

**City of Concord Planning Board
February 18, 2026 - Draft
Minutes**

The regular monthly meeting of the Concord Planning Board was held on February 18, 2026, at 7:00 p.m., in City Council Chambers at 37 Green St, Concord.

Attendees: Dina Condodemetraky, David Fox, Matthew Hicks, Amanda Savage, Eaton Tarbell, Councilor Brent Todd, and Chair Richard Woodfin

Absent: Mayor Byron Champlin, 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), and Peter Kohalmi (Associate City Engineer)

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.

3. Approval of Meeting Minutes

On a motion made by Member Hicks, seconded by Councilor Todd, the Planning Board voted 7-0-0 to approve the January 21, 2026, Planning Board meeting minutes, as written.

4. Agenda Overview

On a motion made by Member Savage, seconded by Member Hicks, the Planning Board voted 7-0-0 to continue agenda items 8A & 8B to a date certain of March 18, 2026, at the request of the applicant.

5. Architectural Design Review by Consent

On a motion made by Member Hicks, seconded by Councilor Todd, the Board voted 7-0-0 to approve agenda items 5A-5C as submitted, subject to the recommendations of the Architectural Design Review Committee.

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

The Planning Board approved the application as submitted for the door relocation replacement and a strong suggestion that all new windows have exterior mutton pattern and that the horizontal divider between the first-floor windows and the horizontal divider between the large pane of glass and the transom lights be wide as shown on this rendering included with the revised application.

5B. Advantage Signs, on behalf of Wild Bloom Home and TwoKph LLC requests an architectural design review approval for a new 54-square-foot externally illuminated building wall sign (SP-0701-2026) to

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replace an existing building wall sign at 97 Storrs St in the Central Business Performance (CBP) District. (PL-ADR-2026-0152) (2026-003)

The Planning Board approved the application as submitted.

- 5C. Sebago Advantage Signs and The Eleventh Letter Writing Gallery, on behalf of Associated Enterprises Inc, requests an architectural design review approval for a new 6.25-square-foot non-illuminated projecting building wall sign (SP-0702-2026) at 146 North Main St in the Central Business Performance (CBP) District. (PL-ADR-2026-0151) (2026-002)

The Planning Board approved the application as submitted.

6. Determination of Completeness Items by Consent

- 6A. TFMoran Inc, on behalf of 94 Manchester St, LLC, requests approval for a major site plan application for a new 4-story, 14,768-square-foot footprint building and other site 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)

On a motion made by Member Savage, seconded by Member Condodemetraky, the Board voted 7-0-0 to determine the application complete, not a development of regional impact, per RSA 36:55, and set the public hearing for March 18, 2026.

7. Extension Requests by Consent

- 7A. Eastern Nobis Group, on behalf of SARP Realty, LLC, requests a one-year extension to meet the precedent conditions of approval for the project titled "The Red Blazer", conditionally approved by the Planning Board on March 19, 2025 located at 72 Manchester Street. (2024-059) (PL-EXT-2026-0024)

On a motion made by Member Hicks, seconded by Member Savage, the Board voted 7-0-0 to grant a **one-year extension** to meet the precedent conditions of approval for the project titled "The Red Blazer", conditionally approved by the Planning Board on March 19, 2025 located at 72 Manchester Street to an extension date of March 19, 2027.

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

8. Site Plan, Subdivision and Conditional Use Permit Applications

- 8A. 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) (Continued to March 18, 2026)

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

- 8B. 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 March 18, 2026)

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

- 8C. 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)

Mr. Thompson asked if the Board wished to have him read all three agenda items and hear all three items simultaneously or keep them separate.

The Board agreed to hear the three agenda items at the same time.

Mr. Thompson read in agenda item 8D and 8E for the record to be discussed with agenda item 8C and voted on separately.

Mr. Thompson stated there are 3 applications on the agenda tonight relative to the Phenix Block redevelopment project. This overall project requests approval for a minor subdivision, lot line adjustment and discontinuance of Phenix Avenue, a 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. This minor subdivision, lot line adjustment and discontinuance of Phenix Avenue portion of the project is to facilitate the proposed development that is part of the 2 related site plan 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). It's important to note that the applicant intends to pursue a public-private partnership with the City to support the overall project. To date, no partnership exists, and any potential partnership will require City Council approval. The exact parameters of any potential partnership have not been defined. Given this, and the fact that the applicant has chosen to proceed through the Planning Board process prior to having secured any partnership agreement with the City Council, staff is placed in a challenging position on how best to proceed with the approval process for

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the project. With respect to utilities, the applicant has proposed (in the associated site plan applications) locating public water and sewer utilities within the to-be-discontinued Phenix Ave area. Specifically, the utilities would be located beneath a new building which will be constructed within the existing Phenix Avenue right-of-way. The Engineering Division does not support this approach, due to the inherent complications that will exist for future maintenance and replacement of said utility mains beneath a private building. Alternatively, the applicant has provided a conceptual layout plan showing alternative routing for public utilities on North Main Street / Depot Street / Low Avenue. No detail design has been provided. Engineering prefers this alternative concept, subject to final design by the applicant. Staff is recommending the Board conditionally approve the various applications based on the alternative utility design which routes utilities on North Main Street / Depot Street / Low Avenue subject to final design prepared by the applicant and approved by the City Engineer. If upon completion of design by the applicant the conceptual utility route is deemed infeasible by the City Engineer or the eventual partnership agreement with the City Council specifies otherwise, the proposed conditions of approval for the associated site plans are structured to allow utilities to be constructed within the to-be discontinued Phenix Avenue rights-of-way, or as might otherwise be agreed to by the City Engineer and the applicant.

Chair Woodfin asked staff how they want to handle agenda item 8C, 8D and 8E so they want to handle together or separately.

Mr. Thompson requested the Board do separate motions for each application, but to have the applicant address all three applications before doing so.

Ari Pollack (214 N Main St, Concord), Mark Ciborowski (18 N Main St, Ste 202, Concord) and Jason Lacombe (30 S Main St, Concord) presented the application. Mr. Pollack stated they were before the Planning Board in December. Mr. Pollack noted this is anticipated to be a public-private partnership. There are two tracks one to go to City Council to see their level of contribution or they can go through the planning process. Mr. Pollack noted this is a large project. There are lot line adjustments that would discontinue Phenix Avenue to no longer be a public street but be replaced with a public easement for pedestrians to travel from North Main St to Low Avenue. The connector building would link Phenix Hall with a new mixed-use building located where the CVS and EMP Hotel sit today.

Chair Woodfin noted looking at all three applications at once there are a lot of request for waivers to be approved and denied. Chair Woodfin asked if they are fine with the approvals of waivers and the denials of waivers as presented in the staff report.

Mr. Pollack responded yes, they are fine with what is noted in the staff report. There is a utility routing issue and the way the staff proposed for the Board is the around the corner. The waivers are not necessary if they go with the around the corner route.

Mr. Ciborowski noted the Main Street level will remain as an egress to the Low Avenue.

Chair Woodfin asked about the grade change between Main Street and Low Avenue, and asked if there will be stairs constructed.

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Mr. Pollack the plan includes stairs and an elevator that is accessible.

Chair Woodfin asked for questions from the Board. Chair Woodfin stated staff did a great job. Chair Woodfin noted there is no one in the audience to submit public testimony.

Councilor Todd asked if there is material change that needs to happen would the applicant need to come back.

Mr. Thompson stated the one thing that was accounted for was the utility routing. The utility routing per this approval is to redesign per the staff recommended route to the satisfaction of the Engineering Division. The applicant would only have to come back with an amendment to the plans for anything not contemplated by the current design and conditions of approval the Board ultimately places on the projects.

Mr. Pollack stated that is well documented in the conditions of approval. If they move outside of something as described in a certain way the only course is to come back to the Planning Board.

Mr. Thompson stated in addition one of the recommended conditions of approval is that all three of these projects have to be done concurrently.

Mr. Fox asked if there is no possibility that the routing of the utilities goes back under the building and is that being eliminated tonight.

Chair Woodfin responded no.

Mr. Thompson stated it is a possibility based on the direction of the partnership with the City Council. Mr. Thompson noted a lot of this will come down to cost and how they structure the agreement. There are a variety of things that are not known yet in terms of the parameters of that discussion.

Councilor Todd noted on item 8D on page 14 of the staff report. There is a section 16.2(f) that states the E&P Hotel “has been determined as a contributing structure of potential downtown historic district. Councilor Todd noted it is in an existing downtown Concord National Register of Historic District and the EMP building is a contributing building to that district.

Chair Woodfin asked for other questions from the Board, with none, Chair Woodfin closed the public hearing.

The Board proceeded first with item 8C.

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 **recommended that the City Council** vote to discontinue the public highway of Phenix Ave between

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Low Ave and North Main Street and to also convey the two City owned strips of land within the public highway of Phenix Ave to Ciborowski Associates, LLC (Map 6443Z, Lot 27) and Phenix Hall, LLC (Map 6443Z, Lots 28 & 28A). The Board also recommends that the discontinuance be subject to the condition that the accompanying major site plan project and development (PL-SPR-2025-0049 and PL-SPR-2025-0050) achieve substantial completion 3 years from the date of final approval from the Planning Board or the discontinuance is rescinded.

On a motion made by Councilor Todd, seconded by Member Hicks, the Board voted 7-0-0 to **grant the waiver requests below** from the listed sections of the Subdivision Regulations, using the criteria of RSA 674:36(II)(n) and Section 35.08 of the Subdivision Regulations:

- a) Section 12.03(5) *Wetland*, to not provide a wetland delineation
- b) Section 12.07 *Wetland Delineations*, to not provide a wetland delineation
- c) Section 15.01(3), to not provide a wetland delineation.
- d) Section 12.08(3) *Topography*, to not provide topography on the subdivision plat.
- e) Section 15.03(4) *Topography*, to not provide topography on the subdivision plat.

On a motion made by Member Hicks, seconded by Councilor Todd, the Board voted 7-0-0 to **grant minor subdivision approval** for the lot line adjustment between Tax Map Lot 6443Z 28, addressed as 34-42 North Main Street and Tax Map Lot 6443Z 27, addressed as 56 North Main Street, and the discontinuance of Phenix Ave, 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) *Conditions of Planning Board Approval* and Section 15.03(17) *Conditions of Approval*, a note shall be added to the subdivision plat that states: “The development is subject to all subsequent conditions of Planning Board approval granted on INSERT ACTUAL DATE HERE for application 2025-122.”
 - b. Per Section 12.08(7) *Buildings and Structures* the existing use and exterior dimensions shall be added to the final plat
 - c. Per Section 12.08(9) *Easement or Right-of-Way* the dimensions and purpose of the public rights-of-way on Phenix Ave and Low Ave shall be shown on the final plat.
 - d. Per Section 12.08(23) *Tabulations* the following certain tabulations shall be provided on the final plat: per section 12.08(23)(b), square footage of each existing building broken down by floor and use category; per section 12.08(23)(c), impervious surface coverage in square feet and percent; per section 12.08(23)(d), useable land area calculations for residential development and net land area calculations for non-residential development; and, per section 12.08(23)(e), existing and proposed frontage shall be added to the Lot Synopsis table to clearly demonstrate conformity with the required lot frontage of the Zoning Ordinance.
 - e. Per Section 15.03(16) *Easements* the plat shall provide the location, width, metes and bounds, and description for the existing Phenix Ave right-of-way.
 - f. Per Section 13.02(2) *Utility, Drainage and Slope Easements*, utility easements and easement plans, for the municipal water main and sanitary sewer main shall be prepared by the applicant and approved by the Planning Board Clerk, City Engineer, and the City Solicitor as to form and content, and recorded with the plat.
 - g. Per Section 13.02(4) *Other Public Easements*, prior to final approval of this subdivision

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- application, both major site plan applications (PL-SPR-2025-0049 and PL-SPR-2025-0050) shall receive final approval and an access easement deed and easement plan, reviewed and approved by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content, shall be prepared and recorded with the final minor subdivision plat.
- h. Per Section 13.02(9) *Agreement to Convey a Private Easement* the applicant shall be responsible for maintaining or modifying any existing private access rights from Low Ave to North Main Street through what will become the discontinued portion of Phenix Ave, and shall prepare and enter into an agreement to indemnify, and hold harmless the City from any loss or harm which occurs from the discontinuation of Phenix Ave.
2. Final approval of this application (signature by the Chair and Clerk of the Planning Board) shall be concurrent with final approval of the associated site plan applications (2025-123 and 2025-125).
 3. Revise the subdivision plat to show compliance with the Concord Municipal Code, Subdivision Regulations, and Construction Standards and Details based off comments made by the City Engineering Services Division:
 - a. A draft petition and resolution of the proposed discontinuance will need to be prepared and submitted to staff for action by the City Council
 4. The City Council shall discontinue the public highway of Phenix Ave between Low Ave and North Main Street and to also convey the two City owned strips of land within the public highway of Phenix Ave to Ciborowski Associates, LLC (Map 6443Z, Lot 27) and Phenix Hall, LLC (Map 6443Z, Lots 28 & 28A)
 5. List all approved waivers with the section numbers, descriptions, and date of approval on the plat. Unless otherwise noted, the plan shall comply with the regulatory requirements in any instances where waivers were denied by the Planning Board.
 6. At the time of recording, provide the recording fees required by the Merrimack County Registry of Deeds for all plans and documents to be recorded. (Section 13.02(13))
 7. Ensure that the subdivision plat to be recorded complies with the current standards of the Merrimack County Registry of Deeds, including materials, font size, plan size, margins, and plat layout. (Section 15.02(12))
 8. A New Hampshire licensed land surveyor shall place permanent reference monuments in the subdivision, as required by the Subdivision Regulations and as approved by the City Engineer. (Section 19.04)
 9. Upon notification from the Planning Division that the project complies with the precedent conditions, Zoning Ordinance, and Subdivision Regulations, deliver to the Planning Division for signature one mylar and one full size plan of the subdivision plat that contains the signature and seal of the appropriate licensed professionals as required by the Subdivision Regulations. (Section 9.08(7))
- (b) **Subsequent Conditions**
1. The applicant is responsible for compliance with the municipal code, Subdivision Regulations, and Construction Standards and Details for the project, unless a variance, waiver, or conditional use permit is granted.
- 8D. 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,

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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)

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 Fox, seconded by Member Hicks, the Board voted 7-0-0 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 16.02(20) *Offsite Improvement Plan*, to not require a separate off-site improvement plan. However, the Planning Board may require an off-site improvement plan to be prepared for any future amendments.
- c. Section 21.02 *Sidewalks Required*, to not provide a sidewalk on Low Ave
- d. Section 29.04 *Building and Façade Lighting*, to not require all building and canopy lighting to meet the 4:1 uniformity ratio standard contained in Article 28-7-7(j) of the Zoning Ordinance, and to allow more than 25% of building lighting to be directed upward.
- e. Section 29.05 *Canopy Lighting*, to allow canopy lighting to exceed the maximum illumination of 20 foot-candles and exceed the 4:1 uniformity ratio between average illumination and minimum illumination
- f. Section 29.07 *Nuisance and Glare*, to allow light trespass beyond property boundaries greater than 0.2-foot candles

On a motion made by Chair Woodfin, seconded by Member Fox, the Board voted 7-0-0 to **deny the waiver request below** from the listed section of the Site Plan Regulations because evidence was not provided showing that the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations were met.

- a. Section 16.02(12)(b), without an analysis of the roof drains it cannot be determined if granting of this waiver would meet the spirit and intent of the regulations.
- b. Section 29.01 *General Requirements*, granting of this waiver would not be in the spirit and intent of the regulations, as all material included within the site plan shall be legible.
- c. Section 23.04(1) *Construction Standards*, there is no uniqueness to the site that prevents construction of the utilities from being constructed with materials compliant with the City of Concord Construction Standards and Details.
- d. Section 24.03 *Design Standards for Municipal Sanitary Sewers*, there is no uniqueness to the site that prevents construction of the utilities from being constructed with materials compliant with the City of Concord Construction Standards and Details.

On a motion made by Member Condodemetraky, seconded by Member Savage, the Board voted 7-0-0 to **grant architectural design review approval** for the proposed redevelopment at 56 North Main

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Street with the following conditions: the E&P Hotel building, the upper floor window and masonry pattern shall be adjusted to diminish the scale of the building; the windows are all recessed on the exterior and with expressed muntin's; the trim details are to look red or stone on the building; the mechanical unit screen over the linking connector building shall not be translucent, glow, or call attention in any way; the bay bumpouts shall not be EIFS or stucko, but another material; prior to issuance of a building or construction, the applicant shall return to the Architectural Design Review Committee with physical samples of all materials for the buildings, including colors and patterns, and a lighting plan, which shall be in compliance with the Architectural Design Guidelines and Main Street Design Guide; and, 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 Hicks, seconded by Member Condodemetraky, the Board voted 7-0-0 to **grant the conditional use permit** from Section 28-4-1(g)(6), for the properties located at 44-52 North Main St and 54-56 North Main Street, along with a connection to and renovation of 34-42 North Main St, to allow a building located in the CBP to exceed the maximum height restrictions and instead have a maximum height of 89ft-6inches with the condition that 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 Hicks, seconded by Member Savage, the Board voted 7-0-0 to **grant the conditional use permit** from Section 28-4-1(g)(2), for the properties located at 44-52 North Main St and 54-56 North Main Street, along with a connection to and renovation of 34-42 North Main St, to allow a building located in the CBP or OCP to obstruct the views of the State House Dome from specific locations Interstates 93 and 393 with the condition that 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 Hicks, seconded by Member Savage, the Board voted 7-0-0 to **grant major site plan approval** for the construction of a new 8-story, mixed-use building, and associated on and off-site improvements at Tax Map 6443Z Lot 27, addressed as 56 North Main Street, 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. Unless a specific variance, waiver, or conditional use permit is granted stating otherwise, revise the plan sheet/set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Construction Standards and Details, including but not limited to the following:
 - a. Per Section 12.03(4), Section 16.02(1) *Preparation*, and Section 16.03(1) *Preparation*, the sign and seal of the New Hampshire Licensed Architect shall be provided on the architectural plan set.
 - b. Per Section 13.01(6) and Section 13.02(8) *State and Federal Permits*, a copy of

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- the NHDES Sewer Connection Permit shall be provided to Planning Staff.
- c. Per Section 13.02(4) *Other Public Easements*, the minor subdivision application (PL-MIS-2025-0047) shall receive final approval and an access easement and plan, to provide public pedestrian access between North Main Street and Low Ave, shall be prepared, reviewed and approved by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content, and recorded with the Merrimack County Registry of Deeds. Additionally, the easement plan shall be included in the civil plan set.
 - d. Per Section 16.02(18) *Demolition Plan*, a note shall be added to the removals and site plans stating to the effect that it will be the responsibility of the owner that all work related to the project, including removal or installation of municipal or non-municipal utilities, shall be completed in one, cohesive restoration element.
 - e. Per Section 16.02(18) *Demolition Plan*, the callout for the metal art sculpture shall be revised to say “Artwork to be removed by others in coordination with the City of Concord”. Additionally, the plans shall be revised to show the restoration in kind of this designated area art and sculpture area.
 - f. Per Section 16.02(19) *Traffic Control Plan*, a conceptual traffic control plan, subject to approval by the City Engineer, shall be submitted, demonstrating the mitigation plan to vehicle and pedestrian traffic on Low Ave, North Main Street, the Phenix Ave pedestrian connection, and festivities held on North Main Street. As a subsequent condition of approval, a complete and comprehensive traffic control plan, prepared by a qualified and licensed engineer, subject to the review and approval by the City Engineer will be required.
 - g. Per Section 16.02(22) *Construction Details*, the herringbone brick pattern on the Paving Pattern for 7’-0” wide brick furniture shall be confirmed to the pattern installed on North Main Street. If different, it shall be changed on the plan set to match what is constructed on North Main Street, and any details shall be revised accordingly, meeting the details and requirements from the North Main Street project.
 - h. Per Section 17.04 *Addressing*, the applicant shall confirm with the City Engineering Division that no change of addressing is required for any of the new or redeveloped buildings. Any changes shall be shown on the site plan as applicable.
 - i. Per Section 24.04 *Design Standards for Service Connections*, the proposed 4-inch sanitary sewer service from the existing Phenix Hall Building shall be changed to a 6-inch service. Additionally, the size and material of the existing sanitary service proposed to be connected into shall be confirmed, and if less than 6-inches, or found in substandard condition, it shall be replaced accordingly per Section 24.05 *Substandard Connections* of the Site Plan Regulations
 - j. Per Section 13.02(2) *Utility and Drainage Slope Easements*, a utility easement deed and easement plan for the sanitary sewer connection on Tax Map 6443 Lot 10 shall be prepared, subject to the approval of the Clerk of the Planning Board, City Engineer, and City Solicitor as to form and content prior to final approval. As a subsequent condition of approval, the easement shall be recorded with the Merrimack County Registry of Deeds prior to the issuance of a building permit.
2. Final approval of this application (signature by the Chair and Clerk of the Planning

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Board) shall be concurrent with final approval of the associated lot line adjustment / discontinuance plan (2025-122) and site plan application (2025-125).

3. Revise the plan set for compliance with the Site Plan Regulations and Construction Standards and Details as noted in the attached 11-page memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated February 11, 2026
 4. The applicant shall revise the plan set to include the alternative utility design which routes utilities on North Main Street / Depot Street / Low Avenue subject to the final complete design (including off-site improvement sheets) prepared by the applicant and approved by the City Engineer.
 - a. If upon completion of the alternative utility design by the applicant, the conceptual utility route is deemed infeasible by the City Engineer, only then may the utilities be constructed within the to-be-discontinued Phenix Avenue rights-of-way, or as might otherwise be agreed to by the City Engineer and the applicant. In this event, the plan set shall be revised accordingly meeting the approval of the City Engineer.
 5. List all approved variances, waivers, conditional use permit, and other approvals with the applicable section numbers, descriptions, and date of approval on the cover sheet or site plan sheet.
 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, and lighting plans and architectural elevations, for endorsement by the Planning Board Chair and Clerk.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
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. 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))
 4. 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)
 5. 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)
 6. 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)
 7. Temporary certificates of occupancy are only issued under certain circumstances and

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only for the items outlined in Section 36.18, only in winter conditions to defer certain weather-dependent items to spring.

8. 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)
9. 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)
10. Where required improvements are to be fully or partially funded by the City of Concord, or other governmental authority, a fully executed public improvement guarantee or development agreement shall be provided prior to the issuance of a building permit. (Section 13.02(6))
11. Prior to the issuance of a building permit, a complete traffic control plan, prepared by a qualified and licensed engineer, and subject to approval by the City Engineer, shall be submitted. The plan shall demonstrate the mitigation plan to vehicle and pedestrian traffic impacts, including, but not limited to: Low Ave; North Main Street; the Phenix Ave pedestrian connection; and, festivities held on North Main Street.
12. Prior to the issuance of a building permit, the prepared utility easement deed and easement plan for the sanitary sewer connection on Tax Map 6443 Lot 10 shall be recorded with the Merrimack County Registry of Deeds.

8E. 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)

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 Savage, the Board voted 7-0-0 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 16.02(20) *Offsite Improvement Plan*, to not require a separate off-site improvement plan. However, the Planning Board may require an off-site improvement plan to be prepared for any future amendments.
- c. Section 21.02 *Sidewalks Required*, to not provide a sidewalk on Low Ave
- d. Section 29.04 *Building and Façade Lighting*, to not require all building and canopy lighting to meet the 4:1 uniformity ratio standard contained in Article 28-7-7(j) of the Zoning Ordinance, and to allow more than 25% of building lighting to be directed upward.
- e. Section 29.05 *Canopy Lighting*, to allow canopy lighting to exceed the maximum illumination of 20 foot-candles and exceed the 4:1 uniformity ratio between average illumination and minimum illumination
- f. Section 29.07 *Nuisance and Glare*, to allow light trespass beyond property boundaries greater

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than 0.2-foot candles

On a motion made by Member Condodemetraky, seconded by Member Savage, the Board voted 7-0-0 to **deny the waiver request below** from the listed section of the Site Plan Regulations because evidence was not provided showing that the criteria of RSA 674:44(III)(e) and Section 36.08 of the Site Plan Regulations were met.

- a. Section 16.02(12)(b), without an analysis of the roof drains it cannot be determined if granting of this waiver would meet the spirit and intent of the regulations.
- b. Section 29.01 *General Requirements*, granting of this waiver would not be in the spirit and intent of the regulations, as all material included within the site plan shall be legible.
- c. Section 23.04(1) *Construction Standards*, there is no uniqueness to the site that prevents construction of the utilities from being constructed with materials compliant with the City of Concord Construction Standards and Details.
- d. Section 24.03 *Design Standards for Municipal Sanitary Sewers*, there is no uniqueness to the site that prevents construction of the utilities from being constructed with materials compliant with the City of Concord Construction Standards and Details.

On a motion made by Member Hicks, seconded by Member Savage, the Board voted 7-0-0 to **grant architectural design review approval** for the proposed redevelopment at 34-42 North Main Street with the following conditions: the E&P Hotel building, the upper floor window and masonry pattern shall be adjusted to diminish the scale of the building; the windows are all recessed on the exterior and with expressed muntin's; the trim details are to look red or stone on the building; the mechanical unit screen over the linking connector building shall not be translucent, glow, or call attention in any way; the bay bumpouts shall not be EIFS or stucco, but another material; prior to issuance of a building or construction, the applicant shall return to the Architectural Design Review Committee with physical samples of all materials for the buildings, including colors and patterns, and a lighting plan, which shall be in compliance with the Architectural Design Guidelines and Main Street Design Guide; and, 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 Hicks, seconded by Member Condodemetraky, the Board voted 7-0-0 to **grant major site plan approval** for the 6-story infill of Phenix Ave (Lot 28) along with a new building connection to the Phenix Block (Lot 27) and associated on and off-site improvements at Tax Map 6443Z Lot 28, addressed as 34-42 North Main Street, 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. Unless a specific variance, waiver, or conditional use permit is granted stating otherwise, revise the plan sheet/set to fully comply with the Site Plan Regulations, Zoning Ordinance, and Construction Standards and Details, including but not limited to the following:

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- a. Per Section 12.03(4), Section 16.02(1) *Preparation*, and Section 16.03(1) *Preparation*, the sign and seal of the New Hampshire Licensed Architect shall be provided on the architectural plan set.
- b. Per Section 13.01(6) and Section 13.02(8) *State and Federal Permits*, a copy of the NHDES Sewer Connection Permit shall be provided to Planning Staff.
- c. Per Section 13.02(4) *Other Public Easements*, the minor subdivision application (PL-MIS-2025-0047) shall receive final approval and an access easement and plan, to provide public pedestrian access between North Main Street and Low Ave, shall be prepared, reviewed and approved by the Clerk of the Planning Board, City Solicitor, and City Engineer as to form and content, and recorded with the Merrimack County Registry of Deeds. Additionally, the easement plan shall be included in the civil plan set.
- d. Per Section 16.02(18) *Demolition Plan*, a note shall be added to the removals and site plans stating to the effect that it will be the responsibility of the owner that all work related to the project, including removal or installation of municipal or non-municipal utilities, shall be completed in one, cohesive restoration element.
- e. Per Section 16.02(18) *Demolition Plan*, the callout for the metal art sculpture shall be revised to say “Artwork to be removed by others in coordination with the City of Concord”. Additionally, the plans shall be revised to show the restoration in kind of this designated area art and sculpture area.
- f. Per Section 16.02(19) *Traffic Control Plan*, a conceptual traffic control plan, subject to approval by the City Engineer, shall be submitted, demonstrating the mitigation plan to vehicle and pedestrian traffic on Low Ave, North Main Street, the Phenix Ave pedestrian connection, and festivities held on North Main Street. As a subsequent condition of approval, a complete and comprehensive traffic control plan, prepared by a qualified and licensed engineer, subject to the review and approval by the City Engineer will be required.
- g. Per Section 16.02(22) *Construction Details*, the herringbone brick pattern on the Paving Pattern for 7’-0” wide brick furniture shall be confirmed to the pattern installed on North Main Street. If different, it shall be changed on the plan set to match what is constructed on North Main Street, and any details shall be revised accordingly, meeting the details and requirements from the North Main Street project.
- h. Per Section 17.04 *Addressing*, the applicant shall confirm with the City Engineering Division that no change of addressing is required for any of the new or redeveloped buildings. Any changes shall be shown on the site plan as applicable.
- i. Per Section 24.04 *Design Standards for Service Connections*, the proposed 4-inch sanitary sewer service from the existing Phenix Hall Building shall be changed to a 6-inch service. Additionally, the size and material of the existing sanitary service proposed to be connected into shall be confirmed, and if less than 6-inches, or found in substandard condition, it shall be replaced accordingly per Section 24.05 *Substandard Connections* of the Site Plan Regulations
- j. Per Section 13.02(2) *Utility and Drainage Slope Easements*, a utility easement deed and easement plan for the sanitary sewer connection on Tax Map 6443 Lot 10 shall be prepared, subject to the approval of the Clerk of the Planning Board,

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City Engineer, and City Solicitor as to form and content prior to final approval.
As a subsequent condition of approval, the easement shall be recorded with the
Merrimack County Registry of Deeds prior to the issuance of a building permit.

2. Final approval of this application (signature by the Chair and Clerk of the Planning Board) shall be concurrent with final approval of the associated lot line adjustment / discontinuance plan (2025-122) and site plan application (2025-123).
 3. Revise the plan set for compliance with the Site Plan Regulations and Construction Standards and Details as noted in the attached 11-page memo to Alec Bass from Paul Gildersleeve and Pete Kohalmi, dated February 11, 2026
 4. The applicant shall revise the plan set to include the alternative utility design which routes utilities on North Main Street / Depot Street / Low Avenue subject to the final complete design (including off-site improvement sheets) prepared by the applicant and approved by the City Engineer.
 - a. If upon completion of the alternative utility design by the applicant, the conceptual utility route is deemed infeasible by the City Engineer, only then may the utilities be constructed within the to-be-discontinued Phenix Avenue rights-of-way, or as might otherwise be agreed to by the City Engineer and the applicant. In this event, the plan set shall be revised accordingly meeting the approval of the City Engineer.
 5. List all approved variances, waivers, conditional use permit, and other approvals with the applicable section numbers, descriptions, and date of approval on the cover sheet or site plan sheet.
 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, and lighting plans and architectural elevations, for endorsement by the Planning Board Chair and Clerk.
- (b) **Subsequent Conditions** – to be fulfilled as specified:
1. 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.
 2. 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))
 3. 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)
 4. 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)
 5. If there is a conflict between regulations, rules, statutes, provisions or law, or the

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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)

6. 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.
7. 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)
8. 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)
9. Where required improvements are to be fully or partially funded by the City of Concord, or other governmental authority, a fully executed public improvement guarantee or development agreement shall be provided prior to the issuance of a building permit. (Section 13.02(6))
10. Prior to the issuance of a building permit, a complete traffic control plan, prepared by a qualified and licensed engineer, and subject to approval by the City Engineer, shall be submitted. The plan shall demonstrate the mitigation plan to vehicle and pedestrian traffic impacts, including, but not limited to: Low Ave; North Main Street; the Phenix Ave pedestrian connection; and, festivities held on North Main Street.
11. Prior to the issuance of a building permit, the prepared utility easement deed and easement plan for the sanitary sewer connection on Tax Map 6443 Lot 10 shall be recorded with the Merrimack County Registry of Deeds.

9. Public Hearings

None.

10. Design Review Applications

None.

11. Amendments

None.

12. Other Items

12A Planning Board Recommendations regarding Tax Deeded Properties

Mr. Thompson stated in the packet is a report from the City Tax Collector. The City is looking to move forward with an auction for a property at 45 Auburn Street, Concord. The state law and the City Charter requires the Planning Board to provide a recommendation as to whether or not there is a public purpose for retaining this property.

Chair Woodfin stated the Boards part is to recommend to accept the following report and advise Tax Collector.

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Mr. Thompson stated the recommendation from the City is to sell the property by auction, it has already been taken by tax deed by the City Council.

Member Tarbell noted there is no governmental benefit for retaining the property as it is in the middle of a residential neighborhood.

On a motion made by Chair Woodfin, seconded by Member Tarbell, the Board voted 7-0-0 to recommend City Tax Collector to sell the property at 45 Auburn Street, Concord.

12B Planning Board Letter of Support - Merrimack River Greenway Trail "BUILD" Grant Application

Mr. Thompson stated the City is in the process of applying for a grant for the next phase of the Merrimack River Greenway Trail and is asking for the Planning Board's endorsement of the application through a support letter that would be signed by the Chair.

Chair Woodfin read the letter to the Board that is attached to the agenda.

Member Tarbell asked why is the letter being requested.

Mr. Thompson stated it is typical support documentation for a grant application with the federal government to have a letter of support from local boards and commissions.

Chair Woodfin signed the letter.

13. Other Business

Any other business which may legally come before the Board.

Adjournment

On a motion made by Member Fox, seconded by Councilor Todd, the Board voted 7-0-0 to adjourn the meeting at 7:46 p.m.

The next regular meeting is Wednesday, March 18, 2026, at 7:00 p.m.

TRUE RECORD ATTEST:

Krista Tremblay

Krista Tremblay

Administrative Technician III