



Town of Merrimack, New Hampshire

Community Development Department
6 Baboosic Lake Road
Town Hall - Lower level - East Wing

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Planning - Zoning - Economic Development - Conservation

**MERRIMACK ZONING BOARD OF ADJUSTMENT
AGENDA FOR WEDNESDAY, JULY 28, 2021
MATTHEW THORNTON ROOM
7:00 P.M.**

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 28, 2021 at 7:00 P.M. to consider the petitions described in the agenda below.

1. Call to Order

2. Roll Call

3. Bilden Properties, LLC (petitioner/owner) – Appeal of Administrative Decision determining that the current use of the property is a “junk yard” per the Town Zoning Ordinance and NH RSA 236:112. The parcel is located at 719 Daniel Webster Highway in the C-2 (General Commercial), R-4 (Residential) and Planned Residential Districts. Tax Map 7E, Lot 052. Case # ZBA 2021-07.

4. Nickolay & Tanya Gaponov (petitioners/owners) – Variance under Section 2.02.1.A.2.c of the Zoning Ordinance to permit a Contractor/Storage Yard as a Level I home occupation. The parcel is located at 109 Bedford Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. Tax Map 6C, Lot 194. Case # ZBA 2021-23.

5. Lanson & Diane Simmons (petitioners/owners) - Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a detached garage 10 feet from the side property line whereas 15 feet is required. The parcel is located at 25 Souhegan Drive in the R-4 (Residential), Elderly Housing Overlay and Aquifer Conservation Districts. Tax Map 5C, Lot 528. Case # ZBA 2021-24.

6. Janheim Associates, LLC (petitioner/owner) - Variance under Section 3.02, Note 6 of the Zoning Ordinance to permit a 7.5 foot high retaining wall 15 feet from the Daniel Webster Highway right-of-way whereas 50 feet is required. The parcel is located at 281 Daniel Webster Highway in the C-1 (General Commercial), I-1 (Industrial) Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 3D-2, Lot 033. Case # ZBA 2021-25.

7. MJ 20 Beacon St, LLC (petitioner/owner) - Variance under Section 2.02.7 (A) (6) of the Zoning Ordinance to permit a detached garage 19.9 feet from the edge of a wetland whereas 40 feet is required. The parcel is located at 20 Beacon Drive in the R-1 (Residential, by soils), Floodplain and Aquifer Conservation Districts. Tax Map 5C, Lot 617. Case # ZBA 2021-26.

8. Andrew Sullivan (petitioner) and 598 DW Highway, LLC (owner) - Special Exception under Section 2.02.2(C) of the Zoning Ordinance to permit a multi-family residential use in the C-1 (Limited Commercial) District. The parcel is located at 598 Daniel Webster Highway in the C-1 (Limited Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 6D-1, Lot 028. Case # ZBA 2021-27.

9. Andrew Sullivan (petitioner) and 598 DW Highway, LLC (owner) - Variances under Section 3.05 of the Zoning Ordinance to permit construction of 8 multi-family units with a minimum lot area of 26,136 s.f whereas 320,000 is required, a minimum lot depth of 125 feet whereas 200 feet is required, a front setback of 25 feet, whereas 50 feet is required and a rear setback of 22.5 feet whereas 40 feet is required. The parcel is located at 598 Daniel Webster Highway in the C-1 (Limited Commercial), Aquifer Conservation and Elderly Housing Overlay Districts. Tax Map 6D-1, Lot 028. Case # ZBA 2021-28.

10. Discussion/possible action regarding other items of concern

11. Approval of Minutes — June 30, 2021

12. 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 7/15/2021