



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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MEMORANDUM

Date: August 7, 2015
To: Robert Best, Chairman, & Members, Planning Board
From: Timothy J. Thompson, AICP, Community Development Director
Subject: **Brighter Horizons Environmental Corp. (applicant) and James E. Longa & Son, Inc. and James E. Longa Revocable Trust (owner)** – Review for consideration of an extension of the previously granted six-month extension to comply with conditions of an approval granted by the Planning Board on June 18, 2013 for a waiver of full site plan review for an application proposing partial reclamation of a sand and gravel pit located at 17 Twin Bridge Road in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 5D-1, Lot 010 and Tax Map 5D-4, Lot 074-01.

At the June 18, 2013, Planning Board meeting, the applicant was granted conditional Final Approval for a waiver of full site plan review for an application proposing partial reclamation of a sand and gravel pit located at 17 Twin Bridge Road in the I-1 (Industrial) and Aquifer Conservation Districts (please see previous staff memo, attached minutes and decision letter outlining conditions). According to the application narrative, approximately 10.8 acres of the approximately 81 acre site (consisting of 3 parcels – 5D-4/074-1, 5D-1/010 & 5D-2/010) that was previously excavated will serve as the proposed reclamation area.

The Planning Board has granted two 6 month extensions to the approval on July 22, 2014, and again on December 16, 2014 (which expired on July 22, 2015, which now requires the Board to reinstate the prior approval before an extension can be considered). According to their current extension request letter, the applicant is requesting another six-month extension due to the denial of the required permit from NH DES, and their still pending appeal of that denial, which has yet to be resolved (a hearing was held, and the applicant is awaiting the written decision from NH DES).

Given that there have been no changes to any ordinances or regulations that impact this project, **Staff recommends that the Board reinstate the 2013 conditional final approval, and grant a third six-month extension**, effective from August 18, 2015, creating a new deadline of February 18, 2016. The conditions outlined in the June 21, 2013, decision letter will continue to apply to the project should the reinstatement and extension be granted.

Cc: File
Correspondence

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