



Town of Merrimack, New Hampshire

Community Development Department
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Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, NOVEMBER 20, 2013 MATTHEW THORNTON ROOM

Members present: Fran L'Heureux, Patrick Dwyer, Phil Straight, Tony Pellegrino, Kevin Shea, and alternates Leonard Worster and Richard Conescu.

Member absent: Nathan Barry

Staff present: Planning and Zoning Administrator Nancy Larson, Assistant Planner Donna Pohli and Recording Secretary Zina Jordan.

1. Call to Order.

Fran L'Heureux called the meeting to order at 7:00 p.m.

2. Roll Call.

Patrick Dwyer led the Pledge of Allegiance. Kevin Shea read the preamble. Fran L'Heureux swore in members of the public who would be testifying.

- 3. Hartt's Home Improvements (petitioner) & Lee Henderson (owner)** – Variance from the definition of accessory use under Section 1.03(A)(3) of the Zoning Ordinance to permit a 24'x36' residential garage which has been determined to not be incidental and subordinate to the principal building (residential home). The parcel is located at 129 Daniel Webster Highway in the I-1 (Industrial) & Aquifer Conservation Districts. Tax Map 2D, Lot 014. Case # 2013-33.

Applicant was represented by: Thomas Hartt, Hartt's Home Improvements.

There was no public comment.

The Board voted 5-0-0 to grant the variance, with conditions, on a motion made by Patrick Dwyer and seconded by Kevin Shea.

- 4. Gate City Collision Centers (petitioner) & T.C.P.I. Ventures, LLC.** – Variance under Section 2.02.3 (B) to permit an auto-body repair business in the C-2 (General Commercial) & under Section 2.02.11(D)(1) to permit an auto-body repair business in the Aquifer Conservation District. The parcel is located at 293 Daniel Webster Highway. Tax Map 4D-4, Lot 066. Case # 2013-34.

Applicant was represented by: Michael O'Donnell, Senior Engineer/Project Manager, DuBois & King, Inc., and Chase Piekarski, Gate City Collision Centers.

Public comment was received from: Lawrence Fortin, 4 Caron Street.

The Board voted 5-0-0 to grant the variance to permit an auto-body repair business in the C-2 (General Commercial) District, on a motion made by Kevin Shea and seconded by Patrick Dwyer.

The Board voted 5-0-0 to grant the variance to permit an auto-body repair business in the Aquifer Conservation District, on a motion made by Kevin Shea and seconded by Tony Pellegrino.

- 5. Gate City Collision Centers (petitioner) & T.C.P.I. Ventures, LLC.** – Variance under Section 2.02.4(B) to permit vehicle storage in the I-1 (Industrial) & under Section 2.02.11(D)(1) to permit a vehicle storage in the Aquifer Conservation District. The parcel is located at 6 & 6A Caron Street. Tax Map 3D-2, Lot 046. Case # 2013-35.

Applicant was represented by: Michael O'Donnell, Senior Engineer/Project Manager, DuBois & King, Inc., and Chase Piekarski, Gate City Collision Centers.

There was no public comment.

The Board voted 5-0-0 to permit vehicle storage in the I-1 (Industrial) District, on a motion made by Kevin Shea and seconded by Tony Pellegrino.

The Board voted 5-0-0 to permit vehicle storage in the Aquifer Conservation District, on a motion made by Kevin Shea and seconded by Patrick Dwyer.

- 6. Discussion/possible action regarding other items of concern.**

None.

- 7. Approval of Minutes – October 23, 2013.**

The minutes of October 23, 2013, were approved as submitted, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino.

- 8. Adjourn.**

The meeting adjourned at 8:30 p.m., by a vote of 5-0-0, on a motion made by Tony Pellegrino and seconded by Patrick Dwyer.