



TOWN OF WARNER

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Planning Board Work Session Minutes

Monday, May 6, 2024

I. OPEN MEETING (7:00 PM) and ROLL CALL

ROLL CALL:

Board Member	Present	Absent
David Bates	✓	
Andy Bodnarik (Vice Chair)	✓	
Karen Coyne (Chair) via Zoom	✓	
James Gaffney	✓	
Ian Rogers	✓	
Harry Seidel – Selectboard	✓	

In Attendance: Janice Loz – Land Use Administration

7 Andy was acting as Chair in Karen Coyne's absence.

8 II. PUBLIC COMMENT

9 None.

10 III. MINUTES - None

11 IV. NEW BUSINESS

12 A. Subdivision Application

13 **Applicant:** Sydney Elizabeth Boyer

14 **Owners:** Sydney Elizabeth Boyer

15 **Agent:** Jon Rokeh – Rokeh Consulting, LLC.

16 **Address:** Kearsarge Mountain Road, Warner, NH 03278

17 **Map/Lot:** Map 33, Lot 18

18 **District:** R2

19 **Description:** An existing 10.60-acre lot is proposed to be subdivided into four lots with a new
20 subdivision road connecting to Kearsarge Mtn. Road.

21 Andy outlined procedural rules for application reviews, emphasizing criteria like completeness and
22 regional impact while referencing the Planning Board's guidelines. Before delving into the
23 subdivision application, the Board first reviewed the subdivision applications in detail, making sure
24 it was adhering to procedural guidelines and ensuring thorough scrutiny of each application's
25 compliance with regulations.

26 The focus shifted to the subdivision application. Detailed conditions for the approval of the
27 application's completeness were discussed. These conditions included obtaining necessary permits
28 for roads, fire safety approvals, and water and sewage signoffs from Ray Martin.

29 **James Gaffney made a motion to conditionally accept the application as complete for review.**
30 **Harry Seidel seconded the motion. Discussion: None. Vote Tally: 6 – 0.**

31 Andy directed the Board to determine whether the proposed subdivision would have a regional
32 impact. After thorough consideration, it is concluded that none of the conditions for declaring
33 regional impact apply to this application.

34 **David Bates made a motion to accept the application as having no regional impact. Harry**
35 **Seidel seconded the motion. Discussion: None. Vote Tally: 6 – 0.**

36 The applicant was represented by John Rokeh from Rokeh Consulting. John presented the details
37 of the proposal. This included subdividing an existing 10.6-acre lot into four lots, each with access
38 via a new subdivision road accessing Kearsarge Mountain Road. The presentation covered aspects
39 such as drainage plans, municipal water and sewer connections, and compliance with state
40 regulations. John provided a comprehensive overview of the subdivision project. He explained the
41 layout of the new road, addressing existing conditions like logging and the presence of a driveway
42 and power line easements. Detailed site plans, including drainage features such as detention ponds
43 and open drainage systems, are presented. John also discussed compliance with environmental
44 regulations and the technical aspects of the sewer and water systems serving the new lots. The
45 applicant continued to detail the layout adjustments in response to previous concerns about
46 common driveways. Each lot now features its own driveway to avoid shared access points.
47 Additionally, there is a municipal drainage system in place to prevent stormwater discharge onto
48 neighboring properties.

49 James said the subdivision plan had to adhere to lot size regulations, ensuring straightforward
50 compliance with local development standards. James asked about the property line on the south
51 side of Kearsarge Mountain Road. The applicant confirmed that the southern property line serves
52 as the right-of-way boundary, addressing any necessary offsets accordingly. Questions about
53 elevation differences and drainage concerns arose. The applicant continued to explain that the road
54 generally sits lower than the surrounding land, with grading adjustments made to manage water
55 flow. A ditch along the property prevents runoff onto adjacent properties, channeling it instead
56 towards a designated pond.

57 The conversation delved deeper into the specifics of road construction and drainage management.
58 Participants examine various sections of the road plans (e.g., sheet 14, sheet 15) to understand
59 how water runoff is controlled through swales and culverts. The applicant elaborated on the
60 construction of stabilized entrances and the use of riprap ditches along sections with steeper
61 gradients to prevent erosion and manage water velocity effectively. Questions from Harry focused
62 on ensuring that water is directed into designated drainage features and does not cause erosion or
63 overflow issues onto neighboring properties.

64 Harry and Andy sought clarification on the road's steeper gradients and the placement of major
65 catch basins to manage water flow effectively. The applicant reaffirmed that the swales and culverts
66 are strategically positioned to direct water away from the road surface and into designated drainage
67 areas. Furthermore, the road design adheres to town specifications for future municipal
68 maintenance, indicating its intended transition from private to public status.

69 Harry expressed concern about potential storm severity and runoff velocity on the steepest section
70 of the road. However, the applicant reassured him that the majority of runoff from the road is
71 captured early on by the swale, minimizing downstream impact.

72 The Board also addressed environmental concerns, particularly related to wetlands impacts and
73 required permits. The Applicant explained that the road construction involves minimal impact on
74 existing wetlands, as outlined in the submitted wetlands permit application. Although there were
75 initial comments from the regulatory authorities, these were being addressed by their wetland
76 specialist. Additional permits discussed included the sewer extension permit and the EPA Notice of

77 Intent, necessary for compliance with federal construction regulations. These permits ensure proper
78 stormwater management and environmental protection during the construction phase.

79 Andy emphasized the requirement for a SWOP plan and certified erosion control measures,
80 underscoring the project's commitment to environmental stewardship. Andy queried the feasibility
81 of safely navigating the road during icy conditions, especially for larger vehicles. However, John
82 Rokeh clarified that while 7% is steeper than average parking lot grades, it is within acceptable
83 limits for New Hampshire road standards. He explained the gradual decrease in slope as the road
84 curves, mitigating potential hazards during descent.

85 Questions arose regarding setback lines from the cul-de-sac, specifically on sheet 8. The Applicant
86 clarified that while not specifically marked on the design plan, the setback is generally around 40
87 feet and is subject to adjustment based on final house placement. In regard to the public comment;
88 abutters Sue Bartlett and Phil Stockwell expressed concerns about potential blasting, erosion
89 control, and the proximity of construction to their property line. The Applicant reassured them that
90 efforts will be made to align with existing driveways and meet town regulations while minimizing
91 impact.

92 **Note: The Zoom video feed at the Town Hall cut out at 39 minutes into the hearing, due to a**
93 **power interruption to the source computer.**

94 The discussion centered around potential blasting needed for the project. Concerns were raised
95 about the notification process for residents and safety measures. The project team highlighted their
96 intent to minimize blasting by aligning with existing topography, though if required, they would
97 adhere to state regulations, including a pre-blast survey and notifications managed by Main Drilling
98 and Blasting.

99 Questions were also raised about the impact on nearby wetlands, with assurances that the planned
100 development would only minimally affect them, staying well below the thresholds requiring
101 extensive mitigation. Questions regarding traffic impact focused on additional vehicle movements
102 resulting from the development. While no formal traffic report was presented, estimates were made
103 based on typical household vehicle counts. It was noted that the development's impact on local
104 traffic was expected to be minimal compared to existing conditions on Kearsarge Mountain Road,
105 which are already heavily trafficked. Concerns about road safety and congestion were
106 acknowledged, with assurances that the impact would be manageable and within acceptable limits.
107 Discussions shifted to potential impacts on property values due to the proposed subdivision. While
108 no formal studies were cited, anecdotal evidence suggested varying trends in property value
109 changes across the area.

110 Board members had a broader discussion touched on the housing needs of the community and the
111 balancing act between development and preserving local character. Questions were raised about
112 the adequacy of local infrastructure to support the new development, including concerns about
113 emergency services access and the need for additional sidewalks. Plans for road specifications,
114 fire truck access, and compliance with construction noise and dust control were outlined,
115 emphasizing ongoing consultations with relevant municipal departments to ensure safety and
116 community standards are met.

117 Detailed queries regarding utility installations, particularly the underground electricity plans, were
118 addressed. The developer confirmed that utilities, including water and sewer, would be
119 underground, though specifics on installation contractors were not provided. Questions regarding
120 the depth of septic systems and tie-ins to existing infrastructure underscored ongoing concerns
121 about the project's integration into local utilities and environmental considerations.

122 Ellen Wirth raised a request for a conservation easement to preserve neighborhood trails and
123 recreational areas. She cited community values and environmental considerations as reasons for
124 her request. However, it was clarified by the acting Chair that granting such an easement fell outside

125 the Planning Board's jurisdiction, advising Ellen to approach the landowner or the Conservation
126 Commission for further guidance.

127 Megan Wirth expressed concerns about water drainage from the proposed development affecting
128 their property across the road. She inquired about potential impacts on existing culverts and the
129 rate of water flow post-development. The Board assured her that the design included provisions to
130 manage stormwater and prevent adverse impacts on neighboring properties, including maintaining
131 existing water flow rates.

132 Mr. Fisher (? Inaudible) had a question regarding the brook on his side of the property. The Board's
133 plans showed the ground soil and water regulation on the maps. The Chair said he didn't see a
134 brook noted on the plans. John said there are no wetlands indicated on the property.

135 The Boards transitioned away from public comment. The acting Chair listed essential documents
136 and responses required from various departments including the water district, public works, fire
137 department, and Selectboard. Discussions focused on necessary permits, drainage plans, and
138 clarification on shared versus individual driveways for the subdivision.

139 Harry elaborated on technical details of the proposed detention pond, addressing concerns about
140 water stagnation and environmental impacts. The technical discussion continued with
141 considerations for soil conditions, the necessity of a clay layer in the detention pond, and the
142 potential need for test borings to assess rock ledge for safe blasting during road construction. The
143 Board stressed the importance of third-party engineering reviews and the establishment of an
144 escrow account to cover review costs.

145 Andy Bodnarik made a motion to continue the public hearing on the subdivision application from
146 Sidney Boyer on Kearsarge Mountain Road to June 2024. James Gaffney seconded the motion.
147 Discussion: None. Voice Vote Tally: 6 to 0. Karen Coyne participated in the vote via Zoom.

148 **B. Conceptual Consultation**

149 **Applicant:** Peter Bean

150 **Owner:** Peter Bean

151 **Agent:** Jon Buschbaum – Envirespect Land Service, LLC.

152 **Address:** 306 Newmarket Road, Warner, NH

153 **Map/Lot:** Map 12, Lot 21

154 **District:** R3 & OC1

155 **Description:** Proposing a two-lot subdivision for residential development.

156 Jon Buschbaum presented information about a subdivision project on behalf of Peter Bean. The
157 property under discussion is owned by Peter Bean, identified as Tax Map 12, Lot 21, encompassing
158 approximately 88.5 acres. The proposal involves subdividing the property into two lots for residential
159 development. The property spans two zoning areas: R3 (Residential 3) and OC1 (Open
160 Conservation 1).

161 The Board said relevant zoning ordinances for each district must be adhered to. Buildable areas
162 and potential impact of wetlands and floodplains was discussed. The Board raised questions about
163 access to different parts of the property, especially the area being retained by Peter Bean. Existing
164 roads and access routes were clarified.

165 Harry and James clarified requirements and processes and mentioned the importance of drawings,
166 specifically 16 separate drawings for a minor subdivision. Referenced zoning ordinances and
167 checklist requirements for major and minor subdivisions. It was suggested to the applicant to obtain
168 a copy of the Subdivision Regulations. Harry mentioned the importance of checking the flood maps
169 and notes that new flood maps are being generated and are under review.

170 **V. OLD BUSINESS**

171 No unfinished business

172 **VI. REPORTS**

173 **A. Chair's Report** – Chair, Karen Coyne

174 The Chair said the Selectboard conducted interviews with Planning Board volunteer members. New
175 members and members up for renewal. Mentioned the Saturday, May 11 training conference for all
176 members. Also, Janice has sent out recent training recordings. Please try to watch them its good
177 information.

178 **B. Selectboard** – Harry Seidel

179 Harry reviewed office pending reorganizations. Tax Collector and Assessing moving to the Land
180 Use office. Land Use moving to the Tax Collector's office. He discussed a AI recording device to
181 help with the time consuming burden of transcribing minutes.

182
183 **C. Regional Planning Commission** – Derek Narducci, Ben Frost – None.

184 **D. Economic Development Advisory Committee** – None.

185 **E. Agricultural Commission** – James Gaffney.

186 Karen mentioned that Bill Hanson has resigned as Chair of the Agricultural Commission in order to
187 serve on the Budget Committee as an elected member. Michael Biagiotti is the new Chair. There
188 are two openings.

189 **F. Groundwater Protection Committee** – Andy Bodnarik – None.

190 **G. Housing Advisory Committee** – Ian Rogers

191 Public Housing Forums were successful. Thank you to Mike Tardiff and his team and the HAC
192 committee members who helped out. He said on May 14, online housing forum at 6:30. This coming
193 Thursday is the next HAC meeting. They received 404 responses for the survey.

194 **H. Regional Transportation Advisory Committee** –

195 **VII. COMMUNICATIONS**

196 None.

197 **VIII. PUBLIC COMMENT**

198 Nancy Ladd mentioned that in the State of New Hampshire made mention that there will be a list of
199 items that can be added to a Master Plan, in the solid waste reduction section. The Hazard Mitigation
200 committee one of the actions to be approved is to have the Planning Board adopt the new plan into
201 the Master Plan. The Acting Chair said that might be one of the items that is covered under "as
202 amended." Nancy said it will be awhile before it is finished.

203 **IX. ADJOURN**

204 The meeting was adjourned at 9:59 PM.