

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**Allenstown Town Hall –16 School Street**  
**Allenstown, New Hampshire 03275**  
**Meeting Minutes**  
**June 02, 2021**

**Call to Order**

The Allenstown Planning Committee Meeting of June 2, 2021 was called to order at 6:32 PM by Chair Michael O'Meara. Chair O'Meara called for the Pledge of Allegiance.

**Roll Call**

Present on the Board: Sandra McKenney, Diane Adinolfo, Mike Frascinella, Michael O'Meara (all in-person).

Excused: Matt L'Heureux

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Brian Arsenault, 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 authorizing the Planning Board to hold a virtual meeting and providing the guidelines for participation, was read for the record.

As Chair of the 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 the meeting, thus we are broadcasting it virtually which is authorized pursuant to the Governor's emergency order. However, in accordance with the order, I am confirming that we are:

***a) Providing access to the meeting via telephone and with additional possible access by video or other electronic means.***

We will be utilizing a conference call and Zoom conferencing, and we will also be attempting to use Facebook Live as long as band width allows as an alternate video source for this electronic meeting. Facebook 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 the meeting by dialing (603) 485-7321, passcode 1234 or by clicking on the website at the address link provided in the meeting materials.

***b) Providing public notice of the necessary information for accessing the meeting.***

We previously gave the public notice 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 on the Town of Allenstown Planning Board page attached to the agenda.

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

We provided a mechanism 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](mailto:ta@allenstownnh.gov). If there are audio problems or video problems, call the conference line to access the meeting.

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

We will adjourn the meeting if the public is unable to access this meeting. In the event that 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 also note that all votes taken during this meeting will be done by roll call voice votes.

## **OLD BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS**

- **Chapter-By-Chapter Review of Zoning Ordinance**

Chair O'Meara noted that they were still discussing the definitions, beginning at "municipality." Mr. Frascinella suggested they change it to "The Town of Allenstown in the State of New Hampshire."

Mr. Arsenault said the entry for Municipal Recreation should go under Recreation (Municipal) and keep the definition. He said that "Net Metering" will go under "Electrical Distribution (Net Metering)." Also, "newspaper or printing plant" will go under "Printing Facility."

Mr. Arsenault said the definition of "Nontraditional / nonstructural stormwater management measures" will go under "Stormwater."

Mr. Frascinella said that outdoor and indoor flea market will be defined under "Flea market". There was a discussion of the Board regarding changes made last meeting. Mr. Arsenault said business zone was more appropriate than commercial zone. Mr. Frascinella said it was commercial property. Mr. Arsenault said "a type of bazaar in a non-residential property." The Board agreed to eliminate the word "commercial."

Ms. McKenney said that we should delete outdoor storage. Mr. Arsenault said it is just a definition that describes an activity, but it is not an ordinance.

Ms. Adinolfo said under "Pedestrian" that "Segway" should be more of a generic term. Chair O'Meara said just leave "personal transportation devices."

Mr. Arsenault said under "Personal Service" he would like to eliminate "parlor" from massage as it denotes a location. Chair O'Meara said that it is discussing a facility which is a location where these activities take place. Mr. Arsenault said they should edit to say a photography studio. Chair O'Meara said they could say "Personal Services" instead of facility, but he thinks the intent was to talk about the physical location where these activities were to take place. Chair O'Meara said it will now read, "Talents of a person which are unusual, special or unique and cannot be performed exactly the same by another person. Examples include, but are not limited to a massage, photography, cobbler, portrait painter, wood carver, or hair and nail services."

Mr. Arsenault said "Previous Cover" will be moved under "Stormwater." He said that "Petroleum Bulk Plant or Terminal" will be moved under "Fuel Facility".

He said "Power Grid" will be moved under "Electrical Distribution, (Power Grid)." Also, he said "Prime Wetlands" will be moved under "Wetland (Prime)." He said that "Private Recreation (outdoor or indoor)" will move to "Recreation (Private)."

Mr. Arsenault said "Electrical Distribution" will change to "Electric Distribution (Public Utility)" and "Water Distribution" will change to "Water Distribution (Public)."

He said "Solar" will be placed under "Qualified Solar Installer" and "Stormwater" will change to "Stormwater (Recharge)."

Mr. Arsenault said that "Recycling Facility, Household Waste" will be under "Waste Disposal Facility."

Mr. Frascinella said that COVID-19 changed the restaurant category and now it's inside dining or outside under a tent. Chair O'Meara said indoor and outdoor is covered by the definition of "sit-down restaurant." Mr. Arsenault said you can add the words indoor outdoor to sit-down restaurant. Chair O'Meara said they would leave the definition the way it was.

Mr. Arsenault said Retail "Commercial Greenhouse" will change to "Greenhouse (Commercial)." He said "Right-of-way" will be moved under "Road."

Mr. Arsenault said that "High Water Table" will be moved under "Stormwater." He said that "Solar (Roof or Building)" will be moved under "Rooftop or Building Mounted Solar System" and "Stormwater Secondary Containment" will be moved under "Secondary Containment."

Mr. Arsenault said that "Sediment" will be moved under "Stormwater." He said that "(Sensitive Area)" will be moved under "Stormwater" and "Sideage Road" will be put under "Road." He said that "Shadow Flicker" will move under "Wind System."

Mr. Arsenault said that "Sheet Flow" will move under "Stormwater." He said there is no definition for "Sign" but there is a Chapter for sign regulations for the zone of the parcel. Mr. Frascinella said that is Chapter 12.

He said that "Street" could also go under "Road" but there is no definition for road itself or a lane. Mr. Monahan said he thought some roads are defined in the RSA. Ms. Adinolfo asked if a street is formally accepted by the Town as public way. Mr. Arsenault would say that a public way is anything not a private road or private driveway. Mr. Arsenault said at the end of the paragraph under "Street" they should add, "see also road." Chair O'Meara said a road is typically outside of a municipal area, where a street is within the confines of a municipality.

Mr. Monahan sent the Board a definition for the word road including public or private, and also roadway. The Board agreed with Mr. Goodine's suggestion for streets which reads, "A street means and includes such ways as alleys, avenues, boulevards, drives, highways, roads and other rights-of-way intended for use by motorized vehicles." Mr. Arsenault agreed. Chair O'Meara suggested for "Roads" they say "see Street."

Mr. Arsenault said that "Small Energy Wind System" will move under "Wind System".

He said "Snow Dump" is called a "Snow Storage Area." The Board agreed.

Mr. Arsenault said that "Stratified-Drift Aquifer" will move under "Stormwater."

Mr. Arsenault said that for "Suncook Village Infill Development District" should reference the Chapter.

Mr. Arsenault said "Surface Waters of the States" could be put under lakes, marshes but he thought it would be okay to keep it as is instead of duplicating.

He said "System Height" should be under "Wind System."

The Board agreed for "Timber Activities/ Timber Operations" they would add "see also Saw Mills."

Mr. Arsenault said "Total Impervious Cover" would go under "Stormwater" And "Tower" and "Tower Height" will both go under "Wind System." He said that both "Traditional Stormwater Management Measures" and "Undisturbed Cover" will go under "Stormwater."

The Board agreed after "Vernal Pool" that they would add "see Surface Waters of the State" at the end.

Mr. Arsenault said they need a Chapter reference for "Waste Disposal" - to be determined.

Mr. Arsenault said "Wellhead Protection" should be under "Water System." He said that "Wind Generator" should be under "Wind System."

Mr. Arsenault said that the parcel of land zone should be discussed in a Chapter to be determined. Mr. Frascinella believed that to be Chapter 5.

Mr. Arsenault said for the definition of "Livestock," the UNH Coop Extension Program gave residence guidelines for fully mature farm animals in open spaces. He would like to reference the document. For example, he noted it recommends one horse per family member. Mr. O'Meara said they should reference the latest version of the guidelines with the link.

Mr. Pelissier was to look at the Solid Waste Management Chapter to be rewritten, but as Mr. Pelissier was not present, the Board agreed to table it until the next meeting.

- **Fireworks Ordinance**

Chair O'Meara said with regard to the Fireworks Ordinance, he and Ms. Adinolfo had brainstormed some ideas and the Board will revisit at the next meeting.

- **Affordable Housing/ Tiny Homes**

Mr. L'Heureux was unable to make the meeting. Ms. McKenney shared some information with Chair O'Meara regarding tiny houses regulated in the State of NH. Chair O'Meara reported that there are 5 municipalities that currently have regulations on tiny houses. He said there are also regulations on short term rentals such as Airbnb. Ms. Adinolfo said they could also look into that for next year.

## **NEW BUSINESS/ RECEIPT OF APPLICATIONS & PUBLIC HEARINGS**

None.

## **UNAPPROVED MINUTES**

- **May 19, 2021**

Mr. Goodine had just received the Planning Board minutes from the last meeting and had not had an opportunity to forward them for review. Chair O'Meara tabled review and approval to the next meeting.

## **CORRESPONDENCE & OTHER BUSINESS**

Chair O'Meara reported that the NH Municipal Association has advised that all Boards are returning to in person hearings effective June 12<sup>th</sup>. Chair O'Meara read as follows:

*"Since March of last year, public bodies have been authorized to conduct virtual meetings under the governor's Emergency Order #12. This authority has been continued as the governor has renewed the state of emergency every three weeks.*

*As the state continues to reopen, the state of emergency will likely end soon, and with it the authority to meet without a physical location. The governor's most recent order, issued on May 28, extended the state of emergency for only two weeks, until June 11, and it is uncertain whether it will be extended again. If it is not, the authority to hold entirely virtual meetings will expire on June 11.*

*There is pending legislation that would put the virtual meeting option into statute, but its fate is uncertain, and even if it passes, it will not take effect until July or later. Therefore, we strongly advise all local public bodies that meetings on or after June 12 should be held in person, with public access at the physical location of the meeting. If the state of emergency is not extended on June 11, any meeting held after that time without public access at a physical location will be in*

*violation of the Right-to-Know Law. If you have already posted notice of a meeting without a physical location, you will need to repost the notice indicating the date, time, and place of the meeting. Given the circumstances, where a meeting notice required newspaper publication or verified mail notice, such as land use boards, municipalities should pay the cost of re-notification.*

*[NHMA] will provide an update when they have further information. Please contact NHMA or your municipality's attorney if you have any questions."*

Chair O'Meara said he thought the State of Emergency was going to expire but he is not sure if they will be able to continue the hybrid method they have been using with Zoom and the telephone conference line. He said he is hoping to get clarification prior to the next meeting.

Chair O'Meara said the Mount Delight subdivision application was received and is doubtful it will make it to the June 16, 2021 meeting.

#### **SCHEDULING OF NEXT MEETING**

Chair O'Meara said the tentative date for next meeting is June 16, 2021.

#### **ADJOURN**

Ms. McKenney made a motion to adjourn the meeting which was seconded by Ms. Adinolfo at 8:10 pm.

Roll call vote was taken. Sandy McKenney- Aye, Diane Adinolfo- Aye, Michael Frascinella- Aye, and Michael O'Meara- Aye.

The motion was unanimously approved, and the meeting was adjourned.

**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**June 02, 2021**

<b>Approval:</b>	
<i>Michael A. O'Meara</i>	<i>16-JUN-2021</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Via Roll-Call Voice Vote	16-Jun-2021
CHAD PELISSIER, Vice Chair	DATE
Yes – Via Roll-Call Voice Vote	16-Jun-2021
DIANE ADINOLFO, Member	DATE
N/A – Excused	N/A
MICHAEL FRASCINELLA, Member	DATE
Yes – Via Roll-Call Voice Vote	16-Jun-2021
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes – Via Roll-Call Voice Vote	16-Jun-2021
SANDRA MCKENNEY, Ex-Officio	DATE

**SIGNATURE PAGE**  
**Planning Board**  
**June 02, 2021**

<b>Amendment Approvals:</b>		
<b>Amendment Description:</b>	<b>Approval:</b>	<b>Date:</b>
	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