



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 SITE PLAN REVIEW

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

SELECT ONE: FINAL PLAN SUBMISSION DESIGN REVIEW MODIFICATION TO A PREVIOUSLY APPROVED PLAN X

WRITTEN WAIVER REQUEST TO SPECIFIC PROVISIONS INCLUDED? YES NO

NAME OF APPLICANT: WECLand LLC

ADDRESS: 25 Old Warner Lane Warner NH 03278

PHONE # 1: 603-746-5260 PHONE # 2: 603-345-0804 E-MAIL: mjones@knoxland.com

OWNER(S) OF PROPERTY: Michael A Jones

ADDRESS: 206 Roby Rd Webster NH 03303

PHONE # 1: 603-345-0804 PHONE # 2: E-MAIL:

AGENT NAME:

ADDRESS:

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

LICENSED LAND SURVEYOR: Moser Eng.

LICENSED PROFESSIONAL ENGINEER:

CERTIFIED SOIL SCIENTIST:

CERTIFIED WETLAND SCIENTIST: Stony Ridge Environmental LLC

OTHER PROFESSIONAL(S):

STREET ADDRESS & DESCRIPTION OF PROPERTY: 25 Old Warner Lane Warner Retail Lot for Farm and Garden equipment

MAP # 3 LOT # 34/35 ZONING DISTRICT: C-1 NUMBER OF LOTS/UNITS: 1

FRONTAGE ON WHAT STREET(S): OLD Warner Lane

DEVELOPMENT AREAS: acres/sq.ft. BUILDING/ADDITION: 1,980 sq. ft.

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

PROPOSED USE: service area Expansion

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

**SUBMIT ONE 22X34 COLOR CODED DRAWING OF SITE PLAN (MAY BE HAND COLORED) PER THE FOLLOWING SPECIFICATIONS:** Lot Boundary & Buildings = red, Tree = green, Paved = grey, Gravel = brown, Septic & Well Radius = orange, Open Space & Landscape = yellow, Surface Water=blue, Wetlands = blue stripe.

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

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

By submitting this application I (We) hereby authorize and understand that agents of the Town may visit the site without further notice. 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): Michael A Jones Date: 3-31-22  
(Need signatures of all owner's listed on deed)

Print Names Michael A Jones

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

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

**For Planning Board Use Only**

Date Received at Town Office: 4/11/22

Received By: Denise [Signature]

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

This checklist refers only to the required submittals necessary to begin Planning Board review of a project.

**Instructions:**

1. Review and follow Warner's Zoning Ordinance and Site Plan Review Regulations prior to completing.
2. Place a checkmark adjacent to all items included with the application & plan.
3. In cases where all items on the line are not applicable to the project, indicate N/A.
4. Where some items are applicable, write "some" and circle & strike a line through items N/A.
5. If requesting a Waiver as outlined in Section X, indicate "Waiver" and provide formal written request.

**A1. ITEMS SUBMITTED WITH APPLICATION** (indicated Sections refer to these Regulations)

- a. Completed Site Plan Review application;
- b. Completed Site Plan Review checklist Appendix A;
- c. Plot plan (see requirements in #A2 below);
- d. Provide a separate list including names, addresses of the abutters, applicant's agent; holders of conservation, preservation restrictions, agriculture preservation restrictions; and every engineer, architect, land surveyor, or soil scientist whose professional seal appears or will appear on the documents; and information required for submission to assist in notification; (Section II - Definitions, and RSA 676:4.I.b)
- e. Fees as set by the Planning Board;
- f. Copy of deed, easements or right-of-way; previously approved Site Plan & decision if applicable
- Ex cm*  g. A colored elevation view or photograph of all buildings indicating height, width and surface treatment demonstrating compliance with Section XXII requirements;
- h. Information on specific materials anticipated to be used and stored on site using title 49 Code Federal Regulations as a standard for hazardous materials;
- Ex cm*  i. Submit additional set of plans if the project has Regional Impact (Section XI);
- j. Description of special site preparation such as excavation and blasting, as well as extent of hauling materials to and from the site;
- k. Any other exhibits or data that the Planning Board may require in order to adequately evaluate the propose development for Site Review including but not limited to any state, federal or local requirements and permits (driveways, drainage, flood plan, DES, traffic studies, etc), special studies or analysis environmental assessments and legal review of documents.

**A2. PLOT PLAN REQUIREMENTS** (indicated Sections refer to these Regulations)

- Ex cm*  a. Provide six (6) prints of each plan sheet (blue or black ink) 22"x34" and eleven (11) copies 11"x17". Provide one 22"x34" colored-in site plan which highlights regions (landscaped, roads, buildings, drainage, utility systems, etc) to assist in illustrating the project scope.
- Ex cm*  b. Scale: not less than 1" = 100'; Match lines when needed;
- Ex cm*  c. Date, title, scale, north arrow, location map, legend, signature block for Planning Board Chairman;;
- d. Name and address of developer, owner(s) of record and designer(s)/engineer(s);
- e. All existing and proposed easements and right-of-ways;
- f. List any approved or required Variances and Special Exceptions;
- g. Indicate Zoning Ordinance items: proposed type of use, minimum lot size, minimum frontage, buildable area, impervious area, and other pertinent items. If applicable indicate building separation, shared driveway, cross lot traffic provisions;
- h. The Zoning Districts and boundaries for the site and within 1,000 feet of the site;
- i. Current names and addresses of all abutters, use of abutting properties, and location of the structures thereon including access roads, keyed on the plan;

- Exem j. Drawing of site showing boundaries, existing natural features including watercourses and water bodies, wetlands, trees and other vegetation, topographical features, any other features including existing structure that should be considered in the site design process;
- k. Any existing hazardous and contaminated materials;
- l. Existing and propose contours and finished grade elevations - all contours shall be a minimum of 2-foot intervals;
- Exem m. Surveyed property lines showing their angles, distances, radius, lengths of arcs, control angles, along property lines and monument locations;
- n. Right-of-way lines of all existing adjoining streets;
- Exem o. The type, extent and location of existing and proposed landscaping and open space areas indicating what existing landscaping and open space areas will be retained (Section VXII);
- Exem p. The location, elevation and layout of catch basins, and other surface and underground drainage features, storm-water drainage system, applicable permits (Section XVIII);;
- Exem q. Erosion and sedimentation control plan (Section XVIII);
- r. Location of off-street parking and loading spaces with a layout of the parking indicated. (Section XIX)
- s. Snow storage locations (Section XIX);
- t. If a subdivision, the lines and names of all proposed streets, lanes, ways or easements intended to be dedicated for public use shall be indicated and all Subdivision Regulations shall apply;
- u. Driveway, road, parking, pavement marking and exterior storage areas including construction details (Section XIX and XX);
- v. If a road is planned with the anticipation of its acceptance by the Town as a Town road, the construction design and details shall be shown per the requirements in the Warner Subdivision Regulations;
- w. Traffic control signs, locations and details; traffic circulation plan (Section XX);
- x. The location, width, curbing and type of access ways and egress ways (driveways) plus streets and sidewalks within and around site; (see Subdivision Regulation if applicable)
- y. The location, type, and lumens of lighting for all outdoor facilities, including direction and area of illumination; provide model number and details of lighting , pole and base; (Section XXI);
- z. Plan of all buildings with their type, height, floor area, location (setbacks) and elevation of first floor indicated;
- aa. The size and proposed location of water supply and sewage facilities. Indicate the distances from the proposed facilities to all existing water and sewage facilities (on site and abutters) within 200 feet (or greater if required by DES) of each of these proposed facilities (Section XXIII);
- bb. The type and location of solid waste disposal facilities, including enclosures and screening; and all other support services (Section XXIII); renewable energy systems;
- cc. The size and location of all public utility service connections - gas, power, telephone, fire alarm (indicate where overhead or underground) (Section XXIII);
- dd. The location, size and design of proposed signs and other advertising or instructional devices (Section XXIV);
- ee. Indicate one hundred year flood elevation line, where applicable; construction consideration for Flood Hazard Area (Section XXV);
- ff. Wireless Telecommunication Facility related requirements. (Section XXVI);
- gg. Any other information or data that the Planning Board may require in order to adequately evaluate the proposed development for Site Review;

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 Site Plan Regulations, and other applicable state and federal regulations which may apply.

Printed Signature Name: Michael A Jones

Authorized Signature: Michael A Jones

Date: 4-11-22



**TOWN OF WARNER  
Land Use Office**

P.O. Box 265  
Warner, New Hampshire 03278-0059  
Telephone: (603) 456-2298, ext. 7  
Fax: (603) 456-2297  
E-Mail: [landuse@warner.nh.us](mailto:landuse@warner.nh.us)

**Planning Board - Application Fees**

Name of Applicant WECLand, Inc Project Location: map 3 lot 34/35  
Received By Jessica L. Roz Date Fee Received \_\_\_\_\_

Type of Application	Fee Schedule	Fee Calculation
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\_\_\_ Conceptual Consultation (submit application with no plans to copy) **\$ No Fee**

___ Subdivision	\$250 Base Fee (Final Application or Design Dev.)	\$ _____
	\$50 per lot # of lots _____ x \$50 =	\$ _____
	\$15 per notification # notices _____ x \$15 =	\$ _____
	\$25 minimum compliance inspect, additional per Board	\$ _____
	Legal Notice in Publication - due prior to Hearing	\$ <u>invoiced</u>
	Escrow for 3 <sup>rd</sup> party review or inspection – per Board	\$ <u>TBD by Board</u>
	MCRD** recording fee – separate check charged below	\$ <u>separate**</u>
	LCHIP*** – separate \$25 check – charged below	\$ <u>separate***</u>
	Subtotal	\$ _____ *
		(Check made out to "Town of Warner")

<input checked="" type="checkbox"/> Site Plan Review	\$400 Base Fee (Final Application or Design Development)	\$ _____
	\$15 per notification # notices <u>6</u> x \$15 =	\$ <u>90.00</u>
	\$25 minimum compliance inspect, additional per Board	\$ _____
	Legal Notice in Publication - due prior to Hearing	\$ <u>invoiced</u>
	Escrow for 3 <sup>rd</sup> party review or inspection – per Board	\$ <u>TBD by Board</u>
	MCRD** recording decision – check per rate below	\$ <u>separate**</u>
	Subtotal	\$ _____ *
		(Check made out to "Town of Warner")

___ Home Occupation	\$25 Base Fee (plus \$100 if a Hearing is required)	\$ _____
	If a Hearing is required add \$15 per notification	\$ _____
	If a Hearing add \$25 for compliance inspection	\$ _____
	Legal Notice in Publication due prior to Hearing	\$ <u>invoiced</u>
	Subtotal	\$ _____ *
		(Check made out to "Town of Warner")

___ Lot Line Adjustment	\$150 Base Fee (plus \$100 if abutters request a Hearing)	\$ _____
	\$15 per notification – if requested by abutter(s)	\$ _____
	\$25 minimum compliance inspection	\$ _____
	Legal Notice Publication -due prior to Hearing	\$ <u>invoiced</u>
	MCRD** recording fee – separate check per rate below	\$ <u>separate**</u>
	LCHIP*** – separate \$25 check	\$ <u>separate***</u>
	Subtotal	\$ _____ *
		(Check made out to "Town of Warner")

___ Voluntary Merger	\$60 Base Fee	\$ _____
	MCRD** recording fee – separate check per rate below	\$ <u>separate**</u>
	Subtotal	\$ _____ *
		(Check made out to "Town of Warner")

\* = Subtotals above due with application. Please make check payable to "TOWN OF WARNER" for the above amount.

Escrow amount shall be determined by the Board. Minimum amount shall be \$500; \$1,000 if new road.

**Re-notifications:** Additional \$100 fee (or per Board), plus publication notice cost, plus \$15 per notification.

<b>TWO Separate Checks (Upon completion / approval):</b>		
___	\$26.00 per plan mylar and \$12.49 per document page – recording fee check payable to "Merrimack County Registry of Deeds"	\$ _____ **
___	\$25.00 per plan set for LCHIP fee (RSA 478:17-g) – check payable to "Merrimack County Registry of Deeds"	\$ _____ ***

\*\* = \$26 per plan mylar & \$12.49 per doc. page -Check payable to "Merrimack County Registry of Deeds"

\*\*\* = \$25 per plan set for LCHIP Fee (RSA 478:17-g) - Check payable to "Merrimack County Registry of Deeds"

\* = Please make check payable to "TOWN OF WARNER" for the above amount – due with application.

\*\* = \$26 per plan mylar & \$12.49 per doc. page -Check payable to "Merrimack County Registry of Deeds"

\*\*\* = \$25 per plan set for LCHIP Fee (RSA 478:17-g) - Chk payable to "Merrimack County Registry of Deeds"

TBD = \$ Escrow amount shall be determined by the Board. Minimum amount shall be \$500; \$1,000 if new road.

**Re-notifications:** .Additional \$100 fee (or per Board), plus publication notice cost, plus \$15 per notification

### Abutter(s) List

Please list the names and addresses of all owners of property that abut the subject property, defined as follows:

"Abutter" as defined in RSA 672:3 also includes any person whose property has a boundary which is within two hundred (200) feet of any boundary of the land under consideration, or has frontage on a pond on which the land under consideration also has frontage.

The abutters list must be obtained from the Town of Warner's Assessors records within 5 days of submission of this application

In addition to abutters, please include the names and addresses of the applicant, owner(s) of the subject property, and, as applicable, the owners' agent, engineer, land surveyor, architect, soil scientist, wetland scientist, and holders of conservation, preservation, or agricultural preservation restrictions.

I certify that this abutters list was obtained from the Town of Warner Assessor's records on:

\_\_\_\_\_ (date)

Signature: \_\_\_\_\_

Print Name: \_\_\_\_\_

Map: 03 Lot: 039

Name: 11 Commerce Ave, LLC.

Address: PO Box 5465  
West Lebanon, NH 03784

Map: 03 Lot: 039-1

Name: Warner Stone, LLC.

Address: 470 Newmarket Road  
Warner, NH

Map: \_\_\_\_\_ Lot: \_\_\_\_\_

03-039-2

Name: Warner Stone, Inc.

Address: Same as above

Town of Warner Planning Board Abutter(s) List (continued)

Map: 03 Lot: 039-3

Name: Nicholson Holdings, LLC.

Address: P.O. Box 215  
West Danville, VT 05873

Map: 03 Lot: 034

Name: Warner Road Holdings, LLC.

Address: 6 Warner Road  
Warner, NH 03278

Map: 03 Lot: 042

Name: Warner Road Holdings, LLC.

Address: Same as above

Map: 03 Lot: 026

Name: State of New Hampshire

Address:

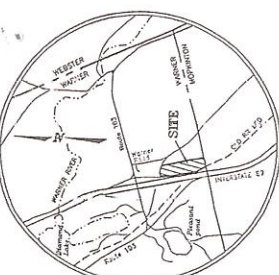
Map: 03 Lot: 027

Name: JM + DJ 2011 Rev. Trust

Address: Nevada Marketing Inc.

83 Waldron Hill Rd.  
Warner, NH  
03278

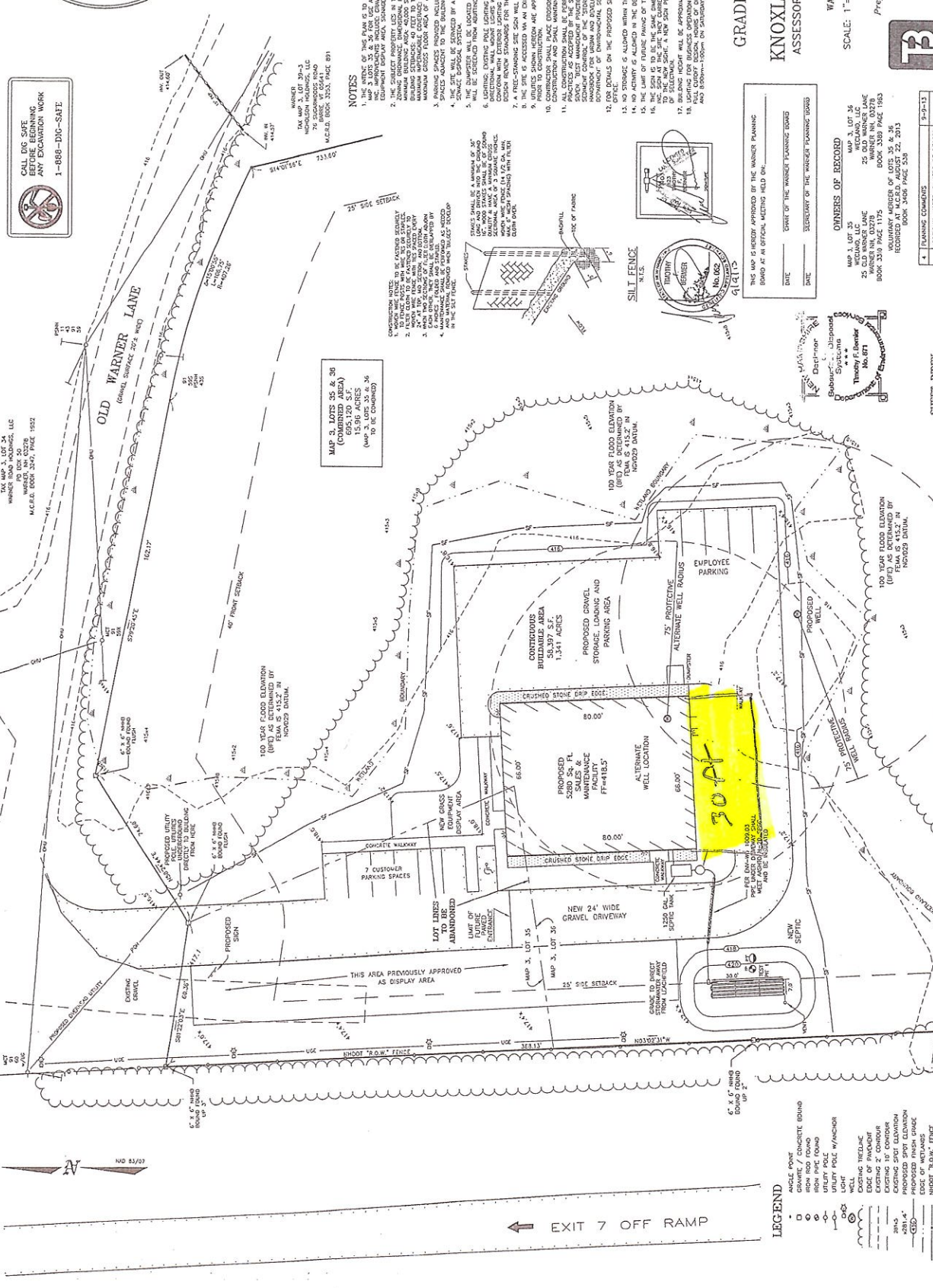




CALL DIS USE BEFORE BEGINNING ANY EXCAVATION WORK 1-888-DIG-SAFE

TAX MAP 3, LOT 24  
WARNER AVENUE, LLC  
WARNER AVENUE, LLC  
M.C.D. BOOK 339, PAGE 1932

MAP 3, LOTS 35 & 36  
(TOTAL AREA 15.96 ACRES)  
(MAY BE CONVEYED)  
WARNER AVENUE, LLC  
WARNER AVENUE, LLC  
M.C.D. BOOK 339, PAGE 1932



- NOTES**
1. THIS MAP IS TO BE USED IN CONNECTION WITH THE PROPOSED BILLIARD, SALES AND MAINTENANCE BUILDING, STORAGE BUILDING, SEPTIC TANK AND SEPTIC SYSTEM, UTILITY POLE AND SERVICE, AND LANDSCAPING, AND SIGNAGE, AND SIGNAGE.
  2. THE SUBJECT PROPERTY LIES IN THE COMMERCIAL ZONING DISTRICT (C-3) OF THE TOWN OF WARREN, NEW HAMPSHIRE. THE MINIMUM FRONT SETBACK IS 35 FEET TO AN ADJACENT PLY DRIVEWAY OR SIDE DRIVEWAY. THE MINIMUM FRONT SETBACK IS 50 FEET TO A SIDE DRIVEWAY. THE MINIMUM FRONT SETBACK IS 50 FEET TO A SIDE DRIVEWAY. THE MINIMUM FRONT SETBACK IS 50 FEET TO A SIDE DRIVEWAY.
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**GRADING & SITE PLAN**  
PREPARED FOR  
**KNOXLAND EQUIPMENT**  
ASSESSOR'S MAP 3, LOTS 35 & 36

WARREN, NEW HAMPSHIRE  
OLD WARNER LANE  
DATE, MAY 13, 2013  
SHEET 2 OF 3

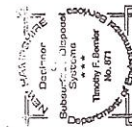


**T.F. BERNIER, INC.**  
300 Court Street - Des Moines - Connecticut  
PO BOX 316  
CONCORD, NEW HAMPSHIRE  
Tel: (603) 224-1448 - Fax: (603) 224-0507

THIS MAP IS BEING APPROVED BY THE TOWN OF WARREN PLANNING BOARD AT AN OFFICIAL MEETING HELD ON:  
DATE: \_\_\_\_\_  
BY: \_\_\_\_\_ SECRETARY OF THE TOWN OF WARREN PLANNING BOARD

**OWNERS OF RECORD**  
MAP 3, LOT 35  
WARNER AVENUE, LLC  
WARREN, NH 03278  
BOOK 339 PAGE 1932

**ADDITIONAL NOTICE: OWNER OF RECORD**  
ADDITIONAL NOTICE: OWNER OF RECORD  
ADDITIONAL NOTICE: OWNER OF RECORD  
ADDITIONAL NOTICE: OWNER OF RECORD



**SHEET INDEX**

1. EXISTING CONDITIONS PLAN
2. EXISTING AND SITE PLAN
3. LANDSCAPING PLAN

**REVISION**

NO.	DATE	REVISION
1	8-21-13	ADDITIONAL NOTICE: OWNER OF RECORD
2	6-2-11	CONDITIONS OF APPROVAL
3	6-2-11	ADDITIONAL NOTICE: OWNER OF RECORD

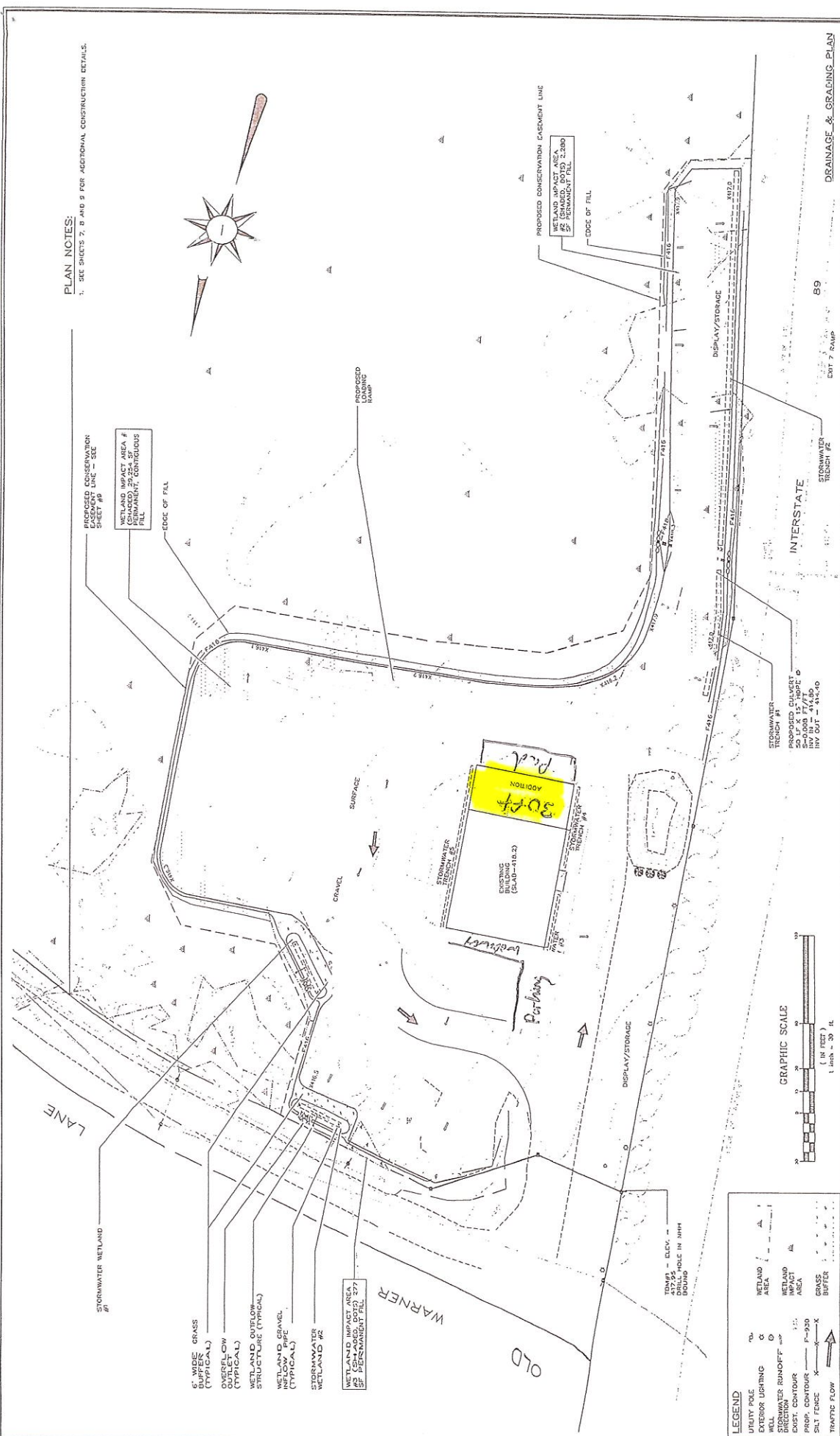
**APPROVED BY**

DATE	BY	TITLE
5/13/13		

*WEC Land*

**PLAN NOTES:**

1. SEE SHEETS 7, 8 AND 9 FOR ADDITIONAL CONSTRUCTION DETAILS.



PROPOSED CONSERVATION SHEET #1  
 WETLAND IMPACT AREA #1  
 PERMANENT, CONTIGUOUS FILL

6" WIDE GRASS (TYPICAL)  
 SURFACE  
 OUTLET COW (TYPICAL)  
 WETLAND OUTFLOW STRUCTURE (TYPICAL)  
 WETLAND GRASS INFLOW PIPE (TYPICAL)  
 STORMWATER WETLAND #2

WETLAND IMPACT AREA #2  
 PERMANENT, CONTIGUOUS FILL

STORMWATER TRENCH #1  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #2  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #3  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #4  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #5  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #6  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #7  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #8  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #9  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #10  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #11  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

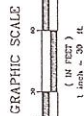
STORMWATER TRENCH #12  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #13  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

STORMWATER TRENCH #14  
 PROPOSED CULVERT  
 3'-0" DIA. 17' L  
 HWY. OUT - 48'-0"

**LEGEND**

WETLAND	WETLAND AREA
WETLAND IMPACT AREA	WETLAND IMPACT AREA
STORMWATER RUNOFF	STORMWATER RUNOFF
EXIST. CONTOUR	EXIST. CONTOUR
PROP. CONTOUR	PROP. CONTOUR
SILT FENCE	SILT FENCE
TRAFFIC FLOW	TRAFFIC FLOW



NO.	DATE	DESCRIPTION	BY
1	10-25-18	DRNAGE	RM
2	1-11-19	EDGE GRAVEL	MM

**MOSEY ENGINEERING**  
 PLANNING  
 DESIGN  
 ENVIRONMENTAL  
 CONSULTING

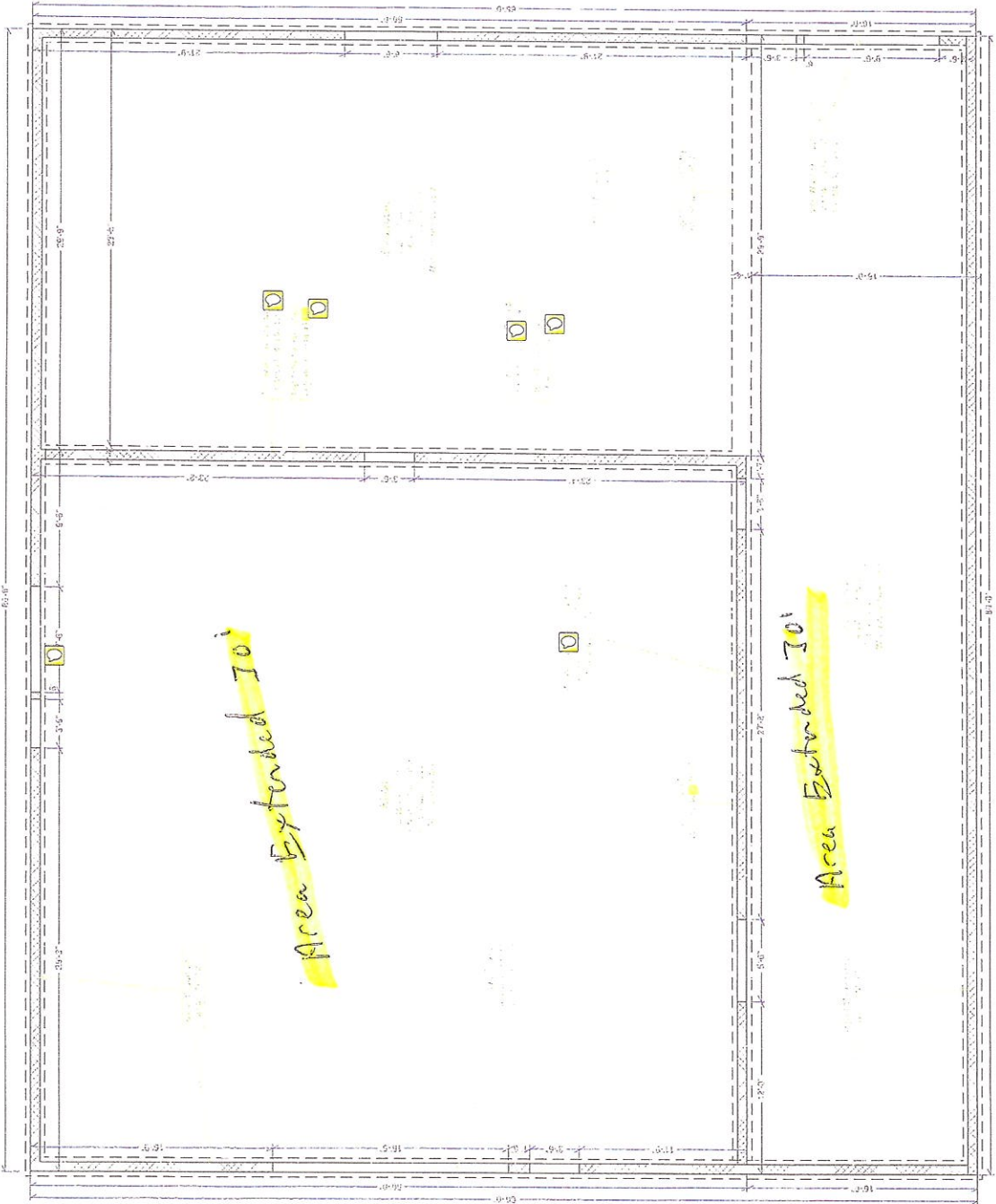
25 OLD WARNER RD., WARNER, NH  
 603-882-2122  
 603-882-2123

PREPARED FOR  
**KNOXLAND EQUIPMENT, INC.**  
 25 OLD WARNER RD., WARNER, NH

SITE PLAN  
 PROPOSED IMPROVEMENTS  
 AT  
 OLD WARNER LANE  
 WARNER, NEW HAMPSHIRE

SCALE: 1" = 30'  
 DATE: MAY 2017  
 PROJECT: 17131

DRAINAGE & GRADING PLAN  
 SHEET 3



August 5, 2014  
 Knoxland Equipment  
 Warner, NH

Foundation Plan

Drawn by:  
 Accu • Design, LLC

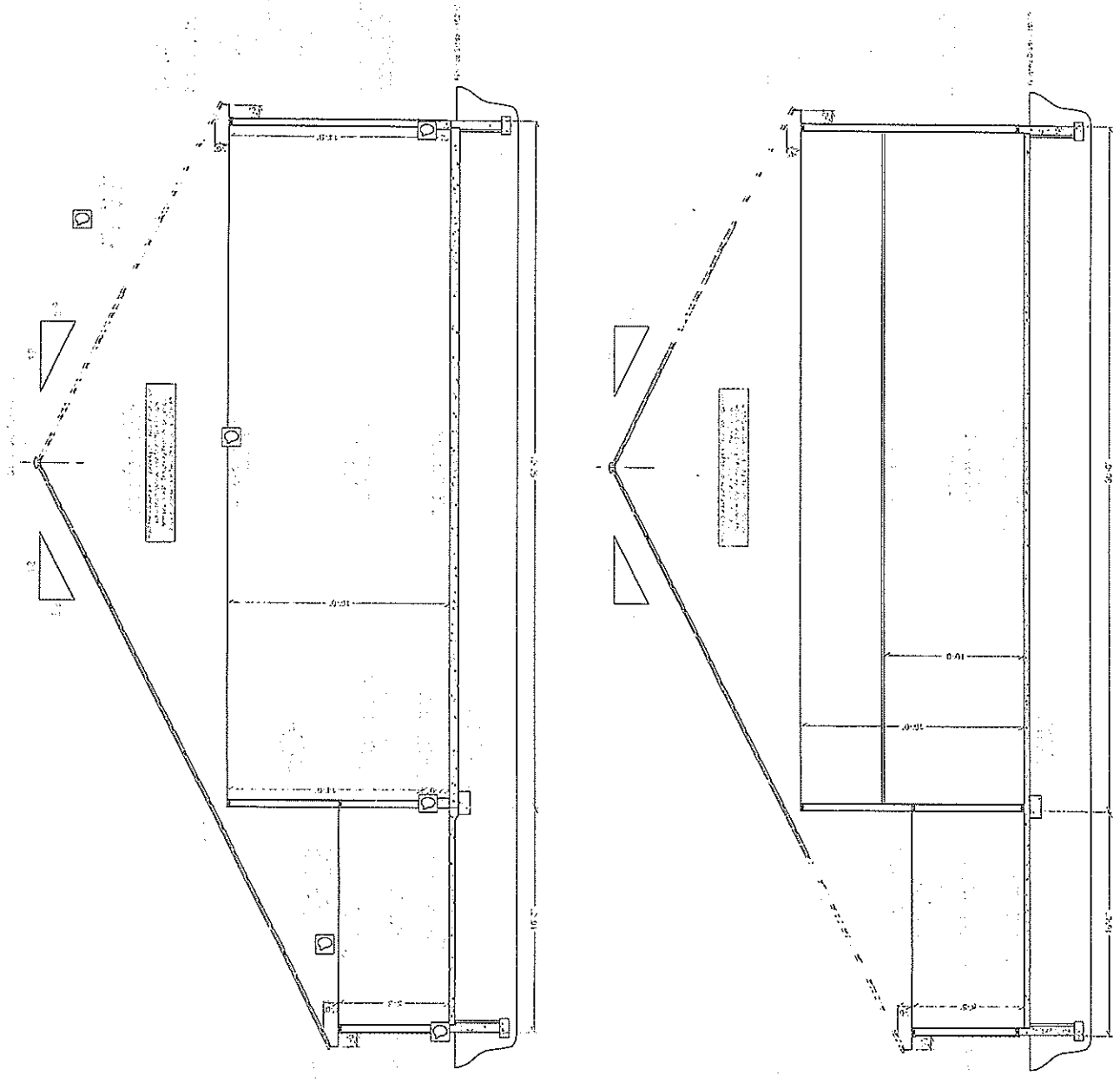
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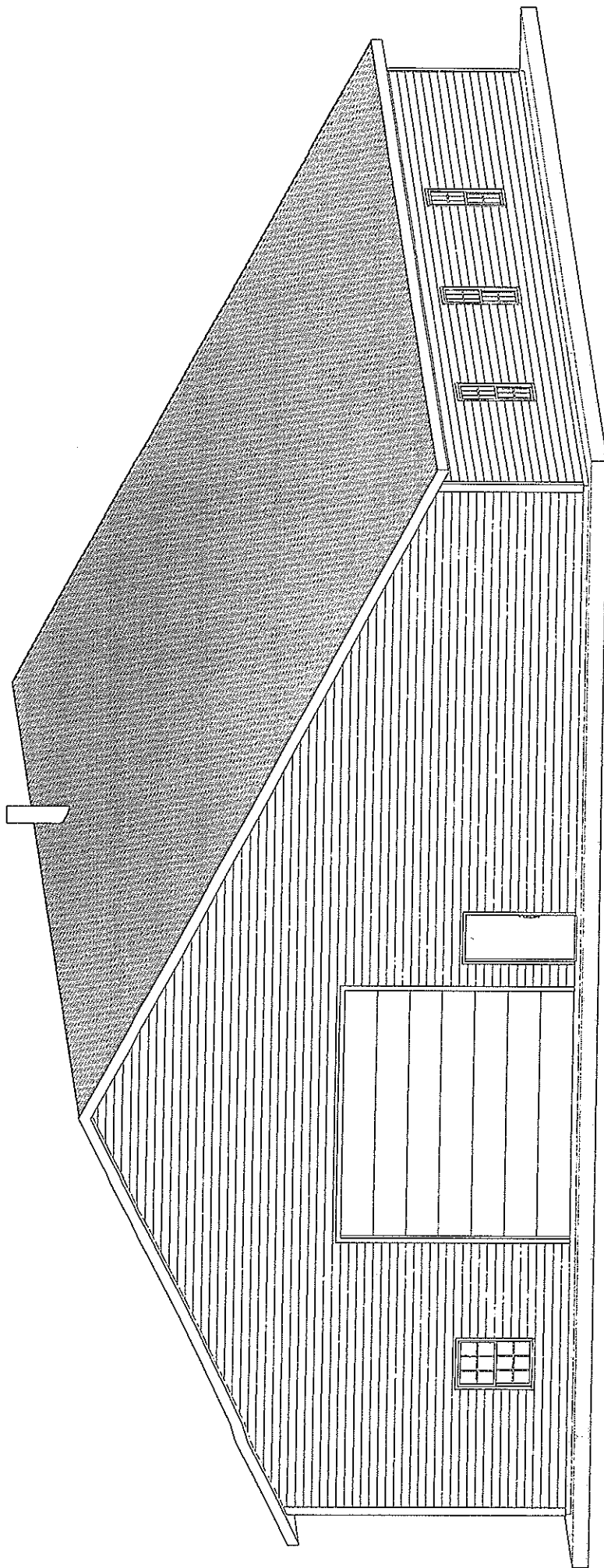


Cross Section Plan

Drawn by:  
Accu-Design, LLC

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*Rev of Building*



High way side of Building



Back side of Building



GRANTEE -



14 16  
2 00  
25 20



LT1-2-201300012341-1



LT2-3390-1175-2

THE ABOVE SPACE IS FOR THE EXCLUSIVE USE OF THE  
MERRIMACK COUNTY REGISTRY OF DEEDS  
(FOR PLACEMENT OF TRANSFER TAX STAMPS & RECORDING INFORMATION)

QUITCLAIM DEED ~~✕~~

72 OLD WARNER LANE, LLC, of 25 Old Warner Lane, Warner, New Hampshire 03278, a New Hampshire limited liability company, for consideration paid, grants to WECLand LLC, a New Hampshire limited liability company, with a mailing address of 25 Old Warner Lane, Warner, New Hampshire 03278, with QUITCLAIM COVENANTS:

A tract of land, together with the buildings thereon, located on the south side of Old Warner Lane, Warner, Merrimack County, New Hampshire, shown on the Town of Warner's Tax Assessor's Map as Map 3, Lot 35, and as further described.

The Property is conveyed subject to the following covenants for the benefit of other land known as Tax Map 3, Lots 34 and 42, described in the deed from Dimond Flag Station LLC, dated March 23, 2011, recorded at Book 3247, Page 1943 (the "Benefited Lots") which shall run with the land and may be enforced by the owner of the Benefited Lots:

1. Noise. Any use of Lot 35 shall not create unreasonable noise.
2. Equipment Storage. Portions of Lot 35 used for storage of equipment, other than reasonable displays of inventory, shall be screened from view from the Benefited Lots.
3. Hazardous Waste: Hazardous waste shall be properly disposed of in accordance with all applicable laws.
4. Consent to Development Plans. To insure the maintenance and enforcement of the covenants set forth in paragraphs 1-3 as stated above, the owner of the Benefited Lots shall have the right to consent to any plans for the initial development of Lot 35, which consent will not be unreasonably withheld or delayed. The owner of Lot 35 will give written notice by certified mail, return receipt requested, to the owner of the Benefited Lots of any development plan before or at the same time as any site plan application is filed with the Town of Warner Planning Board, but the failure of the owner of Lot 35 to give such notice, or the owner of the Benefited Lots to consent, shall not be deemed a title defect, and no written acknowledgment of the approval shall be required to be filed in the Registry of Deeds, and provided further that the right of the owner of the Benefited Lots to review plan for development shall apply only to the initial development of Lot 35 and not to later development. Any dispute which arises from the failure of the owner of the Benefited Lots to consent shall be resolved by binding arbitration. Further, in the absence of consent, the owner of the Benefited Lots reserves the right to take any action deemed necessary to oppose any development plans.
5. Right of First Refusal. The Owner of the Benefited Lots is hereby granted a right of first refusal to purchase Lot 35 (the "Right"). In the event that the Owner of Lot 35 receives from a third party a bona fide offer to purchase Lot 35, and if the owner of Lot 35 wishes to sell said Lot for such amount and upon such terms, then in such case the Owner of Lot 35 shall first give the owner of the Benefited Lots notice of the terms of said offer and of its willingness to sell said Lot 35 under said terms. A copy of the bona fide offer shall be transmitted to the Owner of the Benefited Lots along with the notice required herein within 10 days of receipt of the bona fide third party offer. The owner of the Benefited lots shall thereafter have 30 days to agree to purchase Lot 35 upon the same terms and conditions as is contained in said bona fide offer. Upon agreeing to purchase Lot 35, the parties shall proceed to closing of the sale of Lot 35 within 30 days thereafter. If the Owner of the Benefited lots fails to exercise its Right within 30 days or declines to purchase Lot 35, or otherwise fails to close through no fault of the owner of lot 35, then in any such event, the Owner of Lot 35 shall be free to sell Lot 35 to the bona fide third party on the same terms and conditions originally exhibited to the owner of the Benefited lots.

Notices to be provided under this provision shall be delivered by certified mail (with verified return receipts) or by such means as the parties may subsequently agree. If for any reason Lot 35 is not sold to the third party making the offer, then notice of any subsequent bona fide offers acceptable to the Owner of Lot 35 shall be provided to the owners of the Benefited Lots upon the same terms and conditions for acceptance and rejection as are herein provided.

*This is a non-contracted transfer*

6. Lapse of Right of Right of First Refusal. The right of first refusal set forth in paragraph 5 above shall lapse upon the *earlier* of; a) the failure of the owner of the Benefited Lots to timely exercise its right of first refusal, followed by the transfer of Lot 35 to the bona fide third party purchaser; b) the commencement of substantial development of Lot 35 for commercial or residential use, which shall be defined as any development that would constitute active and substantial development in accordance with an approved site plan; c) ten years from the date of the original deed to 72 Old Warner Lane, LLC dated March 23, 2011 and recorded at the Merrimack County Registry of Deeds at Book 3247 Pages 1943; or d) the transfer of the Benefited Lots to any purchaser that is not an affiliate or related entity of the immediate successor to the current owner of the Benefited Lots (the "Termination Events"). The right of first refusal shall not apply to any conveyance by a holder of a mortgage on Lot 35. Furthermore the right of the first refusal shall not apply to the transfer of Lot 35 to any related entity controlled by the grantee or any direct relative or family member of a member of the grantee ("Affiliated Grantee"), but shall remain in effect and be applicable to any such Affiliated Grantee as if fully restated in said deed of transfer. The owner of Lot 35, having complied with the requirements under paragraph 5 above, may file an affidavit with the Registry of Deeds attesting that (a) Notice of the right of first refusal was provided to the owners of the Benefited Lots; (b) the Termination Event has occurred as specified herein; and (c) the owner of the Benefited Lots failed to exercise its right of first refusal or that the same has expired by the passage of the required time period hereunder. The recording of this affidavit shall be effective to terminate the right of first refusal, provided that notice of the intent to file the affidavit has been delivered to the owner of the Benefited Lots at least fifteen days previously.

If the Benefited Lots are owned by more than one owner, notice to any one of the owners shall be deemed notice to all of the owners. Any notice may be sent to the address of the owner of the Benefited Lots as shown on the last deed recorded for the Benefited Lots. Notice shall be deemed properly delivered if delivered by certified mail, return receipt requested.

Executed on June 4th, 2013.

Meaning and intending to describe and convey the same premises conveyed to 72 OLD WARNER LANE, LLC and recorded at Merrimack County Registry of Deeds on March 23, 2011 in Book 3247 Page 1943.

72 Old Warner Lane, LLC

By: Michael A. Jones  
Michael A. Jones, Member

I release my rights of homestead and other interests therein.

Signed this . day of , 2013.

Michael A. Jones  
Michael A. Jones

State of New Hampshire

County of Merrimack

On this the 4<sup>th</sup> day of JUNE 2013 before me, the undersigned officer, personally appeared Michael A. Jones known to me (or satisfactorily proven) to be the person whose name is subscribed to the within instrument and acknowledged that she executed the same for the purpose therein contained.

In witness whereof I hereunto set my hand and official seal.

Witness:

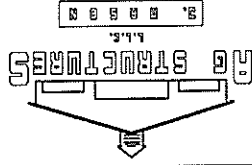
Thomas E. Jensen  
Notary/Justice of the Peace  
My commission expires: 6/8/16



MERRIMACK COUNTY RECORDS

Kaci L. Gray CPO, Register





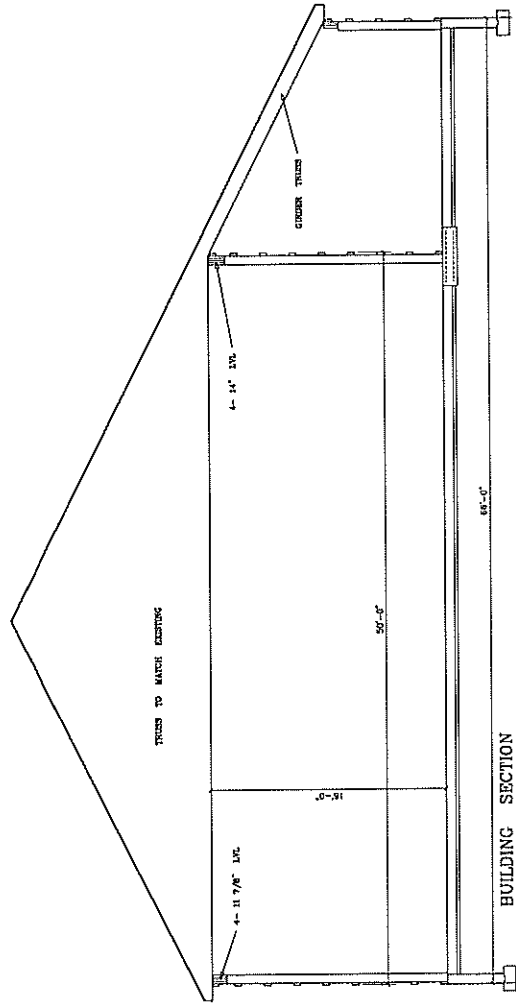
96 OLD TURNPIKE RD.  
SALISBURY, N.H.  
603-648-2888  
WWW.AGSTRUCTURES.COM

THESE PLANS ARE THE PROPERTY OF AG STRUCTURES, LLC AND SHALL NOT BE REPRODUCED OR DEPICTED BY ANY MEANS, IN WHOLE OR IN PART, WITHOUT WRITTEN CONSENT ONLY.

WECLAND LLC  
25 OLD WARNER LANE  
WARNER NH

FEBRUARY 16 202

DRAWN BY ELP  
1/4"=1'-0"  
OR AS NOTED



E. B. B. B. B. N

H.G. STRUCTURES

S.F.

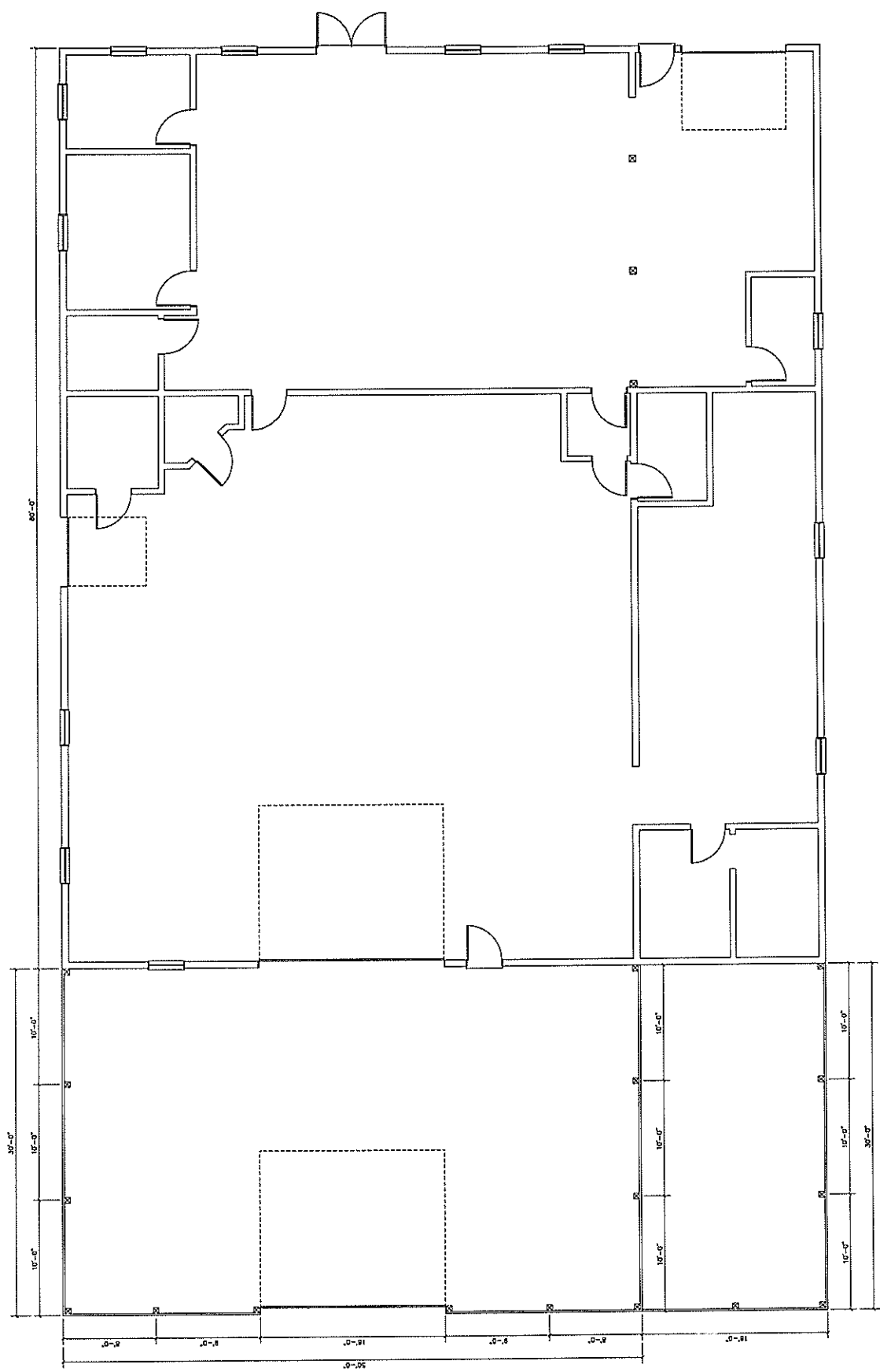
96 OLD TURNPIKE RD.  
SAISSURY, N.H.  
603-648-2888  
WWW.AGSTRUCTURES.COM

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AND SHALL NOT BE REPRODUCED OR COPIED IN ANY MANNER  
WITHOUT THE WRITTEN PERMISSION OF HERRICK CONSTRUCTION CO.

WECLAND LLC  
25 OLD WARNER LANE  
WARNER NH

FEBRUARY 16 202

DRAWN BY ELP  
OR AS NOTED  
1/4"=1'-0"



FLOOR PLAN