



## 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, September 8th, 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. **Conceptual Consultation**

**Applicant:** Natural Playgrounds Shop, LLC

**Owner:** Persechino Family Trust

**Address:** Map 03, Lot 040, Warner Rd

**District:** C-1

**Proposed Use:** Woodworking/Manufacturing Wholesale

**Details:** Wants to discuss if proposed operation will require any sort of special exception.

B. **Minor Subdivision**

**Applicant:** John Puc

**Owner:** John Puc

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

**Address:** Map 37, Lot 006, 131 Waterloo Street

**District:** R-2

**Proposed Use:** Single-family, residential

**Details:** 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.

V. **UNFINISHED BUSINESS**

A. Site Plan Amendment Proposal from 07-21-2025

B. Bonds Conversation from 07-21-2025

C. Input for the Central NH Regional Plan

1. What are the key local issues to address in the plan?

2. What are the most important planning, housing, transportation, natural resource, and land use issues for the Town?

VI. **REVIEW MINUTES:** July 21, August 18th

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.



# 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 ☒ NO ☐

TODAY'S DATE: 08/04/2025

NAME OF APPLICANT: Natural Playgrounds Shop, LLC

ADDRESS: 35 Jarado Way Boscawen NH 03303

PHONE # 1: 603.738.9423 PHONE # 2: E-MAIL:

OWNER(S) OF PROPERTY: Persechino Family Trust

ADDRESS: 888 Kearsarge Ave, Hopkinton NH 03229

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

AGENT NAME:

ADDRESS:

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

STREET ADDRESS & DESCRIPTION OF PROPERTY: Lot 40 Tax Map 3 off Warner Rd in Warner

MAP # 3 LOT # 40 ZONING DISTRICT: C-1 NUMBER OF LOTS/UNITS:

FRONTAGE ON WHAT STREET(S): Warner Rd.

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

PROPOSED USE: Woodworking/Manufacturing Wholesale

DETAILS OF REQUEST: Indicate number of separate pages attached, if necessary. Want to discuss if our operation will require any sort of special exception. We have a log cut off machine, long bar that cuts large diameter logs to length. It's only in operation 2 to 3 times per month for a few hours per day M-F and we are likely going to bring it inside anyway, but wanted to discuss and find out for sure if it will require a special exception.

Authorization/Certification from Property Owner(s)

I (We) hereby designate Ethan King 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):

(Need signatures of all owner's listed on deed)

Joseph Persechino

Date:

8.5.25

Print Names

JOSEPH PERSECHINO - TRUSTEE

Signature of Applicant(s) if different from Owner:

Ethan King

Date: 8/4/2025

Print Names

Ethan King Owner Natural Playgrounds Shop

For Planning Board Use Only

Date Received at Town Office: \_\_\_\_\_

Received By: \_\_\_\_\_

Date of Review: \_\_\_\_\_

Date of Hearing: \_\_\_\_\_

4

Upon Recording Return to:

Joseph M. & Gail M. Persechino  
888 Kearsarge Avenue  
Hopkinton, NH 03229

18-13  
200-  
25-00

WARRANTY DEED

KNOW ALL BY THESE PRESENTS that we, **JOSEPH PERSECHINO** and **GAIL PERSECHINO**, husband and wife, of Hopkinton, County of Merrimack and State of New Hampshire, for no consideration paid, grant to **JOSEPH M. PERSECHINO** and **GAIL M. PERSECHINO**, Trustees of **THE PERSECHINO FAMILY TRUST**, under instrument dated December 18, 2024 (a revocable trust), with a mailing address of 888 Kearsarge Avenue, Hopkinton, New Hampshire 03229, with Warranty Covenants:

Tract I:

A certain tract or parcel of land, with any buildings or improvements thereon, situated in the Town of Warner, Merrimack County, State of New Hampshire, being shown as Lot 40 on a plan entitled "Commercial Subdivision of Tax Map 3 Lot 39 Warner Road, Warner, NH, Merrimack County", prepared by J. E. Belanger Land Surveying PLLC recorded in the Merrimack County Registry of Deeds as Plan No. 17832, to which reference is made for a more particular description.

Tract II:

Also, a tract or parcel of land, with any buildings or improvements thereon, in said Warner, County of Merrimack and State of New Hampshire on the Warner River at land now or formally of Horace J. Nudd and bounded westerly by land now or formally of Simeon Sanborn and land now or formally of Theodore S. Davis; northerly by land now or formally of Charles Currier and easterly by the said Warner River.

Tract III:

Also, a certain tract or parcel of land, with any buildings or improvements there on, situated in the southeastern part of Warner, County of Merrimack and State of New Hampshire, more particularly bounded and described as follows:

Commencing at the northeasterly corner of said tract at a stake and stones;



Thence southerly by land now or formerly of G. Q. Dow to a stake and stones at Tom Pond; so-called:

Thence westerly by said Tom Pond to a high-water mark and land now or formally of Josiah C. Hardy

Thence northerly and easterly by said Hardy land to the bound begun at.

Tract I contains 5.06 acres, more or less.

Tract II contains four (4) acres more or less.

Tract III contains five (5) acres more or less.

Subject to any and all matters, including setbacks if any, as shown on Plan No. 17354, Plan No. 17710 and Plan No. 17832 recorded with the Merrimack County Registry of Deeds.

Subject to Current Use recorded in the Merrimack County Registry of Deeds at Book 1279, Page 648 and at Book 1299, Page 774.

Subject to utility easement to Public Service of New Hampshire recorded in the Merrimack County Registry of Deeds at Book 651, Page 151.

Excepting and reserving the right, limited to a line as staked, to erect, operate and maintain lines of wire for the transmission of electricity for light, power and other purposes, including the necessary poles, metal structures and fixtures, and to do necessary cutting and trimming of trees and brush upon land of Marga H. Buhrer in the Towns of Hopkinton and Warner, with permission to enter upon said land for the above purposes, as conveyed by said Marga H. Buher to Public Service of New Hampshire by deed dated November 16, 1948, recorded in said Registry of Deeds at Book 651, Page 151.

Excepting and reserving from all the above-described and conveyed Tracts such rights-of-way, if any, that may exist in favor of third persons over any of the above-described Tracts, and hereby granting and conveying to the said Grantees any rights that said Grantor might have to cross the Concord and Claremont Railroad and any other lands adjoining the Tracts herein conveyed.

Meaning and intending to describe and convey all and the same premises conveyed by Warranty Deed of **A & P Investments, LLC** to **Joseph Persechino** and **Gail Persechino**, as joint tenants with rights of survivorship, dated March 7, 2013 and recorded in the Merrimack County Registry of Deeds at Book 3373, Page 0512.

The above-described premises are not homestead property.

This is a non-contractual transfer for estate planning purposes and is exempt from transfer tax pursuant to RSA 78-B:2, XXII.

Executed this 12th day of May, 2025.

Joseph Persechino  
Joseph Persechino

Gail M Persechino  
Gail Persechino

STATE OF NEW HAMPSHIRE  
COUNTY OF MERRIMACK, ss.

On the date last above written, before me, the undersigned officer, personally appeared **Joseph Persechino** and **Gail Persechino**, known to me or satisfactorily proven to be the persons whose names are subscribed to the foregoing instrument and acknowledged that they executed the same for the purpose therein contained.

Lynn W. Garlick  
Notary Public

LYNN W. GARLICK  
NOTARY PUBLIC - State of New Hampshire  
My Commission Expires  
October 26, 2026



ADMINISTRATIVE INFORMATION

PARCEL NUMBER  
03-040

Parent Parcel Number

Property Address  
WARNER ROAD

Neighborhood  
6 COMM-EXIT 7, DEPOT RD,NORTH RD

Property Class  
851 Vacant Commercial

TAXING DISTRICT INFORMATION

Jurisdiction 219 WARNER, NH

Area 219

Routing Number 2015

OWNERSHIP

PERSECHINO, JOSEPH  
GAIL PERSECHINO  
888 KEARSARGE AVENUE  
HOPKINTON, NH 03229

Tax ID 000504

TRANSFER OF OWNERSHIP

Date

03/08/2013 A&P INVESTMENTS, LLC \$3000  
Bk/Pg: 3373, 512

12/16/2004 FOSS, MARGA \$1050000  
Bk/Pg: 2732, 419

Printed 08/26/2025

Card No. 1

of 1

COMMERCIAL

Site Description		VALUATION RECORD							
		Assessment Year	04/01/2015	04/01/2015	04/01/2018	04/01/2019	04/01/2020	04/01/2020	Worksheet
		Reason for Change	2015 PRELIM	2015 Reval	Use Chg	CU Rate Adj	2020 Prelim	2020 Reval	
VALUATION		L	48810	48810	48810	48810	83010	83010	83010
Market		B	0	0	0	0	0	0	0
		T	48810	48810	48810	48810	83010	83010	83010
VALUATION		L	550	540	610	610	570	570	570
Assessed/Use		B	0	0	0	0	0	0	0
		T	550	540	610	610	570	570	570
LAND DATA AND CALCULATIONS									
		Rating	Measured	Table	Prod. Factor				
		Soil ID	Acreage		-or-				
		-or-	-or-		Depth Factor				
		Actual	Effective	Effective	-or-	Base	Adjusted	Extended	Influence
		Frontage	Frontage	Depth	Square Feet	Rate	Rate	Value	Factor
Land Type									
Zoning:									
C1-Commercial		1 Homesite Vacant	4	0.9200	1.00	83478.24	83478.24	76800	76800
		2 Pine No Stewardship	5	0.9200	1.00	167.00	167.00	150 R -25%	110
Legal Acres:		3 EXCESS REAR	4	3.5800	1.00	1500.00	1500.00	5370	5370
5.0600		4 Pine No Stewardship	5	3.5800	1.00	167.00	167.00	600 R -25%	450
		5 EXCESS REAR		0.5600	1.00	1500.00	1500.00	840	840
		6 Wetlands		0.5600	1.00	23.00	23.00	10 R -25%	10

CU: Current Use

IS13: 2013 INVALID SALE

MULTI TRACT PROPERTY SOLD

L: LAND

SUBDIVISION PLAN NO 17832

PARCEL WAS MARKETED IN 2008 ON MLS#261073 FOR \$138K LIST. EXPIRED 6/30/08.

2015: LOT IS PARTIALLY CLEAR.

R: 2003 INFORMAL REVIEW

7/23/03 PUT STEWARDSHIP ON ALL CATERGORIES PER OLD CARD

S04: 2004 Sale

MULTI-TOWN & MULTI-PARCEL SALE - INVALID W/ 03-039 & 03-102

Supplemental Cards

MEASURED ACREAGE

5.0600

Supplemental Cards

TRUE TAX VALUE

83010

Supplemental Cards

TOTAL LAND VALUE

570





# TOWN OF WARNER PLANNING BOARD

P.O. Box 265

Warner, New Hampshire 03278-0059

Telephone: (603) 456-2298, ext. 7

Fax: (603) 456-2297

RECEIVED

8/14/25

WARNER LAND USE

## APPLICATION FOR SUBDIVISION

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

MAJOR SUBDIVISION (4+ LOTS) \_\_\_\_\_ MINOR SUBDIVISION (2-3 LOTS) ☒ CONDO SUBDIVISION \_\_\_\_\_

ACTION NEEDED FROM THE ZONING BOARD OF ADJUSTMENT? YES \_\_\_\_\_ NO ☒

WRITTEN WAIVER REQUEST TO SPECIFIC PROVISIONS INCLUDED? YES ☒ NO \_\_\_\_\_

TODAY'S DATE: \_\_\_\_\_

NAME OF APPLICANT John Puc

ADDRESS 131 Waterloo Street, Warner, NH 03278

PHONE # 1 (603) 369-9295 PHONE # 2 \_\_\_\_\_ E-MAIL johnpuc4@gmail.com

OWNER(S) OF PROPERTY same as applicant

ADDRESS \_\_\_\_\_

PHONE # 1 \_\_\_\_\_ PHONE # 2 \_\_\_\_\_ E-MAIL \_\_\_\_\_

AGENT NAME S & H Land Services, LLC

ADDRESS 141 Londonderry Turnpike, Hooksett, NH 03106

PHONE # 1 (603) 628-8500 X3 PHONE # 2 \_\_\_\_\_ E-MAIL robd@shlandservices.com

LICENSED LAND SURVEYOR: Robert Degan, LLS

LICENSED PROFESSIONAL ENGINEER: \_\_\_\_\_

CERTIFIED SOIL SCIENTIST: \_\_\_\_\_

CERTIFIED WETLAND SCIENTIST: Thomas E. Sokoloski, CWS

OTHER PROFESSIONAL(S): \_\_\_\_\_

STREET ADDRESS & DESCRIPTION OF PROPERTY 131 Waterloo Street

MAP # 37 LOT # 6 ZONING DISTRICT R-2 NUMBER OF LOTS/UNITS: 3

FRONTAGE ON WHAT STREET(S): Waterloo Street

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

DEED REFERENCE: Book 3688 Page 2070 Please include a copy of the Deed.

PROPOSED USE: Single-family residential

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

Applicant seeks to subdivide the subject property, creating 2 additional building lots with frontage on Waterloo Street and the Warner River. No new road is proposed.

### Authorization/Certification from Property Owner(s)

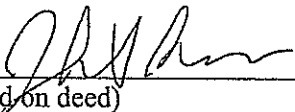
I (We) hereby designate S & H Land Services, LLC to serve as my agent and to appear and present said application before the Warner Planning Board.

By submitting this application I (We) hereby authorize and understand that agents of the Town may visit the site without further notice. I (We) further understand the Planning Board may at some point during the review process schedule a Site Visit, which will be duly posted.

I (We) understand that the Planning Board will review the plan and/or may send the plan out for review. The applicant shall pay for such a review. A Public Hearing shall not be held until the Planning Board determines if the application is complete.

To the best of my knowledge, the information provided herein is accurate and is in accordance with the Town of Warner Zoning Ordinance and other land use regulations of the Town including but not limited to the Subdivision Regulations, Site Plan Regulations and other applicable state and federal regulations which may apply.

All sections of this application must be completed, including Owners Authorization/Certification, Abutters List, and Appendix A Checklist.

Signature of Property Owner(s):  Date: 8/12/25  
(Need signatures of all owner's listed on deed)

Print Names John Puc

Signature of Applicant(s) if different from Owner:

\_\_\_\_\_  
Date: \_\_\_\_\_

Print Names \_\_\_\_\_

### For Planning Board Use Only

Date Received at Town Office: \_\_\_\_\_

Received By: \_\_\_\_\_

Fees Submitted: Amount: \_\_\_\_\_ Cash: \_\_\_\_\_ Check # \_\_\_\_\_ Other: \_\_\_\_\_

Abutter's List Received: Yes \_\_\_\_\_ No \_\_\_\_\_

Date of Review: \_\_\_\_\_ Date of Hearing: \_\_\_\_\_ Date Approved: \_\_\_\_\_

## Subdivisions, Boundary or Lot Line Adjustments and Annexations Checklist

### Town of Warner, NH

The following checklist shall be completed by the applicant, signed, and submitted along with the application package. For full descriptions of the checklist items, see the referenced sections of the Warner Subdivision Regulations.

The checklist refers only to the required submittals necessary to begin Planning Board review of a project. The Warner Subdivision Regulations should be consulted for design standards and other requirements. Applicants should familiarize themselves with the Warner Subdivision Regulations as well as any other pertinent Ordinances and Regulations prior to filing an application. Applicants may schedule a preliminary conceptual consultation with the Board to discuss any proposal on an informal basis.

APPLICABLE (Y/N)	INCLUDED (Y/N)	<u>General Information Required for all Subdivisions, Boundary or Lot Line Adjustments and Annexations (Section V.A)</u>
<u>X</u>	___	(V.A.1) Subdivision name; Names and addresses of the applicant and owner; Written certification from owner.
<u>X</u>	___	(V.A.2) Three (3) paper copies on 22x34 with appropriate references and eleven (11) copies of 11x17. NOTE: See complete description for final plat information needed.
<u>X</u>	___	(V.A.3) Graphic or bar scale shown on plat; Scale not less than 1" = 100'.
<u>X</u>	___	(V.A.4) Location of existing and proposed lot lines; Bearings to the nearest thirty seconds; Dimensions to the nearest hundredth of a foot; Error of closure not more than 1:10,000; Area of existing and proposed lots in square feet and in acres; Type and location of existing and proposed monuments or boundary markers; Tie to State Grid Coordinate System shown on plat if within 1000 feet.
<u>X</u>	___	(V.A.5) Current owners and all abutters keyed to plan; Correct names and mailing addresses of owner and abutters on separate paper.
<u>X</u>	___	(V.A.6) Name, address, signature, license number, and seal of the NH registered land surveyor and/or engineer who prepared the Final Plat.
<u>X</u>	___	(V.A.7) Date of survey, dates of any revisions, north arrow (true north and magnetic north); Location (locus) map at 1" = 1000'.

APPLICABLE (Y/N)	INCLUDED (Y/N)	
<u>X</u>	___	(V.A.8) Tax map and parcel number. The numbering is to be approved by the Accessing office BEFORE the plans are brought to the Planning Board.
<u>X</u>	___	(V.A.9) Zoning District(s) and District lines; Building setback lines.
<u>X</u>	___	(V.A.10) Title and deed references.
<u>X</u>	___	(V.A.11) Legal description of existing and proposed easements, deed restrictions, and other encumbrances, covenants, reservations or restrictions and appropriate notations on plat.
<u>n/a</u>	___	(V.A.12) Listing of all variances and special exceptions granted by the ZBA for the parcel involved and dates granted.
<u>X</u>	___	(V.A.13) Names of all adjoining street(s).
<u>X</u>	___	(V.A.14) Approximate contours at 10' intervals; Significant natural features, including perennial streams, wetlands, etc.
<u>X</u>	___	(V.A.15) Location of existing and proposed buildings, drives, wells, septic systems, and all other manmade features.
		<u>Additional Information Required for Lot Line Adjustments and Annexations (Section V.B)</u>
___	___	(V.B.1.a.) Detailed survey map showing original boundaries of the adjacent parcels and the new property line or lines created as a result of the annexation or lot line adjustment.
___	___	(V.B.1.b) Tape and compass survey with a minimum accuracy of 1:500 of the entire parcel of land and a metes and bounds survey only for the land being transferred may be required.
___	___	(V.B.2) Abutters may be heard and may request a public hearing.
___	___	(V.B.3) In the case of annexation, a deed restriction in the body of the deed or other instrument of transfer and on the plat.

APPLICABLE (Y/N)	INCLUDED (Y/N)	
___	___	(V.B.4) Statement placed on plat stating: "This plan shows a conveyance of land for the purpose of lot line adjustment/annexation as defined in the Warner subdivision regulations. This approval does not constitute a subdivision."
		<u>Additional Information Required for all Minor/Major Subdivisions (Section V.C)</u>
<u>X</u>	___	(V.C.1) Soil types and boundaries shown by dotted lines based on Merrimack County Soil Survey; Location of all test pits and test borings and a legend which explains map symbols, describes NHDES soils groups, and describes the properties of the soils regarding their suitability for septic systems, foundations, basements, building and road construction.
<u>X</u>	___	(V.C.2) Local, County, or State approvals for individual water service and sewage disposal systems; Percolation test results. A statement from WVWD attesting to the availability of such service shall be submitted.
<u>X</u>	___	(V.C.3) Location of water courses, wetlands, floodplains, ponds, rock ledges, tree lines, hydric soils as determined by NHDES regulations, other natural features; Compliance with Town of Warner Flood Plain Development Ordinance.
<u>X</u>	___	(V.C.4) Contours at 2' or 5' intervals, depending on grade, shown with dashed lines; Spot elevations at low points, high points, and other areas.
<u>X</u>	___	(V.C.5) Location of all monuments; Placement of stakes and ribbons marking corners of all proposed lots or sites of a Major Subdivision.
<u>X</u>	___	(V.C.6) Report from the NH Natural Heritage Inventory identifying rare plant and animal species and exemplary natural communities in or near the proposed subdivision; Environmental Impact Assessment, i
<u>X</u>	___	f such species or communities are identified.
<u>X</u>	___	(V.C.7) Location within or bounding the parcel of all culturally, historically or unique features.

APPLICABLE (Y/N)	INCLUDED (Y/N)	
		<u>Additional Information Required for all Major Subdivisions (Section V.D)</u>
<u>X</u>	___	(V.D.1) Location and width of existing and proposed streets and roads, with grades, cross-sections at 50 feet intervals plotted at 1"=10' horizontal and vertical scale, and road profiles plotted with the same horizontal scale as the plans and a horizontal to vertical scale ratio of 5 to 1 respectively for proposed streets.
<u>X</u>	___	(V.D.2) Location, size and invert elevation of sanitary and stormwater sewers; Location and size of water mains; Location of gas mains, fire hydrants, electric and telephone poles and street lights. All drainage ways and drainage structures; Distance to, and size of nearest water and sewer mains.
<u>n/a</u>	___	(V.D.3) Sketch plan of contiguous holdings showing future layout, street and drainage systems.
<u>n/a</u>	___	(V.D.4) Centerline and centerline stationing of all streets; Stationing shall show all points of curvature and all points of tangency.
<u>n/a</u>	___	(V.D.5) Documentation showing feasibility of future extension of temporary turnaround into adjoining properties.
<u>n/a</u>	___	(V.D.6) Plan for restoring temporary turnaround where extension of street is shown.
<u>n/a</u>	___	(V.D.7) Statement that proposed street centerlines and lot locations have been adequately flagged on the ground to allow onsite evaluation of the proposed subdivision by the Board and its agents.
<u>X</u>	___	(V.D.8) Data listing. Area of land; number of lots; length of streets in feet; acres of open space; list of abutters with addresses.
<u>W</u>	___	(V.D.9) Erosion plan.
<u>n/a</u>	___	(V.D.10) Land disturbance.



APPLICABLE (Y/N)	INCLUDED (Y/N)	
<u>W</u>	<u>    </u>	(V.D.11) Drainage Plan.
<u>n/a</u>	<u>    </u>	(V.D.12) Phasing plan.
<u>n/a</u>	<u>    </u>	(V.D.13) Other information required by the Board.
<u>X</u>	<u>    </u>	(V.D.14) Certifications affixed to Plan with signatures and seals.
		<u>Special Requirements (Section V.E)</u>
<u>n/a</u>	<u>    </u>	(V.E.1) Traffic Impact Assessment.
<u>n/a</u>	<u>    </u>	(V.E.2) Fiscal Impact Analysis.
<u>n/a</u>	<u>    </u>	(V.E.3) School Impact Analysis.
<u>n/a</u>	<u>    </u>	(V.E.4) Community Services Impact Assessment.
<u>n/a</u>	<u>    </u>	(V.E.5) Other considerations, special investigations.



141 Londonderry Turnpike, Hooksett, NH 03106  
Phone: (603)628-8500, Fax: (603)-546-7791

## WAIVER REQUESTS

July 31, 2025

Town of Warner  
Planning Board  
5 East Main Street  
Warner, NH 03278

### **Re: Puc Subdivision 131 Waterloo Street**

Dear Board Members,

Regarding the above referenced project, we are requesting waivers from the following sections of the Subdivision Regulations.

1. Section V.D.9 – Erosion Plan
2. Section V.D.11 – Drainage Plan

The proposal is a frontage subdivision, creating no new road, and the land slopes away from the existing road, toward the Warner River. The building envelopes on the proposed lots are near the road. Thus, the impact on natural drainage patterns will be minimal, and any increase in flow would run toward the river and not toward any abutting lot. Furthermore, development of any lot in this subdivision will require a shoreland permit from NHDES, which will necessitate appropriate erosion controls for the actual proposed construction. Any plan we prepare at this stage would necessarily be speculative and not necessarily representative of what is actually constructed, rendering the exercise a waste of time in the absence of a proposed road.

Sincerely,

  
Robert Degan, LLS  
S&H Land Services, LLC

After Recording Return To:

John Puc

131 Waterloo Street, Warner, NH 03278

*JP*  
\$11650

### Warranty Deed

KNOW ALL PERSONS BY THESE PRESENTS: That **David L. Kestner, Successor Trustee of Paul J. Kestner Revocable Trust dated September 3, 1998 of 62 Sheepboro Road, Farmington, NH 03835**, for consideration paid, grants to **John Puc, of 3 Kensington Road, Concord, NH 03301**, with **WARRANTY COVENANTS**:

A certain tract of land with the buildings thereon, if any, situated in that part of the Town of Warner, County of Merrimack, State of New Hampshire, sometimes referred to as "Waterloo Village" and bounded and described as follows:

Bounded on the north by the road leading from the village of Warner to said "Waterloo Village", now known as Old Route #103:  
On the east by land now or formerly of John Brown;  
On the south by the Warner River, so-called; and  
On the west by premises now or formerly of Frank W. and Marie K. Tillinghast.

There is excepted and reserved from the above described premises the right of way of the Claremont and Concord Railroad which runs through the same.

Two certain tracts of land, together with the buildings thereon, both being situated in Waterloo Village, in the Town of Warner, County of Merrimack and State of New Hampshire, bounded and described as follows, to wit:

TRACT No. 1: A certain tract of land, together with the buildings thereon, situated on the southerly side of the main highway leading from Warner Village to Bradford: bounded northerly by the said highway; easterly by land formerly of the heirs of the late Frances N. Ager, now owned by Evelyn S. Ager; southerly by the Warner River; and westerly by land formerly of the heirs of the late Frances N. Ager, now Tract No. 2 described below, and by land formerly owned by the late William E. Chandler, now owned by Carl L. Cutting.

Excepting and reserving from this conveyance the right of way of the Concord



& Claremont Branch of the Boston & Maine Railroad, through the above described premises.

Also hereby conveying to the said grantee, and their heirs and assigns, a certain water privilege; the well and part of the system being located on land now or formerly owned by Roy L. Silver and Vera P. Silver, situated on the northerly side of the main highway in Waterloo Village in said Warner, New Hampshire. Said water privilege being more particularly described as being a certain well of water, which is now in communication by a pipe line leading from said well to the land and buildings constituting the premises described in Tract No. 1 herein, situated on the southerly side of the above mentioned highway.

Also the perpetual right and privilege to enter upon the premises now or formerly owned by the said Roy L. Silver and Vera P. Silver at any and all times for the purpose of cleaning out said well; to dig up said water pipe and relay the same and to do whatever other work that may be necessary for the maintenance of said water system. Title to said well of water and that part of the system now located on land of the said Roy L. and Vera P. Silver, was acquired by Harold B. and Katherine B. Henley in the purchase of real estate from the heirs of the late William D. Chase, by deed recorded in Merrimack County Registry of Deeds, Vol. 496, Page 99, and also a deed of Nelson V. Clark to said Henleys recorded in Vol. 495, Page 206. Said well of water and system connected therewith having been excepted and reserved in a deed of said Henleys to Charles J. Rice recorded in said Registry of Deeds, Vol. 514, Page 368.

TRACT 2: Situated on the southerly side of the main highway leading from Warner Village to Bradford, and adjoining Tract No. 1 described above; bounded northerly by the Main Street or the main highway leading from Warner to Bradford; easterly by said Tract No. 1 described above; southerly by the Concord & Claremont Division of the Boston & Maine Railroad; and westerly by the Ager Brook, so-called. The course of said brook forming the division line between the premises herein conveyed and land retained by Flora M. Sawyer, now owned by Henaster and Savage. said Tract No. 2 is hereby conveyed subject to the right and privilege granted by Flora M. Sawyer to the Town of Warner by deed recorded in said Registry, Vol. 540, Page 559, to construct and forever maintain for public fire protection purposes, a water hole in said Ager Brook.

A certain tract or parcel of land, being a part of the right of way of said railroad, located in the Town of Warner, County of Merrimack, State of New Hampshire, bounded and described as follows:

Beginning at the center line of a stone box culvert, known as No. 20.75 at Section 1090 + 25, proceeding in a general easterly direction along the north

and south right-of-way lines of said railroad, being a width of fifty-eight (58) feet to a point, opposite Station 1087 + 04, at which point the right of way becomes sixty-six (66) feet wide, proceeding along the north and south right-of-way lines of the railroad to a point opposite Station 1076 + 46, which is the property line as between now or formerly Ed Colby and Mrs. John Agar. This land is bounded on north and south by land now or formerly of Mrs. John Agar and H.C. Henlay.

A plan of said land is herewith delivered to the grantee in this deed and as between the parties hereto, it is to be considered as incorporated into and an integral part of said deed.

Meaning and intending to describe and convey the same premises conveyed to Paul J. Kestner, Trustee of the Paul J. Kestner Revocable Trust, dated September 3, 1998 by virtue of a deed from Paul J. Kestner and Nancy R. Kestner, dated October 13, 1998 and recorded with the Merrimack County Registry of Deeds on October 16, 1998 at Book 2122, Page 1709.

**The herein conveyed premises are not homestead.**

Executed this 28 day of July, 2020.

Paul J. Kestner Revocable Trust

David L. Kestner TRUSTEE  
David L. Kestner, Trustee

STATE OF NH  
COUNTY OF Hillsborough

Then personally appeared before me on this 28 day of July, 2020, the said David L. Kestner Trustee of Paul J. Kestner Revocable Trust and acknowledged the foregoing to be his voluntary act and deed.



[Signature]  
Notary Public/Justice of the Peace  
Commission expiration: January 18, 2022





## NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

To: Peter Stoddard, S&H Land Services, LLC  
1717 Wellington Road  
Manchester, NH 03104  
petes@shlandservices.com

From: NHB Review  
NH Natural Heritage Bureau  
Main Contact: Maddie Severance - [nhbreview@dncr.nh.gov](mailto:nhbreview@dncr.nh.gov)

cc: NHFG Review

Date: 03/11/2025 (valid until 03/11/2026)  
Re: DataCheck Review by NH Natural Heritage Bureau and NH Fish & Game  
Permits: MUNICIPAL POR - Warner/Subdivision, NHDES - Shoreland Standard Permit

**NHB ID: NHB25-0624**

Town: Warner

Location: 131 Waterloo Street

**Project Description:** 3 lot subdivision, lot has frontage on the Warner River. No proposed impact near the shoreline. There is an existing house on the property, and 2 additional house lots are proposed.

### **Next Steps for Applicant:**

NHB's database has been searched for records of rare species and exemplary natural communities. Please carefully read the comments and consultation requirements below.

**NHB Comments:** No comments at this time.

**NHFG Comments:** Please refer to NHFG consultation requirements below.

### **NHB Consultation**

If this NHB DataCheck letter includes records of rare plants and/or natural communities/systems, please contact NHB and provide any requested supplementary materials by emailing [nhbreview@dncr.nh.gov](mailto:nhbreview@dncr.nh.gov).

If this NHB DataCheck letter DOES NOT include any records of rare plants and/or natural communities/systems, no further consultation with NHB is required.

### **NH Fish and Game Department Consultation**

If this NHB DataCheck letter DOES NOT include ANY wildlife species records, then, based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.





## NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

If this NHB DataCheck letter includes a record for a threatened (T) or endangered (E) wildlife species, consultation with the New Hampshire Fish and Game Department under Fis 1004 may be required. To review the Fis 1000 rules (effective February 3, 2022), please go to <https://www.wildlife.nh.gov/wildlife-and-habitat/nongame-and-endangered-species/environmental-review>. All requests for consultation and submittals should be sent via email to [NHFGreview@wildlife.nh.gov](mailto:NHFGreview@wildlife.nh.gov) or can be sent by mail, and **must include the NHB DataCheck results letter number and "Fis 1004 consultation request" in the subject line.**

If the NHB DataCheck response letter does not include a threatened or endangered wildlife species but includes other wildlife species (e.g., Species of Special Concern), consultation under Fis 1004 is not required; however, some species are protected under other state laws or rules, so coordination with NH Fish & Game is highly recommended or may be required for certain permits. While some permitting processes are exempt from required consultation under Fis 1004 (e.g., *statutory permit by notification, permit by rule, permit by notification, routine roadway registration, docking structure registration, or conditional authorization by rule*), coordination with NH Fish & Game may still be required under the rules governing those specific permitting processes, and it is recommended you contact the applicable permitting agency. For projects not requiring consultation under Fis 1004, but where additional coordination with NH Fish and Game is requested, please email [NHFGreview@wildlife.nh.gov](mailto:NHFGreview@wildlife.nh.gov), and include the NHB DataCheck results letter number and "review request" in the email subject line.

**Contact NH Fish & Game at (603) 271-0467 with questions.**



## NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

### NHB Database Records:

The following record(s) have been documented in the vicinity of the proposed project.

Please see the map and detailed information about the record(s) on the following pages.

Vertebrate species	State <sup>1</sup>	Federal	Notes
Wood Turtle ( <i>Glyptemys insculpta</i> )	SC	--	Contact the NH Fish & Game Dept (see above).

<sup>1</sup>Codes: "E" = Endangered, "T" = Threatened, "SC" = Special Concern, "--" = an exemplary natural community, or a rare species tracked by NH Natural Heritage that has not yet been added to the official state list.

An asterisk (\*) indicates that the most recent report for that occurrence was 20 or more years ago.

*For all animal reviews, refer to 'IMPORTANT: NHFG Consultation' section above.*

**Disclaimer:** NHB's database can only tell you of known occurrences that have been reported to NHFG/NHB. Known occurrences are based on information gathered by qualified biologists or members of the public, reported to our offices, and verified by NHB/NHFG.

However, many areas have never been surveyed, or have only been surveyed for certain species.

NHB recommends surveys to determine what species/natural communities are present onsite.



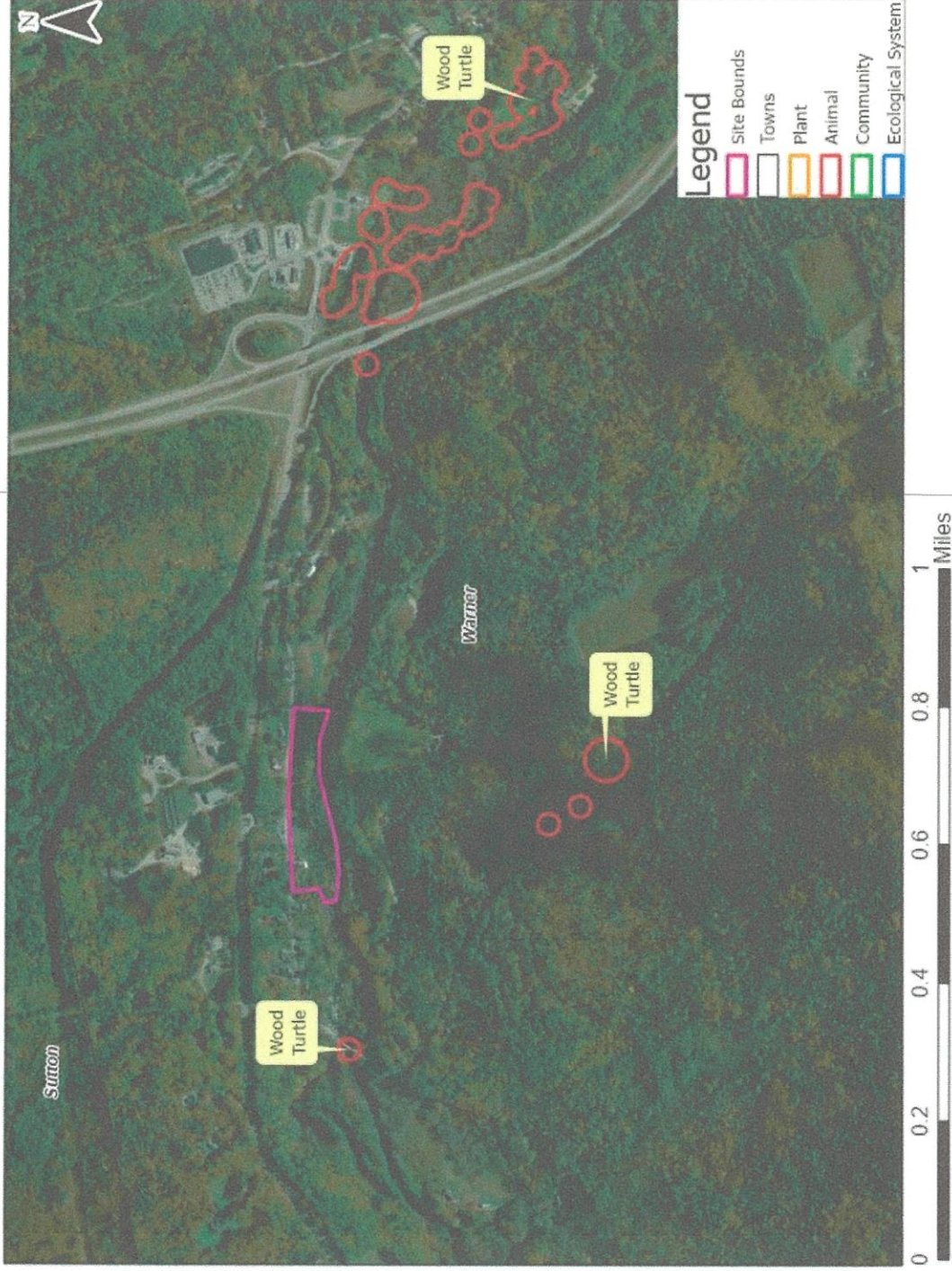


# NHB Data Check Results Letter

NH Natural Heritage Bureau

Please note maps and NHB record pages are **confidential** and shall be redacted from public documents.

NHB25-0624



## NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

NHB25-0624

EOCODE:

ARAAD02020\*021\*NH

### New Hampshire Natural Heritage Bureau - Animal Record

#### Wood Turtle (*Glyptemys insculpta*)

##### Legal Status

Federal: Not listed  
State: Special Concern

##### Conservation Status

Global: Imperiled due to rarity or vulnerability  
State: Rare or uncommon

##### Description at this Location

Conservation Rank: Good quality, condition and landscape context ('B' on a scale of A-D).  
Comments on Rank: --

Detailed Description: 2023: Bartlett Brook: One dead adult wood turtle observed next to mile marker 17.8 on I-89 south. Bagley Park: 11 turtles observed, 1 male, 5 females, and 5 juveniles, sex unknown. Stevens Brook: 3 turtles observed, 1 female and 2 juveniles, sex unknown. Telemetry data from 8 individuals. Additional surveys documented 13 individuals, 4 males, 3 females, 5 juveniles, sex unknown, and 1 dead juvenile. 2018: Area 14469: 1 individual observed, sex unknown. Area 14509: 1 adult male observed, dead on road. 2017: Area 14533: 1 juvenile observed, sex unknown. Area 14644: 1 adult observed, sex unknown. Area 14652: 1 juvenile observed, sex unknown. 2000: Area 1060: 1 adult male hit on road. 1997: 6 adults and young observed.

General Area: 2023: Bagley Park: Stream bottom, stream bank, and open and forested floodplains. Bartlett Brook: The Warner River and its associated floodplain and old oxbow lie between the northbound and southbound barrels of I-89 at this location. South of the highway is a sandpit. 2018: Area 14469: Roadside near stream. Area 14509: Warner River and nearby shrub floodplain. Grassy fields (mowed) on south side of road. 2017: Area 14533: Roadside. Area 14644: Residential yard. Area 14652: Edge of gravel road. Forested on both sides with houses nearby. 1997: Riverine corridor with cobble substrate, banks and bars of cobble, and some sand. Clear water with bank undercuts but near-zero instream cover. Excellent riparian habitat. Extensive floodplain.

General Comments: 1997: Observed by David Carroll.  
Management 1997: ATV access to shoals and cobble bars at time of low water.  
Comments:

##### Location

Survey Site Name: Warner River, Stevens Brook  
Managed By:

County: Merrimack  
Town(s): Warner  
Size: .25.6 acres

Elevation:

Precision: Within (but not necessarily restricted to) the area indicated on the map.

## NHB DataCheck Results Letter

NH Natural Heritage Bureau

Please note: maps and NHB record pages are **confidential** and shall be redacted from public documents.

NHB25-0624

EOCODE:

ARAAD02020\*021\*NH

Directions: 2023: Bartlett Brook: Individual observed right next to the mile marker 17.8 on I-89 south (43°16'13.19"N , 71°48'8.40"W). 2018: Area 14469: North Village Road, Warner, near Silver Brook. Area 14509: Route 103, Warner, at bridge over Warner River. 2017: Area 14533: Bean Road, just north of the Chandler Reservation, Warner. Area 14644: 248 Bean Road, Warner. 2000: Area 1060: At Covered Bridge on Waterloo Rd. in Warner. 15 Plus years old. 1997: [From Warner, take Rte. 103 west for ca. 1.0 miles. Just before the I-89 overpass, park and follow Stevens Brook south.] Site is at confluence of Stevens Brook and Warner River, to ca. 150 meters downstream.

### Dates documented

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First reported:	1997-09	Last reported:	2023-10-16
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The New Hampshire Fish & Game Department has jurisdiction over rare wildlife in New Hampshire. Please contact them at 11 Hazen Drive, Concord, NH 03301 or at (603) 271-2461.

August 14, 2025

## ABUTTERS LIST

John Puc

MAP 37 LOT 6

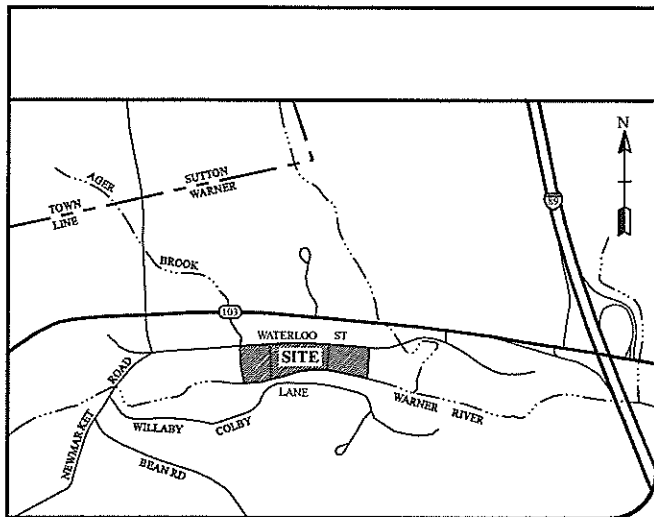
131 WATERLOO STREET

WARNER, NH

Map 37 Lot 6	John Puc 131 Waterloo Street Warner, NH 03278
Map 13 Lot 18-1	Robert B. Pothier 60 Willaby Colby Lane Warner, NH 03278
Map 13 Lot 19	Nicholas B. Brown & Hannah W. Leigh 41 Willaby Colby Lane Warner, NH 03278
Map 13 Lot 19-1	The Leo & Janice Storch Revocable Trust 2 Surrey Lane Pelham, NH 03076
Map 36 Lot 4	Glen A. & Evangeline Moyer 78 Waterloo Street Warner, NH 03278
Map 36 Lot 5	The Robert & Sarah Sanborn Family Trust Robert B. & Sarah H. Sanborn, Trustees 81 Waterloo Street Warner, NH 03278
Map 36 Lot 6	Denise M. & Keith A. Oliver 86 Waterloo Street Warner, NH 03278
Map 36 Lot 7	The Sandra Searle Davis Revocable Trust Sandra Searle Davis, Trustee 92 Waterloo Street Warner, NH 03278
Map 36 Lot 8	Ninah SH Glendinning 98 Waterloo Street Warner, NH 03278
Map 37 Lot 1	David Loring, Jr. & Heather Marie Jones 201 Route 103 Warner, NH 03278



Map 37 Lot 3	John H. & Sarah E. Mason PO Box 305 Sunapee, NH 03782
Map 37 Lot 4	Ryan D. Goselin & Lauren B. Gibbons 126 Waterloo Street Warner, NH 03278
Map 37 Lot 5	Duane & Lori Souder 132 Waterloo Street Warner, NH 03278
Map 37 Lot 7	William E. & Tiffany T. Meadows 145 Waterloo Street Warner, NH 03278
Map 37 Lot 8	Matthew M. & Heather Moran 147 Waterloo Street Warner, NH 03278
Map 37 Lot 9	The Greason Family Revocable Trust of 2018 James B. & Stephanie L. Greason, Trustees 148 Waterloo Street Warner, NH 03278
Map 37 Lot 10	Curtis & Carolyn R. Thalken 157 Waterloo Street Warner, NH 03278
Map 37 Lot 22	Alan Wagner, Jr. 33 Newmarket Road Warner, NH 03278
Surveyor	Robert Degan, LLS S & H Land Services, LLC 141 Londonderry Turnpike Hooksett, NH 03106
Wetland Scientist	Thomas E. Sokoloski, CWS TES Environmental, LLC 1494 NH Route 3A Bow, NH 03304



LOCUS MAP

SCALE: 1" = 1,000'

### REFERENCE PLANS

- "PLAN OF STANDARD PROPERTY SURVEY, TAX MAP 37 LOT 3 -102 WATERLOO ROAD, PREPARED FOR RUTH GRAHAM, 52 ILLINGHAM DRIVE NEWBURY, NH 03255, (PROPERTY OF RICHARD B. AND SADHANA W. HALL), LOCATED IN WARNER, N.H." DATED MAY 19, 2016 AND PREPARED BY PENNYROYAL HILL LAND SURVEYING & FORESTRY, LLC. M.C.R.D. PLAN #201600008647.
- "CLAREMONT AND CONCORD RAILWAY COMPANY, INC. TO PAUL J. AND NANCY R. KESTNER" M.C.R.D. PLAN #1829.

### WETLAND SCIENTIST'S CERTIFICATION

THOMAS SOKOLOSKI, CERTIFIED WETLAND SCIENTIST #127, OF TES ENVIRONMENTAL CONSULTANTS, L.L.C. OF BOW, NH, PERFORMED THE WETLAND IDENTIFICATION AND DELINEATION ON NOVEMBER 1, 2022 ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTHCENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012, US ARMY CORPS OF ENGINEERS.



### NOTES

- OWNERS OF RECORD:

TAX MAP 37 LOT 006  
JOHN PUC  
131 WATERLOO STREET  
WARNER, NH 03278  
BK: 3688 PG: 2070

- THE INTENT OF THIS PLAN IS TO SUBDIVIDE THE SUBJECT PARCEL INTO 3 RESIDENTIAL LOTS.

- THE SUBJECT AND ABUTTING PARCELS ARE ZONED "R-2". DIMENSIONAL REQUIREMENTS ARE AS FOLLOWS:

MINIMUM LOT SIZE = 2 ACRES BUILDABLE LAND  
MINIMUM FRONTAGE = 200 FEET  
MINIMUM SHORELINE FRONTAGE = 100 FEET

MINIMUM BUILDING SETBACKS:  
FRONT = 40'  
SIDE = 25'  
REAR = 25'  
WARNER RIVER = 75'

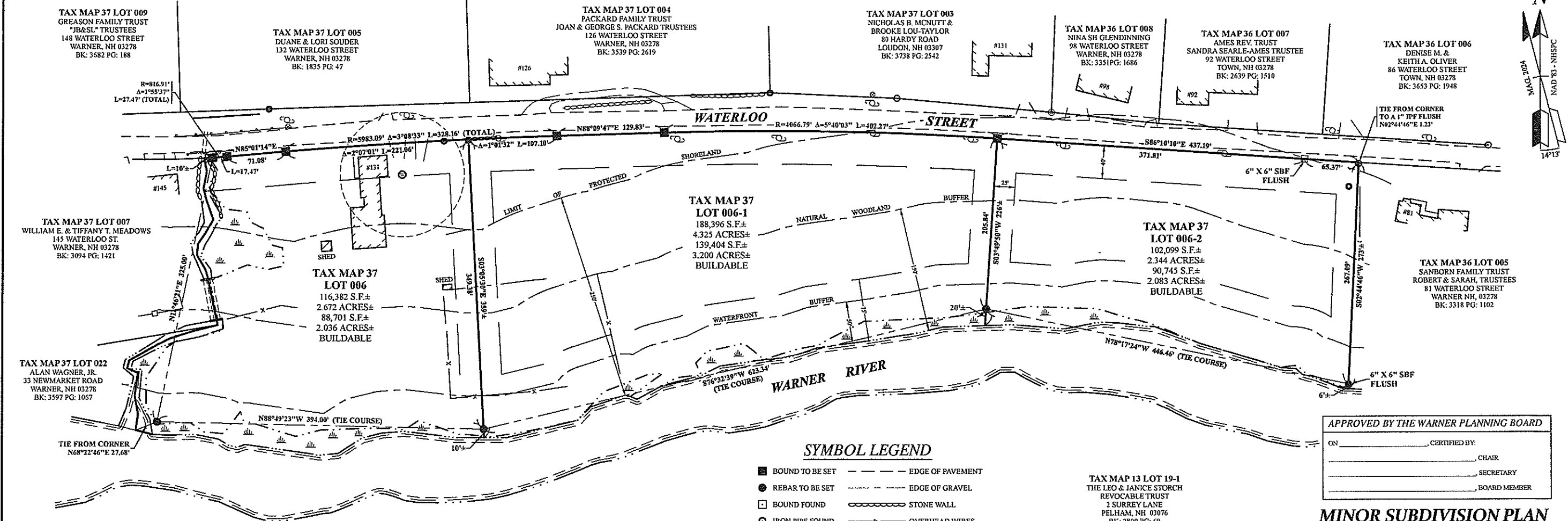
- THIS PLAN REPRESENTS EXISTING CONDITIONS, BOUNDARY EVIDENCE, AND MONUMENTATION AS OBSERVED DURING A SURVEY BY THIS OFFICE IN NOVEMBER 2022 THROUGH MARCH 2023.

### NOTES (CONTINUED)

- HORIZONTAL DATUM IS NH STATE PLANE COORDINATES (NAD '83), VERTICAL DATUM IS NAVD '88, BASED ON STATIC GPS OBSERVATIONS BY THIS OFFICE.
- THE PRE-SUBDIVISION AREA OF LOT 006 IS 9.341 ACRES (406,877 SQ FT). BUILDABLE AREA OF LOT 006 PRE-SUBDIVISION IS 7.320 ACRES (318,850 SQ FT).
- THE SUBJECT PROPERTY IS PARTLY LOCATED WITHIN THE 1% ANNUAL CHANCE FLOODPLAIN AS SHOWN ON THE FLOOD INSURANCE RATE MAP FOR MERRIMACK COUNTY, NEW HAMPSHIRE. MAP NUMBER 33013C 0286E. EFFECTIVE DATE APRIL 19, 2010.
- ALL UNDERGROUND UTILITIES SHOWN ARE APPROXIMATE. THIS OFFICE HAS NOT LOCATED ANY UNDERGROUND UTILITIES. ALWAYS CALL DIG SAFE TO MARK OUT UNDERGROUND UTILITIES PRIOR TO ANY EXCAVATION ACTIVITIES.
- PROPOSED LOTS ARE SUBJECT TO THE PROVISIONS OF THE NH SHORELAND WATER QUALITY PROTECTION ACT (NH RSA 483-B). ALL CONSTRUCTION ACTIVITY ON PROPOSED LOTS WILL REQUIRE SHORELAND PERMITS FROM NHDES.
- NHDES SUBDIVISION APPROVAL # PENDING.

### NOTES (CONTINUED)

- LOT 006 IS SERVED BY AN EXISTING ON-SITE SEPTIC SYSTEM - SEE NHDES CONSTRUCTION APPROVAL 195359 DATED OCTOBER 15, 1992. NEW LOTS ARE TO BE SERVED BY ON-SITE SEPTIC SYSTEMS AND WELLS.
- THE SUBDIVISION REGULATIONS OF THE TOWN OF WARNER ARE A PART OF THIS PLAT, AND APPROVAL OF THE PLAT REQUIRES THE COMPLETION OF ALL THE REQUIREMENTS OF SAID SUBDIVISION REGULATIONS EXCEPTING ONLY ANY RELAXATION OF REQUIREMENTS GRANTED IN WRITING BY THE PLANNING BOARD.
- TOPOGRAPHIC DATA SHOWN WAS TAKEN FROM USGS/FEMA LIDAR FOR THE CONNECTICUT RIVER WATERSHED, THROUGH NOAA.
- WAIVERS ARE REQUESTED FROM SECTIONS V.D.9 & V.D.11 OF THE WARNER SUBDIVISION REGULATIONS.

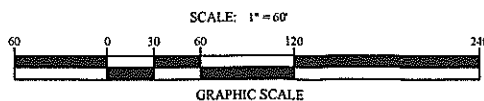
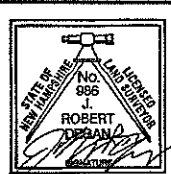


### SURVEYOR'S CERTIFICATION

"I HEREBY CERTIFY THAT THIS SURVEY AND PLAT WERE PREPARED BY ME OR THOSE UNDER MY DIRECT SUPERVISION AND IS THE RESULT OF AN ACTUAL FIELD SURVEY MADE ON THE GROUND AND HAS AN ERROR OF CLOSURE OF GREATER ACCURACY THAN ONE PART IN TEN THOUSAND (1:10,000)."

ROBERT J. ROBINSON  
LICENSED LAND SURVEYOR

8/14/25  
DATE



APPROVED BY THE WARNER PLANNING BOARD

ON \_\_\_\_\_, CERTIFIED BY:  
\_\_\_\_\_, CHAIR  
\_\_\_\_\_, SECRETARY  
\_\_\_\_\_, BOARD MEMBER

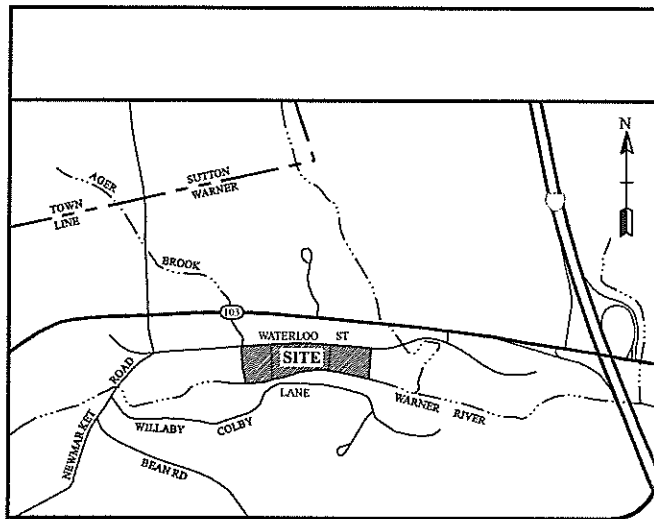
### MINOR SUBDIVISION PLAN TAX MAP 37 LOT 6

PREPARED FOR:  
**JOHN PUC**  
LOCATED AT:  
131 WATERLOO STREET  
WARNER, NEW HAMPSHIRE

PAGE: 1 OF 2

**S&H LAND SERVICES, LLC**  
SHLANDSERVICES.COM  
141 LONDONDERRY TURNPIKE - HOOKSETT, NH 03106  
PHONE: (603)-628-8500, FAX: (603)-546-7791

SCALE: 1" = 60' DATE: AUGUST 14, 2025 FB: 36 PG: 45 & TSC5 JOB #2021166

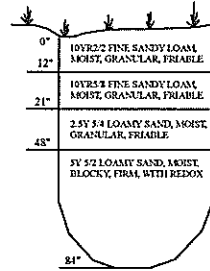


LOCUS MAP

SCALE: 1" = 1,000'

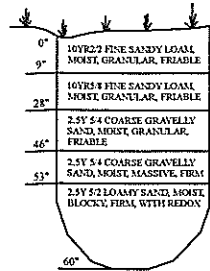
### TEST PIT DATA - TP#1

TEST PIT BY: JRD  
DATED: 11/28/2023  
DEPTH TO LEDGE: N/O  
ESTIMATED SEASONAL HIGH WATER TABLE: 48"  
DEPTH TO OBSERVED WATER TABLE: N/O  
DEPTH TO ROOT LINE: 12"  
PERCOLATION RATE: 8 MIN/IN. @ 18"



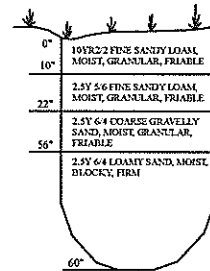
### TEST PIT DATA - TP#2

TEST PIT BY: JRD  
DATED: 11/28/2023  
DEPTH TO LEDGE: N/O  
ESTIMATED SEASONAL HIGH WATER TABLE: 53"  
DEPTH TO OBSERVED WATER TABLE: N/O  
DEPTH TO ROOT LINE: 12"  
PERCOLATION RATE: 10 MIN/IN.



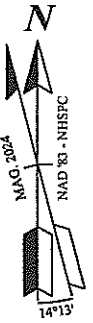
### TEST PIT DATA - TP#3

TEST PIT BY: JRD  
DATED: 11/28/2023  
DEPTH TO LEDGE: N/O  
ESTIMATED SEASONAL HIGH WATER TABLE: 56"  
DEPTH TO OBSERVED WATER TABLE: N/O  
DEPTH TO ROOT LINE: 12"  
PERCOLATION RATE: 10 MIN/IN.



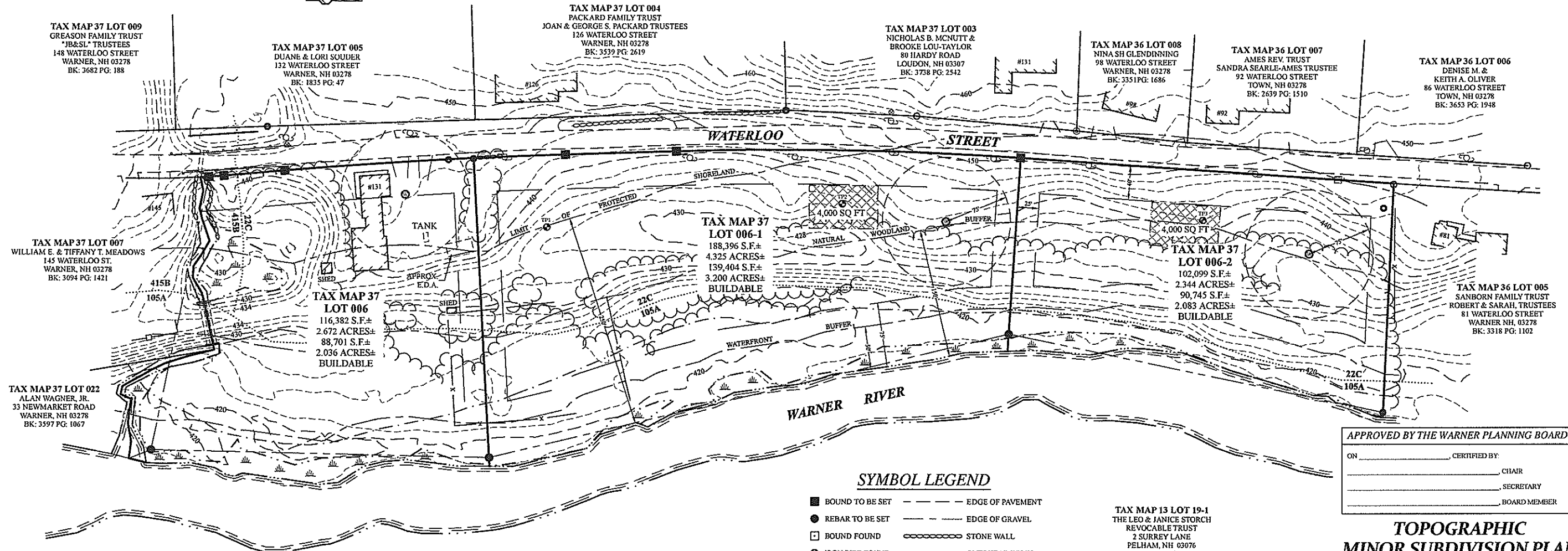
### SOIL LEGEND

- 22C COLTON GRAVELLY SANDY LOAM, 8% - 15% SLOPES  
GROUP 1 - EXCESSIVELY WELL DRAINED
- 105A RUMNEY FINE SANDY LOAM, 0% - 3% SLOPES, FREQUENTLY FLOODED  
GROUP 5 - POORLY DRAINED
- 415B MOOSILAUKE FINE SANDY LOAM, 3% - 8% SLOPES, VERY STONY  
GROUP 5 - POORLY DRAINED



### WETLAND SCIENTIST'S CERTIFICATION

THOMAS SOKOLOSKI, CERTIFIED WETLAND SCIENTIST #127, OF TES ENVIRONMENTAL CONSULTANTS, L.L.C. OF BOW, NH, PERFORMED THE WETLAND IDENTIFICATION AND DELINEATION ON NOVEMBER 1, 2022 ACCORDING TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL AND THE REGIONAL SUPPLEMENT TO THE CORPS OF ENGINEERS WETLAND DELINEATION MANUAL: NORTH CENTRAL AND NORTHEAST REGION, VERSION 2.0, JANUARY 2012, US ARMY CORPS OF ENGINEERS.



### SYMBOL LEGEND

- BOUND TO BE SET
- REBAR TO BE SET
- BOUND FOUND
- IRON PIPE FOUND
- REBAR FOUND
- RR SPIKE FOUND
- WELL
- WETLAND
- UTILITY POLE
- GUY WIRE
- EDGE OF PAVEMENT
- EDGE OF GRAVEL
- STONE WALL
- OVERHEAD WIRES
- WIRE FENCE
- STOCKADE FENCE
- GUARDRAIL
- EDGE OF WETLAND
- EDGE OF WATER
- 100-YEAR FLOOD PLAIN

TAX MAP 13 LOT 19-1  
THE LEO & JANICE STORCH  
REVOCABLE TRUST  
2 SURREY LANE  
PELHAM, NH 03076  
BK: 2809 PG: 69

APPROVED BY THE WARNER PLANNING BOARD

ON \_\_\_\_\_, CERTIFIED BY:  
\_\_\_\_\_, CHAIR  
\_\_\_\_\_, SECRETARY  
\_\_\_\_\_, BOARD MEMBER

### TOPOGRAPHIC MINOR SUBDIVISION PLAN TAX MAP 37 LOT 6

PREPARED FOR:  
**JOHN PUC**  
LOCATED AT:  
131 WATERLOO STREET  
WARNER, NEW HAMPSHIRE

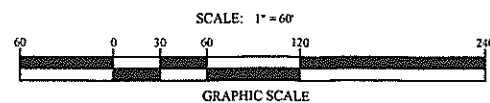
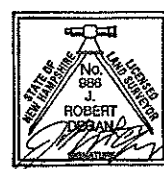
PAGE: 2 OF 2

### SURVEYOR'S CERTIFICATION

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*[Signature]*  
LICENSED LAND SURVEYOR

8/14/25  
DATE



NO.	DATE	DESCRIPTION	BY

**S&H LAND SERVICES, LLC**  
SHLANDSERVICES.COM  
141 LONDON DERRY TURNPIKE - HOOKSETT, NH 03106  
PHONE: (603)-628-8506, FAX: (603)-546-7791

SCALE: 1" = 60' DATE: JULY 31, 2025 FB: 36 PG: 45 & TSC5 JOB #2021166

**ADMINISTRATIVE INFORMATION**  
PARCEL NUMBER  
37-006  
Parent Parcel Number  
  
Property Address  
WATERLOO STREET 131  
Neighborhood  
20 WATERLOO  
Property Class  
101 One Family

**OWNERSHIP**  
PUC JOHN  
131 WATERLOO STREET  
WARNER, NH 03278

Tax ID 000908

**TRANSFER OF OWNERSHIP**  
Date  
07/30/2020 KESTNER REVOCABLE TRUST, PAUL \$110000  
Bk/Pg: 3688, 2070

Printed 08/29/2025 Card No. 1 of 1

RESIDENTIAL

TAXING DISTRICT INFORMATION		VALUATION RECORD						
Jurisdiction	219 WARNER, NH	Assessment Year	04/01/2010	04/01/2015	04/01/2015	04/01/2020	04/01/2020	04/01/2020
Area	219	Reason for Change	2010 Reval	2015 PRELIM	2015 Reval		2020 Prelim	2020 Reval
Routing Number	2015	VALUATION	L	142750	109500	109500	114150	114150
		Market	B	161360	147570	147570	120170	63620
			T	304110	257070	257070	229670	177770
		VALUATION	L	142750	109500	109500	114150	114150
		Assessed/Use	B	161360	147570	147570	120170	63620
			T	304110	257070	257070	229670	177770

Site Description		LAND DATA AND CALCULATIONS							
Topography:		Rating	Measured	Table	Prod. Factor				
Rolling		Soil ID	Acreage		-or-				
Public Utilities:		-or-	-or-		Depth Factor				
Water, Sewer, Electric		Actual	Effective	Effective	-or-	Base	Adjusted	Extended	Influence
Street or Road:		Frontage	Frontage	Depth	Square Feet	Rate	Rate	Value	Factor
Paved									Value
Neighborhood:									
	Land Type								
Zoning:									
R2-Med Density Res	1 Homesite Improved		2.0000		1.00	47500.00	47500.00	95000 1	-5%
	2 Excess Frontage		6.0000		1.00	5000.00	5000.00	30000 1	-25%
Legal Acres:	3 EXCESS REAR		1.0000		1.00	1400.00	1400.00	1400	
9.0000									

**PHYSICAL CHARACTERISTICS**

Style: Colonial  
 Occupancy: Single family  
 Story Height: 2.0  
 Finished Area: 3024  
 Attic: Unfinished  
 Basement: 1/4

**ROOFING**

Material: Asphalt shingles  
 Type: Gable  
 Framing: Std for class  
 Pitch: Not available

**FLOORING**

Slab B  
 Sub and joists 1.0, 2.0, A  
 Concrete B  
 Softwood 1.0, 2.0

**EXTERIOR COVER**

Stone B  
 Wood Clapboards 1.0, 2.0, A

**INTERIOR FINISH**

Plaster 1.0, 2.0

**ACCOMMODATIONS**

Finished Rooms 12  
 Bedrooms 5  
 Fireplaces: 1

**HEATING AND AIR CONDITIONING**

Primary Heat: Steam  
 Lower Full Part  
 /Bsmt 1 Upper Upper

**PLUMBING**

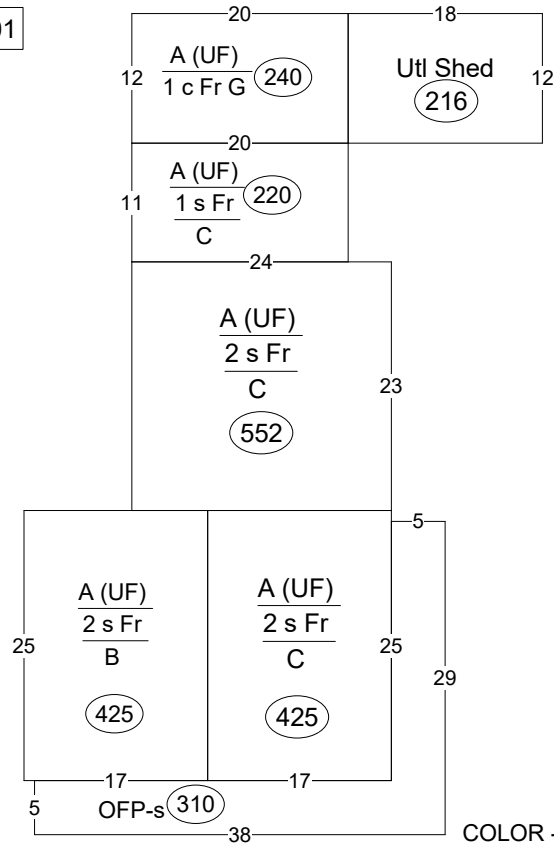
#  
 3 Fixt. Baths 2 6  
 2 Fixt. Baths 1 2  
 Kit Sink 1 1  
 Water Heat 1 1  
 TOTAL 10

**REMODELING AND MODERNIZATION**

Amount Date

**IMPROVEMENT DATA**

01



02

COLOR - WHITE



(LCM: 102.00)

**SPECIAL FEATURES****SUMMARY OF IMPROVEMENTS**

Description	Value	ID	Use	Stry Hgt	Const Type	Grade	Year Const	Eff Year	Cond	Base Rate	Feat-ures	Adj Rate	Size or Area	Computed Value	PhysDepr	ObsolDepr	Market Adj	% Comp	Value
D :FP-MAS	3950	D	DWELL	0.00		Avg+	1840	1961	PR	0.00	Y	0.00	5311	329660	80	15	95	100	53240
		G01	ATTGAR	0.00	1					32.25	N	32.25	12x 20	7740	0	0	0	100	0
		01	BARN/LFT	1.75	0	Avg-	1900	1900	FR	25.50	N	24.74	38x 40	37610	70	20	100	100	9020
		02	UTLSHED	1.00	1	Fair	1940	1940	FR	13.65	N	11.88	12x 12	1710	70	10	100	100	460
		03	UTLSHED	1.00	1	Avg	1840	1840	FR	13.65	N	13.92	12x 18	3010	70	0	100	100	900

Data Collector/Date

DMRM 10/14/2014

Appraiser/Date

DM 04/01/2020

Neighborhood

Neigh 20 AV

Supplemental Cards

TOTAL IMPROVEMENT VALUE

63620

Planning Board Warner Town Hall  
5 East Main Street  
Warner NH 03278

September 3, 2025

RE: John Puc Subdivision Application, Abutter's Notice

From: Duane and Lori Souder, 132 Waterloo Street, Map 37-5, Abutter

Dear Planning Board;

We offer the following information, observations, thoughts and concerns.

New Hampshire is 9,350 square miles, 956 square miles is Merrimack county, Warner has 55.5 square miles, and Waterloo National Historic District has approximately 50 acres that includes of most of the Original Land Grant for mill lot #67 and consists of a grouping of houses and structures of the late 18th and 19th centuries which define the former village of residences with rural farmland/woodlands and importance to the town of Warner and industrial history.

Is this tiny but impactful legacy in Warner worth protecting?

Merrimack County has four (4) known historic districts; but nothing similar to the rural character of Waterloo National Historic District including a covered bridge.

Warner controls this very small, precious, tract of land including assets such as stretches of scenic rural land that has never been subdivided, rural historic houses including some that belonged to famous people in the past, a former railway station, a former tavern, and Waterloo Covered Bridge. Nehemiah G. Ordway (Governor of the Dakotas) and U.S. Senator William B. Chandler both purchased homes here as a base of operations far from the intensity of political life in Washington D.C.

The Waterloo Covered Bridge, (circa 1820) designed by Ithiel Town, is one of the few surviving lattice truss bridges in New Hampshire.

An important wildlife corridor runs along the Warner river (a protected waterway) and in the Waterloo National Historic District neighbors have seen deer, moose, bear, bobcat, turkey, fox, heron and pileated woodpecker among many others. Warner is interested in making parts of the abandoned railway corridor into a public rail trail for tourism.

Paul Kestner purchased this property (Map 37-6) in 1960 which is the largest piece (approx 9.34 acres) of the National Historic District of Waterloo. It is a historic house with a farm, very large barn, fields, woods, floodplain, and when he was offered the railway corridor behind his property and he purchased it and added to the property.

With the help of his family, Paul lived on the property until his death in 2017. When asked if he ever would subdivide his acreage, we were always told the same answer during our 27 years of being his neighbor across the road; he would never divide his land up, would not and could not and should not. Paul maintained the integrity of the area, protecting the river and wildlife, and he lived to see the area become the Waterloo National Historic District.



John Puc has lived in the National Historic District of Waterloo for five years. As much as we like our neighbor, it seems he views his property no different from any other; the same as any plot of land fronted a state highway. John Puc wants to subdivide his land into three parcels, splitting the Waterloo Street road frontage into three, the railway corridor into three, the wildlife corridor into three, the riverside into three, and the Warner River floodplain into three.

Map 37-6 approx 6.67 unimproved acreage, untouched for many decades, is in the very heart of Waterloo District, with the most footprint, largest visual areas from the roads or the water, the largest amount of railway corridor, and the most area of wildlife and vulnerable riverside. This is the acreage that John Puc proposes to subdivide for two new building lots for residences for now, but could end up in the future, businesses or multifamily residences or anything.

Anyone building on these two new parcels would require new drilled water wells, new septic systems (all in or near the floodplain), new modern dwellings, multiple years of construction, and trucks and heavy equipment traversing the "no thru trucking" on the small, old Waterloo Street, going over one or both bridges constantly.

More traffic of any kind can lead to complete destruction of the historic granite stone bridge over "Ager Brook" and completely change the character of Waterloo St. It will most likely result in taking large trees and moving large boulders and destroying a very active wildlife corridor that leads to the Warner River.

Further, subdividing this property splits the railway corridor located there from one owner into three owners. Railway corridors are most likely to be completed when they are in undeveloped, unimproved acreage. Owners with homes, small acreages, children, private river footage, security concerns, animals and pets are less likely to allow the public 24/7 to their private back yards.

How does this subdivision serve the heart of Waterloo Historic District, the neighbors nearby and the tiny road and bridges built for horse and carriages, the protected Warner River, the wildlife corridor, or Warner's town plan for the railway corridor to become public land and a tourist attraction?

In the past there have been many wonderful tourist attractions in Warner like museums and restaurants but most will pass away in the blink of an eye. None of us live forever, but we can during our lifetimes think of the gift we can give the future residents and visitors of Warner.

The Waterloo National Historic District, unless neglected and ignored by the Town of Warner, is a lasting gift from New Hampshire's past and all the owners and residents of all the times before. In respect to the Native Americans who lived here before, we are grateful to them also. As current residents of over 35 years, we can see that the legacy of this incredible gift to Warner should be thoughtfully preserved, heartfully cherished and given as it exists today to the future generations.

Respectively,

Duane Souder and Lori Souder  
Residents of

132 Waterloo Street, Map 37-5, Abutter, for over 35 years  
Warner, NH 03278

We are unable to attend September 8th meeting due to prior, unchangeable commitments.

**Minor Subdivision on Waterloo St. Warner, NH**

From: ljstorch@myfairpoint.net

Date: 09/01/2025 19:45

To: landuse@warnernh.gov

To Planning Board of Warner NH

From Leo and Janice Storch, Abutters of New Subdivision on Waterloo St. Warner, NH

This letter offers several questions:

1. Assure all permits, setbacks, and RSA town ordinances have been obtained and met to subdivide the lot 6 Map 37, 131 Waterloo St. Warner, NH.
2. Have permits been granted to allow the clearing and subdivision of the proposed lot 6. These permits should include the signed permits from the Town of Warner NH and the DES of the State of NH ?
3. Also has this subdivision been reviewed by the LAC of Warner NH ?
4. Will this subdivision have an impact on the environmental and scenic landscape of the abutters?
5. Also what is the proposed tax impact and burden to the town of Warner NH ?
6. Will there be an impact on the continuation of the rail trail ?

We are certain our elected and duly appointed officials will execute their duties according to local and state guidelines without prejudice and self-interest.

Thank you, Leo and Janice Storch ( abutters)

9/1/2025

Janice M. Storch  
Leo J. Storch



## TOWN OF WARNER

PO Box 265

Warner, New Hampshire 03278-0265

Telephone: (603) 456-2298 ex. 7

Email: landuse@warnernh.gov

### Planning Board Meeting Minutes

July 21, 2025, 7:00 PM

Lower Meeting Room, 5 East Main St, Warner Town Hall

#### I. OPEN MEETING: Chair Karen Coyne called the meeting to order at 7:02 PM.

**PLEDGE OF ALLEGIANCE:** 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	✓	
Harry Seidel – Select Board	✓	
John Leavitt	✓	
Bob Holmes – Alternate	✓	
Micah Thompson – Alternate	✓	

#### VI. REVIEW OF MINUTES: April 7<sup>th</sup>, April 21<sup>st</sup>, and July 7<sup>th</sup>

##### April 7, 2025

James Gaffney made a motion seconded by Barak Greene to accept the edit of page 2 line 27 & 28 and to accept the minutes of April 7, 2025, as amended. Motion passed unanimously.

##### April 21, 2025

James Gaffney made a motion seconded by Barak Greene to accept the minutes of April 21, 2025, as amended. Motion passed unanimously.

##### July 7, 2025

Pier D'Aprile made a motion seconded by James Gaffney to accept the minutes of July 7, 2025, as presented. Motion passed unanimously.

#### III. PUBLIC COMMENT

Mike Smith informed the Planning Board that the Select Board is moving to remove Preti Flaherty as legal counsel. He asked if the Planning Board had any thoughts or concerns. Karen Coyne stated that with regard to Upton & Hatfield, she has had situations where she received differing legal opinions from different attorneys within the practice and she expressed frustration from not receiving responses in a timely manner. Karen Coyne stated that she has been pleased with the response time of Preti Flaherty. She noted that a legal opinion was received on a weekend. Chrissy Almanzar spoke about a couple instances where residents were forced to wait exceptionally long periods due to differing advice from within the Firm. Karen Coyne spoke about an instance when materials had been sent to Upton & Hatfield previously on numerous occasions that they requested again. Pier D'Aprile asked for clarification on the issue. Mike Smith spoke as a resident of Warner stating that there have been problems with Upton & Hatfield. He explained that a new legal counsel was retained legally through the proper procedures. He stated that there is one person in town who continues to dispute that. Mike Smith is looking for the Planning Board's opinion regarding the service they have received from Preti Flaherty. Karen Coyne stated that the Planning Board has received excellent service from the new legal counsel. James Gaffney asked if the Planning Board wanted to make a motion to

1 recommend that the Planning Board Chair summarize her interactions with the new legal counsel in a letter  
2 to the Select Board. Mike Smith explained that the Select Board will be discussing this at the next Select  
3 Board meeting and there will be a vote to remove Preti Flaherty. Karen Coyne asked if there has been a  
4 discussion regarding the reasoning to remove Preti Flaherty. She noted that they are far more responsive and  
5 less expensive.  
6

7 Harry Seidel explained that this has been brought up because the proper procedures were not followed. He  
8 stated that Mr. Smith brought this up to the Select Board because he was working on selling town-owned  
9 properties to increase revenue, but Mr. Smith was not receiving timely responses from our current counsel.  
10 Harry Seidel stated that he initially did not want to engage with two legal counsels. He stated that it was  
11 presented to the Select Board that Preti Flaherty would only be used for land use decisions. Harry Seidel  
12 stated that a contract came in from the new counsel dated a day before it was presented to the Select Board  
13 that reflects that Preti Flaherty could be used for any town matters and that is different than what was  
14 proposed and agreed on. Harry Seidel spoke about the process that was not followed.  
15

16 Karen Coyne explained that she attended the Select Board meeting where this was initially discussed. She  
17 acknowledged that Harry Seidel expressed concern that if an opinion was received that someone did not like  
18 they might go to the other firm. She stated that this was brought up because of land use issues with the  
19 current legal counsel. She stated that it was discussed that the primary use of Preti Flaherty would be land  
20 use issues, but it was stated by Alfred Hanson that if the need came up, they would be available for other  
21 matters. Mike Smith concurred with Karen's recollection. Karen Coyne stated that at no point in time did  
22 anyone say the only thing permitted to talk to them about was land use issues.  
23

24 Mike Smith presented the Preti Flaherty engagement letter that reflects the Town is paying for hourly  
25 services. He stated that the Select Board is being beaten up over this by a resident who insists the purchasing  
26 policy was not followed.. He stressed that everything was done correctly. James Gaffney noted that the letter  
27 of engagement does not say that Preti Flaherty will be the sole counsel for the Town. Mike Smith stated that  
28 there is one particular resident who says that this was done illegally. Mike Smith stressed that he did not hide  
29 anything. He stated that speaking as a resident he wanted to make this Board aware that this will be  
30 discussed at the next Select Board meeting. He stated that there will be a vote to remove them. Mike Smith  
31 stated that the Select Board told him that they will not vote for land sales.  
32

33 Mike Smith advised the Planning Board that he is frustrated. He stated that he is going to every board to  
34 voice his frustration. He distributed copies of an agenda posted at the Library, but not on the website. He  
35 stated that the library posting was modified with handwritten changes. He spoke about an email from Harry  
36 Seidel regarding contacting the previous auditors. James Gaffney explained that recently an Audit  
37 Committee was created as a result of the resignation of the town's auditing firm. He explained that  
38 membership consists of James Sherman, Robert Blake, Elizabeth Labbe, and himself.  
39

40 Mike Smith asserted that he is dedicating the next year and half of his term to bringing to light everything  
41 that comes forward. He stated that today a 91-A request came in regarding the Finance Director who  
42 claimed he did not know about the audit. Mike Smith stated that the documents in the 91-a request reflect  
43 that he did in fact know about the audit and the expectations of it.  
44

45 John Leavitt spoke about the significant cost that a new audit will cost. He stated that an audit is just the first  
46 step. He stated that the purchasing journal is a mess. He said anyone who is willing to keep the old auditors  
47 is just doing so to protect individuals who may not have been doing their job.  
48

49 Ian Rogers acknowledged that tempers are running high right now. He stated that there are many different  
50 problems going on right now. He encouraged the Planning Board to acknowledge that these are matters  
51 outside of the Planning Board's purview and he encouraged the Board to use this meeting time to discuss

1 Planning Board matters. Mike Smith stated that the legal counsel issue is a Planning Board issue. Karen  
2 Coyne agreed that the change of legal counsel is a Planning Board matter.  
3

4 Karen Coyne stated that regarding the audit issue, an email that came out today as part of the 91-A revealed  
5 that the previous auditors made 23 adjustments just to balance things. Mike Smith explained that they  
6 needed to make 23 adjustments before the audit so that they only needed to make 21 adjustments during the  
7 audit, which is what the law allows. James Gaffney stated that the previous auditors are on vacation until  
8 August. He expressed his concern about the Town's ability to find a firm to work with them without a firm  
9 commitment from the Select Board to address the underlying issues.  
10

11 Pier D'Aprile advised Mike Smith that people are listening. He spoke about his past request for a new Select  
12 Board ex-officio member. Pier D'Aprile stated that there is a significant trust issue in town, and it is getting  
13 worse. He spoke about his hope that Harry would focus on the bigger issues facing Warner. He stated that  
14 adding the HOP II agenda item was not necessary. He encouraged Harry to focus on getting the trust back.  
15 He stated that if it's not possible for Harry to achieve that, then maybe it's time to let someone else try.  
16

17 Bob Holmes expressed his confusion about this discussion occurring during this meeting. He stated that  
18 Upton & Hatfield has a good reputation as legal counsel. He questioned why the audit situation is being  
19 discussed during a Planning Board meeting. Karen Coyne explained that the Board cannot control the topic  
20 of public comment.  
21

22 Harry Seidel explained that loud voices or oppositional talk is not necessarily accurate or helpful. He stated  
23 that the auditor observed conditions in Town very similar to what has occurred in this meeting, and it is not  
24 helpful. He commended James Gaffney and the audit committee for their service. Harry Seidel stressed that  
25 yelling will not help, he stated that they have heard a lot of bluster tonight. He explained that there are only  
26 3-4 auditors to choose from. He stated that Vachon Culkay worked for the town for approximately 10 years.  
27 He stated that they are probably the best candidate to come to Warner. He addressed the issue of reposting  
28 the agenda that was modified in handwriting. He explained that the public hearing needed to be rescheduled.  
29 He stated that the online agenda does not contain handwritten edits. Karen Coyne stressed that at one point it  
30 was not online. Harry Seidel stated that they are doing the best they can.  
31

32 James Gaffney explained that the expectation is that the Town stick to the facts and follow the law. He  
33 believes that if that can be accomplished everything else will settle down. He stressed that this applies to  
34 Harry most of all. James Gaffney referred to statements made by Harry accusing the Chair of cancelling six  
35 to eight meetings since she's been Chair; statements which are factually incorrect. James Gaffney said there  
36 are many people that Harry Seidel should apologize to, and the Planning Board Chair is just one. James  
37 Gaffney listed multiple names including his own, as well as the town as a whole, that Harry should apologize  
38 to for suppression of free speech and redress of government. Mike Smith concurred.  
39

40 Karen Coyne stated that everyone has their own personal communication style, and no one is expected to  
41 follow someone else's style. She urged everyone to listen to the message rather than the style. Mike Smith  
42 explained why he is so loud and passionate. He stressed that he is frustrated with how things are going.  
43 He stated that he agrees with Mr. Gaffney and believes that Harry Seidel should resign.  
44

45 **James Gaffney made a motion seconded by Pier D'Aprile that the Planning Board request that the**  
46 **Chair of the Planning Board send a letter to the Select Board prior to the Select Board meeting**  
47 **tomorrow indicating that the Planning Board has good experiences with the law firm Perti Flaherty**  
48 **and would like to ensure that the Board continues to make them available to the Planning Board.**  
49 **Motion passed 5-2-0, Harry Seidel and Ian Rogers voted in the negative.**  
50

1 *Discussion on the motion:* Micah Thompson stated that he is new to town politics and part of the reason that  
2 he wanted to join this board was because of how he felt as a member of the public being yelled at by Mike  
3 Smith when he brought his concerns to the Select Board. Micah Thompson stated that he wanted it noted on  
4 record that while he agrees with much of what Mike Smith is bringing up, he feels that Mike Smith is living  
5 in a really big glass house to be the person who is talking about respect between members of town boards.  
6

7 John Leavitt asked what the Select Board's response was to the initial letter requesting a new ex-officio  
8 member. Karen Coyne stated that a response has not been received. Harry Seidel stated that it is on the  
9 Select Board agenda for tomorrow's meeting.  
10

11 Barak Greene stated that going forward he would like the Planning Board to take this into consideration and  
12 set a good example for the town by doing their jobs correctly and efficiently. Micah Thompson and Ian  
13 Rogers concurred.  
14

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

##### 16 **A. Introducing a Site Plan Amendment**

17 Barak Greene explained that his intention behind the Site Plan Amendment, is to make things clear and  
18 easier for the applicant. He spoke about making adjustments to language to clarify ambiguous language.  
19 James Gaffney agreed, stating that his position is that the rules should be written in a manner that anyone can  
20 understand. He would like the Planning Board to determine what criteria the Planning Board would consider  
21 to be minor enough to fall within this process. James Gaffney would like the Board to consider not putting  
22 all of the burden on the Land Use Secretary. He suggested a review by the Chair and Vice Chair. Karen  
23 Coyne stated that she would not be comfortable with just one person making that determination. She spoke  
24 about the benefits of a conceptual consultation.  
25

26 Ian Rogers asked for more clarification from Barak Greene regarding the biggest advantage of doing  
27 something like this. Barak Greene explained that the advantage is for the Town by streamlining the process  
28 by adding language to the regulation that essentially says this is going through the Planning Board and it is  
29 going to meet certain criteria. He stated this will make it simple and applicants do not have to stress about it.  
30

31 Bob Holmes views this as a burden on property owners/businesses by requiring a consultation. Karen  
32 Coyne acknowledges that there are times when it will be black and white and items that clearly would not  
33 require a consultation but there are many that will. Barak Greene noted there is a section (determination  
34 review requirement) that outlines an appeal process. James Gaffney suggested the Board could discuss  
35 removing some of the extreme examples. Barak Greene explained that he is trying to focus on a streamlined  
36 way of changing an existing site plan. He stressed there is a need to create a way of tracking those changes.  
37 James Gaffney would like to see a notation or running list of dates that a discussion occurred about a  
38 property. Ian Rogers appreciates the suggestions, he recommends reviewing the language of the Site Plan  
39 Review Regulations used to determine that threshold. Barak Greene stated that there is a lot of gray area, but  
40 in the end, it boils down to more of a commonsense approach. He would like the Planning Board to simplify  
41 the language to reduce the gray area. Harry Seidel expressed concern about the pressure this would put on  
42 Chrissy Almanzar (land use coordinator). He spoke about the benefits that conceptual consultation provides,  
43 being a nonbinding friendly meeting. He hopes the Planning Board will consider doing more conceptual  
44 consultations. Chrissy Almanzar feels that a determination application would make more sense if it came  
45 prior to the conceptual consultation. Then, the Planning Board could discuss the details at the consultation to  
46 determine the path forward.  
47

48 Barak Greene explained that he feels strongly that the Application for Determination of Site Plan Review  
49 should be changed to Application for Site Plan Amendment. James Gaffney is concerned about the Planning  
50 Board making a determination that could be construed as legally binding. Karen Coyne concurred. James

1 Gaffney stressed that the Planning Board needs to be deliberate and careful within the context, understanding  
2 that the Planning Board is making a binding determination.

3  
4 Karen Coyne suggested that when an application for determination is received, that could be an agenda item  
5 requiring a Board discussion. Barak Greene stressed that this provides a documented written procedure.  
6 Karen Coyne supports the change to Application for Site Plan Amendment. Barak Greene suggested the  
7 Planning Board start with this and look over the site plan amendment process and come up with ideas to be  
8 discussed at future work session. John Leavitt asked for clarification as to whether board members would be  
9 allowed to discuss site plan amendment applications outside of a meeting. Karen Coyne explained that it is  
10 appropriate as long as there is not a quorum. The Planning Board agreed to continue this discussion at their  
11 next meeting.  
12

#### 13 B. Guarantees for Infrastructure Improvements and Stabilization – Bonds

14 Barak Greene explained that the Town has three different regulations (Site plan, subdivision and excavation)  
15 that addresses using securities. He informed the Board that of the three the subdivision regulation is the one  
16 that conforms best to the law that was passed in 2023. He highlighted the language that requires a bond or  
17 security (when approval is given for major infrastructure prior to a sale or issuance of building permit).  
18

19 Barak Greene explained that before the Board begins using surety or bonds as is required by law the site plan  
20 and subdivision regulations need to be updated to comply with the law. He reiterated that the most in need of  
21 updating is the excavation regulation. He stated that he is only looking to update the regulation to comply  
22 with the current law. Karen Coyne stated that there will need to be two public hearings. Harry Seidel asked  
23 if the change is stricter than the original language. Harry Seidel expressed concern that the law does not  
24 require a bond or surety for road or utility construction.  
25

26 The Board discussed how and if this would apply to driveways, landscaping, roads/private roads. The Board  
27 agreed that they would need to consult legal counsel. Barak Greene stated that the State of New Hampshire  
28 has given bonds and sureties to municipalities as a tool to mitigate the negative impacts. He stated that the  
29 Town would be foolish to ignore that.  
30

31 James Gaffney asked if there is an update on the Boyer development. Harry Seidel stated that the Select  
32 Board has not heard from Boyer in a long time. Harry Seidel explained that a foundation was constructed in  
33 the location of the catch basin. Chrissy Almanzar stated that the Town has reached out but has not heard  
34 back from him.  
35

#### 36 C. Input for the Central New Hampshire Regional Plan **TABLED**

37 1- What are the key local issues to address in the plan? 2 - What are the most important planning, housing,  
38 transportation, natural resource, and land use issues for the Town? The Planning Board agreed to table Input  
39 for the Central New Hampshire Regional Plan until the next work session.  
40

#### 41 **V. UNFINISHED BUSINESS**

42 None  
43

#### 44 **VII. COMMUNICATIONS**

45 -Harry Seidel stated that the Select Board will be discussing the Burrington Builders property at the July 22,  
46 2025 Select Board meeting. Harry Seidel stated that the Select Board will be addressing the HOP II (sub-  
47 agreement, point of contact and reports for May and June). There was discussion regarding the Burrington  
48 Builders exemption status, condition of the building, history of events. There was a discussion regarding the  
49 contract on file and the requirement to come before the Planning Board.  
50

#### 51 **VIII. PUBLIC COMMENT**

1 None

2

3 **IX. ADJOURN**

4 The meeting adjourned at 9:15 PM.

5

6 Respectfully submitted by Tracy Doherty

DRAFT





## 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 Meeting Minutes

August 18, 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	✓	

III. **PUBLIC COMMENT**

None

IV. **NEW BUSINESS**

A. **Conceptual Consultation**

**Applicant:** Carl Nickerson

**Owner:** Carl Nickerson

**Address:** Map 17, Lot 011, 39 Morse Lane

**District:** R-2

**Proposed Use:** Modular Home

**Details:** Applicant would like to build concrete pad to accommodate a modular home and to create the concrete pad on dense fill held in place by mortarless lock tight concrete blocks to create added height for the proper plumbing pitch for a black tank. The applicant would like to know if a basement is permitted.

Carl Nickerson advised the Planning Board that he is hoping to place a modular home on the property. He stated that currently there is trailer/camper with an A-frame roof and a porch on the property for which he pulled a demolition permit. Mr. Nickerson apologized to the Board that he did not bring all of his documentation and pictures. He stated that he demolished the A-frame roof and porch. He is working on the demolition of the remaining building. Mr. Nickerson hopes to face the new home towards the east and install solar panels.

Mr. Nickerson explained that he purchased the property in 2011, and he respects the land because it is a special place. He stated that he had been living in Massachusetts limiting what he could do and when he could make improvements. Mr. Nickerson explained that he has since retired and lives in Warner. He stated that he really likes the town and the people are nice.

1 Karen Coyne asked if there was a septic system on the property. Mr. Nickerson explained that currently  
2 there is an outhouse, but he has spoken to a septic person. He explained that he is interested in replacing the  
3 outhouse and tank with a concrete septic tank.

4  
5 James Gaffney questioned if the property is a buildable lot. Karen Coyne stated that it is up for discussion  
6 because the current tax card indicates that it is not a buildable lot as it has no road frontage and it is  
7 completely in the flood plain. She explained that the Select Board recommended that the owner go for a  
8 variance. She stated that there are Select Board meeting minutes from 2007 that indicate that the previous  
9 owner (Dan Hart) was told the lot was not a buildable lot.

10  
11 Barak Greene asked Mr. Nickerson how he was accessing the property. Mr. Nickerson informed the Planning  
12 Board that he has a right of way (ROW) in perpetuity with his neighbor Bob Shoemaker. Barak Greene  
13 asked if that is in writing. Mr. Nickerson stated that it is in his deed.

14  
15 Ian Rogers asked for clarification on the area that Mr. Nickerson considers grandfathered. Mr. Nickerson  
16 explained that he purchased the foreclosed land from Sugar River Bank on August 30, 2011. He stated that  
17 he was told by the bank that the area was grandfathered. Mr. Nickerson explained that he did speak to DES,  
18 and he was advised that the Town can honor the grandfathered area but the State DES does not. Mr.  
19 Nickerson clarified that he is not sure if his documentation specifies a grandfathered area. He advised the  
20 Planning Board that to him that made sense because that area is where the well and electrical pole is located.  
21 Mr. Nickerson explained that 9 years ago he dealt with the Town and the forester to remove trees on the  
22 property that were a safety concern.

23  
24 James Gaffney asked for an estimate on the distance between the existing trailer and the river. Mr.  
25 Nickerson explained that he measured the driveway, and it is approximately 100 feet. He advised the  
26 Planning Board that he hopes to nudge the footprint a little more toward the east, away from the river. Karen  
27 Coyne asked about the current well and electric service. Mr. Nickerson explained that he spoke to  
28 Eversource and was told that when the time came the electricity would be upgraded from 100 amps to 200  
29 amps.

30  
31 Bob Holmes referenced the meeting minutes from the 2007 Select Board meeting where Mr. Hart (previous  
32 owner) was advised the Select Board that the ROW dates back to 1907.

33  
34 Micah Thompson asked if Mr. Nickerson intends to dig a basement for the modular home. Mr. Nickerson  
35 stated that he was going to ask about that because it would be nice for the hot water heater. He explained that  
36 he has an artesian well that he will need to install a filtration system for. Mr. Nickerson would like to have a  
37 basement for practical reasons. Mr. Nickerson advised the Board that he was told by DES that they do not  
38 care about a basement they are primarily concerned about the overall footprint as it is related to the river.  
39 Mr. Nickerson explained that he is hoping to condense the soil and place the concrete pad on top of the  
40 compacted soil. He is hoping to have a mortarless retaining wall. He explained that he would like to have a  
41 rectangular footprint to bring him away from the river in an attempt to condense his overall footprint.

42  
43 Karen Coyne asked Micah Thompson from his experience how likely it is that a basement is possible since  
44 the lot is completely in the flood plain. Micah Thompson said it is not likely that a basement or a permanent  
45 septic system would be approved. James Gaffney asked if there is any place on the property that would be  
46 better suited for a home site. Mr. Nickerson does not believe there is because it would be farther away from  
47 the well and electricity, and trees would need to be removed. James Gaffney questioned if there is any place  
48 on the site that is not in the flood plain. Mr. Nickerson was told by DES that he would need to hire a

1 professional who could determine how and where to build on the property. He explained that he would put  
2 dense fill on the property to protect the septic.

3  
4 Mr. Nickerson spoke about the new law that allows a modular home in a residential zone. Karen Coyne  
5 explained that modular homes are permitted anywhere a home can be built. She explained that the Board is  
6 trying to determine if the property is a buildable lot. Karen Coyne explained that the Town's zoning  
7 ordinance determines if a lot is buildable or non-buildable. She stated that road frontage and minimum lot  
8 requirements still prevail. She clarified that the law that Mr. Nickerson is referring to states that if he owns a  
9 buildable lot, he is absolutely permitted to have a modular home on it. Micah Thompson explained that  
10 modular homes are required to have all the same permits that a stick built home would have.

11  
12 Bob Holmes referred to NH RSA 674:41 that requires all homes to have road frontage. He stated that law  
13 spells out how to become compliant. He advised Mr. Nickerson that through site plan review showing a  
14 private driveway, there are also ways through the zoning board, the Select Board and at Town Meeting. Bob  
15 Holmes stated that there is a process that Mr. Nickerson will need to go through to become compliant with  
16 the State laws (frontage and septic) and then he can start the process with the Town zoning requirements.  
17 Bob Holmes stated that there are various interpretations of Warner's ordinances. He stated that in 2007 the  
18 zoning board voted that the lot was not buildable.

19  
20 Mr. Nickerson explained that the ROW to his property is a solid roadway that supports heavy tree removal  
21 equipment. Bob Holmes explained that the current law does not consider a ROW as road frontage. He  
22 suggested Mr. Nickerson consult an attorney for the best course of action.

23  
24 Barak Greene stated that the property is in current use and building on the property would disqualify it from  
25 the current use program and a land use change tax would be issued to Mr. Nickerson. Barak Greene asked if  
26 Mr. Nickerson could provide a copy of his deed that reflects the ROW. Mr. Nickerson apologized again for  
27 not bringing all of his documentation. Barak Greene pointed out that the portion of land that Mr. Nickerson  
28 crosses to access his property is Town owned and that would require a ROW agreement with the Town.  
29 Barak Greene further noted that the map depicts the flood plain and Mr. Nickerson would not be permitted to  
30 move the location of the house. Mr. Nickerson went to his vehicle to retrieve his documentation.

31  
32 Mr. Nickerson distributed pictures of the property.

33  
34 James Gaffney asked if Mr. Nickerson has considered a survey of the property to give him a clear  
35 understanding of what he can and cannot do. James Gaffney explained that Mr. Nickerson can replace what  
36 is there and continue to use it as it is. He cautioned Mr. Nickerson that if he removes what is there in hopes  
37 of building something else, he will face many hurdles. Karen Coyne spoke about the footprint of the  
38 structure, she explained there is nothing stopping Mr. Nickerson from having a larger version of a trailer on  
39 the site. She stated the hurdles come when there is a change from a trailer to a structure. Karen Coyne  
40 explained that a building permit cannot be issued without a septic and that will be a difficult hurdle followed  
41 by the road frontage requirement.

42  
43 Pier D'Aprile explained that the property has a seasonal approval. Mr. Nickerson explained that he has  
44 retired and is living full time in the camper on the property. Pier D'Aprile stated that that could be an issue.  
45 Mr. Nickerson stated that he was not aware of the seasonal approval.

46  
47 James Gaffney encouraged Mr. Nickerson to reach out to an engineer to look at the small portion of the  
48 property not in the flood plain to determine the elevation, and if it could support a septic. Pier D'Aprile  
49 agreed that Mr. Nickerson should contact an attorney before he gets too involved in this.

1 Ian Rogers agreed with Bob Holmes and Pier D'Aprile that speaking to an attorney would be a good idea.  
2 James Gaffney suggested that before he starts accruing attorney fees, Mr. Nickerson could consult with an  
3 engineer to determine if there is enough buildable area out of the flood zone. Karen Coyne questioned  
4 whether there is a resource for Mr. Nickerson to contact. Barak Greene wonders if NH Housing would be  
5 someone to contact. Micah Thompson suggested speaking with a septic designer, someone who does this for  
6 a living and is licensed. Barak Greene suggested a wetland survey. Mr. Nickerson stated that he is meeting  
7 with NH DES.

8  
9 Karen Coyne recapped the three initial hurdles: the septic, the flood plain and the ROW (RSA 674:41). She  
10 stated that the State DES is probably the best starting point. She suggested getting the basics checked off  
11 before spending money. James Gaffney asked Mr. Nickerson to let the Planning Board know the outcome of  
12 his meeting with the State DES. Micah Thompson advised Mr. Nickerson that everyone here is trying to be  
13 helpful to Mr. Nickerson. Mr. Nickerson appreciated that and assured the Board that he does not want to do  
14 anything wrong. Karen Coyne informed Mr. Nickerson that the Planning Board is here to help and answer  
15 any questions he may have. She invited him back in the future if he wants to discuss his plans. Mr.  
16 Nickerson appreciates everyone's insights. Karen Coyne stated that the Planning Board appreciates Mr.  
17 Nickerson's willingness to do the right thing.

## 18 19 **V. UNFINISHED BUSINESS**

### 20 **A. Resident Concern: Map 07 Lot 043-1**

21 Chrissy Almanzar explained that she is fielding complaints from a resident regarding the resident's neighbor  
22 who is operating an axe throwing business on the property. Karen Coyne explained that recently the  
23 neighbor posted on Facebook that he is building an axe throwing structure on his property. She advised the  
24 Board that there are zoning issues about having a Conex box on the property and zoning issues relating to  
25 operating a business without a permit. The Select Board agreed to send the neighbor a letter. Karen Coyne  
26 stated that the resident has not heard back from anyone from the Town. Chrissy Almanzar explained that the  
27 resident wants to know when the Conex box will be removed.

28  
29 Barak Greene stated that this is a Select Board issue. Karen Coyne agreed, but she wanted it on record that  
30 the Planning Board referred the matter to the Select Board. She stated that the resident has not heard from the  
31 Select Board regarding her complaint. Mike Smith stated that the Select Board is aware of the situation and  
32 they sent a letter regarding the situation. Mike Smith stated that the resident with the axe throwing business  
33 was supposed to file an application with the zoning board. Chrissy Almanzar stated that that does not  
34 address the Conex box. Karen Coyne asked Chrissy Almanzar to write to the complaining resident to  
35 explain that this is a Select Board matter and advise her to contact Judy Newman-Rogers and Harry Seidel.  
36 James Gaffney would like her to be made aware of the Select Board meeting schedule.

### 37 38 **B. Site Plan Amendment Proposal from 7/21/25**

39 Tabled

### 40 41 **C. Bonds Conversation from 7/21/25**

42 Tabled

### 43 44 **D. Input for the Central NH Regional Plan**

45 1. What are the key local issues to address in the plan?

46  
47 2. What are the most important planning, housing, transportation, natural resource, and land  
48 use issues for the Town?

1 Karen Coyne informed the Planning Board that she has not received anything from CNHRPC regarding what  
2 their questions are. James Gaffney asked if the Planning Board should reach out to the CNHRPC. Karen  
3 Coyne will reach out to Barb Marty.  
4

5 **VI. REVIEW MINUTES** July 21, 2025 and August 4, 2025  
6 **7/21/25**

7 James Gaffney stated that there is missing content on page 3 line 32. Chrissy Almanzar will review the zoom  
8 video and submit the missing content.  
9

10 **August 4, 2025**

11 **Ian Rogers made a motion seconded by Barak Greene to approve the August 4, 2025 Planning Board**  
12 **meeting minutes as presented. Motion passed unanimously.**  
13

14 **VII. COMMUNICATIONS**

15 Karen Coyne will be presenting the CIP to the Budget Committee and Select Board on Thursday August 21,  
16 2025.  
17

18 **VIII. REPORTS**

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

20 None

21 **Select Board - Harry Seidel**

22 None

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

24 None

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

26 None

27 **Agricultural Commission - James Gaffney**

28 None

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

30 None  
31

32 **IX. PUBLIC COMMENT**

33 None  
34

35 **X. ADJOURN**

36 The Planning Board meeting adjourned at 8:18 PM.

37 Respectfully submitted by Tracy Doherty  
38  
39  
40  
41



September 8, 2025

Town of Warner Planning Board  
5 East Main Street  
Warner, NH 03278

**Subject: Request to Continue  
Peacock Hill Rd, LLC, Residential Site Plan  
NH Route 103  
Warner Map 7 Lot 39 and 39-1  
KNA Project No. 24-0307-1**

Dear Members of the Board:

On August 13, 2025, the Peacock Hill Road Site Plan was presented to the Town of Warner Zoning Board of Adjustment (ZBA). The ZBA hearing was continued until this Wednesday, September 10, 2025.

On June 2, 2025, the Planning Board formally accepted the subject application as complete. The application is currently under review by the Planning Board and was subject to the “65-day clock” to render a decision by August 6, 2025. The last request to continue extended the “clock” to September 8, 2025.

Based on the ZBA calendar it is necessary to request another continuance for the Planning Board hearing. Therefore, on behalf of the Applicant, we formally request a continuance of the subject application and to allow an extension of the “65-day clock” to a date certain, September 22, 2025.

Should you have any questions or require further information, please do not hesitate to contact our office.

Respectfully,  
**Keach-Nordstrom Associates, Inc.**

Jason Lopez  
Senior Project Manager



## 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:~~

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

#### **1. The following is a list of activities that require a Site Plan Review:**

- 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 a significant effect on the quantitative or qualitative requirements of these Regulations or the Zoning Ordinance, or
- c. Exterior projects that entail the development, change, or expansion of (200) or more gross 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, 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 will review the application at their next meeting.

Alternately, the applicant may request a Conceptual Consultation with the Planning Board. In the event that meeting the Planning Board not requiring a Site Plan Review, 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 from the previously approved site plan, filed with the Property Card at the Town Hall.

1. A full Site Plan Review may not be required if the 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.



# **New Hampshire Legislative Toolkit**

## **Planning, Zoning, and Housing Bills 2025**

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# 2025 PLANNING, ZONING, & HOUSING BILLS

## Summary

This toolkit is generalized for all municipalities in the SRPC region, and therefore your community may or may not have applicable amendments. Furthermore, please note that the description of each bill is meant to be a high-level overview and should not be taken to represent the bills in their entirety. Municipalities should review each individual bill in its entirety to ensure thorough understanding. As always, municipalities should seek guidance from and review of amendments by their legal counsel.

The table below is a quick index of key bills of this legislative session and the impacts they might have. The following pages include more detailed summarizing bill content and actions to take.

**Note:** For bills highlighted in orange, SRPC has funding to support municipalities with zoning and/or land use regulation housing related changes to reflect the new legislative updates.

Bill	Topic	Zoning Change	Land Use Regulation Change*	Procedure Change	Building Code	Other	Effective Date
HB 2	Partners in Housing and Pattern Zoning	~	~			X	30-Jun-25
HB 92	Recusal of ZBA and Planning Board members			X			22-Aug-25
HB 134	State Building Code (definition)	~			X		1-Jul-25
HB 168	Municipal public works facilities and impact fees	X				X	1-Aug-25
HB 265	Public Body Meeting Minutes			X			11-Aug-25
HB 272	Exempting certain agricultural practices from municipal noise regulation	X				X	1-Aug-25
HB 296	Building permits on private roads and deadline to hear ZBA appeals	X	~	X			13-Sept-25
HB 399	Commission to study zoning enabling act					X	Sect. 1: 1-Jul-2025 Sect. 3: 1-Nov-2026 Remainder 10-Mar-2025
HB 413	Vesting periods and building code appeals	~	X	~	X		1-Jul-25
HB 428	State Building Code (changes to)					X	1-Jul-26
HB 457	Zoning restrictions on dwelling units/occupancy requirements	X	~				13-Sept-25



Bill	Topic	Zoning Change	Land Use Regulation Change*	Procedure Change	Building Code	Other	Effective Date
HB 467	Social Districts					X	5-Sep-25
HB 577	ADUs	X					1-Jul-25
HB 631	Permitting residential uses in commercial zones	X	X				1-Jul-26
HB 633	Housing Trusts					X	24-Jun-25
HB 731	Supportive housing options for individuals with disabilities	~					5-Sept-25
SB 4	C-PACER					X	1-Jan-26
SB 91	Appraisals of residences located in commercial zones					X	1-Apr-26
SB 95	Youth recreation camp cabins and state building and fire codes	X			X		13-Sept-25
SB 153	Driveway permitting decision timeframe and expedited permitting for residential use of 20+ units					X	5-Oct-25
SB 173	LIHTC program assessing					X	1-Jul-25
SB 188	State building code – “Speeding Development Act”				X		15-Jul-25
SB 281	Waiver for building on class VI roads	X	~	X			1-Jul-26
SB 282	Residential stairway requirements				X		15-Jul-25
SB 283	Floor-area-ratios under local building ordinances	X					30-Sept-2025
SB 284	Minimum on-site parking requirements	X	X				13-Sep-25
SB 291	Religious use of land property tax exemption					X	1-Jul-25

\* Site Plan/Subdivision Regulation Changes

~ You may need to make changes/updates

X It is very likely that changes/updates will need to be made



## **HB 2 Partners in Housing and Other Land Use Board Related Items**

<b>Title</b>	An act relative to state fees, funds, revenues, and expenditures.
<b>Description</b>	<p>Section 141:209, relative to Town Property and the Authority of Select Board. Amend RSA 41:11-a:</p> <ul style="list-style-type: none"><li>• Replaces the term "selectmen" with "select board".</li><li>• Clarifies that the select board has the authority to manage all town-owned real property, unless otherwise delegated.</li><li>• Allows select board to rent or lease property when not needed for public use. Leases over one year still require town vote approval.</li><li>• Clarifies that towns can authorize the select board to lease property for up to 5 years without further votes; this authority continues unless formally rescinded, however, such rescission shall not terminate any existing leases.</li><li>• Adds that governing body may refer a list of suitable town-owned properties to the planning board for potential residential development.</li></ul> <p>Section 141:210, relative to the Duties of the Planning Board. Amends RSA 674:1:</p> <ul style="list-style-type: none"><li>• Adds a paragraph noting that the planning board may vote to approve properties recommended by the select board as suitable for residential development (per RSA 41:11-a, IV) and then forward the property description to the Office of Planning and Development under RSA 12-O:55, VIII.</li></ul> <p>Section 141:211, relative to Data and Information Services. Amends RSA 12-O:55 by inserting a paragraph to note that the Office of Planning and Development shall:</p> <ul style="list-style-type: none"><li>• <i>Pursuant to RSA 674:1, VII, compile descriptions of municipally and county-owned property determined to be appropriate for residential development by the select board as a residential use into a publicly available list of properties available for grant or loan funding pursuant to RSA 12-O:72-a.</i></li></ul> <p>Section 141:212, relative to Partners in Housing Program. Amends RSA 12-O:</p> <ul style="list-style-type: none"><li>• Creates the "partners in housing" program, an initiative under the housing champions fund to assist municipalities, counties, and developers in building modestly priced housing on municipally or county owned land that is suitable for development.</li></ul> <p>Section 141:213, relative to Power to Review Site Plans. Amends RSA 674:43 by adding new paragraphs relative to:</p> <ul style="list-style-type: none"><li>• Expedited review authorization:</li></ul>



- *If the planning board has submitted a property description to the office of planning and development, then the local governing body may further vote to authorize that properties in the municipality on the list generated pursuant to RSA 12-O:55 VIII qualify for expedited review and approval pursuant to RSA 676:4, III.*
- Workforce housing review:
  - *If the local legislative body of a municipality has by ordinance or resolution authorized minor site plan review pursuant to RSA 674:43, III, then all solely residential development projects proposing to construct workforce housing, as defined in RSA 674:58, IV, that are included on the list generated pursuant to RSA 12-O:55, VIII, may also qualify for expedited review and approval pursuant to RSA 676:4, III.*
- Pattern zoning for infill housing development:
  - *The local legislative body of a municipality may by ordinance or resolution adopt pattern zoning regulations to accelerate the construction of infill housing in neighborhoods. To meet the definition of infill housing, projects must be new residential development constructed on vacant lots interspersed among lots with existing, non-vacant development. Pattern zoning provides permit-ready designs with appropriate zoning and regulations to speed the process of building high quality infill housing that is compatible with existing homes in the neighborhood.*

Section 141:214, relative to Housing Champion Designation and Grant Program Fund. Amends RSA 12-O:74 by adding that:

- The New Hampshire Housing Champion Designation and Grant Program Fund is expanded to also support the compilation of municipally and county-owned properties suitable for residential development.

<b>Actions to Take</b>	Municipal staff, Select Boards, and Land Use Boards should be aware of new legislation. Each of the various options provided within HB2 are enabling in nature – thus if a community is interested, they may implement the provisions.
<b>Status</b>	Signed by Governor: June 27, 2025; Chapter 141: July 1, 2025 Effective Date: Sections 141:209 through 141:214 shall take effect June 30, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 141</a>



## **HB 92 Recusal of Zoning and Planning Board Members**

<b>Title</b>	An act requiring recusal of members of zoning boards of adjustment and planning boards in certain circumstances
<b>Description</b>	Introduces a new provision to RSA 673:3, stating that if a member of the ZBA also serves on the planning board, they must abstain from voting on any matters that were either previously decided by or are currently pending before the planning board, provided they participated in those matters as a voting member.
<b>Actions to Take</b>	<p>Update ZBA and Planning Board Bylaws/Rules of Procedure.</p> <p>When an application comes before the Zoning Board, it should identify if any previous Planning Board action has been taken on the proposal or if Planning Board action may be required. If so, any Zoning Board member who currently or previously has served on the Planning Board should review the case to verify if they cast a vote on the application. If the answer is yes, they should recuse themselves from any Zoning Board action. If an application is currently before the Planning Board, the Zoning Board member who serves on both Boards should recuse themselves from any Zoning Board action. If an application requires or may require Planning Board action but is not currently before the Planning Board then the Zoning Board member is able to vote on the Zoning Board action.</p>
<b>Status</b>	Signed by Governor: June 23, 2025 Effective Date: August 22, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 108</a>

## **HB 134 State Building Code (Definition)**

<b>Title</b>	An act relative to the state building code.
<b>Description</b>	Amends the definition of the state building code in New Hampshire to adopt more recent editions of various codes and updates to the National Electrical Code.
<b>Actions to Take</b>	Building Inspector/Code Enforcement will need to update documents and references to the building code versions. Some municipalities may need to update references to the NH State Building Code in Zoning Ordinance.
<b>Status</b>	Signed by Governor: June 23, 2025 Effective Date: July 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 135</a>



## **HB 168 Municipal Public Works Facilities and Impact Fees Impact Fees**

<b>Title</b>	Ac act relative to including municipal public works facilities as eligible capital facilities for the assessment of impact fees.
<b>Description</b>	Amends existing legislation to allow municipalities to include public works facilities as eligible capital facilities for the assessment of impact fees on new developments. Specifically, it modifies the definition of "impact fee" in RSA 674:21, V to incorporate "public works facilities."
<b>Actions to Take</b>	If a municipality has impact fees or seeks to establish impact fees, they may also collect fees for public works facilities. To do so, municipalities will need to amend their impact fee provisions in Zoning as well as the basis of calculation to establish a rate for public work facilities. If there is a definition of impact fee that quotes or differs from state statute, it should be updated to reflect the amended statutory definition.
<b>Status</b>	Signed by Governor: June 02, 2025 Effective Date: August 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 58</a>

## **HB 265 Public Body Meeting Minutes Per RSA 91-A**

<b>Title</b>	An act requiring that a public body's meeting minutes include start and end times of the meeting and the printed name of the recording secretary.
<b>Description</b>	The bill amended RSA 91 A:2, II to require that public meeting minutes be documented with the meeting start time, end time, and the recording secretary's name.
<b>Actions to Take</b>	Municipalities should coordinate with their recording secretary, staff, and/or contractors responsible for preparing minutes to ensure these new items are included in all meeting minutes, starting with meetings held on or after the bill's effective date.
<b>Status</b>	Signed by Governor: June 23, 2025 Effective Date: August 22, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 112</a>





## **HB 272 Noise and Agricultural Practices**

<b>Title</b>	An act exempting certain agricultural practices from municipal noise regulation.
<b>Description</b>	Amends existing laws regarding municipal noise regulations by removing the provision for "quiet hours" that previously applied to agricultural practices. Specifically, it modifies RSA 31:39, I(n) and RSA 47:17, XX to state that no ordinance or bylaw aimed at regulating noise from farming activities, as defined in RSA 21:34-a, will be enforceable within towns or cities. Note, this exemption does not extend to agritourism activities.
<b>Actions to Take</b>	Review and update Noise Ordinance and any sections in the Zoning Ordinance that may reference to noise regulations, including "agricultural zone" districts.
<b>Status</b>	Signed by Governor: June 02, 2025 Effective Date: August 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 61</a>

## **HB 296 Private Roads and ZBA Appeals Deadlines**

<b>Title</b>	An act relative to issuing building permits along private roads [and deadline to hear ZBA appeals]
<b>Description</b>	<p>Amends RSA 674:41,I(d)(1) to allow a local governing body to authorize the issuance of building permits for buildings on private roads after review and comment from the planning board OR "establishing that the private road identifies and complies with policy adopted by the governing body of the municipality."</p> <p>Furthermore, it amends RSA 676:5, I to require a ZBA to hear appeals within 30 days of decision instead of within a "reasonable time."</p>
<b>Actions to Take</b>	Update any policies and ordinances that speak to development on private roads. Where applicable, amend regulations to limit the appeal period to 30 days.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: September 13, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 175</a>



## **HB 399 Commission to Study Zoning Enabling Act**

<b>Title</b>	An act establishing a commission to study the New Hampshire zoning enabling act and relative to the effect date of the C-PACER program.
<b>Description</b>	<p>Creates a commission to study the relevance and effectiveness of the NH Zoning Enabling Act and explore potential revisions or removal of certain powers. The commission is required to submit an interim report by November 1, 2025, and a final report by November 1, 2026.</p> <p>Also includes the investigation of the relationship between the zoning provisions of RSA 674:16 et seq. and the subdivision provisions of RSA 674:35 et seq. and exploration of opportunities for aligning or combining these provisions.</p> <p>Additionally, the bill modifies the definition of "municipality" in the energy efficiency and clean energy districts chapter to include "unincorporated town" and "unorganized place." It also changes the effective date of the C-PACER program from January 1, 2026, to upon passage.</p> <p>Furthermore, the bill includes a provision for the repeal of RSA 674:23-a, which pertains to the commission studying the zoning enabling act.</p>
<b>Actions to Take</b>	None at this time. Municipalities can attend meetings of the commission once formed, submit testimony, and keep apprised of final recommendations.
<b>Status</b>	<p>Signed by Governor: March 10, 2025</p> <p>Effective Dates:</p> <ul style="list-style-type: none"><li>▪ Section 1 effective July 1, 2025</li><li>▪ Section 3 effective November 1, 2026</li><li>▪ Remainder effective March 10, 2025</li></ul>
<b>Chaptered Final Version</b>	<a href="#">Chapter 2</a>

## **HB 413 Vesting and Building Code Appeals**

<b>Title</b>	An act relative to subdivision regulations on the completion of improvements and the regulation of building permits.
<b>Description</b>	<p>For subdivision and site plan approvals granted on or after July 1, 2023:</p> <ol style="list-style-type: none"><li>1) Extends the existing 5-year exemption for approved subdivision plats and site plans from changes to subdivision regulations, site plan review regulations, impact fee ordinances, and zoning ordinances to 7 years</li></ol>



	<p>2) Extends period to reach active and substantial development from 2 years to 3 years after the date of approval</p> <p>Changes the building code and fire code appeals process, limiting the jurisdiction of the local building code board of appeals to hearing decisions made under local amendments to those codes.</p> <p>Provides that decisions of the building code review board regarding decisions of the fire marshal and local building code board of appeals may be appealed to the Housing Appeals Board in addition to Superior Court</p>
<b>Actions to Take</b>	<p>Municipalities will need to update their subdivision and site plan regulations to:</p> <ol style="list-style-type: none"> <li>1) Reflect the extended exemption period for subdivisions and site plans.</li> <li>2) Reflect the period in which approvals need to reach active and substantial development.</li> </ol> <p>Municipalities will also need to update local building code board of appeals bylaws or rules of procedure to reflect new changes.</p>
<b>Status</b>	<p>Signed by Governor: July 15, 2025</p> <p>Effective Date: July 1, 2025</p>
<b>Chaptered Final Version</b>	<a href="#">Chapter 186</a>

## **HB 428 State Building Code (Changes To)**

<b>Title</b>	An act relative to the state building code.
<b>Description</b>	Prohibits local legislative bodies from making any new changes to the state building codes.
<b>Actions to Take</b>	None at this time, just be aware of this change.
<b>Status</b>	<p>Signed by Governor: August 1, 2025</p> <p>Effective Date: July 1, 2026</p>
<b>Chaptered Final Version</b>	<a href="#">Chapter 276</a>



## **HB 457 Zoning Restrictions on Dwelling Units/Occupancy Requirements**

<b>Title</b>	Relative to zoning restrictions on dwelling units.
<b>Description</b>	Prohibits municipalities from adopting or enforcing ordinances that limit the number of occupants in a dwelling unit to fewer than 2 occupants per bedroom. Additionally, it prevents municipalities from enacting ordinances that discriminate based on familial or non-familial relationships; occupation; or marital, employment, or educational status, including factors such as scholastic enrollment or academic achievement, particularly concerning college students.
<b>Actions to Take</b>	Ensure that Zoning Ordinance does not limit the number of occupants in a dwelling unit to fewer than 2 occupants per bedroom; or does not discriminate based on familial or marital status, occupation, employment, and/or education status (including college students). While less likely, verify whether site plan regulations will also need a similar change for multi-family.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: September 13, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 188</a>

## **HB 467 Social Districts**

<b>Title</b>	An act defining "social districts" and enabling municipalities to create social districts.
<b>Description</b>	Bill introduces the concept of "social districts" and allows municipalities to establish such districts, defined as an outdoor area in which individuals can consume alcoholic beverages sold by licensed establishments. It outlines the process for towns and cities to approve the operation of social districts and establishes requirements within the districts, such as appropriate signage, management and maintenance plans, and district boundaries. Municipalities that approve social districts must also submit a detailed map, along with the proposed days and hours during which alcoholic beverages may be consumed to the liquor commission. Additionally, it sets forth specific requirements for the sale and consumption of alcoholic beverages within social districts.
<b>Actions to Take</b>	No immediate action is required, as this bill just gives municipalities the option to establish social districts. Separately, while a municipality might want to consider updating zoning to allow for more outdoor seating, entertainment venues, bars, etc. that would go with a social district, there is no direct requirement to update zoning.
<b>Status</b>	Signed by Governor: July 7, 2025



Effective Date: September 5, 2025

**Chaptered Final  
Version**

[Chapter 158](#)

## **HB 577 Accessory Dwelling Units “ADUs”**

<b>Title</b>	An act relative to modifying the definition of ADUs.
<b>Description</b>	<p>Expands the existing ADU law (RSA 674:71-73) to allow one attached or detached ADU as a matter of right in all zoning districts where single-family homes are permitted and increases the maximum square footage. In addition, this bill:</p> <ul style="list-style-type: none"><li>▪ allows for conversion of existing structures, including detached garages, into ADUs even if structure doesn't meet setback or lot coverage dimensional standards</li><li>▪ adds flexibility for ingress and egress</li><li>▪ retains local option to require owner occupancy of the principal dwelling unit or ADU</li><li>▪ allows ADUs to be up to 950 square feet <i>unless</i> otherwise authorized by the municipality. A municipality can't limit to less than 750 square feet.</li></ul> <p>Applicants are still required to (1) pull a building permit, (2) make adequate provisions for water supply and sewage disposal in accordance with RSA 485-A:38, and (3) have an approved septic design from DES</p> <p>Municipalities cannot:</p> <ul style="list-style-type: none"><li>▪ impose stricter setback requirements, aesthetic standards, or design review requirements for the ADU that go beyond what would be required for a single-family dwelling without an ADU</li><li>▪ impose greater requirements for a septic system than is required by the department of environmental services</li><li>▪ require more than 1 parking space per ADU</li><li>▪ deny the establishment of a separate electrical panel and service to the ADU</li></ul>
<b>Actions to Take</b>	<p>Update Zoning Ordinance and related requirements to reflect new changes, including but not limited to sections that make reference to ADUs, zoning districts where single-family homes are permitted, and permitted use tables. This includes removing the requirements for ADUs to seek a Special Exception or Conditional Use Permits. Applicants may withdraw any pending applications for a Special Exception or Conditional Use Permit as of the bill's July 1, 2025 effective date and proceed to pull a building permit. Until such time as any applicable zoning regulations are amended, municipalities should review the new law to ensure that any ADU applications submitted to the town comply with new state requirements.</p>
<b>Status</b>	Signed by Governor: July 15, 2025



	Effective Date: July 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 197</a>

## **HB 631 Residential Uses in Commercial Zones – aka “Homes Near Jobs”**

<b>Title</b>	An act permitting residential building in commercial zoning.
<b>Description</b>	<p>Municipalities would be required to allow multi-family residential development (3 or more units) on commercially zoned land (including land zoned for retail and office space), provided that adequate infrastructure, including roads, water, and sewage systems, shall be available or provided to support the development. A municipality:</p> <ul style="list-style-type: none"> <li>▪ can prohibit residential development in zones where industrial and manufacturing uses are permitted which may result in impacts that are incompatible with residential use, such as air, noise, odor, or transportation impacts</li> <li>▪ may require all available ground floor space or a percentage thereof to be dedicated to retail or similar uses</li> <li>▪ shall provide an exemption to any dimensional requirements regarding setbacks, height, or frontage of a building being converted to multi-family or mixed-use through adaptive reuse, provided that the building’s floor area, height, and setbacks do not change</li> </ul> <p>Of note, the bill doesn’t define “adequate infrastructure” needed to support a multi-family residential development and would need refining by the municipality to determine what is adequate.</p>
<b>Actions to Take</b>	<p>Municipalities must:</p> <ul style="list-style-type: none"> <li>▪ update Zoning Ordinance to reflect the allowance of multi-family residential development on commercially zoned land, and related requirements.</li> <li>▪ review Site Plan Regulations to reflect that commercial areas are now mixed use and to incorporate provisions for multi-family residential in those areas.</li> <li>▪ determine if a zoning district allows both commercial and industrial and determine applicability.</li> </ul>
<b>Status</b>	<p>Signed by Governor: July 15, 2025</p> <p>Effective Date: July 1, 2026</p>
<b>Chaptered Final Version</b>	<a href="#">Chapter 201</a>





## **HB 633 Housing Trusts**

<b>Title</b>	An act creating a legislative study committee to investigate the implementation of housing investment trusts in New Hampshire.
<b>Description</b>	Establishes a legislative study committee tasked with investigating amending current legislation on investment trusts to enshrine housing investments trusts in statute. The committee's primary duty is to explore the potential implementation of housing investment trusts and to report its findings and any legislative recommendations by November 1, 2025, to various state officials, including the Speaker of the House and the Governor.
<b>Actions to Take</b>	None at this time. Municipalities can attend meetings of the committee once formed, submit testimony, and keep apprised of final recommendations.
<b>Status</b>	Signed by Governor: June 23, 2025 Effective Date: June 24, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 130</a>

## **HB 731 Supportive Housing Options for Individuals with Disabilities**

<b>Title</b>	An act relative to supportive housing options for individuals with developmental disabilities.
<b>Description</b>	Aims to enhance housing options for individuals with disabilities by broadening the scope of facilities that can operate without a full license. Specifically, it amends the existing law to provide a limited license exemption for certain supportive housing options for individuals with disabilities located within a larger facility or apartment building.
<b>Actions to Take</b>	Update references, if any, in Zoning Ordinance and other related documents. Planning Boards should also be informed of this update.
<b>Status</b>	Signed by Governor: July 7, 2025 Effective Date: September 5, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 153</a>



## **SB 4 C-PACER Program**

<b>Title</b>	An act relative to Commercial Property Assessed Clean Energy and Resiliency (C-PACER).
<b>Description</b>	<p>This bill replaces the energy efficiency and clean energy districts statute with a Commercial Property Assessed Clean Energy and Resiliency program (C-PACER). Highlights of the bill include broadening the scope of the program to allow for the establishment of C-PACER districts that can encompass multiple municipalities in an effort to enhance community-wide energy efficiency and resiliency improvements. It also empowers municipalities to create energy efficiency and clean energy districts. Furthermore, the bill designates the New Hampshire Business Finance Authority (BFA) as the program administrator.</p> <p>This bill allows developers or property owners to apply to the NH BFA for low-cost, long-term financing for projects that support energy efficiency and related projects, with repayments made via voluntary special assessments tied to a property's tax bill.</p>
<b>Actions to Take</b>	At its discretion, a municipality may establish the district within the entirety of its jurisdictional boundaries by formally adopting RSA 53-F, the enabling chapter for C-PACER.
<b>Status</b>	Signed by Governor: February 27, 2025 Effective Date: January 1, 2026
<b>Chaptered Final Version</b>	<a href="#">Chapter 1</a>

## **SB 91 One-Time Special Appraisals of Residences in Commercial Zones**

<b>Title</b>	An act allowing one-time special appraisals of residences located in commercial zones.
<b>Description</b>	Amends the current law regarding the appraisal of residences located in industrial or commercial zones. It allows owners of such residences to submit a single application for a special appraisal based on the property's current use as a residence, rather than requiring annual reapplications as was previously required.
<b>Actions to Take</b>	Municipalities may need to edit forms if current ones specify the need to re-apply annually. No other action required by municipalities, just be aware of the new change.
<b>Status</b>	Signed by Governor: June 10, 2025



Effective Date: April 1, 2026

**Chaptered Final  
Version** [Chapter 87](#)

## **SB 95 Camp Cabins and State Building and Fire Codes**

<b>Title</b>	An act relative to youth recreation camp cabins and state building and fire codes.
<b>Description</b>	Introduces new provisions regarding residential cabins in youth recreation camps, specifically exempting them from the requirement to have automatic sprinkler systems. It amends RSA 155-A by adding a new section, 155-A:14, which states that while these cabins must comply with the existing state building code, they are not mandated to have electrical, mechanical, or plumbing systems, and if these are installed, they must adhere to the state building code. Additionally, it limits new residential facilities for youth summer recreation camps to two stories above grade.
<b>Actions to Take</b>	Review/update Zoning Ordinance to reflect height restriction. If needed update the Building Code to reflect height restrictions and electrical, mechanical, and plumbing system exemptions.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: September 13, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 227</a>

## **SB 153 Driveway Permitting for Residential Use of 20 Units or Greater**

<b>Title</b>	An act relative to expedited driveway permitting of major entrances for residential use of 20 units or greater and the time frame for approval or denial of permit applications.
<b>Description</b>	Bill requires the commissioner of transportation to approve or deny permit applications for driveway or public access to a way within 60 days of receipt of application and creates an expedited driveway permit for major entrances for parcels of land for residential use of 20 units or greater.
<b>Actions to Take</b>	While there are no direct actions to take, boards and land use staff should be aware of the updated deadlines when reviewing plans or setting and/or reviewing conditions of approval.
<b>Status</b>	Signed by Governor: July 7, 2025 Effective Date: October 5, 2025



<b>Chaptered Final Version</b>	<a href="#">Chapter 154</a>
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## **SB 173 LIHTC Program Assessing**

<b>Title</b>	An act relative to residential property subject to housing covenants under the low-income housing tax credit program.
<b>Description</b>	Amends the appraisal process for residential properties subject to housing covenants under the low-income housing tax credit (LIHTC) program. Specifically, it standardizes the assessment formula for LIHTC projects where a residential property under this program shall be assessed an amount equal to 10% of the actual rental income and certain other income.
<b>Actions to Take</b>	Applicable property owners must notify their municipality of their election to be assessed under this new provision by October 1 of the preceding tax year. The assessment will remain in effect for the next ten tax years, provided the property continues to meet the housing covenant requirements.
<b>Status</b>	Signed by Governor: June 24, 2025 Effective Date: July 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 120</a>

## **SB 188 Third Party Building Inspections**

<b>Title</b>	An act relative to the state building code.
<b>Description</b>	<p>Allows licensed or certified third parties to certify documents and conduct building code inspections. These agencies to be approved by the local building official must meet specific requirements, which include maintaining insurance for professional liability, experienced and licensed personnel, and adequate equipment. Local enforcement agencies are required to audit a percentage of inspections performed by approved agencies to ensure compliance with applicable codes.</p> <p>Applicants choosing to have their work inspected by an approved third-party agency must separately contract with and pay that agency. Further, if they do so, local permit fees are reduced by 40% when the approved agency is used for document reviews and 40% when the approved agency is used for inspections - 80% if both document reviews and inspections are conducted by approved agencies.</p>



	Building officials are to provide timely access to relevant documents and to issue building permits or certificates of occupancy within specified timeframes, with automatic approval if these deadlines are not met. The bill also emphasizes that municipalities cannot impose more restrictive regulations than those outlined in the act.
<b>Actions to Take</b>	Municipalities should update local building permit applications and related materials to reflect new timelines and processes. Building and Code Enforcement Officers will need to establish a process to review and approve the credentials of approved third party agencies.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: July 15, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 246</a>

## **SB 281 Building on Class VI Roads**

<b>Title</b>	An act prohibiting municipalities from denying building or occupancy permits for property adjacent to class VI roads under certain circumstances.
<b>Description</b>	<p>Allows issuance of building permits on lots adjacent to class VI roads provided that the applicant:</p> <ol style="list-style-type: none"> <li>1) Signs a liability waiver acknowledging that the: <ol style="list-style-type: none"> <li>a. Municipality shall not maintain the highway nor provide any services to any lot accessible by the highway;</li> <li>b. Municipality shall not accept any responsibility for losses or damages caused by a lack of services; and</li> <li>c. Responsibility for such services falls solely on the applicant; and</li> </ol> </li> <li>2) Provides evidence that this waiver has been recorded in the county register of deeds prior to the issuance of a building permit; and</li> <li>3) Proves the lot and any buildings thereon are insurable prior to the issuance of a building permit</li> </ol>
<b>Actions to Take</b>	Update any policies and ordinances that speak to development on class VI roads.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: July 1, 2026
<b>Chaptered Final Version</b>	<a href="#">Chapter 256</a>



## **SB 282 Residential Building Stairway Requirements**

<b>Title</b>	An act relative to stairway requirements in certain residential buildings
<b>Description</b>	Amends the NH Building Code to permit residential buildings that are up to four stories above grade to have only one stairway, provided that specific conditions set by the state building code review board are met.
<b>Actions to Take</b>	Update Building Code to reflect changes.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: July 15, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 257</a>

## **SB 283 Floor-Area-Ratios**

<b>Title</b>	An act relative to the calculation of floor-area-ratios under local building ordinances.
<b>Description</b>	Requires municipalities to exclude below-grade areas (including basements, cellars, and sublevels) from the calculation of floor-area-ratios (FAR) for new construction projects. The bill allows developers to utilize these below-grade areas for specific purposes such as parking, storage, mechanical spaces, and additional facilities without affecting the FAR calculation.
<b>Actions to Take</b>	Amend definitions and regulations that make reference to floor-area-ratios, if any.
<b>Status</b>	Signed by Governor: August 1, 2025 Effective Date: September 30, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 301</a>



## **SB 284 Minimum On-Site Parking Requirements**

<b>Title</b>	An act relative to the authority for municipalities to regulate mandatory on-site parking requirements.
<b>Description</b>	Modifies the maximum number of accessory parking spaces that municipalities can require for residential units. Specifically, it changes the requirement from a maximum of 1.5 residential parking spaces per unit to a maximum of 1 residential parking space per unit. Developers are not prohibited from building more than 1 parking spot.
<b>Actions to Take</b>	Update parking requirements in Zoning Ordinance, Site Plan, or Subdivision Regulations.
<b>Status</b>	Signed by Governor: July 15, 2025 Effective Date: September 13, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 258</a>

## **SB 291 Religious Use of Land Property Tax Exemption**

<b>Title</b>	An act relative to the religious use of land property tax exemption.
<b>Description</b>	Modifies RSA 72:23 III by adding parsonages that are rented or vacant for the purpose of applying the net income to the pastor's housing allowance to real estate tax exemptions.
<b>Actions to Take</b>	To be implemented by the Assessing Department. No other action required by municipalities, just be aware of the new change.
<b>Status</b>	Signed by Governor: August 1, 2025 Effective Date: July 1, 2025
<b>Chaptered Final Version</b>	<a href="#">Chapter 303</a>





# 2023 AND 2024 SESSIONS

If your municipality has not made updates to ordinances and regulatory documents in the last few years, below, you can find information on important changes to pay attention to:

<https://www.nheconomy.com/office-of-planning-and-development/resources/legislation>  
[Changes to Planning & Zoning Laws in 2024: A Guide for Municipalities – a joint NHMA/OPD advisory](#)  
[Changes to Planning & Zoning Laws in 2023: A Guide for Municipalities – a joint NHMA/OPD advisory](#)

Of note, a few important legislative changes that will likely impact your municipality include:

## **HB 1567 Home-Based Child Care Facilities**

<b>Title</b>	An act relative to zoning provisions concerning family and group family child care uses.
<b>Description</b>	<p>Mandates that family and group family child care programs be permitted as an accessory use to any primary residential use under local zoning and planning regulations. The bill specifies that family or group family child care should be allowed without being subject to local site plan review regulations in any residential zone, provided that all requirements set by the department of health and human services are met.</p> <p>Additionally, the bill reinforces the allowance of home-based care (family care and group family care) as an accessory use to any primary residential use. It also states that such child care facilities should not be subject to local site plan review in any zone where a primary residential use is permitted. The bill allows an applicant to begin operation of a home-based child care facility while a conditional use permit is pending, as long as all health and human services department requirements are met.</p>
<b>Actions to Take</b>	Update Zoning Ordinance and table of permitted uses.
<b>Status</b>	Signed by Governor: July 26, 2024 Effective September 24, 2024
<b>Chaptered Final Version</b>	<a href="#">Chapter 271</a>



## **HB 1359 Abutters (Definition and Appeals)**

<b>Title</b>	An act relative to appeals of certain zoning decisions by abutters.
<b>Description</b>	<p>This bill adds to the definition of "abutter" to include those diagonally adjacent, specifically:</p> <p><i>"Directly across the street or stream" shall be determined by lines drawn perpendicular from all pairs of corner boundaries along the street or stream of the applicant to pairs of projected points on any property boundary across the street or stream that intersect these perpendicular lines. Any property that lies along the street or stream between each pair of projected points, or is within 50 feet of any projected point shall be considered an abutter."</i></p> <p>Furthermore, it includes abutters in appeals to the board of adjustment; and clarifies that abutters may apply for a rehearing.</p>
<b>Actions to Take</b>	Review all mentions of "abutter" in all regulatory documents and town policies. Review definition of "abutter" in ordinance and other regulatory documents.
<b>Status</b>	Signed by Governor: July 3, 2024 Effective Date: Sept 1, 2024
<b>Chaptered Final Version</b>	<a href="#">Chapter 130</a>

## **SB 78 Road Bonding**

<b>Title</b>	An act relative to subdivision regulations on the completion of improvements.
<b>Description</b>	Establishes requirements and limits on the security required for street work and utility installations, landscaping, final pavement, and fire suppression systems under subdivision regulations regarding completion of improvements prior to final approval. See <a href="#">SB78</a> guidance prepared by NHOPD.
<b>Actions to Take</b>	Review Subdivision and Site Plan Review regulations regarding infrastructure bonding/guarantee and inspections per changes to RSA 674:36.
<b>Status</b>	Signed by Governor: August 4, 2023 Effective Date: October 3, 2023
<b>Chaptered Final Version</b>	<a href="#">Chapter 208</a>

