



Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, JUNE 25, 2014

Members present: Patrick Dwyer, Phil Straight, and Alternates Leonard Worster and Richard Conescu.

Members absent: Fran L'Heureux, Tony Pellegrino, and Alternate Nathan Barry.

Staff present: Community Development Director Tim Thompson and Recording Secretary Zina Jordan.

1. Call to Order.

Patrick Dwyer called the meeting to order at 7:00 p.m. and designated Richard Conescu and Leonard Worster to sit for Fran L'Heureux and Tony Pellegrino, respectively. Patrick Dwyer explained to the audience that there were only four board members present and any action of the board would require three out of the four members present to pass. He gave the applicants the option to postpone until a full board is present.

2. Roll Call.

Patrick Dwyer led the pledge of allegiance. Richard Conescu read the preamble. Patrick Dwyer swore in members of the public who would be testifying.

3. **New Cingular Wireless PCS, LLC. (petitioner) and Alan & Erin Walsh (owners)** – Special Exception under Section 2.02.1(B)(3), Section 2.02.1(B)(1)(a-e), and Section 2.02.4(B)(21)(a) of the Zoning Ordinance to allow the construction of a Telecommunication Tower in the R (Residential) and Aquifer Conservation Districts. The parcel is located at 121 Joppa Road. Tax Map 6C, Lot 329. Case # 2014-16. **This item is continued from the May 28, 2014 meeting.**

Applicant was represented by: Brian Grossman, Anderson & Kreiger, LLC.

Because of the lack of a full Board, and as was the applicant's right and request, the Board voted 4-0-0 to continue this item to July 30, 2014, in the Matthew Thornton Meeting Room, at 7:00 p.m., on a motion made by Richard Conescu and seconded by Phil Straight.

4. **Meridian Land Services, Inc. (petitioner) and Oliver & Claire Cadran (owners)** – Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a single-family residence on an existing non-conforming lot within 11 ft. and 10 ft. of the front property line whereas 30 ft. is required and a garage within 8.8 ft. of the rear property line whereas 40 ft. is required. The parcel is located at 30 Lakeside Drive in the R (Residential) District. Tax Map 6A-1, Lot 114. Case # 2014-21.

Applicant was represented by: Tim Ferwerda, Meridian Land Services, Inc.

There was no public comment.

The Board voted 4-0-0 to grant the Variance for the house setbacks, with conditions, on a motion made by Richard Conescu and seconded by Phil Straight.

The Board voted 4-0-0 to grant the Variance for the garage setbacks, with conditions, on a motion made by Richard Conescu and seconded by Phil Straight.

5. **Meridian Land Services, Inc. (petitioner) and Oliver & Claire Cadran (owners)** – Variance under Section 2.02.7(6) of the Zoning Ordinance to permit the construction of a single-family residence and garage on an existing non-conforming lot within 23 ft. of the wetland boundary whereas 40 ft. is required. The parcel is located at 30 Lakeside Drive in the R (Residential) District. Tax Map 6A-1, Lot 114. Case # 2014-22.

Applicant was represented by: Tim Ferwerda, Meridian Land Services, Inc.

There was no public comment.

The Board voted 4-0-0 to grant the Variance, with conditions, on a motion made by Phil Straight and seconded by Richard Conescu.

6. **Glen Acres Revocable Trust, Carol R. Maggio, Trustee (petitioner/owner)** – Equitable Waiver of Dimensional Requirements from Section 3.05 of the Zoning Ordinance to permit the construction of a single-family residence with a front setback dimension of 29.80 +/- ft. whereas 30 ft. is required. The parcel is located at 18 Valleyview Drive in the R (Residential) and Aquifer Conservation Districts. Tax Map 5C, Lot 148. Case # 2014-23.

Applicant was represented by Tony Basso, Land Surveyor, Keach-Nordstrom Associates, Inc.

There was no public comment.

The Board voted 4-0-0 to grant the Equitable Waiver, on a motion made by Leonard Worster and seconded by Richard Conescu.

7. **Discussion/possible action regarding other items of concern.**

Discussion only.

8. **Approval of Minutes – May 28, 2014.**

The minutes of May 28, 2014, were approved as submitted, by a vote of 3-0-1, on a motion made by Phil Straight and seconded by Richard Conescu. Leonard Worster abstained.

9. **Adjourn.**

The meeting adjourned at 7:47 p.m., by a vote of 4-0-0, on a motion made by Richard Conescu and seconded by Leonard Worster.