



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 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: June 27, 2024

NAME OF APPLICANT Mark W. Xenakis

ADDRESS 93 Dimond Lane- Warner, NH 03278

PHONE # 1 1 903 907-0456 PHONE # 2 _____ E-MAIL mxenakis22@gmail.com

OWNER(S) OF PROPERTY Mark W. & Susan M. Xenakis

ADDRESS Same as above

PHONE # 1 _____ PHONE # 2 _____ E-MAIL _____

AGENT NAME J.E. Belanger Land Surveying, PLLC

ADDRESS 61 Old Hopkinton Road - Dunbarton, NH 03046

PHONE # 1 603 774-3601 PHONE # 2 603 491-8732 E-MAIL jacques@belangersurvey.com

LICENSED LAND SURVEYOR: Jacques E. Belanger, LLS

LICENSED PROFESSIONAL ENGINEER: N/A

CERTIFIED SOIL SCIENTIST: N/A

CERTIFIED WETLAND SCIENTIST: N/A

OTHER PROFESSIONAL(S): N/A

STREET ADDRESS & DESCRIPTION OF PROPERTY 93 Dimond Lane located on the westerly side of Interstate 89, south of Warner River and East of Tom Pond with an existing house.

MAP # 3 LOT # 29 ZONING DISTRICT R-2 & OC-1 NUMBER OF LOTS/UNITS: 2 Lots

FRONTAGE ON WHAT STREET(S): Dimond Lane

DEVELOPMENT AREAS: 11.27/490,975 acres/sq.ft. BUILDING/ADDITION: N/A sq. ft.

DEED REFERENCE: Book 2083 Page 1421 Please include a copy of the Deed.

PROPOSED USE: Residential single family

DETAILS OF REQUEST: *Indicate number of separate pages attached, if necessary.*
See narrative letter submitted along with this application.

Authorization/Certification from Property Owner(s)

I (We) hereby designate J.E. Belanger Land Surveying, PLLC 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): Mark W. Xenakis Date: 7-1-24
(Need signatures of all owner's listed on deed)

Susan M. Xenakis 7-1-24

Print Names MARK W. XENAKIS Susan M. Xenakis

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: _____

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. [Amended March 2020]

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’s Assessors records on:

_____ July 8, 2024 _____ (date)
Signature _____ Peter Weeks _____
Print Name _____ PETER WEEKS _____

Map: 3 Lot: 29

Name: Mark W. & Susan M. Xenakis

Address: 93 Dimond Lane
Warner, NH 03278

Map: 28 Lot: 47

Name: Mark John & Doreen Katharina O’Neil

Address: 81 Dimond Lane
Warner, NH 03278

Map: 28 Lot: 48

Name: Diane Sullivan

Address: 87 Dimond Lane
Warner, NH 03278

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

Map: 28 Lot: 49

Name: Julie A. Orlando Gibson

Address: 89 Dimond Lane

Warner, NH 03278

Map: 7 Lot: 47, 48, & 49

Name: Town of Warner

Address: PO Box 265

Warner, NH 03278

Map: _____ Lot: _____

Name: J.E. Belanger Land Surveying, PLLC

Address: 61 Old Hopkinton Road

Dunbarton, NH 03046

Map: _____ Lot: _____

Name: State of New Hampshire Department of Highway Transportation

Address: PO Box 483 - 7 Hazen Drive

Concord, NH 03302

Map: _____ Lot: _____

Name: _____

Address: _____

Map: _____ Lot: _____

Name: _____

Address: _____



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

Planning Board - Application Fees

Name of Applicant Mark W. Xenakis Project Location: 93 Dimond Lane
 Received By _____ 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

<input checked="" type="checkbox"/> Subdivision	\$250 Base Fee (Final Application or Design Dev.) \$50 per lot # of lots <u>2</u> x \$50 = \$15 per notification # notices <u>7</u> x \$15 = \$25 minimum compliance inspect, additional per Board Legal Notice in Publication - due prior to Hearing Escrow for 3 rd party review or inspection – per Board MCRD** recording fee – separate check charged below LCHIP*** – separate \$25 check – charged below	\$ <u>250.00</u> \$ <u>100.00</u> \$ <u>105.00</u> \$ <u>25.00</u> \$ <u>invoiced</u> \$ <u>TBD by Board</u> \$ <u>separate**</u> \$ <u>separate***</u> Subtotal \$ <u>480.00</u> * (Check made out to "Town of Warner")
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<u> </u> Site Plan Review	\$400 Base Fee (Final Application or Design Development) \$15 per notification # notices _____ x \$15 = \$25 minimum compliance inspect, additional per Board Legal Notice in Publication - due prior to Hearing Escrow for 3 rd party review or inspection – per Board MCRD** recording decision – check per rate below	\$ _____ \$ _____ \$ _____ \$ <u>invoiced</u> \$ <u>TBD by Board</u> \$ <u>separate**</u> Subtotal \$ _____ * (Check made out to "Town of Warner")
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<u> </u> 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")
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___ 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.

TWO Separate Checks (Upon completion / approval):		
___	\$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"



TOWN OF WARNER

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

Selectboard, Harry Seidel, Chair
Faith Minton
Michael Smith
selectboard@warnernh.gov
Kathy Frenette, Town Administrator
administrator@warnernh.gov

Susan Xenakis
29 Dimond Lane
Warner, NH 03278

June 13, 2024

Dear Susan,

The following is taken from the Tuesday, January 30, 2024, Warner Selectboard Meeting. The zoom recording exists as the record of the meeting. Below is text from the recording of the portion of the meeting when discussion was held concerning your project to build a hammerhead on your Dimond Lane property.

"Mark Xenakis appeared before the board, handed diagrams to each member, explained he has been before the Planning Board.

Selectperson Brown, retired Warner Road Agent, provided history and explained that about 600 feet of Dimond lane was a state access road to a boy scout camp in the area when route 89 was built, easements from property owners after the state portion were obtained in order to have permission for the Town to plow past the state portion in winter storms.

Mr. Xenakis' end of the road property is 13 acres with only 35 feet of frontage, not enough to subdivide to build a small retirement home, his handouts show a hammerhead he would build at his own expense and use the perimeter as frontage needed for a new lot, the idea was discussed with and has the support of the Director of Public Works (DPW), Tim Allen, who could use the hammerhead to more easily turn trucks around when moving snow. Selectperson Brown has viewed the proposed project with DPW Allen and sees it as a positive advantage for the Town if they were to accept it as a Town road.

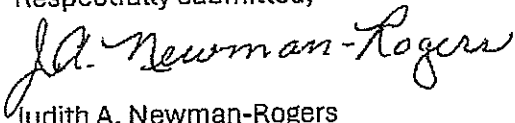
Mr. Xenakis approached the Board to show on his diagram handouts exactly where the hammerhead would be located which is completely on his property; he asked that he be allowed to build the hammerhead to the gravel stage, start building the new house and have the heavy trucks delivering supplies cross over and compact the gravel before he paves, he would have the fire truck come in to be sure they could turn around, he would give the easement to the Town,

members agreed it is a public benefit, life safety, adds to the property and does not take away from the Town.

Roads in new sub-divisions and road building specifications were discussed, the width of Dimond Lane, the land is flat and sandy. Interim Town Administrator suggested that a motion include giving DPW Tim Allen the authority to attend any meetings necessary, including Planning Board and speak for the Selectboard in his capacity as Public Works Director in regard to the hammerhead.

Motion by Faith Minton: To support building a hammerhead turnaround on Map 3 Lot 29, Dimond Lane, Mark Xenakis property owner, with the condition that Tim Allen, Director of Public Works, Warner, is the overseer of the construction. Allan Brown seconded the motion. Voice Vote. All in favor. Motion Passed.

Respectfully submitted,



Judith A. Newman-Rogers
Selectboard Administrative Assistant"

Please let me know if this sufficiently meets your request.

Thank you,



Judy

- 1 - For TOWN USE AS TURN AROUND.
if not
- 2 - SCREENING OF HAMMERHEAD
- 3 -

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>Y</u>	<u>Y</u>	(V.A.1) Subdivision name; Names and addresses of the applicant and owner; Written certification from owner.
<u>Y</u>	<u>Y</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>Y</u>	<u>Y</u>	(V.A.3) Graphic or bar scale shown on plat; Scale not less than 1" = 100'.
<u>Y</u>	<u>Y</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>Y</u>	<u>Y</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>Y</u>	<u>Y</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>Y</u>	<u>Y</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>Y</u>	<u>Y</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>Y</u>	<u>Y</u>	(V.A.9) Zoning District(s) and District lines; Building setback lines.
<u>Y</u>	<u>Y</u>	(V.A.10) Title and deed references.
<u> </u>	<u> </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</u>	<u>N</u>	(V.A.12) Listing of all variances and special exceptions granted by the ZBA for the parcel involved and dates granted.
<u>Y</u>	<u>Y</u>	(V.A.13) Names of all adjoining street(s).
<u>Y</u>	<u>Y</u>	(V.A.14) Approximate contours at 10' intervals; Significant natural features, including perennial streams, wetlands, etc.
<u>Y</u>	<u>Y</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>
<u>N</u>	<u>N</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.
<u>N</u>	<u>N</u>	(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.
<u>N</u>	<u>N</u>	(V.B.2) Abutters may be heard and may request a public hearing.
<u>N</u>	<u>N</u>	(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>
Y ___	Y ___	(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.
Y ___	Y ___	(V.C.2) Local, County, or State approvals for individual water service and sewage disposal systems; Percolation test results. A statement from WWWD attesting to the availability of such service shall be submitted.
Y ___	Y ___	(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.
Y ___	Y ___	(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.
Y ___	Y ___	(V.C.5) Location of all monuments; Placement of stakes and ribbons marking corners of all proposed lots or sites of a Major Subdivision.
Y ___	Y ___	(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, if such species or communities are identified.
N ___	N ___	(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>N</u>	<u>N</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>N</u>	<u>N</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</u>	<u>N</u>	(V.D.3) Sketch plan of contiguous holdings showing future layout, street and drainage systems.
<u>N</u>	<u>N</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</u>	<u>N</u>	(V.D.5) Documentation showing feasibility of future extension of temporary turnaround into adjoining properties.
<u>N</u>	<u>N</u>	(V.D.6) Plan for restoring temporary turnaround where extension of street is shown.
<u>N</u>	<u>N</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>N</u>	<u>N</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>N</u>	<u>N</u>	(V.D.9) Erosion plan.
<u>N</u>	<u>N</u>	(V.D.10) Land disturbance.

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

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

Printed Signature Name: PETER WOODS

Authorized Signature: *Peter Woods* Date: 7/9/24

J.E. BELANGER LAND SURVEYING P.L.L.C.

61 Old Hopkinton Road
Dunbarton, New Hampshire 03046
Phone number (603) 774-3601
Email: jebsurvey@gsinet.net

**Abutters list for Map 3 Lot 29
Mark W. & Susan M. Xenakis**

Owner:

Map 3 Lot 29
Mark W. & Susan M. Xenakis
93 Dimond Lane
Warner, NH 03278

Abutters:

Map 28 Lot 47
Mark J. & Doreen K. O'Neil
81 Dimond Lane
Warner, NH 03278

Map 28 Lot 48
Diane Sullivan
87 Dimond Lane
Warner, NH 03278

Map 28 Lot 49
Julie A. Orlando Gibson
89 Dimond Lane
Warner, NH 03278

Map 7 Lot 47, 48, & 49
Town of Warner
PO Box 265
Warner, NH 03278

State of New Hampshire
Department of Highway Transportation
PO Box 483 7 Hazen Drive
Concord, NH 03302

Land Surveyor

J.E. Belanger Land Surveying, PLLC
61 Old Hopkinton Road
Dunbarton, NH 03046

J.E. BELANGER LAND SURVEYING P.L.L.C.

61 Old Hopkinton World
Dunbarton, New Hampshire 03046
Phone number (603) 774-3601
Fax number (603) 774-2601
Email: jacques@belangersurvey.com

July 11, 2024

Warner Planning Board
PO Box 265
Warner, New Hampshire 03278

Re: Mark W. & Susan M. Xenakis
Map 3 Lot 29 – Minor Subdivision

Dear Members of the Board,

Mark W. & Susan M. Xenakis, owners of Tax Map 3 Lot 29, would like to subdivide their existing 12.3 acres into 2 single family residential lots. The property is located at the northerly end of Dimond Lane and has approximately 35 feet of frontage. This would not be enough for the Xenakis's to subdivide their property in order to build a retirement home on the newly created lot. Mr. Xenakis met with the Town of Warner Selectboard on January 20, 2024, to discuss his situation. Mr. Xenakis provided handouts showing his proposal to provide a hammerhead turnaround at the end of Dimond Lane which will be entirely on his property. Mr. Xenakis is willing to build the hammerhead at his own expense in order to create the necessary lot frontage for the new lot. Tim Allen, Town of Warner Director of Public Works was present at the meeting. Mr. Allen stated that providing a hammerhead would be an advantage to the town, especially for town trucks to turn around when moving snow. The hammerhead turnaround as shown on said plan would be deeded to the town as an easement.

The hammerhead will encompass the existing gravel way that is presently used to access the existing home on the lot. It will be constructed according to the Town of Warner Road specifications and will be overseen by Mr. Allen, the Director of Public Works. The selectboard was in favor of this proposal.

We have also submitted a waiver request for showing the northerly boundary of this parcel due to incomplete records and the inability in performing a physical survey of that area.

Thank you for your consideration.


Jacques E. Belanger, LLS

J.E. BELANGER LAND SURVEYING P.L.L.C.

61 Old Hopkinton World
Dunbarton, New Hampshire 03046
Phone number (603) 774-3601
Fax number (603) 774-2601
Email: jebsurvey@gsinet.net

July 8, 2024

Warner Planning Board
PO Box 265
Warner, New Hampshire 03278

Re: Waiver Request Mark W. & Susan M. Xenakis – Tax Map 3 Lot 29


Dear Members of the Board,

We would like to request a waiver to the following requirements for submittal of Proposed Subdivision Plan, Tax Map 3 Lot 29.

1.) Section V Number 4:

The boundary of this parcel is fairly well defined, and it is well monumented to the south with stone bounds and iron pins found during the survey. The boundary is well defined to the east by the Right of Way limits of Interstate Route 89 and to the west by the shoreline of Tom Pond. The boundary to the north is not so well defined and during our survey we were unable to locate and or determine the boundaries of land owned by the Town of Warner. We did locate the approximate edge of Warner River and have shown that as the northerly boundary for our parcel to where it intersects with Tom Pond. We are requesting a waiver to do further survey work to determine the deeded boundaries. We assume that the town has no records of where their land is on the ground. Their deeds are very vague. If our assumption is incorrect and the town has some records of their boundary, we will be glad to adjust the plan to reflect those records.

Thank you for your consideration of these requests.


Jacques E. Belanger, LLS

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

To: Peter Weeks
61 Old Hopkinton road
Dunbarton, NH 03046

From: NH Natural Heritage Bureau

Date: 7/8/2024 (This letter is valid through 7/8/2025)

Re: Review by NH Natural Heritage Bureau of request dated 7/8/2024

Permit Type: Warner

NHB ID: NHB24-2133

Applicant: Peter Weeks

Location: Warner
Tax Map: 3, Tax Lot: 29
Address: 93 Dimond Lane

Proj. Description: Subdividing a 11.16 acre lot into 2 residential lots. There will be an existing house on one lot and a single family residential home will be built on the newly created lot. There is an existing Lane that will be extended so the newly created lot will have frontage. This has been approved by the town of Warner Selectman.

The NH Natural Heritage database has been checked for records of rare species and exemplary natural communities near the area mapped below. The species considered include those listed as Threatened or Endangered by either the state of New Hampshire or the federal government. We currently have no recorded occurrences for sensitive species near this project area.

A negative result (no record in our database) does not mean that a sensitive species is not present. Our data can only tell you of known occurrences, based on information gathered by qualified biologists and reported to our office. However, many areas have never been surveyed, or have only been surveyed for certain species. An on-site survey would provide better information on what species and communities are indeed present.

Based on the information submitted, no further consultation with the NH Fish and Game Department pursuant to Fis 1004 is required.

New Hampshire Natural Heritage Bureau
NHB DataCheck Results Letter

MAP OF PROJECT BOUNDARIES FOR: NHB24-2133



QUITCLAIM DEED

KNOW ALL MEN BY THESE PRESENTS, that we, Valworth L. Dean, a/k/a Valworth Dean, and Evelyn S. Dean, a/k/a Evelyn Dean, husband and wife, with a mailing address of 243 Eastside Drive, Concord, New Hampshire 03301, for consideration paid, grant to Mark W. Xenakis and Susan M. Xenakis, husband and wife, of 30 Smith Corner Road, Plaistow, New Hampshire 03865, as joint tenants with rights of survivorship, with **QUITCLAIM COVENANTS**, the following:

A certain tract of land situated in Warner, County of Merrimack, and State of New Hampshire, containing ten acres, more or less, bounded and described as follows:

Westerly by Thomas' Pond; southerly by Lot No. twenty-four; easterly by Warner River; northerly by Lot No. twenty-two.

It being all that part of Lot No. twenty-three (recorded thirty-three) in the second division of forty acre lots which was set off to Aquila Davis as part of his share in the Real Estate of Aquila Davis, late of said Warner, deceased. (Rec. Lib. 251, Fol. 509)

Excepting and reserving from the foregoing premises the portion thereof conveyed by Doris M. Davis to the State of New Hampshire.

Also conveyed herewith is the perpetual right and privilege to construct, maintain and forever use a certain right of way across premises formerly of Henry R. Davis, situated near Tom Pond, so-called, in said Warner; said right of way being sixteen (16) feet in width and extending in a straight line from the southeasterly corner of land formerly of Henry R. Davis to the right of way now or formerly of Joseph E. Sanborn and located on the northerly side of the premises formerly of Henry R. Davis.

It is the grantors' intention to convey hereby those tracts of land shown as Tracts No. 29 and No. 49 on the Assessors Map of the Town of Warner.

This conveyance is subject to all easements, conditions, restrictions, and encumbrances of record, insofar as they may affect these premises, if at all.

MEANING AND INTENDING to describe and convey hereby all and the same premises conveyed by Valworth L. Dean and Evelyn S. Dean, as Trustees of the VALWORTH DEAN AND EVELYN DEAN REVOCABLE TRUST, to Valworth L. Dean, a/k/a Valworth Dean, and Evelyn S. Dean, a/k/a Evelyn Dean, by Quitclaim Deed of near or even date, to be recorded herewith at the Merrimack County Registry of Deeds.

This is a noncontractual transfer of property with no consideration being paid to the Grantors herein, and is, therefore, exempt from the payment of New Hampshire state transfer fees.

THESE ARE NOT THE HOMESTEAD PREMISES OF THE GRANTORS HEREIN.

Executed this 13th day of January, 1998.

MCRD

Valworth L. Dean
Valworth L. Dean
a/k/a Valworth Dean

Evelyn S. Dean
Evelyn S. Dean
a/k/a Evelyn Dean

[EXECUTE IN BLACK INK ONLY]

STATE OF NEW HAMPSHIRE
COUNTY OF MERRIMACK, SS.

The foregoing instrument was acknowledged before me this 13th day of January, 1998 by Valworth L. Dean, a/k/a Valworth Dean, and Evelyn S. Dean, a/k/a Evelyn Dean.

Amey Zline
Notary Public

My commission expires: 7/19/2000

Notary Seal or Stamp:



[EXECUTE IN BLACK INK ONLY]

MERRIMACK COUNTY RECORDS

Kathi L. Gray, Register