



# Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

## **MERRIMACK PLANNING BOARD**

### **APPROVED MINUTES**

**TUESDAY, DECEMBER 16, 2014**

Planning Board members present: Robert Best, Alastair Millns, Tom Koenig, Michael Redding, Lynn Christensen, Desirea Falt, and Alternate Nelson Disco.

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

#### **1. Call to Order**

Robert Best called the meeting to order at 7:30 p.m. and designated Nelson Disco to sit for the vacant seat.

#### **2. Planning & Zoning Administrator's Report**

None.

#### **3. Discussion of Capital Improvement Program for Town of Merrimack & School Administrative Unit # 26.**

Business Administrator Matt Shevenell explained the rationale for each item in the School CIP. Four items are proposed as "Necessary" for 2015-2016: 1) Replace HVAC Equipment in the High School cafeteria and kitchen that are 24 years old and can no longer be repaired with an upgrade that will utilize natural gas. 2) Replace sections of built-up roofing system in the High School that are not on warranty and with a system that is insulated, multi-layered, ballasted, and comes with a 35-year guarantee. 3) The Superintendent's 2,400 square foot office was built in 1979. The offices are too small to accommodate the building's operations. A conference room and storage would comprise 1,700 square feet of the proposed 8,800 square foot consolidated Special Services/SAU office space to be built on land donated by the Town. 4) Upgrade computer network infrastructure, build a network replacement plan and extend wireless access system-wide as outlined in the District Technology Plan. Student information and accounting systems are backed up twice daily to prevent system failure.

Town Manager Eileen Cabanel explained the items in the Town CIP. Most are bridges, 80% of whose repair cost is paid by the State or by the Federal Government. Over the last 11 years, the Town paid \$2+ million out of the \$16+ million cost for bridge repair. More than \$1 million is put in the Reserve Fund annually; this year the amount will be \$1.4 million. The study of how the Fire Department would look in the future is still in progress. Although the need is great, Highway Garage Renovation and Replacement was put off by Town Council another year to 2016-2017.

Public Works Department Deputy Director/Town Engineer Kyle Fox explained the Stormwater Drainage Improvements, and bridge construction and materials.

**4. Tomasian Drive LLC. (applicant) and The Stephanie Tomasian Revocable Trust (owner) – Review for acceptance and consideration of Final Approval of an application for a 19-lot cluster subdivision located at Tomasian Drive in the R-1 (Residential), Aquifer Conservation and Flood Hazard Conservation Districts and Shoreland Protection Area. Tax Map 4B, Lot 009-01. *This item is continued from the September 23, 2014 and November 18, 2014, Planning Board meetings.***

Ken Clinton President, Meridian Land Services, Inc., said he made many revisions to address Town, staff and CLD comments, submitted a Wetland Permit application to the Department of Environmental Services (DES) and modified the waiver request. He proposed either to donate the open space to the Town or to give the Town an easement.

The Planning Board agreed to eliminate the four subsections of Condition #4 (Fire Department comments), since they do not pertain to this application. The Board also eliminated wording about no-salt use in Condition #6, since it does not belong in a deed. Ken Clinton read a December 12, 2014, memo from Fire Chief John Manuele expressing the suitability of the street name, hydrant location, etc.

Nelson Disco wanted the open space to become MCC property because it abuts the Fields property. Tim Thompson said it would be appropriate for the Planning Board to write a letter to that effect to the MCC.

**Public comment**

Pete Gagnon, 130 Bedford Road, said the application reasonably and substantially conforms to the spirit of the R-1 District Zoning Ordinance. He thanked the Planning Board, staff, developer, and soil scientist for working to overcome the hurdles. Chairman Best agreed.

Ken Clinton said that, on September 23, 2014, the Planning Board granted a waiver for 2:1 rather than 3:1 side slopes at the wetland crossing. Instead the applicant now seeks a waiver to allow the intersection approach grade to be -2.37% rather than the required maximum of -2.0%. The road at the slightly steeper grade coming off Tomasian Drive into the subdivision will have a shorter height separation from the wetland crossing to the top of the pavement. It will keep the fill over the culvert at station 5+06 to a minimum, thus reducing the side slopes, limiting the wetlands impact and eliminating the need for a guard rail. Kyle Fox approved the “appropriate trade-off for reduced wetland impacts”.

Desirea Falt cited 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.

**The Board voted 7-0-0 to waive the requirements of Section 4.12.d of the Subdivision Regulations - Intersection Approach Grade - on a motion made by Nelson Disco and seconded by Desirea Falt.**

Ken Clinton stated that the power lines on the new lots and on existing houses on Tomasian Drive would be underground.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

**The Board voted 7-0-0 to grant Final Approval, with the following conditions, on a motion made by Alastair Millns and seconded by Lynn Christensen.**

**Precedent conditions to be fulfilled within six months and prior to signing of the plan, unless otherwise specified:**

1. Final plans and mylars to be signed by all property owners. The Licensed Land Surveyor, Certified Wetland Scientist, and Certified Soil Scientist shall also sign and seal final plans and mylars;
2. A draft copy of any easements or deed language to be submitted to the Community Development Department for review and approval by the town's Legal Counsel (legal review shall be performed at the applicant's expense);
3. The plan shall be revised (if applicable) to list and fully describe any waivers granted by the Planning Board;
4. Applicant to address comments from the Fire Department;
5. Applicant to address the following comments from MVD:
  - a. Tomasian Drive plan shows a 6" water main which should be 8"; the proposed road should also have a 8" main;
  - b. Add hydrants at stations 5+00 and 11+00;
6. Applicant to address comments from Merrimack Conservation Commission (as applicable);
  - a. Any forthcoming comments regarding the NHDES wetland permit;
  - b. The Commission believes that the donation of the open space (50.9%) would positively impact our ability to protect the Souhegan as well as the Fields Farm open space to the west;
7. Applicant to address applicable comments from the Town's peer-review consultant, CLD;
8. Applicant to address any forthcoming comments (including a second CLD review if deemed necessary by the Community Development Department) from Public Works Department;
9. The applicant shall obtain NH DES Subdivision approval and any other applicable state permits including NHDES Wetland permit, note permit approval numbers on the plan and provide Community Development a copy of each permit;
10. Unless the applicant secures a waiver from Section 4.06.1(i) of the Subdivision Regulations, the applicant shall revise the plan so as to satisfy the provisions of Section 4.06.1 and provide locations of all monuments to be set at front property boundaries and lot corners (including angle points) (Granite bound missing from

northeast corner of 4B/9-1-6, pin missing from northwest corner of 4B/9-1, bound missing from northeast corner of 4B/9-1;

11. Address the following planning staff technical comments:
  - a. The applicant shall verify that all recordable sheets of the subdivision plan meet the requirements of the Hillsborough County Registry of Deeds;
  - b. Provide the Book and Page number for all easements to be added to the recordable plan sheet;
  - c. After consultation with the Fire Department and Assessing Department, provide final lot numbering and addressing to the plan set.

**General and subsequent conditions:**

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;
2. All proposed easements and any applicable legal documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant.

**5. Public Service of New Hampshire, Eagle Substation Expansion** – Review for acceptance and consideration of Final Approval of an application for a site plan to expand the Eagle Substation. The parcel is located at 23 Star Drive in the I-1 (Industrial), Aquifer Conservation, and Flood Hazard Districts. Tax Map 3D-1, Lot 005. ***This item is re-opened from the October 21, 2014 Planning Board meeting.***

Tim Thompson explained that this item was re-noticed because abutter Kalika was not properly notified of the October 21, 2014, public hearing.

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

There was no public comment.

Tim Thompson said the Lower Merrimack River Advisory Committee (LAC) comments were incorporated into the file. Staff will see that they are properly addressed.

Responding to a question from Nelson Disco, Deborah Zarta Gier, Senior Project Manager, GZA GeoEnvironmental Inc., explained the elevations.

Dana C. Lynch, P.E., Haight Engineering, said that lights are only for safe access into the site. He will submit a new lighting plan, which Tim Thompson will review to see that it accords with regulations.

Staff recommends the site plan be approved with the same conditions as previously.

**The Board voted 6-0-1 to waive Section 4.06.2 – Road Plan and Profile, Section 4.12(a) – Street Design, Sections 4.12(c)(2) and Section 4.12(c)(3) – Dead End Cul-de-sac Streets, Section 7.05.D.18 – Landscaped Area Between the Site and All Adjacent Parcels, and Section 7.05.D.19 – Sidewalks – of the Subdivision and Site**

**Plan Regulations, and to grant Final Approval, with the following conditions, on a motion made by Alastair Millns and seconded by Tom Koenig. Michael Redding abstained.**

**Precedent conditions to be fulfilled within 6 months and prior to signing of the plan, unless otherwise specified:**

1. Final plans and mylars to provide all professional endorsements and be signed by all property owners;
2. The applicant shall obtain any necessary federal and state permits, provide copies of the permits to the Community Development Department file, and note the approvals in the notes on the plan;
3. The applicant shall note any waivers granted by the Board on the plan (including Section, and date granted) as applicable;
4. The applicant shall address any forthcoming comments from the Fire Department (as applicable);
5. The applicant shall address any forthcoming comments from the Public Works Department (as applicable);
6. The applicant shall address the following comments from the Conservation Commission:
  - a. The Commission recommends that only no phosphate, slow release nitrogen fertilizers be used. This is related to site being in close vicinity to the Merrimack River. The Commission further recommends that the applicant's contractor utilize a soil testing facility to determine what levels and application rates may be necessary before doing any application of fertilizers on the site. This is as opposed to using the current concentrations and application rates as noted on the site plans.
  - b. The Commission recommends that the word "hay" be removed and the word "straw" be used in its place anywhere in the plans. The Commission wants to discourage the use of hay for any aspects (mulch or erosion protection) of projects in Merrimack. The applicant shall address any forthcoming comments from the Conservation Commission (as applicable);
7. The applicant shall address all applicable comments from the Town's peer review consultant, CLD;
8. The applicant shall address the following planning staff technical comments:
  - a. Add the following statement to the plan per Section 4.06.1(k) of the Merrimack Subdivision Regulations: "The Subdivision Regulations of the Town of Merrimack are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board or any variances granted by the Zoning Board of Adjustment and attached hereto";

- b. The plan should indicate where the two (2) required parking spaces are located on the site per Section 7.03.E – Table 1 – Unmanned utility equipment structure.
  - c. Provide appropriate lighting plan details in the plan set as required by the regulations (Section 11.04); or request a waiver as necessary;
  - d. Remove the “70% Submission” watermark from all applicable sheets in the plan set.
9. Provide plans for the transformer oil containment system to Community Development Department staff and add a note to the plan referencing these plans;
  10. Clarify the area of gravel on the site plan;
  11. Add a note to the plan on maintenance protocols for vegetative growth within the fenced area on the site;
  12. Show final tree clearing area on the site plan.

**General and subsequent condition:**

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.
- 6. Eugene Ordway (applicant/owner) and Lauren Ludvigsen & Scott and Mellissa Ordway (owners) – Review for acceptance and consideration of Final Approval of an application for a Lot Line Adjustment Plan located at 28A and 28B Shore Drive in the R (Residential) and Flood Hazard Conservation Districts. Tax Maps 6A-2, Lots 014, 015 & 016.**

Eugene Ordway, 28A Shore Drive, uses dock access to Baboosic Lake and has installed steps to it on the very steep slope. A surveyor discovered that the steps are on 28B Shore Drive rather than on 28A and the parking is on 28A rather than 28B. A lot line adjustment would move the dividing line south 20' so that he can continue to use the stairs to the Lake and Mellissa and Scott Ordway can park on their property. If the Board approves the plan, the Ordways will seek variances for lot area and frontage for all three parcels from the Zoning Board of Adjustment (ZBA) (Condition #3).

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 it to make an informed decision.

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

Eugene Ordway also owns 28C Shore Drive, where there is a shed. The short wall is just a place where he collects rocks from the property. The door to the shed is on the access road. One must walk on the road to get to the shed. Both 28A and 28B share the State-approved leach field; 28C has its own. Chairman Best suggested that Eugene Ordway get an easement so future owners can buy and repair a leach field and to submit proof of DES approval to the Community Development Department.

Melissa Ordway, 28B Shore Drive, said that she and Scott Ordway have permission to use the dock. Chairman Best suggested also getting an easement for that, so a future buyer would also have that right.

Eugene Ordway stated that the Pinola Estate map shows the 50' parkway between the buildings and lakefront is available to all owners. In 1974, Judge Flynn ruled on a case against front lot owners, who were putting impediments in the way of back lot owners traveling to the Lake. He allowed back lot owners to have access, which is how these two lots gained access to the parkway. Back lot owners cannot use the land in front of 28A.

Tim Thompson explained that these are new lot areas, not new lots.

There was no public comment.

Alastair Millns and Lynn Christensen saw no need to waive the requirement for monuments because it will be important to have marked boundary lines in the future.

Staff recommends that the Board vote to grant conditional Final Approval to the application, with precedent conditions to be fulfilled within six months and prior to plan signing, unless otherwise specified.

**The Board voted 7-0-0 to grant Final Approval, with the following conditions, on a motion made by Alastair Millns and seconded by Nelson Disco.**

**Precedent conditions to be fulfilled within six months and prior to signing of the plan, unless otherwise specified:**

1. Final plans and mylars to be signed by all property owners. All appropriate professional endorsements shall also be added to the final plans and mylars;
2. The applicant shall note any waivers granted by the Board on the plan (including Section, and date granted) as applicable;
3. Applicant must receive variances for lot area and frontage for all three parcels from the Zoning Board of Adjustment;
4. Per Section 4.06.1 of the Regulations, the applicant shall provide locations of all monuments to be set at street intersections, points of curvature and tangency of curved streets and at angles of lots;
5. The applicant shall indicate on the plan an easement for the shared leach field between lots 6A-2/014 and 6A-2/016 (see related General & Subsequent Condition #2);
6. Address the following planning staff technical comments:
  - a. Add the following statement to the plan per Section 4.06.1(k): "The Subdivision Regulations of the Town of Merrimack are a part of this plat, and approval of this plat is contingent on completion of all the requirements of said Subdivision Regulations, excepting only any variances or modifications made in writing by the Board or any variances granted by the Zoning Board of Adjustment and attached hereto";

- b. Add a legend to the Lot Line Adjustment Plan;
- c. Add a note that states the water and sanitation sources;
- d. Add a note that references the FEMA Map showing floodzones the parcels are located in;
- e. Add property address in the title block;
- f. Indicate any easements the parcels may be subject to;
- g. Indicate the Shoreland Protection District Boundary on the plan.

**General and Subsequent conditions:**

1. The applicant is responsible for recording the plan(s) (including recording fee and the \$25.00 LCHIP fee, check made payable to the Hillsborough County Treasurer) and any related documents at the Hillsborough County Registry of Deeds. The applicant is also responsible for providing proof of said recording(s) to the Community Development Department;
  2. If applicable, a draft copy of any proposed easements and any applicable legal documents to be submitted to the Community Development Department for review and approval by the town's Legal Counsel (legal review shall be performed at the applicant's expense). Said documents shall be recorded at the Hillsborough County Registry of Deeds at the expense of the applicant, as applicable.
- 7. Brighter Horizons Environmental Corp. and James E. Longa & Son, Inc. and James E. Longa Revocable Trust** – Review for consideration of an extension of the previously granted six-month extension to comply with conditions of an approval granted by the Planning Board on June 18, 2013, for a waiver of full site plan review for an application proposing partial reclamation of a sand and gravel pit located at 17 Twin Bridge Road in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 5D-1, Lot 010 and Tax Map 5D-4, Lot 074-01.

Tim Thompson explained that the extension is requested because the applicant's appeal of the NH Department of Environmental Services (DES) denial of the required permit is still pending.

Chairman Best referred to a January 22, 2014, letter from DES denying the use of waste-derived product on this property. He wanted the Town to be aware of developments and to have the opportunity to speak on the applicant's behalf. Tim Thompson demurred, stating that no Town employee is qualified to speak to the issues in the permit. The Town will not be involved in the appeal.

Attorney Ray Tilsley, Bernstein Shur, said a hearing scheduled for December 18, 2014, was continued. He is awaiting a new date, which will probably be January or February 2015. The Waste Management Council meets only once a month. He will keep the town informed. Although the Town cannot address the technical issues, DES should know that it supports the project. Chairman Best clarified that the Planning Board approved the application because it meets Town standards, but did not necessarily "support" it. Attorney Tilsley said the applicant met the DES criteria to use contaminated

fill for solid waste material. In his opinion, DES just does not want this project. The pit is unique: it is old and deep. To fill it with virgin soil makes no economic sense and is not feasible.

Tim Thompson noted that, if the DES appeal fails and the permit is not granted, the Planning Board's conditions of approval will not be met and the approval will not be valid. Chairman Best confirmed that there will be no project without DES approval. Michael Redding said that he had not favored the project and had unanswered questions about its environmental impact. DES is effectively addressing the issue, but their rules do not address this situation very well. DES is trying to fit this into its definition of waste-derived product. How does bringing over 750,000 yards of soil impact infrastructure? How will it be managed? There must be financial assurances if the Town has to take over the land if Brighter Horizons fails. These questions were not satisfactorily answered when the Board approved the project.

Given that there have been no changes to any Ordinances or regulations that impact this project, staff recommends that the Board grant a second six-month extension from January 22, 2015, to July 22, 2015.

**The Board voted 7-0-0 to grant a six-month extension to July 22, 2015, with the condition that the applicant apprise the Community Development Department of the status of its appeal to DES, on a motion made by Alastair Millns and seconded by Michael Redding.**

**8. Don Chagnon of Townsend Oil & Propane (applicant) and Frank Twardosky (owner) – Review for acceptance and consideration of Final Approval of an application for a waiver of site plan review for the use of the existing 3,400 s.f. building as a retail/office/distribution facility located at 759 DW Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 7E, Lot 042-01.**

Don Chagnon, Partner, Townsend Oil & Propane, said that the empty 3,400 square foot building will be used to operate the retail heating oils and propane business. The property will be used as an office and distribution point. There will be seven employees. Hours of operation will be Monday-Friday from 7:00 a.m.-5:00 p.m. The parcel will be serviced by septic and well. There will be fuel and propane in the trucks that are parked overnight. Twelve parking spaces are required. There will be no changes to the property. Three trucks deliver propane. Storage is off site. No trucks will be filled on site.

Tim Thompson noted that the former business was approved in 1987. Drainage certification is on the plan.

Don Chagnon said there would be plantings in front, between the two driveway entrances and at the fenced field to the left. He will landscape, repaint and repair the building in warm weather.

Chairman Best said that at its December 15, 2014, meeting, the MCC recommended a) using low phosphates rather than salt or de-icing compounds for parking lot snow removal, b) using low phosphate slow-release fertilizers, and c) using native NH plants. Don Chagnon agreed to all three recommendations.

Alastair Millns suggested a fence, but Don Chagnon explained that all trucks are top loaded, so no one can drain fuel out of them. They are safe and no fence is required. They are just home delivery trucks that need a key to unlock the fuel.

Don Chagnon will suggest to the Fire Department that it burn the building on the other side. He agreed to submit a landscape plan as a condition, but this is the middle of his busy season and he must get immediate approval. Plantings installed at this time of year will die. He is trying to use a property that is already zoned and that has everything necessary. He is doing what the prior owner did, but he will improve the building. He wants to start January 5, 2015.

Tim Thompson stated that improvements must typically be made before Planning Board signing and before issuance of a Certificate of Occupancy. Desirea Falt asked why the Planning Board must approve the waiver of site plan review. Tim Thompson explained that the Planning and Zoning Administrator determined that this is a change of use from all retail to office/retail with a transportation element. Nelson Disco agreed with Chairman Best that the plan is not complete. The Board must see what it is approving and what it wants. This is a good use for the site. State approval is needed for the driveway access. Don Chagnon said it is just a retail business. He drew in three parking spaces and a fence; there are no other changes. He offered to provide a bond for future plantings. Tim Thompson did not know how long it would take to get a DOT driveway permit. If the impervious surface does not change, there is no need for a drainage analysis. Chairman Best said the 1985 certification states that the business does not make things worse than before, which is the essence as the current regulation.

Tim Thompson added that DOT must be notified if there is a change of use to their driveway. A permit would be a precedent condition. The DOT will either require a permit or determine that everything is fine as is. Don Chagnon said the double entry is already paved with clearance on both sides. There are no transport trucks. Tim Thompson said that DOT may require closing or narrowing one driveway.

Tom Koenig asked why the three trucks park overnight. Don Chagnon replied that it is more convenient for employees just to drive to deliveries in the morning. There is enough room for 12 vehicles. Tom Koenig suggested not parking trucks overnight if that is the rationale for a change of use. Chairman Best added that they could park overnight after the permit is issued. Tim Thompson said that, if there is no change of use, there is no need for Planning Board approval. The application could be tabled indefinitely until the applicant returns with a plan.

Chairman Best listed what should be submitted to the Planning Board: a fence/visual barrier to shield trucks, landscaping plan, parking area, lighting plan, sign location, existing conditions, and a note that there be no outdoor equipment storage.

Don Chagnon said he would use the existing internally illuminated sign and just change the face. Motion lights mounted on the building will aim down to the front, back and the trucks. Unwanted equipment will be removed from the property.

**The Board voted 7-0-0 to table this item, on a motion made by Lynn Christensen and seconded by Nelson Disco.**

**9. Mark Botnick of Project Tower Retail, LLC. (applicant/owner) –** Review for acceptance and consideration of Final Approval of an application for a waiver of site plan review for proposed airport parking with shuttle drop off at Manchester Airport located at 768 DW Highway in the I-1 and Aquifer Conservation Districts. Tax Map 7E, Lot 040-01.

Tim Thompson explained that, since commercial parking lots are not specified as a permitted use in the I-1 (Industrial) District, the applicant would need to obtain a variance from the ZBA (Condition #2).

Mark Botnick, Project Tower Retail, wants to have airport parking, drop-off car and delivery service, and shuttle service to and from Manchester Airport. He proposes to use the existing parking lot for the parking spaces. Nothing on the land would be changed. The sign would be replaced. Lights are already on the site. If the business succeeds, perhaps 50 of the 65 spaces would be used. The other 15 are for the golf driving range. If more spaces are needed, Mark Botnick will get them elsewhere. There would be one employee, his/her car and the shuttle. His in-laws, who live in the apartment in the office building, supervise the property and provide security. He received a variance for the apartment.

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

**The Board voted 7-0-0 to waive full site plan review, on a motion made by Nelson Disco and seconded by Lynn Christensen.**

**There was no public comment.**

**The Board voted 7-0-0 to grant Final Approval, with the following conditions, on a motion made by Alastair Millns and seconded by Lynn Christensen.**

**Precedent conditions to be fulfilled within six months and prior to signing of the plan, unless otherwise specified:**

1. Final plans to be signed by the Applicant, Property Owner, and Planning Board Chair and Secretary;
2. Applicant to obtain any applicable variances from Zoning Board of Adjustment to allow a commercial parking lot in the I-1 (Industrial) and Aquifer Conservation Districts. If the variance is granted, the applicant shall add a note to the plan indicating the variance was granted and stating the date on which it was granted;
3. Any waivers granted shall be listed with the section number and date of approval on the Final Plan;
4. The applicant shall obtain an updated NHDOT Driveway Permit, if necessary, note the permit on the plan, and provide a copy (as applicable) to the Community Development Department;
5. Applicant to address any forthcoming comments from the Conservation Commission;
6. Address the following planning staff technical comments:
  - a. Applicant to add address to the title of the plan;

- b. Applicant to add the following note to the plan, "All signage will meet the Town Regulations and be properly permitted";
- c. Applicant to add note to indicate that the property is located in the I-1 (Industrial) and Aquifer Conservation Districts;
- d. Applicant to add note that the Golf Driving Range will remain as approved and reference previously approved site plan HCRD #1145A;
- e. Applicant to label Daniel Webster Highway;
- f. Applicant to add property owner name, hours of operation, and number of employees to the plan.

**10. Old Blood Properties, LLC. and Joseph K. and Mary El Kareh (co-applicants/co-owners)** – Review for acceptance and consideration of Final Approval of an application for a cluster subdivision proposing 72 cluster residential lots and 4 open space lots located at Old Blood Road in the R-1 (Residential) District. Tax Map 5B, Lots 001-01, 002, 003, 003-01, 005, 006, 007, 008, 009 and 231.

**The Board voted 7-0-0 to continue this item to January 6, 2015, in the Matthew Thornton Meeting Room, at 7:30 p.m., on a motion made by Alastair Millns and seconded by Desirea Falt.**

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

- Bowers Landing of Merrimack, LLC., discussion of revised plan depicting sidewalk layout.

Matt Peterson, Hillside Design Group, Inc., said a final plan showing the sidewalk layout is a condition of approval. The Planning Board agreed that the condition has been satisfied.

- CIP Deliberations

School CIP Lynn Christensen suggested a cost savings by expanding the SAU Offices into an existing building rather than erecting a new one. Alastair Millns said alternatives to erecting a new SAU building should be considered. It is not necessary. Chairman Best disagreed, saying it is absolutely necessary. A conference room is reasonable and costs the same as an Astroturf field. Tim Thompson said the current CIP process is backward: the CIP should go before the Planning Board before going to the School Board and Town Council. The vote was already taken about the year for the building, but the Planning Board can suggest to the School Board that it be changed.

**The Board voted 7-0-0 to recommend moving the High School Track Upgrade from 2016-2017 to 2017-2018, on a motion made by Lynn Christensen and seconded by Desirea Falt.**

**The Board voted 5-1-1 to recommend that all School Capital Improvement Program items be ranked as “Necessary”, except MHS Field Upgrade, which is to be ranked as “Deferable”, on a motion made by Lynn Christensen and seconded by Nelson Disco. Alastair Millns voted in the negative and Tom Koenig abstained.**

**The Board voted 7-0-0 to recommend the rankings of all Town Capital Improvement Program items as follows, on a motion made by Desirea Falt and seconded by Lynn Christensen.**

“Necessary”: South Fire Station, Bedford Road/Baboosic Brook Bridge Replacement, US3 (D.W. Highway) Baboosic Brook Bridge Replacement, Stormwater Drainage Improvements, Paving – Infrastructure Improvements, Paving – D.W. Highway, Library Parking Lot Repaving/Walkway, Executive Park Pump Station, Sawdust Storage Pole Barn, Wastewater Treatment Plant Phase III and Pump Station Upgrades.

“Urgent”: Bean Road Bridge Replacement, Highway Garage Renovation & Replacement, Chamberlain Bridge Rehabilitation/Sidewalk.

“Deferable”: Paving – Infrastructure Improvements Gravel Roads, Paving – Infrastructure Improvements Executive Park Drive, Library HVAC, Library Sprinkler System, New Library.

“Desirable”: Wire Road Intersection Improvements, Turkey Hill & Baboosic Intersection, Griffin Street Boat Ramp Access Improvements, Seaverns Bridge Canoe Launch Ramp, New Athletic Fields

The Board also will send Town Council a letter stating that it should consider requiring sidewalks in all new projects.

## **12. Approval of Minutes – November 18, 2014 and December 2, 2014**

No action.

## **13. Adjourn**

**The meeting adjourned at 11:25 p.m., on a motion made by Alastair Millns and seconded by Desirea Falt.**