



DRAFT Planning Board Meeting Minutes

April 6, 2026 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 7:02 PM.
AUDIO ONLY NO VIDEO.

The Pledge of Allegiance was recited

II. ROLL CALL

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

III. PUBLIC COMMENT

Ed Mical spoke about the floodplain webinar. He stated that the presentations was very good. He offered to email the program to the Chair.

IV. UNFINISHED BUSINESS

A. Election of Chair and Vice Chair

Barak Greene nominated Karen Coyne as Chair, seconded by James Gaffney.

Roll Call Vote: Leavitt YES Gaffney YES Greene YES D'Aprile YES

Karen Coyne nominated Barak Greene as Vice Chair, seconded by John Leavitt.

Roll Call Vote: Leavitt YES Gaffney YES Coyne YES D'Aprile YES

John Leavitt asked if Bob Holmes was appointed by the Select Board as full voting member. Karen Coyne explained that the Select Board is meeting on Wednesday to make clarifications to the recently appointed town committees members.

B. Driveway Regulation Example

Barak Greene stated that he has reviewed the Town of Mount Vernon's regulations. He addressed past concerns that the Planning Board has voiced regarding the 15% grade and the tightness of the corners on a 15% grade. He stated that 15% grade is concerning especially with large vehicles and equipment.

1 James Gaffney stated that his take away from the previous driveway regulation discussion was the need for
2 definition and standards for a private and shared driveway. He explained that those are the two issues that
3 sticks out to him.

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5 Barak Greene noted that defining roads becomes immensely more complicated because those definition
6 permeate so many different regulations and ordinances. James Gaffney explained that this is something that
7 needs to be voted on by the Town because it is a change to the ordinance.

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9 Karen Coyne explained the Mount Vernon regulations refers to a shared driveway as a common driveway.
10 Barak Greene stated that the State refers to it as minor and major driveways and the 911 rules and regulations
11 allow a certain number of addresses per driveway before it has to be a named road. Barak Greene explained
12 that the Planning Board can address the driveway condition related to the accessibility for large town
13 equipment to provide services. He stated that it is a reasonable expectation that the property owner would
14 meet the Town halfway by constructing a road that will support the weight of town equipment. James
15 Gaffney stated that Warner consists of older homes that were built prior to the town adopting zoning
16 ordinances. He suggested the Planning Board have a discussion with the Fire Chief regarding the comfort
17 level that the Fire Department has relative to the distance from a main road that is needed when accessing a
18 property. Barak Greene agreed that input is needed from the Fire, Police and Highway departments.

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20 Barak Greene explained that he appreciates reviewing other town's regulations for guidance and direction.
21 He noted that by doing that it has brought to light some good ideas and highlighted some areas of concern
22 relative to Warner's regulations for example the naming of roads. Ed Mical pointed out that in the past there
23 was a road naming committee.

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25 Audio difficulties when Bob Holmes spoke. Barak Greene recognized that there are some reasonable
26 expectations that could be included. Video restored.

27
28 James Gaffney stated that he is compelled to remind everyone that affordability is an issue. He would like
29 everyone to keep in mind that for every \$10,000 of cost added to a home on a 30 year loan at 7% that comes
30 out to an additional \$24,000. He stressed that the added cost should be a consideration. He stated that facts
31 should be the basis for making changes. John Leavitt explained that if the cost becomes prohibitive for the
32 builder then the Planning Board has not done their job. John Leavitt noted that if the change is protect the
33 integrity of the town that warrants further discussion and consideration. He feels that the Town is currently
34 over regulated. Barak Greene explained that his not suggesting creating new regulations, he would like to
35 clearly define the current regulations. John Leavitt does not support changing the regulation based on one
36 application. Barak Green clarified his intention is not to change the regulation based on one application. He
37 noted that an application brought to light that the definition in the regulation needs better defined.

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39 The Planning Board agreed to continue to work on this in an attempt to get ahead of this and to make it
40 easier to facilitate a well-functioning town. There was a discussion regarding when the fire and police chief
41 should be weigh in and offer their position. Karen Coyne stated that the fire chief previously stated that he
42 would like the fire department to visit the property prior to a certificate of occupancy issued. Bob Holmes
43 explained that Warner does not issue certificates of occupancies. Micah Thompson stated that it is really
44 difficult to close a construction loan without a certificate of occupancy. John Leavitt stressed that once the
45 building permit is issued that is it nothing else is issued. Ed Mical stated that to his knowledge the Town
46 does issue certificates of occupancy. Bob Holmes explained that under the online frequently asked
47 questions, it is specified that the Town does not issue certificate occupancies.

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1 **C. Peacock Hill Rd LLC Discussion**

2 Jason Lopez spoke about compliance for two projects; subdivision approval and site plan. He advised the
3 Board that the mylars have been delivered. Jason Lopez began by addressing the May 5, 2025 conditions of
4 approval.

5 Subdivision: He explained that revisions have been made to reflect the north arrow, proposed building septic
6 and well locations and septic areas. Jason Lopez explained that the State correspondence letters regarding
7 septic approval and drinking water engineering have been included.

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9 Karen Coyne asked the Planning Board to discuss the subdivision requirements. James Gaffney stated that it
10 appears to be complete.

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12 At 7:40 PM Karen Coyne stated that Mike Smith was in attendance on Zoom.

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14 **Barak Greene made a motion seconded by James Gaffney to acknowledge that the subdivision**
15 **conditions for approval have been met for tax map 7 lot 39 and lot 39-1. Roll Call Vote: Leavitt YES**
16 **Gaffney YES Greene YES Coyne YES Smith YES D'Aprile ABSTAIN**

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18 Karen Coyne stated that this Thursday is Chrissy Almanzar's last day. Jason Lopez stated that payment will
19 be brought to Town Hall before that.

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21 Site Plan: Condition #1 septic approval, Jason Lopez attached two septic letters of approval.
22 #2 Well approval, Jason Lopez noted that well approval is not required from the drinking water engineering
23 and the placement of the well is satisfactory.#3 Alteration of terrain approval has been received, noted on the
24 plan and attached. #4 Reclamation bond; \$141,000 is for long seed, silt fence, erosion control, blanket, stone
25 check dams, catch basin protection and construction entrance. Barak Greene asked if the price is for material
26 only. Jason Lopez stated that it is based on DOT unit pricing. Barak Greene asked if Aries was asked to
27 provide an estimate. Karen Coyne explained that they discussed it. Jason Lopez explained that they will
28 have Aries review it. Barak Greene stated that the Planning Board would need to be comfortable with
29 accepting the engineering estimate from the engineer doing the work. James Gaffney stated that he would
30 like Aries to review the estimate. #5 as built approved driveway permit; Jason explained that a note was
31 added on page 3 of the as built plan; the driveway shall be provided to the Planning Board and Fire
32 Department. #6 Confirmation that the new proposed ponds controls and mitigates the 50 year flood runoff
33 issue on neighboring properties. Jason Lopez explained that a letter is attached.

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35 Jason Lopez explained that they went through the design and prepared the storm water analysis. He state that
36 was put forward to Alteration of Terrain. Jason Lopez informed the Board that there were four reviews
37 before the final permit was issued. He stated that DOT wanted to see the drainage analysis for any potential
38 impact on the catch basin. He stated that the DOT permits have been issued.

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40 Jason Lopez recapped that the state has approved the septic, alteration of terrain and the DOT but Aries says
41 that it does not comply with the rules. Jason Lopez explained that he wanted to request that they hold off on
42 requesting another review from Aries. He reiterated that the two state engineers who reviewed it are in
43 agreement with the design. Jason Lopez stated that he does not want his client to have to pay for another
44 review only to end up with the same comment on the drainage when they believe that they are in compliance.
45 Jason Lopez explained that he drafted a letter to address the opinion of Aries Engineering. Jason Lopez
46 reiterated that they believe they are in compliance with the regulations. He asked the Board for guidance on
47 how to proceed. Jason Lopez disagrees with Aries' determination relating to the volume of runoff.

1 Jason Lopez explained that there are five different criteria's that a development is required to meet one, he
2 noted that this project meets the two year (matching the pre-development and the post development). Barak
3 Greene clarified that the concern was the water flow on to the neighboring property. Jason Lopez explained
4 that was addressed and explained that in a letter to Aries.

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6 Barak Greene asked about the retention pond and how it would be maintained. He asked if there was an
7 access road to the pond. Jason Lopez explained that there is a swale and there is no plan for an access road.
8 Barak Greene spoke about concerns that the area is steep. James Gaffney stated that there is already a
9 problem in this area with runoff. He stressed that this must not make that worse. Barak Greene asked if there
10 is any way to direct the flow directly down to the ponds below to prevent any discharge on the neighbor's
11 property. Jason Lopez explained that the plan is designed to address previous comments from Aries.
12 Barak Greene asked if it is possible to change the level spreader to catch any over flow from the pond. Jason
13 Lopez explained why that is not possible. He explained the intent of the upper swale is to pick up the storm
14 water runoff before it reaches the construction disturbance. Barak Greene requested to split the difference
15 and reduce the amount of water being concentrated on the neighbor's property. Jason Lopez asserted that the
16 existing problem will still exist nothing he can design would resolve the preexisting problem. James Gaffney
17 stressed that this project cannot exasperate the problem. Jason Lopez agreed and reiterated that the pre and
18 post peak rate of runoff is established to prove that they are not impacting abutters. He stressed that the AOT
19 determined that they are in compliance.

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21 James Gaffney stated that based on what has been presented he is inclined to ask Aries to take another look.
22 He stated that Aries position is that any amount of runoff to the abutting property is a violation of the
23 ordinance. He would like clarification from Aries considering that the State has not come to the same
24 opinion. Karen Coyne agreed. She noted that the presentation indicates that runoff does not increase to the
25 abutter. Jason Lopez reiterated that the project meets the state's requirement regarding volume but Aries is
26 holding them to a higher standard. Micah Thompson stated that to design something based a 50 year storm
27 would be much bigger. Jason Lopez agreed. He referenced the State's rules pertaining to runoff.

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29 Barak Greene inquired about asking Aries to take another look from the perspective of the DOT and not just
30 the Town's ordinance. James Gaffney agreed. Karen Coyne stated that the Planning Board has asked Aries
31 twice about the runoff. James Gaffney stated that Aries needs to resolve questions that have come up from
32 their initial review and the issuance of State permits. Jason Lopez reiterated that his response outlines how he
33 is getting from the Warner requirements to the results. He reiterated that the project does meet the town and
34 state regulations. James Gaffney stated that both engineers are right in a sense and the Planning Board needs
35 to decide. Barak Greene stated that he would like to go back to the Town's engineer and pose the question
36 that ordinance were written to be broad because the town was not accustomed to or had not been approached
37 with certain situations. James Gaffney agreed but noted that he does not see a point in going back to Aries.
38 He stated the Planning Board needs to make a decision. Micah Thompson and Karen Coyne agreed.

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40 Karen Coyne reminded the Planning Board of a condition that specifically requires confirmation that the new
41 proposed pond control mitigates the 50 year flood runoff issue on the neighboring ponds. James Gaffney
42 stated a motion would need to specify that what has been presented to the Planning Board complies with the
43 current zoning ordinance. Bob Holmes clarified that condition as written has not been met, he inquired if the
44 Board wanted to ask Aries if the condition is reasonable. Karen Coyne explained that she does not need
45 Aries to weigh in because their position is clear. She believes the Planning Board needs to make a decision.
46 Barak Greene, James Gaffney both agreed that the condition is not reasonable given the information given to
47 the Board and the approved AOT. James Gaffney spoke about the unique characteristics of this site that lead
48 to the condition. James Gaffney and Barak Greene spoke about their concerns regarding drainage and
49 impacts on the abutter in the future.

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James Gaffney made a motion seconded by Barak Greene that the Planning Board accept the Peacock Hill Rd LLC site plan as conditions have been met.

Discussion on the motion: James Gaffney stated that the Planning Board needs to make a decision based on the information presented to them.

James Gaffney withdrew the motion. Karen Coyne elevated Micah Thompson to a voting member.

James Gaffney made a motion seconded by Barak Greene that the Planning Board accept the Peacock Hill Rd LLC conditions as having been met. ROLL CALL VOTE: Leavitt YES Gaffney YES Greene NO Thompson YES Coyne Smith YES

Discussion on the motion: Barak Greene stated that the conditions have not been met, indicating that the condition was unreasonable. John Leavitt stated that he believes the conditions have been met and he feels that Aries went beyond what is required.

V. REVIEW MINUTES

March 16, 2026

Barak Greene made a motion seconded by James Gaffney to approve the March 16, 2026 Planning Board meeting minutes as presented. ROLL CALL VOTE: Leavitt YES Gaffney YES Greene YES Thompson YES Coyne YES Smith Abstain

VI. COMMUNICATIONS

Karen Coyne explained that she received an email from someone advising that a property in town has a home-based business. James Gaffney asked that the business website be pulled up on the screen. Michael Smith stated that before he became a Selectmen he previously filed a complaint about this issue. John Leavitt asked how the Board would discuss this issue without having more specific information. Karen Coyne stated that the complaint is against Harry. James Gaffney stated that Harry is running a business out of his home. Barak Greene suggested reviewing the ordinance pertaining to home businesses. Karen Coyne stated that the Board can discuss this during their next work session. Micah Thompson asked why the Planning Board is being approached with this. Karen Coyne stated that the Planning Board would write to the Select Board regarding the complaint. She stated that the complaining party previously went to the Select Board and the Select Board did not do anything. Barak Greene stated this is not the Planning Board’s responsibility. John Leavitt stated that someone needs to hold someone accountable. Barak Greene reiterated that it is not the Planning Board. James Gaffney pointed out that in the past the Planning Board has written letters to the Select Board to bring things to their attention. Karen Coyne explained that this was brought to her attention and she would like the Board to discuss it at the next work session to determine if there is a path forward. Barak Greene stated that it is a slippery path.

Karen Coyne thanked Chrissy for her service to the Planning Board and she is heartbroken to see her go. John Leavitt stated that this is a perfect example of punishing people who are qualified and speak the truth.

VII. PUBLIC COMMENT

None

VIII. ADJOURN

The April 6, 2026 Planning Board meeting adjourned at 9:10 PM

1 Respectfully submitted by Tracy Doherty

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