



TOWN OF WARNER

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Planning Board Meeting Minutes

March 17, 2025 7:00 PM

Lower Meeting Room Warner Town Hall 5 E Main St

I. OPEN MEETING : Chair Karen Coyne called the meeting to order at 7:01 PM.

ROLL CALL

Planning Board Member	Present	Absent
Karen Coyne, Chair	✓	
James Gaffney	✓	
Pier D'Aprile	✓	
Barak Greene, Vice Chair	✓	
Ian Rogers	✓	
Harry Seidel – Select Board	✓	
John Leavitt	✓	
Bob Holmes – Alternate	✓	
Micah Thompson – Alternate	✓	

II. PUBLIC COMMENT

None

II. MINUTES: March 3, 2025

Harry Seidel made a motion seconded by Ian Rogers to approve the March 3, 2025 Planning Board meeting minutes as amended. Motion passed unanimously.

IV. NEW BUSINESS

A. Ben Frost – Multifamily Workforce Housing

Ben Frost spoke about the resolution that the Planning Board adopted in 2022. He stated that he prepared a document entitled *Warner Zoning Ordinance Multi-Family Workforce Housing* and it was reviewed by legal counsel. Ben Frost stated that legal counsel agreed with his interpretations. He explained that there are two items related to the position of the Planning Board: 1) The duration of affordability of multi-family rentals of workforce housing – He stated that there is not a term/duration of affordability listed for rentals and it's reasonable to interpret that it must be perpetual. 2) The percentage of units in a multifamily workforce housing rental project which must be affordable versus market rate – He explains that multifamily workforce housing is separate and distinct from multifamily housing. The WZO does not state that multifamily workforce housing may be constituted by anything other than workforce housing; meaning, all units must be workforce housing.

Bob Holmes questioned if work force housing should be included in B1 and R3. Ben Frost stated that the structure of the ordinance was intentional. He explained that multifamily or multifamily workforce housing projects are feasible either by right or by special exception. He stated that Warner has a permissive zoning ordinance which means that for something to be permitted it must be specifically listed in the ordinance. He reiterated that if the ordinance does not say something is permitted, then it is not permitted. Bob Holmes

1 questioned which standard applies to B1 and R3. He stated that the Town’s definition is silent on the 4-unit
2 limit in B1 and R3. Ben Frost agreed that clarification would be beneficial.

3
4 Harry Seidel spoke about the definition of a multifamily development. He stated that the definition as
5 written does not make him think of a large multifamily workforce housing development, but a smaller
6 development. He stated that the current ordinance is structured in a way to stop multifamily developments,
7 yet Warner is in a place where it needs to encourage development. He stated that when he reviews the
8 decision, he is not able to conclude that workforce housing developments must be 100% workforce housing.

9
10 Karen Coyne reminded the Planning Board that the purpose of this discussion is to allow Ben Frost to speak
11 to the adoption of the workforce housing paperwork, not to discuss what each member feels is wrong in the
12 zoning ordinance.

13
14 Ben Frost concurred that the multifamily definition refers to smaller developments as it references up to four
15 units. He clarified that in regard to perpetual affordability, that was the way he read the ordinance, legal
16 counsel agreed and the Planning Board adopted that position. He reiterated that there is a term of
17 affordability for workforce housing for sale but not for affordability for workforce housing for rent. Ben
18 Frost stressed that what he wrote in the document is not his personal preference rather it is how he read the
19 ordinance. He stated that he personally thinks that it is much better to have the opportunity for mixed
20 income developments, and a term of affordability for rental workforce housing.

21
22 Bob Holmes stated that he looked further and found that B1 does include the limitation of 4 units. James
23 Gaffney spoke about the permissive zoning ordinance noting that unless it says otherwise the general
24 provisions would apply. Ian Rogers asked if it would be possible to rewrite the language in the ordinance
25 and maintain the same end result. Ben Frost confirmed that it is possible. Ian Rogers stated that,
26 hypothetically, if the Planning Board wanted a different end result with these ordinances they could, through
27 the zoning amendment process, ask the voters to vote on a change.

28 29 B. HEB Engineers – Rail Trail Project letter

30 Karen Coyne explained that there has been discussion with staff and HEB Engineers about the need for them
31 to come in for a site plan review. She provided the Planning Board with a copy of a letter from HEB
32 Engineers instructing the Planning Board to submit their questions. She advised the Planning Board that a
33 letter will be sent advising them that the Warner Planning Board anticipates that HEB Engineers will come
34 for a site plan review. Bob Holmes stated that this project is on state land, and the state is therefore not
35 subjected to local planning rules. Karen Coyne explained that they do need to come to the planning board
36 and that this project involves a lot that is not state land, which is missing from their site plan that is being
37 investigated. Karen Coyne stated that she requested that the Select Board gently refer HEB Engineers to the
38 Planning Board should they reach out.

39 40 C. Michael Smith Select Board – Discuss Potential lot sales

41 Mike Smith presented Map 13, Lot 3-8 (3.23 acres) in R2 for consideration.

42 **Harry Seidel made a motion seconded by Barak Greene that the Planning Board recommend for sale**
43 **Map 13, Lot 3-8. Motion passed unanimously.**

44
45 Mike Smith presented Map 12, Lot 33, land locked, 47 acres. The property was acquired by tax deed in
46 2017. There was a brief discussion regarding the possibility of a land swap with the Chandler Reservation.
47 **Barak Greene made a motion seconded by Harry Seidel that the Planning Board recommend for sale**
48 **Map 12, Lot 33. Motion passed unanimously.**

49 50 D. Housing Chapter – Barak Greene’s edits to noncontiguous multifamily housing

1 Barak Greene presented text for consideration to replace the text in the side bar relating to noncontiguous
2 multifamily housing in section 4.11. Ian Rogers really likes the edit for its specificity and variety.
3 Karen Coyne read a comment submitted by Barb Marty indicating that she strongly objects to the inclusion
4 of the concept of noncontiguous multifamily developments on a single-family residential lot in the Master
5 Plan. Pier D'Aprile cautioned about the specificity as it relates to septic systems. He stated that this is a
6 suggestion that should be looked at in the Master Plan not an ordinance. Bob Holmes questioned if the
7 language opens the door for the tiny homes concept. Harry Seidel likes the language; he appreciates the
8 flexibility that it provides.

9 The Planning Board voted by a vote of thumbs up to accept the edit submitted by Barak Greene.
10

11 Karen Coyne advised the Planning Board that the next meeting on April 7th is full with three applications and
12 one or two conceptualls to discuss. The Planning Board discussed starting at 6:00 PM. James Gaffney would
13 prefer to start at 7:00PM, Ian expressed concern about the length of the meeting if it starts at 6:00 PM.
14 Karen Coyne stated that she and Chrissy Almanzar will discuss adjusting the agenda.
15

16 **V. UNFINISHED BUSINESS**

17 **A. Housing Chapter Master Plan Draft –review/discussion**

18 The Planning Board briefly reviewed changes made to date. They recapped the outstanding drafts that
19 members have agreed to draft and submit for consideration.
20

21 **VI. REPORTS**

22 **Chair's Report- Chair, Karen Coyne**

23 Barak Greene asked for an update on the Hopkinton and Warner lot line adjustment. Karen stated that the
24 attorneys have been working on the issue. She summarized the attorney's instructions to the town.
25

26 **Select Board - Harry Seidel**

27 Alfred Hanson is the new Selectmen. Harry Seidel asked for an update on Xenakis property regarding the
28 necessary road frontage. Chrissy Almanzar explained that the property owner indicated that he was granted a
29 variance years ago. She needs to confirm that.

30 **Regional Planning Commission - Ben Frost, Barb Marty**

31 Meeting next week

32 **Economic Development Advisory Committee – James Sherman**

33 None

34 **Agricultural Commission - James Gaffney**

35 None

36 **Regional Transportation Advisory Committee – Tim Blagden**

37 None

38 **VII. COMMUNICATIONS**

39 None
40

41 **VII. PUBLIC COMMENT**

42 James Gaffney spoke about missing information on the Boyer plan set. Chrissy Almanzar advised the
43 Planning Board that the applicant has resolved the outstanding issues, and she is now only waiting on a
44 completely updated pdf. There was a discussion regarding past issues with engineering services.

45 Ian Rogers reminded the Planning Board that rules and procedures state that at the first meeting in April, or
46 as soon as possible, the Planning Board is supposed to elect representatives to other committees and make a
47 list of goals and objectives. Barak Greene suggested holding another meeting to accommodate their
48 schedule.

49 The Planning Board commended Chrissy Almanzar for her hard work.

1 Ben Frost stated that the duration of special exceptions is two years pursuant to a law that was passed 12
2 years ago. He suggested that anything granted prior to the new law could live forever.

3

4 **IX. ADJOURN**

5 The meeting adjourned at 8:42 PM.

6 Respectfully submitted by Tracy Doherty

DRAFT