



## TOWN OF WARNER

P.O. Box 265, 5 East Main Street  
Warner, New Hampshire 03278-0059  
Land Use Office: (603)456-2298 ex. 7  
Email: [landuse@warnernh.gov](mailto:landuse@warnernh.gov)

### Planning Board Meeting AGENDA

Monday, November 3rd, 2025  
Town Hall Lower Meeting Room  
7:00 PM

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Join Zoom Meeting: <https://us02web.zoom.us/j/87061407427> Meeting ID: 870 6140 7427 Passcode: 1234

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I. **OPEN MEETING / Pledge of Allegiance**

II. **ROLL CALL**

III. **PUBLIC COMMENT**

IV. **NEW BUSINESS**

A. **Continuation of Public Hearing – Site Plan Review**

**Applicant:** Peacock Hill Rd LLC

**Owners:** Peacock Hill Rd LLC

**Agent:** Keach-Nordstrom Associates

**Surveyor:** Jacques E. Belanger Land Surveying PLLC

**Address:** Map 07 Lot 039 and 39-1 Route 103 East, Warner, NH

**District:** R-2 and R-3

**Description:** Two buildings with four units each to be used as multi-family housing.

B. **Public Hearing – Update to Site Plan Amendment**

C. **Housing Committee Proposal for Accessory Dwelling Unit**

V. **UNFINISHED BUSINESS**

VI. **REVIEW MINUTES:** October 6<sup>th</sup>, October 20<sup>th</sup>

VII. **COMMUNICATIONS**

VIII. **REPORTS**

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

**Select Board –** Michael Smith

**Regional Planning Commission –** Barbara Marty, Ben Frost

**Economic Development Advisory Committee –** James Sherman

**Agricultural Commission -** James Gaffney

**Regional Transportation Advisory Committee –** Tim Blagden

**HOP II Update –** Bob Holmes

IX. **PUBLIC COMMENT**

X. **ADJOURN** - Note: Planning Board meetings will end no later than 10:00 P.M. Items remaining on the agenda will be heard at the next scheduled monthly meeting.

October 20, 2025  
File No. 2025-085

Chrissy Almanzar  
Land Use Administrator  
Town of Warner  
5 East Main Street  
PO Box 265  
Warner, NH 03278  
[landuse@warnernh.gov](mailto:landuse@warnernh.gov)

Re: Site Plan Application Review  
Map 7, Lot 39 and 39-1  
Warner, New Hampshire

Dear Ms. Almanzar:

On behalf of the Town of Warner (Town) Planning Board, Aries Engineering, LLC (Aries) prepared this engineering review of a Site Plan application for the property identified as Lots 39 and 39-1 on Warner Tax Map 7 (site) in Warner, New Hampshire.

The findings and conclusions presented herein are not scientific certainties, but rather our professional opinions concerning our evaluation of information and data submitted by others. Aries anticipates variations in actual site conditions beyond those interpreted and would have to re-evaluate the report conclusions and recommendations if additional site data are made available. Aries conducted this report in general accordance with accepted consulting practices. Aries makes no warranty, either expressed or implied.

## **OBJECTIVE**

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As requested by the Planning Board, Aries' objective was to conduct an engineering review of the Site Plan application and provide general comments regarding compliance with Warner's Site Plan and Zoning regulations and comments on requested items such as soils, dredge and fill, drainage and erosion control, driveway pitch and areas where driveway meets roadway, slope stabilization, runoff relative to abutters, and a specific opinion as to whether the NW area runoff would be improved or made worse for the abutter.

## **SITE DOCUMENTS AND MAPS**

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In preparing this report, Aries reviewed the following documents and data:

1. *"Residential Site Plan, Jennesstown Manor,"* prepared by Keach-Nordstrom Associates, Inc. (KNA) of Bedford, New Hampshire, and revised May 22, 2025;

2. *“Alteration of Terrain Permit Application & Stormwater Drainage Analysis, Jennessstown Manor,”* prepared by KNA, and revised May 27, 2025;
3. Alteration of Terrain Comment Response Letter, prepared by KNA, dated September 4, 2025;
4. *“Site Plan Review Regulations, Town of Warner, New Hampshire,”* amended March 11, 2020
5. *“Town of Warner, New Hampshire Subdivision Regulations,”* amended March 11, 2020 (Subdivision Regulations);
6. *“Town of Warner, New Hampshire Zoning Ordinances,”* amended March 13, 2024 (Zoning Ordinances);
7. *“Driveway Regulations, Town of Warner, NH,”* dated January 22, 2018;
8. *Drainage Class Report*, Web Soil Survey, U.S. Department of Agriculture (USDA);
9. Geographic Information System (GIS) data provided by New Hampshire Geographically Referenced Analysis and Information Transfer System (NH GRANIT), which is maintained by University of New Hampshire and the NH Office of Strategic Initiatives.

In this report, the above-referenced individual plans prepared by KNA are collectively referred to as “site plans”.

## COMMENT REVIEW

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Aries provided the following general comments:

### Soils

1. Aries’ review of the U.S. Department of Agriculture (USDA) Web Soil Survey indicated site soils are generally moderately to excessively well-drained soil, with the exception of an approximate 8,200-square-foot (sf) area of poorly drained soils along the southwestern property boundary of Lot 39-1. It is unclear if this area was excluded from the “buildable area” calculation for Lot 39-1, but due to the limited area, this area of poorly-drained soils should not reduce the number of permitted dwelling units on the lot. The Web Soil Survey report is attached.

### Site Access

2. Site access is proposed via a 20-foot-wide single access road to the proposed site facilities with steep grades of up ~ 15%. Section III (E.) of the Town Site Plan Review Regulations require, *“...suitably located streets of sufficient width to accommodate existing and prospective traffic and to afford adequate light, air, and access for firefighting apparatus and equipment to buildings”*. Further, Section XXIII (A.)(6) state that, *“...adequate provisions must be made for fire safety, prevention, and control”*. Aries recommends that the proposed site access be reviewed and approved by both

the Town fire and police department to ensure that site access for life-safety responses can be met by the Town.

3. Available Town Driveway Regulations allow for driveway grades of up to 15%. However, consideration should be given to the fact that the proposed driveway provides access to eight dwelling units that will require a greater level of life-safety support than a single-family residence.
4. Site plans show a 20-foot-wide access road with 2-foot-wide shoulders. Aries recommends that the proposed access road meet the Town road construction standards provided in the Town Subdivision Regulations, Appendix B<sup>1</sup>, including 24-foot-wide paved roadway, with 3-foot minimum width shoulders.
5. The site plans depict a fire truck turnaround and enclosed dumpster located approximately halfway down the proposed steep access road. Based on this location, it is presumed that fire trucks would need to back halfway down the steep access road to turn around. Aries recommends relocating the turnaround and dumpster area adjacent to and at the same level of the dwelling units where both fire apparatus will need to reverse direction and where refuse will be generated. This would provide a second fire truck turnaround.
6. The site plans indicated an approximate access road starting elevation of 433 feet and a high point elevation of approximately 478 feet for the site access road, which is approximately 420 feet in length. The average grade is approximately 10.7%, while the majority of the access road is at a grade of 14.26%. Aries recommends that the proposed site access road be lengthened to meet the Section VII Design Standards grade of 10% for a local street for all portions of the access road.

### Water System

7. Section XXIII (A.) of the Town Site Plan Review Regulations require, “...*the applicant to provide adequate information to prove that the area of the lot is adequate to permit the installation and operation of water and sewage systems...in areas not currently served by public water and sewer*”.
8. The site plans depict four bedrooms per dwelling unit, which results in a total of 32 bedrooms at the proposed development. Although the two four-unit buildings are situated on separate parcels, the buildings share a common access road and other facilities and should be considered one project. NHDES community water system rules, part Env-Dw 405.02, apply to water systems that supply water to 25 or more people, at least 60 days each year. According to Douglas Sayer, NHDES Drinking-Water-and-Groundwater Bureau Design Specialist, the proposed 8-unit development does not qualify as a community water system.
9. The well radius proposed for the two wells (one on each lot) is 125', as depicted on the site plans. Using NHDES Water Supply Rules as best management guidance,

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<sup>1</sup> - Appendix B, Street and Road Sample Drawings, Amended 1-24-11.

including Env-Dw 405.10 - Design Flow regulations, a four-bedroom design requires 150 gallons per day (gpd) per bedroom for residential uses. As such, the design flow for each 4-unit building is:

$$150 \text{ gpd/ Bedroom} = 600 \text{ gpd} * 4 \text{ units} = 2,400 \text{ gpd}$$

10. NHDES community water system rules (Env-Dw 405.12) require a source capacity that is two time the required design flow, which is 4,800 gpd, or approximately 3.3 gallons per minute (gpm) on average for each building's water supply system. This accounts for domestic water use but does not account for fire suppression or irrigation. Aries considers this to be a recommended best management practice. Based on a required minimum source capacity of 4,800 gpd per building, a Sanitary Protective Radius of 150' will be required. The current site plans depict 125' well radius.
11. Based on this guidance, the minimum sustainable well yield needs to be greater than 3.3 gpm for each building.
12. Because an adequate water supply is a requirement for Site Plan approval, Aries recommends that certification of sustainable well yield for the proposed development be provided to the Town as a pre-condition of approval of the site plan.

#### **Alteration of Terrain Permit Application #250327-055**

13. The site plans depict a cut of approximately 20 feet in Pocket Pond #41, where a proposed base elevation of 434 feet is located in the vicinity an existing ground surface elevation of 454.
14. Test Pit #9 is shown to be located within the proposed pocket pond. The excavation log for Test Pit #9 indicated the ground surface at the test pit was approximately 450 feet, and that the test pit was extended to a depth of approximately 20 feet below ground surface (bgs), or to an elevation of approximately 430 feet. Estimated Seasonal High-Water Table (ESHWT) was present at approximately 15 inches (1.25 feet) bgs, at an estimated elevation of approximately 448.75 feet, with observed water at a depth of 60 inches (5 feet) bgs, or at an elevation of approximately 445 feet. Based on these observations, the pocket pond will constantly discharge groundwater out of the Outlet Control Structure (OCS) #41, which has a proposed outlet invert elevation of 440.1 feet.
15. Based on this configuration, the proposed stormwater management system will unnecessarily cause groundwater levels in this area to decline due to the anticipated constant discharge from OCS #41.
16. The presence of standing water within Pocket Pond #41 will reduce the intended storage capacity<sup>2</sup>, which is not likely accounted for in the stormwater model flows.

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<sup>2</sup> The KNA hydraulic model indicates a cumulative storage volume of 9,184 cf below an elevation of 440.5 feet, which is near the proposed OCS #41 invert elevation.

17. Lastly, the groundwater discharge from OCS#41 will increase the volume of water discharge to the State Right-of-Way (ROW), where it will flow to catch basing CB#4 and be directed beneath Route 103 through an existing 15-inch reinforce concrete pipe (RCP) culvert. This additional contribution of groundwater is not accounted for in the KNA drainage model and report. However, this additional discharge should not affect the northwesterly abutting property.
18. Aries recommends that the stormwater storage in Pocket Pond #41 be evaluated and redesigned to provide adequate stormwater storage and to mitigate groundwater discharge.

### Parking

19. Section IX - Site Plan Application Requirements require provision of off-street parking and loading spaces with a layout of the parking indicated snow storage locations. The site plans appear to provide adequate parking and snow storage.
20. Section XVII - Landscaping Standards require a minimum of one 2-1/2" caliper deciduous tree for every 20 parking spaces and every 60 feet of access roads. Available Landscape Plan details list only three deciduous trees to be planted, which does not meet the Town's Landscaping Standards.
21. Handicapped parking is required under the Town Site Plan Regulations and shall conform to the most current State and Federal law in place at the time of the application. Adequate provisions shall be made for handicapped parking and safe accessibility for the handicapped from the parking spaces to the proposed building(s)/use(s). Handicap parking areas should be shown on the Site Plan and should follow the 2010 Americans with Disabilities Act of 1990 (ADA) Standards for Accessible Design<sup>3</sup>

### Refuse

22. Section IX - Site Plan Application Requirements require exterior solid waste disposal or recycling facilities be screened on each side. The site plans provide adequate details for the proposed solid waste disposal infrastructure.

### Minimum Buildable Area

23. The 8 residential units are located within the Medium Density Residential (R2) Zoning District, which requires a buildable area of 2 acres per dwelling unit.
24. Note 2 of the Existing Conditions Plan indicates that Lot 39 has a buildable area of 8.774 acres, while Lot 39-1 has a buildable area of 11.05 acres. Both Lots meet the minimum buildable area.

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<sup>3</sup> <https://www.ada.gov/law-and-regs/design-standards/2010-stds/#parking-spaces>



## Drainage

25. The site plans depict four proposed stormwater discharge structures that direct stormwater to level spreaders, all of which terminate on steeply sloping land. Aries anticipates that these level spreaders will not adequately distribute the runoff and that rills and channelization will develop over time causing erosion. Aries recommends that riprap armoring be installed downslope of the outlets to a point where slopes moderate. Check dams should be installed along the anticipate flow path.
26. A level spreader is depicted on Lot 39 at an approximate elevation of 498 feet located along the northerly property line. The site plans depict a drainage swale at an approximate elevation starting at 506 feet that captures surface water from the upper portion of Lot 39 and directs this stormwater to the aforementioned level spreader that is located near the northerly boundary of Lot 39. As previously noted, Aries anticipates that the level spreader will not adequately distribute the runoff and that rills and channelization will develop over time causing erosion. Further, this drainage swale concentrates stormwater flows from the upland areas of Lot 39 and directs it without adequate treatment toward the northerly abutting property. It is anticipated that stormwater flows from the swale will cause increased stormwater runoff onto the northerly abutting property. Aries recommends drainage from this outfall be directed to a stormwater infiltration practice located at distance from the northerly site property boundary to limit concentrated stormwater flows toward the northerly abutting property.

## Erosion and Sediment Control

27. Erosion Control notes are provided in the site plan construction details. Aries recommends that the Town conduct periodic inspections to ensure that specified erosion control procedures are followed.

Please contact me at (603) 228-0008 if you have any questions regarding this report and its findings.

Sincerely,  
Aries Engineering, LLC



George C. Holt, P.G.  
Principal Hydrogeologist

GCH:pj

Attachments:            Web Soil Survey Report



Kathryn A, Ward, P.E.  
Principal Engineer


Drainage Class—Merrimack and Belknap Counties, New Hampshire  
(Site\_Boundary)























## MAP LEGEND

### Area of Interest (AOI)









 Area of Interest (AOI)

### Soils

#### Soil Rating Polygons


- |   |                              |   |                              |
|---|------------------------------|---|------------------------------|
|  | Excessively drained          |  | Excessively drained          |
|  | Somewhat excessively drained |  | Somewhat excessively drained |
|  | Well drained                 |  | Well drained                 |
|  | Moderately well drained      |  | Moderately well drained      |
|  | Somewhat poorly drained      |  | Somewhat poorly drained      |
|  | Poorly drained               |  | Poorly drained               |
|  | Very poorly drained          |  | Very poorly drained          |
|  | Subaqueous                   |  | Subaqueous                   |
|  | Not rated or not available   |  | Not rated or not available   |

#### Soil Rating Lines





- |   |                              |
|---|------------------------------|
|    | Excessively drained          |
|    | Somewhat excessively drained |
|    | Well drained                 |
|    | Moderately well drained      |
|  | Somewhat poorly drained      |
|  | Poorly drained               |
|  | Very poorly drained          |
|  | Subaqueous                   |
|  | Not rated or not available   |

#### Soil Rating Points


### Water Features

 Streams and Canals

### Transportation

- |   |                     |
|---|---------------------|
|  | Rails               |
|  | Interstate Highways |
|  | US Routes           |
|  | Major Roads         |
|  | Local Roads         |

### Background

 Aerial Photography

## MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service  
Web Soil Survey URL:  
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Merrimack and Belknap Counties, New Hampshire

Survey Area Data: Version 31, Sep 10, 2025

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Oct 6, 2022—Oct 22, 2022

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

## Drainage Class

Map unit symbol	Map unit name	Rating	Acres in AOI	Percent of AOI
35C	Champlain loamy fine sand, 8 to 15 percent slopes	Somewhat excessively drained	1.0	2.9%
415B	Moosilauke fine sandy loam, 3 to 8 percent slopes, very stony	Poorly drained	1.5	4.5%
459D	Metacomet fine sandy loam, 15 to 25 percent slopes, very stony	Moderately well drained	8.9	25.9%
479C	Gilmanton fine sandy loam, 8 to 15 percent slopes, very stony	Moderately well drained	4.6	13.4%
480C	Millsite-Woodstock-Henniker complex, 8 to 15 percent slopes, very stony	Well drained	11.7	34.0%
480D	Millsite-Woodstock-Henniker complex, 15 to 25 percent slopes, very stony	Well drained	6.7	19.4%
<b>Totals for Area of Interest</b>			<b>34.3</b>	<b>100.0%</b>

## Description

"Drainage class (natural)" refers to the frequency and duration of wet periods under conditions similar to those under which the soil formed. Alterations of the water regime by human activities, either through drainage or irrigation, are not a consideration unless they have significantly changed the morphology of the soil. Seven classes of natural soil drainage are recognized-excessively drained, somewhat excessively drained, well drained, moderately well drained, somewhat poorly drained, poorly drained, and very poorly drained. These classes are defined in the "Soil Survey Manual."

## Rating Options

*Aggregation Method:* Dominant Condition

*Component Percent Cutoff:* None Specified

*Tie-break Rule:* Higher

## Section V - Scope of Review

- A. Whenever any development or change or expansion of use of a site governed by these regulations is proposed or whenever any changes are proposed which differ from an existing site plan as previously approved by the Planning Board; and before any construction, land clearing, building development or change is begun; and before any permit for the erection of any building or authorization for development on such site shall be granted, the owner of the property or his authorized agent shall apply for and secure from the Planning Board approval of such proposed site development in accordance with procedures outlined in this Regulation.
- B. ~~The Planning Board or their designee has the responsibility for making the determination for requiring Site Plan Review. The threshold at which Site Plan Review is required is determined using the follows guidelines:~~

As the following is a list, end each with a period and strike all the “or” at the close of requirement

### 1. Threshold for Activities that require Site Plan Review

#### 1. The following is a list of activities that would trigger ~~a require~~ a Site Plan Review requirement:

- a. New construction of non-residential or multi-family development, or
- b. Any change or expansion in use of a site or structure when such change is materially or substantially different from the previous use such that there is an significant effect on the quantitative or qualitative requirements of these Regulations or the Zoning Ordinance, or

**Side Note: the word significant as used here is undefinable.**

- c. Exterior projects that entail the development, change, or expansion ~~of (200) or more gross~~ that exceeds 199 square feet of buildings, structures, or parking area, or
- d. Internal building modifications to a non-residential use that affect the scale or impact or activity level of the existing use, or
- e. Modifications to previously approved site plans, or

- f. A change in the site configuration that generates or increases the potential for adverse impacts to drainage systems, surface waters, groundwater, wetlands, and/or floodplains, or
- g. Development that proposes changes to the landscaping, screening, lighting, driveways, parking lots, architectural appearance or visual appearance of an existing structure or site, or
- h. Expansion of use that impacts traffic flow and lighting as it relates to pedestrian safety, or that will result in an increase in vehicular traffic entering or leaving the site by more than 50 vehicles during peak hour or 100 vehicles per day based on the most recent edition of the ITE Trip Generation Manual, or
- i. ~~Vacancies of space within a single use building or a multi-use building will be considered abandonment of use or considered a non-use if they are vacant for more than 3 years, or~~
- j. When determining if there will be a change of use in an existing multi-use building, the entire building and its current and proposed occupant may be taken into consideration, not just the proposed new occupant, or
- k. When applying for a change of use for a project with a previously approved site plan for which construction has not been completed, all previously approved waivers of regulations shall be resubmitted for approval, or
- l. ~~Request by the applicant/Owner subject to the limits of the Planning Board's statutory jurisdiction.~~

**2. Site Plan Review is not required for a project if all the following are met:**

- a. ~~Proposed project complies with the Zoning Ordinance, and~~
- b. ~~Exterior projects of less than (200) gross square feet of buildings, structures, or parking area from the date of the previously approved Site Plan (\*) unless it affects the scale, impact or activity level of the existing use, and~~
- c. ~~Projects that involve a Change in Use for a property that has a previously approved Site Plan (\*) by the Board provided the Change of Use does not affect the scale, impact or activity level of the existing use, and~~
- d. ~~Internal building modifications to a non-residential use that do not affect the scale, impact or activity level of the existing use, and~~



- e. ~~Any proposed construction on the exterior and/or site of existing buildings if it complies with the approved site plan and it is minimal in nature, maintains the existing appearance and/or function of the building and/or site, and~~
  - f. ~~The overall primary use of an existing multi-use building having multiple occupants does not change such that it would affect the scale or impact or activity level of the existing overall use, and~~
  - g. ~~An approved project which has changed Ownership without a Change of Use.~~
  - h. ~~(\*)—Existing uses/buildings prior to March 1982 are not required to have had a previous approved Site Plan.~~
- C. ~~If the project appears to not require Site Plan Review per above guidelines, the project Owner or designee shall meet with the Land Use Secretary to review the project. The “Application for Determination of Site Plan Review” form (form is available at the Land Use Office) shall be completed to help define the project’s scope. The Land Use Office shall determine if Site Plan Review is required and if not, the project will be handled in the same manner as a building permit application. In the absence of the Land Use Secretary during regular business hours, the Town Administrator may make the determination. If it is determined that Site Plan Review is required, the applicant shall follow the procedures of this document.~~

If an applicant is asking to make changes to an existing Site Plan, the Planning Board has the responsibility to determine to what degree, if any, a Site Plan Review needs to be completed. The applicant should fill out an Application for Determination of Site Plan Review where the Planning Board at least 15 days prior to the Planning Board Meeting.

Alternately, the applicant may request a Conceptual Consultation with the Planning Board. ~~In the event~~ **If during** that meeting the Planning Board **decides not requiring a Site Plan Review, is not required** there is no need to file an Application for Determination of Site Plan Review. If the Planning Board determines a Site Plan Review is necessary, either through a completed application or through a consultation, they may choose to exempt certain elements of the checklist.

Any changes to an existing Site Plan where elements currently required by these regulations shall require those elements to be provided as part the Site Plan Review, unless there is a previous exemption recorded regarding those elements, or the previous Site Plan was approved before 1982. Any changes to existing **approved** site plans must have a Site Plan Amendment, describing the changes from the previously **approved** site plan, filed with the Property Card at the Town Hall.

Side note: Replace the comma with a period at the close of each condition; Strike the redundant “and” at the end of each condition

1. A full Site Plan Review may not be required if ~~the~~ all following conditions are met:
  - a. Proposed project complies with the Zoning Ordinance, and
  - b. Exterior projects of less than (200) gross square feet of buildings, structures, or parking area from the date of the previously approved Site Plan (\*) unless it affects the scale, impact or activity level of the existing use, and
  - c. Projects that involve a Change in Use for a property that has a previously approved Site Plan by the Board provided the Change of Use does not affect the scale, impact or activity level of the existing use, and
  - d. Internal building modifications to a non-residential use that do not affect the scale, impact or activity level of the existing use, and
  - e. Any proposed construction on the exterior and/or site of existing buildings if it complies with the approved site plan and it is minimal in nature, maintains the existing appearance and/or function of the building and/or site, and
  - f. The overall primary use of an existing multi-use building having multiple occupants does not change such that it would affect the scale or impact or activity level of the existing overall use, and
  - g. An approved project which has changed Ownership without a Change of Use.

## Section V - Scope of Review

- A. Whenever any development or change or expansion of use of a site governed by these regulations is proposed or whenever any changes are proposed which differ from an existing site plan as previously approved by the Planning Board; and before any construction, land clearing, building development or change is begun; and before any permit for the erection of any building or authorization for development on such site shall be granted, the owner of the property or his authorized agent shall apply for and secure from the Planning Board approval of such proposed site development in accordance with procedures outlined in this Regulation.
- 1. The following is a list of activities that would trigger a Site Plan Review:
  - a. New construction of non-residential or multi-family development.
  - b. Any change or expansion in use of a site or structure when such change is materially or substantially different from the previous use such that there is an effect on the quantitative or qualitative requirements of these Regulations or the Zoning Ordinance.
  - c. Exterior projects that entail the development, change, or expansion that exceeds 199 gross square feet of buildings, structures, or parking area.
  - d. Internal building modifications to a non-residential use that affect the scale or impact or activity level of the existing use, or
  - e. Modifications to previously approved site plans, or
  - f. A change in the site configuration that generates or increases the potential for adverse impacts to drainage systems, surface waters, groundwater, wetlands, and/or floodplains.
  - g. Development that proposes changes to the landscaping, screening, lighting, driveways, parking lots, architectural appearance or visual appearance of an existing structure or site, or
  - h. Expansion of use that impacts traffic flow and lighting as it relates to pedestrian safety, or that will result in an increase in vehicular traffic entering or leaving the site by more than 50 vehicles during peak hour or 100 vehicles per day based on the most recent edition of the ITE Trip Generation Manual, or
  - i. Vacancies of units within multi-use, commercial buildings, with the exception of residential use, will be considered abandonment of use if they are vacant for more than 3 years.
  - j. When determining if there will be a change of use in an existing multi-use building, the entire building and its current and proposed occupant may be taken into consideration, not just the proposed new occupant.

- k. When applying for a change of use for a project with a previously approved site plan for which construction has not been completed, all previously approved waivers of regulations shall be resubmitted for approval.
- B. If an applicant is asking to make changes to an existing Site Plan, the Planning Board has the responsibility to determine to what degree, if any, a Site Plan Review needs to be completed. The applicant should fill out an Application for Determination of Site Plan Review with the Planning Board at least 15 days prior to the Planning Board Meeting.

Alternately, the applicant may request a Conceptual Consultation with the Planning Board. If during that meeting the Planning Board decides a Site Plan is not required, there is no need to file an Application for Determination of Site Plan Review. If the Planning Board determines a Site Plan Review is necessary, either through a completed application or through a consultation, they may choose to exempt certain elements of the checklist.

Any changes to an existing Site Plan where elements currently required by these regulations shall require those elements to be provided as part the Site Plan Review, unless there is a previous exemption recorded regarding those elements, or the previous Site Plan was approved before 1982. Any changes to existing site plans must have a Site Plan Amendment, describing the changes to the previous site plan, filed with the Property Card at the Town Hall.

1. A full Site Plan Review may not be required if all the following conditions are met:
  - a. Proposed project complies with the Zoning Ordinance.
  - b. Exterior projects of less than (200) gross square feet of buildings, structures, or parking area from the date of the previously approved Site Plan (\*) unless it affects the scale, impact or activity level of the existing use.
  - c. Projects that involve a Change in Use for a property that has a previously approved Site Plan by the Board provided the Change of Use does not affect the scale, impact or activity level of the existing use.
  - d. Internal building modifications to a non-residential use that do not affect the scale, impact or activity level of the existing use.
  - e. Any proposed construction on the exterior and/or site of existing buildings if it complies with the approved site plan and it is minimal in nature, maintains the existing appearance and/or function of the building and/or site.



- f. The overall primary use of an existing multi-use building having multiple occupants does not change such that it would affect the scale or impact or activity level of the existing overall use.
- g. An approved project which has changed Ownership without a Change of Use.



## TOWN OF WARNER

PO Box 265

Warner, New Hampshire 03278-0265

Telephone: (603) 456-2298 ex. 7

Warnernh.gov email: landuse@warnernh.gov

### Planning Board Work Session Minutes

October 6, 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 7:00 PM.  
The Pledge of Allegiance was recited.

**II. ROLL CALL**

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

Bob Holmes and Micah Thompson were elevated to voting members.

**III. PUBLIC COMMENT**

None

**IV. NEW BUSINESS**

**Minor Subdivision Application Continuance**

**Applicant:** John Puc

**Owners:** John Puc

**Agent:** S & H Land Services LLC

**Surveyor:** Robert Degan, LLS

**Address:** Map 37, Lot 6, 131 Waterloo Street, Warner NH 03278

**District:** R-2

**Description:** Applicant seeks to subdivide the subject property, creating two additional building lots with frontage on Waterloo Street and the Warner River. No new road is proposed.

Karen Coyne explained that on September 9, 2025, the Planning Board continued their deliberations to ensure that the Planning Board notified the WRLAC and the DES. She stated that both of those notifications have been sent and there has not been a response received.

Karen Coyne reopened the hearing for further Planning Board discussions. Rob Degan recapped the project. Karen Coyne explained that a public comment came in requesting that the Planning Board look at a building permit on Willaby Colby Lane, but no further information was provided.

1 There were no further comments or questions from the Planning Board. Karen Coyne closed the public  
2 hearing. John Leavitt requested that the public be allowed to offer any additional information. Karen Coyne  
3 reopened the floor for public comment. No public comment was offered.

4  
5 Karen Coyne explained that this will be required to go before DES because it is located in the Watershed  
6 District. She stated that they will also be required to have a state septic permit and the WRLAC would have  
7 to be notified again before a build.

8  
9 **Barak Greene made a motion, seconded by Pier D'Aprile, to approve the two lot subdivision with the**  
10 **waivers. Motion passed unanimously.**

11  
12 **V. Revision of Section 5 of the Site Plan Procedures**

13 Barak Greene stated that he received only one edit from the last time he presented this one month ago. He  
14 explained that the amendment relates specifically to the time frame between when the application is received  
15 and when the Planning Board reviews it. He stated that it is 15 days. Karen Coyne asked if the applications  
16 reflect 21 days. She questioned why the site plan requirement would not coincide with the Planning Board  
17 calendar or vice versa.

18  
19 Barak Greene asked if there is a rule for a conceptual consultation because he views them similarly.

20  
21 Bob Holmes stated that he reviewed the proposal from Barak Greene. Bob Holmes stated that he  
22 fundamentally does not like it. He explained that the applicant should have a discussion with the Land Use  
23 Secretary to determine if a variance or site plan is needed. He suspects that this would cause more people to  
24 come before the Planning Board. He would prefer that the applicant speak to the Land Use office on an  
25 informal basis.

26  
27 Barak Greene spoke about an instance where the applicant came to the Land Use office but the Land Use  
28 Secretary was not available so the applicant spoke to the Town Administrator, and the Applicant was told to  
29 pull a building permit when they should have filed a site plan review. Bob Holmes does not believe  
30 applicants should go to the Town Administrator for planning/zoning guidance. Ian Rogers agrees with Bob  
31 Holmes that the original procedure does seem to make this a simpler process.

32  
33 Karen Coyne spoke about a few instances where an applicant received wrong information from Town Hall.  
34 She stated that she believes in the value of conceptual consultations. She stated that she does not feel that one  
35 person should be making the determination.

36  
37 Ian Rogers is in favor of the site plan amendment and believes that it will serve the town in the future. He  
38 questions if additional training would reduce the misinformation given out. He is not in favor of putting  
39 additional pressure or strain on volunteers. There was a discussion regarding what documents are recorded at  
40 the registry of deeds, and the paper records held at the town. Karen reiterated that conceptual consultations  
41 serve a valuable purpose.

42  
43 Barak Greene appreciates that the way this is written, people will come before the Planning Board, creating a  
44 record. He questions how many times something changes, and the Planning Board is not aware of it.  
45 Ian Rogers wonders if there is a way of doing this that does not involve going to the Planning Board every  
46 time. He would appreciate it if the revision was written in a way that the Land Use Secretary could make the  
47 determination on clear cut issues. Barak Greene explained that the amendment is written in a way that does  
48 not put the Land Use Secretary in an awkward position. He stated that this will also minimize the good old  
49 boy mentality.

1  
2 The Planning Board agreed to continue the discussion until October 20, 2025, allowing Ian Rogers the  
3 opportunity to provide additional amendments. Chrissy Almanzar noted that the determination for site plan  
4 review form appears that it is meant to come before the Planning Board. She explained that looking at the  
5 form, it does not appear that the Land Use Clerk would be making any determination. Bob Holmes agreed.  
6 Bob Holmes explained that he began to revise Barak's proposal but there were too many. Barak Greene  
7 reiterated the problem that he is attempting to solve. He believes it is currently unclear on the form as to  
8 whether a site plan review is needed or just an amendment. He explained that that problem needs to be  
9 solved. Karen Coyne stated that this makes the process clear. John Leavitt questioned the scenario when an  
10 applicant makes the determination that a site plan review is not needed, but in fact it is. Barak Greene is not  
11 aware of anything in their procedures that can stop that.

12  
13 Barak Greene requested to have the CIP brought back to the Planning Board for discussion and to vote on it  
14 before it goes to the Budget Committee. It was agreed to do this at the next meeting.

15  
16 **VI. MINUTES September 22, 2025**

17 **Ian Rogers made a motion seconded by Bob Holmes to approve the September 22, 2025 Planning**  
18 **Board meeting minutes as amended. Motion passed, Barak Greene abstained.**

19  
20 **VII. COMMUNICATIONS**

21 None

22  
23 **VIII. REPORTS**

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

25 None

26 **Select Board – Mike Smith**

27 None

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

29 Barb Marty has indicated that Thursday will be the first quarterly RPC meeting. Barb Marty will  
30 provide a summary before the next Planning Board meeting.

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

32 None

33 **Agricultural Commission - James Gaffney**

34 None

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

36 None

37 **Housing Committee**

38 Bob Holmes explained that the Housing Committee reviewed ADU legislature changes, worked on  
39 potential community engagement survey questions, reviewed the State changes to the Commercial  
40 Zoning, intervale, and commercial districts. There was a discussion regarding impact fees.

41  
42 **IX. PUBLIC COMMENT**

43 None

44  
45 **X. ADJOURN**

46 The meeting adjourned at 8:21 PM.

47  
48 Respectfully submitted by Tracy Doherty



DRAFT



## TOWN OF WARNER

PO Box 265

Warner, New Hampshire 03278-0265

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### Planning Board Meeting Minutes

October 20, 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 7:02 PM.

#### **II. ROLL CALL**

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

#### **III. PUBLIC COMMENT**

None

#### **IV. NEW BUSINESS**

##### **A. Tax Deeded Property Disposition**

Bob Holmes began speaking about practices of other states regarding tax deeded properties.

*Video stopped. Video resumed after few minutes*

James Gaffney asked how this pertains to the Planning Board as new business. Bob Holmes explained that the Planning Board recommended that the town dispose of almost all the town owned property, but the Conservation Commission recommended keeping the properties. Bob Holmes believes there should be a conversation between the Planning Board and the Conservation Commission. James Gaffney stated that would be a decision made by the Select Board. Karen Coyne noted that the Select Board has an agenda item for the next meeting to discuss a method of notifying abutters of the sale of town owned property. Barak Greene believes that it is the responsibility of the Select Board to return taxable property to the tax rolls as fast as possible. He explained that the only decision is to determine how to sell it. Barak Greene stated that the Planning Board and the Conservation Commission do not have a say. He stated that for some reason in Warner the Select Board receives recommendations but unless there is a recommended dollar amount it is a moot point. James Gaffney clarified that that is the process the Select Board has in place; it was not a vote by the Town. He stated that a petition warrant article could be submitted to force the Select Board to sell the Town owned properties or to force them to come up with a process that requires them to sell the properties. James Gaffney stated that Mike Smith teed this up for someone to take to Town Meeting.

Ian Rogers via Zoom informed the Planning Board the video cut out while Bob Holmes was speaking, and anyone online missed 70% of Bob Holmes' comments. Ian Rogers stated that he would like to hear from Mike Smith regarding his work on this topic. Mike Smith explained that he has given a list of town-owned properties to the Town committees for their review and comments. He explained that he has walked some but not all of the properties. He stated that he spoke to the auctioneers who would like to auction the properties as a lump or a couple of groups. Mike Smith stated that he will continue walking the properties

1 and going through the process. He does not want to make a mistake by selling something that the Town  
2 should have retained. Karen Coyne reiterated that this is on the Select Board agenda for the meeting  
3 tomorrow night. Micah Thompson questioned if the town is allowed to keep them. James Gaffney stated  
4 that there could be a previous owner who still has claim to the property pursuant to state law. He stated that  
5 the Select Board and previous Select Boards have been negligent on this and Mike Smith is the first person  
6 to try to address it. Mike Smith explained that residents have contacted him about this. He explained that  
7 the Town is selling the properties for the taxes owed and return them to the tax rolls. Ian Rogers asked about  
8 the properties that the Conservation Commission recommended not selling. Mike Smith explained that it is a  
9 Select Board decision, and he will provide all recommendations to the Select Board.

10  
11 Barak Greene asked if there is a budget for the town to sell the properties and if the budget is not sufficient,  
12 why is the town bothering with walking all of the properties. Mike Smith explained that even though the  
13 parcels are not big it is important to walk the properties to see what is around it. James Gaffney asked about  
14 the previous owners' equity in the properties, he thinks it would be helpful to determine the dollar value of  
15 the town's liability to the previous owners. Barak Greene stated that it would be expensive and the town  
16 would need to determine the value of all the properties. James Gaffney stated that a ballpark estimate would  
17 be adequate. James Gaffney stated that if there is a piece of property that the Conservation Commission  
18 wants to keep there should be an understanding that they will be required to pay for it. Mike Smith stated  
19 that the Conservation Commission can bid on it at auction. Mike Smith explained that some of the parcels  
20 were donated to the Town, he stressed that it is important to determine how the Town acquired the property.  
21 John Leavitt stated that the Conservation Commission needs to understand that by keeping the property there  
22 is a liability to the town. Mike Smith reiterated that this is not a Planning Board issue. Karen Coyne agreed.  
23 Ian Rogers appreciates the update and asked what the process is after all the properties have been walked.  
24 Karen Coyne reiterated that it would be a question to be asked of the Select Board.

## 25 26 **V. UNFINISHED BUSINESS**

### 27 **A. Review CIP**

28 Karen Coyne recapped the CIP requests.

29 Town Hall: \$30,000 for windows at town hall and the Warner Community Center

30 Assessing: \$52,000 for the reval

31 Town Clerk: Nothing

32 Police Department: vehicle replacement in 2028 and 2030

33 DPW: bridge repair/replacement \$125,000 and \$200,000 for the highway department.

34 Transfer Station: service life extension for \$25,000 and a pole barn \$50,000, equipment \$35,000.

35 Fire Department: equipment \$50,000, fire vehicles \$100,000 (tanker 1 in 2028, tanker 2 in 2030 and engine 2  
36 in 2037.

37  
38 Karen Coyne stated that Pier D'Aprile worked diligently with Tim Allen on the DPW's CIP as it is the  
39 largest. Barak Greene asked about the sprinkler system for Town Hall. Karen Coyne stated that the Select  
40 Board did not submit a request for it.

41 **Barak Greene made a motion seconded by Pier D'Aprile to approve the CIP for 2026 through 2031.**

42 **Motion Passed unanimously.**

### 43 **B. Site Plan Application Review**

44 John Leavitt and Ian Rogers submitted a submission for the Planning Board to review.

45 John Leavitt's submission was reviewed.

46 *1I: Vacancies of space within a single use building or a multi-use building will be considered abandonment of use or considered a*  
47 *non-use if they are vacant for more than 3 years, or*

48 Barak Greene would like to keep item 1I because the 2 year abandonment issue is in line with other existing  
49 ordinances that requires a new application. John Leavitt stated that enforcement is the issue. Barak Greene

1 stated that it would be up to the building inspector. Micah Thompson stated that there would not be any  
2 reason for the building inspector to come in until a certificate of occupancy is requested. John Leavitt  
3 explained the reason he wanted to remove it is because there is no way for the town to monitor it. John  
4 Leavitt clarified that it is rooms within the building that he perceives as an enforcement issue. James Gaffney  
5 stated that he likes the narrowness and general simplicity of how John Leavitt approached this.

6  
7 1L. *Request by the applicant/Owner subject to the limits of the Planning Board's statutory jurisdiction.*

8 Barak Greene questioned the need to remove section 1L. He stated that if a property owner requests a site  
9 plan review, they should be permitted. Ian Rogers agreed.

10  
11 Ian Rogers stated that he agrees with Barak Green regarding section 1I, he views the issue of vacant space  
12 inside a building would affect the outside of the building in some way. He is in favor of keeping both 1I and  
13 1L. Bob Holmes stated that in reading 1K, (*When applying for a change of use for a project with a previously approved*  
14 *site plan for which construction has not been completed, all previously approved waivers of regulations shall be resubmitted for*  
15 *approval, or*) he believes that it could violate RSA 674:39 in some cases. He explained that the RSA states  
16 that the approval is good for 5 years. Karen Coyne stated that it refers to a change in use, and the Planning  
17 Board has said that a change in use triggers site plan review. Micah Thompson questioned the term  
18 abandonment verses non-use. He stated that someone could be utilizing a portion of a building but not  
19 another that would not mean the building has been abandoned since a portion of the building is being used  
20 and taxes are being paid on it. Barak Greene stated that is a fair point. James Gaffney explained that in the  
21 past it has been applied when a property discontinues a use for a significant period of time. Karen Coyne  
22 stated that she can see Micah Thompson's point what constitutes abandonment. James Gaffney stated that in  
23 this case it would typically apply to a commercial property. Bob Holmes does not think the Town should be  
24 monitoring sections of buildings for use.

25  
26 Barak Greene explained that he views this as; if a strip mall once had a restaurant and that restaurant closed  
27 and three years later another restaurant moves in and they decide a site plan is not necessary, he believes a  
28 site plan review should be required. James Gaffney stated that it would not be a change in use. He stressed  
29 that if it is a permitted use in that district it is permitted. James Gaffney stated that he is not in favor of  
30 requiring people to jump through hoops to do things that are clearly permitted in the district.

31  
32 Ian Rogers spoke to the restaurant example; he agrees with Barak Greene that it would be good practice to  
33 require a site plan review. He stated that depending on the situation however, if everything is the same they  
34 might not need to go through a site plan review. James Gaffney stated that the purpose of this is to simplify  
35 the process and make this as simple and understandable as possible.

36  
37 Bob Holmes explained that the Town has a new building inspector/code enforcement officer. He suggested  
38 asking the building inspector / code enforcement officer for his input. James Gaffney stated that code  
39 enforcement is completely separate from Planning Board and Site Plan Review. James Gaffney expects that  
40 whatever the Planning Board approves the building inspector/code enforcement officer would be responsible  
41 to inspect or enforce what was approved. Micah Thompson stressed that zoning and building enforcement  
42 are not the same. Barak Greene agreed but other communities utilize a tactical review committee to review  
43 all applications to give their input before the Planning Board does. Karen Coyne asked if the building  
44 inspector is also the code enforcement officer. Mike Smith concurred that the newly hired building inspector  
45 is also serving as code enforcement.

46  
47 Barak Greene and Ian Rogers stated that they like John Leavitts edits but they both would prefer to keep 1I  
48 and 1L.

1 **James Gaffney made a motion seconded by John Leavitt to adopt John Leavitt's edits as written.**

2  
3 *Discussion on the motion:* Barak Greene suggested revising the language of 1I to strike vacancies and spaces  
4 for a singular use and replace it with vacancies in a multi-use building. Karen Coyne clarified the friendly  
5 amendment to be *"the vacancy of space in a multi-use building will be considered abandonment of use or*  
6 *considered non-use if vacant for more than three years"*. James Gaffney would like a qualification that is a  
7 makes it clear that it is logically separate space. Barak Greene agreed. The Board considered *"the vacancy*  
8 *of unit(s) within a multi-use commercial building with the exception of residential use will be considered*  
9 *abandonment of use or considered non-use if vacant for more than three years"*.

10  
11 **Amended motion**

12 **James Gaffney made a motion seconded by John Leavitt to accept John Leavitt's edits as written with**  
13 **the exception of 1I which is "the vacancy of unit(s) within a multi-use commercial building with the**  
14 **exception of residential use will be considered abandonment of use if vacant for more than three**  
15 **years". Motion Passed unanimously.**

16  
17 The Board reviewed the edits submitted by Ian Rogers. Barak Greene stated that in reviewing Ian's edits it  
18 appears that the Land Use Secretary and the Town Administrator retain the ability to determine a site plan  
19 review as needed. He stated that it does not fix the problem they are having. Ian Rogers stated that he  
20 focused on housekeeping issues by clarifying language and to solidify the procedure of how it is determined  
21 whether something needs a site plan review. Ian Rogers explained that he tried to establish multiple avenues  
22 or different ways to make the determination for different situations.

23  
24 Ian Rogers explained that his another proposed edit includes language that states that the land use secretary  
25 may not be able to make the determination if a site plan review is necessary and in that case the Town  
26 Administrator would be an option but if the Town Administrator was not available the Planning Board would  
27 make the determination. Ian Rogers explained that every situation will be different and he tried to build this  
28 procedure in such a way that it would allow for those differences. Barak Greene stated that one of the  
29 biggest problems is that everyone in Town Hall wears multiple different hats. He stated that the Town does  
30 not have professionals on staff that can look at plans and see through any kind of misdirection or confusion.  
31 He spoke of three recent examples that caused issues. Karen Coyne questioned if the Town Administrator  
32 would have the qualifications necessary to make the determination on a need for a site plan review. Bob  
33 Holmes stated that the new building inspector does have extensive experience. He stated that for him the  
34 real issue is who would the applicant speak to first; the land use secretary or the building inspector. Barak  
35 Greene stated that this also needs to prevent the abuse of the system. James Gaffney stated that is happening  
36 now by issuing building permits without charging town employees which is not in the zoning ordinance.

37  
38 Micah Thompson stated that the new building inspector is also working in two other towns and he expressed  
39 concern about the added expectation of requiring him to do additional reviews.

40 **James Gaffney made a motion seconded by John Leavitt to reject Ian Rogers's edits. Motion Passed**  
41 **6-1-0, Ian Rogers voted in the negative.**

42  
43 *Discussion on the motion:*

44 Ian Rogers asked what items on the list of determinations (of what requires a site plan review) would require  
45 someone to have special experience. James Gaffney stated that the question of what the special qualifications  
46 are is external to the motion on the floor. Barak Greene stated that in addition to that the edits proposed does  
47 not resolve the abuse question. Ian Rogers explained that his second point does involve the abuse question,  
48 he inquired if the person who made the incorrect decision had read the list of determinations. Barak Greene  
49 stated that does not change the capacity for whether or not it could be abused. James Gaffney stated that the

1 way to keep things as consistent as possible is to keep it at the Planning Board level. Ian Rogers stated that  
2 he does not see the potential for abuse as others do. He stated that there is value in streamlining the process  
3 for applicants and saving their time and the time of the Planning Board.

4  
5 The Planning Board agreed to schedule a public hearing to consider the adoption of John Leavitt's edits.

### 6 7 **C. State Changes and Zoning Ordinance Modifications**

8 The Planning Board continued their discussion on State Changes and Zoning Ordinance Modifications. Bob  
9 Holmes stated that the Housing Committee approved a draft ordinance for accessory housing and that should  
10 be coming to the Planning Board. The Planning Board agreed to add that to a November agenda.

11  
12 James Gaffney stated that it has been brought to his attention that a Select Board member said that the Select  
13 Board cannot take action regarding the encampment on North Road because the Planning Board and the  
14 Zoning Board have not given them some means of taking action. James Gaffney asked if the Planning Board  
15 would like to discuss changing the zoning ordinance to address this. He stated that the Town does not have  
16 an ordinance relating to squatting. Barak Greene asked if there is an ordinance regarding cleaning up. Pier  
17 D'Aprile asked if the Select Board has asked the Planning Board to weigh in on this. James Gaffney stated  
18 they have not. Karen Coyne clarified that James Gaffney is asking if the Planning Board has an appetite to  
19 make changes to the zoning ordinance to address this situation. The Planning Board discussed the issue of  
20 trespassing on town owned property. James Gaffney explained that language could be revised to include "the  
21 Select Board shall". Ian Rogers suspected there are other tools the Town could use apart from zoning. Barak  
22 Greene stressed that the Welfare department should be the responding department. James Gaffney reiterated  
23 that there are trespassing, trash and noise issues, and the welfare component is separate for the land use  
24 issues. James Gaffney will not speak to the intent of the people, the Planning Board can only consider land  
25 use issues. He reiterated that the Select Board has complained that they do not have the tools to address this  
26 and he would argue that clarity is need. He suggested adding the issue to the next agenda. James Gaffney  
27 stated that this would definitely need to be a Town Meeting issue. Pier D'Aprile suggested reviewing the  
28 trespassing ordinance and respond to the Select Board if they determine the trespassing ordinance is  
29 sufficient for the Select Board to take action. James Gaffney explained that it is his position that the Select  
30 Board lacks the will to take action and if the zoning ordinance language was changed to "the Select Board  
31 shall..." that would compel them to take action. Micah Thompson questioned if this is a communal issue, he  
32 stated that this is a very big issue for the Planning Board to involve itself in. Barak Greene stated that the  
33 Planning Board should not be policing the Select Board. Karen Coyne stated that she will schedule this on  
34 the November 17<sup>th</sup> agenda to determine what if anything the Planning Board wants to do.

### 35 36 **VI. COMMUNICATIONS**

37 Karen Coyne advised the Board that late today the findings from Aries Engineering was received and will  
38 sent out. She stated that Aries has offered to attend a meeting. She will invite Aries to the November 3,  
39 2025 meeting. She asked the Board to review the information and be prepared for November 3<sup>rd</sup>.

40  
41 Karen Coyne stated that Peacock has filed a request for an extension.

### 42 43 **VII. REVIEW MINUTES** October 6, 2025

44 Tabled to review the Zoom video

### 45 46 **IX. ADJOURN**

47 The meeting adjourned at 8:23 PM

48 Respectfully submitted by Tracy Doherty