

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**Allenstown Town Hall –16 School Street**  
**Allenstown, New Hampshire 03275**  
**Meeting Minutes**  
**December 01, 2021**

**Call to Order**

The Allenstown Planning Board Meeting of December 01, 2021 was called to order at 6:33 PM by Chair Michael O'Meara. Chair O'Meara called for the Pledge of Allegiance.

**Roll Call**

Present on the Board: Chair Michael O'Meara, Mike Frascinella, Diane Adinolfo, via Zoom – Sandy McKenney and Chad Pelissier.

There being a quorum of Board Members physically present at the meeting location, this constituted a legal meeting of the Allenstown Planning Board. Chair O'Meara stated that Applicants have a right to a hearing before the full board. The Applicants stated that they would like to move forward.

Excused: N/A

Ex-Officio: Sandy McKenney

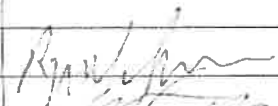
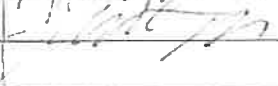
Residents of Allenstown: None – See below:

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Planning Board  
16 School Street  
Allenstown, New Hampshire 03275

Meeting Date: 12 / 01 / 2021

**Sign-In Record**

|                  |   | Indicate applicable status  |                                       |
|------------------|---|---|---------------------------------------|
| Print Name       | Signature   | Allenstown Resident   | If no, state Organization represented |
| Robert D. Mather |  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | INDR Robert Mather                    |
| Robert D. Mather |  | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | 5TH LAND SERVICES                     |
|                  |   | <input type="checkbox"/> Yes <input type="checkbox"/> No            |                                       |

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

Others present: Raymond McMahon – MDR Rehab and Development (Applicant)  
Robert Degen, S&H Land Services

Public Officials: None

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

- **Case #03-2021- Condominium Conversion Application. MDR Rehab and Development.** Map 105, Lot 54 at 17 and 19 Townhouse Road in the R-1 Zone. The applicant seeks to convert the ownership of an existing duplex to a condominium form of ownership.

Mr. Degen was present with Mr. Raymond McMahon, MDR Rehab & Development, also owner of the property. He said they are seeking to convert the existing duplex into a condominium.

Mr. Degen presented the application of behalf of Mr. McMahon, displaying the submitted site plan for the subject property and describing the proposed change to a condominium form of ownership.

Mr. Degen said they requested waivers of regulations that do not apply here regarding topography and wetland delineation, etc. He said Mr. McMahon isn't doing anything to the property aside from fixing the inside of the house and turning it into a condo.

Chair O'Meara clarified that it would convert from a rental property to an owner-occupied property.

Mr. Arsenault said they did replace some existing decking but on the same footprint.

Mr. Monahan said with regard to condo conversions, the Planning Board is limited in what their role is and because all that is changing is the form of ownership, they really cannot deny it.

He said that the Planning Board process for condo conversions of existing structures is the subdivision approval process that relays the scope of review and just to make sure that as a Condition of Approval that the Condominium Declaration Documents are recorded at the Secretary of State's Office prior to the conveyance or sale of any unit.

Mr. Monahan said they have a lot of waivers as a condition of this, and he said given their scope of review, they all look reasonable.

He said the Notice of Decision will need to be recorded at the registry and record the condo documents with the Secretary of State.

### **Determination of Regional Impact:**

Chair O'Meara said they have to go through the process and make a determination as to whether the application constitutes a development of regional impact.

Mr. Frascinella made a Motion that this application does not have any regional impact. Ms. Adinolfo seconded the Motion.

Roll call voice vote was taken.

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

The Motion passed, and the application was deemed not to constitute a development of Regional Impact.

Requested Waivers:

Chair O'Meara read the requested waivers:

1. Section 5.01c for soil types.
2. Section 5.01e, 5.02c, and 5.02l for grades, profiles, and elevations of existing streets.
3. Sections 5.02j and 5.02j.1 for a drainage study.
4. Section 5.02k for soil delineation and analysis and wetland delineation.
5. Sections 5.02m and 5.06e for statements of water/sewer capacity.
6. Section 5.06f for police and fire approvals for traffic and fire access.
7. Checklist item 36 for stormwater management.

Ms. Adinolfo made a Motion to approve the waivers as requested by the Applicant and read by Mike O'Meara. Mr. Frascinella seconded the Motion.

Roll call voice vote was taken.

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

The Motion passed, and the requested Waivers were granted.

Completeness of Application:

Mr. Frascinella made a Motion to accept the Application to be complete as presented. Ms. Adinolfo seconded the Motion.

Roll call voice vote was taken.

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

The Motion passed, and the application was accepted as complete.

Public Hearing:

Chair O'Meara opened the public hearing portion of the meeting at 6:45pm to any members of the public who wish to comment.

There being no members of the public in attendance, Chair O'Meara invited any additional comments from the Applicant or Planning Board Members. With no further comments forthcoming, Chair O'Meara closed the public hearing portion of the meeting at 6:46 pm.

Potential Conditions of Approval:

Mr. Monahan read the potential Conditions of Approval as follows:

1. That the Condominium Declaration Documents are reviewed by the County Attorney and recorded at the Secretary of State's Office prior to the conveyance or sale of any unit.
2. General Administrative Conditions of Approval, including the following:
  - a. Professional stamps and signatures (surveyor and wetland scientist) as well as owner signatures need to be on the final plan.
  - b. All waivers granted, and conditions of approval need to be on the final plan.

Mr. Arsenault said he is concerned about having the Town's Attorney review the documents as it may delay the passing. Mr. Monahan said that this is a small development, and it would be okay to skip attorney review.

Chair O'Meara said he would modify condition 1 to now state, "That the Condominium Declaration Documents are recorded at the Secretary of State's Office prior to the conveyance or sale of any unit."

#### Approval of Application:

Ms. Adinolfo made a Motion to approve the application with the modified conditions of approval as initially read by Matt Monahan and modified by Chair O'Meara. The Motion was seconded by Mr. Frascinella.

Roll call voice vote was taken.

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

The Motion passed, and the application was approved with the modified Conditions of Approval.

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

Chair O'Meara said that the Zoning Ordinance has been reviewed by legal and they have provided feedback. He said they have approximately 17 substantive concerns, but he has not reviewed them.

Chair O'Meara said they will still go ahead with the public meeting on December 15<sup>th</sup> but they have to schedule a second hearing in January depending on the outcome.

Mr. Goodine said there will not be the old and new Zoning Ordinance documents in the warrant as it would be unmanageable.

Chair O'Meara said he would like to convene a meeting with legal next week to discuss.

#### **UNAPPROVED MINUTES**

- **November 17, 2021**

Ms. Adinolfo made a Motion to approve the November 17, 2021 minutes as corrected (corrected "Mr." to "Ms." for Sandy McKenney). The Motion was seconded by Mr. Frascinella.

Roll call voice vote was taken.

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

The Motion passed, and the minutes for November 17, 2021 were approved as corrected.

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

- Chair O'Meara wanted to give an update on the status of the fireworks ordinance that the Planning Board submitted to the Selectboard for their consideration.

He said that the Selectboard have decided to table their review and implementation of the ordinance at this time. He expressed the appreciation of the Planning Board for the opportunity to present the ordinance to the board, for their thoughtful consideration, and for the time they took to review and discuss it, along with the input from Chief Stark and Chief Lambert.

- Mr. Pelissier said that they ran into an issue regarding property bounds on a project they worked on a couple of years ago. He said they need to make a conscious effort that when they put together a site plan that all property bounds have to be located. He said this piece of property is missing one and it is going to wreak havoc with the Town down the road. He said they as a Board they need to make sure they are clearly marked before they grant approvals. Mr. Arsenault said he has seen some errors in plans.

#### **STAFF UPDATE**

None.

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

Proposed date for next meeting is December 15, 2021 which will be a public hearing on the Zoning Ordinances.

#### **ADJOURN**




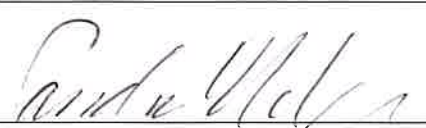
Ms. Adinolfo made a motion to adjourn the meeting. The motion was seconded by Mr. Frascinella.

Roll call voice vote was taken.

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

The Motion passed, and the meeting was adjourned at 6:59pm.

**SIGNATURE PAGE**  
**Allenstown Planning Board**  
**December 01, 2021**

| Approval:  |                    |
|--|--------------------|
| <br>MICHAEL O'MEARA, Chair        | 12-15-2021<br>DATE |
| <br>CHAD PELISSIER, Vice Chair    | 12/15/2021<br>DATE |
| <br>DIANE ADINOLFO, Member       | 12-15-2021<br>DATE |
| VIA ROLL-CALL VOICE VOTE<br>MICHAEL FRASCINELLA, Member  | 12-15-2021<br>DATE |
| N/A  | N/A                |
| N/A, Alternate Member  | DATE               |
| <br>SANDRA MCKENNEY, Ex-Officio | 12-15-21<br>DATE   |

**SIGNATURE PAGE**  
**Planning Board**  
**December 01, 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,<br>Member | DATE         |
|                               |                                |              |
|                               | N/A<br>Alternate Member        | DATE         |
|                               |                                |              |
|                               | SANDRA McKENNEY, Ex-Officio    | DATE         |

## TOWN OF ALLENSTOWN

## Planning Board

16 School Street

Allenstown, New Hampshire 03275

Meeting Date: 12/01/2021

## Sign-In Record

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