



TOWN OF WARNER

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Zoning Board of Adjustment NOTICE OF DECISION

Date of Decision: May 28, 2025

Application for a Variance

Case: 2025-2

Applicant: Concord Area Trust for Community Housing (CATCH)

Owner: Comet, LLC

Address: Route 103

Parcel: Map: 35 Lot: 4-3

District: C-1, Intervale

Details of Request: Application to allow construction of a building 20 feet from the edge of a public right of way where 40 feet is required in the district

You are hereby notified that on May 28 2025 the Zoning Board of Adjustment voted to **DENY** the variance to the terms of the Warner Zoning Ordinance.

Summary: Following a public hearing the variance was denied by a vote of 5-to-0.

1. The Board found that the proposed development would create overcrowding of the district by placing a large multi-story building within the frontage setback to the roadway where other buildings are only 1-story and meet the frontage setback.
2. The Board found that substantial justice is not done because placing a large residential building between a protected wetland and a state highway, without room for the required parking or any designated outdoor recreation area, creates undesirable living conditions for the residents.
3. The Board found that the surrounding residential properties would be adversely affected by siting such a large, boxy building where it will dominate the landscape entering the village and from the closest residential neighbors.
4. The Board found that the property does not have special conditions that create a hardship. The approximate buildable area, slope, and proximity to wetlands is shared by all properties on the riverside of the road. The constraint to build within the setback is a function of the proposed development being oversized for the lot.


Barbara Marty, ZBA Chair

6-2-2025

Date

Warner Zoning Board of Adjustment Note: The New Hampshire RSA 677:2: provides that the Board of Selectmen, any party to the action, or any person directly affected has a right to appeal this decision within 30 days after the date of the decision. This notice has been placed on file and made available for public inspection in the records of the ZBA.