TOWN OF WARNER
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__DRAFT__ Planning Board Meeting Minutes

July 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 7:04 PM.
The Pledge of Allegiance was recited

II. ROLL CALL

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

III. PUBLIC COMMENT

Ed Mical asked the Planning Board to speak loud enough for the audience to hear.

IV. NEW BUSINESS

A. Application Review – Modification to Site Plan
Applicant: COMET LLC
Owners: Comet LLC – Michael Quinn and Adam Quinn
Agent: Ranger Engineering Group, Benjamin C. Osgood Jr
Address: Rt 103 West, near Rt 89 exit 9
Map/Lot: Map 35, Lot 4-1
District: C1 Intervale
Description: Site plan application review for Dollar Store

Ben Osgood explained that technically this is a new application as it was previously approved and partially constructed. Karen Coyne explained that the Planning Board received a modification to a site plan that was previously approved but at this point it would have expired. She asked for clarification on what has been constructed on this lot. Ben Osgood explained that the drainage system has been entirely constructed on both lots and on this lot the water systems, sewer system and entrance pavement. Karen Coyne asked if the fees were submitted when this modification application was submitted as a new site plan review. Ben Osgood confirmed the fees were paid. Karen Coyne asked if the applicant could provide a copy of the originally approved site plan. Ben Osgood stated that he would provide it. Karen Coyne noted that she does not have copies of the check. Barak Greene asked about notifying abutters. Karen Coyne confirmed that abutter's notification is required. Barak Greene noted that he would not consider this as a modification because there is more than 200 square feet of difference from what was approved on the site plan to what is being proposed now. Karen Coyne agreed. Peg Bastien retrieved the file that included the confirmation of payment. Barak Greene stated that he would like to see the existing site plan before the Board proceeds with either a modification or a full site plan review. James Gaffney asked if the application before them is based on the new or old flood plain maps. Ben Osgood indicated that the current flood plain maps were used. Ed Mical explained that the preliminary flood plain maps have not been formalized as of today. Pier D'Aprile explained that before the Planning Board is a notice of decision from March 2021, Karen Coyne indicated that the original decision was actually in 2020.

Pier D'Aprile stated that this would require a new application because the decision of approval was more than five years ago. Barak Greene stated that this is a modification of an existing site plan. Pier D'Aprile acknowledged that the subdivision is still valid. Micah Thompson stated that the property has not changed much in the past 5 years and he believes that they should be able to modify their application. Karen Coyne noted that there is over 200 square feet different. She explained that a public hearing would necessary.

Audio difficulties – multiple conversations

Barak Greene stated that he would make a motion to accept the application as complete. John Leavitt explained that this is not the same application as a modification is requested. The Board began reviewing application to determine if it complete. Karen Coyne explained that the Board needs to make a decision regarding if this is a modification or a new site plan. Bob Holmes stated that he views this as a modification and they do not need to reinvent the wheel. Karen Coyne explained that to do a modification the Board needs to circulate the previous site plan for comparison. Pier D'Aprile suggested looking at this as new plan to keep it in context with what is in the area now. Barak Greene asked if the site was approved as a retail space. James Gaffney explained that there were decisions relating to retail, a bank and other options. Barak Greene asked if the studies submitted 5 years ago would be acceptable today. Pier D'Aprile explained that he cannot make that determination. Micah Thompson asked if the Board is willing to assume that the Planning Board was not capable of making a decision 5 years ago. Pier D'Aprile explained that he is not comfortable assuming that a decision from 6 years ago is relevant now. He further noted that there is not enough evidence today to accept that. Barak Greene explained that this parcel has been developed already to include a road, plumbing and utilities which is why he leans towards a modification. Micah Thompson acknowledged that the parcel has already been developed.

Barak Greene made a motion seconded by Bob Holmes to accept the application as a modification. Roll Call Vote Leavitt NO D'Aprile NO Gaffney NO Holmes YES Greene YES Coyne NO Motion Failed.

Discussion on the motion: James Gaffney explained that a modification cannot be made to something that is already expired. Pier D'Aprile agreed. Bob Holmes stated that even with the 5 year expiration there is substantial completion. James Gaffney asked what the benefit of considering this as a modification verses a new application. Bob Holmes explained that it saves the applicant costs. He referred to the application and study fees. Karen Coyne called the question.

Barak Greene made a motion seconded by John Leavitt to accept the new site plan application as complete. The motion was withdrawn. The Planning Board reviewed the site plan application checklist. Additional information is requested; copy of previous site plan to be provided along with other pertinent documentation relating to the previous approval (traffic study).

Barak Greene made a motion seconded by James Gaffney to accept the application for site plan review as complete for a full site plan review to include the additional information requested. Vote Passed Unanimously.

Karen Coyne stated that a public hearing will be scheduled for July 20, 2026 at 7:00 PM. Ben Osgood advised the Board that he will send the previous site plans and additional information. He stated in a few days he will provide an overlay of the proposed building with the existing building and parking area to show where things are.

V. REVIEW MINUTES April 6, 2026, May 4, 2026 and June 1, 2026

April 6, 2026

Pier D'Aprile made a motion seconded by Bob Holmes to approve the minutes of April 6, 2026 as amended. Motion passed unanimously.

May 4, 2026

Pier D'Aprile made a motion seconded by Bob Holmes to approve the minutes of May 4, 2026 as presented. Motion passed unanimously.

June 1, 2026

Pier D'Aprile made a motion seconded by Barak Greene to approve the minutes of June 1, 2026 as presented. Motion passed unanimously.

VI. UNFINISHED BUSINESS

A. Public Hearing Continued - Site Plan Review

Applicant: CATCH Neighborhood Housing
Owners: Comet LLC – Adam Quinn
Agent: Tom Frutado, CATCH
Address: Rt 103 West, near Rt 89 exit 9
Map/Lot: Map 35, Lot 4-3
District: C1 Intervale
Description: Site plan review for 34 unit workforce housing

Karen Coyne reopened the public hearing. She explained that at the last discussion the Board asked for communication to be sent to the water/sewer departments, fire department, police department, conservation commission, Warner River Local Advisory Committee (WRLAC) and Eversource. She stated that the Board did hear back from the fire and WRLAC. James Gaffney had a brief conversation with Police Chief Chandler. Eversource did not respond.

Pier D'Aprile stated that the WRLAC submitted a response and a representative is present. Laura Russell asked the date and who sent the letter. James Gaffney noted that the letter was dated June 2025 sent to the Land Use Secretary but addressed to Barbara. Laura Russell stated that she can explain what happened. Laura Russell stated that the response was sent to the zoning Board when the ZBA was working on this. She stated that the WRLAC reviews plans but to her knowledge they were not given a plan to review. Mickey Benson via Zoom of 142 New Market Road stated that he is vice chair of the WRLAC. He informed the Board that he and the chair are preparing their official response.

Barak Greene highlighted the Fire Department's concerns regarding the hydrant location and the turning radius. James Gaffney requested specifications to be included that reflects the load rating and dimensions and radius. He asked if the radius / turning area could be extended as was previous discussed. Tom Frutado and Ben Osgood confirmed that it could be and should not be problematic.

Pier D'Aprile stated that he would like the Town engineer to look at the storm water calculations. Ben Osgood noted that drainage would fall under the purview of the alteration of terrain permit (AOT).

Pier D'Aprile made a motion seconded by James Gaffney to have Aries Engineering review the storm water and other details as determined by the Town engineer.

Barak Greene offered an amendment that would call for Aries Engineering to monitor the storm water pollution during construction.

Pier D'Aprile withdrew the motion.

Barak Greene made a motion seconded by Pier D'Aprile to have Aries Engineering review the storm water and fire lane and to contract with Aries Engineering to monitor the storm water controls during construction. Motion Passed, Bob Holmes abstained.

James Gaffney acknowledged that previously there was a plan approved for the site. He stated that the previous plan coincided with the law. He explained that his concern is about what is being proposed nominally fits within the quantifiable carrying capacity of the lot. He stated that what is now being proposed is considerably larger. Tom Frutado explained that the design does fit within the 2.6 acres of the buildable area. James Gaffney explained that there are concerns about the potential threats to the Warner River. Tom Frutado assured the Board that the engineering and construction will adhere to every municipal and state rule that is required.

James Gaffney relayed an observation that Police Chief Chandler made. He explained that at a State level when the population of the Town exceeds 3,000 people the State Police no longer provide backup coverage causing a larger burden on the Town. Barak Greene stated that Warner is approaching that threshold. He asked for the RSA that covers that. James Gaffney would like a better understanding of the number of calls for service that have been made to other properties that CATCH manages. He questioned if the Board should submit a Right to Know request to the city of Concord for that information. Karen Coyne stated that RSA 106 b;15 deals with the State Police jurisdiction in towns with over 3000 residents.

James Gaffney made a motion seconded by Barak Greene to submit a Right to Know request RSA91-a to the city of Concord to ask for list of emergency service calls to the CATCH managed properties. Motion passed, John Leavitt voted in the negative.

Discussion on the motion: John Leavitt asked what is hoped to be accomplished by doing this. James Gaffney explained that he would like a better understanding of the impact on local emergency services. John Leavitt stated that the information cannot be used to accept or deny an application. Karen Coyne stated that it can be looked at regarding the impact on infrastructure and services. Pier D'Aprile explained that if the information will provide insight to better understand the impact on the community as it relates to emergency services.

Barak Greene stated that he would like to hear from the Police and Fire Chiefs regarding the department's ability to handle a 34 unit apartment building. He would appreciate their attendance to address this question.

Karen Coyne opened the discussion for public comment.

Mickey Benson 142 New Market Road explained that he has three general comments, the extent of tree removal. Mickey Benson would like information on the delineation of contours specifically the southern portion leading down to the river to get a better sense of how runoff might flow. James Gaffney stated that information is part of the conservation easement that was approved many years ago. Ben Osgood explained that they ended the contours at the end of the buildable lot. He stated that the back of the lot is all conservation easement. He noted that the land is generally flat. Mickey Benson stated that he is looking for more information on the site lighting relating to the structure and the parking lot. Ben Osgood explained that he did email the lighting design from the lighting supplier and brought copies of their printouts. He stated that the lighting design follows the town regulations. Mickey Benson requested the lighting information be forwarded to the WRLAC.

Nancy Martin Conservation Commission stated that she has not seen the new maps and she asked for assurances that there will be fencing to separate the conservation easement from the building site. Ben Osgood stated that they do have fencing and there is an existing wall around the back o f the property that separates the dry land from the wetland. He explained that a four foot tall fence will be installed along the top of the wall all the way around to separate the area. Nancy Martin requested that the fence be substantial enough to keep people off the conservation easement. She spoke about the intent of the conservation easement was to protect the river. She does not want it to become a playground for the residents of the proposed building. Ben Osgood suggested that the Dunkin Donut parcel next door should be looked at relative to the land between the structure and the river. He stressed that the land is wet, overgrown and is not conducive to a playground. Nancy Martin disagreed, explaining that she has been monitoring the easement and she stated that it is flat and dry. She stated that kids will find a way to get to the river. James Gaffney stated that could happen regardless of what is done with a fence.

Karen Coyne closed the public comment portion.

Karen Coyne recapped that the Board would like to hear from Eversource, Police and Fire. Karen Coyne requested the WRLAC submit their response prior to July 20, 2026.

Ben Frost via Zoom addressed the notion regarding the carrying capacity. He stated that the carrying capacity would be determined by the numerical standards in the zoning ordinance and site plan regulations. He explained that if the plan meets those standards it would be within the carrying capacity of the property. James Gaffney reiterated that it is a concern because of the proximity to the Warner River and the aquafer. Ben Frost reminded the Board that a significant portion of this lot is already encumbered by the conservation easement and is intended to protect the Warner River. He spoke to the impact on emergency services explaining that the fact that the town is struggling to provide certain services is not the applicant's problem. He referenced a Supreme Court case addressed a similar situation in another municipality. Ben Frost asked the Board what will happen if the City of Concord is unable to provide the information in timely manner regarding the right to know request pertaining to the number of calls for service for the Concord properties. Ben Frost stated that the Board can only rely on Warner's regulations. Ben Frost addressed the concerns expressed regarding a 34 unit apartment building. He asked if there would be the same concerns if this was a 34 unit subdivision for single family homes.

Karen Coyne stated that she would still have concerns if a 34 unit subdivision for single family homes was happening all at once in the same year. She stated that it the instantaneous influx that causes pause. Pier D'Aprile stressed that this is in the aquifer for the municipal town wells and that is something that needs to be considered seriously. Bob Holmes addressed the ground water protection district, noting that the ordinance specifically states that it does not apply to residential uses. James Gaffney explained that he believes it is very important for this Board to understand all the issues. Barak Greene spoke to the impact of runoff. He stated that the runoff will go into a retention pond. He sees snow removal and snow storage as potential issues. There was a discussion regarding runoff from the parking lot (oil). John Leavitt reiterated that is not the applicant's problem. Micah Thompson pointed the Market Basket parking lot and the possibility of a much larger potential risk. Pier D'Aprile clarified that it is a consideration that the Board should take into account.

Karen Coyne recapped the Board's requests; the fire lane, the fire department changes, response from WRLAC, Aries Engineering review, Eversource response, and request that the Police, Fire and Ambulance department attend the next meeting. Barak Greene asked if increased pedestrian traffic should be addressed. James Gaffney explained that sidewalks fall under the State's purview. Barak Greene asserted that a crosswalk will be needed in the area. Ben Osgood explained that he will be applying for the driveway permit soon and he stated that he feels the best location for a crosswalk would be near the driveway.

Barak Greene advised the applicant that the Town has conducted multiple surveys of its residents and each time the results has been that the vast majority of people have said they do not want to see a large apartment building built in Warner. He clarified that does not mean that it is represented in Warner's ordinances but that is the general consensus that going forward it will direct how our ordinances will be written. Barak Greene stated that he thinks that as a sign of good neighbor that would be taken into consideration and possibly adding some retail or commercial space in the building to go along with the commercial zone. Tom Frutado explained that the program they are using does not permit mixed use. He noted that the size has been reduced to account for the Town's position. Tom Frutado explained that a recent study that they did reflected that 53% of working age people in Warner qualify for this housing under the HUD guidelines. James Gaffney that the Planning Board is bound to approve any application that meets legal requirements. He explained that does not preclude the Board from asking other questions that are outside of the criteria that will be used to make a determination. He explained that Planning Board and residents need to understand the impact to the Town to include the financial and other consequences of approving lawful application. James Gaffney stated that his decision making process will only be based on what is legal and lawful but he will certainly ask other questions to better understand the impact.

Karen Coyne stressed that infrastructure is absolutely under the Board's purview. She explained that it is not as simple as the ordinance and state law.

Pier D'Aprile explained that Warner ordinance requires an annual verification. Tom Frutado clarified that they do an annual income recertification but if they make more they do not lose their home. Pier D'Aprile stated that the proposed development is funded by tax payers. Bob Holmes explained that Warner's ordinance does require annual income review and the manner and format of the income reporting should be subject to Planning Board approval as a condition of the approval of the development. Karen Coyne struggles with the fact someone can meet the income criteria and the next year their income can be significantly higher and they can still live in workforce housing. Karen Coyne stated that as a condition of approval the income should always be a qualifier. She stated that she thinks that it is disingenuous to say we are putting in workforce housing and it is only workforce housing for the first 30 days. Tom Frutado explained that is typically not what they see. Karen Coyne clarified that there is a point when an individual should no longer be taking housing from people that deserve it when the individual's income is well over the limit. Barak Greene asserted that telling someone they have to move out for bettering themselves is the worst attitude to have in society. Karen Coyne reiterated that workforce housing is people who are struggling. Tom Frutado explained that he CATCH is bound by the rules. Alex Panagiotakos assured the Board that none of their residents have ever recertified at over 140% of their original certification.

Karen Coyne stated that the hearing will continued to the Planning Board Work Session on July 20, 2026 at 7:00 PM.

VII. REPORTS

Chair's Report- Chair, Karen Coyne

None

Select Board – Mike Smith

None

Regional Planning Commission - Barb Marty, Ben Frost

Ben Frost recapped the June meeting for CNHRPC. He explained that they approved the budget and work plan for the year. He explained that the highway fund is disappointing. James Gaffney asked if there was discussion regarding resurfacing of Route 89. Ben Frost stated there has not been a discussion.

James Gaffney posed a question that a resident asked him regarding a neighboring property constructing trails that abut the other property.

Barak Greene spoke about the ex-officio Select Board member not attending meetings. He stated that it has been 3 months. Barak Greene suggested sending a letter.

Barak Greene made a motion seconded by to send a letter to the Warner Select Board to request an ex officio. Motion passed unanimously.

Economic Development Advisory Committee – Micah Thompson

Micah Thompson explained that he has heard from 90% of the EDAC members that they do not want anything to do with Town Hall. He has spoken to Ginger Marsh and she will allow them to use the bank. Meeting is tentative for September.

Agricultural Commission - James Gaffney

None

Regional Transportation Advisory Committee

None

HOP II Update – Bob Holmes

Bob Holmes explained that NHRCP prepared three documents (two reports and one appendix).

VIII. COMMUNICATIONS

None

IX. PUBLIC COMMENT

Ed Mical would like the Board to speak up. Karen Coyne will utilize microphones going forward. Ed Mical requested the minutes to be posted on the website.

Pier D'Aprile asked if Micah Thompson has reached out to Mr. Quinn. Pier D'Aprile spoke about the possibility of the EDAC speaking to the Budget Committee regarding potential revenue for the town.

X. ADJOURN

The meeting adjourned at 9:51 PM.

Respectfully submitted by Tracy Doherty