

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**16 School Street**  
**Allenstown, New Hampshire 03275**  
**December 18, 2019**

**Call to Order.**

The Allenstown Planning Board Meeting of December 18, 2019 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: Sandra McKenney, Diane Adinolfo, Chad Pelissier, Mike Frascinella, and Mike O'Meara.

Ex-Officio: Sandra McKenney

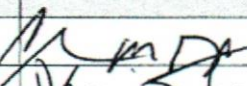
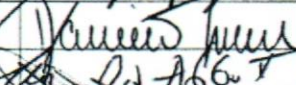



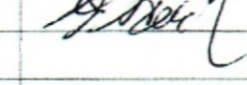

Residents of Allenstown: – See below:

Page 1 of 1

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

Meeting Date: 12/18/2019

Sign-In Record

Print Name	Signature	Indicate applicable status	
		Allenstown Resident	If no, state Organization represented
Chris Bennett		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	66 School St. LLC
Danielle Jordan		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	66 School St LLC
Minny Abbot		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	"
Carol Angowski		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
John H. Anderson		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
Silas Canavan		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	WEA
Devin G. E.		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Town Admin.
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Others Present: Matt Monahan, Central NH Regional Planning Commission;  
Chris Bennett, applicant;  
Michael Abbott, applicant;  
John Anderson, abutter;  
Carol Angowski, abutter;  
Silas Canavan, Walsh Engineering;

Other Public Officials: None

Allenstown Staff: Derik Goodine, Town Administrator (arrived at 8:00 p.m.)

Chair O'Meara stated that the Board would change the order of the agenda and address New Business first.

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

- **Site Plan. Chris Bennett/66 School Street. Case #05-2019. Map 109, Lot 11 at 66 School Street, within the Business Zone. Mr. Bennett is seeking site plan approval to allow for the sales of up to five used cars on the site.**

Mr. Bennett described his plan for a used car dealership, saying that the business will occupy approximately 0.38 acres (16,552 square feet). It is in the Business Zone and there will be no new construction. The used cars to be sold will occupy five spaces, each 9 by 18 feet. Entrance to the office will be on the west side of the building. The property also contains a medical equipment and health products business, a Subway sandwich shop, and two rented apartments. Regarding parking, he said a traffic study was done and there were no concerns. Neither customers nor tenants are allowed to park on the street. Mr. Bennett said there will be no changes to the layout, no new lighting, and no changes to utilities (water, sewer, electricity, drainage). There will be no change to the snow removal policy. The new business name will be added to the existing sign and a new sign may be put on top of the garage. The business will operate about 35 hours per week, Monday through Saturday.

Chair O'Meara displayed an aerial view of the site and asked if the physical barriers would stay. Mr. Bennett said that they would stay.

Mr. Monahan stated that the applicant has waiver requests for the scale of the plan, topography on the plan, metes & bounds and setbacks. He said that the ZBA granted a special exception on August 1, 2019 for the sale of up to five used cars. He said that the checklist items have been accounted for. One condition of approval should be that all fees are paid before the plan is signed. The TRC asks that a State license for the sale of cars be a condition of approval. The Highway Department asks that no parking on the street be a condition of approval. This is especially important from November 1<sup>st</sup> to April 1<sup>st</sup>. Mr. Monahan added that the ZBA approval should be referenced on the plan.

Ms. Angowski asked where the tenants park.



Mr. Bennett said they have one spot each in the back. They may be moving these to the north so that Martel's can have more space in the back or in front of the garage door. Mr. Bennett said that 85% of their business will be by appointment.

Mr. Monahan did some calculations and determined that, by law, the property needs 16 parking spaces and has 18 spaces available.

Ms. McKenney said they should designate specific parking spaces with signage.

Mr. Pelissier said that designations will keep people from parking where they shouldn't.

Mr. Monahan agreed with this idea.

Mr. Frascinella asked if vehicles will be serviced on site.

Mr. Bennett's response was that they would be doing no on-site maintenance or repair, but would be using Pelham Motorsport, which is a short way up the road. The State of NH requires that if a dealer does not have a service station, they must have an arrangement with one.

Mr. Monahan addressed the waiver requests, saying that having a scale of the plan would require a survey, which is not necessary for this site. Showing the topography on the plan is not necessary because it is flat and already built. Metes & bounds and setbacks are not needed for the same reason - the site is already built and there are no changes which will affect these values. There are no changes to the paved area and nothing new is being built. The setbacks do not need to be shown on the plan.

Mr. Bennett said that the contractor they now have will continue to remove snow to an off-site location.

Ms. McKenney asked how the parking would be controlled.

Mr. Frascinella asked if signage is required.

Mr. Pelissier said parking is already a huge problem during the day now because of Subway. He said that maybe they should re-look at the town's parking regulations.

Mr. Bennett said that if there is a problem, they will discuss it and, if necessary, they will put up a fence. If there is an issue, they will address it.

Ms. McKenney asked about the dumpster. Mr. Bennett said it is used by all of the tenants.

### Waiver Requests

Chair O'Meara asked for a motion to approve the waiver requests.

Ms. Adinolfo made a motion to approve the waiver requests for 66 School Street as presented.  
Mr. Pelissier seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the requested waivers were granted.

### Regional Impact

Chair O'Meara asked for a motion on regional impact.

Mr. Frascinella made a motion that there is no regional impact. Mr. Pelissier seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the Board determined that there is no Regional Impact.

### Completeness

Chair O'Meara asked for a motion on the completeness of the application.

Ms. Adinolfo made a motion that the application is complete. Mr. Pelissier seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the Board determined that the application was complete.

### Public Hearing

Chair O'Meara opened the public hearing on this application at 7:06 p.m.

Ms. Angowski said that parking can be tight, but that is not relevant to this application.

Ms. McKenney noted that big trucks backing into Martel's sometimes disrupt traffic on Route 3.

Chair O'Meara closed the public hearing at 7:11 p.m.



### Potential Conditions of Approval

Mr. Monahan listed the Conditions of Approval.

1. An approval from the NHDOS for a used car dealership shall be received before cars can be sold.
2. The conditions of approval listed by the ZBA should be listed on the plans as a condition of approval.
3. There will be no parking on the street, and all customers shall park on site.
4. All waivers granted and conditions of approval need to be on the final plan.
5. The notice of decision shall be recorded with the Merrimack County Registry of Deeds.
6. All fees shall be paid in full.
7. Parking spaces shall be designated for each tenant and for customers.
8. Snow shall continue to be removed from the site.
9. Existing physical barriers shall remain within five feet of the existing location as depicted on the plan presented at the December 18, 2019 Planning Board meeting.

### Approval of Application

Chair O'Meara asked for a motion to approve the application as presented with the Potential Conditions of Approval.

Ms. Adinolfo made a motion to approve the application as presented and discussed, with the conditions of approval as read by Mr. Monahan. Mr. Pelissier seconded the motion.

Chair O'Meara called for a vote on the motion.

Diane Adinolfo – yes, Sandra McKenney – no, Chad Pelissier – yes, Michael Frascinella – yes, and Michael O'Meara – yes.

The motion carried by a majority vote of 4-1, and the application was approved.

- **Site Plan. Casella Waste Management. Case #07-2019. Map 105 Lots 37 and 38 and at 104 River Road in the Commercial Light Industrial Zone. Casella requests site plan approval to upgrade and improve drainage facilities on both properties.**

Mr. Canavan stated that he is a civil engineer employed by Walsh Engineering acting as a consultant for Casella, which owns the transfer station in Allentown. As part of an ongoing effort to improve stormwater quality as it leaves the site, Casella is requesting site plan approval to install a subsurface gravel wetland adjacent to the existing wetland. They have already installed a Clara unit, which is a separation device for pre-treatment of stormwater. For further treatment of the stormwater, they will re-direct the flow via a perforated piping system into this gravel wetland, which will further treat the stormwater with filtration, settlement and biological actions. They will elevate the pipes as much as possible and flatten them. Stormwater collected in bay one will flow to bay three, where the process repeats itself. He continued, saying that there is a pipe from River Road, which is a drainage system owned by the town. He said he has discussed a plan with Mr. Monahan and Public Works to re-route this flow around the gravel



wetland. He said this eight-inch pipe is undersized, so the size will be increased to 15 inches in case the town decides to replace the eight-inch pipe because of drainage issues. They have drafted revised easement language so the town can maintain its pipe.

The second part of this plan, he said, is a roof draining system, with gutters on each side tied into the existing outfall. Because roof water is relatively clean, they don't want it to mix with the pavement water. This is because the pavement water won't receive maximum treatment if it is diluted by roof water. Mr. Canavan said they are requesting a waiver to work within the 25-foot setback for the wetlands. He said there will be no impact to the wetlands. The ZBA has given approval to be within the 50-foot setback, and there is no practical way to work around it. He said that 99% of the gravel wetland is over a lawn, which will be turned back into wetland, re-naturalizing it. They will continue to monitor the Clara unit before installing this system. If the water quality is satisfactory, they will not need to install this gravel system. He said they expect to know within six months if the gravel system will be needed, and they would like to have this plan approved and ready to go if necessary.

Mr. Monahan said that the Highway Department is okay with this plan, and there are no other concerns from the TRC. Attorney and Engineering escrows have been established. He noted that this area is not in the MS4 area but is just outside it.

#### Waiver Request

Chair O'Meara said the waiver requested is number 45 on the checklist, 7.01.a, disturbance within the 25-foot buffer. He asked for a motion regarding the waiver request.

Ms. Adinolfo made a motion to approve the waiver requested for disturbance within the 25-foot buffer. Ms. McKenney seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the Waiver Request was granted.

#### Regional Impact

Chair O'Meara asked for a motion on regional impact.

Ms. Adinolfo made a motion that there is no regional impact. Ms. McKenney seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the Board determined that there is no Regional Impact.

### Completeness

Chair O'Meara asked for a motion on the completeness of the application.

Ms. Adinolfo made a motion that the application is complete. Ms. McKenney seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the Board determined that the application was complete.

### Public Hearing

Chair O'Meara opened the public hearing on this application at 7:43 p.m.

Ms. Angowski, an abutter, asked if all drainage currently flows into the existing wetland.

Mr. Canavan said that it does.

Ms. Angowski asked about the length of the unit.

Mr. Canavan said it is about 150 feet long.

Ms. Angowski said that her neighbors, who are abutters, are in Florida and asked her to find out how far from their property line this will be.

Mr. Canavan said it is about 150 feet from their property line. He said it is two to three feet off the ground with a berm around it; unless one is looking down at it from a hill, he said, it would not be visible.

Ms. Angowski asked if this is a motorized system.

Mr. Canavan said that it is not motorized.

Mr. Pelissier said he assumes past test results have not been good and that has triggered the development of this system.

Mr. Canavan said that is true.

Ms. McKenney said Casella has been a good neighbor.

Chair O'Meara closed the public hearing at 7:52 p.m.



### Potential Conditions of Approval

Mr. Monahan listed the Conditions of Approval.

1. A written description for the updated easement needs to be reviewed by the Town Attorney, and compliance with any edits recommended shall be required as a condition of approval.
2. The easement must be recorded as a condition of approval.
3. The plan must be revised and edited in accordance with any changes recommended by the Town Engineer.
4. Professional stamps and signatures of the surveyor, engineer, and wetland scientist, as well as the signature of the owner, need to be on the final plan.
5. All waivers granted and conditions of approval need to be on the final plan.
6. The final plan, as approved by the Planning Board, shall be provided to the Planning Board in digital format.
7. The notice of decision shall be recorded at the Merrimack County Registry of Deeds.

### Approval of Application

Chair O'Meara asked for a motion to approve the site plan.

Ms. Adinolfo made a motion to approve Casella's site plan for a gravel wetland and roof drainage system, with the conditions of approval as read by Mr. Monahan. Ms. McKenney seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the application was approved.

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

### **• Proposed revisions to the Allenstown Zoning Ordinance**

Chair O'Meara stated that late this afternoon he received information from Town Attorney Somers which needs to be addressed.

Mr. Monahan said that the Board needs to recap the revisions they are proposing for the Zoning Ordinance and to act on the information from Attorney Somers. He said that Ms. Somers says the Home Occupation definition is still too vague and problematic. Therefore, the proposed changes to the Home Occupation ordinance are problematic, as are the Casual Sales and Yard Sales sections. Her advice, he said, is to wait on all of this until next year.

Mr. Goodine joined the meeting at 8:00 p.m.

Ms. McKenney asked if the attorneys are going to offer suggested definitions and language.



Mr. Monahan said for now they are suggesting working on it next year.

Chair O'Meara said they should table the sections on Home Occupations, Casual Sales and Yard Sales.

Mr. Goodine said that the person wishing to sell pizza from a truck can have one sale each week.

Mr. Pelissier said they could waive that site plan.

Mr. Goodine said they might give that person a one-year temporary permit. He said that the attorneys know what we are trying to do, and they will suggest some language.

Chair O'Meara reviewed the proposed ordinance changes which the Board can act upon.

1. Carports: page 35, new section J, 'that do not encroach.'
2. Carports: page 37, new section I, 'that do not encroach.'
3. Adult Daycare, Nursing Homes: page 43, add Adult Daycare and Nursing Homes to Assisted Living.
4. Add administrative revisions as suggested by Mr. Frascinella as follows:
  - To ensure that the title page, including the Town Seal, document title, revision date, and the name and address of the town, is included before the table of contents.
  - To ensure the table of contents accurately reflects the sections and page numbers.
  - To ensure that each major Article starts at the top of a new page.
  - To list page numbers in the footer at the bottom of the page and to list each page number as a specific page of a set number of pages; for example, "page 12 of 125."

#### Public Hearing

Chair O'Meara opened the public hearing on the proposed Ordinance revisions at 8:12 p.m.

Chair O'Meara closed the public hearing on the proposed Ordinance revisions at 8:15 p.m.

Chair O'Meara stated that a second public hearing is not needed.

Chair O'Meara asked for a motion on the proposed ordinance changes.

Ms. McKenney made a motion to approve the ordinance changes as read and to send the changes to the March 2020 Town Meeting. Ms. Adinolfo seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously.

## **STAFF UPDATES**

**None**

## **UNAPPROVED MINUTES**

Mr. Pelissier made a motion to approve the minutes of the December 4, 2019 meeting as written. Ms. Adinolfo seconded the motion.

Chair O'Meara called for a vote on the motion.

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

The motion carried unanimously, and the minutes of the Dec 04, 2019 meeting were approved.

## **CORRESPONDENCE AND OTHER BUSINESS**

**None**

## **SCHEDULING OF NEXT MEETING**

Chair O'Meara set January 15, 2020 as the date of the next Planning Board meeting.

## **ADJOURNMENT**

Ms. McKenney made a motion to adjourn at 8:22 p.m. Ms. Adinolfo seconded the motion.

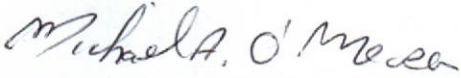
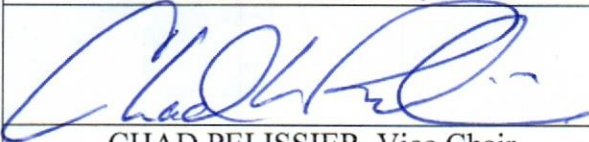
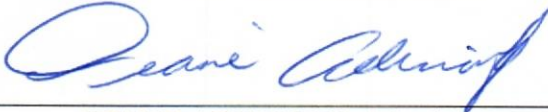
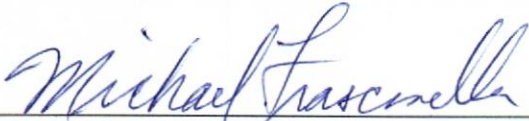
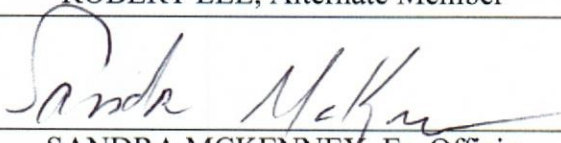
Chair O'Meara called for a vote on the motion.

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 18, 2019**

Approval:	
	1/15/2020
MICHAEL O'MEARA, Chair	DATE
	1/15/2020
CHAD PELISSIER, Vice Chair	DATE
	1-15-2020
DIANE ADINOLFO, Member	DATE
	1/15/2020
MICHAEL FRASCINELLA, Member	DATE
N/A	
ROBERT LEE, Alternate Member	DATE
	01-15-2020
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
	ROBERT LEE, Alternate Member	DATE
	SANDRA McKENNEY, Ex-Officio	DATE



## TOWN OF ALLENTOWN

## Planning Board

16 School Street

Allenstown, New Hampshire 03275

Meeting Date: 12/18/2019

### Sign-In Record

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