

**TOWN OF WARNER – PLANNING BOARD**  
**Approved Meeting Minutes**  
**May 15, 2017**                      **7:00 PM**  
**Warner Town Hall, Upper Level**

**Members Present: Chairman Ben Frost, Vice Chair Barbara Annis, Selectman’s Representative John Dabuliewicz, Ben Inman, Ken Millender, James Gaffney Alternate, Don Hall, Peter Anderson Alternate**  
**Also Present: Land Use Secretary Lois Lord**

**1. OPEN MEETING**

Chairman Frost opened the meeting at 7:00 p.m.

**2. ROLL CALL**

Roll was taken with eight members present. Chairman Frost asked James Gaffney to continue voting in the place of Aedan Sherman.

**3. MINUTES APPROVING** – The meeting minutes of May 1, 2017 were reviewed, a few changes were noted and a MOTION was made by Barbara Annis that the minutes be accepted as amended, seconded by Ken Millender. A voice vote was taken with all in favor 7-0-0.

**4. OLD BUSINESS**

**Continuation of Site Plan Application from May 1, 2017 Meeting**

**Applicant:** Dragonfly Holdings, LLC – Eric Miller

**Property Owner:** Richard M. George

**Property Location:** Warner Road, Map 3, Lot 33, Zoning District C-1

**Site Plan** for new construction of two buildings connected by a breezeway for use as an indoor gun range and retail store.

**Input on Regional Impact from Hopkinton and Central NH Regional Planning Commission**  
**Approve, Deny or Continue Meeting**

Chairman Frost noted we are back to the continuation of this site plan and read the details. He explained that one of the purposes of the meeting tonight is to receive the testimony and input of the Town of Hopkinton in its official capacity and also the Central New Hampshire Regional Planning Commission, this being a development with the potential for regional impact as decided by the board a month ago.

Chairman Frost stated the board has received written communications from both the CNHRPC and the town and have representatives from both here and doesn’t think either expects to make a presentation but they might be available for questions if needed.

**Input from the Central NH Regional Planning Commission** - Chairman Frost noted the board had received a letter from Stephen Henninger from RPC dated May 10 and stated he had previously delivered a copy of the plans to Central for their review in compliance with the law. They had also received formal notice by certified mail with the minutes at which the decision on the Development of Regional Impact questions was decided. Chairman Frost summarized the recommendations being that *the Planning Board consider the following regional issues and discuss the associated questions regarding 1. Traffic, 2. Noise/Nuisance, 3. Management of Toxic Materials – Lead.*

**Traffic** - Chairman Frost continued, the specific recommendation of the RPC with regard to traffic are: *It is suggested that a licensed traffic engineer undertake the traffic counts at the Manchester and Hudson Ranges and use this information to develop projected traffic generation for this facility for weekdays, PM peak hours, and Saturday and Sunday peak hours. The traffic engineer should evaluate the capacity of adjacent intersections, and indicated if any capacity or safety issues have been identified, and identify any mitigation which may be required. Once the peak hours are ascertained, a parking count at the Manchester and Granite State indoor ranges should be completed to determine if the proposed parking at the new facility will be adequate.*

Chairman Frost asked for questions and thoughts from the board and said we can also direct questions to Steve who is here tonight. Barbara Annis said she didn't think we should have a decision until we have seen the whole picture and she is still looking for information and hasn't received that. Barbara continued that she doesn't think they are going to get the traffic they are anticipating. Clients will be coming but she can't imagine going through the village of Contoocook up the back way at 35 mph when you can come up the interstate and are within less than a mile of the facilities. They will be coming in on Rte. 103 and the interstate and her personal opinion is that Kearsarge St. will not be affected that much. Chairman Frost asked Barbara if there was any specific information she is looking for regarding traffic and Barbara said not really.

James Gaffney stated we need to keep in mind that we have had a number of applications come through the Planning Board in recent years and some with much more of an impact that no traffic studies were performed on. On the liquor store we waived that because a traffic study had been done recently. Chairman Frost clarified that he didn't know if a study had been done other than the work that was done on the roundabout. He spoke with the project engineer at McFarland Johnson who said the construction of the roundabout increased the capacity of that intersection sufficiently enough in his estimation to accommodate the traffic generated by the liquor store.

James voiced another concern which is, regardless of size, it's very difficult to compare the proposed facility in a rural community with a facility in a much heavier populated area such as the Manchester and Hudson facilities. He is skeptical that the traffic that the site sees comes anywhere close to what those facilities see.

Selectman Dabuliewicz said that Barbara had some information on traffic counts at the last meeting which included the end of Warner Road. He thinks Barbara is right in that most of the traffic will come in on the interstate. He has always found Warner Road to be challenging with all the people that use it and is not sure that traffic will increase that significantly from Hopkinton.

Barbara Annis stated if we are going to be doing a study, we've got more commercial areas down there that are vacant right now on Warner Road. They're bigger lots than what we're looking at right now. If we're concerned, it's not fair for them to do a traffic study for the vacant lots. Personally, I feel if the town at some point feels that's going to be developed, then we should do a corridor study like we did at Exit 9.

Chairman Frost said presumably as it is zoned commercial, the town is hoping that it will be developed consistently with those uses. Barbara made the point that Jordon Milton has been sold and the Bus Barn is vacant. Don Hall said he agrees with Barbara, there is the availability of a lot more land down there for commercial use and it's certainly there for the taking.

Chairman Frost said he has been thinking about it a lot and trying to assess what in his view will be the likely traffic impact from this proposal assuming it is built. Looking at the existing traffic counts which were taken in 2011 and 2014 in the vicinity of the State Shed on Warner Road, they look to be roughly 900 vehicles a day passing that point. If we were to assume the applicants best case scenario of 200 customers in a given day and assume each one of those customers takes his or her own vehicle. That's 200 vehicles being there at some point during the day. If we were to assume that say, 25% of those vehicles, which I think is unrealistically high, were to travel in the direction to and from Contoocook, then by my calculations that would increase the traffic on the road

roughly 12%, not a huge increase. Chairman Frost questioned if it was significant and said it depends on how you measure it. He continued I compare that to the residential development activity that has occurred on Kearsarge Road in Hopkinton. You look at the Wildwood Subdivision and across the street, Granite Way; there is something on the order of 15 lots between those two. If you use what I understand to be the standard of the Institute of Transportation Engineers for Trip Generation from single family residences, if there are 15 residences you assume 10 trip ends, that is trips coming and going from a single family residence. That is more traffic from that residential subdivision once it's built out, traveling on Kearsarge and Warner Roads, than would be generated by this proposed use.

James Gaffney asked how far the subdivisions referenced were from the town border and Chairman Frost clarified that they are on the town line. James asked if there was any regional impact with the subdivisions and Chairman Frost said he didn't know as it predates his experience on the board. Discussion continued that no board member could recall regional impact on that project and that it might be comparable to the gun range. Chairman Frost stated assuming 25% of the vehicles turn one way going into Tooky, he doesn't see that as a huge increase of traffic on the road. It's been suggested by the public in their written communications to the Warner and Hopkinton Planning Boards as well as statements at the public hearing that people have concerns about the use of that road by drivers who are unfamiliar with it. Chairman Frost said that his sense is that people who use the road, if they are going to this property to use a shooting range, are more likely to be familiar with the road, otherwise they wouldn't know to use that route.

The Planning Board discussed the traffic issue further and the fact that if a traffic study was done it's not clear what improvements would be made, that the site access and intersection of Warner Road with Rte. 103 both have good sight direction, and the only possible improvement might be to signalize the intersection which probably wouldn't be done for 200 cars.

**Noise/Nuisance** – Chairman Frost noted that Central NH contacted the city of Manchester's Planning and Community Development Department as he did and read from Central's document as follows: *The City of Manchester Planning and Community Development Department has advised that they had not had any noise issues with Manchester Firing Line Range at their current and previous locations. This facility is located in an industrial park, but is located near the edge of the park close to a residential neighborhood. No complaints have been received from the neighborhood nor have complaints been received from the nearby hotel. CNHRPS does not have the technical expertise to evaluate the Noise Impacts of the proposed indoor shooting range. An evaluation of the building's construction plans in regard to the suitability of noise management provisions should be undertaken prior to the issuance of any building permit for the proposed use.*

Chairman Frost said they board had received additional materials from the Alfano Law Office representing both MadgeTech and Rebecca Whitley. Within this is a review of the potential noise impact by Eric Thalheimer who has significant credentials in Noise Abatement and Evaluation. He noted it's a lot to digest and he doesn't believe anyone has read it other than himself in the half hour before the meeting. James Gaffney said as was discussed previously, what is an acceptable level and it's not there is going to be no sound. It's that the amount of sound will, at least with his observation in other locations, is so small that it's effectively background noise which would be interpreted differently.

Barbara Annis noted she had gone to the Manchester Firing Range as she had never been to indoor one. She stated she toured the building inside and out and could not hear any noise outside while she was standing close to the building.

Chairman Frost stated the board would need to take some time to digest the material that's been submitted this evening and he does want to direct the boards attention to Table 1 on page 4 of the Alfano Document which follows:.

**Table 1.  
Predicted Dragonfly Shooting Noise Levels**

Receptor No.	Receptor Location	Predicted Noise Levels, Lmax dBA fast			
		Pistol Range	Rifle Range	All Ranges	Back-ground
R-1	Common property line MadgeTech and Dragonfly	49	30	49	45
R-2	Nearest facade of MadgeTech's building	37	24	37	34
R-3	Warner Road to east of Dragonfly	37	24	37	41

Chairman Frost continued, utilizing this predictive model Mr. Thalheimer has indicated that both the pistol range and the rifle range within the proposed facility will be very similar to background noise. He noted there is a much more nuanced explanation which he encourages board members to read which may differentiate one from another, that is the pistol and rifle ranges from the background noise. Chairman Frost noted he was surprised at how low the decibel ratings are predicted to be based upon this model and concluded that he doesn't think the board can come to a conclusion tonight.

He asked the board if they feel the need to hire their own consultant to evaluate the material submitted by the Alfano office and the applicant. Selectman Dabuliewicz stated that at the last meeting Chairman Frost had stated the opportunity for public input had been closed and the public hearing was closed on April 17<sup>th</sup> and in addition to what they had just talked about, they received a lot of information from the public. He asked if the board is going to accept all that into the record.

Chairman Frost replied that he is prepared to but wants to put it to the board, that the public hearing was closed and they have continued to receive written correspondence from interested citizens who don't necessarily have standing but want to express their opinions. He noted they have asked for and received input from Central NH Regional Planning Commission and the town of Hopkinton but beyond that they have other materials. He said Selectman Dabuliewicz question is apt and he is prepared to accept that material but if the board feels otherwise he would entertain counter arguments. The board decided to establish finality to public input and agreed that as of tonight, there would be no more unsolicited input.

The board continued on the discussion of whether a noise consultant should be hired, that Chairman Frost had spoken with Eric Reuter an acoustical consultant who determined that for him to review the information and do a site visit would cost \$2,000, and that the board presently has only the report from an opposing viewpoints. Ken Millender said that for him it would be helpful to have a consultant's viewpoint. Selectman Dabuliewicz expressed concern that it's difficult to quantify the noise from firing arms and he's not sure if a standard could be established and what it should be.

Chairman Frost noted that is an excellent point and read from the Thalheimer report as follows: *It should be noted that there are currently no lawfully-enforceable noise restrictions (i.e. bylaws, ordinances) in the Town of Warner, New Hampshire.* The board discussed that the Site Plan Regulations say the board can consider noise. Barbara Annis said that Brown Avenue in Manchester was a lot noisier than standing outside the Manchester Firing Line building and she doesn't think a noise study is necessary. The board's consensus was that they did not need to hire an independent reviewer and they have the Thalheimer report which is rich with information.

**Toxic Material** – Chairman Frost noted that Central NH Regional said they do not have the technical expertise to evaluate the toxic waste management provisions and he questioned the use of the word “waste” as it has been Meeting Minutes 5/15/17 as approved Warner Planning Board on 6/19/17

demonstrated to them that the collected lead is not waste but scrap metal that will be recycled. Chairman Frost read their recommendation as follows: *It is suggested prior to the issuance of a building permit that an independent third party consultant, most likely an environmental engineering firm, be utilized to review and make recommendation on the suitability of the range's design to prevent nuisance impacts from noise, and to manage toxic materials. Further, a third party inspector should annually inspect the facility to insure the best management practices are being followed and the measures designed to protect employees and the public are being fully implemented. This could be made a condition of Planning Board approval and would allow for the cost to be borne by the applicant rather than the Town.*

Chairman Frost noted that again, we are faced with the recommendation to hire a third party consultant to review the lead management regime. He said that in today's submission from Attorney Alfano is a report from Tim Stone as well as an earlier report submitted April 17<sup>th</sup>. The upshot of the Stone Hill Report dated May 8<sup>th</sup> is that there are a series of questions and there is not sufficient information that has been presented for him to evaluate whether the measures proposed will adequately deal with the lead on the site. Chairman Frost said there are a number of useful recommendations there that the board may want to consider but as Ken pointed out with the noise/nuisance this is from the objecting abutter's point of view.

Chairman Frost asked the board if they wanted to hire an independent consultant engineering firm to evaluate the lead management on site. Barbara Annis said she would have no objection to it and it should be a limited, not expansive report. James Gaffney asked what Chairman Frost was proposing, to look at the collection of lead from the backstop of the range, of dust and the negative pressure of the HVAC system? Chairman Frost said that May 8<sup>th</sup> Tim Stone report and recommendation serve as a useful basis for someone else to help advise the board. It's in addition to for example, the HEPA wet vac collection, how do you remove the material from the wet vac and store it or removing the filters from the HVAC system so it's more how the systems will be maintained over time.

Ken Millender suggested making it a notice of the decision that the range have continued monitoring of their systems. Chairman Frost noted Ken Millender has a lot more expertise than other board members on this subject and how would he propose addressing the concerns raised in the report in the absence of a consultant. Ken replied that the applicant would need to have a consultant on board to prepare a waste management plan; the inspection at some frequency and it would be his expectation that would take care of it. Ben Inman stated he likes the idea of having a professional management plan but also likes the Ken Millender's idea of putting it on the applicant to address these concerns because going forward he will have to continuously do so. Selectman Dabuliewicz asked for the audiences benefit what Ken Millender's expertise is and Ken replied he is a licensed Geologist and a licensed Engineer and in his professional practice, the environmental part of it, he looks at issues like this, not lead or indoor gun ranges specifically but other types of environmental issues.

Chairman Frost noted we have a majority of board members wishing to hire out own consultant and stated we would need to:

1. Identify who the consultant will be
2. Establish an escrow paid by the applicant to fund that.

He then asked Ken Millender for a ballpark of what the study would cost and the board arrived at an amount of \$2500.00. Chairman Frost said the clock is ticking on this application; we have a 65 day window in which to make a decision unless we seek an extension from the Board of Selectmen or the applicant agrees to extend it. That puts us in mid-June so we have the next month in which to wrap up our review of the application which I think is adequate time for someone to make recommendations to us. Barbara Annis mentioned that we could go ahead and have the study done but there is also a court case coming up in June and if it goes against the applicant.... Selectman Dabuliewicz said that according to his calculations the 65 days would be up June 21<sup>st</sup> and the hearing isn't until June 26<sup>th</sup>.

Chairman Frost explained as a point of reference, the court issue is regarding the appeal of the ZBAs decision on the special exception which is a separate matter. The board determined that the proposed June meeting is on June 5<sup>th</sup> and the work session would be June 19<sup>th</sup> which is within 65 days. Chairman Frost said they don't need a motion on this but proposed that the board ask the applicant to establish an escrow which will be a check payable to the town in the amount of \$2500 which will be put on the Planning Boards separate account and the chair will work with Ken to identify a suitable consultant firm to review the Stone Reports and other relevant materials in this application related to the question of lead management on site.

Steve Henninger from Central Regional Planning Commission was in attendance and made a few comments to the board: Regarding traffic, for the amount of controversy associated with the project it would be nice to look at real numbers as close to this application as possible in case there it's challenged. Personally, I don't feel its location and size of the facility going to have severe traffic impacts. It's always better to be safe in these circumstances. The amount of traffic from the facility will be constrained by the number of shooting lanes. You would expect longer trip lengths, being so close to the interstate, would tend to capture a lot of those trip lengths but you can account for that.

In regard to the noise issue, noise is a problem with outdoor shooting ranges. I have been working with the town of Canterbury and they have concerns and have sort of realized they have to live with it. A lot of indoor shooting ranges actually have people on the other side of the wall working and have to deal with noise and sound issues. It seems like they should be able to deal with the construction plans appropriately to deal with the lead contamination, other air quality issues and the noise. It's the question of having somebody look at the design plans and have somebody say it works and then inspect the construction.

The stuff you see in the literature about problems with ranges is often because they were built before standards or they ignored them and did what they wanted. The idea with the inspection for both the noise and the lead is to provide a means to provide a local way to check on it because the federal government has done three inspections in NH at these facilities in the last decade. They're not inspecting them very routinely. However, they can't operate, for example the Manchester facility when it was first inspected had a number of violations. It was re-inspected six months later and no violations.

Chairman Frost said he believes that was at their old facility, not the new one.

Steve Henninger continued: That was one of the three inspections in the state which was sometime in the last decade. We don't have a really robust state inspection system like many states have so we're kind of caught in an unusual circumstance in the state of NH.

Barbara Annis asked Steve, having been to the Manchester Firing place she spoke to two of the supervisors down there. They made the comment that ATF comes in and does an audit annually plus they come in unannounced.

**Input from the Town of Hopkinton** - Chairman Frost noted the board had received documents dated May 12<sup>th</sup> and there was a letter from Jim O'Brien chair of the Hopkinton Select Board and supplementing that is a letter from Hopkinton School District to Mr. O'Brien as well as the minutes from May 8<sup>th</sup> and May 11<sup>th</sup> Hopkinton Select Board meetings and 67 pages of written input from residents, primarily if not exclusively from Hopkinton.

Chairman Frost read the recommendations from Hopkinton Select Board as follows:

- 1. Please consider safety and lead contamination abatement issues to assure that federal, state, local, and facility containment and abatement procedures and operating policies are being followed. If you are satisfied with the safety and lead containment and abatement procedures in the application, consider giving conditional approval subject to periodic compliance audits for both lead and overall safety in the facility.*

2. *Please consider whether the security measures proposed by Dragonfly Holdings are sufficient both during business hours and when the building is not staffed to assure the safety of patrons, staff and the community.*
3. *Please consider providing both the Warner Police and Fire Departments with notice regarding this application and request their input regarding all aspects of the application.*
4. *Please consider obtaining a professional traffic study for the area of the proposed project which takes into account the potential impacts to the diversity of users of Kearsarge Avenue/Warner Road.*
5. *Please consider obtaining a professional study on any potential impact to residential home values in Hopkinton.*
6. *We would appreciate you reviewing the attached letter from the Hopkinton School District outlining their concern about the proposed project.*

Chairman Frost said he felt the number 1 was pretty well covered at this time, that the board has already done number 3, and that number 4 has been addressed. He noted number 6 referred to the letter from the Hopkinton School District which is as follows:

*May 5, 2017*

*Hopkinton Board of Selectman  
Mr. James O'Brien, Chair  
330 Main Street  
Hopkinton, NH 03229*

*Dear Mr. O'Brien:*

*Thank you for your continued service and advocacy for the Hopkinton Community. On Tuesday, May 2, the Hopkinton School Board requested that a letter be written articulating the concerns raised by the development of the Dragonfly Gun Range on the Hopkinton school community. In preparation for this letter, discussions have taken place with district and building level administration, including the middle and high school athletic director. In addition, multiple emails and phone calls have been received from concerned community members.*

*One concern is simply increased traffic. The range will sit on a defined training route for the Hopkinton Middle and High Schools Cross Country, Nordic Skiing, and Track programs. Increased traffic increases risk.*

*Fundamentally, the Hopkinton School District's mission of Above All, Care supports every member of the school community feeling safe, comfortable, and productive in school. The existence of a gun range in close proximity to Hopkinton Middle and High Schools impacts the students and faculty sense of security. Members of the school community feeling safe is the paramount concern.*

*Thank you for your support, leadership, and care.*

*Respectfully submitted,*

*Steven M. Chamberlin  
Superintendent of Schools*

Chairman Frost stated their concerns are the close proximity which is approximately 2 miles away and the increased traffic. He said we have addressed and continue to work on the lead issue. Security measures

which also resonate in the school district letter, we have a communication from town counsel that addresses this issue which is the Statute RSA 664:13 regarding discharge of firearms. He continued, the statute refers to a compact area, city or town and as characterized to him in an email by the town's legal counsel, Bart Mayer, this is something like a building permit. It's not really the domain of the Planning Board but rather something more appropriately addressed by the Board of Selectmen and/or the Chief of Police.

Chairman Frost said it is a poorly written statute and there is some ambiguity as to whether a property owner can give permission for discharge and the question is, which property owner which is not clear as it mentions a building within 300 ft.' The suggestion is that is not really within the Planning Boards jurisdiction. Chairman Frost asked for the boards thoughts on safety.

James Gaffney questioned if there was a safety issue and he had looked at Manchester and Hudson gun ranges which had no problems and noted it is a self-contained facility. Chairman Frost said he has not heard any concerns from officials or from any interested citizens about bullets flying out of the building. It has never been raised and the concern seems to be the presence of firearms on the property and in the vicinity.

The board discussed the safety issue, that this is not that different from most towns in NH, that the issue is there would be a concentration of firearms at this site, and that Manchester Firing Lines is 1500' from a High School and near manufacturing and parks. Barbara Annis said she agrees with James and that she went down on a Sunday morning and right across the street was a Little League baseball game going on. James noted that in Newport there is a large firearm manufacturing facility, an outdoor firing range not far from that and a gun shop and as you drive past the high school Ruger is a sponsor of their programs and he is struggling to find something to add substance to the concerns.

Selectman Dabuliewicz said that he thinks the letter from the School Board addresses people's concerns which are not something the board is going to be able to quantify. You can look at quality and it seems that a lot of feedback we have gotten from citizens is around the issue of their sense of what Warner is. Those are issues the Zoning Board was to consider, not the Planning Board.

Chairman Frost said, to that point, the Zoning Ordinance and in this case the Zoning Ordinance with the Zoning Board of Adjustment, determined what is the use of the property, a special exception has been granted and we understand it has been appealed. It's been suggested to us that because of the appeal we should not be considering this application and that in his view is a misreading of the law. Rather, until such time as the ZBAs decision is overturned by a court of competent jurisdiction, it stands. That is the use of the property that is permitted. This board does not deal with the "what" of the property but the "how", how is that use to be deployed on the property. We do look beyond the properties boundary's for impacts but the fact is this is a permitted use of the property based on the special exception granted by the ZBA.

Chairman Frost said he understands people's concerns about safety and the fears of gun violence. He has two members of his family who have been victims of gun violence, one was murdered and the other was held up with a sawed off shotgun. I do not conflate those two instances with the general population of gun owners and users and believe that most are responsible and respectful and believe that the people who would frequent such a facility as is proposed, are in all likelihood going to be the ones who are responsible gun users and owners. I do not feel a sense of fear from this use based upon the representations we have had made to us by the applicant.

The Hopkinton Select Board letters recommendation to do a home value study was brought forth for discussion. It was stated that is a very broad request and the board may not be able to come up with anything that would be of any use. Chairman Frost said he knows within the compendium we have received today from Alfano Law Offices, there is a letter from Steve Brown in Tab F in which he talks about the potential

impact of a gun range on property values. He, as have many others who have submitted written commentary, talks about an article that appears on Realtor.com which is the National Association of Realtors website. The article states that property values are on average 3.7% lower in towns where a gun range is present. James Gaffney said as he recalls it talks about an outdoor gun range and we're talking about two different things in indoor and outdoor ranges. He suggested having Mr. Brown distinguish between the two in his letter as it doesn't to which Chairman Frost agreed and continued that he has read the article and it was particularly frustrating because to him it exhibits, a very poor statistical methodology which looks at certain land uses which associates them with being in a zip code, there is a certain lower property valuation relative to the county. Chairman Frost said you are looking at Hopkinton or Warner as a zip code; let's say a shooting range is in Warner, you can expect the property values to be 3.7% lower than those of Merrimack County as a whole. He continued, I think that the problem there is this is mere correlation and correlation is not causation. There's not a suggestion that the establishment of a shooting range causes property values to decline. They simply are what they are. In addition, some other examples include funeral parlors and cemeteries. A funeral parlor is associated with something like a 6% difference in property values and cemeteries with a 12% value so according to this article you should get rid of your cemeteries which I don't think anyone is going to be doing anytime soon.

Chairman Frost stated he does not believe the board has been presented any credible evidence that suggests there will be an impact on property values. There may be, it may go up and it may go down but we have no credible evidence to suggest that. That said, the request is whether we should obtain a professional study to do that. Is the board included to do that? None of the board members felt this study was needed.

Chairman Frost said we are at the end of the Hopkinton Select Boards letter and he encouraged the board to read the many comments that were submitted to them as well as the board's minutes. He noted the Chairman of the Hopkinton Planning Board is present and asked if he had any comments.

Mr. Bruce Ellsworth spoke and said he was only there as a messenger, that the Hopkinton Select Board met the same time that the Warner Planning Board does and they asked him to be the carrier of information which he welcomed. He stated if they had anything the board wanted him to carry back to Hopkinton he would be glad to do so and other than that had nothing further to add to the report the board already has. Chairman Frost asked for any questions or comments for Mr. Ellsworth and there were none. Chairman Frost thanked the Hopkinton Select Board for their excellent response to the development of regional impact which had been made to them.

Chairman Frost noted the board was done with the review of the Hopkinton and Central NH Regional Planning submissions and there is a lot more material to digest. He said for his part, he feels the need to go back through again all of the minutes and all of the comments to identify any further issues we have not addressed. He said we can continue this to June 5<sup>th</sup> and take it up then or we could continue it to June 19<sup>th</sup> when we expect to have results of independent review. The board agreed it would be prudent to continue to June 5<sup>th</sup>.

Barbara Annis brought forth a site walk and she had the opportunity to go down and look at the flags outlining the proposed gun range building. She wanted to know if any other board members had been down and what were their opinions. Chairman Frost said he had been there and the flags were where he expected them to be. Barbara said she had been three times and went in 25' from the abutting property line and looked out so she could visualize where MadgeTech is. She saw the picnic tables and the landscaping as well as a wet area and was pleased to see that the majority of the buildings and the parking area was going to be towards Rte. 103 and away from where the house is. Chairman Frost encouraged other board members to visit the site to get a sense of the location of the buildings.

There was no further discussion and Chairman Frost stated we will continue this to our meeting on June 5<sup>th</sup>.

An audience member spoke and said she thought they were going to have an opportunity to provide comment. Chairman Frost said as he said before tonight is the end of receiving written comment, the public hearing was on April 17<sup>th</sup> and we are not continuing that hearing and offered to talk off line. The audience member said they had been told that this meeting tonight was for the town of Warner to invite people to come and share their views. Chairman Frost stated the Warner Planning Board only asked for the town of Hopkinton in its official capacity as a town government and the Central NH Regional Planning Commission. It was decided that written testimony could be submitted until noon on Tuesday May 16<sup>th</sup>.

At this point the board recessed for 10 minute and the meeting continued at 8:32.

## **5. COMMUNICATIONS AND MISCELLANEOUS**

**Chairman's Report** – Chairman Frost said they have the letter in support of the Warner River nomination which he sent to Ken and Peter and they have worked on a final. That will be emailed to the Land Use Office to be sent to Nancy Martin. He also mentioned the letter in support of the By-Ways extension was done and sent to Selectman Clyde Carson who would take care of it.

**Compliance Reviews** – There were none.

**Secretary's report on Land Use Application Submittals** – No new submittals.

**Selectman's Representative Report** – Chairman Dabuliewicz stated the Odd Fellows Building was still under negotiations. They had a report from the Economic Development Advisory Committee and they are going to expand the size of the committee.

## **6. PUBLIC COMMENT**

Ed Mical thanked the board for speaking up tonight and asked them to keep it up He asked about the Master Plan and what is happening with that. Chairman Frost said there is a meeting on the 27<sup>th</sup> at 10:00 a.m. at Schoodacs Coffee Shop and after discussion the time was changed to 9:00 a.m. Chairman Frost said they will probably be wrapping up the transportation chapter.

## **7. ADJOURN**

Chairman Frost declared the meeting adjourned at 8:40 p.m.