



Town of Merrimack, New Hampshire

Community Development Department
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Planning - Zoning - Economic Development - Conservation

**MERRIMACK ZONING BOARD OF ADJUSTMENT
AMENDED AGENDA FOR WEDNESDAY, JULY 31, 2019
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, July 31, 2019 at 7:00 P.M. to consider the petitions described in the agenda below.

- 1. Call to Order**
- 2. Roll Call**
- 3. Pam and Carl Belmonte (petitioners) - [Request for Re-Hearing regarding Case #2019-17, in which the Board granted Variances under Section 3.02 \(A\) of the Zoning Ordinance to permit a two-lot subdivision with one lot having 86,505 sq. ft. of contiguous non-wetland area and the second lot having 65,046 sq. ft. of contiguous non-wetland area whereas 100,000 sq. ft. is required.](#)** The parcel is located at 85 Woodward Road in the R-1 (Residential, by map) and Aquifer Conservation Districts. Tax Map 7A, Lot 007.
- 4. Curtis M. Wheeler, Jr. (petitioner/owner) –** Variances under Section 2.02.1.C.2.c of the Zoning Ordinance to permit a detached Accessory Dwelling Unit (ADU) with 1,078 sq. ft. whereas a maximum of 1,000 sq. ft. is permitted, and under Section 2.02.C.2.d, to permit a detached ADU on a lot comprised of less than 125% of the minimum lot area required by Section 3.02.A, Table 1. The parcel is located as 5 Lakeside Drive in the R-2 (Residential) District. Tax Map 6A-1, Lot 153. Case # 2019-16. **This item is continued from the June 26, 2019 meeting. – The petitioner has requested a continuance to August 28, 2019**
- ~~**5. Curtis M. Wheeler, Jr. (petitioner/owner) –** Variance under Section 3.05 of the Zoning Ordinance to permit an existing deck to remain within the side setback (exact distance from property line to be verified by a certified plot plan) whereas 15 feet is required. The parcel is located as 5 Lakeside Drive in the R-2 (Residential) District. Tax Map 6A-1, Lot 153. Case # 2019-16. **This item is continued from the June 26, 2019 meeting. Withdrawn by the Petitioner.**~~
- 6. Ted Jarvis (petitioner) and GTONH, LLC (owner) - [Variance under Section 17.08 of the Zoning Ordinance to permit a 230 square foot temporary sign whereas a maximum of 32 square feet is permitted, and to permit the display of the sign for longer than 30 days.](#)** The parcel is located at 515 D.W. Highway in the R-4 (Residential), Aquifer Conservation, Town Center Overlay, Elderly Housing Overlay and Planned Residential Development Overlay Districts, and Wellhead Protection Area. [Tax Map 5D-2, Lot C002](#). Case # 2019-18.

7. **Ted Jarvis (petitioner) and GTONH, LLC (owner)** - [Variance under Section 17.08 of the Zoning Ordinance to permit a 120 square foot temporary sign whereas a maximum of 32 square feet is permitted, and to permit the display of the sign for longer than 30 days](#). The parcel is located at 515 D.W. Highway in the R-4 (Residential), Aquifer Conservation, Town Center Overlay, Elderly Housing Overlay and Planned Residential Development Overlay Districts, and Wellhead Protection Area. [Tax Map 5D-2, Lot C002](#). Case # 2019-19.
8. **Scott Watkins (petitioner) and Paul Shea (owner)** – [Variance under Section 3.05 of the Zoning Ordinance to permit a carport 13.5 feet from the front property line whereas 30 feet is required](#). The parcel is located at 10 Bigwood Drive in the R-4 (Residential) and Aquifer Conservation Districts. [Tax Map 4D, Lot 030](#). Case # 2019-20.
9. **17 Premium Outlets LLC (petitioner/owner)** - [Variance under Section 2.02.4.D of the Zoning Ordinance to permit a personal services business within the I-2 \(Industrial\) District](#). The parcel is located at 17 Premium Outlets Boulevard in the I-2 (Industrial) and Aquifer Conservation Districts and Wellhead Protection Area. [Tax Map 3C, Lot 191-03](#). Case # 2019-21.
10. **Nathan Demers (petitioner/owner)** – [Variances under section 3.02 of the Zoning Ordinance to allow for all 3 lots in a proposed three lot subdivision to have approximately 169 feet of frontage whereas 250 feet is required](#). The parcels are located at 26 and 30 Thornton Road West in the R-1 (Residential), and Aquifer Conservation Districts. [Tax Map 2C, Lots 068 & 068-03](#). Cases # 2019-22, 23, & 24.
11. **Apple Development Limited Partnership (petitioner/owner)** – [Special Exception under Section 2.02.3 of the Zoning Ordinance to allow for a residential use in the C-2 \(General Commercial\) District](#). The parcel is located at 360 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Planned Residential Development Overlay and Elderly Housing Overlay Districts. [Tax Map 4D-3, Lot 001](#). Case # 2019-25.
12. **Apple Development Limited Partnership (petitioner/owner)** – [Variance under section 3.02 of the Zoning Ordinance to permit a density of 40 multi-family residential units in the C-2 \(General Commercial\) District whereas 1 per 40,000 square feet is allowed](#). The parcel is located at 360 Daniel Webster Highway in the C-2 (General Commercial) Aquifer Conservation Planned Residential Overlay and Elderly Housing Overlay Districts. [Tax Map 4D-3, Lot 001](#). Case # 2019-25

13. Approval of Minutes — June 26, 2019

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 7/26/2019