



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

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MERRIMACK PLANNING BOARD APPROVED MINUTES TUESDAY, OCTOBER 2, 2018

Planning Board members present: Alastair Millns, Tom Koenig, Dan Ricker, Michael Redding, Lynn Christensen and Alternate Nelson Disco.

Planning Board members absent: Robert Best and Neil Anketell.

Staff present: Planning & Zoning Administrator Robert Price.

1. Call to Order

Alastair Millns called the meeting to order at 7:00 p.m. and designated Nelson Disco to sit for Robert Best.

2. Planning & Zoning Administrator's Report

None.

- 3. Peter Olivier and Sherri Olivier (applicants) and Siam04 Realty (owner) —** Continued Review for acceptance and consideration of a waiver of full site plan review to permit employee parking for an off-site landscaping business as well as employee and tractor trailer parking for an off-site moving business, both of which are in addition to the existing on-site restaurant use, Luna Caprese. The parcel is located at 75 Daniel Webster Highway in the I-1 (Industrial) and Aquifer Conservation Districts. Tax Map 2B, Lot 028. **This item is continued from the June 19, July 17, and September 4, 2018 meetings.**

Sherri Olivier stated they have revised the plan based on the comments received from the Board at the last meeting. This includes moving the truck parking to the rearmost portion of the parking lot to avoid intermingling truck movements with restaurant patrons. The nine truck spaces are now shown at an angle to ensure functional turning radii. The trucks will be positioned behind a post and chain fencing system to show separation from the remainder of the parking lot. Parking spaces on the northerly boundary of the lot will be extended as the lot was not originally constructed in accordance to the site plan. The passenger car spaces that were originally shown along the rear of the site have been interspersed throughout the site to allow the relocation of the truck parking.

Alastair Millns asked about lighting in the vicinity of the trucks. Sherri Olivier replied that there is a light post in front of the trucks that will light that area of the lot and will operate on a timer.

Alastair Millns asked where the P&L Landscaping employees are proposed to park. Sherri Olivier responded that they will be utilizing the spaces in front of the trucks so that the spaces closest to the restaurant will be available for restaurant patrons. She reiterated that P&L Landscaping's hours of operation differ from those of the restaurant so there should be no interference.

Nelson Disco stated he appreciates the applicant's efforts to improve the plan, but he is not ready to accept the plan as complete at this time. He feels there is too much information on it at present; the information from the original 1998 plan combined with the proposed changes is too much to follow. He wants the applicant to clean up the plan before he is willing to accept it as complete.

Michael Redding asked if the proposed gravel parking area is vegetated now, and how runoff would be managed. Sherri Olivier replied the gravel portion of the lot already exists and has been that way for 15-20 years. Michael Redding agreed with Nelson Disco that the plan would be easier to follow if the notations pertaining to the original plan (items indicating they are proposed) were removed from the new plan.

Lynn Christensen asked what types of trucks are being parked on site. Sherri Olivier replied there is one tractor, several trailers and two straight trucks. Alastair Millns stated he viewed the site before the meeting and counted six 40-foot trailers, two 30/35-foot box trucks, one small utility trailer and one refrigeration trailer.

Nelson Disco stated he would like to see the applicant's plan be split into two sheets. One would show the as-built condition as it exists today, and the second would be what is being proposed.

Eric Brand of P&L Landscaping stated he has had an arrangement with the last three owners of the subject property to allow his employees to park there. He stated at the end of the day, the current plan is only for the re-marking of parking spaces; no on-the-ground changes are being made. The applicant would like to keep their costs down with providing a plan for this purpose, and he feels the current plan shows what the Board had requested.

Michael Redding asked if the applicant could ask their engineer to scan the current plan and electronically clean it up. Sherri Olivier replied that their engineer does not use computers; everything he does is by hand. Michael Redding replied that with today's technology, the engineer wouldn't have to be the one to clean up the plan; really anyone with a basic working knowledge of computers would be able to do that. Eric Brand suggested that the applicant can use tracing paper to create a plan manually to keep the cost down.

Nelson Disco stated he might be comfortable if the applicant created a tracing of the plan showing only the final configuration as opposed to what it shows now, but he would like to reserve judgement on acceptance until he sees it.

The Board agreed that the applicant should provide the tracing of basic elements that show the final proposed built condition and location of the parking spaces without the extraneous information and detail from the original plan.

Tom Koenig asked about the exit drive from the site, noting that it looks as though the exit was blocked by a curb line. Sherri Olivier stated she thought this was a mistake and would be corrected. Robert Price noted that the plan has a note with a line pointing to that area indicating pavement would be added. The Board agreed that this illustrates their point that the plan is simply too confusing to follow in its current form.

The Board suggested that the applicant specify limitations to the proposed parking of P&L Landscaping employee vehicles and moving business-related trucks and trailers on the plan, and that chemical storage is not permitted as a part of this plan.

Michael Redding asked if the Fire Department has seen the plan, and if they are satisfied with their ability to maneuver within the site. Robert Price replied that the Fire Department has reviewed the plan and indicated they had no concerns in that regard.

Robert Price noted the required parking for the site uses comes to 81 spaces (72 passenger car, 9 tractor trailer), and a total of 65 spaces (56 passenger car and 9 tractor trailer) will be available on site. The Board requested that the spaces proposed for each use be identified, and that the plan notes clearly speak to the difference in hours of operation between P&L Landscaping and Luna Caprese.

Robert Price asked the applicants to review the previous staff memo that they received in order to incorporate the comments made by staff in their next plan revision.

Public Comment

Richard Foote, 129 Indian Rock Road asked where P&L Landscaping was located. Eric Brand replied 79 Daniel Webster Highway.

At the applicant's request, the Board voted 6-0-0 to continue the acceptance and the public hearing to November 6, 2018, at 7:00 p.m., in the Matthew Thornton Meeting Room, on a motion made by Lynn Christensen and seconded by Michael Redding.

The Board agreed to take up Items #4 and #5 simultaneously.

4. **Mark Rivet (applicant/owner) —** Continued Review for acceptance and consideration of final approval for a lot line adjustment. The parcels are located at 425 Daniel Webster Highway, 2 & 4 Railroad Avenue and an unnumbered parcel off Railroad Avenue in the C-2 (General Commercial) and Aquifer Conservation, Flood Hazard Conservation, Elderly and Town Center Overlay Districts. Tax Map 5D-4, Lots 077, 078, 079 & 080. **This item is continued from the September 4, 2018 meeting.**
5. **Mark Rivet (applicant/owner) —** Continued Review for acceptance and consideration of a site plan for the construction of a 1,890 s.f. garage and function room addition and associated site improvements. The parcels are located at 425 Daniel Webster Highway in the C-2 (General Commercial) and Aquifer Conservation, Flood Hazard Conservation, Elderly and Town Center Overlay Districts. Tax Map 5D-4, Lots 077 & 078. **This item is continued from the September 4, 2018 meeting.**

Alastair Millns read a letter from the applicant requesting a continuance to November 6, 2018.

At the applicant's request, the Board voted 6-0-0 to continue both the acceptance and public hearings for agenda items 4 & 5 to November 6, 2018, at 7:00 p.m., in the Matthew Thornton Room, on a motion made by Lynn Christensen and seconded by Nelson Disco.

6. Discussion/possible action regarding other items of concern

- Charles Morgan (applicant) and 526 DW, LLC. (owner) — Extension Request for final approval for a site plan to construct a 21,069 s.f. single story storage facility and a 2-bay auto detailing shop, originally approved by the Board on 5/15/18.

Alastair Millns read a letter from the applicant requesting an extension of 6-months to the conditional approval issued by the Board on May 15, 2018.

The Board voted 6-0-0 to grant a six-month extension to 526 DW, LLC (to May 15, 2019), on a motion made by Lynn Christensen and seconded by Nelson Disco.

Dan Ricker asked for an update on the Flatley and Executive Park Drive projects. Robert Price responded that Flatley is under construction and the Executive Park Drive project has not yet requested a pre-construction meeting.

Alastair Millns noted that there would be a meeting held by the NH Department of Transportation at 7:00 p.m. on October 3, 2018 at Merrimack High School regarding the planned widening of the Everett Turnpike.

Dan Ricker asked for an update on the service requests submitted by Alastair Millns regarding multiple temporary sign violations along Daniel Webster Highway. Robert Price stated violation letters were sent out and phone calls have been coming from the business owners about them, with several indicating they would take them down.

7. Approval of Minutes — September 18, 2018

The minutes of September 18, 2018, were approved as distributed, by a vote of 4-0-2, on a motion made by Lynn Christensen and seconded by Nelson Disco. Michael Redding & Tom Koenig abstained.

8. Adjourn

The meeting was adjourned at 7:39 p.m., by a vote of 6-0-0, on a motion made by Lynn Christensen and seconded by Tom Koenig.