area of 1.4 acres and 201 feet of frontage with a single-family home. The proposal is to create one additional single-family lot with 0.65 acres. The asked for waivers for the usable area rectangle and the wetlands. There is a drain line that crosses the property. The existing driveway encroaches on the neighbor's property and they are looking to get that into compliance. Mr. Young is the son-in-law of the owners. Mr. Sargent stated there is a drainage line that crosses the property and there is an easement associated with it but there is no width. They are proposing a new 25-foot-wide easement.

Chair Woodfin opened the public hearing.

Dorothy Chicaderis (16 Fisher St, Concord) is opposed to the Planning Board granting the waivers for subdivision.

Mike Bogue (14 Clarke St, Concord) agrees with Ms. Chicaderis. Mr. Bogue put together a petition, added to the end of the meeting minutes, in opposition to granting these waivers.

Angela Mason Bogue (14 Clarke St, Concord) stated it is a historical neighborhood and this would be a bad decision for the neighborhood.

Mr. Sargent stated the lot is fairly level. There are some steep slopes in the back. This does not qualify as a bluff under the ordinance.

Member Tarbell asked for the standard for granting a waiver.

Mr. Thompson noted the statutory requirement found in RSA 674:36.

Mr. Walsh stated the drainage easement that will be recodified typically those easements prohibit significant improvements inside the easement by private property owner and the driveway may fall into that and they can add that as a condition of approval. The driveway may need to shift to the east.

Chair Woodfin asked if there is an easement currently.

Mr. Thompson stated there is currently an easement without a width.

Mr. Hicks asked if they could get approval for this and not be able to do what they want.

Mr. Thompson stated if there is a significant design change it would have to come back to the Board.

Chair Woodfin closed the public hearing.

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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 Chair Woodfin, seconded by Member Wilber, the Board voted 6-1-0 (Condodemetraky opposed) to **grant the waiver requests below** from the listed sections of the Subdivision Regulations, based on the evidence provided showing that the criteria of RSA 674:36(II)(n)(2) and Section 35.08 of the Subdivision Regulations are met:

- a. Section 12.07 *Wetland Delineations*, to not provide the signature and seal of the certified wetland specialist on the subdivision plat;
- b. Section 19.05(4) *Usable Lot Area Rectangle*, to not provide the usable lot area rectangle area.

On a motion made by Chair Woodfin, seconded by Member Wilber, the Board voted 6-1-0 (Condodemetraky opposed) to **grant minor subdivision approval** for the two-lot subdivision of Tax Map Lot 393Z 55, 17 Clarke St, subject to the following precedent and subsequent conditions:

- (a) **Precedent Conditions** – to be fulfilled within one year and prior to signature of the final plat by the Planning Board Chair and Clerk, unless otherwise specified:
 1. For compliance with the Subdivision Regulations, revise the subdivision plat as follows:
 - a. Provide the name and address of the owner and applicant in the title block per section 12.02(b)
 - b. Provide the exterior dimensions of the existing structure per section 12.08(7).
 - c. Provide buildings and driveways of abutting properties on subdivision plat per section 12.08(22) and 15.03(1).
 - d. Provide the square footage of each building broken down by floor and use per section 12.08(23)
 - e. Provide the address of the existing and proposed lot on subdivision plat as approved by the City Engineer per section 15.02(8).
 - f. Provide a statement of the proposed type of residential use of any lot per section 15.02(9)
 - g. Provide the names and addresses of the abutting property owners and the Tax Assessors Map-Block-Lot numbers and deed references per section 15.03(3)
 - h. Indicate the type of monument to be set on subdivision plat per section 15.03(5)
 - i. Indicate the location of the relocated driveway and proposed driveway for the new lot per section 15.03(9) on the subdivision plat.
 2. Per Section 13.01(6) State and Federal Permits and Section 13.02(10) State and Federal Permits, a copy of any application made to a state or federal agency required for the approval of this subdivision, including those required for the development of the individual lots, shall be provided. Note 9 on the subdivision plat states that no federal permits are required and that New Hampshire Department of Environmental Services

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(NHDES) subdivision approval is required for the proposed lots. However, no application has been made to date. At such time that applications are made to NHDES for any of the lots, a copy of the application shall be submitted to the Planning Division.

3. Per Section 13.02(13) Recording Fees, the applicant is responsible for the recording fees required by the Merrimack County Registry of Deeds, or the State of New Hampshire, for all plans and documents to be recorded.
 4. Per Section 15.02(12) Registry Requirements, the applicant is responsible for ensuring that the plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds.
 5. Per Section 19.04 Monuments, a New Hampshire licensed land surveyor shall place permanent reference monuments in the subdivision, as required in the Subdivision Regulations and as approved by the City Engineer. All monuments shall be inspected by the City of Concord. All such monuments shall be set flush with the proposed grade and planted in such a manner that they will not be removed by frost. All monuments shall be properly set prior to the time of the release of the performance guarantee per the Subdivision Regulations. However, recognizing the unique characteristics of this application, a performance guarantee will not be required; therefore, all monuments shall be set in accordance with Section 19.04(1) Street Right-of-Way Monuments, Section 19.04(2) Lot Monuments, and Section 19.04(3) Boundaries and Blazing of Conservation Easements, as applicable, prior to final approval.
 6. The existing driveway shall be removed and reconstructed to achieve zoning compliance as shown on proposed driveway plan. The applicant shall submit and receive any necessary driveway and engineering permits.
 7. Per Section 13.02(2) *Utility, Drainage, and Slope Easements*, the applicant shall provide a drainage easement for the municipal storm sewer crossing the property. Prior to recording with the Merrimack Country Registry of Deeds, the applicant shall provide any required documents or plans necessary for the recording of the easement, as required by, and subject to, the review of the City Engineer, City Solicitor, and Clerk of the Planning Board. The easement or plan shall consider the location of any future driveway or utilities to service the new lot.
 8. Upon notification from the Planning Division that the subdivision plat complies with Planning Board precedent conditions, the Zoning Ordinance, and Subdivision Regulations, the applicant shall deliver to the Planning Division one full size plan and one mylar for signature by the Planning Board Chair and Clerk of the Planning Board. The subdivision plat shall contain the signature and seal of the appropriate licensed professionals as outlined in Section 12.03 and Section 15.02(1) of the Subdivision Regulations.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. This approval notwithstanding, the applicant is responsible for full knowledge of, and compliance with, the municipal code, Subdivision Regulations, and Concord Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.

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2. Per Section 4.03, no building permit or certificate of occupancy shall be issued for any parcel or plat of land which was created by subdivision after the effective date of, and which is not in conformity with, the provisions of the Subdivision Regulations.
3. Per Section 9.08(10) Building Permits and Certificates of Occupancy, no building permit shall be issued within a subdivision until the plat has been approved, the conditions of plat approval have been satisfactorily addressed, and the plat recorded in the Merrimack County Registry of Deeds.

9E. MRP Construction & Restoration, LLC, on behalf of Red Eagle Management, LLC, requests conditional use permit approval to permit the principal use E3 Offices of healthcare practitioners at 92 South Street in the Neighborhood Commercial (CN) District. (2026-046) (PL-CUP-2026-0110)

Mr. Thompson stated this project is to grant approval for the change of use of a portion of the former Rite Aid building at 92 South Street, which consists of conversion of 8,500-square-feet out of the 16,982 square-feet of total building area from retail (the former pharmacy use) to a local optometry use. The remaining portion of the building is not part of this application, and we understand the property owner continues to market the space for a future re-use. The project does not meet the criteria necessary to require site plan review, so tonight's decision is only relative to the CUP to allow the healthcare use in the Neighborhood Commercial District. Staff is recommending the Board determine the application complete, not of regional impact, and following the public hearing recommend granting conditional CUP approval in accordance with the recommendations in the staff memo.

On a motion made by Member Condodemetraky, seconded by Councilor Todd the Board voted 7-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and open the public hearing.

Mike Pearson (92 South St, Concord) and Tyler Weber (92 South St, Concord) presented the application.

Mr. Bass stated that the applicant has demonstrated that they do not meet any of the thresholds that would require site plan review for the change of use for half of the building. This use is permitted in this zoning district by conditional use permit. The remainder of the building is classified as retail even though it is vacant.

Mr. Pearson stated the building is a little under 17,000 square feet. The parking lot is 63 spaces. They will divide the building in half and have medical office use. The back half will be owner occupied.

Chair Woodfin opened the public hearing.

There being no public testimony, Chair Woodfin closed the public hearing.

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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 Wilber, seconded by Member Condodemetraky, the Board voted 7-0-0 to **grant conditional use permit approval** to allow for the conversion of about 8,500-square-feet from retail use to office of healthcare professional, for the use of an optometrist office at Tax Map 7911Z Lot 108, addressed as 92 South Street in the Neighborhood Commercial (CN) District, based on the evidence provided showing that the criteria of Section 28-9-4(b) have been met, with the following precedent and subsequent conditions:

(a) **Precedent Conditions** – to be fulfilled within two years and prior to signature of the conditional use permit plat by the Chair and Clerk of the Planning Board, unless otherwise specified.

1. Revise the conditional use permit plat as follows:

a. Combine the 1-sheet building plan for CUP and the 2-page parking layout plan into a single plan set, and provide the Planning Board Approval Block on the plan for endorsement by the Clerk and Chair of the Planning Board.

2. Upon notification from the Planning Division that the project complies with the precedent conditions, Zoning Ordinance, and Site Plan Regulations, deliver to the Planning Division for signature one full-size or 11x17 conditional use permit plan set.

(b) **Subsequent Conditions**

1. Prior to the issuance of a building permit, the applicant shall either receive conditional use permit approval to not require the total number of required parking spaces to be constructed at this time; or, submit with as part of a building permit a site demolition and sketch plan for all site work to take place as part of the change of use, subject to the review and approval by the City Engineer and Clerk of the Planning Board.

2. The applicant is responsible for compliance with the municipal code, Site Plan Regulations, and Construction Standards and Details, including obtaining necessary permits, variances, waivers, and conditional use permits.

9F. Northpoint Engineering, LLC, on behalf of ZV Investments, LLC, requests minor subdivision approval for a 2-lot subdivision at Tax Map 631Z Lot 19, addressed as 5 Thomas Street in the High Density Residential (RH) District. As part of the subdivision application, the applicant also requests two conditional use permit approvals pursuant to Section 28-7-11(f) Driveway Separation Alternatives, to allow multiple driveways with 166.35-feet of frontage where 250-feet would be required, and Section 28-7-11(g) Driveway Width Reduction, to allow a 22-foot wide, two-way driveway where 24 feet is required. (2026-042) (PL-MIS-2026-0053) (PL-CUP-2026-0112) (PL-CUP-2026-0113) (Applicant has requested to continue the determination of completeness to the date certain of June 17, 2026)

This agenda item was continued to a date certain of June 17, 2026 in agenda item 4.

9G. TFMoran Inc, on behalf of 94 Manchester St, LLC, requests approval for a major site plan application for a new 116 room, 4-story hotel building, with a footprint of 14,768-square-feet and associated site

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improvements at Tax Map 781Z Lots 12, 12-1, 12-2 and 12-3, addressed as 94-98 Manchester Street in the Highway Commercial (HC) and Office Park Performance (OCP) Districts. (2026-005)(PL-SPR-2026-0057) (The applicant has requested to continue the public hearing to the date certain of July 15, 2026)

This agenda item was continued to a date certain of July 15, 2026 in agenda item 4.

10. Comprehensive Development Plans

- 10A. Gallagher, Callahan, & Gartrell, PC, Jones and Beach Engineering, Inc, and Onyx Partners, Ltd, on behalf of Onyx SteepleGate Concord, LLC, Onyx Regal Concord, LLC, and Onyx TD Concord, LLC, requests comprehensive development plan approval for the consolidation of condominium and resubdivision into separate lots and ownership, and a proposed mixed-use redevelopment to include certain on and offsite improvements, a fueling station, and approximately 600 residential unit apartments, approximately 329,200-square-feet of commercial/retail, and approximately 5,040 square-feet of restaurant use at Tax Maps: 611Z Lot 40 addressed as 270 Loudon Rd; 611Z Lot 39 addressed as 282 Loudon Rd; 61Z Lot 9 addressed as 277 Sheep Davis Rd 270; and, 611Z Lot 41 addressed as 260 Loudon Road, all within the Gateway Performance (GWP) District. (2026-041)(PL-CDP-2026-0002)

Mr. Thompson stated this CDP application is the first step in the process to facilitate the redevelopment of the former Steeplegate Mall and Regal Cinema sites. Because the property is located in the Gateway Performance District, a CDP is required by the Zoning Ordinance prior to the submission of any subdivision applications. The Board and applicant should discuss the general parameters of the project at this stage of the review process, so that when the CDP is ready for a vote, it provides the necessary clarity and components necessary to guide the future site plan and subdivision applications necessary to move the project into construction. The key items at the CDP level of review are traffic impact, phasing/project sequencing, and providing a baseline for what uses are to be included in the project and conceptually how they will be serviced by municipal and private infrastructure. Of particular note with this project is sewer capacity. The staff memo contains a summary of the sewer issues related to the proposed redevelopment project and how the City's Heights Sewer project integrates into that redevelopment plan, putting the developer on notice of the timing of the City's project and the legal and physical capacity issues that exist until the City's project is completed. Staff is recommending the Board determine the application complete and following the public hearing recommend continuing the application to July 15 in order for the applicant to address the concerns raised in the staff review and provide the updated traffic impact analysis which is still pending submission, and without which the Board is not in a position to take any action on approval of the CDP.

On a motion made by Councilor Todd, seconded by Member Hicks the Board voted 7-0-0 to determine the application complete, and open the public hearing.

Ari Pollack (214 Main St, Concord) and Doug Richardson (220 Reservoir Rd Suite 3, Needham MA) presented the application. Mr. Pollack stated they understand staff's recommendation to get things

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started and defer action to the July meeting. He stated this will be a redevelopment with a mixed use with retail, restaurant and multi-family residential housing, and that TD Bank and Applebee's will remain as separate parcels operating as they do today. Mr. Pollack stated a comprehensive development plan is a master planning tool for development with large tracts and is a requirement for the Gateway Performance District.

Chair Woodfin asked what has changed since the design review meeting in 2024.

Mr. Pollack gave an overview of the changes to the design of the warehouse retailer location on the property, the potential pad sites for retail and restaurant uses and the residential portion being reduced from 660 to 600 units.

Mr. Richardson stated they have finished the traffic study and it will be submitted soon to the City Staff.

Member Tarbell asked about the sewer capacity, the legal restrictions from the mall development, and the City's sewer improvement project.

Mr. Walsh stated the city is embarking in a \$25 million sewer project in the Heights. The first portion is the sewer pump station. The current pump station was built in 1988\1990 as part of the mall project it has a capacity of 91,000 gallons a day. There is an agreement from 1988 between the City and the developer at the time and there is approximately 52,000 gallons a day that goes into the mall. The proposed new pump station will have a capacity of just under 350,000 gallons a day. The second portion of the project is a two-mile-long sewer main upgrade. along Loudon Rd, Branch Turnpike to Pembroke Rd and back to Loudon Rd by Grover Street. The project will upsize the sewer main to accommodate the additional flow that will be coming from that pump station to the Hall Street waste water treatment plant. That project has been bid and they have not awarded the project but all bids are within budget. It will take around 18 to 24 months depending on when they start and when winter hits. Mr. Walsh stated the way the Board has been handling projects in the Heights is to say if an applicant wants to move forward to build their project they are welcome to but they have been withholding certificates of occupancy and connect permits until the capacity is there. The staff report talks about phasing this project out so their certificates of occupancy are not held up.

Member Tarbell asked if they have considered the impact to the school.

Mr. Thompson stated they will, and statewide the multiplier for school aged children is around 0.17 per unit for multi-family residential. He noted with the declining enrollment locally that should be accommodated by the current system.

Chair Woodfin opened the public hearing.

Roy Schweiker (12 Chapel St, Concord) has two concerns one is with the housing and there is a mismatch. If they are going to allow the housing in commercial zones they should match the business

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with something that people can afford to work at the business. The second is the sewer capacity and the developer's share of the cost.

Melissa Tassej asked for clarity for JC Penny being off the plan.

Tom Graham (12 Chandler St, Boscawen) stated his mother lives on Route 106 across from the mall. Mr. Graham is concerned about dust from demolition and how they will mitigate it. Mr. Graham suggested to have D'Amante extend into their property so they can safely leave instead of using the existing two driveways they have now.

Mary Austin asked about the schedule of the demolition of JC Penny.

Chair Woodfin closed the public hearing.

Mr. Pollack stated JC Penny is a landlord-tenant issue and not part of the comprehensive development plan.

Mr. Richardson stated technology has improved on demolition for dust mitigation.

On a motion made by Member Hicks, seconded by Member Condodemetraky, the Board voted 7-0-0 to **continue the public hearing** for the comprehensive development plan application to the date certain of **Wednesday, July 15, 2026**.

11. Other Items

- 11A. Notification / Request letter under RSA 674:54 from Concord School District requesting the Planning Board determine if a non-binding public hearing is necessary for the use of the property at 20 Conant Drive as administration offices to support the middle school construction project.

Mr. Thompson stated in the packet is a letter from the Concord School District asking the Planning Board whether or not the Board wishes a public hearing under RSA 674:54 for the use of the property at 20 Conant Street as construction administration offices to for the Middle School project. He stated here is no statutory requirement under 674:54 for the Planning Board to hold a public hearing for every governmental land use. The Board has the option of doing so or not.

Chair Woodfin did not think they need a public hearing.

Councilor Todd asked if a hearing would be helpful for the school district.

Mr. Pollack stated he is representing the Concord School District and this is a small piece of a big project. Mr. Pollack noted the Concord School District did come before the Planning Board to discuss the project.

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Alternate Member LaFreniere agrees no hearing is necessary, especially with the temporary nature of the use.

On a motion made by Chair Woodfin, seconded by Alternate Member LaFreniere, the Board voted 7-0-0 to not require a public hearing.

12. Other Business

Any other business which may legally come before the Board.

Adjournment

On a motion made by Chair Woodfin, seconded by Alternate Member LaFreniere, the Board voted 7-0-0 to adjourn the meeting at 9:32 p.m.

The next regular meeting is Wednesday, June 17, 2026, at 7:00 p.m.

TRUE RECORD ATTEST:

Krista Tremblay

Krista Tremblay

Administrative Technician III

Petition Opposing the Granting of Waivers for 17 Clarke Street on Map 393Z, Lot 55

To: **Concord Planning Board**
41 Green Street
Concord, NH 03301

We, the undersigned residents and stakeholders of the City of Concord, respectfully submit this petition **opposing the granting of the requested waivers** associated with:

1. **Section 19.05(4) – Useable Area Requirement** for the proposed subdivision at **17 Clarke Street**, and
2. **Section 12.07 – Wetland Soil Delineation Requirement** for the proposed subdivision at **Map 393Z, Lot 55**.

Our opposition is based on concerns regarding public safety, regulatory consistency, environmental protection, and the long-term integrity of Concord's subdivision standards.

1. Opposition to the Useable Area Waiver – 17 Clarke Street

The applicant requests relief from the requirement to demonstrate a compliant useable area, stating that *“the required useable area... exceeds the required minimum buildable area”* and that this creates a “hardship” for the applicant.

Reasons for Opposition

- **The regulation is intentional, not contradictory.** The useable area requirement ensures that structures, driveways, and accessory buildings can be safely and appropriately sited **within setbacks**, not merely within the broader buildable area.
- **Failure to meet useable area is not a hardship—it is a design limitation.** A hardship must arise from the land itself, not from the applicant's desire to create a lot that does not meet standards. Additionally, the lot already holds a home, this subdivision would serve no purpose to the land owner beyond monetary gain.
- **To develop the useable area denoted on the plan would require the removal of several large trees.** The trees that need to be removed to facilitate the useable area denoted are close to the top of the steep bank along the property and offer slope stabilization, removal of these trees could cause erosion or stability issues.
- **Granting this waiver undermines the purpose of Section 19.05(4).** The applicant asserts the lot “has ample area to accommodate a single-family home,” yet simultaneously cannot meet the useable area requirement.
- **Precedent matters.** Approving a waiver simply because a lot *almost* meets requirements invites future applicants to seek similar exceptions.

2. Opposition to the Wetland Delineation Waiver – Map 393Z, Lot 55

The applicant seeks to avoid delineating wetland soils, asserting that “*no wetlands were observed on the site*” and that the property “wouldn’t sustain a wetland.”

Reasons for Opposition

- **Wetland delineation is a scientific process—not an assumption.** Regulations require delineation because visual observation alone is insufficient.
- **The site’s steep ravine and drainage characteristics increase the importance of verification.** Steep banks often correlate with hydrologic flow paths and perched water tables.
- **The claim that delineation “will not enhance this application” is not a valid basis for a waiver.** Regulations exist to protect public and environmental interests.
- **Environmental protection requires consistency.** Allowing applicants to bypass delineation based on subjective statements weakens Concord’s ability to protect sensitive resources.

3. General Concerns Applicable to Both Waivers

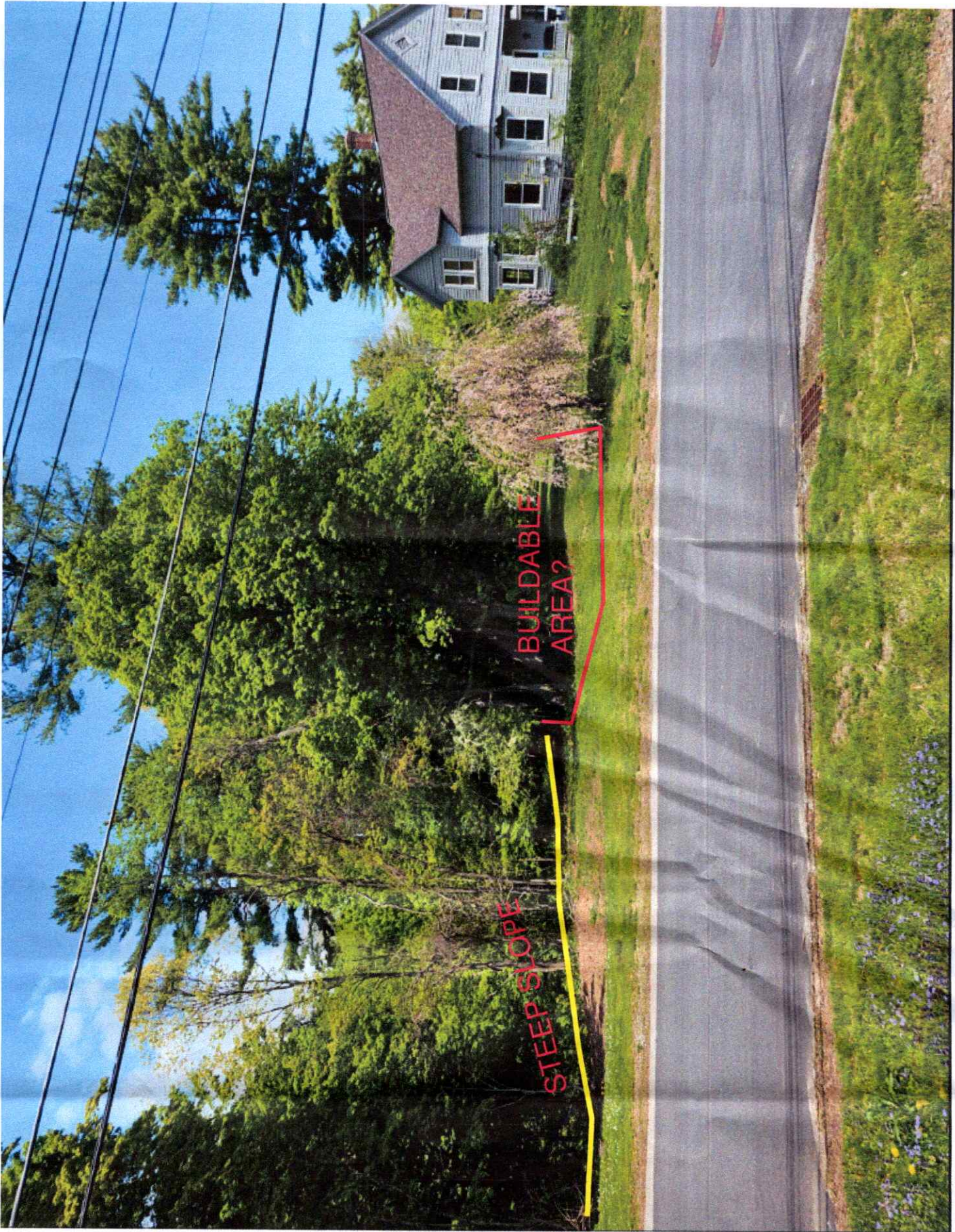
- **Waivers should be granted only when strict compliance creates a true hardship related to the land—not convenience for the applicant.** Neither application demonstrates a hardship.
- **The applicants’ statements rely heavily on opinion rather than evidence.** Assertions such as the lot “must be unique” or that delineation “will not enhance this application” are subjective conclusions.
- **Granting these waivers risks undermining the spirit and intent of the Subdivision Regulations.** Both regulations exist to ensure safe, environmentally responsible, and consistent development.

Petition Statement

For the reasons outlined above, we, the undersigned, respectfully request that the Concord Planning Board **deny both waiver requests** and require full compliance with:

- **Section 19.05(4) – Useable Area Requirements**
- **Section 12.07 – Wetland Soil Delineation Requirements**

These standards protect the public interest, ensure responsible land use, and maintain the integrity of Concord’s planning framework.



BUILDABLE
AREA?

STEEP SLOPE



Morono Park

STEEP SLOPE

BUILDABLE AREA?

Clarke St

Clarke St