

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**16 School Street**  
**Allenstown, New Hampshire 03275**  
**January 20, 2021**

**CALL TO ORDER**

The Allenstown Planning Board Meeting of January 20, 2021 was called to order by Chairman Mike O'Meara at 6:37 p.m. Chair O'Meara called for the Pledge of Allegiance.

**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      Brian Arsenault, Code Enforcement Officer  
                             Vincent Iacozzi, Allenstown Aggregate

Excused:              Matt Monahan, CNHRPC (Deployment)

Allenstown Staff:   Derik Goodine, Town Administrator

Other Public Officials: None

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.*

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

### **▪ Allenstown Aggregate – 169 Granite Street:**

Chair O'Meara stated that Mr. Iacozzi of Allenstown Aggregate contacted the town yesterday and sent a follow-up letter regarding a change in the company's plans for 169 Granite Street. The Planning Board, Chair O'Meara said, granted approval of a site plan and subdivision in July, 2020.

Mr. Iacozzi stated that Allenstown Aggregate received a variance from the ZBA on January 09, 2020 to construct a commercial building in a residential zone. On July 17, 2020, he said, they received Planning Board approval for a multi-tenant commercial building. Now, he stated, they have one tenant who wants to occupy the entire building on a long-term basis. The company is United Site Services, a national company with a AAA bond rating. Their location in Allenstown will bring job opportunities to the community. They will have a seven (7) year lease, with two five-year options to extend. It is advantageous to them, Mr. Iacozzi said, to be near Allenstown Sewer. They will use the building for offices, warehousing, repair and storage.

Chair O'Meara noted that there is a five-gallon limit on gasoline storage.

Mr. Iacozzi said they would not be storing gasoline. He said theirs is a clean operation.

Mr. Pelissier, who was a member of the ZBA at the time, said that the variance was granted because, although the area is zoned residential, that is not a feasible area for residential development because of its proximity to the quarry.

Mr. L'Heureux added that the variance was for use, not the number of tenants.

Mr. Frascinella asked how United Site Services would dispose of the waste from its portable bathroom facilities.

Mr. Iacozzi said they would bring the waste to the Allenstown Wastewater Treatment Plant.

Chair O'Meara asked if the 34 approved parking spaces would be sufficient.

Mr. Iacozzi said yes; they have 22 office employees, leaving extra spots for customers.

Chair O'Meara asked for verbal concurrence with the proposed plan.



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

Concurrence was unanimous.

Mr. Arsenault suggested that, in future, similar cases, approval could be for 'up to \_\_\_\_ number of tenants'.

Chair O'Meara said that was a good idea.

Mr. Arsenault stated that he wished to call attention to what seems to be a typo in the Zoning Ordinance. Referring to page 43, regarding allowed vehicle-related activities, he said that the word "repair" appears in the Industrial Zone and in the Business Zone, but not in the Commercial/Light Industrial Zone.

Chair O'Meara said he would check with Mr. Monahan about that issue. He said that should be an administrative correction.

Chair O'Meara next addressed the letter from the Fire Department which was called to his attention today. The letter is dated December 03, 2020 and references 66 School Street (Martel's). He read the letter for the record:

*12/3/2020*

*Ref: 66 School Street (Martel's building)*

*A review of the information provided by Mr. Adam Gelinas on 12/2/2020 and upon the request of the Zoning Board the following was to be found required and also as of concern for the Fire Department.*

*The current building known as Martel's is classified as what is referred to in NFPA 101: Life Safety Code, 2015 Edition as a Mercantile Occupancy. A change from the current established business to the proposed car dealership would create a change in occupancy and would require the dealership to follow **NFPA 101: Life Safety Code, 2015 Edition - Chapter 38 NiJw Business Occupancies, Chapter 7 Means of Egress and NFPA 1: Fire Code, 2015 Edition.***

*Areas of concern:*

- Number of parking spots that are required for patrons per business (Subway and proposed dealership) and tenants that occupy the residential space.*
- Blocking of egress pathways for business and residential areas.*
- Surrounding all sides of the building makes access to exterior walls and roof extremely difficult and will impact firefighting and rescue abilities.*
- If spots are approved on the "D" side of the building 1 (parallel with Turnpike Street), bollards to protect the gas regulator and shut off would be*

*required, as well as no parking within prescribed distance.*

- Access to the dumpster area and ability for removal or disposal of content without delay.*
- Sight lines though intersection and accessibility of normal traffic and emergency services.*
- Areas reserved for snow removal that does not impede on patrons, other properties and emergencies services.*

*I hope this provides some additional insight and highlights the most importance of Fire and Life Safety to our community.*

*The Fire Prevention Bureau is committed to providing quality services in a professional manner through equitable treatment of all applicants for permits, inspections, information and to provide assistance to other departments and boards.*

*If you have any questions please contact the Fire Department Monday - Friday during normal business hours.*

*Evan McIntosh,  
Captain  
Allentown Fire  
Department*

Chair O'Meara stated that those selling used cars are not using Martel's. He said he thinks there might be a disconnect with what is currently approved, which is five (5) spaces at the front of the building facing Route 3.

Ms. McKenney said that the point of the letter is that there was nothing from the Fire Department regarding that property. We didn't have that information, she said, so we thought it was fine.

Chair O'Meara stated that information is requested from all departments for each TRC session, and they did not have this information at the time of the TRC.

Ms. Adinolfo asked if emails go out to verify whether or not there are concerns.

Chair O'Meara responded that Mr. Monahan follows up.

Ms. McKenney said that the outcome could have been different, but there is nothing to be done now.

Ms. Adinolfo said that something should be done if they are in violation of the Fire Code.

Chair O'Meara stated that this is a learning opportunity.



Mr. Pelissier said that 'in the old days' they had to sign if they had 'no input.' He suggested using HelloSign.

Ms. McKenney said that Mr. Goodine could address this at the next department head meeting.

Mr. Frascinella said that perhaps the Fire Department looked at this when the owner came before the ZBA recently requesting a variance, not when the owner was before the Planning Board about a year ago in December of 2019.

Mr. Goodine said that the letter was probably written after the recent ZBA action.

Chair O'Meara said that may be the disconnect. The letter came about when the ZBA denied the request for a full dealership. He noted that Martel's is no longer there.

Ms. Adinolfo stated that they should circle back to the Fire Department.

Chair O'Meara said he would do that. He stated that the Fire Department is entitled to do an inspection at any time. He added that he liked Mr. Pelissier's idea of using HelloSign to confirm responses of department heads.

Ms. Adinolfo stated that they could affirm that they now have the letter.

Chair O'Meara stated that Mr. Monahan's review memos confirm TRC participation.

Mr. Pelissier asked if Mr. Goodine could put checkmarks in HelloSign.

Mr. Goodine responded that something could be created.

Ms. Adinolfo said she had seen way more than five vehicles for sale at this site, and she was concerned that fire vehicles could not get in if there were an emergency.

Chair O'Meara said he had counted eight (8) vehicles.

Ms. McKenney asked if Mr. Monahan records input at the TRC meetings.

Chair O'Meara responded that Mr. Monahan records 'yes' or 'no' for input. If participants have concerns, they email him.

Mr. Frascinella asked what action has been taken regarding the issue of too many cars for sale at the lot.

Mr. Arsenault reported that the State has sent a letter, informing the owner that they are not in compliance with town zoning laws. Mr. Arsenault said he has sent numerous emails to the property owners, who claims he is hiring an engineering firm to lay out the parking lot. This



owner is going to comply with the stipulations of the Fire Department, and will be going before the ZBA for permission to sell more than five cars. The Town Attorney has been involved, Mr. Arsenault said, and states that if cars are on the website, they are on the property and for sale. They should have not more than five vehicles with the date and price. Mr. Arsenault said that some of the vehicles could be those of employees. In summary, he said, the owner wants to redo the lot and do things the right way.

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

- **Begin the process of chapter-by-chapter review of the proposed administrative changes to the Allenstown Zoning Ordinance**

Chair O'Meara first noted Mr. Frascinella's herculean efforts with his review of the Allenstown Zoning Ordinance.

Mr. Frascinella first referred to the new Town Seal created for the Welcome Signs. He said the effective date will be when the town votes its approval. He said he wants to include in the ordinance a guide for navigating the pdf files. His plan is to generate bookmarks for all headings and to create a bookmarks panel. WORD, he said can do cross references, using Alt-Back Arrow to toggle back and forth. He said he has replaced Articles and Roman numerals with Chapters and Sections. Next, he noted the use of the 'severability' and 'separability.' Severability indicates that a change in or deletion of one section does not affect other sections. Mr. Goodine said that the two words mean the same thing.

Chair O'Meara said he will check with the Town Attorney about the use of the terms.

Mr. Frascinella next questioned the reference to the Board of Appeals.

Mr. Arsenault stated that is the Board of Adjustment, which is the ZBA. He asked if this review would involve any changes of wording.

Chair O'Meara responded no. He said Mr. Frascinella is suggesting changes in the layout, or format, so that the document will work better and be easier to use.

Mr. Frascinella continued, saying that the effective date need only be in one place, the title page. The revision history will be a summary of changes to the ordinance, and that should be an Appendix, not an Article.

Chair O'Meara offered guidance to Mr. Frascinella, saying that he should keep Chapter 35 as the effective date and remove the reference to the effective date in Section 9 of the Preface.

Mr. Frascinella asked about leaving the reference on the title page.

Chair O'Meara said that should be kept, and there are legal reasons for the placement of the effective date in Chapter 35. He said the next effective date will be in March of 2022.

Ms. Adinolfo asked about the source of definitions for terms.

Mr. Pelissier said that they were probably provided by Mr. Monahan.

Chair O'Meara said that would be a good question for Mr. Monahan, who is on deployment now.

Ms. Adinolfo asked how many terms were defined.

Mr. Frascinella said there were 197 terms.

Mr. Arsenault said that the definitions of severability, separability and effective date should be included.

## **UNAPPROVED MINUTES**

### **▪ December 16, 2020**

Ms. Adinolfo made a motion to approve the minutes of the December 16, 2020 minutes. Ms. McKenney seconded the motion.

Chair O'Meara called for a 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.

## **CORRESPONDENCE & OTHER BUSINESS**

None

## **STAFF UPDATE**

None

## **SCHEDULING OF NEXT MEETING**

Chair O'Meara announced February 03, 2021 as the date for the next meeting.

## **ADJOURNMENT**

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

Chair O'Meara called for a 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**  
**January 20, 2021**

<b>Approval:</b>	
<i>Michael A. O'Meara</i>	<i>03-FEBRUARY-2021</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Via Roll Call Voice Vote	03-February-2021
CHAD PELISSIER, Vice Chair	DATE
Yes – Via Roll Call Voice Vote	03-February-2021
DIANE ADINOLFO, Member	DATE
Yes – Via Roll Call Voice Vote	03-February-2021
MICHAEL FRASCINELLA, Member	DATE
Yes – Via Roll Call Voice Vote	03-February-2021
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes – Via Roll Call Voice Vote	03-February-2021
SANDRA MCKENNEY, Ex-Officio	DATE



**SIGNATURE PAGE**  
**Planning Board**  
**January 20, 2021**

<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