



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: April 1, 2016

To: Robert Best, Chairman, & Members, Planning Board

From: Robert Price, Assistant Planner

Subject: **David Labrecque (applicant) and Lionel Greenwood (owner)** – Review for acceptance and consideration of a waiver of full site plan for an application to permit a seasonal wholesale/retail sales and storage of landscaping materials business. The parcel is located at 12 Wright Avenue in the I-1 (Industrial), and Aquifer Conservation Districts, and 100 year Flood Hazard area. Tax Map 4D-2, Lot 001.

Background

Map 4D-2/Lot 001 is located at 12 Wright Avenue. The property is located in the I-1 (Industrial) and Aquifer Conservation Districts and 100-year Flood Hazard Area. The property is approximately 3.9 acres in size and contains an existing business called "Acme Pressure Washing." A Google search indicates a second business called "Complete Diesel Service, LLC" is also located here. The property is abutted by the NH Plating Superfund Site to the east and north, property owned by the YMCA of Greater Manchester (the athletic field parcel part of the Melton Associates elderly housing project) to the south, and Synergy Self Storage to the west. The property is serviced by municipal water (MVD) and sewer.

Department records do not reveal any information about either business or when they were established. The only information on file was a subdivision plan from the late 1970s. Assessing records indicate the building on the property was constructed in 1955. There are a number of vehicles on the property ranging from passenger vehicles and boats to large vehicles and equipment.

The applicant is seeking a waiver of full site plan review to permit a seasonal wholesale/retail sales and storage of landscaping materials business. A plan has been provided to illustrate the location of the proposed landscape materials storage area. However, a site visit on March 30, 2016 revealed that the concrete blocks labeled on the plan as "proposed" are actually already in place, although no landscaping materials were observed.

Completeness

Staff recommends that the Board carefully consider whether or not to determine the application is substantially complete and contains enough information to invoke the Board's jurisdiction and allows the Board to make an informed decision. The Town has no information on either the pressure washing business or the apparent automotive repair business that currently operate on the property. Further, the property has limited impervious surface, which could be a concern given the nature of the businesses (the abutting superfund site notwithstanding), and its location within the Aquifer Conservation District and 100-year Flood Hazard Area.

Staff recommends that the Board determine if the plan presented is sufficient to justify the waiver of full site plan review. The Board will need to determine if the plan presented is satisfactory or if a fully-engineered plan is necessary for the property.

Waivers

The applicant has requested a waiver of full site plan review. The applicant is not requesting any additional waivers at this time, however should any be requested, staff recommends *that they be provided in writing to the Board*, and that the Board vote with respect to any requested waivers utilizing the criteria from RSA 674:44:

- Strict conformity would pose an unnecessary hardship to the applicant and waiver would not be contrary to the spirit and intent of the regulations; **or**
- Specific circumstances relative to the site plan, or conditions of the land in such site plan, indicate that the waiver will properly carry out the spirit and intent of the regulations.

Parking

The proposed use falls under the category of contractor yards. Parking requirements for this use are 1 space per every 5,000 square feet of yard area, plus 1 space per employee. No information about the proposed number of employees was provided by the applicant. Further, as no information is available about the other businesses on site, it is impossible for staff to determine if there is sufficient parking area available already, let alone extra space to dedicate to the proposed use.

Recommendation

Based on the information available to date, **staff recommends the Board continue the hearing to a date certain so that the applicant can provide the missing information prior to the Board making any decisions. Should the Board instead vote to grant the waiver of full site plan review, then staff recommends that the Board approve the site plan with the following conditions to be fulfilled within 6 months and prior to plan signing, unless otherwise specified:**

1. Final plans to be signed by the Applicant and Property Owner;
2. Applicant shall obtain any required State permits, provide copies of the permits to the Community Development Department, and note the approvals in the notes on the plan (if applicable);
3. Any waivers granted (including Section and date granted) or any changes requested by the Board shall be listed and fully described on the final plan, as applicable;
4. Applicant shall address any forthcoming comments from the Assessing Department, as applicable;
5. Applicant shall address any forthcoming comments from the Building Department, as applicable;
6. Applicant shall address any forthcoming comments from the Conservation Commission, as applicable;
7. Applicant shall address any forthcoming comments from the Fire Department, as applicable;

8. Applicant shall address any forthcoming comments from Merrimack Village District, as applicable;
9. Applicant shall address any forthcoming comments from the Police Department, as applicable;
10. Applicant shall address any forthcoming comments from the Public Works Department, as applicable;
11. The applicant shall address the following staff technical comments:
 - a. The plan should include the following notes:
 - i. Number of employees;
 - ii. Parking spaces required and provided;
 - iii. Water source should be clarified as Merrimack Village District;

Cc: Planning Board File
Correspondence

Ec: Lionel Greenwood (owner)
David Labrecque (applicant)
Steven B. Keach, Keach-Nordstrom Associates, Inc.
Loren Martin & Tracy Doherty, Assessing Department
Building Department Staff
John Manuele, Merrimack Fire Department
Ron Miner, Merrimack Village District
Kyle Fox, Public Works Department