

TOWN OF ALLENSTOWN
Planning Board
16 School Street
Allenstown, New Hampshire 03275
January 6, 2016

Call to Order.

The Allenstown Planning Board Meeting for was called to order by Chair, Chris Roy at 18:45 p.m.

Roll Call.

Present on the Board: Chris Roy, Diane Adinolfo, Chad Pelissier and Larry Anderson.

Ex-Officio: None present.

Others Present.

Residents of Allenstown: None

Others Present: Matt Monahan, CNHRPC

Other Public Officials: None

Allenstown Staff: None present

OLD BUSINESS/RECIPT OF APPLICATIONS & PUBLIC HEARINGS

Zoning Public Hearing. Open the public meeting at 18:46. It is noted that there are no members from the public present at the opening of the meeting.

The following are the proposed changes to the Zoning Ordinances:

Section 1122 Privately Owned Graveyards, Burial Grounds

- a. Purpose: To ensure that privately owned burial grounds, as defined by RSA 289:1, as amended from time to time, are properly and permanently identified and that the placement of same shall not result in a threat to the public health and safety in accordance with the authority granted in RSA 289:3.
- b. Location of Burial Grounds. Privately owned burial grounds shall not be located in the 100-year flood plain or delineated wetlands and shall not be located closer than 100 feet from the right-of-way of any highway, street or road, or closer than 100 feet from an existing dwelling house or no closer than 50 feet from a known source of potable water or property line. The location of the burial ground shall be delineated on a plan prepared by a licensed surveyor and recorded at the Merrimack County Registry of Deeds within a reasonable time following the burial, but in no event later than sixty days. The location of the burial ground shall also be denoted on the ground using permanent markers. The

location of the burial ground shall also be noted in the deed upon transfer of the property following burial.

Section 1123 Residential Accessory Use to Primary Commercial Use

- a. In an effort to facilitate economic development in the Town of Allenstown, an accessory residential use to a principal commercial use is permitted by Conditional Use Permit from the Planning Board in the Business Zone, the Commercial Light Industrial Zone, and the Industrial Zone. The Planning Board shall, at a duly noticed public hearing determine if all of the following criteria have been met.
 - 1. The proposed residential unit(s) are subordinate and incidental to the commercial use.
 - 2. Not more than 50% of the aggregate total floor area of the business is used for residential use.
 - 3. No more than 1 residential unit is proposed.
 - 4. At least one of the resident(s) of all accessory residential unit(s) shall be employed on site by the business.
 - 5. The residential unit(s) shall be located on the top-most floor, or, located to the rear of the property or building.
 - 6. The unit(s) shall not result in an increase of offensive or obnoxious uses.
 - 7. Demonstrated ability to meet parking requirements.
 - 8. Demonstrated ability to provide adequate septic or sewer service.
 - 9. Demonstrated ability to provide well or public water.
 - 10. That the residential unit(s) shall not be noticeably different from the rest of business.
 - 11. Site Plan approval, if applicable.

b. Process: The application shall include a Conditional Use Permit application and shall be noticed in accordance with the public hearing requirements described in the Allenstown Subdivision Regulations. Application deadlines shall be in accordance with the provisions described in the Subdivision Regulations. The Planning Board shall determine if all of the aforementioned criteria have been met. If, in the opinion of the Board, all of the criteria have been met, the Conditional Use Permit shall be issued. If one or more of the criteria has not been met, the Conditional Use Permit shall not be issued.

c. Other Factors:

1. The accessory dwelling unit Conditional Use Permit shall expire if the principal use of the property ceases to be industrial, commercial, or another business use, or, if the accessory dwelling unit ceases to comply with the provisions of this Article and/or the conditions of its approval.
2. The residential unit(s) need not be physically attached to the business, provided that all of the other required components above can be met.
3. A Conditional Use Permit shall not relieve an applicant from applying for a building permit or meeting any and all life safety and building code requirements.
4. If applicable, the Conditional Use Permit application can be processed with a Site Plan application and approved simultaneously.
5. A Site Plan application may be required when:
 - i. The Planning Board considers the proposal a change of use.
 - ii. The proposal is part of the initial development of a commercial site on previously undeveloped land.

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iii. The proposal results in the physical expansion beyond 1,000 square feet of the building, including impervious surfaces (i.e. parking).

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VI. **Spill Prevention, Control, and Countermeasure Plan (SPCC).**

Conditional uses, as described under Section IX part (A) below, using regulated substances shall submit a SPCC plan to the Fire Chief who shall determine whether the plan will prevent, contain, and minimize releases from ordinary or catastrophic events such as spills, floods, or fires that may cause large releases of regulated substances. The Town may consult third party entities at the expense of the applicant to ensure compliance. ~~The SPCC shall include those provisions listed in Allenstown Town Ordinance CO217.~~

**Article XXV –
Permanent (Post-Construction) Stormwater Management Ordinance**

I. PURPOSE

To protect, maintain and enhance the public health, safety, environment, and general welfare by establishing minimum requirements and procedures to control the adverse effects of increased post-development stormwater runoff, decreased groundwater recharge, and non-point source pollution associated with new development and redevelopment.

II. AUTHORITY

The provisions of this Article are adopted pursuant to RSA 674:16, Grant of Power, RSA 674:17, Purposes of Zoning Ordinance, and RSA 674:21, Innovative Land Use Controls.

III. APPLICABILITY

- A. The requirements of this Article shall apply to land disturbance, development, and/or construction activities in all zoning district(s).
- B. Nothing in this Article alleviates a land owner from complying with applicable provisions including more stringent provisions of Allenstown Ordinance CO 217, Regulation of Discharges Into Storm Water Drainage System as it may be amended from time to time.

IV. STORMWATER MANAGEMENT PLAN

All developments (new or redeveloped) disturbing greater than 20,000 square feet of area shall submit a permanent (post-construction) Stormwater Management Plan (SMP) with an application for subdivision or site plan review. The permanent SMP, which shall be stamped and signed by a licensed New Hampshire, professional engineer, shall address and comply with the requirements set forth herein and as specified by the planning board.

- A. Stormwater Pollution Prevention Plan (SWPPP): Commercial and Town maintenance garages, public works yards, transfer stations, recycling centers and other waste handling facilities where pollutants are (or are proposed to be) exposed to runoff and not covered by a site-level EPA stormwater permit shall also submit a Stormwater Pollution Prevention Plan (SWPPP) according to the following:
 - 1. Applications before the Planning Board shall present the SWPPP for approval during the application process. The Board shall seek input from the Road Agent during the process. Approval of the site plan or subdivision application shall constitute an approval of the SWPPP.
 - 2. Existing facilities shall submit a SWPPP to the Planning Board for approval no later than January 1, 2017 under the conditional use permit process. The Board shall seek input from the Road Agent during the approval process.
 - 3. The minimum components of the SWPPP shall include:
 - i. Description of the facility.
 - ii. Identification of potential pollutant sources.
 - iii. Identification of stormwater controls.
 - iv. Description of methods to minimize exposure of the pollutants.

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- v. Preventative maintenance provisions.
- vi. Spill prevention and response.
- vii. Methods for erosion and sediment control.
- viii. Stormwater management runoff methods (description of stormwater management/drainage structures, etc.).
- ix. Employee training schedule/topics.
- x. Schedule for maintenance of control measures (stormwater, erosion/sediment).
- xi. Salt piles, if present must be covered by January 1, 2017.
- xii. Schedule for inspections of pollutant sources and stormwater controls once a quarter. Inspections shall be self-inspections with documentation signed by the property owner and/or facility operator and submitted to the Road Agent within thirty (30) days of completion. For Town facilities, the document shall be signed by the Board of Selectmen. Facilities are subject to random spot-check by the Road Agent during normal business hours excluding holidays, nights and weekends.
- xii-xiii. For projects falling under the jurisdiction of Allenstown Ordinance CO 217, Regulation of Discharges Into Storm Water Drainage System as it may be amended from time to time, any additional SWPPP provisions found in CO 217 shall also be included in the SWPPP used to comply with the provisions of this Article.

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2. In addition to implementation of BMPs for designing site-specific stormwater management controls, uses included under subsection G.1 shall provide a stormwater pollution prevention plan (SWPPP, see ~~margin note below~~ Section IV of this Article), describing methods for source reduction and methods for pretreatment.

The Chair, Chris Roy closed the public hearing at 19:06. It is noted that no members from the public entered during the meeting, therefore, there are no members present at the close of the public session.

Motion made by Larry Anderson to move all proposed changes as written to town meeting including:

To amend Article 11, by adding the following language. Section 1122 Privately Owned Graveyards, Burial Grounds.

To amend Article 11, by adding the following language. Section 1123 Residential Accessory to Use to Primary Commercial Use.

To amend section VI Spill Prevention, Control and Countermeasure Plan

To amend section XXV, Permanent (post construction) Storm Water Management

The motion was seconded by Chad Pelissier. Vote: Chris Roy—yes, Chad Pelissier—yes, Larry Anderson—yes, Diane Adinolfo—yes. Motion passed.

NEW BUSINESS/RECIPT OF APPLICATIONS & PUBLIC HEARINGS.

None.

REVIEW OF UNAPPROVED MINUTES.

The minutes from December 16, 2015 were reviewed, signed and accepted.

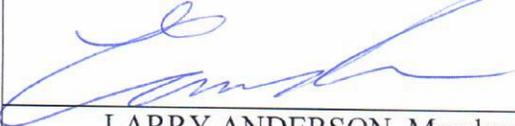
CORRESPONDENCE & OTHER BUSINESS:

None

ADJOURN

A motion was made by Diane Adinolfo to adjourn the meeting. Chad Pelissier seconded the motion. Vote: Chris Roy—yes, Chad Pelissier—yes, Larry Anderson—yes, Diane Adinolfo—yes. Motion passed. Meeting adjourned at 19:15.

Signature Page

Approval:	
	2-17-16
CHRISTOPHER ROY, Chair	DATE
	2-17-2016
DIANE ADINOLFO, Member	DATE
CHAD PELISSIER, Member	DATE
	2-17-2016
LARRY ANDERSON, Member	DATE
JASON TARDIFF, Ex-Officio	DATE

Amendment Approvals:

Amendment Description:	Approval:	Date:
	CHRISTOPHER ROY, Chair	DATE
	DIANE ADINOLFO, Member	DATE
	CHAD PELISSIER, Member	DATE
	LARRY ANDERSON, Member	DATE
	JASON TARDIFF, Ex-Officio	DATE