

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**Allenstown Town Hall –16 School Street**  
**Allenstown, New Hampshire 03275**  
**Meeting Minutes**  
**May 5, 2021**

**Call to Order**

The hybrid (in-person and virtual) Allenstown Planning Board Meeting of May 5, 2021 was called to order at 6:33 PM by Chair Mike O'Meara. Chair O'Meara called for the Pledge of Allegiance.

**Roll Call**

Present on the Board: Sandy McKenney, Mike Frascinella, Chad Pelissier, Michael O'Meara (all in-person), Matt L'Heureux, Alternate (remote and alone).

Excused: Diane Adinolfo

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Brian Arsenault, Code Enforcement Officer (remote and alone)  
Matt Monahan, CNHRPC (remote and alone)

Allenstown Staff: Derik Goodine, Town Administrator (in-person)

Public Officials: None

The following statement authorizing the Planning Board Committee to hold a virtual meeting and providing the guidelines for participation, was read for the record.

As Chair of the Planning Board Committee, 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 only limited space at the physical location to observe the meeting thus we are broadcasting it virtually which is authorized pursuant to the Governor's emergency order. However, in accordance with the order, I am confirming that we are:

***a) Providing access to the meeting via telephone and with additional possible access by video or other electronic means.***

We will be utilizing a conference call and Zoom conferencing, and we will also be attempting to use Facebook live as long as band width allows as an alternate video source for this electronic meeting. Facebook is not the official source for the meeting. All

members of the Planning Board have the ability to communicate during this meeting through one of these platforms and the public has access to listen and if necessary, participate in the meeting by dialing (603) 485-7321, passcode 1234 or by clicking on the website at the address link provided in the meeting materials.

***b) Providing public notice of the necessary information for accessing the meeting.***

We previously gave the public notice 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 on the Town of Allenstown Planning Board page attached to the agenda.

***c) Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.***

We provided a mechanism to alert the public body during the meeting if there are problems with access. If anybody has a problem, please call (207) 595-0310 or email at [ta@allenstownnh.gov](mailto:ta@allenstownnh.gov). If there are audio problems or video problems, call the conference line to access the meeting.

***d) Adjourning the meeting if the public is unable to access the meeting.***

We will adjourn the meeting if the public is unable to access this meeting. In the event that the public is unable to access the meeting, it will be adjourned and rescheduled. The meeting will only be adjourned if the conference call fails to work. The meeting may be paused if the video links fail, and a quorum of the Planning Board is needed on the conference call.

Please note that all votes taken during this meeting shall be done by roll call voice vote.

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

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

Chair O'Meara said under old business they will continue the chapter-by-chapter review of the proposed administrative changes to the Allenstown Zoning Ordinances, beginning with Chapter 20. Mr. Frascinella attempted to address the audience (developers, building contractors, carpenters, electricians, HVAC installers, swimming pool installers, homeowners, etc.) at the preface of the document. Chair O'Meara said this is reasonable. Mr. Monahan said he would add something in the first paragraph about the general public. Chair O'Meara suggested to replace "others" with general public.

Ms. McKenney asked if they allow mobile homes in Town outside of a mobile home park. Chair O'Meara said yes, as long as it meets the zoning codes.

Mr. Arsenault said he would rather see homeowners at the front of the list.

Mr. Frascinella said that he added the definition of reader boards in a shorter version than the actual chapter that it's referenced.

Mr. Frascinella said that he got a new definition of redoximorphic features from a New England soil website and he read it out loud for the Board. There were no concerns regarding the definition.

Mr. Arsenault said he said the definitions were put in the wrong spot. Chair O'Meara said this is coming from the original document. Mr. Frascinella objects to this because if someone were to question the meaning of redoximorphic, they would refer to the definition under the letter "R", and not "S" for soil. Mr. Arsenault said there are a lot of words in the document that are not in the definitions and he asked if they were going to modify that to include all of the words. Chair O'Meara said they would have to redo the entire document to make the changes Mr. Arsenault is suggesting and he asked if that was worth the effort. Mr. Frascinella said they are dealing with a document that is slowly being modified over the last 40 years and they had no control over designing the document at the beginning.

Chair O'Meara said that even if you remove the definition section and add a glossary at the end, you still have to keep the definitions within the document in lock step with each other. His preference is to leave the definition section as it is.

Mr. Arseanault asked if they could expand on the definitions, so they cross-reference each other so certain words are in more than one place. Chair O'Meara said if they did that, they would need to hire someone to go through the document to get it done this time around.

Chair O'Meara asked if we do not do this, does it make the document unfriendly to use?

Mr. Pelissier said that he is more concerned about the general public or homeowner.

Chair O'Meara suggested that they form a small subcommittee consisting of himself, Mr. Arsenault, Mr. Monahan, and Mr. Frascinella to discuss offline and determine whether they can accomplish it and report back at the next meeting.

Mr. Monahan said he agreed with some of what Mr. Arseanault said but he has also seen the word in all caps to alert the reader that it's a defined term. Mr. Frascinella said that as authors and reviewers, they are the most critical about the content of this document, whereas a person looking at it for a specific need will refer to the chapter that is applicable to them and what they need to do to satisfy the ordinance.

They will discuss the definitions via workshop on May 12<sup>th</sup> at 10-11 am.

Mr. Frascinella said he added Residential Zone 3 and 4 and Zone 3 is town water only and Zone 4 is town sewer only.

Mr. Frascinella said Chapters 17, 18 and 19 are small, and two are superfluous as discussed last meeting. He said to renumber them would be a small amount of work.

Chair O'Meara said they could move them to the end without much impact to the document.

Mr. Frascinella said they would want to keep the amendments as they are.

Mr. Frascinella said that Chapter 20 was Article 17- prefab and manufactured housing.

Mr. Monahan said the RSA 674.32 paragraph 1, regarding having a single mobile home on a single lot says "A municipality which adopts land use control measures shall allow, in its sole discretion, manufactured housing to be located on individual lots in most, but not necessary all, land areas in districts zone to permit residential uses within the municipality..." Mr. Monahan said everywhere you would allow a single-family home; you would have to have a certain acreage allowing a single mobile home on a single lot. Mr. O'Meara said they cannot prohibit placement of a structure if a stick-built structure could be placed on the same lot. Mr. Monahan said you can limit it somewhat, but it has to be allowed in most.

Mr. Frascinella said on the first page, Section 2002, Article 2 needs to change to Chapter 2. He said there is a cross reference to Article 11 that points to Section 13.11 and that will need to be revised. He also said in Section 2003, he changed the wording slightly with regard to "waiver request." Mr. Frascinella said he could just indicate "per preceding page."

Mr. Frascinella said that with regard to Roman Numeral 25 was actually now Chapter 28.

Mr. Monahan suggested they put the phrase "per survey" before monumentation standards.

Mr. Frascinella said the reference to Article 12 does not exist anymore, as it is now Chapter 15, Flood Plane Development.

In response to Ms. McKinney's question in Chapter 20 to Section 001, Mr. Frascinella said it is up to the Board and Mr. Monahan to be fair, open and honest, and make sure they aren't violating requirements with regards to open housing, and would say it is a case-by-case basis.

With regard to a question from Matt L'Heureux regarding the mobile home overlay district, Mr. Frascinella said Item 2F, p. 99 is the only place in Chapter 20 that it is mentioned. He said Item 4 discusses the boundaries. Mr. L'Heureux said that all of the other overlay districts have their own chapters titles. Mr. Monahan said with this one, it lays out everything pertaining to mobile homes anywhere in town, so the section does not just deal with the overlay district.

Chair O'Meara asked if they should elevate Item 4 to be its on section or put more emphasis on it.

Mr. L'Heureux says he does not see a need to do anything, and it makes sense to keep it where it is.

Mr. Frascinella said he added section numbers where it was non-descript in Chapter 21.

Mr. Arsenault said that with regard to "notification clean-up", there was an incident on Chester Turnpike recently in which the fire department responded in conjunction with himself to clean-up the site. He asks whether they should expand this section to include reference to the Allenstown Fire Department and the Code Enforcement Officer be immediately notified. Mr. Frascinella agreed.

Mr. Frascinella said he again numbered sections in Chapter 22 and implemented a numbered list under "Hazardous Waste" to make it easier to follow. He said under "Unacceptable Waste", there was a paragraph with letters and paragraph B is missing. Chair O'Meara suggests they renumber. Mr. Arsenault doesn't understand why they even need letters in there. Chair O'Meara said it is trying to address the types of unacceptable waste, but it could just be one list. Chair O'Meara said they should just leave it as listed there as 1, 2, 3 and 4.

Mr. Monahan made a suggestion to change the definition of "Waste Plant" to "the facility that is currently under contract with the Town of Allenstown."

Mr. L'Heureux questioned why the manufactured mobile home parks is with the multi-family dwelling units under commercial.

Ms. McKenney asked about the building on Hamel Avenue with regard to waste pick-up, and it was changed from 3 to 4 units a number of years ago and the ordinance says only 3 or less and advised that it be checked into it. Mr. Pelissier said it should be owner occupied in more than three units. Mr. Arsenault said with regard to delivery of solid waste licensing, does that still occur? Mr. Monahan said he doesn't know or if it's necessary. Chair O'Meara said it may be in there to control individuals, companies, or contractors that would collect within the Town. Mr. Goodine said that licensing can also make sure that the trash was generated for that particular town. Mr. Arsenault agreed that section should be kept in. Mr. Pelissier said that the vehicle weight limit would require him personally to obtain a license. After further discussion, Chair O'Meara suggested to keep it as it is, and they can revisit the issue in the future if necessary.

Mr. Arsenault said there are a lot of other changes in Chapter 22 and wondered if this should be continued at the next meeting. Mr. Frascinella pointed out Section 5 was missing. Mr. Arsenault said if they eliminate Section 5, they should do more research. Chair O'Meara agreed to table the discussion for now and check the minutes from September 8, 2003.

Mr. Pelissier said the section regarding Curbside Collection section will need some changes as well as other parts of Chapter 22. Mr. Frascinella said he broke this part into sections to make it easier to read.

Mr. L'Heureux would like to add to the agenda issues surrounding housing affordability for next meeting.

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

None.

#### **UNAPPROVED MINUTES**

- **April 07, 2021 & April 21, 2021**

##### April 7, 2021 minutes

Mr. Pelissier noted that he came in late, but the minutes reflect that he was excused.

Ms. McKenney makes a motion to approve the minutes with the change made by Mr. Pelissier. The motion was seconded by Mr. Pelissier.

Roll call voice vote was taken: Sandy McKenney- Aye, Michael O'Meara- Aye, Matt L'Heureux- Aye, Chad Pelissier- Aye, Michael Frascinella - Abstain.

The motion was approved 4-1, with Mr. Frascinella abstaining and the minutes for April 07, 2021 were approved, as modified.

##### April 21, 2021 minutes

Ms. McKenney made a motion to approve the minutes from April 21, 2021 as written. The motion was seconded by Mr. Pelissier.

Roll call voice vote was taken: Sandy McKenney- Aye, Michael O'Meara- Aye, Matt L'Heureux- Aye, Chad Pelissier- Abstain, Michael Frascinella- Abstain.

The motion was approved by a quorum of 3-2, with Mr. Frascinella and Mr. Pelissier abstaining, and the minutes for April 27, 2021 were approved as written.

#### **CORRESPONDENCE & OTHER BUSINESS**

Chair O'Meara said that the Town of Deerfield has rescheduled their Site Plan application for Mount Delight and Deerfield Road, and he provided the information for the meeting on May 12<sup>th</sup> at 7:15 pm on the agenda.

#### **STAFF UPDATE**

None.

#### **SCHEDULING OF NEXT MEETING**

Chair O'Meara stated that the next meeting is scheduled for May 19, 2021.

#### **ADJOURNMENT**

Ms. McKenney made a motion to adjourn meeting at 8:28 pm. Motioned seconded by Mr. Pelissier.

Roll call voice vote was taken:

Sandy McKenney- Aye, Chad Pelissier- Aye, Michael Frascinella- Aye, Matt L'Heureux- Aye, and Michael O'Meara- Aye.

The motion carried unanimously, and the meeting was adjourned.

**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**May 05, 2021**

<b>Approval:</b>	
<i>Michael A. O'Meara</i>	<i>19-MAY-2021</i>
MICHAEL O'MEARA, Chair	DATE
Yes – Vis Roll-Call Voice Vote	19-May-2021
CHAD PELISSIER, Vice Chair	DATE
Abstain	19-May-2021
DIANE ADINOLFO, Member	DATE
Yes – Vis Roll-Call Voice Vote	19-May-2021
MICHAEL FRASCINELLA, Member	DATE
Yes – Vis Roll-Call Voice Vote	19-May-2021
MATTHEW L'HEUREUX, Alternate Member	DATE
Yes – Vis Roll-Call Voice Vote	19-May-2021
SANDRA MCKENNEY, Ex-Officio	DATE

**SIGNATURE PAGE**  
**Planning Board**  
**May 05, 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