



Town of Merrimack, New Hampshire

Community Development Department
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Town Hall - Lower level - East Wing

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Planning - Zoning - Economic Development - Conservation

MERRIMACK ZONING BOARD OF ADJUSTMENT AGENDA FOR WEDNESDAY, OCTOBER 31, 2018 MATTHEW THORNTON ROOM

7:00 P.M.

*(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, at 8 Baboosic Lake Road, on Wednesday, October 31, 2018 at 7:00 P.M. to consider the petitions described in the agenda below.

- 1. Call to Order (Following the conclusion of a consultation with legal counsel under RSA 91-A:2(I)(b))**
- 2. Roll Call**
- 3. Arne, LLC. (petitioner/owner) — [Variance under Section 3.02 of the Zoning Ordinance to permit a two-lot subdivision with one lot having 159.22 feet of frontage whereas 250 feet is required.](#) *This petition was remanded back to the Zoning Board by the Hillsborough County Superior Court.* The parcel is located at 63 Wilson Hill Road in the R-1 (Residential) and Aquifer Conservation Districts. [Tax Map 4B, Lot 130.](#) Case #2018-02.**
- 4. Alan Brewster (petitioner/owner) – [Variance under Section 3.05 of the Zoning Ordinance to permit an attached garage addition 3 feet from the side property line whereas 15 feet is required.](#) The parcel is located at 1 Mayhew Road in the R-2 (Residential) District. [Tax Map 6A-2, Lot 079-01.](#) Case # 2018-33.**
- 5. Joe & Teresa Machado (petitioner) and WiRed Barn, LLC. (owner) – [Special Exception under Section 2.02.3 \(C\)\(1\) of the Zoning Ordinance to permit the use of an existing single family dwelling to continue on a commercially-zoned parcel that is also being proposed for commercial use.](#) The parcel is located at 3 Wire Road in the C-2 (General Commercial), Flood Hazard Conservation and Aquifer Conservation Districts. [Tax Map 5D-3, Lot 109.](#) Case # 2018-34.**
- 6. Xiang Zhan (petitioner) and Christopher Ross (owner) – [Variance under Section 3.08.8 of the Zoning Ordinance to permit the construction of a single family residence on an existing lot of record that is part of a cluster development without access to municipal sewer.](#) The parcel is located at 15 Tinker Road in the R-4 (Residential) and Aquifer Conservation Districts. [Tax Map 2B, Lot 293-01.](#) Case # 2018-35.**
- 7. Xiang Zhan (petitioner) and Christopher Ross (owner) – [Variance under Section 3.08.9 of the Zoning Ordinance to permit the construction of a private septic system within a cluster development's 100 foot landscaped buffer.](#) The parcel is located at 15 Tinker Road in the R-4 (Residential) and Aquifer Conservation Districts. [Tax Map 2B, Lot 293-01.](#) Case # 2018-36.**
- 8. Mark Rivet (petitioner) and FPL, LLC (owner) – [Special Exception under Section 2.02.13 \(E\)\(3\) of the Zoning Ordinance to permit a lot in the Town Center Overlay District to have less than the required 125 feet of frontage following a lot line adjustment.](#) The parcel is located at an unnumbered lot on Railroad Avenue in the I-1 (Industrial), Aquifer Conservation, Flood Hazard Conservation and Town Center Overlay Districts. [Tax Map 5D-4, Lot 078.](#) Case # 2018-37.**
- 9. Mark Rivet (petitioner) and Fraser Square Realty, LLC. (owner) – [Special Exceptions under Section 2.02.13 \(E\)\(2\), Section 2.02.13 \(E\)\(3\), and Section 2.02.13 \(E\)\(4.a\) to permit a lot in the Town Center Overlay District to have less than the required 20,000 square feet of area, less than the required 125 feet of frontage, and a front setback of less than the required 30 feet, respectively.](#) The parcel is located at 2 Railroad Avenue in the C-2 (General Commercial), Aquifer Conservation, Flood Hazard Conservation and Town Center Overlay Districts. [Tax Map 5D-4, Lot 079.](#) Case # 2018-38.**

10. Mark Rivet (petitioner) and Daniel Hock (owner) – [Special Exceptions under Section 2.02.13 \(E\)\(2\), Section 2.02.13 \(E\)\(3\), Section 2.02.13 \(E\)\(4.a\), and Section 2.02.13 \(E\)\(4.b\) to permit a lot in the Town Center Overlay District to have less than the required 20,000 square feet of area, less than the required 125 feet of frontage, a front setback of less than the required 30 feet, and side setbacks of less than the required 15 feet, respectively.](#) The parcel is located at 4 Railroad Avenue in the C-2 (General Commercial), Aquifer Conservation, and Town Center Overlay Districts. [Tax Map 5D-4, Lot 080](#). Case # 2018-39.

11. Mark Rivet (petitioner/owner) – [Special Exception under Section 2.02.13 \(D\)\(1\) of the Zoning Ordinance to permit the construction of a function hall facility in support of an existing funeral home in the Town Center Overlay District.](#) The parcel is located at 425 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, and Town Center Overlay Districts. [Tax Map 5D-4, Lot 077](#). Case # 2018-40.

12. Discussion/possible action regarding other items of concern

13. Approval of Minutes – September 26, 2018

14. 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: 10/29/2018