



# Town of Merrimack, New Hampshire

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Planning - Zoning - Economic Development - Conservation

## **MERRIMACK ZONING BOARD OF ADJUSTMENT VIRTUAL MEETING APPROVED MINUTES WEDNESDAY, NOVEMBER 18, 2020 7:00 P.M.**

Board members present: Richard Conescu, Patrick Dwyer, Rod Buckley, Lynn Christensen, and Alternate Ben Niles.

Board members absent: Alternate Drew Duffy.

Staff present: Assistant Planner, Casey Wolfe.

Due to the COVID-19 crisis, and in accordance with Governor Sununu's Emergency Order #12 pursuant to Executive Order 2020-04, the Zoning Board of Adjustment is authorized to meet electronically.

As stated on the agenda, the meeting was aired live on Merrimack TV. Telephone access was available for members of the public wishing to speak during the Public Hearing or provide public comment. Also identified on the agenda was the opportunity for general public comment to be submitted leading up to the start of the meeting via email to [CommDev@MerrimackNH.Gov](mailto:CommDev@MerrimackNH.Gov).

Members of the Board and Town Staff were participating via Zoom. In accordance with RSA 91-A:2 III, each member of the Board was asked to state, for the record, where they were, and who, if anyone, was with them.

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### **1. Call to Order**

Richard Conescu called the meeting to order at 7:04 p.m and appointed Ben Niles to sit for the vacant full member position.

### **2. Roll Call**

- **Richard Conescu:** Stated he was participating alone in the room he was in.
- **Ben Niles:** Stated he was participating alone in the room he was in.
- **Rod Buckley:** Stated he was participating alone in the room he was in.
- **Patrick Dwyer:** Stated he was participating alone in the room he was in.
- **Lynn Christensen:** Stated she was participating alone in the room she was in.

Patrick Dwyer read the preamble.

- ### **3. Craig Belhumeur (petitioner/owner) – Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a detached garage with a side setback of 8.5 feet whereas 15 feet is required. The parcel is located at 12 Bradford Drive in the R-1 (Residential, by soils) & Aquifer Conservation Districts and Wellhead Protection Area. Tax Map 6D, Lot 309. Case # ZBA 2020-39.**

Casey Wolfe advised the Board that the application was not submitted with a certified plot plan that shows the property lines and the setbacks cannot be appropriately determined without one. Staff is recommending a continuance of this project to allow time for the petitioner to get the land surveyed. She also reminded the Board that if they decide to continue the project to the next meeting, the plot plan will need to be received on or before the submittal deadline (December 15<sup>th</sup>) to allow time for staff to review it.

Craig Belhumeur (petitioner) advised the Board that he can obtain the necessary survey prior to the next submittal deadline (December 15<sup>th</sup>) and requested a continuance to the December 30, 2020 meeting.

**The Board voted 5-0-0, on a roll call vote, to continue this item to December 30, 2020 at 7:00 p.m. on a motion made by Lynn Christensen and seconded by Rod Buckley.**

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

The Board discussed the Vice-Chair vacancy and Chairman Conescu recommended that Ben Niles be appointed as a full member before considering a replacement for the position. Ben Niles advised the Board that he did send a request to the Town Council Chair requesting to become a full member and is awaiting a response. Casey responded that she spoke with the General Government Department about the process and was told that they need to advertise the vacancy before appointing an alternate to a full member.

Chairman Conescu advised the Board that he will be presenting a report of the ZBA's 2020 decisions to the Town Council at the November 19, 2020 meeting. He shared the list of 2020 projects with the Board and they discussed ways to present the data to the Town Council.

**5. Approval of Minutes – October 28, 2020**

**The Board voted 4-0-1, on a roll call vote, to approve the minutes of October 28, 2020 on a motion made by Patrick Dwyer and seconded by Ben Niles. Lynn Christensen abstained.**

**6. Adjourn**

**The Board voted 5-0-0 to adjourn at 7:30 p.m. on a motion made by Patrick Dwyer and seconded by Rod Buckley.**