

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**16 School Street**  
**Allenstown, New Hampshire 03275**  
**November 13, 2019**

**Call to Order.**

The Allenstown Planning Board Meeting of November 13, 2019 was called to order by Chairman Mike O'Meara at 6:30 p.m. Chair O'Meara called for the Pledge of Allegiance.

**Roll Call.**

Present on the Board: Sandra McKenney, Diane Adinolfo, Mike Frascinella, and Mike O'Meara. Chad Pelissier arrived at 6:33 pm.

Ex-Officio: Sandra McKenney

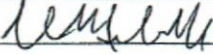
Residents of Allenstown: – None. See below:

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Meeting Date: 11 / 13 / 2019

Sign-In Record

Print Name	Signature	Indicate applicable status	
		Allenstown Resident	If no, state Organization represented
Eric Mitchell		<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	ECM surveyor
		<input type="checkbox"/> Yes <input type="checkbox"/> No	

Others Present: Matt Monahan, Central NH Regional Planning Commission;  
Eric Mitchell, Eric Mitchell Associates

Other Public Officials: None

Allenstown Staff: None

## OLD BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

None

## NEW BUSINESS/RECEIPT OF APPLICATIONS & PUBLIC HEARINGS

**Minor Subdivision and Lot Line Adjustment Application. CJL, LLC. CASE #03-2019. Map 109/Lots 29 and 29-1 located at 3 Chester Turnpike in the Business Zone and Groundwater Protection Overlay District. The applicant received conditional approval to adjust the lot line between the two properties and subdivide off a third lot on October 2, 2019. With this hearing the applicant is requesting that the condition of approval to build the water and sewer lines and relocate the fire hydrants be revised to bonding for the improvements instead.**

Chair O'Meara stated that they would be reopening Case #03-2019, CJL, LLC, regarding property located at 3 Chester Turnpike, to consider a change in the seventh (7<sup>th</sup>) Condition of Approval and perhaps acceptance of a letter of credit.

Mr. Monahan stated that the Notice of Decision for this Minor Subdivision and Lot Line Adjustment Application had several Conditions of Approval. One of those, Number 7, called for the relocation of hydrants and installation of water and sewer lines as proposed on the plans. The applicant would like to switch this condition with a letter of credit. Mr. Monahan said that Town Administrator Derik Goodine and Town Attorney Sharon Somers are okay with this. Mr. Monahan said that on November 5<sup>th</sup> he emailed the Police Department, the Fire Department, the Sewer Department, Pembroke Water Department and the Highway Department about this request. All indicated that the change is acceptable. Mr. Monahan said he does not yet have the letter of credit but should have it by tomorrow. He said the Planning Board's task is to act on the change in the seventh Condition of Approval and to delegate to Mr. Goodine and Ms. Somers the task of preparing the letter of credit. He said that the letter of credit can be pulled if the applicant fails to perform the required work. Specifically, the applicant must complete the water line improvements to the satisfaction of Pembroke Water Works, as agreed on October 17, 2019; the sewer line improvements to the satisfaction of the Allenstown Sewer Department, as agreed on October 17, 2019; the relocation of fire hydrants to the satisfaction of the Allenstown Fire Department, as agreed on October 17, 2019; the repair of cut pavement and other disturbances and a two- year performance of site improvements.

Mr. Frascinella asked about the technical difference between the original and revised versions of the seventh condition.

Mr. Monahan said that as the seventh condition was first stated, the applicant would be required to complete the work before we would sign the mylars. With a letter of credit, the mylars can be signed now, thus moving the process along.

Mr. Mitchell said that bonding is a general term for surety. The choice for any construction job is to build or bond. The State of NH allows bonding to take one of these three forms: a cash bond, a



letter of credit or an insurance bond (which is not often used). He said that timing and weather conditions caused the applicant to consider a letter of credit.

Ms. Adinolfo asked what the letter of credit means.

Chair O'Meara said it means the applicant is "good for the money." That is, if the applicant cannot complete the job for any reason, the town will be able to finish the job without spending its own funds.

Ms. McKenney asked if the work will be done during the day or at night. She said she talked with Mr. Goodine about the daycare center operating at that address.

Mr. Mitchell said the work can be done without danger or disturbance to the daycare.

Mr. Frascinella asked if this will have any impact on the ability of tenants to move in.

Mr. Mitchell said that other things need to be done before the CO will be issued. The water and sewer improvements will be done before the tenants will be able to move in.

Mr. Frascinella said he looks forward to seeing new businesses up and running there.

#### Public Hearing:

Chair O'Meara opened the Public Hearing on this issue at 6:46 pm. There being no one present wishing to speak, Chair O'Meara closed the Public Hearing at 6:46 pm.

Mr. Mitchell stated that the sewer discharge permit is no longer required.

Ms. McKenney made a motion to change the seventh condition of approval for this applicant, CJL, LLC (Case #003-2019), from a build to a bond (letter of credit) requirement, and to delegate approval of the irrevocable letter of credit to the Town Administrator, upon the advice of the Town Attorney, with the amount specified by the applicant's engineer as \$40,548.90. Ms. Adinolfo seconded the motion.

Chair O'Meara called for a vote on the motion.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

The motion carried unanimously.

Mr. Monahan said he will be doing a Notice of Decision on this.

#### **UNAPPROVED MINUTES**

The Chair requested a motion to approve the minutes of the October 16, 2019 meeting as written. Motion to approve made by Diane Adinolfo. Motion seconded by Sandy McKenney.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes.

Motion passed, and the minutes for October 16, 2019 were approved as written.

### **CORRESPONDENCE AND OTHER BUSINESS**

None

### **SCHEDULING NEXT MEETING**

Chair O'Meara said their next meeting is scheduled for Wednesday, November 20<sup>th</sup>, to review the Site Plan for this applicant, who will be meeting with the ZBA that evening as well.

### **ADJOURNMENT**

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

Motion to adjourn made by Ms. Adinolfo. Motion seconded by Ms. McKenney.

Vote: Diane Adinolfo – yes, Sandra McKenney – yes, Chad Pelissier – yes, Michael Frascinella – yes and Michael O'Meara – yes

The motion carried unanimously, and the meeting was adjourned at 6:52 pm.

## SIGNATURE PAGE

Planning Board

~~October 16, 2019~~

NOVEMBER 13, 2019

m o m  
12/4/19.

## Approval:

<i>Michael A. O'Meara</i>	12/04/2019
MICHAEL O'MEARA, Chair	DATE
<i>Chad Pelissier</i>	12/4/19
CHAD PELISSIER, Vice Chair	DATE
<i>Diane Adinolfo</i>	12-4-19
DIANE ADINOLFO, Member	DATE
<i>Michael Frascinella</i>	12/4/19
MICHAEL FRASCINELLA, Member	DATE
N/A.	
ROBERT LEE, Alternate Member	DATE
<i>Sandra McKenney</i>	12-04-19
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
	ROBERT LEE, Alternate Member	DATE
	SANDRA McKENNEY, Ex-Officio	DATE

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