



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

Planning Board ANNUAL MEETING AGENDA

Monday, April 1, 2024
Town Hall Lower Meeting Room
7:00 PM

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

I. OPEN MEETING and ROLL CALL

II. APPROVAL OF MINUTES – None

III. PUBLIC COMMENT

IV. NEW BUSINESS

A. Conceptual Consultation Application

Applicant: Benjamin France

Owners: Jonathan France

Agent: Benjamin France

Address: 696 Pumpkin Hill Road, Warner, NH 03278

Map/Lot: Map 19, Lot 021

District: R3

Description: 65 Acres, equipment, pole barn, horse barn, house and fields. Park trucks, containers on property maintenance on trucks, dumpster containers sort recyclable materials.

B. Town of Warner Approval for Bradford Subdivision

Applicant: Nick Verteuile, Survey Manager – Horizons Engineering, Inc.

Owners: Walter & Gates Realty, LLC., and Judith G. Curless Investment Trust

Agent: Nick Verteuile, Survey Manager – Horizons Engineering, Inc.

Address: 98 and 102 Davis Road, Bradford, NH 03221

Map/Lot: Map 22, Lot 29 – 31 (BRADFORD)

District:

Description: Reference email request from Matt Dyer, Assistant Deputy Register of Merrimack County. In order to record the mylar a signature box for the Town of Warner needs to be added and signed with the appropriate signatures.

C. Action Items and Board Calendar for 2024

1. CIP
2. Mechanics of writing of Housing Chapter
3. Short Term Rental Discussion
4. Board suggestions . . .

D. Re-appointments and Appointments to the Planning Board are taking place in April with the Select Board (date to be determined).

V. UNFINISHED BUSINESS

A. Start review of Subdivision application and Checklist

[Subdivision](#), [Site Plan Regulations](#), [Site Plan Review](#), [Voluntary Merger](#), [Driveway](#), [Home Occupation](#), [Lot Line Adjustment](#)

VI. REPORTS

- A. Chair's Report – Chair, Karen Coyne
- B. Select Board – Harry Seidel
- C. Regional Planning Commission – Derek Narducci, Ben Frost
- D. Economic Development Advisory Committee –
- E. Agricultural Commission – James Gaffney
- F. Groundwater Protection Committee – Andy Bodnarik
- G. Housing Advisory Committee – Ian Rogers
- H. Regional Transportation Advisory Committee –

VII. ELECTION OF PLANNING BOARD OFFICERS

- A. Members identify their interest in being nominated as Chair. Make nominations for Chair. Second. Discuss. Vote.
- B. Members identify their interest in being nominated as Vice Chair. Make nominations for Vice Chair. Second. Discuss. Vote.

VIII. COMMUNICATIONS

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.

**All interested parties are invited to attend.
Public correspondence must be received by Noon on the day of the meeting.**



TOWN OF WARNER PLANNING BOARD

P.O. Box 265
Warner, New Hampshire 03278-0059
Telephone: (603) 456-2298, ext. 7
Fax: (603) 456-2297

APPLICATION FOR CONCEPTUAL CONSULTATION

Please note that this application is subject to NH RSA 91-A which affords the public access to this information.

ACTION NEEDED FROM THE ZONING BOARD OF ADJUSTMENT? YES [checked] NO

Possible

TODAY'S DATE: 3-8-2024

NAME OF APPLICANT: Benjamin France

ADDRESS: 696 Pumpkin Hill Road

PHONE # 1: 603-748-8586 PHONE # 2: 603-456-2883 E-MAIL: benfrance07@gmail.com

OWNER(S) OF PROPERTY: Jonathan France

ADDRESS: 696 Pumpkin Hill Road

PHONE # 1: 603-748-4428 PHONE # 2: 603-456-2883 E-MAIL:

AGENT NAME:

ADDRESS:

PHONE # 1: PHONE # 2: E-MAIL:

STREET ADDRESS & DESCRIPTION OF PROPERTY: 696 Pumpkin Hill Road

65 acres, Equip. Pole Barn, Horse barn, house, fields

MAP # LOT # ZONING DISTRICT: NUMBER OF LOTS/UNITS:

FRONTAGE ON WHAT STREET(S):

DEVELOPMENT AREAS: acres/sq.ft. BUILDING/ADDITION: sq. ft.

PROPOSED USE: PARK + TRACK'S, CONTAINER'S ON PROPERTY

MAINTNANCE ON TRACK'S / DUMPSTER CONTAINER'S

SOFT RECYCLABLE MATERIAL'S

DETAILS OF REQUEST: Indicate number of separate pages attached, if necessary.

Authorization/Certification from Property Owner(s)

I (We) hereby designate _____ to serve as my agent and to appear and present said application before the Warner Planning Board

By submitting this application I (We) hereby authorize and understand that agents of the Town may visit the site without further notice.

Signature of Property Owner(s): [Signature] Date: 3/8/24
(Need signatures of all owner's listed on deed)

Print Names Jonathan D. France

Signature of Applicant(s) if different from Owner:
[Signature] Date: 3/8/24

Print Names BENJAMIN FRANCE

For Planning Board Use Only

Date Received at Town Office: _____

Received By: _____

Date of Review: _____ Date of Hearing: _____

To: Town Administrator & Warner Selectboard
From: Barbara Marty & Lucinda McQueen
Re: Zoning Enforcement Request
Date: February 26, 2024

For over 18 months an unlawful trucking & car hauling business has been operating in an R-3 zone at 696 Pumpkin Hill Road. The property is owned by Jon France, but the business is owned by his son Ben. Until recently, this was a lovely farmhouse with barn and horses grazing in the paddock. Now the acreage is covered with commercial trucks, dumpsters, and salvaged cars. The noisy traffic (random & at any time of day) of these big commercial trucks is disruptive and noxious to neighbors, and hazardous to people who like to walk and bike on these roads. In the last 8 months, the business has expanded to include an additional roll-on bed wrecker and more dumpsters. The activity is not permissible in the Use Table and violates at least 8 requirements of the Home Business ordinances:

ARTICLE IV

General Provisions Violations

P Home Occupation 2

- a. The use does not change either the character of the dwelling as a residence or the character of the neighborhood in which the Home Occupation is established.
- b. The use shall be carried out entirely within the dwelling or an accessory building located on the same premises as the dwelling
- c. The use is capable of being unobtrusively pursued.
- g. There shall be no display of goods or wares visible from the street.
- h. No outside storage of equipment shall be allowed in connection with the Home Occupation.
- i. The dwelling or accessory building in which the Home Occupation is conducted shall not be rendered objectionable to the neighborhood because of exterior appearance, emission of odors, gas, smoke, dust, noise, electrical disturbance, hours of operation or in any other way.
- l. The use creates no nuisance nor any environmental, health or safety concerns.
- m. The use shall not create a traffic safety hazard, nor shall it result in a substantial increase in the level of traffic congestion in the vicinity of the dwelling.

A complaint on this matter was filed with Diane Ricciardelli last year, so there may be a record of what, if anything, was communicated at that time. We know and like Ben and sympathize with him trying to get a new business up and running, but this is the wrong place to establish an active "chop shop" and junk hauling yard. We are asking the Selectboard to enforce the ordinances and inform Ben that this business must cease operation in its present location.

Thank you very much for your time and effort to resolve this issue.

Janice Loz - Landuse

From: Nick Vertefeuille <nvertefeuille@horizonsengineering.com>
Sent: Tuesday, March 19, 2024 11:11 AM
To: Janice Loz - Landuse
Subject: FW: 2 Plans requested to be checked prior to recording
Attachments: 230466-2SHEETS-22X34-NON-STAMPED-BRADFORD,NH-LLA.pdf

This email originated from outside of the organization. Do not click links or open attachments unless you are 100% sure that it is safe.

Hi Janice,

Here is the plan I spoke with you about on the phone.

Nick Vertefeuille
[Horizons Engineering, Inc.](#)

From: Matthew Dyer <mdyer@merrimackcounty.net>
Sent: Thursday, March 14, 2024 8:45 AM
To: Nick Vertefeuille <nvertefeuille@horizonsengineering.com>
Subject: Re: 2 Plans requested to be checked prior to recording

Good morning Nick, in order to record you will need the Town of Warner approval box signed as well on both sheets 1&2. The single sheet plan is ok as is, with added proper signatures.

Regards,
Matt Dyer
Asst Deputy Register
Merrimack County

On Wed, Mar 13, 2024 at 1:19 PM Nick Vertefeuille <nvertefeuille@horizonsengineering.com> wrote:

Hi Matthew,

Would you mind reviewing these plans with the registrar of deeds to ensure they are suitable for recording?

One of these plans is a boundary survey plan in Sutton NH and the other (2 sheets) is in Bradford, NH. I realize the Bradford lot line adjustment plan needs a mylar to be signed by the town planning board prior to recording.

Thank you for your time and I hope you have a good week.

Nick Vertefeuille

Survey Manager

Horizons Engineering, Inc.

Maine - New Hampshire - Vermont

P. 603.309.2047 F. 603.444.1343

C. 860.617.8566

Janice Loz - Landuse

From: Nick Vertefeuille <nvertefeuille@horizonsengineering.com>
Sent: Tuesday, March 19, 2024 2:39 PM
To: Planning Board
Cc: Rick & Judy Curless; Janice Loz - Landuse
Subject: Curless Lot Line Adjustment further action
Attachments: 230466-2SHEETS-22X34-NON-STAMPED-BRADFORD,NH-LLA.pdf

This email originated from outside of the organization. Do not click links or open attachments unless you are 100% sure that it is safe.

Hi Katie,

Unfortunately, the lot line adjustment needs further action based upon a response I got from the registry of deeds before it is recorded.

I received the following response from Matthew Dyer the Assistant Deputy Register at Merrimack County Registry of Deeds after I requested their input on whether the attached plan would recordable.

“Good morning Nick, in order to record you will need the Town of Warner approval box signed as well on both sheets 1&2.”

In essence, the Mylar will need to be signed by the town of Warner planning board as well with Warner signature blocks on both pages. I found it a little interesting that they would require this, and I know that it would change the normal flow of the recording process. Since I have gotten this response from the registry, I have contacted the land use department or planning board for the town of warner to see if I can make their next meeting on April 1st and get their approval for the plan. Also, I have spoken with my clients (Judy and Rick Curless) and they are aware of the registry’s additional requirement.

Judy and Rick have already offered to bring the Mylar to the town of Warner to be signed but I did not know if you had wanted to complete this yourself before recording the plan. I think the best path forward is to present the plan to the warner planning board, get it signed, then bring it to you to be signed by the Bradford planning board after the conditions of approval are met, and recorded afterward by the Bradford planning board. If you had any questions, or thoughts about making this process smoother please let me know.

I have CC’ed my clients and the Warner planning board on this email to make communication easier.

Thank you for your time and I hope you have a great day.

Nick Vertefeuille
Survey Manager
Horizons Engineering, Inc.
Maine - New Hampshire - Vermont
P. 603.309.2047 F. 603.444.1343
C. 860.617.8566

RESERVED FOR REGISTRY USE

GENERAL NOTES:

- OWNERS OF RECORD:
 - JUDITH G. CURLESS INVESTMENT TRUST
JUDITH G. CURLESS, TRUSTEE
6 WINDING WAY, WESTFORD, MASSACHUSETTS 01886
BOOK 3460 PAGE 1644
 - RICHARD W. CURLESS INVESTMENT TRUST
RICHARD W. CURLESS, TRUSTEE
6 WINDING WAY, WESTFORD, MASSACHUSETTS 01886
BOOK 3460 PAGE 1644
 - WALTER AND GATES REALTY LLC
6 WINDING WAY, WESTFORD, MASSACHUSETTS 01886
BOOK 3708 PAGE 507
- DEED REFERENCES:
 - A. "WARRANTY DEED" RICHARD W. CURLESS AND JUDITH G. CURLESS TO RICHARD W. CURLESS, TRUSTEE OF THE RICHARD W. CURLESS INVESTMENT TRUST & JUDITH G. CURLESS TRUSTEE OF THE JUDITH G. CURLESS INVESTMENT TRUST DATED SEPTEMBER 9, 2014 AND RECORDED ON NOVEMBER 5, 2014 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 3460 PAGE 1644.
 - B. "WARRANTY DEED" DAINÉ WHALLEY TO WALTER AND GATES REALTY LLC DATED NOVEMBER 17, 2020 AND RECORDED ON NOVEMBER 17, 2020 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 3708 PAGE 507.
 - C. "QUITCLAIM DEED" GERTRUDE M. CURLESS TO WILLIAM F. AND PATRICIA ANN CURLESS DATED SEPTEMBER 26TH 1968 AND RECORDED ON SEPTEMBER 27, 1968 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 1037 PAGE 334.
 - D. "QUITCLAIM DEED" GERTRUDE M. CURLESS TO RICHARD W. AND JUDITH G. CURLESS AND RECORDED ON SEPTEMBER 27, 1968 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 1037 PAGE 333.
 - E. "DEED" MURRAY R. AND VIOLA E. LOGAN TO FRANK W.F. AND GERTRUDE M. CURLESS DATED MAY 22, 1946 AND RECORDED ON MAY 31, 1946 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 626 PAGE 589.
 - F. "DEED" LILLIAN E. CHASE TO MURRAY R. AND VIOLA E. LOGAN DATED MAY 10, 1946 AND RECORDED ON MAY 13, 1946 IN THE MERRIMACK COUNTY REGISTRY OF DEEDS BOOK 626 PAGE 453.
- PLAN REFERENCES:
 - A. "SUBDIVISION PLAN OF LAND, PREPARED FOR GEORGE AND EDITH WHALLEY, BRADFORD, NEW HAMPSHIRE", SCALE 1"=50', DATED JUNE 1, 1988, SURVEYED BY MORRIS C. FOOTE LLS #322 AND RECORDED IN THE MERRIMACK COUNTY REGISTRY OF DEEDS PLAN BOOK #10713.
 - B. PLAN OF LAND, GEORGE J. & EDITH M. WHALLEY, BRADFORD, NH, SCALE 1"=20', DATED DECEMBER 10, 1978, SURVEYED BY HARRY R. MURRAY, ON FILE AT THE OFFICE OF DANIEL HIGGINSON.
 - C. "PRELIMINARY BOUNDARY PLAN, TAX MAP 22 LOT 15 88 DAVIS ROAD, BRADFORD, NH 03221 PREPARED FOR: THOMAS E. FLANAGAN 36 GARVEY ROAD, FRAMINGHAM, MA 01701", SCALE 1"=20', DATED JANUARY 16, 2015, SURVEYED BY BROWN ENGINEERING & SURVEYING LLC. ON FILE AT THE OFFICE OF DANIEL HIGGINSON.
 - D. "LOT LINE ADJUSTMENT PLAN PREPARED FOR: FRED SCHWEIZER, LAND OF: LOIS & FRED SCHWEIZER AND THE FOURNER FAMILY TRUST 83 AND 74 DAVIS ROAD TAX MAP 22 LOTS 16 & 18, BRADFORD, NEW HAMPSHIRE", SCALE 1"=50', SURVEYED BY DANIEL HIGGINSON LLS #1009, AND RECORDED IN THE MERRIMACK COUNTY REGISTRY OF DEEDS PLAN BOOK #20230009859.
 - E. "SUBDIVISION OF LAND, RONALD OFNER, WARNER, NH, MAP 8 LOT 7", SCALE 1"=50', DATED NOVEMBER 17, 1987, SURVEYED BY ERNEST. E. VEINOTTE LLS #474, AND RECORDED IN THE MERRIMACK COUNTY REGISTRY OF DEEDS PLAN BOOK #10089.
 - F. "BOUNDARY SURVEY FOR THE LATVIAN LUTHERAN EXILE CHURCH OF BOSTON AND VICINITY PATRONS, INC LOCATED IN WARNER & BRADFORD NEW HAMPSHIRE", SCALE 1"=200', DATED AUGUST 1976, SURVEYED BY CLIFFORD P. RICHER, AND RECORDED IN THE MERRIMACK COUNTY REGISTRY OF DEEDS PLAN BOOK #4519.
 - G. "SURVEY AND SUBDIVISION OF THE EASTERN SHORE, PROPERTY OF THE MASSASECUM LAKE LAND CO. HENNIKER NH", SCALE 1"=50', DATED AUGUST, 1920, BY LAURIE DAVIDSON COX, AND RECORDED IN THE MERRIMACK COUNTY REGISTRY OF DEEDS PLAN BOOK #915.
 - H. "SEWAGE DISPOSAL SYSTEM RICHARD AND JUDY CURLESS DAVIS ROAD BRADFORD, N.H.", DATED MAY 25, 1990, CONTOUR INTERVAL 2 FEET, SCALE 1"=20', DESIGNED BY RICHARD V. PERRON AND ON FILE AT THE TOWN OF BRADFORD SELECTMAN'S OFFICE.
- THE BASIS OF BEARING IS GRID NORTH. THE HORIZONTAL DATUM IS ON THE NEW HAMPSHIRE STATE PLANE COORDINATE SYSTEM NAD83 (2011). THE VERTICAL DATUM IS THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD83).
- ABUTTING PROPERTY LINES ARE APPROXIMATE PER THE TOWN OF BRADFORD AND WARNER TAX MAPS.
- THE SURVEYED PARCEL IS MAPPED AS LYING OUTSIDE OF FLOOD ZONE "AE" PER FEMA FIRM MAP NUMBER 33013C0640E DATED APRIL 19, 2010. ZONE "AE" HAS A BASE FLOOD ELEVATION OF 64'.
- THIS PLAN IS BASED ON A FIELD SURVEY COMPLETED IN AUGUST OF 2022 WITH CARLSON BRK7 DUAL FREQUENCY SURVEY GRADE GPS RECEIVERS AND A LEICA TS16 ROBOTIC TOTAL STATION. THE SURVEY TRAVERSE ERROR OF CLOSURE EXCEEDS 1:44,646 AND THE STATE OF NEW HAMPSHIRE STANDARD FOR URBAN SURVEYS.
- THE TOWN LINE MONUMENT CALLED FOR IN REFERENCE PLAN A & F WAS NOT FOUND AFTER AN EXTENSIVE SEARCH AT THE TIME OF FIELD SURVEY. BASED UPON PAROLE EVIDENCE PROVIDED BY E. WHALLEY IT IS PRESUMED THE MONUMENT HAS GONE MISSING SINCE THE COMPLETION OF REFERENCE PLAN A.
- TOPOGRAPHY SHOWN HEREON IS BASED ON BARE EARTH DEM LIDAR FILES PROVIDED TO THE PUBLIC BY THE STATE OF NEW HAMPSHIRE DATED 2015.
- THE SECTIONS OF DAVIS ROAD, LATVIA LANE, AND EAST SHORE DRIVE THAT ABUT THE SURVEYED PARCELS ARE CLASSIFIED AS A CLASS V ROADS PER CONSULTATION WITH THE TOWN OF BRADFORD HIGHWAY DEPARTMENT AND TOWN OF WARNER PUBLIC WORKS DEPARTMENT. THE WIDTH OF EAST SHORE DRIVE WAS HELD AT 16 FEET BASED UPON EVIDENCE FOUND IN THE FIELD, PLAN REF. "F", AND DEED REF. "F". THE WIDTH OF DAVIS ROAD WAS HELD AT 2.5 RODS BASED UPON EVIDENCE FOUND IN THE FIELD AND PLAN REF. "E". THE WIDTH OF LATVIA LANE WAS HELD AT 2 RODS BASED UPON EVIDENCE FOUND IN THE FIELD. A 25' EASEMENT MEASURED FROM THE CENTERLINE OF DAVIS ROAD AND EAST SHORE DRIVE IS GRANTED TO THE TOWN OF BRADFORD FOR ROAD MAINTENANCE PURPOSES.
- THE LOCATION OF THE WATER CONNECTION OF THE EXISTING DRILLED WELL ON MAP 22 LOT 31 TO STRUCTURES ON MAP 22 LOTS 29 & 30 IS SHOWN TO PASS UNDER DAVIS ROAD PER CONSULTATION WITH THE OWNER. THE EXACT LOCATION OF THIS WATER LINE IS NOT KNOWN.
- THE WORD "CERTIFY" OR "CERTIFICATION" AS SHOWN AND USED HEREON MEANS COMPLIANCE WITH APPLICABLE LAND SURVEY LAWS AND RULES AND AN EXPRESSION OF PROFESSIONAL OPINION BASED ON THE FACTS OF THE SURVEY, PRINCIPLES OF BOUNDARY RETRACEMENT AND LOCAL STANDARD OF CARE, AND DOES NOT CONSTITUTE A WARRANTY OR GUARANTEE, EXPRESSED OR IMPLIED.
- PREMISES ARE LOCATED IN THE RURAL RESIDENTIAL ZONING DISTRICT.
 - MINIMUM LOT SIZE: 2.0 ACRES OF BUILDABLE LAND
 - MINIMUM FRONTAGE: 250' OF CONTIGUOUS ROAD FRONTAGE
 - MINIMUM FRONT SETBACK: 50' TO EDGE OF R.O.W FOR ACCEPTED PUBLIC ROAD.
 - MINIMUM SIDE OR REAR SETBACK: 30' FROM ABUTTING PROPERTY LINES
 - MAXIMUM HEIGHT OF 35'

TOWN OF BRADFORD, NH PLANNING BOARD

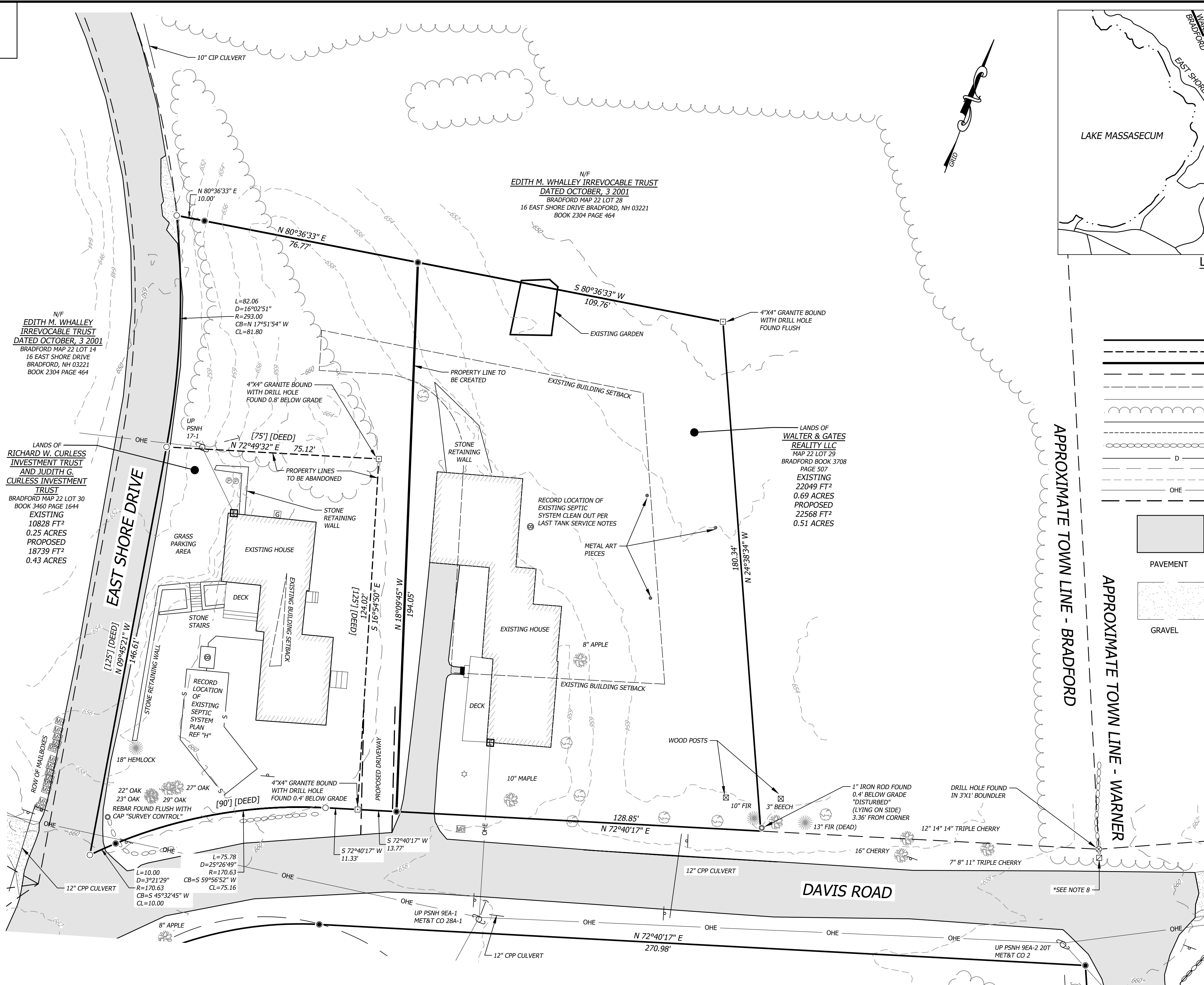
APPLICATION FILED: _____
 HEARING DATE: _____
 APPROVAL DATE: _____
 SIGNATURE OF THE BOARD: _____

 (CHAIR)

 (VICE-CHAIR)

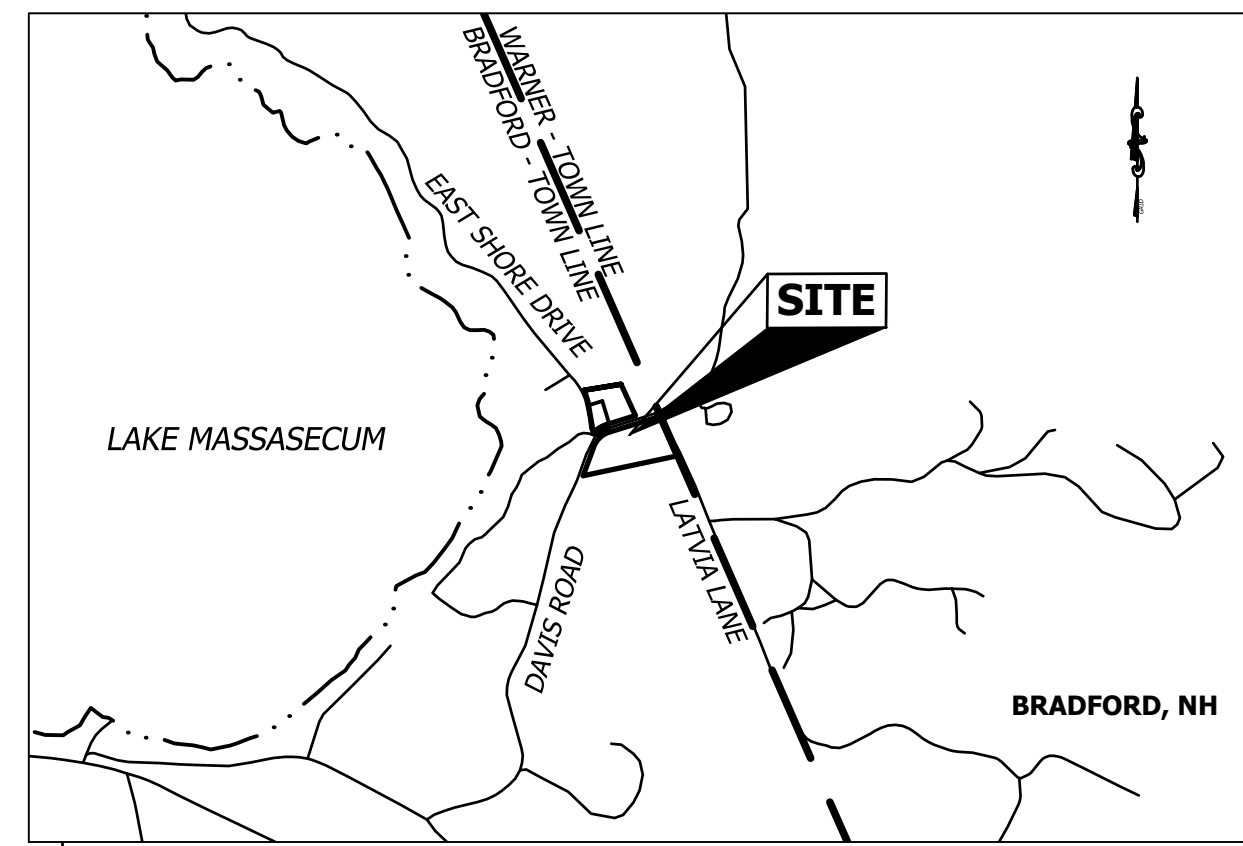
 (SECRETARY)

NOTE - THE SUBDIVISION REGULATIONS OF THE TOWN OF BRADFORD, NH ARE A PART OF THIS PLAN, AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL REQUIREMENTS OF SAID SUBDIVISION REGULATION, EXCEPT ANY VARIANCE OR MODIFICATION MADE IN WRITING BY THE PLANNING BOARD AND ATTACHED HERETO.



APPROXIMATE TOWN LINE - BRADFORD

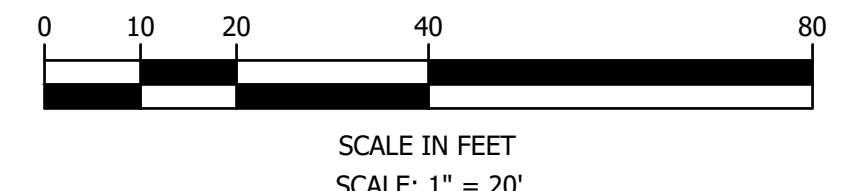
APPROXIMATE TOWN LINE - WARNER



LEGEND

- PROPERTY BOUNDARY LINE
- - - PROPERTY LINE TO BE REMOVED
- · - · - PROPOSED PROPERTY LINE
- · - · - APPROX. ABUTTER LINE
- · - · - EXISTING BUILDING SETBACK
- · - · - DECK
- · - · - TREELINE
- · - · - RETAINING WALL
- · - · - TRAIL
- · - · - STONEWALL
- · - · - UNDERGROUND DRAIN LINE
- · - · - CONTOUR - MAJOR INTERVAL
- · - · - CONTOUR - MINOR INTERVAL
- · - · - OVERHEAD UTILITY LINE
- · - · - PROPOSED DRIVEWAY
- REBAR OR IRON PIPE FOUND
- TOWN LINE MONUMENT
- DRILL HOLE FOUND
- 5/8" REBAR TO BE SET WITH ID CAP
- CALCULATED CORNER
- UTILITY POLE
- GUY WIRE
- WELL
- PROPANE TANK
- ELECTRIC METER
- GAS FILL
- SHRUB
- ELECTRIC METER
- CONIFEROUS TREE
- PAVEMENT
- GRAVEL

LOT DIMENSION TABLE				
MAP-LOT	CONTIGUOUS ROAD FRONTAGE (EXISTING)	CONTIGUOUS ROAD FRONTAGE (PROPOSED)	LOT AREA (EXISTING)	LOT AREA (PROPOSED)
22-29	82.06'+142.61'	128.85'	29,960 FT ² 0.69 ACRES	22049 FT ² 0.51 ACRES
22-30	243.72'	339.56'	10,828 FT ² 0.25 ACRES	18739 FT ² 0.43 ACRES
22-31 (UNCHANGED)	773.13'	773.13'	83,676 FT ² 1.92 ACRES	83,676 FT ² 1.92 ACRES



I HEREBY CERTIFY THAT THIS PLAN IS BASED ON A TOTAL STATION AND PRECISION GPS SURVEY AND IS CLASSIFIED URBAN.

10/31/23
 ANDREW J. NADEAU DATE

DATE OF PRINT
MARCH 13 2024
 HORIZONS ENGINEERING

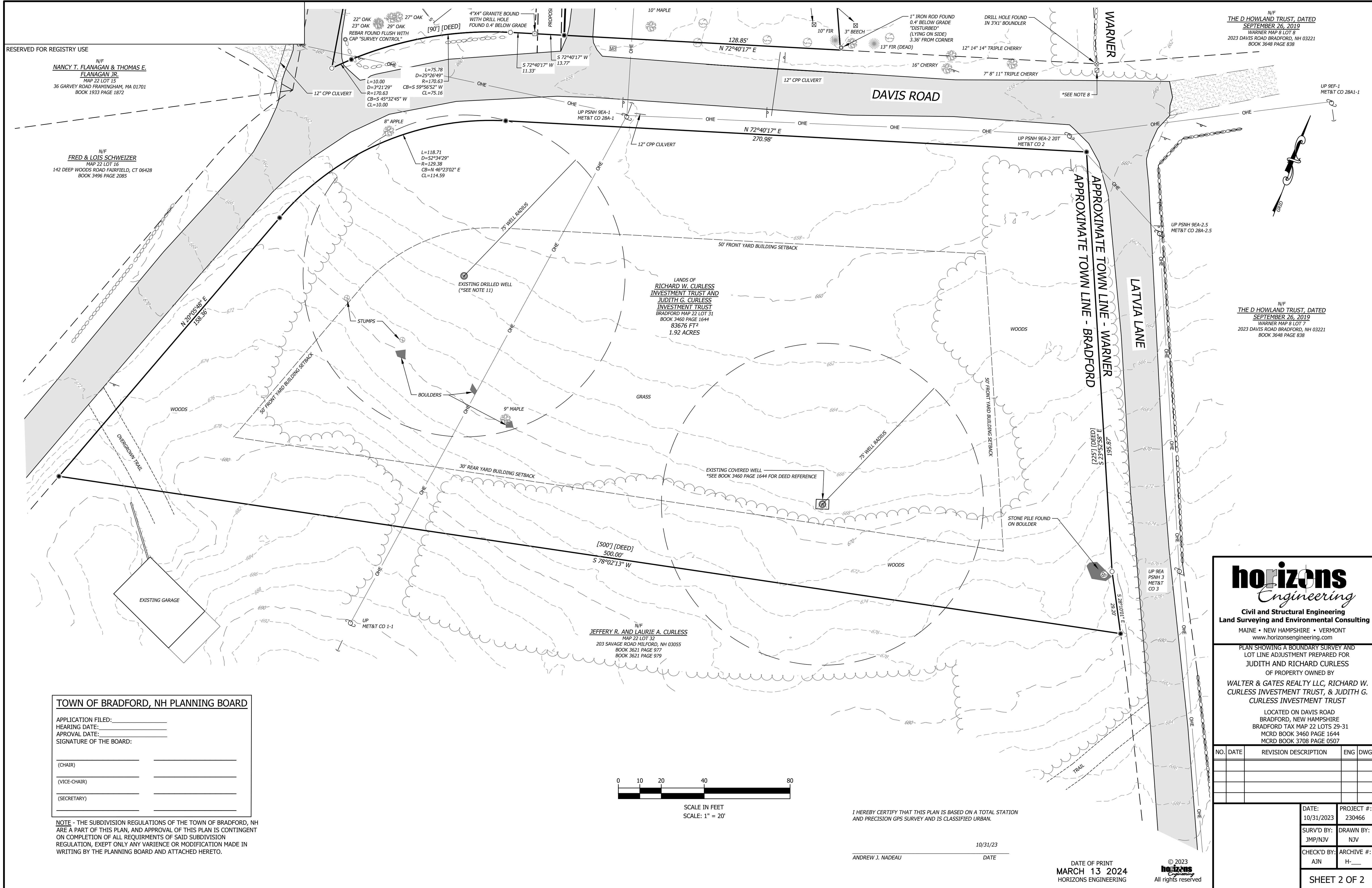


horizons Engineering
 Civil and Structural Engineering
 Land Surveying and Environmental Consulting
 MAINE • NEW HAMPSHIRE • VERMONT
 www.horizonsengineering.com

PLAN SHOWING A BOUNDARY SURVEY AND LOT LINE ADJUSTMENT PREPARED FOR JUDITH AND RICHARD CURLESS OF PROPERTY OWNED BY WALTER & GATES REALTY LLC, RICHARD W. CURLESS INVESTMENT TRUST, & JUDITH G. CURLESS INVESTMENT TRUST
 LOCATED ON 98 & 102 DAVIS ROAD BRADFORD, NEW HAMPSHIRE
 BRADFORD TAX MAP 22 LOTS 29-31
 MCRD BOOK 3460 PAGE 1644
 MCRD BOOK 3708 PAGE 0507

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE: 10/31/2023	PROJECT #: 230466
SURV'D BY: JMP/NJV	DRAWN BY: NJV
CHECK'D BY: AJN	ARCHIVE #: H-___



RESERVED FOR REGISTRY USE

N/F
NANCY T. FLANAGAN & THOMAS E. FLANAGAN JR.
 MAP 22 LOT 15
 36 GARVEY ROAD FRAMINGHAM, MA 01701
 BOOK 1933 PAGE 1872

N/F
FRED & LOIS SCHWEIZER
 MAP 22 LOT 16
 142 DEEP WOODS ROAD FAIRFIELD, CT 06428
 BOOK 3496 PAGE 2085

N/F
THE D HOWLAND TRUST, DATED SEPTEMBER 26, 2019
 WARNER MAP 8 LOT 8
 2023 DAVIS ROAD BRADFORD, NH 03221
 BOOK 3648 PAGE 838

N/F
THE D HOWLAND TRUST, DATED SEPTEMBER 26, 2019
 WARNER MAP 8 LOT 7
 2023 DAVIS ROAD BRADFORD, NH 03221
 BOOK 3648 PAGE 838

N/F
JEFFERY R. AND LAURIE A. CURLESS
 MAP 22 LOT 32
 203 SAVAGE ROAD MILFORD, NH 03055
 BOOK 3621 PAGE 977
 BOOK 3621 PAGE 979

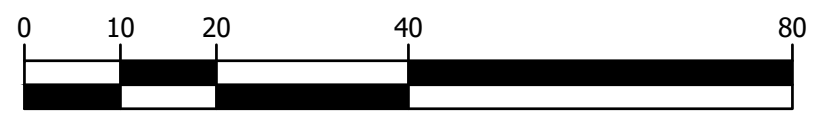
LANDS OF
RICHARD W. CURLESS INVESTMENT TRUST AND JUDITH G. CURLESS INVESTMENT TRUST
 BRADFORD MAP 22 LOT 31
 BOOK 3460 PAGE 1644
 83676 FT²
 1.92 ACRES

TOWN OF BRADFORD, NH PLANNING BOARD

APPLICATION FILED: _____
 HEARING DATE: _____
 APPROVAL DATE: _____
 SIGNATURE OF THE BOARD:

(CHAIR) _____
 (VICE-CHAIR) _____
 (SECRETARY) _____

NOTE - THE SUBDIVISION REGULATIONS OF THE TOWN OF BRADFORD, NH ARE A PART OF THIS PLAN, AND APPROVAL OF THIS PLAN IS CONTINGENT ON COMPLETION OF ALL REQUIREMENTS OF SAID SUBDIVISION REGULATION, EXCEPT ONLY ANY VARIANCE OR MODIFICATION MADE IN WRITING BY THE PLANNING BOARD AND ATTACHED HERETO.



SCALE IN FEET
 SCALE: 1" = 20'

I HEREBY CERTIFY THAT THIS PLAN IS BASED ON A TOTAL STATION AND PRECISION GPS SURVEY AND IS CLASSIFIED URBAN.

10/31/23
 ANDREW J. NADEAU DATE

DATE OF PRINT
MARCH 13 2024
 HORIZONS ENGINEERING

© 2023
horizons Engineering
 All rights reserved

horizons Engineering
 Civil and Structural Engineering
 Land Surveying and Environmental Consulting
 MAINE • NEW HAMPSHIRE • VERMONT
 www.horizonsengineering.com

PLAN SHOWING A BOUNDARY SURVEY AND LOT LINE ADJUSTMENT PREPARED FOR
JUDITH AND RICHARD CURLESS
 OF PROPERTY OWNED BY
WALTER & GATES REALTY LLC, RICHARD W. CURLESS INVESTMENT TRUST, & JUDITH G. CURLESS INVESTMENT TRUST
 LOCATED ON DAVIS ROAD
 BRADFORD, NEW HAMPSHIRE
 BRADFORD TAX MAP 22 LOTS 29-31
 MCRD BOOK 3460 PAGE 1644
 MCRD BOOK 3708 PAGE 0507

NO.	DATE	REVISION DESCRIPTION	ENG	DWG

DATE:	PROJECT #:
10/31/2023	230466
SURV'D BY:	DRAWN BY:
JMP/NJV	NJV
CHECK'D BY:	ARCHIVE #:
AJN	H-___

Document provided by Harry Seidel

City of Portsmouth

“**Dwelling Unit**” is defined as “[a] building or portion thereof providing complete independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating cooking and sanitation. *This use shall not be deemed to include such transient occupancies as hotels, motels, rooming or boarding houses.*”

Town of Conway

“**[R]esidential/dwelling unit**” is defined as “[a] single unit providing complete and independent living facilities for one or more persons living as a household, including provisions for living, sleeping, eating, cooking and sanitation.”

Town of Warner

“**Dwelling Unit**” means one or more living or sleeping rooms arranged for the use of one or more individuals living as a single housekeeping unit, with cooking, living, sanitary and sleeping facilities.

The NH Supreme court in the case of the City of Portsmouth focused on the language that transient use was expressly prohibited in the zone in question. In contrast, the major focus in the Town of Conway was that transient use was not prohibited in the zone in question. The STR in Portsmouth was found to be a prohibited use, while the STR in Conway was found to be a permitted use.

MunicipalityName	County	RPC	Short-Term Rental Ordinance Status
Bartlett	Carroll	NCC	In March 2022, passed warrant article that requests the Town and the Planning Board to draft an ordinance limiting short-term rentals to commercial zones only, for the 2023 town meeting ballot.
Bedford	Hillsborough	SNHPC	In March 2018, added definition of short-term rentals as rental of a dwelling unit for less than 30 consecutive days, and prohibited in all zoning districts
Candia	Rockingham	SNHPC	In March 2019 passed zoning amendment which only allows short-term rentals by special exception in the Residential District and limits them to 184 consecutive days
Canterbury	Merrimack	CNHRPC	In March 2020 passed zoning amendment which permits STRS by special exception in all districts but the Industrial zone
Conway	Carroll	NCC	In April 2021, town voted to authorize Board of Selectman to regulate STRS, but voted down permitting non-owner occupied STR in residential zones; changed criteria that must be met to allow the zoning board to grant a special exception to convert homes built before 1930 into multifamily housing including that dwelling unit shall only be used for long-term residency. Town is currently appealing Carroll County Superior Court judge's January 2022 decision that zoning ordinance's silence on allowing non-owner occupied short-term rentals in residential zones makes them a permitted use, to the NH Supreme Court.
Dublin	Cheshire	SWRPC	In March 2020, adopted short-term rental conditional use permit requirement for transient housing where owner doesn't live on premises in all zoning districts
Durham	Strafford	SRPC	In March 2020, adopted short-term rental ordinance which defines short-term rental as an accessory use to owner-occupied single family residence, requires property owner/member of property owner's family to be on site during rental, requires obtaining permit from Zoning Administrator for all STRS, only allows by special exception in residential zones.
Easton	Grafton	NCC	In 2022 added to definitions: Transient (less than 30 days); Short Term Rental - a one-family dwelling or accessory dwelling unit offered for transient use for compensation; Tourist Home - one-family dwelling that is owner-occupied or has a live-in manager where rent is paid for three to five guest rooms, with no provision for cooking or warming food in guest rooms. May offer meals, exclusively for lodgers. Amended Home Occupation definition to include offering one or two guest rooms in an owner-occupied dwelling unit to transient lodgers for compensation. Allowd STR as of right (limiting to 2 occupants per permitted bedroom) and home occupation in R/A. Allows tourist homes by special exception in the residential/agricultural district limiting to 5 guest rooms and 10 lodgers.

MunicipalityName	County	RPC	Short-Term Rental Ordinance Status
Exeter	Rockingham	RPC	Previously prohibited short-term rentals in all zoning districts. In March 2022, updated definition of bed and breakfasts to include short-term rentals in accessory structures with up to 4 bedrooms, if owner lives in the primary dwelling unit. See: https://www.seacoastonline.com/story/news/2022/01/25/exeter-nh-voters-decide-fate-arts-venue-airbnb-rental-word-barn/6635691001/
Franconia	Grafton	NCC	In November 2020 Board of Selectman adopted short-term rental regulations requiring all STRs, which are rented for less than 30 consecutive days, to register with the town on an annual basis for \$50/year by January 1, 2021. See: http://www.franconianh.org/uploads/1/1/6/8/11680191/short_term_rentals.pdf
Freedom	Carroll	LRPC	In March 2022, adopted short-term rentals regulations, with the requirement that owners get a special use permit ensuring that life safety requirements are followed and limits rental of properties to 90 days a year.
Gorham	Coos	NCC	In 2021 added definition of "transient" (less than 30 days); expanded "accessory use" to include rental for transient use for up to 120 days in one year period; expanded "home occupation" definition to include in an owner-occupied residence, rental of one or two bedrooms for transient use; strengthened HO requirements by no allowing transient use in accessory structures. In January 2022 adopted Town of Gorham Short Term Rental Regulations. Regulations require all STR obtain a permit, which is renewed annually; set permit approval and revocation criteria, enforcement, and health and safety standards for operating such a rental. Regulations along with the permit form could be found here: https://www.gorhamnh.org/sites/g/files/vyhlf621/f/news/str_reg_permit_appl_with_address.pdf
Hanover	Grafton	UVLSRPC	In July 2020, adopted short-term rental ordinance. Ordinance differentiates between hosted (An additional use of a one-family, owner-occupied dwelling where the owner is continually present on the premises during the period of the rental) and unhosted STR (where owner is not on site). All hosted and un-hosted STRS are limited to 90 days per year. Seasonal STRs are only permitted in seasonal dwellings for up to 182 days per year. All requires all STRs to register with town and limits un-hosted STRs to no more than 3 unrelated persons.
Jackson	Carroll	NCC	In March 2020, adopted short-term rental ordinance, which only allows STRs by conditional use permit. See: https://www.jackson-nh.org/board-selectmen/pages/short-term-rentals
Jefferson	Coos	NCC	adopted short-term rental regulations - unable to locate details on regulations

MunicipalityName	County	RPC	Short-Term Rental Ordinance Status
Kearsarge Lighting Precinct	Carroll		Requires that, "all residential properties that offer sleeping accommodations to transient or permanent guest shall be owner occupied and operated." Case was litigated and KLP prevailed in November 2021. See: https://www.conwaydailysun.com/news/local/judge-rules-on-several-kearsarge-str-suits/article_b3301f2c-375b-11ec-8803-e383beb32a22.html
Laconia	Belknap	LRPC	Adopted short-term rental ordinance in December 2019; amended in February 2020, short-term rental ordinance to only allow short-term rentals in specific residential zones by special exception, except if owner-occupied. All STRs are required to obtain a permit from the City. STRS are defined as less than 14 consecutive days. See: https://www.laconianh.gov/881/Short-Term-Rentals
Lincoln	Grafton	NCC	In July 2020, Board of Selectman adopted STR regulations requiring all STRs, which are rented for less than 30 consecutive days, to register with the town on an annual basis for \$50/year by January 1, 2021. See: https://www.lincolnh.org/sites/g/files/vyhlif4611/f/uploads/approved_signed_short_term_rental_regulation.pdf
Lisbon	Grafton	NCC	In March 2022 added definition of transient (less than 30 days) and Short Term Rental to the ZO. Offering either the use of one or two rooms in an owner-occupied dwelling or the use of an entire dwelling for transient use for compensation. Short Term Rental is a Permitted Use in Zoning Districts A, B, C and D and a use permitted on preexisting lots in the Industrial District
Littleton	Grafton	NCC	In March 2020, adopted definition of short-term rentals, renting room(s) for 1-30 consecutive nights, and permitted in all but Rural and Industrial Districts
Madison	Carroll	NCC	In March 2022, town meeting voted down definition of short-term rentals, but passed amended definition of dwelling unit clarifying that they are to "used for non-transient purposes". The Board of Selectman has argued that short-term rentals are a prohibited use in Edelweiss Residential District since this district prohibits, "business, commercial enterprises and agriculture uses" and has sent out cease and desist letters to residents in this district with short-term rentals. See, https://www.conwaydailysun.com/news/local/madison-str-owners-question-cease-and-desist-order/article_89e59d06-73bd-11ec-a5c1-5feff81201d1.html
Meredith	Belknap	LRPC	In March 2022, town meeting approved short-term rentals as an accessory use to single family residences (but not to apartments) by special exception and adopted specific criteria for establishment of short-term rentals. See: https://www.meredithnh.org/sites/g/files/vyhlif4681/f/uploads/zoning_amendments_summary_town_meeting.pdf

MunicipalityName	County	RPC	Short-Term Rental Ordinance Status
Monroe	Grafton	NCC	In March 2022 added definition of transient (less than 30 days) and Short Term Rental to the ZO. Short Term Rentals requires site plan approval by the Planning Board. Single family dwelling, up to 5 guestrooms with no more than 10 lodgers in an owner occupied single family dwelling, single registered camper, recreational vehicle or tiny home on wheels if in compliance with all codes offered for transient use for compensation. STR use permitted as of right in Zone A, B and C. Application could be found here http://www.monroenh.org/images/TMimgs/files/Site%20Plan%20Review%20-%20Short%20Term%20Rental%20Application%20for%20Approval%204-2022.pdf
New Boston	Hillsborough	SNHPC	In March 2019, adopted definition of short-term rentals, "A residential structure, in which rooms or homes are rented, leased or otherwise made available for compensation to three or more individuals for less than 30 days". Permitted STRs in Small Scale Planned Commercial Districted and by Conditional Use Permit in R-1 Residential District.
Plainfield	Sullivan	UVLSRPC	adopted short-term rental regulations - unable to locate details on regulations
Portsmouth	Rockingham	RPC	Doesn't allow transient occupancy of up to 30 consecutive days in residential districts. City of Portsmouth won 2019 NH Supreme Court case upholding prohibition on short-term rentals in residential districts. See: https://www.seacoastonline.com/story/news/local/2022/02/03/mayor-supports-some-short-term-rentals-if-neighborhoods-protected/9314294002/
Seabrook	Rockingham	RPC	In March 2020, voted to prohibit short-term rentals in residential zoning districts; clarified that uses not expressly permitted are otherwise prohibited
South Hampton	Rockingham	RPC	adopted short-term rental regulations - unable to locate details on regulations
Thornton	Grafton	NCC	In March 2020, adopted short-term rental regulations and permitted them in all zoning districts
Waterville Valle	Grafton	NCC	In 2021 added definitions of Transient (less than 30 days) and Short Term Rental (requires a permit for an unlimited number of days each year and is allowed as a new use in HDR, LDR, VC and C1 district; made renting 1 or 2 bedrooms in an owner occupied dwelling for transient use a Home Occupation requiring a permit (allowed as accessory use in HDR, LDR, VC and C1 Zones); allowed any dwelling to be rented out as a Short-Term Rental for up to 30 days per year without a permit in any district that allows STR; add Short-Term Rental as permitted use in the High Density Residential District, Village Commercial District and Commercial (C1) for an unlimited number of days a year.
Whitefield	Coos	NCC	In March 2020, adopted definition of short-term rentals as a commercial use