



# 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 VARIANCE

**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: <b>Steve Shumsky</b>	Date: <b>3/28/2022</b>		
Applicant Mailing Address: <b>14 Brookfield Road</b>			
Town: <b>Hudson</b>	State: <b>NH</b>	Zip: <b>03051</b>	
Telephone Primary:	Alternate:		
Owner of Property Information			
Name of Owner: <b>Same as Applicant</b>			Date:
Owner Mailing Address:			
Town:	State:	Zip:	
Telephone Primary:	Alternate:		
Location and Description of Property			
Map #: <b>26</b>	Lot #: <b>25</b>	Zoning District: <b>Medium Density Residential (R-2)</b>	
Address: <b>30 Pleasant Pond Road</b>			
<b>Will a Site Plan Review approval be required by the Planning Board?</b>			Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Proposed Use:			
A proposed redevelopment of an existing single family home to a 864 sf single family home within existing setbacks.			
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 _____)			
See attachment A			

**ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED**

The undersigned hereby requests a VARIANCE to the terms of:

Article: VI , Section: C.1. of the Warner Zoning Ordinance

**For a Variance to be granted, the following five conditions must be met:**

(For more information reference the Warner Zoning Ordinance Article XVII and RSA 674:33.)

*Please explain in writing how your project meets each of the five (5) conditions, in the space provided on the following pages. If you do not use the space provided refer to attached pages.*

**The applicant seeking a variance must be prepared to prove these conditions at the Public Hearing. In order for the public hearing to proceed there needs to be responses to all five conditions.**

**The five conditions are:**

1. Granting the variance will not be contrary to the public interest because:
2. By granting the variance, the spirit of the ordinance is observed because:
3. By granting the variance substantial justice is done because:
4. Granting the variance will not diminish the values of surrounding properties because:
5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:
  - A. Meaning that owing to special conditions of the property that distinguish it from other properties in the area:
    - i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision on the property; **and**
    - ii. The proposed use is a reasonable one.  
*[Explain what is unique about the property that makes the specific zoning restriction unfair and unrelated to the purpose of the provision, and that it is a reasonable use]*
  - B. Or, if the criteria in 'A' are not established, then owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of the property.  
  
*[Explain what is unique about the property that makes the specific zoning restriction unreasonable]*

**1. Granting the variance will not be contrary to the public interest because:**

See attachment A

**2. By granting the variance, the spirit of the ordinance is observed because:**

See attachment A

**3. By granting the variance substantial justice is done because:**

See attachment A

**4. Granting the variance will not diminish the values of surrounding properties because:**

See attachment A

**Answer - 5.A.i. and 5.A.ii. - or 5.B.**

**5. Literal enforcement of the provisions of the ordinance would result in an unnecessary hardship:**

- A. Meaning that owing to special conditions of the property that distinguish it from other properties in the area:
- i. No fair and substantial relationship exists between the general public purposes of the ordinance provision and the specific application of that provision on the property;

See attachment A

**and**

- ii. The proposed use is a reasonable one.

*[Explain what is unique about the property that makes the specific zoning restriction unfair and unrelated to the purpose of the provision, and that it is a reasonable use]*

See attachment A

**Or, if the criteria in 'A' are not established**

- B. Owing to special conditions of the property that distinguish it from other properties in the area, the property cannot be reasonably used in strict conformance with the ordinance, and a variance is therefore necessary to enable a reasonable use of the property.

*[Explain what is unique about the property that makes the specific zoning restriction unreasonable]*

## **EXHIBIT TO THE APPLICATION FOR A VARIANCE (30 Pleasant Pond Road)**

This Exhibit is appended to the Application for a Variance and sets forth the summary rationale for each of the five points of law required to be addressed for the granting of a variance.

### **Project Background**

Steve Shumsky, owner of the property in question, is proposing to rebuild an existing cottage located at 30 Pleasant Pond Road, Tax Map 26 Lot 25. The existing lot contains one single family home, 678 sf total, with detached shed located on the northern side of the site. The existing structure is dilapidated to the extent that it is no longer inhabitable. The subject parcel of land is 0.106 acres in size and bounded to the east by Pleasant Pond Road and the west by Pleasant Pond. Surrounding properties are all residential with a mix of full season homes and seasonal cottages.

The applicant is proposing to demolish the existing building and build a new and functioning seasonal home. The new structure is proposed to be 864 sf. The property is located entirely within the 50' waterfront buffer according to state regulations. On September 7, 2022 the New Hampshire Department of Environmental Services issued a shoreland impact permit to allow the construction of a new home on the property. The shoreland impact permit involved moving the proposed building two feet further back from Pleasant Pond than it currently sits today and designing a drip edge to mitigate any increased run-off from the proposed structure.

### **Zoning Ordinance Provisions**

This case involves Article VI of the Warner Zoning Ordinance. Article VI established the Dimensional Requirements for lots within the Medium Density Residential District in the Town of Warner. Within Article VI there are frontage, lot, and yard requirements. This parcel of land lies within the Medium Density Residential Zone, and the proposed use is single family. The aforementioned article establishes specific dimensional requirements for this type of property. Those requirements are as follows: 200' minimum frontage, 40' front setback, 25' side setback, and 2 acres of minimum area.

The lot exists today as a non-conforming lot. There is 107.50' of frontage, 0.106 acres in area, and with the variable depth of Pleasant Pond the lot is 39' and 27' deep along both sides.

### **Five Criteria for Granting a Variance**

1. Granting of the requested variance will not be Contrary to the Public Interest.

As discussed above (Project Background), the applicant is proposing to rebuild a cottage on the property. The requested variance would allow for the construction of a single-family seasonal home within the 40' front yard setback.

The current property as described previously, is surrounded by single family homes, and there is currently a single family home on the property. Allowing the applicant to rebuild a cottage on the lot would not alter the essential character of the neighborhood, but in fact improve the neighborhood by replacing the dilapidated cottage that sits there today. This project is proposing to continue the conforming use to the medium density residential zone and would not impact any adjacent landowners or the Town of Warner. Pleasant Pond Road is the connector for many seasonal

and year-round homes to Route 103 today. Allowing this rebuild would not have an adverse impact on traffic or nearby neighbors due to this being one residential structure that is allowed within the zoning.

Granting the variance to allow construction of a building within the 40' front setback would not threaten the public health, safety, or welfare. The Pleasant Pond Road right of way is of variable width, but averages about 43' in width in front of the proposed structure. Pleasant Pond Road is about 20' in width with over 14' of shoulder between the edge of the right-of-way and the pavement. The structure is proposed to be 2' closer than the house that is on the property today. With the 14' shoulder plus 7' of space between the building and the right-of-way this should not impede proper snow removal along Pleasant Pond Road.

The integrity of Pleasant Pond is also a matter of public safety and health. This project seeks to improve the impacts to Pleasant Pond. As stated in the project background a Shoreland Impact Permit was granted to allow the rebuild of this cottage. In order to abide by all state regulations, the proposed structure was moved back 2 feet further away from Pleasant Pond because that was as far back as was possible. The permitting process also requires a drainage design to mitigate the increase of run-off caused by a new building on the property. This was accomplished by designing a 2' deep drip edge that runs along the eastern side of the building. A planting schedule was also incorporated into the shoreland plans to help maintain the vegetated 50' buffer. These plantings will not only help to capture and absorb run-off from the property, but help surrounding wildlife.

The applicant's Civil/Site Engineering consultant, Keach-Nordstrom Associates, Inc. have prepared the project site plans. The effect to the public interest by granting the requested variance is only positive. With an abandoned and dilapidated building on the property today, a newly constructed building would be a welcomed change to the existing neighborhood.

2. The proposed use will observe the Spirit of the Ordinance.

The Medium Density Residential Zoning District was established to provide space for the development of residential homes and limited agricultural uses. The residential home that sits on the property today meets the side setback requirements, and the proposed structure will also meet those setbacks. Building this structure 7' from the right-of-way does not cause any risk to the public. As stated in the previous criteria, the major safety concern of snow removal would not be impacted by granting this variance. The run-off from this property into Pleasant Pond would also be improved by allowing this structure to be built. The spirit of this ordinance is to prevent overcrowding of buildings and prevent any risk to public safety and welfare. Allowing this variance does not put any of those categories in jeopardy, and therefore observes the spirit of the ordinance.

3. Substantial Justice would be done to the property owner by granting the Variance.

By definition, "variances are included in a Zoning Ordinance to prevent the ordinance from becoming confiscatory or unduly oppressive as applied to individual properties uniquely situated." As mentioned above, the subject property is unique in shape. Not only is this parcel unique in shape, but the eastern side of the property is bound by Pleasant Pond making it impossible to move the proposed building outside of the 40' front setback. Opportunity lost by the applicant, should the Zoning Board of Adjustment decide not to grant the requested dimensional variance, far outweighs any gain that could possibly be realized by the public as a result of the same decision. Building within the front setback is not tied to the fear of overcrowding or public safety, as stated previously. There will also be no negative

impact to existing residential properties along the Pleasant Pond Road as there are currently residential properties located all around Pleasant Pond that do not meet the required setbacks or lot areas. Substantial justice is achieved through granting the requested variance in that such approval would afford the applicant the opportunity to provide a habitable seasonal house on an otherwise un-useable piece of land.

4. The proposed use will not Diminish the Values of Surrounding Properties.

The parcel in question is located within the medium density residential zone. The proposed design is a single-family seasonal house which is the same as surrounding properties. Construction of a single-family home is in keeping with the existing building and the uses surrounding it, it is very clear that the granting of the requested dimensional variance, to allow the applicant's proposed structure, will not affect surrounding property values. Replacing the existing damaged home with an up-to-date structure of similar size will only help the value of surrounding properties. The Zoning Board's knowledge of the area and surrounding properties will confirm this claim.

5. Special Conditions exist such that Literal Enforcement of the Ordinance results in Unnecessary Hardship.

Special conditions on the subject property do exist that distinguish it from other properties in the Town. The parcel is only 0.106 acres and is constricted by Pleasant Pond and Pleasant Pond Road. This lot dates back to well before the 1890's. At the time the lot was created Pleasant Pond was most likely much smaller and roads were much smaller as well. Due to there being little zoning ordinances during that time it was most likely a fully buildable lot. Throughout the years Pleasant Pond has grown and Zoning Ordinances have been created and amended. This has led to this lot being non-conforming in more modern times.

No fair and substantial relationship exists between the general public purposes of the front yard setback and the specific application of that provision to the property. As stated in previous sections the purpose of the front yard setback provision is to avoid over-crowding right-of-ways and protect public safety. Here public safety is not only protected but improved. With the drainage and planting improvements along with the removal of a possible dangerously dilapidated building public safety is upheld.

The proposed use for this project is a reasonable one. There exists a building of residential use on the property today. The residential use is allowed within the Medium Residential Zoning District. The proposed structure is itself, a reasonable one, the building will only be 186 sf larger than the existing house and two feet closer to Pleasant Pond Road. The applicant is not looking to build an excessively large home that encroaches on neighbors and the roadway, but instead a reasonably sized reflection of what is currently on the property. If literal enforcement of the ordinance were to happen, the lot would have to sit untouched with the decaying building on the property. This result would not benefit the Town, surrounding properties, or the owner.

### **Conclusion**

For the reasons cited in this application and the accompanying documents, the applicant respectfully requests that the Application for a Variance be granted.



## TOWN OF WARNER

PO Box 265  
Warner, New Hampshire 03278-0265  
Telephone: (603) 456-2298 Fax: (603) 456-2297  
Warnernh.gov

Select Board  
Sam Bower, Chair  
Christine Frost  
Lois Shea  
[selectboard@warnernh.gov](mailto:selectboard@warnernh.gov)  
Diane Ricciardelli,  
Town Administrator  
[administrator@warnernh.gov](mailto:administrator@warnernh.gov)

Janice Loz  
Warner Land Use  
PO Box 265  
Warner NH 03278

October 24, 2022

Dear Janice,

Mr. Steve Shumsky was in my office to inquire about a building permit. He would like to demolish the structure on Map 26, Lot 025, 30 Pleasant Pond Road, Warner, NH, a non-conforming lot of record and build a new house. The plans Mr. Shumsky showed me included the dimensions of the foot print for the existing structure and the dimensions of the foot print for the new building.

The plans for Mr. Shumsky's new structure showed portions that are outside the current structure's footprint. He said he was "squaring" the building which extended outside the current footprint. This was confirmed in the September 30, 2022, email from Allison Lewis, Project Engineer, Keach-Nordstrom Associates, Inc, when inquiring about process. She wrote: "*Now I understand this is not an addition, but we are only increasing the footprint by 112 sf. We are also moving the building two feet closer to the right of way to move it as far as possible away from pleasant pond.*"

Rebuilding or enlarging the footprint of a structure on a non-conforming lot is not permitted under Warner Zoning. For this reason, a building permit has been denied. Mr. Shumsky was given 2 options: redesign the new structure to stay within the current structure's footprint or apply to the Zoning Board for a variance. If Mr. Shumsky chooses to apply to the Zoning Board for a variance and is approved, then Mr. Shumsky can move forward to submit a Building Application.

Please contact me if there is anything I can do to help you or Mr. Shumsky.

Sincerely,

Judith A. Newman-Rogers  
Administrative Assistant to  
the Warner Select Board

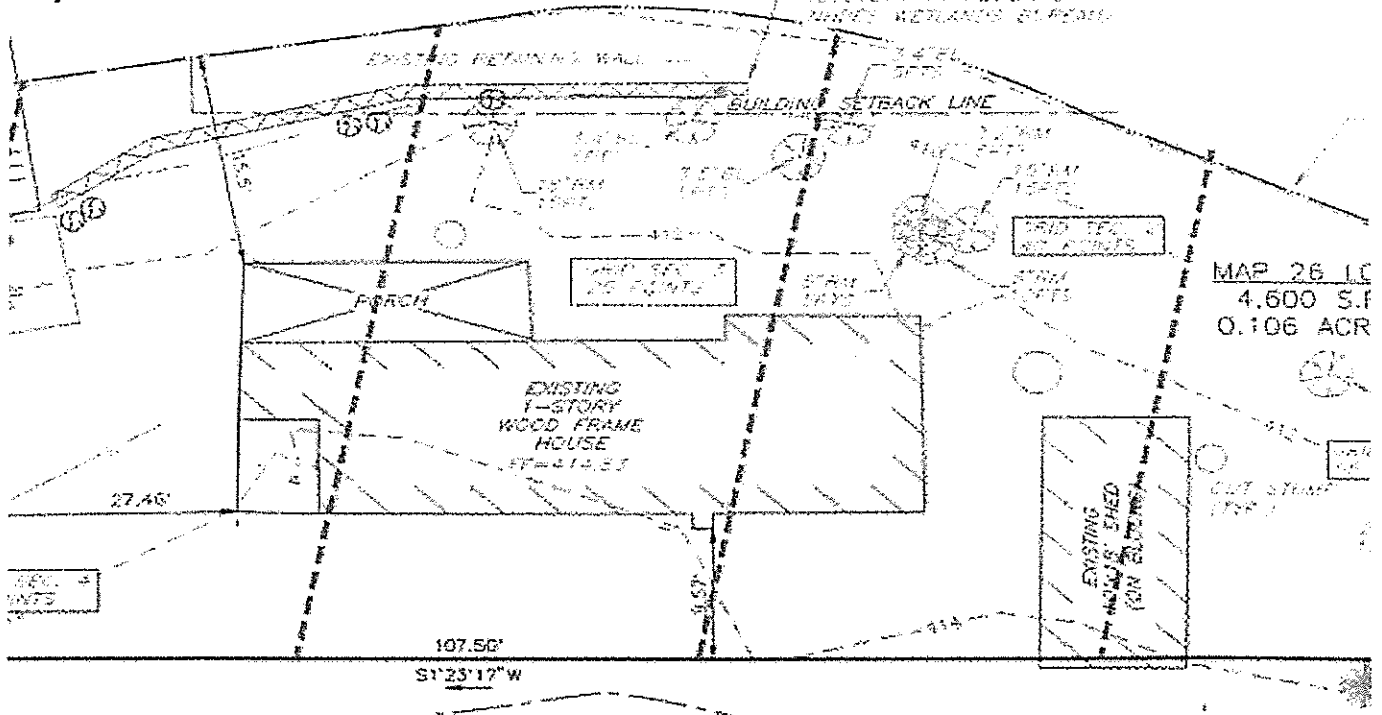
cc: Allison Lewis  
Steve Shumsky  
2 attachments



PLEASANT

107.50'

EXISTING RETAINING WALL TO BE REBUILT IN-PLACE (SUBJECT TO REVIEW BY NHDES WETLANDS BUREAU)



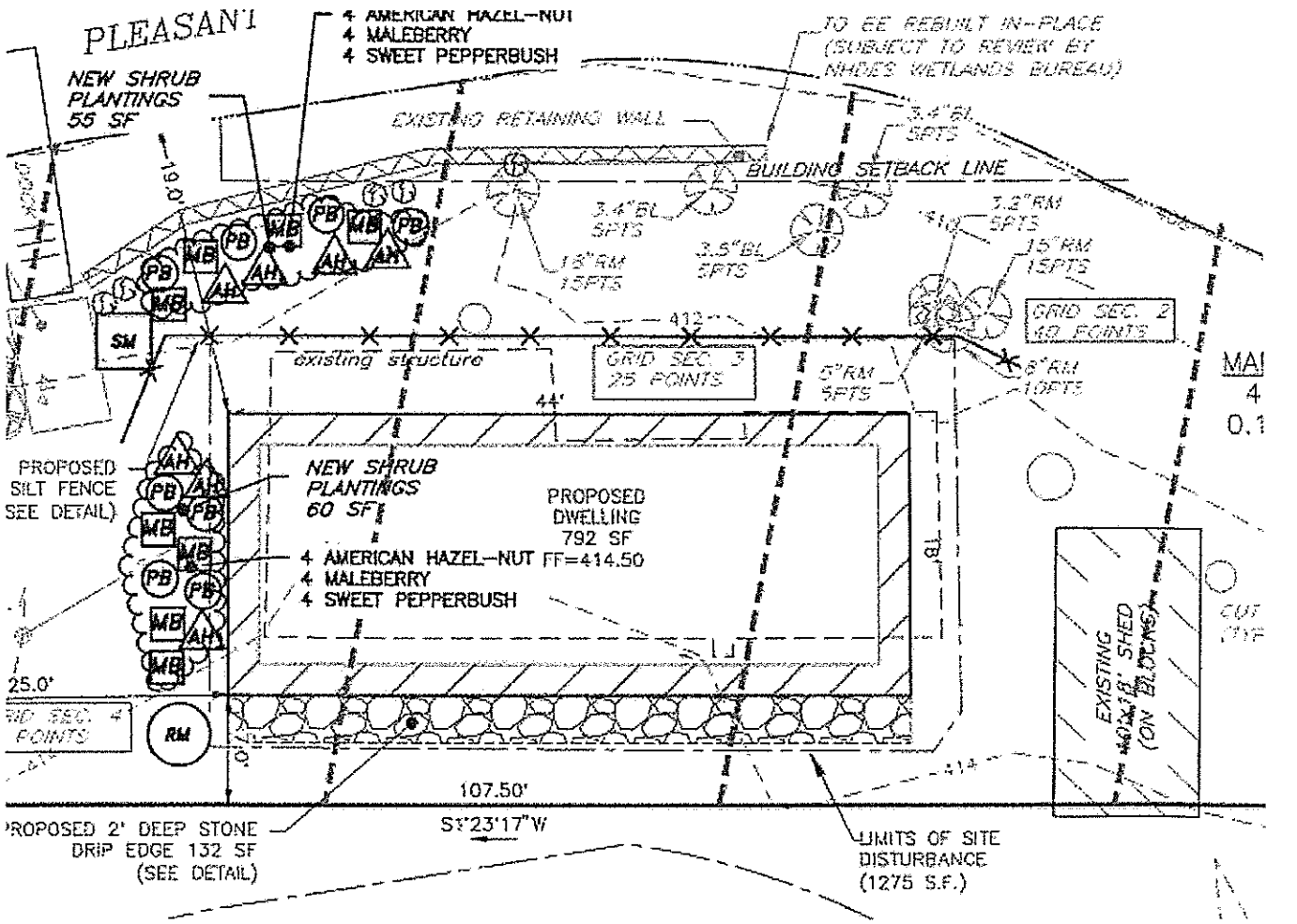
MAP 26 1E  
4.600 S.F.  
0.106 ACR

PLEASANT

NEW SHRUB PLANTINGS  
55 SF

- 4 AMERICAN HAZEL-NUT
- 4 MALEBERRY
- 4 SWEET PEPPERBUSH

TO BE REBUILT IN-PLACE (SUBJECT TO REVIEW BY NHDES WETLANDS BUREAU)



MAP  
4  
0.1


PROPOSED 2' DEEP STONE DRIP EDGE 132 SF (SEE DETAIL)

LIMITS OF SITE DISTURBANCE (1275 S.F.)

**ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED**

**Authorization from Owner(s):**

1. I (We) hereby designate Keach-Nordstrom Associates Inc. 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): 

Date: 10/24/2022

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

Signature of Applicant(s), if different from Owner: \_\_\_\_\_

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

\_\_\_\_\_

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

Printed name of person(s) who signed above:

Steve Shumsky, Applicant and Owner

**For Zoning Board of Adjustment Use Only**

<b>Assigned Case #:</b> <u>2022-05</u>		<u>Res. Fee - \$50.00</u>	
<b>Date Received at Land Use Office:</b> <u>10/25/22</u>		<u>Abutter 7x7 = \$49.00</u>	
<b>Received by:</b> <u>Janice Lozo</u>		<u>\$ 99.00</u>	
<b>Fees Submitted:</b>		<u>newspaper notice 7.00</u>	
<b>Amount:</b> <u>99.00</u>	<b>Cash:</b> _____	<b>Check #:</b> _____	<b>Other:</b> <u>\$106.00</u>
<b>Abutters' List Received:</b> <u>Yes</u>		<b>No</b>	
<b>Date of Review:</b> <u>11/1/22</u>	<b>Date of Hearing:</b> <u>11/9/22</u>	<b>Date Approved:</b> _____	<u>Outstanding \$7.00</u>

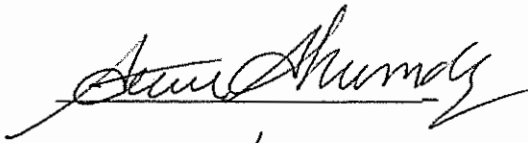
## Owner Affidavit

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I, Steven Shumsky, owner of the properties referenced on Tax Map 26 as Lot 25 located along Pleasant Pond Road, Warner, New Hampshire, hereby verify that I have authorized Keach-Nordstrom Associates, Inc. to submit on my behalf, any and all applicable State and local permit applications as they pertain to improvements on said property.

Additionally, I authorize Keach-Nordstrom Associates, Inc. to aid in the representation of these applications throughout the approval process.

Signature of Owner:



Printed Name of Owner:

STEVE SHUMSKY

Address of Owner:

14 Brookfield Road

Hudson, NH 03051

Date:

10/19/2022

**ALL APPLICABLE PAGES MUST BE COMPLETED TO BE ACCEPTED**

ALL COSTS OF MAILING BY CERTIFIED MAIL, FEES, AND LEGAL ADVERTISEMENT IN A NEWSPAPER MUST BE PAID BY APPLICANT BEFORE THE HEARING MAY BEGIN.

**Town of Warner Zoning Board of Adjustment Abutter(s) List**

Please list all abutters **within 200 feet** of the boundaries of the property.  
Applicant must reference and follow stipulations in the Abutter(s) List Instructions  
on page 3, item numbers 10.a. through 10.d. of the Application Instructions.

Map 3	Name: Pleasant Lake Estates, LLC
Lot 24	Address: 3A Pleasant Lane, Warner, NH 03278
Map 25	Name: Michael G. & Shara Little
Lot 3	Address: 121 Silk Farm Road, Concord, NH 03301
Map 26	Name: Pleasant Lake Estates, LLC
Lot 24	Address: 3 A Pleasant Lane, Warner, NH 03278
Map 26	Name: Pleasant Lake Estates, LLC
Lot 26	Address: 3A Pleasant Lane, Warner, NH 03278
Map 26	Name: Pleasant Lake Estates, LLC
Lot 24-1	Address: 3A Pleasant Lane, Warner, NH 03278
Map Owner	Name: Steve Shumsky
Lot	Address: 14 Brookfield Road, Hudson, NH 03051
Map Engineer	Name: Keach-Nordstrom Associates, Inc c/o Allison Lewis
Lot	Address: 10 Commerce Park North, Suite 3, Bedford, NH 03110
Map	Name:
Lot	Address:
Map	Name:
Lot	Address:
Map	Name:
Lot	Address:



The State of New Hampshire  
**Department of Environmental Services**

Robert R. Scott, Commissioner



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**SHORELAND IMPACT PERMIT 2022-01751**

**NOTE CONDITIONS**

**PERMITTEE:** STEVE SHUMSKY  
14 BROOKFIELD RD  
HUDSON NH 03051

**PROJECT LOCATION:** PLEASANT POND RD, WARNER  
TAX MAP #26, LOT #25

**WATERBODY:** PLEASANT POND

**APPROVAL DATE:** SEPTEMBER 07, 2022      **EXPIRATION DATE:** SEPTEMBER 07, 2027

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Shoreland Permit Application 2022-01751 has been found to meet or exceed the requirements of RSA 483-B as required per RSA 483-B:6, II. The New Hampshire Department of Environmental Services (NHDES) hereby issues this Shoreland Impact Permit with conditions pursuant to RSA 483-B:6, II.

**PERMIT DESCRIPTION:**

Impact 1,006 square feet of protected shoreland in order to replace the non conforming primary structure with a more nearly conforming primary structure with a drip line infiltration trench and plantings.

**Impervious Surface Percentage Approved:** 21.9%

**Natural Woodland Area Required per RSA 483-B:9,V, (b):** 0 square feet

**THE FOLLOWING PROJECT-SPECIFIC CONDITIONS HAVE BEEN APPLIED TO THE PERMIT PURSUANT TO ENV-WQ 1406.15(c):**

1. All work shall be in accordance with the revised plans by Keach-Nordstrom Associates, Inc. revision dated August 29, 2022 and received by the New Hampshire Department of Environmental Services (NHDES) on August 29, 2022 pursuant to Env-Wq 1406.15(f).
2. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1 as required pursuant to RSA 483-B:9, V(d) Erosion and Siltation, (1).
3. The proposed drip line infiltration trench shall be installed and maintained to effectively absorb and infiltrate stormwater in order to ensure compliance with RSA 483-B:9, V(g).
4. Photographs documenting the construction of the proposed drip line infiltration trench shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure as required per RSA 483-B:6, II and Rule Env-Wq 1406.15(c) in order to ensure compliance with RSA 483-B:9, V(g).
5. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction as required pursuant to RSA 483-B:6, I(b).

[www.des.nh.gov](http://www.des.nh.gov)

29 Hazen Drive • PO Box 95 • Concord, NH 03302-0095

NHDES Main Line: (603) 271-3503 • Subsurface Fax: (603) 271-6683 • Wetlands Fax: (603) 271-6588

PDF GENERATED BY NHDES (603) 271-3503

6. This permit shall not preclude NHDES from taking any enforcement or revocation action as authorized pursuant to 483-B:5, I, if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

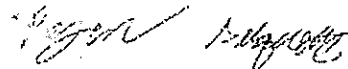
**THE FOLLOWING STANDARD PROJECT CONDITIONS SHALL BE MET PURSUANT TO ENV-WQ 1406.20:**

1. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
2. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
3. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700, and the requirements in Env-Wq 1404.01(a) and(b).
4. Any fill used shall be clean sand, gravel, rock, or other suitable material.
5. For any project where mechanized equipment will be used, orange construction fence shall be installed prior to the start of work at the limits of the temporary impact area as shown on the approved plans; be maintained throughout the project; and remain in place until all mechanized equipment has been removed from the site.

**ANY INDIVIDUAL CONDUCTING WORK UNDER THIS PERMIT IS ADVISED OF THE FOLLOWING:**

1. During construction, a copy of this permit should be posted on site in a prominent location visible to inspecting personnel.
2. This permit does not convey a property right, nor authorize any injury to property of others, nor invasion of rights of others.
3. Pursuant to Env-Wq 1406.21, transfer of this permit to a new owner requires notification to, and approval of, NHDES.
4. This project has been screened for potential impact to **known** occurrences of protected species and exemplary natural communities in the immediate area. Since many areas have never been surveyed, or only cursory surveys have been performed, unidentified sensitive species or communities may be present. This permit does not absolve the permittee from due diligence in regard to state, local or federal laws regarding such communities or species. This permit does not authorize in any way the take of threatened or endangered species, as defined by RSA 212-A:2, or of any protected species or exemplary natural communities, as defined in RSA 217-A:3.

APPROVED:



Ryan A. Duquette  
Shoreland/Shoreline Specialist, Shoreland Program  
Wetlands Bureau, Land Resources Management  
Water Division

**THIS PERMIT IS NOT VALID UNTIL SIGNED BY THE PARTIES BELOW (Env-Wq 1406.21(c))**

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PERMITTEE SIGNATURE (required)

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PRINCIPAL CONTRACTOR SIGNATURE (required, if any)

Smith-Weiss Shepard & Spomy, P.C.  
47 Factory St., P.O. Box 388  
Nashua, NH. 03061-0388

**WARRANTY DEED**

Steven Shumsky, being married and having a mailing address of 14 Brookfield Road, Hudson, New Hampshire 03051, for consideration paid, grant to **Steve Shumsky Unlimited Door Service, LLC**, a New Hampshire limited liability company, having a mailing address of 14 Brookfield Road, Hudson, New Hampshire 03051, with WARRANTY covenants,

A certain tract or parcel of land, with the buildings thereon, situated in Warner, County of Merrimack and State of New Hampshire and more particularly bounded and described as follows:

Being one hundred ten (110) feet long on the west side of the road leading from Diamond Corner to Henniker, and extending back to Pleasant Pond, so-called, situate north of "Batchs Stump", so-called, and presently bounded by iron pins and known as Cottage No. 1, together with the buildings thereon.

Subject to a Boundary Line Agreement between Frank A. Hebert and Carol A. Hebert and Walter Blue and Gayle Blue dated July 8, 1991 and recorded in the Merrimack County Registry of Deeds at Book 2318, Page 728. See also Plan No. 12485 as recorded in said Registry of Deeds.

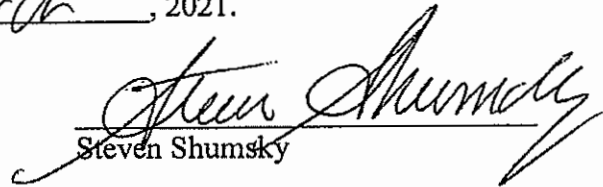
Meaning and intending to describe and convey the same premises conveyed to the within grantor by deed of Steven Shumsky and Pamela Shumsky, dated March 29, 2021, to be recorded.

NOT HOMESTEAD PROPERTY OF THE WITHIN GRANTOR OR HIS SPOUSE.

**TRANSFER EXEMPT FROM TAX UNDER N.H. RSA 78-B:2, XXII**

SMITH-WEISS SHEPARD & SPONY, P.C.  
ATTORNEYS AT LAW - 47 FACTORY STREET  
PO BOX 388, NASHUA, NH 03061-0388  
TEL: 603-883-1571

Dated this 29 day of March, 2021.

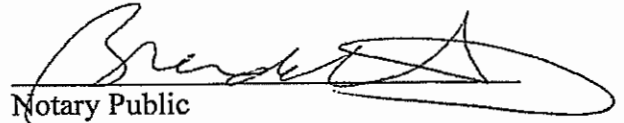
  
Steven Shumsky

STATE OF NEW HAMPSHIRE  
COUNTY OF HILLSBOROUGH

March 29, 2021

Personally appeared Steven Shumsky and acknowledged the foregoing instrument to be their voluntary act and deed.

Before me,

  
Notary Public

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