



**Town of Warner**

**Planning Board**

**Workshop Meeting Minutes (Approved, as amended 11.2.2020)**

**October 5, 2020, 7:00 PM**

No physical location for this meeting; it was conducted via Zoom.

#### **1. OPEN MEETING and ROLL CALL**

At 7:00 p.m., Chairman Ben Frost called the meeting to order and made this statement: "As Chair of the Planning Board, I am recognizing that an emergency exists and I'm invoking the provisions of RSA 91-A: 2,III (b). Federal, State and local officials have determined that gatherings of 10 or more people pose a substantial risk to our community in its continuing efforts to combat the spread of COVID-19. In concurring with their determination, I also find that this meeting is essential to the continued operation of the Town of Warner government and services which are vital to public safety and confidence during this emergency. As such, this meeting will be conducted without a quorum of this body physically present in the same location. At this time, I also welcome members of the public accessing this meeting remotely, and even though this meeting is being conducted in an unusual manner and under unusual circumstances, the usual rules of conduct and decorum will apply."

ROLL CALL: Ben Frost (Chairman), 1 other in residence; Don Hall (Vice-chairman), 3 others in residence; Clyde Carson (Board of Selectmen representative), 1 other in residence; Romeo Dubreuil, 1 other in residence; Andy Bodnarik, 2 others in residence; Ben Inman, 1 other in residence; James Gaffney, alone; Diana Corriveau, 2 others in residence (joined at 7:10 p.m.).

Also present: Nancy Ladd, Librarian; Ed Mical, Director of Emergency Services; John Levitt; Judith Newman; Ken Cogsnell; Diane Ricciardelli, Town Administrator; Debra Moody, Land Use Administrator/Assessing Clerk; and Ray Carbone, Recording Secretary.

## 2. APPROVAL OF MINUTES:

September 14, 2020

Chairman Frost suggested that a motion be made to approve the minutes as amended, with several minor changes he suggested. The motion was made by Selectman Carson; seconded by Ben Inman. ROLL CALL: Don Hall, yes; Clyde Carson, yes; Romeo Dubreuil, yes; Ben Inman, yes; James Gaffney, yes; Ben Frost, yes. Motion passed unanimously.

## 3. NEW BUSINES:

### PUBLIC HEARING: 2021-2025 CAPITAL IMPROVEMENT PROGRAM (CIP)

Chairman Frost said that hard copies of the draft documents are available at Town Hall and are also available for viewing on the Town's website.

SIDEWALK PROJECT: Chairman Frost noted that the Energy Committee has made a late submission, which is an item that's essentially what was offered last year regarding a proposed sidewalk from the downtown village area to the Market Basket/Interstate-89's exit 9 commercial area. Selectman Carson, who is a member of the Energy Committee, said that at the annual Town meeting in March, his committee had made a CIP request for \$10,000 that would go into a Capital Reserve Fund towards paying for a design for the new sidewalk; the voters approved the proposal. He said that the sentiment at the meeting seemed to indicate that the residents wanted to see a design before moving ahead with the project, so the request for an additional \$10,000 will allow that design work to move forward.

The Energy Committee recently learned that the Transportation Alternative Program (TAP) grant, which it hopes will eventually pay for 80% of the project, has been pushed back for about 12 months. If approved, the new \$10,000 request proposed for the upcoming 2021 meeting will allow the design work to be completed and presented to voters at the 2022 Town meeting; at that time, hopefully citizens will approve of a design and allow the construction work to move forward.

RE: TOWN RECORDS Capital Reserve Fund, \$20,000: Chairman Frost said that the board had recommended \$20,000 in 2020, but that was reduced to \$10,000 at the annual Town meeting in March. Now Town Clerk Michele Courser estimates that the ongoing project will likely need \$20,000 annually and, if that estimated cost is too high, the balance would go to help fund the ongoing work of preserving the decades of backlog of Town records.

POLICE DEPARTMENT, Capital Reserve Fund: Chairman Frosts said that Police Chief Bill Chandler is requesting \$15,000 for each of the next two years, raising that figure to \$20,000 annually to effectively fund a cycle through the department's motor vehicles.

DEPARTMENT OF PUBLIC WORKS (DPW): There are three separate Capital Reserve Funds, Chairman Frost explained: Bridge Repair; Highway Road Construction; and Highway Equipment. Regarding the Highway Road Construction fund, both DPW Director/Road Agent Tim Allen and the Planning Board understand that the \$200,000 request (or even the larger

\$265,000 that was discussed) is not going to be enough for the Town to properly maintain its roads in the long term.

TRANSFER STATION: Chairman Frost noted that there is one capital reserve fund for the Transfer Station, designated for equipment by Varick Proper, the facility's foreman. But Proper has submitted two separate CIP requests: one for Facility Expansion and Rehabilitation, and another for Facility Resurfacing. Frost said that there is some overlap between those two projects and indicated that the Board's CIP paperwork has merged the two.

Gaffney asked whether there has been any recent discussion about having two separate compactors or one single larger one at the facility, which was raised earlier. Carson said the Board of Selectmen has not had any recent discussion about that issue, but it could be addressed when the Select Board begins considering the CIP in the coming weeks.

FIRE DEPARTMENT: Chairman Frost indicated that Chief Sean Toomey had submitted his request form and, at his request, the Chairman had reworked the figures onto a new, separate form that staggers some of the Capital Reserve Fund appropriations over the years in order to "smooth out" the property tax impact. Chief Toomey supported the approach, Frost said.

EMERGENCY MANAGEMENT DEPARTMENT: A Capital Reserve Fund was established at the 2020 Town meeting and \$5,000 appropriated to it to begin work on a preliminary engineering analysis regarding possible alternatives to emergency egress from Kearsarge Mountain Road, Chairman Frost explained. Director Ed Mical is recommending that another \$5,000 be added to the account at the 2021 meeting.

PILLSBURY FREE LIBRARY: Chairman Frost noted that the library has submitted two fund requests: one for carpet replacement and the needed HVAC work. Librarian Nancy Ladd said that her team recently met with an engineering firm about the HVAC work and it learned that the lowest of two bids that was submitted didn't include necessary electrical wiring. In addition, the team had divided up the amount of money needed over two years, but now understand that is unworkable, Ladd said. As a result, the cost estimates listed on to the Planning Board's CIP will need to be revised.

Chairman Frost asked Ladd if she wanted to revise the figure now but she said she has nothing definite at this time and advised keeping the current number as "placeholder." Ladd will update the figure when the CIP moves on to the Budget Committee and the Board of Selectmen in the coming weeks.

Without objection, Chairman Frost concluded the Board's review of the CIP and opened the public comment section of the meeting.

Ladd asked Frost if he could provide a glimpse of the total 2021 CIP requests and how that total compare to earlier years. Frost said the total 2021 costs of all projects on the current CIP is \$881,400; last year's total budget was \$550,000, so the new total "is a jump," he said.

Speaking as a private citizen, Gaffney said that he found the increase in the bottom line figure to be "staggering."

Without any further comment, Chairman Frost closed the public input portion of the meeting and returned to the Board's deliberation.

Selectman Carson said that while the new \$881,400 is considerably larger than last year's CIP budget, the current figure is only the first step in the Town's budget review. The present total is not unusual, and has come in as high as \$900,00 in recent years, he said, but that figure typically is reduced to about \$500,000 by the time the annual Town meeting comes around.

Chairman Frost said that the Planning Board can rank the priority of individual CIP projects. Last year, the members simply accepted the ranking that the individual department heads had put on their projects, but the board can discuss and/or debate any of the individual items.

Gaffney asked the Board to reconsider the ranking of the sidewalk plan as "Urgent." He said that compared to funds needed for the DPW on red-lined bridges, Fire Department equipment that needs to be replaced, and the environmental issue at the Pillsbury Free Library, the "Urgent" designation recommendation from the Energy Committee is "a tough one to swallow."

Gaffney made a motion to change the designation from "urgent" to "desirable." Bodnarik seconded the motion.

Selectman Carson noted that the Planning Board identified the sidewalk project as "urgent" last year, and that a thorough discussion among residents at the Town meeting in March touched on the desirability of the sidewalk for both pedestrian and traffic safety, due to increased vehicular traffic on Rte. 103. He added that the project would take several years to complete but the link to the commercial center "needs to be addressed."

Vice-Chairman Don Hall noted that when the issue was addressed in March, "we didn't know about this year, what we were going to be dealing with," referring to the coronavirus pandemic and the resulting economic downturn. The CIP bottom line is "shocking," Hall said, and the Town "has to come to grips with the fact that we have to stop spending on some of these incidentals for a while and concentrate" on essentials, such as DPW equipment.

Carson reviewed the sidewalk project's estimated costs.

Gaffney said that the DPW is unable to maintain the Town's current sidewalks. "We have large portions of sidewalk that require work," he said, adding that DPW Director Allen has said that said that the town already has "more (sidewalk) work that he can do in his lifetime,"

Chairman Frost asked for a vote on the motion to change the designation for the sidewalk project from Urgent to Recommended. ROLL CALL: Vice-Chairman Hall, no; Andy Bodnarik, yes; Ben Inman, no; Romeo Dubreil, no; Clyde Carson, no; James Gaffney, yes; Chairman Frost, no. The motion failed, 2-5.

CLOSING REMARKS: Vice-Chairman Hall noted that he's heard from some department heads who are questioning the extent of the Planning Board's authority regarding the CIP. Chairman

Frost said that the Planning Board is acting within its statutory power and that its work on the CIP is only advisory for consideration by the Budget Committee and the Board of Selectmen.

Bodnarik said he's heard criticism of how the Planning Board puts its CIP paperwork together and that is that there is a need for more of narrative explanation for each departments' submission, and the board's recommendations. Chairman Frost said the need for more explanation is a fair criticism and it's been tried before; in fact, the board's CIP was a much more substantial document in the past. Bodnarik said he didn't envision something that large but something like a cover sheet could be added to indicate how the board reached its priority rankings.

Bodnarik also said he was concerned about both the DPW report on the condition of the Town's roads, as well as the Emergency Management Department's ongoing request for an alternative route off Mount Kearsarge. "If that's not necessary, in terms of planning, I don't know what is," he said, referring to the latter.

Chairman Frost asked Bodnarick asked if he was intending to make a motion to change the ranking of the Kearsarge Mountain Road alternative route project to "necessary," and Bodnarik said he was; Vice-Chairman Hall seconded.

Bodnarik talked about how the issue has been discussed in the Town for some years now, and the growing need for an alternate route due to more homes being built on the mountain. Selectman Carson said he believes that his board would support moving the project up higher in priority.

Chairman Frost asked for a vote on the motion to change the Kearsarge Mountain Road alternative route project to "necessary." ROLL CALL: Vice-Chairman Hall, yes; Andy Bodnarik, yes; Ben Inman, yes; Clyde Carson, yes; Romeo Dubreil, yes; James Gaffney, yes; Chairman Frost, yes. The motion passed unanimously.

Without any further comment, Chairman Frost asked for a motion to approve the Planning Board's CIP as amended. Vice-Chairman Hall made the motion; Bodnarik seconded. ROLL CALL: Vice-Chairman Hall, yes; Bodnarik, yes; Inman, yes; Carson, yes; Dubreil, yes; Gaffney, yes; Chairman Frost, yes. The motion passed unanimously.

#### **4. OLD BUSINESS: (CONT. PUBLIC HEARING – APPLICATION FOR SITE PLAN REIVIEW)**

NOTE: Chairman Frost announced that the applicant has requested a continuance to the November 2, 2020 meeting.

APPLICANT: Comet, LLC

AGENT: Benjamin C. Osgood Jr., PE

MAP/LOT: Map 35/Lot 4-1 and 4-2

ZONING: C-1 and INT

DESCRIPTION: 7,000 sf retail building and drive through donut shop

## 6. COMMUNICATIONS

None.

## 7. REPORTS

### I. Chair's Report – Ben Frost

Chairman Frost said he would like to schedule an appointment for the board to consider the three gravel pit permits that have been delayed for some time.

### II. Board of Selectman – Clyde Carson

The Town has received its first invoice from the Central New Hampshire Planning Commission (CNHPC) for the work of its “circuit rider” planner, Matt Monahan, and saw that cost was lower than what was expected. “It’s been working out pretty well,” Carson added.

Selectmen Carson also said that a study committee has been looking into when and how to resume public meeting at Town Hall. Chairman Frost, who is part of that committee, announced that the group had met earlier in the day, and reported that new COVID-19 guidelines were issued earlier in the day by the federal government’s Center for Disease Control. As a result, the group recommends that the Town continue to operate as it has, not open to the public but staff members available for phone calls and personal appointments. In addition, public meetings should continue to be held via Zoom electronic connections because of legal restrictions. “We cannot hold meetings with board members in a public space and not allow members of the public to be there,” Frost explained.

Finally, Carson noted that the Select Board has officially formalized the creation of a Mink Hills Study Committee which should begin meeting this month.

### III. Central New Hampshire Regional Planning Commission (CNHRPC) – Ben Inman

Inman said the CNHRPC has a meeting later this week, October 8, with a speaker from Northeast Resource Recycling. In addition, he reminded the board members about the New Hampshire Municipal Association’s Virtual Law Land Use Conference, which is scheduled for Saturday, October 31. Chairman Frost will be speaking.

### IV. Economic Development Advisory Committee (EDAC) –

Chairman Frost said he’s planning to attend the EDAC’s next meeting, which should be later this month.

**7. PUBLIC COMMENT**

None.

**8. ADJOURN**

Without objection, Chairman Frost adjourned the meeting at 8:28 p.m.