

TOWN OF ALLENSTOWN
Planning Board
16 School Street
Allenstown, New Hampshire 03275
December 04, 2019

Call to Order.

The Allenstown Planning Board Meeting of December 04, 2019 was called to order by Chairman Mike O'Meara at 6:33 p.m. Chair O'Meara called for the Pledge of Allegiance.

Roll Call.

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

Ex-Officio: Sandra McKenney

Residents of Allenstown: – None. See below:

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Planning Board
16 School Street
Allenstown, New Hampshire 03275

Meeting Date: 12/04/2019

Sign-In Record

		Indicate applicable status	
Print Name	Signature	Allenstown Resident	If no, state Organization represented
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Others Present: Matt Monahan, Central NH Regional Planning Commission

Other Public Officials: None

Allenstown Staff: None

OLD BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

Proposed revisions to the Allentown Zoning Ordinance – final review.

Mr. Monahan stated that he had received attorney responses today on the proposed Ordinance revisions. He said the Board should review all changes and make any additional changes they wish to make. First, he said, 'Home Occupation' will be capitalized throughout. On page 27, 'no use permitted' will be deleted, and on page 28, the citation will be changed to Section 1102. Attorney Sharon Somers agrees with the corrections to the carport sections – pages 35 and 37. Referring to pages 45 through 49, he said that Attorney Brendan O'Donnell has suggested some changes, which are in blue text. He said that if this is what the Board intends, they should use it because it adds more detail.

Chair O'Meara stated that it was the consensus of the Board to accept the changes suggested by Attorney O'Donnell.

Mr. Monahan said that Attorney O'Donnell feels that the definition of Home Occupation is too broad.

Chair O'Meara said that, as currently written, it could include eBay and Facebook Marketplace transactions.

Ms. McKenney asked about the reference to the placement of solid waste containers.

Chair O'Meara responded that the containers should not be placed where they could be seen by neighbors; also, they might have a dumpster.

Mr. Monahan said the current definition of Home Occupation is simple and straightforward, which he favors.

Chair O'Meara said that language could be added, saying 'with the exception of normal, personal sales or sales of items on social platforms such as Facebook Marketplace or eBay.'

Ms. Adinolfo suggested the term 'incidental sales.'

Mr. Monahan said the key language is this: '...any activity carried on for gain as the primary employment by a resident and conducted as a source of primary income.'

Ms. Adinolfo said it is best to keep it simple for future interpretation.

Mr. Monahan next addressed the Casual Sales and Yard Sales sections. He said that, although the Board has decided to give Yard Sales a separate section, the attorneys' advice is to combine it with Casual Sales. On page 47, he said the differences need to be clarified.

Currently, the Ordinance says the difference between Minor Casual Sales and Yard Sales is the frequency and intensity. Yet, they have the same frequency and intensity – two weekends per month, including legal holiday Mondays. The difference is actually content: Yard Sales involve the resale of a general assortment of household items, whereas Minor Casual Sales are of one product or one category of products. With Major Casual Sales, the difference is that they are not limited to April 15th through October 15th or to two weekends per month. He said that a more defined distinction should be made, or the applicant will not know whether he/she should apply for a Major or a Minor Casual Sales permit.

Chair O'Meara asked the Board members for their feedback.

Mr. Frascinella said he is confused about Section C, where it says that Major Casual Sales are more frequent than Minor Casual Sales as described above. What does 'above' refer to, he asked.

Mr. Pelissier said it refers to Section B.

Mr. Frascinella said perhaps the reference could be clarified.

Mr. Monahan said that Minor and Major Casual sales are between Yard Sales and Home Occupations. Minor Casual Sales are allowed for two weekends per month, whereas Major Casual Sales are allowed every weekend. Both sell the same product or related products. Next, he said, is enforcement. This is needed in case there are complaints from neighbors or other residents.

Chair O'Meara said that the Board does not want to stifle applicants or make the process too cumbersome. He asked if the members are in agreement with the language in Sections B and C and obtained consensus of agreement.

Mr. Monahan asked if the Planning Board agrees that all of these should be regulated by one board.

Mr. Pelissier said that he agrees with that. The Planning Board, not the BOS, should handle Yard Sales.

Mr. Monahan said that, under Major Casual Sales, page 49, the attorneys suggest adding language about temporary bathrooms and trash removal.

Mr. McKenney asked about junk sales.

Mr. Monahan said that would involve a lengthy discussion and they should address it sometime next year. Regarding placement of the business, he said the attorneys have advised that if the business is moved too far back, it could encroach on a property in the back. It should also be placed as close to the center of the lot as possible. Mr. Monahan, continued, saying the word 'accessory' should be cut from page 62; page 79 should have the proper citation; and there is a spelling correction needed on page 81. He said that Mr. Frascinella sent him an email a while

ago expressing a good idea. He said the following language proposed by Mr. Frascinella was used in the public notice and he plans to use it as a public display item at the Town Meeting: 'These are certain administrative revisions to the Ordinance including formatting, changes to the table of contents, title page, revision dates, spelling corrections, page numbers, and capitalizing "Home Occupation" throughout the document.'

Chair O'Meara asked if the Board agrees that these changes are administrative, and the consensus was that they are.

Mr. Monahan said that the notice of the December 18th public hearing will be in the newspaper on Friday, and he will post it electronically tomorrow. He said that he can update corrections to the draft without coming back for the approval of the Planning Board. Then he referenced Section 1001 (T) regarding the Commercial Light Industrial (CLI) zone. He said that Assisted Living and Nursing Homes should be added to the Adult Day Care section. He added that at the December 18th meeting, Casella will have a public hearing on their update to the drainage on an abutting lot. Also, a public hearing is required for the applicant proposing car sales on a front lot.

Ms. McKenney asked if they needed a motion to approve the proposed Ordinance changes.

Chair O'Meara said that was not needed, as there had been consensus on the proposed changes.

NEW BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

None

STAFF UPDATES

Mr. Monahan presented a spreadsheet listing potential CIP Committee members. He said he is looking for a motion to approve the suggested members. He said that Kris Raymond, or a designee, will represent the School Department and that they have invited Pembroke Water Works to appoint a representative.

Ms. McKenney questioned whether Pembroke Water Works would have any CIP items.

Mr. Monahan said they might not and that they might not wish to participate, but that they should be invited.

Ms. McKenney asked about the guidelines for CIP projects.

Mr. Monahan said the Committee would establish the guidelines, but they probably would include items which are \$5,000 or more and which are not part of a trust fund. He said that December 10th at 3:00 pm is the tentative date for the first meeting of the CIP Committee. Mr. Pelissier asked about road projects.

Mr. Monahan said that equipment for road projects could be included but not the project itself.

Ms. McKenney made a motion to accept the members of the CIP Committee as presented, including designees. Ms. Adinolfo seconded the motion. Chair O'Meara called for a vote on the motion.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

The motion carried unanimously.

Mr. Monahan provided his second staff update of the Conditional Use permit form. He said that the text in red on pages 2, 3, & 4 adds the Suncook Infill District and the Mill Redevelopment materials. This indicates where the criteria are and where to find it. The signature page, with the date, is page 45. He said the hearing would be sometime in January.

UNAPPROVED MINUTES

Ms. Adinolfo made a motion to approve the minutes of the November 13, 2019 meeting. Ms. McKenney seconded the motion. Chair O'Meara called for a vote on the motion.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

The motion carried unanimously and the minutes were approved.

Ms. Adinolfo made a motion to approve the minutes of the November 20, 2019 meeting with the corrections made. Ms. McKenney seconded the motion. Chair O'Meara called for a vote on the motion.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

The motion carried unanimously and the minutes were approved with corrections.

CORRESPONDENCE AND OTHER BUSINESS

None

SCHEDULING NEXT MEETING

Chair O'Meara set December 18, 2019 as the date of the next Planning Board meeting.

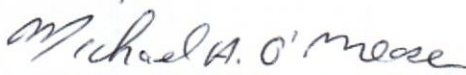
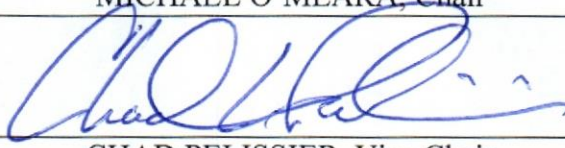
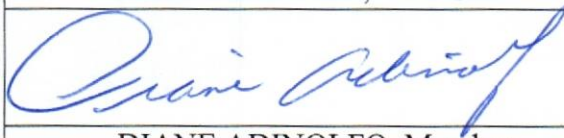
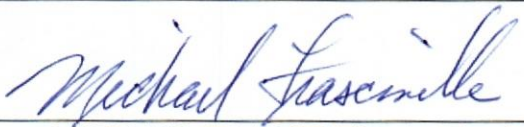
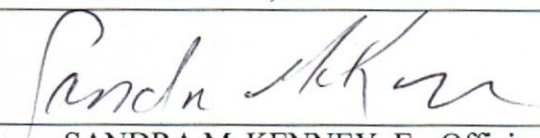
ADJOURNMENT

Ms. Adinolfo made a motion to adjourn at 7:38 pm. Ms. McKenney seconded the motion. Chair O'Meara called for a vote on the motion.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

The motion carried unanimously and the meeting was adjourned.

SIGNATURE PAGE
Planning Board
December 04, 2019

Approval:	
	12/18/2019
MICHAEL O'MEARA, Chair	DATE
	12/18/19
CHAD PELISSIER, Vice Chair	DATE
	12-18-19
DIANE ADINOLFO, Member	DATE
	12/18/19
MICHAEL FRASCINELLA, Member	DATE
N/A.	
ROBERT LEE, Alternate Member	DATE
	12-18-19
SANDRA McKENNEY, Ex-Officio	DATE

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

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Sign-In Record

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