



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

MERRIMACK ZONING BOARD OF ADJUSTMENT

AGENDA FOR WEDNESDAY, JULY 30, 2014

MATTHEW THORNTON ROOM

*(clicking on a link in **blue text** will display the staff report for the selected application, clicking a link in **green text** will display a Google Map photo of the site location)*

PLEASE TAKE NOTICE THAT, in accordance with the provisions of NH RSA 676:7, a Public Hearing will be held by the Zoning Board of Adjustment of the Town of Merrimack, in the Matthew Thornton Room on the second floor of the West Wing of Town Hall (former courtroom), at 8 Baboosic Lake Road, on Wednesday, July 30, 2014 at 7:00 P.M. to consider the petitions described in the agenda below.

1. **Call to Order.**
2. **Roll Call.**
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 and June 25, 2014 meetings.**
4. **Thomas & Kathleen Benoit (petitioners and owners) – [Variance under Section 3.02.A of the Zoning Ordinance to permit the construction of a single family residence on an existing lot with 20 ft. of frontage whereas 250 ft. is required.](#)** The parcel is located on Woodbine Lane in the R (Residential) District. [Tax Map 6B, Lot 186](#). Case # 2014-24.
5. **Raquel Perez (petitioner) – [Request for Re-Hearing regarding Case # 2014-17, in which the Board voted to deny the appeal of an administrative decision under Section 2.02.1\(A\)\(3\) of the Zoning Ordinance, that a dump trailer in the Residential District does not constitute external evidence of a Home Occupation.](#)** The parcel is located at 46 Bean Road in the R (Residential) District. [Tax Map 6B, Lot 101](#). Case # 2014-25.
6. **Matthew King (petitioner/owner) – [Special Exception under Section 2.02.2\(C\) of the Zoning Ordinance to allow a single family residence in the C-1 District.](#)** The parcel is located at 575 D.W. Highway in the C-1 (Limited Commercial) and Aquifer Conservation Districts and the Wellhead Protection Area. [Tax Map 6D-1, Lot 102](#). Case # 2014-26.
7. **Matthew King (petitioner/owner) – [Variance under Section 3.05 of the Zoning Ordinance to allow the construction of a deck \(36'x14'\) within 10 ft. of the side property line setback whereas 20 ft. is required.](#)** The parcel is located at 575 D.W. Highway in the C-1 (Limited Commercial) and Aquifer Conservation Districts and the Wellhead Protection Area. [Tax Map 6D-1, Lot 102](#). Case # 2014-27.
8. **Roland Paradise and Hawthorne Suites by Wyndham Hotel Group (petitioners) and 246 DW Hwy BACM (owner) – [Variance under Section 17.10.3\(b\) of the Zoning Ordinance to allow a ground sign 13 ft. from the front property line whereas 20 ft. is required.](#)** The parcel is located at 246 D.W. Hwy in the I-1 (Industrial) and Aquifer Conservation Districts. [Tax Map 3D-2, Lot 005-01](#). Case # 2014-28.
9. **Roland Paradise and Hawthorne Suites by Wyndham Hotel Group (petitioners) and 246 DW Hwy BACM (owner) – [Variance under Section 17.10.3 of the Zoning Ordinance to allow a 59.16 sf. ground sign whereas 48 sf. is permitted.](#)** The parcel is located at 246 D.W. Hwy in the I-1 (Industrial) and Aquifer Conservation Districts. [Tax Map 3D-2, Lot 005-01](#). Case # 2014-29.

10. **Roland Paradise and Hawthorne Suites by Wyndham Hotel Group (petitioners) and 246 DW Hwy BACM (owner)** – [Variance under Section 17.10.3 of the Zoning Ordinance to allow a 121.15 sf. freestanding sign whereas 48 sf. is permitted.](#) The parcel is located at 246 D.W. Hwy in the I-1 (Industrial) and Aquifer Conservation Districts. [Tax Map 3D-2, Lot 005-01.](#) Case # 2014-30.
11. **Roland Paradise and Hawthorne Suites by Wyndham Hotel Group (petitioners) and 246 DW Hwy BACM (owner)** – [Variance under Section 17.10.4\(b\) of the Zoning Ordinance to allow a 259.81 sf. wall sign whereas 30 sf. is permitted.](#) The parcel is located at 246 D.W. Hwy in the I-1 (Industrial) and Aquifer Conservation Districts. [Tax Map 3D-2, Lot 005-01.](#) Case # 2014-31.
12. **Convenient MD Urgent Care (petitioner) and KJB Ventures, LLC. (owner)** – [Variance under Section 17.10.4\(a\) of the Zoning Ordinance to allow a 172.7 sf. wall sign whereas 134.50 sf. is permitted.](#) The parcel is located at 4 Dobson Way in the C-2 (General Commercial) and Aquifer Conservation Districts. [Tax Map 3D, Lot 003-03.](#) Case # 2014-32.
13. **Shawn Pacheco Professional Martial Arts Academy (petitioner) and G&G Scully, LLC. (owner)** – [Special Exception under Section 2.02.3\(C\)\(1\) of the Zoning Ordinance to allow a commercial recreational use in the C-2 \(General Commercial\), PRD, Elderly and Aquifer Conservation Districts.](#) The parcel is located at 370 D.W. Hwy. [Tax Map 4D-3, Lot 003-01.](#) Case # 2014-33.
14. **Discussion/possible action regarding other items of concern.**
15. **Approval of Minutes – June 25, 2014.**
16. **Adjourn.**

Copies of application materials are available at the Merrimack Community Development Department Office in Merrimack Town Hall for review by the general public between the hours of 8:30 A.M. and 4:30 P.M., Monday through Friday. It is the policy of the Board not to take up any new business after 10:00 P.M. and to adjourn by 10:30 P.M.

(Posted to website: 07/24/2014)