

TOWN OF ALLENSTOWN  
Planning Board  
16 School Street  
Allenstown, New Hampshire 03275  
August 01, 2018

**Call to Order.**

The Allenstown Planning Board Meeting for August 01, 2018 was called to order by Chair Mike O'Meara at 6:30 p.m.

**Roll Call.**

Present on the Board: Diane Adinolfo, Sandy McKenney, Chad Pelissier\*, Mike Frascinella, and Mike O'Meara.

\*Chad Pelissier joined the meeting at approx. 6:55pm

Ex-Officio: Sandy McKenney

**Others Present.**


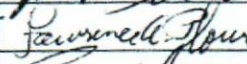
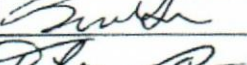
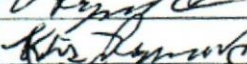
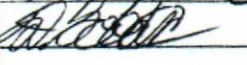

Residents of Allenstown: See Below:

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

Meeting Date: 08/01/2018

Sign-In Record

Print Name	Signature	Indicate applicable status	
		Allenstown Resident	If no, state Organization represented
VINCENT DIACUZZI		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Allenstown Reg.
LAURENCE A PROVRDE		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Land owner.
DRIAN GOSS		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
DAVID RAYMOND		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
KRIS RAYMOND		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
DENIK GOODIRE		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town of Allenstown
		<input type="checkbox"/> Yes <input type="checkbox"/> No	



Others Present: Matt Monahan - CNHRPC

Other Public Officials: None

Allenstown Staff: Derik Goodine – Town Administrator

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

- a. Lincoln Street – Clarification of Record, including RSA 41:14 – Issues, and Approval for Lot Line Adjustment.

The Chair began by advising that the first item of business was a clarification of the record for Lincoln Street. The Chair reminded those present of the two separate actions required – the Planning Board approval (already complete), and the subsequent approval of the actual Lot Line Adjustment between the town and the applicant. The Chair also advised that there would be a Select Board Public Hearing on the matter on Monday, Aug 13, followed by a Special Select Board meeting on Wednesday, Aug 22.

The purpose of the agenda item was to create a clear record of the nature of the conditional use approval granted on July 10 for a Lot Line Adjustment. The clarifications are intended to be included both in the permanent records of the Planning Board proceedings, and also in the final version of the conditionally approved plan.

At the request of the Chair, Matt Monahan explained the requested clarifications in turn:

- i) Clarification of the proceedings relative to a “street layout”, as no “layout” is occurring with the proposal, as that term is used under NH Law. Following Matt’s presentation, the Chair restated that the town attorney is recommending a motion that all references to a “street layout” contained in the permanent record of the July 10, 2018 lot line adjustment approval be deleted.

The Chair requested a motion to approve the recommendation, as stated. Motion made by Sandy McKenney. Motion seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

Motion and the requested clarification were approved.

- ii) Clarification regarding the Lot Line Adjustment and the requirements of RSA41 41:14-a. While the Planning Board did review and approve the Lot Line Adjustment, the attorney recommended a motion be made to recommend to the Selectmen that Town owned land shown on the approved lot line adjustment plan be transferred to the Edward N. Emond 2012 Trust and that the Emond owned land also shown on the approved lot line adjustment plan be transferred to the Town of Allenstown, consistent with the Planning Board’s conditional approval of the lot line adjustment plan on July 10, 2018.





The Chair requested a motion to approve the recommendation. Motion made by Sandy McKenney. Motion seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

Motion and the requested clarification were approved.

- iii) The attorney advised that some relatively minor plan revisions were required to provide clarity when the deeds are written. The attorney recommended that the Board authorize Matt Monahan to work with the attorney to make such modifications, including but not limited to the following:
- a) no build area should be shown on plan as being “No build area for snow storage and slope maintenance”; the deed will then indicate that the property transfer is subject to the no build restriction and a slope easement;
  - b) the plan should contain a note indicating, “Remainder of Lincoln St previously dedicated is released from public servitude”;
  - c) recommend adding language that the three foot (3’) wide trail will no longer exist after the road area is constructed and accepted; and
  - d) recommend including a note indicating the exact terminus of the existing paved portion of Lincoln Street.

Members of the public present began to express objections to item c) in the recommendation as it was being spoken. The Chair asked that the process be allowed to proceed, and that time would be afforded to all those who wished to speak.

The Chair requested a motion to approve the request from the town attorney as stated. Motion made by Mike Frascinella. Motion seconded by Diane Adinolfo.

With the motion on the floor, the Chair invited those members of the public present to speak and provide input. Diane asked a clarifying question regarding the “trail” mentioned in item c). The Chair explained that no such “official” trail exists. Rather, it has been made into a “trail” by members of the public living in area traversing the town owned land and using it to access Lincoln Street and other areas of the town. The Chair stated that there is no trail documented for that area. Members of the public then provided input, objecting to the recommendation in item c) that would add language that the three foot (3’) wide trail would no longer exist. Mr. Brian Goss and Ms. Kris Raymond repeatedly expressed objections to the proposal. The concern was, that although there may not be an official “trail” documented for the area, inclusion of language that the three foot (3’) wide trail will no longer exist would result in there being no documented evidence of any “trail” in the area. Further concerns were that, once transferred to private ownership, and although Mr. Emond has previously stated no objection to the public continuing to access the trail, future owners may have an objection, and there would be no documentation describing the current trail, should references to it be removed.





Following further similar discussion and input, and with a motion on the floor, the Chair requested options to either amend or withdraw the current motion. Mike Frascinella made a motion to withdraw the motion currently on the floor. Motion to withdraw seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Abstain, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The motion was approved, and the current motion was withdrawn.

Based on input from the public, and board member discussions, the Chair requested a revised motion to accept items a), b) and d), but to reject item c) subject to further action by the Board of Selectmen to maintain the public access through the area at the top of Lincoln Street. as requested by the town attorney. Motion made by Sandy McKenney. Motion seconded by Diane Adinolfo

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The revised motion to approve items a), b) and d), but not to approve item c) as requested by the town attorney was approved.

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

a. Allenstown Aggregate Case # 07-2018 – Excavating Permit and Site Plan.

The Chair requested Matt Monahan to introduce the Site Plan and Excavation Permit renewal application from Allenstown Aggregate. Matt spoke to authority of the Board in such matters, the fact that there are two applications (Site Plan & Excavation Permit), and the efforts currently underway by Allenstown Aggregate to remove a coal ash pile that is the subject of a separate legal agreement with the town. Matt also advised that the Board would have to review the Excavation and Reclamation Checklist. Matt further reviewed his Other Comments section of the Excavation Application, Second Review memo.

Mr. Vincent Iacozzi was present at the meeting, representing the applicant. The Chair invited Mr. Iacozzi to present the application. Mr. Iacozzi presented the Site Plan and Excavating Permit request to the Board. Mr. Iacozzi pointed out and discussed the locations for different activities on the site, the amount of excavating completed since the last permit application, wastewater management, dust control, hours of operation, and other related items regarding the Site Plan and renewal request for the Excavating Permit. Mr. Iacozzi also mentioned the differences between State and town requirements, which were acknowledged by the Chair, which emphasizing that the Board was primarily concerned with town requirements for the purposes of the Site Plan and Excavating Permit renewal.





#### Determination of Regional Impact

Considering the Site Plan Application and Excavation Permit renewal together, the Chair requested a motion on determination of Regional Impact. Chad Pelissier made a motion that there was no Regional Impact. Motion seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The motion for determination of no Regional Impact was approved.

#### Completeness of the Application

Considering the Site Plan and Excavation Permit renewal together, the Chair requested a motion that the application as presented is complete. Motion made by Diane Adinolfo. Motion seconded by Chad Pelissier.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The motion was approved, and the application was accepted as complete for both the Site Plan Application and Excavation Permit renewal.

#### Public Hearing

The Chair opened the Public Hearing portion of the meeting at 7:14pm.

Mr. Derik Goodine, Town Administrator, wanted to ensure that the Board only authorize a one-year extension for the removal of the remaining coal ash in order to preserve the conditions in the legal agreement between the applicant and the town. The chair advised that this was contained in the Conditions of Approval, and also advised board members that the Select Board, at their meeting of July 30, 2018, did recommend to the Planning Board that only a one-year extension be granted.

Mike Frascinella asked why coal ash was stored on the site in the first place. Mr. Iacozzi provided the background to the situation that resulted in the presence of coal slag on the site and the current legal agreement between the parties. In order to meet the requirements to process the coal slag, Mr. Iacozzi stated that any remaining coal slag on site as the agreement date approached, would be processed into an inert material which could be stored on-site until used or sold.

The Chair closed the Public Hearing portion of the meeting at 7:22pm.

Matt Monahan next reviewed the Excavation and Reclamation Checklists – Section A Operating Standards, and Section B Reclamation Standards. The previous Site Walk, Site Plan layout and Arial photographs served as reference material for the review. There were no objectional items noted during the review.

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### Potential Conditions of Approval

The Chair requested that Matt Monahan review the Potential Conditions of Approval for both the Site Plan Application and the Excavation Permit renewal. The potential conditions of approval for both were stated as follows:

- A plan note should specify that the coal slag shall be removed within one year from the date of the Planning Board's vote to conditionally approve the excavation permit.
- The Planning Board shall have the right to inspect the site quarterly and, once the coal ash has been removed, annually, for the duration of the excavation permit.
- Delete the last sentence of note 1 (3-year extension) on sheet 4.
- Delete everything after "...STORED ON THIS SITE..." in note 7, under Operational notes on sheet 4.
- Delete the note under "CONDITIONS OF APPROVAL."
- The excavation permit shall be good for five (5) years from the day of the Planning Board's conditional approval (i.e. the date of the meeting at which the plans were conditionally approved). [If waiver is approved by the Board; if not, specify the length of time for the approval in the condition]
- This approval does not relieve Allenstown Aggregate of the obligation to comply with the provisions of the January 2015 agreement with the Allenstown Board of Selectmen, or any element of the 2015 site plan and excavation permit approval, or the 2000 Tamchar site plan and excavation permit approval.
- Address items, under "Other Comments" in this memorandum to address various minor plan edits.
- Any outstanding fees with the Town shall be paid prior to the plan and the permit being signed as part of final approval.
- Professional stamps and signatures (surveyor and wetland scientist) as well as owner signatures need to be on the final plan.
- All waivers granted and conditions of approval need to be on the final plan.
- Notice of Decision to be recorded at the Merrimack County Registry of Deeds.
- Final plans, as approved by the Planning Board, shall be provided to the Planning Board in a digital format (such as CAD).
- Any other conditions sought by the Board.

The Chair further clarified that the date associated with the removal of the coal slag from the site is August 01, 2019.

Sandy McKenny asked if a period of three (3) years could be granted for the Excavation Permit instead of five (5) years. The Chair advised that the Board could approve between 1 to 5 years. Following discussions between the Board and the Applicants representative, it was agreed to move forward with the requested 5-year permit.

Based on the review of the Operating Standards and Reclamation, the Site Plan Application & Excavation Permit both considered together, and the request for a waiver of up to 5 years, with the Conditions of Approval as read by Matt Monahan, the Chair





requested a motion to approve the application. Motion Made by Diane Adinolfo. Motion seconded by Sandy McKenney.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The motion passed, and the Site Plan Application and Excavation Permit was approved.

b. 2019 Planning Board Budget – Preliminary Review

The Chair presented a copy of the Planning Board YTD (through June 30) expenditure report and a copy of the 2018 PB Budget to board members by way of introduction and preparation of the budget process. The Chair advised that further discussions would take place at the August 15 Planning Board meeting with a view to finalizing the budget for 2019. The Chair also advised that guidance from the select Board is that 2019 department budgets are to be held at 2018 levels. Further discussions will take place at the next PB meeting.

**UNAPPROVED MINUTES:**

a. Review and approve minutes from the July 18 meeting.

The Chair presented the draft minutes from the July 18, 2018 Planning Board meeting for review and approval and requested a motion to approve the minutes of the July 18, 2018 meeting as written. Motion to approve made by Sandy McKenney. Motion seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella–Yes, and Mike O’Meara–Yes.

Motion passed and the minutes for the July 18, 2018 meeting were approved.

**IV. CORRESPONDENCE & OTHER BUSINESS:**

a. 15 Chester Turnpike

While working on the conditions of approval, the applicant was quoted a price of three times the amount for the removable permeable concrete grates originally approved, which per the applicant, was not economically feasible for him. In a letter to the Planning Board, dated July 30, 2018, the applicant requested to substitute permeable asphalt pavement in place of the Stormcrete concrete panels. The applicant stated that the two materials function very similarly, and that both materials have infiltration rates of greater than 100 inches per hour. He further stated that the drainage system would have the same underlying stormwater storage and support structure, the only difference is the permeable surface. The applicant also stated that the proposed change would have minimal impact on the overall stormwater detention and





infiltration. The applicant has committed to provided semi-annual vacuum sweeping of the pavement areas and will use only de-icing (no sand) for pavement treatment during the winter months.

In an opinion from the town engineer, he felt that the proposed replacement panels were probably a better choice for New England and essentially had no issue with the proposed replacement.

The request raised the question if the Applicant needed to come back for an additional hearing. Matt Monahan read the conditions under which an additional hearing would be required. Matt advised that the question for the Board was if the proposed change was administrative or discretionary in nature. If discretionary, a further public hearing would be required. Matt opinioned that it was dependent on the input of the town engineer. Following discussions amongst board members it was agreed that this was an administrative change and that a further public hearing was not required.

The Chair requested a motion to approve the change as requested by the applicant, that the change is administrative in nature, and that the change will be reflected on the plan. Motion made by Chad Pelissier. Motion seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella–Yes, and Mike O’Meara–Yes.

The motion passed, and the requested change was approved s an administrative change, not requiring a further public hearing, and with the condition that the change be reflected on the plan.

## **V. STAFF UPDATE:**

- a. None

## **VI. ADJOURN**

There being no further business before the board, the Chair requested a motion to adjourn. Motion to adjourn made by Diane Adinolfo. Motion seconded by Mike Frascinella.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella–Yes, and Mike O’Meara–Yes.

Motion passed, and the meeting was adjourned at 8:22 p.m.

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It is also clear that the project was managed in a way which was consistent with the project's objectives and the project's objectives.

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# STATEMENT

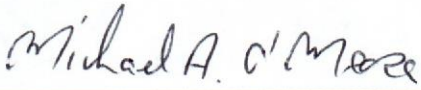
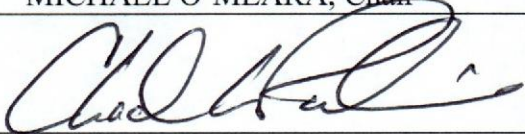
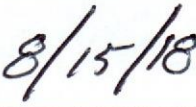

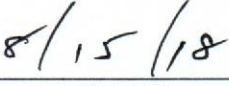
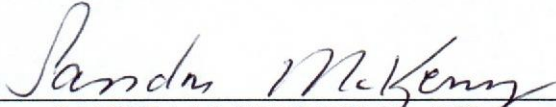
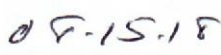
None

# ADDITION

The project was managed in a way which was consistent with the project's objectives and the project's objectives. The project was managed in a way which was consistent with the project's objectives and the project's objectives.

It is also clear that the project was managed in a way which was consistent with the project's objectives and the project's objectives.

## Signature Page

Approval:	
	
MICHAEL O'MEARA, Chair	DATE
	
CHAD PELISSIER, Vice Chair	DATE
<p style="text-align: center;">Excused.</p>	
DIANE ADINOLFO, Member	DATE
	
MICHAEL FRASCINELLA, Member	DATE
	
SANDRA McKENNEY, Ex-Officio	DATE





<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
	SANDRA McKENNEY, Ex-Officio	DATE





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# CONFIDENTIAL

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 10/10/01 BY 60322 UCBAW

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10/10/01

Product Name	Manufacturer	Lot Number	Expiration Date	Batch Number	Test Results
Amoxicillin 250mg Capsules	Pfizer Inc.	12345678	12/2001	12345678	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345679	12/2001	12345679	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345680	12/2001	12345680	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345681	12/2001	12345681	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345682	12/2001	12345682	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345683	12/2001	12345683	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345684	12/2001	12345684	Pass
Amoxicillin 250mg Capsules	Pfizer Inc.	12345685	12/2001	12345685	Pass
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