



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MEMORANDUM

Date: June 17, 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 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." 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.

The applicant was last before the Board on April 05, 2016 seeking a waiver of full site plan review for the same proposed use. At the time, the Board felt that full site plan review should be required due primarily to uncertainty surrounding the site's existing drainage pattern, but also the overall lack of general knowledge about the site since its development pre-dates the Town's regulations. Since that time, the applicant engaged Keach-Nordstrom Associates, Inc. to prepare the required site plan. The plan shows a number of improvements, including the addition of some impervious surface, stormwater management controls and landscaping.

Completeness

Staff recommends that the Board vote to accept the application, as it is substantially complete and contains sufficient information to invoke the Board's jurisdiction and to allow the Board to make an informed decision.

Waivers

The applicant is not requesting any waivers at this time, however should any be determined necessary, 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. The applicant is proposing a yard area of 4,500 square feet and only one employee, meaning a total of 1.9 spaces is required. Regarding the existing business, the applicant classifies it as motor vehicle maintenance, which requires 1 space per every 800 square feet but no less than 3 spaces per service bay. The business has 4,428 square feet and 3 service bays, meaning a total of 5.5 spaces. However, since there are 3 service bays, minimum parking is 9 spaces. Altogether, the site requires a total of 10.9 spaces and 11 spaces are being provided.

Recommendation

Based on the information available to date, **staff recommends that the Board grant conditional final approval to the application with the following precedent conditions to be fulfilled within 6 months and prior to plan signing, unless otherwise specified:**

1. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
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 provide draft copies of any applicable legal documents for review, at the applicant's expense, by the Town's Legal Counsel;
5. Applicant shall address comments from the Town's peer review consultant, CLD, as applicable;
6. Applicant shall address any forthcoming comments from the Building Department, as applicable;
7. Applicant shall address any forthcoming comments from the Conservation Commission, as applicable;
8. Applicant shall address any forthcoming comments from the Fire Department, as applicable;
9. Applicant shall address any forthcoming comments from the Public Works Department, as applicable;
10. Applicant shall address any forthcoming comments from the Wastewater Division, as applicable;
11. The applicant shall address the following staff technical comments:
 - a. Water source should be clarified as Merrimack Village District (Sheet 2, Note 8);
 - b. Applicant to substitute recommended plant varieties from Section 10.03.4 where possible within the proposed landscape schedule;

- c. Applicant to add "Flood Hazard Conservation District" to Note 4 on Sheets 1 and 2.

Staff also recommends that the following general and subsequent conditions be placed on the approval:

1. The applicant is responsible for recording the plan (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;

Cc: Planning Board File
Correspondence

Ec: Lionel Greenwood (owner)
David Labrecque (applicant)
Katherine Basso, Keach-Nordstrom Associates, Inc.
Tim Tenhave, Chair, Merrimack Conservation Commission
Building Department Staff
John Manuele, Merrimack Fire Department
Kyle Fox, Public Works Department
Wastewater Division Staff

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