



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, JANUARY 27, 2016

Members present: Fran L'Heureux, Patrick Dwyer, Tony Pellegrino, Richard Conescu, Lynn Christensen, and Alternate Leonard Worster.

Staff present: Assistant Planner Robert Price 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.

Tony Pellegrino led the pledge of allegiance. Richard Conescu read the preamble and swore in members of the public who would be testifying.

3. Michael Moquin (petitioner/owner) – Variance under Section 2.02.4 (B) of the Zoning Ordinance to permit a Multi-Family dwelling in the I-1 (Industrial) district. The parcel is located at 56 Daniel Webster Highway in the I-1 (Industrial), and Aquifer Conservation Districts. Tax Map 2D, Lot 030. Case # 2016-01.

Applicant was represented by: Michael Moquin, 56 Daniel Webster Highway.

There was no public comment.

The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino.

4. Michael Moquin (petitioner/owner) – Variances under Section 3.02 of the Zoning Ordinance to permit a Multi-Family dwelling on a lot of 43,560 s.f. whereas 120,000 s.f. is required; frontage of 150 feet whereas 200 feet is required; side setback of 30 feet whereas 50 feet is required; rear setback of 30 feet whereas 60 feet is required. The parcel is located at 56 Daniel Webster Highway in the I-1 (Industrial), and Aquifer Conservation Districts. Tax Map 2D, Lot 030. Case # 2016-02.

Applicant was represented by: Michael Moquin, 56 Daniel Webster Highway.

The Board voted 5-0-0 to accept the testimony and statutory criteria that were presented in agenda item #3, as the applicant combined his presentations on a motion made by Lynn Christensen and seconded by Patrick Dwyer.

There was no public comment.

The Board voted 5-0-0 to grant the Variance, with one condition, on a motion made by Patrick Dwyer and seconded by Lynn Christensen.

5. **Derek & Julie Locke (petitioner/owner) – Variances under Section 3.02 of the Zoning Ordinance to permit a 2-lot subdivision with lots containing 103.07 feet, and 101.93 feet of frontage whereas 150 feet is required. The parcel is located at 41 Ingham Road in the R-4 (Residential), and Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 3C, Lot 025-01. Case # 2016-03 & 04.**

Applicant was represented by: Derek Locke, 41 Ingham Road.

Public comment was received from: Mathew Kendall, 40 Ingham Road; and by letter from Catherine and Robert Provencher, 35 Ingham Road.

The Board voted 5-0-0 to grant the Variance, with conditions, on a motion made by Patrick Dwyer and seconded by Lynn Christensen.

6. **John J. Flatley Company (petitioner/owner) – Special Exception under Section 2.02.7 (A)(4) of the Zoning Ordinance to permit a walking path & reconstruction of existing bridge to cross through the 25 foot Wetlands Buffer. The parcel is located at 645 Daniel Webster Highway in the I-1 (Industrial) District. Tax Map 6E, Lot 003-01. Case # 2016-05.**

Applicant was represented by: Nathan Chamberlin, Fieldstone Land Consultants.

There was no public comment.

The Board voted 4-0-1 to grant the Special Exception, on a motion made by Richard Conescu and seconded by Lynn Christensen. Patrick Dwyer abstained.

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

None.

8. **Approval of Minutes – December 30, 2015.**

The minutes of December 30, 2015, were approved as amended, by a vote of 3-0-2, on a motion made by Patrick Dwyer and seconded by Lynn Christensen. Tony Pellegrino and Richard Conescu abstained.

9. **Adjourn.**

The meeting adjourned at 8:02 p.m., by a vote of 5-0-0, on a motion made by Patrick Dwyer and seconded by Tony Pellegrino.