



# TOWN COUNCIL – AGENDA REQUEST FORM

THIS FORM WILL BECOME PART OF THE BACKGROUND INFORMATION USED BY THE COUNCIL AND PUBLIC

Please submit Agenda Request Form, including back up information, 8 days prior to the requested meeting date. **Public Hearing requests must be submitted 20 days prior to requested meeting date to meet publication deadlines** (exceptions may be authorized by the Town Manager, Chairman/Vice Chair).

## MEETING INFORMATION

Date Submitted: September 24, 2020

Date of Meeting: May 27, 2021

Submitted by: Conservation Commission Member Tim

Tenhave

Department:

Time Required: 25 minutes

Speakers: Tim Tenhave

Background Info.

Supplied:

Yes:

No:

## CATEGORY OF BUSINESS (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Appointment:

Recognition/Resignation/

Retirement:

**Public Hearing:**

Old Business:

New Business:

Consent Agenda:

Nonpublic:

Other:

## TITLE OF ITEM

Chapter 111, Conservation Areas, Merrimack Town Code Process and Procedure Follow-up Discussion

## DESCRIPTION OF ITEM

The Town Council to be presented with and to consider the Conservation Commission's proposed recommended changes to Chapter 111, Conservation Areas, of the Merrimack Town Code.

## REFERENCE (IF KNOWN)

RSA:

Warrant Article: \_\_\_\_\_

Charter Article: V

Town Meeting: \_\_\_\_\_

Other:

N/A

## EQUIPMENT REQUIRED (PLEASE PLACE AN "X" IN THE APPROPRIATE BOX)

Projector:

Grant Requirements:

Easel:

Joint Meeting:

Special Seating:

Other:

Laptop:

None:

## CONTACT INFORMATION

Name:

Tim Tenhave

Address \_\_\_\_\_

Phone Number \_\_\_\_\_

Email Address

ttenhave@merrimacknh.gov

## APPROVAL

The Conservation Commission has been working on an update to Chapter 111 of the Merrimack Town Code.

Chapter 111's direct link is here: <https://www.ecode360.com/14805273>

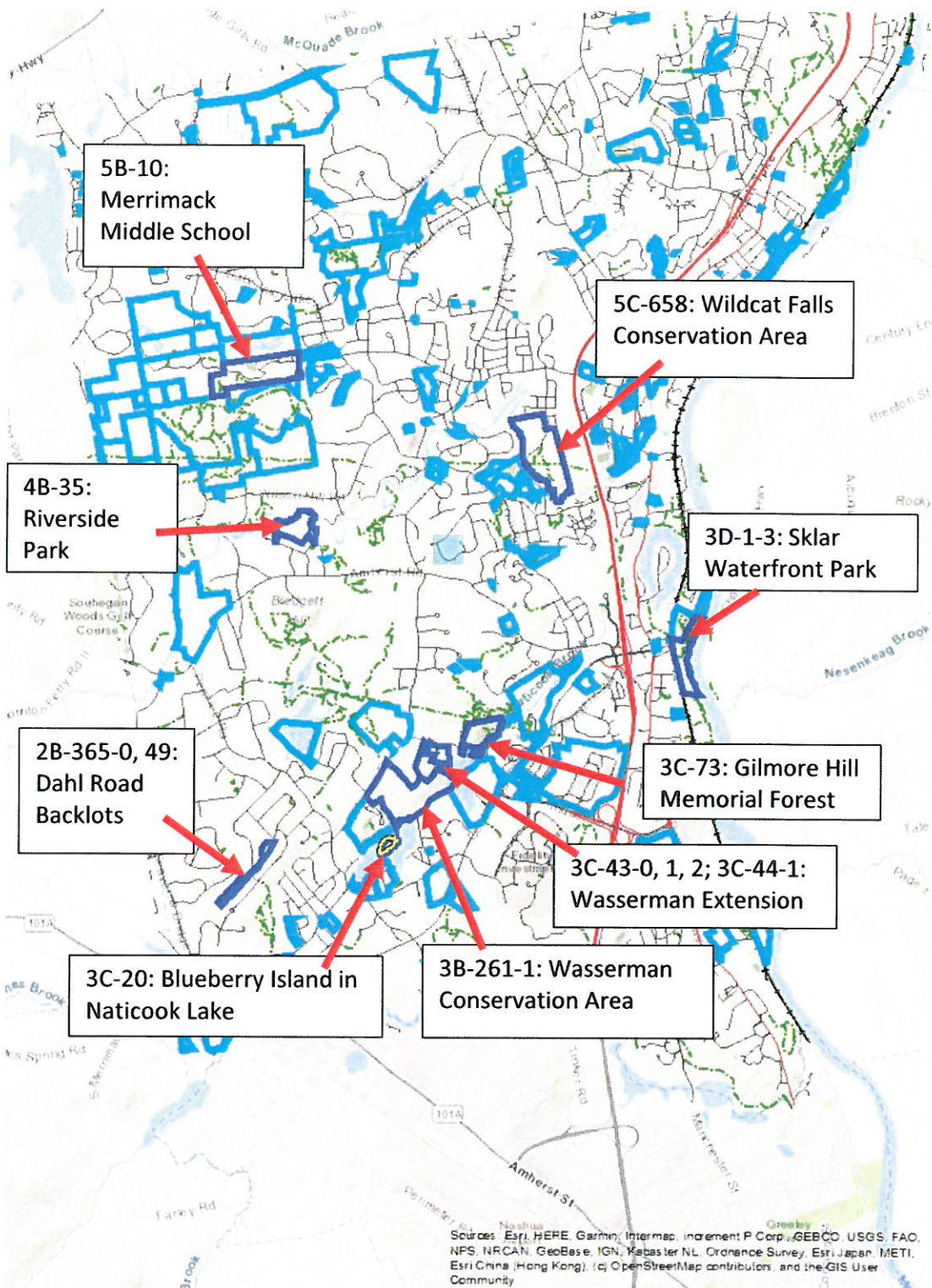
This summary outlines the deeds and reasons why some parcels are proposed to be "Completely Passive".

Note that "Completely Passive" is consistent with the current Chapter and its 6 designated parcels that was voter approved in 1994.

All parcels are proposed to have this base set of rules:

1. No person shall throw, leave, or discard any trash, rubbish, or garbage within any conservation area. All trash or refuse will be carried out by individuals.
2. There shall be no fires in conservation areas.
3. No person shall remove or deface any building, equipment, gate, barricade, wildlife, tree, shrub, flower, fauna within any conservation area.
4. No person shall park or drive any motor vehicle within conservation areas except in specifically designated areas.
5. No person shall drive, operate or maintain any motor vehicle, all terrain vehicle, dirt bike, utility terrain vehicle, electrically powered bicycle (not including bicycle as defined in RSA 259:6), or off highway recreational vehicle as defined in RSA 215-A:1 in any conservation area without prior authorization from the Town Council or its designated agents, excluding fire, police, military, conservation officers, emergency responders, or ambulance personnel for emergency and/or conservation purposes.
6. No person shall discharge any air-powered or spring-powered gun, any type of bow or any firearm within any conservation area for the purpose of target shooting without prior authorization from the Town Council or its designated agents.
7. No person shall camp or sleep overnight in a conservation area without prior authorization from the Town Council or its designated agents.
8. Completely Passive:
  - a. Includes 1 – 7 above.
  - b. Extends #5 above to also exclude Snowmobiles as defined by RSA 215-C.
  - c. Extends #6 above to also prohibit hunting of any kind.

Parcels designated "Completely Passive" are shown in the map and table below:



Map	Lot	Sub	#	Street
00003B	261	1		NATICOOK RD
00003C	20	0		NATICOOK RD
00003C	43	0	52	GREENS POND RD
00003C	43	1		GREENS POND RD
00003C	43	2		GREENS POND RD
00003C	44	1	60	GREENS POND RD
00003C	73	0	37	GREENS POND RD
00005B	10			MADLINE BENNETT LANE
00005C	658	0		HEMLOCK ST
00002B	365	0		DAHL RD
00002B	365	49		DAHL RD
00004B	35	0		RIVERSIDE DR
003D-1	3	0		CARON ST

The rest of this summary gives the backup information on why the Commission is proposing each of these be designated as Completely Passive.

Most of the parcels have deeded restrictions which require such regulation and where there is no deeded restriction, that is noted in the summary for the parcel.

Note that Attorney Roman in the past has indicated deeded restrictions on the use of firearms on our properties are enforceable by the Town.

1.) 3B-261-1: Wasserman Conservation Area:

The Declaration of Protective and Restrictive Covenants for the property as signed by the Selectmen in October 1989 and recorded in the Hillsborough County Registry of Deeds in Book 5413, Page 0898; and states on Page 3:

(g) No snowmobiles or all-terrain vehicles of any kind may be operated or used on the Property, however, ordinary cars and trucks may be operated on designated ways.

(h) No hunting or trapping will be done or permitted on the Property, unless necessitated by reasons of wildlife management, preservation or conservation practices, consistent with the intent and purpose of these restrictions and covenants. Furthermore, no building of fires will be done or permitted on the Property, unless specifically authorized by the Declarant, its successors and assigns, in designated areas established for such purposes by the Declarant, its successors and assigns.

## 2.) 3C-20: Blueberry Island in the center of Naticook Lake:

The deed for this property giving ownership to the Town is recorded in the Hillsborough County Registry in Book 5512, Page 0466; and states on Page 2:

**to provide essential public services and facilities.**

- 8. No snowmobiles, cars, trucks, or all-terrain vehicles of any kind may be operated or used on the premises.**
- 9. No hunting or trapping will be done or permitted on the premises, unless necessitated by reasons of wildlife management, preservation or conservation practices.**

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## 3.) 3C-43-0, 3C-43-1, 3C-43-2, 3C-44-1: Parcels that abut Wasserman Conservation Area, or otherwise known as “Wasserman Extension”:

The deed for these parcels giving ownership to the Conservation Commission is recorded in the Hillsborough County Registry in Book 8325, Page 0002; and states on Page 6:

7. No snowmobiles, all terrain vehicles (ATV), off highway vehicles (OHRV) or motorized vehicles of any kind may be operated or used on the Conservation Property without prior permission from the Merrimack Conservation commission or designated owner representative.

These restrictions serve the following purposes:

1. Assuring that the Conservation Property will be retained in perpetuity in its scenic, forested, wetland and open space condition;
2. Protecting and conserving the native biological diversity of the Conservation Property, including any rare plants, and animals, exemplary natural communities, wetlands, waterfowl and migratory bird habitat, and other significant wildlife habitats on the Conservation Property; and
3. Protecting and conserving the wetlands and/or forest lands of which the Conservation Property consists and the wildlife habitat thereon.
4. Enhancing, preserving and protecting the utility and value of the Conservation Property by maintaining and natural state of the Conservation Property.

## 4.) 3C-73: Gilmore Hill Memorial Forest

The deed for this property giving ownership to the Town to be managed by the Conservation Commission is recorded in the Hillsborough County Registry in Book 5892, Page 0204; and states on Page 2:

**In making this conveyance, the Grantors impose the following covenants and conditions which will be enforced by the Grantee herein:**

**1. This property shall be used for conservation purposes only and shall be managed by the Merrimack Conservation Commission.**

**2. The Grantee agrees to place a plaque on the property being conveyed herein identifying the parcel as "The Gilmore Hill Memorial Forest".**

**3. The Grantee shall restrict all hunting on the property conveyed hereunder and in conjunction therewith, the Grantee agrees that it shall use its best efforts to see that no person shall discharge any air powered or spring powered gun, any firearm, or any type of bow within the premises conveyed. Additionally, no person shall engage in hunting or trapping of animals on the property conveyed hereunder unless for emergency purposes including, but not limited to, the removal of sick or diseased animals which may present a hazard to the community.**

**The above covenants and restrictions shall run with the land and shall be enforced by the Grantee. These covenants may also be enforced by any resident of the Town of Merrimack.**

While these restrictions do not specifically mention passive use, this property is in the current Chapter 111 which restricts motorized use and the proposed update continues this restriction.

## 5.) 5B-10: Merrimack Middle School – Conservation Easement Area:

The School District limits uses on this property. In addition, the Town holds a Conservation Easement on a portion of this parcel. That portion is part of what is commonly known as Grater Woods Conservation Area. The Easement for this property is recorded in the Hillsborough County Registry in Book 7599, Page 0204; and states on Page 0250:

#### IV. USES OF EASEMENT AREA BY GRANTEE.

Grantee, its successors and assigns, and its invitees and licensees (including, if invited or permitted by the Grantee, the general public) shall have the right of unrestricted use of the Easement Area for Passive Recreational Uses. In connection therewith, the Grantee shall also have the right to make such improvements and alterations (recreational and educational trails with associated signage, bridges, parking, informational kiosk and other related fixtures) to the Easement Area as are consistent with the RESTRICTIONS ON EASEMENT AREA described in paragraph III, above. Improvements and alterations shall be constructed in a workmanlike manner, in conformity with applicable Best Management Practices and in compliance with all laws and regulations.

The term "Passive Recreational Uses" of the Easement Area as used herein shall mean use of the Easement Area for hiking, snowshoeing, ice skating, fishing, bird watching, cross-country skiing, non-motorized bicycles, picnicking and any similar uses provided that they are not inconsistent with the spirit and intent of this Easement Deed. The term "Passive Recreational Uses" shall not include rollerblading, skateboarding, target shooting, hunting (except for management purposes to cull out animal overpopulations or to maintain a reasonable balance of wildlife species), camping, or other such off-trail activities.

#### 6.) 5C-658: Wildcat Falls Conservation Area:

There are no deed restrictions for this parcel. The deed is recorded in the Hillsborough County Registry of Deeds in Book 2099, Page 0220; and states:

**This conveyance is made subject to a restriction that said tract of land shall be used for park or recreation purposes only, and is made subject to the easement of the Public Service Company.**

This property is currently in Chapter 111 which limits the discharge of firearms and motorized use. This proposed update to Chapter 111 continues and extends the current restriction due to it being highly used and located in populated residential area of our Town.

#### 7.) 2B-365-0, 2B-365-49: Dahl Road Backlots:

There are no deed restrictions for these parcels. For reference, the deed is recorded in the Hillsborough County Registry of Deeds in Book 5459, Page 0235.

These two parcels are very narrow and are backlots to a neighborhood. They also contain trails used by the neighbors and a portion of the Old Kings Highway which dates back to pre-revolutionary times. Legal hunting requires you to be a minimum of 300 feet from a structure and since you cannot be at that distance for a vast majority of these parcels, it is felt we should

make this restriction. Given the distance to homes, existence of the historically significant Old Kings Highway, and that these parcels are not very large; making these parcels passive (non-motorized) is also deemed prudent by the Commission.

8.) 4B-35: Riverside Park:

There are no deed restrictions for this parcel. The deed is recorded in the Hillsborough County Registry of Deeds in Book 2629, Page 0114.

This property is currently in Chapter 111 which limits the discharge of firearms and motorized use. This proposed update to Chapter 111 continues and extends the current restriction due to it being used by the neighborhood mostly and being located in populated residential area of our Town.

9.) 3D-1-3: Sklar Waterfront Park:

The deed for this property giving ownership to the Conservation Commission is recorded in the Hillsborough County Registry in Book 8982, Page 0137; and states on Page 3:

- I. No snowmobiles, motorcycles, motorbikes or other motor vehicles shall be allowed on the Property, except as may be necessary for Property maintenance, conservation, historical preservation, habitat management, or for forestry to maintain the area and reduce the potential for forest fires, as determined by the Conservation Commission and/or Town public safety departments;
- J. No nuisances shall be maintained on the Property; and
- K. No person shall discharge any air-powered or spring-powered gun, any type of bow or any firearm on, within, or into, the Property.



## Becky Thompson

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**From:** Tim Tenhave  
**Sent:** Monday, September 14, 2020 9:56 PM  
**To:** Town Council  
**Cc:** ConservationCommission; Becky Thompson; Eileen Cabanel; Paul Micali; Timothy J. Thompson; Sharon Haynes  
**Subject:** Update to Chapter 111, visit with the Town Council  
**Attachments:** Chapter111-May2019[1].pdf; Chapter111-SummaryForPublicHearing.pdf; Chapter111-UpdateProposal - RevC.pdf

Dear Town Council,

We are now at Step #11 in Phase 2 of the plan to update Chapter 111 of the Town Code.

This plan was presented and approved by the Town Council in March of 2018. I have included a copy of the approved plan to do the update with this email so that the Council can reacquaint itself with the plan and the process we have been following.

I do encourage you to review the plan so you can understand the significant work that has been done to date.

In summary, being at Step #11 in Phase 2 means:

1. The Commission has reviewed all Town properties including Commission owned parcels and put together a list of Town parcels to include in a potential update to Chapter 111.
2. The Commission has gained Town Staff concurrence on the list that includes 62 parcels.

Note that Paul Micali was designated by the Town Manager to be the Staff point of contact for this project to the Commission.

3. The Commission then collected significant deed and related information to complete Phase 1 of the project.

This was done with the tremendous help of Library Staff headed by Yvette, Tracy and Diane from the Assessing and the Town Clerk's offices, and Gina Rosati from the Commission.

4. The Commission used the data collected and created 4 categories to group the 62 parcels into. This was done over numerous meetings. The categories indicate different types of restrictions to be imposed on the parcels.
5. The Commission held a public hearing in October of 2019 to gain input from the public. We incorporated feedback from the public hearing and completed Phase 2, Step #8.
6. The Commission then presented our recommendations for restrictions in the 4 categories (groups) to the Town Manager and Staff for their input in November of 2019.
7. After Staff review including a number of emails, the Commission and Staff have come to a conclusion on the recommendations and believe we are ready to get Town Council feedback – Phase 2, Step #11.

I and members of the Commission will soon be coming to one of your meetings (currently set for September 24<sup>th</sup>) to discuss our progress, get your feedback, and potentially move this project on to Phase 3 of the plan.

At our meeting, I am looking to:

1. Present our progress to date.
2. Review the current Chapter 111 restrictions and contrast that to what the Commission is recommending with this update.
3. Review the change from the current 6 parcels to the new 62 parcels.

I use the term “parcel” as that is how they are identified within the Town, referring to their Tax Map Id. It should be noted that some of our large properties are actually a collection of parcels. For example, our Grater Woods property includes 10 different parcels.

4. Discuss and answer questions on the recommendations.

I anticipate some recommended restrictions will raise some concerns and we will need to talk through them. Town Staff will likely provide some insight and concerns on these recommendations as well.

5. Discuss next steps and determine if we are ready to begin Phase 3 of the plan.

With this email I have included:

- Copy of current Chapter 111
- Copy of the approved plan we are following to make this update
- Copy of a summary of the recommended changes made available for the Commission’s public hearing in 2019

For our meeting, I will have an updated presentation made specifically for this meeting. I am putting the presentation together now. I am only planning a few slides to help facilitate our discussion. I will provide that presentation to Becky so she can have backup for the agenda packet.

I look forward to the meeting, presenting the recommendations, and getting your feedback.

Thanks,

Tim Tenhave

PS: While I have included a number of files with this email, below are highlights of the recommendations.

These highlights were created when the Commission presented the recommended restrictions to Town Staff and I believe they will also give the Council some insight on the proposed changes and highlight a few areas that we will want to talk through at the upcoming meeting.

1. The current Chapter covers 6 parcels in Town. The proposed Chapter will cover 62 parcels. While this may seem like many, the list was previously reviewed and some of our properties like Grater Woods actually encompass 10 parcels.

2. We have removed language that bans “glass” items from the property. The Commission is not seeing any issues with glass currently and if it is being left, there are restrictions on leaving trash already in the Chapter.
3. The current Chapter currently has a dawn to dusk restriction on the current 6 parcels. We are looking to reduce that to 2 parcels. Each is in the current Chapter (Wildcat Falls Conservation Area and Riverside Park).
4. The current Chapter restricts OHRVs, ATVs, and motorized vehicles except for emergency purposes on all parcels. The proposed Chapter extends that to all 62 parcels and adds E-Bikes (Electrically powered bicycles).

This means Grater Woods which has limited motorized use allowed will no longer have it allowed. Horse Hill does not allow it currently per the Council approved Definitive Plan for that property. It also means a number of other properties where there is no restriction will now have that restriction.

This is one of two areas where we have heard concern from the public. We heard from a member of the public who was concerned something was being taken away. The Commission understands the concern but has found the use is creating maintenance and vandalism problems at Grater Woods. The current Stewardship Plan for Grater Woods allowed the use with the expectation the Right Riders ATV Club in Merrimack would help with maintenance, education, and creation of the plan approved trails in Grater Woods.

The Right Riders have simply stopped participating and engaging with the Commission and its sub-committee for Grater Woods. Since there is no active club supporting the use, the Commission wants to restrict that use as the maintenance created by that use is a burden to the volunteers.

This is the same position the Town/Commission has taken with Horse Hill. The Definitive Plan for Horse Hill would allow the motorized use on designated trails if there was a recognized club to manage and maintain those trails. We believe we are being consistent when it comes to motorized use.

The Commission believes the current Town Charter also provides recourse if a club should decide to take the responsibility at Horse Hill, Grater Woods, or any parcel being proposed for this Chapter. To amend Chapter 111 for this club would only take a couple of months and can be done by the Town Council just as any other ordinance can be amended.

5. We have removed the language requiring pets to be on a leash or in a cage. We believe the current Dog ordinance is sufficient. This will be a break from Chapter 142 for Town Parks where a leash is required.
6. We have continued the restriction on the discharge of a firearm or bow to all 62 parcels.

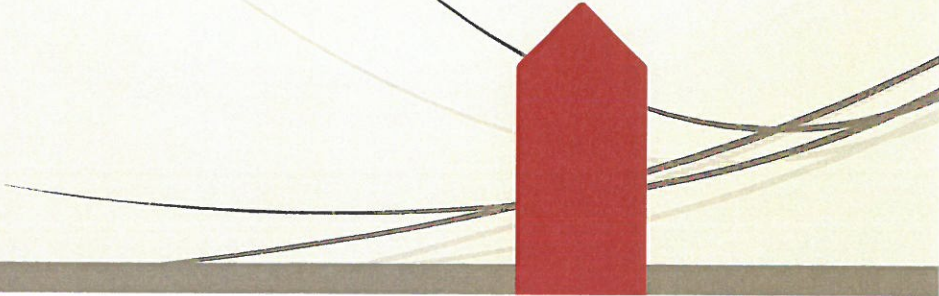
But, have limited it to Target Shooting Only so as not to restrict legal hunting. We did however keep the full ban on discharging to some properties including a few in the current Chapter and a few that either have deed restrictions or we felt warranted that level of restriction. These parcels are part of the “Completely Passive” category.

7. We extended the “defacing” language to include destruction of plants and wildlife.
8. We are proposing no camping or overnight sleeping on all parcels unless approved by the Town Council. It is hard to regulate this activity, ensure proper hygiene, and continue the restrictions on fires in the parcels.
9. We are proposing no fires on the parcels. The current Chapter allows that with the proper approvals. There is no mechanism in place to gain that approval. The Commission has to also approve in the current Chapter language and we have no regulatory/enforcement capability or training in this, so we prefer not to allow the use or be a part of any approval process.

10. As part of our “Completely Passive” category including 13 parcels, we also propose to restrict snowmobiles. This is due to a few parcels having the restriction in their deeds, a few parcels where it has been a problem, and few parcels that abut a parcel that has the deed restriction.

11. The “Completely Passive” category also includes a ban on hunting. This is due to some parcels with that restriction in their deeds, a few parcels where that use has been problematic (including some current parcels in the Chapter), and a few parcels that abut a parcel where that use is not deed permitted. This is the other area that has generated some concern from the public. On both sides of the issue. The current Chapter does not allow hunting on all 6 parcels. This is a modification to that. We know from Town Counsel that when it is deed restricted, we have good legal footing. In other areas it is not that clear. The Commission feels it is appropriate to move forward given past Town Counsel input and believes we should be ready to defend the position based on our landowner rights as some other nearby Towns have done. We expect this to be an area for discussion potentially for the proposed parcels. Note that the large properties are not included in this restriction except for Wasserman Conservation Area next to Wasserman Park as it is as a deeded restriction.

12. We are proposing a category called “Well Parcels”. This for 4 parcels that abut or contain an MVD well. We have not identified any restrictions to add due to that designation.



# Chapter 111 – Review with Town Council

Merrimack Conservation Commission      September 24, 2020



## Why are we here...

- ▶ We are at Step #11 in Phase 2 of the Plan to update Chapter 111
- ▶ We are looking for consensus to move on to Phase 3 of the Plan

Or, to get feedback that we can act on and then return for that consensus

- ▶ Phase 3 includes:
  - ▶ Taking "our" intent and turning it into a proper legal form for an ordinance
    - ▶ Utilizing our Town's legal services, Town Staff, and the Commission
  - ▶ Hold a Commission Public Hearing to receive any further input
  - ▶ Make any necessary updates and provide a package to the Town Council for moving on to Phase 4 of the Plan (adoption)

# Current Chapter 111

- ▀ Covers 6 Parcels:
  - ▀ 5C-658 Wildcat Falls Conservation Area, 4B-035 Riverside Drive, 6B-087-099 French Court, 6B-085-097 Hitchinpost Lane, 6B085-098 Woodward Road, 6B-224-1 Mitchell St.
- ▀ Same Restrictions on all 6 parcels
- ▀ Penalty is a violation in accordance with RSA31:39, III
- ▀ Restrictions include:
  - ▀ Cannot remain or stay from ½ after sunset to ½ before sunrise unless MCC authorized
  - ▀ No fires unless approved by MCC and Fire Warden
  - ▀ No glass
  - ▀ No throwing or leaving trash, carry out all trash
  - ▀ No alcohol or unlawful drugs
  - ▀ No parking or driving except in designated areas
  - ▀ No OHRV as defined in RSA 215-A:1 except for fire, police, ambulance or emergency
  - ▀ No domesticated animals unless on a leash, rein, or in a cage
  - ▀ No discharge of air-powered or spring-powered gun, any type of bow, or firearm
  - ▀ No defacing of any building, equipment, tree, shrub, or flower

# Proposed Update

- ▶ 62 Parcels
- ▶ Same penalties
- ▶ 4 Categories of Parcels
  - ▶ All – General set of restrictions for all 62 parcels
  - ▶ Hours Restricted – Adds a dawn to dusk restriction where you cannot stay or linger
  - ▶ Completely Passive – Adds no motorized of any kind, restricts any use of bow, air-powered weapon, or firearm
  - ▶ Well Property – Adds limitations due to it being within a designated MVD drinking well



# Restrictions for All Parcels

- ▶ No fires
- ▶ No throwing or leaving trash, all trash carried out
  - ▶ Glass in any form left behind is trash
- ▶ No alcohol or unlawful drugs (is "unlawful" drugs clause necessary?)
- ▶ No parking or driving except in designated areas
- ▶ No OHRV as defined in RSA 215-A:1, no E-Bikes; except for fire, police, ambulance or emergency or as authorized by the Town Council or designated agents
- ▶ No discharge of air-powered or spring-powered gun, any type of bow, or firearm for the purpose of target shooting without prior authorization of the Town Council or designated agents
- ▶ No defacing of any building, equipment, gate, barricade, wildlife, tree, shrub, or flower, or fauna
- ▶ No sleeping or camping overnight without authorization of the Town Council or designated agents

Note: Removed dogs and let's dogs to be handled through Chapter 119 "Dogs" of the Town Code



# Restrictions for Hours Restricted Parcels

- Includes everything in the All category
- Adds, you cannot remain or stay from 1/2 after sunset to 1/2 before sunrise
- Only 2 parcels:
  - Wildcat Falls Conservation Area
  - Riverside Drive

Map	Lot	Sub	#	Street
00005C	658	0		HEMLOCK ST
00004B	35	0		RIVERSIDE DR

# Restrictions for Completely Passive Parcels

- Includes everything in the All category
- Adds:
  - No Snowmobiles as defined in RSA 215-C
  - Prohibits any discharge of a bow or firearm, which then restricts hunting
- Only 13 parcels:

Map	Lot	Sub	#	Street
00003B	261	1		NATICOOK RD
00003C	20	0		NATICOOK RD
00003C	43	0	52	GREENS POND RD
00003C	43	1		GREENS POND RD
00003C	43	2		GREENS POND RD
00003C	44	1	60	GREENS POND RD
00003C	73	0	37	GREENS POND RD
00005B	10			MADELINE BENNETT LANE
00005C	658	0		HEMLOCK ST
00002B	365	0		DAHL RD
00002B	365	49		DAHL RD
00004B	35	0		RIVERSIDE DR
003D-1	3	0		CARON ST

# Restrictions for Well Parcels

- Includes everything in the All category
- Adds:
  - Restrictions desired by the MVD for parcels within a well restricted area
  - We are not aware of anything that goes beyond the All category
- Only 4 parcels:

Mcp	Lot	Sub	#
00005B	132	0	OFF
00006B	158	0	
00006B	224	1	
005D-2	00C002	3	19

# Chapter 111 Conservation Areas

[HISTORY: Adopted by the Annual Town Meeting of the Town of Merrimack 5-12-1984 by Art. 18; last amended by Town Council 11-16-2017. Subsequent amendments noted where applicable.]

## GENERAL REFERENCES

Conservation Commission — See Ch. 19.

### § 111-1 Rules of conduct.

- A. No person shall remain, stay or loiter in or on any conservation area during the period from 1/2 hour after sunset to 1/2 hour before sunrise, except under the authorization of the Conservation Commission or its designated agents. This provision is not intended to preclude authorized activities from occurring outside of the prescribed times.
- B. There shall be no fires on conservation areas except as approved by the Merrimack Conservation Commission in conjunction with New Hampshire Statutes and with a permit issued by the Forest Fire Warden.
- C. No person shall bring or carry any glass containers within any conservation area.
- D. No person shall throw, leave or discard any trash, rubbish or garbage within any conservation area. All trash or refuse will be carried out by individuals.
- E. No person shall use, consume, bring or carry any alcoholic beverages or unlawful drugs within any conservation area.
- F. Use of vehicles within conservation areas.
  - (1) No person shall park or drive any vehicle within conservation areas except in specifically designated areas.
  - (2) No person shall drive, operate or maintain any motor vehicle or off-highway recreational vehicle (as defined in RSA 215-A:1, VI) in any conservation area without prior authorization from the Conservation Commission or its designated agents, excluding fire, police or ambulance personnel for emergency purposes.
- G. No person shall bring any domesticated animal upon any conservation area, unless such animal is controlled by the use of a leash or rein or is within a cage.
- H. No person shall discharge any air-powered or spring-powered gun, any type of bow or any firearm within any conservation area.
- I. No person shall remove or deface any building, equipment, tree, shrub or flower within any conservation area.

### § 111-2 Violations and penalties.

Any person found violating the provisions of this chapter may be assessed a penalty up to the amount set forth in NH RSA 31:39, III; said penalty to be placed in the Town of Merrimack's General Fund.

### § 111-3 Designation of conservation areas.

Areas designed as conservation areas shall consist of the following parcels:

- A. Parcel 5C/658, commonly known as "Wildcat Falls Conservation Area."
- B. Parcel 4B/035, commonly known as "Riverside Drive."

- C. Parcel 6B/087-099, commonly known as "French Court."
- D. Parcel 6B/085-097, commonly known as "Hitchinpost Lane."
- E. Parcel 6B/085-98, commonly known as "18 Woodward Road."
- F. Parcel 6B/2241, commonly known as "Mitchell Street."

The Conservation Commission has been working on an update to Chapter 111 of the Merrimack Town Code. This is the Town ordinance (law) that regulates activities on Town conservation properties.

For reference, the current version of Chapter 111 can be found using the “Town Code” link on the Town’s website (<https://www.merrimacknh.gov>).

Chapter 111’s direct link is here: <https://www.ecode360.com/14805273>

The current version covers 6 parcels of land in the Town of Merrimack. It has three sections covering:

- Rules of Conduct
- Violations and penalties
- Designation of conservation areas (which parcels of land it includes)

The Commission is proposing to keep these same three sections, but is proposing changes as follows:

- Under Rules of Conduct
  - Create 4 different categories of rules to cover the different situations we have with our parcels. The categories respect the restrictions or rules that are written into each parcel’s deed.
- Violations and penalties
  - No changes being proposed.
- Designations of conservation areas
  - Update from the current 6 parcels to now include 62 parcels with the 4 categories.

The change from 6 parcels to 62 parcels reflects the work the Town has done to set aside a number of parcels for open space and conservation use. When you look closer, you will see many of these parcels have been owned by the Town and the Conservation Commission for many years. This update proposes a common set of enforceable regulations on them.

The 4 categories being proposed:

- All
  - Rules that cover all 62 parcels in the update to Chapter 111.
- Hours Restricted
  - Keep the hours restriction in current Chapter 111 but modify it to include only 2 parcels and not the current 6.
- Completely Passive
  - Rules that don’t allow motorized uses on the parcel and don’t allow the discharge of an air-powered or spring-powered gun, bow, or firearm on the parcel. This is consistent with the current Chapter but designates certain parcels and not all parcels in the Chapter.



- Well Property
  - Includes any rules the Merrimack Village District (MVD) considers important for parcels that contain or are within any easement area for drinking water wells owned by the MVD.

Below are the 4 different categories with each category showing the rules being proposed. If you look at the current Chapter 111 (links above), you will notice that similar language is contained both here and in the original Chapter.

1. All (every parcel will have this base set of rules):
  - a. No person shall throw, leave, or discard any trash, rubbish, or garbage within any conservation area. All trash or refuse will be carried out by individuals.
  - b. There shall be no fires in conservation areas.
  - c. No person shall remove or deface any building, equipment, gate, barricade, wildlife, tree, shrub, flower, fauna within any conservation area.
  - d. No person shall park or drive any motor vehicle within conservation areas except in specifically designated areas.
  - e. No person shall drive, operate or maintain any motor vehicle, all terrain vehicle, dirt bike, utility terrain vehicle, electrically powered bicycle (not including bicycle as defined in RSA 259:6), or off highway recreational vehicle as defined in RSA 215-A:1 in any conservation area without prior authorization from the Town Council or its designated agents, excluding fire, police, military, conservation officers, emergency responders, or ambulance personnel for emergency and/or conservation purposes.
  - f. No person shall discharge any air-powered or spring-powered gun, any type of bow or any firearm within any conservation area for the purpose of target shooting without prior authorization from the Town Council or its designated agents.
  - g. No person shall camp or sleep overnight in a conservation area without prior authorization from the Town Council or its designated agents.
2. Hours Restricted:
  - a. Includes "All"
  - b. No person shall remain, stay or loiter in or on any conservation area during the period from 1/2 hour after sunset to ½ hour before sunrise, except under the authorization of the Town Council or its designated agents. This provision is not intended to preclude authorized activities from occurring outside of the prescribed times.
3. Completely Passive:
  - a. Includes "All"
  - b. Extends 1.e above to also exclude Snowmobiles as defined by RSA 215-C.
  - c. Extends 1.f above to also prohibit hunting of any kind.
4. Well property:
  - a. Includes "All"

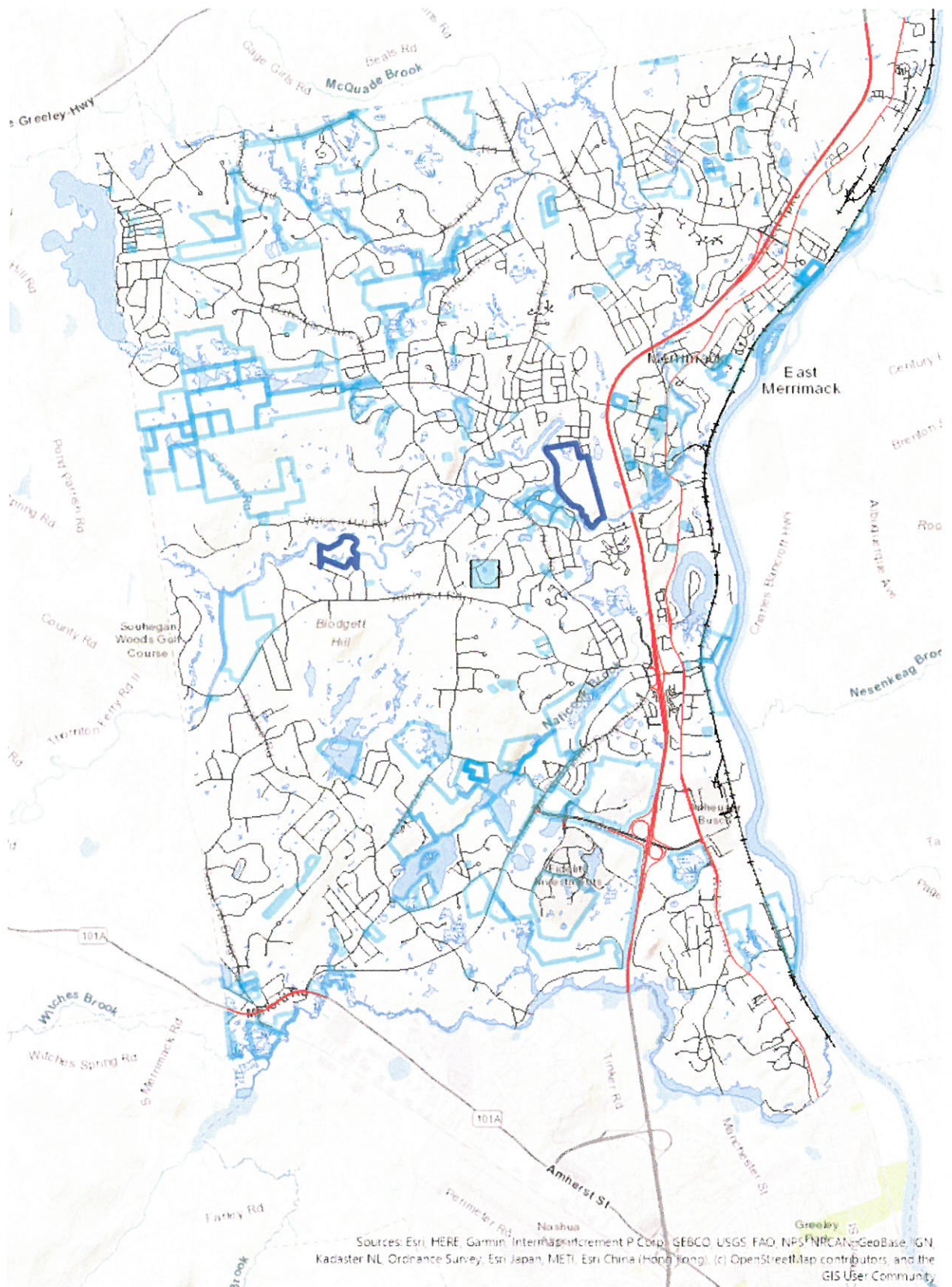
- b. Includes “Completely Passive”
- c. Includes any restrictions designated by any easement area to the Merrimack Village District (MVD).

In this update we do plan to include language that allows the use of machinery, OHRVs, Motor Vehicles, Snowmobiles, Forestry, and other uses by Town and/or Conservation Commission authorized persons for conservation and maintenance purposes.

Below are tables showing the different parcels for each category along with a map of the Town showing each of the parcels in that category:

1. Hours Restricted:

Map	Lot	Sub	#	Street
00005C	658	0		HEMLOCK ST
00004B	35	0		RIVERSIDE DR



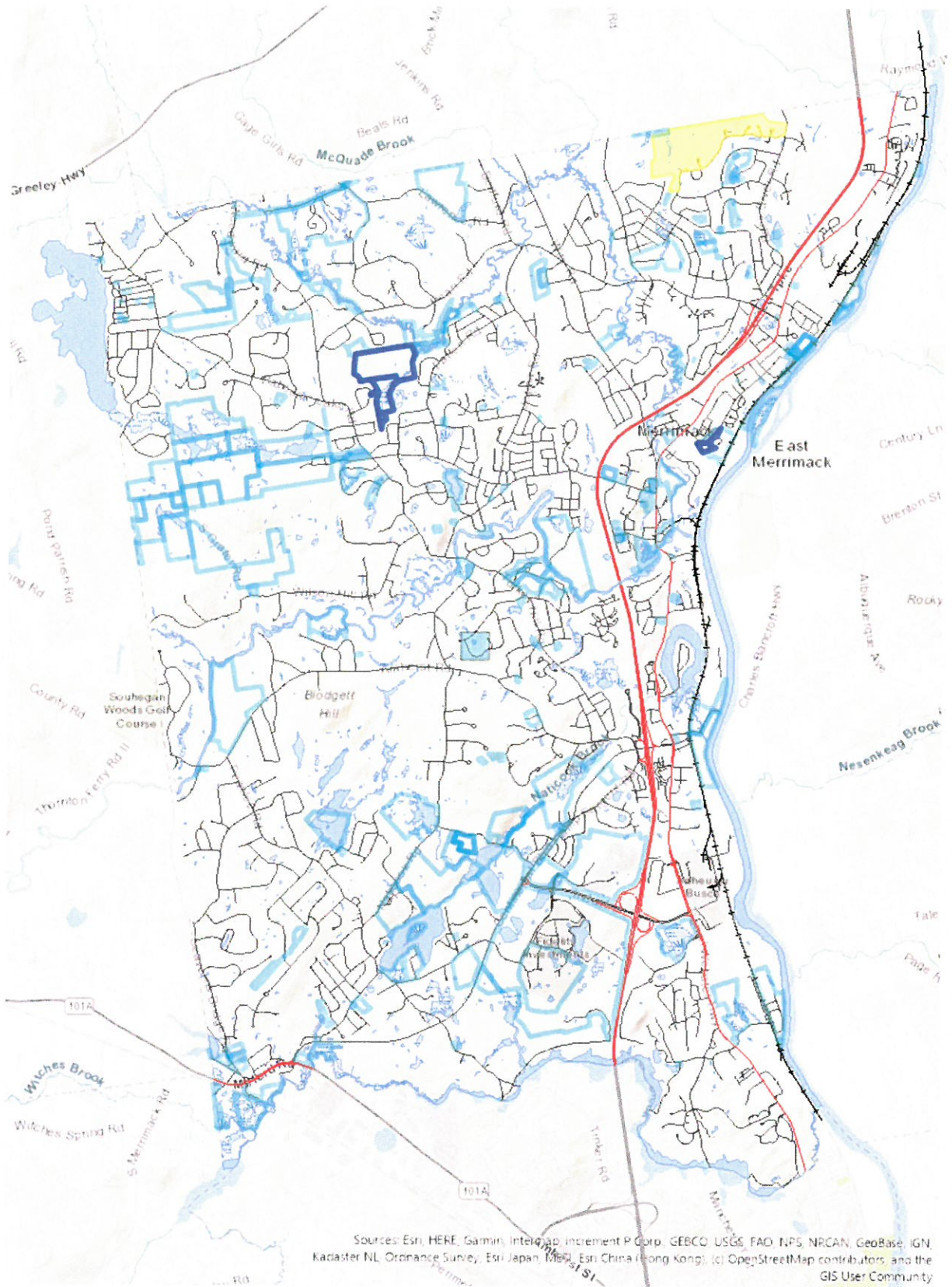
## 2. Completely Passive:

Map	Lot	Sub	#	Street
00003B	261	1		NATICOOK RD
00003C	20	0		NATICOOK RD
00003C	43	0	52	GREENS POND RD
00003C	43	1		GREENS POND RD
00003C	43	2		GREENS POND RD
00003C	44	1	60	GREENS POND RD
00003C	73	0	37	GREENS POND RD
00005B	10			MADLINE BENNETT LANE
00005C	658	0		HEMLOCK ST
00002B	365	0		DAHL RD
00002B	365	49		DAHL RD
00004B	35	0		RIVERSIDE DR
003D-1	3	0		CARON ST



## 3. Well property:

Map	Lot	Sub	#	Street
00005B	132	0	OFF	DICK DR
00006B	158	0		PROFILE DR
00006B	224	1		MITCHELL ST
005D-2	00C002	3	19	FRONT ST

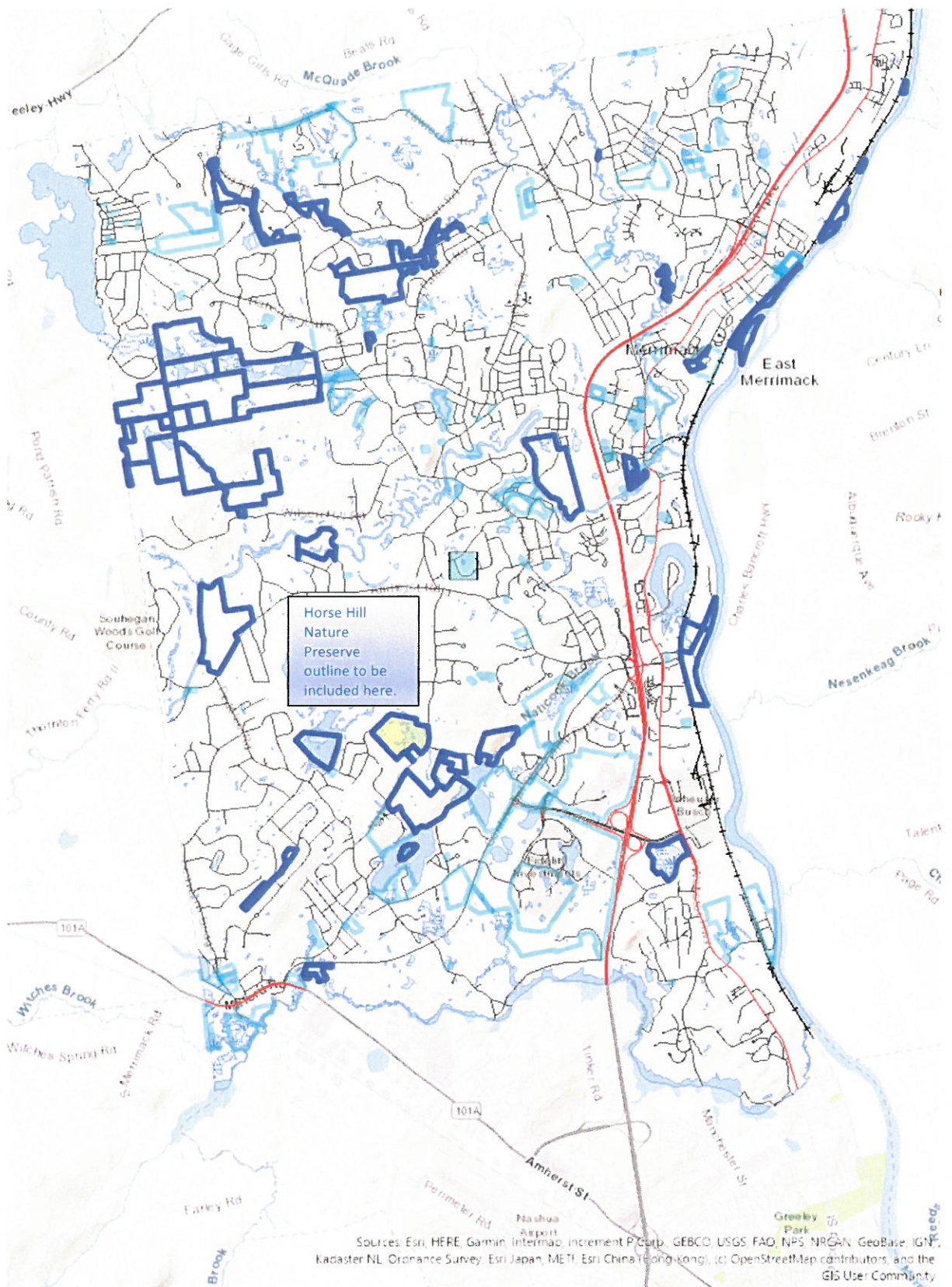


## 4. All:

Map	Lot	Sub	#	Street
00003B	164	0		AMHERST RD
00003B	168	0		REGAL DR
00004A	2	0	221	AMHERST RD
00004B	116	0	99	WILSON HILL RD
00005A	2	0		SOUTH GRATER RD
00005A	3	0		SOUTH GRATER RD
00005A	5	0		SOUTH GRATER RD
00005A	6	0		SOUTH GRATER RD
00005A	9	0		SOUTH GRATER RD
00005A	10	0		SOUTH GRATER RD
00005A	63	0		CONSERVATION DR
00005A	64	0	OFF	SOUTH GRATER RD
00005A	65	0	OFF	SOUTH GRATER RD
00005A	65	1	OFF	SOUTH GRATER RD
00005A	66	0	OFF	WILSON HILL RD
00005B	1	0		SOUTH GRATER RD
00005B	11	0		OLD BLOOD RD
00005B	14	0	20	MARTY DR
00003B	261	1		NATICOOK RD
00003C	20	0		NATICOOK RD
00003C	43	0	52	GREENS POND RD
00003C	43	1		GREENS POND RD
00003C	43	2		GREENS POND RD
00003C	44	1	60	GREENS POND RD
00003C	73	0	37	GREENS POND RD
00005B	10			MADLINE BENNETT LANE
00005C	658	0		HEMLOCK ST
00002B	358	1	283	CONTINENTAL BV
00002B	365	0		DAHL RD
00002B	365	49		DAHL RD
00003D	80		15	ROBERT MILLIGAN PARKWAY
00004B	35	0		RIVERSIDE DR
00006A	85	1		WOODWARD RD
00006B	85	97		HITCHIN POST LN
00006B	85	98	18	WOODWARD RD
00006B	87	99		FRENCH CT
00006B	140	0		KLARA DR



00006B	159	0		BEAN RD
00006B	186	0		WOODBINE LN
00006C	23	0	10	BROOKSIDE DR
00006C	27	0	18	BROOKSIDE DR
00006C	28	0	20	BROOKSIDE DR
00006C	29	0		BROOKSIDE DR
00006C	41	0	44	BROOKSIDE DR
00006C	137	1		BROOKSIDE DR
00006D	52	0	10	WOODHAVEN CR
00006D	493	1		MINISTERIAL DR
00006D	498	0		MINISTERIAL DR
00006E	4	0		DW HIGHWAY (OFF)
00006E	5	0		DW HIGHWAY (OFF)
00006E	6	0		DW HIGHWAY (OFF)
00006E	7	0		DW HIGHWAY (OFF)
00007E	56	0		DW HIGHWAY
003D-1	3	0		CARON ST
004D-1	10	0		GRIFFIN ST
005D-2	7	0		FRONT ST
005D-2	8	0		FRONT ST
005D-4	100	0		OFF MCELWAIN ST
00005B	132	0	OFF	DICK DR
00006B	158	0		PROFILE DR
00006B	224	1		MITCHELL ST
005D-2	00C002	3	19	FRONT ST



Approved: May 24, 2018

Posted: May 29, 2018

Vice Chairman Koenig stated appreciation for the statement that the kiosk would be planted a minimum of 2' into the ground noting the kiosk will be exposed to a great deal of lateral pressure. He spoke of the frost line and noted 2' is often not sufficient. There is the need to be mindful of that.

**MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the Eagle Scout project at Wasserman Park submitted by Life Scout Anthony Milani, Troop 272, who is proposing to build an informational kiosk at the entrance to the Quarry Trail at Wasserman Park, which will be used as a central location for posting trail information by the Conservation Commission on their network of trails in Wasserman Park. Furthermore, that the Chairman be authorized to sign the Boy Scout paperwork necessary to approve the project and furthermore that the Town Manager or her proxy also be authorized to sign anything necessary to complete the project paperwork. MOTION CARRIED 4-0-0**

*The Council returned to the regular order of business.*

### **Town Manager's Report**

The PWD hosted a very successful Open House on Saturday. Hundreds of people attended and were treated to many activities including the Touch-A-Truck event and a compost giveaway. The department is thankful to everyone for helping to fill the backhoe bucket with non-perishable food items that will go to support a local food pantry.

**Consent Agenda** - None

### **Old Business**

**1. Chapter 111, Conservation Areas, Merrimack Town Code Process and Procedure [Tabled at the March 22, 2018, Town Council meeting]**

Submitted by MCC Member Tim Tenhave

Town Council to consider and possibly approve a process by which Chapter 111, Conservation Areas, of the Merrimack Town Code may be revised.

Tim Tenhave, Merrimack Conservation Commission, stated when last before the Council he presented the propose process. It was decided he would meet with the Town Manager and her staff to ensure everyone was in sync on the project and understood all the details. He believes the meeting to have been very productive. No changes were recommended to the process as proposed. Being sought was the Council's approval of the process outlined.

Town Manager Cabanel commented what she found to be very interesting when Mr. Tenhave came before the department heads was that everyone seemed very excited about the concept of it. Each department has experienced being approached for additional information on parcel(s). They understand the value of what will be collaboratively accomplished through this process.

Councilor Boyd asked for clarification the process involves four phases and a period of 12-15 months and was told that is the expectation.

Approved: May 24, 2018

Posted: May 29, 2018

**MOTION made by Councilor Boyd and seconded by Councilor Thornton to approve the process by which Chapter 111, Conservation Areas, of the Merrimack Town Code may be revised, as presented. MOTION CARRIED 4-0-0**

2. **Town Council Committee Assignments [Tabled at the April 26, 2018, Town Council meeting]**  
Submitted by Town Council Chairman Finlay Rothhaus and Vice Chair Tom Koenig  
The Town Council will determine committee assignments for the current year.

**MOTION made by Councilor Koenig and seconded by Councilor Thornton to table the item until the Council's May 24, 2018 meeting. MOTION CARRIED 4-0-0**

### **New Business**

4. **Short-term Disability (STD) Insurance Non-Union**

Submitted by Finance Director Paul T. Micali

The Town Council to consider the approval of the recommended change to the Personnel Policy Manual maximum short-term disability weekly benefit amount from \$700 to \$2,000.

The weekly benefit amount for Short-Term Disability (STD) is 70% of the base wage up to \$700/wk. It has been set at that amount for 12 years. Twenty seven out of the 44 non-union employees earn wages greater than \$1,000/wk. and are required to utilize sick and/or vacation time to make up the difference. Employees earning less than \$700/wk. are compensated at the 70% rate where those earning more than that amount are not.

This was discussed during the budget process along with a proposal to expand the benefits so that the 70% would apply to everyone. Requested is an increase to the maximum weekly benefit from \$700 to \$2,000. The cost associated with the requested change, which is included in the budget, is \$9,000.

Councilor Boyd questioned the total premium cost for the insurance and total number of times it has been utilized in the past year. Town Manager Cabanel was unaware of the total number of times the insurance has been utilized by non-union employees over the past year. She noted there have been quite a few employees within the Police, Fire, and Public Works Departments that have utilized it for a variety of reasons.

Councilor Boyd commented Chief Currier has mentioned members of his department were out on STD because of issues occurring in the workplace. Town Manager Cabanel remarked if it is a work-related incident, it would be covered under Workers' Compensation Insurance.

Vice Chairman Koenig questioned if union employees have this benefit in their contract with identified limits, and was informed the highest benefit in the union contracts is \$700/wk. and the lowest is \$600/wk. Those limits need to be negotiated during contract negotiations.

Assistant Town Manager/Finance Director Micali added, there is contract language that permits employees to receive STD payments as total compensation; they are not required to utilize sick and/or vacation time to make up the difference. He stated his belief there were 2-3 non-union employees who



Approved: April 12, 2018

Posted: April 17, 2018

### ON THE QUESTION

Councilor Albert thanked the gentlemen for stepping forward to serve the community in this way.

Councilor Koenig spoke of the individuals having been interviewed and of their qualifications and desire to serve the community. Mr. Ricker has been serving as an Alternate member but sitting as a full member at most meetings.

### MOTION CARRIED

5-0-0

### *Oath of office administered to Neil Anketell by Chairman Harrington*

### **3. Chapter 111, Conservation Areas, Merrimack Town Code Process and Procedure**

Submitted by MCC Member Tim Tenhave

Town Council to review and approve a process by which Chapter 111, Conservation Areas, of the Merrimack Town Code may be revised.

Tim Tenhave, Merrimack Conservation Commission, noted the Commission has outlined a process believed to be applicable to revise/overhaul Chapter 111. The intent is to be very deliberate and detailed about the steps in the process to allow residents to follow along and participate. He believes the process, in its entirety, will take upwards of a year.

As the process was being created, information was shared with the Town Manager and the Director of Community Development who were able to provide needed input.

Town Manager Cabanel spoke of the enormity of the undertaking and requested Mr. Tenhave speak to the desired accomplishment(s).

Mr. Tenhave stated the Town, either on its own or through the Conservation Commission, owns 190+ parcels of land in Town. Between 30-40 are open space parcels that could potentially require some sort of control or regulation, e.g., something that should be put in an ordinance to provide the Police Department the necessary authority to regulate activity.

The desire would be to identify all properties. Some, but not all property data is available through the Assessing database. A request would be made of the Assessing Department to provide additional information, e.g., book and page. Once the properties are identified the number of properties would be whittled down to those that could potentially require, or already have within their Deeds, regulations that should be codified.

The suggestion is that the Conservation Commission do the initial review of the property list, whittle it down, and seek input from the Town Council.

The desire is not to increase the number of regulations, but to codify what is already known. Mr. Tenhave commented there are Deeds to properties that have been acquired that have restrictions around the types of vehicles permitted, whether hunting is permitted, etc. If it is in the Deed, it is legally binding in perpetuity.

**Approved: April 12, 2018**

**Posted: April 17, 2018**

The first pass would be to classify or categorize properties based on known information. They would also review some of the properties to see if they lend themselves, because of their characteristics, to needing some sort of additional regulation. They would pull the information together and try to create as few categories as possible.

Chairman Harrington commented Chapter 111 is presently labeled Conservation Areas. Mr. Tenhave stated he would speak to the properties more in terms of open spaces. They will be properties without municipal buildings; don't have a designated or future use.

Councilor Albert stated his appreciation for the process as well as the desire to simplify matters rather than create additional regulations. He noted the paragraph that speaks to the Town budget covering all expenses related to the update of the Chapter indicating concern with language such as legal review and consultants. He questioned if there is an estimated cost.

Mr. Tenhave stated expenses would relate to costs associated with pulling documents from the Hillsborough County Registry of Deeds, printing costs related to information being available for Public Hearings, etc. He is of the belief most could be covered with the current Conservation Commission budget, which is part of the Town budget. A legal review would be necessary, and at a cost that is unknown at this time.

He stressed the approach is "less is more"; there is the desire to do what is necessary either because there is language within a Deed or document that requires it or because there is some other compelling reason to do it.

Mr. Tenhave noted within the process there are several places where input would be sought, data exchanged with Town staff, etc. He would suspect the Town Manager would want her department heads to review the first list of potential properties to be addressed; there are likely things the Commission is not aware of that would help narrow the list down. In the day-to-day efforts of gathering Deeds, pulling sub-division plans, etc., the Commission will require some staff time from the Community Development Department.

When reaching Phase III, which is the proposed regulation, the Commission will put something together and seek a legal review. The review will involve issues such as discharging of firearms, use of bows and arrows, etc. Those are already included in Chapter 111; but will have to be addressed on certain properties that may have those restrictions in their Deeds. What is unfortunate is there could be two parcels side-by-side with different restrictions. When having two parcels so uniquely joined, it may be best to have both parcels have very similar if not the same restrictions. Having the clarity that would come with understanding and posting of restrictions/rules would benefit all.

The last phase of the review relates to the Council's process.

Chairman Harrington noted there would be opportunities at critical junctures during the Conservation Commission's review for the Council to be provided updates and the opportunity to provide feedback.

Mr. Tenhave stated the narrowed list would be provided the Council after review/input by the Town Manager and department heads. At the end of the classification portion of the review, the Commission

**Approved: April 12, 2018**

**Posted: April 17, 2018**

would look to the Council for concurrence they are going down the right path. All background data to substantiate proposed restrictions would be available.

Town Manager Cabanel spoke of being pleased with the project and stated she and her staff would be supportive of the effort. She suggested the appropriate department heads be asked to provide any known data and noted that all the chapters of the Town Code have undergone legal review.

Chairman Harrington stated concern with imposing timelines on the various departments. Town Manager Cabanel commented Mr. Tenhave has indicated it is premature to place timeframes on the review at this time.

Town Manager Cabanel recommended the Council approve the concept until additional information could be provided.

Councilor Koenig was not concerned with identified timeframes noting they are more suggestive in nature. There is no penalty involved. He questioned, if the intent is to formalize the process, would the Council also need to formalize a way to amend it. Chairman Harrington stated her desire would be to gather feedback from the department heads as to whether a stated timeframe is a reasonable request to make of the department.

Town Manager Cabanel stated she and Mr. Tenhave, after having had the opportunity to review the document with department heads, could come back before the Council to discuss progress and whether there is the need to make amendments to the document. The Council could then formalize the process.

***The consensus of the Council was to support the proposed process.***

**MOTION made by Councilor Koenig and seconded by Councilor Thornton to table the item until the Council's May 10, 2018 meeting. MOTION CARRIED 5-0-0**

**4. Acceptance of New Hampshire Department of Safety Homeland Security and Emergency Management (HSEM) Grant for the Merrimack Police Department  
Submitted by Captain Brian Levesque**

The Town Council to consider the acceptance and expenditure of New Hampshire Department of Safety, Homeland Security and Emergency Management (HSEM) grant in the amount of \$2,210.68 for training four officers at the 2018 New York Tactical Officers Conference April 24 to April 27, 2018. This includes the conference fee of \$349.99 and three nights lodging per officer, pursuant to RSA 31:95-b and Charter Article 8-15.

Lt. Matthew Tarleton stated the Containment Team is part of the Tactical Officers Association of New Hampshire. As a member you become eligible for certain funding through the Department of Homeland Security. Specifically, the Terrorism Prevention Oriented Activities Grant. It is funding available to all tactical teams in the State. A lot of the teams attend this conference on a yearly basis. This would be the first time Merrimack has sent its officers. It is a three-day conference that entails lectures, practical, classes on leadership, etc.

Councilor Koenig questioned costs exceeding the grant amount, and was informed once all costs are understood, e.g., backfilling shifts, the paperwork would be submitted for reimbursement to the



**Abstract:**

Chapter 111 of the Town Code for Conservation properties covers six of the many open space properties either owned directly by the Town or through the Conservation Commission for the Town. This project is to look at all the open space properties including the current six and determine if they need or if the Town wants to include any regulation on them. If there is a need or want, then determine what regulation would that be along with any penalty for violating that regulation.

Current Chapter 111: <https://www.ecode360.com/14805273>

This project will have four phases that may overlap at times. They include:

1. Investigation
2. Classification
3. Proposed Regulation
4. Town Council review and approval

It is assumed the Merrimack Conservation Commission will lead this process and perform most of the work in these phases except where specifically mentioned.

It is assumed the Town budget will cover all expenses related to the update of this Chapter. They may include Staff and Town Consultant time, copying and documentation costs, legal review and/or consultation, costs of documents noted in this document and not in the current inventory of the Town, etc. Before any costs are incurred, the Town Manager (or delegate) will be aware the MCC or Town Staff requires the expense.

This process will take time to complete. It is hoped the Town Council and Town Manager (and interested Staff) will be monitoring our progress as we proceed so they can anticipate our next needs. To facilitate this, the Chair of the MCC will provide periodic updates and the Council's Ex-Officio member to the Commission can also provide updates to the Council based on the activities of our regular meetings.

**Table of Contents**

**Abstract:..... 1**

**Phase 1 - Investigation ..... 2**

**Phase 2 - Classification..... 4**

**Phase 3 - Proposed Regulation..... 6**

**Phase 4 - Town Council review and approval ..... 7**

### **Phase 1 – Investigation**

The Town has many properties. For this project, Town properties are defined as properties owned by the Town of Merrimack (ToM), Merrimack Conservation Commission (MCC), or similar ownership as listed in the property's deed.

It also includes properties where the Town has an easement of significant open space. An example is the conservation easement on a portion of the Merrimack Middle School property that is owned by the Merrimack School District (MSD). Where an easement is concerned, careful inclusion and cooperation of the primary property owner will be part of this update project when a property is being considered to be included in a Chapter 111 update.

It specifically does not include unrestricted properties owned by the Merrimack Village District (MVD), Merrimack School District, State of New Hampshire (SoNH), private or commercially owned properties, or properties owned by the U.S. Government.

The goals of this phase are to generate a potential list of properties to be included in an update to Chapter 111 and then to gather all pertinent and relevant data on the properties in that list.

This phase includes the following steps:

1. **Generate an Excel file of all the properties owned by the Town (as defined above) to include address, parcel id, book and page of deed from the Hillsborough County Registry, ownership as defined by the latest deed, acreage, known improvements if any, name of property if named, notation if part of a tree farm or designated town forest (per RSA), and any other special features as known by the Town.**

This Excel file is to be provided by the Town Assessing Department for all items it has in its present database on each property.

It is requested this step be completed within two weeks from when this process is approved by the Town Council.

2. **Determine all properties that could be part of this Chapter 111 update.**

The determination includes removing all Town properties that:

- **Have municipal improvements to include buildings, sheds, athletic facilities, or are covered by Chapter 142 (<https://www.ecode360.com/14805360>) in the Town Code.**

**Note:** If there is an improvement that would have a potential conservation purpose, that property may stay on the initial list. An example of this could be a kiosk, trail system, well, etc.

- **Have a defined or specific municipal usage that would not be considered a usage by the general public. Examples include equipment, material, or vehicle storage.**
- **Have a dedicated reserved future usage in mind. An example is the property being reserved for a potential new library. The Town Manager and/or Departments may have set aside other similar properties as well.**

**Note:** There may be others identified as this project gets underway.

The determination would be first done by the MCC (or a sub-committee thereof) to be followed up by a review of the Town Manager and her staff as needed. Department heads and their staff are encouraged to be involved.

It is requested that this review by the Town Manager be completed in two weeks or less once the MCC completes its initial review and provides that to the Town Manager.

At this point, the potential open space list would be shared with the Town Council to get their feedback as either individuals or from the body. Formal feedback would not be requested but the Town Council is free to give that feedback if it so chooses. While that is happening, the investigation phase will continue.

3. **Get an electronic copy of the current deed along with any easements, site plans, or other legal encumbrances mentioned in the current deed.**

If any properties were deeded to the Town by way of a Tax deed, all data as requested above should be provided as mentioned in the deed for that property from before it was given to the Town for tax purposes.

**Note:** Sometimes tax deeds lose or do not show all relevant information.

This step would be completed by the Community Development Department (or as delegated by the Town Manager).

It is requested this step be completed in six weeks or less and provided to the MCC.

4. Get an electronic copy of any known agreements (purchase and sales, donation, etc.), legal proceedings, actions by State or Federal government agencies, or permits. These known documents only include those currently stored in the files of the MCC, Community Development Department, and Building Department.

This step would be completed by the MCC, Community Development Department, Building Department, or as delegated by the Town Manager.

It is requested this step be completed in four weeks or less and provided to the MCC. Hopefully this can be done in conjunction with step #3 above.

5. Get an electronic copy of any known Master, Definitive, Stewardship, Forestry, or related plans that may exist for any of the properties.

This would be done by the MCC or by request to the Community Development Department.

#### **Phase 2 – Classification**

Now that there is a list of potential properties along with all pertinent data on those properties, this phase will group or categorize the properties into groups that have a similar required need or a desired need to have some form of regulation through Chapter 111.

Determining a required need is straight forward as it will already be in an approved document of some form. Those documents may include deeds, approved plans, permits, easements, site plans, documented agreements, known State or Federal law or regulation, etc.

Determining a desired need is more subjective and will involve many parties.

The goals of this phase are to determine the required and desired needs for regulation and then to group all the properties into as few general groups as possible. There will likely be some unusual circumstances and those will be identified and handled, as they become known.

This phase includes the following steps:

1. From the data collected in the previous phase, identify all required needs for regulation on each property. Document these required needs.
2. Perform an initial grouping of the properties.

Note: There may be many properties that do not have a required (as defined above) need for regulation.

3. Determine a desired set of regulations that may apply to one or more properties on the list. The desired regulations should have a public safety, conservation, ecological, or similar concern.
4. From the list generated in step #3, group the properties that should have one or more of these desired regulations.
5. From the list generated in step 2 above, identify if any properties should no longer have a current regulation. Document reason for proposed change in regulation.
6. From the lists generated in steps 4 and 5, group the properties that should have one or more of these desired regulations.
7. Compile all the groupings and related information into a review package.
8. Formally notice and hold a public hearing on the review package as it exists after completion of step #7 above. Based on the comments received, repeat any or all of the previous steps before proceeding.
9. Provide the package to the Town Manager and request the Town Manager (or delegate) provide written input on the package which should include the groupings, types and need for regulations identified, properties included in the groupings, etc.

It is requested this step be completed in three weeks or less and provided to the MCC.

Note: If the Town Manager feels a legal review is required before completing this step, the process will stop until that review is complete. It is hoped the review can be completed in three weeks or less.

10. Incorporate feedback from the Town Manager and repeat any or all of the steps above before proceeding.
11. Provide the package to the Town Council and request a public meeting with the Town Council to discuss the package and gather their feedback on the package and the direction the process is taking. Formally document all feedback and decisions from the meeting.

Request the Town Council give its concurrence that the process should move forward (potentially with some adjustments and repeating of previous steps) or stop and take some other path as desired by the Town Council.

It is requested this step be completed in four weeks from when the package is provided to the Town Council with a meeting that has been properly notified.

12. Incorporate feedback from the Town Council and repeat any or all of the steps above before proceeding. Or take any other appropriate action identified in step #11.

### **Phase 3 – Proposed Regulation**

The goal of this phase is to draw up a draft update to Chapter 111. It should use all the input from the previous phases.

This phase has the following steps:

1. The MCC will generate and approve an initial draft update. It will try to mimic the current Town Code wherever possible.

Prior to starting the draft, the MCC will solicit the Town Manager, Community Development Director, and Town Legal Counsel on how to format the draft updated Chapter and if there are specific phrases, terms, or other items that should be included in the draft Chapter. Input on the appropriate level of violation for any and all sections/regulations will also be requested as well.

2. The initial draft will be provided to the Town Manager to get feedback on the draft and get legal review.

It is requested this step be completed in three weeks or less and feedback provided to the MCC.

3. The MCC will next incorporate feedback and potentially repeat any or all of the above steps before proceeding.
4. Create a draft package to be presented to the public for a formal public hearing.
5. Formally notice and hold a public hearing on the draft package as it exists after completion of the above step. Based on the comments received, repeat any or all of the previous steps before proceeding.
6. Provide copies of the final draft to the Town Council, Town Manager, and any other interested parties. Have paper copies available to the public through the Community Development Department and post an electronic copy of the draft package on the Commission's page of the Town website.

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**Phase 4 – Town Council review and approval**

**The goal of this phase is to enact an update of Chapter 111.**

**This phase will follow the process as defined in the Town Charter to update a chapter in the Town Code. The MCC with the Town Manager will be an active participant in all steps as defined in the Charter.**

# The Process...

Updating Chapter 111

<https://www.ecode360.com/>

14805273



# 4 Phases to Completion

- Phase 1 – Investigation (4+ months)
  - Identify all the potential properties
  - Gather the legal documentation
- Phase 2 – Classification (2 – 4 months)
  - Required and desired regulation (or lack there of)
  - Group the properties
  - Public input, Town staff input, TC input
- Phase 3 – Proposed Regulation (3 months)
  - Draft a new Chapter 111, get legal input
  - Formal input from the Public and Staff
- Phase 4 – Town Council Approval (2 months)
  - Follow Charter process to enact a revised Chapter 111

# What do we want today?

- Agreement on the process to be followed
- Commitment for Staff and Legal costs (labor and material)
- Commitment for Town Council involvement
- Place to store all the data

Map	Lot	Sub	# Street	Acres	Owner1	Owner2	Book	Page	PREVIOUS OWNER
1	00002B 40	0	2 JOEY RD	4.2	MERRIMACK TOWN OF		2648	267	SAVAGE
2	00002B 282	0	CAMP SARGENT RD	0.1	MERRIMACK TOWN OF		1910	422	STATE OF NH
3	00002B 285	0	CAMP SARGENT RD	26.163	MERRIMACK TOWN OF		5666	973	LOT LINE RELOC
4	00002B 285	0	CAMP SARGENT RD		MERRIMACK TOWN OF				
5	00002B 313	1	NATICOOK RD	4.62	MERRIMACK TOWN OF		?	?	N/A
6	00002B 314	0	NATICOOK RD	0.451	MERRIMACK TOWN OF		?	?	N/A
7	00002B 358	1	CONTINENTAL BV	10.75	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM	8602	1916	PATTERSON EDNA
8	00002B 358	2	NATICOOK RD	0.29	MERRIMACK TOWN OF		5802	1022	PATTERSON, GEORGE
9	00002B 360	A	MILFORD RD	0	MERRIMACK TOWN OF		2806	180	??
10	00002B 365	0	DAHL RD	6.4	MERRIMACK TOWN OF		5459	235	ESPANA BUILDING
11	00002B 365	49	DAHL RD	4.59	MERRIMACK TOWN OF		5459	235	ESPANA BLDG & D
12	00002C 48	0	TINKER RD	0.96	MERRIMACK TOWN OF		5339	591	DAIGLE, RENALD
13	00002D 4	4	AL PAUL LN	0.102	MERRIMACK TOWN OF		6104	1535	SOUTHWOOD CORP
14	00002D 17	0	DW HIGHWAY	32.28	MERRIMACK TOWN OF		6228	1911	TAMPOSI, SAM A
15	00002E 5	0	MAST RD	36.58	MERRIMACK TOWN OF		2957	752	4.4A ANHEUSER BUSH
16	00002E 5	0	MAST RD	0	MERRIMACK TOWN OF		2957	752	4.4A ANHEUSER BUSH
17	00002E 5	0	MAST RD	0	MERRIMACK TOWN OF		2957	752	4.4A ANHEUSER BUSH
18	00002E 5	0	MAST RD	0	MERRIMACK TOWN OF		2957	752	4.4A ANHEUSER BUSH
19	00002E 5	1	MAST RD	0.5	MERRIMACK TOWN OF		5408	1797	BOWERS
20	00003A 51	0	AMHERST RD	0.622	MERRIMACK TOWN OF		5447	1577	SEAVERN'S GROUP
21	00003A 61	0	SEAVERN'S BRIDGE RD	0.5	MERRIMACK TOWN OF		3137	601	CORRECTIVE
22	00003B 164	0	AMHERST RD	563	MERRIMACK TOWN OF		6670	2730	NASTAM ASSOCIATE
23	00003B 168	0	REGAL DR	34.99	MERRIMACK TOWN OF		5653	597	CHAGNON FAM INV
24	00003B 227	0	REGAL DR	0.96	MERRIMACK TOWN OF		5653	597	CHAGNON FAM INV
25	00003B 261	0	NATICOOK RD	46.39	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
26	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
27	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
28	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
29	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
30	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
31	00003B 261	0	NATICOOK RD	0	MERRIMACK TOWN OF		5143	913	NATICOOK CAMPS
32	00003B 261	1	NATICOOK RD	87.72	MERRIMACK TOWN OF		5210	172	NATICOOK CAMPS
33	00003C 20	0	NATICOOK RD	4	MERRIMACK TOWN OF		5512	466	CALLAHAN, JOHN
34	00003C 30	1	INGHAM RD	0.22	MERRIMACK TOWN OF		2789	705	FOREST NASH TAM
35	00003C 40	2	CAMP SARGENT RD	2.87	MERRIMACK TOWN OF		N/A		N/A
36	00003C 41	0	GREENS POND RD	1.27	MERRIMACK TOWN OF		2608	637	DIGITAL
37	00003C 43	0	GREENS POND RD	19.571	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM	8325	2	LYNCH RITA
38	00003C 43	1	GREENS POND RD	2.385	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM	8325	2	LYNCH RITA
39	00003C 43	2	GREENS POND RD	2.334	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM	8325	2	LYNCH RITA
40	00003C 44	1	GREENS POND RD	2.453	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM	8325	2	LYNCH RITA
41	00003C 73	0	GREENS POND RD	25.24	MERRIMACK TOWN OF		5892	204	HILL, BERT; HEA

42	00003C	76	1	STEVENS AV	4.68	MERRIMACK TOWN OF			6556	1652	TAMPOSI, SAM A
43	00003D	80		15 ROBERT MILLIGAN PA	35.888	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		5753	351	BFA REALTY PART
44	00004A	2	0	221 AMHERST RD	96	MERRIMACK TOWN OF			7207	2727	IRELAND, CHARLES
45	00004B	35	0	RIVERSIDE DR	27	MERRIMACK TOWN OF			2629	114	JADE REALTY COR
46	00004B	77	1	RIVERSIDE DR	0.3	MERRIMACK TOWN OF			5447	1581	TAMPOSI FAM INV
47	00004B	116	0	99 WILSON HILL RD	2.27	MERRIMACK TOWN OF			2995	275	AUTUMN HILL LAN
48	00004C	99	0	2 SARAH DR	0.929	MERRIMACK TOWN OF			5849	718	MCLAUGHLIN, ROBERT
49	00004C	116	0	1 NORTHWOOD DR	0.661	MERRIMACK TOWN OF			5352	427	DONAHOE, ROBERT
50	00004C	142	0	113 TURKEY HILL RD	0.44	MERRIMACK TOWN OF			5352	428	DONAHOE, ROBERT
51	00004C	157	0	11 CROSS ST	0.379	MERRIMACK TOWN OF			8217	1883	MERRIMACK TOWN OF
52	00004C	255	0	3 ATHONTON RD	6.67	MERRIMACK TOWN OF			2608	470	CARON, FRANCIS
53	00004C	268	0	19 CHRISTOPHER RD	0.18	MERRIMACK TOWN OF			5733	1105	MULLEN, PATRICIA
54	00004C	352	0	30 NEWTON ST	0.716	MERRIMACK TOWN OF			5251	205	HILLCREST BUILD
55	00004C	451	3	44 AMHERST RD	5.986	MERRIMACK TOWN OF			6265	1182	TENHAVE, JOHN
56	00005A	2	0	SOUTH GRATER RD	41.6	MERRIMACK TOWN OF			8216	66	MERRIMACK PREMI
57	00005A	3	0	SOUTH GRATER RD	41.9	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8809	1770	CONSERVANCY FOUNDATION, INC.
58	00005A	5	0	SOUTH GRATER RD	44.238	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8091	1598	GRADER, CHARLES
59	00005A	6	0	SOUTH GRATER RD	5.68	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8091	1621	CAMP, DAVID &
60	00005A	9	0	SOUTH GRATER RD	96.811	MERRIMACK TOWN OF			5352	432	NETHERWOOD NATI
61	00005A	10	0	SOUTH GRATER RD	5.16	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8091	1627	GRADER, GEORGE
62	00005A	63	0	CONSERVATION DR	74.455	MERRIMACK TOWN OF			7372	1022	MERRIMACK TOWN OF
63	00005A	64	0	OFF SOUTH GRATER RD	94	MERRIMACK TOWN OF			6283	999	DENICOLA ANN ES
64	00005A	65	0	OFF SOUTH GRATER RD	14	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8809	1770	CONSERVANCY FOUNDATION, INC.
65	00005A	65	1	OFF SOUTH GRATER RD	14.63	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8809	1755	CONSERVANCY FOUNDATION, INC.
66	00005A	66	0	OFF WILSON HILL RD	3	MERRIMACK TOWN OF			2653	265	NEFF, EDITH & CO
67	00005B	1	0	SOUTH GRATER RD	81.09	MERRIMACK TOWN OF	BY & THROUGH CONSERVATION COMM		8809	1770	CONSERVANCY FOUNDATION, INC.
68	00005B	11	0	OLD BLOOD RD	78.8	MERRIMACK TOWN OF			7928	2467	CAMPO, VINCENT
69	00005B	14	0	20 MARTY DR	1.8	MERRIMACK TOWN OF			5427	978	JCE CONSTRUCTION
70	00005B	42	1	OLD BLOOD RD	0.252	MERRIMACK TOWN OF			4164	336	CAMPO & CIVIELL
71	00005B	88	0	172 BABOOSIC LAKE RD	4.862	MERRIMACK TOWN OF			6276	1714	BISHOP CHILDREN
72	00005B	88	1	178 BABOOSIC LAKE RD	1.79	MERRIMACK TOWN OF			6276	1717	BISHOP, WAYNE E
73	00005B	88	2	176 BABOOSIC LAKE RD	4.862	MERRIMACK TOWN OF			6276	1717	BISHOP, WAYNE E
74	00005B	96	45	MERRYMEETING DR	7.29	MERRIMACK TOWN OF			2964	423	PENNYCOOK GREEN
75	00005B	96	46	MERRYMEETING DR	4.83	MERRIMACK TOWN OF			2964	423	PENNYCOOK GREEN
76	00005B	96	47	1 MEADOWVIEW LN	2.081	MERRIMACK TOWN OF			2995	272	PENNYCOOK GREEN
77	00005B	96	48	MERRYMEETING DR	0.509	MERRIMACK TOWN OF			5203	1186	LEXINGTON RIDGE
78	00005B	132	0	OFF DICK DR	2.3	MERRIMACK TOWN OF					MERRIMACK TOWN OF
79	00005C	73	0	3 JOPPA RD	0.196	MERRIMACK TOWN OF			5648	1966	HOME PARTNERS,
80	00005C	73	5	106 BABOOSIC LAKE RD	0.541	MERRIMACK TOWN OF			5649	343	THIBDEAU, EDGA
81	00005C	98	0	VALLEYVIEW DR	0.344	MERRIMACK TOWN OF			3933	176	KENDALL POND HO
82	00005C	98	1	VALLEYVIEW DR	0.22	MERRIMACK TOWN OF			3933	175	KENDALL POND HO
83	00005C	270	0	32 BURT ST	0.466	MERRIMACK TOWN OF			2665	535	SQUIRE HOMES

84	00005C	274	1	5	DOVER ST	0.06	MERRIMACK TOWN OF	2487	317	BURT ALBERT DORIS
85	00005C	288	1		FOREST DR	0.07	MERRIMACK TOWN OF	5978	277	JOPPA WOODBURY
86	00005C	613	0	14	BEACON DR	0.424	MERRIMACK TOWN OF	8400	2900	DILGER, JOHN G + DANG
87	00005C	615	0		BEACON DR	0.693	MERRIMACK TOWN OF	5652	1513	MERRIMACK, TOWN
88	00005C	645	0	80	TURKEY HILL RD	17.3	MERRIMACK TOWN OF			
89	00005C	645	0	80	TURKEY HILL RD		MERRIMACK TOWN OF			
90	00005C	645	0	80	TURKEY HILL RD		MERRIMACK TOWN OF			
91	00005C	646	0	10	ATHERTON RD	16	MERRIMACK TOWN OF	2608	470	CARON, FRANCIS
92	00005C	658	0		HEMLOCK ST	80	MERRIMACK TOWN OF			
93	00005C	670	0	3	MEETINGHOUSE RD	1.199	MERRIMACK TOWN OF			ONE LINE REALTY
94	00005C	671	0	49	TURKEY HILL RD	5.78	MERRIMACK TOWN OF	5750	1411	ONE LINE DEVELO
95	00005C	797	0	76	TURKEY HILL RD	5.406	MERRIMACK TOWN OF	3413	32	JADE REALTY
96	00005C	850	0		MAYFLOWER RD	14.884	MERRIMACK TOWN OF	6424	74	ONE LINE REALTY
97	00006A	13	9		SAMUEL J. DR	28.118	MERRIMACK TOWN OF	8226	1659	SADDLE BROOK REALTY
98	00006A	85	1		WOODWARD RD	1.228	MERRIMACK TOWN OF	2729	352	HICK HOMES
99	00006B	85	97		HITCHIN POST LN	13.733	MERRIMACK TOWN OF	2729	352	HICK HOMES
100	00006B	85	98	18	WOODWARD RD	10.409	MERRIMACK TOWN OF	2729	352	HICK HOMES
101	00006B	87	99		FRENCH CT	17.036	MERRIMACK TOWN OF	2729	352	HICK HOMES
102	00006B	140	0		KLARA DR	20.163	MERRIMACK TOWN OF	6035	1377	EASEMENT DRAINAGE
103	00006B	158	0		PROFILE DR	61.3	MERRIMACK TOWN OF	8931	12	MERRIMACK TOWN OF
104	00006B	159	0		BEAN RD	5.25	MERRIMACK TOWN OF	8859	158	EGAN EILEEN
105	00006B	186	0		WOODBINE LN	7	MERRIMACK TOWN OF	8940	1287	PROFILE ESTATES HOMEOWNERS
106	00006B	224	1		MITCHELL ST	19.9	MERRIMACK TOWN OF	8931	12	MERRIMACK TOWN OF
107	00006B	247	0	6	STONEDGE WY	2.3	MERRIMACK TOWN OF	5427	978	JCE CONSTRUCTION
108	00006C	23	0	10	BROOKSIDE DR	0.43	MERRIMACK TOWN OF	7703	1758	BUSSIERE, EMILE
109	00006C	27	0	18	BROOKSIDE DR	4.24	MERRIMACK TOWN OF	5628	630	BEIQUE, HENRY R
110	00006C	28	0	20	BROOKSIDE DR	0.551	MERRIMACK TOWN OF	5628	630	BEIQUE, HENRY R
111	00006C	29	0		BROOKSIDE DR	3.8	MERRIMACK TOWN OF	5628	630	BEIQUE, HENRY R
112	00006C	41	0	44	BROOKSIDE DR	0.59	MERRIMACK TOWN OF	6461	679	BEIQUE, HENRY R
113	00006C	49	0	11	HERITAGE DR	0.413	MERRIMACK TOWN OF	6461	681	BEIQUE, HENRY R
114	00006C	50	0	9	HERITAGE DR	0.549	MERRIMACK TOWN OF	6461	680	BEIQUE, HENRY R
115	00006C	137	1		BROOKSIDE DR	3	MERRIMACK TOWN OF	5628	630	BEIQUE, HENRY R
116	00006C	265	0		SAND HILL DR	1.76	MERRIMACK TOWN OF	2818	570	JADE REALTY
117	00006C	300	0	17	EAGLE DR	11.56	MERRIMACK TOWN OF	5789	653	BRIAND, ROMEO L
118	00006C	302	0	1	ROBIN LN	3.808	MERRIMACK TOWN OF	2433	185	NA
119	00006C	577	2		PATTEN RD	0.516	MERRIMACK TOWN OF	5733	1104	MERRIMACK TOWN OF
120	00006D	52	0	10	WOODHAVEN CR	0.47	MERRIMACK TOWN OF	2774	748	BOYNTON HEIGHTS
121	00006D	163	0		RITA ST	5.5	MERRIMACK TOWN OF	2980	87	BROWN, ARTHUR
122	00006D	188	1		BREWSTER ST	0.23	MERRIMACK TOWN OF	2980	88	BROWN, G. ARTHUR
123	00006D	251	0		OFF BELMONT DR	0.78	MERRIMACK TOWN OF			
124	00006D	286	0		BELMONT DR	5.7	MERRIMACK TOWN OF	5447	1584	TAMPOSI, SAMUEL
125	00006D	356	0		BACK RIVER RD	2.766	MERRIMACK TOWN OF	5279	77	UNKNOWN

126	00006D	429	1	DAVIS RD	0.12	MERRIMACK TOWN OF	3933	174	DURRETTE, RICHA
127	00006D	493	1	MINISTERIAL DR	5.9	MERRIMACK TOWN OF	3603	822	RUDOLF, RICHARD
128	00006D	498	0	MINISTERIAL DR	0.75	MERRIMACK TOWN OF	7476	1599	COX, MARGARET ES
129	00006E	4	0	DW HIGHWAY (OFF)	2.8	MERRIMACK TOWN OF	5905	1172	FLATLEY, THOMAS
130	00006E	5	0	DW HIGHWAY (OFF)	0.5	MERRIMACK TOWN OF	5905	1172	FLATLEY, THOMAS
131	00006E	6	0	DW HIGHWAY (OFF)	7.9	MERRIMACK TOWN OF	8336	2266	MERRIMACK RIVER WATERS
132	00006E	7	0	DW HIGHWAY (OFF)	0.8	MERRIMACK TOWN OF	5905	1172	FLATLEY, THOMAS
133	00007A	6	0	PARKHURST RD	0.14	MERRIMACK TOWN OF	5256	1715	GREGG, ELSIE N
134	00007A	9	0	WOODWARD RD	10.8	MERRIMACK TOWN OF	8364	2091	MERRIMACK TOWN OF
135	00007B	1	0	LAWRENCE RD	0.165	MERRIMACK TOWN OF			
136	00007B	2	0	LAWRENCE RD	0.75	MERRIMACK TOWN OF			
137	00007B	15	0	LAWRENCE RD	138.6	MERRIMACK TOWN OF	2151	383	PEARSON WALTER & LESLIE
138	00007C	4	0	LAWRENCE RD	63.1	MERRIMACK TOWN OF			TRUSTEES OF TRUST FUND SCHOOL DIST
139	00007D	129	0	OFF WATERVILLE DR	1.74	MERRIMACK TOWN OF	5447	1583	WATKINS, HARRY
140	00007D	166	1	FAIRWAY DR	0.561	MERRIMACK TOWN OF	5800	1772	TAMPOSI, SAMUEL
141	00007D	166	2	OFF GRAPEVINE RD	2.35	MERRIMACK TOWN OF	3943	157	TAMPOSI, SAMUEL
142	00007D	166	3	WATERVILLE DR	0.6	MERRIMACK TOWN OF	5944	1978	CHAGNON, ROGER
143	00007D	190	1	FAIRWAY DR	10.148	MERRIMACK TOWN OF	5800	1772	BOXWOOD HILLS C
144	00007D	196	0	GREENFIELD DR	0.52	MERRIMACK TOWN OF	5447	1582	TAMPOSI, SAMUEL
145	00007D	197	0	GREENFIELD DR	0.67	MERRIMACK TOWN OF	5447	1578	TAMPOSI FAMILY
146	00007D	198	0	GREENFIELD DR	0.63	MERRIMACK TOWN OF	5447	1579	TAMPOSI FAMILY
147	00007D	236	0	GREENFIELD DR	0.57	MERRIMACK TOWN OF	5447	1580	TAMPOSI FAMILY
148	00007D	289	0	PHEASANT RUN	4.956	MERRIMACK TOWN OF	2825	777	TAMPOSI FAMILY
149	00007D	360	0	PEARSON RD	0.124	MERRIMACK TOWN OF	7885	1414	PATTERSON,DANA
150	00007E	56	0	DW HIGHWAY	0.73	MERRIMACK TOWN OF	5447	1585	UNKNOWN
151	003D-1	3	0	CARON ST	30.8	MERRIMACK TOWN OF	8982	137	TREETOP ASSOC.
152	004D-1	8	0	GRIFFIN ST	0.76	MERRIMACK TOWN OF			SKLAR KLARA
153	004D-1	10	0	GRIFFIN ST	22.32	MERRIMACK TOWN OF	5853	1955	NE POLE, INC, &
154	004D-4	61	0	DW HIGHWAY	1.5	MERRIMACK TOWN OF			
155	005D-1	00011	0	RAILROAD AV	0	MERRIMACK TOWN OF	N/A	N/A	N/A
156	005D-2	7	0	FRONT ST	11.1	MERRIMACK TOWN OF	5853	1960	FOOTE,SHERYL C
157	005D-2	8	0	FRONT ST	11.6	MERRIMACK TOWN OF	5853	1960	FOOTE,SHERYL C
158	005D-2	0000	3	FRONT ST	4.405	MERRIMACK TOWN OF			MICHAEL,GREGORY
159	005D-3	3	0	BABOOSIC LAKE RD	1.24	MERRIMACK TOWN OF	5643	11	MERRIMACK MEDIC
160	005D-3	44	0	BABOOSIC LAKE RD	0.08	MERRIMACK TOWN OF			
161	005D-3	45	0	DW HIGHWAY	1.5	MERRIMACK TOWN OF			
162	005D-3	45	0000	DW HIGHWAY	0	MERRIMACK TOWN OF			
163	005D-3	93	0	SUNNYDALE DR	0.3	MERRIMACK TOWN OF	5352	430	MARTIN,ARTHUR
164	005D-3	111	2	DW HIGHWAY	3.102	MERRIMACK TOWN OF	5842	904	PYNENBURG,
165	005D-3	120	0	DW HIGHWAY	27	MERRIMACK TOWN OF	1533	320	IVERSON HENRY & ELEANOR
166	005D-3	120	0	DW HIGHWAY	0	MERRIMACK TOWN OF			
167	005D-3	126	0	BABOOSIC LAKE RD	5.87	MERRIMACK TOWN OF	2395	651	KENT ETAL
168	005D-3	126	0	BABOOSIC LAKE RD	0	MERRIMACK TOWN OF	2395	651	KENT ETAL
169	005D-3	126	0	BABOOSIC LAKE RD	0	MERRIMACK TOWN OF	2395	651	KENT ETAL
170	005D-4	6	0	DW HIGHWAY	0.94	MERRIMACK TOWN OF	5892	201	NAP REALTY
171	005D-4	29	0	BISHOP ST	0.28	MERRIMACK TOWN OF	8035	2519	BISHOP,SHARI L

172	005D-4	74	0	441	DW HIGHWAY	12.4	MERRIMACK TOWN OF	7556	886	HARCROS CHEMICA
173	005D-4	92	0	423	DW HIGHWAY	0.3	MERRIMACK TOWN OF			
174	005D-4	100	0		OFF MICELWAIN ST	0.92	MERRIMACK TOWN OF	8505	538	PATTERSON JENNIFER L
175	006A-1	133	0		DONALD RD	0.11	MERRIMACK TOWN OF	5447	1576	NICHOLS, ROY E
176	006A-1	135	0		DONALD RD	0.46	MERRIMACK TOWN OF	5978	279	TUFTS, HARRIET
177	006A-2	25	0	0	BAXTER LN	0.11	MERRIMACK TOWN OF	4725	356	LAVIOLETTE, REN
178	006A-2	58	0	18	MIRIAM RD	0.63	MERRIMACK TOWN OF	5563	896	SILVA, MANUEL
179	006A-2	92	1	29	MAYHEW RD	0.104	MERRIMACK TOWN OF	2990	310	LINDEN, SADIE
180	006A-2	104	0	296	BABOOSIC LAKE RD	0.2	MERRIMACK TOWN OF	7876	2432	DESPATHY, ROBERT
181	006A-2	110	0	12	MAYHEW RD	0.286	MERRIMACK TOWN OF	3943	158	BEAULIEU, LEO L
182	006A-2	128	0	4	LONGA RD	0.5	MERRIMACK TOWN OF	3943	156	MERRIMACK TOWN OF
183	006A-2	145	0	5	RICHARDS RD	0.11	MERRIMACK TOWN OF	5652	1514	MERRIMACK TOWN OF
184	006A-2	158	0	14	JEBB RD	0.2	MERRIMACK TOWN OF	5447	1574	HATHAWAY, HOWARD
185	006A-2	180	000PB		JEBB RD	0.067	MERRIMACK TOWN OF	5819	1592	SOMES, MILLARD
186	006D-1	74	1	31	ELM ST	0.176	MERRIMACK TOWN OF	N/A	N/A	N/A
187	006D-1	122	1		PINE ST	0.028	MERRIMACK TOWN OF	8947	1765	KUMAR AJIT
188	6E - 1	10	1		DEPOT ST	1.15	MERRIMACK TOWN OF	5440	1665	BOSTON & MAINE
189	6E - 1	15	1	109	FRONT ST	0.078	MERRIMACK TOWN OF	5978	278	MERRIMACK, TOWN
190	6E - 2	1	0		DW HIGHWAY	2.3	MERRIMACK TOWN OF			
191	6E - 2	21	0	643	DW HIGHWAY	0.8	MERRIMACK TOWN OF	?	?	??