

WARNER ZONING AUDIT				
Item Number	Findings	Notes	Recommendations	Degree of Importance per CNHRPC staff (1 highest, 3 lowest)
1	Warner's Zoning Ordinance is well organized, reasonably comprehensive, and relatively up to date.			
2	The ordinance was last amended in March of 2025. Changes in state law in the summer of 2025 now permit commercial zones with "adequate infrastructure" must allow multi-family by right.	A zoning ordinance is a "living document" and subject to several factors that can result in the need for updates and changes, with changes in state law being notable. In 2025 the NH legislature passed several bills related to zoning and local land use that will need to be addressed.	Revise multi-family uses in the commercial zone to be consistent with state law.	1
3	The Use Table indicates that a wide range of housing types are allowed in many areas of the community, some by Special Exception (multi-family developments) which makes tier construction less likely.	Visits to multiple boards can increase the cost of permitting. Multi-family housing already requires site plan review by the Planning Board. The need for a special exception adds the Zoning Board to the list of boards from whom approval is needed.	Change multi-family permissibility from Special Exceptions from the ZBA to Conditional Use Permits issued by the Planning Board (noting that multi-family does come before the Planning Board as they require site plan review).	1
4	The range of lot sizes in Warner seems to allow for some high density in several districts, though there are three districts with significantly larger lot sizes – three acres in the R-3 and five acres in the OR-1 and OC-1.		Consider relaxing some of the larger lot sizes in town to allow for greater density in some areas of town.	2
5	Duplexes are permitted by building permit, similar to single family homes (site plan review can only be required for multi-family developments of three or more units). In Table 1, Use regulations, single family homes are allowed by right in six zoning districts and one by special exception, while duplexes are allowed in four districts by right and two by special exception.		As duplexes do not require site plan review, the Table could be revised to allow duplexes in a manner similar to single family homes.	2
6	The Intervale District lays out an innovative mixed used zone with a variety of uses. The description of the District in Article XI-A does not seem to clearly describe the intent of the district.	A clear link between a district's purpose, proposed uses, and density requirements is key to its usability.	Provide greater clarity for the purpose statement of the Intervale District, as well as what can be done and to what intensity.	1
7	The Workforce Housing Ordinance, section XIV-A, has several areas that could be improved. The ordinance invokes RSA 674:21, but it doesn't explicitly state that the Planning Board administers the ordinance and what permit is issued. Additionally, XIV-A.C.5.b indicates that open space design is required if the lot is large enough. Most workforce housing ordinances use clustering as a way to lower cost and this could be beneficial for Warner too. XIV-A.C.3 establishes density calculations processes and could be simplified. Lastly, Section XIV-A.G requires that lots must comply with the dimensional standards of the underlying zone. These features, taken together, could be defeating the purpose of the ordinance.	A workforce housing ordinance is most effective when it's clear, easy to use, and allows for greater density. Also, methods of ensuring affordability give a community a longer-term benefit of the affordable nature of the development.	Revise the Workforce Housing Ordinance to provide clarity on the Planning Board's authority, better clarity on how density is determined, allow for clustering and relaxing of lot sizes for all workforce housing proposals. Also, make the density calculation process in Article XIV, Open Space, easier to apply and ensure that clustering does not result in less units than what a conventional subdivision may get.	1

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9	Manufactured housing is only allowed in a park or subdivision, not to exceed 25 units.		The ordinance could be improved by relaxing some of the home site requirements for the parks and in the subdivisions. Additionally, a cap of the number of units could be replaced with a simpler density calculation process.	3
10	In Article IV General Provisions Section L: This provision (not more than one permanent structure containing residences shall be permitted on a single lot) prevents any Village Cluster, zero lot line condominium, tiny home development, or detached ADUs. It also works against any increase in density in core areas and any mixed-use development.		Consider revising IV.L to relax the requirement of one structure with residences.	1
11	In Article IV General Provisions Section K: This appears to limit multi-family buildings to a maximum of four units (the minimum Buildable Area shall be increased by 1/2 the minimum Buildable Area for single family dwellings in that particular district, for each dwelling unit in excess of one (1), up to a maximum of four (4) dwelling units). It also works against any increase in density in core areas and the potential for any mixed-use development.	Multi-family developments are limited in number by the density calculation process of the district in which it is located. Multi-family buildings, by law, must contain at least five units to be counted toward workforce housing. Site plan review is triggered by three or more units.	Revise IV.K to eliminate the number of units per building and relax the density requirement.	1
12	Article XIV.C: Open Space Subdivisions should allow "zero lot line condominium" development at the same density as conventional subdivisions. This would result in smaller lots to reduce public costs for street maintenance and promote more open space, and potentially better design and layout of property.		Revise Article XIV.C, Open Space Subdivisions, to allow for density similar to the "zero lot line condominium development."	2
13	The Accessory Dwelling Unit provisions as of January 2026 did not comply with current state law. Definitions for attached and detached ADUs needs revising, and it should be clear that no permitting beyond a building permit can be required. Conversion from existing structures must be permitted and they must be allowed wherever single family homes are permitted.	s	Accessory Dwelling Units addressed by Town Meeting in March of 2026	
14	Define Village Cluster and Cluster Condominium. These could be useful to establish different kinds of cluster developments. Additionally, they are not addressed in the table of uses.		Define Village Cluster, Cluster Condominium, and add to table of use.	3

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15	Consider converting many uses allowed by Special Exception to being allowed by Conditional Use Permit (CUP) by the Planning Board. This would eliminate the need to go to two separate Boards. CUPs could be applied for simultaneously, with Site Plan approval. CUPs approved as a first step before final Engineering would return to the same Board already familiar with the project.		Consider converting many uses allowed by Special Exception to being allowed by Conditional Use Permit (CUP) by the Planning Board.	3
16	Warner's WEB Page and Ordinances are well laid out and easy to follow.			
17	There is no certificate of occupancy provisions in the zoning ordinance. These can provide a tool to ensure compliance with building permits, as well as any site plan, subdivision, or conditional use permit requirements.		Add section in Article IV, General Provisions, to clarify that a certificate of occupancy is required for all residential and non-residential uses.	1
18	Minimum lot size requirements, lot dimensional requirements, and buildable land requirements can result in less lots in a conservation subdivision than in a conventional subdivision.		Ensure that the density calculation process in Article XIV, Open Space, is easier to apply and ensure that clustering does not result in less units than what may result in a conventional subdivision.	1

WARNER SITE PLAN REGULATORY AUDIT					
Item Number	Specific "Questions" Asked of Each Document	Findings	Notes	Recommendations	Degree of Importance per CNHRPC staff (1 highest, 3 lowest)
1	Administration and enforcement section?	Yes, Section I addresses Authority and Administration are addressed throughout; enforcement is addressed in XIV.			
2	Appeals section?	No.		An appeals section should be added.	1
3	Validity/Severability section?	Yes, Section XXIX			
4	Amendment Section?	Yes, Section XXVIII.			
5	Effective Date section?	Yes, Section I.			
6	Is the setup of the Site Plan Regulations logical and "user-friendly?"	Yes.			
7	Is there an up-to-date application and checklist?	Yes, Appendix A.			
8	Is the approval process clearly spelled out in the Site Plan Regulations?	Yes, throughout.			
9	Are significant process components defined?	Yes.			

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10	Is there a process for Developments of Regional Impact?	Yes, Section XI.	Is there a process for Developments of Regional Impact?	Yes, Section XI.	Is there a process for Developments of Regional Impact?
11	Are standards for preliminary conceptual consultation defined?	Yes, VII.A.			
12	Are standards for design review defined?	Yes, VII.A.			
13	Are submission requirements described?	Yes, sections VIII, IX, and X.			
14	Are approval timelines spelled out?	Yes, section VIII.			
15	Are contacts listed?	No.		Identify positions (not names of individuals) that applicants and the public may contact with questions.	1
16	Are all fees clearly indicated, including escrows?	Yes, Section VIII.D.	Fees are required to be listed on the Planning Board's website by state law. The fees are currently listed on the Board's website.		
17	Are design standards described?	Yes, Sections XVII through XXVI.			
18	Is the waiver process clearly indicated for regulation requirements?	Yes, section X.			
19	Are there major and minor site plan requirements?	No.	Major and minor site plan designations can allow for a difference in submittal requirements based on the intensity of the project.	Develop major and minor site plan submittal requirements.	1
20	Details of "Active and Substantial building or development?"	Yes, section II definitions.			
21	General requirements section?	Yes, throughout.			
22	Conditional approval section?	Yes, Section VII.I states that the Board shall issue a notice of decision with any conditions.	Conditions of approval are discussed throughout, though no section specifically discusses it similar to Section III.C.10 of the Subdivision Regulations.	Establish a section that addresses conditions of approval similar to that of Section III.C.10 in the Subdivision Regulations.	1

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23	Expedited review section?	No.	Major and Minor Site Plan standards can be the basis for expedited reviews.	Establish an expedited review section.	2
24	Previously approved Site Plan section?	Yes, section V.A.			
25	Revocation of approval section?	No.		Establish a revocation of approval section.	1
26	Do Site Plan Regulations definitions conflict with site plan regulation definitions?	Several terms are shared between the Site Plan Regulations and Subdivision Regulations. Terms in one document should be adopted by reference in the other to ensure they do not conflict due to future changes.			
27	Do Site Plan Regulations definitions conflict with Zoning Ordinance definitions?	Some shared definitions are better served in one document or the other, not both.		"Abutter" should be removed from zoning, kept in subdivision regulations, and adopted by reference in the site plan regulations. The following terms should be removed from the site plan regulations: "building," "essential services," and "height."	1
28	Are all necessary terms defined?	Yes.			
29	Are there other definition issues?	No.			
30	Are utility (water, sewer, septic, well, private utilities) discussed?	Section IX.2.z.cc stipulates that utilities and connections are shown on plans, though no details or requirements for utilities are addressed.		Establish a new section to provide a clear set of requirements for utilities.	2
31	Stormwater management (with 50 year storm design)?	Yes, Section XVIII.	NHDES standards are adopted by reference, 50-year design would be located there.		
32	Erosion control section?	Yes, Section XVIII.	The erosion control plan could be updated to better specify best management practices.	Establish a clear erosion control section with current best management practices.	1
33	Are there provisions in the Site Plan Regulations that are better located in the Subdivision Regulations or Zoning Ordinance?	Yes.	Parallel processes between Site Plan and Subdivision Regulations.	Could establish a single Land Use Development Regulation document.	3

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34	Do the Site Plan Regulations comply with RSAs?	Revise Section XIX.B to comply with state law stipulating that no more than one parking space can be required for each residential unit.		Revise XIX.B specifying that one space is required per unit.	1
35	Are there any conflicts within the Regulations?	No.			
36	Are there enough typical construction drawings?	Yes, within several sections.			
37	Are typical construction drawings current?	Yes.			
38	Are performance guarantee requirements described?	Yes, Section XIII.			
39	Purpose section?	Yes, Section III.			
40	Bonds, for construction and performance, consistent with RSA?	Yes, Section XIII, update per new (2025) RSA change.		Update per new RSA changes (2025).	1
41	3rd Party Review guidelines?	Section XVI clearly spells out engineering third party review; Section VIII.D.3 somewhat alludes to other review under "analysis."		Develop a section that clearly allows for other third party review, besides engineering, that is paid for by the applicant.	1
42	Landscape plans in Site Plan Regulations?	Yes, XVII. Extensive standards exist for Landscaping, Parking Lot Design Driveways and Shared Access Performance Standards, Exterior Lighting Standards, Exterior Building Façade Performance Standards, Signage, Standards. These standards are comprehensive, are well crafted and could be reviewed to be certain that they are still up to date and fully appropriate.			
43	Lighting Plan provisions in Site Plan review?	Yes, Section XXI.			
44	Architectural Design guidelines in Site Plan Regulations?	Yes, Section XXII.			
Other Observations					

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OO1	There are no identified special studies required or thresholds established, or any means for establishing if special studies maybe required before consideration of application of completeness.			Develop standards for what triggers studies.	2
OO2	It is noted that dimensions and materials are not often noted in the required items on required site plans. These should be added to the required elements on plan especially for building footprints, parking and access, structural placement, wetland, or other special setbacks.			Dimensions and materials should be added to the required elements on plan especially for building footprints, parking and access, structural placement, wetland, or other special setbacks.	1
OO3	Slopes and grades for all cut and fills, steep slopes, and the type of materials, dimensions, typical details, etc. need to be provided for drainage, and other utility pipes and structures all should be shown on plans.			Require that slopes and grades for all cut and fills, steep slopes, and the type of materials, dimensions, typical details, etc. need to be provided for drainage, and other utility pipes and structures are shown on plans.	2
OO4	Some of the incomplete standards can be provided in the Subdivision Standards, but some of the design standards are too stringent for many small private projects.				
OO5	There are no procedures for the submittal, nor standards and the process of review for such legal documents for: easements, deeds, performance guarantees, and contracts.		Ensure same standards in Subdivision Regulations.	Add section addressing the process for submittal of, and review of legal documents	1

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OO6	No requirements for As built Plans or digital copies of subdivision plans are specified.			Develop section outlining when an As-Built plan is required and what it shall include and require digital submittal of all documents.	3
OO7	Develop a Land Development Regulation document consolidating the following: Subdivision Regulations, Site Plan Review Regulations, Earth Excavation Regulations, and Driveway Regulations. Add flow chart for the development process for different types of development.			Develop a Land Development Regulation document consolidating the following: Subdivision Regulations, Site Plan Review Regulations, Earth Excavation Regulations, and Driveway Regulations. Add flow chart for the development process for different types of development.	2
OO8	Section XVI briefly describes inspection and test costs to be borne by the developer, but no inspection details are described.			Add a new section detailing inspections (what is inspected, when its inspected, how, etc.) similar to Section VIII in the Subdivision Regulations.	1

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1	Administration and enforcement section?	Administration is not explicitly defined, but Sections I and III deal with administration; there is no enforcement section.		Add an enforcement section per RSA.	1
2	Appeals section?	Yes, Section XI.			
3	Validity/Severability section?	Yes, Section XI.			
4	Amendment Section?	Yes, Section X.			

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5	Effective Date section?	Yes, on page iii.			
6	Is the setup of the Subdivision Regulations logical and "user-friendly?"	The graphic quality of the document could be improved. The Site Plan Review Regulations are easier to read and follow.		Make visual presentation of the document similar to the Site Plan Regulations.	1
7	Is there an up-to-date application and checklist?	Yes, Appendix A.			
8	Is the approval process clearly spelled out in the Subdivision Regulations?	Yes, generally throughout, notably Section III.			
9	Are significant process components defined?	Yes, Section III.			
10	Is there a process for Developments of Regional Impact?	Yes, Section III.C.6.		For ease of use, the notice and hearing process for Developments of Regional Impact (DRI) should be included and then noted how it affects the Boards, determination of completeness, hearing, review, and consideration, especially if not done concurrently with local notice.	3
11	Are standards for preliminary conceptual consultation defined?	Yes, Section III.C.1.			
12	Are standards for design review defined?	Yes, Section III.C.2.			
13	Are submission requirements described?	Yes, Section III.C.3 refers to the relevant sections that consist of a completed application.			

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14	Are approval timelines spelled out?	Yes, Section III.C.2.a describes design review timelines; Section III.C.5 describes formal application timelines.			
15	Are contacts listed?	No.		Identify positions (not names of individuals) that applicants and the public may contact with questions.	1
16	Are all fees clearly indicated, including escrows?	Yes, Section III.B describes fees.	Fees are required to be listed on the Planning Board's website by state law. The fees are currently listed on the Board's website.		
17	Are design standards described?	Yes, Section VII.			
18	Is the waiver process clearly indicated for regulation requirements?	Yes, Section IX.			
19	Are there major and minor subdivision requirements?	Yes, in several places, including Section C.			
20	Is there a road acceptance policy by the Selectmen?	Yes, in several places, including Section C and D.			
21	Are details of "substantial completeness for road acceptance" required?	Section II defines the term.			
22	Is there a general requirements section?	Yes, Section IV.A.			

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23	Are conditional approvals addressed?	Yes, Section III.C.10.			
24	Is there an expedited review section?	No.		Establish an expedited review section.	2
25	Is there a section dealing with previously approved subdivisions?	Yes. Section IV.B			
26	Is there a revocation of approval section?	No.	State law establishes a process for the revocation of approval of subdivisions. As they are spelled out in state statute, the regulations should describe the requirements for the board and applicants to reference.	Establish a section that addresses the revocation of approvals.	1
27	Do definitions WITHIN the Subdivision Regulations conflict with each other?	No.			
28	Do Subdivision Regulations definitions conflict with site plan regulation definitions?	Several terms are shared between the documents. Terms in one document should be adopted by reference in the other to ensure they do not conflict due to future changes.		Retain the following terms in either the Subdivision Regulations or the Site Plan Regulations and in the other document, adopt them by reference: "abutter," "applicant," "building," "floodplain."	3
29	Do Subdivision Regulations definitions conflict with Zoning Ordinance definitions?	Some shared definitions are better served in one document or the other, not both.	As ordinance and regulation changes progress, additional definitions may need to be added.	"abutter," "minor subdivision," and "major subdivision" should come out of the zoning and stay in the regs. The following should come out of the regs and stay in the zoning: "building," "common open space," and "lot." "Frontage" should stay in both, but not conflict.	1
30	Are all necessary terms defined?	Yes.			
31	Are there other definition issues?	No.			

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32	Are utility (water, sewer, septic, well, and private utilities) discussed?	Minimally.	Water and sewer requirements are difficult to ascertain and should be clarified.	Establish detailed guidance, direction, and requirements for utilities, including water/sewer, well/septic, and private utilities.	2
33	Are stormwater management standards addressed?	There are no drainage standards in the regulations or design storms specified. The regulations only specify: "If the storm water drainage system creates increased flows over or increased velocities on other properties, the developer shall obtain easements therefore all owners of said downstream properties or provide appropriate detention facilities to assure existing flow quantities or velocities will not be exceeded."		Update stormwater management provisions to be consistent with current NHDES best management practices, including 50-year stormwater management design.	3
34	Is there an erosion control section?	Section V.D.9 requires an erosion plan.	The erosion control plan requirements could be updated to better specify best management practices.	Establish a clear erosion control section with current best management practices.	2
35	Are there any redundancies within the Subdivision Regulations?	No.			
36	Are there provisions in the Subdivision Regulations that are better located in the Site Plan or Zoning Ordinance?	No.			
37	Do the Subdivision Regulations comply with RSAs?	Yes, unless specifically described herein.			
38	Are there any conflicts within the Regulations?	No.			
39	Are there enough typical construction drawings?	There are two classes of roads Class B and Class C. The Standard Cross Section in Appendix B is quite legible and informational but appears to be for a Local Class C Road. There is nothing for a Type B Collector Road.		Develop typicals for Class B Collector Road.	3
40	Are typical construction drawings current?	Yes.			

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41	Are performance guarantee requirements described?	Yes, Section VIII.			
42	Is there a purpose section?	Yes, Section I.			
43	Are the requirements for bonds (for both construction and performance) consistent with RSA?	Yes, updated per new (2025) RSA change.		Update per new RSA changes (2025).	1
44	Are there 3rd party review guidelines?	Somewhat, Section III.C.5.e allows for major subdivisions to be reviewed by 3rd party reviewer.		Update Section III.C.5.e to indicate that all subdivisions can be reviewed by 3rd party reviewers, paid for by the applicant by escrow.	1
45	Road construction standards in Subdivision Regulations?	Yes, Appendix B.			
46	Are cluster ordinance provisions addressed in the Subdivision Regulations?	Yes.	Open Space Example Drawings convey a complex subject in a simple and helpful manner.		
Other Observations					
OO1	There are procedures and requirements specific to condominium subdivisions.			Add process provisions for condominium conversations.	2
OO2	There are no procedures nor standards for the submittal, and the process of review for such legal documents for: easements, deeds, performance guarantees, and contracts.		Ensure the same in Subdivision Regulations.	Add section addressing the process for submittal of, and review of legal documents.	2

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003	The thresholds for impact assessments relate solely to residential developments of over 30 units and ignore any potential impacts of non-residential or institutional projects. Traffic studies are required for 11 to 17 dwelling units.			Consider developing impact assessment thresholds for non-residential subdivisions for 11 or more residential units.	2
004	"The Planning Board shall require that all subdivision proposals greater than 50 lots or 5 acres (whichever is the lesser) include Base Flood Elevation data within such proposals (i.e., floodplain boundary and 100-year flood elevation)." This may not be consistent with current requirements.			Remove section in question and rely solely on the Ordinance.	1
005	No requirements are described for As built Plans, nor are digital copy submittal requirements discussed.			Develop section outlining when an As-Built plan is required and what it shall include and require digital submittal of all documents.	1
006	There is no mention where sidewalks may be required.			Consider addressing sidewalks in the road standards.	3
007	Grading, headwall, and embankment standards are needed.			Add grading, headwall, and embankment standards.	1

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008	Develop a Land Development Regulation document consolidating the following: Subdivision Regulations, Site Plan Review Regulations, Earth Excavation Regulations, and Driveway Regulations. Add flow chart for the development process for different types of development.			Develop a Land Development Regulation document consolidating the following: Subdivision Regulations, Site Plan Review Regulations, Earth Excavation Regulations, and Driveway Regulations. Add flow chart for the development process for different types of development.	2