

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**Allenstown Town Hall –16 School Street**  
**Allenstown, New Hampshire 03275**  
**Meeting Minutes**  
**August 04, 2021**

**Call to Order**

The Allenstown Planning Board Meeting of August 4, 2021 was called to order at 6:33 PM by Chair O'Meara. Chair O'Meara called for the Pledge of Allegiance.

**Roll Call**

Present on the Board: Diane Adinolfo, Sandy McKenney, Mike Frascinella, and Michael O'Meara.

Not Present: Chad Pelissier.

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Allenstown Staff: Derik Goodine, Town Administrator (in-person)  
Brian Arsenault, Code Enforcement Officer (remote and alone)

Others present: Matt Monahan, CNHRPC (remote and alone)

Public Officials: None

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

- **Chapter by Chapter Review- Revisions to the Solid Waste Management Chapter**

Chair O'Meara said that Mr. Pelissier and Mr. Arsenault had met and revised the chapter.

Mr. Arsenault described some of the changes to the definitions. He said the Board should decide whether there should be more or less examples under the term "Commercial." Mr. Arsenault said he thought there should be less, and as example, Allenstown does not have any ski areas so that could be eliminated. Mr. Monahan agreed with Mr. Arsenault and said if the list gets too extensive it becomes a problem. Mr. O'Meara said that it now reads, "Commercial entities doing business in the Town of Allenstown."

Mr. Arsenault said the next item "Facility," there are no changes. He said for "Hazardous Waste," it means the following: waste that is ignitable, corrosive, reactive or toxic. He said there are no further changes to the rest of the items except the formatting. Mr. Arsenault said Mr. Pelissier found the information from NH Department of Environmental Services.

Mr. Arsenault said they did not see any changes to "Residential." He said with regard to multi-family dwelling, they determined at the last meeting they should keep it to 3-units or less per parcel.

Mr. Arsenault said they made some revisions to "Unacceptable Waste." He said that Mr. Frascinella had made some notes that they need to address.

Chair O'Meara said, "other solid" was changed to "universal waste." He said the next item for tipping fee should be paid by the commercial hauler as discussed at their last meeting, and Mr. Arsenault suggested they change it to "hauler(s)".

Chair O'Meara said for Section 22.03, they are changing that heading to "Licensing for Commercial Haulers."

Mr. Frascinella pointed out that Section .05 is missing from the old document which carried over. Chair O'Meara said to him it looked as though they were now referring to Section 22.04, extension and revocation. Mr. Arsenault agreed.

Mr. Arsenault said Section 22.07.2 for Curbside Collection, he asked if it happened to occur on a different day other than Monday, do they want to write it once a week. Chair O'Meara said the day could change if they go with a different contractor. Ms. McKenney said they should put Monday in there as it is in the Town Report as to what Holidays they won't pick up on Monday. Chair O'Meara said they could write "normally occurs on Mondays, or as published by the Town of Allenstown, except in the case of legal holidays."

Mr. Arsenault said he wants to add a definition to "totes or toters" as "all Town issued curbside collection containers." Chair O'Meara said Section 22.07.2B now reads "All Town issued curbside collection containers must be removed from the street no later than 7 am on the day following pick-up."

For Section 22.07.3, with regard to the Town issued container, Mr. Arsenault said they deleted the size because it could change with a different hauler. He said he would add "after waste collection" after the crew will return the containers to the curbside. The Board engaged in further discussion regarding edits to this section.

Ms. McKenney asked if they should have language in there that says the cover of the container should be closed. Mr. Arsenault said loose household waste is addressed under E, and it will not be collected if the waste is not within the container. Ms. Adinolfo said you could change it to "within the closed container."

Ms. McKenney said section F regarding "sharp" articles is outdated as the machines now empty the bins. Chair O'Meara said he is not sure if it then goes to a sorting location where people are manually sorting it. Chair O'Meara said he thought it was saying not to put sharps loosely in a regular trash bag but inside a plastic container within the trash bag.

Ms. Adinolfo said there is nothing in the section that discusses biomedical waste.

Mr. Arsenault said in Section 22.07.4, section B was deleted because spring clean-up of appliances comes in year-round. He said in Section 22.07.5, there were minimal changes.

He said for Section 22.07.6, curbside recycling, the Town does collect recycled containers at curbside and residents are required to recycle and the section was changed accordingly.

Ms. Adinolfo asked if they defined demolition material. Mr. Arsenault said they should and include no manufactured homes, completed homes or barns. Chair O'Meara asked if they should say, "demolition debris is not accepted period."

Mr. Arsenault said Section 22.08 under penalties, there are no changes.

- **Chapter by Chapter Review- Chapter 24- Impact Fee Ordinance**

Mr. Frascinella said he added numerical headings because there were not any.

Mr. Arsenault asked if they wanted to give this ordinance to the Economic Development Committee.

Chair O'Meara said no, since it's a land use ordinance. He said there is a process they must go through before they actually implement it.

Mr. Monahan said you first must have the ordinance, which they do. Then, he said, you actually have to have a methodology for how you allocate it. He said the other piece is a study that shows a level of development that exceeds the surrounding area and then you must figure out what facilities will be impacted. He said that it is assumed that it is a temporary situation so after a period of time, it expires. Chair O'Meara said they are not ready to do that yet.

Mr. Monahan said to double check that there is a sunset clause in it, and other than that, he would not change it. Chair O'Meara said he didn't see any sunset requirement in the ordinance. Mr. Monahan said a reasonable sunset period is typically 5 years from adoption so this would have expired in 2008. Mr. Monahan said he would look further into it.

Mr. Monahan said to switch it back on, you do the studies and then you reset the sunset clause. He said the impact fees are charged to put those town wide facilities back where they should be so they can keep up with the development. He said they should set it up so that the sunset period is 5 years in the future from the date of the study.

- **Chapter 25**

Mr. Arsenault said he did not see any changes because he did not understand what the intent was when it passed as an overlay district and the next one, Suncook Village Infill District.

- **Chapter 26**

There was discussion amongst the Board regarding Chapter 26. Chair O'Meara said they need to look at the original ordinance 602, which deals with special exemptions and conditional uses. Mr. Monahan said it discusses conflicts between what used to be the clustering.

Chair O'Meara said Chapter 26 is fine the way it is.

Chair O'Meara said they will restart with Chapter 27 at the next meeting.

- **Status of Fireworks Ordinance**

Chair O'Meara said in follow up from the last meeting, they discussed including information on where to find information on fire danger and drought in the document as a service to the public. He said that he found two places for information regarding fire danger including a link to the NH Forest Rangers Twitter account or to call a toll-free number which he put into the document. He said with regard to drought, there are 3 different places online where you can find that information which he also put into the document.

Chair O'Meara said he forwarded the document to Chief Stark and Chief St. Germaine and received input back from Chief Stark in writing.

Chief Stark said the issue with fireworks ordinances in NH comes down to practicality. He said there is a fireworks store in almost every single town that Allenstown touches and it would become difficult if Allenstown were to forbid them and it is a good thing that this is not the aim of the ordinance. Chief Stark said that the varying times and changes will make it confusing as to when residents can use fireworks and in areas of confusion judges tend to be lenient to the defendant so the ordinance may have its teeth removed the first time it goes to Court. He said that enforcing fireworks ordinances is notoriously difficult and when they get to the area after a call, they cannot tell where the fireworks came from or who set them off.

Chief Stark said if the Fire Chief, Police Chief and Code Enforcement Operator disagree about allowing fireworks, how do they let people know. He said the law now states that you have to be 21 years old, using NH permissible fireworks on your own land or have the landowner's position. He said as it now stands, you cannot light fireworks on the street, in a trailer park or town property. Chief Stark said that he knows fireworks bother people, but we live in a state where it is legal, and it is difficult to get people to understand that one's neighbor may not enjoy them as much as they do. He said he doesn't support a full ban.

Ms. McKenney said the ordinance may cause more problems for the police department. Chair O'Meara said the state law he is referring to is RSA 160-B and 160-C. Ms. Adinolfo said she wants something because some people like fireworks, some don't, and she does not think people who are lighting fireworks in densely populated areas are aware of. She said sometimes they are too close to her house and if somebody's house catches on fire, who pays for that. Chair O'Meara said that is something he can ask legal about. Ms. Adinolfo asked if they could get Chief Stark to call into the next meeting for a 15-minute discussion and she would also ask legal if an ordinance would help or hinder matters.

- **Affordable Housing/ Tiny Homes**

Chair O'Meara said this topic is tabled. Mr. Monahan said he has a presentation regarding workforce housing for another meeting.

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

None.

### **CORRESPONDENCE & OTHER BUSINESS**

None.

### **UNAPPROVED MINUTES**

- **July 21, 2021**

Ms. Adinolfo made a Motion to approve the July 21, 2021, minutes as written. The Motion was seconded by Ms. McKenney.

Roll call vote was taken.

Sandy McKenney- Aye, Diane Adinolfo- Aye, Michael Frascinella- Aye, and Michael O'Meara- Aye.

The motion was approved unanimously and the minutes from July 21, 2021, were approved as written.

### **CORRESPONDENCE & OTHER BUSINESS**

None.

### **STAFF UPDATE**

None.

### **SCHEDULING OF NEXT MEETING**

Chair O'Meara said the next meeting will be August 18, 2021, at 6:30 pm.

### **Adjourn**

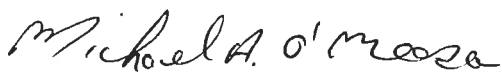

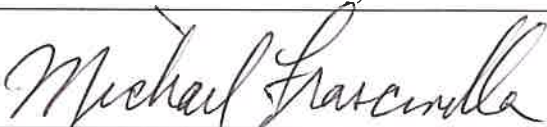
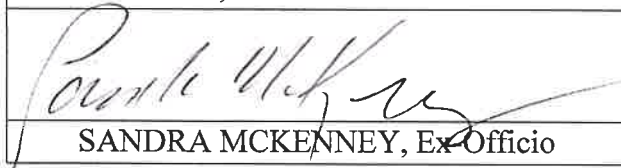
Ms. Adinolfo made a motion to adjourn meeting which was seconded by Ms. McKenney at 8:19 pm.

Roll call vote was taken.

Sandy McKenney- Aye, Diane Adinolfo- Aye, Michael Frascinella- Aye, and Michael O'Meara- Aye.

The motion was approved unanimously, and the meeting was adjourned.

**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**August 04, 2021**

Approval:	
	18-AUG-2021
MICHAEL O'MEARA, Chair	DATE
ABSTAIN	N/A
CHAD PELISSIER, Vice Chair	DATE
	18 Aug 2021
DIANE ADINOLFO, Member	DATE
	Aug. 18, 2021
MICHAEL FRASCINELLA, Member	DATE
N/A	N/A
N/A, Alternate Member	DATE
	08-18-21
SANDRA MCKENNEY, Ex Officio	DATE

**SIGNATURE PAGE**  
**Planning Board**  
**August 04, 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
	N/A Alternate Member	DATE
	SANDRA McKENNEY, Ex-Officio	DATE