

TOWN OF ALLENSTOWN
Planning Board
16 School Street
Allenstown, New Hampshire 03275
April 07, 2021

CALL TO ORDER

The hybrid (in-person and virtual) Allenstown Planning Board Meeting of April 07, 2021 was called to order by Chairman Mike O'Meara at 6:30 p.m. Chair O'Meara called for the Pledge of Allegiance.

ROLL CALL

Present on the Board: Mike Frascinella, Sandy McKenney, Diane Adinolfo, Mike O'Meara (all in-person), Matt L'Heureux, Alternate (remote and alone).

Chad Pelissier joined later in the meeting.

In the interim, Chair O'Meara asked Mr. L'Heureux to participate as a full member at this meeting.

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Brian Arseneault, Code Enforcement Officer (remote and alone)
Matt Monahan, CNHRPC (remote and alone)

Allenstown Staff: Derik Goodine, Town Administrator (in-person)

Public Officials: None

The following statement established authority to hold an electronic meeting, along with remote viewing and listening guidelines.

As Chair of the Allenstown Planning Board, I, Mike O'Meara, find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is only limited space at the physical location to observe and listen to this meeting, thus we are broadcasting it virtually, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

a) Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means. We are utilizing a Conference Call and Zoom Video Conferencing. We will also be attempting to use Facebook Live, as long as band width allows, as a redundant video source for this electronic meeting. It is not the official source for the meeting. All members of the Planning Board have the ability to communicate during this meeting through one of these platforms, and the public has access to listen and, if necessary, participate in this meeting by dialing the following phone number: 603-485-7321, password 1234 or by clicking on the website address link below or by typing it into your browser.

<https://us0=eFdrV3E0aFpJN1NnNnNna21YaHFQQT09>

b) Providing public notice of the necessary information for accessing the meeting. We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Town of Allenstown Planning Board page attached to the agenda for this meeting. Facebook Live is another platform for viewing the meeting.

c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.

If anybody has a problem, please call 207-595-0310 or email at: ta@allenstownnh.gov.

If the video begins to lag, or there are rare audio issues, please call the Conference line to listen to the meeting.

d) Adjourning the meeting if the public is unable to access the meeting.

In the event the public is unable to access the meeting, it will be adjourned and rescheduled. The meeting will only be adjourned if the Conference Call fails to work. The meeting may be paused if the video links fail, and a quorum of the Planning Board is needed on the Conference Call.

Please note that all votes taken during this meeting shall be done by roll call voice vote.

OLD BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

- **Continue chapter-by-chapter review of the proposed administrative changes to the Allenstown Zoning Ordinance**

Chair O'Meara stated that they would begin with Chapter 8, and he asked Mr. Frascinella to lead the discussion.

Mr. Frascinella referred back to Chapter 6, saying that every zone except for Residential and Open Space & Farming has this language similar from Section 8.03:

...no land, building, structure or premises shall be used for a coal yard, lumber yard or any other purpose injurious, noxious or offensive to the neighborhood by reason of emission or odor, fumes, dust, smoke, vibration, noise or other cause.

Mr. Arsenault noted that the Residential section has a list of uses **not** permitted, while Open Space & Farming does not.

Mr. Pelissier said they should be consistent.

Chair O'Meara stated that they have a consensus on making this change, but it must be done later because it is not merely an administrative change.

Ms. Adinolfo asked about the prohibition of livestock in the Residential zone. She said she thought chickens were allowed.

Mr. Pelissier said that up to 16 chickens are allowed, but no roosters.

Ms. Adinolfo asked if one definition has precedence over another.

Mr. Monahan said that 13.08 under Accessory Agriculture controls.

Mr. Frascinella referred to Section 8.01 where Community Center and Family Child Care Home are not listed except by reference but are listed in the Residential Zone.

Mr. Monahan said that those two items (b and c) should be added to the list under the Business Zone and the reference can be deleted.

Chair O'Meara said that this is not an administrative change and should be added to the list of items to be taken up later.

Mr. Arsenault noted that Personal Service in the Residential Zone is allowed but must be less than 5,000 square feet, but in the Business Zone it can be any size.

Chair O'Meara said that is correct. The size is not limited in the Business section.

Mr. Arsenault said that the number of children allowed in a Group Child Care Center in the Business Zone is defined as more than 6. He said that '7 or more' is clearer.

Mr. Arsenault said that Marine Sales & Services are allowed but Motor Vehicle Sales & Services are only allowed by Special Exception.

Chair O'Meara stated that that is okay as it is.

Mr. Frascinella questioned allowing Kindergarten in the Industrial Zone. He said this is the wrong zone for a school. He also asked about allowing Kindergarten in the Business Zone.

Mr. Pelissier said that the town decided to allow private kindergartens in the Business Zone.

Mr. Frascinella next asked about allowing Schools in the Industrial Zone but not in the Business Zone.

Chair O'Meara said that commercial activity creates high traffic and lots of people coming and going, which is not generally the case in an Industrial Zone. Also, schools require a lot of space, and Allenstown does not have suitable large parcels available for schools.

Mr. Monahan stated that he recommends that public school proposals go before the ZBA for site review, even though it is not required.

Mr. Goodine asked if New Hampshire has contract zoning, which is

Mr. Monahan said he did not think the State has contract zoning.

Mr. Goodine explained that contract zoning encourages mixed use. He explained that this a form of land use regulation in which a local zoning authority accommodates a private interest by rezoning a district or a parcel of land within that district. As an example, he said that the old Plourde Sand & Gravel site at the corner of Route 3 and Granite would be good for commercial development in the front and industrial in the back.

Ms. McKenney asked about carports in the Business Zone.

Chair O'Meara said that carports are allowed in the Business Zone by special exception.

Mr. Frascinella continued to Chapter 9 and asked about veterinary offices in the Industrial Zone.

Mr. Goodine said it is because they do cremations.

Mr. Arsenault stated that, as written, Marine Sales are only allowed in Indoor & Outdoor Flea Markets!

Chair O'Meara said they should definitely correct that.

Mr. Arsenault next referred to Guardhouse for Watchmen. He said he assumes that is like a phone booth and without living space. He also suggested removing the word "Night."

Chair O'Meara stated, after discussion, that Section 13 regarding indoor and outdoor flea markets would be moved to the end of the new Section 23. Also, outdoor flea markets would have to be in compliance with 1120.

Mr. Frascinella said that 1120 is the old number. He said the new number is 1104.

Mr. Arsenault recommended deleting "of this ordinance" because it is wordy.

Mr. Arsenault next referred to a section in Chapter 10 which refers to Filling Stations and Motor Vehicle Garages. To be consistent with other sections, it should say Motor Vehicle **Repair** Garages. Further down it refers to Auto Sales where, for consistency with other sections, it should say **Motor Vehicle** Sales.

Chair O'Meara said that Chapter 11, Businesses at a Residence, is new.

Chair O'Meara said we worked on this last year and didn't get anywhere. He said they would need to revisit it.

Mr. Arsenault said they should add the list of uses not permitted.

Mr. Goodine stated that it would be helpful if a chart could be added, indicating minimum lot size and frontage for the various zones, as well as information about what permissions/permits are needed and where to obtain them.

Chair O'Meara agreed that this is a good idea, and he said it should be an appendix.

Mr. Frascinella stated that Chapter 12, Signage Regulations is new.

Mr. Arsenault said that the fee is \$35 for each sign; some residents think it is one fee for multiple signs. He said there should be only one processing fee for one request, but each sign would have the \$35 fee. He also asked that the chart on pages 50 & 51 be all on one page for ease of use. He also mentioned 1111.8 where the reference needs to be changed.

Chair O'Meara asked Mr. Frascinella to check all references for accuracy.

Mr. Arsenault next referenced illegal signs, saying that a sign cannot be on a parcel owned by another entity. For example, he said, a local owner sold land to a Colorado company which then hired a sign company in Texas who used a Londonderry vendor to place a sign on a parcel not owned by the Colorado company. End the sentence after the word 'sign,' because it implies something that is not there.

Mr. Frascinella said there are many billboards which are not on the property of the business being advertised.

Mr. Arsenault asked about billboards and signs, suggesting the elimination of 'billboards.'

Mr. Monahan said they could delete billboards but should not eliminate them.

Chair O'Meara said the town would have a proliferation of billboards that couldn't be controlled.

Mr. Arsenault then asked about Electronic Reader Boards, saying they are not defined. He asked about electronic menus at drive thru restaurants.

Chair O'Meara after discussion, said they should add a definition for Reader Board, leaving out the word 'Electronic.' He will send to Mr. Frascinella a definition found on the internet

Mr. Arsenault asked about signs not requiring a permit which indicate the street (road) number but not the name of the street.

Chair O'Meara said that many residents have just the street number without the street name on signs.

Mr. Arsenault said he is thinking more of commercial than residential.

Chair O'Meara said they would table this discussion to allow time to think about it.

NEW BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

None.

CORRESPONDENCE & OTHER BUSINESS

Chair O'Meara announced that he received notice of a Deerfield Planning Board Meeting on the application for a combined lot line adjustment and subdivision in the area of Mt. Delight Road and Kettle Rock Road, some of the property being in Deerfield and some in Allenstown. The meeting is on April 14, 2021, beginning at 7:15 pm, he announced, and the telephone number for Zoom information is 1-646-558-8656.

Mr. Monahan said he has heard nothing on this application for a long time. He speculated that they are doing the Deerfield section first and will then address Allenstown.

Ms. Adinolfo reported that she and Chair O'Meara attended the quarterly Transportation Improvement Program meeting held by Central NH Regional Planning Commission on March 31, 2021.

Chair O'Meara said that this group provides input to the State's ten-year plan and that Allenstown's Main Street is second on the list.

Ms. Adinolfo added that bus transportation is discussed at these meetings as well.

Ms. McKenney reported that the BOS has appointed Keith Klawes as the ex-officio member of the ZBA.

UNAPPROVED MINUTES

▪ March 17, 2021

Ms. Adinolfo made a motion to approve the minutes of March 17, 2021 as written. Ms. McKenney seconded the motion.

Chair O'Meara called for a roll-call voice vote on the motion.

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Matt L'Heureux – Aye, and Michael O'Meara – Aye.

Chad Pelissier – Abstained due to absence

The motion carried unanimously, and the minutes of March 17, 2021 were approved as written.

ADJOURNMENT

Mr. Frascinella made a motion to adjourn at 8:40 pm. Ms. McKenney seconded the motion.

Chair O'Meara called for a roll-call voice vote on the motion.

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye,
Matt L’Heureux – Aye, and Michael O’Meara – Aye

The motion carried unanimously, and the meeting was adjourned.

SIGNATURE PAGE
Allenstown Planning Board
April 07, 2021

Approval:	
<i>Michael A. O'Meara</i>	<i>05-MAY-2021</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Via Roll-Call Voice Vote	05-May-2021
CHAD PELISSIER, Vice Chair	DATE
Yes – Via Roll-Call Voice Vote	05-May-2021
DIANE ADINOLFO, Member	DATE
Abstain	05-May-2021
MICHAEL FRASCINELLA, Member	DATE
Yes – Via Roll-Call Voice Vote	05-May-2021
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes- Vis Roll-Call Voice Vote	05-May-2021
SANDRA MCKENNEY, Ex-Officio	DATE

SIGNATURE PAGE
Planning Board
Aril 07, 2021

Amendment Approvals:		
Amendment Description:	Approval:	Date:
	MICHAEL O'MEARA, Chair	DATE
	CHAD PELISSIER, Vice Chair	DATE
	DIANE ADINOLFO, Member	DATE
	MICHAEL FRASCINELLA, Member	DATE
	MATTHEW L'HEUREUX, Alternate Member	DATE
	SANDRA McKENNEY, Ex-Officio	DATE