



**CITY OF CONCORD**  
*New Hampshire's Main Street™*  
**Zoning Board of Adjustment**

**October 30, 2025**  
**MEETING MINUTES**  
**Approved December 3, 2025**

Attendees: Chair Christopher Carley, Member Laura Spector-Morgan, Member Andrew Winters, Alternate Member Mark Davie and Alternate Member Brenda Perkins.

Absent: Member James Monahan and Member Nicholas Wallner

Staff: Stephanie N. Verdile, Assistant City Planner-Zoning  
Krista Tremblay, Administrative Technician III  
David Hall, Code Administrator

**1. Call to order**

Chair Carley called the meeting to order at 6:00 p.m.

**2. Chairperson's comments**

Chair Carley noted there are two requests for rehearing regarding the property at 32 Federal Street. Chair Carley stated he did not sit in on this case.

Member Winters stated he is the only one of the members present that was at that meeting.

Chair Carley asked the Board if they have had a chance to review the case and the request for the rehearing that was submitted in writing.

The Board responded yes.

Chair Carley stated when there is a request for a rehearing there is no public testimony taken and they consider criteria slightly different then when considering for a variance and special exception. Chair Carley noted that in order for the Board to grant a request for rehearing, the Board must determine that it made an error in procedure, in application of the applicable state law or if there is new information that is available now and was not available to the Board when the initial case was heard. The Board may, if they so choose, to rehear a case only for those reasons t.

**3. Public meetings**

The Board discussed the information provided by the applicant regarding the rehearing requests.

Member Spector-Morgan sees a problem with the setback variance because the motion to grant the setback variance failed by a vote of two to one. There was no correlating vote to deny the variance. You cannot just deny something by having a failed motion to approve it and there was no opportunity to present findings of fact which would support a denial. Member Spector-Morgan would grant the rehearing with regard to the setback variance only.

Member Winters stated he was the only one that was at the meeting of the people here tonight. Member Winters noted he was in favor of the setback variance and it was two to one in favor and that motion failed. On the second one for maximum lot coverage that was three to zero to deny.

Member Spector-Morgan noted her concern is that they did not take the other vote to deny.

Chair Carley stated you could argue that an assumption of a denial in a two to one was an error in procedure and noted it would justify a rehearing in his opinion.

Alternate Member Perkins noted the other vote to deny the lot coverage variance was unanimous by the 3 members present that evening.

Chair Carley stated the Board should take these cases separately.

- 3.1 32 Federal Street Concord LLC requests a rehearing for the denial of variance request from Sections 28-4-1(d)(1) *Minimum Front Yard Requirements*, (2) *Minimum Rear Yard Requirements*, and (3) *Minimum Side Yard Requirements*/(h) *Table of Dimensional Regulations*, to permit a front setback of 5 feet, a rear setback of 4 feet, and side setbacks of 4 feet, where 15-foot front, rear, and side setbacks are otherwise required for the construction of a new duplex, at Tax Map Lot 7411Z 112, addressed as 32 Federal St, in the Civic Performance (CVP) District. (ZBA 0319-2025) Decision of the September 3, 2025 meeting.

On a motion made by Spector-Morgan, seconded by Alternate Member Perkins, the Board **with a vote of 5 in favor (Carley, Davie, Perkins, Spector-Morgan and Winters) to 0 opposed** to grant the rehearing request.

The Board will rehear case 0319-2025.

- 3.2 32 Federal Street Concord LLC requests a rehearing for the denial of a variance request from Sections 28-4-1(b) *Minimum Lot Size*, 28-4-1(c) *Minimum Lot Frontage*, (h) *Table of Dimensional Regulations*, and 28-5-2 *Duplex or Two-Family Dwelling*, to permit lot area of 2,613.6 square feet and frontage of 54.7 feet, where 11,250 square feet and 112.50 feet, respectively, are otherwise required for the construction of a new duplex, at Tax Map Lot 7411Z 112, addressed as 32 Federal St, in the Civic Performance (CVP) District.(ZBA 0321-2025). Decision of the September 3, 2025 meeting.

On a motion made by Spector-Morgan, seconded by Member Winters, the Board **with a vote of 5 in favor (Carley, Davie, Perkins, Spector-Morgan and Winters) to 0 opposed** to deny the rehearing request on the basis there was no new information has been provided and there is no evidence the Board has made any error in fact or law. All in favor. The motion passed unanimously.

Chair Carley stated the rehearing request for case 0321-2025 is denied.

#### 4. **Any other business that may legally come before the Zoning Board**

#### 5. **Adjourn**

On a motion made by Member Spector-Morgan, seconded by Alternate Member Perkins, the Board unanimously voted 5 in favor (Carley, Davie, Perkins, Spector-Morgan and Winters) to 0 opposed to adjourn at 6:20 p.m.

Respectfully submitted,

*Krista Tremblay*

Krista Tremblay

Administrative Technician III