



TOWN OF WARNER

P.O. Box 59
 Warner, New Hampshire 03278-0059
 Land Use Office: (603)456-2298 ex. 7
 Fax: (603) 456-2297

Zoning Board of Adjustment

APPLICATION FOR SPECIAL EXCEPTION

This application is subject to NH RSA 91-A which affords the public access to government records and meetings.

Application Fee		Notification Fee	
Residential	\$50.00	Abutter Notification	\$7.00
Commercial	\$100.00	Applicant Notification	\$7.00

- * Fees for publication of the Legal Notice will be invoiced and must be paid prior to starting the hearing
- ** Please use attached form to list all abutters within 200 feet of the boundaries of the property.

Applicant/Contact Person Information			
Name of Applicant: Comet, LLC Adam Quin (Quinn) <i>[Signature]</i>		Date: 7/26/2022	
Applicant Mailing Address: 84 Range Road			
Town:	Windham	State:	NH Zip: 03087
Telephone	Primary: 603-475-3495	Alternate:	
Owner of Property Information			
Name of Owner: Comet, LLC Mike Quin, Manager (Quinn) <i>[Signature]</i>		Date: 7/26/2022	
Owner Mailing Address: 84 Range Road			
Town:	Windham	State:	NH Zip: 03087
Telephone	Primary: 603-475-3495	Alternate:	
Location and Description of Property			
Map #:	35	Lot #:	4-3 Zoning District: C1 and INT
Address: 9 Route 103 West			
Proposed Use:			
24 Unit Apartment Building for workers housing			
Details of Request: Please feel free to include additional information on separate attached pages. Be sure to put the name of applicant and date on each sheet. (indicate number of sheets attached)			
The applicant requests that the Zoning Board of Adjustment grant a special exception for the construction of a 24 unit apartment building. The building would have three floors with 8 units on each floor.			

ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED

The undersigned hereby requests a SPECIAL EXCEPTION to the terms of:

Article: XIV A , Section: C 1 of the Warner Zoning Ordinance

For a Special Exception to be granted, the following conditions must be met:

Explain in writing how your project meets each of the following conditions (on separate paper if needed). The applicant seeking a special exception must be prepared to prove these conditions at the Public Hearing. (For more information reference the Warner Zoning Ordinance Article XVII and RSA 674:33.)

A. The use requested is identified in the Zoning Ordinance as one which may be approved by the Zoning Board in the district for which the application is made:

As specified in the zoning use table as item 6 under the residential uses work force housing can be allowed under a special exception granted by the Zoning Board of Adjustment in the INT zone. Article XIV A also identifies the use as allowed with a special exception in section C 1

B. The requested use is essential or desirable to the public convenience or welfare:

Warner has a need for affordable workforce housing. This proposed project is located close to amenities, local shopping, the police and fire stations, and it is serviced by municipal sewer and water. The proposed location will not be detrimental to the public convenience or welfare and the use will be beneficial in allowing lower income residents to remain in Warner.

C. The requested use will not impair the integrity or character of the district or adjoining district, nor be detrimental to the health, morals, or welfare:

The location of this project is located within a primarily commercial use area but it borders on residential use areas. The traffic generated by this use will use the new driveway entrance to the Dunkin complex which was approved by NH Dot and connects directly to the commercial district, keeping traffic away from the adjacent residential district. Having a higher density residential use between the residential area and the commercial area provides a good transition between the two areas and will help buffer the existing residential area from the commercial uses.

D. OC-1 and OR-1 districts only: Use of structure must conform to road access and availability of all services to that parcel at the time the Special Exception is requested:

This property is not located in these zoning areas, however, the site is serviced by a common entrance with two other properties utilizing a driveway that has been approved by NH DOT. The property owner will work with the Planning Board and the NH DOT to insure that the driveway intersection remains safe. Intersection improvements such as dedicated turn lanes will be made if required.

ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED

Authorization from Owner(s):

1. I (We) hereby designate Benjamin C. Osgood, Jr., PE to serve as my (our) agent and to appear and present said application before the Warner Zoning Board of Adjustment [Zoning Board].
2. 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 Zoning Board may at some point during the review process schedule a Site Visit, which will be duly posted.
3. I (We) understand that the Zoning Board will review the application/plan and/or may send the application/plan out for review. The applicant shall pay for such a review.
4. To the best of my (our) 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 and other applicable state and federal regulations which may apply.

Signature of Owner(s): Michael Quinn

Date: 7/26/22

Date: _____

Signature of Applicant(s), if different from Owner: Adam Quinn

Date: 7/26/22

Date: _____

Printed name of person(s) who signed above:

Michael Quinn
Adam Quinn

For Zoning Board of Adjustment Use Only

Assigned Case #:		
Date Received at Land Use Office:		
Received by:		
Fees Submitted:		
Amount:	Cash:	Check #: Other:
Abutters' List Received:	Yes	No
Date of Review:	Date of Hearing:	Date Approved:

ABUTTER LIST 9 Route 103 West, Warner, NH

14-002

LAUREL GALLISON

PO BOX 26

WARNER, NH 03278

35-002

JISELLE & MICHAEL BORGARDUS

1102 UPPER STRAW RD

HOPKINTON, NH 03229

35-003

WHITE CLOVER LLC

257 MANSION RD

DUNBARTON, NH 03046

35-004-1 35-004-2 35-004-3

COMET LLC

84 RANGE RD

WINDHAM, NH 03087

35--005

EVAN'S GROUP, INC

PO BOX 246

LEBANON, NH 03766

34-001-1

THOMAS J DUNCAN

143 WEST MAIN ST

WARNER, NH 03278

34-026-3

WARNER VILLAGE WATER DISTRICT

55 WEST JOPPA RD

WARNER, NH 03278

NH DOT

16 EAST POINT DRIVE

BEDFORD, NH 03110

MERRIMACK COUNTY RECORDS *Kath L. Gray* CPC, Registrar

Mark Dunn
18.00
2.
25.

9,000' WARRANTY DEED

MRT INVESTMENT & DEVELOPMENT, LLC, a New Hampshire limited liability company, in good standing, with a principal place of business of P.O. Box 7115, Milford, NH 03055, for consideration paid, grants to COMET LLC, a New Hampshire limited liability company, in good standing, with a principal place of business of 355 Middlesex Avenue, Suite 7, Wilmington, MA 01887, with

WARRANTY COVENANTS:

A certain tract or parcel of land, with buildings and improvements thereon, if any, situate on the southerly side of NH Route 103, a/k/a West Main Street, so-called, in the **Town of Warner, County of Merrimack and State of New Hampshire**, being Lots 1, 2 & 3 on a plan entitled "Subdivision Plan, Assessors Map 35, Lot 4, West Main Street/N.H. Route 103, Warner, New Hampshire", for R.A.W. Investments, Inc., drawn by T.F. Bernier, Inc., dated April, 2000, as revised, scale 1"=60 feet and recorded as Plan 16243 in the Merrimack County Registry of Deeds to which reference may be had for a more particular description and containing all lots as shown on said Plan.

Subject to a Conservation Easement in favor of the Town of Warner as described in Corrective Conservation Easement Deed of R.A.W. Investment Trust, Inc. to the Town of Warner dated July 2, 2003 and recorded at Book 2547, Page 1295 in the Merrimack County Registry of Deeds;

Subject to slope and embankment easements, drainage easements and damage release in favor of the State of New Hampshire for reconstruction and widening of NH Route 103/West Main Street dated May 12, 1966 and recorded at Book 984, Page 507 in said Registry;

Subject to covenants and restrictions in favor of Sun Oil Company as described in deed of Richard & Patricia Sandy to Sun Oil Company dated November 29, 1966 and recorded at Book 998, Page 496 in said Registry restricting Sandy, their successors and assigns from constructing and operating a gasoline station within 1,000 feet of the property described in the deed at Book 998, Page 496 as to the remaining land of said Sandy;

Subject to power transmission line easement in favor of The Contoocook Electric Light Company dated May 5, 2016 and recorded at Book 434, Page 528 in said Registry and as depicted on Plan 16243;

Subject to slope and embankment easements and damage release in favor of the State of New Hampshire dated June 8, 1966 and recorded at Book 986, Page 180 in said Registry for the construction of the I-89 highway corridor and the reconstruction of NH Route 103 as the same may affect the subject property;

Subject to a Boundary Line Agreement between High View Church Farm, Inc. and Dorothy Sawyer dated July 19, 1990 and recorded at Book 1842, Page 1517 in said Registry establishing the westerly boundary line of Tax Lot 35-3 and the easterly boundary line of Lot 35-4 as depicted on Plan 11670 and the easterly boundary line of Lot 3, Plan 16243 as depicted on said Plan 16243;

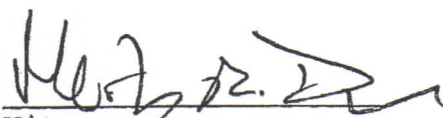
Subject to a 12 foot wide driveway easement in favor of Dorothy C. Sawyer, her heirs and assigns, dated July 19, 1990 and recorded at Book 1842, Page 1520 in said Registry for access to Tax Lot 35-3 as depicted on Plan 11670 and Plan 16243.

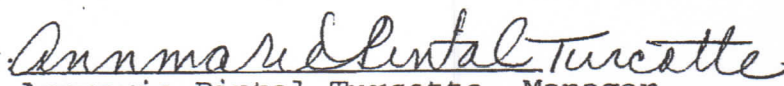
Meaning and intending to describe and convey the same premises as described in the Foreclosure Deed of R.A.W. Investments Trust, Inc. by MRT Investment & Development, LLC, as holder of power of sale mortgage, to MRT Investment & Development, LLC dated August 17, 2009 and recorded at Book 3150, Page 871 in the Merrimack County Registry of Deeds.

THIS IS RAW LAND AND NOT HOMESTEAD PROPERTY

Witness my hand this 1st day of December, 2017

MRT INVESTMENT & DEVELOPMENT, LLC

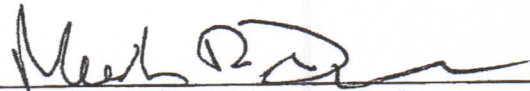

Witness

BY: 
Annmarie Pintal Turcotte, Manager
Duly Authorized

-3-

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.

On this the 1st day of December, 2017, before me, the undersigned officer, personally appeared Annmarie Pintal Turcotte, in her capacity as Manager of MRT Investment & Development, LLC, known to me (or satisfactorily proven) to be the person who executed and acknowledged the foregoing instrument for the purposes therein contained in her capacity as Manager of MRT Investment & Development, LLC.



~~Notary Public~~/Justice of the Peace
Printed Name: Mark R. Dunn, Esq.
My Commission Expires: 10/29/2019

TRANSFER OF OWNERSHIP

Tax ID 002025

OWNERSHIP

COMET LLC
84 RANGE ROAD
WINDHAM, NH 03087

ADMINISTRATIVE INFORMATION

PARCEL NUMBER 35-004-3
Parent Parcel Number
Property Address ROUTE 103 WEST 0009
Neighborhood 5 COMMERCIAL EXIT 9
Property Class 851 Vacant Commercial
TAXING DISTRICT INFORMATION
Jurisdiction 219 WARNER, NH
Area 219
Routing Number 2015

12/01/2017 MRT INVESTMENT & DEVELOPMENT Bk/Pg: 3579, 98 \$600000
08/18/2009 R.A.W. INVESTMENT INC. Bk/Pg: 3150, 871 \$1100000

COMMERCIAL

VALUATION RECORD

Assessment Year	04/01/2014	04/01/2015	04/01/2015	04/01/2018	04/01/2020	04/01/2020	Worksheet
Reason for Change	CU Rate Adj	2015 PRELIM	2015 Reval	CU Rate Adj	2020 Prelim	2020 Reval	
VALUATION	L 399840	147440	147440	147440	147440	147440	147440
Market	B 0	0	0	0	0	0	0
	T 399840	147440	147440	147440	147440	147440	147440
VALUATION	L 383470	131070	131070	131170	131170	131170	131170
Assessed/Use	B 0	0	0	0	0	0	0
	T 383470	131070	131070	131170	131170	131170	131170

LAND DATA AND CALCULATIONS

Rating	Measured	Table	Prod. Factor	Base	Adjusted	Extended	Influence	Value
Soil ID	-or- Acreage	Effective	Depth	Rate	Rate	Value	Factor	
Frontage	Frontage	Depth	Square Feet	Rate	Rate	Value		
1	0.9200	0.9200	1.00	133260.84	133260.84	122600		122600
2	0.9200	0.9200	1.00	7500.00	7500.00	6900		6900
3	0.7600	0.7600	1.00	1500.00	1500.00	1140		1140
4	11.2000	11.2000	1.00	1500.00	1500.00	16800		16800
5	11.2000	11.2000	1.00	47.00	47.00	530		530

- 1 Undeveloped Commercial
- 2 Excess Frontage
- 3 EXCESS REAR
- 4 EXCESS REAR
- 5 Other Forest No Stewardship

CEAS: CONSERVATION EASEMENT
 CONSERVATION EASEMENT 04/22/03 BOOK 2491
 PAGE492
 CORRECTIVE CONSERVATION EASEMENT 8/6/03 BOOK
 2547 PAGE 1295
 FLD: **FLOODPLAIN**
 IS09: 2009 Invalid Sale
 FORCLOSURE SALE & MULTI PARCEL W/ 35-004-1 &
 35-004-2
 L: LAND
 CONFIRMATORY QUITCLAIM DEED BOOK 3433 PAGE 888
 MCRD 3/14/14
 QUITCLAIM DEED BOOK 3436 PAGE 1911 4/17/14 MCRD
 PU22: 2022 PICKUP=UPDATE MAILING ADDRESS PER TAXPAYER PHONE CALL.

Supplemental Cards
 MEASURED ACREAGE 13.8000
 Supplemental Cards
 TRUE TAX VALUE 147440
 Supplemental Cards
 TOTAL LAND VALUE 131170



LEGEND

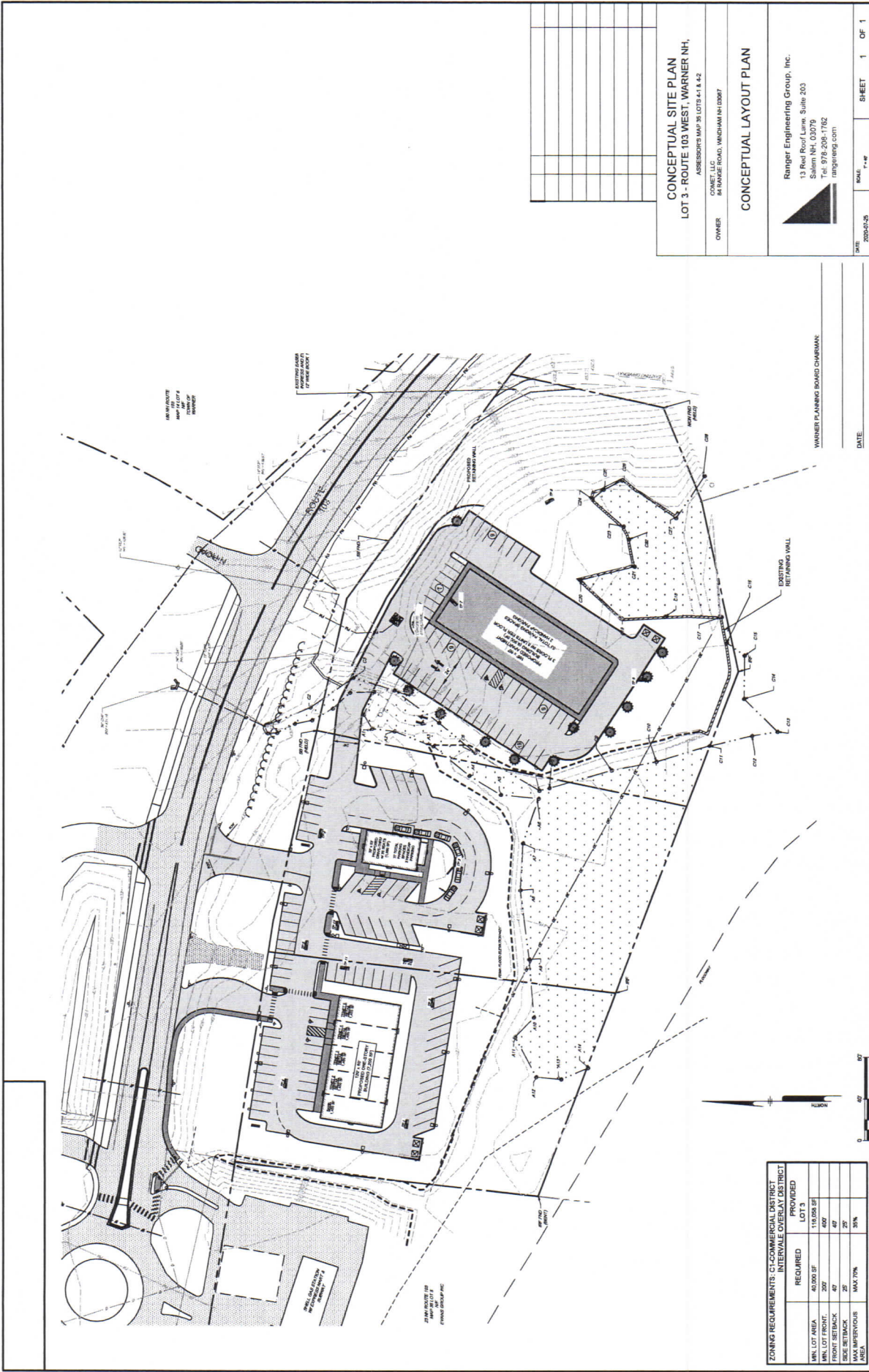
PARCEL NUMBERS 1

ADJACENT MAPS 2

MATCH LINE

For Assessment Purposes
Not to be used for Conveyances

PROPERTY MAP
TOWN OF WARNER updated 2003
MERRIMACK COUNTY, NEW HAMPSHIRE
PREPARED BY OLD TOWN MAINE
JAMES W. SEWALL COMPANY



CONCEPTUAL SITE PLAN
 LOT 3 - ROUTE 103 WEST, WARNER, NH.

ASSESSORS MAP 35 LOTS 41 & 42
 COMET, LLC
 21 WINDY HILL, WINDHAM, NH 03097

CONCEPTUAL LAYOUT PLAN

Ranger Engineering Group, Inc.
 13 Red Rock Lane, Suite 203
 Salem, NH 03079
 Tel: 978.208.1782
 rangereng.com

DATE: 2020-01-25 SCALE: 1" = 40' SHEET 1 OF 1

WARNER PLANNING BOARD CHAIRMAN:
 DATE:

ZONING REQUIREMENTS: C-COMMERCIAL DISTRICT INTERVALE OVERLAY DISTRICT

	REQUIRED	PROVIDED
MIN. LOT AREA	40,000 SF	115,000 SF
MIN. LOT FRONT	200'	400'
FRONT SETBACK	40'	40'
SIDE SETBACK	25'	25'
MAX IMPERVIOUS AREA	MAX 15%	35%

PLAN NUMBER: 2020-01-25
 MAP OF LOT 3
 OWNER: COMET, LLC

EXISTING GRADE
 PROPOSED GRADE

AS SHOWN
 MAP 35 LOTS 41 & 42
 TOWN OF WARNER

PROPOSED EXISTING RETAINING WALL

EXISTING RETAINING WALL

PROPOSED EXISTING RETAINING WALL

PROPOSED EXISTING RETAINING WALL

PROPOSED EXISTING RETAINING WALL

PROPOSED EXISTING RETAINING WALL

CHANNEL
MULTIFAMILY COMPANY
365 MIDDLESEX AVENUE
WARREN, NH 03270
877.667.7266
www.channelbuilding.com

PROGRESS SET
NOT FOR
CONSTRUCTION

24 UNIT RESIDENTIAL BUILDING
WARNER, NH

PROJECT #0018.20

REVISIONS



DOCUMENT PHASE

Project Status

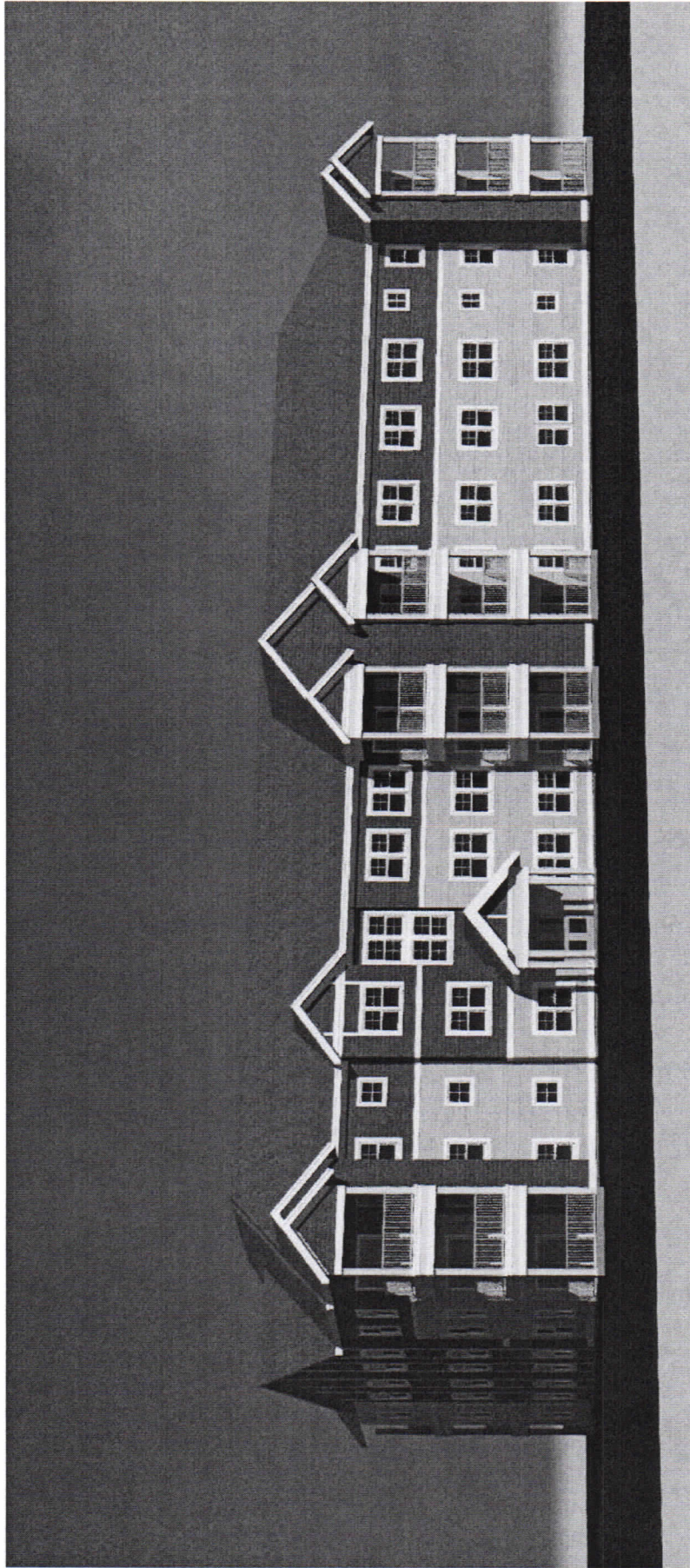
DATE ISSUED

12/20/20

REVIEWS

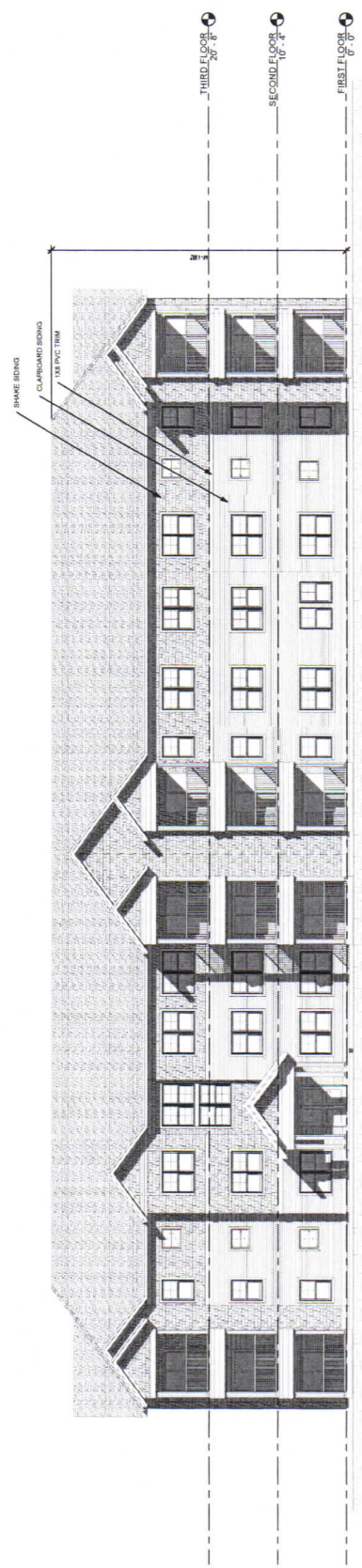
A1.06

© 2021 DEC



① FRONT VIEW
1/2" = 1'-0"





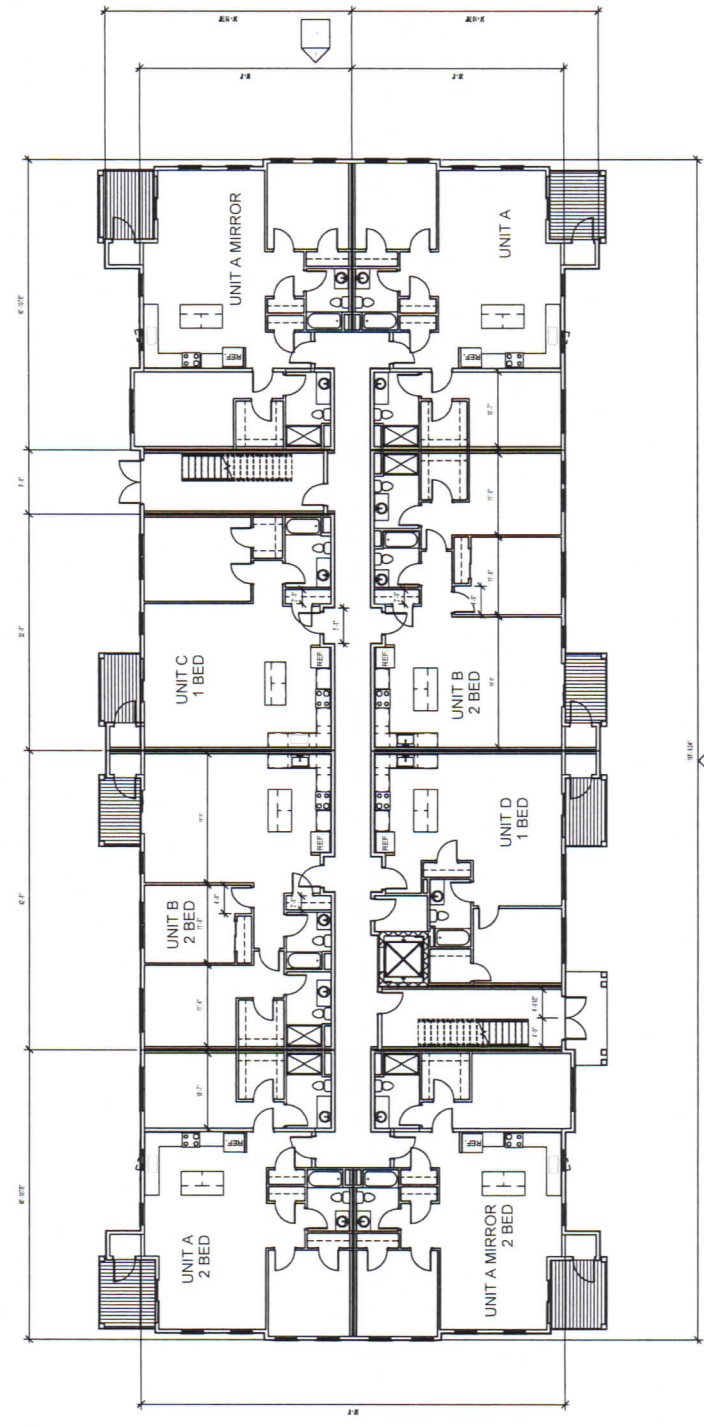
THIRD FLOOR
20'-0"

SECOND FLOOR
16'-0"

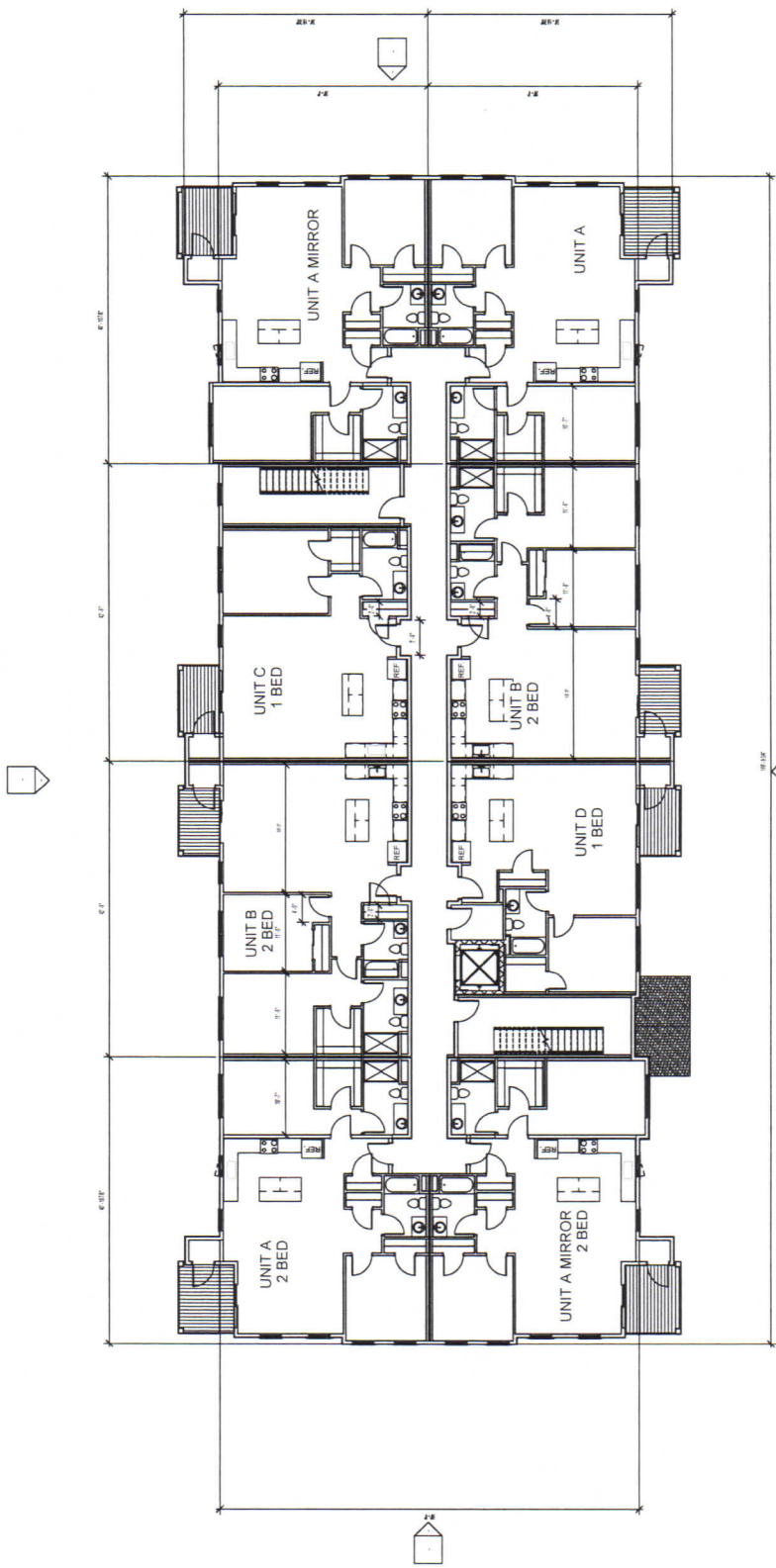
FIRST FLOOR
0'-0"

① FRONT ELEVATION
 1/8" = 1'-0"

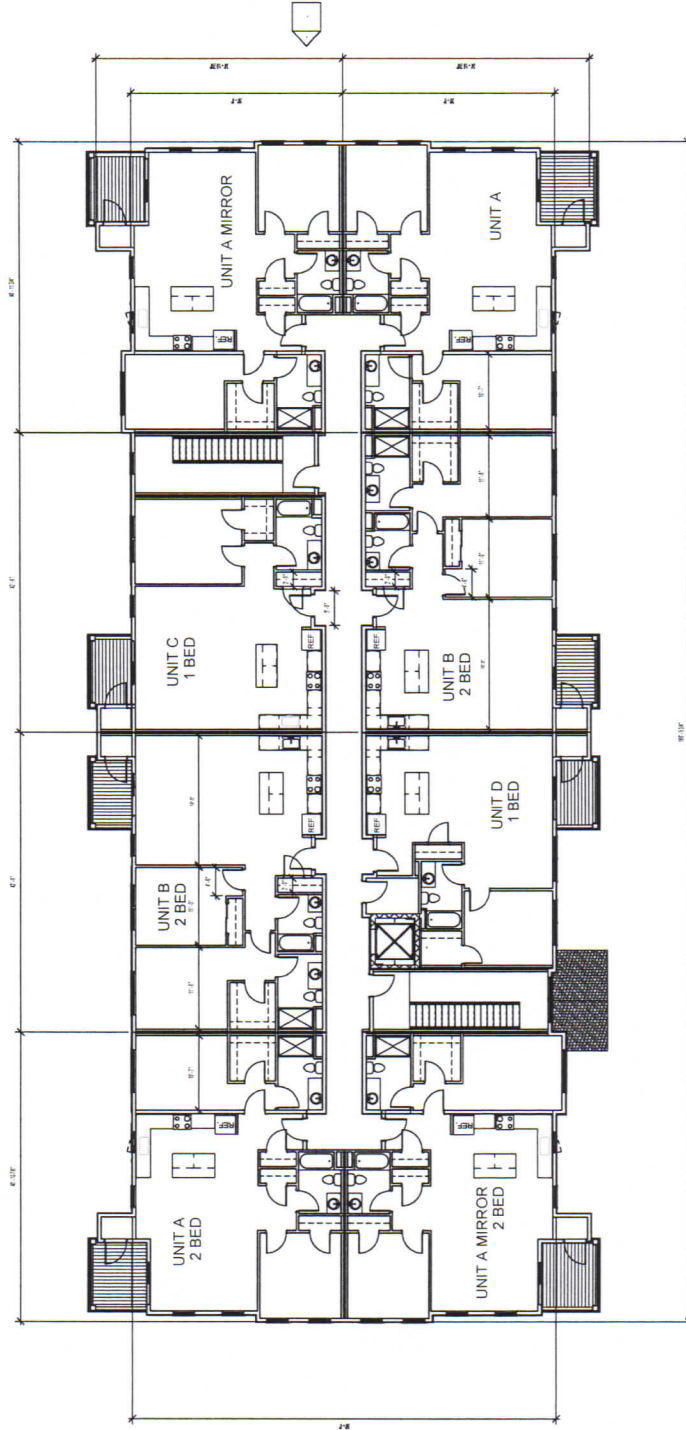




① FIRST FLOOR
 1/8" = 1'-0"



① SECOND FLOOR
 1/8" = 1'-0"



THIRD FLOOR
 FIG. 11-4

Applicant's Checklist

Have you included		Item	Land Use Office finds	
Yes	No		Yes	No
X		Complete and sign, the proper application for the type of appeal (request).	✓	
	X	If a variance is requested, it must be based on a referral from the Board of Selectmen or the Planning Board and included with the application.	n/a	
X		A list of all abutters within 200 feet of the boundaries of the property on the supplied form. Accuracy is the applicant's responsibility. The abutters list must be obtained from the Town of Warner's Assessor's records.	✓	
	X	An attached copy of any order, notice of violations or other communications received from either the Board of Selectmen or the Planning Board that pertains to the property. (If applicable)	n/a	
X		Plans shall include: <ul style="list-style-type: none"> Clearly indicate where the site is located (locus map) and what is proposed drawn to scale. <i>Conceptual Site Placement</i> 	✓	
X		<ul style="list-style-type: none"> Show for the "lot of record" the boundary lines with footage on all sides. <i>Tax map</i> 	✓	
X		<ul style="list-style-type: none"> A copy of the lot's deed (to verify Owner). 	X	
X		<ul style="list-style-type: none"> Name of the road the lot fronts on. 	✓	
N/A		<ul style="list-style-type: none"> Include all existing structures on the lot, clearly indicating their dimensions, distance from other structures and distance from abutting property line, drawn to scale. 	✓	
X		<ul style="list-style-type: none"> For a proposed structure, include all of the above a floor plan with dimensions, (length, width, and height). 	✓	
X		The applicant has paid fees (see application for specific fees). Check made out to the Town of Warner .	✓	
X	X	Application must be received 15 days prior to the next ZBA meeting.	✓	
X		All property owners must sign the application.	✓	
X		Authorization from Owner must be signed to designate someone to speak on behalf of the property owner(s). (If applicable)	✓	