



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, MAY 31, 2023 MATTHEW THORNTON ROOM 6:30 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, May 31, 2023 at 6:30 P.M. to consider the petitions described in the agenda below.

(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)

1. **Call to Order**
2. **Roll Call**
3. **[Annual Meeting – Election of Officers & Review of Rules of Procedure](#)**
4. **526 DW, LLC (petitioner/owner) – [Variance under Section 17.07.3 of the Zoning Ordinance to permit a billboard sign to be erected in the \(C-2\) General Commercial District.](#)** The parcel is located at 526 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-11. ***This item is continued from the March 29, 2023 and April 26, 2023 meetings.***
5. **526 DW, LLC (petitioner/owner) – [Variance under Section 17.10.3 of the Zoning Ordinance to permit a second ground sign \(520.8 square foot billboard sign\) to be erected with less than 300 feet of contiguous frontage along the same right-of-way.](#)** The parcel is located at 526 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-15. ***This item is continued from the April 26, 2023 meeting.***
6. **526 DW, LLC (petitioner/owner) – [Variance under Section 17.11 of the Zoning Ordinance to permit a sign devoted to off-premise advertising where a sign advertising the on premise uses already exists.](#)** The parcel is located at 526 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-16. ***This item is continued from the April 26, 2023 meeting.***
7. **526 DW, LLC (petitioner/owner) – [Variance under Section 2.02.7 \(A\) \(6\) of the Zoning Ordinance to permit the placement of a structure \(two sign posts\) to be located 28.2 feet and 33 feet from a wetlands boundary whereas 40 feet is required.](#)** The parcel is located at 526 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-12. ***This item is continued from the March 29, 2023 and April 26, 2023 meetings.***
8. **526 DW, LLC (petitioner/owner) – [Variance under Section 17.10.3 \(b\) of the Zoning Ordinance to permit placement of a ground sign to be setback 3 feet from the edge of a public right-of-way whereas a 20 foot setback is required.](#)** The parcel is located at 526 Daniel Webster Highway in the

C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-13. *This item is continued from the March 29, 2023 and April 26, 2023 meetings.*

9. **526 DW, LLC (petitioner/owner)** – [Variance under Section 17.10.3 of the Zoning Ordinance to permit a ground sign with a maximum area greater than 100 square feet and visible from the F.E. Everett Turnpike in an area with a posted speed limit of 65 miles per hour](#). The parcel is located at 526 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay Districts and the Wellhead Protection Area. [Tax Map 5D-2 Lot 001](#). Case # ZBA 2023-14. *This item is continued from the March 29, 2023 and April 26, 2023 meetings.*
10. **Drop One Portables, Inc. (petitioner) and Strategic Acquisition & Real Estate Holdings, LLC (owner)** – [Variance under Section 2.02.3 of the Zoning Ordinance to permit a contractor's yard in the C-2 \(General Commercial\) District where the use is not permitted](#). The parcel is located at 658 Daniel Webster Highway in the C-2 (General Commercial) and Aquifer Conservation Districts and the Wellhead Protection Area. [Tax Map 6E-2 Lot 13](#). Case # ZBA 2023-17.
11. **Michael & Carolanne Caron (petitioners/owners)** – [Variance under Section 2.02.1.c.2 \(d\) to permit a detached Accessory Dwelling Unit on a lot with 20,691 square feet whereas at least 125,000 square feet of lot area is required](#). The parcel is located at 12 Collins Ave in the R-1 (Residential, by soils), Aquifer Conservation, and Elderly Housing Overlay Districts. [Tax Map 6D Lot 564](#). Case # ZBA 2023-18.
12. **Michael & Carolanne Caron (petitioners/owners)** – [Variance under Section 2.02.1.c.2 \(c\) to allow a detached Accessory Dwelling Unit with 1,120 square feet of living space whereas a maximum of 1,000 square feet of living space is permitted](#). The parcel is located at 12 Collins Ave in the R-1 (Residential, by soils), Aquifer Conservation, and Elderly Housing Overlay Districts. [Tax Map 6D Lot 564](#). Case # ZBA 2023-21.
13. **Bill Norling (petitioner) and Merrimack Memorial Post #98 (owner)** – [Variance under Section 17.09.3 to permit a nonresidential electronic graphic display sign in the R \(Residential\) District where not permitted](#). The parcel is located at 43 Baboosic Lake Road in the R-4 (Residential, by soils), Aquifer Conservation, Elderly Housing Overlay, and Town Center Overlay Districts. [Tax Map 5D-3 Lot 1](#). Case # ZBA 2023-20.
14. **Bill Norling (petitioner) and Merrimack Memorial Post #98 (owner)** – [Variance under Section 17.09.3 to permit a nonresidential sign 31.9 square feet in size whereas a maximum of six square feet is permitted](#). The parcel is located at 43 Baboosic Lake Road in the R-4 (Residential, by soils), Aquifer Conservation, Elderly Housing Overlay, and Town Center Overlay Districts. [Tax Map 5D-3 Lot 1](#). Case # ZBA 2023-19.
15. **S.J. Torres (petitioner) and Orrin H. Connell Family Trust (owner)** – [Variance under Section 2.02.7.A.6 to allow two storage container structures/ground signs to remain 18 feet from a jurisdictional wetland whereas 40 feet is required](#). The parcel is located at 454 DW Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay, and Town Center Overlay Districts. [Tax Map 5D-4, Lot 54](#). Case # ZBA 2023-22.
16. **S.J. Torres (petitioner) and Orrin H. Connell Family Trust (owner)** – [Variance under Section 2.02.7.A.7 to allow two storage container structures/ground signs to remain within the non-disturbance wetland buffer area whereas a 25 foot buffer is required](#). The parcel is located at 454 DW Highway in the C-2 (General Commercial), Aquifer Conservation, Elderly Housing Overlay, and Town Center Overlay Districts. [Tax Map 5D-4, Lot 54](#). Case # ZBA 2023-23.
17. **Discussion/possible action regarding other items of concern**

18. Approval of Minutes — April 26, 2023

19. 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: 5/26/2023