

From: **Ben Frost** <benjamindfrost@gmail.com>  
Date: Sun, Aug 21, 2022 at 3:29 PM  
Subject: Comet Workforce Housing Site Plan Application Comments  
To: Benjamin Osgood <bosgood@rangereng.com>  
Cc: Janice Loz <landuse@warnernh.gov>

Janice, please add this email to the application file.

Ben, here are my comments on the application for a 24-unit workforce rental housing project at Map 35, Lot 4-3. I'll let you know if I think of other things. Note that new information, if it is of a lengthy or complex nature, is better delivered to the Board in advance of the meeting rather than during the meeting.

Of all issues, the abutter notification is a fundamental threshold application question. I encourage you to share this information with the applicants' attorney.

Ben Frost, Chair  
Warner Planning Board

### **Comet Workforce Housing Application Comments – August 21, 2022**

#### **Comments previously sent:**

1. **Building Mass:** Please check with the architect to see if there's anything more that can be done to reduce the visual impact, particularly of the central roofline. I was thinking something like a central bell tower, but you're already at the maximum height allowed without a special exception. We'll also need color renderings of all elevations.
2. **Building Dimensions:** The text on the plans state the building will be 165' x 60'. The architectural plans show it at 167' x 60' - close. But when I scaled off the building on sheet 5, it seems to be 157' x 58'. You seem to have lost 10 feet of building width on a tight site.
3. **CNHRPC** has submitted its recommendations. In particular, I'm focusing on these (other board members may focus on others):
  4. Traffic study. On-site circulation is a concern.
  8. Secondary access for emergency vehicles.

CNHRPC also observes that a drainage study was not included in the application.

#### **New Comments:**

In addition to what I've written above, my concerns here are divided into major concerns and other concerns (including plan corrections).

## Major concerns:

1. **Abutter Notification:** It appears that an abutter was omitted from the notice list that was included in the application – Map 14, Lot 13, which is across Route 103 from the subject parcel and as such falls within the statutory definition of “abutter” (RSA 672:3). **This is a significant application defect** that I believe can only be remedied in a couple ways: written waiver of notice by the property owner; or demonstration of constructive notice to the abutter, such as if they show up at the hearing.

2. **Site Access:** I think the board is likely to have concerns if the sole access to the lot from Lot 4-2. It presents a significant conflict with the Dunkin Donuts traffic - particularly during site construction. While the board did ask for a cross easement when it was reviewing the site plan for 4-2, that was before the board knew what the proposal would be for the site. It seems at best awkward to access a residential use via a commercial parking lot. **I advise you to have a “plan B” ready that would provide access directly to Route 103**, opposite North Road (current location of graded entry to the subject site).

If the sole access to the site is directly from Route 103, you would then be able to preserve a series of large oak trees that would provide significant screening to the site (esp. in summer).

Any easements benefiting this parcel must be shown on the plan, such as the driveway easement on Lot 4-2 (it is shown on Sheet 4, but doesn’t state that the easement is for the use of Lot 4-3).

3. **Landscaping and Lighting:** screening of the site is likely to be a concern. I recommend that the landscaping plan (Sheet 14) be amended to include reference to existing vegetation that will be preserved (e.g., mature oak trees) and other trees to be planted in a staggered pattern on the west and north sides of the property. White spruce should do well there; 10’ tall at time of planting, spaced roughly 10 feet apart.

**Lighting fixture detail** must be provided on Sheet 15; cutoff luminaire required. Is all exterior lighting to be pole-mounted?

**Illumination analysis** must be provided.

4. **Application Form:** The application form needs to be modified to include a statement that the site plan for May 35, Lot 4-2 (Dunkin Donuts) is also being amended.

5. You must ensure that the **Fire Department and Water Precinct** have been consulted and provide written comments to the planning board. Let Janice know if you have difficulty getting a response from them.

6. The **Zoning Ordinance section on Workforce Housing** contains some important requirements:

- a. We will need to resolve to the Board’s satisfaction the proportion of units in the project required by the Ordinance to be affordable and income-targeted. Note that the requirements of InvestNH are not germane to this question; the Planning Board is

concerned only with the requirements of the state Workforce Housing Law and Article XIV-A of the Zoning Ordinance. WZO XIV-A.C.3.

b. Method certifying tenant income eligibility must be resolved. WZO XIV-A.D.2.b.

c. Term of affordability of restricted units; the ordinance implies that it is perpetual for rental units. WZO XIV-A.E.3.

d. Deed language governing the workforce housing units must be acceptable to the Board. WZO-A.E.4.

**Other concerns:**

- Locations of **chain-link fence** seems somewhat random – while I understand having it at the top of the retaining wall for safety, not all sections of the retaining wall feature it. Also, is it necessary to have it at the wetland crossing? It appears that there's a 3:1 slope between the sidewalk and the wetland below, which shouldn't require fencing for safety. A chain-link fence at the entrance to the project seems aesthetically unappealing.
- **Signage:** Is any proposed?
- Sheet 4 – Change “Prop. Drainage Easement” to “Drainage Easement”.
- Sheet 5 – dumpster fencing detail is shown on Sheet 10, but not on the plan.
- There are overhead electrical lines crossing the parcel, including a portion of the area unencumbered by a conservation easement. Is there an easement associated with this power line? If so, show on the plan.
- The application checklist requires that you include information on hauling of materials to and from the site; if there is fill to be brought to the site (as was the case with the abutting parcels), then state how much fill and how many truckloads it will require.
- Zoning districts and boundaries within 1,000 feet of the site (partly shown on Sheet 3).
- Sheet 5 does not depict the structure on Map 35, Lot 3; as this is a derelict structure, you might want to seek a waiver in writing. Also not shown is the Warner Police Station on Map 14, Lot 6.
- Assuming the building will be sprinklered, is the location of the exterior hook-up shown on Sheet 7?