

TOWN OF ALLENSTOWN
Planning Board
16 School Street
Allenstown, New Hampshire 03275
February 06, 2019

Call to Order.

The Allenstown Planning Board Meeting of February 06, 2019 was called to order by Chair Mike O'Meara at 6:32 p.m. Chair O'Meara called for the Pledge of Allegiance.

Roll Call.

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

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: 02 / 06 / 2019

Sign-In Record

Print Name	Signature	Indicate applicable status	
		Allenstown Resident	If no, state Organization represented
ED. HUGGINS		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Victor Martin		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
		<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. None

NEW BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS.

a. PB Case # 01-2019-CPU-Accessory Use-Edward Huggins-189 Granite Street

Mr. Monahan reported that the Building Inspector found this project to be in compliance. A floor plan has been submitted, along with a bulleted narrative, cost details and pictures. The TRC had no comments.

Chair O'Meara noted that the builder, Mr. McMartin, was present, along with Mr. Huggins, the owner.

Mr. Frascinella asked if the unit is within the current foundation.

Mr. Monahan confirmed that the proposed Accessory Dwelling Unit (ADU) is fully contained within the foundation of the existing home. It is a basement unit, but is a walk out unit due to the slope in the back.

Completeness of Application

Mr. Pelissier made a motion of Completeness for the application of Edward Huggins for an ADU on his property at 189 Granite Street. The motion was seconded by Ms. Adinolfo. A roll call vote was taken:

Vote: Ms. Adinolfo – Yes, Ms. McKenney – Yes, Mr. Frascinella – Yes, Mr. Pelissier – Yes, Mr. O'Meara -Yes.

The application was deemed complete.

Determination of Regional Impact

Mr. Pelissier made a motion that the application has no Regional impact. The motion was seconded by Ms. McKenney. A roll call vote was taken:

Vote: Ms. Adinolfo – Yes, Ms. McKenney – Yes, Mr. Frascinella – Yes, Mr. Pelissier – Yes, Mr. O'Meara -Yes.

The application was deemed to have no Regional Impact.

Public Hearing

Chair O'Meara opened a Public Hearing on the case at 6:40 p.m. He closed the public hearing at 6:41 p.m., there being no one present wishing to speak.

Potential Conditions of Approval

Mr. Monahan went through the criteria as listed in Section 11:24 as conditions of approval, all of which have been met by the applicant. The home is a single-family unit. The accessory unit has independent sleeping, cooking, eating and bathroom (sanitation) facilities. There is an interior door leading to the principal unit. There is adequate water supply and sewage disposal. It has the look and feel of a single unit. The owners occupy the main or the accessory unit. The accessory unit is not greater than one-half of the area of the principal unit.

Approval of Application

The Chair asked for a motion to approve the application with the conditions of approval as outlined by the Planner. Ms. McKenney made a motion to approve the application. Ms. Adinolfo seconded the motion. A roll call vote was taken:

Vote: Ms. Adinolfo – Yes, Ms. McKenney – Yes, Mr. Frascinella – Yes, Mr. Pelissier – Yes, Mr. O'Meara -Yes.

The application was approved.

Mr. Pelissier said that this type of application is almost too easy. He said it is too bad to hold the applicant up, suggesting that the Building Inspector could grant approval.

Mr. Monahan said that would be a good change, which would have to be put on the ballot for next year's town election. The Building Inspector could make the determination unless all criteria are not met.

b. MS4 Illicit Discharge Detection and Elimination Ordinance

Mr. Monahan stated that this is the Selectmen's Ordinance. Based on the permit, the regulations are in draft form dated January 10, 2019. The Southeast Watershed model was used. This is the enforcement mechanism for the updated Groundwater Protection Ordinance. He and Chair O'Meara will present this at a BOS meeting, probably in late March or early April, after the town election.

Mr. Monahan went through the 14-page document, one section at a time. Parts A and B of CO 217.01 explain the purpose and the intention. Part C establishes authority, which draws on several different RSAs. Part D explains the relationship of this ordinance to other ordinances. CO 217.02 is an extensive list of definitions. The Manchester version, with refinements, was used as a model.

Mr. Frascinella asked about the difference between #10, illicit discharge and #17, non-stormwater discharge.

Ms. Adinolfo suggested that an example of #17 might be washing your car in your driveway.

Mr. Monahan agreed, adding that illicit discharge is putting into the sewer prohibited waste. He pointed out the list of exceptions. He continued, saying that CO 217.03 names the Road Agent as the enforcement authority. Where communities have Public Works directors, they are named as the enforcement authorities. Other officials, such as the Building Inspector, Town Planner and Town Administrator, may be called upon to lend support. State funding in the form of grants might also be possible.

Chair O'Meara said that Senate Bill 202, which is currently under consideration, would provide State funding to help with MS-4 compliance.

Mr. Monahan noted that the Town Attorney, Sharon Somers, might have some comments on this draft.

Mr. Goodine asked about the allowable discharge of water from swimming pools requiring a zero reading of chlorine.

Mr. Pelissier said that the sun sucks out virtually all of the chlorine.

Mr. Monahan said that the Illicit Discharge plan for detection and elimination – the tracking and enforcement piece - is nestled into the Stormwater Protection Plan. He said that DES has a template outlining how to find violations. CO 217.05 says that construction activities disturbing one or more acres of land require permits and have criteria to follow. This would be in the Stormwater Pollution Prevention Plan (SWPPP).

Mr. Frascinella suggested a few minor grammatical and punctuation corrections, and he suggested clarifying that the applicant has five business days to apply for a permit.

Mr. Monahan said that the CO 217.07 lists Stormwater Control Regulations, and CO 217.10 addresses enforcement methods.

Ms. Adinolfo asked if a resident should contact the police and/or fire departments if an illicit activity is suspected. She noted that this is apt to happen at night.

Mr. Monahan strongly recommends having police at all site visits where there is a suspected violation. He added that there is no grace period when violations are found. Daily fines begin immediately.

Mr. Frascinella said it would be important to have a map of the stormwater system so that contractors will know whether or not they are in the MS4 district.

Mr. Monahan agreed and said that all of the outfalls are on the Suncook River; none are on the Merrimack. All 19 outfalls are identified.

Chair O'Meara clarified that these are the man-made outfalls, as opposed to natural ones, over which there is no control.

Mr. Monahan noted that some of the provisions apply town-wide, while others apply only to the MS4 area and industrial areas not in the MS4.

Mr. Pelissier said that the outfalls, not the rivers, are tested.

Mr. Monahan next pointed out the severability clause, CO 217.11, which states that if any portion of these regulations is found to be unconstitutional or invalid by a court, the validity of the whole or other parts would not be affected.

Mr. Monahan pointed out a distinction between preventative measures and follow-up. On page 12 of the draft, CO 217.09 addresses responsibility to ensure the discovery, containment and cleanup of discharges and spills.

Chair O'Meara said that no ordinance will prevent illegal activities. They must be discovered and reported.

Mr. Goodine said he assumed that a mitigation plan must be in place as part of the permit. For example, a car wash which is not working correctly might have an illicit discharge running down the edge of the road. There should be a clean-up plan as part of the permit.

Mr. Monahan said that he would make the corrections suggested this evening and would be asking the Town Engineer to review the draft.

Chair O'Meara said he would ask to have this ordinance placed on the April 08, 2019 BOS agenda.

Mr. Frascinella emphasized the need for maps of the MS4 area.

UNAPPROVED MINUTES:

- a. Review and approve minutes from the January 02, 2019 meeting.

The Chair presented draft minutes from the January 02, 2019 Planning Board meeting for review and approval and requested a motion to approve the January 2nd minutes as written. Diane Adinolfo made a motion to approve the minutes as written. Sandy McKenney seconded the motion.

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

The motion carried unanimously, and the minutes for the January 02, 2019 meeting were approved.

CORRESPONDENCE & OTHER BUSINESS:

- a. Chair O'Meara stated that the Board has received communications from Gilmanton regarding a cell tower. He said that no action is needed as there is no effect on Allenstown.
- b. Chair O'Meara set March 06, 2019 as the date for the next Planning Board meeting.

STAFF UPDATE:

- a. None


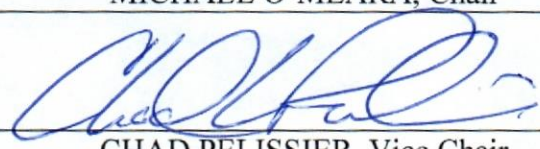
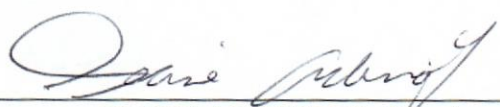
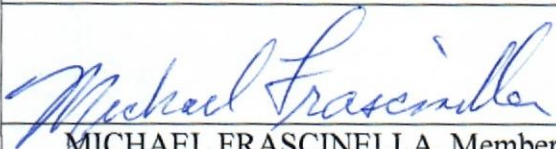
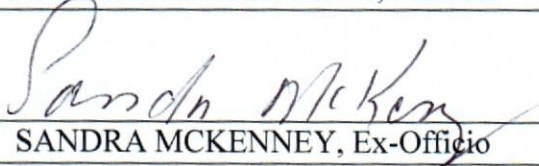
ADJOURN

There being no further business before the board, the Chair requested a motion to adjourn. Mike Frascinella made a motion to adjourn. Sandy McKenney seconded the motion.

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

The motion carried, and the meeting was adjourned at 7:52 p.m.

Signature Page

Approval:	
	3/20/2019
MICHAEL O'MEARA, Chair	DATE
	3/20/19
CHAD PELISSIER, Vice Chair	DATE
	3/20/19
DIANE ADINOLFO, Member	DATE
	3/20/19
MICHAEL FRASCINELLA, Member	DATE
	03.20.19
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
	SANDRA MCKENNEY, Ex-Officio	DATE

