

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

**CALL TO ORDER**

The Allenstown Planning Board Meeting of December 16, 2020 was called to order by Chairman Mike O'Meara at 6:35 p.m. Chair O'Meara called for the Pledge of Allegiance.

The following statement established 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, Sandy McKenney, Diane Adinolfo, Mike O'Meara, Chad Pelissier, Matt L'Heureux, alternate

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Matt Monahan, CNHRPC  
Brian Arsenault, Code Enforcement Officer

Allenstown Staff: Derik Goodine, Town Administrator

Other Public Officials: None

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

None.

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

### **▪ Public Hearings:**

- 1. To repeal the entirety of Article XXV, Permanent (Post-Construction) Stormwater Management Ordinance and replace it with a new Article XXV, Allenstown Separate Storm Sewer System (MS4) Post-Construction Stormwater Management Ordinance.**

Mr. Monahan stated that this proposed ordinance will replace the entirety of the one currently on the books. He said they had two choices: 1) go through the existing ordinance and make changes to bring the town into compliance or 2) use a model ordinance and tailor it to fit to Allenstown. The second option, he said, is much easier, and that is what was done.

Chair O'Meara opened the Public Hearing on the MS4 Post-Construction Stormwater Management Ordinance at 6:44 pm. He said that a great job was done creating this ordinance. Mr. Monahan said this allows Allenstown to comply with the permit requirements and is simpler to implement than the current one.

There being no town residents or other interested parties present at the meeting to provide input, Chair O'Meara closed the Public Hearing at 6:46 pm.

Chair O'Meara requested a motion to approve the proposed ordinance for inclusion on the ballot at the Mar. 2021 Town Meeting.

Mr. Frascinella made a motion to move the proposed MS4 Post-Construction Stormwater Management Ordinance to the Town Meeting ballot, March 2021. Ms. Adinolfo seconded the motion.

Chair O'Meara called for a roll call 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.

- 2. To adopt a new Section 1126, Dumpster Ordinance, to Article XI, Supplemental Regulations. The purpose of the ordinance is to regulate the use and operation of Dumpsters, Roll-offs, Storage Containers and Storage Trailers.**



Mr. Monahan said that this is a proposed new ordinance for regulation of the use and operation of Dumpsters, Roll-offs, Storage Containers, and Storage Trailers. The goal, he said, is to manage their use in terms of sanitation, noise, and appearance.

Mr. Arsenault suggested that the title should not be just 'Dumpster' Ordinance, but should include Roll-offs, Storage Containers and Storage Trailers.

Chair O'Meara said that the language of the title will be fixed.

Chair O'Meara opened the Public Hearing on the proposed Dumpster, Roll-off, Storage Containers and Storage Trailers ordinance at 6:54 pm.

Ms. McKenney asked if the residents will be notified of the requirements of the ordinance.

Chair O'Meara said that is not the job of the Planning Board. Residents have a responsibility to inform themselves about regulations, he said, adding that Mr. Arsenault can use his discretion initially, in terms of penalties.

There being no town residents or other interested parties present at the meeting to provide input, Chair O'Meara closed the Public Hearing at 6:55 pm.

Chair O'Meara requested a motion to approve the proposed ordinance for inclusion on the ballot at the Mar. 2021 Town Meeting.

Ms. Adinolfo made a motion to adopt the new Dumpster, Roll-off, Storage Containers and Storage Trailers ordinance. Ms. McKenney seconded the motion.

Chair O'Meara called for a roll call 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.

## **UNAPPROVED MINUTES**

### **▪ November 18, 2020**

Chair O'Meara requested a motion to approve the minutes of the November 18, 2020 meeting as written.

Ms. Adinolfo made a motion to approve the minutes of the November 18, 2020 meeting as written. Ms. McKenney seconded the motion.

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

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



The motion carried unanimously.

## **CORRESPONDENCE & OTHER BUSINESS**

### **▪ Zoning Ordinance Revision**

Chair O'Meara said that Mr. Frascinella has been working diligently on a revision of the Zoning Ordinance to make it more user-friendly. The revised document will be presented for approval at the 2022 Town Meeting.

Mr. Frascinella said that he defined one consistent style for the entire ordinance, for uniformity. When revising and editing, he suggested turning on **Display** from the **Options** menu to select which punctuation and spacing marks to show. This is helpful, he said, in 'cleaning up' any document. He said he used the new color Town Seal which was created by the Welcome Signs vendor. He made the Table of Contents more readable. Next, he said that he redesigned the first four headings and added automatic numbering to the first heading. He asked why a combination of Roman and Arabic numbers was used.

Chair O'Meara stated that he had no objection to changing that.

Ms. Adinolfo said it is all about readability.

Mr. Frascinella reported finding effective dates in multiple places.

Mr. Arsenault said it is helpful to know the dates of the various revisions when searching the history of an ordinance.

Chair O'Meara said they could capture the dates of the revisions in one place, rather than spreading them throughout the ordinance. A separate Revisions section could be created.

Ms. Adinolfo said that a marked-up document should be available at Town Hall.

Mr. Monahan said that somewhere there should be a running list of revisions.

Mr. Frascinella continued, saying that he created several macros throughout the ordinance, which anyone searching the ordinance electronically could use. He said he put the macros on a tool bar. He noted that the words 'severability' and 'separability' seem to be used interchangeably.

Ms. Adinolfo suggested consulting with Town Attorney Somers about that.

Mr. Frascinella said that sometimes an Article is referred to as a Chapter, and a Section as an Article.

Chair O'Meara thanked Mr. Frascinella for all of his work, and he suggested that they could divide the ordinance into sections to be dealt with one at a time in future meetings. He said that he is willing to do that.



Mr. Monahan suggested creating a subcommittee which could meet to go over Mr. Frascinella's revisions.

Mr. Frascinella said that his reorganization of Article 11 resulted in the creation of four subdivisions: 1) Businesses at Home; 2) Sign Regulations; 3) Building & Land Regulations and 4) Town Building Code Regulations. The new Dumpster, Roll-offs, Storage Containers and Storage Trailers ordinance would be the new Article 13.

Mr. Frascinella next said that he reworked Section 1119 to be the new Article 14, with its own section numbers. Article 28 would be the new MS4 ordinance, replacing the old stormwater article. Article 36 would be the Revision History. He said he added a statement at the top regarding the effective date and replaced underlining with bolding. He said he applied a consistent Style throughout the document, and the only time he used heading 3 was in Article 12 on signage.

Mr. Frascinella asked Mr. Monahan about the use of the word 'monumentation.'

Mr. Monahan said it refers to the granite boundaries defining a lot. Chair O'Meara commented said this is about the lot line monuments, then.

Mr. Frascinella also asked about the use of the word 'recording.'

Mr. Monahan said it can be found in most ordinances and regulations. It is about recording information and keeping records.

Mr. Frascinella quoted a sentence from the Recycling section which says, "The town is not equipped to separate or collect recyclable materials at curbside."

Chair O'Meara said that is outdated and needs to be fixed.

Mr. Frascinella next said that there are a lot of cross references toward the end of the Zoning Ordinance. He said he has created keystrokes so that a user can go back and forth between the reference and the cross reference.

Mr. Goodine said perhaps they could create links to definitions of key words.

Mr. Frascinella indicated that that would take a lot of work.

Mr. Frascinella said there are several articles which are empty or say 'Reserved.' These are Articles 26, 29, 31, 33, 34 and 35.

Mr. Monahan said this is not uncommon because it saves on internal reference revisions.

Mr. Frascinella said he spent 20 to 30 hours on these revisions, hoping to make the Zoning Ordinance more user friendly for the town officials and the residents.

Ms. Adinolfo said that most residents want to do the right thing.

Mr. Arsenault said he would be more than happy to help out with this project, having some experience with technical writing.

Mr. Frascinella asked if he has the authority to change headings to chapters.

Mr. Arsenault suggested making the changes and attaching what went before for the voters.

Ms. Adinolfo said they cannot accept the changes until after the Town Meeting in 2022.

Chair O'Meara said that Mr. Monahan told him that a new ordinance or an ordinance revision is effective after the public hearing and the vote of the Planning Board. The voters later either confirm or reject the change.

▪ **Working Without a Permit**

Ms. McKenney stated that for six months, some people have been working without a permit. She asked if they could be charged a fee for this.

Chair O'Meara said he did not know the answer to that.

Mr. Arsenault said he did not know either, but he would check into it.

**SCHEDULING OF NEXT MEETING**

Chair O'Meara announced January 6, 2021 as the date for the next Planning Board meeting.

**ADJOURNMENT**

Ms. Adinolfo made a motion to adjourn at 7:58 pm. Ms. McKenney seconded the motion.

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

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

The motion carried unanimously, and the meeting was adjourned.



**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**December 16, 2020**

<b>Approval:</b>	
<i>Michael A. O'Meara</i>	<i>20-JANUARY-2021</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Via Roll Call Voice Vote	20-January-2021
CHAD PELISSIER, Vice Chair	DATE
Yes – Via Roll Call Voice Vote	20-January-2021
DIANE ADINOLFO, Member	DATE
Yes – Via Roll Call Voice Vote	20-January-2021
MICHAEL FRASCINELLA, Member	DATE
N/A	N/A
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes – Via Roll Call Voice Vote	20-January-2021
SANDRA MCKENNEY, Ex-Officio	DATE

**SIGNATURE PAGE**  
**Planning Board**  
**December 16, 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