



Town of Merrimack, New Hampshire

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Planning - Zoning - Economic Development - Conservation

AMENDED RESULTS OF MERRIMACK PLANNING BOARD

Tuesday, August 21, 2012

Town Hall Meeting Room, West Wing, Second Floor (Former Courtroom)

7:30 p.m.

Planning Board members present: Robert Best, Alastair Millns, Tom Koenig, Michael Redding, Lynn Christensen, Desirea Falt, and Alternates Nelson Disco and Matthew Passalacqua (left at 11:15 p.m.).

Planning Board members absent: Stanley Bonislowski (attended in capacity as Applicant) and Alternate Pete Gagnon (attended in capacity as concerned citizen).

Community Development staff: Community Development Director Tim Thompson, Assistant Planner Jeff Morrissette and Recording Secretary Zina Jordan.

1. Call to Order.

Robert Best called the meeting to order at 7:30 p.m.

2. Announcements.

Chairman Best announced that Stanley Bonislowski and Pete Gagnon have recused themselves from discussing and voting at this meeting in order to testify concerning agenda item #5.

Chairman Best designated Nelson Disco to sit for Stanley Bonislowski.

The Planning Board and Master Plan Steering Committee will meet on September 11 and 18, 2012, respectively.

3. Planning & Zoning Administrator's Report.

None.

4. Presentation of an Eagle Scout Project – Watson Park.

Testimony was received from: Joseph Parker, 4 Linda Lane.

5. Parker Village Condominium Association (Applicant/Owner) – Review for consideration for Final Approval of a request to modify a condition of a previous site plan approval regarding de-icing operations at Parker Village. Parcel is located off of Front Street in the R (Residential) and Aquifer Conservation Districts, and the Elderly and Planned Residential Overlay Districts, and the Wellhead Protection Area. Tax Map 5D-2, Lot 004. This agenda item is continued from the June 19th, 2012 meeting.

Applicant was represented by: Attorney Amy Manzelli, Baldwin & Callen, PLLC; Tracy Madden, Harvard Management Company; Stanley Bonislowski, President, Parker Village Condominium Association.

The Merrimack Village District was represented by: Attorney Greg Michael, Bernstein Shur; Jamie Emery, President, Emery and Garrett Groundwater, Inc.; Jeff Marts, Project Manager/Geologist, Emery and Garrett.

Public comment was received from: Pete Gagnon, 130 Bedford Road; and Tim Tenhave, Chairman, Merrimack Conservation Commission.

The Board voted 6-1-0 to provide consensus of the Board that the plan include an average seasonal limit of 290 pounds of de-icer per acre per application and a seasonal cap of 70 tons of de-icer, for both Parker Village and The Commons, on a motion made by Alastair Millns and seconded by Lynn Christensen. Tom Koenig voted in the negative.

The Board voted 7-0-0 to provide a consensus of the Board to impose an average seasonal limit of 300 pounds of de-icer per acre per application for both Parker Village and The Commons, on a motion made by Tom Koenig and seconded by Desirea Falt.

The Board voted 7-0-0 to provide a consensus of the Board that regular reporting following winter storm events from Parker Village's and The Commons' snow removal contractor/s to MVD within seven days following the requirement of product application, on a motion made by Alastair Millns and seconded by Lynn Christensen.

Matthew Passalacqua left at 11:15 p.m.

The Board voted 7-0-0 to provide a consensus of the Board that any contractor performing snow/ice removal operations at Parker Village shall be required to be certified through the "Green SnowPro" program at UNH (or mutually agreeable equivalent) and recertified at least every two years, on a motion made by Tom Koenig and seconded by Nelson Disco.

The Board voted 7-0-0 to provide a consensus of the Board that an annual submission of a snow management plan from Parker Village to MVD must be completed, coupled with an annual meeting between the two parties must occur to review salt/ice management, snow removal operations and water quality data at the Parker Village site, on a motion made by Tom Koenig and seconded by Desirea Falt.

The Board voted 7-0-0 to provide a consensus of the Board that Parker Village provide two automatic conductivity data loggers to monitor two wells and provide for reasonable access for MVD to install a monitoring well on Parker Village Property and that MVD be responsible for testing, on a motion made by Lynn Christensen and seconded by Alastair Millns.

The Board voted 5-2-0 to provide a consensus of the Board to keep the MVD's suggested Action Levels (section j.) with the change of "or" to "and" as part of the final agreement, on a motion made by Alastair Millns and seconded by Nelson Disco. Tom Koenig and Michael Redding voted in the negative.

The Board voted 7-0-0 to grant final approval, with conditions, on a motion made by Tom Koenig and seconded by Michael Redding.

6. **Student Transportation of America, Inc. (Applicant) and Merrimack Realty Trust (Owner)** – Review for consideration for Final Approval of a waiver of full site plan review for a change of use to convert a former landscape contractor's yard to an

operations, maintenance and dispatch center for the student transportation service contracted by the Merrimack School District, within the I-1 (Industrial) and Aquifer Conservation Districts, located at 14 Star Drive. Tax Map 3D-1, Lot 011.

Applicant was represented by: Gregg Stinson, Vice President of Operations, Student Transportation of America.

The Board voted 7-0-0 to accept the application for review, on a motion made by Alastair Millns and seconded by Lynn Christensen.

The Board voted 7-0-0 to waive full site plan review, on a motion made by Alastair Millns and seconded by Desirea Falt.

The Board voted 7-0-0 to grant final approval, with conditions, on a motion made by Alastair Millns and seconded by Desirea Falt.

7. Discussion of Draft Language of Amendments to Section 7, Table I Parking Requirements of the Subdivision Regulations.

Postponed to September 25, 2012.

8. Two-Year Maintenance Bond Release Request for Greenleaf Street Subdivision – Public Works Department recommends the release of the \$16,386.44 two-year maintenance bond.

The Board voted 7-0-0 to release the \$16,386.44 two-year maintenance bond for Greenleaf Street Subdivision, on a motion made by Lynn Christensen and seconded by Alastair Millns.

9. Discussion and possible action regarding other items of concern.

Discussion only.

10. Approval of Minutes.

Postponed to September 11, 2012.

11. Adjourn.

The meeting adjourned at 12:03 a.m., by a vote of 7-0-0, on a motion made by Alastair Millns and seconded by Lynn Christensen.