

UNAPPROVED MINUTES OF SEPTEMBER 13, 2021



TOWN OF WARNER

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Planning Board Meeting

Minutes of September 13, 2021

Town Hall Lower Meeting Room at 7:00 PM

I. OPEN MEETING and Roll Call

ROLL CALL: Ben Frost (Chairman); Clyde Carson (Select Board Representative); Don Hall (Vice-Chairman); and Andy Bodnarik.

Absent: Ben Inman; Romeo Dubreuil; and James Gaffney

Also present: Ken Milender, Laura Russell and Chris Spann-Weitz of the Warner River Local Advisory Committee; Janice Loz (Land Use Secretary). (Secretary Ray Carbone worked from recording.)

II. APPROVAL OF MINUTES

After a review, ***Clyde made a motion to approve the minutes as presented; seconded by Andy. The motion passed unanimously on a voice vote.***

III. NEW BUSINESS

A. Stephanie J. Celestin

Applicant: Stephanie J. Celestin, SJ Revocable Trust

Agent: Stephanie J. Celestin

Address: 17 Cemetery Road, Warner, NH (32-16) and Chemical Lane (32-15)

Map/Lot: Map 32, Lot 015 and Map 32, Lot 016

District: R-2

Description: Voluntary Merger

Chairman Frost said that there is no need for a public hearing for a Voluntary Merger and that the Board is obligated to approve the action unless the merger would cause a violation of zoning; since both properties are in R-2, no violation is possible. Frost noted that the two lots are non-conforming but that doesn't raise any zoning issues.

Clyde made a motion to approve the Voluntary Merger as presented; seconded by Don. Motion passed unanimously.

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B. Capital Improvement Plan (CIP)

1. Conservation Committee
2. Department of Public Works
3. Emergency Management
4. Fire Department
5. GIS Summary
6. Police Department
7. Town Clerk
8. Transfer Station

Chairman Frost said that there will be no discussions regarding the CIP at this meeting, but the Board will begin holding meetings with department heads to discuss their individual CIP recommendations at meetings beginning next week: Wednesday, 9/22, and Thursday 9/23; and the following Monday, 9/27, and Wednesday, 9/29. An additional meeting will be held on Thursday, 9/30, if necessary. The Board's formal public hearing will be the first Monday in October; at that time, the members will vote on the CIP recommendations.

IV. OLD BUSINESS

A. Comet LLC Conditions of Approval Driveway – NHDOT

Land Use Secretary, Janice Loz said that she's heard that Comet's application for a driveway permit has been approved by the NH Department of Transportation (DOT), and that the mylar blueprint copies should be in the office soon. The Chairman asked that she notify the applicant that the Board will be considering further action at its meeting on Oct. 4 after reviewing the final plans.

Selectmen Carson said that the Select Board met with Mr. Adams(??) last week regarding what it considers 'hardship request': he needs to vacate his current Dunkin Donuts space in the Circle K building by the end of December, and since the only outstanding issue for the Planning Board has been the DOT driveway permit, the Select Board granted a Building Permit that will allow him to move forward with underground electric and plumbing work on the condition that he comes back to the selectmen before doing any additional work.

In addition, Mr. Adams(??) has agreed with the Select Board's request to have a commercial building inspector work on the project at the applicant's expense.

B. Warner River Local Advisory Committee (Ken Milender) – Purposed changes to Site Plan Application, Site Plan Review Checklist, Determination of Site Plan Review, Subdivision Application, Earth Excavation Checklist.

Chairman Frost told Ken that the Planning Board has not yet moved forward with this proposal.

Frost added that the Board should consider changing the Town's regulations regarding notifications that should be made to the NH Department of Environmental Services (DES) for proposed developments that would be within 500 feet of the top a bank of any fourth quarter (or higher) streams; this is part of State law and, although there is no penalty for not complying, the Town ought to be making those notifications.

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Andy said that he's been reviewing the State's paperwork in this area and that there are other rules and procedures that the Board may want to consider making to its zoning regulations in order to more fully comply with State law, including the use of several checklist and notifications to abutters. The Chairman asked him to pass on his notes about the issues to Janice for further consideration.

Any proposed changes would have to be reviewed at a public hearing held by the Board, the Chairman concluded.

Ken introduced to the Board to Laura Russell and Chris Spann-Weitz, who are also serving on the Committee. He also said that the Committee would be glad to help the Board review the proposed regulation changes it will be considering. Chairman Frost thanked him and the other Committee members for their work.

C. Developments of Regional Impact

Discussion of process, amendment to Rules of Procedure.

Chairman Frost said that he's made revisions to the guidelines and sent those to James. If there are no problems, he would like the changes to be made as an amendment (or, appendix) to the Rules of Procedure, with corresponding changes throughout the Town's rules and procedures. The Board is not required to hold a public hearing on the proposed changes but in the past, member Romeo has suggested that one would be helpful to gain public input. Clyde noted that the hearing doesn't have to be formal, and it could simply be added to one of the Board's future agendas. Andy said that the proposed changes do have to be discussed at two successive meetings. Frost suggested that the Board address the issues at its first meeting in October and its first meeting in November.

V. COMMUNICATIONS

Janice said she has forwarded all relevant communications to the Board members.

Andy said that there will be a meet-and-greet with the head of the State's new planning office this week. Chairman Frost clarified, saying that Taylor Caswell, Commissioner of the NH Department of Business and Economic Affairs (BEA), now has the NH Office of Planning and Development (formerly the NH Office of Strategic Affairs) under his department.

Andy also said there is a meeting in early Oct. for the Central New Hampshire Regional Planning Commissions' Technical Advisory Committee. In addition, the NH DOT's latest Ten Year Highway Plan has recently been released and Board members may want to review it.

VI. REPORTS

A. Chair's Report – Ben Frost

No report.

B. Board of Selectmen – Clyde Carson

Clyde said the Select Board has decided to fund the development of a hybrid meeting functionality for the Town Hall's lower meeting room. It will include a screen for the meeting room, microphones and a 360-degree camera. This will enable participation by people who are at a remote location as well as those in the meeting room. The hope is that the process will be operational within the next few months, Carson said.

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Carson also noted that the Central New Hampshire Regional Planning Commission has recently announced that the Town's proposal to develop a multi-use path that would link the village to the North Road shopping area has been rated No. 4 on the list of projects to be considered for funding by the Governor's Council. "We're going to go for it," Carson said, adding that if the funds are awarded to Warner, they will become available late in 2022.

C. Central New Hampshire Regional Planning Commission - Inman not present; no report.

D. Economic Development Advisory Committee – Ben Frost

Ben said the committee met recently but he was unable to attend. However, he mentioned that the group has been focused on the planned new Town history mural that will be on the side of a prominent building in the village. Clyde said he thought the work would be done by the time the Warner Fall Foliage Festival occurs in mid-October.

One other item that was on the agenda for the last committee meeting, Ben said, was the possible purchase for one of the former Warner Power buildings by ChemStation. Apparently, the sale is still being negotiated.

E. Other Comments

Andy asked if the Board is planning to move forward with its previous discussion regarding the development of criteria that could be used when the Select Board asks the Planners to evaluate how the proposed sale of a particular Town-owned property would impact the community.

Selectman Carson noted that there are currently two Town-owned properties, procured through tax deed problems, that are scheduled to be put up for auction. (One other property may be added in the coming weeks, he said.) However, two North Road properties that were on the most recent list submitted to the Planning Board are not scheduled for auction at this time, the Selectman reported.

Clyde also mentioned that two of the Planning Board meetings now scheduled for the next week will conflict with other board/committee meetings obligations of Select Board members: an Energy Committee meeting on Wednesday, 9/22, and a Budget Committee meeting on Thursday, 9/23. The Chairman noted that Clyde is only obligated to be at the Wednesday meeting, so he said he would try to tilt some of the Planning Board's work towards the Thursday meeting which Clyde should be able to attend.

VII. PUBLIC COMMENT

None.

VIII. ADJOURN

Without objection, Chairman Frost adjourned the meeting at 7:54 p.m.