TOWN OF WARNER
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Planning Board Meeting Minutes

November 17, 2025 7:00 PM
Lower Meeting Room, Warner Town Hall, 5 E Main St

I. OPEN MEETING: Chair Karen Coyne called the meeting to order at 7:01 PM. The Pledge of Allegiance was recited.

II. ROLL CALL

Planning Board Member	Present	Absent
Karen Coyne, Chair	✓	
James Gaffney	✓ via Zoom	
Pier D'Aprile	✓	
Barak Greene, Vice Chair	✓	
Ian Rogers	✓ via Zoom	
Mike Smith – Select Board	✓ via Zoom	
John Leavitt	✓	
Bob Holmes – Alternate	✓	
Micah Thompson – Alternate	✓	

III. PUBLIC COMMENT

Ed Mical asked if the CIP would be posted on the town's website. Karen Coyne confirmed.

IV. NEW BUSINESS

A. Continuation of Public Hearing – Site Plan Review
Applicant: Peacock Hill Rd LLC
Owners: Peacock Hill Rd LLC
Agent: Keach-Nordstrom Associates Jason Lopez
Surveyor: Jacques E. Belanger Land Surveying PLLC
Address: Map 07 Lot 039 and 039-1 Route 103 East, Warner, NH
District: R-2 and R-3 Description: Two buildings with four units each to be used as multi-family housing.

Jason Lopez stated that he is hoping to discuss conditions of approval. Karen Coyne stated that the Planning Board received follow up letters from Aries Engineering and Fire Chief France this afternoon. The Planning Board began reviewing the original letter from Aries Engineering.

Site Access: The Fire Chief letter indicated that it is important that the Fire Department be allowed to verify access especially through the steep curved driveway prior to issuing certificates of occupancy. Bob Holmes stated that the site plan regulation section XX2 requires a minimum of 22 feet. Jason Lopez stated that the surveyor could provide an "as built" of the entire driveway to illustrate that the driveway conforms to the 15%. Jason Lopez explained that the driveway and turn around radius were designed to accommodate fire trucks. John Leavitt stated that the Fire Chief's concerns are about the turning radius and tightness of the turn. He questioned the ability of a vehicle to get around another vehicle. James Gaffney asked what size of emergency truck was used in the design. Jason Lopez explained that a fire truck and school bus were used. James Gaffney stated that he is specifically looking for the dimensions of the vehicle used to calculate this. Jason Lopez noted the wheelbase of 23.1, front overhand of 33, and overall, 43 feet. James Gaffney questioned how that compares to Warner's largest fire truck. Dan Richardson, from the audience, pointed out

that Hopkinton Fire Department would be the first to respond and the size of Hopkinton's ladder truck should be considered. Jason Lopez stated the truck used in the graphic is a ladder truck. Karen Coyne asked what the reason is for a 20-foot-wide driveway when the site plan regulations call for 22 feet. Jason Lopez explained that the NFPA requires 20 feet of hard surface to drive on. He stated that there are also two feet of gravel on each side giving them 24 feet width. John Leavitt stated that that would satisfy his concerns about the turning radius but that it is not depicted on the plans. Jason Lopez stated that it is on the grading plan. Barak Green noted that it is also reflected in the construction details. Jason Lopez stated that he will clarify that on the site plan.

Bob Holmes spoke about the grade of the driveway noting that the State's requirement is an 8% grade. Jason Lopez advised that the State has approved this at 15%. Bob Holmes spoke about the international fire code recommendation of no more than 10%. Jason Lopez stated that it is left up to the local fire chief and the town's regulations. He stated that this does comply with the Town's regulations. Jason Lopez explained how the grade, slope, and vertical curve were incorporated in the design to give an even transition for the large vehicles (fire and trash trucks). Pier D'Aprile read a portion of #6 in the Aries Engineering letter *"...Aries recommends that the proposed site access road be lengthened to meet the Section VII Design Standards grade of 10% for a local street for all portions of the access road."* Pier D'Aprile questioned if this is really a driveway or a road. He stated that there is a different standard to meet. He questioned if, for safety purposes, this should be close to 10% versus 14.7%. Jason Lopez reiterated that 15% complies with the Town's regulation and it was designed this way because of the amount of material that would need to be removed. Pier D'Aprile asked about a lower grade down by Route 103 before the switchback. Jason Lopez stated that it would result in a much tighter radius. He advised the Planning Board that he had looked at several design variations, but they were not feasible. Jason Lopez stated that this is a driveway that is going to need to be maintained.

John Leavitt commented on the Site Plan drawing missing notes. He stated that the plans should include notation of where the detail is on the plan. He stressed that all the details should be referenced on the site plan. James Gaffney stated that given the number of units, this is a private road and should be treated as a private road. He stated that it should comply with the Town's standards and requirements. James Gaffney stated that this is not a driveway, and the Planning Board should give thoughtful consideration to Aries' recommendation about a grade closer to 10%. Barak Greene asked if it is possible to lower one building. Jason Lopez stated that the reality of doing something like that is the increased costs to construct making the project not feasible. He reiterated that according to the regulations this is a driveway, it is not a road. Barak Greene stated that if this was a road it would be determined during a subdivision, because there would be a right of way for a road. He stated that this is not a road because there is no right of way. He stated that they are not zoning the lots around a road like is done in a subdivision. Barak Greene stated that this is a driveway to a site. Ian Rogers agreed, he read a portion to the site plan regulations section XX letter C stating that the technical term for this is probably *"cross access drives, and other access management techniques to reduce the number of access points on to public roadways"*

<u>Water System:</u>

Karen Coyne highlighted some of the bigger points; the well radius and the lots are big enough to permit the installation of the water and sewer systems. Jason Lopez agreed that the proposed development does not qualify for community water systems and he questions how Aries is using the community water sizing standard for the development of well radius and placement. Jason Lopez reiterated that those standards do not apply to this project. He explained that the subsurface regulations (EMBWQ 1000 series) would apply. Jason Lopez stated that it is what they will design the septic system and well from. He advised the Planning Board that they have not submitted the septic design for approval because they wanted to make sure that modifications to the design were done before he submitted the design for approval. Jason Lopez explained that he has gone through the sizing of the system and the well radius. He is confident that everything is in

compliance and he anticipates approval. Karen Coyne asked about the certification of sustainable yield. Jason Lopez stated that the Town's regulations do not require a certification of sustainable yield. He stated that they will comply with the town's regulations. Jason Lopez noted that at the time the certificate of occupancy is sought, the Town will require the wells to be installed prior to occupancy. Jason Lopez explained that that is a builder's risk.

Jason Lopez explained that NHDES has what is called the One Stop Program that allows access to water well reports for abutting properties. He looked at the abutting properties, and they range from 140 feet deep to 620 feet deep with a return of 1 gallon per minute to 50 gallons per minute. Jason Lopez stated that there is sufficient water in the area to meet the building requirements. John Leavitt asked if the water calculation would change based on requirement for a water sprinkler system. Jason Lopez indicated that the water calculations would not change because the sprinkler system is fed off a pressurized tank in the basement and the tank will need to be filled and operational before occupancy.

Alteration of Terrain:

Pier D'Aprile asked if the catchment ponds will require fencing. Jason Lopez explained that the State does not require fencing, he believes that it will probably require by the insurance provider. Jason Lopez spoke about the changes he made to address some previous concerns of Aries Engineering relating to catchment and drainage. He noted that he has not presented the changes to Aries because he is waiting for additional follow up from Aries. Karen Coyne stated that the Board received a letter late today from Aries. She suggested that Jason Lopez forward the changes he has made to Aries. Barak Greene asked if the additional pond that has been added is large enough to handle a 50-year storm. Jason Lopez confirmed that it has been designed to meet the 2, 10, 25 and 50. Barak Greene feels that if that could be demonstrated it should satisfy Aries Engineering.

Bob Holmes expressed concern for the water runoff currently crossing 103 with a destination on Annis Loop and asked whether residents would experience worse flooding than already takes place. Jason Lopez stated that the design has been reviewed by the DOT. He stated that there will be no change to the amount of runoff (peak rate of runoff and volume). Jason Lopez explained that the DOT has issued their permits and the alteration of terrain is in the final steps. Barak Greene expressed concern relating to the impact on the amount of ground water and the culverts on Route 103. Jason Lopez suspects the biggest impact will occur during construction.

Jason Lopez addressed a previous question regarding ledge in the area. He reiterated that how much ledge that will need to be removed is still unknown. He advised the Board that nine test pits across the property were done, and the results varied significantly.

Karen Coyne stated that the Board will reach out to Aries Engineering and inquire about additional input. Barak Greene stated that there is a lot of risk for the builder and he inquired if the builder would get to a certain point and determine that the project is too expensive. The owner (in the audience) stated that he will not know that until they begin. Barak Greene stated that he would like a reclamation bond.

Andy Bodnarik recommended that the developer consult with a dowser regarding the well issues.

Karen Coyne opened the floor to public comment. Dan Richardson spoke about the steep grade of the driveway and the noise pollution that will be generated. He stated that the turnaround halfway up the driveway is located at the property line abutting his property. He believes the dumpsters should be relocated to the area between the two buildings. He asserted that the driveway is going to be problematic for any fire truck. He questioned if the development would lower the water table and negatively impact the existing wells

in the area. Jason Lopez stated that he does not think the development will affect the existing wells, but a hydrogeologist would have better knowledge. Barak Greene stated that touching the top 30 feet of soil should not impact the existing wells. Micah Thompson concurred.

Ed Mical asked if the driveway width of 24 feet takes into account the snowbanks in the winter months. He questioned the parking area relating to snow storage and the ability for emergency vehicles to move around. Barak Greene explained that on page 3 of the plan, snow storage is accounted for the parking lot. He stated that the owner will need to maintain the width of the driveway in the winter months.

Karen Coyne closed the public comment.

Pier D'Aprile made a motion seconded by James Gaffney for a continuation to hear from Aries Engineering. Motion Failed

Discussion on the motion: Barak Greene explained that the applicant has the information that Aries presented in their letter. He stated that the applicant knows how big the bond needs to be and the Planning Board could safely make that a condition of approval. He stated that that would avoid the need for another meeting to hear that the applicant took Aries' numbers and designed a pool to match. Pier D'Aprile stated that it is true assuming the applicant does that. He cautioned that the applicant could come back and say that it is not acceptable. Barak Greene does not want to keep dragging this out. John Leavitt concurred with Barak Greene. He stated that his biggest concern has been the drainage and he would like to know how Aries feels about how the applicant addressed that the drainage concerns. Ian Rogers agrees with Barak Greene and John Leavitt. He asked the Chair to recap the list of conditions to this point. Karen Coyne stated that she will recap the conditions after the motion called.

Karen Coyne listed the previously discussed conditions of approval: driveway width, septic approval, well approval, AOT approval, driveway permit, the reclamation bond, and the addition of storm water pond (Aries issue). Karen Coyne asked how the Board would determine substantial completion regarding the storm water pond. James Gaffney explained that Aries Engineering is being paid to provide reassurance that there will not be issues associated with some aspects of this. He would prefer to condition it upon Aries Engineering's approval. Karen Coyne stated that she does not believe they could bind Aries to that. James Gaffney explained that that is why it is premature to vote on a conditional approval. He stated that the Planning Board does not have enough information and there are areas that are still in question: drainage issues Warner River Local Advisory Committee input, input from the Fire Chief, concerns regarding the volume of traffic on a very steep driveway. James Gaffney asserted that he has very serious concerns regarding the public safety aspect. John Leavitt suggested wording the motion to stipulate that the new plan mitigates the concerns raised by Aries. There was additional conversation on how to word the conditions of approval.

Barak Greene made a motion seconded by Pier D'Aprile for a conditional approval with the following conditions: septic approval, well approval, alteration of terrain approval, a reclamation bond, a drainage condition if the new control mitigates the 50-year runoff issue on neighboring property, and an as-built of the approved driveway permit on Map 07 Lot 039, prior to the certificate of occupancy. Motion Passed

Karen Coyne closed the Continuation of Public Hearing – Site Plan Review. James Gaffney was excused from the remainder of the meeting.

B. Public Hearing – Site Plan Application Edit

Karen Coyne opened the public hearing on the Site Plan Application Edit. The Planning Board reviewed suggested edits from Andy Bodnarik. Barak Greene stated that the suggested edits from Andy Bodnarik have merit and Ian Rogers agreed.

Karen Coyne opened the public hearing for public comment. Andy Bodnarik recapped his suggested edits. Barak Greene expressed caution about changing language from "may not be required" to "is not required." He stated that he wants the Planning Board to have the ability to call for a full site plan review. Karen Coyne agreed. Andy Bodnarik suggested adding the language "included but not limited to." Ian Rogers agreed that the Board should have the ability to call for a full site plan review and adding the language "included but not limited to" adds clarity. John Leavitt noted that the purpose of this is give clarity to the applicant and using the term "may not" defeats the purpose. Bob Holmes pointed out that if an applicant concludes that a site plan is not required, they do not have to do anything more. There was additional conversation on how to improve the language pertaining to if a full site plan review is required.

Karen closed the public comment. Micah Thompson was elevated to be a voting member.

Ian Rogers made a motion seconded by Pier D'Aprile to accept Andy Bodnarik's edits as amended. Motion Passed

Karen Coyne closed the public hearing on the Site Plan Application Edit.

C. Accessory Dwelling Unit Document Proposal

The Planning Board reviewed the suggested edits from Andy Bodnarik relating to the proposed Accessory Dwelling Unit Document. Andy Bodnarik stressed that he is attempting to clarify language for the applicant. Ian Rogers explained that they attempted to incorporate the recent State changes. The Planning Board agreed to revisit the clean version on December 1, 2025.

V. UNFINISHED BUSINESS

A. Charlebois Submission

Pier D'Aprile made a motion seconded by Ian Rogers to accept the Charlebois Submission as presented. Motion Passed, Barak Greene abstained.

VI. REVIEW MINUTES – November 3, 2025

Barak Greene made a motion seconded by Pier D'Aprile to accept the minutes of November 3, 2025 Planning Board meeting as amended. Motion passed

VII. COMMUNICATIONS

None

VIII. PUBLIC COMMENT

None

IX. ADJOURN

The meeting adjourned at 9:58 PM.

Respectfully submitted by Tracy Doherty