



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, JUNE 25, 2025 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, June 25, 2025 at 6:30 P.M. to consider the petitions described in the agenda below.

1. Call to Order

2. Kaitlyn Stathopoulos (petitioner/owner) – Variance under Section 3.05 of the Zoning Ordinance to permit the construction of a deck 10.2 feet from the side property line at its closest point whereas 15 feet is required. The parcel is located at 6 Mayflower Road in the R-1 (Residential, by soils) and Aquifer Conservation Districts. Tax Map 5C Lot 11. Case # ZBA 2025-16.

3. D Kern II, LLC (petitioner/owner) – Special Exception under Section 2.02.3 (C) (1) (d) of the Zoning Ordinance to permit a new and used auto sales use in the C-2 (General Commercial) District. The parcel is located at 386 Daniel Webster Highway in the C-2 (General Commercial), Aquifer Conservation, and Elderly Housing Overlay Districts. Tax Map 4D-3 Lot 28. Case # ZBA 2025-17.

4. John J. Flatley Company (petitioner) and John J. Flatley & Gilbert Crossing, LLC (owner) – Variance under Section 2.02.4 (B) of the Zoning Ordinance to permit a mixed-use residential and commercial development (consisting of 304 residential units, 41,000 square feet of commercial and restaurant space, a hotel and common clubhouse facility) in the I-1 (Industrial) District. The parcel is located at 645 DW Highway in I-1 (Industrial), Aquifer Conservation, and Elderly Overlay Districts. Tax Map 6E-3 Lots 1 and 3. Case # ZBA 2025-18.

5. John J. Flatley Company (petitioner) and John J. Flatley & Gilbert Crossing, LLC (owner) – Variance under Section 3.02 (A) of the Zoning Ordinance to permit a total of 304 units in a mixed use development where a maximum of 46 units is permitted (proposed density of approximately 6 units per 40,000 s.f. whereas 1 unit per 40,000 s.f. is allowed). The parcel is located at 645 DW Highway in I-1 (Industrial), Aquifer Conservation, and Elderly Overlay Districts. Tax Map 6E-3 Lot 1. Case # ZBA 2025-19.

6. Discussion/possible action regarding other items of concern

- **117 Camp Sargent (owner), LLC & Fieldstone Land Consultants, PLLC (petitioner)**- Request for rehearing of Case #ZBA 2025-08, in which the Board granted a variance under Section 2.01.7 of the Zoning Ordinance to permit an elderly housing development beyond the required radius from the intersection of Daniel Webster Highway and Baboosic Lake Road.

7. Approval of Minutes – May 28, 2025

8. 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. ***If this meeting is cancelled for any reason, all of the above-listed agenda items will be taken up on July 30, 2025.***

Posted June 10, 2025