

TOWN OF ALLENSTOWN  
Planning Board  
16 School Street  
Allenstown, New Hampshire 03275  
September 19, 2018

**Call to Order.**

The Allenstown Planning Board Meeting for September 19, 2018 was called to order by Chair Mike O'Meara at 6:30 p.m.

**Roll Call.**

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

Ex-Officio: Sandy McKenney

**Others Present.**


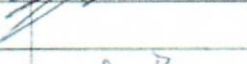
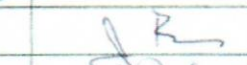

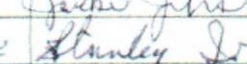
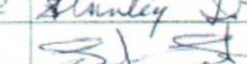


Residents of Allenstown: See Below

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16 School Street  
Allenstown, New Hampshire 03275

Meeting Date: 09/19/2018

Sign-In Record

Print Name	Signature	Indicate applicable status	
		Allenstown Resident	If no, state Organization represented
PETER HOLDEN		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	HOLDEN ENGINEERING
DAVID GAGNE		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
Jim Bianco		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Bianco PA
Jackie Johnston		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
STANLEY IZZYK		<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Self
John Schuster		<input type="checkbox"/> Yes <input type="checkbox"/> No	
Desik Gaudin		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	T.A.
Jason Dennis		<input type="checkbox"/> Yes <input type="checkbox"/> No	Bianco PA
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Others Present: Matt Monahan – CNHRPC (Process related questions only).

Other Public Officials: None

Allenstown Staff: Derik Goodine, Town Administrator

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

- a. None.

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

- a. Lot Consolidation & Lot Line Adjustment – Holiday Acres Mobile Home Park, Case # 09-2018.

### Application Summary (from CNHRPC Review memorandum)

The applicant is requesting both a boundary line adjustment and lot merger. Seven lots are being merged into two lots and the boundary between the two lots is being modified. The existing Holiday Acres Manufactured Housing Park is located on an existing 188.10 acre parcel, Map 109/Lot 21. After the lot line adjustment and consolidation, Map 109/Lot 21, will still be a total of 188.10 acres. A portion of the existing Map 109/Lot 21, as well as Map 411/Lots 2, 3, & 4, and a portion of Map 411/Lot 5 will be merged into a single 199.89 acres parcel. Parcels Map 410/Lot 29 & 31, as well as a portion of Lot 410/Lot 5 will be merged into Holiday Acres parcel, Map 109/21.

The Chair requested Mr. Peter Holden of Holden Engineering to present the application on behalf of the applicant.

Prior to Mr. Holden beginning his presentation, Mr. Jim Bianco of Bianco PA requested that Chad Pelissier recuse himself from the proceedings, based on prior statements that he had made concerning the overall proposed project to develop the property. The Chair advised that the governing standard was the Juror Standard, which (for the purposes of this meeting) in part requires that no person can have formed an opinion prior to being involved in the matter at hand. Based on the request, the Chair asked Mr. Pelissier if he had formed an opinion on the outcome of this application. Mr. Pelissier queried the question, and the Chair clarified by asking if he had pre-formed an opinion on the application in front of the Board, i.e. the Lot Line Adjustment. Mr. Pelissier replied that he had no problem with adjusting the Lot Line and that the applicant can do whatever they want with their land that they decided to divide it up.

An unidentified member of the public then interjected with a comment of “as long as they don’t take ours”. The Chair clarified that the application had nothing to do with surrounding properties and that members of the public were notified because they are abutters to the property. The Chair also clarified that the application involved existing property within the park and the potential acquisition of land from the Town of Allenstown.

The Chair advised that based on Chad's response about not having pre-formed an opinion on the application, the Chair has to take that at value, unless there is evidence to the contrary that can be presented at the meeting. Mr. Bianco advised that as long as the request is on the record, he is ok.

The Chair advised for the record that the Board would not be voting on the application at the meeting, primarily as there was still a pending Purchase & Sales agreement with the town that has not yet been resolved. The Chair advised that in order to advance the application as far as possible, the intent was to proceed to the point of completing the Public Hearing, including Determination of Regional Impact and Completeness of the Application. The Chair also advised that the meeting would be continued to another time and the Board would return to the application once there is a decision on the Purchase & Sales agreement.

Mr. Holden then proceeded to present the application and explain the purpose, using colored drawings to represent the configuration of both current and proposed land parcels. Using the drawings, Mr. Holden explained the purpose of adjusting the boundary lines to maintain the existing acreage of the current park, while creating sufficient acreage to support the proposed development of the new park. Mr. Holden passed out maps to Board members and the public to help better explain the proposal. An unidentified member of the public asked Mr. Holden a question, to which Mr. Holden replied that questions should be directed to the Chair. The Chair asked those present to please hold all questions until the Public Hearing portion of the meeting and that sufficient time would be made available to answer questions.

Mr. Holden then summarized that the application is to change the existing configuration to the proposed configuration, while maintaining the same acreage in the existing park. The Chair and Board clarified with Mr. Holden that the acreage of the existing park does not change and asked what the resulting acreage would be for the new section if the Lot Line adjustment was approved. It was clarified that the resultant acreage would be 199.89 acres. The Board asked Mr. Holden who owns Lot's 29 & 31. Mr. Holden replied the Town of Allenstown. There was some discussion regarding a lot owned by a 3<sup>rd</sup> party and Mr. Holden was asked if the applicant had considered purchasing that lot. Mr. Holden advised that there had been some discussion on the matter.

Sandy McKenney then asked if acquiring that lot would allow other options. The Chair advised that the subject of the meeting was the Boundary & Lot Line Adjustment and asked that questions be focused on the application before the Board, and that anything that may come afterwards would also be the subject of an application and Public Hearing. Mr. Frascinella asked why two lots were labeled as 411-21. Following discussions, it was determined that this was for the purposes of providing identifying labels for the parcels for the proposed map and would be subject to change going forward. There was also some general discussion regarding undevelopable portions of the lot, including, wet land, ledge, and steep terrain.

Sandy McKenney then asked what the advantage was of doing the Lot Line Adjustment Vs. leaving it in the current configuration. Mr. Holden explained that a Conditional Use Permit previously filed with the Planning Board was reviewed by the Building Inspector,

and it was found that by simply adding acreage to the existing park would not result in sufficient acreage to support the proposed development. Considering the number of homes in the existing park, when combined with the proposed additional 100 homes, would require approx. 800 acres to meet current zoning requirements. It was stated that it was not possible to purchase additional land from surrounding properties. There was also discussion regarding lot sizes. The Chair advised that currently, two acres was required per home, not per lot, and that not all the land has to be developable, which allowed the applicant to take advantage of the overall acreage when determining the number of homes in any future application. Mr. Holden then concluded his presentation to the Board.

The Chair advised that Mr. Steve Henninger, the Planner for this application, could not be at the meeting, so the Chair would present the findings in Mr. Henninger's review memo. The Chair reviewed the contents of the memo, including:

#### Allenstown Subdivision Checklist Requirements

- digital copy of the subdivision plat drawing submitted on August 30, 2018 has not yet been provided as of September 5, 2018.
- While this is a lot line adjustment, the location of all buildings should be shown including the existing maintenance facility, ground water storage/pressure tank on the reconfigured Map 411/Lot 2. The location of recreation areas and common or park maintenance buildings should be shown on the plans.
- While this is a lot line adjustment, the location of water courses, wetlands, and ponds should be shown. This information has been provided on other plans provided by the applicant.
- Setback lines need to be shown and noted.
- Lot Lines are required to be certified by a surveyor licensed in NH based upon a maximum area of closure of 1 in 10,000 and bearings to the nearest 10 seconds.
- No boundary monuments are shown or proposed for the new lot configurations.
- The standard Allenstown statement (item 35 on the checklist) is not on the plans.
- Lot shape per 6.02(g) 5 & 6. This section of the Subdivision Regulations states with an exception for "topography or and/or natural conditions" that "highly irregular shaped lots shall be prohibited". The applicant should address this issue to the satisfaction of the Board or request a waiver of this section.

#### Allenstown Zoning Ordinance Requirements

Based on previous correspondence between the Allenstown Building Inspector and Mr. Henninger with the applicant's agent, Holden Engineering, and as a result of the August 9, 2018 meeting of the Allenstown Technical Review Committee with the applicant and their agents, it was agreed that the non-conforming status of the existing manufactured housing park would not be adversely affected as long as the lot area after adjustment is not less than the existing acreage. In addition, the consolidation of the "back" lots would not result in increased non-conformity since the existing "back" lots and the new "back" lot do not and will not have frontage on a Class V or better public road.

#### Waivers

It was noted by the Planner that no Waivers were requested at this time.

#### Development of Regional Impact

It was noted by the Planner that this does not appear to be applicable since this application results in no new development.

Mike Frascinella asked why this would not be a development of Regional Impact with the addition of 100 new homes. The Chair advised that the application was for a Lot Line Adjustment, not addition of new homes.

Chad Pelissier commented that the Lot Line Adjustment does boarder another town. The Chair advised that the Board may consider the matter of Regional Impact differently.

The Chair concluded review on the Planners memo and advised that there were a couple of administrative actions to complete and then open the Public Hearing portion of the meeting.

#### Determination of Regional Impact

Considering the Application for the Lot Line Adjustment, the Chair advised that the Board needed to make a determination of Regional Impact. The Chair called for discussion among Board members prior to making the determination. Chad Pelissier advised that it has been policy to notify when it borders other towns, in order to be good neighbors and let them know. Diane Adinolfo asked who will notify – the Chair advised that the Planning Board will notify.

Mr. Stanley Irzyk of Chester Turnpike interjected with a concern regarding the proposed Lot Line Adjustment where he expressed concern that two feet of his property would be taken from their lots on Chester Turnpike by the adjustment. Mr. Holden responded that they are not proposing to touch anyone else's property. Mr. Irzyk was concerned because the colored lines on the map used to explain the adjustment appeared to show encroachment on his property. Mr. Holden responded that they were only to show the adjustment and that the actual lot lines are shown in black on the presented map. The Chair requested confirmation on the record that the lot line adjustment does not impact any surrounding property. Mr. Holden responded that it does not impact any property except the park property, the Hynes property (applicant) and the property that currently belongs to the town.

Mr. Irzyk also asked about a requirement that residents keep their fences, etc. two feet from the current boundary line, and was concerned that this would be used as the boundary line for the adjustment. Mr. Holden responded that the fence lines would not be used as the boundary line, rather the actual surveyed boundary lines would be used. Mr. Holden also offered to meet with concerned residents about the matter and confirmed that the boundary would be two feet away from Mr. Irzyk's fence. There was also concern expressed about encroachment with flowers, etc. into the two-foot buffer. Mr. Holden responded that any boundary monument markers that were currently there have to be shown on the map and any missing markers would have to be replaced. Mr. Holden also stated that they would come to see residents and not place markers without talking to them. The Chair confirmed with Mr. Holden that a licensed surveyor would be used for boundary line confirmation. The Chair advised that to address the expressed concerns, as

part of the application, if approved, the land would be surveyed, and markers placed, which was confirmed with Mr. Holden.

Returning to the determination of Regional Impact, the Chair asked for any further input. Mike Frascinella commented that at a minimum the Town of Hooksett should be allowed to comment on whether this application would be a Regional Impact for them. Following discussions, the Chair asked for a motion of whether the application is or is not considered a development of Regional Impact. Sandy McKenney made a motion that the application is a development of Regional Impact. Motion Seconded by Diane Adinolfo.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella– Yes, and Mike O’Meara–Yes.

The motion for determination of Regional Impact was approved.

The Chair asked Matt Monahan, Senior Planner, CNHRPC, for guidance on process. The Chair also advised that Mr. Monahan was present only to answer questions related to process, as he had previously recused himself from participating as Planner for the application.

Matt read the requirements as stated in RSA 36.57, which, in summary, required the Planning Board to notify abutters. Matt further advised that both the CNHRPC and SNHRPC (which covers the Town of Hooksett) be notified.

The Chair clarified with Mr. Monahan that the Board could not continue further with the application at this time. Following discussion, the Chair advised those present that the application would be continued to Oct 17, 2018 at 6:30 pm. Diane Adinolfo asked if this was sufficient time to notify abutters, to which Mr. Monahan advised that abutters be given 14 days’ notice.

The Chair advised all present that the Public Hearing would not be re-noticed and asked that they make a note of the continuation date of Oct 17<sup>th</sup>. The Chair then concluded deliberations on the application and continued the application to Oct 17, 2018 at 6:30 pm.

#### **UNAPPROVED MINUTES:**

- a. Review and approve minutes from the September 05 meeting.

The Chair presented the draft minutes from the September 05, 2018 Planning Board meeting for review and approval and requested a motion to approve the minutes of the September 05, 2018 meeting as written. Motion to approve made by Mike Frascinella. Motion seconded by Sandy McKenney.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Abstain, Mike Frascinella–Yes, and Mike O’Meara–Yes.

Motion passed and the minutes for the September 05, 2018 meeting were approved.

#### **IV. CORRESPONDENCE & OTHER BUSINESS:**

- a. None.

#### **V. STAFF UPDATE:**

- a. None

#### **VI. ADJOURN**

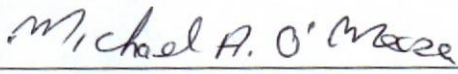
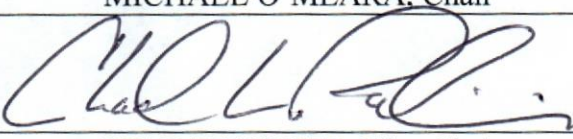
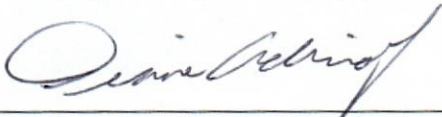

There being no further business before the board, the Chair requested a motion to adjourn.

Motion to adjourn made by Diane Adinolfo. Motion seconded by Sandy McKenney.

Vote: Diane Adinolfo–Yes, Sandy McKenney–Yes, Chad Pelissier–Yes, Mike Frascinella–Yes, and Mike O’Meara–Yes.

Motion passed, and the meeting was adjourned at 7:10 p.m.

## Signature Page

Approval:	
	10/17/2018
MICHAEL O'MEARA, Chair	DATE
	10/17/2018
CHAD PELISSIER, Vice Chair	DATE
	10-17-18
DIANE ADINOLFO, Member	DATE
Excused <sup>my cell</sup> 10/17/18	
MICHAEL FRASCINELLA, Member	DATE
	10-17-18
SANDRA McKENNEY, Ex-Officio	DATE

<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
	SANDRA McKENNEY, Ex-Officio	DATE

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Meeting Date: 09/19/2018

## Sign-In Record

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