

**MEETING MINUTES**  
**TOWN OF WARNER PLANNING BOARD**

**MONDAY, January 22, 2018**

**7:00 PM**

**WARNER TOWN HALL - LOWER MEETING ROOM**  
**5 East Main Street, Warner, NH 03278**

- **OPEN MEETING**

- **Roll Call**

Peter Anderson      Don Hall      Barbara Annis      Chairman Ben Frost  
James Gaffney      Ken Milender  
Clyde Carson Selectman representative sitting in for John Dabuliewicz  
James Gaffney will vote in place of Ben Inman who is absent.

- **APPROVAL OF MINUTES**

- December 18 , 2017

Diane has reduced the number of minutes. Page 4. Half way down. The dissenting in two places.  
Ben Frost: Question under public comments. Remove the "It only took 15 years to get here."  
Clyde brought up on Peter's behalf...should be John Dabuliewicz:  
JG should be James Gaffney.

**Motion:** to Approve as amended. **Barbara Annis.**

**Second:** **by Peter Anderson**

**DECISION:** **Approved,** unanimously, minutes of December 18, 2017

- **NEW BUSINESS**

- 1. PUBLIC HEARING OF APPLICATION FOR SITE PLAN REVIEW**

Property Owner: **CK Realty Warner, LLC**  
Property Address: 717 E Route 103, Warner, NH 03278  
Address: PO Box 837, Warner, NH 03278  
Business Owner: Kevin Cyr  
Map: 03 Lot: 051-1  
Purpose: Addition to 3 sided shed

Abutter list and check list are complete.

Cyr Lumber is requesting to add 60 feet to an existing 100 foot shed. The building pre-dates the site plan regulations. Site plans go back to 1982. We don't have an approved site plan on file.

PB MM 1-22-2018 meeting approved

Building will be 178 feet to the northerly property line. The new structure is approximately 60 feet closer to the property line than before. There are no changes to traffic. People will be able to load their lumber more easily.

**Motion:** to **APPROVE** the application by **Barbara Annis**.  
**Second:** by **Clyde Carson**.

**DECISION:** **Approved unanimously**.  
The next step for Kevin McKay is to get a building permit.

**1. PUBLIC HEARING OF APPLICATION FOR SITE PLAN REVIEW**

Property Owner: **McDonald's Corporation**  
Property Address: 4 Nichols Mill Lane, Warner, NH 03278  
Address: 690 Canton Street, Westwood, MA 02090  
Business Owner: **McDonald's USA, LLC**  
Agent name: **Bohler Engineering - Mark Wixted**  
Purpose: Remodeling of existing structure, modification to site plan  
Map 14: Lot: 7-1

McDonald's is rehabbing most of their stores. Wants to fix all their ADA issues.

Checklist is complete as reviewed by the board.

**Motion:** to accept the **Application for a Site Plan** Review by **Ken Milender**.  
**Second:** by **Peter Anderson**  
**Decision:** **Approved, unanimously, to accept the application for Site Plan Review.**

**OPEN THE PUBLIC HEARING.**

Discussion:

Board members had many questions/comments, including:  
There is a flood plain on Steve's brook that will need that to be corrected.  
How will this impact traffic flow and is it possible to have more signage to help with traffic?  
How will the exit line up with the liquor store?  
Does McDonald's have alternate styles? Warner has a country look and atmosphere that we would like McDonald's to keep with that image.  
How will the lights look coming off a flat roof? Will there be any changes to the lighting in the parking lot? What types of bulbs will be used?  
Please consider the walking paths around McDonalds and to/from Market Basket.  
Will there be any change to the hours of operation?  
Check on drainage, and to where the snow is plowed in the back lot.

PB MM 1-22-2018 meeting approved

The plans presented are different from the picture presented. The board would like to know what they are approving. Also, Pattee road is mentioned in the deed but it does not exist.

Consideration should be paid to the walking paths around McDonalds and to/from Market Basket. McDonald's should look at our Zoning Ordinance, specifically the Interval Overlay District (INT), adopted in 2005, 15 years after McDonald's was approved.

The board found the plans very difficult to read, nearly impossible. The board expects to be able to read the notes in an 11x 17 without the use a magnifying glass.

Rather than McDonald's exploring what McDonald's would like to do with the property, please explore examples from McDonald's that fits with the aesthetics of the community.

The board unanimously requests that McDonald's come before the board at the March 12 meeting with better plans, design, and images, with research into other McDonald's in the country that reflect the look of the Town of Warner. Request the presenter to look at plans for Market Basket and the Liquor store and mirror those sites.

**Ben Frost** will talk to public planners, and has offered to meet with the engineers and to provide examples of other McDonald's around the country that would be in keeping with the aesthetics of warner.

The board requests **8 set of full size, full sheets**, for the next meeting.

The following residents: **George Pellettieri, Alice Chamberlain, Martha Mical, Katharine Nevins, Andy Bodnarik, Darryl Parker, Marianne Howlett** commented on the history of McDonald's in Warner, and the need for the building to have a look that fits with the Master Plan and the Intervale District being a gateway to Warner. The community would like to see designs and have them posted prior to a meeting.

**Ben Frost** asked if there was anything else from the board and recessed the public hearing. The board will not be making a decision on this tonight, but will return to this application and will afford the public more time to comment.

The continuation of the meeting will be posted at the town hall.

## **2. DETERMINATION OF SITE PLAN**

Property Owner: **Darryl Parker**

Property Address: 1 East Main Street, Warner, NH 03278 (Schoodacs Building)

Purpose: Amend site plan approval to include a residential apartment within existing structure.

Map: 31 Lot: 54

Office space that was in the barn in the rear of the building, Darryl proposes turning this into an apartment with 631 square feet.

Discussion of the building, full bath with kitchen and living room, parking for overnight and adding a third space. There are two spaces on the far side that are not used by the town. Darryl would shift

PB MM 1-22-2018 meeting approved

the landscaping over to make room for a third car. Discussion about parking and adding a new space to the existing 2.5 paved spaces for overnight parking. There are currently 6 spaces total. Darryl discussed the expense of an alarm system of 10-15k as it will be for the entire building. Technically a second egress is not required but the building will have a second egress through the attic, into the store, and it will be lit.

Darryl's ideal would be to not have to do a Site Plan Amendment.

Darryl currently has a waiver in place for parking so that he did not have to pave front yard of Schoodacs.

**Options** before the board are **no amendment required to site plan Or an amendment to site plan.** There will be a **change in use**, and a **change in parking**.

**Motion:** to **require a formal amendment** to the site plan **by Barbara Annis**  
**Second:** by **James Gaffney**

**DECISION:** **Approved, unanimously, a Formal Amendment to Site Plan is required.**

Notion of change of use and recalculation of parking requirement with reference to the wavier that was previously granted.

The board can hear this on Feb 5, 2018 if the application is received this week, and there is time for notices.

#### **ZONING AMENDMENTS:**

- **AMENDMENT A: Use Table – Retail and Services**
- **AMENDMENT B: Define “Essential Services”**
- **AMENDMENT C: Variance Notation in Use Table**
- **AMENDMENT D: Limitations on Accessory Dwellings**

#### **Ben Frost:**

There had been a change to the statutes to the zoning amendments. This change requires the PB to notify all owners in certain zoning districts, when there are changes to zoning when there are 100 or fewer homes. We did not do that. In the case for Zoning Amendments, it is B1 and Intervale Districts of Warner that residents need to be noticed by first class mail which will be done tomorrow. The notice will go in the Monitor this week. We are legally bound to get them to the town clerk on **February 6, thus** we will plan the remedial public hearing on **February 5.**

We have an opportunity to make other changes as well. It is incumbent on the Chairman to present this to the board.

The original set of changes was seven, and it has been reduced to 4 Amendments.

**Andy Bodnarik:** Andy introduced himself and spoke about his background. He wrote a letter to the LandUse office requesting time to speak about zoning and his ideas about changes. Andy talked about the distinction between for-profit and non-profit, and creating jobs in the community. There was discussion of the Use Table, variance vs. special exception, and making things more consistent, for-profit vs. non-profit in the use table, and changes that impact the C1 district.

The board agreed that this is a bigger issue that needs more time. **Andy Bodnarik** offered to work on the Use table and asked for a time-frame. **Ben Frost** explained that the timing depends on how comprehensive the proposed changes. Run-of-the-mill changes can be presented in November, and citizen's petitions in Nov-Dec. The town clerk needs to receive proposed changes five weeks in advance of town meeting in March.

- **OLD BUSINESS**

**DRIVEWAY REGULATIONS:**

CHANGE: 22.5 feet, not degrees on page 7.

Discussion about maintenance and jurisdiction raised by Peter Anderson.

**Barbara Annis:** From my notes, I agree on everything except for page 8. My note on appeals is that it is made to Tim, not superior court.

**Ben Frost:** This is right. Article 4 is the delegation by the PB to the Public Works Director to administer. Under appeals, in the first instance would be made to the PB. If someone is unhappy with what the planning board says, then it goes to superior court.

**Barbara Annis:** Everything else is exact.

**Motion:** Motion to **Adopt Driveway Regulations** made by **James Gaffney**  
**Second:** by **Don hall**

**DECISION:** **APPROVED, Unanimous**

**FIRESTATION – Kevin Leonard, Northpoint**

**Ben Frost:** Firestation will be here on February 5. For a formal review under RSA, which will be 60 days in advance of a work permit being pulled, assuming the voters say yes.

- **COMMUNICATIONS AND MISCELLANEOUS:**

**Barbara Annis:** Diane please make sure the books are charged to supplies, and not outside services.

**James Gaffney:** Do we have a process to identify people who present themselves to the board, either as an applicant, or as representative of an applicant.

**Ben Frost:** No, we do not. If someone represents that they are representing someone, and the property owner has approved the person, we do not require anything further.

**James Gaffney:** My thought on that is that we may want to consider some sort of a notary in that sort of a case. We should consider a proposal.

**Ben Frost:** I will put that to my 700 best friends on planlink.

- **PUBLIC COMMENT:**

**Meeting Adjourned at 9:44pm.**

PLANNING BOARD MEETINGS WILL END AT 10:00 P.M.

CASES REMAINING ON THE AGENDA WILL BE HEARD FIRST AT THE NEXT SCHEDULED MONTHLY MEETING