



# Town of Merrimack, New Hampshire

Community Development Department

603 424-3531

6 Baboosic Lake Road

Fax 603 424-1408

Town Hall - Lower level - East Wing

[www.merrimacknh.gov](http://www.merrimacknh.gov)

Planning - Zoning - Economic Development - Conservation

## MERRIMACK ZONING BOARD OF ADJUSTMENT

### APPROVED MINUTES

WEDNESDAY, AUGUST 28, 2019

**Board members present:** Patrick Dwyer, Lynn Christensen, Kathleen Stroud, Rod Buckley, Richard Conescu, and Alternates Leonard Worster and Ben Niles.

**Board members absent:** Alternate Drew Duffy

**Staff present:** Planning & Zoning Administrator Robert Price

#### 1. Call to Order

*Patrick Dwyer called the meeting to order at 7:00 p.m.*

#### 2. Roll Call

Patrick Dwyer led the pledge of allegiance and swore in members of the public who would be testifying. Richard Conescu read the preamble.

- 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, and July 31, 2019 meetings.**

This item was discussed after Item 2.

***Withdrawn by petitioner.***

- 5. Robert A. Curry (petitioner/owner)** – Variance under section 3.02 of the Zoning Ordinance to permit a two family residence in the R-1 (Residential, by map) District where only single family residences are allowed. The parcel is located at 2 County Road in the R-1 (Residential, by map), Aquifer Conservation and Flood Hazard Conservation Districts. Tax Map 3A, Lot 065. Case #2019-27.

This item was discussed before Item 3.

Gregory Michael, Bernstein Shur, Sawyer & Nelson, stated that after reviewing certain aspects of their petition, the petitioner has opted to withdraw without prejudice.

***Withdrawn by petitioner.***

**3. Annual Meeting – Election of Officers and Review of Rules of Procedure**

*This item was discussed after Item 5.*

Robert Price noted that staff is not proposing any changes to the Board's Rules of Procedure.

***The Board voted 4-0-1 to elect Richard Conescu as Chair, on a nomination made by Lynn Christensen and seconded by Kathleen Stroud. Richard Conescu abstained.***

***The Board voted 4-0-1 to elect Kathleen Stroud as Vice Chair, on a nomination made by Lynn Christensen and seconded by Rod Buckley. Kathleen Stroud abstained.***

**6. Discussion/possible action regarding other items of concern**

Patrick Dwyer explained that he recently attended a Town Council meeting and was asked about the amount of development that has been approved in the recent past. The Board entered into a brief discussion about traffic concerns and how that gets reviewed by the Planning Board on a development-by-development basis, ultimately reminding everyone that traffic is not under the purview of the ZBA.

Lynn Christensen reminded the Board that the Town of Merrimack is now a member of the NH Municipal Association, and that trainings are available to Board members. Robert Price requested that any member signing up for training notify the Community Development Department so they can keep track for a report to the Town Council at the end of the fiscal year.

**7. Approval of Minutes – July 31, 2019**

***The minutes of July 31, 2019, were approved as submitted, by a vote of 3-0-2, on a motion made by Kathleen Stroud and seconded by Rod Buckley. Richard Conescu and Lynn Christensen abstained.***

**8. Adjourn**

***The meeting was adjourned at 7:13 p.m., by a vote of 5-0-0, on a motion made by Kathleen Stroud and seconded by Lynn Christensen.***