



TOWN OF WARNER

P.O. Box 265, 5 East Main Street
Warner, New Hampshire 03278-0059
Land Use Office: (603)456-2298 ex. 7
Email: landuse@warnernh.gov

Planning Board Work Session AGENDA

Monday, June 3, 2024
Town Hall Lower Meeting Room
7:00 PM

Join Zoom Meeting: <https://us02web.zoom.us/j/87061407427> Meeting ID: 870 6140 7427 Passcode: 1234

- I. **OPEN MEETING** and ROLL CALL
- II. **PUBLIC COMMENT**
- III. **MINUTES:** February 5, March 4, and April 1, 2024. Review and Discuss May 20, 2024 minutes transcribed by “artificial Intelligence” device.
- IV. **NEW BUSINESS** (None)
- V. **UNFINISHED BUSINESS**
 - A. **Subdivision Application**

Applicant: Sydney Elizabeth Boyer
Owners: Sydney Elizabeth Boyer
Agent: Jon Rokeh – Rokeh Consulting, LLC.
Address: Kearsarge Mountain Road, Warner, NH 03278
Map/Lot: Map 33, Lot 18
District: R2
Description: An existing 10.60 acre lot is proposed to be subdivided into four lots with a new subdivision road connecting to Kearsarge Mtn. Road.

Action to be taken: Motion to continue application to a specified date. To allow time for third party consultant (Aries Engineering) to review the plans.
- VI. **REPORTS**
 - A. **Chair’s Report** – Chair, Karen Coyne
 - B. **Select Board** – Harry Seidel
 - C. **Regional Planning Commission** – Derek Narducci, Ben Frost
 - D. **Economic Development Advisory Committee** –
 - E. **Agricultural Commission** – James Gaffney
 - F. **Groundwater Protection Committee** – Andy Bodnarik
 - G. **Housing Advisory Committee** – Ian Rogers
 - H. **Regional Transportation Advisory Committee** –

VII. COMMUNICATIONS

VIII. PUBLIC COMMENT

IX. ADJOURN

Note: Planning Board meetings will end no later than 10:00 P.M. Items remaining on the agenda will be heard at the next scheduled monthly meeting.

All interested parties are invited to attend.



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Planning Board Minutes

Wednesday February 5, 2024

I. OPEN MEETING at 7:05 PM.

ROLL CALL:

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

In Attendance: Janice Loz – Land Use Administration,

7 **II. DISTRIBUTION OF MINUTES** – September 11, 2023 and November 6, 2023 for review at the next
8 Planning Board meeting.

9 **III. PUBLIC COMMENT**

10 Ed Mical asked if tonight was a public hearing saying it was not reflected on the agenda. Janice said
11 they have already had their first and second public hearings on proposed ordinance changes. The Chair
12 said they are voting on which Board members want to recommend the changes.

13 Nancy Ladd said she was disappointed the agenda was not on the website. There was comment about
14 issues viewing uploaded documents on the town’s website. James asked if the meeting is not posted.
15 Nancy said the meeting is posted not the agenda. Janice said she did post it last Thursday. James said
16 there when you go to the “notices” page on the website, no notices are posted on that page. Janice
17 apologized for the fact that it wasn’t on the site. She did post it and is not sure what happened and she
18 will follow-up, tomorrow. It seems to be an internal technical issue with the website. Harry mentioned
19 that the selectboard is aware of the underperformance of the website.

20 Barak Greene spoke about the Non-Conforming Lot Ordinance and dropping the 50-foot frontage
21 requirement, and replacing it with an 80% requirement. Barak said if he has not enough frontage and
22 a lot of land in the back, this calculation for frontage makes it more difficult. James said this ordinance

UNAPPROVED Minutes of February 4, 2024

23 will address a very small number of properties and they will need a variance if they don't meet the
24 requirements.

25 **IV. NEW BUSINESS**

26 **A. None**

27 **V. UNFINISHED BUSINESS**

28 **A. HAC Update** – Bill Hanson and Ian Rogers

29 Bill Hanson updated the Planning Board on the HAC update. Starting with the survey being live as
30 of January 29 in both paper and virtual copies. Bill explained the different locations of the survey
31 and how the residents of Warner can access the survey. As of the date of this meeting, there were
32 187 responses on the online platform. The last date of the online survey platform is April 19, 2024.
33 Harry commended HAC on the progression of the survey and collecting results. Andy asked about
34 posters regarding the HAC and the surveys. Bill said the poster is printed and mentioned several
35 locations where they have been put up. Bill mentioned the process of collecting paper copies of the
36 survey and how results will be organized in a spreadsheet upon completion.

37 **B. Review Final Revisions made to Zoning Ordinance Amendment**

38 1. Review Article XV. A., B. & C. Non-conforming Use. Expanding definition to possibly include:

39 Introduction reference to Article IV, General Provisions, F.

- 40 a. Define regulation for non-conforming use.
- 41 b. Define regulation for non-conforming structure.
- 42 c. Define regulation for non-conforming lot.

43 David started the conversation saying he prefers the version within the ballot. Janice explained the
44 document verbiage and the pieces that are submitted to the ballot, and what is going to be submitted
45 to voters.

46 James recommended putting a note down within the approved version that references the handout,
47 when it is given back to Michelle for approval.

48 David suggested adding language to the vote, David also suggested an amendment in regards to
49 what is written in part two. He suggested restoring the original language in terms of the 80%
50 wording, which was the frontage is at least 50 feet.

51 **David Bates made a motion to take out the 80% language, and replace the 50-foot frontage**
52 **instead. Andy Bodnarik seconded the motion. Discussion:** David explained the purpose of the
53 amendment being less confusing for the public. Furthermore, he is worried about the lack of
54 research done on examples of who this regulation will impact. The Chair said the thought process
55 behind the change to the percentage would allow it to be more equitable across the board, rather
56 than just 50 feet requirement dependent of district. Andy mentioned how changing the language
57 might resolve the issue that we are trying to deal with non-conforming lots. Andy and Karen
58 explained how a change tonight within the language of the motion would necessitate another two
59 public hearings. Harry stated his viewpoint of reviewing this requirement was to provide a little bit
60 more grace for non-conforming lots in the context of shortage where there is not enough affordable
61 housing. Harry agreed with David, that while this language might need to be changed in the future,
62 it may not be the right time to do it now, as more research needs to be completed. David asks
63 Janice about what the public views of this 50 feet conundrum. Janice responded that a lot of people
64 that are buying the non-conforming lots, like the 50 feet language, as it is straight to the point. Janice
65 explained the problem with non-conforming lots, is more based within the setback language as
66 people push the boundaries of what is allowed based on the loose terminology dealing with
67 setbacks. Michael made a comment through Zoom, that 80% seems more reasonable than 50 feet.

UNAPPROVED Minutes of February 4, 2024

68 David said to not cause disruption to the administration and time ballot constraints, he is going to
69 dissolve the motion, and instead going to offer an amendment to this next year that changes it back
70 to 50 feet. The motion failed, with no votes taken.

71 The Chair redirected the conversation to the question proposed on the ballot, on approving the
72 questions based on the condition of attaching the handout to the ballot. **Karen Coyne made a**
73 **motion to approve the changes to Article XV Non-Conforming Use. Harry Seidel seconded**
74 **the motion. Discussion:** None. **Voice Vote Tally:** James Gaffney – Yes. Andy Bodnarik – Yes.
75 Dustin Chamberlain – No. David Bates – No. Harry Seidel – Yes. Karen Coyne – Yes. The vote
76 passed 4 to 2 in favor of approving the changes to Article XV.

77 **VI. UNFINISHED BUSINESS**

78 **C. Start review of Subdivision application and Checklist**

79 [Subdivision](#), [Site Plan Regulations](#), [Site Plan Review](#), [Voluntary Merger](#), [Driveway](#), [Home](#)
80 [Occupation](#), [Lot Line Adjustment](#)

81 The Chair said this agenda item will be now continued to the next meeting.

82 **VII. REPORTS**

83 **A. Chair's Report** – Chair, Karen Coyne - None

84 **B. Select Board** – Harry Seidel –

85 Dan Emmanuel submitted a complaint to the Selectboard and the Planning Board, regarding a
86 short-term rental which has started advertising and marketing activities. Harry asks about clarifi-
87 cation on what is permitted for Airbnb. Janice mentioned that she sent a notice to the person who
88 owns this short-term rental to come in for a special exception when they first bought the property.
89 Harry mentioned that he is not looking for a solution to this formal complaint tonight, but just men-
90 tioned it in his report to inform the Planning Board of this complaint. The Chair mentioned that
91 within the complaint letter they are asking for either the Planning Board or the Select board to give
92 a written response within 30 days. Harry wrapped up his report mentioning a petition warrant article
93 did come into the town, to deny the rail trail initiative.

94 **C. Regional Planning Commission** – Derek Narducci, Ben Frost

95 **D. Economic Development Advisory Committee** –

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

97 **F. Groundwater Protection Committee** – Andy Bodnarik

98 Andy mentioned that they are still waiting to have a final meeting.

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

100 **H. Regional Transportation Advisory Committee** -

101 **VIII. COMMUNICATIONS**

102 Janice mentioned that Holly Riley asked for a consultation during the work session. The Chair
103 mentions that she would feel okay with having her added to the agenda, the Board agreed.

104 **IX. PUBLIC COMMENT**

105 **X. ADJOURN** The meeting was adjourned at 8:30 PM.



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Planning Board Minutes of March 4, 2024

I. OPEN MEETING at 7:00 PM.

ROLL CALL:

Board Member	Present	Absent
David Bates	✓	
Andy Bodnarik (Vice Chair)	✓	
Karen Coyne (Chair)	✓	
Dustin Chamberlain	✓	
James Gaffney	✓	
Ian Rogers	✓	
Harry Seidel – Select Board	✓	
Michael Smith - Alternate		✓

5 **In Attendance:** Janice Loz – Land Use Administration,

6 **II. REVIEW OF MINUTES** – September 11, 2023, October 2, 2024, November 6 and November 20,
7 2023, December 5, 2023 and January 17, 2024.

8 **David Bates made a motion to approve the minutes as amended of September 11, 2023. Ian**
9 **Rogers seconded the motion. Discussion: None. Vote Tally: 7 to 0.**

10 **Andy Bodnarik made a motion to approve the minutes as amended of October 2, 2023. Dustin**
11 **Chamberlain seconded the motion. Discussion: None. Vote Tally: 7 to 0.**

12 **Ian Rogers made a motion to approve the minutes as amended of November 6, 2023. Andy**
13 **Bodnarik seconded the motion. Discussion: None. Vote Tally: 7 to 0.**

14 **David Bates made a motion to approve the minutes as amended of December 5, 2023. Andy**
15 **Bodnarik seconded the motion. Discussion: None. Vote Tally: 7 to 0.**

16 **Andy Bodnarik made a motion to approve the minutes as amended of January 17, 2024.**
17 **Harry Seidel seconded the motion. Discussion: None. Vote Tally: 7 to 0.**

18 There was a brief conversation about if minutes need to be done by the board, and Andy mentioned
19 that they should keep outsourcing the minutes because the Planning Board has enough to manage.

20 **III. PUBLIC COMMENT** – No public comment

21 **IV. NEW BUSINESS**

22 **A. Short Term Rental (STR) Discussion**

23 David started the conversation for short term rental discussion. He brought up the example of
24 Conway, NH, and how there might be a problem enforcing the short term rentals.

25 Harry explained his understanding of the Conway case for STR's. He mentioned that it is imperative
26 to look at our current ordinances and be careful what we add or change to the definitions.

27 James said it was important to make sure the Board is brought up to speed on what was discussed
28 previously.

29 Andy discussed previous cases from surrounding towns that relate to STR's, and how other towns
30 have defined these entities.

31 Beverley Howe commented that she lives across a street from an STR, and is concerned how this
32 property acts more like a business than a residential unit. Where she lives is not a street for a hotel.
33 There are multiple people staying there and no one lives there. She is worried that people might
34 not buy a house in Warner, if they knew there was an STR across from their property.

35 James told Beverley she needed to take this complaint to the Selectboard and not the Planning
36 Board or file a complaint with the police for a noise disturbance.

37 Janice said that the Planning Board should hear public feedback as part of the whole discussion on
38 STR's. Janice informed the Board as to the history of the amendment and the potential reason why
39 it failed. People who don't want an STR did not like that it was defined and put into the use table.
40 Then the people who want an STR did not like it because it meant they had to go get a special
41 exception and they like it to remain ambiguous.

42 Harry said there might be a need gather more public opinions on the topic of STR, before making
43 a decision on whether or not to add it to the use table and better define the terms.

44 Dan Emanuele said yes, everyone should be afforded the opportunity to make a living. But at the
45 same time the owners of his neighborhood STR are circumventing what they think the rules might
46 be by listing the property for more 30 days in order to keep it from being considered what could be
47 a STR.

48 Janice suggested to the Board that in the April meetings they may want to create a to-do list.

49 The Chair mentioned that currently the Selectboard is working with a legal council on what to do
50 with the STR process. The Chair recommended that it might be necessary to wait until those
51 discussions are resolved. The Chair decided to put STR's on the calendar, and make a decision at
52 a later time when the Board has more information from the Selectboard and can review previous
53 discussions on STR's.

54 David said he can see the importance of tabling this discussion. David said to the public, that the
55 Planning Board cannot really do anything with their concerns until next year. He also mentioned
56 this board is not an enforcement unit. Ian added to David's and James' point, that the town does
57 have noise ordinances and other disturbance ordinances in which the police have a job to enforce.
58 The Chair mentions that the Housing Advisory Committee is also looking into the needs and wants
59 of Town of Warner, where more public comment can be obtained. Karen said the conversation
60 needed to be tabled until there is more information available on the Selectboard's conversations
61 with the counsel.

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62 James Gaffney made a motion to adjourn the meeting and postpone the remaining agenda
63 items to the March 18 work session. David Bates seconded the motion. The meeting was
64 adjourned at 9:00 PM.

65 **V. UNFINISHED BUSINESS**

66 **A. Start review of Subdivision application and Checklist – Postponed.**

67 [Subdivision](#), [Site Plan Regulations](#), [Site Plan Review](#), [Voluntary Merger](#), [Driveway](#), [Home](#)
68 [Occupation](#), [Lot Line Adjustment](#)

69 **VI. REPORTS (post-poned)**

70 **A. Chair’s Report – Chair, Karen Coyne**

71 **B. Select Board – Harry Seidel**

72 New flood plan mapping, and first meeting commence. There was a request to have a
73 representative from the Planning Board be part of this process. Karen mentioned that she
74 volunteered for this position.

75 **C. Regional Planning Commission – Derek Narducci, Ben Frost (See attached) - None**

76 **D. Economic Development Advisory Committee – E. Agricultural Commission – James Gaffney**
77 **- None**

78 **F. Groundwater Protection Committee – Andy Bodnarik -None**

79 **G. Housing Advisory Committee – Ian Rogers -None**

80 **H. Regional Transportation Advisory Committee -**

81 **VII. COMMUNICATIONS**

82 **VIII. PUBLIC COMMENT**

83 **IX. ADJOURN**



5

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Planning Board Annual Meeting Minutes

Monday, April 1, 2024

6

7

8

9

10 I. OPEN MEETING and ROLL CALL

ROLL CALL:

Board Member	Present	Absent
David Bates	✓	
Andy Bodnarik (Vice Chair)	✓	
Karen Coyne (Chair)	✓	
Dustin Chamberlain	✓	
James Gaffney	✓	
Ian Rogers	✓	
Harry Seidel – Select Board	✓	

11 **In Attendance:** Janice Loz – Land Use Administration,

12 II. APPROVAL OF MINUTES - None

13 **III. PUBLIC COMMENT** – Ed Mical a member of the audience inquired about the meaning of an annual
14 meeting versus a monthly meeting. The Chair explained how this just pertains to the fact that we elect
15 officers from within the Board membership.

16 IV. NEW BUSINESS

17 A. Conceptual Consultation Application

18 **Applicant:** Benjamin France

19 **Owners:** Jonathan France

20 **Agent:** Benjamin France

21 **Address:** 696 Pumpkin Hill Road, Warner, NH 03278

22 **Map/Lot:** Map 19, Lot 021

23 **District:** R3

24 **Description:** 65 Acres, equipment, pole barn, horse barn, house and fields. Park trucks,
25 containers on property maintenance on trucks, dumpster containers sort recyclable
26 materials.

27 Benjamin France started the conversation on his conceptual consultation application by describing
28 his business. Benjamin's business is mostly looking at thrown out materials and sorting out
29 recyclable or resalable items. Sometime rent dumpsters, sort out material. Looking for space for
30 roll-out trucks and materials until he makes a trip to dispose of materials.

31

32 David is the first to ask questions to the applicant, regarding business hours, sorting materials, and
33 registered vehicles. The applicant mentions that usually he starts the day at 6:00 AM, and all 16
34 vehicles are registered, and the sorting of materials is mostly done within the containers on the
35 property. James wonders about the feasibility of working his business out of a barn. The applicant
36 is wary about this suggestion but says he probably could make this work if necessary.

37 The Chair brought the Board's attention to the complaint filed with the Selectboard. Andy inquired
38 about how long this business has been in existence. Benjamin mentioned he started back in July
39 2022.

40 The board shifted to discussion of this conceptual consult, in which Andy starts with his issue of a
41 home occupation in the zoning ordinance. David believed that this was not an issue, because from
42 what he gathered from the applicant, there was no interior space that was being used within the
43 dwelling in regard to his business.

44 Andy questioned how this business fit into the use table. Andy mentioned that he wants to have
45 more time to think about this case and how it fits into the use table. Harry agrees with this idea, and
46 Janice mentioned how this could be added to the Planning Board work session.

47 **Andy Bodnarik made a motion to discuss this conceptual consultation further during the**
48 **work session on April 15. David Bates seconded the motion. Discussion:** None. **Vote Tally:** 7
49 to 0. The motion passed.

50

51 **B. Town of Warner Approval for Bradford Subdivision**

52 **Applicant:** Nick Verteuile, Survey Manager – Horizons Engineering, Inc.
53 **Owners:** Walter & Gates Realty, LLC., and Judith G. Curless Investment Trust
54 **Agent:** Nick Verteuile, Survey Manager – Horizons Engineering, Inc.
55 **Address:** 98 and 102 Davis Road, Bradford, NH 03221
56 **Map/Lot:** Map 22, Lot 29 – 31 (BRADFORD)
57 **District:**
58 **Description:** Reference email request from Matt Dyer, Assistant Deputy Register of Merrimack
59 County. In order to record the mylar a signature box for the Town of Warner needs
60 to be added and signed with the appropriate signatures.

61 The Chair introduced the case by stating that there are two existing houses, and the applicant is
62 looking to change the lot line between the two houses. There is a small subsection of the second
63 lot that is within Warner. Andy requested the approval notice of the lot line adjustment from the
64 Town of Bradford, before making a decision on this case.

65 **David Bates made a motion to sign the mylar's when we receive proof of Bradford's approval**
66 **of the lot line adjustment. Andy Bodnarik seconded the motion. Discussion:** None. **Vote**
67 **Tally:** 7 to 0. When the Bradford approval is received the mylar will be signed.

68 **C. Action Items and Board Calendar for 2024**

69 **1. CIP –** The Chair looked at the software and will get the excel budget sheet figured out. James
70 offered to assist.

71 **2. Mechanics of writing of Housing Chapter –** The Chair mentioned that a lot of pieces of the
72 Housing Chapter are sifting in. The housing survey results are slowly coming in. The Chair
73 explained that she would like to talk through next steps for the Housing Chapter.

74 Ian reported that he had a discussion with Central Regional New Hampshire Planning
75 Commission (CRNHPC), and the plan to get the housing chapter done before July. The survey
76 ends on April 19, and then the next part is analyzing the data. There is a requirement where the
77 Master Plan requires public comment, which might involve a public hearing. The Board agreed

78 that there needs to be a draft done in May, before public comment commences. The Chair
79 request cliff notes for the Housing Advisory Committee to better create a timeline of due dates.

80 3. **Short Term Rental (STR) Discussion** – Harry updated the Board on the Selectboard’s
81 conversations in regards to the STR discussion. Due to recent court cases the Selectboard will
82 not be issuing a cease-and-desist letter to the Waterloo STR. The Chair reminded the Board
83 that we do not have the ability to enforce STR regulations, that is up to the Selectboard to
84 decide. Last year the Board had to decide to define it or not define it, and now we are back to
85 this place of what we need to do. David said that last year, Ben Frost mentioned looking at and
86 use business regulations to better define STR’s. David recommended that this conversation
87 might be more productive within a subcommittee. The Chair mentioned that the problem the
88 Board ran into with regulating STR’s, is that we had to define it first, which they could not reach
89 consensus on. Andy suggested that the time has come to really decide on a definition, based
90 on what surrounding towns are doing. Andy raised the point that what is being proposed is an
91 amendment through the zoning, which automatically goes to town meeting.

92 Ed Mical made a comment about the septic and that it is inspected for capacity.

93 **4. Planning Board Suggestions for Topics of discussion**

94 Andy discussed the ordinances on minor and major subdivision wording in the ordinances. Then
95 Andy discussed changing the requirements to delivering mylar plans to Merrimack County. The
96 applicant can deliver them to the Merrimack County registry of deeds or they can pay the town
97 to mail the mylars. Verify that changes in ordinances with regards to legislature adaptations are
98 updated with our procedures and ordinances. Ian brought up updating all the sections of the
99 Master Plan within the next five year.

100 **D. Re-appointments and Appointments to the Planning Board**

101 **V. UNFINISHED BUSINESS**

102 **A. Start review of Subdivision application and Checklist**

103 [Subdivision](#), [Site Plan Regulations](#), [Site Plan Review](#), [Voluntary Merger](#), [Driveway](#), [Home](#)
104 [Occupation](#), [Lot Line Adjustment](#)

105 **VI. REPORTS**

106 **A. Chair’s Report** – Chair, Karen Coyne

107 **B. Select Board** – Harry Seidel

108 Varick and Tim want to continue to plan for the Transfer Station construction, and requested a
109 meeting between budget committee, planning board, selectboard, and public about funds and
110 plans.

111 **C. Regional Planning Commission** – Derek Narducci, Ben Frost

112 **D. Economic Development Advisory Committee** –

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

114 **F. Groundwater Protection Committee** – Andy Bodnarik

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

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

117 **VII. ELECTION OF PLANNING BOARD OFFICERS**

UNAPPROVED Minutes of April 1, 2024

118 The Board discussed whether to vote on Planning Board officers tonight or to wait until next month.
119 Andy said the annual meeting in the month of April and should not be pushed off until May. **Andy made**
120 **a motion to do the elections at tonight's meeting. Harry Seidel seconded the motion.**
121 **Discussion:** David said if the rules of procedure for the Board say it is done at the Annual Meeting
122 then that is when it should be done. **Vote Tally:** 4 to 3. The motion passed and the Board will vote on
123 officers at tonight's meeting.

124 **A. James Gaffney nominated Karen Coyne to be Chair of the Planning Board. Andy Bodnarik**
125 **seconded the nomination. Discussion:** Karen accepted the nomination as Chair. **Vote Tally:** 4
126 to 3. Karen Coyne was voted in as Chair of the Planning Board.

127 **B. Karen Coyne nominated Andy Bodnarik as Vice Chair of the Planning Board. David Bates**
128 **seconded the motion. Discussion:** Karen emphasized that Andy brought a ton of historical
129 knowledge to the table. Ian agreed with Karen and said Andy showed qualities that helped to
130 support the Board. Harry agreed and said it shows that Andy does a lot of work before the meeting.
131 Andy accepted the nomination. **Vote Tally:** 5 to 0 to 1 (abstention – Andy Bodnarik). Andy Bodnarik
132 was voted in as Vice Chair of the Planning Board.

133 **VIII. COMMUNICATIONS - None**

134 **IX. PUBLIC COMMENT**

135 **X. ADJOURN** – the meeting was adjourned at 9:59 PM.

2024-05-20 18:38:53 PB

Date & Time: 2024-05-20 18:38:53

Location: Warner Town Hall

Attendees: Karen Coyne, Andy Bodnarik, James Gafney, David Bates, Ian Rogers, Pier Dupriel, Harry Seidel, Barak Greene, Janice Loz
(Audience, John Levitt)

1. Absence of James Sherman**Conclusion**

James Sherman will not be attending the meeting and had contacted Janice about his absence.

Next Steps

Respond to James Sherman with a copy of the calendar. -- Karen

Discussion Points

1. Janice Loz
2. Karen Coyne

3. Transparency in Board Appointments**Conclusion**

There is a need for better communication and transparency regarding board appointments and the publication of official lists.

Next Steps

Follow up on the publication of appointments and ensure transparency. --[Janice][James]

Discussion Points

1. John Levitt

John Levitt was appointed to the board but refused to be sworn in until all appointments were publicized.

He filed a 91-A request for the minutes of the non-public session and found they were not sealed.

He believes too much is happening behind the scenes and wants transparency.

2. James

James noted that the list of town officials hasn't been updated in over a year and is not accurate.

3. Janice

Janice mentioned that there is no mechanism for the town clerk's office to inform the land user's office about who has taken their oath of office.

4. David

David mentioned that the list of elected officers starts after the town meeting and is updated accordingly.

5. Harry

Harry assured that there is no nefarious activity and that the minutes were sealed properly.

4. Application Review Fees for Conditional Use Permits**Conclusion**

There is a need to review and possibly adjust the application review fees to ensure they cover the actual costs.

Next Steps

Develop a draft of the groundwater protection application and review the fee schedule. -- [Andy][Janice][Harry]June

Form a group to review what other towns are doing regarding fees. --[Planning Board]

Discussion Points

1. Andy

Andy reviewed the application review fees and noted that they might not cover the costs.

He suggested adding a conditional use permit for groundwater protection to the fee list.

2. Harry

Harry asked if Andy had compared the fees with other towns involved in groundwater protection.

3. James

James suggested that if fees are to be raised, there should be a justification for it and the process should be streamlined.

4. Janice

Janice mentioned that staff time, mailing, and other administrative costs are covered by the fees.

5. David

David noted that Janice is overworked and that other towns have higher fees.

5. Formatting and Editing of Meeting Minutes

Conclusion

The minutes are done but need to be reviewed and formatted before the June meeting.

Next Steps

Review and format the minutes. -- Janice June

Complete the May minutes. -- Janice This week

Discussion Points

1. Formatting and editing are necessary to ensure consistency.

Typos and capitalization need to be checked.

2. Andy helps with editing to ensure consistency.

6. Handling Verbatim Copies of Minutes

Conclusion

Verbatim copies are more time-consuming but must be provided if requested and paid for.

Discussion Points

1. Verbatim copies require more time and effort.

2. Verbatim copies must be honored if requested and paid for.

7. New Methods for Minute-Taking

Conclusion

A new method for minute-taking is being tested, and its effectiveness will be evaluated.

Next Steps

Test the new method for minute-taking and compare results. -- Karen, Janice

Discussion Points

1. Trying a new method for minute-taking tonight.

2. Comparison of raw dictation with formatted minutes is necessary.

3. Using tools like Boomer or Word for transcription.

8. Method of Recording Meeting Minutes

Conclusion

Discussion Points

1. Recording minutes by committee may not be the greatest thing. Harry

9. Streamlining Meeting Minutes

Conclusion

Implement a streamlined system for meeting minutes to make the process quicker and more impactful.

Discussion Points

1. Too many people are involved in the process, causing delays.

2. A system should be implemented to make the process quicker and more impactful.

3. Janice's daughter types 80 words per minute and can complete a three-hour meeting in four to five hours.

4. Janice's daughter should format the minutes while typing them.

5. Diane used to send the minutes directly to Andy for editing due to the number of edits

required.

10. 2023 Changes to RSAs

Conclusion

Identify and address required changes to RSAs and practice pointers systematically, consulting with relevant authorities to avoid conflicts.

Next Steps

Identify which changes are required by law and which are suggestions. --[Andy][Janice] [Karen]
Address the most complicated changes first, especially those with immediate effective dates. --
[Planning Board]October 3, 2023

Consult with fire marshal and road agent to ensure compliance with fire code and driveway regulations. --[Planning Board][Fire Marshal][Road Agent]

Provide links or copies of relevant RSAs to new members. --[Planning Board]

Discussion Points

1. Clarify which changes are actual legal requirements and which are OPD suggestions.
2. Some changes are practice pointers and not legal requirements.
Appendix C practice pointer recommends municipal attorney review rules of procedure before finalization and at least one public hearing.
3. Some changes have already been implemented.
Rules of Procedure already place on file as required.
Development to regional impact appendix added.
4. Driveway regulations need legal help due to conflicting statutes.
Driveway width requirement of 15 feet vs. new requirement of 12 feet.
5. Fire code issues need to be addressed in driveway regulations.
Driveway regulations do not apply beyond the road right of way.
Property owner responsible for emergency vehicle access.
6. Break down the changes into manageable chunks and address them systematically.
7. Some changes need to be addressed immediately due to effective dates.
Driveway changes effective October 3, 2023.
8. Planning board can change some regulations unilaterally, while others need voter approval.
9. Consult with fire marshal and road agent to avoid conflicts between site plan approvals and fire code requirements.

11. Board Member Training

Conclusion

Ensure all board members, especially new ones, have access to necessary training materials and regulations.

Next Steps

Send an email with links to training materials and videos from the May 11th training. --[Janice]
New members need to contact NHMA to get their status and access training materials. --
[John][Barak][James S][Pier]

Discussion Points

1. Existing board members have already received some training materials.
Training happened on Saturday, May 11th.
2. New members need access to all regulations and training materials.
David mentioned receiving a helpful email with links to regulations when he joined the board.

12. Groundwater Protection Overlay Map

Conclusion

Ensure the correct version of the groundwater protection overlay map is accessible and properly referenced in the ordinance.

Next Steps

Print and distribute the correct version of the map to all board members. --[Janice]

Discussion Points

1. There is confusion about the current version of the groundwater protection overlay map. The map was missing from the new version of the ordinance. The map says 'proposed' instead of 'final'.

2. The map should be accessible and correctly labeled for all board members. Andy mentioned the map should be referenced correctly in the ordinance.

13. Regulation of Short-Term Rentals

Conclusion

The town needs to define and potentially regulate short-term rentals to manage future issues and ensure safety.

Next Steps

Discuss and define what constitutes a short-term rental. --[Planning Board]

Consider regulations or guidelines for short-term rentals, including safety standards. --[Planning Board]

Discussion Points

1. The town needs to decide whether to regulate or permit short-term rentals.

There are court cases with varying outcomes on this issue.

2. Defining short-term rentals is necessary before deciding on regulation.

Barak mentioned the need to define short-term rentals.

3. Regulation could help manage potential future issues with short-term rentals.

Pierre mentioned the potential increase in short-term rentals and the need to get ahead of it.

4. Existing short-term rentals might be grandfathered under new regulations.

Discussion about the possibility of existing rentals being grandfathered.

5. Clear regulations can prevent disputes and ensure safety standards.

Example of a safety issue in an Airbnb without a handrail.

14. Defining and Regulating Short-Term Rentals (STRs)

Conclusion

The planning board should take the lead in defining and regulating short-term rentals, involving legal counsel and the public in the process.

Next Steps

Show board members the four options already developed for STR regulations. --[Janice][Board Members]

Assign homework tasks to board members to research definitions for terms like 'dwelling unit' and 'resident'. --[Chair][Board Members]

Hold public sessions to gather input on STR regulations. --[Planning Board]

Consult legal counsel to address practical and legal aspects of STR regulations. --[Planning Board]

Discussion Points

1. Short-term rentals should follow the same life safety regulations as rental properties and hotels.

2. There is confusion about who is responsible for ensuring compliance with these regulations: the renter, the owner, or the town.

3. Commercial use of residential properties is already happening, such as logging properties.

4. The issue of STRs is complex and has not become clearer over time.

5. The New Hampshire Supreme Court is making decisions on STRs due to the legislature's failure to clarify the laws.

Sunapee lost a lawsuit regarding a travel trailer being rented as a short-term rental.

6. The state legislature is primarily interested in collecting rooms and meals taxes from STRs but lacks enforcement mechanisms.

7. Different towns have varying definitions of STRs, leading to inconsistent regulations.

8. The Short Term Rental Association is advocating for STRs and wants to influence local regulations.

9. The planning board should take the lead on defining and regulating STRs.
10. The process should be kept simple to avoid giving courts too much leeway to overturn regulations.
11. Legal counsel should be consulted to address the practical and legal aspects of STR regulations.
12. Public involvement is crucial in defining and regulating STRs.

15. Redistribution of Rooms and Meals Tax

Conclusion

The rooms and meals tax is redistributed by the state based on population, not directly benefiting the towns where it is collected.

Discussion Points

1. Rooms and meals tax collected from Warner does not go directly to Warner but is redistributed by the state based on population.
2. Towns with accommodations and restaurants get an equal share proportional to their population.

16. Definition of Short-Term Rentals (STRs)

Conclusion

The board agreed to work on defining STRs and each member will bring a draft definition to the next meeting.

Next Steps

Each board member will draft a definition for STRs. --*[Board Members]*Next Meeting

Discussion Points

1. The board should start working on the definition for STRs.
2. Each board member should come to the next meeting with a draft of what they think the definition should be.

17. Budget Planning Process

Conclusion

The board needs to engage with departments earlier, offer technical support, and set clear deadlines to improve the budget planning process.

Next Steps

Send a letter to department heads informing them of the earlier start and schedule face-to-face meetings. --*[Karen]*

Create a CIP calendar with target dates and meeting dates. --*[Janice/Karen]*

Discussion Points

1. Engage with departments earlier to avoid last-minute rushes.
2. Offer technical support to departments that struggle with Excel and numbers.
3. Set an earlier date for department heads to submit their budget numbers.
4. Schedule face-to-face meetings with department heads to ensure timely submission of budget information.
5. Create a CIP calendar with target dates and meeting dates.

18. Handling Capital Budgets

Conclusion

The Budget Committee needs to maintain detailed records of both revenue/expenses and capital values to avoid delays and confusion.

Next Steps

Review and manage the capital budgets. --*[Budget Committee]*

Discussion Points

1. People are intimidated by capital budgets and often delay working on them.
2. The Budget Committee maintains revenue and expense records but not necessarily the capital value of each building.

19. Capital Investment Plan (CIP)

Conclusion

The CIP helps in long-term planning and managing large expenses without borrowing money.

Next Steps

Circulate the CIP form to all department heads. --*[Department Heads]*

Discussion Points

1. CIP is long-term planning for big expenses and helps the Budget Committee in planning.
2. The CIP form needs to be circulated so everyone understands the process.
3. The goal is to space out expenditures to avoid large spikes in any one year.
4. The town prefers not to borrow money from banks and instead manage funds internally.

Reports

20. Building Permit

Conclusion

The building permit needs to be finalized soon.

Next Steps

Finalize the building permit. -- end of the month *[Harry]*

Discussion Points

1. The building permit is still not finalized and needs secretarial work to be completed.

21. EDAC Committee

Conclusion

The EDAC committee is working on gathering residents' opinions and needs more members.

Next Steps

Distribute the questionnaire and gather feedback. --*[EDAC Committee]*18th

Discussion Points

1. The EDAC committee is in need of members.
2. A questionnaire has been put together to gather residents' opinions on various issues.

22. Housing Advisory Committee Schedule Change

Conclusion

The Housing Advisory Committee meetings for June will be on June 6th and June 27th instead of the usual schedule.

Next Steps

Change the meeting dates for June. --*[Housing Advisory Committee]*June 6th, June 27th

Discussion Points

1. Bill Hanson, the co-facilitator, is on the Budget Committee which meets the same day as the Housing Advisory Committee.

23. Housing Survey Results

Conclusion

The decision on whether to post both versions of the survey results will be made after further discussion and review.

Next Steps

Discuss the survey results with the Housing Advisory Committee and Planning Board. --
*[Housing Advisory Committee]**[Planning Board]*

Review the 137-page report before making a decision. --*[Planning Board members]*

Discussion Points

1. The survey results have been processed but not posted on the website yet.
2. There are two versions of the survey results: a 40-page quantitative report and a 137-page report with all comments.
3. Concerns about posting the full comments due to personal mentions and a curse word.
4. David Bates and Harriet Seidel are okay with their names being mentioned.
5. Some members suggest posting both versions for transparency.
6. Others suggest summarizing the comments to avoid potential issues.

7. Concerns about the political culture and potential backlash if comments are not posted.

24. Fee Schedule

Conclusion

The fee schedule should be designed to cover costs without necessarily comparing with other towns.

Next Steps

Establish a fee schedule that covers the cost of the work done by the town. --[*Land Use Secretary/Janice*]

Discussion Points

1. The purpose of the fees is to cover the cost of the work done by the town administrator.
2. Comparing fees with other towns may not be relevant due to different building codes and zoning rules.
3. Consider a base fee and then billing in 10-minute increments.

25. Grant and Master Plan Chapter

Conclusion

The HAC will continue its work until recommendations are made to the Planning Board, regardless of the grant deadline.

Next Steps

Finalize the master plan chapter and make recommendations to the Planning Board. --[*Housing Advisory Committee*][*Planning Board*]July

Discussion Points

1. Central will stay with the committee until the end, even if the grant deadline is in July.
2. The HAC's role ends when they make their recommendations to the Planning Board.

26. Public Distribution of Documents

Conclusion

Documents for public distribution should be in PDF format, and work-in-progress documents should not be distributed.

Next Steps

Ensure all public documents are in PDF format. --[*Town Administrator*]

Discussion Points

1. Documents should be in PDF format to prevent tampering.
2. Work-in-progress documents like Excel charts and pivot tables should not be distributed.

27. Building Permits and ADUs

Conclusion

Efforts should be made to gather better information on building permits and ADUs.

Next Steps

Gather and provide better information on building permits and ADUs. --[*Town Administrator*]

Discussion Points

1. There is a need for better information on building permits and ADUs.