



## Warner River Local Advisory Committee

5 East Main Street, P.O. Box 265

Warner, New Hampshire 03278

[kmilender@millerengandtesting.com](mailto:kmilender@millerengandtesting.com)

Via email: [landuse@warner.nh.us](mailto:landuse@warner.nh.us); [benjamindfrost@gmail.com](mailto:benjamindfrost@gmail.com)

August 26, 2022

Ms. Janice Loz, Land-Use Secretary

PLANNING BOARD

TOWN OF WARNER

P.O. Box 265

Warner, New Hampshire 03278

RE: Proposed Apartment Development Review  
Comet, LLC  
9 Route 103 West (Warner Parcel 35-4-3)  
Warner, New Hampshire

Dear Ms. Loz:

Warner River Local Advisory Committee (WRLAC) has reviewed Comet, LLC's civil engineering plan set (dated 07-25-2022) as prepared by Ranger Engineering Group, Inc. of Salem, New Hampshire. Kindly note that the proposed development is within the Designated Warner River Corridor; as such, we think it imperative that this proposed development take into consideration its critical location along the Warner River. We have reviewed the site plans and have a number of questions and comments that we would appreciate the Warner Planning Board taking into consideration during their deliberations regarding Comet's Site Plan Application.

### ***1. Administrative Considerations***

- a) Sheet CS0201 (Sheet 3 of 20) and following, as needed, should identify the correct term for the depicted "Top of Bank, Warner River" line - is this line the ordinary high-water line?
- b) Applicant's Drawing CS0201 depicts a feature labeled "Shoreline Protection Line". We think the correct term is "Shoreland Water Quality Protection Line" (to denote lands within 250 feet of the reference line of the Warner River). Applicant should change their drawings to use the correct terminology.
- c) Applicant should refer to NHDOT *Standard Specifications for Roads and Bridges* (latest version) when specifying the materials to be used in the pavement section (CS6001).
- d) Applicant's civil engineering drawings should clearly depict and denote that the Site is within the Designated Warner River Corridor.

### ***2. Stormwater Generation, Treatment, and Discharge***

The Warner River is currently a very high-quality water body; Warner River Local Advisory Committee works to prevent its degradation. We are very concerned about the potential that the proposed development will discharge stormwater with little to no treatment directly to the wetlands that border the Warner River and to the groundwater that discharges to the river. During some seasonal and storm conditions, untreated stormwater will be discharged directly to the main stem of the river itself. We think the provisions for stormwater management are wholly

inadequate for a proposed development within a Designated River Corridor in New Hampshire, and the design seems to ignore the Site's critical location adjacent to the Warner River. Namely:

- a) The plan set does not indicate whether the stormwater will be passed through any kind of stormwater treatment train, other than infiltration through the soils below the system.
- b) The stormwater design will allow for discharge of untreated stormwater directly to the wetland/river system through the infiltration system overflow during periods of heavy rain and snow melt, which is not consistent with Warner Site Plan Review §XVIII (C).
- c) The design does not indicate areas that will be used to store snow. We did not see provisions for reducing the discharge of salt-laden stormwater into the infiltration system. The stormwater design will allow for discharge of untreated stormwater directly into the groundwater system (through the infiltration galleries) with no treatment to remove pollutants.
- d) The Applicant committed to “. . . snow will be plowed prior to the application of deicing chemicals. The snow will not contain deicing materials” in their Alteration of Terrain Permit Application for Lots 4-1 and 4-2 in 2020/2021. We strongly disagree with their assertion that the “snow will not contain deicing materials”, and we request that the Planning Board mandate additional stormwater quality controls to those already being proposed using the provisions of Warner Site Plan Review §XVIII (D).
- e) We request that the Applicant incorporate Best Management Practices for winter roadway maintenance into their post-construction operating and maintenance plan, and commit to employing only winter maintenance firms with DES “Green SnowPro” certification.
- f) We have not seen an evaluation of the potential quantity and quality impacts from the stormwater system on the adjacent, bordering wetlands.
- g) The Erosion & Sedimentation Control Plan should clearly state that the sand and debris, collected during construction from the catch basins, drainage manholes, stormwater piping, and stormwater galleries be disposed of off-site and in accordance with BMPs and NH regulations.
- h) The design should clearly specify that the sand and debris from the annual (post-construction) roadway and parking lot sweeping should be disposed of off-site and in accordance with BMPs and NH regulations.
- i) Applicant should demonstrate that the development as proposed will not result in increased runoff or velocity of surface runoff to adjacent properties or surface-water bodies (Warner Site Plan Review §XVIII (C)).

### **3. *Miscellaneous Technical Concerns***

- a) Light pollution is a concern at this highway interchange. The civil engineering plan set does not contain a photometrics (lighting) plan. We also request the Planning Board specifically require downward-directed lighting fixtures for all proposed exterior building and parking lot lighting in order to reduce light pollution.
- b) In addition to our concerns about deicing salts during winter, we did not see provisions for removing or reducing other dissolved pollutants (such as fertilizers from lawn care and landscaping), in conformance to Warner Site Plan Review Section §XVIII (C). We would like to see provisions added that will minimize potential impacts from dissolved pollutants, and Applicant's plans should include pre-construction chemical monitoring to establish a pre-development baseline water quality.
- c) We are unable to determine whether the Applicant has proposed provisions to prevent entry of turtles (or other aquatic organisms) into the stormwater system. Turtles are an

important constituent of the habitats along the Warner River. If turtles get into the stormwater system, will they survive?

- d) The Landscaping Plan (Drawing CS7002) should specify native tree and shrub species that require minimal care and watering. Central New Hampshire is currently in a drought condition.
- e) The Applicant should submit a letter from Warner Village Water District that indicates that the District has sufficient water supply and wastewater capacities to handle the design water demand and wastewater generation.
- f) A culvert conveys a small, unnamed brook below Route 103 and onto the Site. Applicant should submit documentation that supports the adequacy of the proposed 30-inch culvert to pass the design storm flows, while providing geomorphic compatibility with the stream channel and adequate aquatic organism passage.

***By this letter, WRLAC urges the Warner Planning Board to not accept this application for further consideration until the Applicant has provided the additional information requested above.***

We appreciate the Board's attention to our concerns. Please contact me if you have questions or require additional information.

Very truly yours,

WARNER RIVER LOCAL ADVISORY COMMITTEE



Kenneth W. Milender  
Chair

cc: via email B. Frost (Warner Planning Board)