

Central New Hampshire Regional Planning Commission

28 Commercial Street ❖ Concord, NH 03301

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August 17, 2020

Warner Planning Board
5 East Main Street
PO Box 265
Warner, NH 03278

Re: Development of Regional Impact
“Comet LLC; Exit 9, 103 West”

Dear Members of the Planning Board,

We have reviewed the application material transmitted for the Comet LLC; Exit 9, 103 West application and have evaluated the regional impacts of the proposal. It is the understanding of CNHRPC that this Development of Regional Impact (DRI) consists a Site Plan seeking to permit a commercial mixed use commercial facility (restaurant, retail, and drive through) on two lots, 35-4-1 and 35-4-2 at Route 103 in Warner.

As you know, RSA Chapter 36:54-58 deals with the review of Developments of Regional Impact. Section 36:55 lists a series of characteristics that “could reasonably be expected to impact on a neighboring municipality.” This review is therefore focused only upon the factors listed in the RSA and include the following:

- I. Relative size or number of dwelling units as compared with the existing stock.
 - II. Proximity to the borders of a neighboring community.
 - III. Transportation networks.
 - IV. Anticipated emissions such as light, noise, smoke, odors, or particles.
 - V. Proximity to aquifers or surface waters which transcend municipal boundaries.
 - VI. Shared facilities such as schools or solid waste disposal facilities.
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- I. Relative to the number of dwelling units – As this is a proposed commercial project, there is no impact to the regional housing stock.
 - II. Proximity to a neighboring community – Given the location of the site within the community, there is no regional impact with regard to proximity to a neighboring community.
 - III. Transportation networks – The site is located on Route 103 across the street from a State of New Hampshire Park and Ride and is within close proximity to the roundabout near Exit 9 on I-89. For these reasons there is a regional impact with regard to transportation networks.

- IV. Anticipated Emissions & Noise – As this is a proposed commercial project, there is no impact to the regional impact relative to anticipated noise and emissions once the project is complete.
- V. Proximity to shared aquifers or surface waters – To the rear of the site is the Warner River which is regionally significant. Additionally, there is a FEMA flood elevation to the rear of the property. Proposed impervious coverage is shown as being close to both of these areas. Given that there could be a potential concern with storm water runoff there is a regional impact with regard to shared surface waters.
- VI. Shared facilities (schools, sewer, water, emergency response agreements) – Beyond the typical mutual aid arrangement for fire and public works departments there are no shared facilities. As such, there is not a regional impact due to shared facilities.

We believe there may be regional impacts because of: III, Transportation Networks and V Proximity to Shared Aquifers or Surface Waters. Based upon this, we recommend that:

- 1. III. Transportation Networks:
 - a. The transportation study should be reviewed by the Town’s Engineer and compliance with any recommended mitigation strategies generated by the review should be considered as conditions of approval by the Board.
 - b. As the proposal is for one development on two lots a blanket easement should be provided to allow for traffic to flow freely on both lots. This will help to ensure that any issues with on-site traffic do not spill over onto Route 103.
 - c. A NHDOT driveway permit will be needed. During the NHDOT review there may be several areas of concern including the location of the driveway nearest the roundabout, and, that there is landscaping shown the NHDOT ROW. Turning radii could also be a concern for NHDOT as well.
- 2. V. Proximity to Shared Aquifers or Surface Waters:
 - a. CNHRPC did not receive a drainage study though one has likely been completed. The Board should require that such a study be reviewed by the Town’s Engineer and that the applicant comply with any recommendations generated by the review.
 - b. Given that the proposal is shown on two separate parcels, an easement should blanket both properties to ensure that all stormwater management and drainage elements are included, and, that maintenance, repair, and replacement is permitted.
 - c. The plan and drainage easement should clearly specify who will be responsible for maintenance of the drainage and stormwater management elements.
 - d. A plan note should specify restaurant(s) on the site shall regularly clean the grease traps per manufacturer’s specifications.
 - e. Proposed clearing limits should be clearly depicted. Further, the landscaping plan should more specifically capture the number and location of plantings in relation to these clearing limits to get a better sense of erosion control.

- f. The existing conservation easement should be shown on the plan. The Board should take care to ensure that it is protected in accordance with the language outlined in the deed.
3. Other Concerns: The following items could also be of concern to the Board and of concern regionally:
- a. A major transmission line is shown on the plan and the boundaries of the easement should be delineated. Additionally, the easement holder as well as Book and Page numbers should be on the plan.
 - b. The development is depicted on two separate lots. Given the nature of the proposal it is important that easements on both lots allow for unobstructed traffic flow, stormwater flow, and maintenance on both parcels. As the easements are directly relevant to the regional impacts (traffic flow and the Warner River) ensuring their adequacy is crucial. Further, the Board should consider having the Town's attorney review any easements as a condition of approval.

We thank you for the opportunity to comment on this development. Please contact CNHRPC at 603-226-6020 if you have any questions.