

**DRAFT 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**
- **7 pm**
- **ROLL CALL**

Peter Anderson Don Hall Barbara Annis Chariman Ben Frost
James Gaffney Ken Milender

**Clyde Carson Selectman representative sitting in for John Dabuliewicz
Ben Inman is absent, James Gaffney will vote for him**

- **APPROVAL OF MINUTES**

- December 18 , 2017

Diane has reduced the number of minutes. John Dabuliewicz: 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.

Page 5. Clyde brought up on Peter's behalf...should be John Dabuliewicz:
JG should be James Gaffney.

Motion to Approve as amended. Barbara Annis.
Peter Second.

Approved minutes.

- **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
Purpose: Addition to 3 sided shed

The building pre-dates the site plan regulations. Site plans go back to 1982. We have an approved site plan on file.

Building will be 178 feet to the northerly property line.

Kevin McKay. We are adding on the existing shed. It is 100 feet long, adding 60 feet. Three sided pole shed. There are no traffic changes.

Public comment from **George Pellettieri**: That's the type of expansion that is hardly noticeable to the public. From the roadway, there are no abutters that are affected. It supports the business operation. I think it is a good move.

Clyde Carson: Is it intended that people will be able to go down there and load their lumber?

Kevin McKay: People would go down there and get there lumber, and our guys would help.
Closed public hearing.
Any concerns: None.

ACTION: Approve

Next Step: Building Permit

2. 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

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

The Board reviewed the application for completeness.
Checklist is complete.

James Gaffney: The only thing I did not see is the 100 yr flood marking. I only say it because it is in the checklist.

Ben Frost: There is a flood plain on Steve's brook. We will need that to be corrected.
The application is sufficient.

Ken Milender motions.

Peter Anderson Seconds.
Discussing jurisdiction.

Motion carries.

OPEN THE PUBLIC HEARING.

Discussion:

Traffic flow. Adding Do Not Enter signs.

Look at the exit line with NH State Liquor Store.

Barbara Annis noted that the plans do not agree with the pictures. Request made to be sure to bring what the board is working on, and not something that is close to it.

Things to review as we move forward:

Examination of the entrance.

Angle of Parking.

Extending the island on Nichols Hills Lane, compelling them to go around the building as they should.

Issue of the utility pole on the north westerly side of the site, which is a visual barrier to people exiting and turning left.

Vehicular connection between parking lot.

Pedestrian connection as well.

We want you to explore draining on the east side of the property.

We need to better understand what is going on with the lighting, and the signage light as well.

The Pattee Road needs to go.

Off-site storage.

Design of the building to look more like Warner.

We have designs from other places and ask you to come back.

Telephone booth removal.

What types of bulbs will be used.

What time do the lights turn on/off.

Clapboard siding.

Sidewalk along the front.

Telephone pole that seems to be in the way.

Drainage issues and snow removal.

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.

Chairman Ben Frost expressed his frustration with trying to read maps that the print is too small, and overall difficulty with reviewing the information that was sent. Request made to provide new

maps with larger print. The approved plans for Market Basket and the NH State Liquor Store can be used as guides. Please look at the plans for Market Basket and make contact with MB to discuss plans.

Rather than exploring what McDonald's would like to do on this property, there are many examples of beautiful McDonald's - Freeport for example. There are lots of examples from Ohio and NY. All McDonald's that are done that fits within the aesthetic of the community, rather than the other way around.

For the next meeting, the board **requests 8 sets of full size, full sheets.**

Ben Frost will talk to planners around the state through his professional networks.

Ben Frost: Anything else from the board. I will recess the public hearing. We will not be making a decision on this tonight. When we return to this application, we will figure out when that will be. We will afford the public more time to comment.
How would the board like to proceed?

Approve to move the meeting.

Barbara Annis: May I make a suggestion? Because of confusion and everything. Can we send out a postcard to the abutters saying that it is continued?

Ben Frost: What is the board's pleasure? My concern about extra notice is that if we do it in one case, are expected to do it in all cases?

JAMES GAFFNEY: I think we have to be consistent.

Martha Mical: May I suggest putting an 8x11 that say the McDonald's meeting will be continued to March 12th.

Ben Frost: Yes we can do that.

3. 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.

We are here to do a determination of site plan.

Discussion of the building, full bath with kitchen and living room, parking for overnight and adding a third space.

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.

Discussion about parking.

Ben Frost: It would be in the minutes. I know there was an email from you (Darryl) to the board, dated Jan 16, 2016. Trying to figure out the required parking space and you came up with 14, and you'd have to pave the front yard.

Ben Frost: Looking at the plan, could you create one more space on the school street side?

Darryl: You would come across the town sidewalk in the process. There are two and a half spaces that are paved. So it would be adding as much as you think.

James Gaffney: Is the question if he needs to do a site plan?

Ben Frost: The question is whether he has to come back in February. I think the only real implication in the use is the parking for it.

James Gaffney: My concern is that there is already a waiver in existence.

Darryl Parker: You are reducing the demand for parking, but increasing the need to overnight parking.

Options before the board are **no amendment** required to site plan **Or** an **amendment to site plan**.

DECISION: Amendment to Site Plan is required.

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

ZONING AMENDMENTS:

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 they must be notified. We did not do that, and I apologize for not remembering that statutory change. In our case, it is B1 and Intervale districts of Warner that residents need to be noticed by first class mail. The notice will go in the Monitor this week. We are legally bound to get them to the town clerk on **February 6**.

We will plan the remedial public hearing on **February 5**.

In my memo, and attached to that, requesting that the board consider a change.

We have an opportunity to make other changes as well. It is incumbent on me to present this to you considering we are.

Peter Anderson: We started with seven, and we winnowed it down to four.

Ben Frost: We can keep it at four. We can consider Andy's request, and remove one of the others to keep it to four. Is this something that this board wants to do?
The ones that we put forth were from the ZBA.

Andy Bodnarik: Andy introduced himself and spoke about his background.

What can you do in the C1 zone that might make things better? We don't need more highly educated people. We need people who can fix things. We need businesses.
What are the uses for the C1 district? I suggest we look at light manufacturing e.g., solar panels. We have all these emergency generators all around. We could have those panels built right here in town. If you structure it right, you could have the best of both worlds. You could have a company that works on diesel engines.

Ben Frost:

Andy, in your email to Diane which she forwarded to me, you talked about the distinction between non-profit and for-profit. And I agree with you, we should not be distinguishing between the two. In doing that, it introduced more complexities.

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 looking at this is a bigger issue and needs more time.

Andy Bodnarik: As you all have noted. I wanted to point out a glaring flaw in the for-profit, and the non-profit.

I hope it creates jobs. You have an opportunity to create jobs. I will volunteer to take another look at it. I would ask that you provide me with the changes you have already proposed.
I also need to see the schedule.

Ben Frost: It depends on how comprehensive. If they are big changes, we want to start in April. If we are looking at run-of-the-mill stuff, then November. Citizen petitions is November-December. We have to give to the town clerk for zoning amendments. We have to give to the town clerk five weeks in advance.

Andy Bodnarik will work on changes for the summer.

ACTION: Approve Amendments for public hearing on February 5, 2018

- **OLD BUSINESS**

DRIVEWAY REGULATIONS:

CHANGE: 22.5 feet, not degrees.

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 driveway. Under appeals, in the first instance would be made to the PB. If someone is unhappy, then it goes to superior court.

Barbara Annis: Everything else is exact.

APPROVED – Driveway Regulations

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.

- **COMMUNICATIONS AND MISCELLANEOUS:**

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

James Gaffney: It's a process issue. When we receive an application, we frequently have documents that are notarized. Do we have a process/procedure, who is asking something of the planning board, to positively identify themselves? The reason I'm asking is that there is massive amount of fraud on all sorts of things. Do we have a process for people to identify who they are?

Ben Frost: No, we do not. If someone represents that they represent someone, and the property owner has approved the person.

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

DRAFT