



Town of Merrimack, New Hampshire

Community Development Department
6 Baboosic Lake Road
Town Hall - Lower level - East Wing

603 424-3531
Fax 603 424-1408
www.merrimacknh.gov

Planning - Zoning - Economic Development - Conservation

RESULTS OF MERRIMACK ZONING BOARD OF ADJUSTMENT WEDNESDAY, DECEMBER 18, 2013

Members present: Fran L'Heureux, Patrick Dwyer, Phil Straight, Tony Pellegrino, and Alternates Leonard Worster, Nathan Barry and Richard Conescu.

Member absent: Kevin Shea

Staff present: 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. and designated Nathan Barry to sit for Kevin Shea.

2. Roll Call.

Tony Pellegrino led the Pledge of Allegiance. Patrick Dwyer read the preamble and swore in members of the public who would be testifying.

- 3. Global Companies, LLC. (owner) and Nayla Aoude (petitioner) – Special Exception under Section 2.02.3(C)(1) of the Zoning Ordinance to permit the addition of a drive-thru car wash as an accessory use to the existing Mobil-on-the-Run gasoline station located at 468 Daniel Webster Highway in the C-2 (General Commercial), Elderly Overlay & Aquifer Conservation Districts. Tax Map 5D-3, Lot 125. Case # 2013-25. **This agenda item is continued from the October 23, 2013 meeting. The applicant has requested to be continued to the February 26, 2014 meeting.****

At applicant's request, the Board voted 5-0-0 to continue this item to February 26, 2014, in the Matthew Thornton Meeting Room, at 7:00 p.m., on a motion made by Tony Pellegrino and seconded by Phil Straight.

- 4. John T. Zyla (owner and petitioner) – Appeal of Administrative Decision under Section 2.02.3(B)(1) of the Zoning Ordinance that determined that public storage of recreational vehicles and/or boats is not a permitted use in the C-2 (General Commercial) District. The parcel is located at 526 Daniel Webster Highway. Tax Map 5D-2, Lot 001. Case 2013-36.**

Applicant was represented by: Attorneys Greg Michael and Chris Aslin, Bernstein Shur.

There was no public comment.

The Board voted 4-1-0 to grant the appeal, on a motion made by Phil Straight and seconded by Tony Pellegrino. Patrick Dwyer voted in the negative.

5. **John T. Zyla (owner and petitioner)** – Variance under Section 2.02.3(B) to allow public storage of recreational vehicles and/or boats in the C-2 (General Commercial) District. The parcel is located at 526 Daniel Webster Highway. Tax Map 5D-2, Lot 001. Case 2013-37.

At the applicant's request, this item was tabled until the end of the statutory appeal period, by a vote of 5-0-0, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino.

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

Discussion only.

7. **Approval of Minutes – November 20, 2013.**

The minutes of November 20, 2013, were approved as submitted, by a vote of 4-0-1, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino. Nathan Barry abstained.

8. **Adjourn.**

The meeting adjourned at 7:45 p.m., by a vote of 5-0-0, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino.