

**TOWN OF ALLENSTOWN**  
**Planning Board**  
**16 School Street**  
**Allenstown, New Hampshire 03275**  
**November 18, 2020**

**CALL TO ORDER**

The Allenstown Planning Board Meeting of November 18, 2020 was called to order by Chairman Mike O'Meara at 6:33 p.m. Chair O'Meara called for the Pledge of Allegiance.

The following statement established authority to hold an electronic meeting, along with remote viewing and listening guidelines.

As Chair of the Allenstown Planning Board, 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 no physical location to observe and listen to this meeting, which was authorized pursuant to the Governor's Emergency Order. However, in accordance with the Emergency Order, I am confirming that we are:

- a) *Providing public access to the meeting by telephone, with additional access possibilities by video or other electronic means.*** We have a Zoom conference calling session set up for those listening. The instructions are on the Town website on the Planning Board agenda page.
- b) *Providing public notice of the necessary information for accessing the meeting.*** We previously gave notice to the public 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 of the Town of Allenstown Planning Board page attached to the agenda for this meeting. Facebook Live is another platform for viewing the meeting, but it is not the official site and it is not monitored.
- c) *Providing a mechanism for the public to alert the public body during the meeting if there are problems with access.***
- d) *Adjourning the meeting if the public is unable to access the meeting.***

**ROLL CALL**

Present on the Board: Mike Frascinella, Sandy McKenney, Diane Adinolfo, Mike O'Meara, Matt L'Heureux, alternate

Excused: Chad Pelissier, due to a family bereavement

Ex-Officio: Sandy McKenney

Residents of Allenstown: None

Others present: Matt Monahan, CNHRPC

Allenstown Staff: Derik Goodine, Town Administrator

Other Public Officials: None

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

### **▪ Discussion on Dumpster Ordinance**

Chair O'Meara presented the final revision of the Dumpster ordinance and expressed thanks to Code Enforcement Officer Brian Arsenault for his help preparing this ordinance. He said, for accuracy, the ordinance would be named the Dumpster, Roll Off, Storage Container/Trailer Ordinance. He requested and received the consensus of the Board members regarding the language of the proposed ordinance.

Mr. Monahan said the next step would be a public hearing.

### **▪ Discussion on MS-4**

Mr. Monahan stated that the MS-4 was last reviewed by the Planning Board in September. This, he said, is a 'repeal and replace' action.

Chair O'Meara requested and received the consensus of the Board to proceed with a public hearing.

### **▪ Discussion on Article 11**

Mr. Frascinella said that he created four chapters – or articles – from all of the existing Article 11. The new Article 11 would include Accessory Uses, Home Occupations, Casual Sales and Flea Markets. His proposed name for the article is Businesses at Residences. He said that Mr. Monahan told him not to put in the changes which the Board was working on to the various types of sales because there were questions from legal that need to be addressed. Mr. Frascinella continued, saying that he redesigned the heading levels and regenerated the Table of Contents. He left the section numbers as they are in the original document, and he inserted the new Town Seal made for them by the Welcome Signs vendor. He said the Article numbers would be in all caps, and the titles would be in initial caps format. The new Article 12 will include all of the Sign Regulations, and Article 13 will be the Building and Land Regulations, with the prohibitions toward the end. Article 14 will be Building Code Regulations. He said the document is designed to renumber the articles if a new one is added. He pointed to the two major things to be done: deciding on accepting the new layout and going through each article to make sure all sections are accurate.

Chair O'Meara added that they should also make sure that references to previous article numbers within other article sections are correct.

Mr. Monahan stated that he likes the new layout a lot. He said it is user-friendly and will be really useful. He said they should check with Ms. Somers on how to frame a warrant article for this.

Chair O'Meara stated that this is fantastic work, and he thanked Mr. Frascinella for doing this. It is a great effort, he said. He suggested that they could create a warrant article for March 2021 which, if passed, would allow them to proceed with the revision work.

Mr. Frascinella stated that his formatting places the beginning of each article on a right-facing page. He also said that they should devise a consistent way to deal with revisions and effective dates.

Ms. Adinolfo said that this is worthwhile and a great effort on the part of Mr. Frascinella.

Ms. McKenney asked if pools needed to be enclosed with a fence, saying that perhaps this is an insurance requirement.

Chair O'Meara said it might be a State law.

Mr. Goodine said it might be for inground pools, as opposed to above ground ones.

Chair O'Meara requested and received the consensus of the Board to proceed with the revisions for the existing Article 11. He asked the members to review the document created by Mr. Frascinella.

Mr. Frascinella asked what he was authorized to do.

Chair O'Meara responded that he should check the numbering of subsections, the accuracy of text references, and the consistency of font and font size.

Mr. Monahan said they would have to decide where to place the dumpster and MS-4 sections.

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

### **▪ Status Update on Coal Ash at Allenstown Aggregate**

Chair O'Meara reported on the November 9th site inspection of the coal ash pile at Allenstown Aggregate, 169 Granite Street. He said that all of the coal ash is gone – removed or consumed in on-site processes. He said that Allenstown Aggregate has done its due diligence, and that he has sent a report to legal because of the agreement between the Town and Allenstown Aggregate regarding the coal ash pile. He stated that this was a good outcome, and, for the record, he expressed his thanks to Allenstown Aggregate for their cooperation.

Ms. Adinolfo made a motion stating that, having reviewed and accepted the report of Chair O'Meara acknowledging that all coal ash at Allenstown Aggregate, 169 Granite Street, has been

removed or consumed on site, and that no further action is needed by the Town. Further, the minutes of this meeting will be kept with the litigation materials at Town Hall and a copy will be sent to legal. Ms. McKenney seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Matt L'Heureux – Aye, and Michael O'Meara – Aye.

The motion carried unanimously.

## **UNAPPROVED MINUTES**

### **▪ November 4, 2020**

Ms. Adinolfo made a motion to accept the minutes of the November 04, 2020 meeting as written. Ms. McKenney seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike Frascinella – Aye, Matt L'Heureux – Aye, and Michael O'Meara – Aye.

The motion carried unanimously, and the meeting minutes for November 04, 2020 were approved as written.

## **CORRESPONDENCE & OTHER BUSINESS**

Ms. McKenney asked Chair O'Meara if he had received a request from ZBA Chair Keith Klawes regarding his attendance at a future ZBA meeting.

Chair O'Meara said that he had not received such a request.

Mr. Goodine said that Mr. Klawes wanted to invite Mr. O'Meara to the next ZBA meeting to discuss the 'spirit of the ordinance.' The ZBA is looking to understand why the sale of vehicles is only allowed in the Business zone via special exception. At their recent meeting, he said, they had three applicants from the Business zone with issues regarding the sales of vehicles.

Chair O'Meara said that perhaps it would be more appropriate for Mr. Monahan to attend a ZBA meeting for that purpose. He also said he would want to have a request in writing.

Mr. Monahan said that it would have happened before his time, but he assumes that the Planning Board recommended – and the voters approved – this action. He explained that a variance is for relief from hardship due to the location, size, or shape of a lot. A special exception says that a use is permitted if certain criteria are met.

Ms. McKenney said that one business, with permission to sell five cars, has eight for sale and wants permission to sell 33 vehicles. She said that, at this location, Martel has moved out, as has one tenant from a building on the site.

Chair O'Meara stated, as a point of order, that this issue is not before the Planning Board at this time and therefore they should not be discussing it. He said that this is something for the CEO to investigate.

Mr. Goodine said that there is some ambiguity because they have five cars for sale and claim to be prepping three more for sale.

Ms. Adinolfo requested an update on this situation for the next meeting.

### **SCHEDULING OF NEXT MEETING**

Chair O'Meara set the next meeting date for Wednesday, December 02, 2020 beginning at 6:30 pm. He said they would also meet on Wednesday, December 16, 2020, at which time they would hold two public hearings.

### **ADJOURNMENT**

Mr. Frascinella made a motion to adjourn at 7:43 pm. Ms. Adinolfo seconded the motion.

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

Diane Adinolfo – Aye, Sandy McKenney – Aye, Mike 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**  
**November 18, 2020**

<b>Approval:</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

**SIGNATURE PAGE**  
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<b>Amendment Approvals:</b>		
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	CHAD PELISSIER, Vice Chair	DATE
	DIANE ADINOLFO, Member	DATE
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