

THE STATE OF NEW HAMPSHIRE
TOWN OF ALLENSTOWN
MINUTES OF MEETING-February 4, 2017

TO THE INHABITANTS OF THE TOWN OF ALLENSTOWN, IN THE COUNTY OF MERRIMACK, STATE OF NEW HAMPSHIRE, QUALIFIED TO VOTE IN TOWN AFFAIRS:

You are hereby notified to meet at the Allenstown Community Center, 8 Whitten St. Allenstown, N.H. on Saturday, February 4, 2017 at 9:00 a.m. (or, in the event of inclement weather, on Wednesday, February 8, 2017 at 6 p.m.) for the purpose of transacting all business other than voting by official ballot and thereafter to meet on Tuesday, March 14, 2017 between 8:00 a.m. and 7:00 p.m. at the St. John the Baptist Parish Hall, located at 10 School Street in Allenstown N.H., to elect officers, vote on zoning articles and to vote on all warrant articles from the first session by official ballot.

Moderator, Dennis Fowler, began the meeting at 11:15 a.m. There were 47 registered voters in attendance. He reviewed the rules for the meeting, including the allowance of positive motions only, no more than two amendments per Article, names should be clearly stated and that he may request the motions to be submitted in writing.

ARTICLE 1

To choose all necessary Town Officers for the ensuing year as follows:

Town Treasurer, for a term of one (1) year;
Select Board Member, for a term of three (3) years;
Sewer Commissioner, for a term of three (3) years;
Trustee of Trust Funds, for a term of three (3) years;
Library Trustee, for a term of two (2) years;
Library Trustee, for a term of three (3) years;
Trustee of Cemeteries Fund, for a term of three (3) years;
Budget Committee Member, for a term of three (3) years;
Budget Committee Member, for a term of three (3) years;
Budget Committee Member, for a term of three (3) years;
Budget Committee Member, for a term of three (3) years;
Supervisor of the Checklist, for a term of three (3) years;
Town Clerk/Tax Collector, for a term of three (3) years;

ARTICLE 2

Are you in favor of the adoption of Amendment No. 1 as proposed by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows (complete text available at Town Hall or on the Town's website):

To amend Article 2, Definitions, by adding by adding the following definitions: Accessory Structure; Adjacent; Alternative Energy Systems; Air Pollution Control Act; Bog; Buffer, Wetland, Building Height; Building-Integrated Photovoltaic (BIPV) Systems (also known as "solar energy system"); Collective Solar; Common Area; Common Facilities; Flush-Mounted Solar Panel; Freestanding or Ground-Mounted Solar Energy Systems; Homeowners Association; Hydric Soils; Meteorological tower (met tower); Modification (in regards to small wind systems); Municipality; Net Metering; Open Space; Power Grid; Prime Wetlands; Qualified Solar Installer; Rooftop or Building Mounted Solar System; Shadow Flicker (small wind systems); Small-Scale Solar; Small Wind Energy System; Solar Access; Solar Collector; Solar Easement; Solar Energy Equipment/System; Solar Panel; Solar Storage Battery; Solar-Thermal Systems; System Height (for small wind systems); Tower (small wind systems); Tower Height (small wind systems); Vernal Pool; Wetland; and, Wind Generator (small wind systems).

To amend Article 2, Definitions, by revising the following definitions: redefine "Accessory Dwelling Unit" by providing an abbreviation, "ADU"; redefine "Development," by deleting the current definition and revising to state that "development" includes any human-made change to improved or unimproved real estate; redefine "Structure" to removed existing definition and state that it is anything that is constructed or erected requiring a location on the ground and excluding swimming pools, fences, and walls used as fences; redefine "Surface Waters" as "Surface Waters of the State" and redefine the term in accordance with NH RSA 485-A:2.XIV.

To amend Article 2, Definitions, by deleting the definition "Outdoor Flea Markets."

Recommended by the Planning Board

ARTICLE 3

Are you in favor of the adoption of Amendment No. 2 as proposed by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article V, Establishment of Zones, Section 503, by referencing the official zoning map of the Town of Allenstown and by whom it was prepared.

To amend Article VI, Open Space and Farming, Section 601 by adding to the list of permitted uses "Accessory Small-Scale Solar", "Accessory Small-Scale Wind" and "Cluster Housing" in accordance to Supplemental Regulation Section 1125.

To amend Article VI, Open Space and Farming, Section 602 by removing "Senior Housing" from the list of uses permitted by Special Exception.

To amend Article VI, Open Space and Farming, Section 602 by removing Section n, "Cluster Housing," from the list of uses permitted with a Special Exception and establish a new Supplemental Regulation, Article XI, Section 1125 for "Cluster Housing" in its place. The new Section 1125 will specify that cluster housing is permitted in the in the OSF, the R1 and R2 on land not located in the Suncook Infill Development District by right; establish certain overall density requirements; establish certain housing type requirements; establish certain parent tract size, dimensional, and setback requirements; establish certain size, dimensional, and setback requirements for the individual home lots; specify the specific uses permitted in the open space; specify the quality and makeup of open space; specify certain requirements for a homeowner or condominium association for the management of open space; and, specify the disposition and management of open space and common areas.

To amend Article VII, Residential Zone, Section 701 by removing "Senior Housing" from the list of permitted uses and adding "Accessory Small-Scale Solar" and "Cluster Housing".

To amend Article VII, Residential Zone, Section 701 by adding "Accessory Small-Scale Wind" and "Cluster Housing" as a use permitted by right and to refer to the Supplemental Regulation Section 1125.

To amend Article VIII, Business Zone, Section 801, by adding "Accessory Small-Scale Solar" to the list of permitted uses.

To amend Article IX, Industrial Zone, Section 901, by adding "Accessory Small-Scale Solar" to the list of permitted uses.

To amend Article XXIII, Suncook Infill Development District, by removing "Senior Housing" from the list of permitted uses in the district and replacing with the term "Reserved."

Recommended by the Planning Board

ARTICLE 4

Are you in favor of the adoption of Amendment No.3 as proposed by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XI, Supplemental Regulations, Section 1111 pertaining to Signs, by repealing the current language and replacing it with the following: a new ordinance that specifies the intent of the ordinance (primarily safety, property value protection, and aesthetic appeal of Allenstown); specifies construction requirements; specifies dimensions of signs per zoning district; specifies the number of signs permitted per zoning district; specifies the number of signs and dimensions permitted for a home occupation;

Specifies that a permit is needed from the Code Enforcement Officer or Building Inspector; specifies the Sign Permit Application process and appeals process; Specifies Sign Permit Fee as \$35; provides a table depicting certain sign specifications by district; provides a list of certain signs prohibited in all zoning districts; provides certain requirements for illuminated signs; provides standards for public safety; provides provisions for street signs and street numbers;

Provides provisions for certain signs not requiring a permit, including: grandfathered, government signs, street numbering, required warning signs, temporary signs; provides provisions for temporary signs; provides maintenance and replacing provisions of all signs; provides certain requirements for flags; provides guidance for "sandwich signs;"

And, provides definitions including: A-Frame/Sandwich Board Sign, Animated or Moving sign, Awning sign, Changeable Copy Sign, Complex, Directional Sign, Double-Faced Sign, Electronic Reader Board, Freestanding Sign, Government Sign, Grandfathered/Non-conforming Sign, Height of Sign, Historic Plaque, Illuminated Sign, Portable Sign, Projecting Sign, Roof Line, Roof Sign, Seasonal Agricultural Sign, Sign, Temporary Sign, Unit, Wall Sign, and Window Sign.

Recommended by the Planning Board

ARTICLE 5

Are you in favor of the adoption of Amendment No.4 as proposed by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XI, Supplemental Regulations, by creating a new Accessory Dwelling Unit Section 1124 in accordance with NH RSA 674:72, as amended. This new Section shall specify that an Accessory Dwelling Unit (ADU) is permitted on any lot containing a single family home and that it must be attached to the home; that the Planning Board is authorized to issue a Conditional Use Permit if the applicant can demonstrate that certain requirements have been

met including: not more than one ADU per lot, must be an independent living unit, must have an interior door between the ADU and principal structure, there must be adequate water and sewer disposal, the ADU maintains the look and feel of the single family home, the owner of the property must occupy either the single family home or ADU, and, that the ADU must not exceed one half of the total floor area of the single family dwelling if it is over 775 square feet; and, specify certain application material requirements and fees associated with submitting a Conditional Use Permit application.

Recommended by the Planning Board

ARTICLE 6

Are you in favor of the adoption of Amendment No. 5 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XVII, Presite Built Housing and Manufactured Housing, Section 1703.h.1 by specifying that all home sites shall be at least 10,000 square feet in size.

To amend Article XVII, Presite Built Housing and Manufactured Housing, Section 1703.h.2 by specifying that each home site shall maintain a fifteen foot setback from the front and rear site line.

Recommended by the Planning Board

ARTICLE 7

Are you in favor of the adoption of Amendment No. 6 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XXII, Agricultural Conservation District, Section 2201.C by specifying the boundaries of the district are those depicted on the Official Zoning Map of the Town of Allenstown, dated March 14, 2017.

To adopt a new Official Zoning Map of the Town of Allenstown, dated March 14, 2017 as prepared by the Central New Hampshire Regional Planning Commission and entitled: Official Zoning Map of the Town of Allenstown, NH March 14, 2017.

Recommended by the Planning Board

ARTICLE 8

Are you in favor of the adoption of Amendment No. 7 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XXV, Permanent (Post-Construction) Stormwater Management Ordinance, Section III by adding text to specify that single family homes and duplexes that are on individual lots and not part of a larger development that requires a Stormwater Management Permit are exempt from the Article.

To amend Article XXV, Permanent (Post-Construction) Stormwater Management Ordinance, Section IV by adding text to specify that the provisions of the Stormwater Management Plan section are required components for new development, as applicable.

Recommended by the Planning Board

ARTICLE 9

Are you in favor of the adoption of Amendment No.8 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To amend Article XXVI, Adult Business Ordinance, by amending Section VIII.B.a to indicate that all setback requirements must be met.

To amend Article XXV, Permanent (Post-Construction) Stormwater Management Ordinance, Section III, by adding Section C which exempts single family and duplex homes on individual lots and not part of a larger development requiring a Stormwater Management Permit from the Ordinance.

To amend Article XXV, Permanent (Post-Construction) Stormwater Management Ordinance, Section IV, by adding the words “[o]ther required components for new development, as applicable, include.”

Recommended by the Planning Board

ARTICLE 10

Are you in favor of the adoption of Amendment No.9 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To establish a new Article XXVIII pertaining to Alternative Energy under the provisions of NH RSA 674:21 for the purpose of accommodating demands for alternative energy systems and implementing the Allenstown Master Plan, with certain provisions for Small Wind Systems and Small solar systems, including:

Small Wind Systems: a conditional use permit shall be required by the building inspector; specifying certain application materials including a plan showing location and design of the system with setbacks and property features, system design specifications, evidence of compliance with various governmental entities, abutter information, power grid connection information (as applicable), sound analysis, and regional notification provisions in accordance with NH RSA 674:66; specification of certain standards for compliance in order for the permit to be issued by the Building Inspector include: setbacks, zoning district permissibility (small wind systems are permitted by right in the Open Space and Farming Zone only), wind system design (approved designer, height, sound, appearance, shadow flicker, code compliance Federal Aviation Administration specifications), visual impacts, mitigation of impact to abutters, utility connection, access, and clearance of vegetation.

Small Wind Systems: all small-scale solar systems must be installed in accordance with all applicable codes, regulations, and standards; systems for the benefit of those on site but “net metering/net billing” is not prohibited; permitting shall follow State Building Code, as applicable; small-scale solar is permitted in all districts in Allenstown; a building permit shall be required for all roof-top and building-mounted installations; height limitations in the Zoning Ordinance are not applicable to roof systems; ground-mounted systems shall adhere to all setbacks, may not exceed twenty feet of height at maximum tilt, shall be reasonably screened and minimize view blockage; and shall require a building permit; Solar-thermal systems shall require a building permit; Solar Systems shall only be permitted if they are deemed safe by the Building Inspector given certain factors (Building and Life Safety Code compliance, weight load, wind resistance, ingress/egress during emergency; pre-operation safety verification including: inspection by Building Inspector and electrical inspector/agency as appropriate prior to operation, utility inspection as applicable, system in good working order, Fire/Life Safety code standard compliance for roof and building-mounted collectors, storage batteries in a secure container; removal required after 12 months of inoperability.

Certain provisions shall apply to both Small-Scale Solar and Small Wind Systems, including: any aggrieved person may seek relief from the Zoning Board of Adjustment in accordance with NH RSA 674:66, as amended; the abandonment of any system shall result in the removal of the system after 12 months of inoperability, and, the building inspector shall enjoy certain enforcement actions to ensure the removal of the system within twelve months of inoperability.

Recommended by the Planning Board

ARTICLE 11

Are you in favor of the adoption of Amendment No.10 by the Allenstown Planning Board for the Town of Allenstown Zoning Ordinance as follows:

To authorize certain formatting and editing provisions throughout the Allenstown Zoning Ordinance including: page number consistency, table of contents corrections, to update and ensure proper citation to relevant New Hampshire RSAs, to ensure accuracy throughout the Zoning Ordinance, to revise Article numbers based on overall changes to the ordinance, and to update the list of Zoning Ordinance Change Dates as applicable.

Recommended by the Planning Board

Articles 1 through 11 will be taken care of on Tuesday, March 14, 2017.

ARTICLE 12 Suncook Pond Wastewater Pump Station Project

To see if the Town will vote to raise and appropriate the sum of \$1,616,000 (gross budget) for the purpose of financing the costs of engineering and construction of the Suncook Pond Wastewater Pump Station; to authorize the issuance of not more than \$1,616,000 of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); to authorize the Selectboard to apply for, obtain and accept federal, state or other aid, if any, which may be available for said project and to comply with all laws applicable to said project; to authorize the Selectboard to apply for a Clean Water State Revolving Fund (CWSRF) loan; to authorize the Selectboard to issue, negotiate, sell and deliver said bonds and notes and to determine the rate of interest thereon and the maturity and other terms thereof; and to authorize the Selectboard to take any other action or to pass any other vote relative thereto. Without impairing the general obligation nature of the bonds or notes, it is intended that repayment of the bonds or notes, including any CWSRF loan, shall be paid by sewer funds. (3/5 ballot vote required)

Recommended by the Board of Selectmen

Recommended by the Budget Committee

Mike Trank from Hoyle, Tanner spoke about this project and had a slide presentation. He stated that currently the flow was metered twice and then a third time when it gets to the plant. This project will eliminate river crossing. This project has been in the Sewer Department long term capital plan. He spoke about the needed easements and the pump station. He stated there were several financing options, and that they were looking at a loan term of ten years, with annual repayments of \$180,000.

Michael Cummings spoke and had a few questions. He asked whether the new pump station would allow for future sewer hookups. Mr. Trank answered yes and stated that they usually design the pumps for twenty years. Mr. Cummings pointed out that there were other options in addition to concrete and Mr. Trank said they would look at all options and work in conjunction with the Sewer Department. It was mentioned that a plug flow test was performed and that no water infiltrated the pipe in the river going into Pembroke. When asked, he stated that to his knowledge there was no grant money available. There was a general discussion on meters.

Martha Robie stated she has lived on Library Street for many years and that it has never been paved. She asked whether this means that Library Street will finally be paved. She was told it would be paved.

ARTICLE 13 Sewer Asset Management Project

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) To see if the Town will vote to raise and appropriate the sum of \$30,000 (gross budget) to defray the cost of planning relative to public facilities through the previously established Asset Management Plan development project for Town of Allentown Wastewater Collection and Treatment System: and,

to authorize the issuance of not more than thirty thousand dollars (\$30,000) of bonds or notes in accordance with the provisions of the Municipal Finance Act (RSA 33); and, further, to authorize the Selectboard to issue and negotiate such bonds or notes and to determine the conditions and the rate of interest thereon; and,

to further authorize the Selectboard to offset a portion of said appropriation by applying for, Clean Water State Revolving Funds (CWSRF), it being understood that repayment of the loan funds will include up to 100% principal forgiveness in the amount up to \$30,000.

A condition of the approval of this article being repayment of any remaining loan balance to be paid by the sewer funds: and, further, that the Allentown Sewer Commission shall pay any outstanding remaining balance and applicable interest in the full from said sewer funds on or before the date that the first payment of the loan related to the CWSRF funding is due: and,

to authorize the Selectmen and Sewer Commissioners to take all other action necessary to carry out and complete this project. (3/5 ballot vote required)

Recommended by the Board of Selectmen

Recommended by the Budget Committee

Mike Trank explained the concept of Asset Management and that it relates to the infrastructure. A long time ago the EPA and DES required that these facilities had to be preserved and maintained. This Article would allow the Sewer Department to maintain the current level of service and improve the security and safety.

ARTICLE 14 Town Operating Budget

Shall the Town of Allentown raise and appropriate as an operating budget, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$3,924,683**. Should this article be defeated, the default budget shall be **\$3,953,626**, which is the same as last year, with certain adjustments

required by previous action of the Town of Allenstown or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. Estimated tax impact is approximately \$0.11 cents per thousand dollars of assessed value. (Majority vote required)

NOTE: This warrant article (operating budget) does not include appropriations in ANY other warrant article.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

Jeff Gryval had a slide presentation and pointed out the small one percent increase and that this was in line with the one percent CPI this year. He discussed the Wage Classification System and the budget guide was keeping spending in line with the CPI, preserving the current services. He said in 2017 there will be no cost of living increases, and that the wages were still three years behind those in other communities.

He discussed health insurance and that there was an overall reduction in health insurance premiums, and that they worked hard to make this possible. He stated they needed to raise \$8,367,544 for the school and town. He stated they were looking at economic development in the area, and meeting with Pembroke next week to discuss this. He also discussed they were looking at new recreation projects and a new highway facility.

ARTICLE 15 Sewer Operating Budget

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) Shall the Town of Allenstown raise and appropriate as an operating budget for the Allenstown Sewer Commission, not including appropriations by special warrant articles and other appropriations voted separately, the amounts set forth on the budget posted with the warrant or as amended by vote of the first session, for the purposes set forth therein, totaling **\$2,192,252**. Should this article be defeated, the default budget shall be **\$2,219,419**, which is the same as last year, with certain adjustments required by previous action of the Town of Allenstown or by law; or the governing body may hold one special meeting, in accordance with RSA 40:13, X and XVI, to take up the issue of a revised operating budget only. (Majority vote required)

NOTE: This warrant article (operating budget) does not include appropriations in ANY other warrant article.

Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 16 Fire Safety Equipment Capital Reserve Fund

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) To see if the Town of Allenstown will vote to raise and appropriate the sum of **\$10,000** to be added to the Fire Safety Equipment Capital Reserve Fund previously established. This sum to come from the unassigned fund balance. (Majority vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

Jeff Gryval stated this was for breathing apparatus for the Fire Department.

ARTICLE 17 Library Capital Reserve Fund

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) (Majority vote required) To see if the Town of Allenstown will vote to establish a Library Capital Reserve Fund under the provisions of RSA 35:1 for construction and repairs of the Library and to raise and appropriate the sum of **\$10,221** to be placed in this fund. This sum to come from the unassigned fund balance. Further, to name the Library Trustees as agents to carry out the objects for which this fund was established and expend from such fund. (Majority Vote Required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

It was explained that the \$10,221 amount was left over from the Library budget the previous year. This Article gives the Library authority to keep the funds.

ARTICLE 18 Highway Garage Capital Reserve Fund

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) To see if the Town of Allenstown will vote to raise and appropriate the sum of **\$10,000** to be added to the Highway Garage Capital Reserve Fund previously established. This sum to come from unassigned fund balance. (Majority vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

ARTICLE 19 Public Safety Facilities Capital Reserve Fund

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) To see if the Town of Allenstown will vote to raise and appropriate the sum of **\$10,000** to be added to the Public Safety Facilities Capital Reserve Fund previously established. This sum to come from unassigned fund balance. (Majority vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

Jeff Gryval stated that the Fire Department building was built in 2001 and the Police Department building was purchased in 2006, thus some ongoing maintenance issues exist.

ARTICLE 20 Highway Equipment Capital Reserve Fund

(THIS ARTICLE DOES NOT IMPACT THE TAX RATE) To see if the Town of Allenstown will vote to raise and appropriate the sum of **\$5,000** to be added to the Highway Equipment Capital Reserve Fund previously established. This sum to come from unassigned fund balance. (Majority vote required)

Recommended by the Board of Selectmen
Recommended by the Budget Committee

Jeff Gryval stated this money comes from the sale of the old garbage packer.

ARTICLE 21-By Petition

Shall the town of Allenstown vote to adopt the provisions of RSA 79-H authorizing the Town and its assessing official to approve tax abatement requests for a qualifying chartered public school facility as defined in RSA 79-H:3. The effective date of this warrant article if adopted shall be April 1, 2017. Once adopted this provision shall remain in effect until specifically rescinded by the town at a duly warned meeting."

Not Recommended by the Board of Selectmen

Chris Raymond discussed the PACE building and that this was proposed to alleviate the possibility of sending those students attending that school out of the district at a much higher cost. Currently PACE is in jeopardy of losing the space it occupies. Carol Angowski asked why the Board of Selectmen did not recommend this Article. Jeff Gryval stated this may mean that Allenstown taxpayers would take on additional liability. He stated he did not know the dollar amount impact of this Article. A general discussion ensued on the cost of sending students out of district compared to attendance at PACE. Donna Ong suggested that if the students currently enrolled at PACE were moved out of district for the same services, the cost would be a lot more. The question was asked whether, by passing this Article, Allenstown would be committed to any future charter schools. Jeff Gryval stated the taxpayers had the power to pass the Article and also take it away. Jeanne Hills discussed whether it would benefit us to keep PACE school for Allenstown students, keeping in mind students from other districts attend. It was answered that keeping PACE would still be less expensive than send Allenstown students out of district. There are approximately 42 students attending PACE.

A Motion was made by Larry Anderson and seconded by Mark Wilder to adjourn the meeting to Tuesday, March 14, 2017. Motion passed. Meeting adjourned at 12:25 p.m.

A TRUE COPY. ATTEST, *Kathleen Pelissier*