



Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

MERRIMACK PLANNING BOARD

DECEMBER 4, 2012

APPROVED MEETING MINUTES

A regular meeting of the Merrimack Planning Board was conducted on Tuesday, December 4, 2012 at 7:30 p.m. at the Town Hall Matthew Thornton Room.

Board Secretary Alastair Millns presided:

Members of the Board Present: Stanley Bonislowski

Desirea Falt

Michael Redding

Nelson Disco, Alternate

Matthew Passalacqua, Alternate

Councilman Thomas Koenig

Members of the Board Absent: Robert Best, Chairman

Lynn Christensen

Pete Gagnon, Alternate

Also in Attendance:

Timothy Thompson, AICP, Director, Community Development

Dawn MacMillan, Recording Secretary

Eileen Cabanel, Town Manager

Paul Micali, Finance Director

Chief Michael Currier, Merrimack Fire & Rescue

Richard Seymour, Director, Public Works Department

Marge Chaifery, Superintendent, SAU26

Matt Shevenell, Business Administrator, SAU26

Rich Hendricks, Chairman, School District Planning & Building Cmte.

Gage Perry, School District Planning and Building Committee

Jim Petropulos, PE, LEED AP; Hayner/Swanson, Inc.

Ted Karwoski, COO/Sr. V.P. Research & Oper., Atrium Medical Corp.

Dick Cane, Flatley Company

1. Call to Order

Chairman Millns informed the Board and the viewing public Chairman Robert Best was unable to be in attendance as he was out of the country.

Chairman Millns appointed Alternate members Matt Passalacqua and Nelson Disco to serve as voting members in the absence of members Robert Best and Lynn Christensen.

2. Announcements

Chairman Millns noted the applicant for agenda item #4 has requested an additional postponement, and will re-notify abutters upon resubmission.

3. Planning & Zoning Administrator's Report

None.

MOTION BY MEMBER FALT THAT THE BOARD GO OUT OF THE REGULAR ORDER OF BUSINESS TO RECEIVE THE PRESENTATION ON AGENDA ITEM #8

MOTION SECONDED BY MEMBER PASSALACQUA

MOTION CARRIED

7-0-0

8. Discussion of Capital Improvement Program for the Town of Merrimack and School Administrative Unit #26.

Town Manager Eileen Cabanel and Finance Director Paul Micali provided a PowerPoint presentation on the Capital Improvement Program for the Town of Merrimack.

Town Manager Cabanel remarked the Capital Improvements Program (CIP) is a means of planning for/funding capital projects/equipment. Projects have been placed within the schedule based on projections of when funding will be necessary/available. A goal set last year was to establish a guideline for where the Town should be with regard to funding the Capital Improvement Program. The projected minimum allocation to the Capital Reserve Fund (CRF), inclusive of the Sewer Fund, was \$1,110,000. What was achieved was an allocation of \$962,000. Proposed for FY14 is an allocation of \$985,000.

Speaking to the PowerPoint presentation (copy attached), Town Manager Cabanel addressed first the projects highlighted in blue, which she has removed from the CIP this year. With regard to item #s 1) South Fire Station, 2) Northwest Fire station, and 3) Reeds Ferry Fire Station, she informed the Board that Chief Currier has spent an extensive amount of time going through data reviewing the needs of the department to determine types of calls, e.g., fire or ambulance related, geographical location of calls and how the department travels to those calls taking into consideration whether the new airport access road will open up possibilities for improved response time to calls, etc.

Another area reviewed by all departments, especially when consideration is given to new infrastructure, is equipment. Departments have been asked to review current equipment and storage needs to determine what equipment should be retained, purchased, etc. as a means of ensuring the necessary equipment is available and being properly maintained/upgraded while outdated and/or unused equipment is disposed of.

Town Manager Cabanel noted one of the proposed fire stations was presented to taxpayers the year before last. The proposal came about as a result of anticipated revenue (\$650,000) from the Merrimack Premium Outlets project. Those funds were to be utilized to address public safety; in particular the Fire Department. The funds have been received and are earmarked for this project.

As a result of his review, Chief Currier has been preparing spreadsheets detailing the types of calls, number of firefighters needed, number of EMTs needed, number of multiple calls, location of calls, etc. At this time, and because the service model has experienced some changes (70-72% of calls ambulance calls), they are not yet prepared to place the items into the CIP for a particular year or cost. The expectation is that the data gathering process will continue for the next year to provide the

opportunity to identify patterns, etc. Once that process is completed, decisions will be made as to how to move forward to best serve the needs of the citizenry.

Town Manager Cabanel remarked, although there are four fire stations, one is used as a storage facility and questions remain as to whether or not that facility is necessary. Another station was donated, has an associated trust fund, and consideration has to be given as to how to best utilize that facility.

She spoke of discussions that could occur with neighboring towns regarding mutual aid agreements and perhaps regionalization. She commented regionalization may be the only way to manage budgets into the future.

With regard to item #20 (also removed from the CIP this year), Tennis Court Reconstruction at O'Gara Drive, the \$183,000 listed in FY14 would cover the cost of patching. Patching would not make the surface much more usable as the ground is shifting up. It was noted there are associated grants, which require tennis courts be maintained within the Town. Decisions need to be made regarding whether to continue to maintain this court or perhaps expand the courts at Wasserman Park, etc.

With regard to item #21, New Library, Town Manager Cabanel stated the Library has requested the project not be placed in the plan at this time. Several changes were noted including a new Board of Library Trustees, new Library Director, and the changing role of the library. Director Micali informed the Board the library has hired a consultant to assist in the process, e.g., conduct surveys, review libraries in surrounding towns, etc. It is hoped a better understanding will be gained of the desires and needs of the community in time to put a plan in place for consideration next year.

With regard to item #19, New Athletic Fields, it was noted a group in town performed a study of athletic fields, which brought to the forefront the issue that several of the fields are located on private property, and stated the need for a more in depth review to be conducted to determine how much longer the Town will have access to those fields. The study highlighted the need for an overall review of the Town's needs with regard to playing fields. Funds have been included within the plan as a placeholder.

Member Bonislowski spoke of the notation made on the Project Request Form for the Reeds Ferry Fire Station project, which reads: "Change due to maintaining a flat base on the community tax rate; cost reflects inflation." He stated there would be no cost to the tax rate if a presentation were made and approved for use of monies from the trust fund (\$300,000 private donation). He stated a concern that available funds might not be available in future years. Finance Director Micali stated it is the Trustees of the Trust Fund that manage the funds, and the \$300,000 is earned interest on the fund. Member Bonislowski commented for the past several years nothing has occurred with that property, and he is glad to see a plan outlined and an explanation provided as to why work should be postponed for another year. He reiterated work done on that station would not have an impact on the tax rate.

Chairman Millns remarked he is encouraged by discussions of regionalization of fire services. He is also pleased with discussions taking place around services provided by the library.

Town Manager Cabanel remarked the Town is doing a good job with regard to bridge replacement. The Public Works Director has been very successful acquiring State funding to assist in this work. In instances where State funding is secured, the State covers 80% of the cost and the Town 20%.

Item # 4, Bridge Replacement – Manchester Street; is anticipated to be complete in FY14. It has been a collaborative effort between the State of New Hampshire (80%), City of Nashua (15%) and the Town of Merrimack (5%).

Item #5, Bridge Replacement - McGaw Bridge Road; is identified on the plan for FYs 16 and 17.

Item #s 6 and 7, Bridge Replacement, Wire Road/Baboosic Brook, and Bedford Road/Baboosic Brook; currently being completed (80% State funded).

Item #8, Culvert Replacement – Amherst Road and Stormwater Drainage Improvements; Amherst Road is being completed. Two hundred thousand dollars is proposed to be funded in each year of the plan to address stormwater drainage improvements. A list of stormwater drainage projects was provided.

Item #9, Paving – Infrastructure Improvements; Town Manager Cabanel commented attempts are made to reach the goal of a million dollars of funding in each year of the plan. Finance Director Micali explained the funds cover the costs of road paving and resurfacing; however, portions of roads are being paved in conjunction with bridge replacement projects.

Item #10, Paving – D.W. Highway, (Chamberlain Road – Bedford Road); this section of roadway is anticipated to be completed in FYs 15 and 16. Chairman Millns questioned whether consideration has been given to improvements to the Twin Bridge, to make crossing safer for pedestrians, e.g., a pedestrian walkway adjacent to the bridge. Public Works Director Seymour responded there are no plans for such a walkway at this time, and most of the bridges on the list are near completion. He noted this particular bridge is not a red listed bridge. Chairman Millns spoke of the pedestrian traffic on the bridge, particularly students crossing on bicycles, and requested the Director keep that concern in mind. He noted, although prior to the current administration, the Board has brought this issue up in the past.

Member Disco remarked, as the most senior member of the Board, he can state, over the years, the Board has requested, where practical, replacement bridges include a pedestrian walkway. He added if the McGaw Bridge in particular had a pedestrian way, it might provide pedestrians a bypass for the very dangerous route 3 bridge. Member Passalacqua suggested the Wire Road intersection and the bridge could be done simultaneously. Town Manager Cabanel noted that possibility has been raised.

Item #11, Highway Garage & Fuel Station Upgrade – Replacement; the only information available for the project at this time is square footage. Town Manager Cabanel stated her desire to discuss further the equipment needs of the department to ensure the facility would have the relevant usable space. At present, the Town Council has allocated the sum of \$20,000 towards the completion of a space needs assessment. With regard to the highway garage, the intent is that it remain in its current location; however, decisions will need to be made as to whether the facility can be upgraded or if replacement is necessary. The plan identifies bonding in FY15.

Mr. Bonislowski remarked, in the past, engineering work has been completed a year in advance of commencement of work; however, the plan identifies a two-year lapse in time. He questioned the reasoning. Finance Director Micali stated the issue is one of timing; the final plan will not be completed before the current deliberative session on the budget.

Item #12, Traffic Signal – Intersection Improvements (Front Street & Baboosic Lake at D.W. Highway); scheduled for FY14.

Item #13, Wire Road Intersection Improvements/Roundabout; \$50,000 is proposed for FY14; however, the suggestion may be made to push this out another year as it requires a great deal of discussion around the concept of roundabouts.

Item #14, Turkey Hill & Baboosic Intersection Improvements/Roundabout; proposed for FY15.

Item #15, Griffin Street Boat Ramp Access Improvement; \$15,000 has been set aside as a means of having monies available when the State is ready to move forward with boat access.

Item #16, Chamberlain Bridge Rehabilitation/Sidewalk Repairs; the bridge is in very good condition, and, because of its shape, has historic value. The sidewalk is what is intended to be replaced.

Item #17, Sewer Line Extension; \$840,000 has been approved to come out of the Capital Reserve Fund for sewer extension projects. The Town will shortly reach completion of a sewer master plan. Town Manager Cabanel remarked there are alternatives such as betterment districts whereby a bond is issued and residents pay their share, which could be based on frontage, square footage, etc. There are issues related to possible environmental challenges as well as economic development issues.

Item #18, Town Wide Master Plan; is complete. Forty five thousand was expended in FY13 for the final payment on the plan.

Item #19, New Athletic Fields; \$170,000 is being proposed for funding in FY17.

Item #21, Town Wide GIS Upgrade; the Director of Community Development requested funding begin in FY14, and has been asked to move the request out a year.

Town Manager Cabanel remarked there are two other projects not identified on the spreadsheet; total of \$7.6 million for upgrades to sewer pumping stations and the third and final upgrade to the sewer plant. All of this has been included in a very thorough rate study. The projected increase is 6%.

Member Bonislowski complimented the Town Manager for taking this approach to funding and planning for capital improvements. He questioned why funding amounts drop off in the out years. Town Manager Cabanel noted the fire station projects as well as the library project would be included in the out years. She noted a large bond payment (\$400,000 - \$500,000 payment) will be coming to an end in the next few years.

With regard to the new South Fire Station project, Member Bonislowski questioned the \$37,000 listed under personnel (impact on operating budget) on the Project Request Form. Chief Currier responded the funds are related to upgrades and have no relation to personnel.

Member Disco spoke of the two intersections slated for refurbishment, and questioned whether the intersection of Turkey Hill Road & Amherst Road should be added. He noted the intersection presently requires police presence a few hours a day, every weekday. He suggested long-term improvements should be contemplated. He further suggested such a project could be considered in conjunction with the bridge crossing of Naticook Brook. Director Seymour stated that has been part of the discussion; however, it is not in the present plan. He remarked the topography is difficult (slope), and would make it difficult to consider a roundabout, and even a T intersection would not provide much in the way of improvement. He stated the intersection would continue to be considered. Member Disco suggested an automatic control in the T intersection. Although costly, there is also a cost associated with police presence.

Member Passalacqua requested clarification on the requested investment in traffic signals. In particular, he does not believe the improvements to the Front Street signal are necessary. Director Micali noted the Front Street signal work is more of an alignment issue and a way to better address traffic flow in the area. The Baboosic Lake Road signal is antiquated and has experienced failures. Given its age, replacement parts have been difficult to find. The desire is to upgrade the equipment itself. Chairman Millns commented the situation at Baboosic Lake Road & D.W. Highway is not helped by the increase in traffic in the area and improper signalization for traffic coming out of the property.

The Board thanked Town Manager Cabanel and Director Micali for the presentation.

Marge Chiafery, Superintendent, and Matt Shevenell, Business Administrator, addressed the Capital Improvement Program for School Administrative Unit #26.

With regard to roofing projects, Mr. Shevenell stated the desire to address a section of roof at the Merrimack High School (51,000 sq. ft.) in FY14 (estimated cost of \$1,024,500). He noted the proposed

expenditure of \$1,124,800 in FY18 to address roofing at the Merrimack Middle School, which, at that time, will be 15 years old.

He informed the Board that the Director of Maintenance, Tom Touseau, walks the roofs each year to view current condition, and identifies necessary repair projects within the CIP schedule based on best estimates for when repairs should occur. Roof repairs will continue to appear in the CIP until the FY24 timeframe after which it is anticipated there will be a ten-year period where no further roofing repairs would be required. During that time the School Board would look to replenish the fund. He added replacement roofing is of very good quality, comes with a 35-year warranty and has a life expectancy of approximately 50 years.

Member Falt questioned the choice of a built-up roofing system. She remarked newer technologies are encouraging (PVC or EPDM single ply roofing systems) and noted built-up roofs have multiple layers, which add to the difficulty of identifying areas of damage/leakage. Mr. Shevenell stated the belief the product they are considering is more substantial and offers better insulating qualities. Although it can be challenging to identify the source of a leak, thermal imaging is used to identify damp areas in the insulation. He noted the district has had a negative experience with membrane type roofing. Member Falt stated a willingness to provide her assistance as this is her career field.

With regard to asbestos removal, Mr. Shevenell remarked the district has been going through its removal program for the past 4-5 years. The issue is that of floor tiles and the mastic (glue) underneath. He noted Mr. Touseau reviews every piece of flooring labeled to have asbestos each year to ensure containment, and rates each area with regard to urgency of repair. An area at the Mastricola Elementary School has been identified for abatement/new tiles in FY14 (\$248,000). It was noted asbestos removal, in all schools, would be complete in the FY18 timeframe.

With regard to paving, proposed for FY15 is the bus loop at the Merrimack High School (\$115,000) and the circle area at the Thorntons Ferry Elementary School (\$150,000). Paving at the Mastricola Upper Elementary School and the Mastricola Elementary School is proposed for FY16.

Speaking to the proposed project of consolidating the Special Education and SAU offices, Mr. Hendricks, Chairman, School District Planning & Building Committee, stated the School District Planning & Building Committee was charged with this project in November of 2008. In October of 2010, the Committee presented the School Board with a comprehensive report of findings and recommendations. He stated the special education building is currently unoccupied and the employees are in a very small and limited space at the Mastricola Upper Elementary School.

In speaking to the special education building, he stated it is not ADA compliant. There is no means of getting downstairs and the building offers very little in the way of private and confidential meeting rooms. He remarked the buildings were constructed in 1963 as three-bedroom homes. He stated this project has been in the CIP for over 13 years, has not yet been funded, and the current situation is unworkable.

The Superintendent's Office (green building) was purchased by the district in 1973 (\$32,000) and the Special Education Office (blue building) in 1979 (\$57,250). It is believed a consolidation of offices will provide much needed synergy. Mr. Hendricks noted the packet provided to the Board includes the original report, a floor plan, and a site plan. The recommendation of the Committee is to construct a one-story building on the one-acre parcel of land adjacent to the high school (owned by district). It was noted the construction would require the removal of trees, and that efforts are underway to gain revenue from the sale of timber. There would be some loss of parking in the area.

The Committee also considered the possibility of renovating space at the Mastricola Upper Elementary School. Not all classrooms within that facility are utilized every minute of the day. Four visits were made to the school along with a professional architect fluent in items such as distances to exits,

configuration, etc. It was noted, when adding offices to a school building, specific criteria have to be met, whereas, constructing a standalone office building allows for more flexibility and lower costs. The conclusion was a great deal of reconfiguration would have to occur, e.g. separate entrance, quiet testing rooms, new windows, etc., a new HVAC system would have to be put in place, etc.

Adding the square footage (2,600 sq. ft.) associated with the special education services to a new administration office building would be at a cost of \$340,000; whereas, the cost of retrofitting the Mastricola Upper Elementary School to accommodate the special education offices would be \$330,000. Mr. Hendricks reiterated some of the difficulties associated with the option of adding space for the special education department to the Mastricola Upper Elementary School, e.g., school buses coming in and out that would block the entrance, the loss of 12-14 parking spaces, which would be needed for staff and visitors, the need for locked entrances, loss of privacy, the need for a direct entrance, etc.

The desire is for the placement of a pre-engineered building on district owned property. The project is proposed to be bonded in FY14 (\$1,512,996). Mr. Hendricks spoke of low interest rates currently available for bonding.

Member Redding commented the solution would serve the needs of the community well and is overdue. He noted school district property, as a whole, has a great deal of impervious space (paved areas), and questioned whether consideration has been given to ways to minimize impacts. Mr. Hendricks stated the discussions have not yet reached that level of detail. He remarked he would look to the architect to assist with/advise on those aspects of the project.

Member Bonislowski remarked if proposing a \$1,512,996 bond, the need exists to educate the citizenry on the need. Mr. Hendricks stated they are in the process of developing an educational program utilizing video and local television, plan on addressing the PTA, etc. Member Bonislowski added the need exists to reach out to community members who are not directly tied to the schools.

Mr. Shevenell informed the Board the current special education building is not operational. A good portion of the roofing was torn off and extensive water damage was experienced as a result of Hurricane Sandy. A new roof has been placed on the facility (covered by insurance); however, at present, half of the first floor is essentially a shell.

With regard to the Mastricola Upper Elementary School Entrance/Office Upgrade, Mr. Shevenell stated the project would relocate the offices from the current location (near the gym) to the area of the triple doors where voting takes place. When entering from the School Street side, parallel to the church, you would enter the new wing of offices. An existing teachers' room and a few classrooms would be lost and the interior portion would be reconstructed. The reconstruction would also include construction of a rest room in the Nurse's office. Mr. Shevenell remarked this project has been discussed for the past 3-4 years, and is being proposed for funding in the FY14 operating budget. He noted this is the last entrance to be addressed in terms of security. The hope is for construction to occur over the summer months.

Member Redding questioned whether there is benefit to looking at the parking lot improvements slated for FY16. He spoke of how parking is competed for on that side of the building and questioned whether improvements could be made at the same time to meet the desire of creating a grand entrance. Mr. Shevenell responded he is not sure what improvements could be made other than making the area level. He suggested they would likely look into it with the thought of positioning of cars, e.g., perhaps restriping.

Member Falt remarked when creating a new entrance, it is typically best to put accessible parking in the area. Chairman Millns remarked the difficulty with this school relates to the number of school buses competing with parental traffic.

Mr. Shevenell remarked when the facility was first turned into an upper elementary school, the need existed for a playground. It was difficult to locate a playground on the property as the only available location was the front lawn to avoid sacrificing a play field that included underground drainage and sprinkler systems.

Speaking to the Merrimack High School Track/Field Upgrade, Mr. Shevenell stated the project has been identified in FY16 as a placeholder. He noted the football field in the back of the high school is the main field for high school athletes. Artificial turf surfaces are being explored for this field. The current track is asphalt base with a rubberized coating. The coating is delaminating in spots, and will reach end of life in FY16. It was noted the track is another area walked by the Director of Maintenance who looks to ensure there are no tripping hazards, etc. It was believed beneficial to group the track and field upgrade projects together.

Chairman Millns questioned the opportunity to gain sponsorship to cover some of the costs, and was informed that possibility has been discussed and will be explored further. Member Falt commented she was previously involved in a large school project that consisted of the construction of a new stadium, track and field, etc. She worked collaboratively with a signage company to develop a fundraising package. Marketing of the package was assisted by the alumni foundation, e.g., naming rights, in-kind donations, etc.

Member Bonislowski questioned the ability to set funds aside each year in the budget as a means of funding the project. Mr. Shevenell stated monies cannot be transferred into reserve funds that would have to be done via a Warrant Article. When asked if facility use would be restricted to high school functions, Superintendent Chiafery stated this would be a field the district would want to be utilized by community groups as well as school teams.

Addressing Technology Infrastructure Upgrade, Mr. Shevenell stated the item is new to the CIP this year although it has been discussed in prior years. The intent is to begin funding these improvements to avoid the equipment becoming obsolete and unusable for the end user in the classroom. Monies are being put aside in each year for upgrades, e.g., additional network cabling (multiple computers sharing jacks), network switches (66 beyond end of life), 18 servers (8 years old or older). A leasing option is being considered. First in line for replacement would be computers at the Merrimack Middle School. The school has approximately 137 computers, which were purchased at the same time. The idea would be to lease equipment over a three-year period after which the equipment could be purchased outright for \$1. The leasing option would create the necessary replacement/refresh cycle. This project would also include the phasing in of a Voice over IP (VoIP) phone system.

With regard to the drainage project at the Masticola Upper Elementary School, member Nelson questioned whether the alternate system proposed would be designed utilizing Best Management Practices for disposal of roof water. Mr. Shevenell stated the system would include a series of structures consisting of crushed stone beds and infiltration systems. Those plans have been provided by Keach-Nordstrom.

- 4. Valleyview Drive Revocable Trust (applicant/owner) – Review for Acceptance and consideration of Final Approval of a subdivision application proposing to subdivide one lot into a total of three residential lots. The property is located at 15 Valleyview Drive and lies within R (Residential) District. Tax Map 5C, Lot 142. This agenda item was postponed from the November 13, 2012 meeting.**

**MOTION BY MEMBER BONISLAWSKI TO ACCEPT THE WITHDRAWAL OF THE APPLICATION
MOTION SECONDED BY MEMBER REDDING
MOTION CARRIED
7-0-0**

- 5. Atrium Medical Corporation (applicant) and APCA Merrimack, LLC c/o Paradigm Properties, LLC (owner)** – Review for Acceptance and consideration of Final Approval for a modification to the previously approved (with conditions) Non-Residential Site Plan application proposing construction of an additional 10,800 s.f. addition (previously approved for 90,000 s.f.) for Research & Design/Manufacturing/Warehousing located at 40 Continental Boulevard in the I-3 (Industrial) & Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 3C, Lot 040.

Director Thompson noted the application was conditionally approved in June for the 90,000 sq. ft. addition and the relocation of Atrium from their Hudson facility to 40 Continental Boulevard. In the process of addressing the conditions of approval on the project, Atrium recognized the need for additional square footage to be added to the addition.

Given that it is a relatively substantial amount of square footage being added to the project, it was his suggestion that it be presented as a modification to the previously approved plan rather than having it come before the Board as a new application. Staff has gone through the original conditions of approval, and with a few minor issues such as paying checks for the Registry of Deeds for the recording of the plans; the applicant has addressed all of the conditions of approval from the original project. The staff memo provided outlines the changes and the review that has taken place on the new addition as well as the input that has been received from both the Merrimack Village District (MVD) and the Merrimack Conservation Commission. Staff is comfortable with the Board accepting the application as it has sufficient information for the Board to make a proper decision.

MOTION BY MEMBER KOENIG TO ACCEPT THE APPLICATION FOR REVIEW

MOTION SECONDED BY MEMBER DISCO

MOTION CARRIED

7-0-0

Mr. Petropulos remarked on June 26th, approval was received for a 90,000 sq. ft. addition. Approval was needed prior to Atrium closing on the property. As they began their architectural programming within the complex addition, the programming yielded an additional 10,000 square feet. He noted future expansion was reflected on the original plan (east of the building), and the integrity is the same. Ten thousand square feet was added on the east side and the fire access was pushed accordingly to the east. There is a minor modification to the parking lot and sidewalk.

Mr. Petropulos stated his appreciation for the assistance provided by staff and noted the project is at the point where all that remains is for the applicant to provide a \$25 LCHIP check and the submittal fee for the recording of the site plan. All details have been addressed.

Mr. Redding requested a summary of how stormwater would be managed given the new impervious area. Mr. Petropulos responded the project was designed by his office in 1982. That project included a 100,000 sq. ft. addition in the back, which is essentially what is occurring. All parking was essentially constructed for that plan. A pond was constructed in the original 1982/1983 design to handle all rooftop runoff. The existing building and the proposed addition were designed to run into the rooftop containment. With regard to stormwater for the site, there is a large stormwater detention facility located in the corner of the site, which accepts the main body of the front parking lot. The loading area was not constructed because it had to do with the upper level addition now being proposed. What is being proposed is a similar stormwater management basin area to accept the new pavement.

Member Disco questioned whether the helicopter pad moved. Mr. Petropulos stated the pad is slated to be in a future expansion area. He commented, over time, it has been transformed into a basketball court. It remains located east of the addition; however, with continued growth, it would be lost. It is not intended to be used as a helicopter pad.

Public Comment

None.

MOTION BY MEMBER BONISLAWSKI TO GRANT FINAL APPROVAL WITH THE FOLLOWING PRECEDENT CONDITIONS TO BE FULFILLED WITHIN 6 MONTHS AND PRIOR TO PLAN SIGNING, UNLESS OTHERWISE SPECIFIED:

1. The applicant is responsible for all fees (including \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) associated with recording the plan at the Hillsborough County Registry of Deeds;
2. The applicant shall provide the requisite copies of the paper plans and mylars with all appropriate professional endorsements for the Planning Board's final signature.
3. The applicant shall provide a note on the recordable sheet that states: "Prior to the issuance of a Certificate of Occupancy, the applicant shall place with the Community Development Department an appropriate financial guarantee related to monitoring of the traffic patterns at the site driveway relative to the peer review comments concerning the need for a left turn lane northbound on Continental Blvd at the site driveway."

AND THAT THE FOLLOWING GENERAL AND SUBSEQUENT CONDITIONS BE PLACED ON THE APPROVAL:

1. All waivers and conditions granted as part of the original approval in June 2012 shall apply to this modified project, including the requirement for payment in-lieu of sidewalks (which is due prior to the issuance of a Certificate of Occupancy).
2. The Applicant shall submit an As-Built Plan prepared by a qualified professional (Professional Engineer or Licensed Land Surveyor) detailing site improvements to the Community Development Department prior to the issuance of a Certificate of Occupancy;
3. The monitoring of traffic patterns (see Precedent Condition #3) shall take place for 1 year following issuance of a certificate of occupancy, and data shall be reviewed by the Town and its peer review consultant relative to the operations of left turns at the main site driveway. Should the data result in the need for additional improvements (including, but not limited to installation of warning signage or lights, left turn lane striping, or other alternative resolution as deemed appropriate by the Town and the Applicant), the applicant shall be required to return to the Planning Board for a public hearing to determine appropriate resolution to the left turn issue.

MOTION SECONDED BY MEMBER REDDING

MOTION CARRIED

7-0-0

6. **John J. Flatley Company (applicant/owner)** – Review for Acceptance and consideration of Final Approval of a subdivision application proposing to subdivide one lot into a total of three industrial lots located at Daniel Webster Highway (to the rear of Saint-Gobain) in the I-1 (Industrial) & Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6E, Lot 003-4.

Mr. Petropulos stated an application has been submitted for a subdivision; three-lot, 70 acre tract in North Merrimack. An application has also been submitted for a speculative building (high-bay warehouse) on the property. The applicant has received comments from staff as well as some of the other peer agents; however, the applicant has not completed the CLD review process. He questioned the will of the Board relative to how to proceed with the two applications.

Director Thompson stated he was fairly comfortable with the Board handling both applications at the same time; however, procedurally each would need to be handled separately relative to action by the Board. He stated staff is comfortable the applications have sufficient information for the Board to accept them as complete.

MOTION BY MEMBER DISCO TO ACCEPT THE APPLICATION FOR REVIEW
MOTION SECONDED BY MEMBER BONISLAWSKI
MOTION CARRIED
7-0-0

Mr. Petropulos stated the John J. Flatley Company owns 150 acres in North Merrimack. This project consists of the northern half of that property (approx. 71 acres). It is bordered by the D.W. Highway to the west, undeveloped property owned by New England Power Company to the north, the railroad tracks with the Merrimack River just on the other side of the railroad tracks to the east, and the balance of the Flatley property to the south. The structure located in the center of the property is the Saint-Gobain building, formerly known as the Chemfab building. The subject site is a uniquely shaped property, which gains access at a signalized intersection on D.W. Highway. The John J. Flatley Company and Saint-Gobain share access in this location. He remarked it has always been envisioned by the Flatley Company that the northern portions of this site would access at that signal.

The land is zoned Industrial and is serviced by sewer and water. The majority of the site is in the Aquifer Conservation District. The southern portion of the 70 acres is within the Wellhead Protection Area.

The first application seeks to subdivide the property into three lots; Lot 003-4 would be 45 acres in size, would contain the main body of frontage on D.W. Highway and a connector to some back land behind the Saint-Gobain building. Lot 003-5 (approx. 11.6 acres) is rectangular in shape, is the subject of future development, and has been provided access to D.W. Highway. Lot 003-6 is the remaining land along the north property line (13.6 acres). The Flatley Company intends to develop this property over time. Mr. Petropulos summarized the requested waivers:

Section 4.20(2): Pedestrian Ways and Sidewalks

Mr. Petropulos remarked the Town requires sidewalks to be built along existing frontages of the property. A waiver has been requested. The applicant is requesting deferment of sidewalks as part of the sub-division as the mere act of carving it into three lots does not create any development or a need for pedestrian safety and sidewalks. They are asking that the sidewalk question be put forth as each individual site plan is presented.

Section 4.04 (B): Soils Data

Mr. Petropulos stated the Town requires certified soils mapping of the property. The applicant has provided certified soils mapping of Lot 003-5 because it is the property in question. The request is for waivers on Lots 003-6 and 003-4. He remarked certified soils mapping has an associated expense, and they wish to defer the mapping of soils on Lots 003-4 and 003-6 until such time as they are developed.

Member Disco stated his recollection and understanding that the entrance to the property would also serve the property to the South, also belonging to Flatley, and was part of the original discussion and relocation of the entrance on Route 3.

Mr. Cane responded a master plan of sorts has been created, which identifies how they might develop the parcel as a whole. Within the plan are interconnections (driveways, parking lots, etc.) that will provide connectivity from the most southerly portion of the site up to this portion. However, there will

likely be additional driveway locations along D.W. Highway due to the size of the site. He noted the intersection was upgraded and designed for the build out of the entire parcel.

Member Disco commented it has always been his understanding the business of requiring sidewalks in a subdivision was primarily intended for residential subdivisions or single lots where single-family homes are constructed, and that the requirement has not been imposed on industrial subdivisions. Member Bonislowski noted the Board granted a good neighbor donation to the sidewalk fund for a warehouse project that is without frontage. Member Disco stated that was a site plan application, not a subdivision application.

Member Disco commented he did not see issue with granting the waiver of soil mapping, noted the applicant has identified wetland and questioned the location(s). Mr. Petropulos responded Lot 003-5 has been scoured and wetlands have been represented; pond adjacent to Lot 003-5. It is known the old fish hatchery property borders the property to the south and there exists a culvert that runs down through the south. He remarked he is not entirely familiar with the specifics of Lots 003-4 and 003-6.

Member Disco commented he did not understand the logic of the configuration of lots chosen. He spoke specifically of the sliver of land remaining behind Lot 003-5. Mr. Petropulos explained in the Industrial zone, the Town of Merrimack subdivision code allows for a lot with zero frontage; however, New Hampshire State law says you cannot create a lot without frontage on an approved town road. Therefore, it is his belief the Merrimack subdivision regulations are unlawful. That is why he has provided the sliver of land (flag) to make the lot legal in the eyes of State Statutes.

Mr. Petropulos commented when the existing Saint-Gobain structure was used to construct turbines for the Seabrook Nuclear Power Plant, there was a series of rail spurs coming off the rail line. One of those spurs was along the back of the property. At this time, the area is used as a walking trail. As Mr. Cane wishes to be flexible with regard to future uses on the property, the area of trail along the railroad tracks is identified as part of Lot 003-4. It is believed it would likely be more useful for a future development on Lot 003-4 than it is for a high-bay warehouse on Lot 003-5.

Mr. Cane added the Flatley Company is a developer/holder of property, e.g., they tend not to sell off pieces of land. The subdivision is being created to isolate the lot to avoid having to encompass the entire property should the decision be made to finance the building. He remarked the flag piece used to create the frontage could provide a location to place a monument sign "Merrimack Commerce Park" identifying the park and users of the site.

Member Disco noted the flag piece coming in behind Lot 003-5 does not continue behind Lot 003-6; therefore if the intent is to preserve a walking trail it would be cut off. Mr. Petropulos stated that would be looked at, and an adjustment could be made prior to the final hearing on the application.

Member Passalacqua suggested it would be unfair to create a distinction between residential and industrial property with regard to the sidewalk requirement. Director Thompson explained the Planning Board would have the opportunity to address the issue of sidewalks with each proposed development (site plan). Member Disco added residential properties do not undergo site plan review, e.g., once a lot is created the property owner can build whenever he/she wishes.

Director Thompson noted the applicant was before the Conservation Commission the previous evening, and received a favorable recommendation with conditions. With regard to the subdivision application, as no development is proposed, there is no requirement for the Merrimack Village District (MVD) to comment. There will also be no requirement for MVD to comment on a site plan as no development would be proposed within the Wellhead Protection Area of Lot 003-5. MVD will review, in general, because the property is in the Aquifer Conservation District.

Councilor Koenig spoke of the easement access for Saint-Gobain, and questioned whether an easement would be included so that Lot 003-6 can also access the road. Mr. Petropulos remarked

there is a recorded document that addresses shared access between the Flatley Company and Saint-Gobain. With regard to access documents between Lots 003-5 and 003-6, Mr. Flatley is the owner of both properties; therefore, would be granting an easement to himself. There is a note included on the drawings which reads: "Prior to the sale of either lot 3-5 or 3-6 all access and utility easements shall be executed and recorded at the Hillsborough County Registry of Deeds."

Member Disco commented the note does not seem to apply to Lot 003-4. Mr. Petropulos stated that lot could be added. Mr. Disco suggested Lot 003-1 should also include such language. Mr. Petropulos responded that would be taken under advisement.

Public Comment

None.

MOTION BY MEMBER DISCO TO WAIVE THE PEDESTRIAN WAYS AND SIDEWALKS STANDARDS UNDER SECTION 4.20(2) NOTING STRICT CONFORMITY WOULD POSE AN UNNECESSARY HARDSHIP TO THE APPLICANT AND WAIVER WOULD NOT BE CONTRARY TO THE SPIRIT AND INTENT OF THE REGULATIONS
MOTION SECONDED BY MEMBER BONISLAWSKI
MOTION CARRIED
7-0-0

MOTION BY MEMBER DISCO TO WAIVE THE REQUIREMENT FOR SOILS DATA UNDER SECTION 4.04 (B) ON LOTS 003-6 AND 003-4 NOTING STRICT CONFORMITY WOULD POSE AN UNNECESSARY HARDSHIP TO THE APPLICANT AND WAIVER WOULD NOT BE CONTRARY TO THE SPIRIT AND INTENT OF THE REGULATIONS
MOTION SECONDED BY MEMBER BONISLAWSKI
MOTION CARRIED
7-0-0

MOTION BY MEMBER BONISLAWSKI TO CONTINUE THE APPLICATION UNTIL THE BOARD'S FEBRUARY MEETING TO BE CONDUCTED AT 7:30 PM ON FEBRUARY 5, 2013, AND THAT THIS SHALL SERVE AS NOTICE TO THE ABUTTERS
MOTION SECONDED BY MEMBER REDDING
MOTION CARRIED
7-0-0

7. John J. Flatley Company (applicant/owner) – Review for Acceptance and consideration of Final Approval for a request of a Non-Residential Site Plan application proposing to construct a 120,000 s.f. warehouse/distribution facility located at Daniel Webster Highway in the I-1 (Industrial) and Aquifer Conservation Districts, and Wellhead Protection Area. Tax Map 6E, Lot 003-4.

MOTION BY MEMBER BONISLAWSKI TO ACCEPT THE APPLICATION FOR REVIEW
MOTION SECONDED BY MEMBER FALT
MOTION CARRIED
7-0-0

Being proposed on Lot 003-5 (approx. 11 acres) is a one-story, 120,000 sq. ft. high-bay warehouse. Mr. Petropulos remarked the John J. Flatley Company has learned there is a lack of high-quality high-bay warehousing space in the local area. To be competitive now that the airport access road bridge is built over to undeveloped land in Londonderry and Manchester, the Flatley Company has considered building a speculative building of a high-bay warehouse (36-40' in height).

Driveway access is off of the shared signalized intersection off D.W. Highway. The building will face the Merrimack River. Access will be available along the north side of the building with a small parking cell. Parking for employees will be located on the east side of the building (about 156 people). If needed, an additional 40 parking spaces could be located on the south side. The loading dock area would be in the back of the building. Given the building measures 200' deep by 600' in length, there is the ability for roughly 38 loading dock style doors.

The site is serviced by sewer and water. With regard to stormwater; roof runoff is being captured, and a sub-parking lot storage and recharge system will be installed. Mr. Petropulos commented roof water is generally considered a cleaner runoff and promoting recharge back into the ground is considered a good thing. The site parking and loading dock area will be captured with curbing and catch basins and piped to a stormwater management area located north of the building. It is an open system (surface) and will include components to slow down runoff, e.g., sediment forebay in front and riprap forebay.

There is volumetric storage as well as the ability to get some recharge back through the ground. Quantity and quality calculations have been completed. In the design of this lot, consideration has been given to Lot 003-6 in terms of providing sewer, utilities, etc. The stormwater area is designed to accommodate a good portion of the development of Lot 003-6.

Mr. Petropulos informed the Board the application was before the Conservation Commission the prior evening. He noted there is a wetland swale as you access in off of the Saint-Gobain entrance. The top corner of the proposed driveway would impact 690 sq. ft. of that wetland. The Conservation Commission provided a positive recommendation with the condition of judicious use of de-icing chemicals and fertilizers. The Commission also signed the Dredge & Fill Application. He summarized the requested waivers:

Section 7.04(4) r, requiring the provision of a sidewalk or paved pedestrian way

There is 22' of frontage on the flag lot on D.W. Highway. The code requires the construction of a sidewalk on a public way across the frontage. As the proposed development is that of a warehouse use and the applicant does not foresee a great many people walking to the facility or employees walking to the signal, the desire is for the issue of a sidewalk to be deferred until the development of Lot 003-6 as that lot enjoys a much larger amount of frontage upon that street.

Section 12.04(2) b, requiring that warehousing facilities in the Industrial Design District shall have a building facade that does not exceed 200 horizontal feet in uninterrupted length.

Mr. Petropulos stated the code requires for every 200' of building façade, there needs to exist a jog in the building. The requirement can be waived if it would interfere with the operation of the intended use. It is the applicant's position that jogging the building in two locations would affect the internal layout of the intended use. There may be some small offices included; however, the primary use is for warehousing and distribution.

Mr. Cane commented having jogs in a warehouse building just doesn't make a lot of sense, e.g., you want wide open spaces as straight as possible. He noted the structure would be located behind an 80' building (Saint-Gobain). He spoke of a rendering of the building that has been completed and can be provided to the Board for review. When asked what would be done to break up the façade of the building, Mr. Cane stated color tones would be used; windows could be placed in the areas of offices, etc. Mr. Petropulos remarked because the building is a speculative building, it is unclear as to how it would be broken up.

Member Disco commented if the Board were to waive the sidewalk requirement, he would like to see some provision of an easement to allow someone else to construct a sidewalk on that property, e.g., Lot 003-6. Mr. Cane stated he would have no difficulty stating the Flatley company, if required to

construct a sidewalk along the frontage at some future time on Lot 003-5, they would also build it across.

The question was raised of the particular use that would occupy the facility. Mr. Cane stated he would not be able to provide that information. Member Disco noted the Board would be interested in the types of materials that might be stored on the site, etc. Mr. Cane stated it would likely be a dry good type of operation. Three strong potential users have approached the company over the last five years; one has been for a tire distribution center, one for a plumbing supply distribution center, and one for a gift basket distribution center.

He added when you have a user that wants to come in they want to be in there at the latest 12 months out. It will take him 9 months to construct the building. The reason they are going through the approval process at this time is because of the amount of time required to complete the process. Assuming approval is gained, he will aggressively market the property. He noted the building could be leased to many different types of users over time, and although he can understand the sensitivity of why the Board would like to know the use, if he has to identify that at this time, he cannot construct the building.

Member Disco spoke of being provided an opportunity to review the type of use when it is known. He spoke of instances in the past where the types of use were environmentally difficult, etc. Mr. Cane reiterated if he were required to tell a potential tenant he was unsure of whether their business would be allowed to occupy the building without prior approval of the Planning Board, knowing that process could take 1-2 months, he would be faced with the real possibility of losing that tenant. He suggested if the Board wished to define some parameters that are broad enough to say if excessive hazardous materials are being handled, etc. he would have to come back before the Board, he could discuss that with the owner of the company, but to be required to come back before the Board for every use, he believes would be unreasonable and inhibit his ability to lease the building.

Member Bonislowski asked whether the questions would be required to be responded to prior to issuance of an Occupancy Permit. Mr. Petropulos remarked when building a speculative building a Certificate of Occupancy could be requested without understanding who the tenants would be. Chairman Millns remarked if the instance occurred where materials to be stored on site were hazardous, the Fire Chief would become involved in the process. Mr. Cane responded the Fire Department would absolutely be involved.

Director Timothy Thompson remarked the Board is being asked to approve the use on the property, e.g., high-bay warehouse, not the end user. The Board would only have the issue come before it again if a change in use were requested.

Member Redding stated an interest in learning more about the infiltration system being placed along the steep slope, understanding the due diligence that an oversaturated condition is not being created with shallow bedrock, and ensuring floatables and solids are being managed.

Public Comment

None.

**MOTION BY MEMBER REDDING TO CONTINUE THE APPLICATION UNTIL THE BOARD'S
FEBRUARY MEETING TO BE CONDUCTED AT 7:30 PM ON FEBRUARY 5, 2013, AND THAT THIS
SHALL SERVE AS NOTICE TO THE ABUTTERS
MOTION SECONDED BY MEMBER PASSALACQUA
MOTION CARRIED
7-0-0**

The Board recessed at 10:20 p.m.

The Board reconvened at 10:25 p.m.

8. Discussion of Capital Improvement Program for the Town of Merrimack and School Administrative Unit #26.

The Board classified each proposed project according to the following criteria:

Urgent (Class I)

Project cannot be delayed and/or is needed immediately for health and safety reasons.

Necessary (Class II)

Project is needed to maintain basic level and/or quality of community services.

Desirable (Class III)

Project is needed to improve the quality and/or level of community services.

Deferrable (Class IV)

Project can be placed “on hold” until after the 6-year CIP period, but generally supports community development goals.

Exploratory (Class V)

Project needs more research, planning, and/or coordination.

Inconsistent (Class VI)

Project is contrary to land use planning or community development goals.

It was noted the list referred to by the Town Manager grouped together Item #s 8 and 9 (as reflected on the larger spreadsheet).

Bridge Replacement – Manchester Street

MOTION BY MEMBER DISCO TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER REDDING

MOTION CARRIED

6-1-0

Councilor Koenig voted in opposition

Councilor Koenig stated his opinion that the project should be classified as a Class I (urgent) project as it is required for safety reasons.

Bridge Replacement – McGaw Bridge Road

MOTION BY MEMBER DISCO TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER PASSALACQUA

ON THE QUESTION

Member Bonislowski stated his opinion that the project should be classified as a Class III (desirable) project. He touched upon the timeframe for project completion and suggested if necessary, it would have been placed differently within the CIP. Director Thompson remarked out of the top 3 classifications, the only one that has a timeframe associated with it would be Class I (urgent). A classification of Class II or III could appear anywhere within the 6 year program.

Member Disco remarked the State believes the project to be necessary and has classified it as a red bridge.

MOTION CARRIED
7-0-0

Stormwater Drainage Improvements

MOTION BY MEMBER REDDING TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER KOENIG
MOTION CARRIED
7-0-0

Paving – Infrastructure Improvements

MOTION BY MEMBER PASSALACQUA TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER BONISLAWSKI
MOTION CARRIED
7-0-0

Paving – D.W. Highway (Chamberlain Road – Bedford Road)

MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER DISCO

ON THE QUESTION

Chairman Millns stated his belief the project should be classified as a Class III (desirable) project.

MOTION CARRIED
6-1-0

Member Millns voted in opposition

Highway Garage & Fuel Station Upgrade - Replacement

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS I (URGENT) PROJECT

MOTION SECONDED BY MEMBER REDDING

ON THE QUESTION

Member Disco suggested the project is exploratory as continued work/research is necessary. Councilor Koenig stated his belief that it has been known since the time of the Turner Report many years ago that the building is in deplorable shape and needs to be addressed. He suggested it has

been overlooked long enough, and it is time to move forward. It is urgent for health and safety reasons as well as just maintaining basic levels of community service.

Mr. Disco stated his agreement. He noted he had suggested exploratory only because it is not yet known how to proceed.

MOTION CARRIED

7-0-0

Traffic Signal Intersection Improvement (Front & BBLake @ DW)

MOTION BY MEMBER REDDING TO CLASSIFY THE PROJECT AS A CLASS I (URGENT) PROJECT

MOTION SECONDED BY MEMBER FALT

ON THE QUESTION

Member Passalacqua stated a desire to address the two intersections separately. He stated his belief the intersection improvements at Baboosic Lake Road are urgent whereas the improvements to the Front Street intersection are not (perhaps exploratory or deferrable). Member Redding agreed.

Member Bonislowski commented he drives Front Street several times a day and is aware the lights are not synchronized.

MOTION FAILED

3-4-0

Members Disco, Falt, Millns, and Koenig voted in opposition

MOTION BY MEMBER PASSALACQUA TO CONSIDER THE PROJECTS INDIVIDUALLY
MOTION SECONDED BY MEMBER DISCO

ON THE QUESTION

Councilor Koenig stated he was not in favor of considering the projects individually. He remarked the Highway Department and Town Manager put the two intersections together as a single project realizing cost efficiencies, understanding the work to be done at the Front Street intersection is likely at a cost less than the \$100,000 threshold for placement within the CIP, and believing managing that stretch was a project in and of itself. Member Bonislowski noted it would be more costly to address each in a different fiscal year. Member Passalacqua agreed with the efficiency aspect; however, noted there may be waste especially since the cornerstone property (Zylas) may be changing hands, and it is unknown what would be placed in that location.

MOTION FAILED

2-5-0

Members Bonislowski, Falt, Millns, Redding, and Koenig voted in opposition

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER DISCO

MOTION CARRIED

6-1-0

Member Redding voted in opposition

Wire Road Intersection Improvements/Roundabout

MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS VI (INCONSISTENT)

The motion was not seconded

**MOTION BY MEMBER PASSALACQUA TO CLASSIFY THE PROJECT AS A CLASS III
(DESIRABLE)
MOTION SECONDED BY MEMBER REDDING**

ON THE QUESTION

Member Passalacqua suggested the need for additional exploration of the option to do the project in conjunction with the bridge project to gain cost efficiencies, which could push the project into the out years. Member Bonislowski remarked the project consists not only of Wire Road intersection improvements, but also the bridge, changing of the entrance around the Merrimack Youth Association (MYA) building, etc. He stated his belief the project should be classified as Class II (necessary).

Councilor Koenig stated his opposition to classifying the project as a Class III (desirable). He believes the project should be classified as a Class II (necessary) project. He commented the project has been discussed for quite some time. Backup material provided includes an accident count (19 over a period of 6 years). He commented he is encouraged to see the roundabout option being considered.

Member Disco agreed with Councilor Koenig's comments, and added he likes the idea of linking the projects (Wire Road/McGaw Bridge Road). He noted he would advocate for a roundabout.

MOTION FAILED

2-5-0

Members Disco, Bonislowski, Falt, Millns, and Koenig voted in opposition

**MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS II
(NECESSARY) PROJECT
MOTION SECONDED BY MEMBER KOENIG
MOTION CARRIED**

7-0-0

Turkey Hill & Baboosic Intersection Improvements/Roundabout

**MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS II
(NECESSARY) PROJECT
MOTION SECONDED BY MEMBER FALT
MOTION CARRIED**

4-2-1

Members Disco and Koenig voted in opposition

Member Millns Abstained

Griffin Street Boat Ramp Access Improvement

**MOTION BY MEMBER REDDING TO CLASSIFY THE PROJECT AS A CLASS III (DESIRABLE)
PROJECT
MOTION SECONDED BY MEMBER FALT**

ON THE QUESTION

Councilor Koenig stated his opinion the project should be classified as a Class IV (deferrable) project.

MOTION FAILED

2-5-0

Members Millns, Bonislowski, Disco, Passalacqua, and Koenig voted in opposition

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS IV (DEFERRABLE) PROJECT

MOTION SECONDED BY MEMBER DISCO

MOTION CARRIED

6-1-0

Member Redding voted in opposition

Chamberlain Bridge Rehabilitation/Sidewalk Repairs

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER REDDING

MOTION CARRIED

7-0-0

New Athletic Fields

MOTION BY MEMBER DISCO TO CLASSIFY THE PROJECT AS A CLASS V (EXPLORATORY) PROJECT

MOTION SECONDED BY MEMBER KOENIG

MOTION CARRIED

7-0-0

Town Wide GIS Upgrade

Director Thompson informed the Board aerial photography and information gathered for the GIS System was done in 2007 and is grossly out of date. There is no budget or staff to maintain the system. Funding (over a period of five years) would allow the Town to purchase new aerial photography, provide for digitization of data layers, upgrading, and tying the information into the current assessing database.

MOTION BY MEMBER REDDING TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER DISCO

MOTION CARRIED

7-0-0

Wastewater Treatment Plant Phase III – Pump Stations Upgrade

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER DISCO

MOTION CARRIED

7-0-0

School District; Roofing

MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER DISCO

ON THE QUESTION

Member Falt suggested the roofing projects be done in conjunction with the offices as a larger project in FY15; however, noted she is unaware of the condition of the roof. Chairman Millns commented the

roofing project would come out of the general budget while the SAU/Special Education Offices would have to be bonded.

MOTION CARRIED

7-0-0

School District; Asbestos Removal

MOTION BY MEMBER FALT TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER PASSALACQUA

MOTION CARRIED

7-0-0

School District; Paving

MOTION BY MEMBER BONISLAWSKI TO CLASSIFY THE PROJECT AS A CLASS III (DESIRABLE) PROJECT

MOTION SECONDED BY MEMBER KOENIG

ON THE QUESTION

Member Redding commented he too had initially believed the project should be classified as desirable; however, as pavement continues to be a challenge for the schools he would like to classify it as necessary, which would be the case for the Mastricola Upper Elementary School by the time the project comes to fruition. Member Bonislowski remarked if it were believed the parking lot was something that should take precedence over another project, it should have been placed differently on the CIP, e.g., FY14. Chairman Millns reminded the Board that the project would be tied into the drainage project in FY16. He noted when doing the drainage, it will be necessary to do some repaving.

MOTION CARRIED

5-2-0

Members Disco and Redding voted in opposition

School District; Consolidate Special Services/SAU Offices

MOTION BY MEMBER DISCO TO CLASSIFY THE PROJECT AS A CLASS I (URGENT) PROJECT

MOTION SECONDED BY MEMBER FALT

ON THE QUESTION

Member Disco spoke of the damage to the existing building caused by Hurricane Sandy, and suggested putting money into that building seems like a waste of taxpayer dollars.

Councilor Koenig stated his belief that the project should be classified as a Class II (necessary) project. He added, while he does not wish to expend funds in a manner that would not best serve the citizenry, he has a difficult time stating it is immediately needed for health or safety reasons or that it cannot be delayed.

MOTION CARRIED

5-2-0

Member Millns and Koenig voted in opposition

School District; Mastricola Upper Elementary School – Drainage

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT

MOTION SECONDED BY MEMBER REDDING

MOTION CARRIED
7-0-0

School District; Masticola Upper Elementary School – Entrance/Office Upgrade

MOTION BY MEMBER KOENIG TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT
MOTION SECONDED BY MEMBER PASSALACQUA
MOTION CARRIED
7-0-0

School District; Merrimack High School – Track/Field Upgrade

MOTION BY MEMBER PASSALACQUA TO CLASSIFY THE PROJECT AS A CLASS IV (DEFERRABLE) PROJECT
MOTION SECONDED BY MEMBER BONISLAWSKI

ON THE QUESTION

Member Passalacqua stated he has recently been on the track and while it may be in degrading condition, it is not such that it is completely unusable or will be so in the near future. Member Falt stated her opinion that the project should be classified as a Class III (desirable) project. She noted as a means of lessening the rate at which the field deteriorates, the team has taken to scheduling additional away games and practicing in alternative locations. Member Bonislowski commented the reason for his support of the motion to classify the project as deferrable relates to the need for a study to be performed, etc. before the School District has a solid plan for project completion.

MOTION FAILED
2-5-0

Members Millns, Falt, Redding, Disco, and Koenig voted in opposition

MOTION BY MEMBER FALT TO CLASSIFY THE PROJECT AS A CLASS III (DESIRABLE) PROJECT
MOTION SECONDED BY MEMBER REDDING
MOTION CARRIED
7-0-0

School District; Technology Infrastructure Upgrade

MOTION BY MEMBER DISCO TO CLASSIFY THE PROJECT AS A CLASS II (NECESSARY) PROJECT
MOTION SECONDED BY MEMBER FALT
MOTION CARRIED
7-0-0

9. Discussion and Possible Action Regarding Other Items of Concern

Chairman Millns informed the Board and the viewing public the last Master Plan meeting would take place the following Tuesday.

Chairman Millns stated the Planning Board would meet next on December 18, 2012. He added the two applications he is aware of to date are for a home occupation of piano teacher and the Jehovah's Witnesses project on Wire Road extension. Director Thompson explained the project received site plan approval from the Planning Board in January. During the Planning Board site plan review process, an abutter brought suit against the Zoning Board of Adjustment relative to the Special Exception that was

granted. When a legal case against the Zoning Board of Adjustment proceeds, it does not stay the Planning Board case. The timeframe for meeting conditions and approval continued to tick away with the applicant unaware. In essence, the timeframe for conditions of approval has expired, and the applicant will come back before the Board with a request to reinstate and extend so they can meet the final conditions of approval and move forward with the project.

10. Approval of Minutes

None.

11. Adjournment

MOTION BY MEMBER REDDING TO ADJOURN
MOTION SECONDED BY MEMBER KOENIG
MOTION CARRIED
7-0-0

The December 4, 2012 meeting of the Merrimack Planning Board was adjourned at 11:14 p.m.