

TOWN OF WARNER PLANNING BOARD

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APPROVED MEETING MINUTES Monday, October 23, 2017 7:00 PM Warner Town Hall 5 East Main St. Warner NH 03278

1. OPEN MEETING

Vice-Chairman, Barbara Annis would be Chairing the Monday, October 23, 2017 Meeting of the Warner Planning Board in the absence of Ben Frost. Chairman Annis opened the meeting at 7:00 PM.

2. ROLL CALL

Roll Call taken by Martha Mical, Acting Planning Board Secretary.

Members Present: Peter Anderson James Gaffney Ken Milender
Barbara Annis Don Hall
John Dabuliewicz

Members Absent: Ben Frost, Ben Inman

Chairman asked James Gaffney to step in for Mr. Frost. Mr. Gaffney accepted.

3. APPROVAL OF MINUTES

After Board review of the October 2, 2017 draft minutes, changes as follow were presented:

Include John Dabuliewicz as "Present" at the meeting; correction to the spelling of "Pellettieri" throughout; Page 6, paragraph 5, change to read, "...he is not *'sure of the effect'* if someone does not follow the recommendations"; next paragraph, word change to "cognizant".

Motion by John Dabuliewicz to Approve the October 2, 2017 Warner Planning Board Meeting Minutes as Amended. Second by Don Hall. Hearing no discussion, Chairman called for a Vote. Voice Vote. All in Favor.

Motion Carried.

4. PUBLIC HEARING

a. Capital Improvement Program

Peter Anderson presented: Members received the Capital Improvements Program (CIP) documents prior to this meeting, the first page summary lists the 2018 amount asked for, the amount in the Capital Reserve Fund (CRF), the total cost of the project; second page lists the amount in the CRF on September 17, 2017 and what the estimated total amount in the funds will be on December 15, 2018 (not including interest), third page is the 2016 CIP form, it was included due to having no access to Land Use computer to update the form for 2017, last section of the CIP includes all the request forms from the departments as they were submitted, if approved then the CIP will be reviewed by the Budget Committee at the November 2, 2017 Budget Meeting.

John Dabuliewicz had a question on the summary sheet. He used Bridge Repair, Department of Public Works, as an example and read each column. Mr. Anderson explained that the last column is the total cost of the projects over a number of years. Mr. Dabuliewicz said the last column could be clearer by heading it as Mr. Anderson just explained.

Chairman said, "For the record, the Public Hearing for the Capital Improvement Program is now Open."

Chairman asked why, under the Selectboard, it said, "Complete Streets". Mr. Anderson said the Selectboard submitted a request for it and there is an explanation in their submittal. Chairman said that should be under Highway Department not

Board of Selectmen, Complete Streets is “designing of streets” for a combination and variety of transportation such as walking, driving, riding, etc.... And should be under the Selectmen.

James Gaffney said there have been discussion in the past about Completes Streets, it is a “concept” and not “specifics”, that is really the issue people have had with this in the past, it does not lay out in specifics as to what is going to be followed, it refers to a nebulous, changing, broad concept, without specifics it is difficult to draw a conclusion to the costs that are being outlined and what is actually being proposed.

Mr. Anderson said this particular request is for a bicycle path and pedestrian walking access along the area where I-89 comes into the Exit 9 area of Warner. Mr. Dabuliewicz added, “to the village” and Mr. Anderson agreed.

Mr. Gaffney said he would personally like to see more specifics, for example: width of the bike path, marked and from point A-B. Chairman said she understands what Mr. Gaffney is saying but it is the terminology, “Complete Streets” is different than.... Mr. Anderson interrupted to say the term ‘Complete Streets’ is used in quotation marks, “for what that is worth.”

Martha Mical asked if it was the Selectman’s intention to address the one section that has been discussed several times - from the old Graded School to Market Basket or if approved, is the town accepting the concept of Complete Streets. Mr. Dabuliewicz said this is a project of focus for Selectmen Clyde Carson and he recalled the discussion included that the town needed to start a Capital Reserve Fund for “match money”, so that if the town was going to do a project like building sidewalks between the Old Graded School and Market Basket, the money could go toward it. He said the CIP does not bind the town to a specific project or use of the funds. He said the sidewalks was the only project the board discussed that would fall under the Complete Streets program and said a reason stated for starting a CRF is to have funds ready for when the time came to take advantage of matching funds from another source for a town project. Chairman explained Complete Streets covered a multitude of projects and Mr. Dabuliewicz said it was an “Umbrella” term with many uses under it.

Michael Simon asked for clarification on the amount in the third column of the Summary Sheet. It was explained that the amount requested at Town Meeting, if approved, would be added to the first column to equal the third column amount as of December 2018.

Don Hall said there may be reluctance to state the exact project that is requested knowing that there are other requests that come up at Town Meeting that will overshadow it. He said Mr. Anderson may want to tell the board his experience with the different approach he took to do this year’s CIP. Mr. Anderson said every year he has tried to make the process simpler and believes he has succeeded. He said the last column on the Summary Sheet, the total cost for the project, has raised questions with some people. Mr. Hall said “It’s right there” the bottom line total of the last column. Mr. Anderson said that total could change and talked about the yearly amount requested for a project versus the project’s actual cost. He said if the summary was not clear then the original department requests were attached and could be referred to for more information.

Mr. Hall said the original CIP was designated for things needed in the Town, every year someone comes through with a “new idea to spend money”, it is an area where there needs to be caution, when reviewing the overall budget and adding up numbers things can be very “disturbing”. Mr. Anderson said he thought that was the job of the Budget Committee. Mr. Hall said it is but the CIP is reviewed by the Planning Board as a “first screening” and although not opposed to it, he is being cautious. Mr. Anderson said he shared Mr. Halls sentiments but said it is the job of the Planning Board to collect the information and “nothing more”. Mr. Hall agreed and said that in each year a new “project” comes in so everyone just needs to be cautious.

Chairman said she had questions about the GIS system. (Page 12 - the request) How much duplication will there be? She said the information has to go from the Assessor or Assessing Clerk into the GIS system, will the employee of the company transfer the information because the employee of town will also have to have that information to come up with the final evaluation of the Town. Mr. Anderson responded that he did not think there would be duplication and that he thought the GIS company will do what they have to do without interfering with the town employees.

Chairman said the Assessor goes out, comes back to the office, computes what was viewed, the Assessing Clerk enters the information into the computer, adds all the changes and calculates the evaluation of the Town and the GIS would only do individual updates. Mr. Anderson said the GIS people would probably use the work of the Assessing Clerk and enter it into the system.

Martha Mical said the Town has had a GIS system before. She said the Conservation Commission paid \$10,000 for the system, it was installed at a computer at the library, it was not maintained and when the computer was replaced, the GIS was

not uninstalled. She said she believed GIS would create the program for Warner by going to the Registry of Deeds for the acreage and boundaries for the Town. She said the other option is to digitize the tax maps although it is not as accurate.

Mr. Anderson said in 2009 what the Town paid for included property lines, roads and some water features and text limited to some roads and water features, it was not the complete picture. Ms. Mical said it showed the complete picture of the property lots. Mr. Anderson said that was it and nothing else was provided about the lot.

Mr. Gaffney asked what was being proposed. Mr. Anderson said it is a renewal, an update and completing the job. Mr. Gaffney then asked if it will be a “non-editable” view of the town - roads, property lines, water features - because his concern is that more than one person could edit the information. Mr. Anderson said he did not think editing would be an issue, his understanding was that the system is used by people viewing properties. He said the Economic Development Advisory Committee has a strong interest in this because the committee is trying to develop properties in Town. He answered Mr. Gaffney by saying it was his understanding was that there was no personal information listed, only roads, property lines, map and lot numbers.

Chairman said there is also an annual upkeep cost of \$2400 and Mr. Anderson agreed.

Ms. Mical asked about using Google Earth, it is free, it is updated all the time, as the Assessing Clerk she uses it and can see if a property has external changes like an addition. Mr. Anderson said Google Earth provides a picture and the GIS will give other information.

Ken Milender said Google Earth is good but it does not have information like parcel numbers or property values. He said the GIS is meant to be a tool for potential developers who are far away, who can stay in their offices and “dial in” and who may use Google Earth as an initial screening but immediately after that they will want parcel information which is what this system would allow them to have.

Mr. Dabuliewicz pointed out that the email on page 12 includes much of what the board is discussing. He read:

In order to have updated tax maps in GIS data, two separate sets of data must be maintained. We recommend that all the tax maps texts be converted and included within the GIS data base and those data be formatted to allow for printing the tax maps directly from the GIS. Doing so will insure that as the tax maps are maintained by the Town so are the GIS data. This is also very important as you move forward with GIS development because it insures everyone is using current data.”

He went on to say the email talks about the Town budgeting \$7500 for the one time effort and \$2400 to keep the data up to date every year. Then he continued reading:

“Please keep in mind that since we do not maintain your tax maps, we don’t know if your tax maps have been kept up to date. If they have not, incorporating the changes that have occurred since the last GIS text update was done, can be completed as part of the text conversion for the above stated budget. We also discussed how the Town might utilize the GIS. We recommend the Town take advantage of Axis 3 (??) just as other towns have done. The services links the GIS map data to your assessment data and serves it via the web. Access to the internet is the only requirement for this service. It provides simple to use tools to query and browse, report and print from the GIS data. Further, overlaying data such as floodplain wetlands, etc is a simple click on the site. The Service allows for linking documents such as tax cards to the parcels – “Those would have identifying information”, said Mr. Dabuliewicz - “there by making the information available to the general public from their homes or offices.”

Mr. Dabuliewicz summarized saying the company is proposing that ultimately the system could call up all the property information but the Town has to provide the updates to the information, the company does not do that, they do not go to the Registry of Deeds. Ms. Mical said the Town updates the Tax Maps every year so that is not an issue. She said the real issue is that the voters have said they do not want their assessment cards on-line and if the Selectmen are going to proceed with the GIS system then she would suggest taking the question to Town Meeting and asking the voters if this is something they want.

Mr. Gaffney said the email does not address the issue that he has been raising all along and if the Town does proceed then the company will have to enumerate “who is going to own this”, where will the data be stored, the town will have to determine if it has the infrastructure to protect this information because if it is sitting on someone’s computer in Town Hall behind a firewall no one maintains, the consequences of this information being changed is very significant. He said there is potentially personal information and as Martha has stated, at last Town Meeting voters said they do not want their personal information on line. He said he feels the intended scope needs to be better enumerated as well as adding controls to protect peoples information.

Mr. Dabuliewicz said he thinks from the proposal, the company will be maintaining this not the Town. Mr. Gaffney said that is “just as bad” and all the same questions apply. Mr. Dabuliewicz agreed. Mr. Gaffney said he has not seen anything so far that addressed any of the concerns he has stated.

Chairman called for but did not hear any other comments on the GIS system. She said she agrees with the updating of the current website to be more convenient and “friendlier”. She asked for any other comments.

Mr. Anderson said he was not defending any submission - he is only presenting the CIP. He said he disagreed with addressing one proposal when no one present had the answers and if members had questions they should go to the source to ask and get answers. Members said their comments were not directed at him personally.

Chairman asked if it was up to the board to accept the entire CIP or parts of it or recommend it be forwarded to the Budget Committee and the Board of Selectmen. Mr. Anderson said it goes to the Budget Committee next, on November 2.

b. Close Public Hearing and Re-Open Meeting

Asking for and hearing no further comments, Chairman closed the Public Hearing and re-opened the meeting.

c. Approve/Deny/Continue Meeting

Hearing no Comments, Chairman asked for a Motion to forward the CIP to the Budget Committee.

Motion made by James Gaffney: To forward the 2018-2023 Capital Improvement Program as presented to the Planning Board to the Budget Committee with copies of Approved Planning Board meeting minutes from October 2 and 23, 2017 with discussion. Second by Don Hall.

Chairman called for discussion. Hearing none, a Voice Vote was called.

All in Favor. Motion Carried.

5. WORK TASKS

a. Changes to the Zoning Board of Adjustment Regulations

Chairman said she spoke to and asked Chairman Ben Frost if he had any recommendations and he said he did not. She said members received copies of a letter from the ZBA Chairman, Rick Davies, dated July 5, 2017 (letter on file) in regards to recommended changes to zoning ordinances. She asked for members comments.

In the absence of Chairman Ben Frost and no comments from members, Chairman Annis recommended putting this item on the next Planning Board Meeting Agenda, November 6, 2017, and moving forward to discuss the next item with the Director of Public Works, Tim Allen, who is present.

b. Driveway Regulations

The Driveway Regulations from the towns of Hopkinton and New London and Warner’s Application for a Driveway Permit were before the board for review while Tim Allen, Director of Public Works (DPW) explained what he would modify and include in Driveway Regulations for Warner. Chairman said since the board was seeing these for the first time tonight they would not be making any decisions on them at this meeting.

Mr. Allen said he tried to present 2 very different sets of Regulations as a comparison for the board. He said Hopkinton regulations are closer to what he was told to follow when he became Warner’s DPW. Some of the Hopkinton regulations that he would change for Warner are: Driveways should be placed no closer than 50 (not 40) feet to street intersections; culverts within the road right of way should be 12 (not 15) inches because 15 inches is too large in many areas of Warner; where the driveway attaches to the paved road there should be a minimum pitch of 3 inches pitched away from the existing hot top road 4 feet, the maximum width of a hot top ramp should be 20 feet but he has told some residents that it can not be wider than 25 feet, driveways should be 10 (not 5) feet from a property line for proper drainage, minimum width where it comes through the right of way should be 15 (not 12) feet.

Mr. Allen said: Paved aprons – constructing a new driveway to a paved road – originally he believed it should have a paved apron back to the edge of the right of way so that once whatever is determined to take care of the drainage (culvert, swail, etc) is done then it is “done”, it should be paved so it is permanent, when a resident comes off their driveway into the Town’s right of way they are coming onto pavement, that makes the edge of the Town’s road more permanent, less chance of vehicles breaking off the hot top, etc.....

Mr. Allen said he liked that both towns list the responsibilities of the property owner and some of the regulations on the Application for a Driveway Permit, Warner's application is very basic, he knows what he is looking for but it is not explained on the application, New London's regulations cover from the edge of the right of way/the road to the end of the residents driveway – wherever that may be, the town has jurisdiction of what happens on the other side of the right of way to the residents building, he does not think Warner needs to go to that extent but he thinks Warner should suggest what is necessary for a proper driveway up to the building but he does not think it should be part of the requirements or become something that the Town needs to police. Mr. Allen said he believes his responsibilities are *from* the right of way *into* the right of way, however, the Town should include in the regulations suggestions on how property owners can build a driveway to allow fire and safety vehicles and equipment access to get to the residence.

When asked by James Gaffney if he has had issues with aprons or culverts that he has had to address, Mr. Allen said his biggest concern with the apron is that there are no current requirements of a resident who wants to pave their driveway – he has 5 or 6 locations in town where he must be careful of the snow removal because of the way the plow blade hits the non-paved area, if it is damaged then it will cost the town to repair it, what he would like to do is have anyone building a new driveway or paving an existing driveway get a permit so that the driveway into the right of way is built correctly, one reason for the apron – “and it may sound ridiculous for those on dirt roads to bring the driveway down to the apron” –is that if the drainage was taken care of, then if or when they decide to pave, the pavement can be brought down to the apron, the town does not have to worry about damaging it if the apron is made properly. He believes this is a long term benefit for the town.

Mr. Gaffney asked if Mr. Allen's intent was for new applications or for repairs. Mr. Allen said it would be good if he was contacted before someone paved their driveway so he could look at the driveway and be sure it is graded properly to avoid future issues.

Mr. Dabuliewicz stated that he wanted clarification and read: “Ramp” is defined as that portion of a driveway located between the point of tangency and the property line”. He said, “Point of tangency” is defined “as the point at which the curb radius ends and the ramp begins”. He asked what that meant. Mr. Allen used the example of a development with a curved road and someone wants to put a driveway in on the main street, sometimes the curve would curve into the driveway and slope down, if the curved radius comes down and ramps up then from that point. He said if the grade changes up to the edge of the right of way - he believes that is what is referred to as the “ramp”. He said some driveways are curved to keep the drainage in the roads and basins and to wherever it is the drainage is dedicated to go, so if a driveway cut is made on that street, sometimes the curb/granite is curved around the hot top and tapered down to nothing, back 4 or 5 feet. He said he believes the ramp is from that point to the edge of the right of way.

Mr. Dabuliewicz asked about the apron and if it is correct that the way the regulations are written if someone is constructing or re-constructing a driveway, regardless of if it is on a paved or non-paved road, it would have to have a paved apron. Mr. Allen said that is the way it is written but it is debatable, most driveways on an unpaved road either come to the end of the property line or stop half way between the property and the gravel road, he said it could probably pertain to hot top roads only but he would still like to see a permit required for paving a driveway.

Mr. Dabuliewicz said Hopkinton's Regulations do not differentiate between “paved or non paved” streets. Mr. Allen said he thinks the apron should pertain to paved roads and that is how it is written now.

Chairman asked the difference between an “apron” and a “ramp” and since the terms seem to be used interchangeably it would be easier to choose and use one term consistently. Mr. Allen said there is very little difference but an apron is a short distance, he visualizes a ramp either headed down or to the road, a certain length that is needed to control the drainage, for example, if the driveway grade was 3 feet higher at the property line then there would have to be a ramp down and then back up to an apron on the road to control the drainage from going onto the road, so that is why an apron is 3 feet wide and a ramp could be any number of feet long. Chairman asked if the definition of “apron” could be added so that the public understands the term. Mr. Allen agreed.

Chairman said it is stated that the maximum width of a ramp is 25 feet but that does not seem wide enough for a shared driveway and there is nothing that addresses “shared” driveways. Mr. Allen agreed. He continued on to say that if a driveway is 20 feet wide as it comes through the right of way it needs to be flared out at the base of the pavement, the flare should be no more than 25 feet wide even if it is a shared driveway, especially at the apron - at the approach where it comes through the right of way – he did not think it needed to be wider than 25 feet.

Don Hall said Mr. Allen has given the board a “great example” of what he envisions and what he would like to see. Mr. Hall said he believes it is within Mr. Allen's capacity as DPW to present regulations that he is comfortable with.

James Gaffney said he liked that in New London the regulation references the authority it is based on. Mr. Allen said New London has a lot of regulations compared to the Hopkinton regulations that “cover the basics” but do not make things a requirement. He said between the driveway regulations the Town arrives at and revising the Application for a Driveway Permit he would like to make the process as simple and self-explanatory as possible, have the specifications listed on the application, provide a packet to the resident, have the Town stay aware of the driveway progress because he thinks it is getting into a different territory by policing what happens on the public way.

Mr. Gaffney asked if it would be beneficial to include an example in the regulations that anyone applying for a driveway permit to refer to. Mr. Allen said that may be helpful to a homeowner but 80% of the time it is a contractor applying and the permit process is very basic. He said it is a matter knowing that it is being done, and going back to see that it was built the way it was discussed.

Michael Simon supported Mr. Allen’s suggestion to include an outline of expectations saying that it is important for the homeowner to have that information.

Calling for and hearing no further comments, Chairman asked Mr. Allen if he was approving of the Land Use Secretary retyping the regulations as he has submitted them, double space for comments and have copies for the next Planning Board meeting, November 6, 2017. Mr. Allen said that was fine and Acting Planning Secretary said she would try to have it ready but it may not be until the meeting after the 6th.

Chairman and the board thanked Mr. Allen for his time presenting and his efforts on the regulations.

6. SUB-COMMITTEE REPORTS

None

7. COMMUNICATIONS

a. November TAC Committee Canceled.

b. John Dabuliewicz, Selectman’s Representative, said the Board of Selectmen will be Approving the hiring of Diane Riccardelli as the new Land Use Secretary at the Tuesday, October 24, 2017 meeting.

8. ADJOURN

Calling for but hearing no further comments, Chairman made a Motion to Adjourn.

Meeting Adjourned at 8:05 PM

Respectfully submitted,

Judith A. Newman-Rogers
Acting Recording Secretary