

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**16 School Street**  
**Allenstown, New Hampshire 03275**  
**November 4, 2020**

**CALL TO ORDER**

The Allenstown Planning Board Meeting of November 4, 2020 was called to order by Chairman Mike O'Meara at 6:34 p.m. Chair O'Meara called for the Pledge of Allegiance.

Chair O'Meara read a statement establishing authority to hold an electronic meeting, along with remote viewing and listening guidelines.

As Chair of the Allenstown Planning Board, I, Mike O'Meara, find that due to the State of Emergency declared by the Governor as a result of the COVID-19 pandemic and in accordance with the Governor's Emergency Order #12 pursuant to Executive Order 2020-04, this public body is authorized to meet electronically. Please note that there is no physical location to observe and listen to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.*** We have a Zoom conference calling session set up for those listening. The instructions are on the Town website on the Planning Board agenda page.
- b) *Providing public notice of the necessary information for accessing the meeting.*** We previously gave notice to the public of the necessary information for accessing the meeting, including how to access the meeting using Zoom or telephonically. Instructions have also been provided on the website of the Town of Allenstown Planning Board page attached to the agenda for this meeting. Facebook Live is another platform for viewing the meeting, but it is not the official site and it is not monitored.
- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.***
- d) *Adjourning the meeting if the public is unable to access the meeting.***

**ROLL CALL**

Present on the Board: Mike Frascinella, Chad Pelissier, Sandy McKenney, Diane Adinolfo, Mike O'Meara, Matt L'Heureux, alternate.

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Matt Monahan, CNHRPC  
Jeff Burd, Engineer representing Allenstown Aggregate

Aaron Ferman, Allenstown Aggregate

Allenstown Staff: Derik Goodine, Town Administrator

Other Public Officials: None

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

### **▪ Continuation of the CUP Application for Allenstown Aggregate**

Mr. Monahan presented a recap of the Allenstown Aggregate applications. He said that a Lot Line Adjustment was approved, and a Site Plan has received a conditional approval. The Town Engineer is satisfied, he said, and per his own memo, they have 'done their best and met the intent.' Tonight, the Planning Board is continuing its consideration of the Conditional Use Permit Application (CUP), and will hold a public hearing, make a regional impact determination, and making a decision on completeness of the application.

#### Regional Impact:

Ms. McKenney made a motion stating that this is not a development of regional impact. Mr. Frascinella seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye, and Michael O'Meara – Aye.

The motion carried unanimously, and it was determined that the application is not a development of regional impact.

#### Completeness of the Application:

Ms. McKenney made a motion affirming the completeness of the Allenstown Aggregate CUP application. Ms. Adinolfo seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye, and Michael O'Meara – Aye.

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

#### Public Hearing:

Chair O'Meara opened the Public Hearing at 6:44 pm.

Mr. Monahan presented a list of eight (8) items from the Town Engineer's memo dated October 8, 2020.



- 1) Labeling of swales (Mr. Burd has said he will do this.)
- 2) Title of Stormwater Management Report – labeling issue
- 3) A technical engineering item which has been satisfied
- 4) Remnants from quarrying operation – if tied to, not an issue
- 5) CUP –to be taken up later
- 6) Maintenance runs with the land and to be part of the Notice of Intent, which is to be recorded
- 7) Release of hazardous materials into water; no flood drains obviate the need for a shutoff
- 8) Stabilized during construction so no dirt is on the road; just use existing driveway

Mr. Monahan continued, addressing the CUP. He said the target they had to hit with stormwater was the pre-development range of 90 to 110%. They are a little bit over. He told the Planning Board members that their motion for approval, if they choose to do that, must include verification that all three of the following elements have been met.

- Such modifications are consistent with the general purpose and standards of this section and shall not be detrimental to public health, safety, or welfare.
- The modified design and stormwater management approach need to perform at standards.
- The modified design plan and stormwater management approach shall satisfy all state and federal permit requirements.

Chair O'Meara stated that Mr. Burd confirms there are no state or federal permit requirements.

Mr. Burd said that the stormwater numbers did come down, from 140 down to less than 120.

Chair O'Meara closed the Public Hearing at 6:55 pm.

#### Approval of the CUP Application:

Mr. Monahan next presented proposed conditions of approval.

- ❖ Consistently label all various stormwater swales.
- ❖ Maintenance provision of the stormwater infrastructure is the responsibility of the landowner and this requirement shall run with the land.
- ❖ A plan note should be placed on the plan indicating that not more than five gallons of a regulated substance shall be stored on the site, excluding fuel in tanks of functioning vehicles and equipment. Additionally, all such materials shall be stored inside. Heating oil tanks shall be stored inside. No floor drains are permitted.
- ❖ Access to the site during construction shall be via the existing driveway that serves the excavation operations.
- ❖ The Notice of Decision shall be recorded at the Merrimack County Registry of Deeds.

Mr. Pelissier said that since this is for commercial operations with a garage in the back for maintenance, perhaps oil changes should be allowed.

Mr. Monahan suggested adding language saying that regular vehicle maintenance is permitted inside, provided that containers are consistent with industry standards and a spill can is present. This would be a sixth condition of approval.



Ms. McKenney made a motion to approve Allenstown Aggregate's CUP application, with all three (3) of the provisions listed by Mr. Monahan on page two of his three-page November 3, 2020 memo being met, and including the six (6) conditions of approval read by Mr. Monahan. Ms. Adinolfo seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye, and Michael O'Meara – Aye.

The motion carried unanimously, and the CUP Application was approved.

Mr. Monahan said he would update the notice and send it to the parties now.

- **Continuation of the review/consideration of potential change to Zoning Ordinance and/or Site Regulations**

Chair O'Meara said they have agreement on the language for the so-called dumpster ordinance. With regard to the previous discussions with regard to "junk vs junky" yards, he said that they acknowledge the feedback regarding infringement on property rights, and that further research was needed before proceeding with further deliberations on any potential ordinance.

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

None.

## **UNAPPROVED MINUTES**

- **October 28, 2020**

Ms. Adinolfo made a motion to approve the minutes of the October 28, 2020 meeting as written. Ms. McKenney seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye, and Michael O'Meara – Aye.

The motion carried unanimously, and the October 28, 2020 meeting minutes were approved.

## **CORRESPONDENCE & OTHER BUSINESS**

Chair O'Meara reported that the Board has been advised by NHDOT of the approval of a driveway permit for owner Susan Hebert of 228 Deerfield Road.

**STAFF UPDATE**

None

**SCHEDULING OF NEXT MEETING**

Chair O'Meara confirmed November 18, 2020 as the date of the next Planning Board meeting.

Chair O'Meara reminded all members of a site visit scheduled for Monday, November 9<sup>th</sup> at 10:00 am. All are welcome to attend, he said, and they will be confirming that the coal ash pile at Allenstown Aggregate has been totally removed.

**ADJOURNMENT**

Ms. McKenney made a motion to adjourn at 7:18 pm. Mr. Frascinella seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Chad Pelissier – Aye, and Michael O'Meara – Aye.

The motion carried unanimously, and the meeting was adjourned.



**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**November 04, 2020**

<b>Approval:</b>	
<i>Michael A. O'Meara</i>	<i>18 - NOVEMBER - 2020</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Via Roll Call Voice Vote	18-November-2020
CHAD PELISSIER, Vice Chair	DATE
Yes – Via Roll Call Voice Vote	18-November-2020
DIANE ADINOLFO, Member	DATE
Yes – Via Roll Call Voice Vote	18-November-2020
MICHAEL FRASCINELLA, Member	DATE
N/A	N/A
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes – Via Roll Call Voice Vote	18-November-2020
SANDRA MCKENNEY, Ex-Officio	DATE

**SIGNATURE PAGE**  
**Planning Board**  
**November 04, 2020**

<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
	MATTHEW L'HEUREUX, Alternate Member	DATE
	SANDRA McKENNEY, Ex-Officio	DATE